

The Recorder

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U.S. Forest Service: Watchdog or unfaithful servant?

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We're glad the Southern Environmental Law Center and The Sierra Club acted on behalf of a coalition of conservation groups and filed suit in federal court against the U.S. Forest Service over a grant recently issued to developers of the fracked gas Atlantic Coast Pipeline.

Political pressure forced approval of this boondoggle through steep slopes and landslide-prone areas on a treasured national forest, a SELC senior attorney noted. Forest service staff warned of the impacts this project would have, but the agency ignored them and granted special exceptions to let these pipeline developers get their way.

Let's unpack this for a minute. Before the current administration took charge in January 2017, the forest service seemed much more pro-active when it came to environmental protection and the proposed pipeline. That's when the warnings were issued. Nowadays, the forest service is playing the role of the devoted unquestioning servant to a boss entrenched by the fossil fuel industry and unmindful of the vast, pristine natural treasures our region possesses.

We're convinced that's why the forest service is now ignoring its previous cautions.

The SELC and Sierra Club rightly observed the forest service repeatedly requested additional information from developers, yet moved ahead and approved this risky project with its questions unanswered. The pipeline is slated to cut through 20 miles of steep, rugged mountainous regions of national forest land in West Virginia and Virginia. Much of this land provides habitat for rare and endangered species and is land that is regularly used by hikers and campers.

"The terrain which developers propose to cross with this pipeline is completely inappropriate for this kind of project," the Sierra Club said. The fracked gas pipeline would cause permanent damage to the public lands that are so important to West Virginia's and Virginia's natural beauty. It is reckless to threaten the pristine land and tourism economy of those states with a dirty, dangerous project that they don't even need, the club added.

Pipeline developers have yet to receive all the permits needed for this project, including a water certification from Virginia meant to ensure protection of sensitive waterways. The forest service should not allow any work to move forward on national forest lands until this project is fully permitted.

The SELC-Sierra Club petition was filed in the U.S. Court of Appeals for the Fourth Circuit on behalf of the Cowpasture River Preservation Association, Highlanders For Responsible Development, Shenandoah Valley Battlefields Foundation, Shenandoah Valley Network, Sierra Club, Virginia Wilderness Committee, and Wild Virginia.

We'll be closely watching the outcome of this case and how the SELC opened a major court battle over the administration's suspension of clean water protections under the Clean Water Act, one of the nation's bedrock environmental laws. The recent suspension of some protections is the first in a series of attempts by the administration to repeal long-standing safeguards for clean water.

We know that won't go down without a fight.