

Note to: FERC Docket No. CP16-10-000

From: Amanda Mardiney

Date: April 3, 2019

Subject: MVP Emergency ESA Consultation

The correspondence attached provides approval from the U.S. Fish and Wildlife Service (FWS) for Mountain Valley Pipeline, LLC to conduct landslide remediation at three specific sites in areas of suitable habitat for federally listed bat species. The landslide remediation and associated tree clearing was requested through the Endangered Species Act emergency consultation process in a letter from the Federal Energy Regulatory Commission to the FWS dated March 29, 2019.

From: [Lennon, Tiernan](#)
To: [Amanda Mardiney](#)
Cc: [Simon, Spencer](#); [Schmidt, John](#); [Barbara Douglas](#); [James Martin](#); [Lavinia Disanto](#); [Paul Friedman](#); mvp_fws@galileoaz.com
Subject: Re: [EXTERNAL] MVP ESA Emergency Consultation
Date: Tuesday, April 02, 2019 2:36:37 PM

Good Afternoon Amanda - Please be aware that the slip repairs proposed within Wetzel County, West Virginia are located within known maternity habitat for the Indiana bat (*Myotis sodalis*) and may result in adverse effects.

The Service recommends the following measures be implemented during slip repair to minimize adverse effects to the Indiana bat, but only if it is safe/feasible to do so:

- complete tree removal **as soon as possible**;
- minimize the amount of tree removal;
- leave tree stumps along hillsides in place to help reduce slippage and erosion;
- use erosion control blankets after construction; and
- implement stringent BMPs to prevent sedimentation into waterways.

In accordance with Chapter 8.2 (B) of the ESA Consultation Handbook, FERC is responsible for providing us with the following information after the emergency slips have been repaired:

- a description of the emergency;
- a justification for the emergency consultation; and
- an evaluation of the response to and the impacts of the emergency on affected species and their habitats, including documentation of how the Service's recommendations were implemented, and the results of implementation in minimizing take.

Please refer to pages 8-4 and 8-5 of the ESA Consultation Handbook for additional information on emergency consultation procedures and requirements.

The measures and additional information requested above is only applicable to the emergency slip repairs that FERC identified within the emergency consultation letter dated March 29, 2019. Information pertaining to any other slip repairs for this project should be provided to the Service in a separate information package.

If you have any questions or concerns please feel free to contact me at number listed below.

Thank you,
Tiernan

On Fri, Mar 29, 2019 at 5:58 PM Simon, Spencer <spencer_simon@fws.gov> wrote:

Ms. Mardiney,

Given that it is end of the workday on a Friday the intended recipients may not receive this email until Monday. Please commence any action deemed necessary to protect human life. The Service will provide an after the fact opinion. Please know the Service stands ready to provide technical assistance.

Spencer Simon

Deputy Assistant Regional Director, Ecological Services
U.S. Fish and Wildlife Service
300 Westgate Center Drive

Hadley, MA 01035-9589
P: 413-253-8578
C: 413-313-6346

On Fri, Mar 29, 2019 at 4:12 PM Amanda Mardiney <Amanda.Mardiney@ferc.gov> wrote:

Tiernan,

Please see attached our letter regarding emergency consultation under ESA for the slip remediation on the Mountain Valley Pipeline Project. Let us know if you have any questions or concerns.

Thank you,

Amanda Mardiney
Environmental Biologist/Project Manager
Federal Energy Regulatory Commission
Office of Energy Projects
202-502-8081

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Tiernan Lennon

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*Please, note the change to our address. We have not moved, but our address has been updated within the emergency response system.