

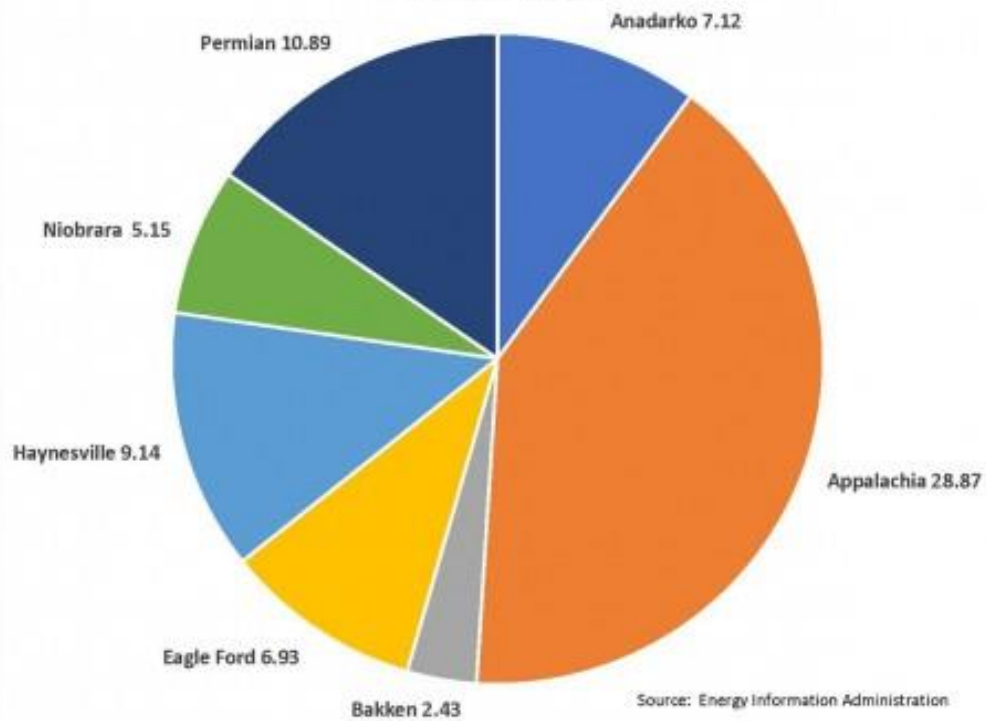
Pipeline 101  
Permitting and Permit Review  
Section 401 CWA  
Natural Gas Pipelines

Association of State Wetland  
Managers

7 November 2018

## Natural Gas Production August 2018

70.53 Bcf/d



# Pipelines

Gathering  
Transmission  
Distribution

Upstream  
Midstream  
Downstream



# Gathering



# Transmission





# Distribution



# What is a Regulated Pipeline?





# USACE NWP 12 Utility Line Activities



# Corps NWP 12 Specific Regional Conditions:

d. Anti-seep collars or clay plugs must be utilized for trenching activities conducted in a perennial or intermittent stream or a wetland.









05/06/2014

# NWP 12 West Virginia 401 Water Quality Certification Special Conditions:

- A. Individual State Water Quality Certification is required for:
  - i. Pipelines equal to or greater than 36 inches in diameter;
  - ii. Pipelines crossing a Section 10 river (unless the bore is greater than 100 feet below the stream bed on the Ohio River mainstem, or greater than 50 feet below the stream bed on all other Section 10 waters);



# 36 inch Diameter





# Section 10 Streams in West Virginia

- Ohio River.....Total Length in State
2. Kanawha River.....Total Length
3. New River.....Total Length in State
4. Big Sandy River.....Total Length
5. Tug Fork.....58 Miles
6. Elk River.....139 Miles
7. Gauley River.....75 Miles
8. Guyandotte River.....122 Miles
9. Little Kanawha River.....130.75 Miles
10. Greenbrier River.....150.50 Miles
11. Coal River.....57.90 Miles
12. Monongahela River.....Total Length in State
13. Tygart River.....7 Miles
14. West Fork.....74 Miles
15. Shenandoah River.....Total Length in State
16. Potomac River.....Total Length in State

# West Virginia 401 Special Conditions:

J. Prior written notification to West Virginia Department of Environmental Protection, Division of Water and Waste Management (WV DEP DWWM) is required when this permit is being used for vented low water crossings.

