



ABRA Update #321 – November 19, 2021

Issue Highlights . . .

- Release of final SEIS for ACP restoration is delayed
- Key decisions on MVP to be made soon
- Senate confirms new FERC Commissioner
- New Director of the National Park Service is confirmed
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Release of final SEIS for ACP restoration is delayed

The Federal Energy Regulatory Commission (FERC) has announced a revised schedule for releasing a final Supplemental Environmental Impact Statement (SEIS) and making a final decision on the restoration plan that had been submitted for the now-cancelled Atlantic Coast Pipeline. Originally, FERC had announced it would release the final SEIS on November 19 and make a decision on the plan by February 17. According to a [November 19 Notice](#), the final SEIS will now be issued December 17, 2021. The new decision deadline is March 17, 2022.

Key decisions on MVP to be made soon

Several key decisions are due to be made soon concerning necessary permits for the Mountain Valley Pipeline (MVP). Here's a review of some key dates:

- Army Corps of Engineers consideration of a 404 permit for the MVP to cross streams and rivers – deadline for comments is 11:59 pm, November 19. For info on filing comments, click [here](#).
- Virginia State Water Control Board meeting on issuing a 401 certificate for the MVP is scheduled for December 14 in Richmond, VA. For available information, click [here](#).
- West Virginia Department of Environmental Protection is due to make a decision about on a 401 certificate for the MVP by November 29.
- Virginia Air Pollution Control Board meets on December 2 and 3 in Chatham, VA to consider an air permit for the MVP Lambert Compressor Station. Details [here](#) and [here](#).

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Senate confirms new FERC Commissioner

Willie Phillips has been confirmed by the U.S. Senate to be a member of the Federal Energy Regulatory Commission (FERC). The November 16 action was on a voice vote. Phillips has been Chair of the District of Columbia Public Service Commission and before that was assistant general counsel for the North American Electric Reliability Corp. His confirmation paves the way for Democrats to control FERC, there now being 3 Democrat members and 2 Republicans. President Biden earlier this summer named Democrat member Richard Glick to be FERC Chair.

New Director of the National Park Service is confirmed

Charles Sams was confirmed as the new Director of the National Park Service on a voice vote by the U.S. Senate on November 18. Sams has been a member of the Northwest Power and Conservation Council and has served as Executive Director of the Confederated Tribes of the Umatilla Indian Reservation. An Oregon native, he is the first Native American to lead the Park Service.

In the News:

Regional Issues

A coal plant fights to stay open. It could enrich Manchin

- E&E Climatewire – 11/17/21

<https://www.abralliance.org/wp-content/uploads/2021/11/Coal-plant-that-could-enrich-Sen.-Manchin-fights-to-stay-open-EE-Climatewire-11-17-21.pdf>

And no doubt it *will* stay open...as long as Manchin has any power. For now, he's riding high.

State should have oversight over proposed Chickahominy Pipeline, regulator says

- Virginia Mercury – 11/15/21

<https://www.virginiamercury.com/blog-va/state-should-have-oversight-over-proposed-chickahominy-pipeline-regulator-says/>

"In my opinion, Chickahominy's planned pipeline would be subject to the commission's jurisdiction ... because Chickahominy would be a 'public utility' under the plain language of the Utility Facilities Act," wrote Hearing Examiner D. Mathias Roussy in a report to the commission.

Mountain Valley Pipeline has a terrible record. Why would regulators let it go forward?

- Virginia Mercury – 11/12/21

<https://www.virginiamercury.com/2021/11/12/mountain-valley-pipeline-has-a-terrible-record-why-would-regulators-let-it-go-forward>

Seriously. It's obviously going to be hugely damaging. Why does DEQ seem so...*invested* in this project?

Black Appalachian Coalition aims to shift narrative on energy, other issues

- Energy News Network – 11/12/21

<https://energynews.us/2021/11/12/black-appalachian-coalition-aims-to-shift-narrative-on-energy-other-issues>

The group is working to counter the longstanding erasure and exclusion of Black voices from policy discussions in the region.

