

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
August 8, 2016

Intro. No. 25
Approved by Committee DAF- Individually
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: ____ Ayes to ____ Noes
Name of Noes _____

RE: RESOLUTION RENEWING SUPPORT FOR FINGER LAKES LPG STORAGE'S LIQUID PETROLEUM GAS PROJECT AS MODIFIED AND CALLING FOR GOVERNOR CUOMO TO ALLOW THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO ISSUE NECESSARY APPROVALS

WHEREAS, in October 2009, Finger Lakes LPG Storage ("Finger Lakes"), a subsidiary of Crestwood Midstream Partners LP (formerly known as Inergy Midstream, L.P.) submitted an application to the New York State Department of Environmental Conservation ("DEC") to construct and operate an underground Liquid Petroleum Gas ("LPG") facility in caverns developed on US Salt property in the Town of Reading (the "Project"), and

WHEREAS, the Schuyler County Legislature in June of 2014 elected to take a position in support of the Project based on its faith in, and assumed objectivity of, the DEC permitting process, and its own review of the relevant facts associated with the Project, and

WHEREAS, following the issuance by the DEC of a draft storage permit for the Project in November 2014, the DEC staff has repeatedly publicly defended the draft permit, endorsed the technical aspects of the Project and rejected or rebuffed each claim made by groups opposed to the Project, and

WHEREAS, subsequent to both the DEC and Legislature's action, there has been well organized opposition to the project based on perceived public safety threats centering around transportation and overall scope of the Project, and

WHEREAS, continued opposition in the form of civil disobedience has strained County law enforcement resources while adversely impacting public safety and County taxpayers, and

WHEREAS, the Schuyler County Legislature considers the safety and wellbeing of its residents and visitors, preservation of natural resources, and the economic impact of tourism related industry and activity to be among its greatest priorities, and while originally satisfied that the proposed project would not adversely impact same, in the interest of being responsive and representative has sought modifications from Finger Lakes to directly address concerns raised by opponents of this Project, and

WHEREAS, the Legislature has proposed the following modifications to the original scope of the project to include:

1. Reduction of propane storage capacity from 2.1 million barrels to 1.5 million barrels, eliminating storage of butane;
2. Elimination of the proposed brine pond on the lakeside of State Rt. 14;
3. Eliminate the construction of rail transportation infrastructure and transport by rail;
4. Eliminate the construction of truck transportation infrastructure and transport by truck;
5. Provide resources to support community initiatives to monitor and improve Seneca Lake water quality, and

WHEREAS, Finger Lakes has agreed to all of the aforementioned conditions and has notified the DEC of its plan to modify the storage project accordingly, and in so doing has demonstrated a genuine desire to be responsive to community concerns, both real and perceived, and

WHEREAS, Crestwood Midstream Partners LP, in addition to being responsive to community concerns is Schuyler County's largest taxpayer and one of its largest employers; and the Project if approved will only enhance that position, and

WHEREAS, the Project, if approved will ensure a redundant supply of propane for local businesses and residents, helping to meet our current and future energy needs.

NOW, THEREFORE, BE IT RESOLVED, that based on the facts set forth above, the Schuyler County Legislature concludes that Finger Lakes, through its submissions and compliance with all regulatory requests, including its most recent agreement to change the scope of the Project, has adequately responded to all legitimate community concerns and that the caverns to be used for LPG storage are well-suited for such use, and

BE IT FURTHER RESOLVED, that given all of the information supplied to the DEC supporting the Project and the time which has elapsed since the Application was submitted and the public hearings held, the Schuyler County Legislature hereby requests that the DEC finalize its review and make a final SEQRA determination and issue Finger Lakes the permit requested, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor Andrew M. Cuomo, DEC Commissioner Basil Seggos, Administrative Law Judge James McClymonds, State Senator Thomas F. O'Mara, Assemblyman Philip A. Palmesano, and elected officials in the Town of Reading and Village of Watkins Glen.