

“ARRESTS!”

THE SENECA LAKE SALT CAVERNS GAS STORAGE SAGA

by John D. Elder

**“RED LIGHT! Do not share this message and/or link with anyone in any form!** Welcome New Trainees! You are invited to Encyclical Dance III...**Only those not yet arrested should sign up for the A-team...The dance will begin at 6:30 a.m.”**

This August 3, 2015 “dance invitation” email is a coded alert that another protest is being organized by the Seneca Lake Defenders. With it is a personal request to Anne and me from Dr. Sandra Steingraber, the ecologist/author who had spoken in Oberlin that April on “A New Environmentalism for an Unfractured Future.” She would like us to join in this protest. It will be based on Pope Francis’ recently issued encyclical, *Laudato Si’: Our Care for Our Common Home*, which emphasizes that safe drinking water is a “basic and universal human right.”

The email instructs us how to phone in for a 30-minute training in non-violent direct action. The protest is against a proposed “fracked” gas storage facility in salt caverns at the terminus of a major pipeline. The plan to pump up to 220 million gallons of gas into the caverns threatens to pollute Seneca Lake, the largest of New York’s beautiful Finger Lakes. Seneca Lake provides drinking water for over 100,000 people. The salt caverns are almost directly across the lake from our summer home. We sign up and get a message back: “6:30 in the Wal-Mart parking lot. Wear blue.”

Next morning we join a couple of dozen people, like us attired in blue, and divide into two groups: “Plan To Be Arrested” and “Do Not Plan To Be Arrested.” Because Anne and I have Ohio driver’s licenses we are told, “Try *not* to get arrested. You’d have to come back months from now for your court appearance. The fine will be at least \$250.”

By 8 a.m. we are car-pooling a couple of miles up the highway out of town. We park well off the road and trudge on to pose with our posters in front of the **CRESTWOOD Seneca Lake Compressor Station** entrance sign. This is the third “Encyclical Dance.” I have been asked to continue reading from

*Laudato Si'*. A Catholic Workers group had begun the reading a few weeks earlier – and then been arrested. A second group followed soon after.

I begin reading the Pope's words from *Laudato Si'* in my best preacher's voice: [Part IV:84]"...The entire universe speaks of God's love, his boundless affection for us. Soil, water, mountains: everything is, as it were, a caress of God. The history of our friendship with God is always linked to particular places which take on intense personal meaning; we all remember places, and revisiting those memories does us much good. Anyone who has grown up in the hills or used to sit by the spring to drink, or played outdoors in the neighborhood square; going back to those places is a chance to recover something of their true selves."

For my wife the sparkling waters and vine-covered hillsides of Seneca Lake are home, and "going back" to this place is indeed a chance to recover something of her true self. The prospect of fiery flare stacks, noisy compressor stations, toxic volatile organic compound emissions, brine spills and gas explosions at a massive "Gas Hub for the Northeast" is appalling!

I am just finishing the magnificent hymn by St. Francis of Assisi that provides the title for his namesake's encyclical when a huge Crestwood tanker truck pulls up from inside the facility. At the same moment a demonstrator yells "Arrests!" A series of patrol cars and vans zoom in from the highway. The Schuyler County sheriff strides up and commands, "You are trespassing on private property. Move off or you will be arrested." The A-(Arrest-ee) Team members cross their hands behind their backs and wait to be marched off. We hold up our signs and shout, "Save Seneca Lake! No Gas Storage!" Sandra and her videographer are also arrested – she for the third time – even though they are clearly in front of rather than lined up with the those in the "Plan To Be Arrested" group standing behind the sign **Posted: No Trespassing For Any Purpose Whatsoever**. I had given the text of the *Our Care for Our Common Home* encyclical back to Sandra, and the officer grabs it out of her hand – a moment of irony no doubt lost on him.

The rest of us re-group, drive back into Watkins Glen, and park by the building housing the county courthouse, sheriff's department and jail. After an hour's wait the 13 arrested protesters emerge, one by

one, holding the green half-sheet with their date of arraignment. We applaud and cheer. Several of us then gather in a nearby coffee shop and ponder how to stop a disaster from happening.

“Fracking” has been an issue in the Southern Tier of New York since the natural gas boom began just over the border in Pennsylvania. In the summer of 2010 Anne and I had taken a “fracking field trip” to the region around Dimock PA. It was then in the news because of film-maker Josh Fox’s recently released documentary “Gaslands.” What we saw energized us to lobby Governor Cuomo and even surround his 2014 campaign rally in our county with “Ban Fracking” demonstrators. He dodged the issue until after the election was over. Then, to our relief, he declared a ban on “fracking” in New York State. But could we get him to pressure the two permitting agencies, the Federal Energy Regulatory Commission and the New York Department of Environmental Conservation, to block Crestwood from storing “fracked” gas from other states in dangerously crumbling salt caverns and building a sprawling train and truck hub to ship it out?

In 2015 it has been six years since Crestwood’s predecessor company announced its plan to store huge quantities of propane, butane and methane from “fracked” gas wells in salt caverns near the village of Watkins Glen. An engineer working for that company wrote a report deeming these caverns “unsuitable for storage,” but his employer demanded he sign a letter recanting his assessment. A geologist funded by Earthjustice submitted a 20-page analysis showing it was likely salt would be forced up by gas pressure into Seneca Lake – a problem other scientists indicated may have happened with previous gas storage in the caverns. He detailed the threat of an earthquake that would cause a cavern collapse and devastating explosion. But the permit application to the Federal Energy Regulatory Commission for the salt cavern gas storage failed even to acknowledge what happened in the 1960s – a 400,000 ton block of rock fell from the roof of one of the very caverns where Crestwood wants to store gas.

