

BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

1828 Brandon Ave. SW
Roanoke, VA 24015

September 9, 2018

Docket No. PF18-4-000

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

FERC Public Scoping – MVP Southgate Project

Comments and Request for 60-Day Extension for Comments

I am submitting comments on behalf of the Blue Ridge Environmental Defense League (BREDL) based in Glendale Springs, NC. BREDL is a regional, community-based, non-profit environmental organization founded in March 1984. Our founding principles are earth stewardship, environmental democracy, social justice, and community empowerment. BREDL has chapters and members throughout the Southeast including in the MVP Southgate impacted counties of Pittsylvania in Virginia and Rockingham and Alamance counties in North Carolina.

These comments are in addition to our August 21, 2018 written comments delivered at the Chatham, VA public scoping meeting. BREDL may submit additional comments. All comments should be considered.

In addition, BREDL is requesting a 60-Day extension to allow government agencies, landowners, Tribes, other interested parties and the general public to provide comments. As one agency, NC Department of Environmental Quality, stated in its extension request, “twenty-seven days is simply an inadequate period of time...to evaluate the Project and provide substantive comments...”

Water Quality

An article in The Guardian states that “a staggering” 46 billion liters of drinking water are lost globally every day.¹ A study by WHO and UNICEF found that some 3 in 10 people worldwide, or 2.1 billion, lack access to safe, readily available water at home.² In the United States, as many as 63 million people — nearly a fifth of the United States — have been exposed to potentially unsafe water more than once during the past decade.³ Indeed these are “staggering” numbers that will only continue to grow because of destructive projects such as MVP Southgate.

¹ “Water loss: seven things you need to know about an invisible global problem”, the Guardian, March 2, 2015;

<https://www.theguardian.com/sustainable-business/2015/mar/02/water-loss-eight-things-you-need-to-know-about-an-invisible-global-problem>

² Press Release, WHO, July 12, 2017; <http://www.who.int/news-room/detail/12-07-2017-2-1-billion-people-lack-safe-drinking-water-at-home-more-than-twice-as-many-lack-safe-sanitation>

³ “63 million Americans exposed to unsafe drinking water”; USA Today, August 14, 2017;

<https://www.usatoday.com/story/news/2017/08/14/63-million-americans-exposed-unsafe-drinking-water/564278001/>

A stream by stream analysis needs to be completed for the entire MVP Southgate route. Effects to groundwater and aquifers need to be fully understood. Effects on drinking water for communities, individuals, farms and animals need to be fully addressed. Blanket permitting such as the U.S. Army Corps of Engineers' Nationwide Permit 12 program simply isn't good enough.

In addition, Sediment and Erosion controls have failed miserably along the MVP Mainline project. Why would you want to duplicate that mess?

Cumulative impacts to areas affected by the February 2014 Duke Energy coal ash need to be properly considered. The Dan River and affected waterways have not recovered from the Duke Energy disaster. Any disturbance of settled toxins can have detrimental impacts to the waterways and water life.

The environmental and economic impacts of loss and degradation of water quality including groundwater associated with the MVP Southgate project need to be properly considered.

Forestland and Farmland

In May 2018, American Farmland Trust released a report "Farms Under Threat: The State of America's Farmland" which – as they put it – "sounds a stark warning: The loss of farmland is serious and will accelerate unless we take action."⁴ Some of the report's findings include: almost 31 million acres of farmland were lost, equal to all the farmland in Iowa, between 1992 and 2012; nearly twice the area of farmland was lost than was previously shown; and 11 million of those acres were among the best farmland in the nation.

The American Farmland Trust mentioned these values as What's at Stake⁵:

- Allowing large-scale farmland loss to continue imperils our ability to feed our growing population.
- Farmland loss challenges our economic prosperity.
- Agriculture accounts for \$1 trillion of the U.S. GDP, each dollar stimulating \$1.27 in additional activity.
- Farmland protects wildlife and helps reduce air and water pollution.
- Farmland sequesters carbon in soil and plants, holds more water in drought, suppresses fire and provides for flood control in extreme weather conditions.
- Farmland contributes to the lifestyle we all treasure—as well as scenic views, open space and recreation.

