

**TESTIMONY OF THE MAYOR'S OFFICE OF RECOVERY AND RESILIENCY
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON ENVIRONMENTAL PROTECTION**

April 15, 2019

I. INTRODUCTION

Good morning. My name is Jainey Bavishi. I am the Director of the Mayor's Office of Recovery and Resiliency. I want to thank Speaker Johnson and Chairperson Constantinides as well as members of the Committee on Environmental Protection for this opportunity to testify on behalf of the de Blasio Administration today on the city's energy needs, our efforts to move toward more sustainable and resilient energy sources, and the proposed Williams Pipeline.

II. THE CITY'S ENERGY MIX

The city's electricity mix is comprised of nuclear, natural gas, and steam resources; and supports almost every aspect of life and livelihoods. Natural gas, in particular, fuels more than 98 percent of in-city electricity production by power plants. Separate from electricity, the City also relies on natural gas for more than 75 percent of its heating needs and a significant percentage of cooking needs in buildings throughout New York.

In 2012, NYC Clean Heat was created to address the public health hazard presented by heavy heating oil emissions. Through NYC Clean Heat, there have been over 6,000 heating oil conversions from No. 6 or No. 4 oil to cleaner fuels like natural gas. As a result, the city has achieved the cleanest air quality in 50 years, preventing approximately 210 premature deaths and 540 hospitalizations annually. We also applaud the City Council's efforts to accelerate the phase out of the heaviest fuel oils for power plants.

In the absence of cleaner forms of large scale energy, especially for the provision of heating and hot water, natural gas consumption has been increasing in New York City by 3 to 4 percent annually since 2012, driven in part by the NYC Clean Heat program. Given this growth, the utilities are now stating that there is insufficient gas supply coming into the city to keep up with growing demand. For example, on March 15th, Con Edison's moratorium on new gas connections went into effect in Westchester County. National Grid also signaled that it will not approve new gas connections for approximately 250 newly planned developments in New York City and Long Island unless the Williams pipeline gets the green light from New York State and the Federal Energy Regulatory Commission.

Neither Con Edison nor National Grid has yet issued a formal moratorium on new gas connections in New York City but both have raised concerns about the adequacy of natural gas supply coming into the city to meet growing demand. As a result, the New York State Public Service Commission is currently assessing the downstate gas supply. We are watching closely and expect the results in July. Even though the City does not have permitting or approval authority over the Williams Pipeline, we will do all we can to maintain the reliability of our energy supply with the objective of ensuring that New Yorkers have access to heat during the winter months. We also want to continue to support affordable economic growth and development in New York City.

More broadly, the City is working to ensure our residents have access to reliable, safe, and sustainable energy sources. We are moving fast to increase the efficiency of our buildings, in addition to transitioning heating from natural gas boilers to efficient electrified heat. The Administration is working with the Council to pass Introduction 1253, a major step in reducing greenhouse gas emissions from our largest buildings. In New York City, buildings are responsible for nearly 70 percent of the city's carbon emissions. A large part of those emissions come from heating the city's largest buildings with natural gas and oil. Introduction 1253 will require large buildings to progressively cut their carbon emissions in line with the Paris Agreement, which will mean many of them will have to electrify their heating.

Reducing building emissions takes a significant step toward a sustainable and reliable future. However, to support large scale beneficial electrification, we also need significantly more renewable energy flowing into our grid.

III. OUR TRANSITION TO CLEAN ENERGY

The City's 80x50 Roadmap lays out the key steps to transitioning our electricity from fossil fuels to a clean energy future. Important elements of that transition include a significant increase in (1) local and large-scale renewable power, (2) new transmission that directly connects New York City to renewable power generated elsewhere, and (3) energy storage and a limited amount of fast-ramping fossil generation to balance the intermittency of wind and solar.

Roughly half of the City's annual electricity consumption comes from 21 in-city natural-gas fired power plants. Because of the lack of transmission capacity to access power generated in other parts of the state, the New York State Reliability Council mandates that about 80 percent of the city's peak electricity demand must be located within city limits to ensure the lights stay on.

New York City accounts for over 30 percent of the state's electricity consumption and 40 percent of the state's greenhouse gas emissions. To meet the State's 100 percent clean electricity goal by 2040 and dramatically reduce our reliance on polluting in-city power plants, the State must invest in both new transmission from upstate to downstate and offshore wind. Otherwise New York City and other downstate communities will be relegated to a future with more fossil fuels.

V. CONCLUSION

Achieving the City's climate objectives is no easy task and will require active participation by New Yorkers to transform the buildings we live in, the places we work, the ways we travel, and the goods and energy we consume. We will need the State's support in these efforts. Together, we must prioritize resources, policies, and programs that facilitate this transition.

Thank you for the opportunity to testify. We are happy to answer any questions you may have at this time.

Testimony of Annie Garneva
Representing Sane Energy Project & the Stop the Williams Pipeline Coalition
before the NYC Council Committee on Environmental Protection
Oversight Hearing on the Environmental Impacts of the Proposed Williams Pipeline

APRIL 15, 2019 - NEW YORK, NY

Good morning Councilmembers, and thank you for holding this hearing and doing the necessary oversight of the dangerous and unnecessary proposed Williams pipeline that would carry fracked gas from our neighbors in Pennsylvania into the Rockaways, a NYC community that has already seen its own unfair share of environmental destabilization during Superstorm Sandy and its continued aftermath.

I and the members of the Stop the Williams Pipeline Coalition have been working to alert the public and elected officials such as yourselves to this proposed pipeline and its multitude of dangers for the last two and a half years. In my short time with you today I would like to highlight the incredible harm that the construction process would cause to the harbor and marine and human life that depends on it.

Toxins

One of the main negative consequences of this proposed pipeline would be the dredging up of toxins such as mercury and arsenic that have settled on the seabed. Stricter environmental laws, investments in waste treatment, and the decline of industries on the rivers that flow into the region have led to a dramatic improvement in water quality after decades and decades of rampant industrial pollution akin to the project we are currently discussing.

Williams itself has documented unsafe levels of toxic substances under the sea floor all along the proposed route. Approximately 83% of the samples it collected exceeded the NYS standards for one or more metals, and Approximately 33% of samples had excessive amounts of toxic organic pollutants that would require highly specialized regulation and construction techniques. It's not a question of whether these toxins exist, but a question of whether we're going to shut our eyes and keep being delusional about their consequences.

The release of toxins is particularly concerning when it comes to bottom feeding marine life overall, and how this will impact the commercial and recreational purposes that this water is meant for by law.

For example, the endangered Atlantic sturgeon has been making a slow come back over last 20 years, with the Rockaways being a major habitat area. As they are bottom-feeders who forage for small clams, invertebrates and fish by sucking up large amounts of mud and sand, the trenching of the seafloor and dredging up of the toxic sediments would: A. inundate sturgeon with plumes of sediments for 3-12 hours per construction activity; B. reduce the amount of important prey (from die off or displacement); and C. expose sturgeon to significantly higher levels of toxins by directly ingesting them from the sand and ingesting animals that will absorb toxins.

This example of toxic interaction can be applied to all animals within the harbor, and especially a number of bottom feeding (or benthic) species, who make up a large portion of the biomass within the ecosystem and play a vital role in the local food web. These waters are specified as having to serve market and recreational purposes, and include 7 fishing grounds -- any adverse impacts on these must be taken into priority over the construction of the pipeline.

Toxins are passed down from one animal to the next, and by entering the food chain will eventually make their way into New Yorkers themselves through the recreational and commercial fishing and clamming that takes place in the harbor. Here are some of the negative health consequences of the toxins that would be dredged up: arsenic causes a variety of cancers in humans. Lead leads to neurological impairments, especially in children. PCBs (polychlorinated biphenyls) enter the food chain, with human exposure to PCBs often coming from eating PCB-laden fish. The class of organic compounds called dioxins are highly toxic. Because they bind to body fat, they accumulate in the bodies of both humans and animals. More than 90% of human exposure to PCBs is through food, including fish and shellfish. One could point to similar evidence of harms to health for any of the metals or industrial organic compounds found under the seafloor of these waters.

On top of all this, thousands of New Yorkers enjoy the harbor for recreational activities like swimming, sailing, surfing and kayaking, all of which would become dangerous if these toxins are released into the water and would come up on to the sand of beloved beaches like Coney Island and the Rockaways.

Construction Techniques

The construction techniques that will be used to bury this pipeline under 6 to 12 feet of sea floor cannot help but disturb these buried toxic substances. In its filings with the federal government, Williams said that jet trenching will be used to excavate 14.9 miles (or 64 percent) of the route; 7.2 miles (31 percent) of project would be excavated with a clamshell dredge; and 1.2 miles (5 percent) would be installed using horizontal directional drilling (HDD.) Jet trenching causes the most sediment disturbance and apparently it will be used for more than half the pipeline's length. But all excavation of the sea floor will pull up these toxic substances, at least some of which will become suspended in the water.

The fate of resuspended contaminants is dependant on many variables including water currents, pH, salinity, interaction with animals, and temperature. Because of this, we cannot know where resuspended contaminants will drift or where they will resettle, which makes planning for prevention or remediation very difficult. Given Williams' safety record and the fact that it continues to write off these concerns as negligible in all its proposal filings, it is obvious that neither Williams nor the federal government can be trusted with prevention or remediation.

Furthermore, Williams plans to release water used in testing the pipeline into the environment. The wastewater will include CORRTREAT 15316 at 300 ppm. According to the Environmental Protection Agency (EPA), CORRTREAT 15316 is a highly toxic substance that is: "harmful if swallowed, causes severe skin burns and eye damage, may cause an allergic skin reaction, may cause damage to organs (Gastrointestinal tract) through prolonged or repeated exposure if swallowed." The EPA guidelines

recommend to, "Dispose of contents/container to an approved waste disposal plant. Product must not be released into water without pre - treatment. Do not allow to enter groundwater, waterways or wastewater undiluted or in large quantities."

Recommendation: Deny the water quality permit for this project

The proposed NESE pipeline would not meet any actual need for gas, since NYC has no additional demand for this death creating fossil fuel, but would only meet the greedy desire for immense profiteering of the Williams company and lock us into decades of dependence. This pipeline proposal, and all other fossil fuel infrastructure, is born of two interconnected current realities: greed on the part of corporate stakeholders who have built a publicly subsidized money making machine that they desperately don't want to let go of, and a lack of imagination on the part of policy makers, who would rather we burn and drown ourselves to death but get themselves power for a few years than do the hard work of solving actual complex life problems. Very specific people, policies and choices have broken our planet over the last 4 decades. Those same people, policies and choices can no longer be.

The solutions to our climate crisis must be interconnected and varied, including renewable sources of energy such as solar, geothermal and wind that are community based and led. The days of economic monopoly have to end for us to survive and thrive in the long-term. The DEC has to make the only choice it can backed by its legal responsibility to protect our water: deny this pipeline.



TESTIMONY

of the

NATURAL RESOURCES DEFENSE COUNCIL

before

NEW YORK CITY COUNCIL

COMMITTEE ON ENVIRONMENTAL PROTECTION

REGARDING

NORTHEAST SUPPLY ENHANCEMENT PROJECT

APRIL 15, 2019

Kimberly Ong
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NATURAL RESOURCES DEFENSE COUNCIL

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Good morning Chairman Constantinides and members of the Committee. My name is Kimberly Ong and I am a senior attorney at the Natural Resources Defense Council. As you probably know, NRDC is a national, non-profit legal and scientific organization headquartered in New York City. Since its founding in 1970, NRDC has worked hard to protect waters in and around New York City. It has been a principal advocate for pollution prevention and watershed protection for the Catskill and Delaware watersheds, which provide drinking water to more than nine million residents, and has also worked hard in defense of the New York-New Jersey Harbor Estuary. I appreciate the opportunity to testify before you today, and thank you for providing us the forum to comment on this significant project.

As you know, over 23 miles of the Northeast Supply Enhancement pipeline is proposed to be built very close to New York City, just off the shores of Staten Island and Queens. Part of that pipeline will be built by ripping up the bottom of New York Harbor—one of the City's most important waterbodies. New York Harbor serves as a lifeblood to the City as an important place for fishing, swimming, boating, and other forms of recreation for hundreds of thousands of people, and as home to a diverse collection of aquatic organisms, including two hundred species of fish, and the endangered North Atlantic right whale, the endangered fin whale, and the endangered Atlantic sturgeon. With much hard work by the City, is now the healthiest its been in over a century.

And New Yorkers are taking advantage of this—in New York City, the majority of shoreline along New York Harbor is designated public space.¹ And National Park sites in New York Harbor received over 16 million visitors per year who spend nearly \$560 million in communities near the parks.² That spending-supported 6,890 jobs in the local area and had a cumulative benefit to the local economy of nearly \$715 million.³

But all of this progress could be undermined if the Northeast Enhancement pipeline goes forward. The vast majority of the pipeline in New York will be constructed using a trenching method, ripping up over 1 million cubic yards of sediment from the ocean floor. These activities would harm any living thing that lived in the project's path. It would also suspend sediments in the water, clogging fish gills, burying eggs, and making it too cloudy for aquatic animals to forage and migrate. Indeed, aquatic animals in an area larger than Central Park, about 945 acres of seafloor, would experience an increase in suspended sediment that could interfere with nearly every activity necessary to sustain life there.

¹ New York-New Jersey Harbor & Estuary Program, *Connecting with Our Waterways: Public Access and its Stewardship in the New York-New Jersey Harbor Estuary* ii (2016), available at <https://www.nrs.fs.fed.us/pubs/50713>.

² National Park Service, National Parks of New York Harbor, *Tourism to National Parks of New York Harbor creates \$714,149,200 in Economic Benefits*, April 29, 2016, https://www.nps.gov/npnh/learn/news/vis_spending_2015.htm.

³ *Id.*

The pipeline developer also acknowledges that there are dangerous levels of toxic contaminants—like PCBs, mercury, and copper—in the sediment that creates “a high potential for the sediments to be toxic to aquatic life.”⁴ Levels of mercury and copper would be so high that they would exceed state water quality standards for these chemicals. And once contaminants enter an animal, they can move up the food chain, potentially harming and killing organisms that were not directly exposed to the contaminant in the first place.⁵

New York City has an important role to play in the future of this pipeline. Before it moves forward, the Northeast Supply Enhancement pipeline must obtain several federal and state approvals. Without these approvals, the pipeline cannot proceed. And as you are aware, New York State is currently considering granting the pipeline a water quality certification in accordance with Section 401 of the Clean Water Act—this is one of the few opportunities New York State has to stop this pipeline.

Before New York State makes its decision on May 16, City Council can pass a resolution calling upon New York State to deny the Water Quality Certification permit for the construction of the Northeast Supply Enhancement pipeline through New York Harbor. This would send a powerful signal to the state that New Yorkers are not interested in hosting a fracked gas pipeline through one of their most important waterbodies, and put pressure on the State to respond in kind.

In short, NRDC believes that the Northeast Enhancement pipeline must be stopped—for the health and safety of all New Yorkers and for the protection of our sacred waterways. Passing a resolution urging the State to block this pipeline is the best way for the City to help block it. We thank you, Mr. Chairman, for holding this hearing and for your leadership on this issue. NRDC strongly supports a resolution against the Northeast Enhancement pipeline.

⁴ DEC, Screening and Assessment of Contaminated Sediment 11 (2014), https://www.dec.ny.gov/docs/fish_marine_pdf/screenasssedfin.pdf.

⁵ Federal Energy Regulatory Commission, Northeast Supply Enhancement Project - Final Environmental Impact Statement, Docket No. CP17-101-000, at 4-121 (2019).

My name is Rachel Rivera. I am a board member of New York Communities for Change. We are a community organization which promotes economic, racial and climate justice.

Thank you for holding this important hearing on the proposed Williams pipeline. The fracked gas delivered by this pipeline would cause about 8 million tons of climate pollution each year. That's from a report by PSE Healthy Energy.

New York can't allow that to happen.

Unless the world slashes climate pollution, New York City will heat up while slipping under water. The city will drown while we get hit by extreme weather such as hurricanes, heat waves, intense rain and flooding.

It's not fair for corporations to continue to build out fossil fuel infrastructure. It directly threatens our futures as New York City residents. It directly threatens the families that we have beyond our borders - like my family in the US territory of Puerto Rico.

To be clear, the climate crisis isn't the future. It's here. It's costing homes, money, health, and lives.

Me and my daughter Marisol, ~~who is here with me today~~, can tell you the consequences first hand.

We were in our apartment in Brooklyn when Hurricane Sandy hit. Marisol was sleeping. I heard a loud crack from the roof. I ran into her room and grabbed her out of her bed. That was right before the roof came down onto her bed.

We ran out into the night with nothing. We spent time in an emergency shelter. We were homeless. My daughter still has nightmares and serious anxiety problems stemming from the storm and what followed. She often becomes upset during heavy rainstorms and has been in the hospital as a result of the situation.

During Hurricane Maria, my mother and aunt's homes in Puerto Rico were flooded and they lost everything. A close family friend was killed by the storm.

Sandy and Maria, of course, were worse because of the fossil fuel pollution from companies like Williams, Con Ed and National Grid.

More climate disasters will be *fossil fueled* by the Williams pipeline. While Williams and National Grid would make millions of dollars off of this project, me and many other New Yorkers will pay the costs.

Williams, National Grid, ConEd... I'm talking to you. I know it's easier for you to stick to business as usual. You want to keep making those millions that your CEOs reap each year. Williams and Con Ed's CEOs make about \$10 million per year off of people like me. Building new pipelines guarantees their profits.

But we'll keep paying for that pipeline for decades to come.

My family can't afford another Hurricane Sandy. My family can't afford another Hurricane Maria. We couldn't afford the first ones.

While you are concerned about profit, we are concerned about our daughters, our homes, and our loved ones.

I urge the New York City Council to pass the resolution to reject the proposed Williams fracked gas pipeline.

I hope you consider the New Yorkers like me, not these corporate CEOs. Please send a clear message to Governor Cuomo to stop the Williams pipeline.

Thank you.

My name is Patrick Houston and I'm an organizer with New York Communities for Change.

Thank you for holding this important hearing on the proposed Williams fracked gas pipeline.

NYCC is predominantly made up of low-income communities and communities of color in the City and Long Island.

We are facing a crisis of unprecedented proportions. The planet is warming, the seas are rising, it's getting hotter, and it's because we are burning fossil fuels. We have a closing window to avoid catastrophic, runaway climate change- 11 years according to UN scientists. NYC must reject fossil fuel infrastructure the product of which is threatening the very existence of this City. Instead we must prioritize the and well being of the City's residents.

All New Yorkers are threatened by the climate crisis. Communities of color and low income communities are extremely vulnerable.

After Hurricane Sandy, 400 buildings in 33 NYCHA developments were affected. Low income tenants, some of which are our members, lost power, medicine, food, pets, and wages for missed days at work.

In the Rockaways, many of our members were badly impacted. Mrs. Phipp's, a childcare provider from the Peninsula, had to relocate from her home after Hurricane Sandy badly damaged it. She has spent the last 5 years fighting tooth and nail to cover the costs of repairs while trying to keep up with the mortgage payments. Her home has been marked for pre-foreclosure. Her battle isn't over. She moved back to the property when repairs were completed only at the end of last year. It's unclear if she and her son will manage to make up the payments and secure the mortgage.

Another member of NYCC and Rockaway resident, Ms. Bowman, deals with flooding on her block almost every time it rains. She spent hundreds of dollars on water pumps to lessen flooding when it rains. Often the pumps can't keep up and her basement still floods.

