



ABRA Update #287 – August 6, 2020

Issue Highlights . . .

- FERC Receives Comments Objecting to ACP & SHP Extension Requests
- Webinar on Great American Outdoors Act Scheduled for August 8
- Southgate Project Approval by FERC Appealed
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FERC Receives Comments Objecting to ACP & SHP Extension Requests

A denial of Dominion Energy’s request for more time to complete its Supply Header Project (SHP) was a repeated theme among the scores of comments received by the Federal Energy Regulatory Commission (FERC) on August 3 and preceding days. Dominion Energy Transmission, Inc. (DETI), who was the managing partner for the now-cancelled Atlantic Coast Pipeline (ACP), had requested of FERC: 1) a one-year extension of the construction deadline for the ACP to allow for abandonment and restoration of the ACP right-of-way; and 2) a two-year extension of time to construct and place the Supply Header Project (SHP) into service while DETI evaluates options for the potential use of some or all of it. 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.

[Southern Environmental Law Center, joined by Appalachian Mountain Advocates and Chesapeake Bay Foundation on behalf of a group conservation groups](#) (including 11 ABRA members), wrote that FERC should:

- (1) limit the scope of any extension of the ACP’s construction deadline to activities necessary for abandonment and restoration of ACP project areas;
- (2) condition any such limited extension on the release of easements and proper restoration of ACP project areas under a new restoration plan subject to public comment;
- (3) deny DETI’s request for a two-year extension of time to construct the Supply Header Project and place it into service, noting that the project was based on outdated information and had been intended when proposed to be interdependent with the ACP; and
- (4) require that ACP right-of-way easements be released upon requests from private landowners or conservation easement holders.

Among other commenters:

- [Food & Water Watch](#) urged FERC to address: 1) the removal of pipeline that has already been staged on the ground and left uncovered, which has resulted in the pipe coating to weather off and potentially contaminate underlying soil; and 2) evaluate potential contamination due to the leaching of the pipeline coating should be conducted.

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- [Clean Water for North Carolina](#) pointed out that the DETI request for the ACP restoration work neglected “to include information on how ACP intends to communicate with state agencies regarding monitoring and reporting of restoration activities and environmental impacts.”
- [Wintergreen Property Owner’s Association](#) urged FERC to adopt an approach to restoration that gives landowners whose property has been damaged by the ACP the final say on how restoration should be accomplished.

Webinar on Great American Outdoors Act Scheduled for August 8

U.S. Senator Mark Warner (D-VA) has scheduled a special webinar discussion for Saturday, August 8 at 2:15 pm on The Great American Outdoors Act, legislation co-authored by Sen Warner, that addresses the \$12 billion maintenance backlog for the National Park Service across the country and permanently fund the Land and Water Conservation Fund, was signed into law by President Trump on August 8. For more on the legislation, click [here](#) and [here](#).

To register for the webinar, click [here](#) (be sure to insert your own name and email address). For those with questions about the event, contact Jack Foley (434) 728-5672 or Jack@MarkWarnerVa.com.

Southgate Project Approval by FERC Appealed

The June 18 decision by the Federal Energy Regulatory Commission (FERC) to grant a certificate to the Southgate Project, which would extend the Mountain Valley Pipeline into North Carolina, has been appealed. Appalachian Mountain Advocates, joined by Sierra Club and the Center for Biological Diversity filed a [rehearing request with FERC on July 20](#) on behalf of a client group that includes 3 ABRA members. The rehearing request contends that in approving the project FERC did not properly follow requirements of the Natural Gas Act and the National Environmental Protection Act. The [North Carolina Utility Commission also filed on July 20 a rehearing request](#) on the Southgate Project, calling FERC’s decision to grant the certificate “not the product of reasoned decision making.”

In the News:

Local/Atlantic Coast Pipeline

SELC asks Dominion Energy to end ‘pipeline to nowhere’

- The Recorder – 8/6/20

https://www.abralliance.org/wp-content/uploads/2020/08/SELC-asks-Dominion-Energy-to-end-‘pipeline-to-nowhere’-Recorder_20200806.pdf

The Supply Header Project was supposed to go away with the Atlantic Coast Pipeline, but Dominion Energy Transmission Inc. wants to complete it under the same license.

Along now-defunct Atlantic Coast Pipeline route, landowners are left in the lurch

- NC Policy Watch – 7/30/20

<http://www.ncpolicywatch.com/2020/07/30/along-now-defunct-atlantic-coast-pipeline-route-landowners-are-left-in-the-lurch>

How Virginians will move forward from the defunct Atlantic Coast Pipeline

- The Washington Post – 7/30/20
https://www.washingtonpost.com/opinions/local-opinions/how-virginians-will-move-forward-from-the-defunct-atlantic-coast-pipeline/2020/07/30/310e2328-d0fe-11ea-8d32-1ebf4e9d8e0d_story.html
 Now that the 600-mile-long pipeline is dead, Virginians are scratching their heads wondering how the controversial project got so far and lasted so long. They are putting together a list of what to change so it doesn't happen again.

