

MVP Variance Request Form



Variance Request

No.: B-19

Date Approval Requested by Contractor: 3/19/2019

Date Submitted by Chief Inspector to LEI: 3/21/2019

Date Received by FERC:

FERC Approval Reference No.:

Requested By: Brent Ladd

Spread: B

Variance Type: WS

Request Prepared By *: Megan Neylon

Variance Sequence Number: 019

* 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: 3308+00 To: 3308+00 Milepost: 62.40 To: 62.40

Alignment Sheet Number: 69 Tract No.: WV-LE-142

Current Land Use/ Vegetative Cover: Deciduous Forest 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):

In or w/in 50' of a wetland: ☐ Yes ☒ No

In or w/in 50' of a waterbody: ☒ Yes ☐ No

Wetland or Waterbody ID: S-HK02

N/A

Additional Stream footage impacted: 0.00 Additional Wetland acreage impacted: 0.00

Net acreage affected: + 0.19

Tree Clearing Required: YES Acreage of tree clearing: + 0.09

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 Added MVP-ATWS-SM-060 along access road MVP-LE-077.03 for slip remediation. No cultural resources or wetlands were found during delineations. During surveys, stream S-HK02 was found outside of the LOD. The stream will be protected using Reinforced Filtration Devices (RFDs), which may include Priority 1 Silt Fence, Triple Stacked Compost Filter Sock, or Super Silt Fence and incur no impacts. This variance has a net increase of 0.19 acres of LOD from the original permit. There is a net increase in tree clearing of 0.09 acres of MYSO - Unknown Use Summer Habitat (UUSH) habitat. On January 29, 2018 the USFWS concurred with MVP's proposed process for reviewing variances that require tree clearing. Tree clearing is permitted in this area until June 1, 2019. Attachment 2 includes a table that shows MVP's acreage "banks" will remain net positive following approval of this variance request.

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:

Necessasry 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. The cultural resources survey was reported in: Mountain Valley Pipeline Project, Cultural Resource Survey, Addendum 1 to Volume I, Wetzel, Harrison, Doddridge and Lewis Counties, West Virginia (Espino et al. November 2016); Mountain Valley Pipeline Project, Slip Mitigation Workspaces MVP-ATWS-SM-021 (Ext), MVP-ATWS-SM-026 (Ext), MVP-ATWS-SM-048 (Ext), and MVP-ATWS-SM-060, Request for Concurrence on Disturbance and No Further Survey Recommendations (Hockersmith February 2019). . Filed with FERC 12/22/2016; 03/25/2019. Clearance received from WVDCH 12/7/2016; 3/18/2019. The Concurrence Letter is provided in Attachment 4.			
Landowner: Land Agent Contact Landowner Approval Obtained		REDACTED JANNA ARNOLD	
Sign Off:			
	Name	Signature	Date
Construction Manager	<i>Kameron Barnhouse</i>	<i>Kameron Barnhouse</i>	4/25/2019
Lead Environmental Inspector	<i>Chris Parker</i>	<i>Chris Parker</i>	4/25/2019
Third Party Compliance Manager or monitor			
ROW Land Agent *	<i>Janna Arnold</i>	<i>Janna Arnold</i>	4/25/2019
Environmental Supervisor	<i>Megan Neylon</i>	<i>Megan Neylon</i>	4/25/2019
*signature denotes confirmed landowner approval			

For FERC Compliance Monitor and Compliance Manager Use Only

Variance Approved:		Variance Denied:		Beyond Authority:	
Signature:					
Date:					
Stipulations:					

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Spread No.:	B	Variance Request No.:	B-19
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VARIANCE CONDITIONS

