



## *ABRA Update #135 – June 22, 2017*

### **FERC Is Asked to Conduct Hearing on Justifying the ACP**

The Southern Environmental Law Center, on behalf of several ABRA member organizations, filed on June 21 a motion asking that the Federal Energy Regulatory Commission (FERC) hold a hearing on the legitimacy of Dominion and Duke Energy's natural gas demand claims as a basis for building the Atlantic Coast Pipeline.

The [motion](#) requests FERC to hold a hearing to ensure consumers and landowners are protected from an unnecessary pipeline and resolve the following disputed issues:

- Agreements between Atlantic Coast Pipeline, LLC and its own affiliates are insufficient evidence that there is a growing demand for natural gas.
- New forecasts from the Energy Information Administration and the regional grid manager show no growth in demand for natural gas needs in Virginia and North Carolina through 2030.
- Already existing and planned pipeline capacity in the region is adequate to meet any demand that does exist.

SELC's request was filed on behalf of Shenandoah Valley Network, Highlanders for Responsible Development, Virginia Wilderness Committee, Shenandoah Valley Battlefields Foundation, Natural Resources Defense Council, Cowpasture River Preservation Association, Friends of Buckingham, and Winyah Rivers Foundation.

Readers of ABRA Update are urged to file a letter in support of the motion for an evidentiary hearing. Refer to the SELC filing as a "motion for an evidentiary hearing filed on June 21, 2017 by the Southern Environmental Law Center on behalf of Conservation Groups." It was filed under Docket Nos CP15-554-000, CP15-554-001 and CP15-555-000. Commenters also may wish to attach the [SELC motion](#) and/or provide their own reasons on why the request is worthy of being granted. For further assistance in filing comments, consult this [link](#).

### **Pipelines and Water Webinar Scheduled for Wednesday, June 28**

A special webinar on Pipelines and Water will be conducted by Appalachian Voices next Wednesday, June 28, from 12:30 to 2 pm. The session will cover state-level water quality certification under the Clean Water Act § 401 and how to engage in the 401-process for the interstate Mountain Valley and Atlantic Coast pipeline projects. It will also explain the basics of how to do baseline water testing in wells and waterbodies potentially impacted by fracked gas infrastructure projects and why it is important.

Details and registration is available at <http://appvoices.org/webinars/pipelines-and-water/>. For those unable to participate at the scheduled time, the session will be recorded.

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## Follow-up Questions Asked of DEQ's Paylor

The June 6 visit of David Paylor, Director of the Virginia Department of Department of Environmental Quality (DEQ), to a portion of the proposed Atlantic Coast Pipeline route in Highland and Bath County has been followed up with a series of questions. In a [June 11 letter](#) from hosts of the day-long visit - Bill Wilson, President of the Jackson River Preservation Association, and Richard Brooks, President of the Cowpasture River Preservation Association – Director Paylor was asked for if the DEQ will defer planned hearings in August if Dominion's application is not yet complete, whether the agency will require site-specific erosion and sediment control plans, as well as stormwater management plans, and insist upon a list of specific streams where instream blasting is planned.

## Pipeline Calendars: Who's on First? What's on Second?

Tomorrow, June 23, is the date on which the final Environmental Impact Statement (FEIS) for the Mountain Valley Pipeline (MVP) is to be released. That date, if it holds, will be followed by several other target dates over the next several months when key decisions, information releases or meetings for the MVP or Atlantic Coast Pipeline (ACP) are scheduled. Here is a rundown of some of those dates, as of this writing:

### Atlantic Coast Pipeline

- Tuesday, July 18, 6-9 pm – North Carolina Department of Water Resources (DWR) hearing on water quality certification application for ACP under Section 401, Clean Water Act, Fayetteville Technical Community College, Cumberland Hall, Fayetteville, NC. (sign-in for speakers at 5 pm),
- Thursday, July 20, 6-9 pm – NC DWR hearing on Section 401 application for ACP, Nash Community College, Brown Hall, Rocky Mount, NC. (sign-in for speakers at 5 pm).
- Friday, July 21 – Final Environmental Impact Statement for the ACP scheduled to be released by FERC.
- Monday, July 31 and Tuesday, August 1 – West Virginia Department of Environmental Protection hearings on Section 401 application for ACP, to be held in in Upshar and Pocahontas Counties, further details not yet available.
- August 7, 6-10 pm – Virginia Department of Environmental Quality (DEQ) hearing on water quality certification application for ACP, Harrisonburg, VA, James Madison University, Festival Conference & Student Center, Grand Ballroom
- August 10, 6-10 pm – VA DEQ hearing on Section 401 application for ACP, Longwood University, Jarman Auditorium
- Dinwiddie, VA – Dinwiddie High School (date and details to be announced)
- Thursday, September 28 – VOF Board of Directors meeting (location to be determined). No agenda available yet, but there is some speculation that proposed environmental easement conversions for the ACP will be considered at that meeting.

