



ABRA Update #309 – May 27, 2021

Issue Highlights . . .

- Seven years ago this past week . . .
- FERC to prepare SEIS for ACP and SHP restoration plans
- Group say 401 certification required MVP water crossings
- Poll: Americans support climate action, oppose fossil fuel phaseout
- Five new mini-docs on eminent domain and pipelines are released
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Seven years ago this past week . . .

Seven years ago, this past week, landowners and local officials began receiving communications from Dominion Energy announcing its intention to build a natural gas pipeline from West Virginia to North Carolina. Initially called the Southeast Reliability Project, the project was renamed the Atlantic Coast Pipeline when Dominion formed a joint venture with Duke Energy for the project, announced at an early September 2014 press conference in Richmond with then-Governor Terry McAuliffe.

A [May 22, 2014 article in *The Recorder*](#), the local paper serving Highland and Bath Counties, Virginia, reported that the project would cost \$4 billion and be operational by the end of 2018. The Chairman of the Highland County Board of Supervisors upon hearing the news of the proposed project exclaimed: “Holy cow! What can you say? There might be nothing we can do. It’s going to sock us.”

Well, it turned out there was something that could be done. And it was indeed done!

FERC to prepare SEIS for ACP and SHP restoration plans

The Federal Energy Regulatory Commission (FERC) has announced it will prepare a Supplemental Environmental Impact Statement (SEIS) on the restoration plans that have been proposed for the Atlantic Coast Pipeline (ACP) and the associated Supply Header Project (SHP). The ACP plan was filed by Atlantic Coast Pipeline, LLC (Atlantic) with FERC on [January 4](#). The SHP plan was filed with FERC by Eastern Gas Transmission and Storage, Inc. (EGTS, the Berkshire Hathaway subsidiary that purchased Dominion Energy’s gas transmission assets) on [November 20](#). Public comments on the plans were submitted to FERC in April.

[FERC’s May 4 Notice](#) states:

“The supplemental EIS will discuss impacts that could occur as a result of the proposed activities related to the disposition of the projects and restoration of the project workspaces. To date, we have identified potential environmental concerns related to Atlantic’s and EGTS’ proposals to leave felled trees in place and abandon installed pipe, and potential impacts on wetlands and waterbodies from restoration activities. As a result, the supplemental EIS will include a

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reevaluation of mitigation associated with the restoration activities previously analyzed for the construction of the ACP and SHP. The supplemental EIS will also consider revisions to land use, air emissions, and noise levels. Commission staff will also evaluate reasonable alternatives to the proposed project amendments or portions of the proposals and make recommendations on how to lessen or avoid impacts on the various resource areas.”

The proposed schedule calls for issuance of a final SEIS by November 19, 2021, with a decision deadline of February 17, 2022.

Group say 401 certification required MVP water crossings

Eight conservation groups have urged the Virginia Department of Environmental Quality (DEQ) to issue a certification under Section 401 of the Clean Water Act for the Mountain Valley Pipeline’s requested approval of new waterbody crossing methods for the project. The [groups’ May 20 letter](#) was prompted by a May 13 letter to DEQ from the Federal Energy Regulatory Commission requesting DEQ’s opinion on whether 401-certification for the proposed waterbody crossings was required. The groups’ letter states:

“There is no question that Mountain Valley’s requested amendment triggers Section 401 and requires state certification. In fact, both FERC and Mountain Valley have acknowledged that the requested amendment would authorize numerous activities that ‘may result in [a] discharge into the navigable waters.’”

The organizations signing the letter are Wild Virginia, Appalachian Mountain Advocates, Appalachian Voices, Southern Environmental Law Center, Virginia Conservation Network, Sierra Club Virginia Chapter, Preserve Ben Mountain and Preserve Floyd.

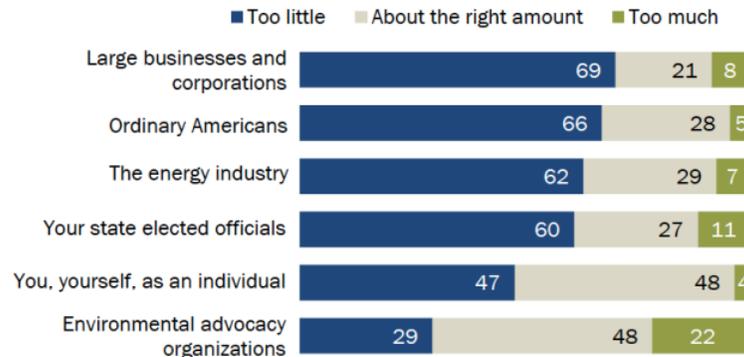
Poll: Americans support climate action, oppose fossil fuel phaseout

Americans are broadly supportive of a range of policy approaches that would help address climate change, including greater reliance on renewables, but there is limited support for phasing out the use of fossil fuels altogether, according to a new public poll.

