



File Code: 6270
2018-FS-R8-03001-F
Date: JUN 19 2018



This is our final response to your Freedom of Information Act (FOIA) request #2018-FS-R8-03001-F of March 15, 2018, which was received in this office on March 19, 2018. You requested the following information:

1. Any and all correspondence, including emails, between the Monroe County Sheriff's Department and the U.S. Forest Service, regarding protesters on Peters Mountain between Feb. 1 and March 15.
2. Any and all correspondence, including emails, between anyone at the U.S. Forest Service and anyone representing the Mountain Valley Pipeline between Feb. 1 and March 15.
3. Copies of any documents that outline, explain or summarize plans to remove protesters from trees and/or enforce a court injunction.
4. Any documents that reflect the consideration of, discussion of and/or reason the U.S. Forest Service decided to close parts of the Jefferson National Forest.

A reasonable search was conducted by this office and all responsive records were referred to the Office of the General Counsel, U.S. Department of Agriculture for mandatory review on April 17, 2018. Upon review of these records (426 pages) it has been determined that (10) pages have been withheld in full and (13) pages have been partially redacted in accordance with 5 U.S.C. § 552(b)(3)(A)(B), 5 U.S.C. § 552(b)(5), 5 U.S.C. § 552(b)(6), 5 U.S.C. § 552(b)(7)(A)(E)(F). The remaining (403) pages are being released in full.

FOIA Exemption 3 permits the Government to withhold information that is prohibited from disclosure by a statute where such statute either "(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld." We have determined that release of certain information that is the subject of your request must be withheld pursuant to Exemption 3 of the FOIA, 5 U.S.C. § 552(b)(3)(A)(B). When applying this exemption consideration was given to the following Act:

- The National Parks Omnibus Management Act (16 U.S.C. § 5937), meets the requirement of subpart (B) of Exemption 3 because it prohibits the disclosure of information pertaining to: "endangered, threatened, rare, or commercially valuable resources or objects of cultural patrimony".

FOIA Exemption 5 permits the Government to withhold "inter-agency or intra-agency memorandums or letters which would not be available by law to a party in litigation with the agency." The most commonly invoked privilege incorporated within Exemption 5 is the Deliberative Process Privilege, the general purpose of which is to "prevent injury to the quality of agency decisions." Specifically, three policy purposes consistently have been held to constitute the bases for this privilege: (1) to encourage open, frank discussions on matters of policy between subordinates and superiors; (2) to protect against



premature disclosure of proposed policies before they are actually adopted; and (3) to protect against public confusion that might result from disclosure of reasons and rationales that were not in fact ultimately the grounds for an agency's action.

This exemption also includes the Attorney-Client Privilege which protects confidential communication between an attorney and a client relating to a legal matter for which the client has sought professional advice. The privilege applies to facts divulged by a client to an attorney, and communications between attorneys which reflect client-supplied information.

We have determined that certain information that is the subject of your request must be withheld pursuant to both the deliberative process and Attorney-Client Privilege components of Exemption 5 of the FOIA, 5 U.S.C. § 552(b)(5).

FOIA Exemption 6 permits the Government to withhold all information about individuals in "personnel and medical and similar files," where the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." In determining whether a particular disclosure would constitute an unwarranted invasion of personal privacy, the Forest Service must balance the public's right to disclosure against the privacy interest of the individual whose privacy might be affected by disclosure.

The determination of whether the disclosure of private information is required under Exemption 6 turns not on the identity of the requester or on the particular purpose for which the records are sought, but on the nature of the information requested and its relationship to the core purpose for which Congress enacted the FOIA: to shed light on an agency's performance of its statutory duties. We have determined that certain information that is the subject of your request must be withheld pursuant to Exemption 6 of the FOIA, 5 U.S.C. § 552(b)(6).

FOIA Exemption 7 protects from disclosure "records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual."

We have determined that certain information that is the subject of your request must be withheld pursuant to both the deliberative process and Attorney-Client Privilege components of Exemption 7 of the FOIA, 5 U.S.C. § 552(b)(7)(A)(E)(F).

Fees

Pursuant to 7 C.F.R. Subtitle A, Part 1, Subpart A, Appendix A, there is no charge for the records enclosed. At our discretion, we have chosen not to charge fees in this case because we believe the release of the records at issue to be in the public interest. This discretionary waiver of fees applies to this particular FOIA request and does not guarantee a waiver of fees when similar records are requested in the future; nor does it guarantee a waiver of fees to you when making future requests or appeals.

Appeal Rights

This concludes the Forest Service response to your FOIA request. The FOIA provides you the right to appeal this response. Any appeal must be made in writing, within 90 days from the date of this letter, to the Chief, USDA, Forest Service:

- 1) by email to wo_foia@fs.fed.us
- 2) by regular mail to Mail Stop 1143, 1400 Independence Avenue, SW, Washington, DC 20250-1143
- 3) by Fed Ex or UPS to 201 14th Street, SW, Washington, DC 20250-1143, and telephone (202) 205-1542

The term "FOIA APPEAL" should be placed in capital letters on the subject line of the email or on the front of the envelope. To facilitate the processing of your appeal, please include a copy of this letter and/or the FOIA case number (2018-FS-R8-03001-F) assigned to your request.

If you need further assistance or would like to discuss any aspect of your request, please contact the FOIA Public Liaison at (202) 205-1542. Additionally, you may contact the Office of Government Information Services (OGIS) National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
e-mail: ogis@nara.gov
telephone: (202) 741-5770
toll free: (877) 684-6448
facsimile: (202) 741-5769

If you have questions regarding this FOIA request, you may contact Douglas Meloche at (404) 347-4427 or dmeloche@fs.fed.us.

Sincerely,


KEN ARNEY
Acting Regional Forester

Enclosures

cc: Peter Gaulke, Douglas Meloche, Karen Overcash



Mountain Valley Pipeline Employee Guide for Public Interactions during Construction

Background

The Mountain Valley Pipeline (MVP) Project, a 42-inch interstate natural gas pipeline, is authorized to traverse 303 miles to deliver natural gas produced in the Appalachian Basin to markets in the Northeast, Mid-Atlantic, and Southeastern United States. The MVP Project crosses 3.6 miles of the Jefferson National Forest in Monroe County, West Virginia and Giles and Montgomery Counties in Virginia.

Construction is expected to begin in February, 2018 and continue for about 2.5 years or until all 303 miles are constructed. Construction on the Forest is projected to be completed in 2018. Operation and maintenance within the right-of-way would begin shortly thereafter and continue as long as the pipeline is in service.

The Federal Energy Regulatory Commission (FERC) is the lead federal agency who has prepared the final Environmental Impact Statement for the MVP Project. The FERC authorizes interstate natural gas transmission facilities; and, as a lead agency, is responsible for coordinating all applicable federal authorizations and for preparing an analysis that complies with the National Environmental Policy Act.

In addition to the FERC certificate, the MVP obtained authorization from the Bureau of Land Management (BLM) to construct and operate the MVP Project on federal lands. Under the Mineral Leasing Act (30 U.S.C. 185 et seq.), the BLM is responsible for issuing right-of-way grants for natural gas pipelines across federal lands under the jurisdiction of two or more federal agencies. Before issuing the right-of-way grant, the BLM was required to obtain the written concurrences of the Forest Service and the United States Army Corp of Engineers. When the Forest Service gave their written concurrence, they submitted to the BLM terms and conditions for inclusion in the right-of-way grant that were deemed necessary to protect federal property and otherwise protect the public interest.

Public Inquiry Instructions

All public inquiries encountered about the MVP should be referred to Jessica Rubado, Forest Service Public Affairs Officer at 503-314-0767 or jrubado@fs.fed.us. The key messages contained at the end of this document are intended to help familiarize employees and contractors with the project. These key messages are approved messaging for the project. Please refer inquiries to public affairs to provide these responses unless in limited circumstances, a simple response is appropriate and the individual contacted is comfortable with providing the approved response.



Safety Message

Joby Timm, Forest Supervisor, is in daily contact with Katie Ballew, Law Enforcement Patrol Captain, who is working with Special Agent James Willet and other law enforcement personnel to monitor various intelligence, including news and social media for any signs of possible protests. To date, there has been no indication of any planned protest activity at our offices.

If there appears to be any concerns or potential impacts to one of our offices or surrounding areas, you will be notified by your supervisor. Patrol Captain Ballew, the local District Ranger(s), Elizabeth LeMaster, and Joby Timm will monitor the situation and review safety considerations to determine the need for office closure or delayed openings for affected offices. In addition, a liberal annual leave policy will be honored as well as telework opportunities. As always, please coordinate this through your supervisor.

If there is a decision to close an office, a message will be recorded on the Supervisor's Office phone system. Every effort will be made to record this message before 6:00 AM. Employees can call 540-265-5100 to access the recorded message. Press the asterisks key to hear the status of the office opening. Additionally, your supervisor, staff officer, or District Ranger will contact you.

Safety Protocol

Due to potential security issues, employees need to ensure existing protocols are followed. Please ensure all buildings and vehicle doors, both POVs and GOVs, are secured at all times.

If approached while in the field, be courteous and non-confrontational. If you are comfortable doing so, answer their questions. If the situation escalates, attempt to disengage, return to your vehicle, and leave the area. Notify dispatch and/or your supervisor of the incident.

Maintain your situational awareness. Notify Peter Roginski of any demonstrations that impede visitors or employees access to the office locations.

Social Media Guidelines

Generally, it's recommended that employees (both contractor and Forest Service) refrain from posting comments and photos about the pipeline projects on their social media accounts. Posts in an official capacity are restricted to public affairs employees for the project with management approval.

Forest Service employees or those working on behalf of the Forest Service who use social media and social networking services and tools for strictly personal use outside of the workplace do not require approval to do so. However, the Forest Service recognizes these types of tools can sometimes blur the line between professional and personal lives and interactions. Therefore, employees are reminded that as representatives of the Forest Service, the below principles must be taken into consideration when participating in these services at any time, but particularly when identifying themselves as employees or contractors of the Forest Service or when context might lead to that conclusion.



By exercising discretion and common sense when employing social media for professional or personal purposes, you will help assure that their great potential is fully realized without inadvertently compromising our professional, legal, or ethical standards. The following principles should be employed when using social media services in a non-official/personal capacity:

- Be aware of your Forest Service association in online social networks. If you identify yourself as an employee or contractor or have a public facing position for which your Forest Service association is known to the general public, ensure your profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as a Forest Service professional, appropriate with the public trust associated with your position. Employees should have no expectation of privacy when using social media tools.
- When in doubt, stop. Don't post until you're free of doubt. Be certain that your post would be considered protected speech for First Amendment purposes. Also, add a disclaimer to your social networking profile, personal blog, or other online presences that clearly states that the opinions or views expressed are yours alone and do not represent the views of the Forest Service.
- In a publicly accessible forum, do not discuss any Forest Service related information that is not already considered public information. The discussion of sensitive, proprietary, or classified information is strictly prohibited. This rule applies even in circumstances where password or other privacy controls are implemented. Failure to comply may result in fines and/or disciplinary action.

Key Messages

General:

- No ground disturbing activities can begin on federal lands until the MVP has met the requirements and stipulations in the right-of-way grant.
- As a federal land management agency with a multiple-use mission, the Forest Service considers authorization of many different types of uses on National Forest System lands. Current law and federal policy emphasize the important role of national forests in energy generation and transmission.
- The right-of-way grant reflects the Forest Service efforts to provide for multiple use and federal policies that emphasize jobs, economic growth, and energy infrastructure. The right-of-way grant continues to provide for the overall social, economic, and ecological sustainability of the Jefferson National Forest.

When and Where:

- The MVP Project crosses the forest in two places, one near Peters Mountain and the other near Brush Mountain. Tree cutting is planned to begin in February 2018 and to take approximately two weeks in both segments. Tree and vegetation clearing and subsequent construction are planned to begin in May through mid-July, 2018 in the Peter Mountain segment, and August through early October, 2018 in the



Brush Mountain segment. Improvements to Pocahontas Road will be reclaimed from mid-October through mid-November, 2018.

Disturbance Acres – During and After Construction

- The construction phase of the MVP Project requires use of about 83 acres of the Forest, consisting of 51.4 acres of pipeline corridor, 0.9 acres of additional temporary workspace, and 30.9 acres of access roads. The MVP Project is using existing access roads on the Forest. Some road reconstruction will be completed, but no new roads would be constructed on the Forest.
- Following construction, approximately 42 acres of the Forest would be maintained and operated for long-term use, consisting of 21.7 acres the pipeline corridor and 20 acres of existing access roads. The construction corridor would be reclaimed to a final operational corridor width of 50 feet on 3.6 miles on the Jefferson National Forest in Monroe County, West Virginia and Giles and Montgomery counties in Virginia.
- The construction corridor for the MVP Project in most instances is authorized to be 125-foot-wide, but is narrowing to 75-foot-wide when crossing wetlands. The construction corridor is authorized to be reclaimed to a final operational corridor width of 50 feet. The pipeline is authorized to be buried under three feet of cover in most areas and 24 inches of cover in consolidated rock.

Mitigation

- Mitigation measures are required to minimize adverse impacts associated with the project. Mitigation is required in the Federal Energy Regulatory Commissions' Certificate and in the right-of-way grant that the Bureau of Land Management issued. The Forest Service Plan amendment requires the MVP Project complies with mitigation contained in the Plan of Development. The Plan of Development identifies a series of construction plans, procedures, and mitigation measures that will be implemented on National Forest System lands. The Plan of Development was incorporated into the Bureau of Land Management's right-of-way grant.

Compliance Monitoring

- The Bureau of Land Management and Forest Service will have third-party monitors on hand throughout construction to ensure the MVP has adequately implemented mitigation measures. Transcon is a third-party contractor working with the Forest Service to monitor environmental compliance during construction of the pipeline. The MVP is paying the contractor costs, but is not involved in the relationship between Transcon and the Forest Service.

Appalachian Nation Scenic Trail, Weston and Gauley Bridge Turnpike Trail, and the Blue Ridge Parkway

- The MVP will cross the Blue Ridge Parkway managed by the National Park Service, the Weston and Gauley Bridge Turnpike Trail administered by the U.S. Army Corps of Engineers, and the Appalachian National Scenic Trail administered by the Forest Service. The MVP is avoiding permanent adverse



impacts to the Blue Ridge Parkway, the Weston and Gauley Bridge Turnpike Trail, and the Appalachian National Scenic Trail by boring under these areas.

- On the Appalachian National Scenic Trail, hikers may hear some noise from the boring machine and experience short delays on Pocahontas Road where flaggers will manage vehicle and hikers during construction.

Public Motorized Access

- Motorized access by the public to National Forest System lands will remain unchanged during project construction. The MVP project is utilizing roads either closed year-round to public motorized use or motorized use is seasonally restricted. The MVP is authorized to use the Pocahontas (FR #972), Mystery Ridge (FR #11080), and Brush Mountain (FR #188) roads.

Slope Stability and Surface Runoff Protections

- Numerous regulatory entities have requirements relating to soil, soil productivity, erosion control, and reclamation that apply to the MVP Project through various permits and authorizations. On National Forest System lands, operating procedures and mitigation measures to lessen the effects of the pipeline's construction and operation on slope stability and monitoring activities are identified in the Plan of Development.
- Mountain Valley Pipeline, LLC has agreed to several best management practices to avoid and minimize risk including controlling surface runoff, intercepting and controlling subsurface drainage, constructing in a timely fashion, and other measures.





Jefferson National Forest

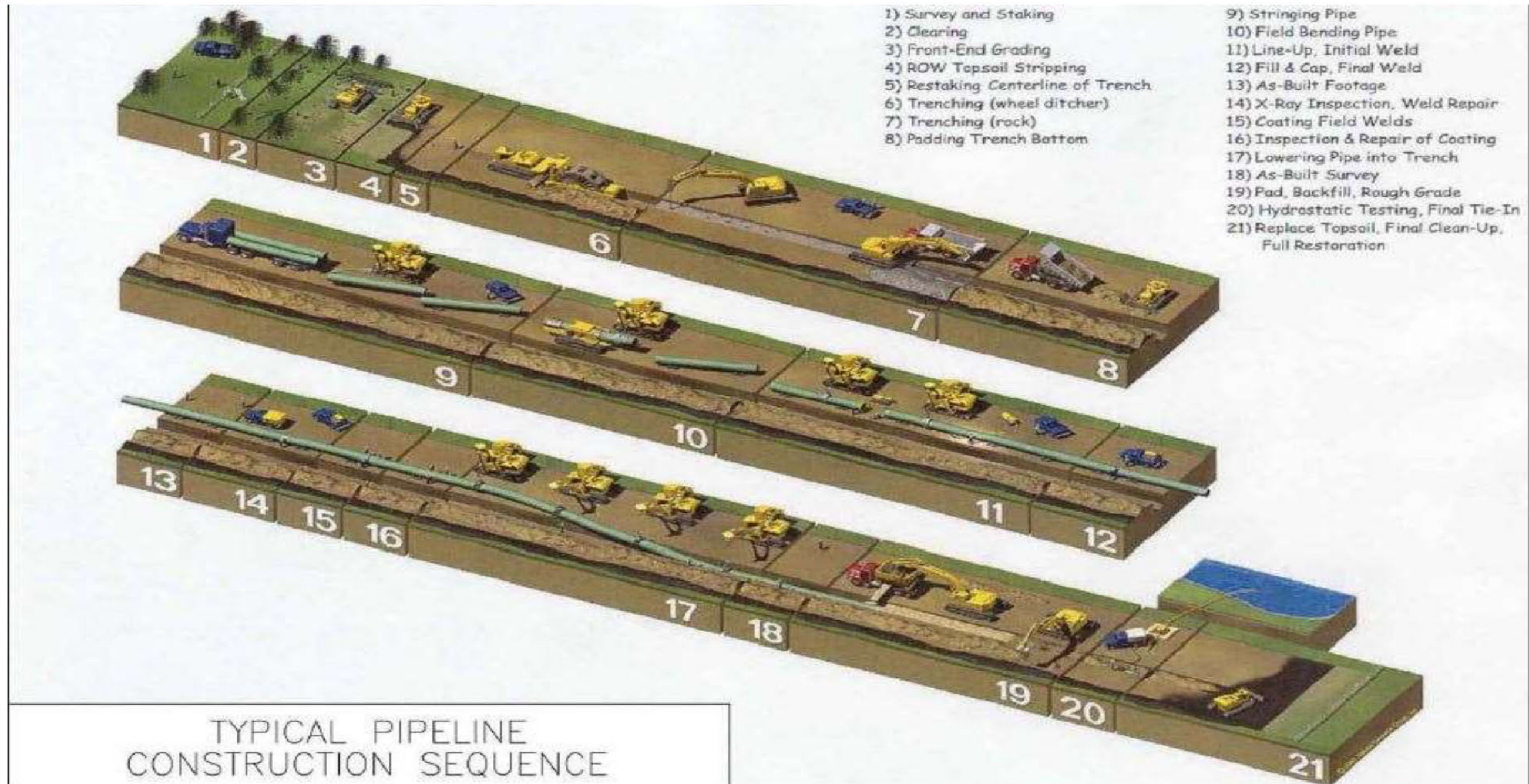
Construction Kickoff Meeting

February 2, 2018

Introduction

- *Pipeline Construction Overview*
- *Safety and Environmental Awareness Program*
- *JNF Construction Overview*
- *Inspection, Oversight and Compliance*

Typical Pipeline Construction Sequence:



Initial Phases of Construction

- Survey Stake-out
- Tree Felling
- Clearing and Grubbing
- Access Road Installation
- Laydown Yards/Pipe Yard setup

Phase 1: Survey and Staking Phase

The first step in the construction process begins with survey crews marking out the limits of disturbance, or “LOD’s,” of the pipeline construction corridor, centerline stakes, road crossings, and all delineated environmental features.



Phase 2: Construction Corridor Clearing

Once the survey phase is underway, clearing crews begin clearing brush and felling trees within the Construction Limit of Disturbance.

- Tree felling typically conducted by hand but may be mechanized
- Processing of trees/right-of-way preparation
- Removal of merchantable timber



Phase 3: Front-End Grading

Following the clearing crew, a front-end grading crew will lightly grade the right of way to remove obstructions such as trees, stumps, roots, brush, and loose rock to create a safe work area. Trees/scrub brush will be processed in accordance with the timber contract and Plan of Development.



Phase 4: Top Soil Segregation and Right of Way Construction

All topsoil will be segregated within the limits of disturbance for use during final restoration. Topsoil will typically stockpiled on the non-working side of the LOD.



Phase 5: Re-staking Centerline of Trench

Centerline stakes must be re-established after clearing and front end grading so as to be clearly visible to construction crews in preparation for the next phase



Phase 6: Trenching

The trenching phase of construction consists of mechanically excavating a trench of adequate width, and depth, excavated in compliance with applicable DOT regulations



Phase 7: Trenching- Rock Excavation

When dense rock is encountered during trenching, special techniques are utilized to shatter or break the rock for excavation. Methods include mechanical chipping, such as hydraulic hammer excavator attachments, or non-mechanical methods such as controlled blasting.



NOTE: Site specific blasting plans are prepared and blasting activities monitored for seismic activity

Phase 8: Padding the Trench Bottom

In preparation for pipe installation, the bottom of the trench is padded with clean soil, and sand bag supports are installed to serve as a supportive cushion.



Phase 9: Stringing of Pipe

The pipe is now delivered to the right of way and each piece is placed in a continuous line in preparation of field bending and welding



Phase 10: Field Bending Pipe

Field bending is conducted using hydraulic bending machines which bend the pipe to the degree specified by the bending engineer. This phase allows the pipe to follow grade changes along the pipeline path.



Phase 11: Line Up- Initial Weld

A specialized welding crew, known as a “pipe gang,” will line up each individual joint on temporary supports and proceed to weld each joint of pipe creating one continuous length. All welds will be made in accordance with applicable industry standards.



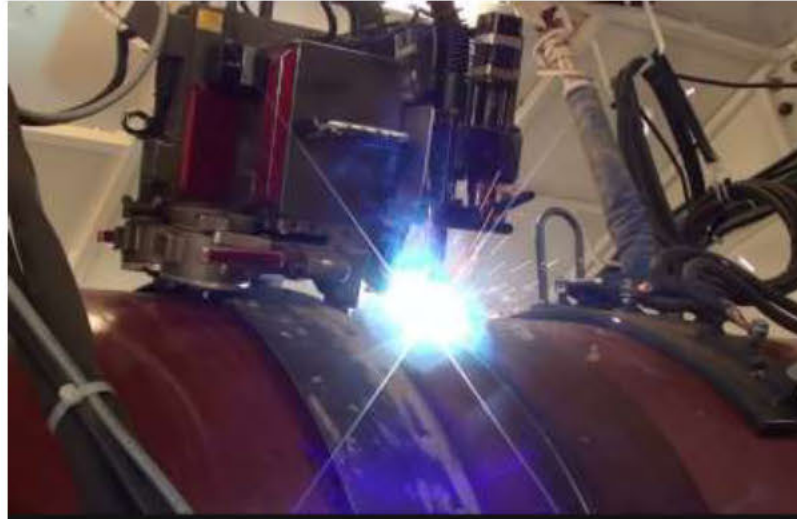
Phase 12: Fill and Cap, Final Weld

Following immediately behind the pipe gang, a separate welding crew makes a final weld



Phase 12: Automated Welding

Automatic welding, coating and ultrasonic weld inspection rigs will be utilized as conditions allow



Phase 13: As-built footage

During this phase, survey crew's document individual pipe joint length, deflection angle, and all identification numbers as part of the pipeline permanent records.



Phase 14: X-Ray Inspection, Weld Repair if Needed

Specialized technicians use x-ray technology to assure a quality weld, or pin point areas which require repair.



Phase 15: Coating Field Welds

Upon a satisfactory x-ray inspection, a coating crew follows behind and applies a two-part epoxy coating to each weld for corrosion protection



Phase 16: Coating Inspection

For quality assurance purposes, the coating is thoroughly inspected (or jeeped) utilizing holiday detectors to detect abnormalities, or holidays in the pipeline coating. If any abnormalities are detected, the Jeeping crew has qualified personnel readily available to make necessary repairs



Phase 17: Lowering Pipe Into Trench

Upon a satisfactory coating inspection, the pipeline is ready to be lowered into the trench. During this phase, construction crews utilize heavy equipment to lower the pipe into the trench. Side booms will be used for most pipe sections, however, excavators may be used for short sections of pipe when practical.



Phase 18: As-Built Survey

Once the pipeline is successfully lowered into the trench, a survey crew will record the pipeline location and elevation using GPS instruments for the permanent pipeline record.



Phase 19: Pad, Back Fill, Rough Grade

Once as-built information is collected, the pipe is then padded and back filled using the original material excavated from the trench. Special excavator attachments, known as sifting buckets, are used to ensure only rock free material covers the pipeline. Once the pipe is padded and backfilled, the remaining material is then graded in preparation for final restoration.



Phase 20: Hydrostatic Testing, Final Tie-In

The pipe will now be hydrostatically tested. This phase requires the pipe to be filled with water, maintained at a designed test pressure, and then held to a duration applicable to federal regulations. If the test is deemed satisfactory, tie in welds will be made to form a mechanically complete pipeline.



Phase 20: Hydrostatic Testing, Final Tie-In

Pipeline will be dewatered following completion of the hydrostatic test



Phase 21: Replace Top Soil, Final Clean-up

Top soil is reestablished and contours are restored to their pre-existing conditions. Final clean-up includes installation of permanent slope breakers and seeding per approved site specific erosion and sediment control plans.



Phase 22: Operation and Maintenance

Following restoration of ROW areas, project areas revegetate and are returned to the previous land use.



Specialized Construction Techniques

Locations for Specialized Construction

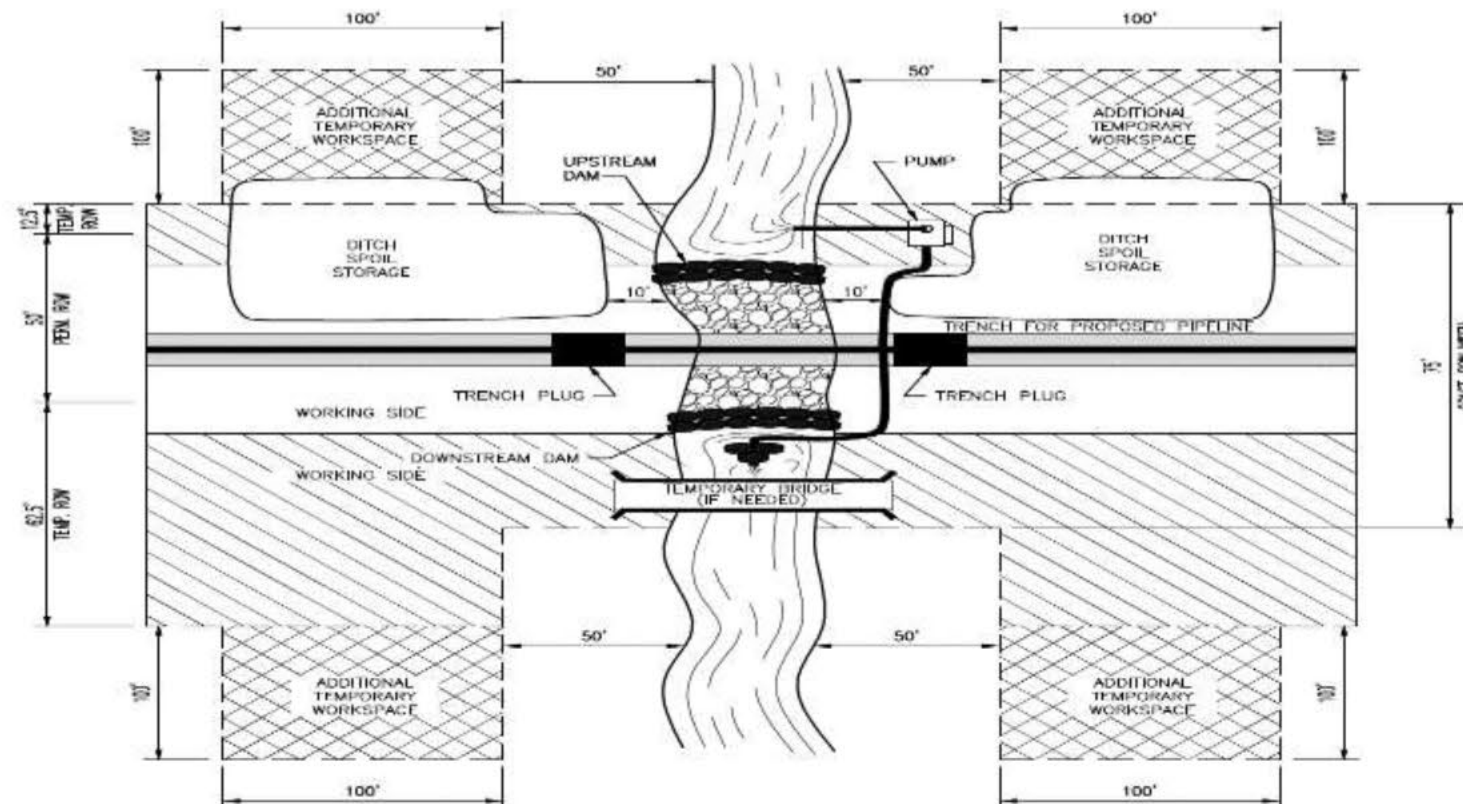
- Water Body Crossings: Specialized crossing methods for waterbodies include conventional bore, flume pipe, dam and pump around, and horizontal directional drill methods
- Roadways: Roadways will be crossed either by the open cut or conventional bore method
- Railroad Crossings: All railroads will be crossed via conventional bore method
- Foreign Pipeline Crossings: Foreign pipeline crossings will be crossed via open cut per applicable site specific plans approved by the operator of the asset
- Steep Slope Construction: Slopes in excess of 30 degrees will require winch construction techniques



Specialized Construction Techniques

Stream and River Crossing Methods-

Dam and Pump – The pump-around method is a “dry ditch” construction technique utilizing pumps and hoses to convey waterbody flow around the excavation area. Once the pipe is successfully installed, the dam is removed and natural water flow is restored.



Specialized Construction Techniques

Wetland Crossings-

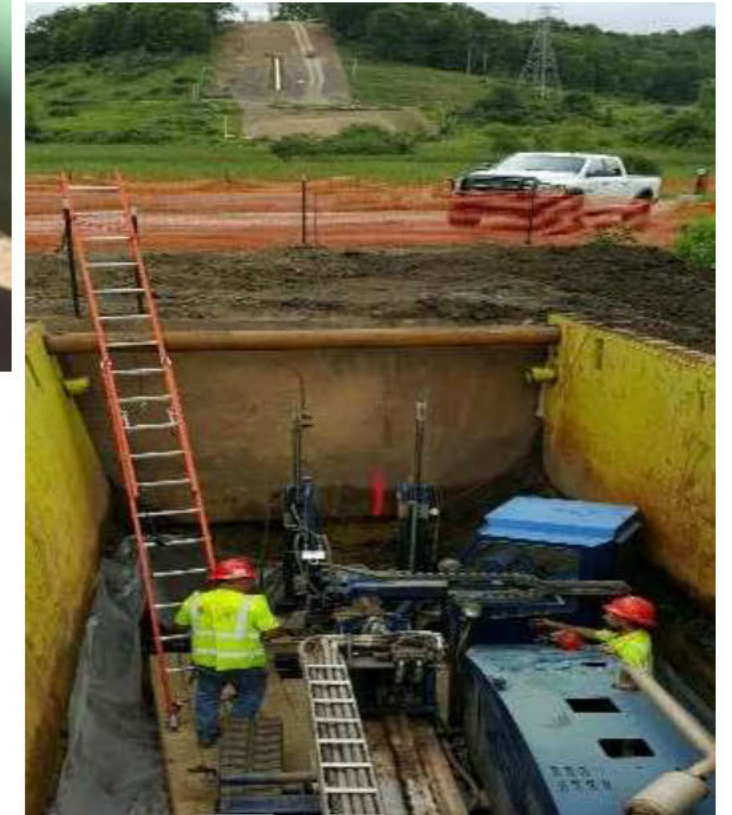
To minimize impacts to waterbody and wetland crossings, they will be treated as separate construction entities, except during clearing activities, and efforts will be made to cross these areas during low flow. Once grubbing and grading starts at a waterbody or wetland crossing it will be actively conducted for consecutive days until the crossing is completed and the work area restored. Timber matting will be installed to reduce direct impact of equipment during installation.



Specialized Construction Techniques

Conventional Bore Crossings-

The conventional bore method will be utilized when crossing the Appalachian National Scenic Trail



Specialized Construction Techniques

Winch Hill Construction -

Construction activities on steep slope terrain will require equipment to be tethered via winch lines to other equipment ensure the safety of the construction personnel and surrounding areas.



Specialized Construction Techniques

Foreign Line Crossings (aerial and below grade) –

Special construction techniques are established to prevent damage to the existing utilities. Each operator/utility typically has specific requirements for weight distribution, cathodic protection, and excavation (i.e. separation between utility lines at crossing location and immediately adjacent areas).



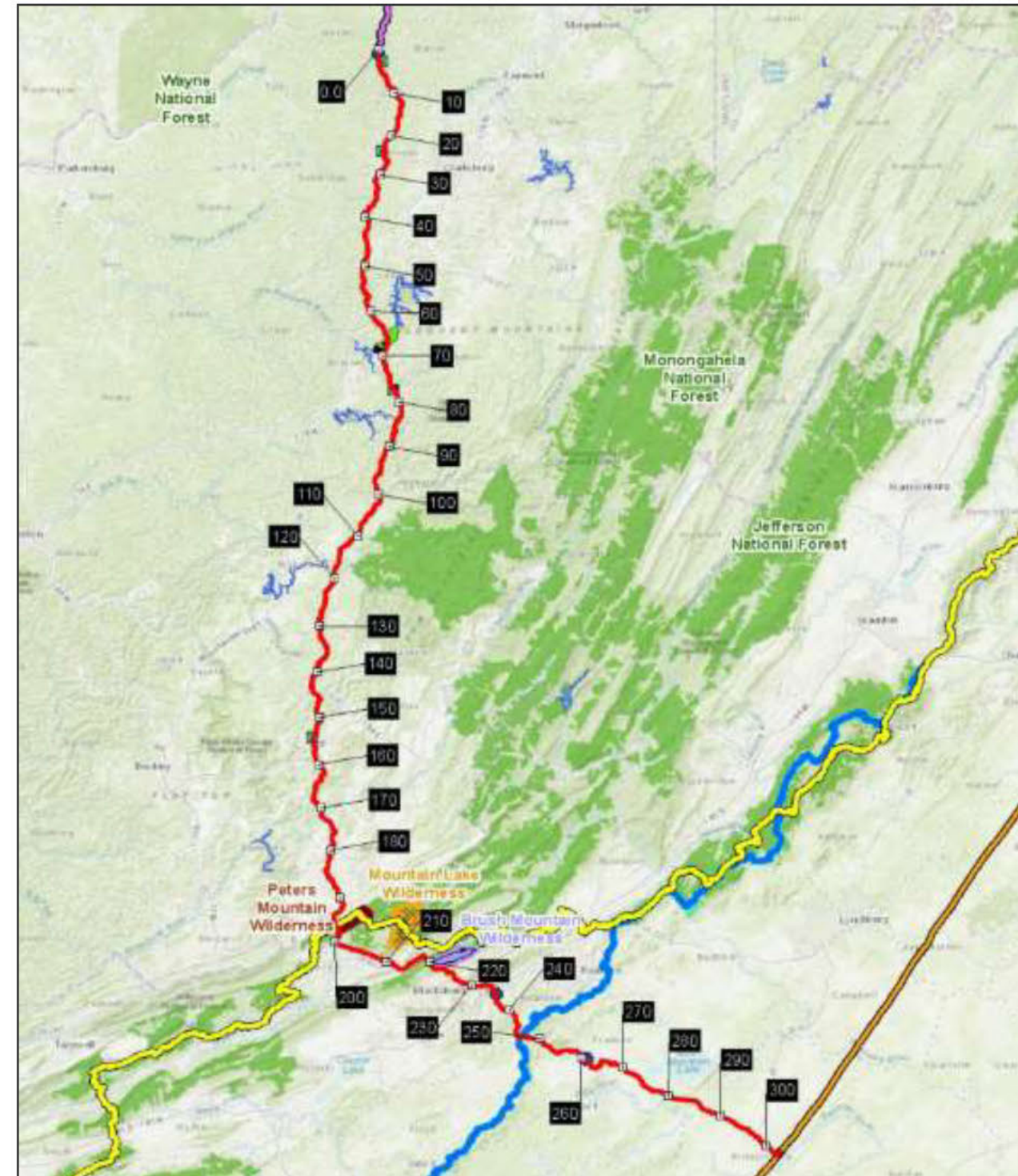


Jefferson National Forest Construction Overview

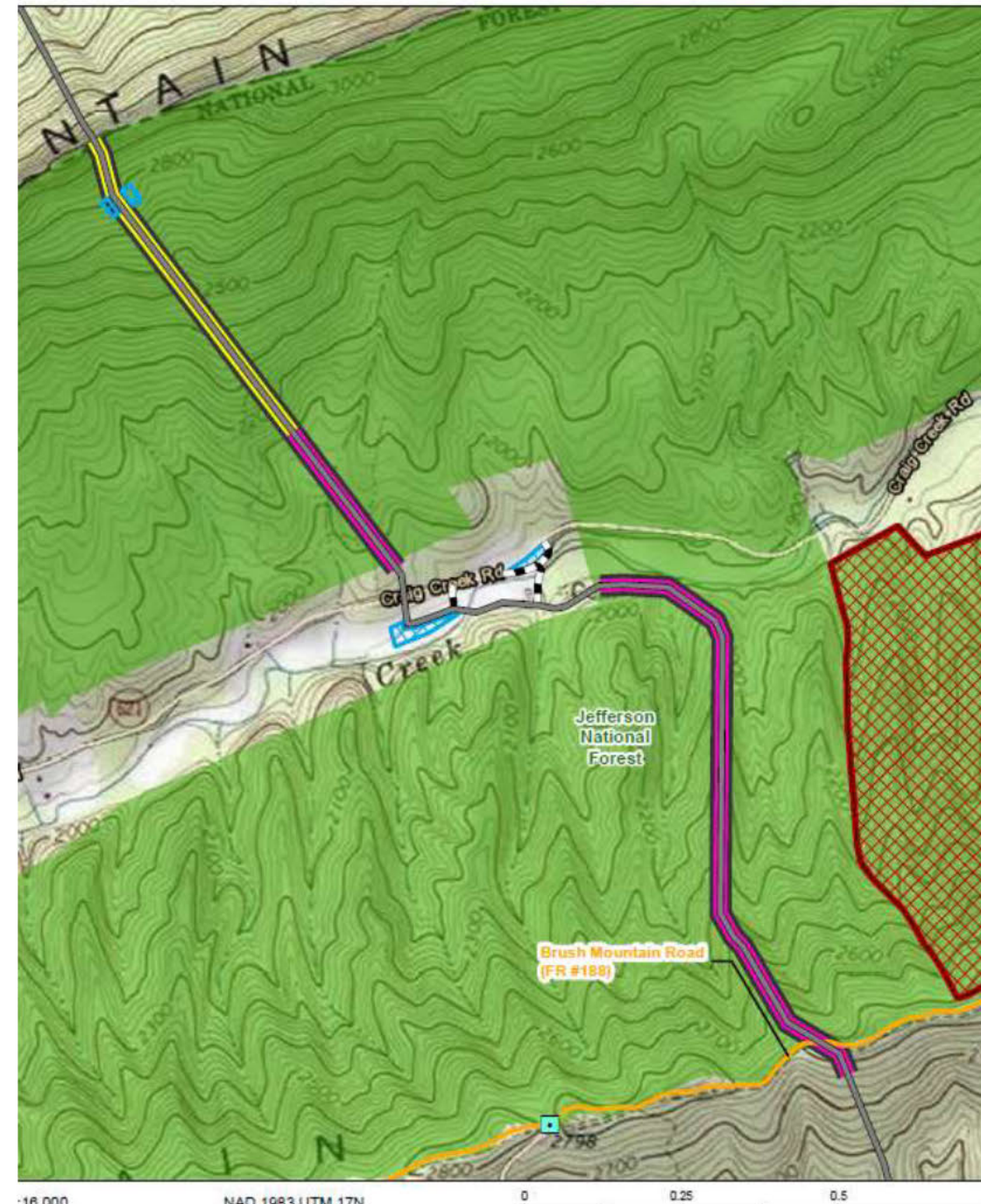
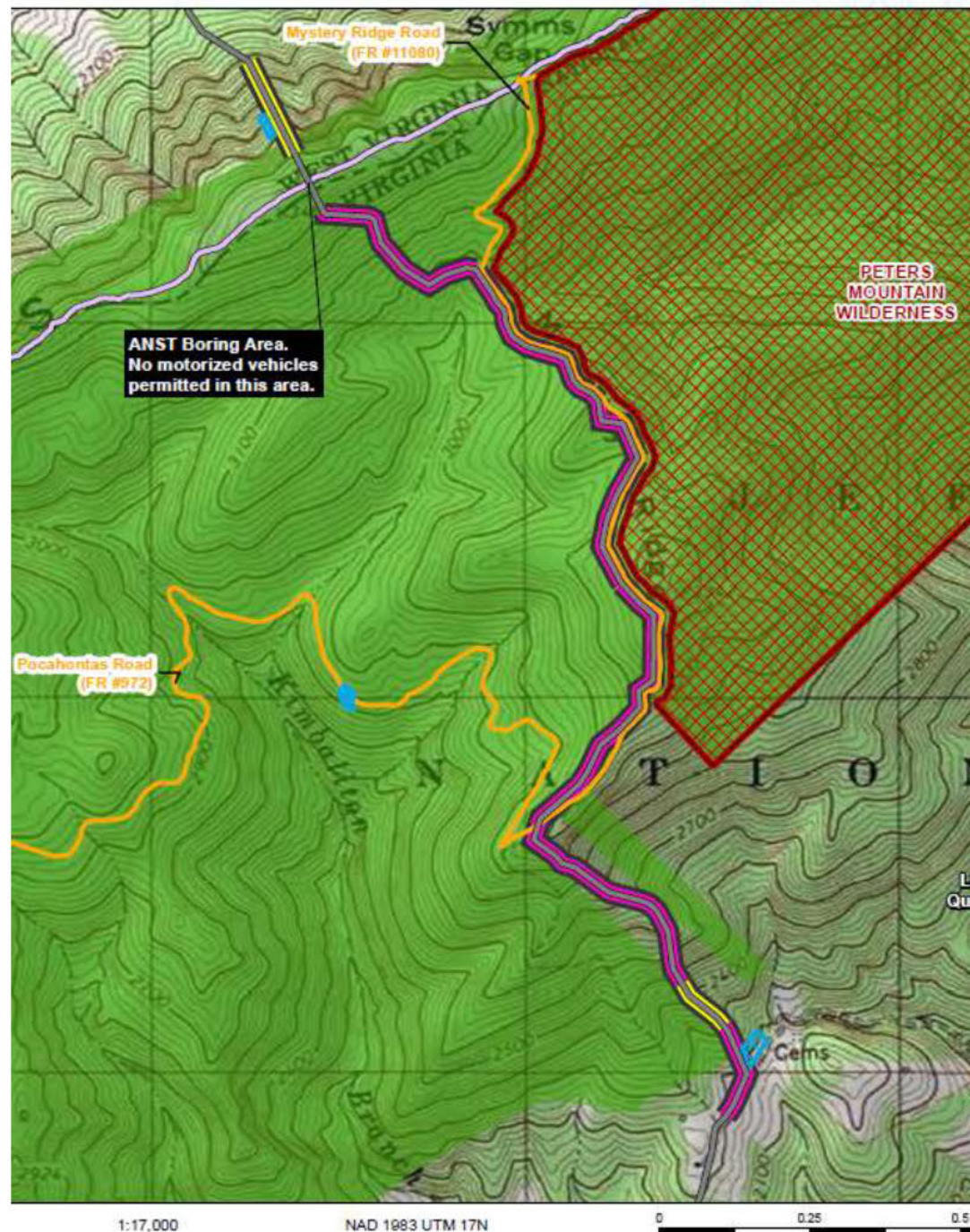
February 6, 2018

Mountain Valley Pipeline Overview

- Construction Spread G
 - Located in Monroe County, WV and Giles, Craig, and Montgomery Counties, VA
 - Starting Mile-post: 195.1
Monroe County, West Virginia
 - Ending Mile-post: 227.3
Montgomery County, VA.
 - Total length 32.2 Miles
 - Jefferson National Forest



Jefferson National Forest Spread Overview



Mountain Valley Pipeline Project



FIGURE 1.11-2
Construction Techniques
within Jefferson National Forest

Legend

- Seasonal Gate
- Proposed Pipeline Route
- U.S. Forest Service Road
- Proposed Access Road
- Proposed ATWS
- Construction Method**
 - Down Slope with Winch
 - Typical Overland Construction
- USDA Forest Service (National Forest) Lands Wilderness Area
- USDA Forest Service (National Forest) Lands



Data Sources: Appalachian Trail Conservancy 3/21/17, VADCR, USDA, ESRI Streaming Data.

Jefferson National Forest Target Schedule

- Spread G Mobilization: 2/12/18
- Road Development: 2/19/18 to 3/5/18
- Hand Felling Trees: 2/19/18 to 3/5/18
- ANST Trail Bore: 3/1/18 to 4/26/18
- Mainline Construction: 5/16/18 to 7/1/18, 8/22/18 to 10/3/18
- Restoration: 6/25/18 to 7/9/18, 10/1/18 to 10/15/18
- Plantings: Spring 2019

Tree Clearing

- Undulated Trees along LOD
- Hand Felling and Mechanical Harvesting
 - Brush and Slash to remain until pipeline construction begins
- Removal of Merchantable Lumber
- Windrowing Brush and Slash
- Steep Slope Removal
 - Skylining and Shovel Logging



Pipeline Construction

- Mainline Construction of Spread G
 - Starting at ANST and Moving South
- Specialty Construction Crews
 - E&S Crews
 - Steep Slope Construction
 - Conventional Bore
 - Stream Crossings
 - Tie-Ins



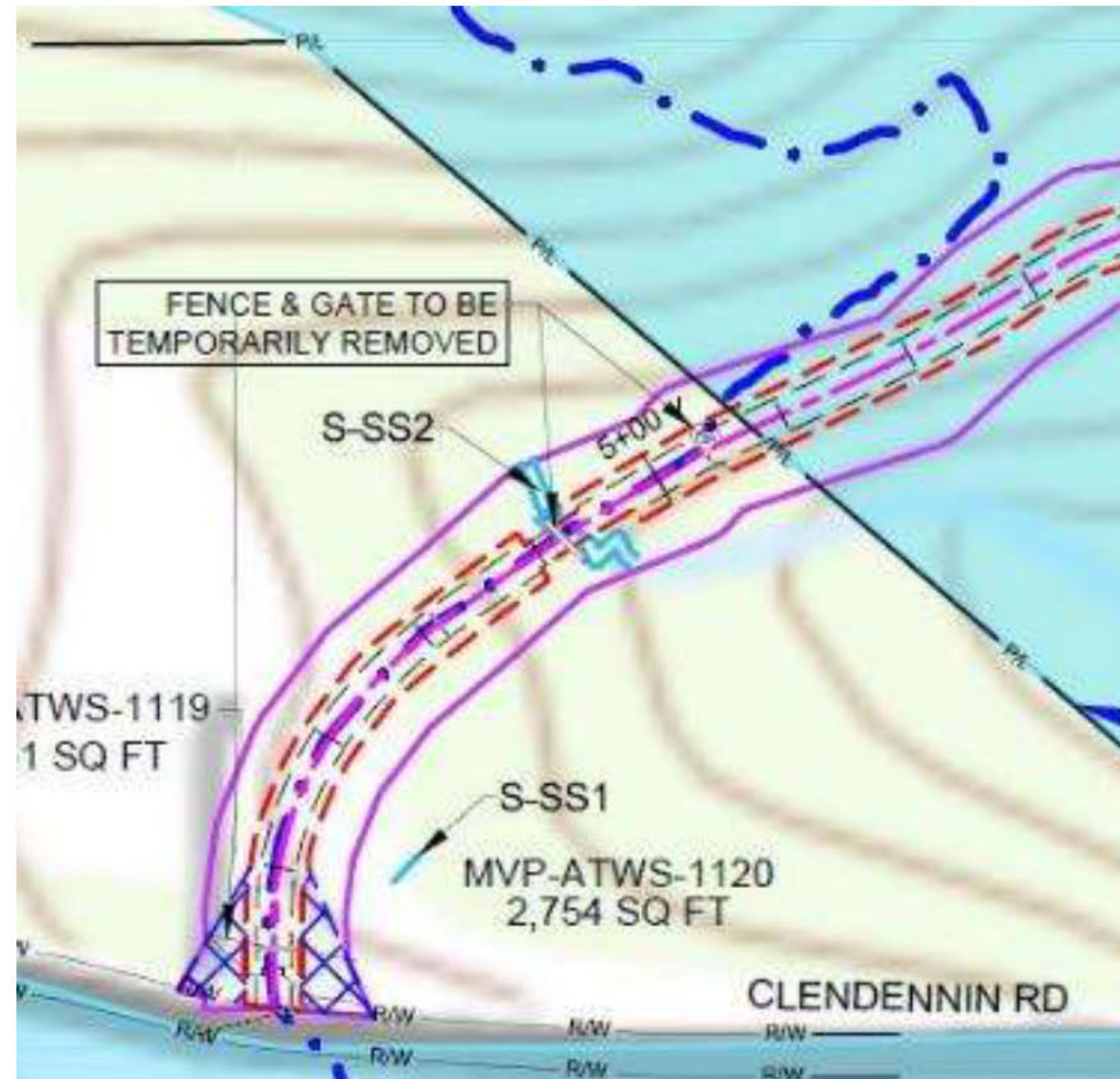
Steep Slope Construction

- MP 196.1 – 196.3
- MP 218.3 – 218.9



ANST Access at Pocahontas Road

- Flaggers on-site to direct construction and hiker traffic



Craig Creek Crossing

MP 219.3

(DRAWING NO: PA-MOVA-H600-02-SHEET 241 OF 329; MONTGOMERY COUNTY, VA)

- Time of year restrictions (March 1- July 31)
- See Water Crossing Plans
- Fish relocation area
- See Craig Creek-specific minimization measures regarding restoration



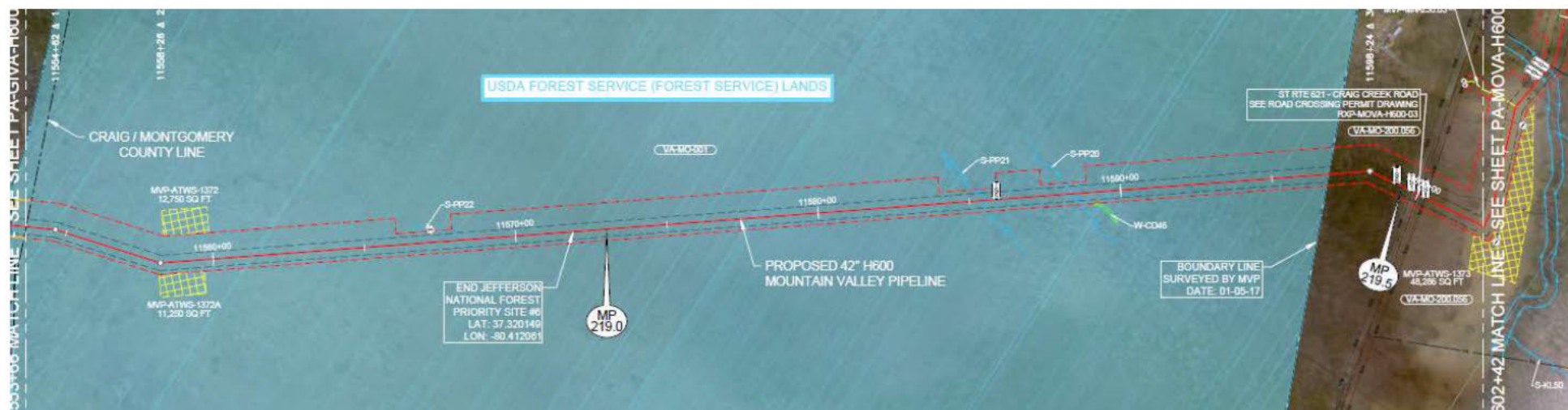
UNT to Craig Creek Crossings

MP 218.5 to MP 219.4 and MP 219.8 to MP 220.8

(DRAWING NO: PA-MOVA-H600-01-SHEET 240 OF 329; Montgomery County, Virginia)

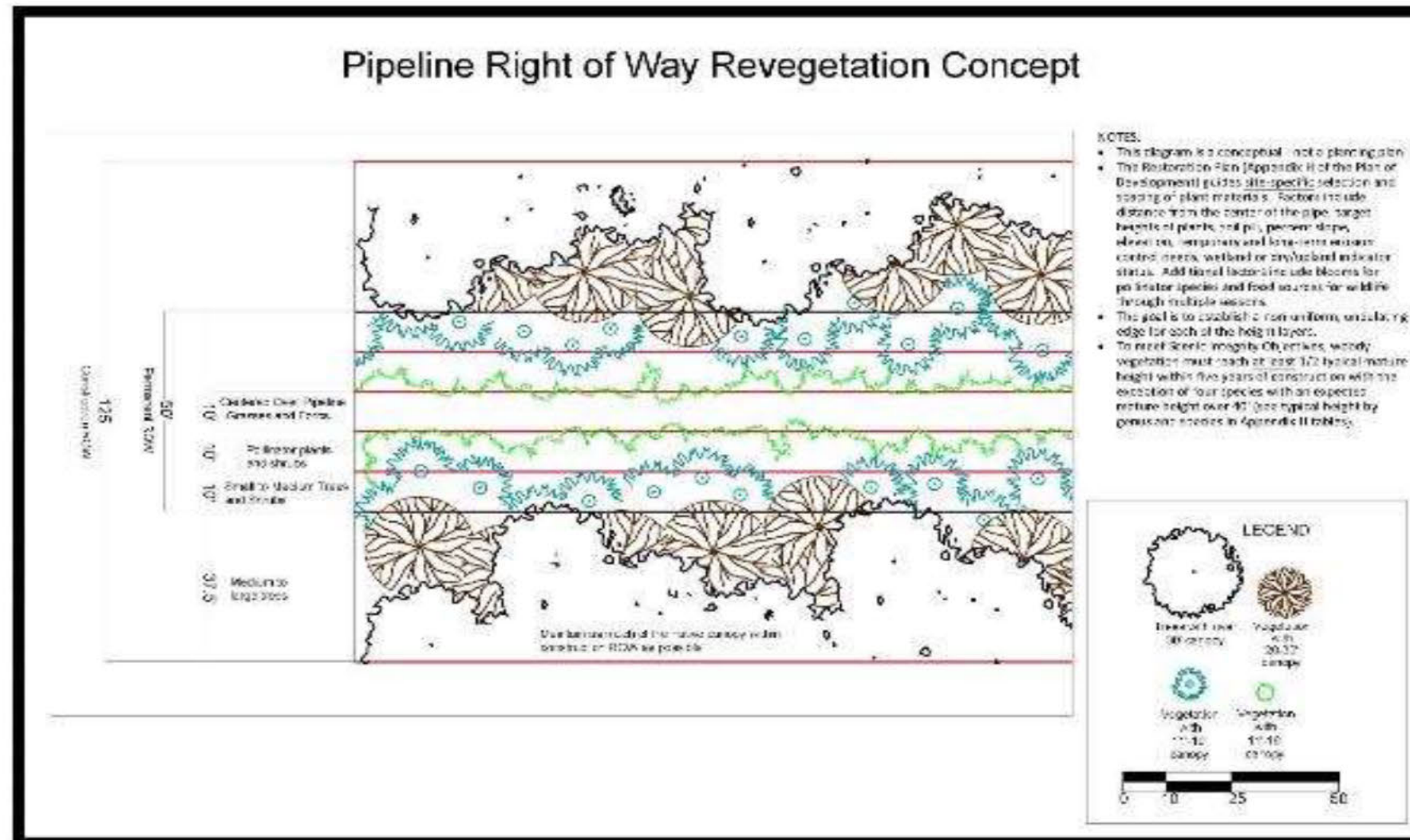
- Open-cut Dry Crossing method
- Seasonal Timing Restriction from March 1 to July 31
- Listed fish and mussels

**WATERBODY/
WETLAND
CROSSING
100' BUFFER**



Scenic Management Specific to JNF

- As part of the scenic management plan, MVP will feather the ROW during restoration.

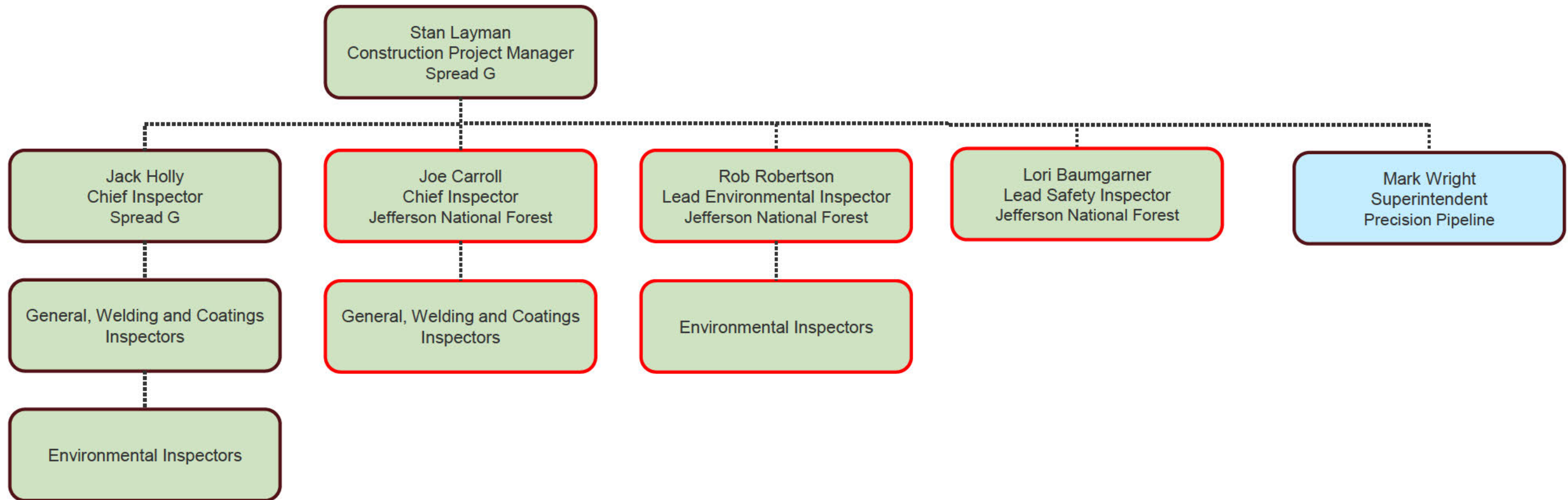




Inspection, Oversight and Compliance

January XX, 2018

Spread G Construction Organization



Craft Inspection

- Environmental – 5
- Safety - 2
- General – 13
- Welding – 15
- Corrosion – 8
- Chief Inspectors – 3
- Resident Engineer
- Geotechnical Engineer
- Karst Specialist



3rd Party / Agency Inspection

- USFS - Transcon
- FERC 3rd Party (Full-Time) – Cardno
- VA DEQ Inspectors
- PHMSA / SCC Inspection
- Army Corps of Engineers
- VDGIF
- Virginia DCR
- U.S. Fish & Wildlife

Environmental & Cultural Compliance

- Tribal Monitors
- Archeological Monitors
- Environmental Solutions and Innovations, Inc.

Contractor Compliance Management – Precision Pipeline

- Daily meetings to discuss and exchange environmental risks, priorities and mitigating actions
- Incident Investigation process for non-compliance incidents, modeled after safety root cause analysis
- Implement training and awareness initiatives
- Assign environmental compliance responsibilities at the crew level
- Promote culture of Environmental Performance is Everyone's responsibility. Leadership takes an active role in prioritizing and championing environmental compliance and performance.



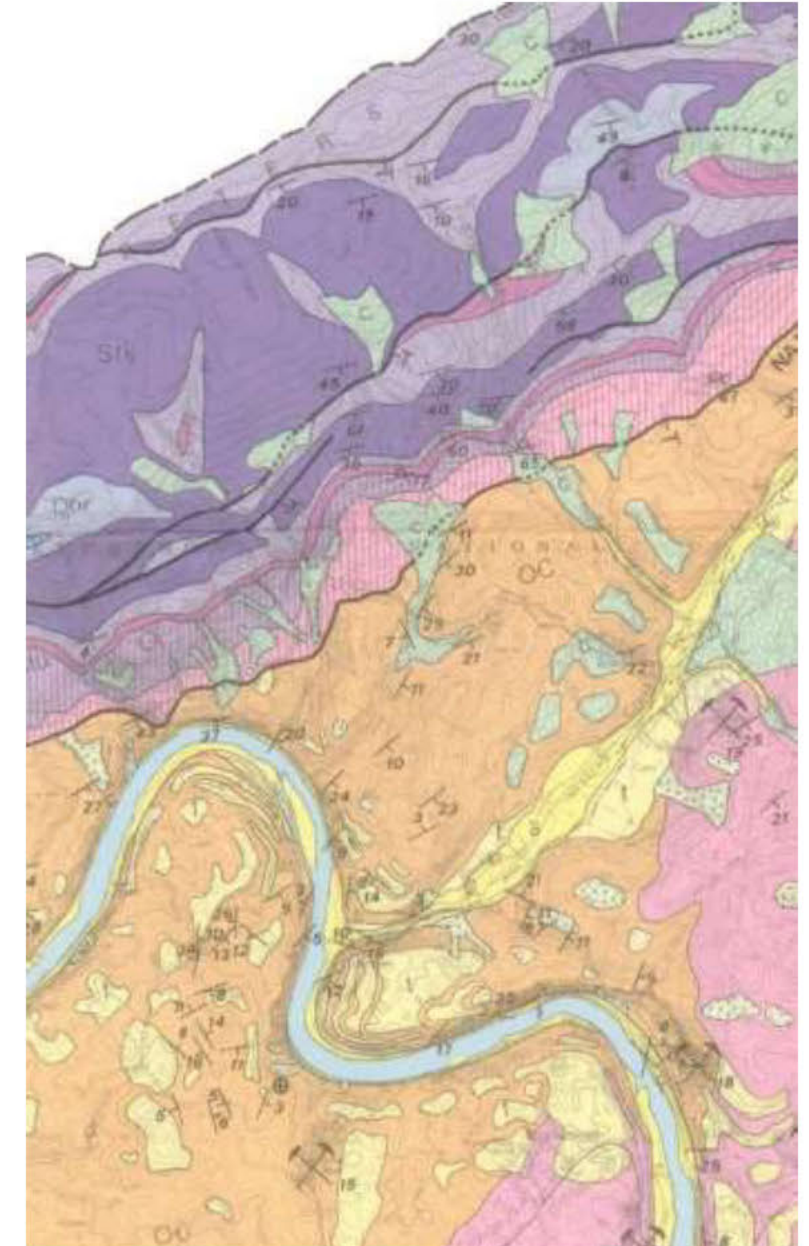
Karst Mitigation

Karst forming bedrock is present intermittently in Spread G between MP 195.1 to MP 227.3

- Karst Hazards Assessment (February 2017) identified no Karst features on the USFS Jefferson National Forest (JNF) property
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- Karst Mitigation Plan (October 2017) addresses the procedures to assess and remedy if a new Karst feature is discovered during construction
- No stormwater or discharge of construction-related fluids to a Karst feature or drainage leading to it
- Erosion Sediment Control Plan and Spill Prevention Control and Countermeasures Plan - emphasis on enhanced BMPs to prevent fluid and sediment migration Karst features.

Landslide Mitigation

- Landslide Risk Assessment
- MVP Landslide Mitigation Plan
- Preconstruction Field Review
- Site-Specific Design of Mitigation Measures
- Resident Geotechnical Engineers



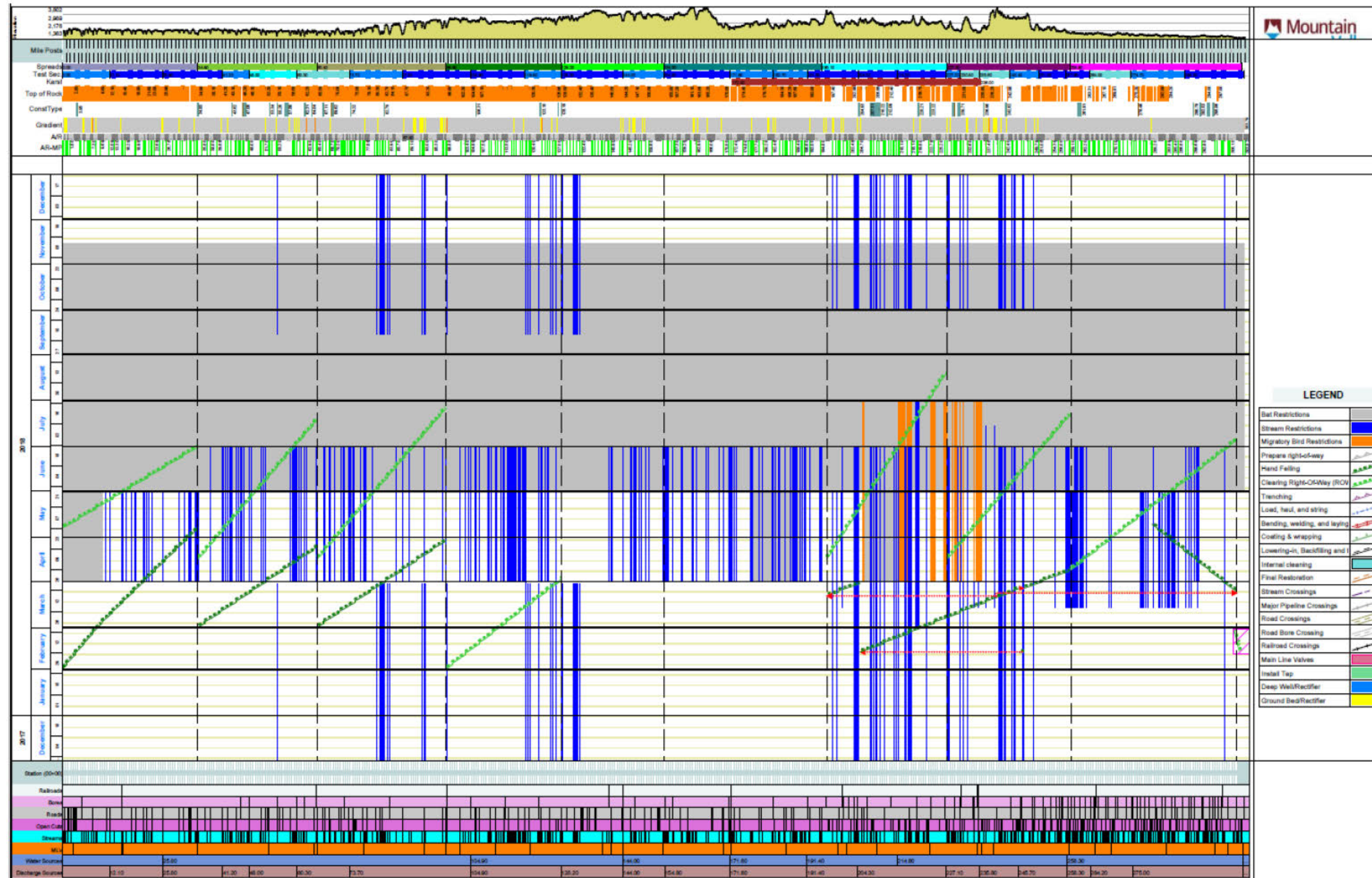
Plans, Permits and Document Control

- Cloud-Based Document Storage
- Mobile Device Enabled Applications
- Cloud-based consolidation of reports and information



Linear Scheduling

- Management of Time of Year Restrictions



Commitments

- *Thousands of Environmental, Communication, and Construction commitments along the entire pipeline project are documented in the Commitment Tracker*
- *These can be filtered by spread and are sortable by mile post*
- *There are over 750 non-standard pipeline construction commitments within the Jefferson National Forest*

The image displays two overlapping screenshots of a complex spreadsheet titled 'Commitment Tracker'. The spreadsheet contains numerous columns and rows of data, likely representing project commitments. A prominent orange vertical bar highlights a specific column, possibly indicating a key metric like 'Spread' or 'Mile Post'. The data appears to be organized by project segments or milestones.



