

# The Recorder

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## State negates sweeping pipeline water review

By John Bruce • Staff Writer

MONTEREY — State regulators late last week contradicted their early April statement, saying they will not individually review 189 waters and 43 wetlands the proposed Atlantic Coast Pipeline study corridor crosses, many in Bath and Highland counties.

They'll now leave the job to the U.S. Army Corps of Engineers.

Citizen groups who had praised the Virginia Department of Environmental Quality's April 6 announcement were now outraged. Instead of full, site-specific regulatory reviews for the ACP and the Mountain Valley Pipeline under the Clean Water Act and state law, there will be a purportedly far less rigorous "blanket" permitting process.

DEQ officials denied they were backpedaling but admitted to providing "inaccurate information" to the public.

At least one citizen group wasn't surprised DEQ was following what the group insisted was the same lax tack the Federal Energy Regulatory Commission has taken in the wake of Dominion's slips on accepted procedures and safeguards.

"For over two years we have been asking DEQ officials about the ACP and what they plan to do with respect to implementation and oversight of Virginia Erosion and Sediment Control requirements, Virginia Stormwater Management requirements, and Clean Water Act Section 401 Water Quality Certification," Dominion Pipeline Monitoring Coalition coordinator Rick Webb said in an email statement.

"Until April 6, the answer has been essentially: 'We don't know, and we don't know when we will know.' From our (DPMC's) perspective, the problem was related to Dominion's failure to provide actual construction plans because pipeline construction on this scale — requiring massive excavation, crossing steep erodible mountains, blasting through high-quality streams, and altering sensitive karst groundwater systems — cannot be done in compliance with environmental protection requirements.

“DEQ’s current backpedaling is but the latest manifestation of Dominion’s resistance to providing site-specific plans for agency and public review. Dominion doesn’t want the public to understand the real impact of the project until after it has its approvals in hand. The same is no doubt true for the MVP developers,” he said.

“As of our most recent Freedom of Information Act (May 3) request to the DEQ, Dominion had not provided a complete water quality certification application nor detailed erosion and sediment control plans to the DEQ. And Dominion was still contending, remarkably, that Stormwater Management Plans, required of all other significant earth-disturbing projects in Virginia, should not be required because the project will not alter the runoff characteristics of the steep mountainsides and ridgelines it intends to excavate.

“Virginia’s Secretary of Natural Resources, Molly Ward, previously suggested that FERC’s review process might inform DEQ’s review of the proposed ACP. However, it did not. FERC’s model for environmental review involves deferred analysis of critical issues and detailed plans until after permitting. Dominion is perhaps now insisting that the DEQ operate according to the same dysfunctional model. DPMC has submitted an urgent request to Governor McAuliffe. We are asking that he reject the DEQ’s latest attempt to evade its responsibilities to protect our waters and our communities from damages that would result from construction of the ACP and MVP,” Webb explained.

“Like many communities along the pipeline route, we were relieved at the news last month that DEQ was opting to do a thorough and complete review of water impacts in Virginia,” said Augusta County Alliance co-chair Nancy Sorrells. “The leaders and citizens in the Augusta County area are pro-water. Mayor of Staunton Carolyn Dull traveled to Richmond May 17 to convey to State Water Control Board members the risks to public water supplies, including the Gardner Spring recharge area, posed by the Atlantic Coast Pipeline.

“The Augusta County Board of Supervisors and the Service Authority have repeatedly stated their concerns about the proposed pipeline’s risk to water resources. The county has invested thousands in studying, documenting, and protecting its water and recently became the first county in the state to ban fracking,” she said.

“Sadly, the federal government has taken away much of the state’s authority over this massive pipeline project, with one important exception: the review of water impacts,” Sorrells said. “It’s unimaginable that Virginia is choosing to defer to the federal government its only meaningful role in the pipeline permitting process. We can only hope that DEQ will reverse course, and opt to do its job and conduct proper and thorough reviews of the wetland, stream and river crossings in order to protect our valuable water resources.

“Water is the driving force behind Augusta County’s quality of life. This incredible resource that flows across our lands provides safe and pure drinking water for our homes, schools, businesses, and farms. Our economic engine is fueled with water, but our water is also the headwaters of the James and Shenandoah Rivers and winds up in Washington, D.C., Richmond, and ultimately the Chesapeake Bay. Why wouldn’t DEQ want to protect our state’s water to the fullest extent possible?” Sorrells asked.