

**ATLANTIC COAST PIPELINE, LLC
ATLANTIC COAST PIPELINE**

and

**DOMINION TRANSMISSION, INC.
SUPPLY HEADER PROJECT**

**Supplemental Filing
April 12, 2017**

APPENDIX C

Correspondence for the Atlantic Coast Pipeline

APPENDIX C

Supplemental Summary of Public Agency Correspondence for the Atlantic Coast Pipeline

Agency/Contact Name(s)	Date of Correspondence	Format	Description
FEDERAL AGENCIES			
U.S. Fish and Wildlife Service			
Liz Stout	3/16/17	Emails	Acres in known-use bat buffers to be cleared.
Troy Andersen	4/3/17	Letter	Request for concurrence and comments.
U.S. Forest Service – Monongahela and George Washington National Forests			
Todd Hess	4/7/17	Letter	SUP extension.
Troy Morris	4/12/17	Letter	Transmittal of Laurel Run Macroinvertebrate Survey Report
STATE/Commonwealth AGENCIES			
WEST VIRGINIA AGENCIES			
West Virginia Division of Natural Resources			
Cliff Brown, Rich Bailey	4/12/17	Letter	Transmittal of rookeries survey results and conservation measures.
VIRGINIA AGENCIES			
Virginia Department of Conservation and Recreation			
Jason Bulluck, Rene Hypes, Ryan Klopf, Chris Ludwig, Johnny Townsend	1/19/17	Minutes	Handsom Gum and Emporia Conservation Sites - Hydrology Study Plan.
Virginia Department of Game and Inland Fisheries			
Amy Ewing	4/3/17	Letter	Request for concurrence and comments.
Amy Ewing	4/12/17	Letter	Transmittal of rookeries survey results and conservation measures.
Virginia Department of Historic Resources			
Roger Kirchen	4/6/17	Letter	Review of Architectural Report.
NORTH CAROLINA AGENCIES			
North Carolina Wildlife Resources Commission			
Gabriela Garrison	4/12/17	Letter	Transmittal of rookeries survey results and conservation measures.

Federal Agencies

U.S. Fish and Wildlife Service

Maggie Voth

From: Maggie Voth
Sent: Thursday, March 16, 2017 4:46 PM
To: elizabeth_stout@fws.gov
Cc: Sara Thronson
Subject: RE: Acres in known-use bat buffers to be cleared

Follow Up Flag: Follow up
Due By: Tuesday, March 21, 2017 10:00 AM
Flag Status: Flagged

Hi Liz,

On the ACP, we're looking at clearing approximately 332.5 acres of forest in known bat areas. The SHP number is still pending – we'd like to get updated GAP land use data for the SHP prior to calculating the acreage for you.

Thanks,
Maggie

Maggie Voth

Environmental Resources Management (ERM)

T 612.347.7869 | M 651.764.0445

E maggie.voth@erm.com | W www.erm.com

From: Maggie Voth
Sent: Wednesday, March 15, 2017 8:26 AM
To: 'Stout, Elizabeth'
Subject: RE: Acres in known-use bat buffers to be cleared

Hi Liz,

I'm out of the office quite a bit this week, but I'll try to get that to you next week.

Thanks,

Maggie

Maggie Voth

Environmental Resources Management (ERM)

T 612.347.7869 | M 651.764.0445

E maggie.voth@erm.com | W www.erm.com

From: Stout, Elizabeth [mailto:elizabeth_stout@fws.gov]
Sent: Tuesday, March 14, 2017 7:50 AM
To: Maggie Voth
Subject: Acres in known-use bat buffers to be cleared

Hey Maggie -- Could you confirm how many acres will be cleared within known-use bat buffers in WV for SHP and for ACP?

Thanks!

--

Liz Stout

Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
West Virginia Field Office
694 Beverly Pike
Elkins, WV 26241
(304) 636 6586 x15

<http://www.fws.gov/westvirginiafieldoffice/index.html>



April 3, 2017

BY OVERNIGHT (OR EXPRESS) MAIL

Mr. Troy Andersen
U.S. Fish and Wildlife Service
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 26241

**Re: Request for Concurrence and Comments
Dominion Transmission, Inc., Atlantic Coast Pipeline**

Dear Mr. Andersen:

Atlantic Coast Pipeline, LLC (Atlantic) is a company formed by four major U.S. energy companies – Dominion, Duke Energy, Piedmont Natural Gas, and Southern Company Gas. The company was created to develop, own, and operate the proposed Atlantic Coast Pipeline (ACP), an approximately 600-mile-long, interstate natural gas transmission pipeline system designed to meet growing energy needs in Virginia and North Carolina. For more information about the ACP, visit the company's website at www.dom.com/acpipeline. Atlantic has contracted with Dominion Transmission, Inc. (DTI), a subsidiary of Dominion, to permit, build, and operate the ACP on behalf of Atlantic.

As you are aware, throughout the last several years, Atlantic has conducted field routing, environmental/biological, cultural resources, and civil surveys along the proposed pipeline route to collect information needed by the Federal Energy Regulatory Commission (FERC) and other regulatory and land managing agencies to review and permit the ACP. Section 7 of the Endangered Species Act requires Federal agencies, such as FERC, to verify that actions authorized, funded, or carried out by the agencies do not jeopardize the continued existence of a federally listed threatened or endangered species, or result in the destruction or adverse modification of designated critical habitat for a federally listed species. Atlantic is in the process of developing an Applicant-Prepared Biological Assessment for section 7 consultation between the FERC and the U.S. Fish and Wildlife Service.

The purpose of this letter is to request concurrence and comments from the USFWS regarding, species under the jurisdiction of USFWS that occur in the Bath County Reservoir and Augusta Quarry. Atlantic is conducting an initial review to determine if these locations are suitable alternative sources

for water withdrawals for the Project. This water could be used for activities such as hydrostatic testing and dust suppression during the construction of the ACP.

Both water bodies are shown on the attached figure. The Bath County Reservoir is 17,579 feet southwest of the ACP workspace. The Augusta Quarry is 1,044 feet northeast of the closet ACP workspace. Atlantic has reviewed the natural heritage resources data available for the Bath County Reservoir (near ACP MP 091) and the Augusta Quarry (near ACP MP 140) to identify any occurrences of federally listed species. Atlantic has found no records of federal species potentially occurring in these potential water sources.

Atlantic requests your review and comment regarding species concerns for these potential water sources. We would appreciate your comments and look forward to continuing to work with you on the ACP. Please contact Richard B. Gangle at (804) 273-2814 or Richard.B.Gangle@dom.com if there are questions or concerns. Please direct written responses to:

Richard B. Gangle
Dominion Resources Services, Inc.
5000 Dominion Boulevard
Glen Allen, Virginia 23060

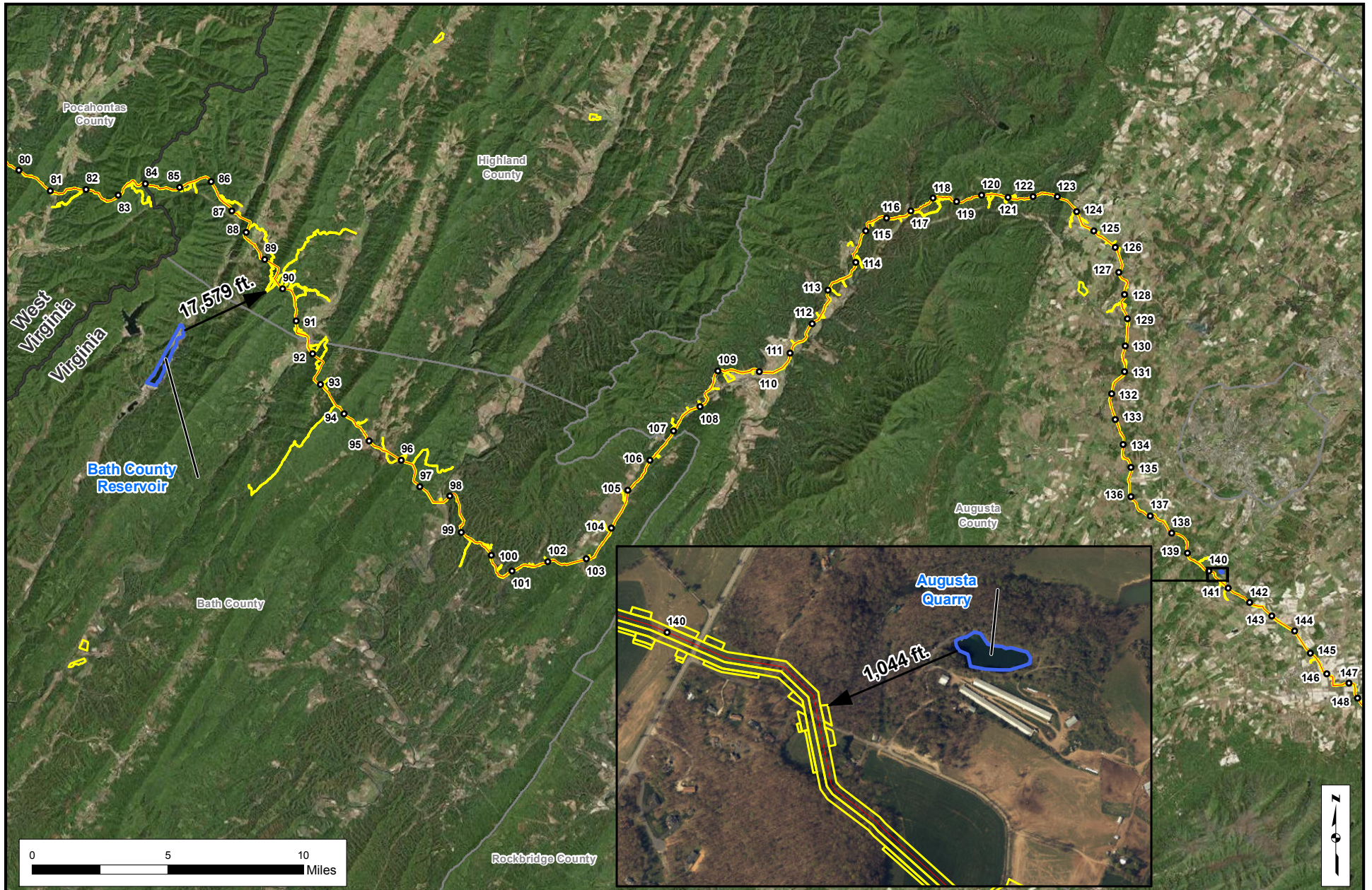
Sincerely,



Robert M. Bisha
Technical Advisor, Atlantic Coast Pipeline

cc: Richard B. Gangle, Dominion

Attachments: Figure – Bath County Reservoir and Augusta Quarry



- Potential Water Source
- Milepost
- ~ ACP Mainline
- Workspace

Atlantic Coast Pipeline

Bath County Reservoir and Augusta Quarry



U.S. Forest Service – Monongahela and George Washington National Forests



File Code: 2720
Date: April 7, 2017

Robert Bisha
Technical Advisor
Atlantic Coast Pipeline, LLC.
5000 Dominion Boulevard
Glen Allen, VA 23060

Dear Mr. Bisha:

The special use permit MAR205005 for site survey and testing on Monongahela National Forest System (NFS) lands has been signed by the Forest Supervisor and is considered issued. This permit supersedes MAR205001 for the same use and location. You are authorized to continue using NFS lands in accordance with the terms of the permit. A copy of the permit is enclosed for your records. The permit will expire in 04/08/2018.

If you have any questions, please contact me at (304) 636-1800 ext. 222 or email at tahess@fs.fed.us.

Sincerely,

TODD HESS
Realty Specialist

Enclosures: Permit MAR205002 with attachments

cc: Kent Karriker



Authorization ID: MAR205005
Contact Name: ATLANTIC COAST PIPELINE
Expiration Date: 04/08/2018
Use Code: 411

FS-2700-4 (V. 01/2014)
OMB 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
SPECIAL USE PERMIT
Authority: ORGANIC ADMINISTRATION ACT June 4, 1897**

ATLANTIC COAST PIPELINE of 707 EAST MAIN STREET, RICHMOND, VA 23219 (hereinafter "the holder") is authorized to use or occupy National Forest System lands in the MONONGAHELA NATIONAL FOREST of the National Forest System, subject to the terms and conditions of this special use permit (the permit).

This permit covers 1,366.36 acres or N/A miles in the Marlinton-White Sulphur Ranger District in Pocahontas County / Mingo, Edray, Clover Lick, and Paddy Knob Quads / PLSS US Tracts 51C, 51B, 1171, 463, 373, 377B, and 377A, ("the permit area"), as shown on the map attached as Exhibit A and land list Exhibit B. This permit issued for the purpose of:

Performing site survey and testing activities (hereafter referred to survey). The survey area shall be a 300-foot width within a 2,000-foot width by 5.4 mile long area. The area is more particularly described in the maps and land list Exhibit A and B.

The survey includes such activities as field routing, environmental resource inventory, cultural resource inventory, and civil surveys, as described in Atlantic Coast Pipeline's (ACP) application, in preparation for the analysis of a possible future corridor route for a proposed natural gas transmission pipeline. Coordination between ACP and the Forest will occur to determine data collection needs and the methodology of performing the surveys needed to meet Forest Service and other federal and state agencies' needs for analysis.

Design Features and Mitigation:

Coordinate with the Monongahela National Forest (MNF) on details of data collection and methodology. Any survey activities that may have environmental effects beyond the scale and scope of those disclosed in the Decision require additional formal written authorization.

All surveys shall be conducted via foot travel with vehicle access on existing established public roads. Vehicle access beyond general public access, beyond a NFS gate, is not authorized, except by written permission from the District Ranger on a case-by-case basis. Give at least one week's notice to the District Ranger for access behind gates. Reinforcement of existing roads or new road construction is not authorized.

Minor amounts of brush cutting will be authorized with the use of hand tools to allow pedestrian access through forest-covered areas and allow a minimal width for line of sight to conduct the surveys. All brush removal shall be limited to saplings or limbs less than 2 inches in diameter.

Entering or being in or using any cave on the Forest is prohibited unless specifically authorized by the Forest Supervisor in accordance with Forest Order No. 09-21-13-13, Cave Closure Order.

Wooden stakes, PK survey pins, and ribbon flagging (biodegradable in one year) may be placed along the survey corridor to identify a possible centerline of the proposed pipeline corridor. These items must be removed within 12 months after the permit has expired if not being used to identify an actual corridor for a proposed natural gas transmission pipeline.

Leave No Trace principles shall be practiced, where appropriate, while performing activities on NFS lands.

All information produced by activities authorized under this permit must be submitted to the Forest Service upon completion of the survey work or within three months of the special use permit's expiration. Immediate notification is required for archaeological-paleontological discoveries, human remains and associated objects, and threatened, endangered, and sensitive species (see permit terms and conditions V.D., V.E., and V.F.).

Do not infringe upon existing special uses or rights-of-way of roads or utilities.

Forest survey corners and property boundaries are not to be removed or destroyed. If such activities occur, ACP shall have the survey corner or boundary resurveyed and set in accordance with Federal and State survey guidelines and standards.

A separate permit under the authority of the Organic Act is required to perform any initial heritage or cultural survey work. Should any Phase II testing be necessary to determine eligibility for the National Register of Historic Places, an additional permit under the authority of the Archaeological Resources Protection Act of 1979 (ARPA), as amended, would be required. The permit(s) will include performance measures and specific conditions that define expected lines of communication with the MNF Heritage Program Manager.

Any core drilling desired will be considered on a case-by-case basis. Prior to any core drilling activity, the locations, access routes, methods, environmental impacts, and reclamation details must be submitted to the Forest Service for review and written approval. Methodology, mitigation, and operation plans will be communicated in a separate document that may become an added exhibit to the special use permit. The following general protection measures will be applied to core drilling activity. Additional protections and mitigation measures may be stipulated based on site-specific characteristics.

