

UNITED STATES OF AMERICA

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

In the matter of
Atlantic Coast Pipeline LLC
Docket No. CP15-554-000
Dominion Transmission Inc.
Docket No. CP15-555-000
ACP LLC & Piedmont Natural Gas Company, Inc.
Docket No. CP15-556-000

June 9, 2016

On behalf of the Blue Ridge Environmental Defense League (BREDL) and its Nelson County chapter, Protect Our Water, I write to provide the Commission with recent information on flood damages on or near the route of the proposed Atlantic Coast Pipeline in Nelson County, Virginia.

The proposed Atlantic Coast Pipeline route would traverse approximately 26 miles of our mountainous terrain. In the early evening hours of June 2, 2016, a massive downpour of rain occurred in Nelson County, Virginia. Enclosed are photos which illustrate what happens when a summer thunderstorm drops 5 to 7 inches of rain in a few hours. A second storm, very similar to the Thursday June 2 storm, occurred on the evening of June 4th into the early morning hours of June 5th. *These photos are representative of our entire county in situations such as occurred Thursday and Saturday. It is typical for these storms to hang over our mountains.*

For example, catastrophic flooding happened in 1969 when Hurricane Camille destroyed many areas of Nelson County. Then the estimates were as much as 35" inches of rainfall in some areas of the County over an 8-hour period. As a result, our mountains have

very shallow soils because those soils were liquefied and washed down our mountains, into our rivers and on to the Chesapeake Bay. At the confluence of the Tye and James River, it is said the James River flowed in reverse from the force of the water entering the James from the flood waters of the Tye River.

In addition to the vehicle accidents, Nelson's Emergency Services received eight (8) calls on Thursday and 13 calls for help from our citizens during these storms requesting the assistance of our all-volunteer Fire Departments. The calls during Thursday's storm included five (5) calls for high water blocking roadways, two (2) calls for trees down in roadways and one (1) call for a mud slide. The Saturday night/Sunday morning storm resulted in four (4) calls for high water, two of which involved water rescues with three (3) individuals stuck in their vehicles in high water, eight (8) calls for trees down in roadways and two (2) calls for mud/rock slides

A total of 11 roads were closed during and/or after the storms due to high water. They included: Patrick Henry Highway, Tye Brook Highway, Rockfish River Road, East Branch Loop; Dark Hollow Road; Rt. 632, Faber Rd. (sink hole); Variety Mills Road; Roseland Road; Old Roseland Road; Freshwater Cove Lane; Wheelers Cove Road and Front Street. While James River Road was not closed, a portion of the eastbound lane, as it crosses Eagle Mountain, was filled with water. A mud slide occurred in the same vicinity, where electric lines cross Eagle Mountain on a steep bank above James River Road.

The increased run-off created by clear cutting approximately 350 acres of forested land for the construction and permanent right-of-way (ROW) for the proposed ACP, on very steep slopes, would exacerbate the issues we currently face when strong storms hang in our mountains, dumping tremendous volumes of water in short periods of time. This estimation of acreage clear cut does not include areas for access roads and work areas.

Forested areas allow some portion of the rain, even in heavy storms, to infiltrate the ground, seeping into springs and the ground, renewing ground water resources. Revegetation of these clear cut acres with grass is ineffective in slowing water run-off on our steep slopes and essentially urbanizes those areas of the mountains. Water bars along the ROW will do nothing to slow 5 to 7 inches of rain in two hours. In the end, the destruction caused by the proposed ACP would put current residents and their homes in danger of increased flooding and mudslides, as well as facing the new health, safety and welfare issues of air pollution, leaks and pipeline explosion. Last year, two pipeline accidents in West Virginia were credited to heavy, flooding rains.

The Commission has authority over the construction and operation of proposed natural gas projects under Natural Gas Act.¹ FERC regulations require natural gas pipeline facilities report as early as feasible any damages and interruptions caused by a hurricane, earthquake or other natural disaster or terrorist activity.² In 2015, then-chairman Cheryl LeFleur discussed the process which the Commission utilizes to make decisions regarding pipeline infrastructure, saying “[T]hen we go in and look at the environmental and safety aspects in detail of the proposed project. We're blessed to have a wide range of engineers and scientists and we look at a wide range of environmental issues; water, soil, geology, fish and wildlife, and others.”³

The photographic evidence presented herein raises concerns in the areas of environmental and safety factors which FERC must resolve before taking action on the Atlantic Coast Pipeline. The Federal Energy Regulatory Commission must seriously consider the irreversible damage which would ultimately be caused to the Nelson County community if

¹ 15 U.S.C. Chapter 15B – Natural Gas §717

² 18 CFR § 260.9, Reports by natural gas pipeline companies on service interruptions and damage to facilities

³ Commissioner Cheryl LaFleur, Federal Energy Regulatory Commission, 27 January 2015, National Press Club, accessed at https://www.press.org/sites/default/files/20150127_laflour.pdf

the ACP were to be built. We fear not only for ourselves, but for others like us in Augusta, Bath and Highland counties in Virginia, and those in North Carolina whose terrain is also subject to floods, hurricanes, earthquakes and other natural disasters.

This request is presented on behalf of the Blue Ridge Environmental Defense League and its members in North Carolina and Virginia who are in the path of the ACP. Please direct your reply to these concerns to the undersigned.

Sincerely,

Sharon V. Ponton

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Church Yard at Grace Episcopal Church, Massies Mill. This area is normally grassy, not full of water!



This is Bolling House, the church office. It is not normally surrounded by a lake. It is normally a grassy area.



This is a second photo of Bolling House, the church office. The water rose even closer to the building as I drove out the driveway to Route 56 and stopped to take this picture.



This is normally a small ditch along Route 56. The white building in the background on the left of the photo is Bolling House, the church office.



Flooding at the Intersection of Rts. 56 and 666, Massies Mill, VA. This photo is taken across the road from the ditch photo above.



This photo is taken as the water begins to cross Route 666 at the intersection of Rts. 56 and 666.



The Tye River near the intersection of Rts. 56 and 151. This is an angry river, versus its normal mild meandering stream.



A second photo of the Tye River near the intersection of Rts. 56 and 151.



Flooding at the intersection of Roseland Road and Old Roseland Rd., Roseland, VA



Flooding on Horseshoe Road, Arrington.



Black Water Creek near the intersection of Roseland Road and Rt. 56 (Tye Brook Hwy).



Just downstream from the previous photo. This is the intersection of Roseland Road and Rt 56 (Tye Brook Hwy).



Dark Hollow near East Branch Loop road. Photos by Regina Allen Campbell.



Photos of Wheelers Cove Road where Fall Run Creek closed road. Photos by Wisteria Johnson.

Document Content(s)

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