



ABRA Update #315 – August 19, 2021

Issue Highlights . . .

- Concerns about MVP compressor station voiced to Virginia DEQ
- FERC staff signs-off on MVP proposal for waterbody crossings
- Complaint filed to obtain records Forest Service is withholding
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Concerns about MVP compressor station voiced to Virginia DEQ

Serious concerns about the public engagement and participation process for the Mountain Valley Pipeline (MVP) were voiced by 32 conservation groups, including ABRA and many of its members, in an August 17 letter to David Paylor, Director of the Virginia Department of Environmental Quality (DEQ).

The letter was prompted by a DEQ decision to limit public participation in a State Air Pollution Control Board hearing, scheduled for September 17, about the MVP's proposed Lambert Compressor Station. The groups said:

“. . . the undersigned organizations write again to express serious concerns about the public engagement and participation process for the Lambert Compressor Station (LCS) air permit—specifically, public access to the September 17, 2021 meeting of the State Air Pollution Control Board, during which a case decision on the permit is expected. Members of the public and the Board have expressed concerns about public access to the proceedings, and transmission of COVID-19 is quickly rising in the Commonwealth again; therefore, we ask that you provide a virtual option for public participation in the meeting. Citizens must be provided with safe and equitable access in order to ensure a fair, open, and transparent process.

“To facilitate their participation in the process, we reiterate that it would be reasonable for DEQ to (1) include remote or virtual participation options, (2) hold the meeting over two days to accommodate the large number of commenters, (3) provide the option for written submissions from commenters unable to attend in person to be read by their on-site proxies, and (3) include both daytime and evening opportunities for public participation.”

A copy of the complete letter is [here](#).

FERC staff signs-off on MVP proposal for waterbody crossings

The Federal Energy Regulatory Commission (FERC) staff has given an initial o.k. to the proposal for the Mountain Valley Pipeline to change the method of crossing waterbodies and wetlands from open-cut dry crossings (as originally approved by FERC in issuing the project a certificate) to trenchless methods, such as conventional

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bore or guided conventional bore. The action came with a published Notice on August 13 of the publication of an Environmental Assessment (EA). The Notice stated:

“Comments on the EA must be received on or before September 13, 2021. The FERC Commissioners will take into consideration EA comments and FERC staff’s recommendations when they make a decision on the Amendment Project.”

The Notice further states:

“The FERC staff concludes that if Mountain Valley completes the waterbody and wetland crossings via trenchless crossing methods in accordance with its application and supplements, and the staff’s recommended mitigation measures in the EA, approval of the Amendment Project would not constitute a major federal action significantly affecting the quality of the human environment. Overall, the EA concludes that impacts associated with the waterbody and wetland crossings would be reduced as compared to the impacts analyzed for these crossings in the Final Environmental Impact Statement for Certificated Mountain Valley Pipeline Project (FEIS). However, the EA concludes that the Amendment Project would lead to an increase in construction emissions and construction noise. While the EA concludes that impacts from the Amendment Project on emissions and noise would exceed those analyzed in the FEIS, it concludes that these temporary and short-term increases would not be significant.”

For a copy of the EA, click [here](#):

Complaint filed to obtain records Forest Service is withholding

A complaint was filed August 3 with the U.S. District Court for the District of Columbia to obtain information from the U.S. Forest Service that it has withheld for over a year about the proposed Gauley Healthy Forest Restoration Project (GHFR) within the Monongahela National Forest (MNF), including such basic information as to the specific location of the project within the MNF. The action was taken by Appalachian Mountain Advocates on behalf of the West Virginia Highlands Conservancy, an ABRA member.

The GHFR’s stated objective is:

“Reduce the expansion and threat of significant, damaging forest insects and disease; and reduce fuels buildup that cause uncharacteristic wildfire conditions. Treatments may include prescribed fire, timber harvest and temporary road construction.”

In July 2020, ABRA, on behalf of its West Virginia member organizations, informally asked for more information about the project, including its specific location within the MNF. The GHFR project had already been identified as a project that is part of ABRA’s Conservation Hub program. When MNF staff failed to adequately respond to ABRA’s information request, a formal Freedom of Information (FOIA) request was filed by ABRA. While some information was provided in response to ABRA’s FOIA request, it was still lacking in major specifics, prompting the necessity of the filing of the complaint with the U.S. District Court.

A copy of the complaint is [here](#).

