

MVP Variance Request Form



Variance Request

No.:

H-3

Date Approval Requested by Contractor:

4/2/2018

Date Submitted by Chief Inspector to LEI:

Date Received by FERC:

FERC Approval Reference No.:

Requested By:

Jack Pierce

Spread:

H

Variance Type:

RA

Request Prepared By *:

Megan Neylon

Variance Sequence Number:

003

* 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:

12400+50

To:

12440+00

Milepost:

234.85

To:

235.46

Alignment Sheet Number:

258

Tract No.:

VA-RO-004, VA-MO-009, VA-MO-3715, VA-MO-088.04

Current Land Use/ Vegetative Cover:

Deciduous Forest; Developed; Evergreen Forest; 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): 44MY0053, 44MY054, 44MY0282, 44MY0216, MYSO (+ 0.91 Acres SUSH)

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:

S-NN16; W-NN8

N/A

Additional Stream footage impacted:

0

Additional Wetland impacts:

0

Net acreage affected:

-1.33

Tree Clearing Required:

YES

Acreage of tree clearing:

+ 0.91

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

Route adjustment for cultural area north of Roanoke River (adjustment in centerline and ROW between MP 234.85 and 235.460). Adjustment of access roads (MVP-MN-279.02 and MVP-MN-279) and associated workspace (MVP-ATWS-724, MVP-ATWS-1505, MVP-ATWS-1507, MVP-ATWS-1506, MVP-ATWS-726, MVP-ATWS-725) to match centerline adjustment. The impacts to S-NN16 and W-NN8 will not change from the original permit as the LOD has not expanded in those areas. This variance has a net decrease of 1.33 acres of LOD from the original permit. With 9.85 acres of additional LOD outside of original permit to be used and 11.18 acres of permitted LOD no longer needed to be used. 2.70 acres of trees are required to be cleared that were not designated to be cleared in original permit. 1.79 acres of trees that were permitted to be cleared will no longer be cleared. Consequently, there is a net increase in tree clearing of 0.91 acres. The modification of the tree clearing results in a net increase of 0.91 acres of MYSO - Suitable Unoccupied Summer Habitat (SUSH) impacts. 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- 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 (CUI//PRIV -- DO NOT RELEASE)

Variance Justification:			
Adopted route deviation to avoid impacts to environmentally sensitive areas. Resources have been avoided to the extent practicable. 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	☐ 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
	☐ Yes ☒ No		☐ 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 cultural resources survey was reported in: USFWS Biological Opinion issued 10/31/17. Mountain Valley Pipeline Project, Phase IB Archaeological Survey Report, Roanoke, Montgomery, and Craig Counties, Virginia (March 2016) Filed with FERC 3/9/16. Clearance from VADHR 4/21/16. A letter of concurrence is provided in Attachment 5.			
Landowner:		REDACTED	
Land Agent Contact		Brian Murphy	
Landowner Approval Obtained		☒ Yes ☐ No	
Sign Off:	Name	Signature	Date
Construction Manager	Jack Pierce	Jack Pierce	5/7/2018
Lead Environmental Inspector	Randy Clark	Randy Clark	5/7/2018
Third Party Compliance Manager or monitor			
ROW Land Agent *	Brian Murphy	Brian Murphy	5/7/2018
Environmental Supervisor	Megan Neylon	Megan Neylon	5/7/2018
*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.:	H	Variance Request No.:	H-3
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VARIANCE CONDITIONS

Name:		Title:		Organization:	
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Conditions:

