Citizen Group Letter
Opposing the Energy Policy Modernization Act S.2012

May 24, 2016

Chairwoman Lisa Murkowski
Ranking Member Maria Cantwell
U.S. Senate Committee on Energy & Natural Resources
304 Dirksen Senate Building
Washington, DC 20510

Cc: President Barack Obama
    U.S. Senators

Dear Chairwoman Murkowski and Ranking Member Cantwell:

We, over 370 organizations collectively representing millions of Americans, write to express our outrage at provisions contained in the Energy Policy Modernization Act (S. 2012), as passed in the Senate, that expand domestic oil and gas development. We strongly oppose any final energy bill that encourages more domestic oil and gas extraction and stifles our urgently-needed transition toward a clean, renewable energy future.

First, the proposed bill would unacceptably expedite approval of liquefied natural gas (LNG) export terminals (Sec. 2201), review of new mining permits (Sec. 3305), and oil and gas permitting and drilling through an expansive 2,000-well pilot program (Sec. 3104). Expediting review of LNG export terminals—by requiring the Federal Energy Regulatory Commission (FERC) to approve projects only 45 days after filing the final environmental review—undermines the very transparency and prudence that federal actions should be premised on to protect our communities and environment. The provision truncates the time necessary for FERC to thoroughly evaluate the alternatives outlined in the final environmental review, and the options for mitigating environmental harm. It also undercuts the public’s ability to ensure that such expansive projects will not threaten our communities and habitats impacted by proposed terminals and related pipelines, railways, and drilling sites that support these projects.

Second, the proposed bill would needlessly make FERC the lead agency over all federal authorizations for natural gas projects, including review under the National Environmental Policy Act (NEPA), and require all state and other federal agencies conducting authorizations to give “deference” to FERC. Endowing FERC with this authority can lead to very harmful consequences. NEPA has an existing process for determining the proper lead agency, and yet this provision may reassign NEPA authority to FERC from other agencies more directly involved with the project. Further, state and federal deference to FERC’s decisions on the scope
of environmental review is dangerous because it undercuts the ability for state and other federal agencies to conduct the open and independent review critical to protecting our local communities and environment. Moreover, the provision states that “all Federal authorizations required for a project or facility should be issued by no later than the date that is 90 days after the date on which an application is considered to be complete” by FERC. This limited timeframe is clearly designed to undermine the ability of state and other federal agencies to thoroughly evaluate the environmental effects of proposed pipeline projects, in direct opposition to the policy goals of NEPA.

Expediting the build-out of fossil fuel infrastructure takes us in exactly the wrong direction at a time when we must urgently transition to the low-carbon future that our country committed to in the historic climate change Paris Agreement. Science demands that we must keep the vast majority of our fossil fuels in the ground to avoid the worst consequences of climate change. Yet expediting LNG export terminals does the exact opposite: it leads to more dangerous hydraulic fracturing (fracking) for natural gas across this country, resulting in increased greenhouse gas emissions, and incentivizes the construction of new domestic natural gas-fired power plants. Encouraging investment in fossil fuel infrastructure blatantly stifles our transition away from the dirty fossil fuels causing the current climate catastrophe.

Critically, all aspects of infrastructure associated with natural gas extraction and export pose serious threats to the public health and safety of millions of Americans. As the majority of new gas wells supplying gas exports will be developed through unconventional fracking, American communities will experience increased toxic air pollution, drinking water contamination, decimation of wildlife habitat, risk of explosions from “bomb trains” carrying crude oil cross-country, and surges in earthquakes like those caused by the oil and gas industry in Oklahoma.¹ These outcomes are simply unacceptable for the health and safety of Americans.

We are also concerned with other provisions of this legislation that drive fossil fuel development. The proposed bill authorizes $175 million to fund the dramatic expansion of methane hydrates research and development (Sec. 3101). Tapping into methane hydrates would unleash another source of greenhouse gases and build further reliance on fossil fuels. In addition, the bill proposes a study of the potential for ethane storage in the Marcellus, Utica, and Rogersville shale plays, but the study would only factor in economic—and not the environmental or climate change—impacts of such storage (Sec. 3106). Similarly, the proposed bill seeks to sponsor a study of the effects of exporting LNG that, again, entirely ignores the environmental effects and only narrowly focuses on economic effects of LNG exports (Sec. 3102). Finally, the proposed bill seeks to develop an internet-based land lease sale system for oil and gas extraction

on federal lands to preclude “disruption to a sale” like fair public comment and protest (Sec. 3104), which have been important to public participation thus far.

