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March 28, 2017

Cheryl A. LaFleur, Acting Chairman
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, D.C. 20426

Dear Ms. LaFleur:

On behalf of the Augusta County Board of Supervisors, I respectfully submit these comments to the Federal Energy Regulatory Commission (FERC) on the Draft Environmental Impact Statement (DEIS) on the Atlantic Coast Pipeline released in December 2016 (FERC Docket Nos. CP15-554-000, CP15-554-001, and CP15-555-000).

After our review of the DEIS, we are concerned with the documents continual acceptance of Atlantic submitted plans and procedures as sufficient in mitigating adverse impacts. We believe that the DEIS is essentially a summarization of Atlantic's claims, figures, and numbers rather than a critical analysis in which these claims are thoroughly vetted for their comprehensiveness, evaluated independently and verified for accuracy. Some examples of such summaries and the questions that remain are detailed below.

ALTERNATIVE ROUTES

We have reviewed the DEIS' remarks on alternative routes. It was disheartening to read that a route alternative would only be considered if it did not cause significant delays in project timelines. How can environmental impacts be properly assessed if timing and project deadlines are paramount?

The FERC's regulations for an Environmental Impact Statement require that the "Alternatives" section of the report shall assess alternative routes as follows:

“For alternative routes or locations considered for more in-depth consideration, describe the environmental characteristics of each route or site and reasons for rejecting it. Provide comparative tables showing the differences in environmental characteristics for the alternative and proposed action.”

Who determines the alternative routes that will receive “more in-depth consideration?” Some alternative routes were compared to the proposed route in tables expressing overall length, number of wetlands crossed, number of waterbodies crossed, miles of forested lands crossed, miles adjacent to existing linear corridor facilities, etc., while other routes did not. Did Atlantic submit these figures? Does “alternative routes or locations considered for more in-depth consideration” mean those routes that Atlantic chose to pursue with a greater depth of analysis based on their profit interests? This leaves the public wondering what criterion/elimination process **FERC** used to evaluate route alternatives and determine whether or not route alternatives suggested by the public and/or other federal agencies were receiving the in-depth consideration they deserve. Please provide specifics as to why and through what process some routes were considered more quantitatively than others. Weighing of environmental benefits between alternatives and the proposed route were not comparatively or quantitatively evaluated for many of the routes suggested as part of the public comment period. Rather, vague paragraphs were used to state that some environmental benefits may be achieved by an alternative route. These benefits were not quantified nor weighted. Furthermore, several alternative routes, despite a mention of environmental benefits, were continually not recommended due to possible feasibility concerns or issues of timing. We assert that the DEIS’ discussion of alternatives leaves a number of questions unanswered concerning the evaluative process/methodology, which should be disclosed for public comment, prior to the Final Environmental Impact Statement.

TRAFFIC IMPACT

Atlantic’s Traffic and Transportation Management Plan reads:

“The movement of construction equipment, materials, and personnel will cause a temporary increase in traffic volumes along area roadways. Impacts are expected to be minor and short term because construction spreads and personnel will be geographically dispersed and personnel will commute to and from work areas in early morning and late evening during non-peak traffic hours.”

The DEIS simply re-states Atlantic’s claim that traffic impacts will be relatively minor without providing for any independent review or analysis of estimated traffic volumes. Atlantic estimates 125 to 150 vehicle trips per day for Route 250 in Augusta County related to pipeline construction. Where does this number come from? Where is the breakdown of construction related traffic that supports this number? Does this number include the tank trucks required to haul 3.2 million gallons from Jennings Branch and 1.6 million gallons from a municipal water source in Augusta County to the hydrostatic testing sites? Why does the traffic impact number only assess impact to Route 250? With these important questions left unanswered, we do not believe FERC can conclude that the traffic impact is minor.

Table 1.3-1 on page 1-18 of the DEIS, titled Environmental Issues and Concerns Raised During Public Scoping for the Atlantic Coast Pipeline and Supply Header Project, provides the reader with a brief description of the concern and/or question raised by the public and the associated section of the DEIS where such issue is addressed. According to this table, “Impacts from construction-related traffic, **including narrow existing roads,**” can be found in Section 4.9.6. While Section 4.9.6 does address traffic, it still leaves unanswered the

questions identified above. More specifically, this section does not mention, much less assess, the feasibility and impact of construction related traffic and the narrow roads which exist in many parts of Augusta County. For example, what length and width size trucks are required to haul pipes needed for construction? What is the typical width of rural roads that will need to accommodate this traffic? Are the shoulders sufficient to safely allow for the passing of a construction/equipment truck and an average sized vehicle? Below is a picture of Route 629 in Augusta County. This narrow, winding road will receive pipeline construction traffic. Please assess this road segment's ability to safely accommodate pipeline construction equipment and materials and average size vehicle traffic.

