

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Respondents.

OGC Case No.: 15-0468

**Counties affected by the permitted activity:** Hamilton, Suwannee, Gilchrist, Alachua, Levy, Citrus, Marion, Sumter, Lake, Polk, Orange, Osceola. Affected counties represented by WWALS: Hamilton, Suwannee, Madison.

**Date Petitioner became aware of the Department's action:** July 16, 2015 in the legal notices of the Jasper News. According to the denial of request for extension of time to file petition for administrative hearing, Petitioner had 10 days from July 28, 2015 to file the petition. WWALS filed a petition on August 7, 2015. DEP sent WWALS an Order (herein the Order) August 14, 2015 denying the petition and granting Petitioner 14 days to amend the petition and resubmit. The present document is the amended petition WWALS is submitting.

**Statement of Petitioner's substantial interests:** WWALS Watershed Coalition, Inc. (WWALS) is a Georgia nonprofit corporation and an IRS 501(c)(3) educational not for profit organization.

The Order said *“The Petition alleges WWALS is a Georgia nonprofit corporation.”* WWALS is also a registered foreign corporation in Florida, document number W15000057203. WWALS has filed with the Florida Secretary of State (confirmation number 200276542662, effective incorporation date August 23<sup>rd</sup> 2015) for a wholly owned and controlled Florida nonprofit subsidiary corporation named WWALS Watershed Coalition Florida, Inc. (WWALS-FL). This petition is filed on behalf of both WWALS and WWALS-FL.

The Order said: *“For associational standing, WWALS must show (1) that a substantial number of its members ... are substantially affected by the challenged agency action,”* All members of the parent corporation WWALS who reside or own land in Florida are members of WWALS-FL. WWALS has a  
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total of 85 members, 36 of whom reside in Florida and 48 in Georgia (and one in New York). So 42% of WWALS members are WWALS-FL members. Thirty-one (31) of our members reside or own property in Hamilton County or Suwannee County, Florida, so 68% of WWALS-FL members (and 36% of WWALS members) reside in the two WWALS-FL counties through which Sabal Trail proposes to drill, which are the two counties on either side of the Suwannee River where Sabal Trail proposes to drill. The names of some of these WWALS-FL members in these two counties are provided in Exhibit A. Plus WWALS-FL members in Madison County may also be affected; see Exhibit J. In addition, all WWALS members may be affected; see Exhibit B and below.

The Order continued: “(2) *that the agency action it seeks to challenge is within the association's general scope of interest and activity,*”. The Mission of WWALS is: “WWALS Watershed Coalition advocates for conservation and stewardship of the Withlacoochee, Willacoochee, Alapaha, Little, and upper Suwannee River watersheds in south Georgia and north Florida through awareness, environmental monitoring, and citizen activities.” The Corporate Purpose WWALS-FL is: “WWALS WATERSHED COALITION FLORIDA ADVOCATES FOR CONSERVATION AND STEWARDSHIP OF THE UPPER SUWANNEE RIVER WATERSHED THROUGH AWARENESS, ENVIRONMENTAL MONITORING, AND CITIZEN ACTIVITIES.”

WWALS members as well as their guests use the rivers very frequently for paddling, fishing, and swimming. WWALS hosts monthly paddling outings for our members. In fact we hosted an outing on August 15, 2015 on the Suwannee River from Gibson Park, past the proposed pipeline crossing to Suwannee River State Park, pictured in Exhibit B. We have held several outings on the Suwannee River including one in September 2014. Our members paddle the rivers of our represented watersheds not only during our planned outings but at other times individually, in families, and with other groups.

A substantial number of our members in addition to members of the general public use the rivers for swimming, fishing, and boating. Our members receive a sense of rejuvenation being out on the rivers and in the natural environment. The point is that our members and other members of the public get out and enjoy the rivers, including the Suwannee. It would be devastating if the rivers were irreparably altered due to the installation of this pipeline. A substantial number of our members would be substantially affected if the springs were degraded, the river flow altered, or the water quality degraded due to the installation of this pipeline.

WWALS is the Waterkeeper® Affiliate for the Withlacoochee and upper Suwannee Rivers and their watersheds. Waterkeeper® Affiliates are associated with Waterkeeper® Alliance as partners across the globe advocating for everyone's right to swimmable, drinkable, and fishable water, while on track to become fully licensed Waterkeeper® organizations.

As the Waterkeeper® Affiliate for the upper Suwannee River watershed, WWALS-FL represents thousands of people who live in these watersheds in Hamilton, Madison, and Suwannee Counties.

The Order said: “The petition failed to quantify the number of WWALS members that use the lands or waters that might be affected by the proposed activities described in the Department's Notice of Intent”.

As the Department itself argued to FERC 18 April 2014 (accession number 20140418-5237, see also Exhibit F) the proposed pipeline could adversely affect the Floridan Aquifer and thus all users of that Aquifer. All of those users of the Floridan Aquifer in the Upper Suwannee River watershed in Florida are represented by WWALS-FL, and all of them in the entire upper Suwannee River watershed in Florida and Georgia are represented by WWALS. Thus the proposed activities described in the Department's Notice of Intent might affect everyone represented by WWALS. Nonetheless, here are

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some specific WWALS and WWALS-FL members very directly affected by the proposed activities.

One of our members, Tom Edwards, who owns the Florida corporation TSE Plantation, LLC, dba Echo River Plantation, is a property owner along the Suwannee River where the HDD drilling would emerge in Suwannee County on his land, thus he would be directly affected by the HDD drilling and pipeline installation. He has filed extensive comments with FERC about springs and sinkholes Sabal Trail neglected to mention; see Exhibit C. Two other families who are members of WWALS, Nate and Kathleen Combass and Chris and LeeAnn Combass, own and reside on a family homestead in Hamilton County where the pipeline is proposed to be installed. Another family who are WWALS members in Hamilton County (the McClungs) reside less than 800 feet away from the proposed pipeline route; this is well within the blast radius of the proposed pipeline. These families will be substantially affected by this construction and maintenance of this pipeline. See Exhibit A for their names and addresses.

The Order said, *“and (3) that the relief it requests is of the type appropriate for such an association to receive on behalf of its members.”* WWALS has in fact already received similar relief when Sabal Trail moved off of the Withlacoochee River in Florida, by which move FERC and Sabal Trail acknowledged that landowners and residents both directly on the pipeline path and farther away in the Floridan Aquifer would be affected by its proposed pipeline.

