

FILED: October 10, 2018

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-2399 (L)

SIERRA CLUB, INC.; APPALACHIAN VOICES; WILD VIRGINIA, INC.

Petitioners

v.

UNITED STATES FOREST SERVICE; UNITED STATES DEPARTMENT OF
AGRICULTURE

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

CHEROKEE FOREST VOICES; THE CLINCH COALITION; GEORGIA
FORESTWATCH; MOUNTAINTRUE

Amici Supporting Petitioner

No. 18-1012

THE WILDERNESS SOCIETY; PRESERVE CRAIG, INC.; SAVE MONROE, INC.

Petitioners

v.

UNITED STATES FOREST SERVICE; UNITED STATES DEPARTMENT OF AGRICULTURE

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

No. 18-1019

SIERRA CLUB, INC.; APPALACHIAN VOICES; WILD VIRGINIA, INC.

Petitioners

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; UNITED STATES BUREAU OF LAND MANAGEMENT; UNITED STATES FOREST SERVICE; UNITED STATES DEPARTMENT OF AGRICULTURE

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

CHEROKEE FOREST VOICES; THE CLINCH COALITION; GEORGIA
FORESTWATCH; MOUNTAINTRUE

Amici Supporting Petitioner

No. 18-1036

THE WILDERNESS SOCIETY; PRESERVE CRAIG, INC.; SAVE MONROE,
INC.

Petitioners

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; UNITED STATES
BUREAU OF LAND MANAGEMENT; UNITED STATES FOREST SERVICE;
UNITED STATES DEPARTMENT OF AGRICULTURE

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

ORDER

Intervenor Mountain Valley Pipeline (“MVP”) has filed a petition for rehearing in this case. Pursuant to Fed. R. App. Proc. 40(a)(4)(A) and (C), we grant rehearing for the limited purpose of clarifying that our prior opinion in *Sierra Club v. United States Forest Service*, 897 F.3d 582 (4th Cir. 2018), does not vacate

the portion of the Bureau of Land Management's Record of Decision authorizing a right of way and temporary use permits for MVP to cross the Weston and Gauley Bridge Turnpike Trail. The opinion otherwise remains in effect, and reargument is not necessary.

Entered at the direction of Judge Thacker with the concurrence of Chief Judge Gregory and Senior Judge Traxler.

For the Court

/s/ Patricia S. Connor, Clerk