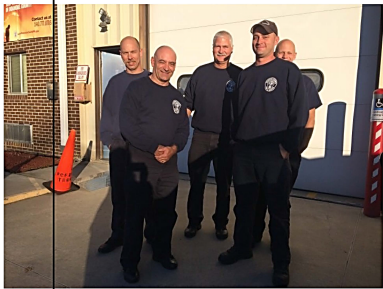


# COMPANIES AND NGOs

## CO68 – Preserve Bent Mountain

20161222-5151 FERC PDF (Unofficial) 12/22/2016 12:06:15 PM



CO68-1  
cont'd

The event consistently serves over 800 people, which almost reaches the published data for Roanoke County on the population of the Mountain. Kathy DeWeese, wife of a third generation former Fire and Rescue Chief describes it like this:

# COMPANIES AND NGOs

## CO68 – Preserve Bent Mountain

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“Life on Bent Mountain isn’t only just living in the country on a beautiful mountain among the fields of cows and apple orchards. It’s about friends and family, so closely entwined they are only a phone call away for help or fun. It’s a place where people gather yearly for fellowship and financial support for their fire and rescue department at their annual pancake supper. It’s a place where people coordinating and working the event are 3<sup>rd</sup> generation or more of rescue members and/or fire fighters as well as volunteers from the community.”<sup>37</sup>

CO68-1  
cont’d

Kristen DeWeese Beckner and family live on the Mountain, near the Fire Station, in the home where her maternal grandfather, Ed Harnack, lived until his recent passing. Her grandparents Hubert DeWeese and Ocelia Manning DeWeese still live in the Bottom Creek neighborhood. The Beckner family history on the Mountain dates back to the early 1900’s Bottom Creek Gorge area.<sup>38</sup>

### NEWCOMERS:

*“Each new generation is taught how to cherish the people and protect the land of this small mountain community. Newcomers are welcomed and embraced in the small circle of this mountain life. Many choose to make the Mountain their forever home as they fall in love with the culture, families and land. My family was one of the new families and I was blessed to marry one of the generational members of the Mountain.”*

*Kathie Harnack DeWeese, Roanoke County teacher, family gardener, Fire and Rescue Family, mother of Kristin and Noah, who were each Bent Mountain School-educated and lifelong mountain residents, grandmother of two.*

### COFFEY GROUNDS FARM:

While the Coffeys have lived here most of their married lives like many of us, as Kathy DeWeese explains, they still might be considered “*not from here*,” and so might be among us “newcomers.” Their farm lies in the heart of the Mountain, and in the crosshairs of the proposed MVP pipeline route. It is a relatively small parcel, surrounded by wetlands, but set upon a hill with a view of Poor Mountain lying majestically across the horizon to the west. Mary Beth Coffey recalls a trip as a young child, up the winding, dizzying “switchback” of Route 221 when she

<sup>37</sup> See Attachment 4, excerpt from “Life On Bent Mountain” by Kathie Hamack DeWeese, 12/12/16.

<sup>38</sup> Crawford, p. 49.

# COMPANIES AND NGOs

## CO68 – Preserve Bent Mountain

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traveled up “The Mountain” with her father, on the way to Floyd. She recalls “the amazing straightstretch, cradled by wetlands” after you crest the plateau. That day, her father described to her the vast wetlands atop the Bent Mountain Plateau, and the “pure sources of water” providing life to those living upon this place and to those living below.

CO68-1  
cont'd

The Coffeys sought refuge on the Mountain following the flood of ‘85, which took their home in the Valley. “We moved into a house on a small lot surrounded by the ridges and hollows of Bent Mountain; surrounded, literally, by wetlands and supplied by clean, fresh water from a well close to our house. This mountain land has allowed us to raise three sons, grow food and nurture livestock...we added a great room to our house so our elderly father could have a safe place to live out his final years. Our sons still come up from the valley once a week to celebrate ‘Mountain Monday’ with family and friends at our homeplace.”

The Coffeys have paid off their mortgage. But the proposed pipeline was routed by MVP to be closer to the Coffeys’ home pursuant to a minor adjustment of route to get the pipeline away from a much larger property that is in landtrust. Construction of a 42” gas pipeline will take out about half of their homeplace, threatening everything that belongs to them, and their water source.

The Coffeys have provided for educational field trips on their land for *public* school children in efforts to promote knowledge of the need to conserve lands and resources, especially *water*. Mary Beth works as a speech pathologist for children in public schools. Outside his work, her husband Bruce volunteers as Chair of our Community Center Board, having established a program at the repurposed 100-year old school, including athletic programs, picnics and dinners, concerts and artisan space. Along with neighbors, they have planted sacred corn carried through the Ponca Tribes Trail of Tears, and have shared the seed produced with their neighbors, a symbol of protection for the Mountain. They have become an integral part of the fabric of our community. Mary Beth writes, “*Our plan is to live the rest of our years as stewards of this small yet vital piece of mountain plateau.*”<sup>39</sup>

<sup>39</sup> In a relatively short distance from Poor Mountain to Adney Gap, the proposal directly impacts an inordinate number of landowners who are already or will be seniors within the time the proposed pipeline is constructed. MVP admitted disparate impacts to the elderly in Resource Report 5, but stated it had no obligation to mitigate because it would do them no harm.

