

# The Recorder

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## Dominion charged with ignoring USFS data requests

By John Bruce • Staff Writer

MONTEREY — Dominion is dragging its heels on giving specifics about its “best-in-class” steep slope construction methods, a West Virginia University professor told the U.S. Forest Service.

Dr. James Thompson, professor of pedology (soil science) and land use, laid out a record of teleconferences with the USFS and Dominion, which proposes to build the Atlantic Coast Pipeline.

He cited a lack of transparency on Dominion’s part, and evasiveness in addressing concerns over slope stability for the project.

“I feel that it is necessary to share with you some concerns that I have regarding Dominion/ACP’s lack of transparency and responsiveness in providing requested information to the Forest Service —information that is necessary to adequately assess the environmental effects of the Atlantic Coast Pipeline project,” Thompson said in a Feb. 22 letter to Monongahela National Forest supervisor Clyde Thompson.

He said the USFS made repeated requests for information from Dominion in several teleconferences and meetings, but the company has not yet adequately responded.

“The conference call on Feb. 17, 2017, is just the latest example of what I conclude to be Dominion/ACP’s unwillingness to respond to what I consider to be reasonable requests and, more generally, an inability to work collaboratively with the Forest Service to ensure that this review process progresses in an efficient and effective manner,” Thompson wrote.

The professor explained that “formal dialogue” about slope stability and Dominion’s geohazard program started with a teleconference Nov. 21 last year, following USFS comments on the company’s geohazard reports. This was followed by two more teleconferences, on Dec. 8, 2016 and Feb. 17, 2017, Thompson said.

The purpose was for Dominion to present its “best in class” steep slopes program and get feedback from the USFS. “In particular, prior to the Nov. 21 meeting, the Forest Service had

requested that Dominion/ACP develop site-specific stabilization plans for two areas along the project right of way to serve as a proof of concept for how anticipated hazards would be specifically addressed during construction and reclamation,” he wrote.

He said these two locations were selected to allow Dominion to develop site-specific designs that, once fully developed and vetted, could be used to guide similar design plans for the remaining steep slope areas.

“At that meeting, it was made clear to Dominion/ACP that the existing Land and Resource Management Plans for the Monongahela National Forest dictated how any project that could affect steep slopes or landslide-susceptible areas must comply with certain standards,” Thompson continued. “Unfortunately, this meeting provided few specific answers, but instead raised numerous additional questions about how Dominion/ACP will ensure compliance with Forest Plan standards and guides.”

On Dec. 8, 2016, he said, Dominion had its second opportunity to address USFS concerns.

“Once again, Dominion/ACP failed to provide specific and targeted evidence of the effectiveness of the so-called best in class steep slopes program,” Thompson said. “Furthermore, the design plans that were presented to the group lacked sufficient detail to properly assess appropriateness or efficacy of the plans. During this meeting, Tom Collins with the Forest Service requested a narrative of the Division of Plant and Soil Sciences construction sequence to accompany revised design plans. Again, this meeting provided few specific answers, but instead raised additional questions about how Dominion/ACP will ensure compliance with Forest Plan Standards and Guides.”

On Feb. 17 this year, Dominion had a third opportunity to provide the USFS with its plans on the two “proof of concept” sites.

“Unfortunately, the construction designs that were presented were no more specific than what had been presented in previous meetings — despite the fact that during those previous meetings the Forest Service stated the designs were incomplete and unsatisfactory in their level of detail,” Thompson explained.

“In particular, the site-specific designs that would be used at each of the two example locations were not described in any of the drawings or other ancillary information. Additionally, simple questions that had been raised during the first two meetings were not answered. For example, it was asked previously where segregated topsoil would be temporarily stored, yet the information provided by Dominion/ACP did not include the necessary detail to determine whether there was sufficient area available in the right of way for storage without creating surface loads that could contribute to hillside instability.

“As Tom Collins noted many times throughout the meeting, the drawing schematics were either wrong or lacked enough detail to understand what specific measures were planned for each site to ensure soil and hillside stability following disturbance.

“Furthermore, the construction drawings were unnecessarily confusing due to inconsistent labeling of cross-sectional areas on route maps and construction schematics. In other words, the labels for a cross section on the route maps referred to a different location on the construction schematics. Despite the previous request (during the Dec. 8 meeting), Dominion/ACP still had not provided construction narratives to accompany the design plans. Developing construction narratives were one of the action items requested following the meeting on Dec. 8 and were expected to be submitted by Dominion/ACP for the Feb. 17 conference call. Surprisingly, during the meeting on Feb. 17, Dominion/ACP indicated that they were not planning on providing construction narratives and seemed unaware that they had previously agreed to prepare and provide construction narratives following the meeting on Dec. 8.

“This is but one of a series of instances where Dominion/ACP has minimized, obfuscated, or ignored critical issues related to compliance with Forest Plan standards and guides,” Thompson said.

He said the forest service’s requests have been clearly stated, and formally recorded, but “there continues to be no resolution on this fundamental issue even after three meetings on the subject because Dominion/ ACP has chosen to not provide the requested evidence or substantive justification.”

Thompson said there are two other issues he recommends be addressed to vet the pipeline proposal.

“From a technical standpoint, the analyses and documentation that have been provided by Dominion/ACP regarding slope stability and sediment control during construction and reclamation has not clearly included any data or information derived from the Order 1 Soil Survey that was previously prepared for national forest lands along the route,” he said. “One important piece of information that could have a significant effect on soil and hill slope stability following disturbance is the presence of expansive clays (i.e., 2:1 clay minerals) in the soils along some portions of the proposed route.

“It seems that the Order 1 Soil Survey has generally been ignored by Dominion/ ACP throughout this planning process even though it provides some very valuable information.”

Thompson explained the soil survey information could have been included in the restoration plan but there is no mention of using the survey for that purpose “or any other purpose other than to meet their requirement to have conducted the soil survey.”

Thompson also said that, procedurally, it’s a problem when critical documents needed for their meetings are provided less than 24 hours in advance. “If Dominion/ACP cannot provide materials in a timely manner prior to these critical discussions, then I suggest that they request that the meetings be postponed to ensure that when we do meet that we can have productive discussions that move this process forward,” he said.