

PEOPLE'S HEARING INVESTIGATING FERC ABUSES OF LAW & POWER

December 2, 2016

Testimony of Glen Besa on behalf of the
Sierra Club – Virginia Chapter

My name is Glen Besa. As the recently retired director of the Virginia Chapter of the Sierra Club I'm testifying on the Virginia Chapter's behalf. Over the last two years of my employment with the Club, I was directly involved in opposing the Atlantic Coast and Mountain Valley Pipelines. I continue to work on these pipelines as a Sierra Club volunteer.

Sierra Club is very concerned that the Federal Energy Regulatory Commission is not fulfilling its responsibilities under the August 2016 Council on Environmental Quality **Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews**, and other important documents related to reducing greenhouse gas emissions. I will refer to FERC's September 2016 Draft Environmental Impact Statement for the Mountain Valley Pipeline in Virginia and West Virginia to demonstrate the deficiencies in FERC's analysis.

FERC acknowledges the CEQ Guidance on GHG emissions and the effects of climate change in section 4.13.2.7 (page 4-516) of the Draft EIS for the Mountain Valley Pipeline. However, in the scant 3 page consideration of climate change impacts, FERC's superficial assessment ignores that guidance concluding that "[b]ecause we cannot determine the project's incremental physical impacts on the environment caused by climate change, we cannot determine whether the projects' contribution to cumulative impacts on climate change would be significant." This conclusion directly contradicts the CEQ guidance which states "*a statement that emissions from a proposed Federal action represent only a small fraction of global emissions is essentially a statement about the nature of the climate change challenge, and is not an appropriate basis for deciding whether or to what extent to consider climate change impacts under NEPA.*" (p 11)

In its Draft EIS for the MVP, FERC does offer its calculation of GHG emissions as recommended in the guidance, but it is not clear how this quantification was arrived at. Furthermore, FERC's GHG emission factor is then simply dismissed as noted above. Ignoring the substance of the CEQ Guidance, FERC's Draft EIS fails to consider *alternatives to mitigate the direct, indirect and cumulative effects* of GHG emissions related to this project. FERC also fails to provide any local *frame of reference* by which to judge the significance of these GHG emissions.

FERC apparently ignored testimony prepared by Dr. Richard Ball and submitted by the Sierra Club Virginia Chapter, entitled **GHG Emissions Associated with Two Proposed Natural Gas Transmission Lines in Virginia**, that estimates CO₂eq for both the Mountain Valley and Atlantic Coast Pipelines. Dr. Ball calculates both direct and indirect GHG emissions, and for the MVP, he estimates GHG emissions at from 54.3 to 91.2 million tons per year of CO₂eq. For a frame of reference as to the significance of these emissions, Dr. Ball points out that the total CO₂eq emissions from the 177 GHG sources in Virginia reporting in 2014 was 49.4 million tons CO₂eq,

meaning the Mountain Valley Pipeline represents more than double the emissions from all stationary sources reporting in Virginia.

Finally, the Obama Administration's Mid-Century Strategy for Deep Decarbonization issued as the United States' blueprint for compliance with the Paris Climate Agreement calls for "economy wide GHG emissions reductions of 80% or more below 2005 levels by 2050." By these standards, FERC's climate analysis of pipelines as reflected in the MVP Draft EIS is woefully deficient.