

MVP Variance Request Form

Variance Request



No.: E-4

Date Approval Requested by Contractor: 4/10/2018

Date Submitted by Chief Inspector to LEI:

Date Received by FERC:

FERC Approval Reference No.:

Requested By: Andy Travenio

Spread: E

Variance Type: WS

Request Prepared By: Megan Neylon

Variance Sequence Number: 004

* 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.:

WV-RA-6134, WV-RA-6136, WV-RA-6137, WV-RA-6138

Current Land Use/ Vegetative Cover:

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):

MYSO - (+ 0.01 ac UUSH)

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-KP3

W-KP5

Additional Stream footage impacted:

No Impact- Existing Culvert

Additional Wetland impacts:

0.00

Net acreage affected:

+ 7.41

Tree Clearing Required:

Yes

Acreage of tree clearing:

+0.01

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

Added laydown yard MVP-LY-058. Laydown yard necessary for construction staging. This yard will be used mainly to stage pipe stringing trucks. Due to wetland impact, travel through the yard will be restricted. It is necessary to clear two large trees located in the middle of the yard so as to not interfere with truck travel and parking. Trees along the perimeter of the yard will be left in place. Resources have been avoided to the extent practicable. Per approved Project plans, BMPs will be installed to minimize impacts to any environmental sensitive areas within/abutting the area. Wetland W-KP5 is located within the site. BMPs will be installed to avoid impacts to the delineated wetland. In addition, impacts to stream S-KP3 will be avoided by utilizing an existing culverted crossing. No upgrades are anticipated to the stream crossing. The site will require minimal grading and most of the yard will be graveled, this gravel will be left in place for the landowners use after construction. Topsoil stockpile will be located 15' away from wetland. E&S controls will be placed between stockpile and wetland. This area of the yard is the least useful for construction activities and presents the best opportunity for topsoil storage. Access will be off of RT 9/9 at an existing graveled entrance. Rock will be added as needed to maintain this entrance. This yard is located in an industrial area and is expected to have minimal impact to traffic on route 9/9. This variance has a net increase of 7.41 acres of LOD from the original permit. There is a net increase in tree clearing of 0.01 acres. The modification of the tree clearing results in a net increase of 0.01 acres of MYSO - Unknown Use Summer Habitat (UUSH) 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 Report (CUI//PRIV -- DO NOT RELEASE); Attachment 5- Landowner Exhibits (CUI//PRIV -- DO NOT RELEASE); Attachment 6- Pipeline Variance Request Map.

Variance Justification:

MVP is requesting the use of the proposed area as a laydown/contractor yard for uses including parking, construction trailer(s), equipment/pipe storage, and equipment maintenance. No Fuel storage will take place on the site.

For MVP Use Only

Additional Surveys Required		Surveyed Corridor Description	Additional Surveys Completed																								
Cultural Survey	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<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 cultural resources survey was reported in: <i>Record of Disturbance Letter Report (Marine, 3/30/2018)</i> . Filed with WVDCH 4/2/2018. In accordance with the programmatic agreement MVP assumes concurrence on 05/2/2018.																											
Landowner: REDACTED Land Agent Contact: JOE PARK Landowner Approval Obtained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																											
Sign Off: <table border="1" style="width: 100%;"> <thead> <tr> <th></th> <th>Name</th> <th>Signature</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Construction Manager</td> <td>Adam Slone</td> <td><i>Adam Slone</i></td> <td>5/24/2018</td> </tr> <tr> <td>Lead Environmental Inspector</td> <td>Brian Hodge</td> <td><i>Brian Hodge</i></td> <td>5/24/2018</td> </tr> <tr> <td>Third Party Compliance Manager or monitor</td> <td></td> <td></td> <td></td> </tr> <tr> <td>ROW Land Agent *</td> <td>Joe Park</td> <td><i>Joe Park</i></td> <td>5/24/2018</td> </tr> <tr> <td>Environmental Supervisor</td> <td>Megan Neylon</td> <td><i>Megan Neylon</i></td> <td>5/24/2018</td> </tr> </tbody> </table>					Name	Signature	Date	Construction Manager	Adam Slone	<i>Adam Slone</i>	5/24/2018	Lead Environmental Inspector	Brian Hodge	<i>Brian Hodge</i>	5/24/2018	Third Party Compliance Manager or monitor				ROW Land Agent *	Joe Park	<i>Joe Park</i>	5/24/2018	Environmental Supervisor	Megan Neylon	<i>Megan Neylon</i>	5/24/2018
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*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> E </u>	Variance Request No.:	<u> E-4 </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 E-4
April 12, 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.

