

**Appalachian Corridor H**

**Parsons-to-Davis SFEIS**

**APPENDIX A**

**Comment and Coordination  
Letters**

# **SDEIS**

## **Public Comments & Responses**

# Public hearing comments on December 2002 SDEIS

Pages 5 to 8

13595-1 - West Virginia Department of Transportation - Workshop Public Hearing - 2/6/03

<p>Page 5</p> <p>1 you in better preparing your oral or 2 written comments concerning this 3 project. 4 If you would like to make an 5 oral statement, you will need to visit 6 the Court Reporter. Please provide 7 your name, your address, and 8 organization if any. The Court 9 Reporter needs this information for 10 the record. 11 A transcript of statements made 12 will be prepared for the project and 13 made part of the official record. 14 This transcript will be provided to 15 the Federal Highway Administration for 16 their review. We are also accepting 17 written comments, which will become 18 part of the project record. Written 19 comments are due April 22, 2003. 20 The Division of Highways has 21 and will continue to coordinate the 22 development of the project with 23 various agencies, both state and 24 federal, and organizations that may 25 have concerns or interests. This</p>	<p>Page 7</p> <p>1 Division of Highways thanks you for 2 your participation in our public 3 involvement process. 4 Officials in attendance tonight 5 from the West Virginia Division of 6 Highways include, Mike Wilson, Norse 7 Angus, Ben Hark, Jim Colby, Chuck 8 Bartley, David Clevenger, Randy 9 Epperley, Chandra Ingalls. From the 10 Federal Highway Administration, Ed 11 Compton. From the consulting firm 12 Baker, Martha Dobyns, Jonathan Danz, 13 Bill McCartney, Jennifer Riddle, Andy 14 Gould, J. K. Robinson, Tim Smith. 15 From the consulting firm Charles Ryan 16 &amp; Associates, Amy Dobkin and Jennifer 17 Vieweg. From the West Virginia 18 Department of Culture &amp; History, Susan 19 Pierce and Joanna Wilson. 20 <b>MR. DEARBORN:</b> I'd like 21 to be reported in favor of the 22 preferred original. It seems it's not 23 only, well, for one thing it's more 24 economical, more direct and for those 25 who reason along, well, plus the fact</p>
<p>Page 6</p> <p>1 includes the county, local communities, 2 the Department of Natural Resources, 3 the Division of Environmental 4 Protection, the U.S. Fish and Wildlife 5 Service, the Environmental Protection 6 Agency, state and federal historic 7 agencies, and other affected 8 organizations. These organizations and 9 agencies have been provided a copy of 10 the necessary environmental documents 11 for their review. Their comments will 12 also be considered in the selection of 13 an alternative and for future 14 development of the project. 15 We are coordinating this 16 project with the Federal Highway 17 Administration, since it is expected 18 that they will be assisting in the 19 funding of the project. Funding will 20 be 80 percent federal and 20 percent 21 state-matching. 22 A very important aspect of 23 coordination, of course, is the 24 community itself, and that is why we 25 are here tonight. The West Virginia</p>	<p>Page 8</p> <p>1 that the, the alternatives appear to 2 be as much as 90 million dollars more, 3 which doesn't make a lot of sense to 4 me. 5 <b>COURT REPORTER:</b> Please 6 state your name and address. 7 <b>MR. DEARBORN:</b> Oh, my 8 name is Murray Dearborn, Post Office 9 Box, I live in the Canaan Valley, Post 10 Office Box 37, Davis 26260, okay. 11 <b>COURT REPORTER:</b> Thank 12 you. 13 <b>MR. BRIGHT:</b> John 14 Bright, should I mention who I'm 15 with? I'm with the Purple Fiddle, 16 which is a business based, most 17 businesses are based on tourism in 18 Thomas. We support any of the, mostly 19 any of the northern routes, the routes 20 that cut north of Thomas, mainly so 21 that there is an exit for Thomas, 22 specifically 1G with the multiple 23 exits for Thomas. We believe, we're 24 we're, we know that Thomas is going to 25 be a great tourist attraction, very</p>
<p>Page 7</p> <p>1 that the, the alternatives appear to 2 be as much as 90 million dollars more, 3 which doesn't make a lot of sense to 4 me. 5 <b>COURT REPORTER:</b> Please 6 state your name and address. 7 <b>MR. DEARBORN:</b> Oh, my 8 name is Murray Dearborn, Post Office 9 Box, I live in the Canaan Valley, Post 10 Office Box 37, Davis 26260, okay. 11 <b>COURT REPORTER:</b> Thank 12 you. 13 <b>MR. BRIGHT:</b> John 14 Bright, should I mention who I'm 15 with? I'm with the Purple Fiddle, 16 which is a business based, most 17 businesses are based on tourism in 18 Thomas. We support any of the, mostly 19 any of the northern routes, the routes 20 that cut north of Thomas, mainly so 21 that there is an exit for Thomas, 22 specifically 1G with the multiple 23 exits for Thomas. We believe, we're 24 we're, we know that Thomas is going to 25 be a great tourist attraction, very</p>	<p>Page 8</p> <p>1 that the, the alternatives appear to 2 be as much as 90 million dollars more, 3 which doesn't make a lot of sense to 4 me. 5 <b>COURT REPORTER:</b> Please 6 state your name and address. 7 <b>MR. DEARBORN:</b> Oh, my 8 name is Murray Dearborn, Post Office 9 Box, I live in the Canaan Valley, Post 10 Office Box 37, Davis 26260, okay. 11 <b>COURT REPORTER:</b> Thank 12 you. 13 <b>MR. BRIGHT:</b> John 14 Bright, should I mention who I'm 15 with? I'm with the Purple Fiddle, 16 which is a business based, most 17 businesses are based on tourism in 18 Thomas. We support any of the, mostly 19 any of the northern routes, the routes 20 that cut north of Thomas, mainly so 21 that there is an exit for Thomas, 22 specifically 1G with the multiple 23 exits for Thomas. We believe, we're 24 we're, we know that Thomas is going to 25 be a great tourist attraction, very</p>

## Comment from Murray Dearborn (transcript page 7-8):

### Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the preferred alternative.

## Comment from John Bright (page 8-9):

### Response:

As discussed in detail in Section II of this SFEIS, additional studies were conducted on each of the alternatives following circulation of the SDEIS and receipt of comments. Following these detailed studies, it was determined that a modified OPA (the Revised OPA or ROPA) should be adopted as the preferred alternative.

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# Public hearing comments on December 2002 SDEIS

Pages 9 to 12

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<p>Page 9</p> <p>1 historic town that is slowly 2 developing into a little touristy area 3 with shops and restaurants and it 4 would benefit the entire State to have 5 an exit near such a historic town and 6 also the northern route, yeah, diverts 7 traffic around Thomas. 8 Oh, yeah, we would like to see 9 if there's any way of getting funds 10 from Corridor H to develop the park in 11 Thomas because the northern routes 12 will cut right through the middle of 13 the park, and we think that 14 esthetically that the park should 15 benefit somehow and and receive some 16 money because otherwise the park may 17 not be developed for decades. 18 MR. ANGUS: Written 19 comments are due April 22nd but all 20 this has to be, you know, put into 21 the record, summarized and we're, 22 let's see today's what, 7th, 6th, 6th, 23 it'd be nice to have it within a 24 month at least. 25 COURT REPORTER: Okay.</p>	<p>Page 11</p> <p>1 COURT REPORTER: I'll 2 make sure I put that down that these 3 names... 4 MR. ANGUS: Yeah, I 5 wanted to give you that because, you 6 know, that, the spelling I'm sure is 7 tough on names. 8 COURT REPORTER: Yes, 9 yes, some of them are, okay. Thank 10 you. 11 NORSE ANGUS: All right, 12 thank you. 13 (WHEREUPON, the Workshop was concluded 14 at 7:06 p.m.)</p>
<p>Page 10</p> <p>1 Well, we have a normal time, which is 2 7 to 10 days 3 MR. ANGUS: Okay. 4 COURT REPORTER: So, 5 I'll put you down for that. 6 MR. ANGUS: Okay. 7 That's fine. 8 COURT REPORTER: And you 9 just want a regular transcript, right? 10 Do you want anything specific on it, 11 like any special... 12 MR. ANGUS: Just make 13 sure, that the title of the meeting 14 and all that's on there... 15 COURT REPORTER: All 16 this stuff, the names, 17 MR. ANGUS: Yeah, and 18 that the names are on there and other 19 Court Reporters have like attached a 20 copy of this or they've actually, you 21 know, taken it verbatim from my 22 statement and then, but now one thing 23 I didn't, in my statement put these 24 two people in there but I want, you 25 know, to add those on...</p>	<p>Page 12</p> <p>CAPTION</p> <p>1 2 3 The Workshop Public Hearing in the 4 matter, on the date, and at the time 5 and place set out on the title page 6 hereof. 7 8 It was requested that the Workshop 9 Public Hearing be taken by the 10 reporter and that the same be reduced 11 to typewritten form. 12 13 14 15 16 17 18 19 20 21 22 23 24</p>

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# Public comments on

## December 2002 SDEIS

Transmitted by fax to 304.558.1004  
and by email to jsothen@dot.state.wv.us

December 14, 2002

Mr. James E. Sothen  
Director, Engineering Division  
WVDOT - Division of Highways  
State Capitol Complex, Building Five  
Charleston, WV 25305

RE: Request for Extensions of Time for Comment Periods for the Battlesfield Avoidance  
SPEIS and Parsons-to-Davis SDEIS

Dear Mr. Sothen:

On behalf of Corridor H Alternatives, please consider this request for an extension of  
time of 120 days for public comments for the Battlesfield Avoidance Supplemental Final  
Environmental Impact Statement (BA SPEIS) and 90 days for the Parsons-to-Davis  
Supplemental Draft Environmental Impact Statement (P-D SDEIS).

In order to develop meaningful comments, we need additional time to access, review and  
analyze the underlying materials and documents utilized in the development of these two  
new EIS documents.

As a consulting party, Corridor H Alternatives has been left totally out of the loop in  
regards to the status of previously identified and newly identified cultural resources in the  
study areas of these EIS. We have not been receiving appropriate documentation or  
notification of meetings that we should be receiving. We have just recently become  
aware of a number of activities that have taken place, documents being developed and  
meetings held to which we should have been included. This disregard of our consulting  
party status is inappropriate and disappointing. We deserved to receive more information  
than what we have received. This situation will require much time and energy of our  
volunteer resources to request, review and provide informed and meaningful comments.  
We also request that this situation be immediately corrected.

We need time to request and review copies of comments previously submitted to see if, in  
fact, the public and agency comments are being adequately addressed in the BA SPEIS.  
We also need time to request and review copies of more specific maps to determine  
locations and impacts of resources such as threatened and endangered species, residential  
buildings, waters of special concern, groundwater, public water supply impacts, etc....not  
shown or addressed in these EIS documents.

It has also come to our attention that the most recently constructed section of Corridor H,  
from Elkens to Kerens, may have involved inappropriate disposal of excess waste. We  
want to be sure there has not been a violation of federal laws in this regard. To assure that

Response:

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### WEST VIRGINIA DEPARTMENT OF TRANSPORTATION Division of Highways

1900 Kanawha Boulevard East - Building Five - Room 110  
Charleston, West Virginia 25305-0430 • 304/559-3505

Rob Wise  
Governor

Fred Vanzek, PE  
Secretary/Commissioner

Jerry Bier  
Assistant Commissioner

January 21, 2003

Mr. Hugh Rogers, President  
Corridor H Alternatives  
Moosa Area  
Kerens, West Virginia 26276

Appalachian Corridor H  
EIS/BA SPEIS

This is in response to Mr. Pamela C. McWhirter's December 14, 2002, comment letter regarding Appalachian Corridor H. In response to your inquiry, the West Virginia Division of Highways (WVDOT) has reviewed the project file, and based on the information we have developed, we believe Corridor H Alternatives (along with other consulting parties and the public) have been afforded appropriate opportunities to participate in both the National Environmental Policy Act and Section 106 phases of project development.

Notices for project public meetings and hearings have been provided to local newspapers, press releases have been issued, and Environmental Impact Statement documents with public involvement notices have been sent to the agencies and to the public. There have been five public meetings held in Tucker County to discuss the projects. In addition, there have been several meetings of the Citizens Action Group. For the terms of the Corridor H settlement agreement, the Citizens Action Group decides the date and agenda of its meetings, not the WVDOT. Therefore, if you believe your organization is not receiving notice of meetings of the Citizens Action Group, you should direct your request to the Group. We do note, however, that notice of meetings for the Citizens Advisory Group (CAG) has been mailed to members of your organization. The meeting sign-in sheets indicate that at least one member of your organization has attended all of the public meetings and four out of ten of the CAG meetings. Nevertheless, in order to continue our long-standing policy of cooperation with your organization, a 60-day time extension has been given for the Kerens to Parsons and Parsons to Davis projects. The new comment due date for the Kerens to Parsons Supplemental Final Environmental Impact Statement is February 25, 2003, and April 22, 2003, is the new comment due date for the Parsons to Davis Supplemental Draft Environmental Impact Statement.

In addition, enclosed is a list of all Section 106 architectural reports that have been completed since 1997. Please review the enclosed list and let us know if there are any of these documents that your organization has not received. Copies of any report not in your possession

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# Public comments on December 2002 SDEIS

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compliance with federal laws is taking place, we are interested in acquiring waste and fill documentation to compare actual amounts with predicted, and the specific locations of all fill placements. In spite of assurances given in the past, we fear excess waste and fill will occur with the steep terrain of the proposed Kerens-to-Parsons segment. It is clear that we need time to do more research in the area of excess waste and fill and other Clean Water Act matters before submitting our comments.

We are also concerned about the lack of activity by the Monongahela National Forest (MNF). In addition to National Environmental Policy Act requirements, it would appear that the MNF is also bound to do further public consultation under National Forest Management Act requirements before this project can proceed any further. This is an area in which we also need time to do additional research.

The arrival of the BA SFEIS is again during the holiday season, an untimely situation compounded by the arrival of the P-D DEIS shortly thereafter and also during the holiday season. This unfortunate timing has made it additionally burdensome for the public to review the documents and develop meaningful comments. This perennial behavior of the WV DOT is one that implies a strong lack of interest in and consideration for public input.

For all of the reasons cited above and more, we believe our request is a reasonable one. We ask that you reply regarding this matter as soon as possible. Please send copies of your reply to Hugh Rogers, President, Corridor H Alternatives, Moon Run, Kerens, WV 26276 and to Andrea Ferster, Esq. 1100 17<sup>th</sup> Street NW, 10<sup>th</sup> Floor, Washington DC, 20036.

Please note our Freedom of Information request for the additional materials mentioned will follow shortly. Please call me at (304) 637-4082 if you have any questions or require clarification of this request. Thank you for your prompt attention to this matter.

Sincerely,

Pamela C. Moe-Merritt  
Secretary, Corridor H Alternatives

cc: Don Klima, Advisory Council for Historic Preservation  
Jeff Townner, US Fish and Wildlife Service, Elkins Field Office  
Michael Kulik, US Environmental Protection Agency  
Clyde Thompson, Monongahela National Forest  
Elizabeth Merritt, National Trust for Historic Preservation  
Andrea Ferster, Esq.  
Mack Donham, Heartwood  
Judith Rodd, Friends of the Blackwater  
Jeremy Muller, WV Rivers Coalition

Mr. Hugh Rogers  
January 21, 2003  
Page 2

will be provided to you, if requested. We also encourage you to review the currently available environmental documentation to determine if there are any additional documents referenced in the text that would be of interest to your organization. If requested, copies of the pertinent document can be provided to your organization.

In regard to your questions concerning excess excavation, the 1996 environmental studies estimated the excess excavation on the Kerens to Parsons project to be 5,064,153 cubic meters. The total estimated quantity in the construction plans that were bid is 6,647,793 cubic meters. The actual quantities in the as-built plans and the locations that are being developed will be provided to you when available.

The WVDOH has received your January 10, 2003, e-mail Freedom of Information Act request and is in the process of preparing a reply.

The WVDOH continues to work cooperatively with the Monongahela National Forest (MNF) on issues related to the Corridor H highway project; however, it would be inappropriate for us to comment on questions related to Forest Service regulations. Therefore, we suggest any questions your organization has regarding issues in the Forest be directed to the MNF.

In order to obtain clarification on some of these issues raised in your organization's letter, numerous attempts have been made to reach Mr. Moe-Merritt. I finally spoke briefly with Mr. Moe-Merritt the week of January 6, and she will not return to West Virginia until after the first of February 2003. We will be glad to discuss these matters with Mr. Moe-Merritt upon her return. In the meantime, if you have any further questions or require additional information, please do not hesitate to let us know.

Very truly yours,

*James E. Sorbara*

James E. Sorbara, P.E., Director  
Engineering Division

JES:lb

Enclosures

cc: Mr. Andrea Ferster, Esq.  
Mr. Eji Compton, Federal Highway Administration  
Mr. Randall Biller, MNF  
bcc: DYE, DDR, DDM(M)

Page 2

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**Response:**

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**Appalachian Corridor H  
Kerzas to Parsons and Parsons to Davis  
Submitted Cultural Resource Reports**

Page 2

**Appalachian Corridor H  
Kerzas-to-Parsons and Parsons-to-Davis Sections**

**Archaeological Reports**

Fuess, Martin T., Denise L. Grantz, Stephen J. Hinks, Jonathan Glenn, and Regina J. Hart  
1998 *Phase II Archaeological Investigations in the Appalachian Corridor H Project Area, Management Summary - Section 14.* Submitted by Michael Baker Jr., Inc., Coropolis, Pennsylvania, and Charleston, West Virginia, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Glenn, Jonathan, Martin T. Fuess, and Stephen J. Hinks  
1998 *Phase II Archaeological Testing at the Mason Site, Tucker County, West Virginia, Draft Management Summary Letter Report.* Submitted by Michael Baker Jr., Inc., Coropolis, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Hinks, Stephen J., and Martin T. Fuess  
1997 *Phase I Archaeological Investigations in the Appalachian Corridor H Project Area, Management Summary Addendum - Section 15.* Submitted by Michael Baker Jr., Inc., Coropolis, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Hinks, Stephen J., Martin T. Fuess, Denise L. Grantz, William C. Johnson, and Regina J. Hart  
1997 *Phase II Archaeological Investigations in the Appalachian Corridor H Project Area, Management Summary - Section 15.* Submitted by Michael Baker Jr., Inc., Coropolis, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Hinks, Stephen J., Kathryn M. Lombardi, William F. Riedman, Andrea D. Griffith, J. Steven Kite, William C. Johnson, and Deborah E. Casselberry  
2002 *Phase I Archaeological Investigations in the Appalachian Corridor H Project Area, Revised Management Summary, Background Assistance Supplemental Environmental Impact Statement (SEIS) Avoidance Alternative DF - New Preferred Alternative, Randolph and Tucker Counties, West Virginia.* Submitted by Michael Baker Jr., Inc., Coropolis, Pennsylvania, and Charleston, West Virginia, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Hinks, Stephen J., Bruce L. Manzano, William F. Byrd, Denise L. Grantz, and Regina J. Hart  
1996 *Phase I Archaeological Investigations in the Appalachian Corridor H Project Area, Management Summary - Section 14.* Submitted by Michael Baker Jr., Inc., Pittsburgh, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Manzano, Bruce L., William F. Byrd, Edward J. Siemion, III, Regina J. Hart, Denise L. Grantz, and Stephen J. Hinks  
1996 *Phase I Archaeological Investigations in the Appalachian Corridor H Project Area, Management Summary - Section 13.* Submitted by Michael Baker Jr., Inc., Pittsburgh, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Manzano, Bruce L., Eric J. Filkins, Stephen J. Hinks, William C. Johnson, and Regina J. Hart  
1999 *Phase II Archaeological Investigations in the Appalachian Corridor H Project Area, Management Summary - Section 13.* Submitted by Michael Baker Jr., Inc., Charleston, West Virginia, and Coropolis, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Moses, A. Malinda, William C. Johnson, Bruce L. Manzano, Martin T. Fuess, Denise L. Grantz, William F. Byrd, and Regina J. Hart  
1995 *Phase I Archaeological Investigations in the Appalachian Corridor H Project Area, Management Summary - Section 15.* Submitted by Michael Baker Jr., Inc., Pittsburgh, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

**Architectural/Archaeological Reports**

Harris, Kathy, Stephen J. Hinks, Martin Fuess, Keith R. Bastianini, Deborah Casselberry, G. Robert Workman, and Regina J. Hart  
2000 *Appalachian Corridor H, Sections 8, 9, 10, 12, and 13. Additional Cultural Resources Documentation, Resources in Grant and Tucker Counties, West Virginia.* Submitted by Michael Baker Jr., Inc., Charleston, West Virginia, and Coropolis, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

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**Corridor H Architecture Reports  
1997 to January 2003**

Page 2

Michael Baker Jr., Inc.  
1997 *Final Recommendations for Determinations of Eligibility in the Appalachian Corridor H Project Area, Sections 14, 15, and 16, Tucker and Randolph Counties, West Virginia.* Two volumes. Submitted by Michael Baker Jr., Inc., Coraopolis, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Michael Baker Jr., Inc.  
1997 *Appalachian Corridor H, Criteria of Effects Evaluation for Cultural Resources, Sections 14, 15, and 16, Tucker and Randolph Counties, West Virginia.* Submitted by Michael Baker Jr., Inc., Coraopolis, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Michael Baker Jr., Inc.  
1998 *Appalachian Corridor H, Criteria of Effects Evaluation for Cultural Resources, Sections 14, 15, and 16, Tucker and Randolph Counties, West Virginia. Supplemental Report.* Submitted by Michael Baker Jr., Inc., Coraopolis, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Michael Baker Jr., Inc.  
1998 *Appalachian Corridor H Determinations of Eligibility for Architectural Resources, Sections 12 and 13, Tucker County, West Virginia.* Submitted by Michael Baker Jr., Inc., Charleston, West Virginia, and Pittsburgh, Pennsylvania, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Michael Baker Jr., Inc.  
1999 *Appalachian Corridor H Sections 12 and 13, Tucker County, West Virginia, Architectural and Historic Documentation.* Prepared by Michael Baker Jr., Inc., Charleston, West Virginia, for the West Virginia Department of Transportation, Division of Highways, Charleston. Submitted to the Keeper, National Register of Historic Places, Washington, D.C.

Michael Baker Jr., Inc.  
2000 *Appalachian Corridor H Blackwater Avoidance Study, Determinations of Eligibility for Architectural Resources, Tucker County, West Virginia.* October 2000. Submitted by Michael Baker Jr., Inc., Charleston, West Virginia, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Michael Baker Jr., Inc.  
2000 *Appalachian Corridor H Battleground Avoidance Study, Determinations of Eligibility for Architectural Resources.* July 2000. Submitted by Michael Baker Jr., Inc., Charleston, West Virginia, to the West Virginia Department of Transportation, Division of Highways, Charleston.

Michael Baker Jr., Inc.  
2002 *Appalachian Corridor H Battleground Avoidance Study Determination of Eligibility for Architectural Resources Addendum Memorandum.* February 2002. Submitted by Michael Baker Jr., Inc., Charleston, West Virginia, to the West Virginia Department of Transportation, Division of Highways, Charleston.

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Response:

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P. 3



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

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Bob Wisc  
Coverer

Fred Vuckitch, P.E.  
Secretary/Commissioner  
Jerry Bird  
Assistant Commissioner

February 11, 2003

Mr. Hugh Rogers, President  
Corridor H Alternatives  
Moon Run  
KETCHES, West Virginia 26276

Appalachian Corridor H  
Elkins to I-81

This is a follow-up to our January 22, 2003, letter and your December 14, 2002, request. Attached is a list of excess excavation for each Corridor H construction project from Elkins to Kerens in Randolph County.

Very truly yours,

*Ben L. Hoel*

James E. Sothen, P.E., Director  
Engineering Division

JES:HS

Attachment

cc: Ms. Andrea Ferster, Esq.  
Mr. Ed Compton, Federal Highway Administration  
Ms. Sheila Jones; Aldh, Gump, Straus, Hauer, and Feld, LLP

bcc: DNE, DDR, DD(MF), HD  
EEO/AFFIRMATIVE ACTION EMPLOYER

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WASTE SITES FOR CORRIDOR H PROJECTS IN RANDOLPH COUNTY

WASTE SITES FOR CORRIDOR H PROJECTS IN RANDOLPH COUNTY

- Project: AED-0686(140)  
Location - 211 meters right of center line at station 78+617 to 212 meters right of center at station 78+700. Waste = 533,035.40 cubic meters.  
Location - 97 meters left of center at station 78+948. Waste = 538,006.10 cm.  
Location - widen fill on DOH right of way between station 78+140 and 78+500. Waste = 922,500.00 cm.
- Project: AFD-0686(145)  
Location - 100 meters right of center at station 79+900. Waste = 1,373,062 cm.  
Location - 75 meters right of center at station 80+500. Waste = 257,814 cm.  
Location - 188.13 meters left of center at station 80+512.97 to 70.65 meters left of center at station 80+794.58. Waste = 279,157 cm.
- Location - 26 to 70 meters left of center at station 80+460 to 80+630. This is a false cut fill. Waste = 57,165 cm.

- Project: IHE-0686(144)  
Location - 30 meters right of center at station 81+690 to 81+760. Waste = 35,512.62 cm.  
Location - 32 meters right of center at station 81+920. Waste = 482,532.53 cm.  
Location - 168 meters left at station 82+013.44. Waste = 244,758.77 cm.  
Location - 165 meters right of center at station 82+041.44. Waste = 217,837.05 cm.

Project: HDR-0686(143)

WASTE SITES FOR CORRIDOR H PROJECTS IN RANDOLPH COUNTY

Location - 122 meters left of center at station 83+590. Waste = 723,303.22 cm.  
 Location - 232 meters right of center at station 83+645 to 568 meters right of center at station 84+617. Waste = 1,931,409.11 cm.  
 Location - 50 meters left of center at station 85+000. Waste = 46,633.80 cm.

Project: APD-0484(142)

Location - Within DOH project limits between station 86+800 and 87+140 left of center. Waste = 37,631 cm.  
 Location - 50 meters left of center at station 85+550 to 85+910. Waste = 475,160 cm.  
 Location - placed additional 20,000cm of waste on site #2 on project HDH-0484 (141).

Project: HDH-0484(141)

Location - 60 meters left of center at station 87+920. Waste = 155,663.32 cm.  
 Location - 45 meters left of center at station 86+880 to 65 meters left of center at station 87+020. Waste = 234,000cm.

Project: APD-0484(147)

Location - 280 meters right of center at station 90+775 to 740 meters right of center at station 90+915. Waste = 293,881.80cm.

• Note this waste site was shared with project HDH-0484(148).

Project: HDH-0484(148)

Location - 265 meters right of center at station 91+300. Waste = 52,893.20cm.  
 Location - 160 meters right of center at station 91+100 to 180 meters right of center at station 90+920. Waste = 245,347.80cm.  
 Location - 280 meters right of center at station 90+775 to 740 meters right of center at station 90+915. Waste = 293,881.80cm. Note: this site was shared with project APD-0484(147).  
 Location - 160 meters right of center at station 91+000 to 180 meters right of center at station 91+160. Waste = 134,766.70 cm.

WASTE SITES FOR CORRIDOR H PROJECTS IN RANDOLPH COUNTY

Location between mainline and access road 'N' (project limits) between station 91+000 and 91+720. Waste = 42,669,70cm.  
 Location between mainline and access road 'N' (project limits) between station 90+720 and station 91+000. Waste = 76,500.30cm.

# Public comments on December 2002 SDEIS

DATE:

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

RECEIVED  
FEB 11 2003  
ENGINEERING DIVISION  
WV DOT

Please consider the following comments:

We support the Blackwater Avoidance routes, especially ALT 1-G as it provides accessible exits for Thomas. We think this historic town has great potential for development in tourism/artist community. We think it is important economically and environmentally to consider this alternative as the preferred route to best support local businesses as well as protect the fragile areas and people from truck traffic & noise pollution. We also think there should be federal monies applied to the

beautification of the disturbed area which would enhance the attraction of these areas. While the cost of the alternate routes (Please print the following information) may seem high overall the increase is only 7% of the total budget.

NAME: Kate Bright

ADDRESS: Purple Fiddle Coffeehouse - well worth the expense.  
P.O. Box 87  
Thomas WV 26292

ORGANIZATION (IF ANY): Business Owner

Comments are due April 22, 2003

## Response:

As discussed in detail in Section II of this SFEIS, additional studies were conducted on each of the alternatives following circulation of the SDEIS and receipt of comments. Following these detailed studies, it was determined that a modified OPA (the Revised OPA or ROPA) should be adopted as the preferred alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

# Public comments on December 2002 SDEIS

Sent By: WV DIV OF HHS;

3045587286;

Mar 5 03 12:40PM;

Page 3/6

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE:

**RECEIVED**  
FEB 19 2003

ENGINEERING DIVISION  
WVDOH

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

Sir: This will express my strong  
support for the OPA (Original  
Preferred Alternative). If the will  
cluding square habitat is a problem  
use some of the \$50 million savings  
incurred by choosing OPA to mitigate  
the loss. I also prefer option TR  
Amanda Thomas.

(Please print the following information)

NAME: Nick Carter  
ADDRESS: P O Box 2827  
Huntington, WV 25727

ORGANIZATION (IF ANY): Westew Poachontas Properties

Comments are due April 22, 2003

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The Truck Route (TR) has been incorporated into the preferred alternative.

WVDOH has completed consultation with the USFWS regarding the regarding impacts and concerns associated with the WVNFS. Additional information regarding the results of the consultation process is provided in Section III of this SFEIS.

# Public comments on December 2002 SDEIS

DATE:

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**

FEB 18 2003

ENGINEERING DIVISION  
WV DOH

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

*I travel through + vacational in this Area 4s  
well. I can see no better Alternative than the  
OPA Route to construct. It is the Shortest + Least  
Cost Alternative + Feasible. This is the Best Use of  
Tax Dollars At A time when we need to conserve.  
As the money we save I do not believe this Alternative  
will adversely impact the environment. Please build  
the OPA Route + Don't waste tax dollars talking  
about it!! This Road represents the only Hope for this Area!*

(Please print the following information)

NAME: Jeff Cowley

ADDRESS: 18526 Cherrywood Dr.  
Catharttsburg Ky 41129

ORGANIZATION (IF ANY):

Comments are due April 22, 2003

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

# Public comments on December 2002 SDEIS

DATE: 2/14/03

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

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FEB 18 2003

ENGINEERING DIVISION  
WV DOH

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

*As a native W.V'n & frequent traveler, in all seasons, to the locale in question - but most of all a taxpayer (who hates) to see my tax dollars being wasted - I fully support the Original Preferred Alternative. It is the cheapest & most practical alternative as well as most direct route & an enhancement for commercial development. Additionally, utilities have close proximity to Davis area which certainly makes more sense economically as well as practical.*

(Please print the following information)  
NAME: PADDY SUE GAY  
ADDRESS: 8 STRATFORD WAY  
HUGTN WV 25705

ORGANIZATION (IF ANY):

Comments are due April 22, 2003

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

# Public comment on SDEIS

DATE:

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

*It is important to keep Thomas in the loop (geography, economics, etc.). If Cor.H splits Thomas & Davis, Thomas will not benefit as much as Davis & Cherry & the likelihood that Thomas & Davis will ~~not~~ come together is unlikely. I would like to see social & economic assessments ~~for~~ for Community as well as the environment projections.*

## Response:

As discussed in detail in Section II of this SFEIS, additional studies were conducted on each of the alternatives following circulation of the SDEIS and receipt of comments. Following these detailed studies, it was determined that a modified OPA (the Revised OPA or ROPA) should be adopted as the preferred alternative.

Section III of this SFEIS provides detailed information regarding socio-economic and environmental impacts associated with the project.

(Please print the following information)

NAME: *Ernest Gilbert*

ADDRESS: *Box 26  
Red Creek WV 26289*

ORGANIZATION (IF ANY): *Thomas Educator Center  
Valley Ridge Studio, Inc.  
Comments are due April 22, 2003*

# Public comments on December 2002 SDEIS

DATE:

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**

MAR 27 2003

ENGINEERING DIVISION  
WV DOH

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

*I favor the original Preferred Alternative. It is about two miles shorter. It would cost about one third less than the other routes.*

### Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

(Please print the following information)

NAME: *Heidi Kochenderfer*

ADDRESS: *Rt. 1, Box 48  
Hamblinton, WV 26269*

ORGANIZATION (IF ANY):

Comments are due April 22, 2003



# Public comments on December 2002 SDEIS

DATE:

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**

MAR 27 2003

ENGINEERING DIVISION  
WV/DOH

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

*I Favor the Original Preferred Alternative. It is the shortest most direct route. It costs about one third less than the other routes.*

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

(Please print the following information)

NAME: *JAMES KOCHENDORFER*  
ADDRESS: *Postal Box 48  
Hamletton wva 26269*

ORGANIZATION (IF ANY):

Comments are due April 22, 2003

# Public comments on December 2002 SDEIS

DATE: February 6, 2003

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

FEB 10 2003

ENGINEERING DIVISION  
WV/DOH

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

Please proceed with the Original Preferred Alternative (OPA).

Thank you

*David C. Lesher*

(Please print the following information)

NAME: DAVID C. LESHER

ADDRESS: P.O. Box 778  
DAVIS, WV 26260

ORGANIZATION (IF ANY):

Comments are due April 22, 2003

# Public comments on December 2002 SDEIS

Blackwater Bikes  
PO Box 190  
Davis WV 26260

April 20, 2003  
Page 1

April 20, 2003

Mr. James E. Sothen, P.E.

Director of Engineering Division

West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25303-0430

Blackwater Bikes  
PO Box 190  
Davis WV 26260

Dear Mr. Sothen,

Please consider the following comments in regard to Appalachian Corridor H- Blackwater Avoidance/ Parous to Davis, Tucker County.

After reviewing the alternatives presented at the Workshop Public Hearing, I would continue to oppose the Original Preferred Alternative and the 2 - Alternative. These routes damage or destroy more of the recreational, cultural, historical and natural resources than the other routes. One of the primary purposes of the project is to promote economic development in our area. Tucker County's number one industry is tourism and the tourists come because of these resources and the rural undeveloped, quiet nature of the area. Many of the visitors come from urban areas and do not want to see or hear noisy four lane highways when they are here. I moved to this area for the same reasons and do not want to live with the additional traffic, noise and air pollution this road promises to bring to Tucker County.

Short of the no build alternative, which was never given serious consideration, I would support ID - Alternative/ East Option. This route keeps the road out of the most developable areas around Thomas and Davis and away from the recreational areas in the Monongahela National Forest, North Fork of the Blackwater River and the Blackwater Falls State Park. Additionally, this provides more traffic options reducing congestion on Rt. 32 between Thomas and Davis and provides better access to the future development of U. S. Rt. 219 North.

In the long run, the economic advantages of the ID - East option would outweigh any supposed extra cost. Seen from the perspective of the billions that will be spent on the entire project, the price difference between any of these options is negligible. The cost of this segment should not be a main consideration compared to the environmental, recreational and developmental issues that need to be considered for this project to be successful.

Thank you for your time and consideration on this matter.

Blackwater Bikes  
Roger Lilly



## Response:

As discussed in detail in Section II of this SFEIS, additional studies were conducted on each of the alternatives following circulation of the SDEIS and receipt of comments. Following these detailed studies, it was determined that a modified OPA (the Revised OPA or ROPA) should be adopted as the preferred alternative. The ROPA/Preferred Alternative includes the Truck Route; developed to reduce heavy truck traffic in downtown Thomas.

Section III of this SFEIS provides detailed information regarding socio-economic and environmental impacts associated with the project.

# Public comments on December 2002 SDEIS



P.O. Box 91  
Davis, WV 26260

April 20, 2003

APR 24 2003

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

ENGINEERING DIVISION  
WV DOH

Matt Marcus  
P.O. Box 91  
Davis WV 26260

Dear Mr. Sothen,

Please consider the following comments in regard to Appalachian Corridor H- Blackwater  
A avoidance/ Parsons to Davis, Tucker County.

After reviewing the alternatives presented at the Workshop Public Hearing, I would continue to oppose the Original Preferred Alternative and the 2 - Alternative. These routes damage or destroy more of the recreational, cultural, historical and natural resources than the other routes. One of the primary purposes of the project is to promote economic development in our area. Tucker County's number one industry is tourism and the tourists come because of these resources and do not want to see or hear noisy four lane highways when they are here. I moved to this area for the same reasons and do not want to live with the additional traffic, noise and air pollution this road promises to bring to Tucker County.

Short of the no build alternative, which was never given serious consideration, I would support ID - Alternative/ East Option. This route keeps the road out of the most developable areas around Thomas and Davis and away from the recreational areas in the Monongahela National Forest, North Fork of the Blackwater River and the Blackwater Falls State Park. Additionally, this provides more traffic options reducing congestion on Rt. 32 between Thomas and Davis and provides better access to the future development of U. S. Rt. 219 North.

In the long run, the economic advantages of the ID - East option would outweigh any supposed extra cost. Seen from the perspective of the billions that will be spent on the entire project, the price difference between any of these options is negligible. The cost of this segment should not be a main consideration compared to the environmental, recreational and developmental issues that need to be considered for this project to be successful.

Thank you for your time and consideration on this matter.

Matt Marcus

## Response:

As discussed in detail in Section II of this SFEIS, additional studies were conducted on each of the alternatives following circulation of the SDEIS and receipt of comments. Following these detailed studies, it was determined that a modified OPA (the Revised OPA or ROPA) should be adopted as the preferred alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

Further, the USFWS has determined that the ROPA/Preferred Alternative is the least damaging alternative in regard to the WVNFS habitat.

# Public comments on December 2002 SDEIS

RECEIVED

FEB 14 2003

DATE:

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative.

WVDOH will continue to coordinate with USFWS regarding impacts and concerns associated with the WVNFS. The USFWS has determined that the ROPA/Preferred Alternative is the least damaging alternative in regard to the WVNFS habitat. Additional information regarding the WVNFS is provided in Section III of the SFEIS.

Please consider the following comments:

I prefer the OPA with the middle run shift. If you took half the money you save from not going around the High School in Alt. 2, you could spend it and make a lot of WVNFS habitat. My point being that WVNFS habitat is cheaper than highway. Alt 2 around the High School will tear up a lot more ground, another negative.

(Please print the following information)

NAME: Lon Marshall

ADDRESS: PO Box 792

DAVIS, WV 26020

ORGANIZATION (IF ANY):

Comments are due April 22, 2003

# Public comments on December 2002 SDEIS

Transmitted by email to [isothen@dot.state.wv.us](mailto:isothen@dot.state.wv.us) and [thomas.smith@fhwa.dot.gov](mailto:thomas.smith@fhwa.dot.gov)

April 22, 2003

Mr. James E. Sothen  
Director  
Engineering Division  
WVDOH in Division of Highways  
State Capitol Complex, Building Five  
Charleston, WV 25305

**Response: General comments noted.**

3. **Potential impacts associated with the excess earthwork have been considered and included as part of the alternatives' screening process included in Section II of both the SDEIS and this SFEIS. While the degree of accuracy associated with waste and borrow estimates may change as the project moves through design and construction, WVDOH is using the best available information to prepare the estimates provided in the environmental and preliminary engineering documentation. In cooperation with the USFWS and the Monongahela National Forest, WVDOH has developed detailed mapping of West Virginia Northern Flying Squirrel (WVNFs) habitat. Following the development of this detailed habitat mapping, WVDOH performed additional and more detailed engineering design on the ROPA/preferred alternative to further minimize direct impact of highway footprint on WVNFs habitat and to address the excess waste material issue that might indirectly impact WVNFs habitat. The additional engineering determined that excess waste material generated as the result of required highway cuts could be placed within the proposed highway construction limits. This adjustment eliminates the need to place large quantities of excess material into waste areas located outside of the highway construction limits. If waste/borrow sites located outside of the construction limits of the highway are required as part of final design engineering and/or construction, the WVDOH will consult with the USFWS and other resource agencies to minimize potential impacts to WVNFs habitat and high quality streams. This approach is consistent with Vol. III of the 1996 FEIS.**

RE: Appalachian Corridor H Parson to Davis Supplemental Final EIS

Dear Mr. Sothen and Mr. Smith:

On behalf of Corridor H Alternatives, please accept the following comments regarding the Appalachian Corridor H project and the Parsons to Davis Supplemental Final Environment Impact Statement.

1. Corridor H Alternatives is appreciative and supportive of two of the activities taking place in this section of the proposed Corridor H highway.

We understand that WV DOH is nominating the Blackwater Industrial Complex to the National Register. We believe this is long overdue given the importance of the resource. Please refer to all the comments we have previously submitted to you on this issue. Though we again iterate for reasons previously submitted to you, it is a resource whose boundaries must remain intact and without any proposed alignment impact from Thomas to Hendricks. As a consulting party, we request the opportunity to meet and consult with you, the WV State Historic Preservation Office and the Monongahela National Forest as this document is developed and well prior to its finalization and submission.

We also understand that much work and discussion is taking place behind the scenes to build the rail-trail in this section, and make the land acquisitions necessary to do so. We wish you the best of luck in these endeavors.

2. As mentioned in our comments of February 25, 2003, to date, we have not received a formal response from you regarding our January 10, 2003 Freedom of Information request.

3. Given the gross underestimation of excess excavation determined from your actual waste site figures provided to us on the Elkins to Kerens section -- **actual waste being nearly 2 0 times of what you predicted** in a number of issues again present themselves. The same comments submitted to you on February 25, 2003 for the Battlefield Avoidance SFEIS apply here:

The waste site figures you provided on excess excavation on the Elkins to Kerens project, compared with the 1996 Final EIS Mitigation Document, are the basis for our comments on excess waste for this connected project. Again, further comments may be submitted once we see any permits given for the fill activities and we get the opportunity to review the map(s) of the waste areas for the Elkins to Kerens section of Corridor H.

In brief, we are concerned that you totally underestimated excess excavation on the earlier project. The actual waste turned out to be nearly two and a half times as much as

# Public comments on December 2002 SDEIS

you predicted in the 1996 FEIS. As a result, your estimate of many environmental impacts, such as habitat loss, watershed impairment, and visual effects, was completely inadequate. How can we be sure you won't get it wrong again? How can you choose the alternative with the least environmental impacts if you can't predict the size of the project? How will you control the waste disposal problem on this section?

Remember, the estimate in the 1996 FEIS Mitigation Document was supposed to be much more accurate than the figure in the Alignment SDEIS. To satisfy the resource agencies, especially EPA and the Department of Interior, Fish and Wildlife Service, which had expressed concern over the amount of waste that would have to be disposed of, WVDON had done preliminary design work on certain sections including Elkens to Krens, then known as Section 16. As a result of that work, the earlier estimate had been raised by 43%, from 2,708,448 cubic meters to 3,882,265 cfm. Now we learn that the actual figure was 9,406,240 cfm.

After the Record of Decision, when the project had been cleared by all agencies, the number was raised again, by 71%, to 6,647,793 cfm. in the construction plans that were bid. Still that figure was way too low. Mistakes on this scale call into question all your estimates and assurances.

There are superficially more precise statistics in this FEIS, but they are problematic. If a more accurate estimate of excess waste would reveal that the construction and disturbance footprint was twice as large, that would affect every part of this document.

The Parsons to Davis project will traverse valuable portion of the Monongahela National Forest. The Supplemental FEIS purports to compare the damage to that area from various alignments, and claims to choose the least bad alternative. The discussion is mostly superficial and in some places absurd. To give just two examples: on page III-44, "Hunting and fishing are popular recreational activities that would be able to continue regardless of the Alternative selected." That unspoiled area would be bisected, and habitat carved up, yet there is no word about the drastic effects on hunting. On page III-51, in Table III-20, the visual impact of the highway on the National Forest is said to be "minimal." This hardly deserves serious attention. Many other examples could be given.

We request that the severe gross errors made on the adjacent section, and that have been carried forward to the alternative analysis in this and the BA SFEIS, be brought to the attention of the associated responsible agencies, including EPA, US Fish and Wildlife Service, WV DNR and DEP.

We also request that an accurate estimate of the significant amounts of excess waste anticipated for the Parsons to Davis section be provided to us and the agencies mentioned above.

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. All of the alternatives must be reconsidered with accurate waste figures, and not prematurely eliminated for consideration by a faulty analysis. We ask that all the alternatives be presented to the public, with maps and the accurate waste figures, prior to the elimination of any of the alternatives.

## Response (con't):

The USFWS concurs that the ROPA is the least damaging of the Build Alternatives considered in the Parsons-to-Davis SEIS. The USFWS has stated that, "...FHWA and the WVDON have selected the least damaging practicable project construction alternative in regards to the direct removal of G.s.fuscus habitat. ....Anticipated adverse effects of the project as a result of direct and indirect loss of habitat have been substantially avoided and minimized." Further, the BO states, "After reviewing the current status of the G.s. fuscus, the environmental baseline, the effects of the proposed action and the cumulative effects, it is the Services' biological opinion that constructing Corridor H, Parson to Davis, as proposed, is likely to jeopardize the continued existence of the G.s.fuscus." Please refer to Section VII of this SFEIS for agency comments and responses for additional information related to agency comments regarding waste/borrow estimates and coordination regarding the WVNFS. Agency letters are provided within this appendix (Appendix A) and the Biological Opinion issued by USFWS is provided in Appendix C.

As discussed in the 1996 FEIS and Record of Decision, the WVDON and FHWA have and will continue to work cooperatively with the Monongahela National Forest (MNF) to further minimize and mitigate impacts to forest resources during final engineering design and construction. This commitment resulted in a formal Memorandum of Understanding (MOU) among the MNF, FHWA, and WVDON. The MOU was executed in June 2003. The MOU specifically addresses trails, streams and cultural resources within the MNF on MNF owned properties. Concerns related to invasive species, soils, and other construction related activities will be addressed through the agency coordination/mitigation coordination processes outlined by both the 1996 FEIS (Vol. III) and the MOU.

# Public comments on December 2002 SDEIS

And in order to comply with the related federal and state laws and their enforcement, the federal and state agencies listed above must be presented with the new more accurate numbers. They need to review the numbers and impacts, and, submit additional comments and recommendations prior to the issuance of a record of decision.

4. All Tier 2.5 streams in this section should be protected per our comments of February 25, 2003. We also support those comments submitted to you by the West Virginia Rivers Coalition for the BA FEIS. We request that the content of those comments be referred to and considered as re-submitted to you by CHA for the P-ID FEIS.
5. Culvert frequency and lengths must be re-considered. Please refer to the FISHXing and Habitat Suitability information, and related modeling as assessment efforts used by many federal and state agencies. In the vital terrain of the Eastern continental divide headwaters, the best expertise available must be considered and applied to any proposed highway building. The geology and propensity to flooding requires it. The latter, flood protection, is the main reason lands in this area was purchased as National Forest. Please also refer to our comments of February 25, 2003 regarding culvert lengths and trout streams as we request they apply to this document as well.
6. Regarding threatened and endangered species, the mapped analysis of the flying squirrel habitat is not comprehensive enough and must be field reviewed. Also according to the updated flying squirrel recovery plan, all suitable habitat needs to be considered as occupied by federal agencies. The survey protocol for the Indiana Bat is not adequate according to bat expert Dr. Gannon of Penn State, Altoona and the cumulative impacts to the bat also must be considered. These items must be addressed and any new information should be allowed public review and comment prior to the issuance of the record of decision.

We appreciate the opportunity to provide comments. We look forward to your reply regarding these issues.

Sincerely,

Pamela Moe, Secretary  
Corridor H Alternatives

cc:

Mr. Thomas Smith, Division Administrator, Federal Highway Administration  
Ms. Susan Pierce, WV State Historic Preservation Office  
Mr. Don Klima, Advisory Council on Historic Preservation  
Ms. Jessica Greenwood, Region III, US Environmental Protection Agency  
Mr. William Tolin, WVFO, US Fish and Wildlife Service  
Mr. John Schmidt, WVFO, US Fish and Wildlife Service  
Mr. Clyde Thompson, Supervisor, Monongahela National Forest  
Mr. Ed Hamrick, Director, WV Division of Natural Resources  
Mr. Roger Anderson, WV Division of Environmental Protection  
Ms. Stephanie Timmermyer, Director, WV Division of Environmental Protection  
Ms. Andrea Ferster, Esq.  
Mr. Jeremy Muller, WV Rivers Coalition  
Ms. Judy Rodd, Friends of Blackwater  
Mr. Frank Young, WV Highlands Conservancy

## Response:

An analysis of the study area's mountainous terrain and water resources is an important component of the Parsons-to-Davis SEIS. Extensive descriptions of these water resources and potential impacts are discussed in Section III of this SFEIS document.

As one component of the comprehensive mitigation commitments detailed in the 1996 FEIS and Record of Decision, agency coordination and comment resolution will continue throughout final engineering design and construction. Since the 1996 Record of Decision, and consistent with those commitments, resource agency personnel have been invited to all final design field views to create continuous opportunities for input and improvement in the design and construction process of Corridor H. WVDOH and FHWA will continue to monitor all of the commitments detailed in the 1996 FEIS and the Record of Decision.



# Public comments on December 2002 SDEIS

Sent BY: WV DIV OF HIGHWAYS;

3045587296;

Mar-5-03 12:39PM;

Page 2

Mr. James E. Sothen, P. E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1800 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE:

**RECEIVED**

FEB 20 2003

ENGINEERING DIVISION  
WV DOH

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

## Response:

Please consider the following comments:

I support the OPA. It is the  
cheapest, most practical and most direct  
of all the alternatives. Selection of any  
other route would be a great disservice  
to the majority of tax payers... by virtue  
of wasting their money to avoid some  
flying squirrels. Get on with building the road.  
Coward at 219 is a hazard to drive on!!

(Please print the following information)

NAME: John H. Mooney  
ADDRESS: 281 Private Drive 83223  
Proctorville, Ohio 45669

ORGANIZATION (IF ANY):

Comments are due April 22, 2003

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

Further, the USFWS has determined that the ROPA/Preferred Alternative is the least damaging alternative in regard to the WVNFS habitat.

# Public comments on December 2002 SDEIS

DATE:

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

*Considering the costs associated  
with the project, I would prefer  
that the original preferred  
alternative (OPA) be considered -  
with the modifications of Alternative  
# 2, which would eliminate flying  
Squirrel habitat disruption.*

(Please print the following information)

NAME: SUSAN MOORE

ADDRESS: P.O. 576  
Davis, WV

ORGANIZATION (IF ANY): Bright Mornings Inn

Comments are due April 22, 2003

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative.

WVDOH has concluded its coordination with the USFWS regarding impacts and concerns associated with the WVNFs. The USFWS has stated in the biological opinion that, "...FHWA and the WVDOH have selected the least damaging practicable project construction alternative in regards to the direct removal of G.s.fuscus habitat. ....Anticipated adverse effects of the project as a result of direct and indirect loss of habitat have been substantially avoided and minimized." Further, the BO states, "After reviewing the current status of the G.s.fuscus, the environmental baseline, the effects of the proposed action and the cumulative effects, it is the Services' biological opinion that constructing Corridor H, Parson to Davis, as proposed, is likely to jeopardize the continued existence of the G.s.fuscus." Additional information regarding the WVNFs is provided in Section III of this SFEIS.

# Public comments on December 2002 SDEIS

Sent By: WV DIV OF HWYS;

3045587296;

Mar-5-03 12:40PM;

Page 5/8

Mr. James E. Solhen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 6  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE:

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

RECEIVED

FEB 19 2003

ENGINEERING DIVISION  
WV DOH  
Blackwater Avoidance

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

Please consider the following comments:

*I would like to express my support for the Original Preferred Alternative (OPA) route for Corridor H's Route to Davis Station. This route is the best for the east end practical standpoint. A truck route around the town of Thomas would be a preferred option under OPA. A bridge over the Blackwater would not be objectionable for my viewpoint.*

(Please print the following information)

NAME: *Joseph R Newton*

ADDRESS: *2001 Olive Ct,  
Milton, WV 25541*

ORGANIZATION (IF ANY): *Western Pennwoods Properties Limited Partnership*

Comments are due April 22, 2003

# Public comments on December 2002 SDEIS

Sent By: WV DIV OF HWS;

3045587286;

Mar-5-03 12:40PM;

Page 6/6

DATE: 2/19/03

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

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FEB 20 2003

ENGINEERING DIVISION  
WV DOH

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

Please consider the following comments:

OPA, in the logical route for the Appalachian  
Corridor H. It is the shortest & most  
cost effective route. It appears that the  
WV Division of Highways has already spent a  
large amount of \$\$\$ on top pay for many or  
study numbers (6) alternate routes. The  
cost difference between OPA' & the cheapest  
alternate is \$ 47,400,000. That in a  
completely expensive cost that the tax payers  
should not have to pay.

(Please print the following information)

NAME: Jay Perry  
ADDRESS: 341 Kelly Ave  
Oak Hill, WV 25901

ORGANIZATION (IF ANY): Western Localities Properties

Comments are due April 22, 2003

# Public comments on December 2002 SDEIS

①

2-6-03

West Virginia Dept. of Highways.  
Covinder H. Comments  
Parsons to Thomas.

To whom it may concern

I write to commend your staff for the work and time spent on this project. I use to be a no-hunted person concerning the highway, but now since its going to be built for then lets make sure that it will assist. This road will enhance our county and its economy if careful planning and proper design along with the best location for traffic flow is considered. I feel the north of Thomas route is the best plan. The highway should not go through the Thomas City Park but just north of it and cross Rt 219 at around the intersection of Rt 90 then proceed behind Thomas

## Response:

General comments are noted.

As discussed in detail in Section II of this SFEIS, additional studies were conducted on each of the alternatives following circulation of the SDEIS and receipt of comments. Following these detailed studies, it was determined that a modified OPA (the Revised OPA or ROPA) should be adopted as the preferred alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

Section III of this SFEIS provides detailed information regarding socio-economic, specifically regarding the tourism and recreational resources, and environmental impacts associated with the project.

In regard to the Tucker County Planning Commission, Karen Bonner was involved as a valued member of the Community Advisory Group (CAG) for the project.

# Public comments on December 2002 SDEIS

2

over to Davis and pick up Route 93  
This allows for (2) two Intersections  
or I.R.I.Ts and better access to both  
Thomas and Davis. It will eliminate  
the US 219 truck traffic thru Abundance  
Thomas and allow for economic development  
of this historic district. Other plus possible  
effects will be commercial development  
at these exits and allows for better  
growth and development between Davis  
and Thomas. This route will not  
cut these two communities apart and  
allow for school children to get to Thomas  
Elementary without having to cross a four  
lane highway from Davis. I served  
~~on~~ many committees in these communities  
and have been a member of the C.F.ears  
Advisory Board, sometimes members of  
our community will not allow persons to  
have a different opinion and voice if we  
never ridiculed or made to feel that you  
not for community growth. I am for  
quality community growth and development  
that best enhances this wonderful part  
of West. V. Spain and feel that this section

# Public comments on December 2002 SDEIS

③

of Corridor H should be spectacular with medians that are left natural new sheds that embellish this already beautiful place that we call home.

This natural ~~beautif~~ beauty is a driving force behind one of our popular and viable industries, which is tourism.

I co-own a small restaurant in ~~Swains~~ Swain which has seen great growth over the past (15) fifteen years. This growth has been in tourism. With the completion of Corridor H this place will continue to be a destination and we as a

community need to be planning for this growth. The Tucker County Planning

Commission has already completed a guide for Corridor H thru the county and this should be followed by the

Dept of Highways. It discusses all the issues for growth, development and

planning and design of the Corridor thru Tucker County. Please contact Karen Bonner

president of the planning commission if you need to refresh your memory or see

for the first time these guidelines.

# Public comments on December 2002 SDEIS

④

The building of Corridor H can harm our economy of Tourism, but if we design, engineer and place this corridor such to enhance this region we will have a win win situation for all involved.

Thank you for allowing me to comment on this project and certainly look forward to working with the Division of Highways on this matter.

If you have any questions I can be reached by phone at 304-255-5454 (6)

or 304-735-6513 (H)

My address is Walt Ramoth.

PO Box 571

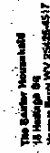
Thomas W.V. 26282

Sincerely  
Walt Ramoth

P.S. Please continue work on the bike trail in this region because it will too be another nice amenity for the area. Thanks



# Public comments on December 2002 SDEIS



April 18 2003

To: Mr James E Sotter PE  
Dir of Engineering Division  
WV Div of Highways  
State Capitol Complex Bldg 5  
1900 Kanawha Boulevard East  
Charleston, WV 253050430

RECEIVED

APR 23 2003  
ENGINEERING DIVISION  
WVDOH

Date: 2-6-03  
Subject: Workshop Public Hearing  
Project: App. Corridor H - Blackwater  
Avoidance Parsons in Davis,  
Tucker County

Dear Sir Please consider my  
comments on this project. My husband  
and I are residents of WV. we own  
property in Bolivar WV a just outside of  
Davis Wv. I have lived in WV for  
nearly 8 years.

Please attend the 2-6-03 Public  
work shop we have given thought & conser-  
vation to the Topic, considering both  
economic values & tourism, ecological &  
scenic values & the quality of life of  
the permanent residents of Davis &  
Thomas WV.

1 of 4

## Response:

As discussed in detail in Section II of this SFEIS, additional studies were conducted on each of the alternatives following circulation of the SDEIS and receipt of comments. Following these detailed studies, it was determined that a modified OPA (the Revised OPA or ROPA) should be adopted as the preferred alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

Section III of this SFEIS provides additional detailed information regarding socio-economic and environmental impacts associated with the project.

# Public comments on December 2002 SDEIS



The State of West Virginia  
1500 Capitol Building  
Charleston, WV 25305-4517



My preferred alternative is A+1D and Truck Route East.

My reasons are as follows:

1. The IDTR East circumvents the majority of the community / towns of Davis & Thomas although it impacts BenBuck.

2. By leaving Thomas & Davis intact the opportunity for the tourists goes towards each other exists for the future.

3. The noise + pollution level will be kept at a minimum for both.

4. Considering the economies of tourism, a continuous Thomas to Davis is much more appealing to the visitor. A split between the two towns is a visible + economic division, which is a detriment + not helpful.

5. Environmentally + scenically this route makes sense to keep the corridor as project as much as possible up out of the Blackwater canyon. Less  
2 of 4

# Public comments on December 2002 SDEIS



The Greater Hancock  
County, West Virginia  
Hancock County, WV 25845-4477



Streams will be replaced or removed. Less Cut + Fill, etc, leaving a more intact Canyon area.

6. The tourism values of the Backwater Canyon, Backwater Falls State Park etc will be further protected with the Route 10 option. Tourism is one of the greater economic values that must be protected for the future of Tucker County, WV.

7. Truck Route East does not impact the landfill as currently described.

8. It makes sense to me to use 10 which is closer to Backbone Mountain. The pros of wind mills and also existing Rt 219 as it together it created a transportation corridor, consolidating noise, visual impacts, environmental impacts.

It is my opinion that the DPA clearly focus on a cost savings to the project over all with minimal regard to the quality of life in Davis.  
3 of 4

# Public comments on December 2002 SDEIS



The State of West Virginia  
15 Heritage Square  
Harpers Ferry WV 25425-4019



Thomas W. J. with minimal regard to the scenic & environmental values and the economic potential of protecting these values to both the tourism of the local area & to WV.

I believe that alternative 10 Truck Lane ~~East~~ East more than meets the stated objectives on page 2 of the "Public Workshop Hearing Document" April 6, 2003. The alternative 10 also meets many objectives which were not stated, but which I have outlined in my letter, and which I would consider.

Thank you sincerely for your fine consideration of these additional comments on the Parsons to Davis Court project.

Marie Gaulec  
15 Heritage Square  
Harpers Ferry WV 25425

Representing self.

# Public comments on December 2002 SDEIS

DATE: 2-6-03

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

Please consider the following comments:

I prefer the Original Route Plus the truck route for Thomas. This will provide a safe and nice intersection between Davis and Thomas. The other alternative routes are just too costly - nearly double!! We need this road built ASAP to encourage economic development.

(Please print the following information)

NAME: Randy Schmeckel next

ADDRESS: PO Box 92 Davis, WV 26060

ORGANIZATION (IF ANY):

Comments are due April 22, 2003



# Public comments on December 2002 SDEIS

Sent By: WV DIV OF HWYS;

3045587296;

Mar-5-03 12:40PM;

Page 4/8

DATE: 2/17/03

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**

FEB 19 2003

ENGINEERING DIVISION  
WV DOH

DATE: February 6, 2003  
SUBJECT: WORKSHOP PUBLIC HEARING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

Dear Mr. Sothen

I would recommend that the West Virginia DOT select the Original Preferred Alternative for the Parsons to Davis Section of Corridor H. It is the most practical, economical and logical route to follow.

The OPA provides the best location for a diamond interchange at the intersection of Route 32 between Honon and Davis for commercial development.

(Please print the following information)

NAME: Donald N. Toothman

ADDRESS: 105 Woodfield Dr.  
Milton WV 25541

ORGANIZATION (IF ANY):

Comments are due April 22, 2003

## Response:

As discussed in detail in Section II of this SFEIS, a modified OPA (the Revised OPA or ROPA) was selected as the Preferred Alternative. The ROPA/Preferred Alternative includes the Tucker County High School Connection and the Truck Route; the Truck Route will help to reduce heavy truck traffic in downtown Thomas.

Section III of this SFEIS provides additional detailed information regarding socio-economic resources, including potential commercial development in the area.

# Email/website public comments received during the December 2002 SDEIS comment period

Corridor H Web site e-mail comments  
Parsons-to-Davis

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1. Jeffrey Petrich  
February 19, 2002  
[Jeff.Petrich@Mail.House.Gov](mailto:Jeff.Petrich@Mail.House.Gov)  
Parsons to Davis Documents

Please send me the SDEIS for the Parsons to Davis segment and add me to your mailing list for the SFEIS and the AROD and related materials. Thank you.

Jeffrey Petrich  
Committee on Resources  
1329 Longworth HOB  
Washington, D.C. 20515

Response: The information you have requested from Parsons to Davis will be sent to you.

2. Dave Markgraf  
April 14, 2002  
[dmarkgraf@mindspring.com](mailto:dmarkgraf@mindspring.com)  
corridor H information

I am interested in any information you might have regarding the construction of corridor H thru the Davis/Thomas area. I am considering opening a business in this area and want consider the impact of the highway.

Response: The WVDOH is looking at several possible alignments in this area. No preferred alignment has been identified at this time. Public meetings are to be held this summer to allow for public comment prior to making a decision. If you will provide a mailing address, the alignments currently being studied will be sent to you.

3. Dave Markgraf  
April 17, 2002  
[dmarkgraf@mindspring.com](mailto:dmarkgraf@mindspring.com)  
corridor H information

I would like the current alignment possibilities of corridor H thru and near davis and thomas.

Dave Markgraf  
806 Heritage dr  
Mt Lake park, MD.21550

## Responses:

See responses below individual comments.



# Email/website public comments received during the December 2002 SDEIS comment period

Corridor H Web site e-mail comments  
Parsons-to-Davis

---

Thank you very much

Response: The maps you have requested will be sent to you.

4. pete beck  
August 20, 2002  
[hpbeck@carr.org](mailto:hpbeck@carr.org)  
corridor H

I would like a detailed map of corridor H from Parsons to Davis and Davis to Bismark.

Response: Please provide a mailing address and the maps you have requested will be sent to you.

5. Tonette Beckwith  
September 16, 2002  
[neiguest42@yahoo.com](mailto:neiguest42@yahoo.com)  
Corridor H at Davis, WV

Would you please send me detail of this road in relation to the county platt of Davis? I want to see how close and exactly where Corridor H will be in relation to Davis.

Thank You

Tonette Beckwith  
19 Ericsson Road  
Cabin John, MD 20818

Response: The maps you have requested in the vicinity of the Tucker Industrial Park will be sent to you.

6. Ron Dove  
December 6, 2002  
[RonDove1@earthlink.net](mailto:RonDove1@earthlink.net)  
Blackwater Center, Davis, WV

Hi, Can you please let me know whether the route of Corridor H will have any impact on Blackwater Center in Davis, WV? Specifically, are there any plans to tear down this building or will the road even pass the Center? Thanks in advance for you help!

## Responses:

See responses below individual comments.

# Email/website public comments received during the SDEIS comment period

Corridor H Web site e-mail comments  
Parsons-to-Davis

Response: The Blackwater Center in Davis will not have to be acquired as part of the construction of Corridor H.

7. Ron Dove  
December 10, 2002  
[RonDove1@earthlink.net](mailto:RonDove1@earthlink.net)  
Blackwater Center, Davis, WV

Thanks for the response. Will the highway pass in front of the Center? How close will the route be? Thanks!

Response: WVDOH is currently studying alternate alignments in this area. A draft supplemental EIS (SDEIS) has been approved and will be available for comments. A public meeting will be held in early February to discuss the various alternates. The distance to the Center will vary depending upon the alternate selected. If you will provide a mailing address the SDEIS will be sent to you.

8. Helen McGinnis  
February 24, 2003  
[helenmcginnis@meer.net](mailto:helenmcginnis@meer.net)  
Wildlife Underpasses/Overpasses

We suggested that these be part of the overall plan for the Parsons-Davis segment because freeways of this type are an almost insurmountable barrier to dispersal of terrestrial wildlife. Are such under or overpasses included in the current plan?

Response: Thank you for your comments and recommendations. WVDOH works with the various state and federal resource agencies on this issue. Your comments will be considered in the final design phase of this project.

9. Rodney Sauter  
April 21, 2003  
[sauters2@earthlink.net](mailto:sauters2@earthlink.net)  
Alternative for Parsons to Davis Segment

I recently purchased real estate in Davis, WV. Please consider Alternative 1D, East Option. This is the option I would vote for were it possible to vote for the options.

Response: Thank you for your comment. It will be considered in the decision making process.

## Responses:

See responses below individual comments.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

10. Craig Smith  
April 29, 2003  
[cas31@comcast.net](mailto:cas31@comcast.net)  
Bike Route

## Responses:

See responses below individual comments.

1) Are there any maps of the bike route between parsons and elkings? How could I get one?

2) Is the bike route paved?

Thanks!

**Response:** Please provide a mailing address and the maps will be sent to you. The bike route is paved on certain segments and stone based on the remaining segments.

11. Lynn Kelley  
May 22, 2003  
[craftygammon@hotmail.com](mailto:craftygammon@hotmail.com)  
corridor h

Does this funding include the area from elkings to bismark...when will construction begin in this area?

**Response:** The funding can be used on any section of Corridor H. The section between Davis and Bismark is in final design and could go to construction in 2004. The section between Parsons and Davis is in the environmental phase and different alignments are being considered. The final EIS for this section will not be completed until early 2004. Final design on this section can begin after the environmental phase. The Amended Record of Decision has just been approved from Kerens to Elkings. Final design can begin on this section as funds become available. The schedule for the next construction projects will be from Moorefield to Forman to Bismark.

12. Tom Howard  
September 1, 2003  
[tohowards@adelphia.net](mailto:tohowards@adelphia.net)  
Corridor H Map

Your web site offered a map of the Corridor H project(s). I'm particularly interested in the VA line to Davis/Thomas portion of Corridor H. My address: Tom Howard, 10306 Lexington Ct, Fredericksburg, VA 22408. Thanks.

**Response:** The maps you have requested will be sent to you.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

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13. Rolando Ray  
September 21, 2003  
[rolando@gato-gordo.com](mailto:rolando@gato-gordo.com)  
Corridor H Route Thru Davis

Please send me a DETAILED map of the presently proposed route of corridor H through the area of Davis and Thomas in Tucker County.

Response: Please provide a mailing address and the maps you have requested will be sent to you.

14. Rolando Ray  
September 23, 2003  
[rolando@gato-gordo.com](mailto:rolando@gato-gordo.com)  
Corridor H Route Thru Davis

Please send me a DETAILED map of the presently proposed route of corridor H through the area of Davis and Thomas in Tucker County.

Please mail the maps to:

Rolando Ray  
20635 Glenmere Square  
Potomac Falls, VA 20165

Thank you.

Response: The maps you have requested will be sent to you.

15. Jim Smith  
October 15, 2003  
[ismith@advamed.org](mailto:ismith@advamed.org)  
Corridor H

I was hoping for an update on the proposed route(s) and schedule(s) for Corridor H in Tucker Co. Thanks for your help.

Response: Final design is underway on Corridor H between Davis and the Tucker/Grant County Line and will be completed in the Spring of 2004. Construction start depends upon the availability of funding in the new transportation bill. The final alignment between Kerens and Parsons has been approved and final design can proceed as additional funding becomes

## **Responses:**

See responses below individual comments.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

available. Studies of various alignments in the Thomas-Davis area are continuing and should be completed in the Spring of 2004.

16. Hugh Rogers  
November 7, 2003  
[rogers@wvhighlands.org](mailto:rogers@wvhighlands.org)  
Parsons to Davis route

## Responses:

See responses below individual comments.

What is the difference between the OPA for this route and the Revised OPA that you have chosen?

**Response:** The Revised OPA (ROPA) has some revisions to the alignment from the OPA. The first is in the area of the Big Run Bog and Tucker County High School, where the alignment has been shifted north towards the High School and provides a direct connection to US 219 at the school. The second area is at the crossing of Middle Run where the ROPA has been shifted slightly to the south of the OPA. The other difference is that the ROPA includes a truck route located east of Thomas to allow trucks to bypass Thomas.

17. Hugh Rogers  
December 2, 2003  
[rogers@wvhighlands.org](mailto:rogers@wvhighlands.org)  
Parsons to Davis route

Thanks for your response on 12-2-03. We note that the connection to Tucker County H.S. was an important reason for choosing the ROPA. We're wondering why it wasn't feasible to make the same connection and then join Alt. 1 east and south of US 219.

**Response:** As stated in Section III of this SFEIS, "The ROPA/Preferred Alternative offers an access point closer to the TCHS than any of the Blackwater Avoidance Alternatives, and one that has fewer adverse environmental impacts. Because it offers a direct connection to the Tucker High School entrance, movement to and from the high school would be best accommodated with the ROPA/Preferred Alternative. A TCHS connection from others alternatives carried forward for detailed analysis is not desirable due to additional environmental impacts. Further, a TCHS connection associated with the Blackwater Avoidance Alternatives and Blackwater Alternative 2 would most likely require additional upgrades to US 219, to improve sight distance, eliminate substandard curves and generally improve safety since they would approach the school from the east. The direct connection associated with the ROPA/Preferred offers the best engineering approach to TCHS. The TCHS connection, while beneficial to the project is not a factor in the selection of the ROPA/Preferred Alternative; it is an additional engineering feature to better serve the access needs of the community."

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

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18. S. Beafore  
December 6, 2003  
[SKB\\_70@hotmail.com](mailto:SKB_70@hotmail.com)

I am interested in the section of corridor H between Parsons and Davis. Could you please send me a map of the full project.

Response: Please provide a mailing address and the maps will be sent to you.

19. Terry Turner  
March 5, 2004  
[twlthater@earthlink.net](mailto:twlthater@earthlink.net)  
Corridor H

I need a detailed route map of Parsons to Davis and Kerens to Parsons. I'm especially looking for information on the bridge for the Cheat River. My address:

Terry W Turner  
PO Box 1498  
Hedgesville, WV  
25427

Thanks...

