On a motion by xxxxxxxxxxx, seconded by xxxxxxxxxxxxxxx and carried,

WHEREAS, Mountain Valley Pipeline, LLC, ("Mountain Valley Pipeline") proposes to construct and operate a three hundred one (301) mile long, forty-two (42) inch diameter natural gas pipeline and associated facilities between Wetzel, West Virginia and Pittsylvania County, Virginia, traversing approximately nineteen (19) miles through Montgomery County; and

WHEREAS, the Bureau of Land Management (BLM) in the US Department of the Interior, has requested comments on the issuance of a Right-of Way (ROW) Grant that would permit the pipeline to be constructed on federal lands managed by the United States Forest Service (USFS) and the United States Army Corp of Engineers (USACE), specifically crossing the Jefferson National Forest on **Brush Mountain in Montgomery County**, Virginia, the headwaters to Mill Creek and the State owned Slussers Chapel Cave; and

WHEREAS, the BLM's purpose and need for the proposed amendments are a ROW application grant submitted by Mountain Valley Pipeline on April 5, 2016, to cross federal lands under the jurisdiction of the USFS and the USACE. Before issuing the ROW Grant, the BLM must receive written concurrence from both agencies, or any specific stipulations applicable to "their lands, facilities, waterbodies, and easements for inclusion in the ROW Grant."[1]

WHEREAS, the purpose and need for the amendments to the USFS Land Resource Management Plan (LRMP) would be a "plan-level amendment that would change future management direction for the lands reallocated to a new management prescription (Rx) and is required by LRMP Standard FW-248;"[2] those amendments are:

Proposed Amendment 1 –The LRMP would be amended to reallocate 186 acres to the Management Prescription 5C—Designated Utility Corridors from these Rxs: 4J—Urban/Suburban Interface (56 acres); 6C—Old Growth Forest Communities-Disturbance Associated (19 ac); and 8A1—Mix of Successional Habitats in Forested Landscapes (111 acres).

Rx 5C—Designated Utility Corridors contain special uses which serve a public benefit by providing a reliable supply of electricity, natural gas, or water essential to local, regional, and national economies. The new Rx 5C land allocation would be 500 feet wide (250 feet wide on each side of the pipeline), with two exceptions: (1) The area where the pipeline crosses Rx 4A—Appalachian National Scenic Trail Corridor would remain in Rx 4A; and (2) the new 5C area would not cross into Peters Mountain Wilderness so the Rx 5C area would be less than 500 feet wide along the boundary of the Wilderness.

The second type of amendment would be a "project-specific amendment" that would apply only to the construction and operation of this pipeline. The following amendments would grant

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[1] CFR; Notice on September 27, 2016: 81 FR66268, pp. 66268-66271; document # 2016-23237
[2] Ibid.

a temporary `waiver' to allow the project to proceed. These amendments would not change LRMP requirements for other projects or authorize any other actions.

Proposed Amendment 2 – The LRMP would be amended to allow construction of the MVP pipeline to exceed restrictions on soil conditions and riparian corridor conditions as described in LRMP standards FW-5, FW-9, FW-13, FW-14 and 11-017, provided that mitigation measures or project requirements agreed upon by the Forest Service are implemented as needed.

Proposed Amendment 3 - The LRMP would be amended to allow the removal of old growth trees within the construction corridor of the MVP pipeline. (reference LRMP Standard FW-77)

Proposed Amendment 4 – The LRMP would be amended to allow the MVP pipeline to cross the Appalachian National Scenic Trail (ANST) on Peters Mountain. The Scenic Integrity Objective (SIO) for the Rx 4A area and the ANST will be changed from High to Moderate. This amendment also requires the SIO of Moderate to be achieved within five to ten years following completion of the project to allow for vegetation growth. (reference LRMP Standards 4A-021 and 4A-028).[3]

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby **strongly opposes** the proposed amendments to the USFS's LRMP to provide a ROW Grant permitting the crossing of Federal lands, owned by all Americans, for the purposes of the construction of the Mountain Valley Pipeline.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby opposes the proposed Mountain Valley Pipeline Project filed under Docket Number CP16-10-000 with FERC because of the **numerous adverse impacts to the land, be it private, State or Federally held.**

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby directs staff to transmit this Resolution to FERC for inclusion in Docket Number CP 16-10-000.

The vote on the following resolution was as follows:

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[3] CFR; Notice on September 27, 2016: 81 FR66268, pp. 66268-66271; document # 2016-23237

On a motion by xxxxxxxxxxx, seconded by xxxxxxxxxxxxxxx and carried,

WHEREAS, Mountain Valley Pipeline, LLC, ("Mountain Valley Pipeline") proposes to construct and operate a three hundred one (301) mile long, forty-two (42) inch diameter natural gas pipeline and associated facilities between Wetzel, West Virginia and Pittsylvania County, Virginia, traversing approximately nineteen (19) miles through Montgomery County; and

WHEREAS, the Virginia Department of Conservation and Recreation (VDCR) has proposed a modification to both the proposed corridor (MVP-REV4) and the Mount Tabor Alternative in a submittal dated September 9, 2016. "As proposed, both the proposed corridor and the Mount Tabor Alternative cross the center of the Slussers Chapel Conservation Site, including several tributaries to the sinking stream that enters Slussers Chapel Cave and/or Mill Creek, which sinks into the system as well. These tributaries are first and second order streams that are extremely flood prone, lying along the lower, southeastern slopes of Brush Mountain. Such slope areas will be difficult to revegetate and will be subject to high erosion both during and subsequent to construction."[1]

WHEREAS, the VDCR determined that the area previously thought to be a Wilderness Area, was confined to the north slope of the National Forest and not the south slope, they "recommend avoidance of the Slussers Chapel Conservation Site. Routing the pipeline north along or near these topographic divides could avoid or minimize the disturbance of channels, and by removing the pipeline from areas of concentrated water flow significantly reduce the potential for erosion and sedimentation to affect the underground streams and caves of the Slussers Chapel Conservation Site. This, or a similar modification could greatly reduce the potential impact to the Slussers Chapel Conservation Site, cave and karst hydrology and associated lands in conservation management."[2]

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that even though the Board of Supervisors has adopted Resolution **X-XX-XX-X** in opposition to the Bureau of Land Management's (BLM) proposed amendments to provide a ROW Grant that would permit the pipeline to be constructed on federal lands managed by the United States Forest Service (USFS) and the United States Army Corp of Engineers (USACE), should the USFS "provide written concurrence" to the BLM in accordance with Title 43 Code of Federal Regulations (CR) Part 2882.3(i), and a ROW Grant is issued, **then:**

i. the 500-foot ROW in the "new Rx 5C land allocation," **should be limited to 50 feet,**

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[1] Submittal # 20160909-5315 (31679600); VDCR p. 1

[2] Ibid.

and the USFS Land Resource Management Plan (LRMP) **prescription should also be limited to 50 feet**, which would discourage future collocation opportunities for utility corridors, and

ii. the modification as discussed by the VDCR in their letter to FERC, dated September 9, 2016, to minimize negative impacts to the Slussers Chapel Conservation Site should be adopted.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby directs staff to transmit this Resolution to FERC for inclusion in Docket Number CP 16-10-000.

The vote on the following resolution was as follows: