



League of Women Voters

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November 10, 2015

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

Re: Request for you to disapprove Liberty Natural Gas LLC Port Ambrose Deepwater
Port to MARAD Docket Number: USCG-2013-0363 by December 21, 2015

The Honorable Andrew Cuomo,

The League of Women Voters has long held positions supporting clean air, clean water and protection of natural resources. The League believes that climate change is the greatest environmental challenge of our, or perhaps any, generation and supports prompt action to cut this country's greenhouse gas emissions, freeze construction of new coal-fired power plants, and invest in a new, clean energy economy.

The League applauds your leadership on climate change and the need to address it. We also applaud your leadership in preventing greenhouse gas emissions from high-volume hydraulic fracturing (HVHF) gas and oil production and its considerable health effects by banning HVHF in New York State. In previous correspondence from the League to you in January 2015, we requested that you ban the importation of HVHF waste and its use or application, in any form, within the State since HVHF waste is part of the HVHF lifecycle and contains constituents such as radioactive material and heavy metals which can adversely impact health. We renew that request at this time.

The primary purpose of this letter is to renew the League's earlier request made on December 2, 2014 (letter sent herewith) to disapprove --between the dates of November 6, 2015 and December 21, 2015-- the completed Port Ambrose Deepwater Port License Application submitted by Liberty Natural Gas LLC to MARAD, as inconsistent with your HVHF ban and the goal of reducing greenhouse gas emissions in the amount of 80% by 2050. The League further recommends you disapprove the application because the potential danger from a liquid natural gas port does not belong among the shipping lanes leading to and from the Port of New York and New Jersey Even assuming the risk of intentional or accidental incidents might be small, which is not necessarily the case, given the population density of the immediate region, it is in the best interest of the safety of New York City's resident, workers and tourists and the future economic wellbeing of New York as a Port, and the City itself as a global destination for business and tourism for you to disapprove Port Ambrose.

The stated purpose of the applications for the company to provide for peak period deliveries in winter and summer months and its long-term intended use as an import facility have been called into question given current economic conditions. Further, the Maritime Administration has not disclosed the total projected costs of the project, the financial resources and debt obligations of the applicant or the identity and relevant expertise of the principal parties invested in, and controlling, both Liberty Natural Gas LLP and its owner West Face Capital. Accordingly, a proper evaluation of the project, its owners and operators cannot be made by the public to determine if they possess the ability to build, operate, perform routine maintenance and repairs, take full financial responsibility for accidents, attacks and spills and ultimately decommission this major port off New York's shore.

The League of Women Voters of New York State and The League of Women Voters of the City of New York strongly recommend you disapprove Liberty Natural Gas LLC Port Ambrose Deepwater Port to MARAD Docket Number: USCG-2013-0363 before the December 21, 2015 deadline. The LI-NYC Offshore Wind Project has an application outstanding for the same general geographic area and should be supported by you as more favorable to the goal of 80% reduction in greenhouse gases by 2050.

Thank you for your consideration.

Sincerely,



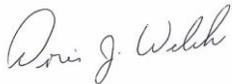
Dare Thompson
President, Board of Directors
League of Women Voters of New York State



Elisabeth Radow
Chairperson Committee on Energy, Agriculture and the Environment
League of Women Voters of New York State



Catherine T. Gray, Vice President
League of Women Voters of the City of New York



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THE LEAGUE OF WOMEN VOTERS *of New York State*

December 2, 2014

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

The Honorable Andrew Cuomo,

The League of Women Voters has long held positions supporting clean air, clean water and protection of natural resources. The League believes that climate change is the greatest environmental challenge of our, or perhaps any, generation and supports prompt action to cut this country's greenhouse gas (GHG) emissions, freeze construction of new coal-fired power plants, and invest in a new, clean energy economy.

The League of Women Voters of New York State requests that you oppose the proposed Port Ambrose liquefied natural gas (LNG) Deepwater Import Port under application by Liberty Natural Gas ("Liberty") to be sited among the shipping lanes coming into New York/New Jersey Harbor 19 miles off the New York Coast. This opposition would be consistent with your platform to combat climate change. According to the World Resources Institute, liquefying, transporting, and re-gasifying natural gas is an energy- and emissions-intensive process that could add roughly 15 percent to U.S. natural gas production's life cycle GHG emissions.¹ The urgency of reducing emissions was underscored by the recent (5th Assessment) report of the Intergovernmental Panel on Climate Change (IPCC).

