



Agenda
October 22, 2020
6:00 p.m. – Hybrid Meeting via Zoom/In-person

- I. **CALL TO ORDER**
- II. **ELECTRONIC MEETING PARTICIPATION – Commission Action (attached)**
- III. **CONSENT AGENDA**
 - A. Approval of Minutes for September
 - B. [Approval of Treasurer’s Reports for September](#)
- IV. **COMMONWEALTH INTERGOVERNMENTAL REVIEW PROCESS**
 - A. Projects (Signed-off by the staff)
 - None
 - B. Regular Project Review
 - None
 - C. Environmental Project Review
 - 1. [Mountain Valley Pipeline & Equitrans Expansion Project](#)
 - 2. [Tentative Variance for the Thompson Landfill, SWP038](#)
- V. **PUBLIC ADDRESS**
- VI. **CHAIR’S REPORT**
- VII. **EXECUTIVE DIRECTOR’S REPORT**
- VIII. **REVIEW OF MUTUAL CONCERNS AND COMMISSIONERS' REPORTS**
- IX. **OLD BUSINESS**
- X. **NEW BUSINESS**
 - A. [The Salvation Army, New River Valley Overview](#)
 - Presentation: Captain Charlene Cover
 - Commission Discussion
 - B. [Setting FY22 Per Capita Assessment Rate \(Dues\)](#)
 - Presentation: Kevin Byrd, Executive Director
 - Commission Action
 - C. [Regional Commission Telecommute Policy](#)
 - Presentation: Kevin Byrd, Executive Director
 - Commission Action
 - D. Setting Next Commission Meeting – November 19th 6:00pm (typically adjust one week to avoid Thanksgiving Holiday)
 - Commission Action

All meeting materials posted on the Commission website www.nrvrc.org

The New River Valley Regional Commission provides area wide planning for the physical, social, and economic elements of the district; encourages and assists local governments in planning for their future; provides a means of coordinating federal, state, and local efforts to resolve area problems; provides a forum for review of mutual concerns; and implements services upon request of member local governments.



6580 Valley Center Drive | Suite 124 | Radford, VA 24141 | 540-639-9313

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MEMORANDUM

To: NRVRC Board Members

From: Kevin R. Byrd, Executive Director

Date: October 15, 2020

Re: Participation in NRVRC meetings through Electronic Communication Means Policy

When the Governor has declared a state of emergency in accordance with section 44-146.17 of the Code of Virginia, it may become necessary for the NRV Regional Commission to meet by electronic means as outlined in Section 2.2-3708.2 of the Code of Virginia as amended. In such cases, the following procedure shall be followed:

1. The NRV Regional Commission will give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the NRV Regional Commission.
2. The NRV Regional Commission will make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment
3. The NRV Regional Commission will otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the NRV Regional Commission meeting.

Strengthening the Region through Collaboration

Counties

Floyd | Giles
Montgomery | Pulaski
City
Radford

Towns

Blacksburg | Christiansburg
Floyd | Narrows | Pearisburg
Pembroke | Pulaski
Rich Creek

Higher Education

Virginia Tech
Radford University
New River Community College



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MEMORANDUM

To: NRVRC Board Members
From: Jessica Barrett, Finance Director
Date: October 14, 2020
Re: September 2020 Financial Statements

The September 2020 Agencywide Revenue and Expenditure Report and Balance Sheet are enclosed for your review. Financial reports are reviewed by the Executive Committee prior to inclusion in the meeting packet.

The Agencywide Revenue and Expense report compares actual year to date receipts and expenses to the FY20-21 budget adopted by the Commission at the June 25, 2020 meeting. The financial operations of the agency are somewhat fluid and projects, added and modified throughout the year, along with the high volume of Workforce program activities, impact the adopted budget. To provide clarity, Commission and Workforce Development Board activities are separated on the agencywide report.

As of month-end September 2020 (25% of the fiscal year), Commission year to date revenues are 19.92% and expenses are 18.26% of adopted budget. The two largest budget expense lines, Salary and Fringe, are in line with budget at 24.16% and 24.43%, respectively. Revenue currently exceeds expenditures by approximately \$31,000 and is due in large part to the FY21 assessment (commission dues) invoiced in July.

Looking at the balance sheet, Accounts Receivable is \$565,975. Of this total, Workforce receivables are \$386,657 (68%) and current. Fiscal year-end procedures require all outstanding projects at year-end be closed into accounts receivable, resulting in an above average current balance. The Executive Committee reviews all aged receivables over 60 days and no receivables are deemed uncollectible. Net Projects (\$106,216) represents project expenses, primarily benchmark projects, that cannot be invoiced yet and posted to receivables.

Counties

Floyd | Giles
Montgomery | Pulaski

City

Radford

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Pembroke | Pulaski | Rich Creek

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New River Valley Regional Commission
Balance Sheet
9/30/2020

Assets:

Operating Account	146,402
Certificate of Deposit	106,717
Money Market Account	84,774
Accounts Receivable	565,975
Accounts Receivable - Advanced Expenses	18,020
Prepaid Item	5,958
Total Assets:	927,845

Liabilities:

Accounts Payable	53,414
Employee Health WH	34
Accrued Annual Leave	89,535
Accrued Unemployment	22,424
Funds Held for Others	124
Expense Reimbursement	762
Total Liabilities:	166,294

Projects:

(Equity Accounts)	Net Projects	(106,216)
	Current Year Unrestricted	137,106
	Unrestricted Net Assets	733,452
	Total Projects (Equity)	764,342
	Total Liabilities and Projects	930,636
	Net Difference to be Reconciled	(2,791)
	Total Adjustments to Post*	2,791
	Unreconciled Balance (after adjustment)	0

*YTD adjustment to Accrued Leave. Final adjustment will be posted to general ledger at fiscal year end closeout.

**New River Valley Regional Commission
Revenue and Expenditures - September 2020**

FY20-21 Budget Adopted 6/25/2020	September 2020	YTD	Under/Over	(25% of FY) % Budget	
NRVRC Anticipated Revenues					
ARC	68,666	0	17,167	51,499	25.00%
ARC - James Hardy Construction	15,000	0	0	15,000	0.00%
Local Assessment	235,826	0	199,202	36,624	84.47%
DHCD - Administrative Grant	75,971	0	0	75,971	0.00%
DRPT RIDE Solutions NRV	77,160	18,244	18,244	58,916	23.64%
EDA	70,000	17,500	17,500	52,500	25.00%
EDA COVID19 CARES Act	225,000	0	0	225,000	0.00%
GO Virginia	150,000	0	0	150,000	0.00%
POWER 2021	20,000	0	0	20,000	0.00%
Workforce Fiscal Agent	65,000	0	20,000	45,000	30.77%
Workforce Pathways Fiscal Agent	50,000	0	12,500	37,500	25.00%
VDOT	58,000	21,908	21,908	36,092	37.77%
VDOT - Rocky Knob Project	70,000	836	836	69,164	1.19%
Floyd County	111,000	3,475	3,475	107,525	3.13%
Giles County	0	1,808	1,808	(1,808)	0.00%
Narrows Town	13,000	0	0	13,000	0.00%
Pearisburg Town	5,000	0	0	5,000	0.00%
Montgomery County	53,000	2,700	6,200	46,800	11.70%
Blacksburg Town	14,000	667	4,000	10,000	28.57%
Christiansburg Town	25,000	0	0	25,000	0.00%
Pulaski County	0	1,498	1,498	(1,498)	0.00%
Pulaski Town	32,167	2,854	2,854	29,313	8.87%
Radford City	27,500	0	0	27,500	0.00%
Miscellaneous (Meetings/Interest/Recovered Costs)	0	0	35	(35)	0.00%
Virginia's First RIFA	27,500	2,292	6,875	20,625	25.00%
Virginia's First - NRV Commerce Park Grading	14,000	1,105	7,248	6,752	51.77%
NRV MPO	33,500	19,905	19,905	13,595	59.42%
CDBG COVID19	8,500	0	0	8,500	0.00%
CDBG Business Continuity	250,000	0	0	250,000	0.00%
Dept of Environmental Quality	5,250	3,503	3,503	1,747	66.73%
Southwest Virginia SWMA	2,000	0	0	2,000	0.00%
Virginia Recycling Association	4,000	0	0	4,000	0.00%
Downtown Christiansburg, Inc.	1,500	0	1,117	383	74.48%
New River Health District	10,000	0	0	10,000	0.00%
New River Valley Development Corporation	21,700	1,808	5,425	16,275	25.00%
Local Match (unprogrammed ARC)	24,916	0	0	24,916	0.00%
Sub Total Revenues	1,864,156	100,102	371,298	1,492,858	19.92%
Expenses					
Salaries	869,513	77,751	210,106	659,407	24.16%
Fringe Benefits	222,602	19,010	54,384	168,218	24.43%
Travel	33,211	263	518	32,693	1.56%
Office Space	49,968	4,164	12,492	37,476	25.00%
Communications	11,401	2,332	4,675	6,726	41.00%
Office Supplies	101,034	5,806	31,907	69,127	31.58%
Postage	2,126	19	73	2,053	3.46%
Printing	4,500	4,208	4,381	119	97.35%
Copier Usage/Maintenance	2,000	213	285	1,715	14.25%
Outreach/Media Adv	9,533	12	36	9,497	0.38%
Equipment Rent/Copier	4,219	352	1,055	3,164	25.00%
Fleet Vehicles	8,024	69	206	7,818	2.57%
Dues/Publications	16,835	0	7,995	8,840	47.49%
Training/Staff Development	10,845	725	3,656	7,189	33.71%
Insurance	3,605	301	878	2,727	24.36%
Meeting Costs	11,125	192	522	10,603	4.69%
Contractual Services	457,484	767	5,938	451,546	1.30%
Professional Services Audit/Legal	4,540	133	133	4,408	2.92%
Miscellaneous/Fees	4,700	314	1,074	3,626	22.85%
Unassigned Expenses	36,891	0	0	0	0.00%
Sub Total Expenses	1,864,156	116,630	340,313	1,486,952	18.26%
NRVRC Balance	0	(16,528)	30,985		

