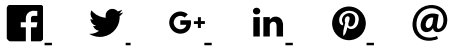




http://www.register-herald.com/news/fayette-commissioner-others-object-to-approval-of-pipelines/article_4aaefcd1-a0fd-5d89-b204-72e5fd279372.html

Fayette commissioner, others object to approval of pipelines

By Jessica Farrish REGISTER-HERALD REPORTER 5 hrs ago



Fayette County Commission President Matt Wender and others responded this week to a controversial decision by the Federal Energy Regulatory Commission to grant rights to EQT Midstream Partners and other energy companies to start construction of the \$3.5 billion Mountain Valley Pipeline. The natural gas pipeline will cut through Fayette County on its 303-mile route from northern West Virginia to Danville, Virginia.

Natural gas was the primary source for electricity generation in 2016, topping coal.

FERC made the 2-1 decision Friday, also voting in favor of the Atlantic Coast Pipeline, a \$5 billion project by Dominion Energy, Duke Energy and Southern Co. that starts in the northern part of the state and ends in North Carolina.

Wender said that the actions of EQT in West Virginia calls into question the objectivity of the FERC commissioners — Chairman Neil Chatterjee and Robert Powlson, both appointed by President Donald Trump, and Cheryl LaFleur, who placed the dissenting vote. LaFleur said that the projects will have similar and significant environmental impacts and that a more in-depth environmental assessment would be beneficial.

“I was not surprised (by the FERC decision),” Wender said. “The industry is demonstrating a strong vote of confidence when you see the enormous staging of pipe to be used in the proposed pipelines, prior to FERC approval, all of which begs the question about objectivity of the FERC commissioners.

“I was disappointed they did not honor the requests for a comprehensive environmental assessment,” Wender added.

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To start building pipelines in West Virginia, developers will still need a state permit. The West Virginia Department of Environmental Protection (WVDEP) had previously certified the MVP. Earlier this year, however, the agency filed a motion to invalidate the permit, after environmental groups challenged it.

In a surprise ruling, the Fourth Circuit Court of Appeals granted a request by WVDEP to throw out the agency's former approval of the MVP and let the agency start a new permit process.

Prior to issuing a new permit, WVDEP must examine the pipeline project for compliance with the federal Clean Water Act to make sure that the project won't harm the quality of local residents' water.

Many local Greenbrier and Fayette county residents and the environmental group Headwaters Defense oppose the project, which aims to claim eminent domain of residents' properties and to place a compressor station — the most noisy and polluting aspect of a pipeline, according to Headwaters Defense founder Brandon Richardson — in a rural Fayette community that is currently zoned for agriculture and residential living.

Landowners along the MVP have filed two lawsuits against FERC to challenge the use of eminent domain — the taking of private land — by a private company for private gain.

Environmental rights groups immediately issued statements voicing objection to the FERC ruling on the Atlantic Coast Pipeline.

Like Wender, some groups suggested that FERC members issued a decision prior to completion of environmental studies by appropriate state and federal agencies.

“The Commission’s judgment has been made in advance of necessary and required decisions by the U.S. Forest Service, the U.S. Army Corp of Engineers and the state environmental authorities in the affected states of Virginia, West Virginia and North Carolina on critical environmental issues,” read a statement by The Allegheny-Blue Ridge Alliance, a coalition of 52 organizations in Virginia and West Virginia.

“We concur with the thoughtful dissent of Commissioner LeFleur’s, who has served on the Commission for seven years, raising serious questions about the basis of need for both the ACP and the Mountain Valley Pipeline and expressing concerns about environmental impacts that both projects present.

“The majority decision does not reflect an understanding of the issues at hand and is clearly not in

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the public interest. It calls into serious question the agency’s regulatory credibility.”

Peter Anderson, Virginia program manager for Appalachian Voices, said, “The federal government has recently indicated it will not protect communities from the harsh environmental and public health impacts of a gas pipeline-building bonanza.

“Fortunately, states still have the power and the obligations under the Clean Water Act to ensure that projects like the MVP will not violate water quality standards.”

The pipeline will cross streams, wetlands and other water bodies more than 1,000 times in West Virginia and Virginia. Many of the sites are in steep mountain terrain that is susceptible to earthquakes and landslides.

The U.S. Forest Service, the Corps of Engineers and U.S. Fish and Wildlife Service must still weigh in on the DEP decision, along with state and local authorities.

Virginia residents have reported earthquakes along the proposed MVP route in Giles County.

Residents in Fayette County have told the Fayette Commission that they don’t want to have their land confiscated by a private corporation and that they are concerned about noise pollution and potential hazards, including explosions.

In July, Fayette commissioners voted not to re-zone to “industrial use” the land that EQT has requested for the MVP until the legal issues with the WVDEP are resolved.



