



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Ann F. Jennings
Secretary of Natural and Historic Resources

David K. Paylor
Director
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December 20, 2021

Mr. Vincent Pero
U.S. Army Corps of Engineers
Norfolk District
Western Virginia Regulatory Section
Charlottesville Field Office
920 Gardens Boulevard, Suite 103-B
Charlottesville, Virginia 22901

**SENT VIA E-MAIL: Vincent.D.Pero@usace.army.mil
RECEIPT CONFIRMATION REQUESTED**

Re: Virginia Water Protection (VWP) Individual Permit No. 21-0416
Mountain Valley Pipeline Project - Giles, Craig, Montgomery, Roanoke, Franklin, and
Pittsylvania Counties, Virginia
Final VWP Individual Permit and Section 401 Water Quality Certification

Dear Mr. Pero:

Pursuant to § 62.1-44.15:21 J of the Code of Virginia, an individual Virginia Water Protection Permit shall be required for impacts to state waters for the construction of any natural gas transmission pipeline greater than 36 inches inside diameter pursuant to a certificate of public convenience and necessity under § 7c of the federal Natural Gas Act (15 U.S.C. § 717f(c)). Pursuant to the Virginia Water Protection (VWP) Permit Program Regulation 9VAC25-210 of the Virginia Administrative Code and § 401 of the Clean Water Act (33 U.S.C. § 1341), the Virginia Department of Environmental Quality (DEQ) is providing the enclosed VWP individual permit for the above-referenced project, including all conditions deemed necessary or desirable with respect to the authorized activities or discharges. This VWP Individual Permit issued by DEQ, as the certifying agency, provides Section 401 Water Quality Certification for any Section 404 permit that may be issued for the above-referenced project.

The name and address of the applicant/permittee is as follows:

Mr. Robert J. Cooper
Mountain Valley Pipeline, LLC
2200 Energy Drive
Canonsburg, PA 15317
rcooper@equitransmidstream.com

DEQ, as the certifying agency, has examined the Joint Permit Application assigned Number 21-0416, as made by the applicant to the licensing or permitting agency and bases its certification upon an evaluation of the information contained and described in (i) the Joint Permit Application dated February 19, 2021, received on March 1, 2021; (ii) all supplemental application materials, revisions and clarifications received through August 17, 2021; (iii) the recommendations and comments from Virginia Department of Conservation and Recreation and Virginia Department of Wildlife Resources; (iv) the sediment and erosion control plans; (v) the federal Environmental Impact Statements (EIS); (vi) the GIS-based Project alignment plan and profile drawings through surface waters; (vii) the Mitigation Framework; and (viii) the public comments received between August 28, 2021 and October 27, 2021, as each of these was considered to be relevant to water quality considerations.

In compliance with § 401 of the Clean Water Act (33 USC § 1341) and the State Water Control Law and regulations adopted pursuant thereto, the State Water Control Board has determined that there is a reasonable assurance that project activities and discharges authorized by this VWP individual permit and its conditions, if complied with, i) will protect instream beneficial uses; ii) will not violate, and will comply with, applicable water quality standards under Virginia Administrative Code 9VAC25-260 *et seq.*, and Sections 301, 302, 303, 306 and 307 of the CWA; and iii) will not, together with other existing or proposed impacts to surface waters, cause or contribute to significant impairment of state waters or fish and wildlife resources.

Please contact me by email at dave.davis@deq.virginia.gov or by phone at 804-698-4105 if you have any questions.

Respectfully,



David L. Davis, CPWD, PWS
Director, Office of Wetlands and Stream Protection

Enclosures: Permit Cover Page, Part I - Special Conditions, Part II - General Conditions, Appendix 1- Impact Tables, Appendix 2-TOYR, Attachment 1 - *VWP Permit Construction Status Update Form*, Attachment 2 - *Monthly VWP Permit Inspection Checklist*, Final Fact Sheet with Attachment 1-Impact Locations

cc: Robert Cooper, Mountain Valley Pipeline, LLC
Clay Roesler, Tetra Tech, Inc.
Todd Normane, EQM Gathering Opco, LLC
Matthew Hoover, Equitrans Midstream Corp.
Cory Chalmers, Equitrans Midstream Corp.
Christie Blevins, Wetland Studies and Solutions, Inc.
Adam Fannin, U.S. Army Corps of Engineers-Huntingdon District
Jared Pritts, U.S. Army Corps of Engineers-Pittsburgh District
Randy Owen, Virginia Marine Resources Commission
Brian Bridgewater, West Virginia Department of Environmental Protection