



## ABRA Update #283 – July 10, 2020

### Issue Highlights . . .

- DING, DONG, THE ACP
- In the News – page 3

# DING, DONG, THE ACP!



Implosion of the former Dominion Energy headquarters, May 20, 2020

The [announcement on Sunday, July 5 by Dominion Energy and Duke Energy](#) that the companies had decided to cancel “the Atlantic Coast Pipeline (ACP) due to ongoing delays and increasing cost uncertainty which threaten the economic viability of the project” was a shock but not a complete surprise. As readers of *ABRA Update* well know, construction of the ACP was suspended in December 2018 (19-months ago), the project was still without 8 key permits (notwithstanding its successful appeal to the U.S. Supreme Court on one aspect of its still-missing Forest Service permit, projected project costs for the pipeline had risen to \$8 billion dollars and the anticipated date for ACP’s completion and operation had been pushed to early 2022. It is worth noting that the initial proposal for the pipeline, announced in May 2014 by

<p>Volunteer for ABRA’s Pipeline CSI Program</p> <p><b><u>Volunteer</u></b></p>	<p>Submit a report to the Pipeline CSI</p> <p><b><u>Report</u></b></p>	<p>Stay informed, like us on Facebook.</p> 	<p>Support ABRA financially</p> <p><b><u>GiveNow</u></b></p>
---	--	---	--

Dominion as the Southeast Reliability Project, was to have cost \$4 B. and was to become operational by the end of 2018. This whole episode gives new meaning to the word “reliability.”

There has been voluminous reporting and analysis in the past week on the demise of the ACP, beginning with the *Wall Street Journal* story posted last Sunday that was sent to *ABRA Update* readers that afternoon announcing the project’s cancellation. A number of such stories are included below in the In the News section of this week’s *ABRA Update*. I commend all of them for a fuller picture of what has happened, but I want to specifically flag four of them for the quality of their analysis of what happened and why.

- [“Duke Energy, Dominion likely began to consider abandoning Atlantic Coast Pipeline last year”](#) – Charlotte Business Journal, July 9, 2020
- [“What sank the Atlantic Coast Pipeline? It wasn’t just environmentalism.”](#) – Virginia Mercury, July 9, 2020
- [“How Trump’s energy dominance backfired on an \\$8B pipeline”](#) – E&E Energywire, July 7, 2020
- [“Ordinary citizens become extraordinary”](#) – The Recorder, July 9, 2020

ABRA and its members are most appreciative to those in the media who for six years have diligently covered this story and reported on our points of view about the ACP. In particular, we extend a shoutout to The Recorder newspaper that serves Highland and Bath Counties, Virginia. The Recorder’s reporting and commentary on the evolution of the ACP since the project was first announced in its embryonic stage in May 2014 has been nothing short of extraordinary.

The masthead of the Allegheny-Blue Ridge Alliance states that the organization’s mission is: *“Protecting the heritage, resources and economy of the Allegheny-Blue Ridge region.”* We organized ABRA to fight the Atlantic Coast Pipeline and that effort has dominated our activities for the duration of our existence. However, we have never lost sight of the broader mission of promoting the integrity of this very special geographical region of the United States. Accordingly, the ABRA Steering Committee, on July 9 agreed to three new initiatives:

- ABRA and its members will closely monitor actions required to be taken to wind down the ACP project, with particular attention to the restoration of the lands that have been disturbed by construction activity. We will be reporting on that progress in future issues of *ABRA Update* and, when necessary, taking action to assure that the required restoration is done properly.
- ABRA has offered its assistance to those still fighting the Mountain Valley Pipeline, the POWHR (Protect Our Water, Heritage, Rights) coalition and many others. We continue to believe that natural gas pipelines are incompatible with the integrity of the mountain regions of West Virginia and Virginia.
- ABRA will be announcing in coming weeks a new program designed to significantly enhance the capabilities of environmental, conservation and citizen groups to analyze impacts of projects in the greater Allegheny-Blue Ridge region to assure that the overall environmental integrity of the region is maintained. The program, named the Conservation Hub, will employ some of the same technological tools that formed the basis of the ABRA Compliance Surveillance Network (CSI) that was developed to monitor ACP construction activities. We are very excited about this new initiative and believe it will be a decided asset for the greater conservation community.

