



ABRA Update #254 – November 21, 2019

There will be no *ABRA Update* next week due to the Thanksgiving holidays. The next issue will be sent on Thursday, December 5.

Briefing Schedule Set for Appeal of Forest Service Case to Supreme Court

Initial briefs in the *Cowpasture River Preservation Association, et. al. v. Forest Service* are due to be filed with the U.S. Supreme Court by the petitioners – U.S. Forest Service and Atlantic Coast Pipeline, LLC – on December 2. The Southern Environmental Law Center, representing the Cowpasture River Preservation Association and the other respondents in the case, is scheduled to file its response brief on January 15, 2020. The Supreme Court had [announced on October 4](#) it would accept the case for review. At this writing, no date has been scheduled for oral arguments in the case, but it is anticipated to occur in early 2020.

The appeal before the Court is from a decision by the Fourth Circuit Court of Appeals on December 13, 2018 to vacate the permit the U.S. Forest Service had issued for the Atlantic Coast Pipeline (ACP), which affects the project's crossing of the Appalachian National Trail (AT). Among major points in the Fourth Circuit decision was the judgment that the Forest Service did not possess the legal right to authorize the ACP to cross the AT. Plaintiffs in the challenge to the Forest Service permit (and, thus, the respondents in the pending Supreme Court Appeal) are 7 members of ABRA: Cowpasture River Preservation Association; Highlanders for Responsible Development; Shenandoah Valley Battlefields Foundation; Shenandoah Valley Network; Sierra Club; Virginia Wilderness Committee; and Wild Virginia.

New Alternative Energy Advances Announced

Several new developments have been announced over the past week that advance the wider applicability of alternative energy sources as a replacement for fossil fuel sources.

- [Solar Energy Breakthrough](#) – Heliogen, a solar start-up funded by billionaire Bill Gates, announced on November 20 that it has been able to create solar energy temperatures reaching 1,000 degrees Celsius (1,832 degrees Fahrenheit), a development that could be used in several industries that require extremely high temperatures, such as steel, glass and cement. The cement manufacturing process alone accounts for 7% of global CO₂ emissions, according to the International Energy Agency. For more information, click [here](#) and [here](#).

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- **Wind Energy Output Expected to Increase More than One-Third** – A new study published November 18 by the journal *Nature Climate Change* concludes that global wind speeds are increasing after decades of stalling, creating the potential for wind turbines to increase their average output by 37% in the next five years. The study, led by a team of scientists from Princeton University and other academic institutions throughout the world, states: “These findings are important for those vested in maximizing the potential of wind as an alternative energy source. . . and is central to energy scenarios that keep warming below 2 degrees Celsius.” For more on the study, click [here](#); for a copy of the study, click [here](#).
- **Battery Storage for Utilities Make Major Strides** – A briefing paper released November 13 by Climate Central, an independent organization of leading scientists and journalists researching and reporting the facts about our changing climate and its impact on the public, released a report on recent advances in battery energy storage technology. The paper found that battery storage capabilities for electric utilities quadrupled between 2014 (214 MW) and 2019 (1,000 MW) and is expected to increase over the next 4 years by an additional 2,500 MW. The paper also notes that the cost of battery storage has fallen by 75% between 2012 and 2019. For a copy of the report (6 pages), click [here](#).

Who is ABRA

This is another in a series of profiles of the member groups of the Allegheny-Blue Ridge Alliance.

Friends of Nelson

In May 2014, shortly after Dominion Energy announced its plan to build a natural gas pipeline through Nelson County, Virginia, a group of affected landowners and concerned citizens convened to discuss how to respond to this threat to their rural county. That informal gathering resulted in the formation of Friends of Nelson (FoN), a citizen organization whose mission is “to protect property rights, property values, rural heritage and the environment for all citizens of Nelson County, Virginia.” And, there is indeed much worth protecting in Nelson.

Nelson County is known widely for its iconic beauty, which includes portions of the Blue Ridge Parkway, the Appalachian Trail and the James River, for its thriving adult beverage industry, and as the setting for the popular TV series, *The Waltons*. Nelson is also known for the devastation that Hurricane Camille brought in 1969, where heavy rains led to landslides that killed at least 124 people. Memories of Camille prompted FON to commission a study of the dangers posed by the Atlantic Coast Pipeline, which concluded that the ACP could not be built safely. Another expert study funded by FoN showed that the potential economic costs of the ACP outweighed the potential benefits.

Friends of Nelson (FoN) is a member-run organization, governed by a 15-member Board, a few dedicated contractors and dozens of hardworking volunteers. It conducts regular information meetings for its membership and the community. A recent gathering featured a presentation by a Commonwealth of Virginia geologist discussing the significant threats that landslides pose in Nelson County because of its steep terrain and highly erodible soils. FoN has also been very active in providing assistance to landowners whose property would be adversely affected by the ACP.

In October, FoN, a founding member of ABRA, was given the Community Stalwart Award by the Property Rights and Pipeline Center (PRPC), a national coalition supporting the fight to prevent abuses of eminent domain for siting oil and gas infrastructure.

In the News:

Local/Atlantic Coast Pipeline

The Atlantic Coast Pipeline investigation: Much ado about ... something?