Response: No response

20. Krista Cunningham  
March 17, 2004  
[krista78999@hotmail.com](mailto:krista78999@hotmail.com)  
Dates of expected completion

I am doing a marketing analysis for Canaan Valley Resort and would like to know where Corridor H stands. Is there an approximate date of completion set for the Davis/Canaan Valley area? What effects can be expected after the completion?

Response: The completion date for the entire length of Corridor H depends upon the availability of funding. If funding were available Corridor H could be constructed and open to traffic within the next 6 to 7 years. Upon completion Corridor H will provide an east west corridor that will connect the Midwest with the Washington DC area and provide for reduced travel times and increase safety along the entire route.

21. John Hare  
March 24, 2004  
[jhare@masjmax.com](mailto:jhare@masjmax.com)  
map

Please send me a map of Corridor H from Parsons East. Thanks.

Response: Please provide a mailing address and the maps will be sent to you.

22. Karin and Phillip Nelson  
April 6, 2004  
[kbnellie@aol.com](mailto:kbnellie@aol.com)  
Corridor H in Blackwater Canyon area

## Responses:

See responses below individual comments.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

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This website is undated, so far as I can see. Can you tell me whether Corridor H will go north or south of Thomas, WV? that is, will it avoid Blackwater Canyon area?? Thank you, P and K Nelson (owners of property in Douglas, WV)

Response: The section of Corridor H in the Thomas-Davis area is being studied currently to determine the location of Corridor H. A preferred alternate has not been approved at this time. The amended record of decision is not expected on this section until early 2005.

23. Jean LeClare  
August 13, 2004  
[ilaem@msn.com](mailto:ilaem@msn.com)  
parsons to davis route

wondering how close the highway will come to Blackwater river, and the exact route through this section.  
Thank you

Response: Thank you for visiting the Corridor H Web site. The current preferred alternative for this section has Corridor H crossing over the River just south of Thomas. A final environmental impact study is being prepared and the Record of Decision for this section is due for approval early in 2005.

24. Kevin Mangis  
September 8, 2004  
[kmangis00@yahoo.com](mailto:kmangis00@yahoo.com)  
Corridor H Map

I would appreciate receiving a map of Corridor H and an update on the current status, particularly the section between Parsons and Wardensville. Your website has not been updated in quite some time -- is it possible to get some new information on the web site?

Response: Thank you for visiting the Corridor H Web site. The maps you have requested will be sent to you. Additional updates will appear in the next few days.

25. Elizabeth Gooding-McDonald  
September 22, 2004  
[dwmc2234@bellsouth.net](mailto:dwmc2234@bellsouth.net)  
Area map of routing through Parsons to Davis

## Responses:

See responses below individual comments.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

I am a property owner in the Thomas Corp., Parcel lot #640 on Euclid Avenue, Thomas, WV and need to know the intended routing of the Corridor H that is intending to go through the area. I am located in Louisiana and would like some information on this matter. Was the new plan around Blackwater area approved by the city council? What exact subdivisions are/will be affected? I would like a routing map to be sent to our residential address of:

Elizabeth and Lowell McDonald  
2250 South Woodcrest Avenue  
Denham Springs, Louisiana, 70726

Response: Thank you for visiting the Corridor H Web site. The current preferred alternative is the original alignment for Corridor H, not one of the alternatives that went north of Parsons. The maps you have requested will be sent to you.

26. Bart Massey  
September 28, 2004  
[bcmassey@juno.com](mailto:bcmassey@juno.com)  
Corridor H

When do you expect the section to the Davis and Thomas area to be completed.  
Thanks, Bart Massey

703-582-7556

Response: Thank you for visiting the Corridor H Web site. The environment process for the Thomas-Davis area is scheduled to be completed by February 2005. Final design can commence after this and will take 18 to 24 months to complete. Construction of this section depends upon the availability of funding after final design has been completed.

27. Charlie Winfree  
October 9, 2004  
[charlie@mtthome4u.com](mailto:charlie@mtthome4u.com)  
Corridor H Davis alignment

I have a residential property listed for sale near the intersection of Rt 93 and Rt 32, in Davis. Please send me a detailed alignment map for that area that I can use with our property disclosure to provide to potential buyers. Thank you.

Response: Thank you for visiting the Corridor H Web site. Please provide a mailing address and the maps you have requested will be sent to you.

## Responses:

See responses below individual comments.



# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

28. Charlie Winfree  
October 13, 2004  
[charlie@mtnhome4u.com](mailto:charlie@mtnhome4u.com)  
Corridor H Davis alignment

Please send maps of Rts 93 and 32 alignment near Davis to:

Charlie Winfree  
HC 84 Box 10  
Patterson Creek Road  
Burlington, WV 26710

Thank you

**Response:** The maps will be sent to you. Thanks!

29. Ron Mochinski  
October 26, 2004  
[rmochinski@yahoo.com](mailto:rmochinski@yahoo.com)  
Outstanding Highway!

I just had to send a quick comment on the highway construction going on for Corridor H. We are from No. VA and have just purchased a second home in Canaan Valley, WV. We had the pleasure of driving the short distance on Corridor H yesterday between Hwy 81 and Moorefield. It was truly one of the most beautiful highways I been on. The views of the fall colors were outstanding. And the peace and quiet while driving on that new stretch of road was a wonderful change of pace from the hectic No. VA traffic. We can only ask, "When is the segment extending out to David going to be completed?" This will knock about an hour of drive time off our current route of Hwy 55, Hwy 42, Hwy 93. Though these roads offer a spectacular view of the countryside as well, there is just far too many large vehicles crowding this road to make it pleasurable and safe. Great job so far guys!  
Sincerely,  
Ron Mochinski

**Response:** Thank you for visiting the Corridor H Web site, and thank you for your comments concerning Corridor H. WVDOH is proceeding with construction from Moorefield west toward Davis. Two new projects are currently under construction in the Moorefield area. Additional construction projects are scheduled to begin shortly between Moorefield and Foreman and will then proceed westward. Based upon current funding levels it would take approximately 5 years to complete the section to Davis.

## Responses:

See responses below individual comments.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

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30. Charlie Winfree  
November 2, 2004  
[charlie@mtnhome4u.com](mailto:charlie@mtnhome4u.com)  
Parsons-to-Davis SFEIS

Wondering whether the Parsons-to-Davis SFEIS has been issued yet and if not, when it is likely to be issued. The August 2004 big map book indicates a Fall 2004 completion for that document.

Thank you

Charlie Winfree  
HC 84 Box 10  
Patterson Creek Road

Response: Thank you for visiting the Corridor H Web site. The SFEIS has not been issued on the Parsons to Davis section. The SFEIS is scheduled to be ready in May 2005.

31. Sharon Weeks  
January 28, 2005  
[sweeks@martekglobal.com](mailto:sweeks@martekglobal.com)  
Davis/Canaan Valley

Could you tell me the approx. or estimated date of completion of Corridor H near Canaan Valley (Davis)? Or the approx. end date of the entire project. Thanks so much.

Response: Thank you for visiting the Corridor H Web site. Based upon current funding levels it will take approximately 10 years to complete Corridor H.

32. Sharon Weeks  
February 2, 2005  
[sweeks@martekglobal.com](mailto:sweeks@martekglobal.com)  
Davis/Canaan Valley

Thank you for your earlier response. Would you please send a copy of a detailed map (address below) outlining how much has been completed, and what parts are under construction.

Mark Tomillo  
Martek Global Services, Inc.

## **Responses:**

See responses below individual comments.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

7920 Norfolk Avenue, Suite 9

Response: Thank you for visiting the Corridor H Web site. The maps you have requested will be sent to you.

33. James Stensland  
February 27, 2005  
[onthedole@aol.com](mailto:onthedole@aol.com)  
Map of Corridor H

Please send me a detailed map of Corridor H. My address is:  
8235 The Midway  
Annandale, VA 22003

I currently own property in Canaan Valley, and am considering opening a business in Davis. My interest in the progress and route of Corridor H is very keen. Thank you very much.

Response: Thank you for visiting the Corridor H Web site. The maps you have requested will be sent to you.

34. Lowell Rothschild  
March 7, 2005  
[lrothschild@earthlink.net](mailto:lrothschild@earthlink.net)  
Davis to Parsons section

The "March Status" for this section of the project states that "The Supplemental Final Environmental Impact Statement on this segment is expected in January 2005." I presume it hasn't issued yet? Is there a new expected date for the SFEIS?

Thanks,

Lowell Rothschild

Response: Thank you for visiting the Corridor H Web site. The Supplemental Final Environmental Impact Statement for the Davis to Parsons section will be ready in June 2005.

35. Robert Anderson  
March 13, 2005  
[raanderson22@hotmail.com](mailto:raanderson22@hotmail.com)  
Thomas

## **Responses:**

See responses below individual comments.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

When will this project be done? I would also like some more info on the Thomas/Davis area.

**Response:** Thank you for visiting the Corridor H Web site. The ultimate completion date for Corridor H depends upon the availability of funding. Based upon current funding levels it will take approximately 8 years to complete. Please specify the type of information you need for the Thomas/Davis area.

36. Robert Anderson  
March 13, 2005  
[raanderson22@hotmail.com](mailto:raanderson22@hotmail.com)  
Thomas

When will this project be done? I would also like some more info on the Thomas/Davis area.

**Response:** No response.

37. Karin B. Nelson  
March 14, 2005  
[kbnellic@aol.com](mailto:kbnellic@aol.com)  
Corridor H

What is the current status of the Corridor H route between Parsons and Davis? (I ask as a potentially affected property-owner.) Thank you. Karin Nelson

**Response:** Thank you for visiting the Corridor H Web site. The Supplemental Final Environmental Impact Statement is currently being prepared. This will be completed and a Record of Decision for this section will be received this summer.

38. Lowell Rothschild  
March 15, 2005  
[lrothschild@earthlink.net](mailto:lrothschild@earthlink.net)  
Parsons to Davis SFEIS

Is there some sort of distribution list I could get on to be notified when the Parsons to Davis Supplemental Final Environmental Impact Statement is released for public comment?

Thanks,

Lowell Rothschild

## Responses:

See responses below individual comments.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

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**Response:** Thank you for visiting the Corridor H Web site. Please provide a mailing address to Mr. Ben Hark, Environmental Section, and he will add your name to the mailing list. He may be reached at bhark@dot.state.wv.us.

39. CJ Appleton  
March 17, 2005  
[cjappleton@verizon.net](mailto:cjappleton@verizon.net)  
timeline

I was interested in moving to Davis West Virginia... with anticipated funding, what is the projected timeframe for connection into Davis?  
thanks  
cj

**Response:** Thank you for visiting the Corridor H Web site. Based upon current funding levels, it could take 6 to 8 years to complete Corridor H to Davis.

40. Peter C Johnson  
August 15, 2005  
[pjohnson@his.com](mailto:pjohnson@his.com)  
Parsons-Davis-Bismarck

I am a small developer interested in Davis. I have heard the route is now possibly going north of Thomas. Please provide updated information showing the current planned route for these two segments. Thank you:

Pete Johnson  
HC70 Box 572,Davis, WV 26260

**Response:** Thank you for visiting the Corridor H Web site. No final decision has been made on the location of Corridor H in the Thomas-Davis section. The preferred alignment is the same as the original preferred alignment which would pass south of Thomas and north of Davis. The maps showing all alignments including the preferred will be sent to you.

41. Dennis Mazza  
August 22, 2005  
[demazzawvu@aol.com](mailto:demazzawvu@aol.com)  
Details on New roads

I was wanting information on the road between Kerens and Parsons. I was wanting to know if there was an estimated date as to when this was supposed

## Responses:

See responses below individual comments.

# Email/website public comments received after the SDEIS comment period (Dec 2001-June 2006)

Corridor H Web site e-mail comments  
Parsons-to-Davis

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to be started and completed. Also, the Road between Parsons and Davis, when will this begin and end, thank you

**Response:** Thank you for visiting the Corridor H Web site. Construction on the Kerens to Parsons segment is currently scheduled to begin in 2010. Construction of the segment from Parsons to Davis would begin in 2012.

42. Pete Johnson  
October 18, 2005  
[pjohnson@his.com](mailto:pjohnson@his.com)  
Davis details

Greetings, I would like to find out if the route is likely to be rerouted be north of Thomas or whether the originally planned route is still most likely, and approximately where the nearest exit(s) to Davis will be.  
Thanks, Pete Johnson, 301-602-12104

**Response:** Thank you for visiting the Corridor H Web site. The current recommended alignment is the original alignment that passes between Davis and Thomas. The nearest exit to Davis will be in the vicinity of the current intersection of WV 93 and WV 32.

## **Responses:**

See responses below individual comments.

**Original Notice of Intent**

**May 11, 2000**

**and**

**Revised Notice of Intent**

**October 9, 2001**

development process. A series of public meetings will be held in the City of Conway. In addition, a public hearing will be held. The draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program.)

Issued on: May 3, 2000.

**Gary A. DalPorto,**

*Planning and Research Engineer, FHWA, Little Rock, Arkansas.*

[FR Doc. 00-11861 Filed 5-10-00; 8:45 am]

BILLING CODE 4910-22-M

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Tucker County, West Virginia

**AGENCY:** Federal Highway Administration (FHWA), DOT

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that a Supplemental Environmental Impact Statement (SEIS) will be prepared for the Blackwater Avoidance area of the Thomas-to-Davis portion of the Parsons-to-Davis project of the proposed Appalachian Corridor H highway in Tucker County, West Virginia.

**FOR FURTHER INFORMATION CONTACT:** Henry E. Compton, Division Environmental Coordinator, Federal Highway Administration, West Virginia Division, Geary Plaza, Suite 200, 700 Washington Street East, Charleston, West Virginia, 25301, Telephone: (304) 347-5268.

**SUPPLEMENTARY INFORMATION:** In accordance with a court approved settlement agreement, the FHWA in cooperation with the West Virginia Department of Transportation (WVDOT) will prepare an SEIS to examine one or more potential alignment shifts for the Thomas-to-Davis section of Parsons-to-Davis project of the proposed Appalachian Corridor H highway in

Tucker County, West Virginia. A Record of Decision (ROD) for the entire Appalachian Corridor H highway (FHWA-WV-EIS-92-01-F) from Aggregates to the WV/VA state line, a distance of approximately 100 miles, was approved on August 2, 1996. The proposed Parsons-to-Davis project will provide a divided four-lane, partial control of access highway on new location for a distance of approximately 9 miles. The purpose of this project is to provide safe and efficient travel between population centers in Tucker County (Parsons Area and Thomas/Davis Area), while also contributing to the completion of Corridor H in West Virginia.

Alternates under consideration in the SEIS will be: (1) The no-action alternative, (2) the preferred alternative that was approved in the 1996 ROD, and (2) one or more alternatives that avoid the Blackwater Area identified in Exhibit 4 of the court approved Corridor H Settlement Agreement. Based on preliminary studies, it is expected that the avoidance alternatives considered in the SEIS will include one or more alignments that would shift the project to the north, resulting in additional connections to US 219, WV Route 32, and WV Route 93 in the vicinity of the towns of Thomas and Davis. However, final decisions on the scope of the SEIS will be made only after an opportunity for comment by interested agencies and the public during the scoping process, which will occur in May 2000.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state, and local agencies, and to private organizations and citizens who have expressed or are known to have an interest in this proposal.

To ensure the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

Issued on: May 2, 2000.

**Henry E. Compton,**

*Environmental Coordinator, Charleston, West Virginia.*

[FR Doc. 00-11860 Filed 5-10-00; 8:45 am]

BILLING CODE 4910-22-M

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-1999-6364]

#### Northeast Illinois Railroad Corporation; Cancellation of Public Hearing

On April 4, 2000, the Federal Railroad Administration (FRA) published a notice in the **Federal Register** (65 FR 17704) announcing that a public hearing will be held based upon the Northeast Illinois Railroad Corporation's (Metra) request seeking a permanent waiver of compliance with the *Passenger Equipment Safety Standards*, 49 CFR part 238.303, which requires exterior calendar day inspection, and 238.313, which requires a class one brake test be performed by a qualified maintenance person. Metra has withdrawn its request; therefore, the hearing scheduled for Tuesday, May 16, 2000, in Chicago, Illinois, has been canceled.

FRA regrets any inconvenience occasioned by the cancellation of this hearing.

Issued in Washington, DC on May 8, 2000.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 00-11865 Filed 5-10-00; 8:45 am]

BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Safety Advisory 2000-1

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Safety Advisory.

**SUMMARY:** FRA is issuing Safety Advisory 2000-1 addressing safety concerns involving Model B1 relays, manufactured by General Railway Signal (GRS), between the years 1960 and 1985, and their potential to stick and remain in the energized position. ALSTOM Signaling, Inc., which has acquired GRS, estimates that approximately 2,000,000 relays are affected worldwide.

**FOR FURTHER INFORMATION CONTACT:** William E. Goodman, Staff Director, Signal and Train Control Division, Office of Safety Assurance and Compliance, FRA, 1120 Vermont Avenue, NW, RRS-13, Mail Stop 25, Washington, DC 20590 (telephone 202-493-6325) or Mark Tessler, Trial Attorney, Office of Chief Counsel, 1120 Vermont Avenue, NW, RCC-12, Mail





United States Department of the Interior

FISH AND WILDLIFE SERVICE

West Virginia Field Office  
 Post Office Box 1278  
 Elkins, West Virginia 26241

July 14, 2000

		A	I	Int.	
	Div. Administrator				Admin Coordin/Sec
	Asst. Div. Admin				Admin Coordinator
	Operations Mgr. Eng.				Admin Assistant
	Financial Manager				AE-1 Design
	Planning/Safety Eng.				AE-2 Operations
	Structures/Res Eng				AE-3 Materials
	ROW/Envir Eng				Asst Struct/Res Eng
	Safety/Traffic Eng				Computer Specialist
	Trans Specialist				Structures Trainee
	Library				FMCSA
					File _____

Mr. Henry E. Compton  
 Division Environmental Coordinator  
 Federal Highway Administration  
 Geary Plaza, Suite 200  
 700 Washington Street, East  
 Charleston, West Virginia 25301

Dear Mr. Compton:

This responds to the Notice of Intent (NOI) to prepare a Supplemental Draft Environmental Impact Statement (SDEIS) for the Appalachian Corridor H, Thomas to Davis portion of the Parsons to Davis Project, and Tucker County, West Virginia. The NOI was published in the May 11, 2000 Federal Register. These comments reflect the concerns of the U.S. Fish and Wildlife Service (Service) and are offered as technical assistance in accordance with the provisions of the Fish and Wildlife Coordination Act.

The Service was unable to attend a June 14, 2000 scoping meeting for the proposed project due to a lack of available staff. West Virginia Field Office (WVFO) staff are, however, quite familiar with the habitat in the proposed project area. We have detailed our concerns below to assist you in preparing the SDEIS.

Endangered Species Comments

The endangered Indiana bat, Myotis sodalis may occur during the spring and summer throughout the study block. The endangered Virginia big-eared bat, Corynorhinus townsendii virginianus may also forage in portions of the study block and day roost in cliff/rock outcrop overhangs, especially in the Blackwater and North Fork of Blackwater Canyons. Both the threatened Cheat Mountain salamander, Plethodon nettingi and the endangered West Virginia northern flying squirrel, Glaucomys sabrinus fuscus occur in the Blackwater and North Fork Blackwater Canyons, and in the vicinity of Blackwater Falls State Park.

The Service recommends that an analysis of the habitat be conducted to determine the likelihood of these species occurring in the new alignments. If suitable habitat does occur for

any of these species, appropriate surveys to determine their presence should be conducted. If species are found to be present, a biological assessment (BA) must be prepared pursuant to Section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). The Service recommends that the following steps be taken in preparation of the BA.

1. Conduct recent interviews of recognized experts on the species at issue, including those within the Service, West Virginia Division of Natural Resources (WVDNR), U.S Forest Service, universities and others who may have data not yet found in scientific literature.
2. Review up to date literature and other scientific data to determine the species distribution, habitat needs, and other biological requirements.
3. Analyze the effects of the action on individuals and populations of the species and its habitat, including indirect and cumulative effects of the action.
4. Analyze alternative actions that may provide conservation measures.
5. Conduct any studies necessary to fulfill the requirements of (1) through (4) above.
6. Review any other relevant information.

If you determine that the proposed action "may affect" the endangered Indiana bat you must request, in writing, formal consultation with our office, pursuant to Section 7(a) of the ESA. If the determination is "no effect," no further consultation is necessary, unless requested by the Service. Regardless of your findings you should provide this office a copy of the BA and any other relevant information that assisted you in reaching your conclusion.

In addition to the federally listed species, the following species of concern may occur in the study block.

Eastern small-footed bat, Myotis liebii  
Southern rock vole, Microtus chrotorrhinus  
Southern water shrew, Sorex palustris punctulatus  
Eastern woodrat, Neotoma floridana magister  
Appalachian cottontail rabbit, Sylvilagus obscurus  
northern goshawk, Accipiter gentilis  
Cerulean warbler, Dendroica cerulea  
Hellbender, Cryptobranchus alleganiensis  
Cheat minnow, Rhinichthys bowersi  
Darlington's spurge, Euphorbia purpurea  
Butternut, Juglans cinerea

Species of Concern, formerly Category 2 candidates, are those for which the Service has information indicating that protection under the Endangered Species Act may be warranted, but for which it lacks sufficient information on status and threats to proceed with preparation of a proposed listing. On December 5, 1996 the Service announced our final decision to discontinue efforts to maintain a national list of these species. While species of concern lack formal recognition as candidates for possible future listing under the Endangered Species Act, the Service and the West Virginia Division of Natural Resources encourage continued consideration of these species in environmental planning.

#### Clean Water Act/Fish and Wildlife Coordination Act Comments

The Service recommends that all wetland and stream crossings be identified in the SDEIS so that potential impacts to these resources can be assessed and plans made to avoid them where practicable. Following demonstration of avoidance and minimization, compensatory mitigation would normally be required. The 404(b)(1) guidelines state that wetlands and other aquatic sites may only be filled if there are no practicable alternatives. Floodplain impacts must be avoided to the maximum extent practicable as required by Executive Order 11988 on Floodplain Management.

The study area has numerous native brook trout streams. The Service considers native trout streams to be Resource Category 1 resources in accordance with our Mitigation Policy (Federal Register, Volume 46, No. 15, January 23, 1981). The designation criteria for Category 1 is the habitat to be impacted is of high value for evaluation species and is unique and irreplaceable on a national basis or in the ecoregion. The Service's mitigation goal for Category 1 resources is to allow no loss of existing habitat value.

Impacts to other aquatic resources and floodplains habitat from highway construction must be avoided to the extent practicable. Impacts to perennial streams, wetlands, floodplains, and threatened and endangered species habitat from waste fill disposal should be totally avoided.

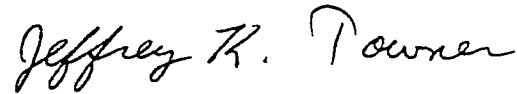
Compensatory mitigation will be required to replace unavoidable impacts to terrestrial wildlife habitat associated with highway construction. Service personnel may participate in an inter-agency terrestrial HEP study of the alignments to determine these impacts, depending on staff availability. All (terrestrial and aquatic) mitigation costs associated with each alignment should be internalized in overall project/alignment costs.

The Service also recommends that all reasonable and practicable alternatives and the No-Build alternative be studied. An alternative is practicable if it is capable of achieving the basic purpose of the proposed activity. The alternatives should include use of existing alignment as well as construction measures (bridging, retaining walls, gabions, etc.) to avoid or minimize encroachment into high quality resources. The SDEIS should also indicate a preferred alternative.

This letter provides technical assistance only and does not constitute the review of the Secretary of the Interior within the meaning of Section 2(b) of the Fish and Wildlife Coordination Act (P.L. 83-624), the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Clean Water Act of 1977, as amended (P.L. 95-217), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), or other pertinent legislation.

Please have your staff contact John Schmidt of my staff or contact me directly at (304) 636-6586 if you have any questions regarding these comments.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey K. Towner". The signature is written in dark ink and is positioned above the printed name and title.

Jeffrey K. Towner  
Field Supervisor

**Authority:** 23 U.S.C. 315, 23 CFR 771.123.

Issued on: September 20, 2001.

**Douglas P. Conlan,**

*District Engineer, Federal Highway Administration, Albany, New York.*

[FR Doc. 01-25104 Filed 10-5-01; 8:45 am]

BILLING CODE 4910-22-M

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Napa and Solano Counties, CA

**AGENCY:** Federal Highway Administration (FHWA); DOT.

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for a proposed highway project in Napa and Solano Counties, California.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bill Wong, Acting Team Leader, Project Delivery Team, Federal Highway Administration, 980 9th Street, Sacramento, California 95814-2724. Telephone: (916) 498-5042.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the California Department of Transportation (Caltrans), will prepare an Environmental Impact Statement (EIS) for a proposal to convert an existing two-lane conventional highway into a four-lane divided expressway from the intersection with state Route 29 south of the City of Napa (Napa County) to a point 0.3 kilometer (0.2 mile) west of Interstate 80 in the City of Fairfield (Solano County). The existing highway, State Route 12, is a major east-west link in the interregional road system of the northern Bay Area. The section of highway under consideration is 9.5 kilometers (5.9 miles) long.

FHWA considers it necessary to increase capacity of this highway to provide for existing and projected traffic demand. The existing facility currently operates at full capacity during commute hours and other high-demand hours. By the year 2025, peak period volume is expected to double.

Alternatives currently under consideration are: (1) taking no action; (2) construct a parallel alignment north of the existing roadway to be used for westbound traffic and correct the existing roadway alignment and use it for eastbound traffic; (3) construct a parallel alignment south of the existing roadway to be used for eastbound traffic and correct the existing roadway alignment and use it for westbound

traffic; and (4) construct AN alignment that closely follows the existing alignment, with the additional roadway constructed to the north in some sections and the south in some sections, depending on the terrain. Incorporated into and studied with the various build alternatives will be design variations of grade and alignment.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state, and local agencies and to private organizations and citizens who have previously expressed or are known to be interested in this proposal. Public scoping meetings will be held in Napa County and in Solano County in October and November 2001. Public notice will be given of the time and place of the scoping meetings. After the draft EIS has been completed, a public hearing will be held. The draft EIS will be available for public and agency review before the public hearing, and public notice will be given of the time and place of the hearing.

To ensure that the full range of issues related to this proposed action is addressed and that all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Issued on: September 20, 2001.

**Dennis A. Scovill,**

*Team Leader, Planning, Finance, Environment, and Right-of-Way, Sacramento, California.*

[FR Doc. 01-25109 Filed 10-5-01; 8:45 am]

BILLING CODE 4910-22-M

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Tucker County, WV

**AGENCY:** Federal Highway Administration (FHWA); DOT

**ACTION:** Revised notice of intent.

**SUMMARY:** On May 2, 2000, the FHWA issued an NOI to advise the public that a Supplemental Environmental Impact Statement (SEIS) would be prepared for the Blackwater Avoidance area of the Thomas-to-Davis portion of the Parsons-to-Davis project of the proposed Appalachian Corridor H highway in Tucker County, West Virginia. This purpose of this revised NOI is to advise the public that the limits of the study area for the SEIS will be expanded to

include the entire Parsons-to-Davis project. Expansion of the study area is required due to new information obtained during Endangered Species Act, Section 7 consultation regarding a federally listed, endangered species; the Northern Flying Squirrel (*Glaucomys sabrinus fuscus*).

#### FOR FURTHER INFORMATION CONTACT:

Henry E. Compton, Division Environmental Coordinator, Federal Highway Administration, West Virginia Division, Geary Plaza, Suite 200, 700 Washington Street East, Charleston, West Virginia, 25301, Telephone: (304) 347-5268

**SUPPLEMENTARY INFORMATION:** In accordance with a court approved settlement agreement, the FHWA published an NOI on May 2, 2000, that indicated the FHWA, in cooperation with the West Virginia Department of Transportation (WVDOT), would prepare an SEIS to examine one or more potential alignment shifts for the Thomas-to-Davis portion of the Parsons-to-Davis project of the proposed Appalachian Corridor H highway in Tucker County, West Virginia. A Record of Decision (ROD) for the entire Appalachian Corridor H highway (FHWA-WV-EIS-92-01-F) from Aggregates to the WV/VA state line, a distance of approximately 100 miles, was approved on August 2, 1996.

During Endangered Species Act, Section 7 consultation with the United States Fish and Wildlife Service, populations of the federally listed, endangered, Northern Flying Squirrel (*Glaucomys sabrinus fuscus*) were found within the current study limits of the Parsons-to-Davis project. Due to this discovery, it was determined that in order to review a full range of potential alignments that may avoid the newly discovered populations, the study limits of the SEIS must be expanded to include the entire Parsons-to-Davis project.

The proposed Parsons-to-Davis project will provide a divided four-lane, partially controlled access highway on new location for a distance of approximately 9 miles. The purpose of this project is to provide safe and efficient travel between population centers in Tucker County (Parsons Area and Thomas/Davis Area), while also contributing to the completion of Corridor H in West Virginia.

Alternates under consideration in the SEIS will be: (1) The no-action alternative, (2) the preferred alternative that was approved in the 1996 ROD, and (2) one or more alternatives that avoid the Blackwater Area, as identified in Exhibit 4 of the court approved Corridor H Settlement Agreement. Based on

preliminary studies, it is expected that the avoidance alternatives considered in the SEIS will include one or more alignments that would shift the project to the north, resulting in additional connections to US 219, WV Route 32, and WV Route 93 in the vicinity of the towns of Thomas and Davis.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state, and local agencies, and to private organizations and citizens who have expressed or are known to have an interest in this proposal.

To ensure the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: September 27, 2001.

**Henry E. Compton,**  
*Environmental Coordinator, Charleston, West Virginia.*

[FR Doc. 01-25112 Filed 10-5-01; 8:45 am]

BILLING CODE 4910-22-M

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favour of relief.

#### Finger Lakes Railway Corporation

[Docket Number FRA-2001-10215]

The Finger Lakes Railway Corporation seeks a waiver of compliance from the requirements of the Safety Glazing Standards-Passenger Car, 49 CFR 223.15, which requires all windows be FRA certified Glazing and a minimum of four emergency windows. The petitioner requests the waiver for four cars recently purchased from Via Rail

Canada, Inc. The coaches were built between 1954 and 1956, and were equipped with tempered glazing which met the Canadian glazing requirements. The coaches would be utilized in charter service in the rural Finger Lakes Region of New York State. Finger Lakes Railway Corporation anticipates the charter trips to be 15 to 20 miles in length and operated at a speed not to exceed 15 miles per-hour.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2001-10215) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room P1-401, Washington, DC 20590.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Issued in Washington, DC on October 2, 2001.

**Grady C. Cothen, Jr.,**  
*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 01-25221 Filed 10-5-01; 8:45 am]

BILLING CODE 4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions

involved, the nature of the relief being requested, and the petitioner's arguments in favour of relief.

#### Little Kanawha River Railroad Corporation

[Docket Number FRA-2001-10669]

Marietta Industrial Enterprises, Inc. of Marietta, OH, has petitioned on behalf of the Little Kanawha River Rail (LKRR) for a permanent waiver of compliance for one locomotive from the requirements of the Locomotive Safety Standards, 49 CFR Part 229.23, which requires the time interval between periodic inspections not exceed 92 days. The petitioner indicates that the locomotive is used in switching service over a 2.5 mile short line at a speed not to exceed 10 mph. They state that the locomotive is used an average of 29 hours a week and would like to extend the 92 day periodic requirement to 184 days.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2001-10669) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room P1-401, Washington, DC, 20590.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Issued in Washington, DC. on October 2, 2001.

**Grady C. Cothen, Jr.,**  
*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 01-25223 Filed 10-5-01; 8:45 am]

BILLING CODE 4910-06-P



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241  
DEC 06 2001



	Div Administrator		Coordin/Sec
	Asst. Div Admin		Admin Coordinator
	Operations Mgt Eng		Financial Asst
	Financial Manager		AE-1 Design
	Planning Eng		AE-2 Operations
	Structures Eng		AE-3 Materials
	ROW/Envir Eng		Asst Struct/Res Eng
	Safety/Traffic Eng		Computer Specialist
	Res/T2 Eng		Construction
	Trns Specialist		
	Library		

Mr. Henry E. Compton  
Division Environmental Coordinator  
Federal Highway Administration  
Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301

Dear Mr. Compton:

This responds to the Revised Notice of Intent (NOI) to prepare a Supplemental Draft Environmental Impact Statement (SDEIS) for the Appalachian Corridor H, Parsons to Davis (in its entirety) Tucker County, West Virginia. The NOI was published in the October 9, 2001 Federal Register. The expansion of the study area is required due to new information obtained during the Endangered Species Act, Section 7 consultation regarding a federally listed, endangered species; the West Virginia Northern Flying Squirrel (*Glaucomys sabrinus fuscus*). These comments reflect the concerns of the U.S. Fish and Wildlife Service (Service) and are offered as technical assistance in accordance with the provisions of the Fish and Wildlife Coordination Act.

### Endangered Species Comments

The Service has no objection to the expansion of the study area for the project. The expansion of the study limits will allow for the consideration of additional alternatives to avoid impacts to the endangered West Virginia northern flying squirrel.

Please have your staff contact John Schmidt of my staff or contact me directly at (304) 636-6586, or at the letterhead address, if you have any questions regarding these comments.

Sincerely,

Jeffrey K. Towner  
Field Supervisor

**June 14, 2000**  
**Agency Scoping Meeting**  
**Canaan Valley Resort & Conference Center**  
**Davis, West Virginia**



NOTICE  
OF  
NEPA/SECTION 106 SCOPING MEETING  
APPALACHIAN CORRIDOR H  
KERENS TO PARSONS AND THOMAS TO DAVIS  
RANDOLPH AND TUCKER COUNTIES

The West Virginia Division of Highways will hold a scoping meeting Wednesday, June 14, at the Canaan Valley Resort and Conference Center off WV 32 in Canaan Valley State Park in Tucker County to advise the public of studies being initiated for Appalachian Corridor H under the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act.

Scheduled in a workshop format from 4 to 7 p.m., the meeting will include discussion of a Supplemental Environmental Impact Statement (SDEIS) to be prepared to examine potential alignment shifts for the Kerens-to-Parsons project and a second SDEIS to be prepared for the Thomas-to-Davis portion of the Parsons-to-Davis project.

Those wishing to file written comments may send them to Jim Sothen, P.E. Director, Engineering Division, West Virginia Division of Highways, Capitol Complex Build 5, 1900 Kanawha Boulevard East, Charleston, West Virginia 25305-0430 on or before July 14, 2000.



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Cecil H. Underwood  
Governor

Samuel H. Beverage, P. E.  
Acting Secretary  
Commissioner of Highways

May 10, 2000

Thomas F. Badgett  
Assistant Commissioner

Mr. Roger Anderson  
WV Division of Natural Resources  
Post Office Box 67  
Elkins, West Virginia 26241

THIS DOCUMENT  
WAS SENT TO ALL  
ON THE ATTACHED  
MAILING LIST.

Dear Mr. Anderson:

Appalachian Corridor H  
Kerens to Parsons and Thomas to Davis  
NEPA/Section 106  
Randolph and Tucker Counties

You are invited to attend an agency scoping meeting from 10:00 a.m. to 12:00 p.m. on June 14, 2000, at the Canaan Valley Resort and Conference Center off WV 32 in Canaan Valley State Park, Tucker County. A public workshop portion will be from 4-7:00 p.m.

Studies are being initiated on a Supplemental Draft Environmental Impact Statement (SDEIS) for potential alignment shifts on the Kerens to Parsons project, and a second SDEIS for potential line shifts on the Thomas to Davis portion of the Parsons to Davis project. The purpose of this meeting is to identify issues of importance to your agency in order that they may be addressed in the studies. Location maps and a copy of the public meeting workshop notice are attached.

Should you have any questions, please contact Mr. Norse Angus at (304)558-2885.

Very truly yours,

*JES* James E. Sothen, P.E., Director  
Engineering Division

JES:Hs

Enclosures

bcc: DDE(~~N~~A), DDR, DD(MF)

**CORRIDOR H  
KERENS TO PARSONS AND THOMAS TO DAVIS  
AGENCY SCOPING MEETING  
MAILING LIST  
July 7, 2000**

---

Mr. Roger Anderson  
WV Division of Natural Resources  
Post Office Box 67  
Elkins, West Virginia 26241

Mr. Lyle Bennett  
WV Department of Environmental Protection  
Water Resources Section  
1201 Greenbrier Street  
Charleston, West Virginia 25311

Mr. Michael Castle  
Director  
Division of Environmental Protection  
10 McJunkin Road  
Nitro, West Virginia 25143-2506

Mr. Steve DeBarr  
WV Division of Tourism and Parks  
Room 451, Building 6  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0315

Mr. Lynn Hicks  
US Department of Agriculture  
Monongahelia National Forest  
200 Sycamore Street  
Elkins, West Virginia 26241

Mr. Ed Kesecker  
US Department of Agriculture  
Natural Resource Conservation Service  
HC 85, Box 301 Industrial Park  
Moorefield, West Virginia 26836

Mr. Edward Kropp  
Office of Air Quality  
1558 Washington Street, East  
Charleston, West Virginia 25311

Mr. Charles Meyers  
Supervisor  
Monongahela National Forest  
200 Sycamore Street  
Elkins, West Virginia 26241

Ms. Maryann Naber  
Room 809  
1100 Pennsylvania Avenue  
Washington, DC 20004

Mr. Robert Neill  
US Army Corps of Engineers  
Pittsburgh District  
1000 Liberty Avenue  
Pittsburgh, Pennsylvania 15222

Mr. Mike Phillips  
District Eight  
West Virginia Division of Highways  
Post Office Box 1516  
Elkins, West Virginia 26241

Ms. Susan Pierce  
State Historic Preservation Officer  
WV Division of Culture and History  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305

Mr. Jim Pifer  
US Department of Agriculture  
200 Sycamore Street  
Elkins, West Virginia 26241

Mr. John Rader  
Director  
Division of Natural Resources  
Building 3, Room 669  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0660

**CORRIDOR H**  
**KERENS TO PARSONS AND THOMAS TO DAVIS**  
**AGENCY SCOPING MEETING**  
**MAILING LIST**  
**July 7, 2000**

---

**Ms. Denise Rigney**  
Environmental Protection Agency  
Region 3  
1650 Arch Street  
Philadelphia, Pennsylvania 19103

**Mr. Jeffrey Towner**  
Field Supervisor  
US Fish and Wildlife Service  
Post Office Box 1278  
Elkins, West Virginia 26241

**Mr. John Schmidt**  
US Fish and Wildlife Service  
Post Office Box 1278  
Elkins, West Virginia 26241

**Mr. Lynn Shutts**  
US Department of Agriculture  
Natural Resource Conservation Service  
75 High Street  
Morgantown, West Virginia 26505

**Mr. McDonald Smith**  
WV Division of Tourism and Parks  
Post Office Box 67  
Elkins, West Virginia 26241

**Mr. Thomas Smith**  
Division Administrator  
Federal Highway Administration  
Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301

**Mr. Michael Soulrup**  
Associate Director  
Natural Resource Stewardship and Science  
National Park Service  
1849 C Street, Northwest  
Washington, DC 20240

**Mr. Tom Staud**  
Director of Engineering  
District Eight  
West Virginia Division of Highways  
Post Office Box 1516  
Elkins, West Virginia 26241



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

West Virginia Field Office  
Post Office Box 1278  
Elkins, West Virginia 26241

July 14, 2000

RECEIVED

JUL 17, 2000

ENGINEERING DIVISION  
WV DOH

Mr. James E. Sothen, P.E., Director  
Engineering Division  
West Virginia Department of Transportation  
Division of Highways  
1900 Kanawha Boulevard East  
Building Five, Room 110  
Charleston, West Virginia 25305-0430

Dear Mr. Sothen:

This responds to your May 10, 2000 letter inviting the U.S. Fish and Wildlife Service (Service) to a scoping meeting for the Supplemental Draft Environmental Impact Statement (SDEIS) for the Appalachian Corridor H, Kerens to Parsons portion and Thomas to Davis portion, Randolph and Tucker Counties, West Virginia. The Service was unable to attend a June 14, 2000 scoping meeting for the proposed project due to a lack of available staff.

West Virginia Field Office (WVFO) staff are very familiar with the habitat in the proposed project area. These comments reflect the concerns of the Service, and are offered as technical assistance in accordance with the provisions of the Fish and Wildlife Coordination Act.

### Endangered Species Comments

Kerens to Parsons: Big Springs Cave, located in the Fernow Experimental Forest south of Parsons, serves as a hibernaculum for the endangered Indiana bat, Myotis sodalis. Summer foraging has been documented in an approximate radius of 2.9 miles around the cave in the summer and fall swarming periods. Cave Hollow Arbogast Cave system occurs to the southeast of the study block and serves as a hibernaculum for the Indiana bat. It also supports a large summer and winter colony of the endangered Virginia big-eared bat, Corynorhinus townsendii virginianus. Bats from this cave are expected to forage and roost within the study block. The Indiana bat could be found roosting and foraging throughout the study block. The endangered running buffalo clover is known to occur in the Fernow experimental forest and in two locations along the Shavers Fork near Porterwood and Parsons. The West

Virginia northern flying squirrel, Glaucomys sabrinus fuscus may occur in the higher elevations of the study block in areas such as the Otter Creek Wilderness area and Blackwater Canyon in the mixed northern hardwoods and red spruce/hemlock forest type. The threatened Cheat Mountain salamander, Plethodon nettingi occurs on both sides of the Blackwater Canyon in the study block.

Thomas to Davis: The Indiana bat may occur during the spring and summer throughout the study block. The Virginia big-eared bat may also forage in portions of the study block and day roost in cliff/rock outcrop overhangs, especially in the Blackwater and North Fork of Blackwater Canyons. Both the Cheat Mountain salamander and the West Virginia northern flying squirrel occur in the Blackwater and North Fork Blackwater Canyons, and in the vicinity of Blackwater Falls State Park.

The Service recommends that an analysis of the habitat be conducted to determine the likelihood of these species occurring in the new alignments. If suitable habitat does occur for any of these species, appropriate surveys to determine their presence should be conducted. If species are found to be present, a biological assessment (BA) must be prepared pursuant to Section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). The Service recommends that the following steps be taken in preparation of the BA.

1. Conduct recent interviews of recognized experts on the species at issue, including those within the Service, West Virginia Division of Natural Resources (WVDNR), U.S Forest Service, universities and others who may have data not yet found in scientific literature.
2. Review up to date literature and other scientific data to determine the species distribution, habitat needs, and other biological requirements.
3. Analyze the effects of the action on individuals and populations of the species and its habitat, including indirect and cumulative effects of the action.
4. Analyze alternative actions that may provide conservation measures.
5. Conduct any studies necessary to fulfill the requirements of (1) through (4) above.
6. Review any other relevant information.

If you determine that the proposed action "may affect" the endangered Indiana bat you must request, in writing, formal consultation with our office, pursuant to Section 7(a) of the ESA. If the determination is "no effect," no further consultation is necessary, unless requested by the Service. Regardless of your findings you should provide this office a copy of the BA and any other relevant information that assisted you in reaching your conclusion.

In addition to the federally listed species, the following species of concern may occur in the study block.

Eastern small-footed bat, Myotis liebii  
Southern rock vole, Microtus chrotorrhinus  
Southern water shrew, Sorex palustris punctulatus  
Eastern woodrat, Neotoma floridana magister  
Appalachian cottontail rabbit, Sylvilagus obscurus  
northern goshawk, Accipiter gentilis  
Cerulean warbler, Dendroica cerulea  
Hellbender, Cryptobranchus alleganiensis  
Cheat minnow, Rhinichthys bowersi  
Darlington's spurge, Euphorbia purpurea  
Butternut, Juglans cinerea

Species of Concern, formerly Category 2 candidates, are those for which the Service has information indicating that protection under the Endangered Species Act may be warranted, but for which it lacks sufficient information on status and threats to proceed with preparation of a proposed listing. On December 5, 1996 the Service announced our final decision to discontinue efforts to maintain a national list of these species. While species of concern lack formal recognition as candidates for possible future listing under the Endangered Species Act, the Service and the West Virginia Division of Natural Resources encourage continued consideration of these species in environmental planning.

#### Clean Water Act/Fish and Wildlife Coordination Act Comments

The Service recommends that all wetland and stream crossings be identified in the SDEIS so that potential impacts to these resources can be assessed and plans made to avoid them where practicable. Following demonstration of avoidance and minimization, compensatory mitigation would normally be required. The 404(b)(1) guidelines state that wetlands may only be filled if there are no practicable alternatives. Floodplain impacts must be avoided to the maximum extent practicable as required by Executive Order 11988 on Floodplain Management. Impacts to intermittent and perennial streams should be avoided.

The study areas have numerous native brook trout streams. The Service considers native trout streams to be Resource Category 1 resources in accordance with our Mitigation Policy (Federal Register, Volume 46, No. 15, January 23, 1981). The designation criteria for Category 1 is the habitat to be impacted is of high value for evaluation species and is unique and irreplaceable on a national basis or in the ecoregion. The Service's mitigation goal for Category 1 resources is to allow no loss of existing habitat value.

Impacts to aquatic resources and floodplains from highway construction must be avoided to the extent practicable. Impacts to these resources from waste fill disposal should be avoided totally.

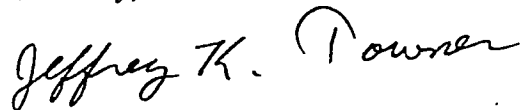
Compensatory mitigation will be required to replace unavoidable impacts to terrestrial wildlife habitat associated with highway construction. Service personnel may participate in an inter-agency terrestrial HEP study of the alignments to determine these impacts, depending on staff availability. All (terrestrial and aquatic) mitigation costs associated with each alignment should be internalized in overall project/alignment costs.

The Service also recommends that all reasonable and practicable alternatives and the No-Build alternative be studied. An alternative is practicable if it is capable of achieving the basic purpose of the proposed activity. The alternatives should include use of existing alignment as well as construction measures (bridging, retaining walls, gabions, etc.) to avoid or minimize encroachment into high quality resources. The SDEIS should also indicate a preferred alternative.

This letter provides technical assistance only and does not constitute the review of the Secretary of the Interior within the meaning of Section 2(b) of the Fish and Wildlife Coordination Act (P.L. 83-624), the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Clean Water Act of 1977, as amended (P.L. 95-217), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), or other pertinent legislation.

Please have your staff contact John Schmidt of my staff or contact me directly at (304) 636-6586 if you have any questions regarding these comments.

Sincerely,



Jeffrey K. Towner  
Field Supervisor



Corridor H - Battlefield + Blackwater Avoidance SEIS Studies

Agency Scoping Meeting Sign-In

<u>Name</u>	<u>Organization</u>	<u>Phone #</u>
Bill McCartney	Michael Baker Jr., Inc.	757-463-8770
Katry Harris	"	757-463-8770
Michael J. Phillips	DOH - D-8	304-637-0220
TOM STAUD	WVDOH, ELKINS	304-637-0220
LYNN L. HICKS	LISA FOREST SERVICE, MONTICELLO NF.	(304) 636-1830 ext.
Fred Paszoto	U.S. Army Corps of Engineers	(412) 395-7275
Bob Neil	" " "	(412) 395-7275
Mary Keith Higginbotham	Michael Baker	304-882-1821
Edward Rotenstein	Michael Baker Jr.	304-769-0827
Wendy A. ...	" "	(954) 663-5775
Mike Wilson	DOH - ENV.	304-558-2885
JIM COLBY	" "	" " "
NEAL CARTE	" "	" " "
Ed Compton	FHWA	304-347-5268
Keith Krantz	WVDNR	304-637-0245
Ron Krafcheck	FHWA	304-558-2458
JOHN VANDERGRIF	MICHAEL BAKER	204-282-1821
MARIE HOLMA	WVSHPO	304 588 0220 ext
Susan Pierce	WVSHPO - DCH	304 558-0220 ext
MRS. ANGUS	WVDOH DD-ENV	304 558-2885



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Cecil H. Underwood  
Governor

Samuel H. Beverage, P. E.  
Acting Secretary  
Commissioner of Highways

Thomas F. Badgett  
Assistant Commissioner

July 7, 2000

Mr. Roger Anderson  
WV Division of Natural Resources  
Post Office Box 67  
Elkins, West Virginia 26241

THIS DOCUMENT  
WAS SENT TO ALL  
ON THE ATTACHED  
MAILING LIST.

Dear Mr. Anderson:

Appalachian Corridor II  
Kerens to Parsons and Thomas to Davis  
Agency Scoping Meeting  
Randolph and Tucker Counties

Enclosed is a summary of the scoping meeting held on June 14, 2000, at Canaan Valley Conference and Resort Center for the subject Supplemental Environmental Impact Statements. For those who attended, please review the summary and provide any corrections as necessary. If your agency was not able to attend, the attached information should assist in your understanding of the studies. Comments are due July 14, 2000.

Should you have any questions concerning this information, please contact Mr. Norse Angus at (304)558-2885.

Very truly yours,

James E. Sothen, P.E., Director  
Engineering Division

JES:Hs

Enclosures

cc: Mr. Bill McCartney, Michael Baker, Jr., Incorporated

bcc: DDE(NA), DDR, DD(MF)

## Meeting Minutes

Agency Scoping Meeting - Corridor H  
Battlefield Avoidance SEIS  
Blackwater Avoidance SEIS  
Canaan Valley Conference and Resort Center  
Wednesday June 14, 2000

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### Agency Scoping Meeting Attendees:

<b>Name</b>	<b>Organization</b>
Norse Angus	WVDOH
Jim Colby	WVDOH
Ed Compton	FHWA
Ron Krofcheck	FHWA
Mike Wilson	WVDOH
Neal Carte	WVDOH
Mike Phillips	WVDOH- District 8
Tom Straud	WVDOH- District 8
Lynn L. Hicks	US Forest Service
Fred Pozzuto	US Army Corp. of Engineers
Bob Neill	US Army Corp. of Engineers
Keith Krantz	WVDNR
Susan Pierce	WVSHPO
Marc Holma	WVSHPO
Bill McCartney	Michael Baker Jr.
Katry Harris	Michael Baker Jr.
MaryKeith Higonbotham	Michael Baker Jr.
David Rotenstein	Michael Baker Jr.
Wendy L. Zelencik	Michael Baker Jr.
John Vandergriff	Michael Baker Jr.
Jennifer Talbot	Michael Baker Jr.
Denise Rigney	EPA - Philadelphia, PA (arrival delayed - post meeting summary provided)

## **Meeting Minutes**

Agency Scoping Meeting - Corridor H  
Battlefield Avoidance SEIS  
Blackwater Avoidance SEIS  
Canaan Valley Conference and Resort Center  
Wednesday June 14, 2000

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Minutes:

### **Welcome and Introductions:**

#### **Jim Colby, WVDOH**

Mr. Colby opened the meeting by explaining its purpose. Following this, each attendee introduced themselves and the agency or organization that they represent. Mr. Colby then turned the meeting over to Bill McCartney, Michael Baker Jr., Inc., Corridor H Project Manager

### **Purpose of Meeting:**

Bill explained that the purpose of this meeting was to initiate both NEPA and Section 106 scoping processes as required by FHWA and CEQ regulations. He also explained that because a Notice of Proposed Rule Making (NPRM) had been published by FHWA revising its NEPA regulations, that the projects will follow both current (23 CFR 771) and proposed (23 CFR 1420 and 1430) regulatory guidance.

### **Overview of Projects in the Context of Corridor H**

Bill "how we got here" by summarizing the Corridor H project milestones since the issuance of the Record of Decision of August 1996. The milestones were:

- November, 1996 Plaintiffs file in Federal District Court on 2 counts. Count one was violation of NEPA by failing to adequately investigate the Improved Roadway Alternative and Count 2 that FHWA violated its Section 4(f) regulation by premature findings of no use.
- October, 1997 Court found for Defendants on both counts
- October, 1997 Plaintiffs file appeal in U.S. Court of Appeals
- September, 1998 Plaintiffs file second suit in Federal District Court on "findings of no constructive use"
- February, 1999 U.S. Court of Appeals issues opinion finding for Defendants on Count one and for Plaintiffs on Count two

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Agency Scoping Meeting - Corridor H

Battlefield Avoidance SEIS

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- May, 1999                      Federal District Court refers case to court's mediation program
- February, 2000              Mediation Settlement Agreement files with Federal District Court

Bill McCartney explained that the settlement agreement called for, among other things, the re-designation of sections (dropping the old numbering scheme and substituting separate projects each with logical termini and independent utility) and completion of two supplemental EIS's (SEIS). These will be known as the "Battlefield [Corricks Ford] Avoidance Study" and the "Blackwater [Canyon] Avoidance Study". He further pointed out that doing these supplemental EIS's were not only consistent with the Federal Court supervised and accepted Settlement Agreement but also with FHWA regulations, specifically, 23 CFR 771.130(2)(f).

### **Battlefield Avoidance Study**

Using maps and graphics prepared for the meeting, Bill outlined the project study area and the avoidance area which was defined as part of the Settlement Agreement. He further explained that the NEPA class of action was a SEIS. It was also explained that the only alternatives to be considered would be 4-lane build alternatives because the improved roadway alternative and others were previously studied and dismissed and that those studies and dismissals were found to be valid in the court cases cited above. It was also explained that Section 106 determinations of eligibility would be completed for all historic structures within the entire study area. A graphic showing project schedule, and integration of NEPA and Section 106 processes was used during this presentation.

Discussion then turned to the identification of key issues and the proposed methodology and level of analysis for each. Bill presented a matrix that WVDOH had developed identifying the key issues, methodology and levels of analysis and briefly described each

### **Battlefield Avoidance SEIS (Kerens-to-Parsons Project)**

Joint NEPA and Section 106 Process (graphic)

Notice of Intent (NOI), Federal Register- April 2000  
Scoping/Public Meeting- June 2000

## Meeting Minutes

Agency Scoping Meeting - Corridor H

Battlefield Avoidance SEIS

Blackwater Avoidance SEIS

Canaan Valley Conference and Resort Center

Wednesday June 14, 2000

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### Section 106:

New approach- Area of Potential Effect (APE) is entire study area.

Determination of Eligibility (DOE) will focus on all eligible and potentially eligible properties in defined study area. Criteria of Effects (COE) will be submitted PRIOR to DEIS. Archeology will be conducted on Preferred Alternative selected by FHWA after circulation and comment period of DEIS.

Schedule and Process- graphic

Susan Pierce, WVSHPO: *(comments apply to both Battlefield Avoidance Area SEIS and Blackwater Avoidance Area SEIS).*

Committed to schedule and proper review periods

Will predictive modeling be used in the DEIS for Archeology as before?

Were there test areas in the Project Study Area used for the Predictive Model information presented in the ASDEIS/FEIS?

WVSHPO will review previous Predictive Model and make determination.

Preliminary/draft DOE will be circulated to WVDOH and FHWA for comment to expedite process.

COE will require development of Alternatives to be carried forward for detailed study (reasonable number of alternatives, per CEQ regulations). Baker will begin to develop alternatives (line and grade engineering) post Scoping/public meeting.

### NEPA:

(Refer to "Key Issues" Information Table)

**Environmental Justice: Methodology (no comment)**

**Monagahela National Forest: Methodology**

Lynn Hicks, US Forest Service:

Old PA involved mostly privately held parcels of National Forest Land; whereas New Study Area involves a bulk of federally owned National Forest Land.

## Meeting Minutes

Agency Scoping Meeting - Corridor H  
Battlefield Avoidance SEIS  
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Canaan Valley Conference and Resort Center  
Wednesday June 14, 2000

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Therefore, amount of federal land taken will require mitigation. This may entire purchase of privately held parcels (willing sellers, Eminent Domain not encouraged). Forest Service has list of potential sellers and "preferred" parcels to purchase. Mitigation "purchase" could take place anywhere in Mon Forest, but local area preference is noted, particularly northern and western portion of Mon Forest in Tucker, Grant and Randolph Counties. Forest Service has completed the development of it GIS system. Data sharing of GIS is encouraged and will be arranged in the near future. Based upon the Mon Forest Plan, Section 6(f) analysis does not appear to be warranted. New Roadless Area designations should not be a concern in the study area. MP 6.2 and MP 8.0 designations are not subject to current Roadless Area designations. Majority of study area falls within MP 3- managed for roads and timber production. Previous 4(f)-clarification letter for USFS will be reviewed, but stands as valid. Secondary data analysis indicates Trails in the area, however, 4(f) analysis does not appear to be necessary.

### **Rare, Threatened and Endangered Species: Methodology**

Section 7 letters sent to WVDNR and USFWS. Comment letter received from WVDNR. Presence of Running Buffalo Clover is known in the Clover Run area. It is assumed a RBC survey will be performed. The Project Study area lies within the 5-mile radius, Indiana Bat Swarm Area, centered upon Big Spring Cave. Indiana Bat Biological Assessment (BA) remains valid at this time.

### **Surface Waters:**

Rapid Bio-Assessment Methodology used in ASDEIS and FEIS will be applied.

### **Wetlands:**

Avoidance and minimization will be a priority. Original encroachment (ASDES/FEIS) of Corridor H Preferred Alternative was approximately 32 acres; with many encroachments being less than ¼ acre, low value, low functioning wetlands. Mitigation being prior to encroachment was determined to warrant 1 to 1 ratio replacement. 50 acres of wetland replacement has been created and is performing well in function and anticipated growth, even under drought conditions. Can the approximate 18 additional acres of mitigation be applied as a potential buffer to any encroachment resulting from the Preferred Alternative in the SDEIS? The approved 11 year 404 permit stands and may be amended, if necessary. Corp. of Engineer representatives concurred and requests updates and future coordination for timely review.

## **Meeting Minutes**

Agency Scoping Meeting - Corridor H  
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### **Floodplains:**

Given the recent and historic flood events in Tucker County, particularly the Town of Parsons, this analysis is a key community issue. Previous comments made during the ASDEIS/FEIS questioned the accuracy of the Cheat River Flood gauge. Therefore, an analysis of the accuracy will be conducted. The Cheat River Avoidance build alternatives will require a bridge crossing over the Cheat; visual analysis will be conducted using GIS.

### **Conclusion of Battlefield Avoidance SEIS:**

All participants are encouraged to provide written comment to WVDOH by July 14, 2000. All organizations invited, which did not attend, will receive the information packet provided for the meeting.

### **Additional Comments:**

Susan Pierce, WVSHPO:

Will previous survey reports apply to the Determination of Eligibility (DOE) submitted as a result of the SEIS study? Will surveying and presenting new photos be required? To be decided.

### **Blackwater Avoidance Study**

Using maps and graphics prepared for the meeting, Bill outlined the project study area and the avoidance area which was defined as part of the Settlement Agreement. He further explained that the NEPA class of action was a SEIS. It was also explained that the only alternatives to be considered would be 4-lane build alternatives because the improved roadway alternative and others were previously studied and dismissed and that those studies and dismissals were found to be valid in the court cases cited above. It was also explained that Section 106 determinations of eligibility would be completed for all historic structures within the entire study area. A graphic showing project schedule, and integration of NEPA and Section 106 processes was used during this presentation.

Discussion then turned to the identification of key issues and the proposed methodology and level of analysis for each. Bill presented a matrix that WVDOH had developed identifying the key issues, methodology and levels of analysis and briefly described each



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### **Blackwater Avoidance Area (Parson to Davis Project):**

Joint NEPA and Section 106 Process (graphic)

NOI- April 2000  
Scoping/Public Meeting- June 2000  
Study Area Definition and rationale

#### **General:**

Avoidance area includes the Coketon Industrial Complex, eligible for the national register and the Blackwater Canyon State Park, potentially eligible for National park status. Current Preferred Alternative runs west to east in between the Towns of Thomas and Davis. Study is driven by settlement agreement. Avoidance has already occurred in the Big Run Bog and Olsen Fire Town areas. Per the settlement agreement, a Citizens Action Group (CAG) has been formed for the Blackwater Avoidance Area SEIS. The CAG is comprised of 12 people with a facilitator, Ms. Keena Smith of Canaan Valley Institute. The CAG has had three meetings to date. Per the settlement agreement, both Town Councils must approve the selected Preferred Alternative as the result of the DEIS. Therefore, a 60-day comment period has been added to the NEPA and Section 106 process. (See graphic)

#### **Section 106:**

See general comments noted during Battlefield avoidance Area study discussion.

Benbush Area is included in the Project Study Area, and is included in the APE. A fieldview of the area will be conducted after the scoping meeting.

#### **NEPA:**

##### **Mon. Forest:**

Lynn Hicks, US Forest Service:

Amount of Federal land in the Project Area significantly smaller than the Battlefield Avoidance Project Study Area, therefore, mitigation (purchase of additional land) may not be warranted. Very few trails are located within the Project Study Area.

## **Meeting Minutes**

Agency Scoping Meeting - Corridor H  
Battlefield Avoidance SEIS  
Blackwater Avoidance SEIS  
Canaan Valley Conference and Resort Center  
Wednesday June 14, 2000

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### **Rare, Threatened and Endangered Species:**

Section 7 letters sent to WVDNR and USFWS. Comment letter received from WVDNR. Presence of the Cheat Mountain Salamander is known in the area and the previous survey conducted with Dr. Pauly will be reviewed. It is assumed a Northern Flying Squirrel survey conducted with Dr. Michaels will be reviewed and a trapping survey may be required. The Project Study area lies within the 5-mile radius, Indiana Bat Swarm Area, centered upon Big Spring Cave. Indiana Bat Biological Assessment (BA) remains valid at this time.

### **Acid Mine Drainage:**

Given the history of Acid Mine Drainage impacts in the Project Study Area (resulting from historic mining activities), this is a key community issue. The Mitigation Plan approved (FEIS, Vol. 3) is incorporated by reference to both projects, and accounts for acid mine drainage control with an approved methodology as well as partnership with WVU under the direction of Dr. Jeff Scousen. No commitments to this course of action had occurred as a result of this re-evaluation. WVU will be contacted.

### **Hazardous Materials:**

Two known land fills lie within the Project Area: The Old Tucker County Landfill (exact location will be determined) and the New Tucker County Landfill located off Route 219, west of Thomas.

### **Jim Colby, WVDOH, Conclusion:**

Both studies are required via the settlement agreement (February 2000), sensitive area(s) constraints will be noted as a result of this scoping meeting and comments provided in writing.

Request written comments be submitted to WVDOH no later than July 14, 2000.



**DIVISION OF NATURAL RESOURCES**

Wildlife Resources Section

Operations Center

P.O. Box 67

Elkins, West Virginia 26241-3235

Telephone (304) 637-0245

Fax (304) 637-0250

Cecil H. Underwood  
Governor

John B. Rader  
Director

July 12, 2000

Mr. James E. Sothen  
Director Engineering Division  
WVDOT, Division of Highways  
1900 Kanawha Blvd. E.  
Bldg. 5, Room 110  
Charleston, WV 25305-0430

**RECEIVED**

JUL 14 2001

ENGINEERING DIVISION  
WV DOH

Re: Appalachian Corridor H, Kerens to Parsons  
and Thomas to Davis; Agency Scoping Meeting,  
Randolph and Tucker counties.

Dear Mr. Sothen:

We have reviewed your letter of 7 July 2000 regarding the scoping meeting of 14 June 2000 held in Canaan Valley. The purpose of this meeting was to discuss new alignments of Corridor H from Kerens to Parsons and Thomas to Davis. In answer to the question on page 5 regarding impacts to wetlands, the Division of Highways has 18 useable acres of mitigation that it may draw from to offset impacts created on these new sections. We urge DOH engineers, however, to practice avoidance and minimize impacts to our wetland resources before drawing on these reserves.

We look forward to working with you on future alignments of Corridor H. Should you have any questions regarding this project, please contact Mr. Keith Krantz at 304-637-0245.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger J. Anderson".

Roger J. Anderson, Supervisor  
Environmental Review & Coordination

RLA:bjf

**June 14, 2000**  
**Public Information Meeting**  
**Canaan Valley Resort & Conference Center**  
**Davis, West Virginia**



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Cecil H. Underwood  
Governor

Samuel H. Beverage, P. E.  
Acting Secretary  
Commissioner of Highways

May 10, 2000

Thomas F. Badgett  
Assistant Commissioner

Grant County Development Authority  
5 Highland Avenue  
Petersburg, West Virginia 26241

THIS DOCUMENT WAS  
SENT TO ALL ON THE  
ATTACHED MAILING  
LIST.

Dear Sir/Madam:

Appalachian Corridor H  
Kerens to Parsons and Thomas to Davis  
Randolph and Tucker Counties

You are invited to attend a public workshop on June 14, 2000, from 4-7:00 p.m. at the Canaan Valley Resort and Conference Center off WV 32 in Canaan Valley State Park, Tucker County.

Studies are being initiated on a Supplemental Draft Environmental Impact Statement (SDEIS) for potential alignment shifts on the Kerens to Parsons project, and a second SDEIS for potential line shifts on the Thomas to Davis portion of the Parsons to Davis project. The purpose of this meeting is to identify issues of importance to agencies and the public in order that they may be addressed in the studies. A copy of the public meeting workshop notice is enclosed.

Should you have any questions, please contact Mr. Norse Angus at (304)558-2885.

Very truly yours,

*fol* James E. Sothen, P.E., Director  
Engineering Division

JES:Hs

Enclosures

bcc: DDE(NA), DDR, DD(MF)  
Bill McCartney, Baker  
Bill Malley, C&S

**CORRIDOR H  
KERENS TO PARSONS AND THOMAS TO DAVIS  
WORKSHOP PUBLIC MEETING  
MAILING LIST  
May 8, 2000**

---

**Ms. Dianne Bady**  
Ohio Valley Environmental Coalition  
Post Office Box 6753  
Huntington, West Virginia 25773-6753

**Ms. Karen Bonner**  
Tucker County Planning Commission  
Route 1, Box 51  
Davis, West Virginia 26260

**Mr. Tom Cain**  
224 Davis Avenue  
Elkins, West Virginia 26241

**Mr. Dwight Calhoun**  
Post Office Box 66  
Petersburg, West Virginia 26847

**Ms. Alison Cochran**  
Executive Director  
Heartwood  
116-1/2 South College  
Bloomington, Indiana 47403

**Ms. Terry Cook**  
President  
WV Scenic Trails Association  
Post Office Box 4042  
Charleston, West Virginia 25364

**Mr. James Cookman**  
Cookman Insurance Group  
Post Office Box 490  
Petersburg, West Virginia 26847

**Ms. Leah Divine**  
Route 1, Box 209-5  
Kings Run Road  
Elkins, West Virginia 26241

**Ms. Fran Endicott**  
Northern Shenandoah Valley  
Audubon Society  
3355 Calmes Neck Lane  
Boyce, Virginia 22720

**Mr. Matt Evans**  
Harrison County Environmental  
Citizens' Organization  
Route 4, Box 1154  
Salem, West Virginia 26428

**Ms. Andrea Ferster**  
Attorney at Law  
Corridor H Alternatives  
10th Floor  
1100 17th Street, Northwest  
Washington, DC 20036

**Mr. Donald Garvin**  
WV Environmental Council  
Route 6, Box 627  
Buckhannon, West Virginia 26201

**Grant County Development Authority**  
5 Highland Avenue  
Petersburg, West Virginia 26241

**Mr. Roger Harrison**  
Executive Director  
WV Rivers Coalition  
801 North Randolph Avenue  
Elkins, West Virginia 26241

**Mr. David Houser**  
President  
Downstream Alliance  
Route 1, Box 103  
Moatsville, West Virginia 26405

**CORRIDOR H  
KERENS TO PARSONS AND THOMAS TO DAVIS  
WORKSHOP PUBLIC MEETING  
MAILING LIST  
May 8, 2000**

---

**Ms. Margaret Janes**  
Potomac Headwaters Resource Alliance  
HC 67, Box 27 AA  
Mathias, West Virginia 26812

**Mr. Paul Lewis**  
Hardy County Planner  
Room 100  
204 Washington Street  
Moorefield, West Virginia 26836

**Ms. Suzanne Lewis**  
Cedar Creek Battlefield Foundation  
8437 Valley Pike  
Middletown, Virginia 22645

**Ms. Elizabeth Little**  
President  
WV Environmental Council  
324 Virginia Street, East  
Charleston, West Virginia 25301

**Ms. Bonnie McKeown**  
President  
Corridor H Alternatives  
Post Office Box 463  
Wardensville, West Virginia 26851

**Ms. Elizabeth Merritt**  
National Trust for Historic Preservation  
1785 Massachusetts Avenue, Northwest  
Washington, DC 20036

**Ms. Pamela Moe-Merritt**  
Corridor H Alternatives  
801 North Randolph Avenue  
Elkins, West Virginia 26251

**Mr. David Pancake**  
Hampshire County Planning Commission  
Post Office Box 883  
Romney, West Virginia 26757

**Randolph County Chamber of Commerce**  
200 Executive Plaza  
Elkins, West Virginia 26241

**Ms. Cindy Rank**  
President  
WV Highlands Conservancy  
Post Office Box 306  
Charleston, West Virginia 25321

**Region VII Planning & Development Council**  
40 Chancery Street  
Buckhannon, West Virginia 26201

**Mr. Hugh Rogers**  
WV Highlands Conservancy  
Moon Run  
Kerens, West Virginia 26276

**Mr. James Schoonover**  
Route 2, Box 11  
Montrose, West Virginia 26283

**Mr. Jim Schoonover**  
Davis Trust Company  
Post Office Box 1429  
Elkins, West Virginia 26241

**Mr. Michael Slimak**  
Reynolds Estates Landowners  
9207 Shotgun Court  
Springfield, Virginia 22153

**Ms. Laura Spadaro**  
Chapter Chair  
WV Sierra Club  
76 Fifteenth Street  
Wheeling, West Virginia 26003

**CORRIDOR H  
KERENS TO PARSONS AND THOMAS TO DAVIS  
WORKSHOP PUBLIC MEETING  
MAILING LIST  
May 8, 2000**

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**Mr. Norm Steenstra**  
WV Citizen Action Group  
1324 Virginia Street, East  
Charleston, West Virginia 25301

**Ms. Vivian Stockman**  
Concerned Citizens Coalition  
249 Millstone Run  
Spencer, West Virginia 25276

**Mr. Paul Trianosky**  
State Director  
The Nature Conservancy of WV  
Post Office Box 3754  
Charleston, West Virginia 25339

**Tucker County Chamber of Commerce**  
Post Office Box 565  
Davis, West Virginia 26260

**Mr. Lee Wakefield**  
Corridor H Alternatives  
HC 68, Box 78A  
Wardensville, West Virginia 26851

**WV Scenic Trails Association**  
633 West Virginia Avenue  
Morgantown, West Virginia 26505



NOTICE  
OF  
NEPA/SECTION 106 SCOPING MEETING  
APPALACHIAN CORRIDOR H  
KERENS TO PARSONS AND THOMAS TO DAVIS  
RANDOLPH AND TUCKER COUNTIES

The West Virginia Division of Highways will hold a scoping meeting Wednesday, June 14, at the Canaan Valley Resort and Conference Center off WV 32 in Canaan Valley State Park in Tucker County to advise the public of studies being initiated for Appalachian Corridor H under the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act.

Scheduled in a workshop format from 4 to 7 p.m., the meeting will include discussion of a Supplemental Environmental Impact Statement (SDEIS) to be prepared to examine potential alignment shifts for the Kerens-to-Parsons project and a second SDEIS to be prepared for the Thomas-to-Davis portion of the Parsons-to-Davis project.

