

RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS
COUNTY OF ESSEX

#41

RESOLUTION NO. R-2015-00174
PROPOSED BY: FREEHOLDER SEBOLD
SUBJECT:

AUTHORITY FOR RESOLUTION N.J.S.A. 40:41A-38(a)
AUTHORITY FOR ACTION C.C.E. 3:2-29(B)

RESOLUTION OPPOSING THE PILGRIM PIPELINE THROUGH ESSEX COUNTY

WHEREAS, Pilgrim Pipeline Company ("Pilgrim") is proposing to build a new bi-directional pipeline through New Jersey that would transport crude oil and refined petroleum products between Albany, New York and Linden, New Jersey.

WHEREAS, the pipeline will carry oil extracted from North Dakota's Bakken shale through the process of hydraulic fracturing, or fracking, a controversial method of oil and gas extraction that impacts clean water resources and releases large quantities of methane gas into the atmosphere.

WHEREAS, In February the Wall Street Journal compared oil from 86 locations around the world and found Bakken crude oil to be the most explosive. There is concern that bringing this fuel into our community endangers our families, property, and environment.

WHEREAS, The Pilgrim pipeline raises significant safety concerns for Essex County residents, poses potential risks to municipal and county infrastructure, as well as likely negative impact upon future development in the community;

WHEREAS, The Board is concerned that heavy construction equipment will also be in close proximity to homes and foundations due to the constraints of available workspace. Temporary workspace usage will also severely impact the existing soil, reducing water absorption and may increase future flooding possibilities;

WHEREAS, The Board is concerned about the hazard the project may create due to the nature and volume of the highly flammable oil flowing through the pipeline, and its proposed route, which crosses through residential neighborhoods. These communities will be in the "impact radius" should an explosion and/or spill occur;

WHEREAS, According to Public Employees for Environmental Responsibility, the Pipeline and Hazardous Materials Administration (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.

WHEREAS, the potential for a pipeline explosion could harm hundreds of people, we express grave concerns about this project negatively affecting the health, safety, and welfare of our citizens;

WHEREAS, The Board's responsibility is to provide a safe environment for its residents, and this pipeline raises serious safety concerns as described above;

WHEREAS, the proposed project may result in a loss of tax revenue Essex County based on right-of-way agreements with Pilgrim Pipeline and a decline in the property values of homes along and adjacent to the new pipeline and surrounding neighborhoods as a direct result of the project;

WHEREAS, the New Jersey Legislature recognized the significance of the New Jersey Highlands region and afforded special protection to the region and its resources in 2004 with the passage of the New Jersey Highlands Water Protection and Planning Act. The Act created the Highlands Water Protection and Planning Council and the Highlands Regional Master Plan to ensure resource based planning would be used in the Highlands to combat sprawl and the depletion of water quality and quantity as the region provides drinking water to 5.4 million state residents;

WHEREAS, the federal government acknowledged the exceptional value of Highlands resources and the urgent need for their preservation in 2004 when Congress passed the Highlands Conservation Act which "recognize[s] the importance of the water, forest, agricultural, wildlife, recreational, and cultural resources of the Highlands region, and the national significance of the Highlands region to the United States.";

WHEREAS, the wise stewardship of our natural resources involves protection of Essex County residents' water supplies and other natural resources for generations to come;

WHEREAS, protection of Essex County's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restoring degraded environments after the fact; now, therefore, be it

RESOLVED, The Board opposes the proposed Pilgrim Pipeline and calls for a moratorium on any and all planning, proposal, surveying, or construction of the Pilgrim pipeline through Essex County. Because this project will traverse and negatively impact numerous significant natural areas and the resources of the Essex County and the Highlands region, The Board requests a full environmental review, including a Highlands Act review, be conducted by the DEP to assess the myriad environmental consequences of the project. The Board seeks the cooperation of other similarly located and affected townships, asking that all nearby affected townships adopt a similar resolution. The Board adopts, and call upon similarly situated municipalities to adopt a resolution authorizing each Township to join together to enter their appearance in any proceeding before the New Jersey Department of Environmental Protection, New Jersey Board of Public Utilities, and any other regulatory authority, so that by their strength of numbers they may successfully oppose the Pilgrim Pipeline project and have the ability to cause the relocation or termination of the project so as to prevent environmental degradation and to protect the public health and safety; and be further

RESOLVED, that copies of this resolution be distributed to Governor Chris Christie, Lieutenant Governor Kim Guadagno, New Jersey State Senators, New Jersey State Assembly and Clean Water Action, 559 Bloomfield Ave, Montclair, NJ

Approved as to form and legality

Michael J. Perdomo

Freeholder Counsel

RECORD OF VOTE (X=Vote N.V.=Absention ABS=Absent)

Moved by Freeholder
Second by Freeholder

Sebold
Luciano

Freeholder	Yes	No	N.V.	ABS	Freeholder	Yes	No.	N.V.	ABS
BOBADILLA	✓				RICHARDSON	✓			
GILL, V.P.	✓				SEBOLD	✓			
JOHNSON	✓				TORO	✓			
JONES	✓								
LUCIANO	✓				TIMBERLAKE, PRES.	✓			

It is hereby certified that the foregoing Resolution was () adopted () defeated () tabled by roll call vote at a regular meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey held on Feb 23, 2015

Is Publication Required () Yes () No

Date Published _____

Britnee N. Timberlake
Britnee N. Timberlake, President