



Resolution Approving KeySpan Gas Transmission Main Reinforcement Project Phases IV and V and Adopting SEQRA Findings Statement

*Central Pine Barrens Commission Meeting of June 15, 2005,
Southaven County Park, Victory Avenue, Yaphank*

Commission members present: *Mr. Scully (for New York State), Mr. Deering (for Suffolk County), Mr. Turner (for Brookhaven), Mr. Kent (for Riverhead), and Mr. Shea (for Southampton).*

Whereas, the KeySpan Corporation, on December 19, 2003 applied to the Central Pine Barrens Joint Planning and Policy Commission seeking an approval pursuant to Article 57 of the Environmental Conservation Law to undertake a development project known as the KeySpan Energy Delivery Long Island Gas Transmission Main Reinforcement Project Phases IV and V, (the Project) involving the construction of a natural gas transmission main in the Central Pine Barrens, and

Whereas, KeySpan, on March 2, 2004, supplemented their December 2003 submission with an Environmental Assessment Form analyzing the impacts associated with 5 potential routes for Phase IV of the Project and one route for Phase V, and

Whereas, the Commission, in response to EAF circulated a lead agency coordination letter and no objections were received to the Commission acting as lead agent for the Project, and

Whereas, KeySpan, after determining that its preferred route for Phase IV identified in the March 2004 EAF was not feasible, submitted a second EAF to the Commission on September 3, 2004, which identified three potential routes for Phase IV and the same route for Phase V, and

Whereas, the Commission again coordinated review and no objections were received to the Commission acting as Lead Agent on the revised Project, and

Whereas, the Commission, on October 20, 2004, held a public hearing on the Project and the hardship waiver, and

Whereas, the Commission, on November 17, 2004 issued a positive declaration on the Project and required a Draft Environmental Impact Statement ("DEIS") on the Project, and

P.O. Box 587
3525 Sunrise
Highway
2nd Floor
Great River, NY
11739-0587

Phone (631) 224-2604
Fax (631) 224-7653
www.pb.state.ny.us

Whereas, the Commission, on December 15, 2004 issued a final draft scope on the Project, identifying those items to be addressed in a DEIS, and

Whereas, KeySpan, on January 5, 2005, provided the Commission a proposed DEIS on the project identifying Route E, Mill Road, as KeySpan's preferred route for the Project, and the Commission reviewed the DEIS to determine whether it is adequate for public review pursuant to 6 NYCRR Part 617.9(a)(2), and

Whereas, the Commission, on March 4, 2005, identified minor deficiencies in the proposed DEIS to be addressed prior to the Commission's March 9, 2005 work session, and prior to the March 9, 2005 meeting KeySpan addressed the deficiencies to the Commission's satisfaction, and

Whereas, the Commission, on March 9, 2005, accepted the DEIS as adequate for public review pursuant to 6 NYCRR Part 617.9, and determined that a public hearing would aid in the decision-making process by providing a forum for an efficient mechanism to collect public comment on the DEIS and to allow KeySpan the opportunity to address the hardship waiver criteria of Article 57, and

Whereas, the Commission, on April 20, 2005, held the public hearing and held the comment period on the Project open until May 2, 2005, and

Whereas, KeySpan, on May 13, 2005, delivered to the Commission a Draft Final Environmental Impact Statement (DFEIS) in electronic format addressing the comments received by the Commission, and

Whereas, the Commission, on May 18, 2005, scheduled a meeting for May 31, 2005 to decide whether to accept the FEIS as prepared by KeySpan Corporation and on May 24, 2005, KeySpan addressed minor discrepancies identified in the FEIS by the Commission, and

Whereas, the Commission, on May 31, 2005 accepted the FEIS, and

Whereas, the Commission has afforded agencies and the public a reasonable time period of not less than 10 calendar days to consider the FEIS,

Now, therefore, be it

Resolved, the Commission adopts the Findings Statement prepared for the Project attached hereto and made a part hereof, and be it further

Resolved, the Commission grants the hardship waiver for Route E of Phase IV and Phase V of the Project as provided for in the Findings Statement, and be it further

Resolved, the Commission incorporates those mitigation measures identified in the Findings Statement as conditions to the hardship waiver granted herein and KeySpan must adopt, implement, and strictly comply with the same.

Record of Motion

Motion By: Mr. Turner

Seconded by: Mr. Shea

Record of Vote:

Yea: Mr. Turner, Mr. Shea, Mr. Scully, Mr. Deering, and Mr. Kent

Nay: None