Partly at the recommendation of WWALS members, the Hamilton County Board of Commissioners passed a resolution opposing the pipeline crossing of the Withlacoochee River in Florida; see Exhibit D. That Resolution referenced a hydrogeological study of springs and sinkholes commissioned by a WWALS member; see Exhibit E. Not only does WWALS advocate for our own members, we advocate for the interests of the people in these watersheds, and very importantly, for the natural

environment itself. Experts including Florida Department of Environmental Protection's State Geologist, John Arthur (see Exhibit F), Suwannee River Water Management District's Ann Shortelle (see Exhibit G), and the U.S. Environmental Protection Agency's Heinz Mueller (see Exhibit H) all have stated that the karst terrain and springsheds of north Florida should be avoided by the Sabal Trail Pipeline, and that river crossings are the most sensitive of all. And yet, the Florida DEP is planning to grant a permit for the project. If Florida DEP won't stand up for the protection of our sensitive karst terrain and Outstanding Florida Waters, then citizen organizations like WWALS must do so. It is our obligation as Waterkeeper® Affiliate for this area that we request that Florida Department of Environmental Protection deny the Environmental Resource Permit for the Sabal Trail Transmission natural gas pipeline, especially through Hamilton and Suwannee Counties.

The Order says: *“In order to be “substantially affected” WWALS must also demonstrate that its members (1) will suffer injury in fact which is of sufficient immediacy to entitle them to a hearing.... and (2) the injury is of a type or nature which the administrative hearing is designed to protect.... The Petition's allegations do not establish that members of WWALS use the lands or waters in the immediate vicinity of the natural gas pipeline construction and operation.”* See above and Exhibit A and Exhibit B for WWALS members who own lands in the immediate vicinity of the proposed pipeline construction and operation, and for WWALS members who on August 15<sup>th</sup> 2015 and other dates used the Suwannee River where the pipeline proposed to cross. As noted above, the Department itself argued to FERC that effects of the proposed pipeline also go far beyond the direct path of the pipeline, and that argument supports effects on all WWALS-FL and WWALS members, not just upland riparian land owners.

Without quoting further from the Order, WWALS in this amended petition has demonstrated all the requirements for standing.

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### **How Petitioner's substantial interests are affected:**

The Order alleges WWALS did not demonstrate sufficient evidence of lack of public benefit, *“reasonable assurance, and adverse individual, secondary or cumulative impacts, which are not supported by specific facts.”* WWALS refers the Department to the Department's own extensive submissions to FERC 18 April 2014 (accession number 20140418-5237, see also Exhibit F), as well as to the revised material below. WWALS will be happy to present further evidence in a hearing; surely the Department cannot expect Petitioner to litigate the entire case in a single petition.

As an advocate for our members, for the general public in our Waterkeeper® jurisdiction, and for our rivers and springs and the riparian areas surrounding them, extending to the entire watersheds and the subterranean waters beneath them, the Petitioner's substantial interests will be affected by the construction and operation of a 36-inch diameter natural gas pipeline through Hamilton and Suwannee Counties as follows:

1. Forested lands will be cleared, resulting in reduced wildlife habitat. According to the Suwannee River State Park Management Plan, 29 designated species (endangered, threatened, or of special concern) have been recorded at the Suwannee River State Park, on whose property the pipeline will be installed. The management plan states that “most designated animal species roam outside park boundaries.” It also states that “utility corridors like pipeline rights of way and power line easements fragment the habitats of wildlife.” Species such as the gopher tortoise (State Threatened-ST), Sherman's Fox squirrel (Species of Special Concern-SSC), Florida Pine snake (SSC), and Eastern

Indigo snake (Federal Threatened-FT) inhabit the State Park lands and surrounding lands. These species as well as other non-designated species will be substantially affected by the pipeline from habitat destruction which will in turn cause further decline in their numbers. That is not acceptable. Also, the equipment used for the construction of the pipeline has the potential to bring in invasive plant species to the area. For example, the invasive species commonly called chamber bitter

(*Phyllanthus urinaria* L.) can be seen along the Suwannee River on State Park property where another natural gas pipeline easement exists; see Exhibit I.

2. Wetlands will be filled, resulting in reduced fish and wildlife habitat. Wading birds, such as the Little Blue Heron (SSC) and White Ibis (SSC) rely on wetlands for food and nesting. Their habitat will be substantially affected by the pipeline construction and in turn their numbers will decline. This is not acceptable.
3. Karst terrain will be traversed and drilled through, possibly forming new sinkholes under or near the pipeline, potentially resulting in pipeline failure and altered underground water flow. When sinkholes form, there is the potential for property damage and human injury, including pollution of wells.
4. Horizontal Directional Drilling (HDD) Operations through karst limestone at river crossings have an increased risk of frac-outs, intersecting with spring conduits, and sinkhole formation resulting in potentially catastrophic effects on spring and river flows and water quality in both rivers and private wells. See Exhibit E. This will also have adverse effects on aquatic fauna whose habitat will be damaged from this pipeline.
5. According to a scholarly paper by Stephen J. Walsh for the U.S Geological Survey, “Karst systems in Florida contain among the most diverse faunas [of troglobites] nationwide. . . the greatest biodiversity is found in the northern peninsula and east



central panhandle.” Walsh cites Franz & others 1994 who “reviewed the cave faunas of Florida and southern Georgia and identified 267 biologically important caves serving as critical habitat for populations of 27 invertebrates and vertebrate taxa, 93% of which are aquatic. He states that “973 taxa of these troglobites are confined in distribution to one county and nearly one third of all taxa occur at single sites.” Walsh states that “few comprehensive surveys exist of the biota of Florida spring habitats.” Aquatic caves have not been adequately surveyed for designated troglobites such as the Santa Fe crayfish and the pallid cave crayfish, therefore, more study of these habitats is needed before a pipeline is drilled under the rivers and destroys these underground caverns and spring conduits that may cause extinction of these species. Damage to karst formations is permanent. It cannot be “mitigated.” Extinction is permanent. It cannot be “mitigated.”