- The Progressive Pulse – 11/21/19

<http://pulse.ncpolicywatch.org/2019/11/21/the-atlantic-coast-pipeline-investigation-much-ado-about-something/>

Related:

- <http://www.ncpolicywatch.com/2019/11/21/investigation-gov-cooper-didnt-benefit-from-pipeline-fund-but-improperly-used-his-authority-to-strike-a-deal/>

Battery storage could be a key to cutting emissions. What's Virginia doing about it?

- Virginia Mercury – 11/15/19

<https://www.virginiamercury.com/2019/11/15/battery-storage-could-be-a-key-to-cutting-emissions-whats-virginia-doing-about-it/>

Not much. Dominion has committed to building 16MW of battery storage pilot projects so far. ~1% of what it wants to build in gas-fired "peaker" power plants over the next couple of years. You know...to lock in that "clean energy revenue" for the next 40 years!

Northam Appointee Opposes DEV's Green Tariff

- Bacon's Rebellion – 11/18/19

<https://www.baconsrebellion.com/wp/northam-appointee-opposes-devs-green-tariff/>

Problem: Dominion's proposal 1) adds no new renewable energy, 2) is over-priced and 3) bars competitors offering better products at lower prices.

Dominion Energy's electric school bus program offers valuable vehicle-to-grid lesson

- GreenBiz – 11/20/19

<https://www.greenbiz.com/article/dominion-energys-electric-school-bus-program-offers-valuable-vehicle-grid-lesson>

Bit of a cheerleading session, but it makes a good point. This is an important learning opportunity for Dominion and other utilities around the country.

Regional/Mountain Valley Pipeline, other

Bondurant and Leech: The 'public need' argument for the MVP grows weaker

- The Roanoke Times – 11/21/19

https://www.roanoke.com/opinion/commentary/bondurant-and-leech-the-public-need-argument-for-the-mvp/article_c139b078-7918-5d5c-ae2b-b405b89ae5c5.html

The question of public need for Mountain Valley Pipeline (MVP) has been questioned since private corporation EQT first proposed it in 2014.

Pipeline opponents say erosion controls are inadequate

- WHSV News – 11/20/19

<https://www.wHSV.com/content/news/Pipeline-opponents-say-erosion-controls-are-inadequate-565225172.html>

Mountain Valley Pipeline, Sierra Club at odds

- Kallanish Energy – 11/21/19

<https://www.kallanishenergy.com/2019/11/21/mountain-valley-pipeline-sierra-club-at-odds/>

NCDEQ officials hear from public about proposed pipeline in Rockingham County

- Fox8 News – 11/19/19

<https://myfox8.com/2019/11/19/ncdeq-officials-hear-from-public-about-proposed-pipeline-in-rockingham-county/>

Advocates raised concerns about potential impacts to wetlands and watersheds.

Big Picture:

A new solar heat technology could help solve one of the trickiest climate problems

- Vox 11/20/19

<https://www.vox.com/science-and-health/2019/11/19/20970252/climate-change-solar-heat-heliogen-csp>

A bit more on this development. Not to beat a dead horse, but it's a pretty big deal. Let's see where it goes!

Reform Is Long Overdue for FERC's Gas Pipeline Reviews

- Natural Resources Defense Council – 11/19/19

<https://www.nrdc.org/experts/gillian-giannetti/reform-long-overdue-how-ferc-approves-pipelines>

New report recommends specific changes to FERC's 20-year-old policy for reviewing and approving new gas pipelines.

Related:

- <https://www.utilitydive.com/news/time-to-move-away-from-old-precedents-in-ferc-pipeline-reviews/567512/>

House Democrats release renewable energy tax proposal

- The Hill – 11/19/19

<https://thehill.com/policy/finance/471167-house-democrats-release-renewable-energy-tax-proposal>

Bill falls WAY short of what's needed but is better than nothing. Especially when "nothing" involves allowing current renewable energy incentives to expire without curbing fossil fuel subsidies. But notice we don't hear anything about THAT!

Safety agency reauthorization gets new life

- E&E News – 11/15/19

<https://www.abralliance.org/wp-content/uploads/2019/11/Pipeline-safety-agency-reauthorization-gets-new-life-11-15-19.pdf>

PennEast to Seek U.S. Supreme Court Review for New Jersey Land Access

- Natural Gas Intelligence – 11/14/19

<https://www.naturalgasintel.com/articles/120201-penneast-to-seek-us-supreme-court-review-for-new-jersey-land-access>

Pipeline developer declares that, just like private landowners, states should have no defense against illegal use of eminent domain.

Can America's First Floating Wind Farm Help Open Deeper Water to Clean Energy?

- Inside Climate News – 11/20/19

<https://insideclimatenews.org/news/20112019/first-floating-wind-turbine-maine-renewable-energy>

The state with perhaps the greatest untapped potential for harnessing its ocean breezes for electricity could soon have turbines spinning off its coast after years of political resistance.

In search for cheaper, longer energy storage, mountain gravity could eventually top lithium-ion

- Utility Dive – 11/12/19

<https://www.utilitydive.com/news/in-search-for-cheaper-longer-energy-storage-mountain-gravity-could-eventually-top-lithium-ion/>

Related:

- <https://grist.org/article/how-the-humble-chairlift-could-revolutionize-renewable-energy/>