

U.S. Forest Service (USFS)

Unique comment

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RE: Mountain Valley Pipeline (MVP) and Equitrans Expansion Project Draft Supplemental Environmental Impact Statement (DSEIS) #50036

Sent only by electronic mail

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As an MVP intervener, long-time Virginia resident and Appalachian Mountains outdoor enthusiast, grandmother to children who live near the proposed MVP pipeline route, and environmental justice-EJ anthropologist working to bring to permit decision-makers factual evidence of hazards to health (water, air, soil toxic pollution) and losses of heritage lands by EJ communities disproportionately targeted by MVP to bear the worst of these losses, I urge the USFS to select Alternative 1 – No Action.

Alternative 1 - No Action must be the USFS decision for the reasons I describe below. First, the Jefferson National Forest is not only a national treasure, holding shared resources for the whole of the U.S. to enjoy, but the lands from which it was formed are heritage lands to Indigenous peoples and historic Appalachian families who settled there. The latter have been named as environmental justice populations by Dr. Robert Bullard, father of environmental justice in the U.S., because of a long history of discrimination against these descendants of Scotch, Irish, Indigenous, and formerly enslaved Black people. EJ communities close proximity to the entire MVP route makes them the majority of peoples most impacted by the MVP.

In the area of the Jefferson National Forest where MVP seeks and expects the USFS and BLM to grant 11 changes that solely benefit MVP's investors, what would be the consequences of a USPS decision to allow MVP's route and these amendments? In sum, all the proposed amendments in this DSEIS would set terrible precedents for corporate uses of our public lands.

1. The proposed FW-428 amendment upends commonsense definitions of what constitutes a "public utility corridor." In no legal context has MVP proven or a court concluded that it has "public necessity" as a public utility deserving special consideration to negatively impact drinking water source quality, both local individual water wells and downstream municipal water systems, Old Growth Forests, and scenic viewsheds. All of these are our national resources, whose value to the U.S. is incalculable because they would last in perpetuity if not put at risk by decision-makers. When their value is economically compared with the short-term "utilitarian" value of fossil fuel profit-making from the MVP, the MVP has no lasting value, no lasting jobs, and only harmful consequences. Yet, the USFS might once again grant the wishes of this company making inflated economic claims for a project that destroys public lands.

2. It cannot be stated strongly or often enough: MVP has no track record of the capacity to build a safe pipeline route in the Jefferson National Forest or anywhere in West Virginia or Virginia so far -- with more than 500 violations on record. Their decision to build a pipeline route through the greatest topographic highs and lows of any in the country is the reason they

must be stopped from further damage based on frightening levels of ignorance. It is not gas industry standard to expect 42" pipelines to go up and down mountains, with up to 26 miles between valve shut offs.

So far, MVP pipeline construction methods cannot be relied on for pipes to remain in the ground, for the trenches to not flood, the soils to not erode under now regular and expected large rainfalls leading to flooding, erosion, and sedimentation of key waters. Why give special permissions to a gas pipeline company to cross water bodies, traverse and destroy Old Growth Forests when, at no point in MVP's construction years, have they been able to do so without immense and irreparable harms, even before fracked gas with 100s of toxic pollutants are running through these now aged pipes?

3. It is extremely troubling that the USFS is still relying on applicant-sponsored modeling data. The DSEIS does not provide sufficient independent scientific information, nor even the specific details of assessments and modeling reports by the applicant. The EJ communities who are the most impacted by the MVP deserve factual data rather than sedimentation modeling such as provided here. Neighbors have had their drinking water completely destroyed by sedimentation, just one instance of which is described by West Virginia landowner Maury Johnson in his USFS comments.

As shown in *Wild Virginia et al v. U.S. Department of Agriculture*, sedimentation modeling "doesn't accurately reflect real world data" according to the judges of the U.S. Court of Appeals for the 4th Circuit decision that vacated the USFS's MVP permit (p. 14, others).

Here is a link to a video of the poor quality and easy destruction of fencing built by the MVP to contain erosion and prevent sedimentation on Peters' Mountain, W. VA. In one scene, the forest and unmarked Indigenous burial site is seen destroyed by the MVP: [Peters Mountain - Mystery Ridge & MVP](#).

Riparian zones should be protected because of their unique ability to buffer waterways from sediment and nutrient runoff, stabilize banks, to shade and regulate stream temperatures, and provide much of the food sources for river ecosystems. The USFS has received hundreds of photos of the 500+ violations of the MVP construction corridor already. How many more violations would it take for the USFS, and on behalf of the BLM need, to decide that enough is enough and to make the No Action decision on amendments to the USFS plan for the MVP?

4. The pipes that would be laid through the Jefferson National Forest have been lying outside for far too many years. MVP claims that they can send a pig in to re-coat pipes from the inside, but even PHMSHA does not support their claim that these pipes do not degrade to an unsafe degree under these years-long outdoor exposure conditions.

Here is a video taken just 5 months ago showing degraded MVP pipes in West Virginia. [I assume that the USFS knows of the health, water, and soil impacts of even one fracked gas

pipeline leak, releasing into the air, water, and soil all the pipeline contents between shut-off valve distances. Which in the case of rural places are allowed to be 26+ miles apart.]

