

## **SHENANDOAH RIVERKEEPER COMMENTS TO THE SWCB**

Hi. My name is Mark Frondorf and I am the Shenandoah Riverkeeper.

My job is to protect the Shenandoah River watershed by holding polluters accountable and to encourage people to get out and enjoy the beautiful Shenandoah River, which is at serious risk from the proposed Atlantic Coast Pipeline.

Thomas Jefferson is my favorite Virginian. Check that. Thomas Jefferson is my favorite American. He still has much to teach us, if only we were to listen.

Thomas Jefferson said that, *In matters of style, swim with the current; in matters of principle, stand like a rock.*

I am standing in front of you today, asking you to stand like a rock, uphold your principles, protect our water, and vote against the 401 certification for the Atlantic Coast Pipeline.

DEQ has been whispering to you that you must vote “Yes” on the ACP certification.

The purpose of the SWCB is to act as part of Mr. Jefferson’s beloved checks and balances. Our Founding Fathers were fearful of their government not being prudent in how the people’s money and its resources are spent and used. They were fearful about the taking of private land by the government. So they established a system of Checks and Balances to bridle the activities of the government. Virginia ratepayers and its citizens are being forced to bear the financial burden and the health risks to its water quality.

DEQ has been attempting to sequester you, preventing you from getting answers to questions that we all have about this unneeded and unwanted pipeline.

- Where are the sediment and erosion control plans?
- Where are the stormwater management plans?
- What about the cumulative impacts of this project?

If Mr. Jefferson were here today, not as the author of the Declaration of Independence, not as the third president of the United States, but if he were here today as the Father of the University of Virginia, what would he think about this. If a doctoral student presented this material to him, do you really think he would accept such shoddy workmanship and bestow a degree, or in this case a certificate, without the work and analysis first being completed?

"I'll get back to you, Mr. Jefferson, about the sediment and erosion control. Yeah, I'll figure something out about those pesky stormwater management plans. I'll look into the totality of the impacts on water quality. Just give me my certificate and I will be on my way."

What would Mr. Jefferson do? He would be embarrassed. He would be ashamed. He would be insulted. And he would not grant the certificate. What DEQ has put before you lacks basic, fundamental scholarship. It lacks rigor.

Mr. Jefferson also said, *Whenever you do a thing, act like the whole world is watching.*

In this case, the whole world really is watching. In addition to the world, your family members, for generations to come, will look and see how you voted on a project that will seize ancestral homeland from fellow Virginians and destroy people's livelihoods. That really is the more important legacy here.

The Board has well-established legal authority to deny water certification for the Atlantic Coast Pipeline in order to protect water quality. Mr. Paylor, who is unlikely to be in his position in one month and two days, has not even acknowledged that the Board has this authority.

Nor has DEQ provided you with the information you need to determine whether there is "reasonable assurance" that state water quality standards will be protected.

The Board's sole task is to determine for itself whether water quality standards will be met or violated by the construction and operation of the ACP.

You are good people. You agreed to serve on this Board to protect Virginia's water. I'm confident in your intellect, in your character, in your principles. I'm confident that you will do the right thing and vote no on the certification of the Atlantic Coast Pipeline. And I am sorry that Mr. Paylor and DEQ put you in this position.

Mr. Jefferson said that *The care of human life and happiness, and not their destruction, is the first and only object of good government.*

Look around. Do you feel good about all of this? Does this strike you as being good government? Do the right thing. Protect our water and vote no on the certification.