Those wishing to file written comments may send them to Jim Sothen, P.E. Director, Engineering Division, West Virginia Division of Highways, Capitol Complex Build 5, 1900 Kanawha Boulevard East, Charleston, West Virginia 25305-0430 on or before July 14, 2000.

# Public Meeting Sign-In Sheet

Appalachian Corridor H

(Battlefield & Blackwater Avoidance Studies)

June 14, 2000 ~ 3 - 7 p.m.

By signing this sheet, you indicate that you attended this Public Workshop on the above stated date. If you wish to receive additional information as it becomes available, please provide us your mailing address.

Name	Address	Organization
Mimi Kibler	208 2 <sup>nd</sup> St Parsons WV	
<del>KAREN BANNER</del>	<del>HC 70 Box 51 DAVIS WV 26260</del>	<del>TUCKER CO. PLANN</del>
<del>Thomas P. Miller</del>	<del>801 N. Randolph Ave Elkins WV</del>	<del>WV Rivers Coalition</del>
Debbie Dryden	PO BOX 477-Thomps WV	Magnolia Homes
Ms. M. Kary Earle	P.O. Box 239 Davis W. Va	
Roby McClintock	HC 66 Box 10A Rt 72 South Hendricks WV 26271	
* Joe [unclear]	Box 96, Red Creek 26289	Tucker County [unclear]
Hiena J. Smith	PO Box 623, Davis WV	CIT
Randa K. Worden	PO Box 673, Davis, WV 26260	W.T.
Sam E. Scherberger	P.O. Box 317, Thomas, WV 26272	T.C. Commission
Ruth Blachwell Rogers	Moon Run, Keams 26276	CHIA
Hugh Rogers		
Barbara [unclear]	RA 2 BPO BOX 98 MONTROSE WV	
Stephen [unclear]		26263
Marilyn Smith	Parsons Advocate, Parsons, WV	
Alan [unclear]	511 main st. Parsons, W.V.	
TA & Sybil	President of Tucker Co Chamber Parsons	
Chuck [unclear]	Canaan Valley	H.C. A.V.
Terry Miller	Montrose WV	
Rinda [unclear]	Elkins WV	
Laurie [unclear]	Elkins WV	

Please send  
packets to

# Public Meeting Sign-In Sheet

## Appalachian Corridor H

(Battlefield & Blackwater Avoidance Studies)

June 14, 2000 ~ 3 - 7 p.m.

By signing this sheet, you indicate that you attended this Public Workshop on the above stated date. If you wish to receive additional information as it becomes available, please provide us your mailing address.

Name	Address	Organization
Mervin W. Henderson	RR1: Box 4B HERENS, WV 26276-9708	Concerned Citizens
June Harmon	RT 1 - Box 9A HERENS - WV 26276 -	citizens
Judy Cebogor	Kingwood	Citizens
Valley Halligan	5470 HARRIS FARM RD. COLUMBIA, MD. 21044	CIT.
Carri Antolin	203 SO View ELKINS	WV DOH
RICHARD DAVIS	RT 2 Box 223 JAVELIN	WV DOH
Michael Rosewar	223 Spruce St PARSONS	Self
* Charles Rosewar	512 Wagonwood St PARSONS	Self
Roger Viadero	PO Box 6103 MORGANTOWN, WV 26506	WV CIVIL & ENVIRON. ENGRS
Nathan Fetty	801 N. Randolph Ave., ELKINS, WV 26241	W.V. Rivers Coalition
Ron Fortney	103 Bourbon St AUCKLAND, WV 26201	WV U
Randy Schmiedeknecht	PO Box 492 Davis, WV 26260	Mayor of Davis
MATT QUATRO	PO Box 667 THOMAS WV 26278	Council - City of Thomas
George Smith	205 Main Street Parsons	McClain Print
Scott Kearney	RT 2 Box 96 Montrose WV	resident
Cass Matthew	HC 70 Box 356	resident
Nalt Paralli	P.O. Box 371 Thomas, WV.	Alpnotterage Press
Alan Lutz	RT 3 ELKINS	
Eugene Palla	CV 1 / Davis, WV	CV 1
Chad Puce	511 Maida, Parsons	None
Ralph McMillon	P.O. Box 214 Montrose	





**Corridor H Alternatives**

*A Movement of Citizens*

10 July 2000

**RECEIVED**

JUL 14 2000

ENGINEERING DIVISION  
WV DOH

James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard East  
Charleston WV 25305-0430

RE: Comments on Scope of Corridor H Supplemental Draft EIS  
Battlefield and Blackwater Avoidance Studies

Dear Mr. Sothen:

Please consider the following comments.

Purpose and need

WVDOH has justified the need for a four-lane Corridor H by adding a "latent demand" of 5500 vehicles per day to the 20-year projected traffic on US 219 and WV 55. According to the *Transportation Needs Study* (1991), projected traffic on US 219 in Tucker County would not require four lanes. The EIS should re-examine previous claims of additional "latent" or "induced" traffic, in light of the criticisms of Dr. Henry Beale which were attached to our comments on the ASDEIS in February, 1995.

The project's dead-end at the Virginia state line demonstrates that "gaps" in Corridor H are acceptable. Therefore, the EIS should consider the "No-Build" alternative.

A 1998 study by Wilbur Smith Associates for the Appalachian Regional Commission found that seven of eleven ARC corridors had a negative cost-benefit ratio. Comparing Corridor H to Corridor E, it appears that H would be the most wasteful of all. A more recent study, announced on June 28, 2000 by the House Transportation and Infrastructure Committee, showed that the ARC's non-highway spending was much more effective at creating jobs. In fact, such infrastructure spending was 338 times more productive than highway spending. The EIS should include a cost-benefit analysis for the avoidance areas, and should reconsider the entire project's cost-benefit ratio in light of these studies.

EIS study area

The boundary of the Battlefield Avoidance Study, as shown at the scoping workshop, would unreasonably focus impacts on an especially sensitive area of the National Forest.

Regional Offices

Eastern West Virginia  
P.O. Box 463  
Wardensville, WV 26851  
304-874-3887

✓ Central West Virginia  
P.O. Box 11  
Kerens, WV 26276  
304-636-4522



Northern West Virginia  
P.O. Box 173  
New Creek, WV 26743  
304-788-5579

Virginia  
Rt. 1, Box 319  
Lebanon Church, VA 22641  
703-465-5664

(See "National Forest," below.) The least destructive alignment would follow the US 219 corridor, but so far WVDOH has refused to consider that course. In order to find the next least damaging alignment, the study area should be extended to the west and north.

#### Ecosystem-scale impacts

The EIS must be broad enough to account for cumulative and secondary impacts to the regional landscape mosaic of forests, streams, wetlands, grazing land, meadows, etc.

#### Minimizing the highway's "footprint"

The EIS should consider whether narrowing the median and shoulders could reduce the highway's impacts on sensitive areas. In 1990, during the scoping process for the first SDEIS, the FHWA said the four-lane project was "overbuilt" for both the projected traffic and the terrain. The agency suggested that the corridor's size—and even the number of lanes—could be reduced in certain areas.

#### National Forest issues

On maps of the Monongahela National Forest, the Laurel Run Opportunity Area appears as a relatively coherent patch of green SW of Parsons, just south of US 219 between Montrose and Porterwood. Laurel Run OA, with 7800 acres of public land plus 3000 acres of private land, is larger than Dolly Sods Wilderness. Its primary purpose is remote habitat for wildlife species "intolerant of disturbance," as well as non-motorized recreation and logging on long rotations. It has been recognized as a biological reservoir in support of the Otter Creek area. It should not become a target for the new alignment of Corridor H.

The EIS should consider the Forest Service's management prescriptions for affected and adjacent areas. There should be no net loss of public land at each prescription level. Less remote or less sensitive land should not be offset or traded for land with the 6.1 prescription that Laurel Run carries. All EIS and highway planning maps should include OA's as well as wetlands and other features. The EIS should also consider which FS lands may be candidates for "roadless area" designation, and those should be avoided.

#### Clean Water Act issues

The EIS should consider all immediate, long-term, and cumulative effects of corridor construction on the area's hydrology. Special notice should be taken of the Cheat River's history of flooding. Studies should be done on potential sediment loads from highway construction—with impacts on streams and wetlands that could include further flooding. Seasonal benthic surveys should be conducted on all streams as a preliminary effort to assess the potential effects of construction. Streams on the National Rivers Inventory should be identified and avoided.

Excess waste problems should be given close scrutiny in light of the disposal problems that have been encountered on the construction projects south of Kerens. Previous estimates of waste should be revised. The EIS should study specific sites that would be proposed for and impacted by dumping. What would be the cumulative hydrological impacts of so much fill?

### Acid drainage

There should be careful study and mapping of all mines in the area, especially on Backbone Mountain and around Thomas and Davis. Some old mines have never been mapped. The EIS must consider the likelihood of acid drainage from previously mined sites, as well as from exposure of acid-bearing shales.

### Air pollution and noise

What would be the air pollution impacts on Otter Creek Wilderness, a Class 1 area? The EIS should consider the likely damage to people, streams, and vegetation from any projected increase in traffic in the area. Similarly, noise impacts should be studied, including the effects on wildlife and remote recreation areas such as Otter Creek.

### Wildlife

Baseline data should be collected and comprehensive surveys done to determine the wildlife population and migration patterns. What are black bear habitat requirements? How can the corridor avoid such habitats? The EIS should include proposed designs for minimizing impacts on wildlife and preserving migration routes. A standard mitigation tactic, the use of high fences to keep deer off the highway, exacerbates the fragmentation of habitat. What other techniques are possible?

Impacts on neotropical songbirds should be studied. According to the scientific literature, loss of large areas of contiguous forest and fragmentation of breeding bird habitat has had a drastic impact on migrant and interior forest species. Corridor H should not be allowed to worsen the problem. The EIS must consider the likely impacts on all Threatened & Endangered Species known to live in the area: Indiana bats, Cheat Mountain salamanders, flying squirrels, various birds, and plants such as Running Buffalo Clover. The study area includes Indiana bat nesting sites. How can these be avoided?

### Additional substantive issues

Cultural resources, visual impacts, and geology, including subsidence and erosion, are among the additional issues that should be addressed in the EIS.

### Procedural issues

The study should not go forward until all resource agencies have actually commented. There should be no size or time limits on the EIS. Mitigation costs should be more accurately stated than they were in the FEIS; for instance, the cost of land to add to the Canaan Valley National Wildlife Refuge was grossly understated.

Thank you for the opportunity to comment on the scope of the Corridor H EIS.

Sincerely,



Hugh Rogers

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard East  
Charleston WV 25305-0430

10 July 2000

**RECEIVED**

JUL 18 2000

RE: Comments on Scope of Corridor H Supplemental Draft EIS  
Battlefield and Blackwater Avoidance Studies

ENGINEERING DIVISION  
WV DOH

Dear Mr. Sothen:

It seems as if certain salient points have been overlooked or glossed over in prior EIS of the proposed corridor H through Tucker county, and I respectfully urge consideration of the following in the Supplemental Draft.

There has been a "latent demand" justification (5500 vehicles per day over a 20-year projection of traffic on US 219 and WV 55) for a 4 lane highway through Tucker County. According to the *Transportation Needs Study* (1991), projected traffic on US 219 in Tucker County would not require four lanes. The EIS should re-examine previous claims of additional "latent" or "induced" traffic, in light of the criticisms of Dr. Henry Beale. I can assure you that there are "raised eyebrows" among lifetime residents of this county regarding claims of increased traffic burdening the existing 219 corridor, and am told that the burden has in fact decreased with the demise of the coal industry in the area.

It is common belief among residents of Tucker County that Corridor H will bring economic prosperity to Tucker County. A 1998 study by Wilbur Smith Associates for the Appalachian Regional Commission found that seven of eleven ARC corridors had a negative cost-benefit ratio. Comparing Corridor H to Corridor E, it appears that H would be the most wasteful of all. A more recent study, announced on June 28, 2000 by the House Transportation and Infrastructure Committee, showed that the ARC's non-highway spending was much more effective at creating jobs. I submit that the short term boom of construction, and the accompanying loss of terrain and wildlife, will be damaging to the depressed economy, and far outweighs any economic benefit to Tucker County from a limited access 4 lane highway. The EIS should include a cost-benefit analysis for the avoidance areas, and should reconsider the entire project's cost-benefit ratio in light of these studies.

The project's dead-end at the Virginia state line demonstrates that "gaps" in Corridor H are acceptable and might be particularly applicable in Tucker County at the end of the corridor, especially in light of the value and delicacy of the eco-system surrounding the corridor. The EIS should consider the "No-Build" alternative, or the improvement and incorporation of the 219 corridor.



The real value of Tucker County to its residents lies in its landscape and wildlife. Future development towards tourism and parkland would be irrevocably damaged by inconsiderate highway construction. The EIS must be broad enough to account for cumulative and secondary impacts to the regional landscape, including resident wildlife, bird migration and hydrological issues. In 1990, during the process for the first SDEIS, the FHWA said the four-lane project was "overbuilt" for both the projected traffic and the terrain. The agency suggested that the corridor's size—and even the number of lanes—could be reduced in certain areas.

Laurel Run Opportunity Area, with 7800 acres of public land plus 3000 acres of private land, is larger than Dolly Sods Wilderness. Its primary purpose is remote habitat for wildlife species "intolerant of disturbance," as well as non-motorized recreation and logging on long rotations. It has been recognized as a biological reservoir in support of the Otter Creek area. It should not become a target for the new alignment of Corridor H. Much of the forested area, both public and private, surrounding Otter Creek Wilderness, is similarly recognized, and would be well considered in the same light. Otter Creek Wilderness is a Class 1 area. The EIS should consider the likely damage to people, streams, and vegetation from any projected increase in traffic in the area. Baseline data should be collected and comprehensive surveys done to determine the wildlife population and migration patterns.

The EIS should include proposed designs for minimizing impacts on wildlife and preserving migration routes. The EIS must consider the likely impacts on all Threatened & Endangered Species known to live in the area. Once these resources are damaged they may not be recoverable in a time frame suitable to aid the economy of Tucker County, and benefit its residents in any substantial fashion.

Thank you for the opportunity to present these concerns.



Michael McClintock  
Hendricks, Tucker County  
West Virginia



# Western Pocahontas Properties

Limited Partnership

1035 - 3rd Avenue • P. O. Box 2827  
Huntington, WV 25727-2827  
(304) 522-5757 • Fax (304) 522-5401

DD  
7-10-00

July 7, 2000

NICK CARTER  
President

Mr. Sam Beverage  
Commissioner  
WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
Division of Highways  
Building Five, Room 109  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

RECEIVED

JUL 11 2000

ENGINEERING DIVISION  
WV DOH

Re: Proposed Relocation of Corridor H in Davis-Thomas Area

Dear Mr. Beverage:

We believe the original Corridor H route is the preferred location in the Davis-Thomas area for the following reasons:

1. It is the most direct route through the area.
2. Because it is the most direct route, it will be less costly to build. The local community leaders have expressed their desire that interchanges be built at all major road crossings. Any location of the road, other than the original route, would require three (3) such interchanges as opposed to one (1) on the original route.
3. There is less potential for environmental damage. Alternatives in the area will require more stream crossings and more "wetlands" to mitigate.
4. There are no sites on the original route that local residents have identified as avoidance areas.
5. The original route offers better and more direct access to Davis, Blackwater Falls State Park and the Canaan Valley area.
6. The reasons to change the original location, such as avoiding a bridge across the so-called Blackwater Canyon, the perceived impact on the old coke ovens, and the bike trail, do not justify the added time and expense to change the route. Until the opposition is held financially accountable for the increased costs associated with delays in construction and route changes, then they will never stop.

We believe it is time to stop these delay tactics and **BUILD THE ROAD** at the original preferred route.

Sincerely,

Nick Carter

RECEIVED

JUL 10 2000

SCANNED

NC:DNT/db



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Cecil H. Underwood  
Governor

Samuel H. Beverage, P. E.  
Acting Secretary  
Commissioner of Highways

Thomas F. Badgett  
Assistant Commissioner

July 24, 2000

Mr. Nick Carter  
Western Pocahontas Properties  
1035 3<sup>rd</sup> Avenue  
Post Office Box 2827  
Huntington, West Virginia 25727-2827

Dear Mr. Carter:

**Appalachian Corridor H**  
**Davis to Thomas**  
**Tucker County**

Thank you for your letter to Commissioner Beverage, dated July 7, 2000, expressing your support for the subject project.

The West Virginia Division of Highways (WVDOH) developed the original preferred alignment with the intent of minimizing environmental impacts in the area. As you are aware, a recent settlement agreement requires that we study other alternatives in the area due to opposing opinions concerning potential impacts to the Blackwater Canyon. Until a Supplemental Draft Environmental Impact Statement (SDEIS) is completed for this new study area, an alternative for construction cannot be selected. This SDEIS is scheduled for completion this fall. Public meetings will be held, and additional public comments will be accepted on the alternatives developed. The original preferred alternative has not been ruled out as a viable alternative. If similar or greater environmental issues are found to exist in the study area north of Thomas, there remains the possibility that the original preferred alternative could be selected and built in accordance with the settlement agreement.

Thank you for your interest in this project. Should you require additional information, you may contact Mr. Norse Angus of our Environmental Section at (304) 558-2885.

Very truly yours,  
ORIGINAL SIGNED BY  
JOSEPH T. DENEALT  
Joseph T. Deneault, P. E.  
State Highway Engineer

JTD:Ss

bcc: TRC, DDE(NA), DDR, DD(YW, MF), THSAM

RECEIVED

JUL 17

ENGINEERING DIVISION  
WV DOH

July 13, 2000

HC 80, Box 69  
Maysville, WV 26833

James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard East  
Charleston WV 25305-0430

RE: Comments on Scope of Corridor H Supplemental Draft EIS  
Battlefield and Blackwater Avoidance Studies

Dear Mr. Sothen:

I encourage WVDOH to give full consideration and study to the following issues in determining the scope of the New Corridor H EIS.

Alleged Purpose and Need

The Department of Highways justified the need for a four-lane Corridor H by adding a "latent demand" of 5500 vehicles per day to the 20-year projected traffic on US 219 and WV 55. According to the *Transportation Needs Study* (1991), projected traffic on US 219 in Tucker County would not require four lanes. The EIS should re-examine previous claims of additional "latent" or "induced" traffic.

The project's dead-end at the Virginia state line demonstrates that "gaps" in Corridor H are acceptable. Therefore, the EIS should consider improved road/no build alternatives.

A 1998 study by Wilbur Smith Associates for the Appalachian Regional Commission found that seven of eleven ARC corridors had a negative cost-benefit ratio. Comparing Corridor H to Corridor E, it appears that H would be the most wasteful of all. A more recent study, announced on June 28, 2000 by the House Transportation and Infrastructure Committee, showed that the ARC's non-highway spending was much more effective at creating jobs. In fact, such infrastructure spending was 338 *times* more productive than highway spending. The EIS should include a cost-benefit analysis for the avoidance areas, and should reconsider the entire project's cost-benefit ratio in light of these studies.

### EIS Study Area

The boundary of the Battlefield Avoidance Study, as shown at the scoping workshop, would unreasonably focus impacts on an especially sensitive area of the National Forest. (See "National Forest," below.) The least destructive alignment would follow the US 219 corridor, but so far WVDOH has refused to consider that course. In order to find the next least damaging alignment, the study area should be extended to the west and north.

### Ecosystem-Scale Impacts/Footprint

The EIS must be broad enough to account for cumulative and secondary impacts to the regional landscape of forests, streams, wetlands, farms, pastures, and cropland. According to the Federal Highway Administration in 1990, a 4-lane highway is not in accord with projected traffic or the terrain.

### Impact on National Forest

The Laurel Run Opportunity Area should not become a target for the new realignment of Corridor H. On maps, it appears as a relatively coherent patch of green SW of Parsons, just south of US 219 between Montrose and Porterwood. Laurel Run OA, with 7800 acres of public land plus 3000 acres of private land, is larger than Dolly Sods Wilderness. Its primary purpose is remote habitat for wildlife species "intolerant of disturbance," as well as non-motorized recreation and logging on long rotations. It has been recognized as a biological reservoir in support of the Otter Creek area.

I encourage the EIS' consideration of the Forest Service's management prescriptions for affected and adjacent areas. There should be no net loss of public land at each prescription level. Less remote or less sensitive land should not be offset or traded for land with the 6.1 prescription that Laurel Run carries. All EIS and highway planning maps should include OA's as well as wetlands and other features. I also urge consideration and avoidance of those National Forest lands that are candidates for roadless area designation.

### Clean Water Act

The EIS should consider all immediate, long-term, and cumulative effects of corridor construction on the area's hydrology. Special notice should be taken of the Cheat River's history of flooding. Studies should be done on potential sediment loads from highway construction—with impacts on streams and wetlands that could include further flooding. Seasonal benthic surveys should be conducted on all streams as a preliminary effort to assess the potential effects of construction. Streams on the National Rivers Inventory should be identified and avoided.

Excess waste problems should be given close scrutiny in light of the disposal problems that have been encountered on the construction projects south of Kerens. Previous estimates of waste should be revised. The EIS should study specific sites that would be proposed for and impacted by dumping. What would be the cumulative hydrological impacts of so much fill?

### Mine Acid Drainage

There should be careful study and mapping of all mines in the area, especially on Backbone Mountain and around Thomas and Davis. Some old mines have never been mapped. The EIS must consider the likelihood of acid drainage from previously mined sites, as well as from exposure of acid-bearing shales.

### Air and Noise Pollution

What would be the air pollution impacts on Otter Creek Wilderness, a Class 1 area? The EIS should consider the likely damage to people, streams, and vegetation from any projected increase in traffic in the area. Similarly, noise impacts should be studied, including the effects on wildlife and remote recreation areas such as Otter Creek.

### Wildlife

Baseline data should be collected and comprehensive surveys done to determine the wildlife population and migration patterns. What are black bear habitat requirements? How can the corridor avoid such habitats? How can migration routes be preserved?

Impacts on neotropical songbirds should be studied. According to the scientific literature, loss of large areas of contiguous forest and fragmentation of breeding bird habitat has had a drastic impact on migrant and interior forest species. Corridor H should not be allowed to worsen the problem. The EIS must consider the likely impacts on all Threatened & Endangered Species known to live in the area: Indiana bats, Cheat Mountain salamanders, flying squirrels, various birds, and plants such as Running Buffalo Clover. The study area includes Indiana bat nesting sites. How can these be avoided?

### Additional Issues

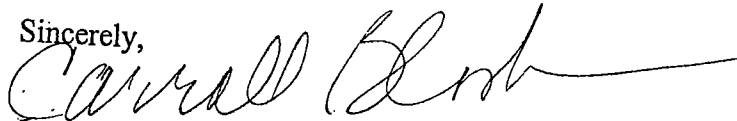
Cultural resources, visual impacts, and geology, including subsidence and erosion, are among the additional issues that should be addressed in the EIS.

### Procedural Issues

The study should not go forward until all resource agencies have actually commented. There should be no size or time limits on the EIS. Mitigation costs should be more accurately stated than they were in the FEIS; for instance, the cost of land to add to the Canaan Valley National Wildlife Refuge was grossly understated.

Thank you for the opportunity to comment on the scope of the Corridor H EIS.

Sincerely,



Carroll B. Cook

RECEIVED

JUL 17

July 12, 2000

Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard East  
Charleston WV 25305-0430

ENGINEERING DIVISION  
WV DOH

Re: Corridor H Environmental Impact Statements for the Kerens-to-Parsons and Parsons-to-Davis sections

Dear Mr. Sothen:

The following are my comments on the scope of the Environmental Impact Statements and the significant issues it must address:

\* purpose and need

predicted traffic is low, especially in Tucker County

project's dead-end at Va. line shows "gaps" in four-lane are acceptable

Appalachian Regional Commission studies demonstrate few corridors have a positive cost-benefit ratio, a 100-mile Corridor H would be the most wasteful

\* EIS study area should be extended

"blue-line" boundaries on maps shown at scoping workshop would unreasonably focus impacts on an especially sensitive area of the National Forest

\* minimize highway's "footprint"-narrow median and shoulders

at 1990 scoping, FHWA called the 4-lane "overbuilt" for sensitive areas

\* range of alternatives should include US 219 upgrade as well as "No-Build"

\* National Forest issues, including:

consider management prescriptions for impacted and adjacent areas--

no net loss of public land at same prescription level

planning maps should include OA's as well as wetlands, other features

1 of 3

P.3 7-12-00

avoid candidates for "roadless area" designation

\* Clean Water Act issues:

floodplains-Cheat River area is prone to flooding already

sediment loads from highway construction-impacts on streams, flooding

wetlands

streams on National Rivers Inventory

excess waste problems-no dumping in streams; cite problems S of Kerens

\* acid drainage

old mines in Backbone Mt., Thomas-Davis area

exposure of acid-bearing shales

\* air pollution

impacts on Otter Creek, a Class 1 area

damage to people, streams, and vegetation from increased traffic in area

\* noise-especially impacts on wildlife and remote recreation areas

\* wildlife

full-scale research and design for migration routes

high fences for deer ensure habitat fragmentation

black bear habitat requirements

impacts on neotropical songbirds

Threatened & Endangered Species: salamanders, bats, squirrels, birds, plants

bats: mist-netting has been inadequate; known presence of Indiana bats nearby

\* ecosystem-scale impacts

cumulative & secondary impacts to landscape mosaic: forests, streams,

2 of 3

18



7-12-00

wetlands

\* cultural resources, visual impacts, geology (including subsidence and erosion)

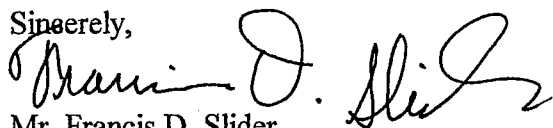
\* procedural issues

study can't go forward until all resource agencies have commented

no size or time limits on EIS

mitigation costs must be more accurately stated

Sincerely,



Mr. Francis D. Slider

Rt 1 Box 163-A2

Middlebourne, WV 26149

**RECEIVED**

JUL 13 2000

ENGINEERING DIVISION  
WV DOH

Peter Shoenfeld, Ph.D.  
P.O. Box 106  
Franklin, WV 26807  
July 10, 2000

James E. Sothen, P.E.  
Director, Engineering Division  
Division of Highways  
1900 Kanawha Boulevard East  
Charleston WV 25305-0430

Re: Scope of New Environmental Impact Statement for Corridor H

Dear Mr. Sothen:

Please allow me to take this opportunity to communicate to you my views on the scope of this forthcoming EIS for the Kerens-to-Parsons and Parsons-to-Davis sections and on significant issues that must be addressed. A thorough job can and must be done. There are no size or time limits on the study, which should go forward based on comments from the all resource agencies and the general public.

The purpose and need of these sections must be established, in light of the predicted low traffic in Tucker County and Appalachian Regional Commission studies demonstrating low cost-benefit ratios for the more sparsely utilized Corridors. An accurate analysis of mitigation costs is needed. The anticipated dead-end at the VA state line establishes precedent for improved two-land gaps in the intended four-lane highway. Since it is unlikely that a full four-lanes would be used to capacity in the foreseeable future, it is important to avoid land wastage through overly wide shoulders and median strip on four-lane segments..

The EIS study area should be extended to include the USFS Laurel Run "Opportunity Area, south of US 219 between Montrose and Porterwood. This 10,000-plus acre is managed as remote habitat for wildlife species "intolerant of disturbance," as well as non-motorized recreation and logging on long rotations, and as biological support for the Otter Creek wilderness area. An alignment that protects these values is needed. Other National Forest issues that should be included in the study's scope are (i) management prescriptions for impacted and adjacent areas, (ii) avoidance of any net loss of public land at each management prescription level, (iii) avoidance of areas that are candidates for National Forest "roadless area" designation. Proper consideration of these issues can be facilitated by development of planning maps that include USFS Opportunity areas as well as wetlands, and other important natural features.

Because of the sensitivity of the areas involved and the anticipated light traffic on these sections, the alternatives considered should include using the existing US 219, with upgrades such as truck turnouts and an accelerated snow removal program.

Full consideration must be given to all Clean Water Act issues. These include (i) floodplain management along the Cheat River and other areas prone to present or future flooding already, (ii) protection of streams on the National Rivers Inventory, (iii) wetlands preservation and (iv) avoidance of any excess waste problems such as dumping in streams. There have already been problems of this nature in the area south of Kerens.

Issues of air and noise pollution are very important also. Noise impacts wildlife and impairs the suitability of remote recreation areas. Air pollution impacts on the Class I Otter Creek area would be very unfortunate as would any damage to people, streams, and vegetation from increased traffic.

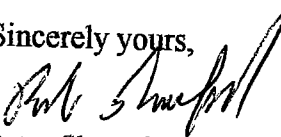
Careful study of wildlife issues must be included. Comprehensive research and design for migration routes is necessary. Impacts on neotropical songbirds must be considered as must the black bear's need for large contiguous areas of suitable roadless habitat. Certainly all threatened and endangered species must be protected, as the law requires. These include salamanders, squirrels, birds, plants and bats. In particular the presence of Indiana bats near this area has been established, as has been the inadequacy of mist-netting for protection.

Any possibility of new or increased acid mine drainage must be addressed. These include the possible exposure of acid-bearing shales and the uncovering of old mines in the Backbone Mountain, Thomas, and Davis areas.

Finally, the study must consider cumulative and secondary impacts to the landscape mosaic, other visual impacts and geology, including subsidence and erosion.

Thank you again for the opportunity to comment on this most important project.

Sincerely yours,



Peter Shoenfeld

## BARB HAYNES

---

119 Clinton Circle  
Springs, WV 25179-1515  
(304) 337-3317  
barb@wv.doh.wv.gov

July 11, 2000

James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

I am writing to you about my concerns of Corridor H. There seems to be a lot of alternatives that need to be looked at on building this highway. This has been referred to as the ROAD TO NO WHERE! Virginia has no plans to build a highway where this one ends. So I'm not sure the expense of this road is justified! Then we have the issues of destruction to natural areas in the Monongahela National Forest (Laurel Run area). This has been a remote habitat for wildlife, with no motorized disturbance. Now there is the plan of a section of this highway to run through this area. I feel the impact of this on our precious forest is out of the realm of reality. There is not enough traffic to justify this destruction. In the Cheat River area where it is prone to flooding already there is the question of the sediment run off that will impact the stream. There is also the question of the acid drainage from the old mines at Backbone Mt. in the Thomas-Davis area. Otter Creek wilderness area will be impacted with the noise and the air pollution. All of the wildlife will be affected in a negative way. The term over engineered comes to mind. Take into consideration a simple upgrade to the existing road US 219. In the 4 lane sections that are under construction now narrow the median and the shoulders. Please consider the impact of this road to our wild and wonderful state. This is an area that draws people from all over the world to see the untouched, unspoiled landscape. The impact of this road will have a negative effect on tourism, not a positive one! Please do all that you can to lessen the affect of the destruction that comes with building this highway to NO WHERE!!!!

Sincerely,

Barb Haynes



**RECEIVED**

JUL 13 2000

ENGINEERING DIVISION  
WV DOH

JUL 10 2000

July 6, 2000

RECEIVED

Marilynn Cronzo  
160 Guy St  
Elkins WV 26241

James E. Sothen, P.E.  
WV Dept. of Highways  
Charleston, WV 25305

Attn: Corridor H Scoping Comments:

My comments do not mean an endorsement of a completed Corridor H 4 Lane to the Va State line. Improvements to existing Rt 219 are preferable to any new 4-Lane alignment. Meaning passing lanes, widening & other improvements - especially through the heart of Randolph & Tucker Co where so much devastation of land will change things dramatically -

Also: Kerens to Parsons

1) Avoid Carrick Ford battlefield & stay out of the Shavers Fork Valley!

2) As little as possible a NO Mononghela National Forest Land should be taken. If taken replaced at a ratio of 2-1 with new purchased land within the same ranger district of the NF.

3) Stay out of the S Fork of Haddix Run watershed! Fragmentation of forest needs to be helped with migration corridors, and deer fencing is not enough attention to wildlife issues. The road is going

④ Budgeting of significant drainage and/or other under passes or overpasses are needed such as recreation trails like Shingle Tree & The Old Western Maryland railgrade rail/trail.

Blackwater Canyon Avoidance Supplemental EIS

- ① Just avoid BW watershed until any new road would cross the N Fork of the Blackwater N of Thomas <sup>WV.</sup>
- ② Completely avoid the watershed of Big Run Bog. Also no exit should be at a major Forest Service Rd #18 (Canyon Rim Rd) which services Big Run Bog & Olson Fire Tower!

These are a few concerns but now watching the 4-lane bing built out of Elkins & can see how awful the destruction of fields, mountainsides, streams & wildlife is so final! -  
Just upgrade the road & people will still be happy including Corporate America -  
Thank you,

Mauleyn Ruffo

P.S. Remember a lot of people live in the mountain state with different views try to imagine a peaceful settlement. There are so many issues in a fast changing environment to consider that I haven't even mentioned like the purpose when trapped in low, dead end at Va

Route 2 Box 96  
Montrose, WV 26283  
June 12, 2000

Corridor H Scoping Committee  
WV Department of Highways  
1900 Kanawha Blvd. East Building 5  
Charleston, WV 25305-0430

Dear Sirs and Madams,

We are writing this letter to bring attention to concerns we have about the rerouting of Corridor H between Kerens and Thomas West Virginia. Please share these comments with the engineers who are drawing plans for this road.

Just as a surgeon must know the location of nerves, blood vessels, bones and organs of a body before he begins surgery, so must one study the body of land before a road is constructed. We know that the engineers have studied the topographic and geologic maps, and the population maps, and the existing road maps of this area, but we think it is also important that they understand the living map of this section of land.

We will have attended the scoping meeting in Canaan, and will have passed along just such a living map to the folks there. We will request that this map be passed to the engineers. The map was made with the help of the Lands Committee of the northern half of the Monongahela National Forest. We also obtained input from the Department of Natural Resources, our retired game warden, biologists and Davis and Elkins College, the Fish and Wildlife Service, and the biologists at the research lab in Parsons, to confirm our opinions with real science. We have lived surrounded by the Monongahela for 24 years, and have had a cooperative relationship with all of these scientists and civil servants during that time.

We are concerned about the potential disturbance of the opportunity areas marked Clifton Run, Laurel Run, Rattlesnake Run, McGowan Mountain and Pheasant Mountain on the map. Most fragile of these are the Laurel Run, McGowan Mountain and Rattlesnake Run areas, which are marked with a 16.1 designation on the map. This area designation was made specifically because of its outstanding timber production, and its uninterrupted wildlife habitat suited for bear, turkey, raptors, owls and native trout, which are sensitive to disturbances. Although there are a series of experimental logging roads for the harvest of this prime timber, these were designed to be permanent, allowing minimal erosion and stream disturbance, and are not open to other public motorized vehicles.

These areas are full of small well maintained trails, and are used by horseback riders, hikers, backpackers, hunters and Forest Service employees. Bird studies have frequently conducted, and the game harvest has been rich. Laurel Run area is in close proximity (across a shallow Shaver's Fork River ford), to McGowan Mountain and Rattlesnake Run areas, which are contiguous with Ottercreek Wilderness Area, creating a large and rich wildlife and timber

habitat. The game migrate and breed freely between these areas. It is not just our opinion, but also the opinions of the biologists and scientists we conferred with, that these are vital and irreplaceable, and should not be disrupted or fragmented by this highway. These are intact sensitive watershed, which a highway would violate..


There also is a wide trail and mountain road network through the Pheasant mountain area designated in the map, which is highlighted Area Q - for handicapped accessability. Hunters are allowed motorized access to parts of the Pheasant Mountain area. All areas marked 13.0 on the map are considered less sensitive, but still have been managed for more than 25 years as wildlife and timber habitat that should not be fractionalized.


As residents of Tucker county, we also have concerns that any new road should provide good access to the Kingsford Charcoal Plant, since huge amounts of raw materials and finished products are transported daily out of that plant. We are concerned that any new road should provide better access to the High School on Backbone Mountain, since every child in this county will be transported long distances daily to this site for at least four years, and are in jeopardy with heavy truck traffic in foul weather as the road lies now..

We feel that the least disturbing route would be to utilize the existing corridor of 219 and the old railway beds, expanding 219 to 4 lanes and straightening it whenever possible. We appreciate the complexity of Route 70 through the Rocky Mountains in Colorado, which provides excellent access through he mountains, but still allows biking, canoeing, kyaking and hiking beside the highway which runs not far from the river. Route 33 east of Elkins utilized deeper steeper cuts which took up less acreage in a similar way. The existing Route 219 is already a disturbed area, already is a noise and visual disturbance, and would provide better access for existing businesses and development..

To summarize, we do not feel that fragmentation of the Laurel Run, Rattlesnake Run, Ottercreek management areas is at all justified, and should be avoided. This is both for public recreation purposes, wildlife management, watershed quality, future timber harvest, and for the benefit of our counties future development..

Sincerely,

  
Barbara Weaner

  
Scott Weaner



# ROBIN & MICHAEL MCCLINTOCK

H.C. 66 BOX 10A Rt 72 South  
HENDRICKS, WEST VIRGINIA 26271  
304-478-1046  
304-478-1097 FAX

June 14, 2000

Corridor H Committee  
WV Department of Highways  
1900 Kanawha St. East Bldg. #5  
Charleston, West Virginia 25305-0430

Dear Corridor H Committee,

As a resident of Tucker County I am opposed to Corridor H as it is currently proposed. I believe that improving the existing roadways Rt. 219 & 50 etc. would be a better use of the funds available and would achieve the goals in a more fiscally responsible and environmentally respectful way.

West Virginia's main asset in the eyes of this new state resident is its' mountains, trees and its people. The National Forests and protected wilderness areas should above all else be assured that it is the state's most valuable resource and therefore it's strength. Tourism as the leading growth industry in the state means that getting people into this region will help to create economic growth from within. Tourist dollars are largely based in the visual surroundings that will make people want to linger and therefore will help create opportunities for local people to develop our economies from within. Travel safety on these mountainous roads is important but so is the existing landscape.

With this in mind if Corridor H is to proceed the following issues are essential.

The landscape surrounding this road should be developed in a forest respectful manner. Wide swaths of cut forest in order to expedite the project should be avoided. There are many skilled engineers on this project and the challenge should be to protect wildlife and natural resources that make Tucker County so beautiful and extraordinary. The local beauty rivals that of Yosemite National Park. States in the western part of this country could be used as a model for environmentally sensitive roadways that will draw people to the area.

I think it crucial that there be a ban on billboards or advertising of any kind anywhere visible from the roadway.

The following areas should be excluded from any type of development or inclusion of this project: Clifton Run; Laurel Run; McGowan Mountain, Rattlesnake Run; and Pheasant Mountain.

The South Haddix Run Watershed and Big Run Bog should be avoided.

Sensitivity to wildlife areas within forested areas should be emphasized and land bridges provided for access.

Access should be provided for Parsons, Kingsford Charcoal Corp. and The Tucker County High School.

The Blackwater Canyon and Canyon Run Road should be avoided at all costs.

I appreciate your consideration in the above issues.

A handwritten signature in black ink, appearing to read "Robin McClintock". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robin McClintock

RECEIVED  
JUN 14 2000

DIV. OF HIGHWAYS  
OFFICE OF THE COMMISSIONER

SCANNED

RECEIVED

JUN 15 2000

DD  
6-14-00

6/12/00

THOMAS

WV 26292

DEAR SIR

I AM <sup>ENGINEERING DIVISION</sup> <sup>WV/DCH</sup> SO VERY HAPPY THAT  
CORRIDOR H IS FINALLY MOVING  
AHEAD TO REALITY. MY ONE  
SUGGESTION TO YOU.

REQUEST TO THE LOCAL NEWSPAPERS  
(OUR AREA, THE ELKINS INTER-MT.)  
THAT EVERY TWO WEEKS THEIR  
PHOTOGRAPHER'S TAKE PHOTO'S OF  
PROGRESSING OF CORRIDOR H CON-  
~~STRUCTION~~ - STRUTTON / ELKINS - KERENS,  
KERENS - PARSONS, PARSONS - THOMAS  
DAVIS, AND ON. <sup>CITY HOME TOWN</sup>

THIS WAY LOCAL AREA PEOPLE CAN  
BE INFORMED BETTER BY SEEING  
PHOTO'S OF WHERE THE ROAD IS  
PROGRESSING, HOW THE ROAD IS  
LOOKING, ETC. HOPE TO HEAR FROM  
YOU ABOUT THIS REQUEST. MY  
NAME IS ON <sup>YOUR</sup> LIST FOR FUTURE

CORRIDOR H INFORMATION.  
CONTINUE SENDING. THANK YOU  
SIR.

SINCERELY  
Joseph Sagace  
103 PINEVIEW DR.  
THOMAS WV 26292  
- 9702



Joseph Sagace  
103 Pineview Dr.  
Thomas, WV 26292-9702

Jim Sothen  
P.E. Director  
Engineering Division  
West Virginia Division of Highways  
Capitol Complex Build 5  
1900 Kanawha Blvd, E  
Charleston, WV 25305-0430

RECEIVED

JUN 30 2003

ENGINEERING DIVISION  
WV DOH

Dear Mr. Sothen:

I am writing this letter in regard to the Supplemental Environmental Impact Statement currently being prepared for Corridor H. I feel it is important for the West Virginia Division of Highways to make a concerted effort to restrict Corridor H to public land. Public ownership which is nearly 40% in some counties, erodes local tax bases. Environmental groups continue to ignore private property rights guaranteed by the Fifth Amendment of the Bill of Rights and clamor for more public ownership.

I hope you will consider private property rights and restrict Corridor H to public land.

Sincerely,

*Blanche Ammon*  
*Rt. 2 Box 155*  
*Montrose, WV 26283*

Jim Sothen  
P.E. Director  
Engineering Division  
West Virginia Division of Highways  
Capitol Complex Build 5  
1900 Kanawha Blvd, E  
Charleston WV 25305-0430

RECEIVED

JUL 03 2009

ENGINEERING DIVISION  
WV DOH

Dear Mr. Sothen:

I am writing this letter in regard to the Supplemental Environmental Impact Statement currently being prepared for Corridor H. I feel it is important for the West Virginia Division of Highways to make a concerted effort to restrict Corridor H to public land. Public ownership which is nearly 40% in some counties, erodes local tax bases. Environmental groups continue to ignore private property rights guaranteed by the Fifth Amendment of the Bill of Rights and clamor for more public ownership.

I hope you will consider private property rights and restrict Corridor H to public land.

Sincerely,

*Thomas L. Summers Jr.*

Jim Sothen  
P.E. Director  
Engineering Division  
West Virginia Division of Highways  
Capitol Complex Build 5  
1900 Kanawha Blvd, E  
Charleston, WV 25305-0430

RECEIVED

JUN 21 2000

ENGINEERING DIVISION  
WV DOH

Dear Mr. Sothen:

I am writing this letter in regard to the Supplemental Environmental Impact Statement currently being prepared for Corridor H. I feel it is important for the West Virginia Division of Highways to make a concerted effort to restrict Corridor H to public land. Public ownership which is nearly 40% in some counties, erodes local tax bases. Environmental groups continue to ignore private property rights guaranteed by the Fifth Amendment of the Bill of Rights and clamor for more public ownership.

I hope you will consider private property rights and restrict Corridor H to public land.

Sincerely,

*Hilda Kochenderfer*

Jim Sothen  
P.E. Director  
Engineering Division  
West Virginia Division of Highways  
Capitol Complex Build 5  
1900 Kanawha Blvd, E  
Charleston, WV 25305-0430

RECEIVED

JUL 03 2001

ENGINEERING DIVISION  
WV DOH

Dear Mr. Sothen:

I am writing this letter in regard to the Supplemental Environmental Impact Statement currently being prepared for Corridor H. I feel it is important for the West Virginia Division of Highways to make a concerted effort to restrict Corridor H to public land. Public ownership which is nearly 40% in some counties, erodes local tax bases. Environmental groups continue to ignore private property rights guaranteed by the Fifth Amendment of the Bill of Rights and clamor for more public ownership.

I hope you will consider private property rights and restrict Corridor H to public land.

Sincerely,

*Jeff Kochenderfer*

Jeff Kochenderfer

211 Vail Rd

Sutton WV 26601



Jim Sothen  
P.E. Director  
Engineering Division  
West Virginia Division of Highways  
Capitol Complex Build 5  
1900 Kanawha Blvd, E  
Charleston, WV 25305-0430

RECEIVED

JUN 19 2000

ENGINEERING DIVISION  
WV DOH

Dear Mr. Sothen:

I am writing this letter in regard to the Supplemental Environmental Impact Statement currently being prepared for Corridor H. I feel it is important for the West Virginia Division of Highways to make a concerted effort to restrict Corridor H to public land. Public ownership which is nearly 40% in some counties, erodes local tax bases. Environmental groups continue to ignore private property rights guaranteed by the Fifth Amendment of the Bill of Rights and clamor for more public ownership.

I hope you will consider private property rights and restrict Corridor H to public land.

Sincerely,



JAMES N. KOCHENDERFER  
Rt. 1, Box 48  
Hambleton, WV 26269

202 Berkshire Rd.  
Greenville, NC 27858  
June 30, 2000

RECEIVED

JUN 30 2000

ENGINEERING DIVISION  
WV DOH

Mr. Jim Sothen, P.E. Director  
Engineering Division  
WV Division of Highways  
Capitol Complex Building 5  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0430

Dear Mr. Sothen:

I am a native West Virginian and a 1960 graduate of WVU's Division of Forestry. As a young boy I spent many days in the Cheat Mountains and along the rivers of eastern West Virginia camping, fishing and hiking with family and friends. Although I spent my career in natural resource management elsewhere, I retain a strong interest in protecting West Virginia's natural resources. I have traveled a great deal in West Virginia and while I have seen significant economic improvement increased environmental degradation is also obvious, i.e., mountaintop mining, development on floodplains, increased logging and livestock production -- and Corridor H!

I am deeply concerned about Corridor H as I believe the adverse environmental impacts that it will cause and the tremendous costs involved will strongly negate any positive benefits that can be reasonably anticipated. I will not recite the long list of reasons why Corridor H should not be built, but wish to add my name to the long and growing list of people who believe the project has been a tremendous mistake from the beginning and should now be drastically revised.

Given the dearth of public lands and the huge population in the eastern United States the Monongahela National Forest, every acre of it, must be viewed as a tremendously valuable resource. I urge you to keep Corridor H out of it, the Blackwater Canyon and Shavers Fork of the Cheat. Go north from Kerens, tie into US 50 and work with Maryland and Virginia to improve/upgrade it for the tie to I 81, I 66 and Washington D.C.

I hope that WVDOT works to keep West Virginia "Wild and Wonderful."

Sincerely,



Charles L. Thomas

cc: CHA

TO: West Virginia Department of Transportation

FROM: Marjorie Keatley *Marjorie Keatley*

DATE: June 10, 2000

SUBJECT: Corridor H Routes

RECEIVED

JUN 20 2000

ENGINEERING DIVISION  
WV DOH

I am unable to attend the meeting at Canaan Valley State Park on June 14 but I wish to send my comments.

I travel to Davis on a regular basis and have done so for several years. There is no other place in the state that has the flora and fauna that the Davis/Canaan Valley area has. One of the places I visit often to bird and to study the plants is the section of Rt. 93 that comes into Davis. Those wetland scrub areas are priceless. It seems exceedingly careless and short-sighted to me that the WVDOT would consider running a 4-lane highway through land that exists nowhere else. I go to this area because of the natural beauty and to bird. I spend money on gas, food, and shopping. When the natural beauty and quiet of this area is forever gone because of Corridor H, I will not be spending money there.

Rt. 93 is straight and sparsely traveled. Why in the name of good sense and taxpayer money is another set of lanes necessary? I recently went to Parsons by way of Rt. 219 and was appalled to see the beginnings of Corridor H running parallel to Rt. 219. Why are you not using roads already in place? I haven't been on a road from Elkins to Davis that couldn't be improved by creating turnout lanes such as those used to preserve the Sierra Nevada range. Turnouts eliminate the problem of traffic jams, yet preserve the beauty of the area.

It seems to me that the motto of the WVDOT should be that of physicians: "First do no harm." Once the cuts are made, the mountains can never be put back. In all the talk about economic development, I have never heard any mention by the state on the importance of preservation of these scenic areas for ecotourism. As species become rare, and as it becomes harder to find undeveloped, quiet places, the mountains in this state will become more and more valuable. Having a noisy, 4-lane highway slashing through the area will destroy the greatest potential for economic development—ecotourism—for this area of the state.

Building big highways creates jobs for the WVDOT; but bypassing small towns will drain jobs from those areas. Why not create a win-win situation by improving the roads into the towns, thus having jobs for road builders and keeping or adding jobs within the towns?

Corridor H needs to be reduced to a common-sense problem, not a political one. I urge you to take a hard look at your decisions. Once made, some changes can never be undone.



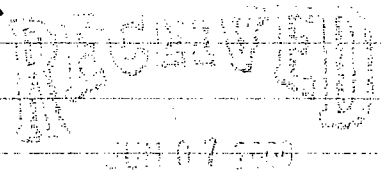
MARSHALL UNIVERSITY  
400 Hal Greer Boulevard  
Huntington, WV 25755-2725

Marjorie Keatley  
Professor  
Business and Office Technology

317 Corbly Hall  
304-696-3062  
keatley@marshall.edu

June 7, 2000

Jim Sothen, P.E. Director  
Engineering Division  
West Virginia Division of Highways  
Capitol Complex Building 5  
1900 Kanawha Blvd. E.  
Charleston, W.V. 25305



ENGINEERING DIVISION  
WV DOT

I am in favor of the construction of Corridor H.  
In my opinion the original route was o.k.  
The excuse not to go that way was an example of  
a poor compromise.  
However, the completion of the route is  
more important than any more delays.

Build It

Bradley Ramsey  
Box 9, Route 3  
Parsons, W.V. 26287



PO Box 2777  
Elkins, WV 26241  
304-636-2662  
304-637-4082  
304-637-4084 fax  
304-636-2455  
Board of Directors

Ruth Blackwell Rogers  
Dave Snively  
Harry Henderson  
Zachary Henderson  
Milford Jones  
Al Krueger  
Mark Tracy

The  
Shavers Fork  
Coalition ... We see the  
Shavers Fork watershed as a  
resource that, through its  
cultural heritage, natural  
appeal and ecological health,  
will sustain an outstanding  
quality of life and a diverse  
economic community for  
present and future  
generations.

July 14, 2000

James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard East  
Charleston WV 25305-0430

RECEIVED

JUL 17 2000

ENGINEERING DIVISION  
WV DOH

RE: Comments on Scope of Corridor H Supplemental Draft EIS  
Battlefield and Blackwater Avoidance Studies

Dear Mr. Sothen:

The Shavers Fork Coalition, a non-profit watershed organization dedicated to the ecological health, natural appeal, and cultural heritage of the Shavers Fork Watershed, wishes to submit the following comments.

1. Study Area Boundary. The Study Area on the "Battlefield Avoidance" map is drawn just outside the "Avoidance Area" east, on Fork Mountain. This implies that the highway could be proposed for that very line, placing it above the mainstem of the Shavers Fork River. We would be very concerned about such a choice of alignment which would likely have a large sediment impact on the river and would definitely negatively impact the long-time cultural heritage of the area. We urge you to re-draw that study area line as you drew the Blackwater Avoidance area map, that is, do not include the "Battlefield Avoidance Area" in the Study Area.
2. EIS. We request that you include both a no-build alternative and an upgrade of US 219 alternative in the EIS. Studies may find that a four-lane highway would simply have too many damaging impacts on the Shavers Fork Watershed as opposed to a two-lane upgrade.
3. Clean Water Act Issues. a.) Shavers Fork Coalition has been working on sediment issues in the lower Shavers Fork watershed, particularly along Pheasant Run and its tributaries. We chose that watershed as an area of concern based on streambank erosion and loss of property, especially since serious flooding in 1996. Canaan Valley Institute and the Monongahela National Forest are working on larger watershed restoration efforts to reduce erosion. Both existing secondary roads and many miles of logging roads have caused/are causing serious stream instability and erosion problems in the entire Pheasant Run watershed. (See "Shavers Fork Coalition Begins Watershed Project," Elkins Inter-Mountain, P.2, June 11, 1999.) We request that the EIS study the overall cumulative impacts of the watershed's sediment problems vis-a-vis new highway construction.

b.) We further request that the EIS study the cumulative impacts of projected development induced by a four-lane highway. We ask this after observing that Corridor H-induced development appears to be filling a floodplain just north of Elkins, setting up a scenario for flooding downstream. Tucker County has, if anything, fewer places than Randolph County which are conducive to the "development" that requires large flat terrain. The community of Parsons deserves to know the scope of possible flooding problems they will be facing from the combined effects of increased sedimentation due to highway construction\* and to subsequent development.

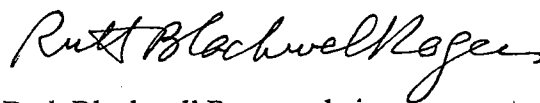
c.) We request that any proposed alignment(s) be designed based on detailed and realistic studies of a balance of cut and fill. The lower Shavers Fork watershed has proved itself to be particularly flood-prone. Stream restoration and stabilization by the Forest Service and other organizations in the watershed are just beginning and will take time. Further disturbance, particularly large fill areas, could throw the system out of its fragile balance.

We are aware that some Corridor H construction projects south of Kerens have had problems finding suitable "waste" sites. We request that the highway in the Battlefield Avoidance study area and the Blackwater Avoidance study area be designed with either (1) NO waste, or (2) waste sites that are approved prior to the alignment selection and Record of Decision.

\*Despite the black sediment-catching fences, we are able to observe sharply increased sediment loads entering Leading Creek from current Corridor H construction projects.

Thank you for the opportunity to comment on the scope of the Corridor H EIS.

Sincerely,



Ruth Blackwell Rogers, chair  
Shavers Fork Coalition

# Shavers Fork Coalition Begins Watershed Project

Broad-based collaboration marked the successful work day coordinated by the Shavers Fork Coalition on April 10 in the first stage of a watershed restoration project.

A stream gage and a crest stage recorder were installed near the mouth of Slabcamp Run and trees were planted on a section of the streambank in an effort to reduce further erosion from flooding. The project is part of a larger restoration effort on the Pheasant Run subwatershed of the Shavers Fork of the Cheat River.

The Shavers Fork Coalition (SFC) chose Pheasant Run as an area of concern based on streambank erosion and loss of property in the area. For the past two years, volunteers have developed long-term stream monitoring stations in the watershed to assess stream movement due to flooding and erosion. The stream gage and crest stage recorder will help the local community and the Shavers Fork Coalition more fully understand the processes of this particular watershed.

Both the Canaan Valley Institute

(CVI) and the Monongahela National Forest (MNF) are working on larger watershed restoration efforts which tie in to the SFC's project. CVI will provide technical assistance for the assessment and restoration of the Slabcamp Run watershed similar to "budding" successes in other areas.

"Erosion and sedimentation is the most pervasive problem in West Virginia's streams. It's going to take partnerships with resource providers to help solve the problems," said Gary Berti of CVI.

The MNF will engage in a number of watershed restoration projects in tributaries of Pheasant Run to reduce erosion and help prevent loose stream materials from moving downstream.

Jim Knibbs of the MNF said his agency has completed a preliminary assessment of Aaron's Run, another tributary of Pheasant Run. They plan restoration work on the stream channels, side drain opening on old logging roads and some road closings to prevent further erosion stimulated by flooding in 1996.

"We are treating the 'open bleed-



**DIGGING DEEP** — Members and friends of the Shavers Fork Coalition prepare to plant trees on the bank of Slabcamp Run on the Wilmoth Farm.

ing' problems first," Knibbs said. "The cumulative effects of our agency's work and the SFC's work should help in our overall goal of reducing sediment in the Shavers Fork."

The trees were planted on the property of Martin and Jean Wilmoth. Flooding in recent years has caused damage to their farm, which has been in their family for nearly a century.

"We didn't have any ideas other than what we'd already done until the SFC approached us," said Mrs. Wilmoth. "I'm pleased if someone wants to use our property to try to work something out that's beneficial. The trees do seem to be growing and it looks like the bank held some during the last few storms, including the storm where we got two inches of rain in thirty minutes."

Zach Henderson, president of the SFC, said, "Based on our studies in the area, we feel that streambed revegetation may be one of the best

and cheapest remedies for bank erosion. We appreciate the Wilmoths' willingness to 'experiment' on their property and we will continue to work in the area until people are not unnecessarily losing property due to flooding."

Other collaborators on the project were the U.S. Fish and Wildlife Service, which donated equipment and revegetation materials; the West Virginia Division of Forestry, which donated equipment and trees; the Randolph County Extension Service, which donated equipment; the West Virginia Division of Highways which donated labor and equipment; Boy Scouts Troop 84 members, who worked; Randolph County 4-H Club members, who worked; Shavers Fork Coalition members, who worked; Rolling Thunder Organics, which donated equipment and materials and The Retreat Bed and Breakfast which donated stream revegetation materials.

James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

**RECEIVED**

JUL 17, 2000

ENGINEERING DIVISION  
WV DOH

RE: Corridor H ; Kerens-to-Parsons and Parsons-to-Davis Sections

Dear Mr. Sothen:

I am writing this letter to provide input on issues I feel are essential to include in the Kerens-to-Parsons and Parsons-to-Davis Environmental Impact Statements. It is my sincere hope that this study is approached in a comprehensive way that is fair, complete, and ethical so that it will result in the most desirable outcome for all West Virginians.

The most logical place to begin the assessment is asking "what benefit would completing the Kerens-to-Parsons and Parsons-to-Davis sections of the corridor actually have for West Virginia?" Of course, to answer that question a thorough cost-benefit analysis must be completed that includes relevant variables. Important variables to integrate into the discussion include economic, sociological/cultural, and natural considerations.

What convincing evidence exists to indicate that the people and communities surrounding the two proposed corridor sections would benefit economically if the segments were built? Recall, not building the segments always remains an option. Research indicates that new roads do not bring new jobs with them. Are claims of economic benefits substantiated? Ethically, is it the proper course of action to take advantage of the economic vulnerability of some residents by leading them to believe that economic benefits would be realized by developing the corridor? The EIS must critically assess whether economic benefits will actually emerge with the development of the corridor. And, if such benefits have the potential to emerge, to what segments of the population will these opportunities be extended? If federal funds are included in the project, this is a valid question indeed.

If the advancement of the economic interests of West Virginians is in fact listed as a concern of road developers, have other options been considered? There are other courses of action to examine that have greater potential for securing West Virginia's economic interests than building a road whose economic potential has yet to be thoroughly substantiated. How much concentration has been focused upon the federal Workforce Investment Act? July 1st was the deadline for states to implement provisions of this legislation that was designed to consolidate the process of becoming trained for and finding jobs by calling upon local organizations to form partnerships with other agencies offering employment and training services. The goal of the legislation has been to increase state and local involvement in the training and employment process which has potential to increase employment, retention and earnings for job seekers in areas experiencing high levels of poverty. The federal government plans to cut programs that



are not up to speed. What is the state doing, or what can it do better, to heighten employment opportunities through commitment to the principles of this legislation?

What types of jobs are envisioned as emerging for local communities due to construction of the two segments of the corridor? The people of West Virginia deserve to have jobs that are sustainable and that do not detract from the rugged beauty that characterizes the state. Jobs constructing roads are not sustainable and fail to provide for the future security of West Virginians. Old mindsets toward development, "build a road and the strip malls will follow", must be supplanted with new approaches for economic success. Fast food and road construction jobs provide short-term prosperity at best. Enough West Virginians have lost their jobs in the past by working in extracting finite natural resources which generally cannot enable sustainable employment. Are jobs in strip-mall settings that most likely offer limited benefits at best what West Virginians want or need? Thus the logical question emerges; "Is innovative thinking being applied to locate more sustainable potential job sources for West Virginians?"

As an Information Specialist for a public agency, we are seeing two trends in current technological research. One is a movement away from the consumption of goods to the marketing of services provided over the Internet. What types of efforts are being made to examine the infrastructure of West Virginia to see if it is compatible with supporting the potential capabilities of the Internet and the services it could provide? Are education and training opportunities being examined that could assist West Virginians with learning Internet technologies so that they will be better qualified for jobs that demonstrate greater potential for sustainability?

A second trend seen in the field of technology is that as more people become exposed to "cyberspace" in their daily interactions, the more important physical space becomes to them. There is growing concern about urban sprawl and renewed emphasis is being placed upon undeveloped natural spaces, clean air, and communities with a small town feel. As such, communities are taking innovative approaches to incorporating these principles into their planning strategies. A great part of the allure of the state is its undisturbed beauty. If people want to come to West Virginia to experience natural beauty and small towns, do we really want to potentially turn the area into another "strip mall" that people can go anywhere to experience? And, do West Virginians want to live in areas whose small-town feel has been lost?

In looking at the costs associated with building both segments of the corridor, will transportation money be spent in the most useful manner that it can be? Will other roads needing repair throughout the state be neglected as a result? Is the transportation spending that is necessary to build the segments of the corridor benefiting the advancement of transportation needs of all West Virginians, or will many transportation needs elsewhere go unmet? Do traffic projections actually substantiate corridor development?

In the analysis, are the externalities associated with road building/increased access and how local communities will deal with those issues being examined? Will the local

infrastructure be prepared to deal with potentially increased demands placed upon the police/fire/EMS systems? Numbers from the Department of Labor's Bureau of Labor Statistics suggest that approximately two thirds of population growth in the next fifty years will come from immigration. Are local communities prepared to deal with the cultural diversity issues that increased access will inevitably bring? If potential sources of revenue for construction of segments of the corridor come from federal dollars, what are the hiring requirements accompanying those dollars? Often, if federal money is involved in projects, hiring procedures that reflect a commitment to diversity are in place along with the expectation that those principles be strictly adhered to. If there is the potential for change in the cultural/religious makeup of local communities due to increased access, is there a framework in place that encourages diversity? Are efforts being made to expose and train local communities to become more bilingual? If someone from a protected class were to feel their civil rights were violated, there are of course many avenues of recourse open to them. Are local areas outfitted to deal with the potential for increased litigation of this nature, in the event that it would occur?

With the two aforementioned segments of the corridor being within close proximity to the Monongahela National Forest, it is imperative to examine extensively how construction will impact the ecosystem. Are wetlands being threatened? Will water quality be compromised due to increased sedimentation, runoff, and acid mine drainage? With less than two percent of the earth's water being fresh water (and a majority of that tied up in glaciers), close attention must be paid to this issue. What Threatened and Endangered Species will be impacted? Will soils, plant life, and wild life be adversely impacted?

How will the aesthetics of the forest be impacted? Will construction of segments of the corridor degrade wilderness recreation opportunities for people? People currently visit the area to enjoy the tranquility of the National Forest. What do you envision their reaction to be if the character of the forest is adversely altered? There is the potential that they may choose to seek solitude in different surroundings altogether. As such, it is important to examine in the analysis whether we want to introduce development pressures into an area that has aesthetic values that are not conducive to development.

There are of course economic issues that could arise from adversely affecting the forest's natural resources. If water quality diminishes, there could be adverse impacts on fish. Do people fish in the waters of the watershed that would be impacted by building the road? If the fish are adversely affected, the potential for a decline in fishing could result (and subsequent decline in revenue from fishing fees). If other wildlife is similarly affected, how will this impact hunting license revenues? Recreational opportunities in general could diminish, affecting many businesses that might currently rely upon people visiting the area who come to enjoy the natural beauty of the area.

How might the road impact local communities culturally? In working at New River Gorge National River in the past (part of the National Park System whose mission is to preserve and protect our nation's cultural heritage and natural history), I have conducted research and presented programs on the

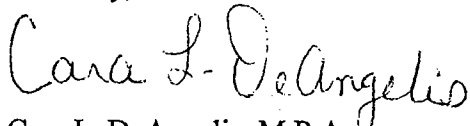
cultural heritage of rural West Virginia, in addition to living in various rural communities in Fayette, Summers, and Preston counties. One theme that I recall encountering both in my professional research and as a private resident is the self-sufficiency of many rural residents, coupled with their loyalty to their land and ties to their roots. Small town rural life that presents a way of life not ruined from the hustle and bustle of the world is what gives West Virginia much of its unique character. That and its unspoiled natural beauty. People visit West Virginia to see just that. If we start using the public's money to build roads that are not substantiated, the potential exists to turn local communities into cement and chain stores and the very character and charm of the state, as well as a way of life, is lost.

The question remains: should we impact the culture of people to advance the interests of a few? In my graduate school studies in Political Science we often discussed the concept of "the greatest good for the greatest number" and how governments adhering to principles of democracy strive to attain this goal. The vital issue is this: will construction of the two sections of Corridor H (Kerens-to-Parsons and Parsons-to-Davis) result in the greatest good for the greatest number?

It is my sincere hope that you will examine all necessary variables thoroughly when conducting the Environmental Impact Statement so that a complete, fair, and ethical analysis may result; one that will give rise to the most feasible option for all involved.

Thank you for your time.

Sincerely,



Cara L. DeAngelis

Cara L. DeAngelis, M.P.A.

## Ben Hark

---

**From:** Jim Sothen  
**Sent:** Monday, July 17, 2000 6:39 AM  
**To:** Ben Hark  
**Subject:** FW: Corridor H comments

Ben;

Please handle. This is quite a lengthy letter.

Jim S.

-----Original Message-----

**From:** Nathan Fetty [SMTP:nfetty@neumedia.net]  
**Sent:** Friday, July 14, 2000 3:46 PM  
**To:** jsothen@dot.state.wv.us  
**Subject:** Corridor H comments

July 13, 2000

James E. Sothen, P.E.  
Director, Engineering Division  
WV Division of Highways  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0430

RE: Comments on Scope of Corridor H Supplemental Draft EIS

Dear Mr. Sothen:

On behalf of myself, please accept the following scoping comments on the Corridor H Supplemental Draft Environmental Impact Statement (SDEIS).

I am a resident of Buckhannon, W.Va., and work in Elkins, W.Va., and recreate in and around the areas that would be affected by Corridor H. I am hopeful you will fully address and incorporate these comments into the SDEIS:

- 1) The SDEIS should consider all primary, secondary and cumulative hydrologic effects of corridor construction as required by the federal Clean Water Act (CWA). [Note: I will be specifically discussing some CWA issues in particular, but the SDEIS should incorporate all aspects of the CWA as appropriate and as legally mandated.]
- 2) Antidegradation & Continuing Planning Process - The Clean Water Act goals of maintaining and protecting existing uses of those potentially impacted waterways must be upheld as a basis for any alternatives developed in the EIS. Compliance with our state's water quality standards, and with the antidegradation and continuing planning process sections of the CWA must take place as the study process moves forward. In particular, I request the identification of, and adequate protection of those waters identified as Tier 1, 2, 2.5 and 3, and that the WV Division of Transportation pursue proper consultation with the appropriate state and federal agencies regarding this matter.
- 3) Excess Waste & Floodplains - Problems in this area should be given even closer scrutiny in light of the underestimates of excess waste projected in the earlier environmental impact studies, and the disposal

problems that have been encountered during current construction. I request that waste estimates be revised, that the specific locations for proposed fill be evaluated for impacts, and that the cumulative hydrologic impacts of this activity be studied during the consideration of alternatives.

One need only look at a couple of examples in the area of this proposed project that shows how fill effectively encroaches on the floodplain, reduces floodplain areas and increases flooding risks. For example, the fill that is currently being placed along US 219 north of Elkins on the Polino property and on the property of the adjacent truckwash. This activity will certainly place the homeowners in-between these two fill areas at great risk in the next high water event and add to the flooding problems already occurring in the Crystal Springs area (which FEMA, Project Impact and the state are spending much effort, resources and money to mitigate).

A second example in the same watershed is the way that fill was placed in the Leading Creek floodplain to create US 33. This fill wall/roadway altered the ability for water to pass under. Because the waters of the Leading Creek are not allowed to rise and recede as river systems naturally do, Crystal Springs suffers from far more severe flooding impacts than need be.

I urge WVDOT to allow no filling in 500-year floodplains and that no roadbuilding be considered in any floodplains. This sensitive project area can sustain no additional major floodplain impacts or increases in flood elevation levels. If any floodplain alternatives are to be considered, then proper detailed hydraulic studies of all floodplain impacts must be studied. [The prior FEIS claimed to have done this, including studies for Leading Creek, but in fact these studies do not exist, and there are major floodplain impacts and increases in flood elevation levels occurring.] Again, appropriate coordination with federal, state and local agencies regarding both the floodplain impacts and detailed hydraulic studies, i.e. FEMA, US FWS, US EPA, US ACOE, Project Impact and local county floodplain managers is warranted for this issue.

4) Acid Mine Drainage (AMD) - The EIS needs to give adequate consideration to the potential of each alternative to create significant amounts of AMD due to the exposure of pyritic materials. This includes the exposure of reclaimed coal lands, and acid-producing shale seams. Additionally, there should be a careful study and mapping of all mines in the area, especially on Backbone Mountain, and around Thomas and Davis, as some of these old mines have never been mapped. The EIS should consider AMD from both of these sources.

5) Sediment Loads & Cross Drainage - Sediment is one of the main water quality issues currently impacting the state's waterways. The Monongahela National Forest has found a number of streams within its boundaries to be at threshold levels of sediment load for aquatic life. This should also be considered in the realm of antidegradation (mentioned above). Sedimentation is an important issue in highway construction because the construction not only directly adds sediment to the waters, but the associated erosion changes the watershed's flow patterns as well.

As it does not take a lot of water to create erosion very quickly, and

and the frequent erosion and flooding that occurs even with normal rain and thunderstorm events in this area, I urge WVDOT to reference both the WV Soil Survey and Monongahela National Forest soil maps to identify those soils that are highly erodible, ex. Mauchunk and Belmont, and that these be avoided when determining alternatives. If alternatives are in areas with highly erodible soils, then WVDOT should study the utilization of a system of cross-drain culverts with a frequency of every 75 feet.

In other areas, I request the WVDOT study a culvert frequency of 100-150 feet. This is due to the numerous locations where we see highways in our state built without sufficient cross-drainage. Too often the roadways are built-up, shutting down subsurface drainage in the process. Unfortunately these un-natural low-lying areas are often called "naturalized areas" or "wetlands". It is unfortunate because there is nothing natural about them and we have yet to see any evidence that they indeed function as a wetland.

With the current knowledge available on hydraulics and soil engineering, as well as knowing how current practices impact erosion, there is no reason to have poor drainage. A higher frequency of culverts should be incorporated into the analysis of alternatives. [Please note that I do not view simply enlarging the culvert size as a solution -- this only exaggerates the problem.]

6) It is my understanding that due to the settlement agreement that lead to this supplemental EIS, that WVDOT has agreed to stay out of the headwaters of and have no impact on Big Run Bog. Currently, it appears that only the topographical boundary of this sensitive resource is being considered. It is important that the geological boundary of this watershed also be studied in order to assure that any blasting done on Backbone Mountain would not change the groundwater flow and alter this nationally important wetland. Further geological studies should be done to see how the geology is connected, how it fractures and how blasting could ultimately de-water the bog.

