

## Action Alert on effort to have Congress overturn Court decision on the ACP

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Last week's *ABRA Update* reported that Dominion Energy is making a concerted effort to convince Congress to grant permission for the Atlantic Coast Pipeline to cross the Appalachian Trail, authority for which was withdrawn by the Fourth Circuit Court of Appeals found the Forest Service did not possess. At this time, there is no Dominion amendment attached to any piece of pending legislation in the Congress. However, it now appears timely to express views to relevant Members of Congress.

ABRA members who are concerned about this unwarranted attempt by Dominion are urged **within the next several days, contact your Representative and ask them to contact Congressional leadership to make clear their ACP concerns and opposition.** This includes opposition to the idea of Congress stepping in to help ACP sidestep fundamental permitting problems that are currently being sorted out in the normal regulatory process and in the courts, and opposition to and concerns about ACP in general. Many of these members have voiced concerns about or outright opposition to ACP in the past; others are new to Congress.

This congressional "fix" is a problem because it would:

- Imply a congressional endorsement for the ACP, stacking the deck for building the ACP as proposed, on its current route.
- Set the wrong example for special congressional exceptions to the federal law that otherwise disallows pipelines across national parks.
- Limit the otherwise-required further analysis of alternatives to the ACP.
- Leave decisions about key ACP permits entirely in the hands of federal agencies, which already have shortchanged public and environmental review of ACP permits.

As a resource for your communication, attached a 2-page set of talking points, with supporting citations, with detailed information about the fundamental lack of need for the ACP, and about the Fourth Circuit's Forest Service decision and the Appalachian Trail. If you have questions, please email.

- Lew

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