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After pipeline losses, greens hope for win in this tiny town

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About 200 pipeline opponents rallied in Hancock, Md., before a Maryland Department of the Environment hearing on the proposed Potomac pipeline. Josh Kurtz/E&E News

HANCOCK, Md. — The public meeting was dragging on to its third hour when a voice cried out in the high school auditorium.

"I'd rather be home wrapping presents and drinking eggnog!" a woman yelled, to appreciative laughter. But she didn't move toward the exit. In fact, no one did.

More than 300 people came out Tuesday night for a Maryland Department of the Environment (MDE) hearing here on whether to grant a permit under Section 401 of the Clean Water Act for a proposed natural gas pipeline that would travel from Pennsylvania to West Virginia via Maryland and the Potomac River. At least two-thirds of the crowd was there in opposition — a remarkable turnout for less than a week before Christmas, in a town of 1,500 known mostly for being squeezed between two other states.

"This is the most beautiful gathering of people and lights that I've seen this holiday season," Mike Tidwell, director of the Chesapeake Climate Action Network, said during a pre-hearing rally in the parking lot of Hancock High School.

Activists came from all over — across the river in West Virginia, over the hills in Pennsylvania, upriver and downriver in western Maryland, D.C., Baltimore and elsewhere. It was a sign of organizing strength for the local environmentalists, to be sure.

But as three state bureaucrats sat patiently and poker-faced through the long public hearing, it's hard to say how they perceived the spectacle.

Yet there is a broader question: Is this small, pretty Appalachian town in the narrowest part of Maryland, wedged between the Potomac and an interstate highway, about to become the new ground zero in the environmental movement's fight against oil and gas pipelines?

The potential certainly exists.

TransCanada Corp. wants to build the 3.5-mile-long Potomac pipeline from hydraulic fracturing operations in Pennsylvania to connect to a proposed Mountaineer Gas pipeline extension near Berkeley Springs, W.Va., across the river from Hancock. In size and scope, that hardly compares to more high-profile TransCanada projects like the Keystone XL pipeline. But the yearslong national fight over KXL informs the debate over the Potomac project.

West Virginia officials believe access to cheap energy that's less dirty than coal is crucial to boosting the Eastern Panhandle economy. Although fracking operations are growing in West Virginia, there aren't any in Morgan or Jefferson counties, which the pipeline would serve.

"I've had [business] prospects come in, and I'm quite certain some of them have been turned off because we don't have that energy source," Daryl Cowles, executive director of the Morgan County Economic Development Authority, said in an interview.

Cowles said he was not surprised by the vocal opposition to the pipeline, but added, "Natural gas is a clean-burning, efficient source of energy, and this is a \$20 million infrastructure project that enjoys wide support in the Eastern Panhandle."

TransCanada executives seem puzzled by all the fuss this pipeline proposal has kicked up. They note that the company already operates a dozen pipelines under the Potomac, most of which carry oil, and has been doing so for years. Scott Castleman, a TransCanada spokesman, said the company has been active in West Virginia for a hundred years, and in Maryland for about 50.

"This is nothing new," he said.

Company officials also say that TransCanada adheres to the strictest safety standards — and that if there's any leak in a natural gas pipeline, the gas will quickly dissipate in the water, in contrast to an oil spill.

"We want to be a good neighbor," Castleman said. "We want to do what's right."

'I told them this was blood money'

But the litany of fears, grievances and complaints from pipeline opponents runs the gamut, and they expressed their views dramatically on Tuesday. Many are scared about the impact on drinking water — not just locally, where residents draw their water from wells, but downriver. The Potomac provides water to about 6 million people, including residents of the D.C. region.

Castleman said the opponents are spreading "misinformation" about water quality issues.

Other foes don't think Maryland, which banned fracking earlier this year, ought to be facilitating out-of-state fracking operations. Still others worry about the broader, long-term climate implications of any pipeline project.

Prominent at the hearing and rally Tuesday night was Patricia Kesecker, a seventh-generation farmer in Berkeley Springs who is in litigation with Mountaineer Gas, which wants to seize part of her land for its

pipeline extension. A judge has found in favor of the company, but Kesecker is returning to court tomorrow to seek a jury trial.