"All of the pipe seen in this video is slated to go down steep slopes and/or across streams. The pipe in the Linside pipeyard would be placed across a huge karst/ earthquake zone and up the side of Peters Mountain and into the National Forest": [Degraded MVP Pipe in Monroe County, West Virginia](#).

5. Rural, mountainous landscape makes monitoring of pipeline breaks and leaks nearly impossible based on this topography and the impacts of flooding on buried pipes. Certainly, discovery of leaks, breaks, and eroded pipes in the mountains of the JNF will be unlikely or greatly delayed. Because MVP has chosen a rural route through highest elevations down to low valleys, who will monitor those distances in the Jefferson National Forest? Who will be charged with monitoring the entire MVP route for gas leaks and breaks? Until now, it has been citizen monitors, who have discovered these violations in remote places or on their properties where MVP pipelines were laid.

The USFS has asked that our comments be directed to the MVP route segment and conditions in the Jefferson National Forest. However, no one in your agency would argue that whatever happens there will not directly impact all environments and everyone living downstream of any pipeline laid in the JNF. USFS must consider the entire remaining length of the proposed pipeline to be scientific data about environmental impacts of water crossings in the Jefferson National Forest.

6. Who bears the consequences of living next to and downstream of the Jefferson National Forest pipeline distance? USFS analysts cannot wall off this section as if it is stand-alone. The individual site issues given in comments by upstream and downstream impacted landowners and firsthand empirical evidence of concerns about the entire pipeline length downstream and upstream of the JNF need to be considered as evidence for decision-making on these proposed amendments.

This evidence is provided by citizen scientists and includes accurate data from fly-overs, specific monitoring of sections of the pipeline already laid, and the evidence used to document and report MVP's 500+ violations. These data are the real-world impacts to the JNF section of the MVP from upstream violations and how the JNF pipeline distance violations would impact environments downstream.

7. The purpose of the DSEIS needs to be as an environmental impacts' evaluation in order to best serve the conservation of the JNF, keeping the standards set and regulations in place to conserve this shared national resource in perpetuity. Granting the MVP permission to cross the JNF does not comply with the 2012 USFS Planning Rule's mandate "to maintain or restore the ecological integrity of terrestrial and aquatic ecosystems and watersheds in the plan area." (Wild Virginia et al v. U.S. Department of Agriculture p. 28)

8. Granting these special permissions to benefit a few fossil fuel investors during a time of rapid climate change is a terrible and ironic twist to the intentions of the Planning Rule. The result of that decision would use our shared national resource to cause immense climate change over the MVP's proposed operational lifetime from the emissions of an outmoded, hazardous form of energy.

How terrible it would be to tell a story of the JNF to our grandchildren and great-grandchildren, in which the leaders of the USFS decided to prioritize the needs of people who are contributing to climate change because it will be profitable to themselves and their investors. Rather than to prioritize protecting our collective environmental present and future, while also protecting and preserving the resources of the JNF.

Shall we have to tell our children about the Old Growth Forests that used to exist here, rather than for these children to experience them for themselves? Do not amend the Old Growth Forest protections (6C-026, 6C-007) put into place to protect these endangered trees that do so much for soil health, topsoil creation, and retain carbon and nitrogen, while enriching our collective memories and giving the spiritual uplift of experiencing their existences?

9. The proposed amendment to FW-184, the Scenic Integrity Objectives and amendment to 4A028 endanger the role played by USFS in the necessity to protect scenic viewsheds. Certainly, the USFS is aware that during Covid-19 Shut-Down, the roads and trails of the JNF, George Washington National Forest, and the Blue Ridge Parkway were packed with people, including me and my family and close friends. So many people flooded the roads because we needed to get into the mountains. All or nearly all stopped to enjoy the views, where they picnicked, danced, or met up outside at these Appalachian Mountain scenic vistas.

What is the value and call felt when looking at majestic mountains and forests at great distances? Most would say, it gives them a sense of peace, this vision of far distances, of greater horizons than that of a self-only focus on one's issues. Such viewing offers a different existential worldview that takes us humans "out of ourselves" and into the greater creation by its beauty, scope, and scale.

Yet, MVP seeks amendments from the USFS for special permissions to disrupt and mar specific viewsheds with clear-cutting needed for pipelines and their easements and access roads (creating dust and ugly swaths of cleared timber). As with harms done by MVP by crossing water bodies, and destruction of Old Growth Forests, destroying viewsheds destroys shared public sources of mental and emotional health. Access to experiential understandings of the vastness of the natural world creates beneficial neural development and quality of life.

The USFS must not grant preferential benefits to MVP to destroy incalculably valuable, shared natural resources given into this agency's care by the U.S. people.

Taken together, for these reasons, I urge the USFS to take the Alternate 1 - No Action decision for the public good, because it is in everyone's best interests -- from us who live near the JNF to the global world impacted by rapid climate change.

Very sincerely,  
*Lakshmi Fjord*