7) Section 5(d) of the federal Wild and Scenic Rivers Act requires the continuing consideration of the eligibility and suitability of rivers for inclusion in the Wild and Scenic Rivers system in the planning stages of all development. Hence, I believe WVDOT must examine the values of Cheat River to determine its eligibility and suitability for inclusion in the Wild and Scenic Rivers system in the SDEIS.

8) Seasonal benthic surveys should be conducted on all streams as a preliminary effort to assess the potential effects of construction.

9) Appropriate surveys should also be conducted to assess potential impacts to wildlife, in particular threatened, endangered and endemic species, and species of special concern. Specific to the Indiana Bat, annabat surveys should be utilized instead of, or in addition to, the mist-netting techniques which are currently used.

10) The SDEIS must be broad enough to account for cumulative and secondary impacts to the regional ecosystem landscape mosaic features.

11) The SDEIS needs to address the impacts on the Monongahela National Forest. In particular, the Laurel Run Opportunity Area (7,800 acres public land, 3,000 acres private land) is managed as a remote habitat for wildlife species "intolerant of disturbance". It also serves as a

biological reservoir supporting the nearby Otter Creek Wilderness area. We urge that Laurel Run O.A. not be considered for potential alignment alternatives.

12) The National Environmental Policy Act (NEPA) requires the development of a reasonable range of alternatives for environmental impact studies. Regarding your public notification for scoping comments, two basic alternatives are absent: the no-build alternative, and upgrading U.S. 219. While the no-build alternative is mandated by NEPA, I believe both of these alternatives must be added to the range of alternatives considered in the SDEIS, and that all the alternatives must have adequate and equitable examination.

13) Finally, the SDEIS study process should not go forward until all federal and state resource agencies have provided their scoping comments.

Thank you for your attention and consideration to my comments and recommendations.

I look forward to your addressing these issues.

Sincerely,

Nathan Fetty

P.O. Box 302

Buckhannon, WV 26201

July 13, 2000

James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard East  
Charleston WV 25305-0430

Dear Director Sothen.

I would like to register several comments towards the development of Environmental Impact Statements for the Kerens-to-Parsons and Parsons-to-Davis sections of Corridor H. Although I currently live in Montana, I grew up in Morgantown and have hiked and fished many of the areas in question. I am currently a graduate student in the Division of Biological Sciences at the University of Montana, where I am focusing on watershed management and fisheries conservation.

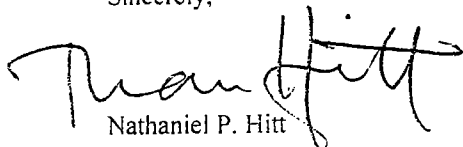
The EIS(s) should address potential impacts to wildlife, particularly threatened, endangered, and endemic species. Surveys for Indiana bat hibernacula, endemic salamanders, mussels, and rare plants should accompany the assessment. If these surveys do not exist, they must be conducted as part of the development of the EIS. Moreover, it is important that the documents quantitatively assess the impact of the road on the local populations and regional metapopulations of these species. Consider demographic and distributional data for Population Viability Analyses (PVA) of these rare, sensitive, and endangered taxa. For federally listed species under the Endangered Species Act (16 U.S.C.A. §§ 1531-1534), your analyses should describe the compliance of Corridor H to regional recovery plans.

The National Environmental Policy Act (NEPA, 42 U.S.C.A. § 4321 et seq.) requires the development of a reasonable range of alternatives for EISs. Based on your request for scoping comments, two basic alternatives are missing from consideration: a) upgrading U.S. 219 and b) a no-build alternative. NEPA compels development of a "No Action" alternative which, in this case, requires the inclusion of the "No Build" option. Any EIS that lacks a "no action" alternative also lacks a base line for comparison of the alternatives. Congress recognized this fact and specifically required this type of analysis under NEPA.

The EIS(s) need to address the impacts on National Forests. For example, the Laurel Run Opportunity Area (Monongahela National Forest) is currently managed for disturbance-intolerant wildlife. The impacts of Corridor H on the management direction of this area need to be considered. I share the sentiments of many West Virginians that this area should not be subjected reckless development by Corridor H.

Thank you for your consideration. Please do not hesitate to contact me with questions.

Sincerely,

  
Nathaniel P. Hitt

cc. WVEC

**RECEIVED**

JUL 20 2000

ENGINEERING DIVISION  
WV DOH





Bryan K. Moore  
Mountaineer Chapter of Trout Unlimited  
787 Twin Oaks Dr.  
Bridgeport, WV 26330-1645

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
WV Division of Highways  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0430

July 14, 2000

Dear Mr. Sothen,

The Mountaineer Chapter of Trout Unlimited (MCTU) is sending this letter to you today to provide comments on the Corridor H Supplemental Environmental Impact Statement (SDEIS). Trout Unlimited is a national non-profit organization dedicated to working to conserve, protect, restore and enhance coldwater fisheries and their watersheds.

We request that you fully address and incorporate the following comments into the SDEIS:

1) The SDEIS should consider all primary, secondary and cumulative hydrologic impacts potentially expected from the highway construction as required by the Clean Water Act (CWA). The proposed route will cross a large number of high-quality coldwater streams. Viable populations of the native Eastern Brook Trout (WV State Fish) are recognized in a large number of the streams in this region, and there is strong evidence of populations in streams not yet officially recognized. It is of utmost importance to the members of MCTU that these fragile streams are not detrimentally impacted in any way by the proposed construction. Allowing sediment to enter these pristine streams could be disastrous to the brook trout populations. Sediment entry would have a negative impact on food supply, habitat and areas suitable for spawning. We must keep in mind that these brook trout exist here naturally, and great care must be taken to protect these populations because they can't be replaced. We would strongly request that the Division of Natural Resources perform a complete fish and benthic survey on all streams in the path of the planned road construction. It is important that these surveys be done in advance of any construction to allow the monitoring of the individual fishery's health and integrity during construction.

2) We believe that the SDEIS needs to clearly address the impacts to the Monongahela National Forest. In particular, the Laurel Run Opportunity Area. This O.A. is comprised of 7,800 acres of public land and 3,000 acres of private land. The Forest Service manages this land as a remote habitat for wildlife species considered to be intolerant of disturbance. It is also closely integrated biologically to the nearby Otter Creek Wilderness area. We strongly urge that the Laurel Run O.A. not be considered for potential alignment alternatives.

3) We would strongly favor a two lane upgrade in many sections as opposed to a four-lane highway. A two-lane upgrade, with an up-mountain passing lane, would be far less intrusive than a four-lane, much more scenic, and would be our preferred alternative. Based on surveys that have been provided, there is not enough volume of traffic through this area to justify a four-lane highway. A four-lane highway will do no more to enhance local

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WV DOH

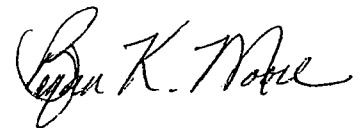
economies than a scenic upgraded two-lane highway, and as an example one merely has to look at the U.S. Rt. 50 four-lane corridor between Clarksburg and Parkersburg. That corridor has been in use for approximately 30 years and the areas along the highway have realized minuscule economic improvement during that period of time. We believe that the upgrading of U.S. 219 is unacceptably absent from the range of alternatives considered in the SDEIS.

4) We feel it to be very important that the SDEIS consider the potential of each alternative to expose significant amounts of heavy metals to possible stream and groundwater entry. This includes the exposure of reclaimed coal lands and acid-producing shale seams. The exposed metals will readily attach to sediment and be carried into nearby streams. A Total Maximum Daily Load (TMDL) program, under the Clean Water Act, is presently being developed for the Cheat River Basin by the WVDEP and the USEPA. Any new introduction of AMD and heavy metals within this watershed could prove to be very detrimental to the proper development and implementation of the TMDL. The expected potential for further impairment should be taken into consideration if there is soil disturbance anywhere within the Cheat River watershed.

5) In closing, the SDEIS process should not go forward until all federal and state resource agencies have provided full and complete scoping comments.

Thank you for your time and consideration to our comments and concerns regarding these issues. We are confident that you will fully address these concerns.

Sincerely,



Bryan K. Moore  
Secretary

cc:

Mr. Bernie Dowler, Chief of Wildlife Resources, WVDNR  
Ms. Allyn Turner, Chief of Office of Water Resources, WVDEP  
Mr. Robert Koroncai, EPA Region III  
Mr. Charles Myers, Supervisor, Monongahela National Forest  
Mr. Jeffery Towner, Field Supervisor, US Fish & Wildlife Service  
Mr. Albert Rogalla, Chief of Regulatory, US ACOE

July 11, 2000

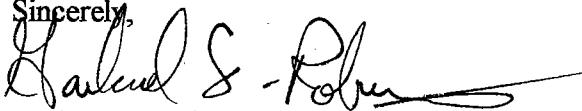
James E. Sothen, P. E.  
Director, Engineering Div.  
West Virginia Division of Highways  
1900 Kanawha Blvd. East  
Charleston, WV 25305

Dear James E. Sothen,

I am writing in regards to the Corridor H alignment between Kerens and Parsons, West Virginia. I am very concerned about sensitive wild life in this region as well as beautiful areas I often visit and hike. I love the waters of the Monongahela National Forrest and canoe them often. I am concerned with acid mine drainage that may erupt from disturbing sensitive shales in the Parsons region. The Cheat Basin can not survive much more intrusion by man.

Please consider less invasive measures in this area. Expanding the existing road from Kerens and crossing Backbone Mountain seem much more acceptable given the traffic volume that this stretch of highway will carry.

Sincerely,



Garland S. Roberts  
186 Summit Street  
Elkins, WV 26241

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JUL 12 2000

ENGINEERING DIVISION  
WV DOH

July 13, 2000

James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

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ENGINEERING DIVISION  
WV DOH

To Whom It May Concern and Mr. Sothen,

I am interested in preserving as much land as possible in the Corridor H Process. I am sure you agree that the days of massive road building in this country are reaching an end. Therefore it is very important what you do here.

First, please protect the Laurel Run "Opportunity Area" which consists of 7800 acres set aside as a biological reservoir. The opportunities to preserve wildlife in this area mean nothing if they can be impinged upon for Any Reason.

Also, please ensure minimal loss of habitat by fragmentation. As my fence need replacing I am using non-inhibiting boundary markers, using a fencing which serves just as a marker. Now, that I know better, I would never have put up chain link fencing. When one walks through housing developoments one sees signs and fences all over as if people are afraid. It is time for all people with responsibility for land usage to realize putting up fencing impinges on the ability of other creatures to survive. Doing this one little thing will help wildlife survive and lessen the presure on public areas and the need for more of them.

Please protect all endangered and threatened species as if I needed to remind you it is your duty to do so anyway.

Thank you,

Erica Louise Francks

2417 Chinn St.

Ashland, Ky. 41101-4411

606-324-7859

*Erica Louise Francks*

DATE: 7-6-00

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JUL 13 2000

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

ENGINEERING DIVISION  
WV DOH

DATE: June 14, 2000  
SUBJECT: INFORMATIONAL PUBLIC WORKSHOP (DD)  
PROJECT: Appalachian Corridor H  
Scoping Meeting for preparation of a  
Supplemental Draft Environmental Impact Statement for  
Kerfs to Parsons  
STATE PROJECT X142 - H - 38.99  
FEDERAL PROJECT CHHD - 0484(059)  
Randolph and Tucker Counties

PLEASE PROVIDE COMMENTS ON OR BEFORE July 14, 2000

Please consider the following comments:

*Corridor H is not needed! Wasting  
Tax Payers Money! Big Highways will  
bring in more crime and Dope! Just  
fix the roads we now have. Put in some  
passing lanes. This County is made up with  
Retired people who don't want the Big Super Highway  
and are old people don't know how to drive on these  
highways and we are killing our people. Leave things  
alone or make modifications to our present roads.*

(Please print the following information)

NAME: ARLENE PRICE

ADDRESS: 511 Main Street

Parsons, W. V. 26287

ORGANIZATION (IF ANY): Retirees

DATE: 6-14-2000

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: **June 14, 2000**  
SUBJECT: **INFORMATIONAL PUBLIC WORKSHOP (DD)**  
PROJECT: **Appalachian Corridor H**  
**Scoping Meeting for preparation of a**  
**Supplemental Draft Environmental Impact Statement for**  
**Thomas to Davis**  
**STATE PROJECT X142 - H - 38.99**  
**FEDERAL PROJECT CHHD - 0484(059)**  
**Tucker County**

**PLEASE PROVIDE COMMENTS ON OR BEFORE July 14, 2000**

Please consider the following comments:

- Make sure industrial site in Davis is zoned for easy access
- this project must proceed ASAP to ensure economic sustainability
- we need roads and we have possible industry ready to move here as soon as sufficient highways are built
- Noise abatement for both towns is required

(Please print the following information)

NAME: Kathy Schmiedeknecht

ADDRESS: Pc Box 92

PO Box 31290

ORGANIZATION (IF ANY): West of Davis

DATE: June 14 - 2000

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: June 14, 2000  
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Thomas to Davis  
STATE PROJECT X142 - H - 38.99  
FEDERAL PROJECT CHHD - 0484(059)  
Tucker County

PLEASE PROVIDE COMMENTS ON OR BEFORE July 14, 2000  
Please consider the following comments:

Why Corrid H CAN'T Be Started  
Just ~~WEST~~<sup>NORTH</sup> of Wolf R to  
& EAST of DAVIS AREA ON  
EAST WHILE THIS  
2 yr + Study is being  
made. once settle you  
can tie into Corrid H

(Please print the following information)

NAME: TROY ARBOGAST

ADDRESS: RT-2-Box 284

EIKING WVA 26241

ORGANIZATION (IF ANY): \_\_\_\_\_

DATE: 6-14-00

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: June 14, 2000  
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Thomas to Davis  
STATE PROJECT X142 - H - 38.99  
FEDERAL PROJECT CHHD - 0484(059)  
Tucker County

PLEASE PROVIDE COMMENTS ON OR BEFORE July 14, 2000

Please consider the following comments:

Why can't Corridor H segment already  
approve be started now. Section Davis  
to Bismark, Section North of Woy Run  
up the mountain to Davis by then.

(Please print the following information)

NAME: TAB STILES

ADDRESS: 1650 LIMESTONE RD  
PARSONS WVU

ORGANIZATION (IF ANY): TUCKER COUNTY CHAMBER (PRESIDENT)



DATE: 6/14/00

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: June 14, 2000  
SUBJECT: INFORMATIONAL PUBLIC WORKSHOP (DD)  
PROJECT: Appalachian Corridor H  
Scoping Meeting for preparation of a  
Supplemental Draft Environmental Impact Statement for  
Kerr's to Parsons  
STATE PROJECT X142 - H - 38.99  
FEDERAL PROJECT CHHD - 0484(059)  
Randolph and Tucker Counties

PLEASE PROVIDE COMMENTS ON OR BEFORE July 14, 2000  
Please consider the following comments:

Improve Existing Routes  
First.

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(Please print the following information)

NAME: O. Nicks

ADDRESS: Canaan Valley

ORGANIZATION (IF ANY): \_\_\_\_\_

DATE: 6-14-2000

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: June 14, 2000  
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Thomas to Davis  
STATE PROJECT X142 - H - 38.99  
FEDERAL PROJECT CHHD - 0484(059)  
Tucker County

PLEASE PROVIDE COMMENTS ON OR BEFORE July 14, 2000

Please consider the following comments:

I have lived near Parsons WV since 1988 and have  
rarely noticed heavy traffic between Thomas and  
Davis (or anywhere between Elkins and ~~Davis~~ Keyser)  
I strongly believe that construction of a 4-lane highway  
through this area is an outrageous unnecessary expense  
and will be detrimental to our quality of life. The  
most valuable resource we possess is the natural  
environment (forest land, specifically) and efforts to  
improve our (Please print the following information) economic situation  
should be designed  
to enhance use of  
the forest by tourist  
and local people

NAME: Mimi Kibler  
ADDRESS: 208 2nd St  
Parsons WV 26287  
ORGANIZATION (IF ANY): Corridor H Alternatives

DATE: 7/14/00

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

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JUL 18 2000

ENGINEERING DIVISION  
WV DOH

DATE: June 14, 2000  
SUBJECT: INFORMATIONAL PUBLIC WORKSHOP (DD)  
PROJECT: Appalachian Corridor H  
Scoping Meeting for preparation of a  
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Kerfs to Parsons  
STATE PROJECT X142 - H - 38.99  
FEDERAL PROJECT CHHD - 0484(059)  
Randolph and Tucker Counties

PLEASE PROVIDE COMMENTS ON OR BEFORE July 14, 2000  
Please consider the following comments:

① If there is an official community input group or rather groups in the Davis-Thomas area, then it stands foreason that other community groups should be given the same opportunity. Montrose has a strong town government and many involved individuals, as illustrated by its movement to re-route Corridor H outside ~~and~~ in the 1990s. Today, with the support of the Randolph City Housing Authority and Mountain Partners in Community Development, it has also undertaken major new steps in social and economic development, with a major grant being recently awarded by HUD. Montrose should be accorded the right to participate officially in sharing its voice.

② When carrying out the provisions for public involvement the state and its consultants should invest in learning about how to make their processes truly participatory and locally appropriate. If you have questions, I'd be happy to talk with you.

③ Why was the Monongahela National Forest left off of the the maps presented at the scoping meeting? Who devised the study area boundaries?

④ How will you analyze current & future input? What are your goals & intended results? How will you diffuse the results & analysis? Who is carrying out the various assessment?

(Please print the following information)

NAME: Suzanne Warsinsky - High

ADDRESS: PO Box 98

Montrose, WV 26283

ORGANIZATION (IF ANY): Individual / Regional Dynamics

DATE: 7-14-00

Mr. James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: June 14, 2000  
SUBJECT: INFORMATIONAL PUBLIC WORKSHOP (DD)  
PROJECT: Appalachian Corridor H  
Scoping Meeting for preparation of a  
Supplemental Draft Environmental Impact Statement for  
Kerns to Parsons  
STATE PROJECT X142 - H - 38.99  
FEDERAL PROJECT CHHD - 0484(059)  
Randolph and Tucker Counties

Mr. Sothen

I am writing concerning the Scoping for proposed Corridor H. In Tucker Co. there are three points that must be considered in scoping for the EIS.

They are:

- 1) The presence of known Native American archeological sites in the Cheat River Valley below Parsons and in Left Fork of Clover Run. The History of Tucker Co. and other documents make it clear that Holly Meadows of the Cheat River and Clover Run were the location of the "Iroquois Highway" and the sites of Indian settlements. The cultural and historic importance of these sites must be investigated and considered in the EIS.
- 2) The presence of a high quality wetland at the ridge of Backbone Mt. This wetland appears to be similar to Big Run Bog but less disturbed by beaver activity. It is 1/2 mile SSE from Tucker Co. High School and 3/4 miles N of Big Run Bog. There may be other high quality wetlands that were either unidentified or inadequately characterized in previous EIS work. Impacts to wetlands and ground and surface hydrology must be fully considered in the EIS
- 3) Noise and visual pollution. A highway on the mountain ridge will project highway noise across much of Tucker County. It will also be visible from many points in the county. The adverse effects of this pollution on tourism, recreation, wildlife, and quality of life must be carefully considered in the EIS

Thank you for this opportunity to comment.

John Coleman  
Rt. 2 Box 142  
St. George, W.Va. 26287

representing myself



**December 14, 2000**  
**Agency Coordination Meeting**  
**WVDNR Office**  
**Elkins, West Virginia**

**Appalachian Corridor H**  
**Agency Coordination Meeting**  
**Battlefield and Blackwater Avoidance Alternatives**

Thursday, December 14, 2000, 9 am  
WV DNR Offices, Elkins, WV

**AGENDA**

Introduction \_\_\_\_\_ Jim Colby, WVDOH

Battlefield Avoidance Study—Alternatives Update \_\_\_\_\_ Wendy Vachet, Baker

Blackwater Avoidance Study \_\_\_\_\_ Katry Harris and Claudette Jenkins, Baker

Environmental Constraints Identified  
    General  
    Endangered Species Habitats  
    Wetlands

Alternatives Developed

Preliminary Impact Assessment  
    General  
    Wetlands

First Stage of Alternatives Analysis

Summary and Wrap-Up \_\_\_\_\_ Bill McCartney, Baker

Request Comments Regarding:  
    Identification Efforts  
    Alternatives Developed  
    Elimination of Alternatives from Further Detailed Study

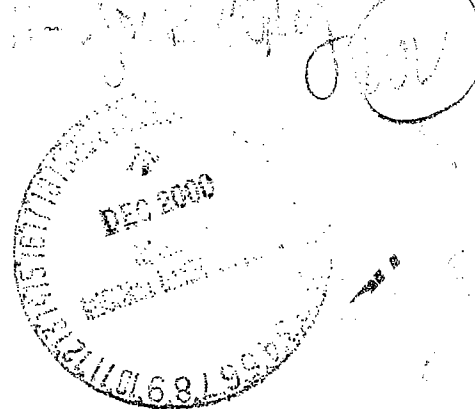
Field View (if requested by Review Agency attendees)

# Please Sign In:

<u>Name</u>	<u>Agency</u>	<u>Phone #</u>
Keith Krantz	WV DNR ✓	(304) 637-0245
B. d. McCarmey	Baker ✓	757-631-5466
Wendy Vachet	Baker ✓	757-631-5472
Jim Colby	WV DoH ✓	304-558-2885
Ron Krotcheck	FHWA ✓	304-558-2458
Ed Compton	FHWA ✓	304-347-5268
Rich Sobol	Pgh. Corps ✓	412-395-7153
Tom STAUD	WV DoH ✓	304-637-0220
NORSE ANGUS	WV DoH ✓	304-558-2885
Idette Jenkins	Baker ✓	757-631-5418
Kathy Harris	Baker ✓	757-631-5469
Roy Ryan	USDA FOREST SERVICE ✓	636-1800
Mike Moran	WV DoH ✓	304-637-0220



**DIVISION OF NATURAL RESOURCES**  
**Wildlife Resources Section**  
**Operations Center**  
**P.O. Box 67**  
**Elkins, West Virginia 26241-3235**  
**Telephone (304) 637-0245**  
**Fax (304) 637-0250**



**Cecil H. Underwood**  
**Governor**

**John B. Rader**  
**Director**

December 20, 2000

Ms. Wendy L. Vachet  
Senior Environmental Scientist  
Michael Baker Jr., Inc.  
770 Lynnhaven Parkway, Suite 240  
Virginia Beach, VA 23452

Dear Ms. Vachet:

Pursuant to your request, we are providing preliminary general comments on the Battlefield and Blackwater Avoidance Alternatives we discussed at our December 14 meeting. We were pleased to see that Baker developed alignments that avoided and minimized wetland impacts. Conscientious consultants streamline the review of these environmental documents and your staff is to be commended. To prevent confusion with the different alternatives, we will address the projects separately.

Battlefield Avoidance Study

Of the alternatives presented at our 14 December 2000 meeting, alignments DF, GF and M appear to be the least environmentally impacting. Our cursory review reveals all three alignments avoid wetlands. Alignment GF impacts four streams and employs 12 bridges. Alignment M and DF impacts 6 and 7 streams, respectively. Simply based on number of streams impacted, GF appears to be the least impacting, however, of critical importance is stream quality and length of impact. In other words, impacting five low quality streams may be preferable to impacting one extremely high quality one. Without this information (stream name and feet of impact), establishing levels of impact between these three alignments is impossible. Terrestrial impacts are initially evaluated utilizing road length. Both DF and GF alignments are of similar length (15.35 vs. 15.81), but M is 17.6 miles long (11.6 % more terrestrial impact). The greater length of M may reflect an increase in secondary and cumulative impacts based on additional borrow and wasting areas. Our concern with this alignment's terrestrial impact would not exclude it from consideration, however, other alignments appear more acceptable. Without knowing stream types, names, length, and proposed waste/borrow areas we are unable to select a preferred alternative.

Label to  
12/29



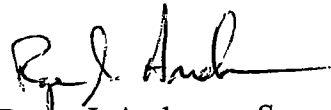
Ms. Windy L. Vachet  
Page 2  
December 20, 2000

Blackwater Avoidance Area

Unlike Battlefield, the segment passing Thomas to Davis has a court ordered allowance which gives final alignment selection to the local communities. It would be our hope that they recognize the importance of maintaining or improving the environmental quality that they currently enjoy. Alignments dark blue, green and grey appear to be the least impacting. Purple has less wetland impact than grey but is primarily PFO/PSS and also may impact northern flying squirrel habitat. Evaluating these alternatives (dark blue, green and grey) strictly on wetland impacts, alignment green has the least amount of impact. Both grey and green minimize the impact to the HJ 1 watershed which is preferable to dark blue. We suggest considering the combination of the relatively short connectors of dark blue with the alignment of green east of S.R. 219. Confounding additional alternative analysis is the lack of stream and road length data which aids in evaluating impact (direct, secondary and cumulative). Until such time that this information is made available to us further analysis is speculative.

We appreciate the opportunity to participate in the planning process. If we can be of further assistance please contact me or Keith Krantz (304-637-0245) of my staff.

Sincerely,



Roger J. Anderson, Supervisor  
Environmental Review and Coordination

RJA/kkj

**August 9, 2001**  
**Agency Coordination Meeting**  
**WVDNR Office**  
**Elkins, West Virginia**



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Bob Wise  
Governor

Fred VanKirk, P.E.  
Secretary/Commissioner

Jack White  
Assistant Commissioner

July 17, 2001

Mr. Roger Anderson  
Division of Natural Resources  
West Virginia Bureau of Commerce  
Operations Center, Ward Road  
Post Office Box 67  
Elkins, West Virginia 26241

THIS DOCUMENT  
WAS SENT TO ALL  
ON THE ATTACHED  
MAILING LIST.

Dear Mr. Anderson:

Appalachian Corridor H  
Parsons to Davis  
Tucker County

The West Virginia Division of Highways (DOH) is considering potential alignment shifts in the subject project area to address recent endangered species issues on current alternatives being studied for this section of Corridor H. We have scheduled a meeting for Thursday, August 9, 2001, at 10:00 a.m. at the West Virginia Division of Natural Resources Operations Center in Elkins, West Virginia, to inform your agency of the recent findings and to discuss the alternatives being considered to avoid and/or minimize potential endangered species impacts. Also, we would like to discuss any environmental constraints that your agency may have knowledge of associated with these proposed alternative areas. Attached is a map showing the general location of the Parsons to Davis project termini.

Should you require additional information, please contact Mr. Norse Angus of our Environmental Section at (304)558-2885.

Very truly yours,

James E. Sothen, P.E., Director  
Engineering Division

JES:Hs

Attachments

cc: Ms. Wendy Vachet, Baker  
Mr. Bill McCartney, Baker  
Mr. Bill Malley, Akin Gump

bcc: DDE(NA), DD(MF)

CORRIDOR H, PARSONS TO DAVIS  
AUGUST 9, 2001, MEETING  
MAILING LIST

---

Mr. Roger **Anderson**  
Division of Natural Resources  
West Virginia Bureau of Commerce  
Operations Center, Ward Road  
Post Office Box 67  
Elkins, West Virginia 26241

Mr. Lyle **Bennett**  
Water Resources Section  
West Virginia Bureau of Environment  
1201 Greenbrier Street  
Charleston, West Virginia 25311

Mr. Lynn **Hicks**  
USDA Forest Service  
200 Sycamore Street  
Elkins, West Virginia 26241

Mr. Fred **Pesudo**  
US Army Corps of Engineers  
Pittsburgh District  
1000 Liberty Avenue  
Pittsburgh, Pennsylvania 25222-4186

Ms. Susan **Pierce**  
State Historic Preservation  
Officer for Resource Protection  
Building 9  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0300

Mr. David **Rider**  
US Environmental Protection Agency  
2nd Floor  
1650 Arch Street  
Philadelphia, Pennsylvania 19103

Mr. Tom **Smith**  
Federal Highway Administration  
Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301

Mr. Jeff **Towner**  
US Fish and Wildlife Service  
694 Beverly Pike  
Elkins, West Virginia 26241-9475

Corr H: Parsons - Davis  
Northern Flying Squirrel Issue  
Sign - In

8-9-01  
Elkins, WV

<u>Name</u>	<u>PHONE</u>	<u>Organization</u>
Jim Colby	(304) 558-2885	WV DOTH
NORSIE ANGUS	11 11 11	WU DOTH
Keith Kowitz	(304) <del>636-5201</del> 637-0245	DNR
John Schmidt	304 636-6586 x16	USFWS
JONATHAN DAVZ	304 769 2116	BAKER
Ed Compton	304 347 5268	FHWA
Bill Toliv	304-634-6586	USFWS
DAN Arling	304-636-1800	USFS
Liz Schuppert	304-478-3251 ext. 104	USFS
Richard Cook	304 636 1800 ext 242	USFS
Mindy Hamilton	304 769-2159	Baker
Justica Greenwood	215-814-5144	U.S. EPA Region III
Ron Krotcheck	304-558-2458	FHWA
SCOTT GROENIER	304-636-1800	USFS
Roger Anderson	304-637-0245	WV DNR
Bill McCartney	757-631-5466	Baker



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Bob Wise  
Governor

Fred VanKirk, P.E.  
Secretary/Commissioner

Jack White  
Assistant Commissioner

August 20, 2001

Mr. Lyle Bennett  
Water Resources Section  
West Virginia Bureau of Environment  
1201 Greenbrier Street  
Charleston, West Virginia 25311

**THIS DOCUMENT WAS  
SENT TO ALL ON THE  
ATTACHED MAILING  
LIST.**

Dear Mr. Bennett:

Attached are meeting minutes and location maps from an interagency meeting held at the West Virginia Division of Natural Resources Elkins field office on August 9, 2001, at 10:00 am. The purpose of the meeting was to discuss potential shifts to the current Parsons to Davis Project alignment, including the alternatives developed for the Blackwater Avoidance SEIS. The purpose is to avoid an area in which the Federally endangered northern flying squirrel (NFS) was captured, and to identify any constraints that may lie in the areas of the potential shift. During the course of the meeting it was established that the occurrence of the NFS would require additional alternatives to be developed and studied to identify an alignment that is not likely to adversely affect or result in an incidental take of the species. These alternatives would generally be located north of the capture area and would impact those alternatives developed for the pre-draft Blackwater SDEIS.

Your comments concerning the potential alignment shifts are requested no later than September 17, 2001. The Federal Highway Administration anticipates filing a Notice of Intent (NOI) to the Federal Register regarding an expansion of the Blackwater Avoidance Study Area (as described in the 2000 Settlement Agreement) to include the alignments and surrounding areas shown on the attached exhibit.

As always, thank you for your cooperation and attention to this matter. If you have any questions, please contact Norse Angus at (304) 558-2885.

Very truly yours,

James E. Sothen, P.E., Director  
Engineering Division

JES:Hs

Attachments

bcc: DDE(NA), DD(MF)

## Meeting Minutes

August 9, 2001

WVDNR Elkins Field Office

10:00 am

Purpose: To discuss potential alignments shifts of the Parsons to Davis Project due to recent endangered species discovery.

In attendance: Roger Anderson, WVDNR  
Keith Krantz, WVDNR  
John Schmidt, USFWS  
Bill Tolin, USFWS  
Dan Arling, USFS  
Liz Schuppert, USFS  
Richard Cook, USFS  
Scott Groenier, USFS  
Carol Whetsell, USFS  
Jessica Greenwood, USEPA Region III  
Ed Compton, FHWA  
Ron Krotcheck, FHWA  
Norse Angus, WVDOH  
Jim Colby, WVDOH  
Bill McCartney, Michael Baker Jr., Inc. (Baker)  
Jonathan Danz, Baker  
Mindy Hamilton, Baker

Norse Angus opened the meeting with greetings and introductions.

Bill McCartney then gave a brief history of Corridor H. He explained that the environmental studies started as a Tiered EIS process in which a Corridor Selection DEIS was first prepared, followed by a Decision Document. The Decision Document recommended developing an alignment within a 2000-foot corridor. At which point an Alignment Selection DEIS was prepared prior to a preferred alignment being selected. In 1996, an FEIS was completed and a ROD signed for the preferred alignment. Immediately, opposition groups sued, holding up any further developments until the release of the 2000 Settlement Agreement. Bill continued to explain that the Parsons to Davis Project, including the Thomas to Davis Section, is currently under study as directed by the 2000 Settlement Agreement to identify alternatives that could potentially avoid crossing the Blackwater Avoidance Area. A Pre-draft SDEIS has been completed for the study area following agency and public meetings. As part of the studies and requirements to complete the SDEIS, identification of habitat and subsequent trapping for the Virginia northern flying squirrel (NFS), a federally listed endangered species, was conducted as recommended by the United States Fish and Wildlife Service (USFWS).

Dr Ed Michael, a recognized NFS expert, conducted the trapping in suitable habitat throughout the Blackwater Avoidance Study Area and on those portions of the Parsons to Davis Project, which had been realigned to avoid impacts to the Big Run Bog. The NFS was captured in two areas along the original preferred alignment. Bill McCartney referred to exhibits showing the areas of captures. Those exhibits were also distributed to each meeting attendant.

Keith Krantz and others posed questions concerning the captures and habitat, answered by Mindy Hamilton, who has been actively assisting Dr. Michael in trapping and coordinating habitat studies. After which the meeting was refocused to identify any other constraints that may lie to the north of the squirrel capture area

along Big Run. Bill Tolin explained that trapping to determine if the squirrel occupies suitable habitat or not is currently permitted. However, with the acceptance of Recovery Plan revisions, all suitable habitats contiguous with known populations will be protected. He suggested looking at the area to determine if additional suitable habitat exists for the squirrel.

Ed Compton asked if the species would likely be adversely affect if the road were constructed in its present alignment and if the road were to be shifted to the north and west would there be a potential that the NFS or suitable habitat may be encountered. Ed explained that there needs to be an iron clad reason to consider an alignment which falls outside of the original 2000-foot corridor recommended in the Decision Document.

Bill Tolin answered that he did not believe that there would not be a way to construct the highway in its current alignment without adversely affecting the NFS. Norse Angus explained that the WVDOH had been informally consulting with Bill Tolin from the time of the captures and had agreed to delineate the population and study the surrounding areas. They further explained that a determination of the impacts to the NFS to the west and north of the present alignment could not be made until the studies of the habitat were complete. Given this information the study area for the Parsons to Davis project should be altered to include these potential shifts.

Ed Compton asked if the eastern terminus would change. Bill McCartney answered that the terminus would not change, nor would the current alignments being considered in the Blackwater Avoidance Area.

Following questions, Bill Tolin continued, explaining that under the revised Recovery Plan all suitable habitats would be protected. He clarified by saying that this would be suitable habitat within the NFS "box" (this refers to the area now known to contain the squirrel). Bill tentatively believes that Route 219 could act as the northern boundary of the box and that he expects to see additional alternative studies to determine if an alignment could shift outside of the box to avoid having an adverse affect on the NFS, prior to considering an incidental take permit.

Norse again opened the discussion for other constraints that the realignment may face. Ed Compton stated that it has been established that the highway is to be constructed outside of the Big Run Bog watershed. Bill McCartney gave preliminary findings from the engineers that directing the highway to the west and north of the population around the edge of Backbone Mountain could result in large cuts and excess waste material.

Bill Tolin stated that if other constraints exist and if there is no avoidance possible, then formal consultation would be required and he could potentially grant an exemption to construct the highway through or near the capture area.

Roger Anderson stated that he understands important of the NFS, but that he has concerns about the waste material that will be deposited into high quality streams. Bill Tolin reminded Roger that an endangered species was given more protection than trout streams. At which point a discussion began concerning the NEPA process and the consideration of all constraints and the federal laws for each.

The schedule for producing a Biological Assessment (BA) for the NFS was discussed. Ed Compton said that he would need to see a letter from the USFWS before signing a SDEIS for the Parsons to Davis project. The Settlement Agreement does not allow for a preferred alignment to be chosen until the FEIS, as a result the BA would need to encompass a range of alternatives and conditions for each. This would allow flexibility when choosing the preferred alternative that best considers all constraints.

Ed Compton ended the meeting by summarizing the issues of the meeting and upcoming process needed to expand study area, such as public involvement and a letter from USFWS warranting the shift due to the



knowledge of the NFS. He reiterated that a DEIS would not be signed, until the USFWS accepted the BA for the potential alternatives.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

SEP 10 2001

James E. Sothen, P.E., Director  
Engineering Division  
Division of Highways  
1900 Kanawha Boulevard East  
Building Five, Room 110  
Charleston, West Virginia 25305-0430

Dear Mr. Sothen:

On August 9, 2001 EPA attended an interagency meeting to discuss potential shifts to the current Parsons to Davis Project alignment for Appalachian Corridor H to avoid an area in which the Federally endangered northern flying squirrel was recently captured. The purpose of the meeting was to discuss the alternatives being considered to avoid and/or minimize any adverse impacts or incidental take of the endangered species.

Due to the presence of the northern flying squirrel within the preferred alternative, EPA concurs with the discussions of the meeting that further investigation and development of additional alternatives and potential alignment shifts is warranted.

Sincerely,

A handwritten signature in black ink that reads "Jessica Greenwood".

Jessica Greenwood  
Environmental Protection Specialist



**January 18, 2001**  
**Public Information Meeting**  
**Blackwater Lodge**  
**Davis, West Virginia**

NOTICE  
OF  
WORKSHOP PUBLIC MEETING  
APPALACHIAN CORRIDOR H  
PARSONS TO DAVIS  
TUCKER COUNTY

The West Virginia Division of Highways will hold an informational public meeting on Thursday, January 18, in the Convention Room of Blackwater Lodge in Davis on preliminary alignments proposed for the Parsons-to-Davis segment of Appalachian Corridor H.

Scheduled in a workshop format from 4 to 7 p.m., the meeting will afford participants an opportunity to ask questions and state their views and opinions on the advantages and disadvantages of several alternatives being considered to avoid impacts to the Blackwater area by shifting to the north, resulting in additional connections to US 219 and WV 32 and 93 in the vicinity of Thomas and Davis. Highways officials will present information and receive public input.

Those wishing to file written comments may send them to Jim Sothen, P.E., Director, Engineering Division, West Virginia Division of Highways, Capitol Complex Building Five, 1900 Kanawha Boulevard East, Charleston 25305-0430 on or before February 13, 2001.

# Public Workshop Sign-In Sheet

Appalachian Corridor H  
(Blackwater Avoidance Study)  
January 18, 2001 ~ 4 - 7 p.m.

By signing this sheet, you indicate that you attended this Public Workshop on the above stated date. If you wish to receive additional information as it becomes available, please provide us your mailing address. Addresses will not be used for any other purposes.

	Name	Address	Organization (if any)
1.	Tracy Knotts		The Inter-Mtn
2.	Minion McQuinn	Barrow Community Barrow	
3.	Charles Carter	112 Orchard St, Elkins	
4.	Emm Looe	1115 1/2 S Kern Ave Elkins W.V.	
5.	M.S. A.C. Co	34 N Kentucky St Bkn WV	R.D. Zondac & Assoc.
6.	Georganna Heath	Davis Hill	
7.	Mike Goodland	Davis Hill	7 Glass case
8.	Marion Reed	Davis Hill	
9.	Paul Holgers	Davis Hill	
10.	SENATOR JON BRANTNER	14th DISTRICT	WV Senate
11.	Harold Berry	Shuman	
12.	Charles Cannon	PAK 15	
13.	Don Smith	Elkins - The Inter-Mountain	
14.	Mike Hillman	Elkins	DOH R/W
15.	Ellen Voss	Thomas, WV	
16.	Jon E. Egan	Emmett Muller, WV	
17.	MART QUARRO	CITY OF THOMAS	
18.	Mike Moran		DOH ELKINS
19.	TOM STAUD	WU DOH, ELKINS	DOH ELKINS
20.	Mike Ledden	313 Walnut St, Parsons	

# PUBLIC WORKSHOP SIGN-IN SHEET

## Appalachian Corridor H

(Blackwater Avoidance Study)

January 18, 2001 ~ 4 - 7 p.m.

By signing this sheet, you indicate that you attended this Public Workshop on the above stated date. If you wish to receive additional information as it becomes available, please provide us your mailing address. Addresses will not be used for any other purposes.

Name	Address	Organization (if any)
1. PAT CAIRZ	349 PARSONS WV	R. N. H. INC
2. Terry Wilson	Rd 501 365 Thomas WV	MT. TOP HUNTING
3. Ron Clark	PO BOX 231 THOMAS, WV 26292	MT. TOP HUNT CLUBS
4. Dye Wagoner	Rt 1 Box 141 Harpersburg, WV 26269	
5. Alka Adwell	Hc 60 Box 406 Thomas WV	
6. Randy Schmidhecht	PO Box 72 Davis, WV 26260	Mayor of Davis
7. Wm Smith	PO BOX 565, DAVIS, WV 26260	TUCKER Co. Chamber of COM
8. John H. Mcconey	596 Fairwood Rd, Huntington, WV 25705	
9. Ralph Audd Dodrill		
10. David Lucepte	Hc 70 B124, Davis, WV	
11. Gene Casper bo	Garland Rd.	
12. Ron L. Johnson	Davis	
13. Mary Wheelan	Davis	
14. Tom DiBecco	Thomas	
15. Dottie Wilson	Thomas	
16. Tom Casarin	Elkins	
17. Donny Magee	Elkins	
18. SAM Eckelberger	Thomas, WV 26260	Thatcher Co. Commission
19. Greg Schumacher	48 Kennedy Dr. Elkins, WV	Century Engineering
20. KEN STURM	CANAAN VALLEY HUNTER BOX 200 DAVIS, WV	USFEWS

# Public Workshop Sign-In Sheet

## Appalachian Corridor H

(Blackwater Avoidance Study)

January 18, 2001 ~ 4 - 7 p.m.

By signing this sheet, you indicate that you attended this Public Workshop on the above stated date. If you wish to receive additional information as it becomes available, please provide us your mailing address. Addresses will not be used for any other purposes.

	Name	Address	Organization (if any)
1.	James Bennett	Hc 70 Box 51 Davis, WV	
2.	Don Black	Box 288 DAVIS 26200	
3.	Murray Deaton	Box 37 DAVIS 26165	
4.	Don Cathell	1 Depot St Romney WV 26757	DEP EE
5.	Jenny DiBacco	306 MAIN ST PAINSONS 26287	County Comm.
6.	Jim Kochenderfer	Route 1 Box 48 Hamblinton 26269	
7.	Hyllae Kochenderfer	Rte 1 Box 48 Hamblinton 26269	
8.	Sharon Shook	Hc 70 Box 50 Davis 26200	Green Valley Institute
9.	Rudolph Warden	CVEI PO Box 1075 Davis WV 26200	
10.	Chlen Osborne	511 Main St. Painson, WV	
11.	Dust Corning	Box 94 Painson, WV	
12.	Nicki Tomovich	Hc 70 Box 501 DAVIS, WV 26200	
13.	Gros Dale	PO Box 212 Thomas, WV 26292	
14.	Robin Lea Fyke	PO Box 26 Red Creek, WV 26289	
15.	K. Reid Gilbert	P.O. Box 451 Thomas, WV 26292	
16.	Lyle and Kimberly	Hc 60 Box 232 Thomas 26292	
17.	Shirley Schumacher	PO Box 232 Thomas WV 26292	
18.	Thomas M. Dillon	1196 Grace Ave Union-Gettem NC	
19.	Walt Kowalski	P.O. Box 371 Thomas, W.V.	
20.	Lea Knight	P.O. Box 313 Davis, WV	

# Public Workshop Sign-In Sheet

## Appalachian Corridor H

(Blackwater Avoidance Study)

January 18, 2001 ~ 4 - 7 p.m.

By signing this sheet, you indicate that you attended this Public Workshop on the above stated date. If you wish to receive additional information as it becomes available, please provide us your mailing address. Addresses will not be used for any other purposes.

Name	Address	Organization (if any)
1. Lowell Moore	RT1 Box 554 St George	0847 Doh
2. Diana Small	PO Box 623 Davis WV	CVF
3. Dan Gehrig	Paris 015 WV	
4. Gary Luzier	P.O. Box 214 Davis WV	
5. Andy Bortolotto	PO Box 332 110 Davis WV	
6. Linda Becken	P.O. Box 108 Davis WV	CVI/MWRCAF
7. Steve Snyder	RT 1 Box 269 Hamilton WV 26041	
8. Jackie Burns	MC 70 Box 56 Davis WV 26030	
9. Gwendolyn Doss	RR 1 Box 269 Hamilton WV	
10. Don T. Boone	" "	
11. Paul Nichols	Box 544 Marlinton WV	Davis Workshop
12. Ruth Blackwell Rogers	Mountain View 26076	CHA
13. Jan Harrett	P.O. Box 351, Beverly, WV 26033	
14.		
15.		
16.		
17.		
18.		
19.		
20.		



DATE: Feb. 5, 2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

FEB 06 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I would like to take this opportunity to voice  
my statement in favor of the Appalachian Corridor  
Road System. WV needs this infrastructure in  
order that we may continue to grow and prosper.  
The completion of this highway will enhance business  
and industry in our state and provide for access  
to coastal areas for export/import. Lets move forward  
& not waste tax dollars in seeking alternate  
Routes!

(Please print the following information)

NAME: George E. Angus

ADDRESS: 351 Cherokee Trail

Huntington, WV 25705

ORGANIZATION (IF ANY): TAX PAYER -

Comments are due February 13, 2001

DATE: February 11th 2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

*DD (Hm) (D)*  
*Handle 2/14/01*  
*75*  
Received on FAX in  
Commissioner's Office

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

RECEIVED  
FEB 14 2001  
Division of Highways  
Office of The Commissioner

Please consider the following comments:

Please see accompanying pages

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(Please print the following information)

NAME: Greg Bair

ADDRESS: PO Box 212  
Thomas WV 26292

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

RECEIVED

FEB 20 2001

ENGINEERING DIVISION  
WV DOH

FEB 14 2001  
STATE DEPT. OF  
TRANSPORTATION

SCANNED

Dear Mr. Sothen,

I would like to first make it clear that I am opposed to the construction of Corridor H. If it is going to be built, with the information presented to me at the Public workshop at Blackwater Falls State Park on January 18, 2001, I believe that the Dark Blue route is the preferred route.

The Dark Blue route:

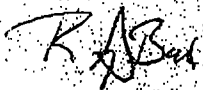
- causes the least amount of disturbed total wetlands
- causes the least amount of disturbances to the endangered squirrel habitat
- does not disturb endangered salamander habitat
- does not disturb the landing strip
- does not disturb known historic properties
- disturbs little ground through excavation when compared to other routes
- is one of the least expensive to build because it has the lowest construction cost per mile of any route

Being a resident of Thomas WV I believe the Dark Blue route will keep the highway noise down to a minimum due to the distance of Corridor H from town. The Dark Blue route will diminish truck traffic through town. The original preferred route would increase truck traffic through the town of Thomas by forcing all traffic coming off of Rt. 219 to pass through town to reach Corridor H. The trucks that pass through town at present cause noise and air pollution, decreasing the quality of living in town and I believe devalue property.

I also believe that the Dark Blue route, or any route chosen, should not run toward the town of Davis but should connect to Rt. 93 north of the proposed plan. Once again the noise and pollution caused by a major Highway especially at an interchange where trucks are braking and accelerating will be an irritation to the people of Davis and once again devalue residential property. Running the route north of its proposed location as mentioned above would also hopefully keep it from disturbing any structures at the Tucker Co. Land Fill.

Thank you for considering these comments.

Sincerely,



R. Greg Bair

DATE: 2/1/2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**  
FEB 09 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I AM in favor of The present  
Route for Corridor H. Parsons to  
DAVIS route, The others ARE REALLY  
not the best!

(Please print the following information)

NAME: Gerry R. Bennett

ADDRESS: 1150 Schell R.D.  
Eck Garden, WVA

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001



DATE: January 30, 2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 31 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I would like to comment on the proposed  
route for the section of Corridor-H from  
Parsons, WV to Davis, WV. With economics  
always in mind, the most direct route,  
crossing the Blackwater River, would be  
the most economical route. I'm sure  
the money and time saved by taking this  
route could benefit other needed projects.

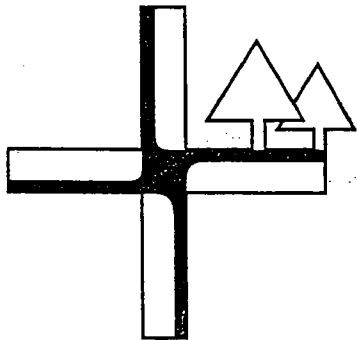
(Please print the following information)

NAME: Donna J. Bias

ADDRESS: 1035 Third Avenue  
Huntington, WV 25701

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001



## CORTLAND ACRES

HC 60, Box 98  
Thomas, WV 26292  
304-463-4181  
Fax 304-463-4190

February 7, 2001

**RECEIVED**  
FEB 8 2001

Mr. James E. Sothen  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

ENGINEERING DIVISION  
WV DOH

Dear Mr. Sothen:

I am writing representing the residents, staff, and Board of Directors of Cortland Acres Association. Cortland is a community outside Thomas providing services for the elderly which is made up of a nursing home and independent living apartments. Our board has directed me to express to you its concern regarding the location of the proposed 'brown,' 'grey,' and 'red' routes. These routes are located extremely close to our facilities and may encroach on what is now our property.

In no way do we want to compromise the progress of this effort. During the last three years, Cortland has had to undergo the grieving process resulting from the death of four staff/family members resulting from automobile accidents on Route 219 between Thomas and Parsons.

Cortland Acres Nursing Home is under heavy scrutiny by the offices of licensure and certification of West Virginia. The regulations which we follow include under area 4.4 which is "Site Characteristics and Accessibility." It is my interpretation of those rules that if that road was in one of the places I mentioned and we were requesting authorization to build on our current location, authorization to construct would be denied because "The facility shall be located in an environment which is free from ...excessive noise such as...traffic arteries..." WV Division of Health Legislative Rules, Title 64, Series 13 - 4.4C and also published in the Federal Register - Department of Health and Human Services, 42CFR-483 (B).

Therefore we request that routes other than those which are located close to Cortland be developed as soon as possible. Traffic could be both seen and heard from what is now our very peaceful and quiet neighborhood.

Please contact us if you have any questions regarding our position.

Thank you.

Sincerely,

Don Black

DATE: \_\_\_\_\_

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**  
JAN 20 2001

ENGINEERING DIVISION  
WV DOH

**DATE:** January 18, 2001  
**SUBJECT:** INFORMATIONAL PUBLIC MEETING  
**PROJECT:** Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

*I am in favor of the present  
Route for Corridor H. Parsons to  
Davis Route.*

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(Please print the following information)

**NAME:** Devereaux C. Bressler III  
**ADDRESS:** P.O. Box 178  
Mt. Storm WV, 26739

**ORGANIZATION (IF ANY):** \_\_\_\_\_

Comments are due February 13, 2001



DATE: \_\_\_\_\_

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**DATE:** January 18, 2001  
**SUBJECT:** INFORMATIONAL PUBLIC MEETING  
**PROJECT:** Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

The Original Route is the  
Proper way to go!

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(Please print the following information)

NAME: PATRICK CRUZ

ADDRESS: P.O. Box 349

PARSONS W.VA.

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: 1/25/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 26 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

As a 31 yr. resident and property owner in Canaan Heights and the Canaan Valley, Member of a four generation plus property owning family in Montgomery Co. MD, 30 plus Licensed Real Estate experience, Trained Real Estate Appraiser at a high level in MD & Delaware I would say: That changing the originally proposed much shorter and cheaper original route in question would ~~not~~ Not alleviate any possible environmental harm. All seem to be in the Blackwater drainage area. As far as pollution from cars, trucks & very extra mile such a highway adds to such possible effect on the Black Water River (Please print the following information) in the same proportionate way. A part of the very dramatic cost saving could be used to provide some more sound dealings to be built into the bridge and after construction, I doubt if the alternatives would provide any less harm to the environment.

NAME: Henry H. Carter  
ADDRESS: P.O. Box 239 Davis W.V. 26260  
Home to part of the land on Canaan Heights  
ORGANIZATION (IF ANY): That of common sense.

Comments are due February 13, 2001



# Western Pocahontas Properties

Limited Partnership

1035 - 3rd Avenue • P. O. Box 2827  
Huntington, WV 25727-2827  
(304) 522-5757 • Fax (304) 522-5401

February 5, 2001

NICK CARTER  
President

Mr. James E. Sothen  
Director, Engineering Division  
West Virginia Division of Highways  
STATE OF WEST VIRGINIA  
State Capitol Complex  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0430

RECEIVED

FEB 06 2001

ENGINEERING DIVISION  
WV DOH

Dear Mr. Sothen:

Western Pocahontas Properties is the owner of all of the property affected by the original routing of Corridor-H and all alternatives considered in the Blackwater Avoidance Supplemental Environmental Impact Statement. As the only landowner affected by this decision, we believe that significant weight should be given to our opinion.

After reviewing the Supplemental Environmental Impact Statement of the Blackwater Avoidance Alternatives, Western Pocahontas Properties is convinced that the original preferred route should be selected for the following reasons:

1. It is the most economical and practical of any alternative throughout the area.
2. It is the most direct route.
3. It offers access to Thomas and Davis, Blackwater Falls State Park and the Canaan Valley area, at the best location for development, at the only diamond interchange proposed along the route for miles.
4. There is less overall impact on the landscape.
5. All the alternatives have an adverse impact on the Tucker County landfill, through either the taking of buildings or affecting access to the landfill. Five of the alternatives are too close to the landfill from a visual perspective.
6. There is less impact on the Pendleton Run Watershed, which flows through the Blackwater Falls State Park and feeds the lake and swimming area.
7. Right-of-way acquisition costs and utility relocation costs would be less.

Mr. James E. Sothen  
Page Two  
2/5/01

Western Pocahontas Properties has always supported and promoted Corridor H and its completion as soon as possible. Common sense should dictate that the original preferred route is where it should be built.

The economic prosperity of the area is dependent upon a timely completion of the highway. If tourism is so good for a local economy, why has Tucker County not prospered in the last 20 or 30 years?

Corridor-H -- build it now on the original preferred route.

Sincerely,

A handwritten signature in black ink that reads "Nick Carter". The signature is written in a cursive, slightly slanted style.

Nick Carter

NC:DNT/g

February 9, 2001

Mr. James E. Sothen. P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**DATE:** January 18, 2001  
**SUBJECT:** INFORMATIONAL PUBLIC MEETING  
**PROJECT:** Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

Mr. Sothen, I think any of the routes to the north of Thomas would be strategically significant as they would effectually eliminate the tremendous truck traffic that comes down Rt219 and must traverse the town of Thomas. Personally I think the closer the road lies to the city boundaries to the north the less trouble the construction will be, this is based on personal knowledge of the terrain in the area..

I would also like to make a further comment, the new road should cross Rt93 a little further east, in the area where Beaver Creek crosses. This would accomplish several things, first it would be shorter and it would eliminate the large dangerous curve in the area of the land fill. Second it would cross Beaver Creek at right angles, which I understand is of importance. Third it would eliminate any interference with the land fill or the junction of Rt93 and Rt32 or the new road into Davis from Rt93.

Knowing the area as I do I would also like to comment on the western side of Thomas. The new road should stay up hill between Benbush and Pierce and swing around to the west a little further which would avoid a lot of construction problems you are going to run into by going through the town of Benbush. You will also miss the wet lands behind the nursing home, and cross Snyder Creek in a little better place.

Francis R. Clark  
P.O. Box 231  
Thomas, WV. 26292-0231



Affiliated with, but not representing: Mountain Top Hunting Club, Thomas, WV.



JIM

DATE: January 29, 2001

RECEIVED

FEB 05 2001

ENGINEERING DIVISION  
WV DOH

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: **January 18, 2001**  
SUBJECT: **INFORMATIONAL PUBLIC MEETING**  
PROJECT: **Appalachian Corridor H: Parsons to Davis  
Tucker County**

Please consider the following comments:

The Board of Director's of the Tucker County Chamber of Commerce  
are of the opinion that the original preferred routing for Corridor H  
would be the best option. As you have documented, it would be the  
most economical and direct routing under consideration  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please print the following information)

NAME: M. G. Dearborn, Chairman  
ORGANIZATION (IF ANY): Roads and Transportation Committee

**Comments are due February 13, 2001**

DATE: 1 Feb 2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**  
FEB 09 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

The original Corridor H route is the only  
cost effective route to consider. All the  
others will prove to be much more expensive  
and take much longer to accomplish.  
Also the original route will not have as  
heavy impact on wildlife and the environment  
as the other proposed study routes.

(Please print the following information)

NAME: William H. DIGNAN

ADDRESS: PO Box 201

BAYARD, WV 26707

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001



DATE: 2/1/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**

FEB 03 2001

ENGINEERING DIVISION  
WV DOH

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

I AM in FAVOR of the Corridor H to come  
form jobs and easy way to get some were.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please print the following information)

NAME: Rocky W Evans

ADDRESS: C/K Garden w/ Rt1 Box 143

26717

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

Vicki Fenwick  
HC 70 Box 501  
Davis, WV 26260

February 9, 2001

Dear Mr. Sothen,

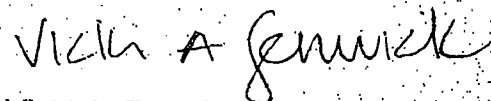
First, let me introduce myself. I'm 29 years old, a West Virginia native and my career is in seasonal tourism and outdoor recreation. I oppose the spending of our tax dollars on one of the most expensive highways to ever be built in our nation. However, if the politicians of the mountain state see it necessary to build another road, the route I find to be the optimal choice is the Dark Blue route.

After reviewing all the information on the preliminary comparison and the topographical maps, the Dark Blue route would be most compatible with my beliefs. The Dark Blue route:

- causes the least amount of disturbed total wetlands
- causes the least amount of disturbances to the endangered squirrel habitat.
- does not disturb endangered salamander habitat
- does not disturb the landing strip
- does not disturb known historic properties
- disturbs little ground through excavation when compared to other routes
- is one of the least expensive to build because it has the lowest construction cost per mile of any route

I would like to see Corridor H built even further away from Davis and Thomas to minimize air and noise pollution. I also hope that the area will NOT develop into another "strip mall" with discount stores and gas stations lining the new corridor. This area is very historic, provides charm to our visitors and needs the growth to occur within the town. I feel that an interchange north of the proposed plan should be evaluated. This may be able to reduce large truck traffic and provide in-town growth instead of sprawl. Thank you for considering my comments.

Sincerely,



Vicki A. Fenwick

DATE: January 23, 2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 24 2001

ENGINEERING DIVISION  
WV DOH

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

The "original preferred" Parsons to Davis routing is the most cost effective and the most environmentally sound location for the roadway. This "original preferred" location is obviously the best stewardship of tax payer's funds and provides the greatest public interest benefits.

The basis for the Blackwater Advocation Study is ludicrous and public funds should not be used to appease the agenda of a few environmental radicals.

(Please print the following information)

NAME: Robert Forney

ADDRESS: 2015 Mona Court  
Milton, WV 25541

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: 1-23-2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 29 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I strongly support the Original Preferred location for Corridor H from Parsons to Davis. This location best serves the public interests, is much less costly and makes more sense environmentally.

Bridges do not detract from the amenities of the New River gorge or Glade Creek Canyon. Bridging Blackwater River will do no harm to the Canyon and will actually access the view scope to many more people.

(Please print the following information)

NAME: Ruthann Forney

ADDRESS: 2015 Mone Court  
Milton, W.V. 25541

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

Eight Stratford Way  
Huntington, WV 25705  
January 31, 2001

RECEIVED

FEB 01 2001

ENGINEERING DIVISION  
WV DOH

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Bldg. 5  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0430

Re: Informational Public Meeting  
Project: Appalachian Corridor H: Parsons to Davis, Tucker County, WV

Mr. Sothen:

Please consider the following comments:

I would like to recommend that the WV DOH seriously consider the original preferred route relative to the proposed route for Corridor-H from Parsons to Davis; i.e., that which crosses the Blackwater River below Thomas via a bridge. This direct route would not only be the most rational but first, the most cost-effective for me as a taxpayer of the state.

I am an employee of Western Pocahontas Properties, and although all proposed routes would conceivably transverse WPP lands, the original preferred route would make the most logic. Therefore, I trust you will sincerely consider this option as the most feasible when making the final decision for the above project.

Sincerely,



Paddy Sue Gay

/psg

Kerens to Parsons:

The proposed highway will cut through a relatively large, intact block of National Forest land in Management Prescription 6.1. This area was designed to provide remote habitat for wildlife species intolerant of disturbance. It was put into this management prescription because it was good wild turkey and black bear habitat. Semiprimitive and nonmotorized transportation is emphasized. A major 4-lane highway is inappropriate in this area. Bears and other wildlife populations in the north end of the forest will be negatively impacted by isolation and habitat reduction, in addition to being killed on the road. The highway will cut through some endangered Indiana bat swarming grounds and pass near a hibernaculum. Bats will be killed by traffic and their foraging area and food base reduced. Many forest streams will be negatively impacted. The highway should not be built through the National Forest.

Parsons to Davis:

The highway will negatively affect Big Run Bog, or if it is moved north, it will negatively affect Slip Hill Mill Run Creek, which is a native trout stream. The proposed route will cut through a steep hill above the creek and a lot of sediment will end up at the bottom of the hill in the creek.

Some of the alignments will cut through Northern Flying Squirrel habitat. The squirrel has very specific habitat requirements that we don't fully understand. We can't just create additional habitat elsewhere. It is important to keep what little we have left to prevent extinction of the species.

The highway will create a huge scar on the landscape. A massive corridor will be cut through one of the most expansive patches of unbroken forest left in the northeast. Mountains will be gouged and massive amounts of earth will be moved, valleys will be filled in. This area has not been thoroughly surveyed for threatened and endangered species and the Forest will be permanently fragmented. The roadless initiative has just come out and direction is away from building new roads. National direction is away from permanent human marks on the land. Many forests are spending a lot of time and money undoing past projects, such as roads and dams. This highway could never be undone. The National Forest is West Virginia's greatest asset. It should not be compromised for a highway to nowhere. Move the highway north out of the Monongahela National Forest boundary.

The highway will provide a corridor for exotic plants and other pests to enter the Forest. They thrive in disturbed environments such as this and, even if not planted on the roadside, will take up residence there and invade the Forest. Open areas nearby such as Big Run Bog will be negatively impacted the most.

Davis, Thomas and Coalton are historical towns with a distinctive culture. This culture will be destroyed by a major highway coming near by. It is inaccessibility that allows it to

exist. Economic opportunities should be sought that capitalize on and preserve their uniqueness, rather than destroy it.

The highway will have an irreparable effect on the land that our children and grandchildren inherit. We must weigh the short term gains with the long term effects. "West Virginians perceive the Forest as a special, even unique place. It is highly valued. A great contrast is seen between the essentially natural appearing Forest and most of the remainder of the state where development, mining, and timber operations have resulted in a heavily man-influenced, disrupted, and often polluted environment. There is a major public opinion that the Forest is an oasis of undisturbed land which should be left just as it is" (The Land and Resource Management Plan for the MNF, page 24). This undisturbed and undeveloped Forest will become even more highly valued as an oasis as development escalates elsewhere. A large, remote Forest in an area of the country with high population density is a thing that is becoming scarce. What we have here is an threatened and endangered environment that needs to be preserved for our recreation and sanity. We are making choices that limit those available to our children. Do we know what they will value the most?

If the road must be built, please at least keep it out of our Forest. To continue to develop the corridor in the direction of the Forest is in violation of NEPA 1506.1 which states that "no action concerning the proposal shall be taken which would limit the choice of reasonable alternatives."

Jan Garrett

DATE: Feb. 13, 2001

DDE

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**

FEB 14 2001

ENGINEERING DIVISION  
WV DOH

DATE: **January 18, 2001**  
SUBJECT: **INFORMATIONAL PUBLIC MEETING**  
PROJECT: **Appalachian Corridor H: Parsons to Davis  
Tucker County**

Please consider the following comments:

As I am a landlord with rental property (stores & apartments) on Front Street in Thomas, I strongly urge the DOH to build north of Thomas to avoid the truck traffic down Front St. The trucks disturb the tenants and frighten customers visiting the stores. If DOH builds in their original corridor, they must also build a 219 feeder line around Thomas, and this should already be calculated in the estimated cost of the original plan.

(Please print the following information)

NAME: E. Reid Gilbert

ADDRESS: Box 451  
Thomas, WV 26292

ORGANIZATION (IF ANY): Thomas Education Center, Tucker County Gateway Initiative.

Comments are due February 13, 2001



DATE: 1/19/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 22 2001

ENGINEERING DIVISION  
WV DOH

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

PLEASE CONSIDER THE PEOPLE OF THOMAS/DAVIS AREA.  
WE HAVE BASICALLY NO INDUSTRY IN OUR COUNTY. OUR  
LARGEST EMPLOYERS ARE THE SKI AREAS AND STATE PARKS.  
THEY EXIST ON MINIMUM WAGE/NO BENEFIT JOBS.  
WE NEED THE ROAD TO WOME ITS ORIGINAL ROUTE TO  
SAVE WHAT IS LEFT OF BUSINESSES IN THOMAS/DAVIS.  
OUR SCHOOLS ARE LOSING ENROLLMENT YEARLY AND IF  
YOU SHUT OUT THOMAS/DAVIS YOU ARE DOOMING OUR  
SCHOOLS TO SMALLER/SMALLER ENROLLMENTS.

(Please print the following information)

NAME: CYNTHIA L. HEDRICK

ADDRESS: P.O. Box 166 BLACKWATER AVE

DAVIS, WV 26260

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

January 12, 2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 22 2001

ENGINEERING DIVISION  
WV DOH

Dear Sir:  
twenty years.

I would like to introduce myself. My name is T.L. Holipski, I am President and CEO of The National Bank of Davis, and owner of The Davis Plaza located in Davis, WV, at the entrance to Blackwater Falls State Park. I have lived in Tucker County for twenty years.

I have reviewed the new alternatives for the Blackwater avoidance area and have concluded that the only one that merits justification is the original route! It is the most cost effective and certainly the most safe and direct route. If any of the other routes are used, this will eliminate traffic thru the towns of Davis and Thomas thereby reducing the monetary flow to all business in these towns.

I am sure that if you conducted a survey of the people of Tucker County that the majority would approve of the original route selected. It is time for the residents of Tucker County to get something they want and decide for ourselves without interference from outsiders.

In conclusion the original route is the route that should be selected by your department. Thank you for your Consideration.



T.L. Holipski

DATE: January 30, 2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**

JAN 31 2001

**DATE: January 18, 2001**  
**SUBJECT: INFORMATIONAL PUBLIC MEETING**  
**PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County**

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

Please leave the proposed route for Corridor-H  
as is. It is the best & cheapest route. It  
will also be quicker to access the state  
parks (Blackwater & Coonman) as well as the  
Timberline Ski Resort.

(Please print the following information)

NAME: TERRI KELLEY

ADDRESS: 2930 South Belmont STREET  
ASHLAND, KY 41102

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: 2/1/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**  
FEB 09 2001

ENGINEERING DIVISION  
WV DOH

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

I am in favor of the present Route for  
Corridor H. Parsons to Davis route, the others  
are not the best and more expensive.

(Please print the following information)

NAME: Donald Kessel, Jr

ADDRESS: Rt. 1 Box 210G

Gormanville WV 26720

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: 2-1-01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**  
FEB 09 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I agree with using the existing  
Rt. 93 due to the impact of  
cutting trees and DESTROYING wildlife on  
the other Rts. It would be less  
of affect on the ENVIRONMENT by using  
EXISTING highways when possible.

(Please print the following information)

NAME: Robert P. Kitzmiller

ADDRESS: 96 JACKS LN.

OAKLAND, MD

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: 1/17/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

See Attached. Very pleased to see Northern Routes  
In my estimation the dark blue alternate,  
would be the best alternate, as these 11550.  
Why not use 219 as the way to Benbush then  
go North on Benbush to William Lee  
to use Rt. 90 with a connection to 93?  
This would make use of existing  
road alignments

(Please print the following information)

NAME: LAIRD KNIGHT

ADDRESS: P.O. Box 313

Davis, WV

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

# Proposal for Improved Routing of Corridor-H and the effects on the Davis-Thomas Community

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**In Brief:** Upon closer inspection, many of the citizens of the Davis-Thomas community who support the construction of Corridor-H have discovered an alternative to the current routing that would greatly enhance the benefits of the new highway, while reducing or eliminating several of the possible negative side effects. The alternate route would save substantial construction costs in the process. Basically, these improvements can be achieved by rerouting Corridor H to the North of Thomas and creating an intersection with Rt. 219 and Rt. 90 before joining back up with the current alignment along Rt. 93. (See attached map)

**In Detail:** The following points demonstrate the positive effects of this alternative plan. Each of these points become rather obvious when one compares the alternatives with current route as shown on the attached map.

## **Traffic Flow:**

- ◆ Currently, without the construction of a bypass of Thomas, all heavy truck traffic access to Corridor H from 219 North would have to pass through Thomas. This alternative would place the interchange North of Thomas, allowing heavy truck and other through-traffic to access Corridor H prior to Thomas, making the City of Thomas more pedestrian and business friendly.
- ◆ The North of Thomas interchange would provide a direct and inexpensive connector to the proposed four-lane development of Rt. 219.
- ◆ Currently, Corridor H is routed between Davis and Thomas, which would require several relatively dangerous on-grade intersection for access to Davis, Thomas and Blackwater Falls State Park. The alternative routing would eliminate these dangers and make it safer for local families and tourist to travel between Davis, Thomas and Blackwater Falls State Park.

## **Economic Development**

- ◆ Currently all tourist traffic to Canaan Valley from Corridor H would pass through the Town of Davis only. The alternative would have tourist traffic passing through Thomas and Davis.
- ◆ The current alignment of Corridor H between Davis and Thomas would negatively impact a large area of relatively flat land (a rare commodity in this area) that lies between these two towns and Blackwater Falls State Park. The alternative route would avoid this, freeing up these lands for economic development and growth for these communities. These lands have been considered for expansion of Blackwater Falls State Park with a golf course and new formal entrance to the Park.

### **Economic Development continued**

- ◆ The current routing would consume 10 acres of land (nearly half of the land) that the Tucker County Development Authority has slated for an industrial park near Davis.
- ◆ The current routing would put a high speed four-lane highway directly through the heart of the Davis, Thomas and Blackwater Falls State Park area. The alternative route would leave this area intact by skirting it to the North. This would preserve the character of this beautiful mountain community which is its single most important tourist draw.
- ◆ The alternative routing would also preserve the new residential areas that have been developed on the outskirts of Davis as well as eliminate the substantial noise pollution that would be created by the current routing. This would expand the town's tax and utility base while ensuring a peaceful quality of life for its' current and future residents.
- ◆ One of the most important new economic developments for these communities is the development of the rail-trail corridor that will link Elkins with Parsons and then in turn, link Parsons with Thomas and Davis. This new recreational infrastructure will attract tens of thousands of additional tourists to the area. Unfortunately, the current routing of Corridor H would cut through the grade that connects Thomas, Blackwater Falls and Davis. The alternative routing will preserve this scenic rail grade.

