

MVP Variance Request Form



Variance Request
No.:

B-6

Date Approval Requested by Contractor:

6/7/2018

Date Submitted by Chief Inspector to LEI:

Date Received by FERC:

FERC Approval Reference No.:

Requested By:

Robert Thompson

Spread:

B

Variance
Type:

AR

Request Prepared By *:

Megan Neylon

Variance Sequence
Number:

006

* 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:

2020+00

To:

2020+00

Milepost:

38.10

To:

38.10

Alignment Sheet Number:

42-43

Tract No.:

WV-HA-155 , WV-HA-3933

Current Land Use/ Vegetative Cover:

Developed; Pasture/Hay

Other Agency
Jurisdiction:

N/A

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):

46HS152

In or w/in 50' of a wetland:

☒ Yes ☐ No

In or w/in 50' of a waterbody:

☒ Yes ☐ No

Wetland or Waterbody ID:

S-K82, S-B19a, S-K94, S-K95,

W-K53, W-J40

Additional Stream
footage impacted:

- 18.00
(Reduced)

Additional Wetland impacts:

- 0.09 (Reduced)

Net acreage affected:

+ 0.39 ac

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 is an after the fact variance to adjust the alignment of temporary access road MVP-HA-051 to follow the existing road and reduce wetland impacts. Gravel has been placed on the road and will be left behind once construction is completed. No rare, threatened or endangered species were identified within the variance area. Cultural Resource 46HS152 was identified near the variance and will be protected with safety fence as shown on the alignment sheets in attachment 1. SHPO Letter of Concurrence can be found in Attachment 4. Wetland W-K53 and Streams S-K82 & S-B19a were delineated outside of the LOD and will incur no impacts. Wetland W-J40 has been delineated inside of the LOD, this wetlands impact has decreased by 0.09 acres. Streams S-K94 & S-K95 have been delineated inside of the LOD. This variance results in a net decrease in 18 LF of impacts to S-K94 & S-K95. This variance has a net increase of 0.39 acres from the permitted LOD. No tree clearing is required for this variance.

List Attachments:

Attachment 1-Alignment Sheets; 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Waterbodies/Wetlands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proof of Previous Biological and Cultural Survey Clearance <small>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. The cultural resources survey was reported in: Mountain Valley Pipeline Project, Cultural Resource Survey, Volume I, Wetzel, Harrison, Doddridge, and Lewis Counties, West Virginia (Espino et al. 2015 July 2015); Mountain Valley Pipeline Project, Proposed Parking Area MVP-PA-001, Access Road MVP-HA-051 and Avoidance Plan for Site 46HS152, Access Road MVP-LE-054.01, Workspace MVP-ATWS-1548, Access Road 133.02, and Workspace MVP-ATWS-1556 (Freedman May 2018). Filed with FERC 9/12/2015; 6/1/2018. Clearance received from WVDCH 10/6/2015; 6/6/2018. The Concurrence Letter is provided in Attachment 4.</small>			
Landowner: Land Agent Contact Landowner Approval Obtained		REDACTED JANNA ARNOLD	
Sign Off:			
	Name	Signature	Date
Construction Manager	Brent Ladd	<i>Brent Ladd</i>	8/24/2018
Lead Environmental Inspector	Christopher Parker	<i>Christopher Parker</i>	8/24/2018
Third Party Compliance Manager or monitor			
ROW Land Agent *	Janna Arnold	<i>Janna Arnold</i>	8/24/2018
Environmental Supervisor	Megan Neylon	<i>Megan Neylon</i>	8/24/2018
*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.:	<u> B </u>	Variance Request No.:	<u> B-6 </u>
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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 B-6
August 23, 2018

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

There are impacts to aquatic resources associated with this variance. However, there no impacts to listed aquatic species.

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. However, the Migratory Bird Conservation Plan for the project does address concerns for 28 species of migratory birds within the nesting season from April 1 to August 31; thus preconstruction nesting surveys for migratory birds will be conducted prior to clearing in accordance with this document.

