

UNITED STATES OF AMERICA
UNITED STATES DEPARTMENT OF ENERGY

Jordan Cove Energy Project, L.P
Authorization for Amended Application
FE Docket No. 12-32-LNG
Jordan Cove Energy Project, L.P.;
Application to Amend Long-Term,
Conditional Authorization to
Export Liquefied Natural Gas
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

Brad Royal

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.

The undersigned, Brad Royal move 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.

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

Even though my property will not 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.

I will be affected by the pipeline due to the overall devaluation of property value in Camas Valley. My property is about ½ mile from the right of way but well within the area an appraiser could use to compare selling prices when I do want to sell. I could lose tens of thousands of dollars in property value with no compensation from Jordan Cove. No public benefit.

I live in Camas Valley, a small valley at the edge of the Coast Range in western Oregon and I worry about the overall effects the pipeline will have on the people living here and the valley itself. The Oregon Dept. of Geology and Mineral Industries show Camas Valley to be in a severe shaking zone during an earthquake. Considering the class 1 construction standard (the lowest possible) I really can’t see how a 36 in. pipeline under such tremendous pressure can survive without some damage. If Jordan Cove shuts the block valves, of which most will be manually operated and hard to get to after an earthquake destroys roads; there would still be 20 miles of pressurized gas to leak out. Even a small leak can kill crops, livestock, wildlife and people. If that gas finds a spark say from down power lines, we wouldn’t have to worry about small leaks, the survivors could well be fighting fires. Even without an earthquake the state of Oregon could be out Millions of dollars paying for firefighting efforts from a pipeline blowout. The local volunteer fire department is not prepared to tackle even a small gas line explosion, let alone one of such magnitude that the pipeline represents. No public benefit.

As far as I know no one has estimated the effects of trenching all the way across Camas Valley would have on the ground water. There are places in the valley were little or no irrigation is needed. If that were disrupted it would have a very negative economic benefit to the residents of the valley. No public benefit.

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 intervener 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 though 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 citizens of Southern Oregon for the benefit of foreign interests. The extension will constitute a taking 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 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:

Brad Royal  
Box 112  
Camas Valley, OR 97416

Sincerely,

*/s/Brad Royal*

Brad Royal

## CERTIFICATE OF SERVICE

I, Brad Royal 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.

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### SERVICE LIST FE Docket No: 12-32 LNG

John S. Decker, Atty / Christopher J. Terhune, Atty Vinson & Elkins L.L.P. 2200 Pennsylvania Avenue N.W., Suite 500 West Washington, DC 20037-1701	Elizabeth Spomer / Natalie Eades / Rose Haddon Jordan Cove Energy Project, L.P. 5615 Kirby Drive, Suite 500 Houston, TX 77005
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