- Core drilling activities will be limited to previously disturbed sites to the maximum extent possible. Existing road access will be used to the maximum extent possible.
- Should any tree felling be necessary, no wood may be removed from National Forest land without a removal permit.
- Should any tree felling be necessary between April 1 and November 15, the trees to be felled will be inspected by a qualified wildlife biologist to determine their potential to serve as roosts for bats. Impacts to potential bat roost trees will be avoided.
- Surveys for botanical resources, cultural resources, wildlife resources, and wetlands/waters must be completed in any areas to be affected by core drilling or access prior to the commencement of such activities.
- Core drilling activities and associated access will avoid all adverse impacts to cultural resources; threatened, endangered, and sensitive species; wetlands, streams, seeps, and other waters of the U.S.; system roads; system trails; facilities; and any other improvements.
- When conditions warrant, drilling/exploration crews will be equipped with fire suppression tools, and any piece of equipment operated by an internal combustion engine will have a spark arrestor and muffler.

- Erosion and sedimentation controls will be designed on a site-specific basis and will be implemented as directed by the MNF.
- Measures to prevent the spread of non-native invasive species will be applied as necessary, such as clean equipment and weed-free methods of stabilization.

TERMS AND CONDITIONS

I. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to ORGANIC ADMINISTRATION ACT June 4, 1897 and 36 CFR Part 251, Subpart B, as amended, and is subject to their provisions.

B. AUTHORIZED OFFICER. The authorized officer is the Forest or Grassland Supervisor or a subordinate officer with delegated authority.

C. TERM. This permit shall expire at midnight on 04/08/2018, 1 year from the date of issuance.

D. RENEWAL. This permit is not renewable. Prior to expiration of this permit, the holder may apply for a new permit that would renew the use and occupancy authorized by this permit. Applications for a new permit must be submitted at least 6 months prior to expiration of this permit. Renewal of the use and occupancy authorized by this permit shall be at the sole discretion of the authorized officer. At a minimum, before renewing the use and occupancy authorized by this permit, the authorized officer shall require that (1) the use and occupancy to be authorized by the new permit is consistent with the standards and guidelines in the applicable land management plan; (2) the type of use and occupancy to be authorized by the new permit is the same as the type of use and occupancy authorized by this permit; and (3) the holder is in compliance with all the terms of this permit. The authorized officer may prescribe new terms and conditions when a new permit is issued.

E. AMENDMENT. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, directive, the applicable forest land and resource management plan, or projects and activities implementing a land management plan pursuant to 36 CFR Part 215.

F. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS. In exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

G. NON-EXCLUSIVE USE. The use or occupancy authorized by this permit is not exclusive. The Forest Service reserves the right of access to the permit area, including a continuing right of physical entry to the permit area for inspection, monitoring, or any other purpose consistent with any right or obligation of the United States under any law or regulation. The Forest Service reserves the right to allow others to use the permit area in any way that is not inconsistent with the holder's rights and privileges under this permit, after consultation with all parties involved. Except for any restrictions that the holder and the authorized officer agree are necessary to protect the installation and operation of authorized temporary improvements, the lands and waters covered by this permit shall remain open to the public for all lawful purposes.

H. ASSIGNABILITY. This permit is not assignable or transferable. **I. CHANGE IN CONTROL OF THE BUSINESS ENTITY.**

1. Notification of Change in Control. The holder shall notify the authorized officer when a change in control of the business entity that holds this permit is contemplated.

a. In the case of a corporation, control is an interest, beneficial or otherwise, of sufficient outstanding voting securities or capital of the business so as to permit the exercise of managerial authority over the actions and operations of the corporation or election of a majority of the board of directors of the corporation.

b. In the case of a partnership, limited partnership, joint venture, or individual entrepreneurship, control is a beneficial ownership of or interest in the entity or its capital so as to permit the exercise of managerial authority over the actions and operations of the entity.

c. In other circumstances, control is any arrangement under which a third party has the ability to exercise management authority over the actions or operations of the business.

2. Effect of Change in Control. Any change in control of the business entity as defined in paragraph 1 of this clause shall result in termination of this permit. The party acquiring control must submit an application for a special use permit. The Forest Service is not obligated to issue a new permit to the party who acquires control. The authorized officer shall determine whether the applicant meets the requirements established by applicable federal regulations.

II. IMPROVEMENTS

A. LIMITATIONS ON USE. Nothing in this permit gives or implies permission to build or maintain any structure or facility or to conduct any activity, unless specifically authorized by this permit. Any use not specifically authorized by this permit must be proposed in accordance with 36 CFR 251.54. Approval of such a proposal through issuance of a new permit or permit amendment is at the sole discretion of the authorized officer.

B. PLANS. All plans for development, layout, construction, reconstruction, or alteration of improvements in the permit area, as well as revisions to those plans must be prepared by a professional engineer, architect, landscape architect, or other qualified professional based on federal employment standards acceptable to the authorized officer. These plans and plan revisions must have written approval from the authorized officer before they are implemented. The authorized officer may require the holder to furnish as-built plans, maps, or surveys upon completion of the work.

C. CONSTRUCTION. Any construction authorized by this permit shall commence by N/A and shall be completed by N/A.

III. OPERATIONS

A. PERIOD OF USE. Use or occupancy of the permit area shall be exercised at least 30 days each year.

B. CONDITION OF OPERATIONS. The holder shall maintain the authorized improvements and permit area to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer and consistent with other provisions of this permit. Standards are subject to periodic change by the authorized officer when deemed necessary to meet statutory, regulatory, or policy requirements or to protect national forest resources. The holder shall comply with inspection requirements deemed appropriate by the authorized officer.

C. INSPECTION BY THE FOREST SERVICE. The Forest Service shall monitor the holder's operations and reserves the right to inspect the permit area or transmission facilities at any time for compliance with the terms of

this permit. The holder's obligations under this permit are not contingent upon any duty of the Forest Service to inspect the permit area or transmission facilities. A failure by the Forest Service or other governmental officials to inspect is not a justification for noncompliance with any of the terms and conditions of this permit.

IV. RIGHTS AND LIABILITIES

A. LEGAL EFFECT OF THE PERMIT. This permit, which is revocable and terminable, is not a contract or a lease, but rather a federal license. The benefits and requirements conferred by this authorization are reviewable solely under the procedures set forth in 36 CFR 251, Subpart C and 5 U.S.C. 704. This permit does not constitute a contract for purposes of the Contract Disputes Act, 41 U.S.C. 601. The permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. VALID OUTSTANDING RIGHTS. This permit is subject to all valid outstanding rights. Valid outstanding rights include those derived under mining and mineral leasing laws of the United States. The United States is not liable to the holder for the exercise of any such right.

C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS. The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

D. SERVICES NOT PROVIDED. This permit does not provide for the furnishing of road or trail maintenance, water, fire protection, search and rescue, or any other such service by a government agency, utility, association, or individual.

E. RISK OF LOSS. The holder assumes all risk of loss associated with use or occupancy of the permit area, including but not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and other forces of nature. If authorized temporary improvements in the permit area are destroyed or substantially damaged, the authorized officer shall conduct an analysis to determine whether the improvements can be safely occupied in the future and whether rebuilding should be allowed. If rebuilding is not allowed, the permit shall terminate.

F. DAMAGE TO UNITED STATES PROPERTY. The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States. Damage includes but is not limited to fire suppression costs, damage to government-owned improvements covered by this permit, and all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. For purposes of clause IV.F and section V, "hazardous material" shall mean (a) any hazardous substance under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. § 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws.

1. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, during the holder's use or occupancy of the permit area. If the environment or any government property covered by this permit becomes damaged during the holder's use or occupancy of the permit area, the holder shall immediately repair the damage or replace the damaged items to the satisfaction of the authorized officer and at no expense to the United States.

2. The holder shall be liable for all injury, loss, or damage, including fire suppression, prevention and control of

the spread of invasive species, or other costs in connection with rehabilitation or restoration of natural resources associated with the use or occupancy authorized by this permit. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs. Such costs may be deducted from a performance bond required under clause IV.I.

3. The holder shall be liable for damage caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to all roads and trails of the United States to the same extent as provided under clause IV.F.1, except that liability shall not include reasonable and ordinary wear and tear.

G. HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any activity or condition arising out of or relating to the authorized use or occupancy that causes or threatens to cause a hazard to public health or the safety of the holder's employees or agents or harm to the environment (including areas of vegetation or timber, fish or other wildlife populations, their habitats, or any other natural resources). The holder shall prevent impacts to the environment and cultural resources by implementing actions identified in the operating plan to prevent establishment and spread of invasive species. The holder shall immediately notify the authorized officer of all serious accidents that occur in connection with such activities. The responsibility to protect the health and safety of all persons affected by the use or occupancy authorized by this permit is solely that of the holder. The Forest Service has no duty under the terms of this permit to inspect the permit area or operations and activities of the holder for hazardous conditions or compliance with health and safety standards.

H. INDEMNIFICATION OF THE UNITED STATES. The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder in connection with the use or occupancy authorized by this permit. This indemnification provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees in connection with the use or occupancy authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable, and including but not limited to those environmental laws listed in clause V.A of this permit; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous materials, pollutant, contaminant, oil in any form, or petroleum product into the environment. The authorized officer may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in addition to or as an alternative to monetary indemnification.

I. BONDING. The authorized officer may require the holder to furnish a surety bond or other security for any of the obligations imposed by the terms and conditions of this permit or any applicable law, regulation, or order.

V. RESOURCE PROTECTION

A. COMPLIANCE WITH ENVIRONMENTAL LAWS. The holder shall in connection with the use or occupancy authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., the Oil Pollution Act, as amended, 33 U.S.C. 2701 et seq., the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., CERCLA, as amended, 42 U.S.C. 9601 et seq., the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 et seq., and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq.

B. VANDALISM. The holder shall take reasonable measures to prevent and discourage vandalism and disorderly conduct and when necessary shall contact the appropriate law enforcement officer.

C. PESTICIDE USE. Pesticides may not be used outside of buildings to control undesirable woody and herbaceous vegetation (including aquatic plants), insects, rodents, fish, and other pests and weeds without prior written approval from the authorized officer. A request for approval of planned uses of pesticides shall be submitted annually by the holder on the due date established by the authorized officer. The report shall cover a 12-month period of planned use beginning 3 months after the reporting date. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests or weeds require control measures that were not anticipated at the time an annual report was submitted. Only those materials registered by the U.S. Environmental Protection Agency for the specific purpose planned shall be considered for use on National Forest System lands. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers.

D. ARCHAEOLOGICAL-PALEONTOLOGICAL DISCOVERIES. The holder shall immediately notify the authorized officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by this permit. The holder shall leave these discoveries intact and in place until directed otherwise by the authorized officer. Protective and mitigative measures specified by the authorized officer shall be the responsibility of the holder.

E. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION. In accordance with 25 U.S.C. 3002(d) and 43 CFR 10.4, if the holder inadvertently discovers human remains, funerary objects, sacred objects, or objects of cultural patrimony on National Forest System lands, the holder shall immediately cease work in the area of the discovery and shall make a reasonable effort to protect and secure the items. The holder shall immediately notify the authorized officer by telephone of the discovery and shall follow up with written confirmation of the discovery. The activity that resulted in the inadvertent discovery may not resume until 30 days after the authorized officer certifies receipt of the written confirmation, if resumption of the activity is otherwise lawful, or at any time if a binding written agreement has been executed between the Forest Service and the affiliated Indian tribes that adopts a recovery plan for the human remains and objects.

F. PROTECTION OF HABITAT OF THREATENED, ENDANGERED, AND SENSITIVE SPECIES. The location of sites within the permit area needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA) of 1973, 16 U.S.C. 1531 et seq., as amended, or identified as sensitive or otherwise requiring special protection by the Regional Forester under Forest Service Manual (FSM) 2670, pursuant to consultation conducted under section 7 of the ESA, may be shown on the ground or on a separate map. The map shall be attached to this permit as an appendix. The holder shall take any protective and mitigative measures specified by the authorized officer. If protective and mitigative measures prove inadequate, if other sites within the permit area containing threatened, endangered, or sensitive species or species otherwise requiring special protection are discovered, or if new species are listed as threatened or endangered under the ESA or identified as sensitive or otherwise requiring special protection by the Regional Forester under the FSM, the authorized officer may specify additional protective and mitigative measures. Discovery of these sites by the holder or the Forest Service shall be promptly reported to the other party.

G. CONSENT TO STORE HAZARDOUS MATERIALS. The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case of approval provided after this permit is issued, shall be amended to include specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

H. CLEANUP AND REMEDIATION

1. The holder shall immediately notify all appropriate response authorities, including the National Response Center and the authorized officer or the authorized officer's designated representative, of any oil discharge or of the release of a hazardous material in the permit area in an amount greater than or equal to its reportable quantity, in accordance with 33 CFR Part 153, Subpart B, and 40 CFR Part 302. For the purposes of this requirement, "oil" is as defined by section 311(a)(1) of the Clean Water Act, 33 U.S.C. 1321(a)(1). The holder shall immediately notify the authorized officer or the authorized officer's designated representative of any release or threatened release of any hazardous material in or near the permit area which may be harmful to public health or welfare or which may adversely affect natural resources on federal lands.

2. Except with respect to any federally permitted release as that term is defined under Section 101(10) of CERCLA, 42 U.S.C. 9601(10), the holder shall clean up or otherwise remediate any release, threat of release, or discharge of hazardous materials that occurs either in the permit area or in connection with the holder's activities in the permit area, regardless of whether those activities are authorized under this permit. The holder shall perform cleanup or remediation immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the cleanup or remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of this permit, the holder shall deliver the site to the Forest Service free and clear of contamination.

I. CERTIFICATION UPON REVOCATION OR TERMINATION. If the holder uses or stores hazardous materials at the site, upon revocation or termination of this permit the holder shall provide the Forest Service with a report certified by a professional or professionals acceptable to the Forest Service that the permit area is uncontaminated by the presence of hazardous materials and that there has not been a release or discharge of hazardous materials upon the permit area, into surface water at or near the permit area, or into groundwater below the permit area during the term of the permit. This certification requirement may be waived by the authorized officer when the Forest Service determines that the risks posed by the hazardous material are minimal. If a release or discharge has occurred, the professional or professionals shall document and certify that the release or discharge has been fully remediated and that the permit area is in compliance with all federal, state, and local laws and regulations.

VI. LAND USE FEE AND ACCOUNTING ISSUES

A. LAND USE FEES. The holder shall pay an initial annual land use fee of \$4,631.37 for the period from 04/07/2017 to 04/08/2018, and thereafter on N/A, shall pay an annual land use fee of N/A.

B. MODIFICATION OF THE LAND USE FEE. The land use fee may be revised whenever necessary to reflect the market value of the authorized use or occupancy or when the fee system used to calculate the land use fee is modified or replaced.

C. FEE PAYMENT ISSUES.

1. **Crediting of Payments.** Payments shall be credited on the date received by the deposit facility, except that if a payment is received on a non-workday, the payment shall not be credited until the next workday.

2. **Disputed Fees.** Fees are due and payable by the due date. Disputed fees must be paid in full. Adjustments will be made if dictated by an administrative appeal decision, a court decision, or settlement terms.

3. **Late Payments**

(a) **Interest.** Pursuant to 31 U.S.C. 3717 et seq., interest shall be charged on any fee amount not paid within 30 days from the date it became due. The rate of interest assessed shall be the higher of the Prompt Payment Act rate or the

rate of the current value of funds to the Treasury (i.e., the Treasury tax and loan account rate), as prescribed and published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Interest on the principal shall accrue from the date the fee amount is due.

(b) Administrative Costs. If the account becomes delinquent, administrative costs to cover processing and handling the delinquency shall be assessed.