The Williams pipeline, if built, will account for about 15% of NYC's GHG emissions. The project is incompatible with the City's own climate goals and locks us into future costs of disaster recovery. (1)

While Williams is guaranteed a solid return on this project (which falls around 14% for many such projects) (1), the Rockaways are projected to be underwater by 2100 if we continue business as usual. NYC is estimated to experience more than double the number of extreme heat days over 90F from 1990, by 2050. Sea level rise is project to be at 22" by 2050, if we continue business as usual. (2) The Williams pipeline is business as usual.

The City is planning to spend \$10 Billion to protect the financial district on Manhattan Island. It is immoral and nonsensical to simultaneously endanger Staten Island, Coney Island, and Rockaway Peninsula by supporting the construction of the Williams project.

We urge the NYC City Council to pass a resolution to reject the Williams pipeline.

Thank you.

1. <https://drive.google.com/file/d/110OKMECsnIq0h05iiyEj2ZjYVB6kKnD3/view>
2. <https://www.citylab.com/environment/2015/02/new-york-in-2080-9-degrees-warmer-39-inches-of-sea-level-rise/385594/>

**Opposition Statement to Williams NESE Pipeline prepared for New York City Council
Committee of Environmental Protection Hearing 4/15/2019**

My name is Jeremy Jones and I am here today to express my great concern and staunch opposition to the proposed Williams NESE pipeline. As the co vice president of the Rockaway Beach Civic Association, I would like to state for the record that our group voted unanimously against the Williams pipeline, and have been working with our partner groups to build opposition to it.

As an avid water person, I spend a great deal of my life swimming, surfing, paddling and fishing in the waters around Rockaway Beach, where I have been a resident and homeowner for the last 15 years.

In that time, I have witnessed the incredible population growth of aquatic mammals, fish, and other sea life. Barely a day goes by in the Summer when you won't see a pod of dolphins swimming near shore. We often see whales of different varieties breaching just offshore of our beaches. This is in no doubt because our waters are getting cleaner than they have been in the last 100 years. There has also been dramatic increase of Atlantic Menhaden, which is a primary food source for numerous species of sea life.

There has also been a great resurgence of benthic habitat below the waves too.

Despite the DEC raising the impact on the benthic habitat in its Notice of Denial, Williams fails to adequately address these concerns and, in fact, has provided absolutely no mitigation strategy to preserve the existing population in NY Harbor.

My wife and I lost our home as a result the natural disaster known as Super Storm Sandy. While we have since rebuilt and things are getting back to normal, we are now faced with a potential man made disaster that is entirely avoidable. I urge the members in this body to unite in opposition to Williams' proposed NESE pipeline, as their safety record has been less than stellar, and by this, I am being generous.

Williams has also stated that this pipeline is needed to bring natural gas to NYCHA residents who need it due to a lack of heat and hot water in many areas of the city. The problems that exist in NYCHA have nothing to do with gas supply. The lack of new boilers, mechanical systems and overall mismanagement are the problems in this case. Williams has offered no solutions to these issues, and to use this issue to coerce support is disingenuous at best, and shameful at worst.

The impact of a leak or an explosion would be a catastrophic blow to the New York City's coastal communities still recovering from Sandy. We are still working with various state and federal agencies to build a more resilient coast line, and there is no need to use 20th Century infrastructure to solve a 21st Century problem, as New York State works on becoming a leader in renewable energy sources, such as wind, solar, and geothermal.

In fact, New York has banned the process of fracking in our state. Why on earth would we allow the residents of Pennsylvania to suffer the adverse effects of gas extraction, and the multitude of environmental consequences that accompany it? Why on earth would we allow our neighbors in New Jersey to deal with the proven hazard of housing transfer stations? It seems crazy to me that we would think it is OK to allow fracked gas into our state while we ourselves won't permit it's extraction here.

In closing, I urge the City Council to and stand with the residents of the Rockaways and the rest of New York City to protect our environment, and reject any new investments in the fossil fuel economy. We are lucky to live here, and we want to see this community to continue to thrive for many years to come.

Thank you.

Jeremy Jones

April 15, 2019

New York City Council

Re: Resolution calling upon the New York State Department of Environmental Conservation to deny the Water Quality Certification permit for the construction of the Northeast Supply Enhancement pipeline through New York Harbor.

To whom it may concern,

On behalf of Food & Water Watch, a national non-profit advocacy organization with an office and over 120,000 supporters in New York, we urge the New York Department of Environmental Conservation (DEC) to reject William's request for a 401c Water Quality Certificate, needed to construct the Northeast Supply Enhancement Project.

The Northeast Supply Enhancement Project (NESE) project was first proposed in 2016 to expand an existing Transco pipeline that runs from Texas to New York.¹ The nearly 37-mile project would run for 17.3-miles through in New York's state waters — specifically, Raritan Bay.²

The Federal Energy Regulatory Commission's (FERC) final EIS concluded environmental impacts would be reduced to "less than significant levels" with proper mitigation.³ And according to the *Natural Gas Intelligence* – an industry publication – FERC's final EIS is "favorable", calling it a "key step forward."⁴ But one step forward for the fossil fuel industry, is a giant leap back for New Yorkers and the state's water resources.

Of course, FERC drafted an EIS the gas industry is pleased with – the agency actually gets its funding from the industry it is charged with regulating, which gives it a financial incentive to approve projects.⁵ And despite substantial environmental concerns and widespread public opposition to many proposed pipeline projects, FERC has yet to reject a pipeline for environmental reasons and rejected only a single application over the past three decades.⁶

The reality is that any pipeline that primarily is built through water resources will result in negative impacts to the waterbody, especially during the construction phase. Water resources need to be protected, and the public's best interest should be put before the interests of corporations. Water belongs to the public and should be protected and preserved for the public.⁷

NESE Threatens Waterbodies and the Raritan Bay

¹ Gonzales, Leticia. "Northeast Supply Enhancement Project given favorable EIA." *Natural Gas Intelligence*. January 25, 2019; Dilawar, Arvind. "The latest pipeline battle is ramping up in New York." *The Nation*. August 10, 2018.

² Bradley, David. "FERC delays EIS for Transco's Northeast Supply Enhancement Project." *Natural Gas Intelligence*. September 12, 2018; Federal Energy Regulatory Commission. Office of Energy Projects (FERC). "Northeast Supply Enhancement Project, Final Environmental Impact Statement." Docket No. CP17-101-000. FERC/EIS-0280. January 2019 at 2 and 2-1.

³ FERC. (2019) at 4-22.

⁴ Gonzales, Leticia. "Northeast Supply Enhancement Project given favorable EIA." *Natural Gas Intelligence*. January 25, 2019.

⁵ FERC. "Fiscal Year 2017, Congressional Performance Budget Request. Fiscal Year 2015, Annual Performance Report." 2017 at ii.

⁶ Fifield, Jen. "As pipeline projects grow, so do protests." *PBS NewsHour*. October 1, 2016; Woodall, Candy. "Pipeline plan rejected by federal regulators in shocking decision." *Harrisburg (PA) Patriot-News*. March 12, 2016; Woodall, Candy. "Federal agency funded by energy industry has never rejected a pipeline plan." *Harrisburg (PA) Patriot-News*. March 7, 2016.

⁷ Klass, Alexandra B. and Ling-Yee Huang. Center for Progressive Reform. "Restoring the Trust: Water Resources and the Public Trust Doctrine, A Manual for Advocates." September 2009 at 2.

Overall, a whopping twenty-six onshore waterbodies would be affected by the NESE.⁸ In New York, the pipeline segment appropriately dubbed the Raritan Bay Loop would travel through the offshore waters of Raritan Bay and Lower New York Bay.⁹

Raritan Bay is a large, shallow waterbody and an estuary to Navesink, Shewsbury and Raritan Rivers.¹⁰ Construction of the pipeline could dredge up toxic sediments (like in the Raritan Bay Slag Superfund Site in New Jersey)¹¹ and disrupt 14,000 acres of aquamarine habitats (clams, crabs, fish and more), temporarily or permanently disrupt fishing, boating and other recreational and commercial activities, and disseminate disruptive noise pollution to wildlife.

The NESE project will also cross a major groundwater aquifer located in New York and New Jersey called the Potomac-Raritan-Magothy Aquifer.¹² The Potomac-Raritan-Magothy Aquifer is designated as a Sole Source Aquifer because it supplies most of central and southern New Jersey with its drinking water.¹³

While methane (CH₄) itself may not be toxic, its presence in aquifers indicates the presence of other hydrocarbons that are toxic.¹⁴ When a mix of hydrocarbon gas enters unventilated spaces, it can cause suffocation and even result in explosions.¹⁵ CH₄ that contaminates aquifers may also, through geochemical reactions or other mechanisms, increase levels of arsenic and other harmful toxins in water brought to the surface.¹⁶

Pipeline construction

Building new and expanding existing pipelines threatens human health, wildlife habitats and the environment by compromising soil quality, impacting vegetation, releasing air pollutants, and contaminating surface waters and aquifers.¹⁷ Research shows that construction in or around waterbodies can disturb aquatic ecosystems and cause changes to their biological and physical components.¹⁸ Turbidity is the most obvious effect of pipeline construction.¹⁹

Pipeline construction can damage small streams or springs that, while supposedly protected by law, are easily overlooked. Clearing trees and bushes to construct pipelines that cross streams can increase

⁸ FERC. (2019) at 5-5.

⁹ *Ibid.* at 5-6

¹⁰ Squires, D.F. and J.S. Barclay. The University of Connecticut. "Nearshore wildlife habitats and populations in the New York/New Jersey Harbor Estuary." November 1990 at 8.

¹¹ National Oceanic and Atmospheric Administration. Damage Assessment, Remediation, and Restoration Program." Raritan Bay Slag." Available at <https://darrp.noaa.gov/hazardous-waste/raritan-bay-slag>. Accessed March 6, 2019; FERC. (2019) at 4-121.

¹² *Ibid.* at 4-23

¹³ *Ibid.* at 4-24, 4-25; See <https://semspub.epa.gov/work/03/152773.pdf> at 7.

¹⁴ Food & Water Watch. [Report.] "Urgent Case for a Ban on Fracking." February 2015 at 4 and 9.

¹⁵ Vengosh, Avner et al. "A critical review of the risks to water resources from unconventional shale gas development and hydraulic fracturing in the United States." *Environmental Science & Technology*. Vol. 48. Iss. 15. August 5, 2014 at 8335; Ohio Department of Natural Resources. "Report on the Investigation of Natural Gas Invasion of Aquifers in Bambridge Township of Geauga County, Ohio." September 1, 2008 at 46 and 47.

¹⁶ Vengosh. (2014). at 8338.

¹⁷ Tomareva, A. et al. "Impact of Pipeline Construction on Air Environment." *IOP Conference Series: Materials Science and Engineering*. Vol. 262. 2017 at 5 and 6; Williams, Tim. Library of Parliament of Canada, Industry, Infrastructure and Resources Division, Parliamentary Information and Research Service. "Pipelines: Environmental Considerations." 2012-37-E. July 5, 2012 at 2 and 3.

¹⁸ Reid, Scott M. and Paul G. Anderson. "Effects of sediment released during open-cut pipeline crossings." *Canadian Water Resources Journal*. Vol. 24. No. 3. 1999 at 236.

¹⁹ *Ibid.* at 240.

the water's temperature, making it too warm for fish to forage or raise their young.²⁰ While stormwater runoff during pipeline construction can reduce populations of fish and other aquatic species in the area and downstream.²¹

Raritan Bay and New York

The offshore waters of Raritan Bay that would be crossed are designated for shellfishing, recreation and fishing.²² Offshore aquatic species could be adversely impacted during construction. They would be faced with potential sediment disturbance, increased turbidity and sediment redeposition, and noise.²³

FERC's EIS seemingly tries to justify construction in Raritan Bay by stating that the waters are already subjected to pollutants (PCBs, pathogens, dioxins).²⁴ If anything, this highlights the exact reason why the pipeline must not be constructed – environmental regulators should make decisions that enhance water quality, rather than subjecting waters to further degradation.

The pipeline would be constructed below the seafloor, where it could stir up toxic sediment from “historical and ongoing” human-caused contamination; and potentially disturb, harm, injure and temporarily displace organisms living on or near the seafloor — like bottom-dwelling fish.²⁵ However, the EIS egregiously disregards the impacts the sedimentation could have to aquatic life in New York's offshore waters by stating that due to the hustle and bustle of the city life, frequency of storms, and other activities like sea vessel traffic ... “species inhabiting the region are likely accustomed to some degree of turbidity and sedimentation.”²⁶

Noise pollution could also prove harmful to aquatic life, including various seal species, dolphins, whales and even a harbor porpoise.²⁷ The right whale, fin whale and Atlantic sturgeon are all Endangered Species.²⁸

In more than one location of the EIS, FERC admits that the pipeline construction could damage water resources or its ecosystems in some capacity.²⁹ For example, page 4-33 says: “The use of the HDD [horizontal directional drilling] method on the Madison Loop and onshore segment of the Raritan Bay Loop could potentially impact groundwater resources.” Although horizontal directional drilling is touted as a safer method for pipeline installation in below waterways or other ecologically sensitive areas,³⁰ the method is not flawless. For example, during the construction of the Mariner East 2 pipeline in Pennsylvania there were over 100 different leaks or “inadvertent releases” of fluids into waterbodies, from May 2017 to March 2018.³¹

²⁰ Canadian Association of Petroleum Producers, Canadian Energy Pipeline Association and Canadian Gas Association. 2005 at 1 to 4.

²¹ *Ibid.*

²² FERC. (2019) at 4-50.

²³ *Ibid.* at ES-10.

²⁴ *Ibid.* at 4-54.

²⁵ *Ibid.* at ES-10 and ES-11.

²⁶ FERC. (2019) at ES-11.

²⁷ *Ibid.* at ES-12 and ES-14.

²⁸ *Ibid.* at ES-14.

²⁹ *Ibid.* at 4-33 and 4-34.

³⁰ Williams. Transcontinental Gas Pipe Line, LLC. “Trenchless Crossing Analysis. Atlantic Sunrise Project.” November 2016 at 11; TransCanada. [Fact sheet]. “Crossing Water Safely.” March 2018 at 2.

³¹ Pennsylvania Department of Environmental Protection (PA DEP). “Sunoco Manner East II – Pipeline Construction Inadvertent Returns – Waters of the Commonwealth.” Revised March 26, 2018. Available at <http://www.dep.pa.gov/Business/ProgramIntegration/Pennsylvania-Pipeline-Portal/Pages/Manner-East-II.aspx>. Accessed March 27, 2018.

The risks to New York's waters, Raritan Bay and its ecosystems are greater than the purported benefits of the NESE project.

Risks Remain After Construction

Threats to public safety and the environment remain even after construction is completed. Between 2002 and April 2018, more than 10,000 pipeline leaks, spills, ruptures and explosions occurred in the United States, resulting in over 200 fatalities and at least 860 injuries.³² From 2010 to April 2018, pipeline accidents cost nearly \$793 million in property damage.³³

Compounding the risk, newly built pipelines since 2010 are five times more likely to have problems than those built from 1980 through 2009, possibly because the rush to complete pipelines during the fracking boom encouraged corner-cutting during construction.³⁴

Moreover, widespread methane leaks from the oil and gas industry, including releases from pipelines, are the leading human-caused source of methane pollution in the country.³⁵ Methane is an extremely potent greenhouse gas, and the climate footprint of natural gas is actually worse than coal and oil because methane traps more heat in the atmosphere.³⁶

This proves to be a double-edged sword. As climate change increases natural disasters such as supercharged storms like Hurricane Sandy, water-submerged pipelines face increased risks for being compromised, resulting in heightened risks for leakage and explosion, impacting the water, aquatic life and surrounding communities.

The construction of pipelines (like NESE) locks in a fossil fuel dependent future that will reap havoc on the climate, while climate change threatens the integrity of pipeline infrastructure. Pipelines near shore waters are vulnerable to forces from waves, especially during storm events.³⁷ A U.S. Government Accountability report noted, "Changes observed in the United States include more intense weather and storm events, heat waves, floods, and droughts; rising sea levels; and changing patterns of rainfall. These trends, which are expected to continue, can adversely affect energy infrastructure such as natural gas and oil production platforms, pipelines, power plants, and electricity distribution lines."³⁸

The final EIS admits that New York communities that would live close by the NESE expansion are environmental justice communities along the Raritan Bay Loop.³⁹ These environmental justice communities near the pipeline will be disproportionately burdened by noise, air and water pollution

³² Analysis of data from: Pipeline and Hazardous Materials Safety Administration. Distribution, Transmission & Gathering, LNG, and Liquid Accident and Incident data. Available at <https://www.phmsa.dot.gov>. Accessed May 2018.

³³ *Ibid.*

³⁴ Kunkel, Cathy and Tom Sanzillo. Institute for Energy Economics and Financial Analysis. "Risks Associated With Natural Gas Pipeline Expansion in Appalachia. Proposed Atlantic Coast and Mountain Valley Pipelines Needs Greater Scrutiny" April 2016 at 14 and 15, Smith, Sarah. SNL Financial. "As US rushes to build gas lines, failure rate of new pipes has spiked." September 9, 2015.

³⁵ Jackson, Robert et al. "Natural gas pipeline leaks across Washington, DC." *Environmental Science & Technology*. January 16, 2014 at 2051.

³⁶ Howarth, Robert W. "A bridge to nowhere: Methane emissions and the greenhouse gas footprint of natural gas." *Energy Science & Engineering*. 2014 at 1; Howarth, Robert W. et al. "Methane and the greenhouse-gas footprint of natural gas from shale formations." *Climatic Change*. April 2011 at 679, 687 and 688.

³⁷ Side, Jon et al. "Impacts of climate change on built structures." *Marine Climate Change Impacts Partnership Science Review*. 2013 at 298.

³⁸ U.S. Government Accountability Office. Report to Congressional Requestors. "Climate change. Energy infrastructure risks and adaptation efforts." GAO-14-74. January 2014 at 1.

³⁹ Federal Energy Regulatory Commission. "Northeast Supply Enhancement Project. Final Environmental Impact Statement." January 2019 at 4-283.

during the construction phase, and will be at continued risk for explosions and methane leaks once the pipeline is built.

New York DEC Must Reject the 401c Water Quality Certificate for the Williams NESE pipeline

Pipelines like NESE help create a demand and justification for climate change inducing fossil fuels and environmentally destructive energy extraction. Promoting natural gas not only will lock in decades more of fracking and contribute to the climate crisis, it will result in billions of dollars spent on the infrastructure to support burning gas, preventing us from moving to a sustainable energy future. Moreover, as climate change worsens, and natural disasters increase, pipelines like NESE are more prone to breakage.

The Williams pipeline would threaten Raritan Bay, the climate, and communities surrounding the pipeline. We ask that the New York City Council calls on the DEC to deny the 401c Water Quality Certificate that Williams needs for construction of the pipeline.

Water belongs to the public and should be protected and preserved for the public.⁴⁰

Thank you for your consideration,

Laura Shindell
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Brooklyn, New York 11201
lshindell@fwwatch.org

⁴⁰ Klass, Alexandra B. and Ling-Yee Huang. Center for Progressive Reform. "Restoring the Trust: Water Resources and the Public Trust Doctrine, A Manual for Advocates." September 2009 at 2; ⁴⁰ Spiegel, Danielle. "Can the public trust doctrine save western groundwater?" *New York University Environmental Law Journal*, vol. 18, iss. 2. 2010 at 429 to 430.



