

From: [Schmidt, John](#)
To: [Stahl, Megan D.](#)
Cc: [Lennon, Tiernan](#); [Paul Friedman](#); [Lavinia DiSanto](#); [Neylon, Megan](#); [Eggerding, Matthew](#)
Subject: Re: [EXTERNAL] RE: MVP Request for Additional Tree Clearing Associated with Landslide at Bradshaw CS, Wetzel County, WV
Date: Friday, May 11, 2018 3:07:46 PM

No. I think that'll do it for now.

John Schmidt

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Our office review times have been severely slowed by a high priority, large scale FOIA. We will do our best to get back to you as soon as possible.

On Fri, May 11, 2018 at 10:34 AM, Stahl, Megan D. <MStahl@eqt.com> wrote:

Hi John,

I am writing to follow up on this request. We are performing a detailed habitat assessment of the area today and should be able to provide the requested information to you on Monday. Do you need anything else to evaluate this request?

Thanks,

Megan

From: Stahl, Megan D. [mailto:MStahl@eqt.com]
Sent: Tuesday, May 08, 2018 5:34 PM
To: Schmidt, John <john_schmidt@fws.gov>
Cc: Lennon, Tiernan <tiernan_lennon@fws.gov>; Paul Friedman <Paul.Friedman@ferc.gov>; Lavinia DiSanto <Lavinia.DiSanto@cardno.com>; Neylon, Megan <MNeylon@eqt.com>; Eggerding, Matthew <MEggerding@eqt.com>
Subject: MVP Request for Additional Tree Clearing Associated with Landslide at Bradshaw CS, Wetzel County, WV

John,

Thank you for helping with this issue while Tiernan is out of the office. As we discussed on the phone, Mountain Valley is requesting approval to cut additional trees to address a landslide that occurred during construction of the Bradshaw Compressor Station site (Wetzel County) on Monday, March 26th, 2018. The landslide is located northwest of Bear Run Road approximately 0.2-mile south-southwest from the intersection of Richwood Run Rd (Rt. [7/6](#)), [Bear Run Rd](#). (Rt. 21/1), and Fallen Timber Run Rd. (Rt. 7/8). The original slip was contained within the construction limits of disturbance (LOD) and a large amount of the material was removed from the slip area to be stockpiled onsite. However, a rain event on April 3rd created an additional slip and approximately 8,000 to 10,000 cubic yards of material moved to bottom of the valley near Fallen Timber Run Rd.

The request for approval to cut additional trees includes the area necessary to safely contain, remove, and stockpile the soil and stabilize the affected area.

Mountain Valley reviewed the slip area for Rare, Threatened and Endangered species and the results are as follows:

- The request is for an additional 0.33-acre of tree clearing within known, occupied summer habitat for the Indiana bat. Mountain Valley proposes to complete this as soon as possible but not between June 1 and July 31. This total accounts for:
 - 0.22-acre of tree clearing for Phase I: Includes debris removal from the bottom of the hill. See Bradshaw Slip Repair Phase I. MVP is proposing to remove a small amount of trees (approximately 0.22-acre shown in yellow on the map) necessary to remotely access and remove the debris. A long boom excavator will be staged outside the ordinary high-water and used to remove the debris from the stream. Debris will be placed in a dump truck and hauled to the new stock pile area that does not require any tree clearing. These trees that MVP is requesting to remove as part of this request have been accounted for in the BO (this is a result of area remaining within the MYSO-Known Summer Use Habitat that was proposed but not cleared).
 - 0.10-acre of tree clearing for Phase II: Includes removal of soil and debris from the middle of an existing stream. MVP is currently working with the USACE to acquire authorization for these activities. These activities will not be conducted until the proper approval is received from the USACE. For this, a small section of trees (approximately 0.10-acre shown in yellow on map Bradshaw Slip Repair Phase II) will need to be cleared to allow for a travel lane and repair of the remaining section of the slip that has not come down the hill. To make up for this additional acreage MVP will forego clearing 0.10-acre of trees in a workspace RD-001A (see the attached screen shot).
 - During our conversation you requested the number of trees within the 0.33-acre area proposed to be cleared that are > 5 inches dbh. We are conducting a

detailed habitat assessment and will provide that information to you ASAP.

- Please note that 1.37 acres of tree clearing was approved in a variance on March 30, 2018 to address the original landslide.
 - This included the area needed to contain the original slip, remove original slip material from the area, and stockpile the original slip material on site.
 - It also included the trees that fell naturally during the landslide event.
 - These trees were felled mechanically and naturally prior to March 31, 2018.
- Portal searches were completed within the slip area and no potential hibernacula of any kind were located.
- The slip is not located within any of the areas identified by state or federal agencies requiring plant surveys.
- The Bradshaw slip impacted the headwaters of Fallen Timber Run. According to the West Virginia Mussel Survey Protocol, as adopted by the West Virginia Division of Natural Resources (WVDNR) and USFWS (West Virginia Field Office), Fallen Timber Run is not classified as a 'mussel stream'; therefore, the Bradshaw slip occurs in a stream reach where freshwater mussel concerns are not present. The slip material has impacted several streams located in the valley. These streams are not listed as known mussel streams or known to contain other sensitive species.
- There are no known populations of migratory birds in the area. However, avian surveys for nests will be completed prior to clearing, as identified within the project's Migratory Bird Conservation Plan.

In summary, MVP has been able to account for all of the trees that have fallen due to the landslide, or are proposed to be cut by MVP, through a previous variance request or the remaining acreage already accounted for in the BO. MVP respectfully requests authorization from the Service to cut the remaining trees in slip repair 1 and 2 outside of the winter bat clearing window. Please let me know if you need additional information to evaluate this request.

Thank you,

Megan

Megan Stahl

Permitting Supervisor

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