

**Response to the Federal Energy Regulatory Commission's
Draft Environmental Impact Statement:
Atlantic Sunrise Project (CP15-138)**

by

Lancaster Against Pipelines

Lancaster Against Pipelines (LAP), Inc. is a federal non-profit organization (501c3) committed to: [1] educating Pennsylvania residents about the impacts associated with the rapid expansion of natural gas pipeline infrastructure projects in eastern PA, and [2] working to protect Lancaster County, and the surrounding region, from the serious risks and harms that accompany these projects. Our grassroots organization, with nearly 200 active members, stands unequivocally opposed to the Atlantic Sunrise greenfield pipeline project for the massive risks and unavoidable harms it promises to bring to our local communities and natural environments.

Based on the following objections to the Federal Energy Regulatory Commission's DEIS on the Atlantic Sunrise Project, LAP urges FERC to deny Williams/Transco's application for installation of the ASP (CP15-138).

• Objection #1: The meaning of the word "significant"

FERC's preliminary approval of the ASP as expressed in the DEIS hinges on the definition of the indeterminate word "significant." In the opening statement of the DEIS, we read: "The FERC staff concludes that approval of the project would result in some adverse environmental impacts; however, most of these impacts would be reduced to less-than-significant levels..." (1). No where, however, does FERC offer a definition of the term "significant," nor does FERC ever delineate what kind of an impact would constitute a "significant" level of harm for any aspect of its environmental analysis. What would constitute a "significant" level of harm with respect to stream crossings? What would a "significant" harm to wildlife look like? No definition, or method of measurement, is provided anywhere in the document. Given this omission, FERC has effectively offered a conclusion that lies safely beyond the threat of verifiable objections. Perhaps that's the point. If FERC's final determination is to mean anything at all, the standard by which adverse impacts are deemed "significant" must actually be *measurable*.

Even more troubling than the indeterminacy of the term, is the fact that FERC's conclusion follows a litany of what can only be described as highly significant adverse impacts on the people and landscapes of Pennsylvania. The briefest of

summaries serves the point here: 331 waterbodies would be crossed, of which 41 are classified as “sensitive” and 40 are listed as “impaired”; 251 wetlands would be violated by the ASP, of which 51 are classified as “exceptional value”; 31 archaeological sites would be disturbed, of which 6 are pre-historic sites; one of the most celebrated Native American heritage sites in the state (Conestoga Indiantown) is bisected by the proposed line; 410 architectural resources stand in the construction zone, 47 of which are either NRHP eligible or recommended for eligibility by Pennsylvania’s SHPO; more than 12 miles of the proposed line are in areas with moderate to high risk due to unstable karst topography; the pipeline would cross 45 interior forests, permanently fragmenting all of them; construction would involve “cutting, clearing, and/or removing 2,688.8 acres of existing vegetation, of which 949.7 acres would be upland forest”; scores of agricultural preservation easements would be violated, including no less than 41 preserved farms in Lancaster County alone.

After all this, and so much more, FERC inexplicably concludes the adverse effects to be “less-than-significant.” How many waterbodies would a proposed pipeline have to cross before FERC regarded its adverse impacts as “significant”? If 331 waterbody crossings (12% of which are protected, with 171 containing sensitive fisheries) represents a “less-than-significant” impact, would 332 put it over the top? Would 13% of those bodies—rather than merely 12%—have to fall under “protected” status before breaching the threshold of significance? Is 172 (rather than 171) the magic number of sensitive fisheries that would trigger an application denial? In the case of wetlands, would 252 violations—as opposed to 251—represent a “significant” impact? These are honest questions, and the public deserves straightforward answers. Those answers can only be provided through an objective and transparent system for assessing “significance”—a system that is absent from the DEIS.

Put plainly, the term “significant,” as used in the DEIS, functions as an utterly arbitrary, endlessly elastic standard, applied to mask the fact that FERC has already pre-determined approval for this project, regardless of the findings documented in this report.

