

April 7, 2014

Federal Energy Regulatory Commission
c/o Kimberly D. Bose, Secretary
888 First Street NE, Room 1A
Washington, D.C. 20426

Re: Southeast Market Pipelines Project
FERC Docket Nos. PF14-1-000, PF14-2-000, and PF14-6-000

Dear Commissioners:

On behalf of the Kiokee-Flint Group, the Flint Riverkeeper, the Georgia chapter of the Sierra Club and the Chattahoochee Riverkeeper, I am writing to request your assistance in obtaining critical information from Sabal Trail Transmission, LLC ("Sabal") in the above docketed matter. The information further described below is necessary in order for us to adequately submit our comments with respect to FERC's pre-filing environmental review. I am also requesting that FERC extend the deadline for submitting comments as part of the scoping process to 30 days from the date Sabal provides the requested information.

On February 18, 2014, FERC issued its Notice of Intent to Prepare an Environmental Impact Statement for the Planned Southeast Market Pipelines Project and Request for Comments on Environmental Issues. In that Notice, FERC established that the scoping period for submitting comments relating to FERC's environmental review would expire on April 20, 2014. As further discussed below, despite assurances from both Sabal and FERC representatives, Sabal has refused to provide information vital to our ability to make meaningful scoping comments, particularly with respect to alternative pipeline routes.

Despite Sabal's repeated assurances regarding its commitment to transparency and sharing information related to its proposal to construct a 460 mile long natural gas pipeline through three states (Alabama, Georgia, and Florida), it repeatedly has refused to provide all but the most basic information regarding its pipeline proposal. I will not catalogue the numerous instances of Sabal's stonewalling at this time but will focus on Sabal's latest refusal to provide information related to its preferred pipeline route and alternative routes that it has considered and rejected.

As you know, as part of FERC's environmental review and the scoping process, Sabal must describe and FERC must consider both Sabal's preferred route and alternative routes. *See* 18 C.F.R. § 380.15. Furthermore, "[t]he siting, construction, and maintenance of facilities shall be undertaken in a way that avoids or minimizes effects on scenic, historic, wildlife, and recreational values." *Id.* In its Draft Resource Report 10, Sabal notes that it has complied with

this directive in presenting its preferred route and in dismissing certain alternative routes. *See* Report 10 at pp. 10-7 to 10-12. Sabal further notes that its evaluation utilized field reconnaissance, aerial photography, USGS topographic maps, National Wetland Inventory (“NWI”) maps, Google Earth, Geographic Information Systems (“GIS”) databases from county, state, and federal sources, and state, natural resource, and land use data layers. *Id.* at pp. 10-8 to 10-9. Therefore, Sabal has this information in its possession.

We intend to submit comments to FERC as part of the scoping process. We particularly intend to submit comments related to Sabal’s preferred route as well as potential alternative routes. In order to assist us with making meaningful comments as part of the scoping process, on March 13, 2014, I wrote John Peconom, FERC’s Environmental Project Manager for this project, and timely requested Sabal’s documentation of field reconnaissance, aerial photography, USGS topographic maps, NWI maps, GIS data, and land use data layers which Sabal has compiled and considered as described in its Draft Resource Report 10. On March 21, Mr. Peconom responded by stating that FERC did not have this information and therefore would request it from Sabal. (Copy of e-mail correspondence with Mr. Peconom is attached).

After hearing nothing further from Mr. Peconom, on April 1, I wrote Sabal and requested this information again, and more specifically, requested the following information:

1. All GIS files showing Sabal Trail’s preferred route and suggested alternative routes;
2. All GIS files that project natural features, physical features, and various animal and plant species that are relevant to or may be impacted along the Sabal Trail preferred and alternate routes in the states of Alabama, Georgia, and Florida including, but not limited to, wetlands, streams, rivers, lakes, reservoirs, aquifers, aquifer protection areas, watersheds, primary forest habitat, geology, hydrology, karst features, soils, bedrock, species of special concern, threatened and endangered species, county boundaries, state boundaries, roads, railroads, preserved and protected lands, Indian lands, parcel data (showing the boundaries of all properties), pipeline mile markers, and other existing or planned pipeline routes within 50 miles of the proposed Sabal Trail route.

(Copy of my April 1 letter to Sabal is attached.) I made clear in my request that we were not seeking information that Sabal does not have; rather, we were only seeking information that Sabal had already amassed as part of its project planning efforts.

