



ABRA Update #284 – July 16, 2020

Issue Highlights . . .

- Dominion Asks for Time Extension to Abandon ACP, Finish Supply Header
- Trump Administration Finalizes Rule to “Gut” NEPA
- New Review Highlights At-Risk Species in ACP’s Path
- “Renewable Natural Gas” Challenged by New Report
- *In the News* – page 2

Dominion Asks for Time Extension to Abandon ACP, Finish Supply Header

Dominion Energy Transportation, Inc. (DETI) filed a [request on July 10](#) with the Federal Energy Regulatory Commission (FERC) for an extension of one year to complete abandonment and restoration of the Atlantic Coast Pipeline (ACP) project. The request follows the joint announcement on July 5 by Dominion Energy and Duke Energy, co-owners of the AC, that they would not proceed with completing the project due to uncertainties and delays.

In the same letter, DETI reaffirmed an earlier request to FERC for a two-year extension of time to construct and place into service portions of the Supply Header Project (SHP). The SHP is a proposed natural gas pipeline in West Virginia (33.6 miles) and Pennsylvania (3.9 miles) that would have connected existing natural gas pipelines in Ohio and Pennsylvania with the ACP. The request does not make clear why the SHP, 31% of which is complete, needs to be completed since the ACP to which it would have connected will not be built.

Trump Administration Finalizes Rule to “Gut” NEPA

President Trump [announced on July 15](#) the issuance of a final rule to significantly revise the National Environmental Policy Act (NEPA). The changes in NEPA, [first proposed by the President in January](#), would require that Environmental Impact Statements, such as the one that was required for the Atlantic Coast Pipeline, be completed within two years, and that Environmental Assessments be completed in one year.

Among the most noteworthy changes in the NEPA revisions, which were published in the [July 16 Federal Register](#), is the elimination of “cumulative” effects from being considered in the NEPA process and preventing a project’s effects that are “remote in time, geographically remote, or the product of a lengthy casual chain” from being considered. This change in essentially means that climate change could not be considered in the NEPA review of a proposed project. The final rule would also impose considerable burdens on members of the public and affected communities who seek to oppose a project.

The Southern Environmental Law Center (SELC) in a [July 15 statement](#) said the new rule “hobbled the nation’s bedrock environmental protection” and “illegally cut corners in a way that the courts have rejected time and time again. SELC indicated it is preparing to sue the Trump Administration over the NEPA changes on behalf of a client group.

The new rule is due to become effective September 14, 2020.

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New Review Highlights At-Risk Species in ACP's Path

Risks to certain species in the path of the now-cancelled Atlantic Coast Pipeline were underestimated in the project's Final Environmental Impact Statement (FEIS), according to a recent analysis submitted July 4 to the U.S. Fish and Wildlife Service and filed with the Federal Energy Regulatory Commission. The analysis was conducted by the Science Policy Initiative – Direct Advocacy Committee (SPI-DAC), a team of graduate students from the University of Virginia and Virginia Tech University. SPI-DAC coordinated their work with ABRA and Wild Virginia, an ABRA member.

The SPI-DAC analysis notes that the FEIS's estimation of the ACP causing an annual soil loss of from 200 to 800% above baseline erosion in the first year of construction underestimated the impact that would have occurred for the endangered and threatened species acknowledged in the FEIS, such as the Candy-Darter, Clubshell mussel and Madison Cave Isopod. While the ACP has been cancelled, the analysis of the SPI-DAC team will be useful in evaluating other projects that might be proposed in the habitat areas of the examined species. ABRA plans to explore other cooperative ventures in the future with SPI-DAC. A link to the analysis is [here](#).

“Renewable Natural Gas” Challenged by New Report

Rhetoric vs. Reality, a new report that challenges the potential for fossil gas alternatives (FGAs), such as biogas and synthetic gas to decarbonize buildings, was issued July 14 by Sierra Club and Earthjustice. The report notes that energy use within buildings accounts for 40% of carbon emissions globally. It concludes that “due to the limited supply and high cost of biogas and synthetic gas, and the associated pollution and health impacts, the small and costly amount of FGAs available should be used to decarbonize sectors where there are few or no lower-cost mitigation solutions. Buildings do not meet these criteria.” Click [here](#) for a copy of the report.

In the News:

Local/Atlantic Coast Pipeline

It was more than just a pipeline we defeated

- News Leader – 7/16/20

<https://www.newsleader.com/story/opinion/2020/07/16/more-than-just-pipeline-we-defeated-atlantic-coast-pipeline-acp-staunton/5445175002/>

It was about Dominion taking advantage of the system, the government, the people, and their property.

The Atlantic Coast Pipeline Is Cancelled, But Here's Why That's Not Enough

- Food & Water Watch – 7/16/20

<https://www.foodandwaterwatch.org/news/atlantic-coast-pipeline-cancelled-heres-why-s-not-enough>

Virginia has the capacity to lead nationally in this transition, and the cancellation of the ACP should be an opening to speed ahead with the hard work of greening our state.

