



# Floodplain Development Permit

## Doddridge County, WV Floodplain Management

This permit gives approval for the development/ project listed that impacts the FEMA-designated floodplain and/or floodway of Doddridge County, WV, pursuant to the rules and regulations established by all applicable Federal, State and local laws and ordinances, including the Doddridge County Floodplain Ordinance. This permit must be posted at the site of work as to be clearly visible and must remain posted during entirety of development.

**Permit: #20-566**

**Date Approved: March 23, 2020 Expires: March 23, 2021**

**Issued to: Antero Midstream**

**POC: Daniel Buliam**

**Company Address: 535 White Oaks Blvd. Bridgeport, WV 26330**

**Project Address: Sam Cavins Road**

**Firm: 54017C0120C**

**Lat/Long: 39.318873N, -80.823208W**

**Purpose of Development: Slip Repairs**

**Issued by: George C. Eidel, CFM, OEM Director/Doddridge County FPM (or designee)**

**Date: March 23, 2020**

---

For additional information regarding this permit, please contact  
Doddridge County Floodplain Manager at 304.873.2631, or via email at  
doddridgecountyfpm@gmail.com  
118 East Court Street; West Union, WV 26456

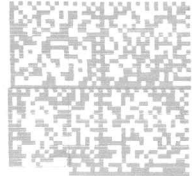
---

**CERTIFIED MAIL**

**Doddridge County Office of Emergency Management  
George Eidel, Floodplain Manager  
101 Church Street, Suite 102  
West Union, WV 26456**



7019 1640 0001 3402 6859



HASLER

**\$006.70<sup>0</sup>**

03/05/2020 ZIP 26456  
012E14643162

**US POSTAGE**

76151-9999  
RETURN TO SENDER  
UNABLE TO FORWARD  
UNABLE TO FORWARD  
RETURN TO SENDER  
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R  
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76151-9999



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF RETURN ADDRESS, FOLD TO THE RIGHT

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**William L. & Karen L. Riffle**  
**P.O. Box 9614228**  
**Forth Worth, TX 76104**



9590 9402 5586 9274 5546 37

2. Article Number (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Doddridge County Office of  
Emergency Management/Floodplain Management  
105 Court Street, Suite 3  
304-873-1343  
doddridgecountyfpm@gmail.com



Dear Sir or Ma'am,

February 27, 2020

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No action is required of you. This letter is simply to inform you of the proposed development.

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Respectfully yours,

A handwritten signature in black ink, appearing to read "George Eidel". The signature is written in a cursive style with a large initial "G".

George Eidel, CFM, OEM Director/Floodplain Manager



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**John Kelley**  
**602 Kelley James Lane**  
**West Union, WV 26456**



9590 9402 5586 9274 5546 20

2. Article Number (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *John Kelley*  Agent  Addressee

B. Received by (Printed Name) \_\_\_\_\_  
 C. Date of Delivery **3-21-20**

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee  
 \$ **3.45**

Extra Services & Fees (check box, add fee as appropriate)

<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ <b>2.75</b>
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage  
 \$ **.50**

Total Postage and Fees  
 \$ **6.70**

Sent To **Brian M. James**  
 Street and Apt. No., or PO Box No.  
**510 Sam Cavins Rd.**  
 City, State, ZIP+4®  
**West Union, WV 26456 20-566**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee  
 \$ **3.45**

Extra Services & Fees (check box, add fee as appropriate)

<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ <b>2.75</b>
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage  
 \$ **.50**

Total Postage and Fees  
 \$ **6.70**

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 Street and Apt. No., or PO Box No.  
**602 Kelley James Ln.**  
 City, State, ZIP+4®  
**West Union, WV 26456 20-566**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0001 3402 6635  
 5E99 204E T000 049T 6T02

7019 1640 0001 3402 6635  
 5E99 204E T000 049T 6T02



## Doddridge County Floodplain Permits

(Week of March 2, 2020)

Please take notice that on the (26<sup>th</sup>) of (February), 2020, (Antero Resources) filed an application for a Floodplain Permit (#20-566) to develop land located at or about (Sam Cavins Rd); Coordinates: 39.318873, -80.823208. The Application is on file with the Floodplain Manager of the County and may be inspected or copied during regular business hours in accordance to WV Code Chapter 29B Freedom of Information, Article 1 Public Records and county policy and procedures. Any interested persons who desire to comment shall present the same in writing by (March 23, 2020) (20 calendar days after the announcement at the regularly scheduled Doddridge County Commission Meeting) delivered to the Floodplain Manager of the County at 105 Court Street, Suite #3, West Union, WV 26456. This project is

for a slip repair

GEORGE C. EIDEL, CFM

Doddridge County Floodplain Manager

7019 1640 0001 3402 6859

U.S. Postal Service™  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee  
\$ 3.45  
Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$ 2.75  
 Return Receipt (electronic) \$  
 Certified Mail Restricted Delivery \$  
 Adult Signature Required \$  
 Adult Signature Restricted Delivery \$

Postage  
\$ .50

Total Postage and Fees  
\$ 6.70

Sent To  
William & Karen L. Riffle  
Street and Apt. No., or PO Box No.  
P.O. Box 9614228

City, State, ZIP+4®  
Fort Worth, TX 76161 20-566

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7019 1640 0001 3402 6828

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee  
\$ 3.45  
Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$ 2.75  
 Return Receipt (electronic) \$  
 Certified Mail Restricted Delivery \$  
 Adult Signature Required \$  
 Adult Signature Restricted Delivery \$

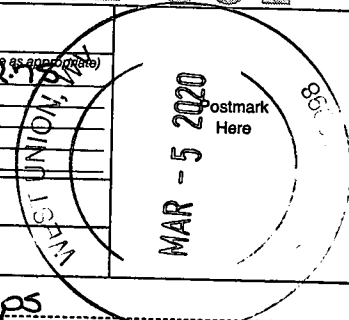
Postage  
\$ .50

Total Postage and Fees  
\$ 6.70

Sent To  
Eugene Chipps  
Street and Apt. No., or PO Box No.  
304 Timber Creek Drive

City, State, ZIP+4®  
Clarksburg, WV 26301 20-566

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

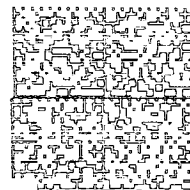


**CERTIFIED MAIL**

**Doddridge County Office of Emergency Management  
George Eidel, Floodplain Manager  
105 Court Street, Suite 3  
West Union, WV 26456**



7019 1640 0001 3402 6835



HASLER

**\$006.70<sup>00</sup>**

03/05/2020 ZIP 26456  
012E14643162

**US POSTAGE**

**Brian M. James  
510 Sam Cavins Road  
West Union, WV 26456**

3/6

3-14

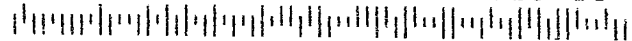
NIXIE 250 DE 1 0003/28/20

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

9357290141894768

UNC  
26456>2012

BC: 26456201205 \*1771-00325-28-23



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
END RETURN ADDRESS, FOLD AT DOTTED LINE

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9590 9402 5586 9274 5546 13

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A. Signature

**X**

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
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| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

Doddridge County Office of  
Emergency Management/Floodplain Management  
105 Court Street, Suite 3  
304-873-1343  
doddridgecountyfpm@gmail.com



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February 27, 2020

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No action is required of you. This letter is simply to inform you of the proposed development.

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George Eidel, CFM, OEM Director/Floodplain Manager



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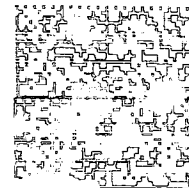
Doddridge County Floodplain Manager

**CERTIFIED MAIL®**

Doddridge County Office of Emergency Management  
George Eidel, Floodplain Manager  
105 Court Street, Suite 3  
West Union, WV 26456



7019 1640 0001 3402 6828



HASLER

\$006.70<sup>00</sup>

03/C 020 ZIP 26456  
012 40 43162

US POSTAGE

Eugene Chipps  
304 Tymber Creek Drive  
Clarksburg, WV 26301

*Verified  
3/6/2020*

NIXIE 250 DE 1 0003/24/20

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

.. 9326010807027887

UNC  
2630136776 2004  
26456 2012

BC: 26456201205 \*0271-02594-05-44





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304 Tymber Creek Drive  
Clarksburg, WV 26301**



9590 9402 5586 9274 5546 06

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**X**

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- Addressee

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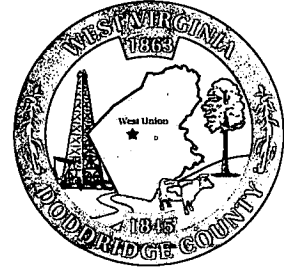
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- Adult Signature Restricted Delivery
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- Insured Mail
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- Registered Mail™
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- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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doddridgecountyfpm@gmail.com



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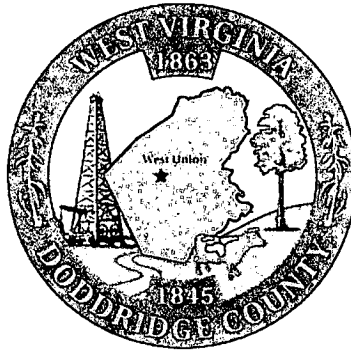
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(Week of March 2, 2020)

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for a slip repair

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GEORGE C. EIDEL, CFM

Doddridge County Floodplain Manager

COPY

KLEINFELDER OFFICE CHECKING  
550 WEST C STREET SUITE 1200  
SAN DIEGO, CA 92101

COPY

COPY

DATE 2/24/2020

19-10/1250

PAY TO THE  
ORDER OF

Doddridge County Commission

\$ 100.00

One-hundred

00/100

DOLLARS



Security Features  
Included  
Details on Back

usbank COPY

FOR Crystal Lake Sta 111+00 Floodplain permit

*[Signature]*

FP# 20-566  
⑈011105⑈ ⑆125000105⑆ 157519869794⑈

COPY

FP # 20-566

**FLOODPLAIN PERMIT #20-566**

**Antero Resources, Sam Cavins Rd Slip Repair 39.318873, -80.823208**

<b>TASK</b>	<b>COMPLETE (DATE)</b>	<b>NOTES</b>
<i>CHECK RECEIVED</i>	<i>2/26/2020</i>	
<i>US ARMY CORP. ENGINEERS (USACE)</i>		
<i>US FISH &amp; WILDLIFE SERVICES (USFWS)</i>		
<i>WV DEPT. NATURAL RESOURCES (WVDNR)</i>		
<i>WV DEPT. ENVIROMENTAL PROTECTION (WVDEP)</i>		
<i>STATE HISTORIC &amp; PRESERVATION OFFICE (SHPO)</i>		
<i>OFFICE of LAND &amp; STREAM (OLS)</i>		
<i>DATE OF COMMISSION READING</i>	<i>3/3/2020</i>	
<i>DATE AVAILABLE TO BE GRANTED</i>	<i>3/23/2020</i>	
<i>PERMIT GRANTED</i>		
<i>COMPLETE</i>		

7019 1640 0001 3402 6835

7019 1640 0001 3402 6842

7019 1640 0001 3402 6859

7019 1640 0001 3402 6828



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GEORGE C. EIDEL, CFM

Doddridge County Floodplain Manager



51 Dutilh Road  
Suite 240  
Cranberry Township, PA  
16066  
o | 724.772.7072  
f | 724.772.7079

# TRANSMITTAL

To:

Mr. George Eidel  
Floodplain Manager  
105 Court Street, Suite #3  
West Union, WV 26456

Date: February 24, 2020

Reference No: 20174488.001A

cc: Project File

Document Control No.