(c) Penalties. A penalty of 6% per annum shall be assessed on the total amount that is more than 90 days delinquent and shall accrue from the same date on which interest charges begin to accrue.

(d) Termination for Nonpayment. This permit shall terminate without the necessity of prior notice and opportunity to comply when any permit fee payment is 90 calendar days from the due date in arrears. The holder shall remain responsible for the delinquent fees.

4. Administrative Offset and Credit Reporting. Delinquent fees and other charges associated with the permit shall be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. and common law. Delinquencies are subject to any or all of the following:

(a) Administrative offset of payments due the holder from the Forest Service.

(b) If in excess of 60 days, referral to the Department of the Treasury for appropriate collection action as provided by 31 U.S.C. 3711(g)(1).

(c) Offset by the Secretary of the Treasury of any amount due the holder, as provided by 31 U.S.C. 3720 et seq.

(d) Disclosure to consumer or commercial credit reporting agencies.

VII. REVOCATION, SUSPENSION, AND TERMINATION

A. REVOCATION AND SUSPENSION. The authorized officer may revoke or suspend this permit in whole or in part:

1. For noncompliance with federal, state, or local law.
2. For noncompliance with the terms of this permit.
3. For abandonment or other failure of the holder to exercise the privileges granted.
4. With the consent of the holder.
5. For specific and compelling reasons in the public interest.

Prior to revocation or suspension, other than immediate suspension under clause VII.B, the authorized officer shall give the holder written notice of the grounds for revocation or suspension. In the case of revocation or suspension based on clause VII.A.1, 2, or 3, the authorized officer shall give the holder a reasonable time, typically not to exceed 90 days, to cure any noncompliance.

B. IMMEDIATE SUSPENSION. The authorized officer may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing. The holder may request an on-site review with the authorized officer's supervisor of the adverse conditions

prompting the suspension. The authorized officer's supervisor shall grant this request within 48 hours. Following the on-site review, the authorized officer's supervisor shall promptly affirm, modify, or cancel the suspension.

C. APPEALS AND REMEDIES. Written decisions by the authorized officer relating to administration of this permit are subject to administrative appeal pursuant to 36 CFR Part 214 as amended. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

D. TERMINATION. This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the authorized officer. Examples include but are not limited to expiration of the permit by its terms on a specified date and termination upon change of control of the business entity. Termination of this permit shall not require notice, a decision document, or any environmental analysis or other documentation. Termination of this permit is not subject to administrative appeal and shall not give rise to any claim for damages by the holder against the Forest Service.

E. RIGHTS AND RESPONSIBILITIES UPON REVOCATION OR TERMINATION WITHOUT RENEWAL. Upon revocation or termination of this permit without renewal of the authorized use, the holder shall remove all structures and improvements, except those owned by the United States, within a reasonable period prescribed by the authorized officer and shall restore the site to the satisfaction of the authorized officer. If the holder fails to remove all structures and improvements within the prescribed period, they shall become the property of the United States and may be sold, destroyed, or otherwise disposed of without any liability to the United States. However, the holder shall remain liable for all costs associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

VIII. MISCELLANEOUS PROVISIONS

A. MEMBERS OF CONGRESS. No member of or delegate to Congress or resident commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

B. CURRENT ADDRESSES. The holder and the Forest Service shall keep each other informed of current mailing addresses, including those necessary for billing and payment of land use fees.

C. SUPERSEDED PERMIT. This permit supersedes a special use permit designated *N/A*, dated *N/A*. *MAR205001*
04/13/2016

D. SUPERIOR CLAUSES. If there is a conflict between any of the preceding printed clauses and any of the following clauses, the preceding printed clauses shall control.

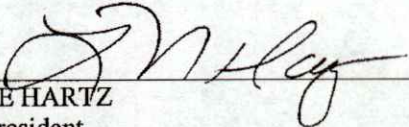
E. INVASIVE SPECIES PREVENTION AND CONTROL (R9-D1). The holder shall be responsible for the prevention and control of noxious weeds and invasive species arising from the authorized use. For the purpose of this clause, noxious weeds and invasive species include those species recognized as such by Monongahela National Forest. When determined to be necessary by the authorizing officer, the holder shall develop a plan for noxious weed and invasive species prevention and control. Such plans must have prior written approval from the authorizing official and upon approval, shall be attached to the permit as an appendix.

F. SURVEYS, LAND CORNERS (D4). The holder shall protect, in place, all public land survey monuments, private property corners, and Forest boundary markers. In the event that any such land markers or monuments are destroyed in the exercise of the privileges permitted by this authorization, depending on the type of monument destroyed, the holder shall see that they are reestablished or referenced in accordance with (1) the procedures outlined in the "Manual of Instructions for the Survey of the Public Land of the United States," (2) the specifications of the county surveyor, or (3) the specifications of the Forest Service.

Further, the holder shall cause such official survey records as are affected to be amended as provided by law. Nothing in this clause shall relieve the holder's liability for the willful destruction or modification of any Government survey marker as provided at 18 U.S.C. 1858.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

ACCEPTED:



LESLIE HARTZ
Vice President
Atlantic Coast Pipeline, LLC

4/6/17

DATE

APPROVED:



CLYDE N. THOMPSON
Forest Supervisor
Monongahela National Forest

4/7/2017

DATE

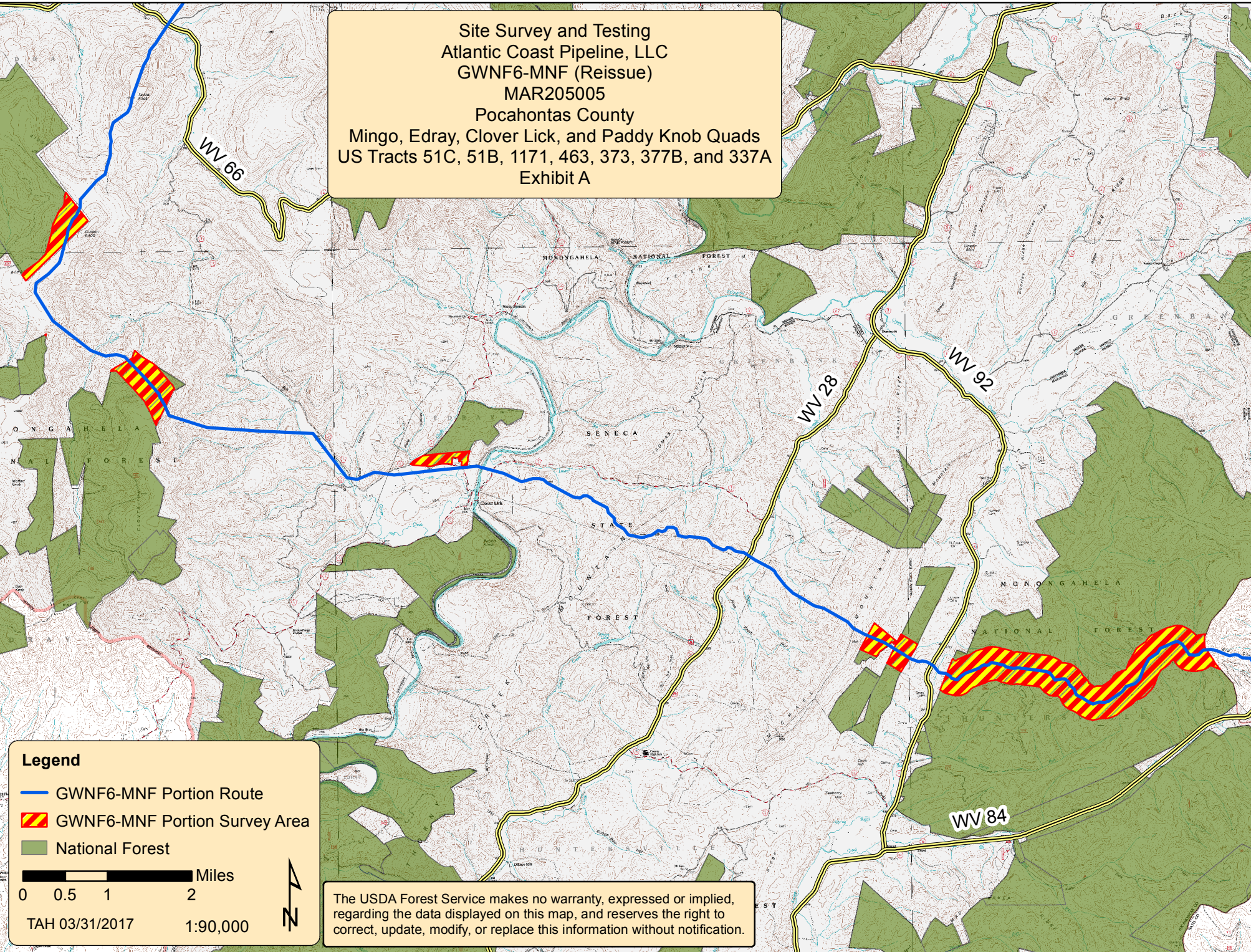
According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 975-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Site Survey and Testing
Atlantic Coast Pipeline, LLC
GWNF6-MNF (Reissue)
MAR205005
Pocahontas County
Mingo, Edray, Clover Lick, and Paddy Knob Quads
US Tracts 51C, 51B, 1171, 463, 373, 377B, and 337A
Exhibit A



Legend

- GWNF6-MNF Portion Route
- ▨ GWNF6-MNF Portion Survey Area
- National Forest

0 0.5 1 2 Miles

TAH 03/31/2017 1:90,000

The USDA Forest Service makes no warranty, expressed or implied, regarding the data displayed on this map, and reserves the right to correct, update, modify, or replace this information without notification.

Atlantic Coast Pipeline Site Survey and Testing
GWNF6-MNF (Reissued)
Special Use Permit
MAR205005
Exhibit B - Land List

QUAD	COUNTIES	TRACT	GIS_Acres
Mingo	Pocahontas	51C	98.205
Edray	Pocahontas	51C	18.945
Edray	Pocahontas	1171	0.080
Edray	Pocahontas	51B	173.198
Clover Lick	Pocahontas	463	48.851
Clover Lick	Pocahontas	373	52.541
Clover Lick	Pocahontas	377B	44.513
Paddy Knob	Pocahontas	377B	7.459
Paddy Knob	Pocahontas	377A	922.570
	TOTAL	Acres	1366.362



April 12, 2017

BY OVERNIGHT (OR EXPRESS) MAIL

Troy Morris
George Washington National Forest
5162 Valleypointe Parkway
Roanoke, Virginia 24019

**Re: Dominion Transmission, Inc., Atlantic Coast Pipeline
Submittal of Addendum 1 to 2016 Baseline Benthic Macroinvertebrate Survey Report-April
2017**

Dear Mr. Morris,

The George Washington National Forest (GWNF) has requested a baseline benthic macroinvertebrate survey and a subsequent survey after pipeline construction in order to determine if the benthic community would be impacted by habitat modifications (e.g., sedimentation) or water quality influences. CEC developed a Study Plan for this project according to the field sampling procedures stated in the Rapid Bioassessment Protocol (RBP) Overview (specific for the George Washington and Jefferson National Forest) provided by the U.S. Forest Service (USFS). Additional details regarding the field sampling procedures (particularly under potential low-flow conditions) were discussed between Ms. Dawn Kirk (USFS) and Mr. Michael Davison (CEC biologist) during a May 3, 2016 telephone conversation.

In 2016 Atlantic completed sampling at five of the six crossings during the survey window of March 15 to May 30. ACP's Laurel Run crossing, identified as Crossing #5, was not sampled during this window due to land access restrictions. Therefore, the Laurel Run crossing was sampled on March 22, 2017 following field sampling procedures described in the 2016 Study Plan and guidance provided by USFS dated September 1, 2016. Atlantic is submitting the attached addendum to the 2016 Survey Report containing survey results for the Laurel Run crossing in the GWNF.

Project and Company Background

Atlantic Coast Pipeline, LLC (Atlantic) is a company formed by four major U.S. energy companies – Dominion, Duke Energy, Piedmont Natural Gas, and Southern Company Gas. The company was created to develop, own, and operate the proposed Atlantic Coast Pipeline (ACP), an approximately 600-mile-long, interstate natural gas transmission pipeline system designed to meet growing energy needs in Virginia and North Carolina. For more information about the ACP, visit the company's website at www.dom.com/acpipeline. Atlantic has contracted with Dominion Transmission, Inc. (DTI), a subsidiary of Dominion, to permit, build, and operate the ACP on behalf of Atlantic.

Atlantic looks forward to continuing to coordinate with you on this project. Please contact Richard B. Gangle at (804) 273-2814 or Richard.B.Gangle@dom.com, if there are questions regarding the project. Please direct written responses to:

Mr. Morris
April 12, 2017
Page 2 of 2

Richard B. Gangle
Dominion Resources Services, Inc.
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Sincerely,

A handwritten signature in blue ink that reads "Robert M. Bisha". The signature is written in a cursive style with a large initial 'R'.

Robert M. Bisha
Technical Advisor Atlantic Coast Pipeline

cc: Dawn Kirk, Biologist, George Washington National Forest
Jennifer Adams, George Washington National Forest
Richard B. Gangle, Dominion

Attachments: Baseline Benthic Macroinvertebrate Survey Report Addendum

State/Commonwealth Agencies

West Virginia Agencies

West Virginia Division of Natural Resources

Dominion Resources Services, Inc.
5000 Dominion Boulevard,
Glen Allen, VA 23060



April 12, 2017

BY EMAIL

Cliff Brown & Rich Bailey
West Virginia Division of Natural Resources
PO Box 67
Elkins, WV 26241

**Re: Dominion Transmission, Inc., Atlantic Coast Pipeline
West Virginia Rookeries**

Dear Mr. Brown and Mr. Bailey,

Pedestrian surveys were conducted on February, 7, 8, and 9, 2017 along the Project area in West Virginia, Virginia, and North Carolina to investigate bird activity at rookeries identified either during prior aerial survey, or from available databases. These pedestrian surveys were completed to evaluate the overall site conditions of the rookeries. In West Virginia, one rookery was identified as overlapping with construction workspace. This rookery (ROOK-01) buffer overlaps with construction workspace in Lewis County, West Virginia. Attached is a memo containing proposed conservation measures for ROOK-01 and a figure displaying rookery location and time of year restriction buffers. This information was included in the Migratory Bird Plan filed with FERC on January 27, 2017.

Project and Company Background

Atlantic is a company formed by four major U.S. energy companies – Dominion Resources, Inc., Duke Energy Corporation, Piedmont Natural Gas Co., Inc., and Southern Gas Company. Atlantic will own and operate the proposed ACP, an approximately 600-mile-long, interstate natural gas transmission pipeline system designed to meet growing energy needs in Virginia and North Carolina. The ACP will deliver up to 1.5 billion cubic feet per day (bcf/d) of natural gas to be used to generate electricity, heat homes, and run local businesses. The underground pipeline project will facilitate cleaner air, increase reliability and security of natural gas supplies, and provide a significant economic boost in Virginia and North Carolina.

Atlantic has contracted with DTI, a subsidiary of Dominion, to permit, build, and operate the ACP on behalf of Atlantic. The ACP will be regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. The ACP is subject to review by FERC under the National Environmental Policy Act and Section 106 of the National Historic Preservation Act, as well as other environmental and natural resource laws.