6. Other designated species could be affected by this pipeline from destruction of habitat if an explosion occurs, as recently happened to a natural gas pipeline in the Arkansas river; see Exhibit K. An explosion would cause death to aquatic species and irreparable damage to underground karst terrain and spring conduits. Species such as Gulf Sturgeon (FT), Alligator snapping turtle (SSC), American Alligator (FT), and Suwannee Cooter turtle (SSC) will suffer death, loss of habitat, and decreased food supply, which will substantially affect their numbers. This is not an acceptable risk.
7. In December, 2014, Suwannee River Water Management District performed a dye test that showed underground connections between Falmouth Spring, located south of Highway 90 in Suwannee County, and Suwannacoochee Spring on the Withlacoochee River in Madison County, a span of approximately 3 miles, and Ellaville Spring, also about 3 miles away.; see Exhibit J. The dye also appeared in Lime Spring and Lime Run Spring in the Suwannee River State Park. According to Sabal Trail's “Close Up View”

of the Suwannee River crossing, there are four springs within a mile radius of the crossing, the closest being approximately one quarter mile away. It is highly conceivable and probable that these springs, located within one mile of the proposed crossing, are also interconnected and may be transected by the drilling of the pipeline. Cave divers have mapped many underground cave systems and spring conduits in the area of the proposed Suwannee River pipeline crossing. A Suwannee River Management District dye test showed dye inserted miles on the Suwannee County side of the Suwannee River came up on the other side of that river in Suwanoochee Spring on the Withlacoochee River in Madison County; see Appendix J. There may very well be undocumented spring conduits in the path of the HDD drilling under the Suwannee River. As Ann Shortelle of SRWMD states (see Exhibit G), these conduits and underground features are not predictable and may be intersected by the HDD drilling, therefore the whole area should be avoided.

**Material facts disputed by Petitioner:** Based on Petitioner's best information and belief as it exists at the time of this filing, Petitioner disputes these material facts:

1. Whether the proposed activity is “not contrary to the public interest” or is “clearly in the public interest” as required by Section 373.414(1). This project clearly is not in the public interest of the citizens of Hamilton and Suwannee Counties who will be affected by the construction and operation of this pipeline without any benefit whatsoever.
  - a. The pipeline produces many risks to their rivers and water supply, disruption and destruction of their property, and threats to their health, safety, and welfare in the form of explosions, contaminated water, and development of sinkholes from karst collapse, which could cause property damage or injury to individuals.
  - b. Secondly, having a natural gas pipeline on or near a citizen's property will cause lower property values and potentially higher insurance rates.
  - c. Thirdly, the citizens of Hamilton and Suwannee Counties rely on the economic benefits of eco-tourism. The risks to our rivers and springs from the proposed pipeline installation and operation are incompatible with eco-tourism.
2. Whether the proposed activity is “important to and is beneficial to the public health, safety, or welfare” as required by Rule 62-4.242, F.A.C. The citizens of Hamilton and Suwannee Counties will have no benefit and only risks to their health, safety, and welfare with the construction and operation of this pipeline for the reasons listed above.
3. Whether the proposed activity maintain essentially natural conditions. The HDD drilling under rivers will cause irreparable damage to underground karst geology, especially in light of the huge diameter of this pipeline. Collapse of spring conduits or other karst features could open large sinkholes, alter river flows and degrade springs. That is not maintaining “essentially natural conditions.” Also, cutting down trees that may take 50 years to regrow, or

may never regrow, as well as filling in parts of wetlands, does not maintain essentially natural conditions.

4. Whether the proposed activity will not cause adverse impacts to fish and wildlife resources or public recreation or navigation. If the above mentioned collapse of underground karst geology leads to alteration in river flows and degradation of springs, which would alter water quality, all of these things will cause adverse impacts to fish, other wildlife that depend on the rivers, and to human recreation. If an explosion occurs due to instability of the pipe in fragile karst limestone, that would impact fish, wildlife, navigation and recreation, not to mention public safety. According to Sabal Trail's Karst Mitigation Plan, Section 2.3.2, Sabal Trail purports that their tooling and the mainline pipe itself is strong enough to remain intact in voids up to 15 feet. However, underground limestone caverns whose integrity is compromised by this tooling and pipeline may collapse or get larger over time due to water flowing through them. This will result in failure of the pipeline and have catastrophic effects.
5. Whether the proposed activity will not interfere with the riparian rights of adjacent property owners. If the construction and operation of this pipeline causes alteration in river flows and water quality as mentioned above, the riparian rights of adjacent property owners will be affected.
6. Whether the Department was given reasonable assurance that the applicant will be able to safely install a 36-inch diameter pipeline in the sensitive karst terrain of Hamilton and Suwannee Counties, especially when drilling under the designated Outstanding Florida Waters, the Suwannee and Santa Fe Rivers. Outstanding Florida Waters are rivers, lakes, and other water features designated by the Florida Department of Environmental Protection as worthy of special protection because of their natural attributes. Outstanding Florida Waters have special restrictions on any new activities that would lower ambient water quality or otherwise degrade

the body of water. On Sabal Trail Transmission's application, Attachment J, the Karst Mitigation Plan states that other pipelines have been successfully installed in the sensitive karst terrain of south Georgia and north Florida. However, none of them have been as large in diameter as the proposed Sabal Trail Transmission Natural Gas Pipeline. According to the Florida Public Service Commission (FPSC), the FPSC is unable to specify the diameter of the Florida Natural Gas Transmission pipeline that already traverses Hamilton and Suwannee Counties, but the FPSC states the diameter ranges from 8 to 24 inches, that is at least 8 to 28 inches smaller than the proposed Sabal Trail pipeline. The risk to our Outstanding Florida Waters by a 36 inch pipeline is just too great. The risk is not just to these waters or to these counties: it is to the entire State of Florida, whose growing population relies on the Floridan aquifer for much of its drinking water. The members of WWALS are not willing to trade our drinking water, nor the natural beauty of our rivers and springs, nor our wildlife for gas. The Florida, Georgia, and Alabama chapters of the Sierra Club pointed out to FERC in March 2014, Florida already gets 60% of its electricity generation from natural gas. Adding yet another pipeline would make the state even more vulnerable to economic failure of shale gas, or to enemy attacks on pipelines. Especially now that solar power is less expensive than natural gas, far faster to install than pipelines, requires no drilling, uses no water, and emits no pollutants, solar power makes far more sense for the Sunshine State.

7. Whether the pipeline will only be used to carry natural gas. It is possible that the pipeline could be re-purposed at a later date to transport other materials such as liquid petroleum products. There would then be potential risks of water and ground contamination from leaking pipes. An example of this occurred in April 2015 in Texas when a NATURAL GAS pipeline owned and operated by DCP Midstream, a subsidiary of Sabal Trail Transmission's parent company Spectra Energy, LEAKED OIL.

