

**Mountain Valley Project and Equitrans Expansion Project**  
**Comments on the Draft EIS and Responses**

**INDEX**

Document  
Number

Commentor

**FEDERAL AGENCIES**

FA1	Congress of the United States – House of Representatives – H. Morgan Griffith
FA2	U.S. Department of Agriculture
FA3	U.S. Department of Agriculture – National Forest Service
FA4	U.S. Army Corps of Engineers
FA5	U. S. Army Corps of Engineers
FA6	U.S. Department of Agriculture – National Forest Service
FA7	U.S. Department of Agriculture – Natural Resources Conservation Service
FA8	U.S. Department of the Interior – Bureau of Land Management
FA9	U.S. Department of Agriculture – National Forest Service
FA10	U.S. Bureau of Land Management
FA11	U.S. Department of the Interior
FA12	U.S. Department of Agriculture – National Forest Service
FA13	U.S. Department of Agriculture – National Forest Service
FA14	U.S. Department of the Interior – Bureau of Land Management
FA15	U.S. Environmental Protection Agency
FA16	U.S. Department of Agriculture – National Forest Service
FA17	U.S. Department of Agriculture – National Forest Service
FA18	Advisory Council on Historic Preservation

## **STATE AGENCIES**

SA1	Virginia Department of Conservation and Recreation
SA2	Virginia Department of Historic Resources
SA3	Virginia Department of Environmental Quality
SA4	Virginia State Senate – State Senator Frank M. Ruff, Jr.

## **LOCAL AGENCIES**

LA1	Board of Supervisors of Montgomery County
LA2	Roanoke County
LA3	Franklin County
LA4	County of Giles Board of Supervisors
LA5	Craig County Board of Supervisors
LA6	Board of Supervisors of Montgomery County
LA7	County of Giles Board of Supervisors
LA8	Town of Blacksburg
LA9	Town of Blacksburg
LA10	Craig County Board of Supervisors
LA11	Franklin County Board of Supervisors
LA12	Town of Blacksburg
LA13	Montgomery County Board of Supervisors
LA14	Giles County Board of Supervisors
LA15	Roanoke County
LA16	Roanoke Regional Chamber

## **COMPANIES AND ORGANIZATIONS**

CO1	New River Conservancy
CO2	Friends of Claytor Lake
CO3	Roanoke Appalachian Trail Club
CO4	Roanoke Appalachian Trail Club
CO5	Appalachian Mountain Advocates
CO6	Roanoke Gas Company
CO7	Blue Ridge Land Conservancy
CO8	Virginia Outdoors Foundation
CO9	Greater Newport Rural Historic District Committee
CO10	Cave Conservancy of the Virginias
CO11	Coronado Coal, LLC.
CO12	The Teamsters Pipeline Training Fund
CO13	National Trust for Historic Preservation
CO14	Smith Mountain Lake Association
CO15	Save Monroe and Preserve Craig
CO16	Sierra Club Virginia Chapter
CO17	Appalachian Trail Conservancy
CO18	Preserve Giles County
CO19	Pacific Northwest Trail Association
CO20	Trout Unlimited
CO21	Sierra Club – Virginia Chapter
CO22	Preserve Giles County
CO23	Preserve Greenbrier County
CO24	Trout Unlimited

CO25 Pacific Crest Trail Association  
CO26 Wilderness Watch  
CO27 Blue Ridge Parkway Foundation  
CO28 Friends of the Lower Greenbrier River  
CO29 Indian Creek Watershed Association  
CO30 Virginia Outdoors Foundation  
CO31 Blue Ridge Land Conservancy  
CO32 Save Monroe, Inc.  
CO33 Save Monroe, Inc.  
CO34 Save Monroe, Inc.  
CO35 The Nature Conservancy  
CO36 Green Mountain Club  
CO37 Preserve Bent Mountain  
CO38 Blue Ridge Parkway Foundation  
CO39 National Parks Conservation Association  
CO40 Friends of the Second Creek, Inc.  
CO41 American Hiking Society  
CO42 Georgia Appalachian Trail Club  
CO43 Preserve Giles County  
CO44 Lewis and Clark Trail Heritage Foundation  
CO45 Pacific Crest Trail Association  
CO46 Roanoke Appalachian Trail Club  
CO47 Lewis and Clark Trust, Inc.  
CO48 Save Monroe, Inc.  
CO49 Sierra Club, VA Chapter

CO50 Potomac Appalachian Trail Club

CO51 Susquehanna Appalachian Trail Club

CO52 Preserve Craig

CO53 Preserve Craig

CO54 New River Conservancy

CO55 Preserve Craig

CO56 Preserve Craig

CO57 Preserve Craig

CO58 Greater Newport Rural Historic District Committee

CO59 Cave Conservancy of the Virginias (CCV)

CO60 Preserve Roanoke/Blue Ridge Environmental Defense League

CO61 Indian Creek Watershed Association

CO62 Cave Conservancy of the Virginias (CCV)

CO63 Rex Coal Land Co., Inc.

CO64 Preserve Craig

CO65 Preserve Monroe (on behalf of Dorothy Larew)

CO66 Indian Creek Watershed Association

CO67 Indian Creek Watershed Association

CO68 Preserve Brent Mountain

CO69 Chesapeake Climate Action Network

CO70 Preserve Roanoke/Preserve Brent Mountain/Protect Our Water, Heritage, Rights (POWHR)

CO71 Indian Creek Watershed Association

CO72 Preserve Monroe (on behalf of Paula L. Mann)

CO73 The Student Chapter of the Wildlife Society at Virginia Tech

CO74 Western Montgomery County Landowners Association

CO75 Appalachian Mountain Advocates on behalf of Sweet Springs Valley Water Company

CO76 Appalachian Mountain Club

CO77 Friends of Central Shenandoah

CO78 New River Valley Bicycle Association

CO79 Virginia Petroleum Council

CO80 The Nature Conservancy

CO81 Preserve Roanoke

CO82 Preservation Virginia

CO83 The American Petroleum Institute

CO84 Sierra Club, VA Chapter

CO85 Preserve Craig

CO86 Oil Change International

CO87 Friends of Buckingham, VA

CO88 Wild Virginia

CO89 Blue Ridge Environmental Defense League

CO90 Appalachian Voices

CO91 Norfolk Southern Railway Company

CO92 Preserve Montgomery County Virginia

CO93 Virginia River Healers

CO94 Greenbrier River Watershed Association

CO95 Trout Unlimited

CO96 Indian Creek Watershed Association

CO97 Indian Creek Watershed Association

CO98 Virginia Chapter of the American Fisheries Society  
CO99 West Virginia Rivers  
CO100 Key-Log Economics LLC  
CO101 Preserve Montgomery County Virginia  
CO102 Indian Creek Watershed Association  
CO103 Save Monroe and Border Conservancy  
CO104 Preserve Bent Mountain  
CO105 Appalachian Mountain Advocates  
CO106 The Wilderness Society  
CO107 The Wilderness Society  
CO108 Preserve Monroe  
CO109 Preserve Giles County  
CO110 Four Corners Farm  
CO111 Sierra Club

## **INDIVIDUALS**

IND1 Nancy Bouldin  
IND2 Janine Talty  
IND3 Tambra Pitt  
IND4 Natalie Sandell  
IND5 Loretta Brolsma  
IND6 Peter Montgomery  
IND7 David W. Witt  
IND8 Stephen and Anne Bernard  
IND9 Jean L. Porterfield

IND10	Sandra
IND11	Natalie Sandell
IND12	Patricia J. Tracy
IND13	Mark Blumen
IND14	Gordon Jones
IND15	Jerolyn K. Deplazes
IND16	Cathy Sizemore
IND17	Caleb Laieski
IND18	Patricia Curran Leonard
IND19	Pat Leonard
IND20	Alden W. Dudley Jr.
IND21	Alden W. Dudley Jr.
IND22	Gretchen Dudley
IND23	Gretchen Link Dudley
IND24	Gretchen Link Dudley
IND25	Mary Ferry
IND26	Gordon Jones
IND27	Pat Leonard
IND28	Mark Blumen
IND29	Robert M. Jones
IND30	Pat Leonard
IND31	Shirley Hall
IND32	Robert and Rosemary Goss
IND33	Pat Curran Leonard
IND34	Gretchen Dudley



IND35	Alden W. Dudley Jr.
IND36	Alden W. Dudley Jr.
IND37	Tim Ligon
IND38	Del Dyer
IND39	Pat Curran Leonard
IND40	Pat Curran Leonard
IND41	Marshall D. and Pamela S. Tessnear
IND42	Louisa Gay
IND43	Barbara Michelsen
IND44	Lynda Majors
IND45	Pat Curran Leonard
IND46	Pat Curran Leonard
IND47	Pat Curran Leonard
IND48	Robert M. Jones
IND49	Donna Jones
IND50	Pat Curran Leonard
IND51	Earle Mitchell
IND52	Pat Curran Leonard
IND53	Pat Curran Leonard
IND54	Pamela L. Ferrante
IND55	Mode A. Johnson
IND56	Pamela L. Ferrante
IND57	Mode A. Johnson
IND58	Ian Elliot Reilly
IND59	Thomas W. Triplett

IND60	Pat Curran Leonard
IND61	Sterl B. Morris
IND62	Jerolyn K. Deplazes
IND63	J. Phillip Pickett
IND64	J. Phillip Pickett
IND65	Susan Ryan
IND66	Robert M. Jones
IND67	Elsmere Wayne Wilbourn
IND68	Terri Walker
IND69	Terri Walker
IND70	Michael L. Bentley
IND71	Margaret M. Slayton
IND72	James Walker
IND73	Michael E. Slayton, M.D.
IND74	Pat Curran Leonard
IND75	Pat Curran Leonard
IND76	Pat Curran Leonard
IND77	Pat Curran Leonard
IND78	Zane Lawhorn
IND79	Jerolyn K. Deplazes
IND80	Nancy Bouldin
IND81	Warren H. Cooper
IND82	Pat Curran Leonard
IND83	Mark Blumen
IND84	Guy Buford

IND85 Patricia J. Tracy  
IND86 Louisa S. Gay  
IND87 Tomas T. Bouldin  
IND88 Patricia J. Tracy  
IND89 Pat Curran Leonard  
IND90 Pat Curran Leonard  
IND91 Pat Curran Leonard  
IND92 Pat Curran Leonard  
IND93 Pat Curran Leonard  
IND94 Pat Curran Leonard  
IND95 Pat Curran Leonard  
IND96 Frank Talbott  
IND97 Ruth Talbott  
IND98 Dawn E. Cisek  
IND99 Jim Steitz  
IND100 Mark Blumen  
IND101 Kristin Peckman  
IND102 Pamela L. Ferrante  
IND103 Ruth Sherman  
IND104 Jean L. Porterfield  
IND105 Judy Sink  
IND106 Robert M. Jones (on behalf of Donald Prater)  
IND107 Robert M. Jones (on behalf of Donald Prater)  
IND108 Robert M. Jones (on behalf of Mr. and Mrs. Rador Vaden)  
IND109 Robert M. Jones (on behalf of Peter Montgomery)

IND110	Torsten Sponenberg
IND111	Pat Curran Leonard
IND112	Justin Raines
IND113	Alden W. Dudley Jr.
IND114	Delwyn A. Dyer
IND115	Pat Curran Leonard
IND116	Pat Curran Leonard
IND117	Pat Curran Leonard
IND118	Roger S. Brown
IND119	Thomas Tyler Bouldin
IND120	Linda Parsons Sink
IND121	Roger S. Brown
IND122	Alden Dudley
IND123	Alden W. Dudley, Jr.
IND124	Gretchen Link Dudley
IND125	Gretchen Link Dudley
IND126	Gretchen
IND127	Gretchen Link Dudley
IND128	Gretchen Link Dudley
IND129	Alden W. Dudley Jr.
IND130	Pamela L. Ferrante
IND131	Thomas W. Triplett
IND132	Jerry and Jerolyn Deplazes
IND133	Jerolyn K. Deplazes
IND134	Serina Garst

IND135 Julia Travers  
IND136 Thomas Bouldin  
IND137 Roger S. Brown  
IND138 Patricia Curran Leonard  
IND139 Brenda Lynn Williams  
IND140 Patricia Curran Leonard  
IND141 Patricia Curran Leonard  
IND142 Patricia Curran Leonard  
IND143 Patricia Curran Leonard  
IND144 Patricia Curran Leonard  
IND145 Patricia Curran Leonard  
IND146 Roger S. Brown  
IND147 Howdy Henritz  
IND148 Jennifer Fenrich  
IND149 Thomas Bouldin  
IND150 Tina L. Smusz  
IND151 Elizabeth Reeder  
IND152 Roger S. Brown  
IND153 Bruce Zoecklein  
IND154 Suzanne Osborne  
IND155 Kaki Comer  
IND156 Patricia Curran Leonard  
IND157 Patricia Curran Leonard  
IND158 Patricia Curran Leonard  
IND159 Patricia Curran Leonard

IND160 Patricia Curran Leonard  
IND161 Patricia Curran Leonard  
IND162 Bruce Zoecklein  
IND163 Mark Blumen  
IND164 John Snyder  
IND165 Lynda Majors  
IND166 Tim Ligon  
IND167 Alden W. Dudley Jr.  
IND168 Cathy Helms  
IND169 Maya Bohler  
IND170 Maya Bohler  
IND171 Maya Bohler  
IDN172 Mark Blumen  
IND173 Brian Carroll  
IND174 Renee D. Godard  
IND175 Amber O. Akers  
IND176 Jacqueline Lucki  
IND177 Justin Raines  
IND178 Chris Resa  
IND179 Maya Bohler  
IND180 Charles W. Maus  
IND181 Patricia Curran Leonard  
IND182 Patricia Curran Leonard  
IND183 Bruce Zoecklein  
IND184 Timothy L. Dye

IND185 Dwayne Milam  
IND186 Bruce Zoecklein  
IND187 Ann Devine-King  
IND188 Merri Morgan  
IND189 Howdy Henritz  
IND190 Timothy Detwiler  
IND191 Linda L. E. Emrich  
IND192 Georgia Haverty  
IND193 Georgia Haverty  
IND194 Robert S. Emmett  
IND195 Bruce W. Zoecklein  
IND196 Suzie Henritz  
IND197 Mark Blumen  
IND198 Dave Miller  
IND199 Robert M. Jones (on behalf of Mr. and Mrs. Curtis K. Cook)  
IND200 Robert M. Jones (on behalf of Virginia East)  
IND201 Robert M. Jones (on behalf of Kandy Davis)  
IND202 Robert M. Jones (on behalf of Anna Davis)  
IND203 Pamela L. Ferrante  
IND204 Barry and Judy Sink  
IND205 Thomas P. Epling  
IND206 Thomas P. Epling  
IND207 Thomas P. Epling  
IND208 Thomas P. Epling  
IND209 Thomas P. Epling

IND210	Louisa S. Gay
IND211	Patricia Curran Leonard
IND212	Patricia Curran Leonard
IND213	Patricia Curran Leonard
IND214	Louisa S. Gay
IND215	Louisa S. Gay
IND216	Patricia Curran Leonard
IND217	Patricia Curran Leonard
IND218	Patricia Curran Leonard
IND219	Patricia Curran Leonard
IND220	Patricia Curran Leonard
IND221	Patricia Curran Leonard
IND222	Patricia Curran Leonard
IND223	Warren H. Cooper Jr.
IND224	Patricia Curran Leonard
IND225	Patricia Curran Leonard
IND226	Roberta C. Johnson
IND227	RoxAnne Lane Christley
IND228	Gerald W. Roller
IND229	Bob Johnson
IND230	Jean Carlon
IND231	Fedessa G. Williams
IND232	Peggy Quarles
IND233	David C. Schmauss
IND234	Frances Dowdy Collins



IND235	Judith Starchild
IND236	Elizabeth Reeder
IND237	Robert L. McCain
IND238	Robert L. McCain
IND239	Robert L. McCain
IND240	Tina Smusz
IND241	Carl E. Zipper
IND242	Carl E. Zipper
IND243	Carl E. Zipper
IND244	Carl E. Zipper
IND245	Orus Ashby Berkely
IND246	Jonathan Hines
IND247	Christopher Corey Alder
IND248	Rebecca Dameron
IND249	Guy W. Buford
IND250	Cynthia Munley
IND251	Shirley Hall
IND252	Patricia Curran Leonard
IND253	Patricia Curran Leonard
IND254	Patricia Curran Leonard
IND255	Patricia Curran Leonard
IND256	Patricia Curran Leonard
IND257	Patricia Curran Leonard
IND258	Richard Ettelson
IND259	Maria Fernanda

IND260 Robert M. Jones  
IND261 Matthew Hall  
IND262 Rachel Kaminer  
IND263 Elizabeth Kirk  
IND264 Guy W. Buford  
IND265 Elizabeth G. Long  
IND266 Bruce W. Zoecklein  
IND267 Carolyn Ford  
IND268 David and Jeanne Schmauss  
IND269 Martin Christ  
IND270 Patricia Curran Leonard  
IND271 Jerolyn K. Deplazes  
IND272 Pamela L. Ferrante  
IND273 Tina Smusz (on behalf of Jacob Hileman)  
IND274 Tina Smusz  
IND275 Torsten Sponenberg  
IND276 Thomas Bouldin  
IND277 Tina Smusz (on behalf of Chris Swan)  
IND278 Elaine Fleck  
IND279 Tina Smusz (on behalf of Emma Hileman)  
IND280 Sara Kviatkysky  
IND281 Patricia Curran Leonard  
IND282 Patricia Curran Leonard  
IND283 Patricia Curran Leonard  
IND284 Emily Luhrs

IND285 Patricia Curran Leonard  
IND286 Kara Jeffries  
IND287 Shirley Hall  
IND288 John Bevans  
IND289 Carl E. Zipper  
IND290 Earl and Fern Nichols  
IND291 Tunis McElwain  
IND292 Thomas Bouldin  
IND293 Kim Marche Menier  
IND294 Maury W. Johnson  
IND295 Maury W. Johnson  
IND296 Maury W. Johnson  
IND297 Bill Dooley  
IND298 Maury W. Johnson  
IND299 Maury W. Johnson  
IND300 Maury W. Johnson  
IND301 Thomas Bouldin  
IND302 Patricia Curran Leonard  
IND303 Devon Johnson  
IND304 Robert M. Jones (on behalf of Michaela Peta)  
IND305 Robert M. Jones  
IND306 Marc  
IND307 Justin Haber  
IND308 Patricia Curran Leonard  
IND309 Patricia Curran Leonard

IND310 Guy W. Buford  
IND311 John Applequist  
IND312 Patricia Curran Leonard  
IND313 James Workman  
IND314 Robert M. Jones (on behalf of Peter Montgomery)  
IND315 Melissa B. West  
IND316 Patricia Curran Leonard  
IND317 Patricia Curran Leonard  
IND318 David J. Werner  
IND319 Patricia Curran Leonard  
IND320 Patricia Curran Leonard  
IND321 Thomas Bouldin  
IND322 Judy Sink  
IND323 Individual  
IND324 Nan Gray  
IND325 Nan Gray  
IND326 Nan Gray  
IND327 Elizabeth Struthers Malbon  
IND328 Lillian H. Moore  
IND329 Louisa Gay  
IND330 Elisabeth Hauser  
IND331 William S. and Virginia K. Brink  
IND332 Alvin E. Wray  
IND333 Louisa Gay  
IND334 Anne Lusby-Denham

IND335 Kathleen Taylor  
IND336 Chris Anne Carter  
IND337 Iris Moye  
IND338 Alan Daniel O'Hara  
IND339 Linda Quinn  
IND340 Shirley and Willis Hall  
IND341 Tina Smusz (on behalf of Dorothy Domermuth)  
IND342 Nancu Guile  
IND343 Elizabeth Reeder  
IND344 Tina Smusz (on behalf of Mark Hileman)  
IND345 Robert A. and Louise W. Wey  
IND346 Teresa Crispin  
IND347 Joseph C. Pitt  
IND348 Harold M. "Rocky" Parsons, Jr.  
IND349 Elizabeth Reeder  
IND350 Bruce Zoecklein  
IND351 Bruce Zoecklein  
IND352 Elizabeth Struthers Malbon  
IND353 J. Dana McCarron  
IND354 Ingrid Pankonin  
IND355 Greg Warren  
IND356 Robert B. Lineberry  
IND357 Robert M. Jones (on behalf of Jason Taylor)  
IND358 Robert M. Jones (on behalf of Jennifer Rathmann)  
IND359 Tina Smusz (on behalf of Peter and Mary Jane Imhof)

IND360 Robert M. Jones (on behalf of Hersha Evans)  
IND361 James Chandler  
IND362 James Chandler  
IND363 James Chandler  
IND364 Tina Smusz (on behalf of Loretta Walker)  
IND365 Tina Smusz  
IND366 Kathy E. Chandler  
IND367 Donna S. Pitt  
IND368 James T. Chandler  
IND369 Taylor F. Johnson  
IND370 Robert M. Johnson (on behalf of Buck Cox and Janet DeGross)  
IND371 Robert M. Johnson (on behalf of Sandra Powell)  
IND372 Robert M. Johnson (on behalf of Logan Brooke)  
IND373 Robert M. Johnson (on behalf of Kelly Violette)  
IND374 David T. MacMillan  
IND375 Judith E. Bevans  
IND376 Patricia Curran Leonard  
IND377 Sandra P. Schlaudecker  
IND378 Sandra P. Schlaudecker  
IND379 Sandra P. Schlaudecker  
IND380 Patricia Curran Leonard  
IND381 Patricia Curran Leonard  
IND382 Richard Ettleson  
IND383 Jim Steitz  
IND384 James R. Thomas

IND385 Ashley L. Johnson  
IND386 Tim Dye  
IND387 Patricia Curran Leonard  
IND388 Elizabeth Thomas  
IND389 Christine Kane  
IND390 John Festa  
IND391 Lauren C. Malhotra  
IND392 Stephen D. Trail  
IND393 Ryan Wedsock  
IND394 Robert M. Jones (on behalf of Bruce and Nora Fugate)  
IND395 Robert M. Jones (on behalf of Les and Patty Fuller)  
IND396 Robert M. Jones (on behalf of Donald and Joanna Sunshine)  
IND397 Elizabeth Struthers Malbon  
IND398 Patricia Ann "Cookie" Cole  
IND399 Carol Yopp  
IND400 Lisa Hyatt  
IND401 Robert Shippee  
IND402 Tina Smusz (on behalf of Curtis A. Laub)  
IND403 Rachael Rose  
IND404 Carl E. Zipper  
IND405 Mode A. Johnson  
IND406 Dia Broussard  
IND407 Thomas and Judith Pospichal  
IND408 Dwayne Milam  
IND409 Tina Smusz (on behalf of Mark A. Hileman)

IND410 Pamela L. Ferrante  
IND411 Guy W. Buford  
IND412 David Seriff  
IND413 Stephen and Anne Bernard  
IND414 Mode A. Johnson  
IND415 David Arthur  
IND416 Molly Carole Diane Crutchfield  
IND417 Jack W. Finney  
IND418 Guy W. Buford  
IND419 Eleanor Anne Marsh  
IND420 Louisa Gay  
IND421 Wil Overman  
IND422 Elisabeth Tobey  
IND423 Elizabeth C. Fine  
IND424 Patricia Curran Leonard  
IND425 Patricia Curran Leonard  
IND426 Patricia Curran Leonard  
IND427 Patricia Curran Leonard  
IND428 Patricia Curran Leonard  
IND429 Patricia Curran Leonard  
IND430 Patricia Curran Leonard  
IND431 Bob Peckman  
IND432 Robert Head  
IND433 Darlene Fife  
IND434 Sydney Rubin



IND435 Cosmo A. Catalano, Jr.  
IND436 Kara Jeffries  
IND437 Georgia Haverty  
IND438 Elizabeth Struthers Malbon (on behalf of Don Barber)  
IND439 Elizabeth Struthers Malbon  
IND440 Larissa Bowman  
IND441 Michael J. McGee  
IND442 Robert Browning  
IND443 Luke A. Rostocki  
IND444 Elizabeth Reeder  
IND445 Bruce W. Zoecklein  
IND446 Bill Seale  
IND447 Mary Wildfire  
IND448 Philip Queen  
IND449 Elizabeth Welch  
IND450 R. M. Greene  
IND451 Doris L. Link  
IND452 Jaime Todaro  
IND453 Tom Hoffman  
IND454 Richard Ettleson  
IND455 Diane Wray  
IND456 Becky Crabtree  
IND457 Elizabeth Struthers Malbon  
IND458 Tina Smusz (on behalf of Meriel Russell)  
IND459 June Ponder

IND460	Nan Gray
IND461	Nan Gray
IND462	Ken Goldsmith
IND463	Bob Peckman
IND464	Kristin Peckman
IND465	Vic Hasler
IND466	Thomas Bouldin
IND467	Reinhard Bouman
IND468	Matthew Bergman
IND469	Patricia Gundrum
IND470	Individual
IND471	Nan Gray
IND472	Nan Gray
IND473	Craig B. Humphrey
IND474	Jordan Shenefield
IND475	Deborah Way
IND476	Raymond M. Gonda
IND477	Bruce M. Coffey
IND478	Alison Roxby
IND479	Corey Grant
IND480	Christine Mullon
IND481	Michael Levitt
IND482	Sienna Cittadino
IND483	Richard Chamberlain
IND484	Rebecca True

IND485	Guy W. Buford
IND486	Nicholas F. Polys
IND487	Anthony Gonzalez
IND488	Marianne J. Skeen
IND489	Pamela Burkhardt
IND490	Mary LaLone
IND491	Dianne Broussard
IND492	Brian Wooton
IND493	Nancy LaPlaca
IND494	Alan Vance
IND495	Jerolyn K. Deplazes
IND496	Jim Workman
IND497	Linda Black
IND498	Mode A. Johnson
IND499	Stephen Campbell
IND500	Andrew D. Hinz
IND501	Corrine Baker
IND502	Corrine Baker
IND503	Robin Scully Boucher
IND504	Bruce W. Zoecklein
IND505	Tim Ligon
IND506	Donald Wayne Jones
IND507	Rose Hirschy
IND508	Clifford A. Shaffer
IND509	Susan McPartland

IND510	Jennifer Janney
IND511	Elizabeth Reeder
IND512	Bruce M. Coffey
IND513	Thomas Bouldin
IND514	Isaac Witmer
IND515	Andrew Williams
IND516	Lee Ann Williams
IND517	Daniel Miller
IND518	Eve B. Jenkins
IND519	Tina Smusz
IND520	Robin Austin
IND521	Georgia Lynn Banklow
IND522	Owen Ingram
IND523	Audrey Ingram
IND524	Kristin Peckman
IND525	Christine Ingram
IND526	Chris Selmer
IND527	Amanda Page
IND528	Debra Staples
IND529	Ischa Vingle
IND530	S. Fisher
IND531	Mandy Campbell
IND532	Jamie J. Virostko
IND533	Emily Pfeiffer
IND534	Rebecca Tisherman

IND535 Deborah Kushner  
IND536 Kristina Webster  
IND537 Lynn Cameron  
IND538 Shari Farrar  
IND539 Amar Kakirde  
IND540 Molly Naffke  
IND541 Sharon Bouge  
IND542 Mary Scott  
IND543 Mark Reilly  
IND544 Maury W. Johnson  
IND545 Maury W. Johnson  
IND546 Louisa Gay  
IND547 Wilbur and Irene Larew  
IND548 Claudia Neely  
IND549 Tina Smusz (on behalf of Mark A. Hileman)  
IND550 Thomas Bouldin  
IND551 Tina Smusz (on behalf of Vicki Tolbert)  
IND552 Chris Hazynski  
IND553 Pat Chlepas (on behalf of Constantine Chlepas)  
IND554 Tina Smusz (on behalf of Debora Warren)  
IND555 Tina Smusz (on behalf of Therese B. Lundberg)  
IND556 Barbara Coe  
IND557 Lauren Krouse  
IND558 Jacqueline Lucki  
IND559 Susan Thames

IND560	Rosemary Goss
IND561	Nan Gray
IND562	Steven Powers
IND563	Kevin Klesenski
IND564	Regina Lorenzen
IND565	Susan Cleaver
IND566	Pris Sears
IND567	John Strong
IND568	Nicola Tilley
IND569	Benjamin Upton
IND570	Tara Dunderdale
IND571	Josh Moore
IND572	Alyssa Fowers
IND573	Kevin Goth
IND574	Joseph Roberts
IND575	Gorden P. Engelbrecht
IND576	Matt Kearns
IND577	Logan Bockrath
IND578	Lawrence M. Beyer
IND579	Bob Peckman
IND580	H. Randell Grumpelt, Ph.D
IND581	Jennifer S. Baker
IND582	Randall L. Thomas
IND583	Marcia Rucker
IND584	Individual

IND585 Margaret Roston  
IND586 Robert M. Jarrell  
IND587 Margaret Roston  
IND588 Elise Keaton  
IND589 Dollie Wright and Tonya Shackelford  
IND590 Charlotte Thomas  
IND591 Simone Poirier-Bures and Allen Bures  
IND592 Darlene Cunningham  
IND593 Margaret Roston  
IND594 Robert Stanley  
IND595 Elise Keaton  
IND596 Individual  
IND597 Willa Izzo  
IND598 Pat Curran Leonard  
IND599 Willa Izzo  
IND600 Daniel Angle  
IND601 Allyn M. Moss  
IND602 Christine Smith  
IND603 Pamela Humphrey  
IND604 Nan Gray  
IND605 Pat Churchman  
IND606 Linda Emrich  
IND607 Christina Lewencruk  
IND608 Individual  
IND609 Pat Curran Leonard

IND610	Nan Gray
IND611	Lauren Wadsworth
IND612	JBF
IND613	Robert J. Gronan
IND614	Lorin Salem
IND615	David and Teresa Ehrlich
IND616	Margaret A. Roston
IND617	Dianne Broussard
IND618	Andrew Schenker
IND619	Robert Pierson
IND620	Robert Pierson
IND621	Pat Curran Leonard
IND622	Pat Curran Leonard
IND623	Raymond Groves
IND624	Elizabeth F. Thomas
IND625	Lauren Cooper
IND626	Keith Wilson
IND627	Elise Keaton
IND628	Dr. Elizabeth C. Fine
IND629	Georgia Haverty
IND630	Wendell W. Flora
IND631	Sam Kessler
IND632	Lynn Davis
IND633	James R. Thomas
IND634	Pat Curran Leonard



IND635 Robert Pierson  
IND636 Pat Curran Leonard  
IND637 Roberta Toney  
IND638 Laura Dent  
IND639 Sarah Waldrop  
IND640 Victor Escobar  
IND641 Katie Jackson  
IND642 Paula Bittinger  
IND643 Kenneth J. Srpan  
IND644 Michelle Williams  
IND645 Tobie Baldwin  
IND646 Henry Trease  
IND647 Marjorie Lewter  
IND648 Pamela L. Ferrante  
IND649 Linda Parsons Sink  
IND650 Jobyl A. Boone  
IND651 Gordon Plocher  
IND652 Bob Peckman  
IND653 Andrew Ianni  
IND654 Amy Dellinger  
IND655 Judith Smallwood  
IND656 Daniel R. Averill  
IND657 Patrick Gabbert  
IND658 Tatyana Romanyukha  
IND659 Grace M. Terry

IND660	Thomas Bouldin
IND661	James McGrady
IND662	Lynda Majors
IND663	Robert Goss
IND664	Elizabeth Hoffman
IND665	Victoria Hudsperth
IND666	Gene Rose
IND667	Jillian Pramas
IND668	Douglas D. Martin
IND669	Erica Rupp
IND670	Robin Scully Boucher
IND671	Nelson Bailey
IND672	Anthony Mietus
IND673	Anthony Mietus
IND674	Heather Becker
IND675	Marika Svolos
IND676	Larry Thompson
IND677	Christina McIntyre
IND678	Edgar Martin
IND679	Teri Pettipiece
IND680	Eleanor A. Lasky
IND681	Dana Dickson
IND682	John D. Wellman
IND683	Anne W. Nielsen
IND684	Biran Dickman

