

<div><div><div><div></div><div><div>Mountain Valley</div><div>PIPELINE LLC</div></div></div><div><div></div><div></div><div></div></div></div></div>				<b>MVP Variance Request Form</b>		<b>Variance Request No.:</b>		D-6			
				Date Approval Requested by Contractor:		4/30/2018					
				Date Submitted by Chief Inspector to LEI:							
				Date Received by FERC:							
				FERC Approval Reference No.:							
Requested By:		Rich Anderson		Spread:	D	Variance Type:	RA				
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											
<b>Location (Use either Station or Milepost)</b>											
Station:		6120+00		To:	6125+00		Milepost:	115.74	To:	115.85	
Alignment Sheet Number:		129		Tract No.:		WV-NI-031, WV-NI-032, WV-NI-031.01, WV-NI-6149					
Current Land Use/ Vegetative Cover:		Deciduous Forest; Developed		Other Agency Jurisdiction:		N/A					
<b>Nearby Features (Water body, T&amp;E Habitat, Wetland, Noxious Weed Area, Residence (distance), Cultural Resource Site (distance) etc.):</b>				<b>In or w/in 50 feet of a wetland:</b>				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<input type="checkbox"/> Noxious Weed Area <input type="checkbox"/> Raptor Nest <input type="checkbox"/> Residence (Distance)				<b>In or w/in 50 feet of a waterbody:</b>				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<input checked="" type="checkbox"/> T/E Species Habitat <input type="checkbox"/> Cultural Resource Site <input type="checkbox"/> Water Well								S-KM43, S-KM43-Braid, S-H99, S-H100			
<input type="checkbox"/> Other (Specify):				MYSO (+ 1.22 ac SUSH)				Wetland or Waterbody ID:			
								W-H52, W-H53, W-KM45			
Additional Stream footage impacted:		(S-H99 +52.00 LF); (S-H100 -77.00 LF)		Additional Wetland impacts:		(W-H53 +0.01 ac); (W-H52 -0.03 ac)					
Net acreage affected:		+ 2.13									
Tree Clearing Required:		Yes		Acreage of tree clearing:		+ 1.22					
<b>Variance Level:</b>				<input type="checkbox"/> Level 1 <input type="checkbox"/> Level 2 <input checked="" type="checkbox"/> Level 3							
<b>Variance From:</b>				<input checked="" type="checkbox"/> Permit <input type="checkbox"/> Plan <input type="checkbox"/> Procedures <input type="checkbox"/> EPPM <input type="checkbox"/> Specification <input type="checkbox"/> Drawing <input type="checkbox"/> Mitigation Measure							
<input type="checkbox"/> Line List				<input type="checkbox"/> Other: Describe:							
<b>Detailed Description of Variance:</b>				Attachments?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Photos?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>This variance adjusts pipeline centerline to avoid waterfall, rock highwall, and cave for constructibility and landowner concerns. It also adds temporary access road MVP-NI-145.02 to access right-of-way on north side of rock highwall. This acces road will require widening to ~25', tree trimming, grading and gravel as needed. No cultural Resources were identified within the variance LOD. Wetland W-H53 has been delineated inside of this variance and incurs 0.01 acres of impacts. Wetland W-H52 has been delineated inside of this variance. 0.06 acres of impacts to W-H52 were previously permitted. With a shift in the alignment this variance impacts only 0.03 acres of W-H52. The net impact to W-H52 is -0.03 acres. Wetland W-KM45 has been delineated but is outside of LOD and incurs no impacts. Streams S-KM43, S-KM43-Braid, S-H99 &amp; S-H100 have been delineated on or near the variance. S-KM43 crosses the access road within an existing culvert, that crossing will not be modified and will incur no impacts. For the other areas that S-KM43 is inside the variance LOD, E&amp;S and BMP Protections will be used to protect S-KM43 from impacts. Stream S-KM430-braid does not enter LOD and incurs no impacts. 77.00 LF of impacts were previously permitted for S-H100. With the shift in alignment this variance no longer impacts S-H100. The net impact to S-H100 is -77.00 LF. 96.00 LF of impacts were previously permitted for Stream S-H99. With the shift in alignment S-H99 incurring 96.00 LF of impacts from the ROW and 52.00 LF of impacts from the access road. The net impact to S-H99 is 52.00 LF. This variance has a net increase of 2.13 acres of LOD from the original permit. There is a net increase in tree clearing of 1.22 acres. The modification of the tree clearing results in a net increase of 1.22 acres MYSO -Suitable Unoccupied Summer Habitat (SUSH).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.</p> <p>MVP requests approval of this variance and a Notice to Proceed authorizing (a) full construction for all areas on the subject parcel(s) other than any wetlands/waterbodies that require modification to the Nationwide 12 permit and (b) hand-felling of trees on the subject parcel(s) for any wetlands/waterbodies that require modification to the Nationwide 12 permit and full construction when MVP files evidence of the modified Nationwide 12 permit with the Commission.</p>											
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									

