

Corridor H Alternatives

December 12, 2022

Sent by electronic mail to: Travis.E.Long@wv.gov

Mr. Travis Long, Director
Technical Support Division
West Virginia Division of Highways
1334 Smith Street
Charleston WV 25301

Dear Mr. Long,

We are writing on behalf of Corridor H Alternatives (CHA), a non-profit citizens' organization formed over 30 years ago to promote transportation systems which preserve and enhance the quality of life, the natural environment, local business and community cohesion, and, local history and culture in the Potomac Highlands and Shenandoah Valley of West Virginia and Virginia.

As stated in our October 7, 2022 letter to you, it appears that your agencies continue to proceed in a direction that would bring you squarely in conflict with Section 4(f) should you fail to consider prudent and feasible alternatives that would avoid harm to the historic Blackwater Industrial Complex. Rather than proceed on a course that will inevitably lead to more litigation and delays, we urge you instead in the upcoming Draft SEIS to examine prudent and feasible alternative alignments, including the northern "bypass" alignment supported by the Town of Thomas, that avoid this and other irreplaceable historic resources.

There are many serious concerns that also need to be addressed as you consider the alternatives for the Parsons-to-Davis section of proposed Corridor H in the upcoming Draft Supplemental EIS (DSEIS). Some of the additional concerns the DSEIS must take into account include:

1. Purpose and Need: Given the extensive period of time between environmental impact statements (the 1996 FEIS Appalachian Corridor H: Elkins WV to Interstate 81 in Virginia, and, the 2007 SFEIS Appalachian Corridor H: Parsons-to-Davis), much has changed in the world, state, region and in the area of this proposed section of four-lane highway.

The Virginia Commonwealth Transportation Board has no plans to build the Virginia alignment outlined in 1993 to connect with I-81. On Oct. 11, 2022, the Board of Supervisors of Shenandoah County, the Virginia county most affected by that proposed Corridor H route, restated its opposition to construction. Additionally, the Strasburg, VA

Town Council passed its own “NO” resolution on Dec. 6, 2022. Thus, the four-lane would end at the WV-VA state line, greatly reducing the regional connectivity argument for Purpose and Need.

2. Significant Changes in the Area’s Socio-Economic Environment in the Past Twenty Years:

Then, the area was losing population at an accelerating rate. From 1990 to 2000, it declined 21%. Now, the most recent census found population gains in Davis, from 624 to 782, and in Thomas, from 452 to 548.

Then, coal mines had shut down, the railroad had been removed, and local businesses were closing their doors. Now, between 2012 and 2021 the number of businesses in the two towns doubled.

According to the recent report by Downstream Strategies, “Bracing for Change,” “Together these two communities have gained notice among the most desirable small towns in America.”

The completion of Corridor H from the east as far as Davis certainly contributed to these changes. Its current status has been ideal: it brings people to the doorstep and doesn’t wreck the house.

Expectations, strategies, and designs that might have been appropriate twenty years ago are not today. The highway should help east-west traffic to flow without changing the character and appeal of the area.

WVDOH and FHWA say the need for the project has three elements: improving east-west transportation; promoting economic development; and preserving and improving the quality of life in the region. *Any* route will accomplish the transportation objective, but the wrong route would have a negative effect on the region’s developing economy and special quality of life.

A northern alignment will protect what has made this area an attractive destination for more visitors, residents, and businesses. It will preserve the Blackwater Industrial Complex, a National Register-eligible historic district. It will avoid the scenic trails already open and to come.

The 2007 SFEIS acknowledged in Section III that the ROPA would have particular negative impacts on Thomas: it would reduce tourist traffic through town, and it would not spur development to the west, around Benbush. Going north will give Thomas better access and better separation from long-distance truck traffic. It will reduce the noise, light, and visual impacts on Davis.

3. Truck Route: WVDONH recognized that its ROPA failed to deal with the pressing issue of truck traffic through Thomas. It tried to make up for that by rerouting Rt. 32 as a bypass. However, that fix would create new safety hazards at the additional intersections. It would also affect the Coketon mine pool and acid mine drainage in the vicinity of Pendleton Creek.

Instead of preserving the “greenway” between Thomas and Davis that was envisioned in Thomas’s city plan, the truck route would mix through trucks with local traffic for more miles, a problem that will become worse over time according to WVDONH’s traffic projections.