Some more interesting facts from their report include⁶:

- 10% of the world's arable acres are in the U.S.
- Agriculture contributes \$992 billion to the economy each year.
- 31 million acres of farmland were lost to development between 1992-2012. That's 175 acres lost per hour.
- 41% of the lost acres came from development in rural areas.
- The U.S. lost 11 million acres of America's best agricultural land – land with superior soil conditions and weather for growing food – from 1992-2012.
- Just 17% of U.S. land is ideal for farming.

⁴ <https://www.farmland.org/initiatives/farms-under-threat>

⁵ <https://www.farmfutures.com/conservation/5-key-findings-farmland-loss-report>

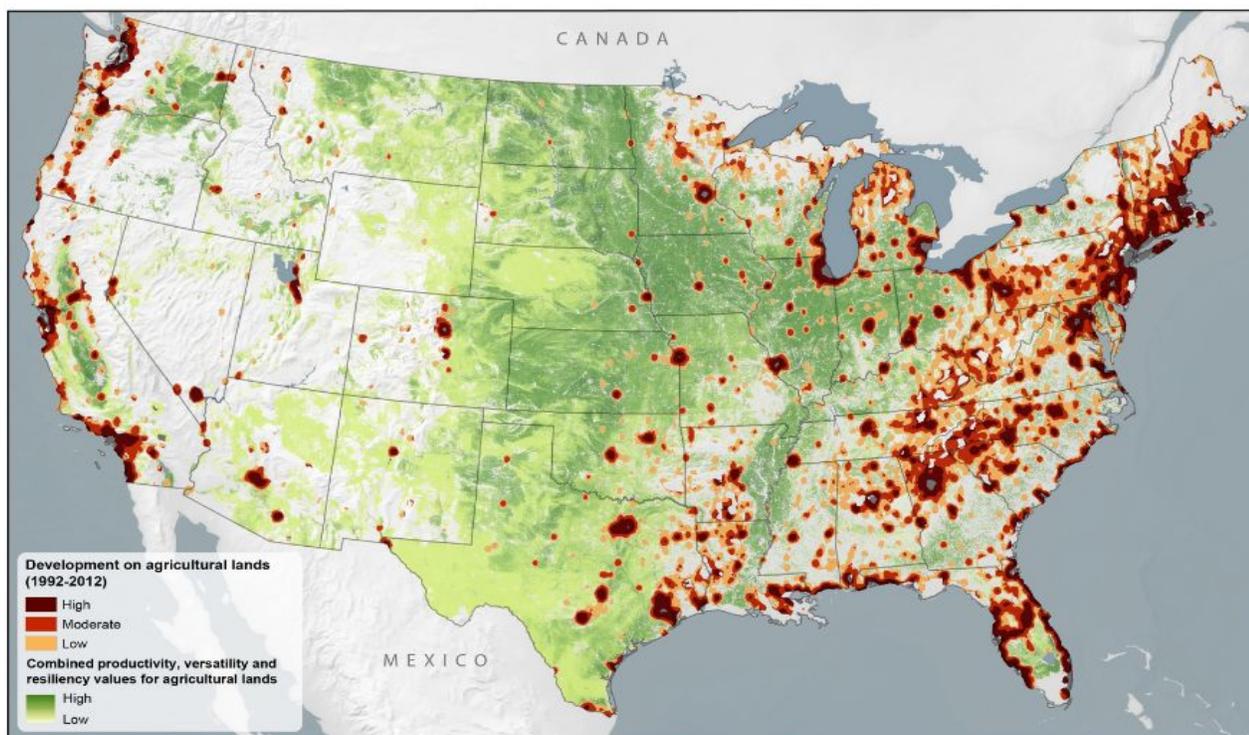
⁶ <https://modernfarmer.com/2018/05/10-numbers-that-show-how-much-farmland-were-losing-to-development/>

Forests provide both environmental and economic benefits. 62 percent of Virginia is forested with 15.72 million acres of forestland, a decline of 130,584 acres since 2001. Individuals own 66 percent of the forestland in Virginia.⁷ “Early in Virginia’s history, land devoted to farming and forestry covered most of the state. By 1960, only 13.5 million acres of Virginia’s approximately 25 million acres remained in farmland. In 2012, the total was 8.3 million acres, a loss of more than five million acres of Virginia farmland in 52 years.”⁸

