



BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE

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The LEAGUE LINE

Spring 2018

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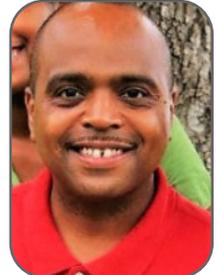
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To Cooper's Threat On Land Legacies

by: Pastor Cary Rodgers, Jr.



On January 26, 2018, Governor Roy Cooper of North Carolina, shocked many hard working landowners by approving the 401 water crossing and erosion permit for the proposed Atlantic Coast Pipeline owned by majority partners, Duke Energy and Dominion Energy. Cooper's decision was despotic and made the NC Department Of Environmental Quality look irrelevant. Did Cooper go through the thousands of public comments concerning the negative impacts that the proposed ACP will have on hundreds of NC waterways? No! Did he consider the property rights and the hazards of the 36 inch highly pressurized methane gas pipeline in NC? Absolutely not! On the same day that Cooper approved the 401 permit, he announced that Duke and Dominion will give about \$58 million dollars to the state as a "mitigation" fund. Guess who was given control over the funds at the time? Cooper. Does this look like a classic "pay to play" scheme?

Despite Governor Cooper's decision, a few weeks later BREDL chapter landowners directly affected by the ACP made their unified voices known on the radio airwaves to the Governor, state legislators, NC DEQ staff, and the citizens of NC. The radio campaign sponsored by BREDL was heard in Raleigh and Fayetteville for multiple weeks in March. The radio ads featured Valerie Williams, president of Concerned Stewards of Halifax County; Francine Stephenson, president of No Pipeline Johnston County; Marvin Winstead, president of Nash Stop The Pipeline; and Tom Clark, communications lead of Cumberland County Caring Voices.

Valerie Williams who has spent years developing her 100 year old family farm into a spiritual retreat and natural habitat for the community says, "The land is our family tree and it speaks of legacies, heritage, and memories. No one would take that away from us." She resolves, "No pipelines on our valuable historic farms. No intruders on our land."

Marvin Winstead continues his father's farming legacy. In the middle of his field of crops stands a large tall old pine tree. Marvin said that the pine tree has to be about 80 years old. It is a special tree to him. When he was young his mother insisted that his father keep that tree. For decades tractors just plowed around it. That tree stands as a memorial of the legacy of Marvin's mother and father. That pine tree is in the direct path of the proposed ACP. Marvin says that Governor Cooper, "betrayed the citizens of NC." He continues, "My farm will never again be productive." The ACP plans to take at least 11 acres of his 40 acre farm.

Francine Stephenson's farm is also part of her family legacy. She says, "Atlantic Coast Pipeline will destroy my Johnston County farm." She continues, "I fear that gas disasters, pollution, and erosion and many other problems with the ACP will guarantee that the Governor's legacy decision was not right, not good, and not just for the people of North Carolina."

Tom Clark plans to hand down his family land heritage to his grand daughter. "But with a 36 inch pipeline next to it, I wouldn't feel safe for her [to] even build much less live here," says Tom. "It's in our heart and that is what we are fighting for." He continues, "Land is something that's precious. But whenever land is handed [down] from generation to generation, it's more than just land that is handed to you, it's your heritage. It's your love for family. And that's something we want to pass on to future generations. And Governor Cooper, you and Dominion think you are going to take that away from us? But you're not. We will stop this pipeline!"

These and other BREDL chapter voices all up and down the proposed ACP from Virginia to North Carolina are speaking loud and clear, "NO PIPELINE!" The fight is not over! To hear the radio ad campaign and watch the videos of those featured in the ad please visit www.NoPipeline.net.

2018





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BREDL: Who and what we are

In March 1984, fifty citizens of Ashe and Watauga Counties met in the Mission House of Holy Trinity Church in Glendale Springs, North Carolina. Teachers and farmers, home-makers and merchants listened to the report of the Episcopal Church Women on the US Department of Energy's siting search for a high-level nuclear waste dump in the rain-rich east.

Recognizing that the North Carolina mountains were a region at risk, the assembled group organized the Blue Ridge Environmental Defense League (BREDL) to protect their own backyard and those of other threatened communities.