IND685	January Handl
IND686	Rachel Rugh
IND687	Dainez
IND688	Martin Russell
IND689	Traci York
IND690	Lesley
IND691	Peggy Buhardt
IND692	Peggy Buhardt
IND693	Peggy Buhardt
IND694	Dean Woodall
IND695	Anne L. Henley
IND696	Josh Lipton
IND697	Debbie Naeter
IND698	Debbie Naeter
IND699	Carol Brighton
IND700	Debbie Naeter
IND701	Debbie Naeter
IND702	Maury W. Johnson
IND703	Debbie Naeter
IND704	Lauren Wadsworth
IND705	Debbie Naeter
IND706	Jennifer McGuire
IND707	Betty Jane Cline
IND708	John Rubel
IND709	Pamela Humphrey

IND710	John Rubel
IND711	Pamela Humphrey
IND712	Maury Johnson
IND713	Ellen Zinder
IND714	Thomas Queen
IND715	Pamela Humphrey
IND716	Gin Jackson
IND717	Pamela Humphrey
IND718	Pamela Humphrey
IND719	Evan Nicely
IND720	John Rubel
IND721	John Rubel
IND722	Richard Ettelson
IND723	Keara Axelrod
IND724	Josh Lipton
IND725	John Rubel
IND726	Jacob Zehnder
IND727	Susan and Thomas Bouldin
IND728	John Rubel
IND729	Jeff Kessler
IND730	Aaron McGuire
IND731	Kate Sirota
IND732	Vicki Pierson
IND733	David Yolton
IND734	Josh Lipton

IND735	Vicki Pierson
IND736	Ruth Murphy
IND737	Anne Canterbury
IND738	Dale Angle
IND739	Betty Schwimmer
IND740	Laura Robinson
IND741	Jeff Kessler
IND742	Betty Schwimmer
IND743	Ruth Murphy
IND744	Betty Schwimmer
IND745	Betty Schwimmer
IND746	Betty Schwimmer
IND747	Betty Schwimmer
IND748	Barbara Duerk
IND749	Mathew Shattuck
IND750	Susan Molesky
IND751	Sean Bishop
IND752	Stephen Legge
IND753	Perry Martin
IND754	Guy Werner
IND755	Chris Loomis
IND756	Michael Bittinger
IND757	Karen Kovick
IND758	Anita Bevins
IND759	Laura Neale

IND760	Sandi Webster
IND761	Susan Swing
IND762	Kristin Peckman
IND763	Kurt Bodling
IND764	Susan Robertson
IND765	Kristin Peckman
IND766	Emily Susko
IND767	Gwynn Hamilton
IND768	Julia Moore
IND769	Robert Dellinger
IND770	Pat Levy-Lavelle
IND771	Carli Mareneck
IND772	Glen Besa
IND773	Joseph Fagan
IND774	Robert Fener
IND775	Pat Leonard
IND776	David Kern
IND777	Individual
IND778	Theodore Mills-Kelly
IND779	Danielle Greene
IND780	Megan Motts
IND781	Edward Anderson
IND782	Meredith Simmons
IND783	T. Hatfield
IND784	Marilyn Amerson

IND785 Christopher Lish  
IND786 Suzanne Vance  
IND787 Bruce Mahin  
IND788 Kara Vaneck  
IND789 Deborah Rosen  
IND790 David Flores  
IND791 Freeda Cathcart  
IND792 Thomas Headley  
IND793 Lydia Barker  
IND794 J. Kark  
IND795 Amanda Wilson  
IND796 Savannah Neal  
IND797 Martha Bergsten  
IND798 Donald Jones  
IND799 Erin Noakes  
IND800 Papi Crabtree  
IND801 Robert Peckman  
IND802 Sherman Bamford  
IND803 Glen Besa  
IND804 Patrick Shea  
IND805 Carol Geller  
IND806 Carl Zipper  
IND807 Donald Jones  
IND808 Donald Jones  
IND809 V. Stone

IND810	Robert Del Vecchio
IND811	Allen Johnson
IND812	Jessica Alley
IND813	Liz Tuchler
IND814	David Ansley
IND815	Arnold Lafon
IND816	Stephen Smith
IND817	Sarah Brunner
IND818	Alyssia Valentin
IND819	Sharlyn Thacker
IND820	K. Casper
IND821	K. Kirkbride
IND822	Kim Kirkbride
IND823	H. Teekell
IND824	Paige Holt
IND825	Caroline Terlecki
IND826	Thomas Bouldin
IND827	Susan Crenshaw
IND828	Lois Martin
IND829	S. Provo
IND830	Thomas and Betty Gilkerson
IND831	Betsy Hughes
IND832	V. Stone
IND833	Robert Miller
IND834	V. Stone



IND835 Lynda Curtis  
IND836 William Queen  
IND837 Steven Hodges  
IND838 Tina Smusz  
IND839 Nan Gray  
IND840 Linda Sutton  
IND841 Lauren Bradford  
IND842 William Sydor  
IND843 Paul Washburn  
IND844 Beth Covington and Michael Martin  
IND845 Erin Bicknese  
IND846 Anne Petrie Dobbs Brown  
IND847 Mode Johnson  
IND848 Individual  
IND849 Tyler Williams  
IND850 Mary Johnson  
IND851 Thomas Bouldin  
IND852 Robert Massengale  
IND853 S. Gordon  
IND854 Jessica Scott  
IND855 William Limpert  
IND856 Sharon Smith  
IND857 William Limpert  
IND858 David Splitt  
IND859 Russell Chisholm

IND860 Jesse Paris  
IND861 Anita Puckett  
IND862 Anita Puckett  
IND863 Cynthia Cook  
IND864 Rory Mullenex  
IND865 Nick Lasky  
IND866 Michelle McAlpin  
IND867 Robin Morris  
IND868 George Jones  
IND869 Kimberley Homer  
IND870 Dianne Broussard  
IND871 Leigh Anne Weitzenfeld  
IND872 Maury Johnson  
IND873 Carl Zipper  
IND874 Kristin Peckman  
IND875 Allison Del Vecchio  
IND876 Nancy Evey  
IND877 Georgianne Stinnett  
IND878 Mark Jennings  
IND879 Abigail Benjamin  
IND880 Kristin Peckman  
IND881 Adrienne Zofchak  
IND882 Ryan Hoke  
IND883 Millie Smith  
IND884 Paul Washburn

IND885 Anna R. Ziegler  
IND886 Andrew Klein  
IND887 Jonathan Lee  
IND888 William Sidebottom  
IND889 Irene E. Leech  
IND890 Marianne Hughes  
IND891 Elisabeth Struthers Malbon (on behalf of Hersha Evans)  
IND892 Tina Smusz (on behalf of Jacob Tileman)  
IND893 Tina Smusz  
IND894 E. Scott Geller  
IND895 Judy Vanek  
IND896 April Keating (on behalf of Arthur and Judy Roberts)  
IND897 Steven Hodges  
IND898 Thomas E. Adams, III  
IND899 Lynda Majors  
IND900 Adrienne Zofchak  
IND901 Carrie S. Jubb  
IND902 Robin S. Boucher (on behalf of Winema and Wilson Lanoue)  
IND903 Erin McElvy  
IND904 April Keating  
IND905 Thomas E. Adams, III  
IND906 Robert M. Jones (on behalf of Andrew and Elisabeth Alden)  
IND907 Brian R. Murphy  
IND908 Lynda Majors  
IND909 Holly L. Scoggins

IND910 Roseanna Sacco  
IND911 Linda Parsons Sink  
IND912 Grace Terry  
IND913 Katie and Russ Barksdale  
IND914 Charles Chong  
IND915 Joyce Waugh  
IND916 Susie Vance  
IND917 Catherine Grant  
IND918 James Kocton  
IND919 Justin Raines  
IND920 Natalie Thiele  
IND921 Tom Bond  
IND922 Morgan Miller  
IND923 Maury Johnson  
IND924 James Walker  
IND925 Joe Chasnoff  
IND926 Judith Vanek  
IND927 Loretta Brolsma  
IND928 Suzie Henritz  
IND929 Scott Womack  
IND930 Frances Dowdy Williams Collins  
IND931 Suzanne Clewell  
IND932 Autumn Leah Bryson Crowe  
IND933 Becky Crabtree  
IND934 Shirley Hall

IND935 Thomas Johnson  
IND936 Amy South  
IND937 Bob Liebman  
IND938 Richard A. Lynch  
IND939 Carli Mareneck  
IND940 Dana Olson  
IND941 Willis Hall  
IND942 Cookie Cole  
IND943 Stephen Miller  
IND944 Jim Gore  
IND945 Roseanne Sacco  
IND946 Ann Brown  
IND947 Alyssa VonZurich  
IND948 Ashby Berkley  
IND949 Beth Covington  
IND950 Carley Knapp  
IND951 Carly Ann Braun  
IND952 David Muhly  
IND953 Demi Elliott and Ruth Murphy  
IND954 Dorothy Larew  
IND955 Dale Leshaw  
IND956 Robin Skillern  
IND957 Dorothy Larew  
IND958 Vivian Pranulis  
IND959 Scott Miller

IND960 Anne M. Brown  
IND961 Suzanne Kidwell  
IND962 Lucy Ann Price  
IND963 Dana Olson  
IND964 Patricia Curran Leonard  
IND965 Individual  
IND966 Clifford A. Shaffer  
IND967 Patricia Curran Leonard  
IND968 Bridget Simmerman  
IND969 Tom Hoffman  
IND970 Allan and Pan Tsang  
IND971 Karolyn W. Givens  
IND972 Tom Melko  
IND973 Don W. Rain  
IND974 Lauren Wadsworth  
IND975 Lauren Wadsworth  
IND976 Carli Mareneck  
IND977 Clifford P. Burdette  
IND978 Carli Mareneck  
IND979 Carli Mareneck  
IND980 Alex and Daisy Ermoloff  
IND981 Dianna Richardson  
IND982 James O. Gore  
IND983 Megan Raddant  
IND984 Kenneth J. Srpan

IND985	David G. Yolton
IND986	Individual
IND987	Patty Clevis
IND988	Jim and Mareia Leitch
IND989	Virginia D. McWhorter
IND990	Mike Willams
IND991	Timothy J. Lawless
IND992	Lauren Wadsworth
IND993	Ann Soukup
IND994	John J. Walkup III
IND995	Lauren Wadsworth
IND996	Individual
IND997	Deborah Dix
IND998	Individual
IND999	Sandy Arthur
IND1000	Bill Woodrum
IND1001	Anne Bernard
IND1002	Stephen Williamson Bernard
IND1003	Mark W. Dooley
IND1004	J. Wendell Brooks
IND1005	Michael Steven Carter
IND1006	Jacklin Clark
IND1007	Bill Clarke
IND1008	Bridget Kelley-Dearing
IND1009	Patricia Curran Leonard

IND1010 Gretchen Link Dudley  
IND1011 Alden W. Dudley Jr.  
IND1012 Caroline A. Evans  
IND1013 Joan Fanning  
IND1014 Samantha Evans  
IND1015 Patricia Curran Leonard  
IND1016 Robert Leonard  
IND1017 William Lattea  
IND1018 Glenn W. Loveless  
IND1019 Janice Murray  
IND1020 Paul F. Crawford  
IND1021 Emilie Owen  
IND1022 John and Mary Rueckert  
IND1023 Joseph and Belinda Webb  
IND1024 Constance Abraham  
IND1025 Thomas J. Berlin  
IND1026 Dianne L. Broussard  
IND1027 Anne M. Brown  
IND1028 Carly Ann Braun  
IND1029 Anne Chopnak  
IND1030 James Clewell  
IND1031 Patricia Ann "Cookie" Cole  
IND1032 Shirley Hall  
IND1033 Maury Johnson  
IND1034 Carley Knapp



IND1035 Beth Krause  
IND1036 Charles and Dorothy Larew  
IND1037 Perry Martin  
IND1038 Iryene McNeil  
IND1039 Virginia D. McWhorter  
IND1040 Dana Olson  
IND1041 Ronkeith Adkins  
IND1042 Ajmal Alami  
IND1043 Individual  
IND1044 D. Michael Bailey  
IND1045 Pamela Barger  
IND1046 Liz Belcher  
IND1047 CJ Boothe  
IND1048 M. Rupert Cutler  
IND1049 Susan Crenshaw  
IND1050 Elisabeth Daystar  
IND1051 Molly A. Dearing  
IND1052 Barbara Duerk  
IND1053 Pamela L. Ferrante  
IND1054 Samuel Gittelman  
IND1055 Clarence B. Givens  
IND1056 Karolyn W. Givens  
IND1057 Nan Gray  
IND1058 Georgia Haverty  
IND1059 Meredith Hickman

IND1060 Tom Hoffman  
IND1061 Pamela P. Humphrey  
IND1062 Carolyn Jake  
IND1063 Roberta C. Johnson  
IND1064 Mode Johnson  
IND1065 Samuel L. Lionberger, Jr.  
IND1066 Maura Lydon  
IND1067 Lauren Malhotra  
IND1068 Andrea A. Midkiff  
IND1069 JB Mixon  
IND1070 Marilyn Moody  
IND1071 Cynthia Munley  
IND1072 Gena Palmer  
IND1073 Kristin Peckman  
IND1074 Joel and Ann Rader  
IND1075 Michael D. Reynolds  
IND1076 Sandra P. Schlaudecker  
IND1077 Karen B. Scott  
IND1078 Michael T. Scott  
IND1079 Mildred H. Scott

#### **PUBLIC COMMENT SESSIONS**

PS1A – Room 1 Chatham High School - November 1, 2016 – Chatham, VA  
PS1A – Room 2 Chatham High School - November 1, 2016 – Chatham, VA  
PS1B – Room 1 Lewis County High School – November 1, 2016 – Weston, WV

PS1B – Room 2      Lewis County High School – November 1, 2016 – Weston, WV

PS2A – Room 1      Franklin County High School – November 2, 2016 – Rocky Mount, VA

PS2A – Room 2      Franklin County High School – November 2, 2016 – Rocky Mount, VA

PS2B – Room 1      Nicholas County High School – November 2, 2016 – Summersville, WV

PS2B – Room 2      Nicholas County High School – November 2, 2016 – Summersville, WV

PS3A – Room 1      Sheraton Hotel – Roanoke – November 3, 2016 – Roanoke, VA

PS3A – Room 2      Sheraton Hotel – Roanoke – November 3, 2016 – Roanoke, VA

PS3B – Room 1      Peterstown Elementary School – November 3, 2016 – Peterstown, WV

PS3B – Room 2      Peterstown Elementary School – November 3, 2016 – Peterstown, WV

PS4A – Room 1      California Area High School – November 9, 2016 – Coal Center, PA

PS4A – Room 2      California Area High School – November 9, 2016 – Coal Center, PA

CP16-10

20160921-0011 FERC PDF (Unofficial) 09/20/2016

H. MORGAN GRIFFITH  
9TH DISTRICT, VIRGINIA  
COMMITTEE ON ENERGY AND COMMERCE  
SUBCOMMITTEES: ENERGY AND POWER HEALTH  
OVERSIGHT AND INVESTIGATIONS  
www.morgangriffith.house.gov



Congress of the United States  
House of Representatives  
OFFICE OF EXTERNAL AFFAIRS  
Washington, DC 20515-4609

1108 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-3881 PHONE  
(202) 225-0076 FAX

323 WEST MAIN STREET  
ABINGDON, VA 24210  
(278) 525-1405 PHONE  
(278) 525-1444 FAX

17 WEST MAIN STREET  
CHRISTIANSBURG, VA 24073  
(540) 381-5671 PHONE  
(540) 381-5675 FAX

September 9, 2016 FEDERAL ENERGY REGULATORY COMMISSION

The Honorable Norman C. Bay  
Chairman  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

Chairman Bay:

Rick Sizemore of Giles County, Virginia, recently contacted my office with concerns regarding the proposed re-route of the Mountain Valley Pipeline along the New River Conservancy Easement. Per Mr. Sizemore's request, I am passing these concerns along to you.

It is my understanding that the route as initially proposed would have cut through the New River Conservancy Easement as well as through the site of a retreat center and campground for a local church. While a New River Conservancy Variation route has been proposed, which would avoid the Conservancy Easement, Mr. Sizemore has noted that the alternative would now place the pipeline path directly through a nearby sub-division.

Please find enclosed a copy of Mr. Sizemore's correspondence. I appreciate your consideration of these concerns. Please contact Bobby Hamill in my office at [bobby.hamill@mail.house.gov](mailto:bobby.hamill@mail.house.gov) or 202-225-3861 with any questions.

Sincerely,  
  
H. MORGAN GRIFFITH  
Member of Congress

PRINTED ON RECYCLED PAPER  
2016-00158

FA1-1

FA1-1

Section 3.5 of the Environmental Impact Statement (EIS) has been revised with new information regarding the New River Conservancy Route Variation.

20161011-0035 FERC PDF (Unofficial) 10/11/2016



United States Department of Agriculture

October 3, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

ORIGINAL

FILED  
SECRETARY OF THE  
COMMISSION  
2016 OCT 11 P 3:00  
FEDERAL ENERGY  
REGULATORY COMMISSION

Re: Equitrans Expansion Project, CP16-13-000

FA2-1

Based on the information provided, the Natural Resources Conservation Service (NRCS) is unable to make a definitive determination regarding potential impacts of the proposed Equitrans Expansion Project on Pennsylvania NRCS easement holdings. However, it appears that two NRCS easement holdings Greene and Allegheny Counties may be impacted. Please respond with the GIS shapefiles for the project so NRCS can evaluate the potential for impacts on NRCS acquired easement holdings. If we receive no response from you, we will assume you have verified that the Equitrans Expansion Project will not impact any NRCS acquired easement holdings.

Finally, in accordance with the Council on Environmental Quality regulations implementing the National Environmental Policy Act (NEPA) at 40 CFR Section 1508.5, if it is determined that any NRCS acquired easement holdings will be impacted, NRCS formally requests that NRCS be granted cooperating agency status in the completion of the environmental assessment or environmental impact statement for the Equitrans Expansion Project to ensure that the impact of project on NRCS acquired easement holdings is fully and adequately considered.

Thank you for your timely assistance and cooperation with this request. If you have any questions or comments, please contact Gwendolyn Crews on my staff at [Gwendolyn.crews@pa.usda.gov](mailto:Gwendolyn.crews@pa.usda.gov) or by phone at 717-237-2218.

Sincerely,

Denise Coleman  
State Conservationist

Cc: Andree DuVarney, National Environmental Coordinator, USDA-NRCS  
Wayne Van Rooyen, Realty Specialist, USDA-NRCS  
Don Riley, Ecologist USDA-NRCS  
David Steele, Acting Assistant State Conservationist for Operations, USDA-NRCS  
Hathaway Jones, Easement Management Analyst, USDA-NRCS

Natural Resources Conservation Service  
East Park Drive, Suite 2  
Harrisburg PA 17111  
Voice: 717-237-2100 | Fax: 717-237-2238

Helping People Help the Land

USDA is an equal opportunity provider and employer.

FA2-1

Equitrans provided the NRCS with GIS shapefiles in October 2016. See also comment FA7-1, which states that NRCS did not identify any NRCS easements.

**FEDERAL**  
**FA3 – U.S. Department of Agriculture – Forest Service**

20161025-5044 FERC PDF (Unofficial) 10/25/2016 12:01:21 PM

 **United States**     **Forest**     **George Washington and Jefferson**     **5162 Valleypointe Parkway**  
**Department of**     **Service**     **National Forests**     **Roanoke, VA 24019**  
**Agriculture**                     **540-265-5100**

**File Code:** 1900; 2720  
**Date:** October 24, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St., N.E., Room 1A  
Washington, DC 20426

Dear Ms. Bose:

FA3-1

**Subject:** Request for Site-Specific Design of Stabilization Measures in Selected High-Hazard Portions of the Route of the proposed Mountain Valley Pipeline Project in the Jefferson National Forest  
OEP/DG2E/Gas 3  
Mountain Valley Pipeline, LLC  
Docket No. CP16-10-000

The Forest Service submits an information request to Mountain Valley Pipeline, LLC to support the Forest Service's review of MVP's special use proposal for the proposed Mountain Valley Pipeline Project (MVP Project). The proposed project would affect 3.4 miles of National Forest System lands on the Jefferson National Forest.

In the attached document, we discuss the objectives of our request for the site-specific design of stabilization measures in selected high-hazard locations along the proposed MVP Project route. We also discuss the methods we followed and the criteria we used to select the representative sites.

For questions, please contact Jennifer Adams, Special Project Coordinator, at (540) 265-5114 or by email at [jenniferpadams@fs.fed.us](mailto:jenniferpadams@fs.fed.us).

Sincerely,



JOBY P. TIMM  
Forest Supervisor

cc: Mountain Valley Pipeline, LLC

FA3-1

The FS's data request to Mountain Valley is noted. The final EIS has been updated to reflect information provided by Mountain Valley in relation to this data request.



Caring for the Land and Serving People



**FEDERAL**  
**FA4 – U.S. Army Corps of Engineers**

20161027-0011 FERC PDF (Unofficial) 10/27/2016



**DEPARTMENT OF THE ARMY**  
**US ARMY CORPS OF ENGINEERS**  
**NORFOLK DISTRICT**  
**FORT NORFOLK**  
**803 FRONT STREET**  
**NORFOLK VA 23510-1011**

October 20, 2016

PF15-3  
FILED  
SECRETARY OF THE  
COMMISSION

2016 OCT 27 P 4: 24

FEDERAL ENERGY  
REGULATORY COMMISSION

Western Virginia Regulatory Section  
NAO-2015-00898

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE Room 1A  
Washington, DC 20426

ORIGINAL

Dear Ms. Bose:

Many projects proposed by the Federal Energy Regulatory Commission (FERC) require permits from the Corps of Engineers. These projects are subject to compliance with Section 106 of the National Historic Preservation Act of 1966.

According to 36 CFR 800.2(a)(2):

*"...If more than one Federal agency is involved in an undertaking, some or all [of] the agencies may designate a lead Federal agency, which shall identify the appropriate official to serve as the agency official who shall act on their behalf, fulfilling their collective responsibilities under section 106. Those Federal agencies that do not designate a lead Federal agency remain individually responsible for their compliance with this part."*

Pursuant to the above provision, FERC is hereby designated as the lead federal agency to fulfill the collective Federal responsibilities under Section 106 for the following undertaking, which FERC has determined will have an adverse effect on historic resources:

Mountain Valley Pipeline Project (OEP/DG2E/Gas 3, Mountain Valley Pipeline LLC, Docket No. PF15-3-000) (MVP)

The Corps authorizes FERC to conduct Section 106 coordination on its behalf. Any Memorandum of Agreement prepared by FERC under 36 CFR 800.6 should include the following clause in the introductory text:

*"WHEREAS, pursuant to Section 10 and/or Section 404 of the Clean Water Act, a Department of the Army permit will likely be required from the Corps of Engineers for this project, and the Corps has designated FERC as the lead federal agency to fulfill federal responsibilities under Section 106; and"*

FA4-1

FA4-1

The FERC's designation as the lead federal agency for consultations under Section 106 of the NHPA and Section 7 of the ESA is noted. The FERC's roles as lead federal agency is required by EPO Act and the 2002 Interagency Agreement, as discussed in section 1.3.1 of the draft EIS.

**FEDERAL**  
**FA4 – U.S. Army Corps of Engineers**

20161027-0011 FERC PDF (Unofficial) 10/27/2016

-2-

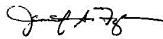
FA4-1  
conf'd

In accordance with 50 CFR 401.07, FERC is also designated as the lead Federal agency for consultation with the U. S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS) concerning potential effects to Federally-listed threatened and endangered species.

In addition, FERC is designated as the lead Federal agency for consultation with NMFS for Essential Fish Habitat, as required under Section 305(b)(2) of the Magnuson Stevens Fishery Conservation and Management Act.

Should you have any questions, you may contact Mr. Todd Miller at 804-323-3782 or [todd.m.miller@usace.army.mil](mailto:todd.m.miller@usace.army.mil).

Sincerely,



Digitally signed by  
FRYE,JENNIFER.S.1261387898  
DN: c=US, o=U.S. Government,  
ou=DOD, ou=PKI, ou=USA,  
cn=FRYE,JENNIFER.S.1261387898  
Date: 2016.10.20 16:14:06 -0400

Jennifer S. Frye  
Chief, Western Virginia  
Regulatory Section

Copies Furnished:

Virginia Department of Historic Resources, Richmond  
Cindy Schulz, U.S. Fish and Wildlife Service, Virginia Field Office



**FEDERAL**  
**FA5 – U.S. Army Corps of Engineers**

20161107-0096 FERC PDF (Unofficial) 11/07/2016



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
**HUNTINGTON DISTRICT, CORPS OF ENGINEERS**  
**502 EIGHTH STREET**  
**HUNTINGTON, WEST VIRGINIA 25701-2070**

FILED  
SECRETARY OF THE  
2016 NOV -7 P 2:30  
FEDERAL ENERGY  
REGULATORY COMMISSION

November 1, 2016

ORIGINAL

Real Estate Division  
Acquisition and Management Branch

**SUBJECT: Burnsville Lake, Braxton County, Mountain Valley Pipeline, LLC Easement Request, Docket No. CP16-10-000**

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First S. N.E., Room 1A  
Washington, DC 20426

Dear Ms. Bose:

This letter is to provide our comments to FERC regarding the Mountain Valley Pipeline, LLC (MVP) request for a 42 inch natural gas pipeline that will cross the Huntington District, Burnsville Lake Project fee land and flowage easement.

FA5-1

- Mountain Valley Pipeline, LLC should post key Burnsville Dam elevation data (Top of Flood Control Pool: 825.00 feet; Probable Maximum Flood: 833.70 feet) on all design and as-built drawings and take these elevations into consideration when designing the pipeline installation.

FA5-2

- The proposed pipeline installation must not result in a net decrease in the flood control storage of Burnsville Dam.

FA5-3

- MVP should evaluate the proposed pipeline installation alignment for potential aggressive subsurface conditions with regard to designing/implementing corrosion protection measures on the pipeline.

FA5-4

- MVP should perform geotechnical subsurface explorations along the proposed pipeline installation alignment to better define subsurface conditions and design requirements, particularly regarding the feasibility of completing the proposed conventional bore beneath the Weston Gauley Bridge Turnpike Trail.

FA5-5

- Drill spoil and excess excavated material, soil and rock, from pipeline installation, maintenance, repairs, and/or abandonment should be disposed of at an

FA5-1

As requested by the FERC, Mountain Valley filed a response to the COE's letter on February 17, 2017 (Attachment General 3a Accession number 20170217-5199). In that response Mountain Valley stated elevation data would be added to pre-construction alignment sheets. In flood prone areas, Mountain Valley would use aggregate filled sacks to weigh down the pipeline.

FA5-2

According to Mountain Valley, following construction existing contours would be restored as close as possible. Mountain Valley would maintain existing flow patters and surface hydrology. Therefore, impacts to the flood control storage of the Burnsville Dam is not expected.

FA5-3

As discussed in section 2 of the EIS, the pipeline would be coated with a protective coating of fusion-bonded epoxy or other approved coating that would inhibit corrosion by preventing moisture from coming into direct contact with the steel. In addition, a cathodic protection system, which helps prevent corrosion of underground facilities, would be installed. Periodic inspections in accordance with DOT/PHMSA regulations 49 CFR 192.465 would be conducted.

FA5-4

Mountain Valley would complete subsurface investigations of the Weston and Gauley Bridge Turnpike Trail prior to the start of construction. Desktop and field surveys indicate that the proposed conventional bore installation has a low risk of failure.

FA5-5

Mountain Valley would spread excess spoil along the existing private right-of-way on either side of COE property.

**FEDERAL**  
**FA5 – U.S. Army Corps of Engineers**

- FA5-5 cont'd
  - approved landfill site located outside the project operations defined flowage easement and fee land.
  - Maintenance debris, cleanout, and purging fluids must be contained and disposed of offsite at an approved facility by MVP.
- FA5-6
  - MVP to include Huntington District on the emergency notification/management list.
- FA5-7
  - It is requested that MVP bore under the property in it's entirely and not disturb any Government property on the surface.
- FA5-8
  - Adequate screening should be left on each side of the bore so users of the trail do not see the unsightly right-of-way with no trees.
- FA5-9
  - The surface of the turnpike shall not be crossed at any point with any motorized vehicles except by using County Route 46 near Mt. Hope Church.
- FA5-10
  - Access shall not be obtained by using any part of the Weston Gauley Bridge Turnpike that is located on Government property.
- FA5-11
  - The right-of-way fence that delineates the turnpike shall not be disturbed in any way.

Due to the pipeline crossing Government Flowage Easement the following paragraph needs to be added to the Easement.

**CONSENT TO EASEMENT STRUCTURES**

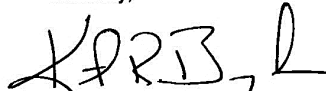
Subject to all the conditions herein, consent of the United States is hereby granted for the installation, operation, maintenance, and removal of a 42-inch diameter natural gas pipeline on Tract No. 723E in which the United States owns a perpetual flowage easement; provided, however, that this consent is granted pursuant to the provisions of and subordinate to the rights granted to the United States in said land. The area over which consent herein is granted is shown in green on Exhibit (?), attached hereto and made a part hereof. This consent does not wave the necessity for the grantee to obtain appropriate rights from the owners of the fee title to the property.

- FA5-6 Mountain Valley stated the Huntington District would be included on the emergency notification list.
- FA5-7 Mountain Valley has agreed to the COE's request to avoid surface disturbance of COE property. Mountain Valley would install the pipeline using an approximately 130 foot conventional bore beneath COE property.
- FA5-8 Mountain Valley would leave approximately 20 feet of trees on either side of the Weston and Gauley Bridge Turnpike Trail.
- FA5-9 Mountain Valley would adhere to the COE's request that the surface of the turnpike should not be crossed at any point with any motorized vehicles except by using County Route 46 near Mt. Hope Church.
- FA5-10 Mountain Valley would adhere to the COE's request that access would not be obtained by using any part of the Weston and Gauley Bridge Turnpike Trail within government property.
- FA5-11 Mountain Valley would adhere to the COE's request that the COE's right-of-way fence not be disturbed.
- FA5-12 Mountain Valley agrees to include the COE's Government Flowage Easement Language to the crossing agreement.

FA5-12  
cont'd

Ms. Anita Bradburn, Realty Specialist for the Burnsville Lake Project, is our point of contact and is available to assist and answer any questions you may have regarding this issue. You may contact her at (304) 399-5890 or [anita.s.bradburn@usace.army.mil](mailto:anita.s.bradburn@usace.army.mil).

Sincerely,



Kenneth R. Bumgardner  
Chief, Real Estate Division

CF:

Ms. Victoria Craft  
DOI, Bureau of Land Management  
273 Market Street  
Flowood, MS 39232

20161115-5013 FERC PDF (Unofficial) 11/14/2016 5:52:43 PM



United States  
Department of  
Agriculture

Forest  
Service

George Washington and Jefferson  
National Forests

5162 Valleypointe Parkway  
Roanoke, VA 24019  
540-265-5100

**File Code:** 1900; 2720  
**Date:** November 14, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St., N.E., Room 1A  
Washington, DC 20426

Dear Ms. Bose:

**Subject:** Comments on the Plan of Development for the Proposed Mountain Valley Pipeline Project  
OEP/DG2E/Gas  
Mountain Valley Pipeline, LLC  
Docket No. CP16-10-000

FA6-1

The Forest Service submits comments on the Plan of Development (POD) for the Mountain Valley Pipeline Project (MVP Project) proposed by Mountain Valley Pipeline, LLC (MVP). The proposed MVP Project would affect 3.4 miles of National Forest System lands in the Jefferson National Forest.

Our comments are contained in the attached table. We acknowledge that the POD will require several iterations to incorporate the required details, accommodate any changes that may be necessary due to route variations, and afford time for additional discussions. Therefore, we recommend that MVP incorporate our comments and resubmit a subsequent version for our review. We appreciate the opportunity to review the POD.

For questions, please contact Jennifer Adams, Special Project Coordinator, by phone at (540) 265-5114 or by email at [jenniferpadams@fs.fed.us](mailto:jenniferpadams@fs.fed.us).

