



ABRA Update #84 – June 16, 2016

Grassroots Coalition Challenges McAuliffe on Gas Pipelines, Other Issues

An alliance of some 60 groups and leaders released on June 15 an open letter to Virginia Governor Terry McAuliffe challenging him to stop supporting fossil fuel projects that worsen climate change and harm communities. ABRA and several of its member organizations signed the letter. **The Governor was asked to join the fight for “energy justice, democratic renewal, and healthy communities” in Virginia. It announces plans for a July 23 rally in Richmond.** More at www.marchonthemansion.org.

The letter outlines how Governor McAuliffe, after running on a platform of clean energy, has yet to act with the urgency the climate crisis demands or protect communities on the front lines of major pollution threats. It recommends a series of steps Governor McAuliffe can take – wholly within his authority and not dependent on Congress or the Virginia General Assembly – to lead Virginia unequivocally toward a clean energy future. These solutions include using state authority to challenge water permits for proposed fracked-gas pipelines under the Clean Water Act, dropping support for offshore drilling, and intervening to protect communities from reckless coal-ash disposal plans. They also include committing to regulations under the federal Clean Power Plan that would put a strong cap on total, aggregate greenhouse gas pollution from Virginia power plants now and into the future.

FERC Makes New Information Request of Dominion

The Federal Energy Regulatory Commission (FERC) wrote the Atlantic Coast Pipeline, LLC on June 13 **requesting additional information to assist the agency’s** analysis of the ACP pipeline proposal, and reminded the company that it was still awaiting responses to previous information requests made on December 4, 24 and January 6. Among the 187 information items requests cited in the letter from Kevin Bowman, Environmental Project Manager for the ACP, were:

- Clarify whether the proposed route near Deerfield can be optimized to minimize impacts on landowners, the Deerfield water supply and the environment;
- Provide operational methane emission estimates associated with leaks and releases;
- Provide site-specific mitigation measures concerning several proposed river crossings;
- Evaluate the feasibility of reducing the construction right-of-way on the Seneca State Forest in WV to minimize impacts on forest resources;
- Provide updated access road information;

For questions about Update items, contact:

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In the News – *Dan Shaffer*, dshaffer@abralliance.org

- Identify the maximum amount of slash that would be scattered across the pipeline right-of-way, based on fuel loading size classes;
- Provide a justification of why a permanent right-of-way easement that conforms to U.S. Forest Service requirements cannot be accommodated (USFS states a maximum right-of-way of 50 feet plus the width of the pipeline; ACP requested a 75-foot right-of-way through the forest); and
- For areas where project workspaces intersect regions of high karst concentrations, provide justification why avoidance of these regions is not possible.

VOF “Easement Swap” Proposal Delayed

A proposal to the Virginia Outdoors Foundation (VOF) by Dominion Transmission, on behalf of the Atlantic Coast Pipeline (ACP), to purchase the Hayfield Farm in eastern Highland County, VA and place it under a conservation easement in exchange for the ACP being permitted to cross other existing VOF-held conservation easement properties, will not be considered until September. The VOF Board of Trustees was scheduled to take up the matter at its June 30 meeting. Dominion has asked that **consideration of its proposal be delayed until the VOF Board’s September 29 meeting**. VOF has indicated it will still entertain public comments at its June 30 meeting and written comments up until its September meeting. (See the June 16 Recorder story below for more details.)

ACP Story Map Project Now Operational

The Dominion Pipeline Monitoring Coalition (DPMC), which also serves as **ABRA’s Environmental Resources Committee, has initiated a Story Map Project** to promote informed decision making for the proposed pipelines across the mountains and valleys of the central Appalachian region, including the Atlantic Coast Pipeline (ACP). Story Maps provide a means to integrate online geographic information system (GIS) maps with text, photos, graphics, and videos to tell a story, make a case, summarize an issue, etc. Lynn Cameron, DPMC Steering Committee member, has created the first Story Map on shale barrens. Additional ACP Story Maps are planned, including the following that are currently under development:

- Karst Hydrology and the ACP
- A Comparative Terrain Analysis for the ACP Route
- Forest Fragmentation and the ACP
- Critical Zones for Erosion and Sediment Control
- ACP Blast Radius and Evacuation Zone
- General Versus Individual Permits for the ACP
- The Question of Need and Necessity

Pipelines and Eminent Domain Conference Held in Atlanta

Representatives of environment and conservation groups from around the nation met June 14 and 15 in Atlanta to discuss what needs to be done to eliminate the ability of private companies to use the right of eminent domain in pursuit of private gain rather than for a public purpose. The 60 attendees included representatives from ABRA (Lewis Freeman, Chair/Executive Director) and several of its member organizations (Appalachian Mountain Advocates, Chesapeake Climate Action Network, Friends of Nelson and Sierra Club).

The discussions cited numerous examples of the misuse and abuses that have taken place as a result of energy companies being granted the right of eminent domain for projects throughout the country that do not properly meet the criteria for being in the public interest, as the term has historically been understood. Under current provisions and interpretations of the Natural Gas Act, the Federal Energy Regulatory Commission automatically conveys the right to use eminent domain to condemn private property to build a natural gas pipeline when a permit to build is approved by the agency, regardless of whether the project is actually needed.

One participant movingly told of how the maple sugar trees on her farm in Pennsylvania were destroyed in the midst of the trees being tapped this past March, **depriving her family of planned revenue. The pipeline company's loggers were** accompanied by 15 armed guards with AK-47s. Subsequently, the proposed pipeline (the Constitution Pipeline) was prohibited from moving ahead with the project because of its failure to receive water quality approvals. This was no solace, though, the farm owners who have now been robbed of a major source of future income. Additional discussions will take place in the wake of the Atlanta meeting.

