

OUR CAMPAIGN

The goal of this campaign has been and always will be TO STOP FRACKED GAS INFRASTRUCTURE EXPANSION. New England doesn't need the energy; CT is converting thousands of customers to fracked gas to create a need that doesn't exist; planned export of fracked gas will hurt our economy; and the emissions from methane extraction, transport and use make fracked gas the worst fossil fuel from the perspective of climate disruption. The fracking industry has created a glut of natural gas on the market; the only way for the gas industry to make a profit is to ship the excess gas overseas. What CT, New England, our country and the world need right now is an immediate transition to a 100% renewable energy powered electricity grid. This is a realistic goal that we are seeing in cities in the U.S. and in other parts of the world.

HARTFORD FIGHTS PIPELINE

There have been questions about what is happening in the Hartford area regarding fracked gas pipelines. Certain municipalities, such as West Hartford and Hartford, passed resolutions questioning the need and route of the NED pipeline, and encouraging KM to explore alternative routes. There is language in the Hartford resolution which criticizes the whole endeavor. But local politicians have no authority to block federally approved, interstate pipelines such as the NED. The Hartford and West Hartford councils are using their limited ability to create potential roadblocks for KM. I support their efforts, and appreciate that with limited authority, they are using the strategy that may work on a local level. A current strategy is to pressure the DPH, the state regulatory body with authority over the Class I and Class II protected watershed lands, to rule against the location of the pipeline in MDC lands. The hope is that this strategy can protect those lands from fracked gas, and possibly block the NED entirely. This strategy has some risk. DPH is a state body and has no authority over federally approved projects. If DPH succeeded in getting KM to move the NED pipeline route, then an entire new community of people will be impacted and will have to fight. However, even a re-location of the pipeline would bring delays and the need for KM to explore new routes, possibly new land purchases or other means of taking land which may be challenged in court. Obstruction to KM's plan can be a benefit to the environmental movement.

DEEP IS BEING SUED IN STATE SUPREME COURT

The only state permits that interstate fracked gas pipeline projects require are 401 air and water quality permits issued by DEEP. Because DEEP is the only regulatory body with authority over both the interstate and intrastate pipelines, they are the main target of our campaign, along with their boss Gov Malloy. The CT State Supreme Court just agreed to hear the case against DEEP for their approval of hundreds of miles of brand new (not expanded or replaced) intrastate fracked gas pipeline with no environmental impact statements and no public oversight whatsoever. The importance of this case to the environmental movement in CT cannot be overstated. If DEEP wins, it would effectively render CEPA meaningless. Hopefully, some environmental groups in the state may soon support this lawsuit. DEEP is and should be the target of increasing pressure and strategizing by our campaign, along with the Governor, as they are leading the way for the fracked gas expansion brought by Spectra, Kinder Morgan, Eversource, UI and others.

WE CAN WIN

We are seeing a movement away from fossil fuels and an increased awareness of the urgency of climate disruption. In the last few days, local ordinances were passed in MA and SC to defend private property from fracked gas pipeline. DEEP is being sued; KM can't get property surveys done due to denials by landowners; leaking gas is destroying lives and communities in CA; the stock price of fracked gas companies (and all fossil fuel companies) is plummeting and the stock value of solar is taking off; cities and towns are telling big energy to take a hike. WE CAN WIN. On January 15, 2016 the Sierra Club intervened with FERC against the NED pipeline, with the CT, MA and NY chapters as co-sponsors. The national organization intervened not because NED is a local issue, but because it is a regional project with global implications. The methane emissions will make true greenhouse gas reductions impossible. Now is the time for all environmental groups in CT and New England to take a stand against fracked gas expansion, and to stand together for a sustainable energy policy.

PIPELINE UPDATE ARTICLES FROM CT CHAPTER ONLINE NEWSLETTER

I've been asked to share some of the updates I write monthly for the CT Chapter Sierra Club newsletter, the Quinnehtukqut. The articles are copied below; you can also go to www.sierraclub.org/connecticut; click on the link for Newsletter to read online.

