



Louisville Metro Government

Legislation Details (With Text)

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On agenda: 4/13/2023 **Final action:**

Title: A RESOLUTION OPPOSING THE SEIZURE OF CONSERVATION LAND FOR THE PURPOSE OF BUILDING A NATURAL GAS PIPELINE THROUGH BERNHEIM ARBORETUM AND RESEARCH FOREST.

Sponsors: Betsy Ruhe (D-21), Jennifer Chappell (D-15), Andrew Owen (D-9), Phillip T. Baker (D-6)

Indexes:

Code sections:

Attachments: 1. R-014-23 V.1 021623 Opposing the Seizure of Conservation Land RE Bernheim Forest.pdf, 2. 3-9-23 Bernheim Arboretum and Research Forest presentation.pdf, 3. 3-23-23 Bernheim Arboretum and Research Forest presentation.pdf, 4. Letter from LG&E- 032323.pdf

Date	Ver.	Action By	Action	Result
3/23/2023	1	Parks and Sustainability Committee	untabled	
3/23/2023	1	Parks and Sustainability Committee	called the question	
3/23/2023	1	Parks and Sustainability Committee	recommended for approval	Pass
3/9/2023	1	Parks and Sustainability Committee	recommended for approval	
3/9/2023	1	Parks and Sustainability Committee	Table - Failed	Fail
3/9/2023	1	Parks and Sustainability Committee	reconsidered	Pass
3/9/2023	1	Parks and Sustainability Committee	tabled	Pass
2/23/2023	1	Parks and Sustainability Committee	held	
2/16/2023	1	Metro Council	assigned	

RESOLUTION NO. _____, SERIES 2023

A RESOLUTION OPPOSING THE SEIZURE OF CONSERVATION LAND FOR THE PURPOSE OF BUILDING A NATURAL GAS PIPELINE THROUGH BERNHEIM ARBORETUM AND RESEARCH FOREST.

SPONSORED BY: COUNCIL MEMBERS RUHE, CHAPPELL, OWEN, AND BAKER

WHEREAS, the Louisville Gas and Electric Company (“LG&E”) has announced plans to take by eminent domain natural land in the Cedar Grove Wildlife Corridor currently owned and protected by Bernheim Arboretum and Research Forest so that LG&E can construct a 12-mile natural gas

pipeline across Bullitt County; and

WHEREAS, this pipeline will destroy a significant amount of forest and disrupt sensitive aquatic systems, including habitat for rare and endangered animals; and

WHEREAS, construction activity across a wildlife corridor negates the essential purpose of this protected area, which is to connect fragmented habitats so that native species of plants and animals can maintain large enough connected populations for their long-term survival; and

WHEREAS, long-term impacts of the proposed pipeline on the hydrology and biological resources in the targeted natural areas have not been adequately studied; and

WHEREAS, the Louisville community has made clear that Bernheim is a unique resource, beloved by Kentuckians for its un-paralleled commitment to connecting people with nature and for protecting our regional environment; and

WHEREAS, the misuse of eminent domain to break the existing conservation easement on Bernheim's protected land sets a terrible precedent, undermining the protected status of all nature preserves throughout the Commonwealth; and

WHEREAS, natural gas extraction, transport, and combustion release greenhouse gases that continue to accumulate in our atmosphere, destabilizing our weather systems and threatening the well-being of our children and their descendants; and

WHEREAS, since the scientific community, the governments of most industrialized nations, and even international energy companies are prioritizing a rapid transition to sustainable power, the benefits of a delivery system for fossil fuels are short-term in comparison the long-term value of wildlife, habitat, and ecosystem services protections; and

WHEREAS, Louisville Metro Council has adopted a resolution calling for 100% clean energy goal community-wide by 2040 in recognition of the fact that there is no credible path to a safe climate that includes continued long-term combustion of fossil fuels and the proliferation of new fossil fuel

infrastructure.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“METRO COUNCIL”) AS FOLLOWS:

SECTION I: Metro Council urges: (1) that LG&E immediately cease all legal efforts to seize conservation lands owned and protected by Bernheim Arboretum and Research Forest; and (2) that LG&E should divert funds ear-marked for this pipeline project to more positive alternatives, including building infrastructure which delivers carbon-free sustainable energy, and promoting efficiency programs which reduce fossil fuel consumption for Louisville Metro Government and surrounding areas.

SECTION II: The Clerk shall cause this Resolution, upon its passage and approval, to be delivered by United States mail to: Mr. John R. Crockett, III, President of LG&E and Mr. Lonnie Bellar, Chief Operating Officer at: LG&E, P.O. Box 9001960, Louisville, KY 40290-1960.

SECTION III: This Resolution shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

Marcus Winkler
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O’Connell
Jefferson County Attorney

By: _____

R-014-23 Resolution Opposing ED Seizure of Bernheim Forest 021023