

Part 7

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DEQ Supplement

BEFORE THE  
STATE CORPORATION COMMISSION  
OF VIRGINIA

APPLICATION OF  
VIRGINIA ELECTRIC AND POWER COMPANY  
FOR APPROVAL OF ELECTRIC FACILITIES

Rebuild of Possum Point-Smocketown 115 kV Lines #18 and #145

Application No. 282

**DEQ Supplement**

Case No. PUR-2017-00078

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Based upon consultations with the Virginia Department of Environmental Quality (“DEQ”), Virginia Electric and Power Company (“Dominion Energy Virginia” or the “Company”)<sup>1</sup> has developed this DEQ Supplement to facilitate review and analysis of the proposed Rebuild Project by DEQ and other relevant agencies.

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<sup>1</sup> Effective May 10, 2017, Dominion Resources, Inc., the Company’s publicly held parent company, changed its name to Dominion Energy, Inc. As part of this corporate-wide rebranding effort, Virginia Electric and Power Company has changed its “doing business as” (“d/b/a”) names in Virginia and North Carolina effective May 12, 2017. In Virginia, the Company’s d/b/a name has been changed from Dominion Virginia Power to Dominion Energy Virginia, and in North Carolina the d/b/a name has been changed from Dominion North Carolina Power to Dominion Energy North Carolina. The Company’s legal corporate entity name “Virginia Electric and Power Company” will not be changing as a result of this rebranding effort.

## 1. Project Description

In order to maintain the structural integrity and reliability of its transmission system in compliance with mandatory North American Electric Reliability Corporation (“NERC”) Reliability Standards, and to provide flexibility to support the future overall growth in the area, Dominion Energy Virginia proposes to rebuild, entirely within an existing right-of-way and Company-owned property, approximately 8.5 miles of existing 115 kV transmission lines, Possum Point-Smoketown Line #18 and Possum Point-Smoketown Line #145, located between the existing 115 kV switch yard at the Company’s Possum Point Power Station site (the “Possum Point Switching Station” or “Possum Point Station”) and the Northern Virginia Electric Cooperative (“NOVEC”) Smoketown Delivery Point (“DP”) entirely in Prince William County, Virginia, utilizing 230 kV design on all but the first 0.7-mile segment originating from the 115 kV switch yard at the Possum Point Power Station site, which will be rebuilt to 115 kV design in order to continue operating the line at 115 kV at present (the “Rebuild Project”). While the Rebuild Project proposes to construct the lines to be capable of operating at 230 kV, operation of the lines would continue at 115 kV until such time as needed to serve the Northern Virginia Load Area.

For the Rebuild Project, the Company proposes to remove 125 of the 130 existing structures that support Lines #18 and #145 between the Company’s Possum Point Station and NOVEC’s Smoketown DP. The existing 115 kV Lines #18 and #145 are supported by single circuit wooden and weathering steel H-frames, double circuit three-pole wooden H-frame structures, double circuit weathering steel poles and double circuit galvanized lattice steel H-frames. The wooden pole section of Line #18 originally was constructed in 1954, while the wooden pole section of Line #145 originally was constructed in 1948. In 1987, the double circuit weathering steel poles were installed at the Company’s Possum Point Power Station site. Approximately 50 of the original wooden poles making up the structures have been replaced with weathering steel poles over the last six years to address maintenance and reliability issues, including cracked and decaying wood, ground line rot, and woodpecker damage. The Company will replace these structures on the parallel existing lines, with one set of new structures built to National Electrical Safety Code (“NESC”) standards. The replacement structures include one double circuit galvanized H-frame structure, 44 double circuit single galvanized steel pole structures, seven single circuit galvanized poles, two galvanized H-frame structures, six galvanized switch structures, and 28 single circuit weathering steel direct embed structures. The first two existing structures inside the Possum Point Station fence, where the Rebuild Project originates, will not be replaced as part of the project, but will be reused. In addition, three existing weathering steel 230 kV structures located near the coal ash pond area on the Possum Point Power Station site will not be replaced, but will continue to be used in place for the Rebuild Project. In total, 125 existing structures will be removed and replaced by 88 new structures that will be installed within the scope of this proposed Rebuild Project.

In addition to the structure replacements, the Company proposes to replace the existing three-phase single 636 ACSR (24/7) and twin bundled three-phase 721

ACAR conductors with new single 636 ACSR (24/7) conductor for the first approximately 0.7-mile segment of both circuits built to operate at 115 kV, and twin-bundled 795 ACSR (26/7) for approximately 7.7 miles of double circuit three-phase transmission lines, built for 230 kV operation, but operating at 115 kV. The existing 3/8 steel static wire and 3#6 Alumoweld shield wire will be replaced with two fiber optic shield wires and 3#6 Alumoweld. The remaining approximately 0.1 mile of the Rebuild Project is comprised of the individual lines tapping into three NOVEC DPs that currently are served by Lines #18 and #145, and will be rebuilt as part of this project.

Both the structure and conductor replacements will take place between the Possum Point Station and NOVEC's Smoketown DP, including the existing taps into NOVEC's Country Club and Garber DPs.

The proposed route for the Rebuild Project is approximately 8.5 miles of existing transmission line corridor currently occupied by the existing 115 kV transmission Lines #18 and #145 within the existing right-of-way, including 0.1 mile of existing right-of-way for individual lines tapping three NOVEC DPs, and on Company-owned power station property. The route is entirely within Prince William County and originates at the Possum Point Station located on the Company's Possum Point Power Station site at the terminus of Possum Point Road. From the Possum Point Station, the route heads north from the station property and continues north on Company-owned property for 1.5 miles, then continues in a northwesterly direction for approximately 3.8 miles within existing right-of-way, before turning northeasterly for approximately 3.1 miles, terminating approximately 400 feet north of the Smoketown DP, just south of Smoketown Road ("Proposed Route").

The Company submitted the Rebuild Project in April 2017 with the PJM Transmission Expansion Advisory Committee ("TEAC") for construction at 230 kV and operation at 115 kV. While this is consistent with how the Rebuild Project was originally submitted to the PJM TEAC in March 2015 and approved as part of the 2015 Regional Transmission Expansion Plan ("RTEP"), the Company resubmitted the project at the PJM Southern Sub-Regional RTEP ("SSRRTEP") Committee meeting in February 2016 for construction and operation at 115 kV; however, the change to 115 kV was not sent to the PJM Board of Managers at that time.

The Company's Joint Permit Application ("JPA") was submitted and a permit was obtained from the Virginia Marine Resources Commission ("VMRC") based on the 115 kV project configuration that was submitted at the PJM SSRRTEP Committee meeting in February 2016. See Attachment 1.A.1. At that time, a No Permit Required letter was issued by the U.S. Army Corps of Engineers ("Corps"). See Attachment 1.A.2. The Company will engage in further consultation with both the Corps and the VMRC once the final order is issued.

In addition to the 230 kV Rebuild Project, the Company has proposed a 115 kV overhead alternative along the same 8.5-mile Proposed Route as the Rebuild Project ("115 kV Alternative").

## 2. Environmental Analysis

### A. Air Quality

The Company will control fugitive dust during construction in accordance with DEQ regulations. During construction, if the weather is dry for an extended period of time, there will be airborne particles from the use of vehicles and equipment within the right-of-way. Minimal earth disturbance, however, will take place and vehicle speed, which is often a factor in airborne particulate, will be kept to a minimum. Erosion and sediment control is addressed in Section 2.G, below. Equipment and vehicles that are powered by gasoline or diesel motors also will be used during construction. The exhaust from the motors is not expected to impact the region's air quality.

The entire width of the existing transmission corridor currently is maintained for transmission facility operations. The Rebuild Project, however, may require some trimming of tree limbs along the right-of-way edges to support construction activities. The Company does not expect to burn cleared material, but if necessary, the Company will coordinate with the responsible locality to ensure all applicable local ordinances are met. The Company's tree clearing methods are described in Section 2.K.

The Company submitted a letter to DEQ on April 13, 2017, to solicit comments on the proposed Rebuild Project.

### B. Water Source

**(No water source is required for transmission lines so this discussion will focus on potential waterbodies to be crossed by the proposed transmission line rebuild.)**

The Rebuild Project is located within the Middle Potomac-Anacostia-Occoquan and Lower Potomac watersheds, Hydrologic Unit Codes 02070010 and 02070011 respectively. According to the U.S. Geological Survey ("USGS") topographic maps, the existing transmission corridor crosses two named perennial streams: Neabsco Creek and Powells Creek.

Any clearing required in the vicinity of streams will be performed by hand within 100 feet of both sides of the stream, and vegetation less than three inches in diameter will be left undisturbed.

Through the JPA process for the previous proposal utilizing a 115 kV design, the Company solicited comments from VMRC due to the necessity of obtaining a subaqueous encroachment permit. Both stream crossings have a drainage area of greater than five square miles at the crossing location. VMRC issued a permit for the encroachment on July 18, 2016, provided in Attachment 1.A.1. Following submission of the JPA, the Corps determined the proposed design did not fall within their jurisdiction and no permit would be required. See Attachment 1.A.2. As the design for the Rebuild Project progresses, the Company will reinitiate coordination

with VMRC and the Corps to determine whether a permit modification or new permits are required.

### **C. Discharge of Cooling Waters**

No discharge of cooling waters is associated with the Rebuild Project.

### **D. Tidal and Non-tidal Wetlands**

No tidal wetlands were identified within the proposed Rebuild Project area.

### **Wetlands Impact Consultation**

In the summer of 2015, a waters of the U.S. delineation within the Rebuild Project limits was completed by Stantec Consulting Services Inc. (“Stantec”) on behalf of the Company in accordance with the Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory, 1987), as well as the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0, 2012), and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0, 2010). Wetland flags were placed in the field and sequentially numbered to provide an on-site record of the delineation. In total, approximately 12.83 acres of wetlands (12.38 acres of palustrine emergent and 0.45 acres of palustrine scrub-shrub wetlands), 4,691 linear feet of stream channel, and 3.80 acres of open water were identified within the Rebuild Project area. The Corps provided a preliminary jurisdiction determination on July 7, 2016, included as Attachment 2.D.1.

Through the JPA process for the previous design, the Company solicited approval from the permitting agencies with potential jurisdiction. No clearing of forested wetlands or placement of fill within wetlands was proposed. DEQ did not claim jurisdiction, and the Corps responded with a no permit required letter. VMRC issued a permit for subaqueous encroachment permit on July 18, 2016. As the design for the Rebuild Project progresses, the Company will reinstate coordination with all agencies to determine whether a permit modification or new permits are required.

### **E. Solid and Hazardous Waste**

On behalf of the Company, Stantec conducted database searches for solid and hazardous wastes and petroleum release sites within a 0.5-mile radius of the proposed Rebuild Project to identify sites that may impact the Rebuild Project. This report is included as Attachment 2.E.1. Publicly available data from the U.S. Environmental Protection Agency (“EPA”) Facility Registry System was obtained, which provides information about facilities, sites, or places subject to environmental regulation by the EPA or other state authorities. Although this data set contains all sites subject to environmental regulation by the EPA or other state authorities, including sites that fall under air emissions or wastewater programs, the results reported here only include those sites which fall under the EPA’s hazardous waste, solid waste, remediation, and



underground storage tank programs, such as brownfield sites or those covered under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), or the Resource Conservation and Recovery Act ("RCRA"). According to this database, 27 registered RCRA sites are present within the project radius. All are small in scale and all fall outside the right-of-way of the proposed Rebuild Project when the site address is cross-referenced against aerial imagery of the project area. A table identifying all of the RCRA sites within 0.5-mile project radius is included as part of Attachment 2.E.1.

DEQ records were also searched for the presence of solid waste management facilities, Voluntary Remediation Program sites, and petroleum releases within 0.5 mile of the proposed Rebuild Project. Twenty-eight petroleum release sites were identified by the DEQ within the search radius, none of which fall within the right-of-way of the proposed Rebuild Project, and all cases have been closed, as shown in Table 2 of Attachment 2.E.1. These petroleum release sites may include aboveground storage tank and underground storage tank releases, as well as aboveground spills. The Company has a procedure in place to handle petroleum contaminated soil, if encountered; however, as all of the release sites are located outside of the Rebuild Project area, none of the petroleum release sites are expected to impact the proposed Rebuild Project.

DEQ records show a closed construction demolition debris ("CCD") landfill within the right-of-way near the Possum Point Power Station. This location also corresponds to a surface impoundment that the Company used to store coal combustion residuals ("CCR") from the Possum Point Power Station. The Company currently is removing the CCR from this site under authorization from DEQ and in accordance with 40 CFR Part 257 Subpart D.

