

MVP Variance Request Form



Variance Request
No.: G-7

Date Approval Requested by Contractor: 4/10/2018

Date Submitted by Chief Inspector to LEI: 4/12/2018

Date Received by FERC:

FERC Approval Reference No.:

Requested By: Stan Layman

Spread: G

Variance Type: AR

Request Prepared By *: Megan Neylon

Variance Sequence Number: 007

* 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: 10544+50 To: 10544+50 Milepost: 199.52 To: 199.52

Alignment Sheet Number: 220 Tract No.: BGI-0, VA-GI-008.03

Current Land Use/ Vegetative Cover:

Deciduous Forest; Developed

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): Pinnate-lobbed coneflower (no impacts); MYSO (+ 0.07 ac UUSS)

In or w/in 50 feet of a wetland: ☐ Yes ☒ No

In or w/in 50 feet of a waterbody: ☐ Yes ☒ No

Wetland or Waterbody ID: N/A

Additional Stream footage impacted:

N/A

Additional Wetland impacts:

N/A

Net acreage affected: + 0.07

Tree Clearing Required:

Yes

Acreage of tree clearing:

+ 0.07

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 relocates MLV-23 and MVP-MLV-AR-23 due to steepness of the original site. No cultural resources, or wetlands or waterbodies were identified within the proposed LOD. This variance has a net increase of 0.07 acres of LOD from the original permit. There is a net increase in tree clearing of 0.07 acres. The modification of the tree clearing results in a net increase of 0.07 acres MYSO - Unknown Use Spring Staging/Fall Swarming Habitat (UUSS) (Acres). Field surveys were conducted, and no Pinnate-lobbed Coneflowers habit was found. On January 29, 2018 the USFWS concurred with MVP's proposed process for reviewing variances that require tree clearing. Attachment 2 includes a table that shows MVP's acreage "banks" will remain net positive following approval of this variance request.

List Attachments:

Attachment 1-Alignment Sheets; Attachment 2- Rare, Threatened, and Endangered Species Report; Attachment 3- Stream and Wetland Delineation Report; Attachment 4- Cultural Resources Reports and Concurrences (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 ☐ Yes ☒ 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.	☐ Yes ☒ No
T & E Survey ☐ Yes ☒ No		☐ Yes ☒ No
Waterbodies/Wetlands ☐ Yes ☒ No		☐ Yes ☒ No

Proof of Previous Biological and Cultural Survey Clearance

See attachments 2 and 3 that describe rare, threatened, and endangered species surveys and stream and wetland delineations. The USFWS Biological Opinion was issued on 10/31/2017. The cultural resources survey was reported in: Mountain Valley Pipeline Project, Phase IB Archaeological Survey Report, Giles County, Virginia (November 2015). Filed with FERC 12/7/2015. Clearance received from VADHR 12/31/2015. A letter of concurrence dated is provided in Attachment 4.

Landowner: **REDACTED**
Land Agent Contact **BRIAN MURPHY**
Landowner Approval ☒ Yes ☐ No
Obtained

Sign Off:	Name	Signature	Date
Construction Manager	<i>Stan Layman</i>	<i>Stan Layman</i>	10/31/2018
Lead Environmental Inspector	<i>Brian Shields</i>	<i>Brian Shields</i>	10/31/2018
Third Party Compliance Manager or monitor			
ROW Land Agent *	<i>Brian Murphy</i>	<i>Brian Murphy</i>	10/31/2018
Environmental Supervisor	<i>Megan Neylon</i>	<i>Megan Neylon</i>	10/31/2018

*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.:	G	Variance Request No.:	G-7
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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 Sheet
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 G-7
May 9, 2018

