



## **For Immediate Release**

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### **The Delaware Riverkeeper Network Charges FERC and Millennium with Misleading the Public on the True Size and Scope of Millennium's Pipeline Expansion in Attempt to Avoid Full Environmental Review**

**Bristol, PA**—The Federal Energy Regulatory Commission (FERC) has filed an Environmental Assessment (EA) for the Millennium Pipeline Company's Eastern System Upgrade Project (ESU) that misrepresents the actual size of the intended project and the very serious environmental and community footprint it will inflict, according to comments filed by the Delaware Riverkeeper Network. Independent expert analysis, conducted by Accufacts Inc., of the Project's recently released Critical Energy Infrastructure filings, confirms that Millennium has improperly split the ESU from the overall planned expansion of its natural gas pipeline system in an attempt to avoid a more rigorous comprehensive environmental review of the project's construction, operation and maintenance. The full comment can be found here: <http://bit.ly/DRNCommentMillenniumEA>

"We believe that Millennium is not only engaged in a deliberate deception as to the scope of its project today, but has, in the past, engaged in similar misleading behavior and as a result has been able to piecemeal together a series of approvals that it could not have received had FERC been aware of the full extent of the project plans the Millennium was seeking to pursue," said **Maya van Rossum, the Delaware Riverkeeper** and leader of the Delaware Riverkeeper Network (DRN). "Based on all the information we have seen, and a report from our expert, it is clear to us that Millennium preparing to build a whole second pipeline, parallel to the current one, which would inflict tremendous additional harm on our forest, wetlands, waterways, homeowners, businesses, and local government coffers."

According to the comment, evidence on the record supports the Delaware Riverkeeper Network's contention that the Millennium ESU, Valley Lateral and CPV projects are part of an integrated whole that FERC is required to review as a single project, and that "further expansion projects are likely or already planned in the future operation of Millennium Pipeline."\*

The oversized pipe proposed for the ESU is inconsistent and incompatible with the rest of Millennium's system. This, in connection with the high level of compression being proposed over such a relatively short distance, demonstrates that Millennium is planning for a mass expansion of the Millennium pipeline, including significant looping to create a future second line similar to what Tennessee Gas Pipeline Company did with their 300 Line System. This type of segmentation of

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smaller projects to avoid proper environmental scrutiny was the subject of the Delaware Riverkeeper Network's successful lawsuit against the Federal Energy Regulatory Commission in 2014 over the 300 line System. \*The Accufacts report can be read here: <http://bit.ly/MillenniumESUAccufacts>

In addition to the unlawful segmentation of the project, the DRN comment and supporting expert reports find that the impacts of the project, as it is currently represented, to the environment, the economy, public health, and the climate, are far greater than what FERC claims in the EA.

Of the project's many unavoidable impacts to protected streams, wetlands, groundwater, and endangered species, the comment highlights the damage the project would inflict through the proposed horizontal directional drilling (HDD) under the protected Neversink River, a habitat for the endangered Dwarf Wedgemussel. FERC and Millennium have identified this crossing as part of their preferred route for the ESU, despite acknowledging the appreciable risks from HDD in terms of bentonite drilling fluids surfacing within the Neversink River and despite having decided that such a crossing would be "likely to fail" and actively avoiding construction in the vicinity of the Neversink River at least two other times in regards to the Millennium Pipeline construction and subsequent upgrades.

The comment and supporting economic report\*\* also outline the significant costs that the EA fails to account for—including loss in property value, loss of the scenic and recreation tourism revenue, the social cost of carbon inflicted by the project, and resulting losses in tax revenue—totaling between \$4.8 and \$18.8 billion in economic costs over 50 years. \*\*The full report on economic costs from Key-Log can be found here: <http://bit.ly/MillenniumESUEconCosts>

Further, an independent review of public comments to FERC regarding the ESU, done by Key Log Economics, found that at least 90% of commenters are opposed to the project. Under the National Environmental Protection Act (NEPA), the Commission must consider and address all relevant concerns in public comments it receives as it follows the NEPA process. The EA completely ignores the majority of public concerns and fails to evaluate or address many of the public's concerns. The Delaware Riverkeeper comment charges FERC with illegally neglected its NEPA duty to consider and address relevant issues raised in public comments. The Key-Log Comment Analysis Report can be found here: <http://bit.ly/MillenniumESUCommentAnalysis>

The Delaware Riverkeeper Network's comment to FERC on Monday followed three letters sent last week urging:

- New York Attorney General Schneiderman to undertake a full investigation into the scope of Millennium's planned expansion;
- New York State Department of Conservation to reject the Clean Water Act and Clean Air Act permits currently under their review, and
- The Delaware River Basin Commission to likewise exercise their jurisdiction in reviewing and ultimately rejecting the misrepresented project.

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## **About the Delaware Riverkeeper Network**

Delaware Riverkeeper Network (DRN) is a nonprofit membership organization working throughout the four states of the Delaware River Watershed including Pennsylvania, New Jersey, Delaware and New York. DRN provides effective environmental advocacy, volunteer monitoring programs, stream restoration projects, public education, and legal enforcement of environmental protection laws.