

**From:** [Gifford, Krishna](#)  
**To:** [Douglas, Barbara](#)  
**Cc:** [John Schmidt](#); [Paul Phifer](#); [Martin Miller](#); [Spencer Simon](#); [Tiernan Lennon](#)  
**Subject:** Re: [EXTERNAL] ESA Petition Notice for Cambarus pauleyi  
**Date:** Tuesday, April 24, 2018 4:02:22 PM

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Hi Barb -

We don't need to do anything, yet. The petition regulations require the petitioners to notify the states within a species' range that they intend to petition us to list/de/downlist a species. That gives the states the opportunity to provide information for the petitioners to consider. Depending on that information, the petitioner may consider not petitioning us. However, if they proceed with the petition, then, theoretically, it is a more complete, robust petition than what we have received under the older petition regulations.

The attached information is helpful for our files, if we need to respond to an actual petition. If a petition materializes, we will will conduct a 90-day finding; if the finding is substantial, then the species will be binned according to our 12-month finding petition methodology, and added to the national listing workplan as the priority and budget/staffing resources allow.

-Krishna

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Krishna Gifford

ESA Listing Coordinator  
U.S. Fish and Wildlife Service - Northeast Region  
Endangered Species Program  
300 Westgate Center Dr.  
Hadley, MA 01035  
413-253-8619 (v); 413-253-8482 (f)

On Tue, Apr 24, 2018 at 3:03 PM, Douglas, Barbara <[barbara\\_douglas@fws.gov](mailto:barbara_douglas@fws.gov)> wrote:

Hi all - Not sure how we plan to respond to CBD's request, but we should note that WVDNR worked with MVP to include conservation measures for this species as described by the attachment below.

Barb

----- Forwarded message -----

From: **Stihler, Craig W** <[Craig.W.Stihler@wv.gov](mailto:Craig.W.Stihler@wv.gov)>  
Date: Tue, Apr 24, 2018 at 12:56 PM  
Subject: Re: [EXTERNAL] ESA Petition Notice for Cambarus pauleyi  
To: "Douglas, Barbara" <[barbara\\_douglas@fws.gov](mailto:barbara_douglas@fws.gov)>, "O'Malley, Kieran M" <[Kieran.M.O'Malley@wv.gov](mailto:Kieran.M.O'Malley@wv.gov)>  
Cc: Tiernan Lennon <[tiernan\\_lennon@fws.gov](mailto:tiernan_lennon@fws.gov)>, John Schmidt <[John\\_Schmidt@fws.gov](mailto:John_Schmidt@fws.gov)>

Here is a letter with what MVP committed to doing. I am not sure how everything went in the field and hopefully Zac can fill us in.

Craig

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**From:** Douglas, Barbara <[barbara\\_douglas@fws.gov](mailto:barbara_douglas@fws.gov)>  
**Sent:** Tuesday, April 24, 2018 9:54:46 AM  
**To:** O'Malley, Kieran M; Stihler, Craig W  
**Cc:** Tiernan Lennon; John Schmidt  
**Subject:** Fwd: [EXTERNAL] ESA Petition Notice for *Cambarus pauleyi*

Please see below in case this hasn't made it to you yet. Do I recall correctly that WVDNR has been working with MVP to develop conservation measures for this species? If so, can you let me know the status of that?

Thanks, Barb

----- Forwarded message -----

From: **Miller, Martin** <[martin\\_miller@fws.gov](mailto:martin_miller@fws.gov)>  
Date: Mon, Apr 9, 2018 at 10:09 AM  
Subject: Fwd: [EXTERNAL] ESA Petition Notice for *Cambarus pauleyi*  
To: Krishna Gifford <[krishna\\_gifford@fws.gov](mailto:krishna_gifford@fws.gov)>, John Schmidt <[john\\_schmidt@fws.gov](mailto:john_schmidt@fws.gov)>, Paul Phifer <[paul\\_phifer@fws.gov](mailto:paul_phifer@fws.gov)>, Spencer Simon <[spencer\\_simon@fws.gov](mailto:spencer_simon@fws.gov)>, Diane Lynch <[diane\\_lynch@fws.gov](mailto:diane_lynch@fws.gov)>, Barbara Douglas <[barbara\\_Douglas@fws.gov](mailto:barbara_Douglas@fws.gov)>, Chase Allred <[chase\\_allred@fws.gov](mailto:chase_allred@fws.gov)>

