

Energy Infrastructure Workers and Businesses Concerned About Project Permitting Uncertainty

May 24, 2018

Governor Ralph Northam
State of Virginia
P.O. Box 1475
Richmond, VA 23218

Dear Governor Northam:

The undersigned trade organizations represent businesses and workers who build and provide equipment, materials, supplies and services to energy infrastructure projects. Prominent among those projects is the Atlantic Coast Pipeline (ACP), which will provide Virginians with greatly expanded access to affordable and reliable natural gas and the clean power it provides.

We are writing to express our concern with recent action by the Virginia State Water Control Board which directed the Virginia Department of Environmental Quality to open a new public comment period challenging whether Nationwide 12 federal water quality permits, previously issued by the U.S. Army Corps of Engineers (USACE) for all of ACP's nearly nine hundred Virginia water crossings, were adequate to protect the state's water quality.

The federal permits were issued after the project's developers spent more than three years devising the safest and most environmentally responsible route for the pipeline, studying more than 6,000 miles of potential routes before choosing the best 600-mile route with the least impact. More than 300 route adjustments were made to avoid environmentally sensitive areas such as wetlands, wildlife habitats, drinking water sources and sensitive geologic features. Construction methods have been designed and mandated to minimize impacts on water bodies and sensitive aquatic species habitats, and to control erosion and sedimentation.

Nevertheless, ACP's opponents argue that the USACE Nationwide 12 permits should be rescinded in favor of requiring state agencies to approve individual permits for each of the pipeline's water crossings, a process that would significantly delay and add unnecessary cost to the project without benefit. The Board's action opens the door to that possibility.

A policy enabling retroactive rescission of carefully considered and duly issued federal permits will call into question the force and effect of any Nationwide 12 permit for any Virginia construction project involving water crossings, including roads, bridges, electric transmission lines or virtually any form of infrastructure. This will undermine the reliability and certainty of duly issued construction permits in the State, impair private investment in much-needed infrastructure projects and damage the State of Virginia's reputation as a good place to do business.

We therefore urge you to encourage the Board and the Department of Environmental Quality to reaffirm the previously-issued permits and allow construction to continue as planned for the benefit of all Virginians.

Sincerely,



Energy Equipment and Infrastructure Alliance
Toby Mack, President & CEO



THE VOICE of BUSINESS

Virginia Chamber of Commerce
Barry DuVal, President & CEO



Virginia Manufacturers Association
Brett Vassey, President & CEO



Associated General Contractors of Virginia
Gordon Dixon, Chief Executive Officer



National Utility Contractors Association
of Virginia
Jim Stephain, Acting Executive Director



American Rental Association
John McClelland
Vice President, Government Affairs



Associated Equipment Distributors
Brian McGuire, President & CEO



Associated General Contractors of America
Stephen Sandherr, Chief Executive Officer



Distribution Contractors Association
Robert Darden, President & CEO



Edison Electric
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Edison Electric Institute
Tom Kuhn, President & CEO



Global Energy Institute
Karen Harbert, President & CEO



Independent Petroleum Association of America
Barry Russell, President & CEO



Industrial Minerals Association – North America
Mark Ellis, President



The INGAA Foundation, Inc.

The INGAA Foundation, Inc.
Donald F. Santa, President

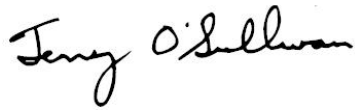


International Brotherhood of Electrical Workers
Lonnie Stephenson, International President



International Union of Operating Engineers
James Callahan, General President

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Laborers' International Union of North America
Terry O'Sullivan, General President



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National Association of Manufacturers
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Bill Hillman, President & CEO



NGSA
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Natural Gas Supply Association
Dena Wiggins, President & CEO



Elizabeth Worrell

Pipe Line Contractors Association
Elizabeth Worrell, Executive Director



Tony Radoszewski

Plastic Pipe Institute
Tony Radoszewski, President



United Association of Plumbers and Pipefitters
Mark McManus, General President

cc: Members, Virginia State Water Control Board
Lieutenant Governor Justin Fairfax
Attorney General Mark Herring
Senator Mark Warner
Senator Tim Kaine