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*Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers*

March 23, 2026

**Via eFiling** - <https://ferconline.ferc.gov/FERCOOnline.aspx>

Debbie-Anne A. Reese, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

**Re: Ogeechee Riverkeeper comments on the draft Environmental Impact Statement for the proposed Mississippi Crossing Project (Docket No. CP25-514-000) and South System Expansion 4 Project (Docket No. CP25-517-000)**

To whom it may concern:

Ogeechee Riverkeeper 501(c)(3) (“ORK”) works to protect, preserve, and improve the water quality of the Ogeechee River basin, which includes the Canoochee River, tributary streams, and all of the streams flowing out to Ossabaw Sound and St. Catherine’s Sound. The Ogeechee River system drains more than 5,500 square miles across 20 counties in Georgia. ORK works with local communities to retain the ecological and cultural integrity of rivers, streams, wetlands, and related habitats throughout the basin. One of ORK’s primary roles is as watchdog on proposed projects and permits throughout the watershed that could pose a significant threat to its water quality and aquatic environments.

ORK offers these comments in response to the Federal Energy Regulatory Commission’s (“FERC”) combined draft Environmental Impact Statement (“DEIS”) for the Mississippi Crossing Project (“MSX”) and the South System Expansion 4 Project (“SSE4”) presented for public review in January 2026. On the whole, ORK finds the DEIS to be materially deficient, as it fails to adequately address a number of specific concerns, including those that were previously raised in scoping comments submitted in October 2025. These concerns focused on four main areas: 1) wetland degradation and the long-term effects this will have on both the human and aquatic environments, 2) direct negative impacts to water quality from construction and long-term operation of the project, 3) impacts on the federally-protected Atlantic and Shortnose sturgeon populations and numerous freshwater mussel species, as well as the robust redhorse and the Savannah lilliput, both of which are identified as Species of Greatest Conservation Need by the State of Georgia, with the robust redhorse under consideration for federal protection, and their critical habitats found in the basin, and 4) the compounding effects of the many crossings in the

Ogeechee Basin. The draft EIS, as presented, fails to fully address any of these issues, instead relying on broad assurances that impacts will be “localized,” “minimal,” and “temporary.”

Ogeechee Riverkeeper calls on the Federal Energy Regulatory Commission to delay any final decision on this draft Environmental Impact Statement until it is revised or supplemented to sufficiently consider all of the concerns raised below. Until and unless these concerns are fully addressed, the draft Environmental Impact Statement for these projects fails to ensure that the least environmentally damaging decisions were made in the Ogeechee Basin. ORK calls on FERC to delay any final decision until these concerns are fully and sufficiently addressed and the public has the opportunity to provide further comment.

#### **1. Wetlands impacts not individually considered in the Ogeechee Basin**

The draft EIS fails to consider the specific wetlands impacts resulting from the proposed activities. Waterbody crossings in the Ogeechee Basin will necessarily impact wetlands, not only from the completed pipeline construction, but also from the construction activities. Each of these crossings is different and requires site-specific analyses to ensure the least impactful results are selected. As presented, this DEIS fails to ensure the least environmentally damaging methods, activities, and results will occur. As such, ORK calls on FERC to revise, supplement, or rescind this DEIS and disallow any of the proposed activities until the applicants and FERC can ensure this project can meet those minimum requirements.

As the crossing of the main stem of the Ogeechee would occur at the 2+ mile wide Chalker Swamp, impacts to wetland environments are very high on our list of concerns with the proposed project. The draft DEIS does very little to ameliorate those concerns, providing little detail on specific sites, instead making vague references to on-site decisions being made by Project Managers and Environmental Inspectors. This lack of specificity leaves much room for human error, which could have devastating results in these sensitive environments. Since geotechnical investigations have yet to be conducted on all of the wetland crossings, it is impossible for the draft EIS to accurately predict minimal disturbances.

