



WEST VIRGINIA RIVERS

April 16, 2021

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First St. NE
Washington, DC 20426

Re: CP 15-554-009

Secretary Bose:

West Virginia Rivers Coalition, on behalf of our members, respectfully submit the following comments on the ACP Coast Pipeline's (ACP) restoration plan. We endorse the comments submitted by Southern Environmental Law Center and stress the importance of the following points.

1. ACP should release easements upon request from private landowners or open-space easement holders. The Commission should require ACP to give private landowners and open space easement holders the opportunity to regain full ownership of their property – by releasing easements held by ACP for a pipeline it does not intend to build.
2. ACP should afford all affected landowners the opportunity to communicate specific restoration requirements. Consistent with its recently avowed commitment to improving fairness and transparency for landowners affected by energy projects under the Commission's jurisdiction, the Commission should require such consultation by ACP.
3. ACP should not be permitted to engage in new tree-felling within established setbacks around wetlands and waterbodies. The Commission should require ACP to continue to comply with such setbacks and to develop an alternative to tree-felling in these areas that continues to protect the identified wetlands and waterbodies.
4. ACP should be required to treat non-native invasive species on national forest lands to halt their spread. The currently "limited" infestation should be easy to target;

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otherwise, once these species get a toehold in the area, it will become increasingly difficult to halt their spread.

5. ACP should honor its commitment to reseed the high-potential zone and dispersal zone for rusty-patched bumble bee (RPBB) with pollinator-friendly plant species. Using pollinator-friendly plant species is a simple restoration measure that could have a meaningful impact on the survival of the endangered RPBB.

6. ACP should quantify and offset freshwater-mussel impacts from tree-felling and other disturbances by providing funding to regional hatcheries for mussel propagation and release. ACP's project decimated the clubshell mussel population in Hackers Creek. Restoring the clubshell mussel population would help mitigate impacts to vital aquatic ecosystem functions such as nutrient retention that have been caused by the ACP's construction.

7. ACP should remain responsible for all restoration work until it is determined that such restoration has been successful. The Commission should ensure that Atlantic retains this responsibility for as long as it takes to achieve successful restoration of the ACP's footprint.

In conclusion, it is ACP's responsibility to respect the interests of affected landowners and to fully restore the land and resources disturbed by their abandoned project.

Signed,

Angie Rosser

Executive Director

West Virginia Rivers Coalition