In conclusion, thanks to many are in order for a truly herculean effort. First, there are the hundreds and hundreds of people who have worked tirelessly as part of ABRA member organizations and/or on ABRA committees and task forces for these six years. In particular, the members of the ABRA Board of Directors and the ABRA Steering Committee have made outstanding contributions. The coalition's accomplishments are primarily due to their leadership.

Finally, enormous thanks to staff colleagues, consultants attorneys and committee chairs who have been the core of our coalition effort: Dan Shaffer, Rick Webb, Greg Buppert and his colleagues at Southern Environmental Law Center, Joe Lovett and his colleagues with Appalachian Mountain Advocates, David Sligh, Ben Cunningham and Andrew Young. They have been and continue to be an incredible team. It has been an honor to work with them.

- Lew Freeman, Executive Director, Allegheny-Blue Ridge Alliance

## ***In the News:***

### **Atlantic Coast Pipeline**

#### **Out of gas**

- The Recorder – 7/9/20

<https://www.abralliance.org/wp-content/uploads/2020/07/Out-of-gas-Recorder20200709.pdf>

“They had the money and the power, but we had power, too.”

#### **'We won the impossible fight': Nelsonians react to news of Atlantic Coast Pipeline's demise**

- The News & Advance – 7/6/20

[https://newsadvance.com/news/local/we-won-the-impossible-fight-nelsonians-react-to-news-of-atlantic-coast-pipelines-demise/article\\_0b3d3830-e51c-5db1-b7d3-a668eeb762a7.html](https://newsadvance.com/news/local/we-won-the-impossible-fight-nelsonians-react-to-news-of-atlantic-coast-pipelines-demise/article_0b3d3830-e51c-5db1-b7d3-a668eeb762a7.html)

At times...it really DID seem like an impossible fight. Thanks to all of you who proved Dominion, FERC, analysts, and all the rest who 'knew better' wrong!

Related:

- [https://newsadvance.com/news/local/a-thorn-in-their-side-nelson-county-stands-out-in-its-fight-against-now-canceled/article\\_7096a7fd-c753-5339-a195-d61c6c250940.html](https://newsadvance.com/news/local/a-thorn-in-their-side-nelson-county-stands-out-in-its-fight-against-now-canceled/article_7096a7fd-c753-5339-a195-d61c6c250940.html)

#### **Landowners hopeful, but wary after cancellation of Atlantic Coast Pipeline**

- Richmond Times-Dispatch – 7/7/20

[https://www.richmond.com/news/virginia/landowners-hopeful-but-wary-after-cancellation-of-atlantic-coast-pipeline/article\\_04f33208-e1e2-568b-b0b7-4dda1fa54ed4.html](https://www.richmond.com/news/virginia/landowners-hopeful-but-wary-after-cancellation-of-atlantic-coast-pipeline/article_04f33208-e1e2-568b-b0b7-4dda1fa54ed4.html)

The Virginia Department of Environmental Quality said it will coordinate with other state agencies as plans are developed to restore areas disturbed by the project.

#### **SELC's pipeline team reflects on the path to victory**

- Southern Environmental Law Center – 7/9/20

<https://www.southernenvironment.org/news-and-press/news-feed/selcs-pipeline-team-reflects-on-the-path-to-victory>

Getting to victory required a complex network of policy, outreach, and strategic approaches, working alongside a huge coalition of advocates and 15 client organizations.

#### **Three Lessons Learned from the Axed Atlantic Coast Pipeline**

- Natural Resources Defense Council – 7/6/20

<https://www.nrdc.org/experts/gillian-giannetti/three-lessons-learned-axed-atlantic-coast-pipeline>

#### **'Pray and Delay' v. Dominion, Duke**

- Appalachian Chronicle – 7/7/20

<https://appalachianchronicle.com/2020/07/07/pray-and-delay-v-dominion-duke>

Opponents force energy giants to wave the white flag on the Atlantic Coast Pipeline.

## Atlantic Coast Pipeline cancelation an economic bust for West Virginia, Virginia and North Carolina

- The Mountaineer – 7/7/20

[https://www.themountaineer.com/news/state/atlantic-coast-pipeline-cancelation-an-economic-bust-for-west-virginia-virginia-and-north-carolina/article\\_7d86880e-852d-5b1b-bbb2-ea39b82ac80b.html](https://www.themountaineer.com/news/state/atlantic-coast-pipeline-cancelation-an-economic-bust-for-west-virginia-virginia-and-north-carolina/article_7d86880e-852d-5b1b-bbb2-ea39b82ac80b.html)

Spoiler Alert: ACP was **always** going to be a bust for WV, VA and NC! We're better off moving forward and working together as a region to embrace the opportunities of the future, rather than continuing to scabble around in the mud for hundred-million-year-old "plankton juice"!