Similar concerns exist for the many other waterbody crossings in the Ogeechee Basin, all of which must be addressed before this DEIS is finalized and approved. Waterbodies in the Ogeechee Basin are crossed from approximately pipeline mile marker 9 to the eastern end of Loop J1 and from western start to pipeline mile marker 5 of Loop I2 of the proposed SSE4 pipeline. Each of these crossings has unique concerns, including but not limited to water quality, sensitive habitats, wetlands and flood control, and construction access and staging areas. This DEIS does not include full analyses of all site-specific needs, concerns, and challenges for these Ogeechee Basin crossings. Nor does it provide site-specific analyses for its choice of crossing - whether that is horizontal directional drilling (“HDD”), conventional bore, trenchless, or any other crossing method. FERC must provide documentation that the least environmentally damaging choices were selected for all activities occurring at every crossing in the Ogeechee Basin, as well as at every other crossing along the entire length of this proposed project. Specifically, ORK asks for documented evidence explaining how methods other than trenchless crossing were selected at locations in the Ogeechee Basin that are not planned to have trenchless crossings, including but not limited to the Ogeechee River crossing.

In summary, Ogeechee Riverkeeper asks:

- What documentation reassures FERC that the least environmentally damaging selections were made when considering wetlands crossings in the Ogeechee Basin?
- How did FERC determine that conventional boring was the least environmentally damaging crossings of the Ogeechee River?
- Did FERC conduct individual, site-specific analyses of the potential harms to wetlands at each of the Ogeechee Basin crossings? Did those analyses consider all aspects of construction and long-term occupancy?
- What factors did FERC rely on when determining that a method *other than* trenchless crossing methods were the least environmentally damaging method?

## 2. Impacts to water quality not adequately considered

The draft EIS fails to adequately consider the full extent of negative impacts to the Ogeechee Basin's ground- and surface water resources. FERC and the DEIS's reliance on general assessments rather than specific considerations fails to take a hard look at the potential and likely impacts that could result from the proposed activities. Without unique analyses of each specific water resource leading to individualized plans and practices to address potential impacts, the DEIS cannot ensure the least environmentally impactful result. As such, ORK calls on FERC to revise, supplement, or rescind this DEIS and disallow any of the proposed activities until the applicants and FERC can ensure this project can meet those minimum requirements.

While the DEIS recognizes that sedimentation is likely as a result of the various methods prescribed for waterbody crossings, there is a lack of detail regarding the actual projected scope of displaced sediments at each stream crossing, or the resulting long-term impacts. Instead, the DEIS assures that adherence to best management practices and the project plan will minimize these impacts. Without specific details related to the volume and type of sediments anticipated to enter each stream, it is impossible to determine that the resulting impacts will be "minimal" and "temporary," particularly in smaller waterbodies, where changes in turbidity, dissolved oxygen levels, and conductivity would have more pronounced effects on aquatic organisms.

Additionally, the DEIS notes that while proposed project activities "could affect groundwater resources,"<sup>1</sup> it assumes that post-construction restoration will result in groundwater impacts that "would be temporary, minor, and limited to the construction phases of the project."<sup>2</sup> Given that it has already been demonstrated that much of the proposed project activities would occur in significant recharge zones, this minimization of the risks to local populations' drinking water is particularly troubling. Without further information and study, it cannot be determined that the project, as presented, would not negatively impact groundwater resources in an area where most residents are reliant on them. Likewise, there appears to be no consideration how these impacts harm drinking water sources. Many residents in this rural part of the basin rely on wells for their source of drinking water

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<sup>1</sup> FERC. "Mississippi Crossing Project and South System Expansion 4 Project, Draft Environmental Impact Statement." Docket Nos. CP25-514-000 and CP25-517-000, Accession No. 20260130-3001. January 2026. At 4-27. [hereinafter "DEIS"].

<sup>2</sup> DEIS at 4-29.

and other domestic water uses, as well as for agricultural uses. Between a shallow Floridan aquifer and potentially shallow, surficial wells, even the best-case “minor, temporary” impacts to groundwater could be extremely harmful to residents. Without a detailed analysis of groundwater impacts, and how those impacts might affect nearby residents, the analysis in the DEIS is incomplete.

In summary, Ogeechee Riverkeeper asks:

- How did FERC conclude that the methods and management practices included in the DEIS would result in the least environmentally damaging results for the Ogeechee Basin’s surface waters and groundwater?
- What documentation did FERC rely on to determine that the sedimentation resulting from the proposed methods and management practices would be the least environmentally damaging?
- What methods and management practices to reduce sedimentation were considered but not selected? What was the selection methodology?
- What are the thresholds for when impacts to surface waters and groundwater move beyond presumably acceptable “minor” or “temporary” impacts?
- How does FERC justify its conclusion that potential impacts to groundwater resources would only be “...temporary, minor, and limited to the construction phase...”?
- Has FERC located all of the aquifer recharge zones in the Ogeechee Basin and individually confirmed that their associated aquifer areas would not be negatively impacted by the proposed activities?
- How did FERC analyze potential drinking water and domestic well impacts resulting from groundwater impacts?

