

No. _____

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

WILD VIRGINIA; APPALACHIAN VOICES; PRESERVE BENT MOUNTAIN,
a chapter of Blue Ridge Environmental Defense League; SIERRA CLUB;
DEFENDERS OF WILDLIFE; CHESAPEAKE CLIMATE ACTION
NETWORK; and CENTER FOR BIOLOGICAL DIVERSITY

Petitioners,

v.

UNITED STATES DEPARTMENT OF THE INTERIOR;
DAVID BERNHARDT, in his official capacity as Secretary of the U.S.
Department of the Interior; UNITED STATES FISH AND WILDLIFE SERVICE,
an agency of the U.S. Department of Interior; MARGARET EVERSON, in her
official capacity as Principal Deputy Director of the U.S. Fish and Wildlife
Service; and CINDY SCHULZ, in her official capacity as Field Supervisor,
Virginia Ecological Services, Responsible Official

Respondents.

JOINT PETITION FOR REVIEW

Pursuant to the Administrative Procedure Act, 5 U.S.C. § 702, Section
19(d)(1) of the Natural Gas Act, 15 U.S.C. § 717r(d)(1), and Federal Rule of
Appellate Procedure 15(a), WILD VIRGINIA; APPALACHIAN VOICES;
PRESERVE BENT MOUNTAIN, a chapter of Blue Ridge Environmental Defense
League; SIERRA CLUB; DEFENDERS OF WILDLIFE; CHESAPEAKE
CLIMATE ACTION NETWORK; and CENTER FOR BIOLOGICAL DIVERSITY

petition this Court for review of the United States Fish and Wildlife Service's Biological Opinion and Incidental Take Statement, dated November 21, 2017, for the Mountain Valley Pipeline. In accordance with Local Rule 15(b), a copy of the Biological Opinion and Incidental Take Statement is attached hereto as Exhibit A.

In accordance with Rule 15(c) of the Federal Rules of Appellate Procedure, parties that may have been admitted to participate in the underlying procedure have been served with a copy of this Petition. Pursuant to Local Rule 15(b), attached hereto is a list of Respondents specifically identifying the Respondents' names and addresses.

In accordance with the Natural Gas Act, 15 U.S.C. § 717r(d)(5), this matter "shall [be] set ... for expedited consideration."

DATED: August 12, 2019

Respectfully submitted,

/s/ Elizabeth F. Benson

Elizabeth F. Benson (Cal. Bar No. 268851)
Nathan Matthews (Cal. Bar No. 264248)
Sierra Club
2101 Webster Street, Suite 1300
Oakland, CA 94612
Telephone: (415) 977-5723
Fax: (510) 208-3140
elly.benson@sierraclub.org
nathan.matthews@sierraclub.org

Counsel for Petitioners

LIST OF RESPONDENTS

Pursuant to Local Rule 15(b), Petitioners hereby provide a list of Respondents, specifically identifying the Respondents' names and the addresses where Respondents may be served with copies of the Joint Petition for Review:

United States Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

David Bernhardt
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington D.C. 20240

United States Fish and Wildlife Service
1849 C Street, NW
Washington, D.C. 20240

Margaret Everson
Principal Deputy Director
United States Fish and Wildlife Service
1849 C Street, NW
Room 3331
Washington, D.C. 20240-0001

Cindy Schulz
Field Supervisor
Virginia Ecological Services
United States Fish and Wildlife Service
6669 Short Lane
Gloucester, VA 23061

CERTIFICATE OF SERVICE

In accordance with Federal Rules of Appellate Procedure 15(c)(1) & (2), the undersigned hereby certifies that a true copy of this Petition for Review was served via U.S. Mail on each of the following entities that may have been admitted to participate in the agency proceedings and/or their counsel:

Mountain Valley Pipeline, LLC
c/o C.T. Corporation System
Registered Agent
4701 Cox Rd Ste 285
Glen Allen, VA 23060

Equitrans Midstream Corporation
c/o C.T. Corporation System
Registered Agent
4701 Cox Rd., Ste 285
Glen Allen, VA 23060

James Martin
Office of Energy Projects
Branch Chief, Gas Branch 3
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Megan Stahl
EQT
Permitting Supervisor
625 Liberty Avenue, Suite 1700
Pittsburgh, PA 15222

Matthew Eggerding
EQM Gathering Opco, LLC
625 Liberty Avenue, Suite 2000
Pittsburgh, PA 15222

Matthew Eggerding
Assistant General Counsel
Mountain Valley Pipeline, LLC and
Equitrans, L.P.
2200 Energy Drive
Canonsburg, PA 15317

George Peter Sibley, III
Hunton Andrews Kurth, LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074

Todd Normane
Deputy General Counsel
Equitrans Midstream Corporation
2200 Energy Drive
Cannonsburg, PA 15317

This Petition was also served via U.S. Mail on:

U.S. Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240

Margaret Everson
Principal Deputy Director
U.S. Fish and Wildlife Service
1849 C Street NW
Room 3331
Washington, DC 20240-0001

Hon. David Bernhardt
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington DC 20240

Cindy Schulz
Field Supervisor
Virginia Ecological Services
U.S. Fish and Wildlife Service
6669 Short Lane
Gloucester, VA 23061

Hon. William Barr
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

U.S. Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

This 12th day of August, 2019.

/s/ Elizabeth F. Benson

Elizabeth F. Benson
Sierra Club