

**From:** [Jankowiak, Connie L -FS](#)  
**To:** [Craft, Victoria](#)  
**Cc:** [Abing, Timothy -FS](#); [Morris, Troy - FS](#); [MacFarlane, Russ -FS](#); [Grace Ellis](#); [Adams, Pauline - FS](#); [anthony.rana@ferc.gov](#); [cindy\\_schulz@fws.gov](#); [sumalee\\_hoskin@fws.gov](#); [tiernan\\_lennon@fws.gov](#)  
**Subject:** RE: [EXTERNAL] MVP Variance - F&WS, FERC, BLM, FS  
**Date:** Wednesday, April 11, 2018 10:26:18 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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F&WS has made a statement in regard to the Tree Sitting Area in West Virginia, however we do still need confirmation from them for the area of the roads located in Virginia.



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**From:** Craft, Victoria [mailto:vcraft@blm.gov]  
**Sent:** Wednesday, April 11, 2018 10:19 AM  
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**Cc:** Abing, Timothy -FS <tabing@fs.fed.us>; Morris, Troy - FS <troy Morris@fs.fed.us>; MacFarlane, Russ -FS <rmacfarlane@fs.fed.us>; Grace Ellis <grace.ellis@galileoaz.com>; Adams, Pauline - FS <paulineadams@fs.fed.us>; anthony.rana@ferc.gov; cindy\_schulz@fws.gov; sumalee\_hoskin@fws.gov; tiernan\_lennon@fws.gov  
**Subject:** Re: [EXTERNAL] MVP Variance - F&WS, FERC, BLM, FS

Awesome job Connie! You have summarized the issue very well. So in order for us to approve the variance do we need the FWS to weigh in on the approval? Do we know if the trees near the roads are in a non bat area?

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On Wed, Apr 11, 2018 at 7:00 AM, Jankowiak, Connie L -FS <[cjankowiak@fs.fed.us](mailto:cjankowiak@fs.fed.us)> wrote:

Good Morning –

I am attempting to get everyone on the same page in regard to the MVP variance that has been circulating. Based on this information from emails it appears that the variance for TOYR restrictions is simply a FS & BLM item to approve once F&WS has stated that this does not include any areas of bat concern prior to May 31<sup>st</sup>. This is based on the following:

Paul at FERC stated that the EIS did not include any restriction for tree removal prior to May 31<sup>st</sup>.

POD did state they would not fell trees past March 31<sup>st</sup> as did BLM Permit conditions. DOI letter states the Migratory Bird TOYR is not a mandatory item and tree felling is incidental

The variance it seems is for a change to what is in the POD and in the BLM permit.

The TE&S bat issue comes into play May 31<sup>st</sup> per F&WS email for tree sitter area; Request was made by FS to F&WS to ensure it was the same for the area of the roads in Virginia (pending a reply from Sumalee Hoskin)

F&WS has told FERC they want to discuss items with them, not the FS for variances

Tim, Vicki & Cindy – Can you please confirm that you believe this is correct and that only BLM & FS would need to approve this change in tree felling operation time (thru May 31<sup>st</sup>)?

Paul & Tony – Do you have anything to add to this in regard to if FERC has a role to play in this change?

Sumalee/Tiernan – Have you had an opportunity to look at the areas shown on the maps that were supplied for the roads in Virginia?

Please reply to all on this email should you have information to add/correct. Thank you.



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