

Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Information to Determine 4(d) Rule Compliance:

YES NO

1. Does the project occur wholly outside of the WNS Zone ¹ ?	☐	☒
2. Have you contacted the appropriate agency ² to determine if your project is near known hibernacula or maternity roost trees?	☒	☐
3. Could the project disturb hibernating NLEBs in a known hibernaculum? ^a	☐	☒
4. Could the project alter the entrance or interior environment of a known hibernaculum?	☐	☒
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year? ^b	☐	☒
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	☐	☒

^a This answer "No" applies to the vast majority of the Mountain Valley Pipeline Project. However, note that the BA assumed that noise could affect hibernating northern long-eared bats at known hibernacula Canoe Cave, Tawney's Cave, PS-WV3-Y-P1, and other features deemed to have suitable habitat, but which remain un-surveyed. Per discussions with the FWS, these circumstances will be addressed in the BO.

^b This answer "No" applies to the vast majority of the Mountain Valley Pipeline Project. However, note that Canoe Cave would be located within [REDACTED] of the Mountain Valley Pipeline Project right-of-way resulting in the clearing of approximately 0.5 acre of trees. Tawney's Cave would be located approximately [REDACTED] from the Mountain Valley Pipeline Project right-of-way resulting in the clearing of approximately 1.4 acres of trees. Hibernacula PS-WV3-Y-P1 would be located within [REDACTED] from the Mountain Valley Pipeline Project right-of-way resulting in the clearing of approximately 12 acres of trees. Per discussions with the FWS, these circumstances will be addressed in the BO.

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

¹ <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

² See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

Agency and Applicant³ (Name, Email, Phone No.): **Agency:** Federal Energy Regulatory Commission
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202-502-8059
Applicant: Mountain Valley Pipeline, LLC
meggerding@eqt.com
412-553-5786

Project Name: Mountain Valley Pipeline Project

Project Location (include coordinates if known): Wetzel, Harrison, Doddridge, Lewis, Braxton, Webster, Nicholas, Greenbrier, Fayette, Summers, and Monroe Counties West Virginia and Giles, Craig, Montgomery, Roanoke, Franklin, and Pittsylvania Counties, Virginia.

Basic Project Description (provide narrative below or attach additional information):

The Mountain Valley Pipeline Project (MVP) would transport about 2 billion cubic feet per day of natural gas from production areas in the Appalachian Basin to markets in the Mid-Atlantic and Southeastern United States.

The MVP facilities would include:

- about 304 miles of new 42-inch-diameter pipeline extending from the new Mobley Interconnect in Wetzel County, West Virginia to the existing Transcontinental Gas Pipe Line Company LLC Station 165 in Pittsylvania County, Virginia;
- 3 new compressor stations (Bradshaw, Harris, Stallworth) in West Virginia totaling about 171,600 horsepower;
- 4 new meter and regulation stations and interconnections (Mobley, Sherwood, WB, and Transco);
- 3 new taps (Webster, Roanoke Gas Lafayette, and Roanoke Gas Franklin);
- 8 pig launchers and receivers at 5 locations; and
- 36 mainline block valves.

General Project Information	YES	NO
Does the project occur within 0.25 miles of a known hibernaculum?	☒	☐
Does the project occur within 150 feet of a known maternity roost tree?	☒	☐
Does the project include forest conversion ⁴ ? (if yes, report acreage below)	☒	☐
Estimated total acres of forest conversion	4,453.1	
If known, estimated acres ⁵ of forest conversion from April 1 to October 31	unknown	
If known, estimated acres of forest conversion from June 1 to July 31 ⁶	0	
Does the project include timber harvest? (if yes, report acreage below)	☐	☒
Estimated total acres of timber harvest		

³ If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

⁴ Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

⁵ If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

⁶ If the activity includes tree clearing in June and July, also include those acreage in April to October.

If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	☐	☒
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	☐	☒
Estimated wind capacity (MW)		

Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature: _____

Date Submitted: _____