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Hearing on a discussion draft titled “*National Energy Security Corridors Act*”
before the House Committee on Natural Resources, Subcommittee on Energy and
Mineral Resources

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I. Introduction

Good morning. Thank you, Mr. Chairman, Mr. Ranking Member, and Members of the Committee. I appreciate the chance to address this subcommittee about the process for permitting and locating interstate natural gas pipelines. Right now, this is an issue of critical importance to communities throughout Virginia where I live and work.

I would like to bring two points to your attention during my testimony this morning:

- First, the development of large-scale interstate pipelines that cross federal lands in Virginia will have significant impacts on private property and local communities.
- Second, the only responsible way to locate pipeline infrastructure is a deliberate planning process that draws heavily on input from the affected communities.

Unfortunately the proposed National Energy Security Corridors Act does not provide that opportunity. Instead, the legislation would cut the voice of the public out of the siting process, leading to more conflicts and placing greater burdens on private property and local communities.

II. Proposed pipelines that cross federal lands in Virginia will have significant impacts for private property and local communities.

In the last year, companies proposed three large-diameter gas lines across western Virginia. These pipelines, if they are built, would impact some of our state's most iconic landscapes: the Blue Ridge Mountains, the Allegheny Mountains, the Shenandoah Valley, and the New River Valley. They would traverse public lands on the Blue Ridge Parkway, the Appalachian Trail, and national forests. And they would cross many acres of private lands.

The community groups that we work with are deeply involved in two of these projects, the Atlantic Coast Pipeline and the Mountain Valley Pipeline, which are seeking approval from the Federal Energy Regulatory Commission. Both of these projects have encountered broad opposition in the counties that they will cross.

One reason for the public's concern is that these projects will not be innocuous undertakings. Take the Atlantic Coast Pipeline for example. During construction, this pipeline will impact almost 13,000 acres in three states. Any project at this scale would be disruptive. But then this will not be just any project. Much of the route and the routes of the other pipelines will be built on private lands acquired under the threat of eminent domain.

For months, the public has submitted comments to FERC on these two projects. It would be impossible for me to describe all the concerns that have been raised, but I would like to offer several examples.

Landowners whose property is crossed will be the most impacted. In their comments to FERC, landowners have said that they expect their property values will fall or that they may not be able to sell their properties at all. They expect to be unable to obtain insurance at reasonable rates and to have trouble refinancing their homes and farms.

Many landowners are concerned about the springs and wells on their properties that they use for drinking water. One landowner in Lovingston, Virginia, told FERC that the pipeline would pass through four springs and one well—every water source—on his property. Larger communities are also concerned about water. Augusta County, Virginia,

for example, depends on high-yield limestone wells for its municipal water, and the county's experts concluded that blasting and other pipeline construction posed a risk for these wells.

The pipelines will cross many historic properties and archeological sites. These include properties like the Oak Lawn Farm in Monroe County, West Virginia, which the same family has farmed for over 100 years and Monacan Native American sites along the James River in Nelson County, Virginia.

Other landowners have made an investment in decades of deliberate management of their forests for timber which will be cleared for the pipeline. And businesses along the route, like the Fenton Inn in the Blue Ridge Mountains, are concerned about their ability to attract tourists during and after construction.

Pipeline construction does not happen in a vacuum. These projects will have real impacts that must be understood before a route is approved. I have included a sample of comment letters on the Atlantic Coast Pipeline and the Mountain Valley Pipeline as an attachment to this testimony.

III. Virginia needs a regional planning process that fully involves the public.

The Atlantic Coast Pipeline, the Mountain Valley Pipeline, and several other projects were announced in the summer and late-summer of 2014. But of course, they were in development long before then. As local communities scrambled to understand the projects, where they would go, and what the impacts would be, a theme emerged. It became apparent that there was not a common plan for pipeline infrastructure through our region. Instead of a responsible, coordinated planning effort, Virginians are faced with an ad hoc but very large-scale construction program driven by the needs of the companies.

Reports to FERC from the Mountain Valley Pipeline and the Atlantic Coast Pipeline brought this issue into focus. Each company rejected the other's route as too environmentally harmful for their project. Mountain Valley said the Atlantic Coast route would cross more public lands and more streams and rivers. Atlantic Coast said the

Mountain Valley route would be longer and cross more forest lands. Which is it? For the public, there is little belief that these companies have anything other than their own self-interest at heart.

What we need in Virginia right now is a regional plan. We need to know whether the demand for natural gas justifies new pipeline infrastructure in our state. And if a new pipeline is needed, we need to identify a route that is the most protective of private property, local communities, and the environment of the entire region.

This approach only makes sense. We can agree, I think, that responsible, deliberate planning is how we should build large-scale infrastructure that impacts thousands of acres of private and public lands. We should avoid unnecessary construction by answering the question: Do we need a new pipeline? And if the answer is yes, we need to find the best and least harmful way to do it.

IV. The draft National Energy Security Corridors Act is not the responsible planning tool that we need.

The designation of pipeline corridors on federal lands is one possible outcome of a regional planning effort. But this cannot and should not be done without public involvement. Nor should there be an arbitrary, mandatory requirement that ten such corridors be designated in the East.

In Virginia and elsewhere in the Southeast, our public lands are intertwined with our communities. Shenandoah National Park is a critical engine for the economy of the region, and the proposed legislation would weaken the protections for this land. A corridor cannot be sited across a National Park or national forest without immediate direct impacts to the adjacent private properties and local economies.

And our public lands themselves provide important benefits. For example, communities like Staunton, Virginia, and others in the Shenandoah Valley rely on abundant clean water from the George Washington National Forest. In fact, many of the national forests of the Southeast were created specifically for watershed protection.

The proposed act does not provide the planning tool that we need. It puts a finger on the scale in favor of pipeline construction over other uses of public lands, including our National Parks. It cuts the voices of the communities out of the siting process, working with federal, state, and local governments along with industry but specifically excluding any other public input. In effect, a decision to locate a pipeline corridor would ensure that the adjacent landowners and communities would bear the brunt of the project, all without ever having an opportunity to express their concerns.

It is simply impossible for a pipeline company or a federal agency to have detailed information of the kind provided to FERC in comments on the proposed Virginia pipelines. And without that input, the companies and the agencies cannot fully understand the consequences of a decision to locate a pipeline corridor.

V. Conclusion

The deck is already stacked against the public when it comes to pipeline siting. Companies are heavily invested in their projects before public input is solicited. And FERC reviews each proposed project in isolation, never considering a regional plan to ensure the most responsible, least harmful routes are identified. We need to improve this process, not streamline it to the detriment of the public.

In order to get this right in Virginia and everywhere else and minimize the impacts of natural gas pipelines, we need public involvement. Short-circuiting that process will only lead to more conflicts and place greater burdens on private property and local communities.