

Talking points for Atlantic Sunrise and Pennsylvania's Investment in Chesapeake Bay

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The faulty Atlantic Sunrise water quality certificate is at odds with PA's investment in the restoration and protection of the Chesapeake Bay watershed.

- Atlantic Sunrise is located entirely within the Chesapeake Bay watershed¹
- Atlantic Sunrise crosses the Susquehanna River twice and Conestoga River, both of which ultimately empty into the Chesapeake Bay²
- The water quality certificate was issued without an environmental assessment analyzing the impacts to the surrounding environment within the Chesapeake Bay watershed³
- PA is a partner in the Chesapeake Bay Program⁴ and has signed the Chesapeake Bay Watershed Agreement.⁵ The Agreement includes the following goals:
 - Sustainable Fisheries Goal: Protect, restore and enhance finfish, shellfish and other living resources, their habitats and ecological relationships to sustain all fisheries and provide for a balanced ecosystem in the watershed and Bay.
 - Vital Habitats Goal: Restore, enhance and protect a network of land and water habitats to support fish and wildlife and to afford other public benefits, including water quality, recreational uses and scenic value across the watershed.
 - Water Quality Goal: Reduce pollutants to achieve the water quality necessary to support the aquatic living resources of the Bay and its tributaries and protect human health.
 - Toxic Contaminants Goal: Ensure that the Bay and its rivers are free of effects of toxic contaminants on living resources and human health.
 - Healthy Watersheds Goal: Sustain state-identified healthy waters and watersheds, recognized for their high quality and/or high ecological value.
 - Climate Resiliency Goal: Increase the resiliency of the Chesapeake Bay watershed, including its living resources, habitats, public infrastructure and communities, to withstand adverse impacts from changing environmental and climate conditions.
 - Land Conservation Goal: Conserve landscapes treasured by citizens in order to maintain water quality and habitat; sustain working forests, farms and maritime communities; and conserve lands of cultural, indigenous and community value.
 - Stewardship Goal: Increase the number and diversity of local citizen stewards and local governments that actively support and carry out the conservation and restoration activities that achieve healthy local streams, rivers and a vibrant Chesapeake Bay.
 - Public Access Goal: Expand public access to the Bay and its tributaries through

¹ <http://atlanticsunriseexpansion.com/maps/>

² Resource Report 2 -- Water Use and Quality, part 1,
http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20150331-5153

³ It's my understanding that there wasn't an EA done for Atlantic Sunrise, just as there wasn't one for the Leidy Pipeline, so I assumed there wasn't any analysis done on its impacts to the Chesapeake Bay watershed

⁴ <http://www.chesapeakebay.net/about/partners>

⁵ <http://www.chesapeakebay.net/chesapeakebaywatershedagreement/page>

existing and new local, state and federal parks, refuges, reserves, trails and partner sites.

- o Environmental Literacy Goal: Enable students in the region to graduate with the knowledge and skills to act responsibly to protect and restore their local watershed.⁶
- PA must meet nitrogen,⁷ phosphorus, and sediment load limits set by EPA's Chesapeake Bay TMDL
 - o PA is not on track to meet its nitrogen and sediment goals⁸
 - o PA's Chesapeake Bay Strategy (2016) is an attempt to remedy this deficiency but focuses on improvements to agriculture and stormwater runoff⁹
- Atlantic Sunrise would likely contribute to erosion and sediment runoff into the tributaries of Chesapeake Bay during construction as well as operation (due to vegetation clearing of the ROW)¹⁰
- PADEP did not evaluate how the impacts of Atlantic Sunrise would affect the achievement of PA's Chesapeake Bay Watershed Agreement goals or its Chesapeake Bay TMDL goals¹¹
- PA has not committed a set amount of \$ for the restoration and protection of Chesapeake Bay
 - o As a result of PA falling short of its TMDL goals, EPA withheld \$2,896,723 in 2015 federal funding for Chesapeake Bay-related activities¹²
 - This federal funding¹³ was restored after PA released its Chesapeake Bay Strategy (2016)
 - o PA's Chesapeake Bay Strategy (2016) did not include a budget plan or monetary commitments to fund implementation of the strategy¹⁴ and as it turns out, there is a lack of resources in the recent state budget for its implementation¹⁵
 - o In 2014, \$146.6 million (state and federal funding) was spent on programs to address nitrogen, phosphorus, and sediment reduction statewide¹⁶
 - o Since 1985, PA has invested more than \$4 billion through loan and grant

⁶ *Id.*

⁷ <https://www.epa.gov/chesapeake-bay-tmdl>

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<http://files.dep.state.pa.us/Water/ChesapeakeBayOffice/DEP%20Chesapeake%20Bay%20Restoration%20Strategy%20012116.pdf>

⁹ *Id.*

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<http://delawareriverkeeper.org/sites/default/files/resources/Reports/Jane%20Davenport%20ABA%20Paper%20January%2009%202012%20Final.pdf>

¹¹ See fn. 3

¹² See fn. 8

¹³

<http://www.cpbj.com/article/20160202/CPBJ01/160209936/deps-revised-chesapeake-bay-strategy-draws-3m-in-federal-funds>

¹⁴ See fn. 8

¹⁵ <http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=35071>;
<http://paenvironmentdaily.blogspot.com/2016/03/analysis-final-budget-rolls-back.html>

¹⁶ See fn. 8

programs toward Chesapeake Bay restoration efforts¹⁷

¹⁷ See fn. 8