Testimony from Kim Fraczek, Director, Sane Energy Project
Co-Founder Stop the Williams Pipeline coalition
Oversight - The Environmental Impacts of the Proposed Williams Pipeline.
Committee on Environmental Protection
4/15/19

The renewable solutions **are** available, and fracked gas from the Williams NESE Pipeline is **not** a bridge fuel. It will bring us more climate change, more poison, and a nosedive for our democracy. Case in point¹, Williams Co. in partnership with the deliverers of their product, National Grid and Con Edison, are currently running a false information campaign that is nothing more than a manufactured crisis to keep their unsustainable and inequitable business models in survival mode. They are telling New Yorkers that we will all be in the cold, in the dark and that our economy will come to a screeching halt if we don't build this pipeline, and more fracked gas infrastructure expansion. This is simply an effort to keep business as usual, and create doubt in our ability to create a renewable industry in service to sustaining all life on planet Earth. The CEO's of the companies who will benefit from this pipeline make in the millions per year... hardly an incentive for changing our infrastructure to distributed renewables that would break apart their monopoly on our energy choices, our economy and our democracy.

We need our New York City Council to express leadership for our health, safety and democracy. We have achieved so much already, and this is **not** the time to work backwards. We vetoed the Port Ambrose LNG Port together, many of you stood up with us to Spectra Energy's pipeline in the West Village when this fracking infrastructure fight was not on many people's radars.

We must not let Williams Co. and the corporate utilities bully us backward.

Now is the time to demand our city and state incentivize training for our labor force to move to renewable energy² partnered with energy efficiency and beneficial electrification to create a cleaner and equitable system. Recently, Governor Cuomo and NYSEERDA's Renewable Heat Division led the way when Con Ed recently called for a moratorium on gas in Westchester Co. if they don't get more gas infrastructure. Sane Energy Project, along with elected officials, organized a delivery of hundreds of letters to the Public Service Commission, to see Con Ed's moratorium threat,

¹ <https://drive.google.com/file/d/1jqdAYntMdl17LFboYXtTGH-IMUfprLun/view>

² https://docs.google.com/document/d/1KirZXhm0_c02LW3Z0L9k2r-Ssp6oYeSxxhslp7FjHSA/edit

and we raise them an exchange of fossil fuel subsidies for renewable subsidies from our rate-payer and tax-payer funded Green Bank and Clean Energy Fund. We have the solutions in community solar, offshore wind, energy efficiency, beneficial electrification instead of gas pipeline replacement, and hey if St. Patrick's Cathedral in midtown Manhattan can go 100% Geothermal, then there is no reason, we cannot create community geothermal loops to heat and cool our buildings.

Please find attached our **renewable energy talking points sheet** and our recently published **Panic Report** that shows how corporate utilities and the fossil fuel industry are creating a manufactured crisis despite the countless environmental harms for their projects.

Thank you very much for your time.

Kim Fraczek

A handwritten signature in black ink that reads "Kim Fraczek". The signature is stylized and cursive.

Director, Sane Energy Project
www.saneenergy.org

NESE Solutions Fact Sheet

Fossil fuels are a finite resource. Fossil Fuels threaten the quality of life on this planet and the future of our species. We can either lock ourselves into infrastructure that will ensure higher utility bills, environmental degradation, and compound climate change or we can move toward a regenerative economy that fosters ecological and social well-being while creating healthy, long-lasting careers.

The renewable economy is already here and flourishing in the U.S. and many other countries around the world. Solutions like offshore wind, community solar, geothermal and heat pumps, as well as energy efficient retrofits, composting & biodigesting, electric vehicles and more are being developed right in our backyard.

Offshore Wind¹

In January 2017, Governor Andrew Cuomo committed to developing 2400 megawatts of offshore wind power by 2030, enough to power 1.2 million homes. In January of 2018, New York made a second step and agreed to procure the first 800MW.

Benefits of offshore wind include:

- Clean, locally produced power where demand is highest
- Significant investments in coastal infrastructure and communities
- The opportunity for thousands of short- and long-term skilled construction, manufacturing, and operations jobs
- Renewable energy generation close to a densely populated region
- Diversified electricity supply

Community Solar²

- Community solar projects are an array of solar panels installed in a sunny, offsite location. Community solar allows you benefits from solar without installing panels on your home.
- There are many organizations³ working hard to ensure that Community Solar is accessible and affordable to all New Yorkers.

Geothermal⁴

- Heating and cooling in buildings represent 32% of New York State's combustion-related greenhouse gas (GHG) emissions.
- Solutions to clean heating and cooling include:
 - Air source heat pumps

¹ <https://www.nyscrda.ny.gov/All-Programs/Programs/Offshore-Wind>

²

<https://www.nyscrda.ny.gov/All-Programs/Programs/NY-Sun/Solar-for-Your-Home/Community-Solar?gclid=CIHx3fbqg9QCFYiFswodqmMIUQ>

³ <https://energydemocracyny.org/>

⁴ <https://www.nyscrda.ny.gov/Researchers-and-Policymakers/Clean-Heating-and-Cooling>

- [Ground source heat pumps](#)
- [Solar thermal](#)
- Many groups like [Renewable Heat Now](#)⁵ work on policy that expands our current New York State programs to include ALL New Yorkers regardless of income or zipcode.

Energy Efficiency

Energy efficiency means doing more with less: Squeezing as much useful power out of as little energy as possible, and not letting any go to waste.

There are [programs in New York State](#)⁶ to ensure homes and businesses are efficient to save money, and reduce fuel usage.

And there are [groups in New York](#)⁷ making sure these programs are available and affordable for every New Yorker

Biodigesting⁸

Biogas can be made from almost any organic foodstuff that animals would eat and from the resultant poo that animals make when they are done eating. The ideal way to make biogas from food scraps -- the wasted parts of plants and animals that you don't eat and that you would throw away anyway. In effect, biogas is a solar battery. But it is far more reliable, durable and usable than any other form of stored sunshine because biogas "never loses its charge". It can be kept in storage until needed for... well, for millions if not billions of years. Try to do that with a battery!

- Check out some biodigesters being built [all over the world](#) in lieu of fossil fuel gas.

Electric Vehicles⁹

Electric vehicles (EVs) save money and reduce air pollution. Compared to gasoline-powered cars, EVs are more energy efficient and cost about 50 to 70% less to operate per mile.

- [Programs in New York State](#)
- [Advocacy work](#)¹⁰ in New York State

⁵ <https://renewableheatnow.org/>

⁶ <https://www.nysderda.ny.gov/All-Programs/Programs/Home-Energy-Efficiency-Upgrades>

⁷ <https://energydemocracyny.org/projects-campaigns/right-to-efficiency/>

⁸ <http://www.solarcities.eu/>

⁹ <https://www.nysderda.ny.gov/Researchers-and-Policymakers/Electric-Vehicles>

¹⁰ <https://nyforcleanpower.org/electric-vehicles/>

**Testimony of Con Edison
Before the New York City Council
Committee on Environmental Protection
April 15, 2019**

Good morning. Thank you, Mr. Chairman, and members of the Committee for the opportunity to provide comments today. My name is Ivan Kimball and I am the Vice President of Energy Management for Con Edison. I am joined by my colleague, Kyle Kimball, Vice President of Government, Regional, and Community Affairs.

Our comments today are focused on the current natural gas supply constraints in New York City, how this project indirectly alleviates those constraints, and how we can work together to achieve the goals of our shared vision of a clean energy future.

Con Edison has been a leader in transitioning the New York City energy grid, the most complex in the world, to a grid that will facilitate the transition to a clean energy future. We do not disagree that the climate is changing...we see that in the massive storms, cold spells and heat waves that have impacted our system. We have spent over \$1 billion to make our system more resilient to the impacts of climate change.

I would like to briefly explain how the proposed Northeast Supply Enhancement (NESE) project impacts gas supply to Con Edison's service territory. Although Con Edison has no role in the development of the NESE project, nor are we a direct customer, the project is one that benefits Con Edison customers indirectly.

Con Edison provides natural gas to the Bronx, Manhattan and certain parts of Queens. National Grid covers the rest of Queens, Brooklyn and Staten Island. To cover the five boroughs, both utilities share some of the natural gas transmission infrastructure that allows natural gas to flow in the five boroughs, whether they are customers of Con Edison or National Grid.

Demand for natural gas in our service area has grown 30 percent since 2011. That's largely due to a successful policy to accelerate oil-to-gas conversions, such as New York City's Clean Heat program, and natural gas being the fuel of choice for new construction because it is cleaner and more economical than oil.

As gas demand grows without new interstate transmission projects, there are only three choices to meet the demand: 1) additional capacity on new infrastructure; 2) find additional capacity on existing infrastructure; 3) reduce the demand for natural gas. I'll take them in reverse order:

We are already underway on item #3, working to reduce demand for and dependence on natural gas by our customers with incentives to choose cleaner and more efficient alternatives. We can talk more about this during the Q&A. On item #2, we are actively looking for ways to improve the efficiency of our existing infrastructure.

Which leaves us at item # 1. Because all of our customers are served by the shared transmission infrastructure, if the NESE project is rejected, Con Edison and National Grid customers will be competing more intensely for the same already strained natural gas supply flowing through existing infrastructure. This competition could result in increased gas constraints in New York City for already tight natural gas supplies, not to mention higher prices for the natural gas itself.

This is a straightforward exercise in balancing supply and demand. To the extent we are not able to meet the demand needs of our customers for new or expanded natural gas service, we would have to move quickly to declare a moratorium on new gas connections in our service area.

The inability to meet natural gas demand without new interstate pipeline infrastructure has been a growing concern of Con Edison. As you may know, we put in place a temporary moratorium in Westchester on new gas connections. This moratorium decision was driven by a need to balance available supply with demand, to maintain reliability for our existing Westchester customers.

Con Edison has a duty to deliver natural gas safely and reliably to every firm customer on the days of peak demand, which are typically the coldest days of the year. If we begin to forecast that we cannot meet the demand for natural gas on the days of peak demand, we cannot responsibly add new customers, which typically number 1700 new connections each year. These are gas connections to new affordable housing, residential and commercial developments, oil-to-gas conversions, new restaurants, and renovations that will all have to find alternatives to natural gas for their heating and cooking needs.

Replacing the demand for natural gas with demand for electricity is considered the best way to decarbonize the heating and cooling of buildings. Beneficial electrification is only beneficial when the grid is green – when the electrons that are flowing and replacing natural gas are renewable. Right now that is not the case. Con Edison, Inc. is the 2nd largest solar developer in North America, and yet we are not able to bring that expertise to New York State. To achieve the level of renewable electrons flowing into New York City metropolitan area, we need all the tools in play and we cannot afford artificial constraints that prohibit utilities from owning solar and wind farms in New York State.

We have shared goals when it comes to reducing emissions and there are numerous projects already underway at Con Edison to reduce carbon emissions, but we have to work together to create an orderly transition to the clean energy future we all envision. It is our shared responsibility as policy makers, energy providers and environmental advocates to ensure that New Yorkers have access to affordable and cleaner energies. We know that our customers want clean, safe and reliable energy, and they want it to be delivered affordably. We have to work together to achieve this clean energy future with an orderly transition to arrive at a clean energy future that is accessible, affordable, and does not threaten the economic health of the region or access to opportunity.

FOR THE RECORD

**National Grid Statement
The New York City Council
John Bruckner, President, National Grid New York
April 15, 2019**

My name is John Bruckner, President of National Grid New York. Thank you for allowing me to enter into the record an overview on National Grid's role in our common battle against climate change, why we believe natural gas plays a vital role in the transition to that clean energy future and specifically to help you understand why the Northeast Supply Enhancement Project ("NESE") is vital and necessary to satisfy the growing demand for natural gas to heat homes and businesses in New York City and on Long Island.

I thank you in advance for this opportunity to share with the City Council our perspective on the need for this important energy project.

National Grid is the largest distributor of natural gas in New York State, serving more than two million customers in New York City, on Long Island, and in upstate New York. Our focus is to make investments on behalf of our customers, to create safer, more reliable and resilient energy systems to meet the needs of our customers and support the growing demand for gas service. At the same time, we strive to create affordable, sustainable and cleaner energy solutions for the future.

Before we address how natural gas is the only immediate and environmentally sound heating solution for NYC and Long Island, let me begin by stating that we at National Grid believe in the science of climate change, and have a blueprint, and are acting to drastically reduce greenhouse gas emissions (GHG) 80 percent below 1990 levels by 2050 (80x50).

Our approach aligns with New York City, New York State and the Northeast clean energy transition policies to help reduce greenhouse gas emissions by 2050, while also meeting NYS's 100% clean power by 2040 goals as well.

We are a strong advocate for policy and regulatory approaches that provide reasonable methods to help achieve emissions targets in a reliable and affordable way on behalf of our customers.

For National Grid, climate change isn't a political question, but scientific fact, and we believe that innovation and a diverse set of stakeholders at the table will enable us to reach the clean energy future we all want.

For instance, National Grid is co-sponsoring a study with the Mayor's Office of Sustainability along with Con Edison to begin the process of evaluating different pathways that New York City can pursue to effectively reach its goal of achieving

80 percent reduction in carbon emissions over 2005 levels by 2050, while maintaining safe, affordable, and reliable delivery of energy.

Modernizing our infrastructure to meet 21st century demands and connecting customers to renewable energy will help us toward a future of an integrated, decarbonized energy system. And, through our aggressive strategies to replace aging infrastructure, we are reducing methane emissions for environmental sustainability and climate change mitigation.

We continue to demonstrate our commitment to the clean energy future: we were the first utility to introduce innovative natural gas Reforming the Energy Vision (REV) pilot projects – we have four initiatives incorporating cogeneration, gas demand response, smart homes and geothermal technology and the Newtown Creek renewable natural gas (RNG) demonstration project (in partnership with New York City Department of Environmental Protection). Over the years, we have also partnered with NYC on emerging clean energy initiatives -- receiving RNG from the Fresh Kills Landfill on Staten Island for almost 30 years and phasing out the use of #6 and #4 heavy oils in approximately 800 buildings. And we are looking at opportunities in the transportation sector to help drive down greenhouse gas emissions. In addition to RNG, we are looking at innovative solutions such as a green gas tariff, pilots for power-to-gas and hydrogen blending.

We continue to invest in the renewable energy space. We've invested \$100M in Sunrun, the largest dedicated residential solar company in the U.S. to advance the adoption of roof-top solar in the region. And we've recently acquired Geronimo Energy, one of the largest renewable energy developers in the US to continue to advance solar and wind solutions. In fact, over the past two years, we have connected more solar customers than natural gas customers.

When we released the *Northeast 80x50 Pathway*, our deep dive analysis and blueprint into ways to reduce greenhouse gas emissions, we hoped it would spark productive conversations about how our states, region, and country can combat climate change - one of the greatest threats of our time.

While the scope of this enormous challenge can be hard to comprehend, we are confident that we have more solutions at hand than we recognize. Working together to realize those solutions will help move the clean energy agenda forward.

The Green New Deals, both at the federal and state levels, are serving as a needed launch pad for the sea-changes that will be necessary to affect long-term change. But we can't rely on those proposals alone. We must find cost-effective

and innovative solutions to meet this challenge by collaborating with partners across all sectors.

The skyrocketing growth in natural gas demand created by the current development boom and continuing oil to gas conversions and the increasing intensity of extreme weather events, put the supply issue in the cross-hairs. When it comes to the climate debate, the expansion of our gas distribution system has now become a hot topic that is too often framed as black and white. Those who support gas expansion are painted as the enemies of the common good and those pushing for all renewables are characterized as out of touch with the realities of our current energy system and economy.

We believe we can come together to achieve all our mutual goals and arrive at the clean energy future we all want, meet current demand safely, while protecting the environment and supporting economic vitality.

We believe natural gas can play a critical role in supporting the growth of electric vehicles, wind, solar, and other renewable technologies while also delivering lower-carbon heating. Expanded access to natural gas has resulted in emissions reductions in the Northeast by reducing the use of more carbon-intensive delivered fuels, like oil and propane.

Those who convert to natural gas heat enjoy convenience, a price discount compared to competing fuels and a “green” benefit that reduces emissions.

Each year in New York City and on Long Island, National Grid adds about 8,000 residential and commercial customers who shift from oil heating to natural gas – each displacing 900,000 barrels of oil, reducing CO2 emissions by 200,000 tons, the equivalent of pulling 500,000 cars off the road for one year, and reducing other local emissions by 300 tons per year, including smog, acid rain and particulates that have negative health and environmental effects.

As we bring on additional RNG projects, like Newtown Creek and other customer driven projects, we will begin to decarbonize the gas networks through which we deliver energy to our customers. We believe a decarbonized gas network plays a critical role in delivering a low carbon future, and that RNG is often an overlooked yet effective option to help decarbonize the heat and transportation sectors.

For nearly a decade, National Grid has provided customers with award winning energy efficiency programs that have helped save tens of thousands of therms annually, reducing energy use and their carbon footprint. In 2017, we provided more than \$20 million in energy efficiency services and incentives to save our customers more than 4 million therms per year. We also offer a variety of rebates and incentives on energy efficient products to help customers save energy and money and we process more than 9,000 customer energy efficiency rebates each year.

And, while we're committed to doing even more to help our customers make more informed energy choices and develop new energy products and services, all these steps are not enough to meet the immediate needs of the NYC and LI residential and commercial sectors that are looking for large scale and affordable heating solutions now.

At the current rate of growth in NYC and LI, from new construction and continued oil to gas conversions, we simply do not have enough natural gas supply or an alternative and affordable large scale clean heat alternative to keep up with the pace of demand.

Several years ago, National Grid identified the need for incremental gas transportation capacity to serve load growth in the boroughs of Brooklyn, Queens and Staten Island in New York City, as well Nassau and Suffolk Counties on Long Island. To support this growth, National Grid entered into an agreement with Transco to construct the NESE Project, which will provide 400,000 dekatherms/day of incremental gas transportation capacity to National Grid's gas distribution system in downstate New York.

As a regulated utility we are obligated to provide safe, reliable energy service upon request. When we commit to a customer we are guaranteeing them a firm supply of uninterrupted service for a long term, 20 to 30 years. Without the additional supplies NESE will provide, we will not be able to make that firm commitment and take on new residential and commercial customers in New York City and Long Island.

National Grid has contracted for 100 percent of NESE's capacity, which will be used to enhance reliability of service to existing customers, as well as to satisfy growing demand for natural gas in our downstate New York service territory.

The NESE Project will provide numerous reliability benefits and complement several major on-system reinforcement projects we are making to our gas system. Transco will construct a parallel pipeline segment across the Lower New York Bay to the interconnection with the Rockaway Delivery Lateral, with absolutely no onshore work taking place. Currently, one pipeline feeds into the Rockaway and Long Beach gate stations. With the capacity created by the NESE Project, the total flow at these two stations will serve almost 40 percent of National Grid's peak day requirements in downstate New York.

Without prompt approval of this Project, National Grid's ability to continue serving the growing demand for natural gas will be severely jeopardized. This will impair our ability to support conversions of existing premises from heating oil to natural gas, thereby preventing our customers from realizing energy cost savings, as well as impeding state and city carbon emission goals. And, a gas supply shortage created by the capacity constraints will hinder system safety and resiliency improvements and the development of projects that are planned for New York City and Long Island that can deliver economic benefits in the form of job creation and increased local tax revenues.

The plain fact of the matter is, without NESE, we will not be able to supply natural gas to new commercial, industrial and residential customers to heat their homes or run their businesses, putting the region's economic growth at risk. Additionally, we will no longer be able to support requests from customers looking to convert from oil to natural gas. We can't do it without NESE. We can't state it any more simply than that.