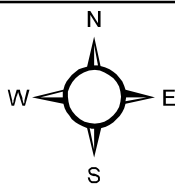
On 01/21/2015, 01/18/2015, and 10/23/2015, Environmental Solutions and Innovations, Inc. (ESI) conducted field surveys to search for portal openings (winter bat habitat). Surveys were conducted in accordance with agency approved protocols for the project. No portal openings were observed in the variance area.



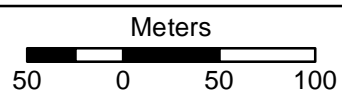
 MVP Variance

 ESI Portal Coverage

 MVP LOD (20171127)



Mountain Valley Pipeline Variance Survey Exhibit; Variance B-6



Base Map: ESRI "World Imagery (Clarity)";
accessed 8/23/2018

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

**Waterbodies and Wetlands Report
Attachment 3**

Mountain Valley Pipeline Project

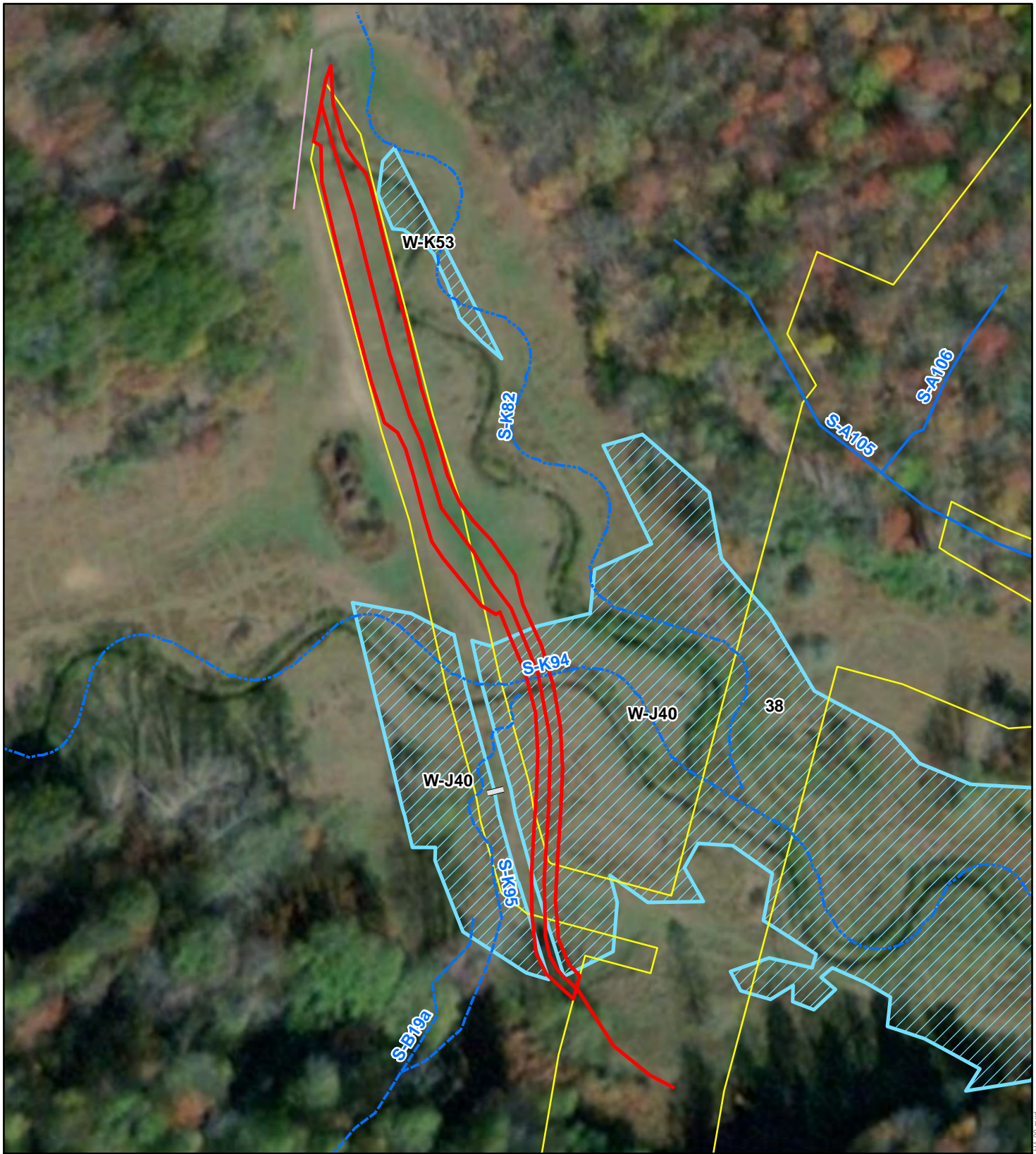
Variance B-6



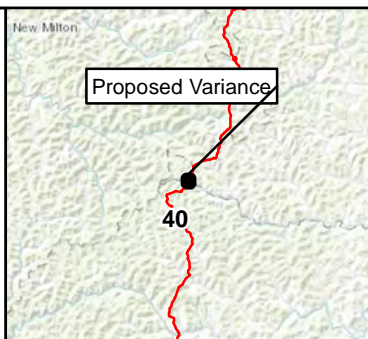
August 23, 2018

On June 3 and June 5, 2015, Tetra Tech, Inc. (Tetra Tech) surveyed proposed variance in Harrison 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 identified and delineated one palustrine emergent (PEM) wetland (W-J40) and one stream (S-K94) in the proposed variance area, as shown on the attached figure.

Other wetland and stream features were identified and delineated in the vicinity of the variance area (S-K82, S-K95, S-B19a, and W-K53), as shown on the attached figure, but are not impacted by the variance.




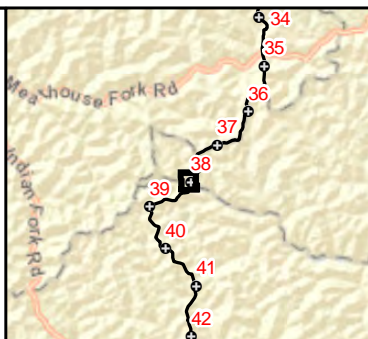
Mountain Valley Pipeline Project  NAD 1983 UTM 17N 1 inch = 100 feet <div style="display: flex; align-items: center;"> <div style="flex: 1; border-bottom: 1px solid black; margin: 0 5px;"></div> <div style="text-align: center; margin: 0 5px;">0 50 100 200</div> <div style="text-align: right; margin: 0 5px;">Feet</div> </div>									
