

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY**

IN THE MATTER OF)
)
Alaska LNG Project LLC) **FE DOCKET NO. 14-96-LNG**

SIERRA CLUB’S MOTION TO INTERVENE AND PROTEST

In the above-captioned docket, Alaska LNG Project, LLC (Alaska LNG) requests authorization to export approximately 20 million metric tons per year of natural gas as liquefied natural gas (LNG) from a natural gas liquefaction and LNG export terminal to be located in the Nikiski area of the Kenai Peninsula in Alaska. Sierra Club hereby moves to intervene in this docket, protests this proposal, and offers related comments.

The proposed export project will cause extensive environmental harm, impacting the environment around the export site, inducing harmful natural gas production, and likely increasing global greenhouse gas emissions. DOE/FE cannot authorize exports without fairly weighing significant environmental impacts of this production. *See NAACP v. Federal Power Comm’n*, 425 U.S. 662, 670 n.4 (1976).

Because Sierra Club’s members have a direct interest in avoiding the environmental harms Alaska LNG’s proposal will cause and in ensuring that any exports do not adversely affect domestic consumers, Sierra Club moves to intervene in FE Docket No. 14-96-LNG and protests Alaska LNG’s application.

I. Sierra Club Should be Granted Intervention

Sierra Club members live and work throughout the area that will be affected by Alaska LNG’s export proposal, including in the regions of Alaska that will be affected by supporting infrastructure. Sierra Club members also live in the domestic gas fields that will likely see increased production as a result of the proposed exports. As of November 2014, Sierra Club had 1,410 members in Alaska and 621,840 members overall.¹

To protect our members’ interests, Sierra Club moves to intervene in FE Docket No. 14-96-LNG, pursuant to 10 C.F.R. § 590.303. Consistent with that rule, Sierra Club states

¹ Attached Declaration of Yolanda Andersen at ¶ 7, attached as Exhibit 1.

that its rights and interests in these matters include, but are not limited to, the following:

- The environmental consequences of any gas exports from the Alaska LNG project, including emissions and other pollution associated with the liquefaction process, environmental damage associated with construction and operation of the facility and associated infrastructure, environmental impacts caused by shipping traffic, and the emissions associated with all phases of the process from production to combustion.
- The environmental and economic consequences of any expansion or change in natural gas production as a result of increased gas exports. This production will damage air, land, and water resources in these regions, diminishing Sierra Club members' use and enjoyment thereof.
- The global impact of investing in long-lived fossil fuel infrastructure, including expanding or prolonging reliance on fossil fuel use internationally, and inconsistency of this fuel use with emission reductions necessary to avert catastrophic climate change.
- The public disclosure, in National Environmental Protection Act and other documents, of all environmental, cultural, social, and economic consequences of Waller's proposal, and of all alternatives to that proposal.

In short, Sierra Club's members have vital economic, aesthetic, spiritual, personal, and professional interests in the expansion project.

The Club has demonstrated the vitality of these interests in many ways. Sierra Club runs national advocacy and organizing campaigns dedicated to reducing American dependence on fossil fuels, including natural gas, and to protecting public health. These campaigns, including its Beyond Coal campaign and its Beyond Natural Gas campaign, are dedicated towards promoting a swift transition away from fossil fuels and to reducing the impacts of any remaining natural gas extraction.

Thus, although 10 C.F.R. § 590.303 states no particular standard for intervention, Sierra Club has interests in these proceedings that would be sufficient to support intervention on any standard. DOE has consistently found that these interests are sufficient to warrant intervention in other LNG export proceedings. Accordingly, this motion to intervene must be granted.²

² If any other party opposes this motion, we respectfully request leave to reply. *Cf.* 10 C.F.R. §§ 590.302, 590.310 (allowing for procedural motions and briefing in these cases).

II. Service

Pursuant to 10 C.F.R. § 590.303, Sierra Club identifies the following persons for service of correspondence and communications regarding these applications.

Nathan Matthews	Natalie Spiegel
Associate Attorney	Legal Assistant
Sierra Club Environmental Law Program	Sierra Club Environmental Law Program
85 2 nd St., Second Floor	85 2 nd St., Second Floor
San Francisco, CA 94105	San Francisco, CA 94105
(415) 977-5695 (tel)	(415) 977-5638 (tel)
(415) 977-5793 (fax)	

III. Sierra Club Protests this Application Because It Is Not In the Public Interest and Is Not Supported by Adequate Environmental Analysis

Section 3 of the Natural Gas Act provides that DOE/FE cannot authorize exports unless it finds the exports to be in the public interest. 15 U.S.C. § 717b. DOE/FE must consider environmental factors in the course of this public interest analysis. *NAACP*, 425 U.S. at 670 n.4; *Jordan Cove, L.P.*, DOE/FE Order 3413, 6, 7 (March 24, 2014). In addition, DOE cannot approve the project prior to review of the environmental impacts pursuant to the National Environmental Policy Act. 42 U.S.C. § 4332(C)(i). Accordingly, DOE/FE cannot proceed with Alaska LNG's application without fully evaluating the environmental impacts of Alaska LNG's proposal.

