10.0 PROPOSED VOLUNTARY CONSERVATION MEASURES

Even with implementation of reasonable and prudent measures to avoid and minimize, the MVP would have impacts on federally listed species. As such, this section details voluntary conservation measures that Mountain Valley would employ to offset impacts on species caused by the Project, as identified under Section 7(a)(1) of the Act. Mountain Valley proposes to meet the objective of "carrying out programs for the conservation of endangered species" by funding compensatory mitigation to offset habitat losses associated with Project construction.

As identified in the Interim Guidance for Implementing the ESA Compensatory Mitigation Policy (FWS, 2017c), "mitigation projects may rely on a range of strategies including, but not limited to the following: preservation and management of existing functioning habitat, restoration of degraded habitat, connecting separated habitats, buffering protected areas, creating habitat, and other appropriate actions." A brief overview of Mountain Valley's proposed compensatory mitigation projects is provided below; a complete mitigation proposal will be submitted to the FWS by Mountain Valley.

10.1 BATS

Mountain Valley has acquired a 121-acre property crossed by the Project in Braxton County, West Virginia. There have been five northern long-eared bat captures documented about 4 miles north of this property and one northern long-eared bat capture documented about 3 miles south of the property. The parcel has a small stream on the southern end, is in proximity to Falls Mill, Millstone Run, Barbecue Run, and McChord Run, and is 1.75 miles east of Burnsville Lake. The parcel straddles three ridges. It contains mature, upland deciduous forest dominated by mostly oak (white, scarlet, and chestnut), hickory (pignut, shagbark, a few mockernut), and red maple. There are numerous ATV/hunting trails throughout the property that may provide travel/foraging corridors for bats. There are numerous existing snags throughout the property. The Project crosses the property about for about 860 feet on the eastern portion of the parcel. Post-construction, about 106 acres would remain as interior forest, as classified by the state of West Virginia, and would be maintained as such in perpetuity. There are a variety of options for habitat enhancement at this site, including but not limited to, erection of artificial roost structures and establishment of a permanent water source.

In addition, MVP would work with state agencies in West Virginia and Virginia to identify opportunities for enhancement to public lands including wildlife management areas or preserves.

10.2 LOGPERCH

The North Fork Roanoke River is crossed by the MVP and is known to support populations of a wide variety of native fish, including the Roanoke logperch. The FWS is engaged in a public-private partnership for restoration activities along the North Fork Roanoke River. Previous restoration efforts by the partnership have taken place both upstream and downstream of the Project's crossing of the river. These activities include the following: constructing instream features; planting riparian buffers with native vegetation to stabilize the streambank and floodplain; excluding cattle access to streams; grading streambanks; and reestablishing channel morphology. Mountain Valley would provide funds to continue and expand these restoration activities in the watershed, and expand on an existing, successful, landscape approach that tangibly benefits the federally listed Roanoke logperch within its known, occupied range.

Mountain Valley would also support proper stream restoration activities within the distributional range of Roanoke logperch and other sensitive riparian areas within the Project corridor. Proper stream restoration activities can provide a multitude of environmental and economic benefits including, but not limited to, the following: improved water quality; augmentation of habitat diversity; re-establish critical watershed functions; increases property and aesthetic values; reduction of flood damages; and riparian property loss. Targeted restoration activities in or near waterbodies would take place at 55 stream crossing locations along the Project.

10.3 FUNDING

10.3.1 Bats

As part of Mountain Valley's efforts to complete a project with "no net loss" to the environment, and in collaboration with the Virginia and West Virginia state environmental agencies, a mitigation model is being developed. This analysis utilizes interior forest as the benchmark to which habitat impacts are compared. Once complete, this analysis will identify the quantity of service acres required to fully offset forest impacts from the Project. Thus, funding for bat mitigation will be derived from the quantity of service acres translated into dollars, with inclusion of a typical land management multiplier.

10.3.2 Logperch

Funding for logperch mitigation would be derived directly from the number of linear stream feet of Roanoke logperch habitat impacts, as identified within the BA.

10.3.3 Financial Assurances

Prior to commencement of construction, Mountain Valley would place funding (the amount to be determined in coordination with the FWS and applicable state agencies) in an interest-bearing escrow account fund to be used as described above. Mountain Valley would identify an appropriate third-party, non-profit conservation organization(s) that would develop a Memorandum of Understanding (MOU) with the agencies that would establish criteria for ensuring that the funds from the conservation escrow account are disbursed in accordance with the final mitigation proposal. This third-party non-profit independent conservation organization would be responsible for documenting that Mountain Valley provides the funds as described above and for monitoring and reporting on the implementation and success of funded activities based on conservation standards established by Mountain Valley and the FWS in coordination with applicable state agencies. Mountain Valley would develop a separate agreement with the third-party organization to address how the third-party organization would disburse the funds.