

Indigenous Environmental Network* Sierra Club *Honor the Earth *350Kishwaukee *For Love of Water *Freshwater Future *Madison350 *Wisconsin Safe Energy Alliance *Science & Environmental Health Network *Minnesota Public Interest Research Group *Clean Up the River Environment *MN350 *Athens County Fracking Action Network *Foundation Earth *Fox Valley Citizens for Peace & Justice *InterAmerican Clean Energy Institute *350.org *Bakken Pipeline Resistance Coalition *100 Grannies for a Liveable Future *Natural Resources Defense Council *Corporate Ethics International *Bold Alliance *Center for Biological Diversity *Great Old Broads for Wilderness *IL Climate Activists*National Wildlife Federation*Riverkeeper, Inc.

August 1, 2016

Lieutenant General Todd T. Semonite, Chief of Engineers
U.S. Army Corps of Engineers
441 G Street NW.
Washington, DC 20314

Subject: Public comment on Docket COE-2015-0017 and Environmental Review of Pipeline Expansions under Nationwide Permit 12

Dear Lt. General Semonite:

We write to you because we are deeply concerned by the Army Corps of Engineers fast-track permit for pipelines. Nationwide Permit 12 has allowed the oil and gas industry to build numerous fossil fuel pipelines across the country, even on private property, without any project-specific environmental review or public input process. After years of pipeline disasters—from the massive tar sands oil spill in Kalamazoo, Michigan in 2010, to the recent oil pipeline spills in the San Joaquin Valley and Ventura, CA, to the recent gas pipeline explosion in rural Pennsylvania—our organizations and our millions of members and supporters are concerned about the threat these projects pose to our safety, our health, and the environment.

We urge the Corps to either revoke Nationwide Permit 12 or modify it to prevent the segmentation of pipelines and resume its prior practice of fully evaluating the environmental impacts of individual fossil fuel pipelines

It is the duty of your agency to assess the full range of impacts posed by the entirety of each pipeline project it approves to be constructed and operate in U.S. waterways. Instead, Nationwide Permit 12 is being used to improperly segment major pipeline projects and circumvent critical laws that are designed to protect the public through informed and participatory agency decisionmaking. The Clean Water Act's general permit program was intended for categories of projects that will have truly minimal environmental impacts, like boat ramps, mooring buoys, and some recreational facilities. It was not intended for massive interstate pipelines that transport hazardous fossil fuels for hundreds of miles through communities and waterways and pose grave risks of leaks, spills, and explosions. The Corps' individual permit process is the only way to ensure that the risks and impacts from these projects have been identified, analyzed and properly mitigated, and ensure that the families and communities that

stand to be impacted by a disaster have an opportunity to have their voices heard in the pipeline review process.

In recent years, the Corps has used this permit to fast track the 485-mile Gulf Coast Pipeline, the southern half of the now rejected Keystone XL pipeline, through Oklahoma and Texas by artificially treating it as 2,227 “single and complete projects” that each qualified separately under Nationwide Permit 12. Similarly, the Corps approved the 600-mile Flanagan South tar sands pipeline across Oklahoma, Kansas, Iowa, and Illinois, by considering it as 1,950 separate projects. In these and many other instances, the Corps has approved massive, controversial pipelines following close consultation with project proponents but without any public notice, environmental review, or opportunity for any public involvement whatsoever.

The Corps’ present practice of considering a single oil or gas pipeline as thousands of “single and complete” projects circumvents the environmental review and public input required by the Clean Water Act and the National Environmental Policy Act. As long as Nationwide Permit 12 is being used to rubber-stamp oil and gas pipelines, it ignores the intent of our laws and presents an ongoing threat to our water resources, our communities, and our climate. Pipelines must be evaluated fully and in a transparent manner with opportunity for public input in order to be held to the same national interest and climate standards as the Keystone XL tar sands pipeline.

We look forward to working with the Corps to ensure that our nation’s waterways are protected to the maximum extent practicable.

Sincerely yours,

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cc: President Obama, White House