Feb. 2016 SMALL VICTORIES: SIERRA CLUB INTERVENES IN NED/ROCKY HILL FRACKED GAS FIGHT by Martha Klein

Since the Sierra Club Connecticut Chapter launched a Beyond Gas campaign in 2014, there haven't been very many victories. Actually, there's been none. But as everyone from the Pope to the President to the leaders in Paris talk about climate change, there seems to be a sea change happening in the public dialogue about the environment. The media is more frequently quoting people who talk about the need to keep fossil fuels in the ground, about the need to transition to 100% renewable energy, and about the fear of the billions of dollars in stranded assets that fossil fuel companies might leave their investors holding. In Connecticut, Kinder Morgan (KM) wants to expand their pipeline to transport shale gas from the fracking fields in Pennsylvania to the Canadian coast for export. This five billion dollar, ratepayer subsidized transport and export pipeline, called the Northeast Energy Direct, or NED, is encountering numerous snags in its approval process. This is a dramatic contrast to the Algonquin Incremental Market, or AIM pipeline, which was under the radar and was approved last year before the majority of the public were even aware it existed.

Gas Industry/Regulator Pushback

Now that the populace is galvanized around the issue of climate change, environmental protection, and the troubling practice of corporations raiding the public trust, the pushback against the gas industry and regulators is unprecedented. Here are three recent developments. 1. A majority of the landowners along the pipeline route in Massachusetts and New Hampshire have denied KM the right to survey their property, thus creating a delay in the approval process. A delay speaks to the public's distrust of this company, headed by former Enron CEO, Richard Kinder. 2. The town of Deerfield, MA has brought a lawsuit against the Federal Energy Regulatory Commission (FERC), for regulating international commerce as opposed to interstate commerce which is their purview. Their town attorney argues that as the NED is primarily an export pipeline, it falls under the (Department of Energy) DOE's purview, not FERC. 3. The town of West Hartford voted to oppose the location of NED in the Hartford watershed and is pushing for the company to explore alternative routes.

Intervention Follows

Pushing for relocation of unneeded pipeline is not an answer to the economic and environmental problems shale gas expansions invite. On January 15th, the Sierra Club (with the Connecticut chapter as a co-sponsor) intervened in the NED approval process with FERC. As only intervenors have the right to challenge FERC, the fight to stop fracked gas expansion has now been taken up by the largest and oldest environmental organization in the United States. This is a thrilling development and the chapter is proud for the support of the National Sierra Club. Victories are not anticipated, so it was especially exciting and moving to be present at the Rocky Hill Town Council meeting on January 19th, when the council unanimously voted against Pentagon Energy's plan to bring tanker trucks loaded with compressed fracked gas into the town for the purpose of injecting the gas into the soon to be expanded AIM pipeline. This type of gas transport is fairly new and the town council members couldn't find any safety data to inform their decision. The mayor explained her choice to oppose this risky energy project by saying, "When we have to make an important decision like this, we must use our heads, but also our hearts." The room burst into applause following the vote, and townspeople and activists hugged and wept. Politics informed by head and heart is just what the world needs more of right now.

Strategy for 2016

Despite the impressive progress made by environmental groups, the gas companies continue to plan for massive expansions as they work to transport their gas to the coast for export. Here are the issues: 1. Along the pipeline route in Connecticut, public money is being allocated to pay for local conversions to gas. These conversions may be characterized as extortions as heating oil in Connecticut is both cheaper and less carbon intensive than heating with shale gas. The reason is 2% of the heating oil is reclaimed food-grade oil. 2. Ratepayers are paying to convert buildings to use a more expensive, more climate damaging fuel. In the last three years, roughly

57,000 homes or businesses were converted to gas and 75 miles of new mainline and approximately 215 miles of smaller lateral lines were built. Halting these conversions is our objective. 3. Gas pipelines already in place in Connecticut are leaking at a rate of approximately 5% annually. Interestingly, gas companies are allowed to leak up to 3% with impunity and if they leak above 3%, the leaks fall under a self-reporting mechanism. With no real state oversight, gas companies have no incentive to fix leaks, and they pass the cost of “lost and unaccounted for gas,” or leaks, on to the consumer. The gas leaks need to be addressed, and will probably require legislative action to compel the gas companies to change their procedures.

2016 Goals

You may recall that the CT legislature voted to make ratepayers liable for the costs of future interstate pipeline, diminishing needed public investment in renewable energy. Although Commissioner Klee of the Department of Energy denies public investment in fracked gas expansion subverts investment in renewable energy, he is on the defensive by the challenge from the environmental movement. Continued pressure against fracked gas expansion is crucial. Bottom Line: A rapid transition to a 100% renewable energy powered electricity grid is necessary if we are to protect our planet from catastrophic climate change. Let's stop fracked gas conversions, fix leaking pipelines and move the state to a 100% renewable energy economy in 2016.

