

AUG 14 2017

August 9, 2017

The Honorable Roy Cooper  
North Carolina Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

Department of Environmental Quality

Re: This letter has been written by a coalition of environmental, justice and community groups in North Carolina that are committed to seeing the transition to clean renewable energy in North Carolina continue and prosper.

Dear Governor Cooper:

One of the most important issues facing North Carolina, and indeed the nation, is the massive and expensive offensive by fossil fuel interests to transform our energy systems to fracked gas. In North Carolina this offensive has taken the form of Duke's proposal to build about \$20 billion worth of 12,000 MW of gas fired electrical generation stations, and Duke and Dominion's plans to install the \$5 billion 600 mile Atlantic Coast Pipeline.

For many reasons, this offensive would be a disaster for North Carolina. Families and communities will be uprooted and endangered (including in Nash County, your birthplace). Water and farmland would be degraded. Wildlife would be destroyed, "relocated" and threatened. Land values would be depreciated, and tax receipts may follow suit. Because it is routed through some of the most vulnerable and the poorest counties in North Carolina, counties with large African American populations and indigenous people, North Carolina's commitment to environmental justice is brought into question. No other gas pipeline in the nation has proposed a route that impacts so many persons and communities of color, including over 30,000 members of our Eastern, State-recognized Indian tribes. This enormous investment, borne on the shoulders of North Carolina citizens, contributes to a fossil fuel future with an infrastructure lifespan estimated at nearly half a century. It is a slap in the face of the Paris Accords and the recent work of committed countries around the world that pursue a future without fossil fuel.

It is disconcerting that in the six months since you have been in office you have not taken a public position on this most important issue. We are therefore writing you in both prayer and expectation to ask that you declare yourself opposed to the fracked gas offensive, to Duke's conversion to massive gas fired electricity, and to the Atlantic Coast Pipeline.

One of the first actions you can take in this respect is to ensure that the NC Department of Environmental Quality performs a thorough analysis of the 401 Water Quality Permit Application of the Atlantic Coast Pipeline. We are convinced that, based on the scientific, technical, and environmental justice data on the significant impact and risks of the proposed pipeline to water quality, human health, and vulnerable communities, that the permit application will be denied. Based on published reports, the NC DEQ will make a decision on the permit application within the next six weeks. We urge you to support the denial and rejection of the water quality permit on scientific and technical grounds that will withstand any legal challenges from the pipelines owners or possible negative reaction from members of the NC Legislature.

We fully support your pledge to the Paris Agreements and your strong position against off-shore drilling along our pristine Atlantic Coast in N.C. Many governors, administrations, and legislatures in the Eastern U.S. have realized that massive, expensive, and unnecessary gas pipelines are the greatest threat to public drinking water, air, land, sound economic development, the health and safety of their citizenry, and their rural way of life. They have realized that it is up to the states – without the support of the Federal Energy

Regulatory Commission – to uphold their environmental standards and deny needed permits that would allow such pipelines to cause undue harm to both people and place, raising utility rates and allowing the use of eminent domain for projects that are unnecessary, injurious, and unjust. As you are aware, it will be difficult if not impossible to continue and expand our state's use and leadership of renewable energy if we create new decades of dependency on what is now known to be the most dangerous and harmful fossil fuel to environmental and climate quality.

Elected officials and their administrations across the Eastern US and our nation are finding that it is much more responsible and politically advantageous to protect and promote their water, air, and land and stand with their citizenry than to bow to the pressure of the utility companies and misplaced economic interests. Several governors and state regulatory agencies have already denied 401 water quality certifications to pipelines. We anticipate that this trend will only continue to expand. In a significant way, your own rise to the governorship came because our former governor made a fatal error in not taking a strong stand in the saga of coal ash mismanagement and harm that you and your administration have now inherited.

We want you to know that we will stand with you and by you as you in your commitment to environmental protection and our renewable energy future in N.C. We represent and work with many organizations in North Carolina and around the country that have already developed plans to transition from fossil fuels to sustainable, renewable energy sources. We will be delighted to work with you, your administration, and the legislature to figure out ways to implement these plans in a cost-effective, timely manner. Your support of the Paris Accords on climate change demonstrates your commitment. We urge you to make the same commitment in North Carolina.