<b>Variance Justification:</b>			
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.			
<b>For MVP Use Only</b>			
<b>Additional Surveys Required</b>		<b>Surveyed Corridor Description</b>	<b>Additional Surveys Completed</b>
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 3/5/2018. The cultural resources survey was reported in: Mountain Valley Project, Cultural Resource Survey, Volume 3, Nicholas, Greenbrier, and Fayette Counties, West Virginia (Espino et al. 2015); Letter Report Mountain Valley Pipeline Project, Proposed Access Roads MVP-BR-103.01A and MVP-NI-145.02, Workspace MVP-ATWS-1537, and Mainline Variance MVP-NI-MP-115.8. Filed with FERC on 12/24/2015 and 5/3/2018. Clearance from WVDCH 1/27/2016 and 5/17/2018. Portions of the cultural report relevant to this variance as well as the concurrence letter are provided in Attachment 4.			
<b>Landowner:</b>		JANNA ARNOLD	
<b>Land Agent Contact</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	REDACTED	
<b>Landowner Approval Obtained</b>			
<b>Sign Off:</b>	<b>Name</b>	<b>Signature</b>	<b>Date</b>
Construction Manager	Richard Anderson	Richard Anderson	5/25/2018
Lead Environmental Inspector	Kayla Shay	Kayla Shay	5/25/2018
Third Party Compliance Manager or monitor			
ROW Land Agent *	Joe Park	Joe Park	5/25/2018
Environmental Supervisor	Megan Neylon	Megan Neylon	5/25/2018
*signature denotes confirmed landowner approval			

For FERC Compliance Monitor and Compliance Manager Use Only					
Variance Approved:		Variance Denied:		Beyond Authority:	
Signature:					
Date:					
Stipulations:					
Spread No.:		D		Variance Request No.:	D-6
VARIANCE CONDITIONS					
Name:		Title:		Organization:	
Conditions:					
Name: Title: Organization:					
Conditions:					
Name: Title: Organization:					
Conditions:					

