Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Director

12 June 2025

Mountain Valley Pipeline, LLC
Attn: Jeffrey Klinefelter
9401 Courthouse Road, Suite B
Chesterfield, Virginia 23832

SENT VIA EMAIL: jeffrey.klinefelter@eqt.com

Re: Joint Permit Application No. 25-0752
MVP Southgate Amendment Project
Pittsylvania County, Virginia
Comment Letter 2

Dear Mr. Klinefelter:

DEQ is in receipt of your Response to Request for Additional Information for Joint Permit Application (JPA) No. 25-0752, dated 30 May 2025. Thank you for your comment responses and additional information. After review of the package, review of project plans, and pursuant to 9VAC25-210-10 *et seq*., the following information is required to complete your application:

1. The 30 May 2025 Response Letter states the preliminary jurisdictional determination (PJD) is pending. A request for a State Surface Water Determination (SSWD) and, concurrently, a PJD to the U.S. Army Corps of Engineers (USACE) was submitted by the Southeast Supply Enhancement Project – Eden Loop (SSEP) in October 2024. There is a significant overlap between the proposed project and the SSEP SSWD/PJD study area and, in coordination with the USACE, some discrepancies in results and Cowardin designations were identified between the two (2) projects. At the request of USACE, respective agents for each proposed project coordinated and revised the delineations accordingly. A field meeting with both agents, USACE, and DEQ occurred on 26-27 February 2025 to reconcile remaining discrepancies in the respective delineation results. DEQ appreciates the efforts and coordination between the projects themselves and with USACE to reconcile differences in results.

   However, DEQ received revised mapping and data submitted by the SSEP on 13 May 2025, which indicate some discrepancies remain in linework and Cowardin classification between the wetlands/stream linework on SSEP mapping and Figure 3 (Detail Map) of the MVP Southgate Amendment:

a) Sheet CL-058: It appears the original delineation results are still depicted for emergent wetlands within the existing utility easement, identified as W-B017 on Figure 3. Per prior coordination with SSEP and field review, portions of the wetland boundary were revised, specifically linear portions of the wetland. This change would affect impacts associated with W-B017. Please adjust the boundary, impacts, and impact tables accordingly.
b) Sheet CL-046: An emergent wetland, located adjacent to unnamed tributary (UNT) of the Sandy Creek (S-B046), is depicted on the SSEP project but is not included in Figure 3.
c) Sheet CL-042: Stream S-A059 (UNT Sandy River) is identified as intermittent; the SSEP project has determined this feature is perennial.
d) Sheet CL-035: Stream S-A048 (UNT Sandy River) is identified as intermittent; the SSEP project has determined this feature is perennial.

DEQ has reached out to USACE and the SSEP separately and to MVP Southgate by email on 2 June 2025. Please correct Item A above and advise on revisions to Item B through Item D.

2. Please advise if the alternatives analysis presented in the Amendment Project application were considered during the previous FERC alternatives review, and if so, provide complete documentation to support the proposed alternative rationale, as requested in DEQ Information Request Items No. 5 (a and b) (1 May 2025).

3. Item 6c of DEQ's Comment Letter of 1 May 2025 requests additional information regarding efforts to minimize impacts between the MVP Southgate Amendment Project and the SSEP. The 30 May 2025 Response Letter states:
Although Mountain Valley is not aware of any authority or precedent for requiring coordinated minimization efforts by independent applicants, the parties have nevertheless been working voluntarily and in good faith to minimize the potential cumulative impacts associated with the construction of the MVP Southgate and the Transco SSEP pipelines. Mountain Valley and Transco continue to collaborate to address construction-related concerns, including those highlighted by DEQ, and develop field strategies to mitigate potential issues from potentially concurrent construction activities. Detailed evaluations of construction sequencing are being undertaken in areas where the MVP Southgate and SSEP pipelines overlap workspaces, ensuring minimizing disturbances. Additionally, Mountain Valley and Transco are exploring opportunities to share workspace and sequence construction activities to enhance safety, substantially reduce cumulative environmental impacts, avoid bottlenecks, and target erosion and sediment control design and implementation, ensuring effective measures and environmental protection. Mountain Valley remains committed to continued discussions with Transco to proactively manage construction impacts and comply fully with DEQ's environmental standards and expectations.

