



ABRA Update #174 – March 29, 2018

Tree Felling Extension for ACP Denied by FERC

A request by Dominion Transportation, Inc. (DETI) and Atlantic Coast Pipeline, LLC to extend the deadline for tree felling until May 15 has been denied by the Federal Energy Regulatory Commission (FERC). Responding to a March 15 request for an extension of the tree felling deadline (March 15 for Virginia; March 31 for North Carolina and West Virginia), FERC stated in its [March 28 letter](#):

As part of your applications, Atlantic and DETI committed to minimizing impacts on both migratory bird species and threatened and endangered species by adhering to time-of-year tree felling restrictions. Accordingly, this mitigation measure is one of many that the Commission considered in its Order when granting Certificates to Atlantic and DETI. After a thorough review of your request, we find that it would not offer an equal or greater level of protection, and deny Atlantic and DETI's request to modify the time-of-year restrictions established during project review.

The impact of the denial to extend tree felling for the ACP will likely result in adjustments to the construction timetables for the project. ABRA's Compliance Surveillance Initiative (CSI) program is evaluating the specific effect the denial may have. Further details will be provided in next week's *Update*. Dominion/ACP has 30 days to appeal the ruling.

MVP Obtains Water Quality Certification from Virginia DEQ

The Virginia Department of Environmental Quality (DEQ) has issued a report declaring approval of environmental plans for the Mountain Valley Pipeline (MVP) that cover erosion and sediment control, karst evaluation and stormwater management. [The March 26 DEQ memorandum to the State Water Control Board](#), which had approved a water quality certification for the MVP at its December 7 meeting, concludes:

As shown in this report, the oversight process for MVP has been more rigorous than any other pipeline in Virginia history. DEQ has carefully reviewed MVP's Supplemental Karst Evaluation Plan, Annual Standards and Specifications, and Erosion and Sediment Control and Stormwater Management Plans. By letter dated March 13, 2017, DEQ concurred on the Supplemental Karst Evaluation Plan. By letter dated June 20, 2017, DEQ determined that the Annual Standards and Specifications were in compliance with the State Water Control Law and applicable, duly-promulgated regulations and were approved by DEQ. By [letter dated March 26, 2018](#), DEQ determined that the Erosion

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and Sediment Control and Stormwater Management Plans were in compliance with the State Water Control Law and applicable, duly-promulgated regulations and were approved by DEQ.

Stream Monitoring Webinar Recordings Now Available

Recordings of recent stream monitoring webinars conducted by Trout Unlimited are now available via links. The March 7 event hosted by Appalachian Voices for Virginia is available [here](#). The March 27 webinar for West Virginia, hosted by the West Virginia Rivers Coalition, is available [here](#).

Your Help Is Needed: Sign Up as a CSI Volunteer!

Recruitment of participating volunteers in ABRA's Pipeline Compliance Surveillance Initiative (CSI) is underway. In order for the program to monitor construction activity for the Atlantic Coast Pipeline to be fully effective, volunteers are needed. To sign-up, click [here](#). To learn more about the totality of the CSI program, visit the website [here](#).

In the News:

Local/Atlantic Coast Pipeline

To protect birds and endangered bats, feds reject Atlantic Coast Pipeline bid to continue cutting trees

- The Roanoke Times – 3/28/18

http://www.roanoke.com/news/virginia/to-protect-birds-and-endangered-bats-feds-reject-atlantic-coast/article_42969669-642f-500a-acca-8cee777d18d3.htm

The Atlantic Coast Pipeline got a rare rejection Wednesday from federal officials who nixed a request from the divisive Dominion Energy-led project to push past seasonal tree-cutting restrictions that are intended to protect endangered bats and migratory birds.

Related:

- <https://www.reuters.com/article/dominion-inc-atlantic-coast-natgas/dominion-to-complete-atlantic-coast-natgas-pipe-by-end-2019-idUSL1N1RBoYS>

Pipeline, comp plan at issue tonight

- The Recorder – 3/28/18

https://www.abralliance.org/wp-content/uploads/2018/03/Pipeline_comp_plan_at_issue_tonight-Recorder_20180328.pdf

Highland County tonight will stage its first effort to give citizens a local face-to-face encounter with Dominion over the \$6.5 billion interstate gas pipeline project, rife with delays and setbacks, and how it could affect the county's future.

Valley Center is central proof ACP must move

- The Recorder – 3/28/18

https://www.abralliance.org/wp-content/uploads/2018/03/Valley_Center_is_central_proof_ACP_must_move-Editorial_Recorder_20180328.pdf

In all the hundreds of thousands of confusing bits of information pushed from Dominion to the Federal Energy Regulatory Commission, Valley Center gets consistently and, might we offer, intentionally, overlooked.

But wait, there's more ...

- The Recorder – 3/28/18

https://www.abralliance.org/wp-content/uploads/2018/03/But_wait_theres_more-Recorder-20180328.pdf

Need more evidence Dominion's pipeline will cause irreparable damage?

