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www.mountainvalleypipeline.info

March 28, 2019

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Re: Mountain Valley Pipeline, LLC
Docket No. CP16-10-000
Variance Request No. A-50

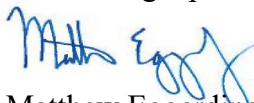
Dear Ms. Bose:

On October 13, 2017, the Federal Energy Regulatory Commission issued an order granting a Certificate of Public Convenience and Necessity to Mountain Valley Pipeline, LLC. In this filing, Mountain Valley submits Variance Request No. A-50

Certain of the supporting materials contain privileged and confidential information. Mountain Valley requests that, pursuant to 18 C.F.R. § 388.11 (2018), the Commission treat these materials as non-public. Mountain Valley has marked the documents "CUI//PRIV – DO NOT RELEASE."

If you have any questions, please do not hesitate to contact me at (412) 553-5786 or MEggerding@equitransmidstream.com. Thank you.

Respectfully submitted,
MOUNTAIN VALLEY PIPELINE, LLC
by and through its operator,
EQM Gathering Opco, LLC

By: 
Matthew Eggerding
Assistant General Counsel

cc: All Parties
Paul Friedman, OEP
Lavinia DiSanto, Cardno, Inc.
Doug Mooneyhan, Cardno, Inc.

MVP Variance Request Form**Variance Request**

Date Approval Requested by Contractor:

A-50

Date Submitted by Chief Inspector to LEI:

2/11/2019

2/13/2019

Date Received by FERC:

FERC Approval Reference No.:

Requested By:

Brent Ladd

Spread:

A

Variance

Type:

WS

Request Prepared By *:

Megan Neylon

Variance Sequence

Number:

050

* The FERC compliance monitor should be alerted and given a copy of the draft variance for review prior to submittal.

Location (Use either Station or Milepost)

Station:

205+28

To:

228+28

Milepost:

3.75

To:

4.15

Alignment Sheet Number:

5

Tract No.:

WV-WE-018.08; WV-WE-018.06

Current Land Use/Vegetative Cover:

Deciduous Forest; Developed

Other Agency

Jurisdiction:

N/A

Nearby Features (Water body, T&E Habitat, Wetland, Noxious Weed Area, Residence (distance), Cultural Resource Site (distance) etc.):☐ Noxious Weed Area☐ Raptor Nest☐ Residence (Distance)☒ T/E Species Habitat☒ Cultural Resource Site☐ Water Well☐ Other (Specify):

46WZ137 (adjacent north of SM-062-Not Eligible), 46WZ179 (no effect); MYSO (+0.87ac KUSH)

In or w/in 50' of a wetland:

☒ Yes☐ No

In or w/in 50' of a waterbody:

☒ Yes☐ No

Wetland or Waterbody ID:

W-HK02, W-DQ3, W-DQ4, W-HK01

S-HK07

Additional Stream
footage impacted:

0.00

Additional Wetland acreage
impacted:

0.00

Net acreage affected:

+ 7.95

Tree Clearing Required:

YES

Acreage of tree
clearing:

+ 0.87

Variance Level:

☐ Level 1☐ Level 2☒ Level 3

Variance From:

☒ Permit☐ Plan☐ Procedures☐ EPPM☐ Specification☐ Drawing☐ Mitigation Measure☐ Line List☐ Other: Describe:**Detailed Description of Variance:**

Attachments?

☒ Yes☐ No

Photos?