Sincerely,

JOBY P. TIMM  
Forest Supervisor

cc: Mountain Valley Pipeline, LLC

FA6-1

The FS's comments on Mountain Valley's Plan of Development (POD) are noted. Sections of the final EIS have been updated to reflect Mountain Valley's revised POD as appropriate.



**FEDERAL**  
**FA7 – U.S. Department of Agriculture – Natural Resources Conservation Service**

20161114-0011 FERC PDF (Unofficial) 11/14/2016



November 4, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

**ORIGINAL** FILED  
SECRETARY OF THE  
COMMISSION  
2016 NOV 14 P 2:28  
FEDERAL ENERGY  
REGULATORY COMMISSION

Re: Equitrans Expansion Project, CP16-13-000

FA7-1

Based on the information provided, the project will not impact any Natural Resources Conservation Service (NRCS) easement holdings in Pennsylvania.

If you have any questions or comments, please contact Gwendolyn Crews on my staff at [Gwendolyn.crews@pa.usda.gov](mailto:Gwendolyn.crews@pa.usda.gov) or by phone at 717-237-2218.

Sincerely,

Denise Coleman  
State Conservationist

Cc: Andree DuVarney, National Environmental Coordinator, USDA-NRCS  
Don Riley, Ecologist USDA-NRCS  
David Steele, Acting Assistant State Conservationist for Operations, USDA-NRCS  
Hathaway Jones, Easement Management Analyst, USDA-NRCS

Natural Resources Conservation Service  
East Park Drive, Suite 2  
Harrisburg PA 17111  
Voice: 717-237-2100 | Fax: 717-237-2238

*Helping People Help the Land*  
USDA is an equal opportunity provider and employer.

FA7-1

The NRCS's comment that the EEP would not impact any NRCS easements in Pennsylvania is noted.

20161114-0019 FERC PDF (Unofficial) 11/14/2016

 ORIGINAL



United States Department of the Interior

Bureau of Land Management

Eastern States  
20 M St. SE, Suite 950  
Washington, DC 20003  
<http://www.blm.gov/eso>



October 4, 2016

To: Federal Energy Regulatory Commission  
From: Bureau of Land Management, Eastern States Office  
Re: Docket CP16-10-000 (MVP)

FILED  
SECRETARY OF THE  
2016 NOV 14 P 2:26  
FEDERAL ENERGY REGULATORY COMMISSION

The enclosed comments were submitted to the Eastern States Office referencing the Mountain Valley Pipeline Project. More specifically, the right-of-way (ROW) grant and the National Environmental Policy Act (NEPA) environmental impact statement (EIS).

The BLM is forwarding the comments to FERC, the lead federal agency, to ensure the comments are filed in the record. Should BLM, receive additional comments, they will be forwarded to FERC accordingly.

If you have any questions or need further assistance in relation to this matter, feel free to contact the Eastern States office at (202) 912-7700.

FA8-1

As stated in section 2 of the EIS, the MVP would consist of a 125-foot construction nominal right-of-way and a 50-foot-wide permanent right-of-way. In the draft EIS, the FS had proposed a 500-foot-wide right-of-way to reallocate to Rx 5C-Designated Utility Corridors for potential future collocation opportunities. In the final EIS the FS no longer proposes to reallocate any lands to the Rx 5C-Designated Utility Corridor and there would not be a 500-foot wide corridor identified for future collocation opportunities. The FS has reconsidered the Forest Plan amendment in the draft EIS that proposed to allocate a 500-foot corridor along the pipeline to the management prescription Rx 5C-Designated Utility Corridors. The primary intent of the Forest Plan standard (FW-248) requiring this change in management emphasis for any new utility corridor was to reduce fragmentation and minimize visual impacts by encouraging the collocation of any future linear corridors. Although the Forest Plan did not specify a certain width for the Rx change, a width of 500 feet had been proposed in the draft EIS to allow for the operation and maintenance of an existing utility (approximately 50 feet) and the construction, operation and maintenance of an additional linear utility.

The MVP is the first time a new linear utility corridor has been proposed on the Forest since the Forest Plan was revised in 2004. Almost all of the existing utility corridors, both transmission and natural gas, on the Forest were constructed either before the lands were acquired by the FS or several decades ago. The FS acknowledges the concerns raised in numerous public comments received on this proposed amendment. In particular, the boundaries of NFS lands in the Forest are considerably interspersed among adjacent lands. A reallocation to the Rx 5C on NFS lands could encourage future collocation that could result in impacts to landowners outside Forest management. The FS also acknowledges how difficult it can be to collocate in the Forest's mountainous terrain where locations may not be logistically feasible, or environmentally preferable, to accommodate an additional use. Although existing utility corridors may offer some advantages for collocation, any future proposals would still be required to undergo extensive on-site evaluation, NEPA, and public involvement.

For all of these reasons, the FS no longer proposes to reallocate the MVP corridor to the Rx 5C-Designated Utility Corridors. Instead, the FS proposes to exempt the MVP from Forest Plan standard (FW-248) that requires a reallocation of new utility corridors to the Rx 5C and keep the operational MVP corridor in the existing management prescriptions. See section 4.8.2.6 for further discussion.

# FEDERAL

## FA9 – U.S. Department of Agriculture – Forest Service



United States  
Department of  
Agriculture

Forest  
Service

George Washington and Jefferson  
National Forests

5162 Valleypointe Parkway  
Roanoke, VA 24019  
540-265-5100

**File Code:** 1900; 2720  
**Date:** November 15, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St., N.E., Room 1A  
Washington, DC 20426

Dear Ms. Bose:

**Subject:** Forest Service's Information Request for the Proposed Mountain Valley Pipeline Project  
OEP/DG2E/Gas  
Mountain Valley Pipeline, LLC  
Docket No. CP16-10-000

The Forest Service submits a request for additional information for the Mountain Valley Pipeline Project proposed by Mountain Valley Pipeline, LLC (MVP). The proposed MVP Project would affect 3.4 miles of National Forest System (NFS) lands in the Jefferson National Forest.

FA9-1

Our requests for additional information are contained in the attachment. We request this information to ensure all potential project effects on NFS lands are identified, disclosed, and analyzed as early in the process as possible. We appreciate MVP's responses to the Forest Service's previous and current information requests.

For questions, please contact Jennifer Adams, Special Project Coordinator, by phone at (540) 265-5114 or by email at jenniferpadams@fs.fed.us.

Sincerely,

JOBY P. TIMM  
Forest Supervisor

cc: Mountain Valley Pipeline, LLC

FA9-1

The FS's data request to Mountain Valley is noted. The final EIS has been updated to reflect information provided by Mountain Valley in relation to this data request.



Caring for the Land and Serving People

Printed on Recycled Paper



**FEDERAL**  
**FA10 – U.S. Department of the Interior – Bureau of Land Management**

20161206-0011 FERC PDF (Unofficial) 12/05/2016



**United States Department of the Interior**

**Bureau of Land Management**

Eastern States  
20 M St. SE, Suite 950  
Washington, DC 20003  
<http://www.blm.gov/eso>



ORIGINAL

November 30, 2016

To: Federal Energy Regulatory Commission  
From: Bureau of Land Management, Eastern States Office  
Re: Docket CP16-10-000 (MVP)

FILED  
SECRETARY OF THE  
COMMISSIONER OF THE  
FEDERAL ENERGY REGULATORY  
COMMISSION  
2016 DEC -5 P 3:51

FA10-1

The enclosed comments were submitted to the Bureau of Land Management (BLM) Eastern States Office referencing the Mountain Valley Pipeline Project. More specifically, the right-of-way (ROW) grant and the National Environmental Policy Act (NEPA) environmental impact statement (EIS).

The BLM is forwarding the comments to FERC, the lead federal agency, to ensure the comments are filed in the record. Should BLM, receive additional comments, they will be forwarded to FERC accordingly.

If you have any questions or need further assistance in relation to this matter, feel free to contact the BLM Mountain Valley Pipeline Project Manager, Vicki Craft, Southeastern States District office at (601) 919-4650.

Sincerely,  
  
Frankie Morgan  
Acting Supervisor Land Law Examiner  
Division of Geospatial Services

FA10-1

The experiences with the previous pipeline construction on Peters Mountain have been valuable in identifying potential impacts, mitigation measures, and monitoring procedures that have been incorporated into the analysis for the MVP.

The FS has worked extensively with Mountain Valley for an inventory, analysis, and evaluation of the geologic, soil, and hydrologic resources that could be affected by this project. The FS has also consulted with a third party consultant for the technical review of this information. The Plan of Development (POD) is a document developed between the FS, BLM, and Mountain Valley that contains the design features, mitigation measures, roles and responsibilities, monitoring, and procedures for the construction and operation of the pipeline on NFS lands. The POD would be incorporated into BLM's Right-of-Way Grant if the project is authorized.

The applicable mitigation measures designed to minimize the potential for soil movement and to ensure adequate restoration and revegetation are identified in the Erosion and Sediment Control Plan (POD, Appendix C), Landslide Mitigation Plan (POD, Appendix F), the Site Specific Design of Stabilization Measures in High Hazard Portions of the Route (POD, Appendix G), the Restoration Plan (POD, Appendix H), and the Winter Construction Plan (POD, Appendix L). Mountain Valley would also follow the FERC Plan and the BMPs for the states of West Virginia and Virginia. Mountain Valley would have geotechnical inspectors for daily inspections during construction in areas of potential subsistence or landslide concern.

The applicable mitigation measures in the POD to protect wetlands and minimize compaction include: limiting the construction right-of-way width to 75 feet through wetlands (unless approved by the FERC); placing equipment on mats; using low-pressure ground equipment; limiting equipment operation and construction traffic along the right-of-way; locating ATWS more than 50 feet away from wetland boundaries (unless approved by the FS); cutting vegetation at ground level; limiting stump removal to the trench; segregating the top 12 inches of soil, or to the depth of the topsoil horizon; using "push-pull" techniques in saturated wetlands; limiting the amount of time that the trench would be open by not trenching until the pipe is assembled and ready for installation; not using imported rock and soils for backfill; and not using fertilizer, lime, or mulch during restoration in wetlands. Mountain Valley would also follow the FERC Procedures.



FA10-1  
(cont'd)

It is also noted that Mountain Valley adopted a minor route variation (FS 71) that modified the crossing of Craig Creek, reducing the number of crossings and later incorporated another variation to minimize impacts to a 100-foot riparian area where the pipeline would parallel Craig Creek. In addition, Mountain Valley has committed to limit construction (including waterbody crossings) in the Craig Creek area to times of dry weather or low water flow. Mountain Valley would also continue to work with the FS and VADEQ during the development and implementation of high quality and multiple tiered erosion control measures at the proposed Craig Creek crossing to minimize potential erosion and subsequent water quality impacts.

Additionally, oversight responsibilities for MVP, FERC, FS, and BLM are described in the POD (Environmental Compliance Management Plan, Appendix M) that would apply to the construction, operation, and maintenance of the project on NFS lands. The FS Authorized Officer would be responsible for administering and enforcing Right-of-Way Grant provisions and would have stop work authority. The FS Authorized Officer's designated representatives would be responsible to ensure stipulations and mitigation measures included in the POD are adhered to during project construction, operation, and maintenance. BLM would also have an Authorized Officer who would work with the FS to ensure the work is being conducted in accordance with the Right-of-Way Grant and agreed upon conditions. BLM would also have stop work authority. Field variance requests would be coordinated with the Authorized Officers.

Old growth inventories were conducted by Mountain Valley and by the FS that found 13.2 acres of the Dry-Mesic Oak Forest and 1.7 acres of the Dry and Dry-Mesic Oak-Pine Forest old growth community types would be harvested during project construction. Dry-Mesic Oak Forest is the most represented old growth community type (44 percent) of identified existing old growth on the Forest whereas Dry and Dry-Mesic Oak-Pine Forest represents 18 percent of identified existing old growth. Existing Dry-Mesic Oak Forest old growth represents approximately 8 percent of the estimated total acres of this community type across the Forest. Existing Dry and Dry-Mesic Oak-Pine old growth represents approximately 6 percent of the estimated total acres of this community type across the Forest. The FS acknowledges that while old growth is not replaceable and the harvest of old growth cannot be mitigated, the acres impacted by the MVP Project would not change the ability of these two old growth communities to be represented across the forest landscape.

FA10-1  
(cont'd)

Mountain Valley evaluated several crossing locations of the ANST as described in section 3. The location of the pipeline crossing the ANST at Peters Mountain occurs where no other major impacts already exist. The project design specifies that the pipeline would use a conventional auger bore machine underneath the ANST. Should the conventional bore under the ANST fail, MVP would utilize the methods described in the Contingency Plan for the Proposed Crossing of the Appalachian National Scenic Trail (POD, Appendix E) that does not include an open trench crossing of the ANST. The contingency methods include reattempting the bore, using a microtunnel boring machine, or using the direct pipe method (trenchless). Since the draft EIS release, the FS has worked with Mountain Valley on the location of the bore entry and exit points to go under the ANST such that there is now an approximate 300-foot buffer from the ANST footpath. With mitigation measures for supplemental plantings, those points should not be visible from the ANST within this Rx 4A area and as such, there is no longer a need to lower the Scenic Integrity Objective at this crossing from High to Moderate.

The FS is working with Mountain Valley to incorporate additional mitigation measures, such as reducing the permanent operational right-of-way that is converted to herbaceous cover from 50 feet wide to 10 feet wide for its length on the Jefferson National Forest. This would significantly reduce the visibility of the pipeline, especially when viewed in the far middleground and background distance zones, and it would reduce or eliminate its visibility when viewed on an angle. Along the edge of this linear corridor a variety of FS approved shrubs, small trees and shallow rooted trees should be planted and maintained along a slightly undulating line in order to break up the straight edge and offer a variety of plant heights to reduce a hard shadow line. Reducing the herbaceous right-of-way width and allowing more of a vegetative transition within the operational corridor (i.e., grasses over the pipeline then shrubs between the grasses and treeline) would help mitigate the effects of the change to the scenic character of the area. This would also lessen the visual impacts of the pipeline as seen from the ANST from other viewsheds, including KOPs that were identified in public comments.

Hybrid Alternative 1A is described in section 3.4.2 of the EIS.



United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106-2904

December 22, 2016

9043.1  
ER 16/0527

Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, D.C. 20426

**Re: Comments on the Federal Energy Regulatory Commission (FERC)  
Draft Environmental Impact Statement (DEIS) for the Proposed Mountain Valley  
Project (MVP) by the Mountain Valley Pipeline Company, LLC and proposed  
Equitrans Expansion Project by the Equitrans LP; FERC No. CP16-10-000, CP16-  
13-000; Pennsylvania, West Virginia and Virginia**

FA11-1

The Department of the Interior (DOI) - the National Park Service (NPS), Bureau of Land Management (BLM) and United States Geological Survey (USGS) have reviewed the Draft Environmental Impact Statement (DEIS) for the proposed Mountain Valley Pipeline Project (MVP) and Equitrans Expansion Project (EEP). The US Fish and Wildlife Service (FWS) is also consulting with FERC on this project under the requirements of Section 7 of the Endangered Species Act.

The Mountain Valley Pipeline LLC (Mountain Valley) has requested authorization to construct and operate the MVP in West Virginia and Virginia for the purpose of providing approximately 2 billion cubic feet per day (Bcf/d) of natural gas transportation service from the Appalachian Basin to markets in the Mid-Atlantic and Southeastern United States. Equitrans, LP has requested authorization to construct and operate natural gas facilities in Pennsylvania and West Virginia to transport about 0.4 Bcf/d of natural gas north-south on its system to serve markets in the Northeast, Mid-Atlantic, and Southeast, through interconnections with other interstate systems, including the proposed MVP.

In general, DOI bureau review has resulted in the conclusion that the current DEIS lacks sufficient information to perform adequate analysis of impacts to DOI resources. The DOI has appended the comments of the US Forest Service, which state similar concerns. The following comments provide detailed issues and concerns regarding each DOI bureau.

FA11-1

The ANST is discussed in sections 3, 4.8, and 4.10 of the EIS.

20161223-5049 FERC PDF (Unofficial) 12/22/2016 5:05:47 PM

### The National Park Service

FA11-1  
cont'd

NPS previously filed scoping comments on the MVP Project in June, 2015. NPS has concerns regarding potential impacts to the Appalachian National Scenic Trail (ANST or Trail), and the Blue Ridge Parkway (BLRI), both units of the National Park System. Overall NPS concerns include inadequacies of the DEIS, the lack of alternatives analysis for the ANST, lack of visual impact analysis and the Forest Plan amendments, and lack of consultation under Section 106 of the National Historic Preservation Act (NHPA). We also provide a short note about compliance activities on the BLRI. Each is discussed below.

FA11-2

#### I. Inadequacy of the DEIS

Analyzing the DEIS for the MVP Project was challenging for NPS due to the DEIS missing critical information. Supplemental information was added without adequate public notice over the course of the comment period, also creating confusion. Some of the information FERC has ordered to be provided is still missing at this late date. Contradictory, incomplete or incorrect information appears in the DEIS, and major categories for analysis are either missing or incomplete. More information is provided on these problems below.

#### **DEIS Comment Period and Process Problems**

NPS believes the DEIS was released for public comment prematurely and without the information necessary to complete a meaningful analysis of impacts. NPS noted numerous instances throughout the DEIS describing additional important information that FERC ordered the applicant to provide before the DEIS comment period ended. This information was critical to analyzing the impacts of the proposed MVP pipeline. Three large supplemental filings were made on October, 14, 21, and 28, 2016. We believe some of the FERC ordered information is still outstanding. This late provision of critical information in effect significantly shortened the comment period and made commenting on this project a significant challenge. Information submissions to the FERC docket without additional public notification require an exceptional level of diligence to ensure that all materials are found and included in one's analysis. NPS is not sure to this day that all such submissions were obtained.

There are several instances in the DEIS where FERC recommends adoption of route alternatives and subsequent filing of alignment sheets, maps, and updated environmental information associated with the route change. The NPS has reviewed three draft EIS's released by FERC within the last eight months for proposed pipelines with routes crossing the ANST. All of them were released with incomplete information to adequately assess and comment on potential impacts to NPS administered resources. NPS would prefer to see complete DEISs released so that adequate comments can be prepared.

The schedules set for EIS development and public comment should align with CEQ regulations stating that, "The draft EIS must fulfill and satisfy to the fullest extent possible the requirements

FA11-2

We disagree. The issuance of the draft EIS was not premature; the FERC staff spent about two years on its analysis. We were assisted in the preparation of the draft EIS by agencies within the USDO, including the BLM, who is a cooperating agency. While some information was still pending at the time of issuance of the draft EIS, the lack of this final information does not deprive the public of a meaningful opportunity to comment on the projects potential impacts on a range of environmental resources, and measures that would avoid, reduce, or mitigate those impacts. The courts have held that final plans are not required at the NEPA stage (*Robertson v Methow Valley Citizens Council* 490 U.S. 332 [1989]). The draft EIS was based on environmental surveys of almost 90 percent of the MVP pipeline route, so data are nearly complete. The EIS includes sufficient detail to enable the reader to understand the environmental issues raised by the proposed projects and consider a reasonable range of alternatives. See the February 3, 2017 answer to comments filed by Mountain Valley that addressed the adequacy of the draft EIS (Accession number 20170203-5263). The courts have ruled that a draft EIS is not an agency's final findings, is just a draft, and is intended under the NEPA to be a "springboard for public comment" and to "elicit suggestions for change" (*National Commission for the New River v FERC* 374 F3rd 1323 [DC Circuit 2004]). The Applicants must file information requested in the draft EIS on our e-Library system which is available to the public. Therefore, the public can comment on that information at the time of its filing. In addition, the draft EIS meets the requirements of the CEQ implementing regulations for complying with the NEPA. All comments received on the draft EIS were considered by FERC staff in preparing the final EIS. Those received during the comment period, which ended on December 22, 2016, received direct responses by FERC staff in appendix AA of the final EIS. The final EIS has also been updated with new information where it is available.

FA11-2  
 cont'd

established for final statements in section 102(2)(C) of the Act. If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion.” The DEIS should include all updates from the applicant that are necessary for a meaningful analysis prior to opening up the comment period. The approach of this project has not allowed for adequate public input as it circumvents the timeframes to review information provided and makes it extremely challenging to understand what is proposed, what the potential impacts are, and how the various alternatives compare against each other.

This lack of information also precludes a meaningful analysis of cumulative impacts. NPS discusses this below in considering the impacts of the Jefferson National Forest Plan Amendments.

In accordance with 40 CFR Part 1502.9(a), the NPS requests preparation and circulation of a supplemental draft EIS that adequately analyzes ANST impacts and alternatives. Our conclusion is that a revised or supplemental DEIS should be provided along with an appropriate comment period so that the first DEIS, all subsequently released, and yet to be created and released information can be gathered and analyzed in one document. Only then will the extent of environmental impacts be known and disclosed, and alternatives that might avoid, minimize or mitigate these impacts be fully analyzed. This is certainly the case when trying to assess impacts to the ANST. Absent a supplemental DEIS, NPS requests the information found lacking or inadequate in the DEIS as detailed below be disclosed and an extension of the comment period be provided.

*Programmatic EIS*

FA11-3

During scoping, some commenters requested preparation of a single, regional EIS to consider proposed interstate pipelines in the region. A supplemental DEIS would provide an opportunity to look at the MVP Project and connected projects in greater detail. A second idea would be preparation of a programmatic EIS to more holistically identify opportunities to reduce cumulative impacts from multiple projects across the board.

FA11-3

The reasons the FERC did not prepare a programmatic NEPA document is explained in section 1.3 of the EIS.

FA11-4

**The Appalachian National Scenic Trail**

*Unit of the National Park Service*

A description of the unique cooperative management system for the ANST is provided on pages 1-14 and 1-15 in the DEIS. Recognizing that this partnership system is complex, we however note that the statement that, “Forest Service acquired lands, even those acquired specifically for the protection of the ANST, are not considered to be a part of the ANST as a unit of the National Park System,” is not accurate. The ANST is one of three national trails administered by the NPS that are considered to be units of the National Park System. The 250,000 acres of the ANST’s protected corridor (a swath of land averaging about 1,000 feet in width around the 2,189-mile-long Trail treadway) makes it one of the largest units of the National Park System in the eastern

FA11-4

Text included in this section was provided by the FS since the NPS declined the FERC’s request to be a cooperating agency. Section 1.3 has been revised to clarify the NPS role in relation to the ANST.

Maps of the MVP crossing of the ANST were correct in the draft EIS; see figure 1.3. Just one proposed crossing location was illustrated; except for alternatives. Page 3-51 of the draft EIS clearly stated that the length of the bore under the ANST would be 600 feet total. Page 3-46 of the draft EIS clearly stated that Mountain Valley intends to cross the ANST with a conventional bore; however, both an open cut crossing and an HDD were investigated as alternatives. We recommended that Mountain Valley provide additional visual simulations (both leaf-on and leaf-off) of the ANST crossing.

FA11-4  
cont'd

United States. This protected corridor is the direct result of the 30-plus-year land acquisition and protection program of the NPS, USDA Forest Service (FS), Appalachian Trail Conservancy (ATC), and a number of states, supported primarily by federal Land and Water Conservation Fund (LWCF) appropriations.

The NPS is charged under the National Trails System Act (NTSA) with administration of the entire ANST and utilizes authorities applicable to both the national park system and national trails system in carrying out our administrative and management responsibilities. The Trail is managed by the NPS, FS, ATC, numerous state agencies, 31 trail clubs, and thousands of volunteers. This cooperative management approach of the ANST recognizes the varied land rights and jurisdictions across the 2,189 mile long trail corridor and works in partnership with other agencies and landowners. The NPS and ATC have entered into agreements with our federal ANST management partners, including the FS that outline responsibilities for management of the ANST. In the Project vicinity, the ANST crosses private land, land owned by the FS, and land administratively transferred by NPS to the FS. Administratively transferred lands are lands acquired by the NPS for the ANST wherein NPS has delegated certain management responsibilities on those lands to the FS. The NPS also retained certain authorities on these transfer lands including retaining Congressional authority over any future authorization of oil or gas pipeline crossings. These transferred Trail segments are subject to the NTSA and laws, rules, and regulations pertaining to the National Forest System.

### *Inadequate Analysis of ANST Impacts*

Overall, the NPS finds the impact analysis in the DEIS inadequate as it relates to the ANST. There is contradictory information in the DEIS and significant conclusions drawn regarding impacts on the ANST are based on inaccurate and incomplete information.

- **ANST route:** maps of the ANST in the DEIS don't show the correct Trail centerline route.
- **ANST crossing location:** there are two different ANST crossing locations for the proposed route in the DEIS<sup>1</sup>.
- **Length of bore under ANST:** Is listed as both 200 feet total and 600 feet total<sup>2</sup>.
- **Crossing method for ANST:** Proposed as conventional bore, but an open cut trench is mentioned as a secondary option for crossing the ANST. The likelihood of using the secondary option is undisclosed and unclear.
- **Visual impact analysis on the ANST:** is wholly deficient and essentially absent. See later discussion in these comments.
- **Conclusion regarding visual impacts to the ANST:** Listed in table on page 4-230 as 'None', yet there is a proposed amendment of the Jefferson National Forest Land and

<sup>1</sup> This appears to be related to the incorporation of a new route variation [Alternative FS78] into the proposed route on July 18, 2016. Failure to incorporate this change into the associated texts and maps in the DEIS prior to its release in September 2016 has led to substantial confusion regarding what is proposed for the ANST. This should be corrected.

<sup>2</sup> *Ibid.*

FA11-4  
cont'd

Resource Management Plan to downgrade the Scenic Integrity Objective for the ANST from High to Moderate to allow the pipeline to cross the national forest. If it is true that there is no impact, there would not be a corresponding need to amend the Forest Plan. This should be corrected.

FA11-5

**II. Alternatives Analysis**

**Proposed Route and Variations in the Vicinity of the ANST**

As proposed, the pipeline route would cross the Trail on FS land within the Jefferson National Forest along the border of Monroe County, West Virginia and Giles County, Virginia. As stated above, there is confusing and conflicting information in the DEIS that needs to be corrected regarding the proposed route. On page 3-47, it states that the proposed route will be accomplished using an underground horizontal bore beginning and ending approximately 100 feet on either side of the trail. On pages 3-50 to 3-51 it states that Mountain Valley adopted a change in the route on July 18, 2016 that is not reflected in the preceding pages. This FS proposed variation increases the length of the bore under the trail to a total of 600 feet.

The NPS has serious concerns about potential significant adverse impacts on the ANST from the proposed route. We note on page 3-51 that FERC instructs MVP to file “continued coordination with the FS and other ANST stakeholders regarding the newly adopted pipeline crossing of the ANST.” The NPS, ATC, and local Trail clubs have not been consulted on the change that was adopted in July 2016, prior to release of the DEIS. This plan was just recently submitted to the NPS and we will need more time to review this information beyond the DEIS comment period and review process.

Three alternative crossing locations of the ANST are discussed in the DEIS: the Columbia Gas of Virginia (CVG) Peters Mountain Variation, State Route 635-ANST Variation, and the AEP-ANST Variation. Each is addressed below.

***Columbia Gas of Virginia (CVG) Peters Mountain Variation***

The CVG Peters Mountain Variation would cross the Trail in Craig County, VA. This alternative was proposed as an alternative crossing of the Jefferson National Forest and the ANST to increase the amount of collocation along an existing pipeline right-of-way. The conclusion drawn in the DEIS that this alternative does not offer a significant environmental advantage compared to the proposed route. The NPS identified substantive issues with the analysis and recommends this alternative be re-evaluated.

The route of the ANST on the maps showing the proposed and alternative crossing of the ANST is inaccurate. Figure 3.5.1-6 on page 3-44 of the DEIS shows the proposed pipeline route across the ANST and the CVG Peters Mountain Variation. The ANST route shown on these maps is inaccurate, which is a fundamental flaw that has serious implications for the comparison of

FA11-5

The FS, ATC, and local trail clubs were consulted about the proposed ANST trail crossing. FERC representatives held an on-site meeting with those parties on July 22, 2016 (with notes of the meeting placed into the public file for the docket), as stated on page 3-51 of the draft EIS. The NPS has declined to cooperate with the FERC staff, despite our notices, letters, and a face-to-face meeting with NPS staff.

Section 3 of the final EIS has been revised to clarify that Mountain Valley’s initial proposal was for a 100-foot buffer. However, Mountain Valley has increased the buffer to 300 feet on either side. Figures for the CVG Peters Mountain Variation, SR-635-ANST Variation, and AEP-ANST Variation have been updated as appropriate to insure an accurate depiction of the ANST. The number and characteristics of ANST crossings is one of many parameters used to compare and evaluate the CGV and the AEP-ANST Variations. The FERC must balance consideration of numerous comparison parameters (such as total length, which can serve as a proxy for overall environmental disturbance, forests, karst, etc.) in addition to the ANST when evaluating route alternatives. After further review, we conclude that the CGV and the AEP-ANST Variations do not offer significant environmental advantages over the proposed route.

FA11-5  
cont'd

impacts on the ANST between this alternative and the proposed route. In addition, to further the confusion, Table 3.5.1-5 indicates that both alternatives cross the ANST one time. This is not what is shown on the map, which has the incorrect Trail route. Based on this, it is unclear what Trail route was used to analyze impacts to the ANST from the CGV Peters Mountain Variation. Please contact the NPS to obtain accurate data of the current Trail footpath in the proposed Project vicinity and re-assess potential impacts. We also note that the comparison of impacts to the ANST between the proposed route and the CGV Variation only considers the number of times the pipeline would cross the ANST, which is insufficient. A comparison of visual impacts on the ANST between these two routes is needed to inform impacts to the Trail as part of the alternative comparison. Also, Table 3.5.1-5 doesn't include any cultural resources to inform the comparison of impacts, which should be a significant component of any route comparison.

Two additional route variations (State Route 635-ANST and the AEP-ANST) were considered to minimize impacts on users of the ANST. The map provided on page 3-48 of these two alternatives [Figure 3.5.1-7] does not accurately reflect the current ANST route. These two alternative pipeline routes are not as proximate to the portion of the Trail route with the discrepancy as the CVG Peters Mountain Variation is, but the figure should be corrected to show the correct Trail route. In addition, it would be helpful if the figures or a separate map showed the utilities and roads considered for collocation and to reduce impacts to the ANST.

#### *State Route 635-ANST Variation*

This route variation would cross the ANST east of the proposed crossing at State Route 635 (Big Stony Creek Road). This route would cross more forest land and is considered to not offer a significant environmental advantage over the proposed route. We noted that the written description of this analysis on page 3-50 needs correction to accurately reflect the environmental factors that would be impacted less by this alternative.

#### *AEP-ANST Variation*

This route variation would cross the ANST west of the proposed crossing and at an existing AEP electrical line right-of-way and on land the NPS administratively transferred to the FS. As mentioned in our scoping comments, NPS and the FS have no authority to permit or issue rights-of-way for petroleum product pipelines across lands NPS administratively transferred to the FS. However, if there is substantial public interest and environmental benefits associated with this alternative, authorization can be sought from Congress. It should be analyzed further to determine the extent of these environmental benefits.

#### **AT Crossing Methods**

MVP proposes to cross the ANST using a conventional bore. MVP determined horizontal directional drilling (HDD) is not feasible at the proposed ANST crossing due to topography. FERC concurs with MVP that use of a conventional bore is preferable at the proposed ANST

FA11-6

FA11-6

Section 3.5.1.6 of the final EIS has been revised to provide an updated discussion of geotechnical analysis for the ANST crossing. An HDD analysis of the alternative ANST crossings is not necessary, as these alternatives have been eliminated from further consideration, and an HDD at the proposed ANST crossing was found to be geotechnically infeasible, as disclosed in section 3 of the EIS.



FA11-6  
cont'd

crossing location *pending the results of geotechnical and/or geophysical analyses being prepared by Mountain Valley.* (emphasis added) This information should have been obtained and disclosed in the DEIS as it is critical in informing analysis of the impacts of the crossing. The NPS requests to be notified when these analyses are available and to be consulted on options for ANST crossing methods.