Commitments Tracking and Compliance

- *MVP will be utilizing hand held devices to track compliance of the commitments*
- *All plans and drawings are available on the hand held devices for quick reference in the field*
- *The hand held devices are connected to an internal documents library for version control*
- *Many of the commitments are exhibited on the Project erosion and sediment control drawings, stormwater plans, construction road designs, and alignment sheets*
- *Other documents such as the blasting plan, karst contingency plan, and landslide plan will be available on the hand held device for reference at any time*
- *MVP is committed to ensuring compliance with all conditions in the POD, ROW Grant, and all other permits, drawings, and plans*





Safety and Environmental Awareness Program

MVP Safety Policy

- *“MVP will provide a safe and healthful workplace for its employees and contractors and through continuous improvement, we will work to create and maintain a zero-injury culture.”*

MVP Environmental Policy

- *“MVP is committed to constructing and operating the Project in a manner that protects the environment while remaining economically competitive.*

We believe that we owe our customers and our team members more than just a good energy source at a competitive price. We owe them a commitment to our future through good stewardship of the environment.

We not only meet federal, state and local regulations that govern air emissions, wastewater discharges and mitigation practices, but often exceed them.”

The Company rightfully expects that all work shall be completed according to the contract documents or approved permits and variances with no exceptions.



All Inspectors are expected to read and understand the permits, drawings, specifications and Construction Alignment Sheets covering the activities for which they have oversight responsibility.

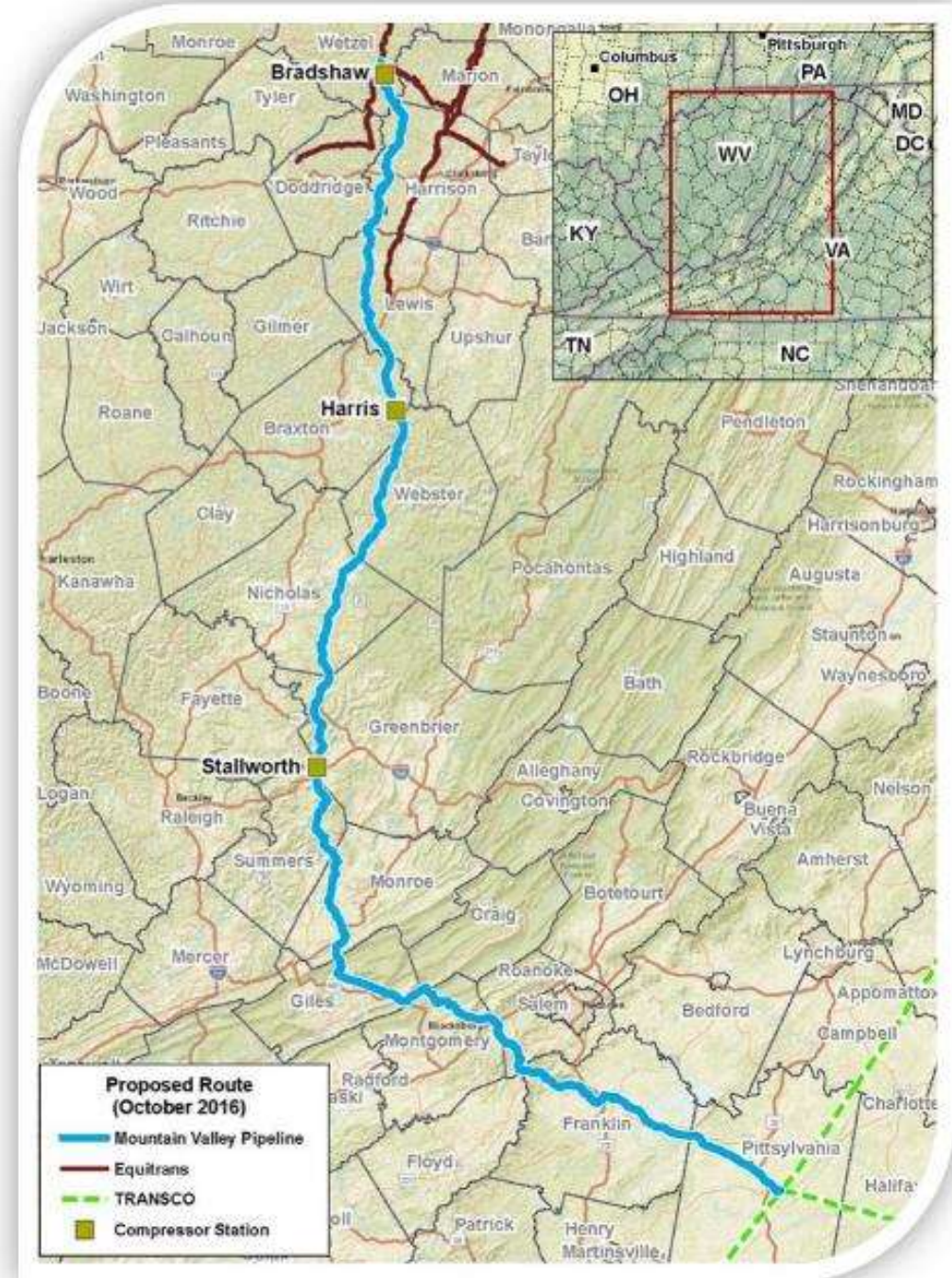
SEAP Training is Required for All Project Staff and Visitors



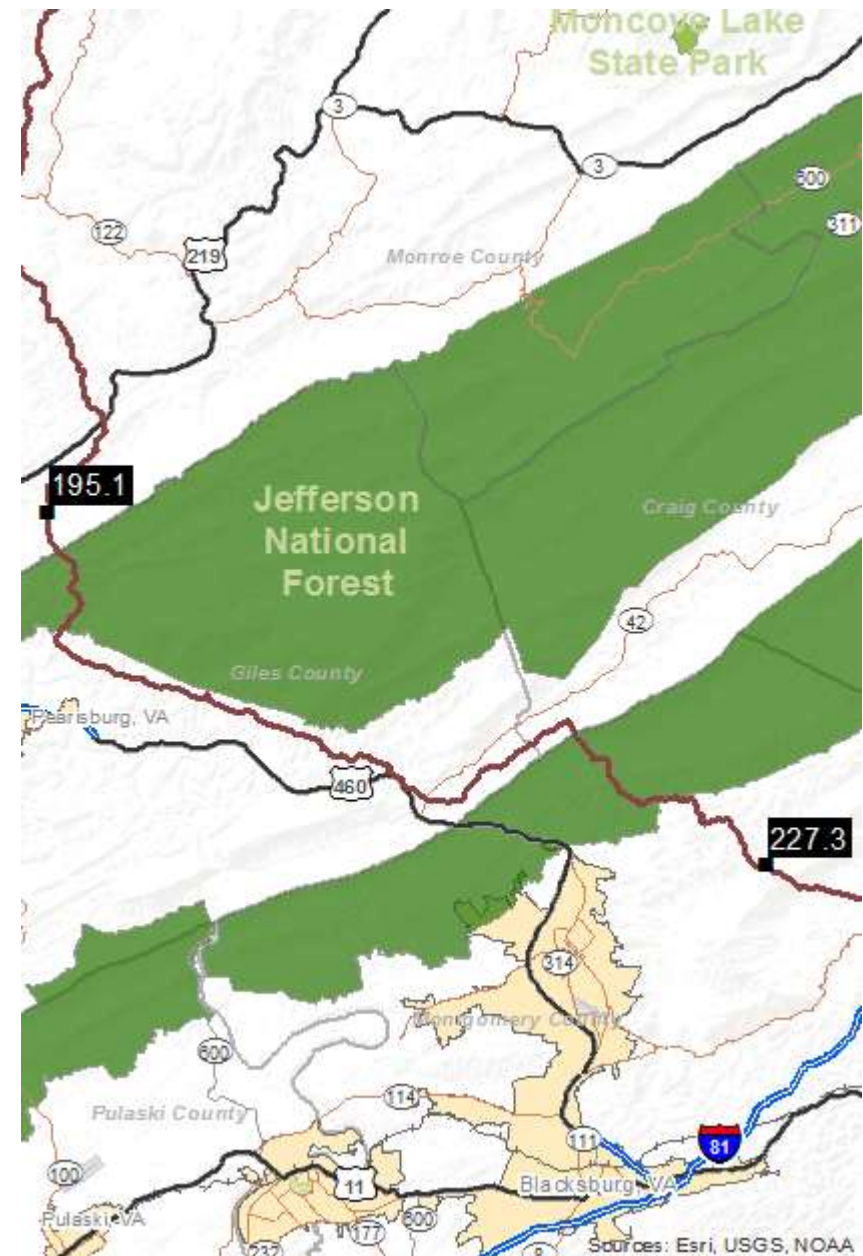
- ✓ **ALL** workers and visitors to Project sites will receive Safety and Environmental Awareness Program (SEAP) training before beginning work on the project
- ✓ *Make sure you sign in on an attendance sheet, receive a sticker, display sticker on hard hat at all times*
- ✓ **Stickers are required to be displayed on hardhats or else you will be required to exit the work area**

Mountain Valley Pipeline Project:

- Installation of 303 miles of 42-inch diameter natural gas pipe in West Virginia and Virginia
- West Virginia –
 - Approximately 196 miles of pipeline
 - Three Compressor Stations – Bradshaw, Stallworth, and Harris
 - Two Interconnect Locations – Mobley, WB
- Virginia –
 - Approximately 107 miles of pipeline
 - Transco Interconnect
 - Two Taps for Roanoke Gas



- **Spread G - MP 195.1 to MP 227.3**
 - Monroe County, West Virginia
 - Craig, Giles and Montgomery Counties, VA
 - The pipeline crosses a portion of the Jefferson National Forest



Mountain Valley Pipeline JNF Crossing

- **Jefferson National Forest – 1.6 Mile Crossing**
 - MP 196.2 -197.8
 - Appalachian National Scenic Trail Crossing
 - Conventional Bore
 - Pocahontas and Mystery Ridge Roads
 - Close proximity to Peters Mountain Wilderness Area
- **Jefferson National Forest – 1.9 Mile Crossing**
 - MP 218.5 - 219.4
 - MP 219.8 – 220.8
 - Craig Creek Crossing
 - Close proximity to Brush Mountain Wilderness Area
 - Inventoried Roadless Area

- MVP will have on one lead inspector on the USFS during construction and restoration:
 - MVP will reallocate or increase environmental oversight as necessary to support compliance and mitigation requirements
 - Each EI will be supported by biological and cultural resource monitors depending on the location and resource monitoring requirements
- Environmental Inspectors (EIs) will have peer status with all other activity inspectors
- All MVP workers have STOP WORK ability

- Everyone is responsible for environmental compliance
- All work to be conducted within the approved Limits of Disturbance (LOD)
 - LOD will be clearly marked at all Project locations, including the pipeline, access roads, and extra workspaces
 - No work, equipment or personal vehicles are permitted beyond the LOD boundary
 - See the Construction Alignment Sheets and Erosion & Sedimentation Control Plan Drawings for approved LOD and identified constraints

- Mountain Valley anticipates near constant inspections from external parties:
 - FERC 3rd Party Compliance Monitors - Cardno
 - USFS Employees and 3rd Party monitors - Transcon
 - State Agency field representatives
 - VA DEQ 3rd Party Monitors
 - Local county inspectors
 - MVP Resource Monitors
 - Mountain Valley pipeline employees
 - Other Non-Governmental interest groups

Documentation can be located in the spread trailer or with the lead EI; however, **ALL** MVP inspectors will maintain electronic tablets with all commitments included in the Plan of Development and various permits

- Issued for Construction Alignment Sheets
- MVP Permit Book
- MVP Implementation Plan
- FERC Plan and Procedures
- Issued for Construction Erosion and Sediment (E&S) Control Plan
- MVP Field Communication Plan
- Fugitive Dust Plan
- Plan for Unanticipated Historic Properties and Human Remains West Virginia and Virginia
- SPCC (Spill Plan)
- Residential Mitigation Plans
- Winter Construction Plan
- Landslide Mitigation Plan
- Karst Mitigation Plan

Where to Find Environmental Specifications

Construction Alignment Sheets – Environmental Band

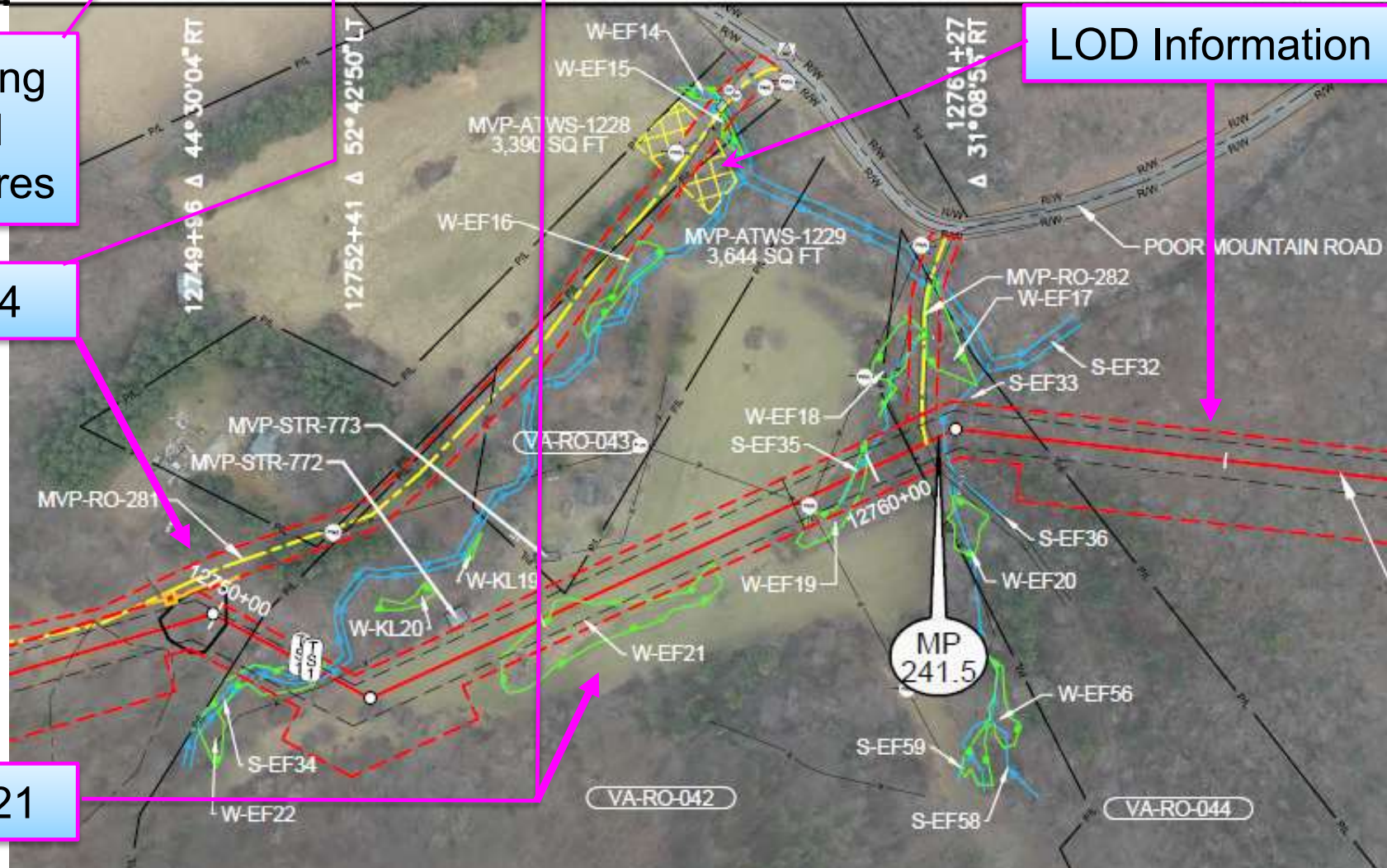
ENVIRONMENTAL	CONSTRUCTION EXCLUSION	T.O.Y.R.: NO CONSTRUCTION WITHIN STREAM S-EF34 OCT. 1ST TO JUNE 30TH & FISH RELOCATION REQUIRED CONSULT RESPONSIBLE E.I.			T.O.Y.R.: NO CONSTRUCTION WITHIN STREAMS S-EF35 & S-EF33 OCT. 1ST TO JUNE 30TH		
	WETLAND / STREAM	W-EF22	S-EF34	W-EF21	W-EF19	S-EF35	S-EF33
		99 LF	18 LF	323 LF	126 LF	4 LF	5 LF

Exclusions, timing windows, and special procedures

Stream S-EF34

Wetland W-EF21

LOD Information



Species of Concern

- Federally-listed species
- USFS and state species of concern
- Migratory birds

Federally Listed Species under ESA

Bat Species

- Indiana Bat (Endangered)
- Northern Long-eared Bat (Threatened)

Aquatic Species

- Roanoke Logperch (Endangered)
- Various species of Endangered mussels (James Spiny mussel, Clubshell, Snuffbox)

Plant Species

Federally-Listed	State of VA SOC	USFS Sensitive
Northern Bulrush	Sweet Shrub	Rock Skullcap
Running Buffalo Clover	Pinnate-lobed Coneflower	
Shale Barren Rock Cress	Three-parted Violet	
Small Whorled Pogonia	Purple-fringeless Orchid	
Smooth Coneflower		
Virginia spiraea		

Federally Listed Bat Species

Indiana Bat



Northern Long-eared Bat



Indiana Bat

- Federally endangered
- Range includes most of eastern U.S.
- Habitat preference and seasonal movements:
- Hibernate in caves and mines during winter (~ Nov. 15 – March 31)
- Emerge from hibernation / migrate to summer grounds (~April 1 – May 15)
- Roosts in trees during summer (~May 15 – August 15)
 - Prefer dead to dying trees with exfoliating bark, cracks, or crevices
 - Good solar exposure
 - Forages for insects from dusk until dawn
- Females give birth to a single young (~ June – early July)
- Migrate back to wintering grounds and engage in breeding before entering hibernation (~ August 16 – November 14)

Northern Long-eared Bat

- Federally threatened
- Larger range than the Indiana bat, prevalent across entire Project Area in WV
- Habitat preference and seasonal movements:
 - Similar to Indiana bat
 - Roosts in trees during summer and hibernate in caves/mines during winter

Federally Listed Bats

Potential Project Impacts

Tree clearing

- Direct mortality
- Loss of potential or existing habitat

Construction Noise/Vibration

- Can cause abandonment of roost tree, increase in energy expenditure
- Disturb hibernating individuals
 - Expenditure of energy bats cannot replenish during winter
 - May cause mortality if energy reserves deplete before winter ends

Artificial Lighting

- Near roost may lead to abandonment
- May attract insect prey away from bat's foraging grounds
- May cause a barrier in movement if bats actively avoid the lit area

Federally Listed Bats

Project Avoidance and Minimization

- Time-of-year-restrictions
 - Restrict all tree clearing between June 1 – July 31
 - Restrict tree clearing April 1 – November 15 within:
 - 5-miles of known Indiana bat hibernaculum
 - 0.25-mile of a known northern long-eared bat hibernaculum
- Avoid impacts to potentially suitable hibernacula (e.g., burning, blasting)
- Avoid felling of known roosts to the maximum extent practicable
- Clearly mark construction ROW to prevent accidental removal of more trees than necessary
- Control erosion and sediment by using appropriate BMPs
- Allow natural woodland regeneration of temporary and ATWS
- Use water trucks to dampen the area and control fugitive dust when roosting bats may be present

Federally Listed Aquatic Species

Roanoke Logperch



James Spiny mussel



Clubshell



Snuffbox



Roanoke Logperch

- Federally endangered
- Endemic to upper Roanoke, upper Dan, and Nottoway river drainages in VA and NC
- Benthic (bottom-dwelling) and feeds diurnally on invertebrates
- Adults prefer riffle and run habitats over course substrates
- Spawns April through July

James Spinymussel

- Federally endangered
- Endemic to the James River drainage
- Prefer free-flowing streams free of silt
- Spawning occurs in spring

Clubshell

- Federally endangered
- Widespread in the Ohio River basin and tributaries of western Lake Erie, known from WV but not VA
- Prefer clean, coarse gravel runs and most common in downstream ends of riffles and islands
- Eggs appear in May, and glochidia develop in June and July

Snuffbox

- Federally endangered
- Widespread throughout Ohio River drainage
- Prefer shoal habitat with stable sand and cobble substrates in small – medium sized streams with swift moving water
- Spawning occurs in summer and larvae are released the following spring

Federally Listed Aquatic Species

Potential Project Impacts

- Direct mortality
 - Crushing during waterbody crossings
 - Entrapment at water withdrawal sites for hydrostatic testing
 - Depletion surveys (i.e., fish removal efforts)
 - Blasting (if necessary)
- Increased sediment deposition into waterbodies
 - Degradation of aquatic habitat
 - Increased turbidity and decreased light attenuation
 - Elevation of streambed
 - Decreased storage capacity of downstream reservoirs
 - Clogging of gills or extending aperture closure, leading to starvation (mussels)
- Increased contaminants into waterbodies
 - Diesel and oil from vehicles and equipment

Federally Listed Aquatic Species

Project Avoidance and Minimization

- Adhere to time-of-year-restrictions for in-stream construction
 - Snuffbox – April 1 to June 30
 - Clubshell – April 1 to June 30
 - Roanoke Logperch – March 15 to June 30
 - James Spiny mussel – May 15 – July 31
- Remove all fish from work areas within waterbodies crossed within Virginia
- Removal and relocation out of work area of non-listed mussels from:
 - Sand Fork and Greenbrier River (West Virginia)
 - Sinking Creek, North Fork Roanoke River, Roanoke River, Little Creek, Blackwater River, and Pigg River (Virginia)

Federally Listed Aquatic Species

Project Avoidance and Minimization

Craig Creek-specific measures:

- Minimize time elapsed between vegetation clearing and grubbing/grading/ trenching
- Construction will immediately follow tree clearing
- Disturbed ROW areas will be temporarily mulched/seeded if the areas are to remain undisturbed for more than 4 days
- Backfilled areas of the trench will be mulched within 4 days
- Temporary sediment control measures will remain in place for 1 year after seeding
- 8-week timeframe between ROW stabilization (e.g., backfill, mulching) and restoration
- Reduce the ROW width at the Craig Creek crossing to less than 75 ft.
- Riparian timber and vegetation will remain within 50 ft. from each streambank and clearing activities will occur immediately prior to instream construction

Federally Listed Aquatic Species

Project Avoidance and Minimization

- Limit Riparian disturbance and maintain vegetative buffers
- Properly install and maintain BMPs and other specified erosion and sediment control measures
- Stabilize waterbody banks and installing sediment barriers within 24 hours of completing in-stream construction activities
- Conduct construction at stream crossings during low flow conditions
- Prohibiting construction equipment, vehicles, hazardous materials, chemicals, fuels, lubricating oils, and petroleum products from being parked, stored, or serviced within a 100-ft radius of any wetland or waterbody
- Install temporary equipment bridges within the ROW to reduce turbidity and sedimentation caused by construction and vehicular traffic

Federally Listed Aquatic Species

Project Avoidance and Minimization

- No water withdrawal from streams in WV potentially supporting federally listed aquatic species (only withdraw water from approved surface water sources)
- No surface water sources will be used for dust suppression and hydrostatic testing in Virginia
- Floating, screened intakes will be used at water withdrawals to avoid entrapment of aquatic species
- Discharge hydrostatic test water and trench dewatering into the appropriate dewatering structure in an upland, well-vegetated area
- No discharges directly to surface waters

Plant Species of Concern

Rock Skull Cap



Plant Species of Concern

Potential Project Impacts

- Direct Impacts to Individuals (if present)
 - Crushing
 - Destruction of roots/rhizomes due to soil compaction
- Direct Impacts to Habitat (if present)
 - Removal of suitable habitat
 - Alteration/degradation of habitat (i.e., changes to light penetration, soil structure)
 - Removal of seed bank
- Indirect Impacts
 - Introduction of exotic/invasive plant species

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Noxious weeds/Invasive Species Measures Specific to JNF

- MVP has committed to not using pesticides during routine ROW maintenance along portions of the Project located outside of the JNF; however, the USFS requested that pesticides be incorporated into the management plan for maintenance of the ROW and treatment of invasive species on the JNF.
- Equipment-cleaning stations will be established along the pipeline corridor to ensure equipment is clean before being transported to a new construction spread.
- No equipment will be allowed to enter the JNF until it has been inspected and approved by the USFS Project Manager or an Authorized Officer.
- If noxious weeds or invasive species are discovered prior to, during, or post-construction, MVP will provide a treatment plan to the USFS that will include a map and any mechanical or herbicides intended for use at that location and treat the location accordingly (see Herbicide Use Plan).

Invasive Plants

Project Avoidance and Minimization - General

- Prevent Introduction/Spread of Invasive species
 - Thoroughly clean equipment before bringing it on-site
 - Use equipment cleaning stations before moving between spreads or exiting infestation areas
 - Report any suspected exotic/invasive species to EI
 - Use approved native seed mixes
 - Screen mulch material for exotic/invasive species before bringing to Project Area

Birds of Concern

Eagles



Migratory Birds



Loggerhead Shrike

- Listed as threatened in Virginia
- The Project intersects potentially suitable habitat in Giles, Craig, and Montgomery counties, Virginia
- Shrikes prefer open habitats dominated by grassy vegetation and having varying amounts of shrubs/trees for nesting
- Nests in shrubs and/or small trees (~April 1 – July 31)



Loggerhead Shrike

Project Avoidance & Minimization

- To avoid impacts to active nests, pre-construction nest surveys must be completed for loggerhead shrike within suitable habitat where clearing is scheduled to take place between April 1 and July 31:
 - No vegetation clearing within suitable habitat until surveys are completed
 - If no nests are identified within an area, tree-clearing crews have 7 days to clear/mow
 - If clearing/mowing is not completed within 7 days, a follow-up nest survey is required
 - Nests will be identified and clearly marked by avian survey crew and communicated to Environmental Inspector

Bald and Golden Eagles

Status and Protection

- Both bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c, 54 Stat. 250)
- The regulations protect against “take” of either species.
- Bald eagles typically nest within sight of large bodies of water. Nests are large, placed in large trees and reused over many seasons.
- Currently, no bald eagle or golden eagle nests or communal concentration areas have been identified along the MVP route.



Bald and Golden Eagles

Project Avoidance & Minimization

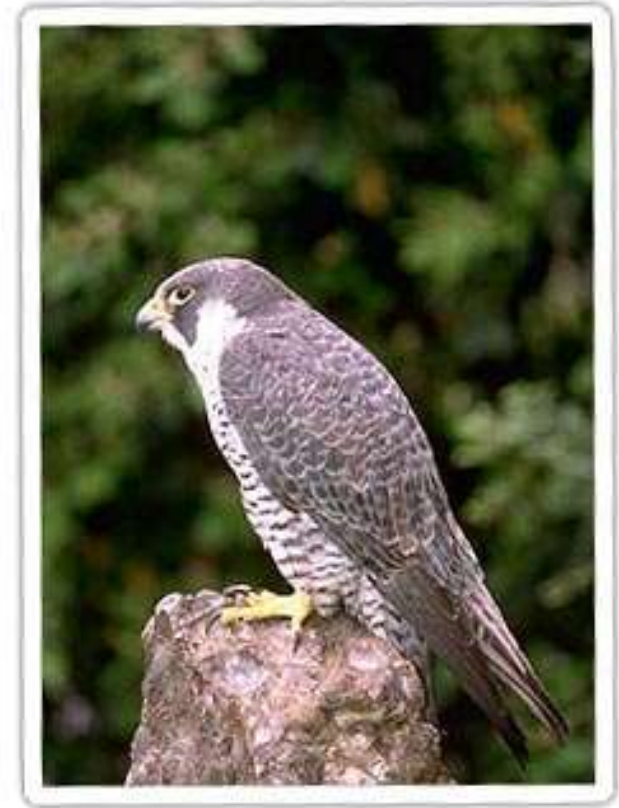
- In the event an active nest or communal concentration area is discovered:
 - Avoid tree clearing and construction December 15 - July 15 within 660 feet of active bald eagle nests
 - Avoid blasting within 0.5-mile and 1 mile of active nests and communal concentration areas, respectively
- Observations of potential eagle nests should be reported to EI who will arrange for a qualified avian biologist to survey and confirm

Peregrine Falcon

- Listed as threatened in Virginia
- Tier I Species of Greatest Conservation Need
- Nests on cliffs, buildings, bridges
- Peregrine falcons have been documented in WV near the New River

Project Avoidance & Minimization

- Notification required if blasting activities are planned to occur within 2 miles of New River
- Observations of potential nests should be reported to EI; qualified avian biologist will visit to confirm



Early-nesting Birds

- Bald eagles and great horned owls can begin nesting as early as late December
- Species nest in trees in forest habitat
- Nests comprised of twigs and sticks
- Nests are relatively large (>2 ft.) and conspicuous, especially when leaves are absent from broadleaf trees



Project Avoidance & Minimization

- Pre-construction nest surveys for early nesting birds (e.g., owls; eagles) in forests that require clearing in Virginia between January 1 and March 31
- Identified nests are clearly marked and receive 50-foot protective buffer
- No clearing occurs within buffer until an avian biologist confirms all birds have left the nest

All Bird Species of Concern

Project Avoidance & Minimization

- Pre-construction nest surveys for Migratory Birds of Concern in areas that require clearing/mowing between April 1 and August 31
 - Avian crew completes surveys ahead of tree-clearing crews
 - Nests identified and clearly marked by avian survey crew and communicated to Environmental Inspector
 - No clearing occurs within protective buffers until avian biologist confirms all birds have fledged
 - If no nests are identified within an area, tree-clearing crews have 7 days to clear/mow.
 - If clearing/mowing is not completed, a follow-up nest survey is required

All Bird Species of Concern

Project Avoidance & Minimization

- Additional measures include:
 - Construction ROW will be clearly marked to prevent the accidental removal of more trees than is necessary
 - Control erosion and sediment by using appropriate BMPs
 - Minimize lighting impacts on birds
 - Allow natural woodland regeneration of temporary and additional work spaces
 - Use water trucks to dampen the area and control fugitive dust when construction causes dust that affects wooded lands when nesting birds may be present

- Mountain Valley intends to hand fell trees within the Jefferson National Forest prior to March 31
 - Accommodate Indiana and Northern Long Eared Bat windows
 - Reduce impacts to migratory birds

- Trees will be left in place on the right-of-way until vegetation clearing and construction activities begin May 2018.

- No burning will occur on JNF property

Several measures have been taken to protect wildlife during the project

- Windrows should include a break between piles ever 50-feet in order to provide wildlife crossings
- Fencing will be installed and escape ramps will be build into the pipeline trench approximately ever 50 feet
- Mountain Valley inspectors will check the trench every morning prior to the start of work to ensure that any animals that are trapped are removed
- Notifications will be made to JNF biologists and the appropriate federal and state agencies if undocumented caves, mine openings, or rock outcrops are observed during construction activities, including blasting (if required).
- Native plants and wildlife/pollinator seed mixes will be utilized during revegetation

Cultural resources

- Establish exclusion or avoidance areas within the ROW using signs, flags, and/or fencing
- If new probable historic or cultural resources are discovered during construction, potentially destructive work within 200 feet of the find will be halted
- Removing artifacts from the ROW is prohibited.



Discovery of Human Remains

- If human remains are found or suspected, the Plan for Unanticipated Historic Properties and Human Remains West Virginia and Virginia will be implemented
- If human remains, bones or graves are found, these sites are highly confidential and should not be discussed, or location revealed

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Landslides

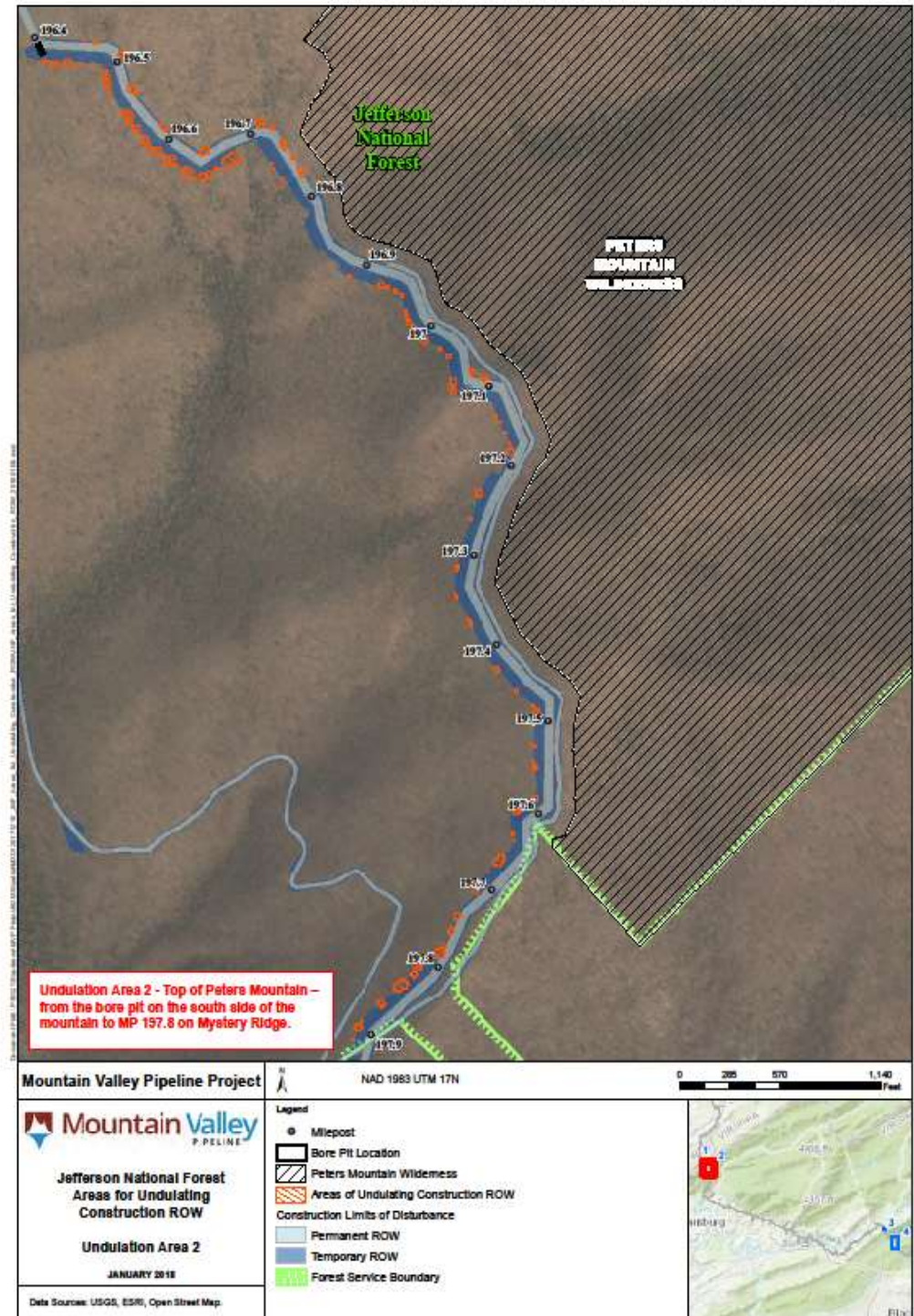
- Most areas of MVP are landslide-prone
- Some areas and general mitigation strategies have been detailed in the Landslide Mitigation Plan
- Each spread will have a Resident Geotechnical Engineer or Resident Geologist specializing in landslide mitigation
- Will oversee LMP installations
- Will provide guidance for other landslide mitigation and remediation as necessary during construction

Environmental Concerns (Other)

- No hydrostatic test water is to be withdrawn or discharged on USFS property
- Blasting requires notification to the MVP environmental coordinator
- All top soil will be segregated on USFS property
- No burning is to occur on USFS property
- Timber windrows are restricted to 8' tall, 20' wide, and 100 feet long with 50' foot breaks between piles for fire breaks and wildlife crossing
- Once a spoil pile is completed, it will be temporarily mulched to control washouts

Visual Resources

- MVP has committed to leaving trees undulating into the construction right-of-way to reduce the visual impacts



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**WATERBODY/
WETLAND CROSSING
100' BUFFER**

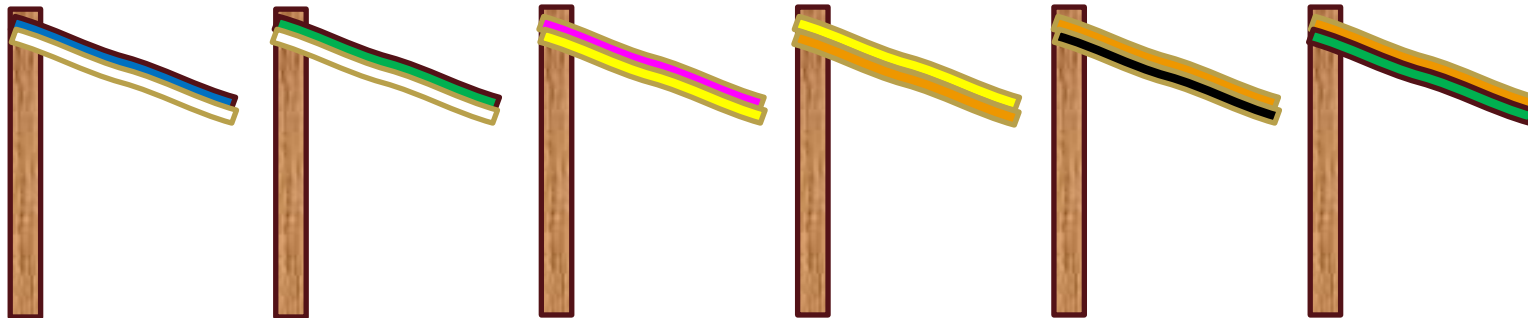


Project Flagging and Signs

- **WHITE** – Right of Way or Corridor Limits of Disturbance
- **Glow Orange Flagging** – Pipeline Centerline
- **WHITE AND RED** – Right of Way or Corridor Limits on Condemnation Properties (cross-flag if no permission to enter yet granted)
- **WHITE & BLUE** – Temporary Work Space (TWS) including access roads, compressor stations, pipe yard, etc. boundaries
- **PINK GLOW** with “WETLAND” PRINT – Wetlands



- **YELLOW** – Gas, oil, steam, petroleum or gaseous material pipelines
- **YELLOW AND BLACK** – Existing Company Gas Pipeline
- **GLOW ORANGE** – Centerline of Proposed Pipeline
- **WHITE & GLOW ORANGE** – Points of Intersections (PIs)
- **WHITE** Post – Permanent ROW Markers (if required)
- **WHITE & GREEN** – HDD Entry and Exit Points

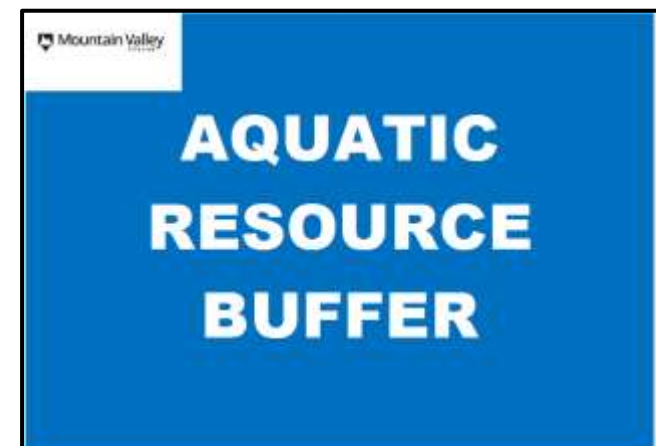


- **UNPAINTED PLAIN LATHE OR STAKE** – Off ROW reference points, temporary bench marks, etc.
- **RED** – Electric power lines, cable, conduit and lighting cables
- **ORANGE** – Communication, alarm or signal lines, cables or conduit
- **BLUE** – Potable water
- **PURPLE** – Reclaimed water, irrigation and slurry lines
- **GREEN** – Sewers and drain lines
- **Overhead Powerlines** – marked by pennant flagging and/or **Pink** signs.

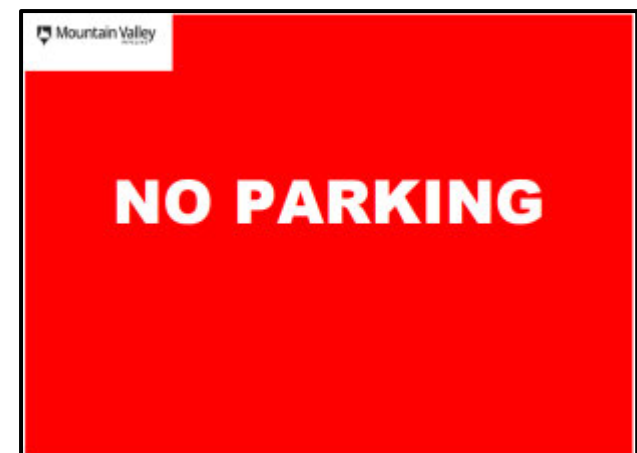


**CAUTION
OVERHEAD
POWERLINES**

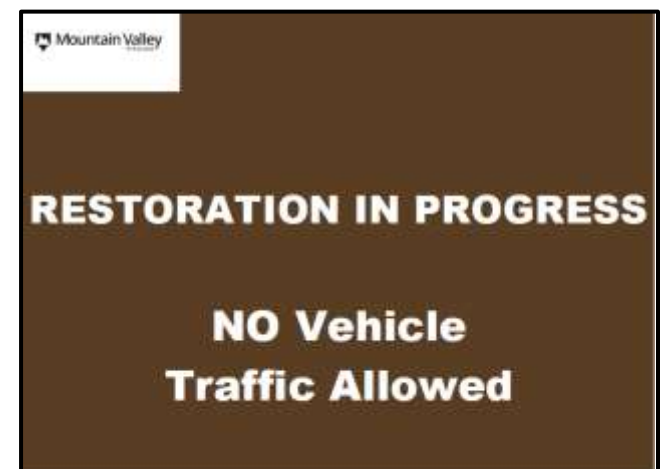
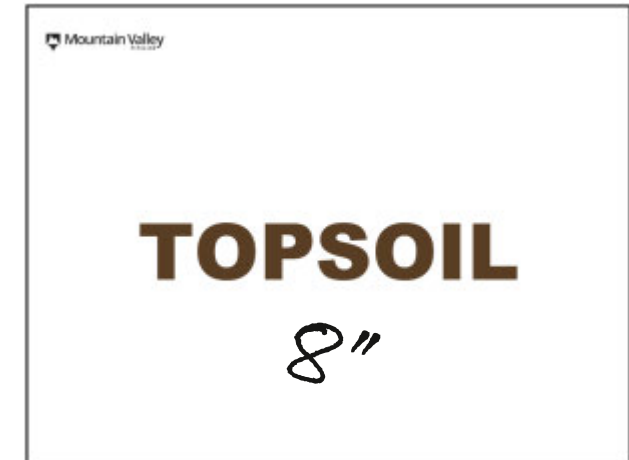
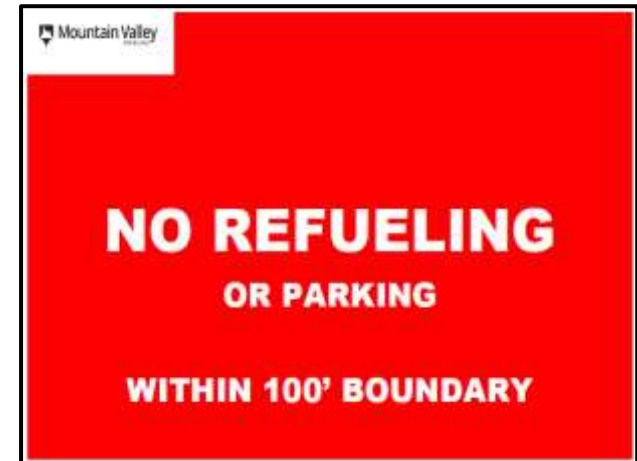
- Only approved access roads with green signs will be used
- No project access – red signs
- Water body buffers shown with blue “no staging” signs – No refueling beyond blue signs except under direct observation by an Environmental Inspector



- Sensitive areas will be delineated with yellow signs.
- Construction site warning – yellow signs
- No parking – red signs



- No refueling – red signs
- Topsoil salvage – depth will be shown on sign
- Restoration in Progress



REMEMBER – Correct issues before they become problems

- Have spill kits on site
- Identify sensitive receptors in area
- No fluid or dry chemicals can contact the ground or water
- Follow 100-ft Buffer Signage
- Use approved secondary containment with all fuel cans, generators, pumps, etc.
- All valves, piping, tanks, and reservoirs must be inspected regularly and repairs made immediately



- **BLUE & WHITE STRIPED** – Stream delineation



- **DAY-GLO LIME** –cultural resource area



- **ORANGE & BLACK STRIPED** –T&E Species area



For any spill of any quantity, MVP's Environmental Coordinator shall be contacted immediately

The order of priorities after discovering a spill are to:

1. Protect the safety of personnel and the public.
2. Minimize spreading of contamination by proper containment.
3. Notify EI and MVP Environmental Lead immediately who will reference SPCC Plan
4. Execute proper cleanup and remediation techniques.
5. Complete and submit spill first responder form immediately.

MVP's Environmental Coordinator will make any necessary agency notifications.



- The spilled product shall be collected and the affected area cleaned up in accordance with appropriate state or federal regulations. Floating booms, skimmer pumps, and holding tanks shall be used as appropriate to recover and contain released materials



Always notify the LEI, EI and MVP Environmental Coordinator of any and all spills, no matter how small.

Construction on U.S. Forest Service - Jefferson National Forest

- Compliance will be monitored on the JNF portion of this project by the USFS Project Manager and the Authorized Officer's designated compliance monitors.
- USFS will have stop work authority per terms outlined in the BLM right-of-way grant. USFS will also have stop work authority if unsafe work conditions are encountered during construction.

U.S. Forest Service-Jefferson National Forest

■ **Communications**

- As noted, several instances such as spills, unanticipated finds, etc. require immediate notification directly to MVP. While on the JNF, several other notifications are required as well; however, the initial communication remains the same and MVP will initiate notification to the appropriate USFS staff person.

- **BMPs are listed in the E&S plan**
 - Narrative Section of Construction Notes
 - Typical drawings
 - Plans
 - Follow BMP Maintenance Procedures

- **Follow the Construction Sequence**
 - Install perimeter BMPs prior to earth disturbance
 - Stone construction entrances
 - Compost filter sock and silt fence
 - Clear & grub, segregating topsoil from subsoils
 - Disturbed areas at final grade or that will not be worked again for 21 days or more must be stabilized within 7 days
 - Install water bars immediately following soil disturbance to reduce runoff velocity and divert water off-ROW to appropriate BMP

Els will regularly inspect for compliance with Project BMPs

- At minimum once every 7 calendar days in WV and 4 business days in VA
- In West Virginia, within 24 hours of a rain event greater than 0.25 inches in a 24-hour period
- Records of inspections are to be maintained with the Stormwater Pollution Prevention Plan (SWPPP)

All project personnel are responsible to immediately report BMP failures/problems to Environmental Inspectors and MVP Environmental Coordinator

If safe to do so, immediately clean up the BMP failure and repair/replace the BMP



- **BMP Installation must function and protect sensitive resources**
 - Field adjustments should be implemented to address field conditions at time of install
 - Must be maintained, inspected, repaired or replaced when BMP:
 - has reached 50% capacity (inspect/maintain)
 - Becomes torn, degraded or deemed not functional (repair/replace)
 - BMPs are the last line of Defense
 - Failure to comply with the above could result in:
 - Unauthorized Discharges off-ROW
 - Impacts to sensitive resources
 - Non-Compliances
 - Notices of Violations
 - Cease and Desist orders



Compost Filter Sock

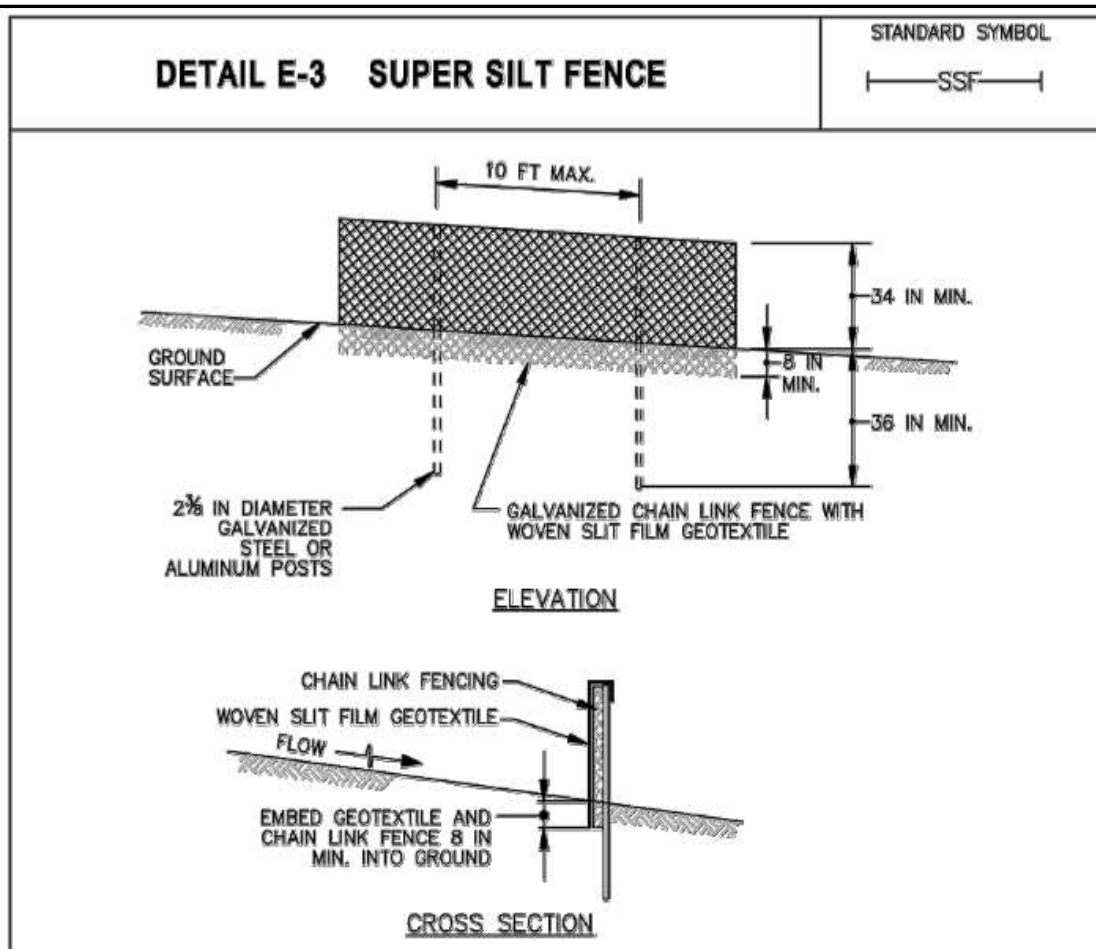
- Must be placed along contour and staked in per the typical drawing in the E&S plan



NOTE: Installations may need field adjustments to maximize BMP effectiveness.

Silt Fence and Super Silt Fence Reinforced Filtration Devices (RFD)

- Must be placed along contour, trenched in at the bottom, and staked per the typical drawing in the E&S Plan



Erosion Control Blanket

- Needs to be stapled and properly spaced per the typical drawing in the E&S plan

Hydraulically applied erosion control products

- Apply per manufacturer's specifications and per the E&S plan





Wetland Crossings

All wetland crossings shall be constructed in accordance with the 2013 FERC *Plan and Procedures* and permit conditions and construction drawings.

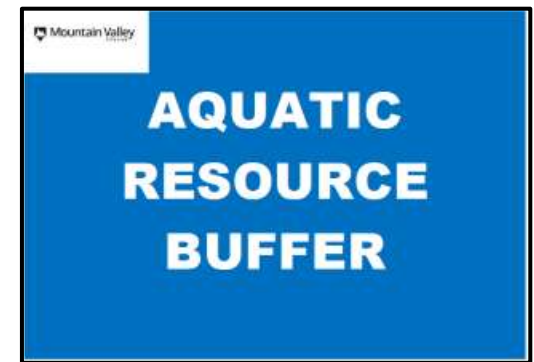
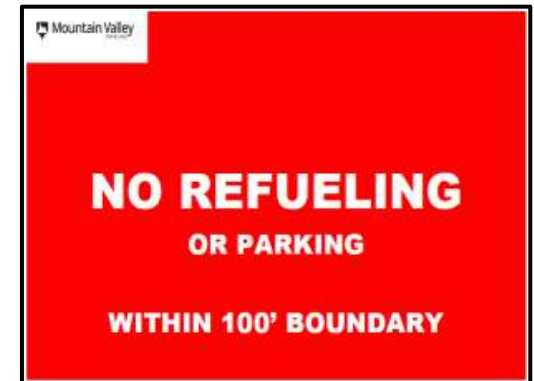
Example requirements include:

- No re-fueling of equipment in wetlands or within 100 feet of wetland boundaries
- No equipment should be stored in wetlands or within 100 feet of wetland boundaries without approval of the EI

- Use timber mats in wetlands
- Assemble pipe in an upland area
- Topsoil must be segregated when possible
- Trench the wetland only after the pipeline is assembled and ready to be lowered in
- The trench should be backfilled with subsoil, followed by topsoil



- No re-fueling of equipment in wetlands or within 100 feet of wetland boundaries
- No equipment should be stored in wetlands or within 100 feet of wetland boundaries
- Dewater trench using a pump and hose and discharge to a well-vegetated upland area using a geotextile filter bag (follow the filter bag detail in the E&S plan)



- Install trench breakers at the wetland boundaries
- Restore wetland to pre-construction contours
- Install BMPs as indicated in the E&S plan
- Do not use fertilizer, lime or mulch in wetlands
- Remove temporary sediment barriers only after revegetation is successful



- Install stream crossings during appropriate seasonal window
- Complete JNF stream crossings per the water crossing plans
- As stated in the FERC *Procedures*, “One-Pass” is allowed for installation of equipment mats/bridges across streams prior to mat/bridge installation assuming conditions allow.



- Maintain equipment mats/bridges to prevent soil from entering the waterbody.
- Remove temporary mats/bridges as soon as practicable after permanent seeding.

Timber mats must be tight together with geo-textile under and splash guards to prevent tracked soil from entering waterbody



NOTE: Clean bridges/equipment mats daily to remove dirt/debris.

- **Spill kit to be on site prior to instream work**
- **Use dry ditch crossing methods**
 - For all streams with perceptible flow, use dam and pump, coffer dam/portadam, or flume
 - EI will determine if no perceptible flow
 - Working back-up pump(s) must be onsite prior to instream work
- **Place spoil at the prescribed distance from water's edge**
 - All spoil must be placed within the LOD
 - Contained with compost filter sock/silt fence/RFD
 - Separate stream bed material from subsoil
- **Dewater trench using a pump and hose and pump water filter bag**
 - Discharge to a well-vegetated upland area
 - Implement filter bag detail in the E&S plan



- **Complete streambed and bank stabilization before returning flow to the waterbody channel**
 - Restore stream banks to pre-construction contours or to a stable angle per approval of the EI
- **Remove temporary stream equipment crossings upon project completion**
- **Install post-construction BMPs after restoration work is complete**
- **Remove post-construction BMPs only after revegetation is successful**

Discharge locations will be determined and included in an approved hydrostatic test discharge permit

- **No hydrostatic water is to be withdrawn or discharged onto USFS property**



Construct waterbars as per E&S plans

- Direct stormwater as shown on details
- Water should not pool or erode behind the waterbar
- Use J-Hooks or similar waterbar outlet BMP to prevent erosion

Seeding

- Areas at final grade shall be seeded/mulched at the approved amounts and rates within **4 days near trout streams or tributaries flowing directly into trout streams; no more than 7 days elsewhere on the ROW.**
- When permanent seeding cannot be applied due to adverse soil and weather conditions, or any time a denuded area will remain idle:
 - WV – 21 days, seed/mulch within 7 calendar days
 - VA – Seed/mulch within 7 calendar days



- Each state has specific restoration and seeding requirements.
- The USFS has specific restoration and seeding requirements
- Seed mixes include specific mixes and application rates for native tree/shrub, upland, wetland, riparian, and stream crossing areas
- The Environmental Inspectors will have this information on their tablet.
- The seeding tables are also listed in the Erosion and Sediment Control Plans





Erosion Control Fabric Blanket

Slopes 3:1 or steeper

- Rolled fabric or Hydraulically Applied
- Anchor rolled erosion control fabric appropriately
- Refer to the Construction Specifications for locations and installation details.



Permanent stabilization is achieved with a minimum uniform 80% perennial vegetative cover on USFS property



Vehicle & Equipment Requirements

Vehicles and construction equipment entering ROW must be clean and free of weeds to minimize the spread of invasive species

All equipment will be inspected to ensure that there are no leaks of oils and hydraulic fluids

Avoid unnecessary construction activities leading to increased emissions (e.g. idling vehicles)

Where posted, Maximum Speed on ROW = 10 MPH to reduce dust generation



Check condition of
hydraulic lines



Contractors and EI shall identify and monitor potential sources of dust and implement dust suppression techniques when necessary

- Disturb limited areas at a time during pipeline construction
- Use wet suppression on unpaved roads and gravel pads in the absence of rainfall
- Sweep and/or vacuum paved roads as necessary
- Maintain stone construction entrances to avoid trackout onto roads



- When stripping frozen topsoil, use multiple passes to avoid mixing topsoil with subsoil
- Use only the approved LOD for snow removal & storage
- Snow will not be plowed down to the road bed
- EI will identify areas to stockpile excessive snowfall
- Winter work may require additional E&S controls
- Conduct inspections regularly



SNOW REMOVAL

- Snow removal will be limited to active construction areas and areas needed to maintain access to the construction ROW.
- Snow will be bladed or pushed to the edges of the ROW with a motor-grader, snowplow, or bulldozer fitted with a “shoe” to minimize impacts on underlying soils and vegetation and stockpiled within the ROW. Snow will not be bladed off the ROW.
- Snow removal equipment will access the Project areas from approved access roads and will operate from within the construction ROW.

- Contractors are required to provide dumpsters and other sanitation facilities
- These will be used, kept covered, and emptied as often as needed
- Trash in the stations, at laydown yards, on the ROW, or on access roads will not be tolerated



Avoid common violations by:

- Always use secondary containment
- Park equipment or vehicles overnight in an area greater than 100 feet from wetlands and streams
- Stay within the approved LOD as flagged and shown on the issued for construction drawings

Core environmental goals for construction:

- Follow BMP details from the E&S plan
- Construct facilities in accordance with approved permits and regulatory guidance, within the approved LOD
- Report spills immediately

EI has stop-work authority

Top 10 Environmental Rules for Workers

1. **Stay within Project-approved work areas and access roads.**
2. **Protect all surface waters.** Keep all hazardous materials, construction debris, and sediment out of all streams and wetlands. Strictly follow all protocols for waterbody crossings. Implement the appropriate Best Management Practices (BMPs) described in the Erosion and Sediment Control Plan whenever soil disturbance occurs along the ROW or at staging areas. Install, maintain, and repair erosion controls as specified.
3. **Clean up and report all hazardous material leaks and spills immediately.** Stockpile, contain, and stabilize spoils.
4. **Do not litter.**
5. **Practice fire prevention and safety.**
6. **Do not disturb or collect artifacts, bones, or fossils. Report any new discoveries.** It is illegal to collect artifacts or disturb historic and prehistoric sites. Failure to protect these resources may result in project-wide shutdowns, individual fines and penalties by the appropriate authorities, and removal for the project.
7. **Do not interact with wildlife.** Sensitive wildlife species may be present in the general area. Avoid interacting with wildlife and do not encourage animals to approach construction areas (e.g., do not feed wildlife). No hunting and no pets are permitted on the job site.
8. **Do not enter or disturb exclusion areas.** Check with the Lead Environmental Inspector or onsite Monitor to be sure when activity is permitted within these areas.
9. **Slow Down.** Observe speed limits on dirt access roads to 25 mph or less.
10. **When in doubt, ASK.**

John Centofanti – EQT Director of Environmental Affairs

C. 412-417-3729

jcentofanti@eqt.com

Megan Neylon – MVP Environmental Permitting Supervisor

C. 304-841-2086

mneylon@eqt.com



Safety, Security & Protestor Response

- General Safety
- MVP Fire Prevention & Suppression Plan
- Code of Conduct
- Operational Security
- Information We Protect
- The Opposition
- Media & Community Relations
- MVP Construction Security Plan
- Expect the Unexpected
- Response to Protests and Opposition Incidents
- After Hours
- Safety & Security Contacts
- Thank You!



- Everyone working on the MVP Project has Stop Work Authority
- Practice continuous Hazard Recognition and watch for changing conditions
- Think, Act & Work Safely!
- Comply with the rules and guidelines set forth by your employer and MVP
- ALL incidents, accidents & near misses MUST be reported immediately to your employer and MVP
- The possession, use or being under the influence of controlled substances or alcohol is prohibited at all locations and jobsites
- Firearms, ammunition or weapons are prohibited at all locations and jobsites
- Continuously review the emergency action plan and response procedures

- Always wear required Personal Protective Equipment (PPE)
 - Hard Hat
 - Safety Glasses (prescription glasses must meet ANSI standards)
 - Long Pants, Short or Long Sleeve Shirts (no tank tops)
 - Steel Toe or Composite Toe Boots
 - Reflective Vests or High Visibility Shirts WITH Reflective Tape
 - Hearing Protection where required
 - Flame Retardant (FR) Clothing (Pants, Long-Sleeve Shirts or Coveralls)
 - NFPA 2112 compliant
 - Be worn within a 15 foot radius of leaking or blowing gas (controlled or uncontrolled), inside fences of active compressor stations, and foreign line crossings.
 - Outermost layer of clothing – must not be damaged
 - Do not wear synthetic fabrics under FR-clothing

- All visitors must be safety trained – Contractor Safety Orientation & MVP SEAP
- JNF general visitors must check in with Rob Robertson
 - Must check in at spread office
 - Crew will review JSA with visitors
- JNF inspectors will check in with crew foreman or straw
 - Will participate in JSA with crew

- MVP understands the importance of being a good corporate citizen and requires the same of its contractors.
- Vehicle traffic is a constant concern and potential hazard
- Obey all federal, state and local laws
- Safety belt required at all times
 - No personnel permitted to ride in back of truck or other areas where seatbelts are not available
- Do not jump on or off moving equipment
- Check vehicle at start of each shift for safe operating conditions
- Adjust driving for weather conditions
- All unattended vehicles **MUST** have the parking brake set
 - Chock the rear wheels when parking any truck of one-ton or larger and other mobile equipment such as trailers, etc.

- A minimum of 1 goalpost must be installed on each side of each site access point near overhead power lines.
 - 10' minimum laterally.
- If 10' clearance below the power lines cannot be maintained, power lines must be:
 - Raised
 - De-energized
 - Relocated
 - Insulated for additional protection



- Be aware of equipment swing radius
 - Ex: Mini-Excavator (11 feet)
 - Maintain communication within Operator if within swing radius
- Cell Phones during mobile equipment operation is PROHIBITED
- Seat belts must be worn at all times
- Safe parking
 - If feasible park on level surfaces
 - Set parking brake
 - Best Practice: Wheel Chocks > 1 Ton greater
- Use of spotter
- Make sure Back up alarms functional
- Best Practice – Use of high visibility vests

- Contractor must establish a written safety policy
- Instruction and hands-on training required
- Seatbelts required if equipped
 - Helmets required if not equipped with seatbelts
- Eye Protection
- Logger's First Aid Kit
- Never exceed weight limits
- Cannot operate on public roadways - except to cross a roadway or ride on the roadway for short distances where permissible by state or local ordinances.

MVP and its contractors will be responsible for fire prevention during construction.

The purpose of the Fire Prevention and Suppression Plan (FPSP) is to prevent fires from occurring during and after the Installation of the MVP facilities.

In this effort, all MVP employees and contractors will be expected to use best management practices for preventing fires and responding to in advertent fires that may occur during construction.

- Training for fire suppression and response includes:
 - Chain of command and fire reporting process
 - Emergency contacts and numbers
 - Basic fire prevention behavior controls
 - Basic uses of hand tools, water backpacks, and other fire suppression equipment
 - Fire suppression procedures and precautions
 - Emergency response and evacuation procedures

The key persons responsible for fire prevention and suppression during construction of MVP

- Chief Inspectors
- Spread Superintendents
- Field Safety Officers (FSOs)
- Facility Superintendents
- Environmental Inspectors (EIs)
- Authorized Officers (AOs)

Contact information for these persons will be provided

Each construction spread for the pipeline and each facility site will have one FSO trained in accordance with National Fire Protection Standards 1521, Chapter 4, Responsibilities for a Health and Safety Officer.

