

Board of Supervisors

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County of Craig

108 Court Street
P.O. Box 308
New Castle, Virginia 24127

County Administrator

R.R. Dan Collins
540-864-5010

February 2, 2023

Dr. Homer Wilkes, Under Secretary U.S. Department of Agriculture
c/o Jefferson National Forest
MVP Project
5162 Valleypointe Parkway
Roanoke, VA 24019

Submitted via Internet Website:

<https://cara.fs2c.usda.gov/Public/CommentInput?Project=50036>

RE: Mountain Valley Pipeline and Equestrians Expansion Project
Draft Supplemental EIS December 2022

Dear Mr. Wilkes:

Thank you for this opportunity to comment on the December 2022 Draft Supplemental Environmental Impact Statement (DSEIS) for the Mountain Valley Pipeline (MVP).

The Craig County, Virginia, Board of Supervisors once again requests that the Forest Service adopt the No Action alternative that is an option in the DSEIS. It is the Board's position that the Forest Service has failed to properly analyze the effects on the environment and comply with the Forest Planning Rule.

This request is consistent with prior comments that we provided to the Forest Service beginning in 2015 regarding proposals to permit the MVP to cross Jefferson National Forest and the Appalachian Trail. The objections we raised in our letters to the Forest Service dated August 6, 2017, and November 9, 2020, continue to be valid and have not been adequately addressed in these new proposals. Copies of the letters are attached for your review and for the record. The information provided in those comments clearly affirm the need for the Forest Service to choose No Action.

Further it is the Board's position that the DSEIS has failed to properly analyze the effects on the environment, relying on modeling projections rather than the real-world impacts that are available based on the actual construction that has occurred.

Craig County is within the ridge and valley geography at the southern end of the Allegheny Mountains. The County's landscape is dominated by the Jefferson National Forest, with more than half of the county being National Forest. One hundred percent of our communities' drinking water comes from the forested mountains, and the complex karst geology makes our water resources highly sensitive to land disturbance. This makes the protection and care of

relationship with the Forest Service essential to our agriculture- and recreation-based economies, and the water supplies on which all of our citizens depend.

The management of the Jefferson National Forest is a vital responsibility that directly impact Craig County communities' water supplies, economies, and quality of life. Water resource protection was a driving force in the creation of the Jefferson National Forest under the Weeks Act. Therefore, the Craig County Board of Supervisors feels quite strongly that the primary duty of the Forest Service is to assure that our water resources are protected from harm.

Considering that Craig County's most significant features are the National Forest and the Appalachian Trail, and given that local livelihoods and quality of life are inextricably linked to what happens in the National Forest, the Craig County Board of Supervisors consider the following to be critical factors for you to consider as you make your decision:

1. Craig County's Comprehensive Plan relies on the continuing protection of the Forest for destination-based recreation as a primary part of the economy.
2. Cultural Attachment to the land is an important feature of our community and must be recognized and respected.
3. Together, we are responsible to steward the precious water resources, including creeks, springs, wells, and underground reserves that are sourced from the Jefferson National Forest and upon which all of us rely.
4. The natural beauty and view sheds of the area, the steep slopes, karst geology, unique biodiversity, and fragile water systems must be preserved and protected from development.
5. We are deeply committed to the founding principles of our National Forest.

Recreation and tourism is an essential part of the economy of Craig County. All of our citizens rely upon the groundwater for drinking water and agriculture. The MVP project threatens these resources and is directly counter to the purposes established for national forest public lands. Changing the forest plan in order to issue permits to MVP will leave permanent scars on the scenic views, sedimentation in our trout streams, and threats to groundwater supplies in this complex karst geology. Based on the values and attributes that we experience every day from the Jefferson National Forest, the construction of the MVP is inconsistent with the purpose and function of the systems in and around the National Forest.

We understand that the Forest Service has no biological measure of the health of the streams on which to assess impacts from the MVP, and you have reported very little, if any data that can be considered baseline. There are no ecosystem inventories of the riparian areas with which to compare the results of the purported restoration. And with our collective experience with the soils in these mountains, we are skeptical of the claims that the slopes can effectively be reclaimed. After eight years, we find the status disturbing. The Forest Service also continues to rely on an inapplicable soil erosion model to speculate on the impacts to water courses.

We believe this concept of conforming the LRMP to the project undermines the purpose for having a Forest Plan. To make the project lawful, you propose to waive standards that protect water and

soil resources or substitute the standards with mitigation measures. We do not believe that the Forest Service can waive forest management standards and still achieve the goals and objectives of the LRMP.

The Forest Service is required to impose riparian standards on project implementation; but this proposal eliminates those standards for this project. This waiver of mandatory riparian standards may in fact be unlawful. We are concerned that it harms the interests of Craig County.

