

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

and

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

**Supplemental Filing
October 27, 2017**

APPENDIX C

Agency Correspondence for the Atlantic Coast Pipeline

APPENDIX C

Supplemental Summary of Agency Correspondence for the Atlantic Coast Pipeline

Agency/Contact Name(s)	Date of Correspondence	Format	Description
MULTIPLE AGENCIES			
U.S. Fish and Wildlife Service, U.S. Forest Service, West Virginia Division of Natural Resources			
Liz Stout, Kent Karriker (cc), Cliff Brown (cc), Craig Stihler (cc)	10/27/17	Letter	Transmittal of fall 2017 protected bat species habitat assessment report.
U.S. Fish and Wildlife Service, U.S. Forest Service, Virginia Department of Game and Inland Fisheries			
Sumalee Hoskins, Troy Anderson (cc), Jennifer Adams (cc), Troy Morris (cc), Amy Ewing (cc), Rick Reynolds (cc)	10/27/17	Letter	Transmittal of fall 2017 protected bat species habitat assessment report.
FEDERAL AGENCIES			
U.S. Forest Service			
Clyde Thompson, Joby Timm	10/20/17	Letter	Transmittal of updated COM Plan (Revision 3).
STATE/COMMONWEALTH AGENCIES			
North Carolina Department of Natural and Cultural Resources			
Ramona Bartos	10/11/17	Letter	Comments on Phase II testing report for Sites 31NS156, 31RB524, and 31WL374.
Renee Gledhill-Earley	10/25/17	Letter	Response to NCDNCR comments on Phase II testing report.

Multiple Agencies

**U.S. Fish and Wildlife Service, U.S. Forest Service, and West Virginia Division
of Natural Resources**



October 27, 2017

BY EMAIL

Ms. Liz Stout
U.S. Fish and Wildlife Service
West Virginia Ecological Services Field Office
694 Beverly Pike
Elkins, WV 26241

Re: Submittal of Fall 2017 West Virginia Segment Protected Bat Species Habitat Assessment Report, Atlantic Coast Pipeline

Dear Ms. Stout:

Atlantic Coast Pipeline, LLC (Atlantic) is pleased to provide the attached Atlantic Coast Pipeline (ACP) Fall 2017 West Virginia Segment Protected Bat Species Habitat Assessment Report. The report describes survey methodologies and results of surveys conducted to identify potential habitat for protected bat species in West Virginia.

Habitat assessment surveys were performed to assess potential habitat for protected bat species within and adjacent to the Project area in West Virginia. This assessment included desktop and field surveys for potential roost trees, potential hibernacula, and potential roosting habitat for eastern small-footed bat, which were conducted as described in the approved 2016 Protected Bat Species Year 2 Presence/Probable Absence Survey Study Plan.

Habitat surveys completed through September 30, 2016 were previously reported in the West Virginia Segment Protected Bat Species Habitat Assessment Addendum Report 2015-2016 (filed on October 20, 2016). Surveys through April 30, 2017 were reported in the West Virginia Segment Protected Bat Species Habitat Assessment Report Spring 2017 (filed on May 12, 2017). This report describes additional survey efforts undertaken since April 30, 2017 and summarizes all results to date.

Atlantic requests your review of the enclosed information. We would appreciate your comments and look forward to continuing to work with you on the ACP. Please contact Spencer Trichell at (804) 273-3472 or Spencer.Trichell@dominionenergy.com if there are questions or concerns. Please direct written responses to:

Spencer Trichell
Dominion Energy
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Ms. Liz Stout
October 27, 2017
Page 2 of 2

Sincerely,



Richard Gangle
Environmental Manager, Atlantic Coast Pipeline

Cc: Craig Stihler, West Virginia Division of Natural Resources
Clifford Brown, West Virginia Division of Natural Resources
Kent Karriker, U.S. Forest Service Monongahela National Forest

Attachments:

West Virginia Segment Protected Bat Species Habitat Assessment Report Fall 2017

**U.S. Fish and Wildlife, U.S. Forest Service, Virginia Department of Game
and Inland Fisheries**



October 27, 2017

BY EMAIL

Ms. Sumalee Hoskins
U.S. Fish and Wildlife Service
6669 Short Lane
Gloucester, VA 23061

Re: Submittal of Fall 2017 Virginia Segment Protected Bat Species Habitat Assessment Report, Atlantic Coast Pipeline

Dear Ms. Hoskins:

Atlantic Coast Pipeline, LLC (Atlantic) is pleased to provide the attached Atlantic Coast Pipeline (ACP) Fall 2017 Virginia Segment Protected Bat Species Habitat Assessment Report. The report describes survey methodologies and results of surveys conducted to identify potential habitat for protected bat species in Virginia.