## Dominion takes financial hit as company jettisons pipeline and gas transmission business

- Richmond Times-Dispatch – 7/6/20

[https://www.richmond.com/news/virginia/dominion-takes-financial-hit-as-company-jettisons-pipeline-and-gas-transmission-business/article\\_fb7e2e42-9d86-5eed-b858-8a93e3c79087.html](https://www.richmond.com/news/virginia/dominion-takes-financial-hit-as-company-jettisons-pipeline-and-gas-transmission-business/article_fb7e2e42-9d86-5eed-b858-8a93e3c79087.html)

"Getting the ACP off the books is an important step in the right direction for Virginia and North Carolina," said Greg Buppert, senior attorney at the Southern Environmental Law Center in Charlottesville. "It clears the decks so the states can move quickly into renewable energy."

## Northam speeds up Virginia's clean energy timetable

- Virginia Business – 7/7/20

<https://www.virginiabusiness.com/article/governor-launches-new-clean-energy-initiative-aims-for-carbon-free-power-by-2045/>

## Mountain Valley Pipeline

### One Down, One to Go: There Is No Atlantic Coast Pipeline and There Will Be No Mountain Valley Pipeline

- Blue Virginia – 7/10/20

<https://bluevirginia.us/2020/07/one-down-one-to-go-there-is-no-atlantic-coast-pipeline-and-there-will-be-no-mountain-valley-pipeline>

This victory was made possible by every frontline community, every ally, every crusading lawyer, every legislator, every organization, every activist that made the decision to fight this corporate boondoggle – and to stick with it for six long years of pitched battles, some victorious, many not.

### With Atlantic Coast dead, is this pipeline next?

- E&E News – 7/8/20

<https://www.eenews.net/stories/1063524537>

Though it has flagrantly flouted environmental requirements and been fined multiple times, MVP is much farther along in its construction and, with ACP dead, can count on more "help" from the feds and better market prospects. **Challenge ACCEPTED!**

### Mountain Valley Pipeline's 'uphill climb' gets a little easier

- The Roanoke Times – 7/7/20

[https://roanoke.com/business/mountain-valley-pipelines-uphill-climb-gets-a-little-easier/article\\_6b032142-60fo-5125-bb15-67ce5626c2aa.html](https://roanoke.com/business/mountain-valley-pipelines-uphill-climb-gets-a-little-easier/article_6b032142-60fo-5125-bb15-67ce5626c2aa.html)

Let's see if we can't make that climb a whole lot tougher!

### Environmental regulators seek more fines against Mountain Valley Pipeline

- The Roanoke Times – 6/29/20

[https://roanoke.com/business/environmental-regulators-seek-more-fines-against-mountain-valley-pipeline/article\\_31c30aa8-37d8-559a-8009-274ea19e00ae.html](https://roanoke.com/business/environmental-regulators-seek-more-fines-against-mountain-valley-pipeline/article_31c30aa8-37d8-559a-8009-274ea19e00ae.html)

Virginia regulators are seeking an \$86,000 fine from Mountain Valley Pipeline, saying the company continued to violate environmental regulations after it paid \$2.15 million last year to settle a lawsuit.

## Regional

### Virginia Withholds Key Permit for “Header Injustice Project”

- Blue Virginia 6/26/20

<https://bluevirginia.us/2020/06/virginia-withholds-key-permit-for-header-injustice-project>

A previous wind that occurred during our holiday hiatus. Great job to all involved in opposing another unnecessary and dangerous fossil fuel project in VA!

### Groups Fight Proposed Gas Pipeline on MD's Eastern Shore

- Public News Service – 7/10/20

<https://www.publicnewsservice.org/2020-07-10/environmental-justice/groups-fight-proposed-gas-pipeline-on-mds-eastern-shore/a70816-1>

Environmental groups and local residents are speaking out against a proposed fracked-gas pipeline to run through rivers, farms and forests from Delaware to Maryland's Eastern Shore. The next battleground?

## Big Picture:

### Is This the End of New Pipelines?

- The New York Times – 7/8/20

<https://www.nytimes.com/2020/07/08/climate/dakota-access-keystone-atlantic-pipelines.html>

Maybe not...but you can bet there is a LOT of refiguring going on in boardrooms across the country.

