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Saving a National Treasure

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March 31, 2014

Mike Boots, Acting Chair
Executive Office of the President
Council on Environmental Quality
Washington, DC 20503

Dear Acting Chair Boots:

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Re: Unconventional Natural Gas Extraction Activity in the Chesapeake Bay Watershed

Chesapeake Bay Foundation, Inc. (CBF) is a 501(C)(3) Maryland based organization with offices in Annapolis, Maryland; Harrisburg, Pennsylvania; Richmond, Virginia; Norfolk, Virginia; and the District of Columbia. CBF is the largest conservation organization dedicated solely to protecting the Chesapeake Bay watershed, the Chesapeake Bay itself, and its tributaries. Since 2010, CBF has tirelessly supported implementation of the Clean Water Blueprint, also known as the Bay TMDL, which quantifies loads of nitrogen, phosphorus and sediment and requires numeric reductions of these pollutants from all sources down to the assimilative capacity of the Bay by 2025.

The purpose of this letter is to reissue the Chesapeake Bay Foundation's request for a Programmatic Environmental Impact Statement (PEIS) on all unconventional natural gas extraction in the Marcellus Shale basin and related activities throughout the Chesapeake Bay Watershed as well as any pending exploration and development in the Taylorsville basin. We made this request regarding the Marcellus basin activities in an April 2011 petition to the Council for Environmental Quality (CEQ) and all federal agencies involved in shale drilling activities, including the Federal Energy Regulatory Commission, in which we call for CEQ to undertake a cumulative impacts analysis to determine the effects that drilling in the Marcellus Shale region has on human health and the environment throughout the Chesapeake Bay states including, but not limited to, impacts to the air, water quality, forest land, national park land, wildlife habitat and ecosystems. Additionally, we petitioned CEQ to issue a PEIS addressing the cumulative impacts and suggesting reasonable alternatives to mitigate negative impacts throughout the Chesapeake Bay states and promulgate any necessary guidance and regulations based upon the findings in the PEIS and to comply with the mandates of Executive Orders 13508, 11514, 11991, and 13352.

CBF's original petition was based upon our concern that there is no federal oversight or analysis of cumulative impacts from the expansive and ever growing drilling, extraction, processing, and transportation that is occurring in the Marcellus Shale region, which stretches through the western portion of the Chesapeake Bay watershed.

Since our petition, we have witnessed an increased level of drilling related activity throughout the watershed, including over 80,000 acres of land leased for drilling in Tidewater Virginia. Additionally, there is more transporting infrastructure such as distribution pipelines and now the proposed Dominion Liquefied Natural Gas export facility at Cove Point in Calvert County, MD.

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The *direct* impacts to the Chesapeake Bay from one new drill pad, access road or the proposed LNG facility at Cove Point may be limited to forest impacts at the construction staging area and an increase in impervious cover at the particular project site, however, the *cumulative* impacts associated with increased Marcellus and/or Taylorsville shale drilling and the supporting infrastructure and activities could be detrimental to local rivers and streams and Chesapeake Bay water quality throughout a much larger area.

A variety of environmental impacts are associated with Marcellus shale development, many of which pose risks to the health of the Chesapeake Bay itself. A 2010 study by The Nature Conservancy (TNC), for example, indicates between 48,000 and 120,000 acres of forest will be cleared in the Susquehanna basin during the next two decades to make way for well pads, access roads, pipelines, and compressor stations. Before Marcellus development started, 83 percent of watersheds in the Marcellus region were classified as “sensitive” meaning they had less than 10 percent watershed impervious cover. A 2014 study by The Nature Conservancy estimates this percentage will decline to 65 percent due to land conversion associated with Marcellus shale development if full build-out occurs. The TNC study also determined the percent of watersheds classified as “impacted” or “non-supporting” will increase significantly as a result. In addition, various water quality impacts and air pollution from trucks, wells, compressor stations and pipelines have been widely documented in areas with active shale oil and gas development around the country, including the Marcellus region.

Given the number of questions outlined in our April 2011 petition that remain unanswered, the dramatic increase in unconventional natural gas extraction related development, and the totality of the unconventional natural gas extraction and related industries’ potential impacts to an already impaired Chesapeake Bay Watershed, CBF is again calling for a PEIS addressing the cumulative impacts of drilling in the Marcellus and Taylorsville Shale formations. The scope of the PEIS should include the cumulative impacts to air and water quality throughout the Chesapeake Bay watershed from unconventional natural gas extraction itself, along with all associated activities such as compressor stations, gathering and delivery pipelines, and transportation. This request is consistent with an EPA letter to the Federal Energy Regulatory Commission requesting an environmental review of the potential increase in unconventional natural gas extraction throughout the watershed and any potential changes in greenhouse gas emissions as a result of market shifts. We further request that FERC fully consider the findings of such a PEIS with respect to all pending and future unconventional natural gas extraction related permits within the Chesapeake Bay Watershed that are within FERC’s jurisdiction.

We would be happy to meet to discuss our petition for a Programmatic Environmental Impact Statement and the scope of a cumulative impacts review related to unconventional natural gas extraction in the Chesapeake Bay region.

Sincerely,



Kim Coble
Vice President, Environmental Protection and Restoration

cc: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission
Nicholas DiPasquale, Director, Chesapeake Bay Program

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cc: Dr. Robert Summers, Secretary Maryland Department of the Environment
Joseph Gill, Secretary, Maryland Department of Natural Resources
Abigail Ross Hopper, Director, Maryland Energy Administration
W. Kevin Hughes, Chairman, Maryland Public Service Commission
David Paymor, Director, Virginia Department of Environmental Quality
Molly Ward, Virginia Secretary of Natural Resources
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