Grassroots organizing was a cornerstone of our early all-volunteer organization. One of our first multi-county boards of directors adopted our credo, which embodies our mission statement:

BREDL Credo

We believe in the practice of earth stewardship, not only by our league members, but by our government and the public as well. To foster stewardship, BREDL encourages government and citizen responsibility in conserving and protecting our natural resources. BREDL advocates grassroots involvement in order to empower whole communities in environmental issues. BREDL functions as a "watchdog" of the environment, monitoring issues and holding government officials accountable for their actions. BREDL networks with citizen groups and agencies, collecting and disseminating accurate, timely information.

BREDL sets standards for environmental quality, and awards individuals and agencies who uphold these standards in practice.

Moving into the future

Since then, the Blue Ridge Environmental Defense League has grown to be a regional community-based, nonprofit environmental organization. Our founding principles - earth stewardship, environmental democracy, social justice and community empowerment - still guide our work for social change. Our staff and volunteers put into practice the ideals of love of community and love of neighbor, which help us to serve the movement for environmental protection and progressive social change in Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama and Tennessee.

Grassroots Campaigns

Nothing creates hopefulness out of helplessness like a successful grassroots campaign - and our chapters have a history of winning. For over twenty-eight years Blue Ridge Environmental Defense League chapters have protected their communities by stopping dangerous facilities and promoting safe alternatives.

In the 1980's and 1990's, BREDL prevented a multi-state ThermalKEM hazardous waste incinerator, a southeastern nuclear waste dump and a national nuclear waste dump. In the 2000's, our coordinated grassroots citizens' campaigns have had further victories. We won a legislative victory with the passage of the NC Solid Waste Act, effectively blocking at least four multi-state mega-dumps. Our Person County chapter convinced their Board of Commissioners to reject expansion of the Republic Services landfill. Our Cascade, Virginia, chapter shut down a huge hazardous waste incinerator. We eliminated mercury waste from the Stericycle incinerator, shut down a tire incinerator in Martinsville, won the landmark environmental justice court decision in Greene County, NC. Further, with our chapters we have protected air quality by blocking scores of asphalt plants, four medical waste incinerators, a PVC plant and a lead smelter, and passage by local governments of eight polluting industries ordinances. Our work on nuclear power and coal plants laid the groundwork for our new Safe Energy Campaign. Victories over twenty-four mega-dumps have resulted in our affirmative Zero Waste Campaign. Guided by the principles of earth stewardship and environmental justice, we have learned that empowering whole communities with effective grassroots campaigns is the most effective strategy for lasting change.



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(BREDL)**

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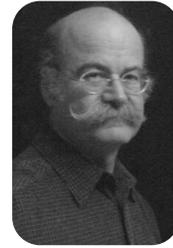
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DIRECT ACTION:

The heart of a successful campaign

“Direct action means that we take collective action to change our circumstances, without handing our power to a middle-person.”* Direct action is effective because it addresses the core principle of power.

During the last few months, the campaign against natural gas pipelines has taken a desperate turn, with individuals confronting local police and armed security. “We were at a State Water Control Board meeting in Richmond and private security were photographing us and our cars,” reported BREDL’s Sharon Ponton. Scary? Yes. She observed cooperation between state police and pipeline company security. Dominion and Duke Energy are the principal companies backing the Atlantic Coast Pipeline, but they are not alone in these tactics. Activists opposing the Mountain Valley Pipeline report similar events.

Pipeline companies are violating state laws by cutting down trees near streams and wetlands. Of course, this prompts pushback from landowners and their supporters. The bully-boy tactic of wanton tree cutting on pipeline easements is designed to demoralize the opposition and eliminate hope. BREDL founder Janet Marsh said, “When a direct action campaign degenerates into acts of desperation, not only do these desperate acts spell out defeat, they lead to a sense of helplessness. Afterwards, people feel worse than they did before.” Such a setback occurring at the worst possible time can derail the campaign, leading to further losses of people, resources and morale. So, how can we actually advance our cause without creating violent clashes or self-defeating confrontations?

