



## ***ABRA Update #76 – April 21, 2016***

### **Last Chance to Register for the Pipeline Summit**

Friday is the deadline to register for the April 23 Pipeline Summit at the Weyers Cave Community Center, 682 Weyers Cave Rd. (Rt. 256), Weyers Cave, VA (1.5 miles east of the I-81 Exit 235). The event, jointly sponsored by ABRA and the POWHR coalition, will begin at 10 am. Coffee, tea and water will be available beginning at 9:15 am for those arriving early. At this writing, 100 people have registered. If you're not one of them, help us swell the number! The agenda is here. To register, go to <http://abralliance.org/beta/wordpress/event/pipeline-summit/>.

### **DPMC Requests Virginia to Regulate Pipelines, Not Take Shortcuts**

The Dominion Pipeline Monitoring Coalition (DPMC) has insisted, in an April 14th letter sent to the Office of the Virginia Secretary of Natural Resources and the Virginia Department of Environmental Quality (DEQ), that regulatory shortcuts requested by proponents of the Atlantic Coast Pipeline (ACP) and Mountain Valley Pipeline (MVP) are illegal.

In the letter to Deputy Secretary of Natural Resources Angela Navarro and DEQ Director David Paylor, David Sligh of DPMC cites information from DEQ regulators indicating that the State is inclined to forgo full reviews of the pipeline proposals and grant “rubber stamp” approvals. Sligh wrote, “[w]e hope our fears are unfounded but feel compelled to explain the bases of our objections to any shortcuts that either the pipeline companies or the State may consider, which would avoid thorough, project-specific, and legally-necessary reviews.”

The letter points out that Commonwealth of Virginia has a vital role in licensing of major interstate pipeline projects. It notes that while the Federal Energy Regulatory Commission (FERC) and the U.S. Army Corps of Engineers have authority to issue permits for these pipelines, those approvals cannot be granted and the projects may not be built without Virginia's certification that all State water quality requirements will be met.

Under Section 401 of the Clean Water Act, applicants for federal approvals of pipelines must secure a Water Quality Certification from Virginia, in which the State provides “reasonable assurance” that all applicable water quality protection requirements will be met. That assurance cannot be given in these cases unless the State reviews detailed plans and assesses possible impacts on hundreds of wetlands and streams across Virginia. Despite this fact, DEQ officials have so far indicated that they believe the projects can go forward under a blanket certification given for a Corps of Engineers “Nationwide Permit” that Virginia issued in 2012. The COE Nationwide Permit and Virginia's blanket Certification was intended to cover a class of small projects

that bear no resemblance to the huge construction jobs which the ACP and MVP would involve. The Virginia Water Protection Permit regulations constitute a separate review process that the ACP and MVP must undergo.

Concluding, the DPMC letter calls on Virginia officials to “act responsibly and use the regulatory authorities provided to require individual permit processes for these major pipelines.

## **Dominion Submits “Final” Responses to Latest FERC Data Requests**

Dominion Transmission, Inc., in its capacity as managing partner for the Atlantic Coast Pipeline, submitted to the Federal Energy Regulatory Commission (FERC) “responses to a fifth and final subset” to questions previously posed to it by FERC staff on December 4, 24 and January 5. The portion of the 7,000+ page filing that is available for public viewing is being reviewed by ABRA.

## **Additional Water Quality Training Programs Scheduled**

The water quality training program sponsored by the West Virginia Rivers Coalition and Trout Unlimited, and supported by ABRA and the Dominion Pipeline Monitoring Coalition, has scheduled two additional sessions:

- Monroe County - Greenville, April 30 - participants must register by Wednesday, April 27 - <http://www.wvrivers.org/news/greenvilleapril30>
- Nicholas County - Summersville, May 7 - participants must register by Wednesday, May 4 - <http://www.wvrivers.org/news/summersvillemay7>

The intent of the program is to train volunteers on how to effectively monitor water quality along proposed pipeline routes before, during and after potential pipeline construction. These are excellent sessions and very much worth attending to be understand the serious impact a natural gas pipeline could have on the quality of affected streams and the habitats of trout and other relevant species.

## **Interior Secretary Calls for a Holistic Look at Ecosystems**

In remarks delivered on April 19 on the occasion of National Park Week, Secretary of Interior Sally Jewel spoke in favor of taking a broader, more holistic view of nation’s natural resources:

“We know that healthy, intact ecosystems are fundamental to the health of our wildlife and our nation. They clean our air. They provide our drinking water. They store carbon. They combat climate change and they’re critical to our economy. But if their integrity is undermined by transmission lines, pipelines and roads, where does that leave us 50 years from now? Or 500? It’s an issue that can’t be solved by simply creating a new national park or wildlife refuge, although there’s no doubt we need those places to serve as critical anchors for conservation. What we need is smart planning on a landscape level irrespective of manmade lines on a map. We need to take a holistic look at an ecosystem on land or in the ocean to determine where it makes sense to develop, where it makes sense to protect the natural resources and where we can accomplish both.”

A video and text of the Secretary’s remarks is available at <https://www.doi.gov/live>.

