



# Preserve Craig ~ Sustaining the Quality of Life We Value

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## Report to the Craig County Board of Supervisors November 2, 2017

**Current Status of Mountain Valley Pipeline (MVP) reviews by the Federal Energy Regulatory Commission (FERC), US Forest Service (FS), Bureau of Land Management (BLM), the VA Department of Environmental Quality (DEQ) and WV DEP**

1. The FERC issued a conditional permit to MVP on October 13, in a controversial 2 to 1 vote. Commissioner Cheryl LaFleur issued an unusual dissenting opinion, that further study of need and impact on the Appalachian environment should be required. The deadline for intervenors to file for a re-hearing is November 13. Preserve Craig is working with its attorney, Water & Power Law Group to file. Roanoke County will appeal and all neighboring counties are considering joining in this motion.
2. MVP filed suit in October against 500 landowners in two federal courts, claiming eminent domain rights, 300 in Roanoke and 200 in Charleston, West Virginia. MVP claims that the FERC has given them authority to take the property for their private fracked gas pipeline. The claim is being contested.
3. Two lawsuits to block MVP from eminent domain are now in federal court and moving forward, with the first hearing of the Gentry-Locke case in **Roanoke tomorrow, November 3**. The Bold Alliance lawsuit will be heard in D.C. federal court. Both **challenge the FERC's authority to authorize eminent domain for private gain for MVP**.
4. The Virginia State Water Control Board will meet December 6 and 7 to consider issuing 401 Water Quality Permits to MVP. Our attorney submitted a detailed letter to the Board on why MVP does not qualify for this permit. Citizens can testify at the hearings. Preserve Craig also submitted its petition to the Board and DEQ on why it must reject the permit and MVP's inadequate Erosion and Sediment Control (ESC) and Stormwater Management (SWM) plans.
5. Under court order, the West Virginia Department of Environmental Protection (DEP) withdrew its earlier 401 Water Quality Permits in October, because of inadequate review. This week the DEP found another way to avoid its responsibility to protect WV waters. It just **announced that it will waive its authority** and allow Army Corps of Engineers national permits to apply and authorize the MVP.
6. The US Forest Service (FS) has not finalized plans to change the Jefferson Forest Management Plan to allow MVP to build on steep slopes, damage viewsheds and the Appalachian Trail, permanently erode soil, pollute public waters, remove old growth timber, and build in roadless areas. These changes would be required before the Bureau of Land Management (BLM) could issue permits to cross public lands. There has been no public comment period or public meetings on these proposed changes. This would reverse the **2002 Record of Decision that this area is not appropriate for a utility corridor, a decision that Craig County has relied upon for 15 years in developing its economy and tourism plans**. Preserve Craig is preparing legal action in this matter if the FS and BLM issue such a permit.
7. **Preserve Craig has collected over \$10,000 of its initial \$30,000 goal for the Forest Service legal fund to oppose MVP. Tax deductible donations to Preserve Craig are needed now.**
8. Over two years of work to date – over 3750 pages submitted on behalf of our community to defend Craig County, representing over \$380,000 in volunteer efforts. Over \$75,000 in actual tax-deductible donations have been collected and used for educational and environmental protection efforts.