

From: [Schmidt, John](#)
To: [Tiernan Lennon](#)
Subject: Fwd: FERC Consultation for FAST-41_Mountain Valley and Equitrans Expansion Project
Date: Wednesday, November 16, 2016 8:50:23 AM
Attachments: [Mountain Valley Project Permitting Timetable.xlsx](#)

Action

John Schmidt

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----- Forwarded message -----

From: **Nicholas Tackett** <Nicholas.Tackett@ferc.gov>
Date: Wed, Nov 16, 2016 at 8:25 AM
Subject: RE: FERC Consultation for FAST-41_Mountain Valley and Equitrans Expansion Project
To: "jenniferpadams@fs.fed.us" <jenniferpadams@fs.fed.us>, "Christopher.L.Carson@usace.army.mil" <Christopher.L.Carson@usace.army.mil>, "todd.m.miller@usace.army.mil" <todd.m.miller@usace.army.mil>, "Karen.a.kochenbach@usace.army.mil" <Karen.a.kochenbach@usace.army.mil>, "blair.aaronM@epa.gov" <blair.aaronM@epa.gov>, "McCurdy.Alaina@epa.gov" <McCurdy.Alaina@epa.gov>, "vcraft@blm.gov" <vcraft@blm.gov>, "mliberat@blm.gov" <mliberat@blm.gov>, "troy_andersen@fws.gov" <troy_andersen@fws.gov>, "john_schmidt@fws.gov" <john_schmidt@fws.gov>, USDOl-FWS-PA - <Robert_M_Anderson@fws.gov>, USDOl-NPS ANST- <mary_c_krueger@nps.gov>, "wendy_janssen@nps.gov" <wendy_janssen@nps.gov>, "mark_woods@nps.gov" <mark_woods@nps.gov>, "bambi_teague@nps.gov" <bambi_teague@nps.gov>, Ryan McCormick <ryan_c_mccormick@nps.gov>, USDOT-PHMSA - <Karen.Gentile@dot.gov>, WV-SHPO - <Susan.M.Pierce@wv.gov>, WV-DEP - <Nancy.J.Dickson@wv.gov>, WV-DNR - <Clifford.L.Brown@wv.gov>, VA-SHPO - <roger.kirchen@dhr.virginia.gov>, VA-Dept of Game & Fisheries - <ray.fernald@dgif.virginia.gov>, VA-DEQ - <Melanie.Davenport@deq.virginia.gov>, "Sullivan, Bettina (DEQ) (Bettina.Sullivan@deq.virginia.gov)" <Bettina.Sullivan@deq.virginia.gov>, PA- SHPO - <amacdonald@pa.gov>, "aroda@pa.gov" <aroda@pa.gov>, "meggerding@eqt.com" <meggerding@eqt.com>, "Elizabeth_Klein@ios.doi.gov" <Elizabeth_Klein@ios.doi.gov>, "edward.e.belk.civ@mail.mil" <edward.e.belk.civ@mail.mil>, "lisa.mensah@osec.usda.gov" <lisa.mensah@osec.usda.gov>

Good morning,

Thank you for providing feedback on the Coordinated Project Plan and Permitting Timetable for the Project. I am attaching a spreadsheet displaying the latest version of the Permitting Timetable. Please submit any additional comments by the end of this week. ***I plan to post the Permitting Timetable on the publicly available Dashboard beginning next week, November 22nd.***

In addition to the notes provided in the attached spreadsheet, all state authorizations will be accompanied by the following note: “[State agency] has not chosen to participate in the FAST-41 process. This authorization is listed for information purposes only, and does not transfer any responsibility to the [state agency] to conform to the Permitting Timetable.”

Feel free to call with any questions you might have.

