

# The Recorder

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## Planners get lowdown on pipeline project

BY JOHN BRUCE • STAFF WRITER

MONTEREY – An “appalling” decision by a state agency and Dominion’s plans to build construction yards in Highland more than 10 miles from its proposed Atlantic Coast Pipeline route were among concerns in an update to the Highland County Planning Commission Thursday, Oct. 26.

The update preceded land-use applications by pipeline company Dominion to establish lay-down yards in McDowell and Vanderpool, expected for planners’ consideration Nov. 16.

At Highland supervisors’ request, county attorney Melissa Dowd handed out a 20-page section of the Federal Energy Regulatory Commission’s Oct. 13 order conditionally licensing pipeline construction. The board asked her to prepare talking points on the Dominion project that, if approved by regulators in North Carolina, Virginia and West Virginia, would cross Bath and Highland counties.

“What we cared about from the beginning were the environmental concerns,” Dowd said, pointing out FERC licensed the project contingent on completion of the project within three years, compliance with the Natural Gas Act, and numerous environmental aspects. Karst, as well as water quality testing before and after construction, are mentioned.

The talking points refer to mitigation that needs to be completed before meeting licensing certification, Dowd said. The FERC order states there are environmental impacts that cannot be mitigated. Once the need for the pipeline is established, the environmental concerns fall aside from FERC’s perspective, she explained.

The county has not taken a stance for or against the proposed pipeline.

FERC policy provides pipeline approval is largely based on shipping contracts, even though the majority of shippers are affiliates of Dominion.

Commissioner Cheryl LaFleur dissented in the 2-1 decision, arguing FERC should consider a regional approach with respect to the competing proposed Mountain Valley Pipeline.

Combining the two projects would halve the environmental impact, Dowd said of LaFleur's dissent.

Nevertheless, the two commissioners approving the licensing said they weren't in the business of regional planning, and rejected the idea of combining the projects because it would not meet Dominion's timeline. Their position to address one project at a time was in line with FERC policy while LaFleur's was not, Dowd said.

Planner Randy Richardson asked if the Dominion applications would interfere with other duties of county zoning administrator Joshua Simmons.

Under a memorandum of agreement with the Department of Environmental Quality, Simmons will serve as point person and observer for the county, while having the opportunity to provide input during state inspection of the project, Dowd said.

The county would receive tax income from the proposed pipeline only after construction, Dowd said in reply to planner Bill Rich.

She reported FERC found the pipeline would not affect property values. That finding was in agreement with the county tax assessor.

Dowd found it "appalling" from a legal standpoint the Virginia Outdoors Foundation "played a shell game" trading open-space conservation easements as commodities at Dominion's behest. The company won VOF approval for the proposed pipeline to cross 10 conservation easements in Bath and Highland in exchange for Hayfield Farm and \$4 million.

Simmons reported he contacted his counterpart in Bath County to ask if Dominion planned to locate a lay-down yard there and was told the company was offered to use the county industrial park in Millboro.

Dominion did not take the county up on the offer in preference to use the McDowell Neil family property five miles farther away from the pipeline route.

The pipeline would cross Back Creek and Jackson River, Simmons said, adding, "that's a pretty big flood hazard area."