



October 25, 2017

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

VIA ELECTRONIC FILING

Subject: Notice of Intervention for Jordan Cove Energy Project L.P., **Docket No. CP17-495-000** and Pacific Connector Gas Pipeline, LP, **Docket No. - CP17-494-000**

Dear Secretary Bose:

In Docket CP17-495, Jordan Cove Energy Project L.P. ("JCEP") seeks authorization under section 3(a) of the Natural Gas Act, 15 U.S.C. § 717b(a), and Part 153 of the regulations of the Federal Energy Regulatory Commission ("FERC"), 18 C.F.R. Part 153, to site, construct and operate a liquefied natural gas ("LNG") export facility in Coos County, Oregon. In Docket CP17-494, Pacific Connector Gas Pipeline, LP ("PCGP") seeks authorization under Section 7(c) of the Natural Gas Act, 15 U.S.C. § 717f, and Parts 157 and 284 of FERC's regulations, 18 C.F.R. Pts. 157 and 284, to construct, install, own, and operate a new interstate natural gas pipeline. These proposals include:

- A 7.8 million tonne per annum LNG export terminal
- A 400 acre liquefaction and export facility in Coos Bay
- A 229-mile, 36-inch diameter pipeline designed to transport up to 1.2 million dekatherms of natural gas per day.

Pursuant to Rule 214 of the Rules of Practice and Procedure of the Commission, 18 C.F.R. § 385.214, and regulations under the Natural Gas Act, 18 C.F.R. § 157.10, Surfrider Foundation Coos Bay Chapter moves to intervene in these dockets.

Please find enclosed Surfrider Foundation Coos Bay Chapter's motion to intervene. Thank you for your assistance. Please call if you have any questions or need any additional information. I can be reached at (541) 961-8143.

Sincerely,

A handwritten signature in black ink that reads "Charlie Plybon". The signature is fluid and cursive.

Charlie Plybon

Oregon Policy Manager
Surfrider Foundation

**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

IN THE MATTER OF)
)
Jordan Cove Energy Project L.P.) **Docket No. CP17-495**
Pacific Connector Gas Pipeline, LP) **Docket No. CP17-494**

**SURFRIDER FOUNDATION’S
MOTION TO INTERVENE IN TRANSCONTINENTAL GAS PIPE LINE COMPANY’S
NORTHEAST SUPPLY ENHANCEMENT PROJECT APPLICATION PROCEEDING**

I. Introduction

In Docket CP17-495, Jordan Cove Energy Project L.P. (“JCEP”) seeks authorization under section 3(a) of the Natural Gas Act, 15 U.S.C. § 717b(a), and Part 153 of the regulations of the Federal Energy Regulatory Commission (“FERC”), 18 C.F.R. Part 153, to site, construct and operate a liquefied natural gas (“LNG”) export facility in Coos County, Oregon. In Docket CP17-494, Pacific Connector Gas Pipeline, LP (“PCGP”) seeks authorization under Section 7(c) of the Natural Gas Act, 15 U.S.C. § 717f, and Parts 157 and 284 of FERC’s regulations, 18 C.F.R. Pts. 157 and 284, to construct, install, own, and operate a new interstate natural gas pipeline. These proposals include:

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Pursuant to Rule 214 of the Rules of Practice and Procedure of the Commission, 18 C.F.R. § 385.214, and regulations under the Natural Gas Act, 18 C.F.R. § 157.10, Surfrider Foundation Coos Bay Chapter moves to intervene in these dockets.

II. Motion to Intervene

A. Statement of Interest

The Surfrider Foundation (“Surfrider”) is a 501(c) 3 non-profit environmental organization dedicated to the protection and enjoyment of the world's oceans, waves and beaches through a powerful network. As a grassroots organization, Surfrider’s efforts include promoting the right of low-impact, free and open access to the coastal environment, as well as conservation of

coastal habitat and resources. Surfrider Foundation is also concerned about the effects of climate change on coastal resources, leading to the need for more active coastal adaptation. The Surfrider Foundation is represented by over 250,000 supporters, activists and members nationwide.

Surfrider Foundation is deeply involved and represents non-consumptive recreational users on Oregon's Ocean Policy Advisory Council (OPAC) and within the state's Territorial Sea Planning (TSP) process which works to represent a number of ocean stakeholders, state and federal agencies and tribal nations in ocean planning and policy recommendations for the Governor's office and the state of Oregon.

In order to best represent non-consumptive recreational users, Surfrider Foundation has conducted a survey of non-consumptive recreational ocean use for the entire Oregon coast, including estuary waters. Surfrider reached out to ordinary beach goers and also to specific user groups through dive shops, surf shops, kayak and paddling shops, certain charter boats, as well as clubs and schools focused on their activities. This data was intended to help guide state and federal decision-making alike with spatial and economic information to make responsible ocean energy siting decisions and most importantly, recognize existing uses and their economic value in this process.