Although the DEIS offers no guidance on what “significant” may or may not mean, a vague definition of the term can be found in the “Electronic Code of Federal Regulations” as outlined by the National Environmental Policy Act (NEPA). According to NEPA’s criteria by which “the significance of an action” is evaluated (see §1508.27), the impacts from the ASP, as documented in the DEIS, would easily qualify. Three aspects of the definition are particularly relevant here: [1] “in the case of site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole”; [2] special consideration is given to “unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas”; and, [3] particular attention must be given to “the degree

to which the effects on the quality of the human environment are likely to be highly controversial.”

Each of these criterion carries special applicability to the ASP’s likely impacts on Lancaster County, as described in the DEIS itself. [1] First: in the DEIS, FERC violates NEPA’s first principle of “significance” by clearly privileging highly suspect national (and even *international*, per export) economic considerations of a private corporation over the mountain of verifiable harms that local communities & the natural environment would suffer as a direct impact of this project. [2] Second: FERC’s claim that the ASP would bring “less-than-significant” impacts violates NEPA’s directive to give special consideration to an affected region’s “unique characteristics,” precisely like those being threatened by the ASP in Lancaster County: historic and cultural heritage (e.g. Amish, Native American, agricultural); prime farmland (widely recognized as the richest non-irrigated farmland in the nation); and scenic waterways (including several “exceptional value” waterways). [3] Third: NEPA requires that particular attention be paid to actions deemed “highly controversial” when determining “significance” in relation to federally regulated actions. Given that Lancaster County residents submitted roughly 1,500 letters to FERC regarding the ASP in the lead-up to the DEIS, with 98.4% of those letters expressing opposition to the project, we can safely label the ASP a “highly controversial” project. FERC representatives have told members of LAP that Lancaster’s opposition to the ASP is “unprecedented,” with Commissioner Cheryl LaFleur stating of recent gas pipeline opposition—very much including vocal opposition to the ASP—“We have a situation here.”

And yet, despite all evidence to the contrary, FERC offers its absurd “less-than-significant” conclusion on the ASP. If violation of “protected” streams, “protected” wetlands, “protected” farms, and “protected” Native American heritage sites does not warrant the designation of “significant,” what possible meaning could the term have? FERC’s conclusion, if it stands, demonstrates that the gas industry operates beyond accountability, and that FERC is actively complicit in the industry’s assault on our local communities and natural environments.

• **Objection #2: DEIS reliance on incomplete, outdated, or missing data**

Throughout the DEIS, the authors acknowledge, time after time, that FERC’s assessment of the pipeline’s risks, dangers, and likely impacts are based on incomplete or missing studies. This is despite the fact that FERC has required these studies precisely for the purpose of determining the nature and extent of likely impacts. This fact, alone, renders the study illegitimate.

Below, we cite merely a few examples, among many others, to demonstrate a broad and disturbing pattern of omissions and carelessness, rendering a fatally flawed report:

- Cultural Resources: “In Pennsylvania, the cultural resources survey is about 60 percent complete for archaeological resources, with approximately 3,543 acres remaining, and 90 percent complete for architectural resources” (4-186).

How does FERC justify issuing its DEIS for a project based on cultural resources surveys that are so utterly incomplete? Most striking, of course, is the archaeological resource survey, which is only 60% complete. Why the rush to “less-than-significant” judgment on the part of FERC, when 40% of the archaeological survey has not even been reported to the Commission?

- Archaeological & Architectural Resources: “Compliance with section 106 of the NHPA *has not been completed* for the Project. Cultural resources surveys of portions of the Project and consultation with the Pennsylvania SHPO and other parties *has not been completed*. Additionally, two archaeological sites in Pennsylvania *require avoidance or additional testing* to determine eligibility for listing on the NRHP, and the Pennsylvania SHPO *has not provided comments* on the NRHP eligibility of three archaeological sites” (4-191).