Direct action takes the fight to the decision-makers. “Non-violent direct action seeks so to dramatize the issue that it can no longer be ignored.”** BREDL’s Michael James-Deramo, describing his motivation, said, “We’re there to show solidarity with these people, to help boost morale and to generally send the statement that this fight isn’t over and will continue.”

The key to successful direct action is altering the balance of power; that is, a participatory action which increases your group’s power and decreases your opponent’s power. Even a small threat to established power can prompt overreach, an unjustified response. In this way, even a minor provocation can be the trigger event to destabilizing a more powerful opponent.

Two examples:

1) An organized group of people attend a government meeting to express their opposition to what is being done to them. One at a time, they stand and speak without asking permission, interrupting the proceeding. The participants rise one-by-one in sequence from various places in the room, making statements in a calm, dignified manner until they all are escorted from the room. This withdrawal of cooperation undermines power and authority. Repeat episodes ramp up the pressure. The more repressive the government officials are, the better this tactic works.

2) A community dissatisfied with its official decisions resorts to symbolic non-payment of taxes or fees. This can take many forms. Oppose a zoning permit? Pay your taxes in pennies. Oppose a polluting power company? Make separate payments for the percentage of the bill you oppose and include a small flyer or a colorful sticker on the bill explaining why. Such non-cooperation creates an administrative problem for the agency—putting sand in the gears—and indicates payment under duress. And it unifies your group because everyone can participate.

Public announcements always accompany well planned direct actions. You want everyone to know what you are doing and why. The direct action itself should tell the

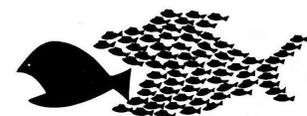
story. Boldly rising to speak—without invitation—at a government meeting to describe invasion of private property is not only a powerful statement, it paints a picture. Showing, not telling, is the method by which activists can illustrate to others not already convinced that your cause is just.

In our fight against a solid waste dump in Kernersville, NC, a group of residents whose homes and farms were at risk held a press conference on city property despite official attempts to stop us. The heavy-handed response became the big story, a First Amendment conflict which the city could not win. Ultimately, this and other collective direct actions tipped the balance, overcoming a hostile city council and booting out a national waste company.

To be successful, direct action must confront authorities, openly and directly. No middle-person needed. Government officials, appointed and elected, are the focus. Satyagraha, a term coined by Gandhi, combines two words meaning truth and firmness. It implies love and human dignity, by and for both activists and opponents. A non-violent action, in word and deed, deprives authorities of any justification to use force. More powerful than outrage or criticism, love demands consideration and respect.

*Joshua Kahn Russell in *Beautiful Trouble*

**Rev. Dr. Martin Luther King



BREDL Welcomes New Executive Assistant

Mark Barker



Mark Barker has been a part of BREDL since 1992 when he served on our Board of Directors as the chapter representative for Mountain Heritage Alliance. MHA successfully stopped U.S. 58 from being re-routed and made four-lane, which would have bisected the Mount Rogers National Recreation Area in southwest Virginia. He, along with BREDL staffer Ann Rogers, is a member of Virginians for Appropriate Roads. This BREDL chapter is watchdogging the Roanoke to North Carolina section of I-73. After twenty-six years, this section of I-73 has \$0 in funding with no immediate plans to move forward.

For nearly a decade, until 2008, Mark also represented BREDL as part of Virginia Forest Watch. He also worked with the Radford Group, which was organized by the Virginia Wilderness Committee. It was instrumental in obtaining Wilderness and Scenic Area protections in southwest Virginia.

He currently is part of the Greater Roanoke Asthma and Air Quality Coalition. This coalition, formed in March 2000, is comprised of

respiratory health professionals, individuals with asthma, those concerned about asthma and air pollution and local like-minded groups. Representing BREDL and the coalition, he served on the Roanoke Valley Early Action Plan Ozone Task Force, which was formed to help the area meet the ozone health standard.

In 1999, Mark created our website bredl.org. Our website is an archive for many of BREDL's activities and it serves as a valuable resource for threatened communities.

