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Subject: PRESS RELEASE: DPMC to Seek Court Order Providing Access to Pipeline Documents
Date: Thursday, May 05, 2016 5:28:44 PM

DPMC Legal Petition Against Virginia DEQ and Natural Resources Secretary, Officials Withhold Information About Natural Gas Pipeline Proposals

On May 5, 2016, the Dominion Pipeline Monitoring Coalition (DPMC) sent a Petition for Writ of Mandamus and Injunctive Relief to Angela Navarro, Deputy Secretary of Natural Resources, and David Paylor, Director of the Department of Environmental Quality (DEQ) to compel the State to provide information about regulatory reviews of the Atlantic Coast Pipeline (ACP) and Mountain Valley Pipeline (MVP) proposals. The Petition, prepared for filing in the Virginia Circuit Court in Richmond, describes how State officials have violated duties under Virginia's Freedom of Information Act (FOIA). Copies of the Petition are being served on the State in advance of Court filing, in accordance with Virginia law.

"We are disappointed that Virginia's environmental officials have failed to live up to a law designed to give Virginian's open access to their own government," said Rick Webb, DPMC Coordinator. "Nearly three weeks ago, we asked for public records that would help us and other citizens understand what the State intends to do to protect citizens and the environment from damages the pipelines could cause. Officials are supposed to respond to such information requests within five business days but we received no reply for nearly three weeks. Finally yesterday they acknowledged they'd received our letter but did not offer to provide the information we've requested."

The Virginia DEQ has a duty, under the federal Clean Water Act and Virginia Water Protection laws, to review the gas pipeline proposals and ensure that no project goes forward unless all water quality standards will be met. However, as DPMC's April 14 letter recounts, Virginia DEQ seems to be willing to cover both ACP and MVP under "general permits;" essentially rubber stamping the projects under blanket approvals issued in 2012 and intended only for small projects that pose little risk to waters. DPMC sought public records through the April request to clarify the State's positions and to question whether the DEQ is able to justify its approach.

This is the second time this year that Virginia officials have violated the Freedom of Information Act after DPMC requested records on the gas pipelines. In an earlier case, Carlos Hopkins, Counsel to Governor McAuliffe, failed to provide records within the required period. On March 4, 2016, David Sligh of DPMC wrote Hopkins: "I believe the Governor's

Office is now in violation of the time requirement for response to FOIA requests, under 37 § 2.2-3704. You informed me that the check sent on behalf of DPMC was received at your office on February 15 or 16.

Therefore, the records or an appropriate response should have been sent no later than Feb. 23." Less than two hours after receiving Sligh's note, Mr. Hopkins provided the documents but failed to explain the failure to abide by the law.

"This legal action is about much more than an arbitrary deadline or a technicality," Rick Webb stated: "It's about the McAuliffe administration's respect for the rights of citizens trying to play their proper roles and protect their communities and natural resources. The law says a failure to properly respond to a FOIA request is the same as refusing the request outright. We won't accept a refusal of our rights."

The petition can be accessed [here](#). The April 14 letter, including the FOIA request, can be accessed [here](#).

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