FERC appears to anticipate the incredulity of readers by adding, after these rather embarrassing admissions, “we recommend that” Transco complete such-and-such studies before commencing construction. But here’s the thing: since FERC appears willing to declare the project’s adverse impacts negligible without ever seeing the completed surveys (upon which its ruling is supposedly based), construction will very likely be permitted by the final EIS without these “required” surveys ever being submitted. At that point, “recommendations” such as these will have no practical bearing on the project. Put simply, FERC’s anemic “recommendations” that “Transco should not begin construction” until surveys are completed are worse than meaningless; they are, it seems, boldly misleading.

- Wetlands: “Transco identified and delineated wetlands along the proposed pipeline route during field surveys in 2014.” However, “For areas where Transco was unable to complete surveys in the 2014 and 2015 field seasons, remote-sensing resources were used to approximate the locations and boundaries of wetlands within the project area” (4-69).

Why didn’t FERC wait to issue its DEIS until these required surveys were completed? Why not require Transco to complete the survey in the 2016 field season? Why was FERC comfortable issuing its wetlands analysis for the ASP based on a research methodology of remote-sensing resources and approximation?

- Air Quality: “While this analysis shows that the proposed modifications to Compressor Stations 517 and 520 would not result in significant impacts on air quality, Compressor Stations 517 and 520 *were not operating at the full station loads during air quality monitoring*. Therefore, *the potential exists for higher impacts* from existing sources when Compressor Stations 517 and 520 are operating at full load. Additionally, the modeled impacts for Compressor Station 190 did not include

existing sources because *Compressor Station 190 was not running during the time of monitoring*. Therefore, a similar analysis can not be completed for Compressor Station 190. While the EPA's background ambient air quality data used in the modeling analysis was collected when Compressor Station 190 was operating, the *EPA's air monitoring station is located approximately 15 miles from Compressor Station 190, and the potential exists for higher localized impacts in proximity to the station*" (4-213/4).

Once again, insufficient/incomplete data renders FERC's assessment of ASP's environmental impact premature. Since FERC is "requesting" that Transco submits the requisite data "prior to the issuance of the final EIS," why not wait for this critical information *before* issuing the draft EIS? Furthermore, have provisions been made to ensure that Transco, at some point, submits air quality data based on full station loads? How will these reports be shared with the public? If, under those conditions, FERC determines that proposed modifications would push air pollution levels beyond acceptable levels, will FERC retroactively deny the project and/or halt construction?

- **Blasting:** There are 55 waterbody crossings that may require blasting. The DEIS states: "If blasting is required in or near a stream, Transco would develop a detailed, site-specific blasting plan for that location" (4-101).

Given the high probability of blasting across numerous waterways, why would FERC not require Transco to submit their waterbody-blasting protocols *before* issuing the DEIS, the primary purpose of which is to assess likely and potential impacts on the environment? FERC can not legitimately rule on the likely impacts of waterbody blasting when they haven't even seen the protocols that Transco intends to use for the process.

- **Geology:** Dr. Jay Parrish, State Geologist of Pennsylvania from 2001-2010, has publicly expressed serious concerns about the inadequacy of Williams—and FERC's—risk assessments in relation to the DEIS's geological analysis of the ASP. In short, he notes FERC's failure to incorporate a critical 2009 seismic reflection survey coinciding with the proposed ASP routes in Lancaster and Lebanon Counties, even after he brought the study to FERC's attention at a public meeting. "This leads me to believe that their assessment was perfunctory and far from complete."

With regard to karst assessment, Dr. Parrish once again notes a glaring failure of both FERC and Williams to utilize critical infrared data sets that show potential and existing sinkholes in Lancaster County. Parrish notes: "To not have used this data set is irresponsible," adding: "Once again, I publicly informed you (and therefore Williams) of the existence and importance of this data." After noting yet another critical oversight on the part of Williams in their karst analysis, Parrish concludes: "the petitioners appear to have done a perfunctory assessment and ignored geologically important datasets which were freely available to them, and made known to them. This indicates a less than adequate effort for a potentially

dangerous infrastructure. As the former State Geologist...I am very disappointed in the gaps in research.” (Atlantic Sunrise DEIS Comments by Jay Parrish, Docket CP15-138, 27 June 2016).