Mark recalls one of his favorite BREDL days. It was back in 2003 when he spent a day working on two separate issues. In the morning he traveled to Wythe County where he presented a resolution to the Board of Supervisors, on behalf of a local citizens group, addressing problems with a so-called portable asphalt plant that had relocated in a neighborhood. That facility was allowed to be set up without any public notice. In the afternoon he left Wythe County and headed to Brosville in Pittsylvania County to attend a public meeting on a hazardous waste incinerator. That

Virginia Solite incinerator announced its closure in 2005.

He also worked with concerned citizens in Martinsville and Henry County regarding a waste tire incinerator. After just a few months of operation, the facility shutdown in 2007 because of financial and pollution control issues. Both are issues that we expressed as concerns during the permitting process.

Mark is a life-long resident of Virginia spending most of his time in southwest Virginia. He grew up in Sugar Grove and attended James Madison University where he studied communications concentrating on the broadcast industry. He resides in Roanoke.

Outside of his love for the environment, Mark is an avid Milwaukee Brewers fan and has an affection for alternative and punk rock music.

He served on the BREDL Board of Directors as the southwest Virginia Vice-President for nearly two decades. Mark is looking forward to his new role with BREDL.

In 2017, www.bredl.org had nearly 2 million hits. Our website averaged 5,164 daily hits and 577 daily visits. Our highest hit total was on April 26, 2017 when we had 22,516 hits from 705 visits. April was our biggest month in 2017 with 255,508 hits.

Visitors from over 90 countries looked at bredl.org. Most sessions were users from North Carolina, Virginia, Georgia, Florida and California.

Rank	PDF File	Download
1	/pdf/wastegasification.pdf	4456
2	/pdf3/South_Atlantic_Galvanizing.pdf	4370
3	/pdf5/AG2-Georgia_Presentation.pdf	4043
4	/pdf/factsheet-asphaltplants.pdf	3329
5	/pdf5/Factsheet_compressor_stations.pdf	2295

Appalachian and Piedmont Virginia – Native American history vs. the Mountain Valley Pipeline,

. Appalachian and Piedmont Virginia, including the portions of Roanoke and Franklin Counties that have been slated for construction of the Mountain Valley Pipeline (MVP), will play an increasingly important role in the fight to stop that pipeline, if BREDL and its allies can continue to work together as planned on some exciting new initiatives.

Tribal Historic Preservation Officers (THPOs) representing the Cheyenne River Sioux Tribe and the Rosebud Sioux Tribe, both headquartered in South Dakota, took an interest in the Mountain Valley Pipeline study area in Franklin and Roanoke Counties, VA when a Franklin County historian alerted them earlier this year to the presence of significant archaeological sites in the MVP study. This student of local history had known all her life that Sioux tribes had once inhabited Franklin County. She was perplexed by the fact that the Sioux had not been invited to engage in the Section 106 process for the pipeline.

Section 106 of the National Historic Preservation Act requires federal agencies to consult with any Indian tribe that attaches religious and cultural significance to historic properties that may be affected by an undertaking. In this case the “Federal agency” is Federal Energy Regulatory Commission, or FERC, the organization in Washington, DC that has developed notoriety for its propensity to “rubber stamp” proposals to build natural gas pipelines such as the MVP and Atlantic Coast Pipeline, both now approved for construction through pristine natural areas, streams and wetlands, family farms, and historic

landscapes.

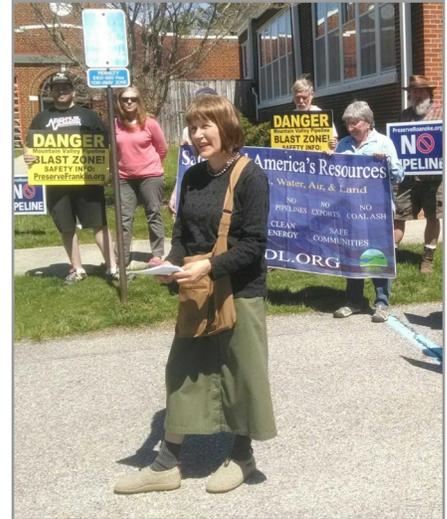
Federal regulation requires agencies such as FERC to “consult with Indian tribes when they attach religious and cultural significance to a historic property regardless of the location of that property. The circumstances of history may have resulted in an Indian tribe now being located a great distance from its ancestral homelands and places of importance.”

