



**Oral testimony of Maya van Rossum, the Delaware Riverkeeper
On behalf of the Delaware Riverkeeper Network
July 27, 2017 to the NYSDEC
Regarding the Millennium ESU pipeline project.**

Delaware Riverkeeper Network urges you to deny all permits and approvals for the Millennium Eastern System Upgrade.

Millennium is misrepresenting the true size and scope of this project.

As made clear in the expert report submitted by the Delaware Riverkeeper Network, the oversized 36 inch segment of pipe at the Neversink Crossing, alone and in addition to the high level of compression being proposed over such short distance, demonstrates that Millennium is anticipating future expansions.

It is clear Millennium is planning for a mass expansion of the Millennium pipeline, including significant looping along its 220 mile length, to create a future second line.

Furthermore, it is clear that the Valley Lateral Project, the CPV powerplant and the ESU are part of an integrated whole that should be presented and reviewed as a single project.

Millennium has failed to represent the truthful size and scope of the project. NYSDEC does not have full information.

On the project, FERC cannot be relied upon by New York to ensure Millennium is accurately representing its intentions.

In Pennsylvania, FERC deliberately concealed information from the state on an alternative option to the Orion pipeline.

- ⇒ In a draft EA the Delaware Riverkeeper Network secured through litigation discovery, we learned FERC identified an alternative that met the project “purpose and need” and “is technically feasible”.
- ⇒ The alternative “would eliminate the need for 12.9 miles of new pipeline, eliminate 30 waterbody crossings, 13 road crossings, and impacts on wetlands”, avoided disturbance of an additional 222.6 acres of land, over 100 additional acres of agricultural lands, and avoided deforestation of between 9 and 19 more acres of upland forests.
- ⇒ The Alternative was technically feasible, would meet the purpose and need and its environmental impacts would be different and smaller.
- ⇒ However, without explanation, FERC scrubbed this entire section from its final Environmental Assessment that was released to the public and to the State of Pennsylvania.

⇒ The public and state were never made aware of the analysis scrubbed from the Draft EA until DRN litigation uncovered it.

FERC intentionally withheld critical information and facts from the public and the state so as to inappropriately drive the decision to the outcome preferred by the Pipeline company.

There is no reason to believe this kind of deception is not happening here.

NYSDEC should reject any permits and/or approvals for the Millennium ESU and the connected Valley Lateral Project.

We urge NYSDEC to reject all permits and approvals for the Millennium ESU – air permits and water approvals alike.

Respectfully,

A handwritten signature in blue ink that reads "Maya K. van Rossum" followed by a horizontal line.

Maya K. van Rossum
the Delaware Riverkeeper