#### **F. Natural Heritage, Threatened and Endangered Species**

On behalf of the Company, Stantec conducted online database searches for threatened and endangered species in the vicinity of the Rebuild Project, including the United States Fish and Wildlife Service ("USFWS") Information, Planning and Conservation system, the Virginia Department of Game and Inland Fisheries ("DGIF") Virginia Fish and Wildlife Information Service ("VAFWIS"), the DGIF Northern Long-Eared Bat Winter Habitat and Roost Trees application, the Virginia Department of Conservation and Recreation ("DCR") Natural Heritage Data Explorer, and the Center for Conservation Biology ("CCB") Bald Eagle Nest Locator. The results are summarized in a report, included as Attachment 2.F.1, and are generally presented in the table below.

Species/ Resource Name	Notes/ Documentation
Harperella ( <i>Ptilimnium nodosum</i> ) Status: FE, SE Source: USFWS	The project will take place within the cleared transmission line right-of-way and will continue to be maintained as such upon completion of the project. Timber mats will be used to cross wetlands and streams.
Small whorled pogonia ( <i>Isotria medeoloides</i> ) Status: FT, SE Source: USFWS, DCR	The project will take place within the cleared transmission line right-of-way and will continue to be maintained as such upon completion of the project.
Northern long-eared bat ( <i>Myotis septentrionalis</i> ) Status: FT, ST Source: USFWS, DGIF	This bat generally relies on intact interior forest habitat, with low edge-to-interior ratios. The project area is predominantly developed and will take place within the cleared transmission line right-of-way. No tree clearing is proposed.
Bald eagle ( <i>Haliaeetus leucocephalus</i> ) Status: BGEPA Source: CCB, DGIF	One nest located within 330-foot radius of the project location. Nest approximately 255 feet from transmission line

Notes: FE: federally endangered; FT: federally threatened; SE: State Endangered; ST: State Threatened; BGEPA: Bald and Golden Eagle Protection Act.

There is a peregrine falcon (*Falco peregrinus*) nest present at the Possum Point Power Station. This nest is greater than 600 feet from the transmission line corridor; therefore, construction activities are not expected to adversely affect the peregrine falcon. One bald eagle nest is present within the Rebuild Project area, approximately 255 feet from the transmission line corridor. Additionally, structures 18/1 through 18/5 are located within an eagle shoreline concentration area. DGIF standard recommendations to avoid disturbing bald eagles include no construction within 660 feet of an eagle nest between December 15 and July 15, as well as no construction within eagle nest concentration areas between May 15 and August 31 and between December 15 and March 15. If the required construction within these areas cannot occur outside the DGIF standard recommendations, the Company will work with the USFWS to determine whether further measures should be taken or an eagle disturbance permit would be required. The northern long-eared bat ("NLEB") has been identified by USFWS as potentially occurring within the Rebuild Project area; however, DGIF records indicate that no known hibernacula or maternity roost trees occur within Prince William County. Since the Rebuild Project will occur within an

existing maintained right-of-way, tree removal is expected to be limited to danger trees and limbing. Therefore, adverse effects to the NLEB are not expected.<sup>2</sup>

Additionally, federally-listed plants, harperella and small whorled pogonia, have been identified as potentially occurring within the project vicinity. Small whorled pogonia habitat consists of mature forest, which does not exist within the Rebuild Project right-of-way. Harperella may be found in saturated wetlands or along streams with fluctuating water levels. Appropriate habitat is not expected to occur within the Rebuild Project right-of-way.

On behalf of the Company, Stantec submitted a formal project review request to the DCR Division of Natural Heritage. The response to that request is provided as Attachment 2.F.2. According to their correspondence, a Stream Conservation Unit and a conservation site are located downstream from the Rebuild Project. The Stream Conservation Unit is located on an unnamed tributary to Neabsco Creek and contains an aquatic community with a biodiversity rating of moderate significance. The conservation site at Powells Creek contains a tidal freshwater marsh representative of a key area of landscape warranting conservation based on the natural resources and habitat supported at the location. DCR recommends strict adherence to erosion and sediment control management regulations, establishment/enhancement of riparian buffers, and maintaining natural stream flow to minimize adverse impacts to the aquatic ecosystem. DCR also noted that the project would not effect documented state-listed plants or insects.

The Company requested comments from USFWS and DGIF regarding the proposed Rebuild Project in letters dated April 13, 2017. As the Company will obtain all necessary permits prior to construction, coordination with DGIF, DCR, and USFWS will occur through the permit process to avoid and minimize impacts to listed species.

## **G. Erosion and Sediment Control**

The Company is required to submit annual Erosion and Sediment Control Specifications and an anticipated list of transmission line projects to DEQ for review and approval. The Company's submittal for 2017 will likewise follow DEQ guidelines and this Rebuild Project will be included in the submittal. These specifications are given to the Company's contractors and require erosion and sediment control measures to be in place before construction of the line begins, and

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<sup>2</sup> The Company notes that the Rebuild Project site is located within the White Nose Syndrome Zone for the NLEB. The Company intends to comply with the U.S. Fish & Wildlife's ESA § 4(d) rule for the NLEB when constructing the Rebuild Project, which, based on the Company's current understanding of site conditions and the surrounding area, at most could result in time of year restrictions related to the cutting of maternity roost trees or other nearby trees during the NLEB pup season (June 1 to July 31). 36 C.F.R. § 17.40. As discussed in the text, however, because no known hibernacula or maternity roost trees occur within Prince William County, in addition to having no adverse effect on the NLEB, the Company also does not expect any time of year restrictions to apply.

specify the requirements for rehabilitation of the right-of-way. A copy of an e-mail from DEQ documenting the Company's current Erosion and Sediment Control Specifications approval through June 30, 2017 is provided as Attachment 2.G.1.

## **H. Archaeological, Historic, Scenic, Cultural or Architectural Resources**

In accordance with the *Guidelines for Assessing Impacts of Proposed Electric Transmission Lines and Associated Facilities of Historic Resources in the Commonwealth of Virginia (2008)*, Stantec, on behalf of the Company prepared a Stage I Pre-Application Analysis for the proposed Rebuild Project. This report was forwarded to the Virginia Department of Historic Resources ("VDHR") and is included as Attachment 2.H.1. Subsequently, an addendum was sent to DHR notifying the agency that recent changes to structure heights will be addressed in future studies and providing updated typical structure drawings. See Attachment 2.H.2. The background archival research identified no National Historic Landmarks ("NHLs") within the 1.5-mile buffer; three National Register of Historic Places ("NRHP")-listed resources within the 1-mile buffer; one NRHP-eligible resource within the 0.5-mile buffer; and one NRHP-eligible and 11 previously identified archaeological sites that have not been evaluated for listing within the right-of-way.

### **Archaeological Resources**

Twelve previously-identified archaeological resources are either within or immediately adjacent to the Rebuild Project corridor, including site numbers 44PW0766, 44PW0782, 44PW0793, 44PW0794, 44PW0795, 44PW0804, 44PW0807, 44PW0814, 44PW0843, 44PW0844, 44PW1023, and 44PW1030. All but 44PW1023 are unevaluated. Site 44PW1023 has been determined not eligible for listing on the NRHP.

### **Architectural Resources**

There are 92 previously-identified architectural resources located within a 1.5-mile radius of the centerline for this Rebuild Project. No NHL-listed architectural resources are located within the 1.5-mile buffer. Three NRHP-listed resources were identified in the 1.0-mile buffer of the project corridor: the Quantico Marine Corps Base Historic District (VDHR #287-0010), the Prince William Forest Park Historic District/ Chopawamsic Recreation Demonstration Area (VDHR #076-0299), and the Camp French/Battle of the Potomac/Camp Mallory (VDHR# 076-5313). Two resources, which have been determined eligible for listing on the NRHP, were identified within the 0.5-mile buffer of the transmission line corridor and include Tayloe's Iron Works (VDHR #076-0265) and the Richmond, Fredericksburg & Potomac Railroad (VDHR #076-0301). The c. 1730 iron works was demolished prior to the current view shed analysis and is now an archaeological site. The site does not cross the transmission line corridor and as an archaeological site, does not meet the criteria for consideration per VDHR's transmission line guidelines. Therefore, the resource was not evaluated for visual impacts. In addition to the previously recorded resources listed above, the American Battlefield Preservation Program ("ABPP")

Cockpit Point Battlefield (VDHR #042-5842; ABPP VA100) falls within the project area. Distances of these resources to the proposed Rebuild Project are provided in the table below.

VDHR #	Resource Name	VDHR/NRHP Status	Distance to Line (Feet)
076-0299	Chopawamsic Recreation Demonstration Area/Prince William Forest Park Historic District	NRHP-Listed 2012	3,500
076-0301	Richmond, Fredericksburg & Potomac Railroad	Determined Eligible by VDHR in 2010	0
076-5313	Camp French/ Battle of the Potomac/ Camp Mallory	NRHP-Listed 2008	5,100
287-0010	Quantico Marine Corps Base Historic District	NRHP-Listed 2001	3,670
042-5842; ABPP VA100	Cockpit Point Battlefield	Potentially Eligible (ABPP)	0

#### **I. Chesapeake Bay Preservation Areas**

The proposed Rebuild Project is located within a Chesapeake Bay Preservation Act jurisdictional county. Construction, installation, operation, and maintenance of electric transmission lines are conditionally exempt from the *Chesapeake Bay Preservation Act* as stated in the exemption for public utilities, railroads, public roads, and facilities in 9 VAC 25-830-150.

#### **J. Wildlife Resources**

Agency databases were reviewed and agency consultations initiated with the USFWS, DGIF, and DCR to determine if the proposed Rebuild Project has the potential to affect any threatened or endangered species. As discussed in Section 2.F, certain federal- and state-listed species were identified as potentially occurring in the Rebuild Project area. The Company will coordinate with the USFWS, DGIF, and DCR as appropriate to determine whether surveys are necessary and to minimize impacts on wildlife resources.

#### **K. Recreation, Agricultural and Forest Resources**

The Rebuild Project is expected to have minimal impact on recreational, agricultural, and forest resources because no additional right-of-way is required. The general character of the Rebuild Project area is predominantly commercial and residential. The Company submitted a letter to the Virginia Outdoors Foundation on April 13, 2017 to solicit comments on the proposed Rebuild Project. See Attachment 2.K.1.

Agricultural and Forestal Districts (“AFDs”) are rural zones reserved for the production of agricultural products, timber, and the maintenance of open space land as designated by the locality. The districts are voluntary agreements between landowners and localities which preserve the land in its current use for a period of no less than four years and which must be valued no less frequently than every 10 years. Prince William County has over 2,200 acres included in three AFDs. The nearest AFD to the Rebuild Project is approximately 11 miles away.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. Land that does not meet the criteria for prime farmland can be considered to be “farmland of statewide importance.” The criteria for defining and delineating farmland of statewide importance are determined by the Virginia Department of Agriculture and Consumer Services. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Other areas that are not identified as having national or statewide importance can be considered to be “farmland of local importance.” This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance. A total of 35.1 acres of prime farmland and 81.9 acres of farmland of statewide importance are located within the Rebuild Project right-of-way. Within the right-of-way, few areas of prime farmland and farmland of statewide importance are currently in agricultural use. The surrounding land is heavily developed and is no longer used for the production of crops. The presence of the transmission line and the proposed improvements included in the Rebuild Project would not be expected to impact prime farmlands or farmland of statewide importance.

Under the *Virginia Open-Space Land Act*, any public body can acquire title or rights to real property to provide means of preservation of open-space land. Such conservation easements must be held for no less than five years in duration, and can be held in perpetuity. No conservation easements occur within 1-mile of the proposed Rebuild Project.

The *Virginia Scenic Rivers Act* seeks to identify, designate, and protect rivers and streams that possess outstanding scenic, recreational, historic and natural characteristics of statewide significance for future generations. The project area contains no such identified rivers and streams, and none exist within 1-mile of the project area.

There are no scenic byways within the Rebuild Project vicinity. There is, however, a Prince William County park, Turley Fields, adjacent to the Rebuild Project. Several trails also either exist or are planned to cross or run adjacent to the Rebuild Project. These trails connect residential areas with county, state, and national parks, forests, and wildlife management areas, as well as with places of cultural and historical

interest, schools, retail areas, and transportation nodes. Existing trails crossed by the right-of-way are located on Cardinal Drive and Route 1. The proposed trails planned adjacent to the corridor are the River Heritage Boulevard trail and the Van Buren Road trail. The right-of-way will cross the proposed trail for Dale Boulevard and the connecting trail from Van Buren Road to Dale Boulevard. The Rebuild Project will not impact the current or proposed trail system or the park as the location of the transmission corridor is fixed and has been in place for several decades allowing the county to plan land uses for the adjacent areas to coincide with the right-of-way.

