



ABRA Update #141 – August 3, 2017

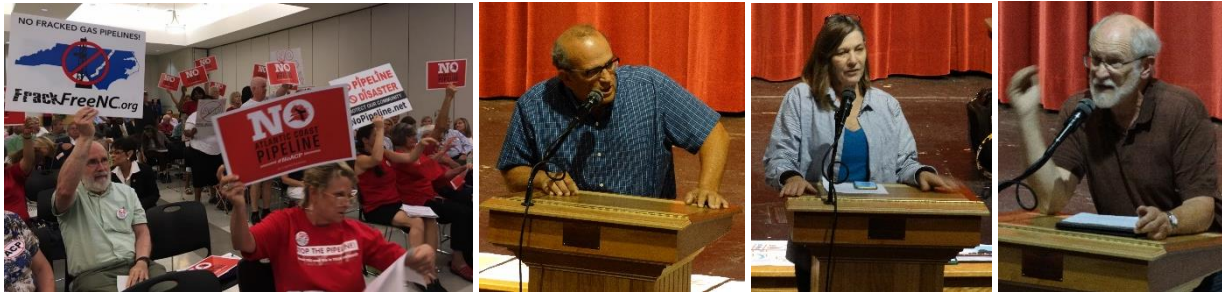
North Carolina & West Virginia Hold Water Quality Hearings on ACP

Large crowds showed up at recent hearings in North Carolina and West Virginia to voice their views – the large majority of which were negative – about whether the Atlantic Coast Pipeline (ACP) should be granted by each state’s environmental regulatory agency a water quality certificate under Section 401 of the Clean Water Act. Each state through which the ACP would traverse must issue a 401 certificate if the project is to move forward. In 2106 New York’s environmental regulators denied a 401 application for the proposed Constitution Pipeline, a project that proposed transporting natural gas from Pennsylvania to near Schenectady, NY, because of its negative impact on water quality. The decision has so far been upheld in the courts.

Written comments to the North Carolina Department of Environmental Quality are due August 19 (Email: PublicComments@ncdenr.gov. Include “ACP” in the subject line. Postal mail: 401 Permitting, 1617 Mail Service Center, Raleigh, NC 27699-1617).

Written comments to the West Virginia Department of Environmental Protection are due August 4 (Email: dep.comments@wv.gov. Postal mail: WVDEP Division of Water and Waste Management, Att: Laura Cooper, 601 57th Street SE, Charleston, WV 25304-2345).

Virginia’s Department of Environmental Quality hearings begin August 7 (see below).



Crowd at the NC DEQ hearing in Rocky Mount on July 20; speakers at the WV DEP hearing in Dunmore, WV on August 1, from left: Gil Willis, Elk River Inn & Restaurant; Deni Elliott; Greenbrier River Watershed Association; Allen Johnson, Eight-Rivers Council.

Virginia DEQ Hearings for ACP & MVP Water Quality Begin Next Week

The much-anticipated hearings on Section 401 water quality certificates for the Atlantic Coast Pipeline (ACP) and the Mountain Valley Pipeline (MVP) will begin on Monday, August 7. The hearings on the applications for the two pipelines are part of a comment period that ends August 22 for written comments. Below, on the next page, is the complete schedule for the three ACP hearings and the two MVP hearings. Please attend a hearing and make your concerns known!

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Atlantic Coast Pipeline:

- Monday, August 7, 2017, from 6 to 10 p.m. – James Madison University, Festival Conference and Student Center, Grand Ballroom, 1301 Carrier Drive, Harrisonburg, VA 22807. Parking is in Lots C11, C12, and D3.
- Thursday, August 10, 2017, from 6 to 10 p.m. – Longwood University, Jarman Auditorium, 201 High St., Farmville, VA 23901. Parking is in Wheeler Lot, Crafts Lot, High Street Lot, Randolph Lot or other university-owned lots.
- Monday, August 14, 2017, from 6 to 10 p.m. – Southside Virginia Community College, Workforce Building, Alberta Gymnasium, 109 Campus Drive, Alberta, VA

Mountain Valley Pipeline:

- Tuesday, August 8, 2017, from 6 to 10 p.m. – Radford University, Preston/Bondurant Auditorium, 801 East Main St., Radford, VA 24142. Parking is only in Lot A, or Lots E and U.
- Wednesday, August 9, 2017, from 6 to 10 p.m. – Chatham High School Auditorium, 100 Cavalier Circle, Chatham, VA 24531. Parking is only in designated areas on school property.

DEQ has posted on its website [guidelines](#) about what topics will be considered at the hearings and in written comments that are submitted. For those seeking guidance on major points to make in their testimony (3-minute limitation) or written submissions, we urge that comments be as personal as possible (e.g. how clean water is important to you and why the proposed pipeline would endanger that water). In addition, we commend to you the [suggested talking points](#) developed by ABRA members Wild Virginia and the Sierra Club – Virginia Chapter.

New Critical Zone Mapping System Now Available

The Dominion Pipeline Monitoring Coalition has just published an interactive [Critical Zone Mapping System](#) (CZMS) in support of citizen efforts to overcome the continuing failure of the regulatory system. Dominion Energy, with the cooperation of state and federal government, has effectively managed the regulatory process to ensure that essential details and limitations of its plans to avoid environmental harm associated with the Atlantic Coast Pipeline (ACP) are withheld from the public and excluded from the set of facts considered by the regulatory decision makers.

