

TransGas Energy Responses to New York State Department of Public Service Staff Comments on
Public Involvement Program Description in TGE's Preliminary Scoping Statement

SECTION 4.0 PUBLIC INVOLVEMENT PROGRAM

1. DPS Comment

The material presented on public involvement indicates that TGE has initiated its PIP with a community presence. It is in the process of establishing a local office and has set up a web site and local/toll free telephone numbers. Initial public contact efforts appear to have been made with a limited number of community representatives by telephone and mail. Many of these contacts seem to have met with opposition. Based on the information provided, it appears that the applicant's PSS has not been prepared with direct input from the general public/stakeholders.

TGE Response

The PSS was prepared with direct input from the general public. For example, the PSS proposes one or more options for waterfront access at the Project site. This proposal is directly related to input received from our preliminary meetings. In addition, the architectural treatment for the initial artist rendering in the PSS is responsive to a concern voiced in meetings that the power plant must be compatible with the waterfront and the community. The statements in the PSS regarding some type of direct community benefit program (Section 4.1.3) are responsive to concerns voiced at meetings as to whether and how the community would benefit.

4.1 Community Involvement Process

2. DPS Comment

TGE should carry out outreach efforts to create public awareness of its proposal not only in areas within the immediate project area, but also in areas adjacent to it, i.e. across the river in Manhattan/New York City and surrounding communities in Brooklyn and Queens. Explain how this will be done.

TGE Response

TGE has begun this process by identifying critical areas of lower Manhattan and adjacent communities in Queens that might either be affected to some degree or would have an interest in the project.

In Manhattan, notices about the first open house and availability of the PSS were sent to Community Board #6, which is on the East River and whose southern boundary is E 14th Street. Since then, we have added the adjacent Community Board #3, also on the East River but from E. 14th Street to the Lower East Side, to our lists. We have also added the local city council representatives – and in light of the recent elections in NYC, will make any modifications to our lists as necessary. Advertisements for the Town Hall Meeting will also be run in two East Side newspapers.

In Queens, we already have the adjacent Community Board #2 on our list. We will add the newly elected council member as well.

In Brooklyn, we have expanded our list to include a larger segment of the Williamsburg community. Our mailing list has expanded from approximately 6,000 to over 27,000, as described in more detail in other responses below.

3. DPS Comment

TGE should demonstrate the evaluation tools it will use to determine the effectiveness of its public involvement message. These tools (such as attitudinal research, surveys, focus groups) should measure the public's awareness of the project and its status.

TGE Response

Everyone who is aware of the project has responded to us via direct mail, email, website and/or at the October 11th meeting. At that meeting, we provided feedback questionnaires on the effectiveness of the meeting as well as comment cards. Very few people filled out feedback questionnaires, but most filled out comment cards or spoke to the court reporter. Since that meeting, we also have team members canvassing the neighborhoods, handing out brochures and talking to residents and business owners in the community. They are writing up their results, which will be put into our monthly reports to DPS, and which results the team will use to modulate its outreach methods.

TGE will also explore the use of surveys to determine the effectiveness of its public involvement message.

4.1.1 Pre-Application Phase: Early Planning, Stakeholder Identification and Informal consultation

4. DPS Comment

Provide copies of all educational materials developed for the project to date. Consider publication of materials in Polish, Spanish and possibly Yiddish - particularly relevant to the Williamsburg area.)

TGE Response

See attached. At the October 11 Open House, copies of the educational materials displayed on poster boards were handed out. A brochure, a copy of which has been provided to Staff, was prepared in English but offers translations on the cover in Polish and Spanish. As the project develops, TGE will produce additional fact sheets on key issues and offer translations in Polish and Spanish. We are exploring whether a Yiddish translation is necessary.

5. DPS Comment

Provide copies of all media coverage on the project to date (press releases, new stories, paid advertisements, etc.)

TGE Response

See attached. We are also awaiting publication of our Letter to the Editor of the Greenpoint Gazette.

6. DPS Comment

Provide project media plan (complete list of all media outlets that will be used on an ongoing basis) and the geographic areas each reaches. Outlets should also cover those that serve the Non-English speaking communities (Polish, Spanish and Yiddish, etc.)

