



RESOLUTION 19-318

Resolution In Support of NJDEP's Denial of All Permits for the NESE and PennEast Pipeline Projects

WHEREAS, New Jersey has substantial excess pipeline capacity to meet its needs, even during extreme cold periods, and by 2030 is predicted to have 1.3 billion cubic feet of unnecessary capacity.

WHEREAS, despite the excess capacity, seven new pipelines are proposed for the state. The equivalent of five new and proposed compressor stations are within a fifty-mile radius of central New Jersey. Recently developed fracking techniques allow the extraction of natural gas from the Appalachians, and companies are racing to profit from this new fossil fuel supply, creating a boom where much of the market is overseas.

WHEREAS, the Williams/Transco Northeast Supply Enhancement (NESE) project is a \$926 million proposed natural gas pipeline project that would transport fracked gas through New Jersey from the Marcellus Shale in Pennsylvania to energy markets in New York.

WHEREAS, the PennEast Pipeline is a proposed \$1 billion 120-mile, 36-inch-diameter natural gas pipeline, that would originate in Luzerne County, Pennsylvania, cross the Delaware River north of Milford, then parallel the river through western Hunterdon County before terminating in Hopewell Township and connecting into William Transco's transcontinental pipeline.

WHEREAS, further development of untapped gas reserves is inconsistent with the climate goals in the Paris Agreement. Replacing coal plants with new gas plants will not cut emissions by nearly enough to meet climate goals, even if methane leakage is kept to a minimum. It is a myth that natural gas can be a bridge to a clean affordable energy future.

WHEREAS, multibillion-dollar gas infrastructure built today is designed to operate for decades to come and there are substantial barriers to closing down infrastructure ahead of its expected economic lifespan. This creates a significant risk that new infrastructure will become costly, stranded assets.

WHEREAS, New Jersey cannot achieve 100% clean energy and an 80% reduction in emissions economy-wide by 2050, as state law requires, without a transition away from gas and other polluting fossil fuels.

WHEREAS, the dramatic and ongoing cost declines for wind and solar energy, and energy efficiency measures, allow for a low cost pathway for the replacement of dirty fossil fuels with non-polluting energy.

WHEREAS, increased gas flow from the new pipes into aging pipes could stress the safety dynamics of New Jersey's aging pipeline system. Rupture and explosion of pipelines occur regularly with catastrophic damage to people, wildlife, and property. Furthermore, interstate pipelines are not built to New Jersey's higher safety standards for in-state lines. After the tragic

accident in Massachusetts in September of 2018, the Massachusetts legislature ordered a study of the safety impacts of new major gas infrastructure on existing transmission pipelines. That same year, the New Jersey state Senate passed a resolution to the federal government requesting that all inter-state lines meet New Jersey's higher safety standards.

WHEREAS, if the NESE project is built, Princeton would be sandwiched between two compressor stations - the proposed Williams' NESE compressor station in Franklin Township, and the recently expanded Williams' compressor station in Lawrence Township. Compressor stations negatively affect the quality of the air and are a safety risk. Compressor stations are subject to regular planned as well as emergency "blowdowns" that release methane and methyl mercaptan into the air, as well as high temperature exhaust which contains carbon monoxide and volatile organic compounds such as formaldehyde, benzene, and toluene. They are a potent source of ground level ozone production. Plumes of toxic gas can travel for 10 miles or more. In addition, compressor stations have experienced a number of fires and explosions.

WHEREAS, Governor Cuomo and Mayor de Blasio oppose the NESE project. A substantially researched report by 350.org shows that National Grid's unsupported arguments for increasing gas demand are fundamentally flawed. New York's energy needs can be met through recently legislated increased energy efficiency, and the use of renewable energy sources, eliminating the need for the NESE pipeline project. New York cannot reach its newly mandated state and New York City clean energy goals if NESE is built.

WHEREAS, the New Jersey Rate Counsel found no public need for the PennEast pipeline, called it "unfair to ratepayers" and concluded that the project is driven by PennEast's opportunity to earn a 14% rate of return that would be like "winning the lottery" for the project sponsors.

WHEREAS, construction of the NESE pipeline across Raritan Bay would dredge up toxic sediments and disturb 14,000 acres of habitat for shellfish, horseshoe crabs and marine mammals - setting back decades of restoration in the Bay, where whales are seen breaching once again, as well as devastating local tourism and fishing economies.

WHEREAS, construction of the Compressor Station 206 for the NESE project threatens significant adverse impacts to the state-threatened barred owl and to protected vernal habitats. Construction of the PennEast pipeline would cut through preserved lands including Baldpate Mountain, an important bird area supporting numerous migrating and breeding species, including 28 ranked by the American Bird Conservancy as birds of conservation concern.

WHEREAS, the United States Court of Appeals for the Third Circuit ruled that PennEast does not have the Constitutional right to seize 42 properties preserved by the State of New Jersey through eminent domain. NJ DEP has grounds to deny permits for the project on this basis alone, as PennEast does not have legal authority or permission to apply to develop these properties.

WHEREAS, the New Jersey DEP has sufficient information to determine that these pipelines cannot be constructed in a manner that meets the stringent environmental standards required by state laws and regulations.


WHEREAS, The New Jersey DEP has already denied prior permits for both Penn East and Northeast Supply Enhancement pipeline projects.

NOW, THEREFORE BE IT RESOLVED on this 14th day of October, 2019, by the Council of Princeton, County of Mercer, State of New Jersey, that:

1. The Mayor and Council of Princeton oppose the construction of the NESE and PennEast pipeline projects and urge its representatives in the New Jersey Legislature and the United States Congress to oppose these two pipeline projects.
2. The Mayor and Council of Princeton oppose the construction of a compressor station on any proposed location in and around Princeton as it would have severe detrimental impacts to residential communities in the area.
3. The Mayor and Council of Princeton urge the New Jersey DEP to continue to deny any and all permits for the Williams NESE, and PennEast pipeline projects
4. This resolution will be forwarded Governor Phil Murphy and Commissioner Catherine R. McCabe , New Jersey Department of Environmental Protection.
5. The resolution will be submitted to the dockets of NESE (Program Interest #: 0000-01-10001.3, Activity #: LUP 190001, Activity #: FWW190002) and PennEast (Program Interest #: 0000-17-0007.5, Activity #: LUP190001, Activity #: FWW190001.)
6. This resolution will be forwarded to Assemblymen Roy Freiman and Andrew Zwicker, State Senator Christopher Batemen, Congresswoman Bonnie Watson Coleman, U.S. Senator Cory Booker and U.S. Senator Robert Menendez.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X			X			
Ms. Crumiller		X			X			
Ms. Fraga		X	X		X			
Ms. Niedergang		X			X			
Mr. Quinn		X		X	X			
Mr. Williamson		X			X			
Mayor Lempert		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held October 14, 2019.


 Delores A. Williams, Municipal Clerk