Name:		Title:		Organization:	
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Conditions:					
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Name:		Title:		Organization:	
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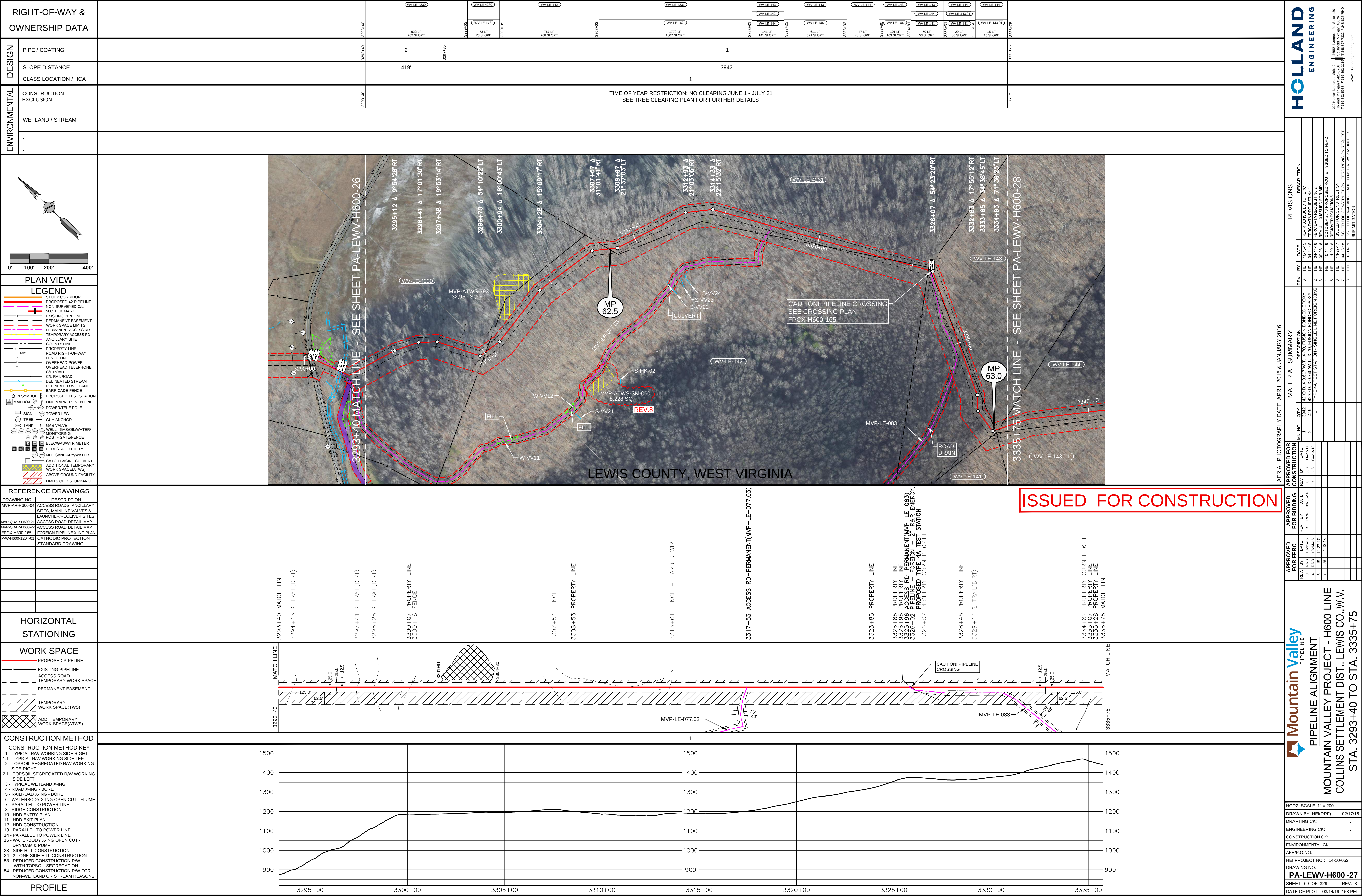
Conditions:					
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Name:		Title:		Organization:	
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Conditions:					
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**Mountain Valley Pipeline, LLC
Mountain Valley Pipeline Project
Docket No. CP16-10-000**

**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 B-19
February 20, 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 aquatic resources associated with this variance. Which infers there are no impacts to listed aquatic species.

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. However, MVP will have avian monitors review the area for nesting birds no more than 7 days prior to felling of trees.