The Port Ambrose project is also in direct conflict with a proposal to build a large wind farm in the area: the Long Island -New York City Offshore Wind Project. The Bureau of Ocean Energy Management stated in its July 19, 2013 Scoping Comments on the Port Ambrose Deepwater Port Application that the safety and navigational issues, if both projects were built, "may impact the overall viability of one or both projects."²

Governor Christie has vetoed one on-shore LNG port proposal which was sited closer to New Jersey saying it would create "unacceptable risks to (New Jersey's) residents, natural resources, economy and security.... and a heightened risk...including potential accidents or sabotage disrupting commerce in the Port of New York and New Jersey"³ and subsequently affirmed his intention⁴ to veto again a subsequent application (later withdrawn) which resembles the current application from Liberty under consideration for an off-shore LNG port. The Port Ambrose project poses a security risk to commercial and recreational ships and their passengers in the shipping lanes that serve the largest port on the East Coast, the Port of NY-NJ.⁵ The ability of the Coast Guard to provide security 24/7 requires additional boats, staffing and training and no margin for delay or human error. Accordingly, emergency response needs to be addressed as a top priority. According to the Government Accountability Office, "Al-Qa'ida and other groups with malevolent intent have targeted energy tankers and offshore energy infrastructure because of their importance to the nation's economy and national security."⁶ Thus, funding and training emergency responders for terrorist attacks and LNG-related explosions and fires would be essential.

The Draft Environmental Impact Statement ("DEIS") needs to address 992 Scoping Comments and evaluate the impact of storm events of the magnitude of Superstorm Sandy on the operation of the Port in terms of waves and wind, including whether the emergency response proposed by Liberty can withstand even more powerful storms. Preventing adverse impacts associated with anticipated sea level rise and the increased frequency of 100 year

storms must be considered a priority. In addition, the DEIS needs to include verifiable numbers of long-term jobs for New York residents and verifiable potential revenue for the State to justify assertions that this proposed project will provide a net benefit to the Empire state.

The Coast Guard has created a one nautical mile exclusion zone around the port when LNG ships are in port. The Port Authority has stated that “any vessel wishing to maintain a minimum distance of two nautical miles....could be forced to alter course to port....The potential for conflicts between the needs of the maritime community and those of Port Ambrose Deepwater Port will become even more pronounced over time...”^{vii} The determination by the Coast Guard of potential conflicts must be taken into consideration as well.

Finally, the risks and hazards associated with the proposed LNG facility must be considered in conjunction with the types and amounts of insurance held by the applicant to ensure that it will fully insure its operations and all associated risks at this site and not pass on to residents or taxpayers any of the direct or indirect costs or contingent liabilities associated with the proposed LNG port.

In view of the global urgency to cut GHG emissions and safeguard the New York/New Jersey Harbor and the millions of citizens living in the immediate region, the League asks you to oppose the Port Ambrose project and remain consistent in your support of a sustainable life for your constituents. Thank you.

Sincerely,



Sally Robinson
President
League of Women Voters of New York State



Elisabeth Radow
Chairperson, Committee on Energy, Agriculture and the Environment
League of Women Voters of New York State

¹ James Bradbury, Senior Associate, Climate and Energy Program, World Resources Institute, [“U.S. Natural Gas Exports: Friend or Foe?”](#) 8 May 2013.

² [Bureau of Ocean Energy Management’s Scoping Comments on Port Ambrose application](#), July 19, 2013.

³ 8 February 2011 letter from Governor Chris Christie to David Matsuda, Maritime Administrator, vetoing Liberty Natural Gas’ deepwater port application.

⁴ 20 March 2012 letter from Governor Chris Christie to Yvette Fields of Maritime Administration reaffirming his veto of Liberty Natural Gas’ deepwater port application.

⁵ [“Risk Assessment/Hazards for Deep Water Port LNG Receiving Terminals.”](#) Mike Hightower, Sandia National Laboratories, Prevention First 2006 Symposium, September 2006.

⁶ [“Progress Made, but Further Actions Needed to Secure the Maritime Energy Supply.”](#) testimony before Subcommittee on Oversight, Investigations, and Management, Committee on Homeland Security, House of Representatives, given by Stephen Caldwell, Director of Homeland Security and Justice Issues, Government Accountability Office, 24 August 2011.

^{vii} [Port Authority Scoping Comments](#) on Port Ambrose application, 16 July 2013, R.M. Larrabee (Director, Port Commerce Department), "USCG-2013-0363-0334" on [regulations.gov](#), p. 3.