Name:	Title:	Organization:
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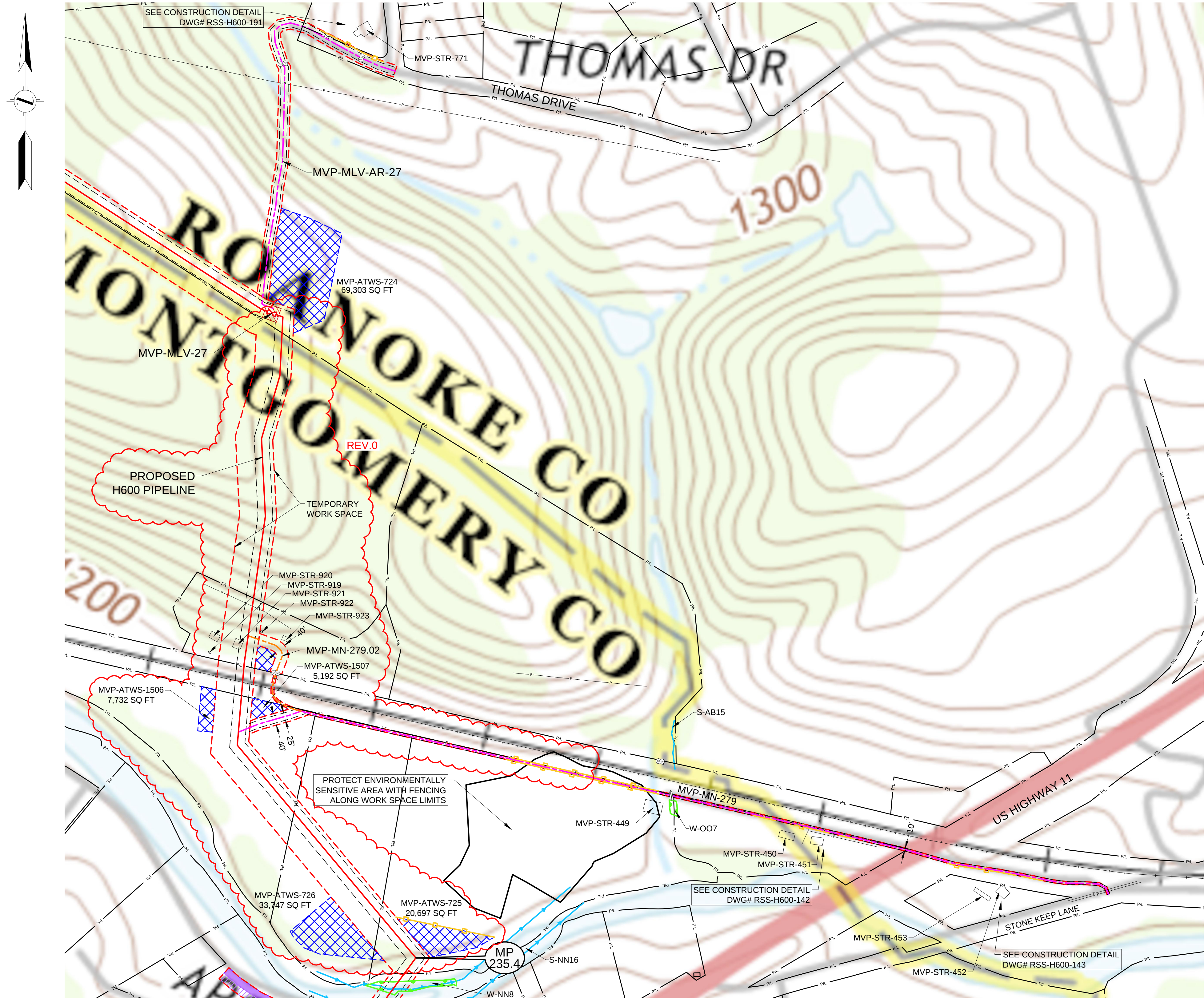
Conditions:

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**



LEGEND	
	PERMANENT ACCESS ROAD
	TEMPORARY ACCESS ROAD
	PROPOSED H600 PIPELINE
	PROPOSED PERMANENT EASEMENT
	TEMPORARY WORK SPACE
	ADDITIONAL TEMPORARY WORK SPACE
	STUDY CORRIDOR
	WETLAND
	STREAM
	PROPERTY LINE
	ROAD RIGHT-OF-WAY LINE
	GATE - GATE POST
	CULVERT
	PIPELINE MARKER
	PIPELINE
	OVERHEAD POWER LINE

PROJECTION: UTM ZONE 17
HORIZONTAL DATUM: NAD 83 US SURVEY FEET
VERTICAL DATUM: NAVD88

REFERENCE DRAWINGS	
DRAWING NUMBER	TITLE
RSS-H600-142	RESIDENTIAL SITE SPECIFIC
RSS-H600-143	RESIDENTIAL SITE SPECIFIC
RSS-H600-191	RESIDENTIAL SITE SPECIFIC
MVP-AR-H600-14	OVERALL QUAD MAP
PA-MOVA-H600-19	ALIGNMENT SHEET