L. No structure authorized by this permit shall impede or prevent fish movement upstream or downstream.













# West Virginia 401 Special Conditions:

H. Horizontal directional drilling for underwater crossings requires an Inadvertent Return Contingency Plan certified by a West Virginia Professional Engineer to be kept on site and made available upon request.

# HDD Contingency

Failed bore  
Inadvertent return(s)





# Corps NWP 12 Specific Regional Conditions:

- b. For all horizontal directional drilling activities requiring authorization from the Corps pursuant to section 10 of the Rivers and Harbors Act of 1899, the PCN must include a drilling mud clean-up plan as a contingency for an inadvertent return of drilling mud to the surface.
  
- e. Should an inadvertent return of drilling mud occur during a directional drilling activity, and the clean-up of drilling muds necessitates the use of NWP 12 the permittee must report to the Corps the location and circumstances of the clean-up after the work has been conducted unless a PCN is otherwise required.

# Inadvertent Return





# West Virginia 401 Special Conditions:

C. Individual stream crossings must be completed in a continuous, progressive manner and within 72 hours during seasonal normal or below normal stream flow conditions. Crossings on the Ohio River, Kanawha River, New River, Monongahela River and Little Kanawha River, below the confluence with Hughes River, are exempt from the 72 hour requirements. All stream activities shall be completed as rapidly as possible.

# Wet Trench





# Cofferdam



Photo: [Detroit tarp.com](http://Detroittarp.com)

TITLE 47  
LEGISLATIVE RULE  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
WATER RESOURCES

SERIES 5A  
RULES FOR INDIVIDUAL STATE  
CERTIFICATION OF  
ACTIVITIES REQUIRING A FEDERAL PERMIT



# §47-5A-4. Applications, Procedures for Certification Issuance.

4.1. Information contained within environmental processes and reviews such as environmental assessments, environmental impact statements and mining and reclamation plans, may be used to meet part or all of the requirements of this Rule.

# §47-5A-4. Applications, Procedures for Certification Issuance.

4.1. b. The Secretary shall, within one year after an application is deemed complete, issue, waive or deny the request for a water quality certification.



Why?