Jan 2016 REGIONAL COLLABORATION CONFERENCE Strengthening Regional Collaboration to Fight Fracked Gas Pipelines and Infrastructure by Martha Klein

Fighting the expansion of “natural” methane gas infrastructure in the northeastern United States was the topic December 5th and 6th when the Sierra Club Massachusetts Chapter hosted a regional meeting of Sierra Club groups and chapters. The meeting initiated a strengthening regional collaboration within the Sierra Club; many chapters have already been working with other environmental groups, in particular 350.org, but haven't focused on cross-chapter collaborations. Now, this regional Sierra Club alliance enhances our ability and power to influence politicians, regulators, media and the public about the need to stop the fracked gas transport and export infrastructure expansion immediately, and invest in energy efficiencies and 100% renewable power sources instead. Sierra Club members from Maine, New Hampshire, Massachusetts, Connecticut, New York, New Jersey and Pennsylvania attended, as well as National Sierra Club staff from Washington DC and Denver, CO. The conference also afforded the Connecticut Chapter the opportunity to meet with the researcher who has mapped out gas pipeline leaks in Boston. The chapter will hire the research firm to do the same in Hartford. The information on location of leaky pipelines has been instrumental in Massachusetts to proposing state and local legislation that would protect consumers from the cost and the public from the health threats of leaking gas. This model is one the Connecticut Chapter hopes to replicate. Cross-chapter collaboration provides our chapter with the means to learn from and model other successful chapter initiatives.

November 2015 Pipeline Roundup by Martha Klein

Fourteen months ago, the Connecticut Chapter launched the Beyond Gas Campaign, with our allies 350CT and Food and Water Watch. We undertook to educate residents, the media and political and regulatory leaders about the growing opposition to expanded shale gas transport and use. Although it's been a grueling fight at times, a few signs of progress have emerged. In October, the West Hartford Town Council passed a unanimous resolution questioning the safety of and need for the proposed Northeast Energy Direct (NED) project, a Kinder Morgan/Tennessee Gas Pipeline project to increase exponentially the amount of gas carried in enlarged, high pressure lines.

The Hartford Metropolitan District Commission (MDC) had expressed concerns about Kinder Morgan's plan to construct the pipeline through Class I and II lands of the watershed, which are under specific protections of the state Department of Health designed to preserve drinking water standards. According to Scott Jellison, CEO of the MDC, "It appears to the MDC that the initial environmental review process is deficient, that potential impacts to these vital waters resources are not being addressed in any manner and that more public input is essential." Now we wait for the next stage in the federal approval process of the NED, which will be the release of an Environmental Impact Statement from the Federal Energy Regulatory Commission (FERC). Because NED will cross many states, it is approved at the federal level by FERC.

The approval by the Connecticut Siting Council (CSC) of an 805 MegaWatt gas powered plant to be built in Oxford provoked the town of Middlebury and 16 other plaintiffs to bring a law suit against CSC, who approved the new plant under a 15 year old permit that was issued for a facility of half the size. Oxford is a small town and cannot use the massive increase in power that will be produced there; the power is expected to be sent to other parts of New England. Connecticut's Department of Energy (DEEP) has become a big promoter of shale gas infrastructure expansion. DEEP is approving 900 miles of brand new gas pipeline that is being built within the state. It is referred to as "intrastate" pipeline, and since these pipelines don't pass out of Connecticut, there is no federal oversight. In fact, these approvals are occurring secretly, as residents must send Freedom of Information Act (FOIA) requests to DEEP to learn where new intrastate pipeline is being built. An oil distributor trade group in the state, Connecticut Energy Marketers Association (CEMA), brought a law suit against DEEP based on the issue of permits for new shale gas pipeline without any environmental impact statements, a process often standard at the federal level. Although the suit was dismissed in court, CEMA is appealing.

Public Distrust

Further evidence of the growing distrust the public feels for fracked methane gas, is the movement by towns to pass local resolutions against shale gas pipeline expansion and bans on fracking waste. So far, Washington, Mansfield and Coventry have passed resolutions or bans against pipelines and/or fracking waste, and numerous other towns are drafting their own resolutions. Although towns may not have authority to stop interstate pipeline, they can block the importation of fracking waste, a radioactive and toxic substance that is produced during fracking. Gas pipeline construction is driven by the glut of gas on the market caused by fracking and the need of gas distributors to reach new markets. Disposing of the toxic waste could have a chilling effect on the fracking industry. Currently, at least half the methane gas piped into Connecticut comes from fracking fields, and that percentage is expected to rise to close to 100% in the coming years.