8. Whether applicant has given reasonable assurance that they will properly maintain and repair the pipeline. Sabal Trail's parent company, Spectra Energy is facing many fines and orders by the National Energy Board of Canada, the U.S. Pipeline & Hazardous Materials Safety Administration, and others for failing to properly maintain and repair their pipelines and for failing to clean up contamination from leaks. Why is Florida DEP trusting this company with our valuable natural resources? It is not acceptable.
9. Whether the proposed activity will adversely affect significant historical or archaeological resources. An investigation of archaeological artifacts found on property that is in the path of the pipeline is ongoing. But despite this, the Florida DEP has already issued its intent to issue the Environmental Resource Permit. Doesn't Florida DEP care about what this report's findings are?
10. Whether there is a conflict of interest among the Board of Trustees of Florida's Internal Improvement Trust Fund, who own the submerged lands being affected by the proposed pipeline. Specifically, Governor Rick Scott, a member of this Board, has financial interests in Spectra Energy, the parent company of Sabal Trail Transmissions, as well as in Williams Company, the owner of the Transco pipeline from which Sabal Trail plans to get its gas. The governor and other public officials are prohibited by state ethics laws from owning stock in businesses subject to their regulation or that do business with state agencies.
11. Whether the Applicant, Sabal Trail, used the most up to date geological surveying techniques to evaluate the river crossings to assure that the route planned is safe for the environment and the citizens. There is no evidence in Sabal Trail's application for environmental resource permit that LIDAR (Light Detection and Ranging) was used to evaluate the Suwannee River Crossing. WWALS demands that LIDAR be used by an expert geologist in Florida karst terrain to evaluate the safety of the proposed Suwannee River pipeline crossing.

**Facts which Petitioner contends require reversal or modification of the Department's proposed action:**

1. The construction and operation of this 36-inch diameter natural gas pipeline through the sensitive karst geology of north central Florida is contrary to the public's interest, especially the members of the public and members of WWALS who reside or own property in Hamilton and Suwannee Counties. It has not been shown how this pipeline is “clearly in the public interest,” yet Sabal Trail is being granted a permit. How is this pipeline clearly in the public interest?
2. The Department has not received reasonable assurance that the Applicant can safely install a 36-inch diameter pipeline in the sensitive karst terrain of north central Florida, nor under our Outstanding Florida Waters like the Suwannee and Santa Fe Rivers without catastrophic, irreparable damage to the underground geology and springs. According to Sabal Trail's Karst Mitigation Plan, Section 2.3-HDD crossings, “Areas of karst activity pose increased risks to the successful installation of pipelines by HDD.” According to Sabal Trail's Karst Mitigation Plan Section 2.3.1, lost drilling fluid returns, Sabal Trail admits that cave systems and spring conduits could be intersected. According to the Sabal Trail Project Best Drilling Practices Plan, Section 2.4, the HDD contingency plans, three different attempts, with multiple 36-48 inch holes drilled into the fragile karst limestone could occur. Has this type of situation ever been encountered by the constructors of Sabal Trail in this type of terrain with this large a diameter pipe? Has Sabal Trail provided Florida DEP with research that has been done as to what effects this would have on the rivers and springs? It is in the contingency plan, it could happen. As we said before, damage to karst limestone is permanent. When it is done, it's done. There is no mitigation. The river and nearby karst geology could be left with multiple 3-4 foot gaping holes, susceptible to collapse or which intersect spring conduits and degrade springs. The

members of WWALS and the citizens of Suwannee and Hamilton Counties are not willing to accept these risks.

3. The construction and operation of this 36-inch diameter natural gas pipeline is not beneficial to the health, safety, and welfare of the public, especially not to the members of the public who reside in Hamilton and Suwannee Counties. The onus of proof that this pipeline is beneficial to the health, safety, and welfare of the public should be on Sabal Trail and the governing agencies that permit these projects. Citizens should not have to bear the burden of proof that this project is not beneficial to their health, safety, and welfare. How is this pipeline beneficial to the health, safety, and welfare of the public? It is in no way beneficial to the members of WWALS nor the members of the public that live in Hamilton and Suwannee Counties, nor the natural environment itself which will bear the burden of damage from this pipeline.
4. The proposed project will result in significant adverse individual, secondary or cumulative impacts to underground karst geology, which will lead to sinkhole formation and damage to underground spring conduits that will ultimately cause degradation of the rivers and springs. This in turn will cause adverse individual, secondary, or cumulative effects on the aquatic species who have been shown to inhabit underground caves and springs in the areas in question, specifically underwater spring conduit and spring cave-dwelling troglobites. Sabal Trail admits in their Karst Mitigation Plan, Section 2.3.3, that “HDD operations could trigger or reactivate sinkhole activity.” This month, another sinkhole opened just across the state line in Lowndes County, Georgia, threatening to absorb a road, as another one did a few years ago. Such sinkholes can form years after a pipeline is installed, as happened in Assumption Parish, Louisiana in 2013, when Florida Gas Transmission (FGT) had to move its pipeline. FGT declared that sinkhole a *force majeure* incident. If Sabal Trail did the same, any insurance it had might not have to pay, leaving local, state, and county taxpayers to pay for the problem.



5. The proposed activity will not maintain essentially natural conditions in the deforested areas, the filled in wetlands, and the permanently damaged underground limestone karst terrain.

**Rules or Statutes Petitioner contends require reversal or modification of the Department's proposed action:**

Rule 62-4.242, F.A.C.

Section 373.414 (1), F. S.

403.061 (27)

Article 2 Section 7 of the Florida Constitution

112.311 (5), F.S.

In a letter that the Florida Department of Environmental Protection forwarded on March 27, 2014 to the Federal Energy Regulatory Commission, State Geologist John Arthur, PhD and staff support the arguments of WWALS as put forward in this petition; see Exhibit F. He warns of the dangers associated with drilling this large diameter pipeline through the sensitive karst limestone of north Florida and south Georgia. He points out that the proposed route of the Sabal Trail pipeline is slated to pass through Florida Springs Protection areas and areas that have been found to be the “most vulnerable” on the Floridan Aquifer Vulnerability Assessment map.

According to Heinz Mueller, U.S. Environmental Protection Agency, in his July 17, 2014 letter to Federal Energy Regulatory Commission, “The EPA is particularly concerned for proposed wetland and stream crossings that may impact special aquatic sites. Locations of heightened concern include southwest Georgia, the ecologically significant Suwannee River and Santa Fe River, and associated freshwater springs within the north Florida region.” See Exhibit H.

Ann Shortelle, Ph.D., previous Executive Director of the Suwannee River Water Management District, in her April 18, 2014 letter to the Federal Energy Regulatory Commission states, “Damage to the conduit system that feeds these spring systems could directly impact the Minimum Flows and Levels for a priority spring by potentially reducing the flow to the spring causing a violation of the MFL. It is anticipated that evaluation of the final pipeline route will be thoroughly evaluated in light of the sensitive groundwater and spring systems located within the SRWMD. Such situations might not be avoided with pre-excavation geotechnical testing because the locations of these features are not predictable. Therefore the pipeline route should be altered to avoid karst areas, conduit and spring-flow areas of the SRWMD.” See Exhibit G.

