Mountain Valley Pipeline
Release of the Final Record of Decision for the Jefferson National Forest Plan Amendment

December 2017

Frequently Asked Questions

*Why is the Forest Service allowing a pipeline across the national forest?*

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 (NFS) lands. Current federal policy emphasizes job creation, economic growth, and energy infrastructure. Section 28 of the Mineral Leasing Act allows for rights of way through public lands, including National Forests, for oil and gas pipelines. When analyzing and authorizing projects, the Forest Service follows all laws, regulations, and policies pertaining to authorizing the use and occupancy of NFS lands and issuing permits for natural gas transmission pipelines, such as the Mountain Valley Pipeline Project (MVP Project).

*How much of the Jefferson National Forest is involved in this project?*

The construction phase of the MVP Project would require 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 would use existing access roads on the Forest. Some road reconstruction would be necessary, 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 3.5 miles on the Jefferson National Forest in Monroe County, West Virginia and Giles and Montgomery counties in Virginia.

<table>
<thead>
<tr>
<th>Jefferson National Forest total acreage</th>
<th>Disturbance during Construction</th>
<th>Long term Operational impact</th>
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<tbody>
<tr>
<td>JNF is 723,000 acres</td>
<td>83 acres (.01 % of JNF)</td>
<td>42 acres (.006 % of JNF)</td>
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*Why did the Forest Service issue a draft record of decision in June 2017?*
The Forest Service issued a draft Record of Decision (ROD) to give those who had commented throughout the development of the final EIS an opportunity to object to the decision before a final decision was made. Under this process, individuals and entities filed objections after the final EIS was completed. The objectors were to identify the aspect(s) of the decision they disagreed with, an explanation on why they believe the decision violates law, regulation, or policy, and a suggested remedy to resolve their concern. This process builds on early participation, with the intention of resolving concerns before a decision is made.

**What was done with the objections received by the Forest Service on its draft ROD?**

The Forest Service released a draft ROD on June 23, 2017 which initiated a 45-day public objection period. Seven hundred Individual objections were received during the objection period which ended on August 7, 2017.

The Reviewing Official gathered an independent team of Forest Service resource specialists to analyze issues raised against the final EIS, draft ROD, and other documentation in the Project Record. Many of the objectors submitted identical or near-identical issues. Approximately 100 distinct issues were identified which were grouped into four general categories: Procedural Issues, Analysis and Best Available Science, Mitigation Measures, and Amendment Content.

Upon conclusion of the review, the Reviewing Officer determined the analysis and ROD met all policy and legal requirements, and recommended no changes to the final ROD. The final Response to Objections may be viewed here: [George Washington and Jefferson National Forests website](#).

**Can I object or appeal the final decision of the Forest Service?**

No. The Record of Decision is the final administrative decision for the project on National Forest System lands.

**Why did the Forest Service amend the Jefferson Forest Plan?**

Based on the analysis provided by the Federal Energy Regulatory Commission in the final EIS, the Forest Service decided to amend 11 project-specific standards for the Jefferson National Forest (JNF) Land and Resource Management Plan (Forest Plan). The Forest Service determined that the MVP Project can be implemented with adverse impacts minimized to an acceptable level; and will not impair the overall long-term productivity of National Forest System lands. In addition, the decision meets the requirements of Forest Service planning and special use regulations, meets the purpose and need of the project to transport natural gas to serve the growing energy needs in Virginia and North Carolina, and is consistent with other Federal policy. This decision was developed through extensive public involvement.

The JNF is administered and managed in accordance with the Multiple-Use and Sustained-Yield Act, the Forest and Rangeland Renewable Resources Planning Act, and the National Forest Management Act. These laws direct that the surface resources of National Forests are utilized in a combination that best meets the needs of the American people. Executive Orders underscore the development of energy infrastructure as a priority need of the nation. Executive Order 13212 of May 18, 2001, directed federal agencies to expedite
reviews of authorizations for energy-related projects and to take other action necessary to accelerate the completion of such projects, while maintaining safety public health and environmental protections.

