



DAVE DENENBERG
LEGISLATOR, DISTRICT 19



NASSAU COUNTY LEGISLATURE

1550 FRANKLIN AVENUE
MINEOLA, NEW YORK 11501
(516) 571-6219

September 13, 2009

COMMITTEE CHAIR:
PUBLIC WORKS
PLANNING, DEVELOPMENT
AND THE ENVIRONMENT

COMMITTEE VICE CHAIR:
GOVERNMENT SERVICES
LABOR

COMMITTEE MEMBER:
RULES
HEALTH AND SOCIAL SERVICES
JUDICIARY
ECONOMIC AND COMMUNITY
DEVELOPMENT

NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

Re: New York State 2009 Energy Plan

Dear Energy Planning Board member:

Thank you for providing an opportunity to comment on the Draft NYS 2009 Energy Plan ("Plan").

First, I would like to compliment the Energy Planning Board on developing a plan for New York that recommends strong measures to ensure a greener future. However, the Plan includes provisions for importing liquefied natural gas (LNG), which New York State does not need.

As Nassau County Legislator for the 19th District and Chairman of the Planning Development and Environment Committee for Nassau County, I created a Taskforce against the LNG Island ("Taskforce"). This Taskforce consists of members of the community, civic leaders and other organizations opposed to Atlantic Sea Island Group's "Safe Harbor Energy" project, which proposes to build an artificial island 13.5 miles off the shore of Long Island to import LNG. The purpose of this proposed island will be a depot for the importation of LNG from foreign countries. Natural gas is a fossil fuel that emits slightly less carbon dioxide than petroleum, but the process of converting it to liquid for transport, shipping it in tankers and regasifying gives LNG a carbon footprint that is nearly equivalent to coal.

This island will require disturbing 116 acres of the ocean's floor in water that is 60-70 feet deep. It is proposed to be built on the Cholera Bank, which is the only natural reef on the New York/New Jersey coast. Most of the ocean in this region is comprised of sand and silt. The Cholera Bank is the only hard surface on the ocean's floor, which serves as a migratory ecosystem for several endangered species of fish and sea mammals, all subject to destruction if these plans are approved. Commercial fishermen claim that such drastic, invasive construction of an island on this bank will have a devastating effect on their industry that is experiencing waning fishing opportunities.

Safe Harbor Energy intends to lay approximately 12.8 miles of pipeline four feet below the ocean's floor from the terminal to meet an existing pipeline that extends from Morgan, New Jersey to Long Beach, Long Island. This existing pipeline is already being used at its capacity. Bringing in another pipeline to meet the existing one will not bring in more natural gas, but will displace domestic natural gas with foreign gas.

This will be the first artificial island, designed specifically for the import, storage, regasification and distribution of LNG in this country. A similar island was proposed off the coast of California, but the California Land Commission vetoed it because they found it extremely dangerous. Closer to home, the Broadwater project to situate a LNG barge 9 miles from the north shore of Long Island was rejected.

Ironically, this Plan was drafted as a result of Executive Order 2, which Governor Paterson issued at the same time he stopped the Broadwater LNG proposal in LI Sound. Governor Paterson said in his April 10, 2008 speech announcing the denial of a permit for Broadwater: ““Now if we didn't have any other alternative than to use liquefied gas, perhaps we would have made a different decision. But it would have been a false choice, because it would be shame on us, it would be our fault if we couldn't establish a responsible economic policy that would create a condition other than sacrificing one of our greatest and natural economic resources in order to achieve...The fact is that now that Broadwater is behind us, and it is behind us, we still have an immense responsibility to develop energy policy for the public that at this point remains incomplete. But what I want all Long Island residents to know, is that in this administration we're going to find a workable, sensible, achievable way to decrease the consumption of energy and to find renewable energy sources to go into the future. We used to have in New York State an energy plan that coordinated the agencies and all of energy decision making capacity into one far functional organization and plan. But we don't have it. In 2003, it was discontinued. So think about it, with all that we learned about climate change, with all that we know about global warming, with all that we have experienced in new technology and new renewable sources we don't have a plan to fit that in. As of today, we do. I am issuing an Executive Order today that will have a state energy planning board.”

The oceans are our last open space. It is our duty to protect and preserve it for future generations.

The environmental impact study is underway. Before the study is complete, the NYS Energy Planning Board must take a stance against the Safe Harbor Energy proposal.

I respectfully request that the NYS Energy Planning Board remove all provisions from its Plan that include the importation of LNG. Specifically, please revise the Plan so that Atlantic Sea Island Group's Safe Harbor Energy Project is not a consideration for New York State's energy future.

Thank you for your attention to this matter. Please keep me updated as to the status of this request.

Thank you,

Leg. Dave Denenberg, Chairman
Planning, Development & Environment
Committee
Nassau County Legislature