Sincerely,

350 Triangle  
350 Asheville  
Cumberland Caring Voices  
Nash Stop the Pipeline  
Beyond Extreme Energy  
Canary Coalition  
NC Climate Solution Coalition  
Climate Times  
Alliance for the Protection of our People and the Places we Live (APPPPL)  
NC WARN  
Community Roots  
Alliance for Energy Democracy  
Winyah Rivers Foundation

cc Attorney General Josh Stein  
Secretary Michael Regan  
Executive Director Chris Ayers

## Arguments Against the Atlantic Coast Pipeline

Large amounts of data and documentation exist to support the arguments against the pipeline listed below. We will be happy to provide you with this, and links to appropriate research studies at your request.

- Water is Life, and the ACP, which crosses several major North Carolina Rivers, many smaller tributaries and feeder streams, and miles of wetlands, endangers all of our lives. Some of these rivers provide drinking water for cities and towns in eastern NC.
- Our homes are sacred and must be safe. In North Carolina the ACP crosses more than 1300 parcels of land, and is near enough to thousands of homes that, in the event of a rupture or explosion, it will endanger both homes and families in them, as well as farm animals and pets. In some places it will also pass close enough to endanger schools, churches and other community properties.
- The ACP will reduce property values, and in the process may reduce municipal tax revenues. Who will want to buy or build a home next to a 42" pipeline through which flows 1.5 billion cubic feet of gas per day?
- Farmland is damaged by the installation of the pipeline, both temporarily and permanently. To install the pipeline workers will clear a 150 foot wide swath of land through fields, pastures, gardens, and wherever it goes. This land will be rendered useless during construction. But there is evidence that even 20 years after installation, the earth does not entirely recover and fertility may be compromised for the long term.
- The pipeline is not needed. Reliable studies indicate that there is already an excess of pipeline capacity to handle the available gas. Duke and Dominion have not been able to contradict this research.
- The ACP, which will cost about \$5 billion, will increase the price of electricity. As a regulated monopoly Duke Energy is by law guaranteed a hefty profit on anything it builds or sells, including power plants, pipelines and the gas it uses. In addition since Duke has pretty much captured NC state regulators, and the public's needs are often ignored, Duke will make even more money at the ratepayers' expense.
- Duke's lack of concern for the health and safety of the people of North Carolina has been repeatedly demonstrated in its unconscionably careless storage and disposal of coal ash from its many coal-fired power plants, and in its resistance to proposals for proper and safe disposal of coal ash from its storage ponds. This coal ash has disproportionately impacted poor people and people of color throughout the state. This history demonstrated Duke's blatant and ongoing disregard for the needs of NC residents, especially those living close to its facilities.
- As with coal ash, the ACP has been routed along the I-95 corridor in such a way that it will disproportionately impact poor people, people of color, and indigenous peoples.
- The pipeline is designed to transport fracked gas from West Virginia. Fracking is a process, which often poisons water, farms, and harms and endangers farms, families and communities where it occurs. Documentation is also clear that it sometimes causes earthquakes. West Virginia, which has already been turned into a sacrifice zone by the coal industry, will be further damaged by the demand for gas, which this pipeline will generate.
- Duke and Dominion argue that the ACP will help keep down the price of gas by increasing supply to NC. This might be the case if the gas was made available only for domestic consumption. However both Duke and Dominion are involved in the construction of LNG (Liquid Natural Gas) export terminals to ship gas overseas. It is possible that ACP gas will be exported as well, perhaps from Cove Point, Maryland, perhaps from Wilmington, perhaps from Southport, perhaps from Elba Island in Georgia where there already is an LNG facility. At the same time as it harms and endangers the people of NC, this pipeline may provide little if any benefit to the people of North Carolina, and little gas.
- The ACP, by increasing the demand for fracked gas, will contribute mightily to global warming. In the fracking process, in the pumping and transport of the gas through pipelines, and in the burning of the gas in power plants and elsewhere, massive amount of methane leak or otherwise escape into the atmosphere. This methane is a more potent green house gas than Carbon dioxide. By building the ACP, Duke and Dominion may make it impossible to control global temperature increases, and may cause the US to violate the agreements it made last year at the Climate Change conference in Paris.