



County of Roanoke **PIPELINE ADVISORY COMMITTEE**

MEETING MINUTES
JULY 18, 2016

Committee Members Present:

Louise Garman (Catawba)
Steve Hanes (Bent Mountain/Preserve Roanoke)
A. J. Phillips (Sencontrology)
Joyce Waugh (Roanoke Regional Chamber)
David C. Perry (Blue Ridge Land Conservancy)
Shawn Day (Designee for Mountain Valley Pipeline)
Deedie Kagey (Vinton)
Sean Horne (Roanoke Regional Home Builders)
Jim Woltz (Planning Commission)
Robert Guiles (Catawba Civic League)
Ann Rogers (Cave Spring)
Roberta Bondurant (Windsor Hills)
Max Beyer (Hollins)

Committee Members Absent:

Gary Robertson (Western Virginia Water Authority)
Dan Miles (Roanoke Valley Resource Authority)
Keith Garman (Bradshaw Citizens Association)

Staff Present:

Richard Caywood, Assistant County Administrator
Ruth Ellen Kuhnel, County Attorney
Susan McCoy, Recording Secretary

Guests:

James Golden, Director of Operations, Virginia Department of Environmental Quality
Melanie Davenport, Water Permitting Division Director, Virginia Department of Environmental Quality

Call to Order

Mr. Caywood called the meeting to order at 12:13 p.m.

Citizen Comments

There were none.

Committee and Staff Comments

Mr. Caywood provided an overview of the project tour taken with representatives from the Department of Environmental Quality (DEQ). He provided a status update regarding surveying, noting they are currently surveying property on which they did not previously have permission to survey. He reviewed the surveying statute. He introduced Chief Howard Hall,

Roanoke County Police Department. He stated the Board of Supervisors performed a procedural filing at their meeting on June 28, 2016 in concurrence with Pipeline Advisory Committee (PAC). He stated the Federal Energy Regulatory Commission (FERC) is scheduled to issue the Draft Environmental Impact Statement (DEIS) in September. He stated it will be the last time FERC will have public hearings to receive public input. He stated this will be a critical element of the review process prior to the issuance of the final Environmental Impact Statement (EIS).

Mr. Caywood discussed plans to provide a presentation at the July 19, 2016 Board of Supervisors Meeting. He stated he will discuss the current condition of FERC records, noting the documents are difficult for the general public to review and interpret. He also stated the documents do not refer back to other discussions or happenings. He stated they will file a request with FERC to provide a comprehensive document, creating a consolidated record for the public. He stated he will be submitting a request for a resolution to work in cooperation with other localities regarding the Mountain Valley Pipeline (MVP) project. Mr. Perry requested that information be shared with the congressional delegation. Ms. Kuhnelt stated they will make a request but they are unsure FERC has the responsibility to listen to input from the County regarding this issue. She stated they are hopeful the County has the power to make this request as an intervener.

The consensus of the Committee was to present this request at the July 19, 2016 Board of Supervisors Meeting.

Mr. Caywood introduced Mr. James Golden and Ms. Melanie Davenport, Virginia Department of Environmental Quality representatives. Ms. Davenport discussed DEQ's role as a regulatory agency and coordinator during the review process. She discussed erosion and sediment issues, including streams, wetlands and hydrostatic testing. She provided an overview of erosion and sediment regulations mandated by the General Assembly, including DEQ's geographic reach on long linear projects. She reviewed MVP and Atlantic Pipeline status and standards of specifications, noting EQT would be charging a fee which would allow DEQ to hire a third party to review erosion and sediment plans and inspections. She stated they hope to have electronic postings of plans in the future. She discussed impacts to wetlands and streams, noting Virginia has a water protection plan. She discussed the nationwide permitting system. Mr. Phillips inquired about water availability on site since Peters Mountain had problems regarding this issue. Ms. Davenport stated she has not been involved in the Giles County area. Ms. Bondurant inquired if the project is specific to a geographic area or general wetlands. She discussed the applicant hiring a third party as an expert. Ms. Davenport discussed this issue, noting it is out of local control but DEQ wants the localities to be included in conversations. Mr. Caywood discussed DEQ fees for plan review and inspections in the field.