# COMPANIES AND NGOs

## CO68 – Preserve Bent Mountain

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CO68-1  
cont'd

### ***Conclusion***

*Last winter, as she laid out her photos, artifacts and memorabilia and began to regale listeners with stories of her home in the heart of this Mountain, Lois King Waldron said, "I've lived in **this** place all my life. I don't want to live anywhere else."*

*"...there is only one **THIS** place."<sup>40</sup>*

Many years ago, writer and historian Jim Crawford, took note of what one resident held most dear about life on Bottom Creek: "*I'd say it's the quietness.*" There is "a lesson in the quietness" of Bottom Creek, Crawford wrote: "If we take time to listen, to see and learn, we can understand ourselves as part of the culture that this land nourished."<sup>41</sup>

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<sup>40</sup> James A Kent, defining Cultural Attachment.

<sup>41</sup> Crawford, p. 67.

**COMPANIES AND NGOs**  
**CO69 – Chesapeake Climate Action Network**

20161222-5184 FERC PDF (Unofficial) 12/22/2016 8:02:57 AM

CO69-1 Secretary Kimberly Bose  
 Federal Energy Regulatory Commission  
 888 First Street, NE  
 Washington, DC 20426

CO69-1 Docket #CP16-10-000: Citizen Comment on the DEIS for the Mountain Valley Pipeline

Dear Secretary Bose:

Given the overwhelming evidence of the harm the Mountain Valley Pipeline would inflict on our region, the proposed project is not in the public interest. The only way that FERC could justify it is by sweeping the dangers under the rug, and that's what the draft Environmental Impact Statement (DEIS) does.

FERC's review falls short in several ways:

CO69-2 1) It fails to account for the cumulative, life-cycle greenhouse gas emissions the pipeline would trigger.

CO69-3 2) It completely dismisses the "upstream" damage that the pipeline could trigger via expanded fracking and gas infrastructure, given the 2bcf/day of added capacity the project would create.

CO69-4 3) It does not fully assess the damage to water quality the pipeline would create. The pipeline would cross more than 1,000 waterways and wetlands.

CO69-5 4) It fails to look at the cumulative effects that the pipeline would have on vegetation and wildlife, permanently fragmenting habitat and harming wildlife such as the endangered northern long-eared bat.

CO69-6 5) It does not fully consider the harm to the region's history. The pipeline would cross six historic districts and several archeological sites.

CO69-7 6) Finally, it fails to assess the true need for this new pipeline given the availability of renewable energy and existing pipeline capacity. That FERC allows companies to seize private land through eminent domain without a comprehensive evaluation of the need for the pipeline is shameful.

CO69-8 A thorough examination of this project would show that the public and environment lose, while the gas industry profits. I urge you to deny Mountain Valley Pipeline's application or, at minimum, conduct a Programmatic Environmental Impact Statement that assesses all the regional pipeline projects in one document.

Ms. Kelly Trout  
 7057 Carroll Avenue Apt. 7  
 7  
 Takoma Park, MD 20912

One of 2186 form letters submitted by the Chesapeake Climate Action Network

CO69-1 See the response to FA11-2 regarding the adequacy of the draft EIS. The EIS concludes that construction and operation of the projects would not have significant impacts on environmental resources; except for the clearing of forest.

CO69-2 Cumulative impacts are addressed in section 4.13 of the EIS.

CO69-3 See the response to comment IND2-3 regarding hydraulic fracturing. See also section 1.3.3 of the draft EIS.

CO69-4 Water quality and streams are discussed in section 4.3.2 of the EIS.

CO69-5 Cumulative effects are discussed in section 4.13 of the EIS.

CO69-6 Historic Districts and archaeological sites are discussed in section 4.10 of the EIS.

CO69-7 The Commission would consider need in its Project Order (see section 1.2.3 of the EIS).

CO69-8 The reasons the FERC did not prepare a programmatic NEPA document are explained in section 1.3.

# COMPANIES AND NGOs

## CO70 – Preserve Roanoke/Preserve Bent Mountain/Protect Our Water, Heritage, Rights (POWHR)

*DEIS Comments on Survey Abuses, by Roberta M. Bondurant, Preserve Roanoke/Bent Mountain and Protect Our Water, Heritage, Rights (POWHR).*

Bent Mountain is just south of Roanoke, Virginia and northeast of Virginia Tech – a community atop an almost 4,000 foot mountain, an upland plateau of rich, fertile farmland, orchards, springs and streams – it is home to The Nature Conservancy’s Bottom Creek Gorge Preserve. Once you get up route 221 to what’s known as “the Big Bend,” you’re a stone’s throw from the Adney Gap entrance to the Blue Ridge Parkway, you’re on the Crooked Road Music Trail and the home of Floydfest Music festival. We’re perched at the crossing of the proposed Mountain Valley Pipeline through Roanoke County.

