

E&E Energywire

FERC greenlights Mountain Valley construction

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Construction on the Mountain Valley pipeline project in West Virginia is shown. Mountain Valley Pipeline LLC

Developers of the Mountain Valley pipeline secured long-awaited federal approval Friday to resume construction on the 303-mile natural gas project.

The Federal Energy Regulatory Commission decision marks a pivotal victory for the pipeline project, which runs from West Virginia to southern Virginia and aims to be in service in 2021. FERC's decision is a setback for pipeline opponents who argue that all construction should stop until ongoing permitting disputes are resolved.

The **decision** modifies an October 2019 stop-work order and allows construction to move forward on all but a 25-mile exclusion zone where the pipeline still lacks needed authorizations. FERC found that a supplemental environmental impact statement is not required for it to greenlight construction.

In its **request** last month, Mountain Valley said it was looking to restart construction so it could "maximize final restoration and complete as many activities as possible before winter."

Natalie Cox, a spokesperson for developer EQM Midstream Partners LP, said Mountain Valley is pleased with FERC's decision, which both allows the pipeline to resume construction and gives the developer an extra two years to complete work.

"We agree with the FERC's assessment that completion of construction and final restoration is best for the environment and the affected landowners," Cox said in a statement. "We look forward to safely resuming construction on this important infrastructure project."

Cox told E&E News last month that Mountain Valley is still targeting early 2021 to place the project in service ([*Energywire*](#), Sept. 29).

Yet FERC's decision to allow Mountain Valley to restart some construction drew protest from those who say developers should have all needed permits in hand before moving forward, including FERC Commissioner Richard Glick. In a dissent, Glick said the agency's responsibility is to "balance the full panoply of factors that bear on the public interest, not just the desire to complete the pipeline in the shortest time possible."

Glick said the order "fails to wrestle with the uncertainty created by the outstanding permits, not to mention the litigation that is likely to follow, and instead rushes to recommence construction."

Environmental groups told the 4th U.S. Circuit Court of Appeals last week that the Army Corps of Engineers should not be able to approve dredge-and-fill activities for the project under a national permitting program ([*Energywire*](#), Oct. 7).

Critics slammed FERC's order, calling the project "beleaguered" and again drew comparisons between Mountain Valley and the Atlantic Coast pipeline, which also faced lengthy delays, budget problems and numerous legal challenges.

David Sligh, conservation director of Wild Virginia, said in a statement that Friday's order is another "in a long list of irresponsible decisions by FERC."

"In allowing construction to proceed while [the Mountain Valley pipeline] still lacks required permits, the Commission is enabling the corporation's attempt to rush ahead, heedless of the harm already done and that which is sure to follow if this decision stands," Sligh said.