The [new report from the Pew Research Center, released May 26](#), found that “a majority of Americans (64%) say efforts to reduce the effects of climate change need to be prioritized today to ensure a sustainable planet for future generations, even if it means fewer resources for addressing other important problems.” However, “most Americans favor using a mix of energy sources to meet the country’s needs – including renewables as well as oil, coal and natural gas. There is limited support for phasing out the use of fossil fuels altogether. And the public is closely divided over the idea of phasing out the production of gas-powered vehicles by 2035.”

Majorities say large businesses, energy industry and ordinary Americans are doing too little on climate

% of U.S. adults who say each of the following are doing ____ to help reduce the effects of global climate change



Five new mini-docs on eminent domain and pipelines are released

The [Property Rights and Pipeline Center](#), a national coalition of which ABRA is a member, this week released five new mini-documentary films about the unjust manner in which the power of eminent domain is granted by the Federal Energy Regulatory Commission. These are excellent depictions of the issue. Kudos to our filmmaker friend and colleague Sarah Hazelgrove for creating such compelling stories!

Each video is 12-14 minutes long. Links for all are below.

- A Town at Risk - <https://www.youtube.com/watch?v=fsCVUSWkSAU>
- Averitt Family ACP - <https://www.youtube.com/watch?v=oXLABUIgNpU>
- Megan Holleran Fighting the Constitution Pipeline – <https://www.youtube.com/watch?v=6sljN2RmGWg>
- The Hero from the Holler - <https://www.youtube.com/watch?v=rMe-nrvmNTY>
- Landowners vs The Law - <https://www.youtube.com/watch?v=qrTufMoW3D4>

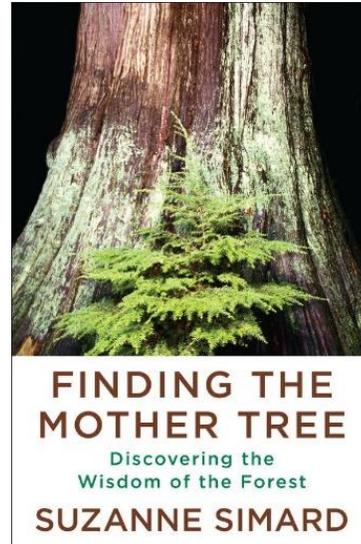
Book recommendation: *Finding the Mother Tree*

“As gripping as any HBO drama series,” states the *Observer* newspaper about the new book by British Columbia forest ecologist Suzanne Simard. The book, published earlier this month, has received rave reviews from the *Guardian*, *Wall Street Journal*, *New York Times* and *Washington Post*. The book takes on particular relevance for ABRA as it embarks on developing the National Forest Integrity Project as part of our new Conservation Hub program.

Here is an excerpt from the book’s introduction:

“I set out on scientific expeditions to figure out where we had gone so very wrong and to unlock the mysteries of why the land mended itself when left to its own devices. The trees soon revealed startling secrets. I discovered that they are in a web of interdependence, linked by a system of underground channels, where they perceive and connect and relate with an ancient intricacy and wisdom that can no longer be denied.”

“The old trees nurture the young ones and provide them food and water just as we do with our own children. It is enough to make one pause, take a deep breath, and contemplate the social nature of the forest and how this is critical for evolution. The fungal network appears to wire the trees for fitness. And more. These old trees are mothering their children. *The Mother Trees.*”



In the News:

Regional Issues

Comment period for key Mountain Valley Pipeline water permits is here

- Charleston Gazette-Mail – 5/24/21
https://www.wvgazettemail.com/news/energy_and_environment/comment-period-for-key-mountain-valley-pipeline-water-permits-is-here/article_a05800d4-e518-570e-9357-830eaobd2082.html

Enviro Groups Argue: Mountain Valley Pipeline Drilling Proposal Requires Virginia Clean Water Act Review

- Blue Virginia – 5/20/21
<https://bluevirginia.us/2021/05/enviro-groups-argue-mountain-valley-pipeline-drilling-proposal-requires-virginia-clean-water-act-review>

May 19 Endangered Species Day: Mountain Valley Pipeline Continues To Harm Their Habitats

- Blue Virginia – 5/19/21
<https://bluevirginia.us/2021/05/may-19-endangered-species-day-mountain-valley-pipeline-continues-to-harm-their-habitats>