When the Sioux THPOs visited archaeological sites in the MVP study area in Franklin and Roanoke Counties on March 4 and 5, they shared with local residents their tribes' tradition of having lived in our part of Virginia.

A modest amount of research at Virginia Tech and at the Franklin County Historical Society confirmed incontrovertibly the Siouan pre-historic and historic presence in Appalachian/Piedmont Virginia.

However, FERC refuses to acknowledge the modern-day Sioux tribes' interest in participating in the Section 106 process for the MVP, refuses to acknowledge that Siouan peoples ever inhabited Appalachian/Piedmont Virginia. BREDL chapters are actively engaged in strategies to convince FERC to change course.

BREDL is calling for an initiative to reassess the protocols whereby FERC determines which tribes may have an interest in lands affected by Federal undertakings. This initiative might consider, for example, whether state and local historical societies and



*by Ann Rogers,
Section 106 Coordinator*

university and public library research databases should be consulted by FERC, in addition to the Handbook of North American Indians, which appears to be the only resource that FERC consulted to ascertain which tribes might be interested in the MVP. Such an expansion of FERC's review protocols would enormously improve the Commission's grasp of the history of American Indian tribes and thus its ability to conduct Section 106 review, not only for the MVP, but also for the Atlantic Coast Pipeline and for Mountain Valley Pipeline LLC's proposed extension of the MVP into North Carolina announced on the 11th of April. ■

EXPORT REPORT:

Global Market, Not Domestic Use, Drives Natural Gas Industry

By Lou Zeller

There is so much natural gas in the United States that the industry is seeking new customers. One of the largest opportunities for growth is overseas markets, and the international market for natural gas is driving the construction of new interstate pipelines here in the USA. These pipelines would transport gas extracted from the fracking fields in the eastern states of Pennsylvania, West Virginia, Virginia and North Carolina and elsewhere. The market for gas controls its flow, its supply source and customer base.

The onslaught of pipeline proposals in the Southeast is a symptom of the industry's financial crunch. Gas extracted from the ground by any means is not used at the point of origin. It must be transported to end users. The industry term for customers is "burner tip," that is, the industrial, commercial, and residential points where gas-burning produces heat. In the United States, the major end uses of natural gas are electric power generation, industrial process, residential and commercial buildings.

For the last five years, the overall domestic use of natural gas has grown but little: just over one percent annually. And the largest category of natural gas fuel use—electric power generating plants—showed the smallest annual increase of all sectors: three-tenths of one percent. The table compares annual natural gas usage in 2012 and 2017.

Throughout the spectrum of natural gas end uses, annual increases are below two percent. In 2016 the United States became a net exporter of natural gas, a turnaround from the previous sixty years. And experts estimate that by the end of this decade the United States will supply one-fifth of the world's liquefied natural gas. How can this be?

The expansion of natural gas infrastructure in the Southeast and nationwide—fracking, pipelines, compressor stations, liquefied natural gas plants etc.—is being driven by the commercial export market, not domestic use. At an energy conference this year, Federal Energy Regulatory Commissioner Robert F.

Powelson connected the agency's approval of new pipelines to the global market, saying, "We do not build the interstate pipeline on speculation." Prudent financial management would reject them. The bottom line is that the small annual growth of natural gas usage in the United States cannot justify the expense of pipeline construction. In fact, according to Dominion Energy's Senior Vice President Don Raikes, more than two dozen new liquefied natural gas export facilities are either under construction or planned.

To build a pipeline, a natural gas company must obtain a certificate of *public convenience and necessity* from the Federal Energy Regulatory Commission pursuant to section 7(c) of the Natural Gas Act. But service is not what natural gas companies are providing to the public. Clearly, the Federal Energy Regulatory Commission's approval of the Atlantic Coast, Mountain Valley, Sabal Trail and other pipelines is based on a lie.

