

# MVP Variance Request Form

Variance Request



No.: MVP-020

Date Approval Requested by Contractor: 9/3/2019

Date Submitted by Chief Inspector to LEI: 9/4/2019

Date Received by FERC:

FERC Approval Reference No.:

Requested By: Jeff Klinefelter

Spread:

G - I

Variance Type: PM

Request Prepared By \*: Megan Neylon

Variance Sequence Number: MVP-020

\* 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: Spread G

To: Spread I

Milepost: Spread G

To: Spread I

Alignment Sheet Number: N/A

Tract No.: All

Current Land Use/ Vegetative Cover:

All

Other Agency Jurisdiction:

None

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:

None

Additional Wetland impacts:

N/A

Net acreage affected:

N/A

Tree Clearing Required:

N/A

Acreage of tree clearing:

N/A

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

MVP requests a variance to update Environmental Detail No. MVP-ES11.1 (sheet detail from erosion control plan for Virginia that includes seed mixes) that was submitted as part of the Implementation Plan in March 2018. MVP is in the process of restoring applicable areas of the Project and requesting to make revisions to the woody seed mix in MVP's approved Restoration and Rehabilitation Plan. Specifically, MVP is requesting to use species that are more obtainable in the quantities required to provide successful quick growth and stabilization. Incorporating these alternative species into the woody seed mix will help stabilize and restore the temporary portion of the right of way to pre-existing vegetative cover and increase upslope protection of sensitive resources and areas outside of the limits of disturbance. MVP will not remove the previously approved woody seed mix from the Project but is requesting to add this mix to act as an alternative and/or supplement to increase availability and expedite stabilization.

The updated seed mix table is included as Attachment 1. Many of the proposed species were not included in the previously approved woody seed mix, as outlined in the Table 2 in Attachment 1. The VADEQ approval is included as Attachment 2. The species are native to Virginia and none have been identified by the VADEQ as invasive species. MVP will continue to follow the control measures listed in the Exotic and Invasive Species Control Plan in an effort to control and prevent the spread of invasive species throughout the project area.

These new mixes will not replace or supersede the specific requests by landowners affected by the project.

**List Attachments:** Attachment 1- Table 1. Updated Woody Species Seed Mix; Table 2. Seed Mix Changes; Attachment 2 - VADEQ Agency Correspondence

**Variance Justification:**

See description above.

**For MVP Use Only**

Additional Surveys Required	Surveyed Corridor Description	Additional Surveys Completed
Cultural Survey <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
T & E Survey <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Waterbodies/Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Proof of Previous Biological and Cultural Survey Clearance**

N/A

**Landowner:**

N/A

**Land Agent Contact**

N/A

**Landowner Approval Obtained**

☐ Yes ☐ No

**Sign Off:**

**Name**

**Signature**

**Date**

Construction Manager	Jeff Klinefelter	Jeff Klinefelter	9/26/2019
Lead Environmental Inspector	n/a		
Third Party Compliance Manager or monitor	n/a		
ROW Land Agent *	n/a		
Environmental Supervisor	Megan Neylon	Megan Neylon	9/26/2019

\*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.: G - I		Variance Request No.: MVP-020	
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**

**Tables 1 & 2**  
**Attachment 1**

Table 1. Updated Woody Species Seed Mix

Layer	Species	Common Name	Seeding Rate (lbs/acre)
Overstory	<i>Platanus occidentalis</i>	American sycamore	0.3
	<i>Liriodendron tulipifera</i>	Tulip poplar	0.3
	<i>Pinus strobus</i>	White pine	0.3
	<i>Pinus taeda</i>	Loblolly pine	0.3
	<i>Prunus serotina</i>	Black cherry	0.3
Understory	<i>Rhus glabra</i>	Smooth sumac	0.3
	<i>Myrica cerifera</i>	Southern wax myrtle	0.3
	<i>Cornus sericea</i>	Red osier dogwood	0.3
	<i>Diospyros Virginiana</i>	Persimmon	0.3
	<i>Robinia pseudoacacia</i>	Black locust	0.3
	<i>Nyssa sylvatica</i>	Black Gum	0.3
	<i>Taxodium distichum</i>	Bald cypress	0.3
Shrubs	<i>Cephalanthus occidentalis</i>	Buttonbush	0.3
	<i>Lindera benzoin</i>	Spicebush	0.3
	<i>Prunus angustifolia</i>	Chickasaw plum	0.3
	<i>Fraxinus pennsylvanica</i>	Green ash	0.3
	<i>Parthenocissus quinquefolia</i>	Virginia creeper	0.3

Table 2. Seed Mix Changes

Species Removed	Replacement Species
<i>Pinus virginiana</i>	<i>Pinus taeda</i>
<i>Fagus grandifolia</i>	<i>Platanus occidentalis</i>
<i>Amelanchier canadensis</i>	<i>Rhus glabra</i>
<i>Cercis canadensis</i>	<i>Myrica cerifera</i>
<i>Cornus florida</i>	<i>Cornus sericea</i>
<i>Ilex opaca</i>	<i>Robinia pseudoacacia</i>
<i>Sassafras albidum</i>	<i>Taxodium distichum</i>
<i>Hamamelis virginiana</i>	<i>Cephalanthus occidentalis</i>
<i>Vaccinium angustifolium</i>	<i>Prunus angustifolia</i>
<i>Virburnum acerifolium</i>	<i>Fraxinus pennsylvanica</i>
<i>Vitis aestivalis</i>	<i>Parthenocissus quinquefolia</i>

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

**Agency Correspondence  
Attachment 2**

**From:** "Leach, Benjamin" <[benjamin.leach@deq.virginia.gov](mailto:benjamin.leach@deq.virginia.gov)>

**Date:** September 10, 2019 at 12:27:17 PM EDT

**To:** "Chalmers, Cory M." <[CChalmers@equitransmidstream.com](mailto:CChalmers@equitransmidstream.com)>

**Cc:** "Clauto, Brian M." <[BClauto@equitransmidstream.com](mailto:BClauto@equitransmidstream.com)>, "Neylon, Megan" <[MNeylon@equitransmidstream.com](mailto:MNeylon@equitransmidstream.com)>

**Subject:** [EXTERNAL] Re: MVP Proposed Updated Woody Species Seed Mix

Cory you may proceed with the following substitution of the seed mix.

On Thu, Aug 15, 2019 at 6:19 PM Leach, Benjamin <[benjamin.leach@deq.virginia.gov](mailto:benjamin.leach@deq.virginia.gov)> wrote:

Cory,

At this time I am waiting on DCR to get back to me on if this would be ok or not.

On Tue, Aug 13, 2019 at 3:27 PM Chalmers, Cory M. <[CChalmers@equitransmidstream.com](mailto:CChalmers@equitransmidstream.com)> wrote:

Ben,

Attached, please find a proposed updated woody species seed mix. As before and stated within the Restoration and Rehabilitation Plan, a minimum of three of the five overstory, four of the seven understory, and two of the four shrub species will comprise the woody seed mix.

Please let me know if you have any questions.

Thanks,

Cory

**Cory Chalmers • Environmental Coordinator**

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~ Ben

Ben Leach, GISP

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Department of Environmental Quality

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