REVISIONS			
REV.	BY	DATE	DESCRIPTION
0	DRF	4-24-18	ISSUED FOR VARIANCE - CULTURAL AVOIDANCE RE-ROUTE

HOLLAND
ENGINEERING

220 Hoover Boulevard, Suite 2
Holland, Michigan 49423-3766
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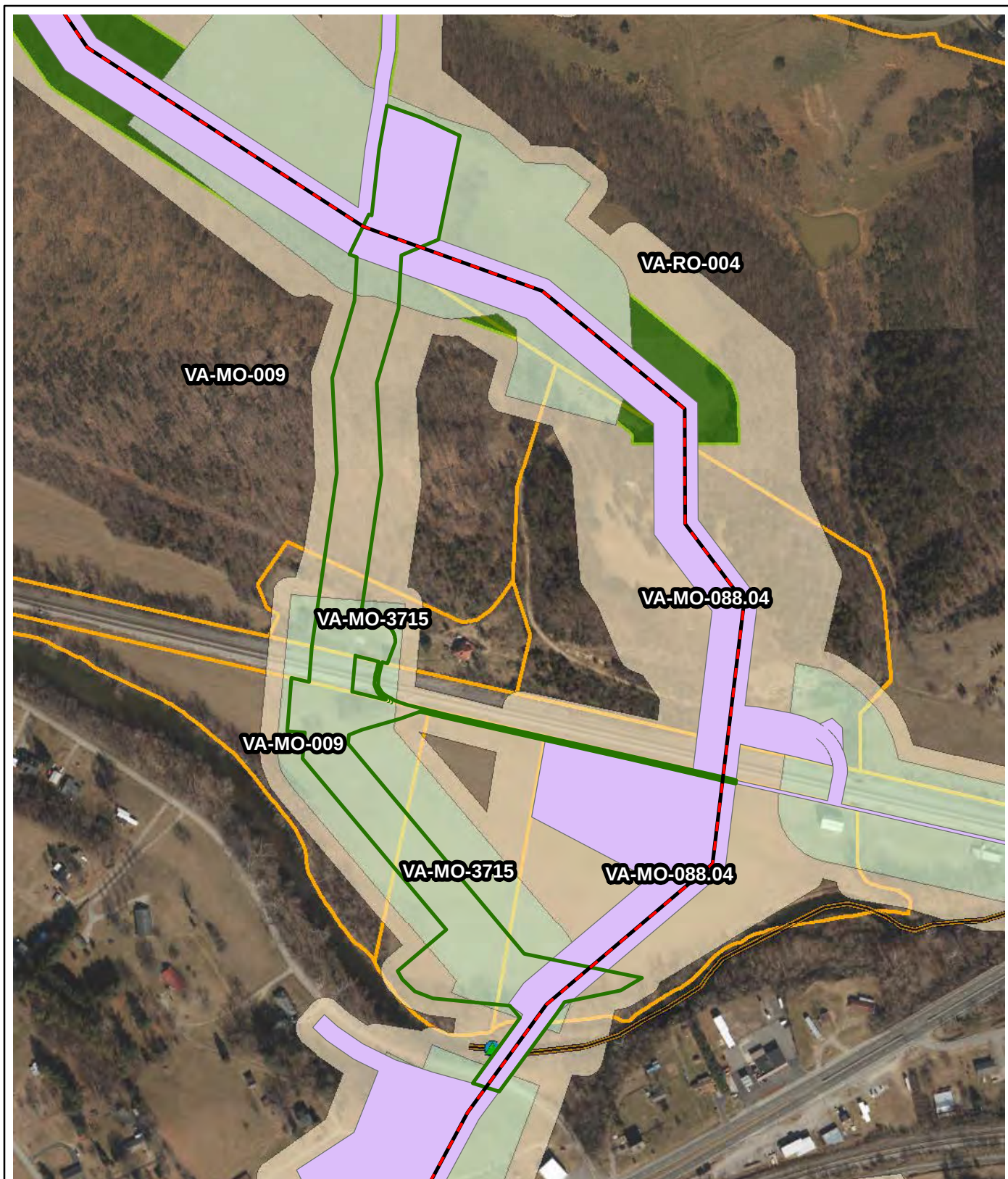
APPROVED FOR FERC			APPROVED FOR BIDDING			APPROVED FOR CONSTRUCTION		
REV.	BY	DATE	REV.	BY	DATE	REV.	BY	DATE

