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Kimberly Bose
Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Docket No. CP11-56-000, New York/New Jersey Expansion Project

Dear Ms. Bose:

Following is the resolution adopted by Manhattan Community Board 2 at its full board meeting on October 20, 2011 regarding Docket Number CP11-56-000. Please enter this into the public record and notify this board of any action taken on this application in the future. We find it very important that these issues be addressed in the Environmental Impact Statement.

Committee Vote: Unanimous In Favor

Full Board Vote: Unanimous In Favor

Resolution on the DEIS for the NJ/NY Natural Gas Pipeline Expansion Project.

Whereas, on October 4, 2011, Community Board 2 held its public hearing to discuss the NJ/NY Expansion Project ("Project") that, if approved, would permit Spectra Energy, Inc. ("Spectra") to install a new 30-inch natural gas high pressure transmission pipeline in Manhattan, adding an additional 800,000 dekatherms of natural gas to the Manhattan system; and

Whereas, on September 9, 2011 the Federal Energy Regulatory Commission ("FERC") filed its Draft Environmental Impact Statement ("DEIS") on this project; and

Whereas, at our public hearing, the Community Board heard presentations by Spectra, the NYC Department of Environmental Protection ("DEP"), and Con Edison; and

Whereas, in 2004, the Transportation Research Board of the National Academy of Sciences published a study that correlated the relationship of land-use practices to catastrophic incidents involving large-diameter, high-pressure

transmission pipelines. “Just as transmission pipelines pose a risk to their surroundings, so does human activity in the vicinity of pipelines pose a risk to pipelines. These risks increase with growth in population, urban areas, and pipeline capacity and network... For the most part, state and local governments have not systematically considered risk to the public from transmission pipeline incidents in regulating land use.”¹; and

Whereas, the disaster that occurred on September 9, 2010 where a 30-inch natural gas pipeline exploded in San Bruno, CA killing 8 people and leveling 38 houses needs to remain in mind when considering the potential for catastrophe; and

Whereas, since 2007, there have been 2 gas pipeline failures in Manhattan and 3 pipeline failures in Queens. In total, there have been 20 injuries and 1 death within the last 5 years due to gas pipeline explosions in New York City; 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 eventually crossing under State Route 9A (“West Street”), where it will terminate in an underground vault located at the southwest corner of Gansevoort Street and 10th Avenue; 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, approval of Hudson River Park Trust and NYS/DEC must be sought by Spectra regarding the impacts of the drilling and related activity on the *Hudson River Park Estuarine Sanctuary* (Chapter 592, S. 7845, Section 8 of Hudson River Park Act). Spectra is holding consultations with U.S. Fish and Wildlife with regard to the Estuarine Sanctuary, and will ultimately have to obtain approval by the U.S. Army Corps of Engineers for this aspect of the project; and

Whereas, Con Edison would be responsible to extend and install pipeline from the aforementioned underground vault located the corner of Gansevoort Street and 10th Avenue along 10th Avenue for 1,500 feet up to their distribution facility on West 15th Street; and

¹ Transportation Research Board: Committee for Pipelines and Public Safety. (2004). *Transmission Pipelines and Land Use: A Risk-Informed Approach*. Washington, DC: National Academies Press. Retrieved from <http://onlinepubs.trb.org/onlinepubs/sr/sr281.pdf>

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

Whereas, it is necessary that Con Ed present the particulars of their extension plan to Manhattan Community Board 2 and make the case for future demand requirements; and

Whereas, Con Edison and DEP claim that the pipeline is necessary due to future demand requirements, yet the DEIS does not address this matter, nor did the parties present at our hearing make this case, despite being specifically asked to do so; and

Whereas, another, entirely separate application is before FERC presently that, if approved, would add an additional 647,000 dekatherms of natural gas per day via a 26-inch pipeline into Brooklyn; 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, the comment period for this Project's DEIS ends on October 31, 2011, until that point FERC requests comments from all individuals, stakeholders, and any other interested parties that relate to issues/topics they feel should be addressed in the Final EIS.

