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July 11, 2018

Via electronic filing

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, D.C. 20426

Re: Mountain Valley Pipeline Project (CP16-10-000) – Variance Request No. MVP-003

Dear Secretary Bose:

Preserve Craig provides this response in opposition to Mountain Valley Pipeline, LLC's (Mountain Valley) Variance Request No. MVP-003, eLibrary no. 20180710-5128 (July 10, 2018). Mountain Valley seeks to extend the hours of construction for the Mountain Valley Pipeline Project (MVP Project) beyond 7 a.m. and 7 p.m. The request should be denied because it is contrary to the information provided in the Final Environmental Impact Statement (FEIS) and will adversely affect residents, visitors, and wildlife along the pipeline route.

The FEIS assumed construction would generally occur 10 hours per day during daylight hours described as occurring between 7 a.m. and 7 p.m.: "Construction crews would typically work 10 hours per day, 6 days per week. Work would be conducted during daylight hours, except where the pipe would be installed using the HDD and bore methods...."¹ The FEIS cited the limitation on construction during daylight hours as mitigation for noise impacts: "noise mitigation measures that would be employed during construction include ... limiting the great majority of construction to daytime hours."² It relied on such mitigation to find that the MVP Project "would not result in significant noise impacts on residents and the surrounding communities during construction."³

Mountain Valley is now requesting project-wide permission to construct before 7 a.m. and after 7 p.m. For example, Mountain Valley is proposing that construction on July 15, 2018 would start at 5:41 a.m. and end at 9:10 p.m., lasting more than 15-hours. That is a significant change in the description of construction hours provided and relied upon in the FEIS.

¹ FEIS, eLibrary no. 20170623-4000 (June 23, 2017), pp. 2-55; *see also id.* at p. 4-535, 4-537, Table 4.11.2-7 ("construction activities would occur during daylight hours (7:00 am – 7:00 pm)"), 4-614.

² *Id.* at p. 5-14.

³ *Id.*

Construction noise during early mornings and late evenings would adversely impact people along the pipeline route. As stated in the FEIS, construction noise can be quite loud: “[c]onstruction equipment noise levels would typically be around 85dBA at 50 feet when equipment is operating at full load, which could be heard by people in nearby buildings.”⁴ In rural areas along the pipeline route this type of noise would be very disruptive to the quality of life and health of the citizens. It would also disrupt businesses by interfering with farming activities and increase traffic on narrow roads at times when visibility may be low.

Extending the hours of construction is also likely to adversely affect wildlife. As stated in the FEIS,

Wildlife relies on hearing for courtship and mating, prey location, predator detection, and/or homing. These behaviors and interactions could be affected by noise resulting from construction and operation of the projects. Specifically, construction noise could lead to nest abandonment, egg failure, reduced juvenile growth and survival, or malnutrition or starvation of the young.⁵

Extending the hours of construction would likely exacerbate these effects. Mountain Valley’s request does not indicate that it considered the potential effects on crepuscular wildlife likely to be found in the project area like deer, foxes, coyotes, and American woodcocks.⁶

For these reasons, Preserve Craig requests that the Office of Energy Projects reject MVP’s request.

Respectfully submitted,



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⁴ *Id.* at p. 4-535.

⁵ *Id.* at p. 4-203.

⁶ *See id.* at p. 4-193.

DECLARATION OF SERVICE

Mountain Valley Pipeline, LLC's Mountain Valley Pipeline Project (CP16-10-000)

I, Emma Roos-Collins, declare that I today served the attached "Preserve Craig's Comments in Opposition to Variance Request No. MVP-003" by electronic mail, or by first-class mail if no e-mail address is provided, to each person on the official service list compiled by the Secretary in this proceeding.

Dated: July 11, 2018

By:



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