Executive Order 13604 of March 22, 2012: *Improving Performance of Federal Permitting and Review of Infrastructure Projects*, emphasized the United States must have a reliable and environmentally sound means of moving energy and that investments in infrastructure provide immediate and long-term economic benefits to the Nation. More recently, Executive Order 13766 of January 24, 2017: *Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects*, states the policy of the executive branch to “…expedite, in a manner consistent with law, environmental reviews and approvals for all infrastructure projects, especially projects that are a high priority for the Nation, such as…pipelines…”

Additional federal policy focuses on encouraging jobs and economic growth. Construction of the MVP Project would create a beneficial, short-term impact on employment, local goods and service providers, and state governments in the form of sales tax revenues. The MVP Project developers are expected to spend over a combined $1.2 billion on West Virginia and Virginia-based labor, goods, and services from 2015 to 2018 to support construction of the project. The direct spending would add a combined $963 million in cumulative gross regional product to West Virginia and Virginia during the three-year period and up to 8,900 jobs during the peak of construction. The MVP Project could generate an aggregate total of $81 million in state and local taxes, including income tax, sales tax, property tax, other personal tax, severance tax, and other tax. During operations of the MVP, a total of about 88 jobs would be supported in the two States, with Mountain Valley paying up to $24.4 million annually in property and ad valorem taxes.

Acknowledging the federal policies emphasizing energy infrastructure, the decision would accommodate the MVP Project through modifying project-specific Forest Plan standards that provide for social, economic, and ecological sustainability; maintain the diversity of plant and animal communities; and support integrated resource management for multiple use. The mitigation measures in the Plan of Development are required and would minimize the environmental impacts to the extent practical.

**What is a forest plan amendment?**

Land and Resource Management Plans (Forest Plan) are required by the National Forest Management Act of 1976. Forest Plans are integrated documents that balance the management of natural resources and multiple uses for a specific national forest. The Forest Plans are developed with extensive public input that help describe the goals, objectives, and management direction for each component of the National Forest System. All activities on a national forest must be consistent with the Forest Plan for that particular forest. Forest Plans are recognized to be dynamic documents and Forest Service regulations allow for Forest Plans to be amended to accommodate changing needs. To accommodate a change from the Forest Plan, a plan amendment must be approved. To complete a plan amendment, an environmental analysis must be conducted and the public must be involved.

**What is a forest plan standard?**
Standards in the Land and Resource Management Plan, or Forest Plan, are mandatory constraints on project and activity decision-making, established to help achieve or maintain desired conditions, to avoid or mitigate undesirable effects, or to meet applicable legal requirements.

**Why are forest plan amendments or amendments to standards needed?**

The National Forest Management Act of 1976 requires that proposed projects be consistent with Forest Plans. When a project is determined to not be consistent with the Forest Plan, the Forest Service can: 1) modify the project to be consistent with the Forest Plan; 2) reject the project; 3) amend the Forest Plan to make the project consistent; or 4) amend the Forest Plan with approval of the project to achieve consistency, which may include limiting the amendment to apply only to the project.

The linear nature of the pipeline corridor and the topography of the national forest make it difficult to avoid every circumstance that was inconsistent with the direction in the Forest Plan for the JNF. Mountain Valley Pipeline, LLC has cooperated with the Forest Service to make its proposal consistent with the Forest Plans, where feasible.

Amending the Forest Plan is needed because the MVP Project was inconsistent with several Forest Plan standards related to soil, water, riparian, old-growth, and recreational and visual resources. The final EIS documents the need to amend the Forest Plan for the JNF.