REC'D 02 24 2020

<b>Subject:</b>	<b>Floodplain Permit Application Antero Midstream Crystal Lake Station 111+00 Landslide Doddridge County, West Virginia</b>
<input checked="" type="checkbox"/> <b>Attached</b> <input type="checkbox"/> <b>Under separate cover</b>	

Via:

- Messenger/Courier
- First Class Mail
- FedEx
- United Parcel
- DHL
- Lone Star Overnight
- Freight
- Other

Transmitted:

- As Requested
- For Approval
- For Your Use
- For Review & Comment

Remarks:

Enclosed please find the following documents to facilitate your review of the above referenced application:

- Attachment A – Floodplain Application
- Attachment B – Aerial Imagery Map
- Attachment C – Location Exhibit

The check for fee is \$100.00. The project budget within the Floodplain is less than \$10,000.00 bringing the permit fee to \$100.00.

By: **Matthew Albright**  
Project Manager

ATTACHMENT A  
FLOODPLAIN APPLICATION





Permit# 20-566  
Project Sam CAVINS Rd Slip Repairs Name: \_\_\_\_\_  
Permittees Name: Antero Resources

## ***Doddridge County, WV***

# **Floodplain Development Permit Application**

10-13-20 8:50 AM

This document is to be used for projects that impact/potentially impact the FEMA---designated floodplain and/or floodway of Doddridge County, WV pursuant to the rules and regulations established by all applicable Federal, State and local laws and ordinances, including the Doddridge County Floodplain Ordinance.

### **SECTION 1: GENERAL PROVISIONS (APPLICANT TO READ AND SIGN)**

1. No work may start until a permit is issued.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until permit is re-issued.
4. The permit will expire if no work is commenced within six months of issuance.
5. Applicant is hereby informed that other permits may be required to fulfill local, state, and federal requirements.
6. Applicant hereby gives consent to the Floodplain Administrator/Manager or his/her representative to make inspections to verify compliance.
7. I THE APPLICANT CERTIFY THAT ALL STATEMENTS HEREIN AND IN ATTACHMENTS TO THIS APPLICATION ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

APPLICANT'S SIGNATURE \_\_\_\_\_

DATE 02/20/20

Doddridge County Commercial/Industrial  
Floodplain Development Permit Application

**Applicant Information:**

*Please provide all pertinent data.*

<b>Applicant Information</b>		
Responsible Company Name: Antero Midstream		
Corporate Mailing Address: 1615 Wynkoop Street		
City: Denver	State: CO	Zip: 80202
Corporate Point of Contact (POC): N/A		
Corporate POC Title: N/A		
Corporate POC Primary Phone: N/A		
Corporate POC Primary Email: N/A		
Corporate FEIN: N/A	Corporate DUNS: N/A	
Corporate Website: www.anteroresources.com		
Local Mailing Address: 535 White Oaks Blvd		
City: Bridgeport	State: WV	Zip: 26330
Local Project Manager (PM): Daniel Bulian		
Local PM Primary Phone: 304 842 4093		
Local PM Secondary Phone: N/A		
Local PM Primary Email: dbulian@anteroresources.com		
Person Filing Application: Daniel Bulian		
Applicant Title: Environmental Specialist III		
Applicant Primary Phone: 304 842 4093		
Applicant Secondary Phone: N/A		
Applicant Primary Email: dbulian@anteroresources.com		



Doddridge County Commercial/Industrial  
Floodplain Development Permit Application

**Proposed Development:**

*Please check all elements of the proposed project that apply.*

**DESCRIPTION OF WORK (CHECK ALL APPLICABLE BOXES)**

**A. STRUCTURAL DEVELOPMENT**

<u>ACTIVITY</u>	<u>STRUCTURAL TYPE</u>
<input type="checkbox"/> New Structure	<input type="checkbox"/> Residential (1 – 4 Family)
<input type="checkbox"/> Addition	<input type="checkbox"/> Residential (more than 4 Family)
<input type="checkbox"/> Alteration	<input type="checkbox"/> Non-residential (floodproofing)
<input type="checkbox"/> Relocation	<input type="checkbox"/> Combined Use (res. & com.)
<input type="checkbox"/> Demolition	<input type="checkbox"/> Replacement
<input type="checkbox"/> Manufactured/Mobil Home	

**B. OTHER DEVELOPMENT ACTIVITIES:**

- |                               |                                 |                                   |                                     |
|-------------------------------|---------------------------------|-----------------------------------|-------------------------------------|
| <input type="checkbox"/> Fill | <input type="checkbox"/> Mining | <input type="checkbox"/> Drilling | <input type="checkbox"/> Pipelining |
|-------------------------------|---------------------------------|-----------------------------------|-------------------------------------|
- Grading
  - Excavation (except for STRUCTURAL DEVELOPMENT checked above)
  - Watercourse Alteration (including dredging and channel modification)
  - Drainage Improvements (including culvert work)
  - Road, Street, or Bridge Construction
  - Subdivision (including new expansion)
  - Individual Water or Sewer System
  - Other (please specify)

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Doddridge County Commercial/Industrial  
Floodplain Development Permit Application

**Development Site/Property Information:**

*Please provide physical description of the site/property, along with pertinent ownership (surface and mineral rights) data as applicable. Attach appropriate maps from the WV Flood Tool showing location of proposed development. Use additional copies of this page if development spans multiple property boundaries. Designate each property by number (i.e. Property 1 of 1, Property 2 of 7, etc.)*

Property Designation:   1   of   1  

Site/Property Information:		
Legal Description: Arnolds Creek Road		
Physical Address/911 Address: County Route 11		
Decimal Latitude/Longitude: 39.318873		
DMS Latitude/Longitude: -80.823208		
District: 01	Map: 4	Parcel: 13
Land Book Description: N/A		
Deed Book Reference: N/A		
Tax Map Reference: N/A		
Existing Buildings/Use of Property: N/A		

Floodplain Location Data: (to be completed by Floodplain Manager or designee)			
Community:	Number:	Panel:	Suffix:
Location (Lat/Long):		Approximate Elevation:	
		Estimated BFE:	
Is the development in the floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No		Is the development in the floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No    Zone: _____	
Notes:			

Doddridge County Commercial/Industrial  
Floodplain Development Permit Application

**Property Owner Data:**

*Please provide data on current site/property landowner(s), both surface and mineral rights (as applicable). Use additional copies of this page as needed. Designate each page in relation to each property listed above.*

Property Designation: <u>  1  </u> of <u>  1  </u>
--

<b>Property Owner Data:</b>		
Name of Primary Owner (PO): Eugene Chipps		
PO Address: 304 Tymber Creek Drive		
City: Clarksburg	State: WV	Zip: 26301
PO Primary Phone: N/A		
PO Secondary Phone: N/A		
PO Primary Email: N/A		

<b>Surface Rights Owner Data:</b>		
Name of Primary Owner (PO): N/A		
PO Address: N/A		
City: N/A	State: N/A	Zip: N/A
PO Primary Phone: N/A		
PO Secondary Phone: N/A		
PO Primary Email: N/A		

<b>Mineral Rights Owner Data: (As Applicable)</b>		
Name of Primary Owner (PO): N/A		
PO Address: N/A		
City: N/A	State: N/A	Zip: N/A
PO Primary Phone: N/A		
PO Secondary Phone: N/A		
PO Primary Email: N/A		

Doddridge County Commercial/Industrial  
Floodplain Development Permit Application

**Contractor Data:**

*Please provide all pertinent data for contractors and sub---contractors that may be participating in this project. Use additional copies of this page as needed. Designate each page in relation to each property listed above.*

Property Designation:   1   of   1  

<b>Contractor/Sub---Contractor (C/SC) Information:</b>		
C/SC Company Name: J Wood Contracting		
C/SC WV License Number: WV039424		
C/SC FEIN: N/A	C/SC DUNS: N/A	
Local C/SC Point of Contact (POC): N/A		
Local C/SC POC Title: N/A		
C/SC Mailing Address: PO Box 100		
City: Elkview	State: WV	Zip---Code: 20571
Local C/SC Office Phone: 304-965-5815		
Local C/SC POC Phone: 304-965-5815		
Local C/SC POC E---Mail: N/A		

<b>Engineer Firm Information:</b>		
Engineer Firm Name: N/A		
Engineer WV License Number: N/A		
Engineer Firm FEIN: N/A	Engineer Firm DUNS: N/A	
Engineer Firm Primary Point of Contact (POC): N/A		
Engineer Firm Primary POC Title: N/A		
Engineer Firm Mailing Address:		
City: N/A	State: N/A	Zip---Code: N/A
Engineer Firm Office Phone: N/A		
Engineer Firm Primary POC Phone: N/A		
Engineer Firm Primary POC E---Mail: N/A		

### Adjacent and/or Affected Landowners Data

Please provide data for all adjacent and/or affected surface owners (both up and down stream) whose property may be impacted by proposed development as demonstrated by a floodplain study or survey. Use additional copies of this page as needed.