The obvious solution is to direct long-distance traffic coming from the north directly onto Corridor H. The northern route should be recognized as the real truck bypass.

3. Geology: On the western end, where the ROPA would climb Backbone Mountain, geology is a serious concern. The Mauch Chunk formation is notoriously unstable. Building a four-lane highway where the two-lane US 219 barely fits would require enormous cutbacks.

The Upper Freeport Seam, when exposed to air and water, creates acid drainage pollution. This seam runs extensively through the area of the proposed route (ROPA). The development of a four-lane highway in this area will certainly create additional acid drainage. The area has already suffered serious impacts from acid drainage created from the mining of this coal seam. Additionally, federal and state agencies have spent millions of dollars to remediate and restore waterways in the Blackwater watershed and downstream in the Lower Cheat.

4. Excess Waste: We refer you to the April 22, 2003 letter CHA submitted for the 2002 Parsons-to-Davis SDEIS regarding the “gross underestimations of excess excavation determined from your actual waste site figures provided on the Elkins to Kerens section — actual waste being nearly 2 1/2 times of what you predicted...”, and the additional concerns stated therein.

Your responses to this issue from CHA, the WVDNR and USEPA are noted in the 2007 Parsons-to-Davis SFEIS on pages VII-18, VII-21, VII-226 & 227 and in the Public Comments on December 2002 SDEIS electronic version page number 269.

Both the WVDNR and the USEPA expressed concerns related to the vast amounts of excess waste created, the underestimation of amounts, and the secondary and cumulative impacts involved.

This is a very critical issue. To underestimate waste predictions so severely has extreme environment impacts. It alters the considerations for each of the alternatives prematurely screened out in the Level Two Alternatives analysis upon which the P-D SFEIS is built

to such a degree that there is no accurate foundation upon which to make any decisions.

In order to comply with the related federal and state laws, permits, and their enforcement, the state and federal agencies must be presented with the more accurate numbers — to review the numbers and impacts, and, submit additional comments and recommendations prior to the issuance of a second Parsons-to-Davis SFEIS.

We have seen the greatest difference between the OPA and the ROPA is an enormous recalculation of earthwork. The same should be done for the alternatives previously studied in the Thomas-Davis section. An accurate estimate of excess waste anticipated for all the alternatives should be presented to the consulting agencies (WVDNR, WVDEP, USDA FS-MNF, USEPA, USDOJ-NPS) and to the public, prior to the elimination of any of the alternatives, and, to the selection of a final alternative.

5. Water Quality Concerns: Despite the EPA issuing an environmental concern rating in its initial NEPA analysis, DOH has continued planning the highway directly across the North Fork of the Blackwater River, which would negatively impact the water quality of the North Fork (formerly an outstanding trout fishery) and the famous Blackwater River and Canyon just downstream from the highway.

The North Fork of the Blackwater is a popular tourist and recreation area with a new multimillion-dollar recreation trail and bridge planned to link the Blackwater Rail Trail to Blackwater Falls State Park.

The Blackwater River is designated as a West Virginia Critical Resource Water and has been deemed eligible by the Monongahela National Forest for Wild and Scenic River designation. The resulting acid drainage and sedimentation from the highway building process could easily wipe out the established trout fishery upstream in the Blackwater, as has happened in the adjacent section of highway that is being built. The preferred alternative would likely change the eligibility of the Lower Blackwater Canyon for a potential Wild and Scenic River designation.

Beginning in the late 1800s, the Blackwater River suffered extreme environmental degradation from deep coal mining and coke production. DOH's route crosses the river just southwest of Thomas, WV, where historical maps show there was a maze of coal mines that are now filled with acid mine pollution. Today the acid mine drainage (AMD) is largely in check on the Blackwater River and the remediation has been a success, even winning an award from the Office of Surface Mining. The North Fork of the Blackwater River, however, remains an area of concern because of the historic underground coal production that occurred there. Current efforts are underway to restore this river and any construction of highway in this broad proposed highway construction area - which includes acid producing strata, mine pools and vast mine remediation projects - will release of AMD and imperil the water quality of the local streams, the Blackwater and the Cheat River downstream.

