

MLA ROW application, the FERC FEIS, and the FS supplemental analysis to determine whether to approve, approve with modifications, or deny the MLA ROW application through the NFS lands. As a cooperating agency, the BLM intends to rely on and adopt the FS supplemental analysis for its decision, as long as the analysis provides sufficient evidence to support the decision and the FS addresses the BLM's comments and suggestions to the BLM's satisfaction. Before issuing a decision on Mountain Valley's application, the BLM would need the FS's written concurrence. Through the concurrence process, if the BLM's decision is to approve the ROW, the FS would submit to the BLM any stipulations for inclusion in the ROW grant that are deemed necessary to protect the environment and otherwise protect the public interest consistent with 30 U.S.C. 185(h); 43 CFR 2885.11. The BLM decision would be documented in a separate ROD.

#### Public Engagement Process

Scoping was completed and summarized in the FERC FEIS (FEIS, Section ES-2, 1.4). Written, specific comments, including those that were relevant to NFS lands, identified concerns and issues that were addressed in the FEIS. Scoping will not be repeated and this SEIS will focus on the topics identified by the Fourth Circuit Court and others that are closely related to the Court's findings including:

#### *JNF Forest Plan Amendment*

- The purpose and effects of the Forest Plan amendment on resources including those within the utility corridor; soil; water; riparian; terrestrial; botanical, and aquatic threatened and endangered species; old growth; the ANST, scenic integrity; and,

- How the proposed amendment meets Planning Rule requirements.

#### *Independent Review of Sedimentation Analysis*

- An evaluation and assessment of erosion and sedimentation and its associated effects to water quality and threatened and endangered aquatic species;

- An evaluation of predicted effects in relation to anticipated mitigation effectiveness, supported with rationale; and,

- Disclosure on how previous concerns and comments related to erosion and its effects that were provided to the FERC have been satisfied.

#### New Information and Changed Circumstances

There is new information and changed circumstances to consider since the FS ROD was signed in December 2017. New information includes recent Federally listed threatened and endangered species and critical habitat designations. Changed circumstances include the status of the project and road use (see Purpose and Need for Action).

Additional opportunities for public comment will be provided when the Draft SEIS is available. A FS decision to amend the Forest Plan will be subject to the Forest Service predecisional administrative review procedures established in 36 CFR part 218 (per 36 CFR 219.59(b)). Those wishing to object must meet the requirements at 36 CFR part 218, subpart A and B for the project.

**Tina Terrell,**

*Associate Deputy Chief, National Forest System.*

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#### COMMISSION ON CIVIL RIGHTS

##### Notice of Public Meeting of the West Virginia Advisory Committee

**AGENCY:** Commission on Civil Rights.

**ACTION:** Announcement of meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA) that a meeting of the West Virginia Advisory Committee to the Commission will convene by conference call at 11:30 a.m. (ET) on Tuesday, August 4, 2020. The purpose of the meeting is to discuss possible topics for the Committee's civil rights project.

**DATES:** Tuesday, August 4, 2020 at 11:30 a.m. (ET).

#### *Public Call-In Information:*

Conference call-in number: 1-800-367-2403 and conference call ID number: 2629531.

**FOR FURTHER INFORMATION CONTACT:** Ivy Davis at [ero@usccr.gov](mailto:ero@usccr.gov) or by phone at 202-376-7533.

**SUPPLEMENTARY INFORMATION:** Interested members of the public may listen to the discussion by calling the following toll-free conference call-in number: 1-800-367-2403 and conference call ID number: 2629531. Please be advised that before being placed into the conference call, the conference call operator will

ask callers to provide their names, their organizational affiliations (if any), and email addresses (so that callers may be notified of future meetings). Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free conference call-in number.

Persons with hearing impairments may also follow the discussion by first calling the Federal Relay Service at 1-888-364-3109 and providing the operator with the toll-free conference call-in number: 1-800-367-2403 and conference call ID number: 2629531.

Members of the public are invited to make statements during the Public Comments section of the Agenda. They are also invited to submit written comments, which must be received in the regional office approximately 30 days after the scheduled meeting. Written comments may be mailed to the Eastern Regional Office, U.S.

Commission on Civil Rights, 1331 Pennsylvania Avenue, Suite 1150, Washington, DC 20425 or emailed to Corrine Sanders at [ero@usccr.gov](mailto:ero@usccr.gov).

Persons who desire additional information may contact the Eastern Regional Office at (202) 376-7533.

Records and documents discussed during the meeting will be available for public viewing as they become available at: <https://www.facadatabase.gov/FACA/FACAPublicViewCommitteeDetails?id=a10t0000001gzmCAAQ>; click the "Meeting Details" and "Documents" links. Records generated from this meeting may also be inspected and reproduced at the Eastern Regional Office, as they become available, both before and after the meetings. Persons interested in the work of this advisory committee are advised to go to the Commission's website, [www.usccr.gov](http://www.usccr.gov), or to contact the Eastern Regional Office at the above phone number, email or street address.

#### **Agenda: August 4, 2020 at 11:30 a.m. (EST)**

- I. Rollcall
- II. Welcome
- III. Project Planning
- IV. Other Business
- V. Next Planning
- VI. Meeting
- VII. Open Comments
- VIII. Adjourn

Dated: July 27, 2020.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

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