



Preserve Craig ~ Sustaining the Quality of Life We Value

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Report to the Craig County Board of Supervisors October 5, 2017

Current Status of Mountain Valley Pipeline (MVP)

This week's report provides an overview of the appeals and legal filings required to stop MVP, and the costs to do so.

U.S. Forest Service: Our Forest Service would have to finalize its draft decision to change its long-established management plans for Jefferson National Forest. They would have to allow degradation of the viewsheds for the Appalachian Trail and permit permanent harm to woodlands, waterways, and soils. Preserve Craig science and legal experts objected to the Forest Service's proposed Record of Decision to modify its management plan to allow Mountain Valley Pipeline to build on extremely steep slopes, permanently erode soil and pollute our water, remove old growth timber, and build in roadless areas. The Forest Service's own documents indicate that they are basing their decisions on MVP's claims, not on the independent expertise that has been presented. The Forest Service appears to have even agreed to let MVP provide "litigation support" to the Forest Service, presumably to defend their illegal actions. If the Forest Service announced a final decision to change its plan, legal challenges will need to be filed within 30 days and will cost in the range of \$30,000.

Bureau of Land Management: The BLM is proposing to issue the permits necessary for MVP to cross public lands. It can't do so until the Forest Service changes its management plan. Preserve Craig submitted extensive comments opposing the Bureau's environmental assessment, schedule, and its procedures. Before going to court, an appeal of any BLM decision must be filed within 30 days at an estimated cost of \$7,500. If that appeal is denied, a federal court case would be the next step at costs more than \$25,000.

Federal Energy Regulatory Commission (FERC): MVP's application is pending before the FERC, which would grant eminent domain authority to take private land for this project. Preserve Craig and numerous other groups and individuals continue to submit information to the FERC documenting the massive deception in MVP's filings and in the FERC's conclusions that the project should proceed. The FERC now has a quorum of commissioners. Comments are still being accepted until they vote on MVP's application. Two lawsuits are being filed against the FERC and MVP stating that this "taking" is unconstitutional. If the FERC approves the project a request for rehearing and a stay must be filed within 30 days at an estimated cost of \$15,000. If the decision is not reversed, a Judicial Review would have to be filed with 60 days, at costs at least \$40,000.

Virginia Department of Environmental Quality (DEQ): DEQ must issue 401 water permits for MVP to cross numerous creeks and rivers and approve sedimentation and erosion control plans. Some of those plans have not even been submitted yet, but DEQ is closing its public input period on October 22. If DEQ issues certification it must be appealed in Federal Court within 60 days, at costs estimated to be about \$37,000.

These actions are time-sensitive, and, combined, will cost more than \$150,000. But that is a drop in the bucket compared to the damage that MVP will cause to our water, our economy, and our quality of life if it is allowed to be built. We know that it can and must be stopped. The good news is that we are not alone and that many organizations are coming together to oppose MVP.

1. **Over two years of work to date – over 3750 pages submitted on behalf of our community to defend Craig County, representing over \$375,000 in volunteer efforts. Over \$72,000 in actual tax deductible donations have been collected and used for educational and environmental protection efforts.**

Preserve Craig, Inc. is a 501(c)(3) nonprofit corporation formed in 1991 using volunteers and donations to protect our natural, historical, and cultural resources. Tax Identification Number: 54-1597979