### **Reduced Costs of Construction:**

- ◆ The alternate routing uses more of the existing Rt. 219 and Rt. 90 road beds, saving construction and land acquisition costs.
- ◆ The alternate route eliminates the cost of bridging *Big Run, Tub Run, Long Run and Middle Run*, as well as environmental impact mitigation costs of these sensitive areas.
- ◆ The alternate routing will eliminate the enormous costs of constructing a 150'-200' high elevated four-lane bridge over *The North Fork of The Blackwater River*.
- ◆ The alternate routing will eliminate the cost of relocating the Tucker County Landfill which in the current plan would place the highway too close for legal operation of the landfill facility. (More likely than relocation, the Tucker County Landfill would probably be forced to close. Citizens of Tucker County would be forced to truck their garbage to a distant landfill at great expense.)
- ◆ The highway mileage for the alternative plan is the same as the current proposal and the overall cost of land acquisition should be lower as the alternate route uses undeveloped property.

**In Summary:** After reviewing the map and comparing the various cost/benefits of the different routings it is clear that this alternate proposal represents a true win-win situation for both the tax payer and the citizens and businesses of Tucker County. The construction of corridor H has been touted as an economic boon to this county. Many of the county's citizens believe this will be the case, but only through intelligent planning will we be able to maximize the positive economic impact of the new highway. It is with this goal in mind that this alternative is being proposed. This plan is the product of the people who live and work in the county and who have a real sense of the impact that the siting of this new highway will have on their community. They will have to live with the consequences, positive or negative, -one way or the other.



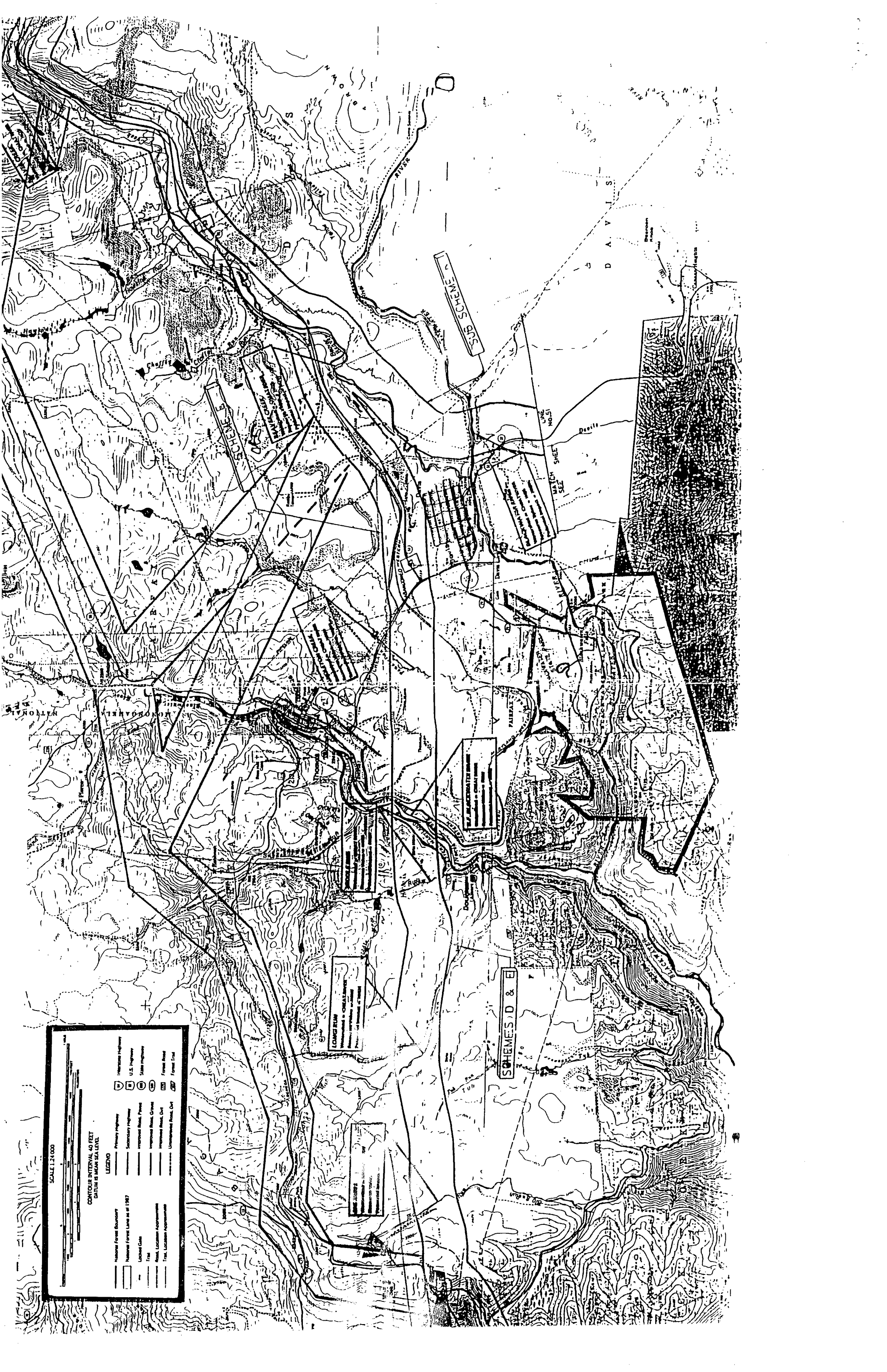
SCALE 1:24,000

CONTour INTERVAL 40 FEET  
DATUM IS MEAN SEA LEVEL

LEGEND

—	National Forest Boundary	—	Primary Highway
—	National Forest Lane as of 1987	—	Secondary Highway
—	Unimproved Road, Dirt	—	U.S. Highway
—	Unimproved Road, Gravel	—	State Highway
—	Unimproved Road, Out	—	Forest Road
—	Unimproved Road, Out	—	Forest Trail

(D) Dotted line symbol  
 (D) Dashed line symbol  
 (D) Solid line symbol  
 (D) Solid line with cross-ticks symbol  
 (D) Solid line with cross-ticks and dots symbol



DATE: 1/18/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**DATE:** January 18, 2001  
**SUBJECT:** INFORMATIONAL PUBLIC MEETING  
**PROJECT:** Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

The original route (crossing vicinity of Coketon)  
is the best route - cost wise & disturbance wise.

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(Please print the following information)

NAME: Michael Hedden

ADDRESS: 313 Walnut St.

Parsons WV 26287

ORGANIZATION (IF ANY): \_\_\_\_\_

**Comments are due February 13, 2001**

DATE: 1-2-01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**  
FEB 09 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I agree with the existing route that is the  
planned route. The study area is and would  
be a greater impact on the environment  
if utilized.

(Please print the following information)

NAME: Scott A. Maddo

ADDRESS: BAYARD, WV  
26707

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: Feb 1 00

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

FEB 08 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I AM IN FAVOR OF the Present  
Route For Corridor H Parsons to Davis  
this is the most COST EFFECTIVE considering  
All the other Alternatives

(Please print the following information)

NAME: John Martin

ADDRESS: P.O. Box 153

MT. Storm W.V. 26739

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: JAN. 30, 2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 31 2001

DATE: **January 18, 2001**  
SUBJECT: **INFORMATIONAL PUBLIC MEETING**  
PROJECT: **Appalachian Corridor H: Parsons to Davis  
Tucker County**

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I SUPPORT THE ORIGINAL PREFERRED BRIDGE ROUTE.

AFTER REVIEWING THE MAP OF PROPOSED ROUTES AND SEEING THE COSTS OF THESE

VARIOUS ROUTES, I CAN'T COMPREHEND CONSIDERING ROUTES WHICH COST TWICE

AS MUCH AND REQUIRE MUCH MORE TRAVEL TIME. NOT ONLY WILL THE DIRECT

ROUTE SAVE CONSTRUCTION TIME AND MONEY, IT WILL CONTINUE TO SAVE OUR

TOURISTS TIME AND MONEY FOR YEARS TO COME.

(Please print the following information)

NAME: BRENDA J. MCCOMAS

ADDRESS: P. O. BOX 2827

HUNTINGTON, WV 25727

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001



DATE: January 24, 2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

REC'D

JAN 25 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I am opposed to all routes EXCEPT LINE A - The old preferred route.

My reasons follow: 1) the old route is the cheapest and shortest 2) there are zero displacements 3) the old structures in Thomas CAN'T handle any

increased traffic. Quite recently the good people of Thomas requested that trucks not travel through their town when a local company planned to

move coal via truck to a power plant 4) It is absurd to avoid the North Fork of the Blackwater for ANY reasons. AML money has been well spent. The

place (garage at the proposed bridge site) has been reclaimed. Another AML  
Most important - I am a tax payer who sees no benefit whatsoever  
of avoiding the area at increased cost. The road is a MUST  
(Please print the following information)

NAME: John H. Mooney

ADDRESS: 596 Fairwood Road

Huntington, WV 25705

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

because existing RT 219, 90 and 93 are hazardous to drive. If I am killed in a wreck on RT 219 - where a good road needs to be constructed - I have instructed my wife to sue every environmental group involved in attempting to delay, resort or otherwise stop corridor H.

DDE

DATE: 2-01-01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**  
FEB 8 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

*I am in favor of the present route for  
Corridor H. This is the most cost efficient and  
I feel from knowing the areas involved to be  
least destructive to our present environmental  
conditions*

(Please print the following information)

NAME: JAMES MORRIS

ADDRESS: P.O. Box 167  
Bayard W<sup>o</sup> 26707

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001



DATE: 1-29-01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 30 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

I would like to express my support for the "Original Preferred"  
route for Corridor H. This route is more direct, less expensive  
to build, and will better serve the local area. Any adverse  
environmental impacts are imagined rather than real. It's a  
no-brainer, build the road as originally planned in this area.

(Please print the following information)

NAME: Joseph R. Newlon

ADDRESS: 2001 Olive Court

Milton, WV 25541

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

Mr. James E. Southern  
WV DOT Division of Highways  
1900 Kanawh Blvd  
Charleston, WV

RECEIVED

2/12/01

FEB 13 2001

ENGINEERING DIVISION  
WV DOH

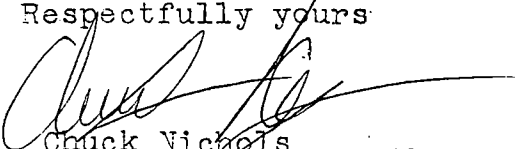
Dear Mr. Southern

As a member of the Corridor H Community Advisory Group based in the Davis/Thomas area, I would like to pass on to you some opinions of the group which I represent on this committee. After attending the meeting on Jan. 25 where Baker Associates explained the pros and cons of the Blackwater Avoidance Alternatives, I relayed this information to the board of directors of the Friends of the 500<sup>th</sup> on Feb 9. After discussion following my presentation I was requested to formally pass on the opinions of this board to the WV DOT.

1. The Blackwater Avoidance Area should be avoided. Therefore the 'original Preferred Route' should no longer be considered.
2. All efforts should be made to avoid the Tucker Co. Landfill. Not only should Highway and interchange construction not disturb the landfill but aesthetic consideration should be given to insure that visual exposure would not occur.

Thank you for your efforts in ascertaining what the public opinions are concerning these matters.

Respectfully yours:



Chuck Nichols  
Friends of the 500<sup>th</sup>  
Corridor H Community  
Advisory Group

**Kathy M. Phillips  
HG 64 Box 39  
Parsons, WV 26287**

**RECEIVED**

JAN 26 2001

Mr. Jim Sothen, PE  
Director, Engineering Division  
WV DOH, Capitol Complex  
Building 5 1900 Kanawha BLVD East  
Charleston, WV 25305-0430

ENGINEERING DIVISION  
WV DOH

January 24, 2001

Dear Mr. Sothen,

Recently my husband and I read information in the local papers concerning Corridor-H. We live a mile out of Parsons on RT. 72. We have been reviewing and compiling information on Corridor-H for some time now. We attended the workshop at the elementary-middle school on September 26, 2000. We reviewed the maps and talked to Mr. Clevenger who was very informative and helpful. He answered many questions and told us it looked like all the alternative routes would affect us one way or another, some of which would take our home. He mailed us the maps and the complete booklet outlining and explaining effects to us.

We have lived in our home for almost 14 years now and we like it here very much. We bought this land and built our home after the flood in 1985, in which we were flooded. It is very peaceful, private, and we feel safe. We own almost 39 acres and it is a wooded area with many trees and animals.

The worst fear we have is that the road will be located beside our home and it will ruin our peace, quiet and privacy. I realize the road will bring safety, better access and maybe new businesses and or help the existing ones that our here. I agree we need Corridor-H and I realize that someone is going to have to give something up. We would rather give up our home and land than be located beside the road itself. The best route would be the original and preferred one, which would not cause as much distress to others. I realize you are up against very hard circumstances with the environmentalists and their concerns for themselves, with no regard for human life and their livelihood.

I know there are many other people who do not want to give up their homes, which I can understand how they feel. Parsons is a small community and there are not many homes and or land left here to purchase or rent. We don't have the answers and realize it is a hard decision to make, and you can't please everyone all the time. I do ask that you consider all the options carefully.

We do appreciate you letting us voice our opinions. At this time our lives are standing still until a decision is made on the route. Suspense is hard, and you feel like you can't go on with your life until you have answer. We don't know whether to make improvements, plant trees, a garden, etc.

The sooner the results and the answer we all will be able to get on with our lives, whatever that brings.

Thank-You for your time and consideration,

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Phillips', with a long horizontal stroke extending to the right.

Kathy Phillips

Rt. 3 Box 360A  
Buckhannon, WV 26201  
Jan. 31, 2001

Mr. Jim Sothen, Director  
Engineering Division  
WV Division of Highways  
Capitol Complex Building Five  
1900 Kanawha Blvd East  
Charleston, WV 25305-0430

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FEB 01 2001

ENC.

Dear Mr. Sothen:

I have reviewed the Corridor H route alternatives in Tucker County. I prefer the southern route that has a path between Thomas and Davis.

Thank you for your efforts. You have our full and enthusiastic support to continue pursuing Corridor H full speed ahead.

Best regards,

Neal W Rohr

MY ADDRESS  
JOSEPH SAGACE  
103 PINEVIEW DR.  
THOMAS, WV 26292-9702

1/25/01

MR JIM SOTHEN  
PE DIR. WV DOH

RECEIVED  
THOMAS

JAN 26 2001

ENGINEERING DIVISION  
WV DOH

DEAR SIR

WILL YOU PLEASE SEND ME A  
(<sup>FREE</sup> COLORED MAP) OF THE THOMAS-DAVIS  
SECTION / CORRIDOR H. / THANK YOU  
J.S.

MY COMMENT

MR DAVID E CLEVINGER MADE A  
STATEMENT IN A MEETING AT  
BLACKWATER FALLS STATE PARK  
" HE HOPED THAT THE HIGHWAYS WILL  
BE OPEN FOR TRAFFIC THROUGH THE  
COUNTY IN TWO TO THREE YEARS, BUT  
WHEN ASKED WHAT THE REALISTIC DATES  
WOULD BE, HE ADDED THAT FIVE TO  
SEVEN YEARS IS REALLY MORE PROBABLE  
WE (THOMAS-DAVIS RESIDENTS) HAVE WAITED 36  
YEARS FOR CORRIDOR H. LET GET THIS  
HIGHWAY DONE AS SOON AS POSSIBLE SINCERELY  
Joseph Sagace

DATE: 2-6-01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

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FEB 08 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

The original route would provide the  
safest and most efficient interchange.  
The bridge near Douglas would be a tourist  
attraction. This area needs to have  
a beautiful intersection to promote  
the area and encourage development.

(Please print the following information)

NAME: Randy Schmiedeknecht

ADDRESS: PO Box 92

Davis, WV 26260

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: 1/18/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

~~BUILD IT ORIGINAL ROUTE~~

(Please print the following information)

NAME: Sandy Schmiedeknecht

ADDRESS: PO Box 92

Davis WV 26260

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001



DATE: 1/22/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 23 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

The TUCKER County Chamber of Commerce has taken a position regarding finishing Corridor "H" in as timely fashion as possible. Personally, the "Brown" route appears to be the most cost effective and less "invasive".

The forum was very informative!

(Please print the following information)

NAME: William Smith

ADDRESS: PO Box 146

DAVIS, WV 26260

ORGANIZATION (IF ANY): Chamber of Commerce & CVB

Comments are due February 13, 2001

DATE: 2/01/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

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FEB 08 2001

ENGINEERING DIVISION  
WV DOH

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

I AM IN FAVOR OF THE ORIGINAL ROUTE FOR  
CORRIDOR H. PARSONS TO DAVIS THIS SEEMS TO BE THE  
MOST FEASIBLE OF ALL ROUTES THAT ARE IN CONSIDERATION  
AND MOST COST EFFECTIVE!!

(Please print the following information)

NAME: Nathan Thompson

ADDRESS: HC 72 Box 87

New Creek WV 26743

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: 1/29/2001

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

JAN 30 2001

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

ENGINEERING DIVISION  
WV DOH

Please consider the following comments:

*I would like to express my opinion for support of the original preferred route for Corridor H in the Parsons to Davis section. The eight (8) alternatives studied and recently presented at the public meeting prove that the original route is the best the most practical, the only logical route and the most cost effective. The alternatives are more expensive, general and four (4) conflict with the landfill. The landfill is an important part of the area but should not be show cased by having a 4 lane road in such close proximity*

(Please print the following information)

NAME: Douglas N. Toothman

ADDRESS: 105 Woodfield Dr

Milton, WV 25541

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

DATE: 2-2-01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

**RECEIVED**

FEB 09 2001

ENGINEERING DIVISION  
WV DOH

DATE: January 18, 2001  
SUBJECT: INFORMATIONAL PUBLIC MEETING  
PROJECT: Appalachian Corridor H: Parsons to Davis  
Tucker County

Please consider the following comments:

I agree with the Existing Route for  
Corridor H. Parsons to Davis  
It would be less of an impact  
on the environment, and a much quicker  
and easier route to put in.

(Please print the following information)

NAME: Theodore Weasenforth

ADDRESS: PO Box 23  
Wt. Storm W.Va 26739

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due February 13, 2001

**October 23, 2001**  
**Public Information Workshop**  
**Canaan Valley Resort & Conference Center**  
**Davis, West Virginia**

NOTICE  
OF  
WORKSHOP PUBLIC MEETING  
ENDANGERED SPECIES AVOIDANCE ALTERNATIVES  
APPALACHIAN CORRIDOR H  
PARSONS TO DAVIS  
TUCKER COUNTY

The West Virginia Division of Highways will hold an informational public meeting on Tuesday, October 23, in the Pine Room of Canaan Valley Resort and Conference Center off WV 32 in Canaan Valley State Park in Tucker County on endangered species avoidance alternatives proposed for the Parsons-to-Davis segment of Appalachian Corridor H.

Scheduled in a workshop format from 4 to 7 p.m., the meeting will afford participants an opportunity to ask questions and state their views and opinions on the advantages and disadvantages of two alternative alignments being considered to avoid an area where the federally endangered northern flying squirrel was captured during summer 2001 surveys. Both alternatives begin to shift in the area north of or paralleling US 219 in the Big Run Bog, Tucker County High School area, with one generally paralleling US 219 to the Benbush area and the other looping back to the south to connect with the original preferred alignment at the western edge of the Blackwater Avoidance study area. Highways officials will present information and receive public input.

Those wishing to file written comments may send them to Jim Sothen, P.E., Director, Engineering Division, West Virginia Division of Highways, Capitol Complex Building Five, 1900 Kanawha Boulevard East, Charleston 25305-0430 on or before December 7, 2001.



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

**Bob Wise**  
Governor

**Fred VanKirk, P. E.**  
Secretary/Commissioner

**Jack White**  
Assistant Commissioner

FOR IMMEDIATE RELEASE  
October 23, 2001

**WVDOH CONDUCTS PUBLIC WORKSHOP ON PARSONS TO DAVIS  
SECTION OF CORRIDOR H**

Tucker County, W.Va. - The West Virginia Division of Highways (WVDOH) today hosted an informational public workshop to address additional avoidance alternatives and historic district issues for the Parsons to Davis section of the Corridor H project.

The meeting took place in the Pine Room of Canaan Valley Resort and Conference Center in Canaan Valley State Park from 4 to 7 p.m.

Representatives from both the WVDOH and Michael Baker, Jr., Inc., the environmental consulting firm for Corridor H, were available to address the proposed alternatives to avoid habitat of endangered species and address questions and comments from local residents.

State Highway Engineer Joe Deneault said, "In accordance with the 1999 Corridor H Settlement Agreement, we are developing the Supplemental Draft Environmental Impact Statement (SDEIS) for this section of the project. While we were completing the studies for the SDEIS, we found evidence of an

-more-

endangered species, the West Virginia Northern Flying Squirrel. As a result, we have added a new alignment study area to avoid and minimize impacts on the endangered species.”

According to Deneault, the WVDOH recently received a determination from the Keeper of the National Register of Historic Places declaring the Coketon Study Area and Blackwater Industrial Complex eligible for the National Register of Historic Places. Therefore, the WVDOH is also studying the potential impacts of the project to the Historic Coketon area.

“This finding could result in additional coordination with cultural resource agencies to determine the effect the project could have on the historic properties close to the project,” Deneault said. “We were here tonight to allow for public comment on the new alternatives, endangered species and historic district issues.”

For more information log on to the WVDOH’s web site dedicated to Corridor H at [www.wvcorridorh.com](http://www.wvcorridorh.com).



**Public Workshop & Hearing Sign-In Sheet**  
**Appalachian Corridor H (Blackwater Avoidance SEIS Study - Parsons to Davis)**  
 October 23, 2000 ~ 4 - 7 p.m., Canaan Valley State Park



By signing this sheet, you indicate that you attended this Public Workshop on the above stated date. If you wish to receive additional information as it becomes available, please provide us your mailing address. Addresses will not be used for any other purposes.

Name	Address	City, State, Zip	Organization (if any)
1. Don Smith	E	E/K.N.S	The Interc-Mountain News, pg. 201
2. Paula Kuersten	PO Box 673 - Canaan Valley, West Virginia	Davis, WV 26260	Canaan Valley Institute
3. June Grinn	Rt 1 Box 9A	Kerens WV 26276	myself
4. Merrill & Linda Kuersten	RR1: Box 48 - Kerens	Kerens, WV 26276-9108	myself
5. Wayne C. Piggie Sr	Box 97, Rt 2, Kerens	←	Candidate, State Senate
6. James L. Thomas	HC 70 Box 51	DAVIS, WV 26260	PLANNING COMMISSION
7. Doug Holthman	P.O. Box 2827	Huntington WV 25727	WPPFP
8. Don Blak	HC 60 Box 98	THOMAS 26292	CORTLAND
9. Chuck Merrill	Rt 1 Box 99B	Kerens 26276	Corr. A. AIT
10. Robert McClain	Rt 1 Box 654	Milton 25541	
11. Jeanie Perry	2475 Midland Tr.	ON A, 25545	
12. Rhonda Perry	51 Hickory Dr.	B'field 25504	
13. Jim Embury	P.O. Box 319	Thomas WV 26292	Tucker Co. Commission
14.			
15.			
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22.			

DATE: 23 OCT 01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

Thank You For Having This  
Work Shop. IT CLARIFIED  
SEVERAL ISSUES FOR ME.

DATE: **October 23, 2001**  
SUBJECT: **WORKSHOP PUBLIC MEETING**  
PROJECT: **Appalachian Corridor H - Blackwater Avoidance**  
**Parsons to Davis**  
**Tucker County**

Please consider the following comments:

- AVOIDANCE OF HISTORIC BATTLEFIELDS, VISUAL/AUDITORY ENCROACHMENT ON BLACK WATER CANYON, WET LANDS AND NFS HABITAT IS IMPORTANT.
- NFS HABITAT, DEPENDANT AS IT IS ON CERTAIN STANDS OF FIR, COULD BE EXPANDED VIA PROTECTED PLANTATIONS.
- SINCE A COMPREHENSIVE BLOCK BY BLOCK TRAPPING PROGRAM HAS NOT BEEN DONE, THE NFS MAY BE COMMON IN THIS AREA.
- PRESERVATION OF THE COKE TON AREA MINING ARTIFACTS SHOULD BE PLACED IN A VERY LOW PRIORITY CATEGORY.
- CORRIDOR H COMPLETION IS IMPERATIVE. IT SHOULD UNLOCK CERTAIN ECONOMIC DEVELOPMENT ESSENTIAL TO THIS COMMUNITY'S FUTURE.
- A MODIFIED SOUTHERN ROUTE WHICH ACCOMPLISHES THE ABOVE GOALS IS THE MOST PREFERRED, IN MY OPINION.

(Please print the following information)

NAME: WAYNE C SPIGGLE, MD

ADDRESS: Box 97 RT 2  
KEYSER W.V. 26726

ORGANIZATION (IF ANY): \_\_\_\_\_

Comments are due December 7, 2001

Norse

DATE: 12/03/01

Mr. James E. Sothen, P.E.  
Director of Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RECEIVED

DEC 05 2001

ENGINEERING DIVISION  
WV DOH

DATE: October 23, 2001  
SUBJECT: WORKSHOP PUBLIC MEETING  
PROJECT: Appalachian Corridor H - Blackwater Avoidance  
Parsons to Davis  
Tucker County

Please consider the following comments:

Gentlemen,

I am a member of the Corridor H Community Advisory Group and it is my opinion that for reasons too numerous to repeat that the original alignment is by far the best and most logical. I am active in a number of civic organizations such as Tucker County Convention and Visitors Bureau, Tucker County Chamber of Commerce, Tucker County Emergency Ambulance Authority and the Tucker County Rotary Club. And I have found that most of my associates in these organizations agree with the position as stated above.

(Please print the following information)

NAME: Murray G. Dearborn  
ADDRESS: P.O. Box 37  
Davis, WV 26260

ORGANIZATION ( IF ANY): See Above

Comments are due December 7, 2001

**Section 106**  
**Coordination & Correspondence**



WEST VIRGINIA DIVISION OF  
CULTURE AND HISTORY

September 4, 1996

Mr. Norman H. Roush  
Division of Highways  
Building 5, Room 109  
Capitol Complex  
Charleston, WV 25305

RE: Corridor H - Management  
Summary - Section 13  
FR: 91-246-MULTI

Dear Mr. Roush,

We have reviewed the following report: "Phase I Archaeological Investigations in the Appalachian Corridor H Project Area - Management Summary - Section 13", submitted by Michael Baker, Jr., Inc.. In accordance with Section 106 of the National Historic Preservation Act, we submit our comments on the above referenced project.

According to the report, one archaeological site, the Gnegy Site was identified. It is our understanding that field investigations were interrupted when investigators were barred from conducting further field work. In addition, approximately 3.7 miles or 42% of Section 13 remains unsurveyed because access was denied by property owners.

Therefore, it is our opinion that additional shovel testing be conducted to determine the boundaries of the Gnegy Site. Once this additional work has been conducted, our office will make a determination on whether Phase II investigations are necessary. In addition, the remainder of the project area must be surveyed once access to the property has been acquired.

We appreciate the opportunity to be of service. If you have any questions, please contact Patrick Trader, Senior Archaeologist.

Sincerely,

Susan M. Pierce  
Deputy State Historic Preservation  
Officer for Resource Protection

SMP:PDT



U.S. Department of Transportation

Federal Highway Administration

West Virginia Division

Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301  
(304) 347-5928

March 8, 1999

IN REPLY REFER TO:

Determinations of Eligibility, Sections 12-13  
Appalachian Corridor H  
Federal Project No. APD-0484 (059)  
State Project No. X142-H-38.99  
Tucker County, West Virginia

369 4856



Carol Shull, Keeper  
National Register of Historic Places  
800 North Capitol St., NE  
Suite 400  
Washington, DC 20002

Dear Ms. Shull:

Enclosed please find a copy of the final Determination of Eligibility Report for Sections 12-13 of the Appalachian Corridor H highway project in Tucker County, West Virginia, dated March 1999. The report presents our findings regarding National Register eligibility and boundaries for architectural and historical resources in the area of potential effect (APE) for Sections 12-13 of Corridor H, except for resources contained within the Coketon Study Area, which will be addressed in a separate submission. With this letter, we are requesting determinations of eligibility, non-eligibility, and boundaries for the properties discussed in the report, pursuant to 36 C.F.R. § 63.2.

This report evaluates six individual resources in Tucker County and concludes that each of them is ineligible for the National Register. The report also evaluates two potential historic districts, in the Davis and Hambleton areas in Tucker County, and concludes that neither area contains an eligible historic district. Finally, the report evaluates the West Virginia Central & Pittsburgh (WVC&P) Railroad and concludes that it is eligible as a discontinuous historic district, under Criteria A and C, with boundaries drawn to include the historic engineering structures but to exclude the rail-less railroad grade, which no longer has sufficient integrity to contribute to the resource. This finding is consistent with your office's determination of eligibility for the portion of the WVC&P railroad that is located in Sections 14-16 of Corridor H (December 1997).

In a letter dated November 16, 1998, the West Virginia State Historic Preservation Officer (SHPO) concurred in all of the proposed findings of eligibility and non-eligibility in the report. (Please refer to Appendix C for copies of the SHPO's correspondence.)

In addition to the SHPO's comments, we also received comment letters from two consulting parties in the Section 106 process, the Monongahela National Forest (MNF), which has jurisdiction over some of the land covered by this report, and Corridor H Alternatives, Inc., a citizens group. (Please refer to Appendix D for copies of this correspondence.) These comment letters questioned the report's findings regarding the Coketon Study Area. Responses to those comments will be included in a separate submission regarding the Coketon Study Area, which will include archeological studies of the resources remaining in the area. These archeological studies will examine the ruins of the former mining operations in the Coketon area, and therefore will provide a more complete record for determining the potential for a historic district and/or individually eligible resources in that area.

Thank you for taking the time to examine our findings regarding the National Register eligibility of cultural resources in Sections 12 and 13 of the Appalachian Corridor H highway project. If requested, we would be pleased to accompany you and/or your staff on a field view of any of the resources evaluated in this report. If you have any questions or need further documentation, or if you would like to arrange a field view, please call me or David Leighow at (304) 347-5928. We look forward to receiving your determination within the 45-day review period. Thank you for your attention to this matter.

Sincerely yours,

**SGD. DAVID A. LEIGHOW**

David A. Leighow  
Environment/Civil Rights/Right of Way Team Leader

Enclosure

//  
cc: File, Reading  
DALeighow:oj, 030499  
(s:\dal\corr\12-13.wpd)

# Advisory Council On Historic Preservation

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The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #808  
Washington, DC 20004

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JUN - 9 1999

Mr. Samuel G. Bonasso, P.E.  
Secretary, West Virginia  
Department of Transportation  
1900 Kanawha Boulevard  
Building Five, Room 110  
Charleston, WV 25305-0430

Ref: Appalachian Corridor H  
Federal Project APD-0484(059)  
West Virginia

Dear Mr. Bonasso:

This letter follows up our earlier response to your concerns regarding the Council's handling of effects determinations. You raised concerns as to whether Council staff adhered to two basic legal principles: the Council's regulations implementing Section 106 of the National Historic Preservation Act and the Administrative Procedures Act.

We have carefully reviewed the position paper you provided which is clearly the product of considerable thought by your department. While we commend your efforts, we are, regrettably, at odds with your analysis and resulting conclusions. The issue of setting can present challenges to those involved in assessing how projects may affect historic properties. Existing guidance and accumulated experience offer some direction; however, all such professional judgements remain somewhat subjective and must be tempered by a healthy dose of common sense.

First the evaluation process: National Register guidance, as quoted in your paper, does state that property boundaries should include the surrounding land that "*contributes to the significance of the resource by functioning as its setting.*" You also cite the National Register Manual for State Historic Preservation Review Boards which directs that boundaries should include "*all the aspects or qualities that contribute the [the property's] significance.*" Underlying this National Register guidance is the fundamental principle that historic properties cannot be understood or appreciated if divorced from the environment in which they exist. The relationship of an historic property to its surroundings, and the historical and visual integrity of that relationship, are important factors in defining the geographic and three dimensional nature of the property as it exists today.



National Register guidance states that the physical features that constitute the setting of a historic property can be either natural or manmade including such elements as: topographic features (a gorge or the crest of a hill); vegetation; simple manmade features (paths or fences) and relationships between buildings and other features or open space. It further states that these features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its *surroundings* (*How to Apply the National Register Criteria for Evaluation*, p. 45).

In the context of the Council's regulations, the environment comprising a property's setting extends beyond the visual to audible and atmospheric elements. For this reason, these elements are included in the consideration of impacts to setting, and it is within our purview to consider them as part of the environment. It is our view, one informed by the Council's Criteria of Effect and years of experience working with a wide range of properties, that any discussion of setting must recognize current noise conditions as part of the environment. Your reading that ambient noise levels are somehow separate from the setting is incorrect.

With regard to determining how properties are affected; unfortunately, your reference to the Council's regulations is repeatedly misquoted throughout your letter which may have led to your confusion about the appropriate application of those regulations. The Criteria of Effect (36 CFR § 800.9(a)) specifically cites location, setting, and use as factors which should be considered in addition to a property's significant characteristics in determining effect. The Criteria of Adverse Effect (36 CFR § 800.9(b)) states: "*An undertaking is considered to have an adverse effect when the effect on a historic property may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association....*" The Council has consistently determined that introduction of a major modern engineering feature, such as a 150-foot double span overpass or a massive berm in close proximity to an historic structure in a substantially pristine setting, is an adverse effect. This finding is consistent with your paper's method of considering dominant elements in the viewshed of an historic structure, and it is consistent with professional preservation practice.

The Council's interpretation of this issue of setting has never been "*if you can see it, then it's an adverse effect*" as suggested by your paper. We agree that a highway visible "*in the distance*" to a person standing on the front step of an historic property might not, in itself, be considered an adverse effect. However, we do not agree that a highway located a mere 100, 200 or even 300 feet from that property is "*in the distance*," particularly when that intrusive element is larger in scale than it is distant from the property. Such a structure becomes, according to your methodology, the dominant feature in the viewshed, intrusive and out of character with a relatively intact rural setting.

We also take exception to your allegation that Council staff did not adhere to the Administrative Procedure Act. We refer you to our correspondence dated December 15, 1998 (copy enclosed), which contains a specific discussion of your misinterpretation of the concept of setting and its relationship to historic properties. In the context of that discussion, we believe our notation of

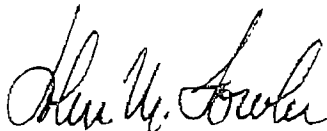
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proximity and scale of the proposed construction within these rural surroundings would lead a reasonable observer to conclude that these structures would constitute an intrusion within the setting, changing the character of a historic property's relationship with its surroundings. We maintain that decisions made in this case were consistent with the governing legal standards, as well as with previous decisions made by the Council.

We regret the delay in responding; however, we have recently learned that you chose to widely distribute your letter to others without providing any notice to the Council. Consequently, we would appreciate receiving a list of parties and addresses to which your letter was directed so we might share our response with them. Since responsibility for making the determinations in question lies with the Federal Highway Administration, any further communication regarding the issues you have raised should also include their views.

We welcome any opportunities to discuss these issues further and would certainly be willing to meet with you and your staff for that purpose. We recommend that any further meeting to address these questions includes representatives of the Federal Highway Administration and the National Register. You may contact me at (202) 606-8505 should you wish to set up a mutually agreeable time to meet. We look forward to continuing the good working relationship among our respective staffs.

Sincerely,



John M. Fowler  
Executive Director

Enclosure



WEST VIRGINIA DIVISION OF  
CULTURE AND HISTORY

September 16, 1999

Mr. James Sothen  
Division of Highways  
Building 5, Room 110  
Capitol Complex  
Charleston, WV 25305

RE: Appalachian Corridor H, Sections 8,9,10,12, and 13  
State Project X142-H-38.99 02  
FR#: 91-246-MULTI-128

Dear Mr. Sothen:

We have reviewed the "Additional Cultural Resources Documentation" report for Sections 8, 9, 10, 12, and 13 of Appalachian Corridor H. As required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

In June 1996, West Virginia Division of Highways (WVDOH) submitted determinations of National Register eligibility reports for cultural resources in Sections 8, 9, 10, 12, and 13 of the Appalachian Corridor H Project to the West Virginia State Historic Preservation Office (WVSHPO) for review. We commented on the report in a December 30, 1998, letter. In this letter, we concurred with WVDOH's evaluations for the cultural resources located within the study sections. Our comments were forwarded to the Keeper of the National Register for her appraisal.

The Keeper made final judgements of National Register eligibility and expressed them in an April 16, 1999, memorandum. She agreed with most of the original determinations, however, the Keeper differed with WVDOH and WVSHPO on five resources. These resources are: Folk Victorian House (L1-01), Old Allegheny Church of the Brethren (116-03), Greenland Gap, the Hambleton Study Area (158-22), and the Davis Study Area (012-01). An eligibility recommendation for an additional resource, the Coketon Study Area, was deferred until further archaeological investigation was conducted. The current report addresses the results of this analysis and forwards an eligibility determination for the Coketon Study Area.

**Architectural Resources:**

Folk Victorian House (L1-01): This resource, determined eligible by the Keeper of the National Register in the April 16, 1999, memorandum, is located outside the Area of Potential Effect (APE) for the Appalachian Corridor H project. As a result, a National Register boundary was not proposed for this property. Unless the Preferred Alignment changes, no further work is necessary for this resource.

Old Allegheny Church of the Brethren (116-03): This resource was determined eligible for the National Register by the Keeper in her April 16, 1999, memorandum. The report prepared by Michael Baker, Jr., Inc. recommends that the current ½ acre tax parcel serve as the National Register boundary for this resource. This demarcation includes the church and enough surrounding land to convey the property's historic setting. We concur with this boundary.

Hambleton Study Area (158-22): In her April 1999, memorandum, the Keeper requested additional information regarding the possibility of a National Register historic district in Hambleton. Baker revisited the subject area and again determined that the existing building stock in Hambleton does not retain sufficient integrity to convey the community's history. We agree and reiterate our determination of ineligibility for the Hambleton Study Area as a historic district that we first expressed in a November 16, 1998, letter. Although Hambleton does not contain a historic district, there are extant individual resources potentially eligible for the Register. Chief among these is the West Virginia Central & Pittsburg (sic) Railroad. Baker identifies the railroad as National Register eligible in their initial report for Sections 12 and 13, and again in the current report (page 147). We expressed our concurrence in the November 16, 1998, correspondence. Please recommend boundaries for the West Virginia Central & Pittsburg Railroad and include it in the upcoming Criteria of Effects report.

Davis Study Area (012-01): In her April 1999, memorandum, the Keeper requested additional information regarding the possibility of a National Register historic district in Davis. Baker revisited the subject area and again determined that the existing building stock in Davis does not retain sufficient integrity to convey the community's history. We agree and reiterate our determination of ineligibility for the Davis Study Area as a historic district that we first expressed in a November 16, 1998, letter.

#### **Archaeological Resources:**

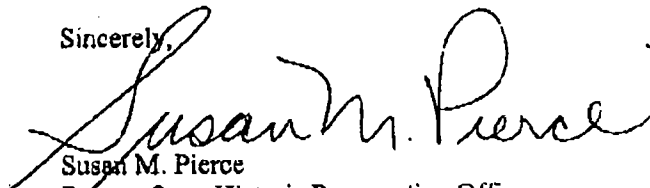
We concur with the consultant's recommendation that the Coketon Study Area be considered eligible for inclusion in the National Register under Criterion D. The presence of intact subsurface deposits grants this study area the potential to provide significant information concerning the coal industry at the turn of the century. We recommend additional investigation of the "Liquorman's House" site prior to further development. The current boundary around this site is unclear based upon report maps, and appears to greatly exceed the areas where subsurface testing was conducted. Later discussion of the site indicates that the boundary includes visible surface scatter, yet the ephemeral nature of a surface scatter does not usually lend itself to a determination of eligibility. If the boundary is to remain extensive, we recommend that the surrounding area be shovel tested in order to justify this determination. We also ask that the report be amended to justify the boundaries established for the "Powerhouse" and "Miners Rowhouse" sites. Although charts in table 2-19 explain the boundaries, reasons for their establishment are not clearly stated within the text. As stated in our letter dated November 16, 1998, we concur with the recommendation that the Coketon Study area be considered eligible under Criterion A, but in concert with similar resources in the Douglas and Thomas areas. We are not opposed to the establishment of a "discontiguous" historic archaeological district, but withhold acceptance of the current boundaries until the above mentioned amendments are addressed.

Page 3  
September 16, 1999  
Mr. James Sothen

Regarding Greenland Gap, we are of the opinion that none of the archaeological resources identified in this area are representative of Civil War-related activities. No further archaeological investigation is necessary.

We appreciate the opportunity to be of service. If you have questions regarding our comments or the Section 106 process, please call Marc Holma, Structural Historian, or Joanna Wilson, Senior Archaeologist, at (304) 558-0220.

Sincerely,



Susan M. Pierce  
Deputy State Historic Preservation Officer

SMP:mh, jlw



**WEST VIRGINIA DIVISION OF  
CULTURE AND HISTORY**

November 19, 1999

Mr. James Sothen  
Division of Highways  
Building 5, Room 110  
Capitol Complex  
Charleston, WV 25305

RE: Corridor H, Sections 11,12 & 13  
State Project X142-H-38.99 C-2  
FR#: 92-146-MULT-138

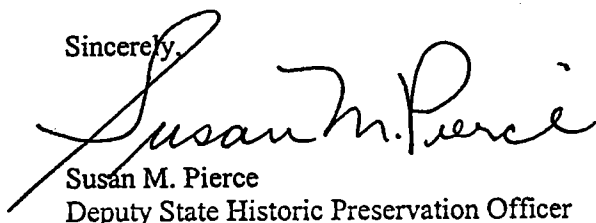
Dear Mr. Sothen:

We have reviewed the Phase I investigation report for the above mentioned project. As required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties", we submit our comments.

The report satisfactorily addresses our concerns regarding the presence of cultural resources within the project area, although we understand that landowner permission was not granted for two portions of the survey area and as such they were not surveyed. Phase I survey of the remainder of the project area located no archaeological materials. We will complete our review of this section upon receipt of survey results from the portion of Section 13 and the access ramp in Parcel T285-22.

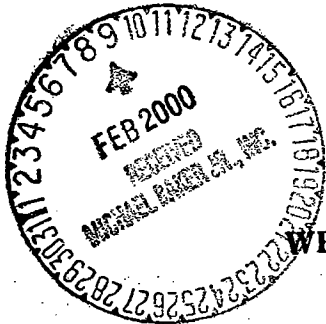
We appreciate the opportunity to be of service. If you have questions regarding our comments or the Section 106 process, please call Joanna Wilson, Senior Archaeologist, at (304) 558-0220 extension 146.

Sincerely,

  
Susan M. Pierce  
Deputy State Historic Preservation Officer

SMP:jlw

McCARTNEY BAKER



**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Cecil H. Underwood  
Governor

Samuel G. Bonasso, P.E.  
Secretary

Samuel H. Beverage, P.E.  
Commissioner of Highways

Thomas F. Badgett  
Assistant Commissioner

February 4, 2000

Ms. Susan Pierce  
State Historic Preservation  
Officer for Resource Protection  
Division of Culture and History  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305

Dear Ms. Pierce:

State Project X142-H-38.99  
Federal Project CHI-484(59)  
FR#: 91-246-MULTI-144  
Appalachian Corridor H, Sections 8, 9, 10, 12, and 13

Your letter, dated January 28, 2000, concerning the cultural resources documentation of Sections 8, 9, 10, 12, and 13 of the subject project, has been received. In the report, the boundary of the West Virginia Central and Pittsburg (sic) Railroad (WVC&P), which merged with the Western Maryland Railroad in 1905, was labeled in the Coketon area but not clearly shown in the Hambleton area. In the Coketon area, the WVC&P is in closer proximity to the preferred alternative and has been previously determined by the Keeper of the National Register of Historic Places to be a potentially contributing resource in the Coketon Study Area. In Hambleton, the WVC&P is located outside of the area of potential effect and is not a contributing resource to a larger study area, as your office has determined that the area is not eligible as a historic district. Nevertheless, the WVC&P is an individual National Register eligible property and has a boundary equal to the boundary shown for the railroad in the Coketon area which encompasses the current railroad right of way. A map showing the boundary for the WVC&P is attached.

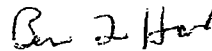
The boundaries for the properties known as the Liquorman's House, Powerhouse, and Miner's Rowhouse are further justified by the addition of Page 132.1, which is attached and will be included in the document. In brief summary, the Powerhouse boundary was delineated by reclamation, the riverbank, historic mapping, and foundation

**Ms. Susan Pierce**  
**Page 2**  
**February 4, 2000**

remnants. The Liquorman's House boundary was developed to include visible surface artifacts. The Miner's Rowhouse was delineated by positive test probe locations.

The Division of Highways requests your concurrence with these boundaries. Should you have any questions, please do not hesitate to contact Mr. Mike Wilson of our Environmental Section at 558-2885.

Very truly yours,



*for* **James E. Sothen, P.E., Director**  
**Engineering Division**

**JES:Hs**

**Attachments**

**cc: Bill McCartney, Michael Baker, Jr., Inc.**  
**Katry Harris, Michael Baker, Jr., Inc.**

**bcc: DDE(MW), DD(MF)**



MW



**WEST VIRGINIA DIVISION OF  
CULTURE AND HISTORY**

February 15, 2000

Mr. James Sothen  
Division of Highways  
Building 5, Room 110  
Capitol Complex  
Charleston, WV 25305

RE: Corridor H, Sections 8,9,10  
12 & 13  
FR#: 91-246-MULTI-146

Dear Mr. Sothen:

We have reviewed the additional information submitted for the above mentioned project. As required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

Architectural Resources:

In our January 28, 2000 letter we requested a National Register boundary recommendation for the West Virginia Central and Pittsburg (sic) Railroad located in the Hambleton Study Area. This information was submitted on February 4, 2000 and is the subject of the current correspondence. We concur with the demarcation for the WVC&P Railroad as illustrated in the map that accompanied your aforementioned letter. As described in that letter, the boundary "encompasses the current railroad right of way." This is interpreted as meaning the rails and ties, the grade, and all railroad related hardware such as switches, signals, and trestles.

Archaeological Resources:

The addendum satisfactorily addresses our concerns regarding the boundaries for the Liquorman's House, Powerhouse and Miner's Rowhouse sites. We find that the consultant has justified these decisions adequately, and we concur with the boundaries as they stand. We appreciate the attention given to this matter.

We appreciate the opportunity to be of service. If you have questions regarding our comments or the Section 106 process, please call Marc Holma, Structural Historian, or Joanna Wilson, Senior Archaeologist, at (304) 558-0220.

Sincerely,

Susan M. Pierce  
Deputy State Historic Preservation Officer

SMP:mb/jlw

THE CULTURAL CENTER • 1900 KANAWHA BOULEVARD, EAST • CHARLESTON, WEST VIRGINIA 25305-0300  
TELEPHONE 304-558-0220 • FAX 304-558-2779 • TDD 304-558-3562  
EEO/AA EMPLOYER



WEST VIRGINIA DIVISION OF  
CULTURE AND HISTORY

RECEIVED

NOV 03 2000

October 27, 2000

Mr. James Sothen  
Division of Highways  
Building 5, Room 110  
Capitol Complex  
Charleston, West Virginia 25305

ENGINEERING DIVISION  
WV DOH

RE: Parsons to Davis  
State Project X142-H-38.99 C2  
FR#: 91-246-MULTI-175

Dear Mr. Sothen:

We have reviewed the Determination of Eligibility report for the above mentioned project. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

Architectural Resources:

A windshield survey of the project's Area of Potential Effect (APE) identified twenty resources fifty years old or older. This number includes seven properties identified in the ASDEIS as requiring further consideration for National Register evaluation, two archaeological sites, and two cemeteries. The current eligibility report addresses all twenty architectural resources within the APE. We will address the two archaeological sites and two cemeteries below. The remaining sixteen architectural resources are *not eligible* for listing in the National Register of Historic Places. They lack architectural distinction, have been greatly altered, and/or exhibit no evidence of any association with a significant historic event or individual.

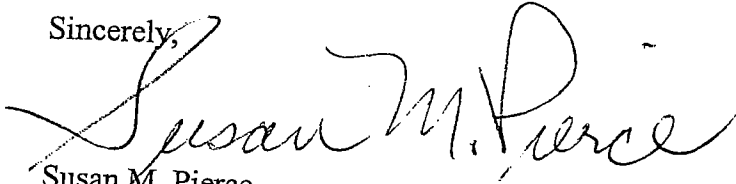
Archaeological Resources:

In reference to resource number BW-013 (slab foundation), we concur with the consultant's recommendation that the site lacks integrity, and is unlikely to provide additional significant information. It is *not eligible* for inclusion in the National Register. The Mt. Calvary Catholic Cemetery (Bw-018) and Rosehill Cemetery (BW-020), though of historic interest, do not meet the Criteria Considerations for eligibility and are *not eligible* for inclusion in the National Register. Regarding the West Virginia Central and Pittsburg [sic] Railroad, we concur with the determination of eligibility, and support the inclusion of additional components should such be encountered during future archaeological investigation.

Mr. James Sothen  
Parsons to Davis  
October 27, 2000  
Page 2

*We appreciate the opportunity to be of service. If you have questions regarding our comments or the Section 106 process, please call Marc Holma, Senior Structural Historian for Review and Compliance, or Joanna Wilson, Senior Archaeologist, at (304) 558-0220.*

Sincerely,

A handwritten signature in cursive script that reads "Susan M. Pierce". The signature is written in dark ink and is positioned above the typed name and title.

Susan M. Pierce  
Deputy State Historic Preservation Officer

SMP: mh/jlw



WEST VIRGINIA DIVISION OF  
CULTURE AND HISTORY

January 17, 2001

RECEIVED

JAN 26 2001

Mr. James Sothen  
West Virginia Division of Highways  
Building 5, Room 110  
Capitol Complex  
Charleston, WV 25305

ENGINEERING DIVISION  
WV DOH

RE: Appalachian Corridor H, Section 10 & 11  
State Project X142-H-38.99  
FR#: 91-246-MULTI-183

Dear Mr. Sothen:

We have received the Baker memorandum and additional information for the Coketon Study Area. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

We appreciate Ms. Harris' efforts to respond to the Keeper's questions regarding this resource area. We concur with her determination that reclamation activities, while destructive to some aspects of the area, have not negatively affected the resource's potential to provide significant archaeological information. It is our opinion, therefore, that the Coketon Resource Area remains eligible for inclusion in the National Register of Historic Places under Criterion D for its information potential. We also concur with the proposal that both the Coketon Resource Area and the Blackwater Industrial Complex be considered discontinuous historic districts due to recent alterations to the landscape.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please call Marc Holma, Senior Structural Historian for Review and Compliance, or Joanna Wilson, Senior Archaeologist, at (304) 558-0220.*

Sincerely,

  
Susan M. Pierce  
Deputy State Historic Preservation Officer

SMP:jlw

cc: State Historic Preservation Officer Lou Capaldini  
Deputy State Historic Preservation Officer Susan M. Pierce



U.S. Department  
of Transportation

Federal Highway  
Administration

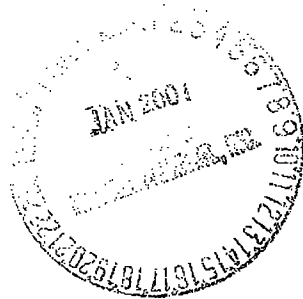
West Virginia Division

Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301  
(304) 347-5928

January 22, 2001

IN REPLY REFER TO:

Federal Project APD-0484(059)  
State Project X142-H-38.99  
Corridor H - Parsons to Davis  
Request for Eligibility Determinations  
Tucker County



Randolph T. Epperly, Jr., P.E.  
Deputy State Highway Engineer -  
Project Development  
West Virginia Division of Highways  
Charleston, WV 25305

Dear Mr. Epperly:

By letter dated December 6, 2000, the Federal Highway Administration submitted a Determination of Eligibility report to the National Register of Historic Places for the Parsons to Davis section of the Appalachian Corridor H highway project. Enclosed is a copy of their response to the submission.

If you have any questions or comments concerning this information, please contact me at (304) 347-5268 or via e-mail at [Henry.Compton@fhwa.dot.gov](mailto:Henry.Compton@fhwa.dot.gov).

Sincerely yours,

**Sgd. Henry E. Compton**

Henry E. Compton, P.E.  
Right of Way & Environment Specialist

Enclosure

cc: File, Reading, HEC  
HEC:012201



# United States Department of the Interior

NATIONAL PARK SERVICE  
 1849 C Street, N.W.  
 Washington, D.C. 20240

IN REPLY REFER TO: 2280

A	I	Int.	A	I	Int.
		Dir. Administrator			Admin. Coordinator/Sec.
		Asst. Dir. Admin.			Admin. Coordinator
		Operations Mgt. Eng.			Admin. Assistant
		Financial Manager			AE-1 Design
		Planning/Safety Eng.			AE-2 Operations
		Structures/Res. Eng.			AE-3 Materials
		ROM/Envir. Eng.			Asst. Structures/Res. Eng.
		Safety/Traffic Eng.			Director's Assistant
		Trans. Specialist			Director's Office
		Library			Director's Office
					Director's Office

To: Henry E. Compton  
 Right of Way and Environment Specialist  
 FHWA  
 WV Div  
 Geary Plaza, Suite 200  
 700 Washington St., E  
 Charlestown, WV 25301

The Director of the National Park Service wishes to inform you of our determination pursuant to the National Historic Preservation Act, as amended, and Executive Order 11593 in response to your request for a determination of eligibility for inclusion in the National Register of Historic Places. Our determination appears on the enclosed material.

As you know, your request for our professional judgment constitutes a part of the Federal planning process. We urge that this information be integrated into the National Environmental Policy Act analysis and the analysis required under section 4(f) of the Department of Transportation Act, if this is a transportation project, to bring about the best possible program decisions.

This determination does not serve in any manner as a veto to uses of property, with or without Federal participation or assistance. The responsibility for program planning concerning properties eligible for the National Register lies with the agency or block grant recipient after the Advisory Council on Historic Preservation has had an opportunity to comment.

Attachment



# United States Department of the Interior

## NATIONAL PARK SERVICE

1849 C Street, N.W.  
Washington, D.C. 20240

IN REPLY REFER TO:

### DETERMINATION OF ELIGIBILITY NOTIFICATION

#### National Register of Historic Places National Park Service

**Project Name:** Appalachian Corridor H-Parsons to Davis

**Location:** Tucker County

**State:** WV

**Request submitted by:** Henry E. Compton, P.E., Right of Way and Environ. Spec., FHWA

**Date received:** 12/07/00

**Additional information received:**

Name of property	SHPO opinion	Secretary of the Interior's opinion	Eligibility	Criteria
BW-007	NE	Not eligible		
BW-008	NE	Not eligible		
BW-010	NE	Not eligible		
BW-011	NE	Not eligible		
BW-012	NE	Not eligible		
BW-013	NE	Not eligible		
BW-014	NE	Not eligible		
BW-015	NE	Not eligible		
BW-016	NE	Not eligible		
BW-017	NE	Not eligible		
Mt. Calvary Cemetery (BW-018)	NE	Not eligible		
WV Central & Pittsburg RR (BW-019)	E	Eligible		A & C
BW-020	NE	Not eligible		
ILM-01	NE	Not eligible		
ILM-02	NE	Not eligible		
ILM-03	NE	Not eligible		
ILM-04	NE	Not eligible		
ILM-05	NE	Not eligible		
ILM-06	NE	Not eligible		
ILM-07	NE	Not eligible		

SEE ATTACHED COMMENTS

  
Keeper of the National Register

Date: 1/17/01

**Appalachian Corridor H--Parsons to Davis  
Tucker County, WEST VIRGINIA**

Reviewer's Comments:

West Virginia Central and Pittsburg Railway

We have already determined that the railroad is eligible for listing under Criteria A and C as a discontinuous historic district.

Based on the photographs submitted with this report, this section of the railroad does not appear to be eligible as a contributing linear element within the WVC&P district. In our decision of April 16, 1999, we stated that the portion of the railroad included in the Hambleton to Davis portion of the Corridor H project appeared to be clearly defined and identifiable as a railroad roadbed and that "those portions of the roadbed that retain these character-defining features should be considered contributing to the significance of the district."

The photographs of this portion of the railroad appear to show a roadbed that is not clearly defined and has lost its character as a railroad right-of-way. This portion of the railroad appears to resemble the roadbed in Sections 13, 14, and 15, which we determined to have lost its ability to convey its historic significance.

Based on the information available to us, the only resource which appears to qualify as an individually contributing element in the WVC&P historic district is the stone arched bridge over an unnamed tributary of the North Fork of the Blackwater River near William (shown in photos on page B-43). The other individual components identified on page 30 either lack sufficient information to substantiate their significance or are the partial remains of structures that have lost their integrity.

Marilyn Harper  
Historian  
National Register of Historic Places  
January 17, 2001





U.S. Department  
of Transportation

Federal Highway  
Administration

West Virginia Division

Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301  
(304) 347-5928

February 14, 2001

**RECEIVED**

FEB 16 2001

ENGINEERING DIVISION  
WV DOH

IN REPLY REFER TO:

Federal Project APD-0484(059)  
State Project X142-H-38.99  
Corridor H - Coketon Study Area  
Supplemental Information  
Tucker County

Carol Shull, Keeper  
National Register of Historic Places  
1849 C Street, NW  
Washington, DC 20240

Dear Ms. Shull:

By letter dated February 14, 2000, the Federal Highway Administration (FHWA) submitted a Determination of Eligibility (DOE) report for resources within the former Sections 8, 9, 10, 12 and 13 of the Appalachian Corridor H highway project in Grant and Tucker Counties, West Virginia. By memo dated March 31, 2000 (copy enclosed), your office responded to our request and concurred with five of the six findings presented in the DOE report. For one resource, Coketon Study Area, your office requested additional information to support our contention the Coketon Study Area remains eligible for the National Register of Historic Places. In response to your request, the enclosed report has been developed.

Tab 1 of the report contains a memorandum that has been developed to reply to the specific concerns and/or issues raised in your March 31 memo. Directions for utilizing the overlay of the 1992 base mapping prepared for the Douglas and Albert Highwall projects are located in Tab 2. Tab 3 holds figures 1-5 referred to in the explanatory memo. Tab 4 contains a copy of a previously developed report entitled *Coketon: Documentation for the Memorandum of Agreement* and a copy of the MOA executed for the Albert and Douglas Highwall reclamation projects. A copy of a letter from the West Virginia State Historic Preservation Officer concurring in the findings presented in this report can be found in Tab 5, along with a copy of your March 31 memo.

With submission of this report, we request your concurrence in our finding that the Coketon Study Area is eligible for the National Register of Historic Places as a discontinuous historic district and as part of the National Register eligible Blackwater Industrial Complex, also as a discontinuous historic district.

If you need additional information or have any questions regarding the enclosed information, please contact me at (304) 347-5268 or via e-mail at [Henry.Compton@fhwa.dot.gov](mailto:Henry.Compton@fhwa.dot.gov). Thank you for your attention to this matter.

Sincerely yours,

Sgd. Henry E. Compton

Henry E. Compton, P.E.  
Right of Way & Environment Specialist

Enclosures

cc: File, Reading, HEC, WVDOH  
HEC:021401 (s:hec\letters\sections89101213keeper2.wpd)



U.S. Department  
of Transportation

Federal Highway  
Administration

West Virginia Division

Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301  
(304) 347-5928

*HD → DD  
work with ed  
in a meeting.*

April 3, 2001



RECEIVED

APR 06 2001

ENGINEERING DIVISION  
WV DOH

IN REPLY REFER TO:

Federal Project APD-0484(059)  
State Project X142-H-38.99 C-2  
Corridor H-Coketon Study Area  
Eligibility Determination  
Tucker County

Randolph T. Epperly, Jr., P.E.  
Deputy State Highway Engineer -  
Project Development  
West Virginia Division of Highways  
Charleston, WV 25305

Dear Mr. Epperly:

By letter dated February 14, 2001, the Federal Highway Administration (FHWA) submitted a copy of the revised Determination of Eligibility report to the Keeper of the National Register of Historic Places for concurrence on the eligibility of the Coketon Study Area and concurrence in the proposed boundary of the eligible resource. A copy of the Keeper's March 16, 2001, Determination of Eligibility Notification been enclosed for your review. The Keeper has again requested additional information regarding the eligibility and boundary of the Coketon Study Area. The FHWA suggests that a field review of the site be conducted among staff of the FHWA, WVDOH, West Virginia State Historic Preservation Officer and the Keeper. To avoid further delay, we suggest the field meeting be held as soon as possible.

If there are any questions concerning this matter, please contact me at (304) 347-5268 or via e-mail at [Henry.Compton@fhwa.dot.gov](mailto:Henry.Compton@fhwa.dot.gov).

Sincerely yours,

Henry E. Compton, P.E.  
Right of Way & Environment Specialist

Enclosure

RECEIVED  
APR 05 2001  
Dep State Hwy Eng  
Project Development



# United States Department of the Interior

## NATIONAL PARK SERVICE

1849 C Street, N.W.  
Washington, D.C. 20240

IN REPLY REFER TO: 2280

To: Henry E. Compton  
Right of Way and Environment Specialist  
FHWA  
WV Div  
Geary Plaza, Suite 200  
700 Washington St., E  
Charlestown, WV 25301



A	I	Init	A	I	Init
		Div Administrator			Admin Coordin/Sec
		Asst. Div Admin			Admin Coordinator
		Spec. Inv. Mgt Eng			Financial Asst
		Financial Manager			AE-1 Design
		Planning Eng			AE-2 Operations
		Structures Eng			AE-3 Materials
		ROW/Envir Eng			Asst Struc/Rse Eng
		Safety/Traffic Eng			Computer Specialist
		Rse/T <sup>2</sup> Eng			Structures Trainee
		Trans Specialist			FMCSA
		Library			File _____

The Director of the National Park Service wishes to inform you of our determination pursuant to the National Historic Preservation Act, as amended, and Executive Order 11593 in response to your request for a determination of eligibility for inclusion in the National Register of Historic Places. Our determination appears on the enclosed material.

As you know, your request for our professional judgment constitutes a part of the Federal planning process. We urge that this information be integrated into the National Environmental Policy Act analysis and the analysis required under section 4(f) of the Department of Transportation Act, if this is a transportation project, to bring about the best possible program decisions.

This determination does not serve in any manner as a veto to uses of property, with or without Federal participation or assistance. The responsibility for program planning concerning properties eligible for the National Register lies with the agency or block grant recipient after the Advisory Council on Historic Preservation has had an opportunity to comment.

Attachment



# United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, N.W.  
Washington, D.C. 20240

IN REPLY REFER TO:

## DETERMINATION OF ELIGIBILITY NOTIFICATION

National Register of Historic Places  
National Park Service

Name of Property: Corridor H-Coketon Study Area-Additional Information

Location: Tucker County

State: WEST VIRGINIA

Request submitted by: Henry E. Compton, P.E. Right of Way & Environment Specialist, WV Division, FHWA

Date received: 02/20/01

Additional information received

Opinion of the State Historic Preservation Officer:

Eligible       Not Eligible       No Response       Need More Information

Comments:

The Secretary of the Interior has determined that this property is:

Eligible      Applicable criteria:       Not Eligible

Comments:

Documentation insufficient

(Please see accompanying sheet explaining additional materials required)

*Erica Martin Seibert*  
for Keeper of the National Register

Date: 3/16/01

**Coketon Study Area  
Tucker County, WEST VIRGINIA**

Reviewers' Comments:

After carefully reviewing the material you submitted in February 2000 and the supplementary information included with your current request, we agree with the position of the Monongahela National Forest, as stated in their June 30, 1998, letter to Mr. Randolph Epperly. The Coketon Study Area cannot be evaluated in isolation from the larger, eligible Blackwater Industrial Complex.

Please provide us with copies of the 1992 *Phase II Evaluation of the Davis Coal and Coke Company and Western Maryland Railroad Industrial Complex at Tucker County, West Virginia*, by Jeffery B. Davis, Todd Swann, and Ruth Brinker; the 1997 follow-up report prepared by Davis et al.; and all other available information pertaining to the Blackwater Industrial Complex.

Marilyn Harper  
Historian  
and  
Erika Seibert  
Archeologist  
National Register of Historic Places  
March 16, 2001



DOT/FHWA/WV DIVISION Fax:3043475103

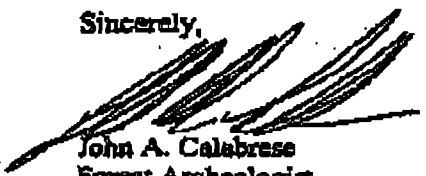
Aug 6 2001 13:45 P.07

Aug-02-01 01:26am From: P S PARK HISTORY

+2029431244

T-802 P.08/08 F-880

Sincerely,



John A. Calabrese  
Forest Archeologist

- cc: Dallas Emch, Acting Forest Supervisor
- Kimberley Johnson, Asst. Forest Supervisor, Natural Resources
- Richard Cook, Asst. Forest Supervisor, Lands
- Liz Schuppert, Cheat District Ranger
- William Kerr, Program Manager, Recreation, Heritage, and Wilderness
- Lynn Hicks, Forest Engineer



Web Copy

DOT/FHWA/WV DIVISION Fax:3043475103

Aug 6 2001 13:42 P.01  
T-002 P.02/00 mesu

Aug-02-01 01:24am From-N P S PARK HISTORY



# United States Department of the Interior

NATIONAL PARK SERVICE  
1849C Street, N.W.  
Washington, D.C. 20240

## DETERMINATION OF ELIGIBILITY NOTIFICATION

National Register of Historic Places  
National Park Service

Name of Property: Corridor H-Coketon Study Area-Additional Information  
 Location: Tucker County State: WEST VIRGINIA  
 Request submitted by: Henry E. Compton, P.E. Right of Way & Environment Specialist, WV Division, FHWA  
 Date received: 07/03/01 Additional information received: 7/24/01

Opinion of the State Historic Preservation Officer:

Eligible       Not Eligible       No Response       Need More Information

Comments:

The Secretary of the Interior has determined that this property is:

Eligible      Applicable criteria: A, B, C, D       Not Eligible

Comments:

See attached comments regarding the Coketon study area as it relates to the Blackwater Industrial Complex.

Documentation insufficient  
 (Please see accompanying sheet explaining additional materials required)

OPTIONAL FORM NO (7-99)

FAX TRANSMITTAL

# of pages 7

To: <u>Ben Hank</u>	From:
Dept/Agency:	Phone # <u>Ect</u>
Fax #:	Fax #:

GSN 7540-01-017-7300

5099-101

GENERAL SERVICES ADMINISTRATION

*[Signature]*  
 Keeper of the National Register  
 Date: 8/2/01

**DETERMINATION OF ELIGIBILITY NOTIFICATION****National Register of Historic Places  
National Park Service****Coketon Study Area/Blackwater Industrial Complex  
Tucker County, West Virginia**

p. 2

We have carefully reviewed the two reports, *A Phase II Evaluation of the Davis Coal and Coke Company and the Western Maryland Industrial Complex at Tucker County, West Virginia* (Davis, Swan and Brinker, 1992) and *What's a Coke Oven?: Archeological Investigations Within the Blackwater Industrial Complex* (Davis, 1997), provided to us at our onsite visit of June 25, 2001, to the project area; a letter of June 28, 2001 (received July 24) from John Calabrese, Monongalia National Forest Archeologist reiterating the USFS opinion of eligibility (copy attached) and the supplementary mapping submitted by FHWA on July 2. The SHPO has confirmed that the State has no other documentation on record beyond the two aforementioned reports, on which it previously based its determinations of eligibility for the entire Blackwater Industrial Complex.

We have concluded that the Coketon study area retains its significance and integrity as an integral part of the larger Blackwater Industrial Complex, which is eligible for the National Register under criteria A, B, C, and D as a historic and archeological district. Post-mining reclamation of a relatively small area has not significantly disturbed the Coketon resources in a manner that would necessitate Coketon's evaluation as a discontinuous district, nor does it support the evaluation of the Blackwater Industrial Complex as a discontinuous district. As with most historic districts some areas or resources may be classified as noncontributing. As has been pointed out, the character of the industrial mining landscape had been somewhat diminished already when the Blackwater Industrial Complex was initially determined eligible by the SHPO and FHWA; however, we find that the effects of the Coketon area reclamation project have had a relatively insignificant impact on the resources and the conveyance of their historic and archeological importance. The Blackwater Industrial Complex continues to convey its historic meaning as a significant concentration of contiguous, interrelated historic industrial and archeological resources throughout the Blackwater River corridor from Thomas to Hendricks, in Tucker County, West Virginia. The Complex contains a 10-mile stretch of the 1888 West Virginia Central and Pittsburg Railway (WVC&P) grade with associated bridges and culverts, the abandoned community of Limerock along with the historic mining towns of Thomas, Coketon and Douglas, including numerous historic buildings, mine portals, stone foundations of the Coketon power house, several mine buildings and two mine tipples, many other unidentified structure foundations, and the standing remains of approximately 300 (out of the original 1,235) bee hive style coke ovens. The Complex's numerous historic and archeological features located outside of the Coketon area in conjunction with the significant resources within the Coketon

**DETERMINATION OF ELIGIBILITY NOTIFICATION****National Register of Historic Places  
National Park Service****Coketon Study Area/Blackwater Industrial Complex  
Tucker County, West Virginia**

p. 3

study area combine in a geographic concentration from one end of the Blackwater Industrial Complex to the other. Because of this continuity of important resources, the entire Blackwater Industrial Complex is considered one entity and the Coketon study area evaluated within this larger context.

The Coketon study area includes key resources such as the banks of bee hive style coke ovens and the WVC&P railroad grade that may or may not be individually eligible, but which, nonetheless, are contributing resources that tie the larger Blackwater Industrial Complex together. Besides being located along the integral railroad grade between the towns of Thomas and Douglas, the extant resources in Coketon, both above and below ground, represent the material remains of the most significant mining facility of the Davis Coal and Coke Company-- the absolute center of the massive former industrial complex of Henry G. Davis, one of West Virginia's foremost political and industrial leaders. Additionally, the mining operations and railroad fueled the boom town expansion and prosperity of the company towns of Thomas and Douglas included in this area. These towns are also vital components of the larger mining industry landscape, providing the housing, commercial and social environment of the region. Due north of the Coketon area, significant resources such as those of the Thomas Commercial Historic District, extant examples of workers' housing, the Davis company office building, the former department store building, and the railroad grade, are characteristic examples of the seamless continuity of the Complex's historic material remains.

Each of the criteria are addressed below.

Criterion A

The Blackwater Industrial Complex, including the Coketon study area, is eligible under Criterion A. The production of coal and coke is clearly significant in the economic and social development of West Virginia and the nation during the late 19th and early 20th centuries. Much of the country's coal came from West Virginia during this time period. Tucker County, where the Blackwater Industrial Complex is located, produced coke for a period of 49 years starting in 1854, and by 1900 it ranked third in the state in production. The Blackwater Industrial Complex's most active period, in terms of coal and coke produced, lasted from 1884 to the 1920s. During these productive years the Complex laid claim to the steepest mainline railroad in the East and to being one of the State's largest coking facilities and one of its highest producing coal facilities. Moreover, during the late 19th and early 20th centuries, the Davis Coal and Coke

**DETERMINATION OF ELIGIBILITY NOTIFICATION****National Register of Historic Places  
National Park Service****Coketon Study Area/Blackwater Industrial Complex  
Tucker County, West Virginia**

p. 4

company was one of the largest and most well-known coal and coke companies in the world, exemplifying the property's specific association with these important events in industrial history. At the turn of the 20th century the company was producing more than 10,000 tons of coal daily from its more than 100,000 acres throughout the region, half of which was produced at the Coketon/Thomas location. As an integral component of the Complex, the Coketon area resources include the standing remains of hundreds of bee hive style coke ovens, mine portals, foundations of various related buildings, support tiers, and the railroad grade, which together convey the area's rich industrial past. Despite the reclamation in one relatively small area of Coketon within the overall Complex, extant subsurface and standing features retain adequate integrity to convey the area's historic industrial use.