- **Construction Contractors** will be required to implement the provisions of this Fire Plan
- **Chief Inspectors** will be responsible for oversight of all activities along the pipeline, including fire prevention and suppression
- **Spread Superintendents:**
 - will be responsible for general construction operations associated with their individual spreads including compliance with this Fire Plan
 - will be in communication with Chief Inspectors, FSOs, EIs, AOs, and local emergency response, as necessary, to ensure that construction personnel are aware of fire hazards and prevention methods
 - Will coordinate with Federal, State/Commonwealth, and local emergency responders during periods of high or severe fire conditions to ensure that appropriate preventive measures are in place during construction
 - Will also will be responsible for:
 - Monitoring construction areas to identify fire hazards and risks
 - Developing and implementing fire protection strategies
 - Ensuring adequate firefighting equipment is deployed to high-risk areas and that equipment is visible and accessible
 - Ensuring that all firefighting equipment is inspected on a regular basis and maintained in good condition
 - Reporting all fire starts within or near the vicinity of the construction area, regardless of the source, to the Duty Office via the Virginia Interagency Coordination Center

- **FSOs** will be responsible for: managing on-site fire suppression documentation, ensuring that fire suppression equipment is available and maintained, ensuring that construction personnel are trained to use equipment properly, and communicating fire hazards and threat levels to construction personnel. Additional responsibilities of the FSOs include:
- Reporting all uncontrolled fires within or in the vicinity of the construction area, regardless of source, to the Spread Superintendent, emergency responders, and nearest fire dispatch;
- Conducting weekly inspection of tools, equipment, personal protective equipment, and first aid kits;
- Developing and maintaining a register of emergency equipment;
- Conducting weekly inspections of flammable materials;
- Posting “No Smoking” and “Designated Smoking Area” signs and fire rules at appropriate locations within the construction area;
- Providing initial response support in the event of a fire and supervising fire suppression activities until relieved;
- Providing and gaining approval of site-specific burn and smoke management plans for pre-planned controlled fires that will be implemented in accordance with federal, state/commonwealth, and local requirements;

- **FSOs** will be responsible for (cont.):
- Monitoring construction areas where activities may present safety issues, such as blasting;
- Complying with regulatory requirements in the storage and handling of flammable substances and maintaining a registry of flammable substances;
- Establishing facilities for on-site chemical management and maintaining Safety Data Sheets (formally known as Material Safety Data Sheets) for flammable materials;
- Establishing controls that minimize exposure to flammable materials;
- Ensuring that flammable substances are removed from the construction area when not in use or when the location is unattended;
- Training and instructing workers in the use, handling, and storage of flammable materials;
- Ensuring that construction personnel have been trained in the requirements of this Fire Plan; and
- Monitoring compliance with applicable federal, state/commonwealth, and local laws, ordinances, and regulations regarding fire prevention and suppression.

- **MVP's and Construction Contractor's Environmental Inspectors will:**
- Provide environmental regulatory guidance and oversight for fire prevention and suppression within and in the vicinity of construction areas
- Will be familiar with federal, state/commonwealth, and local rules and regulations pertaining to fire prevention and response
- In the event of a fire emergency, EIs will assist with fire suppression.

- **Agencies' Authorized Officers (AO)** - AOs are representatives from federal land-managing or other agencies who supply information or provide direction regarding potential hazard conditions or changes in prevention methods.
- AOs may include Interagency Dispatch Centers or staff from land-managing agencies; for the FS, this will be the Duty Officer for the FS.
- AOs will provide information on current fire danger ratings, the presence of other fires in the vicinity of construction areas, natural disaster warnings, and temporary restrictions on construction activities due to fire or other emergencies at the request of the Spread Superintendent.
- If extreme fire danger is identified by a land-managing agency, the AO may direct the Chief Inspector or Spread Superintendents to increase the level of fire monitoring, install additional fire prevention or suppression equipment, or stop work, if necessary.
- The Chief Inspector, Spread Superintendents, FSOs, Els, AOs, and local fire authorities have the authority to stop or reduce construction activities or operations that pose a fire hazard until appropriate measures are implemented to minimize risk.
- The FSOs will accompany Spread Superintendents, AOs, or third-party compliance monitors on fire inspections and take corrective action when observing or having been notified that fire protection measures have not been properly installed or maintained.

Emergency Notification

- In the event of a fire or other emergency, construction personnel on the scene will notify the appropriate Spread Superintendent and FSO immediately.
- The Spread Superintendent will be responsible for immediately notifying the appropriate fire dispatch center and AO or land-managing agency, where appropriate.
- The FSO or another supervisor will coordinate with local emergency responders if additional support is required.
- In the event of a fire emergency, personnel will contact 911 or the nearest emergency response center.
- A fire emergency is defined as an incident requiring a coordinated response from one or more agencies.
- When a response is required, the Spread Superintendent or person in charge will communicate the location and extent of the fire and steps underway to control or suppress the fire.

Contact lists will be provided when they are finalized – prior to construction

Precautions - Contractors must take appropriate steps and preventive measures to minimize the potential for a fire.

These steps include, but are not limited to, the following:

- only smoke in designated areas
- do not allow trash or flammable materials to accumulate
- identify and protect or eliminate potential sources of fuel, if possible
- recognize and eliminate potential ignition sources, including static electricity
- keep flammable liquids in approved, self-closing containers
- learn the location of firefighting equipment, emergency shutdowns, and alarms
- equip each piece of construction equipment with a fire extinguisher
- ensure that all inspectors and managers on site have fire extinguishers with their vehicles

- **Blasting**
- Procedures in MVP's *Blasting Plan*.
- Additional measures:
- When fire danger is high, a two-person fire watch will patrol the blast area for a period of one hour after the completion of blasting.
- If blasting occurs when the fire danger rating is "Planning Level 2 or 3," an FSO will be on site during the operation and remain on site for one hour after the completion of blasting.
- At least one Size 0 or larger shovel and one water-filled backpack pump or fire extinguisher will be on site. In addition, a fire watch will be assigned to each crew utilizing blasting equipment.
- When the fire danger rating is "Planning Level 4 or 5" or "Planning Level 5," blasting will be prohibited unless an exemption is granted by the local fire authority.
- If an exemption is granted, additional fire prevention equipment and personnel will be on site prior to blasting. Equipment may include water trucks, fire tankers, shovels, backpack pumps, bulldozers, etc.
- A fire watch will remain on site for at least two hours after the completion of blasting activities.

- **Welding**
- During closed season, when fire season requirements are in effect, welding, cutting, or drilling of metal components of the Project will require the approval of the Spread Superintendent and the Chief Inspector.
- In areas where approval has been granted, vegetation will be cleared at a minimum diameter of 30 feet around the center of the work area unless the area has been watered to eliminate the fire danger.
- Each welding crew will be outfitted with at least one Size 0 or larger shovel, one water-filled backpack pump, and one five-pound dry powder ABC fire extinguisher.
- When the fire danger rating is “Planning Level 2 or 3,” a fire watch will be assigned to each crew utilizing cutting and welding equipment. The fire watch will remain on site for one hour after the completion of welding activities.
- When the fire danger rating is “Planning Level 4 or 5”, an exemption by the AO will be required prior to welding activities unless the activities are performed within the graded portions of the right-of-way or other work areas.
- If an exemption is granted, all “Planning Level 2 or 3” measures will be implemented. In addition, a water tanker and bulldozer will be required to be on site during welding operations, and a fire watch will remain on site for at least two hours after the completion of welding activities.
- When the fire danger rating is “Planning Level 5,” welding activities will require approval from the AO. If an approval is granted, all “Planning Level 2 or 3” and “Planning Level 4 or 5” measures will be implemented.
- Fire restriction measures also apply to welding operations performed for equipment maintenance.

Equipment

The construction contractor will develop a list of equipment to be used during construction. Equipment used in the construction area may be inspected by the AO or other third-party compliance monitor prior to use on the Project. The equipment may be used only while in good operating order.

Spark Arrestors

- Spark arresters used for portable equipment, such as chainsaws, will be in good working condition.
- Light trucks and cars with factory-installed or equivalent mufflers, in good condition, may be used on roads where the roadway is cleared of vegetation.
- Vehicles equipped with catalytic converters, modern diesel engines with “regeneration systems,” or diesel particulate filters are potential fire hazards. These vehicles will be inspected and cleaned, as necessary, and parked on areas cleared of vegetation.
- All vehicles operating in vegetation-covered areas will maintain clean and clear undercarriage and exhaust systems, with no chaff, grass, or brush lodged in the exhaust system and skid plates.
- Cross-country driving outside designated work areas will be prohibited.

Fire Extinguishers

The FSOs will inspect fire extinguishers on a monthly basis to verify that:

- Each extinguisher is in its designated place, clearly visible, and not blocked by equipment or other objects that could interfere with access to the fire extinguisher during an emergency
- The nameplate with operating instructions is legible and facing outwards
- The pressure gauge is showing that the extinguisher is fully charged• the
- Pin and tamper seal are intact
- The extinguisher is in good condition, showing no signs of physical damage, corrosion or leakage

The FSO performing the monthly inspection will initial and date each extinguisher inspection tag. Defective units will be taken out of service and replaced immediately. Use of fire undertaken if :

- The extinguishers by construction personnel to suppress fires will only be fire is small and is not spreading to other areas;
- Escaping the area is possible;
- The fire extinguisher is in working condition, and the individual understands how to use it
- The fire extinguisher has been professionally inspected and tagged annually

Equipment Parking and Storage

- Equipment parking areas and small stationary engine sites will be cleared of all extraneous flammable materials.
- Gas and oil storage areas will be cleared of extraneous flammable material, and “No Smoking” signs will be posted within these areas. All used and discarded oil, oil filters, oily rags, or other waste will be disposed of in approved and marked containers.
- Containers will be stored in approved locations and removed from the site by licensed contractors or approved personnel and disposed of or recycled at approved facilities.
- Glass containers will not be used to hold gasoline or other flammable materials.

Power Saws

All gasoline-powered saws will be provided with approved spark arresters/mufflers and maintained in good operating condition. Chainsaw operation will comply with the following:

- The arrester/muffler will contain a 0.023-inch mesh, stainless-steel screen;
- Chainsaw operators will have available either (1) a fire extinguisher or (2) water backpack and shovel
- Chainsaws will be moved at least 10 feet from the place of fueling before starting
- Chainsaw fuel and oil will be carried in safety cans designed for that purpose.

Warning Devices

- Highway flares or other devices with open flames will not be allowed in the construction area because of the danger for fire
- Contractors will only use electric or battery-operated warning devices within the construction area
- These detectors will provide a distinctive and recognizable signal to ensure timely evacuation from the area of fire or to perform actions designated by this plan or by the FSO
- The FSO will test smoke detectors to ensure their safe operation

Warming and Cooking Fires

- Warming and cooking fires will be prohibited on the right-of-way (ROW)

Smoking

- Smoking is allowed only in areas designated by the FSO
- Smoking signs visible to all personnel will be posted at designated areas
- The supervisory personnel will be responsible for enforcing smoking restrictions
- “No Smoking” signs will be posted in all refueling areas and in areas where flammable materials are used, stored, or discarded.

Refueling

- All fuel trucks will be equipped with a 35-pound minimum ABC fire extinguisher
- Storage areas will be cleared of all extraneous flammable materials
- All discarded oil, oil filters, oily rags, or other potentially flammable wastes will be disposed of properly
- Only approved and properly maintained containers will be used to store or transport flammable liquids

Burning

- MVP does not anticipate burning in the National Forest

Construction Vehicles

- All foreman vehicles and crew buses assigned to the construction area will be equipped with one 10-pound ABC fire extinguisher, one shovel, and an operable backpack water pump of four-gallon capacity
- One water truck per construction spread during blasting “red flag warnings” and a fire danger rating of “Planning Level 4 or 5” will be outfitted with a pressure pump, adjustable nozzle, threaded rubber-lined hose with a minimum of 300 feet of 1½-inch cotton jacket, and have a minimum water storage capacity of 1,500 gallons
- Water trucks on the right-of-way will be able to help with wildfire fighting in the vicinity of the Project
- The construction companies use water trucks that typically have a 4,000-gallon capacity and 150 feet of 1½-inch water hose that would support fire suppression activities
- Many of these vehicles have water cannons mounted on the roof. All vehicles and auxiliary equipment will be equipped with properly functioning and baffled exhaust systems

Fire-Fighting Tools

At least three 10-person tool caches will be maintained per spread. One cache will be placed in an EI's vehicle. The second cache will be located with the Spread Superintendent or Facility Superintendent. The third cache will be assigned to the FSO. Toolboxes will be red in color, sealed with metal box-car-type seals, and labeled "For Fire Fighting Only."

The tool caches will contain the following:

- 10 electric headlamps with batteries;
- one first aid kit, 10-person unit;
- two knapsacks;
- five pulaskis with sheaths;
- five long-handled, round-point, size 0 shovels;
- five fire rakes; and
- 10 one-gallon canteens, filled with water.

The Spread Superintendent will expedite delivery of the tool caches upon request of the FSO or AO or when alerted to an emergency requiring the tools. In case a tool cache or first aid kit has been used, it will be immediately replenished. All replenished tool caches or first aid boxes will be inspected by the FSO. These will then be resealed before being returned to the construction site.

- MVP will depend upon response teams, consisting of trained personnel, to attend to injured and/or trapped victims
- Construction workers providing medical attention will not help beyond their capability
- MVP will establish a site-specific emergency communications system utilizing cell phones, hand-held radios, and/or satellite phones to notify workers of emergencies and contact local law enforcement and fire departments
- If an immediate evacuation of a construction work area is required, the Chief Inspector, Spread Supervisor, FSO, EI, or other supervisor will direct the evacuation via the nearest escape route to a “safe area” Otherwise, evacuations will be directed by local emergency responders Designated evacuation wardens will be assigned to each spread or station to account for all personnel present before, during, and after the evacuation
- Construction workers will not return to an evacuated work area until emergency responders have deemed it safe and the Chief Inspector, Spread Supervisor, or Facility Superintendent has given an “all clear” signal

- Always act in a professional, honest and ethical manner
- Remember that you are seen as a representative of MVP even when you are not “in the field”
- Be aware of how your actions will be viewed by the public – assume that your actions are under public scrutiny
- Do not engage in conduct that violates applicable rules, laws and/or regulations
- ALWAYS follow procedures
- ALWAYS wear your PPE
- ALWAYS take the time to do the job safely
- ALWAYS make the right choices

- Names
 - Do not provide the name of companies, people, or any business information of persons working on the project to unknown persons
- Locations
 - Do not share location information with any non-MVP entity
 - This includes where equipment is stored, how it is moved, and where contractors stay or congregate after hours
- Processes
 - Do not discuss the project, plans or any procedures with non-entitled persons
 - This includes hours of operation, information on security, and construction details for the pipeline
- The Spread
 - Always be aware of unauthorized persons entering or attempting to enter the site
 - Always verify visitors before allowing them access to the Spread
 - Report any persons that appear “wrong” or not displaying proper credentials to your supervisor immediately
 - The Opposition typically won’t be wearing PPE

- Social Media -
 - Do not post your location, site information or photographs of the Spread
 - Consider making your LinkedIn, Facebook, and other social media accounts private
- All paperwork generated on-site or about the project should be properly destroyed when no longer needed
- Secure laptops and cell phones to prevent their theft
 - Use strong passwords

- The Opposition is a blend of:
 - Environmental activists
 - Paid and volunteer
 - Disgruntled land owners
 - Persons in official capacity that collaborate with the pipeline opponents
 - Foreign oil and gas companies and organizations
 - Competing companies



Note: These individuals are committed to your failure. They have invested considerable time, money and effort to stop or hinder the pipeline. Many opponents will not hesitate to break the law and spread untruths.

- Protect Our Water, Heritage, Rights (POWHR)
 - Conducting Direction Action Training in VA
 - Appears to be affiliated with EarthFirst!
- Appalachia Resist
 - Radical environmentalists known for eco-terrorist attacks
- Bold Alliance Appalachia
- EarthFirst!
 - Original Eco-terrorist group
 - Anti-capitalist, anarchist group
- Veterans Service Corps Virginia



- DO NOT engage with media representatives
 - All media inquiries should be referred to the project spokesperson
 - Natalie Cox – ncox@eqt.com
 - If approached by media, politely state that you are not authorized to speak on behalf of the Project and refer them to Natalie

- Social Media Presence
 - If you participate in social media, never give the impression you speak on behalf of MVP
 - Do not post Project updates or pictures online

- Limit engagement with community members
 - Community members may be curious about operations
 - If they approach the spread, politely tell them they are not authorized to be on the ROW for safety and security reasons
 - Project information available online
- Information Sources
 - Website – www.mountainvalleypipeline.info
 - Hotline – 844.MVP.TALK

- Security presence will be maintained on all spreads, interconnects, and compression stations (mix of static and mobile officers)
- Posting 24 hour security at known opposition sites on the route
- Sufficient depth of resources maintained to quickly muster and move additional security officers to protest sites
- MVP security will liaison with federal, state and local law enforcement
- Civil response to violators
- Laydown yards – active video monitoring and dispatch
- Liaison with contractor security

- IMMEDIATELY report any person or situation that appears odd or out of place
 - Expect the Opposition to enter the ROW
 - Covert, disguised entries are more dangerous
- IMMEDIATELY report tampering to security and ALWAYS inspect any equipment that appears to have been tampered with
- Lock and secure all equipment and materials
 - If high value or critical items must be left unattended, alert one of the Security Officers
- Expect the opposition to lie about your activities and behavior
 - Do not speak with them or engage them in conversation
 - Always try to work with a group or use the buddy system when in areas with opposition members present

**Expect that you are always being video taped.
Do not speak to the opposition or unknown persons.**

You are always being recorded...



Opposition member recording the security team with a directional microphone



Opposition member harassing and recording a surveyor

- **Do Not Engage!**
- **Primary** duty is to ensure your own safety, as well as the safety of your team members and protestors
- Know your Rally Points in advance
- Secure dangerous equipment, if possible, before evacuating
- Follow your employer's program and training
- **Secondary** duty is to observe and quickly report hostile or suspicious behavior to Security and your Supervisor
- Follow directions from Security and First Responders
- Be a Good Witness

- Be aware of your surroundings and watch for opposition following team members when coming to or leaving work
- Police are generally supportive
 - Obey ALL laws and behave like a guest when off duty
- Do not wear clothing that identifies your company or MVP affiliation
- Travel in groups when possible
- Report all suspicious incidents to EQT security
- Report harassment, threats and other crimes to the police and EQT Security



*Preserve Roanoke
member surveilling a
Rally Point*

Kelley Edmier - Safety Supervisor

C. 412.398.1704

kedmier@eqt.com

Kevin Andrews - Security Manager

C. 412.420.9669

kandrews@eqt.com

Duane Moriarity - Security Coordinator

C. 412.297.9729

dmoriarity@eqt.com

- MVP is committed to protecting everyone involved in the project, the environment, the communities and our asset
- Safety is paramount in all that we do
- Environmental Stewardship is our foundation for success
- Be safe, Be aware, Be mindful

Thank you for your participation in making MVP a safe, successful and quality project!

- The most common opposition incidents will be protests
 - Expect the majority to be peaceful
- Direct Action – Opponents will chain themselves to equipment, blockade the site, vandalize equipment, trespass, or threaten team members
 - Call law enforcement immediately for all Direct Action incidents, or any event that is dangerous, illegal, or threatening
- Report all opposition activity to EQT Security and to on-site security

Do not attempt to deal with opposition incidents yourself – remove yourself and team members from the area where opposition is active and report the event.





QUESTIONS

Mountain Valley Pipeline Project

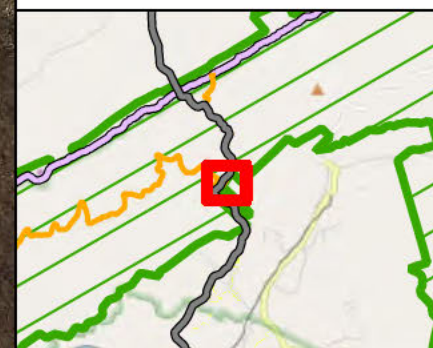


MVP Mystery Ridge Road Extent Outside of JNF Boundary

NOVEMBER 2017

Legend

- Milepost
- Proposed Pipeline Route
- U.S. Forest Service Road
- ▭ Parcel Boundary
- ▭ USDA Forest Service (National Forest) Lands
- ▭ Construction Limits of Disturbance
- ▭ USDA Forest Service (National Forest) Lands Wilderness Area



Data Sources: Appalachian Trail Conservancy 3/21/17, VA DCR, USDA, ESRI Streaming Data.

Document Path: P:\EOT-Equitrans MVP-Projects\GIS\Spatial\Map\20171110_JNF_Road_Map\Map\JNF_MysteryRidgeRd_Extent_20171109.mxd



NAD 1983 UTM 17N

200 100 0 200 Feet

Mountain Valley Pipeline Project



MVP Pocahontas Road Extent Outside of JNF Boundary

NOVEMBER 2017

Legend

- U.S. Forest Service Road
- Appalachian National Scenic Trail (ANST)
- ▭ Parcel Boundary
- ▭ USDA Forest Service (National Forest) Lands
- ▭ Construction Limits of Disturbance

UNKNOWN

HOMESALES
INC

PITNEY LAURENE
EDNA NEWTON

CELANESE
ACETATE
LLC

CELANESE
ACETATE LLC

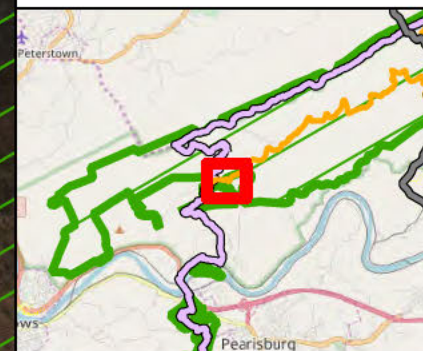
MAXEY
SHERMAN M

Pocahontas Road
(FR #972)

UNKNOWN

NAD 1983 UTM 17N

200 100 0 200 Feet



Data Sources: Appalachian Trail Conservancy 3/21/17, VA DCR, USDA, ESRI Streaming Data.

Mountain Valley Pipeline

Public Interactions, Safety, and
Social Media Expectations

**Construction Kick-off Meeting and Safety
Orientation**

February 6, 2018



for the greatest good

Handout

The hand out you received addresses:

- How to handle public inquiries and interactions
- Safety in those interactions
- Expectations for employee and contractor social media use.
- Project background and key messages for construction



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Where to send public inquiries?

- Refer the public to Jessica Rubado, Forest Service Public Affairs Officer at 503-314-0767 or jrubado@fs.fed.us
- You'll be provided her Business card to hand out.



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Key Messages

- The key messages in your handout are approved messaging for the project.
- Please use these messages if in limited circumstances, a simple response to the public is appropriate and you are comfortable with providing the approved response.



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Safety

- In the event of a demonstration, you will be notified by your supervisor regarding procedures to follow.
- Please ensure all buildings and vehicle doors, both POVs and GOVs, are secured at all times.
- Maintain your situational awareness. Keep an eye out for drones and video recording of your activities.
- Notify Katie Ballew of any demonstrations.



Safety Continued...

- If approached while in the field, be courteous and non-confrontational. If you are comfortable doing so, answer their questions.
- If the situation escalates, attempt to disengage, return to your vehicle, and leave the area. Notify dispatch and/or your supervisor of the incident.
- Maintain your situational awareness. Notify Katie Ballew of any demonstrations.



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Social Media Guidance

- Generally, it's recommended that employees (both contractor and Forest Service) refrain from posting comments and photos about the pipeline projects on their social media accounts.
- Posts in an official capacity are restricted to public affairs employees for the project with management approval.
- Refer to the guide for more detail.



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Questions?



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MVP External Weekly Call**Date/Time:** Wednesday, February 7 @ 11:30 am – 1 pm (ET)**Location:** Conference Call**Attendees:**

USDA Forest Service (FS)	Connie Jankowiak, Russ MacFarlane, Steve Woods, Jim Lyle, Jim Thompson
FS Enterprise	Jessica Rubado
Bureau of Land Management (BLM)	Vicki Craft
MVP & Contractors	John Centofanti, Rob Robertson, Megan Neylon, Mark Torbic, Jeff Klinefelter, Jack Holly, Frank Weaver, Phil Carrol, Troy Moore
Transcon Environmental Inc. (Transcon)	Mike Warner, Alli Rhodehamel, Nik Gillen, Greg Gryniwicz, Jeff Davis
Galileo Project	Lauren Johnston, Grace Ellis

*Partial Attendance

ACTIONS

- **Galileo** sends out kickoff meeting notes and presentations by the end of the week.
- **MVP** discusses internally how best to provide agencies with necessary safety equipment.
- **FS** completes timber sale contract in the next week.
- **Russ** provides preliminary contract information with volumes and values to John Centofanti.
- **Russ** meets with MVP to discuss details of the logging plan in at 10 am ET on Monday, February 12 to resolve missing elements in the logging plan. Galileo sends out invite.
- **MVP** surveyors touch up missing flagging in the Right of Way (ROW). Transcon suggests a regular re-flagging sequence and requests notification from MVP to help monitor.
- **MVP** places property signs up to denote FS properties during construction.
- **Steve** sends complete road permit application improvement list to Megan.
- **MVP** provides updated road permit application to FS with Steve's requested improvements.
- **Steve** meets to discuss roads with MVP representatives at 9:30 am on Friday.
- **Russ** confirms timber sale contract stipulation with Timber Sale administrator re road use and tree hauling.
- **Agencies** complete reviewing the Notice to Proceed (NTP) No. 1 package.
- **MVP** submits written Appalachian National Scenic Trail safety alternatives to agencies.
- **MVP** provides Rock Skullcap seed relocation locations to FS next week.
- **Galileo** sends doodle poll to communication reps from all parties for a call to discuss public outreach and safety coordination.

DISCUSSION

- MVP will be holding trainings every morning at the contractor's trailer for the next several months of construction phase. FS is welcome to participate in the trainings as personnel need to access the ROW.
- FS requested MVP setup an additional training for FS, Tribal, and Appalachian Trail Conservancy (ATC) folks who need to access the ROW. MVP requested FS send names and times of individuals that need the training to Rob to schedule an additional training. MVP needs to discuss further the possibility of access for ATC personnel.

- Transcon has noticed anomalies between the ROW marking and the maps. Some flagging has been removed on Mystery Ridge mountain. Transcon stressed that marking forest boundaries is important to monitors and construction workers. Transcon suggests adding flagging to red-marked FS boundary trees. This would assist construction contractors and monitors to clearly see where the forest boundaries are and avoid trespassing.
- MVP reviewed the roads documents, including in the Plan of Development (POD) and in the road permit application. In the application, MVP asked for use across easements FS has on private property, and references work that needs to be done on the entire length of Pocahontas Road. Even though the use and work on the entire length of Pocahontas road is covered in the ROW document, the application needs to be updated to reference the ROW grant with a reference statement.
- FS requested MVP provide specifics for snow removal during winter construction, including depth of snow plowing and treatment for plowing that inadvertently damages roads. FS wants to have coverage to make sure the road will be repaired. This can be referenced in the permit.
- FS requested MVP provide details of work on Mystery Ridge Road in MVP's Road Permit application. In addition, MVP needs to clarify what "project life" means in relation to maintenance of Pocahontas Road.
- FS requires specifics of road work to allow Transcon to assess compliance with the Road Permit. These specifics include the designs for box culverts, arch pipes (in specific locations for bottomless arch pipes, footers, depths, etc.), site-specific designs, etc. When referencing the Erosion Control Plan, Erosion Control details, and Restoration Plan, MVP needs to provide mile posts to locate where the improvements listed in these plans would occur.
- FS can issue the Road Permit to MVP with stipulations that say FS needs more documentation from MVP prior to road construction. This is to allow MVP to access the roads for tree felling on schedule. FS believes that through the timber sale contract FS can allow pickup trucks on FS roads and tree felling by hand. There would need to be a provision in the contract, however, prohibiting hauling on roads covered by the roads permit until MVP has provided the details that FS needs to assess compliance.
- MVP needs to complete the lands portion of the MVP hiker safety alternatives on Pocahontas Road to separate hikers on the ANST from traffic. The second concept MVP is considering is purchasing the land to the east and west of Pocahontas road, which would allow MVP the opportunity to relocate the trail off of the road, to the west of the road. The terrain would accommodate well and would remain within MVP's survey corridor.
- FS noted there are complications due to the National Environmental Policy Act (NEPA) for a ROW for the ANST trail move. MVP would need to get NEPA assistance from the Forest. FS agrees in the long term it could be a good solution, but will take time to evaluate. FS suggested MVP submit the alternative plans in writing for FS to review. FS is still in conversation with ATC on ANST mitigation. MVP is still waiting for the Federal Energy Regulatory Commission to follow up on prior ANST consultation.
- The Rock Skullcap is depicted correctly on alignment sheets and should be correct in the field, but it hasn't been field checked

MVP External Weekly**Date/Time:** Monday, February 12th @ 11-12(PT)/12-1pm(MT)/1-2pm(CT)/2-3pm ET**Conference Call****Attendees**

Forest Service (FS) Shayne Banks,	Connie Jankowiak, James Willett
FS Enterprise	Jessica Rubado
Bureau of Land Management (BLM)	Craft, Victoria, Gregory Fuhs,
MVP & Contractors	Megan Neylon, Natalie Cox, Duane Moriarity, Shaun Day
Galileo Project	Grace Ellis

Objective: *Develop a coordinated approach to dealing with questions from folks who are near the right of way.*

Forest Service (FS) staff has guidance on phone calls, but not in the field. Recently, there was a couple who approached staff and separated the FS folks from the Enterprise folks. There have also been some letters and phone calls.

FS wants staff to be able to provide service-oriented response. FS wants to make sure there is some response to casual users who encounter workers, so Jessica Rubado, the FS Communication Lead, has distributed a handout, as well as her business cards for people who have more questions, for staff on the ROW to hand out. Staff is directed to send folks to Jessica for more information. Jessica expressed interest in having MVP review the document.

Action: Jessica sends the talking points to Natalie Cox for review.

Action: James will take the lead on discussing FS messaging with FS management.

MVP asks contractors to have anyone who approaches them to send an email, contact the hotline, or call Natalie Cox. MVP wants to limit the number of persons who are actually providing information. There is concern about getting recorded and having recordings edited.

The group agreed that there should be communication between the MVP and Agency communication staff. This will help in developing coordinated and consistent response.

Examples of when staff should contact each other right away include:

- Contact with media and local officials,
- Contact with major stakeholders or groups,
- Protests or demonstrations, and
- Any hostile or unusual encounters.
- Best judgment should be used on more casual encounters.

Contact for Significant Encounters

Organization	Name	Email	Primary Contact/CC
FS Enterprise	Jessica Rubado	jrubado@fs.fed.us	Primary
FS	Kacy Ellsworth	klellsworth@fs.fed.us	Primary
FS	Connie Jankowiak	cjankowiak@fs.fed.us	CC
FS	Troy Morris	troymorris@fs.fed.us	CC
FS Law Enforcement	Captain Katie Ballew	katieballew@fs.fed.us	CC
FS Law Enforcement	James Willett	jwillett@fs.fed.us	CC
BLM	Vicki Craft	vcraft@blm.gov	CC
BLM	Greg Fuhs	gfuhs@blm.gov	
BLM Law Enforcement	Travis Trueblood	ttrueblood@blm.gov	CC
MVP	Natalie Cox	ncox@eqt.com	Primary
MVP	Duane Moriarity	DMoriarity@eqt.com	
MVP	Shawn Day	shawn@capresults.net	Primary
MVP	Josie Schultz	JLSchultz@eqt.com	Primary
MVP	Megan Neylon	mneylon@eqt.com	CC
MVP	John Centofanti	JCentofanti@eqt.com	CC
Transcon	Jeff Davis	jdavis@transcon.com	CC
Transcon	Mike Warner	mwarner@trancon.com	CC
Galileo Project	Grace Ellis	grace.ellis@galileoaz.com	CC
Galileo Project	Lauren Johnston	lauren.johnston@galileoaz.com	CC

Primary Email List: jrubado@fs.fed.us, klellsworth@fs.fed.us, ncox@eqt.com, DMoriarity@eqt.com, shawn@capresults.net, JLSchultz@eqt.com,

CC List: cjankowiak@fs.fed.us, troymorris@fs.fed.us, katieballew@fs.fed.us, jwillett@fs.fed.us; vcraft@blm.gov, gfuhs@blm.gov, ttrueblood@blm.gov, mneylon@eqt.com, JCentofanti@eqt.com, jdavis@transcon.com, mwarner@trancon.com, grace.ellis@galileoaz.com, lauren.johnston@galileoaz.com,

From: [Jankowiak, Connie L -FS](#)
To: [Faught, Alex R -FS](#); [McKeague, Dan -FS](#); [LeMaster, Elizabeth -FS](#)
Cc: [Timm, Joby -FS](#); [Ballew, Katie J -FS](#); [Morris, Troy - FS](#); [MacFarlane, Russ -FS](#); [Grace Ellis](#); [Lauren Johnston](#); [Kerr, Mitchell -FS](#)
Subject: RE: MVP and road closure
Date: Tuesday, February 13, 2018 12:39:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Thanks Alex. Appreciate this information.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114
cjankowiak@fs.fed.us
5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

From: Faught, Alex R -FS
Sent: Tuesday, February 13, 2018 12:35 PM
To: McKeague, Dan -FS <dmckeague@fs.fed.us>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; LeMaster, Elizabeth -FS <elemaster@fs.fed.us>
Cc: Timm, Joby -FS <jtimm@fs.fed.us>; Ballew, Katie J -FS <katiejballew@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>; MacFarlane, Russ -FS <rmacfarlane@fs.fed.us>; Grace Ellis <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Kerr, Mitchell -FS <mkerr@fs.fed.us>
Subject: RE: MVP and road closure

Dan,

Catching up on some emails, so if you have already gotten a reply from another source, then you can ignore this email. In terms of the Mystery Ridge Rd, on the attached plat Attachment 4-2, the sections of Mystery Ridge Rd Connie is referring to are across the Snider properties, where the USA does not have an easement. The status and true location of that road did not come to light until MVP produced these plats last fall. (b) (5)

[REDACTED]

[REDACTED] In terms of who, what, or when the FS would negotiate with MVP to make that happen, I have no idea, and I suspect no one is currently working on that.

I do not have any insights into your other comments, but hopefully you find this information on Mystery Ridge useful. I'm cc'ing Mitch in the event he has other insights into the mystery ridge situation.

Sincerely,



Alex Faught
Lands Program Manager
Forest Service
George Washington & Jefferson National Forests, Supervisor's Office

p: 540-265-5192

f: 540-265-5145

afaught@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: McKeague, Dan -FS

Sent: Monday, February 12, 2018 8:49 AM

To: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; LeMaster, Elizabeth -FS <elemaster@fs.fed.us>

Cc: Timm, Joby -FS <jtimmm@fs.fed.us>; Ballew, Katie J -FS <katiejballew@fs.fed.us>; Morris, Troy - FS

<troydmorris@fs.fed.us>; MacFarlane, Russ -FS <rmacfarlane@fs.fed.us>; Grace Ellis

<grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Faught, Alex R -FS

<afaught@fs.fed.us>

Subject: RE: MVP and road closure

Hi Connie, thanks for the info. (b) (5)

[REDACTED]

[REDACTED]

(b) (5)

Thanks, Dan

From: Jankowiak, Connie L -FS

Sent: Monday, February 12, 2018 7:42 AM

To: LeMaster, Elizabeth -FS <elemaster@fs.fed.us>

Cc: McKeague, Dan -FS <dmckeague@fs.fed.us>; Timm, Joby -FS <jtimmm@fs.fed.us>; Ballew, Katie J -FS <katiejballew@fs.fed.us>; Morris, Troy - FS <troy Morris@fs.fed.us>; MacFarlane, Russ -FS <rmacfarlane@fs.fed.us>; Grace Ellis <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Faught, Alex R -FS <afaught@fs.fed.us>

Subject: RE: MVP and road closure

Good Morning Beth –

(b) (5)

Message from Dan: Hi Connie, my assumption is (b) (5)

(b) (5)

[Redacted]



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114
cjankowiak@fs.fed.us
5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

From: LeMaster, Elizabeth -FS
Sent: Friday, February 9, 2018 12:26 PM
To: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>
Cc: McKeague, Dan -FS <dmckeague@fs.fed.us>; Timm, Joby -FS <jtimmm@fs.fed.us>; Ballew, Katie J -FS <katiejballew@fs.fed.us>
Subject: FW: MVP and road closure

(b) (5)

[Redacted]

Thanks, Beth



Elizabeth (Beth) T. LeMaster
Deputy Forest Supervisor
Forest Service
George Washington and Jefferson National Forests

p: 540-265-5118
elemaster@fs.fed.us
5126 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

From: Abing, Timothy -FS
Sent: Friday, February 9, 2018 11:23 AM
To: LeMaster, Elizabeth -FS <elemaster@fs.fed.us>
Subject: MVP and road closure

Beth: In looking for something else in MVP POD, I came across this:

During construction on FS Property, motorized access will be maintained along Pocahontas (FR #972), Mystery Ridge (FR #11080), and Brush Mountain (FR #188) Roads at all times to FS personnel, other personnel authorized by the FS, and emergency response officials. The pipeline will be parallel to Mystery Ridge Road and cross the road one time. Mountain Valley will also cross Brush Mountain Road. While Mountain Valley open cuts and crosses **Mystery Ridge and Brush Mountain Roads, the roads will be closed to all through traffic for approximately five days.** Should access for the FS or emergency purposes be necessary during those five days, the disturbed area will be covered with a steel plate. Following construction each day, the open trench across Brush Mountain Road



Timothy Abing
Director - Lands, Minerals, and Uses
Forest Service
Southern Region

p: 404-347-3989
c: 404-387-7898
f: 404-347-2437
tabing@fs.fed.us

1720 Peachtree Road NW, Suite 792S
Atlanta, GA 30309-2405
www.fs.fed.us



Caring for the land and serving people

MVP External Weekly

Date/Time: Wednesday, February 14th @ 8:30-9:30(PT)/9:30-10:30(MT)/10:30-11:30(CT)/11:30-12:30pm(ET)

Conference Call: 1-866-906-9888 **Passcode:** 9493642#

GoTo Link: <https://global.gotomeeting.com/join/157168013>

Invitees	Forest Service (FS)	Connie Jankowiak, Russ Macfarlane, Pete Irvine, Ginny Williams, Steve Woods
	Bureau of Land Management (BLM)	Vicki Craft
	FS Enterprise	Jessica Rubado
	MVP & Contractors	Joe Carrol, Megan Neylon, Jesse Hanson, Mark Torbic, Jeff Klinefelter, John Centofanti, Stan Layman, Abraham Jones, Sean Sparks
	Transcon	Mike Warner, Jeff Davis, Greg Gryniewicz, Nik Gillen, Alli Rhodehamel
	Galileo Project	Maria Martin, Peggy Fry

- I. Roll Call
- II. Updated NTP #1 Package Review
 - a. BLM/FS are working to issue the NTP including requirements for roads permit, timber contract and pre-construction measures
 - b. MVP will need to respond to BLM/FS that they have completed pre-construction measures
 - c. The NTP will need to be run through Forest Supervisor and regional office
- III. Timber Sale Update
 - a. The contract is currently being written and should be distributed for review 2/14-2/15 and could be executed on Friday (2/16)
 - b. Bob Cooper is likely to be the authorized officer for the timber sale contract, Megan Neylon is verifying
- IV. Roads Permit Update
 - a. MVP can send out road application package by tomorrow for tree felling. A detailed road package including culverts, Pocahontas Rd and Mystery Ridge Rd.
 - b. Permit will be signed off by FS ranger or FS supervisor and then emailed to MVP
- V. ANST update
 - a. Preconstruction monitoring with ATC/RATC
 - i. FS and Transcon are working to schedule the remaining photo points with ATC and RATC

(b) (5) [REDACTED]

(b) (5)



Lauren Johnston

From: Rubado, Jessica - FS <jrubado@fs.fed.us>
Sent: Tuesday, February 13, 2018 4:05 PM
To: Cox, Natalie
Cc: Grace Ellis; Lauren Johnston; Jankowiak, Connie L -FS; Schultz, Josie L.; Brown, JoBeth -FS
Subject: RE: MVP USFS PAO Jessica Rubado Contact Information
Attachments: MVP_EmployeeGuidetoPublicInteractions_02032018v2.docx

Hi Natalie –

Nice to meet you too!

That all sounds good, especially the process flow document for what I know is a measly few miles for you. Do you want to take a stab at that on your end or would you like us to?

Attached is the word version for comments – I forgot that only the pdf was distributed. It's the same version as what you received even though it indicates v2.

I also added JoBeth Brown, Public Affairs Staff Officer on the GWJNF – she would want to be included in this conversation too.

Best,
Jessica



Jessica Rubado
Project Manager
Forest Service
Washington Office, Business Operations, Enterprise Program
p: 503-314-0767
jrubado@fs.fed.us
1220 SW 3rd Avenue
Portland, OR 97204
www.fs.fed.us
 USDA, Twitter, and Facebook icons.
Caring for the land and serving people

From: Cox, Natalie [mailto:NCox@eqt.com]
Sent: Tuesday, February 13, 2018 2:47 PM
To: Rubado, Jessica - FS <jrubado@fs.fed.us>
Cc: Grace Ellis <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Schultz, Josie L. <JLSchultz@eqt.com>
Subject: RE: MVP USFS PAO Jessica Rubado Contact Information

Hi Jessica –

Nice to semi-meet you via conference call yesterday. Below please find my contact information as well in my “signature” line. Also – I attached the document that I promised to review & edit to get some MVP legal eyes and other project

views on it. Can you please send this to me via WORD document? I can then do all comments/edits via track changes. If I have to use “sticky notes” on the pdf form, it will take hours and is just not an efficient means of editing.

I also think that it would be worth a quick process flow document for the few MVP miles of which you and I will be managing public comment. Let me know your thoughts.

Lastly – I’ve included Josie Schultz on this email so that you have her proper email address. She is External Communications Manager on my EQT CorpComm team and works with me on the MVP project. She should be included on all future emails and conference calls.

Thanks!

Natalie A. Cox
Corporate Director, Communications
EQT Corporation
625 Liberty Avenue, Suite 1700 | Pittsburgh, PA 15222
O :: 412.395.3941 | M :: 412.708.7070




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law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>



Mountain Valley Pipeline Employee Guide for Public Interactions during Construction

Background

The Mountain Valley Pipeline (MVP) Project, a 42-inch interstate natural gas pipeline, is authorized to traverse 303 miles to deliver natural gas produced in the Appalachian Basin to markets in the Northeast, Mid-Atlantic, and Southeastern United States. The MVP Project crosses 3.6 miles of the Jefferson National Forest in Monroe County, West Virginia and Giles and Montgomery Counties in Virginia.

Construction is expected to begin in February, 2018 and continue for about 2.5 years or until all 303 miles are constructed. Construction on the Forest is projected to be completed in 2018. Operation and maintenance within the right-of-way would begin shortly thereafter and continue as long as the pipeline is in service.

The Federal Energy Regulatory Commission (FERC) is the lead federal agency who has prepared the final Environmental Impact Statement for the MVP Project. The FERC authorizes interstate natural gas transmission facilities; and, as a lead agency, is responsible for coordinating all applicable federal authorizations and for preparing an analysis that complies with the National Environmental Policy Act.

In addition to the FERC certificate, the MVP obtained authorization from the Bureau of Land Management (BLM) to construct and operate the MVP Project on federal lands. Under the Mineral Leasing Act (30 U.S.C. 185 et seq.), the BLM is responsible for issuing right-of-way grants for natural gas pipelines across federal lands under the jurisdiction of two or more federal agencies. Before issuing the right-of-way grant, the BLM was required to obtain the written concurrences of the Forest Service and the United States Army Corp of Engineers. When the Forest Service gave their written concurrence, they submitted to the BLM terms and conditions for inclusion in the right-of-way grant that were deemed necessary to protect federal property and otherwise protect the public interest.

Public Inquiry Instructions

All public inquiries encountered about the MVP should be referred to Jessica Rubado, Forest Service Public Affairs Officer at 503-314-0767 or jrubado@fs.fed.us. The key messages contained at the end of this document are intended to help familiarize employees and contractors with the project. These key messages are approved messaging for the project. Please refer inquiries to public affairs to provide these responses unless in limited circumstances, a simple response is appropriate and the individual contacted is comfortable with providing the approved response.



Safety Message

Joby Timm, Forest Supervisor, is in daily contact with Katie Ballew, Law Enforcement Patrol Captain, who is working with Special Agent James Willet and other law enforcement personnel to monitor various intelligence, including news and social media for any signs of possible protests. To date, there has been no indication of any planned protest activity at our offices.

If there appears to be any concerns or potential impacts to one of our offices or surrounding areas, you will be notified by your supervisor. Patrol Captain Ballew, the local District Ranger(s), Elizabeth LeMaster, and Joby Timm will monitor the situation and review safety considerations to determine the need for office closure or delayed openings for affected offices. In addition, a liberal annual leave policy will be honored as well as telework opportunities. As always, please coordinate this through your supervisor.

If there is a decision to close an office, a message will be recorded on the Supervisor's Office phone system. Every effort will be made to record this message before 6:00 AM. Employees can call 540-265-5100 to access the recorded message. Press the asterisks key to hear the status of the office opening. Additionally, your supervisor, staff officer, or District Ranger will contact you.

Safety Protocol

Due to potential security issues, employees need to ensure existing protocols are followed. Please ensure all buildings and vehicle doors, both POVs and GOVs, are secured at all times.

If approached while in the field, be courteous and non-confrontational. If you are comfortable doing so, answer their questions. If the situation escalates, attempt to disengage, return to your vehicle, and leave the area. Notify dispatch and/or your supervisor of the incident.

Maintain your situational awareness. Notify Katie Ballew at 540-524-0437 or katiejballew@fs.fed.us of any demonstrations, especially those that impede visitors or employees access to the office locations.

Social Media Guidelines

Generally, it's recommended that employees (both contractor and Forest Service) refrain from posting comments and photos about the pipeline projects on their social media accounts. Posts in an official capacity are restricted to public affairs employees for the project with management approval.

Forest Service employees or those working on behalf of the Forest Service who use social media and social networking services and tools for strictly personal use outside of the workplace do not require approval to do so. However, the Forest Service recognizes these types of tools can sometimes blur the line between professional and personal lives and interactions. Therefore, employees are reminded that as representatives of the Forest Service, the below principles must be taken into consideration when participating in these services at any time, but particularly when identifying themselves as employees or contractors of the Forest Service or when context might lead to that conclusion.



By exercising discretion and common sense when employing social media for professional or personal purposes, you will help assure that their great potential is fully realized without inadvertently compromising our professional, legal, or ethical standards. The following principles should be employed when using social media services in a non-official/personal capacity:

- Be aware of your Forest Service association in online social networks. If you identify yourself as an employee or contractor or have a public facing position for which your Forest Service association is known to the general public, ensure your profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as a Forest Service professional, appropriate with the public trust associated with your position. Employees should have no expectation of privacy when using social media tools.
- When in doubt, stop. Don't post until you're free of doubt. Be certain that your post would be considered protected speech for First Amendment purposes. Also, add a disclaimer to your social networking profile, personal blog, or other online presences that clearly states that the opinions or views expressed are yours alone and do not represent the views of the Forest Service.
- In a publicly accessible forum, do not discuss any Forest Service related information that is not already considered public information. The discussion of sensitive, proprietary, or classified information is strictly prohibited. This rule applies even in circumstances where password or other privacy controls are implemented. Failure to comply may result in fines and/or disciplinary action.

Key Messages

General:

- No ground disturbing activities can begin on federal lands until the MVP has met the requirements and stipulations in the right-of-way grant.
- As a federal land management agency with a multiple-use mission, the Forest Service considers authorization of many different types of uses on National Forest System lands. Current law and federal policy emphasize the important role of national forests in energy generation and transmission.
- The right-of-way grant reflects the Forest Service efforts to provide for multiple use and federal policies that emphasize jobs, economic growth, and energy infrastructure. The right-of-way grant continues to provide for the overall social, economic, and ecological sustainability of the Jefferson National Forest.

When and Where:

- The MVP Project crosses the forest in two places, one near Peters Mountain and the other near Brush Mountain. Tree cutting is planned to begin in February 2018 and to take approximately two weeks in both segments. Tree and vegetation clearing and subsequent construction are planned to begin in May through mid-July, 2018 in the Peter Mountain segment, and August through early October, 2018 in the



Brush Mountain segment. Improvements to Pocahontas Road will be reclaimed from mid-October through mid-November, 2018.

Disturbance Acres – During and After Construction

- The construction phase of the MVP Project requires use of about 83 acres of the Forest, consisting of 51.4 acres of pipeline corridor, 0.9 acres of additional temporary workspace, and 30.9 acres of access roads. The MVP Project is using existing access roads on the Forest. Some road reconstruction will be completed, but no new roads would be constructed on the Forest.
- Following construction, approximately 42 acres of the Forest would be maintained and operated for long-term use, consisting of 21.7 acres the pipeline corridor and 20 acres of existing access roads. The construction corridor would be reclaimed to a final operational corridor width of 50 feet on 3.6 miles on the Jefferson National Forest in Monroe County, West Virginia and Giles and Montgomery counties in Virginia.
- The construction corridor for the MVP Project in most instances is authorized to be 125-foot-wide, but is narrowing to 75-foot-wide when crossing wetlands. The construction corridor is authorized to be reclaimed to a final operational corridor width of 50 feet. The pipeline is authorized to be buried under three feet of cover in most areas and 24 inches of cover in consolidated rock.

Mitigation

- Mitigation measures are required to minimize adverse impacts associated with the project. Mitigation is required in the Federal Energy Regulatory Commissions' Certificate and in the right-of-way grant that the Bureau of Land Management issued. The Forest Service Plan amendment requires the MVP Project complies with mitigation contained in the Plan of Development. The Plan of Development identifies a series of construction plans, procedures, and mitigation measures that will be implemented on National Forest System lands. The Plan of Development was incorporated into the Bureau of Land Management's right-of-way grant.

Compliance Monitoring

- The Bureau of Land Management and Forest Service will have third-party monitors on hand throughout construction to ensure the MVP has adequately implemented mitigation measures. Transcon is a third-party contractor working with the Forest Service to monitor environmental compliance during construction of the pipeline. The MVP is paying the contractor costs, but is not involved in the relationship between Transcon and the Forest Service.

Appalachian Nation Scenic Trail, Weston and Gauley Bridge Turnpike Trail, and the Blue Ridge Parkway

- The MVP will cross the Blue Ridge Parkway managed by the National Park Service, the Weston and Gauley Bridge Turnpike Trail administered by the U.S. Army Corps of Engineers, and the Appalachian National Scenic Trail administered by the Forest Service. The MVP is avoiding permanent adverse



impacts to the Blue Ridge Parkway, the Weston and Gauley Bridge Turnpike Trail, and the Appalachian National Scenic Trail by boring under these areas.

- On the Appalachian National Scenic Trail, hikers may hear some noise from the boring machine and experience short delays on Pocahontas Road where flaggers will manage vehicle and hikers during construction.

Public Motorized Access

- Motorized access by the public to National Forest System lands will remain unchanged during project construction. The MVP project is utilizing roads either closed year-round to public motorized use or motorized use is seasonally restricted. The MVP is authorized to use the Pocahontas (FR #972), Mystery Ridge (FR #11080), and Brush Mountain (FR #188) roads.

Slope Stability and Surface Runoff Protections

- Numerous regulatory entities have requirements relating to soil, soil productivity, erosion control, and reclamation that apply to the MVP Project through various permits and authorizations. On National Forest System lands, operating procedures and mitigation measures to lessen the effects of the pipeline's construction and operation on slope stability and monitoring activities are identified in the Plan of Development.
- Mountain Valley Pipeline, LLC has agreed to several best management practices to avoid and minimize risk including controlling surface runoff, intercepting and controlling subsurface drainage, constructing in a timely fashion, and other measures.



Lauren Johnston

From: Cox, Natalie <NCox@eqt.com>
Sent: Wednesday, February 14, 2018 10:06 AM
To: Rubado, Jessica - FS
Cc: Grace Ellis; Lauren Johnston; Jankowiak, Connie L -FS; Schultz, Josie L.; Brown, JoBeth -FS
Subject: RE: MVP USFS PAO Jessica Rubado Contact Information
Attachments: USFS MVP EE Guide for Public Interactions D3 nac edits.docx

Follow Up Flag: Follow up
Flag Status: Completed

Hi Jessica –

I've taken a stab at making several edits/recommendations to the attached document. Happy to talk through my suggestions with you. Once we deem "final" – I will receive legal sign-off as well on my end --- although since I've managed to generalize a few of the dates/details --- I'm feeling more comfortable from the legal aspect and I don't typically make a move without receiving blessing.

Next up is the process flow document, which I'm happy for you to begin now that you have my thoughts on the messaging/public interaction document.

Lastly, although MVP is crossing only a few miles of the JNF --- even an inch of disturbance is a big deal to so many people so rest assured, not only do we want to construct this project with as few hiccups as possible --- we also want to be as transparent as possible with the public, without the fear of over-promising and under-delivering OR being misleading.

Take care!!

:: Best
Natalie

From: Rubado, Jessica - FS [mailto:jrubado@fs.fed.us]
Sent: Tuesday, February 13, 2018 6:05 PM
To: Cox, Natalie <NCox@eqt.com>
Cc: Grace Ellis <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Schultz, Josie L. <JLSchultz@eqt.com>; Brown, JoBeth -FS <jobethbrown@fs.fed.us>
Subject: [EXTERNAL] RE: MVP USFS PAO Jessica Rubado Contact Information

Hi Natalie –

Nice to meet you too!

That all sounds good, especially the process flow document for what I know is a measly few miles for you. Do you want to take a stab at that on your end or would you like us to?

Attached is the word version for comments – I forgot that only the pdf was distributed. It's the same version as what you received even though it indicates v2.

I also added JoBeth Brown, Public Affairs Staff Officer on the GWJNF – she would want to be included in this conversation too.

Best,
Jessica



Jessica Rubado
Project Manager
Forest Service
Washington Office, Business Operations, Enterprise Program

p: 503-314-0767
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Jessica Rubado
Project Manager

Forest Service

Washington Office, Business Operations, Enterprise Program

p: 503-314-0767

jrubado@fs.fed.us

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United States Department of Agriculture

Mountain Valley Pipeline

Guide for Public Interaction

Construction Activity in Jefferson National Forest

Employee Guide for Public Interactions during Construction

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Background

~~The~~As authorized by the Federal Energy Regulatory Commission (FERC), the Mountain Valley Pipeline (MVP) ~~Project~~project is a 42-inch 303-mile interstate natural gas pipeline that will ~~is authorized to traverse 303 miles to~~ deliver natural gas produced in the Appalachian Basin to markets in the Northeast, Mid-Atlantic, and Southeastern United States. The MVP ~~Project~~crosses 3.6 miles of the Jefferson National Forest (JNF) in Monroe County, West Virginia, and Giles and Montgomery Counties in Virginia.

Construction ~~is expected to begin~~commenced in February, 2018 and ~~the targeted in-service date for the pipeline is the fourth quarter of 2018.~~ continue for about 2.5 years or until all 303 miles are constructed. ~~Construction on the Forest is projected to be completed in 2018.~~ Operation and maintenance within the right-of-way would begin shortly thereafter and continue as long as the pipeline is in service which includes those portions of the route within the JNF.

~~The Federal Energy Regulatory Commission (FERC) is the~~As the lead federal agency, ~~the FERC who has~~ prepared the Final Environmental Impact Statement (FEIS) for the MVP ~~p~~Project. The FERC authorizes interstate natural gas transmission facilities; and, as a lead agency, is responsible for coordinating all applicable federal authorizations and for preparing an analysis that complies with the National Environmental Policy Act (NEPA).

In addition to the FERC ~~C~~ertificate of Public Convenience and Necessity, issued in October 2017, the MVP ~~project~~ obtained authorization from the Bureau of Land Management (BLM) to construct and operate the MVP ~~Project~~ on federal lands. Under the Mineral Leasing Act (30 U.S.C. 185 et seq.), the BLM is responsible for issuing right-of-way grants for natural gas pipelines across federal lands under the jurisdiction of two or more federal agencies. Before issuing the right-of-way grant, the BLM was required to obtain the written concurrences of the U.S. Forest Service and the ~~United States~~U.S. Army Corp of Engineers. When the Forest Service gave their written concurrence, they submitted to the BLM terms and conditions for inclusion in the right-of-way grant that were deemed necessary to protect federal property and otherwise protect the public interest.

Public Inquiry Instructions



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Page | 1

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Safety Message

Joby Timm, Forest Supervisor, is in daily contact with Katie Ballew, Law Enforcement Patrol Captain, who is working with Special Agent James Willet and other law enforcement personnel to monitor various intelligence, including news and social media for any signs of possible protests. To date, there has been no indication of any planned protest activity at our offices.

If there appears to be any concerns or potential impacts to one of our offices or surrounding areas, you will be notified by your supervisor. Patrol Captain Ballew, the local District Ranger(s), Elizabeth LeMaster, and Joby Timm will monitor the situation and review safety considerations to determine the need for office closure or delayed openings for affected offices. In addition, a liberal annual leave policy will be honored as well as telework opportunities. As always, please coordinate this through your supervisor.

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If approached while in the field, be courteous and non-confrontational. If you are comfortable doing so, answer their questions. If the situation escalates, attempt to disengage, return to your vehicle, and leave the area. Notify dispatch and/or your supervisor of the incident.

Maintain your situational awareness. Notify Katie Ballew at 540-524-0437 or katiejballew@fs.fed.us of any demonstrations, especially those that impede visitors or employees access to the office locations.

Social Media Guidelines



Forest Service

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Page | 2

Generally, it's recommended that employees ~~Employees~~ (both contractor and Forest Service) should refrain from posting comments and photos about the ~~pipeline projects~~ MVP project on their social media accounts. Posts in an official capacity are restricted to public affairs employees and only for the project with management approval.

~~We recognize that F~~ Forest Service employees ~~and or these persons~~ working on behalf of the Forest Service ~~who use~~ utilize social media ~~platforms and tools and social networking services and tools for for their~~ strictly personal ~~accounts; use outside of the workplace do not require approval to do so. H~~ however, the Forest Service also recognizes that social media can often ~~these types of tools can sometimes~~ blur the line between professional and personal lives and interactions. Therefore, employees are reminded that as representatives of the Forest Service, the below principles must be taken into consideration when participating in ~~these~~ social media services at any time, but particularly when identifying themselves as employees or contractors of the Forest Service or when context might lead to that conclusion.

By exercising discretion and common sense when employing social media for professional or personal purposes, ~~there is less chance for you to you will help assure that their great potential is fully realized without inadvertently compromising~~ compromise our the Forest Service's professional, legal, or ethical standards. The following principles should be employed when using social media services in a non-official/personal capacity:

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- In a publicly accessible forum, do not discuss any Forest Service related information that is not already considered public information. The discussion of sensitive, proprietary, or classified information is strictly prohibited. This rule applies even in circumstances where password or other privacy controls are implemented. Failure to comply may result in fines and/or disciplinary action.

Key Messages for Mountain Valley Pipeline



General:

- No ground disturbing activities can begin on federal lands until the MVP has met the requirements and stipulations in the right-of-way grant. [ntd: hasn't this already been met? if so, this message should be deleted as it becomes misleading]
- As a federal land management agency with a multiple-use mission, the Forest Service considers authorization of many different types of uses on National Forest System lands. Current law and federal policy emphasize the important role of national forests in energy generation and transmission.
- The right-of-way grant reflects the Forest Service efforts to provide for multiple use and federal policies that emphasize jobs, economic growth, and energy infrastructure. The right-of-way grant continues to provide for the overall social, economic, and ecological sustainability of the Jefferson National Forest.

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When and Where:

- The MVP Project crosses the forest in two places, one near Peters Mountain and the other near Brush Mountain. Tree cutting is planned to begin in February 2018 and pending weather conditions may take up to take approximately two weeks or more in both segments. Tree and vegetation clearing and subsequent construction are planned to begin in early spring May through mid-summer of this year July, 2018 in the Peters Mountain segment, and August-late summer through early October, autumn of this year-2018 in the Brush Mountain segment. Improvements to Pocahontas Road are expected to be will be reclaimed from mid-October through mid-November, by the end of 2018.

Disturbance Acres – During and After Construction

- The construction phase of the MVP Project requires use of about 83 acres of the Forest, consisting of 51.4 acres of pipeline corridor, 0.9 acres of additional temporary workspace, and 30.9 acres of access roads. The MVP Project is using existing access roads ~~on~~ on the Forest. Some road reconstruction will be completed, but no new roads would be constructed on the Forest.
- Following construction, approximately 42 acres of the Forest would be maintained and operated for long-term use, consisting of 21.7 acres the pipeline corridor and 20 acres of existing access roads. The construction corridor would be reclaimed to a final operational corridor width of 50 feet on 3.6 miles on the Jefferson National Forest in Monroe County, West Virginia; and Giles and Montgomery counties in Virginia.
- The construction corridor for the MVP Project in most instances is authorized to be 125-foot-wide, but is narrowing to 75-foot-wide when crossing wetlands. The construction corridor is authorized to be reclaimed to a final operational corridor width of 50 feet. The pipeline is authorized to be buried under three feet of cover in most areas and 24 inches of cover in consolidated rock.



Mitigation

- Mitigation measures are required to minimize adverse impacts associated with the project. Mitigation is required in the ~~Federal Energy Regulatory Commissions~~ FERC Certificate and in the right-of-way grant that the Bureau of Land Management issued. The Forest Service Plan amendment requires ~~the that~~ MVP ~~Project~~ complies with mitigation protocols outlined ~~contained~~ in the Plan of Development. The Plan of Development identifies a series of construction plans, procedures, and mitigation measures that will be implemented on National Forest System lands. The Plan of Development was incorporated into the Bureau of Land Management's right-of-way grant.

Compliance Monitoring

- The Bureau of Land Management and Forest Service will have third-party monitors on hand throughout construction to ensure the MVP has adequately implemented mitigation measures while on Forest Service lands. Transcon is a third-party contractor working with the Forest Service to monitor environmental compliance during construction of the pipeline. The MVP is paying the contractor costs, but is not involved in the relationship between Transcon and the Forest Service.

Appalachian Nation Scenic Trail, Weston and Gauley Bridge Turnpike Trail, and the Blue Ridge Parkway

- The MVP will cross the Blue Ridge Parkway managed by the National Park Service; the Weston and Gauley Bridge Turnpike Trail administered by the U.S. Army Corps of Engineers; and the Appalachian National Scenic Trail administered by the Forest Service. The MVP is avoiding permanent adverse impacts to the Blue Ridge Parkway, the Weston and Gauley Bridge Turnpike Trail, and the Appalachian National Scenic Trail by boring under these areas.
- On the Appalachian National Scenic Trail, hikers may hear some noise from the boring machine and experience short delays on Pocahontas Road where flaggers will manage vehicle and hikers during construction.

Public Motorized Access

- Motorized access by the public to National Forest System lands will remain unchanged during ~~project~~ MVP construction. The MVP project is utilizing roads that are either: a) closed year-round to public motorized use, or b) motorized use is seasonally restricted. The MVP is authorized to use the Pocahontas (FR #972), Mystery Ridge (FR #11080), and Brush Mountain (FR #188) roads.

Slope Stability and Surface Runoff Protections

- Through various permits and authorizations, numerous regulatory entities have requirements relating to soil, soil productivity, erosion control, and reclamation that apply to the MVP ~~p~~Project-through ~~various permits and authorizations~~. On National Forest System lands, operating procedures and mitigation measures to lessen the effects of the pipeline's construction and operation on slope stability and monitoring activities are identified in the Plan of Development.



- Mountain Valley Pipeline, LLC and the MVP project team have ~~has~~ agreed to several best management practices to avoid and minimize risk including controlling surface runoff, intercepting and controlling subsurface drainage, constructing in a timely fashion, and other measures.



Lauren Johnston

From: Rubado, Jessica - FS <jrubado@fs.fed.us>
Sent: Thursday, February 15, 2018 6:28 PM
To: Cox, Natalie
Cc: Grace Ellis; Lauren Johnston; Jankowiak, Connie L -FS; Schultz, Josie L.; Brown, JoBeth -FS
Subject: RE: MVP USFS PAO Jessica Rubado Contact Information
Attachments: USFS MVP EE Guide for Public Interactions D3 nac editsjredits.docx

Thanks Natalie! I'm good with your edits except for a couple of things, I checked and even though the law enforcement on the call said otherwise we still want to instruct our employees and transcon to provide simple answers in limited circumstances. My other comment was your caveat 'with respect to construction within the JNF' – we'd like inquiries that go to forest service employees and transcon to go to our public affairs first (me) and if outside of our scope I would send to you. We want our folks reporting what they are experiencing to me to keep track of it.

Thank you for agreeing to draft the process flow document as well! I look forward to getting that established.

We understand where you're coming from regarding misleading the public but also don't want our representatives to appear entirely unknowledgeable or nonresponsive. Let me know what you think about that – should we just agree that we'll have different approaches on that part?

Best,
Jessica



Jessica Rubado
Project Manager
Forest Service
Washington Office, Business Operations, Enterprise Program

p: 503-314-0767
jrubado@fs.fed.us
1220 SW 3rd Avenue
Portland, OR 97204
www.fs.fed.us



Caring for the land and serving people

From: Cox, Natalie [mailto:NCox@eqt.com]
Sent: Wednesday, February 14, 2018 9:06 AM
To: Rubado, Jessica - FS <jrubado@fs.fed.us>
Cc: Grace Ellis <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Schultz, Josie L. <JLSchultz@eqt.com>; Brown, JoBeth -FS <jobethbrown@fs.fed.us>
Subject: RE: MVP USFS PAO Jessica Rubado Contact Information

Hi Jessica –

I've taken a stab at making several edits/recommendations to the attached document. Happy to talk through my suggestions with you. Once we deem "final" – I will receive legal sign-off as well on my end --- although since I've managed to generalize a few of the dates/details --- I'm feeling more comfortable from the legal aspect and I don't typically make a move without receiving blessing.