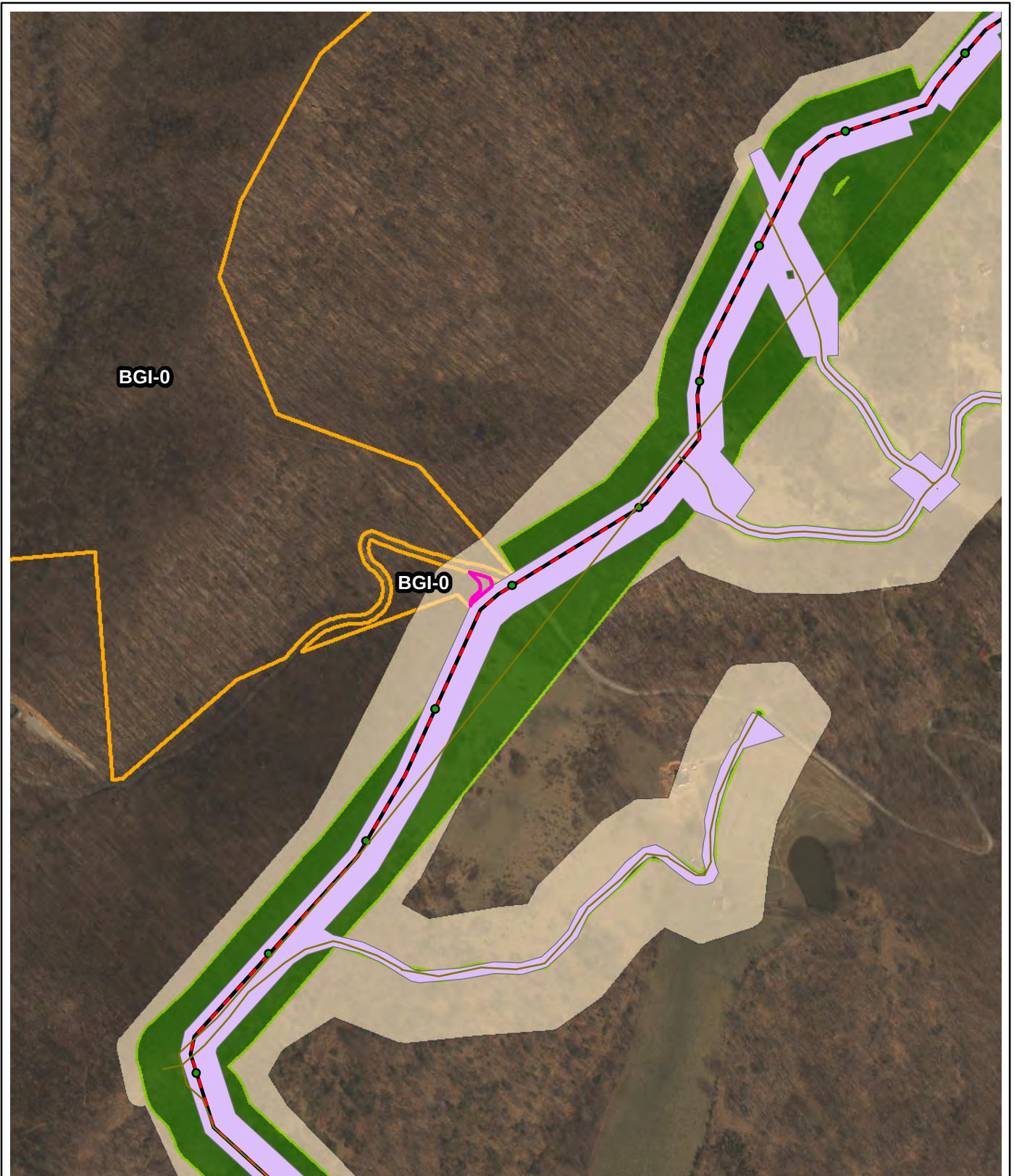
General survey areas are provided by the U.S. Fish and Wildlife Service and/or the applicable state agency. This variance occurs within the range of the Pinnate-lobed Coneflower. Pedestrian habitat assessments were conducted on June 29 to July 3, 2016. These field surveys were conducted within a 300-foot survey corridor, no suitable habitat or individuals were identified during survey efforts.

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

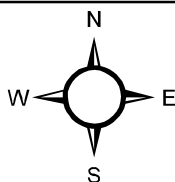
The only avian species-specific presence-absence surveys required for the project are scrub-shrub habitat-specific in the state of Virginia, thus do not apply to this variance area.

The modification of the tree clearing results in a net increase of 0.07 acres MYSO - Unknown Use Spring Staging/Fall Swarming Habitat (UUSS). Tree clearing will not occur between June 1 and July 31 or October 1 and November 14 as per the BO.

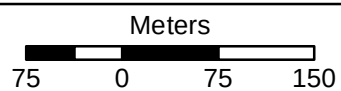
On 11/15/2015, 3/8/2016, and 3/30/2016 Environmental Solutions and Innovations, Inc. (ESI) conducted field surveys to search for portal openings (winter bat habitat). Surveys were conducted in accordance with agency approved protocols for the project. No portal openings were observed in the variance area.



