

Forestry Group Joins Growing Opposition to Pipeline Bill

(Forsyth, GA) – The Georgia Forestry Association announced today that it will oppose legislation that would exempt private pipeline companies from many of the restrictions and conditions currently in place for the location of new petroleum pipelines. According to association officials, the potential impact on private property rights has led the group to this decision.

Lobbyists for Colonial Pipeline Company, the company that initiated the legislation, maneuvered the bill rapidly through the Senate, thus avoiding much organized resistance. However, in the process, the company may have hurt its prospects in the House of Representatives. Many in the Cobb County legislative delegation and other local elected officials complain that they were not informed of the legislation, even though Cobb County would be among the most affected communities when the company undertakes a proposed pipeline project from the Georgia-Alabama line to the tank farms located near Powder Springs and Austell in the western part of the county. It is this 40-mile stretch of new pipe that the company says is the motivation for Senate Bill 173.

But for property owners, the potential for infringement on private property rights raises the most concern. The bill allows the company to locate a pipeline 75 feet on either side of an existing pipeline right of way and to take the pipeline an additional mile on either side under certain circumstances, unfettered by the requirements that are in place now to protect individual property owners.

“In our view, the protection of existing private property rights trumps any cost-savings that might result from removing the requirements faced by big companies locating pipelines,” said forestry association spokesman Steve McWilliams. “We are not convinced that the requirements that are in place now represent too high a hurdle for a formidable company like Colonial to clear.”

Those requirements include obtaining a certificate of necessity from the Department of Transportation and an environmental assessment from the Department of Natural Resources before the pipeline company may utilize the power of eminent domain to obtain property for installing a pipeline. If the certificate of necessity is not granted within 90 days by the transportation department, the company is considered to have satisfied that requirement. For the environmental assessment the same is true after only 120 days. Some have predicted that the process in any case should take no more than seven months.

Pipeline lobbyists argue that new pipeline construction needs to be expedited in Georgia and that, in order to do so, these restrictions must be waived. However, if the effort had begun several months ago to comply with property rights protections, the company could be well on its way to implementation of its pipeline plans, notes McWilliams.

“The company also contends that removal of the requirements is consistent with the new state energy strategy,” said McWilliams. “But new pipeline capacity is only one of several options that energy planners suggest needs to be studied to minimize vulnerability to supply interruptions. In fact, the energy strategy clearly acknowledges that ‘there is little consensus about the best strategies to enhance the supply of petroleum to Georgia’.”

He also points out that removing the requirements could result in greatly diminished notification to landowners that their property is about to be condemned.

The Georgia Forestry Association predicts that the legislation will meet heavy resistance in the House, noting that a number of legislators, including many Democrats, are voicing concern, if not determined opposition.

“Property rights protection always has been a mainstay of the Republican platform”, said McWilliams. “At the end of the day, the GOP will not surrender the high ground on this issue.”

If it is true that the line into west Cobb County is Colonial’s goal, then let’s talk about solutions to accomplish that rather than subject property along hundreds of miles of pipeline right of way to possible eminent domain action, he concluded.

The Georgia Forestry Association is a trade association founded in 1907 that advocates for Georgia’s forests, forest landowners and the state’s \$26 billion forest products manufacturing industry.

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