Atlantic requests your concurrence on the proposed conservation measures for rookeries in West Virginia. Please contact Mr. Richard B. Gangle at (804) 273-2814 or

Richard.B.Gangle@dom.com, if there are questions regarding this information. Please direct written responses to:

Richard B. Gangle
Dominion Resources Services, Inc.
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Sincerely,



Robert M. Bisha
Technical Advisor, Atlantic Coast Pipeline

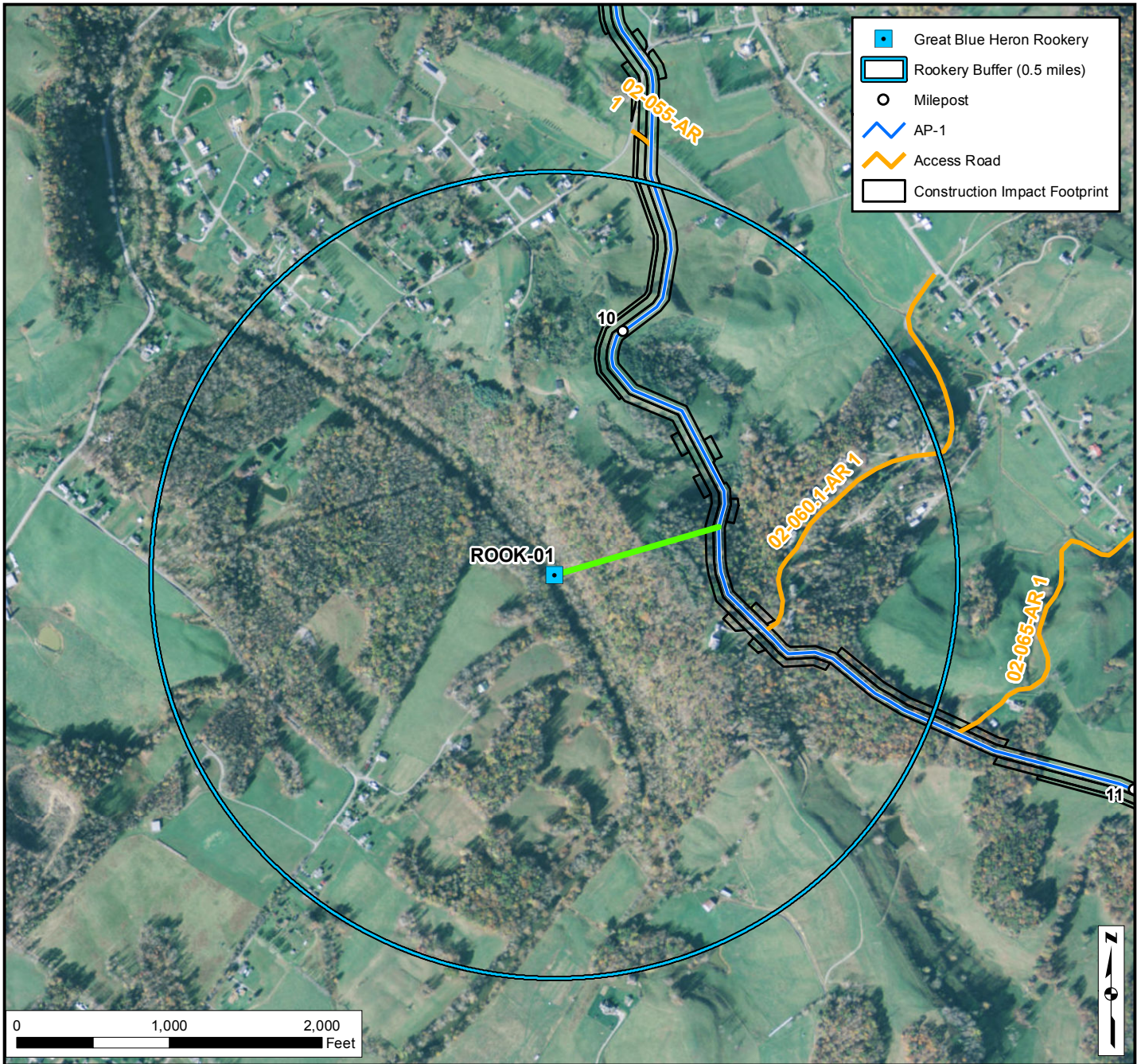
Cc: Liz Stout, U.S Fish and Wildlife Service West Virginia Ecological Field Office

Attachments:

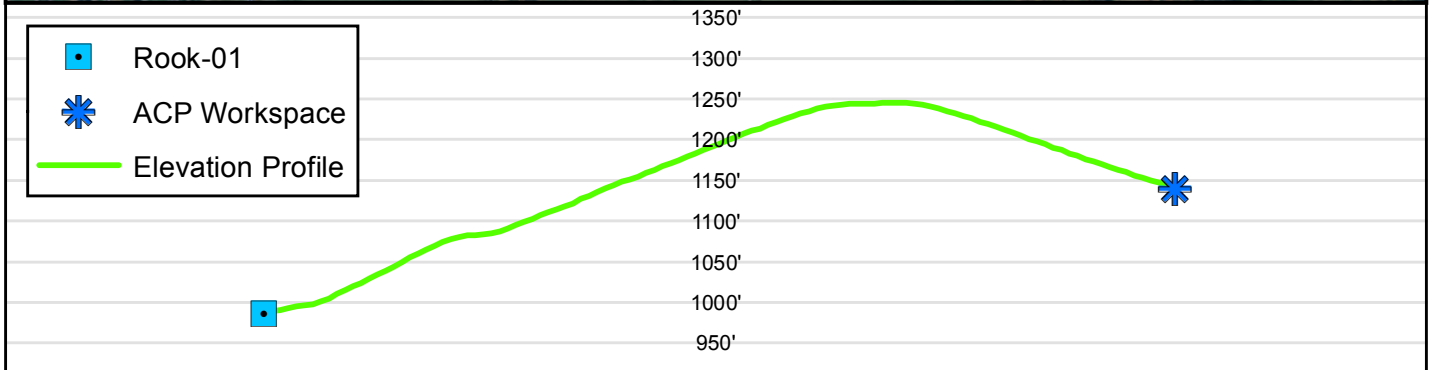
ACP West Virginia Rookery Review Memo

Colonial Wading Bird Rookeries
Atlantic Coast Pipeline Project, West Virginia

Rookery ID	County, State	Project Segment, near MP	Survey Notes ^a	Proposed Conservation Measures
ROOK-01	Lewis County, WV	AP-1, 10.3	<p>Approximately 20 nests observed, but not active at time of visit [may have been too early for bird activity; rookery was actively used by great blue herons when surveyed by air on March 3, 2016]. Rookery overhangs West Fork River.</p> <p>Updated location point collected.</p>	<p>The rookery is on the other side of an approximately 100 foot tall, heavily vegetated ridge. The rookery is about 0.2 mile from the workspace, so noise may travel to the rookery, however, there are other human related noises including roads and houses surrounding the rookery. Construction activities are not likely visible from the rookery.</p> <p>Atlantic and DTI will minimize the number of personnel and vehicle traffic within the buffer to that required to construct this portion of the pipeline safely and as quickly as possible within the recommended buffer. Once construction is complete, vehicle travel will be restricted in the buffer during the recommended no activity window (no activity from Apr. 1 through Aug. 15, when rookery is actively used); signs will be placed on the right-of-way to indicate that vehicles cannot use the right-of-way as a travel corridor if the rookery is actively being used.</p>
<p>^a ERM biologists conducted pedestrian surveys on February 7, 8, and 9, 2017 at rookeries along the project in West Virginia, Virginia, and North Carolina to investigate bird activity at rookeries identified either during aerial survey or from available databases, to evaluate the overall site conditions at the rookery.</p>				



- Great Blue Heron Rookery
- Rookery Buffer (0.5 miles)
- Milepost
- AP-1
- Access Road
- Construction Impact Footprint



- Rook-01
- ✱ ACP Workspace
- Elevation Profile

Virginia Agencies

Virginia Department of Conservation and Recreation

ATLANTIC COAST PIPELINE

PROJECT MEETING MINUTES



MEETING WITH (COMPANY/AGENCY):

Virginia Department of Conservation and Recreation (DCR)

DATE:

January 19, 2017

LOCATION:

Handsom Gum and Emporia Conservation Sites - Hydrology Study Plan Teleconference

ATTENDEES AND THEIR AFFILIATION:

Jason Bulluck (DCR)
Erik Carlson (ERM)
Kris Dramby (VHB)
René Hypes (DCR)
Ryan Klopf (DCR)
Chris Ludwig (DCR)
Meddie Perry (VHB)
Sara Thronson (ERM)
Johnny Townsend (DCR)
Spencer Trichell (Dominion)

PREPARED BY:

Erik Carlson and Sara Thronson - ERM

MEETING MINUTES:

At the onset of the meeting, Mr. Trichell discussed a recent route adjustment near the Emporia Powerline Bog. The proposed right-of-way has been adjusted in order to avoid ground disturbance that would impact the plants of concern directly. The route has shifted to the north of the gravel parking area. It was agreed that there is still potential for the plants to be impacted by hydrologic changes to groundwater flow due to the pipeline. The purpose of the hydrologic study requested by the DCR is to understand the groundwater flow and investigate this potential effect. It was agreed that there would be no change to the scope of hydrologic study resulting from the route variation.

The DCR expressed concern that plants may be damaged by ground disturbance during well/piezometer installation. DCR staff offered to have a botanist on site during soil auguring and installation of wells, however, Dominion agreed to have botanists present on site and to use detailed GPS coordinates of the plants to avoid potentially damaging plants during well installation. The group discussed that the work would avoid existing plant communities in the adjacent proposed right-of-way therefore, the risk of damage to plants would be minimized or avoided.

Dominion agreed to use Benseal® in combination with native material in the event a clay lens is discovered in the soil horizon during the auguring of the initial test pits. This would address the DCR's concern about hydraulic alteration due to the hand auger.

Dominion agreed to use available desktop sources, including topography, aerial photos, and National Wetlands Inventory data, to understand the extent of wetlands in the area surrounding the bogs to inform the water budget. In light of lack of access permission to adjacent lands to perform field delineations, the DCR agreed to this approach and requested data sources be clearly identified in the report as either desktop sources or field data. Watersheds shape and extent would also be defined using a desktop analysis.

Dominion confirmed that it would use the same type of well/piezometer at all monitoring points for consistency. Mr. Perry also explained that there would be an aboveground data logger and a below ground sensor and that calibration would be done using measuring water levels manually using a hand held probe and comparing those readings to the well/piezometer readings. This approach satisfied DCR.

Dominion agreed to increase the duration of monitoring at each of the bogs dependent on the proposed construction schedule. Dominion will review the position of the wells at each bog site, if the wells would be disturbed by construction, when construction would begin, and when a decision would need to be made on potential groundwater mitigation in light of possible mitigation options.

Dominion agreed to place monitoring wells at different depths if a clay lens is encountered during test pit augering. This approach would include a well below the lens and a well above the lens. This satisfied DCR's concern about accurately measuring water levels.

Dominion clarified that the depth of the monitoring wells was proposed because it matched the depth of the pipeline and trench, thereby providing the most clarity as to the behavior of groundwater in relation to the project. Dominion expressed that it believes three monitoring wells per site are sufficient for this study, however paired wells may be used depending on field and soil conditions. These details satisfied DCR's concerns and questions.

DCR clarified its concerns about the behavior of clay cracking and swelling and the resulting impact on water levels. Dominion understood the concern and agrees that these dynamics may affect water levels; however, the accuracy of the water level readings will not be affected. The wells/piezometers will capture these phenomena as they occur.

The teleconference meeting ended with a recitation of action items to be completed by Dominion including:

1. A shapefile to the DCR of the new route (Rev 11b)
2. Meeting notes (this document)
3. A revised monitoring period as described above for each site, and
4. A response to the December 1, 2016 DCR comment letter.

Virginia Department of Game and Inland Fisheries



April 3, 2017

BY OVERNIGHT (OR EXPRESS) MAIL

Amy Ewing
Virginia Department of Game and Inland Fisheries
Environmental Services Section
4010 W. Broad Street
Richmond, VA 23230

**Re: Request for Concurrence and Comments
Dominion Transmission, Inc., Atlantic Coast Pipeline**

Dear Ms. Ewing:

Atlantic Coast Pipeline, LLC (Atlantic) is a company formed by four major U.S. energy companies – Dominion, Duke Energy, Piedmont Natural Gas, and Southern Company Gas. The company was created to develop, own, and operate the proposed Atlantic Coast Pipeline (ACP), an approximately 600-mile-long, interstate natural gas transmission pipeline system designed to meet growing energy needs in Virginia and North Carolina. For more information about the ACP, visit the company's website at www.dom.com/acpipeline. Atlantic has contracted with Dominion Transmission, Inc. (DTI), a subsidiary of Dominion, to permit, build, and operate the ACP on behalf of Atlantic.

The ACP will be regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. The ACP is subject to review by FERC under the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA), as well as other environmental and natural resource laws. Atlantic is currently conducting field routing, environmental, cultural resources, and civil surveys along the planned pipeline route to collect information needed by FERC and other regulatory agencies to review and permit the ACP.

The Virginia Endangered Species Act (29.1-563 - 29.1-570) provides that Virginia Department of Game and Inland Fisheries (VDGIF) is the state regulatory authority over federally or state listed endangered or threatened fish and wildlife in the Commonwealth.

Atlantic has previously consulted with Virginia Department of Game and Inland Fisheries (VDGIF) regarding potential impacts on VDGIF-managed lands and sensitive species. The purpose of this letter is to request concurrence and comments from VDGIF regarding, sensitive resources and wildlife

under the jurisdiction of VDGIF that occur in the Bath County Reservoir and Augusta Quarry. Atlantic is conducting an initial review to determine if these locations would be suitable alternative sources for water withdrawals for the Project. This water could be used for activities such as hydrostatic testing and dust suppression during the construction of the ACP. Both locations are shown on the attached figure. The Bath County Reservoir is 17,579 feet southwest of the ACP workspace. The Augusta Quarry is 1,044 feet northeast of the closet ACP workspace.

We have reviewed the natural heritage resources data available for the Bath County Reservoir (near ACP MP 091) and the Augusta Quarry (near ACP MP 140) to identify any occurrences of sensitive aquatic species. There are no occurrences of sensitive resources in or immediately surrounding the Bath County Reservoir or Augusta Quarry.

Atlantic requests your review and comment regarding species concerns for these potential water sources. Your response to Atlantic's requests will ensure that the best available information is used in the environmental evaluation.