The right-of-way also crosses two heritage trail corridors: the Potomac Heritage and Washington-Rochambeau corridors. Heritage trail corridors are linear swaths of land that connect or contain resources of cultural significance. The Potomac Heritage corridor allows the exploration of Northern Virginia's history, including the early tobacco economy, growth of the nation, and Civil War. The Washington-Rochambeau Route traces the route taken by the Continental and French armies for the 1781 campaign during the Revolutionary War. The routes and planned trails associated with these corridors generally follow existing road network, including Route 1. The Rebuild Project is not expected to impact future development plans in the County, including further development of the heritage corridors, because it is a rebuild of an existing transmission line.

Land uses crossed by the existing corridor are predominantly residential and commercial. The entire width of the existing transmission corridor currently is cleared and maintained for transmission facility operations. However, the Rebuild Project may require some trimming of tree limbs along the right-of-way edges to support construction activities. Trees and brush located within 100 feet of streams will be cleared by hand in accordance with the Company's approved Erosion and Sediment Control specifications.

The Company may remove any designated "Hazard Trees," defined as any tree along the right-of-way that is tall enough to endanger the conductors if it were to break at the stump or uproot and fall directly towards the conductors and that exhibits signs or symptoms of disease or structural defect that make it an elevated risk for falling. The Company's arborist will contact the property owner if possible before any Hazard Trees are cut except in emergency situations. The Company's Forestry Coordinator will field inspect the right-of-way and designate any Hazard Trees present. Qualified contractors working in accordance with Dominion Energy Virginia Electric Transmission specifications will perform all Hazard Tree cutting. The Rebuild Project is not expected to have an impact on agricultural or forest resources as the proposed Rebuild Project involves rebuilding a portion of an existing line which is already cleared and maintained for existing facility operation and no additional right-of-way is required.

## **L. Use of Pesticides and Herbicides**

Of the techniques available, selective foliar is the preferred method of herbicide application. The Company typically maintains transmission line right-of-way by means of selective, low volume applications of EPA approved, non-restricted use herbicides. The goal of this method is to exclude tall growing brush species from the right-of-way by establishing early successional plant communities of native grasses, forbs, and low growing woody vegetation. "Selective" application means the Company sprays only the undesirable plant species (as opposed to broadcast applications). "Low volume" application means the Company uses only the volume of herbicide necessary to remove the selected plant species. The mixture of herbicides used varies from one cycle to the next to avoid the development of resistance by the targeted plants. There are four means of dispersal available to the Company, including backpack, fixed nozzle-radiarc, handgun, and aerial. Very little right-of-way maintenance incorporates aerial equipment. The Company uses licensed contractors to perform this work that are either certified applicators or registered technicians in the Commonwealth of Virginia.

DEQ made a request that only herbicides approved for aquatic use by the EPA or the USFWS be used in or around any surface water. The Company intends to use only herbicides approved for aquatic use by the EPA or the USFWS within or around any surface water.

## **M. Geology and Mineral Resources**

According to the Virginia Department of Mines, Minerals, and Energy ("DMME") and the United State Geological Survey ("USGS"), the existing transmission corridor lies within both the Coastal Plain and Piedmont physiographic provinces of Virginia. The Coastal Plain extends from the fall line in the west to the Atlantic Ocean. The Coastal Plain is characterized by terraced landscapes that stair-step down to the coast and major rivers. Soils within the Coastal Plain are underlain by thick clay and sand sediments that increase in thickness from the fall zone to the continental shelf. The Piedmont is a plateau which extends from the foothills of the Blue Ridge Mountains eastward until it reaches the Coastal Plain at the fall line. The Piedmont is characterized by low, rolling hills at an elevation range of approximately 200-1,000 feet above sea level. According to the DMME Division of Geology and Mineral Resources's database, as well as a review of the USGS topographic maps, there are no active mines within 5.0 miles of the proposed Rebuild Project; however there is an orphaned mineral mine approximately 3.0 miles from the Rebuild Project. No mining operations occur within the proposed Rebuild Project right-of-way. The Company does not anticipate that the proposed Rebuild Project will result in negative impacts to the geology or mineral resources in the project area.

## **N. Transportation Infrastructure**

The existing variable width transmission line corridor extends approximately 8.5 miles northwest from the Company's existing Possum Point Power Station site in



Prince William County, Virginia, crossing 26 public and private roads before terminating approximately 400 feet north of the Smoketown DP, just south of Smoketown Road, also located in Prince William County, Virginia. Most of the roads within the Rebuild Project area consist of medium volume county roads. Three major roads are crossed by the right-of-way: Interstate 95, Dale Boulevard, and U.S. Route 1. The Company will apply for any necessary land use permits from the Virginia Department of Transportation ("VDOT").

The closest public use airports to the project have been identified as the Manassas Regional Airport and Maryland Regional Airport TW5, both approximately 12 miles from the Smoketown DP end of the project. The Stafford Regional Airport is approximately 13 miles from the Possum Point Power Station end of the Rebuild Project. The design of the proposed Rebuild Project must prevent interference with pilots' safe ingress and egress at the airport. Such hazard or impediments include interference with navigation and communication equipment and glare from materials and external lights. The Company solicited comments from the Virginia Department of Aviation ("DOA") regarding the proposed Rebuild Project, which are provided in Attachment 2.N.1.

The existing transmission corridor crosses one CSX railway line, located in Prince William County, Virginia. The Company will coordinate with the railroad as necessary, but does not anticipate that the proposed Rebuild Project will affect railroad facilities or conflict with their operation.

The Company will secure all necessary permits from VDOT, DOA, and CSX prior to construction in the respective rights-of-way.

## **Attachments**

## **Attachment 1.A.1**

# **Virginia Marine Resources Commission Permit**



# COMMONWEALTH of VIRGINIA

## *Marine Resources Commission*

2600 Washington Avenue

Third Floor

Newport News, Virginia 23607

Molly Joseph Ward  
Secretary of Natural Resources

John M.R. Bull  
Commissioner

July 18, 2016

Virginia Electric and Power Company  
dba Dominion Virginia Power  
c/o Stantec Consulting Services, Inc.  
5209 Center Street  
Williamsburg, VA 23188

Re: VMRC #2016-0261

Dear Sir/Madam:

The enclosed permit will be issued to you after the necessary signatures are affixed and notarized.

1. Please review these documents.
2. Sign **both** documents before a Notary Public.
3. Return **both** copies to this office in the enclosed self-addressed envelope.
4. A check or money order should be made payable to the Marine Resources Commission for the total amount listed below:

Description	Amount	Unit of Measure	Rate	Frequency	Total	After-The-Fact
Encroachment Royalty	204.00	Linear Feet	\$3.000	One-Time	\$612.00	
Permit Fee				One-Time	\$100.00	
<b>Total Amount Due to Marine Resources Commission</b>					<b>\$712.00</b>	

Upon receipt of the above signed documents bearing the proper signatures the Marine Resources Commission will execute your permit and return it to you.

The permit is not valid until signed by the Permittee(s), a Notary Public, and the Commissioner. Be sure to include the title of the person accepting the financial and performance obligations explicit in the permit.

*An Agency of the Natural Resources Secretariat*

[www.mrc.virginia.gov](http://www.mrc.virginia.gov)

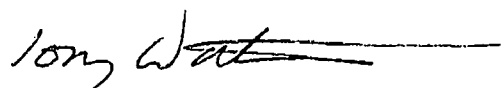
Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

Virginia Electric and Power Company  
Page Two

July 18, 2016  
VMRC #2016-0261

If for any reason you cannot return these documents within 60 days, please inform me of the reasons for the delay.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Watkinson", written over a horizontal line.

Tony Watkinson  
Chief, Habitat Management Division

TW/mce:lra  
HM  
Enclosure  
cc: Applicant

**COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION  
PERMIT**

The Commonwealth of Virginia, Marine Resources Commission, hereinafter referred to as the Commission, on this 14th day of July 2016 hereby grants unto:

**Virginia Electric and Power Company  
701 East Cary Street, 12th Floor  
Richmond, VA 23219**

hereinafter referred to as the Permittee, permission to:

- X   Encroach in, on, or over State-owned subaqueous bottoms pursuant to Chapter 12, Subtitle III, of Title 28.2 of the Code of Virginia.
- Use or develop tidal wetlands pursuant to Chapter 13, Subtitle III, of Title 28.2 of the Code of Virginia.

Permittee is hereby authorized to install two electric transmission circuits (consisting of 8 individual wires) 55 feet above a 66-foot wide section of Powell's Creek and 95 feet above a 36-foot wide section of Neabsco Creek, as part of the Line 18/145 Possum Point to Smoketown rebuild project in Prince William County. All activities authorized herein shall be accomplished in conformance with the plans and drawings dated received February 23, 2016, which are attached and made a part of this permit.

This permit is granted subject to the following conditions:

- (1) The work authorized by this permit is to be completed by July 31st, 2019. The Permittee shall notify the Commission when the project is completed. The completion date may be extended by the Commission in its discretion. Any such application for extension of time shall be in writing prior to the above completion date and shall specify the reason for such extension and the expected date of completion of construction. All other conditions remain in effect until revoked by the Commission or the General Assembly.
- (2) This permit grants no authority to the Permittee to encroach upon the property rights, including riparian rights, of others.
- (3) The duly authorized agents of the Commission shall have the right to enter upon the premises at reasonable times, for the purpose of inspecting the work being done pursuant to this permit.
- (4) The Permittee shall comply with the water quality standards as established by the Department of Environmental Quality, Water Division, and all other applicable laws, ordinances, rules and regulations affecting the conduct of the project. The granting of this permit shall not relieve the Permittee of the responsibility of obtaining any and all other permits or authority for the projects.
- (5) This permit shall not be transferred without written consent of the Commissioner.
- (6) This permit shall not affect or interfere with the right vouchsafed to the people of Virginia concerning fishing, fowling and the catching of and taking of oysters and other shellfish in and from the bottom of acres and waters not included within the terms of this permit.
- (7) The Permittee shall, to the greatest extent practicable, minimize the adverse effects of the project upon adjacent properties and wetlands and upon the natural resources of the Commonwealth.
- (8) This permit may be revoked at any time by the Commission upon the failure of the Permittee to comply with any of the terms and conditions hereof or at the will of the General Assembly of Virginia.
- (9) There is expressly excluded from the permit any portion of the waters within the boundaries of the Baylor Survey.
- (10) This permit is subject to any lease of oyster planting ground in effect on the date of this permit. Nothing in this permit shall be construed as allowing the Permittee to encroach on any lease without the consent of the leaseholder. The Permittee shall be liable for any damages to such lease.
- (11) The issuance of this permit does not confer upon the Permittee any interest or title to the beds of the waters.
- (12) All structures authorized by this permit, which are not maintained in good repair, shall be completely removed from State-owned bottom within three (3) months after notification by the Commission.
- (13) The Permittee agrees to comply with all of the terms and conditions as set forth in this permit and that the project will be accomplished within the boundaries as outlined in the plans attached hereto. Any encroachment beyond the limits of this permit shall constitute a Class 1 misdemeanor.
- (14) This permit authorizes no claim to archaeological artifacts that may be encountered during the course of construction. If, however, archaeological remains are encountered, the Permittee agrees to notify the Commission, who will, in turn notify the Department of Historic Resources. The Permittee further agrees to cooperate with agencies of the Commonwealth in the recovery of archaeological remains if deemed necessary.
- (15) The Permittee agrees to indemnify and save harmless the Commonwealth of Virginia from any liability arising from the establishment, operation or maintenance of said project.

The following special conditions are imposed on this permit:

- (16) The yellow placard accompanying this permit document must be conspicuously displayed at the work site.
- (17) Permittee agrees to notify the Commission a minimum of 15 days prior to the start of the activities authorized by this permit.
- (18) All area of State-owned bottom and adjacent lands disturbed by this activity shall be restored to their original contours and natural conditions within thirty (30) days from the date of completion of the authorized work. All excess materials shall be removed to an upland site and contained in such a manner to prevent its reentry into State waters.
- (19) Erosion and sediment control measures shall be in conformance with the 1992 Third Edition of the Virginia Erosion and Sediment Control Handbook and shall be employed throughout construction.

Description of Fees	Amount	Unit of Measure	Rate	Total	Frequency	After-The-Fact
Encroachment Royalty	204.00	Linear Feet	3.000	\$612.00	One-Time	
Permit Fee				\$100.00	One-Time	
<b>Total Permit Fees</b>				<b>\$712.00</b>		

This permit consists of 12 Pages

#### PERMITTEE

Permittee's signature is affixed hereto as evidence of acceptance of all of the terms and conditions herein.

