Resolution Recommending DEC Serve as Lead Agency for Pilgrim Pipeline Project

WHEREAS, in January of 2015, the City of Kingston unanimously passed a memorializing resolution #21 of 2015 ‘in support of the Kingston Conservation Advisory Council’s Recommendation to Oppose the Proposed Pilgrim Pipeline” that was sponsored by the Council’s Public Safety Committee and that passed unanimously; and,

WHEREAS, this project will be considered a State Environmental Quality Review Act (SEQRA) Type 1 action under 6 NYCRR Part 617: and,

WHEREAS, the City of Kingston is an 'Involved' agency in SEQR, which means that Kingston will be able to have a voice in determining who is Lead Agency of this project; and,

WHEREAS, the Thruway Authority is considering SEQRA lead agency status for this project; and

WHEREAS, this is a timely matter as a decision on lead agency will be made once comments have been received and after the 30-day review period ends on December 16, 2015; and,

WHEREAS, more than 20 New York municipalities, including the City of Kingston, have passed resolutions (both memorializing and otherwise) of opposition to this project after concluding that the risks and costs to our communities far outweigh any potential benefits, and that the project contradicts local and State energy goals; and,

WHEREAS, the proposed pipeline threatens important resources of statewide concern, including the Hudson River and major tributaries, such as the Rondout, Esopus, and Catskill Creeks and Wallkill River, State-regulated wetlands and other resources that the DEC is responsible for protecting and is best equipped to ensure a full and adequate evaluation of environmental impacts; and,

WHEREAS, the NYS Department of Environmental Conservation (DEC) is one of the State agencies responsible for State efforts to mitigate climate change, and is best positioned to lead an evaluation of this project’s potential impacts on climate; and,

WHEREAS, the DEC, as the state environmental agency, is best suited to guide the environmental review of this large, multi-jurisdictional project that has the potential to impact environmental resources in 6 New York counties and 29 towns, and is the agency with the power and the expertise to ensure a comprehensive and coordinated review; and,

WHEREAS, the pipeline will traverse and impact private lands and resources outside of the Thruway right-of-way, including lands within the City of Kingston, and it is therefore more appropriate for the DEC than the Thruway Authority to play the lead role in evaluating the impacts to those lands and resources; and,

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Kingston:

1. Is in opposition to the consent to the NY Thruway Authority to serve as lead agency in the SEQR review of the proposed Pilgrim Pipeline Project, and to request to Commissioner Basil Seggos that the NYS DEC serve as lead agency.

2. Directs the City of Kingston Clerk to forward copies of this resolution to the NYS Thruway Authority Chair Joanne Mahoney, NYS DOT Commissioner Matthew Driscoll, U.S. Senators Charles Schumer and Kirsten Gillibrand and U.S. Representative Chris Gibson, Governor Andrew Cuomo, N.Y. Public Service Commission Chairwoman Audrey Zibelman, N.Y. Assembly Member Kevin Cahill, N.Y. Senator John Bonacic, NYS DEC Acting Commissioner Basil Seggos and Executive Deputy Commissioner Marc Gertsmann.