☐ Yes☒ No

This variance adds MVP-ATWS-1629, MVP-ATWS-1630, MVP-ATWS-1631, MVP-ATWS-SM-062 and associated temporary access road MVP-WE-010.01 for slip remediation. The ATWS's and access road are not anticipated to be used for any activities except slip repair. MVP-WE-010.01 is a former logging road. Tree removal, widening and grading will be needed to prepare this road for construction. Gravel will be placed on the road as needed and will be removed upon completion of the slip repair. Cultural Resources 46WZ137 & 46WZ179 were found during surveys. 46WZ137 was deemed to be Not Eligible and 46WZ179 was deemed No Effect. Letters of Concurrence can be found in Attachment 4. Stream S-HK07 and Wetlands W-HK02, W-DQ3, W-DQ4, W-HK01 were found during delineations. Wetland W-HK02 was found to be outside of the LOD and incurs no impacts. S-HK07, W-HK01, W-DQ3 & W-DQ4 will incur no impacts and will be protected using Reinforced Filtration Devices (RFDs), which may include Priority 1 Silt Fence, Triple Stacked Compost Filter Sock, or Super Silt Fence. Wetlands W-DQ3 and W-DQ4 will have air bridges spanning them to increase construction access. No matting will be installed within the boundary of any wetland. This variance includes ATWS previously approved in variances A-26 & A-30. The slides discussed in A-26 and A-30 have grown substantially from the time of the originally variance applications. This variance has a net increase of 7.95 acres of LOD from the original permit and acreage that was previously approved (1.92 acres and 1.36 acres) in A-26 & A-30, respectively. There is a net increase in tree clearing of 0.87 acre from the original permit and that was previously approved (1.92 acres and 1.36 acres) in A-26 & A-30, respectively. The modification of the tree clearing results in a net increase of 0.87 acres MYSO - Known Use Summer Habitat (KUSH). On January 29, 2018 the USFWS concurred with MVP's proposed process for reviewing variances that require tree clearing. Attachment 2 includes a table that shows MVP's acreage "banks" will remain net positive following approval of this variance request. Resources have been avoided to the extent practicable. Per approved Project plans, BMPs will be installed to minimize impacts to any Environmentally Sensitive Areas within/abutting the area.

List Attachments:

Attachment 1 - Alignment Sheet; Attachment 2 - Rare, Threatened, and Endangered Species Report; Attachment 3 -

Stream and Wetland Delineation Report; Attachment 4 - Cultural Resource Reports and Concurrences (CUI//PRIV -- DO NOT RELEASE); Attachment 5 - Landowner Exhibits (CUI//PRIV -- DO NOT RELEASE); Attachment 6 - Variance Request Map

Variance Justification:

Necessary for slip remediation.

For MVP Use Only

Additional Surveys Required	Surveyed Corridor Description	Additional Surveys Completed
Cultural Survey ☒ Yes ☐ No	The locations for this variance request were evaluated for cultural resources, waterbodies and wetlands, threatened and endangered species, and habitat. See the attached cover page list of reports.	☒ Yes ☐ No
T & E Survey ☒ Yes ☐ No		☒ Yes ☐ No
Waterbodies/Wetlands ☒ Yes ☐ No		☒ Yes ☐ No

Proof of Previous Biological and Cultural Survey Clearance

See attachments 2 and 3 that describe rare, threatened, and endangered species surveys and stream and wetland delineations. USFWS Biological Opinion was issued on 10/31/2017. Additional surveys conducted 8/24/2018; 10/6/2018; 2/14/2019; 3/12/2019. The cultural resources survey was reported in: Mountain Valley Pipeline Project Cultural Resources Survey Volume I, Wetzel, Harrison, Doddridge, and Lewis Counties, West Virginia (Espino et al. July 2015); Mountain Valley Pipeline Project, Slip Mitigation Workspaces MVP-ATWS-SM-020, MVP-ATWS-SM, 021, MVP-ATWS-SM-022, and MVP-ATWS-SM-026. Request for Concurrence on Disturbance and No Further Survey Recommendation (Freedman August 2018); Mountain Valley Pipeline Project, Slip Mitigation Workspaces MVP-ATWS-SM-030 and MVP-ATWS-SM-033, and Workspace MVP-ATWS-SM-200 (Ext). Request for Concurrence on Disturbance and No Further Survey Recommendation (Freedman October 2018); Mountain Valley Pipeline Project, Variance MVP-ATWS-SM-062, Emergency Slip Mitigation Review and Authorization to Proceed, Wetzel County, West Virginia (Marine February 2019); Mountain Valley Pipeline Project, Slip Mitigation Workspace MVP-ATWS-SM-062 (Ext) and Access Road MVP-WE-010.01, Emergency Slip Mitigation and Access Road Review. Authorization to Proceed (Hockersmith March 2019). Filed with FERC 9/12/2015; 9/7/2018; 10/30/2018; 2/28/2019; 3/25/2019. Clearance received from WVDCH 10/6/2015; 9/5/2018; 10/24/2018; 2/19/2019; 3/20/2019. The Concurrence Letter is provided in Attachment 4.

