

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

**In Reply Refer To:**  
OEP/DG2E/Gas Branch 4  
Atlantic Coast Pipeline, LLC  
Atlantic Coast Pipeline  
Dominion Energy Transmission, Inc.  
Supply Header Project  
Docket Nos. CP15-554-000,  
CP15-554-001, and CP15-555-000

August 10, 2018

Mr. Matthew R. Bley  
Director, Gas Transmission Certificates  
Dominion Energy Transmission, Inc.  
707 East Main Street  
Richmond, VA 23219

**Re: Notification of Stop Work Order**

Dear Mr. Bley:

On August 6, 2018, the United States Court of Appeals for the Fourth Circuit issued an order vacating a right-of-way-permit by the Department of the Interior's National Park Service (NPS) authorizing the construction of the Atlantic Coast Pipeline (ACP) across the Blue Ridge Parkway and providing detailed reasoning for its May 15, 2018 order vacating the Incidental Take Statement issued by the U.S. Fish and Wildlife Service (FWS) with respect to the project. In light of this development, Atlantic Coast Pipeline, LLC (Atlantic) has not obtained the rights-of-way and temporary use permits from the NPS needed for ACP to cross certain federally owned lands and lacks an Incidental Take Statement for the project.

There is no reason to believe that the NPS, as the land managing agency, will not be able to comply with the Court's instructions and to ultimately issue a new right-of-way grant that satisfies the Court's requirements, or that FWS will not be able to issue an Incidental Take Statement that does likewise. However, Commission staff cannot predict when NPS or FWS may act or whether NPS will ultimately approve the same route. Should NPS authorize an alternative crossing location, Atlantic may need to revise substantial portions of the ACP route across non-federal or federal lands, possibly requiring further authorizations and environmental review. Accordingly, allowing

continued construction poses the risk of expending substantial resources and substantially disturbing the environment by constructing facilities that ultimately might have to be relocated or abandoned.

**Atlantic and Dominion Energy Transmission, Inc. (DETI) are hereby notified that construction activity along all portions of the ACP and Supply Header Project and in all work areas must cease immediately, with the exception of any measures deemed necessary by appropriate agencies such as NPS and the U.S. Forest Service, or by FERC staff to ensure the stabilization of the right-of-way and work areas.**

Within 5 days, Atlantic and DETI must provide an interim right-of-way and work area stabilization plan for review and written approval by the Director of the Office of Energy Projects or his designee. In addition, should Atlantic and DETI believe that any portions of the project, other than the Blue Ridge Parkway Crossing and areas in which species or habitat covered by the Incidental Take Statement are present, have independent utility such that they can provide service in the absence of portions of the project in the areas described above, they may, within 3 days, file supporting information to that effect with the Commission.

Commission staff intends to review the need for this stop work notification in light of further actions that the NPS or FWS will take with respect to the issues raised in the Court's opinion and information provided by Atlantic and DETI, and stand ready to assist to achieve a prompt resolution.

Sincerely,

Terry L. Turpin,  
Director,  
Office of Energy Projects

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