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United States Forest Service Accuses Atlantic Coast Pipeline of Misrepresentation and Inadequacy in Soil Testing in National Forest

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In a 23-page letter dated November 5, 2015 to the Federal Energy Regulatory Commission (FERC), Clyde Thompson, Forest Supervisor of the Monongahela National Forest, requested that FERC reject all soil testing data generated by Atlantic Coast Pipeline LLC in the George Washington National Forest in Virginia and the Monongahela National Forest in West Virginia.

The USFS letter asserts that "information has come to our attention that discredits the results of any soils surveys conducted to date while also showing ACP failed to implement the Forest Service's protocols for surveys and requirements for qualifications of field personnel."

This letter includes documentation of extensive email and phone correspondence that took place between the Forest Service and the ACP contractors taking the soil samples, highlighting continuing disregard of USFS protocol by ACP. The USFS goes on to show evidence that the ACP and/or its consultants went so far as to misrepresent who was actually conducting these surveys and refused to provide resumes of field personnel despite repeated requests.

As archived in screenshots of email correspondence, "ACP was undiligent in following the Forest Service's protocols and responding to the Forest Service's

requests to review qualifications of field personnel” and that “ACP and/or its consultants misrepresented who conducted the soils surveys.”

Specifically, the ACP “misrepresented the resume of one field personnel and falsely attributed survey results to qualified field personnel, and misrepresented the Forest Service’s requirements for protocols and qualifications of field personnel to its consultants.”

This document was filed in reference to the Atlantic Coast Pipeline (ACP), a 42” high pressure natural gas pipeline proposed to cross between 40-50 miles of National Forest lands, the Appalachian National Scenic Trail and the Blue Ridge Parkway. The ACP would result in a linear clearcut of up to 600 acres, 125 feet wide crossing numerous mountain ridges, rivers, hundreds of streams and areas of the highest conservation value.

FERC requires that soil and geology surveys be completed for the route proposed for the Atlantic Coast Pipeline. These surveys provide information for the federally required Environmental Impact Statement. These critical surveys lay the groundwork and provide the on-the-ground information needed to ensure that our environment is protected and impacts of the ACP are adequately considered.

According to Tom Bailey, a USFS Soil Scientist referenced in the letter, “Protocols for field work to verify soil survey information on the GWNF have not been completed and what has been accomplished to date has been done by unqualified personnel using inadequate methods.”

The soil analyses in question includes data on “nutrient poor soils that are at moderate to high risk from disturbance” and “indirect effects from activities that need to account for the soil resource upslope or downslope of that activity.” These at-risk terrains include karst, a topography characterized by soluble minerals that is prone to create sinkholes, dolines, and underground caves.

This latest USFS filing follows a 57-page document that GWNF Forest Supervisor Tom Speaks sent to FERC on July 30, 2015 that pointed out numerous deficiencies, errors, and inconsistencies in documents submitted to FERC by Atlantic Coast Pipeline, LLC. The July 30 document contained 335 different requests for information, including stipulations that Dominion complete required analyses on impacts to waters, plants, animals and users of the forest.

"The fact that Dominion now has a pattern of ineptitude and misrepresentation calls into question their ability and competence to proceed with this project," said Ernie Reed, Wild Virginia President.

The threat to Virginia's national forests doesn't just come from Dominion's shoddy protocol, but also from a recent call by Governor Terry McAuliffe to vet all public information and comments from state agencies regarding natural gas pipelines through his office. Wild Virginia fears that the Governor's coordination of state agency responses "could lead to the public failing to hear about similar discrepancies," said David Sligh, Wild Virginia's Conservation Director. (see attached press release of 11/04/15) "Put all of this together and we are left with a vote of 'no confidence' in both Dominion and Governor McAuliffe regarding the Atlantic Coast Pipeline."

The USFS letter concludes, "In summary, the Forest Service cannot use the results of these soils surveys to evaluate project effects on NFS lands. Furthermore, the Forest Service recommends that the Federal Energy Regulatory Commission (FERC) not utilize data from soils surveys conducted to date on NFS lands in the preparation of the environmental impact statement."

The document is available on the FERC website at http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20151105-5194

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Attachment: Press Release: 11/04/15-Governor McAuliffe's Information "Coordination" - Pipeline News Filtered Clean?