

**UNITED STATES OF AMERICA
UNITED STATES DEPARTMENT OF ENERGY**

	)	FE Docket No. 12–32–LNG
)	
	)	Jordan Cove Energy Project, L.P.;
	)	Application to Amend Long-Term,
	)	Conditional Authorization To
Jordan Cove Energy Project, L.P	)	Export Liquefied Natural Gas
Authorization for Amended Application	)	to Non-Free Trade Agreement Nations
	)	and to Amend Application for
	)	Long-Term Authorization To Export
	)	Liquefied Natural Gas to Non-Free
	)	Trade Agreement Nations
)	
)	
)	

*Bill Gow
Gow Ranch*

NOTICE OF INTERVENTION COMMENT AND PROTEST

On April 19th, 2018, the Office of Fossil Energy at the Department of Energy (DOE/FE) posted in the Federal Register a notice of receipt for a proposed amendment dated February 6, 2018 to the application filed on March 23, 2012, by Jordan Cove Energy Project, L.P. (Jordan Cove), requesting long-term, multi-contract authorization to export liquefied natural gas (LNG) both natural gas produced domestically in the United States and natural gas produced in Canada and imported into the United States. In this Amendment, Jordan Cove again seeks to increase its volume of LNG exports—to the equivalent of 395 Bcf/yr (1.08 Bcf/d) of natural gas—as approved in its Conditional Non-FTA Authorization (DOE/FE Order No. 3413) and as requested in its Non-FTA Application. On October 5, 2015, JCEP filed an amendment to its Application ([81 FR 11202](#)), asking DOE/FE to increase its requested non-FTA LNG export volume from the equivalent of 292 Bcf/yr to 350 Bcf/yr of natural gas (0.96 Bcf/d). At that time, Jordan Cove did not seek to amend its Conditional Non-FTA Authorization. DOE/FE has not yet issued a final order on Jordan Cove’s Non-FTA Application, and its requested 2015 amendment remains pending.

The undersigned, Bill Gow, moves to intervene, protest and comment on the above-captioned matter pursuant to 10 C.F.R. § 590.303 and § 590.304 and other relevant authorities.

CLAIM OF INTEREST

On May 21, 2013, Jordan Cove Energy Project, L.P. filed in FERC Docket No. CP13-483-000 an application under section 3 of the Natural Gas Act and Parts 153 and 380 of the Commission’s regulations, seeking authorization to site, construct and operate a natural gas liquefaction and liquefied natural gas (LNG) export facility in Coos Bay, Oregon. The LNG Terminal is intended to receive natural gas through the Pacific Connector Gas Pipeline (PCGP), which filed an application under CP13-492-000 with FERC to construct and operate the a new 231-mile, 36-inch diameter interstate natural gas pipeline transmission system and related facilities.

On March 24, 2014, DOE/FE issued conditional order # 3413, page 154, which granted a conditional certificate: “[t]he authorization granted by this order is conditional on Jordan Cove’s satisfactory completion of the environmental review process under NEPA in FERC docket numbers CP13-483-000 and CP13-492-000, and on issuance by DOE/FE of finding of no significant impact or a record of decision pursuant to NEPA.” FERC denied the application subject to those docket numbers on the basis that Jordan Cove presented little or no evidence of need for the PCGP:

“As it stands, [PGCP] states that the pipeline will benefit the public by delivering gas supply from the Rocky Mountains and Canada to the Jordan Cove LNG Terminal and by providing an additional source of gas supply to communities in southern Oregon (though, again, it has presented no evidence of demand for such service).”

Thus, the Commission’s issuance of a certificate would allow Pacific Connector to proceed with eminent domain proceedings in what we find to be the absence of a demonstrated need for the pipeline.

41. We find the generalized allegations of need proffered by Pacific Connector do not outweigh the potential for adverse impact on landowners and communities.

On September 21, 2017 Jordan Cove and PCGP have filed new applications with FERC (Docket No. CP-17-495-000 and Docket No. CP17-494-000, respectively) and the PCGP proposed in the Section 7 application includes a possible route to cross 1.60 miles of my property (4 impacted tax parcels).

My property will be subject to eminent domain should FERC grant the requested certificate. DOE/FE’s consideration of Jordan Cove’s request to export 395 Bcf/yr (1.08 Bcf/day) from its proposed terminal to nations with which the United States does not have a Free Trade Agreement (FTA) is directly related to and affects the viability and operation of both the Jordan Cove LNG terminal and the related Pipeline and therefore my interests.

In addition to the use of eminent domain by a foreign commercial venture to take my land, the physical impacts from the Pipeline are great. The Pipeline would result in clearing approximately a 95-foot swath, at the narrowest, of old oak trees that provide critical shade to my cattle ranch. The construction area would impact the function of a wetland area, as well as crossing five fence lines used to control the movement of cattle on the property. On a working cattle ranch, shade, water, and fencing are critical infrastructure to the operation.

The pipeline would result in significant long-term management impacts due to restrictions on construction near the easement, limitations on heavy equipment movement over the right-of-way, and disturbance from pipeline maintenance activities such as herbicide spraying and vegetation clearing, inspection checks, and the inevitable clean-up at the end of the pipeline’s lifetime. The route is proposed to bisect the ranch, cutting 1/3 of the grazing land off from the whole of the property.

