

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Natural Gas Pipeline of America LLC

Docket No. CP19-99-000

(Issued February 20, 2020)

GLICK, Commissioner, *dissenting in part*:

1. I dissent in part from today's order because it violates both the Natural Gas Act¹ (NGA) and the National Environmental Policy Act² (NEPA). The Commission once again refuses to consider the consequences its actions have for climate change. Although neither the NGA nor NEPA permit the Commission to ignore the climate change implications of constructing and operating this project, that is precisely what the Commission is doing here.

2. In today's order authorizing Natural Gas Pipeline Company of America LLC (Natural) to construct, operate, and abandon compression facilities in Harrison, Victoria, and Wharton Counties, Texas (Project), the Commission continues to treat greenhouse gas (GHG) emissions and climate change differently than all other environmental impacts.³ The Commission again refuses to consider whether the Project's contribution to climate change from GHG emissions would be significant, even though it quantifies the GHG emissions from the Project's construction and operation.⁴ That failure forms an integral part of the Commission's decisionmaking: The refusal to assess the significance of the Project's contribution to the harm caused by climate change is what allows the Commission to state that approval of the Project "would not constitute a major federal

¹ 15 U.S.C. § 717f (2018).

² National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321 *et seq.*

³ *Natural Gas Pipeline of America LLC*, 170 FERC ¶ 61,147 (2020) (Certificate Order).

⁴ Certificate Order, 170 FERC ¶ 61,147 at P 43; Environmental Assessment at 47-48 Tables 8-12 (EA). The Commission quantified some of the Project's direct and indirect GHG emissions from construction and operation but not from the reasonably foreseeable downstream emissions resulting from the Project's incremental expansion capacity that is not subscribed by Corpus Christi for service to its LNG terminal in San Patricio County, Texas. *See Columbia Gas Transmission, LLC*, 170 FERC ¶ 61,045 (Comm'r, Glick, dissenting in part at 8-11) (2020).

action significantly affecting the quality of the human environment”⁵ and, as a result, conclude that the Project is in the public interest and required by the public convenience and necessity.⁶ Claiming that a project has no significant environmental impacts while at the same time refusing to assess the significance of the project’s impact on the most important environmental issue of our time is not reasoned decisionmaking.

3. For all the reasons I have articulated previously,⁷ I respectfully dissent in part.

Richard Glick
Commissioner

⁵ Certificate Order, 170 FERC ¶ 61,147 at P 45; EA at 68.

⁶ Certificate Order, 170 FERC ¶ 61,147 at P 18.

⁷ *Columbia Gas Transmission, LLC*, 170 FERC ¶ 61,045 (2020) (Certificate Order) (Glick, Comm’r, dissenting in part).