The majority of the Amendment Project and SSEP alignments are located immediately adjacent to each other and appear to have concurrent construction schedules.

a. Elaborate on how FERC guidance related to reducing limits of disturbance (LOD) can be applied to the Amendment Project at the five (5) locations where the two (2) project alignments are crossing each other/the existing pipeline corridor to avoid or minimize impacts to surface waters. For example, placement of the SSEP pipeline adjacent to the existing pipeline (as they are the same owner) would reduce the FERC-required offset and

thus reduce wetland or stream impacts (Sheets CL-053 and CL-058). Have such placement options been evaluated? If not, provide an explanation as to why these are not included in design.

b. Please advise if previously disturbed areas within the existing ROW may be utilized to reduce surface water impacts, particularly those areas being pursued via access agreements with adjacent property owners, including Transco. Please provide details on coordination efforts with SSEP that may further reduce impacts to wetlands and streams.

4. In regard to compensatory mitigation, the 30 May 2025 Response Letter states:
Mountain Valley obtained credit reservation letters from the Copper Hill Mitigation Bank and Beaverdam Mitigation Bank. However, the credit reservation letter from Beaverdam was inadvertently omitted from Attachment M of the application. Both reservation letters are attached to this response (Attachment 6). Discussions with the sponsor of the banks regarding purchase agreements are continuing. In lieu of mitigation bank credits, Mountain Valley continues to evaluate other potential approaches to mitigation. Mountain Valley is evaluating a potential Permittee-Responsible Mitigation (PRM) project that it will discuss with the DEQ.

   In order for the application to be considered complete, please provide a compensatory mitigation plan with documentation from an approved bank or in-lieu fee program sponsor of the availability of credits at the time of application, or that otherwise meets the requirements of 9VAC25-210-80.B.1.m(1 through 3).

5. Section 5.2.8 and 5.2.9 of the JPA narrative states that temporarily impacted resources will be restored to preconstruction contours. Profiles contained within Attachment H show elevation data with Full-Canopy LIDAR. Will survey grade elevations be provided to restore streambank and wetlands to preconstruction elevations and contours, such that previous wetland acreage and functions or surface water functions are restored? If not using survey grade elevations, how will the requirements of 9VAC25-210-80.B.1.j for pipe or culverts be documented to demonstrate restoration is to preconstruction elevations and contours?

6. Thank you for details and rationales provided in Table 12 for crossing methods. This information is very helpful in evaluating each crossing method. The JPA narrative states that there are length limitations involving the use of horizontal directional drilling (HDD) methods. For longer wetland crossings, in consideration of where crossings listed in Table 12 may be combined, or where wetland/stream crossings may be combined with roadway or railroad crossings, please advise and provide similar rationale for consideration of HDD (or extended conventional bore where noted) crossings at the following locations:
   a) On Figure 3, Sheet CL-002 and Sheet CL-003, the proposed crossing of perennial Cherrystone Creek and adjacent wetlands (S-A004/W-A003A-B) is open cut, with rationale of cost difference and construction schedule for which a conventional bore would not be feasible. This wetland/stream system is located in between conventional bore locations S-A006 and S-002/S-A003. To avoid impact, please advise as to why an HDD method encompassing the three (3) stream/wetland systems is not feasible for this location or the feasibility of extending the conventional bore associated with either of the other crossings.

b) Sheet CL-004 indicates an open cut is proposed for wetland W-A013A, W-A013C, and W-A013D. Please provide rationale and disposition as to whether horizontal directional drilling (HDD) is not feasible at this location.
c) On Sheet CL-005/6, please advise cost for use of HDD alternative for W-A010 (A/B/C) and expand on why this method would not be feasible for this crossing (or if an HDD can be combined with Item ii above).
d) On Sheet CL-012, a conventional bore is proposed as a crossing for Banister River. Please advise as to the feasibility of an HDD crossing that would avoid impacts to adjacent/abutting wetlands and, potentially White Oak Creek (S-A021).
e) On Sheet CL-013 and corresponding Table 12 (Crossing Methods), a conventional bore is proposed for the railroad crossing. A second, upstream crossing with open cut is proposed for White Oak Creek and abutting/adjacent wetlands, west of the railroad. Please advise on the feasibility of an HDD crossing for these systems and the railroad. Would an alternative route to the south result in less forested wetland impacts?
f) On Sheet CL-028, please advise if an HDD would be subject to the same cost and constructability constraints as a conventional bore for crossing of UNT of Sandy Creek (S-A044) and abutting wetlands.
g) UNTs to Trotters Creek and abutting wetlands are located adjacent to Horseshoe Road (Sheet CL-052). In consideration of crossing of Horseshoe Road, please elaborate on the feasibility and constructability of crossing some or all of streams/wetlands and roadway with a single conventional bore or HDD.