In cases where the Permittee is a corporation, agency or political jurisdiction, please assure that the individual who signs for the Permittee has proper authorization to bind the organization to the financial and performance obligations which result from activity authorized by this permit.

#### PERMITTEE

Accepted for Virginia Electric and Power Company

day of \_\_\_\_\_, 20

By \_\_\_\_\_  
(Name) (Title)

State of \_\_\_\_\_

City (or County) of \_\_\_\_\_, to-wit:

I, \_\_\_\_\_ a Notary Public in and for said City (or County) and State hereby certify that \_\_\_\_\_, Permittee, whose name is signed to the foregoing, has acknowledged the same before me in my City (or County) and State aforesaid.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20  
My Commission Expires:

Notary Public \_\_\_\_\_

#### COMMISSION

IN WITNESS WHEREOF, the Commonwealth of Virginia, Marine Resources Commission has caused these presents to be executed in its behalf by \_\_\_\_\_

(Name)

(Title) Marine Resources Commission

day of \_\_\_\_\_, 20

By \_\_\_\_\_

State of Virginia

City of Newport News, to-wit:

I, \_\_\_\_\_ a Notary Public within and for said City, State of Virginia, hereby certify that \_\_\_\_\_, whose name is signed to the foregoing, bearing the 14th day of July 2016, has acknowledged the same before me in City aforesaid.

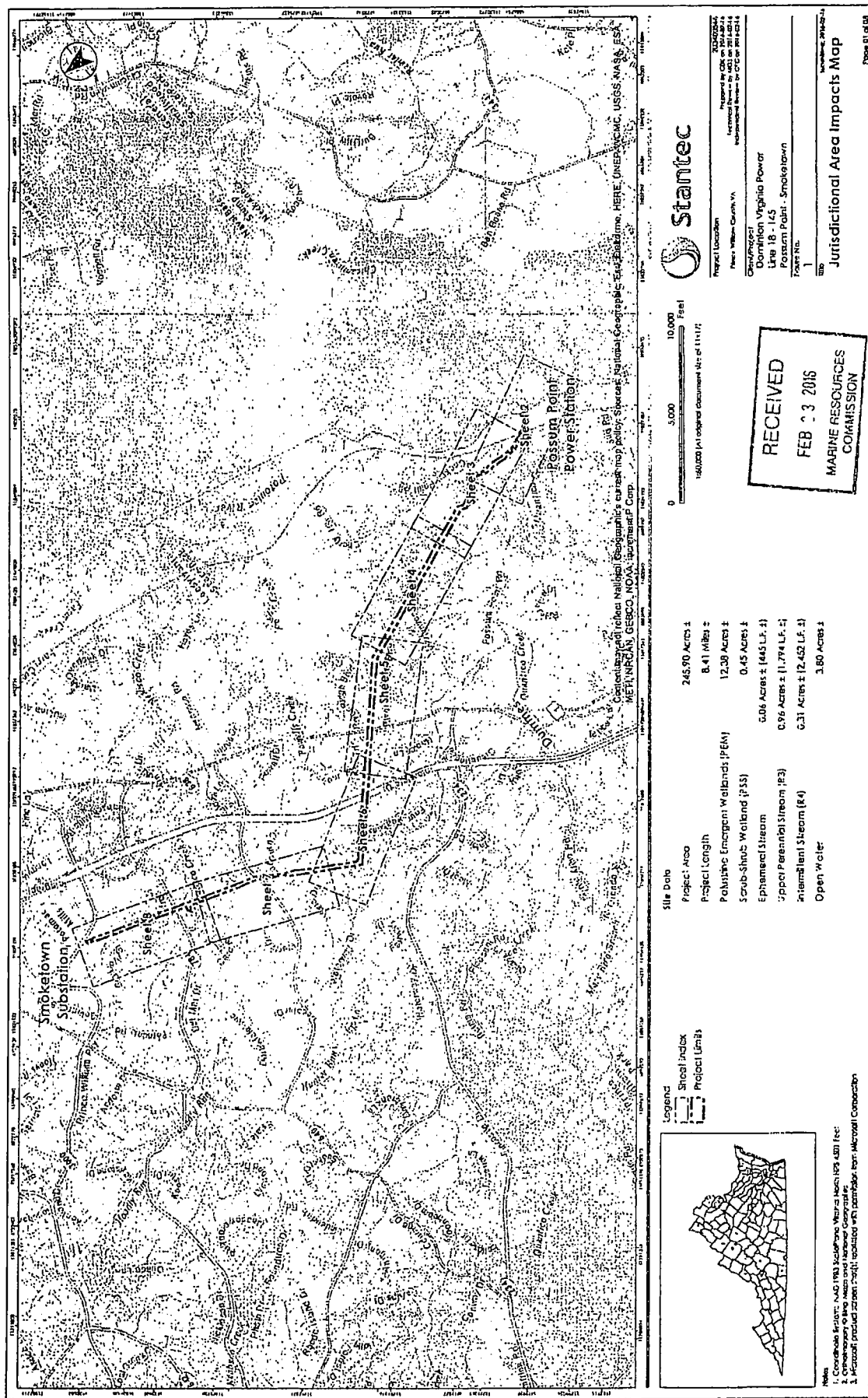
Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20  
My Commission Expires:

