

CP 15-554

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COMMITTEE ON
ENERGY AND COMMERCE

Congress of the United States
House of Representatives
Washington, DC 20515-2003

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March 23, 2016

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EXTERNAL AFFAIRS
2016 MAR 28 P 2:35
FEDERAL ENERGY
REGULATORY COMMISSION

Mr. Chris Murray
Director, Division of Government Affairs
Federal Energy Regulatory Commission
888 1st Street NE, Room 11H
Washington, DC 20426-0002

Dear Mr. Murray:

Enclosed, please find a copy of correspondence from my constituent Jo Anne Belle Yamaka.

This individual has expressed some concerns about the proposed route of the Atlantic Coast Pipeline. I would appreciate it if you would carefully review their comments and provide a response to these concerns.

Should you have any questions about this matter, please contact Peter Gelman of my staff at 202-225-4016.

Thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/pg

2016-0053

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Subject: Personal matter on Federal Agencies

<APP>CUSTOM
<PREFIX>2929213</PREFIX>
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<MIDDLE></MIDDLE>
<LAST>Yamaka</LAST>
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<ISSUE>Federal Agencies</ISSUE>
<MSG>

Congressman Sarbanes:

I understand that you sit on the oversight committee of the FERC. As one of your constituents in Maryland, as well as a landowner in Virginia, I am deeply concerned about the proposed route of the Atlantic Coast Pipeline. I have submitted the following comments to FERC and am seeking your counsel on whether there are better ways to proceed or other avenues I might try in order to convince FERC to provide a thorough scoping process for this project which, at present, does not seem to be happening.

Thanks for any help you can give.

Jo Anne Yamaka

29 February 2016

Federal Energy Regulatory Commission
888 First Street, NE

Washington, DC 20426

Re: Docket CP15-554

Dear Chairman Bay, Commissioner Clark, Commissioner Honorable, and Commissioner LaFleur:

As a landowner in Bath County, Virginia, I am writing in opposition to the current route of the proposed Atlantic Coast Pipeline, in particular the leg of the route that will cross Bath and Highland Counties. I would like to specifically speak to two issues: first, the unsuitability of the terrain itself for such a project; and second, the cultural and historical significance to personal family history of a portion of the property in question.

Unsuitability of the terrain

In an effort to honor the U.S. Forest Service's requests to avoid lands which are home to protected species, it appears that Dominion has chosen an alternate route whose topographical characteristics (karst topography, springs, steep mountainsides, sinkholes, etc.) make it equally less than ideal for this project. In fact, this route was previously rejected by Dominion as being unsuitable. As you know, last September, Dominion submitted a report to FERC explaining why they were rejecting this route. In that report, Dominion states:

"First and foremost is the difficulty of the terrain crossed by these routes. Crossing this terrain with a 42-inch-diameter pipeline while attempting to minimize or avoid traversing steep side slopes would result in multiple, steeply graded, up-and-down approaches to ridge tops that would in many instances require heavy equipment winching on both sides of the ridge from single or multiple staging areas on the ridge top. Because of the narrowness and remoteness of the ridge tops, most of these areas would require the construction of a graded winching platform on top of the ridge, and depending on the slope, could require construction of an access road along the ridge to access the winch platform for delivery of construction equipment and pipe sections. Access to the remote areas crossed by the three southern alternative routes would be difficult due to the lack of existing nearby roads, which could require the construction of new roads into these areas. Slope restoration and stabilization would also be difficult to achieve in many of the steep areas crossed."

Furthermore, in a filing to the Securities and Exchange Commission, Dominion states that:

"The large diameter of the pipeline and difficult terrain of certain portions of the proposed pipeline route aggravate the typical construction risks with which DTI is familiar. In-service delays could lead to cost overruns and potential customer termination rights."

Why is this route "so roundly and sensibly rejected by Dominion" now being reconsidered? The potential for irrevocable damage to these areas cannot be taken lightly. More time must be given to allow for a thorough scoping process and to give landowners and other stakeholders an opportunity to give testimony to FERC.

Cultural/Historical/Family Significance

The proposed route of the pipeline through Bath County would impact my family's property, a farm held in our family since 1792. This land was granted by Henry ("Lighthorse Harry") Lee III, father of Confederate General Robert E. Lee, to my direct ancestor, Joseph Carpenter, as compensation for his having fought in the Revolutionary War. For 225 years, our family has acted as stewards of this land, and have felt pride in our family's deep connections to the founding of our country. A project of the magnitude of the Atlantic Coast Pipeline could, and no doubt would, produce a profound, devastating, and irrevocable impact on this property.

I believe that the FERC Commissioners are interested in a fair and thorough process and am particularly encouraged by your comments, Commissioner Clark, in your testimony to the Committee on Energy and Commerce Subcommittee on Energy and Power in December of 2015. You said:

“The regulatory process is well equipped to consider and weigh these sorts of comments, [i.e. landowner comments] and we still do receive a fair amount of this type of intervention in our cases. In fact, as a Commissioner, I have always viewed this type of intervention as particularly critical to our work because it helps develop a complete record regarding where infrastructure is both well and poorly suited.”

I ask, again, for more time for the scoping process and for the opportunity for landowners like myself and my family to be heard.

Respectfully,

Jo Anne Belle Yamaka

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<RSP>yes</RSP>

<AFFL>Email.Optin</AFFL>

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