Landowner:

REDACTED

Land Agent Contact
Landowner Approval
Obtained

JANNA ARNOLD

☒ Yes ☐ No

Sign Off:

	Name	Signature	Date
Construction Manager	Todd Carroll	Todd Carroll	3/22/2019
Lead Environmental Inspector	Travis Huskins	Travis Huskins	3/22/2019
Third Party Compliance Manager or monitor			
ROW Land Agent *	Janna Arnold	Janna Arnold	3/22/2019
Environmental Supervisor	Megan Neylon	Megan Neylon	3/22/2019

*signature denotes confirmed landowner approval

For FERC Compliance Monitor and Compliance Manager Use Only					
Variance Approved:			Variance Denied:		
Beyond Authority:					
Signature:					
Date:					
Stipulations:					
Spread No.:		A		Variance Request No.:	
				A-50	
VARIANCE CONDITIONS					
Name:			Title:		
Organization:					
Conditions:					
Name:					
		Title:		Organization:	
Conditions:					
Name:					
		Title:		Organization:	
Conditions:					

**Mountain Valley Pipeline, LLC
Mountain Valley Pipeline Project
Docket No. CP16-10-000**

**Alignment Sheets
Attachment 1**

**Mountain Valley Pipeline, LLC
Mountain Valley Pipeline Project
Docket No. CP16-10-000**

**Rare, Threatened, and Endangered Species Report
Attachment 2**

**Mountain Valley Pipeline Project
Variance A-50
March 18, 2019**

State and federal agencies identified areas where plant surveys were required. This variance does not occur in any of those areas.

There are no impacts to RTE aquatic resources associated with this variance.

The only avian species-specific presence-absence surveys required for the project are scrub-shrub habitat-specific in the state of Virginia, thus do not apply to this variance area.

The modification of the tree clearing results in a net increase of 0.87 acres MYSO - Known Use Summer Habitat (KUSH). Tree clearing will not occur between April 1st and November 14th as per the BO. On January 29, 2018 the USFWS concurred with MVP's proposed process for reviewing variances that require tree clearing. Attachment 2 includes a table that shows MVP's acreage "banks" will remain net positive following approval of this variance request.

On 2/12/2015, 8/24/2018, 10/6/2018, 2/14/2019, and 3/12/2019, Environmental Solutions and Innovations, Inc. (ESI) conducted field surveys to search for portal openings (winter bat habitat). Surveys were conducted in accordance with agency approved protocols for the project. No portal openings were observed in the variance area.