Certify

Waive

Deny

# Permitting

USACE

WVDEP

USFWS

WVDNR

FERC



# WVDEP Stormwater





# Water Withdrawal





# Jurisdiction

All Waters of the US  
are

Waters of the State  
not all

Waters of the State  
are

Waters of the US

# USFWS

## Endangered Species



# WVDNR

401 Review

ROE Stream Crossing

Wildlife Management Areas

Mussel Surveys

Cooperating Agency



# Native Mussel Protection

CSR 58-60-5.11



# State Wildlife Action Plan

## Species of Greatest Conservation Need





# Training Experience Volume

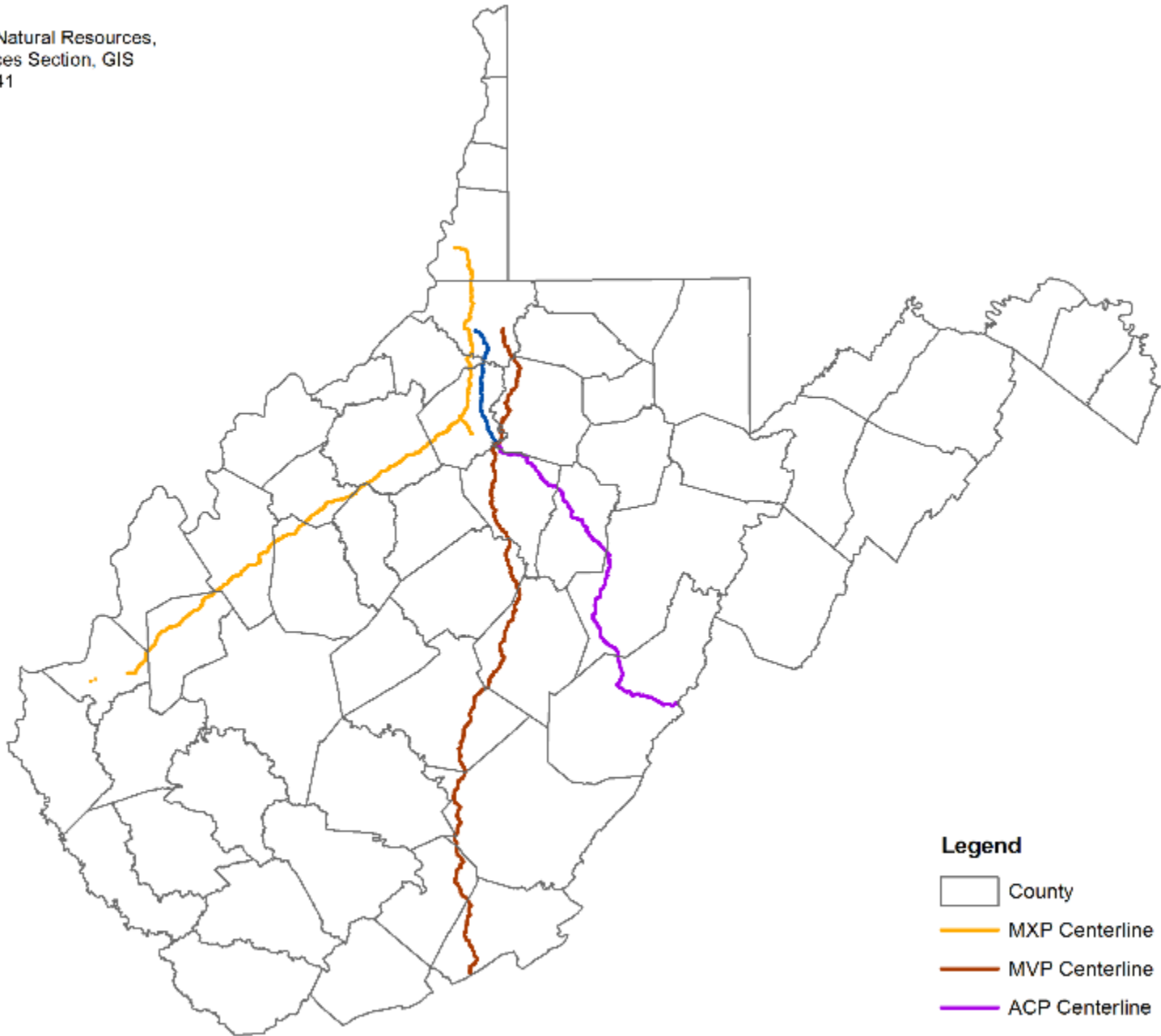









# West Virginia 2015-2018

Brooke County Access  
Eastern Panhandle Expansion  
Mountain Valley Pipeline  
Equitrans Expansion  
WB Xpress  
Mountaineer Xpress  
Ohio Valley Connector  
Utica Access  
Rover  
WB2VA Integrity  
Leach Xpress  
Atlantic Coast Pipeline  
Supply Header Project

Prepared by  
WV Division of Natural Resources,  
Wildlife Resources Section, GIS  
Elkins, WV 26241



**Legend**

-  County
-  MXP Centerline
-  MVP Centerline
-  ACP Centerline
-  Supply Header Centerline