CO70-1

Since October 2014 residents here have suffered abuses that exist in many other states with so-called state “survey statutes.” (See Carolyn Elefant, “Survey or Not, A Survey of State Survey Laws on Property Access pre-FERC Certificate Issuance” (2015), [www.lawofficecarolynelefant.com](http://www.lawofficecarolynelefant.com)). Far from typical boundary surveys, these laws *circumvent basic legal requirements of landowner permission to allow data mining and physical takings* – of soils and rock samples, biota and vegetation, and historic and cultural artifacts that could not be otherwise obtained. In the “information age” the landowner owns not just the property, but the information on the water, the flora, fauna and everything contained in that tract of property – all of that holds certain value. With the onslaught of mega pipeline proposals under federal fast track permitting rules, these statutes are being used, up front, early, pre-application and precertification as part of the larger FERC/Natural Gas *taking schemes of Eminent Domain for Private Gain*. There are no restrictions on what these many companies may do with this information; no present process whereby landowners can obtain copies of reports from international survey companies such as Search, Inc., and Environmental Surveys International. There is no apparent disposal or destruction of landowners’ information in the event this pipeline is denied...no telling where it goes and who uses it next.

Virginia’s statute, §56-49.01, was passed in 2004. At least one former state legislator who voted on the statute has reflected to he believed the legislation was designed for the absentee landowner who doesn’t answer his mail-- but was NOT intended to ignore a landowner’s Constitutional and common law right to deny permission to enter his or her property; which is also a responsibility under most individuals’ homeowners’ insurance policies. Read with federal regulations the statute recognizes a landowners denial of permission – but in the fast track permit universe, the companies, the courts and enforcement authorities have ignored that right.

The statute has been used to muscle landowners into submission; barraged with confusing and repetitive sets of certified letters, covering broad and rolling ranges of dates, so as to allow survey crews to troll the area for unattended properties and thus to steal on with the owner never knowing they were there; they’ve been sued for injunctive relief and money damages, further in an effort by Next Era, MVP and Coates surveyors to chill their absolute right to deny permission.

CO70-1

This is not a comment on the draft EIS produced by the FERC staff in September 2016 for the MVP. Comments on surveying are noted.

# COMPANIES AND NGOs

## CO70 – Preserve Roanoke/Preserve Bent Mountain/Protect Our Water, Heritage, Rights (POWHR)

20161222-5197 FERC PDF (Unofficial) 12/22/2016 9:37:50 AM

Virginia's statute includes very specific notice provisions, and a consequence for failure of notice that include criminal and civil trespass, and landowners have rallied with these provisions to keep the company out, unless and until federal "certification," which some say triggers "public utility" status. Yet many crews descend upon properties regardless of whether the landowner is present, without any apparent background checks or personal identification tags or ID's required of individuals. These provisions are an enforcement nightmare when landowners call police for help. For a variety of reasons, including the officers' experience with the statute or lack thereof; varying county attorney and circuit court interpretations; in a state with a legislature that is heavily funded by the gas industry; and with a legislature that appoints its judges – enforcement of the statute is unpredictable and prone to creating chaos at the scene.

The process is offensive enough for the working landowner who is simply not able to be present when the company decides to order surveyors onto the property; but those most vulnerable to these laws, of course, include many fragile and elderly folks living alone. (In its application, MVP admits that the elderly are disproportionately affected in each of the counties it proposes to blast and burrow through, but insists it has no obligation to mitigate for the elderly because it would do them no harm. (MVP App. Resource Report 5.) One neighbor, a 70 year old Vietnam vet, twice attempted gentleman's agreements with the company so that he could attend a few special trips with his only grandson; both times, upon his informing the company he'd be away on the company's preferred day, surveyors stole on; when he secured warrants for criminal trespass, the company sued him for money damages;

Another neighbor, an 80 year old who's lived her whole life in the home beside her farm and orchard, denied permission and called her neighbors, surprised by three surveyors one day walking out of her wetlands and past her house, refusing to stop until she told them a three times to stop. They had apparently been dropped off and picked up by cars evading detection of the public and police.

On Columbus Day Monday, with courts closed and ignoring its own scheduled hearing on the matter set for two weeks later, MVP ordered well over thirty surveyors on two properties of sizable acreage, these surprise invasions went forward – literally in the face of objecting landowners. One neighbor, a 6<sup>th</sup> generation descendant of Poor Mountain, was distraught when the young surveyors leaving her land showed her 6 bags of artifacts they dug from her property and told her that, although they are commonly ordered into the property by GIS data and they showed the landowner her data points that day, they couldn't give her the GIS points for her to return them to their sacred place.

With three potentially armed parties at the scene, the inconsistent enforcement of the provisions of the statute in Virginia are a recipe for mayhem. Franklin County Sherriff Bill Overton has continued his support in excusing surveyors from properties and Virginia's State Police have followed suit to assist landowners across counties the day after Election Day.