**What does the amendment for the Jefferson National Forest Plan in the Record of Decision authorize?**

The Forest Service will modify project-specific standards of the Forest Plan to establish criteria required of the use and occupancy of the MVP Project on the JNF. The 11 modified standards are project-specific and only applicable to the MVP Project and not to any other existing or future projects. The Forest Service considers project-specific plan amendments in situations where compliance with specific standards and guidelines in the Forest Plans are not feasible, but project design features and mitigation measures can meet both the intent of the standards for resource protection and the substantive requirements of the 2012 planning rule.

*Modifying project-specific standards on the JNF will require MVP to:*

- vary from restrictions on soil and riparian standards and require mitigation measures to minimize environmental impacts, where measures to minimize impacts to soil and riparian areas are contained in the POD and would be incorporated into the BLM’s Record of Decision;
- cross underneath the Appalachian National Scenic Trail on the JNF in Giles County, Virginia and on the Peters Mountain in Monroe County, West Virginia at a location where there are not existing impacts;
- temporarily vary from Scenic Integrity Objectives (SIOs), but require MVP to attain the existing SIOs within five years after completion of the construction phase by implementing enhanced restoration measures;
- clear trees within the construction zone within an area managed for old growth timber; and
• utilize a 50-foot-wide ROW within the JNF, but not create a designated utility corridor.

**Why is the Bureau of Land Management involved?**

Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185) grants the Bureau of Land Management (BLM) the authority to issue ROW grants when a pipeline crosses lands administered by two or more federal agencies. The proposed MVP Project crosses National Forest System lands and also federal lands administered by the U.S. Army Corps of Engineers (USACE). Therefore, in this instance, the BLM will decide whether to issue a ROW grant with concurrence from the Forest Service and USACE.

**What is mitigation?**

Mitigation is a combination of policies, statutes, agreements, and actions that seek to minimize, avoid, rectify, reduce, and in some cases, compensate for impacts.

Our intent is to avoid or minimize adverse impacts on National Forest System lands. We reviewed analysis and worked with Mountain Valley Pipeline, LLC (MVP) to develop project design features and mitigation measures that are designed to protect resources including soil, water, riparian, old growth, recreational and visual resources. The additional mitigation measures or project design features relating the proposed amended standards are discussed in the final EIS (Section 4.8.2.6), and in MVP’s POD.

**How will impacts to the Jefferson National Forest be mitigated?**

The Plan of Development (POD) is a plan for minimizing impacts on federal lands. The POD will be a requirement of the Forest Plan amendment and of the ROW grant the BLM is considering for the MVP Project. The POD can be found on the [George Washington and Jefferson National Forests website](#).

**What is a Plan of Development or “POD?”**

The POD outlines mitigation measures that minimize impacts to resources on National Forest System lands. The Forest Plan amendment will require the MVP Project to be in compliance with the POD. The POD is a dynamic document, designed to respond to changes and new information as the MVP Project is constructed and maintained.

**What was the Forest Service’s role as a cooperating agency in Federal Energy Regulatory Commission’s analysis of the Mountain Valley Pipeline Project?**

Cooperating agencies participate in Federal Energy Regulatory Commission’s (FERC) environmental analysis process by identifying issues for scoping, reviewing and responding to public comments pertaining to NFS lands, and developing sections of the EIS pertaining to NFS lands.

The Forest Service adopted FERC’s EIS and considered the analysis in the decision to amend the standards in the Forest Plan. The Forest Service’s conclusions and recommendations are described in the final ROD released December 1, 2017. The final ROD approves a project-specific amendment that modifies 11 standards in the JNF Forest Plan.
**Why is the Forest Service using the Federal Energy Regulatory Commission’s Environmental Impact Statement to make decisions on National Forest System lands?**

Council on Environmental Quality (CEQ) regulations allow federal agencies to complete one Environmental Impact Statement to make all federal decisions for a project (40 CFR 1506.3). This alleviates costly, duplicative efforts and ensures consistency of the environmental analysis across the entire project. When this happens, one agency is the lead agency and the remaining agencies can participate as cooperating agencies. For the MVP Project, the FERC is the lead federal agency and the Forest Service, among others, is a cooperating agency.