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

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

#### **Organized Pipeline Foes Weigh In**

- The Recorder – 4/21/16

[http://www.abralliance.org/wp-content/uploads/2016/04/Organized\\_pipeline\\_foes\\_weigh\\_in-Recorder\\_4-21-16.pdf](http://www.abralliance.org/wp-content/uploads/2016/04/Organized_pipeline_foes_weigh_in-Recorder_4-21-16.pdf)

Counties and oppositions groups continue to presser Dominion and VA legislators

#### **Pipeline opponents hone in on feds**

- The Recorder – 4/21/16

[http://www.abralliance.org/wp-content/uploads/2016/04/Pipeline\\_opponents\\_hone\\_in\\_on\\_feds-Recorder\\_4-21-16.pdf](http://www.abralliance.org/wp-content/uploads/2016/04/Pipeline_opponents_hone_in_on_feds-Recorder_4-21-16.pdf)

#### **Delay tactics could be key in pipeline fight**

- The Recorder – 4/21/16

[http://www.abralliance.org/wp-content/uploads/2016/04/Delay\\_tactics\\_could\\_be\\_key\\_in\\_pipeline\\_fight-Recorder\\_4-21-16.pdf](http://www.abralliance.org/wp-content/uploads/2016/04/Delay_tactics_could_be_key_in_pipeline_fight-Recorder_4-21-16.pdf)

#### **Group challenges lax pipeline survey practice**

- Augusta Free Press – 4/19/16

<http://augustafreepress.com/group-challenges-lax-pipeline-survey-practice/>

Why won't Dominion follow the law? Why won't it let property owners know when it will survey?

#### **What's Coming Down the Pipeline?**

- Appalachian Voices – 4/19/16

<http://appvoices.org/2016/04/19/natural-gas-infrastructure/>

#### **Dominion submits 7,000 page filing, calling it a step forward for pipeline**

- The Nelson County Times – 4/15/16

[http://www.newsadvance.com/nelson\\_county\\_times/news/dominion-submits-page-filing-calling-it-a-step-forward-for/article\\_5affcf94-d817-5bc8-b777-2afeb2758fo8.html](http://www.newsadvance.com/nelson_county_times/news/dominion-submits-page-filing-calling-it-a-step-forward-for/article_5affcf94-d817-5bc8-b777-2afeb2758fo8.html)

New submission cannot possibly contain all the information relevant to the EIS...as the currently proposed route was announced in mid-February

Related:

[http://www.abralliance.org/wp-content/uploads/2016/04/Dominion\\_Pushes\\_Back\\_Pipeline\\_Plan-Recorder\\_4-21-16.pdf](http://www.abralliance.org/wp-content/uploads/2016/04/Dominion_Pushes_Back_Pipeline_Plan-Recorder_4-21-16.pdf)

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

#### **Johnson: The problems on Peters Mountain**

- Roanoke Times – 4/20/16

[http://www.roanoke.com/opinion/commentary/johnson-the-problems-on-peters-mountain/article\\_3cfa6aed-3eae-5ad9-b9ae-0c288f6e2849.html#.vxdbjduksew.gmail](http://www.roanoke.com/opinion/commentary/johnson-the-problems-on-peters-mountain/article_3cfa6aed-3eae-5ad9-b9ae-0c288f6e2849.html#.vxdbjduksew.gmail)

Local residents, DEQ, US Forest Service all see and acknowledge problems on Peters Mountain. Why can't Columbia?

#### **Landowners Put Hope in Art Project to Combat Pipeline**

- WVTF Radio IQ – 4/19/16

<http://wvtf.org/post/landowners-put-hope-art-project-combat-pipeline#stream/o>

## Big Picture:

### **Kinder Morgan shelves \$3 billion pipeline project**

- The Boston Globe – 4/20/16

<https://www.bostonglobe.com/business/2016/04/20/kinder-morgan-shelves-billion-new-england-pipeline-project/iEafnAP2P4100B9tmMolEI/story.html>

Lack of committed customers and inability to charge electric ratepayers for construction costs cited

### **Senate Passes Long-Awaited Omnibus Energy Policy Bill**

- Natural Gas Intelligence – 4/20/2016

[http://www.abralliance.org/wp-content/uploads/2016/04/Senate\\_Passes\\_Omnibus\\_Energy\\_Bill\\_20160420.pdf](http://www.abralliance.org/wp-content/uploads/2016/04/Senate_Passes_Omnibus_Energy_Bill_20160420.pdf)

### **Federal appeals court hears arguments over LNG exports**

- State Impact Pennsylvania – 4/19/16

<https://stateimpact.npr.org/pennsylvania/2016/04/19/federal-appeals-court-hears-arguments-over-lng-exports/>

FERC still refusing to consider the total impacts of natural gas infrastructure

### **Potential exists for natural gas leak on California scale**

- The Times-Herald – 4/17/16

<http://www.thetimesherald.com/story/news/local/2016/04/17/potential-exists-natural-gas-leak-california-scale/83022644/>

Michigan has more natural gas storage capacity than any other state...> 1 trillion cubic feet...and could have similar risks to Aliso Canyon

### **DTE to spend billions on natural gas infrastructure amid transition from coal**

- MIBiz – 4/17/16

<http://mibiz.com/item/23542-dte-to-spend-billions-on-natural-gas-infrastructure-amid-transition-from-coal#sthash.WVLYXAuF.dpuf>

### **MassDEP: Kinder Morgan misled FERC in bid to cut state forest trees for Berkshire County pipeline**

- MassLive.com – 4/15/16

[http://www.masslive.com/news/index.ssf/2016/04/massdep\\_kinder\\_morgan\\_needs\\_cl.html](http://www.masslive.com/news/index.ssf/2016/04/massdep_kinder_morgan_needs_cl.html)

KM flouting rules and laws in a rush to build its pipeline. Will Dominion behave differently?