In closing, the NESE Project is critical for delivering needed gas supplies that will enable customer choice, ensure continued economic viability, and improve reliability and affordability, while supporting regional clean energy goals to reduce greenhouse gas emissions.

For all these reasons, we look for your support of this critical energy project.

Thank you.

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Testimony of the Partnership for New York City

**New York City Council
Committee on Environmental Protection**

**Oversight – The Environmental Impacts of the Proposed “Williams Pipeline”
April 15, 2019**

On behalf of the Partnership for New York City, this testimony is to highlight the need for the Northeast Supply Enhancement Project (“NESE”). The Partnership represents business leaders and major employers working to promote economic growth and job creation in New York.

New York needs world-class infrastructure, including abundant and reliable sources of energy, to maintain its position as the global center for finance, business and culture. Transco’s existing pipeline has reliably served the New York City area for more than 60 years and currently provides half of the gas consumed in the city.

The NESE project is an expansion of the existing Transco pipeline infrastructure. It is expected to provide an additional 400 million cubic feet of natural gas per day to National Grid customers in New York City and on Long Island—areas that are experiencing significant economic and population growth.

Increasing the availability of cleaner, more reliable energy is crucial to meet current and future economic development and housing needs. The NESE project will establish a critical new link to additional supplies, making access to natural gas more reliable via the safest method for transporting energy.

Thanks to increased natural gas usage and the displacement of heating fuel oils, New York City is currently experiencing its cleanest air in more than 50 years. This project alone will provide for the displacement of more than 900,000 barrels of oil per year, reduce carbon dioxide emissions by more than 200,000 tons per year, which is the equivalent of removing 500,000 cars from the road a year. This project will also help reduce other local emissions by more than 300 tons per year, including smog, acid rain and particulates that have negative health and environmental effects.

The NESE project is even more urgent because of the scheduled phase out of Indian Point nuclear power production and the shortage of gas that has led to a moratorium on new developments in Westchester County and, shortly, in New York City and Long Island. New York state is making good progress in its transition to increased reliance on renewable energy, but an expanded supply of natural gas is essential to supporting this transition during the next few decades. Uncertainty over the energy supply will discourage investment in jobs and housing that the city desperately needs. The NESE must move forward immediately.



**COMMENTS OF THE NEW YORK PUBLIC INTEREST RESEARCH GROUP (NYPIRG)
REGARDING NEW YORK CITY COUNCIL'S PUBLIC HEARING ON NORTHEAST
SUPPLY ENHANCEMENT PROJECT**

If New York expands fossil fuel infrastructure, like the Northeast Supply Enhancement Project (NESE), it will lock us into decades more of greenhouse gas pollution. The methane pollution will further ignite climate change, devastate our public health, and the proposal will jeopardize the long-term local economy and the safety of residents. This is an opportunity to displace greenhouse gas (GHG) emissions on Long Island and in New York City. Transcontinental Gas Pipeline Company's proposal to expand fossil fuel infrastructure needs to be rejected.

According to 4-366 of the Draft Environmental Impact Statement (DEIS) that Federal Energy Regulatory Commission (FERC) submitted on NESE last year, "Construction and operation emissions from the NESE Project would increase the atmospheric concentration of GHGs, in combination with past and future emissions from all other sources, and contribute incrementally to future climate change impacts." The New York City Council should acknowledge this and use it as reasoning alone to oppose the NESE. The DEIS goes on to say that, "Aside from being a contributor to climate change, the environmental impacts would be minimal." Although this is doubtful, climate change is already wreaking havoc on our planet, and expanding the sources of energy that are leading to global catastrophe is unwise for both the long-term economic impacts of Long Island and NYC residents and more importantly, the fate of humanity.

Methane is a much more potent greenhouse gas than carbon dioxide. The methane that is emitted and leaks through the whole lifecycle of natural gas extraction, distribution and burning will exacerbate the global climate crisis—at a time when we must fully commit to keeping fossil fuels in the ground and transition to 100% renewable energy. Unfortunately, progress with the state's energy efficiency measures and renewable energy production has stagnated, while new construction and expansion of fossil fuel based energy sources continues. We recommend that any and all new development proposals for Long Island and the five boroughs include plans for generating fossil fuel-free energy. Any new gas deal, does not fall in line with the ideal "Green New Deal."

Climate change is the biggest threat to humanity, and expanding fossil fuel infrastructure only contributes to that threat. We need to get New York off of fossil fuels, and move to a 100% clean, green renewable energy future. NYPIRG strongly supports the New York City Council in doing everything in their power to prevent NESE. National Grid needs to meet the asserted energy needs of Long Island and NYC through efficiency measures, demand management, electrification and renewable energy production.

Signed,

Ariana Hernandez, Student at the College of Staten Island and NYPIRG Intern

UA Plumbers Local No. 1
Testimony on Williams Pipeline
Before
the NYC Council Committee on Environmental Protection
Hon. Costa Constantinides
Chairperson

My name is Michael Apuzzo, I am the Business Manager of Plumbers Union Local No. 1. I am submitting my testimony in support of the Williams Pipeline.

As one of the oldest trade unions in the nation, our members have for more than 100 years developed the skills and met the challenges created by new technologies and techniques. Our nearly 6,000 members today are prepared to meet any and all new challenges. That doesn't mean we do not continue to maximize our existing technology.

We would all like to live in a world where we can bring warmth and light into our homes by harnessing the sun and the wind. We know that day is coming.

It isn't coming next week. And we must meet not only the existing demands; we must also meet the new demands of expansion and development.

We have come a long way from burning trees and coal. Over the course of the last century we have nearly eliminated the need for coal, and thanks to natural gas we have dramatically reduced the use of oil.

From house to house and block to block, landlords and homeowners have weaned themselves away from #2 and #4 oil and invested in cleaner more efficient burners.

Burners which are fueled by natural gas.

As a result we have reduced greenhouse gases; improved our air quality; and improved the quality of life for everyone.

These positive developments only increased the demand throughout the region. It's a demand that can no longer be met with the existing infrastructure. Con Edison which supplies gas to Westchester has already announced they can no longer meet the demand and stopped adding new customers.

We are here today because National Grid which supplies natural gas to Staten Island, Brooklyn, Queens, and parts of Long Island cannot meet the demands east of the Rockaways without a new pipeline.

The Williams Pipeline is the lifeline for homeowners and businesses large and small; it is the fuel for expansion and job creation throughout our region. There are currently some \$300 billion dollars of development projects on the drawing board for the region. Think of the thousands of jobs which will be created in the planning, construction, and beyond.

Today we will hear that there are better, cleaner, more efficient ways to power and heat our homes. We hear about wind. Sounds great: Where do we put these giant windmills? Where is the open land? Or, do we put them in the ocean? What impact will it have on ocean life?

If not the wind, then maybe it's the sun? We can look at solar power. How many solar panels can we place on a roof to heat and power our homes? Where is the land for solar panel farms?

We can look at geothermal energy. Where are we going to dig a practical geothermal well in New York City?

Yes, we all want a clean environment. And perhaps in thirty or forty years those technologies will be the answer. Right now those technologies are in their infancy.

The families and the businesses on Long Island need to meet their energy needs now. And for that they will need access to natural gas. To do that we need to provide the Williams Pipeline.

Thank you.

Nyer

Hello, my name is Ira and I'm a [REDACTED] but more important, I am an earthling, and like all of us here, I rely on Earth to support my life. I speak today of my climate concerns.

Natural gas pipelines are hazardous and far more expensive than, for instance, solar power. We have much cheaper and sustainable options to meet our energy needs. Use of solar power alone could reduce and ultimately eliminate our need for natural gas. For more info on practical, economic solutions, I recommend Paul Hawken's book entitled Drawdown.

Natural gas produces carbon dioxide when burned. Carbon Dioxide traps heat. With more heat, water evaporation increases. This leads to devastating and unpredictable weather patterns, ocean rising, flooding, animal extinction, plant extinction, rainstorms, droughts and heatwaves.

Carbon dioxide is acidifying our oceans. Too much acidity will literally kill the marine life. Water in urban areas (such as ours) already possesses high levels of CO₂. We care about the preservation of plants and wildlife because we need biodiversity to survive. Biodiversity is already threatened because of habitat conversion, over-exploitation of natural resources and mass extinction.

To harm the plants and animals in Raritan Bay with construction vehicles, damaging or fatal underwater construction noise, the placement of polyurethane foam which will ultimately shred, the dredging of heavy metals from the ocean floor, the spewing of drilling fluids (considered harmful to humans), including bentonite clay which can suffocate fish by clogging their gills, and over 3 million gallons of suctioned water which will kill fish captured in its vortex, are not acceptable. To increase natural gas when we should be eliminating fossil fuels, is not acceptable. To jeopardize the safety of our already vulnerable water with more volatile pipelines, is not acceptable.

Those in charge of this endeavor and the officials who approve this project are addled and deranged by greed. It is up to us, ordinary people and employees working under these kleptocrats and their enablers, to block, once and for all, the onslaught of these myopic, mercenary and destructive decisions.

Thank you for your time and thank you for listening. Thank you, Earth for providing us all with bodies, food, water and air to sustain our lives. May we be worthy of your gifts.

Testimony against the Williams NESE Pipeline

My name is Robert Wood. I'm an organizer with the climate justice group 350Brooklyn and I'm here today to urge the city council to pass a resolution against the Williams NESE Pipeline.

Others today will speak about the fact that we don't need this pipeline. They'll talk about long-ago converted boilers and added gas capacity and growth decoupled from demand, and they'll be 100% right. What I want to speak about instead is the complete insanity of having to have that conversation in the first place. It is not our job as citizens to prove the lack of need for contentious billion-dollar infrastructure projects in this city, and it speaks to how accustomed we've become to a broken regulatory process that our doing so might not seem strange. But this is where we are: forced to intervene because a monopoly utility is capitalizing on the complete failure of state and federal regulators to do their jobs.

FERC, the federal agency whose permit Williams must have to go forward, hasn't assessed the need for this pipeline at all. Instead, it has merely assumed the need for it based on National Grid's contractual promises to buy the pipeline's gas. On the state level, the Public Service Commission seems to have similarly turned a blind eye, remaining silent on the question of need when it could have spoken up and said something to ease public tension. And as for state-level permitting, despite the vaunted authority New York has to block pipelines, it has no legal ability to do so based on a lack of need. It has only the 401 Water Quality Certification meant to protect the fish.

This is the regulatory blind spot that National Grid is taking advantage of to push more gas on New Yorkers, and it is important that the council see it as such. It is what is enabling a monopoly utility to say anything it wants—including making threats of a gas moratorium—to scare the public into approving destructive gas infrastructure that it doesn't need. And yet as further proof of how accustomed we've become to a backwards system, politicians have welcomed National Grid into their offices, studied their charts and graphs with furrowed brows, and listened intently as the company that stands to profit handsomely off of this pipeline makes the case that it is needed. This is taking advice from the fox about the henhouse. Lest it be forgotten, National Grid is a private corporation beholden to shareholders, not the public good. That is why, when asked to provide us with information on market need, they responded that it was proprietary information. But the truth is that

We need you, the City Council, to step in and stand up for New Yorkers where the regulatory apparatus has failed. We need you to be suspicious of the fact that no actual data beyond tired PR points has actually been presented by National Grid to make its case, and certainly no data that responds to our detailed 30-page report refuting its claims. We need you to be bold and pass a resolution against this pipeline. In a few days, you'll vote on legislation that would set a new world standard in regulating emissions from buildings. It would only be fitting for you to also address the gas that causes those emissions in the first place.

Robert Wood
350Brooklyn

My name is Nikita Scott and I am the volunteer chairperson of the Surfrider Foundation NYC chapter. We are an environmental nonprofit organization of grassroots activists who advocate for the protection and enjoyment of our ocean, waves and beaches. We are 100% volunteer run in NYC and are largely made up of surfers and recreational ocean users. I am here representing our 700+ official members of the NYC chapter and several hundred thousand supporters who dedicate their lives to protecting our ocean and coastline.

NYC's efforts to clean up and care for our waters has been successful so far but is a constant work in progress. We are now seeing a resurgence of wildlife and higher instances of safe water quality – all of which have enabled New Yorkers to enjoy their natural resources without risk to their health. Our waters are now so clean that they are the backbone of a booming and vibrant ocean economy. New York is the nation's third largest ocean economy, overall it generates \$11 billion in wages and \$23 billion in GDP. Jeopardizing our waters jeopardizes an estimated 300,000 jobs at the very least. The Port of NJ/NY itself is the largest on the Atlantic seaboard – supporting 400,000 indirect jobs and 229,000 direct jobs and generates \$90 billion in combined personal and business income and \$8.5 billion in federal, state, and local taxes.

A study carried out by the Surfrider Foundation found that when New Yorkers visit the beach they spend on average \$56 per person per visit including transport, food and shopping at local businesses. Considering that the Rockaways attracts millions of beach goers and ocean users each year – with 5 million visitors recorded in the summer of 2018 – it's yet another indicator of the significance of clean water for the economic prosperity of our city.

The environmental impacts of this proposed pipeline are not just going to impact the environment and the state of our waters - the quality of our water and the use of our coastline is so intrinsically linked to our economy that the environmental impacts are economic impacts for New Yorkers.

As the City Council considers establishing an Office of the Waterfront - a coordinating body in the Mayor's Office to create and manage an overall vision for our 520 miles of Waterfront – this further signifies the substantial investment in our waterfront by the city government and the critical role our waters play in the fabric of our city. Such investment and future planning must be matched by efforts to protect our waters that contribute so much to this city from an economic, social and cultural perspective. To secure the future of the blue economy of New York City and the health and safety of our waters, I urge the City Council to stop the proposed Williams pipeline from threatening one of New York City's most valuable assets – our water.

The Williams pipeline would bring fracked gas from the Marcellus shale in Pennsylvania, emitting methane, radon, and fracking toxins along the entire route, from drilling to burning. It will require a trench, at least six feet deep and over 23.5 miles long under the Raritan Bay and New York Harbor. The trenching will release long buried toxic industrial waste all along the proposed route, including DDT and PCB compounds, as well as toxic metals like arsenic, lead, and mercury.

The work will be sloppy, and the pipeline will not be monitored and will leak into the water undetected. How do I know this? Because Williams has a long history of violations over many years, with many projects, in many states. The same violations have been repeated over and over for at least a decade – failure to monitor, failure to follow safety procedures. If they get caught, they pay a fine and move on, and government agencies continue to give them more projects in spite of their abysmal safety record.

National Grid claims that we need the gas, but they have no data to support this claim. In fact, NY City and State efficiency programs and renewable energy have lowered the need for gas. Continuing to develop renewables will reduce, not increase the demand. Transitioning from oil and gas burning boilers to geothermal or air source heat pumps will drastically reduce the demand for gas. Williams and National Grid would not like that, but a drastic reduction in fossil fuel is exactly what we need. We should not be deceived or bullied by misinformation and scare tactics.

We've spent the past decade bickering about whether climate change is "real" and whether it's caused by fossil fuel. We've wasted time with marketing slogans like "clean coal" and "bridge fuel". Now we're out of time. We are in a climate crisis. The only way forward is to stop all fossil fuel development, increase efficiency, and transition to 100% renewable energy.

Lisa Harrison

My name is Vincent Albanese and I am here to testify on behalf of the NYS Laborers Organizing and PAC Funds. The NYS Laborers' Funds are affiliates of the Laborers' International Union of North America, with 25 Laborers' locals state-wide, representing over 44k members. I am here today to voice our full support for the approval of the Northeast Supply Enhancement Project.

While I would like to make some comments on the environmental merits of this project that I believe are being ignored, I want to focus my remarks on a larger issue becoming all too commonplace in our energy policy debates. That issue is, the continued omission of the real impacts that some energy policy positions would actually have on working men and women. It is this issue specifically that our union can no longer stay silent on.

Regarding the merits of this project, I would like to reference current NYC policy. According to the NYC Clean Heat initiative launched in 2012, the use of No. 6 oil as a primary heating fuel was phased out in New York City on June 30th, 2015. To date, the City has achieved 99.8% compliance with the regulations eliminating the use of No. 6 heating oil. That has only been possible through natural gas conversions. The deadline for the phase out of all No. 4 heating oil is January 1st, 2030. The Laborers believe that this is sound public policy, but it will not be possible to achieve the phase out of No. 4 heating oil without the use of natural gas as a replacement. In fact, NESE will displace the equivalent of 900,000 barrels of heating oil, reducing CO2 emissions by up to 200,000 tons in the first year. That makes this project wholly consistent with advancing the NYC Clean Heat initiative, again, which is the City's current policy. National Grid is currently converting roughly 8,000 customers per year from heating oil to natural gas. These conversions will cease without the additional capacity of NESE. A denial of this project would indefinitely perpetuate the continued use of the dirtiest burning heating sources and, I reiterate, be in direct contradiction to NYC's current energy policy.

Should this project be denied, beginning in May, National Grid will issue a gas moratorium in their downstate service territory which is parts of Queens, Brooklyn and all of Long Island. As of Friday, we all learned that the denial of this pipeline will also exacerbate Con Edison's own NYC gas supply shortages, leading to an eventual city-wide moratorium. To hold a hearing on the impact of this pipeline and not fully examine the true impact of such a moratorium, only serves to construct a false and incomplete narrative surrounding this project. This proposed moratorium will jeopardize advancing potentially \$300 billion in proposed development which includes everything from small businesses, to affordable housing, to large scale infrastructure projects. This will put hundreds of thousands of good paying middle-class jobs at risk, in particular good paying middle-class union construction jobs. And it is this point, that brings me to the real reason I am here today.

When the Laborers' leadership makes a decision to support any project initiative, that decision is not made in a vacuum. The only consideration is not whether it will simply create jobs for our members, but how that project will impact our members' families, their quality of life, and if that project is consistent with our values and good public policy. On all of

these measures, this project meets those criteria. Our members live and work in the communities serviced by this pipeline and the suggestion that we are simply ignoring the environmental realities, which we believe are a net benefit, is both dismissive and condescending. We are not climate deniers and while we support and advocate for renewable projects all across this state, we believe that it is the only informed position to include natural gas as part of the energy mix to address our climate challenges. I would like to quote the Environmental Defense Fund's recent testimony given to the NYS PSC to best explain our position. They stated "our data suggest that opposing or preventing all new pipeline capacity expansion projects into New York is not an effective climate policy, particularly if that proposed capacity is right sized. Let me repeat that: opposing or preventing all pipeline capacity expansion into New York is not an effective climate policy."

It is for all of these reasons we can easily conclude that our position to support this project is consistent with our values and the values of our members. The real question is, is the holding of this hearing, in this manner, consistent with the values of the New York City Council? That is the question all of you must answer.

In our opinion, it is not. And that is not because you don't have the right to hold any oversight hearing you all see fit, but because you have done it in a way that values political expediency and sound bites over a more holistic approach that would have sought to understand the true impacts of what you are advocating against. You would have held a hearing in conjunction with the Labor committee and asked key stakeholders representing the working and middle class of this city to participate. You would have held a hearing and then staked out an informed and thoughtful policy position, not the other way around. If you truly wanted to uphold the stated progressive values this council, you would have listened to our voice.

Well today our voice is here to say, that the denial of this project will have irreversible and long-lasting negative impacts on our members. We hope that today our voice is loud enough and some of our elected officials are finally listening. It is our sincere hope that in the future, this chamber can do better. The hard-working men and women of this city and our union deserve that. Thank you.

**Statement in Opposition to Williams NESE Pipeline, to New York City Council
Committee on Environmental Protection / Hearing / Monday, April 15, 2019**

Good morning, and thank you for this opportunity to address the Committee regarding the Williams Northeast Supply Enhancement (NESE) Pipeline. My name is Bridget Klapinski, and I'm here as a Co-Vice President of the Rockaway Beach Civic Association and a resident of the Rockaways to voice opposition to this Pipeline. Our civic has followed this proposed project, examining issues of safety, impacts to marine life and water quality, who will profit, who will bear the risks and costs, and if the gas the Pipeline is to transport is even needed at all. With all this considered, at our monthly meeting in May 2018, the Rockaway Beach Civic voted UNANIMOUSLY in OPPOSITION to the proposed Williams (NESE) Pipeline.

In the Rockaways, we learn so much through direct observation of the water, weather, wildlife, conditions on the shoreline, and more. Seasons are signaled by the return of Ospreys to their nests around Jamaica Bay, hearing Oystercatchers over the ocean, seeing Horseshoe crabs spawning at high tide, seals resting on the beach, or Humpback whales lunge-feeding on menhaden, visible from shore. I mention these because our waters are so alive --- and many species rely on this healthy marine environment as habitat or feeding grounds along a migratory route --- and we rely on them. The species in the vicinity of the proposed pipeline are ecologically and commercially significant. They are also vulnerable to the activity and effects that this Pipeline would bring: increased turbidity, disturbance of the sea floor, boat traffic and construction noise, representing a few. None of us are "apart" from this nature; we are dependent upon clean water and vital eco-systems – economically and in countless other ways.

The other environmental topic that must be considered as pertains to this Pipeline is **Climate Change**. I was in my home in Rockaway during Superstorm Sandy and remained there in the weeks following to begin cleanup, while trying to process the devastation. But in that aftermath – and presently – the rebuild is still incomplete and ongoing – we were glad to be with our neighbors, doing what we could to help each other and the New York community that's home. And in the almost 7 years since Sandy we've witnessed extreme weather events occurring with frequency around the country and around the world. We know Climate Change is a factor. And we know fossil fuels and greenhouse gases contribute to climate change, dramatically. The Williams Pipeline would carry fracked gas – largely methane – moving New York away from goals to reduce emissions city and statewide. I'm not a Climate Scientist, but had the opportunity to hear one speak recently, and was so struck when Dr. Kate Marvel noted as options in addressing the climate crisis, (quote) "you either need to take those gases out of the air, or not put them there." (end quote)

So with that in mind, it seems New York can make a sensible choice by saying NO to this Pipeline – AVOIDING adding greenhouse gas into the atmosphere and taking crucial steps toward renewable energy. Wind, solar, geothermal – those resources and technologies exist. We have the information on Climate Change; we have the technology to employ sources of energy that are less damaging – and I am asking for your leadership to set us on a safer and more sustainable path by OPPOSING this Pipeline, and continuing to protect the places we live, work, visit and entirely depend on. With that, thank you to this Committee and the New York City Council for your leadership.

List of Williams Accidents with Sources

Compiled by 350Brooklyn

2008. A Williams Transco natural gas pipeline exploded in Appomattox, Virginia in September. Five people were hospitalized and two nearby homes were destroyed. In 2009 Transco was fined \$925,000 for failure to monitor corrosion, the source of the Appomattox pipeline explosion. *The Washington Post*, Oct. 30, 2010.

<https://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Press%20Release%208.10.09.pdf>

2011. The Pipeline and Hazardous Materials Safety Administration levied a civil penalty of \$23,800 for failure to properly inspect and test compressor stations in Texas and Louisiana. https://primis.phmsa.dot.gov/comm/reports/enforce/documents/420111001/420111001_Final%20Order_06242011_text.pdf

2011. The massive explosion of a Williams Transco pipeline Sweet Water, Alabama was attributed to pipeline corrosion. The blast was heard 30 miles away and ignited a fire that burned eight acres of pine forest.

https://primis.phmsa.dot.gov/comm/reports/enforce/documents/220111011H/220111011H_CAO_12062011_text.pdf

2012. An explosion led to a fire at a Williams-owned compressor station in Springville, Pennsylvania. *Times Tribune, Scranton, March 30, 2012*

2012. Williams/Transco paid a \$74,300 fine levied by the Pipeline and Hazardous Materials Safety Administration for safety and monitoring failures at its Carlstadt, New Jersey, LNG facility.

https://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Press%20Release%20Files/120123002_Final%20Order_10262012.pdf

2012. The PHMSA levied civil penalties \$50,000 for failure to follow adequately monitor and maintain its pipelines on Staten Island.

https://primis.phmsa.dot.gov/comm/reports/enforce/documents/120111015/120111015_Final%20Order_03052012_text.pdf

2012. Personnel at a Williams-owned compressor station in Windsor, New York, were venting methane gas during a lightning storm. This resulted in a "big fireball" and the release of the remaining gas into the atmosphere. *Natural Gas Watch*, July 30, 2012.

2013. Williams natural gas plant leaked benzene into groundwater near Parachute, Colorado. Benzene is a carcinogen; in some places, benzene level was 36,000 times greater than safe

drinking level. *Denver Post*, March 28, 2013. Six months later the leak was still active. *Denver Post*, July 13, 2013

2013. A recently-installed 24-inch Williams natural gas pipe ruptured in Cameron, West Virginia. <http://marcellusdrilling.com/2013/03/williams-methane-pipeline-ruptures-in-marshall-county-wv/>

2013. A fire broke out in a Williams compressor station in Brooklyn Township, Pennsylvania. While Williams officials denied there was a fire, DEP officials said they found visual evidence that an explosion may have occurred. One ton of methane was released during the event. *Times Tribune* (Scranton) May 16, 2013

2013. An explosion at a Williams compressor station in Branchburg, New Jersey, injured thirteen people, two seriously. *Home News Tribune* (East Brunswick, NJ), June 1, 2013. The PHMSA investigations found Williams to have followed inadequate procedures in place for ensuring safety. The PHMSA levied civil penalties of \$167,000. https://primis.phmsa.dot.gov/comm/reports/enforce/documents/120141002/120141002_Financial%20Order_10082014_text.pdf

2013. An explosion and fire at the Williams Olefins, Inc., plant in Geismar, Louisiana, killed two people and injures 114. A US Chemical Safety Board investigation concluded that safety management at the plant was deficient for years prior to the explosion. <http://www.csb.gov/williams-olefins-plant-explosion-and-fire/>

2014. A fire at Williams compressor station in Windsor, NY. NYS Department of Public Service Incident Investigation Report: <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId=%7BEA77D8AC-37E5-41B8-B57C-4C7CDE8F941F%7D>

2014. Pipeline explosion and fire at a Williams LNG facility in Plymouth, WA. Five people were injured. *Thinkprogress.com*, March 31, 2014.

2014. A natural gas pipeline failed, leading to an explosion and fire at a Williams-owned facility in Moundsville, West Virginia. *InterMountain.com*, April 24, 2014.

2014. Explosion and fire at a Williams natural gas processing facility and major national pipeline hub in Opal, Wyoming. Entire town evacuated. *Casper Star-Tribune*, Oct. 16, 2014.

2015. Explosion and fire at a natural gas plant owned by Williams in Gibson, Louisiana. Three workers were killed and two others were seriously injured. *Wall Street Journal*, 8 October, 2015.

2015. The rupture of a Williams pipeline in Lycoming, Pennsylvania released approximately 96,379,000 cubic feet of methane.

[https://www.phmsa.dot.gov/staticfiles/PHMSA/PipelineFailureReports/150663 Transcontine ntal Unityville PA June 9 2015.pdf](https://www.phmsa.dot.gov/staticfiles/PHMSA/PipelineFailureReports/150663_Transcontine%20ntal%20Unityville%20PA%20June%209%202015.pdf)

2015. The PHMSA levied a civil penalty of \$56,800 on Williams for failing to adequately inspect transmission pipeline valves in New Jersey and New York City.

[https://primis.phmsa.dot.gov/comm/reports/enforce/documents/120141009/120141009 Fina l%20Order 12292015 text.pdf](https://primis.phmsa.dot.gov/comm/reports/enforce/documents/120141009/120141009_Fina%20l%20Order%2012292015_text.pdf)

2015. An accident at Williams' field services station in Houston, Pennsylvania led to an investigation by the Pipeline and Hazardous Waste Safety Administration; Williams was found to have violated safety procedures and was fined.

[https://primis.phmsa.dot.gov/comm/reports/enforce/documents/120185008/120185008 NOP V%20PCP 01182018 text.pdf](https://primis.phmsa.dot.gov/comm/reports/enforce/documents/120185008/120185008_NOP%20V%20PCP%2001182018_text.pdf)

2016. After an investigation of the 2015 Gibson/Bayou Black explosion, the Pipeline and Hazardous Materials and Safety Administration found it probable that Williams had violated of federal pipeline safety regulations. PHMSA levied \$1.6m in civil penalties as a result of its investigation.

[https://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Pipeline/420161008 NOPV P CP PCO 07292016.pdf](https://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Pipeline/420161008_NOPV_P%20CP%20PCO%2007292016.pdf); <https://www.phmsa.dot.gov/pipeline/phmsa-proposes-1-6-m-in-civil-penalties-for-safety-violations-following-fatal-2015-louisiana-compressor-station-explosion>

2016. PHMSA notified Williams of safety violations at its Transco pipeline facilities in Alabama and Georgia.

[https://primis.phmsa.dot.gov/comm/reports/enforce/documents/220161002W/220161002W Warning%20Letter 09022016.pdf](https://primis.phmsa.dot.gov/comm/reports/enforce/documents/220161002W/220161002W_Warning%20Letter%2009022016.pdf)

2016. PHMSA notified Williams that its procedures for replacing natural gas pipeline in Maryland violated pipeline safety standards.

[https://primis.phmsa.dot.gov/comm/reports/enforce/documents/120161008W/120161008W Warning%20Letter 11022016.pdf](https://primis.phmsa.dot.gov/comm/reports/enforce/documents/120161008W/120161008W_Warning%20Letter%2011022016.pdf)

2016. A Williams facility in Clarke County, Mississippi, inadvertently released 3.2 million cubic feet of methane. It was cited for poor procedures by the PHMSA.

[https://primis.phmsa.dot.gov/comm/reports/enforce/documents/220171002/220171002 NOP V%20PCP%20PCO 05122017.pdf](https://primis.phmsa.dot.gov/comm/reports/enforce/documents/220171002/220171002_NOP%20V%20PCP%20PCO%2005122017.pdf)

2017. PHMSA notified Williams that it was in probable violation of Pipeline Safety Regulations in its Mississippi, Georgia, and South Carolina Transco facilities. It was assessed civil penalties of \$53,500.

[https://primis.phmsa.dot.gov/comm/reports/enforce/documents/220171002/220171002 NOP V%20PCP%20PCO 05122017.pdf](https://primis.phmsa.dot.gov/comm/reports/enforce/documents/220171002/220171002_NOP%20V%20PCP%20PCO%2005122017.pdf)

https://primis.phmsa.dot.gov/comm/reports/enforce/CaseDetail_cpf_220171002.html?nocache=943

2017. The Occupational Safety and Health Administration fined Williams for a safety violation at their facility in Grover, North Carolina.

https://www.osha.gov/pls/imis/establishment.inspection_detail?id=1270444.015

2017. The Environmental Protection Agency fined Williams \$35,000 for unsafe discharges of pollutants into the air at the Fort Beeler Station in West Virginia.

<https://echo.epa.gov/enforcement-case-report?id=WV000A05100127-14888>

2018. PHMSA assessed Williams civil penalties of \$171,300 for pipeline safety violations.

https://primis.phmsa.dot.gov/comm/reports/enforce/CaseDetail_cpf_120185008.html?nocache=866

2018. The State of Mississippi levied a \$40,000 fine against Williams/Transco for violations of the Clean Air Act.

<https://violationtracker.goodjobsfirst.org/violation-tracker/ms-transcontinental-gas-pipeline-seminary-77>

2018. PHMSA fined Williams \$33,700 for welding violations.

https://primis.phmsa.dot.gov/comm/reports/enforce/CaseDetail_cpf_120181007.html?nocache=2472

2018. PHMSA fined Williams \$22,400 for pipeline safety violations.

https://primis.phmsa.dot.gov/comm/reports/enforce/CaseDetail_cpf_120181007.html?nocache=2472.

Many thanks for the leads provided by the following: The SANE Energy Project:

<https://saneenergyproject.org/infrastructure-invasion/track-records-of-builders/>; New York Friends of Clean Air and Water:<http://nyfriendsofcleanairandwater.blogspot.com/2014/04/williams-companies-safety-and.html>; The compilers of the Wikipedia entry on pipeline accidents:

https://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States

Revised 4/10/19

Testimony before the Environmental Committee of the New York City Council

April 15, 2019

Subject: the proposed Williams/Transco Northeast Supply Enhancement pipeline

My name is Sara Gronim and I represent the climate change organization 350Brooklyn. Thank you for allowing me to speak today. I speak in support of the proposed New York City Council resolution calling upon the New York State DEC to deny a Water Quality permit for the proposed NESE pipeline.

There are many reasons why this pipeline should not be built, but a major reason is that we simply do not need it. The claims that energy company that would build the pipeline, Williams, and the utility that is in contract to buy the gas that would flow through it, National Grid, that we need this pipeline are false. I hold here a report written by Suzanne Mattie, a former DEC deputy commissioner for our region, with the facts and figures that show that, far from needing an increased supply of gas in the future, we will need less of it.

The report reviews the specific claims that Williams and/or National Grid have made and shows them to be false. Just two examples: they claim that more gas is needed because the NYC mandate discontinuing #6 heating oil means that many more buildings will convert to gas. But that mandated conversion has already happened—it was completed by the end of 2015. For another; Williams has indicated to NYCHA residents that their heating woes would be over if the NESE pipeline is built—but we all know the problem in NYCHA buildings stem from insufficient investment and poor management. NYCHA in fact converted to gas boilers over ten years ago—only 2% of NYCHA boilers still burn fuel oil. There is nothing in current circumstances in New York City that call for an increase in gas supply.

National Grid also argues that it needs new supplies of gas to support new construction in the future. It claims that demand for its gas will increase by 10% over the next 10 years. But this is not a fact, this is an aspiration, a sales plan, a business goal. But the health of New York City, indeed the future of the planet, requires that we steadily decrease our use of fossil fuels.

And we will do that. NYC is making significant, indeed world-leading, strides on energy efficiency. City Council legislation #1253, which we enthusiastically support, means a steep decline in energy use in big buildings, hopefully to be followed by similar programs for smaller ones. Solar and, in the very near future, offshore wind, will push down the demand for burning gas in power plants. NYSERDA is ramping up support for renewable heat sources, which you will also hear about in today's testimony. All of this will indeed lead fall in demand for gas.

Gas companies claim that so-called natural gas is a "clean fuel." It is not. It is primarily methane and methane is 86 times more powerful a greenhouse gas than is carbon dioxide in the first twenty years after its release. They claim it is a "bridge" fuel to renewables. If so, this is a bridge we got on in the 1990s. It's time to head for the off-ramp. We've got the technology to shift to renewables right now. We should not be building a pipeline meant to last another 50 or 60 years for a fossil fuel we don't need.

Thank you.

Sara S. Gronim

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13C

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Co-leader

350Brooklyn

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Reference: Suzanne Mattei, "False Demand: The Case Against the Williams Fracked Gas Pipeline," March 2019, https://350.org/wp-content/uploads/2019/03/Stop_Williams_False_Demand.pdf

Testimony from Lee Ziesche, Sane Energy Project organizer and documentary filmmaker

Recently the President of National Grid, John Bruckner, released a video pushing for the Williams Northeast Supply Enhancement Pipeline and more "renewable" natural gas for our city.

The Williams Pipeline would not be transporting "renewable" gas. In fact there's no such thing. Natural gas is a fossil fuel, and just like all fossil fuels it is a finite resource that greatly contributes to climate change.

And the gas that this pipeline would transport is particularly bad for the environment and climate because of the method used to extract it from the ground.

The gas transported by the pipeline would be fracked from the Marcellus Shale in neighboring Pennsylvania. The method of fracking itself not only contaminates ground water and pollutes the air; it leaks large amounts of methane.

Methane is not talked about as much as carbon dioxide but it is 86-106 times more potent a greenhouse gas than CO₂ for the first 20 years it is in the atmosphere.

The fossil fuel industry, big pipeline companies like Williams and corporate utilities like National Grid and Con Ed have been lying to us since the rush to frack began, claiming that gas expansion is lowering our greenhouse gas emissions, but nothing could be further from the truth.

Scientists Bob Howarth and Anthony Ingraffea from Cornell University have found terrifying leakage rates of methane from the fracking wellheads, all along pipeline routes and up until the points of consumption.

If just 3% of the gas leaks it is worse for the climate than coal. Howarth and Ingraffea have found leakage rates between 5-12%. A recent report from Oil Change International found that greenhouse gas emissions have gone up in the United States because of fracking.

New York State has set a climate goal to reduce emissions in most sectors of the economy by 80 percent from 1990 levels by 2050. Climate science tells us that you simply cannot reduce greenhouse gas emissions and expand fracking infrastructure at the same time.

For decades the tobacco industry tried to sell the world safe cigarettes. The fossil fuel industry is taking a page out of their playbook and trying to sell us "clean" gas that is a bridge fuel to renewables. But gas is not a bridge fuel it is a gangplank that will put our beloved communities underwater.

As a documentary filmmaker I've met families in Pennsylvania whose lives have been destroyed by fracking. As an organizer against this pipeline I've met families in the Rockaways whose lives were turned upside down by Hurricane Sandy. Spending a billion dollars on a fracked gas pipeline that takes us in the opposite direction of our climate goals condemns the future of families from PA to NY with fracking destruction and climate chaos.

NYC Council Hearing Williams Pipeline 4/15/19:

Conflicts with New York City Emission Goals

If built,

- The NESE pipeline's contribution towards climate change ^{would} directly contradict ~~X~~ New York City's green house emission goals.

- This pipeline would carry fracked gas, which is largely methane, a greenhouse gas 86 times more powerful in the short term than Co2.¹ When just 3.2% of methane leaks—and gas infrastructure is known to leak as much as 11%—methane is as bad for the climate as burning coal.²

- The Department of Environmental Conservation (DEC) estimates that this pipeline construction will result in the release of 99,781 tons of carbon dioxide equivalent emissions (CO2e) - which is the equivalent of burning 50,000 tons of coal.

- In 2014, NYC committed to reducing its greenhouse emissions by 80% by 2050, compared to the 2005 level. This pipeline contradicts - and jeopardizes - NYC's emissions reduction plan.

- The DEC notes that "the amount of greenhouse gas emissions from construction and operation [of the pipeline would be] significant when compared to State and regional GHG emission reduction targets, even before taking into account upstream or downstream emissions."³

As we all know,

- Hurricane Sandy caused massive damage to NYC as a whole - from Rockaway, to Coney Island, to Lower Manhattan, to Staten Island and the list goes on on and on. Climate scientists agree that it is only a matter of time before a new superstorm would bring the same kind of damage.⁴

- To "climate proof"⁵ Lower Manhattan and prevent similar catastrophic damage from another, inevitable superstorm, Mayor de Blasio recently proposed using landfill to artificially extend the southern tip of Manhattan, an estimated \$10 Billion project.⁶ As the mayor has said, "cities like New York are facing down the greatest threat to our survival *on our own*."⁷

- Climate change has put NYC in such a vulnerable and precarious position that a proposal exists to literally extend the island of Manhattan. This is the severity of the threat that we are facing. Given this, to *not* oppose this project - which will most certainly contribute towards climate change - would not only be illogical, but it would irresponsible.