fyi

----- Forwarded message -----

From: **Tierra Curry** <[tcurry@biologicaldiversity.org](mailto:tcurry@biologicaldiversity.org)>  
Date: Fri, Apr 6, 2018 at 2:51 PM  
Subject: [EXTERNAL] ESA Petition Notice for *Cambarus pauleyi*  
To: [Stephen.S.McDaniel@wv.gov](mailto:Stephen.S.McDaniel@wv.gov), [Bob.Duncan@dgif.virginia.gov](mailto:Bob.Duncan@dgif.virginia.gov), [Martin\\_Miller@fws.gov](mailto:Martin_Miller@fws.gov)  
Cc: [Bridget\\_Fahey@fws.gov](mailto:Bridget_Fahey@fws.gov), [Gary\\_Frazer@fws.gov](mailto:Gary_Frazer@fws.gov), [Sarah\\_Quamme@fws.gov](mailto:Sarah_Quamme@fws.gov), [tcurry@biologicaldiversity.org](mailto:tcurry@biologicaldiversity.org)

Dear West Virginia Division of Natural Resources, Virginia Department of Game and Inland Fishes, and U.S. Fish and Wildlife Service:

Pursuant to 50 C.F.R. § 424.14(b), we hereby provide notice that the Center for Biological Diversity and allies intend to file a petition under the federal Endangered Species Act to list and designate critical habitat for the Meadow River crayfish (*Cambarus pauleyi*) no sooner than 30 days from the date that this notice is

provided.

We urge the Service, however, to immediately enact protection for the Meadow River crayfish on an emergency basis because it is imminently threatened by the Mountain Valley Pipeline.

Please feel free to contact me for more information.

Best regards,

Tierra

Tierra Curry

Senior Scientist

Center for Biological Diversity

PO Box 11374

Portland, OR 97211

928-522-3681 cell

971-717-6402 office

[tcurry@biologicaldiversity.org](mailto:tcurry@biologicaldiversity.org)

*At the Center for Biological Diversity, we believe that the welfare of human beings is deeply linked to nature — to the existence in our world of a vast diversity of wild animals and plants. Because diversity has intrinsic value, and because its loss impoverishes society, we work to secure a future for all species, great and small, hovering on the brink of extinction. We do so through science, law and creative media, with a focus on protecting the lands, waters and climate that species need to survive. We want those who come after us to inherit a world where the wild is still alive.*

*En el Centro Para la Diversidad Biológica, creemos que el bienestar de los humanos está conectado profundamente con la naturaleza, y a la existencia en nuestro mundo de una vasta diversidad de animales y plantas. Esta diversidad tiene valor intrínseco y su pérdida*

*empobrece a la sociedad, es por ello que trabajamos para asegurar un futuro para todas las especies, grandes y pequeñas, que confrontan la extinción. Lo hacemos por medio de ciencia, la ley y los medios creativos, con un enfoque hacia la protección de las tierras, el agua y el clima que todas las especies necesitamos para sobrevivir. Deseamos que los que vienen después de nosotros hereden un mundo donde la naturaleza sobrevive.*

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Martin Miller, Chief, Division of Endangered Species, Northeast Region, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, MA 01035, 413-253-8615

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Barbara Douglas  
Senior Endangered Species Biologist  
West Virginia Field Office  
U.S. Fish and Wildlife Service  
694 Beverly Pike  
Elkins, WV 26241  
Phone: 304-636-6586 x 19  
Fax: 304-636-7824

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Barbara Douglas  
Senior Endangered Species Biologist  
West Virginia Field Office  
U.S. Fish and Wildlife Service  
694 Beverly Pike  
Elkins, WV 26241  
Phone: 304-636-6586 x 19  
Fax: 304-636-7824

March 1, 2018

Clifford L. Brown  
Environmental Resources Specialist  
WVDNR  
P.O. Box 67  
Elkins, WV 26201

**Subject: Meadow River Mudbug (*Cambarus pauleyi*) along the Mountain Valley Pipeline Project, Greenbrier County, West Virginia**