<b>Adjacent Property Owner Data: Upstream</b>		
Name of Primary Owner (PO): - Brian Michael James Parcel # 09-01-0004-0012-0000		
Physical Address: 510 Sam Cavins Road (Mailing Address)		
City: West Union	State: Wv	Zip: 26456
PO Primary Phone: N/A		
PO Secondary Phone: N/A		
PO Primary Email: N/A		

<b>Adjacent Property Owner Data: Upstream</b>		
Name of Primary Owner (PO): John Kelley Parcel # 09-01-0004-0009-0000		
Physical Address: 602 Kelley James Lane (Mailing Address)		
City: West Union	State: WV	Zip: 26456
PO Primary Phone: N/A		
PO Secondary Phone: N/A		
PO Primary Email: N/A		

<b>Adjacent Property Owner Data: Downstream</b>		
Name of Primary Owner (PO): Eugene Chipps Parcel # 09-01-0004-0014-0000		
Physical Address: 304 Tymber Creek Drive (Mailing Address)		
City: Clarksburg	State: WV	Zip: 26301
PO Primary Phone: N/A		
PO Secondary Phone: N/A		
PO Primary Email: N/A		

<b>Adjacent Property Owner Data: Downstream</b>		
Name of Primary Owner William J. & Karen L. Riffle - Parcel # 09-01-0004-0013-0001		
Physical Address: PO Box 9614228 (Mailing Address)		
City: Fort Worth	State: TX	Zip: 76161
PO Primary Phone: N/A		
PO Secondary Phone: N/A		
PO Primary Email: N/A		



## Site Plan

**A Site Plan is an accurate and detailed map of the proposed development for this project.** It shows the size, shape, location and special features of the project property, and the size and location of any development planned to the property, especially as that development will impact the floodplain and/or floodway. Site plans show what currently exists on the project property, and any changes or improvements you are proposing to make. **A certified and licensed engineering firm should complete site plans.**

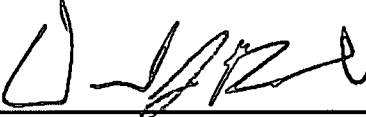
### **A SITE PLAN MUST CONTAIN THE FOLLOWING INFORMATION:**

1. Legal description of the parcel, north arrow and scale
2. All property lines and their dimensions
3. Names of adjacent roads, location of driveways
4. Location of sloughs, tributaries, streams, rivers, wetlands, ponds, and lakes, with setbacks indicated, and including FEMA floodplain data based on most updated FIRM.
5. Location, size, shape of all buildings, existing and proposed, with elevation of lowest floor indicated.
6. Location and dimensions of existing or proposed on-site sewage systems.
7. Location of all propane tanks, fuel tanks or other liquid storage tanks whether above ground or below ground level.
8. Location and dimensions of any proposed pipeline placement(s) into floodplain/floodway.
9. Location and dimensions of any roadway development into floodplain/floodway. *(Includes initial development accessroads)*
10. Location and dimensions of any bridge and/or culvert development into floodplain/floodway.
11. Location and dimensions of any storage yard or facility into the floodplain/floodway.
12. Location of any existing utilities and/or proposed utility placement and/or displacement.
13. Location, dimensions and depth of any existing or proposed fill on site.
14. A survey showing the **existing ground elevations** of at least location on the building site. **ELEVATION NOTE:** All vertical datum will reference either NGVD 29 or NAVD 88. Assumed datum will not be acceptable unless the property is located in an area where vertical datum has not been published. For those areas where vertical datum has not been established, a site plan with contours, elevations using assumed datum, high water marks and existing water levels of sloughs, rivers, lakes or streams and proposed lowest floor elevation.

## Applicant

Please read print name, sign and date below:

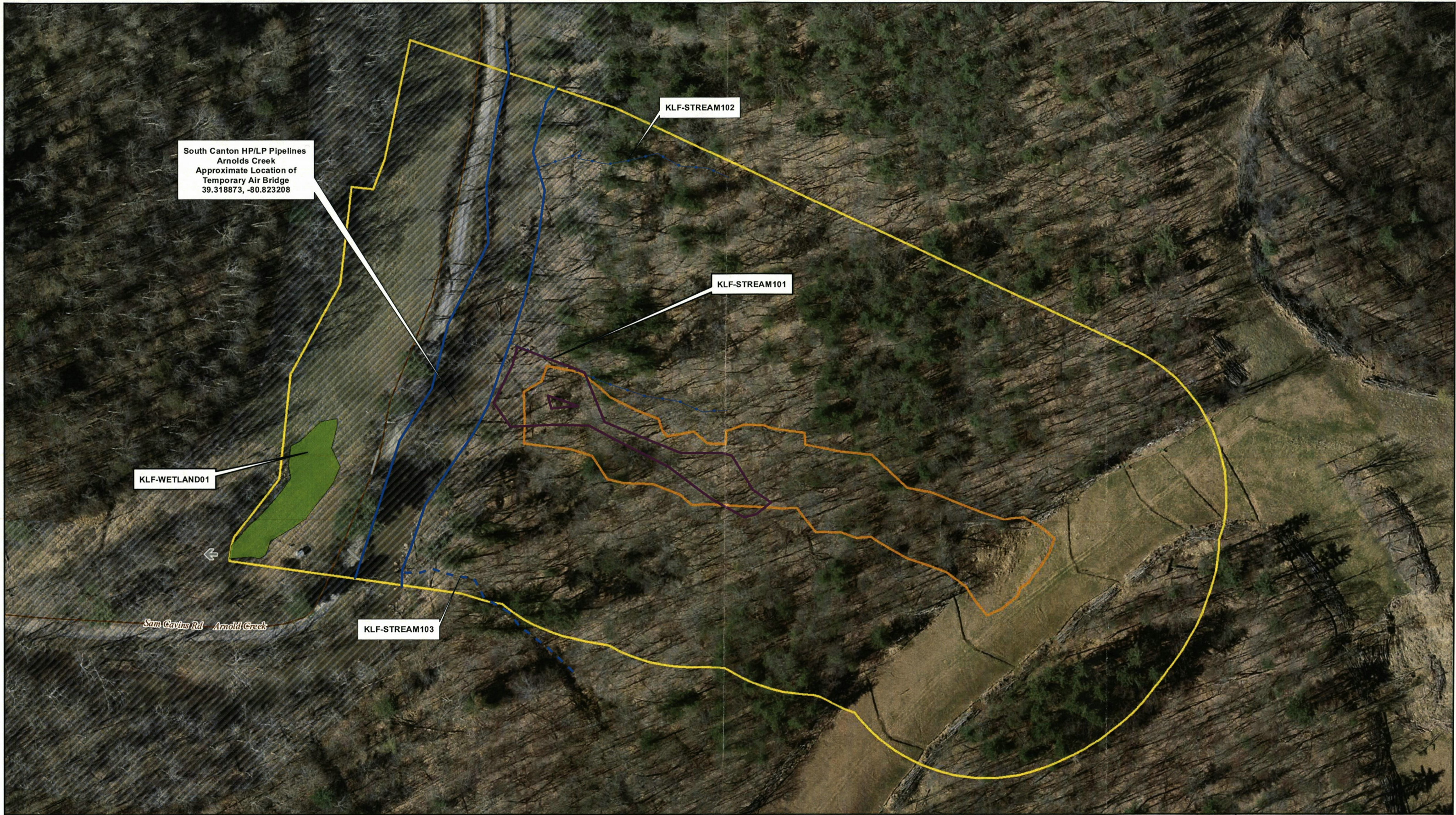
- I certify that I am authorized to submit this application for the primary project developer.
- I certify that the information included in this application is to the best of my knowledge true and complete.
- I certify that all required Federal, State, and local permits required by law and/or ordinance for the above described development of this project have will be properly attained, are current and valid, and must be presented prior to a Doddridge County Floodplain Permit being issued.
- I understand that if in the course of the development project additional permits become required that were not needed during the initial proposal, the primary developer must notify the Doddridge County Floodplain Manager within 48 hours of such need, and that a "Stop Work" order may be issued for all project work directly impacting the floodplain or floodway, until such time the required additional permits are acquired.
- I understand that once the floodplain permit is submitted, the application will be entered into official public record at the next regularly scheduled Doddridge County Commission meeting after the date of submittal.
- I understand that from the date of submittal of the fully completed permit application, the Doddridge County Floodplain Manager has ninety (90) days to make a determination to either grant or deny said permit application. During this approval period, the Doddridge County Floodplain Manager may, at his or her discretion, conduct a review and/or additional study of provided documentation by means of an independent engineering firm. All costs associated with said review and/or study must be reimbursed to the County before issuance of approved permit.
- I understand that during the approval period, the Doddridge County Floodplain Manager or designee may at his or her discretion conduct site visits and document conditions of proposed development pursuant to the permit application.
- I understand that once the Floodplain Permit is granted, the permit will be entered into official public record. Appeals to the permit may be made no later than twenty (20) days after said issuance. If a valid appeal is submitted, as determined by the Doddridge County Floodplain Manager, a "Stop Work" order will be issued for all project development directly involving the floodplain or floodway. A public hearing by the Doddridge County Appeals Board will be scheduled no less than ten (10) days after the next regularly scheduled Doddridge County Commission meeting.
- I understand that all decisions of the Doddridge County Appeals Board shall be final.
- I understand issuance of a Floodplain Permit authorizes me to proceed with construction as proposed.
- In signing this application, the primary developer hereby grants the Doddridge County Floodplain Manager or designee the right to enter onto the above—described location to inspect the development work proposed, in progress, and/or completed.
- I understand that if I do not follow exactly the site—plan submitted and approved by this permit that a "Stop Work" order may be issued by the Doddridge County Floodplain Manager and that I must stop all construction immediately until discrepancies of actual work vs. proposed work is resolved.

