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ORDER OF THE NEW HAVEN BOARD OF ALDERS AUTHORIZING THE MAYOR OF THE CITY OF NEW HAVEN TO ENTER INTO A COMMUNITY ENVIRONMENTAL BENEFITS AGREEMENT WITH GLOBAL NEW HAVEN TERMINALS LLC IN ACCORDANCE WITH THE REQUIREMENTS OF CONNECTICUT PUBLIC ACT 23-202 AND C.G.S. 22a-20a

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WHEREAS, Global New Haven Terminals LLC ("Global Partners") operates a petroleum storage and distribution facility in the City of New Haven (the "City") located at 500 Waterfront Street; and

WHEREAS, Global Partners has proposed the conversion of Tank 123 from distillate (diesel) service to motor gasoline service (the "Project"); and

WHEREAS, Connecticut Public Act 23-202 and Connecticut General Statutes Section 22a-20a requires the preparation of a Community Environmental Benefits Plan and authorizes the execution of a Community Environmental Benefits Agreement in connection with certain environmental justice review processes; and

WHEREAS, the City and Global Partners held three public meetings to discuss the Project and collect input from the community; and

WHEREAS, representatives of Global Partners and the City have negotiated (in the manner set forth in Public Act 23-202 and CGS 22a-20a) a proposed Community Environmental Benefits Agreement (the "CEBA"), in the form submitted to the New Haven Board of Alders (the "Board of Alders") together herewith, concerning the operation of Tank 123 and the provision of environmental and community benefits to neighborhoods surrounding the New Haven Harbor and to the City generally; and

WHEREAS, the CEBA recognizes the shared interest of Global Partners and the City in promoting long-term environmental health, economic vitality, and quality of life in the neighborhoods surrounding New Haven Harbor, including, but not limited to, the Annex, Fair Haven, Fair Haven Heights, Long Wharf, and Wooster Square; and

WHEREAS, pursuant to the CEBA, the City and Global Partners have agreed to establish and fund the Harbor Area Public and Environmental Health Fund ("HAPEHF"), or similar tax-exempt entity, for the purpose of supporting activities that improve air quality, environmental quality, and public health in the City and especially in areas around the harbor that are currently overburdened by pollution, with the expenditure of all HAPEHF monies meeting the statutory "nexus" requirements for CEBA allocation, and with a corporate governance structure that includes representatives from the neighborhoods surrounding the New Haven Harbor; and

WHEREAS, pursuant to the CEBA, Global Partners shall contribute Fifty Thousand Dollars (\$50,000.00) to the City at least fifteen (15) days prior to loading gasoline into Tank 123 and shall

thereafter contribute Forty Thousand Dollars (\$40,000.00) annually, subject to an annual increase as set forth in the CEBA, for each year that Tank 123 remains primarily in gasoline service; and

WHEREAS, the CEBA further contains provisions regarding environmental monitoring, reporting, community communications, and community engagement relating to Tank 123; and

WHEREAS, the Board of Alders finds that the CEBA satisfies the purposes of Connecticut Public Act 23-202 and CGS Section 22a-20a and serves the public interest by providing meaningful environmental and community benefits to residents of the City.

NOW, THEREFORE, BE IT ORDERED by the Board of Alders that the CEBA between the City and Global Partners, in substantially the form submitted with the communication of this Order, be and hereby is approved; and

BE IT FURTHER ORDERED that the Mayor of the City of New Haven (the "Mayor") is hereby authorized and directed to execute and deliver the CEBA on behalf of the City and to execute such ancillary documents, certifications, acknowledgements and such administrative directives as may be necessary or desirable to implement the intent of this Order, including (without limitation) the monitoring, reporting, public engagement and fund administration provisions more particularly described in the CEBA; and

BE IT FURTHER ORDERED that the City is authorized to receive the initial CEBA payment of Fifty Thousand Dollars (\$50,000.00) at least fifteen (15) days prior to loading gasoline into Tank 123; and

BE IT FURTHER ORDERED that the City is authorized to receive annual contributions of Forty Thousand Dollars (\$40,000.00) subject to an annual increase as set forth in the CEBA for each year that Tank 123 remains in gasoline service; and

BE IT FURTHER ORDERED that the Mayor, or the Mayor's designee, is authorized to designate a qualified tax-exempt entity to administer such portion of the CEBA funds as shall be dedicated to the HAPEHF (or similar tax-exempt entity) and to establish procedures governing the allocation and expenditure of such funds consistent with the purposes set forth in the CEBA.