Virginia Activists Highlight Environmental Injustices in Fracked Gas Plant Permitting Process

- Food & Water Watch – 5/14/21
<https://www.foodandwaterwatch.org/2021/05/14/virginia-activists-highlight-environmental-injustices-in-fracked-gas-plant-permitting-process/>

New mapping project brings 3 million acres of West Virginia wetlands into focus

- Charleston Gazette-Mail – 5/13/21
https://www.wvgazette.com/news/energy_and_environment/new-mapping-project-brings-3-million-acres-of-west-virginia-wetlands-into-focus/article_6759ba18-cf7a-5738-ac80-1foe8d74102c.html

Dominion's exit from regional capacity market raises some eyebrows – and questions

- Virginia Mercury – 5/25/21
<https://www.virginiamercury.com/2021/05/25/dominions-exit-from-regional-capacity-market-raises-some-eyebrows-and-questions/>
Move could keep prices lower for consumers, but could also prolong, or even increase, the use of fossil fuel assets to provide reliable power.

Virginia should note Colorado's approach to coal

- Martinsville Bulletin – 5/18/21
https://martinsvillebulletin.com/opinion/editorial/virginia-should-note-colorados-approach-to-coal/article_22757d74-b70e-11eb-9f98-f356747a4fe0.html
...and think and act, beyond proposing studies, to support coal-dependent communities as the fuel falls out of favor.

Big Picture:

Biden administration wants to give more power back to states to block pipelines

- The Washington Post – 5/27/21
<https://www.abralliance.org/wp-content/uploads/2021/05/Biden-administration-wants-to-give-more-power-back-to-states-to-block-pipelines-Washington-Post-5-27-21.pdf>
The Environmental Protection Agency is aiming to rewrite Trump-era regulations that curtailed the ability of states and tribes to protest major energy projects that threaten rivers, lakes and streams.

Glick on FERC cyber rules, climate and 'common decency'

- E&E News – 5/24/21
<https://www.eenews.net/stories/1063733299>
In an interview Friday, Glick weighed in on his agency's climate responsibilities under the bedrock National Environmental Policy Act, lamented the limitations of remote work and doubled down on his interest in setting enforceable cybersecurity rules for pipeline.

Biden Administration Defends Huge Alaska Oil Drilling Project

- The New York Times – 5/26/21
<https://www.nytimes.com/2021/05/26/climate/biden-alaska-drilling.html>
The administration says the country must pivot away from fossil fuels but backed a project set to produce more than 100,000 barrels of oil each day for 30 years.

Environmental Justice and Why You Should Care

- The National Law Review – 5/18/21
<https://www.natlawreview.com/article/environmental-justice-and-why-you-should-care>
Environmental justice has been discussed in concept since President Clinton issued an Executive Order on the subject in the mid-1990s, but until recently that concept has rarely been translated into any real-world impact.

As America’s infrastructure crumbles, politicians treat the problem like a partisan board game

- Virginia Mercury – 5/24/21

<https://www.virginiamercury.com/2021/05/24/as-americas-infrastructure-crumbles-politicians-treat-the-problem-like-a-partisan-board-game>

Another dirty little secret about green energy: It needs more mining to support Biden’s plan

- Deseret News – 5/23/21

<https://www.deseret.com/2021/5/23/22425399/biden-clean-energy-plan-requires-digging-up-earth-with-new-mines-cobalt-lithium-copper-solar>

“These critical minerals are necessary for all this renewable energy infrastructure.” And, with a smart, thoughtful approach it is possible to expand renewable energy without ruining the environment. But...“If we really want to do this, you also have to deal with the dirtiness of it.”

Senate Panel to Advance Electric Car, Clean Energy Tax Credits

- Bloomberg Green – 5/26/21

<https://www.bloomberg.com/news/articles/2021-05-26/electric-car-clean-energy-credits-set-to-clear-senate-panel>

The legislation would overhaul the current menu of energy tax breaks, consolidating credits for renewable energy sources and offering incentives to any energy source that has no carbon emissions. It would also end current tax breaks used by the fossil fuel industry.

Exxon Mobil shareholder vote a ‘watershed’ moment for climate change

- Yahoo Finance – 5/26/21

<https://finance.yahoo.com/news/exxon-mobil-shareholder-vote-a-watershed-moment-for-climate-change-205909507.html>

For climate activists who have long championed changes at the world’s largest fossil fuels companies, the vote marked a dramatic leap forward in its push to hold firms accountable for their greenhouse gas emissions.