Google Maps 1830 State Rte 629



West Augusta, Virginia

Street View - Jun 2009

URBAN SERVICE AREAS

The pipeline crosses through parcels designated as Urban Service Areas in the County's Comprehensive Plan. These are areas where the County would like to see 80% of future commercial and residential growth. These are areas with water and sewer infrastructure investments. Some of these areas are already zoned for business and/or industrial development. While FERC identifies the development of such sites as speculative and thus not a determining factor when assessing negative impact, the Board asserts that such taxpayer investments are most certainly not speculative and should be taken into consideration.

As identified in the DEIS, the pipeline crosses through the Planned Unit Development, Stone Valley, in Augusta County. The pipeline project could reduce the overall number of developable lots by 18 to 30 units. The DEIS inaccurately states that “the portion of the area planned for development would not be crossed by the project.” Furthermore, the DEIS states that “...based on Atlantic’s consultations, the proposed route through the development is agreeable to the developer.” Townhouse lots are assessed at \$35,000 and single family lots at \$50,000 to \$60,000. At this time, a compensatory agreement offered by Atlantic has not been agreeable to the developer.

AGRICULTURE/FARMING

Several farmers in the Augusta County community have expressed concern as to the appropriate depth of pipeline construction through agricultural operations. At what depth must the pipeline be installed so as to safely accommodate the heaviest potential farm equipment needed to operate overtop the pipeline post construction? According to the DEIS, the Department of Transportation (DOT), regulates the depth of cover required, which appears to be directly related to the DOT’s area classifications. Class 1 areas, defined as a location having 10 or fewer buildings intended for human occupancy, have a lower depth of cover than Class 2, 3, and 4 areas which have varying degrees of more dense development, including buildings with four or more stories.

Using the DOT’s classifications, the majority of large agricultural operations in Augusta County most likely fall under Class I and would require a lower depth of cover than more densely populated areas. We urge Atlantic, FERC, and the DOT to assess whether or not the Class I locations and their subsequent depth of cover regulation, is sufficient for heavy farm machinery despite a comparative lower safety standard based on population.

LANDFILL SITES

The DEIS identified landfill and solid waste sites within 0.5 of a mile of the pipeline centerline. The report identified only one site for Augusta County, the Jolivue landfill/Augusta Regional Landfill, within this proximity. The DEIS identified the Augusta Regional Landfill as being 1,593 feet to the northeast of the pipeline. The DEIS also identified this site as having a “closed” status, which is incorrect.

Furthermore, there is an inactive coal ash landfill in Augusta County, located approximately 900 ft. northeast of the pipeline that is not identified in the DEIS. This coal ash landfill is upgradient of the pipeline. The image below shows the pipeline route in yellow and a circle marking the approximate location of the coal ash landfill.



On page 4-332 of the DEIS, the following summarization is given:

“Five total Landfill and Solid Waste Sites within 0.5 mile of the AP-1 mainline and AP-3 lateral. Three sites are over 300 feet from the project and two sites are over 130 feet from valve 35. One site has an open status but is downgradient of ACP. The remaining are closed (site has been remediated and/or contamination does not pose an unacceptable risk to human health or the environment) and up or side gradient to the project.”

Based on the additional information provided in this letter, the above summary is incorrect. It is important to note that there are actually **two** sites with an open status within the identified proximity to the AP-1 mainline and AP-3 lateral, and the site in Augusta County, according to Table 4.3.1-3 is **upgradient** of the ACP. The other identified open site close to the AP-3 Lateral is listed as side gradient to the project in DEIS Table 4.3.1-3 but downgradient to the project in the summarization quoted above.

With inaccurate, conflicting, and missing information concerning landfill and solid waste sites and their proximity to the project, how can FERC sufficiently assess the risks? How many other sites listed as closed are actually active? Are the distances and gradient directions listed in the table and summarized by FERC accurate? How many other landfill and/or LUST sites exist that have not been included?

