

**RESOLUTION**  
**INFORMING**  
**THE FEDERAL ENERGY REGULATORY COMMISSION**  
**OF THE SENSE OF THE ALAMANCE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**WITH REGARD TO**  
**THE PROPOSED MOUNTAIN VALLEY PIPELINE SOUTHGATE EXTENSION**  
**IN ALAMANCE COUNTY NORTH CAROLINA**  
**FERC DOCKET NO. PF18-4-000**

**WHEREAS**, Alamance County is a cohesive community with a thriving economy that balances respect for our rural history with thoughtful growth and development; and

**WHEREAS**, Alamance County, a political subdivision of the State of North Carolina, through its Board of County Commissioners encourages the Federal Energy Regulatory Commission to take notice of the following found by the Board when deliberating the issuance of a permit for the construction of the Mountain Valley Pipeline Southgate; and

**WHEREAS**, Alamance County has adopted a Strategic Plan with a Smart Growth and Development Pillar encouraging planned growth to strike a balance between the need for reliable sources of dependable affordable energy to support business, industry and residences with the needs of our citizens, an appreciation of natural and agricultural resources and exceptional efforts continue to preserve the Haw River as a source of water and recreation; and

**WHEREAS**, Alamance County has adopted a Mission Statement as follows: "County Mission: Alamance County effectively provides its citizens with high quality public services, the tools for successful economic development, and a responsive, transparent government that supports the community as the preferred place to live, work, and play;" and

**WHEREAS**, the Mountain Valley Pipeline (MVP) LLC announced plans in April 2018 to extend the 303 mile proposed Mountain Valley Pipeline from its currently planned end point in Pittsylvania County, Virginia, 72 additional miles, the last 20 miles of which are proposed to pass through Alamance County, North Carolina, creating "MVP Southgate" and on May 3, 2018 submitted its pre-filing request to the FERC which was formally accepted by the FERC on May 15, 2018; and

**WHEREAS**, the North Carolina Department of Environmental Quality (DEQ) is the lead stewardship agency for the protection of North Carolina's environmental resources through its natural resources divisions to protect fish, wildlife, water quality, erosion control and wilderness areas and will have jurisdiction over compliance with state law in the MVP project if it is

permitted by the FERC; and

**WHEREAS**, MVP Southgate was provided the opportunity to address the Board of Commissioners; and

**WHEREAS**, all owners of property within the proposed boundary area were provided the opportunity to address the Board of Commissioners; and

**WHEREAS**, the Alamance County Board of Commissioners has received the concerns of property owners along the proposed route of the pipeline including concerns regarding public safety, emergency responses to potential leaks, taxation, among other things, and the most appropriate location for a pipeline; and

**WHEREAS**, approximately 20 miles of the proposed Mountain Valley Pipeline (MVP) project would traverse erodible soils within Alamance County and without proper engineering and construction oversight, erosion and sediment from the construction of the proposed Mountain Valley Pipeline could have severe negative consequences for the County's lakes, streams, and the Haw River as well as its domestic, agricultural, and business water supplies; and

**WHEREAS**, Alamance County has an interest in the protection of the County's natural and cultural resources as well as promotion of economic and community development within the County and region; and Alamance County also has an interest in how the project may affect its citizens and compliance with the North Carolina Division of Water Quality's regulatory obligations, particularly those related to erosion and sediment control and limitations on storm water discharges. The outdoor beauty and unspoiled nature of the Haw River and its tributaries is integral to the County's ability to attract tourism and recreation to the region; and

**WHEREAS**, many Alamance County citizens rely on untreated groundwater from wells or springs for their domestic water supplies; and

**WHEREAS**, Alamance County is aware that sedimentation caused by accelerated erosion from land-disturbing activities during construction of the pipeline in West Virginia and Virginia has occurred and can be a significant contributor to pollution of the surface waters of North Carolina and the United States. Based on the nature and extent of these recent breaches of storm-water and erosion control devices in Virginia, it appears that the required amount of land-disturbance associated with the MVP excavation has the potential to cause severe erosion in the County's river front terrain and sedimentation in County's lakes, rivers and streams and significant changes to environmental protection efforts will need to be made to prevent a repeat of storm-water and erosion control failures in Alamance County should the permit be approved and construction begins; and

