

Wild Virginia
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March 21, 2016

USDA Forest Service
George Washington and Jefferson National Forest
ATTN: Atlantic Coast Pipeline Survey Comments
comments-southern-georgewashington-jefferson@fs.fed.us

Wild Virginia opposes the application filed by Atlantic Coast Pipeline LLC (ACP) for a special use permit to conduct field routing, environmental, cultural resource, geotechnical core borings, and civil surveys on lands within the George Washington National Forest (GWNF), as noticed on February 29, 2016 under File Code 1950/2720. The ACP application fails to adequately answer questions 13.b. and 13.c. on Standard Form 299 and should be denied because of these deficiencies. Further, ACP's proposed surveys will cause damage to federal resources that are not sufficiently described and for which measures to prevent permanent adverse impacts are not sufficiently analyzed by the applicant. Finally, the proposed survey corridor should not be allowed to pass through or include intrusive operations in areas designated for enhanced protections due to ecological, scenic, or other special values.

Need to Cross Federal Lands

ACP's proposed pipeline project would cause serious and lasting damage to the GWNF ecosystem including: habitat fragmentation, isolation of biotic populations, increases in forest edge, threats to the survival of rare and sensitive species, increases in invasive species, and increases in the incidence of disease to natural organisms. The pipeline would degrade scenic and recreational values of the GWNF and threaten drinking water supplies and downstream water bodies.

Given these risks to public lands and other resources, the need to adequately address the questions on Form 299 are especially **pressing**. No further work on the GWNF should be allowed until these "threshold questions" are answered in ways that assure the Forest Service and the public that alternatives have been properly examined to the extent required at this stage and that there is a valid justification to use public lands.

Question 13.b. on Form 299 asks "why were [other reasonable] alternatives not selected?" ACP answered that the currently-proposed route, including the segment designated GWNF-6, was selected "through consultation with the Forest Service." However, ACP has offered no substantial analysis to show why GWNF-6, in combination with other portions of ACP's preferred route, has been proposed in preference to other routes described in Resource Report 10, as supplemented in December 2015 and February 2016. The Forest Service rejected parts of ACP's route crossing the Shenandoah Mountain area due to threats to endangered species and other resources but that rejection of one Forest crossing in no way explains why GWNF-6 is a suitable alternative.

Indeed, ACP could have crossed the GWNF via numerous routes, both to the North and the South, that would have avoided those areas the Forest Service has deemed “off-limits.” Also, ACP had previously stated that routes farther south from Shenandoah Mountain were unsuitable. Now the company proposes just such a route without explaining why its previous determinations were wrong. The analysis that ACP presented for the “many alternatives” previously discussed in its submittals addressed a range of issues that have not been addressed for GWNF-6 and the cumulative impacts that could result from the entire route now proposed to cross the GWNF have not been compared directly to the cumulative impacts of the previous preferred alternative. While we recognize that more in-depth analyses on the proposed route(s) will continue, it is important to recognize that the application now under consideration calls for some explanation as to why an initial alternatives analysis justifies any incursion onto the Forest. ACP has failed to provide this analysis.

Question 13.c. on Form 299 commands the applicant to “[g]ive explanation as to why it is necessary to cross Federal Lands.” ACP states “[g]iven the general trajectory of the planned pipeline route between West Virginia and southern Virginia, . . . it is not feasible to avoid crossing the GWNF.” However, the necessity for crossing federal lands may not be determined “given” the pipeline company’s wish to follow a certain trajectory. In comments on the Draft Resource Reports, the GWNF, citing Forest Service Manual 2700, has stated that ACP “should clearly articulate why the project cannot reasonably be accommodated on non-NFS lands.” (July 30, 2015 letter from H. Thomas Speaks, Jr., item 7). ACP has not previously provided this reasoning and the application under review here fails to provide it.

Damage to GWNF from Survey Activities

The scoping notice for this special use permit describes ACP’s proposal to use a “track or wheel-mounted rotary auger drill rig (roughly the size of a one-ton pickup truck)” for core borings and states that the company is currently determining the locations where this work is to be done. The specific areas where this equipment will be used should be disclosed before the permit is granted and the public should have the chance to comment on those proposed impacts to forest areas. Recognizing that specific locations will be need to chosen in the field, the application should describe the characteristics that will guide core collection sites, including areas that will be excluded from disturbance, such as those described in the next section of this letter. The application should also explain other methods for characterizing geologic structures and whether these methods may replace or lessen the need for land disturbance at some sites. Each location must be approved by Forest Service officials before land disturbance is allowed.

Areas That Must Be Excluded from Survey Areas

Certain management areas defined in the George Washington National Forest Land and Resource Management Plan (“Forest Plan”) should be excluded from study corridors, especially where core borings or any other physically intrusive activities are proposed. These areas include:

Special Biological Areas (designation 4D) - According to the Forest Plan, areas with this designation are

"managed to include lands that support key components and concentrations of the Forest's biological diversity. These lands serve as core areas for conservation of the most significant and rarer elements of biological diversity identified to date on the Forest. These areas or communities are assemblages of plants and animals that occupy a small portion of the landscape, but contribute significantly to biological diversity. . . . These lands contain individual threatened, endangered, or rare natural communities found within major forest communities". **Revised Land and Resource Management Plan**, p. 4-53.

Given their high values and unique natures consideration of areas under prescription 4D should not generally be considered for destructive activities such as the proposed pipeline. Therefore, the need to demonstrate that alternatives outside the National Forest is especially important here - in fact, the analysis should be taken further to assess whether intrusion on the Special Biological Areas may be justified as opposed to other portions of the Forest.

Special Biological Areas (SBAs) that would or may be crossed by the proposed study route include Brown's Pond SBA, Ratcliff Hill SBA, Big Cedar Shale Barren SBA, Reubens Draft Shale Barren SBA, and Big Levels Macrosite SBA. Permission should not be given to survey in these areas without further justification than is provided in the application.

Scenic Corridor and Viewshed (designation 7B)

The survey area is proposed to cross the Scenic Corridor along 250 near Hankey Mountain and West Augusta. The Forest Plan prescribes that the natural characteristics making the area scenic shall be maintained. Thus, they are unsuitable for designation of new utility corridors or for intrusive survey activities.

Thank you for allowing us to comment on this proposal. Please inform us of your decision on this matter.

Sincerely,

David Sligh
Conservation Director