Applicant Signature:  Date: 02/20/20

Applicant Printed Name: Daniel J Bulian

ATTACHMENT B  
AERIAL IMAGERY MAP





South Canton HP/LP Pipelines  
 Arnolds Creek  
 Approximate Location of  
 Temporary Air Bridge  
 39.318873, -80.823208

KLF-STREAM102

KLF-STREAM101

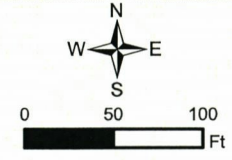
KLF-WETLAND01

KLF-STREAM103

Sam Cavins Rd Arnold Creek



PROJECT NO. -  
 DRAWN BY: CDC  
 CHECKED BY: MJA  
 FILE NAME:  
 CrystalLakePipeline\_2020\_Slip



**Doddridge County**  
**West Virginia**  
 Aerial Imagery: ESRI

- AOI (12.6 ac)
- Original Landslide (Approximate Boundary)
- New Landslide (Approximate Boundary)
- Existing Culvert
- Ephemeral Stream
- - - Intermittent Stream
- Perennial Stream
- PEM Wetland
- Existing Road
- FEMA 100 Year Floodzone

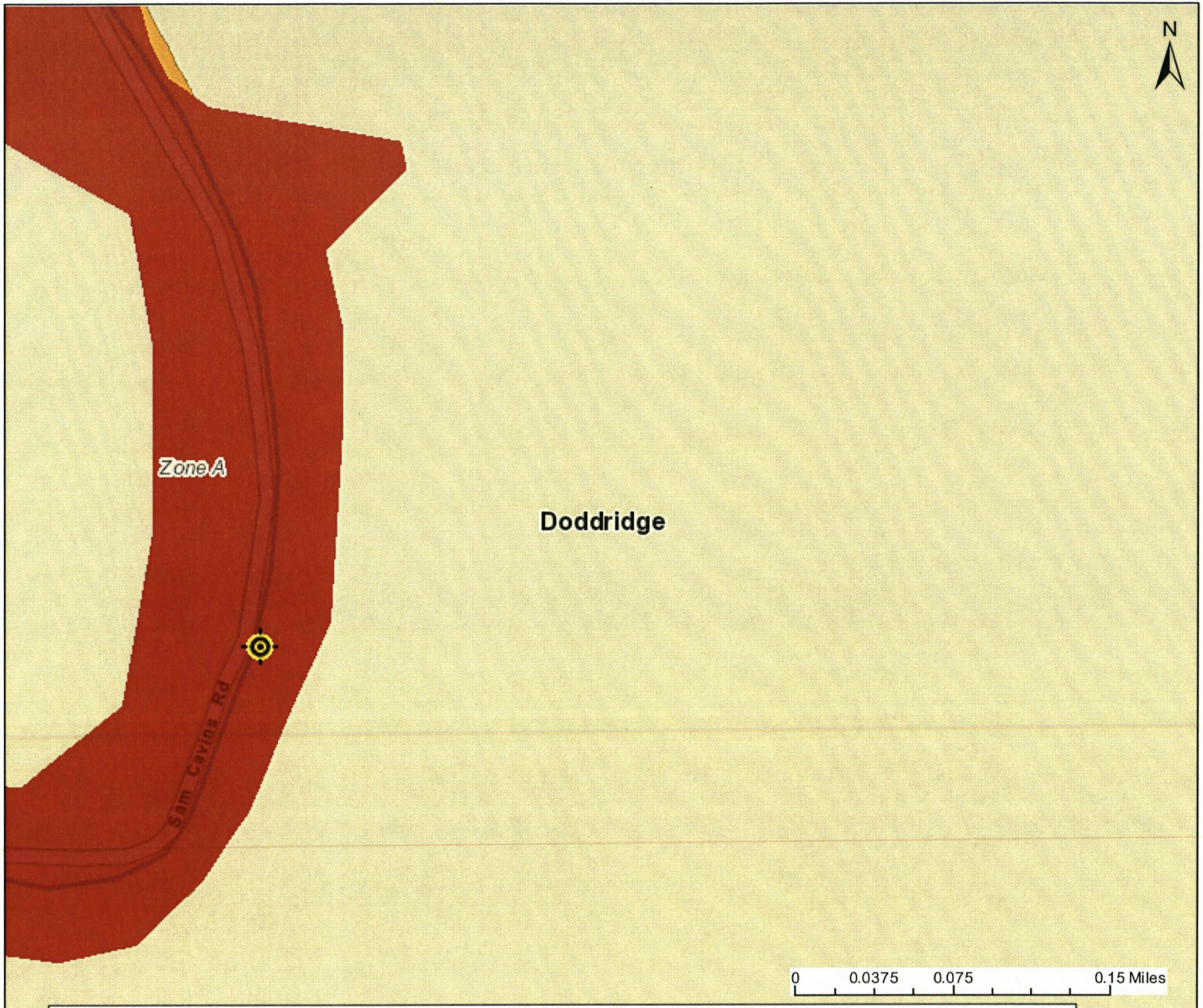
**Antero Midstream**  
 Figure 1  
 Aerial Imagery Map  
 Crystal Lake Station 111+00 Landslide  
 Date: 2/20/2020      Sheet 1 of 1




ATTACHMENT C  
LOCATION EXHIBIT



# WV Flood Map

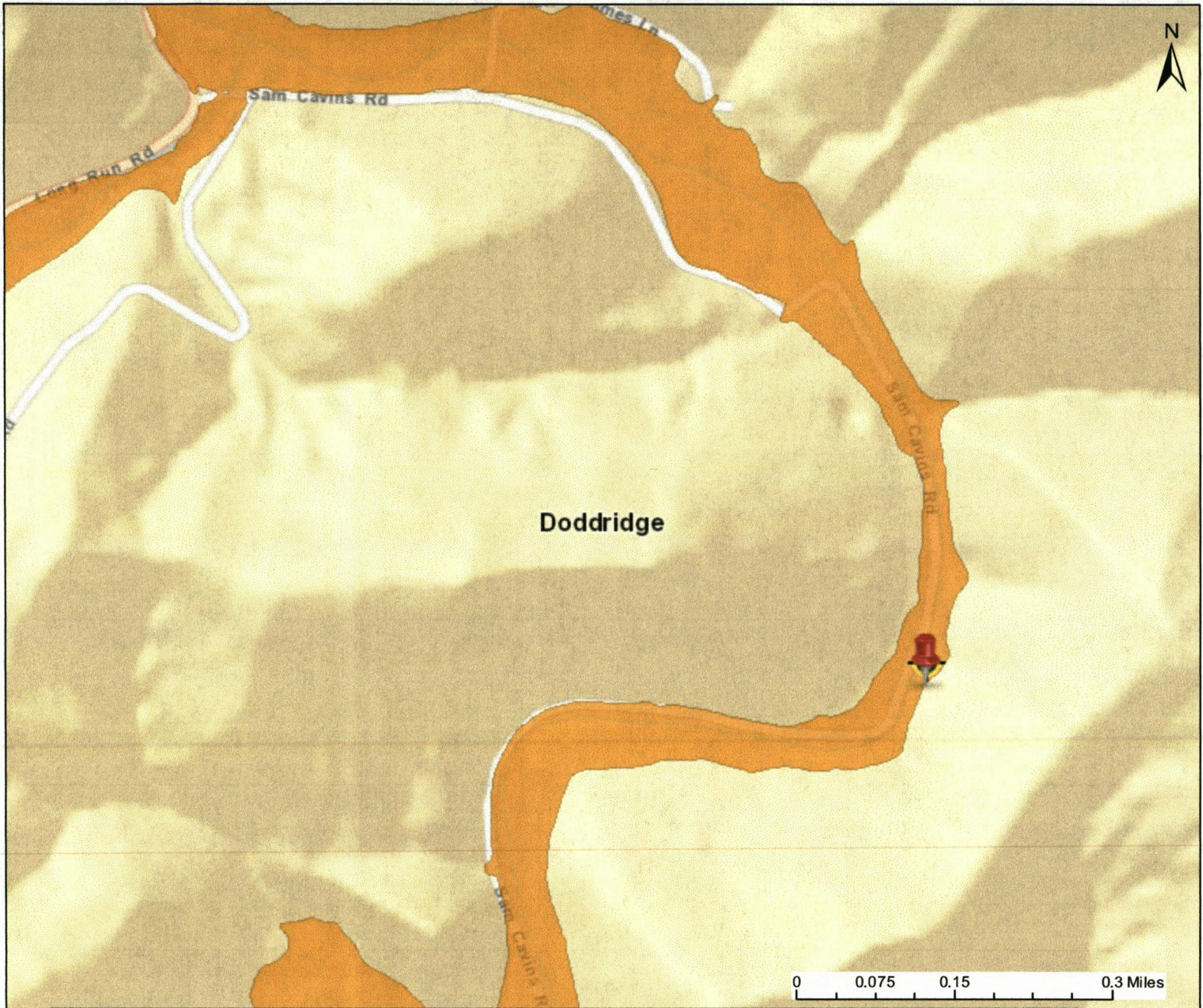


This map is not the official regulatory FIRM or DFIRM. Its purpose is to assist with determining potential flood risk for the selected location.

<b>H I G H  R I S K</b>	Regulatory Floodway	 Flood Info Location <span style="float: right;"><i>Map created on 2/20/2020</i></span> <b>User Notes</b> <b>Flood Hazard Area</b> Location is <b>WITHIN</b> the FEMA 100-year floodplain. Advisory Flood Heights available. <b>Flood Zone</b> A (Advisory Flood Heights available) <b>Stream</b> Arnold Creek <b>Watershed (HUC8)</b> Little Musringum-Middle Island (5030201) <b>Flood Height</b> About 759 ft (Source: AFH) <b>Water Depth</b> About 12.6 ft (Source: HEC-RAS) <b>Elevation</b> About 746 ft (Source: SAMS 2003) <b>Community &amp; ID</b> Doddridge County (ID: 540024) <b>FEMA Map &amp; Date</b> 54017C0105C; Effective Date: 10/4/2011 <b>Location (lat, long)</b> (39.319218, -80.823124) <b>Parcel ID</b> 09-01-0004-0013-0000 <b>E-911 Address</b>
	Zone AE	
	Zone A	
	Advisory	
Download the Full Legend for all flood tool symbols <a href="https://www.mapwv.gov/flood/map/docs/wv_flood_tool_legend.pdf">https://www.mapwv.gov/flood/map/docs/wv_flood_tool_legend.pdf</a>		
<b>Disclaimer:</b> The online map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. Refer to the official Flood Insurance Study (FIS) for detailed flood elevation data in flood profiles and data tables. WV Flood Tool ( <a href="https://www.MapWV.gov/flood">https://www.MapWV.gov/flood</a> ) is supported by FEMA, WV NFIP Office, and WV GIS Technical Center.		



# WV Flood Map



This map is not the official regulatory FIRM or DFIRM. Its purpose is to assist with determining potential flood risk for the selected location.

