



ABRA Update #323 – December 16, 2021

Issue Highlights . . .

- Virginia Water Board approves MVP permit
- 2021 has been a consequential year of transition for ABRA
- Groups comment on new migratory bird regulations
- *In the News* – page 3

Virginia Water Board approves MVP permit

The Virginia State Water Control Board voted 3-2 on December 14 to approve a water quality certificate for the Mountain Valley Pipeline (MVP). Two members were not present. The project still needs a water certificate from West Virginia, which is expected to act by December 31, and a stream crossing permit from the U.S. Army Corps of Engineers. Following the vote, a spokesperson for the MVP issued a statement that the project was “94% built.”

David Sligh, Conservation Director for Wild Virginia, stated:

"This is a heartbreaking decision. Yet another public agency that's supposed to protect us and our natural treasures has failed to live up to the standards we have a right to expect. No single project in Virginia in decades has presented a threat to our precious resources even close to the scope and scale of those MVP poses. The pipeline builders have already harmed hundreds of waterbodies and residents along its destructive path. The Board could have, and should have, acted to prevent further destruction."

It is anticipated that the Water Board action will soon be appealed to the Fourth Circuit Court of Appeals.

2021 has been a consequential year of transition for ABRA

The past year has been an important year of transition for the Allegheny-Blue Ridge Alliance. Among our accomplishments have been:

- Transitioning from an organization dedicated to defeating the Atlantic Coast Pipeline to an alliance with the long-term goal of promoting and protecting the ecological integrity of the Central Appalachian Highlands region of Virginia and West Virginia.
- Further development of the Conservation Hub. In early 2022 the Hub will be significantly enhanced with the addition of the National Forest Integrity Project

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(NFIP), an ongoing compilation of relevant projects in the three National Forests – Monongahela, George Washington and Jefferson – that significantly define the region. The January 13 issue of *ABRA Update* will include more information on the NFIP.

- Monitoring and regularly reporting on the progress of the restoration plan for the Atlantic Coast Pipeline (ACP) and conferring regularly with the Federal Energy Regulatory Commission to assure that the plan the agency finally approves early next year will, to the extent possible, restore the land that has been disturbed by ACP construction is properly restored.
- Assisting ABRA members and allied organizations in the continuing fight against the Mountain Valley Pipeline.

Looking ahead to 2022, ABRA will release in January a new paper: *The Fight Against the Atlantic Coast Pipeline: A Chronicle*. The document chronicles the significant developments associated with the collective effort to defeat the ACP. It will include links to regulatory documents, legal challenges, court decisions, news articles and other relevant material. The nearly 200-page paper is intended to be a resource for analysis of the efforts against the ACP.

We appreciate the ongoing support and interest of the many organizations and individuals who comprise the Allegheny-Blue Ridge Alliance. Financial support for our continuing efforts is vital. Contributions can be made through [this link](#). Thank you!

Groups comment on new migratory bird regulations

Thirty-five conservation groups, including ABRA and several of its members, filed comments with the U.S. Fish and Wildlife Service on December 3 in response to the agency’s Advance Notice of Proposed Rulemaking regarding incidental take regulations under the Migratory Bird Treaty Act (MBTA). The proposed rule changes are a revocation of rules put in place by the Trump Administration to limit the impact of MBTA. (Click [here](#) for background information.)

The comments, which were prepared and submitted on behalf of the groups by the Southern Environmental Law Center, included the following points:

- Migratory birds and their habitats in the southeastern United States are at risk, with some facing an extinction crisis.
- MBTA clearly prohibits the taking of “any migratory bird” and any permitting program should cover the full suite of activities prohibited under the treaty.
- Any permitting program should facilitate public involvement.

For a copy the comments, click [here](#).

In the News:

Regional Issues

Mountain Valley Pipeline stream-crossing permit approved by Virginia regulators

- Virginia Mercury – 12/14/21

<https://www.virginiamercury.com/2021/12/14/mountain-valley-pipeline-stream-crossing-permit-approved-by-virginia-regulators/>

Related:

- <https://wildvirginia.org/wp-content/uploads/2021/12/Wild-Va.-Press-Release-on-SWCB-MVP-decision-12.14.21.pdf>

Virginia regulatory board denies Mountain Valley Pipeline compressor station permit

- Virginia Mercury – 12/3/21

<https://www.virginiamercury.com/2021/12/03/virginia-regulatory-board-denies-mountain-valley-pipeline-compressor-station-permit>