The only avian species-specific presence-absence surveys required for the project are scrub-shrub habitat-specific in the state of Virginia. That habitat type is not present at this location in Raleigh, West Virginia.



There is a net increase in tree clearing of 0.01 acres. The modification of the tree clearing results in a net increase of 0.01 acres of MYSO - Unknown Use Summer Habitat (UUSH) impacts. On January 29, 2018 the USFWS concurred with MVP's proposed process for reviewing variances that require tree clearing. Table 1 includes a table that shows MVP's acreage "banks" will remain net positive following approval of this variance request. Tree clearing will not occur between June 1 and July 31 or October 1 and November 14 as per the BO.

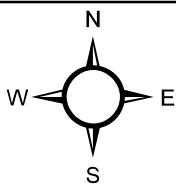
On 3/21/2018, Environmental Solutions and Innovations, Inc. (ESI) conducted field surveys to search for portal openings (winter bat habitat). Surveys were conducted in accordance with agency approved protocols for the project. No portal openings were observed in the variance area.

Table 1
Bat Habitat Bank Acreage

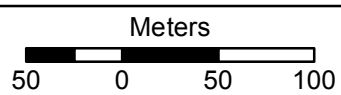
	MYSO - Known Summer Use Habitat (acres)	MYSO - Known use spring staging/fall swarming habitat (acres)	MYSO - Suitable Unoccupied Summer Habitat (acres)	MYSO - Unknown use spring staging/fall swarming habitat (acres)	MYSO - Unknown Use Summer Habitat (acres)	NLEB known use spring staging/fall swarming 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	0.22	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
Net Remaining Acreage for variances to date	0.00	1.47	10.40	5.14	9.70	0.59



-  MVP Variance
-  ESI Portal Coverage



Mountain Valley Pipeline Variance Survey Exhibit; Variance E-4



Base Map: ESRI "World Imagery (Clarity)";
accessed 3/27/2018

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

**Waterbodies and Wetlands Report
Attachment 3**

Mountain Valley Pipeline Project

Variance E-3



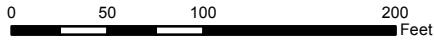
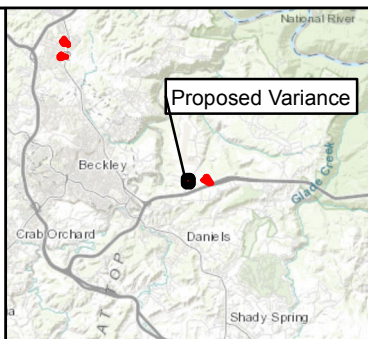






May 21, 2018

On March 28, 2018, Tetra Tech, Inc. (Tetra Tech) surveyed approximately 7.5 acres at the proposed variance in Raleigh 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 one palustrine emergent (PEM) wetland (W-KP5) and one intermittent stream (S-KP3) in the survey area as shown on the attached figure.