**WHEREAS**, in West Virginia and Virginia, numerous concerns have been raised to the Federal Energy Regulatory Commission (FERC) about this project and the Draft Environmental Impact Statement (DEIS) through the thousands of written comments and hundreds of speakers at FERC public meetings. Alamance County citizens have also been attending local meetings to express their concerns over the impact of the proposed pipeline project here in Alamance County; and

**WHEREAS**, In an effort to protect the citizens of Alamance County and the County's natural and cultural resources, the Alamance County Board of Commissioners, at their meeting on September 4th, 2018, directed the County Attorney to send official correspondence to FERC on their behalf requesting that FERC delay the release of the Final Environmental Impact Statement (FEIS) until sufficient information has been received to address the impacts of this project in Alamance County.

The following impact areas were noted as areas of particular concern to the Alamance County Board of Commissioners:

- Need for a Containment Plan for Accidental Discharge of Pollutants
- Protection of Cultural Resources and Historic Structures
- Protection and Maintenance of State and local Roads
- Impacts on the Haw River Water Levels
- Management of Storm water & Erosion and Sediment Control (including steep slopes)
- Protection of Visual Resources
- Protection of Water Supply Wells (public and private)
- Stream Degradation from Water body Crossings (open cut trenching)

Alamance County feels that it is vital for FERC to have all the necessary information from the applicant regarding the environmental impacts associated with the Mountain Valley Pipeline project before issuing a Final Environmental Impact Statement or making a decision on this project in Alamance County; and

**WHEREAS**, Alamance County is required by the North Carolina Department of Environmental Quality to implement a comprehensive storm-water management and erosion and sediment control program to reduce the environmental impacts of development projects within the County and Alamance County is required to comply with the Jordan Lake Rules which regulate nutrient runoff; and

**WHEREAS**, the North Carolina Department of Environmental Quality has the authority to require the submission of site-specific erosion and sediment control plans and storm-water management plans, the authority to review and approve these plans, and the authority to conduct inspections and enforcement of these plans during the construction of the Mountain Valley Pipeline; and

**WHEREAS**, Alamance County believes access to required sediment control plans and storm-

water management plans is an important part of keeping citizens informed of the requirements established by the North Carolina Department of Environmental Quality to protect against erosion and sedimentation; and

**WHEREAS**, Alamance County has concerns about the ability of its volunteer fire departments to respond safely to any potential pipeline fire; and

**WHEREAS**, Alamance County recognizes the landowners hopes for the future use of their property by their heirs; and

**WHEREAS**, MVP is highly incentivized to extend its Pipeline into North Carolina due to the guaranteed predetermined financial return on its financial investment to build the Pipeline regardless of the true need for the Pipeline; and

**WHEREAS**, Church expansion and cemetery integrity may be adversely impacted by the proposed pipeline.

**NOW THEREFORE**, be it hereby **RESOLVED** by the Board of Commissioners of Alamance County that in consideration of the concerns shared above that in the pre-filing deliberations of the FERC that Alamance County Board of Commissioners is recorded as being opposed to the MVP Pipeline entering and being installed in Alamance County:

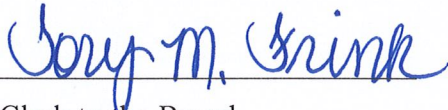
1. Alamance County has heard the concerns of the citizens owning property impacted by the proposed pipeline and resolves the Federal Energy Regulatory Commission take into consideration the protection of domestic water sources, wells, springs and water bodies; public safety; residential developments and property values; and
2. Alamance County urges MVP Southgate to fully and fairly compensate all property owners affected by any pipeline construction activity in accordance with the law set forth in Chapter 40A of the North Carolina General Statutes; and

**AND BE IT FURTHER RESOLVED** that the Board of County Commissioners of Alamance County, North Carolina hereby directs the County Attorney to transmit this Resolution to: the Federal Energy Regulatory Commission (FERC) for inclusion in pre-filing Docket Number PF18-4-000.

Upon motion of Commissioner Boswell seconded by Commissioner Byrd the foregoing resolution was adopted this the 4th day of September 2018.

I, Tory Frink, Clerk to the Board of Commissioners for Alamance County, North Carolina DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on September 4, 2018 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in Minute Book No 42 at Page No. TBD of the minutes of said Board.

WITNESS my hand and the seal of said County this 6<sup>th</sup> day of September, 2018.



Clerk to the Board

