

MVP Variance Request Form



Variance Request

No.:

I-7

Date Approval Requested by Contractor:

4/15/2018

Date Submitted by Chief Inspector to LEI:

Date Received by FERC:

FERC Approval Reference No.:

Requested By: Mark Torbic

Spread:

Variance Type:

WS

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:

N/A

To:

N/A

Milepost:

N/A

To:

N/A

Alignment Sheet Number:

Ancillary Site

Tract No.:

VA-PI-5981, VA-PI-5980, VA-PI-5979, VA-PI-5978, VA-PI-5977, VA-PI-5996, VA-PI-5976, VA-PI-5975, VA-PI-5974

Other Agency Jurisdiction:

N/A

Current Land Use/ Vegetative Cover:

Developed;
Grassland/Herbaceous;
Pasture/Hay

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):

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

N/A

Additional Stream footage impacted:

N/A

Additional Wetland impacts:

N/A

Net acreage affected:

+ 5.78

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 adds laydown yard MVP-LY-048. This variance increases the LOD by 5.78 acres with no tree clearing being present. No rare threatened or endangered species, cultural resources, or wetlands or waterbodies were identified within the proposed LOD. Topsoil will be on the southern portion of the site. No fuel storage will be present on site. Access to site will be from State Route 719, using an existing entrance as well as from two existing entrances along US Highway 29. This yard is already graded and graveled, additional gravel may be required on-site to meet the contractor's needs.

List Attachments:

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

Variance Justification:			
Laydown yard necessary for construction staging. Per approved Project plans, BMPs will be installed to minimize potential impacts to 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
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 10/31/18. The cultural resources survey was reported in: Mountain Valley Pipeline Project, Proposed Laydown Yard MVP-LY-048 - Documentation of Prior Disturbance, Request for Concurrence on No Further Survey Recommendation (January 2018). Filed with FERC 1/16/18. Clearance assumed with VADHR 2/7/18 which is 30 days from the submittal date.			
Landowner:		REDACTED	
Land Agent Contact		BRIAN MURPHY	
Landowner Approval Obtained		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Sign Off:	Name	Signature	Date
Construction Manager	Mark Torbic	<i>Mark Torbic</i>	6/5/2018
Lead Environmental Inspector	Tracy Hilbun	<i>Tracy Hilbun</i>	6/5/2018
Third Party Compliance Manager or monitor			
ROW Land Agent *	Brian Murphy	<i>Brian Murphy</i>	6/5/2018
Environmental Supervisor	Megan Neylon	<i>Megan Neylon</i>	6/5/2018
*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.:	I	Variance Request No.:	I-7
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VARIANCE CONDITIONS

Name:		Title:		Organization:	
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Conditions:

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Name:		Title:		Organization:	
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Conditions:

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Name:		Title:		Organization:	
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Conditions:

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

**Alignment Sheets
Attachment 1**

[illegible]

**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 I-7
June 7, 2018

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

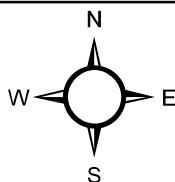
There are no impacts to aquatic resources associated with this variance and thus no impacts to listed aquatic species.

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.

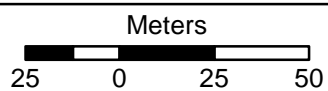
Environmental Solutions and Innovations, Inc. (ESI) conducted an aerial imagery reconnaissance to determine the site was recently disturbed with light industrial and would not require surveys for portal openings (winter bat habitat) No portal openings were observed in the variance area. Clearing associated with this variance will affect listed bat habitat as follows:



MVP Variance
 Parcel Boundary
 ESI Portal Coverage



Mountain Valley Pipeline Variance Survey Exhibit; Variance I-7



Base Map: ESRI "World Imagery (Clarity)";
accessed 6/7/2018

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

**Waterbodies and Wetlands Report
Attachment 3**

Mountain Valley Pipeline Project

Variance I-7

June 8, 2018

On January 4, 2018 and June 8, 2018, Tetra Tech, Inc. (Tetra Tech) surveyed the proposed variance in Pittsylvania 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 wetlands or streams in the survey area as shown on the attached figure.

FIGURES



Mountain Valley Pipeline Project			NAD 1983 UTM 17N	1 inch = 200 feet	
<p>Proposed Variance I-7</p> <p><i>Pittsylvania County, Virginia</i></p> <p>June 2018</p>		Legend			
Data Sources: ESRI Streaming Data 2014.		Proposed Variance Limit of Disturbance Issued for Construction LOD			

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

**Attachment 4-
Cultural Resources
Report**

January 8, 2018

Mr. Roger Kirchen
Virginia Department of Historic Resources
Division of Review and Compliance
2801 Kensington Avenue
Richmond, VA 23221

**Subject: Mountain Valley Pipeline Project
Proposed Laydown Yard MVP-LY-048 – Documentation of Prior Disturbance
Request for Concurrence on No Further Survey Recommendation
DHR File# 2014-1194
FERC Docket CP16-10**

Dear Mr. Kirchen:

Mountain Valley Pipeline, LLC (MVP), a joint venture between affiliates of EQT Midstream Partners, LP, NextEra Energy, Inc., Con Edison Gas Midstream, LLC, WGL Holdings, Inc., and RGC Midstream, LLC, has received an Order issuing a Certificate of Public Convenience and Necessity (Order) from the Federal Energy Regulatory Commission (FERC) pursuant to Section 7(c) of the Natural Gas Act authorizing it to construct and operate the proposed Mountain Valley Pipeline Project (Project) located in 17 counties in West Virginia and Virginia. In compliance with the executed Programmatic Agreement for the Project, Tetra Tech has prepared this letter with documentation of prior disturbance of the MVP-LY-048 laydown yard for review and comment by Virginia Department of Historic Resources. Photographs and figures referenced below appear within Attachment 1 to this letter.