Five Interstate Pipelines Connecticut is Confronting

1. Algonquin Incremental Market (AIM). This Spectra Energy project has been approved by FERC and has received its state air and water permits from DEEP. It has begun construction from Willimantic to Danbury and towns in between. Primarily this phase of construction is to "upgrade" regulation stations and a few compressor stations, in preparation for stages two and three of the Algonquin pipeline expansion. Upgrading means more power can flow through the infrastructure, so they are expansions although Spectra avoids that word.
2. Atlantic Bridge. This Spectra Energy project is AIM 2.0. The proposed project runs along an identical pipeline route, but expands pipeline in different areas and adds more horse power to some compressor stations that will already be "upgraded" under AIM. This proposal is beginning the application process.
3. Access Northeast. Spectra Energy proposal, AIM 3.0, runs along the identical map, but this time, adds many (hard to count on the maps but looks like at least half a dozen) gas powered plants to the project. This proposal has been introduced but has not yet formally applied for FERC permission.
4. CT Expansion. A Kinder Morgan project impacts mostly Hartford county up to Suffield and into Massachusetts. The Environmental Assessment (EA) was released on October 23rd by FERC. An EA is a shorter, less comprehensive report than an Environmental Impact Statement (EIS), and the fact that FERC used an EA supports the idea that they are making it easy to get CT Expansion approved. This project is phase one of the expansion of this 50 year old pipeline, for the purpose of "expanded capacity" for transport. Kinder Morgan needs this infrastructure construction to complete the NED. The projects fall on the identical route.
5. Northeast Energy Direct. The NED pipeline expansion is the Kinder Morgan project discussed at the West Hartford community meeting. NED is an enormous expansion that will put clean water at risk in the Class I and II lands in the Hartford watershed and will cause damage in other states. Right now, Kinder Morgan is trying to take public protected land in Sandisfield, MA. Of interest is the fact that a Hingham, MA representative (former pipeline employee) made that legislative proposal. NED is a "capacity" enlarging and transport project. The project does include some laterals, which is to say, smaller offshoots of pipeline that can be used to deliver gas to local areas. But it would be built to deliver more fracked gas to the north for the purpose of export to Canada and overseas.

The excuse for these projects is to increase pipeline capacity. Capacity implies the ability to transport larger amounts. We have known for a year that the purpose of these projects is export. We learned that from the US Department of Energy, who approved the application of Pieridae Energy, a Canadian corporation, to export domestically fracked methane gas from Maine to Canada for the purpose of overseas export. Pieridae will rely on supply from both AIM and NED for its LNG and export facility, now undergoing approval by Canadian regulators. A DOE document dated October 24, 2014, for docket No. 14-179-LNG is an "application...to export natural gas into Canada for consumption and through Canada to Free Trade and Non Free Trade Countries after conversion into LNG by Pieridae...." The DOE states on page 90 of this document that gas for this export scheme will be provided by "a proposed expansion of the Algonquin pipeline system and the M&N pipeline connecting abundant North American natural gas supplies in the Marcellus and Utica regions with markets in the...Maritime provinces." With regard to the NED, the DOE wrote, "The anticipated reversal of the primary flow direction of the Joint Facilities will enable the project to access more New England customers in New Hampshire and Maine and in the Atlantic Canada region....Potential Atlantic Canada customers include...liquified natural gas export projects."

Deception

Although we know the interstate pipelines are being built primarily for export, the argument is made that more methane gas is needed locally. We know this is a fabrication, because the Green Bank has been forced to scale back their rate of conversions of new customers to gas from oil or other forms of home heating. The state has a goal to convert 280,000 new homes and businesses to use of methane gas, which justifies the construction of 900 miles of new intrastate pipeline to create access for these thousands of new customers. But the price of oil has dropped concurrently with the price of methane gas, and for the same reason (fracking). There is no economic benefit at this time to converting to shale gas, although our legislature voted to make us subsidize the conversions. Quite simply, the people of Connecticut don't need all the extra gas or the extra power, but the power companies, including Eversource which owns pipeline, need new and more lucrative markets to deliver gas to.

Challenge the Status Quo

The public money extracted from ratepayers for fracked gas infrastructure expansion should be used to build an efficient and renewable energy economy. The governor and our legislature have burdened us with the economic and environmental costs of increased fossil fuel use and transport, and have denied us access to affordable and safe technology like community shared solar. It appears that many politicians in Connecticut are more responsive to the wishes of their corporate funders than they are to the will of their constituents. We live in interesting times when people are tiring of corporations and politicians enriching themselves at the expense of our natural resources. The Connecticut Chapter has plans to challenge the status quo and we are working to bring forward a clean and renewable energy plan that will work for everyone in the state.