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[www.mountainvalleypipeline.info](http://www.mountainvalleypipeline.info)

February 7, 2019

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

Re: Mountain Valley Pipeline, LLC  
Docket No. CP16-10-000  
Variance Request No. D-19

Dear Ms. Bose:

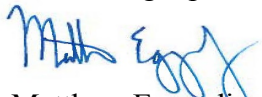
On October 13, 2017, the Federal Energy Regulatory Commission ("Commission") issued an order granting a Certificate of Public Convenience and Necessity to Mountain Valley Pipeline, LLC ("Mountain Valley"). In this filing, Mountain Valley submits Variance Request No. D-19.

Certain of the supporting materials contain privileged and confidential information. Mountain Valley requests that, pursuant to 18 C.F.R. § 388.11 (2018), the Commission treat these materials as non-public. Mountain Valley has marked the documents "CUI//PRIV – DO NOT RELEASE."

If you have any questions, please do not hesitate to contact me at (412) 553-5786 or [MEggerding@equitransmidstream.com](mailto:MEggerding@equitransmidstream.com). Thank you.

Respectfully submitted,

MOUNTAIN VALLEY PIPELINE, LLC  
by and through its operator,  
EQM Gathering Opco, LLC

By:   
Matthew Eggerding  
Senior Counsel

cc: All Parties  
Paul Friedman, OEP  
Lavinia DiSanto, Cardno, Inc.  
Doug Mooneyhan, Cardno, Inc.

# MVP Variance Request Form



Variance Request

No.:

D-19

Date Approval Requested by Contractor:

10/17/2018

Date Submitted by Chief Inspector to LEI:

10/19/2018

Date Received by FERC:

FERC Approval Reference No.:

Requested By:

Rich Anderson

Spread:

D

Variance Type:

WS

Request Prepared By \*:

Megan Neylon

Variance Sequence

Number:

019

\* The FERC compliance monitor should be alerted and given a copy of the draft variance for review prior to submittal.

Location (Use either Station or Milepost)

Station:

6070+00

To:

6070+00

Milepost:

114.75

To:

114.75

Alignment Sheet Number:

128

Tract No.:

WV-NI-025

Current Land Use/ Vegetative Cover:

Deciduous Forest; Developed;  
Pasture/Hay

Other Agency  
Jurisdiction:

Nearby Features (Water body, T&E Habitat, Wetland, Noxious Weed Area, Residence (distance), Cultural Resource Site (distance) etc.):

- ☐ Noxious Weed Area ☐ Raptor Nest ☐ Residence (Distance)  
☐ T/E Species Habitat ☒ Cultural Resource Site ☐ Water Well  
☐ Other (Specify):

46NI809, 46NI810 (both Not Eligible);

In or w/in 50' of a wetland:

☐ Yes ☒ No

In or w/in 50' of a waterbody:

☒ Yes ☐ No

Wetland or Waterbody ID:

N/A

S-A75

Additional Stream  
footage impacted:

0.00

Additional Wetland impacts:

0.00

Net acreage affected:

+ 2.83

Tree Clearing Required:

No

Acreage of tree  
clearing:

0.00

Variance Level:

☐ Level 1 ☐ Level 2 ☒ Level 3

Variance From:

☒ Permit ☐ Plan ☐ Procedures ☐ EPPM ☐ Specification ☐ Drawing ☐ Mitigation Measure  
☐ Line List ☐ Other: Describe:

Detailed Description of Variance:

Attachments?

☒ Yes ☐ No

Photos?

☐ Yes ☒ No

This variance expands MVP-ATWS-200 for hydrostatic test water storage. It is anticipated that one tank with a max capacity of 2.5 million gallons will be stored on site. The yard will be graded and graveled. Gravel will be installed on top of geotextile fabric. The gravel will be removed post construction. Topsoil is present at the site and will be segregated into separate stockpiles. No wetlands or rare, threatened or endangered species were found during delineations. Stream S-A75 was found during delineations, but is outside of the LOD and will incur no impacts. Cultural Resources 46NI809 & 46NI810 were found during delineations, but were both deemed not eligible. Concurrence letters from WVDCH can be found in Attachment 4. This variance increases the permitted LOD by 2.83 acres. No tree clearing is associated with this variance.

List Attachments:

Attachment 1-Alignment Sheet; Attachment 2- Rare, Threatened, and Endangered Species Report; Attachment 3- Waterbodies and Wetlands Report; Attachment 4- Cultural and Historic Resources Report (CUI/PRIV -- DO NOT RELEASE); Attachment 5- Landowner Exhibits (CUI/PRIV -- DO NOT RELEASE); Attachment 6- Pipeline Variance Request Map

Variance Justification:

Resources have been avoided to the extent practicable. Per approved Project plans, BMPs will be installed to minimize impacts to any Environmentally Sensitive Areas within/abutting the area.