Second lawsuit filed by opponents of proposed wind farm in Botetourt County

- The Roanoke Times - 11/17/21

https://roanoke.com/news/local/govt-and-politics/second-lawsuit-filed-by-opponents-of-proposed-wind-farm-in-botetourt-county/article_78fd6018-47f9-11ec-ab9b-33816ae1dcac.html

Big gold mine fined again, this time for toxic discharge violations near SC town

- The State – 11/9/21

<https://www.thestate.com/news/local/environment/article255642286.html>

Related:

- <https://www.farmvilleherald.com/2021/11/lets-protect-what-we-love/>

Giant Virginia Offshore Wind Project Makes Five Key Construction Awards

- Engineering News Record – 11/11/21

<https://www.enr.com/articles/52951-giant-virginia-offshore-wind-project-makes-five-key-construction-awards>

Related:

- <https://www.eenews.net/articles/cost-of-largest-u-s-offshore-wind-farm-spikes-by-2b/>

Head of WV transportation says federal infrastructure bill would go a long way on highway projects

- Charleston Gazette-Mail – 11/15/21

https://www.wvgazette.com/news/politics/head-of-wv-transportation-says-federal-infrastructure-bill-would-go-a-long-way-on-highway/article_4b772562-f68b-5283-9cba-fae481b3ccbo.html

Friends of Blackwater, West Virginia Highland Conservancy and other groups, are working to secure design changes to the route of Corridor H that would lessen impacts to Blackwater Canyon, historic sites and species in the segment between Mackeyville Rd, and Davis, WV.

Big Picture:

The Glasgow summit left a huge hole in the world's plans to curb climate change

- The Economist – 11/20/21

<https://www.economist.com/international/2021/11/20/the-glasgow-summit-left-a-huge-hole-in-the-worlds-plans-to-curb-climate-change>

Yet the summit put a series of new procedures in place that keep alive the possibility of reaching that goal, if countries suddenly find it within themselves to embrace drastic measures.

FERC Back to Five Commissioners as Senate Confirms Phillips

- Natural Gas Intelligence – 11/17/21
<https://www.naturalgasintel.com/ferc-back-to-five-commissioners-as-senate-confirms-phillips/>

Related:

- <https://news.bloomberglaw.com/environment-and-energy/two-immediate-challenges-await-energy-regulators-newest-member>
- <https://biologicaldiversity.org/w/news/press-releases/new-ferc-commissioner-urged-to-prioritize-environmental-energy-justice-2021-11-17/>

FERC meeting: Pipelines, blackouts and ‘fearmongering’

- E&E Energywire – 11/19/21
<https://www.abralliance.org/wp-content/uploads/2021/11/FERC-discusses-pipelines-blackouts-and-fearmongering-EE-Energywire-11-19-21.pdf>

A Midwestern natural gas pipeline jeopardized by a recent court order is poised to remain in operation this winter, but the developer behind the project should stop trying to scare the public, Federal Energy Regulatory Commission Chair Richard Glick said yesterday.

'Rights of nature' tribal case may upend pipeline law

- E&E Energywire – 11/18/21
<https://www.abralliance.org/wp-content/uploads/2021/11/Rights-of-nature-tribal-case-may-upend-pipeline-law-EE-Energywire-11-18-21.pdf>

Potential new avenue to halting fossil fuel development on tribal land (and off?) is a stretch. But it just may have legs.

Experts Bemoan Biden’s Mixed Messages On Old-Growth Forests

- Huffington Post – 11/4/21
https://www.huffpost.com/entry/biden-deforestation-old-growth-forests-cop26_n_61841ea9e4b06de3eb726e8a

At the COP26 summit, the president stressed the importance of preserving forests to fight climate change — but critics say his policies tell another story.

Climate Change Is Inevitable. Here's How We Must Adapt

- Time – 11/19/21
<https://time.com/6120891/climate-change-adaptation-2/>

Climate Change is already happening. With or without emissions reductions, it’s going to get worse for the foreseeable future. Current policy initiatives overlook or ignore adaptation measures that will be critical in avoiding the worst societal outcomes of what is coming.

Clean energy faces its own supply chain crisis

- The Verge – 11/17/21
<https://www.theverge.com/22785274/clean-renewable-energy-supply-chain-crisis-climate-mining-manufacturing>

That jeopardizes the US’s climate goals.

How climate change may shape the world in the centuries to come

- Science News – 11/19/21
<https://www.sciencenews.org/article/climate-change-projections-2500>

For all but the lowest-emission scenario, which is roughly in line with limiting global warming to “well under” 2 degrees Celsius relative to preindustrial times as approved by the 2015 Paris Agreement, the average global temperature continues to increase until 2500...”