Reference: The data in this article was provided by the Energy Information Agency of the US Dept. of Energy. ■

End Use	Market Share	Volume 2012 ^a	Volume 2017 ^a	Annual Increase
Electric	34 %	9,110,793	9,250,066	0.3 %
Industrial	31 %	7,225,215	7,901,570	1.9 %
Residential	21 %	4,149,519	4,422,498	1.3 %
Commercial	14 %	2,894,926	3,177,113	1.9 %
Total	100 %	25,538,487	27,090,402	1.2 %

a.

a. natural gas data in millions of cubic feet

North Carolina Coal Ash Updates



By Therese Vick

The disposition of coal ash continues to be an important issue for North Carolina. New threats such as proposed so-called “recycling” facilities continue to arise. The North Carolina Department of Environmental Quality (DEQ) has begun rule development regarding the disposal of coal ash, and communities where clay mines are located remain at risk.

Sham Recycling of Coal Ash

A public hearing was held April 10th on the proposed coal ash incinerator at Duke Energy’s Buck facility in Rowan County. People in the community turned out in opposition to the plan. From BREDL comments on the Buck facility:

“We hereby request that the Division of Air Quality suspend approval of the draft permit until detailed determinations are made about waste and water permitting issues. Short of that, the draft permit is a pig in a poke. The STAR process is not a clean technology and is certainly not a panacea for the coal ash problem.”

For more background read League Line article: [Coal Ash Recycling: An Ill-starred Technology for a Dirty Industry](#)

Proposed Coal Ash Rules

NC DEQ submitted “draft” draft rules for public comment and held several informational meetings on the rules. What DEQ has proposed misses the mark- for

example, mine “reclamation” is still allowed, environmental justice is not mentioned, and test methods are not appropriate to determine the actual toxicity of coal ash.

From our comments:

Regarding landfilling: “Blue Ridge Environmental Defense League does not support the landfilling of coal ash. Transferring health and environmental risks and liabilities from one community to the next is not a solution and is not protective of public health or the environment. Coal ash should be stored above-ground on utility property—isolated from the environment.”

Regarding “mine reclamation”:
“DEQ allowing the excavation of land which had never been used for mining and calling it “mine reclamation” and “beneficial reuse” for the purpose of coal ash disposal has cost the taxpayers many thousands of dollars. This fraudulent idea did not come from the General Assembly, it came from the Department of Environmental Quality. The scheme was hatched in 2014—resulting in coal ash landfills being permitted as “mine reclamation” in Chatham and Lee Counties. It was clearly concocted to provide a way for Duke Energy and their contractor Charah to get out from under stricter solid waste landfill regulations and local government approval. In Lee County, over 70% of the site has never been excavated, and the Chatham County site was in a similar state. EPA does not consider the Brickhaven and Colon sites “beneficial reuse”—in fact EPA

considers them landfills. So-called “mine reclamation” should not be permitted.”

Chatham and Lee County Coal Ash Lawsuit

In January 2018, the North Carolina Court of Appeals heard the case that BREDL and member Chapters Chatham Citizens Against Coal Ash Dump and EnvironmentalLEE brought against NC DEQ in 2015. The DEQ appealed Superior Court Judge Carl Fox’s 2017 ruling that revoked the mining permits. The Court of Appeals sent the case back to the Office of Administrative Hearings in their ruling April 3, 2018. New information from EPA emails obtained by BREDL show that EPA considers the Lee and Chatham sites landfills- and that disposing of coal ash in such facilities is not “beneficial use.” Lisa Sorg, a journalist with the Progressive Pulse has followed the case closely. Her article regarding the decision can be found at this link: [NC appellate judges send Chatham, Lee coal ash case back to lower courts; new EPA emails could be pivotal.](#)

If your community is threatened by coal ash disposal,

contact

Blue Ridge Environmental Defense League.

