

**WATER AND POWER
LAW GROUP PC**

2140 SHATTUCK AVENUE, STE. 801
BERKELEY, CA 94704-1229
(510) 296-5588
(866) 407-8073 (E-FAX)

January 11, 2018

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
999 First Street, N.E.
Washington, D.C. 20426

Re: Mountain Valley Pipeline, LLC (Docket No. CP16-10-000; OEP/DG2E/G3)

Dear Ms. Bose:

The Nature Conservancy (TNC) replies to Mountain Valley Pipeline, LLC's (MVP) January 5, 2018 response to the Office of Energy Project's (OEP) "Post-Certificate Environmental Information Request # 1," eLibrary no. 20171226-3020 (Dec. 26, 2017).

In the "Post-Certificate Environmental Information Request #1," OEP directed MVP to provide a "copy of the Crossing Plan for The Nature Conservancy Property. In addition, document that a copy of the crossing plan, not just shapefiles, was provided to The Nature Conservancy for review, and file any comments on the plan from The Nature Conservancy." *Id.*, Enclosure, Item 2, p. 1. In its response, MVP stated that it filed the crossing plan with the Commission on April 21, 2016, and that TNC had commented on that filing on three occasions. *See* "Response to Post Order Environmental Information Request," eLibrary no. 20180105-5141 (Jan. 5, 2018), Item 2, p. 3. TNC now respectfully submits that MVP has not provided information that is responsive to "Post-Certificate Environmental Information Request #1."

MVP did file a shapefile showing the route of the pipeline across TNC's property in Roanoke County, Virginia (also known as the Woltz Conservation Easement). However, as OEP's request clearly stated, a crossing plan is more than a digital map. A crossing plan must include measures to avoid or minimize impacts on scenic, historic, wildlife, and recreational values of a property. *See* 18 C.F.R. §§ 380.15(a) – (b), 380.12(e)(7), 380.12(j)(9). And the Commission's rules provide for consultation between the applicant and landowner, not just an exchange of paper, in the development of the plan. *See* 18 C.F.R. § 380.15(b).

MVP has not filed such a crossing plan, and specifically, has not proposed any specific avoidance and minimization measures, for the Woltz Conservation Easement. MVP has not consulted with TNC as to the content of the plan. Most recently, TNC made these comments in its rehearing request, eLibrary no. 20171113-5277 (Nov. 13, 2017), of the Commission's "Order Issuing Certificates and Granting Abandonment Authority," eLibrary no. 20171013-4002 (Oct. 13, 2017). As TNC stated there, MVP is not in compliance with the Certificate Order's

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Environmental Condition 32 (Appendix C, p. 10), which expressly requires that MVP develop a crossing plan for the Woltz Conservation Easement, subject to TNC's review and comment, prior to any construction.

TNC remains ready to review a crossing plan for the Woltz Conservation Easement, consult with MVP regarding avoidance and minimization measures as may be proposed in that plan, and report to the Commission on the results of that consultation.

Respectfully submitted,



Richard Roos-Collins
Julie Gantenbein
WATER AND POWER LAW GROUP PC

Attorneys for THE NATURE CONSERVANCY

Cc: Service List