The modification of the tree clearing results in a net increase of 0.09 acres MYSO - Unknown Use Summer Habitat (UUSH). Tree clearing will not occur between June 1st - July 31st and October 1st - 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. Table 1 shows MVP's acreage "banks" will remain net positive following approval of this variance request.

On 10/26/2015 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.

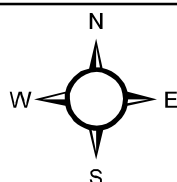


 MVP Variance

 Parcel Boundary

 MVP LOD

 ESI Portal Coverage



Mountain Valley Pipeline Variance Survey Exhibit; Variance B-19

Meters

 50 0 50 100

Base Map: ESRI "World Imagery";
 accessed 2/20/2019

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
Variance A-49 (MP 4.2)	0.56	0.00	0.00	0.00	0.00	0.00
Variance A-32 (MP 3.65)	1.29	0.00	0.00	0.00	0.00	0.00
Variance A-54 (MP 6.5)	0.08	0.00	0.00	0.00	0.00	0.00
Variance A-48 (MP 5.05)	0.09	0.00	0.00	0.00	0.00	0.00
Variance A-56 (MP 6.61)	0.001	0.00	0.00	0.00	0.00	0.00
Variance A-47 (MP 5.52)	0.04	0.00	0.00	0.00	0.00	0.00
Variance A-55 (MP 1.2)	0.48	0.00	0.00	0.00	0.00	0.00
Variance A-21 (MP 5.73)	1.40	0.00	0.00	0.00	0.00	0.00
Variance C-13 (MP 68.9) - Credit	0.00	0.00	0.00	0.00	-0.33	0.00
Variance B-22 (MP 46.84)	0.00	0.00	0.00	0.00	0.37	0.00
Variance A-40 (MP 32.5)	0.00	0.00	0.00	0.00	0.02	0.00

Table 1
Bat Habitat Bank Acreage

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Variance B-19 (MP 62.4)	0.00	0.00	0.00	0.00	0.09	0.00
Net Remaining Acreage for variances to date	-0.581	0.81	3.89	5.07	0.15	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 B-19

February 21, 2019

On February 13, 2019, Tetra Tech, Inc. (Tetra Tech) surveyed the proposed variance in Lewis 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 did not identify any streams or wetlands in the variance area as shown on the attached figure. However, one stream (S-HK02) was identified and delineated in the vicinity of the variance area, as shown on the attached figure, but is not anticipated to be impacted by the variance.



bing™

Mountain Valley Pipeline Project



NAD 1983 UTM 17N

1 inch = 100 feet

0 50 100 200 Feet



**Proposed Variance
B-19**

Lewis County, West Virginia

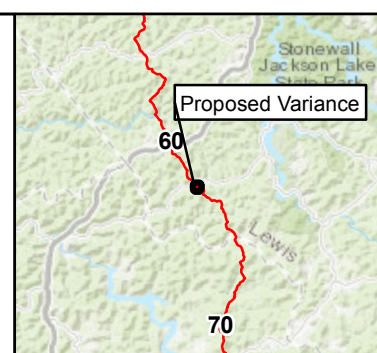
February 2019

Data Sources: ESRI Streaming Data 2014.

