

September 7, 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:

On August 27, 2021 Spire filed a response letter to landowner comments. I have serious concerns regarding this filing and the statements regarding site evaluations, compliance documentation, and reports Spire is comfortable claiming to the FERC docket.

On the week of August 23, 2021 Central Land Consulting (CLC), certain landowners, and Spire visited certain tracts discussing outstanding restoration issues and what measures will be taken for corrective action. On August 27, 2021 Spire filed responses which are nowhere near our determinations in the field. The contents of Spire's response range from excusatory to accusatory and it is not appreciated. Many points contained in the response are outright inaccurate and it appears that Spire attempts to place blame on anyone besides themselves or their contractors. This is particularly troubling where Spire attempts to blame the landowner for the condition of the workspace. Currently, the landowners have absolutely no obligation to fix the issues that Spire has left behind. The landowners have no obligation to farm, where there are outstanding restoration issues and restricted access due to Spire. It is Spire's sole responsibility to ensure that the land is left in compliant and farmable condition.

This is a prime example of how Spire treats landowners and the disregard of the environmental compliance reporting system. Compliance with all aspects of the environmental conditions in the FERC certificate should be taken very seriously. However, when any company takes advantage of this process the FERC should take any measures necessary to ensure compliance.

The landowners affected have communicated time and time again regarding agriculture impacts, lack of crop production, and the challenges they all have with Spire's approach. Several items filed in their status reports have either been misleading or putting the blame on everyone and everything except Spire. These occurrences are very concerning and have led to the many issues Spire faces today. Below is a timeline of events explaining the many issues, specifically regarding compliance and restoration Spire faces.

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 June 22, 2021 the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) ruling in *Environmental Defense Fund v. FERC*, No. 20-1016 (D.C. Cir. June 22, 2021) vacating Spire's certificate of public necessity and convenience.

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](#).

CLC, on behalf of the landowners affected, request the FERC commission to ensure Spire complies with all requirements of the environmental conditions, and make the landowners whole from the environmental and agricultural damage that the affected landowners have endured.

Please free to contact (330) 312-1060 with any questions or for further assistance.

Respectfully Submitted,

*/s/ Nate Laps*

Nate Laps,  
President of Operations  
Central Land Consulting, LLC

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)