6. Stream water quality monitoring data: WVDOH contracted with WVU Professor Dr. Elizabeth Buzby regarding the Corridor H projects. She has been conducting water quality monitoring in the area for several years. This information should be made public and be a part of the Draft SEIS. High quality trout streams have been devastated in a previous section where Corridor H is being built.

Documentation from the WV DEP and the Monongahela National Forest conveys the negative impacts taking place to the Tier 3 and high quality trout streams.

The West Virginia Rivers Coalition reports concerns “that these massive construction projects could cause negative impacts on water resources. Particularly as the segment of Corridor H currently under construction is not abiding by permit conditions leading to muddy water and sedimentation of high-quality trout streams.

Based on an analysis of the Kerens-to-Parsons segment of Corridor H that has been under construction since 2017, there have been 51 violations documenting 336 instances of non-compliance.

The most common non-compliance issues are:

*Failing to properly implement and maintain sediment control measures, 47 times.

*Failing to prevent muddy water from leaving construction sites, 32 times.

*Causing sediment plumes in nearby streams, 29 times.

*Causing the deposition of sediment on the bottom of nearby streams, 21 times.

Introducing large amounts of sediment into streams can clog fish gills, smother the streambed habitat, increase the temperature and lower the amount of oxygen in the water necessary for aquatic life. High quality trout streams, such as the ones that will be crossed by the proposed projects, are particularly sensitive to these impacts.”

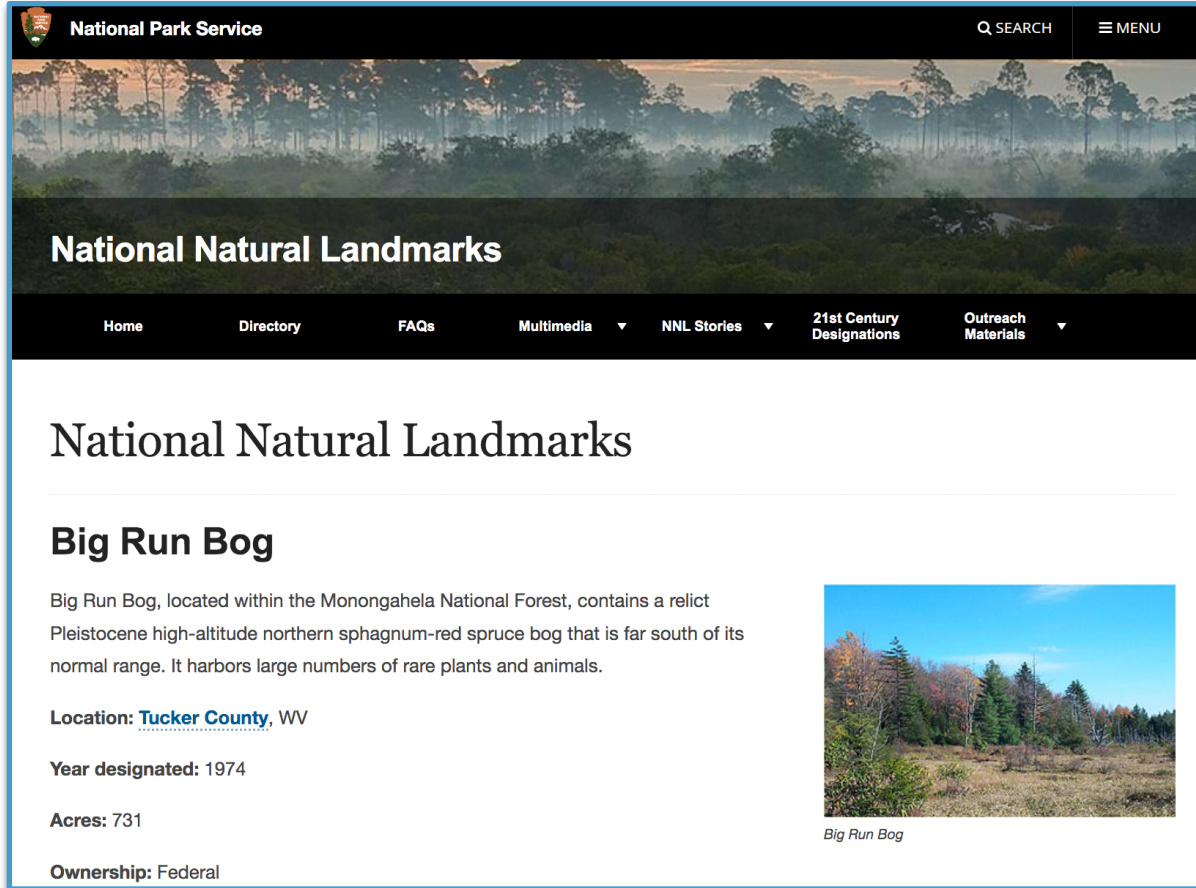
(See <https://wvrivers.salsalabs.org/corridorh>)