7. Thank you providing supplemental materials in the 30 May 2025 letter regarding alternative alignments and variations. DEQ's understanding is the following alignments were not included for evaluation in the original FERC certificate: MP 9.9 to 10.3, Lambert Variation, Sandy River Variation, MP 19.9 variation, and MP 23.9 to MP 25.4 Variation. Please advise on the following alignment questions:
   a) The JPA narrative states the MP 9.9-10.3 variation results in a reduction of 7.8 acres of wetland impacts, including forested wetlands. The excel table provided within the supplemental materials notes no wetland impacts between either the variation or the proposed route would be incurred. Mapping on Figure 3 and the attachments indicate wetland impacts within both the original and proposed alignment. From the mapping provided in attachment (Pipeline Alignment – H-650 Line), blue hatching (Original FERC Approval/Certificate Project) shows wetland impacts (e.g. W-A031) within the variation. Please clarify and adjust mapping and tables accordingly that support this variation as the least damaging practicable alternative (LEDPA).
   b) DEQ concurs that the proposed MP 23.9 to MP 25.4 Variation would incur less stream impacts. However, to minimize impacts to surface waters, please advise if it would be feasible to adjust the alignment to avoid stream S-B056. Additionally, please advise the feasibility of adjoining the approved alignment closer to St. 1340+00 in order to reduce wetland and stream impacts. The excel table provided indicates no wetland impacts between either proposed route or variation; however, mapping indicates wetland impacts for both alignments. Please revise the table accordingly.

8. Pursuant to 9VAC25-210-80.B.1.i, plan view drawing or drawings of the project site are required to assess the project. Please provide the following information in regard to Figure 3 - Detail Map and Figure A-2 (VA Wetland and Waterbody Impact Map):
   a) In order to better assess the project, please add flow lines indicating the direction of stream flow to the Figure 3 - Detail Map and Figure A-2 (VA Wetland and Waterbody Impact Map). While this information is included in Attachment H, it would be helpful to be consolidated on overall project mapping.
   b) Please show launch/receiving pits associated with conventional bores on Figure 3 (Details Map) and Figure A-2 (VA Wetland and Waterbody Impact). While this information is included in Attachment H, it should be consolidated on overall project mapping.
   c) Please show/highlight areas of shared LOD, if any, between the proposed project and the SSEP project.
   d) The legend of the detail maps indicates dark orange linework as limits of construction workspace. Please confirm if this designation is equivalent to LOD. Also, it was noted during preapplication meetings that the submission of Construction General Permit would occur at a later date. Please advise if all erosion and sediment control measures that could represent temporary impacts are contained within this linework.
   e) Conventional bores are proposed at a number of locations in which the proposed bore occurs under palustrine forested (PFO) wetlands. Mapping indicates avoidance of PFO impacts. The PFO locations that are proposed to be avoided by conventional bore are:
      i. Wetland abutting S-A006 (Sheet CL-001)
      ii. W-B039B (Sheet CL-049)
      iii. Wetland abutting S-B030 and S-B031 (Sheet CL-055)
      iv. Wetland abutting S-B022 (Sheet CL-056)
      v. W-B015 (Sheet CL-059)
      vi. Wetland abutting S-B020 (Sheet CL-061)

