

People's Hearing—12.02.16

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My name is Dave Reilly; I am Chair and Professor of Political Science at Niagara University outside of Niagara Falls, NY; a member of the political committee of the Sierra Club Niagara; and Co-Founder of the Citizen Coalition for Wildlife and Environment which is based in Grand Island, New York, my home.

I am here to speak today about the proposed Northern Access Pipeline, which is a 97-mile 24-inch diameter pipeline, beginning in Sergeant Township, Pennsylvania. The project includes a compressor station in the Town of Pendleton and a new natural gas dehydration facility in the Town of Wheatfield, NY.

My town of Grand Island is the largest fresh water island in North America. It sits in the middle of the Niagara River—a body of water that runs between Lake Erie and Lake Ontario, Great Lakes that are critical United States fresh water reserves. We are upstream from one of the seven natural wonders of the world. We have a pipeline that runs underneath the river on either side of us and across the width of our Island, and has since that land was taken by eminent domain in the late 1990s. And we have no say in that pipeline, no control over what passes through it, whether the flow of fossil fuels changes direction or volume. We are told that it doesn't matter whether we want the pipeline there. We are told that it doesn't matter whether the public opposes the changes or demands information on what is happening with that pipeline. We are told that we are irrelevant.

In that regard our story is no different from the many stories you will hear today. And there is a reason why the stories are the same wherever you go: These are stories of people who take on all the risk. These are stories of communities that gain little to nothing from fossil fuel industries. They are stories of corporations that pressure government officials and agencies into deals that put the public in harm's way while fossil fuel industries bring in obscene profits.

The proposed pipeline is routed through poor communities—adjacent to Superfund sites and ending close to the infamous Love Canal neighborhood that has had more than its fair share of environmental risks and toxic catastrophes that continue to adversely affect the health of neighboring residents and the larger community.

These atrocities are compounded by the process of eminent domain that takes land for what are deceptively described as public benefit projects. These are public risk projects, and eminent

domain should be called what it is: a subsidy for the fossil fuel industry. It reduces corporation costs, provides the resources to force through their projects, and comes at the expense of our communities.

National Fuel is asking the Public Service Commission for a rate increase that will average \$5.75 a month for people in the Buffalo area. This comes right after the Pipeline and Storage segment of National Fuel reported earnings of \$80 million for 2015, which was an increase from the prior fiscal year. The rate increase will increase their revenues by \$42 million each year. Why do they need this? In their own words: “to enhance and ensure safe, reliable service,” and because of their “Commitment to low income customers, conservation and gas expansion initiatives.”

They already took our land through the subsidy of eminent domain and in the process there are many documented stories of National Fuel bullying and intimidating landowners into settling claims. Now they demand money to ensure the fabricated public benefit that was ostensibly the reason for taking that land in the first place.

We must demand from our politicians—at all levels—that government be responsive to the people. We need to reject a process of eminent domain that unfairly takes land from the people in the name of corporate profits. We need to reject a process of evaluation from the Federal Energy Regulatory Commission and others that ignores environmental risk and the concerns of the public. We need accountability. We need transparency. And we need to educate the public about these risks so that we can speak with one voice, with one purpose—to protect our land, our water, our children, our future.

Thank you.