# COMPANIES AND NGOs

## CO70 – Preserve Roanoke/Preserve Bent Mountain/Protect Our Water, Heritage, Rights (POWHR)

20161222-5197 FERC PDF (Unofficial) 12/22/2016 9:37:50 AM

CO70-1  
cont'd

*These abuses are dangerous and intolerable.* We are asking state courts and legislators for abolishment of these statutes, but federal authorities should also take heed. We are moving for relief in state courts and legislatures, but federal courts and legislators should take notice. Long before gas lobbyists sponsored these statutes we wrote a Constitution that embraced a *fundamental* right to private property, with *private* being the operative word.

Legislators, regulators and courts should abolish mechanisms like the precertification survey statutes to support private corporate taking, under the cloak of Eminent Domain.

The West Virginia Supreme Court simply said it like this: “(P)ivate taking for private use” is prohibited. MVP v. Mc Curdy, Davis, J., Op. No-15-0919, p. 25.

[http://www.roanoke.com/business/news/franklin\\_county/mountain-valley-pipeline-acquires-easements-from-regional-residents-for-natural/article\\_f48ab77e-e954-5943-917f-d3f07f3c13f5.htm#WfFa\\_9GbY4io.email](http://www.roanoke.com/business/news/franklin_county/mountain-valley-pipeline-acquires-easements-from-regional-residents-for-natural/article_f48ab77e-e954-5943-917f-d3f07f3c13f5.htm#WfFa_9GbY4io.email)

[http://www.roanoke.com/business/news/pipeline-surveying-conflict-heats-up-on-bent-mountain/article\\_caa98cf8-4403-5fe7-9058-6077027265fa.htm#WfFa\\_pZvZ8TY.email](http://www.roanoke.com/business/news/pipeline-surveying-conflict-heats-up-on-bent-mountain/article_caa98cf8-4403-5fe7-9058-6077027265fa.htm#WfFa_pZvZ8TY.email)



# COMPANIES AND NGOs

## CO71 – Indian Creek Watershed Association

20161222-5201 FERC PDF (Unofficial) 12/22/2016 9:44:07 AM



Indian Creek Watershed Association  
P.O. Box 711  
Union, WV 24983  
[www.IndianCreekWatershedAssociation.org](http://www.IndianCreekWatershedAssociation.org)

December 22, 2016

Ms. Kimberly Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, D.C. 20426  
(Via e-filing)

RE: Docket No. CP16-10-000

CO71-1

Dear Ms. Bose,

Indian Creek Watershed Association hereby files the attached supplemental information to Docket CP16-10-000:

**Mountain Valley Pipeline Draft Environmental Impact Statement Ignores Significant Information and Lacks Analysis of Compound and Cumulative Hazards**

Please file in the appropriate manner.

Respectfully submitted,

**Indian Creek Watershed Association Board of Directors**

Judy Azulay, President; Scott Womack, Vice President;  
Howdy Henritz, Treasurer; Nancy Bouldin, Secretary

*Email:* [info@IndianCreekWatershedAssociation.org](mailto:info@IndianCreekWatershedAssociation.org)

CO71-1

Cumulative effects are discussed in section 4.13 of the EIS.

# COMPANIES AND NGOs

## CO71 – Indian Creek Watershed Association

20161222-5201 FERC PDF (Unofficial) 12/22/2016 9:44:07 AM

CO71-1  
cont'd

**CC: U.S. Environmental Protection Agency, Region 3**  
Mr. Jon M. Capacasa, Director, Water Protection Division  
Barbara Rudnick, NEPA Team Leader

**US Forest Service—George Washington and Jefferson National Forests**  
Joby Timm, Forest Supervisor  
Jennifer Adams, Special Project Coordinator

**U.S. Army Corps of Engineers, Huntington District**  
Mike Hatten, Regulatory Permits – Energy Resources  
Christopher L. Carson

**West Virginia Department of Environmental Protection**  
Randy Huffman, WVDEP  
Scott Mandirola, Division of Water and Waste Management  
Wilma Reip [401 Certification Program]  
Nancy Dickson [Stormwater Permit]  
Wendy Radcliff

**West Virginia Dept. of Health and Human Resources—Compliance and Enforcement Program**  
Meredith Vance

**West Virginia Department of Natural Resources**  
Robert Fala, Office of Land and Streams  
Danny Bennett

**WV Bureau for Public Health**  
William Toomey, Unit Manager, Source Water Assessment and Wellhead Protection Program  
Environmental Engineering Division