"This is our heritage for our children and grandchildren," she said. "I have great-grandchildren. The money they gave people was piddling and all. I told them this was blood money and we don't want it."

Other opponents worry about the pipeline's potential impact on the growing western Maryland tourist economy. Hancock sits along the C&O Canal and its popular bike trail, 124.5 miles from where it begins at the Washington Harbour in D.C.'s Georgetown.

In a sign of the potential reach of the pipeline, on the day of the MDE hearing, the D.C. Council unanimously voted for a resolution opposing TransCanada's project. The town council of Boonsboro, Md., just down the river from Hancock, has also come out against it.

"Maryland has jurisdiction over the Potomac River and will not benefit from this project in any way," Brigitte Schmidt, a member of the Boonsboro Town Council, testified Tuesday night.

Even the all-Republican Washington County Board of Commissioners has expressed reservations about the pipeline in a letter to Maryland Gov. Larry Hogan (R), though it stopped short of announcing outright opposition. Several stakeholders said the letter — Hancock lies in Washington County — read like it could have been written by environmentalists.

Ninety percent of the people who testified on Tuesday night were against the pipeline. West Virginia state Sen. Charles Trump (R) was a rare exception.

"West Virginia needs the help of our friends and neighbors in Maryland," he said. "This critical infrastructure will mean great things to the people of the state of West Virginia."

Also testifying in favor: local leaders of the Laborers' International Union of North America, which has clashed with environmental groups over pipeline projects around the country. About 20 LIUNA members, clad in matching orange T-shirts, gathered in the high school parking lot as the green groups rallied, but they declined to be interviewed. They sat together in the auditorium, stone-faced, for more than two hours before being called to testify.

"Our union supports it 100 percent," said Jeremy Kennel, business manager of LIUNA Local 616 in Cresaptown, Md.

"We all want clean air and water," added Jason Hershman, business manager of the union's Local 379 in Morgantown, W.Va.

Next moves

Will Maryland come through for pipeline supporters in West Virginia?

The pipeline project needs approximately 40 permits to go forward; most have been issued already. MDE's decision on the water permit will inform the Army Corps of Engineers, which also has a say. The Federal Energy Regulatory Commission must also weigh in.

TransCanada officials said they'd like to begin construction by spring, but the approval process seems likely to take longer. They anticipate the pipeline being in service about six months after construction begins.

"MDE is committed to robust review of the pipeline to ensure Maryland's environment is protected," Maryland Environment Secretary Ben Grumbles told E&E News in a statement. "We appreciate the ongoing public input and the continued coordination with federal and nonfederal agencies and organizations involved in the reviews."

The pipeline has become something of a cause celebre for environmental activists in Maryland, West Virginia, Pennsylvania and D.C., and there have been several protests against the project for more than a year. This summer, several kayakers — calling themselves "kayaktivists" — paddled the Potomac near Hancock, carrying anti-pipeline signs. State Sen. Richard Madaleno, one of eight Democrats seeking to oust Hogan in 2018, addressed pipeline foes who were camping along the river.

What is difficult to determine is whether the fight is getting through to average citizens and not just activists. In downtown Hancock, one storefront — an antique store called Thistle Dew Nicely — carried a sign in opposition to the pipeline.

But the prolonged fight to ban fracking in Maryland — which even Hogan eventually embraced — politicized a whole swath of western Marylanders, and they continue organizing and staying in touch with their elected leaders.

"The fracking people were just insanely effective and persistent," said Maryland state Sen. Cheryl Kagan (D), who serves on the Education, Health and Environmental Affairs Committee. "They never stopped."

Western Maryland environmentalists see their causes as part of a national movement that includes the opposition to the Keystone XL and Dakota Access pipelines. At least a few speakers at Tuesday's hearing declared themselves part of "the resistance."

But will the national movement take note of this small corner of the world where three states are within a couple of miles of each other? And if regulators approve the Potomac pipeline, are opponents ready to mount full-scale resistance?

Brooke Harper, environmental justice chair of the NAACP Maryland State Conference who lives in Hagerstown, Md., about 25 miles from Hancock, put it this way: "We will rise up again and again until this pipeline has been stopped."