Related:

- <https://www.naturalgasintel.com/mvp-developers-eye-next-steps-after-virginia-deq-panel-denies-permit>

Exploratory drilling for copper, zinc underway in Pittsylvania County as new environmental coalition forms

- Danville Register & Bee – 12/13/21

https://godanriver.com/news/local/exploratory-drilling-for-copper-zinc-underway-in-pittsylvania-county-as-new-environmental-coalition-forms/article_317a66ca-5c5b-11ec-b1d9-33d19469ca2e.html

The Danville Register & Bee learned of the project through a Zoom news conference announcing the formation of the [Press Pause Coalition](#) to protect Virginia from large-scale metals mining operations.

Resident group opposed to gold mining

- The Farmville Herald – 12/10/21

<https://www.farmvilleherald.com/2021/12/resident-group-opposed-to-gold-mining/>

Chickahominy Pipeline: Should we trust them?

- Virginia Mercury – 12/16/21

<https://www.virginiamercury.com/2021/12/16/chickahominy-pipeline-should-we-trust-them/>

Based on our collective experience...probably not.

Virginia's flood woes: It's time for some consistency

- Virginia Mercury – 12/14/21

<https://www.virginiamercury.com/2021/12/14/virginias-flood-woes-ittime-for-some-consistency/>

Related:

- <https://www.abralliance.org/wp-content/uploads/2021/12/VA-governor-elect-vows-to-exit-cap-and-trade-program-EE-Energywire-12-9-21.pdf>

Meet a clean water activist fighting to protect Virginia streams from the Mountain Valley Pipeline

- Energy News Network

<https://energynews.us/2021/12/08/meet-a-clean-water-activist-fighting-to-protect-virginia-streams-from-the-mountain-valley-pipeline/>

David Sligh is the conservation director for the nonprofit Wild Virginia.

Big Picture:

Climate change has destabilized the Earth's poles, putting the rest of the planet in peril

- The Washington Post – 12/14/21

<https://www.washingtonpost.com/climate-environment/2021/12/14/climate-change-arctic-antarctic-poles/>

Research presented this week at the world's biggest earth science conference showed that the Thwaites ice shelf could collapse within the next three to five years, unleashing a river of ice that could dramatically raise sea levels.

New infrastructure law inches transmission siting closer to natural gas, but there's much to still work out at FERC

- The Niskanen Center – 12/14/21

<https://www.niskanencenter.org/new-infrastructure-law-inches-transmission-siting-closer-to-natural-gas-but-theres-much-to-still-work-out-at-ferc/>

Expanding and updating America's electric transmission system is critical to powering the 21st-century economy.

Arctic Report Card: Climate change transforming Arctic into 'dramatically different state'

- National Oceanic & Atmospheric Administration – 12/14/21

<https://www.noaa.gov/news-release/arctic-report-card-climate-change-transforming-arctic-into-dramatically-different-state>

Check out the report site directly...

- <https://arctic.noaa.gov/Report-Card/Report-Card-2021>

Who will pay for the damage caused by climate change?

- BBC Future – 12/13/2021

<https://www.bbc.com/future/article/20211213-who-will-pay-for-the-damage-caused-by-climate-change>

Big picture? Anyone living through it and their descendants. But, this piece is talking about governments and supra-national organizations.

NYC set to enact gas ban with national implications

- E&E Energywire – 12/15/21

<https://www.eenews.net/articles/nyc-set-to-enact-gas-ban-with-national-implications/>

A gas ban in New York could set a national precedent for other cities, given its size and the complexity of decarbonizing its housing stock. It also could buoy markets for electric heat technologies by helping bring down costs.

Biden Orders Federal Vehicles and Buildings to Use Renewable Energy by 2050

- The Washington Post – 12/8/21

<https://www.nytimes.com/2021/12/08/climate/biden-government-carbon-neutral.html>

Related:

- <https://www.eenews.net/articles/how-bidens-agencies-order-hits-natural-gas/>

Climate change imperils world's oil and gas reserves: research

- Reuters – 12/15/21

<https://www.reuters.com/markets/commodities/climate-change-imperils-worlds-oil-gas-reserves-research-2021-12-16/>

Oh...the irony! But, as we will realistically still need O&G for the foreseeable future, it's a sobering proposition...amplifying the potential for price spikes, conflict and profiteering that we already face!