



Mountain Valley Pipeline Project

Docket No. CP16-10-000

**Responses to
FERC Staff's Recommended Mitigation in
Draft Environmental Impact Statement**

October 2016

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

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1. *Mountain Valley and Equitrans shall each follow the construction procedures and mitigation measures described in its application and supplements, including responses to staff data requests and as identified in the EIS, unless modified by the Order. The Applicants must:*
 - a. *request any modification to these procedures, measures, or conditions in a filing with the Secretary;*
 - b. *justify each modification relative to site-specific conditions;*
 - c. *explain how that modification provides an equal or greater level of environmental protection than the original measure; and*
 - d. *receive approval in writing from the Director of OEP before using that modification*

Response: Mountain Valley will comply with this request.

2. *The Director of OEP has delegated authority to take whatever steps are necessary to ensure the protection of all environmental resources during construction and operation of the projects. This authority shall allow:*
 - a. *the modification of conditions of the Order; and*
 - b. *the design and implementation of any additional measures deemed necessary*

Response: Mountain Valley will comply with this request.

3. ***Prior to any construction**, the applicants shall each file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, EIs, and contractor personnel will be informed of the EIs' authority and have been or will be trained on the implementation of the environmental mitigation measures appropriate to their jobs **before** becoming involved with construction and restoration activities.*

Response: Mountain Valley will comply with this request.

4. *The authorized facility locations shall be as shown in the EIS, as supplemented by filed alignment sheets. As soon as they are available, and before the start of construction, Mountain Valley and Equitrans shall each file any revised detailed*

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survey alignment maps/sheets at a scale not smaller than 1:6,000 with station positions for all facilities approved by the Order. All requests for modifications of environmental conditions of the Order or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.

The exercise of eminent domain authority granted under NGA Section 7(h) in any condemnation proceedings related to the MVP or EEP must be consistent with the facilities and locations approved in the Commission Order. The right of eminent domain granted under NGA Section 7(h) does not authorize either Mountain Valley or Equitrans to increase the size of the natural gas pipelines approved in the Commission Order to accommodate future needs or to acquire a right-of-way for a pipeline to transport a commodity other than natural gas.

Response: Mountain Valley will comply with this request if any changes are proposed. On October 13, 2016, Mountain Valley filed with the Commission the October 2016 Proposed Route, which incorporates certain minor route variations and minor route deviations into the proposed route to accommodate landowner requests, reduce or avoid impacts on cultural or biological resources, and resolve constructability concerns. In that filing, Mountain Valley submitted revised alignment sheets.

5. *Mountain Valley and Equitrans shall each file detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, contractor yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, and documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other environmentally sensitive areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP **before construction in or near that area.***

This requirement does not apply to extra workspace allowed by the FERC Plan and/or minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands.

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Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

- a. implementation of cultural resources mitigation measures;*
- b. implementation of endangered, threatened, or special concern species mitigation measures;*
- c. recommendations by state regulatory authorities; and*
- d. agreements with individual landowners that affect other landowners or could affect sensitive environmental areas.*

Response: Mountain Valley will comply with this request.

6. *Within 60 days of their acceptance of a Certificate and before construction begins, Mountain Valley and Equitrans shall each file their respective Implementation Plans for review and written approval by the Director of OEP. Mountain Valley and Equitrans must each file revisions to their plans as schedules change. The plans shall identify:*
 - a. how Mountain Valley and Equitrans will each implement the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests), identified in the EIS, and required by the Order;*
 - b. how the Mountain Valley and Equitrans will each incorporate these requirements into the contract bid documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to onsite construction and inspection personnel;*
 - c. the number of EIs assigned to each project and spread, and how Mountain Valley and Equitrans will each ensure that sufficient personnel are available to implement the environmental mitigation;*
 - d. company personnel, including EIs and contractors, who will receive copies of the appropriate materials;*
 - e. the location and dates of the environmental compliance training and instructions Mountain Valley and Equitrans will each give to all personnel involved with construction and restoration (initial and refresher training as the projects progress and personnel change) with the opportunity for OEP staff to participate in the training sessions;*

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- f. the company personnel (if known) and specific portion of the company's organization having responsibility for compliance;*
- g. the procedures (including use of contract penalties) that Mountain Valley and Equitrans will each follow if noncompliance occurs; and*
- h. for each discrete facility, a Gantt or PERT chart (or similar project scheduling diagram), and dates for:
 - i. the completion of all required surveys and reports;*
 - ii. the environmental compliance training of onsite personnel;*
 - iii. the start of construction; and*
 - iv. the start and completion of restoration.**

Response: Mountain Valley will comply with this request.