Mr. Perry inquired about the difference between site specific and nationwide inspections. Mr. Golden discuss this issue. Ms. Davenport discussed the scope of erosion and sediment control, noting they make sure wetlands and stream crossings are repaired. Mr. Phillips inquired about slopes, noting regular construction standards will not work on Poor Mountain. Mr. Golden discussed this issue. Mr. Woltz stated the area is fragile and the property owners may lose their water source. Ms. Bondurant discussed compliance of construction companies including the need for fines and mitigation of losses. She requested DEQ deny

the permit if construction is risky and irreparable to the watershed. Mr. Woltz requested a study be conducted to determine if the pipeline should be placed in the area, noting the importance of water sources to the area. Mr. Caywood discussed taking the DEQ representatives onto Poor Mountain to see the area and the water supply issue which involves springs and wells. Mr. Beyer inquired about the degree to which the DEQ is bound to coordinate with localities. Ms. Davenport stated that Roanoke County and Roanoke City are responsible for themselves. She stated the General Assembly delegates to the DEQ to oversee linear projects which cross multiple jurisdictions. Mr. Golden stated they are developing a method to work with erosion and sediment programs of the various localities. Mr. Caywood stated the County has staff engaged in erosion and sediment control. Ms. Rogers discussed the MVP Resistance Road Trip. She discussed issues and impacts fifty years after construction when groundcover has failed. She discussed the need for the area to be surveyed for springs.

Ms. Lynn Majors stated the area is karst and there are no plans to run public water in the area. She discussed hydrostatic testing, noting they will need irrigation which will be next to sinkholes. Ms. Davenport stated they will perform dye testing of the creeks and streams. Ms. Bondurant discussed karst areas and hydrostatic testing, noting the liquid used for testing will be going into caves and drinking water.

Mr. Bob Johnson, Preserve Roanoke, discussed questions submitted to DEQ on February 29, 2016. He stated the group would like to know why there has been no response. Mr. Golden discussed this issue. Ms. Bondurant noted some questions are dependent on the DEIS.

Ms. Roberta Johnson inquired about tributaries. Mr. Golden discussed thermal impairment, noting the Commonwealth does not monitor those types of areas. He stated the exact pathway has not been determined. He stated they do not have unlimited resources. Ms. Bondurant discussed concerns regarding permanent effects of the pipeline. She stated DEQ has made an effort to address erosion and sediment issues but the project is moving at unprecedented speed. She requested that DEQ preserve the resources.

Mr. Kirk Bowers, Sierra Club, inquired about acquiring and administering erosion and sediment control. Mr. Golden stated erosion and sediment plans have not been submitted. Mr. Kirk discussed the diverse area, including dikes, drainage area, steep slopes, and other areas which are not stabilized.

Ms. Carolyn Riley, Franklin County, inquired if localities or citizens can reach out to DEQ. Ms. Davenport stated they want to reach out to the localities and recognize their erosion and sediment function. She stated correspondence is sent to the landowner. She discussed DEQ's scope of erosion and sediment review and control. Ms. Riley noted affected tributaries flow into Smith Mountain Lake.

Ms. Tammy Walenski requested that DEQ protect Tier 3 resources which includes Bottom Creek. She also stated there is no evidence erosion and sediment control will actively work in this terrain and geography. She noted the area has extraordinary features and resources. She stated she is disappointed in the Corp of Engineers. She said DEQ has the authority

to represent the citizens. Mr. Phillips stated DEQ should be able to make assertions with permitting system.

Mr. Caywood and the Committee members thanked the DEQ representatives for attending the meeting.

Ms. Susan Wall inquired about police entering property. Mr. Caywood and the Committee discussed issues regarding interpretation of the surveying statute. Mr. Caywood noted interpretation of the statute is an issue for the courts. Mr. Horne stated there are 40-50 surveyors which have identified themselves as Coates Security. Chief Hall stated the security officers are not supposed to be armed. Mr. Horne stated the surveyor told him not to take pictures. Mr. Day stated 49% of surveying has been completed in Roanoke County. He stated MVP is following a detailed process as it exists and is relayed out by FERC.

Mr. Caywood and the Committee discussed future meetings. The consensus of the Committee was to conduct future Committee meetings as needed.

With no further business or comments, Mr. Caywood adjourned the meeting at 2:09 p.m.

Respectfully Submitted:

Susan McCoy
Recording Secretary, Roanoke County

Richard Caywood
Assistant County Administrator, Roanoke County

David Perry
Chairman, Roanoke County Pipeline Advisory Committee