The proposed Parsons-to-Davis section contains more high quality trout streams and the construction effects on these streams must not damage or obliterate them. WVDOH’s mitigation plans, must be laid out in a new EIS.

7. Flooding: In the vital terrain of the Eastern continental divide headwaters, the best expertise available must be considered and applied to proposed highway building. The geology and propensity to flooding requires it. Flood protection is the main reason lands in this area were purchased via the Weeks Act as National Forest.

Culvert frequency, lengths and size need to be considered with each alternative. As does any related vegetative management to reduce flow rates, and design measures to support fish habitat.

8. Big Run Bog National Natural Landmark (NNL):



The screenshot shows the National Park Service website for the Big Run Bog National Natural Landmark. The page features a dark header with the NPS logo, search, and menu options. Below the header is a large banner image of a misty forest. The main content area has a white background with the title "National Natural Landmarks" and a navigation menu. The specific landmark page is titled "Big Run Bog" and includes a descriptive paragraph, location, year designated, acres, and ownership information. A photograph of the bog is shown on the right side of the page.

National Park Service SEARCH MENU

National Natural Landmarks

Home Directory FAQs Multimedia NNL Stories 21st Century Designations Outreach Materials

National Natural Landmarks

Big Run Bog


Big Run Bog, located within the Monongahela National Forest, contains a relict Pleistocene high-altitude northern sphagnum-red spruce bog that is far south of its normal range. It harbors large numbers of rare plants and animals.

Location: [Tucker County, WV](#)

Year designated: 1974

Acres: 731

Ownership: Federal



Big Run Bog

This unique National Natural Landmark is administered by the USDOJ-NPS but addressed in the MNF Management Plan. The NPS cites the acreage of Big Run Bog as 731 acres, and the USDA - MNF Forest Plan cites the acreage as 660 (See MNF NFMP Administrative Correction 15, August 12, 2010, Changes to Management Prescription 8.2 Areas Due to New Information).

Which acreage and information did WVDOH use for planning, draft documents and maps? How will it be accounted for and forever protected as alternatives are being considered?

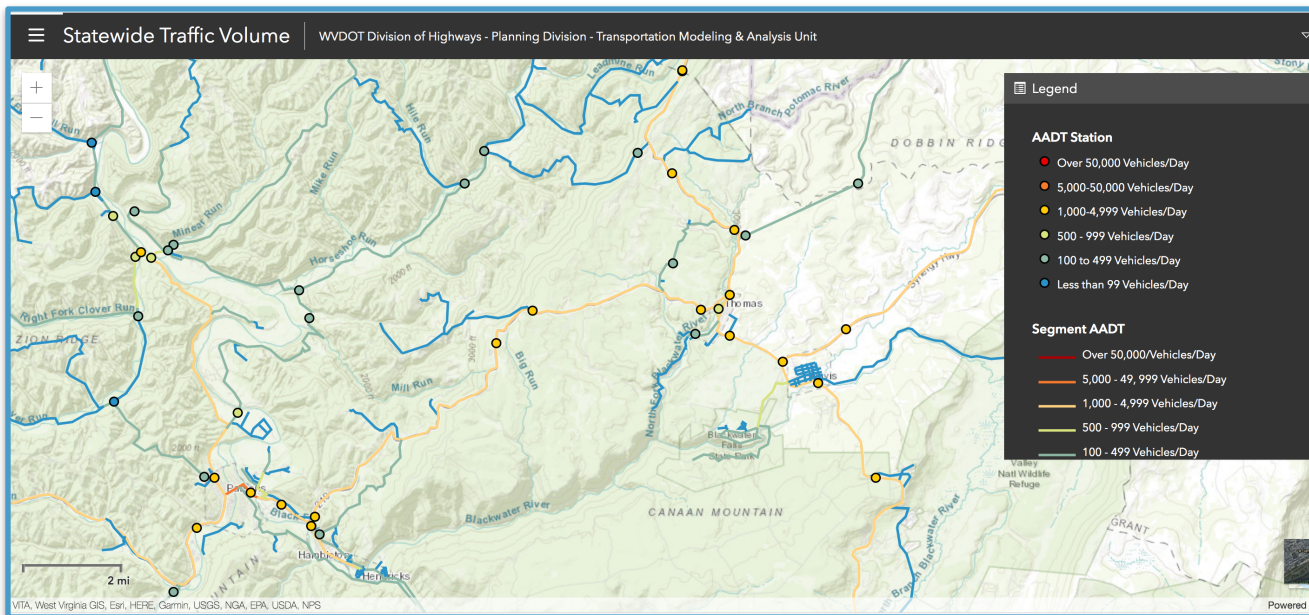
9. AMD, AML and Mine Pools: Numerous issues have not been considered in this realm. We ask that you include impacts to reclaimed areas, and those that would increase AMD, AML and mine pool issues in the headwater streams, North Fork Blackwater, Blackwater — extending impacts downstream to the Cheat River.

