



# THE OSPREY

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# Coming to a Habitat Near You: Pipeline Battles

Ruth Heil

**It seems everyone knows somebody who is fighting to keep a gas pipeline out of his or her neighborhood. It's not your imagination. The network of proposed projects looks like an Etch a Sketch® gone rogue when drawn on a map.**

Meanwhile, existing lines can sometimes be bird hot spots. With the right vegetation, the edge habitat on top of a line can be a nesting and feeding site, and the right-of-way can make for deeper access into the forest. Aside from potential accidents, buried lines seem harmless enough. Why all the fuss?

The primary concern is in the construction itself, particularly in wetland or water-rich areas. First, the regulatory and economic process that guides it is painfully complicated and, without public involvement, woefully ineffective. Second, while it may be obvious to you and me why an installer would want to limit injury to Pennsylvania's natural riches, for them, it's all about cost reduction.

## Why Now?

Natural gas production in PA now includes almost 10,000 hydraulically fractured (fracked) wells north and west of the Lehigh Valley, many of which have been built in the last five years. This is according to The FracTracker Alliance on FracTracker.org, an organization dedicated to monitoring the fracking industry. The gas needs to go somewhere, and bringing it to market means pushing it across areas such as ours with no fuel underneath.

Industry touts jobs and energy independence as a benefit of natural gas wells and pipelines. At the end of the day however, profit dictates its actions. Economic conditions, as reported on the news, are affected by the tricky relationship between crude oil and natural gas. It's both competitive and complementary. High oil and gasoline prices make natural gas more attractive. However oil is traded globally while natural gas is regional. This grays the supply-and-demand relationship. When natural gas is liquified (LGN), it can be shipped across the ocean, thus opening it up to the same world stage as oil. Historically, gas's price per million British Thermal Units (MMBtu) and oil's price per barrel have moved up and down in relative synergy to each other. So in short, it's complicated.

Natural gas companies have been rushing to bring their product to market before a glut lowers prices. Pipeline construction is imperative. Industry is not just rushing to power America with domestic supply as it would like you to think, it is fighting to compete with the world through liquification. At least 10 proposed LGN export facilities are on the agenda throughout the U.S.

A recent Bloomberg Business report highlighted current conditions, noting how when supply is high, there is less money to be made from drilling (of either kind). In response, the industry focuses on cutting costs and increasing efficiency. They idle low-production wells and apply manpower to the highest producing wells, squeezing as much as they can, as fast as they can, out of the hole.

Because we Pennsylvanians will suffer the consequences of a shortsighted rush to blast for cash in an ever-changing energy market, we must be the voice for thoughtful investment in our future.



*Pipeline swath within Rothrock State Forest, Centre County–Huntingdon County line. Photo by Nicholas A. Tonelli, CC 2.0 on flickr.*

## Pipeline Construction

Rightly so, Americans rely on regulators and permittees to protect us from bad actions, including shabby construction techniques. But regulatory agencies are short-staffed, politically swayed, and corruption targeted. Like profit potential, regulation is also very complicated.

Each type of pipeline has a different set of regulations. In addition to involvement from municipal and state agencies, the Federal Energy Regulatory Commission (FERC) is the main regulatory body. Some lines, such as gathering lines, are not regulated at all, while interstate transmission lines such as the PennEast project—

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destined to run from Wilkes Barre to just outside Trenton New Jersey—get the most attention. Those are the ones we hear about.

Public utilities receive special treatment under the law to protect delivery of services for the public good. Thus, citizens often feel helpless to do anything when those utilities don't operate in a good way. On the other hand, once citizens understand more about the process of routing, constructing, and maintaining these pipelines; once we realize that these are not public utilities but private corporations; once we see what riches (forests, wetlands, waterways, community wellbeing) will dwindle in sacrifice to corporate profit, we see why we need to get involved.

When your neighbors organize around this issue, they...

- globally put a kink in the straw that sucks carbon out of the ground.
- locally protect both human and wildlife habitat.
- legally demand continued respect for the Clean Water Act.
- politically send a message that they want investment in alternatives to fossil fuels.
- constitutionally prevent the use of eminent domain for private profit.

### **Why Wetland and Stream Protection?**

Water quality has always been a cornerstone of environmental law, but America lost about half its wetlands before scientists and legislators truly understood the crucial natural functions they provide.

When bulldozers come, soil is compacted and thus cannot absorb water. When native vegetation is cut, shade is reduced, and less desirable seeds are dispersed, making way for plant invasion from vegetation that offers nothing to the local wildlife. When a pipeline trench is dug, the water follows it out of the wetland or stream.

### **The Permitting Process**

Lines that carve through high-quality natural areas, wildlife habitat, wetlands, and stream crossings, are guaranteed to inflict permanent environmental damage.

FERC makes general, science-based recommendations—called best management practices (BMPs)—for smart design, construction, and maintenance of a pipeline, but ultimately it's the industry consultant who draws up the heavily detailed plan. Submitted as an application for a permit, the plan shows how the line will be constructed, etc. There is much flexibility in the actual methods proposed. FERC must review the

plans to determine if future actions will sufficiently protect life and property. BMPs are nice, but minimally required is compliance with much-less-stringent standards. Once approved, the contractors are free to move forward, whether the design is truly a good one or not.



*Loyalsock State Forest, Flyover - PA 2013. Photo by Pete Stern via FracTracker.*

Consultants use the National Wetlands Inventory database to locate and avoid high-quality wetlands and waterways. But that database is incomplete. Lidar mapping is better, but nothing beats the in-the-field analysis called wetland delineation. It is unreasonable to field-delineate the entire route before applying for a permit. Instead the line is drawn based on the knowingly incomplete, desk-accessible data. It's then up to people who live there—folks who don't need gauges and bore holes to tell if a place is a wetland—to speak up at the public hearings. The public must inform the authorities about existence of wetlands (and all environmental treasures), so field action can be taken to protect them.

If an alternative route is not found and wetland degradation is impossible to prevent, consultants employ offsets. They trade. They protect or enhance land elsewhere to make up for what they destroy. Sadly, the protected land is not always of the same high quality as the destroyed land. And "enhancements" often do little to improve natural functions, missing the loophole's ecological intent to improve stressed land.

Finally, the way in which a pipeline is installed and maintained will matter to the quality of what's left behind. That is also determined at the permitting stage.

### **Your Voice**

There is no going back once construction begins. Furthermore, since multiple parties are involved in planning a pipeline, the liable party will be difficult

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to pinpoint if something goes wrong.

Even if you favor the use of natural gas, you can play a role in lessening the impact of its distribution by demanding permits be given only for necessary pipelines, carefully planned routes, and ecologically focused construction. What the finished line will look like, if it will be useful to wildlife, and whether or not the land will function in the same capacity as it did before construction, all depends upon the permitting process. You can call for smart construction or no pipeline at all. The choice is yours; but yours is the voice for the birds.

### **Resources**

The Delaware Riverkeeper Network provides people with training and information so they know how to stand up and be heard. They are pushing the federal government to investigate a FERC bias towards industry. Learn more at [www.delawareriverkeeper.org](http://www.delawareriverkeeper.org) or [www.stopthepipelines.org](http://www.stopthepipelines.org).

Cogentpa.org was created to keep northern tier landowners informed, and thus has a lot of valuable links on its site.

FracTracker.org is a data-driven site that monitors fracking worldwide.

# # #

Ruth Heil blogs about being outside at [www.TodaysWalkOutside.com](http://www.TodaysWalkOutside.com). Email her at [ruth@thewritebeat.com](mailto:ruth@thewritebeat.com).

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