- 7. *Mountain Valley and Equitrans shall each employ at least one EI per construction spread. The EIs shall be:
 - a. responsible for monitoring and ensuring compliance with all mitigation measures required by the Order and other grants, permits, certificates, or other authorizing documents;*
 - b. responsible for evaluating the construction contractor's implementation of the environmental mitigation measures required in the contract (see condition 6 above) and any other authorizing document;*
 - c. empowered to order correction of acts that violate the environmental conditions of the Order, and any other authorizing document;*
 - d. a full-time position, separate from all other activity inspectors;*
 - e. responsible for documenting compliance with the environmental conditions of the Order, as well as any environmental conditions/permit requirements imposed by other federal, state, or local agencies; and*
 - f. responsible for maintaining status reports.**

Response: Mountain Valley will comply with this request.

- 8. *Beginning with the filing of its Implementation Plan, Mountain Valley and Equitrans shall each file updated status reports with the Secretary on a weekly basis until all construction and restoration activities are complete. On request, these status reports will also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:*

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- a. *an update on the Mountain efforts to obtain the necessary federal authorizations;*
- b. *the construction status of the their respective project facilities, work planned for the following reporting period, and any schedule changes for stream crossings or work in other environmentally sensitive areas;*
- c. *a listing of all problems encountered and each instance of noncompliance observed by the EIs during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);*
- d. *a description of corrective actions implemented in response to all instances of noncompliance, and their cost;*
- e. *the effectiveness of all corrective actions implemented;*
- f. *a description of any landowner/resident complaints that may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and*
- g. *copies of any correspondence received by Mountain Valley and Equitrans from other federal, state, or local permitting agencies concerning instances of noncompliance, and the responses of Mountain Valley and Equitrans to each letter.*

Response: Mountain Valley will comply with this request.

9. *Mountain Valley and Equitrans must each receive separate written authorization from the Director of OEP **before placing their respective projects into service.** Such authorization will only be granted following a determination that rehabilitation and restoration of areas affected by the projects are proceeding satisfactorily.*

Response: Mountain Valley will comply with this request.

10. *Within 30 days of placing the authorized facilities in service, Mountain Valley and Equitrans shall each file an affirmative statement with the Secretary, certified by a senior company official:*

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- a. *that the facilities have been constructed in compliance with all applicable conditions, and that continuing activities will be consistent with all applicable conditions; or*
- b. *identifying which of the Certificate conditions Mountain Valley and Equitrans has complied or will comply with. This statement shall also identify any areas affected by their respective projects where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.*

Response: Mountain Valley will comply with this request.

11. *Mountain Valley shall adopt Route Variation 35 into its proposed pipeline route and file with the Secretary alignment sheets and copies of USGS 7.5-minute topographic quadrangle maps illustrating the new route, and updated environmental information associated with the route change. (section 3.5.1.10)*

Response: Mountain Valley asserts that the constructability concerns associated with Variation 35 outweigh any environmental advantage. See the information Mountain Valley filed with the Commission on October 13, 2016 (in particular, Attachment A thereto).

12. *Mountain Valley shall adopt the Mayapple School Route Alternative into its proposed pipeline route and file with the Secretary alignment sheets and copies of USGS 7.5- minute topographic quadrangle maps illustrating the new route, and updated environmental information associated with the route change. (section 3.5.3.1)*

Response: Mountain Valley has incorporated the Mayapple School Minor Route Variation into its October 2016 Proposed Route. See the information Mountain Valley filed with the Commission on October 13, 2016 (in particular, Attachment A thereto).

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13. *Mountain Valley shall adopt the Sunshine Valley School Route Alternative into its proposed pipeline route and file with the Secretary alignment sheets and copies of USGS 7.5-minute topographic quadrangle maps illustrating the new route, and updated environmental information associated with the route change. (section 3.5.3.1)*

Response: Mountain Valley has incorporated the Sunshine Valley School Minor Route Variation into its October 2016 Proposed Route. See the information Mountain Valley filed with the Commission on October 13, 2016 (in particular, Attachment A thereto).