- Farmland Preservation: FERC’s omissions with regard to ASP impacts on preserved farmland is of particular concern to LAP given Lancaster County’s world-renown agricultural heritage. Lancaster is home to the richest non-irrigated farmland in the nation. More than \$250 million has been invested in preserving our county’s precious farms. The purpose of preserving farmland via easements is to protect the conservation value of prime agricultural land against the encroaching threat of development, industrial or otherwise—threats precisely like the one posed by Transco’s ASP. As a testimony to the value Lancaster County places on its farming heritage, 25% of all agriculturally zoned land in the county is permanently protected by preservation easements.

And yet, the current proposed route of the ASP violates at least 41 preserved farms in Lancaster County alone—31 of which are listed in Table 4.8.6-3 of the DEIS, and 10 of which are inexplicably omitted from that table. Many of these farms are owned and operated by farming families belonging to the county’s Amish community. Transco’s proposed pipeline route represents an assault on Lancaster’s economy, agricultural legacy, religious heritage, and social values.

During FERC’s public hearing in Lancaster County on 13 June 2015, Karen Martynick, Executive Director of Lancaster Farmland Trust, the largest private farmland preservation organization in the state of Pennsylvania, expressed her frustration with the willful disregard that both Williams & FERC have demonstrated for Lancaster’s preservation efforts, stating: “It is our opinion—and the opinion of many in this community—that the route selected for the Atlantic Sunrise pipeline was chosen specifically to take advantage of the number of farms subject to conservation and agricultural preservation easements because the very easement intended to protect the land also lowers the fair market value of the property. By selecting a route through dozens of preserved farms, Transco gets the benefit of reduced compensation payments AND reduced long-term maintenance costs because the properties will never be developed. And, yet, they provide no mitigation strategy for the loss of conservation value – even though they benefit from its loss.”

Her scathing criticism went even farther, when she added: “Since this project was first proposed, Transco has refused to acknowledge the interest Lancaster Farmland Trust has on those properties protected by conservation easements held by the Trust. Efforts by Lancaster Farmland Trust to discuss the restrictions of the easements and the need to protect the conservation values of those easements have not only fallen on the deaf ears of Transco, but have been met with threats to our landowners and our organization.”

- Endangered Species: “...the bog turtle tracking survey results are incomplete...” (4-112)—and the list goes on, and on.

By any reasonable standard, this DEIS is premature given the numerous incomplete studies upon which its assessments are based. This pattern of guesswork based on non-existent data render the report's findings invalid. FERC should withdraw the current DEIS, await the submission of all requisite survey results, and then resubmit its DEIS after carefully analyzing the data produced by those essential studies—rather than guessing what the yet-to-be-generated survey results might be, and basing conclusions on that non-existent data.

• Objection #3: Failure to address industry plans to export ASP gas overseas, and the importance of those plans on the legitimacy of eminent domain

Of all the reasons that local communities are outraged over the proposed ASP, the fact that Williams/Transco's primary goal is to move ASP gas to export facilities easily ranks among the top three. However, the term "export" never appears in reference to the Atlantic Sunrise Project at any point throughout FERC's 472-page analysis of this project. The section titled "Project Purpose and Need" (1-2), the same section that lists the companies contracted to buy ASP gas, makes no mention of the fact that much of this gas—at least half, and likely more—is intended for foreign markets.