      As these wetlands will be subject to future maintenance activities, they (or portions that will be maintained) should be considered conversion impacts. Please show these PFO wetlands as conversion impacts and adjust impact maps, mitigation tables, and mitigation calculations accordingly.
   f) DEQ has determined a number of locations would or may result in secondary wetland impacts:
      i. At W-A013A, W-A013C, and W-A013D on Sheet CL-004, wetlands depicted are limited to the study area. Impacts to PFO wetlands are limited to the fringe of the tree line; however, from National Wetland Inventory (NWI) mapping it is difficult to determine the extend of wetlands adjacent to the project area and if secondary impacts would be incurred. Please advise to the size of the adjacent wetland system so it may be determined if secondary wetland impacts will be incurred.
      ii. On Sheet CL-032, please advise as to the extent of wetlands that continue offsite for W-A044 so it may be determined if secondary wetland impacts will be incurred.
      iii. On Sheet CL-032, small fringes of PFO W-A045 extend slightly beyond the westerly LOD. As only remnant fringes would remain, DEQ considers these areas as secondary wetland impacts. Additionally, please advise as to the extent of PFO wetlands east of the ROW to determine if secondary PFO impacts would be incurred.
      iv. Based on topography, it appears fringes of PFO wetland W-B023 (Sheet CL-052) extends beyond the study area. As it appears greater than 90% of the wetland will be

taken as a conversion impact; these remaining areas should be considered a secondary impact. Please show the remaining extent of the wetland show as secondary impact.

v. PFO W-B036a (Sheet CL-051/052) appears to continue slightly beyond the study area. Remaining offsite wetlands should be considered a secondary impact.
vi. Please advise if W-B015 (Sheet CL-059) continues beyond the study area and to what extent so DEQ can evaluate if a secondary impact is incurred.
vii. Per Item 8(E-i) above, if a conversion impact is incurred for wetland adjacent to S-A006, the remaining PFO fringe between the existing easement and the new cleared ROW should be considered a secondary impact.
viii. PFO Wetland B-039b (Sheet CL-049) extends slightly beyond the ROW. Per Item 8(E-ii), if a conversion impact is incurred, the remaining westerly PFO fringe should be considered a secondary impact.
ix. Per Item 8(E-iv), if a conversion impact is incurred to wetland abutting S-B022 (Sheet CL-056), the westerly fringe (if a PFO or PSS) should be considered a secondary impact.
x. Per Item 8(E-vi), if a conversion impact is incurred to wetland abutting S-B020 (Sheet CL-061), the westerly fringe should be considered a secondary impact.

g) On Sheet CL-001, please confirm the Cowardin classification of W-A004. The callout and Table 3 lists as palustrine emergent (PEM) wetland; however, it is located within the tree line. Please provide data sheet and photographs.
h) On Sheet CL-002, please advise if any temporary impacts related to construction access through S-A002/S-A003 (intermittent, UNT Cherrystone Creek) and adjacent PEM wetland (W-A001) would be incurred.
i) On Sheet CL-004, please advise how flow will be maintained for stream S-A010 (timber mat crossing). Will this crossing be bridged or a mat/fill placed in the stream? There are a number of similar callouts (e.g. S-A067, S-A031 [perennial], S-A040, S-B040); please advise on maintenance of streamflow at these locations as well. Additionally, is it possible to reduce the LOD to avoid this impact? The opposite (northerly) side of the work area contains reduced workspace where no resources are present; is it possible to shift that reduced workspace to the southerly side to avoid impacts?
j) W-A013A, W-A013C, and W-A013D on Sheet CL-004 shows 1.0186 acres of temporary PEM impacts within the right-of-way (ROW) for access. In order to minimize impact and compaction, will timber mats be utilized?
k) Sheet CL-005 shows a palustrine scrub-shrub (PSS) wetland (W-A012) located east of access road TA-PL-004 in the vicinity of Cherrystone Creek. The PSS wetland is located within both the operational workspace and limits of construction workspace. Would this wetland be impacted by construction access or open cut? Additionally, a conversion impact should be shown if this location will undergo long-term maintenance within the ROW.
l) On Sheet CL-006, is it possible to neck down the LOD to avoid impact to W-A080?
m) Sheet CL-006/AR-012 shows a proposed access road bisecting emergent wetlands W-A007, W-A008, and Stream S-A007. To avoid and minimize impacts to these jurisdictional resources, would it be possible to shift the access road slightly to the north? This adjustment would avoid wetlands and potentially reduce tree clearing adjacent to the stream. The intermittent stream impact is designated as permanent on Table 2 but temporary on Figure 3 (Sheet AR-012). Will the culvert and access road remain in place? If yes, this wetland impact will be designated a

permanent impact. If no, how long will it remain in place during construction? Please advise and revise accordingly.