Notary Public \_\_\_\_\_

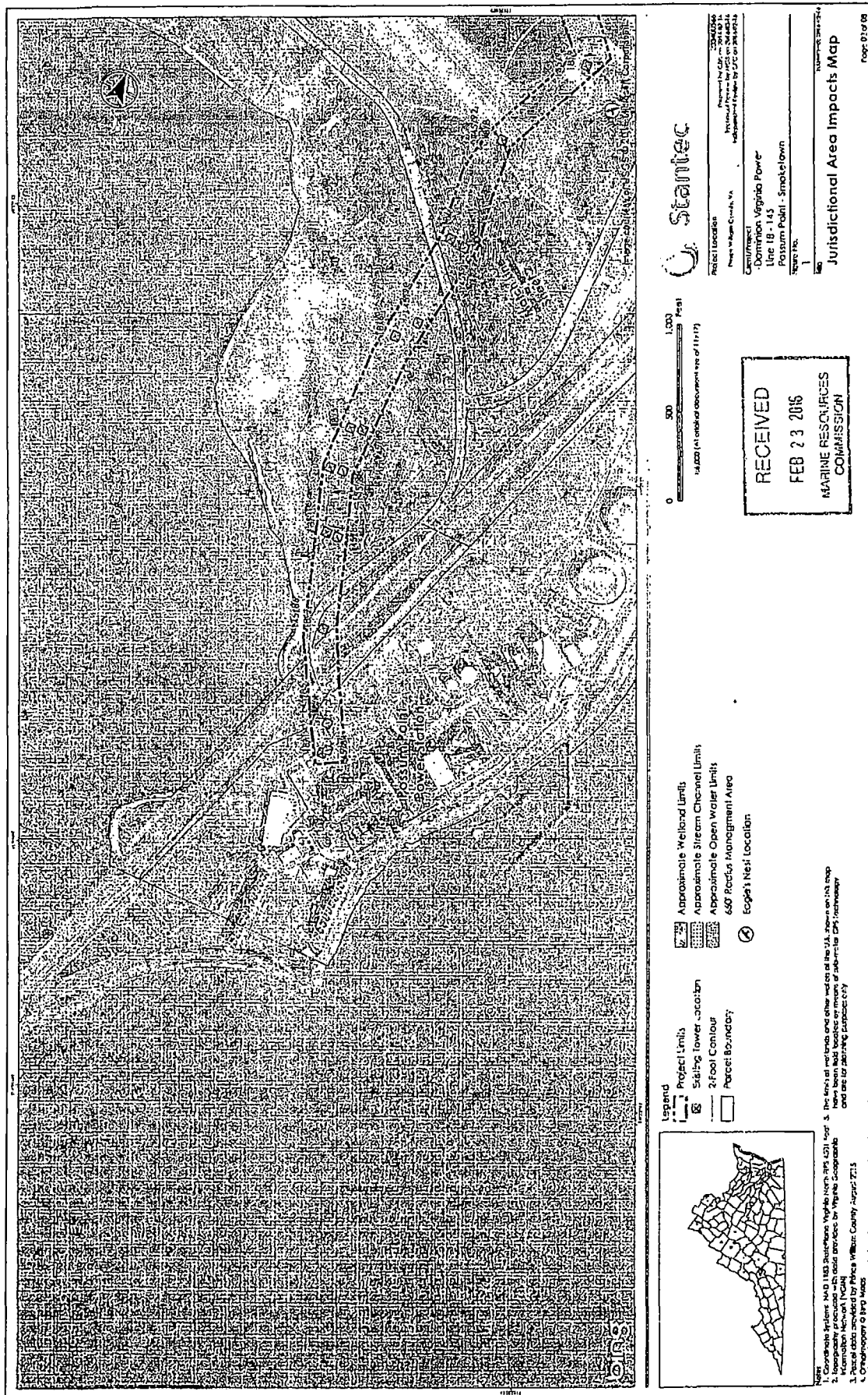


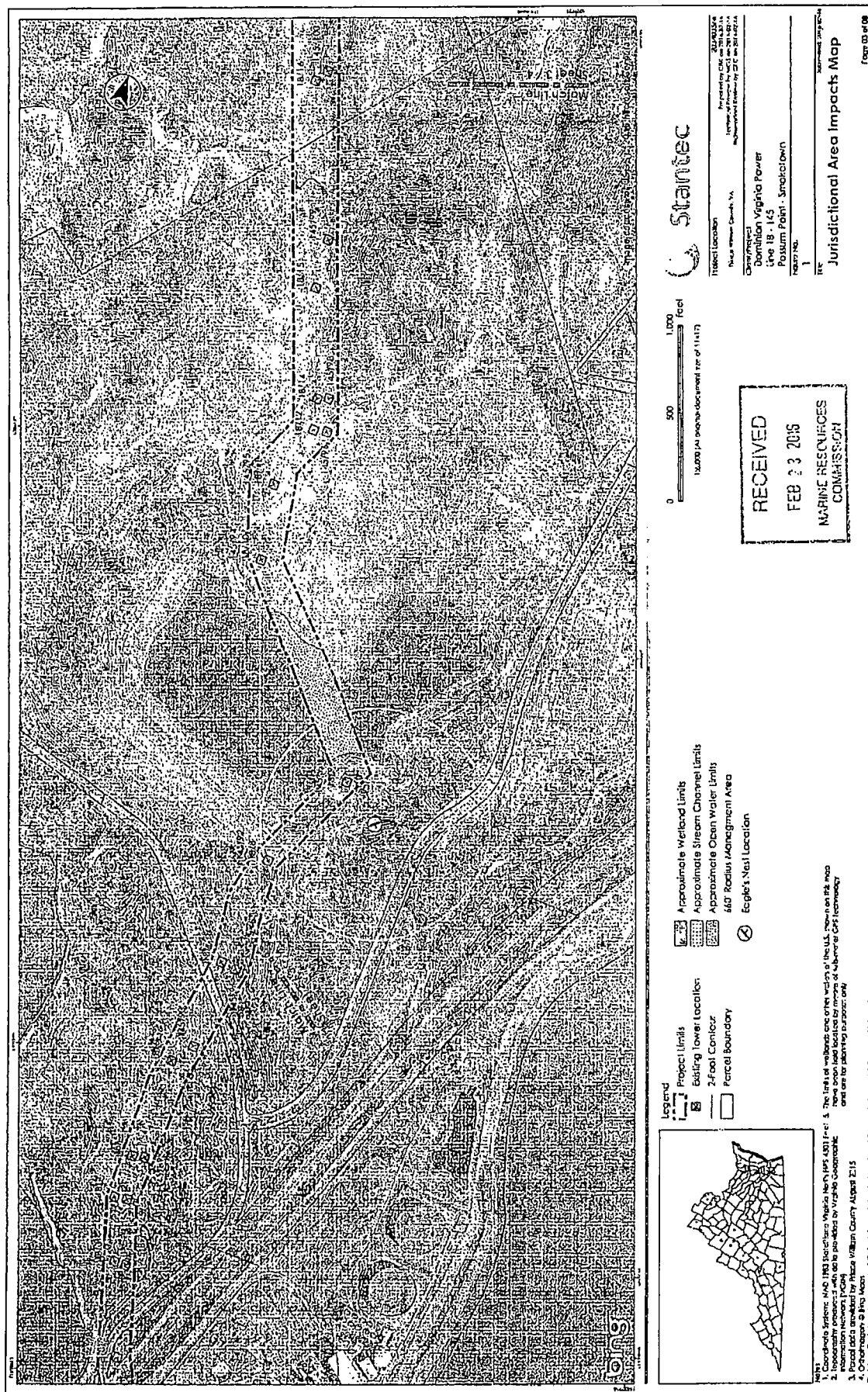


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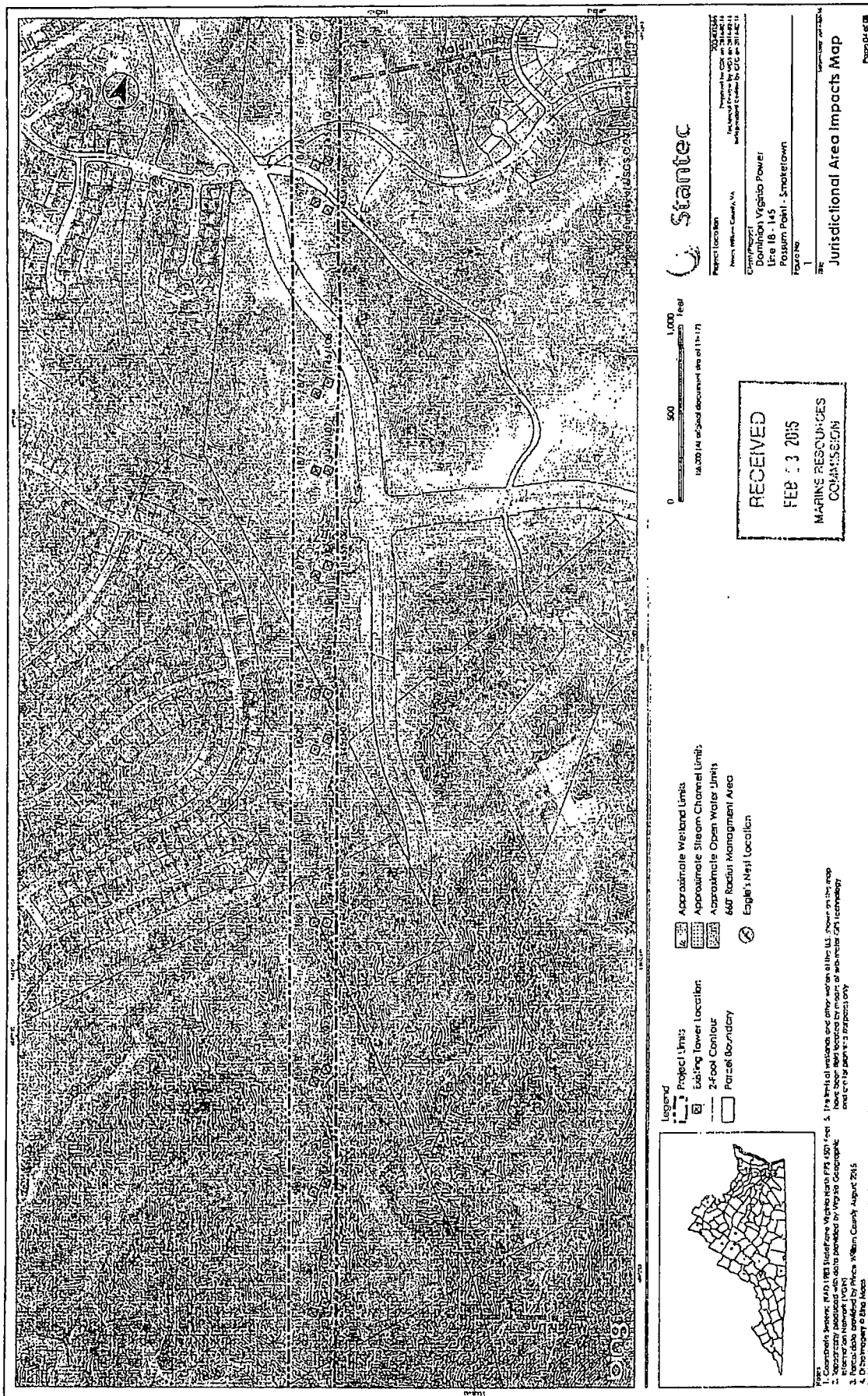


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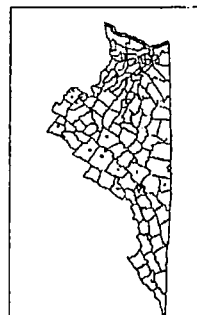
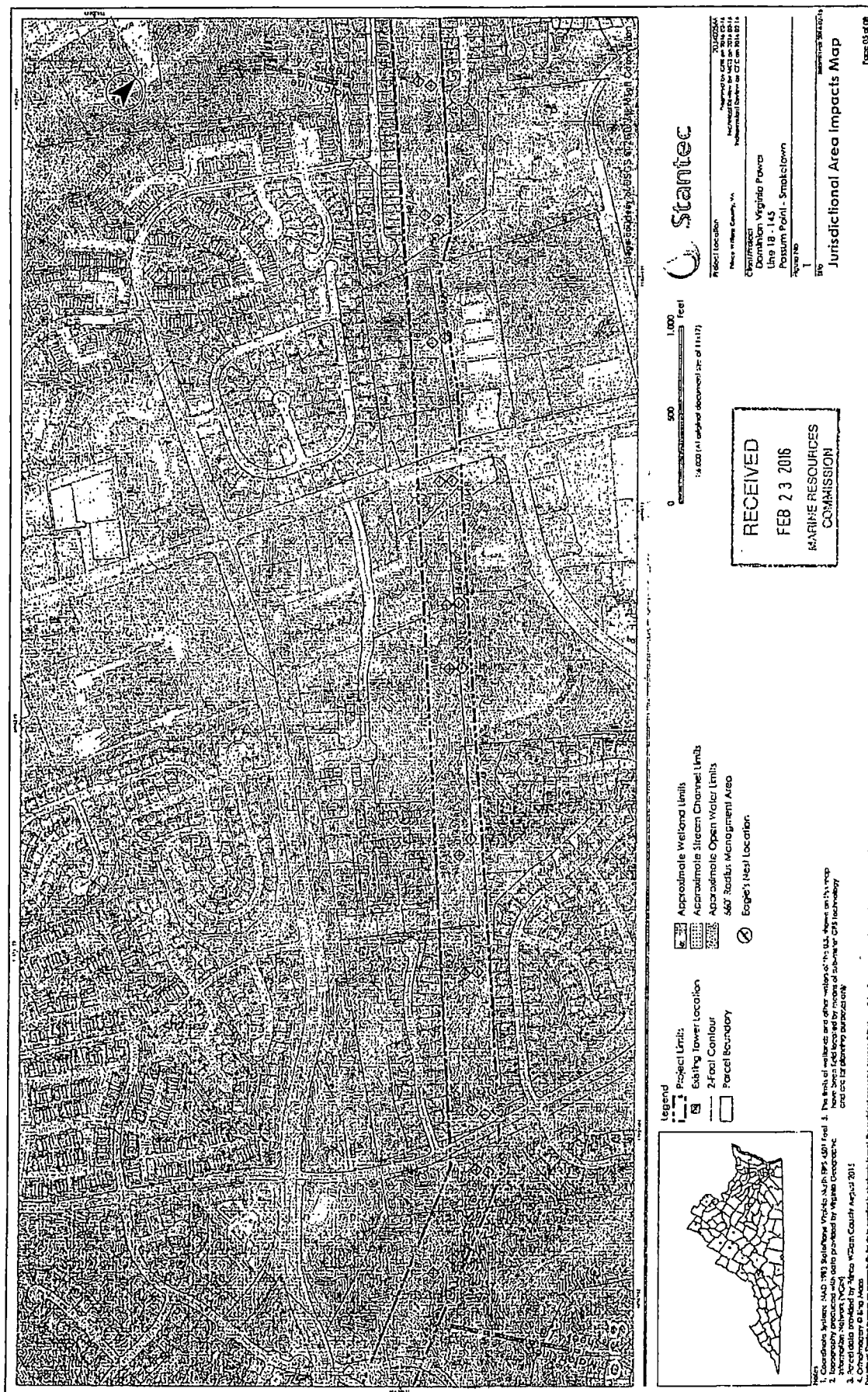








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1. Coordinates written: NAD 83, StatePlane Virginia North, EPS: 3011 Feet  
2. Topography produced with data purchased by Virginia Department of Transportation  
3. Parcel data provided by the Virginia Department of Taxation  
4. Orthophotography © Esri, Inc.  
The State of Virginia Department of Transportation

Legend  
 [Symbol] Project Limits  
 [Symbol] Existing Tower Location  
 [Symbol] 2-Foot Contour  
 [Symbol] Parcel Boundary  
 [Symbol] Approximate Wetland Limits  
 [Symbol] Approximate Siltation Channel Limits  
 [Symbol] Approximate Open Water Limits  
 [Symbol] 660' Radius Management Area  
 [Symbol] Eagle's Nest Location

Stantec  
 Project Location: Norfolk County, VA  
 Client: Dominion Virginia Power  
 Line 1B - 145  
 Potomac Point - Smarttown  
 Project No: 20140004  
 Prepared by: CMC and SDC  
 Approved by: SDC and CMC  
 Date: 10/1/14

0 500 1,000 Feet  
 1:4,000 (As printed document 24" x 36")

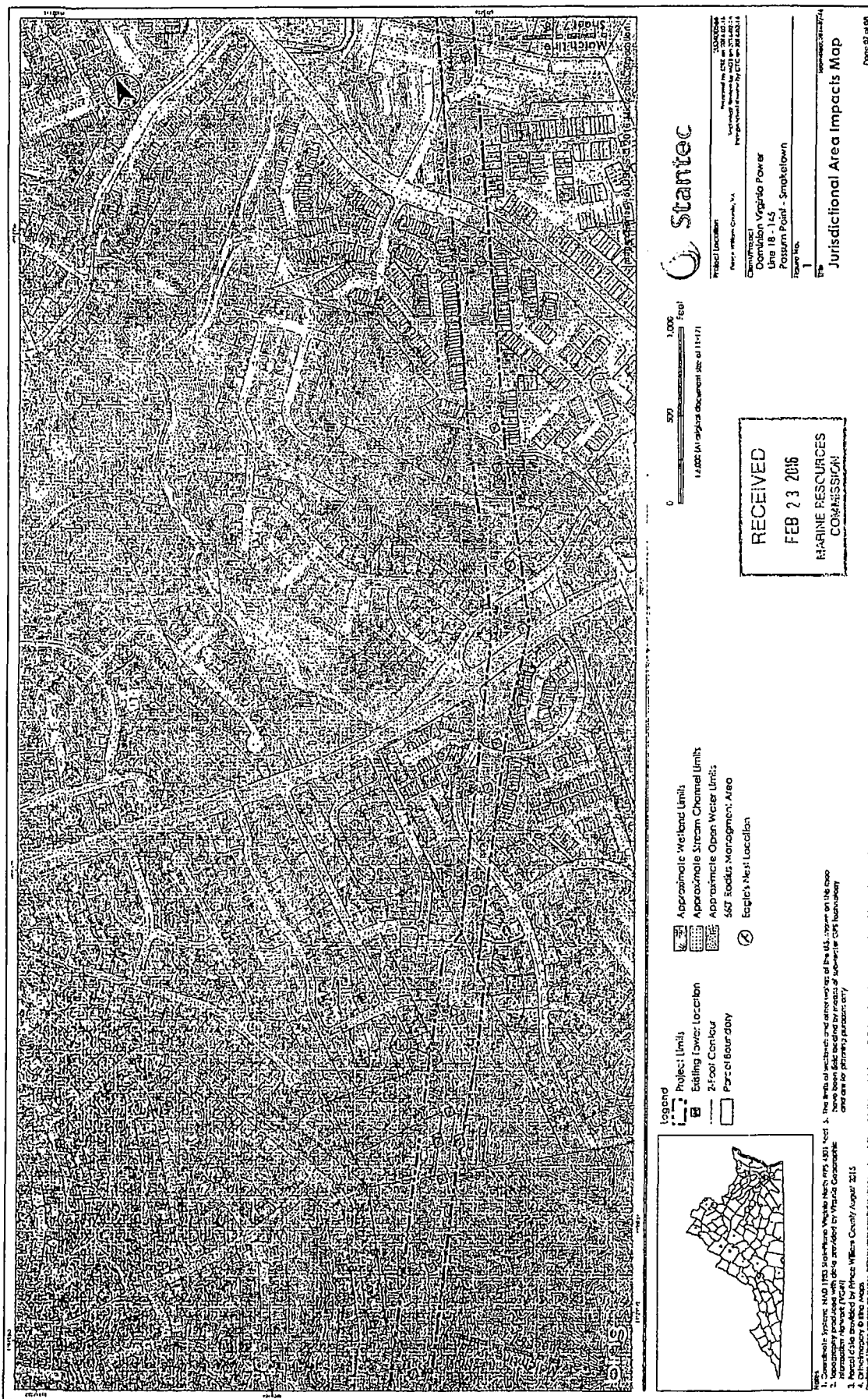
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 MARINE RESOURCES  
 COMMISSION