10. Endangered Species: In the past 20 years, there have been changes in designation of endangered species inhabiting the project vicinity and there has been the addition of new T&E species. As you know, the Northern Long-Eared Bat's status, just this year has changed from Threatened to Endangered. And the Rusty Patched Bumble-Bee has been located in the project vicinity and must now also be appropriately considered. Adequate time and appropriate studies must be accomplished for the protection of these species. Please include the study process, timelines and outcomes in the SDEIS.

11. Noise, light, and visual effects: These effects must be analyzed in the DSEIS, especially for the Blackwater Industrial Complex, Blackwater Falls State Park, Davis, Douglas, Thomas and the area surrounding the proposed bridge over the North Fork of Blackwater. How will the ROPA affect the State Park's application for Dark Sky status?

WVDOH says that the ROPA would not be seen from Lindy Point. But that's not the only iconic viewpoint. A spatial analysis by Prof. Strager of WVU's School of Natural Resources shows that the ROPA could be seen from State Park roads and overlooks. Throughout the Blackwater area, its sounds and lights would affect visitors' experience of the natural world.

12. Traffic counts: The WV DOT web page below shows the numbers in this area to be 1,000-4,999 vehicles **per day, or less**. How can this amount of traffic justify a four-lane highway? <https://gis.transportation.wv.gov/aadt/>



13. Safety Issues: Safety has been mentioned as an important justification to build a four-lane Corridor H. In reality, two mountainous roads will exist that will further tax the emergency services that exist in Tucker County. Currently, only one station and unit is available to respond to accidents and health emergencies. How does it become safer when the number of traffic lanes more than doubles?

In that sense, safety is not a realistic justification to build a four-lane highway. What alternatives can be considered to that would help address safety issues?

14. Public Information and Comment Deadlines: We refer you to the letter of December 9, 2022 sent to you on our behalf by Appalachian Mountain Advocates. CHA requested information regarding this section of Corridor H via a FOIA to the MNF in May 2022. The partial release of the information (7,400+ pages) was provided on December 1, 2022. A very short amount of time to review documents and incorporate them with comments.

We understand that other organizations have faced similar delay and difficulty in requesting relevant information, including records of the Division itself. Still other organizations have noted that, until just a few days ago, the Division's website still reflected the original October deadline—leading those organizations to believe it was too late to prepare comments. Access to correct information on how and when to comment via the NEPA process is critical. Interested organizations and individuals have been disenfranchised by the lack of accurate information on the WVDOT website.

Conclusion: The most recent FEIS for the route under consideration by the WVDOH was completed in 2007 — 15 years ago — making it now stale. There is much new information, especially concerning socio-economic changes, that should be brought to light and appropriately considered.

Again, we ask you not to proceed on a course that will inevitably lead to more litigation and delays, but instead use the upcoming DSEIS to examine the prudent and feasible alternatives, around the Town of Thomas, that avoid the Blackwater Historic Area and other irreplaceable natural and historic resources.

Sincerely,



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Pamela Moe, Secretary
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cc:

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