<b>H I G H  R I S K</b>		Regulatory Floodway	<p style="text-align: right;"><i>Map created on 2/26/2020</i></p> <p><b>User</b> <b>Notes</b></p> <p><b>Flood Hazard Area</b> Location is <b>WITHIN</b> the FEMA 100-year floodplain. Advisory Flood Heights available.</p> <p><b>Flood Zone</b> A (Advisory Flood Heights available)</p> <p><b>Stream</b> Arnold Creek</p> <p><b>Watershed (HUC8)</b> Little Musringum-Middle Island (5030201)</p> <p><b>Flood Height</b> About 759 ft (Source: AFH)</p> <p><b>Water Depth</b> About 13.3 ft (Source: HEC-RAS)</p> <p><b>Elevation</b> About 745 ft (Source: SAMS 2003)</p> <p><b>Community &amp; ID</b> Doddridge County (ID: 540024)</p> <p><b>FEMA Map &amp; Date</b> 54017C0120C; Effective Date: 10/4/2011</p> <p><b>Location (lat, long)</b> (39.318873, -80.823208)</p> <p><b>Parcel ID</b> 09-01-0004-0014-0000</p> <p><b>E-911 Address</b></p>
		1-Percent-Annual-Chance Flood Hazard Area <b>With Base Flood Elevation (BFE)</b>	
		1-Percent-Annual-Chance Flood Hazard Area <b>Without BFE</b> (may have Advisory Flood Heights)	
		1-Percent-Annual-Chance Future Conditions (High Risk Advisory Flood Zones)	
<p>Download the Full Legend for all flood tool symbols  <a href="https://www.mapwv.gov/flood/map/docs/wv_flood_tool_legend.pdf">https://www.mapwv.gov/flood/map/docs/wv_flood_tool_legend.pdf</a></p> <p><b>Disclaimer:</b>                  The online map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. Refer to the official Flood Insurance Study (FIS) for detailed flood elevation data in flood profiles and data tables. WV Flood Tool (<a href="https://www.MapWV.gov/flood">https://www.MapWV.gov/flood</a>) is supported by FEMA, WV NFIP Office, and WV GIS Technical Center.</p>			





George Eidel &lt;doddridgecountyfpm@gmail.com&gt;

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**Crystal Lake Landslide 111+00: Associated Permits**

1 message

**Daniel Bulian** <dbulian@anteroresources.com>

Thu, May 21, 2020 at 12:46 PM

To: "doddridgecountyfpm@gmail.com" &lt;doddridgecountyfpm@gmail.com&gt;

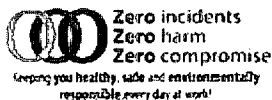
George,

Attached is the WVDNR and ACOE permits for the Crystal Lake PL 111+00. Let me know if you need any other information to move forward with the Floodplain Permit. Thank you and have a good Memorial Day weekend.

Thanks,

**Daniel Bulian, CPESC**

Environmental Specialist III



535 White Oaks Blvd

Bridgeport, WV 26330

Office: (304) 842-4093

Cell: (304) 579-3666

[dbulian@anteroresources.com](mailto:dbulian@anteroresources.com)

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**3 attachments** **20200420\_Crystal Lake PL Sta 111+00 Landslide\_WVDNR-OLS-Channel Change-Approval.PDF**  
705K **Letter2020-00344-OHR.signedORIGINAL.PDF**  
165K **20200428 MFR 2020-00344-OHR.PDF**  
261K



# West Virginia Division of Natural Resources

## Invoice

Pay on-line at <http://wvdnr.gov/REM>

Invoice#: 34438

Bill Date: 04/21/2020

In  
Acct  
With

Antero Midstream LLC  
Attention: Daniel Bulian  
535 White Oaks Blvd.  
Bridgeport , WV 26330

APR 21 20 11:15 AM

AGREEMENT	INVOICE PERIOD	AMOUNT PAID	AMOUNT DUE
<u>AGREEMENT DATED 4/20/2020</u> <u>R-20-VI/09-461</u> Stream disturbance associated with channel change for (100') (Crystal Lake Station 111+00 Landslide) along Arnold Creek, Doddridge Co., WV	For 4/20/2020 to 4/20/2021 Land and Streams/DNR	\$0.00	\$100.00
TOTAL INVOICE:			\$100.00
NUMBER OF AGREEMENTS:			1
COMPANY ID#:			6802

**PLEASE RETURN COPY OF THIS INVOICE WITH YOUR REMITTANCE**

WV Division of Natural Resources  
Office of Land & Streams  
324 Fourth Avenue, Room 200  
South Charleston, WV 25303

**IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT**  
**DNR Office of Land and Streams (304) 558-3225**  
**DNRLandandStreams@wv.gov**



**DIVISION OF NATURAL RESOURCES**  
324 4th Avenue, Room 342  
South Charleston, West Virginia 25303-1228  
Telephone 304-558-3225  
Fax 304-558-6048  
TDD 304-558-1439  
TDD 800-354-6087

04/20/20 1:15 PM

**Stephen S. McDaniel**  
Director

April 20, 2020

Division of Natural Resources  
Office of Land and Streams  
**LICENSE and RIGHT of ENTRY**

Re: **R-20-VI/09-461**

Antero Midstream  
Daniel Bulian  
c/o Kleinfelder, Inc.  
Attention: Matthew Albright  
51 Dutilh Road  
Cranberry Township, PA 16066

Dear Mr. Bulian:

The West Virginia Division of Natural Resources (WVDNR) hereby grants to you for a term of one (1) year, from the date hereof, a License and Right of Entry for the purpose of stream disturbance associated with a channel change for approximately one-hundred feet (100') (Crystal Lake Station 111+00 Landslide) along Arnold Creek near West Union in Doddridge County, West Virginia.

The issuance of this License and Right of Entry by the WVDNR does not preclude the necessity to obtain permits from the U.S. Army Corps of Engineers (USACE), W.V. Department of Environmental Protection (WVDEP), or the W.V. Division of Homeland Security and Emergency Management (WVDHSEM). The Right of Entry does not negate the need to comply with the West Virginia Water Pollution Control Act and/or the State Environmental Quality Board's administrative regulations.

The applicant must contact the following agencies and abide by the following conditions:

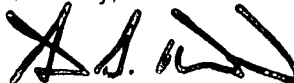
1. The USACE may require either an Individual Clean Water Act 404 permit or a Nationwide Permit. Contact the Huntington District (304-399-5210) or the Pittsburgh District (412-395-7155) for more information. Information can also be found at <http://www.lrh.usace.army.mil/Missions/Regulatory.aspx>
2. The WVDEP (304-926-0499) may require the following permits:
  - a. A Clean Water Act Section 401 Water Quality Certification  
<http://www.dep.wv.gov/WWE/Programs/Pages/401Certification.aspx>

- b. Construction Stormwater Site Registration and Notice of Intent. Not needed if disturbance less than 1-acre  
[http://dep.wv.gov/WWE/Programs/stormwater/Pages/sw\\_home.aspx](http://dep.wv.gov/WWE/Programs/stormwater/Pages/sw_home.aspx)
3. The WVDEP Erosion and Sediment Control Best Management Practice Manual, Revised 2016, must be followed. Copies of those guidelines are available from the Division of Water and Waste Management, (304) 926-0495 or at  
[http://www.dep.wv.gov/WWE/Programs/stormwater/csw/Pages/ESC\\_BMP.aspx](http://www.dep.wv.gov/WWE/Programs/stormwater/csw/Pages/ESC_BMP.aspx)
4. The WVDHSEM may require a Floodplain Permit. WVDHSEM can be contacted at: (304) 957-2571
5. No in-stream work during the cold water and warm water fish spawning seasons (September 15-March 31 and April 1- June 30, respectively). If in-stream impacts cannot be avoided during the applicable fish spawning season, contact the WVDNR Environmental Coordination Unit at (304) 637-0245.
6. Threatened or Endangered aquatic species identified by the U.S. Fish and Wildlife Service are listed in Appendix A of the 2017 USACE Nationwide Permits. The U.S. Fish and Wildlife Service Field Office should be contacted (304) 636-6568 for any activity in waterways listed in Appendix A.  
<http://www.lrp.usace.army.mil/Portals/72/docs/regulatory/2017%20Public%20Notices/West%20Virginia%20-%20NWP%20March%202017%20PN.pdf?ver=2017-03-22-095505-870>
7. Survey requirements for streams with mussel populations are described in the West Virginia Mussel Survey Protocols. Contact the WVDNR Environmental Coordination Unit for information concerning mussels at (304) 637-0245.  
<http://www.wvdnr.gov/Mussels/West%20Virginia%20Mussel%20Survey%20Protocols%20APR2016.pdf>

Additionally, this Right of Entry does not provide for the applicant to work outside the requested boundaries. The State does not assume any liability for the applicant's/landowner's construction activities. By accepting this Right of Entry, the applicant/landowner assumes liability for any/all damages caused by this activity to both upstream and downstream landowners. This License and Right of Entry does not grant any rights or privileges, or permission to enter upon, or to cross the property of any other person, nor is permission granted to remove any material that lies upon the property of any other persons. Work should be completed in as brief a period as possible and within one year from the date of this letter. **In the event the applicant fails or refuses to comply with any of the terms or conditions herein, this License and Right of Entry will be canceled and considered null and void and the WVDNR may reject further applications.**

Your check in the amount of \$100.00 is now due and payable to the Division of Natural Resources covering the one-time fee for this agreement. Your agreement will be effective upon receipt of your payment in full.

Sincerely,



Stephen S. McDaniel  
Director

SSM:cb

Antero Midstream  
R-20-VI/09-461  
Page 3  
April 20, 2020

cc: Office of Land and Streams  
DNR Fish Biologist  
Jeremy Bandy, Environmental Enforcement  
Natural Resources Police Officer  
Danielle Elliot, WV DNR Coordination Unit



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**HUNTINGTON DISTRICT, CORPS OF ENGINEERS**  
**502 EIGHTH STREET**  
**HUNTINGTON, WEST VIRGINIA 25701-2070**

April 28, 2020

Regulatory Division  
Energy Resource Branch  
LRH-2020-00344-OHR-Arnold Creek

APR 28 20 1:15 PM

**NATIONWIDE PERMIT NO. 3 VERIFICATION**

Daniel Bulian  
Antero Midstream  
535 White Oaks Blvd.  
Bridgeport, WV 26330

Dear Mr. Bulian:

I refer to the pre-construction notification (PCN) requesting a Department of the Army (DA) authorization for the discharge of dredged and/or fill material into waters of the United States in association with the construction of the Crystal Lake Pipeline Station 111+00 Landslide Repair project. The proposed project is located approximately 2.9 miles northwest of West Union, Doddridge County, West Virginia (39.318814° North, 80.822466° West). Your PCN has been assigned the following file number: LRH-2020-00344-OHR-Arnold Creek. Please reference this number on all future correspondence related to this project.

The United States Army Corps of Engineers' (Corps) authority to regulate waters of the United States is based on the definitions and limits of jurisdiction contained in 33 CFR 328 and 33 CFR 329. Section 404 of the Clean Water Act (Section 404) requires a DA permit be obtained prior to discharging dredged and/or fill material into waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act of 1899 (Section 10) requires a DA permit be obtained for any work in, on, over or under a navigable water.

The overall project, as described in the submitted DA permit application, has been reviewed in accordance with Section 404 and Section 10. Based on your description of the proposed work, and other information available to us, it has been determined that this project would involve activities subject to the requirements of Section 404.