TGE Response

TGE has provided a list of media outlets to DPS for notifications of events. These are:

- 1. Greenpoint Gazette*
- 2. The Merchanteer*
- 3. Nowy Dziennik (Polish Daily News)*
- 4. Waterfront Week*
- 5. Downtown News*
- 6. East Side Resident*
- 7. Our Town (Manhattan's East Side)*
- 8. The Jewish Week and World*
- 9. El Diario*
- 10. Tygodnik Nowozorski*
- 11. Greenline*
- 12. Hoy*

Based on responses (comments, attendance at last meeting, correspondence) to date, the Greenpoint/Williamsburg community is bilingual in English and at least one other language. Polish appears to be the most prevalent to this project. Now that we have expanded our outreach to a larger area of Williamsburg, we will evaluate the need to provide educational materials in Yiddish. Despite the enormous Spanish speaking population of New York City, we do not have enough evidence yet that this project is affecting a largely Spanish speaking population on either side of the East River

7. DPS Comment

Provide information regarding specific outreach and involvement activities that TGE plans to carry out to encourage public participation during the pre-application phase.

TGE Response

Following a meeting at the Brooklyn Borough President's office, where members and representatives of a number of key organizations were present, TGE contacted members of numerous groups and individual representatives of community groups prior to submitting the PSS. No one was willing to meet with us. Now that the PSS has been released and we are receiving specific comments on the preliminary plans, we will again reach out to those people who refused to talk to us. In addition, a TGE representative will be walking the Greenpoint/Williamsburg neighborhood four days a week, handing out materials, informing people about the project and attempting to identify groups or individuals with whom to schedule meetings. We are also sending our responses to the comments received at the Open House to those that provided addresses. We will post our responses to the PSS comments on the website, as well.

8. DPS Comment

Explain how TGE will determine the number and types of meeting formats (town hall, open house, etc.) to be held to ensure optimal outreach to the public.

TGE Response

Our current plan is to hold larger, public meetings at critical intervals of the project, for example: submittal of the application. In between, we would meet with community and civic groups in smaller, less formal settings.

We held an open house format on October 11th. Given the public expressions of opposition to the project prior to and during the open house; and given the proximity of this meeting to the terrorist attacks a month before that, TGE believes that the 100 or so people who attended the meeting was a reasonable attendance. Our next meeting will be publicized to a wider audience, will include time for people to view the same displays that were presented at the open house, and will be followed by a formal presentation and Q&A period. Based on how many people attend and the overall response, we will continue to refine our approach and determine the most effective way to ensure optimal outreach. We will evaluate its effectiveness in consultation with DPS to determine future meeting formats. We are open to suggestions from DPS in this regard.

9. DPS Comment

Provide information about one-on-one and group meetings that TGE arranged with community individuals/organizations since filing the PSS.

TGE Response

As indicated above, we encountered a lot of resistance to one-on-one and group meetings prior to filing the PSS and holding our Open House. Since then, we were able to meet with members of the main and Brooklyn offices of the NYC Department of City planning to present the project. (The meeting took place on November 9th). Their perspective was instructive and they suggested other groups and sources of groups to get in touch with (such as a Hispanic housing organization, United Jewish Organization, and lists of merchant groups). We are pursuing these.

10. DPS comment

Explain how TGE is making the public aware of its willingness to speak to established groups and community.

TGE Response

We contacted dozens of groups prior to filing the PSS indicating our willingness and desire to speak with them. We reiterated this at the open house and will restate it at our next public meeting scheduled for November 28th. Since filing the PSS and holding the public meeting, TGE has held a meeting with local New York City Planning Department Brooklyn office, as indicated above. We are preparing responses to comments based on transcript and comment cards from the Open House. We will be distributing those shortly and will then proceed with contacting individuals and organizations within the community. Our website will be revised to provide an invitation to speak one-on-one or to groups. In addition, TGE's neighborhood representative will attempt to identify groups or individuals who would like to meet with us. Our revised brochure will also include an invitation to meet.

11. DPS comment

Explain how TGE will provide answers to the questions raised by stakeholders at community sponsored meetings as listed in the Summary of Questions Posed during Public Meetings in the Appendix, such as in a Q&A section on its web site, mailer, newsletter, etc.

