



ABRA Update #310 – June 10, 2021

Issue Highlights . . .

- Conservation groups urge Army Corps to reject 404 permit for MVP
- ACP responds to FERC questions on pipeline restoration plans
- New book on Appalachian Trail's history published this week
- Landowners urge FERC to institute new policy in pipeline approvals
- Recorder News Editor John Bruce passes away
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Conservation groups urge Army Corps to reject 404 permit for MVP

Twenty conservation groups, including ABRA and several of its members, have urged the U.S. Army Corps of Engineers to reject the pending application by Mountain Valley Pipeline, LLC for its pipeline project to receive a permit for stream crossings under Section 404 of the Clean Water Act. The comments were jointly filed on behalf of the conservation groups on May 28 by Appalachian Mountain Advocates, Southern Environmental Law Center and Natural Resources Defense Council.

Major points made in the [3,800-page filing](#) included:

- Not only is the MVP ineligible for authorization under Nationwide Permit 12, but the proposed activities are impermissible under the individual permit program.
- The Corps should deny the application as the MVP is not in the public interest.
- Issuance of the permit on the expedited timeframe requested by Mountain Valley would inevitably lead to a legally indefensible permit.
- Given the scale of the project and its controversial nature, the Corps should hold a public hearing in connection with its consideration of the permit.

ACP responds to FERC questions on pipeline restoration plans

Atlantic Coast Pipeline, LLC (ACP, LLC) has responded to a list of 51 questions posed to it by the Federal Energy Regulatory Commission (FERC) in a [May 7 request](#). FERC's questions covered a wide range of topics, including:

1. Describing the feasibility of removing the 31.4 miles of pipe - all in West Virginia - that had been installed in the ground before the project was cancelled on July 5, 2020.

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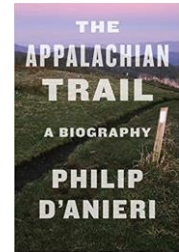
2. Providing a long-term monitoring plan to verify slope stability along the ACP route;
3. Confirming restoration work would not impact any streams containing brook trout;
4. Describe the size and manner of work of restoration crews.

ACP, LLC responded to FERC's questions with two filings, on [May 17](#) and [June 7](#).

New book on Appalachian Trail's history published this week

A new book that explores the history and development of the Appalachian National Scenic Trail, which is such a prominent feature in our region, was published June 8.

The Appalachian Trail: A Biography is authored by Phil D'Anieri, a lecturer in architecture and regional planning at the University of Michigan's Taubman College of Architecture and Urban Planning. He also teaches in the Program in the Environment at the University of Michigan's College of Literature, Science, and the Arts.



For an excerpt of the book reprinted this week in *The Daily Beast*, click [here](#).

Landowners urge FERC to institute new policy in pipeline approvals

Landowners whose property rights have been threatened by natural gas pipeline projects throughout the nation, including some along the now-cancelled Atlantic Coast Pipeline, have told the Federal Energy Regulatory Commission (FERC) that its current policy for approving such projects is “archaic and in dire need of revision.”

The comments were filed May 26 on behalf of the landowners by the Niskanen Center, a Washington, DC-based advocacy organization, in response to a FERC Notice of Inquiry issued last February. Among the points made by Niskanen in its comments:

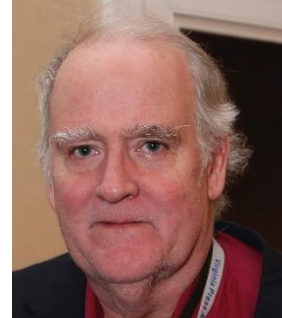
- FERC should revise its need determination policy, noting that its manner of determining need was out of date and did not accurately reflect the true market and need for natural gas.
- The process by which critical information is communicated to affected landowners is “broken” and “confusing,” and fails to adequately protect landowners’ interests.
- Allowing the use of eminent domain based on a conditional certificate from FERC violates the takings clause of the Constitution by authorizing takings that are not necessarily for a public use.

For a copy of Niskanen's comments to FERC, click [here](#).

Recorder News Editor John Bruce passes away

John Bruce, long-time News Editor of *The Recorder* newspaper, which serves the Virginia counties of Highland and Bath, passed away suddenly the evening of June 9. John wrote brilliant articles in the Recorder over the past 7 years on the saga of the Atlantic Coast Pipeline. Those who knew John personally admired his superior reportorial skills and valued his innate decency and fairness as a human being. He is sorely missed.

Those wishing to express thoughts and condolences should convey them to Anne Adams, Publisher and Editor of *The Recorder* at recorderanne@gmail.com.



In the News:

Regional Issues

Companies Behind Mountain Valley Pipeline Fail to Protect Shareholders From This Economically and Environmentally Nonsensical Project

- Blue Virginia – 6/7/21

<https://bluevirginia.us/2021/06/companies-behind-mountain-valley-pipeline-fail-to-protect-shareholders-from-this-economically-and-environmentally-nonsensical-project>

Water quality impact to be key consideration as Mountain Valley Pipeline hangs in limbo

- Charleston Gazette-Mail – 6/1/21

https://www.wvgazette.com/news/water-quality-impact-to-be-key-consideration-as-mountain-valley-pipeline-hangs-in-limbo/article_537cf7d3-a79c-5b60-9115-ec8f2efeeaf7.html

The U.S. Army Corps of Engineers will decide by July 2 whether to grant or deny additional time to West Virginia and Virginia environmental regulators to consider water permit requests from the joint venture that owns the pipeline.

