



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

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

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), U.S. Forest Service (FS), and the U.S. Fish and Wildlife Service (FWS) elected to participate as cooperating agencies with the Federal Energy Regulatory Commission (FERC) in the preparation of an Environmental Impact Statement (EIS) for the Atlantic Coast Pipeline Project and Supply Header Project proposed by the Atlantic Coast Pipeline (ACP), LLC. The ACP requested and received authorization in November 2014 to use the FERC's pre-filing process for the preparation of the EIS which established an accelerated timeline for the project. Significant milestones in the FERC schedule for the project include: "A Notice of Intent to Prepare an Environmental Impact Statement" issued on February 27, 2015; the Federal application to use public land in conjunction with this proposal received on July 16, 2015; Federal agencies were asked to submit comments on the draft resource reports by July 22, 2015; and ACP intends to submit a complete application in September 2015.

The BLM is processing the application from ACP for a right-of-way (ROW) to use Federal land in the construction and operation of the proposed transmission pipeline on behalf of the Federal agencies in accordance with the requirements of the Mineral Leasing Act (MLA) of 1920, as amended. The application to use public lands was not received by the BLM and the participating Federal agencies early in the process when FERC granted permission to use pre-filing procedures. The information contained in the July 2015 application was preliminary and did not include a plan of development (POD) as required by the MLA. The BLM notified ACP in a letter that additional information was required (copy enclosed) to complete the requirements for processing a ROW application. At this phase in the FERC schedule for the project, ACP has not provided the Federal agencies with enough detailed information in the application and the resource reports to adequately review issues, concerns, or environmental barriers to the use of Federal land.

The BLM and Federal partners are working with ACP to address the issues and concerns that were submitted as scoping comments and as responses to the resource reports. Additional survey data must be completed, particularly in the area of geology and soils, and this information must be provided within a timeframe that is reasonable to allow for adequate Federal agency review before an EIS is initiated. The importance of timely information is critical in the streamlined NEPA pre-filing process. The BLM requests that FERC review the project schedule to allocate sufficient time for ACP to complete surveys on Federal lands and to provide the Federal agencies with information required as part of the ROW application and POD. The schedule must also reflect an additional allocation of time after the information is received for Federal agencies to review the information and any environmental issues, concerns and effects with ACP and FERC.

Sincerely,


for Dean S. Gettinger
District Manager

Enclosure

cc: FS, Jennifer Adams
FWS, Chris Lowie
ACP, William Scarpinato, Jr.;



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

William Scarpinato, Jr.
c/o Dominion Resources Services
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Re: Atlantic Coast Pipeline Project Right-of-Way Application to use Federal Land

Dear Mr. Scarpinato:

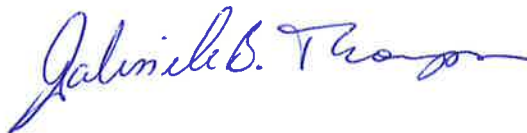
On July 16, 2015, the Bureau of Land Management (BLM) Northeastern States District (NSD) received the application you submitted on behalf of Atlantic Coast Pipeline (ACP), LLC to construct a natural gas transmission pipeline across Federal lands under the jurisdiction of the U.S. Forest Service (FS) and the U.S. Fish and Wildlife Service (FWS) in West Virginia and Virginia. Your application is being considered in conjunction with your application to the Federal Energy Regulatory Commission (FERC) to construct and operate a 556-mile interstate natural gas pipeline from West Virginia to North Carolina.


The Mineral Leasing Act of 1920, as amended, requires applicants, applying for a right-of-way (ROW) to use Federal land in the construction and operation of a transmission pipeline, to submit a plan of development (POD) with their application. The preliminary application submitted on July 16, 2015 for the ACP pipeline proposal does not contain sufficient information and a POD for the Federal lands. Additional information will be required for construction, operation, and rehabilitation of the lands proposed for use. The information required to process your application includes but is not limited to an evaluation of route alternatives, land requirements, temporary construction areas, construction procedures and schedule, soil erosion and stabilization, resource values and environmental concerns, restoration, re-vegetation, and public health and safety.

ACP requested and received authorization in November 2014 to use FERC's pre-filing process which requires early participation with all Federal agencies to ensure that the requirements for processing a Federal ROW application are adequately addressed. Receiving the initial application at this phase in the pre-filing process without detailed information and a POD limits the time available to the Federal agencies to respond to your application and for the BLM to coordinate with their Federal partners before ACP submits a full application to FERC.

This letter serves to notify ACP that the application cannot be considered complete until more detailed information and a POD is submitted. The Federal agencies are committed to the active review of the ACP project and participation in the FERC streamlining process for NEPA analysis. We will work with you to develop and provide the information for the Federal lands that is required for adequate Federal review. This information will need to be provided to the Federal agencies in advance of filing a complete application with FERC.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dean S. Gettinger".

 Dean S. Gettinger
District Manager

cc: FS, Jennifer Adams
FWS, Chris Lowie
FERC, Ms. Kimberly D. Bose

Document Content(s)

FERC with ACP enclosure 8 13 15.PDF.....1-4