TGE Response

We are preparing responses to questions raised at the open house via comment cards, transcript, information card request and informal conversations. These will be mailed to attendees who requested copies of the transcript and posted on the website. We will also mail responses to everyone who attended the meeting for whom we have addresses.

12. DPS comment.

Provide information regarding how the general public will be offered an opportunity to participate in the draft stipulation process.

TGE Response

TGE has already offered an opportunity for the public to respond by providing the draft stipulations as an attachment to the PSS. The Task Force has submitted numerous comments to which TGE will respond. In addition, TGE will be circulating a revised draft of the stipulations, based on the comments we have received to date. In coordination with agencies, we will schedule a meeting specifically to discuss the stipulations. TGE proposes that notice of this meeting be sent to everyone who has requested to be on the mailing list, as well as the service list in the PSS. In addition, notice of the meeting will be posted on the TGE website.

13. DPS comment

Provide information about the public and educational programs that TGE is considering coordinating with New York City College, Brooklyn Business Library and Government Library Services.

TGE Response

Contact will be made with these groups to see if there is any interest in sponsoring an educational program about the Project.

4.1.2 PSS Distribution, Notice and Submittal

Mailing List and Database

14. DPS Comment Provide a copy of the current project mailing list (separate from the project's service list).

TGE Response. *This list was provided to the DPS under separate cover.*

15. DPS Comment Explain how residents of the Greenpoint and Williamsburg communities directly surrounding the proposed site have been targeted for the mailing list. Include the criteria chosen to determine the area (radius from project site). Provide plans for ongoing mailing list expansion and stakeholder identification (besides meeting sign-in sheets and toll free hot line/web site inquiries) such as purchasing zip code mailing lists, paid media ads, fliers, post card or web site offer to be placed on mailing list, etc. We note that the mailing for the October 11 Open House meeting apparently was not sent to Williamsburg addresses.

TGE Response

The mailing for the October 11 open house was sent to a limited number of Williamsburg addresses, The mailer being sent out for the November 28th town hall meeting is an expanded list of over 27,000 addresses that includes Williamsburg and Greenpoint. Within that number are 2,351 nearby residences in the four postal carrier routes nearest the Project site. The direct-mail company proposed using the roll of voters who participated in the 2000 presidential election.

With respect to expanding the mailing list and stakeholder identification, every newspaper ad that has been taken out invites people to contact TGE by telephone, fax or via the web site. Furthermore, a brochure has been and continues to be distributed. It has a perforated response card, inviting the reader to respond and have their name added to the mailing list and to receive a variety of information, including an option for information in Spanish and Polish. Future advertisements, mailers, and brochures will contain similar invitations. In addition, the web site invites people to contact TGE, and it will be revised to include an invitation to be put on the mailing list.

16. DPS Comment

Provide information as to how residents of other areas adjacent to the proposed project area, who may see themselves as “stakeholders” in the project, will be targeted for the mailing list.

TGE Response. See response under 4.1 [DPS Question #2]

Direct Mail

17. DPS Comment

Provide a copy of the introductory letter/brochure/newsletter that this section states will be mailed to Greenpoint and Williamsburg residents in each of the languages in which it is prepared. How will this mailing list be assembled? Will bulk copies be supplied to libraries, community centers and community board offices, etc.? If so, which specific drop sites will be used?

TGE Response

The current brochure, a copy of which has been provided to DPS, is being revised. It will be provided to DPS when it is finalized. We are mailing the brochure to the 2,351 residences along the four nearest postal routes. In addition, the brochure will be available at the town hall meeting. It will also be handed out to commercial establishments and residences in the immediate project area. Bulk copies will be supplied to the libraries identified on the service list, as well community centers, churches, and synagogues. This list will be expanded based upon the efforts made by the TGE representative that will be walking the streets of Greenpoint and Williamsburg, handing out brochures, and attempting to identify stakeholders that are interested in meeting with Project personnel.

18. DPS Comment

Please add the following DPS and DEC staff representatives to all mailing lists: Dianne Cooper, Leigh Walrath and Peter Seidman (DPS), and John Cole (DEC).

TGE Response

They have been added to the mailing list.

Web Site

19. DPS Comment

On the Home Page of the web site, a topic button for "Current Events" or "Calendar of Events", etc. should be added and maintained so that viewers find a timely posting of the project's upcoming outreach event(s) and project milestones.

