

Virginia Water Control Board Hearing
Atlantic Coast Pipeline: 401 Water Quality Certification

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Comments of Malcolm Cameron

I'm Malcolm Cameron and I live in Mount Crawford, Va. I worked for 23 years as an Environmental Engineer with Staunton District VDOT construction and coordinated environmental protection of streams in Augusta, Bath and Highland counties between VDOT, DEQ and other agencies. I've also enjoyed recreating along rivers and trails in the George Washington National Forest for 30 years. The ACP would pass through over 40 miles of **very** familiar territory. I have both general regulatory issues and construction compliance points to make.

Regulatory Procedures

Although the Water Control Board has the authority to deny a 401 certification if there's not reasonable assurance that water quality standards will be maintained, DEQ staff **has not** acknowledged that point.

The fact that the law would permit the Board to rely on the Corps Nationwide 12 to protect stream crossings **does not mean** this is a prudent approach. Nationwide 12 permit conditions alone will not adequately protect water quality.

Landslide Dangers

In the Board's summary of responses to comments, the steep slopes and landslides concern raised by many is dismissed as sufficiently addressed by ACP's *Best in Class Steep Slope Management Program*. Yet to date, ACP

has only developed site specific mitigation plans for steep, potentially unstable slopes at 2 locations requested to be addressed by the Forest Service. The ACP route has nearly **110 miles of steep slopes(34%)** meeting the Best in Class analysis criteria in the Allegheny and Blue Ridge counties.

The Board has indicated reliance on an **unrelated** EPA standards document as an excuse for not doing an anti-degradation analysis. The EPA does not issue this permit for steep slopes in high hazard mountain terrain and recommends **limiting** steep slope disturbance.

As a geologist, I've consulted with the Division of Mineral Resources and university researchers on the risks and history of landslides in the ACP corridor. There have been over **10,500 landslides and debris flows** along the pipeline route since 1949 and the average **frequency** over that period has **decreased** from roughly every 11 years to every 8 ½ years now. Debris flows have traveled from hundreds of feet up to 1 ½ miles and even dammed a major river.

In Little Valley, Bath County a thunderstorm in July 2015 caused at least 8 landslides on the steep mountainsides. The largest slide was ½ acre and 8 feet deep on Little Mountain and occurred where recent logging had disturbed the slope. This was **less than 400 feet** from the proposed pipeline trench. In June 2016, hundreds of landslides occurred near the ACP route in four West Virginia counties and Allegheny County, Virginia in what the

National Weather Service described as a once in 1000 year event. Climate change **is causing** more frequent major rain events.

Erosion and Sediment Control

Adequately detailed and sufficient plans for Erosion and Sediment Control and Stormwater Management **must** be submitted by ACP in order for DEQ to make a detailed, informed analysis of this critical potential impact to over 500 Virginia streams, rivers and springs. **Only** careful scrutiny of these plans can give a basis for **determining reasonable assurance** that ACP construction will not degrade Water Quality Standards.

From my years of construction experience, the ACP E & S Control plans are completely inadequate. They are on too small a scale to show all controls needed and **effective** controls such as check dams or temporary sediment traps for critical areas are lacking. Allowing up to 7 days after final grading before permanent seeding is applied to 'stabilize' the many steep slopes is too risky and a 48 hour requirement would be more appropriate. On most alignment sheets the permanent slope breakers are spaced too far apart and many mountainside slopes **don't** have adequate soils that would compact into effective slope breakers.

At critical stream crossings such as the Cowpasture River, the plans depend too heavily on belted silt fence and filter socks where sediment traps would be more effective. The Cowpasture is one of the most pristine rivers in the Eastern U.S. and the proposed crossing **has trout, river otters, bald eagles and rare mussels.**

Conclusion

North Carolina has asked ACP four times to submit more detailed plans so that they can rule on a 401 certification. **It seems that plans that appear to satisfy Virginia DEQ are not sufficient for North Carolina. Do we value the integrity of our state waters less than they do?**

This is the most important decision that the Board will ever make; please don't rush to judgement.

Malcolm Cameron
5653 Beards Ford Rd.
Mount Crawford, Va. 22841
(540) 234-6273
malcolmgcameron@gmail.com