As your constituents, we urge Congress to pass real energy modernization legislation that greatly advances energy efficiency to reduce the amount of energy we utilize, builds on successful policies to expand clean energy sources such as solar and wind, and drastically reduces our economic and energy dependence on dirty fossil fuels. Any further reliance on dirty fossil fuels only serves corporate interests—and not those of everyday Americans who have elected you to act in our public interest.

We oppose any legislation that includes the provisions discussed and urge you to remove these provisions from final energy legislation. Energy policy must reject continued reliance on fossil fuels—and instead champion a speedy and just transition to a clean energy future.

Sincerely,

National Groups

350.org
Americans Against Fracking
Beyond Extreme Energy BXE
Breast Cancer Action
Center for Biological Diversity
Center for Earth Ethics
Center for Environmental Health
Center for International Environmental Law
Center for Popular Democracy
Climate Hawks Vote
ClimateMama
Community Science Institute, CSI for Health and Justice
Courage Campaign
Dogwood Alliance
Earthworks

Eco-Eating
EcoEquity
Energy Action Coalition
Environmental Action
Food & Water Watch
Friends of the Earth
Greenaction for Health and Environmental Justice
Greenpeace USA
Heartwood
iMatter Youth
Indigenous Environmental Network
Institute for Policy Studies, Climate Policy Program
Justice Action Mobilization Network
League of United Latin American Citizens

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**Regional, State & Local Groups**

| Los Alamos Study Group | Rainforest Action Network |
| 350 Brooklyn | 350 Seattle |
| 350 Colorado | 350 Silicon Valley |
| 350 Connecticut | 350 South Florida |
| 350 Kishwaukee | A Thousand Friends of Virginia’s Future |
| 350 Loudoun | Advocates for Cherry Valley |
| 350 Maine | Advocates for Morris |
| 350 Massachusetts | Advocates for Springfield |
| 350 Massachusetts North Shore | AFSCME Chapter 57 (Retirees) |
| 350 NYC | Already Devalued and Devastated |
| 350 Plattsburgh | Homeowners of Parsippany |
| 350 Santa Cruz | Altamaha Riverkeeper |
Animals Are Sentient Beings, Inc.
Arise for Social Justice
Asamblea de Gonzales
Aspen Strategy Center
Atchafalaya Basinkeeper
Athens County Fracking Action Network
Balance & Accuracy in Journalism
Banks of the Wabash, Inc.
Battle Creek Alliance
Bay Area System Change not Climate Change
Beacon Climate Action
BeanCounters Unlimited
Bellmore Merrick Democratic Club
Berkshire Gas Truth
Berkshire Environmental Action Team
Breathe Easy Susquehanna County
Building Bridges Coalition
California Consumers Alliance
California Prison Moratorium Project
Californians Against Fracking
Californians for Western Wilderness
Campaign for Renewable Energy
Catskill Citizens for Safe Energy
Catskill Mountainkeeper
Center for a Sustainable Coast
Central California Asthma Collaborative
Central Ohio Green Party
Central Park CSA
CERBAT
Chatham Research Group
Chesapeake Climate Action Network
Chesapeake Physicians for Social Responsibility
Children for a Safe Environment
Christians for the Mountains
Church Women United in New York State
Citizen Action of New York
Citizens Coalition for a Safe Community
Citizens for Local Power
Citizens for Responsible Oil and Gas
City of Oneonta Environmental Board
Clean Energy Voters
Clean Water Action
Cleveland Environmental Action Network
Climate Change Action
Clintonville Energy Collaborative
Coalition Against Rockaway Pipeline
Coalitions of Mutual Endeavor
Coastal Monmouth Democratic Club
CODEPINK New York
CODEPINK: Women for Peace, Long Island
Coloradans Against Fracking
Columbus Community Bill of Rights
Comite Cívico del Valle
Community Research
Community Rights Organization of Willits
Complete It Cuomo
Compressor Free Franklin
Concerned Burlington Neighbors
Concerned Citizens of Otego
Concerned Citizens of Rural Broome
Concerned Citizens Ohio
Concerned Residents of Oxford
Connecticut Sierra Club
CWA Local 1081
Damascus Citizens for Sustainability
Deep Green Resistance New York
Delaware Riverkeeper Network
Desert Protection Society
Don’t Waste Arizona
Dryden Resource Awareness Coalition
Dryden Solutions
Earth Care
Earth Ethics, Inc.
Earth First Initiative
ECHO Action
Ecological Health Organization, Inc.
Ecology Party of Florida
Elder Creek Ecological Preserve
Elmirans & Friends Against Fracking
Emerald Coastkeeper, Inc.
Emerge USA
Environmental Caucus of Florida
Environmental Justice Center at Chestnut Hill United Church
Environmental Protection Information Center (EPIC)
Essex/Passaic Green Party, New Jersey
FaCT-Faith Communities Together for a Sustainable Future
First Parish in Brookline
Florida Clean Water Network
Florida Federation of Garden Club
FLOW (For Love of Water)
Fore River Residents Against the Compressor Station
Fossil Free Tompkins
FracDallas
Frack Action
Frack Free New Mexico
FreshWater Accountability Project
Fresnans Against Fracking
Friends of Butternuts
Friends of Merrymeeting Bay
Friends of Sustainable Sidney
Friends of the Harmed
Friends of the Pogonip
Gas Free Seneca
Grace Community Church
Grassroots Environmental Education
Gray Panthers, NYC Network
Greater Brunswick PeaceWorks
Green Delaware
Green Party of Nassau County
Green Party of Pennsylvania
Green Sanctuary Committee, Community Church of New York, Unitarian Universalist
Green Sanctuary, Unitarian Universalist Congregation of Binghamton
Green Team of Unitarian Universalist Church of Loudoun

