

From: [Lennon, Tiernan](#)
To: [John Spaeth](#)
Cc: [Clayton, Janet L](#)
Subject: MVP - Access Road 2 Crossing of Little Kanawha River, Braxton County, WV
Date: Thursday, September 8, 2016 3:52:59 PM
Attachments: [2015-I-0046.pdf](#)

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Tiernan Lennon

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FISH AND WILDLIFE SERVICE

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Concurrence Form for Freshwater Mussel Survey Plans

Contact Name: John Spaeth

Email Address or Fax Number: jspaeth@envsi.com

FWS File # 2015-I-0046 All future correspondence should clearly reference this FWS File#.

Project: Mountain Valley Pipeline Project - Little Kanawha River Mussel Survey, Braxton County, WV

The U.S. Fish and Wildlife Service (Service) has reviewed the survey plan you submitted on August 29, 2016 and we concur with the proposed survey methods. You propose surveys on the Little Kanawha River within a stream reach that could contain federally endangered freshwater mussels.

Should any federally listed freshwater mussels be located during this survey, you should immediately contact this office to determine if additional survey efforts should be completed and further discuss avoidance and minimization measures that could be implemented. This additional information will assist the Service and your client(s) in any consultations conducted under section 7 of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U. S. C. 1531 *et seq.*). Please note that relocation of federally listed mussels is not authorized.

☐ May proceed with Phase II surveys

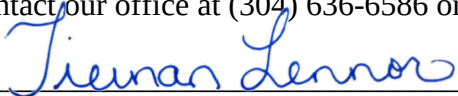
☒ May not proceed with Phase II surveys (applicant did not provide adequate justification that alternative construction methods or locations are not feasible)

We request that the following be provided in the final survey reports:

- 1) Name, permit number, and location (latitude, longitude) of the proposed project;
- 2) A map with the project boundary and survey boundary indicated;
- 3) A description of the results of the survey effort, including the species of mussels located, the number of individuals of each species, and the location of any federally listed mussels;
- 4) The dates that the surveys were conducted, and a description of the habitat conditions found during the survey effort, including visibility, substrate types, water temperatures and depths;
- 5) Photographs of species located and the survey area;
- 6) Copies of field data sheets; and
- 7) Any additional information that may be relevant.

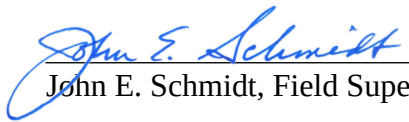
Please be aware that these survey activities require a valid West Virginia Scientific Collectors Permit, which can be acquired from the West Virginia Division of Natural Resources, Elkins Operation Center, Ward Road, Elkins, West Virginia 26241 (contact Barbara Sargent at 304-637-0245). Please provide a copy of your valid permit with your final report. **All federally listed species captured must be reported to the U.S. Fish and Wildlife Service, West Virginia Field Office,**

within 5 business days. If you have questions regarding this finding or report requirements, please contact our office at (304) 636-6586 or at the letterhead address.



Biologist

Date: 9/8/2016



John E. Schmidt, Field Supervisor

Date: 9/8/2016

cc:
WVDNR-Clayton