TGE Response

TGE agrees with this suggestion and such a section is being added to the web site.

20. DPS Comment

Provide information as to when the web site will include the document, Frequently Asked Questions & Answers.

TGE Response

TGE expects to add the FAQ to the web site no later than November 21, 2001.

21. DPS Comment

Explain how the availability of the web site will be publicized on an ongoing basis.

TGE Response

The availability of the web site has been and will continue to be announced in each advertisement taken out for the Project; in the current and revised brochures; and will be included in future mailings by TGE. It will also be announced at the town hall meeting and all subsequent public meetings.

22. DPS Comment

Discuss plans to add additional materials to the web site.

TGE Response

TGE intends to post on the web site all comments received on the PSS, as well as our responses (without attachments). We will update frequently asked questions and schedule of events. We will post each revision of the stipulations. Subsequently, we will post the DEC and Article X applications.

Hot Lines

23. DPS Comment

Discuss how the local and toll free telephone and fax numbers will be publicized on an ongoing basis.

TGE Response

The local and toll free telephone and fax numbers have been and will continue to be publicized alongside, and in the same manner as, the web site. See response to DPS Web Site Comment 21 above.

Onsite Office

24. DPS Comment

When will the onsite office be staffed and open to the public?

TGE Response

We expect that the office will be staffed and open to the public, by appointment, by November 15, 2001.

25. DPS Comment

Provide the onsite office's telephone number, hours, staffing pattern, etc.

TGE Response

TGE's representative will be in the community and at the office four days per week, and will be available to meet with members of the public at the office by appointment. The telephone numbers are the same as has been presented in the PSS and in all the advertisements.

26. DPS Comment

Provide information as to how its availability will be publicized on an ongoing basis.

TGE Response

The availability of the office will be publicized on the same basis as the web site and telephone numbers, as described above.

Formal Document Repositories

27. DPS Comment Identify the specific libraries in the Greenpoint-Williamsburg area where the PSS is currently available besides the onsite office and Brooklyn Borough Hall. Provide information as to how this availability will be publicized on an ongoing basis. Discuss the steps that have been taken with the libraries to ensure that the PSS (and application) will be made easily accessible to the public and kept up to date.

TGE Response

Currently, the PSS is available at the following libraries in the Greenpoint-Williamsburg area:

- *Greenpoint Branch, Greenpoint*
- *Williamsburg Branch, Williamsburg*

Copies are also available at the Central Branch and Business Libraries of the Brooklyn Public Library in the Grand Army Plaza.

Additional libraries will be identified and added to the list, as appropriate. The availability of the PSS and application at libraries will be publicized on the website and announced at all public and private meetings.

28. DPS Comment TGE should also consider repositories at a public library and a community board office in Manhattan and in Queens adjacent to the project area to serve as a repository of the PSS (and application). Provide information as to how these additional repository sites will be publicized.

TGE Response

We will select repositories in Manhattan and Queens and report back to DPS. We will evaluate any response we get to our expanded mailers and advertisements in these areas to determine how these repositories should be publicized.

29. DPS Comment Provide copies to both staff and the NYSDPS Central Files Office of the public notice that TGE published of its PSS filing as each actually appeared in all newspapers used.

TGE Response.

This is being provided under separate cover.

30. DPS Comment Please provide staff with draft of application filing notice prior to publication. (Under separate cover, Staff will provide TGE with copies of other Article X Application Filing notices.)

TGE Response. *We will.*

DPS Process Forum

31. DPS Comment After TGE has completed some initial public outreach including public meetings, distribution of written information (mailing, newsletter, etc.), Staff will make arrangements to hold an Article

X process forum. Staff will coordinate with TGE on the choice of site as well as invitation mailing and paid advertisements to publicize the event. TGE will need to provide staff with its mailing list and service list on mailing labels.

TGE Response. *We will.*

Continue Face-to-Face Meetings

32. DPS Comment. Provide more information as to how TGE will continue to reach out to the community groups and publicize its willingness to speak to groups and organizations.

TGE will continue to publicize its willingness to speak to groups and organizations as described above in response to DPS comment #10. As we expand our networks, we will ask individuals and groups we speak to if they know of other groups who might be interested in hearing about this project. TGE will also discuss this further with DPS staff.

