



June 1, 2025

Ms. Sarah L. Runyon  
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1900 Kanawha Blvd. East  
Building 5, Room 820  
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### **Green Climate Comments on Corridor H – Wardensville to VA Line**

Ms. Runyon,

Please accept these comments from Green Climate on the Corridor H project. Green Climate is a charitable organization committed to the sustainability and environmental protection of our natural resources. We focus on combating climate change through initiatives that promote forest conservation and reduce greenhouse gases. Our members enjoy National Parks, forests, and wilderness lands across the country. These activities include hiking, camping, and fishing. Our members also actively work to protect forest and wilderness lands.

Green Climate supports and adopts the comments of the Virginia Wilderness Committee (VWC) (attached). VWC's comments comprehensively address all of the flaws in the Supplemental Environmental Assessment (SEA). Because the SEA does not address any of these issues, it is incomplete. Therefore, the Federal Highway Administration (FHWA) cannot make a final decision on the proper application of the National Environmental Policy Act (NEPA) to the Corridor H project. The only choice that the FHWA has is to extend the NEPA process and require that these serious gaps be addressed through the development of a formal Environmental Impact Statement (EIS) by West Virginia Department of Transportation (WVDOT). This EIS must be issued in draft form ensuring that comments on these and any other issues are considered in the final EIS and subsequent decision with regard to the project. The FHWA simply cannot legally use the SEA and any accompanying documents submitted by WVDOT to make a Finding of No Significant Impact (FONSI) or other final action.

The purpose of NEPA is to ensure that major federal actions undergo a rigorous analysis of potential environmental impacts. The Corridor H project is currently projected to cost \$474 million, part or all of which will be funded by the Department of Transportation. There is no question that the project is a major federal action and as such, all potential environmental impacts must be closely evaluated and considered in



the decision as to whether to approve the project. Further, under the FHWA NEPA regulations, the Corridor H project requires an EIS.

(a) *EIS (Class I)*. Actions that significantly affect the environment require an EIS ([40 CFR 1508.27](#)). The following are examples of actions that normally require an EIS:

(1) A new controlled access freeway.

(2) A highway project of four or more lanes on a new location.

23 CFR 771.115(a).

The SEA is not an EIS and the incorporation of the 2003 EIS that did not evaluate the current project cannot meet this requirement. See, SEA 1-32, discussing all of the changes in the project since the 2003 EIS. FHWA has no choice but to continue the NEPA process and require WVDOT to prepare a new EIS. Again, any final action by FHWA, especially a FONSI, is illegal.

Even if the FHWA decides to issue a FONSI, its regulations require publication, notice and comment.

When the FHWA expects to issue a FONSI for an action described in [§ 771.115\(a\)](#), copies of the EA must be made available for public review (including the affected units of government) for a minimum of 30 days before the FHWA makes its final decision (See [40 CFR 1501.4\(e\)\(2\)](#)). This public availability must be announced by a notice similar to a public hearing notice.

23 CFR 771.119(h).

All comments on the project should be considered as part of the FONSI notice and comment process along with comments submitted at that time.

The most egregious omission in the SEA and the WVDOT notice and comment process is the temporary alternative route to Route 55. The alternative route shown below will cut through the Great North Mountain in the George Washington National Forest. The the construction of this road will clear trees and significantly impact wildlife, scenery, and migrating species. Green Climate's members will lose the opportunity to enjoy this through and beyond 2031 when Corridor H is scheduled to be finished.