**New River/Mount Rogers Workforce Development Board
Revenue and Expenditures - September 2020**

NR/MR WDB Anticipated Revenues		September 2020	YTD	Under/Over	(25% of FY) % Budget
Workforce Development Area	2,657,549	113,693	354,157	2,303,392	13.33%
Sub Total Revenues	2,657,549	113,693	354,157	2,303,392	
Expenses					
Salaries	375,020	42,963	120,389	254,631	32.10%
Fringe Benefits	112,036	11,160	32,763	79,273	29.24%
Travel	20,000	1,314	2,083	17,917	10.41%
Office Space	44,100	2,272	9,662	34,438	21.91%
Communications	6,000	1,597	4,112	1,888	68.54%
Office Supplies	4,000	10,218	35,781	(31,781)	894.53%
Postage	250	0	0	250	0.00%
Printing	1,000	58	110	890	10.98%
Outreach/Media Adv	9,000	584	3,169	5,831	35.21%
Equipment Rent/Copier	1,700	156	235	1,465	13.80%
Dues/Publications	3,500	0	0	3,500	0.00%
Training/Staff Development	4,500	39	39	4,461	0.87%
Insurance	2,500	0	2,806	(306)	112.24%
Meeting Costs	7,000	0	0	7,000	0.00%
Contractual Services	2,027,289	43,259	141,894	1,885,395	7.00%
Professional Services Audit/Legal	10,200	0	0	10,200	0.00%
Miscellaneous/Fees	29,454	0	0	29,454	0.00%
Workforce Grants Admin	0	72	1,115	(1,115)	0.00%
Sub Total Expenses	2,657,549	113,693	354,157	2,303,392	13.33%
NR/MR WDB Balance	0	0	0		
Total Agency R&E		September 2020	YTD		
Anticipated Revenue	4,521,705	213,795	725,456	16.04%	
Anticipated Expense	4,521,705	230,323	694,470	15.36%	
Balance	0	(16,528)	30,985		



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COMMONWEALTH INTERGOVERNMENTAL REVIEW MEMORANDUM

TO: Regional Commission Board Members

FROM: Kevin R. Byrd, Executive Director

AGENDA ITEM: III. Intergovernmental Review Process, C. Environmental Project Review, Item #1

_ CIRP Review

October 15, 2020

PROJECT: Mountain Valley Pipeline & Equitrans Expansion Project

SUBMITTED BY: DEQ

PROJECT DESCRIPTION: The Department of Environmental Quality is requesting comments on a supplemental draft environmental impact statement.

PROJECT SENT FOR REVIEW TO: Commission Board Members

Strengthening the Region through Collaboration

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Mountain Valley Pipeline and Equitrans Expansion Project Draft Supplemental Environmental Impact Statement

Jefferson National Forest; Monroe County, West Virginia; Giles and Montgomery Counties, Virginia

Lead Agency:	USDA Forest Service
Cooperating Agency	USDI Bureau of Land Management
Responsible Official:	Jim Hubbard, Under Secretary U.S. Department of Agriculture Natural Resources and Environment Washington D.C.
For DSEIS Information Contact:	Ken Arney, Regional Forester U.S. Forest Service, Southern Region (888) 603-0261
For BLM ROW Information Contact:	Victoria Craft, Realty Specialist U.S. Bureau of Land Management (888) 603-0261

Abstract: The Mountain Valley Pipeline (MVP) and Equitrans Expansion Project (EEP) Draft Supplemental Environmental Impact Statement (DSEIS) supplements the June 2017 Federal Energy Regulatory Commission (FERC) Final Environmental Impact Statement (FEIS). The Forest Service, as the lead agency, and the Bureau of Land Management (BLM), as a Federal cooperating agency, have decisions to be made based on a review of the 2017 FEIS.

The purpose for agency action is to respond to a proposal from Mountain Valley, LLC, relating to the MVP and EEP. The proposal seeks approval to construct and operate a buried 42-inch natural gas pipeline across approximately 3.5 miles of the Jefferson National Forest (JNF). A project-specific Forest Plan amendment is required. The Forest Service would provide construction and operation terms and conditions to protect resources and the public interest. Additionally, the proposal requires a right-of-way (ROW) grant, in this case, from the BLM to cross the JNF. The BLM would review the proposal and issue a decision consistent with the Mineral Leasing Act (MLA). A decision to issue a ROW grant/temporary use permit for a term of 30 years would include terms and conditions. The Forest Service would need to provide concurrence to the BLM prior to the BLM's decision to issue the ROW grant and the permit.

This DSEIS responds to the July 27, 2018 United States Court of Appeals for the Fourth Circuit decision that vacated and remanded the Forest Service's decision approving the JNF's plan amendment. The Court also vacated the BLM's ROW decision and ROW grant/temporary use permit across National Forest System (NFS) lands. The supplemental analysis addresses the issues identified by the Court and any relevant new information and changed circumstances. The DSEIS evaluates the no action and the proposed action alternative.

This project will not be subject to the project level 36 CFR 218 Subparts A and B pre-decisional administrative review process because the responsible official is the Under Secretary of Agriculture, Natural Resources and Environment (36 CFR 218.13(b)).

The 45-day comment period would begin following the publication of the Environmental Protection Agency's Notice of Availability for the DSEIS in the *Federal Register*. It is important that reviewers provide their comments at such times and in such a way that they are useful to the Agency's preparation of the Final Supplemental Environmental Impact Statement. Therefore, comments should be provided in writing prior to the close of the comment period and should clearly articulate the reviewer's concerns and contentions. The submission of timely and specific written comments can affect a reviewer's ability to participate in subsequent administrative review or judicial review. Comments received in response to this solicitation, including names and addresses of those who comment, would be part of the public record for this proposed action. Comments submitted anonymously would be accepted and considered; however, anonymous comments would not provide the respondent with standing to participate in subsequent administrative or judicial reviews.