As stated earlier, there is conflicting information in the DEIS regarding the distance between bore pits at the ANST crossing that needs to be corrected. While the adopted new proposal increases the distance between the bores from 200 to 600 feet, it is still unclear whether or not this distance provides an adequate buffer for the Trail. With the bore pits located roughly 300 feet out from the footpath, construction activities will be audible to hikers and possibly visible as well. Page 3-51 explains that the FS indicated they thought the south side of the ANST could meet its High Scenery Integrity Objective (SIO), but are uncertain if the bore pit location on the north side of the ANST could meet High SIO. The FS said a visual simulation modeling a leaf-off scenario would be needed to further assess this point. Absent additional information and consultation, the NPS is unable to provide substantive comments on the proposed crossing method at this time. This information should also have been included in the DEIS.

The NPS is very concerned that open cut trench construction is discussed as a secondary option for crossing the ANST with little to no context given on how viable a conventional bore is at the proposed location. On page 3-46, it is stated that this method, “will involve substantial surface disruption of the ANST and surrounding area during days to weeks of construction, with likely permanent effects to the landscape during operations. Open cut trenching is not considered as a primary option for construction for the ANST for these reasons, but could be a secondary option if sub-surface, trenchless crossing options were to fail.” This is not an acceptable option for crossing the Appalachian Scenic Trail. The NPS requests additional information regarding the degree of confidence in a conventional bore at the potential ANST crossing location and how failure would be determined. The geotechnical analyses needed to determine whether or not conventional bore is likely to succeed at the proposed ANST crossing should have been available and reviewed prior to releasing the DEIS.

We did not find information on the potential to use HDD at the alternative ANST crossings and request this be provided to help gauge relative impacts on the ANST from each alternative.

FA11-7

### **III. Visual Impact Analysis and Forest Plan Amendments**

#### **Missing Visual Impact Analysis**

The NPS submitted scoping comments on June 16, 2015 stating our concerns about impacts on views from key Trail vistas and offered assistance in conducting a visual analysis including determination of key observation point locations. Many other commenters also called for analysis of visual impacts to the Trail. In their response to scoping comments, FERC states that, “MVP will conduct further visual analysis at highly sensitive visual areas such as the

FA11-7

As noted, the draft EIS included a recommendation for Mountain Valley to file documentation of continued coordination with the FS and other ANST stakeholders regarding “leaf-on” and “leaf-off” visual simulations for the ANST crossing. Mountain Valley’s leaf-off simulations were filed on February 17, 2017. Sections 3.5.1 and 4.8 of the final EIS have been revised to discuss the updated visual assessment.

20161223-5049 FERC PDF (Unofficial) 12/22/2016 5:05:47 PM

FA11-7  
cont'd

Appalachian Trail and Blue Ridge Parkway crossings. These analyses will be conducted in coordination with the appropriate land managing agency and will be provided in MVP's application with FERC."

The assessment of visual impacts on the ANST in the DEIS released this past September is insufficient. It consists of one Key Observation Point (KOP) on the ANST at the location proposed for crossing at that time and a statement on page 4-230 that the visual impacts to the ANST would be, "None-the ANST crossing would be bored and views screened by a buffer of vegetation." No KOPs or visual simulations are provided to analyze impacts at significant vistas along the Trail.

A robust evaluation of visual impacts of the proposed Project on the ANST is critical to determining potential impacts on the ANST as a nationally significant recreational and cultural resource. It is also needed to assist in determining ways to avoid, minimize, and mitigate impacts. The NPS, ATC, and Roanoke Trail Club (our management partners) should be consulted on development of the visual analysis of impacts to the ANST. A viewshed map prepared by the NPS (which appears at the end of these comments) shows areas of the AT where the proposed pipeline may be visible. There are numerous scenic vistas within the viewshed of the proposed pipeline ROW and associated access roads, facilities, yards, etc. that may be impacted. At a minimum, the following vistas should be analyzed as Key Observation Points and simulations prepared showing both leaf-on and leaf-off conditions: Kelly's Knob, Angel's Rest, Symm's Gap, Peter's Mountain Overlooks, Sugar Run Mountain View 2, Sinking Creek Mountain 2, and Audie Murphy.

Given the fact that requests for analysis of visual impacts on the ANST from multiple viewpoints were made as far back as 2015, we are surprised that the DEIS was released absent this critical information. The NPS feels strongly that this information should have been provided in the DEIS at the time of release in order to provide adequate time for public review. FERC requested that an analysis be done before close of the comment period. At the time of writing these comments, NPS is not aware that this request has been met. The NPS cannot provide complete, meaningful comment on the proposed route or alternatives and their potential impacts to the ANST until an adequate visual analysis is received and another draft EIS review period is provided.

We also did not find a viewshed map showing areas where the Project might be visible or an overview map showing the locations of the KOPs that were analyzed along the proposed route. These maps should be provided to help reviewers understand the analysis that was done and provide input.

FA11-8

### **Proposed Amendments to the LRMP for the Jefferson National Forest**

Management Prescription (Rx) 4A-Appalachian National Scenic Trail Corridor in the Jefferson National Forest Land and Resource Management Plan (LRMP) states lands are managed to protect the experience of users of the ANST. Roads, utility transmission corridors,

FA11-8

See response to comment FA8-1 regarding Amendment 1. See response to comment FA10-1 regarding Amendment 4.

FA11-8  
cont'd

communication facilities, or signs of mineral development activity exist or may be seen within the Rx area, although the goal is to avoid these types of facilities and land uses to the greatest extent possible and blend facilities which cannot be avoided into the landscape so that they remain visually subordinate.

The objective to avoid these types of facilities to the greatest extent possible does not seem to have been followed, in large part at this stage due to the lack of analysis presented, particularly in the absence of visual analysis.

Four Forest Plan amendments are proposed. Of particular concern is the creation of the new Rx 5C – Designated Utility Corridors. As the DEIS states at page 4-262, “The primary effect of designating a new utility corridor would be the potential for future development within that corridor since the Forest Plan encourages collocation of new special use rights-of-way (i.e., additional linear utility lines or communication sites) in these types of corridors. An additional effect would be that the SIO for Rx 5C areas would replace the SIOs for the original Rxs.” While this would not be true for the exact location where the new utility corridor crosses the Trail (which would remain Rx 4A), the viewshed for the Trail would be significantly altered, and then be subjected to additional potential significant impacts such as high voltage power lines due to the goal for collocation.

In addition, in order to accommodate this proposed route, another Forest Service Amendment is proposed to downgrade the Scenery Integrity Objective (SIO) that is in place to protect the ANST from “High” to “Moderate.” The NPS is opposed to this. Modifying the SIO to accommodate a proposed project is counter to our long-standing approach to protecting the ANST. A lowering of the SIO for the ANST in any of the eight National Forests through which it traverses would be precedent setting.

That this would be compounded by the new Rx 5C focus on collocation adds to the initial impact of the single pipeline. All of this is proposed in a DEIS that lacks any meaningful assessment of visual impacts. This should be corrected so that alternatives to avoid these significant impacts can be explored.

FA11-9

**IV. Cultural Resources and Consultation Under Section 106**

In our June 16, 2015 scoping comments on MVP, we informed FERC that the NPS has found the ANST eligible for listing on the National Register of Historic Places (NRHP) and has prepared documentation to formally list the Trail on the NRHP. The applicant and Virginian Department of Historic Resources (VDHR) determined as part of this project review, that the ANST (21-512) is eligible for listing. See Table 4.10.9-1, on page 4-379.

The NPS has prepared a draft Multiple Property Documentation Form (MPDF). The MPDF will guide nominations for trail segment listings by state. Contributing resources include the Trail footpath, ANST side trails, ANST bridges, viewpoints and vistas, and overnight use areas.

FA11-9

On pages 4-221 and 4-352 of the draft EIS it is clearly stated that the ANST was previously found eligible for listing on the NRHP. The draft EIS stated that by boring under the ANST, Mountain Valley would avoid significant adverse impacts on the trail and its users. We disagree that we did not consider impacts of the project on the “indirect APE” (see page 4-334 of the draft EIS). The final EIS has been revised to include additional visual simulations of locations where the pipeline right-of-way may be visible to hikers along the ANST. The ACHP’s regulations for implementing Section 106 at 36 CFR 800.4(a) states that the agency determines the APE in consultation with the SHPO. The SHPOs agreed with our definition of the APE.

On multiple occasions, the FERC attempted to consult with the NPS regarding potential impacts on the ANST. On February 27, 2016, the FERC sent a letter to the NPS requesting its participation as a cooperating agency in the preparation of the draft EIS (as stated on page 1-6); but the NPS never replied to that letter. The FERC had a meeting with Wendy Janssen, NPS Superintendent of the ANST, on April 8, 2015; and notes of the meeting were posted on the public record for this proceeding (as stated on page 1-25 of the draft EIS). Our April 15, 2015 NOI for the MVP, sent to the NPS and other stakeholders, included a paragraph about Section 106 that stated that the NOI initiated consultations with parties concerning potential project-related impacts on historic properties. The FERC sent copies of the draft EIS issued September 16, 2016 to the NPS. However, the NPS’ June 16, 2016 letter (mentioned on page 4-324 of the draft EIS) and December 22, 2016 letter were the only written responses to our consultation requests. Until this letter, the NPS did not previously request to be a consulting party. Consulting party status is now granted to the NPS.

The FERC’s MVP team is unable to comment on the NPS’ request for consulting party status on the Atlantic Sunrise Pipeline and PennEast Pipeline Projects. Those are separate, unrelated projects.

20161223-5049 FERC PDF (Unofficial) 12/22/2016 5:05:47 PM

FA11-9  
cont'd

Cultural landscapes the Trail passes through and the Trail setting are vital elements of its national significance as a recreational resource, and to its NRHP eligibility.

This undertaking may result in adverse effects on the ANST. However, NPS has not been consulted under Section 106 on potential impacts to the ANST. Given our responsibility as administrator of the ANST, the NPS has a demonstrated interest in undertakings that may impact the ANST. The NPS formally requests consulting party status on the MVP project. The ANST NPS office, and Superintendent Wendy Janssen, should be the primary contact for this consulting party role. We also request that FERC invite the NPS to consult on future proposed undertakings that may impact the ANST so NPS can have early input on avoiding impacts to the Trail and its setting.

On page 4-352 of the DEIS, the ANST is listed as the only previously recorded historic site identified in the Jefferson National Forest (site number 21-512), in Giles County, Virginia. The ANST is also briefly mentioned on page 4-361. The ANST is located within the direct Area of Potential Effect (APE) and Mountain Valley proposes to avoid adverse effects on the Trail by boring under it. Based on this statement and others in the DEIS, it appears that assessments of impacts to the ANST under both the National Historic Preservation Act (NHPA) and NEPA have focused almost exclusively on the immediate proposed trail crossing vicinity, omitting consideration of indirect impacts at other locations on the Trail where the pipeline ROW will likely be visible. For NHPA considerations, we find the current definition of the APE is too small and does not encompass some areas where there is a likelihood of potential significant visual impacts to the ANST.

Definitions of the Direct APE and Indirect APE in West Virginia and Virginia are given on page 4-344 of the DEIS. Having different definitions for the indirect APE apply to each state presents challenges for assessing impacts to the ANST since the proposed undertaking would cross the Trail along the border between these two states. In West Virginia, the indirect APE is defined as 0.25-mile on each side of the pipeline centerline and 0.5 mile radius around compressor stations. In Virginia, the Indirect APE is defined as 150 feet from the pipeline centerline at elevations below 1,889 feet, 0.5 mile at elevations between 1,889 and 2,551 feet, and 1.0 mile at elevations above 2,551 feet. It also is not clear if the West Virginia Division of Culture and History (WVDCH) has agreed with the West Virginia APEs.

The indirect APEs as currently defined are not sufficient for considering potential impacts to the ANST. The elevation at the potential ANST crossing location is approximately 3,477 feet and Trail vistas in the area are at similar elevations or higher. As shown on our viewshed map (see attached), the cleared right of way for the pipeline would be potentially visible from locations on the Trail at a distance greater than 1.0 mile. Views provided from many of the scenic vistas along the Trail in the Project vicinity are expansive and look out across the landscape toward the proposed pipeline route. A thorough analysis of potential impacts to significant viewpoints along the Trail has not yet been completed by the applicant. The Appalachian Trail Conservancy (ATC), our management partner, included a visual simulation of the proposed pipeline route

20161223-5049 FERC PDF (Unofficial) 12/22/2016 5:05:47 PM

FA11-9  
cont'd

from Kelly's Knob in their recently filed comments on the DEIS. This simulation shows a significant adverse impact to the view from this location on the ANST. Kelly's Knob is located approximately 2 miles from MVP's proposed pipeline route. As mentioned above, the NPS requests to be consulted on a determination of effect to the ANST under Section 106 for this undertaking.

The NPS and ATC requested consulting party status on two other proposed pipeline projects that would cross the ANST: Atlantic Sunrise Pipeline in July and PennEast Pipeline in September of this year. The NPS and ATC have not received any response from FERC on these requests. In the MVP DEIS, FERC explains that it has denied some requests for consulting party status, "because our existing procedures allow for comments on cultural resources information without consulting party status." If FERC concludes that the NPS will not be granted consulting party status for MVP, or has concluded the NPS will not be granted consulting party status on either of the two pipelines listed above in Pennsylvania, please inform us of this decision in writing with an explanation for our exclusion.

### V. The Blue Ridge Parkway

FA11-10

NPS is not a cooperating agency to the FERC DEIS, and will be completing required compliance activities separately to meet the FERC schedule. As noted above, the BLRI is also NR eligible and will be nominated for National Historic Landmark status. NPS looks forward to continued discussion of required Section 106 compliance.

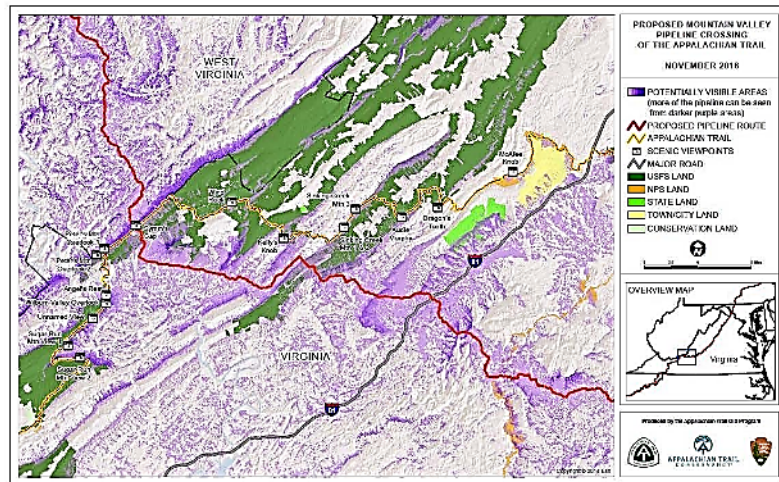
#### **NPS Contacts**

If you have any questions or need additional information, please contact Mary Krueger, Energy Specialist for the Northeast Region at [Mary\\_C\\_Krueger@nps.gov](mailto:Mary_C_Krueger@nps.gov) or 617-223-5066.

When submitting material regarding MVP for our information and/or review, please submit copies to Mary Krueger and the Superintendent of the Blue Ridge Parkway, Mark Woods, and/or Appalachian National Scenic Trail, Wendy Janssen, as applicable.

FA11-10

The BRP is discussed in sections 4.8 and 4.10 of the EIS. The draft EIS (page 4-348) stated that the BRP Historic District is already listed on the NRHP and the HAER. To date, Mountain Valley submitted to the NPS three cultural resources survey reports that cover the proposed pipeline route and potential route alternatives that would cross the BRP, to which the NPS has not yet responded.



20181223-0019 EPMC PROJ (10/01/2018) 12/22/2018 1:05:47 PM

Figure 1. Proposed Mountain Valley Pipeline Crossing showing potentially visible areas and critical scenic viewpoints.

FA11-11

### The Bureau of Land Management

This memo respectfully submits BLM comments on the DEIS for the MVP proposed by Mountain Valley and gives consideration for a request for a Revised Draft of portions of the DEIS. The BLM looks forward to meeting with FERC to share our concerns. We presently have an in-person meeting scheduled with the FERC federal coordinator on January 9, 2017. Our hope and expectation is that FERC will address these concerns in a revised or supplemental DEIS, and provide the public a sufficient opportunity to review and comment on the additional materials.

Currently, the DEIS for MVP lacks the information and analysis necessary under the National Environmental Policy Act for BLM to adequately consider the project's effects. Because the DEIS lacks information, it precludes meaningful analysis of the potential impacts discussed herein. As explained in the attached comments, the analyses of alternatives, cumulative effects, and cultural, visual, aquatic, geological, and biological resources are deficient because information has not been provided, was provided after the release of the DEIS, or was not incorporated in the DEIS.

The proposed MVP would affect 3.4 miles of the National Forest System lands on the Jefferson National Forest and approximately 125 feet of United States Army Corps of Engineers lands on the Weston Gauley Bridge Turnpike Trail. Pursuant to the Mineral Leasing Act of 1920 and in accordance with 43 CFR 2880, the BLM is the federal agency responsible for issuing Right-of-Way (ROW) grants for natural gas pipelines across federal lands under the jurisdiction of the BLM or of two or more federal agencies. The BLM does not directly manage any land involved in the MVP.

Our full detailed comments are contained in the attached table that follows these general comments. We have identified several concerns regarding the data and analysis, including insufficiencies, which provide cause for concern about the completeness and accuracy of the document. These concerns and insufficiencies are summarized below.

#### General Concerns:

- The purpose and need for the MVP, adequately explained in the DEIS and based on the agency's purpose and need rather than the applicant's purpose and need.
- Analyses, reports, and mitigation plans referenced in the DEIS (i.e. draft blasting report) are still in draft form or not yet available. BLM is concerned this precludes a thorough analysis and public review and comment on project materials.
- Adequate explanations of why alternatives are dismissed or not carried forward for detailed analysis.
- A final route with updated maps of the final route. The route is not finalized because the applicant has filed multiple changes or variations to the route since the DEIS was published.<sup>3</sup> This poses a challenge to the BLM and the general public in reviewing project documents.
- Clear disclosure of the full Right-of-Way grant width and disturbance area. Clear

<sup>3</sup> Of note, the applicant has not filed an updated SF-299 right of way application with BLM that includes the changes to the proposed route through federal lands.

FA11-11

See the response to comment FA11-2 regarding preparation of the draft EIS.

FA11-12

FA11-12

According to 40 CFR 1502.13, an EIS should only "briefly" discuss the purpose and need explained by the Applicants in their proposals to which the FERC is responding. This brief summary can be found in section 1.2 of the EIS. The EIS is not a decision document. We anticipate that the Commission Order will include further consideration of project need.

Each alternative eliminated from section 3 of the EIS clearly states why it was eliminated. Alternatives eliminated are not carried forward in the EIS.

Alignment changes following the draft EIS mostly concerned minor route variations to address landowner concerns and alternatives recommended in the draft EIS. Any route changes are disclosed and evaluated in the final EIS.

20161223-5049 FERC PDF (Unofficial) 12/22/2016 5:05:47 PM

FA11-12  
cont'd assessment of impacts to resources, particularly in regard to context, timing, duration, and intensity.

FA11-13 **Feasibility and Contingency Plans**

- The results of geotechnical and/or geophysical analysis demonstrating that it is feasible to bore under the Appalachian National Scenic Trail and the Weston Gauley Bridge Turnpike Trail.<sup>4</sup>
- Contingency plans for potential failure of the direct bore method under the Appalachian National Scenic Trail or the Weston Gauley Bridge Turnpike Trail.
- Analysis of project-induced landslides and specific data on steep slope cuts and fills including analysis of catastrophic hazards related to steep slope construction.
- The results of feasibility studies for water body crossings on federal lands.

FA11-13 See the response to comment FA11-6 regarding geotechnical analysis of the ANST crossing. Landslides are addressed in section 4.1 of the EIS. Waterbody crossings are discussed in section 4.3 of the EIS.

FA11-14 **Visual Impacts:**

- Visual Resource Survey methodology is either incorrect or improperly explained.
- A clear description of how the visual impact assessment was conducted. Visual impacts disclosed in detail, not simply listed.
- A narrative description discussing how the form, line, color, and texture of the landscape are visually impacted.
- Additional analysis and consideration given to the Appalachian National Scenic Trail, including visual simulations to adequately determine impacts to its congressionally recognized scenic value, off-leaf scenarios from Key Observation Points selected in coordination with stakeholders including NPS, BLM, U.S. Forest Service, and ANST management partners including the ATC and local clubs.<sup>5</sup>
- Meaningful analysis and a visual impact assessment of the stated alternative of open cut trenching the Appalachian National Scenic Trail. Include a detailed analysis of the potential “substantial surface disruption of the ANST and surrounding area during days to weeks of construction, with likely permanent effects to the landscape during operations.” DEIS at 3-46. Provide proof of consultation with the National Park Service regarding this alternative.
- A contingency plan for crossing the Appalachian National Scenic Trail if the current crossing plan fails.
- Additional analysis and consideration needs to include visual impact assessments showing effects to the Jefferson National Forest and a detailed discussion of the relationship of these effects to the scenic integrity objectives of the Jefferson National Forest. Use Key Observation Points identified in coordination with the U.S. Forest Service.
- Visual impact assessments showing that adequate screening can be left on each side of the bore for users of the Weston Gauley Bridge Turnpike Trail and proof of

FA11-14 The visual assessment has been revised in this final EIS.

<sup>4</sup> See DEIS at 3-46 (noting that the information was unavailable at the time of the DEIS for ANST); U.S. Army Corps of Engineers November 1, 2016 Letter (requesting boring); DEIS at 4-248 (noting that Mountain Valley had not documented communications with the Corps of Engineers about impacts on the trail).

<sup>5</sup> Visual impact information has been requested for close to two years. For example, in March 2016, the U.S. Forest Service reproached the applicant that leaf-off scenarios are the standard procedure for such simulations. Given the multiple requests over a long period of time from stakeholders and land management agencies, it is perplexing that the DEIS contains one visual simulation from the Appalachian National Scenic Trail taken during a leaf-on scenario.



FA11-14 cont'd	<p>coordination with the U.S. Army Corps of Engineers.</p> <ul style="list-style-type: none"> <li>• Updated seen-area analysis and complete surveys.</li> <li>• The Key Observation Points and existing environment require more description.</li> <li>• Cumulative impacts to visual resource degradation need to be discussed</li> <li>• Quantifiable acreage of disturbance for visual impacts.</li> </ul>
FA11-15	<p><b>Need and Alternatives</b></p> <ul style="list-style-type: none"> <li>• Meaningful analysis of the need for the project starting from consumption by end users to capacity usage of existing natural gas pipelines.</li> <li>• Meaningful analysis of the alternatives of expanding existing systems, using existing utility corridors, and pipeline collocation.</li> <li>• Meaningful analysis of the alternatives to crossing waterbodies with a dry open-cut method.</li> </ul>
FA11-16	<p><b>Effects Analysis</b></p> <ul style="list-style-type: none"> <li>• Meaningful analysis of the cumulative effects of multiple proposed pipelines on the Appalachian National Scenic Trail, including impacts on the Park and visitors.</li> <li>• A discussion of impacts to public safety from emissions (especially dust/particulate matter) from the construction of the pipeline, with special focus on sensitive groups</li> </ul>
FA11-17	<p><b>Biological Resources:</b></p> <ul style="list-style-type: none"> <li>• The results of formal consultation with the United States Fish and Wildlife Service (USFWS). Consultation with the USFWS is inadequately characterized, incomplete, and insufficient with respect to several species, including Threatened and Endangered Species and Migratory Birds. Address the several outstanding surveys that preclude effects determinations and impacts analysis.</li> <li>• The results of surveys for locally rare plant species within the Jefferson National Forest, conducted in August 2016, but not included in the DEIS.</li> <li>• Analysis of measures and procedures that will minimize or avoid impacts on Tier III and Wild Natural Trout streams.</li> <li>• Documentation of consultation with NHP and a list of vegetation communities of special concern within the project area.</li> <li>• Meaningful analysis of the relationship between adverse effects on forests and adverse effects on threatened and endangered species and birds of conservation concern.</li> <li>• MVP's Mountain Valley's plan describing long term and permanent impacts on migratory birds and documenting consultations with FWS, FS, WVDNR, and VDGIF.</li> </ul>
FA11-18	<p><b>Cultural Resources</b></p> <ul style="list-style-type: none"> <li>• The results of final cultural resource surveys and documentation of consultation with agencies regarding sites potentially eligible for listing in the National Register of Historic Places.</li> </ul>
FA11-19	<p><b>Other</b></p> <ul style="list-style-type: none"> <li>• Soil and erosion plans and mitigation measures on federal lands are needed.</li> <li>• Analysis of any additional disturbance surrounding the right of way on federal lands, including access to the right of way is required.</li> </ul>

FA11-15 See the response to comment FA11-12 regarding need. The use of existing systems and utility corridors as alternatives are discussed in section 3 of the EIS. The feasibility of crossing the Elk, Gauley, and Greenbrier Rivers using trenchless crossing methods was discussed in section 4.3 of the EIS. Since issuance of the draft EIS, Mountain Valley has changed the crossing method for these three waterbodies from open-cut wet to dry open-cut methods. As stated in section 4.6.2 of the EIS, based on a literature assessment of magnitude and timing of suspended sediment produced from open-cut dry crossing methods (Reid et al., 2004), the duration of increased sedimentation would be mostly short-term (i.e., less than 1-4 days) and remain near the crossing location (i.e., an approximate downstream distance of a few hundred feet). We conclude that the revised analysis in the final EIS is sufficient to characterize the impacts.

- FA11-16 Dust emissions are discussed in section 4.11.1 of the EIS. As stated in section 4.13 of the EIS, of the projects identified, only the ACP and the MVP would both impact the ANST. However, the MVP and ACP crossings of the ANST would be about 100 miles apart.
- FA11-17 As stated in section 4.7 of the draft EIS, we are currently preparing a BA which will be submitted separately to the FWS and will include our detailed assessment regarding the projects effects on federally listed species. The BA will outline the life history information of all federally listed with the potential to occur in the project area. Potential effects of the projects and conservation measures to avoid and/or minimize such effects will also be included in the BA. Section 4.7 of the EIS essentially summarizes our BA, and presents our findings of effects for each federally listed species that may be affected by the projects. Section 4.7 of the final EIS has been revised to provide updated consultation with the FWS.
- Plant surveys conducted in August 2016 were not provided to the FERC prior to issuance of the draft EIS. Section 4.7 of the final EIS has been revised to include these surveys.
- As stated in section 4.3.2 of the EIS, although the MVP pipeline route would cross Bottom Creek, it would not cross the impaired segment or the Tier III segment (the Tier III segment is over 3 miles downstream of the proposed crossing location).
- Section 4.5.2 of the final EIS has been revised to include updated information about potential impacts on migratory birds.
- FA11-18 It is standard practice for cultural resources investigations to be completed after the Commission authorizes a project, so that access may be obtained using eminent domain where landowners had previously denied access. We account for this in our recommended condition as stated in section 4.10 and section 5.2 of the EIS.

20161223-5049 FERC PDF (Unofficial) 12/22/2016 5:05:47 PM

FA11-19  
cont'd

- A final blasting plan is needed.
- A mine pool mitigation plan is needed.
- Additional consideration is required to address any outstanding requests for information from the U.S. Forest Service, Bureau of Land Management, U.S. Army Corps of Engineers, and National Park Service.
- Information responsive to each of the concerns addressed in the attached chart must be provided.

FA11-20

A DEIS “must fulfill and satisfy to the fullest extent possible the requirements established for final statements in section 102(2)(C) of the Act (NEPA)”. When “a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion. The agency shall make every effort to disclose and discuss at appropriate points in the draft statement all major points of view on the environmental impacts of the alternatives including the proposed action.” 40 CFR 1502.9(a).

The DEIS fails to analyze much of the information listed above because the applicant did not provide it despite multiple requests, the applicant provided the information after the close of the comment period, or the process had not been completed before the release of the DEIS. As noted above, in some cases, the applicant had been advised of the need for this information over a year before FERC released the DEIS. In order to give cooperating agencies and the public an opportunity to meaningfully consider and comment on such new information, we are considering submitting a formal request to FERC to complete a Revised Supplemental Draft Environmental Impact Statement. We look forward to discussing these concerns with the FERC.

#### **BLM Contacts**

If you have any questions or concerns please contact Vicki Craft, Project Manager, by email at [vercraft@blm.gov](mailto:vercraft@blm.gov) or at (601) 919-4650.

FA11-19

As requested by the FERC, Mountain Valley filed a response to the BLM’s letter on February 23, 2017 (Attachment General 3b2 accession number 20170224-5038). In that response Mountain Valley stated updated erosion and sedimentation control plans and restoration plans for NFS lands were submitted on December 22, 2016 to the FERC docket (accession number 20161222-5442). As noted in table 2.4-2, Mountain Valley filed a General Blasting Plan on February 9, 2017 (Attachment DR4 Geology 13 accession number 20170209-5249) and Mine Pool Mitigation Plan on February 17, 2017 (Attachment DR4 Geology 12 accession number 20170217-5199). Mountain Valley also submitted a General Blasting Plan for the Jefferson National Forest (Appendix J) as part of their POD (Attachment General 2b Accession number 20170303).

FA11-20

See the response to comment FA11-2 regarding the adequacy of the draft EIS.

**The US Geological Survey**

FA11-21

The USGS provides the following comments regarding water quality and quantity data collection, monitoring and evaluation.

**USGS streamgages**

The USGS operates streamgages along streams throughout the US to collect water quantity and quality data for a variety of purposes. Continuous operation of USGS streamgages is essential for our stakeholders. These streamgages have permanent infrastructure and are vulnerable to disruption when nearby construction or dredging occurs in the vicinity of these stations. Four active USGS streamgages fall in or near the project area. These are station numbers 02054500, 02056900, 03151400 and 03187000 in Virginia and West Virginia.

The draft EIS should list USGS structures as sites to be safeguarded. The USGS Virginia-West Virginia Water Science Center (WSC) should be contacted and given sufficient advance notice before project activities occur near active USGS streamgages. Efforts should be made to both preserve the streamgages and minimize impacts to the data integrity at those sites.

FA11-22

**Sediment-related water quality considerations**

Water quality impacts from sediment mobilization due to open cut construction in waterbodies is addressed within the DEIS on pages 4-87 and 4-108. In 2006-2008, the USGS monitored the effects of construction of the Jewell Ridge Lateral natural gas pipeline on turbidity conditions below pipeline crossings of Indian Creek in Tazewell County, Virginia (Moyer and Hyer, 2009). Water-quality conditions were assessed using continuous water-quality monitors deployed upstream and downstream from the pipeline crossings. Adding data collection to the project by employing this successful and relatively simple technique would allow for a rapid response to a major turbidity event. The use of this technique could be especially important at crossings directly upstream of water supply intakes.

The DEIS discusses a review of impaired waters databases and the National Sediment Quality Survey on page 4-94. Transport of particle-associated contaminants, such as bacteria, nutrients, and metals, may accompany elevated sediment concentrations. USGS stream bed sediment samples collected in West Virginia near the proposed MVP route show some sites with arsenic concentrations approaching and exceeding EPA Ecological Screening Value of 9.8 mg/kg (EPA, 2006). An analysis of sediment contaminant data from sites near the project should be completed as part of this EIS.

FA11-23

**Groundwater sampling and quality criteria**

The DEIS discusses pre-construction water quality evaluations to be conducted on water wells on page 4-80. Post-construction water quality evaluations are discussed on page 4-81 as to be provided only after owner complaint. Post-construction water quality sampling of all pre-construction sampled water wells should be considered. It is known that many serious contaminants in water are colorless, odorless, and tasteless (examples: arsenic, chromium, lead,

FA11-21

As requested by the FERC, Mountain Valley filed a response to the USGS’s letter on February 17, 2017 (Attachment General 3b1 accession number 20170217-5199). As stated in Mountain Valley’s response, these stream gauges would be about 4,000 to 6,000 feet from the proposed pipeline. Mountain Valley has agreed to document the condition of each stream gauge prior to the start of construction for comparison following construction. Mountain Valley would also consult with the USGS Virginia-West Virginia Water Science Center to develop additional safeguards as necessary. Two weeks prior to construction, Mountain Valley would notify the USGS Virginia-West Virginia Water Science Center of pending construction activities.