 Proposed Variance B-6 <i>Harrison County, West Virginia</i> August 2018	Legend <table border="0" style="width: 100%;"> <tr> <td> Issued for Construction LOD</td> <td>— Ephemeral Stream</td> </tr> <tr> <td>— Proposed Variance Limit of Disturbance</td> <td>- - - Intermittent Stream</td> </tr> <tr> <td> Culvert</td> <td>- - - - Perennial Stream</td> </tr> <tr> <td> Drainage</td> <td> PEM Wetland</td> </tr> </table>	 Issued for Construction LOD	— Ephemeral Stream	— Proposed Variance Limit of Disturbance	- - - Intermittent Stream	 Culvert	- - - - Perennial Stream	 Drainage	 PEM Wetland
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— Proposed Variance Limit of Disturbance	- - - Intermittent Stream								
 Culvert	- - - - Perennial Stream								
 Drainage	 PEM Wetland								
									
<small>Data Sources: ESRI Streaming Data 2014.</small>									

Document Path: N:\Supplemental\GIS\Projects\MVP\Variations\AK40\AK40.mxd

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

**Pipeline Variance
Request Map
Attachment 6**



Mountain Valley Pipeline Project  FERC Docket No. CP16-10-000 MVP Variance B-6 HARRISON COUNTY August 2018		N NAD 1983 UTM 17N 0 50 100 200 300 400 Feet
Legend <ul style="list-style-type: none"> Issued for Construction Milepost Issued for Construction Route Issued for Construction Limits of Disturbance Parcel Boundary Proposed Variance Temporary Workspace 		
Data Sources: ESRI Aerial Imagery, All Issued for Construction data was filed with FERC on 12/20/2017.		