

Oppose Dominion's Attempts to Legislate the Atlantic Coast Pipeline Route

Dominion Not Allowed to Cross Appalachian Trail on U.S. Forest Service Lands

- In December 2018, a federal court rejected a critical permit that would allow Dominion's controversial Atlantic Coast Pipeline (ACP) to cross the Appalachian Trail (AT) and steep, mountainous terrain in the George Washington and Monongahela National Forests. This is the *seventh* federal permit for the ACP that has been vacated, stayed, or suspended; as a result, construction of the entire pipeline is halted indefinitely.
- The federal Fourth Circuit Court of Appeals ruled that the Forest Service did not have legal authority to allow the ACP to cross the AT *at the developers' proposed location*. The court also ruled that the agency failed to evaluate alternatives that would avoid the national forests and ignored concerns raised by its own scientists and engineers about erosion and landslide risks. The court's ruling affects the Mountain Valley Pipeline as it also seeks to cross the Appalachian Trail on Forest Service land in Virginia.
- The Appalachian Trail is a globally recognized footpath that receives three million visitors annually. They come to experience backwoods recreation and iconic views of the world's oldest mountain range. ACP's proposed permanently cleared right-of-way, as wide as a seven-lane highway, will spoil scenic views from the Appalachian Trail and the Blue Ridge Parkway.

Dominion Seeking Special Treatment from the U.S. Congress

- To fix its permitting problems, Dominion is seeking special treatment from Congress to force its proposed crossing of the AT in the George Washington National Forest.
- This special treatment would undercut the regulatory process in two significant ways:
 - ACP legislation would insert Congress into an ongoing process to the detriment of landowners, utility customers, and public lands users. ACP's proposed route is still under review by agencies and courts, including separate cases challenging the U.S. Fish and Wildlife Service's biological opinion and the Federal Energy Regulatory Commission's certificate. The outcome of this agency and judicial review could significantly change the route and even result in a fundamental rethinking of the entire project.
 - Legislation would create the troubling precedent that pipeline developers could call on Congress to fix permitting problems for ill-conceived projects that run afoul of the law. And Congress doesn't need to act. Despite the exaggerated claims from Dominion, oil and gas pipelines do not cross the AT on national forest lands. It simply has not been necessary. Dominion has other routing options which the Fourth Circuit found it failed to study.

The Atlantic Coast Pipeline is Unnecessary

- Mounting evidence shows that the ACP is not needed to meet demand. In 2018, Virginia regulators found that Dominion already owns enough pipeline capacity to serve its existing power plants. Also in 2018, regulators rejected—*for the first time ever*—Dominion's Integrated Resource Plan, finding that the company's demand projections "have been consistently overstated." And in March 2019, Dominion submitted a new Plan confirming Virginia's trajectory away from fossil fuels—coal *and* gas—towards clean, low-cost solar power.
- Remarkably, Dominion has not produced a study demonstrating a need for the ACP.
- ACP developers are guaranteed a yearly profit of 15% on top of the more than \$7 billion pipeline price tag. Dominion and its partner Duke Energy plan to pass all the costs onto their captive utility ratepayers.