

MVP Variance Request Form



Variance Request No.: **D-9**

Date Approval Requested by Contractor: **5/15/2018**

Date Submitted by Chief Inspector to LEI:

Date Received by FERC:

FERC Approval Reference No.:

Requested By: **Rich Anderson**

Spread: **D**

Variance Type: **WS**

Request Prepared By *: **Megan Neylon**

Variance Sequence Number: **009**

* 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-NI-6157, WV-NI-6158, WV-NI-6170**

Current Land Use/ Vegetative Cover: **Developed; Grassland/Herbaceous** 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): **N/A**

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**

Wetland or Waterbody ID: **N/A**

Additional Stream footage impacted: **0.00** Additional Wetland impacts: **0.00**

Net acreage affected: **+ 9.89**

Tree Clearing Required: **No** Acreage of tree clearing: **0.00**

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 requests the addition of new laydown yard MVP-LY-063. The laydown yard will be mainly used for equipment and vehicle parking. This variance increases the LOD by 9.89 acres with no tree clearing being present. No rare threatened or endangered species, wetlands, waterbodies or cultural resources were identified within the proposed LOD. No topsoil is expected to be encountered on site. If topsoil is encountered it will be stockpiled towards the northern portion of the site (See Attachment 1). No fuel storage will take place on this yard. Minimum grading will be needed at the yard. The yard will be graveled as needed with the gravel being left in place after construction. Access to the yard will be from Webster Road.

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

Variance Justification:

Laydown yard necessary for construction staging. 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 5/1/2018. The cultural resources survey was reported in: Mountain Valley Pipeline Project, Cultural Resource Survey, Combined County Report 2, Harrison, Lewis, and Nicholas Counties, West Virginia (Espino et al. 2018). Filed with FERC on 5/3/2018. Clearance from WVDCH on 5/9/2018. The Concurrence Letter is provided in Attachment 4.

Landowner: REDACTED
Land Agent Contact: JOE PARK
Landowner Approval Obtained Yes No

Sign Off:

	Name	Signature	Date
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Construction Manager	<i>Richard Anderson</i>	<i>Richard Anderson</i>	6/26/2018
Lead Environmental Inspector	<i>Kayla Shay</i>	<i>Kayla Shay</i>	6/26/2018
Third Party Compliance Manager or monitor			
ROW Land Agent *	<i>Joe Park</i>	<i>Joe Park</i>	6/26/2018
Environmental Supervisor	<i>Megan Neylon</i>	<i>Megan Neylon</i>	6/26/2018

*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-9

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 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 D-9
May 15, 2018**



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

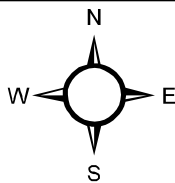
There are no impacts to aquatic resources associated with this variance and thus no impacts to listed aquatic species.

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.

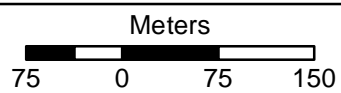
On 5/1/2018, Environmental Solutions and Innovations, Inc. (ESI) conducted field surveys to search for portal openings (winter bat habitat). Surveys were conducted in accordance with agency approved protocols for the project. No portal openings were observed in the variance area.



-  MVP Variance
-  ESI Portal Coverage



Mountain Valley Pipeline Variance Survey Exhibit; Variance D-9



Base Map: ESRI "World Imagery (Clarity)";
accessed 5/15/2018

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

**Waterbodies and Wetlands Report
Attachment 3**

Mountain Valley Pipeline Project

Variance D-9

May 15, 2018

On 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 did not identify any streams or wetlands within the variance area as shown on the attached figure.



FIGURES

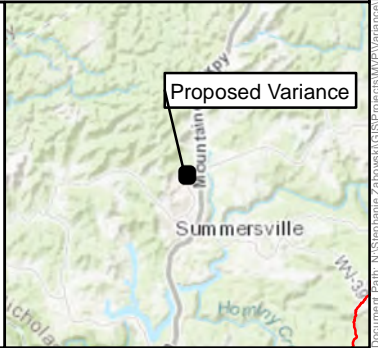


Mountain Valley Pipeline Project
 NAD 1983 UTM 17N
 1 inch = 200 feet
 0 100 200 400 Feet



