

[First Reprint]

SENATE RESOLUTION No. 106

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED DECEMBER 18, 2014

Sponsored by:

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Co-Sponsored by:

Senators Pennacchio, Vitale, Bateman and Greenstein

SYNOPSIS

Opposes Pilgrim Pipeline project as proposed in NJ.

CURRENT VERSION OF TEXT

As reported by the Senate Environment and Energy Committee on June 15, 2015, with amendments.



(Sponsorship Updated As Of: 6/30/2015)

- 1 A **SENATE RESOLUTION** opposing the Pilgrim Pipeline project ¹as
2 proposed,¹ 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 has increased more than 4,000
13 percent in North America over the past six years as a result of the
14 increased production of crude oil from the Bakken shale formation;
15 and
- 16 **WHEREAS**, In February the Wall Street Journal compared oil from 86
17 locations around the world and found Bakken crude oil to be the
18 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 135 inspectors and 375 state
29 partners to oversee 2.6 million miles of pipeline, and only a fifth of
30 that pipeline system has been inspected since 2006; and
- 31 **WHEREAS**, A pipeline spill or rupture could harm communities, the
32 environment, and drinking water supplies and would negatively
33 affect the health, safety, and welfare of the State's residents; and
- 34 **WHEREAS**, The New Jersey Legislature recognized the significance of
35 the New Jersey Highlands Region and afforded special protection to
36 the region and its resources in 2004 with the passage of the New
37 Jersey Highlands Water Protection and Planning Act, which created
38 the Highlands Water Protection and Planning Council and the
39 Highlands Regional Master Plan to ensure resource-based planning
40 would be used in the Highlands Region to combat sprawl and the
41 depletion of water quality and quantity, as the region provides
42 drinking water to 5.4 million State residents; and
- 43 **WHEREAS**, The federal government acknowledged the exceptional
44 value of Highlands resources and the urgent need for their
45 preservation in 2004 when Congress passed the Highlands

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 June 15, 2015.

1 Conservation Act which recognizes the importance of the water,
2 forest, agricultural, wildlife, recreational, and cultural resources of
3 the Highlands Region, and the national significance of the region to
4 the United States; and

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

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

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

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

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

32

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

34

35 1. This House opposes the construction and operation of the
36 proposed Pilgrim Pipeline ¹along the currently proposed route¹ and
37 urges the United States Army Corps of Engineers, the New Jersey
38 Department of Environmental Protection, the New Jersey Highlands
39 Water Protection and Planning Council, and any other federal, state,
40 or local entity engaged in review of the Pilgrim Pipeline project to
41 reject the project ¹as currently proposed¹, and thereby prohibit its
42 construction through New Jersey.

43

44 2. In addition, this House calls for a moratorium on any and all
45 planning, surveying, and construction of the Pilgrim Pipeline ¹along
46 the currently proposed route¹ through the State of New Jersey,
47 because this project will traverse and negatively impact numerous
48 significant natural resource areas of the Highlands Region.

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

8

9 4. This House further urges the New York State Legislature to
10 adopt a similar resolution so both states can stand united in
11 opposition to this project 'as currently proposed'.

12

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