We would appreciate your comments and look forward to continuing to work with you on the ACP. Please contact Richard B. Gangle at (804) 273-2814 or Richard.B.Gangle@dom.com if there are questions or concerns. Please direct written responses to:

Richard B. Gangle
Dominion Resources Services, Inc.
5000 Dominion Boulevard
Glen Allen, Virginia 23060

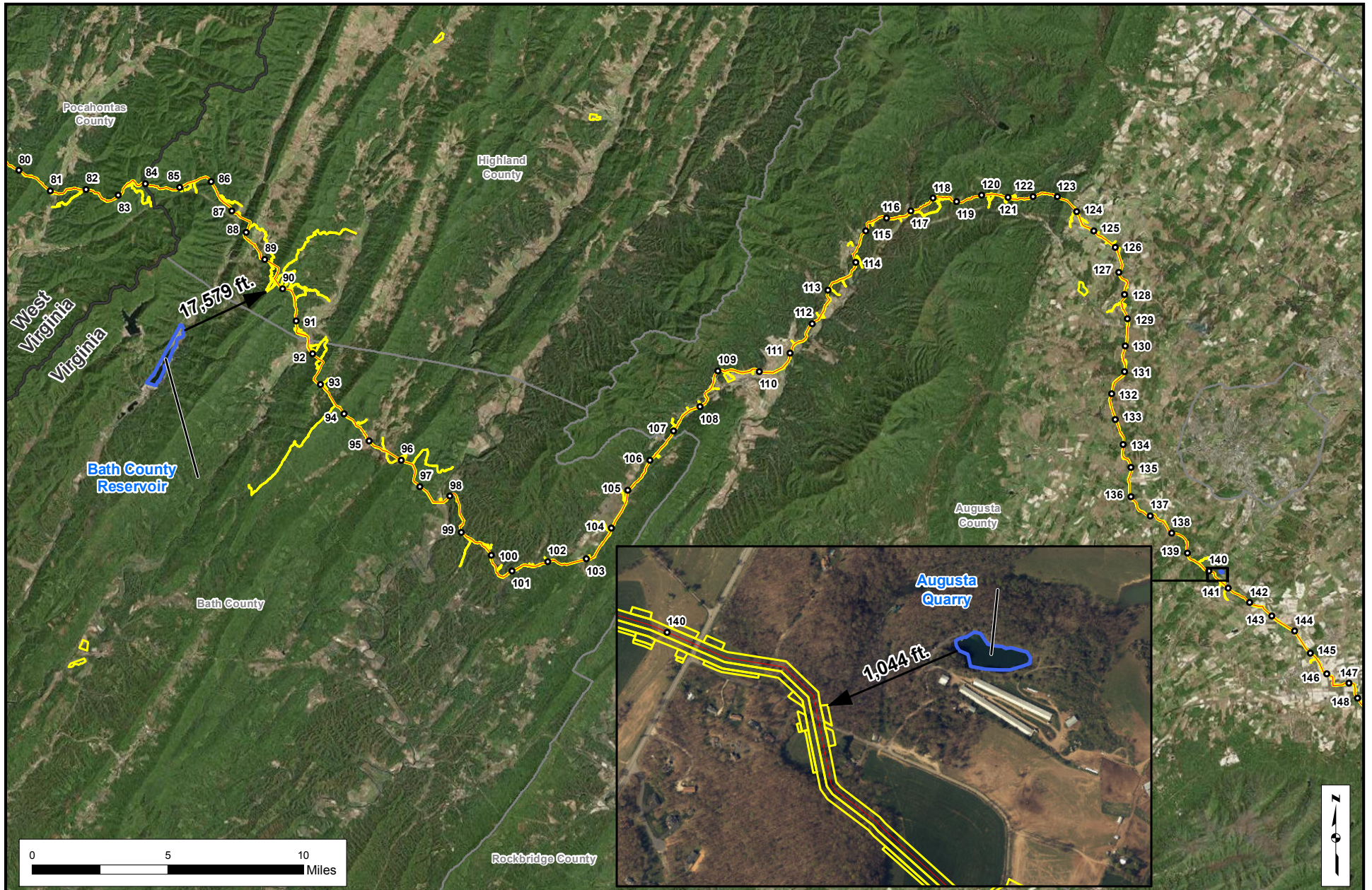
Sincerely,



Robert M. Bisha
Technical Advisor, Atlantic Coast Pipeline

cc: Richard B. Gangle, Dominion

Attachments: Figure – Bath County Reservoir and Augusta Quarry



Atlantic Coast PipelineSM

- ▭ Potential Water Source
- Milepost
- ACP Mainline
- ▭ Workspace

Atlantic Coast Pipeline Bath County Reservoir and Augusta Quarry



Dominion Resources Services, Inc.
5000 Dominion Boulevard,
Glen Allen, VA 23060



April 12, 2017

BY EMAIL

Amy Ewing
VA Department of Game and Inland Fisheries
7870 Villa Park Dr., Suite 400
PO Box 90778
Henrico, VA 23228

**Re: Dominion Transmission, Inc., Atlantic Coast Pipeline
Virginia Rookeries**

Dear Ms. Ewing,

Pedestrian surveys were conducted on February, 7, 8, and 9, 2017 along the Project area in West Virginia, Virginia, and North Carolina to investigate bird activity at rookeries identified either during prior aerial survey, or from available databases. These pedestrian surveys were completed to evaluate the overall site conditions of the rookeries. In Virginia, the buffers of four rookeries were identified as overlapping with construction workspace. Attached is a memo containing proposed conservation measures for the four rookeries of concern, and figures displaying rookery locations and time of year restriction buffers. This information was included in the Migratory Bird Plan filed with FERC on January 27, 2017.

Project and Company Background

Atlantic is a company formed by four major U.S. energy companies – Dominion Resources, Inc., Duke Energy Corporation, Piedmont Natural Gas Co., Inc., and Southern Gas Company. Atlantic will own and operate the proposed ACP, an approximately 600-mile-long, interstate natural gas transmission pipeline system designed to meet growing energy needs in Virginia and North Carolina. The ACP will deliver up to 1.5 billion cubic feet per day (bcf/d) of natural gas to be used to generate electricity, heat homes, and run local businesses. The underground pipeline project will facilitate cleaner air, increase reliability and security of natural gas supplies, and provide a significant economic boost in Virginia and North Carolina.

Atlantic has contracted with DTI, a subsidiary of Dominion, to permit, build, and operate the ACP on behalf of Atlantic. The ACP will be regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. The ACP is subject to review by FERC under the National Environmental Policy Act and Section 106 of the National Historic Preservation Act, as well as other environmental and natural resource laws.

Amy Ewing
April 12, 2017
Page 2 of 2

Atlantic requests your concurrence on the proposed conservation measures for rookeries in Virginia. Please contact Mr. Richard B. Gangle at (804) 273-2814 or Richard.B.Gangle@dom.com, if there are questions regarding this information. Please direct written responses to:

Richard B. Gangle
Dominion Resources Services, Inc.
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Sincerely,



Robert M. Bisha
Technical Advisor, Atlantic Coast Pipeline

Cc: Sumalee Hoskin, U.S. Fish and Wildlife Service Virginia Field Office
Sarah Nystrom, U.S. Fish and Wildlife Service Virginia Field Office

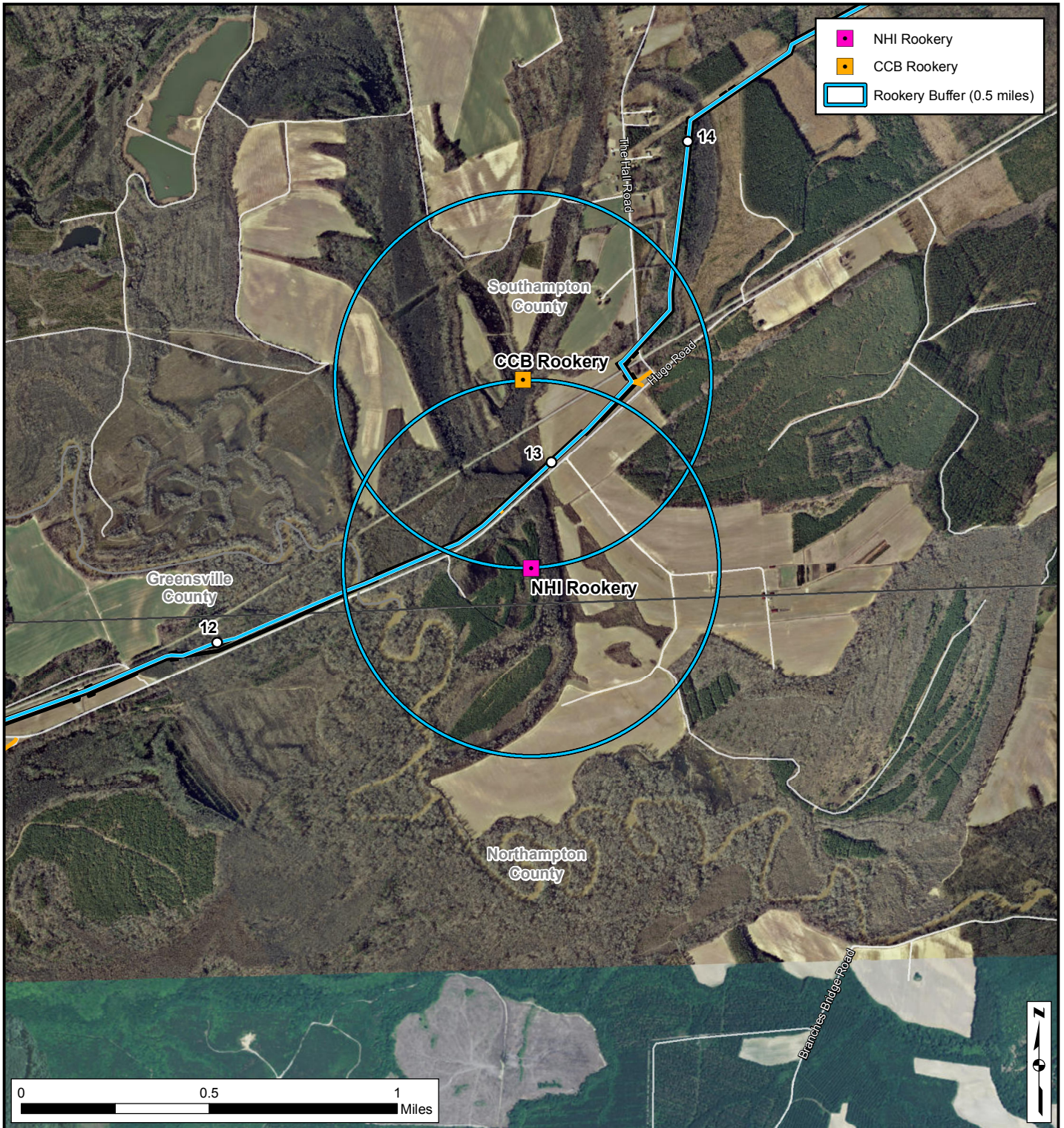
Attachments:

ACP Virginia Rookery Review Memo

Colonial Wading Bird Rookeries
Atlantic Coast Pipeline Project, Virginia

Rookery ID	County, State	Project Segment, near MP	Survey Notes ^a	Proposed Conservation Measures
ROOK- ACT-02	City of Suffolk, VA	AP-3, 64.6	Several nests and whitewash observed, but not active at time of visit. Updated location point collected.	Portion of HDD workspace and access road on east side of Nansemond River falls within recommended buffer. Due to distance of rookery to workspace edge (0.45 mile), request relief from extent of time of year restriction. Drilling is necessary to avoid impacts on other biological resources potentially found in the Nansemond River, and plans are in place to shift the HDD exit point outside of the buffer.
^a ERM biologists conducted pedestrian surveys on February 7, 8, and 9, 2017 at rookeries along the project in West Virginia, Virginia, and North Carolina to investigate bird activity at rookeries identified either during aerial survey or from available databases, to evaluate the overall site conditions at the rookery.				

Proposed Measures in Migratory Bird Plan, For agency concurrence				
Rookery ID	County, State	Project Segment, near MP	Site Description	
NHI Rookery	Southampton County, VA	AP-3, 12.8	Public road is between right-of-way and rookery (0.15 mile from rookery), within 0.5 mile restriction area. Surrounding vegetation is a managed, planted area. Due to other human activities between right-of-way and rookery, no restrictions on activities are recommended. The rookery was not identified as active during 2016 surveys, therefore, may no longer be actively used.	
CCB Rookery	Southampton County, VA	AP-3, 13.1	Railroad is between right-of-way and rookery (0.11 mile from rookery), within 0.5 mile restriction area. Due to other human activities between right-of-way and rookery, no restrictions on activities are recommended. The rookery was not identified as active during 2016 surveys, therefore, may no longer be actively used.	
CCB Rookery	Southampton County, VA	AP-3, 38.5	The rookery is located between the HDD entry and exit points. The nearest project HDD workspace is 0.15 mile from the rookery location. Rookery was not identified as active during 2016 surveys, may no longer be active. Recommend no restrictions due to lack of activity in 2016 surveys.	



Bird Resource	Restriction Distance	Time of Year Restriction (no activity)*
Rookeries	0.5 mile	VA: Apr. 1 - Aug. 15
Non-raptor migratory birds	Vegetation clearing	VA: Mar. 15 - Aug. 30

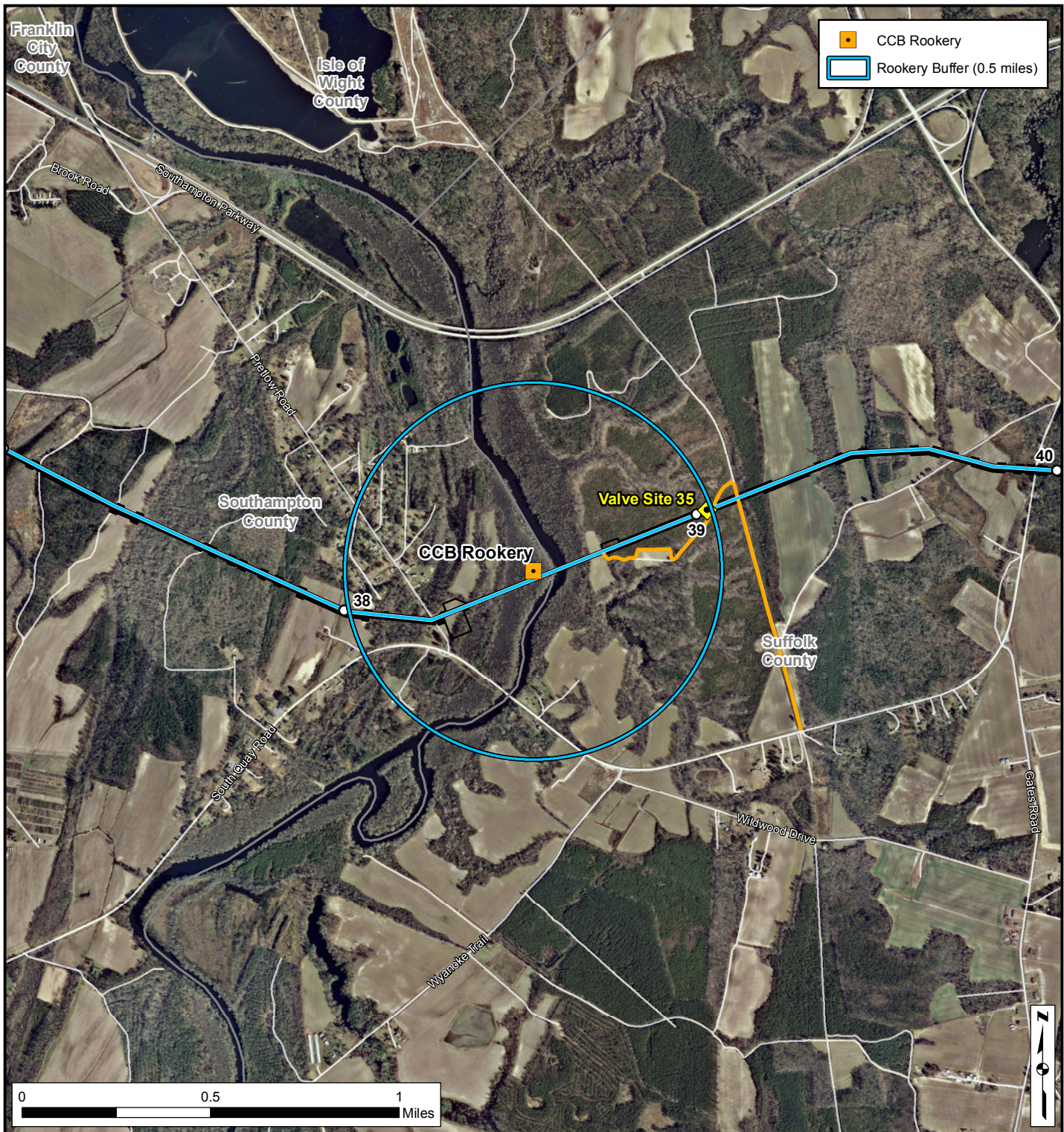
- Milepost
- AP-3
- Access Road
- Construction Impact Footprint