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Green Team of Unitarian Universalist Society of Springfield, MA
Greenville Pipeline Resistance
Groton Resource Awareness Coalition
Guernsey County Citizens Support on Drilling Issues
Hands Across the Sand
Hoosier Environmental Council
Houston Peace News
Howard County (MD) Climate Change
Hudson River Sloop Clearwater, Inc.
Idaho Concerned Area Residents for the Environment
Illinois Citizens for Clean Air & Water
Illinois People’s Action
Indian Point Safe Energy Coalition
Inspiration of Sedona
Intertribal Territories Recovery Institute
Iowa Sierra Club
Kinnelon Conserves
La Cuna de Aztlan
Labor Network for Sustainability
Lehigh Valley Gas Truth
Leopold Group, S.E. Iowa Chapter
Local Clean Energy Alliance
Longmeadow Environmental Transition Group
Lopez NO COALition
Los Padres ForestWatch
Maine Students for Climate Justice
Mainstreet Moms

Manhattan Project for a Nuclear-Free World
Marcellus Protest
Marin Water Coalition
Mason Pipeline Committee, Mason, NH
Massachusetts Interfaith Coalition for Climate Action
Matanzas Riverkeeper
Mercedians Against Fracking
Merrimack Citizens for Pipeline Information
Michigan Citizens for Water Conservation
Middlefield Neighbors
Milford Doers
Milwaukee Riverkeeper
Minnesota Public Interest Research Group
Mobile Baykeeper
Mohawk Valley Keeper
Moms Clean Air Force, Maryland
Monadnock Energy Resources Initiative
Monmouth Community Climate Coalition
Mothers Out Front
Mountain Watershed Association
Nature Coast Conservation, Inc.
New Energy Economy
New Jersey Tenants Organization
New Lisbon Neighbors
New Paltz Climate Action Coalition
New York Climate Action Group
New York Public Interest Research Group
New Yorkers Against Fracking
NH Pipeline Awareness
North American Climate Conservation and
Environment
North Jersey Pipeline Walkers
Northern Michigan Environmental Action
Council
NY Buddhist Climate Action Network
NY PIRG
NYC Friends of Clearwater
NYC Safe Energy Campaign
Oasis Teen Shelter
Occupy Bergen County
Occupy SF Environmental Justice Working
Group
Ohio Sierra Club
Ohio Valley Environmental Coalition
Orange RAPP
Oregon Climate
Otsego 2000
Our Health, Our Future, Our Longmont
PAUSE - People of Albany United for Safe
Energy
Pax Christi Florida
Peace Club of Fairmont, Minnesota
Peekskill Westside Neighborhood
Association
Pennsylvanians Against Fracking
People for a Healthy Environment, Inc.
People, Not Pipelines
People’s Climate Movement-Capital Region
Physicians for Social Responsibility,
Arizona

