

From: [Stahl, Megan D.](#)
To: [Lennon, Tiernan](#)
Subject: RE: [EXTERNAL] MVP Request for Additional Tree Clearing Associated with Landslide at Bradshaw CS, Wetzel County, WV
Date: Tuesday, May 29, 2018 4:55:52 PM

Thank you Tiernan!

From: Lennon, Tiernan [mailto:tiernan_lennon@fws.gov]
Sent: Tuesday, May 29, 2018 4:43 PM
To: Stahl, Megan D. <MStahl@eqt.com>
Cc: Schmidt, John <john_schmidt@fws.gov>; Lavinia Disanto <Lavinia.DiSanto@cardno.com>; Paul Friedman <Paul.Friedman@ferc.gov>; Eggerding, Matthew <MEggerding@eqt.com>; Neylon, Megan <MNeylon@eqt.com>; Sumalee Hoskin <sumalee_hoskin@fws.gov>
Subject: Re: [EXTERNAL] MVP Request for Additional Tree Clearing Associated with Landslide at Bradshaw CS, Wetzel County, WV

Megan - Based on the negative results of your May 22, 2018, emergence survey, the WVFO does not anticipate that the repair of this slip will result in any additional effects to listed bats beyond those already analyzed in our Biological Opinion issued on November 21, 2017.

On Wed, May 23, 2018 at 2:28 PM, Stahl, Megan D. <MStahl@eqt.com> wrote:

Tiernan,
MVP completed the emergence survey that was approved in your email below. No bats were seen and the trees were cut soon after sunrise this morning. A letter report detailing the results, as well as the data sheets and the map showing the locations of the trees are attached.

MVP is respectfully requesting authorization from the Service for the variance request to address the slip area described in my email dated 5/8/17 (attached). Please let me know if you need additional information to evaluate this request.

Thank you,
Megan

From: Lennon, Tiernan [mailto:tiernan_lennon@fws.gov]
Sent: Tuesday, May 22, 2018 8:39 AM
To: Stahl, Megan D. <MStahl@eqt.com>
Cc: Schmidt, John <john_schmidt@fws.gov>; Lavinia Disanto <Lavinia.DiSanto@cardno.com>; Paul Friedman <Paul.Friedman@ferc.gov>
Subject: Re: [EXTERNAL] MVP Request for Additional Tree Clearing Associated with Landslide at Bradshaw CS, Wetzel County, WV

Megan,

The Service has no objections to MVP's May 17, 2018, emergence survey study plan for the Bradshaw slip repair in Wetzel County, WV. However, the Service does recommend that a

qualified bat biologist be present onsite the entire time the emergence survey is being conducted.

If no bats are observed in any of the trees, MVP may fell the trees immediately (i.e. in the dark). If safety concerns dictate the trees cannot be felled immediately, then the trees should be felled as soon as possible after sunrise on the following day. If the trees are not felled during daytime immediately following the emergence survey, then the survey has to be repeated.

Upon completion of the surveys, survey results (and notification that the trees have been felled) should be emailed directly to the Service and FERC.

No tree removal of any tree should occur if bats are seen emerging from any tree within the proposed limits of disturbance. The Service and FERC should be notified immediately if bats are seen emerging.

If you have any questions or concerns regarding this email feel free to give me a call. Thanks.

On Thu, May 17, 2018 at 4:29 PM, Stahl, Megan D. <MStahl@eqt.com> wrote:

John/Tiernan,

As requested I am providing MVP's proposed Phase 4 study plan for the slip area described in the emails below. Please let me know if you need additional information.

Thank you,

Megan

To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>

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Tiernan Lennon

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*Please, note the change to our address. We have not moved, but our address has been updated within the emergency response system.

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

From: "Stahl, Megan D." <MStahl@eqt.com>
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>

Bcc:

Date: Mon, 14 May 2018 21:05:33 +0000

Subject: RE: [EXTERNAL] MVP Request for Additional Tree Clearing Associated with Landslide at Bradshaw CS, Wetzel County, WV

John,

1. As shown on Table 5 of the BO, known use summer habitat was approved to be cleared in the winter.
2. The previous variance request is attached, as well as the approval from FERC. As explained in the variance request, on January 29, 2018 the USFWS concurred with MVP's proposed process for reviewing variances that require tree clearing. In this instance, MVP requested to clear approximately 1.4 acres of trees. To offset this decrease in Myotis bat summer use habitat, MVP committed to not cut a section of trees along the Bradshaw Compressor Station pad as shown in Attachment 1 of the variance request. The tree acreage from this offset is greater than the tree acreage associated with this variance.
3. MVP is proposing to cut five (5) trees that are over 5" DBH. I attached a map showing the locations of these trees.

Please let me know if you need anything else.

Thank you for your attention to this.

Megan

From: Schmidt, John [mailto:john_schmidt@fws.gov]

Sent: Friday, May 11, 2018 10:11 AM

To: Stahl, Megan D. <MStahl@eqt.com>

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: Re: [EXTERNAL] MVP Request for Additional Tree Clearing Associated with Landslide at Bradshaw CS, Wetzel County, WV

Megan,

I could use your assistance with answers to the following questions:

1. What time of year did the BO/BA allow tree clearing to occur in this area?

2. Please provide a copy of Tiernan's pre-approval for the 1.37 acre variance.
3. How many trees are over 5" DBH do you plan to cut?

John Schmidt

John E. 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 Tue, May 8, 2018 at 5:33 PM, Stahl, Megan D. <MStahl@egt.com> wrote:

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 tress (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
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To learn about EQT's sustainability efforts visit: <https://csr.eqt.com>

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*Please, note the change to our address. We have not moved, but our address has been updated within the emergency response system.

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