In the News:

Local/Atlantic Coast Pipeline

Landowners address VOF about easements

- The Recorder – 6/16/16

http://www.abralliance.org/wp-content/uploads/2016/06/Landowners_address_VOF_about_easements-Recorder_6-16-16.pdf

The author of this letter is a renowned New York Times best-selling author who lives in Highland County, VA

Foundation tables Hayfields easement plan

- The Recorder – 6/16/16

http://www.abralliance.org/wp-content/uploads/2016/06/Foundation_tables_Hayfields_easement_plan-Recorder_6-16-16.pdf

More details on the proposed easement swap...Dominion still faces some obstacles

Put burden on companies, not landowners

- The Recorder – 6/16/16

http://www.abralliance.org/wp-content/uploads/2016/06/Put_burden_on_companies_not_landowners-Recorder_6-16-16.pdf

Why must citizens be responsible for doing the research for pipeline companies?

Federal agencies hold key to proposed route of Atlantic Coast Pipeline

- Richmond Times Dispatch – 6/11/16

http://www.richmond.com/news/virginia/article_fe268707-6ffd-5baa-8800-079b4c5fe302.html

Additional focus on the easement swapping issue

Protect Our Water asks FERC to consider flood damage in pipeline review

- Augusta Free Press – 6/10/16

<http://augustafreepress.com/protect-water-asks-ferc-consider-flood-damage-pipeline-review/>

From Camille to this past weekend...history shows that Nelson County flooding hazards are serious concerns

One woman's fight to save her land from a pipeline that tore a region apart

- The Washington Post – 6/9/16

<http://www.washingtonpost.com/sf/style/wp/2016/06/09/2016/06/09/one-womans-fight-to-save-her-land-from-a-pipeline-that-tore-a-region-apart/>

Great, in-depth reporting and storytelling...really gets the point across

No, we don't need the ACP

- News Leader – 6/8/16
<http://www.newsleader.com/story/opinion/readers/2016/06/08/need-acp/85605500/>
Gas from ACP may actually cost MORE than existing alternatives

Regional/Mountain Valley Pipeline, other

A New Vision for Energy Justice, Democratic Renewal, and Healthy Communities in Virginia

- Chesapeake Climate Action Network PR/Open Letter – 6/15/16
<https://medium.com/@CCAN/a-new-vision-for-energy-justice-democratic-renewal-and-healthy-communities-in-virginia-469d8c84e0e6#.tvt7jcc5s>

Related:

- http://www.roanoke.com/news/politics/environmental-groups-protest-mcauliffe-s-energy-policies/article_ea9080dc-5f56-5643-a242-f48912aad3c9.html
- http://www.richmond.com/news/virginia/government-politics/article_af0ea49e-ffa5-5366-ac94-ae6986d2fee2.html

Virginia Gov. Terry McAuliffe has an abysmal climate record

- The Washington Post – 6/10/16
https://www.washingtonpost.com/opinions/virginia-gov-terry-mcauliffe-has-an-abysmal-climate-record/2016/06/10/922e890a-2bf7-11e6-9b37-42985f6a265c_story.html
Big, big promises, little action of consequence

Big Picture:

Marcellus/Utica On Pace for Pipeline Overbuild, Says Brazier

- Natural Gas Intelligence – 6/8/16
http://www.abralliance.org/wp-content/uploads/2016/06/Brazier-Appalachia_Pipelines_May_be_Headed_for_Overbuild_20160608.pdf
Another industry insider warns that the race to the East may have an unhappy ending

The World Nears Peak Fossil Fuels for Electricity

- Bloomberg – 6/13/16
<http://www.bloomberg.com/news/articles/2016-06-13/we-ve-almost-reached-peak-fossil-fuels-for-electricity>
Little point in rushing to build out gas infrastructure with a 40-year lifespan...except 40 years of captive profit!
- Related:
- <http://oilprice.com/Energy/Natural-Gas/Natural-Gas-Is-Already-Losing-To-Renewables.html>

In war over pipelines, rules of engagement are far from settled

- Penn Live – 6/14/16
http://www.pennlive.com/news/2016/06/in_war_over_pipelines_rules_of.html

Cantwell: We Should Focus on Using Existing Pipelines More Efficiently

- US Senate Committee on Energy & Natural Resources – 6/14/16
<http://www.energy.senate.gov/public/index.cfm/2016/6/cantwell-we-should-focus-on-using-existing-pipelines-more-efficiently>

After Keystone XL: TransCanada Building North American Fracked Gas Pipeline Empire

- DeSmog – 6/9/16
<http://www.desmogblog.com/2016/06/09/transcanada-keystone-xl-north-american-fracked-gas-pipelines>
If at first you don't succeed...try another hydrocarbon!

Warren, Markey allege conflict of interest in federal pipeline review

- The Patriot Ledger – 6/13/16
<http://www.patriotledger.com/news/20160613/warren-markey-allege-conflict-of-interest-in-federal-pipeline-review>

Maine PUC staff: Electric ratepayers should not pay for natural gas pipeline expansion

- Utility Dive – 6/10/16

<http://www.utilitydive.com/news/maine-puc-staff-electric-ratepayers-should-not-pay-for-natural-gas-pipeline/420735/>

Maine PUC decides **that its ratepayers should not have to pay for pipelines...** a key component of Dominion's bid to build, own and operate the Atlantic Coast Pipeline