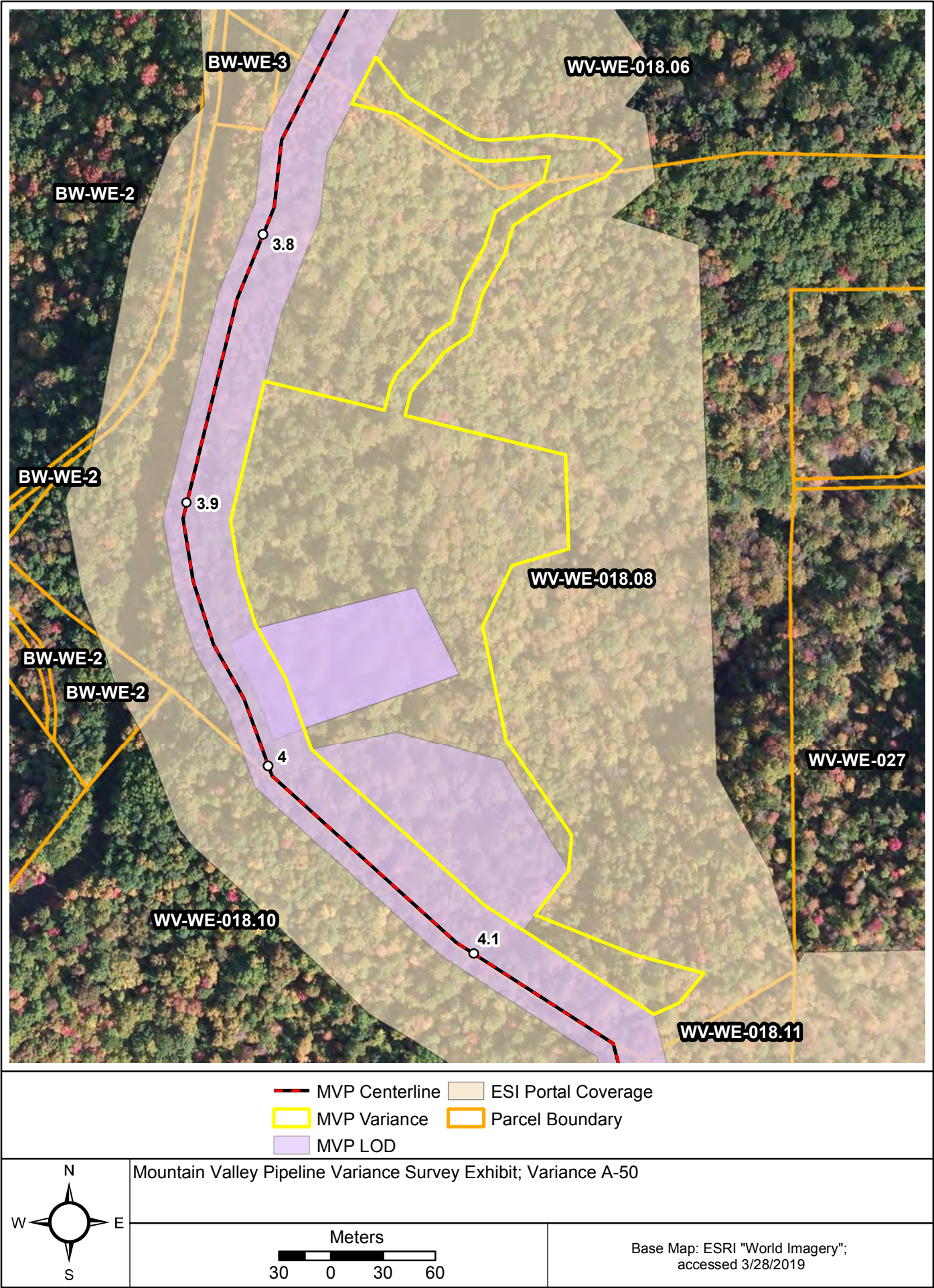


Table 1
Bat Habitat Bank Acreage

	MYSO - Known Summer Use Habitat (acres)	MYSO - Known use spring staging/fall swarming habitat (acres)	MYSO - Suitable Unoccupied Summer Habitat (acres)	MYSO - Unknown use spring staging/fall swarming habitat (acres)	MYSO - Unknown Use Summer Habitat (acres)	NLEB known use spring staging/fall swarming habitat (acres)
Remaining bank acreage from IP-5 table	0.37	1.47	13.04	6.81	13.79	0.59
Bradshaw ATWS	0.02	0.00	0.00	0.00	0.00	0.00
ATWS 1544	0.03	0.00	0.00	0.00	0.00	0.00
ATWS 1545	0.10	0.00	0.00	0.00	0.00	0.00
LY-27	0.00	0.00	0.00	0.00	0.15	0.00
LY-45/46	0.00	0.00	0.00	0.00	0.05	0.00
Variance A-4 - MP 24.6	0.00	0.00	0.00	0.00	0.06	0.00
Bradshaw Slip Repair Phase 1	0.01	0.00	0.00	0.00	0.00	0.00
Variance A-5 - MP 28.97	0.00	0.00	-0.51	0.00	0.09	0.00
Variance H-3 - MP 234.85	0.00	0.00	0.91	0.00	0.00	0.00
Variance F-3 - MP 159.27	0.00	0.00	-0.42	0.00	0.00	0.00
Variance H-2 - MP 240.00	0.00	0.00	0.09	0.00	2.74	0.00
Variance E-4 - LY-058	0.00	0.00	0.00	0.00	0.01	0.00
Variance E-5 - MP 133.46	0.00	0.00	0.27	0.00	0.00	0.00
Variance I-2 - MP-268.8	0.00	0.00	0.00	0.00	0.45	0.00
Variance I-4 - MP 300.7	0.00	0.00	0.00	0.00	0.18	0.00
Variance G-3 - MP 224.1	0.00	0.00	0.00	1.67	0.00	0.00
Variance B-2 - MP 42.7	0.00	0.00	1.45	0.00	0.00	0.00
Variance H-5 - MP 257.9 & 258.2	0.00	0.00	0.39	0.00	0.00	0.00