On April 1, I also wrote Mr. Peconom and requested once again his assistance in getting Sabal to provide us with the requested information (copy of letter attached). Previously, Mr. Peconom had stated that he would require Sabal to provide this information prior to Sabal filing its Final Resource Report 10 in June 2014. Mr. Peconom has also repeatedly assured affected and concerned citizens that FERC would require Sabal to provide all critical information on a timely basis. Unfortunately, neither of the above has occurred. I have heard nothing from Mr. Peconom with respect to our information request since March 21 when he stated he would attempt to obtain the information from Sabal.

Consistent with its practice of obfuscation and lack of transparency, on April 4, Sabal denied our request for the above information. *See* attached letter from Lisa Connolly, Sabal's General Manager Rates and Certificates. In her letter, Ms. Connolly has the audacity to proclaim that our request for critical information related to Sabal's consideration of pipeline routes is "premature." Contrary to Ms. Connolly's assertion, what is "premature" is setting a scoping comment deadline – April 20 - that expires before critical information regarding the heart of the scoping process – alternative routes – is provided. It is extremely difficult to adequately evaluate pipeline routing over long distances and the environmental factors affecting that routing in the absence of the very information that Sabal itself has used. The fact that pipeline routing may be examined on hardcopy photographs and generalized maps does nothing to allow technical evaluation of massive quantities of routing and land use-related data in a modern-world technical way, *i.e.* through GIS portrayal and analysis.

The facts are simple – Sabal has the requested GIS data and it generated and used the data to produce its maps, yet now at a critical juncture in the process it refuses to share it. Only two possible reasons may explain this refusal: Sabal has something to hide or it wants to make it as difficult as possible for the affected public to evaluate the routes Sabal has considered. Neither reason is legitimate.

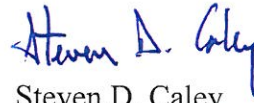
Sabal is fully aware that we intend to provide one or more alternative pipeline routes. Since our intent is to propose alternate routes that will significantly reduce the disturbance and taking of lands, it would be most useful to have exacting geo-referenced GIS data that we could simply and quickly input into our GIS database to facilitate review of both Sabal's proposed pipeline routing and the development of alternate options that should be considered during the EIS process. Considering the magnitude and length of the pipeline route we are examining, Sabal well knows that refusing the requested information will slow down our review.

Mr. Peconom has assured us that FERC will consider up to five alternative routes. Mr. Peconom has also assured us that FERC will require Sabal to be transparent and provide all non-confidential information to us in a timely manner. The requested information is not confidential, and FERC should require that Sabal provide it now so that we can propose the alternative routes that Mr. Peconom has promised FERC will consider.

Given that we have been requesting the information described above for almost a month and given that the scoping comment period is set to expire on April 20 – less than two weeks away – we reiterate our request that the scoping comment period be extended for 30 days from the date that the information is provided.

We appreciate your consideration and look forward to hearing from you as soon as possible as time is of the essence.

Sincerely,


Steven D. Caley

cc: John Peconom, FERC Environmental Project Manager
Lisa A. Connolly, Sabal Trail General Manager Rates and Certificates
Catherine Little, Esq.

Steve Caley

From: John Peconom <john.peconom@ferc.gov>
Sent: Thursday, March 20, 2014 2:52 PM
To: Steve Caley
Subject: RE: Sabal Trail documents

Mr. Caley,

Thank you for your patience.

Sabal Trail has not filed GIS mapping data with the Commission; however .pdfs of the planned route by county have been filed and are available at: http://elibrary.ferc.gov:0/idmws/file_list.asp?document_id=14176449. The only filed data regarding alternatives is in Draft Resource Report 10. I am aware of additional alternatives work being conducted by Sabal; however, this information has not been filed with the Commission at this time.

No site-specific data concerning natural or physical features including vegetation and wildlife or any other environmental resource has been submitted by Sabal Trail. It is my understanding that Sabal is preparing this information for submittal and expects to file it no later than June.

I am going to speak with Sabal Trail this afternoon and I will talk to them about sharing this information with you.