### Why the Larger Climate Movement Is Finally Embracing the Fight Against Environmental Racism

- Time – 7/9/20

<https://time.com/5864704/environmental-racism-climate-change/>

As the U.S. approaches an election and, potentially, a once-in-a-decade opportunity to pass climate legislation, finding a way to address centuries of systemic environmental racism has emerged as a key concern. The stakes are high: failure means not only that people of color will continue facing disproportionate environmental hazards, but also the possible failure of efforts to reduce emissions and take humanity off a crash course with dangerous global warming.

### Climate Activists See ‘New Era’ After Three Major Oil and Gas Pipeline Defeats

- Inside Climate News – 7/7/20

<https://insideclimatenews.org/news/07072020/pipeline-climate-victories-dakota-access-keystone-xl-atlantic-coast>

"Two things really stand out to me as the lessons—the voices of the community matter and the law matters." Greg Buppert, Southern Environmental Law Center

### Opinion: Keystone XL, Dakota Access, Atlantic Coast — for pipeline companies, winning isn't what it used to be

- Houston Chronicle – 7/7/20

<https://www.houstonchronicle.com/opinion/outlook/article/Opinion-Keystone-XL-Dakota-Access-Atlantic-15391591.php?fbclid=IwAR3tY1o8SUhygLf9kZ66NfvyasmFp1rLoScQABycryrBF6uKh1Ia3tJ3Lk>

Pipeline companies operate in an environment that is very different from the one they enjoyed a decade ago. Virtually every oil and gas pipeline is now controversial.

### The Pipeline Setbacks Reveal the Perils of Rushed Agency Approvals

- Slate – 7/8/20

<https://slate.com/technology/2020/07/pipeline-setback-trump-administration.html>

The legal battles against these efforts are paying off, mainly thanks to government agencies cutting corners.

## Supreme Court restarts key Army Corps permit, but not KXL

- E&E News – 7/6/20

<https://www.abralliance.org/wp-content/uploads/2020/07/Supreme-Court-restarts-key-Army-Corps-permit-but-not-KXL-EE-News-7-6-20.pdf>

Federal officials, industry groups and red states warned that blocking the use of the program could have significant consequences for pipelines, leading to rising costs and construction delays that could result in project cancellations.

## DC Circuit Rejects FERC’s Tolling Authority in Pipeline Certificate Proceedings

- The National Law Review – 7/2/20

<https://www.natlawreview.com/article/dc-circuit-rejects-ferc-s-tolling-authority-pipeline-certificate-proceedings>

Related:

- <https://www.eenews.net/stories/1063512487>

## Pa. grand jury report on fracking: DEP failed to protect public health

- State Impact Pennsylvania – 6/25/20

<https://stateimpact.npr.org/pennsylvania/2020/06/25/pa-grand-jury-report-on-fracking-dep-failed-to-protect-peoples-health>

“It’s the government’s job to set and enforce the ground rules that protect the public interest,” Attorney General Shapiro said. “Through multiple administrations, they failed.”

## 2020 Is Our Last, Best Chance to Save the Planet

- Time – 7/9/20

<https://time.com/5864692/climate-change-defining-moment/>

In the future, we may look back at 2020 as the year we decided to keep driving off the climate cliff—or to take the last exit.

## Utility efficiency programs offer model to merge climate, racial justice solutions

- Energy News Network – 7/2/20

<https://energynews.us/2020/07/02/national/utility-efficiency-programs-offer-model-to-merge-climate-racial-justice-solutions/>

Many states require utilities to help low-income customers conserve energy despite higher costs and barriers.

## More utilities bypassing natural gas bridge and going straight to renewables

- PV Magazine – 7/2/20

<https://pv-magazine-usa.com/2020/07/02/more-utilities-bypassing-natural-gas-bridge-and-going-straight-to-renewables/>

Utilities that are transitioning away from coal are starting to view the creation of a natural gas “bridge” to renewable energy as an unnecessary step.

## Can the Clean Energy Industry Deliver On the Biden-Sanders Climate Plan?

- Greentech Media - 7/9/20

<https://www.greentechmedia.com/articles/read/is-the-clean-energy-industry-ready-for-the-biden-sanders-climate-plan>

The campaign’s unity task force wants 100 percent carbon-free power by 2035.