

## **VOICES**

### **Victory Over InFRACKstructure, Clean Energy inStead**

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Contact:

Maya K. van Rossum, the Delaware Riverkeeper, 215-801-3043

### **FERC Is Not Above the Law Says Coalition of 245 Organizations**

*Washington, DC:* In a pointed letter signed by 245 organizations representing communities from across the nation, the VOICES Coalition makes clear to the Federal Energy Regulatory Commission (FERC), and to members of Congress copied on the letter, that FERC is not above the law. The letter was sent in response to a May 18, 2018 FERC *Order Denying Rehearing for Dominion Transmission, Inc.* Docket No. CP14-497-001 in which FERC announced that it would not undertake climate change assessments for the upstream production and downstream use of natural gas associated with the Dominion project, asserting that doing so was outside of the scope of the agency's NEPA analysis obligations. Moreover, FERC declared that from now on, this new policy determination would apply to all natural gas infrastructure projects brought before the Commission for review.

The VOICES Coalition letter states that the 245 organizations signed on:

“... are outraged that the Federal Energy Regulatory Commission (FERC) has misused its authority to categorically deny its obligations under the National Environmental Policy Act (NEPA) and render a sweeping interpretation of federal law that undermines the courts.”

The letter claims that by rendering its determination on Climate Change in the context of a single docket that:

“...FERC has denied the due process rights of communities across the nation that continue to be harmed by its rubber stamp approval of fracked gas pipelines and infrastructure. “

The letter demands rescission of the *Order Denying Rehearing for Dominion Transmission, Inc.* Docket No. CP14-497-001, the docket in which this Climate Change policy was set.

The letter also quoted a dissent issued by FERC Commissioner Glick in which he stated:

“Climate change poses an existential threat to our security, economy, environment, and, ultimately, the health of individual citizens. [And that] ...  
“...the Commission cannot determine whether a natural gas pipeline is in the

“public interest” without considering the effect that granting a certificate will have on climate change.”

“FERC’s refusal to consider the climate changing impacts of pipeline infrastructure is both illegal and immoral,” said **Maya van Rossum, the Delaware Riverkeeper, leader of the Delaware Riverkeeper Network and member of the VOICES Coalition**. “While FERC has a long history of misusing its authority in order to rubber stamp pipeline infrastructure regardless of its impacts on communities or the environment, under Donald Trump the agency has become completely unhinged. We need members of Congress to rise up in defense of our environment, and for present and future generations, by holding hearings into FERC’s abuses so Congress can fully understand and appreciate the depth and breadth of reforms that are needed to reel in this rogue agency.”

"The egregious manner in which FERC has announced sweeping new policy affecting pipelines everywhere inside of an order for one project not only harms those impacted by Dominion; it deprives local governments and communities across the country of due process," said **Keith Schue, technical advisor for Otsego 2000**. "This caustic move which thwarts federal law and the courts, should be vigorously opposed."

"Climate disruption is among the greatest humanitarian issues of our time," said **Joseph Otis Minott, Executive Director and Chief Counsel of Clean Air Council**. "FERC's stubborn insistence on disregarding the law stands in the way of a solution to this global crisis."

“In an abuse of power and shameful move, FERC is siding with the gas companies over the public once again. They changed the rules so that greenhouse gasses are no longer considered. This is not just climate denial, this is manipulating rules to benefit the pipeline companies. Citizen groups and environmentalists have been suing FERC over climate impacts and greenhouses gases in court and have been winning. So now, FERC is trying to change the rules so that it would be easier to rubberstamp pipelines by undermining the public fights in court cases,” said **Jeff Tittel, Director of the New Jersey Sierra Club**. “With FERC’s new rule, we will have more air and water pollution, more fracking, and more destruction of open space from pipelines. That’s why it is so important to fight back. We will continue our battle against FERC until they withdraw this horrible new policy.”

“Denial of fossil fuel contribution to worldwide climate change will only continue to damage our planet and further the eruption of natural disasters, threatening so many lives and homes. FERC needs to come to its senses and see what’s actually happening in the world, not just how they want things to be,” stated **Laura Pritchard from the group Williams Township Against the Pipeline**.

"The responsibility to oversee environmental matters related to natural gas projects and other matters should include consideration of methane, ethane, CO, NO2, volatile organic compounds, all climate-relevant compounds, all air and water pollutants and all of the impacts of climate change as it relates to the regulation of interstate transmission of electricity and natural gas; the review of proposals to build liquefied natural gas (LNG)

terminals and interstate natural gas pipelines," says **Tammy Murphy, M.A., LL.M., Medical Advocacy Director of the Physicians for Social Responsibility – Pennsylvania.**

“This attitude, that we can’t predict the exact amount of greenhouse gas from downstream emissions of pipelines, and therefore we’ll just assume they aren’t significant, is worthy of the three monkeys -- who can’t see, hear or speak evil. We need to be working to see how fast we can retire fossil fuels, and how fast we can replace them with renewable energy, not working to see how far we can drag this dirty, dying industry into the twenty-first century,” offered **Mary Wildfire, a volunteer with OVEC, the Huntington, W.Va.-based Ohio Valley Environmental Coalition.**

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