Send Written Comments to:

**Jim Hubbard, Under Secretary
U.S. Department of Agriculture
c/o Jefferson National Forest
MVP Project
5162 Valleypointe Parkway
Roanoke, VA 24019**

Send Electronic Comments to:

[https://cara.ecosystem-
management.org/Public//CommentInput?Project
=50036](https://cara.ecosystem-management.org/Public//CommentInput?Project=50036)

Comments Must be Received:

**Midnight, Eastern Standard Time on
November 2, 2020**

Summary

The Forest Service, and the Bureau of Land Management (BLM) as a cooperating agency, prepared this draft supplemental environmental impact statement (DSEIS) in compliance with the National Environmental Policy Act (NEPA) and other relevant Federal and State laws and regulations¹. According to Title 40 of the Code of Federal Regulations (CFR) § 1502.9(c)(1)(ii), a supplemental environmental impact statement (SEIS) shall be prepared if: (i) the agency makes substantial changes in the proposed action that are relevant to environmental concerns; or (ii) there are significant new circumstances or information relevant to concerns and bearing on the proposed action or its effects. This DSEIS supplements the June 2017 Federal Energy Regulatory Commission's (FERC) Mountain Valley Project and Equitrans Expansion Project Final Environmental Impact Statement (FERC FEIS).

Background

The Mountain Valley Pipeline (MVP) is a proposed 303.5-mile interstate natural gas pipeline that would cross about 3.5 miles of the Jefferson National Forest (JNF), in Monroe County, West Virginia and Giles and Montgomery counties, Virginia. The Forest Service and BLM participated as cooperating agencies with the FERC in the preparation of the FERC FEIS. On June 29, 2017, the Notice of Availability for the FERC FEIS and the Forest Service Draft Record of Decision for the Mountain Valley Project Land and Resource Management Plan Amendment was published in the *Federal Register*.

On December 1, 2017, the Forest Service adopted the FERC FEIS and a Record of Decision (ROD) was signed by the JNF Forest Supervisor (Forest Service 2017). The ROD amended the January 2004 Jefferson National Forest Revised Land and Resource Management Plan (Forest Plan) to modify certain Forest Plan standards that precluded the use of standard pipeline construction methods for the MVP. The ROD included resource protection terms and conditions that would condition the Forest Service's concurrence to the project, should BLM decide to grant a right-of-way (ROW).

Project implementation began in December 2017 and continued until July 27, 2018, when the United States Court of Appeals for the Fourth Circuit (Fourth Circuit or the Court) vacated and remanded the Forest Service's decision approving the Forest Plan amendment based on violations of the National Forest Management Act (NFMA) and NEPA. The court vacated BLM's Mineral Leasing Act (MLA) ROW decision for the portion through National Forest System (NFS) lands based on violations of MLA.

On May 1, 2020, Mountain Valley Pipeline, LLC (Mountain Valley) submitted a revised MLA ROW application to the BLM seeking to construct and operate the natural gas pipeline across the JNF. Mountain Valley also requested that the Forest Service amend the Forest Plan consistent

¹ On September 14, 2020, the Council on Environmental Quality's (CEQ) revised NEPA regulations became effective (see 85 FR 43304). Those regulations apply to NEPA processes begun after September 14, 2020 (40 CFR 1506.13). While agencies may apply CEQ's revised regulations to ongoing activities and environmental documents begun before September 14, 2020, the Forest Service has elected to complete this NEPA process using the prior regulations, recognizing that where existing agency NEPA procedures are inconsistent with CEQ's revised regulations, CEQ's revised regulations govern unless there is a clear and fundamental conflict with the requirements of another statute.

with the issues identified by the Court. On May 28, 2020, the BLM deemed Mountain Valley's revised application complete.

Purpose and Need

The Forest Service's purpose and need for action is to respond to a proposal from Mountain Valley to construct and operate a buried 42-inch interstate natural gas pipeline that would cross NFS lands on the JNF along a proposed 3.5-mile corridor. A Forest Service decision is needed because the project would not be consistent with several Forest Plan standards. Relatedly, there is a need to determine what terms and conditions, or stipulations should be provided to the BLM for incorporation into the ROW grant in order to protect resources and the public interest consistent with the MLA (30 U.S.C. § 185(h)). In addition, there is a need for the Forest Service, at a minimum, to demonstrate that an independent review of the sedimentation analysis has occurred, that predicted effects are supported with rationale, and that previous concerns and comments related to erosion and its effects have been satisfied.

The BLM's purpose and need for action is to respond to Mountain Valley's revised MLA ROW application for the MVP project to construct and operate a natural gas pipeline across NFS lands consistent with the MLA at 30 U.S.C. § 185 and BLM's implementing regulations at 43 CFR Part 2880. Under the MLA, the BLM has responsibility for reviewing Mountain Valley's ROW application and authority to issue a decision on whether to approve, approve with modifications, or deny the application.

Proposed Action

The Proposed Action includes the following interrelated components: issuance of a ROW; construction, operation, and maintenance of a pipeline; and amendment of the 2004 Jefferson National Forest Revised Land and Resource Management Plan.

The Proposed Action for BLM is the issuance of a ROW through the JNF to allow for the construction, operation, and maintenance of the MVP. The issuance of the ROW includes any terms and conditions (including stipulations) that are required for protection of the environment and the public interest. In accordance with 43 CFR Part 2880, Mountain Valley is required to provide the BLM with a final plan of development (POD), which details and guides pipeline construction, operation, and maintenance.

The Forest Service would provide construction and operation terms and conditions, or stipulations (terms) as needed for the actions listed below. The terms would be submitted to the BLM for inclusion in the ROW grant. Forest Service concurrence would be needed for the temporary use during construction and for the BLM's issuance of the 30-year ROW.

Eleven Forest Plan standards on the JNF are proposed to be amended to make the project compliant with the Forest Plan, which would allow the BLM to grant a ROW. Standards include: FW-248 (utility corridors); FW-5 (revegetation); FW-8 (soil compaction in water saturated areas); FW-9 (soil effects from heavy equipment use); FW-13 and FW14 (exposed soil and residual basal area within the channeled ephemeral zone); 11-003 (exposed soil within the riparian corridor); 6C-007 and 6C-026 (tree clearing and utility corridors in the old growth management area); 4A-028 (Appalachian National Scenic Trail [ANST] and utility corridors); and FW-184 (scenic integrity objectives).

Key Issues

This SEIS focuses only on key issues that are relevant to the decisions to be made by the Forest Service and the BLM that have not already been analyzed in the 2017 FERC FEIS.

Key issues that are the focus of the SEIS analysis, including those identified by the Court, are: (1) The purpose and effect of the Forest Plan amendment on the utility corridor management area and resources including soil; riparian; water; threatened and endangered species; old growth; the ANST; and scenic integrity; (2) The feasibility and practicality of utilizing ROWs in common on federal land; (3) The potential for erosion, sedimentation, and adverse water quality effects in relation to the anticipated effectiveness of mitigation measures, and a disclosure on how previous Forest Service comments submitted to the FERC on erosion and sedimentation have been addressed and remedied.

Decision to be Made

The responsible official will review the proposed action including the POD, alternatives, the terms and conditions, stipulations, the environmental consequences that would be applicable to NFS lands, public comments, and the project record in order to make the following decisions: (1) Whether to approve a Forest Plan amendment that would modify 11 standards in the Forest Plan; (2) Determine whether to issue a concurrence letter to BLM for the ROW grant and what terms, conditions, or stipulations should be included in that letter; and (3) Whether to adopt all or portions of the FERC FEIS that are relevant to NFS lands.

Alternatives

Alternative 1 – No Action

Under the No Action alternative, the Forest Plan would not be amended, and no concurrence would be provided to the BLM for granting of a ROW across NFS lands for the construction, operation, and maintenance of the MVP. Concurrence for issuing the temporary use permit (TUP) for the construction phase of the project would not be provided. BLM would not issue a ROW or a TUP. The current Forest Plan would continue to guide management of the project area. Mountain Valley would have to utilize other lands for the pipeline in order to satisfy the stated demand for natural gas and energy in the project area, or end users would have to seek alternate energy from other sources such as other natural gas transporters, fossil fuels, or renewable energy (FERC FEIS, Section 3.1).

Mountain Valley would be required to restore the JNF project area to its pre-project condition. Materials including sections of pipe would be removed from the ROW (pipe has been laid on the ROW surface, but no trenching has occurred and no pipe has been installed), stockpiled topsoil would be amended as needed and spread over the disturbed portion of the ROW, and the ROW would be restored. Upon successful restoration, erosion control devices (ECDs) would be removed.