**Relief sought by Petitioner:**

WWALS Watershed Coalition respectfully requests that Florida Department of Environmental Protection deny the Environmental Resource Permit to Sabal Trail Transmission to construct and operate a 36-inch diameter natural gas pipeline in the state of Florida. At the very least, WWALS requests that the sensitive karst terrain that underlies north central Florida be avoided entirely, especially drilling under the Withlacoochee, Suwannee, and Santa Fe Rivers.

Respectfully submitted this 27<sup>th</sup> day of August, 2015.

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*Pro Se*

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## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail before close of business on this 27<sup>th</sup> day of August, 2015, to the above-listed addresses and to those below:

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*/s/ John S. Quarterman*

President

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## **Exhibit A: WWALS Members in Florida**

Selected WWALS members who reside in or own property in Hamilton or Suwannee County.

There are others not on this list, and everyone in Hamilton, Suwannee or Madison Counties could be affected by the pipeline, as well as WWALS members from far away; see Exhibits A, C-K.

\* Within 1000 feet of the proposed pipeline path.

### **Hamilton County**

Chris Mericle and Deanna Mericle  
7712 SW 32<sup>nd</sup> Ln  
Jasper, FL 32052

Robert and Mary Ellen Tatum  
7697 SW 32<sup>nd</sup> Ln  
Jasper, FL 32052

Russ Tatum  
property owner in Hamilton County  
320 Mary Jess Rd.  
Orlando, FL 32839

Mark Garner  
7723 SW 32<sup>nd</sup> Lane  
Jasper, FL 32052

Bill and Ann Williams  
4234 SW 77<sup>th</sup> Blvd.  
Jasper, FL 32052

Darwin and Lillian Lloyd  
5740 SW 54<sup>th</sup> Trail  
Jasper, FL 32052

Chris and LeeAnn Combass\*  
6005 SW 31<sup>st</sup> St.  
Jasper, FL 32052

Nate and Kathleen Combass\*  
6029 SW 31<sup>st</sup> St.  
Jasper, FL 32052

### **Hamilton County (continued)**

Greg, Trish, and Sam Morrison  
4420 SW 77<sup>th</sup> Blvd.  
Jasper, FL 32052

Joe and Laurie McClung\*  
4074 SW 69<sup>th</sup> Dr.  
Jasper, FL 32052

Dennis and Dottie Price  
P.O. Box 45  
White Springs, FL 32096

### **Suwannee County**

Thomas Edwards\*  
property owner in Suwannee County  
501 Riverside Ave., Suite 601  
Jacksonville, FL 32202

Debra Johnson  
P.O. Box 803  
Wellborn, FL 32094

Patricia Tayman  
P.O. Box 691  
Live Oak, FL 32060

Russell and Roylyn Johnson  
9588 58<sup>th</sup> St.  
Live Oak, FL 32060



## **Exhibit B: WWALS on Suwannee River at proposed Sabal Trail pipeline crossing, 15 Aug 2015**

A Sabal Trail survey stake is visible in the picture. Note that WWALS members who use the Suwannee River and other rivers are not limited to those who reside nearby, nor to this one outing.

WWALS members pictured include at least Chris Mericle (Hamilton County, FL), Dwight Griner (Cook County, GA), Ashlie Prain (Lowndes County, GA), Debra Lister (Coffee County, GA), Patrick and Mary Ann Kunes (Tift County, GA), Gretchen Quarterman (Lowndes County, GA), Deanna Mericle (Hamilton County, FL), Dan Coleman (Madison County, FL). Taking the picture: John S. Quarterman (Lowndes County, GA). Some of the other attendees were from as far away as Colombia in South America, and from South Africa.





## Exhibit C: Thomas S. Edwards TSE Plantation sinks and springs

Filed with FERC 29

January 2015

as [Accession Number:](#)

[20150129-5192](#),

“Supplemental

Information / Request

of Edwards & Ragatz,

P.A. under CP15-17.

Supplemental

Comments of

Proposed Intervener,

Thomas S. Edwards,

Manager, TSE

Plantation, LLC

Opposing Portion of

Sabal Trail Route and

Related Motion to

Accept Late

Comments”.

The one image included here from Exhibit B of that document illustrates the widespread extent of the underground caves and cracks feeding the springs, across many of which Sabal Trail proposes to drill its pipeline.

Characterization of Karst Sensitive Areas Relative  
to the Proposed Route of the Sabal Trail Natural Gas Transmission Line