From the start, Williams executives have made no secret of this fact. As early as 2014, Williams CEO Alan Armstrong was publicly touting the critical role the Atlantic Sunrise Project would play in "future LNG export facilities at Cove Point and Sabine Pass" (2014 1st Quarter Financial Report). Furthermore, as the DEIS notes in Table 1.1-1, nearly half the gas that would flow through ASP is already contracted by Cabot Oil—and Cabot has publicly announced where its share of that gas is going: 350,000 DTh/day to Sumitomo Corporation in Japan via Cove Point, and the remaining 500,000 DTh/day to WGL Holdings, all of which is also slated for Cove Point. These statistics, besides being publicly available, have all been confirmed by energy analyst Dr. Dennis Witmer, in lectures delivered at Millersville University (PA) and Franklin & Marshall College (PA) in November 2015.

FERC's unwillingness to address the ASP's export implications is all the more puzzling considering that FERC's brief (one-paragraph) reference to Sunoco's Mariner East 2 Pipeline Project, a statement presumably including only the most essential details, notes that natural gas liquids slated to flow through its pipes would be "exported to international customers" (4-269). If FERC deems the end-user of a pipeline's product to be an essential consideration when assessing a project receiving barely one paragraph of analysis, why did they choose to withhold ASP's export intentions through nearly 500-pages of analysis dedicated to the project's impacts?

Inextricably related to the issue of export is the issue of eminent domain. FERC seems almost as reluctant to discuss this topic as it is to address the export of ASP gas to foreign markets. On eminent domain, an issue of paramount importance to

every landowner LAP has consulted along the proposed ASP line, the DEIS devotes exactly 4 sentences. That's four sentences, out of 472-pages, dedicated to the process by which resistant landowners would have their property condemned, against their will, so that Williams/Transco can run a pipeline through their land to export PA gas overseas.

The most substantive reference states: "If an easement cannot be negotiated with a landowner and if the Project is approved by the Commission, Transco may use the right of eminent domain to acquire the property necessary to construct and operate the Project" (4-131). At no point does FERC explain which federal body will actually determine whether the project qualifies for the application of eminent domain; nor does the document cite any criteria by which this determination would be made.

FERC's silence on this issue represents an unacceptable display of evasion, an evasion that clearly favors the industry by ignoring one of the most pressing concerns expressed by affected landowners. Conversations that LAP has initiated with FERC representatives on this question, both in person and by phone, have yielded equally unsatisfactory non-answers. We've simply been told that a FERC approval of the ASP would *trigger* the application of eminent domain, but that FERC is not responsible for determining whether the project itself *qualifies* for eminent domain. When pressed to explain how—or by whom—this determination *will* be made, FERC refused to answer.

LAP, on behalf of the landowners we represent, continues to await a response.

• **Objection #4: A pattern of accommodation, deferral, and pro-industry bias**

One of the most striking features of the DEIS is its clear pro-industry bias.

From beginning to end, FERC's environmental assessments are based on data generated by Williams-contracted research. This data is then self-reported to FERC by Transco. Where is the place for independent research in this process, and who holds Transco accountable for the data being reported by the industry itself?

Beyond this compromised foundation, LAP holds a host of grave concerns about the ways in which this DEIS favors the industry. We see this demonstrated in the following ways:

- "Practicable": Perhaps the clearest example is FERC's deference to Williams is their use of the term "practicable." We find the first appearance of that word on the very first page of FERC's Executive Summary: "The purpose of this environmental impact statement (EIS) is to inform FERC decision-makers, the public, and the permitting agencies about the potential adverse and beneficial environmental impacts of the Project and its alternatives, and recommend mitigation measures that would reduce adverse impacts to the extent *practicable*" (ES-1). "Practicable" for whom? Who determines which mitigation and safety measures are "practicable," and which are

not? Which criteria are being used to make this crucial determination? Since no explanation of such a body—or of such criteria—is offered, we can only assume that the decision is based on whether Transco deems the (merely recommended) mitigation measure “practicable,” or not—which is hardly reassuring to those of us standing in the pipeline’s path. A more honest rendering of the DEIS would simply replace every occurrence of the word “practicable” with the phrase, “convenient for Transco.”

