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Dominion seeks to address delays on ACP gas pipeline

BY JOHN BRUCE • STAFF WRITER

MONTEREY – Confronting its second startup hitch in five months, Dominion is asking contractors whether they can speed up construction if and when feds signal a green light for the proposed Atlantic Coast Pipeline.

Last Friday the Federal Energy Regulatory Commission issued a “notice of schedule of environmental review” for the embroiled \$5 billion, 600-mile pipeline proposal that faces multiple environmental challenges.

The notice establishes a new schedule for granting prospective approval for Dominion to begin construction and adds a new delay on top of another one announced in April.

The original timeline Dominion reported in 2014 called for construction beginning this fall, shortly after licensing in 2016, and beginning service in 2018.

FERC’s notice last week puts construction at the earliest in late summer 2017, assuming the pipeline company satisfies FERC directives in time for the agency to issue a draft environmental impact statement this December.

The pipeline in-service date is late 2018, according to Dominion. The company has stated the construction period would last 18 months and would go on through winter. A late summer 2017 groundbreaking would then put completion in the first half of 2019, but Dominion holds to a late 2018 in-service date to meet customer supply obligations for fueling electric power plants.

Dominion spokesman Aaron Ruby told The Recorder Monday that on-time completion may require a faster construction schedule than anticipated. “Based on FERC’s schedule announced on Friday, we are working closely with our construction contractors to evaluate the feasibility of accelerating our construction plans in order to reach the the planned in-service date,” Ruby said. “We’ll finalize our estimates in the next few weeks.”

In its notice Friday, FERC said, “This instant notice identifies the FERC staff’s planned schedule for completion of the final EIS for the projects, which is based on an issuance of the draft EIS in December 2016.”

FERC said it would issue a notice of availability of the final EIS on June 30, 2017. That would make the 90-day federal authorization decision deadline Sept. 28, 2017 — a week after the last day of summer next year.

“If a schedule change becomes necessary for the final EIS, an additional notice will be provided so that the relevant agencies are kept informed of the projects’ progress,” FERC said.

Citing an “extraordinarily thorough and comprehensive” FERC review process, Dominion in April acknowledged a delay resulting from review issues and adjusted plans to expect licensing in early 2017. Friday’s notice sets that back to mid-2017.

In a news release responding to Friday’s FERC notice, Ruby maintained the company would meet its in-service date. “This (FERC notice) is a major step forward for the project and provides a clear road map for the remainder of the federal environmental review process,” Rudy said. “Based on the timeline established (Aug. 12), we remain on track to receive federal approval to begin construction in late summer 2017.

“The environmental review of this project has and will continue to be a thorough and exhaustive process. It has allowed us to work constructively with all agencies and communities to address the issues that have been raised. As we move forward into the next important phase, we will continue working with agencies and communities to ensure a robust and comprehensive review,” he said.

“Public utilities in the region are counting on the Atlantic Coast Pipeline to meet the energy needs of a growing population and new industries. This project is also essential to lowering carbon emissions and achieving the goals of the federal Clean Power Plan in Virginia and North Carolina. Reaching this milestone brings us one step closer to meeting these urgent needs and securing the energy future of our region.”

The notice is available for download at http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20160812-3033.

The proposed pipeline began hitting snags when the U.S. Forest Service rejected the first route through Shenandoah Mountain because of concerns over the endangered Cow Knob salamander. The company realigned the pipeline route and added about 50 miles through rugged terrain it previously described as unfeasible.

Then, in June, FERC issued 187 directives in response to May scoping meetings in Bath and Pocahontas counties. The agency issued instructions for Dominion to fully assess the fossil fuel project’s impact on historic and karst resources in Little Valley, Fort Dinwiddie Farm, Meadow Lane Farm, Fort Lewis Lodge, The Wilderness farm, The Homestead, Jefferson Springs, and elsewhere.

FERC told Dominion to provide a map that summarizes geo-hazards and ranks them from low to high. “These maps should be scaled to show the entire project (1:50,000) and should include karst features, landslide hazards, and active and abandoned subsurface mines,” FERC said.

Another directive was for Dominion to update its blasting plan to include measures that minimize impacts on steep slopes.

Yet another was to identify when the remaining segments of the karst field studies would be completed and when updated karst reports, plans, and programs would be filed with the agency. “In order to adequately characterize karst, cave, and mine conditions in the project area, we recommend that the electrical resistivity surveys be conducted as early as possible,” FERC said.

FERC required a level of detail on karst features that included topographical maps, identifying every karst feature, an evaluation of how the features are connected, and labeling every cave and cave system. Dominion is to evaluate the potential for intersecting shallow interconnected karst voids and cave systems along the alignment, and the potential subsurface karst-system interconnection with area receptors (public and private wells, springs, discharge to surface water, and recharge areas), and provide these results on a composite map, FERC said.

“Ensure that data presented in text, tables, and maps is consistent and accurate ... Update the report to include detailed cave information from the Virginia Speleological Society for Cochran’s Cave No. 3, if available,” FERC said. “Describe whether any construction work areas would cross over any identified cave features and the measures that would be implemented to avoid impacts on the feature, including the potential to cross over Butler Cave, a NPS-designated National Natural Landmark located in Bath County.”

FERC required Dominion provide information on blasting details in karst. While some other concerns have been addressed, results of the site-specific geo-technical investigations plus mitigation measures have yet to be released.

Also in June, Dominion proposed swapping Hayfields Farm near McDowell for a number of open-space state conservation easements in the realigned path of the proposed pipeline. If approved, the swaps would be unprecedented, Virginia Outdoors Foundation spokesman Jason Garvey said, adding an administrative law process could make the conversions possible. VOF administers 750,000 acres of open-space conservation easements across the state.

Ruby said Dominion could not avoid crossing conservation easements on the realigned route through southern Highland, northern Bath, and western Augusta counties.

He said the company “made every attempt” to avoid conservation easements when selecting the route. “However, due to safety, environmental, construction or other constraints, we haven’t been able to completely avoid all easements. In these cases, we’re proposing to offset these crossings by donating lands of greater conservation value to the easement holder.” Hayfields adjoins state land, and has two miles of river frontage in the Bullpasture River Valley. “Good faith efforts to explore numerous options to avoid crossing easements on this route” came up dry, and Dominion was unable to avoid nine additional easements held by the VOF. Eight of the easements are located in Bath County, whose supervisors oppose the new routing proposal.

VOF is due to discuss the matter at its 9 a.m. Sept. 29 meeting in a location to be announced. The meeting is open to the public. For information, access www.virginiaoutdoorsfoundation.org.

Public comments on the matter will be accepted by email to bcabibbo@vofonline.org or letter to Virginia Outdoors Foundation, 39 Garrett Street, Suite 200 Warrenton, Va. 20186. Comments must include the sender's name, address, and daytime phone number for verification purposes, or they will not be accepted as part of the official meeting record.

Code section 1704 of the Virginia Open- Space Land Act states, "No open-space land ... shall be converted or diverted from open-space land use unless the conversion or diversion is determined ... to be essential to the orderly development and growth of the locality and in accordance with the official comprehensive plan ... and there is substituted other real property which is of at least equal fair market value (or) of greater value as permanent open-space land than the land converted or diverted and of as nearly as feasible equivalent usefulness and location for use as permanent open-space land as is the land converted or diverted."

Additionally, the proposed pipeline route would cross three special biological areas, called shale barrens, said to contain a federally endangered plant species. The George Washington National Forest resource plan states such areas are not to be used as utility corridors, according to the Potomac Appalachian Trail Club's Southern Shenandoah Valley Chapter, in a comment to FERC.