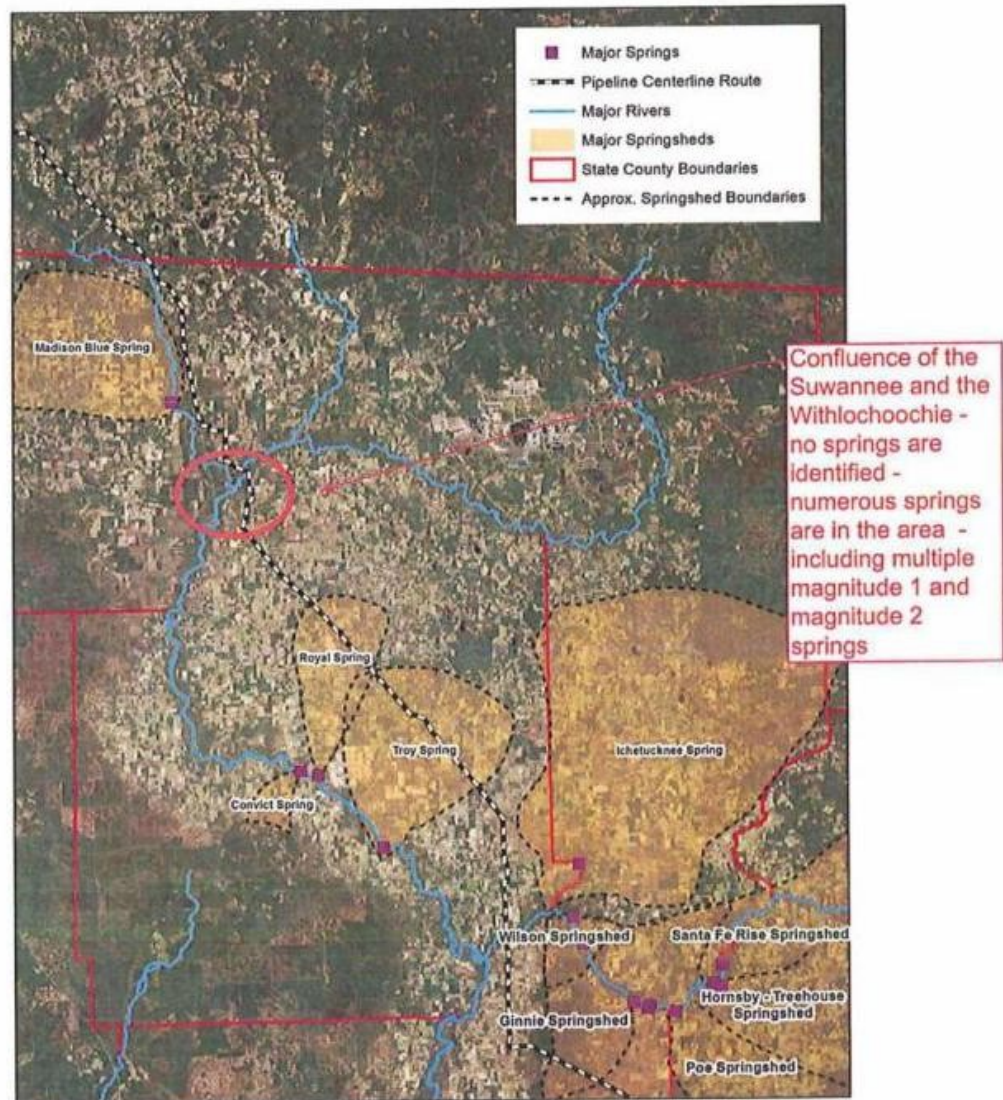


Figure 3. Approximate Springshed Boundaries of First Magnitude and Major Second Magnitude Springs in the Northern Portion of the Karst Sensitive Area.

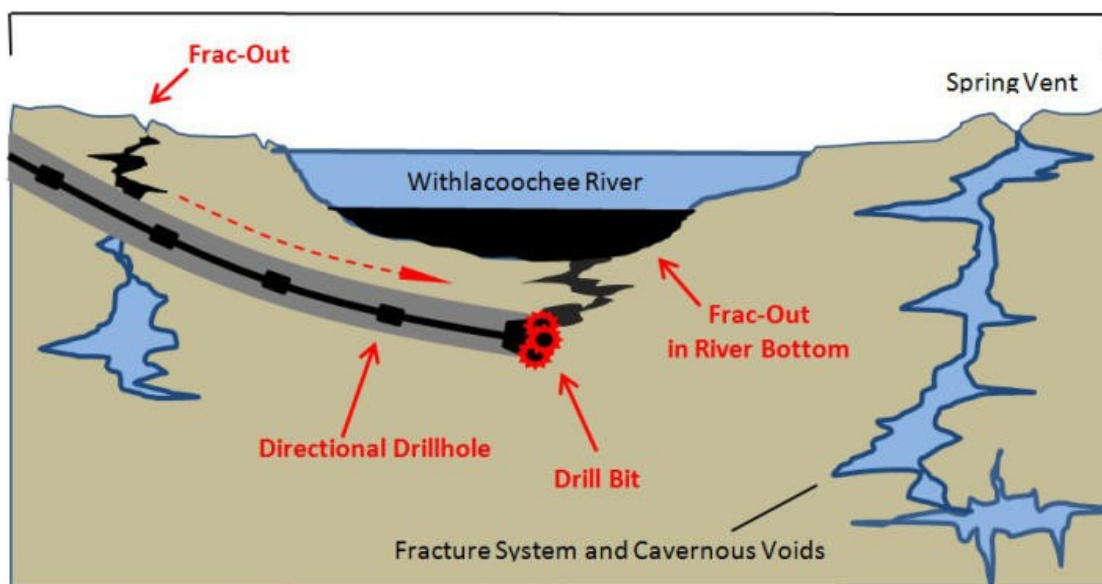
**Exhibit D: Hamilton County Resolution No. 14-10, 14 August 2015**

As a result of evidence of environmental hazards from the proposed Sabal Trail pipeline, such as those in Exhibit E, the Hamilton County Board of Commissioners passed RESOLUTION 2015-02 on 22 August 2014 asking Sabal Trail to move off of the Withlacoochee River in Florida. The Hamilton County Board of Commissioners also later filed “Motion to Intervene of Hamilton County, Florida Board of County Commissioners under CP15-17. “, FERC Accession Number 20141218-5333, 18 December 2014, [https://elibrary.ferc.gov/idmws/file\\_list.asp?document\\_id=14282868](https://elibrary.ferc.gov/idmws/file_list.asp?document_id=14282868).

**Exhibit E: Karst Features and Hydrogeology of the Proposed Sabal Trail Natural Gas Transmission Pipeline Withlacoochee River Crossing – Hamilton County, Florida, by David Brown, professional geologist**

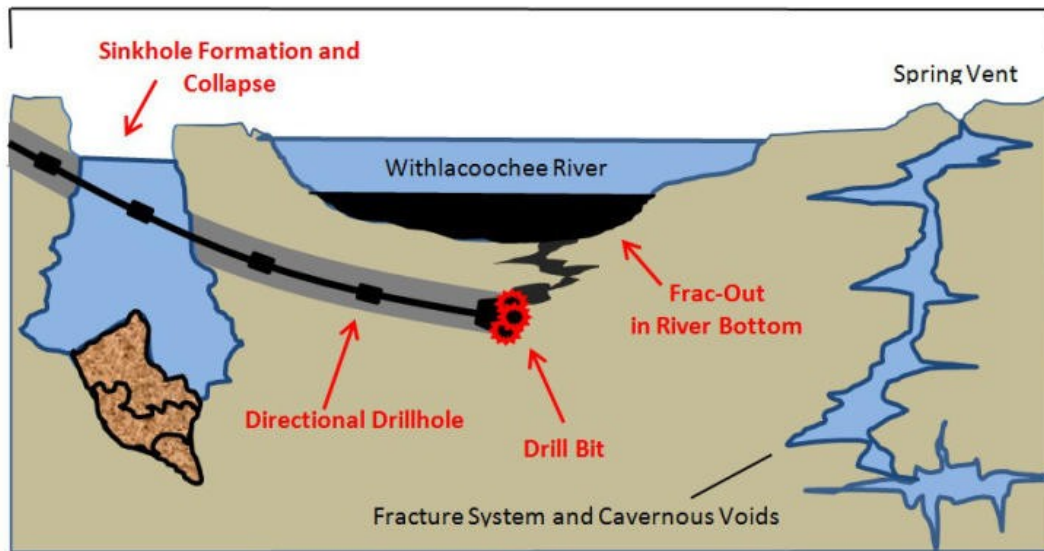
This report was commissioned by Hamilton County resident Chris Mericle, who is now a WWALS board member. “Hydrogeology Report: Sabal Trail methane pipeline crossing of Withlacoochee River”, by David Brown, 22 August 2014. Included in “RESOLUTION 2015-02,” Hamilton County, Florida Board of Commissioners, 22 August 2014. Both report and resolution included in WWALS Watershed Coalition, Inc., “Motion to intervene and request for extension of filing deadline, by WWALS Watershed Coalition, Inc. under CP15-17.” FERC Accession Number 20141216-5051, 16 December 2014, [https://elibrary.ferc.gov/idmws/file\\_list.asp?document\\_id=14280938](https://elibrary.ferc.gov/idmws/file_list.asp?document_id=14280938). Two illustrations from that report are included here.