**Criterion B**

The Blackwater Industrial Complex, including the Coketon study area, is eligible under Criterion B for its association with Henry G. Davis, a coal baron, entrepreneur, member of the West Virginia legislature and U.S. Senator. Davis and his brothers developed and owned the Davis Coal and Coke Company, a company that directly influenced the social and economic development of the local and regional areas. This influence is reflected in the remaining resources associated with the development of the company and its effects on the local and regional community. The Blackwater Industrial Complex is directly associated with the activities and events for which Davis is well-known, illustrating his importance in local, regional, and state history.

**Criterion C**

The Blackwater Industrial Complex, including the Coketon study area, is eligible under Criterion C as a significant and distinguishable entity embodying distinctive characteristics of types and methods of construction related to a definable period. The area represents the distinct patterns of social organization and architecture produced through 19th and early 20th-century industrial development. Coal mining and coke production resources, railroad resources, commercial buildings, workers' housing, company-related buildings and structures are of character-defining construction and spatial arrangement. Remains of the coke ovens represent a distinctive, significant property type--the bee hive style variety, which were phased out when better cooking technology was discovered. Stone work throughout the district in the ovens, foundations, bridges (some of which are believed to have been built by immigrant Italian stone masons) and culverts represents examples of excellent period workmanship.

**DETERMINATION OF ELIGIBILITY NOTIFICATION****National Register of Historic Places  
National Park Service****Coketon Study Area/Blackwater Industrial Complex  
Tucker County, West Virginia**

p. 5

**Criterion D**

The Blackwater Industrial Complex, including the Coketon study area, is eligible under Criterion D. Archeological survey and testing of the subsurface remains has indicated that the area contains significant, intact archeological deposits that have the ability to produce important information about the physical mining of coal and production of coke as well as the experience of workers. Recent excavations of a coke oven have revealed new information about the construction and design of specific ovens in the district. Because of the good integrity of the archeological resources, further archeological investigations of the ovens and other structures associated with the industrial development of the area may be able to produce detailed information about coal and coke production, the development of late 19th and early 20th-century technology, and the influence of railway transportation to this industry. Furthermore, excavation and analysis of workers' housing remains and associated artifacts may shed light on community social structure, ethnic and class divisions, political influences, company policies, cultural styles and trends, and individual wants and needs.

Erika Martin Seibert, Archeologist  
Beth L. Savage, Architectural Historian



United States  
Department of  
Agriculture

Forest  
Service

Monongahela National Forest

200 Sycamore Street  
Elkins, WV 26241  
304-636-1800

File Code: 2360

Date: July 19, 2002

Ms. Susan Pierce  
Deputy State Historic Preservation Officer  
West Virginia Division of Culture and History  
The Cultural Center  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0300

Dear Ms. Pierce,

As the Corridor H environmental process advances, I would like to take this opportunity to advise your office that the Forest Service remains an interested and affected party in the Section 106 process. The Operating Plan of the ARPA permit issued to the West Virginia Division of Highways for those portions of Corridor H on Forest Service land stipulates that the Forest will review reports as part of the Section 106 process. I have attached a copy of the Operating Plan for your information.

The latest Criteria of Effects report issued by the West Virginia Division of Highways will be sent to my staff by the DOH next week; we will forward to you a copy of our comments on effects to archaeological and historic resources on Forest Service land. I expect that, if we receive the document in a timely manner, you will have our comments no later than the end of next week.

I request that the Forest Archaeologist be sent copies of any correspondence between your office, the FHWA, the WVDOH, and any other interested and affected parties relating to the Section 106 process on Forest Service land in or potentially impacted by Corridor H and its associated mitigation measures.

I and my staff look forward to continue our work with your office on this matter. Should you have any questions, please do not hesitate to contact me or our Forest Archaeologist, Mr. John Calabrese, at (304) 636-1800.

Sincerely,

  
CLYDE N. THOMPSON  
Forest Supervisor

CNT:jac

cc: Norse Angus (WVDOH), Ed Compton (FHWA)

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JUL 22 2002

ENGINEERING DIVISION  
WV DOH



**Amendment to the Annual Operating Plan  
For  
Special Use Permit #CHT-7**



**WV Department of Transportation  
Corridor H Field Surveys**

This amendment outlines specific measures to be followed during cultural resource investigations which are necessary to complete the environmental analysis required by the February 24, 2000 settlement agreement, corridor H Alternatives versus Slater, 96-CV-2622, US District Court for the District of Columbia (Battlefield avoidance SEIS and Blackwater avoidance SEIS).

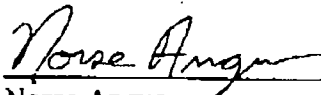
Under the terms and conditions of the Monongahela National Forest Special Use Permit CHT-7, issued to the West Virginia Department of Transportation, Division of Highways, the permit may be modified at the Forest's discretion. Under the authority of Title 16 USC 470 aa-mm (Archaeological Resources Protection Act), as implemented in 36 CFR 296 (Protection of Archaeological Resources: Uniform Regulations), the following amendments are hereby added to Permit CHT-7 as a mandatory part of the ARPA permit process:

- 1) West Virginia Department of Transportation, Division of Highways, and its agents are hereby given permission to conduct cultural resources surveys and site evaluations on Monongahela National Forest lands as part of Section 106 of the National Historic Preservation Act compliance for the Corridor H project with the following terms and conditions:
  - a) Work shall be confined to the Blackwater Canyon and Battlefield Avoidance areas as defined in the original permit;
  - b) Phase Ib archaeological and historic survey work shall conform to a predictive model and methodology mutually agreed to between the WV DOH and the Forest Service, compatible with the Forest's programmatic agreement with the West Virginia State Historic Preservation Office; that predictive model and survey procedures are included as Attachments A and B;
  - c) Phase II site evaluation procedures shall be discussed and agreed upon between the WV DOH and the Forest Archaeologist prior to conducting Phase II work;
  - d) All artifacts, samples, collections, copies of records, data, photographs, and other documents resulting from the work conducted under the permit shall be deposited with the Monongahela National Forest, Supervisor's Office, Elkins, WV, no later than 90 days after submission of a final report;

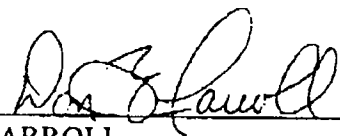
- e) No additional reporting requirements are added; however, copies of any reports resulting from work carried out under this permit shall be submitted to Forest Archaeologist for review as part of the Section 106 process.

It is important to note that initiation of cultural resources survey work, or other activities under the authority of the permit, signifies the permittee's acceptance of the terms and conditions of the permit, including the above amendments.

Failure to comply with the terms and conditions set forth above may result in a violation of Title 16 USC 470 aa-mm (as implemented in 36 CFR 296.15).

  
\_\_\_\_\_  
Norse Angus  
WV Department of Highways

12/20/01  
Date

  
\_\_\_\_\_  
DON CARROLL  
Acting Forest Supervisor

12/20/01  
Date





United States  
Department of  
Agriculture

Forest  
Service

Monongahela National Forest

200 Sycamore Street  
Elkins, WV 26241  
304-636-1800

File Code: 2360  
**RECEIVED**

JUL 29 2002

ENGINEERING DIVISION  
WV DOH

Mr. Ben Hark  
Environmental Section Head  
West Virginia Division of Highways, Engineering  
Division  
1900 Kanawha Boulevard, East  
Building 5, 4th Floor  
Charleston, WV 25305-0430

In Re: Draft, *Appalachian Corridor H, Blackwater Industrial Complex, Archaeological and Historic District, Criteria of Effects Report*, June 6, 2002; received by USDAFS on Monday, July 22, 2002.

Dear Mr. Hark,

Under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800, we are submitting our comments on the aforementioned report.

#### General Comments

##### *Detailed Design Plans/Area of Potential Effect*

While the alignment of Corridor H and the bridge spanning Coketon are clearly marked, there is no indication of the planned support and construction facilities that will be required to construct a bridge of that size. These areas, in addition to the span and piers, constitute the actual Area of Potential Effect (APE) of the proposed project. We ask that we be provided copies of detailed plans showing the actual APE, including work staging areas, access corridors, cut-and-fill areas, and any and all construction related activities on National Forest land in or in the vicinity of construction activities.

Until such time as this information is made available to us for comment, we are unable to determine if such activities constitute an effect to the National Register eligible site of Coketon and its many contributing archaeological and historic resources.

##### *Archaeological Survey Coverage*

Areas that have been subjected to archaeological survey and testing are not explicitly denoted, nor is there a discussion of the location of potential buried structures, features, and deposits that are currently buried under fill brought in during reclamation activities. According to a November 21, 2000 Memorandum from Katry Harris of Michael J. Baker, Inc. to Ben Hark of the WVDOH, the WVDEP did not prepare the required site maps showing destroyed, extant, and remaining archaeological structures, features and deposits before and after reclamation activities (Harris 2000:3). Therefore, in the absence of archaeological field investigations of the APE, the effects of construction in the APE are unclear.



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Historic documentation of the Coketon area, in addition to actual archaeological survey and testing, may be of help in identifying areas of potential deposit. We have attached a copy of an 1896 Fowler print of Coketon, showing the area under question, for your information.

### Specific Responses to Sections of the Report

#### *Physical Impacts: Chapter 4, Page 11, Paragraph 3 and Table 4(A)*

Direct physical impacts to the site, as mentioned above, do not take into consideration the full APE. In order to assess the effects of the project, the APE must be clearly defined. If it is determined that the proposed project will alter or detract from the information potential of resources that have the potential to contributing to the National Register District-eligible site of Coketon through the destruction of features, sites, or other deposit, the project would have an adverse effect on the Coketon district. Such an effect would include undermining the research potential of potentially contributing resources and commensurately detracting from the continuing eligibility of the affected resources under Criterion D.

#### *Visual Impacts: Chapter 4, Page 11, Paragraphs 4 through 6 and Table 4(B)*

The visual effects analysis states on Page 11, Paragraph 4, that the bridge will be visible from only 8% of the entire nearly 10-mile long Blackwater Industrial Complex. However, as stated on Page 11, Paragraph 6: "Viewsheds from those numerous contributing resources that lie outside of the Coketon area and within the Blackwater Industrial Complex Archaeological and Historic District would not include the proposed project." It is unclear from the language employed if the bridge would not be visible from the rest of the Blackwater Complex outside of Coketon. Clarification of this point is necessary.

Also we take exception to the statement (Table 4[B]) that the placement of the bridge on the landscape will not affect the ability of the site to "convey its historic meaning as a significant concentration of contiguous, interrelated historic industrial and archaeological resources," owing to alterations from the previously mentioned reclamation project. This statement contradicts the Keeper's (August 2001) finding that "we find that the effects of the Coketon area reclamation have had a relatively insignificant impact on the resources and their conveyance of their historic and archaeological importance." Also, whatever the final design of the piers and span, a bridge of the proportions necessary for this project cannot fail to have an adverse effect on the integrity of setting, feeling and, possibly, association of the site. The definitions of each of these three terms are found in the National Register *Bulletin Guidelines for Evaluating and Registering Historical Archaeological Sites and Districts* (1993:19-20) and are as follows:

**Integrity of Setting** "includes elements such as topographic features, open space, views, landscapes, vegetation, man-made features..., and relationships between buildings and other features."

**Integrity of Feeling** is conveyed if "its features in combination with its setting convey an historic sense of the property during its period of significance. Integrity of feeling enhances a property's ability to convey its significance under all of the criteria."

Integrity of Association is retained on a property "if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer."

The placement of the bridge will: 1) alter the views and landscapes of Coketon, thereby impacting its integrity of setting; by altering its setting as in 1) the placement of the bridge will adversely affect the integrity of feeling of Coketon and, quite possibly, affect its integrity of association.

Maintaining the integrity of setting, feeling, and association of a site or district is directly related to its continuing eligibility under Criterion D. Therefore, since the integrity of setting, feeling, and, possibly, association of the Coketon site will be adversely affected by the placement of the bridge, the eligibility of the site to the Register under Criterion D will potentially be undermined commensurately. This finding is consistent with the guidelines for assessing adverse effects found in 36 CFR 800.5

*Auditory Impacts: Chapter 4, Pages 12 through 13; Table 4(B).*

This section of the report (Page 12, paragraph 6) states that "...the Coketon area of the Blackwater Industrial Complex Archaeological and Historic District would experience a noise impact ranging from moderate to substantial from the project." Despite the fact that it is recognized that there will be audible impacts from the bridge, the finding is one of "no effect." We question the consistency of these two statements.

However, it is recognized that the site was formerly a very loud and noisy industrial site. The impacts accruing from the added noise therefore will not have an effect to the historic integrity of the Coketon area. Such auditory impacts may affect the enjoyment of visitors to the area, but that is an issue entirely separate from Section 106 concerns.

*Secondary and cumulative Impact Assessment: Chapter 4, Page 13*

This section of the report states that since the bridge only spans the site and does not provide direct access to the site, that there are no secondary effects accruing from the bridge. Also, the effects of the planned bicycle path on the former West Virginia Central and Pittsburgh Railroad grade are not considered as effects because "Any access or development would be controlled by those plans and policies controlled by the Monongahela National Forest." There is no mention made in the report that the terms of the February 7, 2000 settlement agreement entered into between Corridor H Alternatives and the USDOT state, indirectly through reference to the 1996 ROD for Appalachian Corridor H, Elkins to I-81, which in turn references the Final Environmental Impact Statement for the same section, dating to June 1995, that the mitigation measures for Corridor H include a bicycle path through the Coketon area. The bicycle path itself is a mitigation measure for Corridor H and its effects therefore should be considered as secondary effects to the overall project considered here.

Thus, the increased traffic flow and access to the site, by both pedestrian and cycling users of the trail, have the potential to increase vandalism and have other unforeseeable cumulative effects to the integrity of the Coketon area.

### Conclusions and Recommendations

Owing to the fact that the project may have direct physical impacts to potentially present resources within the APE whose contributing or non-contributing status to the district is not known, we cannot recommend that the finding of "no effect" be maintained for these impacts. Until such time as the presence and integrity of the subsurface archaeological deposit in the APE has been ascertained through fieldwork, we will continue to hold this position in relation to the direct physical impacts of the project.

Also, the visual impacts of the project will, in our estimation, adversely affect the integrity of setting, feeling and, possibly, association of the Coketon area and thereby undermine its eligibility to the NRHP under Criterion D.

Therefore, we recommend that: 1) the actual area of potential effect be determined and that area be archaeologically surveyed and evaluated for effects under Section 106; 2) in order to mitigate the adverse effects to the integrity of setting of the site caused by placement of the bridge and the associated cumulative effects of the bicycle path, that the WVDOT undertake the development of a program of interpretive signage stretching from Thomas to the Hendricks gate. Such a program should focus on the industrial, social, and economic contributions of the Blackwater Industrial Complex and Coketon to the history of West Virginia and the nation. In addition, owing to Forest Service regulations and our internal agency responsibilities, the Forest Service should have design and production responsibilities for signage, while the WVDOT and the FHWA should bear all financial responsibility for signage.

We hope that our comments have been of use to you and look forward to continuing our review responsibilities under Section 106 of the National Historic Preservation Act.

Sincerely,

  
CLYDE N. THOMPSON  
Forest Supervisor

CNT:jac

Enclosures

cc: Sandra Forney (FS Region 9), Ed Compton (FHWA), Susan Pierce (WVSHPO)



United States  
Department of  
Agriculture

Forest  
Service

Monongahela National Forest

200 Sycamore Street  
Elkins, WV 26241  
304-636-1800

RECEIVED

Code: 2360

Date: October 24, 2002

Mr. James Sothen  
Director, Engineering Division  
West Virginia Division of Highways  
1900 Kanawha Boulevard, East  
Building 5, Room 110  
Charleston, WV 25305-0430

OCT 28 2002

ENGINEERING DIVISION  
WV DOH

In Re: Revised Comments on *Appalachian Corridor H, Blackwater Industrial Complex, Archaeological and Historic District, Criteria of Effects Report*, June, 2002.

Dear Mr. Sothen,

Pursuant to the terms of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: Protection of Historic Properties, and pursuant to the terms of the Archaeological Resources Protection Act of 1979 (ARPA) permit issued to the WVDOH for its Corridor H work on National Forest lands, as amended to WVDOH Special Use Permit CHT-01, we are submitting revised comments for the above-referenced report. These revised comments take into consideration the outcome of a meeting held between members of our respective staffs and the Federal Highway Administration on October 8, 2002 in Elkins.

It was decided at the October 8, 2002 meeting to implement a program to mitigate the potential effects of the construction of Corridor H to historic properties on Monongahela National Forest land. Such properties include portions of the National Register eligible Blackwater Industrial Complex.

In a previous letter, dated July 26, 2002, we indicated that the proposed construction of a flying bridge over the Blackwater Industrial Complex would constitute an adverse visual effect that would impact the site's integrity of setting, feeling and, potentially, its integrity of association. Such effects would undermine the continuing eligibility of the site under Criterion D. At that time we indicated that an appropriate and effective means of mitigating this effect would be to undertake a program of interpretive signage along the former West Virginia Central and Pittsburgh Railroad grade. We suggested at that time that this program of signage be funded by the WVDOH and implemented by the Forest Service.


This mitigation effort was tentatively agreed to at the October 8<sup>th</sup> meeting in Elkins, and confirmed in a further communication with a representative of the Federal Highway Administration, Mr. Henry E. Compton, on October 17, 2002. Given the implementation of this agreement, to be formalized in a Memorandum of Understanding in the very near future, we can now find that the proposed construction of the flying bridge as described in the above-mentioned report will not constitute an adverse effect to the integrity of setting, feeling, or association of the Blackwater Industrial Complex.



Also, in the July 26<sup>th</sup> letter we expressed some concerns about construction activities in areas of the site where they may potentially impact intact archaeological deposit. Further consultation with your staff, discussion with individuals involved in the initial reclamation efforts, and in consideration of the larger mitigation measures agreed to, have led us to conclude that the construction of the proposed flying bridge will not constitute an adverse effect to buried archaeological or historic resources. During project implementation we recommend that construction activities avoid areas that were not in the reclamation area, but which are shown on historic maps and documents as the location of structures and features associated with the Blackwater Industrial Complex.

We appreciate the opportunity to comment on this matter. Should you require further information, please contact our Forest Archaeologist, Mr. John Calabrese, at (304) 66-1800, ext. 245.

Sincerely,

  
CLYDE N. THOMPSON  
Forest Supervisor

CNT:jac

Cc: Henry E. Compton, Federal Highway Administration  
Susan Pierce, WV State Historic Preservation Office  
Sandra Forney, USDA, Forest Service, Eastern Region



**WEST VIRGINIA DIVISION OF  
CULTURE AND HISTORY**

October 30, 2002

Mr. James E. Sothen  
Building 5, Room 450  
Capitol Complex  
Charleston, West Virginia 25305

RE: Corridor H -Blackwater Industrial Complex  
Archaeological and Historic District  
FR#: 91-246-MULTI-229

Dear Mr. Sothen:

We have reviewed the draft Criteria of Effect Report for the above mentioned project. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

Although the Blackwater Industrial Complex has been affected by previous reclamation activity it retains its historic significance and much of its archaeological integrity. The Report states on page 14 that there will be no effect to the historic resource as defined by the Keeper of the National Register of Historic Places. We don't agree with this assessment. Although it is stated that the pier placement will avoid all identified archaeological sites, there will be piers within the designated historic areas. As stated, any direct impact to the contributing features of the historic district will be avoided. We ask continued consultation with our office as final design and planning for the bridge crossing occur. Planning and construction documents must clearly delineate the location of the archaeological resources and industrial ruins within the historic district. Monitoring during construction is also important to insure avoidance. We request that the "Powerhouse Site" (46Tu299) be surrounded by snow fencing or other highly visible material to assist in its avoidance, and that no heavy machinery or equipment be allowed within or near the site. We also request that all staging areas, equipment storage, etc. be located in portions of the project area previously surveyed and found to contain no cultural materials.

Page 2

James E. Sothen

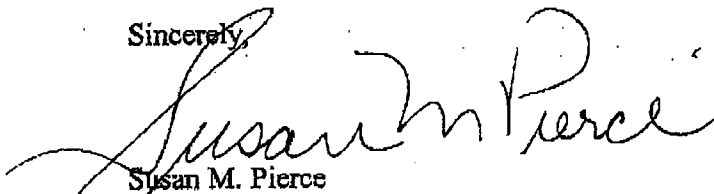
October 30, 2002

The report also evaluates the potential visual and auditory changes to the historic district. We do not agree with the method used in the report to determine the percentage of the historic district impacted by the change. Although areas at a greater distance from the bridge crossing will suffer a lesser impact, the actual area of crossing will experience visual and auditory change. Creating a mathematical percentage of impacted area does not eliminate the immediate impact to the district at the bridge crossing. What must be considered is the relative change to a district that is composed of buried and exposed industrial fragments of a major coke producing facility. The existing landscape has changed through abandonment and reclamation. Although it will be an alteration to the landscape, the bridge will not inhibit one's understanding of the historic resource. The significance of the physical remnants is best served through interpretation on-site. The addition of a bridge will not inhibit understanding. *(The modern New River Gorge Bridge which serves U.S. Route 19 illustrates this point. Although obtrusive to the landscape, this bridge does not adversely effect one's ability to appreciate early modes of transportation in the Gorge historically. Fayette Station Bridge exemplifies the cultural theme of transportation.)* We believe that there will be an effect, but the change to the landscape will not adversely effect the historic characteristics of the eligible resource. Direct impacts will not occur as stated by the report and indirect effects will not inhibit future understanding of the Blackwater Industrial Complex and the Coketon Study Area.

Finally, please know that we have thoughtfully considered the recent comments provided by the Monongahela National Forest (MNF). Since the issuance of their letter dated July 26, 2002, the recent letter dated October 22, 2002 and the October 8, 2002 meeting, we understand that the DOH and the MNF have resolved the concerns raised by the Forest Service's staff.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please call me or Joanna Wilson, Senior Archaeologist, at (304) 558-0220.*

Sincerely,



Susan M. Pierce  
Deputy State Historic Preservation Officer

SMP: jlw

cc: Clyde Thompson, USDA, Monongahela National Forest





Central West Virginia  
P.O. Box 11  
Kerens, WV 26276

November 11, 2002

Kate Goodrich, Public Affairs Specialist  
Monongahela National Forest  
200 Sycamore Street  
Elkins, WV 26241

RE: Freedom of Information Act Request

Dear Ms. Goodrich:

Please consider this letter as a formal request for information pursuant to the Federal Freedom of Information Act, 5 USC § 552.

We are interested in obtaining information concerning your agency's consultations on the environmental impact statements for the Appalachian Corridor II project, specifically regarding cultural resources.

Consider this request to include but not be limited to all reports, letters, memos, records of meetings, telephone conversations, electronic mail and/or data on disks, involving considerations of, and recommendations regarding, cultural resources and cultural resource management arrangements with any other state and federal agencies.

Please provide us with all related correspondence and records of meetings, including memos, notes of contact and records of phone conversations between your office and the WV State Historic Preservation Office, WV Department of Transportation, Federal Highway Administration and Advisory Council on Historic Preservation.

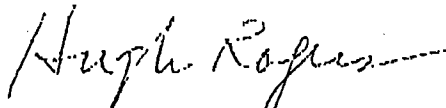
Corridor II Alternatives, a nonprofit, tax-exempt organization, hereby requests a waiver of any fees connected with this request because this request is made in the public interest and furnishing this information can be considered as primarily benefiting the general public. If for any reason the documents requested cannot be sent free of charge, we request immediate notification of the reasons for the denial and the costs involved prior to any copying. Corridor II Alternatives does not waive its rights to appeal any denial of this request.

Under the Programmatic Agreement with the Advisory Council for Historic Preservation, Corridor II Alternatives is a consulting party, and we should be informed of any and all meetings, communications and actions taken regarding the cultural resources affected by the Corridor II project.

I look forward to receiving your response within ten days.

Please call me at 636-2662 or email [hugh@hughrogers.com](mailto:hugh@hughrogers.com) if you have any questions about our request. Thank you for your attention to this matter.

Sincerely,



Hugh Rogers, President  
Corridor H Alternatives

Cc: Andrea Ferster, Esq.

Elizabeth Merritt, National Trust for Historic Preservation

Don Klima, Advisory Council on Historic Preservation

Susan Pierce, WV State Historic Preservation Office

Randolph Epperly, WV Department of Transportation

Thomas Smith, Federal Highway Administration Division Office

Brett Gainer, Federal Highway Administration Regional Office

Kate -  
As far as I know, this should not  
be too burdensome  
we're particularly interested in  
Cokaton having heard third or  
fourth hand about meetings w/  
WVDOH and their consultant.

Thanks,  
Hugh

LAW OFFICES OF  
ANDREA C. FERSTER  
1100 SEVENTEENTH STREET, N.W., 10<sup>TH</sup> FLOOR  
WASHINGTON, D.C. 20036  
(202) 974-5142  
(202) 331-9680 (fax)

**RECEIVED**

DEC 16 2003

ENGINEERING DIVISION  
WV DOH

December 12, 2003

Mr. Tom Smith  
Division Administrator  
Federal Highway Administration  
Geary Plaza, Suite 200  
700 Washington Street East  
Charleston, WV 25301

Re: Appalachian Corridor H: Parson to Davis

Dear Mr. Smith:

Corridor H Alternatives (CHA), a consulting party to the Section 106 process for the above-referenced project, hereby provides its comments on the Draft Criteria of Effects Report prepared by Michael Baker Jr., for the Blackwater Industrial Complex Archaeological and Historic District, which was circulated to the consulting parties on August 30, 2002, pursuant to Section X.A of the Programmatic Agreement for Appalachian Corridor H. For the following reasons, CHA disagrees with the Draft Report's proposed determination that the construction of the Original Preferred Alignment for the Parsons to Davis segment of Appalachian Corridor H will have "no effect" on historic resources. Instead, the information provided in the Draft Criteria of Effect Report, as well as subsequent correspondence from consulting parties, plainly indicates that this alignment will have an adverse effect on the Blackwater Industrial Complex Archaeological and Historic District.

As the Draft Criteria of Effects report concedes, the proposed project will cross above the Blackwater Industrial Complex on a dual structure, 950-foot bridge in the vicinity of Coketon. The bridge will be approximately 180 feet above the historic district, and the piers and foundations for the bridge will be placed within the National Register boundaries of the historic district. In addition, the Draft Report concedes that the bridge structure will be plainly visible from numerous vantage points within the historic district. In fact, as the simulated photographs in the Draft Report graphically illustrate, the bridge will appear as a substantial intrusion that significantly diminishes the integrity of the landscape and setting for this historic district. The project will also increase noise levels within the historic district in some locations by more than 22 decibels, an increase that the Draft Report concedes will constitute a substantial noise impact under the West Virginia noise standards, and will exceed the FHWA's noise abatement criteria applicable to even non-sensitive resources, 23 CFR Part 772, Table 1.

Mr. Tom Smith  
December 12, 2003  
Page 2

The proposed finding of "no effect" in the Draft Criteria of Effects Report appears to stem from a misapprehension that the FHWA is only required to consider effects to features or structures that have specifically been identified as contributing features to the historic district, such as the WVC & P Railroad grade or the coke ovens, and that open space, natural, and topographical features are non-contributing aspects of the Historic District. This plainly erroneous evaluation standard may have been based on the initial view of the West Virginia State Historic Preservation Officer ("SHPO"), when the agencies were in the process of assessing the historic significance of the Blackwater Industrial Complex, that the Blackwater Industrial Complex should be considered a discontinuous historic district due to reclamation activities that have altered portions of the area. However, the Keeper of the National Register expressly rejected this narrow view of the significance of the Blackwater Industrial Complex, and instead determined that the boundaries of the historic district should include the entire 1,693-acre complex. The bridge will be visible from, and indeed located within, substantial portions of the Blackwater Industrial Complex Archaeological and Historic District other than the reclamation area.

There is no support for the view that the unaltered landscape of the Blackwater Industrial Complex, including its open space and nature features, are not contributing resources to this historic district. Rather, this unaltered landscape plainly contributes to the setting of the specifically identified features, and the overall significance, of the Blackwater Industrial Complex Archaeological and Historic District. As the National Park Service guidance recognizes, the setting for archaeological districts "includes elements such as topographic features, open space, views, landscapes, vegetation, man-made features . . . and relationships between buildings and other features." National Park Service Bulletin No.36, "Guidelines for Evaluating and Registering Historical Archaeological Sites and Districts (2000). As one court held, the FHWA "must consider more than individual buildings and structures in an historic district when analyzing the impact of a project," but must also include elements as "[t]opographical features such as a gorge or the crest of a hill", "[v]egetation", and "[r]elationships between buildings and other features or open space." *Concerned Citizens Alliance, Inc. v. Slater*, 176 F.3d 686, 697 (3d Cir. 1999) (citing National Park Service National Register Bulletin No. 15).

As the Advisory Council on Historic Preservation previously explained in the context of this project, "we do not agree that a highway located a mere 100, 200 or even 300 from that property is "in the distance," particularly when that intrusive element is large in scale than it is distant from the property. Such a structure becomes . . . the dominate feature in the viewshed, intrusive and out of character with a relative intact rural setting." Letter to Mr. Samuel G. Bonasso, PE, Secretary WV DOT, from John M. Fowler, Executive Director, ACHP (June 9, 1999) (copy attached). Indeed, as the U.S. Forest Service ("USFS") stated in its comments on the Draft Criteria of Effects Report, "a bridge of the proportions necessary for this project cannot fail to have an adverse effect on the integrity of setting, feeling and, possibly, association" of the Blackwater Industrial Complex. See Letter from Clyde N. Thompson, Monongahela National

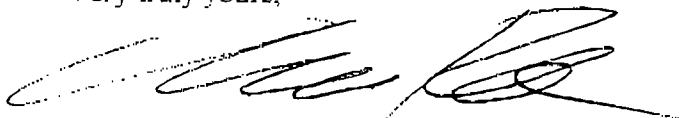
Mr. Tom Smith  
December 12, 2003  
Page 3

Forest Supervisor, USFS, to Ben Hark, West Virginia Department of Transportation ("WVDOT"), dated July 29, 2002. Although the USFS subsequently changed its determination of adverse effect based on WVDOT's willingness to providing funding to the USFS for a "program of signage," better signage will not in any way avoid, minimize, or mitigate the adverse effects so eloquently described in the USFS's original letter. The USFS's change of position merely reflects a political compromise struck by the agency as a condition of obtaining funds from WVDOT rather than a consensus that signage will in any way alleviate the project's adverse effects.

Finally, Corridor H Alternatives, Inc. disagrees with the conclusion in the Draft Criteria of Effects Report that the auditory impacts of the project will not result in an adverse effect on the Blackwater Industrial Complex Archaeological and Historic District because the noise-impacted area only represents approximately 8% of the total area occupied by the Historic District. Draft Criteria of Effects Report, at 12-14. As the courts have recognized, the determination of the impact on protected properties "requires a far more subtle calculation than merely totaling the number of acres to be asphalted." *D.C. Federation of Civic Association v. Volpe*, 459 F.2d 1231 (D.C. Cir. 1971), *supp. op.*, 459 F.2d 1263, *cert. denied*, 405 U.S. 1030 (1972). Rather, the agency's conclusions "must bear some relevance to the value, significance, and enjoyment of the lands at issue." *Allison v. Department of Transportation*, 908 F.2d 1024, 1029 (D.C. Cir. 1990). The period of significance of the Blackwater Industrial Complex Archaeological and Historic District pre-dates the modern automobile, and the area's setting is predominantly rural. The significant noise generated by highway traffic will be out-of-character with the Historic District and diminish its integrity, and therefore contributes to the adverse effect of the undertaking.

Please don't hesitate to contact me at (202) 974-5142 if you have any questions or need any additional information.

Very truly yours,



Andrea C. Ferster

Enc.

cc: Mr. Don Klima, Advisory Council on Historic Preservation  
Ms. Susan Pierce, WV State Historic Preservation Office  
Mr. James Sothen, West Virginia Department of Transportation  
Mr. Clyde Thompson, Supervisor, Monongahela National Forest

# Advisory Council On Historic Preservation

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The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #808  
Washington, DC 20004

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JUN - 9 1999

Mr. Samuel G. Bonasso, P.E.  
Secretary, West Virginia  
Department of Transportation  
1900 Kanawha Boulevard  
Building Five, Room 110  
Charleston, WV 25305-0430

Ref: Appalachian Corridor H  
Federal Project APD-0484(059)  
West Virginia

Dear Mr. Bonasso:

This letter follows up our earlier response to your concerns regarding the Council's handling of effects determinations. You raised concerns as to whether Council staff adhered to two basic legal principles: the Council's regulations implementing Section 106 of the National Historic Preservation Act and the Administrative Procedures Act.

We have carefully reviewed the position paper you provided which is clearly the product of considerable thought by your department. While we commend your efforts, we are, regrettably, at odds with your analysis and resulting conclusions. The issue of setting can present challenges to those involved in assessing how projects may affect historic properties. Existing guidance and accumulated experience offer some direction; however, all such professional judgements remain somewhat subjective and must be tempered by a healthy dose of common sense.

First the evaluation process: National Register guidance, as quoted in your paper, does state that property boundaries should include the surrounding land that "*contributes to the significance of the resource by functioning as its setting.*" You also cite the National Register Manual for State Historic Preservation Review Boards which directs that boundaries should include "*all the aspects or qualities that contribute the [the property's] significance.*" Underlying this National Register guidance is the fundamental principle that historic properties cannot be understood or appreciated if divorced from the environment in which they exist. The relationship of an historic property to its surroundings, and the historical and visual integrity of that relationship, are important factors in defining the geographic and three dimensional nature of the property as it exists today.

National Register guidance states that the physical features that constitute the setting of a historic property can be either natural or manmade including such elements as: topographic features (a gorge or the crest of a hill); vegetation; simple manmade features (paths or fences) and relationships between buildings and other features or open space. It further states that these features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its *surroundings* (*How to Apply the National Register Criteria for Evaluation*, p. 45).

In the context of the Council's regulations, the environment comprising a property's setting extends beyond the visual to audible and atmospheric elements. For this reason, these elements are included in the consideration of impacts to setting, and it is within our purview to consider them as part of the environment. It is our view, one informed by the Council's Criteria of Effect and years of experience working with a wide range of properties, that any discussion of setting must recognize current noise conditions as part of the environment. Your reading that ambient noise levels are somehow separate from the setting is incorrect.

With regard to determining how properties are affected; unfortunately, your reference to the Council's regulations is repeatedly misquoted throughout your letter which may have led to your confusion about the appropriate application of those regulations. The Criteria of Effect (36 CFR § 800.9(a)) specifically cites location, setting, and use as factors which should be considered in addition to a property's significant characteristics in determining effect. The Criteria of Adverse Effect (36 CFR § 800.9(b)) states: "*An undertaking is considered to have an adverse effect when the effect on a historic property may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association....*" The Council has consistently determined that introduction of a major modern engineering feature, such as a 150-foot double span overpass or a massive berm in close proximity to an historic structure in a substantially pristine setting, is an adverse effect. This finding is consistent with your paper's method of considering dominant elements in the viewshed of an historic structure, and it is consistent with professional preservation practice.

The Council's interpretation of this issue of setting has never been "*if you can see it, then it's an adverse effect*" as suggested by your paper. We agree that a highway visible "*in the distance*" to a person standing on the front step of an historic property might not, in itself, be considered an adverse effect. However, we do not agree that a highway located a mere 100, 200 or even 300 feet from that property is "*in the distance*," particularly when that intrusive element is larger in scale than it is distant from the property. Such a structure becomes, according to your methodology, the dominant feature in the viewshed, intrusive and out of character with a relatively intact rural setting.

We also take exception to your allegation that Council staff did not adhere to the Administrative Procedure Act. We refer you to our correspondence dated December 15, 1998 (copy enclosed), which contains a specific discussion of your misinterpretation of the concept of setting and its relationship to historic properties. In the context of that discussion, we believe our notation of

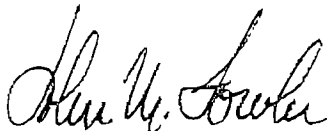
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proximity and scale of the proposed construction within these rural surroundings would lead a reasonable observer to conclude that these structures would constitute an intrusion within the setting, changing the character of a historic property's relationship with its surroundings. We maintain that decisions made in this case were consistent with the governing legal standards, as well as with previous decisions made by the Council.

We regret the delay in responding; however, we have recently learned that you chose to widely distribute your letter to others without providing any notice to the Council. Consequently, we would appreciate receiving a list of parties and addresses to which your letter was directed so we might share our response with them. Since responsibility for making the determinations in question lies with the Federal Highway Administration, any further communication regarding the issues you have raised should also include their views.

We welcome any opportunities to discuss these issues further and would certainly be willing to meet with you and your staff for that purpose. We recommend that any further meeting to address these questions includes representatives of the Federal Highway Administration and the National Register. You may contact me at (202) 606-8505 should you wish to set up a mutually agreeable time to meet. We look forward to continuing the good working relationship among our respective staffs.

Sincerely,



John M. Fowler  
Executive Director

Enclosure





File Code: 2360

Date: April 14, 2004

James E. Sothen, P.E.  
Director, Engineering Division  
West Virginia Department of Transportation,  
Division of Highways  
1900 Kanawha Boulevard, East  
Building 5, Room 110  
Charleston, WV 25305-0430

Re: *Appalachian Corridor H, Blackwater Industrial Complex, Archaeological and Historic District Criteria of Effects (COE) Report*

Dear Mr. Sothen,

Pursuant to the terms of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: Protection of Historic Properties, and pursuant to the terms of the Archaeological Resources Protection Act (ARPA) of 1979 permit issued to the WVDOH for its Corridor H work on National Forest lands, as amended to WVDOH Special Use Permit CHT-01, we are responding to your request for concurrence with the findings presented in the above-referenced report.

Based upon the documentation provided in the report, and the design plans that avoid effects to archaeological and historic resources that contribute to the Blackwater Industrial Complex District, considered alongside the continued implementation and execution of the June 9, 2003 MOU between the USDAFS, the WVDOH, and the Federal Highway Administration, and in light of the expected continued implementation and execution of the August 11, 2003 Agreement entered into between the USDAFS and the WVDOH, we concur with the findings of the above-referenced report. Specifically, we find that the proposed project will have *no effect* to contributing elements of the District, and recommend that project activities proceed as planned.

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ENGINEERING DIVISION  
WV DOH



We look forward to continuing our review responsibilities for this project. In particular, we look forward to reviewing detailed design plans as they become available. Should you have any questions about this response, or require further information, please do not hesitate to contact our Forest Archaeologist, Mr. John Calabrese, at (304) 636-1800, ext. 245.

Sincerely,



CLYDE N. THOMPSON  
Forest Supervisor

CNT:jac

cc: Henry E. Compton, Federal Highway Administration



**WEST VIRGINIA DIVISION OF  
CULTURE AND HISTORY**

**RECEIVED**

JUN 25 2004

**ENGINEERING DIVISION  
WV DOH**

June 23, 2004

Mr. James E. Sothen  
WV Division of Highways  
Building Five, Room 110  
Capitol Complex  
1900 Kanawha Boulevard East  
Charleston, WV 25305

RE: Blackwater Industrial Complex- Archaeological and Historic District  
Criteria of Effects Report, Appalachian Corridor II  
FR# 91-246-MULTI

Dear Mr. Sothen,

We have received the Criteria of Effects Report for the Blackwater Industrial Complex- Archaeological and Historic District. We provide our comments as required by Section 106 of the National Historic Preservation Act of 1966, as amended and its regulations, 36 CFR 800, "The Protection of Historic Properties."

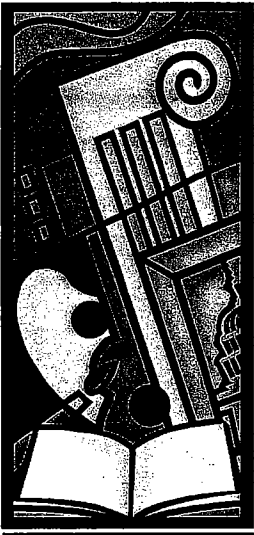
In our letter dated October 30, 2002 we provided comments regarding the potential effects to the Blackwater Industrial Complex. After review of the March 2004 report, we maintain that opinion. The bridge crossing will effect the district, but the district is composed of primarily historic archaeological features. There will be auditory and visual changes to the area, but the historic nature of the site will not adversely change. The significance of the physical remnants can be interpreted; the bridge will not adversely effect that understanding. Please know that we have thoughtfully considered the opinions of the public as evidenced in the appendices. However, the area has been extensively reclaimed; these changes should be considered as well when evaluating the impact of the proposed bridge to the existing elements of the historic district

Thank you for the opportunity to comment. If you have any questions, please contact our office.

Sincerely,

Susan M. Pierce

Deputy State Historic Preservation Officer



WEST VIRGINIA  
DIVISION OF  
CULTURE & HISTORY

1900 Kanawha Blvd., E.  
Charleston, WV  
25305-0300

Phone 304.558.0220  
Fax 304.558.2779  
TDD 304.558.3562  
www.wvculture.org

EEO/AA Employer

February 17, 2005

Mr. James Sothen  
WV Division of Highways  
Building 5, Room 110  
Charleston, WV 25305

RE: Appalachian Corridor H, Parsons to Davis  
and Associated Truck Route.  
State Project X142-H-38.99  
Federal Project CHI-484(59)  
FR# 91-246-MULTI-300

Dear Mr. Sothen,

We have received and reviewed *Management Summary, Phase I Archaeological Investigations of Previously Unsurveyed Portions of the Revised Original Preferred Alternative in the Parsons-to-Davis Project, As Well As an Associated Truck Route, Appalachian Corridor H, Tucker County, West Virginia*. As required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

The management summary satisfactorily addresses our concerns regarding the presence of archaeological resources within the above mentioned project area. Systematic pedestrian and subsurface investigations of the preferred alternative resulted in the recovery of an isolated artifact from USA #1 Test Area and in the discovery of modern debris in Pocahontas #5 Test Area. For your records, the isolated find has been assigned site number 46Tu326. Further subsurface investigation around the positive test pit failed to find additional artifacts. It is our opinion that this isolated find is not eligible for inclusion in the National Register of Historic Places. No further work is recommended for USA #1 Test Area. We concur with that recommendation.

It is our understanding that modern debris in Pocahontas #5 Test Area was observed scattered across the ground surface and in the soils of one shovel test pit. These items are considered to be part of a modern dump and not an archaeological site. We concur with that determination. A ground depression and concrete foundation were observed outside and to the east of the proposed truck route corridor. It is thought they may be associated with a building that appears on a 1921 USGS Topographic map of the area. This building is no longer extant and is thought to fall outside of the proposed corridor. No evidence of this building or other historic remains were found within the proposed right-of-way. No further work is recommended for this test area. We concur with that recommendation. However, if the right-of-way alignment shifts so that the foundation and depression fall within it, we request that additional subsurface investigation be undertaken to determine the nature of these resources. It is our opinion that this project will have no effect to any known archaeological site that is eligible for or included in the National Register of Historic Places.

We appreciate the opportunity to be of service. If you have any questions regarding our comments or the Section 106 process, please contact me at (304)558-0240.

Sincerely,

Lora A. Lamarre  
Senior Archaeologist

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FEB 23 2005  
ENGINEERING DIVISION  
WV DOH

**Informal  
Section 7 Consultation**

14D3DD



United States Department of the Interior  
FISH AND WILDLIFE SERVICE



West Virginia Field Office  
Post Office Box 1278  
Elkins, West Virginia 26241  
JUN 21 1999

RECEIVED  
JUN 20 1999  
U.S. Department of the Interior  
Project Development

RECEIVED  
JUN 25 1999  
ENGINEERING DIVISION  
WVDOH

Mr. David E. Bender  
Division Administrator  
Federal Highway Administration  
Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301

Dear Mr. Bender:

The U.S. Fish and Wildlife Service has reviewed your Biological Assessment (BA) which was prepared to evaluate the effects of the construction of Sections 3-15 of Appalachian Corridor H in Randolph, Tucker, Grant and Hardy Counties, West Virginia on the endangered Indiana bat, Myotis sodalis. Sections 3-15, constitute the remaining sections of Corridor H to be constructed. The highway extends approximately 92.0 miles between Kerns in Randolph County and the Virginia line east of Wardensville in Hardy County.

The Service previously reviewed the BA prepared for Section 16 in regard to the Indiana bat. Section 16 extends approximately 9.0 miles from Aggregates north to Kerns in Randolph County. The Service concurred with the BA that construction of Section 16 was not likely to adversely affect the Indiana bat. This was based primarily on the mitigation measure that the clearing of potential roost trees (PRTs) would only take place during the hibernation period, November 15 thru March 31.

There are approximately 30 known Indiana bat hibernacula spread across the limestone regions of eastern West Virginia in Preston, Tucker, Randolph, Pendleton, Pocahontas, Greenbrier, Monroe, and Mercer Counties. The population of these hibernacula in West Virginia range in size from one to 9,000 Indiana bats. Recent data indicate that the area within an approximate 5.0- mile radius of a hibernaculum is important foraging and roosting habitat for the Indiana bat in the fall swarming period, August 15 through November 15. In addition, male Indiana bats are known to occur during the summer in close proximity to their hibernaculum. Big Springs Cave, located in the Fernow Experimental Forest, is an Indiana bat hibernaculum within a 5-mile radius of portions or all of Sections 13, 14 and 15 in Tucker County. Males have been recorded by the West Virginia Division of Natural Resources (WVDNR) as remaining in the vicinity of Big Springs Cave during the summer months and both sexes are known to occur during the fall

swarming period. In January, 1999, the WVDNR observed 210 Indiana bats hibernating in Big Springs Cave.

Despite a concerted effort, especially over the last two seasons, there is no historic or recent evidence that female Indiana bats utilize any portion of West Virginia for summer maternity range. Therefore, West Virginia has been designated by the Service as a non-core area for the bat. Based on the presence of hibernacula nearby and the presence of potential summer habitat in the study area, utilization of the area by Indiana bats for summer range is possible. Summer habitat, used for foraging and roosting, is defined as riparian, bottomland or upland forest and old fields and pastures with scattered trees. Roost habitat primarily consists of exfoliating bark with space for bats to roost between the bark and the bole of the tree, such as would be found on dead trees of many species or live species such as shagbark hickory. Tree cavities, crevices, splits, or hollow portions of tree boles and limbs also provide roost sites.

Because of the abundance of potential summer/maternity habitat for the Indiana bat in the vicinity of Corridor H, the Service recommended that mist net surveys be conducted on the remaining sections of the proposed highway, except for portions or all of Sections 13, 14 and 15, which are within the 5-mile radius of Big Spring Cave. Since Indiana bats must be assumed to occupy summer and fall habitat in portions or all of this area, mist netting is unnecessary. Specific survey protocol, as established and approved by the Service and the WVDNR, are accepted by the Service as a reasonable effort to establish presence or absence of the species.

Mist net surveys were conducted between May 15 and August 15, 1998, in the portion of Section 15, outside of the 5-mile radius of Big Springs Cave, and Section 4 in Hardy County. Section 4 begins near Baker and extends approximately 6.0 miles to near County Road 23/12. A total of 10 bats representing three species were captured in the surveys. In addition to the mist net surveys conducted in Sections 15 and 4, 17 (seventeen) locations throughout the Monongahela National Forest were surveyed by the U.S. Forest Service (USFS) during July and August, 1997 and May and August, 1998. These surveys netted 1,088 bats representing nine species. In addition, the WVDNR conducted two additional mist net surveys in prime locations for forest bats in West Virginia. One site was located on the Monongahela National Forest on North Fork Mountain in Pendleton County and the other was located in the eastern panhandle in the Sleepy Creek Wildlife Management Area in Berkeley County. A total of 284 bats were collected representing seven species. In addition to the above mentioned mist net surveys conducted by the USFS and WVDNR, other mist net surveys were conducted in West Virginia associated with the proposed Elkins Bypass, the Westvaco Experimental Forest, and various other bat studies associated with abandoned mine portals, the Ohio River Islands National Wildlife Refuge, and academia. A total of 1,568 bats have been collected in West Virginia during the summers of 1996, 1997 and 1998 by numerous investigators and no Indiana bats were collected in any of these surveys. The only summer records, May 15 through August 15, for this species are males captured in close proximity to Big Springs Cave in the Fernow Experimental Forest.

In addition to mist net surveys, the BA evaluated and compared the amount of remaining habitat after construction of Corridor H. The habitat is expressed by the number of PRTs. PRTs are

defined as trees >6 inches diameter at breast height with loose or exfoliated bark or cavities. It was determined that only approximately 0.02% of the available habitat within the relevant watersheds would be affected by the construction of Corridor H. Only approximately 0.01% would be affected in the 5-mile radius of Big Springs Cave. The BA stated that the remaining habitat would be sufficient to support a population of Indiana bats far greater than presently occurs in West Virginia.

Indiana bat surveys, using the most currently accepted sampling protocol, which may include a combination of mist netting, anabat technology, or radio telemetry, will continue to be conducted between May 15 and August 15 on all Sections of Corridor H as they are prioritized in the pre-construction phases. This is acceptable to the Service because it would be physically impossible to collect all survey data simultaneously along the entire length of the corridor. Construction plan delays would inevitably make some, if not most, of the survey data old and obsolete and therefore, require additional surveys. Sections 5, 6, and a portion of Section 7 in the Moorefield area of Hardy County will be mist netted this summer. Reports will be submitted to the Service upon the completion of each of the mist netting efforts. If a lactating female were to be captured, further, more detailed surveys, must be implemented to determine location and size of the maternity colony. An array of mitigation measures may be implemented to avoid adverse impacts to the species if they are found to be present in the proposed construction alignment. These may include; minor alignment shifts, seasonal construction activity restrictions, and/or creation of potential roosting habitat in the adjacent land.

To avoid take of the Indiana bat in portions of Sections 13 and 15 and all of Section 14, all within a 5-mile radius of Big Springs Cave, removal of PRTs during the hibernation period, November 15 through March 31, and/or inspecting individual PRTs for the presence of bats before removal will occur. In addition, although not intended to lessen the impact specifically to the Indiana bat, approximately 11.0 miles of Corridor H will be elevated on structure, resulting in less permanent habitat disturbance.

Based on the great amount of surrounding available potential habitat remaining when compared to the project areas, and considering your plans to remove all PRTs in the project area between November 15 and April 1 or individually investigating a few PRTs which were not seasonally removed, the Service believes that the construction of Section 4, a portion of Sections 13 and Sections 14 and 15 are not likely to adversely affect the Indiana bat. Therefore, no further Section 7 consultation under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) is required with the Service on these Sections. The Service will review the bat survey reports and respond accordingly in our continued Section 7 consultation process on the remainder of the Corridor. Should project plans change, or if additional information on listed and proposed species or species of concern becomes available, this determination may be reconsidered.

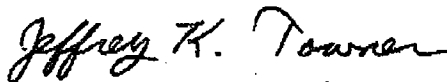
Although no Indiana bats are anticipated to be adversely affected by the construction of Section 4 and Sections 13, 14, and 15 within five miles of Big Springs, other forest bats and their habitat will be impacted by these projects. Measures to mitigate the impacts of Corridor H to terrestrial resources were addressed in the Corridor H, Final Environmental Impact Statement Vol. III,



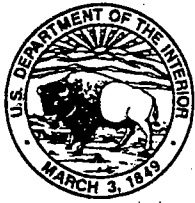
Mitigation Document, pages 25 and 26. Mitigation funds have been set aside to purchase unique habitat in the vicinity of Corridor H. Hellhole Cave, located in the Germany Valley in Tucker County, harbors one of the most important, if not the most important and largest hibernating assemblage of bats in the eastern United States, including approximately 40% of the eastern population of the Indiana bat (8,548, 1999) and approximately 40% of the entire known population of the endangered Virginia big-eared bat, Corynorhinus townsendii virginianus (9,597, 1999). The Service has officially designated Hellhole Cave as "Critical Habitat" for the Virginia big-eared bat and the Indiana bat. Critical habitat is defined as habitat which is essential for the recovery of the species. In addition to federally listed species, approximately 100,000 Little brown bats, Myotis lucifugus are known to hibernate in the cave. To control human disturbance to the hibernating bat population, Hellhole Cave has been protected since the early 1980's by a fence and a land owner agreement. The Service believes that Hellhole Cave is one of the most important and certainly unique bat caves in the Eastern United States. The future of Hellhole Cave has become less certain due to the planned expansion of limestone quarrying in the Germany Valley. Insuring Hellhole Cave's future protection would help offset permanent habitat change as a result of Corridor H and would be a significant pro-active measure to maintain bat populations in West Virginia, including the Indiana bat and the Virginia big-eared bat. We recently met with members of your staff and other interested parties to discuss this possible option. The Service encourages the West Virginia Division of Highways to assist the Service and the WVDNR to work with the local landowner to secure permanent protection for this globally significant cave. The Service would certainly encourage your agency to pursue the possibility of contributing funds to the purchase of Hellhole Cave.

If you have any questions regarding these comments please have your staff contact William A. Tolin of my staff, or call me directly, at 304-636-6586.

Sincerely,



Jeffrey K. Towner  
Field Supervisor



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241

April 18, 2001



RECEIVED

APR 23 2001

ENGINEERING DIVISION  
WV DOH

Mr. James E. Sothen  
West Virginia Department of Transportation  
Division of Highways  
1900 Kanawha Boulevard East  
Building 5, Room 110  
Charleston, West Virginia 25305-0430

Dear Mr. Sothen:

The U.S. Fish and Wildlife Service (Service) has reviewed your Biological Evaluation (BE) regarding the effects of Appalachian Corridor H on the endangered Virginia big-eared bat, Corynorhinus townsendii virginianus. Appalachian Corridor H extends approximately 100.0 miles between Elkins in Randolph County, West Virginia to the Virginia line near Wardensville in Hardy County, West Virginia. The BE addresses the potential impacts of the completion of Corridor H on the Virginia big-eared bat and includes a summary of past informal consultation regarding the effects of Corridor H on the Virginia big-eared bat. Additionally, the Service has reviewed your March 13, 2001, letter regarding new information on Dyers and Baker Caves as it relates to their importance as supporting winter or summer colonies of Virginia big-eared bats in the vicinity of the Baker to Wardensville section of Corridor H. The possibility of these caves providing habitat for the Virginia big-eared bat was brought to the attention of the West Virginia Division of Highways by the Stewards of the Potomac Highlands. Prior to this latest need for data gathering in regard to bat surveys of Dyers and Baker Caves, the Service had concluded that the construction of Corridor H would not adversely affect the Virginia big-eared bat because they were not known to exist in or near the selected corridor.


Baker Cave is located approximately 0.2 mile from the proposed corridor near Baker, Hardy County. A winter bat survey was conducted in Baker Cave on March 2, 2001. A total of 32 bats representing three species was observed hibernating in the cave. In addition, on June 23 and 24, 1999, mist nets were erected to completely enclose the entrance to Baker Cave in an effort to determine if the Virginia big-eared bat utilizes the cave as a maternity colony. No Virginia big-eared bats were observed during the winter hibernation survey and the summer mist net survey.

Dyers Cave is located approximately 1.5 miles from the proposed corridor in Hardy County. A winter bat survey was conducted in Dyers Cave on February 25, 2001. A total of 442 bats representing four species was observed hibernating in the cave. In addition, there were no signs of maternity use by Virginia big-eared bats in the cave.

Based on the results of the hibernacula and mist net surveys conducted in Baker Cave and Dyers Cave, the Service believes that these caves do not constitute significant winter and summer colonies of the Virginia big-eared bat. In addition, no caves which support significant winter and summer colonies of the Virginia big-eared bat are located within 7.0 miles of the proposed corridor. The Service believes that the completion of Appalachian Corridor H, including the Baker to Wardensville section, is not likely to adversely affect the Virginia big-eared bat. Therefore, no further Section 7 consultation under the Endangered Species Act is required with the Service. Should project plans change, or if additional information on listed and proposed species or species of concern becomes available, this determination may be reconsidered.

If you have any questions regarding these comments, please have your staff contact our Endangered Species Specialist, Mr. William A. Tolin, or contact me directly, at (304)-636-6586 or at the letterhead address.

Sincerely,

  
for Jeffrey K. Towner  
Field Supervisor



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241  
AUG 24 2001



Mr. James E. Sothen  
West Virginia Department of Transportation  
Division of Highways  
1900 Kanawha Boulevard East  
Building 5, Room 110  
Charleston, West Virginia 25305-0430

Dear Mr. Sothen:

This responds to your letter dated August 20, 2001, regarding the occurrence of the endangered West Virginia northern flying squirrel, Glaucomys sabrinus fuscus (WVNFS) within the Blackwater Avoidance Area (BAA) in the Thomas to Davis section of the Parsons to Davis Project of Appalachian Corridor H, Tucker County, West Virginia. The BAA was mandated in accordance with the Corridor H Settlement Agreement (February 2000), as an area north of the original preferred alternative to study new alignments for the highway. A Supplemental Environmental Impact Statement is currently being prepared to study the impacts of the alignment shifts.

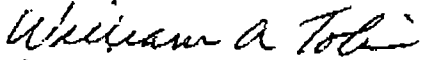
The endangered species information was submitted in response to the U. S. Fish and Wildlife Service's (Service) letter dated July 14, 2000, pursuant to Section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) (ESA). The Service's letter contained, in part, information and recommendations regarding federally listed species which could occur in the new study alignments. These species included: the endangered Indiana bat, Myotis sodalis; the endangered Virginia big-eared bat, Corynorhinus townsendii virginianus; the endangered WVNFS; the threatened Cheat Mountain salamander, Plethodon nettingi; and the endangered running buffalo clover, Trifolium stoloniferum. The Service recommended that an analysis of the habitat be conducted in any new alignments to determine the likelihood of these species occurring, and if suitable habitat did exist, that appropriate surveys to determine their presence should be conducted.

Dr. Edwin D. Michael conducted a habitat suitability inventory in the BAA. The preferred habitat of the squirrel consists of mixed northern hardwoods with a conifer component of red spruce or hemlock. Several suitable habitat areas were selected and live trapped. Survey results revealed that at least two population centers of the WVNFS occur in the BAA, one in the Right

Fork of the Big Run watershed and the other in the Middle Run watershed. The larger population, represented by 29 captures of the WVNFS, is located on the Right Fork of Big Run at the western edge of the BAA. The location of this population precludes the opportunity of selecting an alternative in this western portion of the BAA which would not traverse this occupied habitat and not potentially result in incidental take. Therefore, the Service encourages the West Virginia Division of Highways (WVDOH) to investigate an alternative that will not result in incidental take of the WVNFS. If a feasible alternative exists which does not adversely affect the WVNFS, the WVDOH should give it strong consideration.

If you have any questions regarding these comments, please have your staff contact our Endangered Species Specialist, Mr. William A. Tolin, or contact me directly, at (304)-636-6586 or at the letterhead address.

Sincerely,

  
for Jeffrey K. Towner  
Field Supervisor



Post-It Fax Note	7671	Date	11/15/01	# of pages	4
To	MURDY HAMILTON	From	W. LANGUS		
Co./Dept.	BAKIER	Co.	WV DOH		
Phone #		Phone #			
Fax #	769 0822	Fax #			



West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241

NOV - 9 2001

RECEIVED

NOV 13 2001

ENGINEERING DIVISION  
WV DOH

Mr. James E. Sothen  
West Virginia Department of Transportation  
Division of Highways  
1900 Kanawha Boulevard East  
Building 5, Room 110  
Charleston, West Virginia 25305-0430

Dear Mr. Sothen:

The U.S. Fish and Wildlife Service (Service) has reviewed the mist net survey report dated October 2001, prepared to determine the possible presence of the Indiana bat, *Myotis sodalis* in the vicinity of the proposed Appalachian Corridor H, Parsons to Davis Project in Tucker County, West Virginia. The report was prepared pursuant to Section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531 et seq.); and in accordance with your programmatic Biological Assessment (BA) dated March 3, 1999, for the remaining, unfinished Sections 3-15 of Corridor H. In our letter dated June 21, 1999, commenting on the BA, the Service agreed that Indiana bat mist net surveys could be conducted on segments of the corridor as they were prioritized in the construction schedule. This was acceptable to the Service because it would be physically impossible to collect all survey data simultaneously along the entire length of the approximately 100.0 mile corridor, and because construction plan delays could make some survey data old and obsolete. The Parsons to Davis Project begins on the western edge of Backbone Mountain near U.S. Route 219 and proceeds approximately 9.0 miles in a northeast direction to just north of Davis along Route 93 in Tucker County.

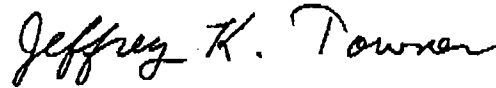
Twenty three (23) survey sites were selected in flight corridors either over streams or through natural open corridors in potential foraging and roosting habitat of the Indiana bat in the vicinity of the proposed highway. Survey methodology closely followed the standard protocol described in the Draft Indiana Bat Recovery Plan for mist netting Indiana bats. Fifty one (51) bats representing six (6) species were collected in the mist net survey conducted between July 9 and August 3, 2001. No Indiana bats were collected in the survey, suggesting they occurred in very low numbers or were absent.

Based on these survey results, the Service believes that construction of the Parsons to Davis Project of Appalachian Corridor H is unlikely to adversely affect the endangered Indiana bat.

Therefore, no further Section 7 consultation under the Endangered Species Act is required with the Service for this project. Should project plans change, or if additional information on listed and proposed species becomes available, this determination may be reconsidered.

If you have any questions regarding these comments, please have your staff contact our Endangered Species Specialist, Mr. William A. Tolin, or contact me directly, at (304)-636-6586 or at the letterhead address.

Sincerely,



Jeffrey K. Towner  
Field Supervisor

HD → DD  
handle



March 12, 2002

RECEIVED

MAR 18 2002

Dep State Hwy Eng  
Project Development

Mr. Ed Compton, P.E.  
Environmental Specialist  
Federal Highway Administration  
Geary Plaza, Suite 200  
700 Washington St., E.  
Charleston, WV 25301

Dear Mr. Compton:

The West Virginia Division of Natural Resources, Wildlife Resources Section (WRS) and the U.S. Fish and Wildlife Service (Service) have reached consensus on handling of habitat units for Corridor H. We propose that habitat units be valued in the following manner.

Habitat Suitability Indices (HSIs) were developed by the Service to quantify a parcel's ability to support a wildlife species. It identifies strengths and weaknesses of the tract by ranking various aspects of the habitat along a continuum from 0.0 (unsuitable habitat) to 1.0 (highly suitable habitat). Habitat Units (HUs) are generated by multiplying these indices by the acreage. HUs can be used as common currency to assess habitat losses and measure mitigative measures taken. Within this framework, a dollar value is never assigned to a HU, because the cost is unknown until the management treatment is implemented. Any such value is highly specific and applicable only to the site

HSIs were determined for a number of wildlife guilds residing within the right-of-way of Corridor H. A total of 6,145 HUs were identified for this project. Concurrently, negotiations were underway to identify a financial settlement amount for terrestrial impacts. It is the desire of both agencies to apply the HUs to purchase and protect unique habitat. In 1995, when the terrestrial project impacts were being tallied, it was necessary for a dollar figure to be calculated for project funding. A figure of \$1.8 million was calculated based on averaged property values of lands suggested for possible purchase and preservation at that time. The negotiated amount (\$1.8 million) has become permanently attached to the 6,145 HU's, giving each HU a value of approximately \$293.

It is not our intent to defend using the HSI for establishing a dollar value on habitat in the long term. The HSI, however, places impacted habitat and habitat created or otherwise provided as



Mr. Ed Compton, P.E.  
Page 2  
March 12, 2002

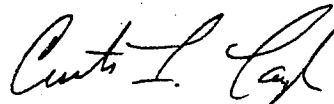
mitigation on an equal footing while allowing evaluation and mitigation of that habitat with numerical consistency.

Linking habitat values, as measured by HSIs, with dollar values is, in general, an inappropriate exercise never intended by model developers. However, having agreed to a total dollar amount, linking HUs to dollars in this unique case will allow purchase of the terrestrial mitigation which all parties agree is the most beneficial result for the wildlife resources involved.

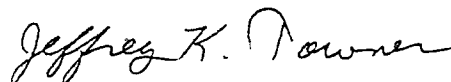
This amount is specific to this project and should not be construed as representing the actual HU value on this or any other project, nor is it to be construed as establishing a precedent. Having issued this disclaimer, we suggest that the WV Division of Highways receive one HU for every \$293 dollars spent. A zero balance will be realized when all \$1.8 million is spent.

We hope this proposal meets with your approval and precipitates the release and expenditure of these mitigation dollars. If you have any questions regarding this proposal, please do not hesitate to contact Keith Krantz (WRS) or John Schmidt/Bill Tolin (Service) of our respective staffs at your earliest convenience.

Sincerely,



Curtis I. Taylor  
Chief, Wildlife Resources Section



Jeffrey K. Towner  
Field Supervisor,  
West Virginia Field Office  
U.S. Fish & Wildlife Service

CIT/JKT/kkj



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE



West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241  
**AUG 12 2002**

James E. Sothen  
West Virginia Department of Transportation  
Division of Highways  
1900 Kanawha Boulevard East  
Building 5, Room 110  
Charleston, West Virginia 25305-0430

Dear Mr. Sothen:

The U.S. Fish and Wildlife Service (Service) has reviewed your letter dated July 29, 2002, which summarizes the results of the Cheat Mountain salamander, Plethodon nettingi, surveys on the proposed alternative alignments of the Parsons-to-Davis Project of the Appalachian Corridor H highway. In a letter dated July 14, 2000, the Service indicated that the federally threatened Cheat Mountain salamander could occur in the study area and requested that surveys for the Cheat Mountain salamander be conducted if suitable habitat existed. The suitable habitat and salamander inventories were conducted by Dr. Thomas K. Pauley and Dr. Mark B. Watson in the study area in 2000, 2001, and 2002, during suitable climatic conditions.

Although suitable habitat for the Cheat Mountain salamander did occur in the study area, no Cheat Mountain salamanders were collected in the surveys. Based on these results, the Service believes that the construction of the Parsons-to-Davis Project is not likely to adversely affect the Cheat Mountain salamander. Therefore, no Biological Assessment or further Section 7 consultation under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) is required with the Service in regard to the Cheat Mountain salamander on the Parsons-to-Davis Project. Should project plans change, or if additional information on listed and proposed species becomes available, this determination may be reconsidered.

If you have any questions regarding these comments, please have your staff contact our Endangered Species Specialist, Mr. William A. Tolin, or contact me directly, at (304)-636-6586 or at the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey K. Towner".

Jeffrey K. Towner  
Field Supervisor



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241

OCT. 11 2002



A	I	IR		
			Dir. Administrator	Administrative
			Asst. Dir. Adm.	Admin. Coordinator
			Operations Mgt. Eng.	Financial Asst.
			Financial Manager	AE-1 Design
			Planning Eng.	AE-2 Operations
			Structures Eng.	AE-3 Materials
			ROW/Envr. Eng.	Asst. Struct/Envr. Eng.
			Safety/Traffic Eng.	Computer Specialist
			Res/T? Eng.	Structure Trainee
			Trans. Specialist	FMCSA
			Library	File _____

James E. Sothen, P.E., Director  
Engineering Division  
West Virginia Department of Transportation  
Division of Highways  
1900 Kanawha Boulevard East  
Building 5, Room 110  
Charleston, West Virginia 25305-0430

Dear Mr. Sothen:

Pursuant to your request, dated August 21, 2002, the U.S. Fish and Wildlife Service (Service) has reviewed the Biological Assessment for the West Virginia Northern Flying Squirrel (BA). The BA was prepared to evaluate the impact of alternative alignments being considered in the Appalachian Corridor H, Parsons to Davis Project on the endangered West Virginia northern flying squirrel, Glaucomys sabrinus fuscus (WVNFS). These comments and recommendations are submitted in accordance with Section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) (ESA).

By letter, dated July 14, 2000, the Service provided a list of federally listed species, including the WVNFS, that could occur within a new study area outside of the Blackwater Canyon Avoidance Area. Live-trapping surveys were conducted in the study area along the avoidance alternatives and shifts to the original preferred alternative. The WVNFS was discovered in two locations: along Big Run of the Blackwater River, and Middle Run of the North Fork of the Blackwater River. In a letter dated August 24, 2001, the Service recommended that the West Virginia Division of Highways consider alternative alignments that would minimize or avoid impacts to these newly discovered populations. The subject BA responds to our August 24, 2001 recommendation by presenting two basic alternative alignments (SAA1 and SAA2) believed to avoid impacts to the WVNFS.

On September 6, 2001, the Service amended Appendix A, Guidelines for habitat Identification and Management for Glaucomys sabrinus fuscus of the Appalachian Northern Flying Squirrels Recovery Plan (1990) (enclosed). Prior to the amendment, the presence of the WVNFS in a project area was determined by either placing and monitoring nest boxes or live trapping. The Service, the West Virginia Division of Natural Resources, the Monongahela National Forest and

the Recovery Team agreed, based on the data gathering over the past 10 years, that this approach may not have protected WVNFS habitat to the fullest extent possible. The Service and others believe that the WVNFS is less likely to use nest boxes or enter traps in good quality habitat due to the natural presences of numerous den sites and an abundance of preferred foods. Therefore, if an area exhibits suitable habitat, it is assumed to be potentially occupied.

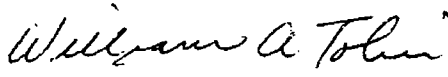
The BA clearly shows that none of the alternatives or combinations thereof, can avoid suitable habitat. In addition, William A. Tolin, Endangered Species Specialist of the Service's West Virginia Field Office, met on-site with Ms. Mindy Ramsey and Ms. Martha Dobyne of Michael Baker, Jr. to review the mapping of the potential habitat. The Service believes far more suitable habitat exists along all the study alignments than is depicted in the BA. This determination is primarily based on the fact that suitable habitat should also include buffers of approximately 150 feet and corridors necessary to provide linkages between suitable habitat. In addition suitable habitat can be represented by very little conifer in the understory which is probably not all picked up by the satellite imagery used in the BA.

The Service believes that based on the presence of suitable habitat in sections of all alternative alignments, it is impossible to avoid incidental take of the WVNFS. However, the Service recommends that a more thorough evaluation of the presence of suitable habitat along the alignments be accomplished to compare the degree of direct and indirect disturbance between alternatives and to aid in the selection of the least damaging alternative as it relates to the WVNFS.

After the National Environmental Policy Act review has been completed, the Service recommends that the evaluation of selected alternative's impacts to the WVNFS be incorporated into an additional, separate Biological Assessment pursuant to Section 7 of the ESA. Biological Assessments are designed to assist federal agencies in determining if formal consultation is required. If it is determined that the proposed action "may affect" a federally listed species the federal agency must request, in writing, formal consultation with this office, pursuant to Section 7(a) of the ESA.

