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COMMUNITY BOARD No. 2, MANHATTAN

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December 21, 2010

John K. Leo
Manhattan Public Affairs
Consolidated Edison Company of New York, Inc.
4 Irving Place, Rm. 1638
New York, NY 10003

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Stuart Gruskin
Executive Deputy Commissioner
NYS Department of
Environmental Conservation
625 Broadway
Albany, NY 12233

Connie Fishman
President
Friends of Hudson River Park Trust
311 West 43rd Street, Suite 300,
New York, NY 10036

Dear Mr. Leo, Ms. Bose, Executive Deputy Commissioner Gruskin and Ms. Fishman:

At its Full Board meeting December 16, 2010, 2010, Community Board #2, Manhattan, adopted the following resolution:

Resolution on the proposed NY/NJ natural gas pipeline expansion project.

Whereas, on October 5, 2010, Community Board 2 held a public hearing to discuss the proposed installation of a new 30 inch natural gas pipeline by Spectra Energy Inc.; and,

Whereas, at our public hearing, the Community Board heard presentations from Spectra Energy, the Federal Energy Regulatory Commission (FERC), Con Ed, the Hudson River Park Trust, and the Mayor's Office of Long Term Sustainability; and,

Whereas, the proposed route of the pipeline in Manhattan will emerge from the riverbed at the southwest corner of Gansevoort Peninsula, then at a depth of either 4 feet or 12 inches below any other existing utilities, whichever is deeper, it will continue along the southernmost edge of the Peninsula, crossing under State Route 9A, where it will terminate in an underground converter vault located at the southwest corner of Gansevoort Street and 10th Avenue where it will terminate located at 10th Ave and Gansevoort Street; and

Whereas, Spectra intends to drill horizontally under the Hudson River, stating this should cause minimal or no disruption to the riverbed, except for a small area of river in the southwest corner of the Gansevoort Peninsula where a temporary drilling rig and its supporting apparatuses and structures will be erected; and,

Whereas, Con Ed intends to connect with the pipeline at the converter vault, which will lower the pressure for the gas to enter the existing Con Ed infrastructure; Con Ed would be responsible to extend and install pipeline underground from the corner of Gansevoort Street and 10th Avenue for 1,500 ft along 10th Avenue up to their distribution facility on West 15th Street; and

Whereas, the current infrastructure bringing natural gas to the city is insufficient to future needs, the pipeline is an integral part of PlaNYC for sustainability by 2030, and this board has been strongly in favor of the conversion of all boilers from the highly polluting #4 and #6 fuel oil to natural gas. The proposed pipeline would provide infrastructure to support these needs and conversions, create redundancy in the event of a failure in the other two pipelines and link the city to a vast infrastructure of pipelines allowing for delivery of natural gas from a large variety of sources heretofore unavailable; this may lower the price of natural gas for the consumer; and,

Whereas, Spectra is pursuing approvals from and will be under the oversight of several federal, state, and local agencies during all aspects of the project and process, from construction to implementation, and operation. These include: FERC, US Department of Transportation, the National Marine Fisheries Service, US Army Corps of Engineers, US Coast Guard, New York State Department of Environmental Conservation, New York City Department of Environmental Protection, the Hudson River Park Trust, and many others; and,

Whereas, Spectra has stated that safety is their top priority and it is their stated intention to pursue pipeline construction in the least intrusive fashion; and,

Whereas, the Gansevoort Peninsula was created from landfill in 1837 and is in a Federal Flood Plain Zone; the immediate area is a fragile estuarine sanctuary and the Hudson River and its waterfront in its entirety are fragile and critical ecosystems; and

Whereas, some of the existing pipeline infrastructure in our area is over 100 years old; and,

Whereas, this Community Board is in strong opposition to hydro fracking technology, in general, and, specifically, vehemently opposes any extraction of natural gas by hydro fracking in the Marcellus Shale, we are concerned about the potential transportation of hydro fracked gas in this pipeline; and

Whereas, the 1,500 feet of pipeline that Con Ed is laying under 10th Ave from Gansevoort Street to W 15th St is not included in this application; and,

Whereas, currently this project is in the "Scoping" period and FERC requests comments from all individuals, stakeholders, and any other interested parties that relate to issues/topics they feel should be addressed in the EIS. It is anticipated that on December 20, 2010 Spectra will file a "Notice of Application" with FERC, at which time FERC will analyze the data received during the Scoping period and issue the Draft Environmental Impact Statement. After this dEIS has been issued, FERC will return to Community Board 2 for an official meeting to solicit comments on the dEIS.