**Why is the Forest Service not including an amendment to create a designated utility corridor on the Jefferson National Forest?**

Existing Forest Plan standard FW-248 directs that, if a route is created outside of an existing corridor, the new route would be reallocated as Management Prescription 5C, a designated utility corridor. The existing standard is intended to reduce fragmentation and minimize visual impacts by encouraging collocation of any future utility corridors. The draft EIS included the proposed designation of a 500-foot-wide utility corridor management area to accommodate the MVP Project as well as future utility facility proposals. Many public comments on the draft EIS expressed concern that a utility corridor designation could adversely impact private landowners that are interspersed and/or adjacent to the National Forest. Other comments pointed out the analysis did not address the impacts of prospective utilities that may be constructed in a 500-foot-wide management area. We acknowledge the mixed ownership of the area and the potential impacts to adjacent land uses. We also recognize that it would be too speculative and complex to attempt to address in the final EIS the impact of prospective utilities that may be constructed within a 500-foot-wide management area in the future. Lastly, the resource impacts disclosed in the final EIS for the MVP Project suggest that collocation of linear utilities in mountainous terrain may not always be logistically feasible, or environmentally preferable. For these reasons, we revised the proposed approach in the final EIS and decided not to designate a new utility management area and decided to consider the MVP Project corridor on a project-level basis.

The ROD modifies the Forest Plan standard FW-248 to exclude the MVP Project corridor from being designated as a Management Prescription 5C Utility Corridor. Although my decision does not preclude future collocation of utility facilities, a future proposal that would parallel the MVP Project route would be subject to environmental review and public involvement to assess logistic, safety, and resource impacts. Such a proposal would also require an amendment of this Forest Plan standard.

**What is the proposed corridor on National Forest System lands?**

The construction corridor for MVP in most instances will be 125-foot-wide, but will narrow to 75-foot-wide when crossing wetlands. The construction corridor will be reclaimed to a final operational corridor width of 50 feet. The pipeline will be buried under three feet of cover in most areas and 24 inches of cover in consolidated rock.

**How is slope stability during and after construction being addressed?**
Slope stability is the focus of a number of regulatory entities involved with the MVP Project. The FERC, the Forest Service, the Virginia Department of Environmental Quality, and the West Virginia Department of Environmental Protection all have requirements relating to soil, soil productivity, erosion control, and reclamation that they will 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 (POD), which are required by the Forest Plan amendment and will be part of the ROW grant issued by the BLM.

The Natural Resources Conservation Service’s (NRCS) soil mapping aerial imagery and the soil survey geographic database (SSURGO) was used to determine which soil types would be affected on the Jefferson National Forest. In the April 2016 report, MVP completed the Soil Profile Descriptions Report which field verified selected NRCS soil map units on the Forest. Mountain Valley Pipeline, LLC, utilized the US Department of Agriculture soil classification terminology – the National Soil Information System (NASIS) and the NRCS “Field Book for Describing and Sampling Soils, Version 3.0” (NRCS 2012)—to complete this report.

A hydrologic sedimentation analysis was prepared to analyze effects to a wide range of forest resources, including water and aquatic species. The analysis provides a real-world representation of sedimentation hazards to forest resources. The best available data used for the analysis included the revised universal soil loss equation model (RUSLE) to estimate effects of the proposed activities. Inputs to the RUSLE model included SSURGO and the U.S. Geological Survey (USGS) water boundary dataset to determine appropriate soil erodibility factors and watershed designations, respectively. In addition, Forest Service hydrology and aquatic biology specialists reviewed the sedimentation analysis and we obtained expertise from local, certified consultants.

The Forest Service worked with MVP to identify and develop industry-standard construction plans (site-specific designs) for high hazard construction areas in order to reduce the possibility of damaging soils located on steep slope soils in the vicinity of streams located below and on these areas (see POD, Appendix G). Steep slope hazards were identified by utilizing the peer-reviewed slope stability program SLIDE (RocScience Inc.) to determine slope failure risk. Slope stability (at sites determined by Forest Service specialists to be “high hazard”) was determined using a combination of resource specialist experience, probabilistic analysis, and field observations. Environmental consequences to soils, water, and riparian resources are discussed in the final EIS (sections 4.2 and 4.3).

