



Town of New Paltz

Neil Bettez, Town Supervisor

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January 24, 2017

Commissioner Basil Seggos
NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1010

Dear Commissioner Seggos:

The Town of New Paltz Environmental Conservation Board (EnCB) has many concerns about the safety and desirability of Pilgrim pipeline. They have reviewed *The September 14, 2016 Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance Positive Declaration for the Proposed Pilgrim Pipeline Project*, the accompanying *Full Environmental Assessment Forms Parts 1-3*, and *Coastal Assessment Form of the NYS Department of State Coastal Management Program*. The NYS Department of Environmental Conservation (NYSDEC) and the New York State Thruway Authority (NYSTA) are co-lead agencies for the environmental review of the proposed pipeline and have solicited input from the public to help determine the scope of subjects to be studied in the draft environmental impact statement to be prepared for the Pilgrim Pipeline.

The proposed action involves the construction of 2 parallel pipelines ("mainlines") between Albany, New York to Linden, New Jersey. One of the mainline pipelines would carry crude oil southbound from Albany and the second parallel mainline would carry refined petroleum products (gasoline, diesel, heating oil, and kerosene) northbound from Linden. Each mainline would be approximately 169.89 miles long, traversing 116.4 miles in New York State (passing through 29 municipalities including New Paltz). Of this total in New York, about 79 percent of the mainlines would be installed within the NYS Thruway right-of-way (ROW) within Albany, Rensselaer, Greene, Ulster, Orange and Rockland Counties; 7.5 percent would be co-located with other roads, utilities or railroads; and the remaining 13.5 percent would be newly acquired ROW.

The mainline pipelines would each be up to 20 inches in diameter and would be capable of transporting the equivalent of 200,000 barrels of oil per day. In addition to the proposed

mainline construction, five single pipe product lateral pipelines would be constructed in New York to intermediate delivery points (existing terminals), and four pump stations and 10 meter stations would also be constructed.

The project documentation indicates that the proposed action could disturb approximately 1,360 acres (1,250 acres for mainline pipelines, laterals, ancillary stations and temporary pipe yards and approximately 110 acres for access roads), including 296 acres that will be permanently maintained as ROW. The proposed action would cross 257 streams and waterbodies (232 along mainline pipelines and 25 along laterals), including the Hudson River and multiple major and minor tributaries of the Hudson. There are also 296 (9.2 linear miles) crossings of wetlands; including 25 crossings of NYSDEC protected freshwater wetlands (approximately 19 along mainline pipelines and 6 along laterals).

The co-lead agencies have identified 20 specific issues that pose potentially significant environmental impacts. Based on review of the above mentioned documents, the EnCB concurs with the co-leads' determination of significance. Both the Town Board and the EnCB are particularly concerned about the following potential impacts of the proposed project:

- **Safety**

The proposed action potentially risks creating a hazard to human health and the environment in the event of a pipeline rupture, possibly due to malfunction, natural disaster or security breach. The longitudinal occupation of the NYS Thruway ROW for more than 90 miles by an oil pipeline carrying a flammable gases or liquids under pressure within limited access highway ROW could adversely affect the safety and security of the traveling public. We note that in the five year period 2010 –2015, the Pipeline and Hazardous Materials Safety Administration identified over 3,300 incidents of crude oil and liquefied natural gas leaks or ruptures of U.S. pipelines. These incidents have killed 80 people, injured 389 more, and cost \$2.8 billion in damages. They also released toxic, polluting chemicals in local soil, waterways, and air. Over 1,000 of these incidents occurred on pipelines carrying crude oil.

- **Impacts on Land**

The proposed action entails construction on steep slopes, exposed bedrock, and on land where the depth to water table is less than 3 feet. The proposed action will also involve a significant physical disturbance of more than 1,360 acres of land. Accordingly, the proposed pipeline construction could result in increased erosion of soils which may contain pollutants that could be discharged to waterbodies and significantly impact water quality and aquatic species habitat (e.g. spawning, propagation, and survival).

