



## *ABRA Update #178 – April 25, 2018*

### **Virginia Water Board New Comment Period: Details Still Delayed**

The April 12 decision by the Virginia State Water Control Board to open a 30-day public comment period regarding individual waterbody crossing analyses for the proposed Atlantic Coast Pipeline and the Mountain Valley Pipeline is still lacking in implementing information. A inquiry by ABRA on April 24 to the Department of Environmental Quality concerning the delay in information produced the following response:

We *may* have some general information about the Board action published tomorrow (April 25) afternoon but not the start date. Water staff is finalizing the public notice, which once approved, will trigger a start date. The notice needs to include NWP 12 maps and email boxes so all info that one would need to provide comments is complete.  
Soon though!

In the meantime, the Dominion Pipeline Monitoring Coalition (DPMC) wrote Governor Northam on April 23 to complain about the delay, asking: “what’s the holdup?” The [DPMC letter](#) continues:

DEQ’s foot dragging seems to represent a show of disrespect for the Board’s authority. This is unacceptable, and we call on you to stand with the Board and the general public and order DEQ to act NOW. During your campaign for Governor, you stated that individual crossing reviews were needed. And, in a recent speech, you assured the public that site-by-site analyses would be made.

Governor Northam: are we to rely on your assurances or will they prove to be mere empty promises?

As of 5 pm, April 25, no information on the new comment period had been posted on the DEQ website.

### **Dominion Requests to Proceed with ACP Construction in West Virginia**

Dominion Energy Transmission, Inc. (DETI), managing partner for the Atlantic Coast Pipeline, [filed on April 18](#) with the Federal Energy Regulatory Commission a request to commence construction of the ACP by or before May 1, as follows:

DETI . . . requests written authorization from the Director of the Office of Energy Projects (OEP) for a Notice to Proceed to commence construction for the associated changes in the 2018 construction spreads in West Virginia on properties where tree felling has occurred or for which

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there are no trees, and for which legal rights for access have been obtained, specifically excluding any workspace located on National Forest Service lands, as indicated in Attachment 1 of the supplement to the IP filed on April 18, 2018. The required Federal authorizations for the activities requested have been received.

Accordingly, DETI, on behalf of Atlantic, respectfully requests that this Notice to Proceed be issued on or before May 1, 2018, to maintain the Project's construction schedule.

### **Sen. Kaine Expresses Concern About Treatment of MVP Protesters**

Sen. Tim Kaine (D-VA) posted a message on his Facebook page expressing concern over the treatment of protestors to the Mountain Valley Pipeline. His April 23 posting said:

I have serious concerns about the situation in Southwest Virginia along the Mountain Valley Pipeline route. Pipeline opponents, both landowners and advocates, are rallying to #StandwithRed, frustrated about having their land seized through eminent domain at the end of what they rightly see as a flawed FERC process. And now local law enforcement is thrust into the middle of it. We need to make sure protesters are all treated humanely and we must work to ensure the situation doesn't escalate. I've spoken out about how FERC didn't handle the process for these pipelines the right way. They didn't give the public enough opportunity for input and then they jammed through the approval with an unusual split decision when two of the commissioner slots were vacant. I have called for FERC to rehear both the Mountain Valley and Atlantic Coast Pipeline applications, and I also have bipartisan legislation waiting for action in Congress to reform FERC's flawed process for reviewing projects like these, especially when eminent domain is involved. We need to listen to local voices and make sure communities have a real say in these decisions.

### **CSI's First Incident Report Receives FERC Attention**

An ABRA request for an investigation by the Federal Energy Regulatory Commission (FERC) of an incidence of non-compliance by the Atlantic Coast Pipeline, LLC, [filed on March 22](#) received attention from the agency the following day. The request had been based on an incident report – the first under ABRA's new Compliance Surveillance Initiative (CSI) – spotted by the CSI Pipeline Air Force of unauthorized equipment and ground disturbance at a Augusta County, VA location adjacent to where the company intends to conduct a horizontal directional drilling operation under the Blue Ridge Parkway.



*Apparent equipment staging area and new or reconstructed road and bridges observed during Pipeline Air Force surveillance flights. (3/11/18)*

FERC's summary report on environmental compliance for the ACP for the week of March 19-25 (posted on the FERC docket on April 24) included the information below. The report indicated that a follow-up inspection would be conducted.



*Left: March 23, 2018, Spread 5, MP 157.7, View south of ground disturbance, equipment, and 5-gallon buckets of hydraulic oil by blue tarp not in secondary containment. Right: March 23, 2018, Spread 5, MP 157.7, View north of timber mats and gravel placed over culvert on unidentified tributary.*

The incident report was also filed with the Virginia Department of Environmental Quality (DEQ) on March 13. DEQ informed ABRA last week that it is still investigating the incident.

### **Pipeline Monitoring Training Sessions Planned**

Several training sessions for volunteers to monitor water quality impacts for the Atlantic Coast Pipeline and the Mountain Valley Pipeline have been announced.