Citing North Carolina Department of Ag & Consumer Services figures from a U.S. Agriculture census, a southeast farm press reported that “North Carolina had 2,700 fewer farms in 2012 than it did in 2007. The state’s 50,210 farms occupy 8.41 million acres of land. In 2007, there were 52,913 farms on 8.47 million acres. The 62,560-acre drop is significantly less than the amount the state lost over the previous five years. From 2002 to 2007, the decrease was 600,000 acres.”⁹

An Environment North Carolina Research & Policy Center report released in April 2007 used data to “make conservative predictions about loss of cropland and forestland over the next twenty years.” They estimated that between 2007 and 2027: North Carolina will lose another two million acres of forest land and cropland and the Triangle will lose 37 percent of its natural areas; cropland will disappear altogether.¹⁰

The Environment North Carolina report went on to state that “In the last twenty years, North Carolina has lost 2.37 million acres of cropland and forest land, an estimated 325 acres every day. In the last twenty years, the Triad region (Greensboro, Winston-Salem, and High Point) lost 14 percent of its cropland and forest land, a total of 236,000 acres.”¹¹



Graphic: Farmland.org¹²

⁷ <http://dof.virginia.gov/stateforest/facts/forest-facts.htm>

⁸ <http://www.vdacs.virginia.gov/conservation-and-environmental-farmland-preservation.shtml>

⁹ <https://www.southeastfarmpress.com/miscellaneous/north-carolina-continues-lose-farms-rate-land-loss-slows>

¹⁰ <https://environmentnorthcarolina.org/reports/nce/losing-our-natural-heritage>

¹¹ Ibid.

¹² <https://www.farmland.org/initiatives/farms-under-threat>

The environmental and economic impacts of loss and degradation of forestland and farmland associated with the MVP Southgate project need to be properly considered.

Recreational Lands

Article X1, Section 4 of the Virginia Constitution affords “the people have a right to hunt, fish, and harvest game...” North Carolina voters will decide this November if they wish to include these rights in their state constitution. Impacts to recreational and sporting lands should be properly considered.

Cultural Resources

Impacts to local heritage and community valued sites (historic homes, farms, cemeteries, sacred lands, landscapes) need to be fully addressed. FERC should consult with local, state, national and tribal experts with regards to Section 106 of the National Historic Preservation Act especially regarding historic home sites, communities, archaeological sites and native American lands especially related to the Sioux tribes.

Economic and environmental impacts on affected individual and community sites need to be properly considered.

Socioeconomics

A thorough examination and investigation of impacts to minority and low income communities especially in regards, but not limited, to Title VI of the Civil Rights Act. This should include more than just analysis of county and state statistics, but needs to also include the local, affected community data.

Economic and environmental impacts on affected individuals, communities and sites need to be properly considered.

Air Quality and Noise

Air quality and noise impacts on individuals and communities during all phases of pipeline construction and operation, including support facilities, needs to be properly considered. Activities should be in compliance with local ordinances for noise and air quality. Cumulative impacts from existing facilities need to be considered.

Longstanding policy of the Federal Energy Regulatory Commission (FERC) is to cooperate with local jurisdictions. As stated in the Mountain Valley Pipeline (MVP) Mainline Final Environmental Impact Statement, “the FERC encourages cooperation between applicants and state and local authorities¹³...” This statement is in consonance with FERC policy under sections 3 and 7 of the Natural Gas Act¹⁴. BREDL fully expects FERC to comply with this well established policy when working with local jurisdictions on the MVP Southgate project.

¹³ 1.5.2 State and Local Laws, p 1-42 FEIS,

In some cases, Mountain Valley and Equitrans would obtain applicable state and local permits or authorizations, as required under specific state and county laws and regulations in order to allow the MVP and EEP to move forward. The FERC encourages cooperation between applicants and state and local authorities; however, state and local agencies, through the application of state and local laws, may not prohibit or unreasonably delay the construction or operation of facilities approved by the FERC. Any state or local permits issued with respect to jurisdictional facilities must be consistent with the conditions of any authorization issued by the FERC.

