

DATE: May 4, 2016

TO: Mr. Joby Timm, Acting Forest Supervisor  
George Washington and Jefferson National Forest  
Supervisor's Office  
5162 Valleypointe Parkway  
Roanoke, VA 24019

**AND**

The Federal Energy Regulatory Commission, Docket CP16-10-000

FROM: The Border Conservancy, Save Monroe, Preserve Craig, Preserve Giles

RE: **Need for Study of the Potential Negative Impacts of the Mountain Valley Pipeline Project on Cultural Attachment Resources in the Peters Mountain Vicinity in Monroe, Craig, and Giles Counties, Docket 16-10-1000**

The Border Conservancy and Save Monroe in West Virginia, and Preserve Craig and Preserve Giles in Virginia, are community-based organizations on the WV and VA sides of Peters Mountain. This iconic landmark stretches more than 50 miles along a virtually unbroken ridge that encompasses large sections of the George Washington and Jefferson National Forests, including the Peters Mountain Wilderness Area, as well as a section of the Appalachian National Scenic Trail.

Peters Mountain is the deep-seated source of a near spiritual sense of Cultural Attachment for many landowners who live within and close to the National Forest. This cultural resource was identified and documented in the Peters Mountain vicinity in 1996 and further identified in a recent report that was undertaken by cultural anthropologists at the request of the US Forest Service and under direction of the Federal Energy Regulatory Commission (FERC), and submitted to the FERC by Mountain Valley Pipeline (MVP) on January 26, 2016.

**We call on the US Forest Service (USFS) and the Federal Energy Regulatory Commission (FERC) to complete the recent investigation, undertaken at their direction, in which cultural anthropologists identified Cultural Attachment as an existing resource in the area of the MVP project location.** The report by Applied Cultural Ecology was a preliminary study that answered the question posed by the FERC: *Do the people who reside in the vicinity of the pipeline route across JNF have a special kind of 'cultural attachment' that is different from other areas?* Applied Cultural Ecology's answer was: "Yes," as will be described more fully below.

**We call on the USFS and the FERC to require that an expanded study be undertaken to assess the Project Impacts on this identified resource.** This Effects Analysis should be done by a cultural anthropologist for the same reasons that the Forest Service and FERC insisted that a cultural anthropologist be used for the resource identification. **The results of this Effects Analysis should be included in the Draft Environmental Impact Statement prepared by the FERC.**

**BACKGROUND and Relevant Comments and Findings from the ACE Study:**

Cultural Attachment (also referred to as "Community Attachment" and "Cultural Landscape") has been documented on Forest Service lands in the vicinity of Peters Mountain in Monroe County WV and in

Craig and Giles Counties VA for many years. This Cultural Resource was identified in the Forest Service DEIS, Appendix M, June 1996, (Kent Associates Study).<sup>1</sup> This same Cultural Resource was also identified in the recently released “The Proposed Mountain Valley Pipeline Jefferson National Forest Segment Cultural Attachment Report” by Applied Cultural Ecology (ACE).<sup>2</sup> The complete text of that 70-page study has been filed as a FERC document, Docket No. CP16-10, Submission 20160127-5356 (31190466). *The following material in italics are quoted from that ACE document.*

**This is not a new issue for this specific area:**

*The research for the current study, examining its usage by cultural anthropologists, led to reports and publications concerning the Peters Mountain vicinity and cultural attachment in a number of sources by Wagner alone (1997, 1999, 2002, 2009) and with others (1995a, 1995b), as well as works by JKA (JKA 2002; Kent and Preister 2015; Kent et al. 1996) (ACE, p. 16).<sup>3</sup>*

**This issue concerns a recognized Social/Cultural resource:**

*Cultural attachment, as described in this report, is similar to indigenous peoples’ attachment to place and worldviews that do not separate the natural, cultural, and spiritual environment. The local people who live in the vicinity of Peters Mountain exhibit a deep sense of place that is evident in their intimate attachment to their lands (ACE, p. 47).*

**This report confirms the Kent Study characterization and the work of Melinda Bollar Wagner:**

*The authors ([Kent] 1996: 23-24) went on to describe the Peters Mountain area, for example, in which “poems and stories [have] established the mountain as hero,” parallel “descriptions of cultural property which [are] often used in discussing Native American’s cultural and spiritual relationship to land and place” (ACE, pp. 21-22).*

*[Discussing Wagner] Sense of place relates to identity and metaphors can express identity, therefore interviews were also searched for metaphors. They were of two types: “one likened the land to a family member; the other gave the land a religious or spiritual essence” (Wagner 1999:245)<sup>4</sup> (ACE, p. 20).*

*Dr. Wagner was called as an expert witness at a State Corporation Commission hearing. The commission sided with Wagner and considered the research, “legitimate evidence of attachment to land” (Melinda Bollar Wagner, personal communication in Howell 2003) (ACE, p. 24).*

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<sup>1</sup> Kent, James A., John Ryan, Carolyn Hunka, and Robert Schultz. 1996. Appendix M; Cultural Attachment: Assessment of Impacts to Living Culture. In *APCo 765 kV Transmission Line Draft Environmental Impact Statement*. U.S. Forest Service, George Washington & Jefferson National Forests, Roanoke, Virginia.

