

# Myersville Citizens for a Rural Community, Inc.

## Monthly Newsletter

May 8, 2014

### LAWSUITS

#### DTI v. Maryland Department of the Environment

The case is scheduled oral arguments on May 14, 2013 at 9:30 am, the United States Court of Appeals for the District of Columbia Circuit (Docket No. CA13-1019) on the question of whether the Natural Gas Act preempts Maryland's air quality permitting laws which require a compressor station that is a source of emissions to comply with local siting requirements. Maryland's permitting law has been incorporated into a state implementation plan pursuant to its authority under the Clean Air Act and, therefore, carries the force of federal law and may not be nullified by another federal statute.

The U.S. Court of Appeals for the District of Columbia is located at 333 Constitution Avenue NW, Washington D.C. Three cases have been scheduled for argument for May 14, with 30 minutes allotted for each. Although DTI v. MDE is second in the line up, those interested in attending are advised to arrive at 9:30 when the judges take the bench since the court runs through the docket quickly and may reach a case sooner than anticipated. The court has special (and somewhat restrictive) policies regarding cell phones and laptops in the courtroom.

<http://www.cadc.uscourts.gov/internet/home.nsf/Content/VL+-+Courthouse+-+Cell+Phones+Laptops+and+Other+Electronic+Devices>

***While no public comment will be allowed, consider attending to show your support.***

A Media Alert has been distributed to various news outlets and environmental groups. A copy may be found on our website. Please, distribute this information to any contacts or interested parties you may know.

<https://docs.google.com/file/d/0B6CDOBsTyAN0dEUzUFZaZkRsalU/edit>

### OUTREACH

We continue our outreach and coalition-building efforts and are pleased with the support we have been receiving from Chesapeake Climate Action Network (CCAN), Sierra Club, Maryland Chapter, and CitizenShale. Both CCAN and the Sierra Club's Natural Gas Chairperson have tweeted information about Myersville to their followers. We are also currently trying to develop strategies with these organizations to better publicize the fight

in Myersville and to build continued support. Members of CitizenShale have been very helpful in ensuring that our messages reach a broader audience. Similarly, we have provided information and research to these groups.

### **THE GOVERNOR'S MARCELLUS SHALE ADVISORY COMMISSION**

As many of you have noted at the scoping meeting and in your letters to FERC, the proposal to allow for liquefaction and export of natural gas at Cove Point bears, we believe, a direct impact on Myersville. Additionally, there are interstate pipelines, including those owned or leased by DTI or which intersect DTI pipelines, that run near Western Maryland and where gas companies are proposing that fracking be allowed to proceed. The Governor's Marcellus Shale Advisory Commission is currently looking at best practices for fracking if it were to occur in Western Maryland. As we believe that the development of fracked gas in Western Maryland will directly impact gas on the PL-1 pipeline and the Myersville Compressor Station, we have been attending the Commission meetings. We believe that the pipelines and shale gas plays are intrinsically intertwined and that separating the two only allows the gas companies greater freedom and the ability to overwhelm and overrun communities such as our own and those in Western Maryland.

### **COVE POINT**

MCRC continues to monitor developments in the Cove Point project, including the proposal to expand compression at the Leesburg facility and/or the Pleasant Valley facility. Our friends in Leesburg were pleased to learn that the Leesburg station will not be expanded although DTI is still seeking approval for expansion of the Pleasant Valley Compressor as well as a new compressor station in the Elklick Diabase Flatwoods Conservation site, home to rare species of plants, animals, and migratory birds. MCRC has submitted a motion to intervene and made comments regarding improper segmentation of our project and the Cove Point Project.

### **WE THE PEOPLE MATTER**

MCRC was pleased to be invited to attend a rally with other citizens from around the country who have been impacted by shale gas and infrastructure development. Citizens attended from New York, New Jersey, Delaware, and Pennsylvania. MCRC reached out to Citizens for the Protection of the Middletown Valley, inviting them to attend and/or share the information. Following the rally at the FERC office building on April 18, we marched to the Congressional offices, where we met first with aides from the New York districts. MCRC Secretary Ted Cady spoke eloquently to this group. Video of this may be found at:

[http://m.youtube.com/#/watch?v=Eyk4BV5xjRc&desktop\\_uri=%2Fwatch%3Fv%3DEyk4BV5xjRc](http://m.youtube.com/#/watch?v=Eyk4BV5xjRc&desktop_uri=%2Fwatch%3Fv%3DEyk4BV5xjRc)

Following the meeting with the New York delegation, MCRC met with staffers from Senators Mikulski and Cardin. We reiterated our position that the FERC process is fundamentally flawed and asked for the senators continued support. We referenced our most recent letter to the Senators of April 9 which called for Congressional oversight of the failed FERC process and outlined the numerous deficits in our docket.

A delegation from We the People Matter, an umbrella organization including such groups as Stop the Minisink Compressor Station, Sierra Club, CCAN, Delaware RiverKeeper, Sane Energy, and Earthjustice, was invited to meet with Commissioner Wellinghoff and his staff. Updates will follow.

## TAXES

MCRC Inc. will be submitting taxes with the help of a local CPA.

## DONATIONS

MCRC continues to work on behalf of the citizens of Myersville. The costs incurred in these activities have been supported by the Board Members themselves, unless a donation has been made for a specific purpose.

We believe in this cause and we believe we have a chance. But we can't do it without your support. Who would have thought when we started this and DTI said you can't stop us, that we would be where we are now? But we still need your help.

Consider making a donation to MCRC.  
You may specify that your donation be used solely for the legal fund.

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HAPPY SPRING!

Please, remember to check our webpage: <http://www.mcrcmd.org/>

And our Facebook page: <https://www.facebook.com/MyersvilleCitizensForARuralCommunity>