HORIZ. SCALE: 1" = 200'	
DRAWN BY: HEI(DRF)	04/24/18
DRAFTING CK:	.
ENGINEERING CK:	.
UEI JOB NO.:	
AFE/P.O.NO.:	
HEI PROJECT NO.: 14-10-052	
UEI FILE NO.	
DRAWING NO.:	
MVP-QDAR-H600-95A	
SHEET 95 OF 109	REV. 0
DATE OF PLOT: 5/17/18 3:18 PM	

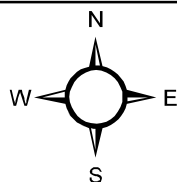
QUAD DETAILS
PROPOSED ACCESS ROADS
MVP PIPELINE PROJECT - H600 LINE
ROANOKE COUNTY, VA

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

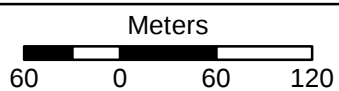
**Rare, Threatened, and Endangered Species Report
Attachment 2**



- | | | | |
|----------------------------|---------------------------|---------------------------|-----------------|
| MVP Variance | ESI Fish Survey Location | ESI LOSH Survey Coverage | Parcel Boundary |
| MVP LOD (20171127) | ESI Mussel Survey Segment | ESI Plant Survey Coverage | |
| ESI Mussel Survey Location | ESI Fish Survey Segment | ESI Portal Coverage | |



Mountain Valley Pipeline Variance Survey Exhibit;



Base Map: ESRI "World Imagery (Clarity)";
accessed 4/11/2018

Mountain Valley Pipeline Project
Variance (H-3)
April 10, 2018

State and federal agencies identified areas where plant surveys were required. This variance occurs within an area that was defined as potential Smooth Coneflower habitat. ESI conducted surveys and found no suitable habitat for Smooth Coneflower.

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 and LOSH. The habitat type is present at this location and will require LOSH surveys in accordance to the MBTA report prior to clearing of this area.

The modification of the tree clearing results in a net increase of 0.91 acres of MYSO - Suitable Unoccupied Summer Habitat (SUSH) impacts. Tree clearing will not occur between June 1 and July 31 or October 1 and November 14 as per the BO.

On 9/14/28/2016, 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.

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	0	0	0	0
ATWS 1544	0.03	0	0	0	0	0
ATWS 1545	0.1	0	0	0	0	0
LY-27	0	0	0	0	0.15	0
LY-45/46	0	0	0	0	0.053	0
Variance A-4 - MP 24.6	0	0	0	0	0.06	0
Bradshaw Slip Repair Phase 1	0.22	0	0	0	0	0
Variance A-5 - MP 28.97	0	0	(0.51)	0	0.09	0
Variance H-3 - MP 234.85	0	0	0.91	0	0	0
Net Remaining Acreage for variances to date	0	1.47	12.64	6.81	13.437	0.59