Alternative 2 – The Proposed Action

The Forest Service's proposed action is to amend the Forest Plan as necessary to allow for the MVP to cross the JNF. The Forest Service would provide construction, operation, and maintenance terms and conditions, or stipulations (terms) as needed for the actions listed below. The Forest Service would submit the terms to the BLM for inclusion in the ROW grant. The Forest Service would provide concurrence to the BLM to proceed with the ROW grant and with

issuing a TUP for the construction phase. Consistent with the Forest Service's plan amendment, the BLM would grant a ROW and a TUP under the MLA, 30 U.S.C. § 185, for the project to cross the JNF. The MLA ROW would include terms to protect the environment and the public. The construction, operation, and maintenance actions that need terms (and Forest Service concurrence) include:

- Construction of a 42-inch pipeline across 3.5 miles of the JNF.
- The use of a 125-foot-wide temporary construction ROW for pipeline installation and trench spoil. The width would be reduced to approximately 75 feet to cross most wetlands. Once construction is complete, the MVP would retain a 50-foot permanent ROW to operate the pipeline.
- The use of above-ground facilities, limited to pipeline markers (e.g., at road and trail crossings) to advise the public of pipeline presence, and cathodic pipeline protection test stations that are required by DOT.

Since publication of the FERC FEIS, it has been determined that the ROW can be accessed using only off-NFS roads; use of Pocahontas and Mystery Ridge roads is not part of the Proposed Action in this SEIS.

Since publication of the FERC FEIS, Mountain Valley has requested a variance from FERC to change the crossing method of the four unnamed tributary streams on NFS lands from a dry-ditch open cut method as indicated in the FERC FEIS to conventional bores in order to reduce effects to Waters of the United States and potential sedimentation effects in the JNF (MVP 2020u). Water Crossing Plans can be found in the POD, Appendix K (MVP 2020v) and are discussed in the 2020 Biological Opinion (BO) (FWS 2020b). This SEIS analyzes both the originally proposed dry-ditch open cut crossing method and the conventional bore method in the variance request. Conservation measures would be implemented to reduce potential risks to aquatic habitats during construction of stream crossings (see Section 2.2.2.2).

Comparison of Alternatives

This section briefly compares the environmental consequences of the two alternatives based on the effects analyses presented in Chapter 3.

Alternative 1 – No Action

Soils

With continued implementation and monitoring of ECDs, adverse effects on soil resources would be minor and would occur over the short term. Given consideration of these factors, effects under the No Action Alternative would be consistent with those analyzed in the FERC FEIS. To facilitate restoration activities, soil amendments would be used to increase soil quality of stockpiles and help restore soil productivity to pre-project conditions over the long-term.

Water Resources

With continued implementation and monitoring of ECDs, adverse effects on water resources would be minor and would occur over the short term. Given consideration of these factors, effects would be consistent with those analyzed in the FERC FEIS and associated studies including the

updated *Hydrologic Analysis*. Long-term water resource effects would be minor and are associated with restoring the JNF project area to its pre-project condition.

Threatened, Endangered, and Sensitive Species

No detrimental effects to threatened and endangered species would occur as a result of the No Action Alternative beyond those which already occurred during the partial pipeline implementation. Long-term effects would be minor and beneficial as restoration activities would return the project area to its pre-project condition.

National Forest Management Act

The JNF Forest Plan would not be amended and there would be no effects.

Alternative 2 – The Proposed Action

Soils

Short-term effects would be associated with construction and would be minor to moderate, which is consistent with the conclusions in the FERC FEIS. Long-term impacts would be associated with post-construction restoration, and operation and maintenance and would be minor in intensity, which is consistent with the conclusions in the FERC FEIS. Mitigation measures in the POD and project design requirements would minimize construction-related effects to soils, such as clearing, grading, trench excavation, backfilling, contouring, and the movement of construction equipment. To facilitate restoration activities, soil amendments would be used to increase the soil quality of stockpiles and help restore soil productivity to pre-project conditions over the long-term.

Water Resources

Short-term impacts would be associated with construction and would be minor, which is consistent with the conclusions in the FERC FEIS. Construction activities are not likely to significantly affect groundwater resources because the majority of construction would involve shallow excavations. The project would prevent or adequately minimize accidental spills and leaks of hazardous materials into groundwater resources during construction, operation, and maintenance by adhering to its spill prevention, control, and countermeasure plan in the POD. To reduce effects on waterbodies, the POD identifies measures to minimize effects, such as Best Management Practices (BMPs) and ECDs. Long-term impacts would be associated with post-construction restoration, operation, and maintenance and would be minor in intensity, which is consistent with the conclusions in the FERC FEIS.

Threatened, Endangered, and Sensitive Species

A total of 12 federally listed and 17 Regional Forester Sensitive Species (RFSS) species could be affected by the MVP in or adjacent to the JNF. The Forest Service determined that the MVP *May Affect and Is Likely to Adversely Affect* the following species: candy darter, Indiana bat, northern long-eared bat, and Virginia spiraea. While the overall project *May Affect and Is Likely to Adversely Affect* the Roanoke logperch, no suitable habitat was found within the JNF. Roanoke logperch are known to occur downstream of the MVP waterbody crossings within the North Fork Roanoke River; however, the occurrences are outside of the project area and are beyond the extent of increased sedimentation modeled for the waterbody crossings within the JNF. The United States Fish and Wildlife Service (FWS) 2020 BO determined appropriate avoidance and mitigation measures for potential effects to federally listed species (FWS 2020b). The Forest

Service determined that the project would be unlikely to cause a Trend Toward Federal Listing or Loss of Viability for RFSS. Implementation of required conservation measures in the POD will help reduce project effects to threatened, endangered, and sensitive species.

National Forest Management Act

Utility Corridors. Short- and long-term beneficial effects to the local and regional economy are expected to occur.

Soil and Riparian. Modifications to six soils and riparian standards would result in greater adverse effects in the JNF to erosion and sedimentation, soil compaction, soil porosity, runoff potential, soil fertility, revegetation potential, and soil carbon budget. Mitigation measures, ECDs, and BMPs included in the POD would ensure that a substantial lessening of protections to soils, riparian, and water resources do not occur (36 CFR 219).

Old Growth Management Area. Amendments to Standard 6C-007 and 6C-026 would allow effects to old growth forest as well as create more forest edge habitat. However, the limited area (2 acres out of approximately 30,200 acres of JNF old growth or about 0.07% of the total old growth on JNF) of effect on old growth forests results in a minor effect that was adequately analyzed in the FERC FEIS.

Appalachian National Scenic Trail (ANST). Minor temporary adverse effects to trail users would occur from noise, dust, and visual intrusions from crossing underneath the ANST via a 600-foot-long bore. The long-term effects would be minor due to an approximate 300-foot buffer on either side of the trail and vegetative screening of the bore holes.

Scenery Integrity Objectives (SIO). Degradation of scenic quality may be inconsistent with the JNF Forest Plan SIOs. Although this is an adverse effect to scenery, it is not a substantial adverse effect due to the limited extent of the project crossing the JNF (FERC FEIS p. 4-347), the project's proposed mitigation measures that would apply to temporary workspace and the temporary and permanent ROW that are found in the updated POD (Section 7.9).



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NRVRC.ORG

COMMONWEALTH INTERGOVERNMENTAL REVIEW MEMORANDUM

TO: Regional Commission Board Members

FROM: Kevin R. Byrd, Executive Director

AGENDA ITEM: III. Intergovernmental Review Process, C. Environmental Project Review, Item #2

_ CIRP Review

October 15, 2020

PROJECT: Tentative Variance Approval Montgomery County Thompson Landfill, SWP038

SUBMITTED BY: DEQ

PROJECT DESCRIPTION: The Department of Environmental Quality is requesting comments on a public notice.

