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NEW CASTLE DISTRICT

RUSTY ZIMMERMAN, MEMBER
CRAIG CITY DISTRICT

CASEY MCKENZIE, MEMBER
CRAIG CREEK DISTRICT



MARTHA MURPHY VICE CHAIR
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R17-79

**A RESOLUTION PETITIONING
FERC FOR RE-HEARING OF ITS
AWARD OF CERTIFICATE TO
THE MVP PROJECT**

WHEREAS, on Friday, October 13, 2017, the Federal Energy Regulatory Commission (FERC) issued a certification under the Natural Gas Act section 7 for the Mountain Valley Pipeline (MVP) Project, subject to the terms and conditions stipulated in the certification order, and

WHEREAS, the Craig County Pipeline Advisory Committee (Committee) reviewed and determined to recommend a course of action to the Craig County Board of Supervisors (CCBoS) regarding the issuance of said certificate, and

WHEREAS, the Committee recommends to the CCBoS to petition FERC for a re-hearing of the FERC's actions granting MVP with the reported certificate, and

WHEREAS, Craig County has intervener status regarding the MVP project regulatory process, and

WHEREAS, the Committee reports six concerns regarding the issuance of the certificate which should be reviewed during the petition re-hearing and these include the following:

1. Protection to the region's quality of water.
2. The view shed impacts arising from constructing the certified pipeline project through the National Forest and crossings of the Appalachian Trail.
3. Programmatic review of the MVP and Atlantic Coast Pipeline projects. The Committee does not believe that the two pipelines have been properly reviewed and the public and individual need test has not been met to a satisfactory degree to justify certification and granting of condemnation rights under the law.
4. Issues related to the mitigation of threats of irreputable damage to local water resources have not been adequately evaluated and analyzed.
5. Lack of analysis for the preservation of cultural and historically significant assets.
6. The management and identification of erosion and sediment impacts was not sufficiently or appropriately addressed prior to this respective certification, and

WHEREAS, the CCBoS finds that certain information germane to an appropriate and proper review of the six listed concerns and thus have been either dismissed, disregarded, or insufficiently evaluated by the FERC, and the CCBoS believes are grounds for the successful approval of the petition for a re-hearing, and

WHEREAS, the CCBoS has repeatedly forwarded documents outlining the CCBoS concerns on behalf of the County which sought additional information regarding how the project's impacts could be mitigated to protect the environment and to date not one response has been received by Craig County from MVP or FERC, and

WHEREAS, the CCBoS does not believe that FERC has conducted sufficient review to address the CCBoS' six concerns noted above.

NOW THEREFORE BE IT RESOLVED, by the CCBoS that the County Administrator is hereby directed to work in cooperation with the Committee to take the appropriate action necessary to exercise the County's right as a party to the proceedings and to seek a re-hearing by FERC of the certificate issued for the MVP project, and

BE IT FURTHER RESOLVED, that the County Administrator may seek the participation with other regionally affected local governments and groups in this petition for re-hearing to the extent such parties have similar positions and interests and that such participation bolsters the collective effort to have critical and fundamental questions related to the MVP project development answered and documented in the public record, and

BE IT FURTHER RESOLVED, that the CCBoS provides up to \$1,000 for legal fees to assist in the filing of a joint local government re-hearing petition.

The Board of Supervisors of Craig County, in a regular meeting on the 2nd day of November 2017, adopted this Resolution