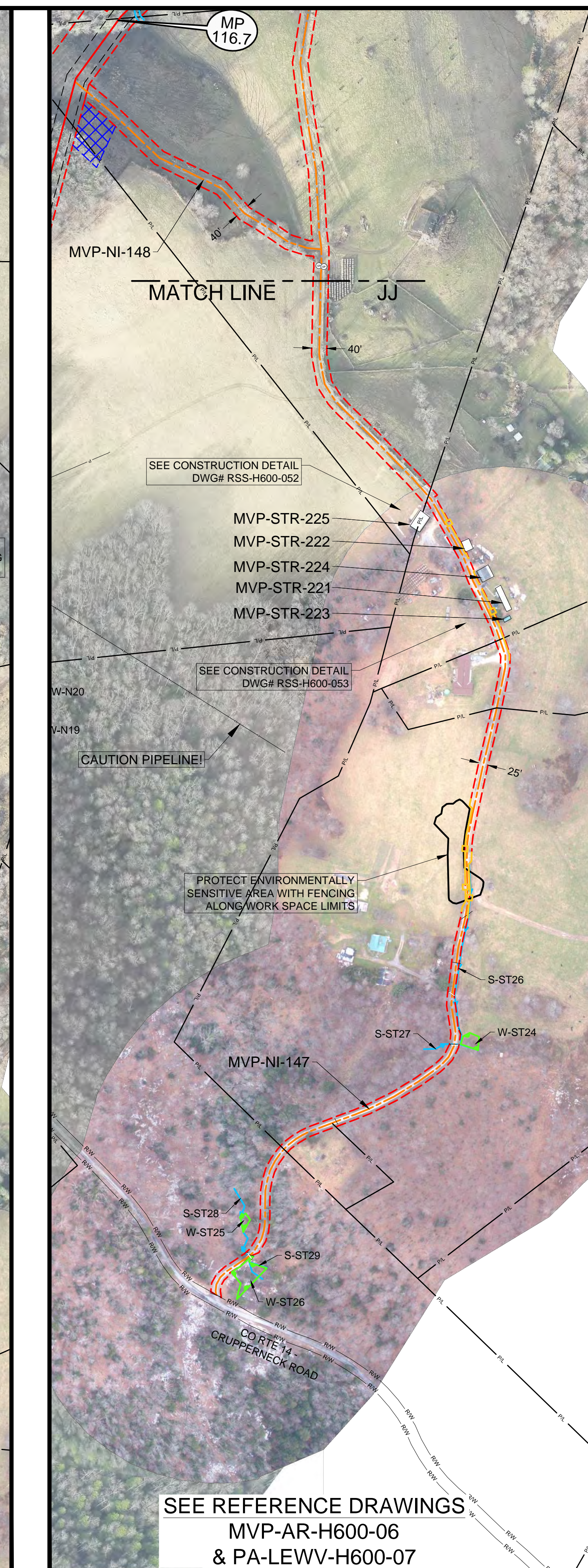
**Mountain Valley Pipeline, LLC  
Mountain Valley Pipeline Project  
Docket No. CP16-10-000**