PROJECT SENT FOR REVIEW TO: Commission Board Members

Strengthening the Region through Collaboration

Counties

Floyd | Giles
Montgomery | Pulaski
City
Radford

Towns

Blacksburg | Christiansburg
Floyd | Narrows | Pearisburg
Pembroke | Pulaski
Rich Creek

Higher Education

Virginia Tech
Radford University
New River Community College



COMMONWEALTH of VIRGINIA

Matthew J. Strickler
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY
Blue Ridge Regional Office
901 Russell Drive, Salem, VA, 24153
(540) 562-6700; Fax (540) 562-6725
www.deq.virginia.gov

David K. Paylor
Director

Robert J. Weld
Regional Director

October 9, 2020

Via Electronic Mail

Attn: Mr. Michael Maslaney, Chair and
Mr. Kevin R. Byrd, Executive Director

New River Valley Regional Commission
6580 Valley Center Drive, Ste124
Radford, VA 24141
mmaslaney@swva.net
kbyrd@nrvc.org

Subject: Tentative Variance Approval
Montgomery County Thompson Landfill, SWP038

The Montgomery County Thompson Landfill located at 2366 Den Hill Road in Montgomery County is a closed sanitary landfill previously used for the disposal of municipal solid waste. The facility submitted a variance petition on December 19, 2019, requesting a variance to the requirements of 9 VAC 20-81-250.A.3.a.(1) and 9 VAC 20-81-250.A.3.f of the VSWMR. This variance would remove the requirement for an upgradient monitoring well (MW-9) from the compliance monitoring network and require groundwater monitoring results in downgradient wells to be compared to groundwater protection standards.

This electronic letter transmits a copy of the public notice advertisement, the tentative variance, and a map with the referenced facility's boundaries delineated for your review. Should you have any comments or objections regarding any portion of this variance, please contact Douglas Gilmer, Groundwater Remediation Specialist at (540) 562-6776 or douglas.gilmer@deq.virginia.gov; or me, Jenny Poland, at (540) 562-6890, or jenny.poland@deq.virginia.gov, or at the following address:

Department of Environmental Quality
Blue Ridge Regional Office
901 Russell Drive
Salem, Virginia 24153

Please be advised that the comment period for the tentative approval ends November 12, 2020. If no response is received before this date, it will be assumed that you have no objections to the tentative variance.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jenny L. Poland".

Jenny L. Poland
Solid Waste Permit Writer

Attached: Public Notice
Tentative Variance
Facility Site Map

Public Notice – Environmental Regulatory Variance

PURPOSE OF NOTICE: To seek public comment on the tentative decision by the Director of the Department of Environmental Quality to grant a variance to regulatory requirements of the Virginia Solid Waste Management Regulations (VSWMR) regarding the Thompson Landfill in Montgomery County, Virginia.

PUBLIC COMMENT PERIOD: October 11, 2020 to November 12, 2020.

PERMIT NAME AND NUMBER: Montgomery County Thompson Landfill, SWP038

VARIANCE PETITION APPLICANT: Montgomery County

FACILITY NAME AND LOCATION: Montgomery County Thompson Landfill, SWP038
2366 Den Hill Road, Montgomery County

PROJECT DESCRIPTION: Montgomery County has submitted a petition to the Director for a variance to the requirements of 9 VAC 20-81-250.A.3.a.(1) and 9 VAC 20-81-250.A.3.f of the VSWMR. This variance would remove the requirement for an upgradient monitoring well (MW-9) from the compliance monitoring network and groundwater monitoring data will be compared to groundwater protection standards (GPS). This petition has been submitted consistent with the requirements of 9 VAC 20-81-760.A. The tentative decision to approve this petition for a variance is based on information submitted to the Department.

HOW TO COMMENT: DEQ accepts comments by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period. The public may review the variance petition at the DEQ office named below.

CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION: Douglas Gilmer, Groundwater Remediation Specialist, Blue Ridge Regional Office, 901 Russell Drive, Salem, VA 24153; Phone: (540) 562-6776; E-mail: brro.landprotection@deq.virginia.gov; Fax: (540) 562-6752.



COMMONWEALTH of VIRGINIA

Matthew J. Strickler
Secretary of Natural Resources

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David K. Paylor
Director

Robert J. Weld
Regional Director

VARIANCE TO THE VIRGINIA SOLID WASTE MANAGEMENT REGULATIONS THOMPSON LANDFILL MONTGOMERY COUNTY

In response to a variance petition dated December 19, 2019, by Montgomery County for the Thompson Landfill (SWP038), the requested variance to the Virginia Solid Waste Management Regulations (VSWMR), 9 VAC 20-81-250.A.3.a.(1) and 9 VAC 20-81-250.A.3.f is hereby granted. This variance would remove the requirement for an upgradient monitoring well (MW-9) from the compliance monitoring network.

This variance will be limited by the following conditions:

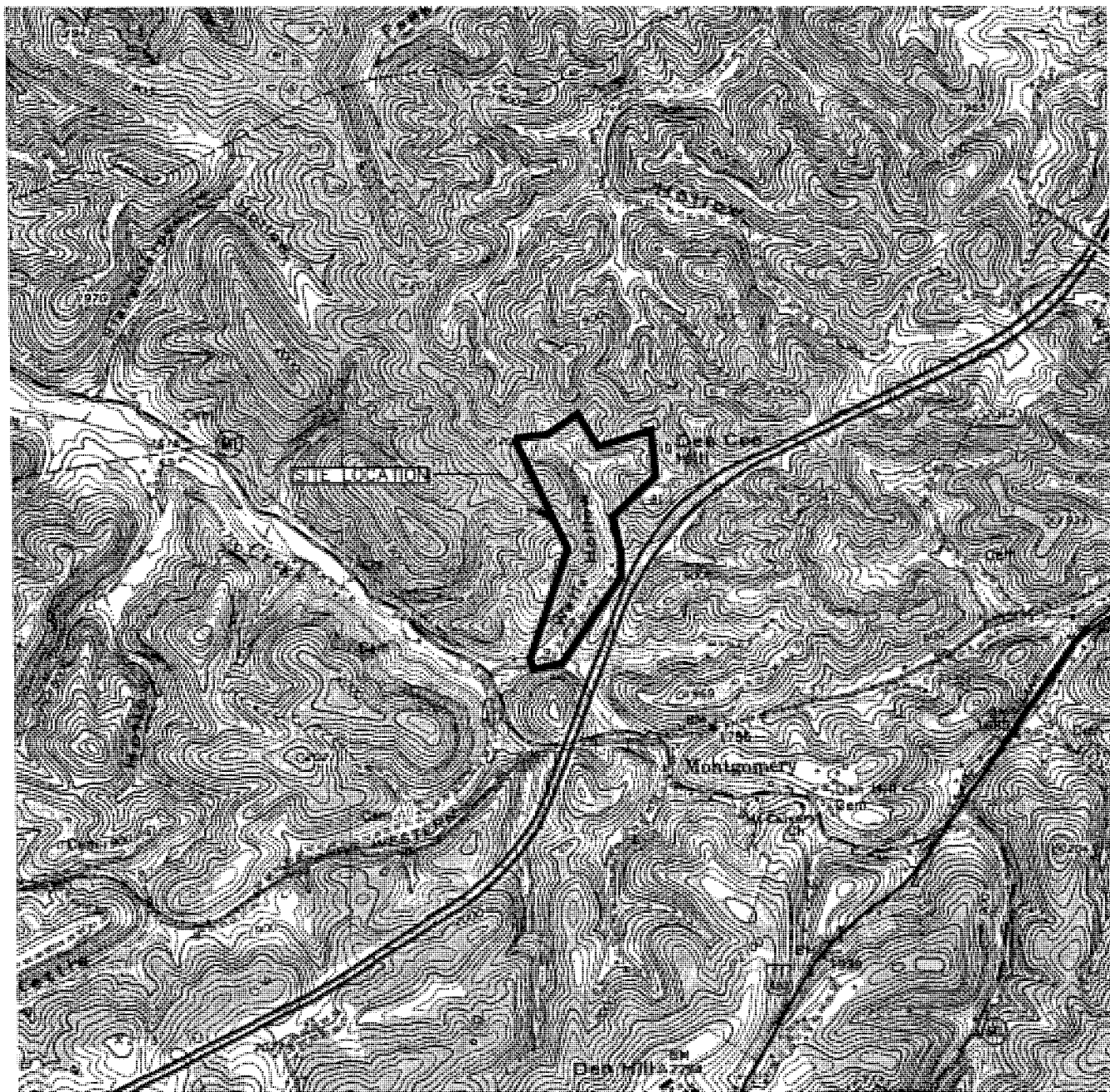
1. The facility shall operate in compliance with the VSMWR, Solid Waste Permit SWP038, and all applicable local, state, and federal laws, regulations, ordinances, and zoning.
2. MW-9 will continue to be monitored as a piezometer to determine groundwater surface elevation.
3. Compliance and corrective action groundwater monitoring wells will be compared to groundwater protection standards (GPS) established in accordance with 9 VAC 20-81-250.A.6, with the exception that no site specific background concentrations may be used as GPS.

