



ABRA Update #136 – June 29, 2017

DEQ Hires Dominion Contractor to Evaluate Dominion Water Quality Plans!

An “Alice in Wonderland” reality may be the best way to characterize the latest revelation about the plans of the Virginia Department of Environmental Quality (DEQ) to evaluate the water quality plans for the Atlantic Coast Pipeline. It was revealed in a June 28 communication released via the DeSmog blog, that DEQ has hired a contractor – Richmond-based EEE Consulting – to evaluate water quality plans submitted by Dominion Energy for the Atlantic Coast Pipeline and that the contractor also does work for Dominion. The [DeSmog piece](#) states:

These revelations come shortly after Virginia officials reiterated to both the public and Dominion the objective nature of its review processes.

As the Roanoke Times [revealed](#) this week, Virginia’s secretary of natural resources recently told Dominion that the state “will not base their decisions on requests or suggestions from an applicant.” Following several email exchanges and at least one meeting between Dominion lobbyists and DEQ officials, Secretary Molly Ward sent a letter to Dominion advising of the state’s impartiality.

“There could be no pre-determined outcomes,” Ward wrote, “the Atlantic Coast Pipeline is a project of enormous scope and complexity and deserves close, objective scrutiny.”

Under constant pressure by the vocal opposition to the pipeline, the DEQ also published a [webpage](#) detailing a list of additional conditions it is imposing on Dominion, which go “well beyond other regulatory requirements and will protect water quality across the range of pipeline activities, not just temporary construction impacts to streams and wetlands.” These requirements include the plans now being reviewed by EEE Consulting.

As Alice said 150 years ago, things are getting “Curiouser and curiouser!”

Comprehensiveness Urged in Pipeline Water Quality Reviews

Virginia state officials have been asked to use the full scope of the Commonwealth’s authority in assessing the impacts of the Mountain Valley and Atlantic Coast pipelines. In a [June 29 letter from 86 conservation and environment organizations](#) to Governor McAuliffe and David Payor, Director of the Department of Environmental Quality (DEQ), the groups urged that:

- Individual water certification review for wetland and stream crossings be used, rather than relying on the Army Corp of Engineers’ nationwide permit system;

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- Public hearings on certifying water quality of the projects under Section 401 of the Clean Water Act – a state responsibility – be deferred “until the pipeline developers have provided all information for thorough DEQ review, and the public has had an opportunity examine that information;
- Th 401 review not be rushed, as “protection of Virginia’s streams, rivers and wetlands is too important to place risk.”

The letter to Governor McAuliffe and Director Paylor was spearheaded by the Virginia Conservation Network, Southern Environmental Law Center and the Shenandoah Valley Network.

Fish and Wildlife Service Voices Concerns Over ACP

A “lack of sufficient data” about the biological impacts of the Atlantic Coast Pipeline (ACP) was cited as a major concern by the U.S. Fish and Wildlife Service (FWS) in comments to the Federal Energy Regulatory Commission that, until this week, had been shielded from public view. The [March 30 letter from John Schmidt](#), Field Supervisor for the West Virginia FWS office, had been classified as “Privileged” but was obtained this week under the Freedom of Information Act by *The Recorder* newspaper. It was written as comments on the Draft Environmental Impact Statement for the ACP on behalf of FWS field offices in North Carolina, Virginia and West Virginia.

As the *Recorder* reported in its June 29 issue (see full article below, In the News):

One concern shared by field offices in all three states concluded the draft EIS was so sketchy with respect to karst, and endangered and threatened species survey data that the USFWS could not begin discussions about the document.

“The Service cannot initiate formal consultation with this DEIS; we still lack sufficient data to form a biological opinion for multiple species due to incomplete survey data,” the letter states.

Forest Service Gives O.K. For Exceptions to Accommodate MVP

Eleven exceptions to the Jefferson National Forest Plan have been approved by the U.S. Forest Service to permit the proposed route for the Mountain Valley Pipeline. The “[Draft Record of Decision](#)” was released June 23 and affects Forest land in Monroe County, West Virginia and Giles and Montgomery Counties in Virginia. A Forest Service decision on whether and how to amend the Forest Plan for the Monongahela and George Washington National Forests, through which the Atlantic Coast Pipeline route would traverse, has not yet been made, but could be announced as early as July.

In the News:

Local/Atlantic Coast Pipeline

‘Cannot initiate’ on pipeline DEIS, agency says

- The Recorder – 6/29/17

[http://www.abralliance.org/wp-](http://www.abralliance.org/wp-content/uploads/2017/06/Cannot_initiate_on_pipeline_DEIS_agency_says-Recorder_20170629.pdf)

[content/uploads/2017/06/Cannot_initiate_on_pipeline_DEIS_agency_says-Recorder_20170629.pdf](http://www.abralliance.org/wp-content/uploads/2017/06/Cannot_initiate_on_pipeline_DEIS_agency_says-Recorder_20170629.pdf)

A letter stamped “privileged” from the U.S. Fish and Wildlife Service to the Federal Energy Regulatory Commission expresses deep concerns over incomplete surveys and data.

VOF may review Hayfields plan in September

- The Recorder – 6/29/17

http://www.abralliance.org/wp-content/uploads/2017/06/VOF_may_review_Hayfields_plan_in_September-Recorder_20170629.pdf

The foundation has explained to the Federal Energy Regulatory Commission the project cannot cross those easements unless they are converted — a legal state process that requires the company to offer another, similar property upon which an easement can be attached.

