

Information on Landowner Access to Conduct Field Surveys for Natural Gas Projects

Field Surveys and Survey Access

Natural gas companies must conduct field surveys before constructing natural gas facilities to gather environmental and engineering information. Different types of surveys are conducted to aid in the project design and assess potential environmental impacts. Natural gas companies will try to obtain landowner permission to access the areas it is evaluating for the location and construction of project facilities in order to conduct field surveys.

Typically, field surveys are conducted before a natural gas company files an application with the Federal Energy Regulatory Commission. Landowners whose property may be directly affected or adjacent to a natural gas facility will probably first learn about the project from the natural gas company as it plans the project and studies potential locations. A “land agent” or other representative of the natural gas company will typically contact landowners to discuss permission to conduct field surveys, the specifics of what will occur on the landowner’s property during the surveys, and answer any questions the landowner may have. It is important to understand that granting survey permission alone does not grant approval to the natural gas company to locate facilities on the landowner’s property or the right to use the property to construct the project. Until a landowner grants permission to survey, or completes an easement agreement, the natural gas company must abide by the applicable state trespass laws. Some states have specific legal requirements that a natural gas company must follow in seeking survey permission. In addition, some states have laws that allow a natural gas company to gain access to property for survey purposes during the planning phase of a project without permission from the landowner.

In most instances, field surveys will cover an area much larger than the proposed workspaces for the project. For pipeline projects, field surveys commonly consist of a 300-foot-wide linear survey corridor, while the actual area needed for construction of the pipeline facility may only consist of a 100-foot-wide construction right-of-way and a 50-foot-wide operation/permanent right-of-way. This means that while a proposed pipeline’s right-of-way and construction activities may not be located on a landowner’s property, the landowner’s property could be within the field survey corridor. The wider survey corridor assists Commission staff and the natural gas company in assessing possible impacts on environmental features adjacent to project construction activities.

Types of Surveys

Typical field surveys conducted as part of natural gas project review may include, but are not limited to, the following:

- civil surveys to locate and mark the boundaries of the survey corridor and identify the planned facility footprint/pipeline centerline; identify the location and elevation of roads, buildings, streams, and water supply wells.
- geotechnical surveys which involve borings to identify subsurface soil, bedrock, and groundwater characteristics.

- cultural resources surveys to determine the presence or absence of historic and prehistoric objects, structures, or sites.
- wetland delineations and waters of the U.S. surveys to determine the presence or absence of wetlands and/or waterbodies, and map and delineate wetland and waterbody boundaries.
- threatened and endangered species surveys to assess wildlife and fishery habitat and survey for individual species if suitable habitat is present.
- raptor and other migratory bird surveys to assess habitat and identify individual species and nest sites.
- noise surveys to measure existing noise levels and identify noise-sensitive areas such as residences, schools, hospitals, and churches.

How FERC Uses Information Gathered During Surveys

Field surveys help identify construction constraints and sensitive features, such as structures, water supply wells, cultural resources, protected wildlife species, and wetlands, and provide information to the natural gas company that can assist with routing a pipeline and developing mitigation measures. The results of field surveys are summarized in the natural gas company's application, which is filed with the Commission, and typically provided as appendices to the environmental resource reports. As noted above, survey reports assist Commission staff in considering a proposed project's possible impacts on landowners and environmental features on their property. Surveys can also help guide Commission staff in suggesting route modifications to reduce environmental impacts.

The Commission will assess natural gas project proposal with the best available information from publicly available records and databases, aerial photos, and topographic maps to design its project and identify environmental impacts, if the natural gas company is unable to obtain landowner survey access. If a natural gas company are unable to obtain landowner survey access, the natural gas company may have limited ability to incorporate landowner preferences into its project design.

The survey reports are also important to federal, state, and local resource agencies, as well as federally-recognized Native American tribes and the public, in their review of a proposed project.