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To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>

Lauren Johnston

From: Neylon, Megan <MNeylon@eqt.com>
Sent: Thursday, February 15, 2018 10:29 AM
To: Woods, Steven -FS
Cc: Centofanti, John; Grace Ellis; Lauren Johnston; cjankowiak@fs.fed.us; Morris, Troy - FS
Subject: MVP Road Use Application
Attachments: MVP Application for use of Pocahontas Road REV 021518.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Steven,

Per our conversation on Wednesday afternoon, I believe I have captured all of the requested edits to the JNF roads application. Please see attached. If you have questions or need additional information please let me know.

Thank you,

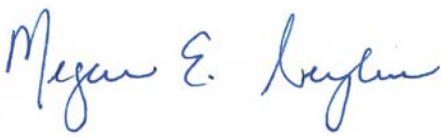
Megan E. Neylon
Supervisor - Permitting
Mobile: 304-841-2086
Office: 724-873-3645
2200 Energy Drive, 2nd Floor
Canonsburg, PA 15317
MNeylon@eqt.com

To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>

**APPLICATION FOR PERMIT
FOR USE OF ROADS, TRAILS, OR AREAS RESTRICTED BY REGULATION OR ORDER**

Authority: 16 U.S.C. 532-538

For Official Use Only					DATE OF APPLICATION
REGION	STATE	COUNTY	FOREST	RANGER DISTRICT	
8: Southern Region	Virginia	Giles	Jefferson	Eastern Divide	January 26, 2018; rev February 15, 2018
1. APPLICANT (name, address, and e-mail address)					TELEPHONE NUMBER
Megan Neylon Mountain Valley Pipeline 2200 Energy Drive Canonsburg, PA 15317 mneylon@eqt.com					724-873-3645
2. DESCRIPTION OF RESTRICTED ROADS, TRAILS, or AREAS (show roads, trails, and areas on a map at a minimum scale of 1/2" equals one mile)					
Please see the attached sheet (below).					
DATES OF PROPOSED USE					
Please see the attached sheet (below).					
NAME OF PERSONS AUTHORIZED TO ACT AS THE APPLICANT'S AGENT FOR PURPOSES OF THIS PERMIT					
Please see the attached sheet (below).					
3. PURPOSE OF USE					
<input checked="" type="checkbox"/> COMMERCIAL USE OF ROADS RESTRICTED BY ORDER (attach Form FS-7700-40a)					
<input checked="" type="checkbox"/> MOVEMENT OF OVERSIZE OR OVERWEIGHT VEHICLES (attach Form FS-7700-40b or a state department of transportation form used to request a permit for movement of oversize or overweight vehicles on state highways)					
<input checked="" type="checkbox"/> MAINTENANCE OF A ROAD OR PLOWING SNOW ON A ROAD					
<input checked="" type="checkbox"/> MOTOR VEHICLE USE OF ROADS, TRAILS, OR AREAS NOT DESIGNATED ON A MOTOR VEHICLE USE MAP (in block 4, specify the motor vehicle classes and the number of motor vehicles requested for authorization)					
<input type="checkbox"/> BEING ON A ROAD OR TRAIL OR ENTERING AN AREA CLOSED BY AN ORDER					
<input type="checkbox"/> OTHER (explain in block 4)					
4. REMARKS (attach other sheets if necessary)					
Please see the attached sheet (below).					
<small>According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0016. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing road maps, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.</small>					
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).</small>					
<small>To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.</small>					
<small>The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.</small>					

SIGNATURE OF APPLICANT 	DATE 2/15/18
--	------------------------

2. DESCRIPTION OF RESTRICTED ROADS, TRAILS, or AREAS (show roads, trails, and areas on a map at a minimum scale of 1/2" equals one mile)

Mountain Valley Pipeline (MVP) proposes to use Pocahontas Road (Forest Road [FR] #972) for construction and operation access to the proposed Mountain Valley Pipeline. This application seeks a permit for use of the Pocahontas Road (FR #972) including the portions of the road that cross three parcels of private property (**see MVP Pocahontas Road Extent Outside of JNF Boundary and Pocahontas Road Figure**). The USFS has an easement with these three property owners. Mountain Valley has secured agreements with each of these landowners to cross their property, including Pocahontas Road (**see Pocahontas Road Exhibits**). The three parcels that would be crossed are identified by owner and Giles County Tax Map # below:

Owner Name	Giles County Tax Map #
Sherman Maxey	25-53
Laurene Pitney	26-1D
Celanese Acetate, LLC	25-69K

The parcels are identified by owner in the attached map (**see MVP Pocahontas Road Extent Outside of JNF Boundary**). The attached map shows the portions of Pocahontas Road (FR #972) that cross these parcels and are the subject of this permit application. This map has a scale of 1 inch = 400 feet.

DATES OF PROPOSED USE

Use of Pocahontas Road (FR #972) for project construction is proposed to extend from February 5, 2018 to September 1, 2018.Figure

Operation and maintenance-related use of Pocahontas Road (FR #972) would be expected to continue for the life of the proposed project, with MVP utilizing pick-up trucks to access the established pipeline corridor.

NAME OF PERSONS AUTHORIZED TO ACT AS THE APPLICANT'S AGENT FOR PURPOSES OF THIS PERMIT

Sean Sparks
160 Federal Street; 3rd Floor
Boston, MA 02110
Telephone: 617-443-7565
Email: sean.sparks@tetrattech.com

4. REMARKS (attach other sheets if necessary)

Four of the purposes identified in the **3. Purpose of Use** section of the form apply to the MVP Project:

- Commercial Use of Roads Restricted by Order
- Movement of Oversize or Overweight Vehicles
- Maintenance of a Road or Plowing Snow on a Road
- Motor Vehicle Use of Road or Trail or Entering an Area Closed by an Order

Commercial Use of Roads Restricted by Order is addressed in the attached form FS-7700-0040a: *Commercial Use Attachment to Application for a Permit for Use of Roads Restricted by Regulation or Order*.

Movement of Oversize or Overweight Vehicles is addressed in the attached form FS-7700-0040b: *Oversize Vehicle Attachment to Application for a Permit for Use of Roads Restricted by Regulation or Order*.

Maintenance of a Road or Plowing Snow on a Road is addressed below. This information is included as part of MVP's

Plan of Development, Mountain Valley Pipeline Project dated October 20, 2017. Maintenance necessary as a result of tree felling and snow plowing activities will be completed in accordance with the JNF **Maintenance Requirements Document** attached. Should snow need to be plowed from the roads, approximately four inches of compacted snow will be left.

Motor Vehicle Use of Road or Trail or Entering an Area Closed by an Order: MVP intends to upgrade and utilize Mystery Ridge Road (FR #11080). MVP will submit a document discussing upgrades proposed for Mystery Ridge Road for review and approval by the USFS prior to the start of road construction.

Road Improvements

Prior to the start of construction, MVP will complete road upgrades along Pocahontas Road (FR #972) including the portions that cross the three private parcels and Mystery Ridge Road (FR # 11080):

- MVP will utilize minor road grading to remove ruts, fill potholes, and place gravel per the **Maintenance Requirements Document** along the road during timbering operations.

Sequence of Activities

Below is a sequence of activities that will occur on the USFS in reference to Pocahontas (#972) and Mystery Ridge Roads (FR #11080).

1. Pipeline right-of-way tree felling
 - a. light truck traffic on Pocahontas and Mystery Ridge Roads to accommodate sawyer access to hand fell trees. Maintenance necessary as a result of tree felling and snow plowing activities will be completed in accordance with the JNF **Maintenance Requirements Document** attached.
2. Submittal of Pocahontas (#972) and Mystery Ridge Roads (FR #11080) upgrade plans to the JNF for review and approval
3. Following approval of road upgrade plans, Pocahontas (#972) and Mystery Ridge Roads (FR #11080) will be graded and widened to accommodate large truck traffic as identified in the approved upgrade plans.
4. Merchantable timber will be removed from the construction right-of-way per the Timber Plan and Contract.
5. Vegetation removal, pipeline right-of-way preparation, and Appalachian National Scenic Trail conventional bore
6. Pipeline trenching and pipe placement
7. Pipeline right-of-way restoration and reclamation
8. Pocahontas (#972) and Mystery Ridge Road (FR #11080) reclamation and culvert replacement/upgrade as approved in the road upgrade plan.

Mountain Valley Pipeline Project

Figures

Mountain Valley Pipeline Project

Pocahontas Road Extent Outside of JNF Boundary

Mountain Valley Pipeline Project



MVP Pocahontas Road Extent Outside of JNF Boundary

NOVEMBER 2017

Legend

- U.S. Forest Service Road
- Appalachian National Scenic Trail (ANST)
- Parcel Boundary
- USDA Forest Service (National Forest) Lands
- Construction Limits of Disturbance

UNKNOWN

HOMESALES
INC

PITNEY LAURENE
EDNA NEWTON

CELANESE
ACETATE
LLC

CELANESE
ACETATE LLC

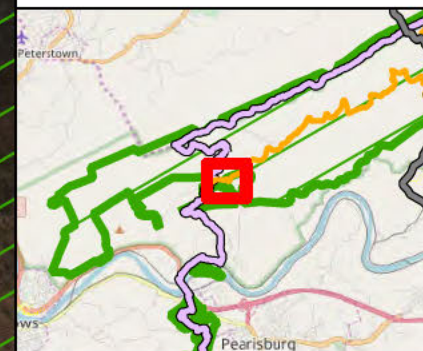
MAXEY
SHERMAN M

Pocahontas Road
(FR #972)

UNKNOWN

NAD 1983 UTM 17N

200 100 0 200 Feet



Data Sources: Appalachian Trail Conservancy 3/21/17, VA DCR, USDA, ESRI Streaming Data.

Mountain Valley Pipeline Project

Pocahontas Road Figure



Mountain Valley Pipeline Project

NAD 1983 UTM 17N

1:24,000

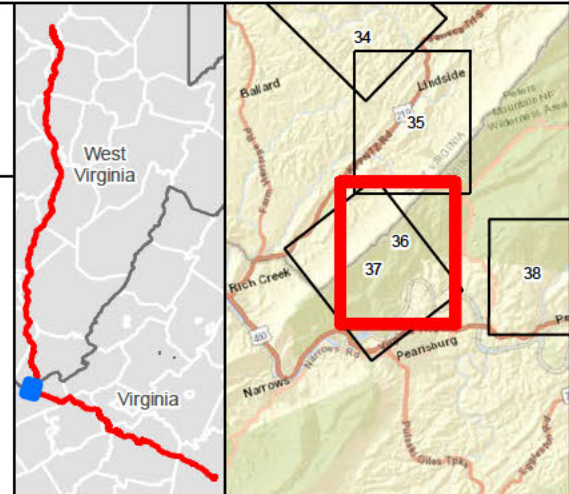
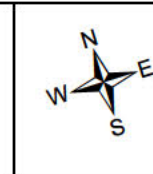
A horizontal scale bar with a black background and white markings. It is labeled with '0' at the left end, '0.5' in the middle, and '1' at the right end. The word 'Miles' is written in black text to the right of the bar.



Pocahontas Road

Legend

-  Milepost
 Tenth-mile
 Seasonal Gate
 Proposed Route
 U.S. Forest Service Road
 Appalachian National Scenic Trail (ANST)
 USDA Forest Service (National Forest) Lands Wilderness Area
 USDA Forest Service (National Forest) Lands



Data Sources: ESRI Streaming Data, 2014, ESRI, 2014,
Ventyx, 2014, USDA Forest Service, Appalachian Trail Conservancy 3/21/17

Mountain Valley Pipeline Project

Erosion and Sediment Control Plan

To Be Submitted Prior to Road Construction

Mountain Valley Pipeline Project

**Aerial Details, Proposed Access Roads, MVP Pipeline Project
- H600 Line, Giles County, VA**

To Be Submitted Prior to Road Construction

Mountain Valley Pipeline Project

Jefferson National Forest Road Maintenance Requirements

MAINTENANCE REQUIREMENTS

1.) Surface Blading of Roads

All blading shall conform to the following requirements:

- a) Grade with a motorgrader to establish a crown prior to hauling and initial aggregate placement, and as needed to maintain the crown and remove any ruts and potholes; and
- b) Grade with a motorgrader to establish a crown upon project completion.

General Requirements:

All blading performed shall conform to the following specifications:

Blading operations are to be done over the traveled way in order to remove, by cutting out, all ruts, potholes, corrugations, and berms. All suitable dislodged aggregate shall be smoothly redistributed over the traveled way to produce the proper cross-slope or crown as specified. Existing surfacing material will not be wasted during blading operations.

Aggregate surfacing which has been worked onto road shoulders by traffic or previous maintenance activities shall be reclaimed and smoothly redistributed over the traveled way. Traveled way widths shall be perpetuated as existing. Dips and swales designated to control surface drainage are to be maintained. Turnouts and intersections shall be considered part of the traveled way. Assure proper road crowns and surface drainage is in accordance with what is shown in the attached typical section after all operations are completed.

Passes shall not exceed one (1) mile intervals at one time without permission. No undercutting of the roadway edges shall be allowed. Berms of material caused by grading operations shall be removed from the roadway prior to the end of the day's work and not left in place overnight.

Removal of shoulder vegetation and grass sod will not be necessary unless it interferes with proper surface drainage. Reasonable amounts of grass, leaf litter or pine straw is to be smoothly spread within the traveled way or along the shoulder after sufficient movement to sift out surface aggregate. Where grass, leaf litter or pine straw is excessive, this material will be piled in spots along the road shoulder and left to decay. Care must be taken to insure this material does not interfere with surface drainage nor present a safety hazard. If any of this material cannot be placed to avoid interference with drainage, it shall be removed from the roadway. Any such material is to be reclaimed in subsequent bladings and smoothly spread within the traveled way or along the shoulder. Existing material from previous bladings shall also be reclaimed and smoothly spread within the traveled way.

Loose rocks, wood debris, or other unsuitable material, protruding 2 inches (greatest dimension) or more above the graded surface shall be removed. It is permissible to waste the referenced material over the shoulders away from ditches and culverts.

Suitable soil moisture conditions for surface blading shall be from 5 – 15 percent by weight. Unless authorized by the Forest Service, no surface blading shall be performed while SMC are outside this range. When SMC are below 5%, the roadbed visually appears to contain little moisture and heavy dusting is present. Under these conditions no wetting precipitation has occurred in the recent past. Above 15% SMC, the roadbed appears oversaturated, contains standing water, or may be rutting slightly. Recent heavy precipitation has occurred under these conditions. If conditions are too dry, the cooperater may provide water to increase moisture content.

2.) Ditch Cleaning

The permittee, on an as-needed basis, shall be required to:

- a) Clean ditchlines prior to hauling of any equipment/materials/supplies,
- b) Keep ditchlines functional and free flowing during roadway use, and
- c) Clean ditchlines at the conclusion of hauling

All ditch cleaning shall be performed in accordance with the following specifications:

All ditches are to be maintained in their original location and at a grade required to insure proper drainage of the roadway. No ditch sections shall have the capacity to create standing water. Ditches shall be shaped as shown in the attached Typical Section unless otherwise directed by the Forest Service. Backslopes shall not be undercut. Drainage structures and road appurtenances shall not be damaged during this operation and the cooperater will be responsible for any damage that occurs from this operation. Handwork required to properly connect ditch flow lines to drainage structures inlets is considered part of this activity. Any existing damaged culverts shall be brought to the attention of the Forest Service.

Rocks (larger than 2 inches), sediment, wood debris (larger than 1.5 inches and 18 inches long), leaves and other debris in the ditch line shall be removed without unnecessarily disturbing the grass or other erosion-controlling vegetation growing in ditches or along ditch slopes. All suitable material, having the same character as the road surface, excavated through this activity shall be reclaimed and used within the traveled way. Unsuitable material shall be wasted beyond and below the outer edge of the road shoulder or as directed by the Forest Service. This includes spreading the unsuitable material along back slopes or fill slopes in such a way that maintains surface drainage and prevents the unsuitable material from being deposited onto the road surface.

Leadoff ditches shall be opened for a distance of one machine length to provide drainage away from the roadway. No material excavated from these structures shall be reclaimed onto the roadbed. When ditch bottoms are soft or if there is standing water present, avoid running the grader tire in the ditch. Reshape the ditch using the extended blade.

3.) Culvert Cleaning

The permittee shall be required to keep culverts fully operational and free flowing during haul. Culverts that fail as a result of the permittee's operations shall be replaced in kind or repaired at the expense of the permittee to the satisfaction of the government. Any necessary culvert cleaning shall conform to the following:

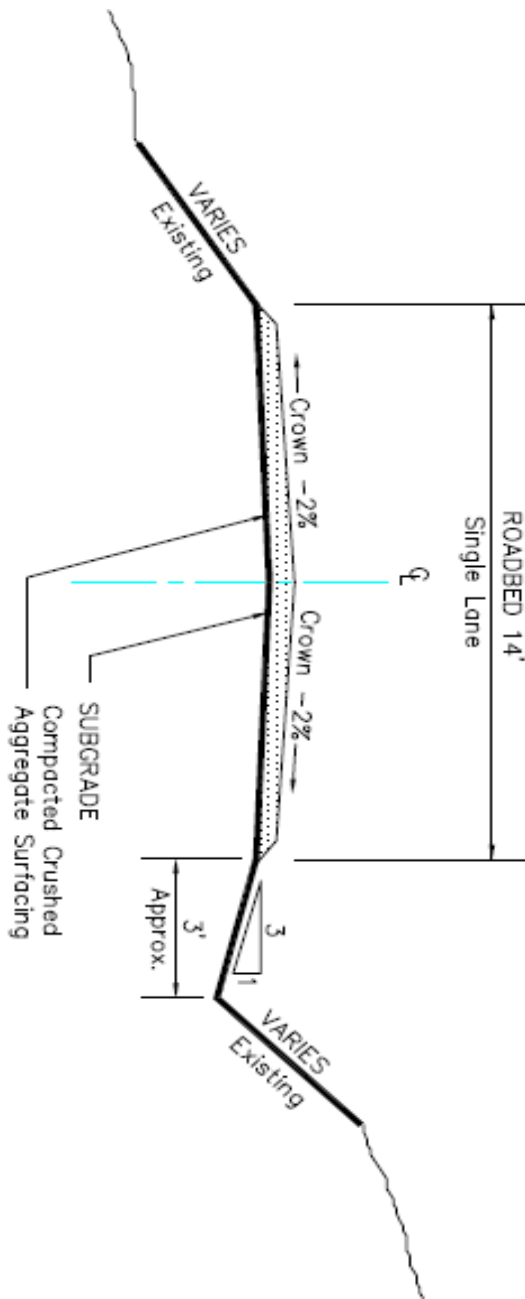
Culverts, 36-inches and smaller, associated with road and lead-off ditches are to be cleaned of dirt, silt, rock, debris, brush and vegetative matter around the inlet and outlet ends. Permittee shall clean a minimum of three (3) feet inside of the culvert, on both culvert ends. Material extracted from around the ends of the culvert is to be spread off of the roadway and away from ditch lines. This work also includes debris removal from the culvert inlet and outlet ditches (ie, 10 feet from each end of the culvert), catch basins, and other structures associated with the culvert ends.

4.) Aggregate Surfacing

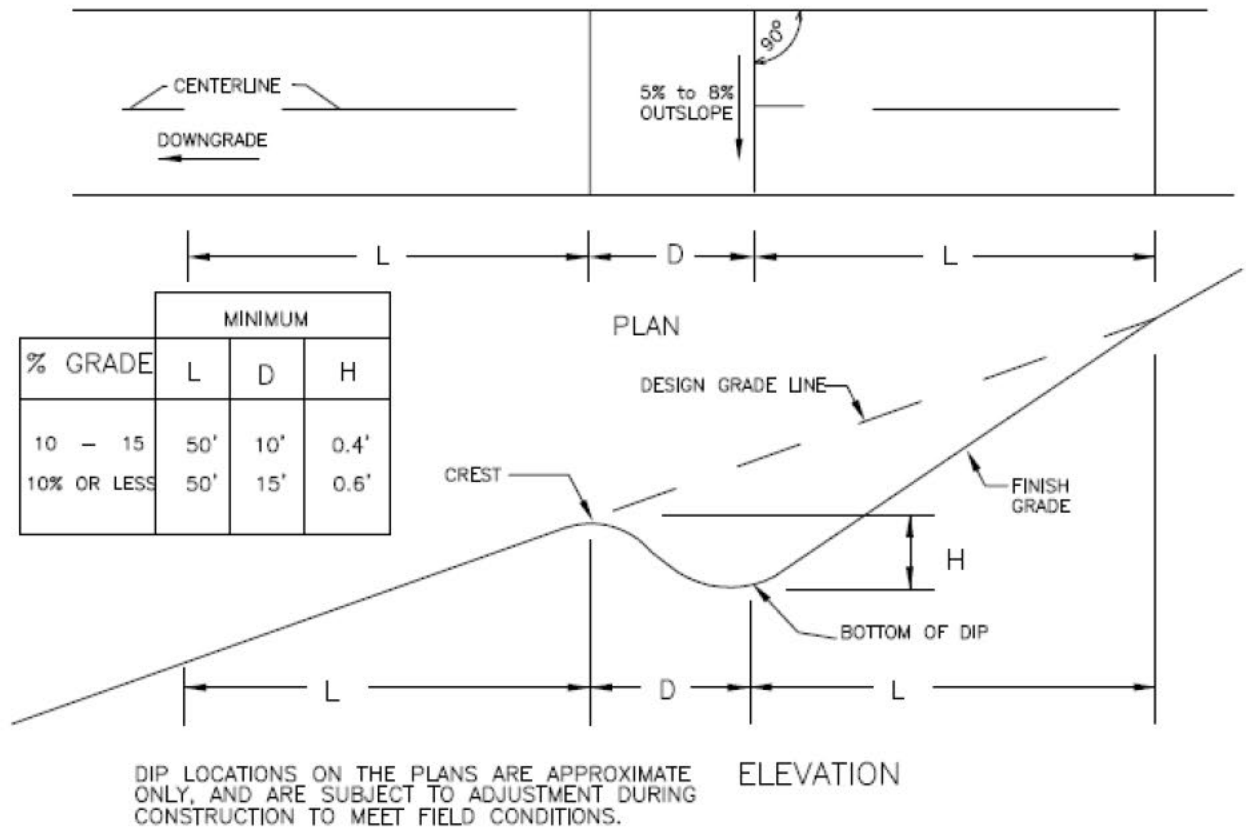
The permittee will be required to tailgate spread aggregate surfacing as set forth below, and as needed to maintain a suitable surface during use.

All aggregate placements shall conform to the following specifications:

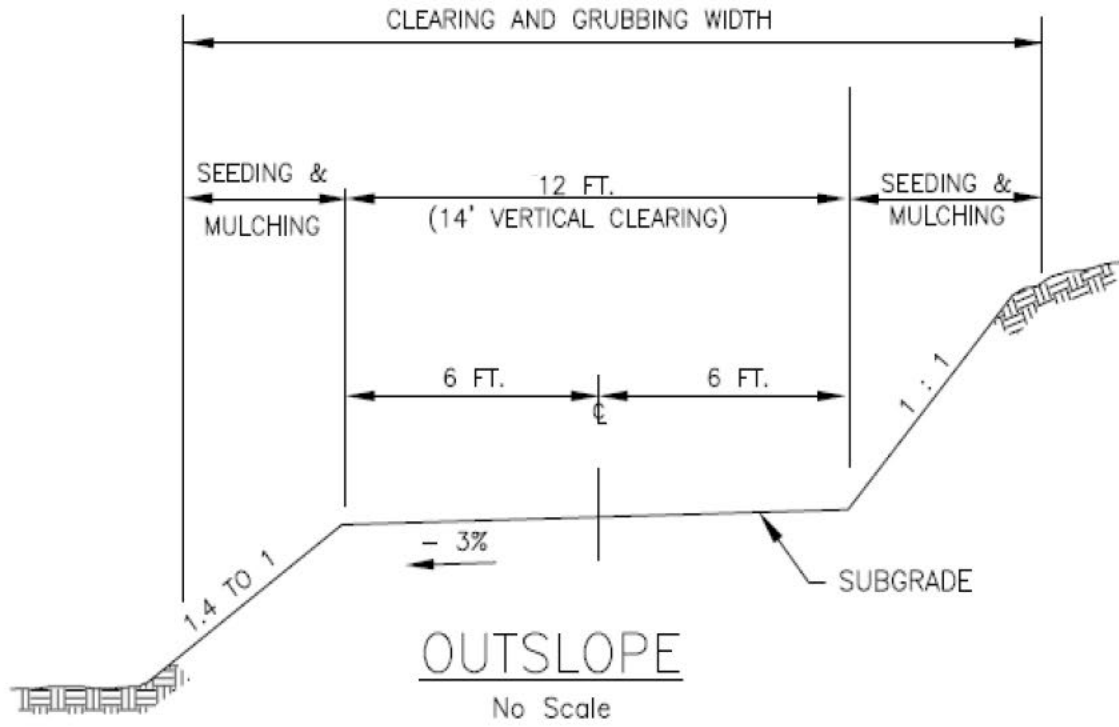
The aggregate shall be reasonably hard, durable, free of organic material or other objectionable materials. Spread the aggregate in a uniform layer, with no segregation of size, and to a loose depth that will provide the required compacted thickness. Compact each layer full width with a roller or by operating spreading and hauling equipment over the full width of the traveled way. Blade the surface of each layer during the compaction operations to remove irregularities and produce a smooth, even surface. VDOT #357 stone shall be used as surfacing in wet areas. Nothing smaller than VDOT #26 shall be used without prior approval of the Forest Service. Roller compaction is permitted but not required.



TYPICAL SECTION
"NO SCALE"



DRAINAGE DIP DETAIL
No Scale



Mountain Valley Pipeline Project

Exhibits

Mountain Valley Pipeline Project

Pocahontas Road Exhibits

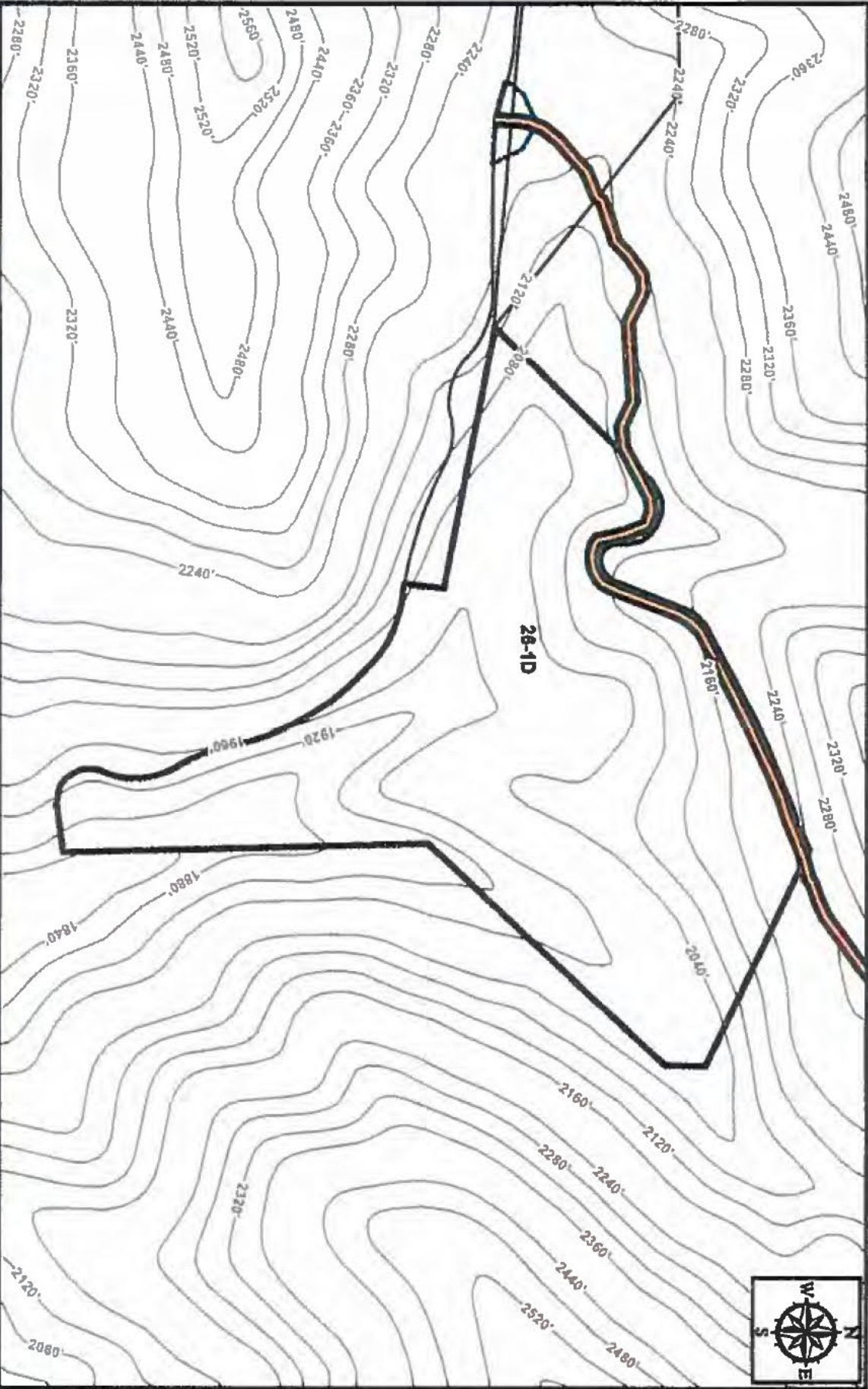


EXHIBIT A

Tax Map:
26-1D

Deborah L. Davis, Surveyor

Disclaimer: This map is not intended to be used for any purpose other than the general informational purposes for which it was created. Mountain Valley, Virginia, is not responsible for any errors or omissions in this map, including, but not limited to, any inaccuracies, and/or graphic limitations, property boundaries, topography, and/or other information. The map is not intended to be used for any purpose other than the general informational purposes for which it was created. This map is not intended to be used for any purpose other than the general informational purposes for which it was created.

- Legend**
- ① MVP MLV
 - MVP Centerline
 - ▢ MVP Access Road
 - MVP MLV Site
 - ▢ MVP Ancillary Site
 - ▢ MVP Easement ROW



**COMMERCIAL USE ATTACHMENT TO APPLICATION FOR A PERMIT
FOR USE OF ROADS RESTRICTED BY REGULATION OR ORDER.**

Authority: 16 U.S.C. 532-538

1. PURPOSE OF USE

HAULING LOGS OR LUMBER: approximately 360 MBF (based on an estimated load of 3 MBF per truck and 120 loads).

HAULING OTHER MATERIALS: approximately 87 tons.

DESCRIBE OTHER MATERIALS: Mats, skids, pipe, coating supplies, environmental control devices. Other misc equipment/material that will be 80,000 lbs or less: Pick-ups, dump trucks, weld rigs, mat trucks, rock trucks, float trucks, stringing ,trucks (2-3jnts per load / ~78,000lbs)

2. USE SCHEDULE

SEASON	NUMBER OF DAYS OF USE	TYPE OF TRUCKS TO BE USED	TYPE OF LOADING TO BE USED
Spring	6 - 7 days per wk	lowboys, pipe stringing trucks, floats, rock trucks, pickups	N/A
Summer	6 - 7 days per wk	lowboys, pipe stringing trucks, floats, rock trucks, pickups	N/A
Fall	6 - 7 days per wk	lowboys, pipe stringing trucks, floats, rock trucks, pickups	N/A
Winter	less than 6 days per week	lowboys, floats, pickups	N/A

3. PLANS FOR FUTURE USE (not included in this application)

HAULING LOGS OR LUMBER: approximately ____ MBF

HAULING OTHER MATERIALS: approximately ____ tons

DESCRIBE MATERIALS: _____

ESTIMATED PERIOD OF USE: From ____ to ____

MVP does not have plans for future use not included in this application.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB number. The valid OMB control number for this information collection is 0596-0016. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for review road maps, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means of communication of program information (Braille, large print, audiotape, etc) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

SIGNATURE OF APPLICANT 	DATE 1/26/18
--	------------------------

(to be completed by Forest Service staff and approved by district ranger)

Page 3 of 3

**OVERSIZE VEHICLE ATTACHMENT TO APPLICATION FOR A PERMIT
FOR USE OF ROADS RESTRICTED BY REGULATION OR ORDER****Authority: 16 U.S.C. 532-538****1. REASON FOR PERMIT****TIMBER SALE:** _____**CONSTRUCTION CONTRACT:** _____

OTHER: Mountain Valley Pipeline (MVP) proposes to use Pocahontas Road (Forest Road [FR] #972) for construction and operation access to the proposed Mountain Valley Pipeline. This application seeks a permit for use of the portions of Pocahontas Road (FR #972) that cross three parcels of private property.

2. DESIRED TRAVEL DATES AND ROUTES**BEGINNING ON:** February 5, 2018 **ENDING ON:** September 1, 2018**DESIRED TRAVEL ROUTE** (road #s, termini, and bridges crossed):

This application seeks a permit for use of the portions of Pocahontas Road (FR #972) that cross three parcels of private property, and involves travel along Pocahontas Road (FR #972) on these three parcels only.

3. VEHICLE INFORMATION

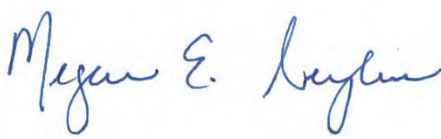
VEHICLE CLASS	LENGTH	WIDTH	HEIGHT	LICENSE #	STATE	GVW (in lbs.)
Rock Trucks (KW T800 Dumptruck)	26	8.6	13.6			80,000
Log trucks / mat trucks (KW T800/Peterbilt 357)	34	8.6	13.6			80,000
Stringing trucks (White Western Stars 4900)	60	8.6	13.6			80,000
Equipment hauling - lowboys (P379 truck/ KW W900L truck w/ Trailing Trailer)	70	8.6	13.6			140,000
Material loads - floats (Transcraft Floats)	62	8.6	13.6			80,000
Pickup traffic (Chevy 2500)	14	7.5	7.5			10,000
(F450)	14	8	7.5			14,000

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0016. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing road maps, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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SIGNATURE OF APPLICANT 	DATE 1/26/18
--	------------------------

REPORT ON APPLICATION
(to be completed by Forest Service staff)

1. DESCRIPTION OF HAUL ROUTE (show roads on a map at a minimum scale of 1/2" equals one mile)

2. ROAD CONDITION DATA

3. DISCUSSION AND RECOMMENDATIONS

DATE REPORT SUBMITTED _____	NAME AND SIGNATURE _____	TITLE _____	
DATE REPORT APPROVED _____	NAME AND SIGNATURE _____	TITLE _____	

MVP External Weekly Call**Date/Time:** Wednesday, February 22nd @ 8-8:30 am ET**Location:** Conference Call

Attendees	Forest Service (FS)	Connie Jankowiak, Russ MacFarlane, Troy Morris
	MVP & Contractors	Megan Neylon; John Centofanti; Mark Torbic;
	Transcon	Jeff Davis; Nik Gillen
	Galileo	Lauren Johnston

ACTIONS

- **John** forwards Wednesday timber meeting invite to Jeff
- **MVP** shares timber sale sequencing calendar with Transcon (cc Galileo).
- **John** finalizes and delivers cost recovery agreement to FS today.
- **Mark** works to identify a timber mill that will accept timber from MVP once felled.
- Roads permit should be sent to MVP today or early tomorrow for signature
- **MVP** reviews and updates answers to Transcon re public notification for tree felling and construction.
- **MVP** provides a public notification for the tree felling and road construction.

DISCUSSION

- The Washington Office (WO) would need to approve any variance request that would take the MVP project outside of the limits of disturbance in the Inventoried Roadless Area. FS recommends MVP be extremely cautious in that area to avoid such a variance request.
- FS is working to resolve the alleged tree spiking on the Jefferson National Forest and doesn't expect the spiking to hold back the tree felling timeline. Russ has recommended Job sign the timber contract. FS hopes to deliver the timber contract later today or tomorrow. MVP committed to notifying FS if they find any nefarious activity on the ROW during tree felling. MVP is committed to felling safely.
- Bill Bryant, Timber Sale administrator, will be working on the ground with MVP during the timber sale. Bill is at the forest and ready to start the timber sale once MVP receives their contract and Notices to Proceed (NTPs) from BLM and the Federal Energy Regulatory Commission. The FS representative for the timber sale is Mark Miller. The timber sale contracting officer, who oversees the entire process, is Jarret Winningham.
- MVP setup a pre-tree-felling contract review meeting for next Wednesday, February 28th. This is to ensure all people on the ground have a working knowledge of the terms of the timber sale contract. Mark, Jarret, and Bill will all be at the Wednesday meeting. There will be no tree felling prior to this meeting.
- MVP met with their tree felling contractor to review the areas approved for clearing. MVP will start removing trees right after next Wednesday's meeting. FS has asked Transcon to monitor environmental compliance during tree felling. FS requested Transcon provide an archaeologist to be on site during tree felling near the FS cultural site.
- Transcon had previously sent a list of items for MVP to review and respond to in order to track compliance prior to an NTP for tree felling and road work. MVP has previously committed to providing a press release to FS for these activities. The Plan of Development Section 6.7, page 6-33, lists requirements that public announcements be provided to FS and posted at kiosks, and construction notifications in local newspapers in Giles, Craig, and Montgomery counties be published prior to construction. The BLM NTP covers both tree felling and road repair/upgrades. Connie requested MVP review their public notification plans and provide updates to the FS as appropriate.

From: Woods, Steven -FS
To: [Neylon, Megan](#)
Cc: [Centofanti, John](#); [Grace Ellis](#); [Lauren Johnston](#); [Jankowiak, Connie L -FS](#); [Morris, Troy - FS](#); [Thompson, James H - FS](#)
Subject: RE: MVP Road Use Application
Date: Monday, February 26, 2018 2:57:52 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[FS_7700_41_v07-2013.docx](#)
[MVP Road Permit_FORMAL_2018_rev1.docx](#)
[MVP Road Permit_FORMAL_2018_FINAL.docx](#)
[MVP_Appendix B_2018.docx](#)
[MVP_Appendix C_2018.docx](#)

Megan,

You will find that I have attached several forms for you to go over. They are:

- 1) FS 7700 41 - The unedited form for the Road Use Permit.
- 2) MVP... rev1 - An edited version depicting what was to be deleted (strikethrough) and what was added (**red**).
- 3) MVP... FINAL - The finalized version that needs to be signed by MVP's representative and the Forest Supervisor if you are in agreement with its content.
- 4) Appendix B – Maintenance Requirements
- 5) Appendix C – Revocation, Suspension and Termination Conditions

Because this is a legal document, I want you to see all that an unedited form includes as well as those things that do not pertain to this particular permit. Also, please note that Appendix A is the Program of Development (POD) which I have not attached.

If you or anyone have questions or comments, please let me know.

Thanks!

Steven C. Woods
INFRA Data Steward / Civil Engineer
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5189

c: 540-529-0364

f: 540-265-5109

swoods01@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: Neylon, Megan [mailto:MNeylon@eqt.com]

Sent: Tuesday, February 20, 2018 3:49 PM

To: Woods, Steven -FS <swoods01@fs.fed.us>

Cc: Centofanti, John <JCentofanti@eqt.com>; 'Grace Ellis (grace.ellis@galileoaz.com)' <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>; Thompson, James H -FS <jamesthompson@fs.fed.us>

Subject: RE: MVP Road Use Application

Hi Steven,

Thank you for the updated.

I have modified the map as requested below and attached it.

The maintenance requirements were sent directly to me from Shamina Dillard in March 2017. See the attached email. I am happy to update the information but wanted to run that past you before I updated a USFS document.

Please let me know if you need anything additional from us.

Thank you,
Megan

From: Woods, Steven -FS [<mailto:swoods01@fs.fed.us>]

Sent: Monday, February 19, 2018 3:13 PM

To: Neylon, Megan <MNeylon@eqt.com>

Cc: Centofanti, John <JCentofanti@eqt.com>; 'Grace Ellis (grace.ellis@galileoaz.com)' <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>; Thompson, James H -FS <jamesthompson@fs.fed.us>

Subject: [EXTERNAL] RE: MVP Road Use Application

Megan,

Everything looks good on your application except for a few minor things which I will list below. The draft permit I have put together will be reviewed internally and its potential issuance should go forward this week after you all have a chance to review it as well. I want to make sure that everyone is clear on responsibilities and expectations (Forest Service and MVP) going forward concerning construction, maintenance and inspection of the road during all phases of its use. These types of permits generally have a specific termination date associated with them, but I believe that we can make this a renewable permit. The timeframe (yearly, 5-yrs, 10-yrs, etc.) is something that we need to decide upon internally and something that you all can agree upon.

In any case, the items that need addressing are as follows:

- 1) The map titled "MVP Pocahontas Road Extent Outside of JNF Boundary" depicts UNKNOWN

ownership. The ownership is likely Forest Service and should be identified as such.

- 2) Maintenance Requirements typical details show an out-sloped road detail section on page 6 as well as a crowned roadbed typical section shown on page 4. Maintenance Requirements page 1 of 6, Surface Blading of Roads only discusses crowned road sections. The written discussion needs to agree and include outslope road sections in the discussion as well. This will aid in doing what is necessary to insure proper road drainage based upon field conditions.
- 3) Also, I need to get further clarification from one of the reviewers in regards to everything being in agreement between your stated Purpose of Use and Remarks associated with them. I will be able to discuss this with them tomorrow, so I will let you know what needs to be addressed by COB.

Thanks!

Steven C. Woods
INFRA Data Steward / Civil Engineer
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5189

c: 540-529-0364

f: 540-265-5109

swoods01@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: Neylon, Megan [<mailto:MNeylon@eqt.com>]

Sent: Thursday, February 15, 2018 12:29 PM

To: Woods, Steven -FS <swoods01@fs.fed.us>

Cc: Centofanti, John <JCentofanti@eqt.com>; 'Grace Ellis (grace.ellis@galileoaz.com)' <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>

Subject: MVP Road Use Application

Steven,

Per our conversation on Wednesday afternoon, I believe I have captured all of the requested edits to the JNF roads application. Please see attached. If you have questions or need additional information please let me know.

Thank you,

Megan E. Neylon

Supervisor - Permitting
Mobile: 304-841-2086
Office: 724-873-3645
2200 Energy Drive, 2nd Floor
Canonsburg, PA 15317
MNeylon@eqt.com

To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>

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U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

NON-FEDERAL COMMERCIAL ROAD USE PERMIT

AUTHORITY:

Section 4 and Section 6 of the National Forest Roads and Trails Act
16 U.S.C. 535 and 537

<Delete all user notes before printing.>

[name and address] (the holder), is hereby granted use of the following roads or road segments and related transportation facilities (hereinafter "roads") on the [ranger district and national forest], for commercial hauling, subject to the terms and conditions of this permit:

<List roads and road segments authorized by this permit.>

APPENDICES

<Delete any inapplicable appendices and re-letter the remaining appendices.>

- A – Annual Operating Plan
- B – Reconstruction Schedule
- C – Reconstruction Plans and Specifications
- D – Commensurate Share Calculation
- E – Maintenance Requirements
- F – Investment Sharing Calculation

TERMS AND CONDITIONS**I. GENERAL TERMS**

A. AUTHORITY. This permit is issued pursuant to the National Forest Roads and Trails Act, 16 U.S.C. 535 and 537, and 36 CFR Part 212, Subpart A, as amended, and is subject to their provisions.

B. RESPONSIBLE OFFICIAL. The responsible official is the [district ranger or forest or grassland supervisor] or a subordinate officer with delegated authority.

C. TERM. This permit shall expire at midnight on [date], ____ [months or years] from the date of issuance. Expiration of this permit shall not require notice, a decision document, or any environmental analysis or other documentation.

D. RENEWAL. This permit is not renewable. Prior to expiration of this permit, the holder may apply for a new permit that would renew the use authorized by this permit. Renewal of the use shall be at the sole discretion of the responsible official.

E. AMENDMENT. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the responsible official, this action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, directive, the applicable land management plan, or projects and activities implementing a land management plan pursuant to 36 CFR part 215.

F. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS. In exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements, including state traffic laws, that apply to the permit area, to the extent they do not conflict with

federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

G. NON-EXCLUSIVE USE. The use authorized by this permit is not exclusive. The Forest Service reserves the right to use the roads authorized by this permit and to allow others to use them at any time. The holder shall use the roads authorized by this permit in a manner that will not unreasonably or unnecessarily interfere with their use by others, including the Forest Service. Except for any restrictions that the holder and the Forest Service agree are necessary to protect public safety and road investments, the roads authorized by this permit shall remain open to the public for all lawful purposes.

H. ASSIGNABILITY. This permit is not assignable or transferable.

II. OPERATIONS

A. ANNUAL OPERATING PLAN. The holder shall prepare and annually revise by [date] an operating plan. The annual operating plan shall be prepared in consultation with the responsible official or the responsible official's designated representative and shall cover all operations authorized by this permit. At a minimum, the annual operating plan shall specify the date the use authorized by this permit will commence, the duration and extent of the use, the products that will be hauled, a traffic control plan per clause II.C, the names of the holder's employees, contractors, and subcontractors who will use the roads authorized by this permit on behalf of the holder, and any other information regarding the authorized use deemed necessary by the responsible official. The annual operating plan shall be submitted by the holder and approved by the responsible official or the responsible official's designated representative prior to commencement of commercial hauling under this permit and shall be attached to this permit as Appendix A. If there is any material change in the information contained in the annual operating plan, the holder shall notify the responsible official promptly in writing of the change.

B. HOLDER'S REPRESENTATIVE. The holder shall designate a representative for purposes of administration of this permit and shall notify the responsible official in writing who the holder's representative will be.

C. USE RECORDS. Every [insert interval] during periods the holder is conducting commercial hauling on the roads covered by this permit, the holder shall provide scale or other records acceptable to the responsible official that document the quantity hauled, calculated in the unit of measure (e.g., thousands of board feet, tons, cubic yards, or vehicle units) used to determine payments in lieu of performance under clause III.E or the holder's investment share under section V.

D. PUBLIC SAFETY. When the holder is engaged in commercial hauling adjacent to or on National Forest System roads or National Forest System trails open to public travel, the holder shall provide users with adequate warning of hazardous conditions associated with the holder's operations. A traffic control plan for each commercial hauling project shall be approved by the responsible official in writing before commercial hauling commences. Warning devices shall be appropriate for current conditions and shall be covered or removed when not needed. Flags and other warning devices shall comply with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) and any specifications attached to this permit.

E. TRAFFIC RULES AND USE RESTRICTIONS

1. The holder and its agents, employees, and contractors shall comply with all traffic rules and use restrictions imposed by the Forest Service, including:

- a. Road closures or use restrictions prompted by weather conditions, a fire hazard, or road construction or maintenance.
- b. Traffic rules for safe and effective use of roads.
- c. Regulation of the number of vehicles using a road to prevent traffic congestion.

2. Unless specified in this permit or approved in writing by the responsible official, use of motor vehicles by the holder or its agents, employees, or contractors must be in accordance with the applicable motor vehicle use map (36 CFR 261.13).

3. Temporary traffic control signs, flagging, and warning devices for road construction, operation, or maintenance conducted under this permit shall comply with Part 6 of the MUTCD.
4. The holder shall not load logs on trucks parked on a road, except to recover lost logs.
5. The holder shall not operate vehicles or equipment with cleats or other tracks that will injure the road surface.

<Include clause II.D.6 when the permit authorizes off-highway haul. Otherwise, delete clause II.D.6.>

6. The holder shall not operate logging trucks more than _____ feet wide, more than _____ feet long, or with a gross weight and load of more than _____ tons.

F. REQUIREMENT TO CARRY A COPY OF THE PERMIT. Drivers of all vehicles operating under this permit shall have a copy of the first sheet of this permit in their vehicle. The copy will be presented, on request, to any Forest Service officer.

G. LOAD MARKING. Unless otherwise approved in writing by the responsible official, when hauling wood products under authority of this permit, a 6" minimum size red letter "P" shall be painted on three or more ends of logs visible from the front and on three or more ends of logs visible from the back of the load.

III. PERFORMANCE AND COST RECOVERY

A. RECONSTRUCTION REQUIRED TO ACCOMMODATE USE. The holder shall perform any road reconstruction required to accommodate the holder's use under this permit, or deposit funds sufficient to cover the cost of the reconstruction, before the holder's use commences.

<USER NOTES FOR CLAUSE III.B>

<Delete clause III.B if road reconstruction is not required to accommodate the authorized use, and reletter the remaining clauses in section III.>

B. RECONSTRUCTION SCHEDULE, PLANS, AND SPECIFICATIONS. To accommodate the authorized use, the holder shall perform the road reconstruction described in the attached schedule (Appendix B), in accordance with that schedule and the attached plans and specifications (Appendix C).

C. COMMENSURATE SHARE

1. The holder shall perform maintenance, or deposit funds sufficient to cover the cost of maintenance, commensurate with the holder's use of the roads authorized by this permit (the holder's commensurate share), measured, e.g., in thousand board feet, cubic yards, or vehicle units. The holder shall be entirely responsible for maintenance that is necessitated by the holder's use, i.e., maintenance which would not be necessary if the holder's use did not occur. The holder shall be proportionately responsible with other users of the roads authorized by this permit for maintenance not necessitated by traffic, i.e., maintenance that is necessary due to natural causes such as rain, wind, rock fall, and growth of brush. Maintenance that could be required or for which payment could be required by this clause includes, at a minimum, work addressed in section IV of this permit.

2. The initial calculation of the holder's commensurate share, including the maintenance made necessary by the authorized use and the cost of the maintenance, is shown in Appendix D. The value of the holder's commensurate share for the use authorized by this permit is \$_____, provided that the rate shall be revised upward or downward on the anniversary date of this permit, based on estimated costs and anticipated use of the roads authorized under this permit. If the value of the holder's commensurate share exceeds the cost of maintenance that is performed on the roads authorized by this permit, the difference between the value of the holder's commensurate share and the cost of the maintenance performed shall be deposited in cash, as provided in clause III.E.

D. PERFORMANCE BOND FOR ROAD MAINTENANCE. As a further guarantee of the holder's commensurate share obligation, the responsible official may require the holder to furnish a surety bond or other security.

<USER NOTES FOR CLAUSES III.D.1 and III.D.2>

<Delete clauses III.D.1 and III.D.2 when a performance bond is not required.>

1. As a further guarantee of compliance with the holder's commensurate share obligation, the holder shall deliver and maintain a surety bond or other acceptable security, such as cash deposited and maintained in a federal depository or negotiable securities of the United States, in the amount of \$_____. The responsible official may periodically evaluate the adequacy of the bond or other security and increase or decrease the amount as appropriate. If the bond or other security becomes unsatisfactory to the responsible official, the holder shall within 30 days of demand furnish a new bond or other security issued by a surety that is solvent and satisfactory to the responsible official. If the holder fails to meet any of the requirements secured under this clause, money deposited pursuant to this clause shall be retained by the United States to the extent necessary to satisfy the obligations secured under this clause, without prejudice to any other rights and remedies of the United States.
2. The bond shall be released or other security returned 30 days after (a) the responsible official certifies that the obligations covered by the bond or other security are met and (b) the holder establishes to the satisfaction of the responsible official that all claims for labor and material for the secured obligations have been paid or released.

<USER NOTES FOR CLAUSE III.E>

<Include clause III.E when payments are made in lieu of performance of maintenance. Otherwise, delete clause III.E.>

E. PAYMENT IN LIEU OF PERFORMANCE. An initial payment in lieu of performance of maintenance in the amount of \$_____ shall be made before use commences under this permit. Thereafter, payments in lieu of performance shall be made [weekly/monthly] in the amount of \$_____, calculated using the rate of payment for the holder's commensurate share in clause III.C. Payments shall be based on monthly use records submitted per clause II.C. Payments shall be sent to [address]. In lieu of an advance payment, the holder may deliver and maintain a surety bond or other acceptable security, such as cash deposited and maintained in a federal depository or negotiable securities of the United States, in the amount of \$_____. If the holder fails to meet the payment obligation secured under this clause, money deposited pursuant to this clause shall be retained by the United States to the extent necessary to satisfy the obligation, without prejudice to any other rights and remedies of the United States. The surety bond shall be released or other security returned 30 days after the responsible official certifies that the obligation covered by the bond or other security is met.

IV. REQUIREMENTS FOR CONDUCTING MAINTENANCE

A. IN GENERAL. When maintenance is performed, it shall be conducted in accordance with the following requirements and the requirements in Appendix E:

1. The holder shall perform maintenance on the roads authorized by this permit that is necessary to protect and repair the roadbed, road surface, and associated transportation facilities.
2. The holder shall resurface the roads authorized by this permit to the extent loss of surfacing is caused by the use authorized by this permit.
3. If other commercial haulers are operating on the roads authorized by this permit, the holder and those commercial haulers shall enter into an agreement for performance of maintenance on these roads. If conflicts arise regarding responsibility for the maintenance, commercial hauling on these roads shall cease until the conflicts are resolved.

B. SNOW REMOVAL. Snow removal shall be conducted in a manner that protects roads, ensures safe and efficient transportation of materials, and prevents erosion damage to roads, streams, and adjacent lands. The holder shall:

1. Remove snow from the entire width of the road surface, including turnouts.
2. Remove snow slides, earth slides, fallen timber, and boulders that obstruct the road surface.
3. Remove snow, ice, and debris from ditches and culverts so that the drainage system will function efficiently at all times.
4. Deposit all debris, except snow and ice, removed from the road surface and ditches at locations approved by the responsible official and away from stream channels.
5. Leave at least ____ inches of snow to protect the road.
6. Restore any damage resulting from snow removal in a timely manner.
7. Ensure that snow plowing is conducted in accordance with the traffic control plan required under clause II.C.

The holder shall not:

8. Undercut constructed slopes or remove gravel or other surfacing material from the road surface.
9. Leave snow berms on the road surface. Berms on the shoulder of the road shall be removed or drainage holes shall be opened and maintained. Drainage holes shall be spaced as necessary to obtain satisfactory surface drainage without discharge on erodible fills.
10. Use equipment with cleats or other tracks to plow snow without prior written approval of the responsible official.

<Insert any additional requirements for snow removal.>

<USER NOTES FOR SECTION V>

<Include the following section V when the holder is subject to investment sharing under section 4 of FRTA, 16 U.S.C. 535, and the holder will enter into a cooperative agreement with the Forest Service for the agency to recoup the holder's share of the construction costs for roads authorized under this permit that have been borne by the agency. The authority for the cooperative agreement is section 4 of FRTA and section 1 of the Cooperative Funds and Deposits Act, 16 U.S.C. 565a-1. See FSH 7709.58.>

V. INVESTMENT SHARING. The holder is hauling non-federal forest products from land tributary to roads authorized under this permit, and is therefore subject to investment sharing under 16 U.S.C. 535. The holder and the responsible official have entered into a cooperative agreement for the agency to recoup the holder's share of the construction costs for roads authorized under this permit that have been borne by the agency (the holder's investment share). The holder may contribute funds or may perform maintenance or reconstruction required to accommodate the holder's use to satisfy the holder's investment sharing obligation. The cooperative agreement shall include the holder's investment share calculation and shall be attached to this permit.

<Include the following section V when the holder is subject to investment sharing under section 4 of FRTA and the holder has not entered into a cooperative agreement with the Forest Service for the agency to recoup the holder's share of the construction costs for roads authorized under this permit that have been borne by the agency.>

V. INVESTMENT SHARING

1. The holder is hauling non-federal forest products from land tributary to roads authorized under this permit, and is therefore subject to investment sharing under 16 U.S.C. 535. The holder shall reimburse the Forest Service or, in lieu of reimbursement, perform maintenance or reconstruction required to accommodate the holder's use, for the holder's share of the construction costs for roads authorized under this permit that have been borne by the Forest Service (the holder's investment share). If reconstruction to accommodate the holder's use is required, it shall be completed before the holder's use commences.

2. The holder's investment share shall be based on the percentage of total non-federal forest products on lands tributary to the roads authorized by this permit that the holder will be hauling. The value of the holder's investment share is \$_____, calculated using the rate of payment for the holder's commensurate share in clause III.C. Payments shall be based on monthly use records submitted per clause II.C. Payments shall be sent to [address]. The holder's investment share shall be paid off at a rate of the total construction costs for roads authorized under this permit divided by the total volume of non-federal forest products (e.g., measured in thousand board feet, tons, cubic yards, or vehicle units) that will be hauled from lands tributary to the roads authorized by this permit over [specify period, typically 20 years]. The calculation of the holder's investment share and the rate of payment are shown in Appendix F.

VI. RIGHTS AND LIABILITIES

A. LEGAL EFFECT OF THE PERMIT. This permit, which is revocable and terminable, is a federal license. This permit does not constitute a contract or lease for purposes of the Contract Disputes Act, 41 U.S.C. 601. This permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. VALID OUTSTANDING RIGHTS. This permit is subject to all valid outstanding rights.

C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS. The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

D. RISK OF LOSS. The holder assumes all risk of loss associated with use of the roads authorized by this permit, including but not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and acts of God.

E. DAMAGE TO UNITED STATES PROPERTY. The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States. Damage includes but is not limited to fire suppression costs, damage to government improvements covered by this permit, and all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. For purposes of this clause, "hazardous material" shall mean any hazardous substance, pollutant, contaminant, hazardous waste, oil, and/or petroleum product, as those terms are defined under any federal, state, or local law or regulation.

1. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, while conducting commercial hauling under this permit. If the environment or any government property covered by this permit becomes damaged during the holder's use under this permit, the holder shall immediately repair the damage or replace the damaged items to the satisfaction of the responsible official and at no expense to the United States.

2. The holder shall be liable for all injury, loss, or damage, including fire suppression, or other costs in connection with rehabilitation or restoration of natural resources associated with the use authorized by this permit. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all

administrative, legal (including attorney's fees), and other costs. Such costs may be deducted from a performance bond required under clause IV.D.

3. The holder shall be liable for damage caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to all roads and trails of the United States to the same extent as provided under clause VI.E.1.

F. HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any activity or condition arising out of or relating to use of the roads authorized by this permit that causes or threatens to cause a hazard to public health or the safety of the holder's employees or agents or harm to the environment (including areas of vegetation or timber, fish or other wildlife populations, their habitats, or any other natural resources). The holder shall immediately notify the responsible official of all traffic accidents and any other serious accidents that occur in connection with the authorized use. The responsibility to protect the health and safety of all persons affected by use of the roads authorized by this permit is solely that of the holder. The Forest Service has no duty under the terms of this permit to inspect the roads authorized by this permit or authorized activities of the holder for hazardous conditions or compliance with health and safety standards.

G. COMPLIANCE WITH ENVIRONMENTAL LAWS. The holder shall in connection with use of the roads authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 *et seq.*, the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 *et seq.*, the Oil Pollution Act, as amended, 33 U.S.C. 2701 *et seq.*, the Clean Air Act, as amended, 42 U.S.C. 7401 *et seq.*, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9601 *et seq.*, the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 *et seq.*, the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 *et seq.*, and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f *et seq.*

H. INDEMNIFICATION OF THE UNITED STATES. The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder or the holder's employees, contractors, or subcontractors in connection with use of the roads authorized by this permit. This indemnification provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, or contractors in connection with use of the roads authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable, and including but not limited to those environmental laws listed in clause V.G of this permit; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous substance, pollutant, contaminant, oil in any form, or petroleum product into the environment. The responsible official may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in addition to or as an alternative to monetary indemnification.

I. INSURANCE

<USER NOTES FOR CLAUSE VI.I.1>

<Use the minimum coverage established in applicable state law; a cooperative agreement or an easement issued for the roads authorized by the permit; or \$_____, \$_____, and \$_____, respectively, for injury or death to one person, injury or death to two or more persons, and property damage, whichever is greater.>

1. The holder or the holder's employees, contractors, or subcontractors shall have in force automobile insurance covering losses associated with the use authorized by this permit in at least the amount of \$_____ for injury or death to one person, \$_____ for injury or death to two or more persons, and \$_____ for property damage. Minimum amounts of coverage and other insurance requirements are subject to change at the sole discretion of the responsible official on the anniversary date of this permit.

2. Any insurance policies obtained by the holder pursuant to this clause shall name the United States as an additional insured, and the additional insured provision shall provide for insurance coverage for the United States as required under clause VI.I. The policies also shall specify that the insurance company shall give 30 days prior written notice to the responsible official of cancellation of or any modification to the policies.

3. The holder shall furnish proof of insurance, such as a certificate of insurance, to the responsible official prior to issuance of this permit and each year thereafter that this permit is in effect. The Forest Service reserves the right to review and approve the insurance policy prior to issuance. The holder shall send an authenticated copy of any insurance policy obtained pursuant to clause VI.I to the responsible official immediately upon issuance of the policy. The certificate of insurance, the authenticated copy of the insurance policy, and written notice of cancellation or modification of insurance should be sent to [address of responsible official].

VII. REVOCATION, SUSPENSION, AND TERMINATION

A. REVOCATION AND SUSPENSION. The responsible official may revoke or suspend this permit in whole or in part for:

1. Noncompliance with federal, state, or local law.
2. Noncompliance with the terms of this permit.
3. Abandonment or other failure of the holder to exercise the privileges granted.

Prior to revocation or suspension, other than immediate suspension under clause VII.B, the responsible official shall give the holder written notice of the grounds for revocation or suspension and a reasonable time, typically not to exceed 90 days, to cure any noncompliance. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

B. IMMEDIATE SUSPENSION. The responsible official may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing.

C. TERMINATION. This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the responsible official, such as expiration of the permit by its terms on a specified date or with the consent of the holder. Termination of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

VIII. MISCELLANEOUS PROVISIONS

A. MEMBERS OF CONGRESS. No member of or delegate to Congress or Resident Commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

B. CURRENT ADDRESSES. The holder and the responsible official shall keep each other informed of current mailing addresses, including those necessary for payment of the holder's commensurate or investment share.

<USER NOTES FOR CLAUSE VIII.C>

<Delete clause VIII.C if it does not apply, and reletter the remaining clause.>

C. SUPERSEDED PERMIT. This permit supersedes a road use permit issued to [holder] dated ____.

D. SUPERIOR CLAUSES. If there is a conflict between any of the preceding printed clauses and any of the following clauses, the preceding printed clauses shall control.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

BEFORE ANY PERMIT IS ISSUED TO AN ENTITY, DOCUMENTATION MUST BE PROVIDED TO THE RESPONSIBLE OFFICIAL OF THE AUTHORITY OF THE SIGNATORY FOR THE ENTITY TO BIND IT TO THE TERMS AND CONDITIONS OF THE PERMIT.

ACCEPTED:

HOLDER NAME, PRECEDED BY NAME AND TITLE OF PERSON SIGNING ON BEHALF OF HOLDER, IF HOLDER IS AN ENTITY	SIGNATURE	DATE
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APPROVED:

NAME AND TITLE OF RESPONSIBLE OFFICIAL	SIGNATURE	DATE
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<Attach annual operating plan, maintenance requirements, reconstruction schedule, reconstruction plans and specifications, commensurate share calculation, investment sharing calculation, and any other appendices.>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0016. The time required to complete this information collection is estimated to have no associated burden per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

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U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

NON-FEDERAL COMMERCIAL ROAD USE PERMIT

AUTHORITY:

Section 4 and Section 6 of the National Forest Roads and Trails Act
16 U.S.C. 535 and 537

Mountain Valley Pipeline, 2200 Energy Drive, Canonsburg, PA 15317 (the holder), is hereby granted use of the following road / road segments and related transportation facilities (hereinafter "roads") on the Eastern Divide Ranger District on the George Washington and Jefferson National Forests, for use during construction of the pipeline segment traversing the forest, subject to the terms and conditions of this permit:

FS 972, Pocohontas - MP 0.00 to MP 6.15
FS 11080, Mystery Ridge - MP 0.00 to MP 3.43**APPENDICES**

- A – Annual Operating Plan
- B – Maintenance Requirements
- C – Revocation, Suspension and Termination Conditions

TERMS AND CONDITIONS**I. GENERAL TERMS**

A. AUTHORITY. This permit is issued pursuant to the National Forest Roads and Trails Act, 16 U.S.C. 535 and 537, and 36 CFR Part 212, Subpart A, as amended, and is subject to their provisions.

B. RESPONSIBLE OFFICIAL. The responsible official is Joby Timm, Forest Supervisor, or a subordinate officer with delegated authority.

C. TERM. This permit shall expire at midnight 5 years from the date of issuance. Expiration of this permit shall not require notice, a decision document, or any environmental analysis or other documentation.

D. RENEWAL. This permit is not renewable. Prior to expiration of this permit, the holder may apply for a new permit that would renew the use authorized by this permit. Renewal of the use shall be at the sole discretion of the responsible official.

E. AMENDMENT. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the responsible official, this action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, directive, the applicable land management plan, or projects and activities implementing a land management plan pursuant to 36 CFR part 215.

F. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS. In exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements, including state traffic laws, that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

G. NON-EXCLUSIVE USE. The use authorized by this permit is not exclusive. The Forest Service reserves the right to use the roads authorized by this permit and to allow others to use them at any time. The holder shall use the roads authorized by this permit in a manner that will not unreasonably or unnecessarily interfere with their use by others, including the Forest Service. Except for any restrictions that the holder and the Forest Service agree are necessary to protect public safety and road investments, the roads authorized by this permit shall remain open to the public for all lawful purposes.

H. ASSIGNABILITY. This permit is not assignable or transferable.

II. OPERATIONS

A. ANNUAL OPERATING PLAN. The holder shall prepare and annually revise an operating plan. The annual operating plan shall be prepared in consultation with the responsible official or the responsible official's designated representative and shall cover all operations authorized by this permit. At a minimum, the annual operating plan shall specify the date the use authorized by this permit will commence, the duration and extent of the use, the products that will be hauled, a traffic control plan per clause II.C, the names of the holder's employees, contractors, and subcontractors who will use the roads authorized by this permit on behalf of the holder, and any other information regarding the authorized use deemed necessary by the responsible official. The annual operating plan shall be submitted by the holder and approved by the responsible official or the responsible official's designated representative prior to commencement of commercial hauling under this permit and shall be attached to this permit as Appendix A. If there is any material change in the information contained in the annual operating plan, the holder shall notify the responsible official promptly in writing of the change.

B. HOLDER'S REPRESENTATIVE. The holder shall designate a representative for purposes of administration of this permit and shall notify the responsible official in writing who the holder's representative will be.

C. USE RECORDS. Every month during periods the holder is conducting commercial hauling on the roads covered by this permit, the holder shall provide scale or other records acceptable to the responsible official that document the quantity hauled, calculated in the unit of measure (e.g., thousands of board feet, tons, cubic yards, or vehicle units) used to determine payments in lieu of performance under clause III.E or the holder's investment share under section V.