- April 26, 7:00 PM. Blacksburg Presbyterian Church, 701 Church Street SE, Blacksburg – Montgomery County, VA observer training session and information meeting. Trainers are Kirk Bowers, PE and Jason Shelton, New River Geographics, LLC. For more information, click [here](#) or call: 833-MVWATCH.
- May 5, 9:30 am to 4 pm, McClintic Library, Marlinton, WV – Trout Unlimited and the West Virginia Rivers Coalition are partnering to train volunteers to monitor coldwater resources that have the potential to be impacted by natural gas pipeline development. The goal of this workshop is to train volunteers to effectively monitor water quality on high priority streams along proposed pipeline routes before, during and after potential pipeline construction. For registration and details, click [here](#).
- May 5, 4 to 5:30 pm, McClintic Library, Marlinton, WV – Volunteer Pipeline Visual Assessment Program. Gathering for local persons willing to be volunteer citizen observers who can identify, document and report pollution incidents associated with large-scale pipeline development. We ask all attendees to view the 90 minute online webinar, which can be accessed at <http://wvrivers.org/our-programs/water-monitoring/pipelinevisualassessment/>.
- May 5, 9 to 4:30 pm, 2193 Hanky Mountain Hwy, Churchville, VA – Virginia Save Our Streams (VASOS) workshop for those who want to become certified VASOS monitors. Sponsored by the Izaak Walton League in cooperation with Trout Unlimited and ABRA's Pipeline Compliance Surveillance Initiative. For registration and details, click [here](#).

- May 12, 10 am to 4 pm, Union Grove Baptist Church, Buckingham, VA – Appalachian Voices has partnered with Trout Unlimited and West Virginia Rivers Coalition to organize this training session. For registration and details, click [here](#).

## **FERC Seeks Public Input on its Process for Reviewing Natural Gas Projects**

The Federal Energy Regulatory Commission published on [April 25 in the Federal Register a Notice of Inquiry](#) seeking “information and stakeholder perspectives to help the Commission explore whether, and if so how, it should revise its approach under its currently effective policy statement on the certification of new natural gas transportation facilities.” Comments are due June 25, 2018.

Last week, in anticipation of the FERC Notice, representatives of several environmental organizations (including three members of ABRA: Natural Resources Defense Council, Sierra Club and Southern Environmental Law Center) wrote the Commission to urge the agency “to reform its pipeline review process to ensure that—above all else—the public interest is protected, which is consistent with FERC’s mandate under the Natural Gas Act.” The groups’ April 18 letter is available [here](#).

## ***In the News:***

### **Local/Atlantic Coast Pipeline**

#### **Kaine criticizes federal approval for ACP**

- CBS19 News – 4/25/18

<http://www.newsplex.com/content/news/Kaine-criticizes-federal-approval-for-ACP-480860421.html>

#### **Moving forward**

- Roanoke-Chowan News-Herald – 4/24/18

<https://www.roanoke-chowannewsheald.com/2018/04/24/moving-forward-4/>

Local officials, representatives, and construction workers who attended a ceremony marking the start of construction of the Atlantic Coast Pipeline in North Carolina.

#### **Rivals see opening in Dominion Energy’s political success**

- Associate Press- 4/23/18

<https://wtop.com/national/2018/04/rivals-see-opening-in-dominion-energys-political-success/>

Recent price signals and court decisions make it more appealing and potentially easier for large energy clients to shop around.

#### **Op-ed: The Atlantic Coast Pipeline and How it Got to this Point**

- AltDaily – 4/19/18

<http://altdaily.com/op-ed-the-atlantic-coast-pipeline-and-how-it-got-to-this-point/>

It took votes from both sides of the aisle to move it forward.

#### **Highland proposes 1 cent tax hike**

- The Recorder – 4/18/18

[https://www.abralliance.org/wp-content/uploads/2018/04/Highland-proposes-1-cent-tax-hike-Recorder\\_20180418.pdf](https://www.abralliance.org/wp-content/uploads/2018/04/Highland-proposes-1-cent-tax-hike-Recorder_20180418.pdf)

Despite what FERC and Dominion promised, property values are plummeting along the ACP route. This is causing budget shortfalls that must be made up for elsewhere.

## Regional/Mountain Valley Pipeline, other

### Serious concerns: Kaine calls for humane treatment of pipeline protesters

- Bluefield Daily Telegraph – 4/25/18

[http://www.bdtonline.com/news/serious-concerns-kaine-calls-for-humane-treatment-of-pipeline-protesters/article\\_710520c4-4827-11e8-9bb1-5bbf5a220733.html](http://www.bdtonline.com/news/serious-concerns-kaine-calls-for-humane-treatment-of-pipeline-protesters/article_710520c4-4827-11e8-9bb1-5bbf5a220733.html)

According to various reports, the U.S. Forest Service has blocked efforts to bring food and water to the tree sitters at the sites.