FA11-22

See the response to comment FA11-15 regarding sedimentation and turbidity modeling and wet open-cut crossings.

FA11-23

Our assessment of wells following disturbance is based on our project experience with similar projects in similar regions. Mountain Valley offered to conduct pre-construction and post-construction testing of subject wells and perform mitigation if needed as discussed in section 4.3.1 of the EIS.

20161223-5049 FERC PDF (Unofficial) 12/22/2016 5:05:47 PM

FA11-23  
cont'd

nitrate, coliform bacteria). Collection and analysis of both pre and post-construction samples is essential to establish impacts and for the protection of human health.

Water quality criteria is needed to define impacts to groundwater and should be included in the DEIS. Without established criteria, it will not be possible to determine elevated levels or to discuss water quality with well owners. Clear criteria for what constitutes an impact to water quality should be established prior to pre-construction sampling and provided to well owners.

We strongly encourage the documentation of the USGS streamgage infrastructure near the project area and description of the protection and coordination to occur during project activities. We recommend that more research be conducted on water quality impacts with expanded discussion within the EIS. We recommend that groundwater quality criteria be established and discussed within the EIS.

#### **USGS Contacts**

If you have any questions concerning our comments, please contact J. Michael Norris, USGS Coordinator for Environmental Assessment Reviews, at (603) 226-7847 or at [mnorris@usgs.gov](mailto:mnorris@usgs.gov)

#### **REFERENCES:**

Moyer, D.L., and Hyer, K.E., 2009, Continuous turbidity monitoring in the Indian Creek watershed, Tazewell County, Virginia, 2006–08: U.S. Geological Survey Scientific Investigations Report 2009–5085, 42 p.

U.S. Environmental Protection Agency, 2011, Environmental Management System Glossary, Terms and Acronyms: accessed November 29, 2016 at [https://ofmpub.epa.gov/sor\\_internet/registry/termreg/searchandretrieve/glossariesandkeywordlists/search.do?details=&glossaryName=EMS%20Glossary](https://ofmpub.epa.gov/sor_internet/registry/termreg/searchandretrieve/glossariesandkeywordlists/search.do?details=&glossaryName=EMS%20Glossary).

U.S. Environmental Protection Agency, 2002a, Drinking water from household wells: Washington, D.C., U.S. Environmental Protection Agency, Office of Water, EPA 816-K-02-003, 19 p., accessed September 28, 2006, at [http://www.epa.gov/safewater/privatewells/household\\_wells.pdf](http://www.epa.gov/safewater/privatewells/household_wells.pdf).

U.S. Environmental Protection Agency, August 2006, EPA Region 3 BTAG, Freshwater Sediment Screening Benchmarks: Washington, D.C., U.S. Environmental Protection Agency, accessed December 2, 2016, at <https://www.epa.gov/risk/freshwater-sediment-screening-benchmarks>

20161223-5049 FERC PDF (Unofficial) 12/22/2016 5:05:47 PM

FA11-23  
cont'd

We appreciate the opportunity to review and provide comments. We look forward to continued coordination in considering and addressing these DOI comments on the MVP DEIS.

Sincerely,



Lindy Nelson  
Regional Environmental Officer

cc: NPS, Mary Krueger  
BLM, Vicki Craft  
USGS, J. Michael Norris  
SOL, John Henson and J. Nicklas Holt

20161223-5049 FERC PDF (Unofficial) 12/22/2016 5:05:47 PM

FA11-23  
cont'd

Attached:

- Appalachian National Scenic Trail Segment 492 Map
- Jefferson National Forest Tract 1426 Transfer Documentation
- US Forest Service MVP DEIS Comments
- US Forest Service MVP DEIS Information Request
- EPA MVP DEIS Comments



United States  
Department of  
Agriculture

Forest  
Service

George Washington and Jefferson  
National Forests

5162 Valleypointe Parkway  
Roanoke, VA 24019  
540-265-5100

**File Code:** 1900; 2720  
**Date:** December 12, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St., N.E., Room 1A  
Washington, DC 20426

Dear Ms. Bose:

**Subject:** Forest Service's Response to the Request from Mountain Valley Pipeline, LLC for Clarification or Additional Key Observation Points for Visual Analysis OEP/DG2E/Gas Mountain Valley Pipeline, LLC Docket No. CP16-10-000

FA12-1

The Forest Service submits a response to a request from Mountain Valley Pipeline, LLC (MVP) for clarification or additional Key Observation Points (KOPs) for Visual Analysis of the proposed Mountain Valley Pipeline Project (MVP Project). The proposed MVP Project would affect 3.4 miles of National Forest System (NFS) lands in the Jefferson National Forest.

During a meeting held at the Forest Supervisors Office of the George Washington and Jefferson National Forests on October 19, 2016, the Forest Service and MVP discussed the need for subsequent conversations about additional KOPs to complete the visual impact analysis. We appreciate MVP's request for the upcoming meeting to discuss the visual impact analysis and we provide information in this letter to be considered prior to the meeting.

There have been several route variations to the proposed pipeline on NFS lands. Additionally, the construction right-of-way width may be increased by 25 feet to accommodate topsoil segregation, pending MVP's response to the Forest Service's information request dated November 15, 2016. Due to these significant changes the Forest Service recommends the "seen area" analysis be conducted again with the latest proposed pipeline locations. The existing KOPs, roads and trails can be overlaid to determine if additional visual simulations should be made and if new KOPs need to be considered.

MVP should also field verify existing KOPs during leaf-off. Areas not previously surveyed or inventoried due to the route variations should be field verified to identify additional KOPs. MVP should field verify travelways including roads and trails, documenting in a narrative and photographing the locations and lengths along those travelways, the duration of view, and angle and aspect of view where the proposed pipeline would be visible. The photographs will demonstrate the current level of landscape integrity so that it can be determined if simulations are needed.



Caring for the Land and Serving People

Printed on Recycled Paper



FA12-1

Section 4.8 of the final EIS has been revised to provide an updated analysis of visual impacts to the Jefferson National Forest.



# FEDERAL

## FA12 – U.S. Department of Agriculture – Forest Service

Kimberly D. Bose, Secretary

2

FA12-1 | For questions, please contact Jennifer Adams, Special Project Coordinator, by phone at  
cont'd | (540) 265-5114 or by email at [jenniferpadams@fs.fed.us](mailto:jenniferpadams@fs.fed.us).

Sincerely,



JOBY P. TIMM  
Forest Supervisor

cc: Mountain Valley Pipeline, LLC

# FEDERAL

## FA13 – U.S. Department of Agriculture – Forest Service



United States  
Department of  
Agriculture

Forest  
Service

George Washington and Jefferson  
National Forests

5162 Valleypointe Parkway  
Roanoke, VA 24019  
540-265-5100

**File Code:** 1900; 2700  
**Date:** December 15, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St., N.E., Room 1A  
Washington, DC 20426

Dear Ms. Bose:

**Subject:** Forest Service's Recommendations for Seed Mixes and Seeding Techniques  
OEP/DG2E/Gas3  
Mountain Valley Pipeline, LLC  
Docket No. CP16-10-000

FA13-1

The Forest Service submits recommendations for seed mixes and seeding techniques for the proposed Mountain Valley Pipeline Project. The recommendations are detailed in the attached documents and provide guidance on the rehabilitation of the right-of-way on National Forest System lands, should the project be approved. Please incorporate this information into the Plan of Development. We appreciate the opportunity to review and provide input on the Plan of Development.

Sincerely,

JOBY P. TIMM  
Forest Supervisor

cc: Mountain Valley Pipeline, LLC

FA13-1

As requested by the FERC, Mountain Valley filed a response to the FS's letter on February 23, 2017 (Attachment General 3b3 accession number 20170224-5038). In that response Mountain Valley committed to incorporate the FS's December 15, 2016 seed mix and seeding techniques into the Project.



Caring for the Land and Serving People

Printed on Recycled Paper



**FEDERAL**  
**FA14 – U.S. Department of the Interior – Bureau of Land Management**

20161207-0057 FERC PDF (Unofficial) 12/07/2016



United States Department of the Interior

Bureau of Land Management

Eastern States  
Southeastern States District Office  
273 Market Street  
Flowood, Mississippi 39232  
<http://www.es.blm.gov>



ORIGINAL

IN REPLY REFER TO:  
2880 (020) VC  
VA-ES-058142  
WV-ES-058143

December 1, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E. Room 1A  
Washington, District of Columbia 20426

Dear Ms. Bose:

Subject: Comments on the Federal Energy Regulatory Commission (FERC) Coordinated Project Plan and Permitting Timetable for the Mountain Valley Pipeline Project  
Docket No. CP16-10-000

FILED  
SECRETARY OF THE  
2016 DEC - 1 A 11: 17  
FEDERAL ENERGY REGULATORY COMMISSION

FA14-1

The Bureau of Land Management (BLM) appreciates the opportunity to review and provide comments to FERC's request for feedback on the Coordinated Project Plan and Permitting Timetable for the Mountain Valley Pipeline (MVP) Project in accordance with the FAST-41 coordination process for existing covered projects that have pending Federal environmental review. The comments are detailed in the attached document and were submitted to FERC on November 16, 2016.

We request that these comments be entered into FERC's record for Docket No. CP16-10-000.

WILD HORSES & BURROS • CADASTRAL SURVEY • GENERAL LAND OFFICE RECORDS • MINERALS • RENEWABLE RESOURCES



FA14-1

The statements about the FAST-41 dashboard are noted.

FA14-1  
cont'd

If you have any questions or concerns, please feel free to contact Vicki Craft, Project Manager at (601) 919-4650.

Sincerely,

  
Assistant Field Manager, Business Resources

(Acting for) Bruce Dawson  
Southeastern States District Manager

cc: Paul Friedman, FERC  
Jennifer Adams, JNF  
Anita Bradburn, ACOE

Enclosures (2)  
BLM Comment Submission (11-16-2016)  
Revised Permitting Timetable for MVP



20161221-5087 FERC PDF (Unofficial) 12/21/2016 9:06:41 AM



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

DEC 20 2016

Nathaniel J. Davis, Sr., Deputy Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Re: Mountain Valley Project and Equitrans Expansion Project Draft Environmental Impact Statement; Pennsylvania, West Virginia, and Virginia; September 2016 (FERC Docket Nos. CP16-10-000 and CP16-13-000; CEQ# 2016-0212)

Dear Deputy Secretary Davis:

In accordance with the National Environmental Policy Act (NEPA) of 1969, Section 309 of the Clean Air Act and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508), the U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for Mountain Valley Pipeline, LLC and Equitrans, LP's (Mountain Valley and EEP respectively, or the applicants) Mountain Valley Project and the Equitrans Expansion Project (MVP and EEP respectively). The Federal Energy Regulatory Commission (FERC) is the lead Federal agency in the NEPA study and has prepared the DEIS. The applicants propose to construct and operate MVP, which includes about 301 miles of 42" pipeline and three new compressor stations in West Virginia and Virginia, and EEP, which includes about eight total miles of various diameter pipeline and one new compressor station in Pennsylvania and West Virginia. The proposed projects will transport a combined 2.4 Bcf/d. EPA is a cooperating agency for this DEIS.

EPA has concerns regarding the purpose and need, alternatives analysis, and a number of important topics for which information is incomplete. EPA concerns focus on the direct, indirect and cumulative impacts of the proposed action on the environment and public health, including impacts to terrestrial resources such as interior forests, aquatic resources, geology and geohazards, and rare, threatened and endangered species. This letter contains a brief summary of the principal issues; a more detailed discussion of the project, impacts and issues, and our recommendations to improve the analysis, is presented in the enclosure.

#### **Purpose and Need, Alternatives and Incomplete Information**

The stated purpose of the proposed projects is to transport natural gas produced in the Appalachian Basin to markets in the Northeast, Mid-Atlantic, and Southeast. Additionally, the DEIS states (later in the document) that the purpose of the MVP pipeline is to extend an

Printed on 100% recycled/recyclable paper with 100% post-consumer fiber and process chlorine free.  
Customer Service Hotline: 1-800-438-2474

FA15-1

FA15-1

See the response to comment FA11-12 regarding need. Cumulative impacts are discussed in section 4.13 of the EIS. The EIS provides a discussion of forests (section 4.4), aquatic resources (section 4.6), geology (section 4.1), and threatened and endangered species (section 4.7).

FA15-2

FA15-2

See the response to comment FA11-12 regarding need.

**FEDERAL**  
**FA15 – U.S. Environmental Protection Agency**

20161221-5087 FERC PDF (Unofficial) 12/21/2016 9:06:41 AM

FA15-2 cont'd | interconnect to the Transco system from the natural gas production areas in West Virginia. The EIS articulates that it does not address in detail the need or public benefits of either MVP or EEP. The Commission will more fully explain its opinions on the project benefits and need in its Orders for the proposed projects. The Commission bases its decisions on technical competence, financing, rates, market demand, gas supply, environmental impact, long-term feasibility, and other issues concerning a proposed project. As the purpose of NEPA is to inform decision-making, using relevant information and public engagement, EPA is concerned that deferring evaluation of need may compromise the NEPA process. EPA recommends that the EIS include a more thorough discussion of the purpose and need or public benefits of the project. Including this information in the EIS goes toward transparency and disclosure to the public, to afford the public the opportunity to provide comment; and to assess and compare alternatives' ability to meet project need.

FA15-3 | The DEIS does not analyze alternatives beyond the applicant's preferred alternative in detail. EPA recommends that FERC provide detailed analysis on system and route alternatives, and further consider collocation opportunities and develop alternatives which further avoid and minimize impacts to important project area resources. Without additional analysis of alternatives, it is not clear that the preferred alternative is the only one that can meet the stated purpose and need. Additional recommendations on specific system and route alternatives are provided in the enclosures to this letter. An expanded discussion would help the decision maker and the public understand and explore viable alternatives which may have less impacts than the preferred.

FA15-4 | EPA is aware that Mountain Valley has filed additional documentation to the FERC docket (number referenced above). Revised materials include updated EIS tables, figures and appendices, as well as additional route modifications, surveys and reports. EPA understands that FERC has requested the applicants file materials at various points after the release of the DEIS. Although this information has been or will be posted to the docket which is publicly accessible, EPA is concerned that without official notification, the public may not have had an opportunity to fully comment on this material. It is not apparent within the EIS how FERC intends to include public participation and comment on these subsequent filings. We urge FERC to make clear what materials the public will have an opportunity to comment on, how/if FERC intends to provide responses to those comments, and clarify the timeframes during which FERC will accept comments. Without this process clearly articulated, it appears that the EIS is a 'rolling' document providing just a snapshot in time. This creates a considerable challenge for stakeholders and members of the public to follow the documentation provided, or know which material is most current in order to provide the most relevant comments. It may be appropriate for FERC to consider fully incorporating revised and new materials into the EIS and provide it for public comment in the form of a supplemental EIS or revised EIS. EPA is interested in discussing this with FERC at your convenience.

**Impacts to the Environment and Public Health**

FA15-5 | EPA is concerned that the preferred alternative may result in significant adverse environmental impacts. The DEIS concludes that impacts to forests would be significant. The DEIS finds that construction of the MVP and the EEP would affect about 4,856 acres of upland forest. Additionally, the DEIS finds that MVP would impact about 2,485 acres of contiguous

FA15-3 See the response to comment FA15-15 regarding alternatives.

FA15-4 Section 1.4 of the final EIS has been revised to address additional filings provided by the Applicants and public review. While we did not respond individually in this Response to Comments (RTC) to letters received after December 22, 2016, all comments filed on the docket are part of the FERC's administrative public record (in eLibrary). Letters received after the close of the comment period, up until staff began production of this final EIS, were considered and addressed generically by resource topic and issues in this final EIS.

FA15-5 As stated in the EIS, in considering the total acres of forest affected, the quality and use of forest for wildlife habitat, and the time required for full restoration in temporary workspaces, we conclude that the projects would have significant impacts on forest.

# FEDERAL

## FA15 – U.S. Environmental Protection Agency

20161221-5087 FERC PDF (Unofficial) 12/21/2016 9:06:41 AM

FA15-5 cont'd interior forest in West Virginia, and 938 acres of High to Outstanding quality contiguous interior forest in Virginia.

FA15-6 Construction of the MVP and the EEP results in impacts to aquatic resources totaling 39.3 acres of wetlands and 1,021 waterbody crossings. These systems provide habitat and valuable ecological services for the region. Mountain Valley is proposing to use the wet open-cut method to cross three major waterbodies. EPA recommends that the potential for on-site and downstream effects of these flow perturbations be quantified and assessed, and that the information be shared in the NEPA process. It is not clear in the study that aquatic impacts have been fully avoided to the greatest extent possible or if appropriate mitigation has been proposed.

FA15-7 Other potential impacts of the proposed pipeline construction are associated with geological and hydrogeologic hazards, which have not been fully assessed in the DEIS. EPA recommends that FERC evaluate potential construction impacts relative to landslides, karst landscape, subsidence, flash flooding and potential blasting impacts to water wells, springs, and wetlands.

FA15-8 Much of the data and analysis remain incomplete; including endangered species surveys, wetland and stream resources, landslide vulnerabilities, karst topography. EPA recommends that FERC fully assess project impacts to natural resources with more complete information. The DEIS references and relies heavily on construction, management, restoration, and mitigation plans (plans listed in Table 2.4-1) many of which are not included in the EIS. It is not clear if the plans have been completed. We recommend that the plans be included as Appendices to the document or clear links to these documents should be provided. Without having access to these and other information, EPA finds the information provided insufficient to determine if impacts, particularly to surface water and aquatic life, are temporary and minimal. In addition to completing and providing survey data, EPA recommends that FERC consider ecosystem services and conduct an aquatic resource functional analysis. This information could improve FERC and stakeholders' understanding of the potential impacts of the project, indicate areas where reducing environmental impacts is critical and better inform selection of appropriate compensatory mitigation for adverse impacts to natural resources.

FA15-9

FA15-10 The DEIS contains estimates of GHG emissions from construction and the operation of the proposed compressor stations. Although the estimated total annual emissions of GHG based on the total project capacity of 2.4 Bcf/d was included in the DEIS, it is not clear how this calculation was made. Of concern is the comparison of project construction and operation emissions to global emissions, which minimizes the potential significance of impacts. EPA continues to recommend that FERC estimate the GHG emissions from the development and production of natural gas being transported through the propose pipeline as well as from product end use, due to the reasonably close causal relationship of this activity to the project. We recommend that the DEIS also consider mitigation opportunities, especially approaches to reducing leakage of methane along the proposed pipeline; please see the following website for more information: <https://www.epa.gov/natural-gas-star-program>.

### FA15-11 Cumulative Impacts

The cumulative impact assessment narrowly identifies past, present and reasonably foreseeable actions as well as uses a narrow geographic and temporal scope to assess impacts.

FA15-6 See the response to comment FA11-15 regarding sedimentation and turbidity modeling and wet open-cut crossings.

FA15-7 The EIS provides a discussion of karst and landslides (section 4.1). A revised discussion of flash flooding is provided in section 4.3.2 of the final EIS. As stated in sections 2, 4.1, and 4.2 of the EIS, Mountain Valley would first attempt to rip bedrock. Any required blasting would be conducted in accordance with all federal, state, and local regulations. Charges would be kept to the minimum needed to break up and dislodge the rock. Mountain Valley would conduct pre- and post-blast surveys for wells and structures within 150 feet of blasting activities.

FA15-8 See the response to comment FA11-2 regarding pending information contained in the EIS. As stated by the commentor, table 2.4-2 in the EIS provides a footnote for each of the plans prepared by the Applicants. Draft plans are noted. Copies of these are not included as appendices to the EIS but can be found in the docket for this proceeding available to the public through our E-library system. In accordance with CEQ guidance for compliance with NEPA, an EIS is only supposed to contain summaries of plans; not necessarily copies of every plan filed in its entirety.

FA15-9 Water resources are discussed in section 4.3 of the EIS.

FA15-10 Section 4.13.2.7 of the final EIS was revised to clarify the total GHG calculations. As stated in section 4.13.1, the Commission's practice is to conduct an environmental review for each proposed project or a number of projects that are interrelated or connected. Actions are 'connected' if they: trigger other actions that may require EISs, will not proceed unless other actions are taken, or are interdependent parts of a larger action (depending on the larger action for their justification)[40 CFR 1508.25(a)(1)]. Therefore, upstream/downstream and lifecycle emissions do not meet the definition of indirect impacts and are not mandated as part of the Commission's NEPA review.

However, to provide the public additional information and to inform decision makers, we have estimated the downstream GHG emissions from the Project in section 4.13.2, assuming all of the gas to be transported is eventually combusted. We note that this CO<sub>2e</sub> estimate represents a conservative estimate for the amount of end-use combustion that could result from the gas transported by this project. This is because some of the gas may displace fuels (*i.e.*, fuel oil and coal) which could result in lower total CO<sub>2e</sub> emissions. It may also displace gas that otherwise would be transported via different means, resulting in no change in CO<sub>2e</sub> emissions. This estimate also assumes the maximum capacity is transported 365 days per year, which is rarely the case because many projects are designed for peak use.

# FEDERAL

## FA15 – U.S. Environmental Protection Agency

20161221-5087 FERC PDF (Unofficial) 12/21/2016 9:06:41 AM

FA15-11  
cont'd

EPA's detailed recommendation on the scope of the analysis, provided in the enclosure to this letter, emphasizes the need to improve public understanding of cumulative impacts. EPA recommends that FERC describe the inter-related network of existing and proposed pipelines and associated impacts. We recommend that the cumulative impact analysis be expanded to provide a more comprehensive consideration of impacts from natural gas production, transmission and use.

FA15-12

For the reasons stated here and in the attached technical comments, EPA has concerns regarding the potential impact of the proposed project on water quality, air quality, and terrestrial resources. EPA has rated the DEIS preferred alternative as EC-2 (Environmental Concerns, Insufficient Information). A description of our rating system can be found at: [www.epa.gov/nepa/environmental-impact-statement-rating-system-criteria](http://www.epa.gov/nepa/environmental-impact-statement-rating-system-criteria)

We would appreciate the opportunity to discuss the comments provided in this letter and the enclosure and answer any questions you may have, at your convenience. Please contact Ms. Barbara Rudnick, NEPA Team Leader at (215) 814-3322 or [Rudnick.barbara@epa.gov](mailto:Rudnick.barbara@epa.gov), or the staff contact for this project Ms. Alaina McCurdy at (215) 814-2741 or [mccurdy.alaina@epa.gov](mailto:mccurdy.alaina@epa.gov).

Sincerely,



Jeffrey D. Lapp  
Associate Director  
Office of Environmental Programs

Enclosure (1) Technical Comments

FA15-11

See the response to comment FA15-10 regarding the lifecycle of gas.


FA15-12

The commentor's statement regarding the draft EIS is noted.



**FEDERAL**  
**FA16 – U.S. Department of Agriculture – Forest Service**

20161221-5281 FERC PDF (Unofficial) 12/21/2016 1:44:22 PM

 **United States**   **Forest**   **George Washington and Jefferson**   **5162 Valleypointe Parkway**  
**Department of**   **Service**   **National Forests**   **Roanoke, VA 24019**  
**Agriculture**   **540-265-5100**

**File Code:** 1900; 2720  
**Date:** December 20, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St., N.E., Room 1A  
Washington, DC 20426

Dear Ms. Bose:

**Subject:** Forest Service Comments on the Draft Environmental Impact Statement  
OEP/DG2E/Gas3  
Mountain Valley Pipeline, LLC  
Docket No. CP16-10-000

The Forest Service submits comments on the Draft Environmental Impact Statement (EIS) for the Mountain Valley Pipeline Project (MVP Project) proposed by Mountain Valley Pipeline, LLC (MVP). The proposed MVP Project would affect 3.4 miles of National Forest System (NFS) lands in the Jefferson National Forest.

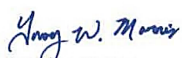
FA16-1

Our comments are listed in the attached document. We provide these comments to assist the Federal Energy Regulatory Commission with developing the EIS for the proposed MVP Project and to assist MVP with identifying information necessary for the analysis of project effects on NFS lands. We appreciate the opportunity to review and comment on the Draft EIS.

For questions, please contact Jennifer Adams, Special Project Coordinator, by phone at (540) 265-5114 or by email at jenniferpadams@fs.fed.us.

Sincerely,

*Acting For*

  
JOBY P. TIMM  
Forest Supervisor

cc: Mountain Valley Pipeline, LLC

FA16-1

The final EIS has been revised to address the FS comments as appropriate.



Caring for the Land and Serving People

Printed on Recycled Paper 

20161221-5287 FERC PDF (Unofficial) 12/21/2016 1:48:11 PM



United States  
Department of  
Agriculture

Forest  
Service

George Washington and Jefferson  
National Forests

5162 Valleypointe Parkway  
Roanoke, VA 24019  
540-265-5100

**File Code:** 1900; 2720  
**Date:** December 20, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St., N.E., Room 1A  
Washington, DC 20426

Dear Ms. Bose:

**Subject:** Forest Service Request for Additional Information  
OEP/DG2E/Gas3  
Mountain Valley Pipeline, LLC  
Docket No. CP16-10-000

The Forest Service submits a request for additional information for the Mountain Valley Pipeline Project (MVP Project) proposed by Mountain Valley Pipeline, LLC (MVP). The proposed MVP Project would affect 3.4 miles of National Forest System (NFS) lands in the Jefferson National Forest.

Our requests for additional information are contained in the attachment. We request this information to ensure all potential project effects are identified, disclosed, and analyzed as early in the process as possible. We also identify previously requested information which remains outstanding and is essential to the analysis of effects of the proposed MVP Project on NFS lands. We appreciate MVP's responses to the Forest Service's previous and current information requests.

For questions, please contact Jennifer Adams, Special Project Coordinator, by phone at (540) 265-5114 or by email at [jenniferpadams@fs.fed.us](mailto:jenniferpadams@fs.fed.us).

Sincerely,

*Joby P. Timm*  
Acting  
FS  
JOBY P. TIMM  
Forest Supervisor

cc: Mountain Valley Pipeline, LLC



Caring for the Land and Serving People

Printed on Recycled Paper



FA17-1

The final EIS has been updated to reflect information provided by Mountain Valley in relation to this data request.

# FEDERAL

## FA18 – Advisory Council on Historic Preservation

Milford Wayne Donaldson, FAIA  
Chairman

Teresa Leger de Fernandez  
Vice Chairman

John M. Fowler  
Executive Director



Preserving America's Heritage

December 14, 2016

The Honorable Norman C. Bay  
Chairman  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Ref: *Proposed Mountain Valley Pipeline Project  
West Virginia and Virginia*

Dear Mr. Chairman:

FA18-1

In response to expressions of concern from numerous stakeholders located in communities along the proposed Right-of-Way for the Mountain Valley Pipeline Project in West Virginia and Virginia, the Advisory Council on Historic Preservation (ACHP) will formally participate in the Section 106 consultation being carried out by the Federal Energy Regulatory Commission (FERC). FERC must comply with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, "Protection of Historic Properties" (36 C.F.R. part 800), for this undertaking. Our decision to participate in this consultation is based on the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, contained within our regulations. The criteria are met for this proposed undertaking because of questions of policy and interpretation of the Section 106 regulations and because of the potential for procedural problems in the Section 106 review that the ACHP's involvement could help resolve.

Section 800.6(a)(1)(iii) of the Section 106 regulations requires that we notify you, as the head of the agency, of our decision to participate in consultation. By copy of this letter, we are also notifying Ms. Ann Miles, Director of the Office of Energy Programs, of this decision.

Our participation in this consultation will be handled by John T. Eddins, PhD, who can be reached at 202-517-0211 or via e-mail at [jeddins@achp.gov](mailto:jeddins@achp.gov). We look forward to working with FERC and other consulting parties to consider alternatives to avoid, minimize, or mitigate potential adverse effects on historic properties and to develop a Section 106 agreement document.

Sincerely,

John M. Fowler  
Executive Director

ADVISORY COUNCIL ON HISTORIC PRESERVATION  
401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)

FA18-1

The ACHP's intent to participate in the Section 106 process is noted. As indicated in section 4.10 of the final EIS, FERC staff would include the ACHP in the resolution of adverse effects.

**STATE**  
**SA1 – Virginia Department of Conservation and Recreation**

20161221-5285 FERC PDF (Unofficial) 12/21/2016 1:50:14 PM

Molly Joseph Ward  
*Secretary of Natural Resources*  
  
Clyde E. Cristman  
*Director*



**COMMONWEALTH of VIRGINIA**  
DEPARTMENT OF CONSERVATION AND RECREATION

Rochelle Altholz  
*Deputy Director of Administration and Finance*  
  
David C. Dowling  
*Deputy Director of Soil and Water Conservation and Dam Safety*  
  
Thomas L. Smith  
*Deputy Director of Operations*

December 21, 2016

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

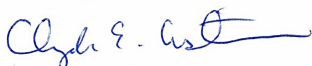
RE: Mountain Valley Pipeline, LLC  
Docket No. CP16-10-000

Dear Ms. Bose:

SA1-1

I am writing today to transmit the attached December 20, 2016 letter from the Virginia Cave Board to you regarding comments and recommendations on the proposed Mountain Valley Pipeline. The information presented was that of the Virginia Cave Board, an Advisory Board of the Commonwealth of Virginia under *Code of Virginia* § 10.1-1000 – 1008, and not that of my agency or this administration.

The Cave Board letter includes important karst features along the proposed pipeline route, recommendations on management of surface water and runoff in karst areas and general information on construction of pipelines through karst regions.

Sincerely,  
  
Clyde E. Cristman  
Director

SA1-1

Section 4.8 of the EIS has been revised to address the karst conservation sites detailed in the commentor’s letter. Section 4.1 of the EIS has been revised to address methods used to identify karst in the Project area. While the FERC did not conduct a full independent hydrogeologic study, we asked a number of questions (and reviewed the responses) that would be normally included in such a report, including Mountain Valley’s submittal of the fracture trace analysis. Additional information and analyses has been included in the final EIS. Section 4.3.1 of the EIS discusses monitoring and testing of water wells within 150 feet of the proposed workspaces as well as testing of wells and springs within 500 feet of karst areas. Impacts to water wells located outside these distances is not expected. See the response to comment CO7-1 regarding the Mount Tabor Variation and the VADCR alternative.

**STATE**  
**SA2 – Virginia Department of Historic Resources**

20161221-5348 FERC PDF (Unofficial) 12/21/2016 3:05:25 PM



**COMMONWEALTH of VIRGINIA**

Molly Joseph Ward  
*Secretary of Natural Resources*

**Department of Historic Resources**  
2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan  
*Director*

Tel: (804) 367-2323  
Fax: (804) 367-2391  
www.dhr.virginia.gov

December 21, 2016

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

SA2-1

Re: Mountain Valley Pipeline LLC – Draft Environmental Impact Statement (Docket No. CP16-10-000)  
DHR File No. 2014-1194

Dear Secretary Bose:

The Department of Historic Resources (DHR), which serves as the Virginia State Historic Preservation Office (SHPO), has received the Draft Environmental Impact Statement (DEIS) prepared in support of the application by Mountain Valley Pipeline, LLC (MVP) and Equitrans, L.P to construct and operate interstate natural gas facilities in Pennsylvania, West Virginia and Virginia. DHR provides the following comments as assistance to the Federal Energy Regulatory Commission (FERC) in meeting its responsibilities pursuant to the National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA).

**Consulting Parties**

Under Section 106 of the NHPA, FERC has a responsibility to identify and meaningfully engage with consulting parties, including representatives of local governments (36 CFR 800.2(c)(3)) and “individuals and organizations with a demonstrated interest in the undertaking...due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking’s effects on historic properties” (36 CFR 800.2(c)(5)), throughout the compliance process. We understand that FERC has denied numerous requests from stakeholder groups to participate in the Section 106 process as consulting parties stating that existing procedures allow for comments on cultural resources without granting consulting party status (DEIS, Section 4.10.2.1). DHR has concerns about this approach and questions whether the public comment process within NEPA sufficiently satisfies FERC’s responsibilities under Section 106. Specifically, FERC has denied access by potential consulting parties to the cultural resource studies that pertain directly to the resources of concern to those parties. Although we recognize the potential sensitivity of these studies and thank FERC for its careful handling of these reports, DHR has voluntarily offered to provide the studies to potential consulting parties so that they may be fully informed on FERC’s efforts to identify historic properties. It is our opinion that FERC should reconsider its decisions regarding the inclusion of consulting parties so that the Section 106 process may proceed with the benefit of input from those who best understand the affected historic properties.