**How will water quality be protected?**

The Clean Water Act (CWA) establishes the basic structure for regulating the discharges of pollutants into waters of the United States and regulating quality standards for surface waters. The Environmental Protection Agency (EPA) has delegated other authority to issue discharge permits under section 402 of the CWA to the States.

Design features and mitigation measures to minimize the potential for soil movement (to affect surface water resources) and to ensure adequate restoration and revegetation are identified in the POD. The MVP
Project must also be in compliance with protective measures contained in the Federal Energy Regulatory Commission’s Upland Erosion Control, Revegetation, and Maintenance Plan, and Best Management Practices for the States of West Virginia and Virginia, as well as internal management standards and specifications identified by MVP. MVP will also be subject to a spill prevention, control, and countermeasures plan, which contains measures to prevent, prepare for, and respond to oil or fuel spills.

Project impacts to groundwater will be limited to those associated with clearing, grading, and trenching during construction, although it is unlikely trenching would be deep enough to measurably affect aquifers. No sole source or state designated aquifers, well head protection areas, water supply wells, or potential sources of groundwater contamination have been identified along the MVP Project route that crosses the Jefferson National Forest. Implementation of the aforementioned surface water protective measure will also avoid or minimize groundwater impacts on NFS lands.

MVP will require 16 waterbody crossings on the JNF. All waterbodies on NFS lands will be crossed using dry open cut methods. Modeling methods in the final Environmental Impact Statement indicate increased sedimentation on the JNF for 1 to 3 years following construction, even with the implementation of erosion control methods, with erosion rates approximating preconstruction levels within 5 years following restoration. The Forest Service will review the siting of additional temporary work spaces adjacent to perennial, intermittent, and ephemeral waterbody crossings to facilitate waterbody crossings to be consistent with State requirements to complete crossings within 24 to 48 hours. Specialized pipeline construction procedures, waterbody crossing methods, and erosion and sediment control details are discussed in the POD.

**How can the Mountain Valley Pipeline Project cross the Appalachian National Scenic Trail?**

The Appalachian National Scenic Trail (ANST) is a unit of the National Park System (NPS), but the ANST is managed through a unique cooperative management system comprised of the NPS, Forest Service, Appalachian Trail Conservancy (ATC), and volunteers from 31 ATC-affiliated local trail clubs. The Forest Service administers the portion of the ANST where the MVP Project will cross the ANST on the Jefferson National Forest in Monroe County, West Virginia and Giles County, Virginia.

In accordance with the National Scenic Trails Act, the ANST is managed to protect the experience of the trail users and includes the footpath of the trail and the foreground area visible from the trail into the interior of the Forest. Roads, utility transmission corridors, communication facilities, or signs of mineral development activity currently exist or may be seen by hikers using the ANST. The goal is to avoid viewing these types of facilities and land uses to the greatest extent possible. Trail managers blend facilities that cannot be visually avoided into the landscape, so they blend in with the surrounding natural scenery.

The ROD modifies Forest Plan standard (4A-028) to allow the MVP Project to cross under the ANST in an area where no other major impacts already exist. Forest Plan standard 4A-028 is intended to minimize impacts to the ANST by collocating proposed infrastructure projects into designated utility corridors and acknowledges the importance of the ANST for its recreational value (the nation’s first National Scenic Trail) and its cultural value (eligible for nomination to the National Register of Historic Places).
MVP will bore under the ANST so that there will be an approximate 300-foot buffer on each side of the ANST footpath and include supplemental plantings (if needed) so that bore entry and exit points are not visible within ANST corridor. MVP’s boring would place the pipeline 90 feet below the surface of the ANST footpath. MVP has also proposed additional trenchless contingency plans to supplement in the event of problems with conventional boring under the ANST. MVP will follow the POD and other appropriate mitigation in a ROW grant that may be issued by the BLM. Mitigating the visual impacts ensures consistency with the JNF Forest Plan, avoids long-term impacts to the cultural resource values of the ANST, which is a historic district eligible for listing on the National Register of Historic Places, and ensures compliance with Section 106 of the National Historic Preservation Act (NHPA).