D. PUBLIC SAFETY. When the holder is engaged in commercial hauling adjacent to or on National Forest System roads or National Forest System trails open to public travel, the holder shall provide users with adequate warning of hazardous conditions associated with the holder's operations. A traffic control plan for each commercial hauling project shall be approved by the responsible official in writing before commercial hauling commences. Warning devices shall be appropriate for current conditions and shall be covered or removed when not needed. Flags and other warning devices shall comply with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) and any specifications attached to this permit.

E. TRAFFIC RULES AND USE RESTRICTIONS

1. The holder and its agents, employees, and contractors shall comply with all traffic rules and use restrictions imposed by the Forest Service, including:

a. Road closures or use restrictions prompted by weather conditions, a fire hazard, or road construction or maintenance.

b. Traffic rules for safe and effective use of roads.

c. Regulation of the number of vehicles using a road to prevent traffic congestion.

2. Unless specified in this permit or approved in writing by the responsible official, use of motor vehicles by the holder or its agents, employees, or contractors must be in accordance with the applicable motor vehicle use map (36 CFR 261.13).

3. Temporary traffic control signs, flagging, and warning devices for road construction, operation, or maintenance conducted under this permit shall comply with Part 6 of the MUTCD.

4. The holder shall not load logs on trucks parked on a road, except to recover lost logs.
5. The holder shall not operate vehicles or equipment with cleats or other tracks that will injure the road surface.

F. REQUIREMENT TO CARRY A COPY OF THE PERMIT. Drivers of all vehicles operating under this permit shall have a copy of the first sheet of this permit in their vehicle. The copy will be presented, on request, to any Forest Service officer.

G. LOAD MARKING. Unless otherwise approved in writing by the responsible official, when hauling wood products under authority of this permit, a 6" minimum size red letter "P" shall be painted on three or more ends of logs visible from the front and on three or more ends of logs visible from the back of the load.

III. PERFORMANCE AND COST RECOVERY

A. RECONSTRUCTION REQUIRED TO ACCOMMODATE USE. The holder shall perform any road reconstruction required to accommodate the holder's use under this permit, or deposit funds sufficient to cover the cost of the reconstruction, before the holder's use commences.

B. COMMENSURATE SHARE.

The holder shall perform maintenance, or deposit funds sufficient to cover the cost of maintenance, commensurate with the holder's use of the roads authorized by this permit (the holder's commensurate share), measured, e.g., in thousand board feet, cubic yards, or vehicle units. The holder shall be entirely responsible for maintenance that is necessitated by the holder's use, i.e., maintenance which would not be necessary if the holder's use did not occur. The holder shall be proportionately responsible with other users of the roads authorized by this permit for maintenance not necessitated by traffic, i.e., maintenance that is necessary due to natural causes such as rain, wind, rock fall, and growth of brush. Maintenance that could be required or for which payment could be required by this clause includes, at a minimum, work addressed in section IV of this permit.

C. PERFORMANCE BOND FOR ROAD MAINTENANCE. As a further guarantee of the holder's commensurate share obligation, the responsible official may require the holder to furnish a surety bond or other security.

IV. REQUIREMENTS FOR CONDUCTING MAINTENANCE

A. IN GENERAL. When maintenance is performed, it shall be conducted in accordance with the following requirements and the requirements in Appendix B:

1. The holder shall perform maintenance on the roads authorized by this permit that is necessary to protect and repair the roadbed, road surface, and associated transportation facilities.
2. The holder shall resurface the roads authorized by this permit to the extent loss of surfacing is caused by the use authorized by this permit.
3. When two or more commercial users are simultaneously using the same road where the Forest Service is not requiring maintenance deposits, the commercial users will develop maintenance responsibilities and arrangements for accomplishing the work. The Forest Service must agree to this plan. If commercial users cannot agree on maintenance responsibilities, the Forest Service shall resolve the differences.

B. SNOW REMOVAL. Snow removal shall be conducted in a manner that protects roads, ensures safe and efficient transportation of materials, and prevents erosion damage to roads, streams, and adjacent lands. The holder shall:

1. Remove snow from the entire width of the road surface, including turnouts.
2. Remove snow slides, earth slides, fallen timber, and boulders that obstruct the road surface.

3. Remove snow, ice, and debris from ditches and culverts so that the drainage system will function efficiently at all times.
4. Deposit all debris, except snow and ice, removed from the road surface and ditches at locations approved by the responsible official and away from stream channels.
5. Leave at least 4 inches of snow to protect the road.
6. Restore any damage resulting from snow removal in a timely manner.
7. Ensure that snow plowing is conducted in accordance with the traffic control plan required under clause II.C.

The holder shall not:

8. Undercut constructed slopes or remove gravel or other surfacing material from the road surface.
9. Leave snow berms on the road surface. Berms on the shoulder of the road shall be removed or drainage holes shall be opened and maintained. Drainage holes shall be spaced as necessary to obtain satisfactory surface drainage without discharge on erodible fills.
10. Use equipment with cleats or other tracks to plow snow without prior written approval of the responsible official.

V. INVESTMENT SHARING. The holder is hauling non-federal forest products from land tributary to roads authorized under this permit, and is therefore subject to investment sharing under 16 U.S.C. 535. The holder and the responsible official have entered into a cooperative agreement for the agency to recoup the holder's share of the construction costs for roads authorized under this permit that have been borne by the agency (the holder's investment share). The holder may contribute funds or may perform maintenance or reconstruction required to accommodate the holder's use to satisfy the holder's investment sharing obligation. The cooperative agreement shall include the holder's investment share calculation and shall be attached to this permit.

VI. RIGHTS AND LIABILITIES

A. LEGAL EFFECT OF THE PERMIT. This permit, which is revocable and terminable, is a federal license. This permit does not constitute a contract or lease for purposes of the Contract Disputes Act, 41 U.S.C. 601. This permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. VALID OUTSTANDING RIGHTS. This permit is subject to all valid outstanding rights.

C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS. The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

D. RISK OF LOSS. The holder assumes all risk of loss associated with use of the roads authorized by this permit, including but not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and acts of God.

E. DAMAGE TO UNITED STATES PROPERTY. The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States. Damage includes but is not limited to fire suppression costs, damage to government improvements covered by this permit, and all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. For purposes of this clause, "hazardous material" shall mean any hazardous substance, pollutant, contaminant, hazardous waste, oil, and/or petroleum product, as those terms are defined under any federal, state, or local law or regulation.

1. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, while conducting commercial

hauling under this permit. If the environment or any government property covered by this permit becomes damaged during the holder's use under this permit, the holder shall immediately repair the damage or replace the damaged items to the satisfaction of the responsible official and at no expense to the United States.

2. The holder shall be liable for all injury, loss, or damage, including fire suppression, or other costs in connection with rehabilitation or restoration of natural resources associated with the use authorized by this permit. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs.

3. The holder shall be liable for damage caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to all roads and trails of the United States to the same extent as provided under clause VI.E.1.

F. HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any activity or condition arising out of or relating to use of the roads authorized by this permit that causes or threatens to cause a hazard to public health or the safety of the holder's employees or agents or harm to the environment (including areas of vegetation or timber, fish or other wildlife populations, their habitats, or any other natural resources). The holder shall immediately notify the responsible official of all traffic accidents and any other serious accidents that occur in connection with the authorized use. The responsibility to protect the health and safety of all persons affected by use of the roads authorized by this permit is solely that of the holder. The Forest Service has no duty under the terms of this permit to inspect the roads authorized by this permit or authorized activities of the holder for hazardous conditions or compliance with health and safety standards.

G. COMPLIANCE WITH ENVIRONMENTAL LAWS. The holder shall in connection with use of the roads authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 *et seq.*, the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 *et seq.*, the Oil Pollution Act, as amended, 33 U.S.C. 2701 *et seq.*, the Clean Air Act, as amended, 42 U.S.C. 7401 *et seq.*, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9601 *et seq.*, the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 *et seq.*, the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 *et seq.*, and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f *et seq.*

H. INDEMNIFICATION OF THE UNITED STATES. The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder or the holder's employees, contractors, or subcontractors in connection with use of the roads authorized by this permit. This indemnification provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, or contractors in connection with use of the roads authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable, and including but not limited to those environmental laws listed in clause V.G of this permit; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous substance, pollutant, contaminant, oil in any form, or petroleum product into the environment. The responsible official may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in addition to or as an alternative to monetary indemnification.

I. INSURANCE

1. The holder or the holder's employees, contractors, or subcontractors shall have in force automobile insurance covering losses associated with the use authorized by this permit in at least the amount of \$1,000,000 for injury or death to one person, \$1,000,000 for injury or death to two or more persons, and

\$1,000,000 for property damage. Minimum amounts of coverage and other insurance requirements are subject to change at the sole discretion of the responsible official on the anniversary date of this permit.

2. Any insurance policies obtained by the holder pursuant to this clause shall name the United States as an additional insured, and the additional insured provision shall provide for insurance coverage for the United States as required under clause VI.I. The policies also shall specify that the insurance company shall give 30 days prior written notice to the responsible official of cancellation of or any modification to the policies.

3. The holder shall furnish proof of insurance, such as a certificate of insurance, to the responsible official prior to issuance of this permit and each year thereafter that this permit is in effect. The Forest Service reserves the right to review and approve the insurance policy prior to issuance. The holder shall send an authenticated copy of any insurance policy obtained pursuant to clause V.I to the responsible official immediately upon issuance of the policy. The certificate of insurance, the authenticated copy of the insurance policy, and written notice of cancellation or modification of insurance should be sent to the responsible official at 5162 Valleypointe Parkway, Roanoke, VA 24019.

VII. REVOCATION, SUSPENSION, AND TERMINATION

A. REVOCATION AND SUSPENSION. The responsible official may revoke or suspend this permit in whole or in part for:

1. Noncompliance with federal, state, or local law.
2. Noncompliance with the terms of this permit.
3. Abandonment or other failure of the holder to exercise the privileges granted.

Prior to revocation or suspension, other than immediate suspension under clause VII.B, the responsible official shall give the holder written notice of the grounds for revocation or suspension and a reasonable time, typically not to exceed 90 days, to cure any noncompliance. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

B. IMMEDIATE SUSPENSION. The responsible official may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing.

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C. SUPERIOR CLAUSES. If there is a conflict between any of the preceding printed clauses and any of the following clauses, the preceding printed clauses shall control.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

BEFORE ANY PERMIT IS ISSUED TO AN ENTITY, DOCUMENTATION MUST BE PROVIDED TO THE RESPONSIBLE OFFICIAL OF THE AUTHORITY OF THE SIGNATORY FOR THE ENTITY TO BIND IT TO THE TERMS AND CONDITIONS OF THE PERMIT.

ACCEPTED:

HOLDER NAME, PRECEDED BY NAME AND TITLE OF PERSON SIGNING ON BEHALF OF HOLDER, IF HOLDER IS AN ENTITY	SIGNATURE	DATE
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APPROVED:

NAME AND TITLE OF RESPONSIBLE OFFICIAL	SIGNATURE	DATE
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APPENDIX B

ROAD MAINTENANCE REQUIREMENTS (IN LIEU OF PAYMENT)

1.) Surface Blading of Roads

All blading shall conform to the following requirements:

- a) Grade with a motorgrader to establish a crown or outslope prior to hauling and initial aggregate placement as needed to maintain drainage and remove any ruts and potholes; and
- b) Grade with a motorgrader to establish a crown or outslope as needed to facilitate drainage upon project completion.

General Requirements:

All blading performed shall conform to the following specifications:

Blading operations are to be done over the traveled way in order to remove, by cutting out, all ruts, potholes, corrugations, and berms. All suitable dislodged aggregate shall be smoothly redistributed over the traveled way to produce the proper cross-slope or crown as specified. Existing surfacing material will not be wasted during blading operations.

Aggregate surfacing which has been worked onto road shoulders by traffic or previous maintenance activities shall be reclaimed and smoothly redistributed over the traveled way. Traveled way widths shall be perpetuated as existing. Dips and swales designated to control surface drainage are to be maintained. Turnouts and intersections shall be considered part of the traveled way. Assure proper road crowns and surface drainage is in accordance with what is shown in the typical sections after all operations are completed.

Passes shall not exceed one (1) mile intervals at one time without permission. No undercutting of the roadway edges shall be allowed. Berms of material caused by grading operations shall be removed from the roadway prior to the end of the day's work and not left in place overnight.

Removal of shoulder vegetation and grass sod will not be necessary unless it interferes with proper surface drainage. Reasonable amounts of grass, leaf litter or pine straw is to be smoothly spread within the traveled way or along the shoulder after sufficient movement to sift out surface aggregate. Where grass, leaf litter or pine straw is excessive, this material will be piled in spots along the road shoulder and left to decay. Care must be taken to insure this material does not interfere with surface drainage nor present a safety hazard. If any of this material cannot be placed to avoid interference with drainage, it shall be removed from the roadway. Any such material is to be reclaimed in subsequent bladings and smoothly spread within the traveled way or along the shoulder. Existing material from previous bladings shall also be reclaimed and smoothly spread within the traveled way.

Loose rocks, wood debris, or other unsuitable material, protruding 2 inches (greatest dimension) or more above the graded surface shall be removed. It is permissible to waste the referenced material over the shoulders away from ditches and culverts.

Suitable soil moisture conditions (SMC) for surface blading shall be from 5 – 15 percent by weight. Unless authorized by the Forest Service, no surface blading shall be performed while SMC are outside this range. When SMC are below 5%, the roadbed visually appears to contain little moisture and heavy dusting is present. Under these conditions no wetting precipitation has occurred in the recent past. Above 15% SMC, the roadbed appears oversaturated, contains standing water, or may be rutting slightly. Recent heavy precipitation has occurred under these conditions. If conditions are too dry, the cooperater may provide water to increase moisture content.

2.) Ditch Cleaning

The permittee, on an as needed basis, shall be required to:

- a) Clean ditchlines prior to hauling of any equipment/materials/supplies,
- b) Keep ditchlines functional and free flowing during roadway use, and
- c) Clean ditchlines at the conclusion of hauling.

All ditch cleaning shall be performed in accordance with the following specifications:

All ditches are to be maintained in their original location and at a grade required to insure proper drainage of the roadway. No ditch sections shall have the capacity to create standing water. Ditches shall be shaped as shown in the attached Typical Section unless otherwise directed by the Forest Service. Backslopes shall not be undercut. Drainage structures and road appurtenances shall not be damaged during this operation and the cooperater will be responsible for any damage that occurs from this operation. Handwork required to properly connect ditch flow lines to drainage structures inlets is considered part of this activity. Any existing damaged culverts shall be brought to the attention of the Forest Service.

Rocks (larger than 2 inches), sediment, wood debris (larger than 1.5 inches and 18 inches long), leaves and other debris in the ditch line shall be removed without unnecessarily disturbing the grass or other erosion-controlling vegetation growing in ditches or along ditch slopes. All suitable material, having the same character as the road surface, excavated through this activity shall be reclaimed and used within the traveled way. Unsuitable material shall be wasted beyond and below the outer edge of the road shoulder as directed by the Forest Service. This includes spreading the unsuitable material along back slopes or fill slopes in such a way that maintains surface drainage and prevents the unsuitable material from being deposited onto the road surface.

Leadoff ditches shall be opened for a distance of one machine length to provide drainage away from the roadway. No material excavated from these structures shall be reclaimed onto the roadbed. When ditch bottoms are soft or if there is standing water present, avoid running the grader tire in the ditch. Reshape the ditch using the extended blade.

3.) Culvert Cleaning

The permittee may be required to keep culverts fully operational and free flowing during haul. Culverts that fail as a result of the permittee's operations shall be replaced in kind or repaired at the expense of the permittee to the satisfaction of the government. Any necessary culvert cleaning shall conform to the following:

Culverts, 36-inches and smaller, associated with road and lead-off ditches are to be cleaned of dirt, silt, rock, debris, brush and vegetative matter around the inlet and outlet ends. Permittee shall clean a minimum of three (3) feet inside of the culvert, on both culvert ends. Material extracted from around the ends of the culvert is to be spread off of the roadway and away from ditch lines. This work also includes debris removal from the culvert inlet and outlet ditches (ie, 10 feet from each end of the culvert), catch basins, and other structures associated with the culvert ends.

4.) Aggregate Surfacing

The permittee will be required to tailgate spread aggregate surfacing as set forth below, and as needed to maintain a suitable surface during use.

All aggregate placements shall conform to the following specifications:

The aggregate shall be reasonably hard, durable, free of organic material or other objectionable materials. Spread the aggregate in a uniform layer, with no segregation of size, and to a loose depth that will provide the required compacted thickness. Compact each layer full width with a roller or by operating spreading and hauling equipment over the full width of the traveled way. Blade the surface of each layer during the compaction operations to remove irregularities and produce a smooth, even surface. VDOT #357 stone shall be used as surfacing in wet areas. Nothing smaller than VDOT #26 shall be used without prior approval of the Forest Service. Roller compaction permitted but not required.

APPENDIX C

REVOCATION, SUSPENSION AND TERMINATION CONDITIONS

The responsible official may revoke or suspend this permit in whole or in part in accordance with clause VII.A and all that is contained therein as well as the following:

- 1) Noncompliance with the POD which is recognized as the Annual Operating Plan.
- 2) Noncompliance with BLM's Right of Way Grant.
- 3) Noncompliance with the Restoration and Rehabilitation Plan.
- 4) Noncompliance with the Habitat Mitigation Plan.
- 5) Failure to submit construction drawings and specifications for review and approval prior to construction.

MVP External Weekly Call**Date/Time:** Wednesday, February 28 @ 12:30 -1:30 pm ET**Location:** Conference Call

Attendees	Forest Service (FS)	Connie Jankowiak, Russ MacFarlane
	FS Enterprise	Jessica Rubado
	Bureau of Land Management (BLM)	Vicki Craft
	MVP & Contractors	Megan Neylon, John Centofanti, Jeff Klinefelter, Rob Robertson, Jack Holle, Stan Layman, Sean Sparks
	Transcon	Jeff Davis, Alli Rhodehamel, Nik Gillen
	Galileo	Grace Ellis, Lauren Johnston

ACTIONS

- **Steve Woods** (FS) works with Megan to complete the roads permit during the timber meeting.
- **MVP** sends language from the newspaper add to FS, Transcon, and Galileo.
- **Megan** sends bird surveyor resumes to Transcon and FS for review.
- **MVP** sends Right of Way (ROW) access safety stickers for all Transcon personnel to Transcon's Roanoke address.
- **Galileo** drafts NTP #2 for BLM to transmit to the United States Army Corps of Engineers and to MVP.
- **Transcon** completes photo point work with Appalachian National Scenic Trail (ANST) partners.
- **Dan KcKeague** (FS) continues working with ANST partners to discuss alternatives to mitigating impacts to the ANST on Pocahontas Road.
- **Transcon** sends list of road use signs that need to be updated to Rob Robertson.
- **MVP** updates road use signs to read "Public Access Only. No MVP Construction Access."
- **MVP** provides Steve with the details of the road design permit as soon as possible to allow for tree felling on Pocahontas Road for road widening.
- **Grace & MVP** coordinate updates to Contract Modifications.
- **MVP** sends an updated construction schedule to Transcon, FS, BLM, and Galileo.

DISCUSSION

- BLM was working to address an emergency stay order against the BLM challenging the BLM ROW grant decision on the grounds of inadequate forest fragmentation and co-location analysis. BLM issued Notice to Proceed (NTP) #1 for tree felling activity on Jefferson National Forest (JNF) Land.
- Once the JNF road permit is signed the FS will issue its timber sale contract. Once FS receives the contracts MVP will need to apply for an NTP from the Federal Energy Regulatory Commission (FERC).
- MVP confirmed plans to have flaggers on Pocahontas Road directing traffic during construction.
- Some trees in the ROW appear to be marked erroneously. FS has confirmed these trees were not marked with FS paint, and monitors will be on the ground to make sure the correct trees are felled.

- (b) (5) [Redacted]
[Redacted]
[Redacted]
- [Redacted]
[Redacted]
[Redacted]
[Redacted]
- [Redacted]
[Redacted]
[Redacted]

Lauren Johnston

From: Neylon, Megan <MNeylon@eqt.com>
Sent: Friday, March 2, 2018 8:11 PM
To: Winningham, Jarret -FS; Bryant, Billy K -FS; Ballew, Katie J -FS; Jankowiak, Connie L -FS; Troy Morris (troymorris@fs.fed.us); Craft, Victoria (vcraft@blm.gov); Jeff Davis; Nik Gillen; Lauren Johnston; Grace Ellis; Rubado, Jessica - FS
Subject: RE: Tree Felling

All,

I put the wrong dates in the email below. I apologize for any confusion. I have corrected the dates in red.

Just for clarification. We plan to start on Monday 3/5.

Thank you,
Megan

From: Neylon, Megan
Sent: Friday, March 02, 2018 2:44 PM
To: 'Winningham, Jarret -FS' <jwinningham@fs.fed.us>; 'Bryant, Billy K -FS' <bkbryant@fs.fed.us>; 'Ballew, Katie J -FS' <katiejballew@fs.fed.us>; 'Jankowiak, Connie L -FS' <cjankowiak@fs.fed.us>; 'Troy Morris (troymorris@fs.fed.us)' <troymorris@fs.fed.us>; Craft, Victoria (vcraft@blm.gov) <vcraft@blm.gov>; 'Jeff Davis' <jdavis@transcon.com>; 'Nik Gillen' <ngillen@transcon.com>; 'Lauren Johnston' <lauren.johnston@galileoaz.com>; 'Grace Ellis (grace.ellis@galileoaz.com)' <grace.ellis@galileoaz.com>; 'Rubado, Jessica - FS' <jrubado@fs.fed.us>
Subject: Tree Felling

All,

MVP would like to start felling trees as authorized by the BLM and FERC Notices to Proceed starting Monday 3/5. I will get Mountain Valley's Site Specific Safety and Construction Preparedness Plan to Grace for distribution due to the size of the document. I believe that is the last requirement for us to start. Please let me know if we are missing something.

We would like to follow the schedule below:

Brush Mountain: We will start on 3/5 at Craig Creek Road MP 219.5 and work Southeast to MP 220.8. It is estimated that we will need 8 work days.

Peters Mountain: We will start on 3/7 on Mystery Ridge Road at MP 197 and work towards the Appalachian Trail to MP 196.4. We will then move to the lower mountain between MP 197 and 198.4. It is estimated that we will need 7 work days. As of Wednesday, work will occur in both places simultaneously. Each area will have one 8 man crew.

After Monday 3/5 we will work 6 days per week, with Sunday reserved as a make-up day in the event of a weather delay.

This is subject to change due to weather or other external factors.

Mountain Valley truly appreciates all of the hard work you and your teams have put in to get us to this point! Thank you!

Megan E. Neylon
Supervisor - Permitting
Mobile: 304-841-2086
Office: 724-873-3645

2200 Energy Drive, 2nd Floor
Canonsburg, PA 15317
MNeylon@eqt.com

To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>

Lauren Johnston

From: Neylon, Megan <MNeylon@eqt.com>
Sent: Sunday, March 4, 2018 8:21 PM
To: Morris, Troy - FS; Croy, Carol H -FS
Cc: Jankowiak, Connie L -FS; Nik Gillen; Grace Ellis; Lauren Johnston
Subject: RE: Eagle Survey Resume
Attachments: Johnson J Resume Jan 2017.docx

All,

The raptor nest survey effort involved surveying mileposts 196.3 and 198.4 (i.e., Peters Mountain), Pocahontas Road, mileposts 218.6 and 219.5 (i.e., Sinking Creek Mountain), and mileposts 219.8 and 220.8 (i.e., Brush Mountain) on the JNF. These sections on the JNF were surveyed between 02 March and 04 March. No active nests were identified along surveyed areas. Seven inactive nests were identified along Pocahontas Road and five inactive nests were identified between mileposts 219.3 and 219.5 on Sinking Creek Mountain. This concludes the raptor nest survey effort on the JNF.

Doug Gilbert will remain onsite to survey for eagles ahead of tree clearing crews on Brush Mountain tomorrow. If the USFS is in agreement, we would like to add Joseph Johnson to the team to survey for eagles while we have clearing crews working simultaneously on Brush and Peters Mountains. Mr. Johnson's resume is attached for your review.

Please let me know if you have any questions.

Thank you,
Megan

From: Morris, Troy - FS [mailto:troymorris@fs.fed.us]
Sent: Thursday, March 01, 2018 12:36 PM
To: Neylon, Megan <MNeylon@eqt.com>; Croy, Carol H -FS <carolcroy@fs.fed.us>
Cc: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Nik Gillen <ngillen@transcon.com>; Grace Ellis (grace.ellis@galileoaz.com) <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>
Subject: [EXTERNAL] RE: Eagle Survey Resume

Megan,

Carol is out today and possibly tomorrow due to a family health issue. Thanks for sending Mr. Gilbert's resume. He certainly meets the qualifications needed to perform this task. Please move forward with making the needed arrangements to get him started.

Thanks,



Troy W. Morris
Integrated Resources Staff Officer
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5170
f: 540-265-5145
troymorris@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019



From: Neylon, Megan [<mailto:MNeylon@eqt.com>]
Sent: Thursday, March 01, 2018 11:59 AM
To: Croy, Carol H -FS <carolcroy@fs.fed.us>
Cc: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>; Nik Gillen <ngillen@transcon.com>; Grace Ellis (grace.ellis@galileoaz.com) <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>
Subject: Eagle Survey Resume

Hi Carol,

Attached is Doug Gilbert's resume. Doug has been actively involved in bird surveys for Mountain Valley and supervised Bald and Golden Eagle survey efforts last fall. If you are in agreement with Doug's qualifications, I would like to get him started reviewing MVP's right-of-way for nest tomorrow.

Thank you,
Megan

To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>

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To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>



ENVIRONMENTAL SOLUTIONS & INNOVATIONS, INC.

Résumé

Joseph T. Johnson

EDUCATION

M.S., Biology, Missouri State University, 2014

Thesis Title: *Effects of Trout Introduction on Community Assemblage and Behavior of Native Fish in the Missouri Ozarks*

B.S., Wildlife Biology, Missouri State University, 2012

CERTIFICATIONS AND TRAINING

Bat Investigations for Field Personnel, INDOT University, 2016

QUALIFICATIONS AND EXPERIENCE

Mr. Johnson is an environmental scientist specializing in studies of both terrestrial and aquatic species. His experience includes proficiency using a variety of field techniques for trapping, tagging, and tracking various species in the Pacific Northwest and the eastern and central U.S. His studies encompass a variety of bird, bat, and fish species, including but not limited to: northern bobwhite (*Colinus virginianus*), Niangua darter (*Etheostoma nianguae*), Arkansas darter (*Etheostoma cragini*), Ozark cavefish (*Amblyopsis rosae*), and northern long-eared bat (*Myotis septentrionalis*).

Mr. Johnson is proficient with the following field techniques and equipment:

- Identifying and locating bird species through vocalizations
- Trapping, radio tagging, and tracking bird species via radio-telemetry
- Fall convey count surveys of bird species
- Fish sampling using electrofishing, seine nets, minnow traps, hoop nets, gill nets, snorkeling and other visual survey techniques
- Small mammal surveys using pitfall traps, Sherman traps, and game cameras
- Mist net site selection and set-up, acoustic detector deployment, and radio-telemetry
- Aquatic and terrestrial habitat analysis
- Univariate and multivariate statistical analysis

PROJECT EXPERIENCE

Field Supervisor – Omaha Public Power District, Right-of-Way Clearing: 2016. Surveyed for active bird nests in trees within a power line expansion right-of-way in Douglas County, Nebraska. Documented breeding bird behavior observed. Compiled list of all birds observed including raptors.

Team Leader – MVP, Mountain Valley Pipeline: 2016. Completed surveys for diurnal raptor species and nests along the proposed pipeline. Surveyed species included bald eagle, golden eagle, red-tail hawk, broad-winged hawk, red-shouldered hawk, northern harrier, sharp-shinned hawk, Cooper's hawk.

Team Leader – American Electric Power, Bland Area Improvements: 2016. Completed surveys for diurnal raptor species and nests along portion of 138 kV transmission line rebuild project crossing federal lands in Bland and Wythe counties, Virginia and Mercer County, West Virginia.

Field Assistant – Energy Transfer, Revolution Pipeline: 2016. Completed point count survey for northern harrier along portions of 40-mile, 30-inch diameter pipeline in Butler, Beaver, Allegheny, and Washington counties, Pennsylvania.

Field Assistant – Ameren, Mark Twain Transmission Line: 2016. Assisted on mist net surveys to determine presence/probable absence of listed bat species in Adair, Knox, Shelby, Schuyler, and Marion counties, Missouri. Affixed bat bands and radio transmitters, tracked, and completed roost counts.

Field Assistant – U.S. Army Corps of Engineers - Kansas City District, Fort Leavenworth: 2016. Assisted with mist netting and acoustic surveys for federally listed and resident bat species within the limits of the installation in Kansas. Scouted installation for mist net and detector sites and compiled tree species list.

Field Assistant – U.S. Army Corps of Engineers - Kansas City District, Fort Leonard Wood: 2016. Assisted with mist netting and acoustic surveys for federally listed and resident bat species within the limits of the installation in Missouri. Affixed bat bands and radio transmitters, tracked, and completed roost counts.

Field Assistant – U.S. Fish and Wildlife Service, Ozark Plateau National Wildlife Refuge: 2016. Assisted with harp trap surveys of three portal entrances as an ongoing two-year study during fall swarming and spring emergence periods for Ozark big-eared, northern long-eared, and gray bats. Caught and banded threatened and endangered species.

Lab Assistant – Department of Defense, Nebraska Army National Guard: 2016. Assisted with visual vetting of bat calls recorded at the Ashland Training Site.

Field Assistant – Indiana Department of Transportation, Interstate 69, Post-construction Surveys: 2016. Assisted with summer mist net and acoustic surveys for federally endangered Indiana bat along final right-of-way for Sections 1, 2, and 3. Affixed bat bands and radio transmitters, tracked, and completed roost counts.

Field Assistant – MVP, Mountain Valley Pipeline: 2016. Assisted with survey for running buffalo clover along a proposed 300-mile natural gas transmission line crossing seventeen counties in Virginia and West Virginia.

Field Assistant – AEP, Bland Area Improvements: 2016. Assisted with survey for running buffalo clover along portion of 138 kV transmission line rebuild project crossing federal lands in Bland and Wythe counties, Virginia and Mercer County, West Virginia.

Field Assistant – MarkWest Utica EMG, Holmes Trunk and Oliver, Seabright, and Lorraine Laterals: 2016. Assisted with surveys for running buffalo clover in Belmont County, Ohio.

Resource Science Assistant – Missouri Department of Conservation: 2015. Determined suitable areas for trapping wild turkeys. Caught wild turkeys using rocket nets. Attached leg bands and radio transmitters, and tracked via radio telemetry. As

necessary, negotiated landowner access to retrieve mortalities. Also conducted fall convey count to estimate northern bobwhite abundance and assisted in prescribed burns.

Biologist – Quail Forever-Missouri Department of Conservation: 2015. Trapped northern bobwhite using walk-in traps. Attached radio transmitters and tracked daily via radio-telemetry. Concurrently identified and recorded bird species caught as bycatch during trapping. Performed vegetation analysis around nest sites to assess habitat management and conducted prescribed burns on local conservation areas as part of patch burn grazing management practice. Managed resultant datasets.

Research Assistant – Missouri State University: 2014. Participated in multiple bat studies for the federally threatened northern long-eared bat at Camp Crowder and two Missouri State Parks, Current River and Camp Zoe. Selected suitable sites for mist nets, assisted with bat detector deployment, and tracked northern long-eared bats to potential roosts via radio-telemetry. Also surveyed general mammal community using pitfall traps, Sherman traps, and game cameras at Current River and Camp Zoe.

Biologist – U.S. Forest Service: 2014. Completed habitat analyses of streams in the Columbia River watershed to assess the effects of cattle grazing on spawning success of steelhead salmon (*Oncorhynchus mykiss*).

Biologist – Missouri Department of Conservation: 2010-2012. Assisted with resource assessment and monitoring fish communities in Ozark streams. Studies focused on population health of threatened and candidate species such as Niangua darter and Arkansas darter. Assisted with mark recapture study of federally threatened Ozark cavefish. Employed a variety of fish sampling techniques and equipment including electrofishing, seine nets, minnow traps, hoop nets, gill nets, and visual survey techniques in various waterbodies throughout Missouri.

Biologist – Camp Zoe State Park Survey: 2014-2015. Completed survey to document fish community in Sinking Creek, a site proposed for trout introduction.

PROFESSIONAL AFFILIATIONS

Member, Missouri Native Plant Society 2011 - Present

Secretary, American Fisheries Society, Missouri State University 2010 - 2012

Member, American Fisheries Society, Missouri State University 2010 – Present

Stream Team Leader, Missouri Department of Conservation 2008 - Present

From: [Kerr, Mitchell -FS](#)
To: [Ballew, Katie J -FS](#)
Subject: RE: Peters Mtn area map
Date: Monday, March 5, 2018 7:44:00 PM
Attachments: [Peters Mountain Vicinity protestor access 1to18000.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Added label..

If you need anything else, I'll be in the SO for safety meeting in the am



Mitchell Kerr, LS
Forest Land Surveyor
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5193
mkerr@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

From: Ballew, Katie J -FS
Sent: Monday, March 05, 2018 7:23 PM
To: Kerr, Mitchell -FS <mkerr@fs.fed.us>
Subject: Re: Peters Mtn area map

Mitch

(b) (7)(A), (b) (7)(E), (b) (7)(F)



Sent from my iPhone

On Mar 5, 2018, at 7:13 PM, Kerr, Mitchell -FS <mkerr@fs.fed.us> wrote:

Katie

Please review, and see if you would like anything else added to the map.

Thanks



Mitchell Kerr, LS
Forest Land Surveyor
Forest Service
George Washington & Jefferson National Forests
p: 540-265-5193

mkerr@fs.fed.us

5162 Valleypointe Parkway

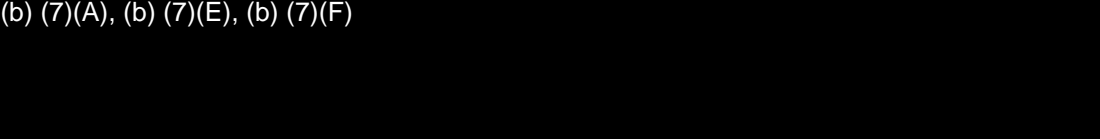
Roanoke, VA 24019

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(b) (7)(A), (b) (7)(E), (b) (7)(F)



MVP External Weekly Call**Date/Time:** Wednesday, March 7 @ 11:30 am-12:30 pm ET**Location:** Conference Call

Attendees	Forest Service (FS)	Connie Jankowiak, Russ MacFarlane, Mike Madden, Katie Ballew
	FS Enterprise	Jessica Rubado
	Bureau of Land Management (BLM)	Vicki Craft
	MVP & Contractors	Megan Neylon, Rob Robertson, Jeff Klinefelter, Mark Torbic
	Transcon	Jeff Davis, Nik Gillen
	Galileo Project, LLC (Galileo)	Grace Ellis, Lauren Johnston

ACTIONS

- **MVP** coordinates with rock contractor to determine potential road repairs to mystery ridge road given constraints from the terrain & permits.
- **MVP** will mobilize erosion control teams during road maintenance.
- **MVP** continues to provide week-ahead schedule updates with as much detail as possible to Transcon.
- **MVP** investigates second undulation tree. Shares investigation results with Jarret Winningham (FS) once complete.
- **Participants** provide feedback on the April 4th Appalachian National Scenic Trail (ANST) meeting agenda items, materials, and presentations.
- (b) (6) updates Notice to Proceed (NTP) #2 once Vicki receives feedback from the United States Army Corps of Engineers (USACE).
- (b) (6) starts drafting NTPs #3 and #4.
- (b) (6) coordinate public project updates that need to be placed on FS kiosks and in FS offices.
- **MVP** coordinates with Jarret Winningham (FS) to resolve extra tree felling issues from a Timber Sale Administration standpoint.
- **MVP** updates Rock Skullcap population flagging. Once complete, Transcon will confirm it is properly flagged.

DISCUSSION/DECISIONS

- FS gave MVP security personnel permission to use the length of Pocahontas and Mystery Ridge Roads, with the understanding that construction is not yet allowed up there.
- Pipeline opposition parties dropped trees on Pocahontas Road last night. Pipeline personnel this morning cleared those trees before work began and there was no delay. Law enforcement doesn't yet know where the trees are from or what type of loss the trees present.
- The FS submitted a closure order for the MVP Right of Way (ROW). The closure order was signed at the Regional Office level. The ROW is officially closed to the public. Law enforcement, weather and number permitting, sending two law enforcement officers per day to monitor the tree sitters. They have counter-surveillance, video, spotters, drones, and communications. The closure order is in effect as an emergency order for 120 days.

- Transcon coordinated with Rob Robertson re the rutting on Pocahontas and Mystery Ridge Road. The first concern with continued rutting are that Law Enforcement and Security personnel need access to those roads. Road damage may become a problem for them. MVP's light use road permit has maintenance requirements and permissions. MVP needs to follow up with that maintenance. The second part of the concern is to avoid rain water making channels of the ruts and dumping sedimentation in the streams. MVP needs to consider erosion control measures when doing road maintenance. Diverting through water bars and sediment control measures is important.
- Transcon requested that MVP be cautious of creating a canal for water and sediment during road blading. Transcon and FS requested MVP be conscious of cultural resource information when doing road improvements. Transcon suggested that blading and other heavy work may require the presence of an archaeologist or archaeological monitor to make sure nothing is disturbed.
- MVP is working with a construction team to address road rutting. An environmental crew and erosion control crew will be on the road tomorrow. MVP needs a piece of equipment to improve Mystery Ridge road. The increase in traffic is from folks camping on the ANST. Contractors are contacting local quarries to get delivery of gravel. Contractor is mobilizing crews with Erosion and Sedimentation controls starting tomorrow.
- MVP cannot get equipment up to Mystery Ridge Road to fully improve it until the roads leading to Mystery Ridge Road are improved. MVP is not authorized to install road improvements to get equipment up there. MVP does not have a ground disturbance permit from the Virginia Department of Environmental Quality. MVP wants to cease use of Mystery Ridge Road and will walk in through the 3rd gate. This, combined with minor road improvements, should keep the road passable for law enforcement and should prevent major erosion and sedimentation events.
- MVP tree clearing is on schedule. Peters Mountain clearing west of the cultural site started this morning. MVP is currently putting orange fence up around the FS cultural site. On the Sinking Creek side, there are two saw crews off of Craig Creek Road. MVP lost one tree due to wind but did not suffer any other damage. Tree clearing is 85 % complete in that area. A roping crew is there currently to get the dangerous trees down today.
- MVP accidentally felled a non-marked tree in the undulation areas. Timber sale administration and Transcon are aware. MVP has added blue and white ribbon to leave trees to make them more visible. MVP is looking into how and why a second unmarked tree was felled and where it came from.
- From a compliance standpoint, the tree felling issue is resolved. MVP still needs to resolve the additional trees felled with timber sale administration. MVP plans to have security onsite full time in the areas where the additional trees were felled and will take pictures of the ROW edges at the end of each tree felling shift.
- Transcon met with the FS about monitoring site 44GS0241. SEARCH will be out at the site performing the excavation. Transcon will have an archaeologist out on areas of eligible and non-eligible cultural sites during ground disturbing activities. Transcon will need schedule information from MVP to have the appropriate personnel available.
- BLM has shared NTP #2 with USACE. USACE provides comments by COB today to BLM. BLM hopes to have the NTP #2 signed by next week. The next NTP #3 will include road

upgrades, which is contingent upon MVP delivering FS-approved road design packages. NTP #4 will be for timber hauling.

- There have been a number of public inquiries to the FS. There have been general questions and inquiries around the ANST and protestors. FS was also contacted by a law firm representing development companies. FS responded with a standard reply saying FS had not authorized MVP protestors with a permit.
- MVP does not expect any variance requests in the coming weeks.
- For the tree felled outside of MVP's limits of disturbance (LOD), MVP plans to leave the tree where it is until MVP begins tree hauling. Once MVP needs to remove the tree they will apply for a variance to go outside of the LOD and retrieve the felled tree.
- FS reminded participants that if during any earth disturbance in an area that has not been previously cleared for cultural resources, i.e. road rebuilding, then the area needs to be looked at by MVP archaeologists and then monitored by Transcon archaeologists.
- The weekly internal and external meetings on April 4th will still occur concurrent with the ANST meeting at the same time on that date.

Lauren Johnston

From: Neylon, Megan <MNeylon@eqt.com>
Sent: Friday, March 9, 2018 11:16 AM
To: Jankowiak, Connie L -FS
Cc: MVP; Grace Ellis; Lauren Johnston; Ballew, Katie J -FS; Thompson, James H -FS; Irvine, Peter -FS; Timm, Joby -FS; Winningham, Jarret -FS; Nik Gillen; Morris, Troy - FS; McKeague, Dan -FS; Overcash, Jesse L -FS
Subject: RE: REPLY REQUESTED - RE: Use of UTV's on Peters Mountain

Connie,

Thank you. We appreciate this. I will let our team know.

Megan

From: Jankowiak, Connie L -FS [mailto:cjankowiak@fs.fed.us]
Sent: Friday, March 09, 2018 12:00 PM
To: Neylon, Megan <MNeylon@eqt.com>
Cc: MVP <mvp@transcon.com>; grace.ellis@galileoaz.com; Lauren Johnston <lauren.johnston@galileoaz.com>; Ballew, Katie J -FS <katiejballew@fs.fed.us>; Thompson, James H -FS <jamesthompson@fs.fed.us>; Irvine, Peter -FS <pirvine@fs.fed.us>; Timm, Joby -FS <jtimm@fs.fed.us>; Winningham, Jarret -FS <jwinningham@fs.fed.us>; Nik Gillen <ngillen@transcon.com>; Morris, Troy - FS <troymorris@fs.fed.us>; McKeague, Dan -FS <dmckeague@fs.fed.us>; Overcash, Jesse L -FS <jovercash@fs.fed.us>
Subject: [EXTERNAL] FW: REPLY REQUESTED - RE: Use of UTV's on Peters Mountain
Importance: High

Hi Megan –

Based on discussions with FS staff in the SO and the District Ranger it has been determined that use of a UTV for safety purposes during the tree felling operations would be allowed on Mystery Ridge Road. The only area of Mystery Ridge Road which can be utilized is that portion which is under the current road permit from the Forest Service that MVP recently self-imposed a no vehicular traffic on for it's employees/contractors.

The limits of the usage are as follows:

- Mystery Ridge Road where MVP is no longer utilizing light duty trucks and only on the area that was covered by the road permit;
- For safety purposes only, not for hauling supplies or people back and forth
- Maximum of two (2) UTV's to be staged/parked on Mystery Ridge for safety purposes only
- UTV's are not allowed outside of the area which was designated on the road permit for light duty trucks
- This use is only approved during tree felling operations for the ROW and will not extend into the road construction phase.
- All standard UTV safety precautions must be used at all times, including watching for vehicular traffic of Law Enforcement and inspector traffic on this road.

Please note the following:

- Forest Service concurrence with UTV use can be revoked at any time by the District Ranger or the Forest Supervisor
- This does not remove the obligation of MVP to continue to monitor and maintain Mystery Ridge Road to a standard that will ensure Law Enforcement and inspector vehicles are able to drive it.

If you have any questions or need clarification please let me know.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114
cjankowiak@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: Jankowiak, Connie L -FS

Sent: Friday, March 09, 2018 7:25 AM

To: Thompson, James H -FS <jamesthompson@fs.fed.us>; Irvine, Peter -FS <pirvine@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>

Cc: grace.ellis@galileoaz.com; Lauren at Galileo <lauren.johnston@galileoaz.com>; MVP <mvp@transcon.com>; Nik Gillen <ngillen@transcon.com>; Ballew, Katie J -FS <katiejballew@fs.fed.us>

Subject: REPLY REQUESTED - RE: Use of UTV's on Peters Mountain

Importance: High

(b) (5)

Please respond to me at your earliest convenience. Thanks!

(b) (5)



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114
cjankowiak@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: Neylon, Megan [<mailto:MNeylon@eqt.com>]

Sent: Thursday, March 8, 2018 7:32 PM

To: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>

Cc: Grace at Galileo <grace.ellis@galileoaz.com>; Lauren at Galileo <lauren.johnston@galileoaz.com>; Thompson, James H -FS <jamesthompson@fs.fed.us>; MVP <mvp@transcon.com>; Nik Gillen <ngillen@transcon.com>; Irvine, Peter -FS <pirvine@fs.fed.us>

Subject: Use of UTV's on Peters Mountain

Hi Connie,

MVP would like to request the use of UTVs while completing tree clearing activities on Peters Mountain. As discussed yesterday, MVP has agreed to not use Mystery Ridge Road for truck traffic until the road can be repaired. However, there is a safety concern during tree clearing operations. MVP would like to have a mode of transportation available to get an injured worker off of the mountain quickly should an incident occur. I do not recall any discussion in the POD that UTVs would not be used.

As you know we are beginning to work on Peters Mountain, a quick response would be greatly appreciated.

Thank you,

Megan E. Neylon
Supervisor - Permitting
Mobile: 304-841-2086
Office: 724-873-3645
2200 Energy Drive, 2nd Floor
Canonsburg, PA 15317
MNeylon@eqt.com

To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>

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From: Jeff Davis
To: [Neylon, Megan](#)
Cc: [Jankowiak, Connie L -FS](#); [Morris, Troy - FS](#); [Ballew, Katie J -FS](#); [Woods, Steven -FS](#); [Thompson, James H -FS](#); [MVP](#); [Nik Gillen](#); [Mike Warner](#); [Alli Rhodehamel-Leung](#); [Grace Ellis](#); [Lauren Johnston](#); [Dennis Tripp](#)
Subject: Re: MVP -- Roads Permit / Maintenance Repairs Status
Date: Friday, March 09, 2018 5:53:49 PM
Attachments: [image001.png](#)

Megan:

Sounds good. We will look forward to progress tomorrow. Keep in mind that rock will address some of the needs, but the roads will also need some grading to make them functional as well.

Thanks Jeff

Sent from my iPad

On Mar 9, 2018, at 3:14 PM, Neylon, Megan <MNeylon@eqt.com> wrote:

Jeff,

It is my understanding that approximately 1100-feet of compost filter sock and 5 tons of gravel were dropped today along Pocahontas Road. Our team had some trouble finding the required #357 stone. Now that we have that available, we anticipate some good progress tomorrow.

If you need any additional information, please let me know.

Thank you,
Megan

From: Jeff Davis [<mailto:jdavis@transcon.com>]
Sent: Friday, March 09, 2018 2:57 PM
To: Neylon, Megan <MNeylon@eqt.com>
Cc: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>; Ballew, Katie J -FS <katiejballew@fs.fed.us>; Woods, Steven - FS <swoods01@fs.fed.us>; Thompson, James H -FS <jamesthompson@fs.fed.us>; MVP <mvp@transcon.com>; Nik Gillen <ngillen@transcon.com>; Mike Warner <mwarner@transcon.com>; Alli Rhodehamel-Leung <allirl@transcon.com>; Grace Ellis <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Dennis Tripp <dtripp@transcon.com>
Subject: [EXTERNAL] MVP -- Roads Permit / Maintenance Repairs Status

Megan:

I wanted to follow-up on the status of maintenance repairs on Pocahontas and Mystery Ridge Roads. Per the instructions provide in the permit (See attached) and those that were discussed in our weekly call on Wednesday it is the expectation that the roads be maintained and repaired (graded and rocked where needed). We have not seen any

maintenance completed on the roads as of yet.

Complicating the road condition is there is a significant snow event forecasted (once it snows it will be difficult to repair the roads). Additionally, law enforcement needs access to address protestors on the right-of-way (if law enforcement is limited in their ability to implement their plans because of poor road conditions this is could be problematic). Please advice as to the maintenance status, plan, and schedule.

If you have any questions feel free to give me a call.

Thanks Jeff

PS--We are aware that the sediment and erosion control crew is on site (fantastic) and that rock might be on its way, but we have not yet seen it.

Jeff Davis
Project Manager, Vice President

Transcon Environmental
579 West Galena Park Place, Unit 102
Draper, UT 84020
Office: 801-649-5141
Mobile: 480-236-7624

[<image001.png>](#)

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From: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>
Sent: Friday, March 09, 2018 7:43 AM
To: Neylon, Megan; Centofanti, John
Cc: MacFarlane, Russ -FS; Ballew, Katie J -FS; Timm, Joby -FS; Thompson, James H -FS; Morris, Troy - FS; MVP; Nik Gillen; Grace Ellis; Lauren Johnston
Subject: RE: ROAD MAINTENANCE NEEDED
Categories: HB - Post Decision

Thanks for the update Megan. Please make the Mystery Ridge request the top priority if at all possible to accommodate the LE activity in the area.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests
p: 540-265-5114
cjankowiak@fs.fed.us
5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us

Caring for the land and serving people

From: Neylon, Megan [mailto:MNeylon@eqt.com]
Sent: Friday, March 9, 2018 9:18 AM
To: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Centofanti, John <JCentofanti@eqt.com>
Cc: MacFarlane, Russ -FS <rmacfarlane@fs.fed.us>; Ballew, Katie J -FS <katiejballew@fs.fed.us>; Timm, Joby -FS <jtimmm@fs.fed.us>; Thompson, James H -FS <jamesthompson@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>; MVP <mvp@transcon.com>; Nik Gillen <ngillen@transcon.com>; grace.ellis@galileoaz.com; Lauren at Galileo <lauren.johnston@galileoaz.com>
Subject: RE: ROAD MAINTENANCE NEEDED

Hi Connie,

Crews did mobilize yesterday but were in environmental and safety training for most of the day. A contractor will be out today placing compost filter sock as needed and are working on lining up stone for placement today.

Thanks,
Megan

From: Jankowiak, Connie L -FS [mailto:cjankowiak@fs.fed.us]
Sent: Friday, March 09, 2018 7:17 AM
To: Neylon, Megan <MNeylon@eqt.com>; Centofanti, John <JCentofanti@eqt.com>
Cc: MacFarlane, Russ -FS <rmacfarlane@fs.fed.us>; Ballew, Katie J -FS <katiejballew@fs.fed.us>; Timm, Joby -FS

<jtimmm@fs.fed.us>; Thompson, James H -FS <jamesthompson@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>; MVP <mvp@transcon.com>; Nik Gillen <ngillen@transcon.com>; grace.ellis@galileoaz.com; Lauren at Galileo <lauren.johnston@galileoaz.com>

Subject: [EXTERNAL] ROAD MAINTENANCE NEEDED

Importance: High

Good Morning Megan & John -

This email is in regard to the road conditions on the MVP project. The Forest Service understanding after our call with MVP on Wed was that road work/maintenance was going to happen on Pocahontas Road as well as on Mystery Ridge Road to bring them into better condition. We did also recognize that the maintenance on Mystery Ridge would be more limited, but there would be some. We had understood the work on the roads was going to start yesterday, March 8th.

Based on reports from our Law Enforcement folks (who are working to assist with mitigation and resolution of issues on the project) and others in the field, no work has begun on the roads. We need this work done ASAP in order to keep the roads passable and in order for MVP to remain in compliance with the roads permit. A specific request from Law Enforcement is for gravel to be placed in the rutted area on Mystery Ridge by 3/10 which is tomorrow per message attached below.

If you have questions in regard to the work that needs to be completed please let us know.

Transcon – You may need to make Mike available to work with MVP on the ground.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114
cjankowiak@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

From: Ballew, Katie J -FS

Sent: Friday, March 9, 2018 6:43 AM

To: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; MacFarlane, Russ -FS <rmacfarlane@fs.fed.us>

Subject: Pocahontas Road

Good Morning!

There hasn't been any movement on improving Pocahontas Road. Law Enforcement is requesting gravel placement in the rutted areas along Mystery Ridge Road by 3/10 if possible. Thank you for your time and your assistance!



Katie Ballew
Patrol Captain
Forest Service
Supervisors Office George Washington and Jefferson National Forest

p: 540-265-5150
c: 540-524-0437

f: 540-265-5204

katiejballew@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

www.fs.fed.us



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From: Bryant, Billy K -FS
To: [Jeff Davis](#); [Jankowiak, Connie L -FS](#); [Ballew, Katie J -FS](#)
Cc: [Grace Ellis](#); [Lauren Johnston](#); [Winningham, Jarret -FS](#); [Dennis Tripp](#); [MVP](#); [Nik Gillen](#); [Mike Warner](#)
Subject: RE: MVP - Clearing Work to start on Peters Mountain - West Virginia Side
Date: Monday, March 12, 2018 8:56:44 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

As per recent phone conversation with Rob Robertson while ago he notified me that the tree sitters are still there. The crew has done some brush work at bottom end but are pulling off and leaving a buffer around the tree sitters for now. Also noted there is larger amounts of snow up there according to Rob. Understand now they will be working on clearing workspace area off Rogers Road. (Far South end below Mystery Ridge) as well as some follow up at Craig Creek Units.



Bill Bryant
Timber Sale Administrator
Forest Service
Mark Twain National Forest
Salem Ranger District

p: 573-729-6656 x71129

c: 573-465-1225

f: 573-729-2867

bkbryant@fs.fed.us

1301 S Main
Salem, MO 65560
www.fs.fed.us



Caring for the land and serving people

From: Jeff Davis [<mailto:jdavis@transcon.com>]
Sent: Monday, March 12, 2018 11:33 AM
To: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Ballew, Katie J -FS <katiejballew@fs.fed.us>
Cc: Grace Ellis (grace.ellis@galileoaz.com) <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Bryant, Billy K -FS <bkbryant@fs.fed.us>; Winningham, Jarret -FS <jwinningham@fs.fed.us>; Dennis Tripp <dtripp@transcon.com>; MVP <mvp@transcon.com>; Nik Gillen <ngillen@transcon.com>; Mike Warner <mwarner@transcon.com>
Subject: RE: MVP - Clearing Work to start on Peters Mountain - West Virginia Side

Connie:

I we understand that work MVP is doing the following work today:

- Peter's Mountain area – timber crews are parking on private land in WV and working up the ROW towards the FS lands and the Appalachian National Scenic Trail.
- Craig's Creek Area – timber crews are picking up leaners in this area. They are parking on pavement and walking in.

With the weather and snow they are going to have to play things day to day as far as access onto the ROW. If you have any questions feel free to give me a call.

Thanks Jeff

Jeff Davis

Project Manager, Vice President

Transcon Environmental

579 West Galena Park Place, Unit 102

Draper, UT 84020

Office: 801-649-5141

Mobile: 480-236-7624

[transcon-email-logo](#)



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From: Jankowiak, Connie L -FS [<mailto:cjankowiak@fs.fed.us>]

Sent: Monday, March 12, 2018 9:27 AM

To: Ballew, Katie J -FS; Jeff Davis

Cc: Grace Ellis (grace.ellis@galileoaz.com); Lauren Johnston; Bryant, Billy K -FS; Winningham, Jarret - FS

Subject: RE: MVP - Clearing Work to start on Peters Mountain - West Virginia Side

Correction, after a discussion with Bill, based on weather conditions and the time of day already, Bill is NOT heading that way today for safety reasons. MVP however has stated they will be. If there is concern with this or a need to know for sure, Rob Robertson could be contacted to confirm.



Connie L Jankowiak

Acting Special Project Coordinator

Forest Service

George Washington & Jefferson National Forests

p: 540-265-5114

cjankowiak@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

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Caring for the land and serving people

From: Jankowiak, Connie L -FS

Sent: Monday, March 12, 2018 11:21 AM

To: Ballew, Katie J -FS <katiejballew@fs.fed.us>; Jeff Davis (jdavis@transcon.com) <jdavis@transcon.com>

Cc: Grace Ellis (grace.ellis@galileoaz.com) <grace.ellis@galileoaz.com>; 'Lauren Johnston' <lauren.johnston@galileoaz.com>; Bryant, Billy K -FS <bkbryant@fs.fed.us>; Winningham, Jarret -FS <jwinningham@fs.fed.us>

Subject: MVP - Clearing Work to start on Peters Mountain - West Virginia Side

Importance: High

Bill Bryant just stopped in to see me and he is headed to the WV side of Peters Mountain to start clearing. He heard this from Rob Robertson this morning.

Wanted to make sure you were aware. I am unsure if there is still public out there at this time.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests
p: 540-265-5114
cjankowiak@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



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Lauren Johnston

From: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>
Sent: Monday, March 12, 2018 7:21 AM
To: Neylon, Megan
Cc: MVP; Grace Ellis; Lauren Johnston; Ballew, Katie J -FS; Thompson, James H -FS; Irvine, Peter -FS; Timm, Joby -FS; Winningham, Jarret -FS; Nik Gillen; Morris, Troy - FS; McKeague, Dan -FS; Overcash, Jesse L -FS
Subject: Clarification Regarding Use of UTV's on Peters Mountain

Megan –

This note is to clarify that on the “one trip up & one trip down” in order to stage the UTV for safety purposes, it is okay to have equipment in the UTV so long as it is properly secured and stored.

Thank you for seeking clarification on this issue.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114

cjankowiak@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: Neylon, Megan [mailto:MNeylon@eqt.com]
Sent: Friday, March 9, 2018 1:16 PM
To: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>
Cc: MVP <mvp@transcon.com>; grace.ellis@galileoaz.com; Lauren Johnston <lauren.johnston@galileoaz.com>; Ballew, Katie J -FS <katiejballew@fs.fed.us>; Thompson, James H -FS <jamesthompson@fs.fed.us>; Irvine, Peter -FS <pirvine@fs.fed.us>; Timm, Joby -FS <jtimm@fs.fed.us>; Winningham, Jarret -FS <jwinningham@fs.fed.us>; Nik Gillen <ngillen@transcon.com>; Morris, Troy - FS <troymorris@fs.fed.us>; McKeague, Dan -FS <dmckeague@fs.fed.us>; Overcash, Jesse L -FS <jovercash@fs.fed.us>
Subject: RE: REPLY REQUESTED - RE: Use of UTV's on Peters Mountain

Connie,

Thank you. We appreciate this. I will let our team know.

Megan

From: Jankowiak, Connie L -FS [<mailto:cjankowiak@fs.fed.us>]
Sent: Friday, March 09, 2018 12:00 PM
To: Neylon, Megan <MNeylon@eqt.com>

Cc: MVP <mvp@transcon.com>; grace.ellis@galileoaz.com; Lauren Johnston <lauren.johnston@galileoaz.com>; Ballew, Katie J -FS <katiejballew@fs.fed.us>; Thompson, James H -FS <jamesthompson@fs.fed.us>; Irvine, Peter -FS <pirvine@fs.fed.us>; Timm, Joby -FS <jtimmm@fs.fed.us>; Winningham, Jarret -FS <jwinningham@fs.fed.us>; Nik Gillen <ngillen@transcon.com>; Morris, Troy - FS <troymorris@fs.fed.us>; McKeague, Dan -FS <dmckeague@fs.fed.us>; Overcash, Jesse L -FS <jovercash@fs.fed.us>

Subject: [EXTERNAL] FW: REPLY REQUESTED - RE: Use of UTV's on Peters Mountain

Importance: High

Hi Megan –

Based on discussions with FS staff in the SO and the District Ranger it has been determined that use of a UTV for safety purposes during the tree felling operations would be allowed on Mystery Ridge Road. The only area of Mystery Ridge Road which can be utilized is that portion which is under the current road permit from the Forest Service that MVP recently self-imposed a no vehicular traffic on for it's employees/contractors.

The limits of the usage are as follows:

- Mystery Ridge Road where MVP is no longer utilizing light duty trucks and only on the area that was covered by the road permit;
- For safety purposes only, not for hauling supplies or people back and forth
- Maximum of two (2) UTV's to be staged/parked on Mystery Ridge for safety purposes only
- UTV's are not allowed outside of the area which was designated on the road permit for light duty trucks
- This use is only approved during tree felling operations for the ROW and will not extend into the road construction phase.
- All standard UTV safety precautions must be used at all times, including watching for vehicular traffic of Law Enforcement and inspector traffic on this road.

Please note the following:

- Forest Service concurrence with UTV use can be revoked at any time by the District Ranger or the Forest Supervisor
- This does not remove the obligation of MVP to continue to monitor and maintain Mystery Ridge Road to a standard that will ensure Law Enforcement and inspector vehicles are able to drive it.

If you have any questions or need clarification please let me know.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114
cjankowiak@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

From: Jankowiak, Connie L -FS

Sent: Friday, March 09, 2018 7:25 AM

To: Thompson, James H -FS <jamesthompson@fs.fed.us>; Irvine, Peter -FS <pirvine@fs.fed.us>; Morris, Troy - FS <troymorris@fs.fed.us>

Cc: grace.ellis@galileoaz.com; Lauren at Galileo <lauren.johnston@galileoaz.com>; MVP <mvp@transcon.com>; Nik

Gillen <ngillen@transcon.com>; Ballew, Katie J -FS <katiejballew@fs.fed.us>

Subject: REPLY REQUESTED - RE: Use of UTV's on Peters Mountain

Importance: High

Jim/Pete/Troy - I received a call from Megan asking who to send this to. I am looking to you guys for answers as I do not know what the Forest has typically allowed. I did recommend that if this were denied (which she thinks it will be as other requests for use of UTV have been when not for safety reasons), that they designate one truck that is taken up the road every day simply to be there for safety reasons.

The non-use of that stretch of road has been self-imposed by them due to road conditions and the inability to get heavy equipment in there to rework the road (not allowed until road designs are received and approved). She seemed like that might be okay, however they are trying to keep all their traffic off the road, including limited use by their security personnel. Because of that she was going to send this request to us.

Please respond to me at your earliest convenience. Thanks!

Nik – are you aware of anything in the POD that discusses use of UTV on project.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114

cjankowiak@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: Neylon, Megan [<mailto:MNeylon@eqt.com>]

Sent: Thursday, March 8, 2018 7:32 PM

To: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>

Cc: Grace at Galileo <grace.ellis@galileoaz.com>; Lauren at Galileo <lauren.johnston@galileoaz.com>; Thompson, James H -FS <jamesthompson@fs.fed.us>; MVP <mvp@transcon.com>; Nik Gillen <ngillen@transcon.com>; Irvine, Peter -FS <pirvine@fs.fed.us>

Subject: Use of UTV's on Peters Mountain

Hi Connie,

(b) (5)

A large black rectangular redaction box covering the majority of the email body text below the salutation.

As you know we are beginning to work on Peters Mountain, a quick response would be greatly appreciated.

Thank you,

Megan E. Neylon

Supervisor - Permitting
Mobile: 304-841-2086
Office: 724-873-3645
2200 Energy Drive, 2nd Floor
Canonsburg, PA 15317
MNeylon@eqt.com

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From: [Lauren Johnston](#)
To: ["Jankowiak, Connie L -FS"; MVP: Grace Ellis; Morris, Troy - FS](#)
Cc: vcraft@blm.gov; [Miriam Liberatore \(mliberat@blm.gov\)](mailto:Miriam.Liberatore@blm.gov)
Subject: RE: MVP Closure Order
Date: Monday, March 12, 2018 1:23:00 PM
Attachments: [closure.pdf](#)
Importance: High

Hi Connie,

Megan Neylon just called asking about the updated MVP March 10th closure order. Is it okay if we share it with MVP? They are requesting a copy for their court hearing tomorrow re the tree sitters.

Thanks,

Lauren Johnston

Galileo Project, LLC
p. 480.629.4705
www.galileoaz.com/

-----Original Message-----

From: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>
Sent: Sunday, March 11, 2018 3:41 AM
To: MVP <mvp@transcon.com>; Grace Ellis <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Morris, Troy - FS <troymorris@fs.fed.us>
Subject: FW: MVP Closure Order

FYI. Katie caught the fact the WV was not noted on the original Closure Order that was issued. It was redone yesterday and signed by Job and is attached. Wanted to share with you.

Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests
p: 540-265-5114
cjankowiak@fs.fed.us
5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us

Caring for the land and serving people

-----Original Message-----

From: Ballew, Katie J -FS
Sent: Saturday, March 10, 2018 3:03 PM
To: Harris, Robert -FS <rharris04@fs.fed.us>; Southard, Brian -FS <bsouthard@fs.fed.us>; Willett, James -FS <jwtill@fs.fed.us>; Price, John R -FS <jrprice@fs.fed.us>; Buchanan, Chip M -FS <cbuchanan02@fs.fed.us>; Ramey, Christopher W -FS <cramey@fs.fed.us>; Ford, David L -FS <davidford@fs.fed.us>; Crawford, Cindy G -FS <cgcrawford@fs.fed.us>; Timm, Joby -FS <jtim@fs.fed.us>; Abing, Timothy -FS <tabing@fs.fed.us>; Rubado, Jessica -FS <jrubado@fs.fed.us>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; McKeague, Dan -FS <dmckeague@fs.fed.us>; LeMaster, Elizabeth -FS <elemaster@fs.fed.us>
Subject: MVP Closure Order

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UNITED STATES DEPARTMENT OF AGRICULTURE
GEORGE WASHINGTON AND JEFFERSON NATIONAL FORESTS
EASTERN DIVIDE RANGER DISTRICT

Order Number 08-08-11-18-02

Mountain Valley Pipeline Project Emergency Closure

Pursuant to the provisions of Title 36, Code of Federal Regulations, Section 261.50 (a) and (b), the following acts are prohibited due to hazards associated with constructing the Mountain Valley Pipeline on the Eastern Divide Ranger District, George Washington and Jefferson National Forests, West Virginia and Virginia.

1. For the protection of public health and safety, going into or be upon any area which is closed by this Order by foot, horseback, or by non-motorized or wheeled conveyance (bicycle). 36 CFR 261.53
2. Operating, leaving, possessing, or parking a motor vehicle on roads closed by this Order where construction associated with pipeline activity is occurring and when closed by a sign, gate, or barricade. 36 CFR 261.54 (e)

This Order applies to an area 200 feet on both sides of the centerline of the pipeline right-of-way on National Forest System lands as shown on the maps attached to and made a part of this Order (Attachment 1 and Attachment 2), excluding however, the footpath of the Appalachian Trail and the Brush Mountain East Road.

This Order applies to the following roads:

- Mystery Ridge Road (FR #11080) for its entire length.
- Pocahontas Road (FR #972) from the first Forest Service gate on Pocahontas Road to the intersection with Mystery Ridge Road.

The prohibitions of this Order shall remain in effect for a period of 12 months from the date of execution unless terminated earlier by the Authorized Officer.