Habitat assessment surveys were performed to assess potential habitat for protected bat species within and adjacent to the Project area in Virginia. This assessment included desktop and field surveys for potential hibernacula within 0.5 mile of Project areas, which were conducted as described in the approved 2016 Protected Bat Species Year 2 Presence/Probable Absence Survey Study Plan.

Habitat surveys completed through September 30, 2016 were previously reported in the Virginia Segment Protected Bat Species Year 2 Presence/Probable Absence Survey Report (filed on October 17, 2017). Surveys through April 30, 2017 were reported in the Virginia Segment Protected Bat Species Habitat Assessment Report (filed on May 12, 2017). This report describes additional survey efforts undertaken since April 30, 2017 and summarizes all results to date.

Atlantic requests your review of the enclosed information. We would appreciate your comments and look forward to continuing to work with you on the ACP. Please contact Spencer Trichell at (804) 273-3472 or Spencer.Trichell@dominionenergy.com if there are questions or concerns. Please direct written responses to:

Spencer Trichell
Dominion Energy
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Sincerely,

A handwritten signature in blue ink, appearing to read "RG", written over a blue horizontal line.

Richard Gangle
Environmental Manager, Atlantic Coast Pipeline

Ms. Sumalee Hoskins
October 27, 2017
Page 2 of 2

Cc: Amy Ewing, Virginia Department of Game and Inland Fisheries
Rick Reynolds, Virginia Department of Game and Inland Fisheries
Troy Andersen, U.S. Fish and Wildlife Service
Troy Morris, U.S. Forest Service George Washington National Forest
Jennifer Adams, U.S. Forest Service
Spender Trichell (Dominion Energy)

Attachments:

Virginia Segment Protected Bat Species Habitat Assessment Report Fall 2017

Federal Agencies

U.S. Forest Service

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



October 20, 2017

Clyde Thompson
Forest Supervisor
U.S. Forest Service
Monongahela National Forest
200 Sycamore Street
Elkins, WV 26241

Mr. Joby Timm
Forest Supervisor
U.S. Forest Service
George Washington and Jefferson National Forests
5162 Valleypointe Parkway
Roanoke, VA 24019

**Re: Atlantic Coast Pipeline, LLC, Atlantic Coast Pipeline Project
Construction, Operation, and Maintenance Plan**

Dear Mr. Thompson and Mr. Timm,

The enclosed DVD contains a Construction, Operation, and Maintenance (COM) Plan, including referenced attachments, prepared in support of Atlantic Coast Pipeline, LLC's (Atlantic's) proposed Atlantic Coast Pipeline (ACP) Project. This COM Plan is submitted pursuant to Atlantic's amended Application for Transportation and Utility Systems and Facilities on Federal Lands dated April 21, 2017. Atlantic seeks a special use permit to construct and operate an underground natural gas pipeline on National Forest System lands in the Monongahela National Forest (MNF) and George Washington National Forests (GWNF) in connection with the ACP.

The COM Plan addresses issues specific to proposed pipeline crossings of National Forest System lands in the MNF and GWNF, including issues identified by Forest Service staff in scoping comments on the ACP; in comments on draft Resource Reports previously submitted by Atlantic to the Federal Energy Regulatory Commission; in various letters to and meetings with Atlantic; and in Forest Service comments on the previous versions of the COM Plan. The COM Plan additionally incorporates the results of biological and cultural resource surveys and other studies completed on National Forest System lands.

Atlantic looks forward to continued opportunities to work with Forest Service staff on the ACP.