n) On Sheet CL-010, as the location at the proposed crossing is a conventional bore, is it possible to avoid W-A075 as it is located on the fringe of the LOD?

o) On Sheet CL-012, a bore hole is proposed within wetlands. Please describe how impacts to abutting wetlands will be minimized and describe the proposed dewatering operations for the bore hole.

p) The proposed boring hole for the conventional bore under the railroad depicted in Attachment H- Crossing 019 (Sheet CL-013) is shown within wetlands. Please provide details to minimize impacts to wetlands regarding dewatering operations and access and if secondary impacts would be incurred.

q) Two (2) small stream features (S-A066) are shown on CL-015. One (1) of these features is located within the proposed operational workspace. The unlabeled feature would appear to be an impact area; please revise mapping and impact table accordingly. The second feature is located within the fringe of the limits of construction workplace and is called out as being avoided. Please advise if it is possible to avoid S-A066 by reducing the LOD.

r) Is it possible to neck down the LOD to avoid impacts to S-A067 (Sheet CL-015) as it is located along the fringe of the workspace? Per Item I above, please advise how streamflow will be maintained.

s) On Sheet CL-021/022, an ephemeral, unnamed tributary of White Oak Creek (S-A030) is called out as no impact; however, the feature is located within the operational workspace and Table 12 (Crossing Methods) indicates open cut. Please clarify and adjust table/figure accordingly.

t) On Sheet CL-026, the alignment diverges from the existing easement. In order to minimize impacts to UNT Sandy Creek (S-A036), please advise if it is possible to cross this stream perpendicularly.

u) On Sheet CL-026/027, is it possible to relocate additional workspace to avoid S-A038?

v) At a number of locations where a conventional bore is proposed, it is indicated impacts would be avoided. However, portions of linework indicate temporary impacts. Please advise on the nature of impacts and/or revise maps and tables accordingly for the following locations:
    i. Sheet CL-027/ Stream S-A039
    ii. Sheet CL040/Stream S-A058
    iii. Sheet CL-049/Stream S-B043
    iv. Sheet CL-055/Stream S-B030
    v. Two (2) areas associated with Stream S-B024 on Sheet 56

w) The proposed pipeline is located at the confluence of an intermittent and perennial stream, both UNTs of Silver Creek (Sheet CL-038/S-A054-55). In consideration of the field condition of the two (2) systems, please advise on maintenance of streamflow and sequence of construction. Though slightly upstream of the confluence, a similar condition exists S-B041/B042 (Sheet CL-50). Please advise on maintenance of streamflow and sequence of construction.

x) On Sheet CL-039, the detail map indicates W-A052B would be avoided; however, a portion of this wetland is located within both the operational workspace and LOD. Will this wetland be bored? Additionally, a portion of this wetland is a PSS wetland and its location within the ROW indicates it would be subject to maintenance. Therefore, it should be considered a conversion impact. Please revise mapping, impact tables, and mitigation tables accordingly.

y) On Sheet CL-042 the stream crossing at S-A059 (UNT Sandy River) is proposed as conventional bore. Is it possible to avoid the abutting wetland (W-071A) along the northern fringe of the LOD?

z) As the impact to W-F001(Sheet CL-0052) is located at the fringe of the LOD and outside of the operational workspace, is it possible to slightly reduce the LOD at this location to avoid temporary impact?

aa) On Sheet CL-057, a small fringe of emergent wetland within W-B019 is located within the LOD and is not included as an impact. Please revise accordingly or note how it would be avoided.

bb) On Sheet CL-058, there are two (2) branches of perennial stream S-B054. Attachment H, Crossing 076 shows the channels as not connecting. Could you advise if the easterly channel loses bed and bank or if there is a linework error and should connect to a confluence of channels.

cc) A portion of forested wetland W-B013B is hatched beyond the Virginia state boundary in North Carolina. Please advise if the linework for the state boundary is georeferenced correctly or, if accurate, remove hatching and the portion of impacts that occur in North Carolina from the callout and impact tables. The mitigation table may need to be adjusted accordingly as the area is designated as a conversion impact.

dd) On Sheet AR-009, please confirm that the limits of W-A13B do not extend beyond the limits of the proposed limit of disturbance and, therefore, the proposed access road would not incur any wetland impacts.