Variance I-5 - MP 261.47	0.00	0.00	-0.25	0.00	0.00	0.00
Variance H-6 - MP 235.58	0.00	0.00	0.39	0.00	0.20	0.00
Variance F-6 - MP 176.8	0.00	0.00	0.00	0.00	0.08	0.00
Variance D-4 - MP 110.1	0.00	0.00	0.08	0.00	0.00	0.00
Variance E-6 - MP 143.9	0.00	0.00	0.00	0.00	0.08	0.00
Variance F-5 MP 166.07	0.00	0.00	0.24	0.00	0.00	0.00
Variance D-7 - MP 119.0	0.00	0.00	2.64	0.00	0.00	0.00
Variance D-6 - MP 115.74 & 115.85	0.00	0.00	1.22	0.00	0.00	0.00
Variance B-3 - MP 60.29	0.00	0.00	0.01	0.00	0.27	0.00
Variance C-6 - MP 79.46	0.00	0.00	0.00	0.00	-0.21	0.00
Variance C-2 - MP 82	0.00	0.00	0.00	0.00	1.11	0.00
Bradshaw Phase II	0.01	0.00	0.00	0.00	0.00	0.00
Variance A-11 (MP 23.8)	0.00	0.00	0.00	0.00	0.30	0.00
Variance I-10 (MP 266.3)	0.00	0.00	0.00	0.00	-0.64	0.00
Variance A-12 (MP 6.8)	0.01	0.00	0.00	0.00	0.00	0.00
Variance B-7 (MP 60.07)	0.00	0.00	0.00	0.00	1.51	0.00
Variance A-15 (MP 12)	0.00	0.00	0.00	0.00	0.19	0.00
Variance H-7 (MP 238.3) - Transco Credit	0.00	0.00	-11.25	0.00	0.00	0.00
Variance H-7 (MP 238.3)	0.00	0.00	8.37	0.00	0.27	0.00
Variance I-12 (LY-035 Ext)	0.00	0.00	0.00	0.00	0.01	0.00
Variance H-9 (MP 237.5)	0.00	0.00	0.00	0.00	0.24	0.00
Variance D-17 (MP 108.17)	0.00	0.00	4.08	0.00	0.43	0.00
Variance E-10 (MP 149.45)	0.00	0.00	0.00	0.00	0.21	0.00
Variance C-10 (MP 68.4)	0.00	0.00	0.00	0.00	2.34	0.00
Variance C-11 (MP 86.3)	0.00	0.00	0.00	0.00	1.84	0.00