14. *Prior to the end of the draft EIS comment period, Mountain Valley shall file with the Secretary documentation of continued coordination with the FS and other ANST stakeholders (NPS, ATC, and local ATC chapters) regarding the newly adopted pipeline crossing of the ANST, including visual simulations modeling both "leaf-on" and "leaf-off" scenarios at the crossing. (section 3.5.1.6)*

Response: Mountain Valley continues to coordinate with the FS and other ANST stakeholders to prepare visual simulations for both leaf-on and leaf-off conditions. Mountain Valley will file an update with FERC prior to the end of the draft EIS comment period.

15. *Prior to the end of the draft EIS comment period, Mountain Valley shall file with the Secretary the results of on-site surveys for the Mount Tabor Route Alternative to assess constructability and identify karst features that shall be avoided if the alternative is adopted into the proposed pipeline route. (section 3.5.1.7)*

Response: On October 13, 2016, Mountain Valley incorporated the Mount Tabor Variation into its October 2016 Proposed Route. In its filing on that date, Mountain Valley included the following information:

- **An analysis for the Mount Tabor Variation, including a figure and table of environmental features from the draft EIS comparing the October 2016 Proposed Route (incorporating the Mount Tabor Variation) and the corresponding segment of the October 2015 Proposed Route. See Attachment A thereto.**

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- **A supplemental response to the Commission's June 28, 2016 data request (Geology, Request No. 2) regarding geophysical investigations. See Attachment H thereto. As stated in that supplemental data response, Mountain Valley has surveyed approximately 85% of the formerly-named Mount Tabor Variation for karst features using electrical resistivity and evaluated the remaining 15% through field reviews to better assess and characterize karst features. In addition, Mountain Valley submitted an updated Karst Hazards Assessment (Attachment RR2-4a) and a map (Attachment DR3 Geology-2). Mountain Valley does not expect any significant risk associated with karst that cannot be addressed through minor route adjustment or the Karst Mitigation Plan.**

16. *Prior to the end of the draft EIS comment period, Mountain Valley shall file with the Secretary additional information on the tracts identified as requiring further action in table 3.5.3-1 of this EIS. If landowners refuse coordination and/or access, Mountain Valley shall utilize available desktop data to evaluate the landowners' stated concerns. (section 3.5.3.1)*

Response: Mountain Valley filed an update to table 3.5.3-1 on October 20, 2016. See Attachment B to that filing. Mountain Valley will continue to work with these and other landowners to minimize the impacts to the greatest extent practicable. Prior to the end of the draft EIS comment period, Mountain Valley will file desktop analyses for tracts where Mountain Valley and the landowner have not been able to reach an agreement.

17. *Prior to the end of the draft EIS comment period, Mountain Valley shall file with the Secretary a complete list of any locations not already found acceptable by FERC staff where the pipeline route or access road parallels a waterbody within 15 feet or travels linearly within the waterbody channel. Mountain Valley should either re-align the route/road to avoid locating the pipeline trench and/or access roads along or within a waterbody channel; or, provide site-specific justifications and proposed mitigation for locations Mountain Valley believes cannot be realigned. (section 4.3.2.2)*

Response: Mountain Valley filed an update to table 4.3.2-12 on October 20, 2016. See Attachment B to that filing.

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18. *Prior to the end of the draft EIS comment period, Mountain Valley shall file with the Secretary site plans and maps that illustrate how permanent impacts on wetlands would be avoided at the WB Interconnect. If permanent wetland impacts cannot be avoided, Mountain Valley shall propose a new upland location for the facility and include new site plans and maps. (section 4.3.3.2)*

Response: Mountain Valley is avoiding permanent impacts to wetlands P-AA1, W-AA4, and A-AA3. The WB Interconnect's Limits of Disturbances are shown on the updated alignment sheet submitted on October 13, 2016. See file Attachment C_04_MVP Braxton County H601 Alignment Sheet.PDF, Drawing No. PA-PIVA-H601-01.