# COMPANIES AND NGOs

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

20161222-5189 FERC PDF (Unofficial) 12/22/2016 8:35:26 AM

CO72-1	<p>Dec. 21, 2016</p> <p>Kimberly Bose, Secretary Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426</p> <p>RE: Draft Environmental Impact Statement, Docket No. CP 16 – 13 - 000</p> <p>Dear Ms. Bose,</p> <p>I am a landowner adjacent to the route of the Mountain Valley Pipeline; I am within a few hundred feet of the proposed pipeline. I am concerned about this pipeline being built because of two things, one is because of health problems I experience which would be severely impacted and worsened by the construction which will produce diesel fumes being sent into the air, diesel fuel spills and other chemicals used in construction of this pipeline. And I am concerned about the herbicides which will be used to maintain the pipeline route after construction. All of these will severely impact my health problems causing them to become worse and can be life threatening to me especially if containment's are to get into my drinking water which I get from the well on my property.</p>
CO72-2	<p>My second concern is my organic dairy goat farm, I have dairy goats, I am part of the Monroe County Organic District, and if the water that my goats have access to become contaminated with diesel fuel, herbicides or any other chemicals then my farm and the milk I get from the dairy goats will no longer be organic. And being organic I would be unable to use water haled in to people because that would have chemicals added. I raise an organic garden which I water from my well if the water becomes contaminated with chemicals then I can no longer use it to water my garden.</p>
CO72-3	<p>These are very grave concerns because my life and the life of my farm depend on clean air and clean uncontaminated water. It is stated in the DEIS that the MVP will mitigate all these things, this is simply not true once these condiments have touched the ground they are absorbed into the soil and you get rain and it ends up in the water supply and there is no way to clean it up.</p>
CO72-4	<p>I am also concerned about the building this pipeline over Peters Mountain, this mountain contains very steep terrain and if this pipeline is build it will result in huge land slide, I have walked the proposed pipeline route on this mountain and I know firsthand what the terrain is like and I also know the small two or three foot fences used for holding back the slides will not work on this steep and rocky mountain sides. I have seen where these fences have been used in the construction of other pipelines and they do not hold back the rock and soil when it rains hard it is just pushed over and the rock and soil wash right on over and down the hillside into stream and creeks.</p>
CO72-5	<p>Another grave concern is the water supply that comes from Peters Mountain that supplies Monroe county with its public drinking water. This water would be in grave danger from the building of this pipeline which is bound to contaminate the water from runoff from soil erosion, chemicals, diesel fuel spill of which we have done experienced by the contanination of the Peters Town water supply by another pipeline that was built over Peters Mountain.</p>

CO72-1	Air quality issues associated with construction are discussed in section 4.11.1 of the EIS. See the response to CO55-5 regarding herbicides (which would not be used without landowner consent).
CO72-2	Organic farms are discussed in section 4.8 of the EIS. Mountain Valley developed a OFPP to reduce impacts on organic farms.
CO72-3	Air quality and water quality are discussed in sections 4.11.1 and 4.3 of the EIS, respectively.
CO72-4	Steep slopes and landslides are addressed in section 4.1 of the EIS. See the response to IND177-1 regarding landslides and Mountain Valley's revised <i>Landslide Mitigation Plan</i> .
CO72-5	Water supplies are discussed in section 4.3 of the EIS.

# COMPANIES AND NGOs

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

20161222-5189 FERC PDF (Unofficial) 12/22/2016 8:35:26 AM

CO72-6

All the above are grave concerns and these are only a few, others are the crossing of the Appalachian Trail, the destroying of the beautiful views of Peters Mt. from all over Monroe County and the views from atop of the monuntain . The effect that this will have on tourissium not only in our county but also the state.

Sincerely,  
Paula L. Mann  
3413 Ellison Ridge  
Greenville, WV. 24945

CO72-6

See the responses to FA11-4 and FA11-5 regarding the ANST. Mountain Valley proposes to cross under the ANST via bore. Visual impact analysis of KOP is included in section 4.8 of the EIS. Tourism is addressed in section 4.9.

# COMPANIES AND NGOs

## CO73 – The Student Chapter of the Wildlife Society at Virginia Tech

20161222-5211 FERC PDF (Unofficial) 12/22/2016 9:59:22 AM

*Approved December 2016 by the membership of  
The Student Chapter of The Wildlife Society at Virginia Tech*

22 December 2016

Public Comments Processing  
Attn: Docket No. CP16-10-000  
Federal Energy Regulatory Commission  
Office of Energy Projects  
888 First Street, NE  
Washington, DC 20426  
Submitted online at: <https://ferconline.ferc.gov/eFiling.aspx>

**RE: Request for Public Input on Draft Environmental Impact Statement for Mountain Valley Project by Mountain Valley Pipeline, LLC, Docket No. CP16-10-000**

Dear Reviewer,

The Student Chapter of The Wildlife Society at Virginia Tech (VT TWS), founded in 1963, serves as the professional organization for students studying wildlife conservation and natural resources at Virginia Tech. We share the parent chapter's dedication to excellence in wildlife stewardship through science and education. We support the parent chapter's mission to inspire, empower, and enable wildlife professionals to sustain wildlife populations and habitats through science-based management and conservation.

As diligent proponents for the use of sound science in decision-making, VT TWS would like to emphasize the importance of the Draft Environmental Impact Statement (DEIS) for the proposed Mountain Valley Project (MVP). Responsible stewardship of wildlife resources requires critical scientific examination of the MVP. In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), the Federal Energy Regulatory Commission (FERC) must prepare a DEIS demonstrating sufficient avoidance and mitigation of detrimental impacts to wildlife resources during the construction and operation of the MVP.