In the submitted PCN materials, you have requested a DA authorization for the permanent discharge of dredged and/or fill material into approximately 101 linear feet of ephemeral stream channel and 0.083 acre of an emergent wetland in association with Crystal Lake Pipeline Station 111+00 Landslide Repair project. All work will be conducted in accordance with the PCN received in this office on April 1.

Based on the provided information, it has been determined the proposed project meets the criteria for Nationwide Permit (NWP) No. 3 (enclosed) under the January 6, 2017 Federal Register, Issuance and Reissuance of NWPs (82 FR 1860) provided you comply with all terms and conditions of the enclosed material, the enclosed special conditions. A copy of this NWP can be found on our website at <http://www.lrh.usace.army.mil/Missions/Regulatory.aspx>. The West Virginia Department of Environmental Protection has issued a waiver for the Individual 401 Water Quality Certification for this permit.

This verification is valid until the expiration date of the NWPs, unless the NWP authorization is modified, suspended, or revoked. The verification will remain valid if the NWP authorization is reissued without modification or the activity complies with any subsequent modification of the NWP authorization. All of the existing NWPs are scheduled to be modified, reissued, or revoked on March 18, 2022. Prior to this date, it is not necessary to contact this office for re-verification of your project unless the plans for the proposed activity are modified. Furthermore, if you commence or under contract to commence this activity before March 18, 2022, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

Please be aware these nationwide permit authorizations does not obviate the requirement to obtain other Federal, state or local authorizations required by law. A copy of this NWP and verification letter must be supplied to your project engineer responsible for construction activities. A copy of the verification letter must be kept at the site during construction.

Upon completion of the work, the enclosed certification must be signed and returned to this office. If you have any questions concerning the above, please contact Mr. Adam Fannin of the Energy Resource Branch at 304-399-6901, by mail at the above address, or by email at: [adam.e.fannin@usace.army.mil](mailto:adam.e.fannin@usace.army.mil).

Sincerely,

*Kimberly Courts-Brown*

Kimberly Courts-Brown  
Regulatory Project Manager  
Energy Resource Branch

Enclosures

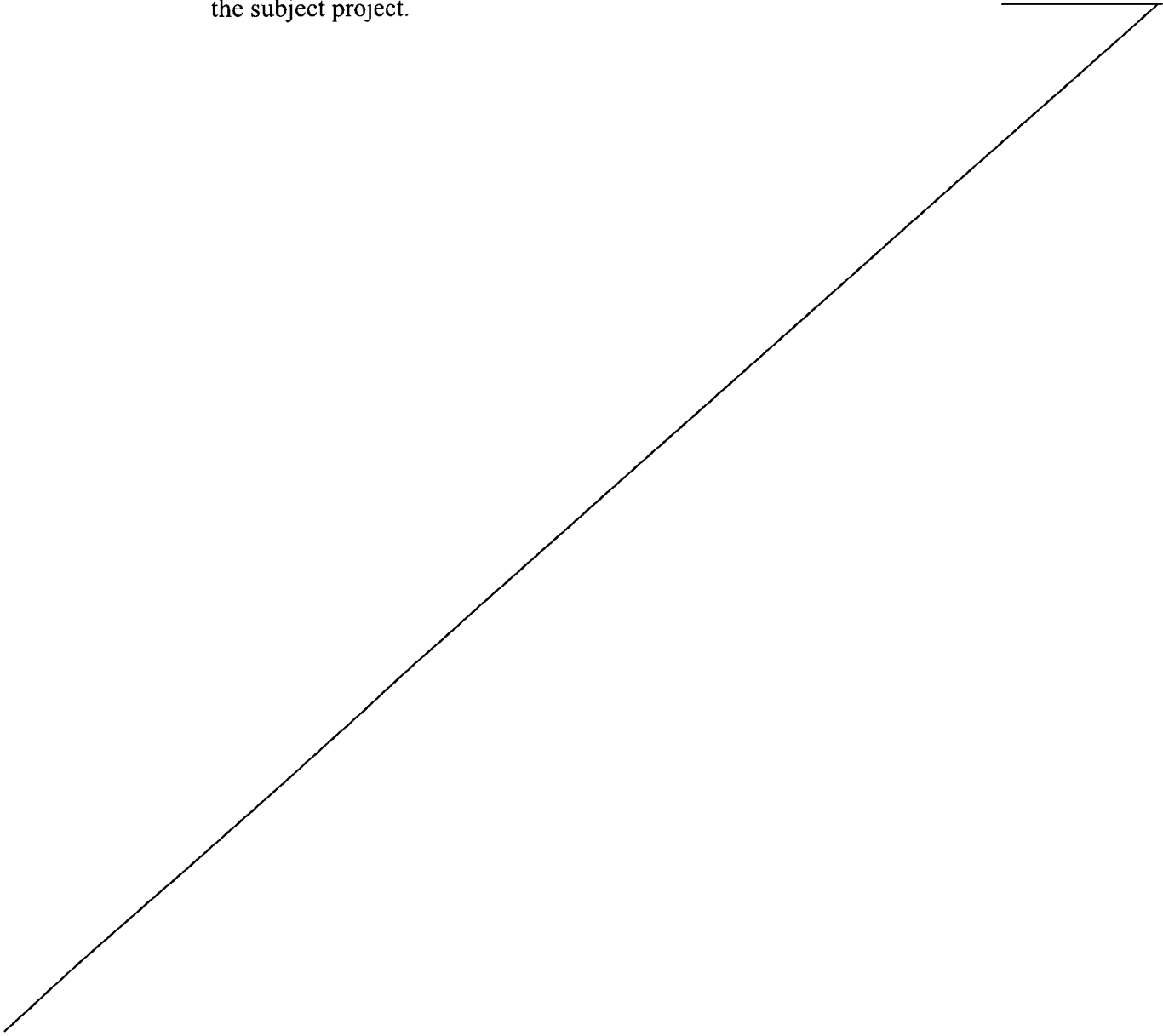
**Nationwide Permit No. 3 Verification Special Conditions for the  
Antero Midstream Crystal Lake Pipeline Station 111+00 Landslide Repair Project  
LRH-2020-00344-OHR-Arnold Creek**

**1 of 2**

1. Enclosed is a copy of Nationwide Permit 3, which will be kept at the site during construction. A copy of the nationwide permit verification, special conditions, and the enclosed construction plans must be kept at the site during construction. The permittee will supply a copy of these documents to their project engineer responsible for construction activities.
2. Upon completion of the activity authorized by this nationwide permit verification, the enclosed certification must be signed and returned to this office along with as-built drawings showing the location and configuration, as well as all pertinent dimensions and elevations of the activity authorized under this nationwide permit verification.
3. No area for which grading has been completed will be unseeded or unmulched for longer than 14 days. All disturbed areas will be seeded and/or revegetated with native species and approved seed mixes (where practicable) after completion of construction activities for stabilization and to help preclude the establishment of non-native invasive species.
4. Should new information regarding the scope and/or impacts of the project become available that was not submitted to this office during our review of the proposal, the permittee must submit written information concerning proposed modification(s) to this office for review and evaluation, as soon as practicable.
5. In the event any previously unknown historic or archaeological sites or human remains are uncovered while accomplishing the activity authorized by this nationwide permit authorization, the permittee must cease all work in waters of the United States immediately and contact local, state and county law enforcement offices (only contact law enforcement on findings of human remains), the Corps at 304-399-5610 and West Virginia State Historic Preservation Office at 304-558-0220. The Corps will initiate the Federal, state and tribal coordination required to comply with the National Historic Preservation Act and applicable state and local laws and regulations. Federally recognized tribes are afforded a government-to-government status as sovereign nations and consultation is required under Executive Order 13175 and 36 CFR Part 800.

**Nationwide Permit No. 3 Verification Special Conditions for the  
Antero Midstream Crystal Lake Pipeline Station 111+00 Landslide Repair Project  
LRH-2020-00344-OHR-Arnold Creek  
2 of 2**

6. Section 7 obligations under the Endangered Species Act (Section 7) must be reconsidered if new information reveals impacts of the project that may affect Federally-listed species or critical habitat in a manner not previously considered, the proposed project is subsequently modified to include activities which were not considered during the Corps' review, or new species are listed or critical habitat designated that might be affected by the subject project.





**MEMORANDUM FOR RECORD**

**SUBJECT: Department of the Army Memorandum Documenting General Permit Verification**

- 1.0 Introduction and overview:** Information about the proposal subject to one or more of the Corps regulatory authorities is provided in Section 1, detailed evaluation of the activity is found in Sections 2 through 4 and findings are documented in Section 5 of this memorandum. Further, summary information about the activity including administrative history of actions taken during project evaluation is attached (ORM2 summary).
- 1.1 Applicant name: Daniel Bulian  
Environmental Specialist III  
Antero Midstream  
535 White Oaks Blvd.  
Bridgeport, WV 26330
- 1.2 Activity location: The project would be located approximately 2.9 miles northwest of West Union, Doddridge County, West Virginia at latitude 39.318814° North and longitude 80.822466° West.
- 1.3 Description of activity requiring verification: The applicant, Antero Midstream, has submitted a Pre-Construction Notification (PCN) requesting Department of the Army authorization for the discharge of dredged and/or fill material into waters of the United States associated with the Crystal Lake Pipeline Station 111+00 Landslide Repair project. The proposed project would include excavation of slip material, a waste storage area, armoring of the slope and an existing stream channel (KLF-STREAM101), and installation of temporary erosion and sediment controls within a 4.73 acre limits of disturbance (LOD). The proposed discharge of dredged and/or fill material into waters of the United States is described in Table 1.

Table 1. Proposed discharge of dredged and/or fill material into waters of the United States.					
Aquatic Resource	Stream Flow Regime/ Wetland Type	Fill Length (lf)	Fill Area (ac)	Duration of Fill	Description of Regulated Activity
KLF-STREAM101 (EPH)	Ephemeral	101	0.0035	Permanent	Rip-Rap armoring of stream channel and installation of sumps at the beginning and end of the stream channel
KLF-WETLAND01 (PEM)	PEM	N/A	0.0830	Permanent	Grading and Backfill
Total			0.0865		

1.4 Permit authority: Section 404 of the Clean Water Act (33 USC 1344)

1.5 Applicable Permit: Nationwide Permit (NWP) 3

1.6 Activity requires written waiver? No

**2.0 Evaluation of the Pre-Construction Notification**

2.1 Direct and indirect effects caused by the GP activity: The proposed project would result in the permanent discharge of dredged and/or fill material into 0.0035 acre of an ephemeral stream and 0.0830 acre of a single palustrine-emergent wetland within the 4.73 acre limits of disturbance. Minor short-term effects on the aquatic environment are expected due to the fill into the above mentioned streams and wetlands. Stabilization activities in the ephemeral stream would be permanent, but are expected to mitigate the presently disturbed condition of the streambed. The discharge into the wetland would also be permanent but constitutes a relatively small portion of the entire wetland. Implementation of best management practices (BMPs) during construction would ensure that any secondary impacts to the aquatic environment are minimal.