¹⁴ The Natural Gas Act, State Environmental Policy, and the Jurisdiction of the Federal Circuit Courts, Channing Jones, COLUMBIA JOURNAL OF ENVIRONMENTAL LAW, p. 7

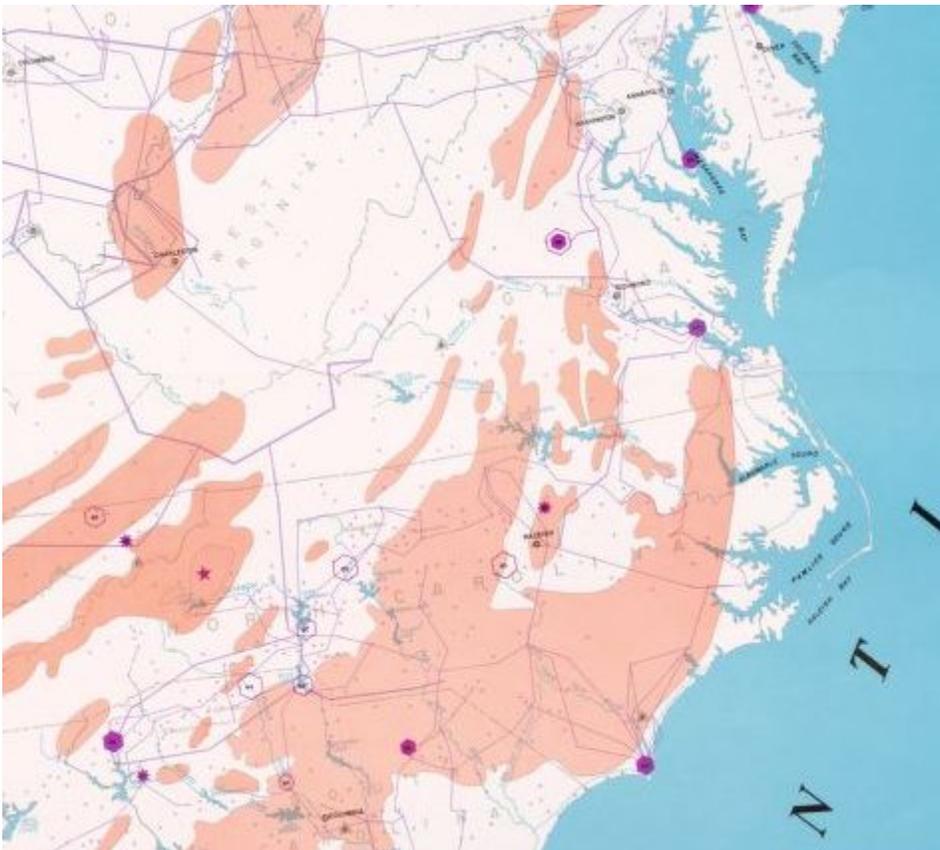
PETS, Vegetation and Wildlife

The MVP Southgate project needs to thoroughly catalog and consider impacts to Protected, Endangered and Threatened Species on federal and state listings. Avoidance of activity during spawning and nesting seasons is a must. Impacts to migratory birds need to be studied.

Impacts to gaming species needs to be weighed as to not to interfere with citizen's rights to hunt and fish.

Public Safety and Health Impacts

Construction of the MVP Southgate project has the high potential to contaminate air and water with levels of radioactive constituents that will endanger the health of construction workers, landowners and the general public. Impacted counties in both states have uranium reserves that are often found near the ground's surface. This issue needs to be thoroughly examined prior to any land disturbance activity.



Graphic: Library of Congress¹⁵

Despite industry and governmental agencies saying that natural gas pipelines are safe, there have been numerous pipeline explosions just in the past decade. An honest discussion and analysis regarding pipeline and support facilities (such as compressor stations) explosions and the danger to individuals, landowners and

¹⁵ U.S. Uranium Resources Map; Library of Congress; <https://www.loc.gov/resource/g3701h.ct004749/?r=-0.055,-0.025,1.125,0.695,0>

communities has to be properly considered. This includes feedback from local and state fire departments and associations.

Increase in truck traffic on local roadways and those impacts on public safety need to be considered.

Cumulative Impacts

One of the biggest, if not the main, problem that agencies have during the NEPA process is addressing increasing problems –despite the directive to consider cumulative impacts. They never want to own up to the fact that yes – the project that this agency is supposed to study in-depth is a contributor and sometimes a significant contributor to the various environmental woes that are plaguing our planet. From climate change to loss of forests and farmlands to decline of life sustaining clean, drinkable water supplies the MVP Southgate project will have a negative impact.

As stated in our August 21, 2018 comments, BREDL opposes the Mountain Valley Pipeline Southgate project. This project is not needed and does not serve the public convenience and necessity.

Thank you for this opportunity to comment.

Respectfully submitted,



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