Clyde Thompson and Joby Timm
October 20, 2017

Please contact Mr. Spencer Trichell at (804) 273-3472 or spencer.trichell@dom.com if you have questions regarding the COM Plan. Please direct written responses to:

Richard Gangle
Energy Infrastructure Environmental Services
Dominion Resources Services, Inc.
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Sincerely,



Richard B. Gangle
Environmental Manager, Atlantic Coast Pipeline

Cc (w/enclosures):

Kent Karriker, Ecosystems Group Leader, Monongahela National Forest
Todd Hess, Realty Specialist/Special Use Manager, Monongahela National Forest
Alex Fraught, Lands Program Manager, George Washington National Forest
Jennifer Adams, Special Projects Coordinator, U.S. Forest Service
Spencer Trichell, Dominion

Enclosure:

DVD containing the COM Plan and associated attachments

State/Commonwealth Agencies

North Carolina Agencies

North Carolina Department of Natural and Cultural Resources



North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary Susi H. Hamilton

Office of Archives and History
Deputy Secretary Kevin Cherry

October 11, 2017

Richard B. Gangle
Dominion Energy Services, Inc.
5000 Dominion Boulevard
Glen Allen, VA 23060

Richard.B.Gangle@dominionenergy.com

Re: Phase II investigations, sites 31NS156, 31RB524, and 31WL374; Atlantic Coast Pipeline Project, Multicounty, ER 14-1475

Dear Mr. Gangle:

We have received Mr. Robert M. Bisha's letter of July 25, 2017, transmitting copies of the above-referenced report (our Bibliography Number 7686) detailing Phase II investigations at 31NS156, 31RB524, and 31WL374.

We are puzzled by the additional work conducted at 31NS156. While we had asked that it be added to the group of sites recommended for avoidance or testing (letter of October 27, 2015, to Mr. Scarpinato), we subsequently cleared it from further investigation after receiving additional information from Mr. Stanyard (letter of May 24, 2016, to Mr. Scarpinato).

Regardless, the following properties are determined not eligible for listing in the National Register of Historic Places: 31NS156 and 31RB524, for lack of integrity and an inability to contribute further to an understanding of the prehistory or history of the area. We recommend that construction be allowed to proceed in their areas.

Site 31WL374 includes both prehistoric and historic-period components, notably, a small cemetery consisting of three graves believed through oral tradition to be those of the Taylor family. Though the Phase II report reveals these were suspected during the Phase I work, no mention was made in that report (Bib 7684) of this potential. We find that concerning. Of even greater concern is that once these were identified in the field, then-NRG's September 2015 *Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in North Carolina*, was not followed.

This further means that the applicable provisions of North Carolina's "Unmarked Human Burial and Skeletal Remains Protection Act" (NC GS Chapter 70, Article 3) were also not followed. We are unaware whether the Wilson County Sheriff was notified once the graves were exposed. We know that State Archaeologist John Mintz was not notified. Please explain why the unanticipated discovery plan was not followed. Have any other unmarked human burials been discovered during this project?

We understand that the graves have been marked with replacement pavers, the original stones not found, and that the cemetery has been delineated with orange construction fencing and will be avoided by a 25-foot buffer during construction activities. Afterwards, we strongly encourage the placement of a permanent fence around the cemetery to avoid it being lost again.

Aside from the three graves (features 2, 3 and 4), work at the site identified only one other feature, Feature 1, which the authors note can't for certain be attributed to prehistoric activity. They also describe a site disturbed by plowing, with the area of the cultivated field unlikely to yield intact features. Temporally diagnostic artifacts are few and are comingled within the plow zone. We feel that between shovel tests, test units and trenching, investigative coverage of the site was thorough. While there is some potential for features in the western portion of the site east and west of the boundary between field and woods, the likelihood of their significance seems low. We believe the results of Phase II investigations are sufficient to support an evaluation of 31WL374 as not eligible for the National Register of Historic Places and recommend no further work at this site. With the afore-mentioned protection and avoidance of the cemetery component of 31WL374 ensured, construction activities may proceed.

Editorial comments are listed on the attached page.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above-referenced tracking number.

Sincerely,



Ramona Bartos

cc: Bill Stanyard, ERM

Bill.Stanyard@erm.com

Editorial Comments

- Figure 7-4, Page 78. Artifact 'b' better resembles a small Savannah River than a Guilford Point
- On Page 100, should a 2-m buffer not be a 25-m buffer? And is the measurement in feet or meters? Please clarify.



