



January 31, 2018

Ms. Kimberly Bose
Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, D.C. 20426

**Subject: Mountain Valley Pipeline Project
FERC Docket No. CP16-10-000
Supplemental Materials**

Dear Ms. Bose,

The U.S. Fish and Wildlife Service (USFWS) proposed to list the candy darter (*Etheostoma osburni*) as threatened or endangered under the Endangered Species Act (ESA) on October 4, 2017. Mountain Valley Pipeline (MVP) is requesting confirmation that the MVP (Project) is Not Likely to Jeopardize the Continued Existence of the candy darter. An evaluation of the potential effects of Project construction and operation to candy darter and avoidance and minimization measures (AMMs) are presented in a Species Assessment.

MVP will traverse portions of the Upper Kanawha River basin within the geographic distribution of the proposed federally threatened or endangered candy darter. Desktop analysis and agency correspondence indicate that the Project will traverse 11 perennial stream crossings with potential to support populations of candy darter including Strouds Creek (two crossings), Big Beaver Creek (two crossings), Gauley River, Little Laurel Creek (two crossings), Jims Creek, Hominy Creek (two crossings) in West Virginia as well as Stony Creek in Virginia. Neither species-specific studies involving presence/absence surveys nor in situ habitat assessments were not completed for candy darter along the Project. Presence is assumed at these stream crossing locations based on desktop analysis and agency correspondence. MVP has committed to various AMMs for this species, which are listed below.

- Stony Creek in Giles County, Virginia will be crossed using conventional bore method. No in-stream activity is proposed at Stony Creek.
- Hominy Creek will be crossed using an existing access road (NI-161) in Nicholas County, West Virginia via a paved bridge that spans the creek. No in-stream activity is proposed at that location.

- Strouds Creek will be crossed using an existing access road (NI-136) in Nicholas County, West Virginia via a bridge that spans the creek. No in-stream activity is proposed at that location.
- MVP will adhere to time of year restrictions (TOYR) for stream crossings that have potential for candy darter populations.
- MVP will implement erosion and sediment (E&S) control measures and Best Management Practices during construction in accordance with the site-specific E&S control plans approved by West Virginia Department of Environmental Protection and Virginia Department of Environmental Quality.
- MVP would maintain a buffer between refueling/overnight equipment and vehicle parking areas at ESA sensitive waterbodies (i.e., minimum of 100-foot separation).
- Environmental Inspectors would be onsite during construction activities and would have stop-work authority. FERC third-party compliance monitors would also be onsite during construction, and if compliance issues are identified, would have the authority to stop work in the area until the compliance issue is resolved. MVP would utilize species experts to conduct all required biological monitoring (e.g., species relocation) and would document and report on these activities as they are conducted.
- MVP will not withdraw water from aquatic resources with the potential to contain candy darter populations.
- Direct discharges of hydrostatic test water to waters of the United States will not occur. All upland discharges will be through a controlled discharge system consisting of a sediment filter bag within an engineered structure of straw bales and geotextile, located on a stabilized surface. The flow rates and discharge will be monitored and controlled to ensure the dewatering structure is not overwhelmed and instream sedimentation does not occur.
- MVP will install temporary equipment crossings to reduce the potential for increased erosion and sedimentation resulting from construction equipment and vehicular traffic crossing waterbodies. These temporary crossings would be removed following construction.
- MVP will use or install temporary bridges at access road stream crossings in favor of culvert replacements, when possible. In the event culvert replacements are needed, installation will occur using dry-ditch construction techniques.
- MVP proposes to complete waterbody crossings during low flow times of year and when weather forecasts do not predict storm events.
- A 100-ft buffer will be maintained between aquatic resources with the potential to contain candy darter populations and LOD immediately prior to stream crossings.

Ms. Bose.

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If you have any questions, please do not hesitate to contact me at (412) 553-7783 or mstahl@eqt.com. Thank you.

Respectfully submitted,
Mountain Valley Pipeline, LLC

Megan Stahl, Supervisor Environmental Permitting

Attachments

cc: All Parties

Paul Friedman, OEP

Lavinia DiSanto, Cardno, Inc.

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