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The 485-mile southern leg of the Keystone XL pipeline, linking Oklahoma to Gulf Coast refineries, is set to begin construction on schedule today after a federal judge denied a temporary injunction bid filed by the Sierra Club and other critics of the project.

The environmental group challenged the Army Corps of Engineers' use of a standard Clean Water Act permit to gauge the impact of the President Obama-blessed pipeline that was renamed the Gulf Coast Project after TransCanada Corp. split it off from the oil link's more controversial northern portion. An Oklahoma City federal court denied their suit, finding that the pipeline's "benefits ... far exceed its costs."

Judge David Russell wrote in his Sunday ruling that he "is sympathetic with" the goals of Sierra and the east Texas towns that joined its legal bid to slow down the Gulf Coast pipeline. "However, while acknowledging the limited time it had to consider this complex case, the court is satisfied that plaintiffs have failed to show that this project will have more than a minimal impact on the environment."

Calgary, Alberta-based TransCanada intervened in the lawsuit on the side of the Army Corps. While Sierra plans to appeal Russell's order, the court's ruling allows the company to begin building an oil line aimed at alleviating what is often billed as a Midwestern glut of Canadian oil sands crude by transporting fuel to the Gulf Coast.

Obama announced his support for Keystone XL's southern leg in March, two months after denying a border-crossing permit for the longer northern section of the 1,700-mile pipeline amid blistering political pressure from pro-oil-sands Republicans and anti-oil-sands conservationists. Greens blasted the Army Corps for pursuing a standard permit for the pipeline when U.S. EPA had raised questions about TransCanada's route last year, but the company ultimately tweaked portions of its path to alleviate the need for EPA involvement (Greenwire, May 23).

At the heart of Sierra's challenge was the argument that seeking individual permits from three Army Corps offices for the Gulf Coast pipeline amounted to "piecemealing" a broader project with more significant environmental impacts in order to more easily clear the federal review process. Russell dismissed that charge, writing that the separate offices "consulted with one another to assess the cumulative impact of the entire project."

Another portion of his decision acknowledged the degree to which the now-\$5.3 billion XL line continues to drive furious debate on and off Capitol Hill. "The fact of controversy over the

original Keystone XL pipeline does not carry over to this action," Russell wrote.

Individual landowners in Texas continue to pursue potential alternative protests in an effort to slow down TransCanada's construction plans for the Gulf Coast line, which is expected to begin service as early as this year.

Doug Hayes, associate attorney for the Sierra Club law program, aligned his group with those pipeline critics in a statement on the judge's ruling.

"Despite their poor safety record, TransCanada is being given free rein to run highly toxic and corrosive tar sands crude through water supplies and wildlife habitat without thorough scientific review and without public input," Hayes said.

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