Therefore Be It Resolved, while we are pleased that our natural gas supply infrastructure will be upgraded, provide for future need, and provide redundancy, we believe many issues need to be studied during the Environmental Impact Statement process; and,

Therefore Be It Further Resolved, that our first and primary concerns are issues of safety in construction, installation, operation, and maintenance; as such, we request these concerns and questions be addressed in the EIS:

- The options for physical composition, fabrication and installation of the pipeline and

its joints, including the thickness, composition, protective coatings, and strength of the joints and junctions to prevent erosion and, further, the maintenance of these over time. The optimum level for depth and route of the pipeline in consideration of the constant vibrations from truck traffic along Route 9A, the proximity to playgrounds, the park, and populated areas.

- The efficacy of and redundancy in remote shut-off valves and their reliability versus automatic valves. What methods and technology are available for shutting off the pipeline in the event of a failure, their workflows, and the amount of time that would elapse once 911 is notified (under best and worst case scenarios)? How can the efficacy and redundancy of the remote or automatic shut off valves be enhanced? What are the most sophisticated and recommended technologies?

- The options for the available safety precautions to protect the pipeline from damage by repair or construction crews addressing other systems, or from vandalism, and terrorism. What safety precautions and inspections are available for maximum oversight and inspection in fabrication, installation, operation, and maintenance in this fragile ecosystem and populated area?

- How can safety be maximized in all aspects of this project from installation to operation to long-term maintenance? What are the best technologies for patrolling, inspecting, and maintaining the pipeline over time? How will these be affected?

Therefore Be It Further Resolved, that the installation, operation, and maintenance of the pipeline will be in a fragile estuary and has the potential to adversely impact the entire ecosystem of the Hudson River and its waterfront. What precautions will be taken to protect the river and river frontage? What technologies are available for the testing of toxins in the spoil; how and where will this be done; how will removal of the spoil be effected? How will the spoil be disposed and is there a site chosen? Who are the supervisory agencies and how can we best protect the estuary and river?

Therefore Be It Further Resolved, that we are very concerned about the impacts of the construction process on our neighborhood in terms of noise, traffic disturbances, pollution and particulates in the air, potential business interruptions, and other quality of life problems. We request that all parties work with the Community Board to keep disruptions and disturbances to a minimum.

Therefore Be It Further Resolved, that we would like the EIS to also consider potential lingering environmental issues once installation is complete.

Therefore be it finally resolved, we also have concerns about the construction and installation of the section of pipeline from West 15th Street to Gansevoort Street that Con Ed is responsible for, and we find it important that its impacts be included in this EIS report. Further, the EIS will have to include the potential environmental safety issues inherent in Con Ed's role. For example, Spectra's installation incorporating latest protective Best Available Technology could not guarantee park users' and local residents' protection unless Con Ed's connecting installation likewise incorporates the same BAT.

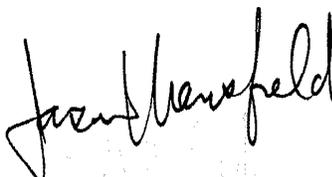
Vote: Unanimous, with 41 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jo Hamilton, Chair
Community Board #2, Manhattan



Jason Mansfield, Chair
Environment, Public Safety & Public Health
Community Board #2, Manhattan

JH/gh

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas K. Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Sheldon Silver, Assembly Speaker
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, CB2 liaison, Man. Borough President's office
Lolita Jackson, Manhattan Director, CAU