

RURAL NEW YORK COMMUNITIES ARE TARGETED FOR HIGH VOLUME PIPELINES THAT MOVE NATURAL GAS OUT OF PENNSYLVANIA, TO SERVE URBAN NEW ENGLAND AND EXPORT MARKETS.

The El Paso Pipeline Group, the largest interstate gas pipeline corporation in the country, proposes to build a pipeline to transport Pennsylvania Marcellus gas, through our region, to urban New England and export markets. It will seek a permits from state and federal permitting agencies. The Federal Energy Regulatory Commission (FERC) describes its priorities thus: “the Commission must continue to respond quickly when companies propose to expand and construct needed pipelines and related facilities. The Commission has expedited the certification of natural gas pipelines by having Commission staff actively participate in projects that were using the pre-filing process...”

FERC and the state agencies will rubberstamp El Paso’s application.

El Paso expects to have permits in hand by the end of 2013.

THE ISSUANCE OF THE PERMIT AUTOMATICALLY CONFERS UPON EL PASO THE USE OF EMINENT DOMAIN.

FEDERAL PERMITTING PROCESSES STYMIE LOCAL CONTROL

“We were never forewarned ... by any of our representatives in the upper levels of government...[TGP briefed DEC and Governor's office on this project in December 2011]... they gave us a 9 X 12 sheet of paper ... no one could decipher exactly where the line was running through the county, let alone the towns... We asked if they had sought any advice from County Planning and the answer to that was ‘No’, and they also informed us that on the 10th of February, they were looking to start canvassing our residents in an attempt to secure a 50 foot right-of-way [50 foot permanent easement, 75 to 100 foot construction easement] and suggested a one time compensation for this right-of-way which nothing could ever be built on.... *they also made it well known that under the Federal [Natural] Gas Act [of 1938], there was little, if anything, we could do to stop this, and that if there were any type of resistance from the property owners that eminent domain would probably be instituted.*

<http://www.publicbroadcasting.net/wamc/news.newsmain/article/1/0/1906818/WAMC.New.York.News/Schoharie.Town.Supervisor.Gene.Milone.-.%27Constitution.Pipeline%27.Proposal>

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PIPELINES



Pipeline easements are forever. Many leases do not specify the location of the easements.

The El Paso Pipeline Group / Tennessee Gas Pipeline Co. NORTHEAST EXCHANGE PROJECT (NEX)

Government Conspires with Corporations:

Guarantees permits Uses Eminent Domain Divides Communities

WHAT KIND OF REPUTATION DOES TENNESSEE GAS PIPELINE HAVE?

TGP is the El Paso subsidiary that will build and operate the NEX

As of November, 2011, "Out of 294 companies named in enforcement cases since the beginning of 2007, Tennessee Gas was 15th on the list with nine separate cases, according to data from the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration website." http://osd.gov.com/osd/201111_November/DHS_Daily_Report_2011-11-21.pdf

"Homeowners affected by the recent construction of an El Paso line in NJ are apprehensive over what they say are ongoing environmental problems in their community. Elaine Buchtman and others who live at Lake Lookover fear that the Tennessee Gas Pipeline Company (TGP) will not correct existing problems that they say came with the extensive 300 Line installation ...'We have already lost one season at our lake that can never be returned to us. Come spring, 2012 we still may not be able to swim or otherwise enjoy our recreational lake for another season'. The company is requiring justification for compensation money the people feel is due to them because of hardships they suffered from the pipeline project." http://www.northjersey.com/news/136126193_Residents_say_El_Paso_yet_to_fix_ongoing_problems.html

WHAT THE CORPORATE/GOVERNMENT/COALITIONS WILL HIDE OR DE-EMPHASIZE ABOUT THIS PROJECT TO NEUTRALIZE OPPOSITION

- That this pipeline *depends* on the corporate exercise of Eminent Domain, which will background the "negotiations" between the biggest pipeline company in the nation, and individual landowners .
- That compressor stations –also to be sited by Eminent Domain- can be added after the line is permitted and *are not part of the permit application*. Route B is 115 miles long and booster compression stations are typically spaced every 40 to 80 miles. The company leaves off necessary compressors to decrease local opposition. Once pipeline is built and as volume of gas it carries increases, then it is only a question of where the compressors will be built. Additional compressor stations are being currently proposed for Millennium Pipeline.
- That such trunklines are typically built with a larger diameter pipe than will be needed initially but with compression capacity limited to meeting current needs. Compressors can be added, in either new or existing stations, to increase capacity as growth in load occurs.
- Standard design codes require that all pipelines passing through populated areas reduce its maximum operating pressures for safety reasons, but not through rural areas.

WILL FERC HOLD PIPELINE OPERATORS ACCOUNTABLE AFTER THE PERMIT IS ISSUED?

"... Laser reached an agreement with the client of an environmental law firm, Earthjustice, to make safety and environmental upgrades to the pipeline in return for support before the PUC [Pennsylvania Utilities Commission].

In an interview, Earthjustice attorney Deborah Goldberg said her group was concerned that, unlike federal regulators, the PUC would grant firms eminent-domain rights, yet impose few environmental controls. Before the owner of the Marc 1 line, Central New York Oil & Gas, won approval, it similarly assured federal regulators it would minimize the use of eminent domain.

In a critical letter to FERC last month, Goldberg, of Earthjustice, cited the recent flurry of Marc 1 condemnation filings. "The number of condemnation applications and the speed at which they were submitted raises significant doubt about whether [the pipeline's owner] in fact was negotiating with property owners in good faith," she wrote.

Marc 1's owner said it still hoped to reach amiable deals with property owners, but that it was facing pressure because the line won approval later than the firm expected. The firm also said it had to file quickly to start the legal clock ticking for the actions."

http://www.philly.com/philly/news/special_packages/inquirer/marcellus-shale/20111213_Eminent-domain_questions_divide_even_pipeline_companies.html?viewAll=y#ixzz1gRV E4TsMdf