- The Council's own website states that "[t]he Council can pass resolutions on state and federal issues that are relevant to New Yorkers. It further states that resolutions allow the Council to "express a collective voice of the City." Recent history has taught us that climate change is an issue that is extremely "relevant" to all New Yorkers, and, by taking action to stop its devastating impacts, you will duly be expressing a "collective voice" of this City .

- NYC is one of the greatest and most progressive cities in the world. We should not allow the fossil fuel industry to make an enormous profit for an unnecessary ^{and dangerous} project at the expense of our City. Instead, we should be a leader in the global fight to combat climate change. This Council has an opportunity to be such a leader ~~by blocking this pipeline~~ ^{by passing this resolution} and asking the DEC to deny the permit ^{for the construction} of this pipeline.

¹ Gayathri Vaidyanathan. "How Bad of a Greenhouse Gas is Methane?" ScientificAmerican.com. <https://www.scientificamerican.com/article/how-bad-of-a-greenhouse-gas-is-methane/>

² Ramon A. Alvarez, et. al., "Greater focus needed on methane leakage from natural gas infrastructure," *Proceedings of the National Academy of Sciences* 109/17 (2012): 6,437.

³ Karen Gaidesz, NYSDEC public comment on Williams NESE Draft Environmental Impact Statement, May 14, 2018.

⁴ <https://www.nytimes.com/2019/03/14/nyregion/manhattan-climate-change-hurricane-sandy.html>

⁵ <http://nymag.com/intelligencer/2019/03/bill-de-blasio-my-new-plan-to-climate-proof-lower-manhattan.html>

⁶ <https://www.nytimes.com/2019/03/14/nyregion/manhattan-climate-change-hurricane-sandy.html>

⁷ <http://nymag.com/intelligencer/2019/03/bill-de-blasio-my-new-plan-to-climate-proof-lower-manhattan.html>

Trust Us:

Manufacturing a Panic for Pipelines and Profit

A Report from New York Communities for Change and the Sane Energy Project
February, 2019



nationalgrid



Executive Summary

Con Ed and National Grid are threatening to cut off new gas customers while pressuring the Cuomo Administration to approve new pipelines, which generate massive and predictable profits for the utilities and pipeline corporations, but cause climate change and thwart the state's plans to cut pollution.

After failing to implement aggressive energy efficiency, renewable energy and demand management programs to reduce gas demand, the utilities are attempting to bully elected officials, agencies and regulators into reviving a cozy business arrangement. They want more pipelines that allow them to inflate their profits after they pass along their costs in the form of rate hikes.

Rather than operate in a transparent manner, the utilities are keeping their data secret, data they claim demonstrates a pipeline capacity shortage. They say "trust us" to the public and elected officials as they create a crisis atmosphere in order to secure approval for new pipelines. Con Ed and National Grid have manufactured a crisis by, in effect, standing pat as gas demand rose, and then threatening a moratorium on new gas customers, citing limited pipeline capacity after they did not reduce gas use.

Their push comes at a crucial moment: The Fortune 500 Williams pipeline corporation is in contract with National Grid to build a massive new fracked gas pipeline from New Jersey to New York, for which it needs a critical permit which the state must act upon by mid-May.ⁱ If built, the Williams pipeline would cause an estimated 7.8 million metric tons of climate pollutionⁱⁱ, which would frustrate the state's plan to slash climate pollution.

Under federal rules set by the Federal Energy Regulatory Commission (FERC), the typical set rate of return for a proposed interstate gas pipeline is 14%.ⁱⁱⁱ In this case Williams is the developer, delivering gas to National Grid, which would then pass along its costs – including Williams' profits – in rate hikes for decades to come. The more National Grid invests into pipelines, the higher the costs it passes along and the larger the base for return on equity, generating larger profits. For its part, Con Ed is currently seeking a rate hike^{iv} and also demands the state approve more pipeline capacity.^v

These 3 major corporations deploy enormous financial and political clout to influence Governor Cuomo. Some examples of the influence channels they have developed include:

- Con Ed pays William Mulrow, formerly Governor Cuomo's top staffer, \$228,425 per year as a member of its Board of Directors.^{vi} Mulrow, a top Blackstone executive, is a former Vice-Chairman of the New York Democratic Party and served as the Chairman of Governor Cuomo's 2018 re-election campaign.

Blackstone owns Harvest Fund Advisors, which invests about \$1 billion into Williams.^{vii}

- National Grid and Williams both retain super-lobbyist Tonio Burgos, a former Mario Cuomo aide whose firm and personal campaign contributions total to \$287,600 to Andrew Cuomo's campaigns for Attorney General and Governor.^{viii}
- A highly-connected political operative and lobbyist for Williams, Maggie Moran, was Governor Cuomo's 2018 re-election campaign manager and senior advisor for his 2010 election campaign.^{ix} Moran is a principal in the consulting firm Kivvit alongside Rich Bamberger, who was Governor Cuomo's Communications Director.^x Williams retains Kivvit.^{xi}

These three corporations and their top executives and lobbyists made \$407,350 in campaign contributions to Governor Cuomo's election campaigns.^{xii} They spent over \$5 million on lobbying in New York over the past seven years.^{xiii} The utilities also spend millions more per year influencing utility regulators in regulatory proceedings.^{xiv} There are also industry-funded advertising and influence campaigns pushing for new pipelines.^{xv}

Con Ed's CEO John McAvoy made \$8.7 million in 2018.^{xvi} National Grid's CEO John Pettigrew, based in the U.K., made \$4.6 million in 2018.^{xvii} Williams' CEO Alan Armstrong made \$10.6 million in 2017.^{xviii} The top 5 executives from these 3 corporations made a total of \$64.1 million in the most recent reported year.^{xix} Con Ed made \$1.5 billion in net income (profits) in 2017^{xx}; National Grid, in the United States, made 2.71 billion pounds (\$3.66 billion)^{xxixxxii} in 2017; and Williams made \$2.62 billion in 2017.^{xxiii}

This report documents some of the influence channels these corporations are deploying as they manufacture a crisis in an attempt to bully the Cuomo Administration, regulators and elected officials into getting their way.

Fortunately, the State does not have to give into these fossil fuel corporations' demands. Instead, Governor Cuomo should require the utilities to implement non-polluting energy efficiency, demand management and renewables solutions that can slash gas demand and achieve the state's goals of cutting climate pollution. While the utilities are creating a panic, their bald-faced threats should be seen as an opportunity to accelerate New York's transition to a clean energy future powered by renewables; good, green jobs; and affordable energy for all.

Con Ed, National Grid and Williams’s Campaign Contributions, Lobbyists, Business Associations & Other Influence Channels

Consolidated Edison (“Con Ed”) and National Grid are the utilities for downstate New York. They both deeply influence policy and politics in New York. Williams, while based in Oklahoma, has hired and developed a set of highly-connected lobbyists and relationships in New York. Together, along with other pipeline corporations and utilities in New York, they deploy enormous insider firepower to influence public policy.

In the past seven years, National Grid spent \$1.034 million lobbying in New York^{xxiv}. It is a British corporation, but became a large player in New York when it purchased KeySpan Energy. National Grid has an in-house team of lobbyists (aka “government relations”), led by Vice President of Government Relations Echo Cartwright.^{xxv} The utility retains Tonio Burgos & Associates, a high-powered lobbying firm, as an outside lobbyist.

Tonio Burgos, the principal and founder of the firm, started his career as the Appointment Secretary to former-Governor Mario Cuomo, Andrew Cuomo’s father and mentor. Burgos and Associates donated \$201,800 to Andrew Cuomo’s campaigns for Attorney General and Governor. Burgos has also personally donated \$85,800 to Andrew Cuomo’s campaigns since 2005.^{xxvi} The steady pattern of large donations from 2007 to the present day suggests a deep, long-term relationship with non-Governor Cuomo, whose agencies and appointees regulate the utility.



Tonio Burgos, super-lobbyist for National Grid and Williams

Tonio Burgos & Associates is also retained by Williams. Williams also retained Kivvit, a consulting firm, in September 2017. Kivvit’s managing directors include Maggie Moran and Rich Bamberger.^{xxvii} Both are highly-connected political operatives. Moran was a lobbyist for Williams in May and June of 2018. Moran was Andrew Cuomo’s campaign manager in his most recent re-election campaign, in 2018, and a senior advisor for his 2010 election campaign.^{xxviii} Rich Bamberger was Governor Cuomo’s Communications Director.^{xxix}

In 2018, Williams donated \$100,000 to the Democratic Governors Association, which supported Cuomo’s re-election.^{xxx} Williams spent \$2.3 million lobbying in New York over the past seven years^{xxxi}. Pythia Public, a public affairs firm founded by Alexis Grennel and Evan Thies, also works on behalf of Williams, apparently as a contractor for Urban Strategies, a consulting firm.^{xxxii}

Con Ed spent \$2.1 million lobbying in New York in the past seven years^{xxxiii}. Con Ed's Senior Vice President for Corporate Affairs, Frances Resheske, supervises its corporate communications, branding and government relations, with a staff of 120.^{xxxiv} She is a board member of the Building Congress (Williams and National Grid are also members of the Building Congress^{xxxv}), and the Association for a Better New York.^{xxxvi} Kyle Kimball, Vice President, Government Relations, who formerly led the New York City Economic Development Corporation under Mayors Bloomberg and de Blasio, supervises Con Ed's lobbying operation in New York and Washington, DC.^{xxxvii} John Banks, who was previously Con Ed's Vice President of Government Relations, now is the President and CEO of the political powerhouse Real Estate Board of New York (REBNY), which supports development of the Williams pipeline. Con Ed also retains Hinman Straub, another prominent lobbying firm. Hinman Straub and its lobbyists spent \$207,350 on campaign donations to Andrew Cuomo's campaigns from 2005 – 2017.^{xxxviii}

Con Ed's Board of Directors includes Williams Mulrow and up until recently, Michael Del Giudice, who are both closely connected to Andrew Cuomo. Williams Mulrow was the Secretary to the Governor, the top staff position in New York government.^{xxxix} Mulrow was the Chairman of Cuomo's 2018 election campaign. He is a top Blackstone executive. Blackstone invests about \$1 billion into Williams through its ownership of Harvest Fund Advisors.^{xl} Mulrow is a prolific donor to many different politicians^{xli} and served as the Vice Chair of the NYS Democratic Party.^{xlii}



William Mulrow, Con Ed Board Member and former top staffer for Governor Cuomo

Michael Del Giudice was Chief of Staff to former-Governor Mario Cuomo, Andrew Cuomo's father. Del Giudice and Mulrow each received \$228,425 from Con Ed for sitting on its Board of Directors.^{xliii} (Del Giudice left Con Ed's Board in 2018 after a long tenure) Del Giudice's connections to Governor Cuomo apparently run deep. We quote at length from Politico:^{xliv}

"Giudice, a former chief aide to Gov. Mario Cuomo and an adviser to the younger Cuomo, retired in January 2018 from the Con Ed board. He joined it in 1999, during the tenure of former Gov. George Pataki..."

During Cuomo's 2010 campaign for governor, Del Giudice met with representatives from the controversial CPV Valley Energy Center in Orange County, according to testimony in the trial of a former CPV executive and Joe Percoco, a former top aide to Cuomo.

Todd Howe, a former lobbyist who cooperated with the government after pleading guilty in relation to Percoco's case, said on the stand that Del Giudice was a senior counselor familiar with energy policy for the campaign. Del Giudice continued to have influence on energy topics after Cuomo took office in 2010, according to Howe, despite holding no official position in the administration. All the while, he sat on Con Ed's board.

'He had an extremely close relationship with the governor at that point, and the governor also relied on Del Giudice with regard to many energy issues because he was an expert and had been former CEO of various power corporations around the country,' Howe said during the trial."

The utilities also spend millions on regulatory proceedings, including rate cases, whose costs they (ironically) charge back to utility customers.^{xlv}

Con Ed and National Grid are also members of the Business Council of New York State,^{xlvi} the pre-eminent business lobby in New York, which has endorsed Governor Cuomo three times for election.^{xlvii} Con Ed executives were twice chairman in recent years of the Business Council.^{xlviii} Members of the Business Council support the organization financially. The Business Council advocates for corporate interests, including supporting pipeline development and opposing consumer advocacy groups' attempts to reign in utility rates.^{xlix}

Con Ed, National Grid and Williams are all financial sponsors and members of the New York Building Congress.^l The Building Congress advocates for increased gas pipeline capacity into New York and Westchester, and specifically advocates for the Williams NESE project.^{li}

National Grid Vice President John Bruckner is a member of the Board of Directors of the Long Island Association, an influential business and civic organization on Long Island.^{lii} The Long Island Association works to influence public policy and supports development of the Williams NESE pipeline.^{liii}

Con Ed and National Grid are also members of the Energy Coalition of New York,^{liv} which lobbies and runs influence campaigns targeting state government. The Energy Coalition opposes consumer advocates on issues such as creating a funded and staffed office of the consumer advocate, which would advocate on behalf of utility consumers in rate proceedings.^{lv}

A Cozy Arrangement for Pipeline Profits

For decades, utilities would contract with pipeline corporations to build new fossil fuel pipelines and recover large, predictable profits. The pipeline corporations would make guaranteed returns, which they would then pass along to the utilities, who would pass along

these costs plus profits to as rate hikes. State regulators would sometimes trim the size of rate hikes, but would inevitably bless the whole arrangement.

It was a cozy arrangement that led to large, long-term, predictable profits. Meanwhile, each new pipeline locked in decades of air and water pollution while accidents routinely killed and maimed workers, with 100 killed from 2010 to 2016 in accidents while 23,622 people were evacuated and amidst \$3.4 billion in property damage.^{lvi} Homes and businesses also burn down on occasion in gas explosions, sometimes killing members of the public.

Now, the Williams Corporation is proposing a large new fracked gas pipeline called the Northeast Supply Enhancement Project (NESE). NESE is a nearly \$1 billion project that would run from New Jersey to New York at the bottom of the NYC harbor and enter



Williams gas pipeline explosion in Pennsylvania in 2014

into the gas distribution network offshore of the

Rockaways, in Queens, New York.^{lvii} Under federal rules set by the Trump-controlled Federal Energy Regulatory Commission (FERC), interstate gas pipelines typically receive a 14% rate of return.^{lviii} National Grid has contracted with Williams, and would, if past experience holds, pass along the costs of the contract plus its own rate of return, onto ratepayers.

Today, most gas comes from fracking^{lix}, which is especially damaging to the environment because the process, which cracks open rock formations underground through massive pressure generated by injection of fracking fluids, destroys water and air quality. NESE would deliver primarily fracked gas to New York for National Grid to distribute to customers in Brooklyn, Queens and on Long Island.^{lx}

While the industry has appended the benign descriptor “natural” to describe its gas products, there’s nothing natural about fracking. Scientists are learning that gas, particularly gas from fracking, leaks out of fracking wells and pipelines, releasing large amount of methane, which is about 100 times as potent a greenhouse gas as CO2 over a 20 year period. Depending on the percentage of gas leaked in drilling, fracking, and distribution through pipeline networks,

which is a subject of active research and inquiry, fracked gas may be nearly as dangerous to the climate as coal – or even more so.^{lxi}

As the Climate Crisis Accelerates, a Movement Against Pipelines Rises

Pipeline construction and distribution used to be a sleepy business that operated almost entirely under the radar of public scrutiny.^{lxii} The system delivered virtually-guaranteed, large and stable profits for all the corporations involved. In recent years, though, fierce local community-based resistance and opposition from climate activists disrupted the cozy arrangement between utilities and pipeline corporations.

Now, fossil fuel infrastructure projects such as NESE face strong local resistance. Iconic fights over projects such as KeystoneXL and Dakota Access are the most prominent, but local battles accompany pipeline proposals – and activists often succeed. State and local governments, increasingly concerned with water quality, air pollution and climate change, particularly as renewables and other alternatives advance, are now far less willing to provide the permits new pipelines need.



In New York, activists and local communities oppose new pipelines, disrupting the industry's push for permits for new projects. Williams' NESE project is opposed by the local community board on the Rockaways^{lxiii} and a coalition of organizations and local organizers, including the Rockaway Beach Civic Association, Sane Energy Project, Food & Water Watch, Surfrider – NYC, and New York Communities for Change.^{lxiv} Local elected officials are also opposing the pipeline.

Last year, the Cuomo Administration rejected the company's application for the crucial water quality permit for the project, suggesting that the project was in danger of disapproval. Williams immediately re-applied for the permit, triggering a new 1 year timeline for the State's Department of Conservation (DEC) to act on the permit application. The state must act by May 16th on this critical permit, or the company's permit application will go into effect, clearing the most crucial state regulatory hurdle for the pipeline. (the federal government under the Trump Administration is rubber-stamping the pipeline's approval)



National Grid, alongside Williams and corporate allies, is actively pushing for the Cuomo Administration to approve NESE.^{lxv} National Grid claims they will be forced to implement a moratorium on new gas customers on Long Island if

the pipeline is not approved.^{lxvi} Yet, like Con Ed, National Grid has not implemented energy efficiency, demand management and renewables programs sufficient to reduce gas demand. Con Ed also will face determined resistance if it attempts to expand pipeline capacity with a large new project.

New Pipelines Cause the Climate Crisis – and Consumers Will Likely Pay the Bill When They Become Stranded Assets

Pipelines distribute fracked gas throughout the country. In New York, incoming gas is used primarily in power plants and heating for homes and businesses. Pipelines can operate for decades; a fifty year lifespan is something of an industry standard.^{lxvii} The gas moving through large pipelines is an enormous contributor to the climate crisis.

Earthworks studied the impact of the huge new proposed Williams NESE pipeline. They found the project would cause an estimated 7.8 million metric tons of CO2 equivalent per year (in their mid-range modelling scenario).^{lxviii} By way of comparison, New York City as a whole produces about 50 million metric tons of CO2 equivalent.^{lxix} New York State government estimates that the entire state produced 218 million metric tons in 2015, with 29 million metric tons from electricity generation from fossil fuels.^{lxx} In other words, this pipeline alone would produce so much climate pollution that it would be equivalent to roughly 15% of New York City's greenhouse gas emissions taken as a whole or roughly about 4% of the entire State of New York's greenhouse gas emissions.

The state is currently operating on a Clean Energy Standard that sets policy for reaching 50% renewables on the electric grid.^{lxxi} Governor Cuomo's Executive Budget proposes to raise this standard to 70% renewables on the grid by 2030 and to reach "carbon neutrality" by 2040 on the grid.^{lxxii} The state is also committed to reducing its climate pollution by over 80% by 2050 as in the Paris climate agreement.

It will be virtually impossible for New York to reduce its climate pollution to meet its own standards if NESE – and other large pipelines – are built. In fact, the state must begin to

rapidly retire existing fossil fuel infrastructure to reach the levels of climate pollution that will prevent world-wide catastrophe. At current levels of climate pollution, the world will blow past the levels of heating that will cause catastrophe. It is deeply disturbing, yet as recent reports show, all new infrastructure proposed worldwide, such as the NESE pipeline, to deliver and burn fossil fuels must be stopped in order to avoid climate catastrophe that risks the survival of human civilization.^{lxxiii}

If pipelines like NESE are built, there are effectively two future possibilities: 1. they would either become obsolete stranded assets, in which case utilities like Con Ed and National Grid would still be obligated to fulfill their contracts with pipeline corporations, and pass along those costs – despite obsolescence – to consumers; or 2. The pipelines would continue to burn fracked gas for much of their projected lifespan, contributing to a worldwide catastrophe and threat to civilization surviving. While the former would certainly be preferable, in the later scenario consumers and possibly taxpayers would be saddled with the massive costs of pipelines that were built with long term operation in mind, but in fact were retired relatively soon after construction.

