

**APPALACHIAN MOUNTAIN ADVOCATES \* APPALACHIAN VOICES \*  
BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE \* CENTER FOR  
BIOLOGICAL DIVERSITY \* CHESAPEAKE CLIMATE ACTION NETWORK  
\* COWPASTURE RIVER PRESERVATION ASSOCIATION \* DAMASCUS  
CITIZENS FOR SUSTAINABILITY \* INDIAN CREEK WATERSHED  
ASSOCIATION \* NATURAL RESOURCES DEFENSE COUNCIL \*  
PRESERVE BENT MOUNTAIN \* PRESERVE CRAIG, INC. \* PRESERVE  
FRANKLIN \* PRESERVE GILES COUNTY \* PRESERVE MONTGOMERY  
COUNTY VA \* PROTECT OUR WATER HERITAGE RIGHTS \* ROANOKE  
APPALACHIAN TRAIL CLUB \* SAVE MONROE, INC. \* SIERRA CLUB \*  
SOUTHERN ENVIRONMENTAL LAW CENTER \* THE WILDERNESS  
SOCIETY \* VIRGINIA CONSERVATION NETWORK \* WEST VIRGINIA  
RIVERS COALITION \* WILD VIRGINIA**

January 13, 2023

*Delivered via email and public comment portal at*  
<https://cara.fs2c.usda.gov/Public/CommentInput?Project=50036>

Dr. Homer Wilkes  
Under Secretary  
U.S. Department of Agriculture  
Responsible Official  
Mountain Valley Pipeline and Equitrans  
Expansion Project Supplemental  
Environmental Impact Statement  
c/o Jefferson National Forest MVP Project  
5162 Valleypointe Parkway  
Roanoke, VA 24019

CC:

Meryl Harrell  
Deputy Under Secretary for Natural  
Resources and Environment  
U.S. Department of Agriculture

Ken Arney  
Regional Forester, Southern Region  
U.S. Department of Agriculture

Joby Timm  
Forest Supervisor  
George Washington and Jefferson  
National Forests  
U.S. Forest Service

Michelle Davalos  
Project Contact  
5162 Valleypointe Parkway  
Roanoke, VA 24019

**RE: Request to Extend the Comment Period for the Mountain Valley  
Pipeline and Equitrans Expansion Project Supplemental EIS #50036**

Dear Under Secretary Wilkes:

Our organizations are writing to respectfully request an extension of the comment period for the Draft Supplemental Environmental Impact Statement (DSEIS) for the Mountain Valley Pipeline (MVP) Project proposal to cross the Jefferson National Forest. Given the significant impacts of the project, the complexities involved, and the importance of a careful and thorough review to inform such a critical decision, we request a 30-day extension to the 45-day comment period for the DSEIS. We also request that, if possible, in addition to the comment portal, you designate and provide via public notice an email address where the public may submit comments and that you explicitly state hand delivery of comments will be accepted at the designated physical address. We ask that you please respond to these requests no later than January 20.

Collectively, our organizations represent millions of members and supporters, many of whom have been and continue to be directly affected by MVP. We care deeply about and are heavily invested in the health of the Jefferson National Forest and the well-being of the communities who live in and around the region. Many of us have been intensively engaged in researching, documenting, and commenting on the pipeline project since its inception.

On November 17, 2022, the U.S. Forest Service released a notice of intent to prepare an SEIS for MVP with an expected release of the DSEIS by January 2023.<sup>1</sup> Notice of the DSEIS was ultimately published in the Federal Register on December 23, 2022, the Friday before the Christmas holiday right as impacted communities and organizations were heading out to spend time with families. Many organizational offices were closed from December 24 through January 2. The clock thus started ticking on the 45-day comment period before the holidays, leaving interested parties a shortened opportunity to review, prepare for, and comment on the over 200-page DSEIS, thousands of pages of supporting documents, and complex modeling analysis.