This variance may be terminated upon a finding by the director that the applicant has failed to comply with any variance requirements.

APPROVED: _____ DRAFT _____

Leslie Beckwith
Director, Office of Financial Responsibility & Waste
Programs

DATE: _____



MAP TAKEN FROM THE IRONTO, VIRGINIA U.S.G.S. TOPO QUAD.

**MONTGOMERY COUNTY
THOMPSON LANDFILL
SITE LOCATION MAP**

FIGURE 1

1"=2000'
JOB NO.:12086

JAN. 26, 1999
THOMPSON/FIG1



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N R V R C . O R G

October 15, 2020

Executive Director's Report

Economic Development:

- Giles County will be hosting a series of community engagement workshops October 26-29 for their technical assistance project to grow the outdoor recreation economy through a US EPA program entitled Recreation Economies for Rural Communities. The workshops were postponed since initially scheduled in March.

Transportation:

- The I-81 Corridor Committee will hold their next meeting on 10/23 at 9:00am. Important items include determining committee leadership, an update on projects being implemented and a revenue forecast for projects budgeted.
- VDOT and the Department of Rail and Public Transportation are conducting a fall commuter survey, which will be very insightful regarding the impact of the pandemic on travel patterns. The survey is open through October <https://vafallcommutersurvey.metroquest.com/>

Regional:

- The Business Continuity Team (BCT) is hosting lunch and learn Zoom sessions to help spread the word about the program resources. They are busy conducting training for electoral boards on safe operations at the polls, fielding calls from businesses about navigating specific situations and recently coordinated two N95 fit testing sessions to assist first responders and medical field personnel.
- The BCT expanded last month to include a Public Health School Liaison position. Holly Lesko was hired for the position. She started her career with the Regional Commission as a regional planner and left her staff role in 2005. She returned to the Commission to serve on the board as a citizen representative for the town of Blacksburg ultimately serving as Chair in 2010-2012. She finished her service on the board in 2014 and has now come full circle.
- Round 2 of GO Virginia funding for the Business Continuity Team was approved by the state board. A contract negotiation meeting will be held on 10/22.
- Commission staff continues to work closely with the NRV Public Health Task Force by supporting the website www.nrvroadtowellness.com and providing the data dashboard three times weekly. A meeting was held earlier this week to discuss overall website layout updates needed to keep relevant information organized appropriately for NRV residents to easily find. Commissioners were added to the distribution list for the three times weekly update from the Task Force so you can stay informed on COVID-19 locally and be in position to share information.

Commission:

- The new Voice Over Internet Phone (VOIP) system is operating well and everyone seems to have a handle on the new features.
- Staff continued working with Telework!VA on developing the telework policy for the agency. The draft policy is included in the packet for the board to consider adopting.



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NRVRC.ORG

MEMORANDUM

To: NRVRC Commissioners

From: Kevin R. Byrd, Executive Director

Date: October 15, 2020

Re: The Salvation Army - New River Valley Overview Presentation

At the October Commission meeting there will be a presentation by Charlene Cover the newest Captain of the Salvation Army in the New River Valley. Captain Cover recently relocated to the region following eight years of service in other areas along the east coast. She started her service with the Salvation Army in Jamaica. The organization has an office in Christiansburg and operates a family store in Fairlawn. This will be an opportunity to learn more about the Salvation Army's mission and potential partnerships that can be leveraged in the region.



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NRVRC.ORG

MEMORANDUM

To: NRVRC Board Members
From: Kevin R. Byrd, Executive Director
Date: October 15, 2020
Re: FY22 Per Capita Assessment Rate (Commission Dues)

Each year the New River Valley Regional Commission sets the per capita assessment rate that is charged to members of the Commission. The per capita assessment serves as the financial foundation of the agency. This funding is critical to the agency and is typically leveraged at a rate of 10:1. The assessment foundation helps generate an overall budget of approximately \$1.7 million for the agency which is reflected by services returned to members of the Commission.

The current assessment rate is \$1.29 per capita based on annual population estimates from the Weldon Cooper Center. Use of annual population estimates from the Weldon Cooper Center provides for minor adjustments rather than more drastic adjustments with a decennial census. The FY22 proposed rate of \$1.29 is unchanged from the past four fiscal years. The Commission typically adjusts the rate every two years. Utilizing the 2019 population estimates from the Weldon Cooper Center provides for a net positive adjustment of \$423.12.

The per capita assessment as proposed for FY21 generates \$236,249.31 for the Commission to use as matching funds for programs. The programs that require match are VDOT’s rural transportation planning (\$14,500), Economic Development Administration – Economic Development District funds (\$70,000), Appalachian Regional Commission (\$68,000), Ride Solutions (carpool matching program) (\$17,225), New River Watershed Roundtable DEQ grant (\$4,000) and to support projects that arise during the year. The per capita assessment is considered unrestricted funds and allows the Commission to provide match for the programs identified above, support office operation, as well as technology and training needs of staff, and creates the opportunity for new programs in the region if all unrestricted funds are not programmed.

The attached table illustrates the assessment rate for FY22 utilizing the 2019 population figures by member along with a column for change in dues amount. It is important to note; the Commission removes town populations from the counties. Also, university membership is calculated based on the on-campus residents and their population is removed from the host locality. New River Community College is assessed based on their enrolled students who reside outside of the region. This approach avoids a double assessment for town residents as well as student populations.

Strengthening the Region through Collaboration

Counties

Floyd | Giles
Montgomery | Pulaski

City

Radford

Towns

Blacksburg | Christiansburg
Floyd | Narrows | Pearisburg
Pembroke | Pulaski
Rich Creek

Higher Education

Virginia Tech
Radford University
New River Community College

**New River Valley Regional Commission
Per Capita Assessment Rate FY22**

	Cooper Center Estimate for 2019*	Cooper Center Estimate for 2018*	Current FY21	Proposed FY22	\$ Change from 2018 pop. to current estimate	Current rate and pop.; 2 cent increase
			1.29	1.29		1.31
Floyd County	15,561	15,204	\$19,613.16	\$20,073.69	\$460.53	\$20,384.91
Town of Floyd	439	439	\$566.31	\$566.31	\$0.00	\$575.09
Giles County	10,347	10,297	\$13,283.13	\$13,347.63	\$64.50	\$13,554.57
Pearisburg	2,636	2,655	\$3,424.95	\$3,400.44	-\$24.51	\$3,453.16
Narrows	1,952	2,008	\$2,590.32	\$2,518.08	-\$72.24	\$2,557.12
Rich Creek	741	746	\$962.34	\$955.89	-\$6.45	\$970.71
Pembroke	1,081	1,225	\$1,580.25	\$1,394.49	-\$185.76	\$1,416.11
Pulaski County	22,799	22,651	\$29,219.79	\$29,410.71	\$190.92	\$29,866.69
Town of Pulaski	8,714	8,860	\$11,429.40	\$11,241.06	-\$188.34	\$11,415.34
Montgomery County	32,867	32,250	\$41,602.50	\$42,398.43	\$795.93	\$43,055.77
Blacksburg	35,233	35,678	\$46,024.62	\$45,450.57	-\$574.05	\$46,155.23
Christiansburg	22,473	22,505	\$29,031.45	\$28,990.17	-\$41.28	\$29,439.63
City of Radford	15,094	15,091	\$19,467.39	\$19,471.26	\$3.87	\$19,773.14
Radford University	2,950	2,950	\$3,805.50	\$3,805.50	\$0.00	\$3,864.50
Virginia Tech	9,500	9,500	\$12,255.00	\$12,255.00	\$0.00	\$12,445.00
New River Comm. Coll.	752	752	\$970.08	\$970.08	\$0.00	\$985.12
Total Assessed Pop	182,387	182,059	\$235,826.19	\$236,249.31	\$423.12	\$238,926.97

*2018 & 2019 population estimates from Weldon Cooper Center
Town + university populations are removed from County populations
University populations are based on the on-campus residents and removed from host locality population
New River Community College assessment is based on out-of-region enrolled students



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N R V R C . O R G

MEMORANDUM

To: NRVRC Commissioners
From: Kevin R. Byrd, Executive Director
Date: October 15, 2020
Re: Telecommute Policy for inclusion in Personnel Manual

In September, staff began working with a technical assistance consultant, Telework!VA, provided at no cost through the Virginia Department of Rail and Public Transportation, to help develop a telecommute policy for the Regional Commission. Attached is a policy and telework agreement for the Commission to consider adopting. The policy was reviewed by everyone on staff and the attached draft reflects their input. Further, the Executive Committee reviewed the draft during their October meeting and did not recommend any changes.

