

# OPPOSE DOMINION'S ATTEMPTS TO LEGISLATE THE ATLANTIC COAST PIPELINE ROUTE

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## DOMINION'S PROPOSED APPALACHIAN TRAIL CROSSING IS UNLAWFUL

- In December 2018, a federal court rejected a critical permit that would have allowed Dominion's controversial Atlantic Coast Pipeline (ACP) to cross the Appalachian National Scenic Trail in the George Washington National Forest. This is one of *seven* ACP permits that a court or agency has vacated, stayed, or suspended since May 2018. As a result, Dominion was forced to halt all ACP construction indefinitely in December 2018.
- The federal Fourth Circuit Court of Appeals ruled that the Forest Service did not have legal authority to allow the ACP to cross the Trail at Dominion's *proposed location* on national forest land. The court's ruling only applies to Trail crossings on federal lands, not state or private lands. It affects the Mountain Valley Pipeline which would also cross the Appalachian Trail on national forest land in Virginia. Dominion and the federal government have appealed this issue to the U.S. Supreme Court. The other grounds on which the Fourth Circuit overturned ACP's permit from the Forest Service are not contested.
- The Appalachian Trail is a treasured American footpath that receives three million visitors annually. They come to experience backwoods recreation and iconic views of one of the world's oldest mountain ranges. ACP's proposed right-of-way—a permanently cleared swath as wide as a seven-lane highway—would spoil the Trail's scenic views.

## DOMINION WANTS SPECIAL TREATMENT FROM CONGRESS

- To get around its permitting problems, Dominion is seeking special treatment from the U.S. Congress—a law that would force through its proposed Appalachian Trail crossing in the George Washington National Forest.
- This special treatment would undercut the regulatory process in two very important ways:
  - First, ACP legislation would insert Congress into an ongoing review process to the detriment of landowners, utility customers, and public-lands users. The ACP is still under review by agencies and courts, and this process could significantly change the route or even result in a fundamental rethinking of the entire project.
  - Second, ACP legislation would create troubling precedent—pipeline developers could call on Congress to get around permitting problems for ill-conceived projects that run afoul of the law. Congress doesn't need to act. Despite exaggerated claims from Dominion, gas and oil pipelines have never before crossed the Appalachian Trail on national forest lands.

## THE ATLANTIC COAST PIPELINE IS UNNECESSARY

- Growing evidence shows that the ACP is not needed to run the region's power plants. In 2018, Virginia regulators rejected—for the *first time ever*—Dominion's Integrated Resource Plan, finding that the company's power 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.
- Dominion has not produced a study demonstrating a need for the ACP.
- ACP developers Dominion and Duke are guaranteed a yearly profit of 15% on the more than \$7 billion pipeline price tag. These companies plan to charge the costs of building the ACP and the yearly profit to their utility customers in Virginia and North Carolina.

For more information and updates, visit [SouthernEnvironment.org](http://SouthernEnvironment.org).  
Or contact Jonathan Gendzier at [jgendzier@selcva.org](mailto:jgendzier@selcva.org) • 434-977-4090.