USDA issues closure order for the Atlantic Coast Pipeline Project

- WBOY News – 3/28/18

<http://www.wboy.com/news/regional/usda-issues-closure-order-for-the-atlantic-coast-pipeline-project/1085952297>

How a Historically Black Virginia Community is Taking On a Pipeline and Rebuking the Gospel of Fossil Fuels

- Atlanta Black Star – 3/25/18

<http://atlantablackstar.com/2018/03/25/historically-black-virginia-community-taking-pipeline-rebuking-gospel-fossil-fuels/>

Pitts: ‘Robeson Rises’ tells story of resistance to Atlantic Coast Pipeline

- The Fayetteville Observer – 3/26/18

<http://www.fayobserver.com/news/20180326/pitts-robeson-rises-tells-story-of-resistance-to-atlantic-coast-pipeline>

“Robeson Rises” premiered last week at the Carolina Civic Center in Lumberton and was co-sponsored by EcoRobeson, Appalachian Voices and Working Films, the company that produced the film.

Regional/Mountain Valley Pipeline, other

In key step forward, DEQ approves Mountain Valley Pipeline's plan to control erosion and sediment

- Richmond Times-Dispatch – 3/17/18

http://www.richmond.com/news/virginia/in-key-step-forward-deq-approves-mountain-valley-pipeline-s/article_b6e4ad16-9be6-52d7-a3f1-44300ba296d0.html

Included in the plans are measures to protect karst terrain, which includes caves and caverns that are especially vulnerable to the threats of water pollution.

After Mountain Valley Pipeline approval, thousands call on Northam to take action

- Augusta Free Press – 3/28/18

<https://augustafreepress.com/after-mountain-valley-pipeline-approval-thousands-call-on-northam-to-take-action/>

Related:

- <http://www.sanluisobispo.com/news/business/article207086394.html>

Tree-sit protest of Mountain Valley Pipeline escalates, drawing police response

- The Roanoke Times – 3/28/18

http://www.roanoke.com/news/local/tree-sit-protest-of-mountain-valley-pipeline-escalates-drawing-police/article_d8f6d490-4442-5ca5-8b63-3a258b66a5a3.html

Protesters have erected a 50-ft pole blocking a Forest Service access road, supporting a platform on which a protester is stationed, similar to the tree-sitters up the road on Peters Mountain.

MVP contractor tied to pipeline cited for environmental violations

- Charleston Gazette-Mail – 3/26/18

https://www.wvgazettemail.com/news/mvp-contractor-tied-to-pipeline-cited-for-environmental-violations/article_967cb274-3412-5e6b-8113-fa567918397d.html

Wisconsin-based Precision Pipeline has been working on the Rover Pipeline, which was issued a cease-and-desist order from WVDEP for water quality and other violation.

Pipeline project open house event set

- The Inter-Mountain – 3/29/18

<http://www.theintermountain.com/news/local-news/2018/03/pipeline-project-open-house-event-set/>

Officials with the Atlantic Coast Pipeline project will host an open house next month to allow community members to ask questions about construction that will soon begin in the region.

Big Picture:

EPA staffers get talking points playing down human role in climate change

- The Washington Post – 3/28/18

https://www.washingtonpost.com/news/energy-environment/wp/2018/03/28/epa-staffers-get-talking-points-downplaying-human-role-in-climate-change/?utm_term=.17b2cc516854

The EPA capture by Big Fossil is complete...if it wasn't already.

Related:

- http://www.pennlive.com/opinion/2018/03/polluters_play_a_big_role_in_o.html

Last year dashed hopes for a climate change turnaround

- Washington Post – 3/21/18

https://www.washingtonpost.com/news/energy-environment/wp/2018/03/21/bad-news-for-the-climate-coal-burning-and-carbon-emissions-are-on-the-rise-again/?utm_term=.boe964f78418

After three flat years that had hinted at a possible environmental breakthrough, carbon dioxide emissions from the use of energy rose again by 1.4 percent in 2017, according to new data released by the International Energy Agency on Wednesday.

Rep. Keith Ellison Demands FEMA Explain Why It Cut Climate Change From Strategic Plan

- Huffington Post – 3/29/18

https://www.huffingtonpost.com/entry/fema-climate-change-strategic-plan-ellison-letter_us_5abc16ede4b04a59a3143183

The agency did, however, identify several causes of rising damage, including “rising natural hazard risk, decaying critical infrastructure, and economic pressures that limit investments in risk resilience.”

FERC’s critics, and two commissioners, say new comment policy will hurt landowners

- State Impact Pennsylvania – 3/28/18

<https://stateimpact.npr.org/pennsylvania/2018/03/28/fercs-critics-and-two-commissioners-say-new-comment-policy-will-hurt-landowners/>

FERC says it will limit public interventions in its pipeline review process if they are submitted outside the prescribed time, in a new policy that’s being attacked by the agency’s critics as an attempt to stifle comment.

ETP Mariner East liquids pipe spills more fluid in Pennsylvania

- Reuters – 3/27/18

<https://www.reuters.com/article/us-energy-transf-sunoco-marinereast/etp-mariner-east-liquids-pipe-spills-more-fluid-in-pennsylvania-idUSKBN1H321A>

Report: Offshore Wind Could Power East Coast ‘For Decades To Come’

- North American Wind Power – 3/22/18

<https://nawindpower.com/report-offshore-wind-could-power-entire-east-coast-for-decades-to-come>

We’ve known this for a while...and yet only 6 turbines are currently spinning offshore!