- | | | |
|--|---|---|
|  MVP Variance |  ESI Plant Survey Coverage |  Parcel Boundary |
|  MVP LOD (20171127) |  ESI Portal Coverage | |



Mountain Valley Pipeline Variance Survey Exhibit; Variance G-7



Base Map: ESRI "World Imagery (Clarity)";
accessed 5/9/2018

Table 1
Bat Habitat Bank Acreage

	MYSO - Known Summer Use Habitat (acres)	MYSO - Known use spring staging/fall swarming habitat (acres)	MYSO - Suitable Unoccupied Summer Habitat (acres)	MYSO - Unknown use spring staging/fall swarming habitat (acres)	MYSO - Unknown Use Summer Habitat (acres)	NLEB known use spring staging/fall swarming habitat (acres)
Remaining bank acreage from IP-5 table	0.37	1.47	13.04	6.81	13.79	0.59
Bradshaw ATWS	0.02	0.00	0.00	0.00	0.00	0.00
ATWS 1544	0.03	0.00	0.00	0.00	0.00	0.00
ATWS 1545	0.10	0.00	0.00	0.00	0.00	0.00
LY-27	0.00	0.00	0.00	0.00	0.15	0.00
LY-45/46	0.00	0.00	0.00	0.00	0.05	0.00
Variance A-4 - MP 24.6	0.00	0.00	0.00	0.00	0.06	0.00
Bradshaw Slip Repair Phase 1	0.01	0.00	0.00	0.00	0.00	0.00
Variance A-5 - MP 28.97	0.00	0.00	-0.51	0.00	0.09	0.00
Variance H-3 - MP 234.85	0.00	0.00	0.91	0.00	0.00	0.00
Variance F-3 - MP 159.27	0.00	0.00	-0.42	0.00	0.00	0.00
Variance H-2 - MP 240.00	0.00	0.00	0.09	0.00	2.74	0.00
Variance E-4 - LY-058	0.00	0.00	0.00	0.00	0.01	0.00
Variance E-5 - MP 133.46	0.00	0.00	0.27	0.00	0.00	0.00
Variance I-2 - MP-268.8	0.00	0.00	0.00	0.00	0.45	0.00
Variance I-4 - MP 300.7	0.00	0.00	0.00	0.00	0.18	0.00
Variance G-3 - MP 224.1	0.00	0.00	0.00	1.67	0.00	0.00
Variance B-2 - MP 42.7	0.00	0.00	1.45	0.00	0.00	0.00
Variance H-5 - MP 257.9 & 258.2	0.00	0.00	0.39	0.00	0.00	0.00
Variance I-5 - MP 261.47	0.00	0.00	-0.25	0.00	0.00	0.00
Variance H-6 - MP 235.58	0.00	0.00	0.39	0.00	0.20	0.00
Variance F-6 - MP 176.8	0.00	0.00	0.00	0.00	0.08	0.00
Variance D-4 - MP 110.1	0.00	0.00	0.08	0.00	0.00	0.00
Variance E-6 - MP 143.9	0.00	0.00	0.00	0.00	0.08	0.00
Variance F-5 MP 166.07	0.00	0.00	0.24	0.00	0.00	0.00
Variance D-7 - MP 119.0	0.00	0.00	2.64	0.00	0.00	0.00
Variance D-6 - MP 115.74 & 115.85	0.00	0.00	1.22	0.00	0.00	0.00
Variance B-3 - MP 60.29	0.00	0.00	0.01	0.00	0.27	0.00
Variance C-6 - MP 79.46	0.00	0.00	0.00	0.00	-0.21	0.00
Variance C-2 - MP 82	0.00	0.00	0.00	0.00	1.11	0.00
Bradshaw Phase II	0.01	0.00	0.00	0.00	0.00	0.00
Variance A-11 (MP 23.8)	0.00	0.00	0.00	0.00	0.30	0.00
Variance I-10 (MP 266.3)	0.00	0.00	0.00	0.00	-0.64	0.00
Variance A-12 (MP 6.8)	0.01	0.00	0.00	0.00	0.00	0.00
Variance B-7 (MP 60.07)	0.00	0.00	0.00	0.00	1.51	0.00
Variance A-15 (MP 12)	0.00	0.00	0.00	0.00	0.19	0.00
Variance H-7 (MP 238.3) - Transco Credit	0.00	0.00	-11.25	0.00	0.00	0.00
Variance H-7 (MP 238.3)	0.00	0.00	8.37	0.00	0.27	0.00
Variance I-12 (LY-035 Ext)	0.00	0.00	0.00	0.00	0.01	0.00
Variance H-9 (MP 237.5)	0.00	0.00	0.00	0.00	0.24	0.00
Variance D-17 (MP 108.17)	0.00	0.00	4.08	0.00	0.43	0.00
Variance E-10 (MP 149.45)	0.00	0.00	0.00	0.00	0.21	0.00
Variance C-10 (MP 68.4)	0.00	0.00	0.00	0.00	2.34	0.00
Variance C-11 (MP 86.3)	0.00	0.00	0.00	0.00	1.84	0.00