Therefore Be It Resolved, since it is not clear that such a vast increase in supply is warranted without current, detailed statistical data, independent analysis needs to take place first to confirm the claims that the Project is necessary. Until that point, we are not in a position to support this Project; and

Therefore Be It Further Resolved, if this Project proceeds, it is imperative that the Final Environmental Impact Statement ("FEIS") address these matters:

- The size of the pipeline should be reduced in size considerably to minimize potential damages in such an overly crowded urban environment.
- While we are encouraged that Spectra and Con Edison will be installing remote shut-off valves, this is not adequate. It is vital that Spectra install an automatic shutoff valve at the point where the pipeline emerges from the riverbed on Gansevoort Peninsula, and Con Edison install an automatic shutoff valve at their converter box on 10th Avenue at Gansevoort Street.
- The pipeline should be buried at a depth much deeper than is currently being considered.

- Many issues relating to Traffic and Transportation are absent from the DEIS and must be included in the FEIS. Among them are:
 - What streets detours are planned for, and what will be done to manage the influx of traffic on these always busy, often vulnerable streets. What plans are being set up for coordination not only with NY State DOT (which oversees West Street), but also with NYC DOT concerning traffic management on local thoroughfares/streets, as well as with NYPD?
 - What sort of oversight/supervision is being planned to ensure safety concerning the open trenches (e.g. 24 hours?; Who will be doing?; What's the methodology?)?
 - Mentioned in the DEIS is a "Work Zone Traffic Control Plan for Manhattan that details how construction would proceed across the road, including lane closures and the locations of traffic control devices, barricades and flagmen." Yet, the only point in the DEIS we found that is even vaguely related to this were engineering drawings in Appendix L that were difficult to read and didn't appear to cover mitigation clearly. A written narrative description would make this much clearer, and it should also explain how the various components planned would operate in managing traffic congestion, ensuring safety, creating clear pathways, etc.
 - The DEIS states that an analysis of the costs of increased public services will be needed. This analysis must be made and documented in the FEIS, and it should include issues such as: emergency response estimates, medical and traffic control, and the true increase in revenue that is claimed will offset these costs. These must be calculated and documented with applicable comparisons between anticipated costs and assumed revenues. In this vein, an estimate is also needed of the portion of these costs that Texas Eastern would be prepared to absorb, e.g., the DEIS states that Texas Eastern already has indicated they would pay for the expenses associated with the law enforcement or other personnel that are used to assist with traffic control. The City of New York must be consulted in order to determine the expected costs of these increased public services without delay and an evaluation also must be made of what other City areas (locales and activities) would suffer from diversion of these services.
 - It is stated that local municipalities have not yet reviewed or approved treatment of excavated materials; pedestrian, bicycle and worker considerations; or construction working hours—it is essential that the NYC DOT, NYPD and other applicable NYC municipal departments be consulted immediately for continuous feedback and monitoring, and this consultation must be continuous and continuously documented.

- Pedestrian safety and access to the Greenway must be addressed thoroughly, where pedestrians are an intrinsic user, and on all the streets and routes where vehicular detours and diversions are expected to occur, in view of the potential for the increased traffic on these streets to endanger pedestrians.
- The DEIS indicates that measures to minimize impacts on the bikeway associated with the Hudson River Greenway are not addressed – these must be addressed – the bikeway is an essential part of the Greenway and will be severely impacted by the activities planned for that locale.
- The DEIS states that each plan contains locations and types of temporary traffic control measures, including signage, channelization devices, barricades, and flagmen - these should be spelled out in detailed narrative form for the 9A portion, i.e. what types of measures and where they will be located on the street/thoroughfare, and why they will be applied at their specific locations (for what purpose). Speed restrictions need to be spelled out as well.
- The DEIS does not say how Spectra plans to deal with the simultaneous use of the roadways into and on the Gansevoort Peninsula with the NYC Department of Sanitation. This needs to be extensively planned and then discussed with all related departments and the community. The results of these plans and discussions needs to be included in the FEIS.

Committee Vote: Unanimous In Favor

Full Board Vote: Unanimous In Favor

Respectfully submitted,



Jason Mansfield
Chair
Environment, Public Safety & Health Committee



Brad Hoylman
Chair
Manhattan Community Board 2