

MVP Variance Request Form



Variance Request No.: C-14

Date Approval Requested by Contractor: 10/2/2018

Date Submitted by Chief Inspector to LEI: 10/4/2018

Date Received by FERC:

FERC Approval Reference No.:

Requested By: Brent Ladd

Spread: C

Variance Type: WS

Request Prepared By *: Megan Neylon

Variance Sequence Number: 014

* 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: 4465+00

To: 4465+00

Milepost: 84.35

To: 84.35

Alignment Sheet Number: 33

Tract No.: WV-WB-5734; WV-WB-2416

Current Land Use/ Vegetative Cover: Deciduous Forest; Developed

Other Agency Jurisdiction:

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 (0.15ac UUSH); Running Buffalo Clover (no impacts)

In or w/in 50' of a wetland: Yes No
 In or w/in 50' of a waterbody: Yes No

S-B67a, S-B62

Wetland or Waterbody ID: N/A

Additional Stream footage impacted: 0.00

Additional Wetland impacts: 0.00

Net acreage affected: + 0.70

Tree Clearing Required: Yes

Acreage of tree clearing: + 0.15

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

This variance adds MVP-ATWS-1583 & MVP-ATWS-1583A. These additional workspaces are needed for parking and storage of stone / top soil material due to the amount of work in this area and along the access road. These workspaces will also be used for truck turnaround since MVP-WB-119 access road is a one lane road. No cultural resources were found during surveys. Streams S-B7a & S-B62 were found during delineations but will not be impacted. A separate variance will be submitted in order to utilize these same workspaces to replace the landowner's bridge across stream S-B67A once all required ACOE authorizations are received. All resources will be protected with approved E&S BMPs. This variance does occur in an area identified as potential "Running Buffalo Clover" habitat. Following USFWS and State guidelines; ESI performed a survey on 07/28/2018 with no individuals found. This variance has a net increase of 0.70 acres of LOD from the original permit. This variance will require an additional 0.15 acres of tree clearing from the original permit. The modification of the tree clearing results in a net increase of 0.15 acres MYSO - Unknown Use Summer Habitat (UUSH). 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. To offset these tree impacts, Mountain Valley is committing to refrain from felling trees on 1.30 acres of MVP-LE-066.01 as depicted in Attachment 2. These areas contain 1.30 acres of MYSO - Unknown Use Summer Habitat (UUSH). 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 and the associated offset.

List Attachments: Attachment 1 - Alignment Sheet; Attachment 2 - Rare, Threatened, and Endangered Species Report; Attachment 3 - Stream and Wetland Delineation Report; Attachment 4 - Cultural Resource Reports and Concurrences (CUI//PRIV -- DO NOT RELEASE); Attachment 5 - Landowner Exhibits (CUI//PRIV -- DO NOT RELEASE); Attachment 6 - Variance Request Map

Variance Justification:

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.

For MVP Use Only			
Additional Surveys Required		Surveyed Corridor Description	Additional Surveys Completed
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
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. USFWS Biological Opinion was issued on 10/31/2017. Additional survey conducted 7/26/2018. The cultural resources survey was reported in: Mountain Valley Pipeline Project, Cultural Resource Survey, Volume II, Braxton and Webster Counties, West Virginia (Espino et al. October 2015); Mountain Valley Pipeline Project, Cultural Resource Survey, Addendum 1 to Volume II, Braxton and Webster Counties, West Virginia (Freedman et al. October 2016); Mountain Valley Pipeline Project Proposed New Bridge Workspace BSS Future Bridge Site, Request for Concurrence on Disturbance and No Further Survey Recommendations (Freedman July 2018). Filed with FERC 10/12/2015; 12/22/2016; 7/31/2018. Clearance received from WVDCH 11/16/2015; 12/08/2016; 8/1/2018. The Concurrence Letter is provided in Attachment 4.			
Landowner:	REDACTED		
Land Agent Contact	JOE PARK		
Landowner Approval Obtained	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Sign Off:	Name	Signature	Date
Construction Manager	Jason Barnhouse	<i>Jason Barnhouse</i>	10/30/2018
Lead Environmental Inspector	Jason Hiles	<i>Jason Hiles</i>	10/30/2018
Third Party Compliance Manager or monitor			
ROW Land Agent *	Janna Arnold	<i>Janna Arnold</i>	10/30/2018
Environmental Supervisor	Megan Neylon	<i>Megan Neylon</i>	10/30/2018
*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.:	C	Variance Request No.:	C-14
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VARIANCE CONDITIONS

Name:		Title:		Organization:	
Conditions:					

Name:		Title:		Organization:	
Conditions:					

Name:		Title:		Organization:	
Conditions:					