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Ohio Valley Environmental Coalition

Supporting Organized Voices and Empowered Communities Since 1987

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Talking Points for Mountaineer Xpress/ Gulf Xpress DEIS comments

We request an extension of the comment period on the Mountaineer Xpress DEIS of a minimum of one month.

Some concerned citizens in at least Cabell, Putnam and Roane did not receive copies of the DEIS (hardcopy or CD versions) until 10 days prior to the first public comment meeting (In Hurricane). Public libraries and other interested citizens may have received their copies of the DEIS slightly earlier. This is insufficient time to review a 500+ page document, especially for anyone with a full-time job, health issues, and/or family obligations.

The addition of the Gulf Xpress information into the Mountaineer Xpress DEIS is confusing and necessitates additional time to analyze the DEIS.

Since Gulf Xpress information is included in this DEIS, we request that additional public meetings be scheduled for those communities in Kentucky that would be impacted by that pipeline and its associated compressor stations for the Gulf Xpress. There currently are no meetings scheduled in Kentucky.

The DEIS fails to adequately consider the regional cumulative impact of all the proposed pipeline projects in our region, in terms of potential leakages and explosions, habitat fragmentation, impact on human health, impacts of water resources, and more. FERC should address the fact that this and other pipelines will mean more fracking related activities for already besieged communities. Former FERC Chair Norman Bay is quoted as recently saying, "Even if not required by NEPA, in light of the heightened public interest and in the interests of good government, I believe the Commission should analyze the environmental effects of increased regional gas production from the Marcellus and Utica." The DEIS should heed Bay's comments.

Throughout the DEIS there are statements that this or that impact will be "minimal."

For instance: "Emissions generated during operation of the pipeline portion of the MXP would be minimal, limited to those from maintenance vehicles and equipment and fugitive emissions."

How can FERC conclude the assorted activities declared to have minimal impact would in fact have minimal impact when the DEIS has persistently failed to examine cumulative impacts?

The DEIS on MXP fails to address the cumulative impacts on the air, water, land and communities of other oil and gas activities added into this proposed activity.

Mark west plant ignored, compressor stations ignored... loads ignored!

The DEIS says:

In accordance with NEPA, we considered the cumulative impacts of the MXP and GXP and other projects or actions in the area of each ...

... We recognize that oil and natural gas exploration and production activities are ubiquitous in many of the counties crossed by the MXP. Oil and natural gas exploration activities include improvement or construction of roads, preparation of a well pad, drilling and completion of wells, and construction of gathering systems and consequent rights-of-way. We have not examined the impacts associated with these activities to the same extent as the other projects identified in table 4.13-2 because the status, scale, and timing of these facilities are unknown.

That's a stunningly poor excuse. If one bothers to look, one will find the "unknown." For instance, the DEP Office of Oil and Gas has air quality information numerous well pads and compressor stations. The DEIS must not ignore this data.

The DEIS fails to examine the real possibility of over-capacity, that is too many pipeline built and too little available gas to move through the pipelines.

Climate change impacts from these proposed pipelines, coupled with all other proposed pipelines in our region, should be a major focus of the DEIS, but the DEIS fails to address what impacts this pipeline buildout will have in terms of increasing climate change. Methane and other emissions resulting from increased drilling of the state's shale fields, which would be brought on by having these exporting pipelines built, would contribute significantly to global climate change.

Former FERC Chair Norman Bay is quoted as recently saying, "The use of natural gas, and the resulting methane releases from venting and leakage, is now the primary driver of the increasing climate crisis. Rather than increase the development of natural gas infrastructure, the Commission should take the lead in reducing it significantly." The DEIS should heed these words and should include a thorough analysis of climate change impacts.

The DEIS fails to adequately consider the impacts to the Ohio River—the tap water source for three to five million people. This project jeopardizes the Ohio.

The DEIS should examine whether there really is a "need" for this pipeline, and define what is meant by the word "need" and note whose "needs" are being served.

The DEIS should examine the legal and constitutional ramifications of allowing a for-profit corporation to use eminent domain to seize land, especially when that seizure is conducted under the false banner of "national energy security."

The DEIS fails to honestly examine alternatives. One alternative is to build renewable energy projects in lieu of these pipelines. The DEIS should consider whether there are alternatives for energy production, not specifically delivering natural gas to a certain location.

We note that these critical aspects of project planning are still lacking:

- landslide risk assessment and mitigation plans
- full mapping and analysis of groundwater/well sources
- stream crossing restoration plans
- HDD Inadvertent Return Contingency Plan for the Kanawha River crossing
- other hydrological reports and plans
- invasive and noxious weed infestation plans
- endangered species reports, including USFWS' determination for the MXP impacts on the diamond darter, multiple species of endangered mussels, the Indiana bat and Myotis bats
- Traffic management plans
- noise level evaluations and mitigation plans
- archaeological and cultural resource surveys

We disagree strongly with this statement on cumulative impacts, found on p. 42:

The majority of cumulative impacts would be temporary and minor when considered in combination with past, present, and reasonably foreseeable activities. Minor or negligible cumulative impacts could occur on geological resources, soils, water resources, land use, visual resources, air quality, and noise. However, some long-term cumulative impacts would occur on upland forested vegetation and associated wildlife habitats. Some short- and long-term cumulative benefits to the communities in and around the MXP and GXP project areas would be realized through jobs, wages, purchases of goods and materials, and annual property taxes paid by the Companies.

