

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
George Washington and Jefferson National Forests**

FOREST ORDER NO. 08-08-11-18-165

Termination Notice. This Forest Order supersedes and terminates Forest Order No. 08-08-11-18-07-05-131, issued on May 10, 2023.

New Forest Order. Pursuant to Title 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a) and 36 C.F.R. § 261.50(b), this new Forest Order, No. 08-08-11-165, closes portions of the Jefferson National Forest to protect public health and safety due to the hazards associated with activities for the Mountain Valley Pipeline Project. The portions of the Jefferson National Forest that are subject to this Order are the Sinking Creek Mountain Construction Right of Way (ROW), the Brush Mountain Construction ROW, and a portion of Brush Mountain Road (Forest Service Road (FSR) 188). The Sinking Creek and Brush Mountain construction ROWs and the Brush Mountain Road (FSR 188) are within the Eastern Divide Ranger District, Jefferson National Forest, Virginia. This Forest Order is effective from the date signed by the Forest Supervisor until the Mountain Valley Pipeline Project has completed construction and restoration activities or until it is terminated by an authorized Forest Service official.

Per this order, the following acts are prohibited:

1. **Sinking Creek Mountain Construction ROW.** It is prohibited to be within 200 feet from the outer edge of each side of the construction ROW as already cleared through the Jefferson National Forest along the Approved Pipeline Route on or near Sinking Creek Mountain as shown on the maps attached hereto and made a part of this Closure Order as Attachment 1, dated September 19, 2023. 36 C.F.R. § 261.53(e).
2. **Brush Mountain Construction ROW.** It is prohibited to be within 200 feet from the outer edge of each side of the construction ROW as already cleared through the Jefferson National Forest along the Approved Pipeline Route on or near Brush Mountain as shown on the map attached hereto and made a part of this Closure Order as Attachment 1, dated September 19, 2023. 36 C.F.R. § 261.53(e).
3. **Brush Mountain Road (FSR 188).** It is prohibited to be on Brush Mountain Road where the road traverses the closed area of the Brush Mountain Construction ROW, approximately 0.5 miles northeast of the seasonal gate, as shown on the map attached hereto and made a part of this Closure Order as Attachment 2, dated September 19, 2023. No pedestrian or vehicular traffic is allowed within the closed area of Brush Mountain Road (FSR 188). 36 C.F.R. §§ 261.54(b) and 261.54(e).

Exemptions: Pursuant to 36 C.F.R. §§ 261.50(e), the following persons are exempt from the prohibitions contained in this order:

1. Persons working under a permit, contract, or agreement issued by a Federal, State, or Local regulatory entity which specifically authorizes activity within the area covered by this Closure Order. 36 C.F.R. § 261.50(e)(1).
2. Any Federal, State, or Local Officer, or member of an organized rescue or firefighting force engaged in the performance of an official duty. 36 C.F.R. § 261.50(e)(4).

Executed in Roanoke, Virginia this __29th__ day of September 2023.

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, or imprisonment for not more than 6 months, or both. 16 USC § 551 and 18 USC §§ 3559, 3571 and 3581.