Two different groups, both led by friends of ours, are trying to stop the project. “Gas Free Seneca” has managed to sign up well over a hundred business people from around the lake – vineyard and winery owners, motel and B&B operators, restauranteurs, organic farmers. The business owners are concerned

about the impact on tourism of the flare stacks, compressor noise, and train and truck traffic, in addition to the public safety and environmental threats posed by the proposed gas operation. Thanks to the group's diligent lobbying many municipalities have also declared their opposition.

The "We Are Seneca Lake" organizers aim to gain sympathy by attracting what Sandra Steingraber labels "media attention," not only in New York State but across the nation, through week after week of imaginatively-themed protests. They feature arrests of notables such as film director Josh Fox, along with groups of people from many different walks of life. Some in today's protest have traveled from Albany and even the five hours from New York City.

On August 16 Sandra phones us. "Bill McKibben is going to join this week's protest, and his arrest will get great media attention. But we need to keep him hidden until then. Can he stay with you?" "Of course!" I reply. I wonder how we'll fit the notable "350.org" founder into a cottage filled with children and grandchildren, but figure it will be an educational experience for all.

Arrests of protesters at the gas storage site began in 2012 when three Schuyler County residents, including another good friend, retired minister Reverend Gary Judson, blockaded an entrance to the Seneca Lake Compressor Station. At his trial Gary noted that just in the previous two months there had been two substantial brine spills by the company. As he paid his \$250 fine the clergyman declared, "Throughout history people have risen up in acts of civil disobedience against unjust laws, corrupt and oppressive governments, and corporations who care little for the local community, endangering their citizens and polluting their environment. Such is the case, I believe, with [this] gas storage facility in Schuyler County."

The legal consequences of the protesters' actions have been totally unpredictable. We knew that Susan Walker, who was in that first group arrested, refused in protest to pay a \$275 fine and Town Justice Raymond Berry sentenced her to the maximum 15 days in jail. Sandra Steingraber herself had gone to jail twice for two-week sentences. But when Santa Claus and seven of his elves, who were arrested on December 22, 2014, in one of Sandra Steingraber's most widely-publicized demonstrations. came to trial with defendants from several other protests, Justice Berry dismissed the charges against all 42 protesters.

He said to one group, “I’m very proud of you. You had a cause and you fought for it to the best of your ability. Congratulations!” To another he said, “I’ve grown to admire you people.”

So what will happen to Bill McKibben and us on Tuesday, August 18, 2015? Sandra calls again: “Bill has canceled.” That means no great photo op. No publicity. No need for arrests. We repeat the routine from two weeks before, taking one of our granddaughters with us, but no Sheriff arrives. On August 26 there is another protest, this time featuring college students and faculty from local schools as well as Hampshire College and Harvard University. The Ithaca College newspaper report includes a video of the arrests. [See <https://theithacan.org/news/ithaca-college-faculty-and-students-join-Seneca-Lake-protests>]

Amazingly, the trespassing charges against the people arrested in several protests, including the one we joined on August 4, were dropped by Judge Berry in his court session on March 16, 2016, at the request of the Schuyler County District Attorney. Why? Because an investigation by his office determined that the state Department of Transportation, not Crestwood, actually owned the property where the protesters had been standing. Not only were Sandra and her videographer improperly arrested, but so were the “A-teams” at all of the protests. But the media attention had been great!

We could not know in 2015 that the arrests would continue for at least two more years. Then, on May 10, 2017, the successor company to the firm that had announced in 2009 its plan for enlarged methane storage in the salt caverns declared, “Arlington has discontinued efforts to complete the Gallery 2 Expansion Project.” In May 2018 the firm notified the DEC that there were fractures in a portion of the caverns and leaks had been detected. In July the Schuyler County Commissioners, on the basis that the company had no emergency plan in case of an explosion, voted to rescind their earlier approval of the project. Three days later New York State declared the project we had been protesting against was “not permissible.” Yvonne Taylor of “Gas Free Seneca” issued a statement: “This is truly a great day for our region, and we thank everyone who helped make this day possible. Don’t ever tell me that David can’t beat Goliath.”

The end of the Seneca Lake salt cavern gas storage saga? In a way, yes. But Goliath had been making other plans.

While we were protesting and risking arrest, the pipeline company had been negotiating with the owners of a shuttered coal-fired electric generating plant a few miles further north on the Seneca Lake shore. The company got approval to build a connector pipeline, and the plant owners were permitted to run the generators on “fracked” gas. The area’s State Senator and Assemblywoman claimed in a joint statement it would “provide badly needed economic and environmental benefits.” But the plant can suck up 140 million gallons of free Seneca Lake water a day to cool the generators - without adequate screening to filter out fish - and then dump the super-heated water back into a trout stream that runs into the lake. Now the owners want to expand the generating capacity because, it has been revealed, this whole project is actually a sizzling around-the-clock Bitcoin operation that depends on cheap power to make a profit.

So we are back again in the routine of signing petitions, writing letters to the editor, lobbying officials, and going to meetings (by Zoom). And when we return to our summer home in June, perhaps we will also be back again to joining protest demonstrations and hearing the warning yell “Arrests!”