



United States Department of the Interior

Bureau of Land Management-Eastern States

Northeastern States District

626 E. Wisconsin Avenue, Suite 200

Milwaukee, Wisconsin 53202-4617



IN REPLY REFER TO:
2880(M03300)
WVES-058077/VAES-058078

September 3, 2015

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

 ORIGINAL

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SECRETARY OF THE
COMMISSION
2015 SEP 10 A 9 32
FEDERAL ENERGY
REGULATORY COMMISSION

Re: Atlantic Coast Pipeline Project, Federal Energy Regulatory Commission
Docket Numbers PF15-5-000 and PF15-6-000

Dear Ms. Bose:

The Bureau of Land Management (BLM), Northeastern States District, notified the Federal Energy Regulatory Commission (FERC) and Atlantic Coast Pipeline, LLC (ACP) on August 13, 2015 that the application received on July 16, 2015 for the proposed ACP pipeline was not complete and did not include a plan of development (POD) as required by the Mineral Leasing Act (MLA) of 1920 for that portion of the pipeline that would impact Federal lands. The BLM requested that the FERC schedule for the project reflect the late and incomplete status of the Federal application and that additional time be given to ACP to provide required information before filing their application for a certificate of public convenience and necessity.

The August 13, 2015 letter to ACP identified general areas of information required to complete their application, but a review of the scoping comments and responses to the resource reports identifies issues regarding the adopted alternative route proposed by ACP. The adopted route across the Monongahela and George Washington National Forests will impact threatened, endangered, locally rare, Forest Service sensitive and protected species, eligible Wild and Scenic Rivers, civil war sites and other significant cultural resources, potential wilderness designations and inventoried roadless areas, and hydrologically sensitive areas. Impacts to these resources need to be compared across alternatives. The ruggedness of the terrain is a factor in route selection. The resource reports compare the proposed route with several alternatives but not for the Conceptual Southern Route Alternative. Data is needed for all alternative routes that will include a further delineation of slope degree and distance to effectively present a comparison of terrain between the alternatives. A discussion of the use of horizontal boring for sensitive areas must also be included in the analysis. Road access assessment needs to incorporate private as well as public road access for a complete analysis of alternatives. Routes have been identified as being economically infeasible. Economic infeasibility needs to be further explained. The alternative routes have all been based on the avoidance of crossing land under the jurisdiction of

the National Park Service because it requires congressional approval. Congressional authorization has been provided for energy-related projects in the past and should not be a major factor in routing the ACP pipeline across other Federal lands.

Route selection is a significant issue for Federal agencies within the streamlining procedures of FERC's pre-filing process. Federal agencies are required to expedite their review of energy related projects, but Federal agencies depend on adequate information presented during the pre-filing phase to adequately evaluate public health, safety and environmental protections for the lands they administer. ACP's draft resource reports do not contain information sufficient to adequately compare the impact of alternative routes. In the absence of this analysis prior to the filing of the application with FERC, the subsequent National Environmental Policy Act (NEPA) analysis may not be adequate for the Federal agencies to reach a decision. Supplemental analysis may be required if adequate information is not included in the NEPA analysis for the alternative and proposed routes. The BLM and Federal partners will continue to provide ACP with requests for information to address issues and concerns raised as scoping comments and as responses to the draft resource reports.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean S. Gettinger", with a stylized, cursive script.

Dean S. Gettinger
District Manager

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