

# Take Action

## Help stop two destructive and unneeded gas pipelines

### THE ACP

The Atlantic Coast Pipeline (ACP) is a \$5 billion natural gas pipeline project proposed by Dominion Energy, Duke Energy and their partner companies in September 2014. The pipeline, 600 miles in length, up to 42 inches in diameter, requiring excavation of an 8 to 12-foot-deep trench and an up to 125-foot-wide construction corridor would carry natural gas from the Marcellus Shale field in central West Virginia through Randolph and Pocahontas Counties, into Virginia through Highland, Bath, Augusta, Nelson and Buckingham Counties, and then on to southeast Virginia, terminating in southeast North Carolina. It would traverse steep mountain slopes and fragile karst topography, presenting a potential hazard to regional water supplies but without benefit to the communities and citizens it would affect.

### THE MVP

Also in 2014, news broke of plans to build the Mountain Valley Pipeline (MVP), another huge, 300-mile pipeline to carry fracked gas from Wetzel County, West Virginia to Pittsylvania County, Virginia where it will connect to the existing Transco Pipeline. The \$3.7 billion Mountain Valley Pipeline is proposed by EQT Corp., NextEra Energy and others and carries with it all the same risks and concerns as the ACP.

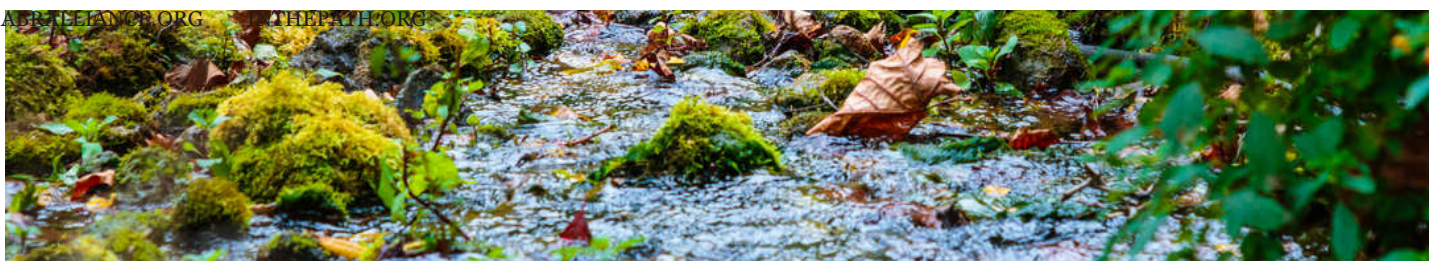
On October 13, 2017, the Federal Energy Regulatory Commission issued a Certificate of Public Convenience and Necessity for each pipeline, as was expected. But the vote was a rare split; in a dissenting opinion, Commissioner Cheryl LaFleur noted the lack of information regarding the need for the projects.



### SECTION 401 CERTIFICATION

Under the Clean Water Act, Virginia has the power to grant or deny water quality certification for the pipelines. The pipelines would cross streams and wetlands all along their routes, potentially impacting all of the above ground and below ground waters in Virginia that are located along the pipeline routes.

The Virginia Department of Environmental Quality (DEQ) makes recommendations to the State Water Control Board (SWCB) about the certifications and then the State Water Control Board decides whether or not to grant certification. The SWCB is expected to vote in late 2017 to approve or deny the 401 water quality certification for both pipelines.



## WATER QUALITY CONCERNS

If built, these pipelines would:

- Be the single largest impact to wetlands in Virginia since the Clean Water Act was enacted
- ACP – crosses more than 1,000 rivers and streams in Virginia, many of them on extremely steep slopes with highly-erodible soils
- MVP – crosses some 400 waterways, including three major aquifers and one Source Water Protection Area; 33 are classified as fisheries of special concern
- Require in-stream blasting and trenching in native brook trout streams
- Potentially have serious impacts from sedimentation during construction
- Cut through some of the most unstable areas of karst topography in Virginia, where large sinkholes regularly close Interstate 81
- Put public and private water supplies at risk

And disappointingly, water quality monitoring requirements under the draft certification are insufficient.

## PROCESS CONCERNS

We are calling on the State Water Control Board to reject the 401 certification until the DEQ uses their full authority under the Clean Water Act to guarantee our waterways will not be

impaired by the development of these pipelines. This means expanding the scope of the 401 certification to include waterways and stream crossings and ensuring that erosion and sediment control (E&S) and stormwater management (SWM) measures are assessed as part of the 401 certification, not an afterthought.

- DEQ has improperly splintered the regulatory process by deferring consideration of important information such as E&S and SWM plans until after 401 certification. This will ensure that the 401 certification process meets the pipeline developers' schedules, but it does not ensure that water quality will be protected.
- DEQ has declined to exercise its full authority to review the impacts and proposed controls at waterbody crossings by deciding to allow the Army Corps Nationwide 12 (NW12) blanket permit to certify construction. The NW12 is overly broad and not site-specific. Projects of this magnitude, cutting across very steep slopes and across sensitive waterways, need a thorough review by the DEQ.
- Even within the limited scope of their review, there are further limitations. The SWCB is being asked to certify that it has "reasonable assurance" that water quality standards will be met, yet they do not and will not have the information needed to make that determination.

## WHO'S WEIGHED IN?

Thousands of citizens submitted comments during the public comment period. Also several Virginia state legislators have sent letters to DEQ expressing their concerns.

### MVP

Delegate Joseph R. Yost, R – 12th  
Delegate Gregory D. Habeeb, R – 8th  
Delegate Sam Rasoul, D – 11th  
Senator William M. Stanley Jr., R – 20th  
Senator John S. Edwards, D – 21st

### ACP

Delegate Richard P. Bell, R – 20th  
Delegate R. Steven Landes, R – 25th  
Delegate David J. Toscano, D – 57th  
Emmett W. Hanger, Jr., R – 24th  
Senator R. Creigh Deeds, D – 25th

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