**FERC cannot authorize the currently proposed DEIS due to its insufficient methods for management, monitoring, and mitigation of MVP's impacts to wildlife and their habitats. These methods as proposed would jeopardize effective professional stewardship of wildlife resources and the long-term persistence of local wildlife populations.**

The biological surveys indicated in the DEIS lack sufficient explanation to discern the methods used to assess wildlife and associated habitat. To determine whether the biological surveys conducted by FERC meet professional peer-reviewed standards, detailed information regarding survey design, methods, and results should be included within the DEIS and made accessible to

CO73-1

See the response to FA11-2 regarding the adequacy of the draft EIS. Surveys were designed and conducted by Mountain Valley's consultants in coordination with permitting agencies and are subject to review and verification by permitting agencies. Impacts on habitats were discussed in section 4.4 of the EIS; impacts on wildlife in section 4.5. Survey reports referenced in the EIS can be found in the public record for this proceeding through the FERC's eLibrary system.

# COMPANIES AND NGOs

## CO73 – The Student Chapter of the Wildlife Society at Virginia Tech

20161222-5211 FERC PDF (Unofficial) 12/22/2016 9:59:22 AM

CO73-1 cont'd	<p>the public. Both pre- and post-construction surveys will require robust study designs to provide sufficient insight into impacts to wildlife and associated habitat.</p> <p>Without detailed survey design information, future efforts to mitigate MVP's impacts to wildlife will not include a scientific standard for comparison. This missing information will create a significant hindrance to professional wildlife managers and result in improper management of a public resource by jeopardizing the persistence of wildlife populations.</p>	
CO73-2	<p>Furthermore, all missing or incomplete surveys (DEIS p. 4-183, 4-191) must be completed and incorporated into the DEIS prior to approving the MVP. Excluding these surveys from consideration during the public comment period does not accurately represent necessary information to stakeholders or permit authorities.</p>	CO73-2 See the response to FA11-2 regarding pending data. Courts have held that plans do not need to be completed at the NEPA stage, if they are done before construction is allowed.
CO73-3	<p>To prevent conflict of interest and promote objective results, reliable third-party groups should complete biological surveys instead of FERC, MVP, or Equitrans employees. Especially regarding wetland restoration, citing FERC's own experience with other wetland restoration projects (DEIS p. 4-161) does not represent an objective scientific opinion or a reliable restoration estimate. Incorporating research from other sources would improve FERC's mitigation propositions and provide the public and permit authorities with confidence in reviewing MVP's impacts to wildlife resources.</p>	CO73-3 Surveys were designed and conducted by Mountain Valley's professional consultants in coordination with permitting agencies and are subject to review and verification by permitting agencies.
CO73-4	<p>The DEIS indicates that species proposed or under review for listing under the Endangered Species Act of 1973, as amended (ESA), will be regarded as listed species (DEIS p. 4-182) and therefore qualify for official consultations as required in ESA Section 7(a)(2). The tri-colored bat (<i>Perimyotis subflavus</i>) has been petitioned for listing under ESA Threatened status due to severe population declines across its range. Virginia Department of Conservation and Recreation (VDCCR) surveys discovered tri-colored bats in two caves expected to be impacted by the MVP, Slussers Chapel Cave and Canoe Cave (DEIS p. 4-158 to 4-159). The DEIS indicates the need for consultation with the Virginia Department of Game and Inland Fisheries (VDGIF) regarding tri-colored bats (DEIS p. 4-192). We not only emphasize the importance of consultation with VDGIF, but also stress the Section 7 legal obligation to consult with the U.S. Fish and Wildlife Service (FWS) regarding MVP impacts to tri-colored bats. These consultations should occur prior to approval of the MVP, and their findings should be incorporated into a revised DEIS subject to another public comment period for reasons stated above.</p>	CO73-4 The tri-colored bat is discussed in section 4.7 of the EIS along with other special status species and their habitats. Federally listed species are discussed in additional detail in our BA.
CO73-5	<p>The DEIS fails to evaluate the scope of MVP impacts to amphibians, especially woodland salamanders. This omission inappropriately assesses wildlife resources in southwestern Virginia's globally-recognized hotspot for salamander diversity. An ongoing long-term study in Jefferson National Forest along Craig Creek Road, near a proposed area for MVP impacts, has observed significant impacts to salamander populations following any silvicultural forest disturbance. These results should be considered when implementing mitigation measures, and precautions should be exercised to prevent MVP impacts to the active research area and a sufficient buffer surrounding it.</p> <p>MVP construction and operation will significantly impact multiple species of woodland salamanders, and therefore pre- and post-impact studies will be necessary to ensure effective</p>	CO73-5 Amphibians, including salamanders, are discussed in sections 4.5 and 4.7 of the EIS.

# COMPANIES AND NGOs

## CO73 – The Student Chapter of the Wildlife Society at Virginia Tech

20161222-5211 FERC PDF (Unofficial) 12/22/2016 9:59:22 AM

CO73-6 management of these wildlife resources. A third party unaffiliated with MVP approval should perform these studies. A revised DEIS providing for sufficient pre- and post-impact amphibian studies should be submitted for another public comment period prior to approval of the MVP.