We know that construction jobs on the pipeline route will be of a temporary nature and often out-of-state contractors will be supplying these jobs. As for property taxes, we are doubtful that any easement property taxes paid by an interstate pipeline company would adequately compensate communities that could be adversely affected by the installation or operation of these pipelines. We are also well aware that the contents of this pipeline seem primarily destined for international export, not for domestic usage.

We question whether adequate evacuation and/or crisis plans have been developed to protect citizens and property in all communities to be impacted by these pipelines. Without plans in place for a two mile evacuation zone around the entire route of the pipeline, communities could be at risk of serious financial and physical harm.

We agree with this statement, found on p 44:

The MXP's impacts on upland interior forest habitat and large Core Forest Areas (including habitat for the cerulean warbler) would be significant.

and this:

[There are] 40 project-specific mitigation measures that the Companies should implement to further reduce the environmental impacts that would otherwise result from construction and operation of the projects. We conclude that these measures are necessary to either augment the environmental record for the projects or to reduce adverse impacts associated with the projects; and, in part, we are basing our conclusion on the successful implementation of these measures. Therefore, we recommend that these mitigation measures be attached as conditions to any authorization issued by the Commission. These recommended mitigation measures are presented in section 5.2 of the draft EIS.

We want to raise questions as to the effectiveness of these mitigation plans, and also to the issue of who will enforce that these plans get carried out prior to, during, and after the start of any construction?

We request that additional filings from Columbia Pipeline group be made public and that there be further public input opportunities on the companies' additional submissions and on any route changes.

We would like to emphasize our request for an extension on this comment period until these important documents and mitigation plans are entered into the public record and available for public comment.

We request that Columbia be required to provide pre- or baseline testing of all wells and ground-water sources located in the path of the proposed pipeline route, and we feel that 150 feet is not a sufficient distance to extend this testing; we would request that all wells and springs utilized for human consumption be tested within a mile radius of the pipeline.

We need to stress again that the location of the Kanawha River crossing (or tunnel) is problematic. The river is very shallow in that area, (averaging a depth of between 12 and 16 feet), meaning that any increase in

sedimentation could be devastating to the channel of this major waterway, which is used for both commercial and recreational transportation of citizens, and barge-loads of commercial products. Increased sedimentation and pollution in this area could also be devastating to aquatic and amphibious wildlife populations in the area. Birds and bats may also be impacted.

The location of the proposed pipeline's traverse to and from the Kanawha River banks is also problematic. On the Midway, WV, side of the river, the proposed pipeline markers are located very close to a populated area that includes many single family homes, (some with well water), churches, and a greenhouse operation, (Gritt's Midway Greenhouse), that is one of our larger in-state fresh food and plant providers. On the Frazier's Bottom, WV, side of the river the proposed pipeline's markers are very close to an industrial facility—FL Smidth—that manufactures mining equipment and sources cement operations. Local residents report that this plant frequently “lets off blasts” which sometimes shake the walls and windows of their homes. One resident who lives on the other side (Midway) of the river from the plant reports hearing and feeling these blasts frequently (more than once a week). Also on the Frazier's Bottom side of the river, there is an industrial park that contains other businesses, including two food warehouses. There appears to be a small wetlands area near this Industrial Park that is adjacent to markers for the proposed pipeline route. There are also active CSX Railroad tracks, and at least one gas station within this area we have described that is within 500 feet of the pipeline's proposed crossing of the Kanawha River.

The existing pipeline (SM-80 and SM-80 Loop) that the MXP project is proposed to connect to in Cabell and Wayne Counties, WV, is of indeterminate age and, while some segments are being renovated, there is no public information on the condition of the existing line traversing our more densely populated counties. Until the entire length, condition and dimensions of this existing pipeline infrastructure are disclosed to the public, we recommend a denial of the FERC application.

The MXP is proposed to cross under a major highway—Interstate 64—in between Hurricane, WV and Milton, WV. This is a very heavily traveled stretch of interstate. Truck traffic on this highway – often bumper to bumper – includes daily transport of industrial chemicals and petroleum products. Any rupture of a pipeline in this area could have catastrophic consequences.

The terminal compressor station for the proposed MXP route is very close to the Tri-State (Huntington, WV) airport, near some suburban residential communities and near the Huntington, WV Veterans Administration Hospital; the air emissions from this station pose a potential public health hazard of catastrophic proportions.

There is no apparent plan for the petroleum resources shipped by this pipeline to be utilized in our state or region. The Columbia MXP appears to be an interstate transport line – in that the Gulf Xpress and the Leach Xpress lines connect into the same system. We believe these pipelines will primarily take our natural resources to export terminals along coastal areas of the country. In conclusion, we believe the potential cost in terms of environmental destruction and endangerment of human health and life is greater than any potential economic benefit to this state or region.

The DEIS fails to evaluate all the ecosystem services and their dollar value that will be eliminated or impacted by the construction, maintenance and operation of this pipeline. Ecosystem services include such services offered by, for instance, intact forests, such as flood control, erosion control, water purification and atmospheric purification. These are real services with extreme economic value.

The DEIS fails to examine the capacity and ability for first responders (often volunteers) and nearby hospitals to respond if/when there is an explosion on the pipeline.