



*Protecting the heritage, resources and economy of the Allegheny-Blue Ridge region*

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April 19, 2019

David Paylor, Director  
Department of Environmental Quality  
Commonwealth of Virginia  
P.O. Box 1105  
Richmond, VA 23218

Dear Director Paylor:

Today's issue of the *Recorder* newspaper, which serves Highland and Bath Counties, VA, includes a story and editorial (copies attached) about a proposed access road for the Atlantic Coast Pipeline (ACP) that crosses, without authority to do so, an environmental easement held by the Virginia Outdoor Foundation. This same access road, which in Bath County and would be nearly 5-miles in length, raises another question that involves your agency.

One of my colleagues in the Allegheny-Blue Ridge Alliance was recently told by your staff that the Department of Environmental Quality (DEQ) was not aware of the proposed road because it had not been submitted to your agency as part of the plans submitted by the Atlantic Coast Pipeline, LLC. However, the road in question was part of the plans submitted to the Federal Energy Regulatory Commission and approved as part of the certificate issued for the ACP.

DEQ informed the State Water Control Board during its consideration of approving a 401 certificate for the ACP that it had reviewed "every foot of land disturbance proposed by ACP related to pipeline construction" (see page 8 in DEQ's 10/19/18 report to the Water Board). Why was this statement made to the Water Board when it was not true? Can you provide clarification?

Sincerely,

Lewis Freeman  
Executive Director

Attachments