19. *Prior to the end of the draft EIS comment period, Mountain Valley shall file with the Secretary site-specific justifications for each of the wetlands for which Mountain Valley requests a right-of-way width greater than 75 feet. (section 4.3.3.3)*

Response: Mountain Valley will file the requested information prior to the end of the draft EIS comment period.

20. *Prior to the end of the draft EIS comment period, Mountain Valley shall file with the Secretary a plan that describes how long-term and permanent impacts on migratory bird habitat would be minimized. This plan shall include an emphasis on high quality and/or larger intact core interior forest areas. This plan should also document consultations with the FWS, FS, WVDNR, and VDGIF. (section 4.5.2.6)*

Response: The requested information is included in the updated Migratory Bird Conservation Plan filed with the Commission on October 20, 2016. Mountain Valley re-filed the public portions of the Plan on October 27, 2016.

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23. *Prior to construction, Mountain Valley shall file with the Secretary either a plan for the avoidance of active mines, or copies of agreements with coal companies regarding compensation for loss of coal resources. (section 4.1.1.4)*

Response: For purposes of this response, Mountain Valley assumes that “active mines” are the same as permitted mines. Mountain Valley is actively negotiating agreements with the operators of permitted mines. Mountain Valley will file either a plan for the avoidance of permitted mines, or copies of agreements with the operators of permitted mines, prior to construction.

24. *Prior to construction, Mountain Valley shall file with the Secretary, for review and approval by the Director of OEP, a revised Landslide Mitigation Plan which includes:*
- a. an analysis of the potential landslide hazards at the GCSZ, Peters Mountain, Sinking Creek Mountain, and Brush Mountain based on the results of investigations conducted by Schultz and Southworth (1989), and further identified and discussed in USGS Bulletin 1 839-E;*
 - b. an identification of landslide hazards where the pipeline routes through areas comprised of both steep slopes and red shale bedrock of the Conemaugh, Monongahela, Dunkard, and Mauch Chunk Groups;*
 - c. an analysis of a potential debris flow zone within the Jefferson National Forest from MP 195.5 along the Kimballton Branch to the junction of Stoney Creek; and*
 - d. minor route adjustments as a method to avoid areas of potential slides and debris flows. (section 4.1.2.4)*

Response: Mountain Valley filed an updated Landslide Mitigation Plan that included the requested items on October 13, 2016. See Attachment DR2 General-7c1 included in Attachment H to that filing. Mountain Valley will submit updates as applicable prior to construction.

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25. *Prior to construction, Mountain Valley should file with the Secretary the results of its fracture trace/lineament analysis for the MVP. (section 4.3.1.2)*

Response: On October 13, 2016, Mountain Valley filed a supplemental response to the Commission's June 28, 2016 data request (General Project Description, Request No. 3) regarding fracture trace/lineament analysis. See Attachment H of that filing. Mountain Valley include a map showing the results of the fracture trace analysis (Attachment DR3 General-3).

26. *Prior to construction, Mountain Valley shall file with the Secretary site-specific plans, including details regarding materials to be used and installation methods, for the use of permanent culverts and permanent fill in waterbodies and wetlands for access roads. Mountain Valley shall include a detailed analysis of all reasonable alternatives to the use of culverts and permanent fill. (section 4.3.1.2)*

Response: Mountain Valley will comply with this request.

27. *Prior to construction, Mountain Valley shall file with the Secretary the results of quantitative modeling for turbidity and sedimentation associated with wet open-cut crossings of the Elk River, Gauley River, and Greenbrier River. The analysis shall address the duration, extent, and magnitude of turbidity levels and assess the potential impacts on resident biota. The analysis should also include a discussion on the physical and chemical characteristics of the sediments, the estimated area affected by the transport and redistribution of the sediments, and the effect of the suspension and resettlement on water quality; as well as an assessment of the effectiveness of the proposed turbidity curtains. (section 4.3.2.2)*

Response: Mountain Valley will file the requested information prior to construction.

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28. *Prior to construction, Mountain Valley shall file with the Secretary HDD feasibility and geotechnical studies for the alternative alignments identified for the Pigg River crossing at MP 286.8 and the Blackwater River crossing at MP 262.8. (section 4.3.2.1)*

Response: On October 13, 2016, Mountain Valley filed a supplemental response to the Commission's June 28, 2016 data request (Water Resources, Request No. 10) regarding crossings at these mileposts. Mountain Valley filed a geotechnical analysis and HDD assessment for the Pigg River (Attachment DR3 Water Resources-10a and -10b, respectively). However, as Mountain Valley has previously stated, there are more inherent risks associated with the HDD method as compared to the open-cut dry method at this Pigg River crossing, as discussed in the Waterbody Crossing Review. Mountain Valley's October 2016 Proposed Route eliminated the Blackwater River crossing at the referenced location.