Physicians for Social Responsibility, New
York
Plymouth Friends of Clean Water
Post Oil Solutions
Presentation Sisters of Aberdeen, South
Dakota
Preserve Franklin
Preserve Roanoke
Preserve Wild Santee
Protect Monterey County
Protect Orange County
Public Health and Sustainable Energy
Quaker Earthcare Witness
Raritan Headwaters Association
Residents Allied for the Future of Tioga
Residents of Crumhorn Mountain
ResistAIM
Resources for Organizing and Social
Change
RESTORE: The North Woods
Rhode Island Progressive Democrats
River Guardian Foundation
RIVERKEEPER
ROAR Against Fracking
Roseland Against Compressor Station
Safe Energy Rights Group (SEnRG)
San Luis Obispo Mothers for Peace
Sanctuary Woods
Sane Energy
Santa Cruz Climate Action Network
Save Nevada’s Water: Ban Fracking in Nevada
Save Our Shores
Save Our Sky Blue Waters
SCRAM - Sullivan County Residents Against Millennium
Shut Down Indian Point Now!
Sierra Club, New Jersey Chapter
Sierra Club, Niagra Group Chapter
Sierra Club, Virginia Chapter
Sisters of Mercy West Midwest Justice Team
SLO CLEAN WATER
SLO350
Small Planet Institute and Fund
SolEd Benefit Corp
South East Communities Against Pollution (SECAP)
South Florida Wildlands Association
Southern Cayuga Anti-Fracking Alliance
Southern Illinoisans Against Fracturing Our Environment
Southern Oregon Climate Action Now
Springfield Climate Justice Coalition
St. Mary’s Parish of Pompton Lakes
Stand Up/Save Lives Campaign
Stop NY Fracked Gas Pipeline
Stop the Algonquin Pipeline Expansion
Stop The Minisink Compressor Station
Stop The NH Pipeline
StopNED

Sugar Shack Alliance
Sullivan Alliance for Sustainable Development
Sullivan Area Citizens for Responsible Energy Development
Summers County Historic Landmarks Commission
Sunflower Alliance
Sustainable Hudson Valley
Sustainable Mcdonough
Sustainable Medina County
Sustainable Otsego
Sustainable Tompkins
Sustainable West Milford
Tar Sands Action Southern California
Tennessee Riverkeeper
Texas Drought Project
The Green Resource Hub of the Finger Lakes
The Lands Council
The North Country 350 Alliance
The River Project
The Watershed Partnership, Inc.
Theodore Parker Church Social Action Committee
Time Laboratory
Tri-County Watchdogs
TriState Unite for Safe Energy
Unitarian Universalist Legislative Ministry of New Jersey
Unitarian Universalist Pennsylvania, Legislative Advocacy Network
Unitarian Universalist Women’s Association, Metro NY District
United for Action
Vallewatch
Voters Occupy
Wasatch Clean Air Coalition
Waterkeepers Chesapeake
We Are Seneca Lake
West Berkeley Alliance for Clean Air and Safe Jobs

West Roxbury Saves Energy
White Rabbit Grove RDNA
WILDCOAST
Wisconsin Network for Peace and Justice
Women Donors Network
Women’s International League for Peace and Freedom, Milwaukee Chapter
WR Quarry Neighbors for a Fossil Fuel Free Future
Zen Mountain Monastery