Table 1
Bat Habitat Bank Acreage

	MYSO - Known Summer Use Habitat (acres)	MYSO - Known use spring staging/fall swarming habitat (acres)	MYSO - Suitable Unoccupied Summer Habitat (acres)	MYSO - Unknown use spring staging/fall swarming habitat (acres)	MYSO - Unknown Use Summer Habitat (acres)	NLEB known use spring staging/fall swarming habitat (acres)
Variance A-14 (MP 6.5)	0.05	0.00	0.00	0.00	0.00	0.00
Variance A-14 (MP 6.5) - MVP-WE-014 & ATWSs credit	-12.96	0.00	0.00	0.00	0.00	0.00
Variance A-14 (MP 6.5) - MVP-LY-024 credit	-0.86	0.00	0.00	0.00	0.00	0.00
Variance B-10 (MP 35.1)	0.00	0.00	0.34	0.00	0.00	0.00
Variance A-23 (MP 0.10)	0.87	0.00	0.00	0.00	0.00	0.00
Variance A-24 (MP 2.65)	0.82	0.00	0.00	0.00	0.00	0.00
Variance A-25 (MP 2.10)	1.20	0.00	0.00	0.00	0.00	0.00
Variance C-12 (MP 84.3)	0.00	0.00	0.00	0.00	1.45	0.00
Variance C-13 (MP 68.9)	0.00	0.00	0.00	0.00	0.33	0.00
Variance A-27 (MP 3.4)	0.16	0.00	0.00	0.00	0.00	0.00
Variance G-6 (MP 210.0)	0.00	0.37	0.00	0.00	0.00	0.00
Variance A-26 (MP 4.0)	1.92	0.00	0.00	0.00	0.00	0.00
Variance C-14 (MP 84.4)	0.00	0.00	0.00	0.00	0.15	0.00
Variance C-14 (MP 84.4) - MVP-LE-066.01 credit	0.00	0.00	0.00	0.00	-1.30	0.00
Variance A-29 (MP 1.9)	0.06	0.00	0.00	0.00	0.00	0.00
Variance A-30 (MP 3.9)	1.36	0.00	0.00	0.00	0.00	0.00
Variance G-7 (MP 199.52)	0.00	0.00	0.00	0.07	0.00	0.00
Variance B-11 (MP 52.6)	0.00	0.00	0.60	0.00	0.00	0.00
Variance B-13 (MP 50.3)	0.00	0.00	0.39	0.00	0.00	0.00
Variance A-20 (MP 5.7 - 6.0)	1.72	0.00	0.00	0.00	0.00	0.00
Variance Transco-1	0.00	0.00	0.11	0.00	0.00	0.00
Variance G-9 (MP 209.42)	0.00	0.29	0.00	0.00	0.00	0.00
Variance A-34 (MP 7.9)	0.42	0.00	0.00	0.00	0.00	0.00
Variance A-36 (MP 8.6)	0.11	0.00	0.00	0.00	0.00	0.00
Variance A-41 (MP 1.2)	0.22	0.00	0.00	0.00	0.00	0.00
Variance B-16 (MP 47.13)	0.00	0.00	0.00	0.00	0.31	0.00
Variance A-39 (MP 32.40)	0.00	0.00	0.00	0.00	0.59	0.00
Variance A-42 (MP 3.16)	0.08	0.00	0.00	0.00	0.00	0.00
Variance A-44 (MP 6.62)	0.14	0.00	0.00	0.00	0.00	0.00
Variance A-45 (MP 9.10)	0.04	0.00	0.00	0.00	0.00	0.00
Variance A-29 (MP 0.9)	0.30	0.00	0.00	0.00	0.00	0.00
Variance A-51 (MP 2.1)	0.29	0.00	0.00	0.00	0.00	0.00
Variance A-46 (MP 2.65)	0.02	0.00	0.00	0.00	0.00	0.00
Variance A-50 (MP 4.0)	0.87	0.00	0.00	0.00	0.00	0.00
Net Remaining Acreage for variances to date	3.36	0.81	3.89	5.07	0.30	0.59

**Mountain Valley Pipeline, LLC
Mountain Valley Pipeline Project
Docket No. CP16-10-000**

**Waterbodies and Wetlands Report
Attachment 3**

Mountain Valley Pipeline Project

Variance A-50

March 28, 2019

On August 22, 2018, February 13, 2019, and March 9, 2019, Tetra Tech, Inc. (Tetra Tech) surveyed the proposed variance in Wetzel Co., WV for wetlands and streams. Wetland delineations were conducted utilizing the Routine On-Site Determination Methodology presented in the US Army Corps of Engineers (USACE) Wetland Delineation Manual (Technical Report Y-87-1) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0).

During field surveys, Tetra Tech identified and delineated one stream (S-HK07) and three wetlands (W-DQ3, W-DQ4, and W-HK01) in the variance area as shown on the attached figure.

One wetland (W-HK02) was identified in the vicinity, but outside of the variance area, as shown on the attached figure.



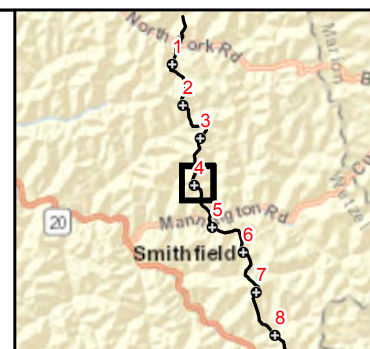
Mountain Valley Pipeline Project		NAD 1983 UTM 17N 1 inch = 250 feet 0 125 250 500 Feet	
 Proposed Variance A-50 Wetzel County, West Virginia March 2019	Legend		
	Issued for Construction LOD	Ephemeral Stream	
	Proposed Variance Limit of Disturbance	PEM Wetland	
Data Sources: ESRI Streaming Data 2014.	Drainage Feature		

**Mountain Valley Pipeline, LLC
Mountain Valley Pipeline Project
Docket No. CP16-10-000**

**Pipeline Variance
Request Map
Attachment 6**



0 50 100 200 300 400 Feet



Document Content(s)

Variance Transmittal A-50.PDF.....1-1

Public Attachments A-50.PDF.....2-16