

February 3, 2022

Federal Appeals Court Rejects Endangered Species Act Approval for MVP

The U.S. Court of Appeals for the Fourth Circuit has ruled that the U.S. Fish and Wildlife Service failed in its duties under the Endangered Species Act, in judgements the agency issued for the Mountain Valley Pipeline. The court vacated the Service's Biological Opinion, finding that serious errors in the agency's jeopardy analysis render the 2020 Bi Op arbitrary and capricious.

David Sligh, Wild Virginia's Conservation Director, stated:

"Add the Fish and Wildlife Service's action here to the parade of irresponsible agency decisions that the courts have found to be contrary to the law. This sorry record is an offense to the people who should be able to depend on our public servants to do the right thing. But this is a big win for the environment and the public interest.

"The great tragedy is that a long string of flawed agency decisions and MVP's determination to rush forward without all of its permits have already resulted in great harm to our natural treasures and our communities, from a project whose completion seems more unlikely by the day. The pipeline company needs to stop now and begin to repair as much of its damage as possible, and the agencies need to insist on it."