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

**Waterbodies and Wetlands Report
Attachment 3**

Mountain Valley Pipeline Project

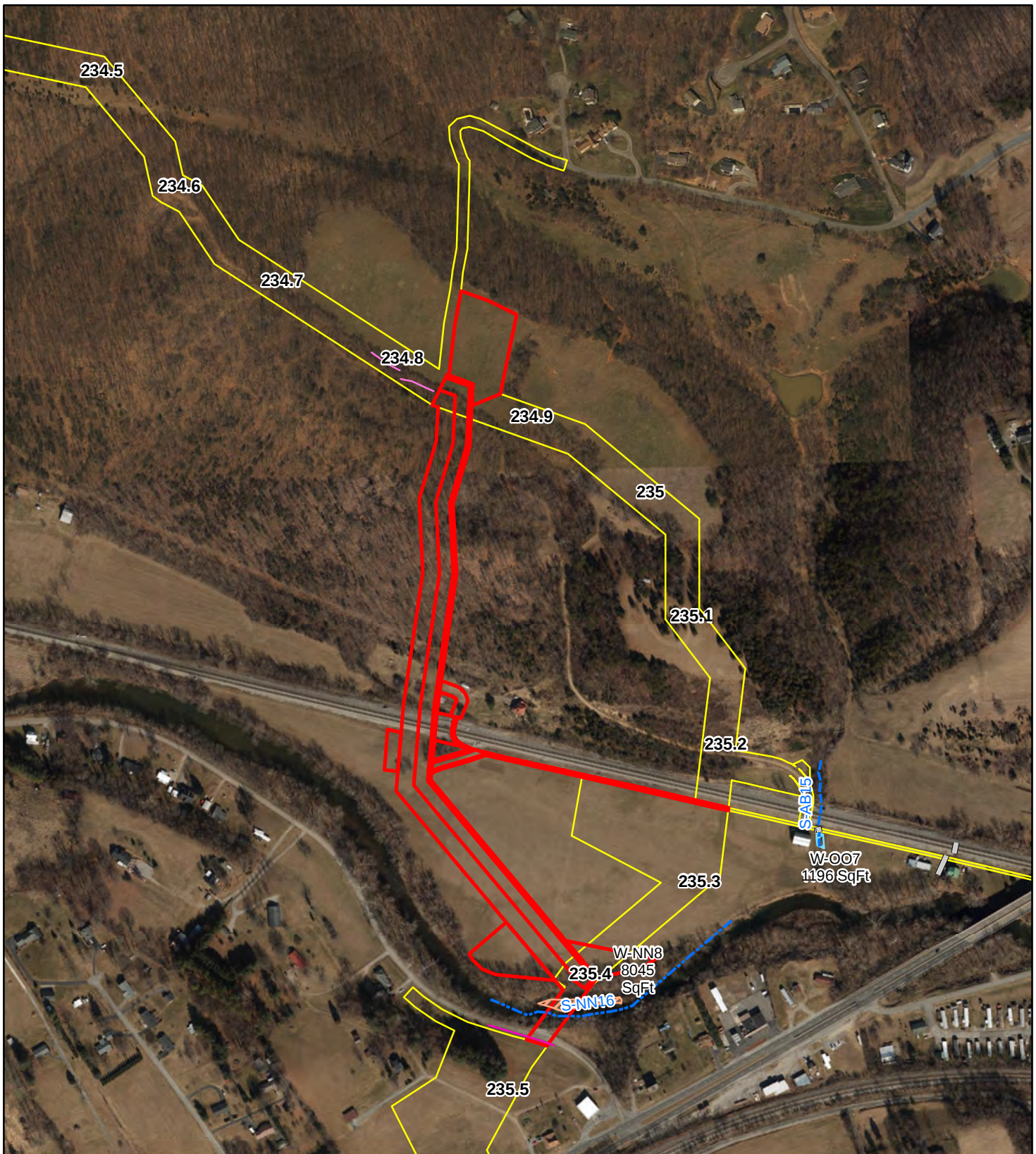
Variance (H-3)

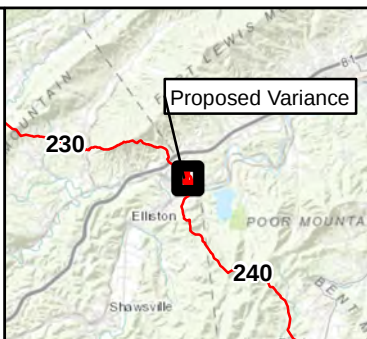
April 10, 2018

On August 28, 2015 and April 11, 2016 Tetra Tech, Inc. (Tetra Tech) surveyed the pipeline route, MVP-ATWS-1505, MVP-ATWS-1506, MVP-ATWS-725 and MVP-ATWS-726 located Montgomery 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 identified and delineated one palustrine forested (PFO) wetland (W-NN8) one perennial stream (S-NN16) within the variance area, as shown on the attached figure.

FIGURES



Mountain Valley Pipeline Project  Proposed Variance (H-3) <i>Roanoke & Montgomery Counties, Virginia</i> April 2018 Data Sources: ESRI Streaming Data 2014.		N NAD 1983 UTM 17N 1 inch = 500 feet 0 250 500 1,000 Feet	Legend Proposed Variance Limit of Disturbance Issued for Construction LOD Culvert Drainage Feature Intermittent Stream Perennial Stream PEM Wetland PFO Wetland	
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