

Introduced by: Mayor
Date: 08/07/18
Action: Adopted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2018-032**

**A RESOLUTION AUTHORIZING THE BOROUGH TO INTERVENE IN THE
MATTER BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION
REGARDING THE ALASKA LIQUEFIED NATURAL GAS PROJECT**

- WHEREAS,** on April 17, 2017, the Alaska Gasline Development Corporation (AGDC) submitted its project application to the Federal Energy Regulatory Commission (FERC or the Commission) for authorization to construct and operate liquefied natural gas (LNG) facilities for a project known as the Alaska LNG Project; and
- WHEREAS,** on May 1, 2017 the Commission issued public notice of AGDC's application and set a deadline of May 22, 2017 to intervene; and
- WHEREAS,** the borough administration determined at that time that intervention was not necessary because there was no reason to believe the LNG terminal site would be moved from Nikiski to another municipality; and
- WHEREAS,** on May 22, 2017, the City of Valdez moved to intervene in the matter proposing Valdez as the best site of the LNG terminal and requesting the Commission to conduct a "more robust analysis" of the Valdez option over Nikiski;
- WHEREAS,** on January 1, 2018 the Matanuska-Susitna Borough (Mat-Su) filed its late-filed motion to intervene in the matter proposing Port MacKenzie as the best site for the project's LNG terminal; and
- WHEREAS,** on February 27, 2018, FERC issued a notice granting Mat-Su's motion to intervene out-of-time; and
- WHEREAS,** on July 13, 2018 AGDC submitted a data request response identified as RFI-528-FERC-20 in Docket Number CP17-178-000 that was filed to address FERC's request to "[p]rovide an environmental and engineering analysis of the site identified by the Matanuska-Susitna Borough on January 9, 2018 at Port MacKenzie, as well as corresponding pipeline route"; and
- WHEREAS,** on July 20, 2018 Mat-Su, through out-of-state counsel, notified FERC that Mat-Su disagreed with "several aspects of AGDC's response" and stated that Mat-Su would file "substantive comments to highlight the incorrect information contained in the response" on or before September 1, 2018; and

WHEREAS, a motion to intervene in this matter now will be “out-of-time” or late-filed per FERC’s deadline of May 22, 2017; and

WHEREAS, further delay in filing a late-filed motion to intervene would be detrimental to the borough’s interests and may result in the borough’s exclusion from participating in this process; and

WHEREAS, under Rule 214 of the FERC Rules of Practice and Procedure, the Commission has authority to approve late motions to intervene; and

WHEREAS, Mat-Su intends to submit comments in disagreement with the AGDC’s chosen Nikiski location on September 1, 2018; and

WHEREAS, keeping the project’s LNG terminal remaining at the Nikiski location will result in numerous areawide benefits to the borough, including but not limited to, an estimated 4,370 jobs added during the project’s construction phase and an estimated 240 permanent jobs added to the borough upon the project’s completion; and

WHEREAS, the administration believes non-intervention would weaken the borough’s position and ability to advocate for the borough’s best interests on this project; and

WHEREAS, it is now necessary to intervene to protect the best interests of the borough and advocate that the best location for the LNG terminal is the Nikiski location; and

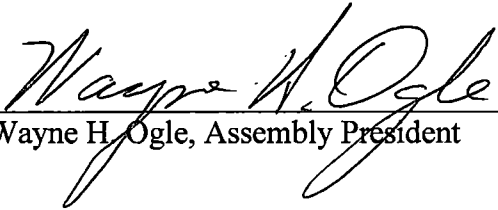
WHEREAS, at its August 6, 2018 meeting the Alaska Liquefied Natural Gasline Project Advisory Committee recommended approval;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The administration is authorized to intervene in the matter before the Federal Energy Regulatory Commission identified as the Alaska Gasline Development Corporation – Alaska LNG Project, Docket Number CP17-178-000 on behalf of the borough.

SECTION 2. That this resolution shall become effective immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF AUGUST, 2018.

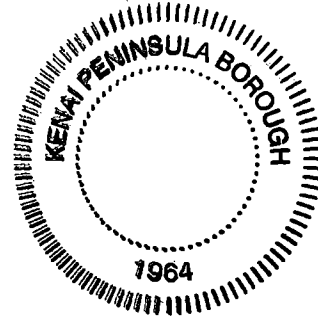


Wayne H. Ogle, Assembly President

ATTEST:



John Blankenship, MMC, Borough Clerk



Yes: Bagley, Blakeley, Carpenter, Cooper, Dunne, Fischer, Hibbert, Smalley, Ogle
No: None
Absent: None