Con Ed and National Grid Create a Crisis, Then Say: Trust Us

In January, Con Ed announced it would not hook up new (non-interruptible) gas customers in Westchester as of March, 2019.^{lxxiv} The news landed like a thunderclap to surprised elected officials, policy-makers, developers, and the public. Developers began to rush in applications while consternation and concern spread fast.^{lxxv} Affected projects have included home, business and commercial developments^{lxxvi}, and even a school district's plans to replace aging heating systems with newer boilers.^{lxxvii} The PSC has held a hearing and convened an investigation into the cut-off. National Grid, for its part, is issuing warnings publicly and has suggested it too will cut off new customers, but has not yet set any specific date.^{lxxviii} National Grid alleges that it will implement a gas moratorium for new customers if the Williams pipeline is not approved.^{lxxix}

Both utilities have failed to implement aggressive demand management, energy efficiency and renewable programs to reduce gas demand and peak gas use. If Con Ed had seen a gas capacity crisis approaching so severe that it would need to cut off customers with only 3 months of warning time, it should have acted to slash demand much earlier.

National Grid, like Con Ed, is failing to reduce gas demand. Instead both utilities have largely stood pat, watching while gas demand rose. By failing to act to reduce demand – or shift peak demands through demand management programs – these utilities set the stage for the crisis they then later declared, claiming the solution must include new pipeline capacity.

The timing and reasoning for these announcements also raises questions. The heating season and therefore gas demand peaks in the winter, not in March, which is the beginning of Con Ed's cutting off new customers. National Grid warns of a moratorium if the Williams pipeline is not approved^{lxxx} despite the fact that if it were approved, the pipeline could not be on-line any earlier than 2020 according to the project's website.^{lxxxi}

Most of all, the utilities are failing to release data publicly to demonstrate the basis for their warnings. They hide the records of gas use and capacity in their systems behind walls of confidentiality, making it effectively impossible to conduct an independent assessment.

The Williams Corporation, for its part, also warns that the gas it delivers is indispensable. It claims that without its new pipeline, customer service in the region will be threatened.^{lxxxii} Yet Williams also does not release data proving its conclusions. The utilities, even as they fail at the most basic function of a utility of delivering reliable service to customers in their region, and Williams say "trust us," in effect.



Governor Cuomo and Policy-Makers Should Not be Bullied by Con Ed, National Grid and Williams

Con Ed and National Grid, aided by Williams, are creating a crisis atmosphere. They are pressuring the Governor and regulators to approve new pipeline capacity after they failed to reduce gas demand in the region. Assuming it implements its threatened gas moratorium, Con Ed will have failed to manage its operations properly to ensure that it can meet customer needs. National Grid is on a similar path, declaring it too will also implement a so-called gas moratorium.

The State should not reward the utilities for panicking the public and failing to manage their operations properly. Instead, Governor Cuomo and State regulators should:

- ✓ **Fine and penalize the utilities for failing to deliver service to their customers** – the utilities enjoy a monopoly and are supposed to deliver reliable service, but are failing to do so if they implement their threats, which should cause the state

to penalize them and force them to serve customers properly and pay fines sufficient to deter future conduct of this nature;

- ✓ **Raise energy efficiency in the utilities regions** – and statewide – through programs to: 1. increase home energy efficiency by cutting energy waste; 2. increase business, commercial, industrial and institutional energy efficiency by cutting energy waste; and 3. Widespread adoption of more efficient heating technologies such as air source heat pumps. Solutions range from very simple weatherization and attic insulation to more complex energy efficiency upgrades to large building systems. New technologies such as sensors can manage temperature to improve comfort and reduce the use of gas.



- ✓ **Require the utilities to manage demand far better to lower peak demand** – the utilities must implement programs to cut the demand for gas at peak times more effectively. For example, Con Ed and National Grid should enroll more customers as “interruptible” gas customers whose service can be reduced or shifted to other times to reduce gas at peak usage, smoothing out demand and reducing the need for new gas capacity.

- ✓ **Implement renewable energy solutions and energy storage** – solar and renewable heating technologies (geothermal heat) are effective solutions for shifting away from reliance on gas. Energy storage in batteries, coupled with renewable technologies, can shift homes and business entirely off of fossil fuels.



- ✓ **Devote NYSERDA and other state funds to help low-income consumers and other vulnerable customers**

lower their bills – fracking has dropped the price of gas (while imposing massive environmental costs on fracked regions), which has enabled some utility customers to lower their bills by switching from oil to gas. In order to cut gas demand, low-income customers and other vulnerable populations should be paid to switch to non-polluting alternatives in a manner that lowers their costs.

No lower-income consumers and other vulnerable populations should pay higher utility rates, which will likely require a large investment of state and NYSERDA funds not just subsidies built into the rate structure and utility programs.

- ✓ **Fine them heavily if they don't cut gas demand** – instead of letting the utilities implement programs in a half-hearted manner, the state should fine them enough to motivate their compliance if they fail to reduce gas demand.

These solutions can save consumers money while slashing the state's climate pollution to sustainable levels, as in the State's energy planning and commitments to the Paris climate agreement. They also generate large numbers of good, new jobs and economic activity.

Conclusion: This Manufactured Crisis is An Opportunity to Accelerate Renewables and Energy Efficiency

New York State is at only 5% wind and solar use on the electric grid.^{lxxxiii} The state has also slipped in nationwide rankings of energy efficiency.^{lxxxiv} Other states are further along, fueling a faster transition to a clean, renewable energy future. For example, California is at 33% wind and solar on the electric grid – and is achieving its ambitious goals.^{lxxxv} It is time for New York to catch up. If it is implemented, the Governor's ambitious proposal to reach 70% renewable use on the grid would soon render new pipeline capacity obsolete. Who would then pay for the costs of the pipelines? In a regulated monopoly system, regulators would be under enormous pressure to stick consumers with those costs.

Happily, clean, non-polluting solutions that create good jobs and economic development are readily available. Instead of acceding to the utilities and Williams' demands delivered through their connected lobbyists, and sweetened with large campaign donations, Governor Cuomo and state policy makers should move to a clean, renewable future. New York can and should lead the country to renewable energy and energy efficiency while developing good jobs – and leave behind old, dirty, dangerous and expensive fossil fuels.



ⁱ <https://northeastsupplyenhancement.com/home/about-the-project/>

ⁱⁱ <https://sape2016.files.wordpress.com/2018/04/earthworks-nys-energy-crossroads-final2-2-21-18.pdf>

ⁱⁱⁱ <https://insideclimatenews.org/news/02082017/natural-gas-pipeline-boom-corporate-profit-bubble-limited-demand-climate-emissions>

^{iv} <https://www.politico.com/states/new-york/newsletters/politico-new-york-energy/2019/02/01/con-ed-rate-hike-170884>

^v <https://www.wnyc.org/story/con-edison-will-stop-accepting-new-gas-customers-parts-westchester/>

^{vi} Con Ed proxy statement
https://www.sec.gov/Archives/edgar/data/1047862/000119312508080075/ddef14a.htm#tx27554_6

^{vii} <https://www.nasdaq.com/quotes/institutional-portfolio/harvest-fund-advisors-llc-798062>

^{viii} Sum of firm contributions https://littlesis.org/org/19775-Tonio_Burgos_&_Associates and personal contributions <https://littlesis.org/relationships/1389660>

^{ix} <https://www.wnyc.org/story/cuomo-campaign-manager-was-lobbyist-controversial-pipeline/>

^x <https://www.nystateofpolitics.com/2018/07/back-in-a-new-york-groove/> and <https://capitalandmain.com/cuomo-kept-fossil-fuel-pipeline-alive-then-hired-pipelines-lobbyist-to-run-reelection-bid-0907>

^{xi} Lobbying Letters:
2017<https://onlineapps.jcope.ny.gov/LobbyWatch/Administration/UploadDocuments/Temp/L3796_Kivvit%20Williams%209.1.17%2012.31.17.pdf>,
2018<https://onlineapps.jcope.ny.gov/LobbyWatch/Administration/UploadDocuments/Temp/L3796_Kivvit%20Williams%202018.pdf> see also <https://www.timesunion.com/news/article/Cuomo-s-campaign-manager-is-a-lobbyist-Does-it-13171943.php>

^{xii} https://littlesis.org/org/196-Consolidated_Edison/giving, https://littlesis.org/person/19776-Tonio_Burgos, https://littlesis.org/org/199869-Barclay_Damon, https://littlesis.org/person/120068-John_McAvoy, https://littlesis.org/org/37078-National_Grid_USA/giving, <https://littlesis.org/relationships/1375680>,

^{xiii} Summary of littlesis data and JCOPE data for 2017 and 2018.

^{xiv} See AARP/Public Utility Law Project report and appendix at <http://utilityproject.org/wp-content/uploads/2014/03/AARP-Report-David-v.-Goliath-Why-consumers-are-losing-New-Yorks-utility-game-1-16-14.pdf> utility filings show the state's utilities spent over \$10 million per year of which over \$3 million per year in expenses were attributed to gas filings. The report does not disaggregate individual utilities, but Con Ed and National Grid dominate downstate New York, where most of the state's population resides.

^{xv} See <http://www.alwaysonny.com/> and <https://www.facebook.com/energyjusticeforall/> these are two examples of industry-funded advertising entities devoted to pushing gas and pipelines. The prime funder appears to be LECET, see at <http://www.lecet.org/>, which is an industry-funded entity (construction and contracting especially for large projects such as pipelines).

^{xvi} See proxy statement p. 46 <http://phx.corporate-ir.net/External.File?item=UGFyZW50SUQ9NDAYMTk4fENoaWxkSUQ9LTF8VHlwZT0z&t=1&cb=636584512135578942>

^{xvii} 2018 proxy report to investors and reporter to sec, pg 46,
<http://phx.corporate-ir.net/External.File?item=UGFyZW50SUQ9NDAYMTk4fENoaWxkSUQ9LTF8VHlwZT0z&t=1&cb=636584512135578942>

^{xviii} see also proxy statement p. 70
https://www.nationalgrid.com/sites/default/files/documents/NGAR18_1_Full-Report_Web.pdf

^{xix} See proxy statement p. 46 <http://phx.corporate-ir.net/External.File?item=UGFyZW50SUQ9NDAYMTk4fENoaWxkSUQ9LTF8VHlwZT0z&t=1&cb=636584512135578942> 2018 proxy report to investors and reporter to sec, pg 46,
<http://phx.corporate-ir.net/External.File?item=UGFyZW50SUQ9NDAYMTk4fENoaWxkSUQ9LTF8VHlwZT0z&t=1&cb=636584512135578942>

⁴² see also proxy statement p. 70

https://www.nationalgrid.com/sites/default/files/documents/NGAR18_1_Full-Report_Web.pdf

see also SEC filings: <https://www.sec.gov/cgi-bin/browse-edgar?type=&datedb=&action=getcompany&CIK=107263>

or morningstar: [http://insiders.morningstar.com/trading/executive-compensation.action?t=WMB](http://insiders.morningstar.com/trading/executive-compensation.action?t=WMB®ion=usa&culture=en-US)[®]ion=usa&culture=en-US<<http://insiders.morningstar.com/trading/executive-compensation.action?t=WMB®ion=usa&culture=en-US>>

^{xx} [http://phx.corporate-](http://phx.corporate-ir.net/External.File?item=UGFyZW50SUQ9NzA0MTkwfENoWxkSUQ9NDE2NDg3fFR5cGU9MQ==&t=1)

[ir.net/External.File?item=UGFyZW50SUQ9NzA0MTkwfENoWxkSUQ9NDE2NDg3fFR5cGU9MQ==&t=1](http://phx.corporate-ir.net/External.File?item=UGFyZW50SUQ9NzA0MTkwfENoWxkSUQ9NDE2NDg3fFR5cGU9MQ==&t=1)

^{xxi}

https://www.google.com/search?rlz=1C1CHBD_enUS740US743&biw=1419&bih=772&ei=rMZ0XLavM6mzggeJ94rADg&q=national+grid+net+income&oq=national+grid+net+income&gs_l=psy-ab.3.0i30.61363.63582..63893...0.0..0.131.872.12j1.....0....1..gws-wiz.....0i71j0i13j0i7i30j0i8i7i30j0i5i30j0i7i5i30.0chKkPhxXQ4

<https://www.macrotrends.net/stocks/charts/WMB/williams/net-income>

^{xxii} <https://www.macrotrends.net/stocks/charts/WMB/williams/net-income>

^{xxiii} <https://investor.williams.com/press-release/williams/williams-reports-2017-financial-results>

^{xxiv} <https://www.marketwatch.com/story/national-grid-yearly-profit-rises-24-2018-05-17>

^{xxv} https://littlesis.org/person/112913-Echo_Cartwright

^{xxvi} <https://littlesis.org/relationships/1389660>

^{xxvii} <https://www.kivvit.com/team-kivvit>

^{xxviii} <https://www.wnyc.org/story/cuomo-campaign-manager-was-lobbyist-controversial-pipeline/>

^{xxix} <https://www.kivvit.com/team-kivvit/rich-bamberger>

^{xxx} <https://www.wnyc.org/story/cuomo-campaign-manager-was-lobbyist-controversial-pipeline/>

^{xxxi} <https://www.wnyc.org/story/cuomo-campaign-manager-was-lobbyist-controversial-pipeline/>

^{xxxi} Source: [New York State Joint Commission on Public Ethics Lobbying Online Filing System: Client Query](#); Client Name: IS

Williams Companies

^{xxxii} <https://www.politico.com/states/new-york/newsletters/politico-new-york-energy/2018/04/04/nycha-tenants-step-into-pipeline-fight-050359> for Pythia Public connection to Williams and <https://urbanstrategiesllc.com/our-team/> for Pythia relationship with Urban Strategies and

https://www1.nyc.gov/assets/lobbyist_search/pdf/Annual382962.pdf for Williams lobbying report which lists \$45,000 compensation for Pythia and \$90,000 for Urban Strategies

^{xxxiii} Source: [New York State Joint Commission on Public Ethics Lobbying Online Filing System: Client Query](#); Client Name: IS

Williams Companies, National Grid and Consolidated Edison

^{xxxiv} https://media.gractions.com/281/2017/March/03072017/FAR_Bio.pdf

^{xxxv} <https://www.buildingcongress.com/about/annual-report/Annual-Report-2017/Members.html>

^{xxxvi} *ibid*

^{xxxvii} <https://www.coned.com/en/about-con-edison/media/news/20150624/events-kimball-government-relations>

^{xxxviii} Sum of data via <http://www.elections.ny.gov> from campaign finance filings for Hinman Straub employees and State Street Associates PAC, the firm's PAC see also <http://docquery.fec.gov/cgi-bin/forms/C00360529/1052290/>

^{xxxix} <https://www.nydailynews.com/blogs/dailypolitics/gov-cuomo-retools-team-2nd-term-blog-entry-1.2073768>

^{xl} <https://www.nasdaq.com/quotes/institutional-portfolio/harvest-fund-advisors-llc-798062>

^{xli} https://littlesis.org/person/70288-William_J_Mulrow/political

^{xlii} <https://www.politico.com/states/new-york/albany/story/2015/01/cuomo-brings-a-familiar-democratic-face-into-his-cabinet-018776>

^{xliii} See at p.40

^{xliii} See at p.40

https://www.sec.gov/Archives/edgar/data/1047862/000119312508080075/ddef14a.htm#tx27554_6

^{xliv} <https://www.politico.com/states/new-york/albany/story/2018/05/01/cuomo-allies-sit-on-boards-of-utilities-regulated-by-the-state-396076>

^{xlv} See at appendix of AARP/PULP report <http://utilityproject.org/wp-content/uploads/2014/03/AARP-Report-David-v.-Goliath-Why-consumers-are-losing-New-Yorks-utility-game-1-16-14.pdf>

^{xlvi} https://littlesis.org/org/39252-The_Business_Council_of_New_York_State,_Inc.

^{xlvii} <https://www.wsj.com/articles/new-york-business-leaders-back-cuomo-in-election-1540180861>

^{xlvii} <https://www.wsj.com/articles/new-york-business-leaders-back-cuomo-in-election-1540180861>

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- ^{xlvi} <https://www.bcnys.org/about-business-council> (see “Succeeding Chairmen”)
- ^{xlvi} <https://www.bcnys.org/sites/default/files/2019-01/BCNYS-2019-Legislative-Advocacy-Agenda.pdf>
- ^l As of 2017, Con Ed was in the “Chairman’s Club,” Williams was in the “President’s Council,” and National Grid was a “Sponsor” see <https://www.buildingcongress.com/about/annual-report/Annual-Report-2017/Members.html>
- ^{li} See [https://www.buildingcongress.com/uploads/pdf/07-25-17%20City%20Biz%20List%20\(Electricity%20Outlook%20Renewal\).pdf](https://www.buildingcongress.com/uploads/pdf/07-25-17%20City%20Biz%20List%20(Electricity%20Outlook%20Renewal).pdf) and <https://www.buildingcongress.com/uploads/Electricity-Outlook-2017.pdf> at p.7
- ^{lii} Bruckner on Board of Directors <http://www.longislandassociation.org/board-of-directors-staff>
- ^{liii} See #4 under “Federal Priorities” for NESE project <https://chambermaster.blob.core.windows.net/userfiles/UserFiles/chambers/2181/CMS/2019-Priorities-and-Initiatives-Final.pdf>
- ^{liv} <https://www.energyny.org/index.php/companies>
- ^{lv} <http://www.energyny.org/legislative-information/bill-memos/342-ecny-mio-utility-consumer-advocate.html>
- ^{lvi} See at p. 1 <https://www.fractracker.org/2016/11/updated-pipeline-incidents/>
- ^{lvii} <https://northeastsupplyenhancement.com/home/about-the-project/>
- ^{lviii} <https://insideclimatenews.org/news/02082017/natural-gas-pipeline-boom-corporate-profit-bubble-limited-demand-climate-emissions>
- ^{lix} Energy Information Administration <https://www.eia.gov/todayinenergy/detail.php?id=26112>
- ^{lx} <https://northeastsupplyenhancement.com/home/about-the-project/>
- ^{lxi} https://www.eeb.cornell.edu/howarth/publications/Howarth_2014_ESE_methane_emissions.pdf and <https://e360.yale.edu/features/how-climate-activists-failed-to-make-clear-the-problem-with-natural-gas-mckibben>
- ^{lxii} <https://sape2016.files.wordpress.com/2018/04/earthworks-nys-energy-crossroads-final2-2-21-18.pdf>
- ^{lxiii} <http://rockawaytimes.com/index.php/columns/3805-cb-14-pipeline-pile-on-school-and-shuttle-woes>
- ^{lxiv} <https://nyc.surfrider.org/williams-transco-enhancement-pipeline/>
- ^{lxv} https://www.dec.ny.gov/docs/administration_pdf/nycghg.pdf
- ^{lxvi} <https://www.newsday.com/long-island/national-grid-pipeline-1.26686092>
- ^{lxvii} <http://www.lancasterpipeline.org/pipeline-lifetime>
- ^{lxviii} See at p. 20 <https://sape2016.files.wordpress.com/2018/04/earthworks-nys-energy-crossroads-final2-2-21-18.pdf>
- ^{lxix} https://www.dec.ny.gov/docs/administration_pdf/nycghg.pdf
- ^{lxx} <https://www.nyserda.ny.gov/-/media/Files/EDPPP/.../greenhouse-gas-inventory.pdf>
- see at table S1 on p. S-3
- ^{lxxi} <https://www.nyserda.ny.gov/All-Programs/Programs/Clean-Energy-Standard>
- ^{lxxii} <https://www.budget.ny.gov/pubs/archive/fy19/exec/fy19artVII/TEDArticleVII.pdf>
- ^{lxxiii} <http://priceofoil.org/2019/01/16/report-drilling-towards-disaster/>
- ^{lxxiv} <https://www.coned.com/en/about-con-edison/media/news/20190118/statement-from-con-edison-re-moratorium-on-new-gas-connections-in-westchester>
- ^{lxxv} <https://www.lohud.com/story/news/local/westchester/2019/02/13/developers-regulators-react-impending-natural-gas-moratorium/2852617002/>
- ^{lxxvi} <https://westfaironline.com/111281/westchester-officials-eye-impacts-of-con-eds-natural-gas-moratorium-on-construction-projects/>
- ^{lxxvii} <http://westchester.news12.com/story/39998266/looming-natural-gas-moratorium-puts-yonkers-school-renovation-project-in-jeopardy>
- ^{lxxviii} Con Ed had delivered notices to the Public Service Commission (PSC) that at some point in the future it might not deliver service to new customers. But the utility had never warned of a specific cut-off date or acted as if it was

a serious threat. The utility did not make any warnings to the public that were taken notice of, and certainly did not ring alarm bells. Instead, it offered a hypothetical.

