



ABRA Update #46 – September 18, 2015

ACP Files Permit Application With FERC

The Atlantic Coast Pipeline filed on September 18 with the Federal Energy Regulatory Commission an application for a permit to construct its proposed 564 miles natural gas pipeline. Those portions of the application available for public examination (348 of the 30,000 page application) and a press release can be accessed at <https://www.dom.com/acpipeline>. The document is also available for viewing at selected public libraries, a list of which is available at http://www.abralliance.org/wp-content/uploads/2015/09/Libraries_ACP_FERC_filing_View_Locations-.pdf.

ABRA has released a statement to the press that cites the widespread opposition to the ACP and the adverse impacts the project would have on affected communities in Virginia and West Virginia. The release is available at http://www.abralliance.org/wp-content/uploads/2015/09/ABRA_Press_Release-ACP_Permit_Filing_With_FERC_9-18-15.pdf.

The ABRA Steering Committee and others within the organization will be reviewing over the next few days the details of the filing. More information and views will be shared in next week's issue of Update.

Forest Service Urged To Advocate For a Comprehensive Regional EIS

The Southern Environmental Law Center and 26 ABRA member organizations have written the Supervisor of the George Washington and Jefferson National Forests, H. Thomas Speaks, Jr., to urge that the Forest Service “proactively engage in the NEPA process with FERC and request a comprehensive, regional EIS on the Atlantic Coast Pipeline, the Mountain Valley Pipeline, the Appalachian Connector, and the WB Xpress Project. The September 17 letter, which was also filed with FERC, makes the following major points:

- NEPA requires a comprehensive, regional EIS for the Atlantic Coast Pipeline, Mountain Valley and other pipelines proposed through the central Appalachians. NEPA requires a regional EIS because the pipeline projects are ‘proposals for . . . actions that will have cumulative or synergistic environmental impact upon a region [and] are pending concurrently’ before FERC.
- Forest Service planners can use a regional EIS to address the four pipeline projects proposed across national forest lands. When multiple proposals are pending for the same region, a separate environmental review for each project presents the serious risk that a federal agency will overlook important alternatives that could avoid or minimize impacts for the region as a whole.
- A comprehensive, regional EIS would complement FERC’s activities under the Natural Gas Act.

A copy of the letter is on the ABRA website at <http://www.abralliance.org/wp-content/uploads/2015/09/SELCLetter-to-Forest-Service-on-a-Comprehensive-Regional-EIS-9-17-15.pdf>.

ABRA Steering Committee Expands

Four new members have joined the Steering Committee of the Allegheny-Blue Ridge Alliance to broaden the representation and expertise of the group. This action follows recommendations by the ABRA Planning Committee Report that was distributed to voting representatives last month. The additional members are:

- Kirk Bowers, Pipelines Program Manager, Virginia Chapter, Sierra Club
- Angie Rosser, Executive Director, West Virginia Rivers Coalition
- Rick Webb, Coordinator, Dominion Pipeline Monitoring Coalition
- Kate Wofford, Executive Director, Shenandoah Valley Network

The Steering Committee has also agreed to expand the ABRA organization by creating committees to oversee and coordinate specific areas of responsibility. Each committee will be chaired by a Steering Committee member and include others from ABRA member organizations. This will enable ABRA to involve a greater number of people in the development of strategies. Details on the committees to be formed will be forthcoming later this month.

Forest Service Voices Concerns About the ACP's Effect On Salamanders

The U.S. Forest Service reiterated to the Federal Energy Regulatory Commission its concerns about the effect of the Atlantic Coast Pipeline on the Cow Knob and Cheat Mountain salamanders. The former exists on Shenandoah Mountain in Virginia, the latter on Cheat Mountain in West Virginia.

In a September 17 letter, H. Thomas Speaks, Jr, Supervisor of the George Washington and Jefferson National Forests, pointed out that its concerns for the two endangered species were previously expressed in its July 30, 2015 filing with FERC commenting upon the draft resource reports filed for the ACP project, as well as in meetings with ACP representatives.

