

THE RECORDER

July 16, 2015

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Feds tell Dominion to address Highland's pipeline worries

BY JOHN BRUCE • STAFF WRITER

MONTEREY - The ball flew back in Dominion's court early this week.

Tuesday, federal regulators responded to Dominion's resource reports for the proposed \$5.5 billion Atlantic Coast Pipeline, paying specific attention to karst and concerns voiced by elected officials in Highland.

One of the hundreds of directives in a 37-page document introduced by Kevin Bowman, environmental project manager for the Federal Energy Regulatory Commission, tells Dominion to confirm it will follow the recommendations of Highland Supervisors.

"Failure to adequately address the comments received may result in additional information requests by commission staff," Bowman wrote.

"In response to scoping comments, verify if Atlantic would adopt the mitigation measures for land use recommended in the Highland County Board of Supervisor's April 27, 2015 letter submitted to the FERC," the directive says.

Rick Lambert of the Highland County Cave Survey, who has led studies of pipeline construction on water quality, does not feel the FERC action was significant.

"DTI (Dominion Transmission, Inc.) could say no, we are going to adopt other measures which will be just as good," Lambert said. The pattern many karst people have seen is DTI provides little detail and then asks us to trust them to do the right thing. One state agency actually said DTI can be trusted to do the right thing. I am only going to know where we stand when I see the EIS. I am only comforted by the process where we can comment on the EIS and sue FERC over the EIS. I don't see any of this as being significant yet. I think FERC is just dotting i's and crossing t's right now."

Supervisors in April sent mitigation measures to FERC that construction should be avoided in steep slope areas where erosion, slope degradation, deforestation, and water run-off can damage property beyond the pipeline corridor. "We request that FERC order the owners of the ACP project to solicit expert information regarding additional mitigation necessary to minimize the danger to people and the environment from heavy construction in fragile soils and adopt additional mitigation policies and procedures as are identified by the experts," the board wrote.

Supervisors said Dominion will need to compensate farmers for loss of hay and be sensitive to sheep and cattle reproductive cycles so farmers can expect the same number of live births throughout the project.

Dominion should be held to the requirement that no more than 500 feet of trench can be open at any given time, the board told FERC.

The county recommended diverting the proposed pipeline away from both the Monterey and McDowell aquifers. “This is the only way to assure no damage or degradation to the public water supplies. FERC should order Dominion to seek out and follow expert advice on the appropriate setback from existing wells and spring water sources.

“This is particularly important in Highland because of the karst terrain where the limestone springs surface and sink with regularity,” the board told FERC. “Dominion should redirect the pipeline to avoid any disturbance of the headwaters locations of the James River and the Potomac River.”

Other mitigation measures referred to historical and cultural resources, unmarked graves, road repairs and support of emergency and public safety services.

In its set of directives posted Tuesday, FERC told Dominion that within 45 days it must file draft versions of the karst monitoring and mitigation plan; spill prevention, control, and countermeasures plan; winter construction plan; invasive plant species management plan; and blasting plan.

In terms of water resources, FERC went beyond telling Dominion to identify all wells and springs within 150 feet of the construction areas. “Additionally, where karst features are identified, identify all wells and springs within 500 feet of the centerline. Expand this distance as appropriate where significant or unique karst features are identified,” a directive stated.

In another reference to Highland, FERC stated that an individual commented that the planned pipeline route crosses the recharge area for the Cowpasture River sinking points, which feed Meadow Spring and the Coursey Springs State Fish Hatchery. “Confirm whether the planned facilities cross these areas, and if crossed, describe the measures that would be implemented to avoid or minimize impacts on these features,” FERC said.

FERC told dominion to describe the preconstruction and post-construction well tests that would be conducted, the specific measures that would be implemented to mitigate impacts on wells that may be temporarily affected, e.g., turbidity, by construction activities, and the specific measures that would be implemented to repair or mitigate wells damaged or permanently affected by construction-related activities.

Several scoping period commenters stated that their private water sources were provided by local springs, FERC said. “Describe whether preconstruction and post-construction water quality tests would be completed for water-source springs that could be impacted by construction activities, along with the specific measures that would be implemented to mitigate water-source springs that are temporarily affected or damaged by construction-related activities.

In yet another Highland reference, FERC questioned Dominion’s calculation of farm employment. “The (Dominion Resource Report) text discussing the agricultural industry in Virginia states ‘...farm sector employment as a percentage of total employment ranged from a high of 12.2 percent in Augusta County....’

“The number in the text does not match the data provided in table 5.3.1-7. The data in the table indicates that the highest percentage of farm sector employment is 15.5 percent in Highland County. Rectify this discrepancy.”

To access the complete set of FERC responses to Dominion’s resource reports, access

http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20150714-3034