**Alignment Sheet  
Attachment 1**



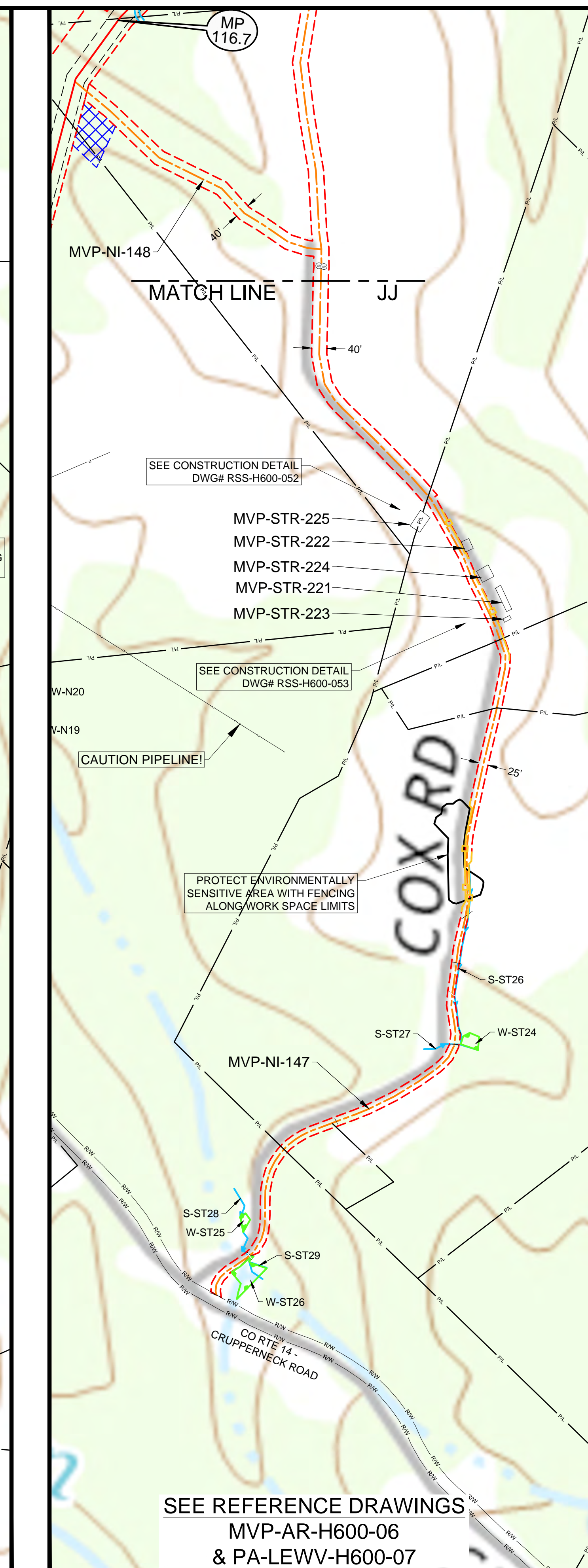






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**Mountain Valley Pipeline, LLC  
Mountain Valley Pipeline Project  
Docket No. CP16-10-000**

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