Western Region Office  
962 Kime Lane  
Salem, VA 24153  
Tel: (540) 387-5443  
Fax: (540) 387-5446

Northern Region Office  
5357 Main Street  
PO Box 519  
Stephens City, VA 22655  
Tel: (540) 868-7029  
Fax: (540) 868-7033

Eastern Region Office  
2801 Kensington Avenue  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391

SA2-1

As explained in the EIS, the FERC accepted all requests for consulting party status from representatives of local governments (Roanoke County, Giles County, and Montgomery County) in accordance with the ACHP’s regulations for implementing Section 106 of the NHPA at 36 CFR Part 800.2(c)(3). We denied consulting party status to those individuals and entities that failed to demonstrate a legal or economic relationship to the undertaking, as required under Part 800.2(c)(5). The FERC’s public comment process satisfies Part 800.2(d). FERC has not denied access to cultural resources studies to any party that requested them. In fact, any party that signed a confidentiality agreement with Mountain Valley were provided copies of archaeological survey reports that pertained to their area of interest.

SA2-2 **Project Authorization and Section 106 Compliance**

DHR is also concerned about the proposed timing of the project’s authorization and FERC’s completion of the Section 106 compliance process. We understand that due to phased project design and inadequate property access, FERC cannot complete the identification of historic properties (36 CFR 800.4), assessment of adverse effects (36 CFR 800.5), nor the resolution of adverse effects (36 CFR 800.6) prior to project authorization and intends to satisfy its Section 106 responsibilities through environmental conditions in its final order (DEIS, Section 5.2, Recommendation 42). It is DHR’s opinion that this approach limits FERC’s ability to make an informed decision regarding potential effects to historic properties prior to authorization and limits the role of consulting parties in the resolution of any identified adverse effects. More appropriately, FERC should consider the execution of a Programmatic Agreement, which, as noted in 36 CFR 800.14(b)(1)(ii), may be used “when effects on historic properties cannot be fully determined prior to approval of an undertaking.”

SA2-3 **Identification of Historic Properties**

As correctly stated in the DEIS, the identification of historic properties has not been fully completed by MVP nor has DHR provided comments on all of the cultural resource surveys submitted for our review. FERC and DHR have received comments from the Greater Newport Rural Historic District Committee (GNRHDC) regarding the sufficiency of the architectural survey within the Greater Newport Rural Historic District and DHR has discussed these concerns with MVP’s cultural resources consultant. We understand that MVP is preparing a response to the most recent comments from the GNRHDC so that we may reach agreement on the specific contributing resources to the historic district that fall within the Area of Potential Effects (APE) before we proceed to assess the potential effects of the project on those resources. Furthermore, MVP’s consultant has provided to DHR a master list of potentially affected historic properties and, pending the results of additional survey and the review of contributing resources within the Greater Newport Rural Historic District, DHR is prepared to accept this list as the inventory of historic properties within the APE.

SA2-4 **Effects to Historic Properties**

We cannot, however, agree with the conclusions made in the DEIS regarding effects to identified resources. DHR and MVP met on November 15, 2016 to discuss our expectations and methodology for assessing indirect/visual effects to historic properties within the APE. The analysis of effects to those historic properties identified within the APE has yet to be completed. As such, we cannot agree with FERC’s conclusion that the Greater Newport Rural Historic District, Newport Historic District, North Fork Valley Rural Historic District, and Coles-Terry Rural Historic District will not be adversely affected. Furthermore, we are concerned about the potential effects to the Blue Ridge Parkway and Appalachian Trail, both of which are considered historic properties by our office. We understand that the National Park Service is not a cooperating agency in the undertaking and will consult independently and directly with our office regarding these potential impacts. In general, FERC should acknowledge that, although few above-ground facilities are proposed, effects to the setting of historic properties, especially those defined, in part, by their intact rural landscape, are possible, if not likely.

We will continue to work with your applicant on the necessary studies and provide comments when available. Should any adverse effects to historic properties be identified, we fully expect that FERC will pursue a Memorandum of Agreement with DHR and other consulting parties, including the Advisory

Western Region Office  
962 Kime Lane  
Salem, VA 24153  
Tel: (540) 387-5443  
Fax: (540) 387-5446

Northern Region Office  
5357 Main Street  
PO Box 519  
Stephens City, VA 22655  
Tel: (540) 868-7029  
Fax: (540) 868-7033

Eastern Region Office  
2801 Kensington Avenue  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391

SA2-2

It is standard FERC practice to complete the Section 106 process after the issuance of a Certificate. The reason for this is practical. In some cases, landowners deny access. Only after the FERC issues a Certificate can the Applicant use the power of eminent domain to obtain access and complete cultural resources investigations. We do not believe that this approach limits our ability to make informed decisions about the treatment of historic properties; and the courts have supported this approach. The FERC staff would consider a Programmatic Agreement to resolve adverse effects, which takes our phased approach into consideration.

SA2-3

Section 4.10 details our identification of historic properties in the APE, and addresses the comments of the Greater Newport Rural Historic District Committee. We are still waiting for the VADHR to provide us its opinions on project effects to Historic Districts.

SA2-4

Section 4.10 of the EIS clearly stated that the FERC staff cannot make final determination of effects on Historic Districts until after we receive the opinions of the VADHR. We have revised our discussion of Historic Districts in the final EIS to address their potential to be rural historic landscapes.

**STATE**  
**SA2 – Virginia Department of Historic Resources**

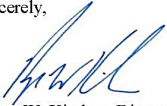
20161221-5348 FERC PDF (Unofficial) 12/21/2016 3:05:25 PM

Page 3  
December 21, 2016  
DHR File No. 2014-1194

SA2-4  
cont'd

Council on Historic Preservation, to memorialize its intention to minimize or otherwise mitigate the effect. Should you have any questions concerning these comments or our review of this project, please do not hesitate to contact me at [roger.kirchen@dhr.virginia.gov](mailto:roger.kirchen@dhr.virginia.gov).

Sincerely,



Roger W. Kirchen, Director  
Review and Compliance Division

c. Mr. John Eddins, ACHP  
Mr. David Brady, GNRHDC

Western Region Office  
962 Kime Lane  
Salem, VA 24153  
Tel: (540) 387-5443  
Fax: (540) 387-5446

Northern Region Office  
5357 Main Street  
PO Box 519  
Stephens City, VA 22655  
Tel: (540) 868-7029  
Fax: (540) 868-7033

Eastern Region Office  
2801 Kensington Avenue  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
Fax: 804-698-4019 - TDD (804) 698-4021
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4020
1-800-592-5462

December 22, 2016

SA3-1

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Federal Energy Regulatory Commission Draft Environmental Impact Statement for
the Mountain Valley Project (FERC/DEIS-D0272; FERC Docket Number CP16-10-
000; DEQ 16-194F).

Dear Secretary Bose:

The Commonwealth of Virginia has completed its review of the draft environmental
impact statement (DEIS) for the portions of the Mountain Valley Project (MVP) in
Virginia. The Virginia Department of Environmental Quality (DEQ) is responsible for
coordinating Virginia's review of federal environmental documents prepared pursuant to
the National Environmental Policy Act (NEPA) and responding to appropriate federal
officials on behalf of the Commonwealth. This letter, including attachments, is the
Commonwealth of Virginia's response to the September 16, 2016 public notice, issued
by the Federal Energy Regulatory Commission (FERC or Commission) for the MVP
DEIS.

Comments from reviewers primarily focus on recommending measures to mitigate
potential environmental impacts. In general, participants in the Commonwealth's review
support the recommendations in the DEIS to coordinate with government agencies,
adhere to protective construction measures, and mitigate for unavoidable impacts. State
agencies are also supportive of some route variations that protect resources under their
jurisdiction. These statements are discussed in the detailed comments from reviewers in
Attachment B. However, the Commonwealth has reached two significant conclusions:

- A supplemental DEIS is needed to address adequate analysis of newly submitted
route changes.

SA3-1

See the response to comment FA11-2 and LA5-1 regarding
preparation of the draft EIS.



FERC MVP DEIS  
DEQ 16-194F  
Page 2

SA3-1  
cont

- A comprehensive forest mitigation plan addressing direct and indirect forest loss is needed.

Supplemental DEIS

There were a number of route changes to the MVP in Virginia that were submitted to the FERC docket in October 2016. Some route changes were at FERC's request while others appeared to be corrections to the route as described in the DEIS. In addition, Mountain Valley Pipeline, LLC (MVP, LLC) submitted limited analysis for the route variations and changes to plans, surveys and assessments during October and changes to their plans and procedures (directly to DEQ) in November. Based on a review of this information, it appears that impacts from some proposed route variations or the viability of construction procedures in some locations are uncertain. The Commonwealth appreciates the flexibility that is necessary and inherent in any planning project. However, the DEIS lacks a thorough and accurate environmental analysis of the substantial changes that were made during the public comment period. For these reasons, the Commonwealth strongly recommends that FERC prepare a supplemental DEIS pursuant to 40 Code of Federal Regulations (CFR) 1502.9. The Commonwealth also recommends that the supplemental DEIS include analysis, especially in sensitive environmental areas, of the October 2016 proposed route changes and any additional variations, address applicable comments that are detailed in the attachments, and provide the opportunity for sufficient public comment.

SA3-2

Forest Mitigation Plan

The Commonwealth agrees with FERC that implementation of the MVP will create adverse and significant impacts on forests and supports the recommendation for MVP, LLC to develop a mitigation plan in coordination with federal and state agencies for upland forest impacts (DEIS, Section 4.4.3). However, the Commonwealth's natural resource agencies indicate that indirect impacts and associated mitigation were not adequately addressed in the DEIS (see Attachment B). The regulations implementing NEPA (40 CFR 1500 et seq.) clearly state that federal agencies must discuss means to mitigate adverse environmental impacts, including indirect effects and their significance. The Commonwealth is recommending that FERC include a recommendation in Section 5.2 of the Final Environmental Impact Statement (EIS) that requires coordination with the Commonwealth's natural resource agencies and applicable federal agencies to mitigate direct and indirect impacts to upland forests in Virginia, specifically forested cores, and that if the Commission approves the construction and operation of the MVP, it condition the order on adherence to this recommendation.

SA3-2

See the response to comment FA15-5 regarding forest impacts.

FERC MVP DEIS  
DEQ 16-194F  
Page 3

SA3-3

### Coordinated Review

As part of the Commonwealth's review, DEQ requested comments from state agencies, localities and planning district commissions. DEQ notified reviewers of the availability of the DEIS and additional information submitted to the FERC docket by MVP, LLC on October 14, 20 and 27, 2016. Reviewers also had an opportunity to review files suitable for use in Geographic Information System software of the route that were provided by MVP, LLC. The comments that were submitted as part of this review are attached and organized as follows:

- Attachment A: Recommendations for the Supplemental or Final EIS, Plans and Procedures
- Attachment B: Detailed comments from reviewers

Attachment A includes more than 70 recommendations that are based on a summation of comments from participating agencies, localities and planning district commissions. This summary highlights priorities derived from submitted comments and is not meant to substitute the totality of the individual comments in Attachment B. The Commonwealth recommends that FERC consider every comment, correction or recommendation detailed in Attachment B that FERC did not already address during the consideration of Attachment A.

Thank you for the opportunity to comment. If you have questions, please do not hesitate to contact me at [bettina.sullivan@deq.virginia.gov](mailto:bettina.sullivan@deq.virginia.gov) or (804) 698-4204.

Sincerely,



Bettina Sullivan, Manager  
Environmental Impact Review and Long Range  
Priorities Program

Enclosures

ec: Paul Friedman, FERC  
Ernie Aschenbach, DGIF  
Keith Tignor, VDACS  
Robbie Rhur, DCR  
Jason Bulluck, DCR  
Drew Hammond, VDH  
Susan Douglas, VDH  
Roger Kirchen, DHR

SA3-3

The Commonwealth of Virginia's comments on the draft EIS are noted. The final EIS has been revised as appropriate.

# STATE

## SA3 – Virginia Department of Environmental Quality

20161222-5394 FERC PDF (Unofficial) 12/22/2016 2:35:57 PM

FERC MVP DEIS  
DEQ 16-194F  
Page 4

SA3-3  
cont'd

David Spears, DMME  
Greg Evans, DOF  
Tony Watkinson, VMRC  
Randy Owen, VMRC  
Elizabeth Jordan, VDOT  
Rusty Harrington, DOAV  
Susan Simmers, DOAV  
Martha Little, VOF  
Bruce Sterling, VDEM  
Colonel W. Steven Flaherty, VSP  
Jennifer Mitchell, DRPT  
Chris McKlarney, Giles County  
Clay Goodman, Craig County  
Craig Meadows, Montgomery County  
Marc Verniel, Town of Blacksburg  
Thomas C. Gates, Roanoke County  
Terri W. Morris, Floyd County  
Brent Robertson, Franklin County  
C. James Ervin, Town of Rocky Mount  
Matt Lawless, Town of Boones Mill  
Clarence Monday, Pittsylvania County  
Richard G. Cocke, Town of Chatham

SENATE OF VIRGINIA



FRANK M. RUFF, JR.  
15th SENATORIAL DISTRICT  
ALL OF CHARLOTTE, LUNENBURG, MECKLENBURG,  
AND NOTTOWAY COUNTIES; PART OF BRUNSWICK,  
CAMPBELL, DINWIDDIE, HALIFAX, PITTSYLVANIA,  
AND PRINCE GEORGE COUNTIES,  
AND PART OF THE CITY OF DANVILLE  
POST OFFICE BOX 882  
CLARKSVILLE, VIRGINIA 23927

OFFICE OF  
EXTERNAL AFFAIRS  
2016 DEC 27  
COMMITTEE ASSIGNMENTS:  
GENERAL LAWS AND TECHNOLOGY, CIAIR  
AGRICULTURE, CONSERVATION AND  
NATURAL RESOURCES  
FEDERAL ENERGY  
REGULATORY COMMISSION

December 15, 2016

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, D.C. 20426

Subject: Mountain Valley Pipeline (Docket No. CP16-10-000)

Dear Ms. Bose:

As a member of the Virginia State Senate, I have spent considerable time and energy working with other legislators to create conditions that are favorable for economic development across Virginia. The proposed Mountain Valley Pipeline would complement those efforts, and it is my hope that the commission will approve the project.

The MVP is supported by companies and business groups across Virginia. The project also has earned the support of Republicans and Democrats, including Gov. Terry McAuliffe, because it is a private investor-backed infrastructure project that will greatly benefit the public. Furthermore, natural gas is the cleanest burning fossil fuel, and the U.S. is blessed with an abundant supply of it. By bringing more domestically-produced natural gas to the market through a project like MVP, we can increase our nation's energy independence while improving consumers' access to an affordable and cleaner fuel source.

The MVP project has been in various stages of planning and development for more than two years, and the FERC's recent Draft Environmental Impact Statement reflects the substantial work done by MVP and state and federal agencies to identify a reasonable route. This project meets a very real need in Virginia, as well as in the Mid-Atlantic and Southeast regions. In fact, fully 100 percent of the pipeline's capacity has been reserved through long-term shipping contracts.

Roanoke Gas Company is one of the local distribution companies that will benefit from this project. The company has been engaged in active discussions with local governments about

SA4-1

SA4-1

The statements regarding the MVP are noted.

Ms. Kimberly D. Bose, Secretary  
December 15, 2016  
Page Two

potential tap locations on the MVP line. To date, Roanoke Gas Company has announced plans to tap the MVP in Montgomery and Franklin counties. The planned tap in Franklin County is located at a new business park, which offers tremendous opportunity to improve the county's ability to attract new employers and create jobs in the region. Manufacturers and other major employers frequently cite access to natural gas as an important factor in the calculation of whether to relocate.

The MVP's approval and construction would provide our region with significant short- and long-term economic advantages. During peak construction in 2018, the project is expected to support an estimated 4,400 jobs along its route in Virginia. During operation, it will generate millions in new annual property tax revenue for the six Virginia counties where it will be buried. The increased supply of clean-burning, reliable natural gas throughout the greater region will provide a competitive advantage in the fight to recruit and retain major employers.

The MVP project will make a positive impact in our community and commonwealth, and I look forward to its construction and operation. Again, I respectfully request the commission approve the Mountain Valley Pipeline.

Sincerely,



Frank M. Ruff Jr.  
15<sup>th</sup> District  
Senate of Virginia

SA4-1  
cont'd

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 26<sup>th</sup> DAY OF SEPTEMBER, 2016 AT 6:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

**R-FY-17-41  
A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA RESTATING THE BOARD'S CONTINUED OPPOSITION TO THE MOUNTAIN VALLEY PIPELINE**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried,

WHEREAS, Mountain Valley Pipeline, LLC, ("Mountain Valley Pipeline") proposes to construct and operate a three hundred one (301) mile long, forty-two (42) inch diameter natural gas pipeline and associated facilities between Wetzel, West Virginia and Pittsylvania County, Virginia, traversing approximately nineteen (19) miles through Montgomery County; and

WHEREAS, Mountain Valley Pipeline initiated the Federal regulatory approval process to construct and operate the pipeline with FERC by electing to go through the pre-file process under Docket Number PF-15-3-00; and

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia (the "Board of Supervisors") on November 12, 2014, unanimously adopted a resolution (R-FY-15-43) opposing the Mountain Valley Pipeline as proposed through Montgomery County because of the proposed route's adverse impacts on developed residences in the Brush Mountain Estates and Preston Forest subdivisions and on the scenic, recreational and sensitive environmental areas in Montgomery County and emphasizing that these adverse impacts far outweigh any economic benefits the County might receive from the construction of the pipeline; and

WHEREAS, Following the pre-file process, Mountain Valley Pipeline filed with FERC its application under Section 7 of the Natural Gas Act containing Mountain Valley Pipeline's preferred pipeline corridor route (including all variations of the preferred route being considered) as Docket Number CP 16-10-000; and

WHEREAS, The proposed pipeline corridor route, including all variations (the "pipeline corridor route") chosen by Mountain Valley Pipeline in its filing under Docket Number CP16-10-000 moved the proposed route out of the Brush Mountain Estates and Preston Forest subdivisions, but the route still has direct adverse impacts on residential dwellings located on or in the vicinity of Mt. Tabor Road, Bishop Road, Catawba Road, Paris Mountain, Mill Creek Road, Flatwoods Road, Bradshaw Road and the Communities of Lafayette and Elliston; and

LA1-1

LA1-1

The statements regarding Mountain Valley and the FERC's pre-filing process are noted.

LA1-2

LA1-2

It seems premature for the Montgomery County Board of Supervisors to oppose the MVP before the FERC issued its draft EIS on September 16, 2016. This appears to be a political statement, rather than a rational decision based on the facts revealed in the EIS about potential impacts on the resources and citizens of Montgomery County.

LA1-3

LA1-3

The statements regarding the FERC's pre-filing process, route changes, karst, steep slopes, seismicity, and groundwater are noted.

# LOCAL

## LA1 – Board of Supervisors of Montgomery County

20160927-5110 FERC PDF (Unofficial) 9/27/2016 2:58:58 PM

LA1-3  
cont'd  
WHEREAS, The proposed pipeline corridor crosses through karst and steep slope terrain, natural area preserves and cave conservation areas in the County, including the Mt. Tabor Karst Sinkhole Plain which contains the most intensive karst terrain along the entire pipeline corridor route; and

WHEREAS, The geological and hydrogeological constraints imposed by karst, steep slope, soil instability, seismicity and ground water within the proposed pipeline corridor causes serious environmental concerns; and

LA1-4  
WHEREAS, Reports filed with FERC by renowned karst experts conclude that the Mountain Valley Pipeline cannot be safely built or operated in the areas of Montgomery County that are characterized by karst and steep slopes because these geological and hydrological hazards cannot be adequately mitigated with engineering or construction practices; and

LA1-5  
WHEREAS, Constructing and maintaining a pipeline within the geological and hydrogeological constraints found in karst and steep slope terrain of Montgomery County impacts both the quality of private well water sources and the continued availability of water; and

LA1-6  
WHEREAS, There are several federal and/or state endangered species with habitats located in the vicinity of the pipeline corridor route which would be harmed during construction and maintenance of the pipeline and should any incident occur with the pipeline; and

LA1-7  
WHEREAS, There are three Agricultural Forrestral Districts (“AFD”), AFD #2 located in Catawba, AFD#9 in Elliston/Pedlar Hills and AFD#10 in Mt Tabor that would be impacted by the proposed pipeline. The construction and ongoing maintenance of the pipeline and the use of herbicides and pesticides to keep the right of way clear will have a negative impact on the forestal and agricultural uses in the three AFDs. The location of the pipeline within or nearby the AFD lands conflicts with the stated purpose of AFDs, namely to conserve and protect lands that are valued as natural and ecological resources which provide clean air sheds, watershed protection, wildlife habitat, aesthetic quality and other environmental purposes; and

LA1-8  
WHEREAS, The pipeline corridor route impacts the North Fork of the Roanoke River, the Roanoke River before it branches south and north, Mill Creek, Flatwoods Branch, and Bradshaw Creek. The construction and ongoing maintenance of the pipeline and the use of herbicides and pesticides will likely lead to the contamination/pollution of these waterways further degrading these waters and the species living in these waters; and

LA1-9  
WHEREAS, The construction of the proposed pipeline and the resulting permanent clearance of right of way located through much of the most scenic, mountainous, steep slope and rugged terrain in the County of Montgomery creates an adverse impact on one of the County’s most valued resources, its beautiful view-shed; and

Restating Continued Opposition to MVP  
Page 2 of 3

LA1-4  
We disagree. Pipelines can be safely installed through karst terrain. There are existing 42-inch-diameter natural gas pipelines in the United States. There are also existing pipelines that cross mountainous terrain, including the Rockies, Sierra, and Cascades. An example includes the Ruby Pipeline (a 680-mile 42-inch-diameter natural gas pipeline which extends from Wyoming to Oregon).

LA1-5  
The EIS addresses karst terrain and building on steep slopes in section 4.1, and impacts on water resources in section 4.3.

LA1-6  
The EIS discusses impacts on federally listed species in section 4.7.

LA1-7  
As stated in section 4.4.2 of the EIS, Mountain Valley does not propose the wide-scale use of pesticides and/or herbicides, but would consider them for localized use, only after a request from a landowner or land management agency. The final EIS has been updated to reflect that the FS may require herbicide use on NFS lands.

LA1-8  
Section 4.3.2 of the EIS addresses potential project impacts on surface waterbodies. Those impacts do not include contamination from herbicides or pesticides (see above response to LA1-7). As stated in section 4.1 of the EIS, fertilizers, herbicides, and pesticides would not be applied within 100 feet of a waterbody or karst feature.

LA1-9  
Section 4.8 of the EIS includes an analysis of visual impacts. It should be pointed out that viewsheds in Montgomery County currently contain existing infrastructure, including roads, powerlines, pipelines, housing tracts, commercial buildings, churches, schools, and farmsteads.

**LOCAL**  
**LA1 – Board of Supervisors of Montgomery County**

LA1-10 WHEREAS, FERC staff has prepared and issued a draft environmental impact statement (the "Draft EIS") for the Mountain Valley Pipeline which the Board of Supervisors will be reviewing and providing comments to FERC within the ninety day review period: and

LA1-10 We look forward to receiving the Board's comments on the draft EIS.

LA1-11 WHEREAS, FERC has announced FERC sponsored public sessions within the project area to take comments on the Draft EIS which do not include a location within Montgomery County despite the Board of Supervisors' prior filed request for FERC to hold a public session within Montgomery County.

LA1-11 We selected session locations convenient for the greatest number of people who might be interested in the project, spaced according to reasonable driving distances, as well as logistical requirements, including finding suitable and available venues along the proposed pipeline route, and staff constraints. Christiansburg is only 35 miles from Roanoke.

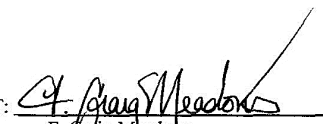
NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby opposes the proposed Mountain Valley Pipeline Project filed under Docket Number CP 16-10-000 with FERC because of the adverse impacts listed above on both the citizens who reside in Montgomery County and on the environment, which said adverse impacts cannot be adequately mitigated to permit the pipeline to go forward; and

BE FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors respectfully requests FERC to reconsider its proposed scheduled sponsored public sessions within the Project Area to take comment on the Draft EIS by adding an additional public session to be held in Montgomery County; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby directs staff to transmit this Resolution to FERC for inclusion in Docket Number CP 16-10-000.

The vote on the following resolution was as follows:

- |                     |               |
|---------------------|---------------|
| <u>AYE</u>          | <u>NAY</u>    |
| M. Todd King        | Gary D. Creed |
| Annette S. Perkins  |               |
| Mary W. Biggs       |               |
| April N. DeMotts    |               |
| Darrell O. Sheppard |               |
| Christopher A. Tuck |               |

ATTEST:   
F. Craig Meadows  
County Administrator



**WATER AND POWER  
LAW GROUP PC**

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

October 11, 2016

Via eFiling

Secretary Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 29426-0002

**Re: Notice of Availability of the Draft Environmental Impact Statement for the Proposed Mountain Valley Project (CP16-10-000)**

Dear Secretary Bose:

LA2-1

Roanoke County, Virginia writes to request that the Commission's Office of Energy Projects Staff (OEP) modify the proposed format of the public meeting scheduled for November 3, 2016 in Roanoke, Virginia regarding the Draft Environmental Impact Statement (DEIS) for the Mountain Valley Project (Project). The County requests that OEP Staff allocate a substantial portion of the proposed five hours to an open meeting, rather than relying exclusively on private sessions with a stenographer.<sup>1</sup> The public meetings should facilitate information sharing and discussion so that interested members of the public can increase their understanding of the Project and its potential impacts. The proposed meeting format would frustrate those purposes.

This request is consistent with the one made by Representatives Bob Goodlatte, H. Morgan Griffith, and Robert Hurt that the DEIS for the Project "be discussed in an open, public forum that ... allows free discussion of all facets of the project."<sup>2</sup> The County agrees with the Representatives that a format that includes an open meeting "is the fairest method by which FERC can ensure full and transparent comments from the public about the project."<sup>3</sup>

<sup>1</sup> See "Notice of Availability of the Draft Environmental Impact Statement for the Proposed Mountain Valley Project and Equitrans Expansion Project," eLibrary no. 20160916-3014 (Sept. 16, 2016), p. 6 ("Individual verbal comments will be taken on a one-on-one basis with a stenographer ....").

<sup>2</sup> Letter from Representatives Bob Goodlatte, H. Morgan Griffith, and Robert Hurt to Chair Norman C. Bay, eLibrary no. 20160909-0033 (Sept. 8, 2016) (Representatives' Letter), see also letter from Senator Mark Warner to Chair Norman C. Bay, eLibrary no. 20160818-0006 (Aug. 12, 2016) ("in-person public meetings allow for an important dialogue between concerned citizens and FERC staff").

<sup>3</sup> Representatives' Letter.

LA2-1

As discussed in revisions to section 1.4 of the final EIS, because we anticipated considerable interest from concerned citizens, the format for the sessions (including the 3-minute time limit) to take comments on our draft EIS was designed to receive the maximum amount of verbal comments, in a convenient way during the timeframe allotted. At these sessions, comments were received on a one-on-one basis with FERC staff and with a stenographer to transcribe comments. Transcripts from the meetings were placed into the docket, which is accessible for public viewing on the FERC's internet web site (at [www.ferc.gov](http://www.ferc.gov)) through our eLibrary system, ensuring transparency. In addition, FERC staff was available in the waiting area to answer administrative questions about our environmental review process. This draft EIS comment session format was recently used successfully for several major pipeline projects in other states. While public comment sessions are a valuable tool, they are only one of several ways for interested parties to bring their concerns to the Commission's attention. Stakeholders could also file electronic or written comments on the draft EIS that received the same consideration as oral comments given at public sessions. All comments received during the comment period were addressed by FERC staff in the final EIS.

# LOCAL

## LA2 – Roanoke county

20161011-5308 FERC PDF (Unofficial) 10/11/2016 4:27:46 PM

Secretary Bose  
October 11, 2016  
Page 2

LA2-1  
cont'd

Thank you for your consideration of this request.

Respectfully submitted,



---

Richard Roos-Collins  
Julie Gantenbein  
WATER AND POWER LAW GROUP PC  
2140 Shattuck Ave., Suite 801  
Berkeley, CA 94704  
[rcollins@waterpowerlaw.com](mailto:rcollins@waterpowerlaw.com)  
[jgantenbein@waterpowerlaw.com](mailto:jgantenbein@waterpowerlaw.com)

Attorneys for ROANOKE COUNTY, VIRGINIA



October 19, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St. NE., Room 1A  
Washington, D.C. 20426

RE: Docket No. CP16-10-000  
Mountain Valley Pipeline, LLC

Dear Secretary Bose:

LA3-1

Franklin County has received notification of FERC's intent to hold a public input session on November 2, 2016 at Franklin County High School. On October 14, 2016, Franklin County received notice through the Federal Energy Regulatory Commission (FERC) e-library website that Mountain Valley Pipeline (MVP) filed supplemental materials entitled "October 2016 Proposed Route under CP16-10". This supplemental filing consists of 162 files and hundreds of pages of new information concerning the project including changes to the previously submitted route.

Franklin County citizens have requested that the Board of Supervisors contact FERC and request that the advertised public input sessions scheduled for November be delayed to allow additional time for interested parties to review the large volume of new information prior to these meetings.

At their meeting on October 18, 2016, the Franklin County Board of Supervisors directed me to send official correspondence to FERC on their behalf, and on behalf of the citizens of Franklin County, Virginia, requesting that the scheduled public input session scheduled for November 2, 2016 at Franklin County High School be rescheduled to a later date to allow additional time for review of the supplemental information submitted by MVP on October 14, 2016.

Thank you for your consideration of this request.

Sincerely,

W. Brent Robertson  
County Administrator

W. BRENT ROBERTSON  
COUNTY ADMINISTRATOR  
1255 FRANKLIN STREET, SUITE 112  
ROCKY MOUNT, VIRGINIA 24151  
(540) 483-3030  
brent.robertson@franklincountyva.gov  
www.franklincountyva.gov

LA3-1

The request to reschedule the public session held on November 2, 2016 at Franklin County High School in Rocky Mount, Virginia to take comments on the draft EIS is denied. The draft EIS addressed the vast majority of environmental impacts that could occur if the project is authorized and constructed. The supplemental filings by Mountain Valley in October 2016 mostly concerned minor route variations to address landowner concerns and alternatives recommended in the draft EIS. While public comment sessions are a valuable tool, they were only one of several ways for interested parties to bring their concerns to the Commission's attention. Stakeholders could also file electronic or written comments on the draft EIS that received the same consideration as oral comments given at public sessions. The citizens of Franklin County had until December 22, 2016 to provide the FERC with their comments on the draft EIS and the supplemental filings by Mountain Valley. All comments received during the comment period were addressed by FERC staff in the final EIS.

Jeffery Morris  
Central District Supervisor

Larry "Jay" Williams  
Eastern District Supervisor

Gary Eaton  
Western District Supervisor

### County of Giles



Paul "Chappy" Baker  
At-Large Supervisor

Richard McCoy  
At-Large Supervisor

### Board of Supervisors

315 NORTH MAIN STREET  
PEARISBURG, VIRGINIA 24134

#### RESOLUTION OF THE BOARD OF SUPERVISORS OF GILES COUNTY, VIRGINIA

This comment has been submitted twice by the County of Giles Board of Supervisors. See eLibrary 20161114-0042.