In December 2017, MVP identified a location in Blairs, Pittsylvania County, Virginia, which MVP proposes to use as a construction laydown yard (MVP-LY-048) (Figure 1). Use of the yard would be consistent with nearby surrounding industrial land use.

The Tetra Tech cultural team reviewed the Virginia Cultural Resource Information System (VCRIS) on December 5, 2017, for records of previously recorded cultural resources within the Area of Potential Effects (APE) for MVP-LY-048, which is equivalent to the yard's footprint. VCRIS indicated no records of previous Phase I survey or previously recorded aboveground or archaeological resources within the yard's APE.

Historical aerial photographs of the approximately 6.76-acre proposed yard were also reviewed. The earliest aerial dates to 1994 and shows the MVP-LY-048 yard location as an industrial/commercial facility that may have served as a storage yard (Figure 2). A concrete pad is extant, and bare earth was exposed across much of the proposed yard. The use of the location continued to be industrial/commercial through 2011 (Figure 3), after which historic imagery displays an apparent cessation of activities (Figure 4).

A site visit to the yard location by Tetra Tech's archaeologist on December 12, 2017, confirmed that the MVP-LY-048 yard location is within a portion of a former industrial/commercial facility in Blairs, Virginia. An extant concrete pad is present (Photographs 1 and 2). Graded and graveled ground surface is visible across much of the property (Photographs 1-5).

There are no extant historic aboveground resources located within the MVP-LY-048 yard location.

In sum, the location of the proposed MVP-LY-048 construction laydown yard has undergone extensive previous ground-disturbing activity. The location has minimal potential to contain intact archaeological resources that would meet the criteria to be eligible to the NRHP. No further field investigation of the location is recommended. As noted above, there are no extant aboveground historic resources within the yard's location, and the temporary use of the yard during construction would not result in permanent indirect impacts on NRHP-eligible aboveground historic resources. No further archaeological or historic architectural survey of the location is recommended. MVP requests your concurrence with Tetra Tech's recommendation for no additional cultural resources investigation warranted within MVP-LY-048.

Please review this plan under Stipulation IV.A. in the executed Programmatic Agreement for the Project. This report will also be filed with the Federal Energy Regulatory Commission (FERC), lead federal agency for the project. Per Stipulation IV.E., comments should be submitted to Paul Friedman at the FERC. He can be reached at:

Mr. Paul Friedman
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, D.C. 20426

(202)502-8059
Paul Friedman @ferc.gov

You may contact Evelyn Tidlow by telephone at (612) 812-5478 or by e-mail at E.Tidlow@gaiconsultants.com if you have any technical questions during your review.

Thank you for your attention.

Sincerely,



Brian M. Clauto
Senior Environmental Coordinator

Attachment 1: Figures 1 through 4 and Photographs 1 through 5

cc: Evelyn Tidlow, GAI
Sean Sparks, Tetra Tech
Sydney Marshall, Tetra Tech
James Marine, Tetra Tech

Attachment 1
Figures and Photographs

MVP Project
MVP-LY-048
Figures



Figure 2. Aerial photograph from 1994 showing proposed MVP-LY-048 Yard location (outlined in red) in use as an industrial/commercial facility. Source: GoogleEarth, accessed December 15, 2017.

MVP Project
MVP-LY-048
Figures



Figure 3. Aerial photograph from 2011 showing proposed MVP-LY-048 Yard location (outlined in red) in use as an industrial/commercial facility. Source: GoogleEarth, accessed December 15, 2017.

MVP Project
MVP-LY-048
Figures



Figure 4. Aerial photograph from 2014 showing proposed MVP-LY-048 yard location (outlined in red) in apparent cessation of use. Source: GoogleEarth, accessed December 15, 2017.



**Photograph 1. MVP-LY-048 laydown yard. View due south across the proposed yard.
Note the extant concrete pad surrounded by graded and graveled ground surface.
Photographer: Adam Maskevich, Tetra Tech, December 12, 2017.**



**Photograph 2. MVP-LY-048 laydown yard. View due south across the proposed yard.
Note the extant concrete pad surrounded by graded and graveled ground surface.
Photographer: Adam Maskevich, Tetra Tech, December 12, 2017.**



Photograph 3. MVP-LY-048 laydown yard. View to south across graded and graveled ground surface.
Photographer: Adam Maskevich, Tetra Tech, December 12, 2017.



Photograph 4. MVP-LY-048 laydown yard. View to west across graded and graveled ground surface.
Photographer: Adam Maskevich, Tetra Tech, December 12, 2017.



Photograph 5. MVP-LY-048 laydown yard. View to southwest across graded and graveled surface. Discarded cut boulder visible in north-central portion of photograph in front of tree line. Photographer: Adam Maskevich, Tetra Tech, December 12, 2017.

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

**Pipeline
Variance
Request Map
Attachment 6**

