



ABRA Update #269 – March 26, 2020

Issue Highlights . . .

- New Report Highlights Threat of Pipeline Construction to Water Quality
- Should Pipeline Construction Resume Amid COVID-19 Concerns?
- *In the News* – page 2

New Report Highlights Threat of Pipeline Construction to Water Quality

A new report on turbidity in streams and rivers underscores how increased sediment loads will adversely affect aquatic life as well as drinking water quality.

[Numeric Turbidity Water Quality Standards: A Tool to Protect Aquatic Life](#) was released this week by the West Virginia Rivers Coalition and Trout Unlimited. It points out the impacts that pipeline construction has on nearby streams and rivers, either in the path of a pipeline or in the proximity of construction.

“Excavation adjacent to, and within, streams and rivers has the potential to cause significant sediment pollution if erosion control best management practices (BMPs) are ineffective in keeping sediment from leaving the worksite and/or right of way. Increased erosion and sedimentation in streams harm aquatic life. Sediment pollution can smother spawning beds and fish eggs, reducing juvenile fish survival. Increased sedimentation also degrades habitat for benthic macroinvertebrates, aquatic insects that provide food for larger fish species, causing impacts to benthic community health and diversity, in addition to the species who feed on them.”

The report includes the results of water quality monitoring associated with construction of the Mountain Valley Pipeline. It notes that in June 2018 a heavy rainfall led to turbidity levels in the Roanoke River several times what should be acceptable.

Two principal recommendations are made:

- Numeric turbidity standards should be adopted in Virginia. (The Virginia Water Pollution Control Board has directed the Department of Environmental Quality to adopt such standards, but to date the agency has not taken action.)
- Already established numeric turbidity standards in West Virginia should be enforced.

Should Pipeline Construction Resume Amid COVID-19 Concerns?

There is growing concern about the possible resumption of pipeline construction in the midst of the COVID-19 pandemic, particularly given that most workers on both projects are from out of state. On [March 25, the Mountain Valley Pipeline \(MVP\) filed with the Federal Energy Regulatory Commission a letter](#) suggesting that pipeline construction has been declared “essential” by the governors of West Virginia and Virginia, and therefore should continue. In reality, construction activities for the MVP and the Atlantic Coast Pipeline (ACP) are suspended as the result of pending legal challenges. And, while the Governor of West Virginia has declared

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that all oil and natural gas activities are essential to the state, Virginia Governor Northam has made no such statement or embraced such a policy.

This issue is being confronted nationwide, as detailed in a [March 26 article in the publication E&E Energwire](#), “Is pipeline construction ‘essential’ in a pandemic?”

The Sierra Club Virginia chapter has issued two petitions urging that the ACP and MVP be declared as ‘non-essential’ infrastructure to prevent additional health risks. The petition to Governor Northam can be accessed [here](#). A similar petition to be sent to Members of Congress can be accessed [here](#). ABRA members and individual activists are urged to sign on to both petitions.

In the News:

Local/Atlantic Coast Pipeline

Why a SCOTUS Case Over the Atlantic Pipeline Project Could Have Big Implications

- Law.com – 3/25/20

<https://www.law.com/nationallawjournal/2020/03/25/why-a-scotus-case-over-the-atlantic-pipeline-project-could-have-big-implications/?sreturn=20200226125117>

More on the Cowpasture River Preservation Association Supreme Court Case.

Virginia session sets up clean energy investment, Dominion regulations fall flat

- S&P Global – 3/23/20

<https://www.spglobal.com/marketintelligence/en/news-insights/latest-news-headlines/virginia-session-sets-up-clean-energy-investment-dominion-regulations-fall-flat-57629568>

New mandates for renewable energy. Same old monopoly game.

Big Picture:

What the Coronavirus Curve Teaches Us About Climate Change

- Politico – 3/26/20

<https://www.politico.com/news/magazine/2020/03/26/what-the-coronavirus-curve-teaches-us-about-climate-change-148318>

Humans don't easily grasp the concept of exponential growth, but it's exactly why coronavirus has gotten so hard to manage—and why climate change could too.

PJM's Compliance Plan Doesn't End FERC Order's Threat to Renewables, Experts Say

- Greentech Media – 3/20/20

<https://www.greentechmedia.com/articles/read/despite-some-relief-pjms-plan-wont-end-ferc-orders-threat-to-renewables>

The grid operator's new plan offers some relief for solar and wind in the country's biggest capacity market, but big challenges remain.

PHMSA Issues Final Rule on Underground Natural Gas Storage Safety Establishing a Phased-in, Multi-Year Timeframe for Integrity Management

- JD Supra – 3/21/20

<https://www.jdsupra.com/legalnews/phmsa-issues-final-rule-on-underground-60203/>

Coronavirus may get America to pass its biggest climate bill yet

- Quartz – 3/25/20

<https://qz.com/1824804/coronavirus-could-lead-america-to-pass-its-biggest-climate-bill-ever/>

Crossing my fingers but not holding my breath!