ee) On Sheet AR-012 and Table 13, the existing access and culvert is proposed to be upsized. If the footprint of the culvert and any additional riprap change, this would need to be considered a permanent impact.

ff) Table 13 notes that the proposed access road TA-PL-011 on Sheet AR-017 would avoid additional wetland and stream impacts from a different alignment. Aerial mapping indicates the potential presence of an existing access road to the east. Please advise if utilization of this access road would be feasible and would result in less impacts or if there are site constraints (e.g. steep slopes) that would prevent its use.

gg) TA-PL-018 on Sheet AR-022 shows a temporary stream impact (S-A069) within an existing access road. Please advise if there is an existing culvert and the nature of the impact.

hh) On Sheet AR-033, the existing access road off Millsville Lane crosses PEM W-A061. This wetland is located within the access road but shows no impact; please advise why there is no temporary impact called out at this location. Also, Stream S-A065 notes culvert replacement for the ephemeral channel. Table 13 notes the culvert would be upsized. If the footprint of the culvert and any additional riprap will change, this would need to be considered a permanent impact.

ii) Proposed access road (TA-PL-052) appears to be located within an existing, unimproved drive. Figure 3 (Sheet AR-042) shows a stream (S-D002) upstream and downstream of the crossing. National Wetland Inventory and U.S. Geological Service topographic mapping indicates the confluence of two (2) intermittent streams immediately adjacent (less than fifteen [15] feet) to the proposed access road to the west. The stream then bisects the access road as it flows downstream to the east. Please advise if this stream is culverted within the access road, if conveyed underground, or loses bed and bank. Given the presence of the stream bisecting the project area, please describe or provide a detail of measures taken to prevent discharge to downstream waters. Please advise if it is technically feasible to utilize the existing right-of-way for construction access at this location or share access with the SSEP.

jj) Sheet AR-044- TA-PL-061- access off Ed Hardy Drive includes three (3) stream crossings, one (1) wetland PFO crossing (conversion). Table 13 indicates streams would be forded or existing culverts would be utilized; please indicate which crossings are forded versus culverts and the describe the nature of temporary impacts that would be incurred.

kk) Table 13 shows impacts associated with access roads and indicates a number of streams are proposed to be forded. While these streams may provide access to the property owner under the existing agricultural exemption, as the project is proposing different use that exemption would not be applicable to crossings related to the proposed project. Due to the equipment type and number of crossings, impacts related to crossings may be more than de minimis. DEQ will require timber mat bridges or temporary culverts at stream crossings.

ll) Please confirm timber mats will be used for TA-Pl-067 for W-B016 crossing.

mm) Please confirm that all fills will be removed for access roads that impact forested wetlands (e.g. TA-PL-067) and proposed conversion impacts.

nn) Several discrepancies were noted in Cowardin classifications between the Table 3 (Wetland Impacts), Table 15 (Mitigation Table), and Figure 3 (Details Map):

i. W-B020: Figure 3/Table 3 lists as PSS; Table 15 lists as PFO.
ii. W-B021: Figure 3/Table 3 lists PFO; Table 15 lists as PSS.
iii. W-B041: Figure 3/Table 3 lists as PSS; Table 15 lists as PFO.
iv. W-B043: Figure 3/Table 3 lists as PFO; Table 15 lists as PSS.

Please review and revise tables/figures accordingly.

9. Pursuant to 9VAC25-210-80.B.1.p, a permit application fee is among items required to consider the application complete. DEQ has determined that the application fee is $24,180. Please find attached Water Division Permit Application Fee Form. Please follow the instructions on the form and send to DEQ.

The following section contains additional information necessary to assist in DEQ's review of the application or advises on the status of application review:

1. As part of agency review, DEQ has received comments from the Virginia Department of Conservation and Recreation and Virginia Department of Health Office of Drinking Water. DEQ has extended the comment period for the Virginia Department of Wildlife Resources by two (2) weeks.

2. The 30 May 2025 Response letter indicates coordination with USFWS is ongoing. Please provide concurrences from USFWS upon receipt.

We look forward to future coordination for this project. Please contact me at (804) 659-1986 or michael.mussomeli@deq.virginia.gov if you have any questions.

Respectfully,

Michael J. Mussomeli, PWS

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Michael J. Mussomeli, PWS
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