I have significant concerns about the ability to operate my ranch during and after construction. During the period of construction which could last a number of months, I am concerned about the 400 head of cattle being exposed to heavy equipment and the deep ditch. It would take significant time and cost to lay new fence that isolates the 1.6 mi construction area from the range, and doing so prevents the use of 1/3 of this range. The cattle must cross this construction to reach their water source.

I frequently require moving heavy equipment such as bulldozers, excavators, yarders, and logging vehicles. Ranching requires laying of small pipe to the remote areas of the ranch to provide water to the cattle as they are rotated, which will be restricted by the PCGP, thereby predetermining the areas that I am able to run cattle. This consideration, combined with being disallowed from building farm or residential structures in the easement, significantly reduces my ability to manage the land for its highest value, and reduces the resale value of this contiguous property.

The presence of the pipeline will also result in a long-term management burden given the need to inform and coordinate with contractors involved with work on the property regarding necessary operational and safety considerations and limitations related to the pipeline. This creates an additional stressor to the management of the ranch, and reduces our privacy. The corridor of clear-cut leading to and from our ranch provides opportunities for hunters and trespassers which we already experience issues monitoring.

I want to draw attention that the impact of the proposed pipeline has had on my ability to operate as a small, family-owned business. Since Jordan Cove proposed the pipeline, we've sunk countless hours into engaging in the public processes simply to protect our baseline. We have also significantly restructured management of the ranch in order to be able to respond to the intrusion by Jordan Cove and the potential condemnation of our resources.

Finally, because of safety concerns related to the Class I pipeline and the pendency of this project for over 12 years, the owners have experienced undue burden while waiting to proceed with improvements to the property. An extension to the timeline for Jordan Cove to begin shipping their LNG for export will extend this waiting period and prevent me from making improvements for another several years.

While perhaps similar to other landowners, my interests are unique to me and no other party is able to adequately represent my interest in this proceeding. I request intervenor status in this proceeding.

COMMENT AND PROTEST

DOE/FE cannot legally authorize the requested exports absent a finding and evidence that such exports would be in the public interest. 15 U.C.C. § 717b. As is supported by FERC's recent denial of the applications for the Jordan Cove export terminal and Pacific Connector Pipeline, there is not a factual basis to support these projects are in the public interest.

1. Jordan Cove's Application to Export Canadian Gas through Coos Bay Oregon is inconsistent with the Public Interest and Unsupported Factually

Pembina, the owner of Jordan Cove, controls large quantities of Canadian gas and has openly stated they will export that gas through Jordan Cove. Thus, the premise of the conditional order (50% US sourced gas which was not imposed as a legal restriction) and the modeling and forecasts previously relied upon are no longer valid. The economic analyses relied upon are invalid primarily because they do not consider the effects of exporting Canadian gas through U.S. ports benefiting Canada over U.S.-sourced gas interests. They do not consider the effects of international trading on domestic gas prices. And market dynamics have change dramatically.

Some of the obvious negative impacts from exporting Canadian gas through Coos Bay Oregon by Jordan Cove are:

- No benefit to the US trade balance.
- Negative impact to American Jobs.
- Competition for American LNG plants keeping prices lower.
- Likely negative effect on U.S. GDP
- A Canadian Company using eminent domain to subvert American private property rights.

2. Request For Increase In Volume And Extension Of Certification For Another Seven Years Is Inconsistent With The Public Interest And Unsupported Factually

For the reasons stated above, there is no sufficient economic interest to the United States to increase the volume of gas available to export to Non-Free Trade Nations from 292 Billion cubic feet per year (Bcf/yr.) to 395 Bcf/yr. There is no market for the additional amount and there is no requirement that the gas be sourced from the United States.

Jordan Cove first proposed an LNG terminal in 2004 and the PCGP in 2006. There is no sufficient basis to prolong the harm and uncertainty to myself and other landowners for the benefit of foreign interests. The extension will constitute a takings under the Fifth Amendment.

3. Jordan Cove's Assertion that PCGP will Provide Needed Infrastructure is Not Supported

Jordan Cove maintains it will provide gas for the Grants Pass Lateral for local consumption. As understood, however, the gas intended for the Grants Pass lateral will merely replace the gas they will take out of the 12 inch Coos Bay gas pipeline which they have held exclusive rights to by paying Coos County \$25,000 per month since 2007. Despite representing that Jordan Cove will provide gas for a small community along the pipeline route, as understood they will merely provide a tap, having no intention of developing the distribution system necessary to use the gas.

RELIEF REQUESTED

As an affected landowner on the Pacific Connector Gas Pipeline (PCGP), I respectfully request DOE/FE deny the Amended Application and rescind conditional order #3413 because the export of LNG to non-FTA countries is inconsistent with the public interest. I further request that DOE/FE deny the amendment to increase volume and an extension of time as inconsistent with the public interest and to avoid further takings of and damage to landowners' interests in the properties. Alternatively, DOE/FE should suspend the application, declare a moratorium on approvals for gas exports until the appropriate modeling and forecasting of the effects of exporting Canadian gas can be completed.

Please send any correspondence to:

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Sincerely,

/s/ Bill Gow

Bill Gow

CERTIFICATE OF SERVICE

I, Bill Gow, caused Maya Jarrad to serve a true copy of the foregoing **NOTICE OF INTERVENTION COMMENT AND PROTEST** by first-class U.S. mail on the persons at the addresses listed in the attached FE DOCKET NO: 12-3 2-LNG Service List.

5/2/2018 Service List

OFFICE OF FOSSIL ENERGY NATURAL GAS DIVISION SERVICE LIST FE DOCKET NO: 12-32-LNG

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