The term is used liberally throughout the DEIS, painting a most unsettling portrait of an industry that gets to choose which FERC recommendations it’ll agree to, and which it won’t—simply because it’s “not practicable” for them. Examples abound: “Transco would avoid mortalities or injuries to breeding birds and their eggs or young by conducting vegetation clearing and maintenance outside the breeding season *to the extent practicable*” (ES-7); reductions in the construction right-of-ways have been reduced “*where practicable*” (2-15); “grading would be limited in wetland areas *to the extent practicable*” (2-23); “special care would be taken when residential areas are adjacent to construction activities to minimize neighborhood and traffic disruption and to control noise and dust *to the extent practicable*” (2-32); Transco attempted to collocate the ASP along existing right-of-ways “*where practicable*” (3-15); in karst terrain, Transco is encouraged to minimize the time and extent of open-cut trench excavations “*to the extent practicable*” (4-25); after construction, Transco would “return surface contours and drainage patterns to as close to original conditions *as practicable*” (4-31); “*to the extent practicable*” Transco will avoid construction during heavy rainfalls (4-33); Transco will attempt to reduce adverse impacts of heavy excavation by utilizing “specialized excavation methods *where practicable*” (4-46); Transco will attempt to locate the right-of-way “as far from the interior portion of the forest *as practicable*” (4-110); “Transco would avoid impacts on the northern long-eared bat *to the extent practicable*” (4-111)—and the list goes on. In every case, no criteria are given for assessing what is—or is not—practicable, so that Transco stands safely outside the bounds of accountability.

- “Necessary”: Similar questions attend the well-worn DEIS phrase “necessary.” According to the DEIS, an enormous catalog of harms to wildlife, forests, wetlands, and landowners are permitted should Transco deem certain actions “necessary.” For example: “No chemicals or additives would be added to the water [during hydrostatic testing] except where necessary...” (ES-8), and “overnight construction, if necessary, is not expected to create significant impacts” on affected communities (ES-13). LAP gets the clear impression that Transco—rather than local communities—gets to decide if around-the-clock construction is “necessary” in our neighborhoods. This same rule-of-thumb is applied to the deafening noise levels associated with HDD (horizontal directional drilling), which may also take place around-the-clock if Transco deems it “necessary” (4-234). “Necessary” to save Transco time and money, perhaps? In such cases, Transco would provide “temporary housing or equivalent monetary compensation” for residents forced out of their homes, against their will, for unsafe noise levels around the clock (4-234).

That's a hefty price for affected residents to pay for Transco's "necessary" cost-cutting measures.

- "Recommendations": And how are readers to understand FERC's use of the equally soft term "recommendations"? The DEIS makes reference to hundreds of recommendations issued to Transco by all sorts of bodies—most of all, FERC. The vast majority of these recommendations are in reference to mitigation measures, safety standards, and other safeguards of the communities and natural resources affected by this project. A "recommendation" is not a requirement, and LAP has profound concerns over the apparent lack of enforceable weight that these recommendations carry. No where do we learn what happens if Transco fails to meet these recommendations? What will FERC do in such cases?

- Accommodations: LAP is also concerned about FERC's willingness to accommodate Transco when it seeks exceptions, or exemptions, when asked to supply information it seems unwilling to provide. Here's one example (of many we could have chosen) that demonstrates this point. When FERC "requested that Transco complete an air quality impact" analysis, Transco, in turn, "indicated its preference" to produce monitoring data of its own, rather than relying on EPA's widely used AERSCREEN or AERMOD results, for fear that these tools "may overestimate impacts associated with certain pollutants" (4-210). FERC is willing to grant Transco's self-serving requests, even while acknowledging that such accommodations were being requested to protect Transco from potentially unfriendly data.