- Thursday, October 19 – Decision deadline for FERC to issue a permit for the ACP.

### **Mountain Valley Pipeline**

- Thursday, June 22 – Virginia Outdoors Foundation (VOF) Board of Directors, meeting in Fredericksburg, VA, considers an application for a conversion of an environmental easement to accommodate an access road for the MVP. The Southern Environmental Law Center filed a letter with VOF objecting to the conversion application. Details at: <http://www.virginiaoutdoorsfoundation.org/2017/06/mountain-valley-pipeline-applies-conversion-roanoke-county-easement/>.

The VOF Energy and Infrastructure Committee also meets on the 22<sup>nd</sup> to consider the following amendment to VOF policy (proposed new language in *italics*):

The siting of large-scale commercial or industrial energy or infrastructure projects on VOF easements is typically inconsistent with conservation values protected by VOF easements; *However, the siting of renewable energy facilities may be accommodated on VOF easements on a case by case basis if impacts to conservation values are limited.*

- Friday, June 23 – Final Environmental Impact Statement for the MVP scheduled to be released by FERC.
- August 8 – VA DEQ hearing on Section 401 application for MVP, Radford University, Presto/Bondurant Auditorium
- Chatham, VA – Chatham High School (date and details to be announced)
- Thursday, September 21 – Decision deadline for FERC to issue a permit for the MVP.
- Thursday, October 19 – Decision deadline for FERC to issue a permit for the ACP.

Both the ACP and the MVP cross National Forests lands, thus requiring that a special use permit be granted by the National Forest Service. At this writing, no decision has yet been made on issuing the Forest Service permits for either pipeline. When that announcement is made, there will be a separate comment period provided by the Forest Service. Information on those developments will be available when known.

## ***In the News:***

### **Local/Atlantic Coast Pipeline**

#### **Feds need a summer mountain day**

- The Recorder – 6/22/17

[http://www.abralliance.org/wp-content/uploads/2017/06/Feds\\_need\\_a\\_summer\\_mountain\\_day-Recorder\\_editorial\\_20170622.pdf](http://www.abralliance.org/wp-content/uploads/2017/06/Feds_need_a_summer_mountain_day-Recorder_editorial_20170622.pdf)

#### **Environmental groups: Justification for Dominion's Atlantic Coast Pipeline has 'eroded'**

- Richmond Times-Dispatch – 6/21/17

[http://www.richmond.com/business/environmental-groups-justification-for-dominion-s-atlantic-coast-pipeline-has/article\\_00b2a016-b48b-5751-986f-66d37281a1bf.html](http://www.richmond.com/business/environmental-groups-justification-for-dominion-s-atlantic-coast-pipeline-has/article_00b2a016-b48b-5751-986f-66d37281a1bf.html)

The groups are seeking an evidentiary hearing before the Federal Energy Regulatory Commission, which is weighing the proposed pipeline's environmental effects, rates and necessity.

Related:

- <http://augustafreepress.com/selc-requests-ferc-hearing-dominion-duke-energy-look-build-acp-backs-customers/>

### **Dominion sticks to proposed ACP route**

- The Recorder – 6/22/17

[http://www.abralliance.org/wp-content/uploads/2017/06/Dominion\\_sticks\\_to\\_proposed\\_ACP\\_route-Recorder\\_20170622.docx.pdf](http://www.abralliance.org/wp-content/uploads/2017/06/Dominion_sticks_to_proposed_ACP_route-Recorder_20170622.docx.pdf)

Concerns persist over Dominion's determination to route the proposed pipeline through environmentally sensitive mountains and valleys vulnerable to water and air pollution, karst damage and permanent ridgetop deforestation.

### **Pipeline astroturfing continues**

- The Recorder – 6/22/17

[http://www.abralliance.org/wp-content/uploads/2017/06/Pipeline\\_astroturfing\\_continues-Recorder\\_20170622.pdf](http://www.abralliance.org/wp-content/uploads/2017/06/Pipeline_astroturfing_continues-Recorder_20170622.pdf)

FERC has received more than 500 identical messages since May 31 calling for rejection of efforts to halt the proposed Atlantic Coast Pipeline.

### **In the pipeline's path: Property owners object to use of eminent domain**

- The Wilson Times – 6/20/17

<http://www.wilsontimes.com/stories/in-the-pipeline8217s-path.87054>

Related:

<http://wilsontimes.com/stories/pipeline-land-grab-sets-stage-for-limit-on-eminent-domain.87145>

### **Virginia's Power Broker**

- The American Prospect – 6/22/17

<http://prospect.org/article/virginia%E2%80%99s-power-broker>

Between April 2016 and May 2017, there was nearly one Dominion lobbyist for every nine lawmakers in the state legislature, according to the Virginia Public Access Project.