Nicholas Tackett
Federal Energy Regulatory Commission
888 1st Street NE | Washington, DC 20426
202-502-6783 | nicholas.tackett@ferc.gov

From: Nicholas Tackett

Sent: Friday, November 04, 2016 2:34 PM

To: 'jenniferpadams@fs.fed.us'; 'Christopher.L.Carson@usace.army.mil'; 'todd.m.miller@usace.army.mil'; 'Karen.a.kochenbach@usace.army.mil'; 'blair.aaronM@epa.gov'; 'McCurdy.Alaina@epa.gov'; 'vcraft@blm.gov'; 'mliberat@blm.gov'; 'mary_morrison@fws.gov'; 'john_schmidt@fws.gov'; 'USDOI-FWS-PA -'; 'USDOI-NPS ANST-'; 'wendy_janssen@nps.gov'; 'mark_woods@nps.gov'; 'herbert_young_jr@nps.gov'; 'USDOT-PHMSA -'; 'WV-SHPO -'; 'WV-DEP -'; 'WV-DNR -'; 'VA-SHPO -'; 'VA-Dept of Game & Fisheries -'; 'VA-DEQ -'; 'PA-SHPO -'; 'PA – DEP -'; 'RA-epwater@pa.gov'; 'meggerding@eqt.com'; 'Elizabeth_Klein@ios.doi.gov'; 'edward.e.belk.civ@mail.mil'; 'lisa.mensah@osec.usda.gov'

Subject: FERC Consultation for FAST-41_Mountain Valley and Equitrans Expansion Project

To whom it may concern-

On December 4, 2015, the President signed into law the [Fixing America's Surface Transportation](#) (FAST) Act. Title 41 of the FAST Act (FAST-41) requires additional oversight and coordination of project reviews, with the goal of improving early consultation and coordination between government agencies. On September 22, 2016, the Executive Director of the Federal Infrastructure Permitting Improvement Steering Council [finalized](#) an inventory of projects covered by FAST-41. Included on that list is the *Mountain Valley and Equitrans Expansion Project* (Project).

In compliance with section 41003(c) of FAST-41, staff of the Federal Energy Regulatory Commission (FERC) has drafted a Coordinated Project Plan and Permitting Timetable for the Project. FERC staff is now seeking consultation with cooperating and participating agencies on the attached Coordinated Project Plan and Permitting Timetable. Under FAST-41, a “participating agency” is an agency participating in an environmental review or authorization for a covered project. A “cooperating agency” is any agency with: (1) jurisdiction under federal law; or (2) special expertise with respect to

an environmental issue. We are also seeking consultation with the project sponsor and relevant state resource agencies on the Permitting Timetable; and are seeking the concurrence of each cooperating agency on the Permitting Timetable.

FERC staff has identified you as a representative of a consulting entity, and is seeking feedback on the attached document by ***no later than the close of business on November 14, 2016***. Please submit any such feedback via email to Nicholas.Tackett@ferc.gov, and feel free to contact me with any procedural questions regarding the FAST-41 consultation process. FERC's rules prohibit off-the-record communications regarding the merits of contested proceedings. See 18 C.F.R. § 385.2201.

Please forward this email, as needed, to agency representatives with decision-making authority on the applicable authorization or review being carried out by your agency. Absent a response from your agency, FERC staff must assume that this portion of FAST-41 consultation is complete and that you concur with the attached document; under such circumstances, we will use best-available information to estimate completion dates for your review/authorization.

The President's Office of Management and Budget has requested that this Coordinated Project Plan and the associated Permitting Timetable be uploaded to max.gov and the [Permitting Dashboard](#), respectively, ***by November 22, 2016***.

Thanks in advance for your attention to this matter, and again, if you have any questions, please contact me.