29. *Prior to construction, Mountain Valley shall file with the Secretary contingency plans outlining measures that would be taken to minimize and mitigate potential impacts on public surface water supplies with intakes within 3 miles downstream of the crossing of the MVP pipeline, and ZCC within 0.25-mile of the pipeline. The measures should include, but not be limited to, providing advance notification to water supply owners prior to the commencement of pipeline construction. (section 4.3.2.2)*

Response: Mountain Valley continues to correspond with public surface water supplies and will file a contingency plan prior to construction.

30. *Prior to construction, Mountain Valley shall file with the Secretary, for the review and approval of the Director of OEP, the results of all remaining environmental surveys (water resources, wetlands, cultural resources, and threatened and endangered species) for all cathodic protection groundbeds. (section 4.8.1.2)*

Response: On October 13, 2016, Mountain Valley filed updated alignment sheets with environmental survey information for the October 2016 Proposed Route. Mountain Valley will continue to file updated environmental survey information as it becomes available.

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31. *Prior to construction, Mountain Valley shall file with the Secretary evidence of landowner concurrence with the site-specific residential construction plans for all locations where construction work areas would be within 10 feet of a residence, as indicated in bold in table 4.8.2-1. (section 4.8.2.2)*

Response: On October 13, 2016, Mountain Valley filed updated site-specific residential construction plans for the October 2016 Proposed Route. Mountain Valley will continue to work with landowners and file additional updates prior to construction.

32. *Prior to construction, Mountain Valley shall file with the Secretary documentation that the Weston and Gauley Bridge Turnpike Crossing Plan was reviewed by the COE. (section 4.8.2.4)*

Response: Mountain Valley continues to coordinate with the COE. Mountain Valley will file a Weston and Gauley Bridge Turnpike Crossing plan prior to construction.

33. *Prior to construction, Mountain Valley shall file with the Secretary documentation that the Blue Ridge Parkway Crossing Plan was reviewed by the NPS. (section 4.8.2.4)*

Response: Mountain Valley continues to coordinate with the NPS regarding the Blue Ridge Parkway. Mountain Valley will file a Blue Ridge Parkway Crossing Plan prior to construction.

34. *Prior to construction, Mountain Valley shall file with the Secretary documentation that the U.S. Highway 50 and North Bend Rail Trail Crossing Plan was reviewed by the WVDOT and WVDNR. (section 4.8.2.4)*

Response: Mountain Valley will file the requested documentation prior to construction.

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35. *Prior to construction, Mountain Valley shall file with the Secretary documentation of further coordination with the TNC and VDCR regarding the crossing of the Mill Creek Springs Natural Area Preserve and include any impact avoidance, minimization, or mitigation measures developed. (section 4.8.2.4)*

Response: On October 13, 2016, Mountain Valley incorporated the Mount Tabor Variation into its October 2016 Proposed Route. By incorporating the Mount Tabor Variation, the October 2016 Proposed Route does not impact the TNC and VDCR Mill Creek Springs Natural Area Preserve.

36. *Prior to construction, Mountain Valley shall file with the Secretary documentation that its VOF parcels crossing plans were reviewed by the VOF. (section 4.8.2.4)*

Response: On October 13, 2016, Mountain Valley filed its October 2016 Proposed Route, which avoids crossing two VOF parcels (MON-VOF-3333 and MON-VOF-1871). VOF has reviewed the plans for Mountain Valley's use of the existing access road on ROA-VOF-2563. See VOF's October 19, 2016 letter to FERC (Accession No. 20161021-5112). Mountain Valley is continuing to work with the VOF on obtaining approval for use of the existing access road.

37. *Prior to construction, Mountain Valley shall file with the Secretary documentation that the TNC Property Crossing Plan was reviewed by TNC. (section 4.8.2.4)*

Response: Mountain Valley will continue to coordinate with TNC. Mountain Valley will file a TNC property crossing plan prior to construction.

