

**March 27, 2023**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

**RE: Comments on FERC draft Environmental Impact Statement for the Cumberland Project (Docket Number CP22-493-000)**

Dear Ms. Bose,

The undersigned organizations are submitting these comments because of our collective concern about the significantly deficient draft Environmental Impact Statement (“Draft EIS”) for the proposed Tennessee Gas Pipeline Cumberland Project (“Cumberland Project”) which would result in 32 miles of new pipeline across three counties in Middle Tennessee. In light of the climate crisis, growing energy insecurity, and the health and environmental risks of expanded fossil fuel development, we urge the Federal Energy Regulatory Commission (“FERC”) to: (1) urge TVA to re-evaluate, demonstrate, and justify the need for the proposed pipeline; (2) comprehensively incorporate climate impacts in your environmental review; and, (3) address all other deficiencies in TVA’s own analysis of the gas plant and pipeline alternative as discussed below in this letter.

The Tennessee Valley Authority (TVA) is a federal utility created by act of Congress that does not have independent oversight except for FERC in this case. As a result, it is appropriate and necessary for FERC to complete a full analysis of need for this proposed project.

The proposed Cumberland Project is not needed because the Tennessee Valley Authority’s proposed 1,450 megawatt gas plant is not needed at the current TVA Cumberland site. TVA’s own environmental review process for the generation replacement of its retiring Cumberland coal plant was insufficient. There were many red flags which the Environmental Protection Agency raised in its own comment on TVA’s Draft EIS when TVA selected the combined cycle gas plant as its preferred alternative. The EPA stated that it “strongly recommends the proposed action be modified or a different preferred alternative be selected in the Final EIS, and that the DEIS informational deficiencies be clearly remedied for the public and TVA decisionmakers.”<sup>1</sup>

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<sup>1</sup> U.S. EPA. EPA Comments on the Draft Environmental Impact Statement for the Cumberland Fossil Plant Retirement, Stewart County, Tennessee; CEQ No: 20220059. June 30, 2022. <https://southernenvironment.sharefile.com/share/view/3955d8349fa040ab/fo34b733-4cd0-4ddb-a04a-77142afe2f61>.

TVA failed to address these issues in its final environmental impact statement, along with numerous concerns raised by many of our groups urging the utility to evaluate all reasonable alternatives, including renewable and distributed power generation. Instead, the utility altered its description of purpose and need in a way that *precludes* renewable energy alternatives and fundamentally alters the scope of TVA’s decision-making, and thereby the very foundation for the Cumberland Project.

The EPA responded to this by submitting another comment stating, “In EPA’s view, our concerns are substantial.”<sup>2</sup> Among the many deficiencies EPA cited that TVA failed to address, “completing a more robust evaluation of renewable power sources” was one.

In FERC’s determination of need and public convenience for this application, the agency must “consider all of the benefits of a proposal together with all of its adverse impacts, including economic and environmental impacts.” Many studies have already demonstrated it would be cheaper and result in fewer emissions to replace the Cumberland coal plant with clean, renewable energy.<sup>345</sup> Therefore, FERC should include energy and economic comments within the scope of the project even though it has stated otherwise.

Furthermore, there has been widespread public rejection of a gas plant and preference for renewable energy, battery storage and energy efficiency to replace the generation – this includes the City of Nashville and at least one congressional representative as well as the EPA and hundreds of community and organizational comments.

We further note that the operation of a new fossil gas plant made possible by the pipeline would be starkly out of step with both the U.S. Nationally Determined Contribution pledge under the Paris Climate Accord to reduce greenhouse gas emissions by 50-52% below 2005 levels by 2030 and the Biden Administration goal of 100% clean electricity by 2035. Permitting a pipeline

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<sup>2</sup> U.S. EPA. EPA Comments on the Final Environmental Impact Statement for the Cumberland Fossil Plant Retirement, Stewart County, Tennessee; CEQ No: 20220181. January 9, 2023. <https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/details?eisId=385821>.

<sup>3</sup> Appalachian Voices. Save energy grow jobs in the Tennessee Valley. [https://appvoices.org/resources/reports/TVA\\_Jobs\\_Report\\_07\\_14\\_22.pdf](https://appvoices.org/resources/reports/TVA_Jobs_Report_07_14_22.pdf); Synapse Energy Economics, Inc. Clean Energy Portfolio Replacement at Tennessee Valley Authority. June 2022 <https://www.synapse-energy.com/clean-energy-portfolio-replacement-tennessee-valley-authority>; Synapse Energy Economics, Inc. TVA’s Clean Energy Future. March 2023. <https://www.synapse-energy.com/tvas-clean-energy-future>.

<sup>4</sup> Synapse Energy Economics, Inc. Clean Energy Portfolio Replacement at Tennessee Valley Authority. June 2022 <https://www.synapse-energy.com/clean-energy-portfolio-replacement-tennessee-valley-authority>.

<sup>5</sup> Synapse Energy Economics, Inc. TVA’s Clean Energy Future. March 2023. <https://www.synapse-energy.com/tvas-clean-energy-future>.

that would provide fossil gas to a plant that will emit greenhouse gas emissions for decades clearly undermines those commitments and does not serve the public interest.

TVA's EIS failed to analyze the full scope of potential greenhouse gas emissions from the Project, including upstream emissions. The project will result in increased greenhouse gas emissions as a result of increased fossil fuel use. FERC should apply its recently updated Policy Statement and Interim Policy Statement on Greenhouse Gas Consideration to this project. The Environmental Protection Agency found TVA's greenhouse gas calculations to be insufficient. FERC should produce its own calculations for evaluating GHG emissions for all Cumberland plant alternatives.

The Draft EIS for the Cumberland pipeline proposal is deficient in other critical ways as well, particularly with regard to harm to streams, species, public health, and the economy. The draft does not account for the best way to mitigate any damaging effects to streams and the environment. The current pipeline route would cross through at least 149 streams and 7 wetlands including delicate habitats that are home to many important species, feed wells, and serve as drinking sources for animals. Not only is the project damaging to water resources along the entirety of its route, the project will adversely affect existing land uses and individual property rights. Significantly, the waters in this area serve to replenish groundwater which is the single source of drinking water for multiple families. There are also no currently approved methods to ensure that the full extent of the pipeline will not leak in the long term, and there are also risks of explosion. The study's analysis of impacts to species, like the Northern long-eared bat, is also inadequate given the species' imminent reclassification as Endangered under the Endangered Species Act.

Thank you for reviewing our comment and the changes we request in your consideration of this application.

Sincerely,

**CLEAN UP TVA COALITION**

SUNRISE MOVEMENT

NATIONAL SIERRA CLUB

SOUTHERN ALLIANCE FOR CLEAN  
ENERGY

APPALACHIAN VOICES

CENTER FOR BIOLOGICAL DIVERSITY

NAACP-MEMPHIS CHAPTER

SOWING JUSTICE

STATEWIDE ORGANIZING FOR  
COMMUNITY EMPOWERMENT

ENERGY ALABAMA

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