Table 1
Bat Habitat Bank Acreage

	MYSO - Known Summer Use Habitat (acres)	MYSO - Known use spring staging/fall swarming habitat (acres)	MYSO - Suitable Unoccupied Summer Habitat (acres)	MYSO - Unknown use spring staging/fall swarming habitat (acres)	MYSO - Unknown Use Summer Habitat (acres)	NLEB known use spring staging/fall swarming habitat (acres)
Variance A-14 (MP 6.5)	0.05	0.00	0.00	0.00	0.00	0.00
Variance A-14 (MP 6.5) - MVP-WE-014 & ATWSs credit	-12.96	0.00	0.00	0.00	0.00	0.00
Variance A-14 (MP 6.5) - MVP-LY-024 credit	-0.86	0.00	0.00	0.00	0.00	0.00
Variance B-10 (MP 35.1)	0.00	0.00	0.34	0.00	0.00	0.00
Variance A-23 (MP 0.10)	0.87	0.00	0.00	0.00	0.00	0.00
Variance A-24 (MP 2.65)	0.82	0.00	0.00	0.00	0.00	0.00
Variance A-25 (MP 2.10)	1.20	0.00	0.00	0.00	0.00	0.00
Variance C-12 (MP 84.3)	0.00	0.00	0.00	0.00	1.45	0.00
Variance C-13 (MP 68.9)	0.00	0.00	0.00	0.00	0.33	0.00
Variance A-27 (MP 3.4)	0.16	0.00	0.00	0.00	0.00	0.00
Variance G-6 (MP 210.0)	0.00	0.37	0.00	0.00	0.00	0.00
Variance A-26 (MP 4.0)	1.92	0.00	0.00	0.00	0.00	0.00
Variance C-14 (MP 84.4)	0.00	0.00	0.00	0.00	0.15	0.00
Variance C-14 (MP 84.4) - MVP-LE-066.01 credit	0.00	0.00	0.00	0.00	-1.30	0.00
Variance A-29 (MP 1.9)	0.06	0.00	0.00	0.00	0.00	0.00
Variance A-30 (MP 3.9)	1.36	0.00	0.00	0.00	0.00	0.00
Variance G-7 (MP 199.52)	0.00	0.37	0.00	0.07	0.00	0.00
Net Remaining Acreage for variances to date	7.57	0.73	4.99	5.07	1.20	0.59

