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Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Dear Commissioners:

I write to urge current and incoming Commissioners of the Federal Energy Regulatory Commission (FERC) and the Commission's staff to review the recently issued Final Environmental Impact Statement (FEIS) for the proposed Mountain Valley Pipeline (FERC/FEIS-0272F) to ensure that energy infrastructure, if deemed necessary, is appropriately sited to have minimal impact on nearby residents and communities, and that long-term safeguards for natural and cultural resources be given thorough consideration. I also urge the Commission to commit to more transparent public processes and to thoroughly consider whether the proposed Mountain Valley and Atlantic Coast pipelines are necessary.

I find FERC's recent decision to issue the FEIS for the proposed Mountain Valley Pipeline patently alarming. In response to the September 2016 Draft EIS, Mountain Valley Pipeline LLC had to present more information and an updated route for the pipeline proposal. Their updates extended beyond the public comment period, which ended in December 2016, and included thousands of additional pages of crucially important information. Affected stakeholders were thus not able to offer their comments on the thousands of pages of updates for FERC consideration. FERC's appropriate course of action should be to issue a Supplemental Environmental Impact Statement (SEIS) for public comment before moving forward towards the issuance of a Certificate of Public Convenience and Necessity.

At stake is one of our nation's treasured landscapes – the Appalachian National Scenic Trail (A.T.) and the surrounding national park and national forest lands. The A.T. – congressionally designated as a national scenic trail nearly 50 years ago – is one of the most significant land features in the eastern United States. Its cultural heritage, its recreational options, and its natural resources, including its important role in maintaining healthy watersheds, all serve crucial roles in the lives and communities of the Appalachian region.

Mountain Valley's proposed route impacts 19 prominent views over nearly 100 miles of the Appalachian Trail, affecting 20 percent of the trail in Virginia. The proposed route puts these cultural, recreational, and natural resources in peril, threatening healthy watersheds and small-town economies that are supported by outdoor recreation expenditures. Construction of the pipeline along this route could severely degrade the A.T. as well as the surrounding national park and national forest lands.

I am also concerned that the pipeline developer did not fully consider proposed alternative routes once it became clear that its recommended route would require the U.S. Forest Service to amend the Jefferson National Forest Management Plan. Such forest management plans are designed carefully and only after extensive public consultation. The alteration of such a laboriously constructed and well-balanced forest management plan to accommodate one company's proposed pipeline route should prompt FERC and the Forest Service to redouble their efforts to receive input from and give consideration to the views of the local communities affected by large energy infrastructure proposals.

The current consideration of two major pipeline proposals in Virginia has also brought greater attention to opportunities available to FERC to improve its public engagement and responsiveness. Local communities affected most by proposed energy infrastructure naturally have concerns regarding projects of this size and complexity. They deserve the opportunity to express their views fully and participate in a robust public engagement process, especially for projects which will use eminent domain to seize private land from homeowners and farmers.

I am not alone in these concerns: residents across the Commonwealth of Virginia, as well as their Senators and Representatives, are expressing their concerns as well. My colleagues, hailing from both sides of the aisle, recently introduced measures – H.R. 2893 and S. 1314 – which call for greater fairness and transparency in FERC's important role in the permitting of natural gas pipelines. I urge the Commission to reform its own processes to align its work with the steps outlined in these legislative proposals.

Finally, the necessity of the project over the long term remains suspect, as a recent filing from the Southern Environmental Law Center requesting that FERC hold an evidentiary hearing for the Atlantic Coast Pipeline makes clear. Moving forward with both the Atlantic Coast Pipeline and the Mountain Valley Pipeline could only be necessary if significant energy demand was guaranteed to continue in this region and target markets for multiple decades, if one of these major pipelines would be woefully insufficient to meet that level of assured demand, and if all clean energy alternatives, including renewable energy and energy efficiency, have been fully deployed and exhausted. I am not yet satisfied that these questions have been definitively resolved. Moreover, each pipeline is proposed to be built by companies that are corporate affiliates of the companies slated to purchase the majority of the transported gas, a potentially self-dealing arrangement that calls into question any true, market-based need for either pipeline. I urge FERC to conduct a thorough and transparent review of the need for each of these projects.

Regardless of whether these pipelines are actually necessary or reflect actual, free market demand, FERC's Final Environmental Impact Statement on the Mountain Valley Pipeline leaves too many questions unanswered and too many communities exposed. Routes with less severe implications for the Appalachian National Scenic Trail, local ecosystems, local outdoor recreation and local communities and family farms of southwestern Virginia deserve further consideration. A project the magnitude of the proposed Mountain Valley Pipeline should do more to minimize its impact and FERC should revise its process to go back to the drawing board, issue an SEIS, and allow for more extensive public input on all new information before proceeding further with the project.

Sincerely,



Donald S. Beyer Jr.