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Good morning, I am Maya van Rossum, I am the Delaware Riverkeeper. My organization is the Delaware Riverkeeper Network. Today I will speak to just 3 of the myriad of problems we have experienced with FERC.

#1

In assessing pipeline proposals FERC adopts, as its own, the claims and information provided by the pipeline applicant, even when faced with evidence that the information is false and/or deficient in critical ways.

FERC's DraftEIS for the PennEast Pipeline was so embarrassingly poor that it was questioned by 9 federal and state agencies and thousands of public comments.

The PennEast DraftEIS failings included:

- Embracing claims of economic benefit while ignoring economic damages, including up to \$178 million in lost property value that will result;
- Ignoring the loss of \$53 million over 20 years of ecosystem services because of pipeline construction, including harms to drinking water, food supplies, recreation and nature dependent jobs;
- Relying upon blatantly false information, for example:
 - Accepting PennEast's assertion that along one 0.5 mile stretch of pipeline there were only 2 vernal pools and groundwater seeps when DRN monitoring found at least 12;
 - Asserting there were no private water supply wells or springs located within 150 feet of proposed pipeline construction, while just a cursory analysis found 10 confirmed or likely wells;
- FERC routinely ignored missing information, including:
 - the 8 threatened, endangered, or special concern mussel species that could occur in the pipeline path but were never even mentioned;

- the impacts from the estimated 3000 gas wells the pipeline will cause to be drilled and fracked.

How is it that the public and other agencies can find such significant deficiencies but FERC can not?

#2

FERC routinely embraces pipeline company claims of need which advance corporate goals rather than the public good or need.

FERC's PennEast DEIS asserts the project is needed:

- to “provide low cost natural gas”;
- to displace Gulf Coast gas with Marcellus shale gas;
- to “provide enhanced competition among natural gas suppliers and pipeline transportation providers”;
- to supply “flexibility”, “diversity”, and better pricing.

These are clearly corporate goals and gains, not public goods or needs.

It is neither morally nor legally legitimate for FERC to approve construction of a pipeline project, granting exemptions from state and local laws, giving the power of eminent domain, approving un-mitigatable and irreparable environmental and community harms, so a company can achieve corporate goals of greater profits and a competitive edge.

#3

After approving pipeline projects, FERC strips people of their right and ability to challenge the approval before the pipeline company gets the power of eminent domain and is given authority to begin construction.

FERC intentionally put the Delaware Riverkeeper Network in legal limbo for 15 months, while it issued over 20 Notices to Proceed for the Southeast Leidy pipeline. By the time we were released from that legal limbo, the pipeline company had cut trees along 21 miles of ROW on 209 acres of land, and inflicted irreparable harm to at least 8½ acres of pristine forested wetlands.

FERC's strategy meant that the NorthEast Upgrade Pipeline was fully constructed and in operation by the time the Delaware Riverkeeper Network won our legal challenge against FERC's review and approval, too late for any meaningful remedy.

FERC's routine disregard of facts, law and rights invalidates the integrity and defensibility of all its pipeline decisions.