October 25, 2017

Renee Gledhill-Earley
State Historic Preservation Office
109 East Jones Street, Room 258
Raleigh, NC 27601

Subject: Response to Comments on the Taylor Cemetery at 31WL374 in the Report Titled: Phase II investigations, sites 31 NS 156, 31 RB524, and 31 WL374; Atlantic Coast Pipeline Project, Multicounty, ER 14-1475

Dear Ms. Gledhill-Earley:

In a letter from your agency dated October 11, 2017, we received comments on the report titled *Phase II investigations, sites 31 NS 156, 31 RB524, and 31 WL374; Atlantic Coast Pipeline Project, Multicounty, ER 14-1475*. You expressed concerns regarding a small family cemetery (Taylor) that we discussed within the context of Phase II investigations at site 44WL374 in Wilson County. Our response to each point is provided below.

Comment 1. Site 31 WL374 includes both prehistoric and historic-period components, notably, a small cemetery consisting of three graves believed through oral tradition to be those of the Taylor family. Though the Phase II report reveals these were suspected during the Phase I work, no mention was made in that report (Bib 7684) of this potential. We find that concerning.

Response: During a Phase I survey of the property that was conducted on May 2, 2017, a person drove up to the crew on an ATV and mentioned that he thought a small cemetery may be present somewhere in the plowed field near where the crew was working. It was a short encounter and the person pointed to an area to the north and west where he said the headstones may have been previously bulldozed into the woods. The crew looked for presence of a cemetery, but did not find any evidence that a cemetery was present. Since the second-hand report of a cemetery was anecdotal, it was not mentioned in the Phase I report. However, Dominion Energy was notified of the encounter with the landowner immediately, and we recommended that exploratory delineations be done if that entire area could not be avoided. Since we were going to recommend 31WL374 for Phase II testing based on the prehistoric components, that work was also designed to determine if a historic cemetery was actually present.

Comment 2. Of even greater concern is that once these were identified in the field, then-NRG's September 2015 Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in North Carolina, was not followed. This further means that the applicable provisions of North Carolina's "Unmarked Human Burial and Skeletal Remains Protection Act" (NC GS Chapter 70, Article 3) were also not followed. We are unaware whether the Wilson County Sheriff was notified once the graves were exposed. We know that State Archaeologist John Mintz was not notified. Please explain why the unanticipated discovery plan was not followed.

Response: John Mintz and the Wilson County Sherriff were not notified because we did not interpret this issue to be an unanticipated discovery, or that the provisions in the "Unmarked Human Burial and Skeletal Remains Protection Act" (NC GS Chapter 70, Article 3) ("the Act") were relevant to the situation as it presented itself at the time. It is our understanding that the *Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in North Carolina* is primarily intended to be implemented during the construction phase of the project. We had anticipated that a historic cemetery could be present, and took precautions during the Phase II effort to ensure that no intact grave fill or human remains would be disturbed. We used commonly accepted measures to delineate historic-era graves, which in this case, was carefully removing the plowzone with a backhoe using a smooth bladed bucket and exposing the grave shafts at the plowzone/subsoil interface. The work was constantly monitored by an archaeologist trained and experienced in conducting that type of work. Grave fill and human remains were not disturbed, and we had no knowledge of any activities that would trigger application of the Act's notification requirements. The methods and results of our findings were reported to the NCSHPO in the above-mentioned Phase II report.

Comment 3. *Have any other unmarked human burials been discovered during this project?*

Response: No. This is the only case to date.

Comment 4. *We understand that the graves have been marked with replacement pavers, the original stones not found, and that the cemetery has been delineated with orange construction fencing and will be avoided by a 25-foot buffer during construction activities. Afterwards, we strongly encourage the placement of a permanent fence around the cemetery to avoid it being lost again.*

Response: The graves have been marked with new pavers. The cemetery will be avoided by a 25-foot buffer during construction and, pending landowner approval, a permanent fence will be placed around its perimeter when construction activities have been completed.

We understand your concerns and appreciate the opportunity to provide our responses and clarifications. If you need additional information, or have any questions or additional concerns, Please contact Richard B. Gangle at (804) 273-2814 or Richard.B.Gangle@dominionenergy.com, or by letter at:

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

Respectfully submitted,



Richard Gangle
Environmental Manager, Atlantic Coast Pipeline