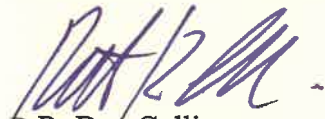
The proposal to waive forest management standards to allow the construction of a 42-inch, high-pressure gas pipeline is a troubling precedent. We are extremely concerned about the potential for serial amendment of the LRMP to accommodate further industrial development on the Jefferson National Forest. The LRMP could be diminished by amendments that collectively may render meaningless the concept of a planning document.

Craig County's Board of Supervisors has never contemplated changing the County's comprehensive plan to accommodate an incompatible land use, and neither has the Forest Service until now.

We also request full disclosure of the entire record of the Forest Plan amendments and related documents, public hearings be held by the Forest Service in Craig County or adjoining counties, and an extension of time for public comment so that our citizens can have an adequate opportunity to review the record fully.

In closing, the Craig County Board of Supervisors asks that you select Alternative 1, for "No Action," and reject the 11 proposed amendments to prevent unprecedented damage to not only the Jefferson National Forest but also to its Forest Plan.

Thank you for your consideration,



R.R. Dan Collins
Craig County Administrator

Enclosures: August 6, 2017 Comment Letter
November 9, 2020 Comment Letter

**JESSE SPENCE, CHAIR
NEW CASTLE DISTRICT**

**RUSTY ZIMMERMAN, MEMBER
CRAIG CITY DISTRICT**

**LINDSEY DUNNE, MEMBER
CRAIG CREEK DISTRICT**



**CARL BAILEY, VICE CHAIR
POTTS MOUNTAIN DISTRICT**

**KATHI TOELKE, MEMBER
SIMMONSVILLE DISTRICT**

**ROBERT R. COLLINS
COUNTY ADMINISTRATOR**

**COUNTY OF CRAIG
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540-864-5010 Phone
540-864-5590 Fax**

November 9, 2020

Jim Hubbard, Under Secretary
U.S. Department of Agriculture
c/o Jefferson National Forest, MVP Project
5162 Valleypointe Parkway
Roanoke, VA 24019

Via online comment: <https://cara.ecosystem-management.org/Public/CommentInput?Project=50036>

RE: Mountain Valley Pipeline and Equitrans Expansion Project

Draft Supplemental EIS #50036

Dear Mr. Hubbard:

Thank you for this opportunity to comment on the proposed amendments to the Jefferson National Forest Land Resource Management Plan (LRMP) and the Draft Supplemental Environmental Impact Statement (SEIS) for the Mountain Valley Pipeline (MVP). I am writing on behalf of the Craig County Board of Supervisors (CCBoS). Craig County has a long and deep tradition of working in cooperation with the Forest Service to achieve both the County and the nation's goals in the management of the Jefferson National Forest.

However, the CCBoS objects to the proposed changes to the LRMP and opposes the construction and operation of the proposed MVP Pipeline across the Jefferson National Forest. The objections we raised in our letter to the Forest Service dated August 6, 2017 continue to be valid and have not been adequately addressed in these new proposals. A copy of that letter is attached for your records.

Craig County is within the ridge and valley geography at the southern end of the Allegheny Mountains. The County's landscape is dominated by the Jefferson National Forest, with more than

half of the county being National Forest. 100% of our communities' drinking water comes from the forested mountains, and the complex karst geology makes our water resources highly sensitive to land disturbance. This makes the protection and care of the land and our relationship with the Forest Service essential to our agriculture- and recreation-based economies, and the water supplies on which all of our citizens depend.

The management of the Jefferson National Forest is a vital responsibility that directly impact Craig County communities' water supplies, economies, and quality of life. Water resource protection was a driving force in the creation of the Jefferson National Forest under the Weeks Act. Therefore, the Craig County Board of Supervisors feels quite strongly that the primary duty of the Forest Service is to assure that our water resources are protected from harm.

Considering that Craig County's most significant features are the National Forest and the Appalachian Trail, and given that local livelihoods and quality of life are inextricably linked to what happens in the National Forest, the Craig County Board of Supervisors consider the following to be critical factors for you to consider as you make your decision:

1. Craig County's Comprehensive Plan relies on the continuing protection of the Forest for destination-based recreation as a primary part of the economy.
2. Cultural Attachment to the land is an important feature of our community and must be recognized and respected.
3. Together, we are responsible to steward the precious water resources, including creeks, springs, wells, and underground reserves that are sourced from the Jefferson National Forest and upon which all of us rely.
4. The natural beauty and view sheds of the area, the steep slopes, karst geology, unique biodiversity, and fragile water systems must be preserved and protected from development.
5. We are deeply committed to the founding principles of our National Forest.