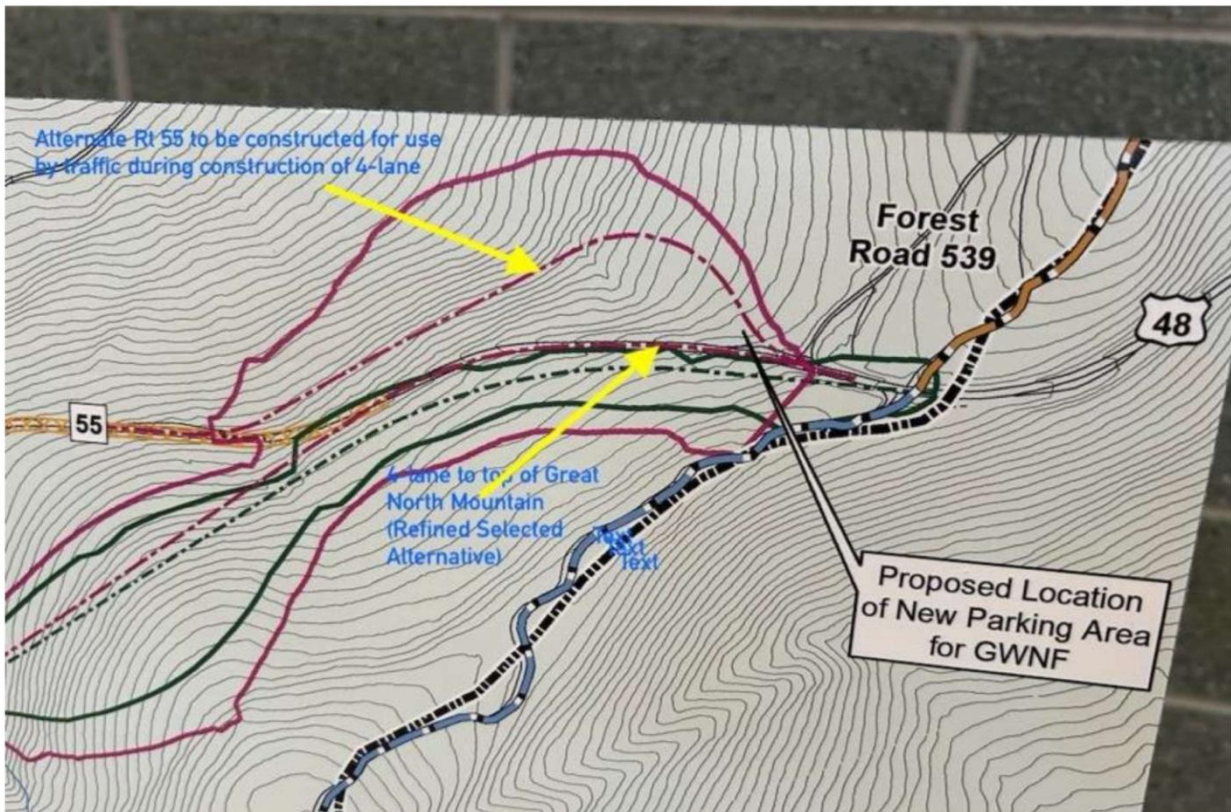


Photo of map on display at April 22 public meeting shows temporary alternate Rt. 55, but SEA maps do not show it.

VWC and others who appeared at the April 22, 2025 meeting commented on the omission of the alternative Route 55 and its impacts. These comments are not addressed in the SEA. FHWA's NEPA regulations require that the transcript of all public meetings must be included in any state submission.

"Submission to the FHWA of a transcript of each public hearing and a certification that a required hearing or hearing opportunity was offered. The transcript will be accompanied by copies of all written statements from the public; both submitted at the public hearing or during an announced period after the public hearing;"

23 CFR 771.111(h)(2)(vi)



If the WVDOT does not submit these transcripts, FHWA cannot legally act.

In summary, WVDOT has not met its obligations under NEPA generally and under the FHWA NEPA regulations specifically. If the SEA is submitted without a new EIS compliant with FHWA regulations, FHWA must reject it and remand the SEA to WVDOT and require that WVDOT prepare a new comprehensive EIS considering all issues. If the FHWA makes any final determination particularly a FONSI, it will be acting illegally and will be subject to appeal.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Jay Holloway'.

Jay Holloway  
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