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Fourth Circuit, Cowpasture, and the Appalachian Trail

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A decade ago, one would be hard pressed to find more than a handful of federal court decisions involving challenges to agency approvals of interstate oil and natural gas pipelines. Times have surely changed. As environmental groups campaign aggressively to stop construction of all fossil-fuel pipelines, two projects planned to bring Marcellus- and Utica-field natural gas from West Virginia and Pennsylvania to East Coast markets have begun claiming the headline space previously dominated by Keystone XL and Dakota Access. The Mountain Valley Pipeline (MVP) project and the Atlantic Coast Pipeline (ACP) project are making news and making law.

Holland & Hart's Sandi Snodgrass co-authored this published article titled "Fourth Circuit, Cowpasture, and the Appalachian Trail," in the ABA Section of Environment, Energy, and Resource's Natural Resources & Environment Summer 2019 issue. The authors profile a December 2018 decision by a panel of the Richmond, Virginia-based U.S. Court of Appeals for the Fourth Circuit that, if allowed to stand, upends key public land law, slows development of ACP and MVP, and thwarts major elements of the Trump administration's push for gas pipeline development. Since the publication deadline of this article, the Solicitor General and ACP filed a Petition for a Writ of Certiorari, and amicus briefs have been filed by several interested parties, including MVP.

To read the full article, [click here](#).

Sandi Snodgrass helps natural-resource developers, traditional and renewable energy companies, utilities, pipeline companies, and other clients throughout the country successfully navigate the complex federal environmental review and permitting processes for a variety of proposed projects.

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