

Federal Energy Regulatory Commission
Kimberly D. Bose, Secretary
888 First St. N.E. Room 1A
Washington, DC 20426
eFiled – December 11, 2016

Re: Proposed Mountain Valley Pipeline Comments: Docket No. CP16-10-000 - 81 FR 71041

Ms. Bose,

The National Trails System consists of 11 National Scenic Trails and 19 National Historic Trails designated by Congress “in order to provide for the ever-increasing outdoor recreation needs of an expanding population and in order to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas and historic resources of the Nation.” National scenic trails are “extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass.”

FERC has proposed Forest Plan amendments that would allow activities that would substantially interfere with the nature and purposes of the Appalachian National Scenic Trail (ANST). Proposed Forest Plan amendments represent a significant threat to all National Scenic and Historic Trails on lands managed by the USDA Forest Service because the current protections afforded the ANST in Forest Plans serve as a model for Forest Planning nationwide. Numerous energy transmission projects have crossed National Scenic and Historic Trails without requiring amendments to the respective Forest Plans, which has been achieved through thoughtful planning, impact analysis and partnership. Inadequate planning has resulted in a poor route proposal for the MVP project that does not adequately protect visual quality leading to substantial impacts and degradation of the nature and purposes of the ANST.

The DEIS would require amendments to the Jefferson National Forest Plan, the foundational document for Forest management. These amendments would not only be unprecedented, but would significantly erode the protection of the ANST, which the public has spent millions of dollars to protect.

Proposed Amendment 4 is of significant concern. This amendment would change the Scenic Integrity Objective (SIO) for the Rx 4A area from “High” to “Moderate,” downgrading the standard for scenic integrity along the ANST. This amendment also allows 5-10 years following completion of the project for this SIO of “Moderate” to be achieved (two years is the typical standard) — this implies that the scenic integrity will be below “Moderate” for up to a decade. This would be substantial interference to the nature and purposes of the ANST.

Amending the plan in the manner proposed would negatively impact other Forest Plan prescription areas protecting Wilderness, Old Growth Forest, Inventoried Roadless areas, and fragile successional habitats. Furthermore, it requires the establishment of a new utility corridor directly adjacent to Federally Designated Wilderness and terminating immediately adjacent to the A.T. on both sides.

REQUESTED ACTIONS:

- All Forest Plan standards not met by any aspect of the proposed project must be identified in a supplemental DEIS, and the public must be afforded a minimum of 90 days to assess and comment. The 90 days must be provided after all relevant filings and information have been provided by the applicant as required by the National Forest Management Act, 36 CFR 219 part A §219.16(2), noting that “the Forest Service retains decision making authority and responsibility for all decisions throughout the {plan amendment} process 36 CFR 219 part A §219.4(a).
- No Amendment to the Forest Plan should be developed that lowers the Scenic Integrity Objectives of the Appalachian National Scenic Trail.
- Perform visual quality analyses following the Scenery Management System process, which would provide for scientific integrity of the analysis (40 CFR 1502.24).
- Provide for extensive onsite and offsite mitigation to reduce impacts created by this project if approved. Offsite mitigation could include commensurate financial support to maintain the travelway and protect the ANST corridor within the region.
- The National Park Service is the responsible administering agency for the ANST and therefore must concur with the required substantial interference determination for this project (16 U.S.C. 1246(c)).

Submitting supporting attachments through the FERC website is difficult, so I am instead sending to the “cc” recipients a National Scenic Trail planning handbook, which provides guidance for addressing the planning of National Trails on Federal lands. The guidance in this document should help lead to an analysis that is consistent with the National Trail System Act, National Forest Management Act, and National Environmental Policy Act.

Thank you for accepting and considering these comments.

Sincerely,

Greg Warren
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