Proposed Variance
D-9
Nicholas County, West Virginia
 May 2018

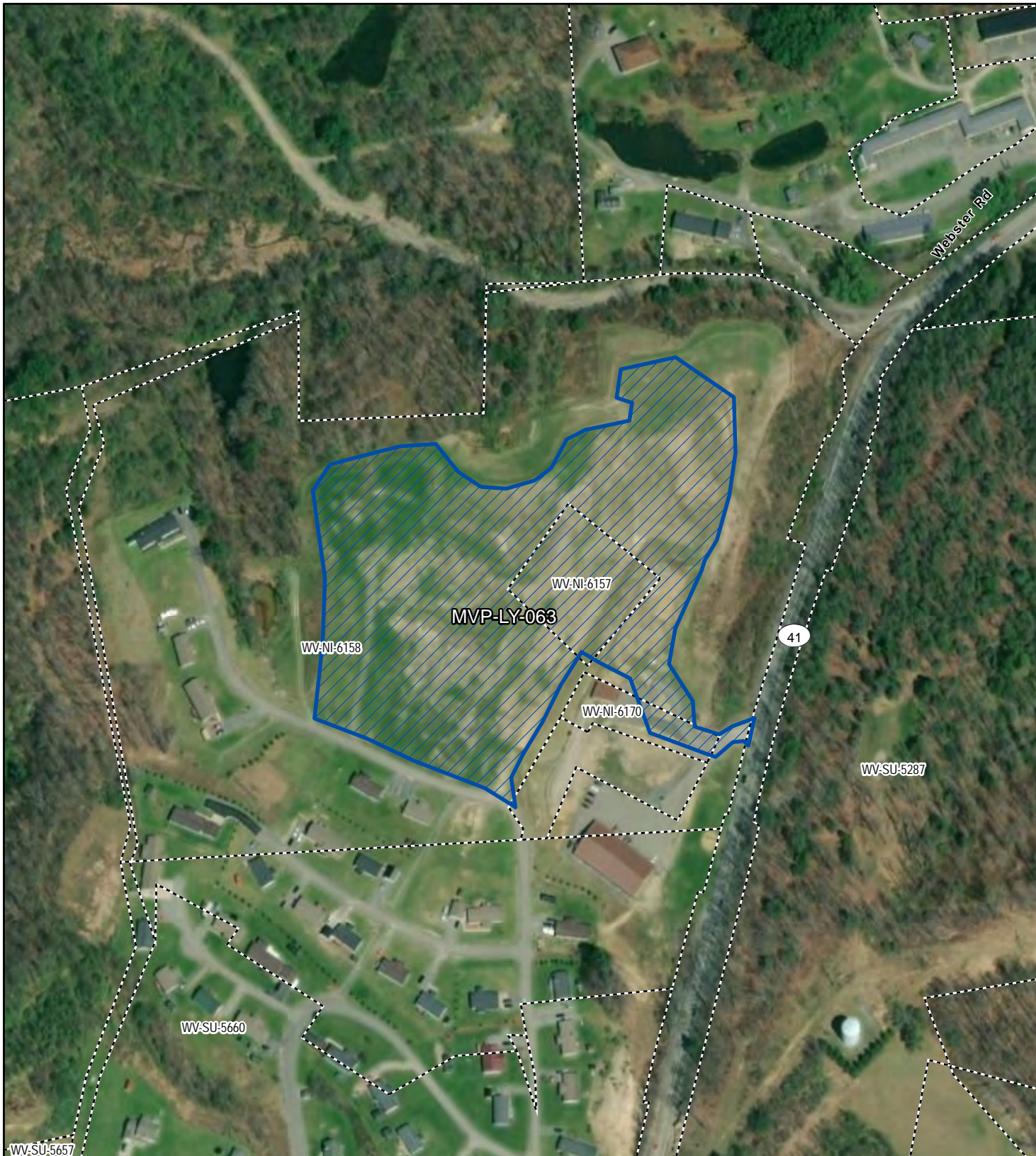
Legend
 Issued for Construction LOD
 Proposed Variance Limit of Disturbance



Data Sources: ESRI Streaming Data 2014.

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

**Pipeline Variance
Request Map
Attachment 6**



Mountain Valley Pipeline Project

Mountain Valley PIPELINE

FERC Docket No. CP16-10-000

MVP Variance D-9

NICHOLAS COUNTY

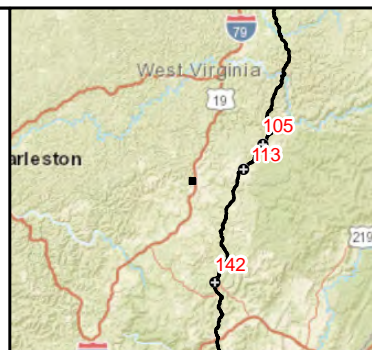
June 2018

NAD 1983 UTM 17N

0 50 100 200 300 400 Feet

Legend

- Issued for Construction Milepost
- Issued for Construction Route
- Issued for Construction Limits of Disturbance
- Parcel Boundary
- Proposed Variance Ancillary Site



Data Sources: ESRI Aerial Imagery, All Issued for Construction data was filed with FERC on 12/20/2017.