

Congress of the United States
Washington, DC 20515

May 15, 2019

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

As members of the New York State congressional delegation, we write to express our concern over the proposed Northeast Supply Enhancement (NESE) Project. We are alarmed by the public health and environmental risks that the NESE would bring to our region, particularly in areas still recovering from Superstorm Sandy.

As you know, the 23-mile pipeline proposed by Williams, an Oklahoma-based company, would transport fracked gas from Pennsylvania through New Jersey, traveling underwater in the Raritan Bay and Lower New York Bay. The section in New York Bay would come within two miles of Staten Island and three miles of the Rockaways. The construction of a fracked gas pipeline is a highly intrusive process that, according to the Federal Energy Regulatory Commission's (FERC) Environmental Impact Statement, threatens to displace unsafe levels of numerous toxic substances under the sea floor along the proposed route.¹ The potential displacement of these substances within three miles of many shoreline communities and precious habitats represents an unacceptable risk to human and animal health. While FERC approved the NESE on May 3rd, the FERC insisted that it did not need to consider whether the NESE will increase greenhouse gas admissions because it lacks a "widely accepted standard" for doing so.² Commissioner Richard Glick, in his dissent, wrote that refusing to consider greenhouse gas emissions while declaring a pipeline to be environmentally safe "fails to give climate change the serious consideration it deserves and that the law demands."³

We are also concerned with Williams' recent safety record. Over the past decade, Williams' pipelines and pumping stations have suffered at least ten explosions or fires.⁴ Many of these

¹ Federal Energy Regulatory Commission, Northeast Supply Enhancement Project: Draft Environmental Impact Statement (2018), Available at

http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20180323-3005;

² Ibid;

³ Federal Energy Regulatory Commission, Commissioner Richard Glick Statement (2019), Available at

<https://www.ferc.gov/media/statements-speeches/glick/2019/05-03-19-glick.asp#.XNr2XjBK170>;

⁴ National Transportation Safety Board, Pipeline Accident Reports (2019), available at

<https://www.nts.gov/investigations/AccidentReports/Pages/pipeline.aspx>;

incidents have resulted in the loss of life, release of methane gas, or contamination of groundwater. Additionally, Williams has faced at least five safety and risk violations from federal agencies over the past five years. This includes a 2015 civil penalty from the Pipeline and Hazardous Materials Safety Administration for failing to adequately inspect transmission pipeline valves in New Jersey and New York City and multiple fines from the Environmental Protection for the unsafe discharges of pollutants.⁵⁶

Finally, we are concerned that potential consumers in Brooklyn, Queens, and Staten Island could end up shouldering the cost of the \$926.5 million project. Williams believes that the NESE is necessary because it projects that demand for gas will grow by more than ten percent over the next decade.⁷ However, the U.S. Energy and Information Administration (EIA) projects gas consumption to be flat due to an increase in renewable energy production and a decrease in electricity use.^{8 9} Williams has also acknowledged that a high level of renewable generation could result in flat to negative gas demand in the long term.¹⁰ As you know, the Green New Deal included in the State of New York's 2019 Executive Budget mandates an unprecedented ramp-up of renewable energy to meet the goal of 100 percent carbon-free by 2040. This includes quadrupling New York's offshore wind production, doubling solar deployment, and more than doubling large scale wind and solar resources. With the State of New York leading the nation in renewable energy mandates and EIA projecting a decrease in electricity use, it is probable that the Williams estimate of a ten percent growth in demand fails to materialize.

As members of Congress who are concerned with the public health and the preservation of our natural resources and environment, we stand ready to help the State of New York transition to renewable energy sources that will not jeopardize the public and environmental health of our region.

⁵ Pipeline and Hazardous Materials Safety Administration, Letter to Mr. Alan S. Armstrong (2015), Available at https://primis.phmsa.dot.gov/comm/reports/enforce/documents/120141009/120141009_Final%20Order_12292015_t ext.pdf;

⁶ Environmental Protection Agency, Civil Enforcement Case Report (2017), Available at <https://echo.epa.gov/enforcement-case-report?id=WV000A05100127-14888>;

⁷ Federal Energy Regulatory Commission, "Application for Certificate of Public Convenience and Necessity" (2017), Available at https://elibrary.ferc.gov/idmws/file_list.asp;

⁸ U.S. Energy and Information Administration, "EIA expects relatively flat natural gas prices, continued record production through 2020" (2019), Available at <https://www.eia.gov/todayinenergy/detail.php?id=38052>;

⁹ Williams, 2018 Fall Update: Customer Service (2018), Available at <http://www.1line.williams.com/Transco/files/presentations/2018FallUpdateCustSvc.pdf>;

¹⁰ Ibid

Sincerely,

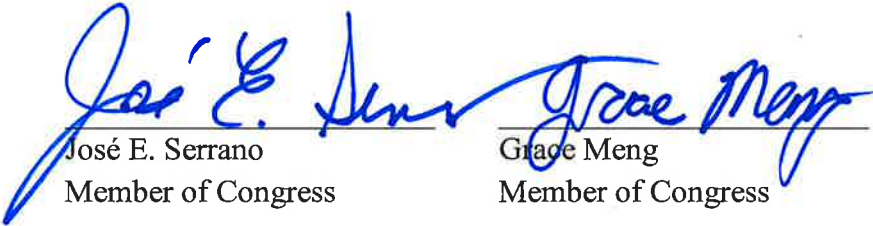


Jerrold Nadler
Member of Congress

Alexandria Ocasio-Cortez
Member of Congress

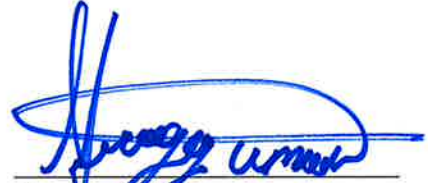


Nydia Velázquez
Member of Congress



José E. Serrano
Member of Congress

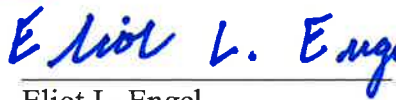
Grace Meng
Member of Congress



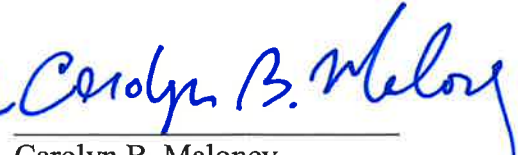
Gregory Meeks
Member of Congress



Adriano Espaillat
Member of Congress



Eliot L. Engel
Member of Congress



Carolyn B. Maloney
Member of Congress



Yvette D. Clarke
Member of Congress



Hakeem S. Jeffries
Member of Congress