

# United States Senate

WASHINGTON, DC 20510

March 26, 2021

The Honorable Richard Glick  
Chairman  
Federal Energy Regulatory Commission  
888 First Street, NE Washington, DC 20426

**RECEIVED**By The Federal Regulatory Commission Office of External Affairs at 2:31 pm, Mar 26, 2021

Dear Chairman Glick:

Congratulations on your recent appointment as Chairman of the Federal Energy Regulatory Commission (FERC). We look forward to working with you in your new role to help advance critical domestic energy and transmission priorities. We write today to highlight constituent concerns regarding FERC docket number CP21-57 and the February 19, 2021, March 2, 2021, and March 16, 2021 filings regarding Mountain Valley Pipeline (MVP), LLC; respectively, Notice of Certificate Amendment Filing No. 20210219-5176, Notice of Deadline Filing No. 20210301-3043 and Notice of Scoping Period and Requesting Comments on Environmental Issues for Accession No. 20210316-3075. Specifically, we seek clarification on procedural issues and request robust opportunities for landowner input and public comment during the environmental review process.

Our constituents, including impacted landowners, have expressed confusion about the Certificate Amendment request, its accompanying Intervener and Public Comment Period process and deadline, and the new Scoping Comment deadline that opened on March 16, 2021. Some are experiencing difficulty determining the scope of the actions necessary to respond to each filing. For example, it was initially unclear whether the February 19 filing would produce the only comment and intervention period to address the changes proposed by MVP, and whether comments could discuss issues beyond direct impacts to landowner properties and where in the docket those comments belong. We have heard from a number of our constituents who have expressed concerns that the initial 30-day comment period for the February 19 filing was not enough time to organize responses. Therefore, we request that you extend the Intervener and Public Comment Period for that filing by at least 60 days. As MVP has requested the Commission to "issue an order by June 17, 2021," an extended public comment period would fit within that timeline. We also urge that FERC, to the extent practicable, accept and respond to public comments and motions to intervene filed after FERC deadlines related to MVP.

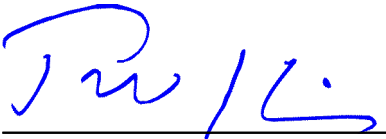
The February 19, 2021 "Notice of Certificate Amendment Filing No. 20210219-5176" request is a significant change to the original Certificate of Public Convenience and Necessity approved October 13, 2017. The environmental impacts of the newly proposed trenchless technology, such as conventional direct bore, horizontal direct drilling (HDD), and "microtunnelling," are not yet

fully understood by impacted parties in Virginia. Boring allows for work to occur up to and under the waterways, which could require blasting and excavation of bore pits required for drilling under water crossings. As groundwater is often the sole source for drinking water in rural communities, our constituents are concerned that the boring process could affect local watersheds and household access to water. Constituents have also expressed concern about impacts to endangered species and critical habitats that could result from boring. It is our understanding that the Commission will review these concerns through a supplemental environmental document under the National Environmental Policy Act. We urge the Commission to provide another public comment period after the environmental document is published, and that ample time is afforded for stakeholders to review and respond to that supplemental document.

Given the unfamiliarity of the proposed boring methods to our constituents, we understand there are many questions and concerns about how this process will impact their daily lives. A detailed environmental survey and a substantial comment period will bring additional transparency and public engagement to FERC's regulatory process.

Thank you in advance for your consideration of our letter. We look forward to your response.

Sincerely,



Tim Kaine  
United States Senator



Mark R. Warner  
United States Senator

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