How will Threatened and Endangered species be protected?

The Endangered Species Act (ESA) of 1973 requires federal agencies to ensure that any agency action does not jeopardize the continued existence of federally listed threatened or endangered species and their designated critical habitat. The FERC, as the lead federal agency, is required to consult with the U.S. Fish and Wildlife Service (FWS) to determine whether any federally listed (or proposed for listing) species, or their designated critical habitats, would be affected by the MVP Project.

The FERC staff prepared a Biological Assessment (BA) to identify the nature and extent of adverse impacts, and to recommend measures that would avoid, reduce, or mitigate impacts on habitats and/or species that are federally listed and those that are proposed for listing. The BA is available in FERC’s eLibrary system. FERC provided the BA to FWS to initiate formal consultation on July 10, 2017. There is no designated critical habitat associated with these species in the area of the Mountain Valley Pipeline Project (MVP Project).

FERC requested the FWS concurrence on the determination of effects described in the BA and for its Biological Opinion (BO) on whether any federally listed species or habitats would be placed in jeopardy because of the MVP Project (the BO is available in FERC’s eLibrary system). FERC received a non-jeopardy BO with incidental take authorization from the FWS on November 21, 2017. The FWS BO addresses five federally-listed species for which certain activities associated with the MVP are likely to have an adverse effect: small whorled pogonia; Virginia spiraea; Roanoke logperch; Indiana bat; and northern long-eared bat. The effects analysis of the BO is for the project in its entirety, including the portion on NFS lands. Of the five species addressed in the BO, four potentially have habitat on the JNF and would be crossed by the project; Virginia spiraea is not known to exist on the JNF. Of these four species addressed in the BO, field surveys conducted by Mountain Valley in 2015 and 2016 revealed either the species were not documented during the surveys or suitable habitat was not present within the survey corridor on NFS lands. The BO contains mandatory Reasonable and Prudent Measures and associated Terms and Conditions that minimize impacts to listed species. The FWS mandatory measures will supplement other measures that will be required in the permits authorizing the MVP Project.

Will the Mountain Valley Pipeline Project impact old growth stands on the Jefferson National Forest?

Approximately 4.6 acres of the approximately 30,200 acres of old growth dispersed through the Jefferson National Forest would be affected by a MVP construction ROW.
The final decision modifies two Plan standards applicable to management of old growth timber within the Management Prescription (Rx) 6C- Old-Growth Forest Communities Associated with Disturbance. One of the standards (6C-007) would not have allowed clearing of trees within the portion of the MVP Project corridor that lies within Rx 6C, and the other standard (6C-026) stated that Rx 6C was not suitable for designation of a new utility corridor.

Although some land within Rx 6C are classified as unsuitable for timber production, old growth timber can be harvested for certain activities. Standard 6C-007 identifies the conditions under which vegetation management activities can occur, and the modification to 6C-007 is to add to this list of conditions, the clearance of trees within the MVP construction zone. Standard 6C-026 states that Rx 6C is unsuitable for the designation of new utility rights-of-way. This standard would be modified to allow for the ROW for the MVP Project to go through the Rx 6C.

**Will the Mountain Valley Pipeline Project impact cultural resources? How will cultural resources be protected?**

Archaeological surveys and reports of investigation have been completed on historic sites within the area affected by the MVP Project on the Jefferson National Forest (JNF). These reports indicate that the MVP Project has the potential to adversely affect an eligible historic property on the JNF. The DHR concurred with the Forest Service findings that this site is eligible for listing in the National Register of Historic Places. In September 2017, Mountain Valley Pipeline, LLC (MVP) developed a Treatment Plan to mitigate adverse effects to the site on National Forest System (NFS) lands that will be adversely affected by the MVP Project, and the Virginia DHR stated that it supports and approves MVP’s Treatment Plan to mitigate adverse effects at site.