# TERMINOLOGY

**DRIP:** A vessel attached beneath a gas pipeline in which water and liquids accumulate due to gravity.

**LOOPING:** Two or more pipelines running parallel to each other to increase capacity

**MUD:** Drilling fluid circulated through the drill pipe and back to the surface during rotary drilling.

**PIG:** A scraping instrument for cleaning a pipeline.

**SMART PIG:** Inspection devices that record information about the internal conditions of a pipeline.



# Acronyms and Abbreviations

ATWS additional temporary workspace

AMM Avoidance and Minimization Measures

LOD Limit of Disturbance

MLV mainline valve

TOYR time of year restriction

TWS temporary workspace

# USACE

Single and complete project  
Permanent Impact  
Temporary Impact

# USFWS

Informal Consultation

Formal Consultation

Jeopardy

Formal Conference

BA biological assessment

BO Biological Opinion

LAA likely to be adversely affected



# FERC

Ex-parte

Cooperating agency

Intervenor

Open House

Participating agency

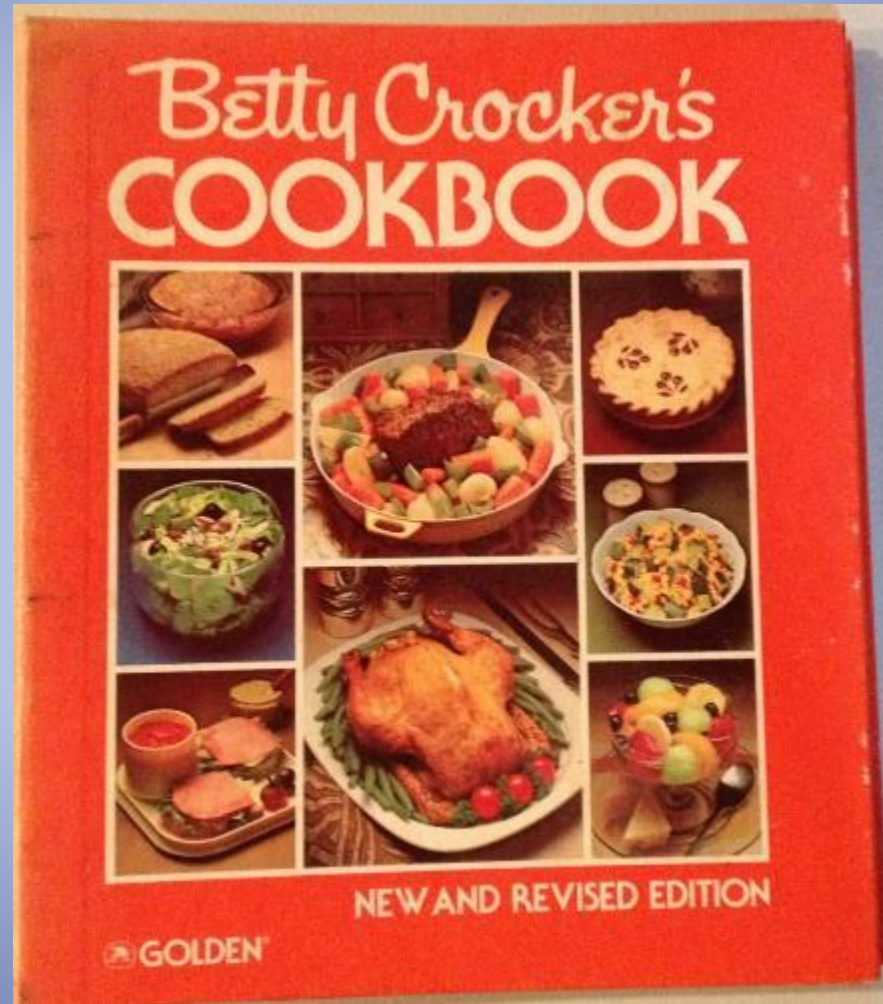
Resource Reports

Scoping meetings

# EO 13807

“...Federal environmental review  
and permitting...coordinated,  
predictable and transparent”