**Approximately 2,500 Lineal Feet Horizontal Directional Drill Hole**



*Cross-section of the proposed HDD crossing of the Withlacoochee River and hypothetical karst features that could result in a hydrofracture (frac-out)*

### Sinkhole Formation and Collapse



*Potential sinkhole or collapse feature forming as a result of the proposed HDD crossing of the Withlacoochee River.*



## Exhibit F: Florida State Geologist John Arthur

18 April 2014 FERC filing (submission number 20140418-5237) by the Florida Department of Environmental Protection, includes [a letter of 27 March 2014 through Jon Arthur, Florida State Geologist](#).

[http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20140418-5237](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20140418-5237)

That letter spells out many reasons why the Sabal Trail pipeline is inappropriate in the fragile karst limestone geography of north Florida. That letter is illustrated by the "Florida portion of the Southeast Markets Pipeline Project superimposed on Floridan Aquifer Vulnerability Assessment Map", which is included here.

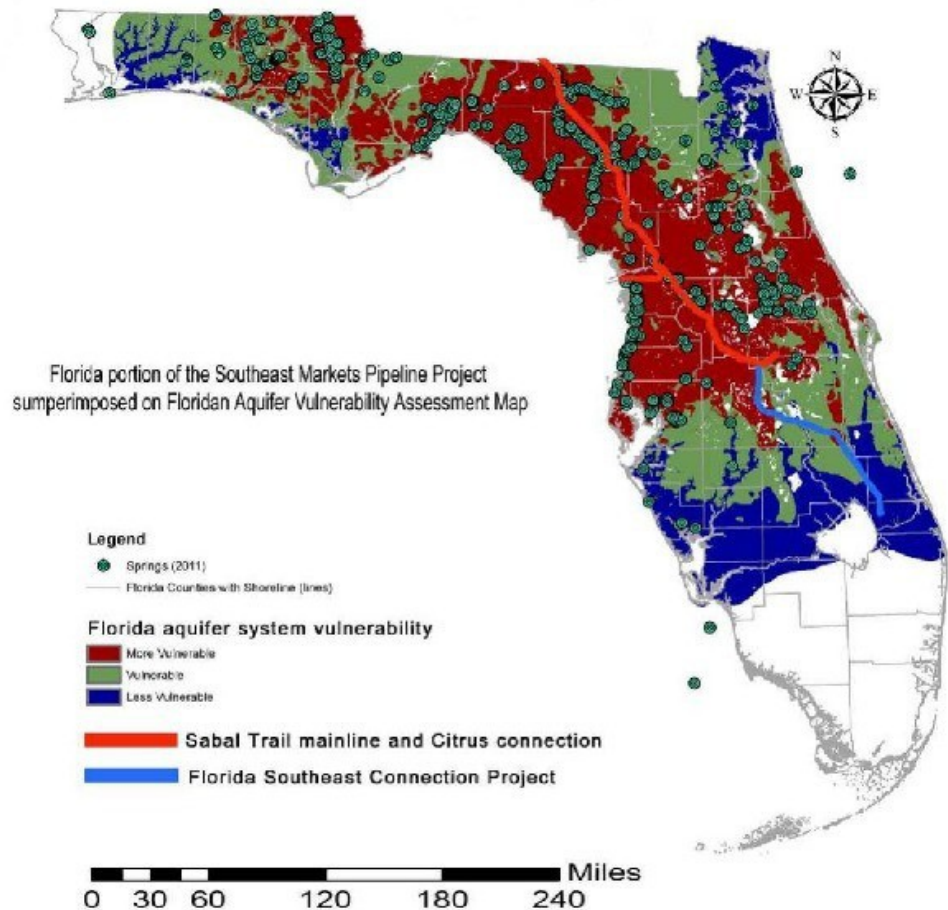


Figure 1: Florida portion of the Southeast Markets Pipeline Project superimposed on Floridan aquifer vulnerability assessment (FAVA) map. FAVA data from: [http://www.dep.state.fl.us/geology/programs/hydrogeology/fava\\_gis\\_data.htm](http://www.dep.state.fl.us/geology/programs/hydrogeology/fava_gis_data.htm)

## Exhibit G: Suwannee River Water Management District, Ann Shortelle

Filed with FERC 18 April 2014 as Accession Number 20140418-5169. The cover letter by Ann Shortelle, then Executive Director, Suwannee River Water Management District, is included here. The entire letter with its attached memorandum is relevant to the current petition.

*Dear Ms. Harris:*

*The Suwannee River Water Management District (District) has reviewed preliminary information concerning the SMP project for the installation of a gas transmission pipeline from Hamilton to Martin counties in Florida. The proposed pipeline route crosses four counties and two major rivers within the District. The two proposed river crossings appear to be within extremely sensitive karst regions and could have significant impacts to the District's water resources including our rivers, springs and water supplies. The attached memorandum describes District staff's review, concerns, and recommendations on the proposed pipeline route.*

*The District does not oppose the installation of pipelines and understands the value these projects provide to Florida's economy. However we do recommend that the proposed pipeline route be modified to avoid highly sensitive water resource features, karst topography, and unconfined drinking water sources ( **Floridan Aquifer**) within the District. We appreciate the opportunity to review these preliminary documents and look forward to working with the Federal Energy Regulatory Commission staff to provide the necessary information needed to find a more suitable route for the proposed pipeline.*

