

# The Recorder

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## SELC asks Dominion Energy to end ‘pipeline to nowhere’

BY JOHN BRUCE • STAFF WRITER

MONTEREY — “A pipeline to nowhere.”

That’s the name many folks have given to the supply header project, a byproduct of the canceled Atlantic Coast Pipeline. The project was supposed to go away with the pipeline, but Dominion Energy Transmission Inc. wants to complete it under the same license.

Not so fast, said the Southern Environmental Law Center, which filed comments Monday asking the U.S. Federal Energy Regulatory Commission to limit the scope of any extension of the ACP’s construction deadline to activities necessary for abandonment and restoration of ACP project areas; 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; and deny the Dominion Energy Inc.’s request for a two-year extension to construct the Supply Header Project and place it into service.

SELC argued the timeframe for abandonment and restoration of the canceled Atlantic Coast Pipeline must be limited to the time required for necessary activities allowable only if easements are settled. The law center demanded FERC deny the pipeline company’s proposal to complete the supply header project because its purpose is unknown and completion would rely on construction of the canceled ACP.

“As DETI’s Modified Extension Request recognizes, the mid-construction cancellation of the ACP requires abandonment and restoration of the ACP right-of-way and other affected areas,” SELC’s filing states. “Several issues must be addressed on both public and private land to ensure adequate restoration of ACP project areas — including corridors where trees have been felled (but not necessarily cleared), farm fields impacted by construction activities, waterbodies under which pipe has been installed, and areas serving as habitat to protected species such as the endangered candy darter ... Atlantic must, in consultation with the Forest Service, determine

whether restoration is needed beyond allowing cleared portions of the right-of-way to revegetate, for example on any access roads that might have been disturbed in connection with non-mechanized tree-felling. Any such restoration should be consistent with Atlantic's obligations upon termination of the Forest Service's Special Use Permit for the ACP, which required a performance bond for environmental restoration activities."

SELC said FERC should "require Atlantic to release its right-of-way easements upon request from private landowners or conservation easement holders. Atlantic must promptly contact the owners of all property, including conservation easement holders, where a right-of-way easement exists and inform them that (a) Atlantic will release the right-of-way easement within 90 days of a written request from an affected landowner or conservation easement holder; (b) Atlantic will provide the affected landowner or conservation easement holder with the proposed written release of the right-of-way easement; (c) Atlantic will pay the reasonable attorneys' fees of the affected landowner or conservation easement holder incurred in reviewing and negotiating changes to the proposed written release of the right-of-way easement; and (d) Atlantic will file the final, executed written release of the right-of-way easement in the land records of the appropriate jurisdiction."

The comments were filed on behalf of Alliance for the Shenandoah Valley, Appalachian Voices, Chesapeake Bay Foundation, Inc., Chesapeake Climate Action Network, Cowpasture River Preservation Association, Friends of Buckingham, Friends of Nelson, Highlanders for Responsible Development, Piedmont Environmental Council, Shenandoah Valley Battlefields Foundation, Sierra Club, Sound Rivers, Inc., Virginia Wilderness Committee, Wild Virginia, Inc. and Winyah Rivers Foundation.