After reviewing the specific accommodations requested by Transco in this case, it appears that FERC allowed Transco to choose when & how they would—and would not—gather air quality monitoring data at a compressor station, in an attempt to selectively produce results more amenable to their purposes. For example, in order to avoid documenting air pollution associated with their own construction activities at Compressor Station 517, Transco was allowed to suspend monitoring—apparently until a more fitting time of their own choosing (4-210). Additionally, when FERC offered Transco "the option" (again, who's in charge?) of monitoring air quality for 1 year in the vicinity of the compressor station to establish an air quality baseline, Transco—at the time the DEIS was issued—had only submitted "about 6 months of air quality monitoring" (4-210). In summary: Transco seeks a conspicuously self-serving accommodation; FERC grants it. Transco fails to supply essential data (less than half); FERC issues its pro-Transco DEIS conclusion anyway.

- Abuse of interstate designation: Finally, it is apparent to many that the ASP is a Pennsylvania tragedy, onto which Williams has tacked superfluous, allegedly related mini-projects in Maryland, Virginia, North Carolina, and South Carolina—all in an effort to push the ASP under the jurisdiction of FERC, where almost certain federal approval would pre-empt state and local opposition. Who determined that the ASP proposal was actually—rather than superficially—an interstate project? Why wouldn't FERC call Transco's bluff on this stunt, and refuse to participate in this pre-emptive racket?

In short, the DEIS makes abundantly clear who's in charge of the ASP review process, and it's certainly not FERC. Instead, it's the very industry seeking to inflict the myriad harms to be produced by the project under review. This is unacceptable to the local communities bearing the brunt of these impacts.

• **Objection #5: A demonstrated disregard for local, affected communities**

During the two years in which FERC invited public comments on the ASP (from Pre-Filing to DEIS), more than 6000 public comments were formally submitted. Of those 6,000 comments, 96.9% expressed opposition to the ASP. We know, because we read and catalogued every one of them. That analysis was submitted to the ASP docket earlier this year. Recurring concerns included: contamination and degradation of natural resources, violations of preserved land, safety issues (often citing Williams' troubling safety record), lack of local benefits, health impacts, diminished use of affected properties (for both personal and business use), and the line's disturbing proximity to residences and schools. That FERC would so easily sweep aside thousands of objections in their DEIS, dismissing all of these potential impacts as "less-than-significant," demonstrates a brazen contempt for community input—input which FERC, itself, requested.

To further accentuate this point, we note that FERC has yet to address the pattern of bullying, intimidation, trespassing, and misinformation as documented in scores of public comments made to FERC—both in writing, and at public hearings. Landowners in the proposed right-of-way have repeatedly appealed to FERC to acknowledge and address the myriad of ways that Williams' land agents have harassed them, violated clear directives to stay off their property, and systematically fed them a steady diet of patently false information—all to coerce a lease signature from unwilling hands. LAP can find no where in the DEIS where FERC responds to these well-documented accusations.

As FERC's prescribed 45-day review period for the ASP DEIS comes to an end today, LAP notes yet another expression of disdain for community concerns. For it appears the Commission is poised to deny extending the comment period, despite considerable public pressure to do so. FERC's decision to refuse even a 30-day extension to the people most at risk from this project stands in striking contrast to the Commission's willingness to accommodate Williams' requests for extensions & adjustments to survey protocols, as well as flat-out refusals to provide required data—a pattern detailed above.

The DEIS reflects a particular bias against rural communities. This holds special concern for LAP, since most of the land here in Lancaster County sitting in Williams' sights is rural. Most startling in this regard is Williams' willingness (with FERC's permission) to use a cheaper, lower grade of pipeline in rural areas compared to the thicker-walled pipelines required in more densely populated areas. FERC might excuse Lancaster's horror at learning that cost-saving, thinner-walled pipelines will

be used along 75% of the Central Penn Line South (4-245), including 34 of the 36 miles proposed for Lancaster County (Table 4.12.1-1).