39. *Prior to construction, Mountain Valley and Equitrans shall file with the Secretary the location of all water wells, springs, swallets, and other drinking water sources within 150 feet (500 feet in karst terrain) of the pipeline and aboveground facilities. (section 4.3.1.2)*

Response: Mountain Valley will file updated location information prior to construction.

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40. *Prior to construction, Mountain Valley and Equitrans should each file with the Secretary copies of their environmental complaint resolution procedures. The procedures should provide landowners with clear directions for identifying and resolving concerns resulting from construction and restoration of the projects. Mountain Valley and Equitrans should mail copies of their complaint procedures to each landowner whose property would be crossed by the projects.*
- a. In their letters to affected landowners, Mountain Valley and Equitrans should:*
- i. provide a local contact that the landowners should call first with their concerns; the letter should indicate how soon a landowner should expect a response;*
 - ii. instruct the landowners that if they are not satisfied with the response, they should call the Mountain Valley or Equitrans Hotline, as appropriate. The letter should indicate how soon to expect a response from the company; and*
 - iii. instruct the landowners that if they are still not satisfied with the response*
 - iv. from the company Hotline, they should contact the Commission's Landowner Helpline at 877-337-2237 or at LandownerHelp@ferc.gov.*
- b. In addition, Mountain Valley and Equitrans should include in their weekly status reports to the FERC a table that contains the following information for each problem/concern:*
- i. the identity of the caller and date of the call;*
 - ii. the location by milepost and engineering station number from the alignment sheet(s) of the affected property;*
 - iii. a description of the problem/concern; and*
 - iv. an explanation of how and when the problem was resolved, will be resolved, or why it has not been resolved. (section 4.8.2)*

Response: Mountain Valley will comply with this request.

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41. *Mountain Valley shall not begin construction of the proposed facilities **until**:*
- a. *all outstanding biological surveys for federally listed species (i.e., Ellett Valley millipede, bog turtle, and running buffalo clover) are completed and filed with the Secretary;*
 - b. *the FERC staff completes any necessary ESA Section 7 informal and formal consultation with the FWS; and*
 - c. *Mountain Valley has received written notification from the Director of OEP that construction and/or use of mitigation (including implementation of conservation measures) may begin. (section 4.7.1.3)*

Response: Mountain Valley will comply with this request.

42. *Mountain Valley **shall not begin construction** of facilities and/or use of staging, storage, or temporary work areas and new or to-be-improved access roads until:*
- a. *Mountain Valley files with the Secretary:*
 - i. *remaining cultural resources survey reports;*
 - ii. *site evaluation reports, avoidance plans, or treatment plans, as required; and*
 - iii. *comments on the reports and plans from the appropriate SHPOs, federal land managing agencies, interested Indian tribes, and other consulting parties.*
 - b. *the ACHP has been afforded an opportunity to comment if historic properties would be adversely affected; and*
 - c. *the FERC staff reviews and the Director of OEP approves all cultural resources reports and plans, and notifies Mountain Valley in writing that either treatment measures (including archaeological data recovery) may be implemented or construction may proceed.*

*All materials filed with the Commission containing **location, character, and ownership** information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: “**CONTAINS PRIVILEGED INFORMATION - DO NOT RELEASE.**” (section 4.1 0.9.3)*

Response: Mountain Valley will comply with this request.

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43. *Mountain Valley shall file noise surveys with the Secretary **no later than 60 days** after placing equipment at the Bradhsaw, Harris, (including the WB Interconnect) and Stallworth Compressor Stations into service. If full load condition noise surveys are not possible, Mountain Valley shall provide interim surveys at the maximum possible horsepower load **within 60 days** of placing the equipment into service and provide the full load survey **within 6 months**. If the noise attributable to operation of all of the equipment at each station under interim or full horsepower load exceeds an Ldn of 55 dBA at the nearest NSA, Mountain Valley shall file a report on what changes are needed and shall install the additional noise controls to meet the level **within 1 year** of the in-service date. Mountain Valley shall confirm compliance with the above requirement by filing a second noise survey with the Secretary **no later than 60 days** after it installs the additional noise controls. (section 4.11.2.3)*

Response: Mountain Valley will comply with this request.