

**Talking Points for Public Comments on the  
Mountain Valley Pipeline Draft Environmental Impact Statement**

The Mountain Valley Pipeline (MVP) is a proposed 42-inch natural gas transmission pipeline that, if constructed, would run for over 300 miles from Wetzel County, West Virginia to Pittsylvania County, Virginia. The pipeline would cross primarily undeveloped, rural agricultural and forested lands, including hundreds of streams and wetlands and several major rivers, to deliver up to 2 billion cubic feet per day of gas from fracking operations in the Appalachian Basin's Marcellus and Utica shale formations to Southeastern and Mid-Atlantic markets. The Federal Energy Regulatory Commission (FERC), the primary agency responsible for authorizing such pipelines, has released the Draft Environmental Impact Statement (DEIS) for the MVP pursuant to the National Environmental Policy Act (NEPA). NEPA is a federal law that requires agencies to study and share with the public the environmental impacts of, and alternatives to, proposed major federal actions that would significantly affect the environment. The public may submit comments to FERC on the MVP DEIS **on or before December 22, 2016**. We believe that the DEIS has major flaws that warrant public comment, including:

- 1. FERC has not demonstrated a need for the pipeline** – NEPA requires an agency to define the “purpose and need” for a proposed project in its DEIS. Once it knows the need, FERC can analyze a range of alternatives to the proposal that meet the same need. Here, however, FERC has refused to determine the need for or public benefits of the Mountain Valley Pipeline as part of the NEPA process. Without defining the need that the project would satisfy, FERC cannot know what alternative measures—many of which would likely have significantly less severe impacts to the environment and to landowners— would also meet that need. FERC's failure to comply with NEPA's “purpose and need” requirement is especially problematic here because the MVP would have significant adverse impacts to public lands and would require the taking of private property through the use of eminent domain.
- 2. The DEIS lacks critical environmental information** – NEPA requires agencies to take a “hard look” at the environmental impacts of a proposed project and to make that information available to the public. Here, FERC released the DEIS despite the absence of information necessary to assess the impacts of the project on a wide range of resources, including streams, wetlands, threatened and endangered species, cultural resources, and recreation resources such as the Appalachian Trail. FERC has said that MVP can submit the missing information before construction begins. This, however, prevents the meaningful public participation in the decisionmaking process that is required by NEPA. A thorough analysis subject to public scrutiny is particularly necessary here because a pipeline of this size has never been built through the type of steep terrain and karst geology that MVP would cross. Past experience with adverse effects from construction of much smaller pipelines in the region—such as the Celanese and Stonewall Gathering lines—shows that the public cannot rely on FERC's assurances that such impacts will be successfully mitigated.
- 3. FERC has failed to assess cumulative life cycle climate impacts** – FERC's assessment of both climate-altering greenhouse gas (GHG) emissions and the effect of those emissions on the environment is woefully inadequate. FERC's analysis is opaque and difficult to evaluate, and appears to ignore

significant emissions sources such as pipeline leakage and production of the fracked gas that would be carried on the MVP. Further, FERC does not use readily available tools such as the social cost of carbon to estimate the environmental impacts of the GHG emissions, but rather simply compares the projected annual GHG emissions of the MVP Project to global GHG emissions and concludes they are insignificant. FERC's approach mirrors its flawed analysis in other pipeline proceedings, which EPA has repeatedly criticized for failing to comply with the Council on Environmental Quality's NEPA GHG guidance. On a broader scale, FERC's runaway permitting of major, long-term natural gas pipelines commits the U.S. to continued fossil fuel dependence that is inconsistent with the emissions reduction goals necessary to curb global warming and commitments made in international agreements such as those at the Paris Climate Conference.

- 4. FERC has failed to consider potential cumulative impacts of induced fracking** – FERC has failed to meaningfully analyze whether there would be significant cumulative environmental impacts from additional fracking in the Marcellus and Utica shale formations of WV and PA to supply the MVP with gas throughout its lifetime. Despite clear statements from both production and transmission companies that new pipelines will sustain drilling in the area, FERC refused to consider the potential of severe environmental impacts of those fracking operations, such as deforestation, air pollution, and water pollution. NEPA requires that those indirect effects be analyzed in the MVP.

These are just a few of the most glaring deficiencies in the DEIS that FERC must rectify in order to comply with NEPA. Comments on the MVP DEIS should be made in **FERC Docket No. CP16-10-000**. Text-only comments up to 6,000 characters may be submitted through the **eComment** feature on the FERC Online website at <https://ferconline.ferc.gov>. If you would like to submit attachments or comments longer than 6,000 characters, you must use FERC's **eFiling** tool, found on the same website. In order to use eFiling you must first create an account using the **eRegister** tool. If you have any issues using the FERC Online system, you may contact FERC staff at (202) 502-8258 or [efiling@ferc.gov](mailto:efiling@ferc.gov). Alternatively, paper copies of comments may be mailed to:

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

Comments may also be made orally at any of the FERC-sponsored public hearings, the dates, times, and locations of which can be found at <https://www.federalregister.gov/documents/2016/09/27/2016-23237/mountain-valley-pipeline-llc-equitrans-lp-notice-of-availability-of-the-draft-environmental-impact>. In order to be considered by FERC, **comments must be submitted on or before December 22, 2016**.