

2. Avoidance of Sabal Trail's own track record

Sabal Trail's Answer did not mention its own track record of leaking drilling fluid up into the Withlacoochee River from its pilot hole near Quitman, Georgia, in 2016, nor its repeated leaks of odorant from the site of its Dunnellon Compressor Station in 2017 and 2018, even before Phase II construction started, nor its methane leak from its Hildreth Compressor Station in Suwannee County, Florida, in 2018, nor the five reported sinkholes near the Flint River and Sabal Trail's Albany Compressor Station, and in many other locations, apparently caused by construction of the Sabal Trail pipeline.. WWALS (and in some cases Sabal Trail) had filed evidence of all these things with FERC as they happened, and had reminded FERC and Sabal Trail in the WWALS motion to Intervene of April 6, 2020,¹⁸ in which see 3. Basis for Intervening, b., c., d., and e.

Also in July, the D.C. U.S. District Court ordered the Dakota Access Pipeline ("DAPL") to be shut down and emptied while the U.S. Army Corps of Engineers produces the environmental review.¹⁹ especially regarding stream crossings and water quality, that the court had already ordered back in March.²⁰ DAPL and Sabal Trail have many of the same investors. If the state of Georgia had chosen to defend the decision of the Georgia House of Representatives to deny river-crossing permits for Sabal Trail,²¹ Sabal Trail might never have been built through economically disadvantaged and environmental justice communities. In light of these recent court decisions, which are a novel and significant circumstance, FERC should revisit those Sabal Trail river crossings.

In February 2020, Williams Company announced it was ceasing investment in its Constitution Pipeline, which was greatly delayed due largely to New York State years before denying a water permit.²² Williams stated:²³ "Williams – with support from its partners, Duke, Cabot and AltaGas – has halted investment in the proposed Constitution project. While Constitution did receive positive outcomes in recent court proceedings and permit applications, the underlying risk adjusted return for this greenfield pipeline project has diminished in such a way that further development is no longer supported." Duke is a partner in Sabal Trail and Williams built the Hillabee Expansion Project of its Transco Pipeline that feeds Sabal Trail in Alabama. If the same standards of water quality had been applied by Alabama, Georgia, or Florida, as were applied by New York, Sabal Trail and its related pipelines probably never would have been built. Thus the cancellation of the Constitution Pipeline is a new and significant development.

Most of these Sabal Trail sinkholes and leaks occurred in economically disadvantaged areas, and some in minority-majority areas. All should be considered in a SEIS.

¹⁸ "Motion to Intervene by WWALS Watershed Coalition, Inc., in proceeding on Request for Extension by Sabal Trail Transmission, LLC under CP15-17." WWALS, April 6, 2020, [FERC Accession Number 20200406-5070](https://www.ferc.gov/finance/20200406-5070)

¹⁹ "Court Rules Dakota Access Pipeline Must Be Emptied For Now," [Laurel Wamsley](https://www.npr.org/2020/07/06/887593775/court-rules-that-dakota-access-pipeline-must-be-emptied-for-now), NPR, July 6, 2020, <https://www.npr.org/2020/07/06/887593775/court-rules-that-dakota-access-pipeline-must-be-emptied-for-now>

²⁰ "Dakota access pipeline: court strikes down permits in victory for Standing Rock Sioux: Army corps of engineers ordered to conduct full environmental review, which could take years," [Nina Lakhani](https://www.theguardian.com/us-news/2020/mar/25/dakota-access-pipeline-permits-court-standing-rock), The Guardian, 25 March 2020, <https://www.theguardian.com/us-news/2020/mar/25/dakota-access-pipeline-permits-court-standing-rock>

²¹ "FERC Authorization for Sabal Trail to Commence Drilling under Georgia Rivers 2016-08-25," John S. Quarterman, WWALS, August 27, 2016, <http://wwals.net/?p=21993>

²² "Williams Cancels N.Y. Constitution Pipeline," Reuters, Pipeline & Gas Journal," February 24, 2020, <https://pgionline.com/news/2020/02-february/williams-cancels-ny-constitution-pipeline>

²³ "Feb. 24 Media Statement," Williams Company, Constitution Pipeline, February 24, 2020, <https://constitutionpipeline.com/>