Dear Mr. Brown,

In September 2017, Dr. Loughman from Liberty University conducted presence/absence surveys for the Meadow River Mudbug (*Cambarus pauleyi*) along the Mountain Valley Pipeline Project in Greenbrier County, West Virginia. During that survey, several populations were located, as shown in the attached mapping. Per the DNR's request, MVP will undertake the following avoidance and minimization measures related to these colonies:

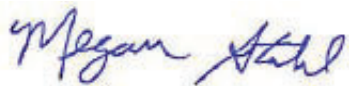
- Coordinate with Dr. Loughman to relocate as many mudbugs as possible from the large colonies crossed by the Right-of-Way (ROW) between mileposts 154.8 and 155.
  - Relocations will occur as soon as temperatures allow and be completed no later than April 24.
  - Relocations will occur within the footprint of trench and 5' on each side.
  - Prior to and during relocation timeframe MVP will place timber mats adjacent to relocation area for access to continue working outside of this area.
- Grubbing and trenching will occur after relocations are completed no later than April 24.
- No herbicides will be used in these areas.
- MVP reduced the ROW width in the area of one additional colony identified at MP 155.8 to minimize disturbance to the colony.

The identified colonies are bounded on either side by streams (Buffalo Creek and unnamed tributaries) with a time of year restriction from April 1 to June 30. We respectfully request approval from the DNR to grant a waiver for in-stream activities to occur in these streams during the restricted timeframe as soon as relocations are completed. The associated waiver request forms are attached.

Mr. Brown.  
March 1, 2018  
Page 2 of 2

If you have questions or would like additional information please contact me at 412-533-7783 or [MStahl@eqt.com](mailto:MStahl@eqt.com).