Atlantic Coast Pipeline Project









Known Migratory Bird Nesting Sites

Southampton County, Virginia

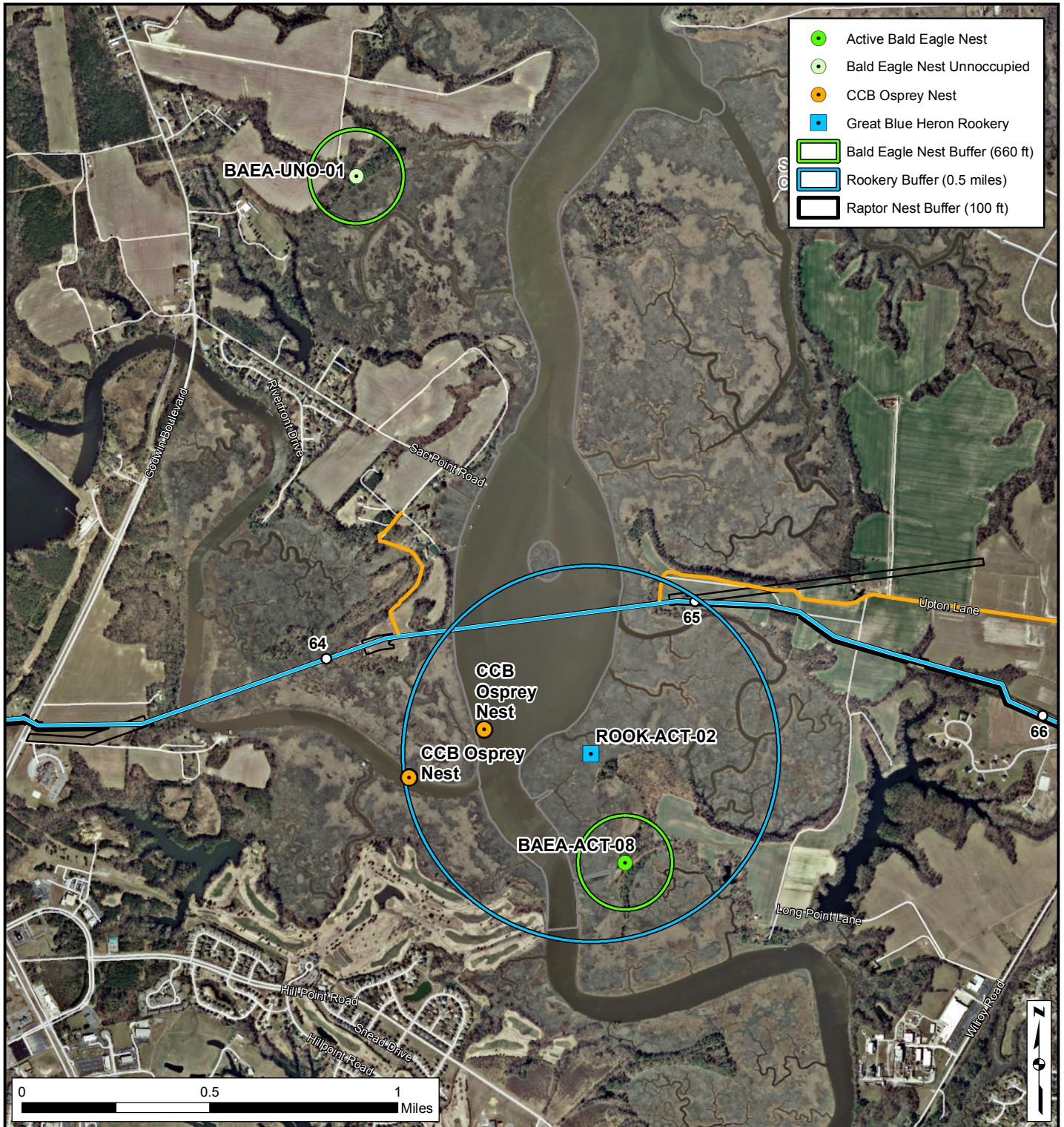
* Times are approximate, and dependent on actual bird activity at nest or rookery.



Bird Resource	Restriction Distance	Time of Year Restriction (no activity)*
Rookeries	0.5 mile	VA: Apr. 1 - Aug. 15
Non-raptor migratory birds	Vegetation clearing	VA: Mar. 15 - Aug. 30

 	<ul style="list-style-type: none">  Milepost  AP-3  Valve Site  Access Road  Construction Impact Footprint 	<h3>Atlantic Coast Pipeline Project</h3> <h3>Known Migratory Bird Nesting Sites</h3> <h3>Southampton County, Virginia</h3>	
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* Times are approximate, and dependent on actual bird activity at nest or rookery.



- Active Bald Eagle Nest
- Bald Eagle Nest Unoccupied
- CCB Osprey Nest
- Great Blue Heron Rookery
- Bald Eagle Nest Buffer (660 ft)
- Rookery Buffer (0.5 miles)
- Raptor Nest Buffer (100 ft)

Bird Resource	Restriction Distance	Time of Year Restriction (no activity)*
Bald Eagle Nests	660 feet	Nov. 15 - July 15
Rookeries	0.5 mile	VA: Apr. 1 - Aug. 15
Non-eagle raptor nests	100 feet	Species Dependent; can start as early as January and go through August
Non-raptor migratory birds	Vegetation clearing	VA: Mar. 15 - Aug. 30

- Milepost
- AP-3
- Access Road
- Construction Impact Footprint

Atlantic Coast Pipeline Project

Known Migratory Bird Nesting Sites

City of Suffolk, Virginia

* Times are approximate, and dependent on actual bird activity at nest or rookery.

Virginia Department of Historic Resources



COMMONWEALTH of VIRGINIA

Molly Joseph Ward
Secretary of Natural Resources

Department of Historic Resources
2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

April 6, 2017

Mr. Richard B. Gangle
Dominion Resources Services, Inc.
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Re: *Phase I Historic Architectural Survey of the Atlantic Coast Pipeline Project, Virginia Addendum 4 Report* (January 2017)
DHR File No. 2014-0710

Dear Mr. Gangle:

The Department of Historic Resources (DHR) has received the report referenced above and accompanying architectural survey forms for our review and comment. Environmental Resources Management (ERM) prepared the subject addendum document to address those properties within the Virginia section of the proposed Atlantic Coast Pipeline where access was previously denied to the consultants, and for planned access roads and facilities which were not surveyed earlier.

The consultant identified 65 properties fifty years old or older within the pipeline corridor's Area of Potential Effects (APE). Of these, 51 are newly recorded properties associated with segments of the undertaking that had not been previously surveyed due to access restrictions or are associated with proposed access roads and project facilities. Additionally, the consultants resurveyed 14 previously documented properties within the project's APE. ERM recommends that 51 properties addressed in this report are not eligible for listing in the National Register of Historic Places (NRHP), 13 are potentially eligible for the NRHP, and one (1), the Sunray Agricultural Historic District (DHR ID #131-5325) is already listed in the NRHP under Criteria A and C.

The DHR concurs with ERM that the following properties are *not eligible* for listing in the NRHP: DHR ID #s **007-0467, 007-5703 through 007-5727 (inclusive), 007-5729 through 007-5740 (inclusive), 008-5008, 008-5064, 008-5065, 008-5067, 014-5085, 014-5086, 026-5256, 026-5257, 045-5088, 062-5223, 087-5669, 133-5580, and 133-5581.**

The DHR concurs with ERM that the following properties are *potentially eligible* for listing in the NRHP: DHR ID #s **007-0447** (Criterion C), **007-0463** (Criterion C), **007-0476** (Criteria A and B), **007-0487** (Criterion C), **007-0863** (Criterion A, African-American history), **008-0011** (Criteria A and C), **008-0126** (Criterion C), **062-5160** (Criteria A and C), and **133-0101** (Criterion C).

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Northern Region Office
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Stephens City, VA 22655
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Eastern Region Office
2801 Kensington Avenue
Richmond, VA 23221
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The DHR also agrees that the Sunray Agricultural Historic District (DHR ID #131-5325) should remain *listed* in the NRHP for its significance in agriculture, community planning, ethnic heritage, and development (Criterion A); and its designed landscape (Criterion C). It should be noted, however, that Table 1, page 41, erroneously locates this resource in “Chesapeake County”, as there is no such locale in Virginia. The Sunray Agricultural Historic District is in the City of Chesapeake. Please ensure that this is corrected in the revised report. Additionally, although mentioned in the report’s introduction, and summary and recommendation sections, that one property is listed in the NRHP, it is not specified which one. Please include the property name in these sections in the revised report.

DHR does not concur with the potentially eligible recommendations for the following four (4) properties:

- **007-0490:** ERM recommends this Queen Anne cottage as eligible for listing in the NRHP under Criterion A as “a reminder of [Deerfield Village’s] earlier twentieth-century development and history”. However, the property is heavily altered by modifications to the porch, addition of a carport, replacement materials throughout, and additions to the rear. The consultant admits in the survey form and report that “the resource has lost considerable integrity of materials, design, and workmanship”, and that the house has been moved “a short distance” so that it “no longer retains its original setting as part of the Augusta Wood Products employee housing.” With all of these disadvantages, DHR believes that a better representative for the history of Deerfield is Hoy’s Store and Post Office (007-0476).
- **007-5728:** This c.1900 I-House is recommended eligible under Criterion C for its architectural merit; however, DHR believes this is a ubiquitous house type and better examples exist elsewhere.
- **008-5066:** ERM recommends this c.1940 bungalow eligible for the NRHP under Criterion C; however, as with 007-5728 above, this architectural style is very common and Virginia has much better examples with higher degrees of historic integrity than 008-5066.
- **133-5443:** This c.1949 Cape Cod house is recommended by ERM as eligible under Criterion C. DHR believes, as with 007-5728 and 008-5066, this house is of an ordinary type, and the style is better represented in Virginia. This specific property also suffers from a number of changes that diminishes its historic integrity.

While reviewing the report and accompanying Virginia Cultural Resource Inventory System (VCRIS) forms, we noticed several inconsistencies that should be corrected. These are summarized below.

- 007-0490: The date of construction in Table 1 and in the report narrative is given as c.1915, but the VCRIS form lists it as c.1917.
- 007-5708: The date of construction in Table 1 and in the report narrative is given as c.1960-1970s, but the VCRIS form lists it as c.1965.
- 007-5722: This property is described in Table 1 and in the report narrative as a barn, but the VCRIS form has it as “House”. The associated photographs show a barn.
- 007-5730: The date of construction in Table 1 and in the report narrative is given as c.1950s, but the VCRIS form lists it as 1956.
- 007-5734: The date of construction in Table 1 and in the report narrative is given as c.mid-20th century, but the VCRIS form lists it as c.1929.

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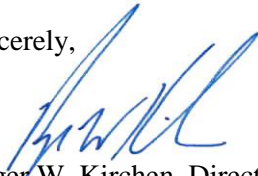
Northern Region Office
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Fax: (540) 868-7033

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Fax: (804) 367-2391

- 007-5736: The date of construction in Table 1 and in the report narrative is given as c.1930-1940, but the VCRIS form lists it as c.1932.
- 007-5737: The date of construction in Table 1 and in the report narrative is given as c.1930, but the VCRIS form lists it as c.1932.
- 008-0011: The date of construction in Table 1 and in the report narrative is given as 1797, but the VCRIS form lists it as c.1798.
- 008-5065: This property is described in Table 1 and in the report narrative as a front-gabled barn with a c.1950 construction date, but the VCRIS form has it as “House” with a date of construction as c.2010.
- 087-5669: The date of construction in Table 1 and in the report narrative is given as c.1960-1990, but the VCRIS form lists it as c.1960.
- 133-0101: The date of construction in Table 1 and in the report narrative is given as 1865, but the VCRIS form lists it as c.1826. The house’s appearance and description as being in the “Federal/Adamesque” style favors the earlier construction date.

Please revise the Addendum 4 architectural survey report to reflect the necessary changes discussed above, as well as to incorporate the other comments made by DHR regarding our NRHP eligibility recommendations. Two bound archival copies and one copy on CD of the revised final Addendum 4 report should then be provided to DHR for our records. The master list of historic properties should be updated to incorporate these recommendations. If you have any questions about these comments, please do not hesitate to contact me at roger.kirchen@dhr.virginia.gov.

Sincerely,



Roger W. Kirchen, Director
Review and Compliance Division

c. ERM

North Carolina Agencies

North Carolina Wildlife Resources Commission

Dominion Resources Services, Inc.
5000 Dominion Boulevard,
Glen Allen, VA 23060



April 12, 2017

BY EMAIL

Gabriela Garrison
NC Wildlife Resources Commission
Sandhills Depot, P.O. Box 149
Hoffman, NC 28347

**Re: Dominion Transmission, Inc., Atlantic Coast Pipeline
North Carolina Rookeries**

Dear Ms. Garrison,

Pedestrian surveys were conducted on February, 7, 8, and 9, 2017 along the Project area in West Virginia, Virginia, and North Carolina to investigate bird activity at rookeries identified either during prior aerial survey, or from available databases. These pedestrian surveys were completed to evaluate the overall site conditions of the rookeries. In North Carolina, the buffers of ten rookeries were identified as overlapping with construction workspace. Attached is a memo containing proposed conservation measures for the ten rookeries of concern, and figures displaying rookery locations and time of year restriction buffers. This information was included in the Migratory Bird Plan filed with FERC on January 27, 2017.

Project and Company Background

Atlantic is a company formed by four major U.S. energy companies – Dominion Resources, Inc., Duke Energy Corporation, Piedmont Natural Gas Co., Inc., and Southern Gas Company. Atlantic will own and operate the proposed ACP, an approximately 600-mile-long, interstate natural gas transmission pipeline system designed to meet growing energy needs in Virginia and North Carolina. The ACP will deliver up to 1.5 billion cubic feet per day (bcf/d) of natural gas to be used to generate electricity, heat homes, and run local businesses. The underground pipeline project will facilitate cleaner air, increase reliability and security of natural gas supplies, and provide a significant economic boost in Virginia and North Carolina.

Atlantic has contracted with DTI, a subsidiary of Dominion, to permit, build, and operate the ACP on behalf of Atlantic. The ACP will be regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. The ACP is subject to review by FERC under the National Environmental Policy Act and Section 106 of the National Historic Preservation Act, as well as other environmental and natural resource laws.

Atlantic requests your concurrence on the proposed conservation measures for rookeries in North Carolina. Please contact Mr. Richard B. Gangle at (804) 273-2814 or

Gabriela Garrison
April 12, 2017
Page 2 of 2

Richard.B.Gangle@dom.com, if there are questions regarding this information. Please direct written responses to:

Richard B. Gangle
Dominion Resources Services, Inc.
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Sincerely,



Robert M. Bisha
Technical Advisor, Atlantic Coast Pipeline

Cc: John Ellis, U.S Fish and Wildlife Service Raleigh Field Office

Attachments:

ACP North Carolina Rookery Review Memo

Colonial Wading Bird Rookeries
Atlantic Coast Pipeline Project, North Carolina

Rookery ID	County, State	Project Segment, near MP	Survey Notes ^a	Proposed Conservation Measures
WBC 01	Halifax County, NC	AP-2, 31.8	Rookery was not directly accessible; however, rookery was observed from I-95 in general location as originally indicated. Rookery was active at time of visit, Feb. 7, 2017, with multiple birds seen.	Vegetation clearing restriction area overlaps workspace; however it overlaps in an agricultural field. Workspace does not impact vegetation rookery is located in; reducing workspace footprint does not minimize vegetation clearing at rookery. Time of year restriction buffer would not be necessary north of highway 481 due to existing highway corridor, and recommend allowing construction activities in agricultural area at southern end of restriction buffer (north of project milepost 31.45 and south of project milepost 32.15 construction activities would be allowed). Due to the existing human infrastructure: highway 481 and Interstate 95, and agricultural activities adjacent to the rookery, it is expected that these birds may be accustomed to human disturbance. If possible, construction will begin within the buffer prior to birds returning to the rookery (assumed February); if the birds return while construction activities are occurring, they are not expected to be disturbed and activities will continue as planned. If construction activities do not begin prior to birds returning to the rookery, the time of year restriction (no activity from Feb. 15 through July 31, when rookery is actively used) will be adhered to between the highway and agricultural fields to the south (between project mileposts 31.45 and 32.15).