Dominion Pipeline Demise Delays Closer Look at Climate Impacts

- Bloomberg Law – 7/15/20

<https://news.bloomberglaw.com/environment-and-energy/dominion-pipeline-demise-delays-closer-look-at-climate-impacts>

Energy companies' decision to cancel the Atlantic Coast pipeline has dealt an under-the-radar setback to the environmental movement, prolonging a legal campaign to force federal regulators to take a closer look at pipelines' climate impacts.

Dominion's Post-ACP Clean Energy Awakening: Fact or Fiction?

- Natural Resources Defense Council – 7/14/20

<https://www.nrdc.org/experts/walton-shepherd/dominions-post-ACP-clean-energy-awakening-fact-or-fiction>

It's on Virginia policymakers to ensure that Dominion's post-ACP pivot to clean energy is a net positive for Virginians as well, and that the company finally gets its act together on energy efficiency.

Dominion points to ESG as key factor in decision to off-load gas assets

- Oil & Gas 360 – 7/11/20

<https://www.oilandgas360.com/dominion-points-to-esg-as-key-factor-in-decision-to-off-load-gas-assets/>

Grab an umbrella. The greenwashing is coming on full steam. Let's all try not to get soaked!

Regional/Mountain Valley Pipeline, other

Is proposed pipeline through Triad in trouble?

- Winston-Salem Journal – 7/11/20

https://journalnow.com/news/state/is-proposed-pipeline-through-triad-in-trouble/article_6135b9f9-336d-5f28-b95b-c9dd693884b7.html

Critics of a proposed natural gas pipeline through the Triad's eastern perimeter say it could meet an end similar to the recently scrapped Atlantic Coast Pipeline.

Hileman: Why has it taken so long for MVP to get a new permit?

- The Roanoke Times – 7/12/20

https://roanoke.com/opinion/commentary/hileman-why-has-it-taken-so-long-for-mvp-to-get-a-new-permit/article_957d2214-f97f-5e09-a1b2-9a739e3863b2.html

Why has the Corps delayed reissuing NWP 12 to MVP for so long? The author believes that it is likely the Corps has not been able to find a way to reinstate the permit that will withstand legal scrutiny.

Virginia Community Rights Network launched to challenge corporatism, Dillon's Rule

- Augusta Free Press – 7/14/20

<https://augustafreepress.com/virginia-community-rights-network-launched-to-challenge-corporatism-dillons-rule/>

The Virginia Community Rights Network has been launched to support local efforts to recognize and legally secure the Rights of Nature and Communities to a healthy environment through self-government at the city, county, and state level.

Big Picture:

Trump's move to weaken key environmental law could sideline communities of color

- The Washington Post – 7/13/20

<https://www.washingtonpost.com/news/powerpost/paloma/daily-202/2020/07/13/daily-202-trump-s-move-to-weaken-key-environmental-law-could-sideline-communities-of-color/5f0b8422602ff10807199f2c/>

At a moment when many communities of color are calling for greater input in public policy, President Trump is seeking to overhaul one of the nation's most powerful environmental laws in a way that could minimize their voices.

'Almost impossible' for FERC to address rehearing orders in 30 days, Glick says

- Utility Dive – 7/15/20

<https://www.utilitydive.com/news/almost-impossible-for-ferc-to-address-rehearing-orders-in-30-days-glick/581630/>

Other former FERC commissioners echoed Glick's concern earlier this month, telling Utility Dive 30 days would not be enough time to address all the issues in the queue, and would likely lead to some requests getting legally denied as a consequence.

Fracking: From Revolution to Money Pit (video)

- Bloomberg – 7/2/20

<https://www.bloomberg.com/news/videos/2020-07-02/fracking-from-revolution-to-money-pit-video>

Missed this last time. Worth a watch.

From NEPA to North Dakota, 4 pipeline fights to watch

- E&E News – 7/14/20

<https://www.eenews.net/stories/1063559127>

The courts, the 2020 election and investor portfolios ultimately may be where the future of U.S. oil and gas pipelines is decided.

The Natural Gas Divide

- Grist – 7/15/20

<https://grist.org/energy/theres-no-roadmap-to-the-other-side-of-the-natural-gas-bridge-these-states-are-making-one/>

States are confronting the future of gas in buildings — and facing a set of high-stakes questions.

How a New Effort to Trace Emissions, Led by Al Gore, Could Reshape Climate Talks

- Time – 7/16/20

<https://time.com/5866881/al-gore-climate-trace-emissions/>

Accurately monitoring the world's emissions from afar would be a significant feat that could reshape many key points of debate among those working to fight climate change.

Study identifies Kansas as promising state for wind energy development with little impact on wildlife

- Topeka Capital-Journal – 7/11/20

<https://www.cjonline.com/news/20200711/study-identifies-kansas-as-promising-state-for-wind-energy-development-with-little-impact-on-wildlife>

An analysis released this month by The Nature Conservancy identified Kansas as a promising place in the United States to develop wind energy without destroying natural habitats unique to the Great Plains.