**Mountain Valley Pipeline Project  
Variance D-6  
May 15, 2018**

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

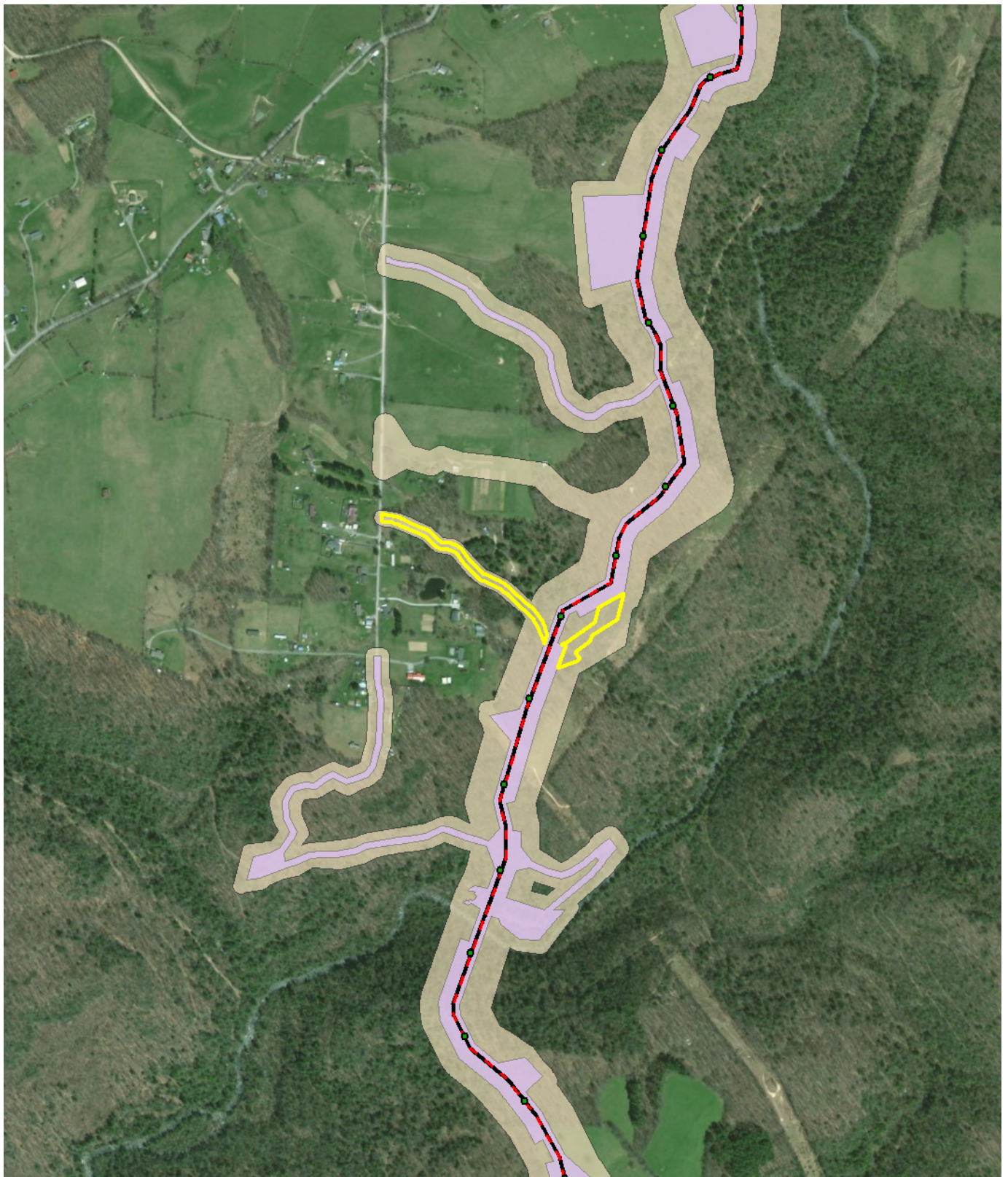
Impacts to aquatic resources are associated with this variance, however, listed aquatic species are not impacted.