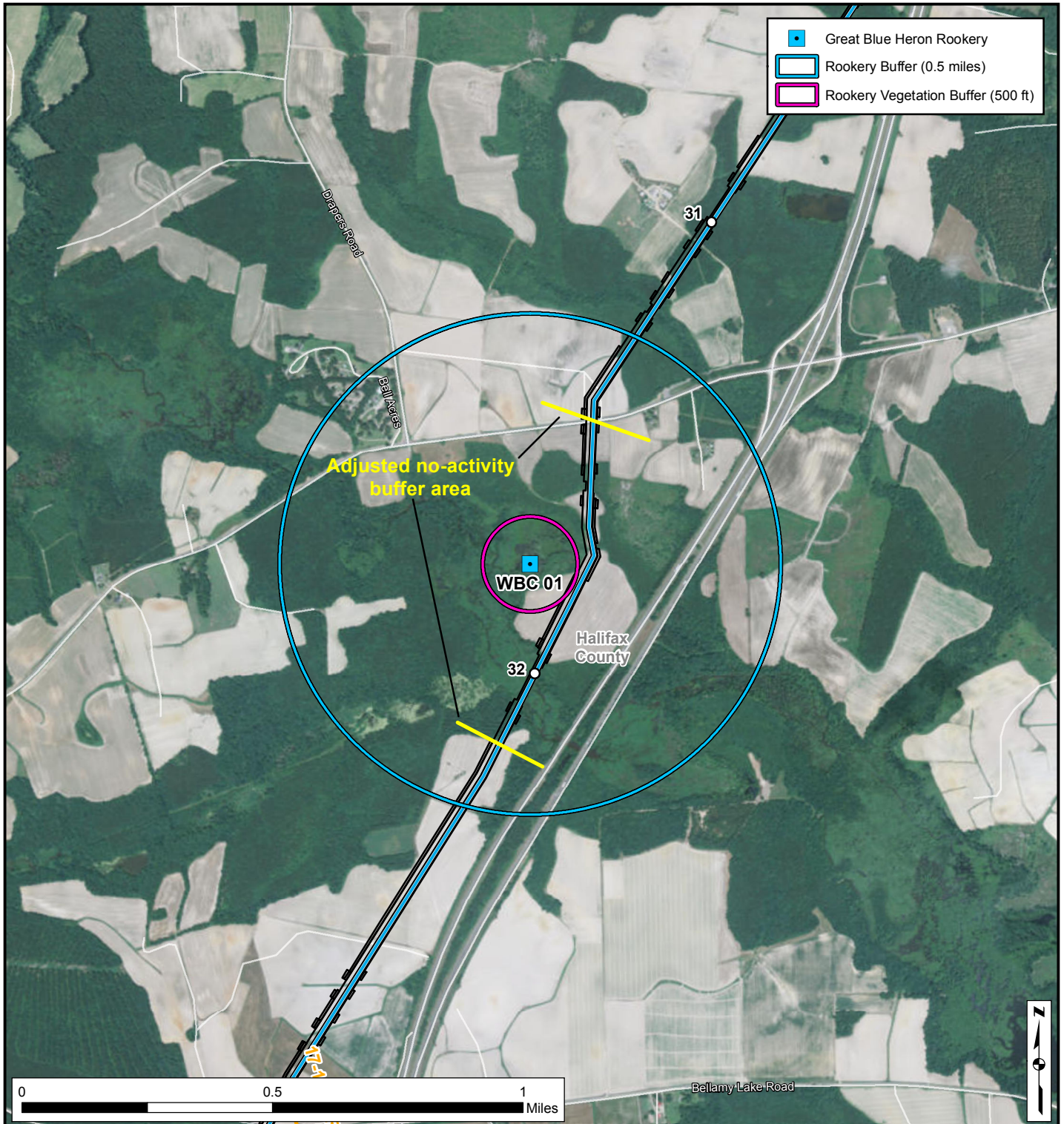
Rookery ID	County, State	Project Segment, near MP	Survey Notes ^a	Proposed Conservation Measures
WBC 02	Nash County, NC	AP-2, 48.0	Several nests observed, but not active at time of visit, Feb. 7, 2017. No birds were observed at the site. Crews spoke with landowner who indicated that the herons have had mixed success at the site and that one of the nest trees (a snag pine) had fallen down in the last two years. Updated location point collected.	Vegetation clearing restriction area does not overlap workspace; no change to workspace needed. Time of year restriction buffer would not be necessary south of Reges Store Road (project milepost 48.38), due to the traffic and housing developments in the area. If possible, construction will begin within the buffer prior to birds returning to the rookery (assumed February); if the birds return while construction activities are occurring, they are not expected to be disturbed and activities will continue as planned. If construction activities do not begin prior to birds returning to the rookery, the time of year restriction (no activity from Feb. 15 through July 31, when rookery is actively used) will be adhered to north of Reges Store to the northern boundary of the buffer near project milepost 47.5.
WBC 04	Nash County, NC	AP-2, 55.8	Single nest observed in open water; it was not active at time of survey, Feb. 7, 2017, but wading birds were heard in the area. Updated location point collected.	Vegetation clearing restriction area does not overlap workspace. Due to existing human disturbance and agricultural areas, time of year restrictions are not necessary between project mileposts 55.35 and 55.70. If possible, construction will begin within the buffer prior to birds returning to the rookery (assumed February); if the birds return while construction activities are occurring, they are not expected to be disturbed and activities will continue as planned. If construction activities do not begin prior to birds returning to the rookery, the time of year restriction (no activity from Feb. 15 through July 31, when rookery is actively used) will be adhered to between project mileposts 55.70 and 56.20.
WBC 05	Nash County, NC	AP-2, 62.6	No access, rookery not visible from public land or adjacent approved tracts.	Due to the distance of the rookery to the right-of-way (0.4 mile), thick vegetation between the rookery and right-of-way, and agricultural area in the workspace where the time of year restriction would apply, the time of year restriction is not proposed.

Rookery ID	County, State	Project Segment, near MP	Survey Notes ^a	Proposed Conservation Measures
WBC 09	Johnston County, NC	AP-2, 106.6	Several nests observed, bird activity was noted at time of survey, Feb. 7, 2017; only one great blue heron seen at rookery at time of survey. Nests were small, indicating could potentially be used by smaller herons such as night herons. Updated location point collected.	Workspace falls within 500-foot vegetation clearing restriction. Portion of vegetation clearing restriction area is in area previously cleared; therefore vegetation clearing restriction would not apply in this area. There would be impacts to a portion of the vegetation within 500 feet of the rookery. The current route avoids inundated wetlands to the east and west which would cause a constructability issue if the route were shifted outside of the buffer. In addition, if the route were shifted, there would be more impacts on wetland resources. If possible, construction will begin within the buffer prior to birds returning to the rookery (assumed February); if the birds return while construction activities are occurring, they are not expected to be disturbed and activities will continue as planned. If construction activities do not begin prior to birds returning to the rookery, the time of year restriction (no activity from Feb. 15 through July 31, when rookery is actively used) will be adhered to.
WBC 12	Cumberland County, NC	AP-2, 123.5	Rookery was active at time of visit, Feb. 7, 2017. Rookery is in swampy wetland habitat, which is impassable on foot or 4x4. Location did not require adjustment.	Vegetation clearing restriction area does not overlap workspace; no change to workspace needed. If possible, construction will begin within the buffer prior to birds returning to the rookery (assumed February); if the birds return while construction activities are occurring, they are not expected to be disturbed and activities will continue as planned. If construction activities do not begin prior to birds returning to the rookery, the time of year restriction (no activity from Feb. 15 through July 31, when rookery is actively used) will be adhered to.

^a ERM biologists conducted pedestrian surveys on February 7, 8, and 9, 2017 at rookeries along the project in West Virginia, Virginia, and North Carolina to investigate bird activity at rookeries identified either during aerial survey or from available databases, to evaluate the overall site conditions at the rookery.

**Proposed Measures in Migratory Bird Plan,
For agency concurrence**

Rookery ID	County, State	Project Segment, near MP	Site Description
WBC 07	Wilson County, NC	AP-2, 70.5	Public road and houses are between right-of-way and rookery (0.17 and 0.12 mile, respectively), within 0.5 mile restriction area. Due to other human activities between right-of-way and rookery, no restrictions on activities are recommended.
WBC 08	Wilson County, NC	AP-2, 74.2	Edge of restriction buffer reaches project access road; road is an existing public road. No restrictions are recommended.
WBC 11	Sampson County, NC	AP-2, 117.2	Workspace falls at edge of 0.5 mile buffer; significant vegetation lies between workspace and rookery. Recommend no restrictions due to distance from rookery.
WBC 15	Cumberland County, NC	AP-2, 124.5	Interstate 95 is between right-of-way and rookery, within 0.5 mile restriction area. Due to other human activities between right-of-way and rookery, no restrictions on activities are recommended.

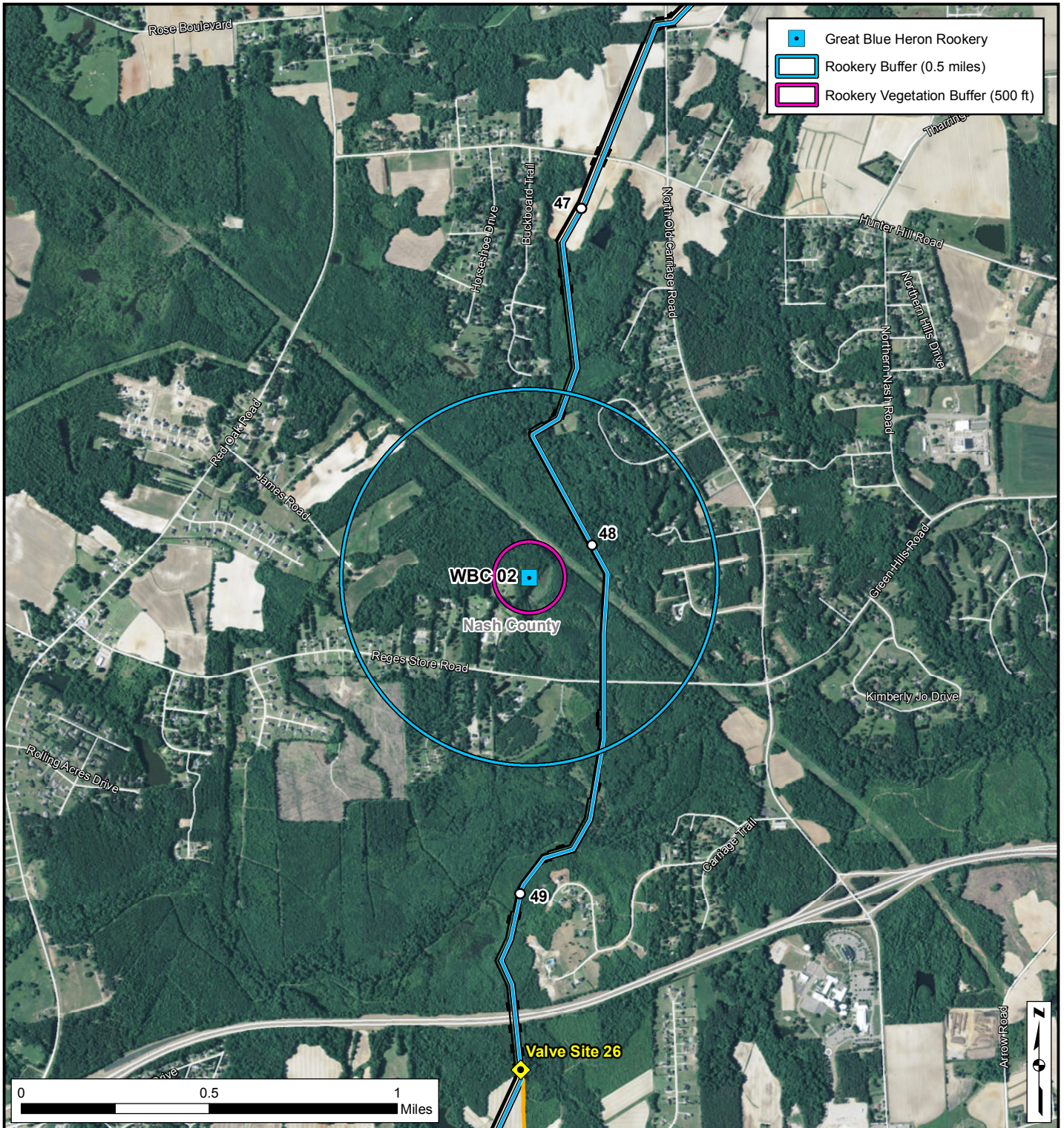


Bird Resource	Restriction Distance	Time of Year Restriction (no activity)*
Rookeries	0.5 mile	NC: Feb. 15 - July 31
Rookeries	500 feet	All year, no vegetation clearing
Non-raptor migratory birds	Vegetation clearing	NC: Apr. 1 - Aug. 30

- Milepost
- AP-2
- Access Road
- ▭ Construction Impact Footprint

Atlantic Coast Pipeline Project Known Migratory Bird Nesting Sites Halifax County, North Carolina

* Times are approximate, and dependent on actual bird activity at nest or rookery.



Bird Resource	Restriction Distance	Time of Year Restriction (no activity)*
Rookeries	0.5 mile	NC: Feb. 15 - July 31
Rookeries	500 feet	All year, no vegetation clearing
Non-raptor migratory birds	Vegetation clearing	NC: Apr. 1 - Aug. 30

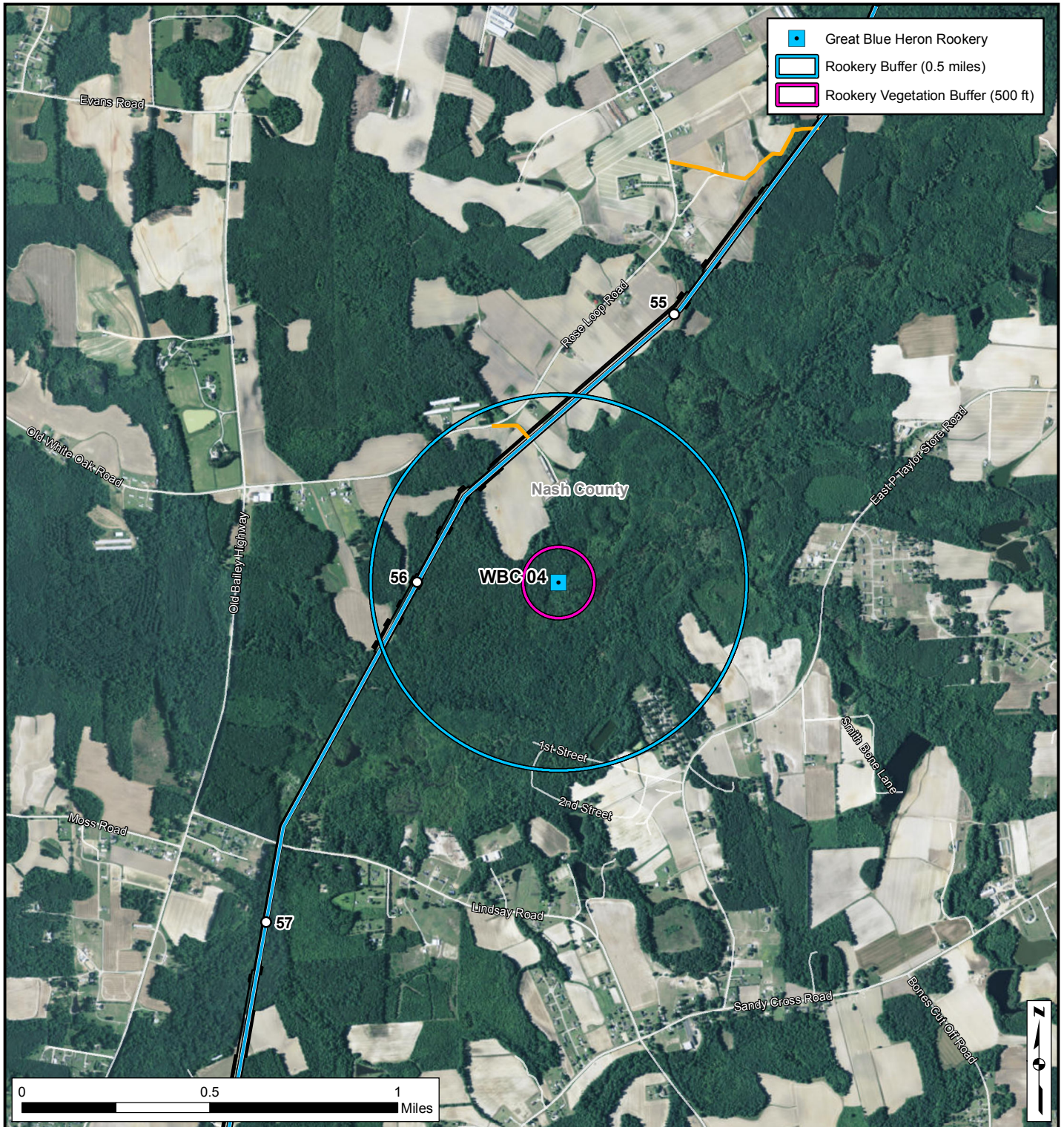
- Milepost
- AP-2
- Valve Site
- Access Road
- Construction Impact Footprint

Atlantic Coast Pipeline Project

Known Migratory Bird Nesting Sites

Nash County, North Carolina

* Times are approximate, and dependent on actual bird activity at nest or rookery.