<< File: Mountain Valley CPP.docx >>

Nicholas Tackett
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Permitting Timetable for Mountain Valley and Equitrans Expansion Project			
Responsible Federal Agency	Federal Permit/Review	Intermediate Completion Date	Final Completion Date
Federal Energy Regulatory Commission	Certificate of Public Convenience and Necessity for Interstate Natural Gas Pipelines	N/A	TBD*
Federal Energy Regulatory Commission	National Environmental Policy Act (NEPA) Compliance (Draft/Final NEPA documents)	9/16/2016	3/10/2017
Federal Energy Regulatory Commission	NEPA Compliance Cont'd (Record of decision, as issued with final FERC certificate order)	N/A	TBD*
Bureau of Land Management	Right-of-Way Authorization (DOI-BLM)	N/A	6/8/2017**
National Park Service, Blue Ridge Parkway	Non-Impairment Determination (separate from NPS permit)	N/A	6/8/2017**
National Park Service, Blue Ridge Parkway	NPS Permit	N/A	6/8/2017**
U.S. Army Corps of Engineers, Huntington	Clean Water Act Section 404 Permit	N/A	6/8/2017**
U.S. Army Corps of Engineers, Huntington	Section 10 Permit	N/A	6/8/2017**
U.S. Army Corps of Engineers, Norfolk	Clean Water Act Section 404 Permit	N/A	6/8/2017**
U.S. Army Corps of Engineers, Norfolk	Section 10 Permit	N/A	6/8/2017**
U.S. Army Corps of Engineers, Pittsburgh	Clean Water Act Section 404 Permit	N/A	6/8/2017**
U.S. Army Corps of Engineers, Pittsburgh	Section 10 Permit	N/A	6/8/2017**
U.S. Army Corps of Engineers, Huntington	Right-of-Way Authorization (Corps)	N/A	6/8/2017**
U.S. Forest Service, Jefferson National Forest	Special Use Permit (FS)	N/A	6/8/2017**
U.S. Fish and Wildlife Service	Endangered Species Act Consultation (DOI)	N/A	6/8/2017**
<i>*According to 18 C.F.R. § 3c.2(b), "The nature and time of any proposed action by the Commission are confidential and shall not be divulged to anyone outside of the Commission. The Secretary of the Commission has the exclusive responsibility and authority for authorizing the initial public release of information concerning Commission proceedings."</i> <i>**The final completion dates are calculated according to 18 C.F.R. § 157.22 (2016), which provides that "a final decision on a request for a Federal authorization is due no later than 90 days after the Commission issues its final environmental document, unless a schedule is otherwise established by Federal law."</i>			

Added pursuant to 2016-11-15 email from Midstream EQT Corporation

Permitting Timetable for Mountain Valley and Equitrans Expansion Project			
Responsible State Agency	Federal Permit/Review	Intermediate Completion Date	Final Completion Date
West Virginia Division of Culture and History	Section 106 NHPA Cultural Resources Review	N/A	6/8/2017**
Virginia Department of Historic Resources	Section 106 NHPA Cultural Resources Review	N/A	6/8/2017**
Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation	Section 106 NHPA Cultural Resources Review	N/A	6/8/2017**
West Virginia Department of Environmental Protection, Division of Water and Waste Management	Section 401 CWA Review - Water Quality Certification	N/A	6/8/2017**
Virginia Department of Environmental Quality, Water Division	Section 401 CWA Review - Water Quality Certification	N/A	6/8/2017**
Pennsylvania Department of Environmental Protection, Division of Waterways, Wetlands, and Stormwater Management	Section 401 CWA Review - Water Quality Certification	N/A	6/8/2017**
West Virginia Department of Environmental Protection, Division of Water and Waste Management	Section 402 CWA Review - National Pollutant Discharge Elimination System, Stormwater General Permit	N/A	6/8/2017**
Virginia Department of Environmental Quality, Water Division	Section 402 CWA Review - National Pollutant Discharge Elimination System, Stormwater General Permit	N/A	6/8/2017**

West Virginia Department of Environmental Protection, Division of Water and Waste Management	Section 402 CWA Review - National Pollutant Discharge Elimination System, Hydrostatic Test Discharge Permit	N/A	6/8/2017**
Virginia Department of Environmental Quality, Water Division	Section 402 CWA Review - National Pollutant Discharge Elimination System, Hydrostatic Test Discharge Permit	N/A	6/8/2017**
Virginia Department of Environmental Quality, Water Division	Section 402 CWA Review - National Pollutant Discharge Elimination System, Hydrostatic Test Withdrawal Permit	N/A	6/8/2017**
Pennsylvania Department of Environmental Protection, Air Permits Division	Title V CAA Review - Minor Source Operating Permit for Air Emissions	N/A	6/8/2017**
<i>**The final completion dates are calculated according to 18 C.F.R. § 157.22 (2016), which provides that "a final decision on a request for a Federal authorization is due no later than 90 days after the Commission issues its final environmental document, unless a schedule is otherwise established by Federal law."</i>			

REMOVED

National Park Service, ANST	Non-Impairment Determination (separate from NPS permit)	N/A	6/8/2017**	Pursuant to 2016-11-15 email from Midstream EQT Corporation
National Park Service, ANST	NPS Permit	N/A	6/8/2017**	Pursuant to 2016-11-15 email from Midstream EQT Corporation
West Virginia Department of Environmental Protection	Title V CAA Review - Operating Permit for Air Emissions	N/A	6/8/2017**	Pursuant to 2016-11-15 email from Midstream EQT Corporation