- **Impacts on Surface Water**

The proposed action will traverse surface water at 257 locations, including two crossings of the Hudson River, and more than 9.2 linear miles of wetlands which would temporarily impact more than 80 acres of wetlands, including 25 freshwater wetlands under the jurisdiction of NYSDEC. The proposed project has the potential to impact water quality standards at these crossings and wetlands, including significant increases in

turbidity. Construction and operations within and adjacent to surface waterbodies and wetlands and hydrostatic testing of pipeline sections, as well as temporary and long term maintenance roads, may cause erosion and water quality related impacts. The potential for extensive lateral and vertical movements of streams over the proposed years of operation could result in additional impacts from pipe exposure and subsequent corrective actions which could impact the stability and ecology of the streams.

- **Impacts on Groundwater**

The proposed action involves the conveyance of petroleum products across several groundwater and drinking water resources including the Ramapo River Basin Aquifer Systems Sole Source Aquifer, and the crossing of two New York City public water supply system aqueducts, the Catskill Aqueduct and the Delaware Aqueduct. The proposed action poses the potential for contamination of unconfined aquifers and shallow groundwater areas if surface spills of hazardous materials occur during construction, operation or maintenance of the project ROW.

- **Impacts on Flooding**

The proposed action traverses several floodplains and floodways along the proposed route. While the installation of the pipelines would result in temporary impacts to floodplains and floodways, there are several above ground structures that would be located within 100-year floodplains including pump stations, meter stations and access roads that could result in the increased potential for future flooding impacts.

- **Impacts on Plants and Animals**

Several federally and state listed threatened and endangered species and their habitats are located along the proposed pipeline route and may be indirectly or directly impacted by the proposed action. Additionally, the proposed action involves the removal or destruction of large quantities of vegetation or fauna, including approximately 611 acres of forest that would be impacted, 132 acres of which would be permanently converted to non-forested, maintained pipeline ROW which has the potential to increase surface water runoff and erosion.

- **Impacts on Agricultural Resources**

The proposed action traverses more than 20 acres of agricultural land including approximately 5.82 miles of prime farmland and 7.63 miles of farmland of statewide importance. During construction, there may be significant impacts from the disruption of crop production compaction as well as potential loss of crop land along the permanently maintained portions of the ROW.

- **Impacts on Transportation**

The unprecedented use of the NYS Thruway ROW for a crude oil pipeline has the potential to significantly impact the traveling public and commerce that this important transportation corridor services. The proposed action could disrupt a major transportation corridor that spans from Albany County to Rockland County and result in a substantial and possibly permanent change in the use, or intensity of use, of land including Thruway Authority property and NYS Thruway ROW for construction and long term operations

and maintenance of the pipelines. Additionally, traffic impacts may occur associated with construction and operation of the pipelines, including blasting and possible spill response. A spill from the pipeline could also disrupt a major transportation corridor and divert a large volume of traffic to local and county roads. Such disruptions have the potential to significantly impact safety, commerce, emergency services, and the mobility of the traveling public including on the Thruway, which has an average annual daily traffic number of more than 40,000 vehicles for the Albany-Rockland section.

The EnCB concurs with the co-lead agencies' determination about the proposed Pilgrim Pipeline's potential adverse impacts to multiple resources, traffic flow and safety. New Paltz and other municipalities along the I-87 corridor possess public resources, recreational areas and public parks that allow for a diversity of animal and plant species, that also attract visitors who happen to add to the local economy. Accordingly, as additional environmental information documentation is developed, the proposed action should be cross-walked with community plans that are in- place within the 29 municipalities that would be traversed by the pipeline, with an eye towards avoiding, minimizing or mitigating its potential impacts to ensure that the character of these municipalities is not diminished.

Sincerely,

A handwritten signature in black ink that reads "Neil Bettez". The signature is written in a cursive, slightly slanted style.

Neil Bettez, Supervisor

On behalf of the Town Board and the EnCB