Pursuant to Title 36 Code of Federal Regulations, Section 261.50(e), the following persons are exempt from the prohibitions contained in this order:

- Any Federal, State, or Local Officer, or member of an organized rescue or firefighting force engaged in the performance of an official duty.
- Persons working under a permit, contract, or agreement issued by a Federal, State, or Local regulatory entity which specifically authorizes activity within the area and roads covered by this Order.

The prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Executed in Roanoke, Virginia this 10TH day of March, 2018.

A handwritten signature in blue ink, appearing to read "Joby P. Timm", is written over a horizontal line.

JOBY P. TIMM

Forest Supervisor

George Washington and Jefferson National Forests

Violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, imprisonment for not more than 6 months, or both. (16 U.S.C. 551 and 18 U.S.C. 3559 and 3571).

From: Neylon, Megan
To: [Woods, Steven -FS](#); [Jankowiak, Connie L -FS](#); [Morris, Troy - FS](#)
Cc: [Craft, Victoria \(vcraft@blm.gov\)](#); [Nik Gillen](#); [Jeff Davis](#); [Lauren Johnston](#); [Grace Ellis](#); [Centofanti, John](#)
Subject: Mountain Valley Pipeline Road Designs
Date: Wednesday, March 14, 2018 3:36:47 PM

All,

I have uploaded the Pocahontas and Mystery Ridge Road plans to Galileo's share point site. Grace and Lauren, the folder is Road Design Package 031418.

A few points of clarification following our field meeting:

- Tetra Tech reviewed if an arch culvert could be utilized on stream S-PP14. The drainage area for this stream is over 150 acres, the modeled flows necessitate a larger size. The box culvert affords a large flow capacity, while still maintaining the current road profile. If an arch culvert were to be used, the height of that arch would necessitate in a grading change in the road to allow for cover.
- Tetra Tech reviewed if ditch relief culverts could be reduced to 18" instead of 24". The use of 24" allows for the design flow rates.

"The design flow rate for the design storm was calculated in accordance with *TR-55, Urban Hydrology for Small Watersheds*, and completed using the *AutoCAD Civil 3D Hydraflow extension*. The *Federal Highway Administration's HY-8 Culvert Hydraulic Analysis Program* was utilized to determine the safe conveyance of the design flow rate for both ditch relief and stream culverts.

Ditch Relief Culverts

A corrugated aluminum pipe material is preferred by the US Forest Service, so that was the material that was assumed for design.

Aquatic Organism Passages

Stream culverts along Pocahontas Road are designed to accommodate a 25-year flood frequency as directed by the US Forest Service. Arch and box culverts were designed in accordance with the detail provided in Chapter 4 of the USDA document entitled *Low-Water Crossings: Geomorphic, Biological, and Engineering Design Considerations* to allow safe aquatic passage. A corrugated aluminum pipe material is preferred by the US Forest Service, so that was the material that was assumed for the design of arch culverts. Precast concrete is the assumed material for box culverts, and standard VDOT dimensions are utilized when possible. The existing stream channel's characteristics were utilized to determine the tailwater condition at the culvert outlet, and scour protection was specified to resist the shear and velocity of the design flow through the culvert as calculated in HY-8."

- Mystery Ridge Road
Mountain Valley intends to clear trees along the right-of-way parallel to Mystery Ridge Road. Fallen timber will be moved off of the Mystery Ridge Road right-of-way to allow for passage of vehicles. Following vegetation removal, erosion and sediment control measures will be put into place. Mountain Valley will prepare and grade the right-of-way in the area that

parallels Mystery Ridge Road leaving approximately 12-feet for vehicle access. Mountain Valley does not intend to use Mystery Ridge Road for construction vehicle traffic after crossing the Mountain Valley Right-of-way at station 10367+00. No access signs will be posted between the right-of-way and the road. Following construction of the pipeline, Mountain Valley will restore the right-of-way as directed in the Plan of Development and by the USFS. Mystery Ridge Road will be repaired as necessary, graveled, and left as a 12-foot wide road for use by the USFS and other designated parties. Should Mountain Valley determine that sections of the road do not need to be developed or modified for construction as indicated in the plans, the USFS will be notified.

Please let me know if you have any questions on the material provided. Thank you for being patient while we worked this out!

Megan

To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>

From: [Jankowiak, Connie L -FS](#)
To: [Kelardy, Shannon B -FS](#); [Rubado, Jessica - FS](#); [Overcash, Karen B -FS](#); [Adams, Jennifer - FS](#)
Cc: [Kerr, Mitchell -FS](#)
Subject: RE: RESPONSE REQUESTED - KATIE & DAN - RE: MVP question
Date: Thursday, March 15, 2018 1:14:30 PM
Attachments: [1to6000_Bore Area_03152018.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Attached is a map showing centerline of permit and locations.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114
cjankowiak@fs.fed.us
5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

From: Jankowiak, Connie L -FS
Sent: Thursday, March 15, 2018 12:41 PM
To: Kelardy, Shannon B -FS <skelardy@fs.fed.us>; Rubado, Jessica - FS <jrubado@fs.fed.us>; Overcash, Karen B -FS <kovercash@fs.fed.us>; Adams, Jennifer - FS <jenniferpadams@fs.fed.us>
Cc: Kerr, Mitchell -FS <mkerr@fs.fed.us>
Subject: RE: RESPONSE REQUESTED - KATIE & DAN - RE: MVP question

See answer below from Forest Surveyor.

All

The distance from AT to tree-sitter 1 is approx. 315 feet, distance to tree sitter 2 is approx. 375 feet. Distances measured from the centerline intersection of the AT and proposed pipeline centerline to the tree sitters locations as mapped by LEO's.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114
cjankowiak@fs.fed.us
5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

From: Jankowiak, Connie L -FS
Sent: Thursday, March 15, 2018 12:21 PM
To: Kerr, Mitchell -FS <mkerr@fs.fed.us>
Cc: Kelardy, Shannon B -FS <skelardy@fs.fed.us>; Rubado, Jessica - FS <jrubado@fs.fed.us>; Overcash, Karen B -FS <kovercash@fs.fed.us>; Adams, Jennifer - FS <jenniferpadams@fs.fed.us>
Subject: FW: RESPONSE REQUESTED - KATIE & DAN - RE: MVP question

Mitch –

Can you tell me the distance the tree sitters are from the centerline of the pipeline ROW?

Jennifer –

Is this the correct Shannon to be on this email? It is a FS address not an OGC address.



Connie L Jankowiak
Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests

p: 540-265-5114
cjankowiak@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

From: Ballew, Katie J -FS
Sent: Thursday, March 15, 2018 12:04 PM
To: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>
Subject: Re: RESPONSE REQUESTED - KATIE & DAN - RE: MVP question

Connie

Mitch Kerr could give you the exact information that you need. He is the Forest Surveyor and expert in that area

Sent from my iPhone

On Mar 15, 2018, at 11:53 AM, Jankowiak, Connie L -FS <cjankowiak@fs.fed.us> wrote:

Katie & Dan – Can you respond to how far from centerline of ROW the protesters are?
All I know is that they are within the limits of disturbance close to one of the borehole locations.

<image001.png> **Connie L Jankowiak**

Acting Special Project Coordinator
Forest Service
George Washington & Jefferson National Forests
p: 540-265-5114
cjankowiak@fs.fed.us
5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us
<image002.png><image003.png><image004.png>
Caring for the land and serving people

From: Rubado, Jessica - FS

Sent: Thursday, March 15, 2018 11:47 AM

To: Adams, Jennifer - FS <jenniferpadams@fs.fed.us>; Croy, Carol H -FS <carolcroy@fs.fed.us>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>

Cc: Kelardy, Shannon B -FS <skelardy@fs.fed.us>; Overcash, Karen B -FS <kovercash@fs.fed.us>; Grace Ellis <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>; Irvine, Peter -FS <pirvine@fs.fed.us>

Subject: RE: MVP question

Hi All - Shannon just called me about this. It looks like you're on top of it. I added Peter Irvine to this thread since there is also a question of how wide the footpath of the ANST is near where the protesters are located.

Shannon - Connie is the Acting MVP Coordinator, Troy Morris is the staff officer who is the back up for Connie.

<image001.png> **Jessica Rubado**
Project Manager
Forest Service
Washington Office, Business Operations, Enterprise Program
p: 503-314-0767
jrubado@fs.fed.us
1220 SW 3rd Avenue
Portland, OR 97204
www.fs.fed.us
<image002.png><image003.png><image004.png>
Caring for the land and serving people

From: Adams, Jennifer - FS

Sent: Thursday, March 15, 2018 8:38 AM

To: Croy, Carol H -FS <carolcroy@fs.fed.us>; Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>

Cc: Kelardy, Shannon B -FS <skelardy@fs.fed.us>; Rubado, Jessica - FS <jrubado@fs.fed.us>; Overcash, Karen B -FS <kovercash@fs.fed.us>; Grace Ellis <grace.ellis@galileoaz.com>; Lauren Johnston <lauren.johnston@galileoaz.com>
Subject: MVP question

Carol—Shannon of OGC has a question about the timing restrictions for tree felling on MVP.

Connie—Shannon has questions for you too about distance of protestors from the centerline!

Shannon—I'm copying the Enterprise PAO who is helping us on the PA issues. This information may be helpful to her as well. She may have some information that will help you too.

All—Please remember to cc Galileo!

<image001.png> **Jennifer P. Adams**
Acting Ecosystems Group Leader
Forest Service
Monongahela National Forest,
Supervisor's Office
p: 304-635-4457
f: 304-637-0582
jenniferpadams@fs.fed.us
200 Sycamore Street
Elkins, WV 26241
www.fs.fed.us
<image002.png><image003.png><image004.png>
Caring for the land and serving people

From: [Kerr, Mitchell -FS](#)
To: [Jankowiak, Connie L -FS](#)
Subject: FW: MVP-Peters Mtn
Date: Thursday, March 15, 2018 12:26:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

fyi



Mitchell Kerr, RLS
Land Surveyor and Boundary Manager
Forest Service
George Washington and Jefferson NF's

p: 540-265-5193

mkerr@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: Kerr, Mitchell -FS
Sent: Thursday, March 15, 2018 10:21 AM
To: Abing, Timothy -FS <tabing@fs.fed.us>; Timm, Joby -FS <jtimmm@fs.fed.us>
Cc: JoBeth -FS Brown (jobethbrown@fs.fed.us) <jobethbrown@fs.fed.us>
Subject: MVP-Peters Mtn

All

The distance from AT to tree-sitter 1 is approx. 315 feet, distance to tree sitter 2 is approx. 375 feet. Distances measured from the centerline intersection of the AT and proposed pipeline centerline to the tree sitters locations as mapped by LEO's.

I would attach a map, but ArcMap has crashed and I cannot get reconnected...

Hope this helps,

Mitch



Mitchell Kerr, RLS
Land Surveyor and Boundary Manager
Forest Service
George Washington and Jefferson NF's

p: 540-265-5193

mkerr@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: [Kerr, Mitchell -FS](#)
To: [Willett, James -FS](#)
Cc: [Ballew, Katie J -FS](#)
Subject: Peters Mtn info
Date: Thursday, March 15, 2018 12:35:00 PM
Attachments: [Peters Mountain Vicinity protestor access 1to5000 top of MTN.PDF](#)
[Peters Mountain Vicinity protestor access 1to18000.pdf](#)
[J-1426 title file.pdf](#)
[J-1185 title file.pdf](#)
[J-1185 plat.pdf](#)
[J-1426 plat.pdf](#)
[Appendix A-4 Exhibit Maps 090817.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Attached items per your request...



Mitchell Kerr, RLS
Land Surveyor and Boundary Manager
Forest Service
George Washington and Jefferson NF's
p: 540-265-5193
mkerr@fs.fed.us

5162 Valleypointe Parkway
Roanoke, VA 24019
www.fs.fed.us



Caring for the land and serving people

APPENDIX A-4 Exhibit Maps

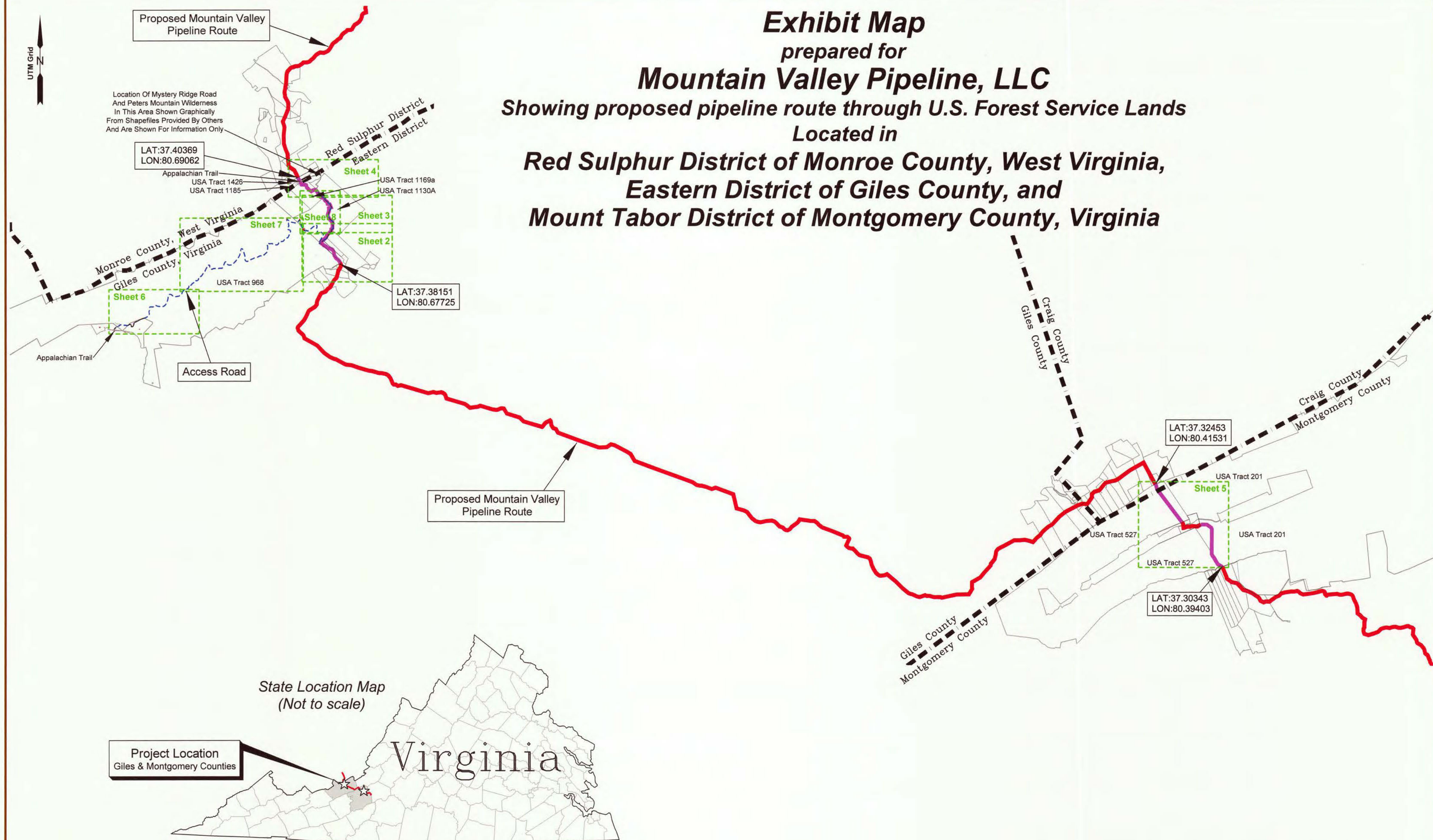
Exhibit Map

prepared for

Mountain Valley Pipeline, LLC

Showing proposed pipeline route through U.S. Forest Service Lands
Located in

**Red Sulphur District of Monroe County, West Virginia,
Eastern District of Giles County, and
Mount Tabor District of Montgomery County, Virginia**



State Location Map
(Not to scale)

Project Location
Giles & Montgomery Counties

Virginia

Proposed Areas	Giles County, VA (Eastern District)				Monroe County, WV (Red Sulphur District)		Montgomery County, VA (Mount Tabor District)	
	Private Lands Road Disturbance	Tract 968	Tract 1130A	Tract 1169a	Tract 1185	Tract 1426	Tract 201	Tract 527
Pipeline Permanent Easement: (A)		0.93 Ac.	5.88 Ac.	3.43 Ac.	0.24 Ac.	0.33 Ac.	4.16 Ac.	6.70 Ac.
Total Pipeline Construction Disturbance Area: (B)		2.76 Ac.	14.65 Ac.	8.13 Ac.		0.57 Ac.	10.38 Ac.	15.71 Ac.
Access Road Permanent Easement Area: (C)	1.44 Ac.	14.95 Ac.	4.79 Ac.	0.04 Ac.				
Access Road Construction Disturbance Area: (D)	2.30 Ac.	23.74 Ac.	7.26 Ac.	0.06 Ac.				
Additional Temporary Workspace: (E)	0.09 Ac.	0.35 Ac.						0.55 Ac.
Total Area for Construction (Sum of Lines B, D, and E):	2.39 Ac.	26.85 Ac.	21.91 Ac.	8.19 Ac.		0.57 Ac.	10.38 Ac.	16.26 Ac.
Total Area of Permanent Easement (Sum of Lines A and C):	1.44 Ac.	15.88 Ac.	10.67 Ac.	3.47 Ac.	0.24 Ac.	0.33 Ac.	4.16 Ac.	6.70 Ac.

SHEET INDEX	
Sheet No.	Description
1	Cover Sheet (this sheet)
2 - 4	Giles County, Virginia
5	Montgomery County, Virginia
6 - 8	Access Road Areas, Giles County, Virginia

0 6,000 12,000
Scale: 1 Inch = 6,000 Feet



Birch River Office
Phone: (304) 649-8606
Fax: (304) 649-8608

237 Birch River Road
Birch River, WV 26610

PROJECT NO.: 66-VA-15
PREPARED: September 13, 2017
DRAWN BY: Tim Rutledge
DRAFTING NO.: 66-15 Exhibit

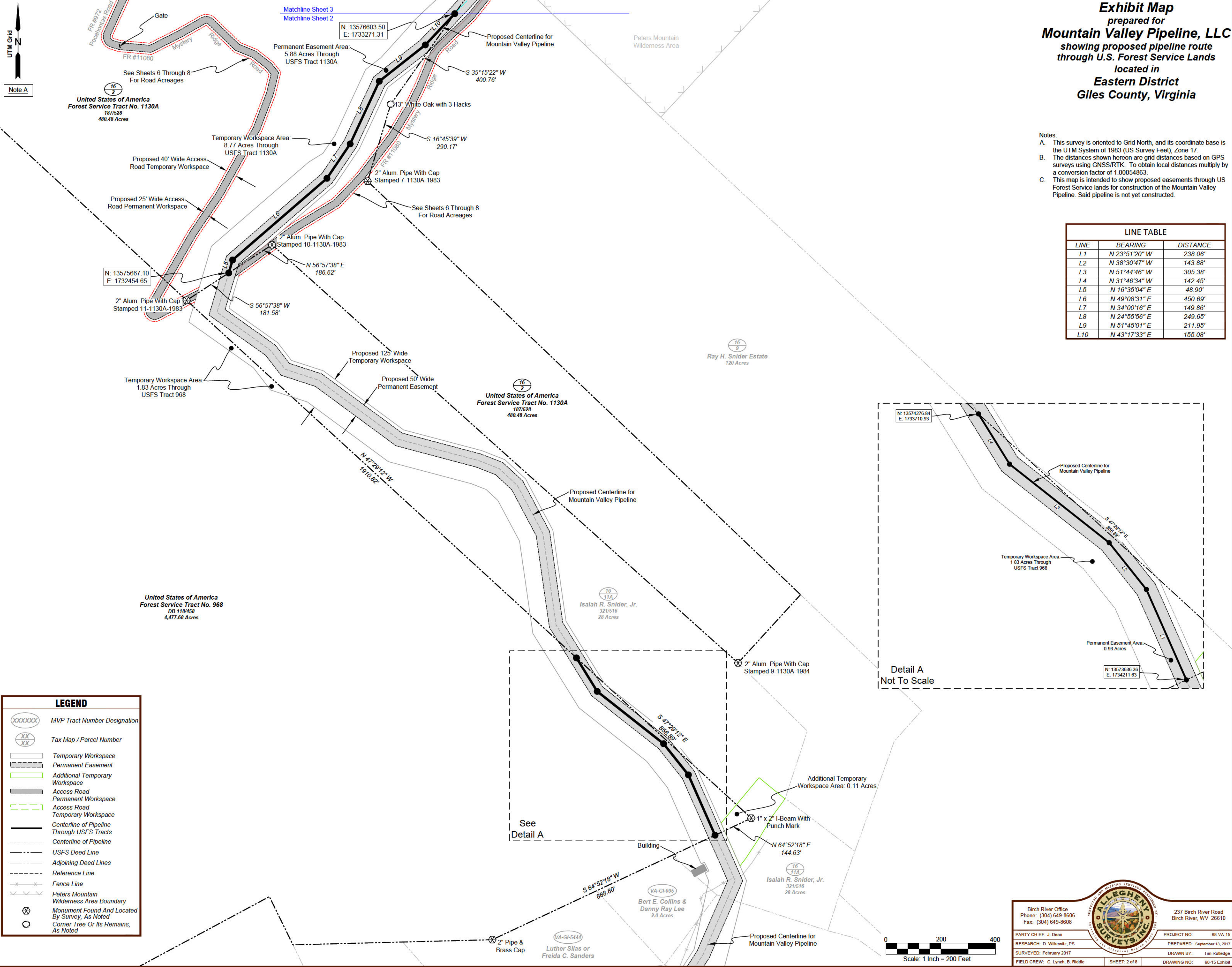
PARTY CHIEF: J. Dean
RESEARCH: D. Wilkewitz, PS
SURVEYED: February 2017
FIELD CREW: C. Lynch, B. Riddle

SHEET: 1 of 8

Exhibit Map
prepared for
Mountain Valley Pipeline, LLC
showing proposed pipeline route
through U.S. Forest Service Lands
located in
Eastern District
Giles County, Virginia

Notes:
A. This survey is oriented to Grid North, and its coordinate base is the UTM System of 1983 (US Survey Feet), Zone 17.
B. The distances shown hereon are grid distances based on GPS surveys using GNSS/RTK. To obtain local distances multiply by a conversion factor of 1.00054863.
C. This map is intended to show proposed easements through US Forest Service lands for construction of the Mountain Valley Pipeline. Said pipeline is not yet constructed.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 23°51'20" W	238.06'
L2	N 38°30'47" W	143.88'
L3	N 51°44'46" W	305.38'
L4	N 31°46'34" W	142.45'
L5	N 16°35'04" E	48.90'
L6	N 49°08'31" E	450.69'
L7	N 34°00'16" E	149.86'
L8	N 24°55'56" E	249.65'
L9	N 51°45'01" E	211.95'
L10	N 43°17'33" E	155.08'



LEGEND

- XXXXXX MVP Tract Number Designation
- XX Tax Map / Parcel Number
- Temporary Workspace
- Permanent Easement
- Additional Temporary Workspace
- Access Road
- Permanent Workspace
- Access Road
- Temporary Workspace
- Centerline of Pipeline Through USFS Tracts
- Centerline of Pipeline
- USFS Deed Line
- Adjoining Deed Lines
- Reference Line
- Fence Line
- Peters Mountain Wilderness Area Boundary
- Monument Found And Located By Survey, As Noted
- Corner Tree Or Its Remains, As Noted

Birch River Office
Phone: (304) 649-8606
Fax: (304) 649-8608

237 Birch River Road
Birch River, WV 26610

PARTY CHIEF: J. Dean
RESEARCH: D. Wilkewitz, PS
SURVEYED: February 2017
FIELD CREW: C. Lynch, B. Riddle

PROJECT NO: 68-VA-15
PREPARED: September 13, 2017
DRAWN BY: Tim Rutledge
DRAWING NO: 68-15 Exhibit

0 200 400
Scale: 1 Inch = 200 Feet

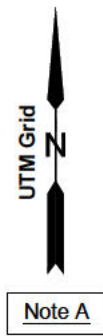
September 8, 2017

Appendix A Attachment 4-2

Exhibit Map
prepared for
Mountain Valley Pipeline, LLC
showing proposed pipeline route
through U.S. Forest Service Lands
located in
Eastern District
Giles County, Virginia

Notes:
A. This survey is oriented to Grid North, and its coordinate base is the UTM System of 1983 (US Survey Feet), Zone 17.
B. The distances shown hereon are grid distances based on GPS surveys using GNSS/RTK. To obtain local distances multiply by a conversion factor of 1.00054863.
C. This map is intended to show proposed easements through US Forest Service lands for construction of the Mountain Valley Pipeline. Said pipeline is not yet constructed.

LINE TABLE		
LINE	BEARING	DISTANCE
L11	N 03°37'58" W	122.92'
L12	N 53°06'24" E	155.45'
L13	N 00°39'12" E	573.38'
L14	N 49°57'13" W	159.60'
L15	N 43°12'14" W	237.65'
L16	N 27°44'15" W	370.34'
L17	N 11°10'59" E	239.85'
L18	N 21°33'38" E	239.73'
L19	N 05°27'09" W	253.04'
L20	N 72°30'42" E	214.93'
L21	N 23°08'30" W	322.09'
L22	N 80°51'53" W	195.76'
L23	N 09°03'26" W	176.75'
L24	N 42°24'52" W	89.45'
L25	N 64°11'19" W	115.54'
L26	N 42°18'53" W	82.61'
L27	N 19°33'16" W	197.33'
L28	N 64°37'26" W	66.80'
L29	N 73°16'22" W	292.03' (Total)
L30	N 55°37'58" W	152.37'



Matchline Sheet 4
Matchline Sheet 3

N: 13579939.47
E: 1732226.95

Temporary Workspace Area:
4.70 Acres Through
USFS Tract 1169a

Permanent Easement Area:
3.43 Acres Through
USFS Tract 1169a

Location Of Mystery Ridge Road
And Peters Mountain Wilderness
In This Area Shown Graphically
From Shapefiles Provided By Others
And Shown For Information Only

(VA-GF-001)
United States of America
Forest Service Tract No. 1169a
175463
102.83 Acres

(16
2)
United States of America
Forest Service Tract No. 1130A
187528
480.48 Acres

(16
2)
United States of America
Forest Service Tract No. 1130A
187528
480.48 Acres

Temporary Workspace Area:
8.77 Acres Through
USFS Tract 1130A

Permanent Easement Area:
5.88 Acres Through
USFS Tract 1130A

See Sheets 6 Through 8
For Road Acreages

Peters Mountain
Wilderness Area

Proposed 125' Wide
Temporary Workspace

Proposed Centerline for
Mountain Valley Pipeline

Proposed 50' Wide
Permanent Easement

Proposed 40' Wide Access
Road Temporary Workspace

Proposed 25' Wide Access
Road Permanent Workspace

See Sheets 6 Through 8
For Road Acreages

N: 13576603.50
E: 1733271.31

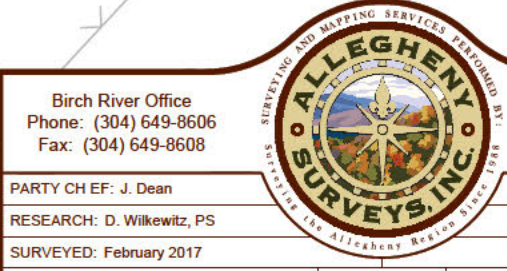
Matchline Sheet 3
Matchline Sheet 2

(16
9)
Ray H. Snider Estate
120 Acres

0 200 400
Scale: 1 Inch = 200 Feet

LEGEND

- XXXXXX MVP Tract Number Designation
- XX Tax Map / Parcel Number
- Temporary Workspace
- Permanent Easement
- Additional Temporary Workspace
- Access Road
- Permanent Workspace
- Access Road
- Temporary Workspace
- Centerline of Pipeline Through USFS Tracts
- Centerline of Pipeline
- USFS Deed Line
- Adjoining Deed Lines
- Reference Line
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- Peters Mountain Wilderness Area Boundary
- Monument Found And Located By Survey, As Noted
- Corner Tree Or Its Remains, As Noted



Birch River Office
Phone: (304) 649-8606
Fax: (304) 649-8608

237 Birch River Road
Birch River, WV 26610

PARTY CHIEF: J. Dean

PROJECT NO: 68-VA-15

RESEARCH: D. Wilkewitz, PS

PREPARED: September 13, 2017

SURVEYED: February 2017

DRAWN BY: Tim Rutledge

FIELD CREW: C. Lynch, B. Riddle

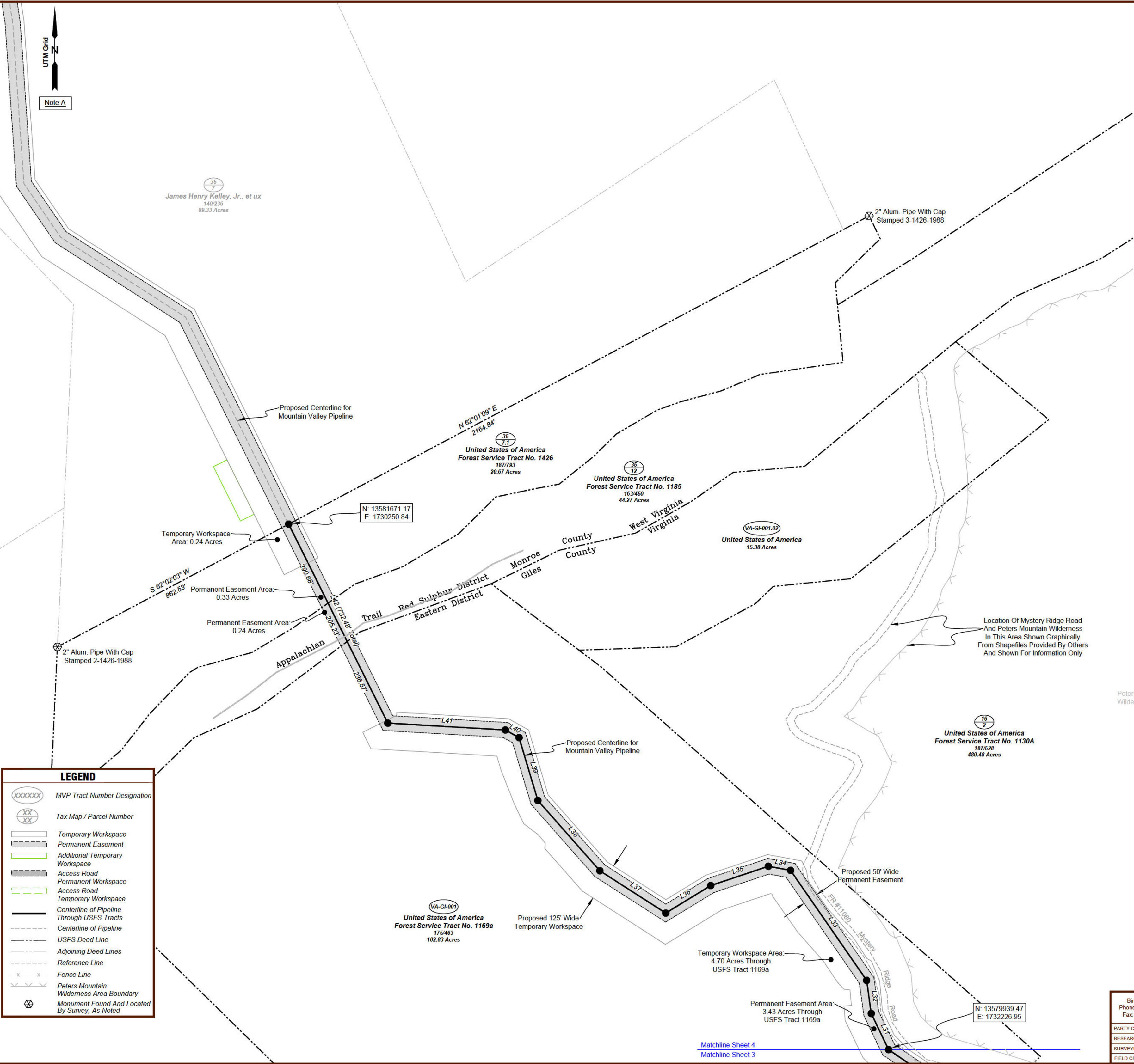
SHEET: 3 of 8

DRAWING NO: 68-15 Exhibit

Exhibit Map
prepared for
Mountain Valley Pipeline, LLC
showing proposed pipeline route
through U.S. Forest Service Lands
located in
Eastern District
Giles County, Virginia
and
Red Sulphur District
Monroe County, West Virginia

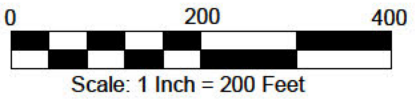
- Notes:
- A. This survey is oriented to Grid North, and its coordinate base is the UTM System of 1983 (US Survey Feet), Zone 17.
- B. The distances shown hereon are grid distances based on GPS surveys using GNSS/RTK. To obtain local distances multiply by a conversion factor of 1.00054863.
- C. This map is intended to show proposed easements through US Forest Service lands for construction of the Mountain Valley Pipeline. Said pipeline is not yet constructed.

LINE TABLE		
LINE	BEARING	DISTANCE
L31	N 25°37'38" W	132.15'
L32	N 07°56'05" W	110.17'
L33	N 34°39'16" W	440.57'
L34	N 79°27'34" W	74.32'
L35	S 71°29'27" W	200.35'
L36	S 58°34'10" W	173.64'
L37	N 57°17'38" W	258.02'
L38	N 41°24'07" W	308.75'
L39	N 16°39'27" W	216.23'
L40	N 60°48'34" W	51.61'
L41	N 86°39'27" W	387.74'
L42	N 26°28'45" W	732.48' (Total)



LEGEND

- MVP Tract Number Designation
- Tax Map / Parcel Number
- Temporary Workspace
- Permanent Easement
- Additional Temporary Workspace
- Access Road
- Permanent Workspace
- Access Road
- Temporary Workspace
- Centerline of Pipeline Through USFS Tracts
- Centerline of Pipeline
- USFS Deed Line
- Adjoining Deed Lines
- Reference Line
- Fence Line
- Peters Mountain Wilderness Area Boundary
- Monument Found And Located By Survey, As Noted



Birch River Office
Phone: (304) 649-8606
Fax: (304) 649-8608

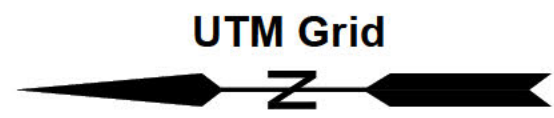
237 Birch River Road
Birch River, WV 26610

PARTY CHIEF: J. Dean
RESEARCH: D. Wilkewitz, PS
SURVEYED: February 2017
FIELD CREW: C. Lynch, B. Riddle

PROJECT NO: 68-VA-15
PREPARED: September 13, 2017
DRAWN BY: Tim Rutledge
DRAWING NO: 68-15 Exhibit

SHEET: 4 of 8

Appendix A Attachment 4-4



Note A

Sheet Rotated

LEGEND

- XXXXXX MVP Tract Number Designation
- XX XX Tax Map / Parcel Number
- Temporary Workspace
- Permanent Easement
- Additional Temporary Workspace
- Access Road
- Permanent Workspace
- Access Road
- Temporary Workspace
- Centerline of Pipeline Through USFS Tracts
- Centerline of Pipeline
- USFS Deed Line
- Adjoining Deed Lines
- Reference Line
- Fence Line
- Monument Found And Located By Survey, As Noted
- Corner Tree Or Its Remains, As Noted

Detail A
Not To Scale

Detail B
Not To Scale

Exhibit Map prepared for Mountain Valley Pipeline, LLC showing proposed pipeline route through U.S. Forest Service Lands located in Mount Tabor District Montgomery County, Virginia

- Notes:
- A. This survey is oriented to Grid North, and its coordinate base is the UTM System of 1983 (US Survey Feet), Zone 17.
- B. The distances shown hereon are grid distances based on GPS surveys using GNSS/RTK. To obtain local distances multiply by a conversion factor of 1.000451914.
- C. This map is intended to show proposed easements through US Forest Service lands for construction of the Mountain Valley Pipeline. Said pipeline is not yet constructed.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 27°12'58" E	146.23'
L2	S 15°21'35" E	363.38'
L3	S 37°18'50" E	3861.37'
L4	N 58°09'25" E	50.68'
L5	N 87°28'29" E	201.36'
L6	S 86°54'57" E	379.11'
L7	S 54°29'18" E	486.76'
L8	S 23°35'38" E	151.00'
L9	S 00°27'21" W	2316.72' (Total)
L10	S 30°17'13" E	227.87'
L11	S 42°49'41" E	115.13'
L12	S 30°17'13" E	737.07'
L13	S 59°25'31" E	427.53' (Total)

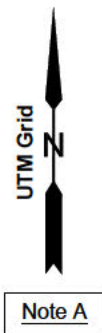
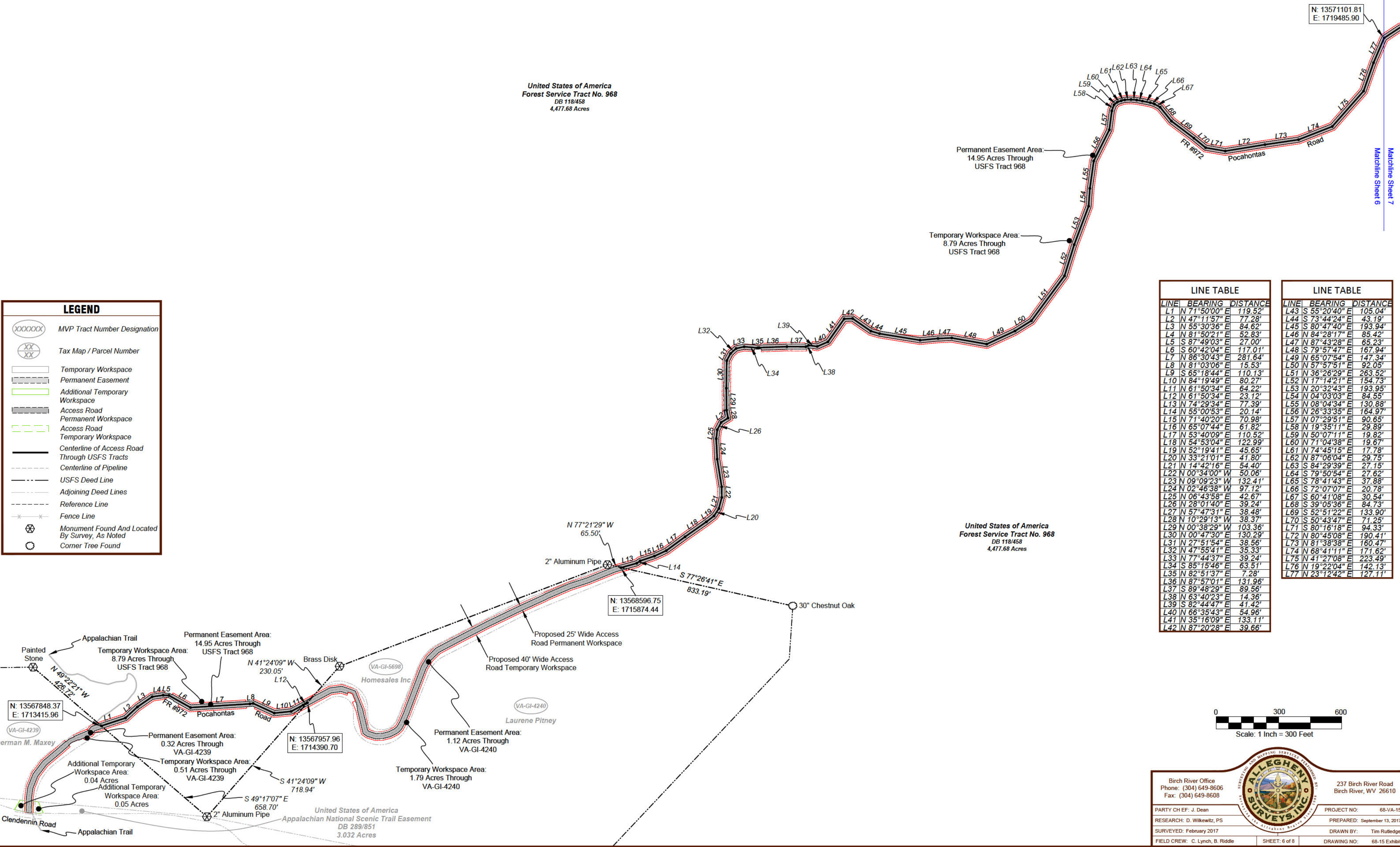
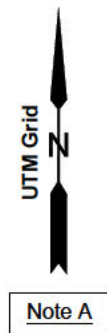


Exhibit Map
prepared for
Mountain Valley Pipeline, LLC
showing proposed pipeline route
through U.S. Forest Service Lands
located in
Eastern District
Giles County, Virginia

- Notes:
- A. This survey is oriented to Grid North, and its coordinate base is the UTM System of 1983 (US Survey Feet), Zone 17.
- B. The distances shown hereon are grid distances based on GPS surveys using GNSS/RTK. To obtain local distances multiply by a conversion factor of 1.00054863.
- C. This map is intended to show proposed easements through US Forest Service lands for construction of the Mountain Valley Pipeline. Said pipeline is not yet constructed.



LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 71°50'00" E	119.52'	L43	S 55°20'40" E	105.04'
L2	N 47°11'57" E	77.28'	L44	S 73°44'24" E	43.19'
L3	N 55°30'38" E	84.62'	L45	S 80°47'40" E	193.94'
L4	N 81°50'21" E	52.83'	L46	N 84°28'17" E	85.42'
L5	S 87°49'03" E	27.00'	L47	N 87°43'28" E	65.23'
L6	S 60°42'04" E	117.01'	L48	S 79°57'47" E	167.94'
L7	N 86°30'43" E	281.64'	L49	N 65°07'54" E	147.34'
L8	N 81°03'06" E	15.53'	L50	N 57°57'51" E	92.05'
L9	S 65°18'44" E	110.13'	L51	N 36°26'29" E	263.52'
L10	N 84°19'49" E	80.27'	L52	N 17°14'21" E	154.73'
L11	N 61°50'34" E	64.22'	L53	N 20°32'43" E	193.95'
L12	N 61°50'34" E	23.12'	L54	N 04°03'03" E	84.55'
L13	N 74°29'34" E	77.39'	L55	N 08°04'34" E	130.88'
L14	N 55°00'53" E	20.14'	L56	N 26°33'35" E	164.97'
L15	N 71°40'20" E	70.98'	L57	N 07°29'51" E	90.65'
L16	N 65°07'44" E	61.82'	L58	N 19°35'11" E	29.89'
L17	N 53°40'09" E	110.52'	L59	N 50°07'11" E	19.82'
L18	N 54°53'04" E	122.99'	L60	N 71°04'38" E	19.67'
L19	N 52°19'41" E	45.65'	L61	N 74°45'15" E	17.78'
L20	N 33°21'01" E	41.80'	L62	N 87°06'04" E	29.75'
L21	N 14°42'16" E	54.40'	L63	S 84°29'39" E	27.15'
L22	N 00°34'00" W	50.06'	L64	S 79°50'54" E	27.62'
L23	N 09°09'23" W	132.41'	L65	S 78°41'43" E	37.88'
L24	N 02°46'38" W	97.12'	L66	S 72°07'07" E	20.78'
L25	N 06°43'58" E	42.67'	L67	S 60°41'08" E	30.54'
L26	N 28°01'40" E	39.24'	L68	S 39°05'36" E	84.73'
L27	N 57°47'31" E	38.48'	L69	S 52°51'22" E	133.90'
L28	N 10°29'13" W	38.37'	L70	S 50°43'47" E	71.25'
L29	N 00°38'29" W	103.36'	L71	S 80°16'18" E	94.33'
L30	N 00°47'30" E	130.29'	L72	N 80°45'08" E	190.41'
L31	N 27°51'54" E	38.56'	L73	N 81°38'38" E	160.47'
L32	N 47°55'41" E	35.33'	L74	N 68°41'11" E	171.62'
L33	N 77°44'37" E	39.24'	L75	N 41°27'08" E	223.49'
L34	S 85°15'46" E	63.51'	L76	N 19°22'04" E	142.13'
L35	N 82°51'31" E	7.28'	L77	N 23°12'42" E	127.11'
L36	N 87°57'01" E	131.96'			
L37	S 89°48'29" E	89.66'			
L38	N 63°40'23" E	14.36'			
L39	S 82°44'47" E	41.42'			
L40	N 66°35'43" E	54.96'			
L41	N 35°16'09" E	133.11'			
L42	N 87°20'28" E	39.66'			



CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	155.23'	190.00'	N 47°34'22" E	150.95'
C2	158.35'	79.00'	S 51°35'53" E	133.14'
C3	74.16'	45.00'	N 17°30'37" E	68.05'
C4	81.99'	80.00'	S 85°55'02" E	78.45'
C5	169.58'	75.00'	S 72°51'34" E	135.70'

LINE TABLE		
LINE	BEARING	DISTANCE
L78	N 56°33'24" E	90.85'
L79	N 80°22'00" E	41.53'
L80	N 85°21'44" E	65.30'
L81	N 63°42'44" E	94.70'
L82	N 52°05'46" E	103.58'
L83	N 58°20'00" E	177.39'
L84	N 32°33'31" E	96.03'
L85	N 10°50'51" E	80.06'
L86	N 07°15'49" W	125.08'
L87	N 41°26'04" E	46.60'
L88	S 77°10'33" E	136.69'
L89	N 75°28'34" E	77.44'
L90	N 33°27'24" E	172.83'
L91	N 61°30'33" E	104.96'
L92	N 57°50'49" E	93.99'
L93	N 30°08'01" E	152.15'
L94	N 46°29'59" E	53.26'
L95	S 80°09'30" E	105.04'
L96	N 74°56'35" E	102.74'
L97	N 55°05'03" E	79.08'
L98	N 21°02'05" E	127.90'
L99	N 08°35'43" E	141.32'
L100	N 46°22'55" E	71.86'
L101	N 88°58'07" E	106.67'
L102	N 47°30'51" E	182.30'
L103	N 25°58'52" E	124.36'
L104	N 49°02'10" E	166.02'
L105	N 37°31'53" E	128.07'
L106	N 19°37'08" E	215.61'
L107	N 32°20'38" E	170.86'
L108	N 24°10'02" E	182.49'
L109	N 70°58'42" E	8.63'
L110	S 05°49'32" W	149.01'
L111	S 38°25'06" E	175.28'
L112	S 75°03'25" E	63.78'
L113	N 87°06'44" E	50.71'
L114	N 66°48'44" E	151.52'
L115	N 83°59'42" E	81.11'
L116	N 87°19'59" E	108.21'
L117	S 80°08'47" E	122.42'
L118	N 88°15'07" E	99.65'

LINE TABLE		
LINE	BEARING	DISTANCE
L119	N 79°35'47" E	120.33'
L120	N 82°08'41" E	70.39'
L121	S 89°25'02" E	174.06'
L122	N 73°45'50" E	49.50'
L123	N 38°12'10" E	58.74'
L124	N 24°10'12" E	89.14'
L125	N 26°20'04" E	91.98'
L126	N 17°53'23" E	76.99'
L127	N 20°06'48" E	144.40'
L128	N 22°15'31" E	109.50'
L129	N 34°45'45" E	69.77'
L130	N 74°31'44" E	44.42'
L131	S 69°21'37" E	44.34'
L132	S 46°12'19" E	68.78'
L133	S 20°26'04" E	59.71'
L134	S 22°59'11" E	77.31'
L135	S 32°25'50" E	56.04'
L136	S 40°10'42" E	29.17'
L137	S 54°31'01" E	95.70'
L138	N 88°30'15" E	186.95'
L139	N 80°15'34" E	111.06'
L140	N 62°34'23" E	112.74'
L141	N 43°04'11" E	378.77'
L142	N 37°02'17" E	445.19'
L143	N 30°16'54" E	110.55'
L144	N 23°36'04" E	147.74'
L145	N 20°14'02" E	255.43'
L146	N 05°36'34" E	270.26'
L147	N 38°31'59" E	110.17'
L148	N 72°21'26" E	34.02'
L149	S 80°57'37" E	13.49'
L150	S 45°28'14" E	78.46'
L151	S 22°01'39" E	227.93'
L152	S 18°03'36" E	253.48'
L153	S 14°06'37" E	148.02'
L154	S 09°54'29" E	162.04'
L155	S 01°09'59" W	172.16'
L156	S 06°13'17" E	93.19'
L157	S 32°40'22" E	93.61'
L158	S 59°43'31" E	42.15'
L159	S 72°59'30" E	78.70'

LINE TABLE		
LINE	BEARING	DISTANCE
L160	S 85°43'59" E	30.91'
L161	N 78°26'51" E	41.10'
L162	N 62°49'58" E	213.93'
L163	N 59°05'46" E	54.89'
L164	N 58°23'03" E	91.43'
L165	N 67°28'47" E	97.49'
L166	N 72°43'44" E	144.83'
L167	N 50°22'14" E	80.34'
L168	N 59°09'01" E	42.88'
L169	N 76°23'52" E	62.55'
L170	N 80°29'04" E	123.76'
L171	N 76°56'56" E	99.59'
L172	N 66°00'47" E	62.16'
L173	N 57°08'13" E	65.99'
L174	N 54°14'19" E	64.01'
L175	N 70°11'52" E	69.54'
L176	N 80°54'03" E	59.00'
L177	S 81°17'49" E	49.76'
L178	S 71°22'01" E	71.27'
L179	S 88°33'33" E	36.59'
L180	N 75°00'44" E	23.47'
L181	N 55°50'16" E	110.96'
L182	N 47°36'40" E	220.27'
L183	N 46°02'35" E	87.74'
L184	N 49°40'05" E	146.94'
L185	N 38°16'50" E	47.90'
L186	N 18°07'39" E	44.85'
L187	N 04°56'57" W	29.20'
L188	N 10°04'30" W	73.80'
L189	N 11°00'42" E	142.04'
L190	N 04°25'13" W	74.72'
L191	N 03°15'30" E	138.50'
L192	N 15°33'43" W	54.00'
L193	N 29°19'39" W	82.85'
L194	N 15°13'21" W	37.91'
L195	N 17°55'18" E	62.37'
L196	N 43°11'31" E	43.21'
L197	N 57°32'24" E	18.67'
L198	N 70°59'18" E	51.23'
L199	S 78°15'30" E	32.43'
L200	S 71°33'34" E	114.00'

LINE TABLE		
LINE	BEARING	DISTANCE
L201	N 84°30'33" E	43.48'
L202	N 71°00'34" E	64.21'
L203	N 79°13'25" E	29.23'
L204	S 80°31'47" E	47.95'
L205	S 71°18'05" E	148.98'
L206	S 72°22'49" E	109.68'
L207	S 74°25'39" E	131.34'
L208	S 77°19'08" E	61.72'
L209	N 89°47'05" E	53.25'
L210	N 73°05'54" E	70.06'
L211	N 46°15'49" E	86.28'
L212	N 21°03'30" E	156.72'
L213	N 28°33'55" E	49.40'
L214	N 54°47'50" E	42.15'
L215	N 80°01'20" E	71.28'
L216	N 84°53'26" E	215.36'
L217	N 66°59'43" E	75.43'
L218	N 45°05'23" E	75.33'
L219	N 30°51'18" E	111.99'
L220	N 47°45'41" E	167.10'
L221	N 81°26'48" E	54.73'
L222	N 70°11'56" E	159.35'
L223	N 41°55'22" E	55.56'
L224	N 18°10'12" E	127.07'
L225	N 26°30'02" E	125.78'
L226	N 16°40'17" E	147.44'
L227	N 25°12'05" E	163.64'
L228	N 14°15'42" E	21.57'
L229	N 09°17'59" W	54.46'
L230	N 37°21'55" W	90.94'
L231	N 79°26'58" W	53.90'
L232	N 71°43'57" W	73.79'
L233	N 75°09'59" W	57.73'
L234	N 36°17'01" W	47.72'
L235	N 23°14'11" W	58.92'
L236	N 15°48'24" E	48.76'
L237	N 21°18'58" E	38.69'
L238	N 36°03'24" E	79.93'
L239	N 46°14'34" E	71.60'
L240	N 23°43'26" E	43.20'
L241	N 12°21'19" W	27.73'

LINE TABLE		
LINE	BEARING	DISTANCE
L242	N 27°23'58" W	75.54'
L243	N 04°25'47" W	47.67'
L244	N 07°34'10" E	73.83'
L245	N 09°20'32" W	61.91'
L246	N 25°08'40" W	77.32'
L247	N 38°38'47" W	73.42'
L248	N 43°51'43" W	88.36'
L249	N 29°42'02" W	39.82'
L250	N 64°43'15" E	8.24'
L251	S 56°33'20" E	61.96'
L252	S 61°36'00" E	87.59'
L253	S 62°29'15" E	72.41'
L254	S 58°43'43" E	71.91'
L255	S 54°59'39" E	71.96'
L256	S 58°09'51" E	47.45'
L257	S 76°33'33" E	37.90'
L258	S 84°06'53" E	57.05'
L259	S 76°08'40" E	209.08'
L260	S 88°42'30" E	48.36'
L261	N 74°18'10" E	46.13'
L262	N 62°54'02" E	149.21'
L263	N 58°11'45" E	20.18'
L264	N 58°11'45" E	44.91'
L265	N 47°51'52" E	65.30'
L266	N 42°21'55" E	71.45'
L267	S 08°05'03" E	169.44'

Exhibit Map
prepared for
Mountain Valley Pipeline, LLC
showing proposed pipeline route
through U.S. Forest Service Lands
located in
Eastern District
Giles County, Virginia

- Notes:
- A. This survey is oriented to Grid North, and its coordinate base is the UTM System of 1983 (US Survey Feet), Zone 17.
- B. The distances shown hereon are gnd distances based on GPS surveys using GNSS/RTK. To obtain local distances multiply by a conversion factor of 1.00054863.
- C. This map is intended to show proposed easements through US Forest Service lands for construction of the Mountain Valley Pipeline. Said pipeline is not yet constructed.

LEGEND

XXXXXX MVP Tract Number Designation

XX Tax Map / Parcel Number

Temporary Workspace

Permanent Easement

Additional Temporary Workspace

Access Road

Permanent Workspace

Access Road

Temporary Workspace

Centerline of Access Road Through USFS Tracts

Centerline of Pipeline

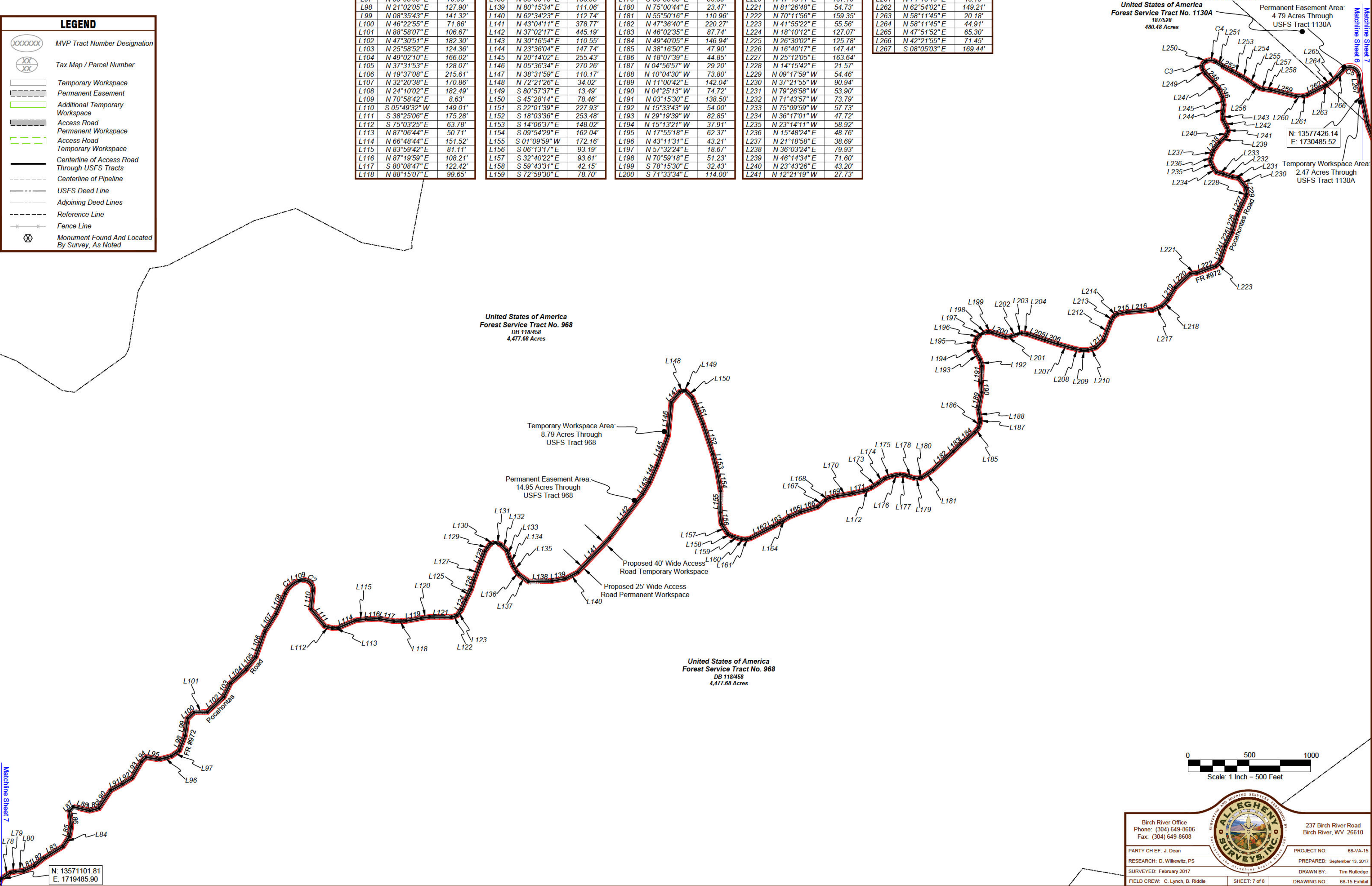
USFS Deed Line

Adjoining Deed Lines

Reference Line

Fence Line

Monument Found And Located By Survey, As Noted



Birch River Office
Phone: (304) 649-8606
Fax: (304) 649-8608

237 Birch River Road
Birch River, WV 26610

PARTY CHIEF: J. Dean
RESEARCH: D. Wilkewitz, PS
SURVEYED: February 2017
FIELD CREW: C. Lynch, B. Riddle

PROJECT NO: 68-VA-15
PREPARED: September 13, 2017
DRAWN BY: Tim Rutledge
DRAWING NO: 68-15 Exhibit

SHEET: 7 of 8

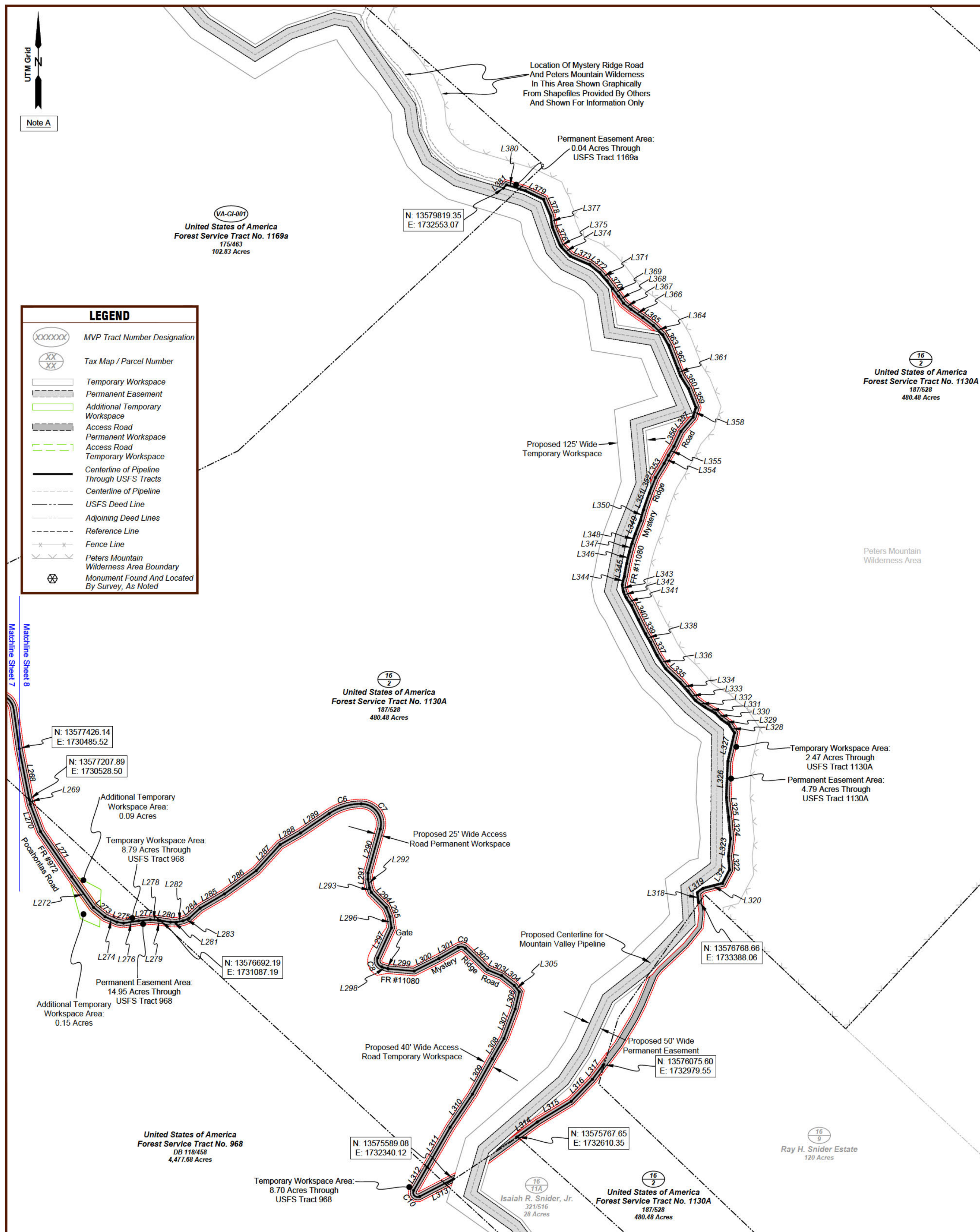
Appendix A Attachment 4-7

Notes:

- A. This survey is oriented to Grid North, and its coordinate base is the UTM System of 1983 (US Survey Feet), Zone 17.
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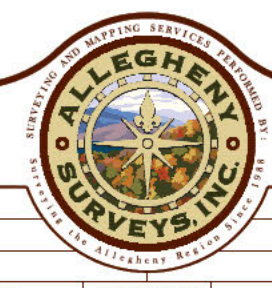
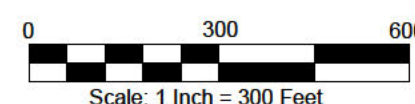
Notes:

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- B. The distances shown hereon are grid distances based on GPS surveys using GNSS/RTK. To obtain local distances multiply by a conversion factor of 1.00054863.
- C. This map is intended to show proposed easements through US Forest Service lands for construction of the Mountain Valley Pipeline. Said pipeline is not yet constructed.