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

**Stream and Wetland
Delineation Report
Attachment 3**

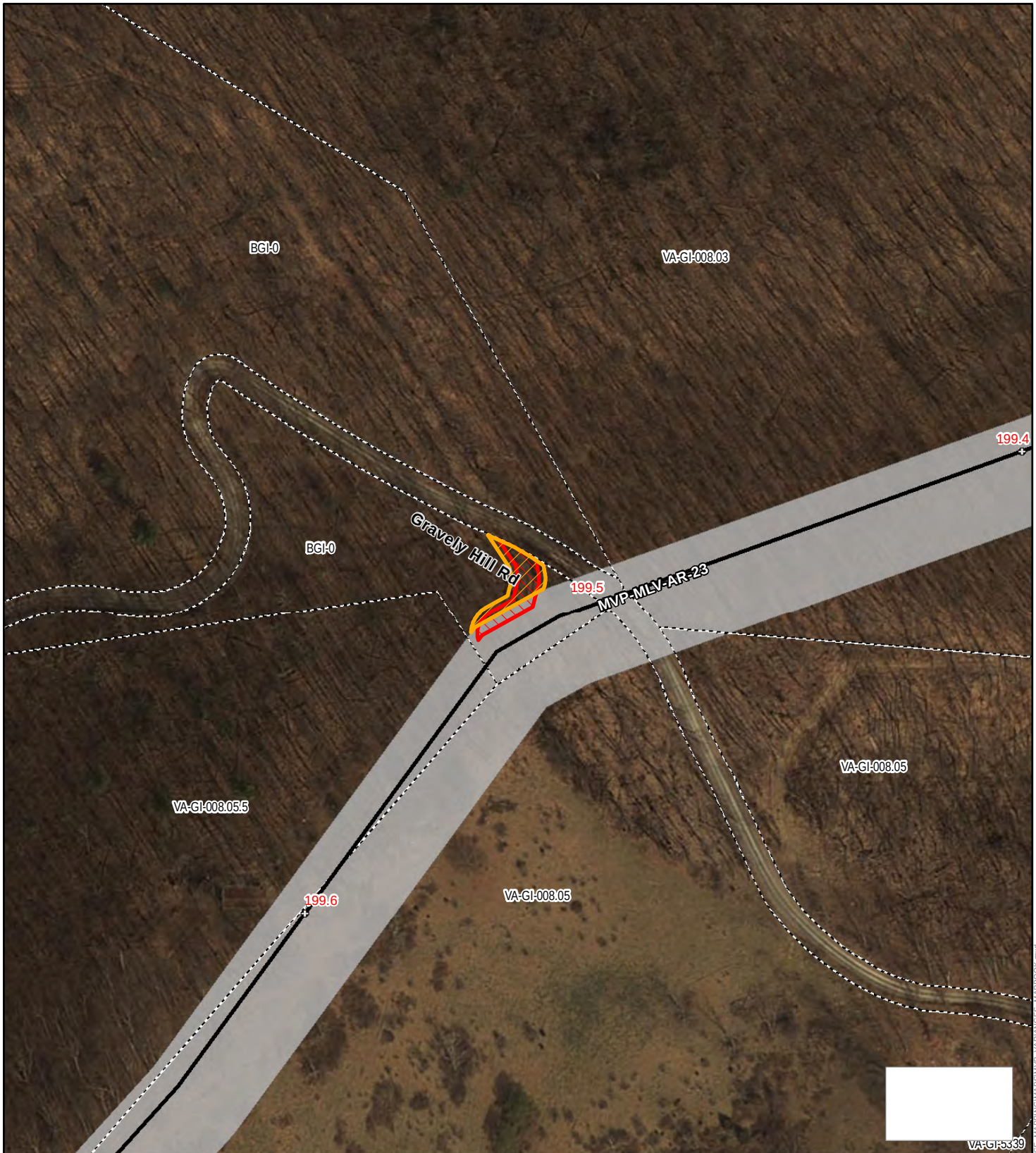
Mountain Valley Pipeline Project

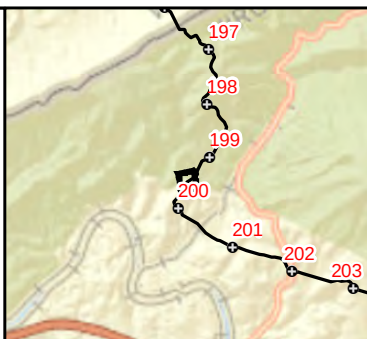
Variance G-7

May 9, 2018

On June 17, 2015, Tetra Tech, Inc. (Tetra Tech) surveyed the proposed variance in Giles Co., VA 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 streams or wetlands in the variance area as shown on the attached figure.



Mountain Valley Pipeline Project  FERC Docket No. CP16-10-000 MVP Variance G-7 GILES COUNTY April 2018		NAD 1983 UTM 17N 0 50 100 200 300 400 Feet
Legend - Issued for Construction Milepost - Issued for Construction Route - Issued for Construction Limits of Disturbance - Parcel Boundary - Proposed Variance Permanent Easement - Proposed Variance Temporary Workspace		
Data Sources: ESRI Aerial Imagery, All Issued for Construction data was filed with FERC on 12/20/2017.		

Document Path: R:\PROJECTS\MOUNTAIN VALLEY PIPELINE\3.00 VARIANCE_MAPPING\MOUNTAIN VALLEY PIPELINE_3.00 VARIANCE_MAPPING\MOUNTAIN VALLEY PIPELINE_3.00 VARIANCE_MAPPING\BOOK.mxd

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

**Pipeline Variance
Request Map
Attachment 6**

