

Joint Press Release

**Delaware Riverkeeper Network = New Jersey Highlands Coalition
NJ Sierra Club**

For Immediate Release

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Federal Court Denies Injunction To Stop Northeast Upgrade Shale Gas Pipeline While Legal Challenge Pursued

Washington, DC: In a *per curiam* order issued today by the federal Court of Appeals for the District of Columbia, the Court denied the emergency motion for stay filed by Delaware Riverkeeper Network, New Jersey Highlands Coalition, and the Sierra Club, New Jersey Chapter to enjoin the Federal Energy Regulatory Commission's order allowing construction to proceed on the Tennessee Gas Pipeline Company's Northeast Upgrade Project. The Court's order stated only that "Petitioners have not satisfied the stringent requirements for a stay pending court review."

According to **Maya van Rossum, the Delaware Riverkeeper**: "We are extremely disappointed that the federal court has rewarded the gamesmanship of the Federal Energy Regulatory Commission by denying our motion for stay. FERC is charged with acting in the public's interest in certifying interstate natural gas pipelines. Instead FERC, totally captive to the interests of pipeline companies that damage and destroy public resources and private property for their own gain, not only rubberstamped the TGP NEUP with a legally deficient environmental analysis, but also barred us from the courthouse door until a full month after it authorized TGP to start construction. Regardless of this setback, we believe we will ultimately succeed on the merits in proving that FERC violated both the National Environmental Policy Act and the Natural Gas Act in certifying the NEUP. The problem is, at that point, the public will also have lost more than it can ever get back. FERC and the Courts are supposed to protect and serve the public; but it seems that at every turn they are protecting and serving the pipeline companies and gas drillers."

"All this means is that we are going to redouble our efforts to stop this pipeline in court and

in the court of public opinion. We will continue working to prevent fracking and this pipeline from threatening the drinking water for 2.5 million people in New Jersey and creating a scar through the some of the most environmentally sensitive lands anywhere. This is just the beginning, this is still the wrong pipeline in the wrong place," **said Jeff Tittel, Director, NJ Sierra Club.** "We believe FERC did not do its job. They both violated NEPA and the Natural Gas Act. We will continue this court battle until we win. Our future is too important not to."

Tennessee Gas Pipeline Company's Northeast Upgrade Project (NEUP) is an interstate transmission line upgrade project. The NEUP is the final pipeline upgrade project in TGP's multi-stage 300 Line upgrade project, although TGP has tried to disguise the interdependence of its 300 Line upgrade project components to avoid critical environmental regulation and oversight. The project includes pipeline drilling activities under the Susquehanna and Delaware Rivers, significant new grading and clearing of previously undisturbed forested land and steep slopes, 90 stream crossings, 136 wetland crossings, and 450 acres of land development within the Delaware River watershed alone. Highpoint State Park and Delaware State Forest are among the public lands that will be damaged by the project.

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