LINE TABLE			LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L268	S 11°08'29" E	222.44'	L308	S 30°03'23" W	100.99'	L348	N 19°17'47" E	42.30'
L269	S 11°08'29" E	19.32'	L309	S 29°10'33" W	171.86'	L349	N 22°17'16" E	61.95'
L270	S 20°41'30" E	124.45'	L310	S 34°01'54" W	171.60'	L350	N 15°33'33" E	47.37'
L271	S 34°31'13" E	235.46'	L311	S 29°58'37" W	195.75'	L351	N 19°00'40" E	74.56'
L272	S 35°35'34" E	159.86'	L312	S 29°58'37" W	114.47'	L352	N 21°27'07" E	72.45'
L273	S 50°57'56" E	63.58'	L313	N 62°28'14" E	162.73'	L353	N 31°22'03" E	70.34'
L274	S 66°00'47" E	55.50'	L314	N 53°49'55" E	109.28'	L354	N 27°53'12" E	39.07'
L275	S 80°57'49" E	28.50'	L315	N 58°41'17" E	169.23'	L355	N 31°15'24" E	45.76'
L276	N 81°26'56" E	65.14'	L316	N 43°48'38" E	130.65'	L356	N 24°54'55" E	69.89'
L277	N 84°22'56" E	50.33'	L317	N 36°53'19" E	76.55'	L357	N 40°43'11" E	80.24'
L278	S 85°24'56" E	34.51'	L318	N 07°19'38" W	43.05'	L358	N 17°44'51" E	46.50'
L279	S 81°37'55" E	7.47'	L319	N 53°06'24" E	29.51'	L359	N 21°39'53" E	83.57'
L280	S 81°37'55" E	44.73'	L320	N 75°24'34" E	86.31'	L360	N 32°18'36" W	65.46'
L281	S 89°35'58" E	26.07'	L321	N 27°45'28" E	65.75'	L361	N 20°03'14" W	31.90'
L282	N 78°41'45" E	27.89'	L322	N 04°38'06" W	58.61'	L362	N 21°13'47" W	106.20'
L283	N 67°24'10" E	27.92'	L323	N 06°57'40" E	75.16'	L363	N 30°05'18" W	52.50'
L284	N 47°27'57" E	63.89'	L324	N 05°03'47" W	92.30'	L364	N 45°26'49" W	56.16'
L285	N 59°39'35" E	120.24'	L325	N 06°46'05" W	84.84'	L365	N 52°49'42" W	55.71'
L286	N 53°50'51" E	168.82'	L326	N 02°27'12" E	154.77'	L366	N 54°54'22" W	63.10'
L287	N 42°28'32" E	150.52'	L327	N 13°13'28" E	124.45'	L367	N 51°15'39" W	41.07'
L288	N 60°17'24" E	100.12'	L328	N 34°06'52" W	42.77'	L368	N 34°48'38" W	35.80'
L289	N 55°52'14" E	147.84'	L329	N 55°17'35" W	39.90'	L369	N 37°01'50" W	17.43'
L290	S 15°35'36" W	195.41'	L330	N 44°32'03" W	36.95'	L370	N 36°17'45" W	40.59'
L291	S 00°43'27" W	26.26'	L331	N 59°56'15" W	51.67'	L371	N 41°25'11" W	47.79'
L292	S 10°43'09" E	36.72'	L332	N 55°22'03" W	47.38'	L372	N 51°24'52" W	56.97'
L293	S 21°12'32" E	21.02'	L333	N 38°38'51" W	52.93'	L373	N 66°58'01" W	89.34'
L294	S 44°37'34" E	90.56'	L334	N 41°39'27" W	50.51'	L374	N 43°52'35" W	54.02'
L295	S 22°07'42" E	42.31'	L335	N 46°59'43" W	83.98'	L375	N 36°22'27" W	9.32'
L296	S 07°58'56" E	48.32'	L336	N 33°07'28" W	68.28'	L376	N 22°43'48" W	86.24'
L297	S 24°43'18" W	141.11'	L337	N 26°25'18" W	62.90'	L377	N 08°11'28" W	45.80'
L298	S 72°58'09" E	28.19'	L338	N 30°24'14" W	41.86'	L378	N 23°15'24" W	77.81'
L299	S 84°57'18" E	111.73'	L339	N 26°43'35" W	67.03'	L379	N 64°37'26" W	85.95'
L300	N 63°12'41" E	118.81'	L340	N 25°39'19" W	66.71'	L380	N 72°58'44" W	84.49'
L301	N 60°18'01" E	95.51'	L341	N 34°43'29" W	40.76'	L381	S 43°51'57" W	20.13'
L302	S 45°53'40" E	31.79'	L342	N 24°14'16" W	28.31'			
L303	S 67°44'57" E	65.31'	L343	N 10°13'58" W	29.42'			
L304	S 51°54'59" E	68.84'	L344	N 14°09'02" E	36.70'			
L305	S 38°26'55" E	34.11'	L345	N 10°27'40" E	56.99'			
L306	S 13°38'44" W	75.24'	L346	N 13°23'47" E	51.34'			
L307	S 20°38'56" W	134.90'	L347	N 16°18'45" E	37.03'			

CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C6	145.79'	243.26'	N 73°02'23"E	143.62'
C7	156.34'	85.00'	S 37°00'00"E	144.62'
C8	47.74'	28.00'	S 24°07'26"E	42.16'
C9	32.20'	25.00'	S 82°47'50"E	30.02'
C10	48.81'	19.00'	S 43°46'34"E	36.48'



Birch River Office
Phone: (304) 649-8606
Fax: (304) 649-8608

237 Birch River Road
Birch River, WV 26610

PARTY CHIEF: J. Dean

PROJECT NO: 68-VA-15

RESEARCH: D. Wilkewitz, PS

PREPARED: September 13, 2017

SURVEYED: February 2017

DRAWN BY: Tim Rutledge

①

S 52°59'02" W	645.14'
S 87°40'36" W	235.78'
S 57°54'06" W	169.02'
S 62°54'18" W	211.12'
S 79°53'36" W	256.71'
S 55°20'05" W	232.43'

②

S 73°45'28"	W	110.08'
S 73°22'13"	W	121.47'
S 71°14'49"	W	75.73'
S 63°38'09"	W	124.43'
S 60°13'44"	W	99.21'
S 66°04'11"	W	50.96'
S 58°38'35"	W	120.09'
S 66°16'49"	W	113.55'
S 65°13'27"	W	42.34'
S 65°40'57"	W	159.17'
S 57°21'55"	W	163.24'
S 50°12'18"	W	151.77'
S 42°56'36"	W	82.89'
S 10°55'41"	E	58.57'
S 29°01'08"	W	50.58'
S 82°07'23"	W	164.36'
S 35°57'57"	W	181.46'

④	N 52°16'34" E	284.46'
	N 40°30'42" E	152.02'
	N 46°22'49" E	189.15'
	N 61°10'25" E	33.22'
	N 77°09'39" E	184.25'
	N 61°40'11" E	157.70'
	N 57°12'39" E	249.96'
	N 72°38'31" E	164.43'
	N 62°09'58" E	215.71'
	N 47°51'06" E	173.54'
	N 80°41'17" E	146.96'
	N 82°12'11" E	65.23'
	N 53°45'16" E	146.23'
	N 47°51'06" E	104.96'
	N 62°09'58" E	157.63'
	N 73°08'35" E	82.18'
	N 77°39'51" E	135.06'
	N 69°38'21" E	140.13'
	N 84°13'34" E	276.75'

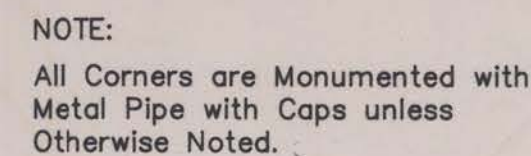
⑤

⑨

S 68°53'59" W	264.86'
S 45°17'53" W	283.26'
S 49°50'52" W	215.94'
S 57°37'45" W	136.23'
S 65°36'38" W	331.65'
S 71°27'44" W	222.82'
S 62°11'47" W	90.62'

⑩	S 44°59'49" W	320.03'
	S 60°09'55" W	342.11'
	S 64°04'01" W	282.50'
	S 59°51'37" W	248.04'
	S 68°37'28" W	311.78'
	S 55°24'06" W	246.57'

①



* * R E - S U R V E Y O F * *

JOHN H. ALLEN

TRACT 1185

TO BE INCLUDED IN A DEED OF CORRECTION

Correcting D.B. 163, Pg. 450

RED SULPHUR MAGISTERIAL DISTRICT

Monroe County, West Virginia

CONTAINING 44.27 ACRES



JEFFERSON NATIONAL FOREST

ATLAS SHEET: 9-22
 FIELDBOOK: B-9 & B-9A DWG FILE: 1185
 PARTY CHIEF: D. Moore
 PLAT BY: **RONALD N. UNDERWOOD**
 APPROVED BY: Charles E. Rahn
 Land Surveyor

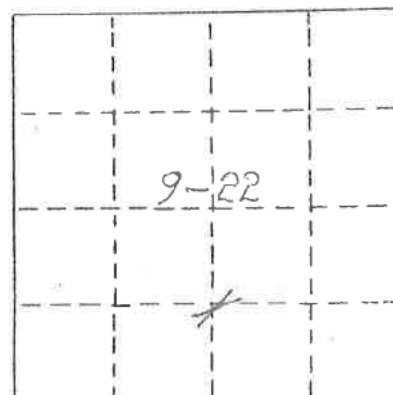
USDA-FOREST SERVICE				1. CASE DESIGNATION <i>J-1185(1186, 879g, h)</i>		2. CARD CODE (1)	
BASIC INFORMATION SHEET				<i>Allen, John H., et ux</i>			
IDENTIFICATION	REGION (2-3)	STATE (4-5)	COUNTY (6-8)	POLITICAL SUBDIVISION (9-10)			
	ADMIN. UNIT (11-12)	AREA UNIT (13-14)	DISTRICT (15-16)	TRACT OR LOT NO. (17-28)			
	TOWNSHIP (29-33)	RANGE (34-38)	SECTION (39-41)	MERID. NO. (42-43)	QUADRANGLE NO. (29-36)		
OWNERSHIP	1. NATIONAL FOREST		3. PRIVATE (44)		ACRES (45-51)		
	2. OTHER FEDERAL		4. OTHER PUBLIC				
	ADMIN. RESP. (52)	TITLE METHOD (53-54)	AUTHORITY (55-56)	MONTH (57-58)	DATE (59-60)	YEAR (61-62)	
	<i>FS</i>	<i>Exchange</i>	<i>Weeks, 1911 & Act of 10-21-76</i>	<i>06</i>	<i>20</i>	<i>80</i>	
				HOW EVALUATED (63-69)		(70)	
5. VALUATION (Nearest Dollar)				1. ACQUIRED		2. APPRAISED	
ENCUMBRANCES	CLASS (71)	TYPE (72)	ACRES (73-77)	EXP. DATE (78-79)	VESTED INTEREST (80)		
	<i>1-OR</i>	<i>Right-of-way</i>		<i>OX</i>	<i>Appalachian Elec. Power Co.</i>		
	For each succeeding Encumbrance card needed, use column 1-43 and 51-80 following						
	(51)	(52)	(53-57)	(58-59)	(60)		
	<i>2-OR</i>	<i>Oil & Gas Lease</i>	<i>44</i>	<i>6-22-1993</i>	<i>Weaver Oil & Gas Corp.</i>		
(61)	(62)	(63-67)	(68-69)	(70)			
(71)	(72)	(73-77)	(78-79)	(80)			
USE RESTRICTIONS	7 Each Use Restriction card contains 2 restrictions and uses columns 1-43 and 44-80 following						
	TYPE	AUTHORITY	ACRES		Check Status		TOTAL
	(44-45)	(46)	Inside Authorized Reclamation, Flood or Power Projects (47-50)	Outside Project Boundaries or Other (51-54)	1. Outside 2. Other (55)		(56-59)
	(60-61)	(62)	(63-66)	(67-70)	(71)		(72-75)
							(76-80)
OVERLAP (withdrawals only) - Estimate; show only on last U.R. card							

List additional Encumbrances and Use Restrictions on supplemental 5400-21(S)

SPECIAL NOTES:

1- Subject to Right-of-way easements to Appalachian Electric Power Co.

Map Used Optional



TITLE AND ENCUMBRANCE TABULAR RECORD ENTRY	NO.	DATE	INITIALS
USE RESTRICTION TABULAR RECORD ENTRY	NO.	DATE	INITIALS

CASE FOLDER CONTENTS

Item	:SO
Abstract - Title Policy No. 1002 00203	:X
Transcript of Record, At Law #	:
Patent Certificate	:
	:
Land Exchange Offer	:X
Proposal for Sale	:
Option	:
Tract Valuation Report (with supporting data)	:X
Type Map	:
Proposal to NFRC	:
Certificate of Possession	:X
	:
	:
Voucher for Purchases	:
Acquisition Change Slip	:
Certificate of Use & Consent	:X
Supplemental Data: Special Use Permits (); Bdy. Agreements ();	:X
Tenancy Agreements (); Disclaimers (); Claims ();	:
Correspondence (X)	:
Environmental Assessment	:X
	:
Tract Description (Boundary)	:X
Tract Plat (Survey)	:X
Final Title Opinion - Date: January 29, 1982	:X
Deed - Book: 158 Page: 353 Date Rec: 6/23/80	:X
Final Decree - Book: Page: Date Rec:	:
At Law # District: Division:	:
Deed rerecorded, on Dec. 17, 1981, in DB 163 Page 450	:
Correction Deed dated Oct. 3, 1988 - Recorded 10/3/88	:X
in DB 183, Page 617	:

Prepared	3/17/82	By	M. Clark
Revised	11/10/88		WOS
Revised	4/21/89		M. Clark
Revised			
Posted: Map			
Tabular			

Fred W. Harris, Jr.

This instrument prepared by:
Fred W. Harris, Jr., Regional Attorney
Office of the General Counsel
United States Department of Agriculture
Suite 600, 1371 Peachtree Street, N.E.
Atlanta, Georgia 30367

Checked as to description and
acreage *FW*

Checked as to consideration and condition
of acquisition *FW 9/13/88*

(Exemption from recordation tax claimed
under Code of Virginia §58.1 - 811.A.3.)

DEED OF CORRECTION

THIS DEED, made and entered into this the 3rd day of October,
1988, by and between JOHN H. ALLEN and CHRISTINE D. ALLEN, husband and wife, of
Lindside, West Virginia, parties of the first part, and the
UNITED STATES OF AMERICA, c/o Forest Supervisor, United States Forest Service,
210 Franklin Road, S. W. Roanoke, Virginia 24001, party of the second part,

WITNESSETH:

THAT WHEREAS, heretofore by deed dated June 20, 1980, John H. Allen and
Christine D. Allen, husband and wife, conveyed to the United States of America
a tract of land in Monroe County, West Virginia; said deed being recorded on
June 23, 1980, in Deed Book 158, Page 353, and on December 17, 1981, in Deed
Book 163, Page 450, in the Monroe County Clerk's Office.

WHEREAS, this Deed of Correction is made to correct the description and plat
in said deed.

NOW, THEREFORE, the said parties of the first part, in consideration of the
conveyance to them by the said party of the second part of an equal value of
National Forest land, the receipt whereof is hereby acknowledged, in exchange for
the land hereinafter described and conveyed under the provisions of the Act of
Congress approved March 1, 1911, as amended, (16 U.S.C. 516), and the Act of
Congress approved October 21, 1976 (43 U.S.C. 1716), do hereby grant, bargain,
sell and convey with Covenants of General Warranty of Title unto the
UNITED STATES OF AMERICA and its assigns, forever, the following-described land,
to-wit:

FOREST SERVICE TRACT NO. 1185
JEFFERSON NATIONAL FOREST

Description
John H. Allen
Tract 1185

Being that tract of land located on the top of Peters Mountain in the Red Sulphur Magisterial District of Monroe County, West Virginia, which was conveyed to the United States of America from John H. Allen by deed dated June 20, 1980, and recorded in Deed Book 163, Page 450. Due to an error in the original survey, the tract was re-surveyed. The corrected description follows:

BEGINNING AT CORNER 1, which is corner 1 of USA Tract 1168, and corner 2 of USA Tract 1130. Found a 2" brass capped iron pipe marked 2-1130-1976, on top of Peters Mountain in the Virginia - West Virginia state line, witnessed by the following bearing trees: a 6" birch bears N00-30W, 15.2 feet, a 6" basswood bears N48-30E, 25.7 feet, and a 4" hickory bears S13E, 14.5 feet.

Thence with said USA Tract 1130, and the top of Peter Mountain as it meanders the following courses:

S52-59-02W, 645.14 feet to a point;
S87-40-36W, 235.78 feet to a point;
S57-54-06W, 169.02 feet to a point;
S62-54-18W, 211.12 feet to a point;
S79-53-36W, 256.71 feet to a point;
S55-20-05W, 232.43 feet to CORNER 2, which is corner 1 of USA

Tract 1130, and corner 2 of USA Tract 1169a. Found a red oak blazed and scribed 1-1130, on top of Peters Mountain in the Virginia - West Virginia State Line.

Thence with said USA Tract 1169a, and the top of Peters Mountain as it meanders the following courses:

S73-45-28W, 110.08 feet to a point;
S73-22-13W, 121.47 feet to a point;
S71-14-49W, 75.73 feet to a point;
S63-38-09W, 124.43 feet to a point;
S60-13-44W, 99.21 feet to a point;
S66-04-11W, 50.96 feet to a point;
S58-38-35W, 120.09 feet to a point;
S56-16-49W, 113.55 feet to a point;
S65-13-27W, 42.34 feet to a point;
S65-40-57W, 159.17 feet to a point;
S57-21-55W, 163.24 feet to a point;
S50-12-18W, 151.77 feet to a point;
S42-56-36W, 82.89 feet to a point;
S10-55-41E, 58.57 feet to a point;
S29-01-08W, 50.58 feet to a point;
S82-07-23W, 164.36 feet to a point;
S35-57-57W, 181.26 feet to CORNER 3, which is corner 1 of USA

Tract 1169a, and corner 2 of USA Easement Tract Z-542, and a common corner to the National Park Service Tract 492-07. Found a 2" brass capped iron pipe stamped APP. R/W COR 2-1976, on top of the mountain.

Thence leaving the top of the mountain, N03-17-48E. 287.33 feet to CORNER 4, a corner common to James Henry Kelley, Jr., a point where a chestnut and hickory were called for.

Thence with said Kelley and the bottom of a cliff line the following courses:

N52-16-34E. 284.46 feet to a point;
N40-30-42E. 152.02 feet to a point;
N46-22-49E. 189.15 feet to a point;
N61-10-25E. 33.22 feet to a point;
N77-09-39E. 184.25 feet to a point;
N61-40-11E. 157.70 feet to a point;
N57-12-39E. 249.96 feet to a point;
N72-38-31E. 164.43 feet to a point;
N62-09-58E. 215.71 feet to a point;
N47-51-06E. 173.54 feet to a point;
N80-41-17E. 146.96 feet to a point;
N82-12-11E. 65.23 feet to a point;
N53-45-16E. 146.23 feet to a point;
N47-51-06E. 104.96 feet to a point;
N62-09-58E. 157.63 feet to a point;
N73-08-35E. 82.18 feet to a point;
N77-39-51E. 135.06 feet to a point;
N69-38-21E. 140.13 feet to a point;
N84-13-34E. 276.75 feet to CORNER 5, a point where two lynns were called for.

Thence N02-57-03W. 190.17 feet to CORNER 6, a new corner, a point in Robert L. Allen's line.

Thence with three lines with said Allen:

N60-57-21E. 284.51 feet to CORNER 7, which is corner 6 of the previous survey, a 2" aluminum pipe with aluminum cap stamped 6-1185-1978.

N59-01-54E. 3179.28 feet to CORNER 8, which is corner 7 of the previous survey, a 2" aluminum pipe with aluminum cap stamped 7-1185-1978.

S40-00-00E. 335.44 feet to CORNER 9, which is corner 8 of the previous survey, a point on top of Peters Mountain in the Virginia - West Virginia State Line, and a point in line of USA Tract 510.

Thence with said tract 510, the state line, and the top of Peters Mountain as it meanders the following courses:

S68-53-59W. 264.86 feet to a point;
S45-17-53W. 283.26 feet to a point;
S49-50-52W. 215.94 feet to a point;
S57-37-45W. 136.23 feet to a point;
S65-36-38W. 331.65 feet to a point;
S71-27-44W. 222.82 feet to a point;
S62-11-47W. 90.62 feet to CORNER 10, which is corner 3 of USA
Tract 510, corner 2 of USA tract 1168, and corner 9 of the previous
survey, a 2" brass capped iron pipe on top of Peters Mountain.

Thence with said tract 1168, the state line, and the top of the mountain
as it meanders the following courses:

S44-59-49W. 320.03 feet to a point;
S60-09-55W. 342.11 feet to a point;
S64-04-01W. 282.50 feet to a point;
S59-51-37W. 248.04 feet to a point;
S68-37-28W. 311.78 feet to a point;
S55-24-06W. 246.57 feet to CORNER 1, THE POINT OF BEGINNING,
containing 44.27 acres, as shown on a plat recorded in Plat Book _____,
Page _____, and made a part of this description.

The above described land being a portion of the land conveyed to
John H. Allen by deed from Marion L. Spangler dated December 9, 1971,
recorded in Deed Book 130, Page 29, records of Monroe County, West Virginia.

With the Top of Peters Mountain
as it Meanders from Corner 1 to
Corner 3:

① S 52°29'02" W 645.14'
S 87°40'36" W 235.78'
S 57°54'06" W 169.02'
S 62°54'18" W 211.12'
S 79°53'36" W 256.71'
S 55°20'05" W 232.43'
② S 73°45'28" W 110.06'
S 73°22'13" W 121.47'
S 71°14'49" W 78.73'
S 63°38'09" W 99.21'
S 60°13'44" W 50.96'
S 58°36'35" W 120.09'
S 66°16'49" W 113.55'
S 65°40'57" W 42.34'
S 57°21'55" W 158.17'
S 50°12'18" W 151.77'
S 42°38'36" W 82.86'
S 10°35'41" W 58.57'
S 82°01'05" W 50.58'
S 33°57'37" W 181.46'

With the Bottom of Cliff Line
as it Meanders from Corner 4 to
Corner 5:

④ N 52°16'34" E 284.46'
N 40°30'42" E 152.02'
N 46°22'49" E 189.15'
N 61°10'25" E 13.27'
N 77°09'39" E 184.25'
N 61°40'11" E 157.70'
N 57°12'39" E 249.96'
N 57°28'31" E 164.43'
N 62°08'58" E 173.54'
N 47°51'06" E 123.54'
N 80°41'17" E 148.96'
N 82°12'11" E 65.23'
N 53°45'16" E 146.23'
N 47°51'06" E 104.96'
N 62°08'58" E 157.63'
N 73°08'35" E 82.18'
N 73°38'21" E 135.06'
N 69°38'21" E 140.13'
N 84°13'34" E 276.75'

With the Top of Peters Mountain
as it Meanders from Corner 9 to
Corner 1:

⑨ S 68°53'59" W 264.86'
S 45°17'53" W 283.26'
S 49°50'52" W 215.94'
S 57°37'45" W 136.23'
S 65°36'38" W 331.65'
S 71°27'44" W 222.82'
S 62°11'42" W 90.62'
⑩ S 44°58'49" W 320.03'
S 60°08'55" W 342.11'
S 64°04'01" W 282.50'
S 59°51'37" W 248.04'
S 68°37'26" W 311.78'
S 55°24'06" W 248.57'

ROBERT L. ALLEN, et al
D. B. 163, Pg. 100

NATIONAL PARK SERVICE
USA
(492-07)

JAMES HENRY KELLEY, Jr. &
GEORGIA SWAN KELLEY
D. B. 140, Pg. 236

FOREST SERVICE TRACT
USA
(1169)

FOREST SERVICE TRACT
USA
(1150)

FOREST SERVICE TRACT
USA
(11300)

FOREST SERVICE TRACT
USA
(1158)

FOREST SERVICE TRACT
USA
(510)

400 0 400 800
SCALE IN FEET



NOTE:
All Corners are Monumented with
Metal Pipe with Caps unless
Otherwise Noted.

RE-SURVEY OF
JOHN H. ALLEN
TRACT 1185

TO BE INCLUDED IN A DEED OF CORRECTION
RED SULPHUR MAGISTERIAL DISTRICT
Correcting D.B. 163, Pg. 450
Monroe County, West Virginia
CONTAINING 44.27 ACRES

5430 - EXCHANGE
JEFFERSON - Blacksburg R.D.
Allen, John H.
TRACT 1185 (1186, 899g, h)
DATE: Oct. 19, 1987



United States Department of Agriculture
Forest Service
JEFFERSON NATIONAL FOREST

ATLAS SHEET: 9-22
FIELDBOOK: B-9 & B-9A
PARTY CHIEF: D. Moore
PLAT BY: RONALD N. UNDERWOOD
APPROVED BY: _____
Land Surveyor

SUBJECT to easements for existing roads, highways and public utilities, including:

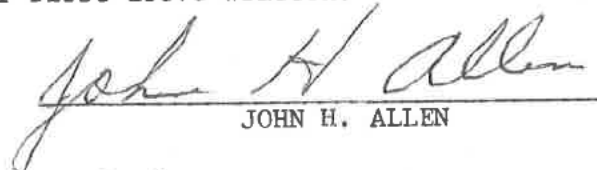
- (a) Easement from Clarence Symms and Nancy A. Symms, his wife, to Appalachian Electric Power Company, as contained in deed dated November 8, 1944, recorded in Deed Book 77, Page 240, records of Monroe County, West Virginia.
- (b) Easement from Clarence Symms and Nancy A. Symms, his wife, to Appalachian Electric Power Company, as contained in deed dated February 19, 1951, recorded in Deed Book 90, Page 294, records of Monroe County, West Virginia.
- (c) Easement from M. L. Spangler and Elizabeth H. Spangler, his wife, to Appalachian Electric Power Company, as contained in deed dated August 14, 1969, recorded in Deed Book 119, Page 535, records of Monroe County, West Virginia.
- (d) Easement from Clarence Symms to C. & P. Telephone Company of West Virginia, as contained in deed dated June 7, 1955, recorded in Deed Book 96, Page 116, records of Monroe County, West Virginia.

ALSO SUBJECT to Oil and Gas Lease, with a primary term of twenty years, from John H. Allen and Christine D. Allen, his wife, to Weaver Oil and Gas Corporation, Two Greenway Plaza East, Suite 323, Houston, Texas 77046, dated June 22, 1973, recorded in Lease Book 12, Page 61, records of Monroe County, West Virginia.

TO HAVE AND TO HOLD the said premises, together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said UNITED STATES OF AMERICA and its assigns, in fee simple forever.

And the said parties of the first part, for the consideration aforesaid, covenant with the said party of the second part, and its assigns, that they are seized of the lands and premises in fee simple and have the right to convey the said lands and premises in fee simple; that the same are free and clear from all encumbrances; and the said parties of the first part covenant for themselves, their heirs and assigns, that they will forever warrant and defend the title to said lands and premises against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

 (SEAL)
JOHN H. ALLEN

 (SEAL)
CHRISTINE D. ALLEN

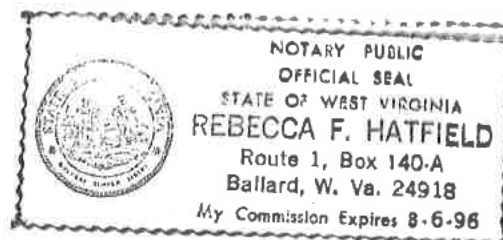
STATE OF West Virginia)
COUNTY OF Monroe)

I, Rebecca F. Hatfield, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me JOHN H. ALLEN and CHRISTINE D. ALLEN, husband and wife, whose names are signed to the foregoing writing bearing date of 10-3-88, 1988, and acknowledged the same before me in my County and State aforesaid.

Given under my hand this 3rd day of October, 1988.

Rebecca F. Hatfield
Notary Public

My Commission Expires: 8-6-96



WEST VA IN MONROE COUNTY COURT CLERK'S OFFICE
10-3 1988 AT 1:35 A.M./P.M.
THIS Deed WAS THIS DAY PRESENTED IN
THIS OFFICE, AND TOGETHER WITH THE CERTIFI-
CATE THERETO ANNEXED IS ADMITTED TO RECORD.
TESTE: [Signature] CLERK

THIS DEED made and entered into this the 20 day of June, 1980, by and between JOHN H. ALLEN and CHRISTINE D. ALLEN, husband and wife, of Lindside, West Virginia, parties of the first part; and the UNITED STATES OF AMERICA, party of the second part,

WITNESSETH:

THAT the said parties of the first part, for and in consideration of the conveyance to them by the said party of the second part of an equal value of national forest land in exchange for the land hereinafter described and conveyed under the provisions of the Act of Congress approved March 1, 1911, as amended, (16 U.S.C. 516), and the Act of Congress approved October 21, 1976 (90 Stat. 2743), to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey with Covenants of General Warranty of Title unto the UNITED STATES OF AMERICA and its assigns, forever, all of the following described tract or parcel of land situated in the County of Monroe, State of West Virginia, to-wit:

FOREST SERVICE TRACT NO. 1185
JEFFERSON NATIONAL FOREST

Checked as to description and extent
Checked as to consideration and workup
of acquisition

450
353

John H. Allen
Tract 1185

Situated in the state of West Virginia, county of Monroe, and lying 3 miles south of Lindsie, West Virginia, on the north topside of Peters Mountain at Symms Gap, and more particularly described as follows:

All bearings are referred to the true meridian. All distances are expressed in feet.

BEGINNING AT CORNER 1, which is corner 2 of USA Tract 1130, and common to R. R. Kane, found a 2" x 30" brass capped iron pipe marked 2-1130-1976, on top of Peters Mountain in the Virginia - West Virginia state line, witnessed by a

6" birch which bears N. 00°30' W., 15.2 feet, a
6" basswood which bears N. 48°30' E., 25.7 feet, and a
4" hickory which bears S. 13°00' E., 14.5 feet.

Thence with USA Tract 1130, the state line, and the top of Peters Mountain as it meanders the following calls:

S. 52°35'19" W., 646.17 feet to a point
S. 87°18'01" W., 235.17 feet to a point
S. 57°30'00" W., 169.19 feet to a point
S. 62°30'00" W., 211.20 feet to a point
S. 79°30'00" W., 256.28 feet to a point
S. 54°56'10" W., 232.74 feet to CORNER 2, which is corner 1 of USA Tract 1130, and common to J. A. Blake, on the top of Peters Mountain, a red oak, blazed and scribed 1-1130. No witnesses.

Thence leaving USA Tract 1130, and with said Blake, the state line and the top of Peters Mountain as it meanders the following calls:

S. 73°21'22" W., 109.98 feet to a point
S. 72°58'06" W., 121.36 feet to a point
S. 70°50'35" W., 75.68 feet to a point
S. 63°13'50" W., 124.47 feet to a point
S. 59°49'31" W., 99.28 feet to a point
S. 65°39'51" W., 50.96 feet to a point
S. 58°14'27" W., 120.20 feet to a point
S. 65°52'29" W., 113.55 feet to a point
S. 64°49'07" W., 42.34 feet to a point
S. 65°16'37" W., 159.18 feet to a point
S. 56°57'51" W., 163.41 feet to a point
S. 49°48'52" W., 152.06 feet to a point
S. 42°34'11" W., 83.12 feet to a point
S. 11°01'14" E., 58.98 feet to a point
S. 28°41'40" W., 50.80 feet to a point
S. 81°44'01" W., 164.04 feet to a point

S. $35^{\circ}36'52''$ W., 182.11 feet to CORNER 3, which is corner 2 of USA Tract Z-542, and common to Blake. Found a 2" x 30" brass capped iron pipe marked APP. R/W COR. 2-1976, on top of said mountain. No witnesses.

Thence with USA Tract Z-542, S. $82^{\circ}20'$ W., 139.47 feet to CORNER 4. Set a 2" x 30" aluminum pipe with cap stamped 4-1185-1978, on top of said mountain. Witnessed by a
 10" cherry which bears S. 67° E., 28.8 feet, a
 9" hickory which bears S. 62° W., 20.3 feet, and a
 8" scarlet oak which bears N. 62° E., 34.1 feet.

Thence leaving USA Tract Z-542, N. $3^{\circ}00'$ E., 294.68 feet to CORNER 5, a new corner. Set a 2" x 30" aluminum pipe with cap stamped 5-1185-1978. No witnesses.

Thence with two (2) new division lines in the John H. Allen parcel, N. $60^{\circ}57'21''$ E., 3470.22 feet to CORNER 6. Set a 2" x 30" aluminum pipe with cap stamped 6-1185-1978. No witnesses.

N. $57^{\circ}15'15''$ E., 3165.20 feet to CORNER 7. Set a 2" x 30" aluminum pipe with cap stamped 7-1185-1978, on a steep north slope, witnessed by a

9" red oak which bears S. 5° E., 25.5 feet, a
 15" red oak which bears S. 22° W., 31.5 feet, and a
 14" chestnut oak which bears N. 81° W., 29.7 feet.

Thence S. $40^{\circ}00'$ E., 335.44 feet to CORNER 8, a point common to USA Tract 510, in the Virginia - West Virginia state line, and on top of Peters Mountain, an ironwood called for, set a 2" x 30" aluminum pipe with cap stamped 8-1185-1978, in a cluster of ironwoods, witnessed by a

9" white oak which bears S. 77° W., 35.0 feet, a
 11" lynn which bears N. 57° W., 23.2 feet, and a
 13" red oak which bears N. 22° W., 34.4 feet.

Thence with USA Tract 510, the state line and top of said mountain as it meanders, the following calls:

S. $66^{\circ}00'00''$ W., 173.25 feet to a point
 S. $53^{\circ}00'00''$ W., 248.82 feet to a point
 S. $39^{\circ}00'00''$ W., 198.00 feet to a point
 S. $45^{\circ}00'00''$ W., 143.22 feet to a point
 S. $61^{\circ}00'00''$ W., 198.00 feet to a point
 S. $58^{\circ}00'00''$ W., 198.00 feet to a point
 S. $71^{\circ}00'00''$ W., 198.00 feet to a point
 S. $66^{\circ}00'00''$ W., 178.20 feet to CORNER 9, which is corner 3 of USA Tract 510 and common to R. R. Kane. Found a stone in a mound of stones. Set a 2" x 30" aluminum pipe with cap in the same location.

Thence with Kane, the state line, and the top of Peters Mountain the following calls:

S. 43°02'52" W., 268.59 feet to a point
S. 56°20'31" W., 211.33 feet to a point
S. 62°19'50" W., 249.52 feet to a point
S. 62°08'06" W., 349.07 feet to a point
S. 67°29'58" W., 251.60 feet to a point
S. 61°39'16" W., 260.33 feet to a point
S. 57°21'38" W., 151.86 feet to CORNER 1, THE POINT OF BEGINNING,
containing 45.00 Acres more or less.

A copy of the plat of the above described land is attached hereto and by reference made a part hereof as Exhibit A.

The above described land being a portion of the land conveyed to John H. Allen by deed from Marion L. Spangler dated December 9, 1971, recorded in Deed Book 130, Page 29, records of Monroe County, West Virginia.

SUBJECT to easements for existing roads, highways and public utilities, including:

(a) Easement from Clarence Symms and Nancy A. Symms, his wife, to Appalachian Electric Power Company, as contained in deed dated November 8, 1944, recorded in Deed Book 77, Page 240, records of Monroe County, West Virginia.

(b) Easement from Clarence Symms and Nancy A. Symms, his wife, to Appalachian Electric Power Company, as contained in deed dated February 19, 1951, recorded in Deed Book 90, Page 294, records of Monroe County, West Virginia.

(c) Easement from M. L. Spangler and Elizabeth H. Spangler, his wife, to Appalachian Electric Power Company, as contained in deed dated August 14, 1969, recorded in Deed Book 119, Page 535, records of Monroe County, West Virginia.

(d) Easement from Clarence Symms to C. & P. Telephone Company of West Virginia, as contained in deed dated June 7, 1955, recorded in Deed Book 96, Page 116, records of Monroe County, West Virginia.

ALSO SUBJECT to Oil and Gas Lease, with a primary term of twenty years, from John H. Allen and Christine D. Allen, his wife, to Weaver Oil and Gas Corporation, Two Greenway Plaza East, Suite 323, Houston, Texas 77046, dated June 22, 1973, recorded in Lease Book 12, Page 61, records of Monroe County, West Virginia.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD FOREVER.

THE SAID PARTIES of the first part covenant that they have the right to convey the said land to the grantee; that they have done no act to encumber the said land; that the grantee shall have quiet possession of the said land, free from all encumbrances; and that they, the said parties of the first part, will execute such further assurances of said land as may be requisite.

DECLARATION OF CONSIDERATION: Under the penalties of fine and imprisonment as provided by law, the undersigned do hereby declare that the transfer involved in the document to which this Declaration is appended is: No consideration paid - Exchange of property between the United States of America and another party.

WITNESSETH the following signatures and seals:

John H. Allen (SEAL)
JOHN H. ALLEN
Christine D. Allen (SEAL)
CHRISTINE D. ALLEN

STATE OF West Virginia)
COUNTY OF Monroe) SS:

I, a Notary Public in and for said County and State, do hereby certify that John H. Allen and Christine D. Allen, husband and wife, whose names are signed to the writing above bearing date of 20 June, 1980, have this day acknowledged the same before me in my said capacity.

Given under my hand and seal this the 20 day of June, 1980.
Guannadomell
Notary Public

My Commission Expires:

10-9-85

I certify that this deed has been drafted by the undersigned.

Jack M. Purser, Jr.
Jack M. Purser, Jr., Attorney
Office of the General Counsel
United States Department of Agriculture
Suite 600, 1371 Peachtree Street, N. E.
Atlanta, Georgia 30309

WEST VA. IN MONROE COUNTY COURT CLERK'S OFFICE

JUN 23 1980 19 , AT 9:30 A.M.
THIS deed WAS THIS DAY PRESENTED IN
THIS OFFICE, AND TOGETHER WITH THE CERTIFICATE
THERETO ANNEXED IS ADMITTED TO RECORD.

TESTE J. Hines CLERK

WEST VA. IN MONROE COUNTY COURT CLERK'S OFFICE

December 17 1981 , AT 9:34 A.M.
THIS Deed WAS THIS DAY PRESENTED IN
THIS OFFICE, AND TOGETHER WITH THE CERTIFICATE
THERETO ANNEXED IS ADMITTED TO RECORD.

TESTE J. Hines CLERK

PAGE 6

455
358

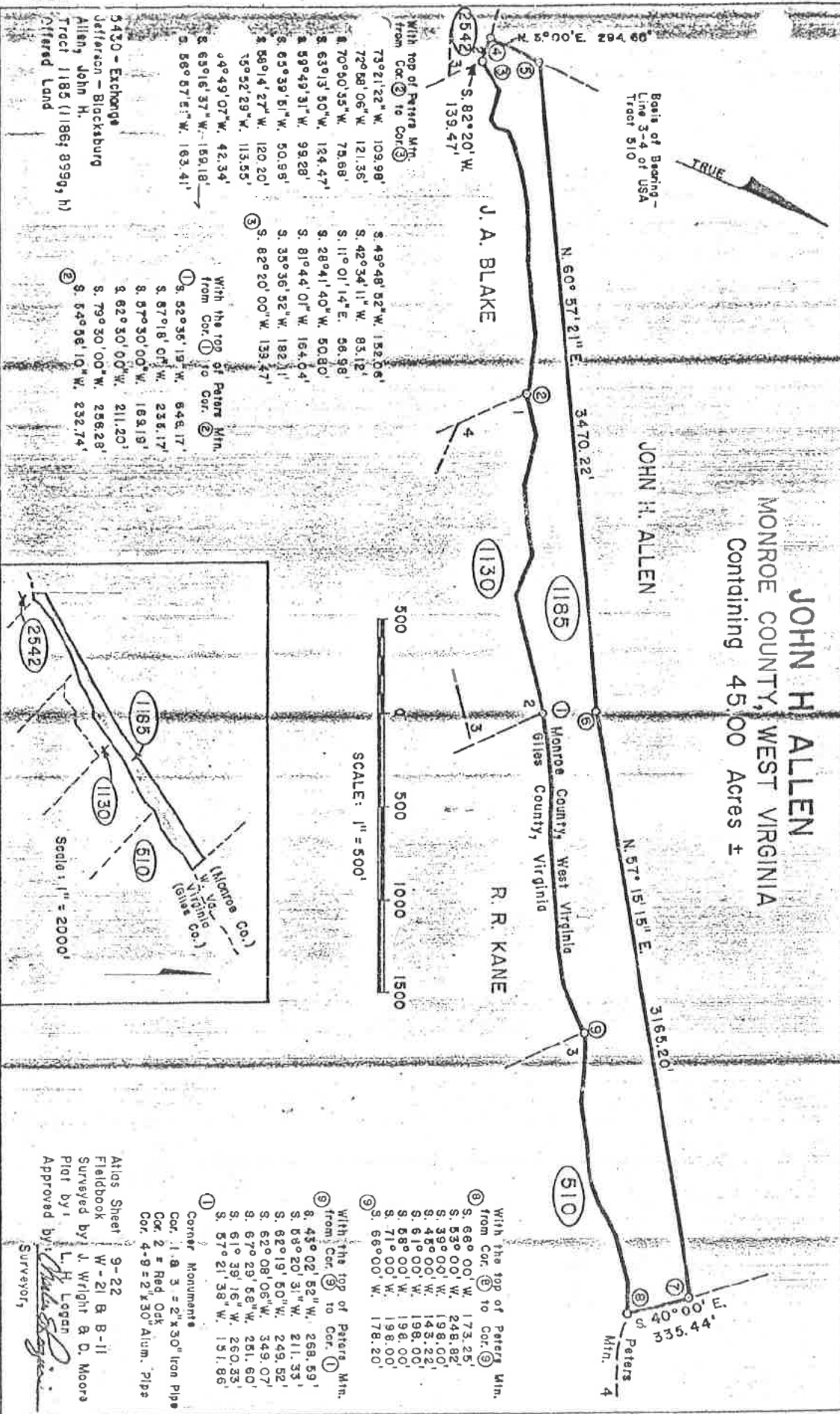


EXHIBIT A



United States
Department of
Agriculture

Office of
General
Counsel

Suite 600
1371 Peachtree Street, N.E.
Atlanta, Georgia 30367

January 29, 1982

SUBJECT: 5430-EXCHANGE-West Virginia-Jefferson National Forest
John H. Allen - Tract No. 1185 (1186, 899g, h)

TO: Regional Forester
Atlanta, Georgia

By opinion dated today and addressed to the Chief, Forest Service, this office found title to the land designated above to be vested in the United States of America, subject to the conditions therein set forth.

The original and three plain copies of the title opinion, together with the title evidence, deed to the United States and related papers are attached.

FRED W. HARRIS, JR.
Regional Attorney

Jack M. Purser, Jr.
Jack M. Purser, Jr.
Senior Attorney

Enclosures

FEB 1 1982



United States
Department of
Agriculture

Office of
General
Counsel

Suite 600
1371 Peachtree Street, N.E.
Atlanta, Georgia 30367

January 29, 1982

SUBJECT: 5430-EXCHANGE-West Virginia
Jefferson National Forest
John H. Allen
Tract No. 1185 (1186, 899g, h)

TO: R. Max Peterson, Chief
Forest Service

An examination has been made of the title papers relating to 45.00 acres of land, more or less, designated as the John H. Allen Tract No. 1185 in Monroe County, West Virginia, Jefferson National Forest. This land has been conveyed to the United States of America under the provisions of the Act of Congress approved March 1, 1911, as amended, (16 U.S.C. 516), and the Act of Congress approved October 21, 1976 (90 Stat. 2743), by deed from John H. Allen and Christine D. Allen, husband and wife, dated June 20, 1980; recorded on June 23, 1980, in Deed Book No. 158, Page 353; and rerecorded on December 17, 1981, in Deed Book No. 163, Page 450, records of Monroe County, West Virginia.

The land is more particularly described in the deed to the United States of America, which was executed pursuant to an informal exchange agreement between the United States of America and John H. Allen and Christine D. Allen dated May 26, 1977, which has been approved.

Policy of Title Insurance No. 1002 00203 dated December 18, 1981, was issued by Pioneer National Title Insurance Company and is in satisfactory form.

From the information contained in the title papers and the executed and recorded deed to the United States, referred to above, it appears that the title to the land in question is now vested in the United States of America, subject to:

1. Payment of taxes, listed as Item 1 of Special Exceptions, Schedule B of the title policy.
2. Easements for existing or established roads, highways and public utilities, including those to Appalachian Electric Power Company by deed dated November 8, 1944, recorded in Deed Book 77, Page 240; by deed dated February 19, 1951, recorded in Deed Book 90, Page 294; and by deed dated August 14, 1969, recorded in Deed Book 119, Page 535, records of Monroe County, West Virginia, listed as

Items 2, 3 and 4 of Special Exceptions of Schedule B of the title policy: and easement to C. & P. Telephone of West Virginia as contained in deed dated June 7, 1955, recorded in Deed Book 96, Page 116, records of Monroe County, West Virginia, listed as Item 5 of Special Exceptions of Schedule B of the title policy.


3. Oil and gas lease with a primary term of 20 years, from John H. Allen and Christine D. Allen, his wife, to Weaver Oil and Gas Corporation, Two Greenway Plaza, Suite 323, Houston, Texas 77046, dated June 22, 1973, recorded in Lease Book 12, Page 61, listed as Item 6 of Special Exceptions of Schedule B of the title policy.
4. General exceptions, conditions and stipulations of the title policy.

The acquisition of this land, subject to conditions numbered 2 and 3, has been approved, and condition 4 is unobjectionable.

Arrangements have been made to assure payment of taxes, therefore, condition numbered 1 is waived.

We understand that the deed conveying the selected land has been delivered.

The Policy of Title Insurance, deed to the United States and related papers are attached.


FRED W. HARRIS, JR.
Regional Attorney

Enclosures



**PIONEER NATIONAL
TITLE INSURANCE**

A TICOR COMPANY

Policy of Title Insurance

NO. 1002 00203

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS CONTAINED IN SCHEDULE B AND THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS HEREOF, PIONEER NATIONAL TITLE INSURANCE COMPANY (a Stock Company); a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, and costs, attorneys' fees and expenses which the Company may become obligated to pay hereunder, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested otherwise than as stated therein;
2. Any defect in or lien or encumbrance on such title;
3. Lack of a right of access to and from the land; or
4. Unmarketability of such title;

This policy shall not be valid or binding until countersigned below by a validating officer of the Company.

Pioneer National Title Insurance Company

by John E. Flood, Jr.
President

Attest [Signature]
Secretary

Countersigned:

By Charles L. Fisher
Validating Signatory

Schedule of Exclusions from Coverage

The following matters are expressly excluded from the coverage of this policy:

1. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions or area of the land, or the effect of any violation of any such law, ordinance or governmental regulation.
2. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or created subsequent to Date of Policy; or (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.

Conditions and Stipulations

1. Definition of Terms

The following terms when used in this policy mean:

- (a) "insured": the insured named in Schedule A, and, subject to any rights or defenses the Company may have had against the named insured, those who succeed to the interest of such insured by operation of law as distinguished from purchase including, but not limited to, heirs, distributees, devisees, survivors, personal representatives, next of kin, or corporate or fiduciary successors.
- (b) "insured claimant": an insured claiming loss or damage hereunder.
- (c) "knowledge": actual knowledge, not constructive knowledge or notice which may be imputed to an insured by reason of any public records.
- (d) "land": the land described, specifically or by reference in Schedule A and improvements affixed thereto which by law constitute real property; provided, however, the term "land" does not include any property beyond the lines of the area specifically described or referred to in Schedule A, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways, but nothing herein shall modify or limit the extent to which a right of access to and from the land is insured by this policy.
- (e) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
- (f) "public records": those records which by law impart constructive notice of matters relating to said land.

2. Continuation of Insurance after Conveyance of Title

The coverage of this policy shall continue in force as of Date of Policy in favor of an insured so long as such insured retains an estate or interest in the land, or holds an indebtedness secured by a purchase money mortgage given by a purchaser from such insured, or so long as such insured shall have liability by reason of covenants of warranty made by such insured in any transfer or conveyance of such estate or interest; provided, however, this policy shall not continue in force in favor of any purchaser from such insured of either said estate or interest or the indebtedness secured by a purchase money mortgage given to such insured.

3. Defense and Prosecution of Actions -- Notice of Claim to be Given by an Insured Claimant

- (a) The Company, at its own cost and without undue delay, shall provide for the defense of an insured in all litigation consisting of actions or proceedings commenced against such insured, or a defense interposed against an insured in an action to enforce a contract for a sale of the estate or interest in said land, to the extent that such litigation is founded upon an alleged defect, lien, encumbrance, or other matter insured against by this policy.
- (b) The insured shall notify the Company promptly in writing (i) in case any action or proceeding is begun or defense is interposed as set forth in (a) above, (ii) in case knowledge shall come to an insured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as insured, and which might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if

title to the estate or interest, as insured, is rejected as unmarketable. If such prompt notice shall not be given to the Company, then as to such insured all liability of the Company shall cease and terminate in regard to the matter or matters for which such prompt notice is required; provided, however, that failure to notify shall in no case prejudice the rights of any such insured under this policy unless the Company shall be prejudiced by such failure and then only to the extent of such prejudice.

(c) The Company shall have the right at its own cost to institute and without undue delay prosecute any action or proceeding or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as insured, and the Company may take any appropriate action under the terms of this policy, whether or not it shall be liable thereunder, and shall not thereby concede liability or waive any provision of this policy.

(d) Whenever the Company shall have brought any action or interposed a defense as required or permitted by the provisions of this policy, the Company may pursue any such litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from any adverse judgment or order.

(e) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding, the insured hereunder shall secure to the Company the right to so prosecute or provide defense in such action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such insured for such purpose. Whenever requested by the Company, such insured shall give the Company all reasonable aid in any such action or proceeding, in effecting settlement, securing evidence, obtaining witnesses, or prosecuting or defending such action or proceeding, and the Company shall reimburse such insured for any expense so incurred.

4. Notice of Loss -- Limitation of Action

In addition to the notices required under paragraph 3 (b) of these Conditions and Stipulations, a statement in writing of any loss or damage for which it is claimed the Company is liable under this policy shall be furnished to the Company within 90 days after such loss or damage shall have been determined and no right of action shall accrue to an insured claimant until 30 days after such statement shall have been furnished. Failure to furnish such statement of loss or damage shall terminate any liability of the Company under this policy as to such loss or damage.

5. Options to Pay or otherwise Settle Claims

The Company shall have the option to pay or otherwise settle for or in the name of an insured claimant any claim insured against or to terminate all liability and obligations of the Company hereunder by paying or tendering payment of the amount of insurance under this policy together with any costs, attorneys' fees and expenses incurred up to the time of such payment or tender of payment, by the insured claimant and authorized by the Company.

1002 00203

Schedule A

No.	1002 00203	Date of Policy:	December 18, 1981 - 9:30 a.m.
Amount of Insurance:			
\$	15,750.00		

1. Name of insured.

UNITED STATES OF AMERICA

2. Title to the estate or interest covered by this policy at the date hereof is vested in the insured.

3. The estate or interest in the land described or referred to in this Schedule covered by this policy is Fee Simple

4. The land referred to in this policy is located in the County of Monroe,
State of West Virginia, and described as follows:

See RIDER 1, attached

Schedule B

Policy No. 1002 00203

This policy does not insure against loss or damage by reason of the following:

Standard Exceptions:

- (a) Rights or claims of parties in possession not shown by the public records.
- (b) Easements, or claims of easements, not shown by the public records.
- (c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
- (d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

Special Exceptions:

1. Taxes : For 1981 (first half now delinquent; second half payable but not delinquent), and for 1982 (not yet due or payable).
2. EASEMENT: From Clarence Symms and Nancy A. Symms, his wife, to Appalachian Electric Power Company, as contained in deed dated November 8, 1944, recorded in Deed Book 77, at page 240.
3. EASEMENT: From Clarence Symms and Nancy A. Symms, his wife, to Appalachian Electric Power Company, as contained in deed dated February 19, 1951, recorded in Deed Book 90, at page 294.
4. EASEMENT: From M. L. Spangler and Elizabeth H. Spangler, his wife, to Appalachian Electric Power Company, as contained in deed dated August 14, 1969, recorded in Deed Book 119, at page 535.
5. EASEMENT: From Clarence Symms to C. & P. Telephone Company of West Virginia, as contained in deed dated June 7, 1955, recorded in Deed Book 96, at page 116.
6. OIL AND GAS LEASE: With a primary term of 20 years, from John H. Allen and Christine D. Allen, his wife, to Weaver Oil and Gas Corporation, Two Greenway Plaza East, Suite 323, Houston, Texas 77046, dated June 22, 1973, recorded in Lease Book 12, at page 61.

RIDER 1

Situated in the state of West Virginia, county of Monroe, and lying 3 miles south of Lindsie, West Virginia, on the north topside of Peters Mountain at Symms Gap, and more particularly described as follows:

All bearings are referred to the true meridian. All distances are expressed in feet.

BEGINNING AT CORNER 1, which is corner 2 of USA Tract 1130, and common to R. R. Kane, found a 2" x 30" brass capped iron pipe marked - 2-1130-1976, on top of Peters Mountain in the Virginia - West Virginia state line, witnessed by a

6" birch which bears N. 00°30' W., 15.2 feet, a
6" basswood which bears N. 48°30' E., 25.7 feet, and a
4" hickory which bears S. 13°00' E., 14.5 feet.

Thence with USA Tract 1130, the state line, and the top of Peters Mountain as it meanders the following calls:

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S. 87°18'01" W., 235.17 feet to a point
S. 57°30'00" W., 169.19 feet to a point
S. 62°30'00" W., 211.20 feet to a point
S. 79°30'00" W., 256.28 feet to a point
S. 54°56'10" W., 232.74 feet to CORNER 2, which is corner 1 of USA Tract 1130, and common to J. A. Blake, on the top of Peters Mountain, a red oak, blazed and scribed 1-1130. No witnesses.

Thence leaving USA Tract 1130, and with said Blake, the state line and the top of Peters Mountain as it meanders the following calls:

S. 73°21'22" W., 109.98 feet to a point
S. 72°58'06" W., 121.36 feet to a point
S. 70°50'35" W., 75.68 feet to a point
S. 63°13'50" W., 124.47 feet to a point
S. 59°49'31" W., 99.28 feet to a point
S. 65°39'51" W., 50.96 feet to a point
S. 58°14'27" W., 120.20 feet to a point
S. 65°52'29" W., 113.55 feet to a point
S. 64°49'07" W., 42.34 feet to a point
S. 65°16'37" W., 159.18 feet to a point
S. 56°57'51" W., 163.41 feet to a point
S. 49°48'52" W., 152.06 feet to a point
S. 42°34'11" W., 83.12 feet to a point
S. 11°01'14" E., 58.98 feet to a point
S. 28°41'40" W., 50.80 feet to a point
S. 81°44'01" W., 164.04 feet to a point

35°36' 2" W., 182.11 feet to CORNER 3, which is corner 2 of USA Tract Z-542, and common to Blake. Found a 2" x 30" brass capped iron pipe marked APP. R/W COR. 2-1976, on top of said mountain. No witnesses.

Thence with USA Tract Z-542, S. 82°20' W., 139.47 feet to CORNER 4. Set a 2" x 30" aluminum pipe with cap stamped 4-1185-1978, on top of said mountain. Witnessed by a

- 10" cherry which bears S. 67° E., 28.8 feet, a
- 9" hickory which bears S. 62° W., 20.3 feet, and a
- 8" scarlet oak which bears N. 62° E., 34.1 feet.

Thence leaving USA Tract Z-542, N. 3°00' E., 294.68 feet to CORNER 5, a new corner. Set a 2" x 30" aluminum pipe with cap stamped 5-1185-1978. No witnesses.

Thence with two (2) new division lines in the John H. Allen parcel, N. 60°57'21" E., 3470.22 feet to CORNER 6. Set a 2" x 30" aluminum pipe with cap stamped 6-1185-1978. No witnesses.

N. 57°15'15" E., 3165.20 feet to CORNER 7. Set a 2" x 30" aluminum pipe with cap stamped 7-1185-1978, on a steep north slope, witnessed by a

- 9" red oak which bears S. 5° E., 25.5 feet, a
- 15" red oak which bears S. 22° W., 31.5 feet, and a
- 14" chestnut oak which bears N. 81° W., 29.7 feet.

Thence S. 40°00' E., 335.44 feet to CORNER 8, a point common to USA Tract 510, in the Virginia - West Virginia state line, and on top of Peters Mountain, an ironwood called for, set a 2" x 30" aluminum pipe with cap stamped 8-1185-1978, in a cluster of ironwoods, witnessed by a

- 9" white oak which bears S. 77° W., 35.0 feet, a
- 11" lynn which bears N. 57° W., 23.2 feet, and a
- 13" red oak which bears N. 22° W., 34.4 feet.

Thence with USA Tract 510, the state line and top of said mountain as it meanders, the following calls:

- S. 66°00'00" W., 173.25 feet to a point
- S. 53°00'00" W., 248.82 feet to a point
- S. 39°00'00" W., 198.00 feet to a point
- S. 45°00'00" W., 143.22 feet to a point
- S. 61°00'00" W., 198.00 feet to a point
- S. 58°00'00" W., 198.00 feet to a point
- S. 71°00'00" W., 198.00 feet to a point
- S. 66°00'00" W., 178.20 feet to CORNER 9, which is corner 3 of USA Tract 510 and common to R. R. Kane. Found a stone in a mound of stones. Set a 2" x 30" aluminum pipe with cap in the same location.

Thence with Kane, the state line, and the top of Peters Mountain
the following calls:

S. $43^{\circ}02'52''$ W., 268.59 feet to a point
S. $56^{\circ}20'31''$ W., 211.33 feet to a point
S. $62^{\circ}19'50''$ W., 249.52 feet to a point
S. $62^{\circ}08'06''$ W., 349.07 feet to a point
S. $67^{\circ}29'58''$ W., 251.60 feet to a point
S. $61^{\circ}39'16''$ W., 260.33 feet to a point
S. $57^{\circ}21'38''$ W., 151.86 feet to CORNER 1, THE POINT OF BEGINNING,
containing 45.00 Acres more or less.

(Conditions and Stipulations Continued and Concluded From Reverse Side of Policy Face)

6. Determination and Payment of Loss

(a) The liability of the Company under this policy shall in no case exceed the least of:

- (i) the actual loss of the insured claimant; or
- (ii) the amount of insurance stated in Schedule A.

(b) The Company will pay, in addition to any loss insured against by this policy, all costs imposed upon an insured in litigation carried on by the Company for such insured, and all costs, attorneys' fees and expenses in litigation carried on by such insured with the written authorization of the Company.

(c) When liability has been definitely fixed in accordance with the conditions of this policy, the loss or damage shall be payable within 30 days thereafter.

7. Limitation of Liability

No claim shall arise or be maintainable under this policy

(a) if the Company, after having received notice of an alleged defect, lien or encumbrance insured against hereunder, by litigation or otherwise, removes such defect, lien or encumbrance or establishes the title, as insured, within a reasonable time after receipt of such notice;

(b) in the event of litigation until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as insured, as provided in paragraph 3 hereof; or

(c) for liability voluntarily assumed by an insured in settling any claim or suit without prior written consent of the Company.

8. Reduction of Liability

All payments under this policy, except payments made for costs, attorneys' fees and expenses, shall reduce the amount of the insurance pro tanto. No payment shall be made without producing this policy for endorsement of such payment unless the policy be lost or destroyed, in which case proof of such loss or destruction shall be furnished to the satisfaction of the Company.

9. Liability Noncumulative

It is expressly understood that the amount of insurance under this policy shall be reduced by any amount the Company may pay under any policy insuring either (a) a mortgage shown or referred to in Schedule B hereof which is a lien on the estate or interest covered by this policy, or (b) a mortgage hereafter executed by an insured which is a charge or lien on the estate or interest described or referred to in Schedule A and the amount so paid shall be deemed a payment under this policy. The Company shall have the option to apply to the payment of any such mortgages any amount that otherwise would be payable hereunder to the insured owner of the estate or interest covered by this policy and the amount so paid shall be deemed a payment under this policy to said insured owner.

10. Apportionment

If the land described in Schedule A consists of two or more parcels which are not used as a single site, and a loss is established affecting one or more of said parcels but not all, the loss shall be computed and settled on a pro rata basis as if the amount of insurance under this policy was divided pro rata as to the value on Date of Policy of each separate parcel to the whole, exclusive of any improvements made subsequent to Date of Policy, unless a liability or value has otherwise been agreed upon as to each such parcel by the Company and the insured at the time of the issuance of this policy and shown by an express statement herein or by an endorsement attached hereto.

11. Subrogation upon Payment or Settlement

Whenever the Company shall have settled a claim under this policy, all right of subrogation shall vest in the Company unaffected by any act of the insured claimant. The Company shall be subrogated to and be entitled to all rights and remedies which such insured claimant would have had against any person or property in respect to such claim had this policy not been issued, and if requested by the Company, such insured claimant shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect such right of subrogation and shall permit the Company to use the name of such insured claimant in any transaction or litigation involving such rights or remedies. If the payment does not cover the loss of such insured claimant, the Company shall be subrogated to such rights and remedies in the proportion which said payment bears to the amount of said loss. If loss should result from any act

of such insured claimant, such act shall not void this policy, but the Company, in that event, shall be required to pay only that part of any losses insured against hereunder which shall exceed the amount, if any, lost to the Company by reason of the impairment of the right of subrogation.

12. Liability Limited to this Policy

This instrument together with all endorsements and other instruments, if any, attached hereto by the Company is the entire policy and contract between the insured and the Company. Any claim of loss or damage, whether or not based on negligence, and which arises out of the status of the title to the estate or interest covered hereby or any action asserting such claim, shall be restricted to the provisions and conditions and stipulations of this policy. No amendment of or endorsement to this policy can be made except by writing endorsed hereon or attached hereto signed by either the President, a Vice-President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

13. Notices, where Sent

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the **number of this policy** and shall be addressed to its Home Office, Claims Department, 6300 Wilshire Boulevard, Los Angeles, California 90048.

Bearings and Distances from
Corner 3 to Corner 6:

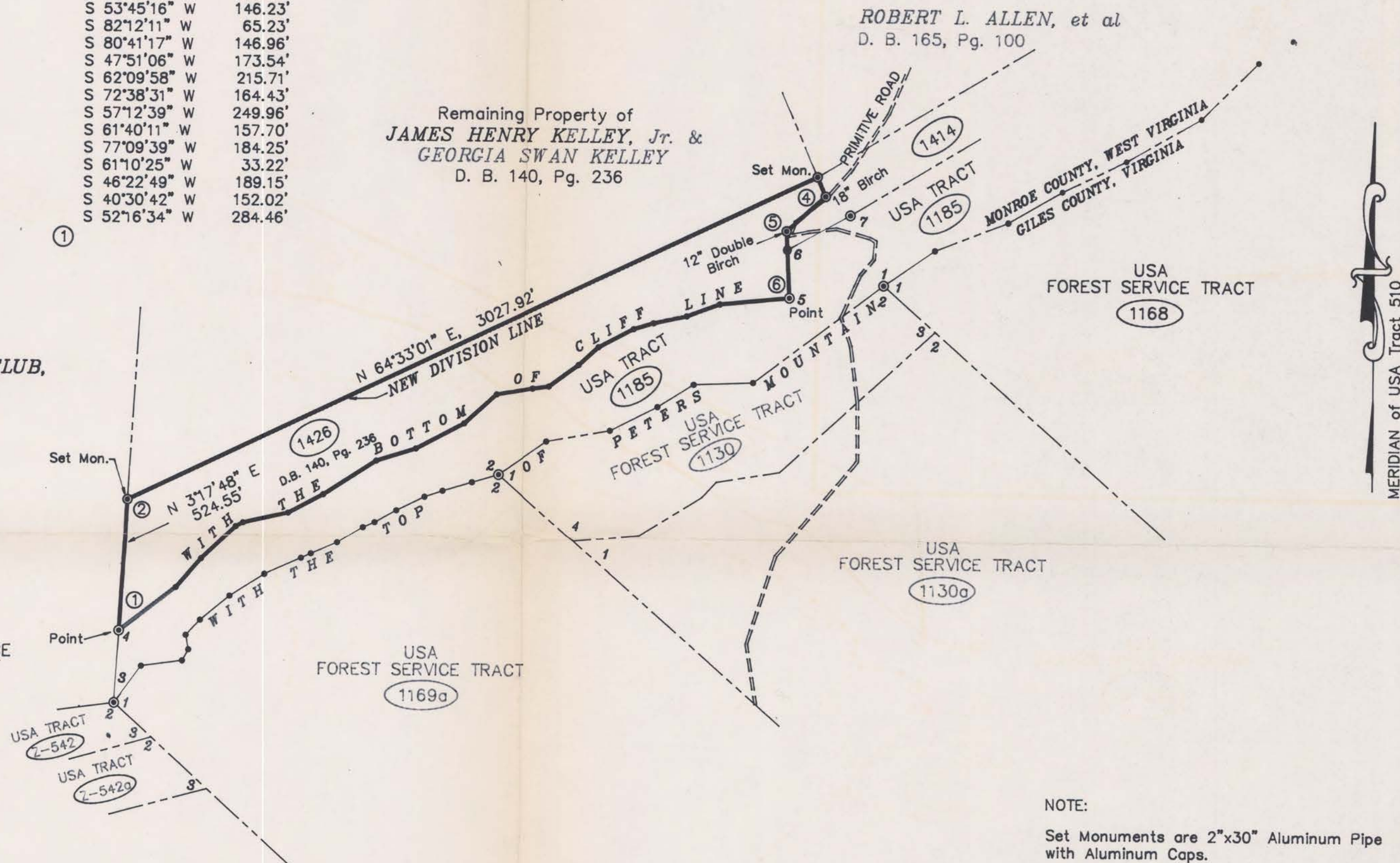
- ③ S 23°14'22" E 84.09'
- ④ S 48°10'20" W 206.95'
- ⑤ S 02°57'03" E 264.00'

With the Bottom of a Cliff Line
as it Meanders from Corner 6 to
Corner 1:

- ⑥ S 84°13'34" W 276.75'
- S 69°38'21" W 140.13'
- S 77°39'51" W 135.06'
- S 73°08'35" W 82.18'
- S 62°09'58" W 157.63'
- S 47°51'06" W 104.96'
- S 53°45'16" W 146.23'
- S 82°12'11" W 65.23'
- S 80°41'17" W 146.96'
- S 47°51'06" W 173.54'
- S 62°09'58" W 215.71'
- S 72°38'31" W 164.43'
- S 57°12'39" W 249.96'
- S 61°40'11" W 157.70'
- S 77°09'39" W 184.25'
- S 61°10'25" W 33.22'
- S 46°22'49" W 189.15'
- S 40°30'42" W 152.02'
- S 52°16'34" W 284.46'

Now or Formerly
MERCER ANGLERS CLUB,
INCORPORATED

USA
NATIONAL PARK SERVICE
492-07



NOTE:
Set Monuments are 2"x30" Aluminum Pipe
with Aluminum Caps.