The proposal will cause many types of significant environmental harm, and these harms must be considered as part of DOE/FE's public interest analysis. First, the construction and operation of the liquefaction facilities, export terminal, and related pipelines will directly impact local water quality, habitats, and air quality. Second, the project will induce additional natural gas production in the United States, causing the myriad environmental harms associated with such production. Third, it is likely that LNG exports will compete against wind, solar, and other clean renewable energy sources, as well as conservation, in importing markets, all of which have lower environmental and climate impacts than LNG. Sierra Club expects to offer further comments on the details of these impacts as part of the NEPA review process.

Troublingly, DOE Secretary Ernest Moniz has been reported as stating that, with regard to the Alaska LNG project, "The public interest is not an issue for [DOE]," because Alaska

is not connected to the pipeline network that spans the lower 48 states.³ Although Alaska's isolation from the pipeline network may simplify analysis of the economic impacts on the public interest, this fact does not limit DOE's obligation to consider environmental impacts on the public interest. Thus, Alaska LNG's inconsistency with the public interest is very much "an issue" confronting DOE.

We further object to any issuance of a conditional authorization for this project. As DOE recognized in its procedural change announced on May 29 and finalized August 15 of this year, conditional of LNG exports has been observed not to serve any important purpose. On the other hand, conditional authorization risks unduly influencing the NEPA process, and violates the obligation to conduct NEPA review at the earliest possible time in agency decisionmaking. There is no reason to depart from DOE's new general practice in DOE's review of the Alaska LNG project.

IV. Conclusion

Sierra Club therefore moves to intervene and protests the Alaska LNG export project because the environmental impacts of the proposal render it contrary to the public interest.

Respectfully submitted,



Nathan Matthews
Sierra Club Environmental Law Program
85 2nd St., Second Floor
San Francisco, CA 94105

³ <http://www.alaskajournal.com/Alaska-Journal-of-Commerce/Breaking-News-2013/DOE-to-streamline-export-license-review-for-Alaska-LNG-project/>

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Alaska LNG Project LLC

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FE DOCKET NO. 14-96-LNG

CERTIFIED STATEMENT OF AUTHORIZED REPRESENTATIVE

Pursuant to C.F.R. § 590.103(b), I, Nathan Matthews, hereby certify that I am a duly authorized representative of the Sierra Club, and that I am authorized to sign and file with the Department of Energy, Office of Fossil Energy, on behalf of the Sierra Club, the foregoing documents and in the above captioned proceeding.

Dated at San Francisco, CA, this 17th day of November, 2014.



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UNITED STATES OF AMERICA
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IN THE MATTER OF

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FE DOCKET NO. 14-96-LNG

Alaska LNG Project LLC

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CERTIFICATE OF SERVICE

I hereby certify that I caused the above documents to be served on the applicant and all others parties in this docket, in accordance with 10 C.F.R. § 590.017, on November 17, 2014.

Dated at San Francisco, CA, this 17th day of November, 2014.



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UNITED STATES OF AMERICA
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IN THE MATTER OF)
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Alaska LNG Project LLC) FE DOCKET NO. 14-196-LNG
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VERIFICATION

SAN FRANCISCO §
 §
CALIFORNIA §

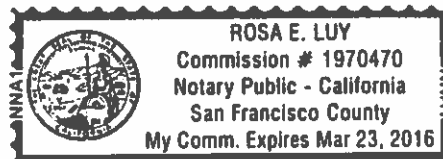
Pursuant to C.F.R. §590.103(b), Nathan Matthews, being duly sworn, affirms that he is authorized to execute this verification, that he has read the foregoing document, and that facts stated herein are true and correct to the best of his knowledge, information, and belief.



Nathan Matthews
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Subscribed and sworn to before me this 17th day of November, 2014, by Nathan Matthews,
proved to me on the basis of satisfactory evidence to be the person who
appeared before me.

Rosa E. Luy
Notary Public



My commission expires: March 23, 2016

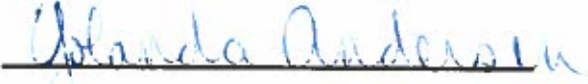
DECLARATION OF YOLANDA ANDERSEN

I, Yolanda Andersen, declare as follows:

1. I am the Director of Member Services at the Sierra Club. I have had this position for more than 24 years.
2. In that role, I manage all aspects of the Sierra Club's customer service functions related to members, including maintaining an accurate list of members and managing the organization's member databases.
3. The Sierra Club is a non-profit membership organization incorporated under the laws of the State of California.
4. Sierra Club's mission is to explore, enjoy and protect the wild places of the Earth; to practice and promote the responsible use of the Earth's resources and ecosystems; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives.
5. The Sierra Club's Natural Gas Reform campaign is focused on reducing the amount and impacts of natural gas extraction, including preventing the export of unconventional natural gas without a full analysis of the environmental and public interest effects of such export.

6. When an individual becomes a member of the Sierra Club, his or her current residential address is recorded in our membership database. The database entry reflecting the member's residential address is verified or updated as needed.
7. The Sierra Club currently has 621,840 members in the United States, and 1,410 members in Alaska. These members have a strong interest in protecting human health and the environment from the effects of natural gas extraction and export

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed in San Francisco, California on November 12, 2014.


Yolanda Andersen
Yolanda Andersen