<sup>2</sup> Applied Cultural Ecology, LLC. 2016. The Proposed Mountain Valley Pipeline Jefferson National Forest Segment Cultural Attachment Report. Prepared by Ginny Bengston, M.A. and Rebecca L. Austin, Ph.D for Tetra Tech, Inc. and Federal Energy Regulatory Commission. Submitted by Mountain Valley Pipeline, LLC on FERC Docket No. CP16-10, Submission 20160127-5356 (31190466).

<sup>3</sup> Complete citations to the works referenced in quoted text from the Applied Cultural Ecology (ACE) report can be found in the ACE report, pp. 48-53.

<sup>4</sup> Wagner, Melinda Bollar. 1999. Measuring Cultural Attachment to Place in a Proposed Power Line Corridor. *Journal of Appalachian Studies* 5(2): 241-246.

**Cultural Attachment exists beyond the boundaries of the JNF itself:**

*Cultural attachment as described in this report and in prior studies in the MVP Project area is not limited to geographic boundaries. Therefore, to provide context for the current study, ACE determined that it would be more beneficial to conduct background research for the entirety of the Peters Mountain vicinity (ACE, p. 2).*

**Impacts from Forest Service decisions go beyond their boundary lines and should be considered:**

*As discussed in Section 6.0, the best way to analyze the tangible aspects of cultural attachment specific to the JNF Study Area would be to assess the Peters Mountain and surrounding vicinity, including private lands and other government-managed lands besides those of JNF (ACE, p. 47).*

**This is a resource issue:**

*One of the key issues that ACE researchers discovered during the archival record and literature research, and that became clearer once they began meeting and speaking with local residents, was that the entire Peters Mountain area, including the JNF Study Area, was a cultural landscape (ACE, p. 47).*

**All of a project's impacts on a resource should be recognized so a project's effects on that resource can be considered:**

*ACE has determined that the Peters Mountain area could be considered a cultural landscape. This concept of "cultural landscape" is commonly recognized throughout the world and is described by the World Heritage Commission of the United Nations Educational, Scientific and Cultural Organization (UNESCO 2015) as "combined works of nature and humankind" expressing "a long and intimate relationship between humans and their natural environment" (ACE, p. 31).*

**In sum, FERC asked ACE the question: *Do the people who reside in the vicinity of the pipeline route across JNF have a special kind of 'cultural attachment' that is different from other areas?***

**ACE's answer was: *Yes, the people who reside in the Peters Mountain area have a cultural attachment to the Study Area that is different from other areas here in the United States*** (ACE, p. 47).

**CONCLUSIONS and Necessary Next Steps:**

Cultural Attachment has been established as a resource issue on Forest Service lands on Peters Mountain and its vicinity in Monroe, Craig, and Giles Counties. Now that the ACE Study has confirmed the Kent Study in establishing this Social/Cultural Resource in this area, the FS is required to determine the impacts of any proposed project on this resource at this location. The Kent study identified the resource, but confined the potential impacts to a utility project that was being considered at that time. The ACE study just identified the resource without any identification of impacts from any project.

FERC, in response to a Forest Service request, ordered a narrowly defined study to be done specifically by a Cultural Anthropologist to assess if this resource was present on Forest Service land at MVP's project location. The ACE study confirmed that it was, and that it extended beyond the boundaries of the JNF itself; but they were not instructed to study the impact of the project on this resource. A determination of the potential impacts by a Cultural Anthropologist should have been included.

**The White House Memorandum for Executive Departments and Agencies on *Incorporating Ecosystem Services into Federal Decision Making***<sup>5</sup> states: “Nature provides vital contributions to economic and social well-being that are often not traded in markets or fully considered in decisions. This memorandum provides direction to agencies on incorporating ecosystem services into Federal planning and decision making” (p. 1). The scope of federal decision making to which this memorandum applies specifically includes “relevant Federal programmatic and planning activities (including activities such as natural-resource planning ... and, where appropriate, environmental reviews under the National Environmental Policy Act (NEPA))” (p. 2).

The Cultural Attachment resource that exists in the vicinity of Peters Mountain and the Jefferson National Forest is linked to both the economic and the social well-being of these individuals, families, and communities. Their reverence for—and identification with—the existing natural environment is such that it an industrial construction project of the type and scale proposed by the Mountain Valley Pipeline would have an impact as marked and lasting as the permanent and unnatural clear-cut right of way that would be the legacy of the MVP.

**We, therefore, respectfully submit that to comply both with current NEPA requirements and with the intended goal of the White House Memorandum to incorporate ecosystem services into federal decision making:**

1. **The Forest Service should request—and the FERC should agree—that the ACE study be expanded from their resource identification, to also include the projects impacts on that resource.**
2. **This Effects Analysis should be done by a Cultural Anthropologist—either ACE or another qualified firm or individual—for the same reasons that the Forest Service and FERC insisted that a Cultural Anthropologist be used for the resource identification.**
3. **The Effects Analysis should be completed *before* the issuance of the Draft Environmental Impact Statement, so that its results can be included in the comprehensive environmental analysis of the potential negative impacts of the MVP project on Cultural Resources in the project area.**

Thank you.

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<sup>5</sup> White House Memorandum on Incorporating Ecosystem Services into Federal Decisions Making (M-16-01), October 7, 2015. From Shaun Donovan, Director, Office of Management and Budget; Christina Goldfuss, Managing Director, Council on Environmental Quality; John Holdren, Director, Office of Science and Technology Policy. Accessed at <https://www.whitehouse.gov/sites/default/files/omb/memoranda/2016/m-16-01.pdf>

Document Content(s)

Cultural Attachment Peters Mountain Vicinity in JNF.PDF.....1-4