Supervisor Speaks said that the ACP Project's route on Shenandoah Mountain "is not in compliance" with a 1994 Conservation Agreement between the U.S. Fish and Wildlife Service to protect the Cow Knob salamander, a species that has been deemed to face an extremely high risk of extinction or extirpation. He indicated that a copy of the Conservation Agreement had been presented to and discussed with representatives of the ACP: "We clearly stated that project effects on Cow Knob and Cheat Mountain salamanders must be avoided and cannot be mitigated. We re-emphasized our concerns during a July 7, 2015 . . . it is essential to evaluate alternative alternatives to avoid adverse effects on these two species."

A copy of the Forest Service letter is available on the ABRA website at <http://www.abralliance.org/wp-content/uploads/2015/09/GWNF-letter-on-Cow-Knob-salamanders-9-17-15.pdf>.

In the News:

Local/Atlantic Coast Pipeline

Nelson supervisors ask FERC to protect historic sites from pipeline

- Nelson County Times – 9/16/15

http://www.newsadvance.com/nelson_county_times/news/pipeline/nelson-supervisors-ask-ferc-to-protect-historic-sites-from-pipeline/article_deaedaa6-5cad-11e5-9501-87e568fce53a.html

NBOS asks FERC to do its job...to serve the people and the nation, not the oil and gas industry

Feds express more concerns on proposed pipeline plans

- The Recorder – 9/10/15

<http://www.abralliance.org/wp-content/uploads/2015/09/Feds-express-more-concerns-on-proposed-pipeline-plans-The-Recorder-9-10-15.pdf>

Concerns over construction and mitigation, etc. in karst and other sensitive areas brought to Dominion

County invites FERC to discuss water supply concerns

- News Leader – 9/11/15

<http://www.newsleader.com/story/news/local/2015/09/10/coordination-america/71998732/>
Augusta County hires consultant to “force” FERC to listen on water supply concerns

Regional/Mountain Valley Pipeline, other

Mountain Valley Pipeline files lawsuits to gain access to land in Franklin County

- Roanoke Times – 9/17/15

http://www.roanoke.com/news/local/franklin_county/mountain-valley-pipeline-files-lawsuits-to-gain-access-to-land/article_ca8ee612-2e10-5591-9f21-2d6a866562e3.html

Franklin County supervisors hold private discussions with pipeline representatives

- Roanoke Times – 9/9/15

http://www.roanoke.com/news/local/franklin_county/franklin-county-supervisors-hold-private-discussions-with-pipeline-representatives/article_7edcadc2-ca10-5dc1-8e22-2e240bdc290.html

Closed-door sessions don't sit well with locals

Our view: Why such secrecy?

- Roanoke Times – 9/16/15

http://www.roanoke.com/opinion/editorials/our-view-why-such-secrecy/article_0233b7ed-2bc1-53e6-a868-0334153f3b44.html

Why the private meetings with public officials? Generally, if someone acts like they are hiding something...

Big Picture:

FERC, D.C. Circuit Reject Recent Challenges to Gas Pipeline Development

- Jones Day – 9/2015

http://www.jonesday.com/FERC-DC-Circuit-Reject-Recent-Challenges-to-Gas-Pipeline-Development-09-11-2015/?utm_source=Mondaq&utm_medium=syndication&utm_campaign=View-Original
Potentially important for ACP/MP opponents! Results and basis for rejected legal challenges.

As US rushes to build gas lines, failure rate of new pipes has spiked

- SNL – 9/9/15

<https://www.snl.com/InteractiveX/Article.aspx?cid=A-33791090-11060>

Whether due to material defects or poor construction, the end result is the same...new pipelines are less safe...for now

Officials: Major oil and gas investments planned despite current slowdown

- The Exponent Telegram – 9/15/15

http://www.theet.com/news/local/officials-major-oil-and-gas-investments-planned-despite-current-slowdown/article_a40e0fd8-ac02-5ba9-ac5e-5c85db1767e5.html

Plans remain for billions in “takeaway capacity” over next few years in West Virginia