FIGURES



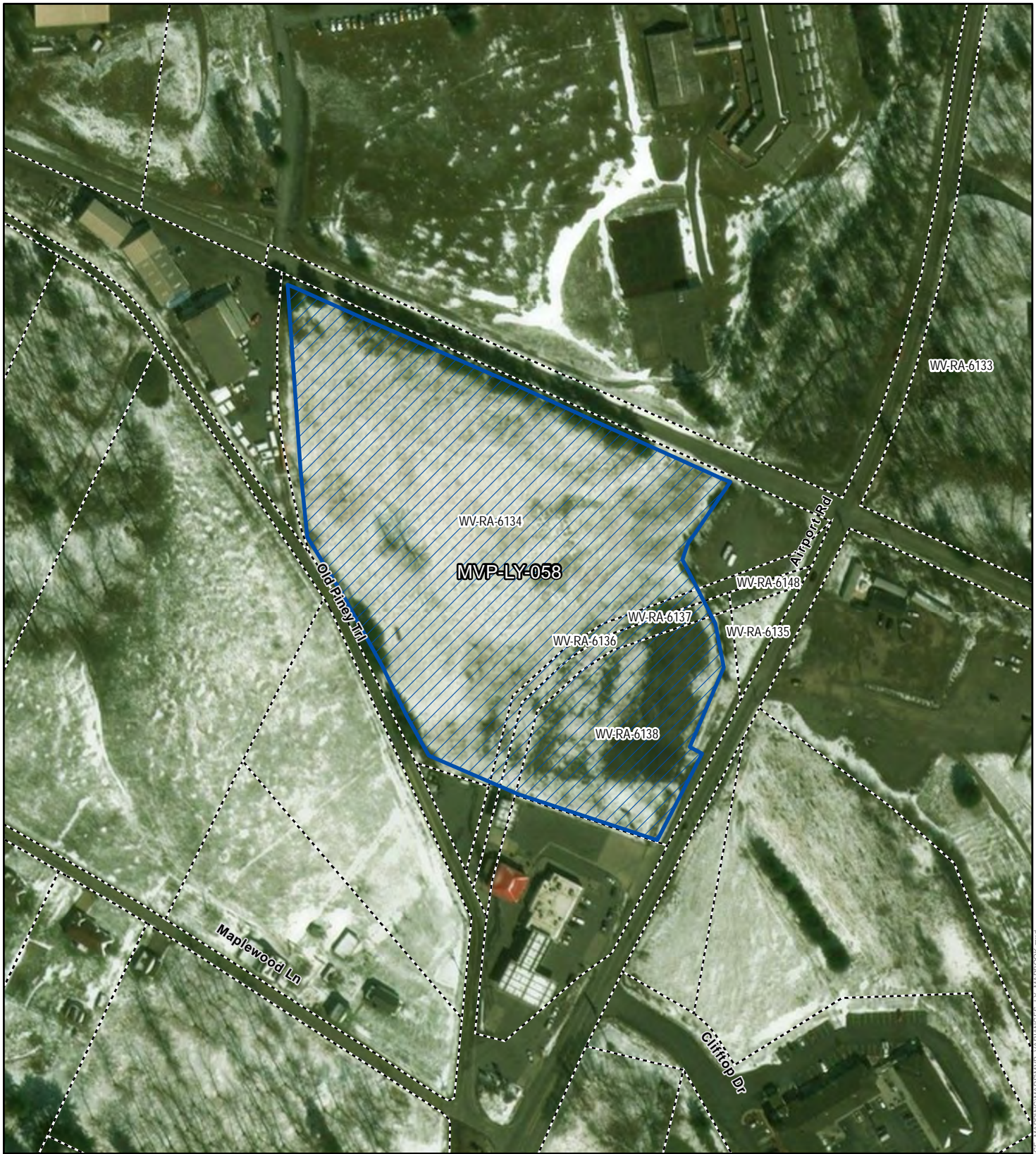
Mountain Valley Pipeline Project  Proposed Variance E-4 <i>Raleigh County, West Virginia</i> May 2018		 NAD 1983 UTM 17N 1 inch = 100 feet 	
Legend <div style="display: flex; justify-content: space-between;"> <div>  Proposed Variance Limit of Disturbance  Issued for Construction LOD  Culvert  Drainage </div> <div>  Intermittent Stream  PEM Wetland </div> </div>			


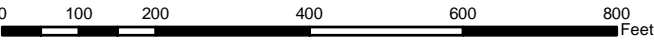






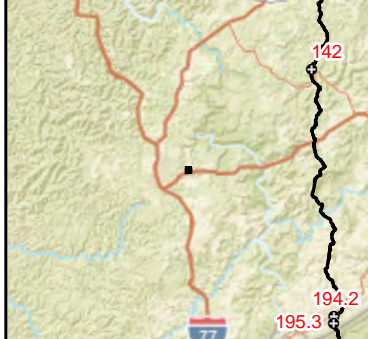
Data Sources: ESRI Streaming Data 2014.

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

**Pipeline Variance
Request Map
Attachment 6**



Mountain Valley Pipeline Project			NAD 1983 UTM 17N	
		Legend		
FERC Docket No. CP16-10-000 MVP Variance E-4		 Issued for Construction Milepost  Issued for Construction Route  Issued for Construction Limits of Disturbance  Parcel Boundary  Proposed Variance Ancillary Site		
RALEIGH COUNTY May 2018				
<small>Data Sources: ESRI Aerial Imagery, All Issued for Construction data was filed with FERC on 12/20/2017.</small>				

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