# Not "One" Recipe

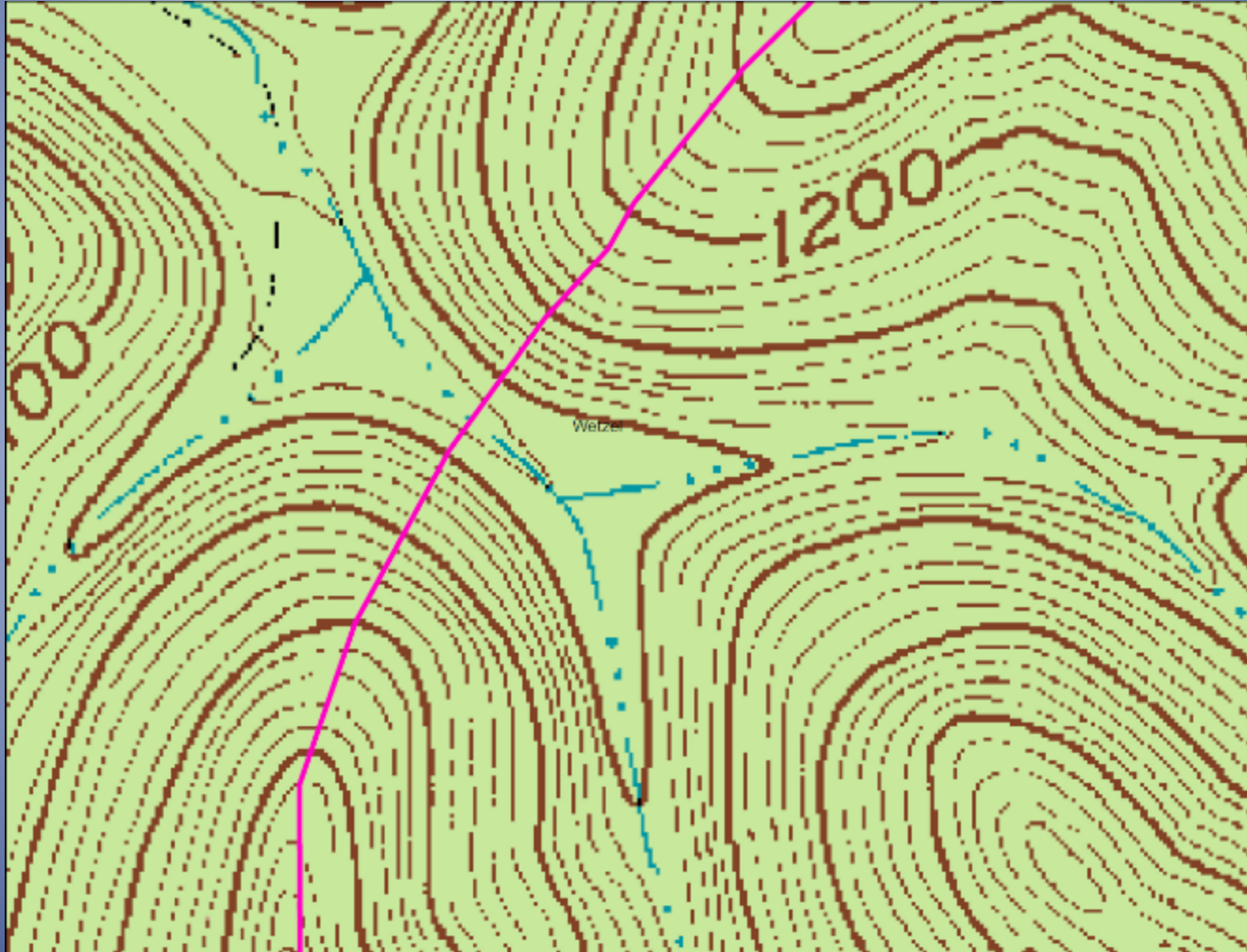




# Use Special Conditions (ingredients)



# 401 Desk top review



Recognize Responsibilities

Utilize Available Information

Train Administration

Understand the Impact

Avoid the Failure of Process



# Failed Process

ACP - USFWS

MVP - USACE

MVP – BLM/USFS

# Protect the Resource

