

**PEC Public Comments
Regarding MVP 1704 Request & Alternative Energy
to
Virginia Outdoors Foundation
11:00am - June 22, 2017**

Good morning. My name is Rex Linville and I'm here to speak on behalf of The Piedmont Environmental Council.

As we did at your February 9th meeting in regard to the Atlantic Coast Pipeline, PEC encourages the VOF Board to vote NO on the Mountain Valley Pipeline request for a 1704 Conversion/Diversion to allow an industrial access road through the "Terry Property" in Roanoke County.

In a January 10, 2017 letter to FERC, VOF staff indicated that the requested industrial scale road would not, "be consistent with the purpose of the open space easement due to the impacts it would permanently impose on the conservation values of the property." As such, MVP has requested that VOF consider the conversion/diversion of the easement under section 1704 of the Open Space Lands Act.

In order for VOF to approve a conversion/diversion request, the plain reading of section 1704 requires a finding that the anticipated conversion/diversion shall:

1. Be "essential to the orderly development and growth of the locality"; and
2. "in accordance with the official comprehensive plan for the locality"

The locality in this specific instance is Roanoke County and while the MVP application discusses benefits to "the Mid-Atlantic and southeastern United States" and opportunities for "markets along the route" they have simply failed to show how conversion/diversion of this open space property is "essential to the orderly development and growth" of Roanoke County.

Further, and perhaps more importantly, the Roanoke County Administrator is on record in a detailed letter dated May 18, 2017 to VOF which concludes that, "the proposed MVP project is not in accordance with the County's Comprehensive Plan."

Simply put, because these two fundamental statutory requirements of section 1704 are not met, the VOF board should vote NO on the MVP application.

Finally, in an unrelated matter you are considering a policy change that would open the door for commercial/industrial energy production on protected open space in Virginia. I provided comment to the Energy & Infrastructure Committee earlier this morning and it is hard to image how industrial scale electrical generation is in any way consistent with the protection of open space. Please preserve the integrity of your open space protection program and do not open the door for commercial & industrial energy generation on protected lands.

In weighing these two decisions, we urge the VOF Board to see that their responsibility is - first and foremost - to protect specific properties and the conservation values that are safeguarded by open space easements on those properties, and to do so in perpetuity. Anything less betrays the public trust in which VOF operates and the integrity of the conservation values already protected by VOF.