

The Recorder

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Bath & Highland Counties – Virginia

Pipeline project milestones continue through 2019

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Highland supervisors issued a set of pipeline concerns to FERC. (Recorder photo by John Bruce)

MONTEREY — Five years have passed since Dominion Energy publicly proposed a gas transmission pipeline from northwest West Virginia to southern North Carolina, dubbed the Atlantic Coast Pipeline.

The Recorder has published parts one, two, and three of a timeline documenting coverage in Bath and Highland counties of political and environmental challenges the project faces, to look back at how the controversial project has evolved over the last five years. This is part four of the summary, picking up in January 2019, concluding through May of this year.

January 2019

- Northern Bath County residents report a new sinkhole near the prospective route of the ACP. The Virginia Department of Transportation quickly fills the sinkhole. The sinkhole formed shortly after the release of a study by Dominion consultant GeoConcepts documenting karst features identified within the construction workspace within five miles of known or survey-identified bat hibernacula.



The Pipeline Air Force photographed construction in West Virginia. (Courtesy Dominion Pipeline Monitoring Coalition)

- The Southern Environmental Law Center asks the Federal Energy Regulatory Commission to withdraw authorization of the ACP because it lacks effective versions of seven federal authorizations that are mandatory conditions of the commission's certificate of public convenience and necessity.

February 2019

- Dominion installs sections of the ACP while claiming to stop work, attorneys tell FERC. Legal team members ask FERC to reverse approval of the "interim right of way and work area stabilization plan."
- The U.S. Fourth Circuit Court declines to reconsider its December ruling that the U.S. Forest Service lacked authority to authorize the pipeline to cross the Appalachian Trail.

March 2019

- Even though work is at a standstill, residents along and near the pipeline route, as well as other opponents, must continue to fight to stop the project. That is the message delivered at a meeting of the anti-pipeline group, Voices from Bath, held at the Burnsville Community Center.
- Federal court actions obstructing Dominion and the ACP set off tremors in the investment community. West Virginia lawmakers approve a bill to "categorically condemn these counterproductive and economically damaging assaults."
- Right on time for Dominion's "Investor Day," a shareholder-targeted briefing report from Friends of the Earth and Oil Change International confirms an onslaught of costly troubles plaguing the proposed pipeline. Burning dirty methane fossil fuel in the middle of an American clean energy revolution, at a 50 percent cost overrun, plus a barrage of court challenges, were high on the briefing's list of problems.
- Dominion informs investors that if the U.S. Supreme Court upholds a lower court decision suspending the proposed ACP, there are "alternatives" to "get the job done." CEO Tom Farrell does not say what those are.

April 2019

- A conservation group urges public opposition to new federal legislation Dominion is expected to introduce soon, permitting construction of the pipeline.
- Dominion catches landowners and the Virginia Outdoors Foundation unaware by filing a land condemnation lawsuit involving an open-space conservation easement. The VOF tells FERC that Dominion wrongly filed an eminent domain lawsuit to build a pipeline access road.

May 2019

- Dominion CEO Thomas Farrell says an appeal to the U.S. Supreme Court about the Appalachian Trail crossing will be filed before the end of the second quarter and construction would resume in the third quarter. Financial analysts share the company's frustration over delays.
- Environmental groups file a second appeal asking the Fourth Circuit to reject a second permit claimed to impact endangered and threatened species.