

The Recorder

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2017-04-13 / Top News

Agency urges Dominion to avoid karst terrain

By John Bruce • Staff Writer

MONTEREY — Confirming the sensitivity of Valley Center’s karst topography, the Virginia Department of Environmental Quality recommended the proposed Atlantic Coast Pipeline route avoid karst.

The recommendation was part of a 186- page response to the Federal Energy Regulatory Commission’s draft Environmental Impact Statement for the proposed Atlantic Coast Pipeline.

DEQ announced in the response it would require individual water-quality certification permits for all wetland and stream crossings that would occur with the proposed Atlantic Coast and Mountain Valley pipelines, should FERC approve the projects.

The individual certification permits, known as 401 certifications after the relevant section of the federal Clean Water Act, are intended to ensure all state water quality standards are maintained in areas affected by a project.

DEQ plans to require the individual permits in addition to the U.S. Army Corps of Engineers Nationwide Permit 12, a general permit that would cover all of a project’s wetland and stream crossings.

A DEQ news release on the announcement said, “The public will have an opportunity to review and comment on these certifications and the conditions required to protect water quality. DEQ also will hold public hearings on the draft certifications. Once the comment period has concluded, the proposed final certifications will be brought before the State Water Control Board.”

In a prepared statement, Dominion spokesman Aaron Ruby said the DEQ’s “decision to utilize the Army Corps of Engineers’ nationwide permit 12 for wetland and stream crossings while also requiring an individual approval process for 401 certification will provide for public review of the protective measures we’ve adopted to preserve water quality.”

With respect to karst, DEQ recommended:

- To follow the Department of Conservation and Recreation guidance to address the impacts if a failure occurs and there is a discharge to karst waters, potentially resulting in impacts to subsurface habitat, drinking water, and surface streams fed by karst springs;
- To consider that effects to wells and springs could potentially extend outside of the current 500-foot karst investigation buffer, since blasting has the potential to include permanent alteration of groundwater flow patterns and yields of wells and springs; and
- To ensure the protection of karst structures, the wildlife species they support, and the waters they contain.

“DCR-DNH did not comment on the Valley Center area (Dever Spring, etc.) because we do not currently have designated significant caves or documented cave biota in the area ... However, it is sensitive from a karst perspective. DCR-DNH’s involvement in the area to date has been performance of dye trace studies showing the recharge area of several springs. DCR-DNH recommends avoidance of karst features to the maximum extent practicable and monitoring of resurgence springs.”

Many of the comments filed referred to sensitive wildlife species.

“Four stream crossings in Highland County were identified as suitable habitat for Southern water shrew ... and DCR recommends continued coordination with Virginia Department of Game and Inland Fisheries. According to (Dominion) correspondence dated March 28, 2017, small mammal surveys are still ongoing and an updated survey report will be provided in the summer of 2017. DCR requests copies of the survey report.”

Further, the agencies said, “Timber rattlesnakes have been documented from the project area. We understand that areas of suitable denning habitat along the pipeline in George Washington National Forest in Highland, Bath and Augusta counties were evaluated and that no rattlesnakes, or evidence of them, were found. During earlier correspondence with (Dominion and consultants), we had recommended that: construction workers be educated about this snake, how to avoid encounters with it, and how to address accidental encounters when they occur. These snakes should not purposefully be harmed during any encounters ... We continue to support contractor education and coordination regarding protection of timber rattlesnakes.”

For golden-winged warblers, the agencies had previously recommended considering the impacts to the species along the pipeline route in Bath and Highland. “We have not seen any information specific to protection of this species or habitats that support it. We did not recommend surveys for this species, but it appears that surveys for this species were performed in West Virginia. We recommend that habitat assessments, if not surveys, be performed along the pipeline route in Bath and Highland counties and that such assessments be provided to us for further review,” they said.

“We offer the following information again to assist with decision-making: Their breeding season in Virginia is May 1-July 31. The best survey window is mid-May to mid-June and a playback sequence is highly recommended to increase detectability. Breeding habitat description: across their breeding range, golden-wings are associated with a number of open, early-successional habitats with herbaceous cover (grasses and forbs), patchy shrub cover, and scattered trees. In Virginia these may include old fields, lightly- grazed pastures, regenerating clear-cuts or cut-overs, young forests, and shrubby wetlands.”

The pointed out that a 2010 study in Highland and Bath demonstrated the birds prefer sites where more than 50 percent of woody cover is spatially clustered or clumped. This woody cover often includes a low shrub layer such as blackberry. “Contributing to the uniqueness of golden-wing habitat in Virginia is that these shrubby open patches are embedded within a forested landscape, at elevations greater than 1,500 feet. Breeding habitat occurs within a largely forested landscape context.”

For cerulean warblers, they had previously recommended considering impacts on this species along the pipeline route in Bath, Highland, Augusta, and Nelson counties. “We have not received any information from (Dominion) regarding protection of this species or habitats that support it. We request description of actions to be taken to protect this species ... Cerulean warblers require heavily forested landscapes for nesting and, within Appalachian forests, they primarily occur on ridge tops and steep, upper slopes; though they may also occur in forested riparian habitats. They are generally associated with oak dominated stands that contain gaps in the forest canopy, that have large diameter trees, and that have well-developed understory and canopy layers.”