2.2 Site specific factors:

**Environmental setting in the vicinity of the GP activity:** The Crystal Lake Pipeline Station 111+00 Landslide Repair project limits of disturbance (LOD) are located within the Mill Creek – Ohio River Hydrological Unit Code (HUC) 050302010503. Land cover types within and around the LOD consist primarily of rural residential and agricultural properties and public/county roads. Land uses surrounding the project area consist of existing oil and gas infrastructure and early successional and mature growth forest.

**Type(s) of resource(s) that will be affected by the GP activity:** Four (4) emergent wetlands (KLF-Wetland03, KLF-Wetland04, KLF-Wetland50 and KLF-Wetland01) would be affected by the discharge of dredged and/or fill material associated with the construction of the proposed well pad.

**Function(s) provided by the aquatic resource that will be affected by the GP activity:** The wetlands onsite that would be affected by the permanent discharge of fill material were classified as emergent. The primary functions of the wetland include water quality improvement through filtration, wildlife habitat, and erosion control. The ephemeral stream primarily conveys runoff from precipitation events and snow-melt.

**The extent that aquatic resource functions will be lost as a result of the GP activity:** The ephemeral stream would continue to convey water from precipitation events and snow-melt. The amount of the wetland permanently filled would cease to provide wetland functions. The proposed discharge of dredged and/or fill material into waters of the United States associated with construction of the proposed project would result in minimal adverse environmental effects, considered individually and cumulatively, on the aquatic resource functions.

**Duration of the adverse effects are:** The duration of adverse effects would be permanent in the wetland. The ephemeral stream channel would continue to provide most functions after the completion of the project, but with altered substrate.

**Mitigation required by district engineer:** The proposed discharges of dredged and/or fill material into waters of the United States is the minimum necessary to facilitate the proposed well pad. The project, as proposed, would have no more than minimal adverse effects, considered individually and cumulatively, on the aquatic environmental without compensatory mitigation. Refer to Section 2.4 for details.

## 2.3 Coordination

### 2.3.1 Was the PCN coordinated with other agencies? No

If yes, describe results including resolution of any concerns. N/A

### 2.3.2 Was the PCN coordinated with other Corps offices? No

If yes, describe results including resolution of any concerns: N/A

## 2.4 Mitigation

### 2.4.1 Provide brief description of how the activity has been designed on-site to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site: The proposed discharges of dredged and/or fill material into waters of the United States are the minimum necessary to facilitate the slip repair and prevent further adverse

environmental effects from the landslide. Proposed impacts to streams and wetlands are less than 0.10 acre of loss.

As the site is presently an active slip, the applicant has already put upland erosion and sediment control measures in place. The applicant has indicated that presently installed measures include triple stack 24-inch sock, Smart Fence 42, and a sediment sump has been dug. Behind the erosion and sediment controls the applicant has installed six vertical timber mats as a physical barrier in case the slip would let loose. The applicant has indicated that once work begins the timber mats would be removed and existing erosion and sediment controls cleaned and an additional row super silt fence or Smart Fence HD would be installed, and that erosion and sediment controls would be inspected throughout construction to make sure they are functioning properly

- 2.4.2 Is compensatory mitigation required for unavoidable impacts to jurisdictional aquatic resources to reduce the individual and cumulative adverse environmental effects to a minimal level? No

Provide rationale: The proposed permanent discharges of dredged and/or fill material into waters of the United States is the minimum necessary to facilitate the proposed well pad construction. The project, as proposed, would have no more than minimal adverse effects, considered individually and cumulatively, on the aquatic environmental without compensatory mitigation.

### **3.0 Compliance with Other Laws, Policies and Requirements**

#### **3.1 Section 7(a)(2) of the Endangered Species Act (ESA)**

- 3.1.1 ESA action area: The action area associated with this project is limited to the area of direct impacts, as a result of the discharge of dredged and/or fill material into water of the United States, and the immediate adjacent uplands directly affected by authorizing the discharge of dredged and/or fill material. The action area includes the LOD.

- 3.1.2 Has another federal agency taken steps to document compliance with Section 7 of the ESA and completed consultation(s) as required? No

If yes, identify that agency, the actions taken to document compliance with Section 7 and whether those actions are sufficient to ensure the activity(s) requiring DA authorization is in compliance with Section 7 of the ESA:

The Corps has concluded that it has fulfilled its responsibilities under Section 7(a)(2) of the ESA.

- 3.1.3 Known species/critical habitat present? Yes

Effect determination(s), including no effect, for all known species/habitat, and basis for determination(s):

The USFWS requires the Corps to consult the USFWS IPAC database at [ecos.fws.gov/ipac](https://ecos.fws.gov/ipac), which identifies federally listed species pertinent to a delineated project area. The IPAC identified six (6) species as listed below. For each species the Corps' determinations are also discussed below.

Table 3	
No effect; consultation not required Clubshell mussel ( <i>Pleurobema clava</i> ), Snuffbox mussel ( <i>Epioblasma triquetra</i> ), Indiana bat ( <i>Myotis sodalis</i> ), northern long-eared bat (NLEB; <i>Myotis septentrionalis</i> )	X
May affect, not likely to adversely affect; informal consultation,	
May affect, likely to adversely affect; formal consultation required	
4(d) rule applies:	

The descriptions of habitat and stressors for each species described below was provided by the United States Fish and Wildlife Service (USFWS) West Virginia Field Office.

**Freshwater mussels:** Ten species of freshwater mussels that inhabit medium to large streams and rivers in West Virginia were listed as endangered between 1976 and 2012. These include the clubshell (*Pleurobema clava*), fanshell (*Cyprogenia stegaria*), James spiny mussel (*Pleurobema collina*), northern riffleshell (*Epioblasma torulosa rangiana*), pink mucket pearly mussel (*Lampsilis abrupta*), rayed bean (*Villosa fabilis*), sheepsnose (*Plethobasus cyphus*), snuffbox (*Epioblasma triquetra*), spectaclecase (*Cumberlandia monodonta*), and tubercled-blossum pearly mussel (*Epioblasma torulosa torulosa*). Many are found in gravelly substrates with moderate current. Freshwater mussels feed by filtering food particles from the water column. Juvenile and adult freshwater mussels have been documented to feed on detritus, diatoms, phytoplankton, and zooplankton. Freshwater mussels rely on fish to complete their life histories. When mussel larvae (glochidia) are released into the water by adult females, they must attach themselves within a few days to the gills of an appropriate fish host, which they then parasitize for a short time while developing into juvenile mussels. Population losses and declines have occurred as a result of impoundments, navigation projects, water quality degradation from agricultural and industrial wastes, deforestation and other forms of habitat alteration, including gravel and sand dredging. Impacts that directly affect the species also include reduction or elimination of fish hosts.

According to information obtained from the USFWS Information for Planning and Consultation (IPaC) database for threatened and endangered species, the proposed project lies within the range of the following federally-listed, endangered mussel species:

- Clubshell mussel (*Pleurobema clava*)
- Snuffbox mussel (*Epioblasma triquetra*)

The proposed project would not include any direct impacts to state or federally listed mussel streams. The proposed project is adjacent to Anderson Creek, the lower ½

mile of which is known viable habitat for the above listed mussels. The proposed project is located approximately 3 miles above the mouth of Anderson Creek, and the applicant has proposed stringent sediment control measures. Additionally, according to IPaC, there are no critical habitats at the location. Therefore, based on the information provided, it is the Corps' determination the proposed activities would have no effect on the snuffbox mussel and the clubshell mussel.

**Indiana bat:** The Indiana bat was listed as an endangered species in 1967 due to large numbers of deaths associated with human disturbance at winter hibernacula. Since then, its numbers have declined, with additional threats that include commercialization of caves, loss of summer habitats, pesticides and other contaminants and, more recently, the disease white-nose syndrome. White-nose syndrome is a disease caused by the fungus *Pseudogymnoascus destructans*, which colonizes the skin of affected bats, particularly in the wings and on the muzzle. The disease causes behavior abnormalities during the bat's hibernation period, often resulting in mortality. In West Virginia, Indiana bats typically hibernate from mid-November until early April in caves or abandoned mine openings that are connected to larger underground tunnels. They emerge from these hibernacula in the spring and migrate to summer habitats. Indiana bat foraging habitat is generally defined as riparian, bottomland, or upland forest, as well as old fields or pastures with scattered trees, and streams and wetlands. Summer roosting and maternity habitats consist primarily of live or dead hardwood trees that have exfoliating bark, which provide space for bats to roost between the bark and the bole of the tree. Tree cavities, crevices, splits, or hollow portions of tree boles and limbs also provide roost sites. Indiana bats are faithful to their maternity areas and return year after year to the same areas to forage and raise their young. Forested areas containing trees greater than five inches diameter at breast height provide suitable summer roosting and maternity habitat for the Indiana bat, and all such areas in West Virginia are considered potential habitat for this species.

The applicant has indicated no tree clearing would occur with the proposed project, nor has there been any indication of caves or mines near to or within the LOD. Therefore, the proposed project would have No Effect on the Indiana bat.

**NLEB:**

The NLEB was listed as threatened in 2014, primarily due to the effects of white-nose syndrome on this species. White-nose syndrome occurred in at least 25 of the 37 states where this species occurs at the time of listing and continues to spread, and the northeastern portion of its range has seen a decline of 78 to 88 percent of individuals at the time of listing. These bats spend the winter hibernating in caves or mines. During the summer, they may roost underneath bark, in cavities, or in crevices of trees, either singly or in colonies. Reproducing females will gather in colonies of 30 to 60 bats and give birth to pups anytime from late May to late July. While white-nose syndrome is the primary threat to the NLEB, destruction of habitat, including modification of caves or mines and the clearing of potential roosting trees, also poses a threat to this species. Forested areas containing trees greater than three inches diameter at breast height are considered suitable roosting and maternity habitat for the NLEB.

The applicant has indicated no tree clearing would occur with the proposed project, nor has there been any indication of caves or mines near to or within the LOD. Therefore, the proposed project would have No Effect on the northern long-eared bat.

3.1.4 Consultation with either the National Marine Fisheries Service and/or the U.S. Fish and Wildlife Service was initiated and completed as required, for any determinations other than “no effect” (see the attached “Summary” sheet for begin date, end date and closure method of the consultation). Based on a review of the information above, the Corps has determined that it has fulfilled its responsibilities under Section 7(a)(2) of the ESA.