If you have any questions regarding these comments, please have your staff contact our Endangered Species Specialist, Mr. William A. Tolin, or contact me directly, at (304)-636-6586 or at the letterhead address.

Sincerely,

  
for Jeffrey K. Towner  
Field Supervisor

Enclosure



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241

October 14, 2004

Mr. James E. Sothen  
WV Dept. of Transportation  
Division of Highways  
1900 Kanawha Boulevard, East  
Building Five, Room 110  
Charleston West Virginia 25305-0430

**RECEIVED**

OCT 20 2004

ENGINEERING DIVISION  
WV DOH

Re: Appalachian Corridor H, Parsons to Davis, West Virginia

Dear Mr. Sothen:

The U.S. Fish and Wildlife Service (Service) has reviewed the Appalachian Corridor II Parsons to Davis Project, Biological Assessment for the West Virginia Northern Flying Squirrel (BA) and provides the following comments. The West Virginia Division of Highways (WVDOH) in conjunction with the Federal Highway Administration (FHA) proposes to construct an approximately 9-mile section of the proposed Corridor H highway between Parsons and Davis, Tucker County, West Virginia. These comments are submitted in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.).

On August 9, 2004 the Service received a draft copy BA for the West Virginia Northern Flying Squirrel (*Glaucomys sabrinus fuscus*) (WVNFS). On August 23, 2004 the Service met with members of your staff, your project consultants, and the FHA to discuss the conclusions and content of the BA as well as future actions on this project. On September 8, 2004 the Service received a revised version of the BA that incorporated changes recommended at our previous meeting.

The BA evaluates four alternatives including the no build alternative, two "squirrel avoidance alternatives" (with sub-alternatives), and the Revised Original Preferred Alternative (ROPA). Based on mapping of WVNFS habitat within the action area, all of the build alternatives would directly impact "highly suitable" and "suitable" WVNFS habitat. Additional direct and indirect effects including fragmentation, barriers to travel corridors, and disposal of fill material are anticipated for all build alternatives. The BA therefore concludes that all the alternatives evaluated, except the no build alternative, would be likely to adversely affect the WVNFS. The

Post-It™ Fax Note	7671	Date	10/21/04	# of pages	2
To	A. ROGERS	From	N. ANGEUS		
Co./Dept.	BAKER	Co.	WVDOH		
Phone #		Phone #			
Fax #	769-0822	Fax #			

Mr. James E. Sothen  
October 14, 2004

2

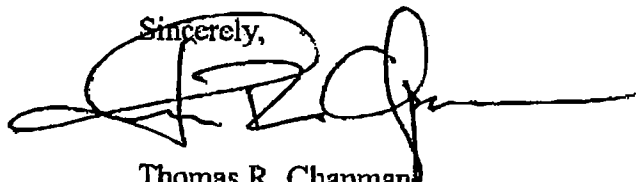
ROPA is the shortest route and would involve the least amount of cut and fill. As a result, the BA further concludes that the ROPA would impact the least amount of "highly suitable" and "suitable" WVNFS habitat.

The Service concurs that all build alternatives are "likely to adversely affect" the WVNFS. Therefore, formal consultation will be required if the WVDOH wishes to proceed with construction of the proposed project as described in any of the alternatives evaluated.

The Service has not received a request to initiate formal consultation from the WVDOH. As consistent with National Environmental Policy Act procedures and agreements made during project meetings, the WVDOH will use the information developed in this BA to aid in selecting a preferred project alternative. The selected alternative will then be presented in a Revised Preferred Alternative Report. Once the preferred alternative is selected, the WVDOH will work with the Service and other resource trustees to develop appropriate conservation and minimization measures that will be incorporated into the selected alternative. These measures should benefit and enhance WVNFS conservation efforts consistent with section 7(a) of the ESA, and minimize project impacts to the WVNFS to the extent practicable. Formal consultation will not be initiated until these steps are completed and the Service receives a completed initiation package that fully describes the proposed project.

Additionally, for your future information, please note that recent captures near Otter Creek cabin have documented WVNFS at elevations as low as 2300 ft above sea level. We appreciate your commitment to working with the Service to address endangered species issues, and we look forward to continuing our cooperative efforts on this project. If you have further questions regarding this letter, please contact Ms. Barbara Douglas of my staff at (304) 636-6586, or at the letterhead address.

Sincerely,



Thomas R. Chapman  
Field Supervisor

**RECEIVED**

OCT 20 2004

ENGINEERING DIVISION  
WV DOH



U.S. Department  
of Transportation

**Federal Highway  
Administration**

West Virginia Division

Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301  
(304) 347-5928

August 23, 2005

**IN REPLY REFER TO:**

Federal Project APD-0484(059)  
State Project X142-H-38.99 C-2  
Appalachian Corridor H  
Tucker County  
Formal Consultation Initiation

Mr. Thomas R. Chapman  
Field Supervisor  
U.S. Fish and Wildlife Service  
West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241

Dear Mr. Chapman:

With this letter, the Federal Highway Administration (FHWA) is requesting the initiation of formal consultation with the U.S. Fish and Wildlife Service regarding the potential effects of the Parsons-to-Davis section of Appalachian Corridor H project on the West Virginia Northern Flying Squirrel (*Glaucomys sabrinus fuscus*).

We have enclosed the information required to initiate formal consultation under the Service's regulations (50 CFR 402.14(c)). The enclosed materials include:

- WV Northern Flying Squirrel Formal Consultation Initiation Package – August 2005
- WV Northern Flying Squirrel Biological Assessment – August 2004
- WV Northern Flying Squirrel Biological Assessment – August 2002
- Amended Preferred Alternative Report – November 2004
- Original Preferred Alternative Report – December 2003
- Supplemental Draft Environmental Impact Statement – December 2002
- Final Environmental Impact Statement – April 1996

The initiation package provides a detail description of the action being considered, a description of the specific area that may be affected by the action, a description of the listed species and/or critical habitat and an analysis of potential cumulative effects. As noted above, all relevant reports and studies have been included for your use and information.

In accordance with U.S. Fish and Wildlife Service guidance, the FHWA is also requesting an acknowledgement letter and/or e-mail within 30 working days of receipt of the initiation package to indicate the actual initiation date for formal consultation. If you have any questions concerning this matter, please contact me at (304) 347-5268 or via e-mail at [henry.compton@fhwa.dot.gov](mailto:henry.compton@fhwa.dot.gov).

Sincerely yours,

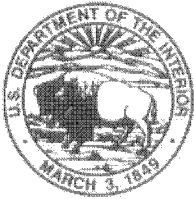
Henry E. Compton, P.E.  
Planning & Environment Team Leader

Enclosures

cc: File, Reading, HEC, WVDOH(Hark)  
HEC:hec 08/17/05



**Formal**  
**Section 7 Consultation**



United States Department of the Interior

FISH AND WILDLIFE SERVICE

West Virginia Field Office
694 Beverly Pike
Elkins, West Virginia 26241

September 19, 2005



Table with columns for job titles and initials. Includes roles like Div Administrator, Asst Div Admin, Operations Mgt Eng, Financial Manager, Trans Planning Eng, Structures Eng, Planning/Envir, Safety Eng, Res/T\* Eng, Trans Specialist, Admin Coord, Admin Coord, Financial Spec, AE-1 Design, AE-2 Corr Mgt Eng, AE-3 Materials, Asst Structures Eng, IT Specialist, Library.

Mr. Henry E. Compton
Division Environmental Coordinator
Federal Highway Administration
Geary Plaza, Suite 200
700 Washington Street, East
Charleston, West Virginia 25301

Re: Appalachian Corridor H, Parsons to Davis; Formal Consultation Initiation

Dear Mr. Compton:

This letter acknowledges the U.S. Fish and Wildlife Service's August 22, 2005 receipt of your August 19, 2005 letter requesting initiation of formal section 7 consultation under the Endangered Species Act. The consultation concerns the possible effects of the proposed construction of Appalachian Corridor H, Parsons to Davis on the West Virginia northern flying squirrel (Glaucomys sabrinus fuscus).

The Service has reviewed the information provided in your initiation package. While the package appears to be substantially complete, we have determined that we have not yet received all the information necessary to initiate formal consultation on this project. The additional information required is listed below.

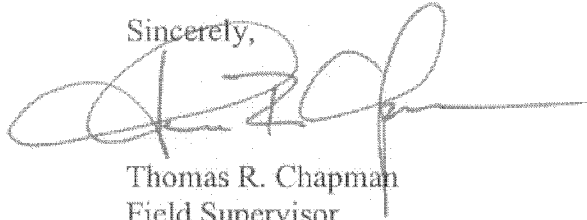
- Your initiation package includes two different versions of Appendix B (Conservation Measures). Please clarify which version is the appropriate one for us to use in the formal consultation process.
Both versions of Appendix B refer to Exhibit 4, which is supposed to detail plans to bifurcate a portion of the highway. However, we were not able to locate an Exhibit 4 in the initiation package. Please provide a copy of this document.
Section 4.4 Indirect Effects - Habitat Remnants states that you identified the areas that would be isolated by the highway and would be considered too small to support a viable population. The Service requires more information on what procedures were used to make this determination, including what threshold value was used to determine whether the interdicted areas are "too small," and the supporting data that was used to make this

determination. In addition, Table 3 quantifies the acreage that would be affected in this manner. However, no map is provided that allows us to determine where these affected areas are located. We recommend highlighting the identified areas on a map similar to the ones provided as Exhibit 1.

The formal consultation process for this project will not begin until we receive all of the information listed above. We will notify you when we receive this additional information. Our notification letter will also outline the dates within which formal consultation should be complete and the biological opinion delivered on the proposed action.

The Service recognizes and appreciates the amount of early coordination that occurred prior to submittal of this package. We appreciate your commitment to working with the Service to address endangered species issues, and we look forward to continuing our cooperative efforts on this project. If you have further questions regarding this letter, please contact Ms. Barbara Douglas of my staff at (304) 636-6586, or at the letterhead address.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Chapman', with a long horizontal line extending to the right.

Thomas R. Chapman  
Field Supervisor



U.S. Department  
of Transportation

**Federal Highway  
Administration**

West Virginia Division

Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301  
(304) 347-5928

October 25, 2005

**IN REPLY REFER TO:**  
Federal Project APD-0484(059)  
State Project X142-H-38.99 C-2  
Appalachian Corridor H  
Tucker County  
Formal Consultation Initiation

Mr. Thomas R. Chapman  
Field Supervisor  
U.S. Fish and Wildlife Service  
West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241

Dear Mr. Chapman:

By letter dated August 19, 2005, the Federal Highway Administration (FHWA) requested the initiation of formal consultation with the U.S. Fish and Wildlife Service (FWS) regarding the potential effects of the Parsons-to-Davis section of Appalachian Corridor H project on the West Virginia Northern Flying Squirrel (*Glaucomys sabrinus fuscus*). By letter dated September 19, 2005, the FWS provided comments to the FHWA requesting that modifications be made to the submitted documentation prior to initiation of formal consultation. The requested modifications have been made. Please find enclosed a copy of the revised documentation, along with an errata sheet, outlining how each of the FWS comments were addressed. Your timely acknowledgment and commencement of formal consultation would be greatly appreciated. If you have any questions concerning this matter, please contact me at (304) 347-5268 or via e-mail at [henry.compton@fhwa.dot.gov](mailto:henry.compton@fhwa.dot.gov).

Sincerely yours,

Henry E. Compton, P.E.  
Planning & Environment Team Leader

Enclosure





# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241

March 22, 2006



Mr. Henry E. Compton  
Division Environmental Coordinator  
Federal Highway Administration  
Geary Plaza, Suite 200  
700 Washington Street, East  
Charleston, West Virginia 25301

**RECEIVED**

MAR 23 2006

**ENGINEERING DIVISION  
WV DOH**

Re: Appalachian Corridor H (Parsons to Davis) Formal Consultation Extension Request

Dear Mr. Compton:

As you know, the U.S. Fish and Wildlife Service (Service) and the Federal Highway Administration have been consulting under Section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. § 1536) on the proposed Parsons to Davis segment of the Appalachian Corridor H highway project in Tucker County, West Virginia.

By correspondence dated October 25, 2006, the Federal Highway Administration determined that this segment of the project is likely to adversely affect the federally endangered West Virginia northern flying squirrel (*Glaucomys sabrinus fuscus*), and therefore initiated formal consultation pursuant to the Service's regulations (50 C.F.R. Part 402). Based on our evaluation of the final biological assessment for the project, and our independent examination of the effects of the proposed action, the Service concurred with this evaluation. Formal consultation was initiated on October 26, 2005.

However, we regret that due to an overwhelming workload we are unable to complete this consultation by the specified time proposed in our November 18, 2005 correspondence. As I recently discussed with you, we are respectfully requesting an extension to complete this consultation.

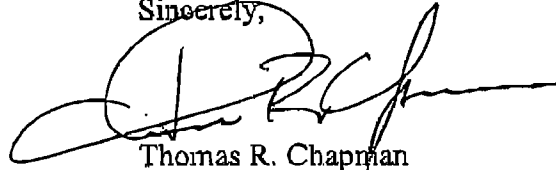
We will continue to work with you to address any remaining issues and incorporate this information into the draft biological opinion and provide the draft to you for review. We anticipate providing you with a draft biological opinion by April 28, 2006. The final biological opinion will be issued after the Service has responded to your comments and incorporated any appropriate changes.

Mr. Henry E. Compton  
March 22, 2006

2

Thank you for your patience. If you have any questions regarding this letter, please contact me at (304) 636-6586, or at the letterhead address. Your written response to this request for a time extension would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom R. Chapman', written over a circular stamp or mark.

Thomas R. Chapman  
Field Supervisor

Mr. Henry E. Compton  
March 22, 2006

3

cc:

WVDNR - Stihler

WVDOH - Angus

Project File

Reader File

ES:WVFO:TChapman:skd:3/22/2006

Filename: U:\Finalized Correspondence\WVDOH\Corridor H Project\2006\Corridor H Parson  
to Davis BO Extension.doc



## **NRCS Coordination**

Natural  
Resources  
Conservation  
Service

January 22, 2001

HC 85, Box 303  
Moorefield, WV  
26836

Phone:  
(304) 538-7583

Fax:  
(304) 538-7676

Mary Keith Floyd  
Michael Baker Jr., Inc.  
Hillcrest Building, Suite 101  
1801 Bayberry Court  
Richmond, Virginia 23226

**Re: Ad - 1006  
Blackwater Avoidance - Corridor H**

Dear Ms. Floyd:

Enclosed are the completed AD-1006 forms for the latest potential alignments of Corridor H through Tucker and Randolph Counties, WV. I am indicating on the forms that the alternatives contain no prime, unique, statewide, or locally important farmland (by definition in the 1995 FPPA final rule), and the Farmland Protection Policy Act does not apply.

This negative determination is very consistent with past evaluations of most corridor-type projects in West Virginia. In our State, the relatively few acres of important farmland soils along a corridor are typically far exceeded by many acres of steep and stony soils. Therefore, our overall ratings for corridor projects are typically low.

As you know, a small acreage of important farmland actually does exist along the alternative corridors. I am sure that individual farmers consider these acreages to be very important. However, when the sum of the land evaluation plus the site assessment of a corridor equals less than 160 points, the FPPA is considered not to apply. Since all the calculated site assessments which you provided are already rather low, and since the maximum land evaluation can be only 100 points, the sums cannot exceed the 160 point threshold for any of the alternative corridors. Previous ratings for similar Corridor H alternative routes showed values at far less than 160, and typically less than 50.

If you have questions about this report, I can be contacted at the above address or by phone at 304-538-7583.

Sincerely,

  
Ron Estepp,  
Soil Scientist

# FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request	1/16/01
Name Of Project	Blackwater Avoidance - Corridor H	Federal Agency Involved	
Proposed Land Use	highway	County And State	Tucker, WV

PART II (To be completed by SCS)		Date Request Received By SCS	1/18/01
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply — do not complete additional parts of this form).		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Acres Irrigated	Average Farm Size %
Name Of Land Evaluation System Used	Name Of Local Site Assessment System	Date Land Evaluation Returned By SCS	
		1/23/01	

PART III (To be completed by Federal Agency)	orig.	Alternative Site Rating		
		PA Site-A	Grey Site-B	Blue Site-C
A. Total Acres To Be Converted Directly	193	205	222	
B. Total Acres To Be Converted Indirectly	-	-	-	
C. Total Acres In Site	193	205	222	

PART IV (To be completed by SCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	0	0	0	
B. Total Acres Statewide And Local Important Farmland	7.8	10.5	15.5	
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				

PART V (To be completed by SCS) Land Evaluation Criterion  
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)

PART VI (To be completed by Federal Agency)	Maximum Points	orig.	PA Site-A	Grey Site-B	Blue Site-C
Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))					
1. Area In Nonurban Use	15	14	13	13	
2. Perimeter In Nonurban Use	10	10	10	10	
3. Percent Of Site Being Farmed	20	2	1	1	
4. Protection Provided By State And Local Government	20	0	0	0	
5. Distance From Urban Builtup Area	NA	-	-	-	
6. Distance To Urban Support Services	NA	-	-	-	
7. Size Of Present Farm Unit Compared To Average	10	5	5	5	
8. Creation Of Nonfarmable Farmland	25	1	1	1	
9. Availability Of Farm Support Services	5	0	0	0	
10. On-Farm Investments	20	3	3	3	
11. Effects Of Conversion On Farm Support Services	25	0	0	0	
12. Compatibility With Existing Agricultural Use	10	1	1	1	
<b>TOTAL SITE ASSESSMENT POINTS</b>	160	36	34	34	

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100				
Total Site Assessment (From Part VI above or a local site assessment)	160	36	34	34	
<b>TOTAL POINTS (Total of above 2 lines)</b>	260				

Site Selected:	Date Of Selection	Was A Local Site Assessment Used?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Reason For Selection:				

(See Instructions on reverse side)

U.S. Department of Agriculture

# FARMLAND CONVERSION IMPACT RATING

<b>PART I (To be completed by Federal Agency)</b>	Date Of Land Evaluation Request 1/16/01
Name Of Project Blackwater Avoidance - Corridor H	Federal Agency Involved
Proposed Land Use highway	County And State Tucker, WV

<b>PART II (To be completed by SCS)</b>	Date Request Received By SCS 1/18/01
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply -- do not complete additional parts of this form).	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Major Crop(s)	Acres Irrigated
Name Of Land Evaluation System Used	Average Farm Size
Name Of Local Site Assessment System	Date Land Evaluation Returned By SCS 1/23/01

	Alternative Site Rating			
	Lt. Blue Site A	Red Site B	Site C Purple	Site D
<b>PART III (To be completed by Federal Agency)</b>				
A. Total Acres To Be Converted Directly	240	284	288	
B. Total Acres To Be Converted Indirectly	-	-	-	
C. Total Acres In Site	240	284	288	

<b>PART IV (To be completed by SCS) Land Evaluation Information</b>				
A. Total Acres Prime And Unique Farmland	0	0	0	
B. Total Acres Statewide And Local Important Farmland	18.5	18.3	16.4	
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				

**PART V (To be completed by SCS) Land Evaluation Criterion**  
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)

Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))	Maximum Points	Alternative Site Rating			
		Lt. Blue Site A	Red Site B	Site C Purple	Site D
1. Area In Nonurban Use	15	13	14	14	
2. Perimeter In Nonurban Use	10	10	10	10	
3. Percent Of Site Being Farmed	20	1	1	1	
4. Protection Provided By State And Local Government	20	0	0	0	
5. Distance From Urban Builtup Area	NA	-	-	-	
6. Distance To Urban Support Services	NA	-	-	-	
7. Size Of Present Farm Unit Compared To Average	10	5	5	5	
8. Creation Of Nonfarmable Farmland	25	1	1	1	
9. Availability Of Farm Support Services	5	0	0	0	
10. On-Farm Investments	20	3	3	3	
11. Effects Of Conversion On Farm Support Services	25	0	0	0	
12. Compatibility With Existing Agricultural Use	10	1	1	1	
<b>TOTAL SITE ASSESSMENT POINTS</b>	160	34	35	35	

<b>PART VII (To be completed by Federal Agency)</b>				
Relative Value Of Farmland (From Part V)	100			
Total Site Assessment (From Part VI above or a local site assessment)	160	34	35	35
<b>TOTAL POINTS (Total of above 2 lines)</b>	260			

Site Selected:	Date Of Selection:	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input type="checkbox"/>
Reason For Selection:		

U.S. Department of Agriculture

# FARMLAND CONVERSION IMPACT RATING

<b>PART I (To be completed by Federal Agency)</b>		Date Of Land Evaluation Request	1/16/01
Name Of Project <b>Blackwater Avoidance - Corridor H</b>		Federal Agency Involved	
Proposed Land Use <b>highway</b>		County And State	<b>Tucker, WV</b>
<b>PART II (To be completed by SCS)</b>		Date Request Received By SCS	1/18/01

Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply -- do not complete additional parts of this form).		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount Of Farmland As Defined in FPPA Acres: %			
Name Of Land Evaluation System Used	Name Of Local Site Assessment System	Date Land Evaluation Returned By SCS 1/23/01			

PART III (To be completed by Federal Agency)	Alternative Site Rating			
	Green Site A	Brown Site B	Orange Site C	Site D
A. Total Acres To Be Converted Directly	241	183	279	
B. Total Acres To Be Converted Indirectly	-	-	-	
C. Total Acres In Site	241	183	279	

PART IV (To be completed by SCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	0	0	0	
B. Total Acres Statewide And Local Important Farmland	16.2	5.6	14.7	
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				

**PART V (To be completed by SCS) Land Evaluation Criterion**  
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)

PART VI (To be completed by Federal Agency)	Maximum Points	Green Site A	Brown Site B	Orange Site C	Site D
1. Area In Nonurban Use	15	14	14	14	
2. Perimeter In Nonurban Use	10	10	10	10	
3. Percent Of Site Being Farmed	20	1	1	1	
4. Protection Provided By State And Local Government	20	0	0	0	
5. Distance From Urban Builtup Area	NA	-	-	-	
6. Distance To Urban Support Services	NA	-	-	-	
7. Size Of Present Farm Unit Compared To Average	10	5	5	5	
8. Creation Of Nonfarmable Farmland	25	1	1	1	
9. Availability Of Farm Support Services	5	0	0	0	
10. On-Farm Investments	20	3	3	3	
11. Effects Of Conversion On Farm Support Services	25	0	0	0	
12. Compatibility With Existing Agricultural Use	10	1	1	1	
<b>TOTAL SITE ASSESSMENT POINTS</b>	<b>160</b>	<b>35</b>	<b>35</b>	<b>35</b>	

PART VII (To be completed by Federal Agency)				
Relative Value Of Farmland (From Part V)	100			
Total Site Assessment (From Part VI above or a local site assessment)	160	35	35	35
<b>TOTAL POINTS (Total of above 2 lines)</b>	<b>260</b>			

Site Selected:	Date Of Selection	Was A Local Site Assessment Used?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Reason For Selection:

**Cities of  
Thomas, West Virginia  
and  
Davis, West Virginia  
Coordination**

# CITY OF THOMAS

P.O. BOX 248  
THOMAS, WV 26292

## RESOLUTION

March 13, 2001

The City of Thomas passed a resolution stating that we would like to develop the property as a park but we would like to do it jointly with the West Virginia Division of Highways and the Federal Highway Administration such that Corridor H may be located within property boundaries.

Debbie Snyder

*Debbie Snyder*  
Mayor

*In the spirit of 4(f)*



DD FILE  
BILL MCCARTNEE

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Bob Wise  
Governor

Fred VanKirk, P.E.  
Secretary/Commissioner

Jerry Bird  
Assistant Commissioner

July 28, 2003

The Honorable Joe Drenning  
Mayor, City of Davis  
Post Office Box 207  
Davis, West Virginia 26260

Dear Mayor Drenning:

**State Project X142-H-38.99 C-2  
Federal Project APD-484(59)  
Appalachian Corridor H, Parsons to Davis  
Tucker County**

As you know, the Blackwater Supplemental DEIS (SDEIS) for the Parsons to Davis portion of Corridor H has been circulated, and the public comment period on that SDEIS has been completed. In accordance with the Corridor H Settlement Agreement, Section III(c)(2)(b), this letter

- initiates the additional 60-day period within which each City Council is asked to consider the alternatives that were examined in the SDEIS and to express its views on one or more of the alternatives examined;
- identifies West Virginia Department of Transportation's (WVDOT's) Preferred Alternative and explains the reasons for selecting that alternative (see details below);
- offers to each City Council an opportunity to have a presentation given by the WVDOT to the City Council outlining the reasons for the WVDOT Preferred Alternative identification; and
- requests that if the City Council requests the presentation as discussed above, that the City Council provide Corridor H Alternatives an



opportunity to express its views on the Preferred Alternative at the presentation given by the WVDOT to the City Council.

### **Preferred Alternative Identification and Rationale**

After consideration of engineering and environmental constraints and public and agency comments, the Revised Original Preferred Alternative (OPA) with the Truck Route (TR) option has been identified as the Preferred Alternative for the Parsons to Davis project at this stage of the process based on the following summarized information:

- This alternative, by including a TR, will greatly reduce heavy truck traffic through downtown Thomas, thus increasing its attractiveness for economic development, particularly tourism related retail activities.
- This alternative is the only alternative that can feasibly provide a connection to Tucker County High School from Corridor H, an important safety issue raised during the public involvement process by the Citizens Advisory Group, individual citizens at public meetings, and Tucker County officials.
- This alternative reduces travel and emergency response times more than any of the other alternatives under consideration.
- This alternative will not impact the Tucker County Landfill facilities or the landfill's ability to expand for future growth. Alternatives that run east of the Tucker County Landfill (1D East, 1E, and 1G East) would impact the landfill's ability to expand. The landfill currently services 10 counties in West Virginia.
- This alternative is similar to the other alternatives in terms of its overall environmental impacts; in the areas where its impacts are greater (e.g., wetlands), the impacts have already been fully permitted and mitigated.
- This alternative will have no adverse effect on any historic properties. The West Virginia State Historic Preservation Officer (SHPO) and the Monongahela National Forest have concurred in this finding.
- This alternative is \$16 million to \$70 million less expensive than any other alternative.

While the Revised OPA with the Truck Route has been identified at this stage of the Blackwater SEIS process as the Preferred Alternative, its

The Honorable Joe Drenning  
July 28, 2003  
Page 3

identification does not preclude the WVDOT from changing the Preferred Alternative's identification at a later stage based on the City Councils' or resource agencies' comments or other new information or changed circumstances [Settlement Agreement, Section III(C)(b)(2)].

### Next Steps

Under the Corridor H Settlement Agreement, the transmittal of this letter initiates a 60-day period within which the City Councils of Thomas and Davis may express their views on the selection of the Preferred Alternative for the Parsons to Davis project. During this period, if requested, the WVDOT will give a presentation to each City Council outlining our reasons for selecting the Preferred Alternative. If we are asked to give such a presentation, we also will ask that you allow an opportunity at that presentation for Corridor H Alternatives to present its views on the Preferred Alternative.

Under the Settlement Agreement, the City Councils are under no obligation to take any action. In particular, you are not required to provide an opportunity for a presentation, nor are you required to adopt a resolution. However, if you intend to submit comments, we request that they be submitted in the form of a resolution adopted by the Councils during the 60-day comment period, which ends on September 30, 2003. If a resolution is not adopted within this time period, the views of the City Councils would not be given any weight under the Settlement Agreement.

Thank you for your attention to this matter. Should you require additional information, please call me at (304)558-6266.

Very truly yours,  
ORIGINAL SIGNED BY  
RANDOLPH T. EPPERLY, JR.

Randolph T. Epperly, Jr., P.E.,  
Deputy State Highway Engineer -  
Development

RTE:Ss

cc: Corridor H Alternatives  
bcc: AC, DDE(NA), DDR, DD(MF, LA), HD

**RESOLUTION TO SUPPORT THE REVISED ORIGINAL PREFERRED ALTERNATIVE (OPA) WITH TRUCK ROUTE (TR) OPTION OF CORRIDOR H FROM PARSONS TO DAVIS**

WHEREAS, IT HAS BEEN DETERMINED BY THE MAYOR AND COUNCIL OF THE TOWN OF DAVIS, TUCKER COUNTY, WEST VIRGINIA, THAT IN AN EFFORT TO GET THE CORRIDOR H FROM PARSONS TO DAVIS COMPLETED IN AN EXPEDIOUS FASHION IN HOPES THAT THE SURROUNDING COMMUNITIES CAN THEN WORK TOGETHER AND DRAW SOME MORE JOBS INTO OUR AREA

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF DAVIS, TUCKER COUNTY, WEST VIRGINIA, THAT THE REVISED ORIGINAL PREFERRED ALTERNATIVE (OPA) WITH THE TRUCK ROUTE (TR) OPTION IS THE MOST COST EFFICIENT AND FEASIBLE ROUTE AND THEREFORE IS THE ROUTE WE HEREBY SUPPORT WHOLE HEARTEDLY.

THIS RESOLUTION SHALL BE IN EFFECT FROM THE DATE OF ITS ADOPTION.

ADOPTED: September 10, 2003

Louise Ball  
RECORDER

[Signature]  
MAYOR

THE UNDERSIGNED RECORDER OF THE TOWN OF DAVIS, TUCKER COUNTY, WEST VIRGINIA, HEREBY CERTIFIES THAT THE FOREGOING IS A TRUE, CORRECT AND COMPLETE COPY OF A RESOLUTION ADOPTED BY THE GOVERNING BODY OF THE TOWN OF DAVIS AT A REGULAR MEETING HELD ON THE 10TH DAY OF SEPTEMBER, 2003 IN ACCORDANCE WITH LAW, AND SUCH RESOLUTION HAS NOT BEEN REPEALED, REVOKED, RESCINDED, OR AMENDED BUT IS IN FULL FORCE AND EFFECT ON THE DATE HEREOF.

WITNESS MY HAND AND THE SEAL OF THE TOWN OF DAVIS, TUCKER COUNTY, WEST VIRGINIA ON THIS THE 10TH DAY OF SEPTEMBER 2003.

Louise Ball  
RECORDER



~~SDE~~ FILE  
BILL MCCARTNEY

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • 304/558-3505

Bob Wise  
Governor

Fred VanKirk, P.E.  
Secretary/Commissioner

Jerry Bird  
Assistant Commissioner

July 28, 2003

The Honorable Debbie Snyder  
Mayor, City of Thomas  
Post Office Box 248  
Thomas, West Virginia 26292

Dear Mayor Snyder:

State Project X142-H-38.99 C-2  
Federal Project APD-484(59)  
Appalachian Corridor H, Parsons to Davis  
Tucker County

As you know, the Blackwater Supplemental DEIS (SDEIS) for the Parsons to Davis portion of Corridor H has been circulated, and the public comment period on that SDEIS has been completed. In accordance with the Corridor H Settlement Agreement, Section III(c)(2)(b), this letter

- initiates the additional 60-day period within which each City Council is asked to consider the alternatives that were examined in the SDEIS and to express its views on one or more of the alternatives examined;
- identifies West Virginia Department of Transportation's (WVDOT's) Preferred Alternative and explains the reasons for selecting that alternative (see details below);
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- requests that if the City Council requests the presentation as discussed above, that the City Council provide Corridor H Alternatives an

**opportunity to express its views on the Preferred Alternative at the presentation given by the WVDOT to the City Council.**

### **Preferred Alternative Identification and Rationale**

**After consideration of engineering and environmental constraints and public and agency comments, the Revised Original Preferred Alternative (OPA) with the Truck Route (TR) option has been identified as the Preferred Alternative for the Parsons to Davis project at this stage of the process based on the following summarized information:**

- This alternative, by including a TR, will greatly reduce heavy truck traffic through downtown Thomas, thus increasing its attractiveness for economic development, particularly tourism related retail activities.**
- This alternative is the only alternative that can feasibly provide a connection to Tucker County High School from Corridor H, an important safety issue raised during the public involvement process by the Citizens Advisory Group, individual citizens at public meetings, and Tucker County officials.**
- This alternative reduces travel and emergency response times more than any of the other alternatives under consideration.**
- This alternative will not impact the Tucker County Landfill facilities or the landfill's ability to expand for future growth. Alternatives that run east of the Tucker County Landfill (1D East, 1E, and 1G East) would impact the landfill's ability to expand. The landfill currently services 10 counties in West Virginia.**
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- This alternative will have no adverse effect on any historic properties. The West Virginia State Historic Preservation Officer (SHPO) and the Monongahela National Forest have concurred in this finding.**
- This alternative is \$16 million to \$70 million less expensive than any other alternative.**

**While the Revised OPA with the Truck Route has been identified at this stage of the Blackwater SEIS process as the Preferred Alternative, its**

**The Honorable Debbie Snyder  
July 28, 2003  
Page 3**

identification does not preclude the WVDOT from changing the Preferred Alternative's identification at a later stage based on the City Councils' or resource agencies' comments or other new information or changed circumstances [Settlement Agreement, Section III(C)(b)(2)].

**Next Steps**

Under the Corridor H Settlement Agreement, the transmittal of this letter initiates a 60-day period within which the City Councils of Thomas and Davis may express their views on the selection of the Preferred Alternative for the Parsons to Davis project. During this period, if requested, the WVDOT will give a presentation to each City Council outlining our reasons for selecting the Preferred Alternative. If we are asked to give such a presentation, we also will ask that you allow an opportunity at that presentation for Corridor H Alternatives to present its views on the Preferred Alternative.

Under the Settlement Agreement, the City Councils are under no obligation to take any action. In particular, you are not required to provide an opportunity for a presentation, nor are you required to adopt a resolution. However, if you intend to submit comments, we request that they be submitted in the form of a resolution adopted by the Councils during the 60-day comment period, which ends on September 30, 2003. If a resolution is not adopted within this time period, the views of the City Councils would not be given any weight under the Settlement Agreement.

Thank you for your attention to this matter. Should you require additional information, please call me at (304)558-6266.

**Very truly yours,**

**ORIGINAL SIGNED BY  
RANDOLPH T. EPPERLY, JR.  
Randolph T. Epperly, Jr., P.E.,  
Deputy State Highway Engineer -  
Development**

**RTE:Ss**

**cc: Corridor H Alternatives  
bcc: AC, DDE(NA), DDR, DD(MF, LA), HD**

**CORRIDOR H**

**WHEREAS**, The Thomas and Davis City Councils have until September 30, 2003, to review the preferred alternative recommendation,

**WHEREAS**, the City of Thomas, Tucker County, West Virginia, will be significantly impacted by the location of Corridor H construction,

**WHEREAS**, the Mayor and Council of the City of Thomas favors the northern route for the following reasons;

- To enhance economic and community development for the City of Thomas.
- Provide better access to Tucker County High School and Cortland Acres.
- Provide more efficient Emergency Services for Thomas, Davis and Canaan Valley.
- To provide direct access to Route 219, both north and south.
- To provide a more scenic route.

**WHEREAS**, the Mayor and Council of the City of Thomas find the following problems with the preferred route:

- The proposed truck route will cause hazardous road conditions.
- There is no documentation that the preferred route, with a truck route, is more cost effective.
- The preferred route will isolate the City of Thomas from the economic development benefits associated with a new four-lane highway.
- The preferred route does not maximize public access to hospitals.

**NOW, THEREFORE BE IT RESOLVED THAT:** the Mayor and Council of the City of Thomas, Tucker County, West Virginia endorses the Northern Route of the Parsons to Davis segment of Corridor H and firmly oppose the preferred route as proposed.

ADOPTED THE 23<sup>rd</sup> DAY OF Sept, 2003.

ATTEST:

*Dwaine Pryde*  
MAYOR

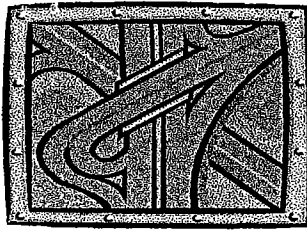
*Gloria L. Elza*  
CLERK / WITNESS

9/23/03  
DATE

9/23/03  
DATE

**Community Advisory Group  
Coordination**





# CORRIDOR H COMMUNITY ADVISORY GROUP

**FACILITATOR**

Kiena Smith  
Canaan Valley Institute

**ALPINE HERITAGE  
PRESERVATION, INC.**

Walt Ranalli

**TOWN OF DAVIS**

Randy Schmiedeknecht - Mayor  
Lester Dempsey

**FRIENDS OF THE 500TH**

Chuck Nichols

**HIGHLANDS TRAIL  
FOUNDATION**

Buzz Durham

**REGION VII PLANNING AND  
DEVELOPMENT COUNCIL**

Thomas DiBacco

**CITY OF THOMAS**

Debra Snyder - Mayor  
Matt Quattro

**TUCKER COUNTY  
CONVENTION AND  
VISITORS BUREAU**

Murray Dearborn

**TUCKER COUNTY  
DEVELOPMENT AUTHORITY**

Sam Eichelberger

**TUCKER COUNTY  
PLANNING COMMISSION**

Karen Bonner

**TUCKER GATEWAY  
INITIATIVE**

Reid Gilbert

July 13, 2000

WV DOT Division of Highways  
1900 Kanawha Blvd, East  
Building 5 - Room A 317  
Charleston, WV 25305-0430

Attention: James E. Sothen, PE  
Director, Engineering Division

re: Corridor H Scoping Meeting  
June 14, 2000

The Community Advisory Group has met on several occasions and attended the Scoping Session on June 14, 2000 at Canaan Valley Resort. The following comments and recommendations are a result of these meetings.

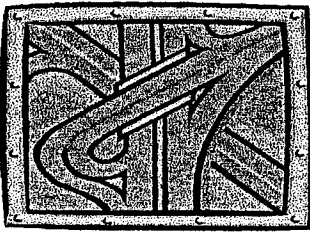
Corridor H will enhance Economic Development in the Davis/Thomas area. In studying alternative routes to the north of Thomas it is desirable to maximize the potential for development and to control how development occurs.

A. The Committee suggests that three interchanges be established as follows:

1. At WV Route 93 near the intersection of WV Route 32 with efficient access to the Industrial Park and Route 32 and other potential areas of development. The obvious advantages of this location are the site of the Tucker County Industrial Park, the Eastern Gateway to the Canaan Valley and Blackwater Falls State Parks and access to the Town of Davis.
2. At US Route 219, North of Thomas (Between Thomas and William). The advantage of this location is to direct commercial traffic onto Corridor H -South or North without going through the downtown shopping, historic, recreational and residential areas of Thomas. This will open up the area north of Thomas for needed residential development and provide access to the Thomas Education Center, Cottrill's Opera House, The historic B&L Building, Mountain-Made and the Thomas business district

The ultimate advantage is the eventual intersection of Corridor H and Continental 1 (Route 219) in the near future.

3. At Route 219, South of Thomas (in the Benbush area). The advantage of this location is the future development of the old airport area for both industrial and residential development. This location also will provide access to the planned recreational development on the South side of the City of Thomas, the Thomas City Park and Cortland Acres Nursing Home and Retirement Village. The Ambulance Authority would also have quick access to the corridor at this location
- B. The Committee suggests that the Study Area be expanded to the south (possibly as far as the Tucker County High School) to provide the opportunity to follow the topography more closely for the northern route and to provide better alternatives for the interchange south of Thomas at USRoute 219.



# CORRIDOR H COMMUNITY ADVISORY GROUP

## **FACILITATOR**

Kiena Smith  
Canaan Valley Institute

## **ALPINE HERITAGE PRESERVATION, INC.**

Walt Ranalli

## **TOWN OF DAVIS**

Randy Schmiedeknecht -  
Mayor  
Lester Dempsey

## **FRIENDS OF THE 500TH**

Chuck Nichols

## **HIGHLANDS TRAIL FOUNDATION**

Buzz Durham

## **REGION VII PLANNING AND DEVELOPMENT COUNCIL**

Thomas DiBacco

## **CITY OF THOMAS**

Debra Snyder - Mayor  
Matt Quattro

## **TUCKER COUNTY CONVENTION AND VISITORS BUREAU**

Murray Dearborn

## **TUCKER COUNTY DEVELOPMENT AUTHORITY**

Sam Eichelberger

## **TUCKER COUNTY PLANNING COMMISSION**

Karen Bonner

## **TUCKER GATEWAY INITIATIVE**

Reid Gilbert

C. Interchanges are preferred to at-grade crossings at the intersections of Corridor H and Route 219 and Routes 219 and 93 for the following reasons:

1. Safety – These areas can be areas of fog, as well as, ice and snow. Grade crossings create areas for high occurrences of accidents
2. Control development – Interchanges will deter strip-mall type development along the highway which will enhance the downtown business areas which are historic, as well as, commercial
3. The proposed Rails-to-Trails corridors can be developed to safely traverse these intersections if interchanges are constructed.
- D. The Committee suggests that a Visitors Center/Rest Area, be constructed in the area of study. This would assist in the promotion of the area and provide travelers a place to acquire information on the State Parks, Wildlife areas, recreational opportunities, historic sites, cultural activities, economic benefits, residential and educational information. The possibility of locating the Tucker County Convention and Visitors Bureau in this facility should also be investigated.
- E. Because of the delay in construction of Corridor H due to this realignment study, the impact of this delay on the local economy and to support future traffic patterns and economic development, the Committee requests special funding for enhancement and mitigation projects. The funding for Tucker County communities should be similar to the amounts awarded to other communities in the settlement.

In addition, preference should be given from other funding sources, Federal and State, for projects being developed and in future development in the County.

The Committee was asked to identify areas of awareness. They are as follows:

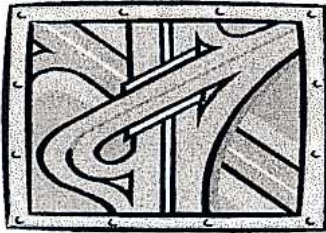
1. The Tire Disposal area just off RT 219 South in the Benbush area
2. Cortland Acres Nursing Home
3. Tucker County Landfill
4. Thomas City Reservoir
5. Thomas City Park

Overall, the Committee feels that a properly designed route within the area of study can be achieved and can be beneficial to the communities of Davis and Thomas.

The Committee submits these comments and suggestions in the spirit of cooperation and hope that serious consideration will be given to them.

Delegated to sign on behalf of the Committee

A M Quattro



# CORRIDOR H COMMUNITY ADVISORY GROUP

August 30, 2000

WV DOT Division of Highways  
1900 Kanawha Blvd East  
Building 5 – Room A 317  
Charleston, WV 25305-0430

**FACILITATOR**

Kiena Smith  
Canaan Valley Institute

**ALPINE HERITAGE  
PRESERVATION, INC.**  
Walt Ranalli

**TOWN OF DAVIS**  
Randy Schmiedeknecht - Mayor  
Lester Dempsey

**FRIENDS OF THE 500TH**  
Chuck Nichols

**HIGHLANDS TRAIL  
FOUNDATION**  
Mike Ledden

**REGION VII PLANNING AND  
DEVELOPMENT COUNCIL**  
Thomas DiBacco

**CITY OF THOMAS**  
Debra Snyder - Mayor  
Matt Quattro

**TUCKER COUNTY  
CONVENTION AND  
VISITORS BUREAU**  
Murray Dearborn

**TUCKER COUNTY  
DEVELOPMENT AUTHORITY**  
Sam Eichelberger

**TUCKER COUNTY  
PLANNING COMMISSION**  
Karen Bonner

**TUCKER GATEWAY  
INITIATIVE**  
Reid Gilbert

Attention: James E Southern, PE  
Director, Engineering Division

re: Corridor H  
Community Advisory Group

The Community Advisory Group met on August 29, 2000 and the consensus was that we have met the objectives of the group and no further input was necessary until the alternate design route actually was chosen. We again request that the suggestions and recommendations that were submitted in our letter of July 13, 2000, be given serious consideration in the chosen design.

The Committee did feel that two recommendations originally submitted need to be expanded on:

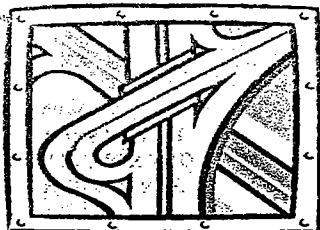
The first is the consideration of construction of a Visitors Center/Rest Area in the Thomas/Davis area. Currently there is no plan to construct any facility along the entire length of the Corridor. Since the Thomas/Davis area is approximately half way between I-79 and I-81, it is a logical place to have a tourist facility. The proximity of the State Parks, Canaan Valley, Wildlife Refuge, etc., also make the choice an obvious one. The request to consider such a facility is again being made and cooperation with the Tucker County Convention and Visitors Bureau in the construction and operation of the facility is suggested.

Secondly, the request for dedicated funds for enhancement projects was discussed at great length. The communities of Thomas and Davis and the Tucker County Planning Commission have already prepared strategic plans for their respective areas. The next logical step is to develop detailed comprehensive community development plans that specifically address the problems and opportunities of the effect of Corridor H on the infrastructure, economic development, land use and landscaping of the communities. Since part of the Corridor funds are dedicated to enhancement projects, such a plan would insure the proper and efficient use of future enhancement requests. The Committee, again, requests that special consideration be given for these enhancement projects.

The Committee thanks the WVDOT for the opportunity to participate in this planning process and hope that consideration will be given to our recommendations.

Delegated to sign on behalf of the Committee,

A M Quattro



**CORRIDOR H  
COMMUNITY ADVISORY GROUP**

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FEB 15 2001

February 12, 2001

**ENGINEERING DIVISION  
WV DOH**

**FACILITATOR**

Kiena Smith  
Canaan Valley Institute

**ALPINE HERITAGE  
PRESERVATION, INC.**

Walt Ranalli

**TOWN OF DAVIS**

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VISITORS BUREAU**

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DEVELOPMENT AUTHORITY**

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**TUCKER COUNTY  
PLANNING COMMISSION**

Karen Bonner

**TUCKER GATEWAY  
INITIATIVE**

Reid Gilbert

WV DOT Division of Highways  
1900 Kanawha Blvd East  
Building 5 - Room A 317  
Charleston, WV 25305-0430

Attention: James E Southern, PE  
Director, Engineering Division

re: Corridor H  
Community Advisory Group

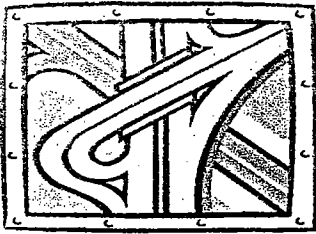
The Community Advisory Group met on January 25, 2001 to review the Blackwater Avoidance Alternatives prepared by Michael Baker & Associates for the WVDOT

The CAG was given the task of reviewing the proposed alternatives, identifying areas of concern and forwarding recommendations to the WVDOT for consideration.

Although eight alternative routes were studied - four of them were rejected for various reasons by Baker and the CAG had no problem with this decision. None of the four remaining alternatives stood out as being more desirable than the others, as each route has advantages and disadvantages. The committee suggests that further study be done using the desirable and eliminating the undesirable features of each route.

The following should be given maximum consideration:

- No traffic should enter or exit Corridor H by crossing in front of oncoming traffic. This is primarily for safety reasons. The weather conditions, especially fog, dictate that this be given maximum consideration.
- Minimize the impact of the corridor on the landfill and of the landfill on the corridor.
  - the landfill is important to the economy of Tucker County and impact on it must be minimized. It was suggested that the WVDOT and the consultants meet with the County Commissioners and the Tucker County Solid Waste Authority to address any potential landfill problems and development plans.
  - the view of the landfill from the corridor must also be addressed to minimize the effect on the tourist business.
- The intersection of Corridor H at Route 93 & Route 32 in the Davis Area needs to be as safe and accessible as possible. The original diamond-shaped intersection is preferred to the "connector" type of intersections being utilized in most of the alternative designs. An interchange with different grade crossing would be preferable.
- Connector roads need to be kept to a minimum in length and obvious as connections to the corridor.
- The Residential areas in and near the Benbush area should be avoided.
- The intersection of Route 219 north of Thomas should be as far north as possible to minimize the impact on the City of Thomas and for future land development.



# CORRIDOR H COMMUNITY ADVISORY GROUP

The Committee did not have any objection to the original preferred route being considered as one of the preferred alternate routes.

The advantages of the original route are:

- It is the most direct route;
- The bridge over the North Fork of the Blackwater would be an asset;
- The intersection at Davis (Route 93 & Route 32) is safer and better designed than the alternatives;
- It is the least costly of all the routes.

The disadvantages of the original route are:

- It goes through the avoidance area;
- There is only one access to the corridor.
  - It was suggested that if further consideration is given to the original preferred route that a connector to Route 219 north of Thomas be constructed to eliminate the traffic that will have to go through the City of Thomas.

The Committee did feel that two recommendations originally submitted have not been addressed:

- The first is the consideration of construction of a Visitors Center/Rest Area in the Thomas/Davis area. Currently there is no plan to construct any facility along the entire length of the Corridor. Since the Thomas/Davis area is approximately half way between I-79 and I-81, it is a logical place to have a tourist facility. The proximity of the State Parks, Canaan Valley, Wildlife Refuge, etc., also make the choice an obvious one. The request to consider such a facility is again being made and cooperation with the Tucker County Convention and Visitors Bureau in the construction and operation of the facility is suggested.
- Secondly, the request for dedicated funds for enhancement projects was discussed at great length. The communities of Thomas and Davis and the Tucker County Planning Commission have already prepared strategic plans for their respective areas. The next logical step is to develop detailed comprehensive community development plans that specifically address the problems and opportunities of the effect of Corridor H on the infrastructure, economic development, land use and landscaping of the communities. Since part of the Corridor funds are dedicated to enhancement projects, such a plan would insure the proper and efficient use of future enhancement requests. The Committee, again, requests that special consideration be given for these enhancement projects.

The Committee thanks the WVDOT for the opportunity to participate in this planning process and the consideration that will be given to our recommendations.

Delegated to sign on behalf of the Committee,

  
A M Quattro

**SDEIS**  
**December 2002**  
**Preferred Alternative Report**  
**December 2003**  
**and**  
**Amended Preferred Alternative Report –**  
**November 2004**

**Agency Comments and Responses**



United States Dep  
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Fax #	202 467 4286		Fax #		

Date: January 27, 2003

From: William Tolin, Acting Field Supervisor, West Virginia Field Office, Elkins, WV

To: Cynthia Wilkerson, Philadelphia Support Office, National Park Service, Mid-Atlantic Region, Philadelphia, PA

Subject: Review of Supplemental Draft Environmental Impact Statement (SDEIS) for Appalachian Corridor H, Parsons to Davis, Tucker County, WV (ER 02/1139)

The West Virginia Department of Transportation (WVDOT) in conjunction with the Federal Highways Administration (FHA) is proposing to construct an approximately 10-mile long, four-lane divided highway between Parsons and Davis in Tucker County, West Virginia. The project is a component of the Appalachian Corridor H project which is a proposed 100-mile highway between Elkins, West Virginia and the West Virginia/Virginia state line east of Wardensville, West Virginia. The project will traverse Randolph, Tucker, Grant, and Hardy Counties, West Virginia.

The U.S. Fish and Wildlife Service (Service) has reviewed the SDEIS and provides the following comments concerning impacts to fish and wildlife resources as per the National Environmental Policy Act (40 CFR 1501.6) and the Endangered Species Act (87 Stat. 884, as amended: 16 U.S.C. 1531 et seq.) (ESA).

General Comments on Project Options

The Service has been involved with this project since planning resumed in 1990 and is very familiar with the terrestrial and aquatic resources of the project area. The alternatives carried forward provide a diversity of options for the Department to avoid high quality fish and wildlife habitat. Of these alternatives, Alternative 1G (East and West) and Alternative 1D (East and West) would result in the least amount of adverse impacts to wetlands. Alternative 1G (East) and Alternative 1D (East) are considered to have the least amount of adverse impact to surface water resources.

Endangered Species Comments

The document contains accurate information regarding the four federally listed species (Indiana bat, Myotis sodalis; Virginia big-eared bat, Corvnorhinus townsendii virginianus; West Virginia northern flying squirrel, Glaucomys sabrinus fuscus (WVNFS), and the Cheat Mountain salamander, Plethodon nettingi). The document states that further consultation with the Service will be required under Section 7 of the ESA for the Preferred Alternative as all alternatives will adversely affect potentially occupied WVNFS habitat. Since all alternatives will affect potentially occupied habitat, formal consultation will ultimately be necessary. The WVDOT, however, has the opportunity in the Preferred Alternative phase of this project to select an alternative that adversely affects the least amount of potentially occupied WVNFS habitat. The Service strongly encourages the WVDOT to select the least damaging alternative to suitable WVNFS habitat.

If you have any questions regarding this letter, please have your staff contact John E. Schmidt at Ext. 16 of my staff, or contact me directly, at (304) 636-6586, or at 694 Beverly Pike, Elkins, WV 26241.

cc:

Reader File

Project File

ES:WVFO:JSchmidt:skd:1/27/03

File Name: H:\nepa\02-03\CorrH-SDEIS.ParsonsDavis.CommentsToNPS.103.wpd





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

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ENGINEERING DIVISION  
WV DOH

James E. Sothen, P.E., Director  
Engineering Division  
1900 Kanawha Boulevard East  
Building Five, Room 110  
Charleston, WV 25305-0430

Re: Appalachian Corridor H, Parsons-to-Davis  
Supplemental Draft Environmental Impact Statement; CEQ Number 020510

Dear Mr. Sothen:

In accordance with the National Environmental Policy Act and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the Supplemental Draft Environmental Impact Statement (SDEIS) for the above referenced project. No preferred alternative was identified in the SDEIS, so based on our review, we have assigned the entire document a rating of EC-1, indicating that there are environmental concerns and that EPA believes the draft adequately sets forth the environmental impacts of the proposed project. Enclosed for your reference is a copy of EPA's rating system. The basis for this rating is expressed in the comments that follow.

The project development process for Corridor H has been long, complicated, and complex. As a result of the lawsuit challenging the 1996 *Corridor H* ROD, a settlement agreement was recently reached in which West Virginia Division of Highways and the Federal Highway Administration agreed to divide the Corridor into nine separate segments, each with its own environmental documentation. This SDEIS studies the segment located between Parsons and Davis, Tucker County, West Virginia. The purpose of this SDEIS was to evaluate a reasonable range of new alternatives to the original preferred alternative that are prudent and feasible and that would successfully avoid the Blackwater Area.

The Settlement Agreement required that the original preferred alternative (OPA) be retained for detailed study. All of the additional alternatives retained for detailed study in the SDEIS avoid the Blackwater Valley and surrounding area and they also appear to further reduce impacts to important natural resources based on the information provided in the document. A two level screening process was developed to narrow down the most reasonable alternatives to



carry forward. EPA believes this is a reasonable and acceptable process and that all the appropriate alternatives were carried forward for detailed study.

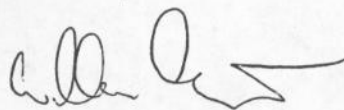
EPA is concerned with the potential impacts of the proposed project to the endangered West Virginia Northern Flying Squirrel. Potential habitat exists within the entire study area. We encourage the continued coordination already underway with the U.S. Fish and Wildlife Service to identify the most appropriate alternative to limit the impact to such an important species as well as valued resources in the area.

Borrow and waste fill was used as a screening criteria in the alternative reduction analysis. Disposal of excess waste or the borrowing of fill for the earthmoving activities of highway construction can lead to potential secondary impacts. Clearly, efforts have been made to avoid and minimize the impacts of the highway on ecologically sensitive areas. It is important that borrow and waste methods not impact those same resources. Obviously no specific designs have been developed for this project; however, to the extent possible, potential staging areas should be identified and their impacts assessed and evaluated.

As with any highway development project, environmental impacts will occur. Terrestrial habitat will be bisected and some will be lost, streams will be impacted by crossings and relocations, wetlands will be filled and cumulative impacts from the road construction and induced development will happen. However, through the Settlement Agreement process undertaken, and the development of a range of new alignment alternatives, such environmental impacts have been reduced.

Finally we believe that the OPA and alternative 2 have too many significant impacts to the natural resources of the area, especially when compared to the avoidance alternatives. Thank you for providing EPA the opportunity to comment on this project. If you have any questions regarding our comments, please contact Jessica Greenwood at 215-814-5144.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Arguto', with a long horizontal flourish extending to the right.

William Arguto  
NEPA Team Leader  
Office of Environmental Programs



**DIVISION OF NATURAL RESOURCES**  
Wildlife Resources Section  
Capitol Complex, Building 3, Room 812  
1900 Kanawha Boulevard, East  
Charleston WV 25305-0664  
Telephone (304) 558-2771  
Fax (304) 558-3147  
TDD 1-800-354-8087

Bob Wise  
Governor

Ed Hamrick  
Director

April 9, 2003

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APR 16 2003

**ENGINEERING DIVISION  
WV DOH**

Mr. James E. Sothen, P.E., Director  
Engineering Division  
WVDOT - Division of Highways  
1900 Kanawha Boulevard East  
Bldg. Five, Room 110  
Charleston, WV 25305-0430

Re: Appalachian Corridor H, Parsons to Davis SDEIS,  
State Project X142-H-38.99 C-2.

Dear Mr. Sothen:

The West Virginia Division of Natural Resources, Wildlife Resources Section (WRS) has completed its review of the referenced project Supplemental Draft Environmental Impact Statement (SDEIS), December 2002. Comments are submitted pursuant to the authorities of the Fish and Wildlife Coordination Act (as amended), the Federal Water Pollution Control Act/Clean Water Act (as amended), the Endangered Species Act of 1973 (as amended), and corresponding responsibilities described in *The Laws of West Virginia* (WV Code, Chapter 20).

A Summary Matrix is provided to identify and quantify anticipated project impacts. Reviewers depend on the accuracy of this matrix to evaluate these impacts. Recently, we received a letter from the West Virginia Highlands Conservancy expressing their concerns relative to apparent underestimated earthwork balances from the Elkins to Kerens segment. Since our environmental evaluations and understanding of project impacts are based on the figures within the SDEIS, the tremendous increase of waste volumes (2.7 million cubic meters original estimate to 9.4 million cubic meters actual amount) was disturbing. Discrepancies of this magnitude make evaluating potential impacts difficult. Unlike the Elkins to Kerens section, the Parsons to Davis segment is surrounded by occupied endangered species habitat, making wasting areas extremely difficult to establish. Given the sensitivity of this area, we request that the Division of Highways, in coordination with the WRS and U.S. Fish and Wildlife Service (Service), identify approved wasting areas or areas where wasting is prohibited/permitted prior to final design.

Mr. James E. Sothen, P.E., Director

Page 2

April 9, 2003

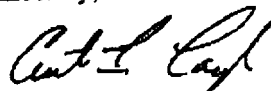
Within the alternative analysis, eight alignments have been carried forward for evaluation. While the original preferred alignment costs considerably less than the other alternatives, it is also the most environmentally impacting. Assuming that the earthwork balances, miles of stream crossings, length of relocations, acres of wetlands and habitat unit (HU) figures will not exceed those in the document, alternatives 1D east and west and 1G east and west have attempted to reduce project impacts. While the G-series has fewer impacted HUs, its southern alignment (similar to alternative 2) creates greater forest fragmentation because it is further away from the existing SR 219 corridor.

The portion of Backbone Mountain that the proposed road traverses has been identified by the Service as occupied West Virginia Northern Flying Squirrel habitat. Minimizing the road footprint and its attendant cut/fill slopes and wasting areas will be critical to minimizing the impact on these endangered squirrels. Recognizing that development may occur along the route, increasing the distance from the existing SR 219 increases the likelihood that development will occur within this interstitial space, thus compounding the secondary impacts from the road. An alignment that closely follows SR 219 will minimize this terrestrial impact.

If the alternatives were ranked according to surface water impacts, 1G east impacts the least, followed by 1D east. The main difference between the two is: 1G east utilizes 4,208 feet of culvert and 1D east utilizes 5,415. The vast majority of these culverts are installed on un-named tributaries to high quality streams. Both alternatives impact the same amount of named, perennial, high quality stream. The 1G series also impacts slightly less wetland acreage than the 1D series. Despite the aquatic benefits of 1G to 1D, we prefer the 1D series based on the small earthwork balance and decrease in forest fragmentation. Within this series, 1D east is our preferred alternative because it is less impacting than 1D west.

WRS concurs with the SDEIS with the inclusion of our comments and encourages the DOH to select the least environmentally impacting alternative (1D east). We appreciate the opportunity to comment on this document. If you have any questions concerning our comments, please contact Mr. Keith Krantz of my staff at (304) 637-0245, [kkrantz@dnr.state.wv.us](mailto:kkrantz@dnr.state.wv.us).

Sincerely,



Curtis I. Taylor, Chief  
Wildlife Resources Section

CIT/akj



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION III  
 1650 Arch Street  
 Philadelphia, Pennsylvania 19103-2029

FEB 12 2004

James E. Sothen, P.E., Director  
 Engineering Division  
 West Virginia Division of Highways  
 1900 Kanawha Boulevard East  
 Building Five, Room 110  
 Charleston, WV 25305-0430

Re: Appalachian Corridor H, Parsons-to-Davis  
 Supplemental Draft Environmental Impact Statement; Preferred Alternative Report

Dear Mr. Sothen:

The Environmental Protection Agency (EPA) has reviewed the Preferred Alternative Report for the Supplemental Draft Environmental Impact Statement (SDEIS) in accordance with the July 1992 Consensus on Integrating NEPA/Section 404 Process for Transportation Projects. Based on this review, EPA concurs that the environmental impacts have been adequately disclosed in the SDEIS and that the West Virginia Division of Highways (WVDOH) has subsequently identified a Preferred Alternative to be carried forward in the Final SEIS. However, EPA believes that the Revised Original Preferred Alternative (ROPA), when compared to the other feasible alternatives examined in the SDEIS, has considerably more environmental impacts and suggests that WVDOH reconsider identifying the ROPA as the Preferred Alternative.

The ROPA differs from the Original Proposed Alternative (OPA) in three manners: the Truck Route (TR) is incorporated, there is a shift at Middle Run to reduce wetland impacts, and there is a direct connection to US 219. Even with these slight differences, EPA believes the ROPA to be the most environmentally impacting alternative, when compared to the other alternatives examined in the SDEIS. In the Settlement Agreement, the WVDOH was directed to examine at least one alternative to avoid the Blackwater Area, which has been done. However, the Preferred Alternative identified does not avoid this area, and, in comparison to those avoidance alternatives, the ROPA has higher wetland and stream impacts. In addition, the Preferred Alternative Report also lacks any comparisons addressing how and to what degree the West Virginia Northern Flying Squirrel habitat is impacted by the various alternatives.


We understand that the wetland impacts for the OPA have already been permitted and mitigated for, and that the WVDOH is not required to select for implementation the alternative identified in the EIS as being "environmentally preferable". However, the environmentally preferred alternative does need to be identified in both the Final SEIS and the Record of Decision, whether or not that is the alternative which DOH actually chooses to pursue.



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Thank you for providing us the opportunity to provide comments on this project. If you have any questions regarding our comments, please contact Jessica Martinsen at 215-814-5144.

Sincerely,



William Arguto  
NEPA Team Leader  
Office of Environmental Programs



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File Code: 7700

Date: May 7, 2004

MAY 26 2004

James E. Sothen, Director  
Engineering Division  
West Virginia Department of Transportation, Division  
of Highways  
1900 Kanawha Boulevard, Building Five  
Charleston, WV 25305-0430

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MAY 18 2004  
ENGINEERING DIVISION  
WV DOH

Dear Mr. Sothen:

Additional comments have been provided by various specialty areas from within the Monongahela NF regarding Appalachian Corridor H, Parsons to Davis, Preferred Alternative CONCURRENCE, State Project X142-H-38.99, Federal Project APD-484(59). We trust these comments will strengthen the project.

### Ecology

1. The document displays the likely acres of National Forest Land impacted by the road construction (pp. 22-23). It appears that the footprint of the road may impact a few acres of two areas with our Management Prescription 8.0. Our Forest plan directs us to manage 8.0 areas with a view towards "the preservation of unique ecosystems or areas for scientific or recreational purposes." One such area is the Big Run Bog National Natural Landmark and Botanical Area, and while the action will not occur within the watershed of the bog, it appears that some of the MP8.0 area the Forest has identified around the bog may be impacted. An older map for the area shows the boundary to be just to the pipeline, and not the road (FR 717) as shown in Figure 1. The other area is the Olsen Tower Deferred Rotation Study Area, used by the Fernow Experiment Forest. A closer review of any electronic maps available from the WVDOT is warranted.

2. The Forest has a concern for the likely spread and introduction of non-native invasive species because of the road construction. The document reviewed did not include mitigation measures. The Forest is interested in the seed mixtures to be used on the highway and associated disturbed areas, and recommends that aggressive non-native invasive species not be used unless absolutely necessary to control erosion. As borrow and waste areas are created during construction, an assessment of non-native invasive species and the likelihood of their transport should be made and such impacts mitigated as possible. Knowing that roads serve as corridors for non-native invasive species, the Forest is interested in long-term treatment of species such as purple loosestrife should this species become established on the new road, possibly threatening the Big Run Bog.



## Hydrology

1. The ROPA alignment traverses National Forest lands in the headwaters of Mill Run and Slip Hill Mill Run, then turns east and leaves National Forest ownership until it crosses the NF lands along the railroad grade adjacent to the North Fork Blackwater River. It also cuts through the headwaters of a fork of Big Run but on private land, upstream from National Forest lands, and this fork of Big Run does not flow through the National Natural Landmark Big Run Bog.
2. Corridor H construction can be expected to have very substantial sediment effects on streams, including those mentioned above, regardless of mitigation. Mitigation will reduce effects, but may not make them insignificant. For example, portions of Corridor H near Elkins have been in place for some years and exhibit substantial erosion of the cut slopes above the highway, and likely very substantial sediment delivery to the receiving streams (Tygart Valley River and Leading Creek).
3. Mill Run and Slip Hill Mill Run are native brook trout streams. National Forest sediment monitoring during the 1990s documented portions of these streams that have higher than desired levels of fine sediment in potential spawning habitat locations. Fine sediment monitoring over the period of years from 1994 to 1998 found that portions of those streams had spawning gravel fine sediment levels that exceeded the point at which substantial impairment of trout reproduction begins to occur. That "threshold" level of impairment is generally considered to be about 20 percent fine sediment. The Mill Run/Slip Hill Mill Run channels had fine sediment levels in spawning gravel sites approaching or exceeding the "threshold" level in four out of five years of monitoring. In the most recent year of monitoring (1998) fine sediment levels were the highest of the five years of monitoring, at 28 and 27 percent respectively. This is well above the theoretical level at which impaired trout reproduction begins to occur. There are a number of sediment source areas in the headwaters of these streams that contribute sediment to these channels, such as the existing Highway 219, and other sources.
4. The preferred alternative report (page 22) indicates that "soils on this side of Backbone Mountain are highly erodible. Construction in this area could lead to additional sediment loads in Slip Hill Mill Run,..." The Forest Soil Scientist's review and comments on this document indicated the highly erosive nature of the soils on the mountain slopes through which the ROPA highway location will pass. Those soils originate from the Mauch Chunk surficial geology within that area, although other soils through which the ROPA location would pass are also highly erodible. This portion of the highway traverses steep slopes and sensitive soils, and will likely have extensive areas of soil disturbance. Considerable modification of surface flow patterns is to be expected. It appears likely that an additional sediment burden will be placed on these streams (Mill Run and Slip Hill Mill Run) resulting from highway construction, despite mitigation efforts. That additional sediment burden is likely to have effects on trout reproductive success, and possibly for the longer-term condition.
5. Mitigation measures planned for the highway need to be closely reviewed, and input made to that plan. Comments made by the WVDNR concerning "wasting areas" also need to be closely reviewed. Where are the wasting areas planned for within the Mill Run/Slip Hill Mill Run



watershed? Are there opportunities for relocation to better sites that may pose a reduced risk of sedimentation in these streams?

6. Monitoring of the effects of the new highway in Mill Run and its tributaries should be considered. This is a valuable native trout stream, despite its apparent impaired condition with regard to sediment. Sediment monitoring should be conducted to document the pre- and post highway construction effects, and the long-term effects as well. Does the WVDOT have a process for carrying out or funding that long-term monitoring?

## Soils

1. (Page 22 of 33): Reference to the sensitivity of the soils on Backbone Mountain in the Monongahela National Forest (MNF) is made on this page. These soils are referred to as highly erodible. "To construct the highway along Backbone Mountain will require large cuts." The document makes note of the presence of sensitive soil types along this section of Backbone Mountain. The specific soil types present are the Cateache and Shouns soil series. The underlying geology is the Mauch Chunk Formation. This formation is the cause of many mass wasting and slippage concerns across the Forest and on other sections of Corridor H. This is evident from the problems already observed along Corridor H where Mauch Chunk geology is present (e.g., the Crystal Springs intersection near Elkins). Areas underlain by Mauch Chunk geology should be considered for special mitigation in order to address the highly weatherable bedrock and instability of the bedrock once exposed to water and air. No mitigation measures were mentioned in the document. Also, as referred to in previous meetings with the FHWA, appropriate mitigation, in our estimation, consists not of choosing revegetation options that accounts for the potential stabilization of cut banks (especially large cut banks); rather, appropriate mitigation consists of the design of the cut and fill slopes that will account for instability, erosion, and water drainage off these cuts and fills. We would like to see this concern specifically addressed when crossing the Mauch Chunk geologic formation. We would also like the opportunity to review and comment on sedimentation designs and plans to account for additional sediment generated off of these large cuts.

2. The Forest Service has particular concern of surface mine refuse piles and sedimentation ponds on federal lands through which Corridor H would traverse. The Forest Service recommends that the WVDOT and FHWA to follow the same guidelines as they are in other areas of the project when dealing with these special areas. These guidelines include all of the recommendations made by West Virginia University, Dr. John Sencindiver and Dr. Jeff Skousen, in a 2003 report. Guideline examples include examining the content of spoil piles and ponds from the perspective of acidity production, heavy metal content and potential environmental effects both on-site and off-site to water bodies.

3. It would be beneficial to have a meeting on the above mentioned concerns about the Mauch Chunk geology and associated sediment and about the presence of strip mines, refuse piles, and sedimentation ponds with planners and engineers in charge of the project.

4. Also, the Forest would like to reiterate our willingness and expectation that we participate in a joint field trip or trips with FHWA and Forest Service to examine mitigation measures for sediment and soil erosion concerns on other portions of Corridor H or similar projects.

### **Wildlife**

The US Fish and Wildlife Service is involved in discussions with the FHWA and the WVDOH regarding potential effects to wildlife, specifically threatened and endangered species and compliance with the Endangered Species Act.

### **Cultural Resources**

Major areas of concern regarding cultural resources and Section 106 concerns have already been addressed with the Forest Service. We concur that the proposed preferred alternative will have no effect to cultural resources, consistent with our letters of July 26<sup>th</sup> and October 24<sup>th</sup>, 2002. The implementation of a program of interpretive signage, recommended by us in our July 26, 2002 letter, and also recommended by the WV SHPO in an October 30<sup>th</sup>, 2002 letter. The funding for this program of interpretation has been supplied by the FHWA and the WVDOH through our June 6<sup>th</sup>, 2003 MOU.

As the project develops and more specific design plans are developed, Forest Heritage staff will continue to comment and consult with the WVDOH, FHWA, and the WV SHPO in order to continue minimizing and mitigating potential impacts of Corridor H to cultural resources.