MVP proposes to avoid permanent adverse impacts to the Appalachian National Scenic Trail (ANST) by boring under the ANST. Operating the boring machine will result in localized, short-term noise that may be audible to hikers on the trail if present at the time of construction. The buffer distances between the trail and the boring machine would minimize noise impacts. Additionally, MVP will use vegetative mitigation in the pipeline corridor on NFS lands to achieve consistency with the JNF Forest Plan scenic integrity objectives within five years after construction is completed. The mitigation measures contributed to FERC’s finding that MVP would have no adverse effects on the ANST values as a historic district. The Forest Service concurs with FERC that application of the mitigation measures will result in no long-term adverse effect to the proposed ANST historic district on NFS lands. FERC staff will continue to consult with the NPS, FS, and VADHR regarding the MVP’s pipeline crossing of the ANST, and potential Project-related effects on ANST views and the experience of visitors to the trail.

In that the MVP Project is a complex multi-state project, effects on all historic properties cannot be determined prior to agencies approval of the undertaking. FERC has developed a Programmatic Agreement (PA), under 36 CFR Part 800.14.b, to resolve adverse effects for this Project as a whole. The PA will contain stipulations that would be implemented in order to take into account the effect of the undertaking on historic properties, and would satisfy all responsibilities under Section 106 of the National Historic
Preservation Act (NHPA). The Forest Service signed the PA on November 30, 2017. Execution and implementation of the PA will satisfy Section 106 responsibilities for all individual actions of the MVP.

**How can the Forest Service allow the Mountain Valley Pipeline Project to cross Inventoried Roadless Areas?**

The proposed pipeline bisects the Brush Mountain Inventoried Roadless Area (IRA) for a length of approximately one mile. There is no road construction proposed within the IRA. The Brush Mountain IRA was originally 5,920 acres in size and was included in the 2001 Roadless Area Conservation Rule (RACR). In 2009, most of the IRA was congressionally-designated as Brush Mountain Wilderness. The remaining 1,125 acres of the IRA is still managed under the RACR. The pipeline route is located on the eastern side of the remaining IRA.

The RACR prohibits timber removal and road construction and reconstruction in IRAs. The RACR does not prohibit the construction of power lines or oil and gas transmission lines. The RACR anticipated a multitude of permissible activities, including authorized special uses, that do not involve “road construction or reconstruction” as defined in 36 CFR §294.2. The RACR also allows incidental timber harvest in the implementation of a management activity not otherwise prohibited by the rule. Therefore, the crossing of the IRA by the MVP Project is allowed under the RACR.

**Who will monitor construction of the pipeline on National Forest System lands?**

Environmental Compliance monitoring of the MVP Project is detailed in the POD. The Forest Service and the BLM would monitor construction and would have the authority to stop construction if necessary to ensure compliance. FERC and State agencies would also monitor the MVP Project for compliance with their respective requirements.

The Forest Service and BLM would ensure that the MVP Project is in compliance with all federal laws, Forest Service policies, standards outlined in the Forest Plans, the ROW grant, and the POD. Compliance with the Plan of Development is required by the Forest Service Plan amendment and would be a requirement of BLM’s ROW grant for the MFP Project, if approved. The Forest Service and BLM are responsible for administering and enforcing ROW provisions and ensuring mitigation measures included in the POD are adhered to during project construction, operation, and maintenance.

**Who paid for all the analysis and time the Forest Service put into this pipeline?**

The Forest Service is recovering its costs associated with the project in accordance with 36 CFR Part 251.58. MVP is paying these costs under cost-recovery or other payment agreements.