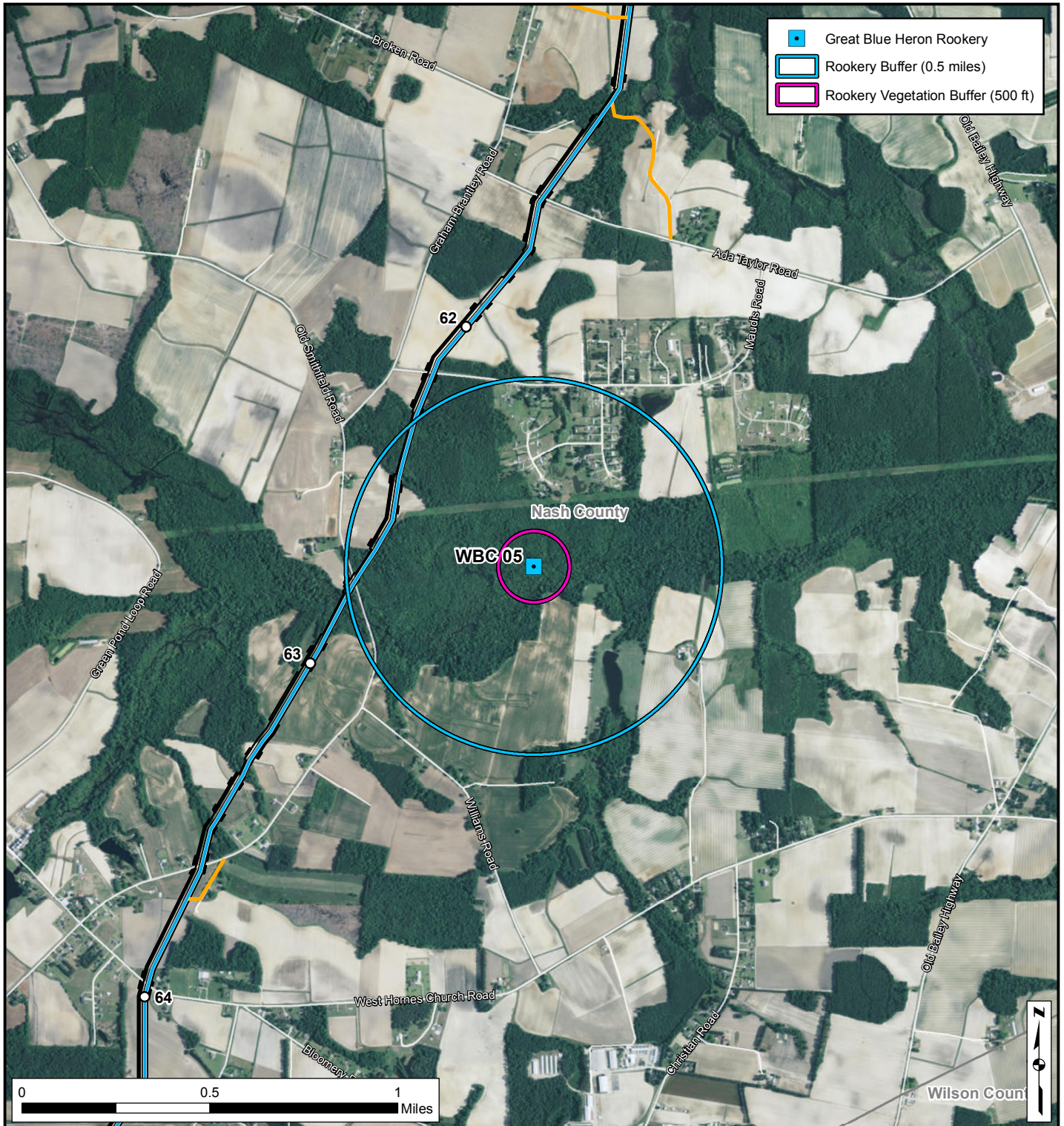


Bird Resource	Restriction Distance	Time of Year Restriction (no activity)*
Rookeries	0.5 mile	NC: Feb. 15 - July 31
Rookeries	500 feet	All year, no vegetation clearing
Non-raptor migratory birds	Vegetation clearing	NC: Apr. 1 - Aug. 30


- Milepost
- AP-2
- Access Road
- Construction Impact Footprint

Atlantic Coast Pipeline Project Known Migratory Bird Nesting Sites Nash County, North Carolina


* Times are approximate, and dependent on actual bird activity at nest or rookery.



Bird Resource	Restriction Distance	Time of Year Restriction (no activity)*
Rookeries	0.5 mile	NC: Feb. 15 - July 31
Rookeries	500 feet	All year, no vegetation clearing
Non-raptor migratory birds	Vegetation clearing	NC: Apr. 1 - Aug. 30




Atlantic Coast Pipeline

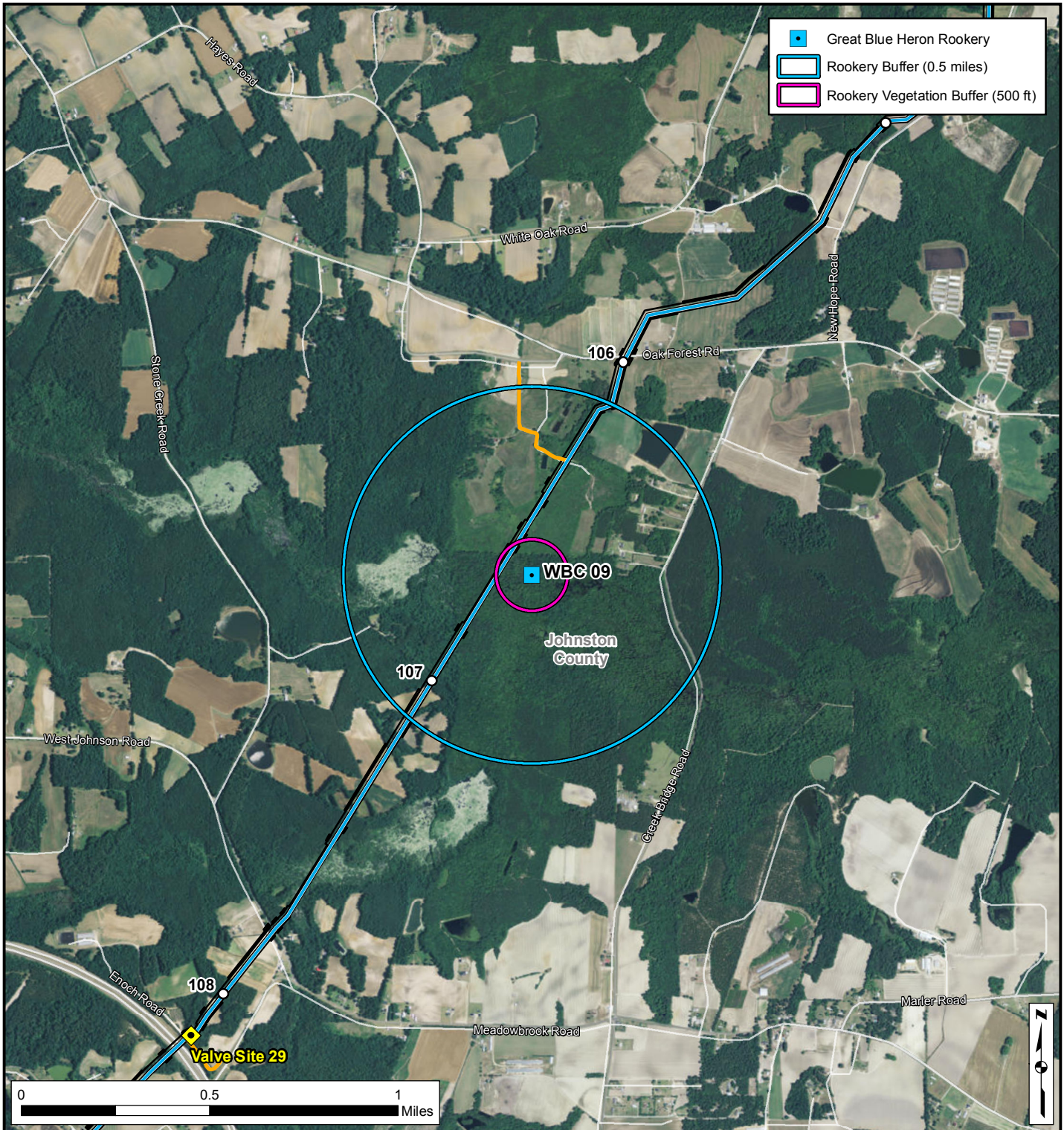


- Milepost
- AP-2
- Valve Site
- Access Road
- Construction Impact Footprint

Atlantic Coast Pipeline Project Known Migratory Bird Nesting Sites Nash County, North Carolina



* Times are approximate, and dependent on actual bird activity at nest or rookery.



Bird Resource	Restriction Distance	Time of Year Restriction (no activity)*
Rookeries	0.5 mile	NC: Feb. 15 - July 31
Rookeries	500 feet	All year, no vegetation clearing
Non-raptor migratory birds	Vegetation clearing	NC: Apr. 1 - Aug. 30

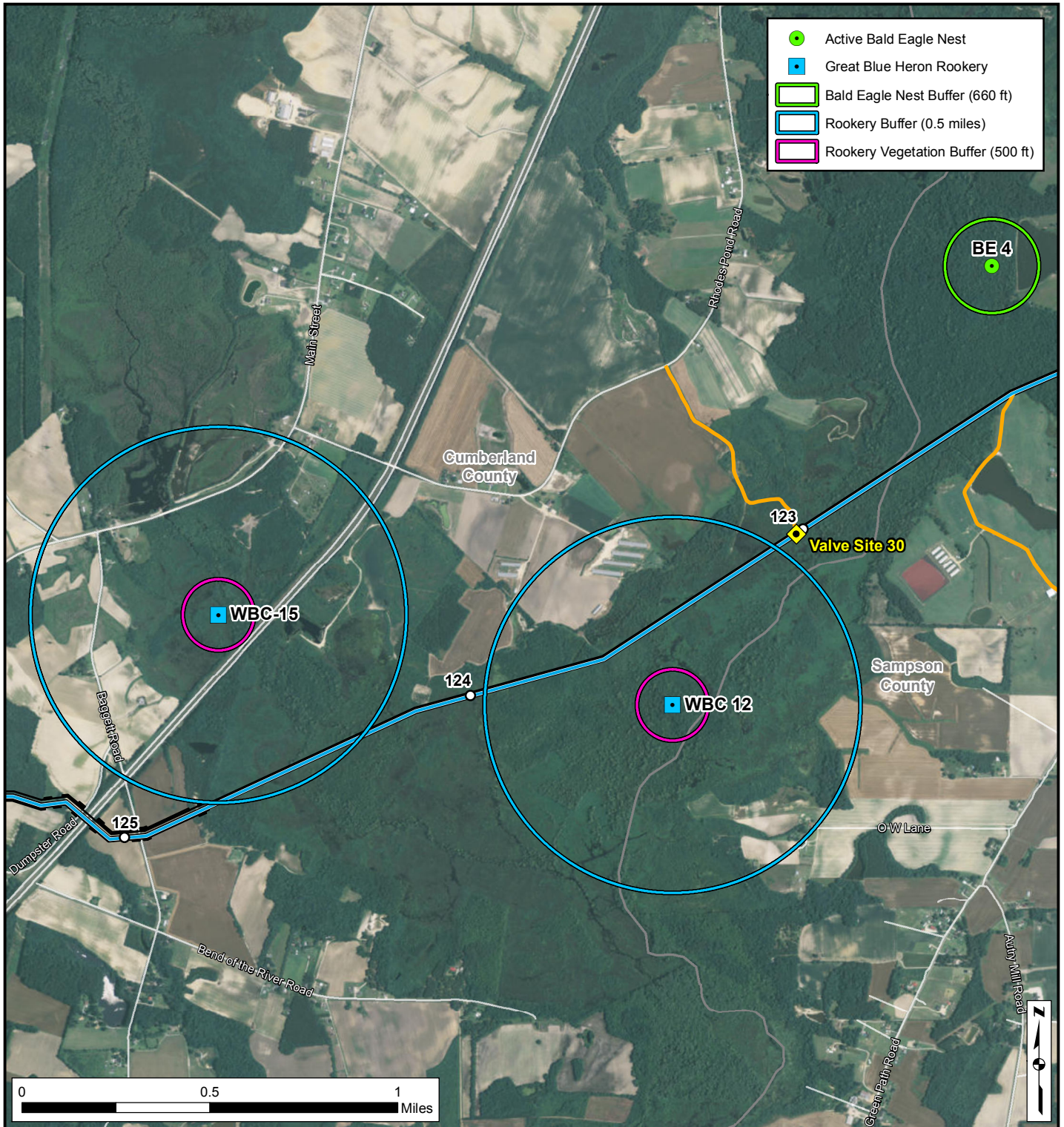
- Milepost
- AP-2
- Valve Site
- Access Road
- Construction Impact Footprint

Atlantic Coast Pipeline Project

Known Migratory Bird Nesting Sites

Johnston County, North Carolina

* Times are approximate, and dependent on actual bird activity at nest or rookery.



Bird Resource	Restriction Distance	Time of Year Restriction (no activity)*
Bald Eagle Nests	660 feet	Nov. 15 - July 15
Rookeries	0.5 mile	NC: Feb. 15 - July 31
Rookeries	500 feet	All year, no vegetation clearing
Non-raptor migratory birds	Vegetation clearing	NC: Apr. 1 - Aug. 30

 	<ul style="list-style-type: none"> Milepost AP-2 Valve Site Access Road Construction Impact Footprint 	<h3>Atlantic Coast Pipeline Project</h3> <h3>Known Migratory Bird Nesting Sites</h3> <h3>Cumberland County, North Carolina</h3>	
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* Times are approximate, and dependent on actual bird activity at nest or rookery.