-jp

John Peconom
Environmental Project Manager
Federal Energy Regulatory Commission
888 First Street NE Rm 61-52
Washington DC 20426
(202) 502-6352

From: Steve Caley [<mailto:scaley@greenlaw.org>]
Sent: Thursday, March 13, 2014 1:26 PM
To: John.Peconom@ferc.gov
Cc: Dinorah Hall
Subject: Sabal Trail documents

John,

I am advising Dinorah Hall and the Kiokee-Flint Group with respect to the proposed Sabal Trail pipeline. With all of the people you have met regarding this project, you may not remember me, but we met at one of Sabal Trail's open houses in Albany and at the recent scoping hearing in Albany.

I am writing to inquire whether Sabal Trail has submitted to FERC the documents listed below and, if so, to request copies of them:

1. GIS files showing Sabal Trail's preferred route and suggested alternative routes; and
2. All documents showing the natural features, physical features, and various animal and plant species that are relevant to or may be impacted along the portion of Sabal's preferred route in the state of Georgia including, but not limited to, wetlands, surface streams, rivers, aquifers, habitat, geology, hydrology, karst features, soils, bedrock, species of special concern, roads, preserved lands, Indian lands, and parcel data (showing the boundaries of all properties).

If FERC has this information in electronic form, I would appreciate it being produced to us in that form.

If FERC does not have this information, please advise whether FERC would be willing to assist us in obtaining this information from Sabal Trail.

I would very much appreciate it if you would respond as soon as possible as we will be reviewing this information for our scoping comments.

If you have any questions, please feel free to give me a call.

Thank you very much.

Steve

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April 1, 2014

Lisa A. Connolly
General Manager, Rates and Certificates
Sabal Trail Transmission, LLC
5400 Westheimer Court, Suite 6N61
Houston, Texas 77056

Via first class mail and e-mail
(LAMoore@spectraenergy.com)

Re: Southeast Market Pipelines Project
FERC Docket No. PF14-1-000

Dear Ms. Connolly:

On behalf of the Flint-Kiokee Group, Flint Riverkeeper, Sierra Club (Georgia Chapter), and the Chattahoochee Riverkeeper, I am writing to request information related to the Sabal Trail Transmission, LLC ("Sabal Trail") component of the Southeast Market Pipelines Project, FERC Docket No. PF14-1-000.

As you know, the Federal Energy Regulatory Commission has approved Sabal Trail's application to utilize the pre-filing process for Sabal Trail's anticipated application for a certificate of public convenience and necessity to construct a natural gas pipeline from Alexander City, Alabama to Osceola County, Florida. As you also know, on February 18, 2004, FERC issued its Notice of Intent to Prepare an Environmental Impact Statement for the Planned Southeast Market Pipelines Project and its Request for Comments on Environmental Issues and Notice of Public Scoping Hearings. In that Notice, FERC provided that the scoping period will close on April 20, 2014.

As part of FERC's environmental review and the scoping process, Sabal Trail must describe and FERC must consider both Sabal Trail's preferred route and alternative routes. *See* 18 C.F.R. § 380.15. Furthermore, "[t]he siting, construction, and maintenance of facilities shall be undertaken in a way that avoids or minimizes effects on scenic, historic, wildlife, and recreational values." *Id.* In its Draft Resource Report 10, Sabal Trail notes that it has complied with this directive in presenting its preferred route and in dismissing certain alternative routes. *See* Report 10 at pp. 10-7 to 10-12. Sabal Trail further notes that its evaluation utilized field reconnaissance, aerial photography, USGS topographic maps, National Wetland Inventory ("NWI") maps, Google Earth, Geographic Information Systems ("GIS") databases from county, state, and federal sources, and state, natural resource, and land use data layers. *Id.* at pp. 10-8 to 10-9.

We intend to submit comments to FERC as part of the scoping process. We particularly intend to submit comments related to Sabal Trail's preferred route as well as potential alternative routes. In order to do so, we are requesting that Sabal Trail provide us all of the information described in the preceding paragraph that Sabal Trail has already compiled. This includes documentation of field reconnaissance, aerial photography, USGS topographic maps, NWI maps, GIS data, and land use data layers. Additionally, with respect to the GIS files, we are requesting that Sabal Trail provide us with the following specific data files:

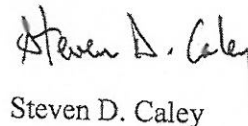
1. All GIS files showing Sabal Trail's preferred route and suggested alternative routes;
2. All GIS files that project natural features, physical features, and various animal and plant species that are relevant to or may be impacted along the Sabal Trail preferred and alternate routes in the states of Alabama, Georgia, and Florida including, but not limited to, wetlands, streams, rivers, lakes, reservoirs, aquifers, aquifer protection areas, watersheds, primary forest habitat, geology, hydrology, karst features, soils, bedrock, species of special concern, threatened and endangered species, county boundaries, state boundaries, roads, railroads, preserved and protected lands, Indian lands, parcel data (showing the boundaries of all properties), pipeline mile markers, and other existing or planned pipeline routes within 50 miles of the proposed Sabal Trail route.