3.2 **Magnuson-Stevens Fishery Conservation and Management Act, Essential Fish Habitat (EFH)** N/A, there is no essential fish habitat in this district's area of responsibility.

3.3 **Section 106 of the National Historic Preservation Act (Section 106)**

3.3.1 Section 106 permit area: The permit area includes only those areas comprising waters of the United States that will be directly affected by the proposed work or structures. Activities outside of waters of the U.S. are not included because all three tests identified in 33 CFR 325, Appendix C(g)(1) have not been met.

Final description of the permit area: The activities outside of waters of the United States within the limits of disturbance are not integrally related to the proposed discharge of dredged and/or fill material into waters of the United States. The proposed discharge of dredged and/or fill material into waters of the United States is not essential to the completeness of the overall project. The permit areas includes the waters of the U.S. and their immediately adjacent uplands.

3.3.2 Has another federal agency taken steps to comply with Section 106 of the National Historic Preservation Act and completed consultation(s) as required? No

If yes, identify that agency, the actions taken to document compliance with Section 106 and whether those actions are sufficient to ensure the activity(s) requiring DA authorization is in compliance with Section 106 of the NHPA:

3.3.3 Known cultural resource sites present and/or survey or other additional information needed? No

Basis for effect determination(s) for all known site(s) and/or site(s) identified by a survey: The National Register of Historic Places has been consulted and it has been determined there are no properties currently listed on the register that would be affected by the proposed project. In accordance with 33 CFR 325 Appendix C, 3(b) (1-3), after an evaluation of the nature, scope and magnitude of the work

occurs, it may be determined that there is little likelihood that a historic property exists, if such property does exist, would likely to be unaffected. Three such situations are: areas extensively modified by previous work, areas that have been created in modern times, and work that is of limited nature and scope that there is little likelihood of affecting a historic property, even if such property existed. In this case, the proposed work is of limited nature and scope.

In this case, the stabilization work that includes the ephemeral stream is occurring in a steep and active slip zone which is considered previously disturbed. The discharge of fill material into the wetland would be of a limited nature and scope, as the work would involve placement of fill in a limited area.

Given the above information, it is expected the proposed project would have no potential to affect historic properties. The Corps has concluded that it has fulfilled its responsibilities under Section 106 of the NHPA.

- 3.3.4 Consultation was initiated and completed as required with the appropriate agencies, tribes and/or other parties for any determinations other than “no potential to cause effects” (see the attached “Summary” sheet for consultation type, begin date, end date and closure method of the consultation). The Corps has determined that it has fulfilled its responsibilities under Section 106 of the NHPA.

### **3.4 Tribal Trust Responsibilities**

- 3.4.1 Was coordination conducted with any federally recognized tribes? No

Describe coordination conducted including a summary of any comments received:

- 3.4.2 Was government-to-government consultation conducted because proposed activity requiring DA authorization has the potential to significantly affect protected tribal resources, tribal rights (including treaty rights) and/or Indian lands or because consultation was requested? No.

A summary of the consultation that was conducted follows. Due to the location and extent of the regulated activity, the Corps has determined the regulated activity would not have the potential to affect protected tribal resources, tribal rights including treaty rights and/or Indian lands. The Corps has determined that it has fulfilled its tribal trust responsibilities.

### **3.5 Section 401 of the Clean Water Act – Water Quality Certification (WQC)**

- 3.5.1 Is a Section 401 WQC required, and if so, has the certification been issued or waived? A general WQC has been issued for this permit.

### **3.6 Coastal Zone Management Act (CZMA)**



- 3.6.1 Is a CZMA consistency concurrence required, and if so, has the concurrence been issued, waived or presumed? N/A, a CZMA consistency concurrence is not required.

### **3.7 Wild and Scenic Rivers Act**

- 3.7.1 Is the project located in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system? No

If yes, summarize coordination and the determination on whether activity will adversely affect the Wild and Scenic River designation or study status. The Corps has determined that it has fulfilled its responsibilities under the Wild and Scenic Rivers Act.

### **3.8 Effects on Federal Projects (33 USC 408)**

- 3.8.1 Does the activity require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because of potential for modification(s) to a federal project? No, there are no federal projects in or near the vicinity of the proposal.

If yes, provide date permission is provided:

### **4.0 Special Conditions**

- 4.1 Are special conditions required to ensure minimal effects, protect the public interest and/or ensure compliance of the activity with any of the laws above? Yes

If no, provide rationale:

- 4.2 Required special condition(s)

Special condition: Enclosed is a copy of Nationwide Permit 3, which will be kept at the site during construction. A copy of the nationwide permit verification, special conditions, and the attached construction plans must be kept at the site during construction. The permittee will supply a copy of these documents to their project engineer responsible for construction activities.

Rationale: Ensure the permittee and their contractor complete the authorized work in accordance with the plans that were reviewed and approved by the Corps.

Special Condition: Upon completion of the activity authorized by this nationwide permit verification, the enclosed certification must be signed and returned to this office along with as-built drawings showing the location and configuration, as well as all pertinent dimensions and elevations of the activity authorized under this nationwide permit verification.

Rationale: Facilitate future compliance with the terms and conditions of the NWP verification.

Special Condition: No area for which grading has been completed will be unseeded or unmulched for longer than 14 days. All disturbed areas will be seeded and/or revegetated with native species and approved seed mixes (where practicable) after completion of construction activities for stabilization and to help preclude the establishment of non-native invasive species.

Rationale: Ensure disturbed areas are properly vegetated and to minimize adverse effects of non-invasive plant species.

Special Condition: Should new information regarding the scope and/or impacts of the project become available that was not submitted to this office during our review of the proposal, the permittee will submit written information concerning proposed modification(s) to this office for review and evaluation, as soon as practicable.

Rationale: Ensure the permittee understands that any modifications to the project could involve a new permit or modification or require Section 106 or Section 7 consultation.

Special Condition: In the event any previously unknown historic or archaeological sites or human remains are uncovered while accomplishing the activity authorized by this nationwide permit authorization, the permittee must cease all work in waters of the United States immediately and contact local, state and county law enforcement offices (only contact law enforcement on findings of human remains), the Corps at 304-399-5610 and West Virginia State Historic Preservation Office at 304-558-0220. The Corps will initiate the Federal, state and tribal coordination required to comply with the National Historic Preservation Act and applicable state and local laws and regulations. Federally recognized tribes are afforded a government-to-government status as sovereign nations and consultation is required under Executive Order 13175 and 36 CFR Part 800.

Rationale: Minimize effects on unknown historic or archaeological sites or human remains that could be uncovered while accomplishing the authorized activities.

Special Condition: Section 7 obligations under the Endangered Species Act (Section 7) must be reconsidered if new information reveals impacts of the project that may affect federally listed species or critical habitat in a manner not previously considered, the proposed project is subsequently modified to include activities which were not considered during the Corps' review, or new species are listed or critical habitat designated that might be affected by the subject project.

Rationale: Minimize effects on federally listed species or critical habitat in a manner not previously considered.

## **5.0 Determination**

- 5.1 Waiver request conclusion, if required or select N/A: N/A
- 5.2 The activity will result in no more than minimal individual and cumulative adverse effects on the aquatic environment and will not be contrary to the public interest, provided the permittee complies with the special conditions identified above.
- 5.3 This activity, as described, complies with all terms and conditions of the permit identified in Section 1.5.

**PREPARED BY:**

*Kimberly Courts-Brown*

Adam Fannin  
Regulatory Project Manager  
Energy Resource Branch

Date: 28 April 2020

**REVIEWED AND APPROVED BY:**

*A. E. Fannin*

Digitally signed by Adam E.  
Fannin  
Date: 2020.04.28 15:08:49 -04'00'

Kimberly Courts-Brown  
Regulatory Project Manager  
Energy Resource Branch

Date: 28 April 2020

# The Doddridge Independent

## The Doddridge Independent PUBLISHER'S CERTIFICATE

I, Michael D. Zorn, Publisher of The Doddridge Independent, A newspaper of general circulation published in the town of West Union, Doddridge County, West Virginia, do hereby certify that:

Please take notice that on the (26th) of (February), 2020, (Antero Resources) filed an application for a Floodplain Permit (#20-566) to develop land located at or about (Sam Cavins Rd); Coordinates: 39.318873, -80.823208. The Application is on file with the Floodplain Manager of the County and may be inspected or copied during regular business hours in accordance to WV Code Chapter 29B Freedom of Information, Article 1 Public Records and county policy and procedures. Any interested persons who desire to comment shall present the same in writing by (March 23, 2020) (20 calendar days after the announcement at the regularly scheduled Doddridge County Commission Meeting) delivered to the Floodplain Manager of the County at 105 Court Street, Suite #3, West Union, WV 26456.

was published in The Doddridge Independent  
2 times commencing on Friday, February 28, 2020 and  
Ending on Friday, March 6, 2020 at the request of:


**George Eidel, Floodplain Manager for  
Doddridge County Commission**

Given under my hand this Tuesday, March 10, 2020

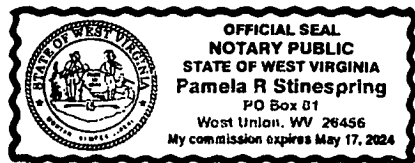
The publisher's fee for said publication is:  
**\$ 31.05 1st Run/\$ 23.28 Subsequent Runs**  
**This Legal Ad Total: \$ 54.33**

  
\_\_\_\_\_  
Michael D. Zorn  
Publisher of The Doddridge Independent

Subscribed to and sworn to before me on  
this date: 3 / 10 / 20

  
\_\_\_\_\_  
Notary Public in and for Doddridge County

My Commission expires on  
The 17<sup>th</sup> day of May 20 24



Floodplain Public Notice • Legal Notice

Please take notice that on the (26th) of (February), 2020, (Antero Resources) filed an application for a Floodplain Permit (#20-566) to develop land located at or about (Sam Cavins Rd); Coordinates: 39.318873, -80.823208. The Application is on file with the Floodplain Manager of the County and may be inspected or copied during regular business hours in accordance to WV Code Chapter 29B Freedom of Information, Article 1 Public Records and county policy and procedures. Any interested persons who desire to comment shall present the same in writing by (March 23, 2020) (20 calendar days after the announcement at the regularly scheduled Doddridge County Commission Meeting) delivered to the Floodplain Manager of the County at 105 Court Street, Suite #3, West Union, WV 26456. This project is for a slip repair. C2 02/28 - 03/06