

ASSEMBLY RESOLUTION No. 121

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman SEAN T. KEAN

District 30 (Monmouth and Ocean)

SYNOPSIS

Opposes Pilgrim Pipeline project in NJ.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ASSEMBLY RESOLUTION** opposing the Pilgrim Pipeline project
2 in New Jersey.
3
4 **WHEREAS**, Pilgrim Pipeline Holdings is proposing to build two new
5 parallel oil pipelines through the States of New Jersey and New
6 York that would transport crude oil and refined petroleum
7 products between Albany, New York and Linden, New Jersey;
8 and
9 **WHEREAS**, The pipeline will carry oil extracted from North Dakota's
10 Bakken shale formation, produced through the process of hydraulic
11 fracturing, or fracking; and
12 **WHEREAS**, The transport of crude oil increased more than 4,000
13 percent in North America between 2008 and 2014 as a result of the
14 increased production of crude oil from the Bakken shale formation;
15 and
16 **WHEREAS**, In February 2014 the Wall Street Journal compared oil
17 from 86 locations around the world and found Bakken crude oil to
18 be the most explosive; and
19 **WHEREAS**, The Pilgrim Pipeline project would expand capacity to
20 bring more of this very volatile fuel into the State on a route that
21 passes densely populated and environmentally sensitive areas, and
22 preserved lands; and
23 **WHEREAS**, The Pilgrim Pipeline project raises significant safety
24 concerns for the State of New Jersey including potential harm to
25 municipal and county infrastructure, and would likely have a
26 negative impact upon future development in the community; and
27 **WHEREAS**, The federal Pipeline and Hazardous Materials Safety
28 Administration (PHMSA) only has approximately 135 inspectors
29 and 375 state partners to oversee 2.6 million miles of pipeline, and
30 only a fifth of that pipeline system has been inspected since 2006;
31 and
32 **WHEREAS**, A pipeline spill or rupture could harm communities, the
33 environment, and drinking water supplies and would negatively
34 affect the health, safety, and welfare of the State's residents; and
35 **WHEREAS**, The New Jersey Legislature recognized the significance of
36 the New Jersey Highlands Region and afforded special protection to
37 the region and its resources in 2004 with the passage of the New
38 Jersey Highlands Water Protection and Planning Act, which created
39 the Highlands Water Protection and Planning Council and the
40 Highlands Regional Master Plan to ensure resource-based planning
41 would be used in the Highlands Region to combat sprawl and the
42 depletion of water quality and quantity, as the region provides
43 drinking water to 5.4 million State residents; and
44 **WHEREAS**, The federal government acknowledged the exceptional
45 value of Highlands resources and the urgent need for their
46 preservation in 2004 when Congress passed the Highlands
47 Conservation Act which recognizes the importance of the water,
48 forest, agricultural, wildlife, recreational, and cultural resources of

1 the Highlands Region, and the national significance of the region to
2 the United States; and

3 **WHEREAS**, The current proposed route of the Pilgrim Pipeline crosses
4 through 10 municipalities and critical drinking water supply
5 watersheds in the Highlands Region, and many State residents in
6 municipalities along the proposed route depend on ground water
7 and public community water systems for their water supply and
8 septic systems for waste disposal, and this project will impact
9 groundwater quality and quantity and residents' septic fields along
10 and adjacent to the right of way; and

11 **WHEREAS**, Many State residents depend on surface water originating
12 from communities through which the oil pipelines will pass,
13 including the Ramapo River Basin Aquifer System, which provides
14 100 percent of the water for Mahwah, Ramsey, Oakland, Franklin
15 Lakes, Allendale, Pompton Lakes and Wayne, and, during drought
16 can supply 190 million gallons of water a day to the Wanaque
17 Reservoir, which supplies 3.5 million people; and

18 **WHEREAS**, The PHMSA reports 280 significant incidents annually
19 with oil pipelines, and if an incident were to occur along this
20 proposed route, it could potentially impact the drinking water of
21 millions of residents in New Jersey and New York; and

22 **WHEREAS**, The wise stewardship of the natural resources of the State
23 of New Jersey requires protection of water supplies and other
24 natural resources for generations to come; and

25 **WHEREAS**, Protection of the State's water supplies and resources is
26 better accomplished by prevention of contamination and
27 environmental degradation, rather than attempting to clean up
28 contamination and restoring degraded environments after the fact;
29 now, therefore,

30

31 **BE IT RESOLVED** by the General Assembly of the State of New
32 Jersey:

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34 1. This House opposes the construction and operation of the
35 proposed Pilgrim Pipeline and urges the United States Army Corps
36 of Engineers, the New Jersey Department of Environmental
37 Protection, the New Jersey Highlands Water Protection and
38 Planning Council, and any other federal, state, or local entity
39 engaged in review of the Pilgrim Pipeline project to reject the
40 project, and thereby prohibit its construction through New Jersey.

41

42 2. In addition, this House calls for a moratorium on any and all
43 planning, surveying, and construction of the Pilgrim Pipeline
44 through the State of New Jersey, because this project will traverse
45 and negatively impact numerous significant natural resource areas
46 of the Highlands Region.

3. This House also calls for a full environmental review of the project and calls on the United States Army Corps of Engineers to prepare an Environmental Impact Statement for the entire route of the project under the National Environmental Policy Act. Additionally, this House calls on the New Jersey Department of Environmental Protection to conduct a thorough environmental review of the project, including a Highlands Act review.

4. This House further urges the New York State Legislature to adopt a similar resolution so both states can stand united in opposition to this project.

5. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President of the United States, the Commanding General and Chief of Engineers of the United States Army Corps of Engineers, each member of the New Jersey Congressional Delegation, the Governor of New Jersey, the Commissioner of the New Jersey Department of Environmental Protection, the New Jersey Highlands Water Protection and Planning Council, the Governor of New York, and the Senate President and Assembly Speaker for the State of New York.

STATEMENT

This resolution expresses the Assembly's opposition to the Pilgrim Pipeline project and urges the United States Army Corps of Engineers, the New Jersey Department of Environmental Protection (NJDEP), the New Jersey Highlands Water Protection and Planning Council, and any other federal, state, or local entity engaged in review of the Pilgrim Pipeline project to reject the project. The resolution also urges the Army Corps of Engineers to prepare an environmental assessment for the project under the National Environmental Policy Act and calls on the NJDEP to thoroughly review the project's impacts.

The Pilgrim Pipeline project would construct two new parallel oil pipelines in the State, linking Albany, New York, and Linden, New Jersey. The pipeline would transport Bakken shale oil produced by fracking in North Dakota. This oil is highly explosive and pipeline transportation would threaten local communities with the risk of spills and other accidents. The pipeline would cut through communities that are already overburdened by pollution, and environmentally sensitive areas that supply drinking water to the State's residents.