### **3. Harms to federally-listed and other vulnerable species**

The draft EIS takes an insufficient look at the proposed activities’ impacts on vulnerable species in the Ogeechee Basin. With federally designated critical habitat being crossed, much more detail is needed to adequately ensure that listed species will not be illegally taken as a result of the proposed activities. Likewise, impacts to other vulnerable species should also be considered. ORK calls on FERC to revise, supplement, or rescind this DEIS and disallow any of the proposed activities until the applicants and FERC fully considers and adequately addresses the potential impacts to federally listed species, their critical habitats, and other vulnerable species in the area.

Both Atlantic<sup>3</sup> and shortnose<sup>4</sup> sturgeon are not sufficiently considered by this DEIS. Federally-listed as endangered species, both of these sturgeon species are particularly vulnerable. With the Ogeechee River listed as critical habitat, specific and careful attention with complete conclusions are needed before any approval should be granted. Many of the activities sought through this DEIS could result in the “take” of these vulnerable species,

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<sup>3</sup> *Acipenser oxyrinchus oxyrinchus* - <https://ecos.fws.gov/ecp/species/EoA7> and <https://www.fisheries.noaa.gov/species/atlantic-sturgeon>.

<sup>4</sup> *Acipenser brevirostrum* - <https://ecos.fws.gov/ecp/species/6635> and <https://www.fisheries.noaa.gov/species/shortnose-sturgeon>.

potentially resulting in habitat destruction, water quality degradation, interruption of life-cycle processes, and the direct killing of the species. While consultation with the responsible federal services is underway, it is not yet complete. The ongoing nature of this consultation and assessment is further evidenced by the applicant's submission of documents in mid-February, after this public comment period had already begun. All of this draws into question any conclusion that these activities are safe for these endangered species. As such, ORK calls on FERC to postpone any decision until its consultation with the federal services is complete and it confirms that both the Atlantic and shortnose sturgeon will not be adversely impacted. Until then, any decision related to these activities cannot be based on scientifically-confirmed conclusions of non-harm.

Threatened and endangered freshwater mussel species are also insufficiently considered by this DEIS. The Ogeechee Basin is home to numerous species of freshwater mussels, many of which are federally listed and require specific attention, consultation, and protection. Based on publicly accessible documentation, it does not appear that any surveys of freshwater mussels were conducted in the Ogeechee Basin. This is concerning, as the listed Atlantic pigtoe mussel<sup>5</sup> has historically been found in the Ogeechee Basin. Without further surveying, the actual presence and the true scope of impact to the Atlantic pigtoe and other threatened and endangered freshwater mussels cannot truly be known, therefore preventing a science-based conclusion of the project's impact on these protected species. Sedimentation is a known and significant impact to freshwater mussels, impacting their health directly and by interfering with filter feeding and food source availability. Paired with habitat loss from pipeline crossing methods, the sedimentation caused by the activities considered in this DEIS could be significantly harmful to these protected species. ORK calls on FERC to require mussel surveys to be conducted in the Ogeechee Basin, consider applying that information to proposed activities, and revise or amend the DEIS to require statutorily sufficient protections.

The robust redhorse<sup>6</sup> and the Savannah lilliput<sup>7</sup> also deserve careful attention that is missing in this DEIS. Once believed extinct until its rediscovery in the 1980s, the robust redhorse is identified as a Species of Greatest Conservation Need by the State of Georgia and is likewise "under review" for a federal listing decision. Concerted efforts<sup>8</sup> between North Carolina, South Carolina, Georgia, federal agencies, and regional power and energy companies to study and support the species have been in place for over a decade. These ongoing efforts to protect this vulnerable species calls for careful attention that is apparently missing in this DEIS. The Savannah lilliput, another freshwater mussel, is also listed as a Species of Greatest Conservation Need. The same concerns that face sturgeon - habitat and water quality degradation as well as life-cycle stages interruption and direct harm - also face the robust redhorse and Savannah lilliput. Sedimentation-caused interruptions to function and food sources are further concerns facing the Savannah lilliput. ORK calls on FERC to revise or amend this DEIS with a thorough analysis of this project's impact to the robust redhorse and the Savannah lilliput and to delay any approving decision until that revision or amendment and the following public comment.

