



Environmental Regulations for Virginia’s Natural Gas Pipelines

In Virginia there are five environmental regulatory and review tools that the Virginia Department of Environmental Quality (DEQ) and other agencies use to provide comprehensive oversight and technical evaluation of natural gas pipeline projects. Virginia’s laws and DEQ’s authorities ensure that water quality is protected in Virginia during and after the construction of any pipelines.

Find the latest information at [www.www.DEQ.Virginia.Gov/Pipelines](http://www.DEQ.Virginia.Gov/Pipelines)

Environmental impact review

Along with Virginia’s other state agencies, DEQ submitted numerous comments and recommendations on the draft environmental impact statements (EIS) prepared by the Federal Energy Regulatory Commission ([FERC](#)) for the Mountain Valley Pipeline (MVP) and Atlantic Coast Pipeline (ACP). For example, Virginia identified specific concerns in a number of stream segments crossing watersheds. Virginia recommended additional pre- and post-construction water quality monitoring, heightened erosion and sedimentation control practices, and/or pre-impact characterization of proposed stream and wetland crossings which were incorporated into the [final EIS](#) in 2017.

Stormwater, erosion and sediment control

DEQ required each pipeline developer to submit detailed, project-specific [erosion and sedimentation control and stormwater plans](#) for every foot of land disturbance related to pipeline construction, including access roads and construction lay-down areas. These plans must comply with Virginia’s erosion and sediment control [regulations](#) and stormwater management [regulations](#) that are designed to protect water quality during and after construction. These plans were made available for public input in October 2017 and were reviewed by a qualified engineering firm. The cost of this work is estimated to have been approximately \$2.2 million. The final plans are available on the [ACP](#) and [MVP](#) websites.

Federal wetlands and stream regulation

The U.S. Army Corps of Engineers (Corps) is the federal [partner](#) in permitting dredge and fill activities in wetlands and streams. The Corps’ [Nationwide Permit \(NWP\) 12](#) requires that water quality is protected during the construction of pipelines in wetlands and streams. The Corps has evaluated each wetland and stream crossing to ensure construction is consistent with the conditions of NWP 12. Because the Corps’ permit only applies to construction activities that cross a wetland or stream, DEQ is addressing other water quality impacts through its water certification authority. The [conditions](#) required for construction under NWP 12 are comprehensive and include: coordination with the U.S. Fish and Wildlife Service on threatened and endangered species, requirements to restore the pre-construction conditions at stream crossings using materials that mimic the natural stream bed, a recommendation discouraging directional drilling in karst topography, use of Virginia native species for revegetation, and extensive guidance and requirements for countersinking pipes.

Virginia water quality certification

DEQ has required water quality certification conditions for all potentially impacted water resources related to all construction activities that may affect water quality, not just the temporary construction



impacts to stream and wetland crossings. This certification places additional construction conditions to address environmental concerns such as karst terrain, steep slopes, public water supplies, trout streams and areas prone to rockslides. These conditions will provide reasonable assurance that water quality standards are maintained in Virginia's streams during and after construction. The draft of proposed additional conditions to protect water quality was made available for public comment. The comment period ended on Aug. 22, 2017. For the MVP, based upon the report and recommendations DEQ submitted to the State Water Control Board, the Board approved the certification with on Dec. 8, 2017. The ACP certification was approved on Oct. 19, 2018.

Water quality monitoring

DEQ, in partnership with scientists from the U.S. Geological Survey and Virginia Commonwealth University, is conducting water quality monitoring at a number of stream crossings before, during, and after construction. Reports related to site inspections and water quality monitoring are available for review. Indicators of water quality (turbidity, temperature, specific conductance, dissolved oxygen and pH) are measured every five minutes, and all data are available online to the public within 1-2 hours of collection. DEQ is reviewing all data during construction activities and utilizes the real-time capability to direct inspection resources as appropriate. Visit the agency's webpage, [Water Monitoring Plan for Pipelines](#), to learn more about the comprehensive program to monitor the fish, insects and physical conditions of sites along the route.

Inspections and Compliance

During construction, DEQ inspects the erosion and sediment controls and stormwater management controls, also known as best management practices (BMPs) to ensure compliance with Virginia's environmental laws and regulations. The regulations are intended to minimize sediment loss with appropriate controls in place. Two certified inspectors conduct daily inspections in active construction areas to ensure compliance and respond to concerns. BMPs are inspected for proper installation, performance and maintenance. A combination of factors is evaluated when prioritizing inspections, including required audits, complaint investigations, data from monitoring stations at stream crossings, topography, weather conditions and the phase of construction activity in upland areas, wetlands and stream crossings. Staff reports for both complaint-specific investigations and routine spread-by-spread inspections are available to view on the erosion and sediment control page.

Pollution Complaints

Water pollution complaints should be reported using the online [pollution reporting](#) form or the dedicated hotline (804) 698-4003. When reporting an incident, please describe the situation and give a specific location (mile marker or street address). Upon submittal, a Reference ID # is issued that can be used to review the status. Each week the pollution and permit database is available for download to see the list of investigations and their status. General inquiries or concerns can be directed to either MountainValleyPipeline@deq.virginia.gov or AtlanticCoastPipeline@deq.virginia.gov.

All other concerns, e.g. tree felling, wildlife, migratory birds, bats, cultural resources, easements, boundaries and land access, should be submitted to landownerHelp@ferc.gov or call 877-337-2237.