

September 6, 2021

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

Docket # CP17-40-000 / Spire STL Pipeline Project

RE: Clarification of the Record and Comments of Spire's Application for a Temporary Emergency Certificate

Dear Ms. Bose:

My name is Kenneth Davis and I am a landowner impacted by the Spire STL Pipeline Project located in Scott County, Illinois. My tract number is IL-SC-018.000. I have serious concerns regarding Spire's July 26, 2021 application to the FERC requesting the issuance of a "temporary certificate of public convenience and necessity."

Myself along with other landowners across a large portion of the project in Illinois and Missouri have been impacted by Spire's pipeline construction and restoration failures. Every landowner that I communicate with has been supportive of the oil and gas industry in general. However, any company that disrupts the agricultural, ignores environmental requirements, and condemns through litigation well over half of the landowners on a project, should be held accountable for their actions not rewarded. Within two weeks of the FERC approving the Spire project, landowners including myself, received condemnation notices with little to no negotiation. Throughout the course of the project, Spire has been investigated by numerous regulatory agencies due to the lack of environmental compliance and disruption to private landowners' properties.

There are several issues that have directly affected my family and my property which have been caused by Spire's actions and disregard to the project's regulatory requirements. In addition, Spire has continually misled landowners, such as myself, and the FERC in their construction status reports regarding restoration conditions and Spire's communications with landowners. These actions have caused my family injury, loss, and suffering that the FERC should take very seriously. Below are items the FERC should be aware of that have directly impacted my family and land:

- ***Grade is off by an average of 10.64" inside the ROW.***
- ***Drain tiles are crushed and/or clogged inside the ROW and are causing drainage issues outside the ROW.***
- ***Soil compaction is widespread inside the ROW.***
- ***Average depth to 300 PSI, On-ROW: 2.33"***
- ***Average depth to 300 PSI, Off-ROW: 8.25"***
- ***ROW is extremely wet and saturated with several areas of ponding throughout the ROW.***
- ***Ingress / egress approach is now restricted due to the location of Spire's Permanent Easement.***
- ***Future building plans will now prove impossible due to the location of the Spire pipeline.***
- ***Critical loss of valuable timber and trees for enjoyment / hunting purposes.***
- ***Large slopes and topography have been altered and are creating large areas of unstable slopes outside the easement. This instability creates a safety hazard for myself and my family.***

On May 31, 2019, the Illinois Environmental Protection Agency found Spire to be in direct violation of several statutes in the Illinois Environmental Protection Act including 1.) Failure to Obtain a General NPDES Storm Water Permit for Construction Activities, 2.) Discharge of Contaminants, 3.) Offensive Conditions (related to water quality and contaminant discharge), 4.) Offensive Discharge (related to water quality and contaminant discharge), 5.) Water Quality Violations (related to discharge of contaminants), and 6.) Effluent Violations (related to discharge of contaminants).

On August 14, 2020, the Illinois Department of Agriculture (IDOA) filed a report with the Commission detailing the findings of site inspections conducted on seven privately-owned agricultural properties impacted by the construction of the Spire STL Pipeline Project. The IDOA found widespread violations of statutes contained in its Agricultural Impact Mitigation Agreement (AIMA). The AIMA is a binding contract between Spire and the IDOA that provides special protections to landowners in Illinois. Adherence to the AIMA is also required by Spire's original FERC Certificate issued in 2018.

On March 18, 2021, the FERC filed an Order on Environmental Compliance instructing Spire to address many types of restoration issues that have not been corrected.

On July 20, 2021, the FERC Office of Energy Projects filed their restoration report detailing numerous properties facing erosion, soil impacts, grade issues, contours not being restored, and large slips and unstable slopes near the pipeline and inside the Spire workspace. Please view the restoration report [here](#).

Spire must comply with their Certificate requirements, remediate the widespread environmental damage, and make us, the landowners, whole from the severe impacts we have endured.

Spire must be required by the FERC to make the landowners whole and take all necessary actions to honor the restoration requirements mandated by the FERC Commission.

Respectfully Submitted,

*Kenneth Davis*

Kenneth Davis, Impacted Landowner

cc: Brian Rennecker, Illinois Department of Agriculture  
U.S. Senator Tammy Duckworth (IL)  
U.S. Senator Dick Durbin (IL)  
U.S. Representative Rodney Davis (IL)  
U.S. Representative Darin LaHood (IL)