Remarks to Boxtown Residents on the Proposed Pipeline  
17 October 2020  
Kovarik, POA

First and foremost, this is another case of big industry planting something real nasty in your backyard. We already know what it’s been like living downwind from a coal plant for 80 years. We already know what it’s been like living with the smell of the Wastewater Treatment Plant. Now they want to push millions of gallons of tarry, thick oil through a pipe at an incredible pressure located in your backyard. Way beyond the science, the geology, the hydrology, the regulations—this is a case of environmental injustice. First and foremost.

Our stake in the game is just like the name: we want to protect our aquifer. We think it is flat out wrong to run a nasty dangerous substance through a pressurized pipe for 7 miles (here) and more than 30 miles in MS over our drinking water. And just for a final slap in the face of protection—the pipe ends up in the recharge zone for the Aquifer. This is where the MSA (they named it after us) comes to the surface. This is the place where whatever falls on the ground or seeps into the soil goes into the Aquifer.

So I start out saying flat out: we oppose this Pipeline. The risk is too great. Human failure and machine failure are part of the pipeline industry. Since 1986, pipeline accidents have spilled an average of 76,000 barrels every year. That’s equal to 200 barrels of oil each day poured out into the ground.

If we add in mother nature and climate chaos, the potential for great damage to our existing resources increases. What could rupture a pipeline? A flood, a tornado, an earthquake? As we know, these are all possible here in Memphis.
And what are we gambling? We think the MSA below our feet is the most valuable natural asset in all of Shelby County. We have guesstimated the value of the Aquifer beneath Shelby County well above $150 billion based on conservative comparisons with other aquifers in America. This does not include the infrastructure, industry, equipment, and treatment necessary if the MSA were polluted with oil, and the Metro area would have to draw its drinking water from another source.

So that’s the commonsense part of this argument. Let’s go to the regulatory science.
I put those two words together as an optimist. Regulation and science can be at odds, when they are only effective as a unit.

Some Background
There are two major permitting approvals necessary: one from the state (TDEC) and one from the feds (ACE). TN Dept. of Environment and Conservation = pretty good group. The state’s process is called the ARAP. It covers surface waters intersected by this pipeline. In this case, that’s 7 sizable streams and two wetland areas. TN water laws are pretty good; MS doesn’t even have an ARAP process. The bad news here is that the public comment period on this ARAP is over. We commented and complained (with two letters and a contentious Zoom meeting) because the Aquifer is not considered in the ARAP. We commented anyway. I would urge you to do the same.

The ACE comes after the ARAP, and they examine the entire length of the run. They are stuck on the surface as well. They are also subject to regulation light (sort of a Project Warp Speed on pipeline approvals). Nationwide Permit #12 is the fast track way to avoid the slow moving ways of regulation, science, and protection. The good news here is their public comment period to the ACE is open till 16 November. I urge you to tell your story.
You know this ground best. You know the streams being studied, the paths this pipeline travels. What it looks like in high water and good light. Let them know your story.

That’s a final reason we oppose this pipeline. There is no benefit for us locally. In fact, home owners along this route will lose dollars in the deal. Who is eager to buy a house with a pipeline in the backyard? Who will be building new streets, new houses, or scenic walking trails alongside this ever-present beast? We know why wealth is hard to build within poor communities. You would not see this pipeline running through Germantown or Bartlett. And we at POA don’t want to see it at all.

What to do?
Fire off your opinion to the folks on that list. Tell them what this means to your property values, Your sense of safety, Your sense of serenity down here in these woods and wild areas. These are some of the most beautiful stretches of Shelby County. Most Memphians haven’t even discovered this area or appreciate the abundant natural beauty of 38109. Now several of these “permitting” phases are already over. TDEC’s ARAP is over. The Army Corps of Engineers in Memphis and Vicksburg are open for comments till 16 November. In any case, send your comments.

Other people and institutions to contact:
Legislators, Local Politicians
Media, All Types
University/Colleges, Connect with a specialty: multi-level learning

Tell Your Story
Tell What You Know
Key Contact Information
Agencies and Individuals Working on the Pipeline
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