For MVP Use Only			
Additional Surveys Required		Surveyed Corridor Description	Additional Surveys Completed
Cultural Survey	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The locations for this variance request were evaluated for cultural resources, waterbodies and wetlands, threatened and endangered species, and habitat. See the attached cover page list of reports.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
T & E Survey	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Waterbodies/Wetlands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Proof of Previous Biological and Cultural Survey Clearance</b> See attachments 2 and 3 that describe rare, threatened, and endangered species surveys and stream and wetland delineations. USFWS Biological Opinion was issued on 10/31/2017. Additional survey conducted 9/29/2018. The cultural resources survey was reported in: Mountain Valley Pipeline Project, Cultural Resources Survey, Volume III, Nicholas, Greenbrier and Fayette Counties, West Virginia (Espino et al. December 2015); Mountain Valley Pipeline Project, Slip Mitigation Workspaces MVP-ATWS-SM-030 and MVP-ATWS-SM-033, and Workspace MVP-ATWS-200 (Ext), Request for Concurrence on Disturbance and No Further Survey Recommendations (Freedman October 2018). Filed with FERC 12/24/2015; 10/31/2018. Clearance received from WVDCH 1/27/2016; 10/24/2018. The Concurrence Letter is provided in Attachment 4.			
<b>Landowner:</b> <b>Land Agent Contact</b> <b>Landowner Approval Obtained</b>		<b>REDACTED</b> <b>JOE PARK</b>	
<b>Sign Off:</b>			
	<b>Name</b>	<b>Signature</b>	<b>Date</b>
Construction Manager	Richard Anderson	Richard Anderson	11/16/2018
Lead Environmental Inspector	Kayla Shay	Kayla Shay	11/16/2018
Third Party Compliance Manager or monitor			
ROW Land Agent *	Joe Park	Joe Park	11/16/2018
Environmental Supervisor	Megan Neylon	Megan Neylon	11/16/2018
*signature denotes confirmed landowner approval			

**For FERC Compliance Monitor and Compliance Manager Use Only**

Variance Approved:		Variance Denied:		Beyond Authority:	
Signature:					
Date:					
Stipulations:					

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Spread No.:	D	Variance Request No.:	D-19
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**VARIANCE CONDITIONS**

Name:		Title:		Organization:	
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Conditions:

Name:	Title:	Organization:
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Conditions:

Name:	Title:	Organization:
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Conditions:

**Mountain Valley Pipeline, LLC  
Mountain Valley Pipeline Project  
Docket No. CP16-10-000**

**Alignment Sheets  
Attachment 1**







**Mountain Valley Pipeline, LLC  
Mountain Valley Pipeline Project  
Docket No. CP16-10-000**

**Rare, Threatened, and Endangered Species Report  
Attachment 2**

**Mountain Valley Pipeline Project  
Variance D-19  
October 26, 2018**

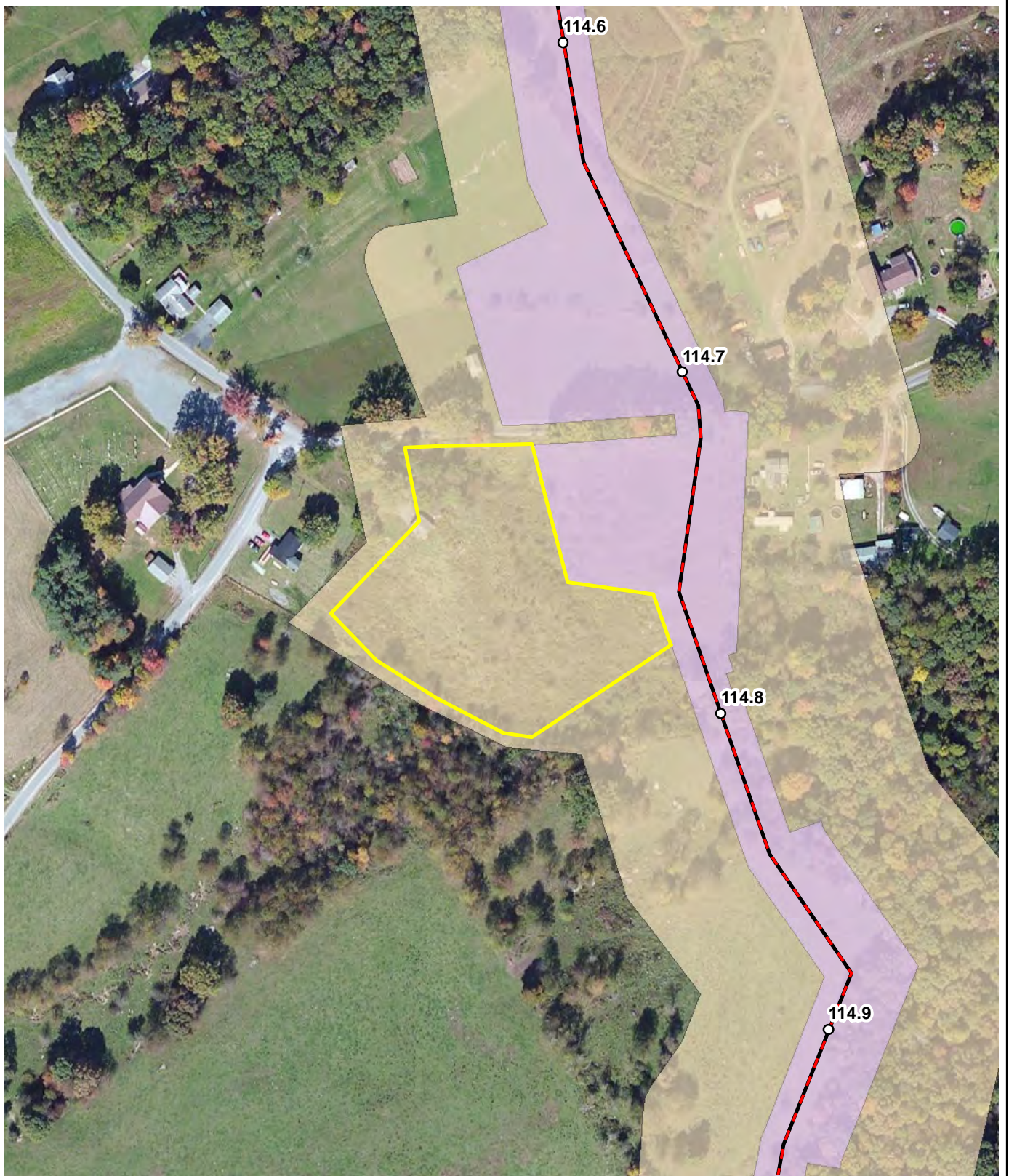
State and federal agencies identified areas where plant surveys were required. This variance does not occur in any of those areas.