Development of a policy has been of interest for a while and the onset of the pandemic caused work from home with a temporary policy brought about the need to prepare a more formalized program. It is important to point out, the Regional Commission plans to allow for Intermittent Teleworker and Teleworker status while not anticipating Remote Office Worker status at this time. The definitions on the first page of the policy explain the different classifications in greater detail. Essentially, Intermittent Teleworker status allows someone to work from home on a case-by-case basis (ie-awaiting a service call to the home or snow days) which the organization has allowed, with prior approval, for several years. Teleworker status will allow for a routine schedule to be established, perhaps one day per week. Remote Office Worker is someone who does not come into the office to perform their work. This status is not anticipated, unless the pandemic or other circumstances dictate the need.

New River Valley Regional Commission

TELEWORKING POLICY

Effective Date: TBD

APPLICATION

Full-time and part-time classified and wage employees.

PURPOSE

To promote telework as a means of achieving administrative efficiencies (e.g., reducing traffic congestion and transportation costs, supporting Continuity of Operations Plans, and sustaining the hiring and retention of a highly qualified workforce by enhancing work/life balance.

DEFINITIONS

- **Alternate Work Location:** Approved work sites other than the employee's central workplace where official business is performed. Such locations may include, but are not necessarily limited to, employees' homes, and satellite offices.
- **Central Workplace:** An employee's work headquarters or official duty station.
- **Teleworker:** An employee who, under formal agreement with his/her company performs his/her usual job duties in an alternate work location with or without a specific telework schedule usually *at least one day per week or at least 32 hours per month*.
- **Intermittent Teleworker:** An employee who, under written agreement with his/her company, performs his/her usual job duties in an alternate work location without a specific telework schedule.
- **Remote Office Worker:** An employee who works at their home or designated central workplace all of the workweek.
- **Teleworking:** A work arrangement where supervisors direct or permit employees to perform their usual job duties at their alternate work location, in accordance with their same performance expectations and other company approved or agreed-upon terms.
 - **Employee Initiated Teleworking:** A work arrangement where employees request to telework and management approves where such arrangements support the company's business needs.
 - **Business Mandated Teleworking:** A work arrangement where the business needs mandate teleworking for all or part of the workweek either as a condition of employment or if there is a business necessity for doing so.

New River Valley Regional Commission

TELEWORKING POLICY

Effective Date: TBD

- **Teleworking Agreement:** New River Valley Regional Commission written agreement with the employee that details the terms and conditions of the employee's work at their alternate work location or central workplace.
- **Work Schedule:** The employee's designated hours of work regardless of work location.

ELIGIBILITY

Employee Initiated Teleworking is not an entitlement, but rather a management option where such arrangements support the company's business needs.

The New River Valley Regional Commission management has sole discretion to designate positions for teleworking and supervisors are expected to consider work performance in determining eligibility.

The New River Valley Regional Commission supports teleworking for employees with job duties that lend themselves to this arrangement provided certain requirements are met. All positions do not lend themselves to teleworking arrangements.

A Teleworking Agreement is required for both employee initiated teleworking and business mandated teleworking.

The New River Valley Regional Commission may require an employee to telework as a condition of employment. In such cases, this requirement will be included in a recruitment advertisement and in the employee's position description.

Suitability of Work for Teleworking

The nature of the work should be suitable for teleworking. Suitability for teleworking depends on job content, rather than job role, title, or work schedule.

Suitable Characteristics of Teleworkers

Teleworking is best suited for employees who are organized, highly disciplined, and conscientious self-starters requiring minimal supervision. Employees should achieve and maintain an acceptable performance rating to qualify for teleworking.

TELEWORKING AGREEMENT

Employees must sign the teleworking agreement and comply with conditions set forth prior to teleworking.

Supervisors must agree to the terms of the teleworking agreement before employees are permitted to work at an alternate work location.
(See Teleworking Agreement)

New River Valley Regional Commission

TELEWORKING POLICY

Effective Date: TBD

The Supervisors, as well as the employees requesting to telework, may terminate the teleworking agreement at their discretion, preferably providing two weeks notice. This does not apply in the case of business-mandated teleworking.

GENERAL PROVISIONS

Policies and procedures that normally apply to the New River Valley Regional Commission employees remain the same. Teleworking assignments do not change the conditions of employment or required compliance with policies and procedures.

Employees who telework must comply with all of the New River Valley Regional Commission policies, practices, and guidelines. A Teleworker must notify their supervisor immediately of any situation that interferes with their ability to perform their job.

Teleworking should not adversely affect the performance of the teleworker or their co-workers.

Compensation and Benefits

In general, an employee's compensation and benefits will not change when teleworking.

The New River Valley Regional Commission will compensate teleworkers as required by the Fair Labor Standards Act (FLSA) and New River Valley Regional Commission policies and pay practices.

Hours of Work

The total number of hours that employees are expected to work will not change, regardless of their work location.

Employees who telework are expected to follow the policies and procedures established by their supervisor for tracking time, requesting time off and approval of time off. New River Valley Regional Commission procedures must be followed for reporting sick or disability situations.

Prior management approval to work overtime is required and failure to obtain this approval may be addressed under Human Resource policies and the Standards of Conduct. FLSA and New River Valley Regional Commission policies and pay practices for overtime apply.

Employees are expected, when necessary, to participate in staff meetings, progress review meetings or other business-related meetings, even when working at their alternate work location or central workplace. Previously

New River Valley Regional Commission

TELEWORKING POLICY

Effective Date: TBD

designated work schedules may be modified as necessary provided management agrees. In addition, any teleworking schedule may be adjusted as business needs dictate.

Teleworking is not intended to serve as a substitute for child or adult care. Teleworking may help facilitate solutions for some employees who have other responsibilities, but employees must make arrangements that will not interfere with work obligations. Employees agree to apply themselves to their work during work hours.

Use of Leave

Teleworking is not intended to be used in place of Sick Leave, Family and Medical Leave, Workers' Compensation leave, or other types of leave.

However, management in conjunction with Human Resources may determine whether or not it is appropriate to offer teleworking as an opportunity for partial or full return to work from traditional sick leave, short term or long-term disability based on the criteria normally applied to decisions regarding the approval of teleworking.

Central Work Location Closing/Inclement Weather/Emergency Closing

When there is inclement weather or emergency closings at the central workplace, each individual teleworker's situation is looked at on an individual basis. Determinations are based on job duties and expectations.

Injury Compensation

Employees are covered under the Virginia Workers' Compensation Act and may be covered for injuries suffered, arising out of and in the course of performing official duties at the alternate work location or central workplace during the set work hours. Employees are responsible for immediately reporting to their supervisor, any accident or injury suffered, arising out of and in the course of performing official duties at the alternate work location during the set work hours and to allow their supervisor to visit the alternate work location immediately after any accident or injury has occurred while working if necessary. The supervisor should immediately complete the required appropriate documents.

Supervisor Responsibility

Work performed at alternate work locations or central workplace is considered official state business. The duties, performance, and work expectations should be fully discussed with employees prior to implementing the teleworking agreement.

The supervisor will monitor productivity deadlines and work produced and will measure and evaluate the employee's job performance when teleworking in accordance with established performance management policies and procedures.

New River Valley Regional Commission

TELEWORKING POLICY

Effective Date: TBD

The supervisor must clearly communicate procedures to track and document hours worked by non-exempt employees covered under the Fair Labor Standards Act (FLSA).

USE OF EQUIPMENT, SUPPLIES, AND DATA

Employees working at alternate work locations or central workplace are responsible for the security and confidentiality of any information, documents, records, or equipment in their possession. Removal of confidential documents is done at the risk of the employee and requires supervisory approval. Employees are responsible for immediately reporting any information or documents that have been lost or damaged to their supervisor. Employees must agree to follow company security procedures in order to ensure confidentiality and security of data.

