

## **RESOLUTION**

### **RAMAPOUGH LENAPE INDIAN NATION**

Under the authority of the Ramapough Lenape Indian Nation as a sovereign entity, descendants of the original people of Manhattan and the lands that became New York and New Jersey,

As citizens of the United States of America, New York and New Jersey whose members have faithfully served and died in service of the United States and

As Keepers of the Ramapo Pass and guardians of the Ramapo River,

WHEREAS, the Ramapough Lenape Indian Nation is committed to protecting the health, safety, and welfare of our communities and members,

WHEREAS, the existing transportation, pipeline and communications infrastructure have severely impacted our lands, people, and sacred sites,

WHEREAS, our communities have suffered tremendous harm from environmental pollution due to the manufacturing of automobiles which must also be considered part of the transportation infrastructure,

WHEREAS, many of our members live on contaminated lands and die untimely deaths,

WHEREAS, Pilgrim Pipeline Holdings, LLC, is proposing to build two pipelines and/or related infrastructure and roads through our ancestral lands that would transport crude oil and refined petroleum products between Albany, New York and Linden, New Jersey,

WHEREAS, the Pilgrim Pipeline will carry oil extracted from North Dakota's Bakken shale through the process of hydraulic fracturing, or fracking, an extreme method of oil and gas extraction that depletes and despoils clean water resources, creates toxic air emissions and radioactive waste, and contributes to the climate change crisis by releasing large quantities of methane gas into the atmosphere,

WHEREAS, Algonquin Gas Transmission, LLC (AGT) is seeking expansion of pipelines carrying fracked gas to serve customers in Massachusetts, Connecticut and Rhode Island, and for export, and which pipelines affect our current and ancestral homelands with the location of the AIM pipeline: 1) passing 105 feet from the Indian Point Nuclear Facility and 40 years of spent fuel rods where Twenty million people live within 50 miles of IPNC and 2) intersecting with two proposed high voltage power lines; and 3) in close proximity to a significant seismic zone,

WHEREAS, there are certain pipelines that are not public utilities that distribute services to end users and are unregulated by the State of New Jersey Board of Public Utilities,

WHEREAS, proposed pipelines are planned to transport fossil fuels extracted through hydraulic fracturing,

WHEREAS, existing pipelines transport fuels extracted through hydraulic fracturing,

WHEREAS, because pipelines carrying liquid products other than natural gas are not regulated by the State of New Jersey Board of Public Utilities, there is limited accountability to the public,

WHEREAS, these pipelines are designed to transport a variety of materials, including hazardous substances which, if a discharge occurred, will result in environmental degradation to the environment, including the land, water and air;

WHEREAS, on December 18, 2015, the United States Congress enacted Title I, Section 101 of Public Law 114-113 repealing Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) allowing for the export of fossil fuels obtained through hydraulic fracturing,

WHEREAS, the Ramapough Lenape Indian Nation has previously resolved to support the Standing Rock Sioux Tribe in their opposition to the DAPL pipeline as a threat to the Missouri River and the traditional Dakota, Nakota and Lakota in their opposition to hydraulic fracturing, and oil production from the Bakken Shield in particular, as a threat to the Ogallala aquifer and agriculture on the plains, a bread basket for the planet,

WHEREAS, a Wall Street Journal investigative article has found that, out of 86 locations around the world, Bakken crude oil is the most explosive and means that bringing this fuel into our communities endangers our families, property, and environment,

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 release combustible gases,

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,

WHEREAS, according to PHMSA, pipeline operators reported 1,880 crude oil spills incidents nationwide between 2003 and 2013, or nearly one incident every other day, resulting in over 44,265,438 gallons of oil being spilled,

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

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

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

WHEREAS, trains transporting Bakken Formation Crude Oil have already exploded in the town of Lac-Mégantic killed 47 people on July 5, 2013,

WHEREAS, the wise stewardship of our natural resources involves protection of the water supplies and water and other natural resources of the Ramapo Pass for generations to come,

WHEREAS, the United Nations recognizes a human right to safe water through Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights,

WHEREAS, the General Assembly of the Organization of American States recognizes that water is fundamental for life,

WHEREAS, the United States Federal Government acknowledged the exceptional value of Highlands resources and need for their preservation in 2004 when Congress passed the Highlands Conservation Act which "recogniz[e]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 New York State Energy Plan sets clean energy targets of a 40 % reduction in greenhouse gas emissions from 1990 levels, 50 % of energy generation from renewable resources, and 600 trillion BTU increase in energy efficiency, all by 2030, an 80 % reduction in greenhouse gas emissions by 2050, and also provides a comprehensive roadmap for building a clean, resilient, and affordable energy system for residents of New York,

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,

NOW THEREFORE BE IT RESOLVED that the Ramapough Lenape Indian Nation

1. Opposes the construction of said pipelines; and
2. Calls upon the United States federal government, State of New York and State of New Jersey to issue a moratorium on the transportation of fossil fuels obtained through hydraulic fracturing through existing pipelines given the high volatility and probability of leaks and/or explosions; and
3. Calls upon the New York State Thruway Authority, the New York State Department of Transportation (DOT) and the Federal Highway Authority to reject use of the Thruway's right-of-way for the purpose of transporting oil or gas by the Pilgrim pipeline; and
4. Urges the Governor of New York to reject construction of the Pilgrim and AIM pipelines in New York as inconsistent with the ambitious clean energy goals he has set for the State; and
5. Because this project will traverse and negatively impact numerous significant natural areas and the resources of the municipality and the Highlands region, the Council requests a full environmental review, including a Highlands Act review, be conducted by the DEP to assess the myriad environmental consequences of the project.
6. Seeks the cooperation of other similarly located and affected townships, villages, cities and tribes asking that all nearby affected townships adopt a similar resolution.

RAMAPOUGH LENAPE INDIAN NATION

BY: \_\_\_\_\_  
CHIEF DWAIN PERRY

ATTEST:

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TRIBAL ADMINISTRATOR