CO73-7 **Due to the above considerations, we strongly urge FERC to submit an extensively revised DEIS addressing the above concerns and to open another public review and comment period on the new DEIS prior to authorizing the MVP.**

Considering the above revisions with high priority, VT TWS would like to bring attention to the following positive aspects of the DEIS, and encourages their elaboration and implementation in future revisions of the DEIS.

Communication with FWS, VDGIF, VDCR, and other associated natural resource agencies will be the strongest asset to the success of this project. These organizations' policies reflect current scientific data and professional peer-reviewed practices, making them essential resources for effective mitigation of impacts to wildlife.

Extensive habitat loss has caused declines in pollinator species nationwide. Therefore, we strongly support the proposed use of native seed mixes to promote the growth of pollinator habitat along the MVP corridor. We suggest that the DEIS provide for post-treatment monitoring so that invasive species do not colonize the affected area and to ensure that pollinator habitat is effectively established along the MVP.

CO73-8

Collocating the MVP route with existing corridors will reduce habitat fragmentation and protect surrounding landscapes. We urge MVP to maximize opportunities to use existing corridors and avoid impacting intact ecosystems, especially those of high biological significance and conservation concern. Landscapes currently free from fragmentation occur infrequently in the eastern United States, and since undisturbed wilderness and management areas provide crucial resources for many species' survival, we strongly advocate for MVP placement that completely avoids otherwise undisturbed habitat.

Thank you for considering the recommendations of aspiring wildlife professionals and for incorporating sound science into DEIS decision-making. Please contact Allison Moser, President of VT TWS, at [allym7@vt.edu](mailto:allym7@vt.edu) or (571) 420-2854 if you require further information or have any additional questions.

Sincerely,



Allison M. Moser  
President

On behalf of the Student Chapter of the Wildlife Society of Virginia Tech

CO73-6 Surveys were designed and conducted by Mountain Valley's professional consultants in coordination with permitting agencies and are subject to review and verification by permitting agencies.

CO73-7 See the response to FA11-2 regarding the adequacy of the draft EIS. Our public review period for the draft EIS extended for 90 days.

CO73-8 As discussed in the draft EIS, the FERC staff continues to communicate with the FWS, VAGIF, and the VADCR. If is not possible for the MVP to completely avoid impacts on undisturbed habitats. Forest fragmentation is an on-going process throughout the eastern United States due to other infrastructure projects, including highways, powerlines, and commercial and residential development.

# COMPANIES AND NGOs

## CO74 –Western Montgomery County Landowners Association

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21 December 2016  
 To: U. S. Forest Service – Jefferson National Forest, Joby Timm, Supervisor  
 Bureau of Land Management, Neil Kornze, Director  
 Ms. Kimberly Bose, Secretary, FERC, Mountain Valley Pipeline Docket CP16-10-000  
 From: Western Montgomery County Landowners Association Members, Supporting Groups, and Individual Supporters filed by Robert M. Jones, Registered Intervenor  
 Subject: Rejection of the Proposed Amendments to the Forest Plan and Recommended Conversion of the Inventoried Roadless Area on Brush Mountain to a Wilderness Study Area

CO74-1                      The comment is descriptive in nature.

### 1. INTRODUCTION

Part of the north slope of Brush Mountain in the Mount Tabor area is classified by the U. S. Forest Service as Category 4J (Urban-Suburban Interface) and also an Inventoried Roadless Area (IRA). That area is shown by diagonal purple stripes and letters A-B-E-F-G-A in Figure 1. To the northeast of the IRA lies the Brush Mountain Wilderness (bounded by points B-C-D-E-B and continuing to the east). We will first describe the four proposed amendments to the Forest Plan in the DEIS and why they pose dangers to the forest and how it can be enjoyed by all citizens. We will then describe why the IRA should be converted to a Wilderness Study Area. Finally, we will show how the proposed pipeline that prompted the amendments will cause irreversible catastrophic damage to the water supply in the Mount Tabor Area of Montgomery County.