Jurisdictional Area Impacts Map  
 Page 311 of 88



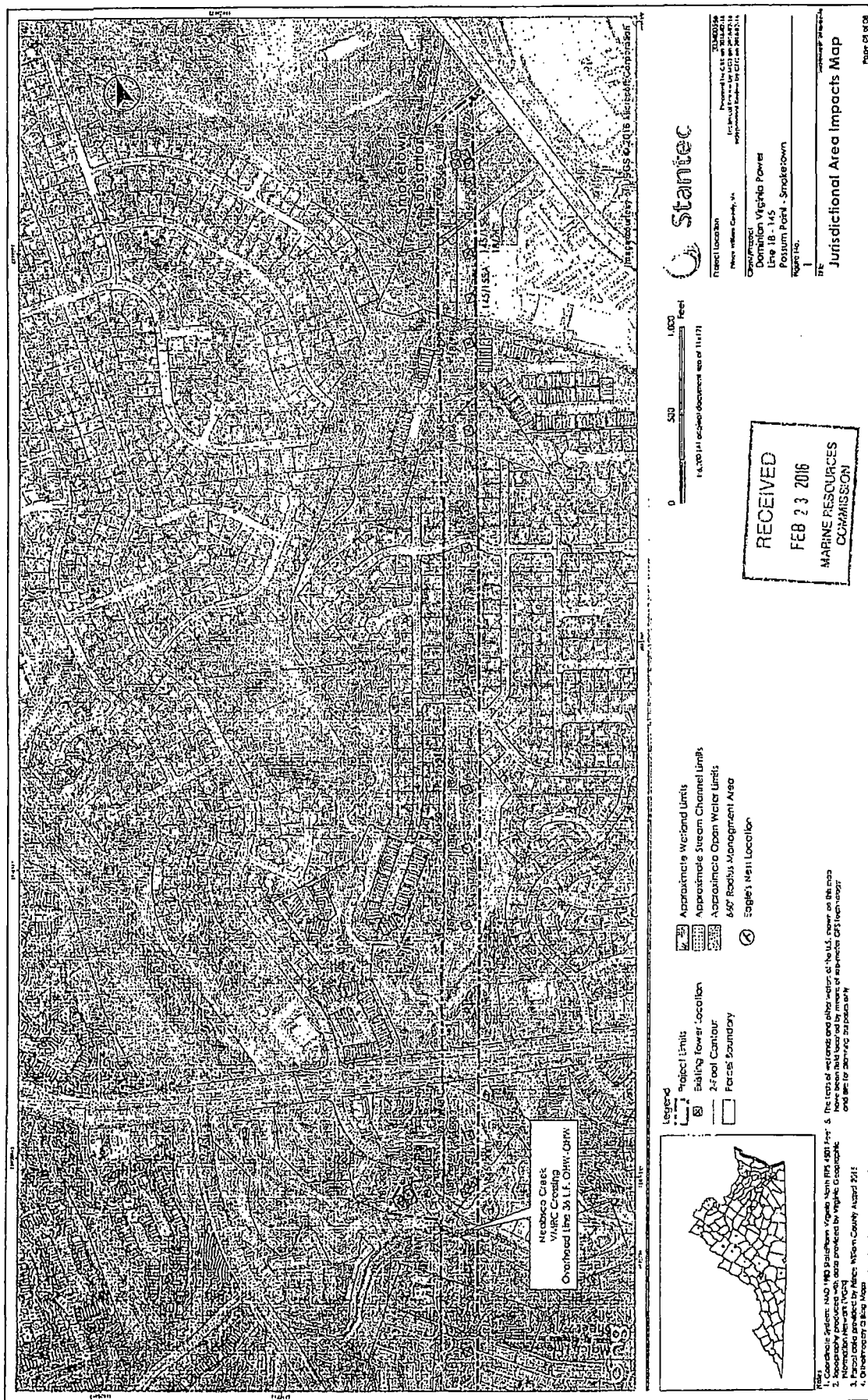


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## **Attachment 1.A.2**

### **U.S. Army Corps of Engineers Correspondence**



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NORFOLK DISTRICT  
FORT NORFOLK  
803 FRONT STREET  
NORFOLK VA 23510-1011

JULY 8, 2016

Northern Virginia Regulatory Section  
NAO-2016-00863/16-V0261 (Line 18-145 Possum Point - Smoketown)

Ms. Amanda Mayhew  
Dominion Virginia Power  
701 East Cary Street, 12<sup>th</sup> Floor  
Richmond, Virginia 23219

Dear Ms. Mayhew:

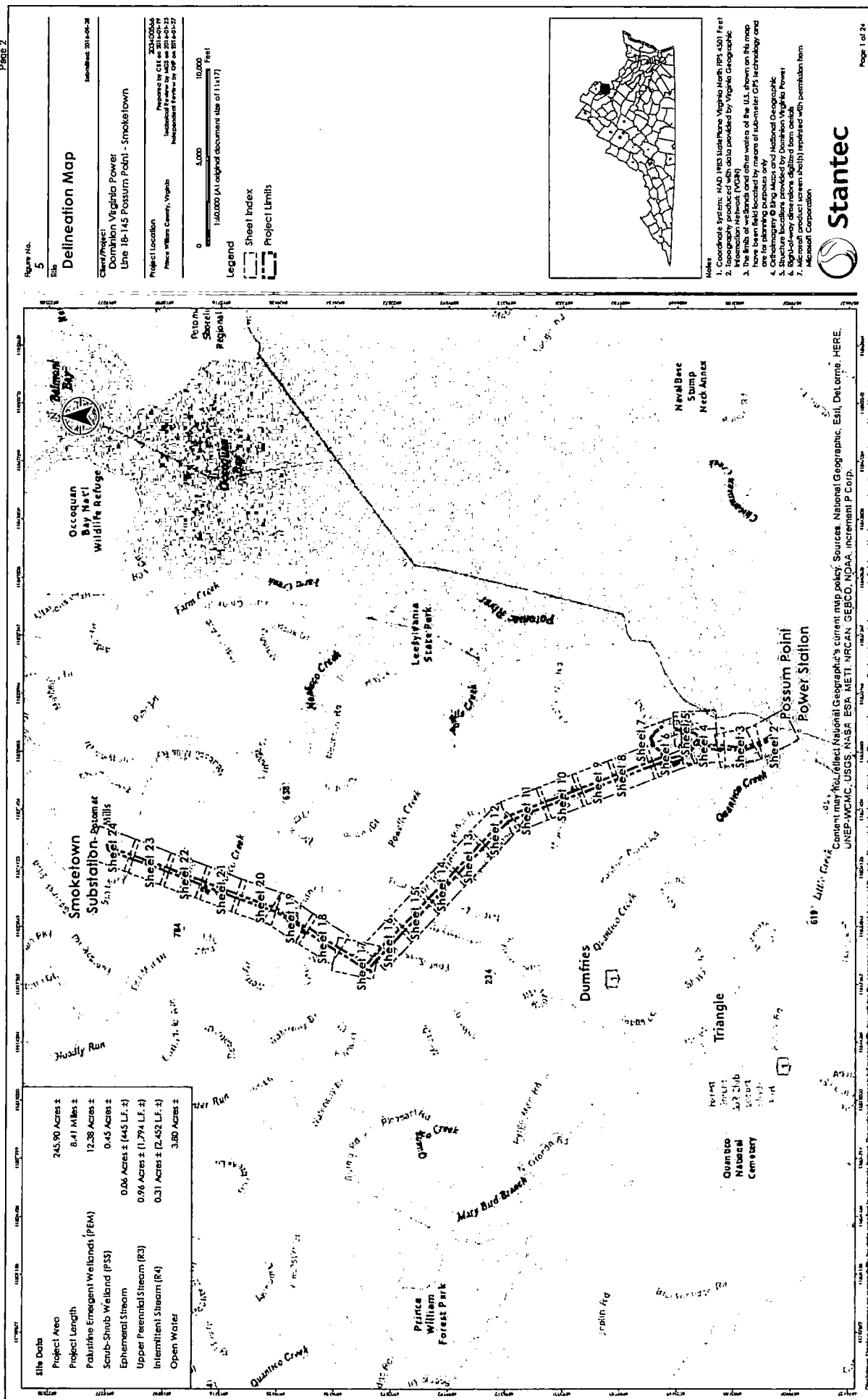
The proposed activity does not fall within the Corps of Engineers' jurisdiction. No permit will be required from this office. Please note that you should obtain all required State and local authorizations before you proceed with the project.

If you have any further questions about the Corps' regulatory program, please contact Ms. Theresita Crockett-Augustine in the Northern Virginia Field Office at 18139 Triangle Plaza, Suite 213, Dumfries, Virginia 22026, (703) 221-9736 or [theresita.m.crockett-augustine@usace.army.mil](mailto:theresita.m.crockett-augustine@usace.army.mil).

Sincerely,

A handwritten signature in black ink, reading "Theresita Crockett-Augustine", is positioned above the typed name.

Theresita Crockett-Augustine  
Environmental Scientist  
Northern Virginia Regulatory Section



## **Attachment 2.D.1**

# **U.S. Army Corps of Engineers Preliminary Jurisdictional Determination**



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NORFOLK DISTRICT  
FORT NORFOLK  
803 FRONT STREET  
NORFOLK VA 23510-1011

July 7, 2016

**PRELIMINARY JURISDICTIONAL DETERMINATION**

Northern Virginia Regulatory Section  
NAO-2016-00863 (Line 18-145 Possum Point – Smoketown)

Ms. Amanda Mayhew  
Dominion Virginia Power  
701 East Cary Street, 12<sup>th</sup> Floor  
Richmond, Virginia 23219

Dear Ms. Mayhew:

This letter is in regard to your request for a preliminary jurisdictional determination for waters of the U.S. (including wetlands) on property known as Line 18-145 Possum Point – Smoketown, located on an approximately 245.90 acre parcel, along an approximately 8.41 – mile corridor northwest from the Possum Point substation, located on the north bank of Quantico Creek, to the Smoketown substation, located west of Smoketown Road (Route 2000) in Prince William County, Virginia.

The maps entitled “Dominion Virginia Power, Line 18-145 Possum Point - Smoketown”, by Stantec Consulting Services, Inc. dated January 28, 2016 (*copies enclosed*) provides the location of waters and/or wetlands on the property listed above. The basis for this delineation includes application of the Corps’ 1987 Wetland Delineation Manual and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region and Atlantic and Gulf Coastal Plain Region*, and the positive indicators of wetland hydrology, hydric soils, and hydrophytic vegetation and the presence of an ordinary high water mark.

Discharges of dredged or fill material, including those associated with mechanized landclearing, into waters and/or wetlands on this site may require a Department of the Army permit and authorization by state and local authorities including a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ), a permit from the Virginia Marine Resources Commission (VMRC) and/or a permit from your local wetlands board. This letter is a confirmation of the Corps preliminary jurisdiction for the waters and/or wetlands on the subject property and does not authorize any work in these areas. Please obtain all required permits before starting work in the delineated waters/wetland areas.

This is a preliminary jurisdictional determination and is therefore not a legally binding determination regarding whether Corps jurisdiction applies to the waters or wetlands in question. Accordingly, you may either consent to jurisdiction as set out in this

preliminary jurisdictional determination and the attachments hereto if you agree with the determination, or you may request and obtain an approved jurisdictional determination. "This preliminary jurisdictional determination and associated wetland delineation map may be submitted with a permit application."

Enclosed is a copy of the "Preliminary Jurisdictional Determination Form". Please review the document, sign, and return one copy to Ms. Theresita Crockett-Augustine either via email ([theresita.m.crockett-augustine@usace.army.mil](mailto:theresita.m.crockett-augustine@usace.army.mil)) or via standard mail to US Army Corps of Engineers, Northern Virginia Field Office at 18139 Triangle Plaza, Suite 213, Dumfries, Virginia 22026 within 30 days of receipt and keep one for your records. This delineation of waters and/or wetlands is valid for a period of five years from the date of this letter unless new information warrants revision prior to the expiration date.

If you have any questions, please contact Ms. Theresita Crockett-Augustine at (703) 221-9736 or [theresita.m.crockett-augustine@usace.army.mil](mailto:theresita.m.crockett-augustine@usace.army.mil).