### With Treetop Protest, 61-Year-Old Red Terry Is Leading Fight Against Mountain Valley Pipeline

- Common Dreams – 4/22/18

<https://www.commondreams.org/views/2018/04/22/treetop-protest-61-year-old-red-terry-leading-fight-against-mountain-valley#>

Related:

- <http://bluevirginia.us/2018/04/3-arrested-attempting-to-resupply-monopod-blockade>

### Rasoul: Pipelines: The local injustice of our generation

- The Roanoke Times – 4/22/18

[http://www.roanoke.com/opinion/commentary/rasoul-pipelines-the-local-injustice-of-our-generation/article\\_229e691b-780d-5cbb-aea2-cac964f008de.html](http://www.roanoke.com/opinion/commentary/rasoul-pipelines-the-local-injustice-of-our-generation/article_229e691b-780d-5cbb-aea2-cac964f008de.html)

There is a reason that local governments — conservative Republican Boards of Supervisors — have opposed these pipelines since their announcement. They are not good for the places they cross.

### County supervisors vote to monitor pipeline construction

- The Franklin News-Post – 4/24/18

[http://www.thefranklinnews.com/news/local/county-supervisors-vote-to-monitor-pipeline-construction/article\\_01cd43e8-47ec-11e8-9709-cfdd5a342e2c.html](http://www.thefranklinnews.com/news/local/county-supervisors-vote-to-monitor-pipeline-construction/article_01cd43e8-47ec-11e8-9709-cfdd5a342e2c.html)

Franklin County staff will now be permitted to go on site where Mountain Valley Pipeline crews are working, after the Board of Supervisors voted Tuesday to sign an agreement with the Virginia Department of Environmental Quality.

### Strickler: Virginia steps in where Trump fails

- The Roanoke Times – 4/23/18

[http://www.roanoke.com/opinion/commentary/strickler-virginia-steps-in-where-trump-fails/article\\_998d1193-562f-52d1-a1a0-9ec046e4d32f.html](http://www.roanoke.com/opinion/commentary/strickler-virginia-steps-in-where-trump-fails/article_998d1193-562f-52d1-a1a0-9ec046e4d32f.html)

VA Secretary of Natural Resources refutes claims of “immunity” tied to mitigation deals between pipeline companies and the state of Virginia.

## Big Picture:

### Tech firms like Google, Amazon push power companies toward solar and wind, a blow to coal

- USA Today – 4/22/18

<https://www.usatoday.com/story/tech/news/2018/04/22/google-amazon-push-power-companies-solar-and-wind-blow-coal/438020002/>

Since 2008, renewable energy has gone from 9% to 18% of the U.S. energy mix, according to the Business Council for Sustainable Energy. A big part of that shift stems from tech companies' rapid buildup of cloud storage centers and a move to burnish their public image by vowing they'll run these centers on sources like wind and solar.

Related:

- <https://www.reuters.com/article/us-hsbc-strategy-fossil-fuels/hsbc-to-stop-financing-most-new-coal-plants-oil-sands-arctic-drilling-idUSKBN1HR1NR?feedType=RSS&feedName=environmentNews>

### FERC issues NOI seeking comments on gas pipeline evaluations

- Utility Dive – 4/20/18

<https://www.utilitydive.com/news/ferc-issues-noi-seeking-comments-on-gas-pipeline-evaluations/521788/>

The NOI seeks comment on how FERC evaluates the need for pipelines, its use of eminent domain, the environmental impact of pipeline projects and the efficiency of FERC's permitting process.

### **Climate change could make thousands of tropical islands ‘uninhabitable’ in coming decades, new study says**

- The Washington Post – 4/25/18

[https://www.washingtonpost.com/news/energy-environment/wp/2018/04/25/climate-change-could-make-thousands-of-tropical-islands-uninhabitable-in-coming-decades-new-study-says/?noredirect=on&utm\\_term=.1378c3961385](https://www.washingtonpost.com/news/energy-environment/wp/2018/04/25/climate-change-could-make-thousands-of-tropical-islands-uninhabitable-in-coming-decades-new-study-says/?noredirect=on&utm_term=.1378c3961385)

The U.S. military supported the research in part to learn about the vulnerability of its tropical-island installations.

### **The Northeast US has a carbon-trading system. It is boosting, not hurting, state economies.**

- Vox – 4/25/18

<https://www.vox.com/energy-and-environment/2018/4/25/17269544/fossil-fuel-carbon-trading-economies-rggi-northeast>

### **BP confesses ‘mistake’ in forecasting renewable energy growth**

- Euractiv – 4/25/18

<https://www.euractiv.com/section/energy/news/bp-confesses-mistake-in-forecasting-renewable-energy-growth/>

Like the EIA, BP has repeatedly underestimated the growth of renewable energy...especially in China and India. The second article may help illustrate why this is.

Related:

- <https://www.forbes.com/sites/gauravsharma/2018/04/24/production-cost-of-renewable-energy-now-lower-than-fossil-fuels/#3823fee4379c>

### **Florida Regulators Pave Wave for Major Solar Expansion**

- IEEFA – 4/23/18

<http://ieefa.org/florida-regulators-pave-wave-for-major-solar-expansion/>