SOURCEWATER PROTECTION AREAS

Augusta County is proud to be situated as a headwaters zone, providing an estimated 173,812 Mgal/year (million gallons per year) and 273,251 Mgal/year to adjoining counties on an annual basis via groundwater flow and streamflow (Sullivan International Group). With the possession of such a precious resource comes great responsibility. While the County does have a wealth of water resources, it is the Western part of our

County, which encompasses the Deerfield area, where these quantities are less abundant and thus even more precious.

The Augusta County Service Authority, in conjunction with Virginia Department of Environmental Quality and Virginia Department of Health grant funds, has invested \$155,200 to delineate the groundwater recharge area for the Deerfield public supply well. The results of that study show approximately 541 acres of groundwater recharge area to the existing Deerfield Well. In addition to the recharge area, approximately 10,675 acres, 8,738 of which is within the George Washington National Forest, is direct surface water area contributing to the existing Deerfield well. The completed recharge area delineation study shows a segment of the GWNF 6 Alternative Route, south of Deerfield Valley Road, crossing through the 541 acre recharge area, dangerously close to an identified sinking stream (i.e., swallet), which is a characteristic feature of karst terrain. Atlantic's route continues to change, with route adjustments being filed as recently as January 19, 2017, which was after the DEIS was issued for public comment. We urge you to prohibit the pipeline and subsequent laydown areas from locating within the Augusta County Deerfield groundwater recharge area (See attached map entitled "Zone 1 and Zone 2 of the Wellhead Protection Area (WHPS) Around the Deerfield Well and the ACP Pipeline Route Augusta County, Virginia).

The route identified as the "Proposed Survey Corridor" on the Atlantic Coast Pipeline Project interactive web map appears to have a 1/19/2017 date, which matches the supplemental filing that occurred after the DEIS was issued. If this is the most recent route, it avoids the groundwater recharge area as identified in the above mentioned map, but does cross through the direct surface water contributing area to the Deerfield well. Water will eventually drain from this area to the recharge area feeding the Deerfield well and should therefore be protected from risk of contamination.

We are in the process of adopting both the groundwater recharge and surface water areas into our Source Water Protection Overlay ordinance (Public Hearings and consideration in April 2017), which we use to enforce the findings of these delineation studies and guide our future land use decisions. We also ask that such findings guide your decisions as well. We appreciate that Atlantic Coast Pipeline, LLC rerouted to avoid the Lyndhurst Source Water Protection Area in Augusta County. We believe this was a sound environmental decision that should be made with regards to the Deerfield area as well.

KARST TERRAIN/WELLS

Atlantic's comments on the DEIS dated February 9, 2017, corrected the FERC's mistaken perception that Atlantic would provide for pre and post well testing. Instead, Atlantic clarifies that they will only be providing post well testing if a landowner brings a suit against them, claiming reduced water quality and/or quantity. Why is the burden on the landowner to prove damage to their water source? What if the landowner does not suspect negative water quality issues despite the actual presence? What if the landowner does not have the means to secure such representation?

It is the belief of this Board that a one-time pre and post testing of wells within a specific distance of pipeline construction, specifically in mature karst terrain, would provide an incomplete snapshot of a water table and pattern that is much more complex. As referenced above, Augusta County has contracted with companies to provide for such complex water table mapping to identify groundwater recharge areas within the County. For the delineation of all recharge areas and development of the Sourcewater Protection Ordinance in Augusta County, a total of \$1,381,403 has been invested by local and state funding. This expensive and time consuming delineation process is necessary in order for us to make informed decisions concerning the types of land uses

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that should be permitted within these areas. This same detailed water analysis should be a required investment by Dominion, without it, the adverse impacts cannot accurately be quantified.

The Board believes it is telling that FERC assumed pre and post well testing despite Atlantic's intentions otherwise. We urge FERC to stand by this assumption as sound mitigation practice and furthermore urge FERC to demand from Dominion the rigorous testing that is required for adequate assessment.

CONCLUSION

In conclusion, we would like to reference a recent ruling by a federal judge that Dominion's coal ash site in Chesapeake, Virginia is leaking arsenic and is in violation of the Clean Water Act. This revelation demonstrates that mitigation plans are not always sufficient in reducing negative environmental and health/safety impacts to "less than significant levels." It also demonstrates the vigilance that is necessary on the part of assessment, permitting and enforcement agencies to protect the environment and public health. We hope that the Final Environmental Impact Statement will embody such vigilance and answer the questions we have detailed above. We appreciate the ability to provide comment and ask that our questions and concerns guide your final recommendations.

Sincerely,

Tracy Pyles, Jr., Chairman
Augusta County Board of Supervisors

