

**Guidelines for Testifying to the VA Department of Environmental Quality  
On the Atlantic Coast / Mountain Valley Pipeline's Application for  
Virginia Water Quality Certification  
Under Section 401 of the Clean Water Act**

**The Pipeline Regulatory Approval Process and Timeline**

The proposed \$5.5 billion Atlantic Coast Pipeline, owned by Dominion Energy and Duke Energy, is set to run more than 100 miles through Virginia, crossing hundreds of waterways. The proposed Mountain Valley Pipeline, owned by EQT Corporation, is set to run slightly to the west, likewise crossing dozens of waterways.

The Federal Energy Regulatory Commission (FERC) considered public input on these project, then issued Final Environmental Impact Statement for both this summer, finding that neither project would have a "significant negative impact" on the environment (despite listing dozens of potential problems).

**However, construction cannot begin until all states along the pipeline routes (Virginia, West Virginia, North Carolina) issue their "Section 401 Water Quality Certification." Under these regulations, the Virginia DEQ must certify that the pipeline owners have demonstrated that their projects won't harm Virginia's water quality standards.**

The Commonwealth has the duty now, under the the federal Clean Water Act, to protect our waterways and to carefully analyze impacts (individual and cumulative, temporary and permanent) from pipeline construction and operations.

**Public Participation in the 401 Water Quality Certification Process**

Let the Department of Environmental Quality know how important Virginia's waters are to you and help us demonstrate massive public concern about this proposed pipeline and its impacts on our waters.

There are five hearings in early August. [Click here for full details on their dates and locations.](#)

**Talking Points for Testifying on the 401 Application**

- Dominion and EQT have failed to show that they can build these pipeline in a way that protects Virginia's waters from pollution and degradation.
- The 401 application needs to provide more information to ensure the project doesn't harm our waters. Currently, the application:

- Lacks site specific construction details for each of the many water crossings;
  - Allows dynamiting of streambeds;
  - Allows the open trenching of streams, rivers, and wetlands;
  - Is missing realistic plans to prevent sediment pollution of streams.
- Blasting and open trenching through creeks and wetlands could cause sediment pollution that violates water quality standards, and could contribute to major erosion of stream banks over the long term. Some likely impacts are listed below:
    - Increased sediment in streams makes it hard for fish to see / catch prey.
    - Fine mud that drifts down to the bottom of streams can smother fish eggs and harm fish populations over the long-term.
    - Mussels (like the dwarf endangered wedge mussel) can suffocate under layers of fine mud from construction and eroding stream banks.
    - Cutting of trees and bushes from stream banks and wetlands increases exposure to sunlight. This can raise the temperature of the water bodies, harming at-risk species of fish, mussels, and salamanders, and violating water quality standards.
    - Increased sunlight to streams can increase quick overgrowth of aquatic plants and algae. The decaying process consumes oxygen in the water, creating a dead zone and suffocating aquatic species; decreased “dissolved oxygen” would likely violate Virginia’s water quality standards.
  - Dominion and EQT propose drilling under some major rivers. Water quality violations are still possible with this pipeline crossing method, and the application fails to ensure prevention of the following scenarios.
    - Drilling mud spills can be a very damaging pollutant. Recently, during the construction of the Rover pipeline, millions of gallons of toxic drilling fluids including diesel fluid were spilled into an Ohio wetland, violating water quality standards and harming fish.
    - Drilling through loose soils can allow the drilling mud to escape into the stream or wetland, rather than forming a discrete hole for the pipeline as planned.
    - Sometimes pipes aren’t buried deeply enough below a stream. As the streambed gets deeper over time, pipelines can be exposed and cause a cycle of further erosion and muddy waters that violate water quality standards.

Virginia’s water quality standards are meant to support and protect the important uses of our waterways, like: Swimming, fishing, paddling, habitat for commercial and recreational fisheries, habitat for threatened and endangered Species, safe public drinking water supplies, and groundwater.

- Talk about how the pipeline crossings might impact **your** use of any specific waterways (mention if you fish or swim, if you picnic, bird, hike, paddle, or camp on any of the impacted waterways or near any of the crossings).
- If you know of any caves / springs near the crossings, please mention this.
- Emphasize that DEQ just use the full extent of the law to protect our water.
- Urge the agency to reject the application as it is now, or to ask for further information to demonstrate the project won't harm our waters.

Thanks for your help in protecting Virginia's waterways from this ill-designed pipeline that would harm our state for years to come.

### **Preparing your public comments (3 minutes or less)**

- 1. Intro/ Hook** – How you get the decision maker's attention?
- 2. Problem** – What the issue? In this case, either the proposed Mountain Valley or Atlantic Coast Pipelines.
- 3. Urgency** – Why is clean water is important to you personally? What issue is your community facing that would be affected by this proposed pipeline?
- 4. Solution** – What's your hopeful vision for the future?
- 5. Request** – What do you want the Department of Environmental Quality to do?

**Intro/Hook:** State your name, where you live, and one or two interesting or unusual facts about yourself and why you care enough to be here.

**Problem:** Describe what bothers you most about the proposed pipeline (either Mountain Valley or Atlantic Coast, depending on which hearing you're attending).

**Urgency:** Show why the problem you have identified matters so much to you. For example, maybe your community is in a floodplain, or located near industrial development, or has faced clean water threats in the past or maybe someone in your family suffers from respiratory issues. Make it personal. Show, don't tell.

**Solution:** Outline your hopeful vision for the future, without dangerous and unnecessary fracked gas pipelines.

**Request:** Ask DEQ to stand up to Trump and Dominion / EQT, and reject the proposed project for the health of communities across the Virginia that would be harmed by this risky and dangerous pipeline.

**Thank You:** Thank the people in the room for showing up.