The survey data shows a considerable amount of recreational activity in the area of the proposed project, including beachgoing, stand up paddling, kayaking, diving, wild life viewing, boating, beachcombing, photography, fishing, recreational sailing, and aesthetic enjoyment.¹ The project site proposed and the surrounding or affected area is used by members of the public and by Surfrider Foundation members, particularly our Coos Bay Chapter members which offer a strong, local, grassroots interest. The project poses a threat to the aforementioned activities. Coastal users may be impacted by the project through diminished environmental quality, aesthetics, recreational opportunities and public safety. Surfrider, as a grassroots public interest group working to preserve the coast, is concerned about this pipeline proposal and its potential impacts to coastal resources and aquatic habitat, ocean recreation, nearshore ecology, public safety, aesthetic and fishing access. Surfrider Foundation is also concerned with any project that may exacerbate climate change and corresponding sea level rise and ocean acidification. The water-related effects of climate change include flooding, erosion, wetland destruction and other negative consequences. Surfrider has a considerable interest in the protection of the coastal resources that may be affected by this project.

B. Grounds for Intervention

Surfrider Foundation's intervention in the above project application process is in the public interest as required by 18 C.F.R. § 385.214(b)(2)(iii). No other party in the proceeding will be able to adequately protect the interests of surfers, divers, kayakers, beachcombers, conservationists and other members of the public who use and enjoy the proposed project site and surrounding area. Accordingly, Surfrider Foundation has a direct and substantial legal interest in the outcome of this project application process.

¹ See relevant recreational data through Oregon Marine Map: <http://www.oregonocean.info/>

C. Statement of Position

The proposed Jordan Cove Energy Project and Pacific Gas Pipeline Project, as proposed within the Coos Bay area, includes major locations for local **ocean and coastal recreation**.² Stand up paddlers, kayakers, swimmers, fishermen, boaters, coastal hikers, bicyclist, wildlife enthusiasts, wind surfers, kite boarders and beachcombers alike consider these areas to be special places that contribute to their happiness and quality of life. These water resources are comprised of valuable beachgoing destinations. The closures or manipulation of beaches and coastal areas will likely degrade the recreational experience. Other ocean recreation activities threatened by the degradation of natural resources in the area include, but are not limited to: beachcombing, paddling, boating, fishing, diving, wildlife viewing, beach walking, photography, and scenic enjoyment. Finally, the distortion of natural aesthetics may also negatively impact the ocean recreation experience for tourists, as well as local residents who choose to live in the area because of the recreational opportunities.

The project may also produce significant **environmental impacts**. The pipeline project will cause seafloor disturbance and damage to benthic habitat. The construction of the pipeline and associated activities would have detrimental impacts on nearby marine animals. The proposed pipeline may also cause whales, including threatened transient species such as killer whales, and other marine mammals to alter their migratory course away from the project. There would be temporary and permanent habitat disruption for shellfish habitat and other seafloor organisms. The disturbance would also affect the commercial fishing and recreational industry in the area. This project may produce direct and indirect impacts on local populations of fish and wildlife, as well as impacts on ecological functions of the nearshore environment. The dredging for the pipeline may alter sediment transport, thereby impacting both beach geomorphology and related ecology. Dredging may also result in the increased exposure to contaminated or polluted nearshore waters and sand. All of these environmental impacts raise legal concerns in that they may cause violations of the Clean Water Act, codified at 33 USC §§ 1251 *et seq.*, the Coastal Zone Management Act, codified at 33 U.S.C. § 1451 *et seq.*, and the Endangered Species Act, codified at 16 USC §§ 1531 *et seq.*

The project may also produce negative **economic impacts**. Coos Bay and the greater state of Oregon heavily benefit from the tourism dollars and other commercial activity that are generated as a result of the ocean and coastal recreation industry of the area. Commercial and recreational fishing and boating are also an integral part of the area's activity and significant contributors to the local economy. A number of small businesses in the affected areas operate ocean-related businesses that cater to tourists and residents taking advantage of the aquatic resources of the Coos Bay. These businesses include water sport shops, dive shops and surf shops, in addition to the coastal businesses and restaurants that are supported through tourism traffic.

Surfrider Foundation will oppose any project permitting that does not adequately address the above stated concerns. Surfrider Foundation wishes to be informed regarding progress reports or any other filings by the project applicant. This includes being added to all official service and

² See *id.*

mailing lists regarding the aforementioned project application. Please send such information to the following contacts:

Charlie Plybon
Oregon Policy Manager
Surfrider Foundation
P.O. Box 719
South Beach, OR 97366

III. Conclusion

Surfrider Foundation represents interests not yet represented by any other party to the proceeding. Our intervention is in the public interest as required by 18 C.F.R. § 385.214(b)(2)(iii). Therefore, we respectfully request that the Commission grant this timely motion to intervene.

Respectfully submitted this 26th day of October 2017.

A handwritten signature in cursive script that reads "Charlie Plybon". The signature is written in black ink on a white background.

Charlie Plybon, Oregon Policy Manager
Surfrider Foundation P.O. Box 719
South Beach, OR (541) 961-8143