In the event that equipment becomes temporarily inoperable or the employee is unable to perform job duties at the alternate work location, employees and their supervisor should reach an agreement of whether other work assignments can be performed without relying on the equipment or if the employee should report to the central workplace.

Telephones and Related Items

Telecommunication devices may be provided as needed for the efficient operation of the teleworker. In most cases, employees will not have a business need to make long distance calls when teleworking. However, if business related long distance (international) phone calls are made, the company will reimburse the teleworker provided sufficient documentation is submitted and approved by their supervisor consisting of an itemized copy of the phone bill with the cost of the long distance charge clearly displayed.

Company-Owned Equipment

Use of company equipment for teleworking is dependent on the availability of funds and equipment. Company provided equipment and connectivity method (broadband, DSL, etc.) for the alternate work location is not an entitlement and will vary based upon the needs of a particular job or assignment.

Authorized use and Maintenance – Authorized employees who have prior supervisory approval may use company-owned equipment for legitimate New River Valley Regional Commission business purposes. Authorized employees are responsible for protecting company-owned equipment from damage and unauthorized use. Company-owned equipment used in the normal course of employment will be maintained, serviced and repaired by New River Valley Regional Commission.

New River Valley Regional Commission

TELEWORKING POLICY

Effective Date: TBD

Employee-Owned Equipment

Employees may use their own equipment to perform work at their alternate work location. Employees who use their own equipment must gain access to New River Valley Regional Commission through the designated connectivity method.

Employees who use their equipment will be responsible for any costs incurred with equipment maintenance. New River Valley Regional Commission will not assume responsibility for the cost of equipment not provided by New River Valley Regional Commission, or for its repair, service, home maintenance or any other incidental cost (i.e., utilities), associated with its use at the teleworkers alternate work location.

AUTHORITY AND INTERPRETATION

Authorized by the New River Valley Regional Commission Board of Directors effective XX/XX/20. The Executive Director is responsible for official interpretation of this policy.

New River Valley Regional Commission Telework Agreement

The following constitutes an agreement on the terms and conditions of teleworking between the New River Valley Regional Commission and the employee:

Employee Name: _____

Job Title: _____

Office / Unit: _____

Supervisor / Manager: _____

PLEASE CHECK EACH BOX BELOW:

- Employee agrees to participate in teleworking and to adhere to applicable guidelines and policies.
- A copy of the New River Valley Regional Commission Teleworking Policy has been given to the employee.

WORK LOCATION / SCHEDULE

Employee's alternate work location address: _____

Employee's phone number: _____
(alternate work location)

Commute Miles saved each teleworking day: _____ (both ways)

Commute Time saved each teleworking day: _____ (both ways)

At the alternate work location, employee's work hours will normally be:

Start Time: _____ End Time: _____

Comments: _____

on the following days Monday Tuesday Wednesday Thursday Friday

Note: For employees with teleworker status, the teleworking schedule may be adjusted as business needs dictate. Changes in schedule will be communicated preferably in-person or over the phone with email confirmation to follow along with a revised telework agreement.

Supervisor will maintain a copy of employee's work schedule, and employee's time and attendance will be tracked in the same manner as time and attendance is tracked at the central workplace.

COMPENSATION/BENEFITS

- Employee salary, benefits, travel entitlements, and insurance coverage are not impacted by this agreement.
- Employee understands that the supervisor must approve overtime work in advance. By signing this form, employee agrees that failing to obtain proper approval for overtime work may result in his/her removal from teleworking and/or appropriate action.
- Employee must obtain supervisory approval before taking leave in accordance with established office procedures. Employee agrees to follow established procedures for approval of leave.

Employee's Initials _____

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WORK STANDARDS/PERFORMANCE

- Employee will meet with the supervisor to review work program needs to be addressed during the telework period and review completed work as necessary or appropriate.
- Employee will complete all assigned work according to work procedures mutually agreed upon by the employee and the supervisor, and according to guidelines and expectations stated in the employee's performance plan.
- Employee agrees to perform his/her assigned duties at the approved alternate work location. This includes using call forwarding from the office phone to a mobile device. Failure to comply with this provision may result in loss of pay, termination of the telework agreement, and/or appropriate disciplinary action.

EQUIPMENT/EXPENSES

- Employee who uses company equipment agrees to protect such equipment in accordance with company guidelines. Company-owned equipment will be serviced and maintained by the company.
- If employee provides equipment, he/she is responsible for servicing and maintaining it. Access to New River Valley Regional Commission systems must be through an approved system security channel.
- The New River Valley Regional Commission will not be liable for damages to an employee's personal or real property during the course of performance of official duties or while using company equipment in the employee's residence.
- The New River Valley Regional Commission will not be responsible for operating costs, home maintenance, or any other incidental costs (e.g., utilities) associated with the use of the employee's residence as an alternate work location. Further, the employee must have adequate internet bandwidth available in order to conduct routine work tasks such as participating in video conferences.

SAFETY

- Employee is covered by the appropriate provisions of the Workers' Compensation Program, as appropriate, if injured while performing official duties at the central workplace or alternate work location.
- Employee agrees that the alternate work location is safe and free from hazards. The employee confirms that the alternate work location is, to the best of his/her knowledge, free of recognized hazards that would cause physical harm (such as frayed or loose electrical wires; clean, dry and level floor surfaces; phone lines and electrical cords are properly secured; etc.) The employee further confirms that, to the best of his/her knowledge, the space is free of asbestos-containing materials. If asbestos-containing materials are present they are undamaged and in good condition. Please note any possible safety concerns:
- Employee agrees to bring to the immediate attention of his/her supervisor any accident or injury occurring at the alternate work location while working and to allow their supervisor to

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visit the alternate work location immediately after an accident has occurred if necessary.

CONFIDENTIALITY/SECURITY

- If using a home PC or wireless broadband for access for a home or New River Valley Regional Commission owned PC, employees must use (designated method).
- Please ensure that at a minimum all personal computers have anti-virus (i.e. McAfee, Norton, etc.) installed before connecting through (designated method) and that all updates and patches are installed regularly. Please note that additional security such as anti-spyware (i.e. Windows Defender, Spybot S&D, and Spy Sweeper) and personal firewall software (ie. Symantec Personal Firewall, McAfee Firewall, and Zone Alarm/Check Point Integrity) will provide the ideal configuration.
- Use caution with portable devices such as USB flash drives, handheld devices, CDs, and DVDs to transport data since many are not encrypted and could put the company at risk if sensitive data is lost.
- Employee agrees not to store any business-related documents or data on your home PC.
- Employee will apply approved safeguards, in accordance with company policy, to protect company and customer records from unauthorized disclosure or damage, and will comply with the privacy requirements set forth by Human Resources.
- Report any unauthorized access or theft of New River Valley Regional Commission sensitive data to the company Information Security Officer and your Manager.

INITIATION AND TERMINATION OF AGREEMENT

- Employee agrees to adhere to applicable guidelines and policies.
- Employee may terminate participation in teleworking at any time unless it was a condition of employment. Two weeks' notice to the company is recommended.
- New River Valley Regional Commission may terminate employee's participation in teleworking at any time. Employees may be withdrawn for reasons to include, but not limited to, declining performance and organizational benefit. Two weeks notice to the employee is recommended when feasible, but is not required.

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Company-owned or leased equipment has been issued to the employee and has been documented by New River Valley Regional Commission.

Item	Issue Date	Tag or Reference Number
<input type="checkbox"/> Computer		
<input type="checkbox"/> Monitor		
<input type="checkbox"/> Docking Station		
<input type="checkbox"/> Keyboard/Mouse		
<input type="checkbox"/> Fax or (4in1)		
<input type="checkbox"/> Telephone		
<input type="checkbox"/> Mobile Device		
<input type="checkbox"/> Chair		
<input type="checkbox"/> File Cabinet		
<input type="checkbox"/> Printer		
<input type="checkbox"/> Scanner		
<input type="checkbox"/> Other (specify)		
<input type="checkbox"/> Other (specify)		
<input type="checkbox"/> Other (specify)		
<input type="checkbox"/> Other (specify)		

Employee Signature

Date

Supervisor

Date

Department Manager (or designee)

Date

Employee's Initials _____