Legend

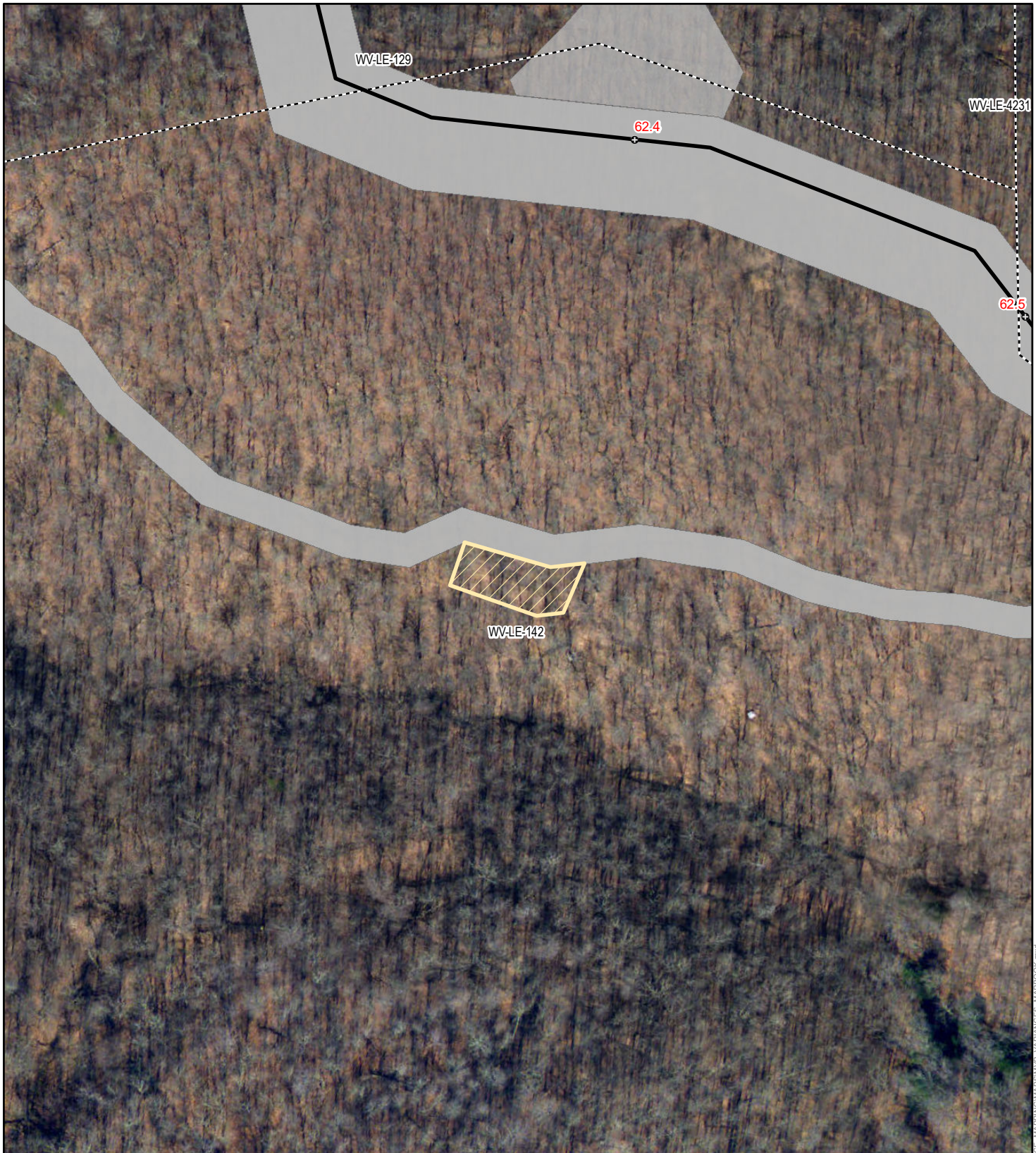
- Issued for Construction LOD
- Proposed Variance Limit of Disturbance

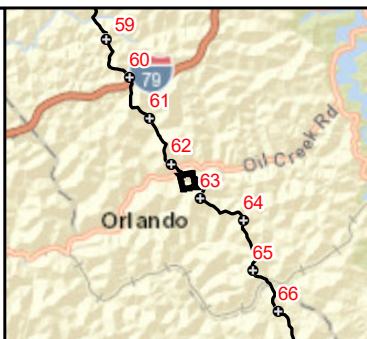
- Ephemeral Stream
- PEM Wetland



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

**Pipeline Variance
Request Map
Attachment 6**



Mountain Valley Pipeline Project		NAD 1983 UTM 17N		0 50 100 200 300 400 Feet	
 FERC Docket No. CP16-10-000 MVP Variance B-19 LEWIS COUNTY February 2019	Legend				
	 Issued for Construction Milepost  Issued for Construction Route  Issued for Construction Limits of Disturbance  Parcel Boundary  Proposed Variance Additional Temporary Workspace				
Data Sources: ESRI Aerial Imagery, All Issued for Construction data was filed with FERC on 12/20/2017.					

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