

***Delaware Riverkeeper Network ~ Berks Gas Truth
NJ Sierra Club ~ Environment NJ ~ Clean Water Action***

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FERC Rubber Stamps PennEast Pipeline Communities Vow They Will Defeat the Project

Washington, DC: The Federal Energy Regulatory Commission (FERC) issued its approval of the PennEast Pipeline at the end of the day Friday, January 19, 2018. FERC's Order issuing the Certificate asserts:

"...we find that the benefits that the PennEast Project will provide to the market outweigh any adverse effects on existing shippers, other pipelines and their captive customers, and on landowners and surrounding communities. Further, the project will result in some adverse environmental impacts, but that these impacts will be reduced to acceptable levels...."

With that, the 116-mile fracked gas pipeline that would run from Luzerne County, Pennsylvania, to Mercer County, New Jersey, along with three laterals extending off the mainline, a compression station, and appurtenant above ground facilities was given its approval by the FERC Commissioners.

"If anyone thought that new leadership from FERC Chairman Kevin McIntyre or the addition of Commissioner Richard Glick was going to make one bit of difference in the indefensible rubber stamp FERC would grant to all pipelines put before it, they should now be disabused of that notion. From a lack of need to its devastating impacts on the environment, to the demonstrated false, misleading and missing information provided by the PennEast companies to FERC, there is no way to support approval of this project. And so our grounds for legal challenge are strong and we will pursue them. We also have many other battle fronts, including preventing permits from the state of New Jersey, defeating permits issued by Pennsylvania, and preventing approval by the Delaware River Basin Commission. We will fight on and we will win," said **Maya van Rossum, the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network.**

"FERC pledged its allegiance to the natural gas pipeline industry once again with its approval of the PennEast pipeline. State and local officials, regulators, experts, affected landowners, environmental advocates, and concerned citizens flooded the docket with pertinent concerns that were ignored or downplayed by FERC in its order issued late in the evening on Friday. It's not much of a stretch to call this

fight PennEast v. Everyone. The opposition to the PennEast pipeline is widespread, dedicated, on the right side of the issues, and more determined than ever to win," said **Karen Feridun, Founder, Berks Gas Truth.**

"FERC's approval of Penneast is despicable because there is no reason or need to approve this dangerous pipeline .Once again they've taken the side of a gas company over the public or the environment. It's outrageous that they snuck this out late at night without even having a public hearing. This approval is flawed, and based on false and missing information, making their approval even shameful .FERC is basically working for the pipeline companies rather than for the people they are supposed to represent. Their application for New Jersey permits were thrown out and other permit applications ruled deficient. It is shameful that FERC can approved this pipeline without even applications for state permits . FERC is the 'Federal Expedited Rubberstamp Commission'," said **Jeff Tittel, Director of the New Jersey Sierra Club.** "Now the real fight begins. We will organize to stop this pipeline that people vigorously oppose. PennEast has a long way to go and many permits to get. We also have a new Governor who opposes the project. We won't stop until we stop this dangerous and unneeded pipeline."

"Despite the impending government shutdown, FERC's rubberstamp was in full swing last night. This was a Friday night environmental massacre. This approval of the PennEast pipeline flies in the face of facts - - this is an unnecessary pipeline which will rip an ecological scar through the heart of the Delaware River valley. FERC is the Sergeant Schultz of environmental permitting -- hear no evil, see no evil. This was a preordained process led by Trump era appointees that gave short thrift to environmental impacts. The woefully incomplete and inaccurate application drew criticism from NJDEP to the Army Corps to the NJ Ratepayer Counsel. It's now incumbent upon the DRBC and the Murphy Administration to stop this environmental monstrosity," said **Doug O'Malley, director of Environment New Jersey.**

FERC Commissioner Glick, a recent appointee to the Commission, dissented from the decision questioning the asserted need for the project and the information provided by the company regarding its impacts:

"In today's order, the Commission relies exclusively on the existence of precedent agreements with shippers to conclude that the PennEast Project is needed.² Pursuant to these agreements, PennEast's affiliates hold more than 75 percent of the pipeline's subscribed capacity. While I agree that precedent and service agreements are one of several measures for assessing the market demand for a pipeline,⁴ contracts among affiliates may be less probative of that need because they are not necessarily the result of an arms-length negotiation."

"PennEast's certificate application lacks evidence that I believe is important to making the public interest determination. The Commission addresses this lack of evidence by conditionally granting the certificate, subject to PennEast's compliance with the environmental conditions. I recognize that the courts have upheld the Commission's authority to issue conditional certificates. Nevertheless, doing so comes with significant consequences for landowners whose properties lie in the path of the proposed pipeline."

Commissioners Chatterjee and Glick both questioned whether it was appropriate to issue the certificate as a means of allowing the company to gain access to properties for purposes of collecting the remaining data it needs to support permit applications.

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