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.

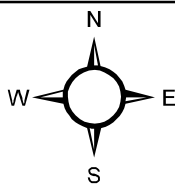
The modification of the tree clearing results in a net increase of 1.22 acres MYSO - Suitable Unoccupied Summer Habitat (SUSH) impacts. Tree clearing will not occur between June 1 and July 31 or October 1 and November 14 as per the BO.

On 3/5/2018, 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.

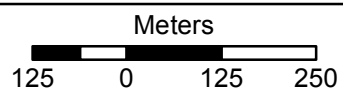




MVP Variance
  ESI Portal Coverage
  MVP LOD (20171127)



Mountain Valley Pipeline Variance Survey Exhibit; Variance D-6



Base Map: ESRI "World Imagery (Clarity)";  
accessed 5/25/2018



**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 D-6**

**May 15, 2018**

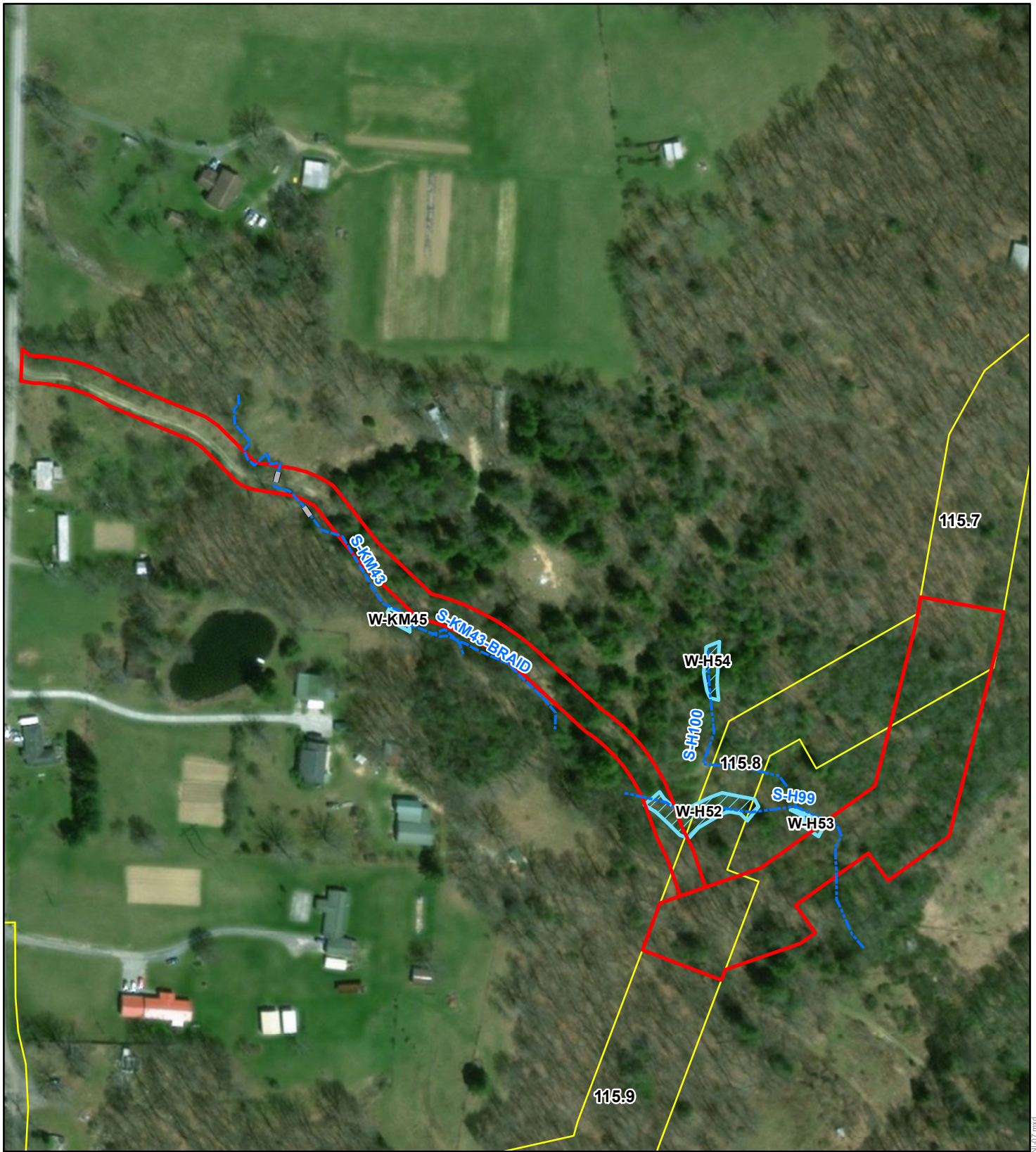
On April 24, 2015 and April 25, 2018, Tetra Tech, Inc. (Tetra Tech) surveyed the proposed variance in Nicholas Co., WV for wetlands and streams. Wetland delineations were conducted utilizing the Routine On-Site Determination Methodology presented in the US Army Corps of Engineers (USACE) Wetland Delineation 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).


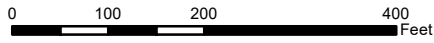



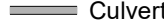



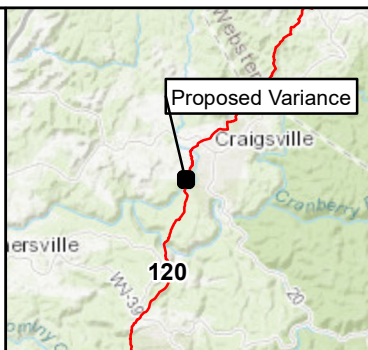
During field surveys, Tetra Tech identified two streams (S-KM43 (and S-KM43-Braid) and S-H99 and two wetlands (W-H52 and W-H53) within the variance area as shown on the attached figure. In addition, one stream (S-H100) and one wetland (W-KM45) were identified adjacent to the variance area, as shown on the attached figure, but are located outside of the variance area.



## FIGURES





<b>Mountain Valley Pipeline Project</b>  NAD 1983 UTM 17N 1 inch = 200 feet 	
 <b>Proposed Variance (D-6)</b> <i>Nicholas County, West Virginia</i> May 2018	<b>Legend</b> <div style="display: flex; justify-content: space-between;"> <div>  Issued for Construction LOD   Proposed Variance Limit of Disturbance </div> <div>  Culvert   Intermittent Stream   Perennial Stream   PEM Wetland </div> </div>
Data Sources: ESRI Streaming Data 2014.	

Document Path: C:\Users\CD\Documents\GIS\Tech\MTVP2\Variance\US\VAR-WV\407.mxd



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

**Pipeline Variance  
Request Map  
Attachment 6**