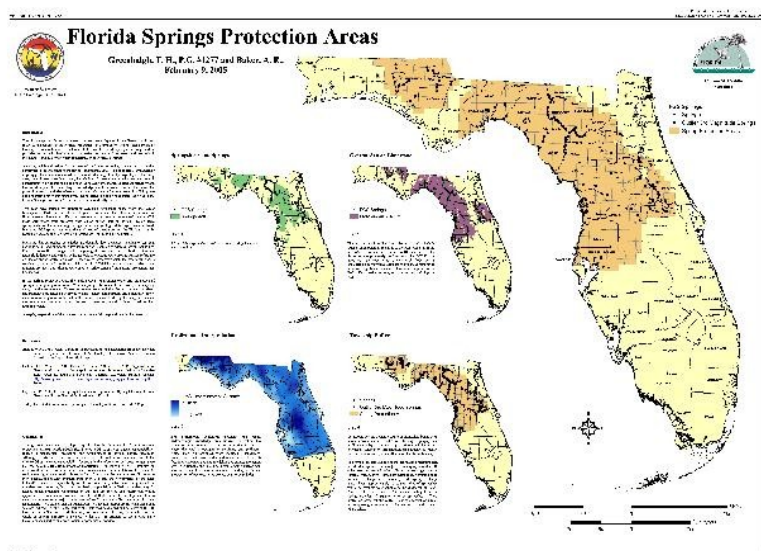
*Respectfully,*

*[signed]*

*Ann B. Shortelle, Ph.D.*

*Executive Director*

*cc: Suwannee River Water Management  
District Governing Board  
Herschel Vinyard, Secretary, Florida  
Department of Environmental Protection*



**Exhibit H: U.S. Environmental Protection Agency, Heinz Mueller**

Filed with FERC 23 April 2014 in Accession Number 20140423 as Comments of EPA Region 4 under PF14-1. The entire filing is relevant to the current petition.



**Exhibit I: Exotic invasive species Chamber Bitter on existing SONAT pipeline at Suwannee River**

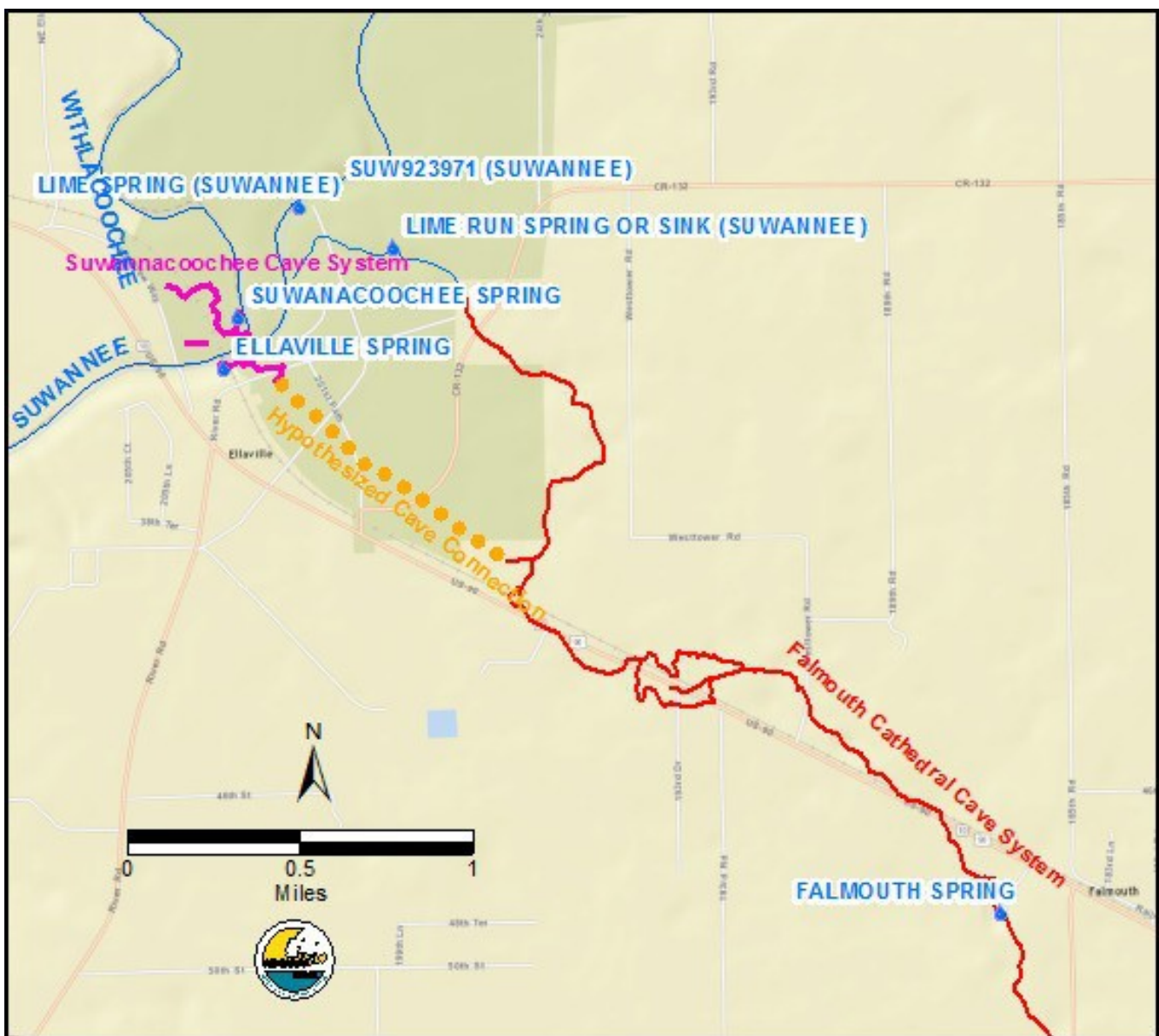
Species *Phyllanthus urinaria* on and downstream of the Southern Natural Gas pipeline on the Suwannee River 15 August 2015. Another pipeline could bring in this or other exotic invasive species on its construction equipment. From one site, this and other exotics spread rapidly nearby and via equipment to farther sites.





## Appendix J: SRWMD Dye Test

Suwannee River Water Management District, [“Falmouth dye trace reveals unknown connectivity”](http://www.srwmd.state.fl.us/DocumentCenter/View/10522), Press Release, 4 December 2014, <http://www.srwmd.state.fl.us/DocumentCenter/View/10522>. The Sabal Trail pipeline proposes to run through this same area, thus risking extensive contamination of underground water, which could affect springs and wells, and possibly cause sinkholes. Exactly which springs or wells or where the sinkholes might occur cannot be known in advance, because the underground connections have never been completely mapped, as witness this dye test.



**Exhibit K: Spectra Energy pipeline explosion under Arkansas River in Little Rock 31 May 2015**

“Arkansas River pipeline blowout occurred on Sunday morning, cause still unknown,” by Benjamin Hardy, Arkansas Times, 3 June 2015. The Clinton Center is visible in the foreground. This was an unused section of Spectra Energy's Texas Eastern pipeline, of smaller diameter than Sabal Trail proposes to drill under the Suwannee River. Emergency personnel and vehicles can be called in from far away to a pipeline explosion, costing city, county, and state taxpayers.