LA4-1

WHEREAS, Mountain Valley Pipeline, LLC, (MVP) proposes to construct and operate a three hundred one (301) mile long, forty-two (42) inch diameter natural gas pipeline and associated facilities between Wetzel, West Virginia and Pittsylvania County, Virginia, traversing approximately Twenty (20) miles through Giles County; and

WHEREAS, the Bureau of Land Management (BLM) in the US Department of the Interior, has requested comments on the issuance of a Right-of Way (ROW) Grant that would permit the pipeline to be constructed on Federal lands managed by the United States Forest Service (USFS) and the United States Army Corps of Engineers (USACE), crossing the Jefferson National Forest on Peters Mountain immediately adjacent to the Peters Mountain Wilderness area and bisecting the Appalachian National Scenic Trail (ANST).

WHEREAS, the BLM's purpose and need for the proposed amendments are a ROW application grant submitted by MVP on April 5, 2016, to cross federal lands under the jurisdiction of the USFS and the USACE. Before issuing the ROW Grant, the BLM must receive written concurrence from each agency, as well as any specific stipulations applicable to "lands, facilities, waterbodies, and easements for inclusion in the ROW Grant."<sup>1</sup>

WHEREAS, the "USFS's purpose and need for the proposed action is to evaluate the following amendments to the [Land and Resource Management Plan (LRMP)] for the Jefferson National Forest and to consider issuing a concurrence to the BLM for the right-of-way grant."<sup>2</sup>

**Proposed Amendment 1**—The LRMP would be amended to reallocate 186 acres to the Management Prescription 5C—Designated Utility Corridors from these Rxs: 4J—Urban/Suburban Interface (56 acres); 6C—Old Growth Forest Communities-Disturbance Associated (19 ac); and 8A1—Mix of Successional Habitats in Forested Landscapes (111 acres). Rx 5C—Designated Utility Corridors contain special uses which serve a public benefit by providing a reliable supply of electricity, natural gas, or water essential to local, regional, and national economies. The new Rx 5C land allocation would be 500 feet wide (250 feet wide on each side of the pipeline), with two exceptions: (1) The area where the pipeline crosses Rx 4A—ANST Corridor would remain in Rx 4A; and (2) the new 5C area would not cross into Peters

<sup>1</sup> "Notice of Availability of the Mountain Valley Pipeline Project and Equitrans Expansion Project Draft Environmental Impact Statement and the USFS Draft Associated Land and Resource Management Plan Amendments," 81 Fed. Reg. 71,041 (Oct. 14, 2016).

<sup>2</sup> *Id.* t 71,042.

Telephone: (540) 921- 2525

Fax: (540) 921-1329

LA4-1

The comment is reiteration of draft EIS language.

# LOCAL

## LA4 – County of Giles Board of Supervisors

LA4-1  
cont'd

Mountain Wilderness so the Rx 5C area would be less than 500 feet wide along the boundary of the Wilderness.

**Proposed Amendment 2** – The LRMP would be amended to allow construction of the MVP pipeline to exceed restrictions on soil conditions and riparian corridor conditions as described in LRMP standards FW-5, FW-9, FW-13, FW-14 and 11-017, subject to MVP's implementation of unspecified mitigation measures agreed upon by the USFS as needed.

**Proposed Amendment 3** - The LRMP would be amended to allow the removal of old growth trees within the construction corridor of the MVP pipeline (reference LRMP Standard FW-77).

**Proposed Amendment 4** – The LRMP would be amended to allow the MVP pipeline to cross the ANST on Peters Mountain. The Scenic Integrity Objective (SIO) for the Rx 4A area and the ANST would be changed from High to Moderate. This amendment would not require the SIO of Moderate to be achieved until five to ten years after project (reference LRMP Standards 4A-021 and 4A-028).<sup>3</sup>

LA4-2

WHEREAS, Proposed Amendment 1 would allow a 500 foot utility corridor through the forest, allowing for multiple disruptions of steep slopes for each new pipeline, and creating a visual scar through the forest, as well as causing erosion and sedimentation impacts on the mountain slopes within the forest and on adjacent private property.

LA4-3

WHEREAS, Proposed Amendment 2 would allow construction to exceed restrictions on soil conditions and riparian corridors. Presently, USFS Standard FW-5 for construction requires that "on all soils dedicated to growing vegetation, the organic layers, topsoil, and root mat be left in place over at least 85% of the activity area and revegetation accomplished in 5 years." Standard FW-9 requires that "heavy equipment is operated so that soil indentations, ruts, or furrows are aligned on the contour and the slope of such indentations is 5% or less." Standard 11-017 allows for tree removal from the riparian corridor only to enhance the recovery of diversity of vegetation native to the site, or to rehabilitate natural and human caused disturbances, or to provide habitat improvements for aquatic or riparian species. Eliminating or easing these restrictions would contribute to significant adverse impacts on forested lands.<sup>4</sup>

LA4-4

WHEREAS, Proposed Amendment 3 would allow the removal of old growth forest, resulting in a

<sup>3</sup> *Id.*

<sup>4</sup> Federal Energy Regulatory Commission, "Mountain Valley Project and Equitrans Expansion Project Draft Environmental Impact Statement" (Sept. 2016), p. 5-1

LA4-2

As stated in section 2.0 of the EIS, the MVP would consist of a 125-foot construction nominal right-of-way and a 50-foot-wide permanent right-of-way. In the draft EIS, the FS had proposed a 500-foot-wide right-of-way to reallocate to Rx 5C-Designated Utility Corridors for potential future collocation opportunities. In the final EIS, the FS no longer proposes to reallocate any lands to the Rx 5C-Designated Utility Corridor. There would not be a 500-foot wide corridor identified for future collocation opportunities. See response to comment FA8-1.

LA4-3

See response to comment FA10-1 regarding Amendment 2.

LA4-4

See response to comment FA10-1 regarding Amendment 3.

**LOCAL**  
**LA4 – County of Giles Board of Supervisors**

LA4-4  
 cont'd | permanent impact to forested lands.


LA4-5 | WHEREAS, Proposed Amendment 4 would allow the MVP pipeline to cross the ANST on Peter's Mountain. Presently the LRMP requires all management activities to meet or exceed a SIO of High and to locate new public utilities and rights-of-way in areas where impacts already exist. This amendment would change the SIO for this area from High to Moderate, and allow five to 10 years after project completion for the lower standard to be met.

LA4-6 | NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Giles, Virginia, that the Board of Supervisors hereby **strongly opposes** the proposed amendments to the USFS's LRMP to establish a 500' utility corridor, to exceed restrictions on soil and riparian corridors, to permit the removal of old growth forest, and to reduce the scenic integrity objective for the proposed crossing of the ANST on Peters Mountain.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Giles, Virginia, that the Board of Supervisors hereby directs staff to transmit this Resolution to Federal Energy Regulatory Commission for inclusion in Docket Number CP 16-10-000.

Adopted at a meeting of the Giles County Board of Supervisors held on the Second day of November, 2016.

	voting for	voting against	abstain	absent
McCoy	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Eaton	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Baker	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Morris	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Williams	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Attest:   
 Christopher P. McClary, Clerk

LA4-5                    See response to comment FA10-1 regarding Amendment 4.

LA4-6                    The opposition to the proposed FS LRMP amendments by the Giles County Board of Supervisors is noted.

# LOCAL

## LA5 – Craig County Board of Supervisors

20161108-5111 FERC PDF (Unofficial) 11/8/2016 3:18:04 PM

This comment has been submitted twice by the County of Craig. See eLibrary (20161114-0042)

CRAIG COUNTY BOARD OF SUPERVISORS, NEW CASTLE, VA.  
MARTHA MURPHY, CHAIR  
JESSE SPENCE, VICE CHAIR  
SIMMONSVILLE DISTRICT  
CASTLE DISTRICT

NEW

RUSTY ZIMMERMAN, MEMBER  
BAILEY, MEMBER  
CRAIG CITY DISTRICT  
POTTS MOUNTAIN DISTRICT

CARL

CASEY MCKENZIE, MEMBER  
"CLAY" GOODMAN III  
CRAIG CREEK DISTRICT  
COUNTY ADMINISTRATOR

B CLAYTON

COUNTY OF CRAIG  
P.O. Box 308  
New Castle, Virginia 24127  
540-864-5010 Phone  
540-864-5590 Fax R16-76

RESOLUTION REQUESTING USFS  
ASSISTANCE WITH MOUNTAIN VALLEY PIPELINE PROJECT

LA5-1

WHEREAS Mountain Valley Pipeline LLC (MVP) has submitted obviously incomplete, inaccurate, and unprofessional environmental analyses to support their application for their proposed project, which fail to meet reasonable and expected criteria for best available science; and

WHEREAS the Federal Energy Regulatory Commission (FERC) has failed to demand complete and accurate analyses from MVP that meet reasonable and expected scientific criteria, and has themselves failed to fully analyze alternative routes as stipulated by law; and

WHEREAS the FERC has failed to perform an unbiased evaluation of MVP's application materials, and has ignored or summarily dismissed stakeholder comments; and

LA5-2

WHEREAS the FERC has failed to even wait until all of the application materials have been submitted and evaluated (including the final routing for the project) before announcing in a Draft Environmental Impact Statement (DEIS) that they conclude that the proposed project "would result in limited adverse environmental impacts," and that "the majority of these impacts would be reduced to less-than-significant levels;" and

LA5-3

WHEREAS the proposed Project-Specific Amendments to the Land and Resource Management Plan for the Jefferson National Forest would violate the duty

LA5-1

We disagree with the statements regarding the draft EIS. The draft EIS was written by a team of professional scientists, over a two-year period, using the best available data. The draft EIS was accurate. It offered an objective evaluation of the proposed projects impacts on environmental resources. See the response to comment FA11-2. Section 1.4 of the EIS highlights input from stakeholders.

LA5-2

See the response to comment LA3-1 regarding Mountain Valley's October 2016 filings.

LA5-3

The opposition to the proposed FS LRMP amendments and additional comments by the Craig County Board of Supervisors are noted.

# LOCAL

## LA5 – County of Giles Board of Supervisors

20161108-5111 FERC PDF (Unofficial) 11/8/2016 3:18:04 PM

LA5-3  
cont'd

of the US Forest Service to conserve and protect biotic, ecologic, and geologic integrity of public resources of the Jefferson National Forest, and degrade a multitude of ecosystems and ecosystem services on which people in the region rely for their health and well-being; and

WHEREAS the proposed Plan-Level Amendment to the Land and Resource Management Plan would create a 500-foot-wide Rx 5C-Designated Utility Corridor that will further degrade the integrity of biotic, ecologic, and geologic resources of the Jefferson National Forest, will severely infringe on the property rights of private landowners adjacent to the National Forest, and will destroy critical social and physical characteristics of human communities in the region; and

WHEREAS THE Forest Service has many issues to address in the coming weeks for the FERC Draft DEIS for the MVP Pipeline Project, it is respectfully requested that if any public hearings are required by the Forest Service to complete their comments to the DEIS that a public hearing be conducted in Craig County:

THEREFORE BE IT RESOLVED that, based on the serious shortcomings of the Draft Environmental Impact Statement for the Mountain Valley Pipeline Project and the potentially severe local and regional impacts of both the Mountain Valley Pipeline project and the proposed amendments to the Land and Resource Management Plan for the Jefferson National Forest, we respectfully and sincerely request that the US Forest Service, and in particular Jefferson National Forest Supervisor Joby Timm,

- Reject the proposed amendments to the Land and Resource Management Plan for the Jefferson National Forest.
- Decline to concur with any decision by the Bureau of Land Management to issue a Right-of-Way Grant to the Mountain Valley Pipeline for crossing the Jefferson National Forest.
- Protest the Federal Energy Regulatory Commission's efforts to use the sorely inadequate Draft Environmental Impact Statement to fast-track their approval of the Mountain Valley Pipeline project.
- Suggest strongly that the Federal Energy Regulatory Commission should withdraw the current Draft Environmental Impact Statement for said project as incomplete, inadequate, biased, and a violation of the public's trust in a government agency.

The Board of Supervisors of Craig County, in a regular meeting on 3rd day of November, 2016 adopted this Resolution.



AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 21<sup>st</sup> DAY OF NOVEMBER, 2016 AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

**R-FY-17-58**

**RESOLUTION SUPPORTING THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION (VDCR) PROPOSED MODIFICATION TO THE MVP PIPELINE CORRIDOR TO REDUCE IMPACTS TO SLUSSERS CHAPEL CONSERVATION SITE AND REQUEST OF THE UNITED STATES FOREST SERVICE TO LIMIT ANY RIGHT OF WAY GRANT THROUGH THE NATIONAL FOREST TO FIFTY FEET**

On a motion by Mary W. Biggs, seconded by April N. DeMotts and carried unanimously,

LA6-1

WHEREAS, Mountain Valley Pipeline, LLC, (“Mountain Valley Pipeline”) proposes to construct and operate a three hundred one (301) mile long, forty-two (42) inch diameter natural gas pipeline and associated facilities between Wetzel, West Virginia and Pittsylvania County, Virginia, traversing approximately nineteen (19) miles through Montgomery County; and

WHEREAS, The Virginia Department of Conservation and Recreation (VDCR) has proposed a modification to both the proposed corridor (MVP-REV4) and the Mount Tabor Alternative in a submittal dated September 9, 2016. “As proposed, both the proposed corridor and the Mount Tabor Alternative cross the center of the Slussers Chapel Conservation Site, including several tributaries to the sinking stream that enters Slussers Chapel Cave and/or Mill Creek, which sinks into the system as well. These tributaries are first and second order streams that are extremely flood prone, lying along the lower, southeastern slopes of Brush Mountain. Such slope areas will be difficult to revegetate and will be subject to high erosion both during and subsequent to construction.”<sup>1</sup>

WHEREAS, The VDCR determined that the area previously thought to be a Wilderness Area, was confined to the north slope of the National Forest and not the south slope, they “recommend avoidance of the Slussers Chapel Conservation Site. Routing the pipeline north along or near these topographic divides could avoid or minimize the disturbance of channels, and by removing the pipeline from areas of concentrated water flow significantly reduce the potential for erosion and sedimentation to affect the underground streams and caves of the Slussers Chapel Conservation Site. This, or a similar modification could greatly reduce the potential impact to the Slussers Chapel Conservation Site, cave and karst hydrology and associated lands in conservation management.”<sup>2</sup>

<sup>1</sup> Submittal # 20160909-5315 (31679600); VDCR p. 1

<sup>2</sup> Ibid.

LA6-1

Alternative routes that would avoid or reduce impacts on the Slussers Chapel Conservation Site are analyzed in section 3 of the final EIS.

20161122-5122 FERC PDF (Unofficial) 11/22/2016 12:19:55 PM

LA6-1  
cont'd

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that should the United States Forest Service provide written concurrence to the BLM in accordance with Title 43 Code of Federal Regulations (CR) Part 2882.3(i), and a ROW Grant is issued, **then:**

i. the 500-foot ROW in the "new Rx 5C land allocation," **should be limited to 50 feet**, and the USFS Land Resource Management Plan (LRMP) **prescription should also be limited to 50 feet**, which would discourage future collocation opportunities for utility corridors, and


ii. the modification as discussed by the VDCR in their letter to FERC, dated September 9, 2016, to minimize negative impacts to the Slussers Chapel Conservation Site should be adopted.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby directs staff to transmit this Resolution to FERC for inclusion in Docket Number CP 16-10-000.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Gary D. Creed
M. Todd King		
Mary W. Biggs		
April N. DeMotts		
Darrell O. Sheppard		
Christopher A. Tuck		

ATTEST:

  
F. Craig Meadows  
County Administrator

Jeffery Morris  
Central District Supervisor

Larry "Jay" Williams  
Eastern District Supervisor

Gary Eaton  
Western District Supervisor

**County of Giles**



Paul "Chappy" Baker  
At Large Supervisor

Richard McCoy  
At Large Supervisor

**Board of Supervisors**

315 NORTH MAIN STREET  
PEARISBURG, VIRGINIA 24134

December 9, 2016

US Forest Service  
Supervisor Joby Timm  
5162 Valleypoint Parkway  
Roanoke, VA 24019

Mr. Timm,

LA7-1

The Giles County Board of Supervisors respectfully asks that if the requested 125' right of way is granted for the proposed Mountain Valley Pipeline that it be issued with the condition that the 75' temporary construction component of this be reforested. Giles County is blessed with abundant natural beauty and our tourism economy makes up a large part of the industry in our county. If this project must happen, we feel that the reforestation of the portion of this proposed project that would allow it will help to minimize the impact to our viewshed.

Thank you for your consideration of this request,

Chris McKlarney

County Administrator

Telephone: (540) 921- 2525

Fax: (540) 921-1329

LA7-1

Mountain Valley would follow the Restoration Plan (POD, appendix H) and the FERC Plan. The FS has worked with Mountain Valley to identify seed mixes appropriate for this area and revegetation procedures and mitigation measures (such as requesting Mountain Valley reduce the permanent operational right-of-way that is converted to herbaceous cover from 50 feet wide to 10 feet wide for its length on the Jefferson National Forest). These measures would significantly reduce the visibility of the pipeline. The FS has requested Mountain Valley plant and maintain FS approved shrubs small trees and shallow rooted trees along a slightly undulating line in order to break up the straight edge and offer a variety of plant heights to reduce a hard shadow line within the Jefferson National Forest. Reducing the herbaceous right-of-way width and allowing more of a vegetative transition within the operational corridor (i.e., grasses over the pipeline then shrubs between the grasses and treeline) would help mitigate the effects of the change to the scenic character of the area.



RESOLUTION 11-E-16

A RESOLUTION EXPRESSING THE TOWN OF BLACKSBURG'S OPPOSITION TO PROPOSED AMENDMENTS TO THE UNITED STATES FOREST SERVICE LAND RESOURCE MANAGEMENT PLAN

LA8-1

WHEREAS, Mountain Valley Pipeline, LLC, ("Mountain Valley Pipeline") proposes to construct and operate a three hundred one (301) mile long, forty-two (42) inch diameter natural gas pipeline and associated facilities between Wetzel, West Virginia and Pittsylvania County, Virginia, traversing approximately nineteen (19) miles through Montgomery County;

WHEREAS, the Bureau of Land Management (BLM) in the US Department of the Interior has requested comments on the issuance of a Right-of Way (ROW) Grant that would permit the pipeline to be constructed on Federal lands managed by the United States Forest Service (USFS) and the United States Army Corps of Engineers (USACE), specifically crossing the Jefferson National Forest on **Brush Mountain in Montgomery County**, Virginia, the headwaters to Mill Creek and Slussers Chapel Cave, and bisecting the state designated Slussers Chapel Conservation Site;

WHEREAS, the BLM's purpose and need for the proposed amendments are a ROW application grant submitted by Mountain Valley Pipeline on April 5, 2016, to cross federal lands under the jurisdiction of the USFS and the USACE. Before issuing the ROW Grant, the BLM must receive written concurrence from both agencies, or any specific stipulations applicable to "their lands, facilities, waterbodies, and easements for inclusion in the ROW Grant."<sup>1</sup>

WHEREAS, the purpose and need for the amendments to the USFS Land Resource Management Plan (LRMP) would be a "plan-level amendment that would change future management direction for the lands reallocated to a new management prescription (Rx) and is required by LRMP Standard FW-248,"<sup>2</sup> and those amendments are as follows:

**Proposed Amendment 1** –The LRMP would be amended to reallocate 186 acres to the Management Prescription 5C—Designated Utility Corridors from these Rx's: 4J—Urban/Suburban Interface (56 acres); 6C—Old Growth Forest Communities-Disturbance Associated (19 ac); and 8A1—Mix of Successional Habitats in Forested Landscapes (111 acres).

<sup>1</sup> CFR; Notice on September 27, 2016: 81 FR66268, pp. 66268-66271; document # 2016-23237

<sup>2</sup> Ibid.

LA8-1

The opposition to the proposed FS LRMP amendments by the Town of Blacksburg is noted. See response to comment FA8-1 regarding Amendment 1. See the response to comment FA10-1 regarding Amendments 2, 3, and 4.

LA8-1  
cont'd

Rx 5C—Designated Utility Corridors contain special uses which serve a public benefit by providing a reliable supply of electricity, natural gas, or water essential to local, regional, and national economies. The new Rx 5C land allocation would be 500 feet wide (250 feet wide on each side of the pipeline), with two exceptions: (1) The area where the pipeline crosses Rx 4A—Appalachian National Scenic Trail Corridor would remain in Rx 4A; and (2) the new 5C area would not cross into Peters Mountain Wilderness so the Rx 5C area would be less than 500 feet wide along the boundary of the Wilderness.

The second type of amendment would be a “project-specific amendment” that would apply only to the construction and operation of this pipeline. The following amendments would grant a temporary waiver to allow the project to proceed. These amendments would not change LRMP requirements for other projects or authorize any other actions.

**Proposed Amendment 2** – The LRMP would be amended to allow construction of the MVP pipeline to exceed restrictions on soil conditions and riparian corridor conditions as described in LRMP standards FW-5, FW-9, FW-13, FW-14 and 11-017, provided that mitigation measures or project requirements agreed upon by the Forest Service are implemented as needed.

**Proposed Amendment 3** - The LRMP would be amended to allow the removal of old growth trees within the construction corridor of the MVP pipeline. (LRMP Standard FW-77)

**Proposed Amendment 4** – The LRMP would be amended to allow the MVP pipeline to cross the Appalachian National Scenic Trail (ANST) on Peters Mountain. The Scenic Integrity Objective (SIO) for the Rx 4A area and the ANST will be changed from High to Moderate. This amendment also requires the SIO of Moderate to be achieved within five to ten years following completion of the project to allow for vegetation growth. (LRMP Standards 4A-021 and 4A-028).<sup>3</sup>

WHEREAS, Proposed Amendment 1 would allow a 500 foot utility corridor through the forest, allowing multiple disruptions of steep slopes for each new pipeline and make a huge visual scar through the forest, as well as causing severe erosion and sedimentation impacts on the mountain slopes and on private property as it exits;

WHEREAS, Proposed Amendment 2 would allow construction to exceed restrictions on soil conditions and riparian corridors, creating the following specific issues:

Presently the Forest Service requires Standards for construction. Standard FW-5 requires that “on all soils dedicated to growing vegetation, the organic layers, topsoil, and root mat be left in place over at least 85% of the activity area and revegetation accomplished in 5 years.” Standard FW-9 requires that “Heavy

<sup>3</sup> CFR; Notice on September 27, 2016: 81 FR66268, pp. 66268-66271; document # 2016-23237

LA8-1  
cont'd

equipment is operated so that soil indentations, ruts, or furrows are aligned on the contour and the slope of such indentations is 5% or less.” Standard 11-017 allows for tree removal from the riparian corridor only to enhance the recovery of diversity of vegetation native to the site, or to rehabilitate natural and human caused disturbances, or to provide habitat improvements for aquatic or riparian species. Relaxing these standards would allow National Forest destruction for the benefit of a private for-profit corporation to the detriment of the public and future generations;

WHEREAS, Proposed Amendment 3 would allow the removal of old growth forest, apparently based on the MVP’s unilateral decision that:

“For purposes of MVP planning, the following forest types are considered well represented in the current inventory of existing old growth for the Jefferson National Forest...and may be cut through resource management activities.” This proposal by MVP indicates that a private for-profit company assumes that their knowledge and interests supersede the plans and recommendations of the professional planners of the Forest Service; and

WHEREAS, Proposed Amendment 4 would amend the Forest Plan to allow the MVP to cross the Appalachian National Scenic Trail (ANST) on Peter’s Mountain, and this creates the following concerns:

Presently the Forest plan requires all management activities to meet or exceed a Scenic Index Observation (SIO) of High and to locate new public utilities and rights-of-way in areas where impacts already exist. MVP would amend the Forest Plan to change the SIO for this area from High to Moderate with an additional requirement that would allow the SIO to finally achieve Moderate status in 5-10 years. This would be an unacceptable concession for the ANST, one of our national treasures especially since the Forest Service Plan already requires that new public utilities and Rights-of-way be located where major impacts already exist. MVP Hybrid Alternative 1A does cross the Appalachian Trail at an existing electric line Right-of-Way.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Blacksburg that the Council **strongly opposes** the proposed amendments to the USFS’s LRMP to provide a ROW Grant permitting the crossing of federal lands, owned by all Americans, for the purposes of constructing the Mountain Valley Pipeline; and

BE IT FURTHER RESOLVED that the Council hereby expresses its opposition to the proposed Mountain Valley Pipeline Project filed under Docket Number CP16-10-000 with FERC because of the **numerous adverse impacts to the land, be it state, federal or privately owned**; and

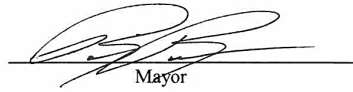
# LOCAL

## LA8 – Town of Blacksburg

20161212-5033 FERC PDF (Unofficial) 12/10/2016 6:52:31 PM

LA8-1  
cont'd

BE IT FURTHER RESOLVED that the Council directs staff to transmit this Resolution to FERC for inclusion in Docket Number CP 16-10-000.



Mayor

ATTEST:



Town Clerk

Date of Adoption: November 8, 2016



### RESOLUTION 11-C-16

#### A RESOLUTION EXPRESSING THE TOWN OF BLACKSBURG'S OPPOSITION TO THE PROPOSED MOUNTAIN VALLEY PIPELINE

LA9-1

WHEREAS, Mountain Valley Pipeline, LLC, (“Mountain Valley Pipeline”) proposes to construct and operate a three hundred one (301) mile long, forty-two (42) inch diameter natural gas pipeline and associated facilities between Wetzel, West Virginia and Pittsylvania County, Virginia, traversing approximately nineteen (19) miles through Montgomery County;

WHEREAS, the Virginia Department of Conservation and Recreation (DCR) has proposed a modification to both the proposed corridor (MVP-REV4) and the Mount Tabor Alternative in a submittal dated September 9, 2016;

WHEREAS, this proposal provided as follows: “As proposed, both the proposed corridor and the Mount Tabor Alternative cross the center of the Slussers Chapel Conservation Site, including several tributaries to the sinking stream that enters Slussers Chapel Cave and/or Mill Creek, which sinks into the system as well. These tributaries are first and second order streams that are extremely flood prone, lying along the lower, southeastern slopes of Brush Mountain. Such slope areas will be difficult to revegetate and will be subject to high erosion both during and subsequent to construction”;<sup>1</sup>

WHEREAS, the DCR determined that the area previously thought to be a Wilderness Area was confined to the north slope of the National Forest and not the south slope;

WHEREAS, the DCR recommended avoiding the Slussers Chapel Conservation Site, noting the following: “Routing the pipeline north along or near these topographic divides could avoid or minimize the disturbance of channels, and by removing the pipeline from areas of concentrated water flow significantly reduce the potential for erosion and sedimentation to affect the underground streams and caves of the Slussers Chapel Conservation Site. This, or a similar modification could greatly reduce the potential impact to the Slussers Chapel Conservation Site, cave and karst hydrology and associated lands in conservation management.”<sup>2</sup>

WHEREAS, this action would also help protect the water resources for county residents who rely on well water as well as the globally rare species in Slussers Chapel Cave system.

<sup>1</sup> Submittal # 20160909-5315 (31679600); VDCR p. 1

<sup>2</sup> Ibid.

LA9-1

Alternative routes that would avoid or reduce impacts on the Slussers Chapel Conservation Site are analyzed in section 3 of the final EIS.

See the response to comment FA8-1 regarding the 500-foot-wide utility corridor in the Jefferson National Forest.



# LOCAL

## LA9 – Town of Blacksburg

20161212-5057 FERC PDF (Unofficial) 12/10/2016 4:06:34 PM

LA9-1  
cont'd

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Blacksburg, that the Council hereby reaffirms its earlier resolution on this subject, Resolution 12-D-14, which called on the appropriate agencies “to deny the request to build the Mount Valley Pipeline,” and makes the following additional requests:

- a. the 500-foot ROW in the “new Rx 5C land allocation,” **should be limited to 50 feet**, and the USFS Land Resource Management Plan (LRMP) **prescription should also be limited to 50 feet**, which would discourage future co-location opportunities for utility corridors; and
- b. the modification as discussed by the DCR in its letter to FERC, dated September 9, 2016, to minimize negative impacts to the Slussers Chapel Conservation Site should be adopted.

BE IT FURTHER RESOLVED that the Council hereby directs staff to transmit this Resolution to FERC for inclusion in Docket Number CP 16-10-000.



Mayor

ATTEST:



Donna Rome-Caldwell  
Town Clerk

Date of Adoption: November 8, 2016

**LOCAL**  
**LA10 – Craig County Board of Supervisors**

20161219-5327 FERC PDF (Unofficial) 12/19/2016 3:29:50 PM

MARTHA MURPHY, CHAIR  
SIMMONSVILLE DISTRICT  
  
RUSTY ZIMMERMAN, MEMBER  
CRAIG CITY DISTRICT  
  
CASEY MCKENZIE, MEMBER  
CRAIG CREEK DISTRICT



JESSE SPENCE, VICE CHAIR  
NEW CASTLE DISTRICT  
  
CARL BAILEY, MEMBER  
POTTS MOUNTAIN DISTRICT  
  
B CLAYTON "CLAY" GOODMAN III  
COUNTY ADMINISTRATOR

COUNTY OF CRAIG  
P.O. Box 308  
New Castle, Virginia 24127  
540-864-5010 Phone  
540-864-5590 Fax

**R16-83**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF  
THE COUNTY OF CRAIG, VIRGINIA  
PROVIDING COMMENT REGARDING THE  
FERC DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)  
REGARDING THE MOUNTAIN VALLEY PIPELINE PROJECT**

LA  
10-1

**WHEREAS**, the proposed Mountain Valley Pipeline (MVP) project is a natural gas pipeline system that spans approximately 300 miles from north-western West Virginia to southern Virginia – and, as an interstate pipeline, must be regulated and permitted by the Federal Energy Regulatory Commission (FERC). The MVP project, if permitted, would be constructed and owned by Mountain Valley Pipeline, LLC,. The MVP project would impact six Virginia Counties, including Craig County and;

**WHEREAS**, the Craig County Board of Supervisors (CCBoS) has repeatedly questioned the transparency, and accuracy of the process conducted by FERC for the MVP DEIS and the MVP permit application in general, and:

**WHEREAS**, a project with the complexity and scope of construction work to install necessary proposed construction elements will have significant impact on the environment and restriction on many types of activities near the proposed route, and:

**WHEREAS**, many miles of the proposed MVP project would traverse highly erodible soils with very steep slopes in Craig County and the surrounding region, and sedimentation caused by accelerated erosion from lands disturbed during construction and operation of such a project will be a significant contributor to pollution of the surface waters of Virginia and the United States; and

**WHEREAS**, the required amount of land-disturbance associated with the MVP excavation is significantly larger than the total area of all land disturbing activities in a typical year for Craig County and has the potential to cause severe erosion in the County's steep mountainous terrain; and

**WHEREAS**, the citizens of Craig County rely on untreated groundwater from wells or springs for 100% of their domestic water supplies; and

LA10-1

See the response to comment LA2-1 regarding the draft EIS comment sessions. See the response to comments LA5-1, FA11-2, and IND196-5 regarding preparation of the EIS. Alternatives are discussed in section 3 of the EIS.

20161219-5327 FERC PDF (Unofficial) 12/19/2016 3:29:50 PM

LA  
10-1  
cont'd

**WHEREAS**, due to its karst topography, sinkholes and underground channels capable of carrying sediment and other pollutants are widespread in some portions of the County where the pipeline's construction has been proposed to occur; and

**WHEREAS**, even with careful engineering and construction oversight, erosion and sediment from the construction of the proposed Mountain Valley Pipeline is likely to have severe negative consequences for the County's natural waterways as well as its domestic, agricultural, and business water supplies; and

**WHEREAS**, neither MVP nor the FERC has offered any credible proof that planned erosion-control measures for MVP construction have EVER successfully prevented erosion problems and sedimentation damage to waterways in such steep terrain; and

**WHEREAS**, the Virginia Department of Environmental Quality (DEQ), is charged with protecting our state's water quality, to diligently oversee MVP permitting and construction to prevent degradation of our public resources and due to limited resources may be challenged to successfully inspect and monitor MVP's very large scope project; and

**WHEREAS**, the outdoor beauty and unspoiled nature of our mountain streams and rivers is integral to the County's and the region's ability to attract tourism to the Virginia's Mountain Region, and

**WHEREAS**, the United States Forest Service (USFS) has proposed many amendments to the Land and Resource Management Plan (LRMP) for the Jefferson National Forest (JNF) to exempt MVP construction from widely accepted construction standards designed to protect environmental quality in the JNF and surrounding private lands; and

**WHEREAS**, USFS has also proposed reclassification of some JNF lands to create a 500-foot-wide Designated Utility Corridor, which would further degrade environmental quality of our area and environmental services on which our Citizens rely, and would make the JNF a logical target for even further utility-project development that will severely degrade the quality of life in our county and the surrounding region; and

**WHEREAS**, the Appalachian Trail Conservancy strongly opposes the construction of the MVP Pipeline project and urge their members, the Appalachian Trail hiking community, outdoor lovers and the citizens of Virginia and West Virginia to support the Conservancy's opposition;

**NOW THEREFORE, BE IT RESOLVED**, the Craig County Board of Supervisors does hereby provide the following comments regarding the MVP DEIS for Project CP-16-10-000.