Thank you for the opportunity to provide comments as this project moves through its various development phases.

Sincerely,

*Michael Jones*  
FOR CLYDE N. THOMPSON  
Forest Supervisor

cc: John A Calabrese, Randall G Biller



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE



West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241

February 4, 2004

Mr. James E. Sothen  
WV Dept. of Transportation, DOH  
1900 Kanawha Boulevard East,  
Building Five, Room 110  
Charleston West Virginia 25305-0430

Re: Appalachian Corridor H, Preferred Alternative Concurrence, Parsons to Davis, West Virginia

Dear Mr. Sothen:

On January 7, 2004, U.S. Fish and Wildlife Service (Service) received the Appalachian Corridor H, Parsons to Davis Project; Preferred Alternative Report dated December 2003. The West Virginia Division of Highways (WVDOH) requests that the Service concur with selection of the preferred alternative as identified in that report. The following comments concerning impacts to fish and wildlife resources are provided as per the National Environmental Policy Act (40 CFR 1501.6) (NEPA) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) (ESA).

The federally endangered West Virginia Northern Flying Squirrel (*Glaucomys sabrinus fuscus*) (WVNFS) is known to occur in the vicinity of the proposed project. The Preferred Alternative Report states that all the project alternatives have the potential to adversely impact the WVNFS, and would require formal consultation under the ESA to address these impacts. However, the report does not provide any information that will allow for a comparison of the alternatives in regard to those impacts. It should be noted that even though all the alternatives will require formal consultation, the alternatives may vary in the level and significance of their impacts to WVNFS. These impacts should be accurately compared and evaluated so that they can be fully considered in the NEPA evaluation/Alternative Selection process.

The Service provided comments on the WVNFS Biological Assessment (BA) for this project in a letter dated October 11, 2002. In that letter, we recommended that the BA be revised and "a more thorough evaluation of the presence of suitable habitat along the alignments be

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FEB 13 2004

ENGINEERING DIVISION  
WV DOH

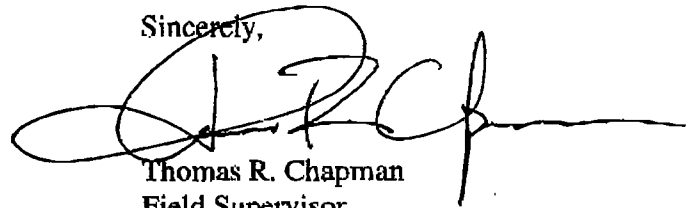
Mr. James E. Sothen  
February 4, 2004

2

accomplished to compare the degree of direct and indirect disturbance between alternatives and to aid in the selection of the least damaging alternative as it relates to the WVNFS." The Service met with members of your staff, and the Federal Highway Administration on January 15, 2004 to discuss this project. During that meeting we outlined a process to address ESA and WVNFS issues, and recommended that a preferred alternative not be selected until after the Division of Highways conducts an accurate evaluation of the alternative's impacts on WVNFS, and incorporates that information into the NEPA evaluation/Preferred Alternative Report. The Service can not concur with your selection of a preferred alternative until that information has been provided.

We appreciate your willingness to meet and discuss this issue and look forward to continuing a positive cooperative relationship to ensure all applicable environmental regulations are fulfilled. Should you have further questions regarding this matter, please contact Ms. Barbara Douglas of my staff at (304) 636-6586, or at the letterhead address.

Sincerely,

A handwritten signature in black ink, appearing to read 'TRC', with a long horizontal line extending to the right.

Thomas R. Chapman  
Field Supervisor



**DIVISION OF NATURAL RESOURCES**  
Wildlife Resources Section  
Capitol Complex, Building 3, Room 812  
1900 Kanawha Boulevard, East  
Charleston WV 25305-0664  
Telephone (304) 558-2771  
Fax (304) 558-3147  
TDD 1-800-354-6087

Joe Manchin III  
Governor

Frank Jezioro  
Director

January 19, 2005

Mr. James E. Sothen, P.E., Director  
Engineering Division  
WV Division of Highways  
1900 Kanawha Blvd. E., Bldg. 5, Room 10  
Charleston, WV 25305-0430

Re: Appalachian Corridor H, Parsons to Davis Project, Revised Original Preferred Alternative Report (ROPA), State Project X142-H-38.99 C-2, Federal Project APD-484(59).

Dear Mr. Sothen:

Because the Division of Highways (DOH) failed to provide the Wildlife Resources Section, Coordination Unit the December 2003 Preferred Alternative Report until recently, we were unable to provide comments in the appropriate timeframe. That report, which continued the NEPA review process, laid the foundation for the currently referenced document.

In the ROPA document we note that the DOH rejected our original alignment comments made in the SDEIS. While the ROPA is the least expensive alignment, it is the most environmentally impacting. Some impacts (i.e., wetlands) have already been mitigated with constructed wetlands.

Our concern with this ROPA alignment is twofold. First, in our comments on the SDEIS, we pointed out the problems we had with estimated earthwork volumes as they related to actual amounts. In the Elkins to Kerens segment of Corridor H, the estimate was 2.7 million cubic meters and the actual amount was almost 3.5 times greater. The magnitude of cuts and fills is supposedly less under the selected alignment. We trust this estimate is more accurate than the Elkins to Kerens segment. The ROPA purports to reduce the impact to suitable and highly suitable Northern Flying Squirrel habitat, but we are concerned that this may not be an accurate assessment without identifying all wasting and borrowing areas as previously discussed. The ROPA document does not identify areas suitable for waste/borrow operations or areas to avoid.

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JAN 26 2005

**ENGINEERING DIVISION  
WV DOH**

Mr. James E. Sothen, P.E., Director

Page 3

January 19, 2005

Secondly, we are concerned with how DOH proposes to handle road crossings of perennial streams. DOH should be well aware of our concerns relative to culverts and their impacts to wildlife. We strongly encourage DOH to utilize oversized and embedded culverts whenever such installation is feasible and appropriate.

In conclusion, we do not oppose, but cannot agree with the selection of the ROPA alternative. It is the most environmentally impacting. We do understand and appreciate the fiscal responsibilities and alignment difficulties represented in this alignment selection and look forward to continued project coordination.

Sincerely,

A handwritten signature in cursive script, appearing to read "Curtis I. Taylor".

Curtis I. Taylor, Chief  
Wildlife Resources Section

CIT/akj



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

FEB 07 2005

James E. Sothen, P.E., Director  
Engineering Division  
Division of Highways  
West Virginia Department of Transportation  
1900 Kanawha Boulevard East  
Building Five, Room 110  
Charleston, West Virginia 253305-0430

Re: Corridor H Parsons to Davis Project Amended Preferred Alternative Concurrence

Dear Mr. Sothen;

The Environmental Protection Agency (EPA) has completed its review of the submitted Amended Preferred Alternative Report for the Parsons to Davis Section of the Appalachian Corridor H project. In January 2004 the West Virginia Division of Highways submitted a report to the agencies identifying their preferred alternative for the Parsons to Davis Section. That report had identified the Revised Original Preferred Alternative (ROPA) as the preferred alternative. At that time, EPA did not concur with the selection of the ROPA as the Preferred Alternative and provided comment to the Division of Highways expressing our concerns.

Based on the information submitted in the Amended Preferred Alternative Report, EPA can concur with the selection of the ROPA as the Preferred Alternative. We recognize that compensatory wetland mitigation has already been completed for the proposed impacts, however we suggest that you continue to avoid, and minimize impacts during the preparation of the Final Environmental Impact Statement through to the completion of final design.

Thank you for providing EPA with the opportunity to provide comments. Should you have any questions or concerns please contact Jessica Martinsen at 215-81405144, or by email at [martinsen.jessica@epa.gov](mailto:martinsen.jessica@epa.gov).

Sincerely,

William Arguto,  
NEPA Team Leader  
Environmental Programs Branch

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FEB 10 2005

ENGINEERING DIVISION  
WV DOH





# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241

TO DD  
8-3/24/05

March 18, 2005

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MAR 22 2005

MAR 25 2005

Deputy State Hwy. Eng.  
Development

**ENGINEERING DIVISION  
WV DOH**

Mr. James E. Sothen  
WV Dept. of Transportation  
Division of Highways  
1900 Kanawha Boulevard, East  
Building Five, Room 110  
Charleston West Virginia 25305-0430

Re: Amended Preferred Alternative Report; Appalachian Corridor H, Parsons to Davis, WV

Dear Mr. Sothen:

The U.S. Fish and Wildlife Service (Service) has reviewed the Amended Preferred Alternative Report (Amended PAR) for the Appalachian Corridor H Parsons to Davis Project dated November 12, 2004. The West Virginia Division of Highways (WVDOH) in conjunction with the Federal Highway Administration (FHA) proposes to construct an approximately 9-mile section of the proposed Corridor H highway between Parsons and Davis, Tucker County, West Virginia. These comments are submitted in accordance with section 7 of the Endangered Species Act of 1973, as amended (ESA) (16 U.S.C. 1531 et seq.).

The Service provided comments on a previous version of the PAR by letter dated February 4, 2004. At that time, the Service could not concur with selection of a preferred alternative until a comparison was made between the impacts of the alternatives on the federally endangered West Virginia Northern Flying Squirrel (*Glaucomys sabrinus fuscus*) (WVNFS). The WVDOH provided an analysis of impacts to the WVNFS in a Biological Assessment (BA) dated August 2004. In August 2001, the WVNFS Recovery Plan was amended to indicate that irregardless of positive or negative capture data, all habitat displaying characteristics required by the WVNFS ("suitable habitat") would be assumed to be potentially occupied by WVNFS. For this reason, the BA quantified direct impacts to WVNFS in terms of acres of suitable habitat impacted. The Service provided comments on the BA by letter dated October 14, 2004. In that letter, the Service concluded that all build alternatives would likely adversely affect the WVNFS, and that the Revised Original Preferred Alternative (ROPA) would impact the least amount of "highly suitable" and "suitable" WVNFS habitat.



Mr. James E. Sothen  
March 18, 2005

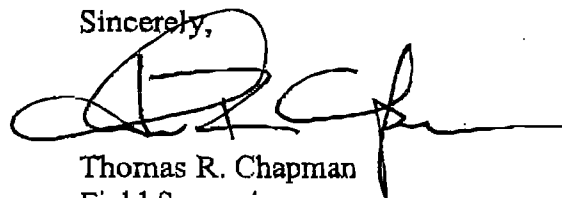
2

The Amended PAR incorporates the Service's previous comments on this project, and recommends that the ROPA be selected as the WVDOH's preferred alternative. The Service has reviewed the information provided in the PAR and Amended PAR, and has considered the relative impacts of the alternatives evaluated to all fish and wildlife resources. While the ROPA has increased impacts to wetlands and other Waters of the United States when compared to the other alternatives, selection of this alternative would minimize impacts to WVNFS habitat. Therefore, of the currently evaluated alternatives, the Service does not object to the selection of the ROPA as the preferred alternative.

Formal consultation under section 7 of the ESA will be required if the WVDOH wishes to proceed with construction of the preferred alternative as described. The opportunity for successful completion of formal consultation will be greatly enhanced by mutual development of project-specific minimization and conservation measures for the WVNFS. The WVDOH and FHA have agreed to work with the Service and other resource trustees to develop appropriate conservation and minimization measures that will be incorporated into the selected alternative. We recommend, a meeting be held, prior to initiation of formal consultation, between the WVDOH, the FHA, the Service, and other appropriate resource trustees, to discuss development of these measures. The Service is available to assist in scheduling or coordinating this meeting, as appropriate.

We appreciate your commitment to working with the Service to address endangered species issues, and look forward to continuing our cooperative efforts with your staff on this project. If you have further questions regarding this letter, please contact Ms. Barbara Douglas of my staff at (304) 636-6586, or at the letterhead address.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Chapman', written over a horizontal line.

Thomas R. Chapman  
Field Supervisor

**February 6, 2003**  
**Public Hearing**  
**Blackwater Lodge**  
**Davis, West Virginia**

**INFORMATION STATEMENT FOR THE RECORD**

**APPALACHIAN CORRIDOR H**

**PARSONS TO DAVIS**

**WORKSHOP PUBLIC HEARING**

**February 6, 2003 4 to 7 p.m.**

**BLACKWATER LODGE - DAVIS**

The purpose of this hearing is to provide you with an opportunity to participate with the West Virginia Division of Highways in the development of this project. It is your opportunity to have a voice in the decisions that are being made concerning the Supplemental Draft Environmental Impact Statement and the alternatives presented for the project.

This workshop is being held in compliance with the West Virginia Department of Transportation, Division of Highways public involvement process. The Division of Highways procedures for public meetings and hearings have been established to maximize citizen input in location and design of proposed projects while complying with environmental requirements.

These environmental requirements include the National Environmental Policy Act, Section 404 of the Clean Water Act, Section 106 of the National Historic Preservation Act, and Executive Orders 11988 and 11990 (floodplain and wetlands) and various other state and federal regulations. Handouts provided and documents available for review at the workshop include: Meeting Brochures; Draft Environmental Impact Statements; Project Plans; Right of Way Brochures and Comment Sheets.

This hearing is being held in a workshop format. Information and assistance is being provided by qualified representatives located at various stations who will be available to discuss the alternatives studied, as well as representatives who will explain the environmental issues including, natural, historic, social and economic impacts which may result from the project. Representatives at this workshop include qualified staff from: the West Virginia Division of Highways Engineering Division and Environmental Section; West Virginia Division of Highways Right of Way Representatives; Environmental and Engineering consulting firm, Michael Baker.

This is a workshop public hearing. We request that you review available materials

**and address any questions you may have concerning the project to our representatives at the various stations. This will assist you in better preparing your oral or written comments concerning this project.**

**If you would like to make an oral statement, you will need to visit court reporter. Please provide your name, your address, and organization if any. The Court Reporter needs this information for the record.**

**A transcript of statements made will be prepared for the project and made part of the official record. This transcript will be provided to the FHWA for their review. We are also accepting written comments, which will become part of the project record. Written comments are due April 22, 2003.**

**The Division of Highways has and will continue to coordinate the development of the project with various agencies, both state and federal, and organizations that might have concerns or interests. This includes the county, local communities, the Department of Natural Resources, Division of Environmental Protection, the US Fish and Wildlife Service, the Environmental Protection Agency, state and federal historic agencies, and many other organizations. These organizations and agencies have been provided a copy of the necessary environmental documents for their review. Their comments will also be considered in the selection of an alternative and for future development of the project.**

**We are coordinating this project with the Federal Highway Administration since it is expected that they will be assisting in the funding of the project. Funding will be 80% federal and 20% state-matching.**

**A very important aspect of coordination, of course, is the community itself, and that is why we are here tonight. The West Virginia Division of Highways thanks you for your participation in our public involvement process.**

# CONDENSED TRANSCRIPT

## WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

### APPALACHIAN CORRIDOR H PARSONS TO DAVIS WORKSHOP PUBLIC HEARING

February 6, 2003

4:00-7:00 p.m.

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Davis, West Virginia

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Page 1

1 WEST VIRGINIA DEPARTMENT  
OF TRANSPORTATION

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5 APPALACHIAN CORRIDOR H  
PARSONS TO DAVIS  
WORKSHOP PUBLIC HEARING

6  
7  
8 February 6, 2003

9  
10 4:00-7:00 p.m.

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12  
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14 Blackwater Lodge  
15 Davis, West Virginia

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21  
22  
23  
24  
25

Page 3

1 alternatives presented for the project.

2 This workshop is being held in

3 compliance with the West Virginia

4 Department of Transportation, Division

5 of Highways public involvement process.

6 The Division of Highways procedures

7 for public meetings and hearings have

8 been established to maximize citizen

9 input in location and the design of

10 proposed projects, while complying with

11 environmental requirements.

12 These environmental requirements

13 include the National Environmental

14 Policy Act, Section 404 of the Clean

15 Water Act, Section 106 of the National

16 Historic Preservation Act, and

17 Executive Orders 11988 and 11990 for

18 flood plains and wetlands and various

19 other state and federal regulations.

20 Handouts provided and documents

21 available for review at the workshop

22 include: Meeting Brochures, Draft

23 Environmental Impact Statements;

24 Project Plans, Right of Way Brochures

25 and Comment Sheets

Page 2

1 WEST VIRGINIA

2 DEPARTMENT OF TRANSPORTATION

3 WORKSHOP PUBLIC HEARING

4 February 6, 2003

5 MR. ANGUS: I'm Norse

6 Angus, Environmental Analyst with the

7 West Virginia Division of Highways.

8 I'm reading a official information

9 statement for the record, Appalachian

10 Corridor H, Parsons to Davis, Workshop

11 Public Hearing, February 6th, 2003,

12 4:00 to 7:00 p.m., at the Blackwater

13 Lodge in Davis, West Virginia. I'm

14 reading from the handout that will be

15 provided to all attendees. The

16 handout goes as follows:

17 The purpose of this hearing is

18 to provide you with an opportunity to

19 participate with the West Virginia

20 Division of Highways in the

21 development of this project. It is

22 your opportunity to have a voice in

23 the decisions that are being made

24 concerning the Supplemental Draft

25 Environmental Impact Statement and the

Page 4

1 This hearing is being held in a

2 workshop format. Information and

3 assistance is being provided by

4 qualified representatives located at

5 various stations who will be available

6 to discuss the alternatives studied,

7 as well as representatives who will

8 explain the environmental issues

9 including, natural, historic, social

10 and economic impacts, which may result

11 from the project. Representatives at

12 this workshop include qualified staff

13 from the: West Virginia Division of

14 Highways Engineering Division and

15 Environmental Section; West Virginia

16 Division of Highways Right of Way

17 Representatives; Environmental and

18 Engineering consulting firm, Michael

19 Baker and Charles Ryan & Associates.

20 This is a workshop public

21 hearing. We request that you review

22 available materials and address any

23 questions you may have concerning the

24 project to our representatives at the

25 various stations. This will assist

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Page 5

1 you in better preparing your oral or  
2 written comments concerning this  
3 project.

4 If you would like to make an  
5 oral statement, you will need to visit  
6 the Court Reporter. Please provide  
7 your name, your address, and  
8 organization if any. The Court  
9 Reporter needs this information for  
10 the record.

11 A transcript of statements made  
12 will be prepared for the project and  
13 made part of the official record.  
14 This transcript will be provided to  
15 the Federal Highway Administration for  
16 their review. We are also accepting  
17 written comments, which will become  
18 part of the project record. Written  
19 comments are due April 22, 2003.

20 The Division of Highways has  
21 and will continue to coordinate the  
22 development of the project with  
23 various agencies, both state and  
24 federal, and organizations that may  
25 have concerns or interests. This

Page 7

1 Division of Highways thanks you for  
2 your participation in our public  
3 involvement process.

4 Officials in attendance tonight  
5 from the West Virginia Division of  
6 Highways include, Mike Wilson, Norse  
7 Angus, Ben Hark, Jim Colby, Chuck  
8 Bartley, David Clevenger, Randy  
9 Epperley, Chandra Inglis. From the  
10 Federal Highway Administration, Ed  
11 Compton. From the consulting firm  
12 Baker, Martha Dobyns, Jonathan Danz,  
13 Bill McCartney, Jennifer Riddle, Andy  
14 Gould, J. K. Robinson, Tim Smith.  
15 From the consulting firm Charles Ryan  
16 & Associates, Amy Dobkin and Jennifer  
17 Vieweg. From the West Virginia  
18 Department of Culture & History, Susan  
19 Pierce and Joanna Wilson.

20 MR. DEARBORN: I'd like  
21 to be recorded in favor of the  
22 preferred original. It seems it's not  
23 only, well, for one thing it's more  
24 economical, more direct and for those  
25 two reasons alone, well, plus the fact

Page 6

1 includes the county, local communities,  
2 the Department of Natural Resources,  
3 the Division of Environmental  
4 Protection, the U.S. Fish and Wildlife  
5 Service, the Environmental Protection  
6 Agency, state and federal historic  
7 agencies, and other affected  
8 organizations. These organizations and  
9 agencies have been provided a copy of  
10 the necessary environmental documents  
11 for their review. Their comments will  
12 also be considered in the selection of  
13 an alternative and for future  
14 development of the project.

15 We are coordinating this  
16 project with the Federal Highway  
17 Administration, since it is expected  
18 that they will be assisting in the  
19 funding of the project. Funding will  
20 be 80 percent federal and 20 percent  
21 state-matching.

22 A very important aspect of  
23 coordination, of course, is the  
24 community itself, and that is why we  
25 are here tonight. The West Virginia

Page 8

1 that the, the alternatives appear to  
2 be as much as 90 million dollars more,  
3 which doesn't make a lot of sense to  
4 me.

5 COURT REPORTER: Please  
6 state your name and address.

7 MR. DEARBORN: Oh, my  
8 name is Murray Dearborn, Post Office  
9 Box, I live in the Canaan Valley, Post  
10 Office Box 37, Davis 26260, okay.

11 COURT REPORTER: Thank  
12 you.

13 MR. BRIGHT: John  
14 Bright. Should I mention who I'm  
15 with? I'm with the Purple Fiddle,  
16 which is a, a business based, most  
17 businesses are based on tourism in  
18 Thomas. We support any of the, mostly  
19 any of the northern routes, the routes  
20 that cut north of Thomas, mainly so  
21 that there is an exit for Thomas,  
22 specifically 1G with the multiple  
23 exits for Thomas. We believe, we're,  
24 we're, we know that Thomas is going to  
25 be a great tourist attraction, very

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<p style="text-align: center;">Page 9</p> <p>1 historic town that is slowly  2 developing into a little touristy area  3 with shops and restaurants and it  4 would benefit the entire State to have  5 an exit near such a historic town and  6 also the northern route, yeah, diverts  7 traffic around Thomas.  8 Oh, yeah, we would like to see  9 if there's any way of getting funds  10 from Corridor H to develop the park in  11 Thomas because the northern routes  12 will cut right through the middle of  13 the park, and we think that  14 esthetically that the park should  15 benefit somehow and, and receive some  16 money because otherwise the park may  17 not be developed for decades.  18 MR. ANGUS: Written  19 comments are due April 22nd but all  20 this has to be, you know, put into  21 the record, summarized and we're,  22 let's see today's what, 7th, 6th, 6th,  23 it'd be nice to have it within a  24 month at least.  25 COURT REPORTER: Okay.</p>	<p style="text-align: center;">Page 11</p> <p>1 COURT REPORTER: I'll  2 make sure I put that down that these  3 names...  4 MR. ANGUS: Yeah, I  5 wanted to give you that because, you  6 know, that, the spelling I'm sure is  7 tough on names.  8 COURT REPORTER: Yes,  9 yes, some of them are, okay. Thank  10 you.  11 NORSE ANGUS: All right,  12 thank you.  13 (WHEREUPON, the Workshop was concluded  14 at 7:06 p.m.)  15  16  17  18  19  20  21  22  23  24  25</p>
<p style="text-align: center;">Page 10</p> <p>1 Well, we have a normal time, which is  2 7 to 10 days.  3 MR. ANGUS: Okay.  4 COURT REPORTER: So,  5 I'll put you down for that.  6 MR. ANGUS: Okay.  7 That's fine.  8 COURT REPORTER: And you  9 just want a regular transcript, right?  10 Do you want anything specific on it,  11 like any special...  12 MR. ANGUS: Just make  13 sure, that the title of the meeting  14 and all that's on there...  15 COURT REPORTER: All  16 this stuff, the names.  17 MR. ANGUS: Yeah, and  18 that the names are on there and other  19 Court Reporters have like attached a  20 copy of this or they've actually, you  21 know, taken it verbatim from my  22 statement and then, but now one thing  23 I didn't, in my statement put these  24 two people in there but I want, you  25 know, to add those on...</p>	<p style="text-align: center;">Page 12</p> <p>1 CAPTION  2  3 The Workshop Public Hearing in the  4 matter, on the date, and at the time  5 and place set out on the title page  6 hereof.  7  8 It was requested that the Workshop  9 Public Hearing be taken by the  10 reporter and that the same be reduced  11 to typewritten form.  12  13  14  15  16  17  18  19  20  21  22  23  24</p>

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13  
CERTIFICATE OF REPORTER

2  
3 STATE OF VIRGINIA AT LARGE:

4  
5 I, CONNIE LYNN MORRIS, Notary  
6 Public for the State of Virginia at  
7 Large, do hereby certify that the  
8 foregoing constitutes a true and  
9 accurate transcript to the best of my  
10 ability.

11  
12 I further certify that I am not an  
13 employee of nor related to any of the  
14 parties, and I have no financial  
15 interest in the outcome of this  
16 matter.

17  
18  
19  
20  
21  
22  
23 My Commission Expires: \_\_\_\_\_  
24 September 30, 2006 Notary Public  
25

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<p style="text-align: center;"><b>A</b></p> <p>accepting 5:16 Act 3:14,15,16 actually 10:20 add 10:25 address 4:22 5:7 8:6 Administration 5:15 6:17 7:10 affected 6:7 agencies 5:23 6:7,9 Agency 6:6 alone 7:25 alternative 6:13 alternatives 3:1 4:6 8:1 Amy 7:16 Analyst 2:6 Andy 7:13 angus 2:5,6 7:7 9:18 10:3 10:6,12,17 11:4,11 anything 10:10 appalachian 1:4 2:9 appear 8:1 April 5:19 9:19 area 9:2 around 9:7 aspect 6:22 assist 4:25 assistance 4:3 assisting 6:18 Associates 4:19 7:16 attached 10:19 attendance 7:4 attendees 2:15 attraction 8:25 available 3:21 4:5,22</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p>Baker 4:19 7:12 Bartley 7:8 based 8:16,17 become 5:17 being 2:23 3:2 4:1,3 believe 8:23 Ben 7:7 benefit 9:4,15 better 5:1 Bill 7:13 Blackwater 1:14 2:12 both 5:23 Box 8:9,10 bright 8:13,14 Brochures 3:22,24 business 8:16</p>	<p>businesses 8:17</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p>Canaan 8:9 CAPTION 12:1 Chandra 7:9 Charles 4:19 7:15 Chuck 7:7 citizen 3:8 Clean 3:14 Clevenger 7:8 Colby 7:7 Comment 3:25 comments 5:2,17,19 6:11 9:19 communities 6:1 community 6:24 compliance 3:3 complying 3:10 Compton 7:11 concerning 2:24 4:23 5:2 concerns 5:25 concluded 11:13 considered 6:12 consulting 4:18 7:11,15 continue 5:21 coordinate 5:21 coordinating 6:15 coordination 6:23 copy 6:9 10:20 corridor 1:4 2:10 9:10 county 6:1 course 6:23 court 5:6,8 8:5,11 9:25 10:4,8,15,19 11:1,8 Culture 7:18 cut 8:20 9:12</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p>Danz 7:12 date 12:4 David 7:8 davis 1:5,15 2:10,13 8:10 days 10:2 dearborn 7:20 8:7,8 decades 9:17 decisions 2:23 department 1:1 2:2 3:4 6:2 7:18 design 3:9 develop 9:10 developed 9:17 developing 9:2</p>	<p>development 2:21 5:22 6:14 direct 7:24 discuss 4:6 diverts 9:6 Division 2:7,20 3:4,6 4:13 4:14,16 5:20 6:3 7:1,5 Dobkin 7:16 Dobyns 7:12 documents 3:20 6:10 dollars 8:2 down 10:5 11:2 Draft 2:24 3:22 due 5:19 9:19</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p>economic 4:10 economical 7:24 Ed 7:10 Engineering 4:14,18 entire 9:4 environmental 2:6,25 3:11,12,13,23 4:8,15,17 6:3,5,10 Epperley 7:9 established 3:8 esthetically 9:14 Executive 3:17 exit 8:21 9:5 exits 8:23 expected 6:17 explain 4:8</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p>fact 7:25 favor 7:21 February 1:8 2:4,11 federal 3:19 5:15,24 6:6 6:16,20 7:10 Fiddle 8:15 fine 10:7 firm 4:18 7:11,15 Fish 6:4 flood 3:18 follows 2:16 form 12:11 format 4:2 from 2:14 4:11,13 7:5,9 7:11,15,17 9:10 10:21 funding 6:19,19 funds 9:9 future 6:13</p>	<p style="text-align: center;"><b>G</b></p> <p>getting 9:9 give 11:5 goes 2:16 going 8:24 Gould 7:14 great 8:25</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p>H 1:4 2:10 9:10 handout 2:14,16 Handouts 3:20 Hark 7:7 hearing 1:5 2:3,11,17 4:1 4:21 12:3,9 hearings 3:7 held 3:2 4:1 hereof 12:6 Highway 5:15 6:16 7:10 Highways 2:7,20 3:5,6 4:14,16 5:20 7:1,6 historic 3:16 4:9 6:6 9:1,5 History 7:18</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p>Impact 2:25 3:23 impacts 4:10 important 6:22 include 3:13,22 4:12 7:6 includes 6:1 including 4:9 information 2:8 4:2 5:9 Inglis 7:9 input 3:9 interests 5:25 involvement 3:5 7:3 issues 4:8 it'd 9:23</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p>J 7:14 Jennifer 7:13,16 Jim 7:7 Joanna 7:19 John 8:13 Jonathan 7:12 just 10:9,12</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p>K 7:14 know 8:24 9:20 10:21,25 11:6</p>
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<p style="text-align: center;"><b>L</b></p> <p>least 9:24 let's 9:22 like 5:4 7:20 9:8 10:11,19 little 9:2 live 8:9 local 6:1 located 4:4 location 3:9 Lodge 1:14 2:13 lot 8:3</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p>made 2:23 5:11,13 mainly 8:20 make 5:4 8:3 10:12 11:2 Martha 7:12 materials 4:22 matter 12:4 maximize 3:8 may 4:10,23 5:24 9:16 McCartney 7:13 meeting 3:22 10:13 meetings 3:7 mention 8:14 Michael 4:18 middle 9:12 Mike 7:6 million 8:2 money 9:16 month 9:24 more 7:23,24 8:2 most 8:16 mostly 8:18 much 8:2 multiple 8:22 Murray 8:8</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p>name 5:7 8:6,8 names 10:16,18 11:3,7 National 3:13,15 natural 4:9 6:2 near 9:5 necessary 6:10 need 5:5 needs 5:9 nice 9:23 normal 10:1 norse 2:5 7:6 11:11 north 8:20 northern 8:19 9:6,11</p>	<p style="text-align: center;"><b>O</b></p> <p>Office 8:8,10 official 2:8 5:13 Officials 7:4 Oh 8:7 9:8 okay 8:10 9:25 10:3,6 11:9 one 7:23 10:22 only 7:23 opportunity 2:18,22 oral 5:1,5 Orders 3:17 organization 5:8 organizations 5:24 6:8,8 original 7:22 other 3:19 6:7 10:18 otherwise 9:16 out 12:5</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p>page 12:5 park 9:10,13,14,16 parsons 1:5 2:10 part 5:13 18 participate 2:19 participation 7:2 people 10:24 percent 6:20,20 Pierce 7:19 place 12:5 plains 3:18 Plans 3:24 Please 5:6 8:5 plus 7:25 Policy 3:14 Post 8:8,9 preferred 7:22 prepared 5:12 preparing 5:1 presented 3:1 Preservation 3:16 procedures 3:6 process 3:5 7:3 project 2:21 3:1,24 4:11 4:24 5:3,12,18,22 6:14 6:16,19 projects 3:10 proposed 3:10 Protection 6:4,5 provide 2:18 5:6 provided 2:15 3:20 4:3 5:14 6:9 public 1:5 2:3,11 3:5,7</p>	<p>4:20 7:2 12:3,9 Purple 8:15 purpose 2:17 put 9:20 10:5,23 11:2 p.m 1:9 2:12 11:14</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p>qualified 4:4,12 questions 4:23</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p>Randy 7:8 reading 2:8,14 reasons 7:25 receive 9:15 record 2:9 5:10,13,18 9:21 recorded 7:21 reduced 12:10 regular 10:9 regulations 3:19 reporter 5:6,9 8:5,11 9:25 10:4,8,15 11:1,8 12:10 Reporters 10:19 representatives 4:4,7,11 4:17,24 request 4:21 requested 12:8 requirements 3:11,12 Resources 6:2 restaurants 9:3 result 4:10 review 3:21 4:21 5:16 6:11 Riddle 7:13 right 3:24 4:16 9:12 10:9 11:11 Robinson 7:14 route 9:6 routes 8:19,19 9:11 Ryan 4:19 7:15</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p>same 12:10 Section 3:14,15 4:15 see 9:8,22 seems 7:22 selection 6:12 sense 8:3 Service 6:5 set 12:5 Sheets 3:25 shops 9:3</p>	<p>since 6:17 slowly 9:1 Smith 7:14 social 4:9 some 9:15 11:9 somehow 9:15 special 10:11 specific 10:10 specifically 8:22 spelling 11:6 staff 4:12 state 3:19 5:23 6:6 8:6 9:4 statement 2:9,25 5:5 10:22,23 statements 3:23 5:11 state-matching 6:21 stations 4:5,25 studied 4:6 stuff 10:16 summarized 9:21 Supplemental 2:24 support 8:18 sure 10:13 11:2,6 Susan 7:18</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p>taken 10:21 12:9 thank 8:11 11:9,12 thanks 7:1 their 5:16 6:11,11 thing 7:23 10:22 think 9:13 Thomas 8:18,20,21,23,24 9:7,11 through 9:12 Tim 7:14 time 10:1 12:4 title 10:13 12:5 today's 9:22 tonight 6:25 7:4 tough 11:7 tourism 8:17 tourist 8:25 touristy 9:2 town 9:1,5 traffic 9:7 transcript 5:11,14 10:9 transportation 1:1 2:2 3:4 two 7:25 10:24 typewritten 12:11</p> <hr/> <p style="text-align: center;"><b>U</b></p>
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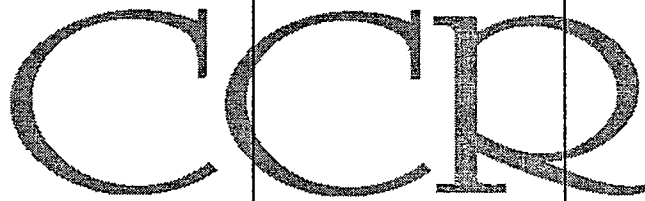
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<p>U.S 6:4</p> <hr/> <p>V</p> <p>Valley 8:9          various 3:18 4:5,25 5:23          verbatim 10:21          very 6:22 8:25          Vieweg 7:17          virginia 1:1,15 2:1,7,13          2:19 3:3 4:13,15 6:25          7:5,17          visit 5:5          voice 2:22</p> <hr/> <p>W</p> <p>want 10:9,10,24          wanted 11:5          Water 3:15          way 3:24 4:16 9:9          well 4:7 7:23,25 10:1          west 1:1,15 2:1,7,13,19          3:3 4:13,15 6:25 7:5,17          wetlands 3:18          we're 8:23,24 9:21          while 3:10          Wildlife 6:4          Wilson 7:6,19          workshop 1:5 2:3,10 3:2          3:21 4:2,12,20 11:13          12:3,8          written 5:2,17,18 9:18</p> <hr/> <p>Y</p> <p>yeah 9:6,8 10:17 11:4</p> <hr/> <p>1</p> <p>1G 8:22          10 10:2          106 3:15          11988 3:17          11990 3:17</p> <hr/> <p>2</p> <p>20 6:20          2003 1:8 2:4,11 5:19          22 5:19          22nd 9:19          26260 8:10</p> <hr/> <p>3</p> <p>37 8:10</p> <hr/> <p>4</p>	<p>4:00 2:12          4:00-7:00 1:9          404 3:14</p> <hr/> <p>6</p> <p>6 1:8 2:4          6th 2:11 9:22,22</p> <hr/> <p>7</p> <p>7 10:2          7th 9:22          7:00 2:12          7:06 11:14</p> <hr/> <p>8</p> <p>80 6:20</p> <hr/> <p>9</p> <p>90 8:2</p>		
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# WORKSHOP PUBLIC HEARING

Appalachian Corridor H

## Parsons-to-Davis

### Tucker County



**February 6, 2003**

Convention Room, Blackwater Lodge  
Davis, WV



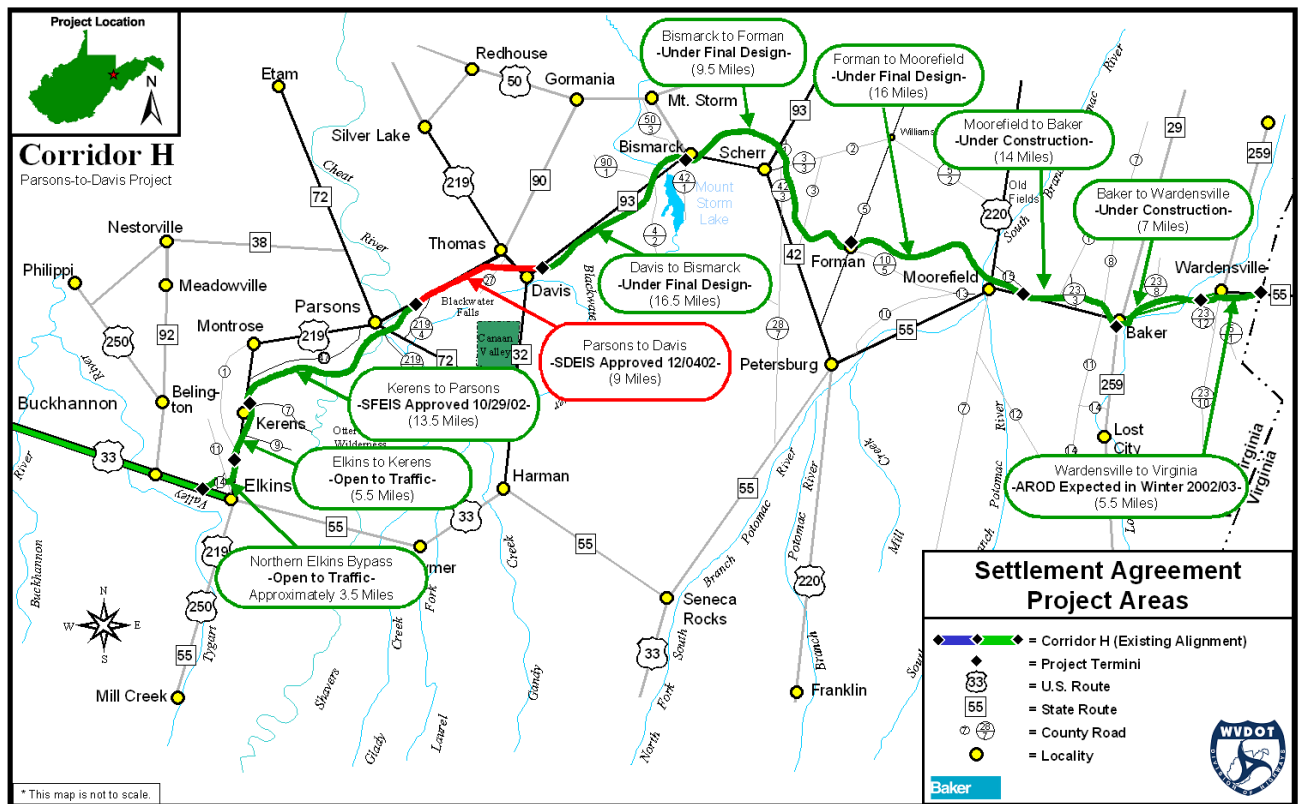
Appalachian Corridor H  
Parsons, WV to Davis, WV  
Supplemental Environmental Impact Statement  
FHWA-WV-EIS-92-01-SD  
State Project: X142-H-38.99 C-2  
Federal Project: APD-484 (59)

# INFORMATIONAL SUMMARY

In accordance with FHWA guidance, the Supplemental Draft Environmental Impact Statement (SDEIS) incorporates by reference the FEIS and the subsequent ROD for the Appalachian Corridor H Project, both issued in 1996. The SDEIS reader should refer to the 1996 Corridor H FEIS and 1996 ROD for information regarding the Project that is unchanged, still valid, and therefore, not presented in the text of the SDEIS.

## BRIEF PROJECT DESCRIPTION

The West Virginia Department of Transportation (WVDOT), Division of Highways (WVDOH), in conjunction with the Federal Highway Administration (FHWA), is proposing to construct an approximately 10-mile long highway between Parsons and Davis in Tucker County, West Virginia. This Parsons-to-Davis Project is a component of the Appalachian Corridor H Project which is a proposed 100-mile highway between Elkins and the West Virginia-Virginia state line, spanning Randolph, Tucker, Grant, and Hardy counties in West Virginia.



As a result of legal challenges, a Settlement Agreement required the WVDOH and FHWA to prepare a Supplemental Environmental Impact Statement (SEIS) to evaluate one or more alignment shifts for the Thomas-Davis section of the Parsons-to-Davis Project to determine if avoidance of the Blackwater Area, also defined in the Settlement Agreement, was prudent and feasible. The Supplemental Draft Environmental Impact Statement (SDEIS) is the first part of the required SEIS. Additionally, discovery of an endangered species within the limits of the Original Preferred Alternative (OPA) between Parsons and Davis has necessitated that the SEIS address the entire length of the Parsons-to-Davis Project.

As a part of the Corridor H project, the Parsons-to-Davis project is expected to contribute to addressing the needs identified in the Corridor H Final Environmental Impact Statement (FEIS) of 1996 (WVDOH, 1996). Additionally, the Parsons-to-Davis project will address specific local needs. Overall, the purpose of the Parsons-to-Davis project is to:

- Provide a safe, high-speed, high capacity, four-lane connection between the project termini;
- Promote economic development in the Study Area;
- Reduce truck traffic on existing routes; and,
- Improve emergency response times and access to emergency facilities.

The purpose and need for the project are detailed in Section 1 (*Project Background and Need*) of the SDEIS.

### **THE STUDY AREA**

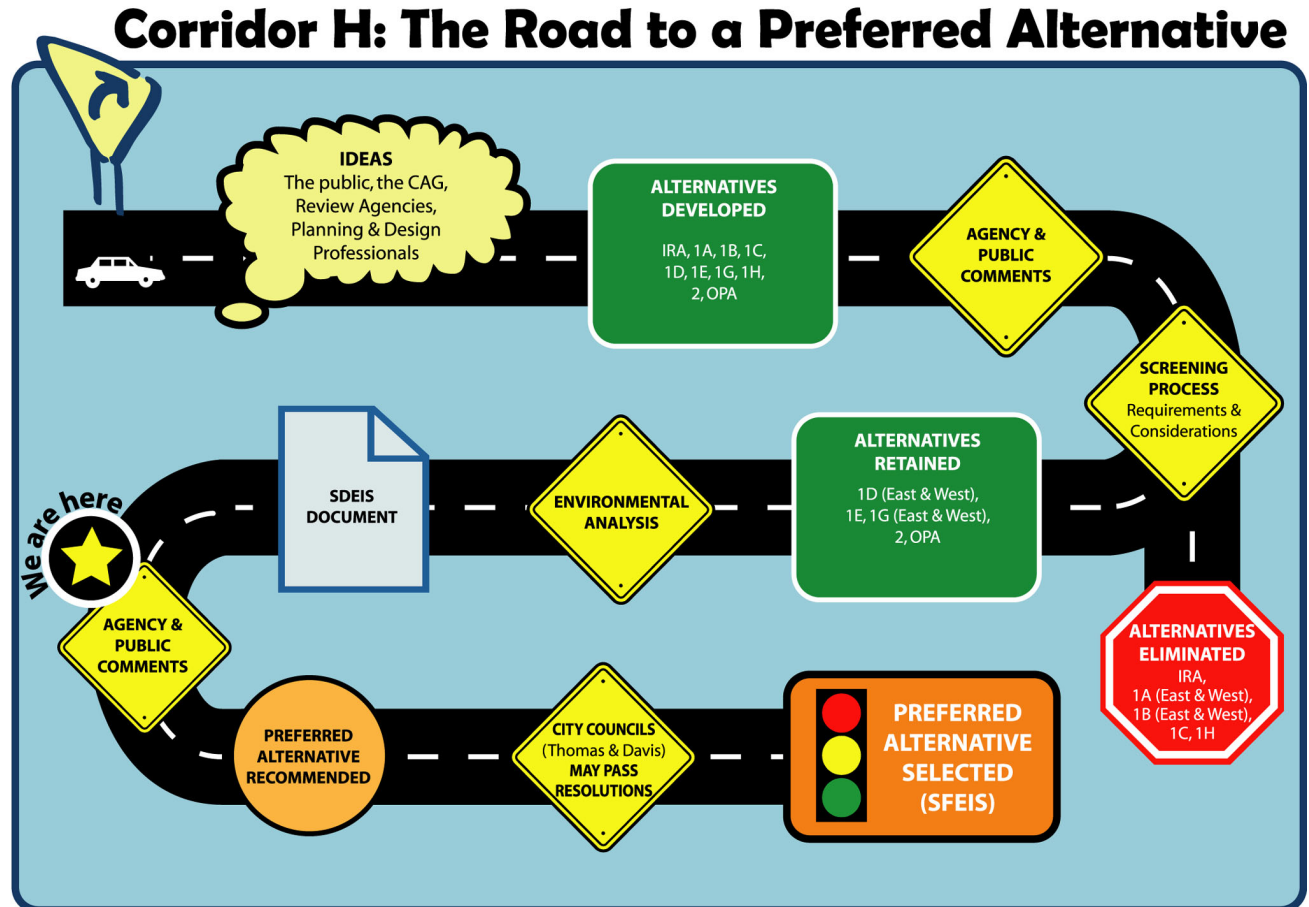
The project termini are located in Parsons, WV in the west and Davis, WV in the east. In Parsons, the Study Area begins at County Route (CR) 219/4, 0.2 mile south of US 219. In Davis, the eastern boundary of the Study Area is located on WV 93 near the proposed Tucker County Industrial Park. The eastern terminus was defined in the 2000 Settlement Agreement as 0.7 mile east of US 32 along US 93; however, this limit was extended approximately a half-mile to the east along US 93 in order to accommodate study of alignment options around the Tucker County Landfill.

The southern boundary of the Study Area corresponds roughly to the southern cut/fill limits of the OPA, with the exceptions of the Blackwater Area boundary and a southern dip by Middle Run. This dip in the Study Area was created to assess options for avoiding an area known to be occupied by the WVNFS. The Blackwater Area, as defined in the Settlement Agreement, extends into the Study Area from the south; it includes the Blackwater River valley from Thomas to Hendricks and the City of Thomas itself.

The northern boundary of the Study Area was selected based on several factors. These factors included the topography of Backbone Mountain; avoidance of the Big Run Bog watershed (Big Run Bog is a Monongahela National Forest Research Natural Area); avoidance of known occupied habitat of the endangered WVNFS; and avoidance of the Blackwater Area. In the northeast, the Study Area boundary extends to US 219 in the vicinity of the community of William. The boundary does not extend north of William because economic development objectives of the project will not be fulfilled if the project is far removed from the existing populated and developed areas of Thomas, Davis, and Canaan Valley.

**ALTERNATIVES CONSIDERED**

The SDEIS presents the alternatives considered and identifies those alternatives retained for detailed environmental analysis. The SDEIS does not identify a Preferred Alternative; however, a Preferred Alternative will be identified in a Preferred Alternative Report. After circulation of the SDEIS and after the City Councils of Thomas and Davis have had a 60-day opportunity to comment on the Preferred Alternative Report, the Supplemental Final Environmental Impact Statement (SFEIS) will be issued.

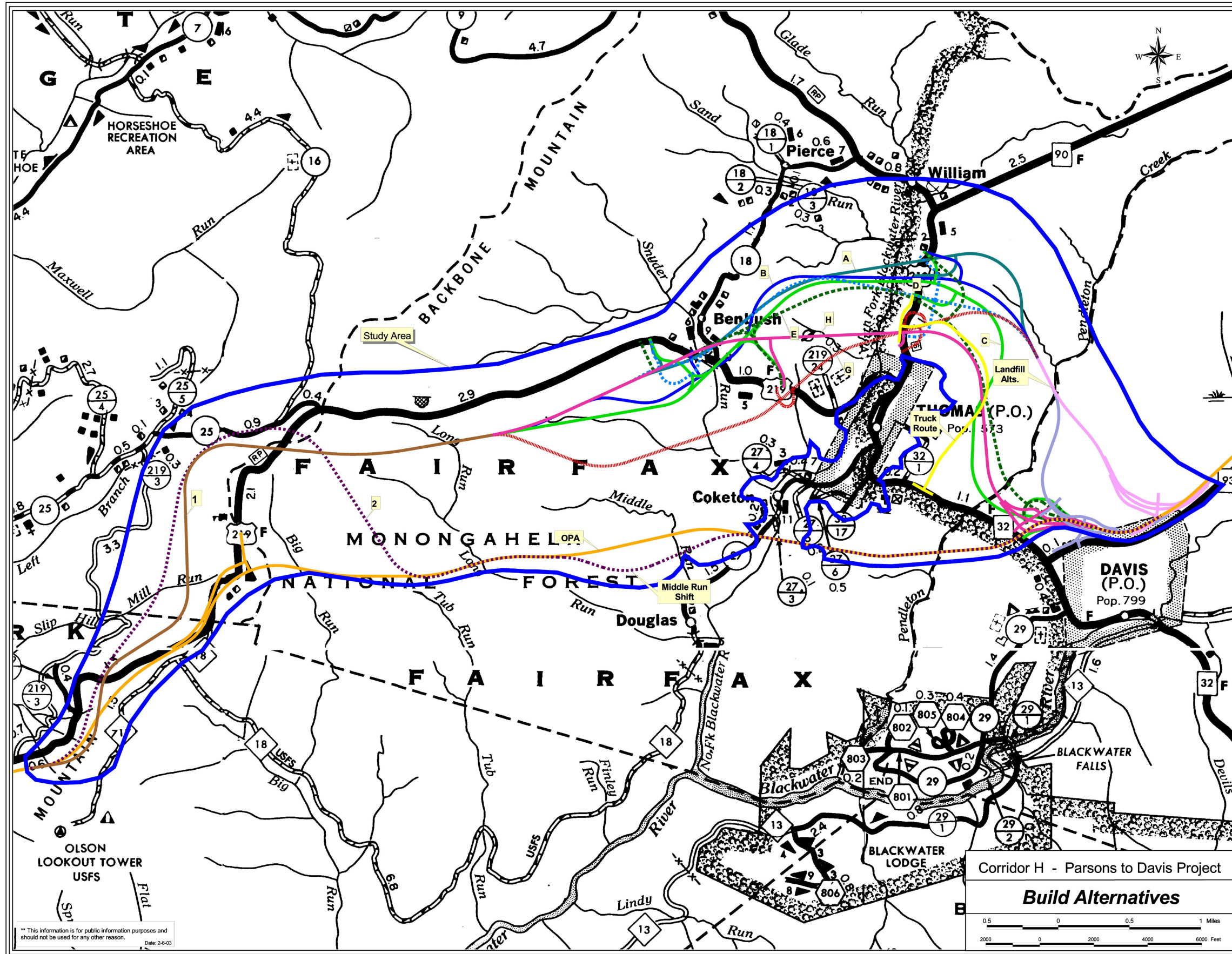


In order to develop prudent and feasible alternatives, a project Study Area was defined. Environmental and engineering constraints were identified from secondary sources. Alternatives were then developed within the Study Area so as to minimize impacts to environmental constraints and maximize adherence to engineering constraints.

The alternatives developed and considered in this document included the No-Build Alternative, the Improved Roadway Alternative (IRA), the OPA, and twelve (12) avoidance alignments. A Truck Route option was also considered as an addition to the OPA and one of the avoidance alignments.



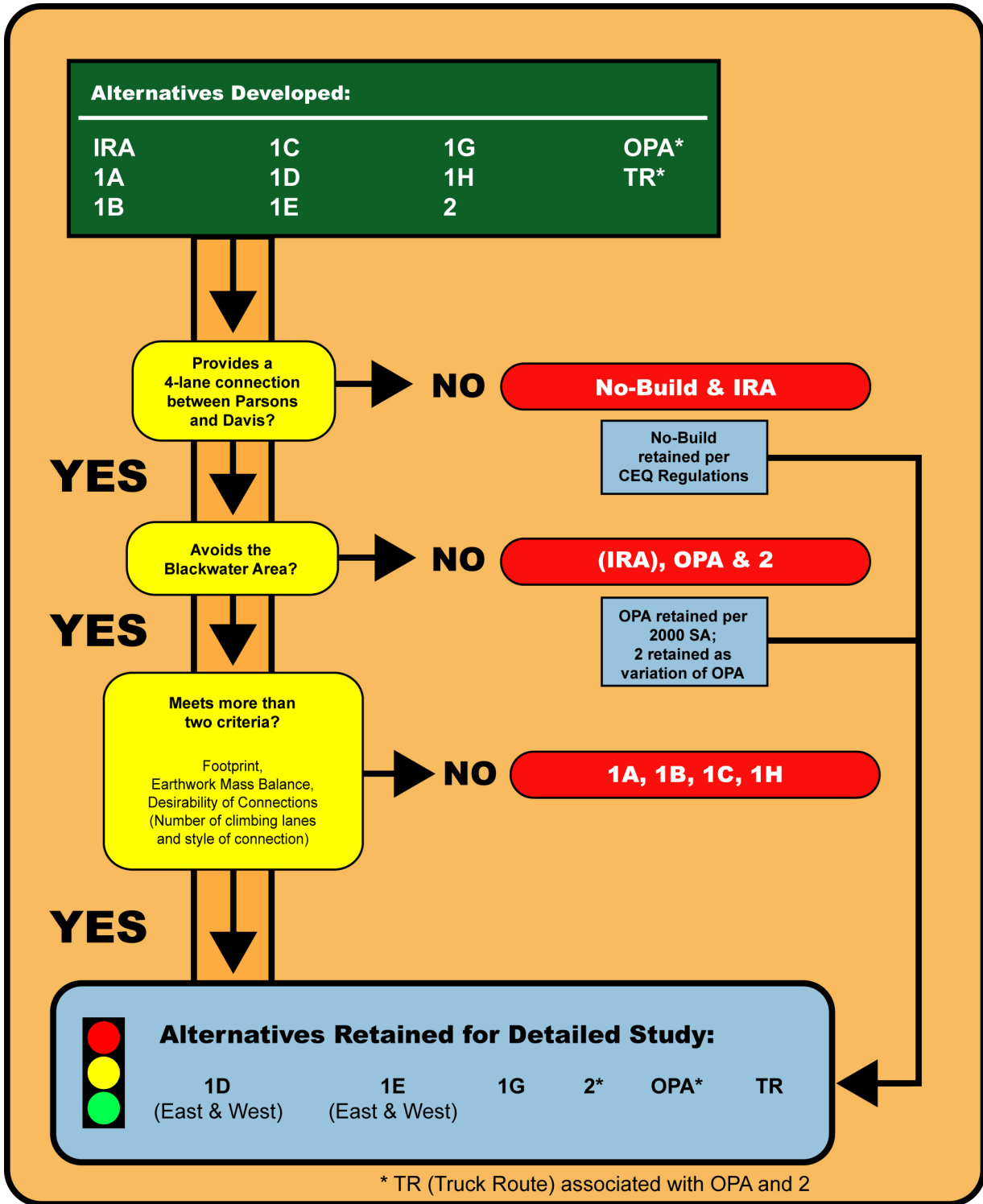
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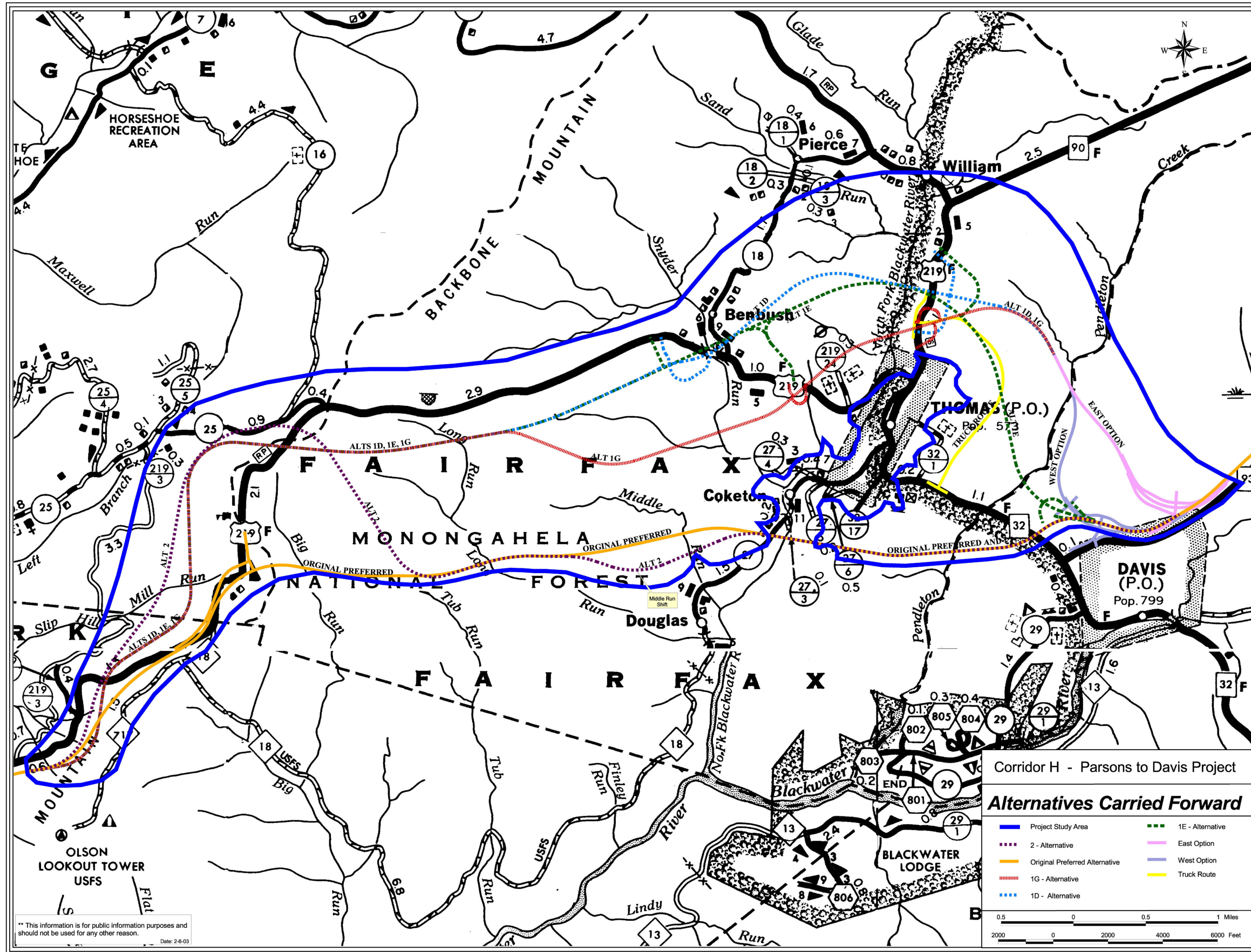
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Preliminary consideration screening indicates that the IRA and six of the avoidance alignments should be eliminated from detailed study. The remaining six avoidance alignments, the OPA, the No-Build, and the Truck Route were retained for detailed environmental study and analysis. The alternatives and their considerations are detailed in Section 2 (*Alternatives Considered*) of the SDEIS.



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# Summary of Potential Impacts on the Existing Environment

Issue or Resource	No Build	1D West	1D East	1E	1G West	1G East	2	OPA <sup>1</sup>	TR <sup>2</sup>
<i>Length (miles)</i>	11.8	11.6	11.0	11.2	11.5	10.9	11.0	9.0	1.8
<i>Cost (millions)</i> <sup>3</sup>	N/A	185.2	188.6	174.2	189.9	193.3	140.9	93.5	4.8
<i>Earthwork Mass Balance<sup>4</sup> (MCY)</i>	N/A	-0.28	0.17	0.01	1.45	1.90	3.08	8.57	0.01
<i>Reduction in Downtown Thomas Truck Traffic</i>	N/A	-80%	-80%	-80%	-80%	-80%	-45%	-45%	Up to-35% <sup>5</sup>
<i>Travel Time (minutes)</i>	18	12	11	11	12	11	11	9	N/A
<i>Level of Service (2020)</i>	D	A	A	A	A	A	A	A	N/C
<i>Displacements</i>	N/A	Landfill Facilities <sup>5</sup>	None	<sup>1</sup> Residence	Landfill Facilities <sup>5</sup>	None	None	None	None
<i>4(f) Use</i>	N/A	None	None	None	None	None	None	None	None
<i>Wetlands (acres)</i>									
- PEM	N/A	1.14	0.95	2.05	0.47	0.27	2.71	3.5	0.06
- PSS	N/A	0.09	0.72	1.02	0.09	0.72	1.53	1.53	0.00
- PFO	N/A	0.06	0.00	3.48	0.06	0.00	0.01	0.62	0.00
- POW	N/A	0.00	0.00	0.00	0.00	0.00	2.82	2.81	0.00
- TOTAL	N/A	1.29	1.67	6.54	0.72	1.09	7.07	8.01	0.06
<i>Streams</i>									
- Total # of bridges	N/A	9	11	10	9	11	2	4	0
- Total length of bridges (ft)	N/A	6700	7450	5800	8300	9050	2250	2300	0
- Total # of culverts	N/A	16	15	11	13	12	14	15	6
- Total length of culverts (ft)	N/A	5586	5415	4885	4379	4208	8094	7233	1530
- Total # of relocations	N/A	4	2	4	8	6	5	9	1
- Total length of relocations (relocation length in ft)	N/A	1555	232	1137	2015	692	4048	5695	321
<i>Floodplains, 100yr (acres)</i>	N/A	0	0	0	0	0	3.4	3.4	0
<i>Affects WVNF<sup>6</sup> Habitat</i>	N/A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
<i>Monongahela Nat'l Forest</i>									
- MPA <sup>7</sup> 3.0	N/A	325	325	305	293	293	357	198	1
- MPA <sup>7</sup> 6.1	N/A	80	80	72	79	79	63	111	0
<i>Noise Impacts (2020)</i>									
- Noise Abatement Criteria	10	8	8	7	7	7	8	9	5
- Substantial Increase	0	0	0	0	0	0	1	1	0
<i>Cultural Resources</i>									
- Effects on NRHP Eligible/Listed Resources	N/A	No Effect	No Effect	No Effect	No Effect	No Effect	No Adverse Effect	No Adverse Effect	No Effect
- Prehistoric High Probability Area (acres)	N/A	7.9	5.5	11.1	2.7	0.3	0.5	1.4	0.1
- Prehistoric Medium Probability Area (acres)	N/A	6.8	6.8	5.1	2.5	2.5	5.8	7.0	1.1

N/A = Not Applicable; MCY = Million Cubic Yards; N/C = Not Calculated

<sup>1</sup>OPA = Original Preferred Alternative of Corridor H passing through the Parson-to-Davis Project Study Area.

<sup>2</sup>The Truck Route is an option area that would be associated with only the OPA or Alternative 2. It would divert up to an additional 35% of truck traffic.

<sup>3</sup>Based on current average construction costs, including such variables as earthwork, drainage, pavement and bridging. Does not include cost of ROW or utility relocations

<sup>4</sup>Positive numbers represent waste (i.e. excess cut) and negative numbers represent borrow (i.e. deficit of material). Quantities include access roads.

<sup>5</sup>The facilities include the scales and scale house of the Tucker County Landfill. The facilities would need to be moved due to construction of these alternatives.

<sup>6</sup>WVNF = West Virginia northern flying squirrel (*Glaucomys sabrinus fuscus*).

<sup>7</sup>MPA = Management Prescription Area.



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## MAJOR UNRESOLVED ISSUES

### Section 4(f) Analysis

At this time, evaluation results indicate that none of the alternatives retained for detailed study would require “use” of Section 4(f) land. A draft Section 4(f) Analysis is included with the SDEIS (*Section 4*), and a final Section 4(f) Analysis will be included with the SFEIS.

### Section 7 Consultation

Throughout the development of the environmental documentation for Corridor H, WVDOH and FHWA consulted with the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the Endangered Species Act (ESA). The documentation was considered sufficient by the USFWS to address effects on threatened and endangered species at the time the ROD was signed (August 1996). However, in June 2000, WVDOH and FHWA re-initiated informal consultation with the USFWS during agency coordination for the preparation of the SDEIS. Consultation is still ongoing with regard to one endangered species, the West Virginia northern flying squirrel (WVNFS), found within the Study Area boundary.

A Biological Assessment (BA) for the WVNFS was prepared and submitted to USFWS (August 2002). The BA found that the OPA would likely result in an adverse effect to the species and that the avoidance alignments would not likely adversely affect the WVNFS. USFWS did not concur with this conclusion and stated that any of the alternatives presented in the BA (which are the same alternatives presented in the SDEIS) would not avoid suitable habitat for the species (letter dated October 11, 2002, *Section 7: Comments and Coordination*). According to the most recent Recovery Plan for the species (USFWS, 2001), suitable habitat for the WVNFS is assumed to be potentially occupied by the species; therefore, any of the alternatives would impact potentially occupied WVNFS habitat. Further consultation with the USFWS will be required for the Preferred Alternative.

## OTHER FEDERAL ACTIONS REQUIRED

After the selection of the Preferred Alternative and before project construction, one federal permit, two state permits, and one state certification are required:

- Section 404 Clean Water Act Permit (Pittsburgh District COE);
- West Virginia NPDES Permit (WVDEP);
- West Virginia Stream Activity Permit (WV Public Land Corporation); and,
- West Virginia Section 401 Water Quality Certification (WVDEP).

These permits and certifications were issued for the OPA in 1996. If an alternative other than the OPA is selected as the Preferred Alternative for this project, amended permits and certifications will be pursued.

## SCOPING, AGENCY COORDINATION AND PUBLIC INVOLVEMENT

The Settlement Agreement specified that, in addition to the public involvement efforts required by law, WVDOH also will undertake efforts to enhance opportunities for the affected communities to participate in conducting the study and in selecting the Preferred Alternative for the avoidance of the Blackwater Area.

In accordance with the Settlement Agreement, WVDOH has established and consulted with a Community Advisory Group (CAG) composed of 12 members representing a cross-section of the interests potentially affected by the location of Corridor H in the Thomas and Davis areas. The CAG has held 11 meetings, attended by WVDOH staff and moderated by a professional facilitator. The CAG has prepared two comment letters that are considered part of the public comment record (*Section 7: Comments and Coordination* of the SDEIS) for the project.

The Settlement Agreement also requires that after completion of the standard public comment period on the SDEIS, WVDOH must transmit a letter to each of the City Councils of Thomas and Davis identifying its Preferred Alternative for the project and its reasons for selecting that alternative. (WVDOH will provide this information in the form of a “Preferred Alternative Report.”) WVDOH will request that the City Councils provide an opportunity for the WVDOH to present its findings and for the CAG to express its views on those recommendations. It will also request that the Councils express their views on the location and design of the Preferred Alternative within 60 days. If, during that 60-day period, a City Council adopts a resolution either opposing all of the new alternatives considered or supporting the OPA, FHWA and WVDOH will have the right, but not the obligation, under the agreement to discontinue the Blackwater Avoidance Study

(see Appendix A for Settlement Agreement, p. 31). However, this agreement will not have an effect on the need for study necessary to investigate avoidance of the WVNFS.

All comments received from the agency scoping meeting and public information workshops were reviewed and considered. As a result of those comments, additional alternatives were developed for consideration in the SDEIS. In addition to the formal opportunities for agency coordination and public involvement, comments have been accepted throughout the SDEIS process on the project website, [www.wvcorridorh.com](http://www.wvcorridorh.com). *Section 7: Comments and Coordination* of the SDEIS provides more detailed information on the scoping, agency coordination, and public involvement process for this SDEIS.



# Workshop Public Hearing Sign-In Sheet

Appalachian Corridor H (Parsons-to-Davis, Tucker County)

February 6, 2003 ~ 4 - 7 p.m., Blackwater Lodge Convention Room - Davis, WV

(8)

By signing this sheet, you indicate that you attended this Workshop Public Hearing on the above stated date. If you wish to receive additional information as it becomes available, please provide us your mailing address. Addresses will not be used for any other purposes.

## PLEASE PRINT

Name	Address	City, State, Zip	Organization (if any)
1. F. JOE DRENNING	Box 585	DAVIS, W. Va. 26260	Mayor
2. DAVID LESHAR	PO Box 778	DAVIS	
3. E. Reid Gilbert	Box 26	Red Creek	
4. Gary Tokarcik	Dist 8 R/W Drive	FIRKINS	
5. Don Crosston	" "	" "	
6. JACK MCGUIGAN	134 PENNSYLVANIA AVE	PARSONS 26207	
7. Murray Osborn	PO Box 37 <del>DAVIS</del>	DAVIS 26260	
8. Jenny Newland	PO Box 196	Thomas 26202	
9. Paula Warden	PO Box 673	Davis 26260	History
10. Susan Force	1900 Kanawha Blvd E	Charleston 25305	WV Div. of Culture & <del>Heritage</del>
11. JOANNA WILSON	" "	" "	"
12. Randy Schmiedeknecht	PO Box 42 Schmiedeknecht	Davis, WV	Development Authority, Business Person
13. Ted Lauer	8105 Madrilan Springs Lane Vienna VA		
14. Roger Billy	PO Box 100	MH Steamy rd 26739	
15. Susan Moore	P.O. 576	Davis WV 26260	
16. Lon Marshall	PO Box 792	DAVIS	
17. GARY WENTWORTH	HC 70 Box 558	DAVIS	PLANNING COMMISSION
18. KAREN BONNER	HC 70 Box 51	DAVIS	" "
19. Tom TUSTY	P.O. 054 103	Hamblinton, WV 26289	Arch & Eng
20. Ron Black	Box 289	DAVIS	COURT REPORTER
21. Karen Carpenter	P.O. Box		The Inter-Mountain
22. Walt Randall	P.O. Box 371	Thomas	Alpine Heritage Reservation



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## PLEASE PRINT

Name	Address	City, State, Zip	Organization (if any)
1. Anne Snyder	24 Box 503	Davis WV 26260	Highland Trails Foundation
2. Doug Swartzman	P.O. Box 2827	Huntington WV 25727	WPPRF
3. Ralph Shadbill	P.O. Box 161	Davis, WV 26260	WFLP
4. Chris Michael	HC64 Box 92	Parsons, WV 26287	Co Comm
5. SKM Eichelberger	P.O. Box 319	Thomas, WV 26292	Co. Comm.
6. Gans N Kuchendorf	RT1 Box 48	Parsons, WV 26269	
7. Hilda Kochenderfer			
8. Linda Warden	Arlington VA		
9. Arlie Davis	RT1 Box 45 Hansboro WV 26269		CO. Commissioner
10. Joanne Corey	HC70 Box 504 DAVIS WV 26260	DAVIS	TIMBERLINE HOMEOWNERS ASSOCIATION
11. Jitty Corey	"	"	
12. Marie Sauter	15 Heritage Sq	Harpers Ferry WV 25425	
13. Rodney Sauter	"	"	
14. Kate & John Bright & Silas	P.O. Box 87	Thomas WV 26292	Purple Fiddle Coffeehouse
15. Adam Moomaw	P.O. Box 219, Oakland, MD	Oakland, MD	Potomac Engineering & Surveying
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