To be clear, we do not seek information that Sabal Trail does not have; rather, we only seek information that Sabal Trail has already amassed as part of its project planning efforts. Therefore, Sabal Trail should have no problem with providing this information to us. And we are entitled to it in order to properly evaluate Sabal Trail's preferred route and its dismissal of alternate routes as described in Report 10.

Given that the comment period for the scoping process ends on April 20, time is of the essence. We have previously sought this information from FERC; however, John Peconom has stated that FERC does not have this information and that he would therefore be requesting it from you. To date, we have not received the requested information. As a result, we are now requesting it directly from Sabal Trail. If this information is not provided in timely fashion, we will formally seek to extend the scoping comment period.

I would appreciate hearing from you no later than the end of this week – April 4, 2014. In the meantime, if you have any questions, please feel free to contact me.

Sincerely,



Steven D. Caley

cc: John Peconom, FERC Environmental Project Manager

Lisa A. Connolly
Sabal Trail Transmission, LLC
400 Colonial Center Parkway, Suite 300
Lake Mary, Florida 32746

April 1, 2014

John Peconom
Environmental Project Manager
Federal Energy Regulatory Commission
888 First Street, NE Rm 61-52
Washington, D.C. 20426

Via first class mail and e-mail
(john.peconom@ferc.gov)

Re: FERC Docket No. PF14-1-000 (Sabal Trail Transmission, LLC)
Southeast Market Pipelines Project

John,

I copied you a few minutes ago on my e-mail and letter to Lisa Connolly with Sabal Trail Transmission, LLC ("Sabal") that I wrote on behalf of the Flint-Kiokee Group, Flint Riverkeeper, Sierra Club (Georgia chapter), and the Chattahoochee Riverkeeper. In that letter (attached for your convenience), I requested that Sabal provide us with the GIS mapping and other data supporting Sabal's preferred route and Sabal's dismissal of the alternate routes noted in its Draft Resource Report 10.

As you know, on March 13, 2014, I wrote you and requested this information from FERC. On March 21, you responded that FERC did not have this information, but that you would request it from Sabal that afternoon. To date, we have not received this information from Sabal.

As you know, the pre-filing review process is intended to gather stakeholder comments prior to the actual application being filed. It is impossible for stakeholders to comment in a meaningful way unless Sabal provides adequate information regarding its preferred route and the alternate routes it has considered and rejected to date.

Similarly, the purpose of the scoping process is to determine the scope of the environmental review that must take place. To that end, FERC has established a scoping comment period to allow stakeholders an opportunity to comment on the issues that they believe should be addressed in the environmental review. Part and parcel of this review is to analyze alternative routes. That analysis cannot be done in a meaningful way when the critical underlying data for the preferred and alternate routes is not provided. Sabal's Draft Resource Report 10 is nothing more than a draft, provides none of the underlying data to support its conclusions, and is essentially little more than a bare bones cursory rendition of Sabal's conclusions. As such, it is wholly inadequate for purposes of the scoping comment period.

Currently, the scoping comment period ends on April 20. However, as you note in your March 21 e-mail, Sabal is not planning to file its Final Resource Report 10 until June. We had

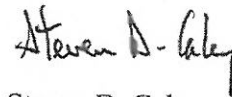
understood that you were going to insist that Sabal file that report much sooner, but, to date, we have not heard anything further in that regard. It now appears that no such requirement will be imposed.

The net result of all of the above is that stakeholders are being forced to submit scoping comments prior to receiving adequate information that will enable them to meaningfully comment on the proper scope of the environmental review – at least with respect to the pipeline routes that Sabal has considered to date. This state of affairs is untenable. Sabal should be required to provide immediately the underlying data relating to its preferred and alternate routes (as we have been requesting since March 13 and as we have requested again in our letter to Sabal of this date), including the data referenced in Draft Resource Report 10, or the scoping comment period should be extended. To act otherwise would be contrary to the spirit and intent of the pre-filing environmental review process.