In the News:

Regional Issues

Federal environmental assessment green-lights change in Mountain Valley Pipeline construction method

- Charleston gazette-Mail – 8/17/21
<https://www.abralliance.org/wp-content/uploads/2021/08/FERC-green-lights-change-in-MVP-constructio-method-Charleston-Gazette-Mail-8-17-21.pdf>

Fight brewing over alleged aquifer damage by Mountain Valley Pipeline

- Virginia Mercury – 8/12/21
<https://www.virginiamercury.com/blog-va/fight-brewing-over-alleged-aquifer-damage-by-mountain-valley-pipeline>
- Related:
- <https://augustafreepress.com/virginia-deq-responds-to-complaints-with-mvp-project-on-bent-mountain/>

National Academies to study potential impacts of gold mining in Virginia

- Virginia Mercury – 8/10/21
<https://www.virginiamercury.com/blog-va/national-academies-to-study-potential-impacts-of-gold-mining-in-virginia/>
- The National Academies of Sciences, Engineering and Medicine will conduct an independent study of the health, safety and environmental impacts of gold mining in Virginia as part of a state review that lawmakers agreed to undertake in 2021.
- Related:
- <https://www.farmvilleherald.com/2021/08/nas-agrees-to-study-gold-mining/>

Dominion should return property to owners

- Richmond Times-Dispatch – 8/13/21
<https://www.abralliance.org/wp-content/uploads/2021/08/Dominion-should-return-property-to-owners-Richmond-Times-Dispatch-8-13-21.pdf>
- Related:
- <https://www.wvtf.org/news/2021-08-05/nelson-county-activists-say-atlantic-coast-pipeline-should-rescind-zombie-easements>

A close look at what's next now that the Atlantic Coast Pipeline has been canceled

- NC Policy Watch – 8/9/21
<http://www.ncpolicywatch.com/2021/08/09/monday-numbers-a-close-look-at-whats-next-now-that-the-atlantic-coast-pipeline-has-been-canceled>

Regulators approve Dominion bill increase for participation in carbon trading network

- Virginia Mercury – 8/5/21
<https://www.virginiamercury.com/2021/08/05/regulators-approve-dominion-bill-increase-for-participation-in-carbon-trading-network/>
- Commissioner warns of 'potential costly duplications' in state carbon reduction efforts

Wind farm developer appeals Botetourt County's decision that it missed a deadline

- The Roanoke Times – 8/5/21

https://roanoke.com/news/local/wind-farm-developer-appeals-botetourt-countys-decision-that-it-missed-a-deadline/article_23b93236-f60e-11eb-a4ae-fb34e22f0584.html

Related:

- <https://fincastleherald.com/rocky-forge-wind-project-in-jeopardy/>

The South's Clean Energy Disruption

- Natural Resources Defense Council – 8/17/21

<https://www.nrdc.org/stories/souths-clean-energy-disruption>

The region's heritage of fossil fuels falters as clean energy rises in its place.

Big Picture:

Court Blocks a Vast Alaskan Drilling Project, Citing Climate Dangers

- The New York Times – 8/18/21

<https://www.nytimes.com/2021/08/18/climate/alaska-willow-oil.html>

The multibillion-dollar plan, known as Willow, by the oil giant ConocoPhillips had been approved by the Trump administration and legally backed by the Biden administration. Yes, *that* Biden administration.

Listen: Congressman behind 'Hot FERC Summer' lauds agency's role in climate fight

- S&P Global – 8/16/21

<https://www.spglobal.com/platts/en/market-insights/podcasts/crude/081621-congressman-hot-ferc-summer-climate>

Representative Sean Casten, Democrat-Illinois, has not been shy in sharing his belief that the Federal Energy Regulatory Commission will be essential in combatting climate change and pivotal to achieving the US' ambitious clean energy and decarbonization goals. – A worthwhile listen.

Infrastructure deal targets FERC public outreach

- E&E Energywire – 8/5/21

<https://www.abralliance.org/wp-content/uploads/2021/08/Infrastructure-deal-targets-FERC-public-outreach-EE-Energywire-8-4-21.pdf>

Some groups who lauded the establishment of the Office of Public Participation, however, now warn it could become a political tool subject to the leanings of the commission's chair if the language in the proposed infrastructure bill becomes law.

Why is life on Earth still taking second place to fossil fuel companies?

- The Guardian – 8/19/21

<https://www.theguardian.com/commentisfree/2021/aug/19/life-earth-second-place-fossil-fuel-climate-breakdown>

Focused immediately on the U.K., but totally applicable here at home.

Bankers Eager to Continue Funding Oil and Gas

- DeSmog – 8/13/21

<https://www.desmog.com/2021/08/13/hart-energy-bankers-funding-oil-gas-esg/>

"If oil companies are making money, the banks are gonna be there." So I guess our job is to make oil and gas *not* make money.

Who Created the Renewable-Energy Miracle?

- The New York Times – 8/17/21

<https://www.nytimes.com/2021/08/17/opinion/us-obama-renewable-energy.html>

Nothing supernatural...just a convergence of technology and reasonable government policy, according to the author.

Solar could be 40% of U.S. power by 2035 -Biden administration

- Reuters – 8/17/21

<https://www.reuters.com/business/energy/solar-could-be-40-us-power-by-2035-biden-administration-2021-08-17/>

Solar could supply more than 40% of the nation's electricity by 2035 - up from 3% today - if Congress adopts policies like tax credits for renewable energy projects and component factories, according to a memo published on Tuesday by the Department of Energy.