

Press Release from the Southern Environmental Law Center
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Atlantic Coast Pipeline Construction Halted
Problems with unneeded pipeline come to light

Richmond, VA – The US Fourth Circuit Court of Appeals issued a [decision](#) to invalidate the United States Fish and Wildlife Service’s review of Dominion and Duke Energy’s fracked-gas pipeline. Without a valid permit Atlantic Coast Pipeline (ACP) developers cannot continue construction. The Southern Environmental Law Center has [notified](#) the Federal Energy Regulatory Commission of the court decision and its significance to the construction of the pipeline through West Virginia, Virginia and North Carolina.

The case brought by Defenders of Wildlife, Virginia Wilderness Committee and Sierra Club and argued by the Southern Environmental Law Center is just the first example of the result of rushed permit approvals made under political pressure for the unneeded Atlantic Coast Pipeline.

“The Atlantic Coast Pipeline is a risky and unnecessary project that customers will have to pay for. Dominion has put tremendous pressure on agencies like the Fish and Wildlife Service to move this unnecessary project through the regulatory process as quickly as possible,” said Southern Environmental Law Center Senior Attorney Greg Buppert. “The Fish and Wildlife Service will need to review the full opinion of the court and we believe will have a lot of work to do to arrive at a permit for this project that will be sufficient enough to stand up in the court of law.”

The three-judge panel found that the United States Fish and Wildlife Service’s Biological Opinion required to certify the Atlantic Coast Pipeline did not comport with the law. The initial decision stated that the agency’s limits for harming endangered species were so indeterminate that they undermined the Endangered Species Act.

"This fracked gas pipeline is a bad deal for people and wildlife. It will forever damage our region’s incredibly biodiverse mountains and streams, spelling doom for the fish, mussels, crayfish and other rare and vulnerable species that depend on these habitats,” said Jason Rylander, senior attorney, for Defenders of Wildlife. “Under this ruling, all construction should cease until these impacts are fully understood."

“To date, only political considerations have driven this poorly conceived project. Today the rule of law prevailed. We thank all those who insist that ACP and Dominion must follow the law. Decisions should be made on the best available science and the laws of the United States—not on politics,” Mark Miller, Virginia Wilderness Committee.

“The Fish and Wildlife Service is just one of the many agencies that were forced to rush through their job and failed to adequately review the threats of the fracked gas Atlantic Coast Pipeline,” said Nathan Matthews, Sierra Club staff attorney. "These fracked gas pipelines are dirty, dangerous and not even necessary for meeting our energy needs. The

fact that these polluting corporations want to build these pipelines just shows that they put their profits over people, communities, and endangered species.”

A full decision of the Court’s opinion has not yet been issued.

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For more than 30 years, the Southern Environmental Law Center has used the power of the law to champion the environment of the Southeast. With over 70 attorneys and nine offices across the region, SELC is widely recognized as the Southeast’s foremost environmental organization and regional leader. SELC works on a full range of environmental issues to protect our natural resources and the health and well-being of all the people in our region. www.SouthernEnvironment.org