^{lxxxix} <https://www.newsday.com/long-island/national-grid-pipeline-1.26686092>

^{lxxx} *ibid*

^{lxxxix} <https://northeastsupplyenhancement.com/>

^{lxxxii} <https://www.thenation.com/article/latest-pipeline-battle-ramping-new-york/>

^{lxxxiii}^{lxxxiii} See at p.25 <https://www.nyiso.com/documents/20142/2223020/2018-Power-Trends.pdf/4cd3a2a6-838a-bb54-f631-8982a7bdfa7a>

^{lxxxiv} <https://database.aceee.org/state-scorecard-rank>

^{lxxxv} <http://ieefa.org/california-tops-2020-goal-of-33-renewable-energy/>

Image Credits:

p.4 Tonio Burgos <https://rfkhumanrights.org/people/tonio-burgos>

p.5 William Mulrow AP photo <https://www.politico.com/states/new-york/albany/story/2015/01/cuomo-brings-a-familiar-democratic-face-into-his-cabinet-018776>

p.8 Williams gas explosion WPXI news https://www.wpxi.com/news/local/gas-pipeline-fire-washington-co-prompts-urgent-eva/139450053#_federated=1

p.9 Keep it in the ground protest Fibonacci Blue <https://www.dailydot.com/layer8/standing-rock-sioux-tribe-support/>

p.10 Williams pipeline protest Pacific Press <https://www.thedailybeast.com/the-first-battle-of-the-green-new-deal-is-the-new-york-pipeline-fight>

p.11 Williams pipeline protest New York Communities for Change (NYCC) photo

p.12 Energy efficiency workers <https://www.achrnews.com/articles/135395-hvac-a-primary-driver-of-energy-efficiency-jobs>

p.13 Solar workers Reuters <https://www.reuters.com/article/us-usa-solar-jobs-idUSKBN15M0Y7>

p.14 Climate Jobs Justice march New York Communities for Change (NYCC) photo via Erik McGregor

New York City Council
Committee on Environmental Protection – Oversight Hearing
April 15, 2019

Chair Constantinides and Members of the Committee on Environmental Protection,

We appreciate the opportunity to share the facts regarding the environmental benefits of the proposed “Williams Pipeline” known as the Northeast Supply Enhancement Project (NESE).

NESE is an enhancement of the existing Williams Transco system, which alone is responsible for the transportation of more than 50% of the of natural gas supply used in New York City. Although this existing system is largely out of sight and out of mind, it is vital to New York City’s energy portfolio and has safely and reliably served the city’s natural gas needs for nearly 70 years. Unfortunately, this system currently operates at maximum capacity – meaning it is not able to accommodate future natural gas demand growth.

The NESE project has been carefully designed to meet the increased demand in capacity for National Grid’s service territory, which includes 1.25 million customers in Brooklyn, Queens and on Staten Island and more than 600,000 customers on Long Island. The project comes at crucial point in time when New York City has experienced significant growth and New York City government has driven responsible change in its home heating, which has led to a significant increased need for natural gas supply. That growth is projected to continue over the next 15 years. This growth is due to homes, small businesses and commercial buildings like hospitals and schools continuing to convert from heating oil to natural gas, as well as increased demand from new construction and development we see all over New York City. As such, NESE is a critical infrastructure project for New York City and will provide significant benefits to the city’s energy and economic development as well as improving its environmental future.

Thanks to increased efficiency in power generation and home heating and cooling, coupled with the thousands of conversions from heating oils that have occurred over the past decade, New York City is currently experiencing its cleanest air quality in over 50 years. The environmental benefits of NESE build on the significant progress New York City has made in emissions reductions and will allow National Grid to continue its planned oil to gas conversion program. Citizens who care about cleaner air and reducing emissions immediately should support this project. The NESE project alone will allow for:

- The continued conversion of approximately 8,000 residential and commercial customers each year, to natural gas from dirty and inefficient heating oil.
- Displacement of 900,000 barrels of heating oil and reduction of CO2 emissions by 200,000 tons in the first year - the equivalent to taking 500,000 vehicles off the road annually.

- Reduction of other local emissions by 300 tons per year, including smog, acid rain and particulates that have negative health and environmental effects.

Without this project, sufficient pipeline capacity will not be available to support future economic development and planned oil to gas conversions will not occur, hindering New York City and State from meeting aggressive emission reduction goals.

The NESE project aligns with and advances New York City's goal of reducing emissions 80% by 2050 through the Clean Heat Initiative, which successfully required the phase out of No. 6 oil on June 30, 2015 and the deadline for the phase out of all No. 4 heating oil by January 1, 2030. The elimination of No.6 heating oil usage in buildings and the transition to natural gas has resulted in dramatic health benefits. "NYC Clean Heat has already reduced PM 2.5 emissions from buildings by over 65%, which has helped prevent hundreds of deaths and thousands of emergency room visits and hospitalizations from lung and cardiovascular diseases annually. Heating oil conversions away from No. 6 and No. 4 oil also significantly reduce greenhouse gas (GHG) emissions, the harmful emissions that contribute to global climate change."¹

It has been widely reported that in March 2019, Con Edison announced a moratorium in Westchester County on new natural gas customers due to lack of supply caused by increasing demand from residential and commercial customers. Recently, National Grid has stated clearly and has notified customers who have requested new firm service that without approval of the NESE project, they will not be able to provide new service to customers in Brooklyn, Queens, Staten Island and on Long Island. Then, late last week, Con Edison sent a letter warning lawmakers that although they have no formal role in the NESE project, a NESE denial would force the utility to "move quickly" on the declaration of a gas moratorium in their New York City territory which includes the Bronx, northern Queens and Manhattan. This is a grave threat to the environmental progress made through oil to gas conversions as well as prosperity of the downstate economy, residents, businesses, construction workers and economic development.

With regards to the project construction, the Final Environmental Impact Statement (FEIS) that was released by the Federal Energy Regulatory Commission (FERC) on January 25, 2019, stated that the additional 17.3 miles of new pipe being added to the existing 235 miles of pipeline in the energy highway under Raritan Bay, would have "less than significant" impacts to the environment.

Ultimately, NESE is critically important to the continued delivery of safe, reliable service to meet increased demand and to the continued conversion of New York residents from heavily polluting fuel oil to cleaner, more affordable natural gas.

Thank you for the opportunity to share our perspective in support of the Northeast Supply Enhancement Project.

¹ <https://www.nyccleanheat.org/content/problem>



The North Shore Waterfront Conservancy of Staten Island, Inc.
P.O. Box 140502
Staten Island, New York 10314

April 13, 2019

To: Chairperson, Costa G. Constantinides, and Donovan Richards, Eric A. Ulrich, Stephen T. Levin, Rafael L. Espinal, Jr., Carlos Menchaca, Kalman Yeger, of the NYC City Council Environmental Protection Committee.

Cc: Councilman Steve Matteo, Councilperson Debbie Rose, Councilman Joseph C. Borelli

Reference: Oversight – The Environmental Impacts of the Proposed Williams Pipeline in Raritan Bay.

NSWC has been participating on the Governor's Environmental Justice, Just Transition Work Group and its environmental justice policy subcommittee. Each time we are asked to participate I do so with the hope that something of substance, something that is positive and that is tangible will come out of it for the Environmental Justice communities on Staten Island's North Shore. Because these are the communities that have the greatest environmental struggles that have negatively impacted their health, wellbeing and their futures.

Environmental Justice Just Transition Working Group (and its sub committees).

[https://www.governor.ny.gov/.../Environmental Justice and Jus...](https://www.governor.ny.gov/.../Environmental_Justice_and_Jus...)

But there are situations where one group's struggles become the struggles of another. All of our waterways on the North Shore are according to NYS DEC Impaired with floatables basically untreated sewer. In addition to that the Narrows, Kill Van Kull, Lower Newark Bay and the Arthur Kill have contaminants in them. With the Narrows, you are allowed to catch and release fish, you are not supposed to eat the fish. With the Kill Van Kull, Lower Newark Bay and the Arthur Kill, if you are a woman of child bearing age, or a small child you are not supposed to eat the fish from these waterways period. They are loaded down with Lead and other heavy metals, PCBs, Dioxin also known as Agent Orange, oil and gasoline, and a whole host of other contaminants. Most of which cause cancer.

However, if you are not in either of these two groups then based on a chart the NYS DEC has on line, you can eat a certain amount of certain fish per month. I can pretty much promise you that most people have never seen that chart or know of its existence.

I presented the following email to the Environmental Justice Just Transition Work Group so that we could have a discussion about the Williams Pipeline during our conference call. Because Raritan Bay on the South Shore is the only location where the entire island can go and fish and eat the fish safely and now that is being threatened too.

"Since we are talking about renewable energy and the elimination of harmful fossil fuels. What exactly is Governor Cuomo's position on the Williams Pipeline from New Jersey through Raritan Bay and into Brooklyn (Queens/Long Island)?

<https://350brooklyn.org/stop-the-williams-pipeline/>

Raritan Bay is the salt water location adjacent to Staten Island where residents can fish and eat the fish safely. All of our other waterways are Impaired as per NYS DEC and they all contain harmful contaminants.

https://en.wikipedia.org/wiki/Raritan_Bay

These are Climate Change issues why should citizens have to petition and write letters of opposition for a situation that everyone knows about. And that everyone is fully aware that if we don't change our behaviors and actions now, we will die a lot sooner rather than later.

Therefore, the question is to Governor Cuomo (all of our elected officials) are we truly transitioning from fossil fuels or are we not? Because for Staten Island this is where the rubber meets the road, in real time."

What I was told is that NYS DEC has to review the environmental concerns and that they have to review the letters that come in about this proposal and this was from DEC. The question remains that if the Governor is serious about transitioning from fossil fuels to renewable energy why is NYS DEC still going through the perfunctory motions, if they have been given directive to approve only renewable energy proposals, unless they haven't been given any such directive. And why is that? Have we not seen enough of what a severe storm looks like, have we not seen enough loss of life and property damage? What more do we need to see and experience before we change?!!!

And because of Staten Island's location it stands in the cross hairs, again. Where something is being proposed that will not benefit Staten Island in the least but will have harmful consequences to its environment and its people.

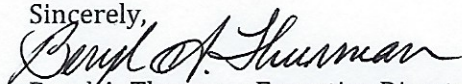
There was also Union representation on the call and Unions want to do this job because it's a job and big money for them. But they are not looking at the Big Picture, they are not looking at the medium- and long-term harms. Everybody has to be on the same page if we are either going to agree to save ourselves or we are not. We may even need to take a page from how we dealt with the Ozone Crisis.

<https://www.pbs.org/show/ozone-hole-how-we-saved-planet/>

Time and time again we have seen our leaders go after the low hanging fruit projects instead of addressing the Climate Change and Global Warming problems head on and throwing everything that we've got at them in order to mitigate the situation.

We need leaders that take Climate Change and Global Warming seriously and are willing and able to take the necessary actions to correct the problems. We don't have time for bickering and pettiness. We shouldn't have to march not one step in protest or be required to write a letter of protest regarding the Climate Change, Global Warming and Fossil Fuel use crisis that EVERYBODY KNOWS ABOUT! Either we are doing this, or we are not. But if we come at this in the inadequate way that we have been, then all is lost.

Sincerely,



Beryl A. Thurman, Executive Director/President

NSWCSI, *Creating Livable Communities*

www.sinorthshoresilience.org"



NEW YORK STATE ASSOCIATION FOR AFFORDABLE HOUSING

**Testimony Submitted to the NYC Council Committee on Environmental Protection
April 15, 2019
Re: Northeast Supply Enhancement Project**

We at the New York State Association for Affordable Housing (NYSFAH) would like to thank the New York City Council Committee on Environmental Protection for the opportunity to submit testimony regarding the Northeast Supply Enhancement Project. We appreciate the committee's consideration of the environmental impacts of the project and support meaningful discussion about those impacts; but we also urge stakeholders and government to quickly develop a solution that would allow vitally needed affordable housing projects to continue unimpeded.

It will come as no surprise to this committee that New York City faces an affordable housing crisis. Rents are rising and more New Yorkers find themselves in desperate need of safe, stable and affordable places to live. Compounding this issue, affordable housing is often subject to variables that are beyond our control and which make new development exceedingly burdensome and expensive to provide.

One such variable is the proposed Northeast Supply Enhancement Project. We are advised that without adequate energy infrastructure, pending affordable housing projects and prospective projects throughout New York City, will be stalled or prevented. Con Edison has warned that if an energy solution is not agreed upon by May 15, then a moratorium will be placed on New York City and Long Island. In real terms, this puts affordable housing projects currently in the pipeline, as well as all future developments in the area, in serious jeopardy. Alternatives to natural gas are cost-prohibitive and/or impractical for many rent-restricted projects.

We are also aware of the concern, most recently expressed by the Mayor's Office of Recovery and Resiliency, that the moratorium could lead to greater reliance on less clean fuel alternatives to heat buildings and interruptions in gas delivery for heating purposes throughout New York City. We share the concern that greater reliance on low sulfur Number 2 heating oil or a lack of natural gas for heating purposes would be a significant detriment to the people of New York City and especially the low-income families we serve.

We urge you and your partners in government and relevant stakeholders to find a solution as quickly as possible and help us protect vulnerable New Yorkers who are in desperate need of housing.

Thank you for your consideration.

NYSFAH is the trade association for New York's affordable housing industry, with nearly 400 members, including developers, lenders, investors, attorneys, contractors, architects and others active in the financing, construction, and operation of affordable housing.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ROBERT WOOD

Address: 427 STERLING PL 4R BROOKLYN NY 11238

I represent: SCD BROOKLYN

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: Annie Garneva

Address: 269 Martense St. #3 Brooklyn NY 11226

I represent: Same Energy Project

Address: N/A

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

of Resolution Against NESE

Date: 4/15/19

(PLEASE PRINT)

Name: Kimberly Ong

Address: 40 W 20th St, New York NY 10011

I represent: Natural Resources Defense Council (NRDC)

Address: 40 W 20th St New York NY 10011

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jackie Weisberg

Address: 1 JOHN ST. BKLN 11201

I represent: 350BK.org

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: LISA HARRISON

Address: 212 W 108 ST, 10025

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 4.15.19

(PLEASE PRINT)

Name: Jeremy Jones

Address: 321 Beach 92nd St, Rockaway Beach

I represent: Rockaway Beach Civic Assoc.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: BRIDGET KLAPINSKI

Address: 316 Beach 91st Street

I represent: Rockaway Beach Civic

Address: Association

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: CARL JOHNSON

Address: _____

I represent: VA Plumbers Local No. 1

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Vincent Albanese

Address: _____

I represent: LAZORERS

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4.15.19

(PLEASE PRINT)

Name: KIM FRACZEK

Address: 250 MOORE ST. #410

I represent: SANE ENERGY PROJECT

Address: 232 E. 11TH ST. NEW YORK, NY 10003

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4.15.19

(PLEASE PRINT)

Name: IBA MACNYK

Address: 24 NEWEL ST #3L

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: Ivan Kimball / Kyle Kimball

Address: _____

I represent: Con Edison

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: Vincent Albanese

Address: 35-15 35th Ave Astoria, NY

I represent: Laborers

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Sara Gronim

Address: 35 Prospect Park West Bklyn

I represent: 350 Brooklyn

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 4127

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: Wandy Scher (former construction worker)

Address: _____

I represent: — (myself)

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: NIKITA SCOTT

Address: 275 SOUTH STREET 3L

I represent: SURFRIDER Foundation

Address: P.O. Box 1236, New York, NY, 10002

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: KEN SCHLES

Address: 378 VANDENBILT AVE BLYN 11230

I represent: MYSELF

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 4127

in favor in opposition to pipeline

Date: 4-15-19

(PLEASE PRINT)

Name: Jacqueline Sailer

Address: 515 E. 89th St., 3M NYC 10128

I represent: myself

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jairesh Bavishti

Address: Director Mayor's Office of Recovery

I represent: & Resiliency

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: Bruce Ross

Address: 600 West End Ave, NYC 10021

I represent: United for Action

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 4127

in favor in opposition

Date: 4/15/2019

(PLEASE PRINT)

Name: Lee Ziosche

Address: 219 Quincey St Apt Beachyn NY 11716

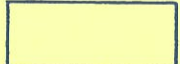
I represent: Save Energy Project

Address: 737 911th St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/15/2018

Name: JOSETE ORIPPO (PLEASE PRINT)

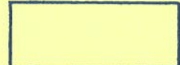
Address: 417 PEARL 143rd ST.

I represent: Brooklyn Women For Progress

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/15/19

Name: Noelle Pironc (PLEASE PRINT)

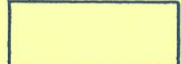
Address: 214 Clinton St, Apt. 1B, Brooklyn, NY 11201

I represent: Surfrider Foundation NYC Chapter

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: DARlene Ailette (PLEASE PRINT)

Address: 487 Carlton Av

I represent: resident of NUCHA

Address: 487 Carlton Ave BKlyn, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: KIM FRACZEK

Address: 250 MOORE ST. BROOKLYN, NY 11206

I represent: SANE ENERGY PROJECT

Address: 232 E. 11TH ST. NY, NY 10003

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Laura Shindell

Address: 818 10th Ave Apt 4B

I represent: Food & Water Watch

Address: 32 Court St #1506 Brooklyn NY 11201

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Barbara Hertel

Address: 212 S. 2nd St.

I represent: _____

Address: _____



**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 4127

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)
Name: Jean Belford

Address: 179 Beach 144th St.

I represent: Rockaway Women for Progress

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/15/2019

(PLEASE PRINT)
Name: Alvaro Alcocer

Address: 62 Clermont Ave.

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: April 15, 2019

(PLEASE PRINT)
Name: Ariana Hernandez

Address: 169 Rathbun Ave

I represent: NYPIRG

Address: 9 Murray St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 4127

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: Lillian Belford
Address: 179 Beach 144th, Neponsit, NY 11694
I represent: Rockaway Women for Progress
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 4127

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: Rachel Rivera
Address: _____
I represent: New York Communities for Change
Address: 1 Metrotech Ctr N 11th Fl, Brooklyn

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

4127

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/15/19

(PLEASE PRINT)

Name: Patrick Houston
Address: 315 Alexander Ave Apt 5R
I represent: New York Communities for Change
Address: 1 Metrotech Ctr N, Brooklyn NY