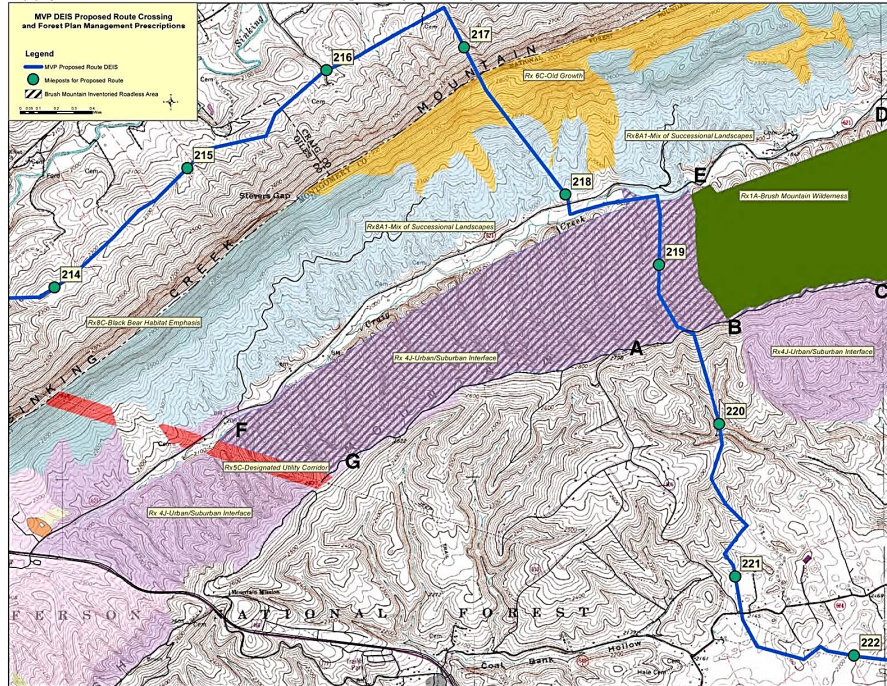


Figure 1 The Mount Tabor Area Portion of the Jefferson National Forest



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**2. DANGERS OF THE PIPELINE TO THE JEFFERSON NATIONAL FOREST**  
 All routes considered for the Mountain Valley Pipeline go through two parts of the Jefferson National Forest. One part of the forest crossed is on Peter’s Mountain at the border between West Virginia and Virginia. The other part crossed is in the Craig’s Creek Area just north of the Mount Tabor Area. To come through any part of the forest, FERC has requested four amendments to the Forest Service Land and Resource Management Plan (LRMP) for the Jefferson National Forest:

CO  
74-2  
**Proposed Amendment 1:** In brief, to change the designation of the parts of the Jefferson National Forest that the pipeline would pass through from Category 4J (Urban-Suburban Interface), Category 6C (Old Growth Forest), and Category 8A1 (Mix of Successional Habitats) to Category 5C (Designated Utility Corridor). The Category 5C Utility Corridor would be drastically enlarged to 500 feet wide.

**Proposed Amendment 2:** In brief, The LRMP would be changed to allow MVP to violate existing restrictions and standards on soil conditions and riparian corridor conditions.

**Proposed Amendment 3:** In brief, The LRMP would be changed to allow to allow removal of old-growth tree in the construction corridor of the MVP.

**Proposed Amendment 4:** In brief, The LRMP would be changed to allow MVP to cross the Appalachian National Scenic Trail (ANST) on Peter’s Mountain with a “Scenic Integrity Objective” degraded from High to Moderate with the Moderate stage to be reached only within ten years.

**Those amendments are an outrageous attack to significantly downgrade basic forest quality standards and long-standing principles!** Our response to each amendment is:

CO  
74-3  
**To Amendment 1:** A 500-foot wide corridor through the forest would be an unsightly abomination that is totally inconsistent with the concept of a national forest! Moreover, a 500-foot wide corridor opens the door to other pipelines not only coming through the forest, but they must come to the forest from somewhere and go out of the forest to somewhere. **We don’t want to be on either the giving or the receiving end of a wide pipeline corridor through the forest! A 500-foot wide corridor through a forest is unconscionable and unacceptable! Please protect our National Forests! We also don’t want a 500-foot-wide Utility Corridor to be an open invitation for more pipelines to invade and despoil our beautiful area or to destroy the sole source of water for our homes.**

CO  
74-4  
**To Amendment 2:** Downgrading the Forest Service restrictions on soil conditions and riparian corridor conditions is simply asking for trouble, especially erosion and resulting sedimentation which would go into Craig’s Creek and elsewhere. The Forest Service restrictions were well-thought out, so there is no reason to lower their expectations for the forest. We cannot accept such a downgrade!

CO  
74-5  
**To Amendment 3:** Removing old-growth trees is unconscionable! Cutting them just to fuel the profits of a private company? What is a forest if there are no trees? The Forest Service motto is “Leave No Trace”, not leave no trees! A wide gouge through old-growth trees is unacceptable.

CO  
74-6  
**To Amendment 4:** Downgrading the *Scenic Integrity Objective* leading up to and on the Appalachian National Scenic Trail is absolutely ridiculous! The whole point of the Appalachian National Scenic Trail is **SCENERY!** Pipeline paths are ugly and just the opposite of scenic. Of course it makes no sense to downgrade the Forest Service’s Scenic Integrity Objective---that is **exactly contrary to the whole point of having a National Scenic Trail!** Look at the difference in scenic view that a pipeline would make from Kelly’s Knob in Figure 2 on the next page (and that’s not the worst example!).

CO74-2 The comment is descriptive in nature.

CO74-3 See the response to comment FA8-1 regarding Amendment 1.

CO74-4 See the response to comment FA10-1 regarding Amendment 2.

CO74-5 See the response to comment FA10-1 regarding Amendment 3.

CO74-6 See the response to comment FA10-1 regarding Amendment 4.

# COMPANIES AND NGOs

## CO74 –Western Montgomery County Landowners Association

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CO  
74-6  
cont.



Figure 2 Kelley's Knob Before and Conceivably After a Pipeline Passes Through the Viewshed  
(Courtesy of the Appalachian Trail Conservancy)