We believe that the Forest Service has performed an inadequate analysis of the proposal to route the MVP through the Jefferson National Forest.

Although a new hydrologic analysis has been prepared, the modeling is based on theoretical data. It omits the well-documented and reported record of failure of the erosion and sediment control measures that MVP has attempted to deploy since construction started in early 2018. This reliance on a predictive model to assess impacts is inadequate.

We specifically oppose the proposal to amend the LRMP in order to allow for the harmful impacts that the MVP may cause. We believe this concept of conforming the LRMP to the project undermines the purpose for having a Forest Plan.

In order to make the project lawful, you propose to waive standards that protect water and soil resources or substitute the standards with mitigation measures. We do not believe that the Forest Service can waive forest management standards and still achieve the goals and objectives of the

LRMP. The Forest Service is required to impose riparian standards on project implementation; but this proposal eliminates those standards for this project. This waiver of mandatory riparian standards may in fact be unlawful. We are concerned that it harms the interests of Craig County.

The proposal to waive forest management standards to allow the construction of a 42-inch, high-pressure gas pipeline is a troubling precedent. We are extremely concerned about the potential for serial amendment of the LRMP to accommodate further industrial development on the Jefferson National Forest. The LRMP could be diminished by amendments that collectively may render meaningless the concept of a planning document. Craig County's Board of Supervisors has never contemplated changing the

County's comprehensive plan to accommodate an incompatible land use, and neither has the Forest Service until now.

The Craig County Board of Supervisors asks that you select Alternative 1, for "No Action," and reject the 11 proposed amendments to prevent unprecedented damage to not only the Jefferson National Forest but also to its Forest Plan.

Sincerely,

One File AS 2/02/23
Jesse Spence, Chair
Craig County Board of Supervisors

cc: Board of Supervisors
County Administrator

**JESSE SPENCE, CHAIR
NEW CASTLE DISTRICT**

**RUSTY ZIMMERMAN, MEMBER
CRAIG CITY DISTRICT**

**CASEY MCKENZIE, MEMBER
CRAIG CREEK DISTRICT**



**MARTHA MURPHY, VICE CHAIR
SIMMONSVILLE DISTRICT**

**CARL BAILEY, MEMBER
POTTS MOUNTAIN DISTRICT**

**B CLAYTON "CLAY" GOODMAN III
COUNTY ADMINISTRATOR**

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August 3, 2017

Reviewing Officer Tony Tooke
Regional Forester
USDA Forest Service
1720 Peachtree Street
Atlanta, GA 30309

Via Mail and Email: objections-southern-regional-office@fs.fed.us

RE: USDA Forest Service Draft Record of Decision amending the Jefferson National Forest Land & Resource Management Plan for the proposed Mountain Valley Project (MVP)

Dear Mr. Tooke:

With counsel of our Pipeline Advisory Committee, The Craig County Board of Supervisors (CCBoS) registers its objection to the process and finding of the United States Forest Service's (USFS) review of the above referenced project and proposed amendments to the Jefferson National Forest LRMP which would allow the construction and operation of the proposed MVP Pipeline across the Jefferson Forest.

We understand your office issued a Draft Record of Decision to amend the JNF LRMP for the MVP project and an accompanying Briefing Paper on June 23, 2017.

We are extremely disappointed that you have issued this DRoD ignoring public input and seemingly conducted little analysis of the claims by MVP and FERC.

We understand the proposed amendments to the 'Plan' claim to:

- Designate a 50-foot wide right of way. No utility corridor would be designated; therefore a plan-level amendment to allocate lands into a 5-C designated corridor would not be needed.
- Amend the standards of the plan to allow the construction and operation of the MVP to vary from certain restrictions on soil and riparian corridor conditions. The USFS would condition the amendments so that MVP would need to implement mitigation measures to meet the original standard's intent to protect soil and riparian areas.

- Allow removal of old-growth trees within the portion the MVP corridor that lies within an old-growth management area.
- Allow MVP to cross the Appalachian National Scenic Trail (ANST) on Peters Mountain in Monroe County, West Virginia at a location that does not have existing major impacts. Since release of the draft EIS, the Forest Service has worked to retain the high scenic integrity objectives when crossing the ANST.
- Allow MVP a five-year period after construction to complete mitigation to meet forest plan scenic integrity objectives.

The CCBoS has repeatedly expressed to local Forest Services' staff its concerns regarding this project and how it will negatively impact the pristine natural forest experience that our county residents enjoy by their investment as taxpayers, and that our visitors desire when visiting the area.