An Old Building With A New Mission

The Mary Utley Community Center Located in Hyde Park



By Charles N. Utley Associate Director

The Hyde Park Community Center, better known as the Mary Utley Community Center, was incorporated in 1968. Long time attorney John Ruffin, who became the first African-American Superior Court Judge for the Augusta Judicial Circuit, changed the name to honor Mrs. Mary L. Utley, founder and CEO, after her death in 1978. It was her desire to always stand for Equal Right, Environmental Justice and Social Justice. The center has served as an icon for those who were looking to make positive changes in our society and in our communities. The center served as a melting-pot for racial equality, religious freedom, and diversity of races. Residents had the freedom to express their desires and not feel threatened, speak and be heard, stand up and not be asked to shut-up. The center served as a refuge for those who were looking to find a safe haven to express their desires for a better society and a renewed spirit from defeats.

If those walls could talk, you would hear the conversations that have taken place for the past fifty years. No doubt you would hear voices talking about the struggle of clean water, sewage, paved streets, streetlights and public transportation. You would even hear about the upcoming march for Environmental Justice protest which will take place at the world-famous

Augusta Master Golf Tournament, the Candle Light Vigil that was being planned seeking relocation to a safe and healthy community free from contamination. Yes, you would hear the clicking of the keyboards, with children hard at work preparing homework assignments. And then there is the laughter, the joy, the playing of the children. If those walls could talk they would tell you about the food bank, the senior comrade meetings and many other activities taking place at the center.

In 1970, the fight began to relocate the residents from Hyde Park and Piedmont Subdivision because contamination was discovered in the ditches from nearby Southern Wood Treatment Plant. The relocation process started in 2014 after 44 years of constant protest, court hearings, documentaries and many prayers. The Hyde Park Community is presently continuing to go through the relocation process of relocating 150 residences plus churches and businesses and the local Clair E. Jenkins Elementary School. If those walls could talk, they would tell you of the many struggles and disappointments, the broken promises and the deceitful lies of politicians. They would tell you also of the dedication of the residents to preserve the community and the fight for environmental justice.

These same old walls will have a new mission in a new location, if all goes as planned. The center will be relocated to the Shell Bluff Community, where the spirit of those who fought in Hyde Park can be continued with some new visions within the same old walls. The new location will be able to serve those in and around the Shell Bluff Community, with recreation, training, environmental justice and social justice issues. This is an opportunity to honor those who have fought for these issues to see their works continue in a new community. This is especially an honor for Mr. and Mrs. George Utley, Sr. who came from the Shell Bluff Community to Hyde Park. They were instrumental in making these walls what they became through their faith and belief in Jesus Christ. They are now resting in the community from their labor, at the Bottsford Spring Baptist Church Shell Bluff Community.

Charles Utley is the son of George and Mary Utley, and pastors McElmurray Spring Branch Baptist Church in Shell Bluff. Now associate director, he has been on BREDL staff since 2002.

EJ Advisory Committee

Heeds Advice of Residents

On March 28, 2018, members of BREDL attended the Virginia Governor's Advisory Committee on Environmental Justice.

This is part of the statement delivered by Lou Zeller

Thank you for the opportunity to address the Council today. The general topic I wish to address is natural gas compressor station which is proposed for the Atlantic Coast Pipeline in Buckingham County. For the last three years, Blue Ridge Environmental Defense League has dedicated time and resources—speaking at public forums, holding organizing meetings, going door-to-door—in the Union Hill community, and since 2016 we have had a chapter there: Concern for the New Generation. Today, on behalf of our members, I put before the Council three requests.

First, we ask that the Council recommend to the Virginia Department of Environmental Quality and the State Air Pollution Control Board that the air pollution permit for the compressor station be classified as a major air pollution source under Title V of the federal Clean Air Act. Attached to this statement is a letter we hand-delivered to the Administrator of the US Environmental Protection Agency Region 3 in Philadelphia detailing the reasons for this request.

Second, we ask that the Council, in its advisory capacity, recommend that the governor and the attorney general enforce the commonwealth's statutory obligation to ensure that the proposed compressor station will not have a disproportionate

impact on Union Hill's African American community. Also attached to this statement is the petition for appeal brought by Blue Ridge Environmental Defense League and Concern for the New Generation before the Circuit Court for Buckingham County. The petition was wrongly dismissed in January without a hearing on the merits.