Based on Williams' self-congratulatory tone in the DEIS, the company acts like we owe them our deepest gratitude for voluntarily agreeing to use Class 2 pipe in all Class 1 areas. They'll be waiting a long time for our thanks. Where Williams claims magnanimity, we see a cheap PR stunt that still ends up running the second-thinnest pipeline next to our homes, beside our schools, and across our roads. Why is the same pipeline quality required of densely populated areas not *also* required in medium- to low-density areas? This is surely a case of corporate cost-cutting measures, wed to liability concerns, trumping community safety. It's a macabre arithmetic, where rural lives are more expendable than urban lives, simply because there are fewer of us to compensate when catastrophe strikes.

Yet another example of flagrant bias against rural community's is the gas industry's practice of adding the potentially life-saving chemical odorant known as mercaptan to natural gas supplies *only* in higher-density population areas (4-243). In the starkest terms: Williams needn't waste such costly safety measures on mere country bumpkins.

FERC's public hearings on the DEIS round out their disregard for local communities. The setting can only be described as dark comedy. FERC representatives visit affected counties, inviting "public comment." In return, these representatives sit impassively before us, high on auditorium stages, uttering nary a response, as deeply concerned residents, for hours on end, approach the sterile microphone to cram a future-lifetime's worth of anxiety into tightly regulated 3-minute sound bites—being reminded, at 2:30, that time's about up. Young mothers, with infants cradled in their arms, shed rage-tinted tears of helplessness against a system heaping unbearable risks on their children's backs. Fourth-generation farmers cry foul over swindling land agents & the violation of preservation easements, all amid the promise of lost crop yields for decades to come. High-school students vent feelings of betrayal at the grownups in the room, grownups who are trading away a future that doesn't even belong to them to fill—still further—the pockets of fossil fuel executives, pockets that happen to hold the FERC Commissioners themselves.

We hope FERC is paying close attention to the crescendo of outrage expressed at each of the DEIS hearings on the ASP, a growing furor over a regulatory system that shows no intention of protecting local communities against a predatory gas industry. Nor should FERC be tempted to dismiss the rising tide of irrepressible outrage, captured in the deafening jeers and boos triggered by the contemptuous comments of out-of-town industry shills reading the same tired script, at hearing after hearing. These voices are harbingers of a sea change for the gas industry, an era where affected community members no longer tolerate a permissive and ineffectual regulatory system. If FERC fails to offer protection against an industry they're sworn to regulate, local communities themselves will be forced to keep

unwanted pipelines off their farms, away from their streams, and out of their neighborhoods.

Conclusions:

[1] LAP requests a formal extension for the DEIS review period

It appears that FERC intends to begin moving forward on a final EIS for the Atlantic Sunrise Project following a scant 45-day period for public comments to be filed in response to the DEIS. A mere 45 days for non-specialists to carefully review 1,342 pages of jargon-laden environmental, socio-economic, and technical assessments and analyses is altogether inadequate. Williams/Transco has spent two years and employed a small army of specialists in an effort to generate data favorable to their plans for the ASP, amassing thousands of pages of materials based on hundreds of studies, most of which are, to some extent, addressed in the DEIS.

Landowners being threatened with condemnation, other concerned residents living in and near the blast zone, and a host of community non-profits and environmental groups can hardly be expected, in six weeks, to read, evaluate, and offer thoughtful responses to 1,342 pages (DEIS = 472 pages + Appendices = 870 pages) of technical language spanning a dizzying range of specialized fields.

We urgently request that FERC postpone work on the final EIS until an additional 60-day comment period has come to an end in order to allow local communities, and other interested parties, to more adequately respond to the onerous DEIS issued in May 2016.

[2] LAP requests that FERC issue a revised DEIS, denying Transco's application

For all the reasons catalogued above, the Board of Lancaster Against Pipelines—on behalf of the local communities we represent, communities that have expressed unprecedented grassroots opposition to this project, often at great personal sacrifice—urges FERC to issue a revised DEIS *denying* Transco's application for the Atlantic Sunrise Project for the *significant adverse impacts* it would bring to Pennsylvania.

**Submitted by the Board of Directors
Lancaster Against Pipelines, Inc.
June 27, 2016**