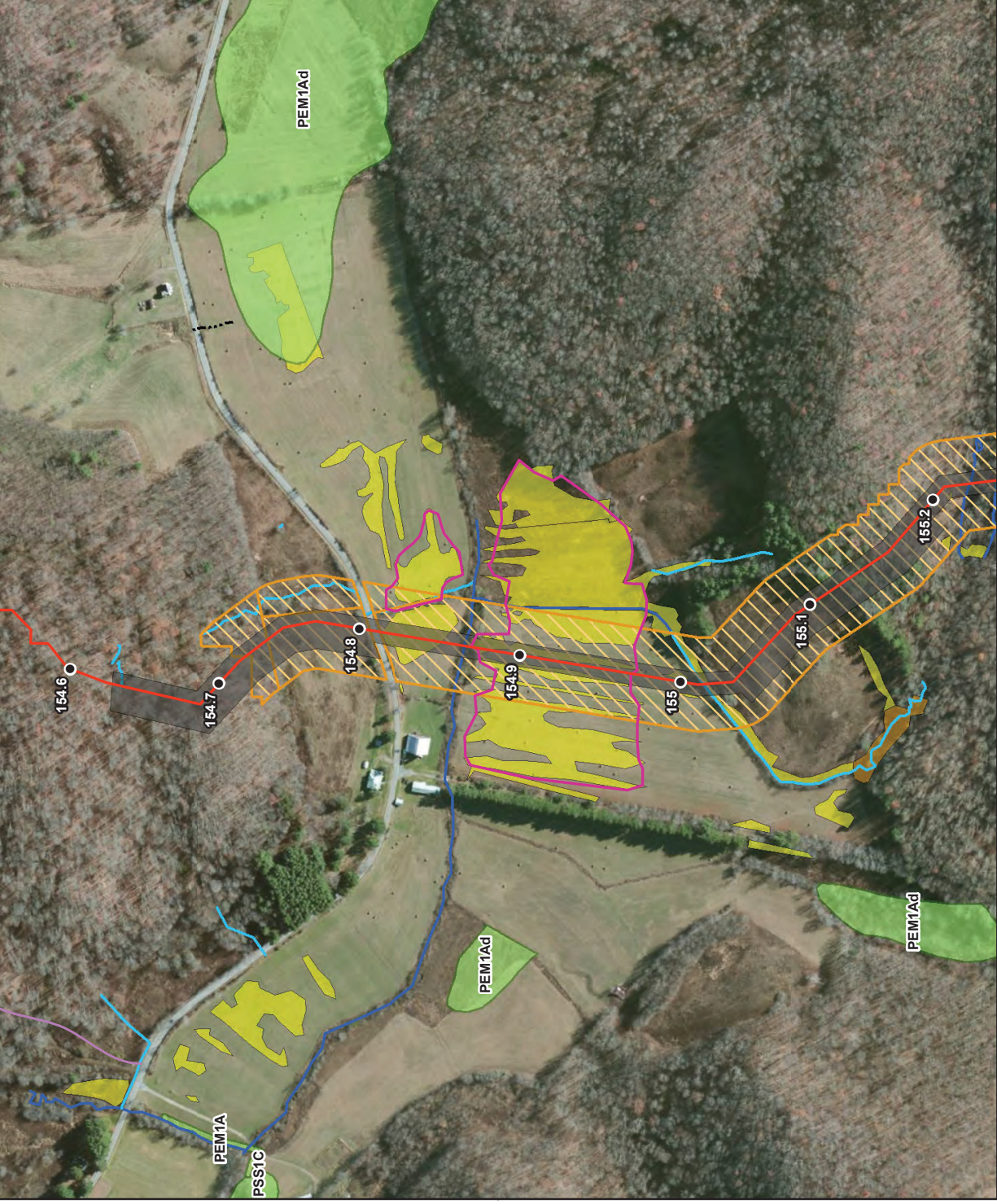
Sincerely,

A handwritten signature in blue ink that reads "Megan Stahl". The signature is written in a cursive, flowing style.

Megan Stahl  
Permitting Supervisor

cc:

Sean Sparks, Tetra Tech  
Taina Pankiewicz, Environmental Solutions & Innovations



Location of Meadow River mudbug (*Cambarus pauley*).  
Very large colony with hundreds to thousands of burrows  
present in stream floodplain. Animal presence confirmed  
through excavations. Colony occurs in outer edges of  
initial survey area.

- Milepost
- Mountain Valley Pipeline Access Roads
- Mountain Valley Pipeline Centerline
- Estimated Colony Occurrence Area
- Area of Survey for Meadow River Mudbug
- Mountain Valley Pipeline Temporary Workspace
- National Wetlands Inventory feature
- Tetra Tech Delineated Stream
- Perennial Stream
- Intermittent Stream
- Ephemeral Stream
- Tetra Tech Delineated Wetland
- PEM
- PSS

Base Map: ESRI ArcGIS Web service -  
"WORLD\_IMAGERY(Clarify)" accessed - 2/28/2018

**ESI**  
ENVIRONMENTAL SOLUTIONS  
& INNOVATIONS, INC.  
Project No. 593.20

Instructions: Complete the data fields shown in red for proposed stream impacts. Once the appropriate information has been received, the applicable WVDNR Fisheries Biologists will be contacted for review. For more information, contact Danielle A. Elliott at [vwg.gov](mailto:vwg.gov) or call the WVDNR Coordination Unit at the Elkins Operations Center at 304-637-0245.

[illegible]



April 6, 2018

To: Stephen McDaniel, Director  
West Virginia Division of Natural Resources  
[Stephen.S.McDaniel@wv.gov](mailto:Stephen.S.McDaniel@wv.gov)

Robert Duncan, Executive Director  
Virginia Department of Game and Inland Fishes  
[Bob.Duncan@dgif.virginia.gov](mailto:Bob.Duncan@dgif.virginia.gov)

Martin Miller, Chief, Endangered Species  
U.S. Fish and Wildlife Service  
Northeast Regional Office  
[Martin\\_Miller@fws.gov](mailto:Martin_Miller@fws.gov)

CC: [Bridget Fahey@fws.gov](mailto:Bridget_Fahey@fws.gov)  
[Gary Frazer@fws.gov](mailto:Gary_Frazer@fws.gov)  
[Sarah Quamme@fws.gov](mailto:Sarah_Quamme@fws.gov)

Dear West Virginia Division of Natural Resources, Virginia Department of Game and Inland Fishes, and U.S. Fish and Wildlife Service:

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We urge the Service, however, to immediately enact protection for the Meadow River crayfish on an emergency basis because it is imminently threatened by Mountain Valley Pipeline.

Please feel free to contact me for more information.

Sincerely,

Tierra Curry  
Senior Scientist  
PO Box 11374  
Portland, OR 97211  
928-522-3681  
[tcurry@biologicaldiversity.org](mailto:tcurry@biologicaldiversity.org)