Third, we respectfully request that the Council mark the 50th anniversary of the Fair Housing Act signed by President Johnson on April 11, 1968. Discrimination authorized by government action rightfully belongs in the dustbin of history. However, the racial patterns of our neighborhoods, and consequently who gets the bigger dose of pollution, were established by laws enacted long after the Civil War. This injustice has continuing and pernicious effects on communities of color which must be ended.

In conclusion, we are convinced that if the Union Hill and nearby Union Grove communities were not largely populated by Americans of African descent, the proposed compressor station for the Atlantic Coast Pipeline would be located elsewhere. We ask the Council use its office to correct this imminent injustice. ■

Although natural gas issues were not on the agenda, the Council heard from many speakers echoing similar views on the proposed pipeline and compressor station. Pointing to the disrespect shown to members of his congregation who live near the proposed pipeline route, Pastor Paul Wilson said, "It's all about the money!" And council members listened and responded. Dr. Janet Phoenix, of George Washington University, said, "This is what the council should focus on." Dr. Peter DeFur, of Environmental Stewards Consulting, said the issue should be, "a top priority." The Council decided to set up a special subcommittee to review the issues presented and promised to hold its next meeting in Buckingham County in order to hear directly from residents of the Union Hill and Union Grove communities which are in the path of the Atlantic Coast Pipeline and compressor station. The meeting is expected to be in May. ■

Property Values Plunge for Some Landowners Who Signed Easements for the Atlantic Coast Pipeline in Highland and Nelson Counties, VA

By Sharon Ponton



A property records search conducted in Highland and Nelson Counties by the Blue Ridge Environmental Defense League reveals property values plunged on parcels whose owners sought relief through the reassessment hearing process. Three properties in Nelson County with signed easement agreements with the Atlantic Coast Pipeline (ACP) for pipeline construction and/or roads to access the pipeline route, received reductions in property values averaging 32.5%.

The construction of the proposed pipeline and resultant losses in property value are devastating for directly affected landowners. It is also important for every property owner in directly affected communities to understand these reductions will affect them, too. The governing bodies of these localities will be forced to increase real estate tax rates for every property owner to offset the difference in lost values caused by the proposed ACP. Lower property values will cause higher tax rates for all.

The three Nelson property assessments, which indicated current fair market value totaling \$459,000, were adjusted downward by \$148,900 to a market value of \$311,000. The properties were reduced by percentages as high as 39% to a low of 15%. The assessors for Nelson only considered pipeline easements in their computations if a landowner came forward during the hearing process. Property owners with signed easement agreements who did not come forward were unknown to county assessors. Therefore, pipeline easements were not considered for those properties.

In Highland County, while some properties with signed easements increased in value, many were devalued, from a high of 75% to a low of 2%. The average overall loss on those properties with signed easements was 7%. Interestingly, in Highland, consideration paid by the ACP to landowners was approximately \$1.3 million for 172 acres. In Nelson, the ACP has paid just \$1.8 million for easements

covering 316 acres. The acreage figures include permanent and temporary rights-of-way, as well as extra work space and access roads.

The Federal Energy Regulatory Commission dismissed the concerns of affected landowners, citizens, and grassroots groups regarding lower property values along the path of the proposed ACP in its Final Environmental Impact Statement. We believe, quite frankly, that FERC was wrong. Property values are affected. Blowing off mountain tops and cutting millions of trees which can never be replaced to build a pipeline affects property values. Directly affected landowners shouldn't be abused twice--once by having their land taken by ACP and then a second time by being required to pay taxes on inflated property values. ■

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Please visit nopipeline.net to view inspirational videos featuring landowners affected by the Atlantic Coast Pipeline. Contact Governor Cooper today and tell him to STOP THIS PIPELINE!

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BREDL is a regional, community-based non-profit environmental organization founded in 1984. BREDL encourages government agencies and citizens to take responsibility for conserving and protecting our natural resources. BREDL advocates grassroots involvement in environmental issues. Protecting children's health from environmental poisons, empowering whole communities to engage in crucial decision making, and changing the balance of power to prevent injustice are key components of our work.

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