



**DIVISION OF NATURAL RESOURCES**

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April 6, 2017

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St. N.E., Room 1A  
Washington, DC 20426

Subject:                   Comments – Atlantic Coast Pipeline and Supply Header Project Draft  
                                  Environmental Impact Statement  
                                  Atlantic Coast Pipeline, LLC and Dominion Transmission, Inc.  
                                  Docket CP15-554, CP15-555

Dear Ms. Bose:

The West Virginia Division of Natural Resources, Wildlife Resources Section (WRS) has received the Atlantic Coast Pipeline and Supply Header Project Draft Environmental Impact Statement and appreciates the opportunity to review and provide comments on these two associated projects. We have provided comments relating to wildlife, fisheries and public lands in West Virginia.

For questions, please contact Clifford Brown, Environmental Resources Specialist, by phone (304) 637-0245 or email [Clifford.L.Brown@wv.gov](mailto:Clifford.L.Brown@wv.gov).

**DEIS Comments Atlantic Coast Pipeline and Supply Header Project, WVDNR, April 6, 2017**

<b>Comment #</b>	<b>Comment Author</b>	<b>Page # /Section</b>	<b>Paragraph</b>	<b>Comment</b>
1	WVDNR	ES-10	1	Operation of SHP and ACP are proposed to have "long term to permanent effects" to 3424 acres of upland forest. It is not clear if this is based on a 50' or 75 foot ROW or if it includes other above ground disturbance of forested areas (new access roads, etc.). On page 4-150, paragraph 3, there is deemed to be 3800 acres of "permanent impacts". In addition, the direct impacts in the revised forest fragmentation analysis (February 24, 2017 Supplement) only totals 2792 acres. These differences should be explained. Summary information concerning impacts to forested areas should be presented for each state separately.
2	WVDNR	ES-10	2	WVDNR WRS supports the FERC proposed 50 foot permanent ROW
3	WVDNR	ES-10	6	The current migratory bird plan revision does not include HEA analysis for review
4	WVDNR	ES-11	3	Because forest fragmentation will have "significant impacts" to vegetation and wildlife, compensatory mitigation for unavoidable impacts should be provided. The HEA process is a vetted and broadly utilized method for analysis of habitat loss and replacement.
5	WVDNR	1-12	4	In addition to the NPS requirement for replacement of outdoor recreation opportunity, because WVDNR holds title to Seneca State Forest, a license agreement to establish pertinent compensation and mitigation will be necessary with WVDNR. The West Virginia Division of Forestry will be compensated for the timber value on Seneca State Forest.
6	WVDNR	4-18	bullet 10	Hydrostatic test water should not be discharged in karst areas
7	WVDNR	4-28	2	WVDNR WRS should be contacted within 48 hours if a slip or landslide occurs on Lewis Wetzel WMA or Seneca State Forest. WVDNR WRS and WVDEP should be contacted if slips or landslides could impact a stream or wetland.
8	WVDNR	4-85	4	Blasting of stream crossings in WV may require notification of WVDNR WRS fisheries staff per the Office of Land and Streams Stream Activity Application conditions
9	WVDNR	4-150	3	The impacts to forests from fragmentation should be summarized for each State. The inconsistency of the amount of impacted forest as presented in the ES (ES-10) should be resolved.

10	WVDNR	4-165	bullet 1, a., c. and e.	The revised forest fragmentation analysis (February 24, 2017 Supplement) does not seem to include above ground disturbance outside the ROW (new access roads, etc. ) and is not consistent with the evaluation of the forested buffer recommendation (c.) and the associated indirect impacts as presented on page 4-166, P2. Rather the "buffer zone" description in this revision is more consistent with a severed core forest area. A visual representation (maps) would be helpful in evaluating proposed impacts to interior forest. Proposed mitigation for unavoidable impacts to interior forest habitat and associated wildlife species should be provided in the analysis.
11	WVDNR	4-176	4	The candy darter occurs in the Greenbrier River watershed and currently has "under review" status by FWS, are imperiled from hybridization with the variegate darter and should be included in this section
12	WVDNR	4-177	2	Stream reference should be Right Fork Middle Fork River
13	WVDNR	4-177	bullet 1	To date, WVDNR WRS has not had an opportunity to review an evaluation of potential impacts to Big Spring Fork and continue to recommend an alternative to Big Spring Fork as a water source for hydrostatic testing
14	WVDNR	4-204	4	In addition to review by USFWS, burning in WV should follow guidance and regulations established by WVDOF
15	WVDNR	4-233	6	Hackers Creek, Lewis County, WV contains clubshell
16	WVDNR	4-236	4	Green floater should be noted as occurring in the Greenbrier River watershed, not just the Greenbrier River.
17	WVDNR	4-257	bullet 1	a. South Fork Fishing Creek would be crossed by TL-635, not AP-2, and the MP does not seem to correspond with the access road. Further clarification will necessary to complete consultation with WVDNR WRS. b. Additional consultation with WVDNR WRS and discussion of conservation measures to protect green floater mussels will be necessary regarding water withdrawal and blasting.
18	WVDNR	Update to the Migratory Bird Plan, January 27,2017		The Forest Fragmentation Table (Table 4.3-1) has been removed from this version. HEA analysis has still not been provided for review
19	WVDNR	Timber Removal Plan Rev.1		Timber removal from Lewis Wetzel WMA and Seneca State Forest will be part of separate license agreements required by WVDNR through the Office of Land and Streams. Guidance provided in West Virginia Silvicultural Best Management Practices for Controlling Soil Erosion and Sedimentation from Logging Operations are to be followed, as well as conditions outlined in State Code, §19-1B. For instance logs and slash should not be yarded across waterbodies not just perennial streams, as outlined in Section 10.1 General Mitigation Measures.

20	WVDNR	Fire Prevention and Suppression Plan, Updated, Rev. 1	Public Lands	Seneca State Forest - WVDNR holds Title to Seneca State Forest, the West Virginia Division of Forestry and WVDNR State Parks and Forests Section both have administrative responsibilities on State Forests. Supply Header Project will also cross North Bend Rail Trail and Atlantic Coast Pipeline will cross the Greenbrier River Trail
21	WVDNR	Restoration and Rehabilitation Plan, Appendix B, F-49	1	Susan Davis is an employed by NRCS not WVDNR

Document Content(s)

WVDNR Comments ACP DEIS.PDF.....1-4