Kotcon, Campbell: Many winners in scrapped pipeline project (Opinion)

- Charleston Gazette-Mail – 8/4/20
https://www.wvgazettemail.com/opinion/op_ed_commentaries/kotcon-campbell-many-winners-in-scrapped-pipeline-project-opinion/article_5693e5e4-115b-53a9-a9fb-d123c74c8540.html

Farrell 'not going anywhere' as Dominion resets leadership succession

- Richmond Times-Dispatch – 7/31/20
https://richmond.com/news/virginia/shakeup-atop-dominion-will-lead-to-new-ceo-farrell-to-serve-as-executive-chair/article_3e6dc4cc-7436-5150-a1f4-771bf996f78e.html
 Related:
 - <https://www.utilitydive.com/news/dominion-shakes-up-leadership-focuses-on-renewables-after-pipeline-cancell/582765/>

Dominion takes \$2.8 bln charge to exit Atlantic Coast natgas pipe

- Reuters – 7/31/20
<https://uk.reuters.com/article/us-dominion-results-atlantic-coast/dominion-takes-2-8-billion-charge-to-exit-atlantic-coast-natgas-pipe-idUKKCN24W21Z>

Regional/Mountain Valley Pipeline, other

Mountain Valley, DEQ reach agreement on environmental fines

- The Roanoke Times – 8/4/20
https://roanoke.com/business/mountain-valley-deq-reach-agreement-on-environmental-fines/article_1e38d87f-ccca-5ede-9726-c5974b4c2782.html
 The latest problems with muddy runoff streaming from construction sites along the Mountain Valley Pipeline's route through Southwest Virginia have been resolved, with the company paying \$58,000 in fines.

Equitrans plans capacity expansion on Mountain Valley Pipeline

- Pittsburg Business Times – 8/3/20
<https://www.abralliance.org/wp-content/uploads/2020/08/Equitrans-plans-capacity-expansion-on-Mountain-Valley-Pipeline-Pittsburgh-Business-Times-8-3-20.pdf>
 Increasing the pressure on a pipeline built in an unstable environment. What could *possibly* go wrong?

Forest Service to release new report on Mountain Valley's impacts on Jefferson National Forest

- The Roanoke Times – 7/31/20
https://roanoke.com/business/forest-service-to-release-new-report-on-mountain-valleys-impacts-on-jefferson-national-forest/article_96bf384f-68f3-50c8-afae-478fdb6be86b.html

After several years of tumult, Air Board members reexamine public engagement process

- Virginia Mercury – 8/3/20
<https://www.virginiamercury.com/2020/08/03/after-several-years-of-tumult-air-board-members-reexamine-public-engagement-process>

Big Picture:

Hurricane, Fire, Covid-19: Disasters Expose the Hard Reality of Climate Change

- The New York Times – 8/4/20

<https://www.nytimes.com/2020/08/04/climate/hurricane-isaias-apple-fire-climate.html>

The daily morning briefing from the Federal Emergency Management Agency, usually a dry document full of acronyms and statistics, has begun to resemble the setup for a disaster movie. But rather than a freak occurrence, experts say that the pair of hazards bracketing the country this week offers a preview of life under climate change: a relentless grind of overlapping disasters, major or minor.

FERC faces environmental justice reckoning

- E&E News – 7/31/20

<https://www.eenews.net/stories/1063659305>

A 1997 guidance document from the White House Council on Environmental Quality lays out best practices for FERC and other agencies to address environmental justice as part of reviews under the National Environmental Policy Act. The agency isn't legally required to act on its findings.

Related:

- https://www.abralliance.org/wp-content/uploads/2020/07/Senators-introduce-sweeping-environmental-justice-bill-EE-News-7-31-20.pdf?fbclid=IwAR1rr_GEkAkH_S4dSeIlwOp6gcgBOKoH6dkLRWNWtyZ6pgvIPOH4pQie_98

Blocked: Brutal month for pipelines shows a friendly White House is not enough

- S&P Global – 8/4/20

<https://www.spglobal.com/marketintelligence/en/news-insights/latest-news-headlines/blocked-brutal-month-for-pipelines-shows-a-friendly-white-house-is-not-enough-59426206>

BUT...!

Court cancels shutdown of Dakota Access Pipeline

- The Hill – 8/5/20

<https://thehill.com/policy/energy-environment/510748-court-cancels-shutdown-of-dakota-access-pipeline>

Even If Oil And Gas Disappear, Pipelines Are Here To Stay

- The Verge – 8/6/20

<https://www.theverge.com/21356423/oil-gas-pipelines-abandoned-enbridge-line-3>

People with pipelines on their land are worried about what happens when they're abandoned.

Army Corps moves to split utilities from streamlined permits

- E&E News – 8/4/20

<https://www.abralliance.org/wp-content/uploads/2020/08/Army-Corps-moves-to-split-utilities-from-streamlined-permits-EE-News-8-4-20.pdf>

Proposed new guidelines for pipelines that will require some serious research into potential impacts.

U.S. has 7 ocean turbines. Companies see hundreds soon

- E&E News – 7/30/20

<https://www.eenews.net/stories/1063653141>

We Have Entered the "End Game" for Oil—With "Permanent Demand Destruction"

- Common Dreams – 7/31/20

<https://www.commondreams.org/views/2020/07/31/we-have-entered-end-game-oil-permanent-demand-destruction>

Bit optimistic, perhaps, but the times, they ARE a changin'!