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<sup>5</sup> *Fusconaia masoni* - <https://www.fws.gov/species/atlantic-pigtoe-fusconaia-masoni>.

<sup>6</sup> *Moxostoma robustum* - <https://www.fws.gov/species/robust-redhorse-moxostoma-robustum>, <https://ecos.fws.gov/ecp/species/3122>, and [https://georgiabiodiversity.org/portal/profile?group=all&es\\_id=15895](https://georgiabiodiversity.org/portal/profile?group=all&es_id=15895).

<sup>7</sup> *Toxolasma pullus* - [https://www.georgiabiodiversity.com/portal/profile?group=animals&es\\_id=18950](https://www.georgiabiodiversity.com/portal/profile?group=animals&es_id=18950).

<sup>8</sup> Robust Redhorse Memorandum of Understanding (Feb 2013) [https://robustredhorse.com/wp-content/uploads/2025/06/RRCC\\_MOU\\_February\\_2013.pdf](https://robustredhorse.com/wp-content/uploads/2025/06/RRCC_MOU_February_2013.pdf).

In summary, Ogeechee Riverkeeper asks:

- How did FERC determine compliance with the Endangered Species Act when consultation with federal agencies is still ongoing?
- What documentation does FERC have that the sturgeons' critical habitat in the Ogeechee River will not be impermissibly impaired?
- Did FERC conclusively determine, based on confirmable scientific information, that the Atlantic and shortnose sturgeon would not be negatively impacted by these activities prior to publishing this DEIS?
- Have both FERC and the public been sufficiently apprised of all relevant species impact information, considering the applicant's sharing of new information after this DEIS's publishing?
- Did FERC consider how the proposed project activities would impact robust redhorse populations, a species currently under review for federal listing?
- What consideration has FERC undertaken for the Savannah lilliput, a Species of Greatest Conservation Need, as well as other vulnerable freshwater mussels in the Ogeechee Basin?

#### **4. Cumulative impacts not sufficiently considered**

The foreseeable impacts resulting from this project's proposed activities are never adequately considered. In many instances, the resulting impacts are only ever narrowly considered, failing to allow for sufficient analysis. By failing to take a hard look at how these narrow, individual impacts compound and build-up, the full extent of harms resulting from this project are never actually considered. As a result, the DEIS fails to adequately consider the foreseeable cumulative impacts. ORK calls on FERC to revise, supplement, or rescind this DEIS and disallow any of the proposed activities until the applicants and FERC fully considers and adequately addresses the cumulative impacts from this project.

As non-specific as the EIS is about impacts at each individual stream crossing, it is even more so when it comes to detailing the potential cumulative impacts from the disturbance of multiple tributaries entering the Ogeechee River in close proximity to each other. While sedimentation of a single small tributary stream could be dismissed as "minimal," much of that displaced sediment would be carried into the river itself, where it could accumulate with displaced sediments entering from other nearby tributaries. In this manner, several "minor" impacts could compound to create a more significant disturbance, particularly in the area where the proposed crossing of the Ogeechee would occur, which is characterized by natural segmentation of the river. Since each of these segmented channels carries only a fraction of the volume of water in the river, sedimentation from multiple impacted tributaries entering the same small channel in close proximity would serve to exponentially multiply those impacts. This potential is not adequately addressed by the DEIS.

In conclusion, the draft Environmental Impact Statement, as currently presented, fails to meet the requirements of the National Environmental Policy Act. The DEIS does not take a hard look at the full extent of the likely harms to water resources, wetlands, and species in the Ogeechee River Basin and beyond. The insufficient analysis extends to, and prevents, an adequate consideration of the cumulative impacts that will result from the project as proposed and presented in the DEIS. Ogeechee Riverkeeper calls on the Federal Energy Regulatory Commission to revise, supplement, or rescind this DEIS and disallow any of the proposed activities until the applicants and FERC fully considers and adequately addresses all of the concerns raised in our comments above.

Thank you for your time and attention to these serious and foundational concerns. ORK looks forward to a thorough response to these concerns.

Sincerely,

Adam Heagy, Upper Watershed Representative  
Ogeechee Riverkeeper