We would appreciate any assistance you might be able to provide in causing Sabal to provide immediately the underlying data we have been requesting for almost three weeks or to extend the scoping comment period for 30 days beyond the date when such data is provided.

Thank you for your consideration.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Steven D. Caley". The signature is fluid and cursive, with a distinct loop at the end of the last name.

Steven D. Caley

cc: Dinorah Hall
Gordon Rogers
Mark Woodall
Juliet Cohen



April 4, 2014

Mr. Steven D. Caley
Senior Attorney
GreenLaw
State Bar of Georgia Building
104 Marietta Street, NW, Suite 430
Atlanta, Georgia 30303

Dear Mr. Caley:

On October 16, 2013, the Director of the Office of Energy Projects issued a letter in the above-referenced docket approving the request of Sabal Trail Transmission, LLC ("Sabal Trail") to commence the Federal Energy Regulatory Commission's ("Commission") Pre-Filing Review Process for its proposed Sabal Trail Project ("Project"). On April 1, 2014, comments were e-mailed to Sabal Trail by you on behalf of the Kiokee-Flint Group, Flint Riverkeeper, Sierra Club (Georgia Chapter) and the Chattahoochee Riverkeeper (the "Comments"). The Comments request that Sabal Trail provide you with "all of the information" that Sabal Trail has compiled, including documentation of field reconnaissance, aerial photography, USGS topography maps, NWI maps, GIS data, and land use data layers, related to Sabal Trail's preferred and potential alternative routes. You state that you seek this information in time to submit comments on the preferred and potential alternative routes prior to the close of the scoping period.

The Comments express concern regarding the ability to provide specific comments on the preferred route and route alternatives during the scoping period without the comparative information on route alternatives typically provided in the Draft Resource Report 10. As the scoping period is scheduled to end on April 21, 2014 and Sabal Trail plans a June 2014 filing of its updated Draft Resource Reports, you state you are concerned that adequate time and opportunity will not have been provided to stakeholders to review the alternative routes currently under consideration and review.

The Sabal Trail Project is currently in the Pre-filing Review Process, the purpose of which is to encourage early involvement of interested stakeholders to identify and resolve issues, including alternative routes, before the certificate application is filed with the FERC. Reviewing, analyzing and modifying the primary route based on environmental and stakeholder concerns and issues is a key activity undertaken during the Pre-filing Review Process.

The information you request and the analyses proposed to be undertaken are premature at this stage of the proceeding. As defined in the Council on Environmental Quality's National Environmental Policy Act ("NEPA") regulations, scoping is the "process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed

action.” 40 CFR 1501.7. The information requested by you is information that Sabal Trail is developing to prepare the resource reports that are filed with an applicant’s certificate application – not at the scoping phase of a pre-filing proceeding. See 18 CFR 380.3(c)(2). The purpose of scoping as set forth above is to gather information to develop and analyze alternatives and there is sufficient information on the record to accomplish that purpose. Nonetheless, you should be aware that on April 2, 2014 Sabal Trail filed a set of photo-based 1:500 scale project alignment sheets reflecting the current survey corridor and several alternatives which should further facilitate your preparation of scoping comments.

Sabal Trail is able to disseminate the most current information about the Project through public filings and meetings in the Pre-filing Review Process, and gather stakeholder comments to be considered in the further development of this Project. In addition to the multiple opportunities during the Pre-filing Review Process for stakeholders to raise their issues and concerns, including at informational meetings, open houses, scoping meetings, and through written comments throughout the Pre-filing Review Process, opportunities for public comment are also provided after Sabal Trail files its certificate application (scheduled for October 2014) and then again following the publication of the Commission’s Draft Environmental Impact Statement.

FERC’s certificate proceeding and the NEPA review will consider all stakeholder comments in determining whether to authorize the Project and establishing any conditions to mitigate potential adverse environmental effects of the Project.

If you have any questions regarding this filing, please contact me at (713) 627-4102.

Sincerely,
Sabal Trail Transmission, LLC
By: Sabal Trail Management, LLC,
Its Operator

/s/ Lisa A. Connolly
Lisa A. Connolly, General Manager
Rates and Certificates

cc: John Peconom (FERC)
Jessica Harris (FERC)