



Frequently Asked Questions

Proposed Mountain Valley Pipeline

Surveying of National Forest System Lands

Q. 1: Does allowing surveys mean that the Mountain Valley Pipeline will be built on National Forest System lands?

A. 1: No. Mountain Valley Pipeline, LLC is surveying 13.6 miles of the Jefferson National Forest in Craig, Giles, Montgomery, and Roanoke counties, Virginia and Monroe County, West Virginia for the proposed Mountain Valley Pipeline.

A Forest Service decision on whether to allow the actual construction of a pipeline across National Forest System lands would be based on the results of an in-depth environmental study conducted by the lead agency, the Federal Energy Regulatory Commission (FERC).

Q2: What is Mountain Valley Pipeline, LLC surveying?

A2: Surveys include civil surveys, surveying wetlands, water, soil, suitable habitat for sensitive species, including federally listed threatened and endangered plants and animals. Surveys will also record and document cultural resources and invasive species. Additional surveys for other resources may be needed.

The survey covers a proposed pipeline route that crosses three portions of the Jefferson National Forest:

- 1) A proposed 2.1-mile segment, in Giles and Montgomery counties, Virginia, and Monroe County, West Virginia.
- 2) A 5.3 segment (Alternative 110J) in Craig and Montgomery, and Roanoke counties, Virginia and Monroe County, West Virginia.





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- 3) A 6.2-mile segment (Alternative 110R) in Craig, Montgomery and Roanoke counties, Virginia and Monroe County, West Virginia.

Alternatives 110J and 110R coincide for 3.1 miles; therefore, the total length of the survey routes within National Forest System lands is approximately 10.5 miles. The authorized survey corridor is 300 feet wide, with variations on Peters Mountain and between the Brush Mountain Wilderness areas.

Please see specific survey information on the George Washington & Jefferson National Forests website's "Mountain Valley Pipeline" webpage at <http://www.fs.usda.gov/gwj/>

Q3: Can I get a map of the survey corridor for National Forest System lands?

A3: Yes. It is on the George Washington & Jefferson National Forests website:

<http://www.fs.usda.gov/gwj/>

Q4: What would have happened if the Forest Service decided not to issue a permit for the surveys?

A4: The proponent would continue the pre-filing process with the FERC and ultimately file a pipeline right-of-way application. Information gathered from these surveys help inform federal agencies and the public early in the FERC process of important resources on the Jefferson National Forest located in the proposed pipeline corridor. This information will help with future decisions on whether to allow the construction, operation, and maintenance of the pipeline on National Forest System lands.

Q5: When did the Forest Service decide to issue the survey permit?

A5: We signed the decision on April 27, 2015.



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Q6: What happens if something is found on the survey? Will Mountain Valley Pipeline, LLC be able to build the pipeline?

A6: The surveys are being conducted in order to find valuable environmental and cultural resources on National Forest System lands within the survey corridor. The resource values found on the national forest during this survey process plays an important role in developing alternatives to be studied in-depth during the FERC process. The information gathered from the surveys will also play a vital role in the Forest Service's decision-making process on whether to allow construction of a pipeline across national forest.

Q7: Did the Forest Service determine the route of the proposed pipeline on national forest lands?

A7: No. Upon request, the Forest Service provided publicly available data on the resources of the George Washington & Jefferson National Forests to the proponent. The proponent ultimately proposes the route and the Forest Service makes a decision on whether to approve a particular route across National Forest System lands.

Q8: Could the route change from what was identified in the survey application?

A8: Yes. It could change based on results found in the survey, which could range from infeasibility to construct the pipeline in a specific location to the identification of sensitive environmental or cultural resources.

Q9: On what basis did the Forest Service accept the survey application?

A9: Screening criteria found at 36 CFR 251.54(e).





Q10: Can the Forest Service make Mountain Valley Pipeline, LLC co-locate the pipeline with existing road or utility corridors?

A10: Yes, but it is too early to make this determination. The Forest Service will work through the FERC process of evaluating the application and alternatives to the proposed location. Colocation with existing corridors is desirable according to the Forest Plan, but is dependent upon the feasibility of colocation and the impacts of the specific location.

Q11: What is a temporary permit?

A11: A special-use authorization issued for a term of one year or less.

Q12: Are the taxpayers paying for this?

A12: The agency is recovering the costs associated with processing the survey application and monitoring an authorization, in accordance with 36 CFR Part 251.58. The applicant is paying these costs under a cost-recovery agreement.

Q13: Under what legal authority did the Forest Service authorize Mountain Valley Pipeline to survey an area beyond that for which Mountain Valley Pipeline requested authorization?

Mountain Valley Pipeline applied for a permit to survey National Forest System lands. Their request was to survey 150 feet on each side of the centerline of their proposed route. We sought comments from the public on their request. We reviewed these comments and their application. The need for the surveys was described in our scoping letter as follows:





NEED FOR THE PROPOSED ACTION

These surveys are collectively necessary to determine the feasibility of the original proposed route and alternative routes and collect the environmental and cultural resources data needed to make future decisions on whether or not to allow the construction and operation of the proposed gas pipeline on the JNF. If construction is allowed, the survey information will also inform us where to avoid or reduce the impacts to sensitive resources on the JNF.

From our review, we determined that it was important for us to have the survey information so that we could make an informed decision on whether or not to authorize the construction of pipeline across the Jefferson National Forest. Therefore, we authorized the temporary special use permit to conduct surveys.

