

June 29, 2020

Michael S. Regan
Secretary, North Carolina Department of Environmental Quality
217 West Jones Street
Raleigh, NC 27603

Dear Secretary Regan,

With the Supreme Court decision to overturn the ruling of the U.S. Court of Appeals for the 4th Circuit on the Atlantic Coast Pipeline's crossing of the Appalachian Trail, the onus now falls squarely on the North Carolina Department of Environmental Quality to stop this racist, polluting project. We therefore call on you to expeditiously exercise your authority to revoke the ACP's 401 Water Quality Certification under the Clean Water Act.

The ACP is a posterchild for environmental racism. The 401 application clearly misinformed the DEQ and misrepresented the project's scope, scale, and cumulative and disproportionate impact on communities of color. The ACP will disproportionately harm low income, African-American, and Indigenous communities, many of whom have been excluded from important decision-making processes.^[1] It would have particularly adverse impacts on the Lumbee community in Robeson County, the largest community of Native Americans east of the Mississippi River. In fact, compared to their statewide numbers, Native Americans are over-represented by a factor of ten along the North Carolina section of the pipeline route.

We know you are well aware of the litany of serious environmental harms the ACP would cause, on top of fueling the climate emergency. We also know you are well aware of how nonsensical this project is financially for ratepayers and for the state. In fact, DEQ has made similar arguments in its opposition to the Mountain Valley Pipeline, Southgate: "The cost of renewable energy resources is rapidly declining and the economics now favor utility scale solar and onshore wind plus storage over construction of natural gas infrastructure."

Times are changing. Multiracial, multigenerational uprisings are occurring throughout the country in support of the Movement for Black Lives and against racist injustice. The people of this country will not tolerate another toxic pipeline that poisons the bodies, the land, the air, and the water of Black and Brown communities.

Secretary Regan, you must not allow Native American and African-American communities in North Carolina to be sacrifice zones for the fossil fuel industry. It is undeniably incumbent upon you to revoke the 401 permit and stop the ACP once and for all.

Thank you.

Sincerely,

Alliance for Climate Education
Alliance to Protect the People and Places We Live, APPPL

^[1] Ryan Emanuel, Flawed environmental justice analysis, Science Magazine Vol 357, Issue 6348, July 21, 2017. <http://science.sciencemag.org/content/357/6348/260.1>

Appalachian Voices
Beaver County Marcellus Awareness Community
Beyond Extreme Energy (BXE)
Blue Ridge Environmental Defense League
Bold Alliance
Build A Movement 2020
Call to Action Colorado
CatholicNetwork.US
Center for Biological Diversity
Climate Disobedience Center
Climate Hawks Vote
ClimateMama
Concerned Citizens of Maxton
Concerned Citizens of Northampton County
Dogwood Alliance
Downeast Coal Ash Social and Environmental Justice Coalition
Earth Action, Inc
Earth Care Committee, The Church of Reconciliation
Earthworks
Endangered Species Coalition
EnvironmentalLEE
Extinction Rebellion KY
Food & Water Action
FracTracker Alliance
Franciscan Action Network
FreshWater Accountability Project Ohio
Friends of the Earth US
Georgia Interfaith Power and Light
Greater Birmingham Alliance to Stop Air Pollution
Greenpeace USA
Haw River Assembly
John Muir Project of Earth Island Institute
Indigenous Environmental Network
Institute for Policy Studies Climate Policy Program
League of Conservation Voters
McLaurin Company Inc.
Mt. Zion Community Outreach, Inc.
Nash Stop the Pipeline (Blue Ridge Environmental Defense League Chapter)
NC Climate Justice Collective
NC Climate Solutions Coalition
NC League of Conservation Voters
NC Poor People's Campaign, Ecological Devastation Committee
NC WARN
NoCoalNoGas.org
Nuclear Information and Resource Service
Oil Change International
OVEC - Ohio Valley Environmental Coalition
Petrochemical Action Team

Poder Latinx
Progressive Democrats of America
Rapid Shift
RedTailed Hawk Collective
River Guardian Foundation
Robeson County Cooperative for Sustainable Development
Stand.earth
The Climate Reality Project
The Wilderness Society
TwinZIN Fitness
Union of Concerned Scientists
Unitarian Universalist Service Committee
Winyah Rivers Alliance
Women's International League for Peace and Freedom of the Triangle
198 methods
350 Brooklyn
350 New Hampshire
350 Triangle

cc: Kathleen Lance, Special Assistant, Secretary NC Department of Environmental Quality
Joshua H. Stein, Attorney General, NC Department of Justice
Blake W. Thomas, Deputy General Counsel, NC Department of Justice