State official advises Dominion: Integrity of permitting process for Atlantic Coast Pipeline is 'non-negotiable'

- The Roanoke Times – 6/24/17

http://www.roanoke.com/business/news/state-official-advises-dominion-integrity-of-permitting-process-for-atlantic/article_536ade43-7dae-5f32-9f0b-5553f9b8cf3e.html

An April 19 letter from Molly Ward, Virginia's secretary of natural resources, advised Dominion that state agencies involved in permitting for the proposed 600-mile line "will not base their decisions on requests or suggestions from an applicant."

Coalition implores McAuliffe, DEQ to protect Virginia waters

- Augusta Free Press – 6/29/17

<http://augustafreepress.com/coalition-implores-mcauliffe-deq-protect-virginia-waters/>

Anti-Pipeline Hikers Reach Halfway Point Along Project's Route

- NBC29 News – 6/25/17

<http://www.nbc29.com/story/35745422/anti-pipeline-hikers-reach-halfway-point-along-projects-route>

The group Walking the Line is hiking the route of Dominion's proposed Atlantic Coast Pipeline.

Regional/Mountain Valley Pipeline, other

Forest Service's relaxed standards could allow construction of pipeline through Jefferson National Forest

- The Roanoke Times – 6/28/17

http://www.roanoke.com/news/local/franklin_county/forest-service-s-relaxed-standards-could-allow-construction-of-pipeline/article_d9ef8cac-aeec-5c64-8499-24504d754e0f.html

Allowing construction of the proposed Mountain Valley Pipeline through the Jefferson National Forest compels the U.S. Forest Service to first reduce protections for old growth forests, streamside habitat, the Appalachian Trail, scenic views and more.

Related:

- http://www.abralliance.org/wp-content/uploads/2017/06/USFS_allows_11_exceptions_to_Jefferson_Forest_Plan-Recorder_20170629.pdf

FERC's final environmental impact statement for Mountain Valley Pipeline elicits controversy

- The Roanoke Times – 6/23/17

http://www.roanoke.com/news/local/franklin_county/ferc-s-final-environmental-impact-statement-for-mountain-valley-pipeline/article_4075bf28-09a2-5780-b0a7-77d5da422497.html

The executive summary's conclusion that the Mountain Valley Pipeline would yield limited negative environmental impacts reiterated FERC's draft environmental impact statement, released in September 2016.

Related:

- <http://augustafreepress.com/ferc-fails-acknowledge-pipeline-impacts/>

- <https://www.ecowatch.com/mountain-valley-pipeline-ferc-review-2446983902.html>

Northam still feeling the heat from anti-pipeline activists

- The Roanoke Times – 6/25/17

http://www.roanoke.com/news/politics/northam-still-feeling-the-heat-from-anti-pipeline-activists/article_00e386b9-23d4-5dd9-9ee8-3e5ff3ce8f2f.html

Big Picture:

Honorable Leaving FERC Friday; LaFleur Last Woman Standing; Nominees Bottled Up in Senate

- Natural Gas Intelligence – 6/27/17

<http://www.naturalgasintel.com/articles/110920-honorable-leaving-ferc-friday-lafleur-last-woman-standing-nominees-bottled-up-in-senate>

FERC farther from a quorum than ever...what better time for a top-to-bottom agency review?

Related:

- <http://www.powermag.com/perry-ferc-official-at-odds-on-grid-reliability/>
- <http://www.utilitydive.com/news/trump-to-nominate-democratic-senate-aide-richard-glick-to-ferc/446151/>

'Bring on more renewables,' U.S. regulator says as grid study looms

- Reuters – 6/27/17

<http://www.reuters.com/article/us-usa-powergrid-idUSKBN19I2B6?feedType=RSS&feedName=domesticNews>

Wind and solar power does not make the U.S. electricity grid less stable, an outgoing federal regulator said on Tuesday.

PennEast gas project hits a wall in N.J.

- E&E News – 6/29/17

http://www.abralliance.org/wp-content/uploads/2017/06/PennEast_gas_project_hits_a_wall_in_NJ-EE-News_20170629.pdf

NJDEP has declared the project “administratively closed”. Opponents hope it will stay that way. PennEast has announced it will re-submit its permit application.

Lacking financing, utilities put \$3 billion natural gas pipeline plan on hold

- The Boston Globe – 6/29/17

<https://www.bostonglobe.com/business/2017/06/29/utilities-withdraw-plan-for-billion-natural-gas-pipeline-expansion/007zbTYmUIMWVmpjNItQ3H/story.html>

Pipeline operator Enbridge, together with Eversource and National Grid, said it needs more time to build political support for a proposed tariff on electric ratepayers.

Industry-Backed House Bill Streamlining NatGas Pipeline Reviews Advances

- Natural Gas Intelligence – 6/22/17

<http://www.naturalgasintel.com/articles/110880-industry-backed-house-bill-streamlining-natgas-pipeline-reviews-advances>

The trade groups said the bill would “improve interagency coordination” in natural gas pipeline reviews by strengthening “the role of the Federal Energy Regulatory Commission as the lead agency” in following the guidelines set out in the National Environmental Policy Act (NEPA).

Exxon’s support for a carbon tax is the first step in big oil’s long, negotiated surrender

- Vox – 6/27/17

<https://www.vox.com/energy-and-environment/2017/6/27/15869522/exxon-carbon-tax>

Exxon’s motives on this are complicated — some are short-term and greenwash-y, but others are longer-term and have to do with the industry’s health over coming decades.

Germany’s Russian gas pipeline smells funny to America

- The Economist – 6/22/17

<http://www.economist.com/news/europe/21723822-angela-merkel-says-nord-stream-2-no-ones-business-germanys-germanys-russian-gas-pipeline>

Earlier this month the Senate passed a bipartisan bill that would allow the Treasury to slap sanctions on foreign companies that invest in Russian pipelines. German officials were incensed that the bill included a call to increase American exports of liquefied natural gas, implying that blocking Russian gas was partly an effort to help American energy companies.