



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Stefanie K. Taillon
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director

1 May 2025

Mountain Valley Pipeline, LLC
Attn: Jeffrey Klinefelter
9401 Courthouse Road, Suite B
Chesterfield, Virginia 23832

SENT VIA EMAIL: jeffrey.klinefelter@eqt.com

Re: Joint Permit Application No. 25-0752
MVP Southgate Amendment Project
Pittsylvania County, Virginia
Comment Letter

Dear Mr. Klinefelter:

On 18 April 2025, the Virginia Department of Environmental Quality (DEQ) received your Joint Permit Application (JPA) for the above-referenced project. DEQ is evaluating your application for a Virginia Water Protection (VWP) individual permit in accordance with VWP Permit Program Regulation 9VAC25-210-10 *et seq.* The following information is required to complete your application:

1. Section 2.3 of the JPA narrative states ‘The need for the Amendment Project is to meet the specific requests for natural gas transportation service of its Foundation Shippers, PSNC and Duke.’ Pursuant to 9VAC25-210-80 B.1(f), please elaborate and provide documentation of the stated need. While Attachments K (Economic Analysis) and L (Public Interest Comment [component of FERC Docket No. CP25-60-000]) provide rationale and comments for the proposed project, please provide additional documentation and references to support the need of the proposed project. Describe and reference in full within the need statement.
2. Section 4.1.3 of the narrative states preliminary jurisdictional determination (PJD) approval letters are pending. Pursuant to 9VAC25-210-80.B-1(h-4), please provide a copy of the PJD upon receipt from the U.S. Army Corps of Engineers (USACE).
3. Pursuant to 9VAC25-210-80 B-1(a) and 9VAC25-210-80 B.1(o), Section 1 and Section 9 of the Standard JPA form lists two (2) separate business names (Mountain Valley Pipeline, LLC and MVP Construction & Engineering, respectively). Please advise if MVP Construction & Engineering is a division or department of Mountain Valley Pipeline, LLC or a separate subsidiary or entity. If there is a separate subsidiary or entity, please revise forms to reflect the same company name.

4. Please provide a figure/mapping that shows the Amendment Project in comparison with the previous Federal Energy Regulatory Commission (FERC)-approved project, highlighting the departures in alignment.
5. Pursuant to 9VAC25-210-80 B.1(g) please provide the following additional information for Section 3.2.4 (System Alternatives):
 - a) Please elaborate on the type and nature of retrofits or upgrade of existing systems and how they would result in a similar or greater impact than the proposed project.
 - b) Please advise on the additional cost related to this alternative.
 - c) The narrative states that the proposed project could not use the Southeast Supply Enhancement Project (SSEP) as a system alternative. Please elaborate why scope, capacity, and tariff specifications would make this alternative unfeasible. Additionally, please elaborate on necessary infrastructure improvements that would be required, cost, and additional surface waters impacts.
6. Pursuant to with 9VAC25-210-80 B.1(g), please provide the following additional information for Section 3.2.5 (Route Alternatives):
 - a) In order to better review the route alternatives, please provide a table that lists alternatives considered, with columns with information containing wetland impacts, stream impacts, potential threatened/endangered species impacts, right-of-way impacts, total project area, and cost.
 - b) Please provide mapping of route alternatives considered. Narrative refers to FERC Federal Environmental Impact Statement; please include details and maps as an attachment.
 - c) In relation to avoidance and minimization measures, it is DEQ's understanding that the proposed SSEP pipeline, referenced in the JPA narrative, projects a concurrent construction schedule as the proposed project. These two (2) pipelines may be undergoing active construction immediately adjacent to each other simultaneously. Please describe, in detail, efforts to minimize impacts by sharing limits of disturbance, sequencing of construction activities so as not to incur greater, cumulative impacts, and any additional efforts to reduce impacts between the two (2) projects.
7. Item 20 of the Standard JPA notes excess material would be stockpiled in wetlands. It is not clear from the drawings of the stockpile locations. Please show where temporary stockpiles are located. In order to reduce temporary wetland impacts, please advise if it is possible to relocate stockpiles outside of wetlands.
8. Pursuant to 9VAC25-210-80 B-1(p), a permit application fee is required to complete the application and continue noticing the draft permit. Once the proposed impact information has been determined and confirmed, DEQ will notify you of the fee amount.
9. Appendix M - Mitigation proposes a credit reservation letter in which the Bank anticipates an initial credit release of 0.87 wetland credits and 700 stream credits in January 2026, additional release of 0.43 wetland credits (undated), and 2.61 wetland credits in mid-2027. Please provide a purchase agreement with the Bank establishing a contractual obligation to provide the required compensatory mitigation credits required, or other documents that meet the requirements of 9VAC25-210-80B-1 (m).

In addition to the above information required to complete the permit application, the following information is necessary to assist in DEQ's review of the application:

1. Section 4.2.7 (Spawning Areas) notes coordination with the Virginia Department of Wildlife Resources (DWR) regarding time-of-year restrictions (TOYRs) for waterbodies crossed by the proposed project. Documentation refers to surveys provided to DWR in 2019. These surveys may be outdated. As part of the individual permit review process, DEQ has initiated coordination from DWR and will advise/forward comments to you for response.
2. Section 4.2.9 (Freshwater Mussels) and 4.3.7 (Threatened and Endangered Species) notes ongoing coordination with U.S. Fish and Wildlife Service (USFWS). Please provide concurrences from USFWS upon receipt.
3. Section 4.1.4 states water withdrawal from Dan River (NC) for hydraulic directional drilling operations of both Dan and Sandy River. As the Sandy River is located approximately six (6) to eight (8) miles from the North Carolina border, please confirm if any water withdrawal activities will occur in Virginia. Also, please advise if water withdrawal associated with hydrostatic testing will be required.
4. Section 5.2.6 (Time-of-Year Restrictions) notes TOYR for streams designated as warmwater fisheries from 15 April-15 July. Additional TOYR may be required, pending coordination with DWR and USFWS.
5. Drawing No.'s MVP-SG-17, 17.1, 17.2, 17.3, 17.4, 17.7, and MVP-SGO-ES8 in Appendix J contain typical details regarding waterbars. These drawings are dated from 2018 and are related to the original mainline project. Please coordinate with DEQ Office of Stormwater as to whether these details are acceptable. If changes to details require additional workspace/extended LOD, impacts may need to be adjusted.
6. Please provide GIS shape files, or the equivalent, showing the project's overall limits of disturbance and aquatic resource impacts within Virginia.

DEQ is continuing review of the plan details and may provide additional comments either as an addendum or as part of the next comment letter. We look forward to future coordination for this project. Please contact me at (804) 659-1986 or michael.mussomeli@deq.virginia.gov if you have any questions.

Respectfully,

Michael J.

Mussomeli, PWS

Michael J. Mussomeli, PWS
Environmental Specialist II

Digitally signed by: Michael J. Mussomeli,
PWS
DN: CN = Michael J. Mussomeli, PWS email
= michael.mussomeli@deq.virginia.gov C =
US O = DEQ
Date: 2025.05.01 15:04:02 -0400

Mountain Valley Pipeline, LLC

JPA No. 25-0752

1 May 2025

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cc (via email): Christian King, Burns & McDonnell Engineering Company, Inc.
Lori Ferry, Burns & McDonnell Engineering Company, Inc.
Olivia Yu, Federal Energy Regulatory Commission
Steven VanderPloeg, USACE
Steve Hardwick, DEQ
Melanie Davenport, DEQ
Brenda Winn, DEQ
Beth Howell, VMRC