Sincerely,



Theresita Crockett-Augustine  
Environmental Scientist  
Northern Virginia Regulatory Section

Enclosures

## PRELIMINARY JURISDICTIONAL DETERMINATION FORM

### BACKGROUND INFORMATION:

**A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD):** Thursday, July 7, 2016

**B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:**

Ms. Amanda Mayhew  
Dominion Virginia Power  
701 East Cary Street, 12th Floor  
Richmond, Virginia 23219

**C. DISTRICT OFFICE: Norfolk District (CENAO-REG)**

**FILE NAME:** Line 18-145 Possum Point - Smoketown

**FILE NUMBER:** NAO-2016-00863

**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:**

(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)

State: **VIRGINIA** County/parish/borough: Prince William City:

Center coordinates of site (lat/long in degree decimal format):

Latitude: 38.587 ° N Longitude: 77.302 ° W

Universal Transverse Mercator:

Name of nearest waterbody: Quantico Creek, Powells Creek and Neabsco Creek

Identify (estimate) amount of waters in the review area:

Non-wetland waters: 4,691 linear feet; width (ft); and/or acres.

Cowardin Class: Riverine

Stream Flow:

Wetlands: 16.63 acres

Cowardin Class: Palustrine

Name of any water bodies on the site that have been identified as Section 10 waters:

Tidal:

Non-Tidal:

**E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

☒ Office (Desk) Determination. Date: July 6, 2016

☒ Field Determination. Date(s): June 2, 2016



1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.
2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.
3. This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

### **SUPPORTING DATA:**

**Data reviewed for preliminary JD (check all that apply) - checked items should be included in case file and, where checked and requested, appropriately reference sources below.**

☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:

☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.

☒ Office concurs with data sheets/delineation report.

☐ Office does not concur with data sheets/delineation report.

☐ Data sheets prepared by the Corps:

☐ Corps navigable waters' study:

☐ U.S. Geological Survey Hydrologic Atlas:

☐ USGS NHD data.

☐ USGS 8 and 12 digit HUC maps.

☒ U.S. Geological Survey map(s). Cite scale & quad name:

☒ USDA Natural Resources Conservation Service Soil Survey.

Citation:

☒ National wetlands inventory map(s). Cite name:

☐ State/Local wetland inventory map(s):

☐ FEMA/FIRM maps:

☐ 100-year Floodplain Elevation: (National Geodetic Vertical Datum of 1929)

☒ Photographs: ☒ Aerial (Name & Date):

or ☒ Other (Name & Date):

☐ Previous determination(s):

File no. and date of response letter:

☐ Other information (please specify):

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**



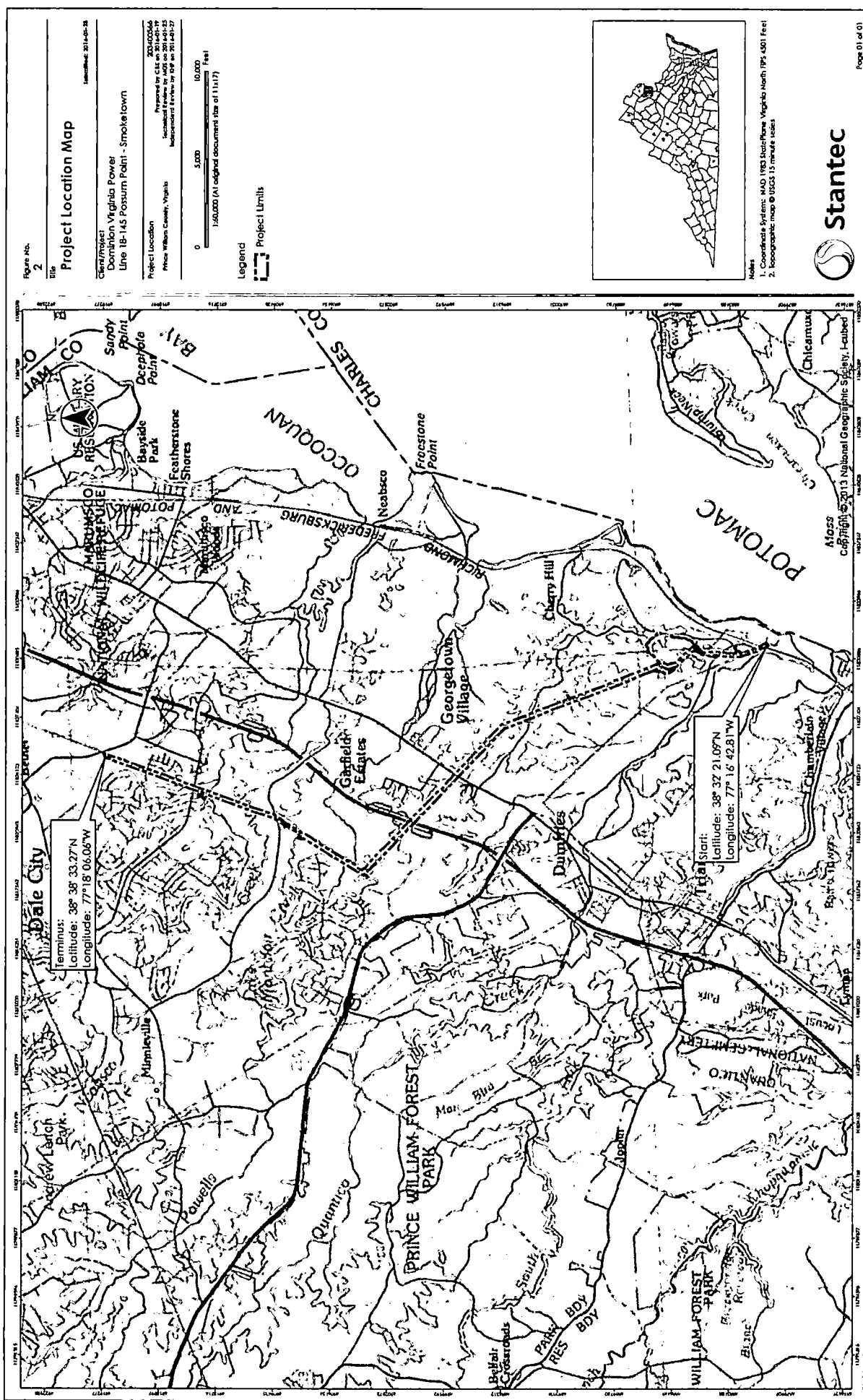
Signature  
Regulatory Project Manager  
(REQUIRED)

2016-07-07

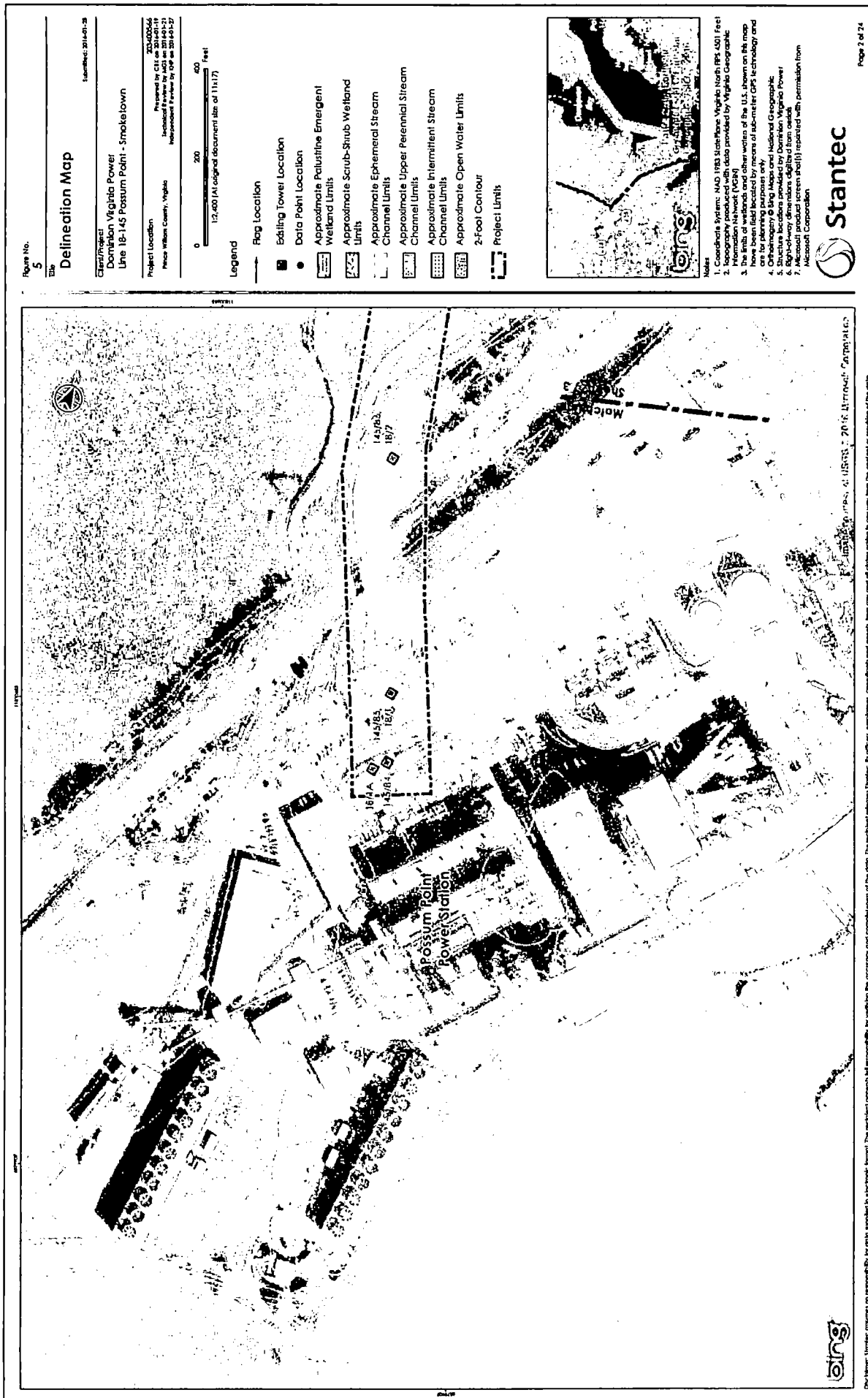
Date

Signature of person requesting  
Preliminary JD  
(REQUIRED, unless obtaining the signature is impracticable)

