



## Environmental Tools

Here are five environmental regulatory and review tools that provide comprehensive oversight and thorough technical evaluation to ensure that water quality is protected in Virginia during and after the construction of proposed natural gas pipelines.

### 1. Environmental impact review

Along with Virginia's other natural resource agencies, DEQ submitted numerous comments and recommendations on the [draft environmental impact statements](#) published by the Federal Energy Regulatory Commission ([FERC](#)) for the Atlantic Coast Pipeline (ACP) and Mountain Valley Pipeline (MVP). 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.

### 2. Stormwater, erosion and sediment control

DEQ is requiring 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 stormwater and erosion and sediment control regulations and stormwater regulations that are designed to protect water quality during and after construction. These plans will be reviewed by qualified professionals (either DEQ staff or third-party engineers) and are posted for public review. Deadline for input is October 13, 2017 for the Atlantic Coast Pipeline and October 22, 2017 for the Mountain Valley Pipeline. An engineering consulting firm will assist in DEQ's review of the plans. The cost of this work is estimated to be approximately \$2.2 million.

### 3. Federal wetlands and stream regulation

The U.S. Army Corps of Engineers (Corps) is the federal [regulatory](#) 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 will evaluate each wetland and stream crossing to see if it is consistent with the conditions of NWP 12. Because the Corps' permit only covers construction activities that cross a wetland or stream, DEQ is addressing other water quality impacts through its water certification authority. The [conditions](#) provided in 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; mitigation for all permanent loss over 1/10 acre and/or 300 linear feet of waters; a recommendation discouraging directional drilling in karst topography; a recommendation to use Virginia native species for revegetation; and extensive guidance and requirements for countersinking pipes.

#### 4. Virginia water quality certification

DEQ is requiring [water quality certification](#) conditions for all potentially impacted water resources related to activities that may affect water quality outside the temporary construction impacts to stream and wetland crossings. These will provide reasonable assurance that water quality standards are maintained in Virginia's streams. DEQ has evaluated this information and developed additional water quality conditions. The public comment period ended on August 22, 2017. DEQ will prepare a report and make recommendations for the State Water Control Board's consideration in December. The Board will accept, deny or amend the certification.

#### 5. Water quality monitoring

DEQ will conduct its own [water quality monitoring](#) to evaluate water quality conditions at a number of locations. Monitoring is expected to begin in the fall of 2017.

##### Selected references:

- Section 401 of the Clean Water Act of 1977 ([33 U.S.C. § 1341](#))  
<https://www.epa.gov/cwa-404/clean-water-act-section-401-certification>
- State Water Control Law ([Va. Code § 62.1-44.2 et seq.](#))  
<https://law.lis.virginia.gov/vacode/title62.1/chapter3.1/>
- Virginia Erosion and Sediment Control Law (Va. Code [§ 62.1-44.15:51 et seq.](#))  
<https://law.lis.virginia.gov/vacodefull/title62.1/chapter3.1/article2.4/>
- Virginia Stormwater Management Act (Va. Code [§ 62.1-44.15:24 et seq.](#))  
<https://law.lis.virginia.gov/vacodefull/title62.1/chapter3.1/article2.3/>

#### More information

Water Protection for Pipelines page:  
[bit.do/DEQpipelines](http://bit.do/DEQpipelines)

Erosion and Sediment Control plans for pipelines:  
[bit.do/DEQESCpipelines](http://bit.do/DEQESCpipelines)

Nationwide Permit 12:  
[bit.do/NWP12](http://bit.do/NWP12)

Nationwide Permit 12 conditions:  
[bit.do/NWP12conditions](http://bit.do/NWP12conditions)

Water quality monitoring:  
[bit.do/DEQwqmonitoring](http://bit.do/DEQwqmonitoring)

DEQ calendar:  
[bit.do/DEQcalendar](http://bit.do/DEQcalendar)

News feeds:  
[bit.do/DEQcast](http://bit.do/DEQcast)

DEQ 401 guidance memo:  
[bit.do/401guidance](http://bit.do/401guidance)

VA Law Portal:  
[law.lis.virginia.gov/](http://law.lis.virginia.gov/)

VA Regulatory Town Hall:  
[townhall.virginia.gov](http://townhall.virginia.gov)