There are no impacts to aquatic resources or to listed aquatic species associated with this variance.

The only avian species-specific presence-absence surveys required for the project are scrub-shrub habitat-specific in the state of Virginia, thus do not apply to this variance area.

On 11/13/2015 and 09/29/2018, Environmental Solutions and Innovations, Inc. (ESI) conducted field surveys to search for portal openings (winter bat habitat). Surveys were conducted in accordance with agency approved protocols for the project. No portal openings were observed in the variance area.

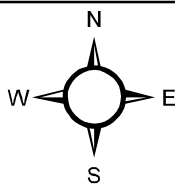




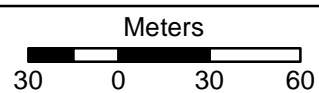
 MVP Variance

 ESI Portal Coverage

 MVP LOD (20171127)



Mountain Valley Pipeline Variance Survey Exhibit; Variance D-19



Base Map: ESRI "World Imagery (Clarity)";  
accessed 10/30/2018



**Mountain Valley Pipeline, LLC  
Mountain Valley Pipeline Project  
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**Waterbodies and Wetlands Report  
Attachment 3**



# **Mountain Valley Pipeline Project**

## **Variance D-19**

**October 30, 2018**

On October 1, 2018, Tetra Tech, Inc. (Tetra Tech) surveyed the proposed variance in Nicholas Co., WV for wetlands and streams. Wetland delineations were conducted utilizing the Routine On-Site Determination Methodology presented in the US Army Corps of Engineers (USACE) Wetland Delineation Manual (Technical Report Y-87-1) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0).

During field surveys, Tetra Tech did not identify any wetlands or streams in the variance area as shown on the attached figure. Additionally, one stream (S-A75) was identified in the vicinity of the variance area; however, this stream is located outside of the variance area as shown on the attached figure.




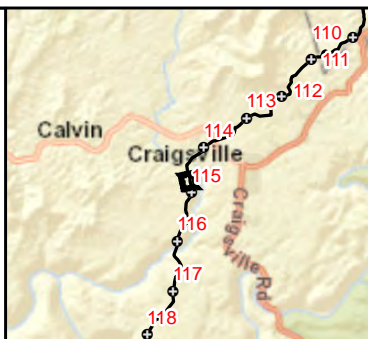


**Mountain Valley Pipeline, LLC  
Mountain Valley Pipeline Project  
Docket No. CP16-10-000**

**Pipeline Variance  
Request Map  
Attachment 6**





<b>Mountain Valley Pipeline Project</b>  FERC Docket No. CP16-10-000 <b>MVP Variance D-19</b> NICHOLAS COUNTY October 2018		N NAD 1983 UTM 17N 0 50 100 200 300 400 Feet
<b>Legend</b> <ul style="list-style-type: none"> <li>Issued for Construction Milepost</li> <li>Issued for Construction Route</li> <li>Issued for Construction Limits of Disturbance</li> <li>Parcel Boundary</li> <li>Proposed Variance Additional Temporary Workspace</li> </ul>		
<small>Data Sources: ESRI Aerial Imagery, All Issued for Construction data was filed with FERC on 12/20/2017.</small>		