Generally, when responding to a special use permit application we only respond in relation to the location requested by the applicant. In this situation, we identified concerns about the potential impacts of crossing the Appalachian Trail (AT) along the top of Peters Mountain. Given the sensitivity of the viewshed of the AT, we wanted to be able to explore options for the exact location of the trail crossing. We were concerned that the 300-foot corridor identified in the application, might limit options to find a crossing that would have less impacts on the AT. Therefore, we expanded the study area north of the centerline on the proposed route over Peters Mountain, which will help the FERC and Forest Service better evaluate Mountain Valley Pipeline, LLC's alternatives that they have chosen to study in detail.

The regulations that govern special use permits are in the Code of Federal Regulations, Title 36, Chapter II, Part 251-Land Uses. These regulations direct us to evaluate proposed uses for the requested site, including effects on the environment. It also authorizes us to approve the proposed use with modifications, based on evaluation of the information provided by the applicant and other relevant information such as environmental findings. The regulations go on to state that each special use authorization will specify the lands to be used which shall be limited to that which we determine: will be necessary for the conduct of authorized activities; and, to be necessary to protect the public health and safety and the environment. Text from these sections is as follows (appropriate sections underlined for emphasis):





36 CFR 251.54

(g)(2) *Processing applications.*

(i) Upon acceptance of an application for a special use authorization other than a planning permit, the authorized officer shall evaluate the proposed use for the requested site, including effects on the environment. The authorized officer may request such additional information as necessary to obtain a full description of the proposed use and its effects.

(4) *Response to all other applications.* Based on evaluation of the information provided by the applicant and other relevant information such as environmental findings, the authorized officer shall decide whether to approve the proposed use, approve the proposed use with modifications, or deny the proposed use. A group of applications for similar uses having minor environmental impacts may be evaluated with one analysis and approved in one decision.

36 CFR 251.55

(d) Each special use authorization will specify the lands to be used or occupied which shall be limited to that which the authorized officer determines: (1) Will be occupied by the facilities authorized; (2) to be necessary for the construction, operation, maintenance, and full utilization of the authorized facilities or the conduct of authorized activities; and, (3) to be necessary to protect the public health and safety and the environment.

More information can be found at these websites:

<http://www.fs.fed.us/emc/applit/includes/36cfr251.htm>

http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title36/36cfr251_main_02.tpl

Q14: What is the Forest Service role in the pipeline?

A14: Initially we work with the proponent to provide information on sensitive environmental and cultural resources on National Forest System lands. We also outline the permitting process and requirements.

Pipeline companies typically ask permission from landowners to enter their property to conduct survey





activities. When asking for permission to use National Forest System lands, pipeline companies first submit a proposal. When the Forest Service receives the proposal, we do an initial screening to determine if the proposal can be accepted as a formal application. If the proposal meets all of the screening criteria found at 36 CFR 251.54(e), then a formal application is accepted and processed. Processing includes conducting an appropriate level of environmental analysis, public involvement, and coordination with other agencies that may have a regulatory role over the proposed activities or use, and other actions deemed necessary to make an informed decision on whether or not to grant the use of National Forest System lands for the survey. If a decision is made to grant the use of National Forest System lands for survey purposes, then the Forest Service's permission comes in the form of a temporary special-use permit. A temporary special use permit was issued to Mountain Valley Pipeline, LLC on April 27, 2015.

Once a permit is issued, Forest Service resource specialists coordinate, review, and monitor the surveys and the survey results. The Forest Service also works with the FERC during FERC's pre-filing process.

If the proponent decides to file a formal application with the FERC, Forest Service and other government land-holding agencies, FERC, as the lead agency, requests the other involved agencies to be cooperating agencies. FERC conducts the public involvement and prepares the Environmental Impact Statement associated with the proposed pipeline. As a cooperating agency, the Forest Service reviews the public comments to FERC to ensure that concerns and issues raised regarding National Forest System lands are being addressed and confirm the sections of the environmental analysis covering National Forest System lands meets the laws and regulations that direct the management of national forests.

If the FERC approves the pipeline, then the Forest Service makes our own decision on whether to allow construction, operation, and maintenance of the pipeline on National Forest System lands. This decision will be made based on the public comments and environmental analysis conducted by the FERC. If the Forest Service decided to allow the pipeline, a right-of-way special-use permit would be issued.





Q15: Who makes the decision on whether to allow construction of this pipeline?

A15: The Federal Energy Regulatory Commission (FERC) makes the decision to allow pipelines on private land. The Forest Service, Bureau of Land Management, and other federal land management agencies make their own decision on whether to allow a pipeline to cross federal lands under their jurisdiction.

Q16: Who makes the decision on whether to allow a pipeline to cross private lands?

A16: The Federal Energy Regulatory Commission (FERC).

Q17: Who makes the decision on allowing a pipeline to cross National Park Service lands?

A17: This question should be directed to the National Park Service.

Q18: Can the Forest Service stop the construction of the pipeline?

A18: No. The Forest Service only has authority to make decisions on National Forest System lands.

Q19: Why would the Forest Service even consider allowing a pipeline across the national forest?

A19: The laws governing the management of the national forests stipulate that the national forests play a role in energy generation and transmission. The Forest Service will follow all laws, regulations, and policies pertaining to issuing permits for natural gas transmission pipelines.





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Q20: What happens if the Forest Service does not allow the pipeline to be constructed on National Forest System lands?

A20: If the proponent chose to construct the pipeline, then the pipeline would need to be re-routed off National Forest System lands.

Q21: How can I find more information?

A21: More information on the proposed project is available on the following websites:

- George Washington & Jefferson National Forests: <http://www.fs.usda.gov/gwj/>
- FERC's "e-library" webpage (search Docket #PF15-3): <http://www.ferc.gov/>
- Mountain Valley Pipeline Project: <http://mountainvalleypipeline.info/>



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