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**Joint Statement on Spectra Energy's ongoing
Algonquin Pipeline Expansion**

Summary:

- Spectra continues with the expansion of the Algonquin Pipeline
- Construction has been riddled with delays, cost overruns, conflicts of interest and environmental violations
- Serious conflicts of interest and collusion between Spectra and the Federal Energy Regulatory Commission (FERC) have been identified for every aspect of the expansion
- Completion of pipeline construction adjacent to Indian Point Nuclear Power Plant poses a severe safety risk, endangering more than 20 million people
- FERC approval of the expansion is being challenged in court; the lead plaintiff is the City of Boston, MA, and there is strong established legal precedent
- Overturning FERC approval would be a major blow to Spectra Energy
- Continued construction on the pipeline, Atlantic Bridge, is awaiting FERC approval, NYSDEC 401 Water Quality Permit, and additional permits in Massachusetts
- Continued construction, Access Northeast, is on hold given that financing has fallen through and regulatory delays are mounting, challenging the feasibility of the project

Cortlandt NY- Months behind schedule, Spectra Energy continues round-the-clock work on the Algonquin Pipeline Expansion in Cortlandt, NY. Spectra has finally managed to pull their 42", high pressure fracked-gas pipeline under the Hudson River adjacent to Indian Point Nuclear Power Plant, despite months-long delays and demands from Governor Andrew Cuomo and Senators Schumer and Gillibrand that the work be halted due to risks to public health and safety. Despite this recent progress, the project is still not complete, and fracked gas still is not flowing through the new segment.

Once this portion goes online, there will be gas flowing through the high-pressure pipeline only 105 feet from critical safety infrastructure necessary for the safe

operation of Indian Point. Pipeline and nuclear safety experts identified serious safety and security risks associated with the co-location of this massive high-pressure gas pipeline that crosses Entergy property for 2,159 feet; Congressional representatives, the Governor, and others acknowledged these risks, the Federal Energy Regulatory Commission (FERC) and the Nuclear Regulatory Commission repeatedly ignored them. We continue to urge elected officials and New York agencies to use the powers of their offices to shut down this project. Should a rupture of the pipeline occur near Indian Point, more than 20 million people in the 50 mile evacuation radius, including New York City, could be impacted by a catastrophic radioactive release.

Despite the clear and present danger it poses, Spectra Energy intends to expand its Algonquin Pipeline from New Jersey to Massachusetts where it will connect with other pipelines and export facilities to send fracked methane gas to foreign markets.

Serious questions have been raised by Senator Elizabeth Warren and others regarding clear conflicts of interest between FERC and Spectra, with contractors completing critical aspects of the environmental review for the expansion also working for Spectra Energy on the very same expansion. These conflicts clearly call into question FERC, the approval process, and the veracity of the work done to examine the environmental, health, and safety impacts of the expansion.

The work going on right now, dubbed the Algonquin Incremental Market Expansion (AIM) Project, is months behind schedule, having been riddled with delays, cost overruns, environmental violations, legal wrangling, conflicts of interest, and protests. While Spectra scrambles to salvage the project, the legal suit challenging FERC's approval of the expansion is moving through the legal system, with oral arguments pending in the US Court of Appeals in Washington, DC. The lead plaintiff on that case is the City of Boston, MA, with other plaintiffs including SAPE, Riverkeeper, Food and Water Watch, and over a dozen other grass-roots organizations and impacted residents.

The crux of the legal challenge to the Algonquin Pipeline Expansion is illegal segmentation, a technique used by the fossil fuel industry to avoid a proper accounting of cumulative environmental impacts of large projects. In this instance, Spectra has "broken-up" its planned expansion of the Algonquin Pipeline from New Jersey to Massachusetts into three arbitrarily separated projects: AIM, Atlantic Bridge, and Access Northeast. Maps of the projects from the company are nearly identical, illustrating that they are clearly part of a single, massive expansion. Atlantic Bridge is slated to pick up at the exact location AIM ends, and Access Northeast to pick up exactly where Atlantic Bridge leaves off.

Despite this, FERC has looked the other way and allowed Spectra to submit this large expansion as three stand-alone, independent projects, a clear violation of the National Environmental Policy Act that requires FERC to consider cumulative environmental impacts of projects.

This isn't the first time that FERC has been found to have violated NEPA and permitted segmentation of contentious fossil fuel projects, thus strong precedent exists for this legal challenge.

A finding that FERC has violated the law would be a major setback for Spectra Energy, possibly requiring them to halt construction and restart the regulatory approval process for the entire 160 miles of enlarged pipe, as well as new segments.

FERC is now considering the Atlantic Bridge project and a decision is expected at any time, despite the ongoing legal challenge to AIM. In addition to the approval from FERC, Spectra needs a 401 Water Quality Certificate from the New York State Department of Environmental Conservation (NYS DEC), with a May 2017 deadline. SAPE, SEnRG, Resist Spectra are calling for Governor Cuomo and NYS DEC to deny the permit for the same reasons they denied the permit for the Constitution Pipeline last year. Namely, the cumulative impacts on New York's water from this project violate environmental standards. The Algonquin Pipeline expansion would disturb many hundreds of water bodies, and considered as a whole, would be incredibly detrimental to our water and environment. The project is further tied up in Massachusetts where Spectra has yet to get necessary state permits.

With less than one-third of the Algonquin Pipeline Expansion work complete, a serious legal challenge, significant regulatory hurdles, loss of financing, and strong, multi-state community opposition, it appears unlikely that Spectra will be able to compete this expansion as planned.

Our groups are committed to following through on our opposition to this project that threatens our communities, our environment, our climate, and our commitment to renewable energy.

Action Steps:

- Sign the petition urging New York to deny the 401 Water Quality Certificate here: <http://www.tinyurl.com/CuomoStopSpectraPipeline>
- Find your local grass roots opposition in New York, Connecticut, Rhode Island, and Massachusetts and get active in the fight to #StopSpectra
- Donate to legal costs for the challenge to FERC's approval of the AIM Project: <http://www.senrg.org/donate>