

Equitrans, L.P.
Equitrans Expansion Project
Docket No. CP16-13-000
Supplemental Materials Submitted October 31, 2016

Attachment A

Table Designating the DEIS Tables, and Appendices Updated For the October 2016 Proposed Route

**Equitrans Expansion Project
FERC Docket No. CP16-13-000
Responses to FERC Staff's Recommended Mitigation in the Draft Environmental Impact
Statement**



EQUITRANS EXPANSION PROJECT

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

FERC Docket No. CP16-13-000

October 2016

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1.0 INTRODUCTION

Provided below are comments and responses to the FERC Draft Environmental Impact Statement (DEIS) issued on September 16, 2016. Where appropriate, revised alignment sheets, tables and figures and/or reports are included in the attachments to these comments as listed below. Changes are noted in the tables in the attachments in red text and deletions are noted with strike-through. Only those tables with changes are included in this submittal.

FERC STAFF'S RECOMMENDED MITIGATION

Recommendations 1 through 10 are standard conditions that apply to both Mountain Valley and Equitrans.

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:

Equitrans will comply with the recommended mitigation.

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:

Equitrans will comply with the recommended mitigation.

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.*

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Response:

Equitrans will comply with the recommended mitigation.

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 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:

Equitrans will comply with the recommended mitigation. Attached herein are the current alignment sheets for the project facilities. Information regarding station plot plans is provided as CEII.

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.

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

- a. *implementation of cultural resources mitigation measures;*

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- 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:

Equitrans will comply with the recommended mitigation.

- 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;*
 - 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.*

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Response:

Equitrans will comply with the recommended mitigation.

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:

Equitrans will comply with the recommended mitigation.

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:***
- 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;*

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- 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:

Equitrans will comply with the recommended mitigation.

- 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:

Equitrans will comply with the recommended mitigation.

- 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:*
 - 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:

Equitrans will comply with the recommended mitigation.

Recommendations 21 and 22 apply only to Equitrans and shall be addressed before the end of the comment period on the draft EIS.

- 21. ***Prior to the end of the draft EIS comment period**, Equitrans shall file with the Secretary the current status of its easement negotiations for the Redhook Compressor Station. If Equitrans has been unable to negotiate an acceptable easement or purchase agreement, Equitrans should identify alternative compressor station sites and provide an analysis which includes any relevant environmental, engineering, economic factors, and status of landowner negotiations associated with use of the alternative sites. The analysis should*

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include a table that compares/contrasts the alternative sites' characteristics (environmental, engineering, economic) with the proposed aboveground facility site. (section 4.8.2.2)

Response:

Equitrans will file additional information regarding the Redhook negotiations and, if necessary, potential alternative sites prior to the close of the draft EIS comment period.

22. *Prior to the end of the draft EIS comment period, Equitrans shall file with the Secretary additional information regarding the potential construction feasibility of the Cline Route Alternative, including more detailed analysis of potential issues associated with either an open-cut or road bore crossing at Raccoon Creek and Raccoon Run Road. (section 3.5.3.2)*

Response:

Equitrans will provide a detailed analysis of construction feasibility of the Cline Route Alternative prior to the close of the draft EIS comment period.

Recommendation 38 applies only to Equitrans and shall be addressed before construction is allowed to commence.

38. *Prior to construction of the South Fork Tenmile Creek and Monongahela River crossings, Equitrans shall file with the Secretary, for the review and written approval by the Director of OEP, a HDD noise mitigation plan to reduce the projected noise level increase attributable to the proposed drilling operations at the NSAs. During drilling operations, Equitrans shall implement the approved plan, monitor noise levels, include noise levels in weekly reports to the FERC, and make all reasonable efforts to restrict the noise attributable to the drilling operations to no more than a 10 dBA increase over ambient noise levels at the NSAs. (section 4.11.2.3)*

Response:

Equitrans will comply with the recommended mitigation and will file the requested information prior to construction.

Recommendations 39 and 40 apply to both Mountain Valley and Equitrans and shall be addressed before construction is allowed to commence.

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)*

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Response:

Equitrans will comply with the recommended mitigation and will file the requested information prior to construction.

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:

Equitrans will comply with the recommended mitigation.

Recommendation 44 applies only to Equitrans and shall be addressed during operation of facilities.

44. *Equitrans shall file a noise survey with the Secretary **no later than 60 days** after placing the Redhook Compressor Station, into service. If a full load condition noise survey is not possible, Equitrans shall provide an interim survey at the maximum possible horsepower load **within 60 days** of placing the Redhook Compressor Station into service and provide the full load survey **within 6 months**. If the noise attributable to operation of the equipment at the Redhook*

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*Compressor Station exceeds an L_{dn} of 55 dBA at the nearest NSA, Equitrans 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. Equitrans 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:

Equitrans will comply with the recommended mitigation.