400 0 400 800
SCALE IN FEET

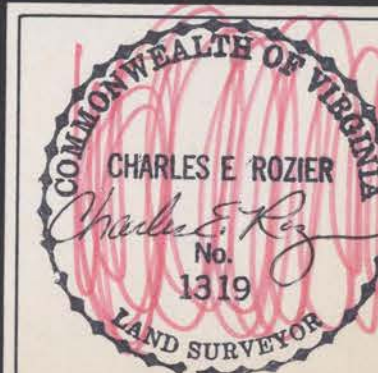
JAMES HENRY KELLEY, Jr.
TRACT 1426
RED SULPHUR MAGISTERIAL DISTRICT
Monroe County, West Virginia
CONTAINING 20.67 ACRES

5420 - PURCHASE
JEFFERSON - Blacksburg R.D.
Kelley, James Henry, Jr.
TRACT 1426
DATE: March 22, 1988



UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
JEFFERSON NATIONAL FOREST

ATLAS SHEET: 9-22
FIELDBOOK: B-9 & B-9A
DWG FILE: 1426
PARTY CHIEF: D. Moore
PLAT BY: Ronald N. Underwood
APPROVED BY: Charles E. Rozier
LAND SURVEYOR

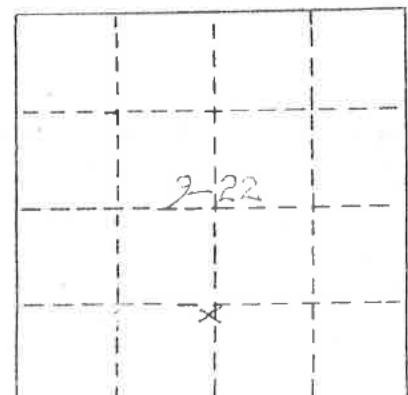


USDA-FOREST SERVICE				1. CASE DESIGNATION <i>J-1426</i>		2. CARD CODE (1)	
BASIC INFORMATION SHEET				<i>Kelley, James Henry, Jr. et al</i>			
3. IDENTIFICATION	REGION (2-3) <i>08</i>	STATE (4-5) <i>W. Va.</i>	COUNTY (6-8) <i>Monroe</i>	POLITICAL SUBDIVISION (9-10)			
	ADMIN. UNIT (11-12) <i>Jeff</i>	AREA UNIT (13-14)	DISTRICT (15-16) <i>Blacksburg</i>	TRACT OR LOT NO. (17-28)			
	TOWNSHIP (29-33)	RANGE (34-38)	SECTION (39-41)	MERID. NO. (42-43)	QUADRANGLE NO. (29-36)		
4. OWNERSHIP	1. NATIONAL FOREST		3. PRIVATE (44)		ACRES (45-51) <i>20.67</i>		
	2. OTHER FEDERAL		4. OTHER PUBLIC				
	ADMIN. RESP. (52) <i>FS</i>	TITLE METHOD (53-54) <i>Purchase</i>	AUTHORITY (55-56) <i>L&WCF</i>	MONTH (57-58) <i>10</i>	DATE (59-60) <i>10</i>	YEAR (61-62) <i>88</i>	
				(63-69) HOW EVALUATED			
5. VALUATION (Nearest Dollar) <i>11782</i>				1. ACQUIRED		2. APPRAISED <i>1</i>	
6. ENCUMBRANCES	CLASS (71) <i>None</i>	TYPE (72)	ACRES (73-77)	EXP. DATE (78-79)	VESTED INTEREST (80)		
	For each succeeding Encumbrance card needed, use column 1-43 and 51-80 following						
	(51)	(52)	(53-57)	(58-59)	(60)		
	(61)	(62)	(63-67)	(68-69)	(70)		
	(71)	(72)	(73-77)	(78-79)	(80)		
7. USE RESTRICTIONS	Each Use Restriction card contains 2 restrictions and uses columns 1-43 and 44-80 following						
	TYPE	AUTHORITY	ACRES		Check Status		TOTAL
	(44-45)	(46)	Inside Authorized Reclamation, Flood or Power Projects (47-50)	Outside Project Boundaries or Other (51-54)	1. Outside 2. Other (55)		(56-59)
	(60-61)	(62)	(63-66)	(67-70)	(71)		(72-75)
							(76-80)
	OVERLAP (withdrawals only) - Estimate; show only on last U.R. card →						

List additional Encumbrances and Use Restrictions on supplemental 5400-21(S)

SPECIAL NOTES:

Map Used Optional



TITLE AND ENCUMBRANCE TABULAR RECORD ENTRY	NO.	DATE	INITIALS
USE RESTRICTION TABULAR RECORD ENTRY	NO.	DATE	INITIALS

CASE FOLDER CONTENTS

J- 1426

Item	:S0
Abstract - Title Policy	:
Transcript of Record, At Law #	:
Patent Certificate	:
	:
Proposal for Sale	:
Option	:X
Tract Valuation Report (with supporting data)	:
Type Map	:
Proposal to NERC	:
Certificate of Possession	:X
	:
Voucher for Purchases	:X
Acquisition Change Slip	:
Certificate of Use & Consent	:X
Supplemental Data: Special Use Permits (); Bdy. Agreements ();	:X
Tenancy Agreements (); Disclaimers (); Claims ();	:
Correspondence (X)	:
	:
Tract Description (Boundary)	:X
Tract Plat (Survey)	:X
Final Title Opinion - Date:	:
Deed - Book: 183 Page: 723 Date Rec: 11/1/88	:X
Final Decree - Book: Page: Date Rec:	:
At Law # District: Division:	:
	:
	:
	:

Prepared	12/15/88	By	WOL
Revised			
Revised			
Revised			
Posted: Map			
Tabular			

U.S. DEPARTMENT OF AGRICULTURE - Forest Service

PROPOSED LAND PURCHASE

Under the provisions of the Act of National Trails System Act)

OWNER (Name and address)

TRACT NO.

UNIT

James Henry Kelley et ux.

1426

Jefferson

Route 1, Box 274
Marion, VA 24354

COUNTY

STATE

Monroe

West Virginia

ACRES: 20.67, as described in option dated Dec. 16, 1987
which expires on Dec. 16, 1988

HISTORY OF NEGOTIATIONS

This is a willing offer to sell at the appraised value.

VENDOR RESERVES

Nothing

OUTSTANDING RIGHTS

None.

BENEFITS OF ACQUISITION

This tract is not in the Appalachian Trail Inventory for Region 8 because it is outside of the Jefferson NF. However, we are currently involved in an exchange with an adjacent landowner. The Appalachian Trail Area Office in Martinsburg, West Virginia requested we handle this acquisition. This tract will be used for protection of the A/T. Acquisition has the support of the Appalachian Trail Conference.

STATEMENT OF ELEMENTS OF VALUE AND APPRAISAL

Element of value is land.

Property is located on the north side of Peters Mountain, Red Sulphur Magisterial District, Monroe County, West Virginia.

A Statement of Value was prepared at the Forest level in which an estimated Fair Market Value was found to be \$570 per acre using three comparable sales. The highest and best use of the property is recreational retreat.

Case file

APPRAISAL SUMMARY

Land:

20.67

acres @ \$570

per acre

\$11,781.20

Improvements

\$

Other Values

\$

Total

\$11,781.20

Less discounts for reservations
on outstanding rights

\$

ESTIMATED FAIR MARKET VALUE

per acre

\$570

OPTIONED PRICE

per acre

\$570 \$11,781.20

Fred W. Harris, Jr.

This instrument prepared by:
Fred W. Harris, Jr., Regional Attorney
Office of the General Counsel
United States Department of Agriculture
Suite 600, 1371 Peachtree Street, N.E.
Atlanta, Georgia 30367

(Exemption from recordation tax claimed
under Code of Virginia §58.1 - 811.A.3.)

WARRANTY DEED

THIS DEED made and entered into this the 10th day of October,
1988, by and between JAMES HENRY KELLEY, JR. and GEORGIA SWAN KELLEY, his wife,
of Athens, West Virginia 24712, parties of the first part, and the
UNITED STATES OF AMERICA, c/o Forest Supervisor, United States Forest Service,
210 Franklin Road, S. W., Roanoke, Virginia 24001, party of the second part,

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of ELEVEN THOUSAND SEVEN HUNDRED
EIGHTY-ONE AND 90/100 DOLLARS (\$11,781.90), cash in hand paid, the receipt of
which is hereby acknowledged, the parties of the first part do hereby grant,
bargain, sell and convey with Covenant of General Warranty of Title unto the
UNITED STATES OF AMERICA and its assigns, forever, all of the following-described
land, to-wit:

FOREST SERVICE TRACT NO. 1426
JEFFERSON NATIONAL FOREST

Description
James Henry Kelley, Jr.
Tract 1426

Being the southern portion of that tract of land located near the top of Peters Mountain, in the Red Sulphur Magisterial District, of Monroe County, West Virginia, which was conveyed to James Henry Kelley, Jr., and Georgia Swan Kelley, his wife, from Benny D. Vest and Galye C. Vest, by deed dated December 3, 1975, and recorded in Deed Book 140, Page 236. That portion of the land being conveyed herein is more particularly described as follows:

BEGINNING AT CORNER 1, which is corner 4 of USA Tract 1185 as described in a deed of correction for that tract, and a corner common to National Park Service Tract 492-07, a point where a chestnut and hickory were called for. Corner 3 of USA Tract 1185 bears S03-17-48W, 287.33 feet.

Thence with said Park Service line N03-17-48E, 524.55 feet to CORNER 2, a new corner on a steep west slope. Set a 2"X 30" aluminum pipe with aluminum cap stamped 2-1426-1988, and marked the following bearing trees: a 12" chestnut oak bears S40W, 15.0 feet, a 14" chestnut oak bears S07E, 16.3 feet, and a 13" chestnut oak bears N06E, 5.8 feet.

Thence with a new division line and the remaining property of James Henry Kelley, Jr., N64-33-01E, 3027.92 feet to CORNER 3, a new corner in Robert L. Allen's line. Set a 2"X 30" aluminum pipe with aluminum cap stamped 3-1426-1988, on a steep northwest slope 90 feet northwest of an old road, and marked the following bearing trees: a 13" maple bears S51W, 38.5 feet, an 8" maple bears S15W, 19.1 feet, and a 9" red oak bears S53E, 21.8 feet.

Thence three lines with Robert L. Allen:

S23-14-22E, 84.09 feet to CORNER 4. Found a marked 18" birch by an old road as called for.

S48-10-20W, 206.95 feet to CORNER 5. Found a marked 12" double birch near the said road as called for.

S02-57-03E, passing corner 6 of tract 1185 at 73.83 feet, in all 264.00 feet to CORNER 6, which is corner 5 of tract 1185, a point where two lynns were called for.

Thence with USA Tract 1185 and the bottom of a cliff line the following courses:

S84-13-34W. 276.75 feet to a point;
S69-38-21W. 140.13 feet to a point;
S77-39-51W. 135.06 feet to a point;
S73-08-35W. 82.18 feet to a point;
S62-09-58W. 157.63 feet to a point;
S47-51-06W. 104.96 feet to a point;
S53-45-16W. 146.23 feet to a point;
S82-12-11W. 65.23 feet to a point;
S80-41-17W. 146.96 feet to a point;
S47-51-06W. 173.54 feet to a point;
S62-09-58W. 215.71 feet to a point;
S72-38-31W. 164.43 feet to a point;
S57-12-39W. 249.96 feet to a point;
S61-40-11W. 157.70 feet to a point;
S77-09-39W. 184.25 feet to a point;
S61-10-25W. 33.22 feet to a point;
S46-22-49W. 189.15 feet to a point;
S40-30-42W. 152.02 feet to a point;
S52-16-34W. 284.46 feet to CORNER 1, THE POINT OF BEGINNING,

containing 20.67 acres, as shown on a plat recorded in Plat Book _____,
Page _____, and made a part of this description.

Checked as to description and acreage WKK
Checked as to consideration and condition
of acquisition William K Kane June 3, 1988

SUBJECT to easements for existing roads, highways and public utilities.

TO HAVE AND TO HOLD the said premises, together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said UNITED STATES OF AMERICA and its assigns, in fee simple forever.

The parties of the first part covenant that they are seized in fee simple of the title to the said property; that they have a right to convey the same to the party of the second part; that they have done no act to encumber said property; that the party of the second part, shall have quiet and peaceable possession of said property, free from all encumbrances; and that they, the said parties of the first part, will execute such other and further assurances of title to the said property as may be requisite or necessary.

WITNESS the following signatures and seals:

James H. Kelley, Jr. (SEAL)
JAMES HENRY KELLEY, JR.

Georgia Swan Kelley (SEAL)
GEORGIA SWAN KELLEY

STATE OF Mississippi)

COUNTY OF Lafayette)

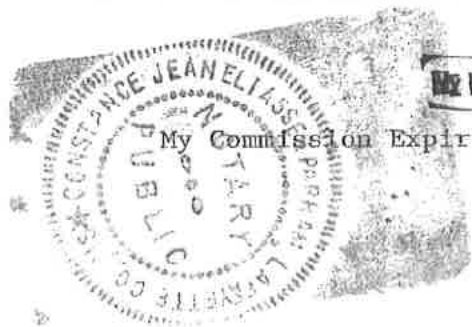
I, Constance Jean Blaise Parker, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared JAMES HENRY KELLEY, JR. and ~~GEORGIA SWAN KELLEY, his wife,~~ whose names are signed to the foregoing writing bearing date of 10 October, 1988, and acknowledged the same before me in my County and State aforesaid.

Given under my hand this 10th day of October, 1988.

Constance Jean Blaise Parker
Notary Public

My Commission Expires Feb. 12, 1992

My Commission Expires: _____



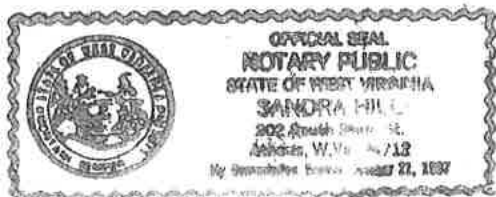
STATE OF W.V.)
COUNTY OF Mercer)

I, Sandra Hill, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared GEORGIA SWAN KELLEY whose name is signed to the foregoing writing bearing date of 10th Oct., 1988, and acknowledged the same before me in my County and State aforesaid.

Given under my hand this 19 day of October, 1988.

Sandra Hill
Notary Public

My Commission Expires: Oct. 21, 1997



DECLARATION OF VALUE OF CONSIDERATION

UNDER the penalties of fines and imprisonment as provided by law, the undersigned declares that the transfer represented by the foregoing and attached deed from the Kelleys to the United States of America, is EXEMPT from transfer taxes and stamps by virtue of West Virginia Code §11-22-1, as a transfer to the United States Government.


PARTY PRESENTING FOR
RECORDATION

ADDRESS: PO Box 238
Peterstown, WV 24963

WEST VA IN MONROE COUNTY COURT CLERK'S OFFICE

11-1 1988 AT 9:45 (A.M./P.M.)

THIS Deed WAS THIS DAY PRESENTED IN
THIS OFFICE, AND TOGETHER WITH THE CERTIFI-
CATE THERETO ANNEXED IS ADMITTED TO RECORD.

TESTE:  CLERK



United States
Department of
Agriculture

Office of
General
Counsel

Suite 600
1371 Peachtree Street, N.E.
Atlanta, Georgia 30367

February 6, 1990

In Reply Refer To:
FS-VA-88-28

TO: Regional Forester
Atlanta, Georgia

FROM: Mark R. Simpson *MR Simpson*
Attorney

SUBJECT: 5420-Purchase-West Virginia
Jefferson National Forest
James Henry Kelley, Jr. - Tract No. 1426
Final Title Opinion

By opinion dated today and addressed to the Chief, Forest Service, this office found title to the land designated above to be vested in the United States of America, subject to the conditions therein set forth.

The original and three plain copies of the title opinion, together with the title evidence, deed to the United States of America and related papers are attached.

Enclosures



United States
Department of
Agriculture

Office of
General
Counsel

Suite 600
1371 Peachtree Street, N.E.
Atlanta, Georgia 30367

February 6, 1990

In Reply Refer To:
FS-VA-88-28

Mr. Dale Robertson, Chief
United States Forest Service
Washington, D. C.

Dear Mr. Robertson:

Subject: 5420-Purchase-West Virginia
Jefferson National Forest
James Henry Kelley, Jr. - Tract No. 1426
Final Title Opinion

An examination has been made of the title papers relating to 20.67 acres of land, more or less, designated as the James Henry Kelley, Jr. Tract No. 1426, in Monroe County, West Virginia, Jefferson National Forest. This land has been conveyed to the United States of America under the provisions of the National Trails System Act of October 2, 1968, as amended; the Act of Congress approved March 1, 1911, as amended, (36 Stat. 961, 43 Stat. 654, 44 Stat. 919); the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and the Budget Reconciliation Act of December 22, 1987 (101 Stat. 1330), by deed from James Henry Kelley, Jr. and Georgia Swan Kelley, his wife, dated October 10, 1988, and recorded on November 1, 1988, in Deed Book 183, Page 793, records of Monroe County, West Virginia.

The land is more particularly described in the deed to the United States of America which recites a consideration of \$11,781.90.

Owner's Title Insurance Policy No. 85-00-475846 dated November 1, 1988, and Endorsement No. ED908113 dated January 16, 1990, were issued by Lawyers Title Insurance Corporation and are in satisfactory form.

From the information contained in the title papers and the executed and recorded deed to the United States of America, referred to above, it appears that the title to the land in question is now vested in the United States of America, subject to:

1. Easements for existing or established roads, highways and public utilities.

2. Title to that portion of the insured premises included in the primitive roadway shown upon a plat of survey dated March 22, 1988, bearing the legend "JAMES HENRY KELLEY, JR. TRACT 1426 RED SULPHUR MAGISTERIAL DISTRICT MONROE COUNTY, WEST VIRGINIA CONTAINING 20.67 ACRES" [exception d of Schedule B of the title policy].
3. General exceptions, conditions and stipulations of the title policy.

Exception numbered 2 has been administratively approved by the Certificate of Use and Consent dated January 10, 1990.

The acquisition of this land, subject to exceptions numbered 1 and 2, has been approved, and exception numbered 3 is unobjectionable.

Payment of the purchase price has been made.

The title insurance policy, endorsement, deed to the United States of America, and related papers are attached.

Sincerely yours,



WILLIAM W. BARGERON
Acting Regional Attorney

Enclosures

Lawyers Title
Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

ENDORSEMENT

CODE NAME

UNITED STATES OF AMERICA

P-2981

NUMBER

ED 908113

Attached to and made a part of Lawyers Title Insurance Corporation Policy No. 85-00-475846

Said Policy is hereby amended as set out herein:

Schedule B, Item b is hereby deleted.

The total liability of the Company under said policy, binder or commitment and under this and any prior endorsements thereto shall not exceed, in the aggregate, the amount of liability stated on the face of said policy, binder or commitment, as the same may be specifically amended in dollar amount by this or any prior endorsements, and the costs which the Company is obligated to pay under the Conditions and Stipulations of the policy.

This endorsement is made a part of said policy, binder or commitment and is subject to all the terms and provisions thereof, except as modified by the provisions hereof.

Nothing herein contained shall be construed as extending or changing the effective date of the aforesaid policy, binder or commitment unless otherwise expressly stated.

IN WITNESS WHEREOF, the Company has caused this Endorsement to be signed and sealed as of the 16th day of January 19 90, to be valid when countersigned by an authorized officer or agent of the Company, all in accordance with its By-Laws.

LAWYERS TITLE OF PRINCETON, INC.
Issued at Princeton, West Virginia

COUNTERSIGNED:



Authorized Officer or Agent

Lawyers Title Insurance Corporation

Robert C. Dawson
President
Attest: *W. J. Johnson III*
Secretary

Lawyers Title Insurance Corporation

National Headquarters — Richmond, Virginia

Policy Number

85 - 00 - 475846

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS CONTAINED IN SCHEDULE B AND THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS HEREOF, LAWYERS TITLE INSURANCE CORPORATION, a Virginia corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, and costs, attorneys' fees and expenses which the Company may become obligated to pay hereunder, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested otherwise than as stated therein;
2. Any defect in or lien or encumbrance on such title;
3. Lack of a right of access to and from the land; or
4. Unmarketability of such title.

IN WITNESS WHEREOF the Company has caused this policy to be signed and sealed, to be valid when Schedule A is countersigned by an authorized officer or agent of the Company, all in accordance with its By-Laws.

Lawyers Title Insurance Corporation

Robert C. Dawson

President

Attest:

Samuel A. Lee

Secretary.



EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy:

1. (a) Governmental police power.
(b) Any law, ordinance or governmental regulation relating to environmental protection.
(c) Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part.
(d) The effect of any violation of the matters excluded under (a), (b), or (c) above, unless notice of a defect, lien or encumbrance resulting from a violation has been recorded at Date of Policy in those records in which under state statutes deeds, mortgages, lis pendens, liens or other title encumbrances must be recorded in order to impart constructive notice to purchasers of the land for value and without knowledge; provided, however, that without limitation, such records shall not be construed to include records in any of the offices of federal, state or local environmental protection, zoning, building, health or public safety authorities.
2. Rights of eminent domain unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or created subsequent to Date of Policy; or (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.

CONDITIONS AND STIPULATIONS

1. Definition of Terms

The following terms when used in this policy mean:

- (a) "insured": the insured named in Schedule A, and, subject to any rights or defenses the Company may have had against the named insured, those who succeed to the interest of such insured by operation of law as distinguished from purchase including, but not limited to, heirs, distributees, devisees, survivors, personal representatives, next of kin, or corporate or fiduciary successors.
- (b) "insured claimant": an insured claiming loss or damage hereunder.
- (c) "knowledge": actual knowledge, not constructive knowledge or notice which may be imputed to an insured by reason of any public records.
- (d) "land": the land described, specifically or by reference in Schedule A, and improvements affixed thereto which by law constitute real property; provided, however, the term "land" does not include any property beyond the lines of the area specifically described or referred to in Schedule A, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways, but nothing herein shall modify or limit the extent to which a right of access to and from the land is insured by this policy.
- (e) "mortgage": mortgage, deed or trust, trust deed, or other security instrument.
- (f) "public records": those records which by law impart constructive notice of matters relating to said land.

2. Continuation of Insurance after Conveyance of Title

The Coverage of this policy shall continue in force as of Date of Policy in favor of an insured so long as such insured retains an estate or interest in the land, or holds an indebtedness secured by a purchase money mortgage given by a purchaser from such insured, or so long as such insured shall have liability by reason of covenants of warranty made by such insured in any transfer or conveyance of such estate or interest; provided, however, this policy shall not continue in force in favor of any purchaser from such insured of either said estate or interest or the indebtedness secured by a purchase money mortgage given to such insured.

3. Defense and Prosecution of Actions—Notice of Claim to be given by an Insured Claimant

(a) The Company, at its own cost and without undue delay, shall provide for the defense of an insured in all litigation consisting of actions or proceedings commenced against such insured or a defense interposed against an insured in an action to enforce a contract for a sale of the estate or interest in said land, to the extent that such litigation is founded upon an alleged defect, lien, encumbrance, or other matter insured against by this policy.

(b) The insured shall notify the Company promptly in writing (i) in case any action or proceeding is begun or defense is interposed as set forth in (a) above, (ii) in case knowledge shall come to an insured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as insured, and which might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if title to the estate or interest, as insured, is rejected as unmarketable. If such prompt notice shall not be given to the Company, then as to such insured all liability of the Company shall cease and terminate in regard to the matter or matters for which such prompt notice is required; provided, however, that failure to notify shall in no case prejudice the rights of any subsequent insured under this policy unless the Company shall be prejudiced by such failure and then only to the extent of such prejudice.

(c) The Company shall have the right at its own cost to institute and without undue delay prosecute any action or proceeding or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as insured, and the Company may take any appropriate action under the terms of this policy, whether or not it shall be liable thereunder, and shall not thereby concede liability or waive any provision of this policy.

(d) Whenever the Company, shall have brought any action or interposed a defense as required or permitted by the provision of this policy, the Company may pursue any such litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from any adverse judgment or order.

(e) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding, the insured hereunder shall secure to the Company the right to so prosecute or provide defense in such action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such insured for such purpose. Whenever requested by the Company, such insured shall give the Company all reasonable aid in any such action or proceeding, in effecting settlement, securing evidence, obtaining witnesses, or prosecuting or defending such action or proceeding, and the Company shall reimburse such insured for any expense so incurred.

4. Notice of Loss—Limitation of Action

In addition to the notices required under paragraph 3(b) of these Conditions and Stipulations, a statement in writing of any loss or damage for which it is claimed the Company is liable under this policy shall be furnished to the Company within 90 days after such loss or damage shall have been determined and no right of action shall accrue to an insured claimant until 30 days after such statement shall have been furnished. Failure to furnish such statement of loss or damage shall terminate any liability of the Company under this policy as to such loss or damage.

5. Options to Pay or Otherwise Settle Claims

The Company shall have the option to pay or otherwise settle for or in the name of an insured claimant any claim insured against or to terminate all liability and obligations of the Company hereunder by paying or tendering payment of the amount of insurance under this policy together with any costs, attorneys' fees and expenses incurred up to the time of such payment or tender of payment, by the insured claimant and authorized by the Company.

6. Determination and Payment of Loss

(a) The liability of the Company under this policy shall in no case exceed the least of:

- (i) the actual loss of the insured claimant; or
- (ii) the amount of insurance stated in Schedule A.

(b) The Company will pay, in addition to any loss insured against by this policy, all costs imposed upon an insured in litigation carried on by the Company for such insured, and all costs, attorneys' fees and expenses in litigation carried on by such insured with the written authorization of the Company.

(c) When liability has been determined, the amount of loss or damage shall be fixed in accordance with the conditions of this policy, and loss or damage shall be payable within 30 days thereafter.

85								
1	2	3	4	5	6	7	8	9

Lawyers Title Insurance Corporation

OWNER'S POLICY

Schedule A

CASE NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE
P-2981	November 1, 1988 at 9:45 a.m.	\$11,781.90

THE POLICY NUMBER SHOWN
ON THIS SCHEDULE MUST
AGREE WITH THE PREPRINTED
NUMBER ON THE COVER SHEET

POLICY NUMBER
85-00-475846

1. Name of Insured:

UNITED STATES OF AMERICA, c/o Forest Supervisor, United States Forest Service, 210 Franklin Road, S. W., Roanoke, Virginia 24001

2. The estate or interest in the land described herein and which is covered by this policy is:

FEE SIMPLE

3. The estate or interest referred to herein is at Date of Policy vested in:

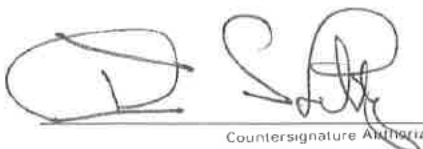
UNITED STATES OF AMERICA

4. The land referred to in this policy is described as follows:

LOCATED IN THE DISTRICT OF RED SULPHUR, COUNTY OF MONROE, STATE OF WEST VIRGINIA

(See attached description.)

APPROVED ATTORNEY: DEBRA L. DALTON



Countersignature Authorized Officer or Agent

LAWYERS TITLE OF PRINCETON, INC.
Princeton, West Virginia

Issued at (Location)

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

85-00-475846

FOREST SERVICE TRACT NO. 1426 JEFFERSON NATIONAL FOREST

Description
James Henry Kelley, Jr.
Tract 1426

"Being the southern portion of that tract of land located near the top of Peters Mountain, in the Red Sulphur Magisterial District, of Monroe County, West Virginia, which was conveyed to James Henry Kelley, Jr., and Georgia Swan Kelley, his wife, from Benny D. Vest and Galye C. Vest, by deed dated December 3, 1975, and recorded in Deed Book 140, Page 236. That portion of the land being conveyed herein is more particularly described as follows:

"**BEGINNING** AT CORNER 1, which is corner 4 of USA Tract 1185 as described in a deed of correction for that tract, and a corner common to National Park Service Tract 492-07, a point where a chestnut and hickory were called for. Corner 3 of USA Tract 1185 bears S03-17-48W, 287.33 feet.

"Thence with said Park Service line N03-17-48E, 524.55 feet to CORNER 2, a new corner on a steep west slope. Set a 2"X 30" aluminum pipe with aluminum cap stamped 2-1426-1988, and marked the following bearing trees: a 12" chestnut oak bears S40W, 15.0 feet, a 14" chestnut oak bears S07E, 16.3 feet, and a 13" chestnut oak bears N06E, 5.8 feet.

"Thence with a new division line and the remaining property of James Henry Kelley, Jr., N64-33-01E, 3027.92 feet to CORNER 3, a new corner in Robert L. Allen's line. Set a 2"X 30" aluminum pipe with aluminum cap stamped 3-1426-1988, on a steep northwest slope 90 feet northwest of an old road, and marked the following bearing trees: a 13" maple bears S51W, 38.5 feet, an 8" maple bears S15W, 19.1 feet, and a 9" red oak bears S53E, 21.8 feet.

"Thence three lines with Robert L. Allen:

"S23-14-22E, 84.09 feet to CORNER 4. Found a marked 18" birch by an old road as called for.

"S48-10-20W, 206.95 feet to CORNER 5. Found a marked 12" double birch near the said road as called for.

"S02-57-03E, passing corner 6 of tract 1185 at 73.83 feet, in all 264.00 feet to CORNER 6, which is corner 5 of tract 1185, a point where two lynns were called for.

"Thence with USA Tract 1185 and the bottom of a cliff line the following courses:

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

85-00-475846

"S84-13-34W, 276.75 feet to a point;
"S69-38-21W, 140.13 feet to a point;
"S77-39-51W, 135.06 feet to a point;
"S73-08-35W, 82.18 feet to a point;
"S62-09-58W, 157.63 feet to a point;
"S47-51-06W, 104.96 feet to a point;
"S53-45-16W, 146.23 feet to a point;
"S82-12-11W, 65.23 feet to a point;
"S80-41-17W, 146.96 feet to a point;
"S47-51-06W, 173.54 feet to a point;
"S62-09-58W, 215.71 feet to a point;
"S72-38-31W, 164.43 feet to a point;
"S57-12-39W, 249.96 feet to a point;
"S61-40-11W, 157.70 feet to a point;
"S77-09-39W, 184.25 feet to a point;
"S61-10-25W, 33.22 feet to a point;
"S46-22-49W, 189.15 feet to a point;
"S40-30-42W, 152.02 feet to a point;
"S52-16-34W, 284.46 feet to CORNER 1, THE POINT OF BEGINNING,

containing 20.67 acres, as shown on a plat recorded in Plat Book _____,
Page _____, and made a part of this description."

BEING the same property conveyed unto the United States of America, c/o Forest Supervisor, United States Forest Service, 210 Franklin Road, S. W., Roanoke, Virginia 24001 by deed dated October 10, 1988 from James Henry Kelley, Jr. and Georgia Swan Kelley, his wife, of record in the Office of the Clerk of the County Commission of Monroe County, West Virginia as Document Number 32916.

CASE NUMBER
P-2981

DATE OF POLICY
November 1, 1988 at 9:45 a.m.

THE POLICY NUMBER SHOWN ON THIS SCHEDULE
MUST AGREE WITH THE PREPRINTED NUMBER
ON THE COVER SHEET

POLICY NUMBER
85-00-475846

Schedule B

This policy does not insure against loss or damage by reason of the following:

- The dower, curtesy, homestead, community property, or other statutory marital rights, if any, of the spouse of any individual insured.
- Taxes for the taxable year 1989, a lien, but not yet due and payable, and those for subsequent years.
- Easements or claims of easements not shown by the public records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
- Title to that portion of the insured premises included in the primitive roadway shown upon a plat of survey dated March 22, 1988, bearing the legend "JAMES HENRY KELLEY, Jr. TRACT 1426 RED SULPHUR MAGISTERIAL DISTRICT MONROE COUNTY, WEST VIRGINIA CONTAINING 20.67 ACRES".

CONDITIONS AND STIPULATIONS—CONTINUED

7. Limitation of Liability

No claim shall arise or be maintainable under this policy (a) if the Company, after having received notice of an alleged defect, lien or encumbrance insured against hereunder, by litigation or otherwise, removes such defect, lien or encumbrance or establishes the title, as insured, within a reasonable time after receipt of such notice; (b) in the event of litigation until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as insured, as provided in paragraph 3 hereof; or (c) for liability voluntarily assumed by an insured in settling any claim or suit without prior written consent of the Company.

8. Reduction of Liability

All payments under this policy, except payments made for costs, attorneys' fees and expenses, shall reduce the amount of the insurance pro tanto. No payment shall be made without producing this policy for endorsement of such payment unless the policy be lost or destroyed, in which case proof of such loss or destruction shall be furnished to the satisfaction of the Company.

9. Liability Noncumulative

It is expressly understood that the amount of insurance under this policy shall be reduced by any amount the Company may pay under any policy insuring either (a) a mortgage shown or referred to in Schedule B hereof which is a lien on the estate or interest covered by this policy, or (b) a mortgage hereafter executed by an insured which is a charge or lien on the estate or interest described or referred to in Schedule A, and the amount so paid shall be deemed a payment under this policy. The Company shall have the option to apply to the payment of any such mortgages any amount that otherwise would be payable hereunder to the insured owner of the estate or interest covered by this policy and the amount so paid shall be deemed a payment under this policy to said insured owner.

10. Apportionment

If the land described in Schedule A consists of two or more parcels which are not used as a single site, and a loss is established affecting one or more of said parcels but not all, the loss shall be computed and settled on a pro rata basis as if the amount of insurance under this policy was divided pro rata as to the value on Date of Policy of each separate parcel to the whole, exclusive of any improvements made subsequent to Date of Policy, unless a liability or value has otherwise been agreed upon as to each such parcel by the Company and the insured at the time of the issuance of this policy and shown by an express statement herein or by an endorsement attached hereto.

11. Subrogation Upon Payment or Settlement

Whenever the Company shall have settled a claim under this policy, all right of subrogation shall vest in the Company unaffected by any act of the insured claimant. The Company shall be subrogated to and be entitled to all rights and remedies which such insured claimant would have had against any person or property in respect to such claim had this policy not been issued, and if requested by the Company, such insured claimant shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect such right of subrogation and shall permit the Company to use the name of such insured claimant in any transaction or litigation involving such rights or remedies. If the payment does not cover the loss of such insured claimant, the Company shall be subrogated to such rights and remedies in the proportion which said payment bears to the amount of said loss. If loss should result from any act of such insured claimant, such act shall not void this policy, but the Company, in that event, shall be required to pay only that part of any losses insured against hereunder which shall exceed the amount, if any, lost to the Company be reason of the impairment of the right of subrogation.

12. Liability Limited to this Policy

This instrument together with all endorsements and other instruments, if any, attached hereto by the Company is the entire policy and contract between the insured and the Company.

Any claim of loss or damage, whether or not based on negligence, and which arises out of the status of the title to the estate or interest covered hereby or any action asserting such claim, shall be restricted to the provisions and conditions and stipulations of this policy.

No amendment of or endorsement to this policy can be made except by writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

13. Notices, Where Sent

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this policy and shall be addressed to its Corporate Headquarters, 6630 West Broad Street, mailing address: P.O. Box 27567, Richmond, Virginia 23261.

Lawyers Title Insurance Corporation

National Headquarters — Richmond, Virginia

Policy of Title Insurance



**Lawyers Title
Insurance Corporation**
National Headquarters
Richmond, Virginia

Lawyers Title Insurance Corporation National Headquarters — Richmond, Virginia



National Division, Branch and
Agency offices and Approved
Attorneys are located throughout
the operating territory.

Service available throughout the
United States, Canada, Puerto
Rico, the Bahamas, and the U.S.
Virgin Islands.

A word of thanks to our insured

As we make your policy a part of our permanent records, we want to express our appreciation of this evidence of your faith in Lawyers Title Insurance Corporation.

There is no recurring premium.

This policy provides valuable title protection and we suggest you keep it in a safe place where it will be readily available for future reference.

If you have any questions about the protection provided by this policy or wish to contact us for any other reason, contact the office that issued your policy or you may write to:

Lawyers Title Insurance Corporation
P.O. Box 27567
Richmond, Virginia 23261

U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE SUPPLEMENTAL CERTIFICATE OF POSSESSION Ref: FSM 5424 and 5437	NATIONAL FOREST OR PURCHASE UNIT JEFFERSON	TRACT NO. 1426
	LAND OWNER JAMES H. KELLEY, et. ux.	NUMBER ACRES 20.67
SITUATED IN Monroe, State of West Virginia <small>(Name of county)</small>		DATE EXAMINED: 11/09/88

I, the undersigned, do hereby certify that, except as noted in the original certificate of possession, there is not now any person or persons, other than the vendor, in possession of said land or any part thereof, claiming any interest therein, whether under any unrecorded deed, lease, or otherwise, except:

<u>Name of Claimant</u>	<u>Address</u>	<u>Nature of Claim</u>
-------------------------	----------------	------------------------


NONE

I certify that there has been no change in the possession as shown in the original certificate of possession except:

NONE

I further certify that there is no evidence of any labor having been performed or any material having been furnished, placed, or used thereon in connection with the making of any repairs or improvements except:

NONE

DATE 11/14/88	NAME AND SIGNATURE  H. THOMAS SPEAKS, JR.	TITLE Forester
------------------	--	-------------------

CERTIFICATE OF USE AND CONSENT
For Purchase, Donation, and Land Exchange
Ref: FSM 5424 and 5437

NATIONAL FOREST OR PURCHASE UNIT

JEFFERSON NATIONAL FOREST

LAND OWNER

JAMES H. KELLEY, JR., ET UX

TRACT NO.

1426

I, the undersigned, by authority of the Secretary of Agriculture, do certify that the possible outstanding mineral rights, water rights, rights-of-way for roads, ditches, canals, pipelines, telephone lines, etc., disclosed by the evidence of title, have been administratively considered and, in accordance with authority duly delegated, it has been determined that such outstanding rights will not interfere with the use of the lands for the purpose for which they are being acquired or materially diminish their value. Accordingly, it is recommended that the lands be acquired subject to such exceptions or easements.

Check one applicable as to the nature of the consideration:

- ☒ A. This case is a purchase and the consideration is the "purchase price" expressed in dollars.
- ☐ B. This case is a donation.
- ☐ C. This case is a land exchange in which the value of the selected land does not exceed the value of the offered land as determined by appraisal. The consideration applicable is "expressed in monetary value" as determined by appraisal.

Item d, Schedule B

Title to that portion of the insured premises included in the primitive roadway shown upon a plat of survey dated March 22, 1988, bearing the legend "JAMES HENRY KELLEY, JR., TRACT 1426, RED SULPHUR MAGISTERIAL DISTRICT, MONROE COUNTY, WEST VIRGINIA CONTAINING 20.67 ACRES".

NAME AND SIGNATURE
CHARLES W. CARTWRIGHT, JR.

TITLE
Forest Supervisor

DATE

1/10/90

CERTIFICATE OF USE AND CONSENT
For Purchase, Donation, and Land Exchange
Ref: FSM 5424 and 5437

NATIONAL FOREST OR PURCHASE UNIT

Jefferson National Forest

LAND OWNER

James H. Kelley, Jr., et ux

TRACT NO.

1426

I, the undersigned, by authority of the Secretary of Agriculture, do certify that the possible outstanding mineral rights, water rights, rights-of-way for roads, ditches, canals, pipelines, telephone lines, etc., disclosed by the evidence of title, have been administratively considered and, in accordance with authority duly delegated, it has been determined that such outstanding rights will not interfere with the use of the lands for the purpose for which they are being acquired or materially diminish their value. Accordingly, it is recommended that the lands be acquired subject to such exceptions or easements.

Check one applicable as to the nature of the consideration:

- ☒ A. This case is a purchase and the consideration is the "purchase price" expressed in dollars.
- ☐ B. This case is a donation.
- ☐ C. This case is a land exchange in which the value of the selected land does not exceed the value of the offered land as determined by appraisal. The consideration applicable is "expressed in monetary value" as determined by appraisal.

Item d, Schedule B, of the Title Insurance Policy is approved.

NAME AND SIGNATURE

For CHARLES W. CARTWRIGHT, JR.

TITLE

Forest Supervisor

DATE

April 14, 1989

CERTIFICATE OF PROPERTY TAX HANDLING

DESIGNATION: JAMES H. KELLEY, et. ux., Tract 1426

Current taxes have been properly handled.

- ☐ A deposit was withheld from payment by the Government.
- ☐ A deposit was taken from the party conveying to the Government
- ☒ Taxes were paid prior to closing.
- ☐ Other

Back taxes are not due.

November 14, 1988
DATE

H. Thomas Speaks Jr
H. THOMAS SPEAKS, JR.
NAME

Forester
TITLE

From: [Kerr, Mitchell -FS](#)
To: [Jankowiak, Connie L -FS](#)
Subject: FW: Maps Peters AT-MVP
Date: Thursday, March 15, 2018 12:26:00 PM
Attachments: [Peters Mountain Vicinity protestor access 1to5000 top of MTN.PDF](#)
[Peters Mountain Vicinity protestor access 1to18000.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

fyi



Mitchell Kerr, RLS
Land Surveyor and Boundary Manager
Forest Service
George Washington and Jefferson NF's

p: 540-265-5193

mkerr@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: Kerr, Mitchell -FS
Sent: Thursday, March 15, 2018 11:04 AM
To: Abing, Timothy -FS <tabing@fs.fed.us>; Timm, Joby -FS <jtimm@fs.fed.us>
Cc: JoBeth -FS Brown (jobethbrown@fs.fed.us) <jobethbrown@fs.fed.us>
Subject: Maps Peters AT-MVP

Job

Per your request..

Let me know if you need a closer view of the tree-sitter sites and AT, and I will create.



Mitchell Kerr, RLS
Land Surveyor and Boundary Manager
Forest Service
George Washington and Jefferson NF's

p: 540-265-5193

mkerr@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

From: Nik Gillen
To: cjankowiak@fs.fed.us; [Woods, Steven -FS](#)
Cc: [Troy Morris \(troymorris@fs.fed.us\)](#); [Jeff Davis](#); [Mike Warner](#); [Dennis Tripp](#); [MVP](#); [Grace Ellis](#); [Lauren Johnston](#); [Alli Rhodehamel-Leung](#); [Thompson, James H -FS](#)
Subject: Re: Mystery Ridge Alignment and Plan Submittals
Date: Thursday, March 15, 2018 5:10:38 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[MVP CIC Daily Inspection Report \(with Photo Log\) 20180315 DD_reduced.pdf](#)

Steve and Connie,

I wanted to give you a further update on the roads/erosion situation. Our inspector pointed out to MVP yesterday of one area of concern on Pocahontas Road, they installed an erosion sock in anticipation of the snow melt. Today, in that same section of Pocahontas Road, we observed sediment from the road entering a stream. MVP installed additional erosion socks and placed wood chips as well as construct a water bar to divert water away from the stream. Our inspector will check on these erosion materials tomorrow as well as inspect the other section of the roads for similar issues and get them addressed.

Please see attached for the today's (3/15) daily report including photos of the above.

Thanks,

Nikolaus Gillen

Biologist/Project Coordinator

Transcon Environmental
802 Montgomery St
San Francisco, CA 94133
Office: 415.375.9965 x205
Cell: 925-550-7147

Two color horizontal



Think Green – Not every email needs to be printed.

CONFIDENTIAL AND PRIVILEGED: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: Jeff Davis

Sent: Thursday, March 15, 2018 3:27 PM

To: Nik Gillen; Mike Warner

Subject: FW: Mystery Ridge Alignment and Plan Submittals

From: Woods, Steven -FS [mailto:swoods01@fs.fed.us]

Sent: Thursday, March 15, 2018 3:32 PM

To: Neylon, Megan <MNeylon@eqt.com>

Cc: Jankowiak, Connie L -FS <cjankowiak@fs.fed.us>; Centofanti, John <JCentofanti@eqt.com>; Thompson, James H -FS <jamesthompson@fs.fed.us>; Dennis Tripp <dtripp@transcon.com>; Jeff Davis <jdavis@transcon.com>

Subject: Mystery Ridge Alignment and Plan Submittals

Megan,

After looking at the submitted plans for Mystery Ridge, it appears as if you all are using the existing alignment with widening at designated locations. With that, there should be no issues with determining what trees may be felled within the limits of disturbance. Also, in looking at the plans, we found several things that pleased us as well as a few things that we would like to discuss. Mike Tripp (Transcon) and I will be compiling a list of things that require clarification and in some cases correction, but overall we appreciate what you have submitted.

On another note, we are hopeful that the weather will cooperate and that ground conditions will be such that maintenance activities can take place on both Pocahontas and Mystery Ridge as both roads are in need of work and rock placement. I have spoken with Transcon and been shown pictures/video of water running down the road, deep rutting and evidence of silt in at least one of the stream locations that needs to be addressed.

If you would like to talk, I will be available from 0800 -1000 tomorrow.

Thanks!

Steven C. Woods

INFRA Data Steward / Civil Engineer

Forest Service

George Washington & Jefferson National Forests

p: 540-265-5189

c: 540-529-0364

f: 540-265-5109

swoods01@fs.fed.us

5162 Valleypointe Parkway

Roanoke, VA 24019

www.fs.fed.us



Caring for the land and serving people

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Location

District:	Eastern Divide		
County:	Giles	Milepoint:	196.7 to 197.9
Access:	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing <input type="checkbox"/> N/A Forest Service (FS) Road #:	FR 972 and 11080	
Location Description:	Pocahontas Road, Mystery Ridge Road (Peters Mountain)		

Type of Inspection

Topic:	Tree Felling Inspection		
Inspector:	D. Danko	Date:	3/15/18

Summary Compliance Checklist (Further details must be provided if not checked)

Compliance with Construction, Plan of Development (POD), Other Approved Plans

- ☒ Construction personnel are trained- hardhat sticker
- ☒ Construction components/dimensions matches POD
- ☒ Matches Approved Site-Specific Plans
- ☒ Project Documents: POD & Special Use Permit (SUP)

Flagging/Ground Disturbance

- ☒ Flagging/signage are appropriate- condition/location
- ☒ Construction is within approved work space
- ☐ Access roads – POD designation/widths/ruts

Biological/Cultural/Environmental Mitigation

- ☒ Biological resources addressed
- ☒ Cultural resources addressed-flagging/discoveries
- ☒ Noxious weeds- treatment/wash stations
- ☐ Wetlands/aquatic resources addressed
- ☐ Erosion control measures- present/condition
- ☒ House cleaning- oil leaks/trash/fueling Monitors present at sensitive sites

Field Observations:

-All crew members observed to possess an MVP hard hat sticker.

-All signage, flagging, spill containment, and fuel cans observed to be in compliance.

-Walked LOD on downslope side (opposite of Mystery Ridge Road) from MP 197.9 to 196.7. All tree felling operations were observed to be contained within the LOD, and no cut trees were observed outside of the LOD.

-A tree that had previously fallen on its own was cut at the LOD line in order to make way for the orange safety fence that was installed in the rock skullcap sensitive area. This tree should not be confused with a tree that was erroneously cut outside of the LOD. See Photo 1.

-Roping activities associated with tree felling were completed in all remaining accessible areas within the JNF. The only remaining trees on JNF land are:



- Approx. 100' buffer of trees on WV side of Peters Mountain bore hole (held up by protesters);
- Trees along LOD for Mystery Ridge Road (between parking area and main LOD); and
- Small amount of trees atop Brush Mountain near private property border. Property line was clearly marked and staked on 3/14/18; therefore, these trees will be felled on 3/16/18.



-Additional locations of Pocahontas Road were observed to have additional erosion socks in place.



-Increased runoff from snow melt placing additional stress on Pocahontas Road. Silty water is being conveyed over long grades of Pocahontas Road, and is being conveyed at a fast velocity where the road grade exceeds about 5%. One erosion control sock area observed to be failing. MVP contractor immediately mobilized to place additional erosion control at location to prevent runoff from entering stream crossing S-PP19 (station 153+26 on Pocahontas Road). Water in this location is being conveyed over 1,000'. Contractor placed multiple additional erosion socks, constructed a water bar to convey water away from the stream, and is in the process of placing additional gravel fill on eroding runoff areas of Pocahontas Road. Consult additional photo log.



-Biological eagle monitors (ESI, Inc.) remained onsite for the duration of tree felling today.

 Attachments: ☒ Photo Log ☐ Non-Compliance ☐ Variance

<p>Photograph</p>	 <p>Mar 15, 2018 at 10:10:05 AM N 37.388630°, W 80.681585° Ripplehead</p>	<p>GPS Coordinates:</p> <p>Aspect: South</p> <p>Photo Number: 1</p> <p>Mile Post: 197.65</p> <p>Description: Tree was cut in place to accommodate orange safety fence placement. No cutting was done outside of LOD, and tree had previously fallen out of LOD on its own.</p>
<p>Photograph</p>	 <p>Mar 15, 2018 at 11:09:18 AM N 37.393420°, W 80.683204° Goldbond</p>	<p>GPS Coordinates:</p> <p>Aspect: Northwest</p> <p>Photo Number: 2</p> <p>Mile Post: 196.8</p> <p>Description: Start of orange safety fence delineating cultural resource area. All fencing and signage observed to be in place and in good condition.</p>

<p>Photograph</p>	 <p>Mar 15, 2018 at 12:10:55 PM N 37.387442°, W 80.682862° Goldbond</p>	<p>GPS Coordinates:</p> <p>Aspect: North</p> <p>Photo Number: 3</p> <p>Mile Post: 197.7</p> <p>Description: View of last trees being felled by roping crews along main LOD.</p>
<p>Photograph</p>	 <p>Mar 15, 2018 at 1:50:44 PM N 37.382034°, W 80.713823° Goldbond</p>	<p>GPS Coordinates:</p> <p>Aspect: West</p> <p>Photo Number: 4</p> <p>Mile Post: Station #153+26 on FR 972</p> <p>Description: Sediment-laden water observed to be conveying over 1,000' down Pocahontas Road and underneath failing erosion control sock. Sediment-laden water observed to enter stream crossing S-PP19. See additional photo log.</p>

<p>Photograph</p>	 <p>Mar 15, 2018 at 2:07:50 PM N 37.352219° W 80.714036° Goldbond</p>	<p>GPS Coordinates:</p> <p>Aspect: North</p> <p>Photo Number: 5</p> <p>Mile Post: Station #153+26 on FR 972</p> <p>Description: Observed sediment laden water entering stream crossing S-PP19 from runoff off of Pocahontas Road (FR 972).</p>
<p>Photograph</p>	 <p>Mar 15, 2018 at 2:46:30 PM N 37.382504° W 80.713818° Goldbond</p>	<p>GPS Coordinates:</p> <p>Aspect: Northwest</p> <p>Photo Number: 6</p> <p>Mile Post: Station #153+26 on FR 972</p> <p>Description: Additional erosion control socks and wood chips placed at site where sediment laden water was entering stream crossing S-PP19.</p>

Photograph		GPS Coordinates: Aspect: Northeast Photo Number: 7 Mile Post: Station #156+15 on FR 972 Description: In response to runoff conveying over 1,000' along Pocahontas Road, MVP contractor constructed an earthen water bar approximately 300' uphill from stream crossing S-PP19. Sediment laden water is now conveyed through vegetated side slope after passing through three erosion socks.
Photograph		GPS Coordinates: Aspect: South Photo Number: 8 Mile Post: Station #156+15 on FR 972 Description: Erosion sock placed at the base of water bar; installed to divert sediment laden water and to filter through socks before entering a vegetated buffer. Installed approximately 300' uphill of where Pocahontas Road crosses stream S-PP19.

MVP External Weekly Call**Date/Time:** Wednesday, March 14 @ 11:30 am-12:30 pm ET**Location:** Conference Call

Attendees	Forest Service (FS)	Connie Jankowiak, Jim Thompson
	FS Enterprise	Jessica Rubado, Lynette Miller
	MVP & Contractors	Megan Neylon, John Centofanti, Joe Dawley, Rob Robertson, Sean Sparks, Joe Carrol, Stan Layman, Jack Holley
	Transcon	Mike Warner, Jeff Davis, Alli Rhodehamel, Nik Gillen
	Galileo Project, LLC (Galileo)	Grace Ellis, Lauren Johnston

ACTIONS

- **BLM** drafts early alert for Notice to Proceed (NTP) #2 for the conventional bore under United States Army Corps of Engineers (USACE) lands.
- **BLM** finalizes NTP #2 and sends to MVP for signature.
- **Galileo** updates NTP #3 to include road upgrades and construction, utilizing roads for all pieces of construction and reclamation, and vegetation and tree removal.
- **MVP** delivers road design package to FS today (target).
- **MVP** completes tree felling this week.
- **Steve Woods** reviews MVP road design package as soon as possible and provides comments to MVP by this Friday.
- **MVP** shares draft Storm Water Permit (SWP) from the Virginia Department of Environmental Quality (VDEQ) with the FS.
- **FS** provides MVP with written clarification re rock sizes available for use to repair rutting on Jefferson National Forest (JNF) roads.
- **MVP** moves forward with additional road maintenance on Mystery Ridge and Pocahontas Roads as soon as possible given training and equipment time restraints.
- **Mike Tripp** (Transcon) accompanies MVP to look at the roads reconstruction areas and plan of action.
- **MVP** puts a road maintenance schedule together for Transcon's scheduling purposes.
- **MVP** delivers blanket tree removal variance to FS and Transcon next week (for trees that are felled and then move out of the Right of Way (ROW)).

DISCUSSION/DECISIONS

- NTP #3 is contingent on Steve Woods' approval of MVP's forthcoming road design package. FS requested MVP include specifications of where ES control measures would be. FS wants to see evidence of SWP prior to issuing NTP #3.
- The confusion between agency authorities and road maintenance activities has been resolved. MVP plans to add compost filler stock to Mystery Ridge and Pocahontas roads. MVP is waiting on an opinion of whether MVP can use a larger size rock as a base to try to get the roads in passable condition. FS clarified that MVP needs to only use the rock sizes specified in the roads permit in as the riding service. MVP can use bigger rocks under the surface rocks. MVP's contractor will bring in a grader and a dozer to get gravel lined up and move forward with the repair in the coming days.

- MVP is waiting until protestors are removed from trees to complete the tree felling on JNF lands. It's still unclear who will be removing the tree sitters from the final trees in the ROW. MVP cannot finish felling trees until the sitters are removed, and the sitters can't be removed until law enforcement can use Mystery Ridge Road to access their location.
- MVP will get all other trees down prior to extraction. MVP has tried to stay a safe distance away.
- Transcon is reviewing the variance request from MVP to remove a white pine tree that fell out of the ROW. FS and Transcon agree the variance looks good and is ready for signature by FS and BLM. Transcon suggested MVP provide a blanket variance request to describe MVP's general approach to documenting and removing trees that fall out of the ROW. This is to avoid needing a single variance for each tree that falls out of
- MVP was planning to cut trees along the access roads today. FS informed MVP they are not allowed to cut trees along access roads until MVP has an approved road design package.
 - MVP will submit the road design package today. FS hopes to approve the road design package, if acceptable, by Friday. FS would then need to field-confirm MVP's tree and LOD markings along the roads.
 - Once FS signs off on MVP's LOD and tree removal markings, MVP can start cutting trees along the access roads.
 - MVP needs to finish clearing trees on the JNF by March 31.
- Two news outlets will be publishing stories stating the FS has not been responsive to public inquiries about the project. There have been several public inquiries concerned about access restrictions due to the closure order. FS does not yet have an answer as to how the tree sitters will be removed from the trees. FS has set up a 1st amendment area on the forest for protestors. MVP and FS law enforcement are coordinating response to safety and law enforcement concerns.

National Environmental Policy Act and Civil Right Statements
Supporting Forest Supervisor Closure Order for Mountain Valley Pipeline Project
George Washington and Jefferson National Forest
Eastern Divide Ranger District
Order # 08-08-11-18-01

NEPA

Section 102 of the National Environmental Policy Act (NEPA) requires federal agencies to prepare detailed statements of proposed major federal actions significantly affecting the quality of the human environment (42 U.S.C. § 4332). The proposed action to enact an Emergency Closure Order will result in no tangible or perceptible effects to the natural and physical environment, and the effects cannot be meaningfully evaluated. No direct, indirect, cumulative, ecological, aesthetic, historic, cultural, economic, social, or health effects must be analyzed. Therefore NEPA Section 102 (2)(c) would not apply. Closure Orders issued under 36 CFR part 261 – Prohibitions to provide short-term protection for public health and safety, are a category of action that may be categorically excluded and for which a project or case file and decision memo are not required. (36 CFR 220.6(d)(1)) This action is consistent with the Jefferson National Forest 2004 Revised Land and Resource Management Plan. No additional NEPA documentation is required to proceed with implementation of this Order.

Social Economic Effects

There are insufficient social economic effects from the proposed actions to be meaningfully evaluated and that would require analysis.



Karen Overcash

Forest Environmental Coordinator


Date

Civil Rights

Major civil rights are those consequences of proposed policy actions that, if implemented, would negatively and disproportionately affect groups or classes of people by virtue of their race color, sex, national origin, age, relation, family status, or disability. As Environmental Coordinator, I have considered the impact of this proposal on the civil rights of minorities, women, persons with disabilities, and other protected groups. In considering the effects of the proposed Emergency Closure Order, I determined that the civil rights of any protected group or class of people would not be affected by this project. Therefore, it is my determination that there will be no potential for major civil rights or social impacts related to the Emergency Closure Order for the Mountain Valley Pipeline project located on the

George Washington and Jefferson National Forests and a Civil Rights Impact Analysis (CRIA) and/or Civil Rights Impact Statement (CRIS) are not required. Although the actions appear as if they would affect ten (10) or more persons or entities either inside or outside the Forest Service, I feel the CRIA and CRIS are not needed because the decision is for protecting the safety of the all members of the public from hazards associated with constructing the pipeline, regardless of their protected class. Furthermore, an administrative action such as this is not listed as one of the six specific categories for which the preparation of a civil rights impact statement is required (see Forest Service Manual 1730).

A handwritten signature in blue ink, reading "Karen Overcash", written over a horizontal line.

Karen Overcash

Forest Environmental Coordinator

A handwritten date in blue ink, reading "3/7/2018", written over a horizontal line.

Date

UNITED STATES DEPARTMENT OF AGRICULTURE
GEORGE WASHINGTON AND JEFFERSON NATIONAL FORESTS
EASTERN DIVIDE RANGER DISTRICT

Order Number 08-08-11-18-01

Mountain Valley Pipeline Project Emergency Closure

Pursuant to the provisions of Title 36, Code of Federal Regulations, Section 261.50 (a) and (b), the following acts are prohibited due to hazards associated with constructing the Mountain Valley Pipeline on the Eastern Divide Ranger District, George Washington and Jefferson National Forests, Virginia.

1. For the protection of public health and safety, going into or be upon any area which is closed by this Order by foot, horseback, or by non-motorized or wheeled conveyance (bicycle). 36 CFR 261.53
2. Operating, leaving, possessing, or parking a motor vehicle on roads closed by this Order where construction associated with pipeline activity is occurring and when closed by a sign, gate, or barricade. 36 CFR 261.54 (e)

This Order applies to an area 200 feet on both sides of the centerline of the pipeline right-of-way on National Forest System lands as shown on the maps attached to and made a part of this Order (Attachment 1 and Attachment 2), excluding however, the footpath of the Appalachian Trail and the Brush Mountain East Road.

This Order applies to the following roads:

- Mystery Ridge Road (FR #11080) for its entire length.
- Pocahontas Road (FR #972) from the first Forest Service gate on Pocahontas Road to the intersection with Mystery Ridge Road.

The prohibitions of this Order shall remain in effect for a period of 12 months from the date of execution unless terminated earlier by the Authorized Officer.

Pursuant to Title 36 Code of Federal Regulations, Section 261.50(e), the following persons are exempt from the prohibitions contained in this order:

- Any Federal, State, or Local Officer, or member of an organized rescue or firefighting force engaged in the performance of an official duty.
- Persons working under a permit, contract, or agreement issued by a Federal, State, or Local regulatory entity which specifically authorizes activity within the area and roads covered by this Order.

The prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

Executed in Roanoke, Virginia this 7TH day of March, 2018.

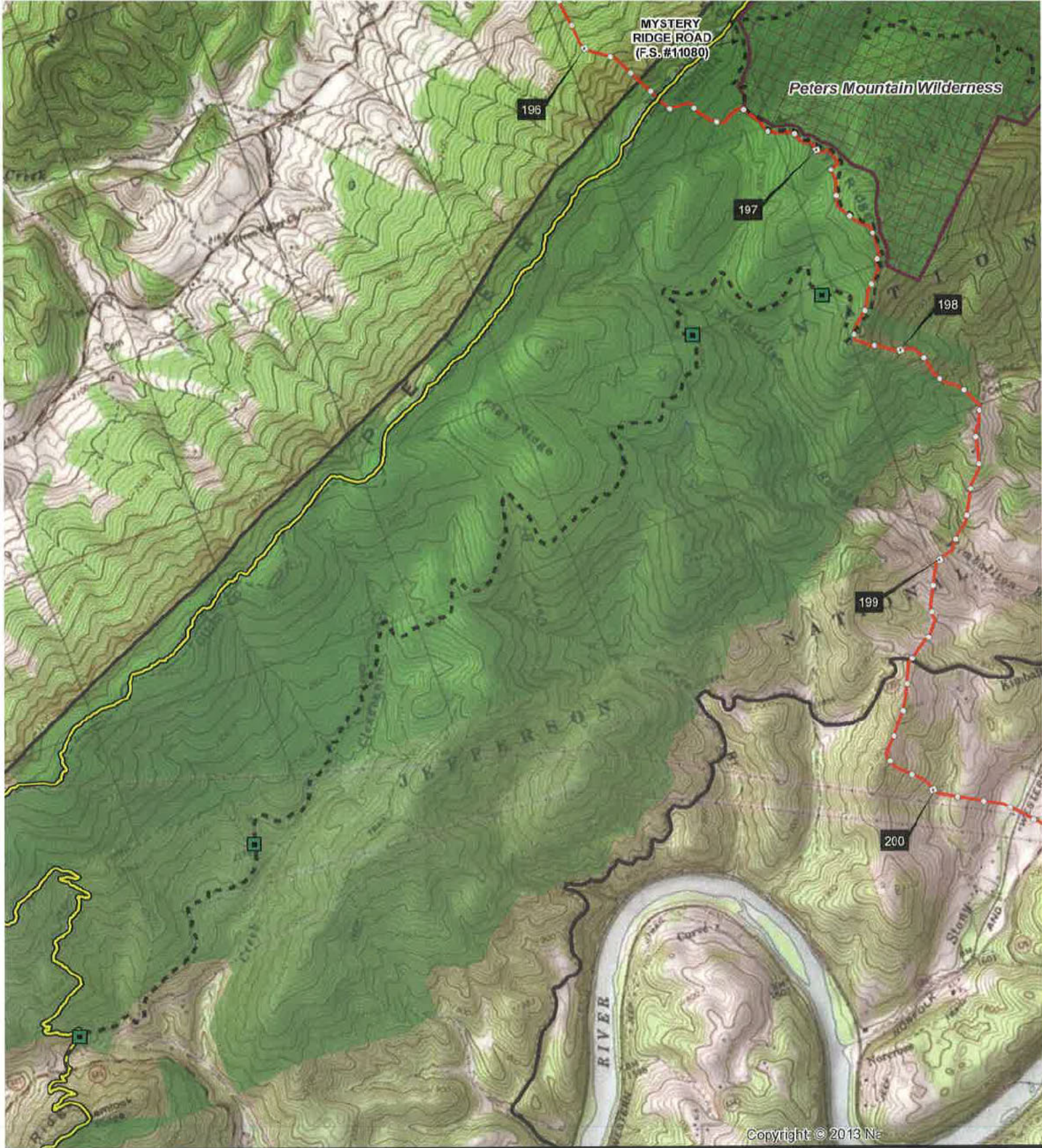
A handwritten signature in blue ink, appearing to read "Joby P. Timm", is written over a horizontal line.

JOBY P. TIMM

Forest Supervisor

George Washington and Jefferson National Forests

Violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, imprisonment for not more than 6 months, or both. (16 U.S.C. 551 and 18 U.S.C. 3559 and 3571).



Vicinity Map



References

Background data is ESRI NGS_Topo_US data, supplemented with Mountain Valley Pipeline project data and Forest Service Lands Status Records System ownership and boundary data.

Disclaimer

The USDA Forest Service makes no warranty, expressed or implied regarding the data displayed on this map, and reserves the right to correct, update, modify, or replace this information without notification.



Legend

- Milepost
- Tenth-mile
- Seasonal Gate
- Proposed Route
- U.S. Forest Service Road
- Appalachian Trail
- Administrative Forest Boundary
- National Wilderness Area
- National Forest System Lands

Map 1 of 2

Attachment 1: Mountain Valley Pipeline Emergency Closure Order

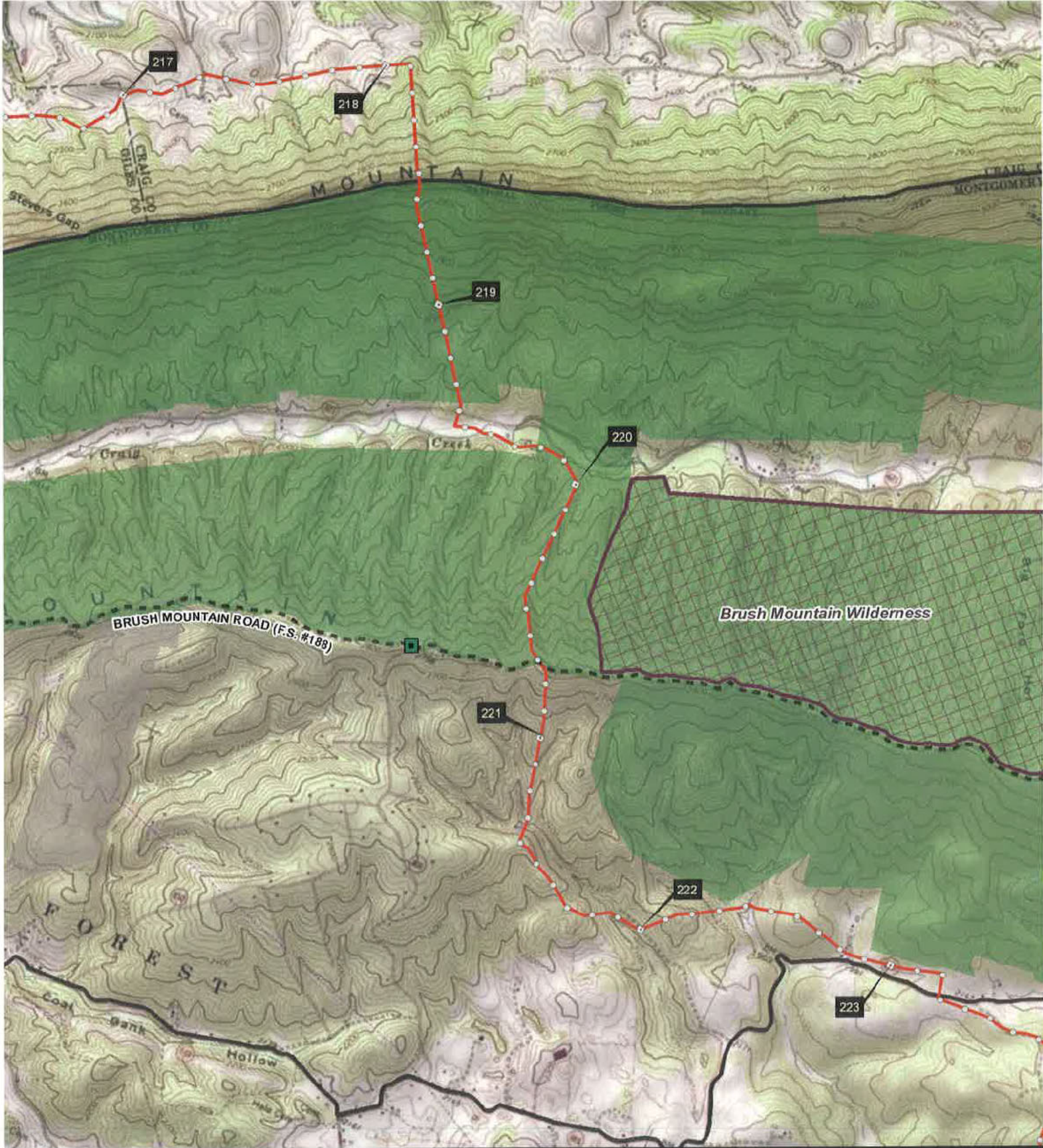


U.S. Forest Service
Southern Region
Jefferson National Forest



Copies of this map are available for public inspection in the Office of the Regional Forester, Southern Region, Atlanta, GA.

Map Created: March 6, 2018



Vicinity Map

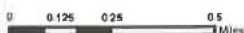


References

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Legend

- Milepost
- Tenth-mile
- Seasonal Gate
- Proposed Route
- U.S. Forest Service Road
- Appalachian Trail
- Administrative Forest Boundary
- National Wilderness Area
- National Forest System Lands

Map 2 of 2

Attachment 2: Mountain Valley Pipeline Emergency Closure Order



U.S. Forest Service
Southern Region
Jefferson National Forest



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Map Created: March 6, 2018