Moreover, the Forest Service posted additional supporting documents on January 3, 2023 – eleven days after the start of the comment period.<sup>2</sup> The Forest Service also did not make readily available and accessible<sup>3</sup> to the public with release of the DSEIS the MVP sediment monitoring data, Virginia Department of Environmental Quality (VDEQ) ROW monitoring and related reports, and Transcon ROW monitoring reports referenced and relied upon in the DSEIS to justify its conclusions regarding the impact of the pipeline. We appreciate that links to these reports have now been made available. However, not having ready access to the raw data and original reports on the Forest Service’s MVP project site contemporaneously with release of the DSEIS makes timely and effective commenting exceedingly challenging.

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<sup>1</sup> 87 Fed. Reg. 68,996 (Nov. 17, 2022).

<sup>2</sup> USFS, Mountain Valley Pipeline and Equitrans Expansion Project Supplemental EIS, Project Documents (posted Jan. 3, 2023), <https://www.fs.usda.gov/project/?project=50036>.

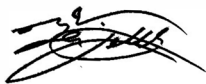
<sup>3</sup> 36 C.F.R. § 219.14(d)(1) & (2) (“The responsible official shall keep the following documents readily accessible to the public by posting them online and through other means: assessment reports (§ 219.6); . . . and monitoring evaluation reports (§ 219.12). . . . The planning record includes documents that support analytical conclusions made and alternatives considered throughout the planning process.”).

The Biden Administration has committed to National Environmental Policy Act (NEPA) reviews “that enable[] meaningful public participation, advance[] environmental justice, respect[] Tribal sovereignty, protect[] our Nation’s resources, and promote[] better environmental and community outcomes.”<sup>4</sup> Realizing this commitment and achieving these outcomes require giving interested stakeholders sufficient opportunity to thoroughly and thoughtfully comment on the DSEIS. An extension would help to alleviate the burden on resource-constrained organizations as we seek to provide meaningful comments. The 45-day comment period is the minimum amount of time for an environmental impact statement. Particularly for a decision of such high consequence that has twice been vacated by the U.S. Court of Appeals for the Fourth Circuit, we believe the Forest Service would benefit from giving the public the necessary time to provide crucial information and insight on the project and its impacts.

Given the gravity and complexity of the decision before the Forest Service, along with the intervening holidays already substantially diminishing the minimum 45-day comment, we sincerely appreciate your timely consideration of our request to extend the comment period by 30 days, with a response no later than January 20. Additionally, to assist communities and organizations in submitting comments, we appreciate your consideration of providing an email address where comments can be sent and properly coded and that hand delivery of comments will be accepted at the designated physical address. Many of the communities directly affected by MVP are in rural and remote areas with often insurmountable internet connectivity and technological challenges with submission portals. Having an email address and also allowing for hand-delivery would be a much-appreciated accommodation.

Should you have any questions, please feel free to reach out to Ben Tettlebaum at [ben\\_tettlebaum@twso.org](mailto:ben_tettlebaum@twso.org). We look forward to providing comments on this important process.

Respectfully,



Ben Tettlebaum, on behalf of the below-listed organizations  
Director & Senior Staff Attorney  
**The Wilderness Society**  
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(720) 647-9568

**Appalachian Mountain Advocates**  
**Appalachian Voices**  
**Blue Ridge Environmental Defense League**

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<sup>4</sup> 87 Fed. Reg. 23,453, 23,455 (Apr. 20, 2022).

**Center for Biological Diversity**  
**Chesapeake Climate Action Network**  
**Cowpasture River Preservation Association**  
**Damascus Citizens for Sustainability**  
**Indian Creek Watershed Association**  
**Natural Resources Defense Council**  
**Preserve Bent Mountain**  
**Preserve Craig, Inc.**  
**Preserve Franklin**  
**Preserve Giles County**  
**Preserve Montgomery County VA**  
**Protect Our Water Heritage Rights**  
**Roanoke Appalachian Trail Club**  
**Save Monroe, Inc.**  
**Sierra Club**  
**Southern Environmental Law Center**  
**Virginia Conservation Network**  
**West Virginia Rivers Coalition**  
**Wild Virginia**