Date

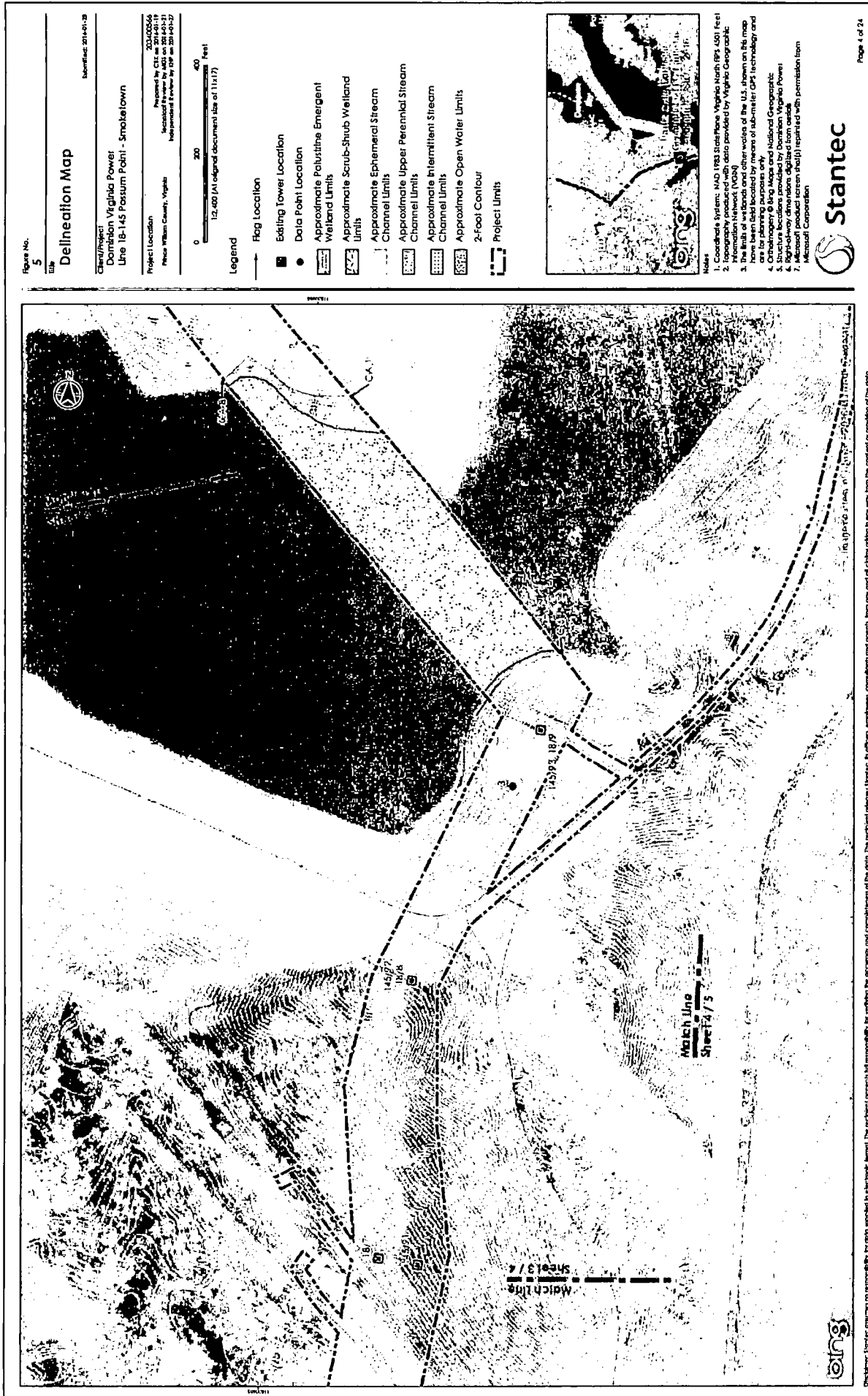






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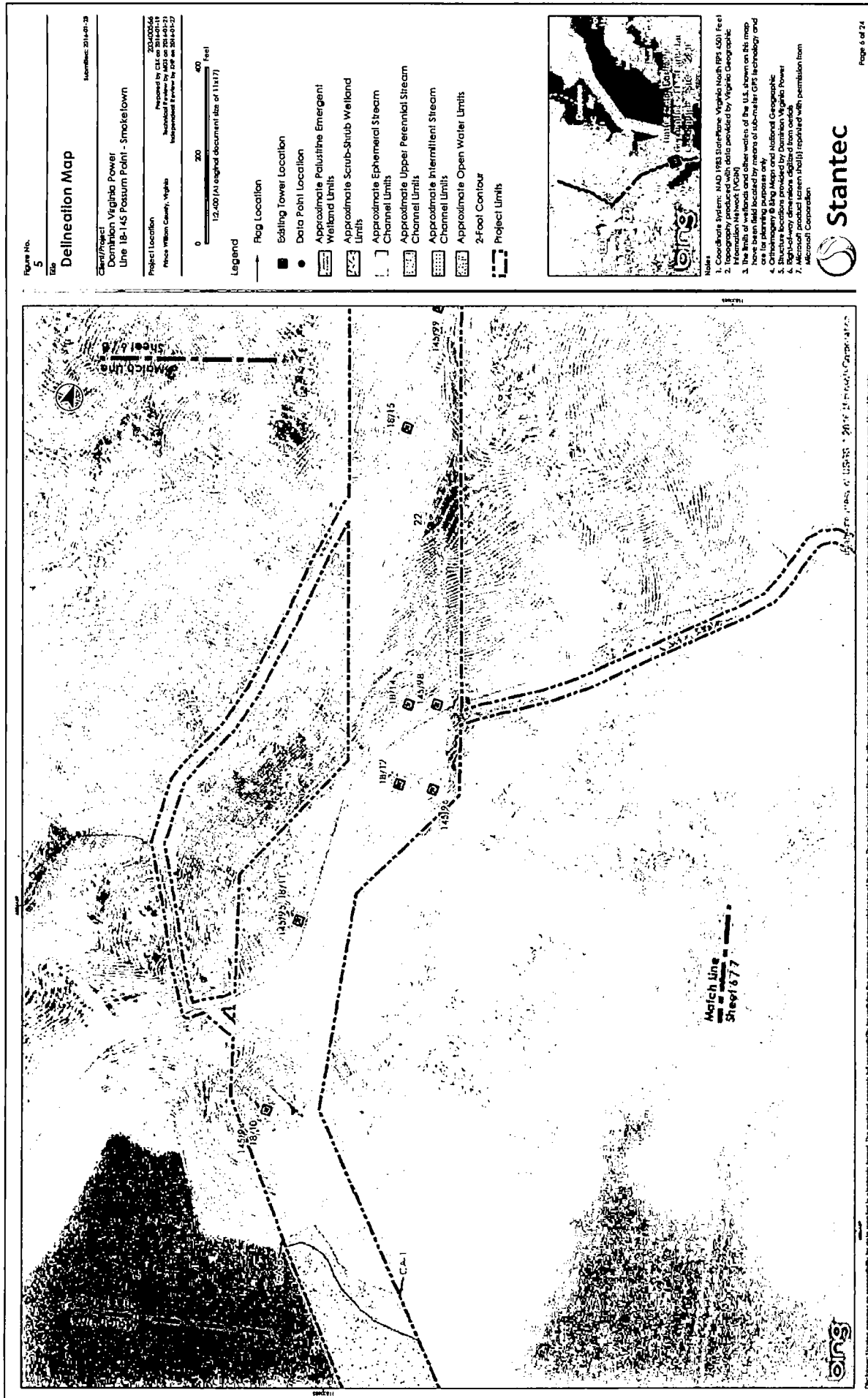




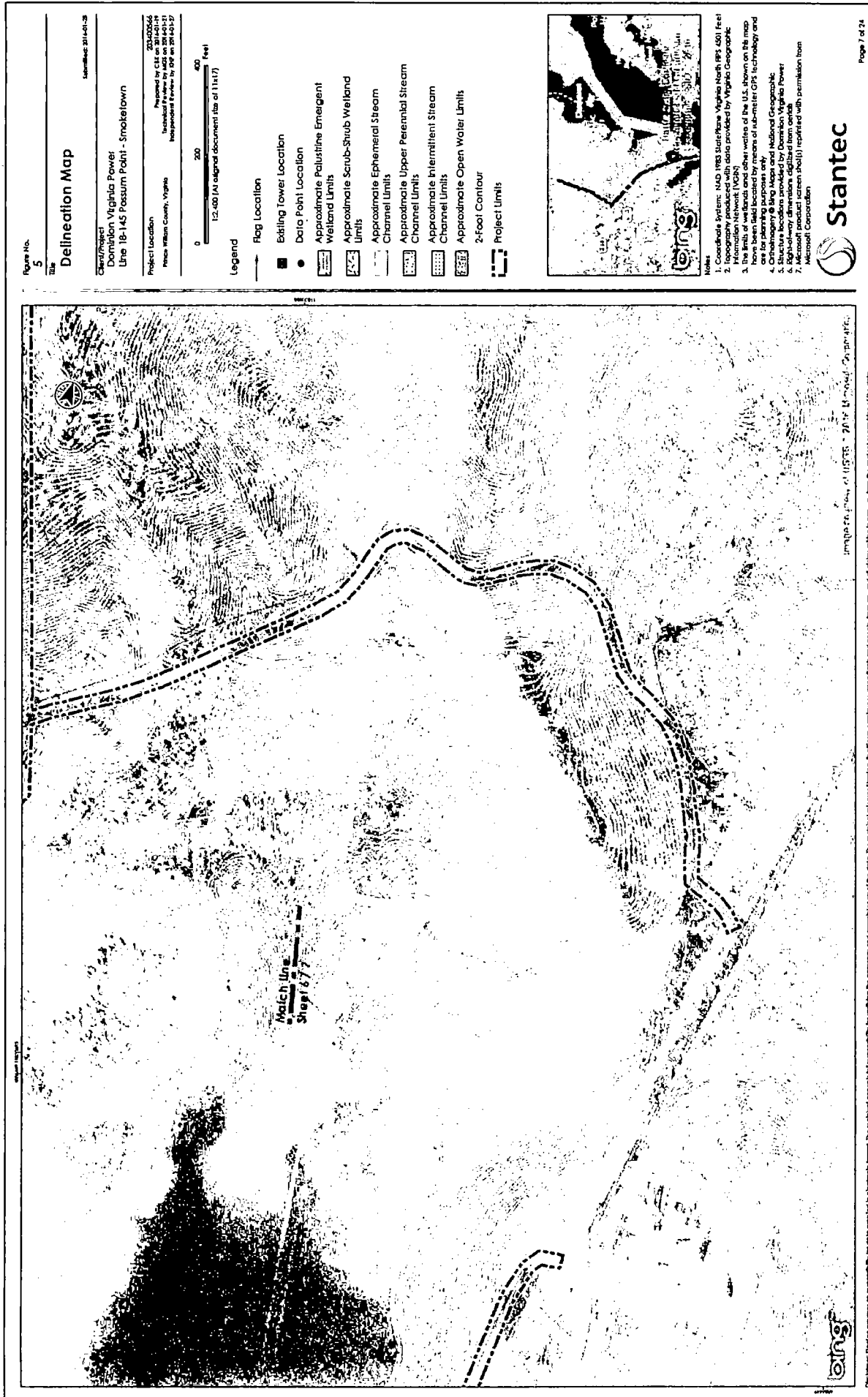
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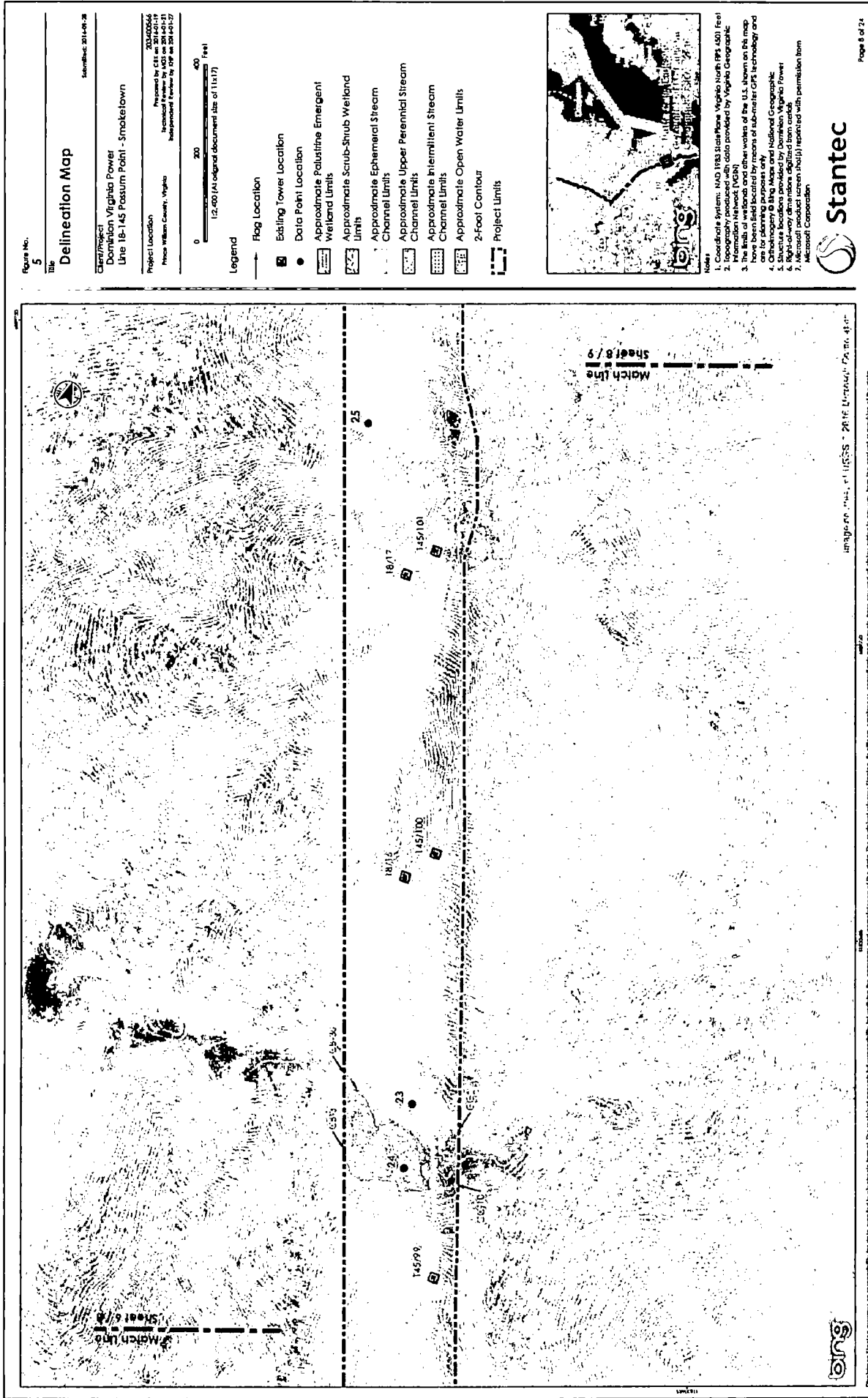






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