The pattern is well established. The Federal Energy Regulatory Commission, the U.S. Forest Service, and the state environmental agencies have all adopted a deferred-analysis approach to the ACP that delays review of detailed site-specific stream crossing plans, erosion and runoff control plans, and steep slope stabilization plans until after project approval. All rely on future completion of Dominion's Construction and Operation Plan and so-called Best in Class (BIC) program. All are moving toward project approval without critical information required for objective decision making.

The CZMS addresses this regulatory system failure by providing a framework for evaluation of the risk associated with construction of the ACP and the limitations of the proposed or available control measures. The CZMS includes user-selectable map layers that display a number of the key factors that should be considered during project review and prior to project approval. Among these are layers that indicate slope steepness, soil erodibility, high-excavation areas, stream crossings, surficial karst, and existing dye traces in karst systems.

One of the more-critical map layers identifies those sections of the pipeline corridor and access road system that meet Dominion's criteria for application of its BIC program. These areas, where the existing ground slope is 30% or more for distances of 100 feet or more, present the greatest risks to downslope water resources due to erosion, slope destabilization, and runoff alteration. Although Dominion has provided what it describes as detailed erosion and runoff control plans, the plans do not include site-specific BIC measures. With very limited exceptions, the actual site-specific details for BIC measures have not been provided to the regulatory agencies and apparently will not be provided until after project approval.

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In the News:

Local/Atlantic Coast Pipeline

Insist that Virginia protect its water

- Staunton News Leader, Nancy Sorrells Op-ed – 8/1/17

<http://www.newsleader.com/story/opinion/columnists/2017/08/01/insist-virginia-protect-its-water/529299001/>

“Now, for the first time in this prolonged process, Virginia, not FERC, has power and authority. The line in the sand, so to speak, lies with our water.”

Atlantic Coast Pipeline plan still threatens NC rivers, drinking water

- NC Policy Watch – 7/31/17

<http://www.ncpolicywatch.com/2017/07/31/even-revisions-atlantic-coast-pipeline-plan-still-threatens-nc-rivers-drinking-water/>

“This is utterly unjustified,” said Hope Taylor, executive director of Clean Water for North Carolina. “There is no economic reason to tolerate the risk.”

Opponents Say Pipeline Would Disproportionately Affect Native Tribes

- North Carolina Public Radio – 7/25/17

<http://wunc.org/post/opponents-say-pipeline-would-disproportionately-affect-native-tribes#stream/o>

“Our ancestors are buried all up and down parts of eastern North Carolina, and so these are really sacred places to my people, The Lumbee, and to all the other tribes that are impacted by this project.”

Regional/Mountain Valley Pipeline, other

Pipeline opponents prepare for important hearings next week

- WDBJ7, Roanoke – 8/2/17

<http://www.wdbj7.com/content/news/Pipeline-opponents-prepare-for-important-hearings-next-week-438195793.html>

Land Owners Sue Feds Over ‘Land Grab’ For Private Gas Pipeline

- BBS News – 7/28/17

<http://bbsnews.net/2017-07-28/land-owners-sue-feds-over-land-grab-for-private-gas-pipeline/123379>

Pipeline analysis dramatically underestimates forest impacts

- Roanoke Times – 7/31/17
http://www.roanoke.com/business/news/pipeline-analysis-dramatically-underestimates-forest-impacts-state-agencies-report/article_c6d668d7-7493-50eb-9a64-cdo4cde9cb40.html
“The agencies said fragmentation of an irreplaceable forest core diminishes its significant, wide-ranging ecological benefits.”

The public will pay for FERC's failings

- Roanoke Times – 8/1/17
http://www.roanoke.com/opinion/commentary/peckman-the-public-will-pay-for-ferc-s-failings/article_b64a6eaf-451c-572d-9ea8-42a18c177a3a.html

In the global warming age, do we need so many new natural gas pipelines?

- Los Angeles Times editorial – 7/31/17
<http://www.latimes.com/opinion/editorials/la-ed-ferc-gas-pipelines-shale-marcellus-20170731-story.html>
“In an era of global warming, it’s also foolish to expand infrastructure that will serve to hasten climate change, rather than combat it.”

Could pipeline opponents sink Northam and elect a pipeline advocate?

- Roanoke Times editorial – 8/1/17
http://www.roanoke.com/opinion/editorials/editorial-could-pipeline-opponents-sink-northam-and-elect-a-pipeline/article_b401b674-61df-5688-97ce-d5f3857e8908.html

Pipeline Opponents Look to States, Courts

- Public News Service – 8/3/17
<http://www.publicnewsservice.org/2017-07-28/energy-policy/pipeline-opponents-look-to-states-courts/a58726-1>

Big Picture

Republicans pass bill making pipelines easier

- Montgomery County (MD) Sentinel – 7/28/17
<http://www.thesentinel.com/mont/news/mocoblog/itemlist/tag/natural%20gas%20pipelines>
Touted by supporters as a way to streamline the approval process for oil and natural gas pipelines.

FERC gives pipeline environmental clearance despite 'significant' impacts

- Utility Dive – 7/31/17
<http://www.utilitydive.com/news/ferc-staff-gives-columbia-pipelines-environmental-clearance-despite-signif/448248/>
FEIS on Columbia Gas Transmission’s Mountaineer and Gulf Xpress pipeline projects.

Why environmentalists oppose funneling natural gas under the Potomac River

- Washington Post – 8/3/17
https://www.washingtonpost.com/local/pipelines-and-protests-why-environmentalists-oppose-funneling-natural-gas-under-the-potomac-river/2017/08/02/c9914388-671a-11e7-8eb5-cbccc2e7bfbf_story.html?utm_term=.f82b82do86dd