4.1.3 Application Phase: Preparation and Submittal of Article X Application

33. DPS Comment. In its application, TGE should document at all its PI activities in a PIP appendix that includes:

1. Detailed and quantifiable information regarding all meetings and attendees;
2. Reports of all of the applicant's PIP activities carried out during the early planning and pre-application phase;
3. Details regarding plans for public information/ involvement activities to be held during the Application phase (separate from the formal application and intervenor process), implementation and construction phases of the project;
4. Copies of all educational materials developed for the project thus far;
5. Documentation of major media coverage since the beginning of the project (press releases, news stories, paid advertisements, etc. (If press releases are used to inform the public, copies of the actual press clipping should be included in the Appendix to indicate that the release reached the targeted group.);
6. Public events/meetings, web site content, public educational materials/project brochures, sample mailings, public communications; and
7. Number of hits and information received from stakeholders on project web site, info telephone line, etc.

TGE Response. *TGE is compiling this information and will continue to compile it throughout the pre-application process. DPS will receive monthly reports summarizing this information. They will also be included in an Appendix to the Application.*

Continued Outreach

34. DPS Comment See comments in 4.1.3 number 3.

TGE Response. *Same response as above.*

Periodic Distribution of Newsletters and Fact Sheets

35. DPS Comment Provide information regarding how often the newsletter will be published and methods of distribution (mail, web site, drop sites, etc.)

TGE Response. *TGE would like to discuss this further with DPS staff. As we evaluate which methods of communication appear to be most effective, we will continue to refine our methods.*

Public Meeting/Open House

36. DPS Comment TGE states that “at least one public meeting will be held following distribution of the PSS and before finalizing the Stipulations and submitting the Application.” This is out of order as it appears in the Application Phase, instead of the Pre-Application Phase. The 1999 Article X Amendment made it the applicant’s responsibility to make the public aware of the stipulations and to offer meaningful opportunities for public participation in the stipulation process - before filing the Application. (A plain language version of the stipulations, posted on the project’s web site and used as a handout when meeting with the public can be a useful tool in helping stakeholders better understand technical stipulations.)

Please see comments in Section 4.1.1, number 8. The public’s opportunities to participate in the stipulation process should be in addition to general project awareness. It does not seem that “one public meeting following the filing of the PSS and before finalizing the stipulations” would be adequate.

TGE Response *TGE always assumed that more than one public meeting would be held, but during the preparation of the PSS it was not possible to pinpoint the dates of future meetings. We held a meeting at the Borough President’s office in the pre-application phase, prior to submitting the PSS. We held a second meeting after filing the PSS. We have a third public meeting scheduled for November 28th and will schedule others at appropriate intervals and after the DPS process forum.*

Media Outreach

37. DPS Comment Please see comments in 4.1.1, number 2.

TGE Response *TGE will continue to provide copies of all media coverage on the project.*

Neighborhood Presence/Community Benefits Programs

38. DPS Comment Provide information regarding community’s response to TGE’s offer of support of waterfront revitalization projects.

TGE Response:

There has been no positive response to date, simply opposition.

Coordination with DPS

39. DPS Comment It is requested that TGE submit a written monthly PIP update and meet with staff on a monthly basis to discuss its PIP efforts.

TGE Response:

We will.

4.1.4 Hearing and Decision Phase

40. DPS Comment In the application filing, TGE should include specific plans as to how it will continue its outreach efforts to keep community members who do not choose to participate as parties or intervenors in the case informed of project progress. The formal application review process does not take the place of public involvement/information efforts.

TGE Response:

We will.

41. DPS Comment TGE's stated plan to distribute a fact sheet and explain the intervenor status/funding is an excellent activity to be carried out in the Pre-application Phase. Discuss how and when it will be carried out.

TGE Response:

The fact sheet will be posted on the website and sent to a mailing list of persons who have expressed interest in the project.

4.1.5 Post Certification Phase: Ongoing Public Participation after the Article X Certification is issued

42. DPS Comment In its application, TGE should demonstrate how it plans to:

1. Involve stakeholders during the Compliance and Implementation phases of the project.
2. Inform communities/stakeholders of its construction schedule prior to and during the project's construction phase.

TGE Response:

We will.