### **In Atlantic Coast Pipeline Battle, Dominion Hires Democratic PR Firm That Created Ads for Virginia Governor**

- DeSmog – 6/18/17

<https://www.desmogblog.com/2017/06/18/atlantic-coast-pipeline-dominion-hires-skdknickerbocker-ads-virginia-governor-mcauliffe>

This is not the first time SKDKnickerbocker has worked for a major fossil fuel company. At the height of the controversy over the Keystone XL pipeline during the Obama years, the firm provided PR for TransCanada, the project's owner.

## **Regional/Mountain Valley Pipeline, other**

### **Pipeline Fighters Take a Stand in Virginia Vote**

- Morning Consult – 6/22/17

<https://morningconsult.com/opinions/pipeline-fighters-take-stand-virginia-vote/>

Perriello out-performed in counties along the pipeline routes where there is active opposition.

### **'A very confused, inaccurate picture is being spread': Why did Virginia DEQ wait seven weeks to correct inaccurate pipeline statement?**

- Richmond Times-Dispatch – 6/21/17

[http://www.richmond.com/news/a-very-confused-inaccurate-picture-is-being-spread-why-did/article\\_af7757f9-4e3c-51a8-8c14-93781eded5b5.html](http://www.richmond.com/news/a-very-confused-inaccurate-picture-is-being-spread-why-did/article_af7757f9-4e3c-51a8-8c14-93781eded5b5.html)

The DEQ's April 6 announcement made a splash in a competitive Democratic gubernatorial primary contest that made the pipelines a red-hot issue.

Related:

[http://www.roanoke.com/business/news/virginia-deq-pledges-thorough-review-of-pipeline-impacts/article\\_94f64b8d-e65a-5e15-a6a4-f988734bd608.html](http://www.roanoke.com/business/news/virginia-deq-pledges-thorough-review-of-pipeline-impacts/article_94f64b8d-e65a-5e15-a6a4-f988734bd608.html)

### **Editorial: Two questions about the pending pipeline decision**

- The Roanoke Times – 6/20/17

[http://www.roanoke.com/opinion/editorials/editorial-two-questions-about-the-pending-pipeline-decision/article\\_7034d8b8-2945-5509-b89a-a2b79904463a.html](http://www.roanoke.com/opinion/editorials/editorial-two-questions-about-the-pending-pipeline-decision/article_7034d8b8-2945-5509-b89a-a2b79904463a.html)

## Big Picture:

### **Rick Perry just denied that humans are the main cause of climate change**

- The Washington Post – 6/19/17

<https://www.washingtonpost.com/news/energy-environment/wp/2017/06/19/trumps-energy-secretary-just-denied-that-man-made-carbon-dioxide-is-the-main-driver-for-climate-change/>

Perry's comments fall in line with what Environmental Protection Agency administrator Scott Pruitt said in a March interview. Pruitt said then that he does not believe carbon dioxide is a primary contributor to global warming.

### **Utilities need to plan for a 100% renewable energy future, even if it never happens**

- Quartz – 6/22/17

<https://qz.com/1011798/utilities-need-to-plan-for-a-100-renewable-energy-future-even-if-it-never-happens/>

"Never in recent history has the deployment of capital been more difficult than it is right now within the energy industry," one utilities analyst told The Economist earlier this year.

### **REPORT: Bank Investments in Fossil Fuels Threaten Climate Change Goals**

- Color Lines – 6/21/17

<https://www.colorlines.com/articles/report-bank-investments-fossil-fuels-threaten-climate-change-goals>

A new report finds that with \$87 billion going toward the fossil fuel industry last year, banks are funding the possible failure of the Paris Agreement.

### **Increased Reliance on Natural Gas Risks an Emissions Lock-In**

- Common Dreams – 6/22/17

<https://www.commondreams.org/newswire/2017/06/22/increased-reliance-natural-gas-risks-emissions-lock#>

Continued investments into the (natural gas) sector create the risk of breaching the Paris Agreement's long-term temperature goal and will result in stranded assets, the Climate Action Tracker (CAT) said today.

### **Can Renewables and Nuclear Co-Exist in Our Clean Energy Future?**

- Real Clear Energy – 6/20/17

[http://www.realclearenergy.org/articles/2017/06/20/can\\_renewables\\_and\\_nuclear\\_co-exist\\_in\\_our\\_clean\\_energy\\_future\\_110237.html](http://www.realclearenergy.org/articles/2017/06/20/can_renewables_and_nuclear_co-exist_in_our_clean_energy_future_110237.html)

Relatively "clean", emissions-free nuclear power is struggling with renewables and cheap gas ascendant.

### **Government Action Isn't Enough For Climate Change. The Private Sector Can Cut Billions Of Tons Of Carbon**

- Huffington Post – 6/22/17

[http://www.huffingtonpost.com/entry/government-action-isnt-enough-for-climate-change-the\\_us\\_594baee4e4b07cdb1933c004](http://www.huffingtonpost.com/entry/government-action-isnt-enough-for-climate-change-the_us_594baee4e4b07cdb1933c004)

Article shows how private climate efforts can deliver a billion tons of emissions reductions per year over the next decade from the corporate and household sectors.