Your USFS DRoD states that in the case of clearing of forest, effects may be long term and significant. The removal of old-growth forest must be fully mitigated and we ask that you apply best practices, proven science, and sound conservation methods to mitigate negative effects. What mitigation for this irreparable loss will be required of MVP?

The crossing of the ANST is also a major concern to the CCBoS. Crossing the ANST and installing a 42" high pressure gas line cannot be mitigated. Once impacted, the degraded view shed will be permanent and forever. It will degrade the experience for thousands of visitors, annually, to the ANST.

To exempt MVP from certain restrictions on soil and riparian corridor conditions will not be in the best interest of the waterways which flow in the region. We object to your conclusion that exempting MVP from critical restrictions, meant to protect soil integrity and water quality, is inconsequential. Such exceptions are clearly not in the best interest of the public and they violate your agency's mission to protect the integrity of the JNF and associated critical water supplies. By allowing this or other similar projects to cross federal lands, you condemn adjoining private lands along their path.

The CCBoS objects to the entire process and granting of a permit based on the review agencies all relying on information provided by MVP. Your USFS DRoD only echoes the FERC FEIS, which only echoes the MVP Resource Reports, which were prepared by the applicants' employed experts and in some cases unnamed contractor 'experts'. Your agency is required to use all "best available science" in your decisions, but well-documented science submitted by qualified experts to FERC/USFS was ignored or dismissed as irrelevant by MVP employed contractors. It appears that your agency did little or no analysis of your own and just accepted most of what MVP declared. The USFS and MVP permit process cannot be declared impartial and balanced. The CCBoS believes that the review process has been controlled too much by MVP.

Reliance on the paid staff of MVP, in the opinion of the CCBoS, does not rise to 'technical competence' listed as one of the decision factors. Since the spring 2015, the CCBoS has raised many concerns regarding the MVP project. One overriding concern has been the effects such a massive project, if approved, will have on the condition of the waterways which flow in Craig County and the Virginia Highlands and New River Valley and Roanoke Valley regions of Virginia. Craig is the headwaters of many tributaries and due to the care and attention given to the environment in Craig our streams remain some of the best-quality headwater sources. Possible negative and irreversible

Reviewing Officer Tony Tooke
August 3, 2017
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impacts to the ANST, old-growth forests, and waterways would surely be devastating and must be scientifically studied and proper mitigation must be developed.

By filing this objection, the CCBoS wishes to express its continued objection to the entire process and all review agencies reliance on information provided by the applicant MVP. We formally object to the DRoD and respectfully request it be withdrawn and never be made final. If not withdrawn, then we are requesting a meeting to discuss and potentially resolve the objections in accordance with 36 CFR § 218.11.

In your role as "cooperating agency" we are extremely disappointed that most of your cooperation was directed to the FERC and was severely limited and the CCBoS believes not transparent with local stakeholders and the governments that represent them in the region that will be directly & heavily impacted.

You seemingly accept MVP's contention that stream sedimentation will 'only' increase by 10% or less, and that this is not significant. As public owners of the Jefferson National Forest, the citizens of the County of Craig dispute this contention. We have worked hard to maintain the high quality of the streams in our County, and we look to the Forest Service to do the same. All actions taken by the USFS directly impact our citizens as our county is comprised of 54% federal land. We realize that the MVP does not cross National Forest within our County but it will certainly impact lands and streams adjacent to the JNF in Montgomery and Giles counties. More pipelines want to cross this area in the future. Will you allow each one to degrade our streams by 10%? At what point would you declare degradation to be too much?

If the project is approved by the FERC to proceed with construction and operation, the CCBoS respectfully asks that all review agencies require MVP to provide a Performance Bond of necessary value to insure that if the proposed MVP mitigation efforts fail, there will be sufficient money available to provide other mitigation actions deemed necessary by objective, outside experts to protect and restore the environment. The Performance Bond should also include sufficient funds to remove all abandoned pipeline and other equipment, and cover necessary state, federal, and local permitting requirements for such removal. This will insure that if for whatever reason, the pipeline no longer serves to transport natural gas, it will be removed to protect the environment and all affected resources will be restored to their pre-construction condition.

Sincerely,


Clay Goodman
County Administrator

Cc: Ms. Kimberly D. Bose-Secretary, FERC- as posted to the FERC docket # CP16- 10-000
Dan McKeague-USFS, Blacksburg office
Jesse Overcash-USFS, Blacksburg office
Karen Overcash-USFS, Roanoke office
Honorable Mark Warner, U.S. Senator
Honorable Tim Kaine, U.S. Senator
Honorable Morgan Griffith, U.S. House of Representatives
Honorable Terry McAuliffe, Governor of Virginia
Honorable Steve Newman, Virginia Senate
Honorable Greg Habeeb, Virginia House of Delegates