### **Comment 1 - Process**

The entire process for review and comment on the MVP proposal has been a disappointment designed to meet the letter of the law regarding public participation without offering the public any significant chance to have their opinions truly considered. FERC has taken every step possible to devalue public notification, information, and comment. Before the DEIS was released, FERC conducted public hearings which were scheduled and held in very small facilities in only a few scattered and sometimes remote locations to discourage citizen involvement. Comment periods were unreasonably limited and the FERC staff threatened throughout one public hearing to stop the hearing. At the recent FERC DEIS "comment meeting" in Roanoke, Virginia, citizens wishing to provide comment were required to meet individually with stenographers in secluded spaces overseen

LA 10-1  
cont'd

by FERC representatives. The closed format public comment session did not provide joint, open, and free exchange of comments before the public.

The DEIS Findings and Conclusions Regarding Certain Impacts of the Proposed Project are not based on substantial evidence in the Record. FERC has declared that there will be no significant impacts BEFORE the route for the pipeline is even finalized, much less before all of the required surveys and studies are complete. This action has completely destroyed any public faith that this process is impartial, and that the results have not been predetermined before the process even plays out.

The DEIS fails to properly study the Applicant's submittals. FERC has provided virtually no meaningful analysis of the materials submitted by the applicant, they have simply repackaged the submission as their own DEIS. They have accepted at face value almost all "statements of fact" made by the applicant, most of which are supported by no credible scientific evidence. FERC's "assessment" of the applicant's submittals, and the issuance of the FERC DEIS based on these baseless and unsupported submissions, amounts to nothing more than a rubber stamp for FERC to facilitate the rapid approval of the application while trying to create an aura of "official review."

The FERC DEIS does not rise to the level of "reason or basis" for FERC's findings. Any substantial and credible evidence is lacking throughout the DEIS, which does not comply with the Natural Gas Act section 19(b).

The DEIS does not adequately consider alternative routes or alternative mitigation measures that would better mitigate or avoid the environmental impacts of the Projects.

NEPA states that when an agency is preparing an EIS, it must include evaluation of alternative routes and mitigation measures (not already included in the proposed action or alternatives) among the alternatives compared in the EIS. Each EIS must contain a section analyzing the environmental consequences of the proposed action and its alternatives, including means to mitigate the environmental impacts of the project.

The CCBoS is requesting that the DEIS follow the United States Administrative Procurement Act, Code § Section 706. – Scope of review

To the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action. The reviewing court shall –

- (1) compel agency action unlawfully withheld or unreasonably delayed; and
- (2) hold unlawful and set aside agency action, findings, and conclusions found to be –
  - (A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

The CCBoS also requests a revised DEIS pursuant to 40 C.F.R. section 1502.9(a) which provides:

- (a) Draft environmental impact statements shall be prepared in accordance with the scope decided upon in the scoping process. The lead agency shall work with the cooperating agencies and shall obtain comments as required in part 1503 of this chapter. The draft statement must fulfill and satisfy to the fullest extent possible the requirements established for

**LOCAL**  
**LA10 – Craig County Board of Supervisors**

LA 10-1 cont'd  
final statements in section 102(2)(C) of the Act. If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion. The agency shall make every effort to disclose and discuss at appropriate points in the draft statement all major points of view on the environmental impacts of the alternatives including the proposed action.

LA 10-2  
**Comment 2 – A Comprehensive, Indexed Project Application is Needed**  
 Craig County is on record asking FERC to instruct MVP to produce a comprehensive amended MVP EIS application to no avail or response. MVP’s responses and filings are disjointed and blatantly dismissive of any questions or changes to their filings. MVP’s attorney has continued to file documents updating and adding to the DEIS. Whereas these documents are reported by FERC, MVP’s continued data updates are difficult to review and comprehend by the general public.  
 The original application has been amended and revised so many times that it is impossible for a concerned citizen to understand the interactions between all of the scattered and inconsistent parts of the application. Many parts are unlabeled or mislabeled. FERC has done a major disservice to the public by allowing this situation to develop, and again this makes the public suspect that FERC feels that they have no obligation to keep the public sufficiently and clearly informed.

LA10-2 The final EIS reorganized and summarized data provided by Mountain Valley in supplemental filings.

LA 10-3  
**Comment 3 – Water Quality Issues Remain Unanswered**  
 As this project has developed, the County has repeatedly voiced its concerns regarding inadequate consideration of water quality protection. The FERC DEIS claims that the only significant environmental impact will be to forests. This is a contention that illustrates the total inadequacy of the DEIS document that was prepared by the FERC. One of our County’s (and the region’s) main concern is permitting any construction in steep mountain terrain which will result in significant erosion and then sedimentation to local waterways.  
 Craig County is a rural County with an estimated population of 5,200 citizens. It consists of 330 square miles. All County citizens rely on surface waters or groundwater as their sole source of potable and non-potable water. The County is at the headwaters of two major river tributaries – the New River and the James Rivers. Negative impacts to these headwaters will not only impact Craig County, but impact these two major river tributaries.  
 An independent hydrology analysis has shown that MVP construction on steep slopes will result in many tons of sediment finding their way into local streams and then into hydroelectric and flood-control structures downstream, thereby damaging their function. Some of this sediment will even find its way out to the Chesapeake Bay, a nationally treasured and protected resource. In clear violation of NEPA requirements, FERC not only fails to evaluate these effects, but it egregiously fails to even acknowledge their existence.  
 MVP has proposed to monitor the quality of private water supplies within 150 feet of the construction workspace, and 500-feet in karst areas, with the supposed intention of mitigating any construction-related damage noted. In truth, FERC has allowed landowners to go completely unprotected on this issue, as it will be up to MVP to both determine if they caused the damage and, if so, what is an “acceptable settlement.” What would constitute acceptable “repair or replacement” of a landowner’s damaged water supply? Drilling a well is not necessarily a suitable replacement for what had been a reliable spring and will entail landowner operational costs in perpetuity. In karst areas, damage could certainly be evident at distances much larger than 500-feet. And landowners elsewhere have been

LA10-3 See the response to comment IND70-1 regarding erosion. Drinking water resources are discussed in section 4.3 of the EIS.

# LOCAL

## LA10 – Craig County Board of Supervisors

20161219-5327 FERC PDF (Unofficial) 12/19/2016 3:29:50 PM

LA 10-3 cont'd denied damages when they cannot "prove" that an energy project undeniably caused such damage. FERC's "protection" of landowners' critical water supplies are totally inadequate, and by this document we file our strongest objections to FERC allowing this danger to landowners to remain unresolved.

LA 10-4 **Comment 4 - Jefferson Forest as an Economic Asset to Craig County**

Craig County has repeatedly filed comments regarding potential MVP impacts to the Jefferson National Forest (JNF), which is a highly critical piece of economic infrastructure for our County. Both letters clearly show the County's concerns for the JNF. The USFS owns approximately 54% of all acres in Craig County. The County relies heavily on Ecotourism and the JNF as our economic development opportunities. The pristine JNF is the most critical piece of our economic infrastructure. Any negative impacts to the JNF in Craig County or the surrounding region can and do seriously impact the County's Ecotourism efforts.

In its 2013 Comprehensive Plan, the Craig County Board of Supervisors determined that Ecotourism possessed "significant economic development potential for the County." Therefore, environmentally-sound tourism is a priority area for near-term and long-term economic growth for the County. It fits directly into the current ecological and cultural strengths of the County, and it provides a tangible path for sustainable future economic enhancement. Marketing efforts have been launched to highlight Craig's ecotourism potential, and the County is building brand-awareness as a regional ecotourism destination.

The MVP project threatens to damage the County's current and future ecotourism efforts. Craig's investments in this area are both local (in the County) and as part of larger regional branding efforts. Jobs in the County and visitors to the County are of obvious importance; of equal importance are regional jobs that offer employment for our County residents, as there are few job opportunities within Craig County. FERC was specifically asked to evaluate the following:

**Specific Evaluation Requests**

- The adverse impact of the MVP project on future ecotourism job creation in the County and the region.
- The adverse impact of the MVP project on future creation of secondary (corollary)/supporting jobs tied to eco-tourists visiting the County and the region.
- The potential loss of local and regional jobs in current businesses ventures that cater to eco-tourists in the region.
- The loss of jobs in currently existing businesses that provides secondary/supporting service to eco-tourists.
- The negative impact on net worth of current businesses that cater to eco-tourists.
- The negative impact upon Craig County's market position as the "Gateway to Virginia's Western Highlands", which is the Virginia Tourism Commission's assignation of Craig as integral part of Virginia Mountains district, etc.

LA10-4

Socioeconomic impacts on Craig County are addressed in section 4.9 of the EIS. Tourism is also discussed in section 4.9.

# LOCAL

## LA10 – Craig County Board of Supervisors

LA  
10-4  
cont'd

- The County's loss of potential tax revenue generated through ecotourism (both primary and secondary/supporting retail businesses).
- The deleterious impact on quality of life to those who visit Craig based on a damaged reputation as an environmentally-sound tourist destination.
- Adverse environmental impact on hunting ecosystem.
- Adverse environmental impact on fishing streams.
- Impact of revenue-loss generated by reduced sales of hunting licenses and associated activities.
- Impact of lost revenue owing to reduced sales of fishing licenses and associated activities.
- Loss of jobs and revenue in businesses that cater to hunters and fisherman who visit Craig County

The DEIS does not adequately respond to these concerns and further study must be conducted before the DEIS process can proceed. The CCBoS is asking for quantitative, not just qualitative, evaluation of the various socioeconomic impacts listed above.

LA  
10-5

### Comment 5 - Proposed Amendments to the JNF Plan

The Bureau of Land Management (BLM) has requested comments on the right of way (ROW) grant that would permit the pipeline to be constructed on federal lands managed by the United States Forest Service (USFS) and the United States Army Corps of Engineers (USACE). USFS has proposed five amendments to their Forest Management Plan for the JNF, and the CCBoS wishes to go on record opposing all five amendments.

Proposed Amendment 1- This would create a Designated Utility Corridor to accommodate special uses which serve a public benefit by providing a reliable supply of utilities to local, regional and national economies. This proposed amendment will create a 500 foot wide utility corridor, likely attracting other utilities to this region (e.g., other future FERC-licensed pipelines and other utility improvements). Creating such a corridor will place environmental and economic burdens on a region of Virginia that will gain very little benefit. Craig County will not be able to connect to the MVP or other pipelines due to connection cost and inadequate service demand. A multitude of environmental impacts will fall on this region, when the burden to provide regional and national utility corridors should be shared with the entire Country and not just this region.

Proposed Amendment 2 - The LRMP (Forest Management Plan) would be amended to allow construction of the MVP pipeline to violate standard restrictions on soil conditions and riparian corridor conditions as described in LRMP standards FW-5, FE-9, FW-13, FW-14 and 111-017, subject to MVP's implementation of unspecified mitigation measures agreed upon by the USFS as needed.

Due to the steep slopes and potential for severe erosion along such slopes during construction, proposed "restoration" efforts involving the planting of grasses are pure folly. MVP claims to be following guidelines promulgated by the Wildlife Habitat Council, but planting grasses on such steep slopes is not within their standard recommendations. MVP has not offered, and FERC has not

LA10-5

The opposition to the proposed FS LRMP amendments and additional comments by the Craig County Board of Supervisors are noted. See the response to comments FA8-1 and FA10-1 regarding Amendments 1, 2, 3, and 4.

LA  
10-5  
cont'd

demand, any credible evidence that MVP's habitat restoration plans will be successful (or even appropriate). Their claim that disturbed lands will be restored to their previous condition is either mistaken or greatly exaggerated. The result of their feeble restoration attempts will be only severe erosion and sedimentation impacts, and these deleterious conditions will remain for the life of the pipeline and beyond.

Proposed Amendment 3 - The LRMP would be amended to allow the removal of old growth trees within the construction corridor of the MVP pipeline. Removal of the tree canopy, especially old growth trees should be prohibited. These trees constitute a rare and dwindling ecosystem in the JNF. Their removal for the MVP project should not be allowed.

Proposed Amendment 4 - The LRMP would be amended to allow the MVP pipeline to cross the Appalachian National Scenic Trail (ANST). This trail is one of the ecotourism gems that make our region truly unique in the entire country. To damage the scenic value of the ANST is to damage both a national treasure and a critical economic resource for our region.

The CCBOS opposes these four amendments in total due to the current and potential future impact to the JNF in Craig County and the surrounding JNF in the region. The 500-foot utility corridor is a very bad idea because it will allow for multiple disruptions of steep slopes for each new pipeline, and multiple severe negative impacts on view-shed for Craig County and the region.

LA  
10-6

### **Comment 6 – Appalachian Trail Conservancy**

The Appalachian Trail Conservancy stated publicly their opposition to the MVP Pipeline project because they believe the project will detract significantly from the scenic landscape of the Appalachian Trail (AT), produce irreversible damage to local ecosystems and potentially lead to millions of dollars in lost revenue for communities that rely on outdoor recreation-based tourism.

The CCBOS shares these same concerns and wants to go on record with FERC and the Forest Service supporting the Appalachian Trail Conservancy concerns as follows:

- The location of the proposed crossing is a scenic and unbroken forested landscape with an immediately adjacent federally designated Wilderness area. The proposed project would significantly degrade the views visible from up to 100 miles of the Appalachian Trail, including some of Virginia's most iconic vistas – Angels Rest, Rice Fields and potentially McAfee Knob.
- The pipeline will travel through a designated seismic zone and over terrain that is considered extremely unstable. As the pipeline will run over multiple fragile natural resources – including multiple fresh water sources and protected forest areas – and near several communities, this presents a completely unnecessary and avoidable safety risk to people and the environment.
- In order to accommodate the visual and environmental damage that would be caused by the Mountain Valley Pipeline, the US Forest Service agreed to lower the Jefferson National Forest Management Plan standards for water quality, visual impacts, the removal of old-growth forest, and the number of simultaneous projects passing through the borders of federally protected land. This unprecedented change is extremely reckless, as it would open the gates for future infrastructure projects to cause similar destruction.
- This project could have significant economic impacts on nearby communities, decreasing property values and depriving businesses of tourism dollars generated by Appalachian Trail

LA10-6

Impacts on the ANST are analyzed in section 4.8 of the EIS, including a discussion of visual impacts.



# LOCAL

## LA10 – Craig County Board of Supervisors

20161219-5327 FERC PDF (Unofficial) 12/19/2016 3:29:50 PM

LA  
10-6  
cont'd

hikers and visitors, who seek sections of the Trail unmarred by the impacts of energy infrastructure and other signs of construction. This is a major concern to CCBoS as stated in **Comment 4** - Jefferson Forest as an Economic Asset to Craig County. The AT Conservancy's concerns and opposition to the MVP Pipeline project further supports the County's concerns.

**BE IT FURTHER RESOLVED**, the CCBoS adopts these comments as presented and authorizes the County Administrator to add/delete to the Resolution as needed to insure that the County's opposition to the DEIS is properly recorded. The County Administrator is authorized to continue to edit in the spirit of the CCBoS prior actions on this matter to insure that all appropriate and applicable information is submitted to FERC in time before the DEIS comment closing period.

**BE IT FURTHERMORE RESOLVED**, that the Board of Supervisors of the County of Craig, Virginia hereby directs the County Administrator to transmit this resolution to the Federal Energy Regulatory Commission (FERC) for inclusion in Docket Number CP-16-10-000, and the County's federal and state elected delegations, and to the Forest Supervisor for the George Washington and Jefferson National Forests.

The Board of Supervisors of Craig County passed and adopted this resolution on the 1<sup>st</sup> day of December, 2016.

# LOCAL

## LA11 – Franklin County Board of Supervisors



December 21, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St. NE., Room 1A  
Washington, D.C. 20426

RE: Draft Environmental Impact Statement (DEIS) Comments  
Docket No. CP16-10-000, Mountain Valley Pipeline, LLC

Dear Secretary Bose:

LA11-1

Franklin County filed as an intervener in Docket No. CP16-10-000 because of the County's interest in protection of the County's natural and cultural resources as well as promotion of economic and community development within the County and region. The County also has an interest in how the project may affect its citizens and the County's regulatory obligations, particularly those related to erosion and sediment control and limitations on storm water discharges.

Numerous concerns have been raised to the Federal Energy Regulatory Commission (FERC) about this project and the Draft Environmental Impact Statement (DEIS) through the thousands of written comments and hundreds of speakers at FERC public meetings. Franklin County citizens have also been attending local board of supervisor meetings to express their concerns over the impact of the proposed pipeline project here in Franklin County. Based on the nature and extent of comments received from citizens, private organizations, local governments and other state and Federal agencies, it appears that significant information is still missing from the Draft Environmental Impact Statement (DEIS) making it incomplete and that more analysis and information is needed with regard to the impacts of this project on our community and region.

In an effort to protect the citizens of Franklin County and the County's natural and cultural

W. BRENT ROBERTSON  
COUNTY ADMINISTRATOR  
1255 FRANKLIN STREET, SUITE 112  
ROCKY MOUNT, VIRGINIA 24151  
(540) 483-3030  
brent.robertson@franklincountyva.gov  
www.franklincountyva.gov

LA11-1

See the response to comments LA5-1 and FA11-2 regarding pending information in the draft EIS. See the response to comment CO14-3 regarding spills.

LA11-1  
cont'd resources, the Franklin County Board of Supervisors, at their meeting on December 20, 2016, directed me to send official correspondence to FERC on their behalf requesting that FERC delay the release of the Final Environmental Impact Statement (FEIS) until sufficient information has been received to address the impacts of this project.

The following impact areas were noted as areas of particular concern to the Franklin County Board of Supervisors:

- LA11-2 • Need for a Containment Plan for Accidental Discharge of Pollutants
- LA11-3 • Protection of Cultural Resources and Historic Structures
- LA11-4 • Protection and Maintenance of State and local Roads
- LA11-5 • Impacts on the Smith Mountain Lake Water Levels
- LA11-6 • Management of Storm water & Erosion and Sediment Control (including steep slopes)
- LA11-7 • Protection of Visual Resources
- LA11-8 • Protection of Water Supply Wells (public and private)
- LA11-9 • Stream Degradation from Water body Crossings (open cut trenching)
- Introduction of Zebra Mussel and other Aquatic Invasion Species (AIS) to Surface Waters

Franklin County feels that it is vital for FERC to have all the necessary information from the applicant regarding the environmental impacts associated with the Mountain Valley Pipeline project before issuing a Final Environmental Impact Statement or making a decision on this project. Thank you for your attention and consideration of this request. Feel free to contact me at (540) 483-3030 if you should have any questions or comments.

Sincerely,



Brent Robertson, Administrator  
Franklin County, Virginia

- LA11-2 Cultural resources are addressed in section 4.10 of the EIS.
- LA11-3 See the response to comment IND288-3 regarding road repairs.
- LA11-4 See the responses to letter CO14 regarding Smith Mountain Lake.
- LA11-5 See the response to comment IND70-1 regarding erosion.
- LA11-6 Visual resources are addressed in section 4.8 of the EIS.
- LA11-7 Water resources, including drinking water, are addressed in section 4.3 of the EIS.
- LA11-8 See the response to comment FA11-15 regarding open-cut wet waterbody crossings (there are none).
- LA11-9 Invasive species are addressed in section 4.4 of the EIS.



RESOLUTION 12-E-16

A RESOLUTION ON THE IMPACT OF THE MOUNTAIN VALLEY PIPELINE ON BRUSH MOUNTAIN

LA12-1

WHEREAS, the preservation of forest land and the protection of scenic viewsheds is important to the residents of the Town of Blacksburg;

WHEREAS, the Mountain Valley Pipeline would create a 500 foot corridor significantly fragmenting Brush Mountain;

WHEREAS, the protection of the Craig Creek watershed is important to the residents of the Town;

WHEREAS, construction of the Mountain Valley Pipeline on the crest of Brush Mountain would have a negative impact on Slussers Chapel Conservation Area due to sedimentation and runoff;

WHEREAS, construction of the Mountain Valley Pipeline through the Brush Mountain Inventoried Roadless Area is inconsistent with the management direction in an Inventoried Roadless Area; and

WHEREAS, a Wilderness Study Area is consistent with an Inventoried Roadless Area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Blacksburg that the Council requests the Forest Service to undertake a study to determine if the Brush Mountain Inventoried Roadless Area can be designated a Wilderness Study Area through a Forest Service Plan Amendment.

BE IT FURTHER RESOLVED that the Council supports inclusion of this Resolution in Docket Number CP 16-10-000, and the Council hereby directs staff to send copies to Joby Timm, the Supervisor for the George Washington-Jefferson National Forest, Clyde Thompson, the Supervisor of the Monongahela National Forest, and Tony Tooke, Regional Forester.

ATTEST:

Town Clerk

Date of Adoption:

Mayor

LA12-1

See the response to comment FA8-1 regarding a 500-foot-wide utility corridor in the Jefferson National Forest. Visual resources are addressed in section 4.8 of the EIS. See the response to comment IND70-1 regarding erosion.

LAW OFFICES OF CAROLYN ELEFANT PLLC



First Impression | Last Resort

---

2200 Pennsylvania Avenue N.W. 4<sup>th</sup> Flr. E. Washington D.C. 20037 | 202-297-6100  
7315 Wisconsin Avenue, Suite 400, Washington D.C. 20814

Carolyn@carolynelfant.com | LawOfficesofCarolynElefant.com | licensed in MD, DC, NY

Kimberly Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington D.C. 20426

December 22, 2016

**Re: ERRATA FILING  
Mountain Valley Pipeline CP16-10  
DEIS Comments of Montgomery County, Virginia**

Dear Secretary Bose,

Earlier today, my firm filed a set of comments on behalf of Montgomery County, Virginia on the Draft Environmental Impact Statement (DEIS) issued in the above-captioned proceeding. The earlier filing inadvertently omitted the cover sheet to the filing. Accordingly, I am submitting a version of the comments with the cover sheet, and ask that you replace the earlier version. There are no other changes.

Please contact me at 202-297-6100 if you have any questions about this matter.

Sincerely,

Carolyn Elefant

20161222-5457 FERC PDF (Unofficial) 12/22/2016 12:54:24 PM

BEFORE THE UNITED STATES  
FEDERAL ENERGY REGULATORY COMMISSION

Mountain Valley Project	)	Docket CP16-10
Equitrans Expansion Project	)	Docket CP16-13

**COMMENTS OF MONTGOMERY COUNTY, VIRGINIA ON DRAFT ENVIRONMENTAL  
IMPACT STATEMENT (DEIS) FOR THE MOUNTAIN VALLEY PROJECT/EQUITRANS  
EXPANSION PROJECT, CHALLENGING LEGAL AND FACTUAL SUFFICIENCY OF THE  
DEIS AND FINDING OF LIMITED ADVERSE IMPACTS, REQUESTING RESCISSION OF  
DEIS AND OPPOSING APPROVAL OF THE MOUNTAIN VALLEY PROJECT BY THE  
COMMISSION, THE FOREST SERVICE AND THE BUREAU OF LAND MANAGEMENT**

December 22, 2016

Prepared by: Carolyn Elefant  
LAW OFFICES OF CAROLYN ELEFANT PLLC  
2200 Pennsylvania Avenue, NW 4th Flr. E.  
Washington D.C. 20037 | 202-297-6100  
[carolyn@carolynelefant.com](mailto:carolyn@carolynelefant.com)  
FERC Counsel to Montgomery County, Virginia

**Table of Contents**

- I. BACKGROUND ..... 3
  - A. Overview of Montgomery County, Virginia’s Interest in Proceeding..... 3
  - B. Description of Project and Sponsor ..... 5
  - C. Procedure Leading Up to and Following Issuance of DEIS ..... 6
  - D. Concurrent Review by Forest Service and BLM..... 8
- II. PROCEDURAL DEFICIENCIES IN THE COMMISSION’S IMPLEMENTATION OF NEPA REQUIREMENTS PREPARATION OF A SUPPLEMENTAL DEIS OR EXTENSION OF THE COMMENT PERIOD TO ENSURE MEANINGFUL PUBLIC PARTICIPATION ..... 9
  - A. The DEIS Contains Substantial Information Gaps That Preclude Meaningful Public Participation in Violation of NEPA. .... 9
  - B. The DEIS Does Not Discuss Impacts That Arise Out of a Grant of a Blanket Certificate..... 11
  - C. The DEIS Does Not Address Expert Scientific Opinions Submitted by Intervenors. 13
- III. THE DEIS FAILS TO CONSIDER THE LACK OF NEED FOR THE PROJECT OR ANALYZE THE COSTS AND BENEFITS ..... 14
  - A. Sources of Authority for Evaluation of Need ..... 14
    - 1. NEPA ..... 14
    - 2. Natural Gas Act ..... 14
    - 3. Forest Service Manual ..... 16
    - 4. BLM Project Review ..... 16
  - B. There Is No Public Need for the Pipeline..... 17
  - C. The DEIS Does Not Evaluate the Cost of Allowing a 14 Percent Return on Equity for the Pipeline..... 19
- IV. THE DEIS FINDINGS OF NO SIGNIFICANT IMPACT ARE ERRONEOUS AND UNSUPPORTED BY SUBSTANTIAL EVIDENCE. .... 20
  - A. The MVP Project Will Have Significant Impacts on Forests Yet Neither Attempts to Avoid These Impacts or Provide Any Mitigation. .... 20
    - 1. Description of Impacts to Forest ..... 20
    - 2. Given impacts to forest, the DEIS finding of no significant impact is unsupported by evidence. .... 21
    - 3. The DEIS does not provide any mitigation for impacts to forests..... 22
  - B. The DEIS Does Not Adequately Assess Project Impacts to Visual and Aesthetic Resources..... 26

**LOCAL**  
**LA13 – Montgomery County Board of Supervisors**

20161222-5457 FERC PDF (Unofficial) 12/22/2016 12:54:24 PM

- C. The DEIS Erroneously Minimizes or Ignores All of the Impacts of Constructing a Pipeline Through Karst Terrain and Other Geological Hazards ..... 29
  - 1. Description of Karst Hazards ..... 29
  - 2. The DEIS does not adequately address the dangers of karst ..... 30
  - 3. Other geological hazards ..... 32
- D. The DEIS Fails to Evaluate Impacts to Water Wells ..... 33
- E. Lack of Protection for Property Owners ..... 35
  - 1. Property Devaluation..... 35
  - 2. Impacts resulting from abandonment..... 37
  - 3. Impacts are exacerbated by grant of a blanket certificate..... 37
  - 4. Impacts on Property Insurance..... 38
  - 5. Mitigation ..... 39
  - 6. The DEIS Does Not Address Climate Change Impacts as is Required by CEQ Guidance ..... 41
- F. Commission’s treatment of climate change impacts ..... 41
- VI. IF THE PIPELINE IS TO BE APPROVED, THE DEIS SHOULD RECOMMEND THE SLUSSERS CHAPEL CONSERVATION SITE AVOIDANCE CONCEPT ALTERNATIVE..... 42
  - A. Description of the Slussers Chapel Conservation Site Avoidance Alternative ..... 42
  - B. Rationale for Adoption of the Slussers Chapel Conservation Site Avoidance Alternative ..... 43
  - C. Applying NEPA and the Commission’s Siting Guidelines, The Slussers Chapel Conservation Site Avoidance Alternative Route Is The Only Acceptable Alternative To Avoid Impacts to Karst and Slussers Chapel ..... 44
- VI. THE DEIS LACKS SUFFICIENT INFORMATION TO SUPPORT EITHER THE LMRP AMENDMENTS OR A GRANT OF A BLM RIGHT-OF-WAY ..... 45
  - A. Insufficient evidence for Forest Service decisions..... 45
  - B. The DEIS lacks sufficient information for BLM to grant an ROW ..... 47
- VII. CONCLUSION..... 47



**BEFORE THE UNITED STATES  
FEDERAL ENERGY REGULATORY COMMISSION**

**Mountain Valley Pipeline, LLC                    )     Docket No. CP16-10  
Equitrans LP   )     Docket No. CP16-13**

**COMMENTS OF MONTGOMERY COUNTY, VIRGINIA ON DRAFT ENVIRONMENTAL  
IMPACT STATEMENT (DEIS) FOR THE MOUNTAIN VALLEY PROJECT/EQUITRANS  
EXPANSION PROJECT, CHALLENGING LEGAL AND FACTUAL SUFFICIENCY OF THE DEIS  
AND FINDING OF LIMITED ADVERSE IMPACTS AND OPPOSING APPROVAL OF THE MVP  
PIPELINE BY THE COMMISSION, THE FOREST SERVICE AND THE BUREAU OF LAND  
MANAGEMENT**

LA13-1

On September 16, 2016, the Federal Energy Regulatory Commission (Commission) released for public comment a combined draft environmental impact statement (DEIS) for two related projects -- the Mountain Valley Pipeline (MVP) Project Docket CP16-10 and the Equitrans Expansion Project (EEP) Docket CP16-13. Extending 301 miles from Wetzel County, West Virginia to Pittsylvania County Virginia, the 42-inch diameter, greenfield MVP crosses through Montgomery County, Virginia ("County") for nineteen miles -- razing 191.3 acres of forest -- 68.4 acres permanently -- and irreparably scarring the viewshed, destabilizing (through blasting of shallow bedrock, among other things) treacherous karst-ridden terrain already susceptible to landslides and seismic activity and forever encumbering numerous parcels of private property with unnecessary infrastructure that that will be abandoned in twenty years.

Notwithstanding the extensive, permanent damage that the MVP will bring to Montgomery County and presumably, dozens of other counties along its path, the Draft Environmental Impact Statement (DEIS) found that most impacts (with the exception of impacts to forest resources) would not be significant. See DEIS at 4-475. The DEIS acknowledged that the project would have "some adverse environmental impacts" - but these would be reduced with the implementation Mountain Valley's and Equitrans' proposed mitigation measures, and the additional measures recommended by the FERC staff in this EIS. See DEIS at 1.

Montgomery County, an intervenor in these proceedings, objects to the DEIS findings in these comments. Further, as it did in a November 2014 Resolution,<sup>1</sup> the County continues to oppose routing the MVP through both the County and Jefferson National Forest, given the substantial environmental, economic and safety harm to the County's

<sup>1</sup> Resolution of Montgomery County Board of Supervisors Opposing the MVP Pipeline (November 2014), online at <http://www.montva.com/filestorage/16277/16895/16995/Resolution.pdf>.

LA13-1

We disagree with your unsupported ascertains. As supported by facts in the EIS, the MVP would not result in significant permanent damage to resources in Montgomery County; with the exception of clearing of forest. The MVP would not cause substantial environmental, economic or safety harm to the citizens in the county. Socioeconomic impacts are discussed in section 4.9 of the EIS; safety in section 4.12. Route variations to avoid or reduce impacts on the VADCR-designated Slussers Chapel Conservation Site are provided in section 3 of the final EIS. The draft EIS was neither inadequate or inaccurate; see responses to comments FA11-2 and LA5-1. The document complies with the CEQ regulations implementing NEPA, at 40 CFR 1500-1508. The draft EIS was not legally deficient because it summarized project purpose and need in section 1.2; see response to comment FA11-12. An assessment of karst terrain can be found in section 4.1; and property values are discussed in section 4.9. This final EIS addresses comments on the draft.