Mountain Valley Pipeline resumes work on steep slopes in Roanoke area

- The Roanoke Times – 5/29/21

https://roanoke.com/business/local/mountain-valley-pipeline-resumes-work-on-steep-slopes-in-roanoke-area/article_fe616238-bfdf-11eb-bb5a-cbbae8e80d43.html

MVP claims its steep slope construction practices have gone on since 2018 “without incident”. Didn’t they topple several backhoes and send entire tree trunks careening downslope towards journalists?

- <https://bluevirginia.us/2019/07/mountain-valley-pipeline-flips-another-excavator-sends-huge-tree-stump-rolling-off-right-of-way-that-almost-hits-bystanders>

Botetourt wind project hits resistance

- Virginia Business – 5/31/21

<https://www.virginiabusiness.com/article/botetourt-wind-project-hits-resistance/>

Dominion Slow-walks Efficiency & Keeps Their Rates High

- Natural Resources Defense Council – 6/8/21

<https://www.nrdc.org/experts/walton-shepherd/dominion-slow-walks-efficiency-keeps-their-rates-high>

Despite its high rates and their opportunity to help struggling Virginians navigate inflated electric bills soon to be in the Top 5 highest in America, Dominion instead turned in the smallest efficiency proposal ever made by the Company.

Virginia advocates seek path forward for electric school buses despite lack of state funds

- Energy News Network – 6/3/21

<https://energynews.us/2021/06/03/virginia-advocates-seek-path-forward-for-electric-school-buses-despite-lack-of-state-funds/>

New N.C. State study finds socially vulnerable communities bear brunt of pipelines

- NC Health News – 6/2/21

<https://www.northcarolinahealthnews.org/2021/06/02/new-n-c-state-study-finds-socially-vulnerable-communities-bear-brunt-of-pipelines/>

Big Picture:

Keystone XL pipeline developer pulls plug on controversial project

- The Washington Post – 6/9/21

<https://www.washingtonpost.com/climate-environment/2021/06/09/keystone-pipeline-dead/>

The firm behind the Keystone XL pipeline officially scrapped the project on Wednesday, months after President Biden revoked a cross-border permit for the controversial pipeline and more than a decade after political wrangling over its fate began.

New climate-focused planning processes seen as necessary for power system resilience

- S&P Global – 6/2/21

<https://www.spglobal.com/platts/en/market-insights/latest-news/electric-power/060221-new-climate-focused-planning-processes-seen-as-necessary-for-power-system-resilience>

Resource adequacy and grid planning approaches of today will not suffice in meeting future resilience needs brought on by extreme weather and the changing climate, power sector experts said June 1, as they advocated for a greater emphasis on climate vulnerability assessments and down-scaled probabilistic models.

Granholm on pipelines: 'We want to build more'

- E&E News – 6/1/21

<https://www.abralliance.org/wp-content/uploads/2021/06/Granholm-on-pipelines-We-want-to-build-more.pdf>

Whatever your stance on natural gas and oil, it's important to remember that renewables, hydrogen and CO₂ removal will all have their impacts to the landscape. Due to the fundamental realities of renewable energy sources, in a "green future", energy infrastructure does not go away. It is even more visible than today. Still, the administration needs to work on its messaging!

U.S. regulator tells pipeline operators to prepare methane curbs

- Reuters – 6/7/21

<https://www.reuters.com/business/energy/us-regulator-tells-pipeline-operators-prepare-methane-curbs-2021-06-07/>

The U.S. Department of Transportation's pipeline regulator on Monday sent an advisory to oil and gas pipeline operators directing them to update their inspection and maintenance plans for curbing the release of potent greenhouse gas methane, as part of the Biden administration's broader effort to combat climate change.

Offshore Wind Farms Show What Biden's Climate Plan Is Up Against

- The New York Times – 6/7/21

<https://www.nytimes.com/2021/06/07/business/energy-environment/offshore-wind-biden-climate-change.html>

A constellation of 5,400 offshore wind turbines meets a growing portion of Europe's energy needs. The United States has exactly seven. The Jones Act is one major obstacle.

Climate change is rapidly transforming the Arctic: Why everybody should care

- The Hill – 6/9/21

<https://thehill.com/opinion/energy-environment/557548-climate-change-is-rapidly-transforming-the-arctic-why-everybody>

Memphis pipeline rekindles eminent domain fight

- E&E Energywire – 6/7/21

<https://www.abralliance.org/wp-content/uploads/2021/06/Memphis-pipeline-rekindles-eminent-domain-fight-EE-Energywire-6-7-21.pdf>

Land agent for the Byhalia Connection pipeline accidentally says the “quiet part” about siting a natural gas pipeline. Sets off firestorm of...pipeline-sized proportions!

To Combat Climate Change, Researchers Want to Pull Carbon Dioxide From the Ocean and Turn It Into Rock

- Smithsonian Magazine – 6/8/21

<https://www.smithsonianmag.com/innovation/combat-climate-change-researchers-want-to-pull-carbon-dioxide-from-ocean-and-turn-it-into-rock-180977903/>

Running seawater through an ocean carbon capture plant could chemically convert carbon dioxide to limestone on a grand scale.

ABRA Conservation Hub gets a Change of Address

In order to simplify administration, we have made some minor changes to the Conservation Hub website. As a user, the only difference you should notice is that our web address has changed.

You can now access the Conservation Hub at:

<https://conservation-abra.hub.arcgis.com>

Please update your bookmark for the Hub and any Project Description pages or Web Maps that you may have. We'll be working over the coming days to update any online references to the Hub with its current address. Thanks!