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Augusta seeks protection from pipeline

BY JOHN BRUCE • STAFF WRITER

MONTEREY – Stone walls standing for centuries are likely to crumble in the path of the proposed Atlantic Coast Pipeline.

Neighboring Augusta County asked federal regulators last week for special status to help protect historic resources from potential damage pipeline construction and operation might inflict.

In a posting with the Federal Energy Regulatory Commission, county administrator Timothy Fitzgerald said Dominion’s pipeline project would cross nearly 57 miles of Augusta, not including access roads and work areas.

“This could potentially have adverse effects on our rich cultural resources, both architectural and archaeological,” Fitzgerald said. “Augusta County is therefore requesting consulting party status to the Section 106 process for the Atlantic Coast Pipeline.”

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of federal undertakings on historic properties.

Historic properties include any district, site, building, structure, or object that is included or eligible for inclusion in the National Register of Historic Places.

Under section 106, consultation means “the process of seeking, discussing, and considering the views of others and, where feasible, seeking agreement with them on how historic properties should be identified, considered, and managed.” Consultation is built upon the exchange of ideas.

Fitzgerald’s request follows general concerns along the route over FERC’s failure to identify and invite appropriate stakeholders to be consulting parties, and systematically denying requests for consulting party status from those who meet the requirements of the Section 106 regulations.

Complaints have been voiced about the inadequacy of the effort to identify historic properties that may be affected by the proposed pipeline.

Augusta wouldn't be the first local government to be unlawfully denied the special status, although bordering Nelson County has received consulting status.

According to Sharee Williamson, associate general counsel for the National Trust for Historic Preservation, "FERC has excluded local governments from participating as consulting parties, even though the Section 106 regulations explicitly require that 'a local government with jurisdiction over the area in which the effects of an undertaking may occur is entitled to participate as a consulting party.'

"FERC has failed to identify historic resources accurately and comprehensively, Williamson said. "The National Trust has heard many concerns regarding the inadequacy of the cultural resource survey efforts made for the ACP. One example that has been raised is the complete omission of historic stone walls in eastern Augusta County. Several of these mortar-less walls, which were used to contain livestock by early Scottish settlers, are directly in the path of ACP."

She pointed out "FERC's failure to include the Augusta County Historical Society, and similar organizations, as consulting parties, and instead requesting that they review survey information and submit comments outside of the defined Section 106 consultation is not supported by any federal law."

Augusta administrator Fitzgerald acknowledged the society received reports. He made an additional request for FERC to direct Dominion to share all Augusta related reports plus files for George Washington National Forest with the county.

"We understand that you have recently sent the hard copies of the archaeological and architectural survey reports to the Augusta County Historical Society. This is a good start," Fitzgerald told FERC. "However, we need all of the survey reports, testing, effects, and treatment reports for Augusta County in hard and digital format. Please have Dominion send those to us immediately. This should include the George Washington National Forest files. Further, we request that you have Dominion send us digital copies of all correspondence with tribes, the Virginia State Historic Preservation Office (Virginia Department of Historic Resources), and the Advisory Council on Historic Preservation. This would include all construction plans (including work spaces and access roads) and site maps that show relationships with any cultural resources," he said.

"As the Appalachian Trail and the Blue Ridge Parkway are also part of our county, we are specifically requesting copies of all reports and treatment plans involving those National Register resources. Additionally we would like to see all plans involving the western drill site on the Hazel Palmer property where the pipeline is proposed to go under the Blue Ridge Parkway. This would include mitigation proposals to the historic stone walls on that property," Fitzgerald added.

"Finally, we would like all documents involving proposed mitigation treatment of all cultural resources in Augusta County. In particular, we would like to see the draft programmatic agreement in order that we might be able to formerly weigh in on that process. Please send us the

requested information as soon as possible so that we can most effectively move forward with the task of protecting Augusta County's historic cultural resources," Fitzgerald said.

Historical society board member Nancy Sorrells posted comments on the FERC site Monday noting, "One of the most glaring omissions in (Dominion's) cultural resources report for Augusta County is the lack of identification by any of the contractor teams looking at cultural resources of the historic stone walls that will be destroyed on the last three parcels of land in eastern Augusta County.

"Hundreds of feet of these walls crisscross the property on Hazel Palmer, as well as the adjoining properties of Monroe and Hanger. The bulk of the walls, however, lies on the Palmer property. These walls would be destroyed at numerous points both through the proposed route and the alternate route, if the horizontal drilling under the Blue Ridge Parkway and Appalachian Trail fails. Although these walls now go through mostly wooded land, they were once part of a cleared landscape. Settlers on the western slopes of the Blue Ridge Mountains lived proud and independent lives on their subsistence farms," Sorrells explained.

"As their ancestors had done in the north of Ireland and in Scotland before that, they picked rock from the fields and built massive stone walls to protect their crops and gardens, to enclose their livestock — mostly hogs and cattle — and to delineate property lines. Built with a skill long lost, these stone walls are mortar-less — held together by the skill of the builder. Horse-high and hog tight, these walls are often as wide as six feet and as high as a person's chest. They snake horizontally across the rising hills of the Blue Ridge and extend for miles. On the eastern portion of the county, all of the routes and alternate routes in Augusta County would cross and destroy these silent and powerful symbols of our pioneering ancestors who settled the Valley of Virginia," she said.

"There is no mitigation that can restore what those artisans created centuries ago. The designers of the Blue Ridge Parkway recognized the significance of these walls and integrated stone walls along the parkway's length in order to reflect the Appalachian culture through which the scenic byway wound. Some of the historic stone walls can be seen along the road and snaking through the forest along the Blue Ridge Parkway in the Augusta County-Nelson County portion of the drive.

"The most extensive and intact series of walls remain on Hazel Palmer's property. Her ancestors bought the property almost 140 years ago and the walls were there at that time. '... I am the fourth generation to own this property. It was the home place of my maternal great-grandparents, who purchased the property in 1880, grandparents, parents, myself, and now my daughter, who is fifth generation. My family has taken care of the property with great pride,' said Palmer ... The walls are cultural indicators that remain from the Ulster Scots who settled the land in the late 18th and early 19th centuries," Sorrells said.

"Professor Audrey Horning, at Queen's University Belfast, specializes in the relationships between archaeology and contemporary identity with a particular focus upon European expansion into the early modern Atlantic worlds. Dr. Horning agrees that the stone walls of eastern Augusta County are 'culturally meaningful aspects of heritage' and adds that the styles,

in her opinion, can often be attributed to particular kin groups. More research would have to be done to find direct Ulster connections; further making the argument that these walls should be totally avoided if the pipeline route becomes reality,” Sorrells continued.

She noted that on April 11 of this year, FERC asked Dominion to do the following, in regard to the stone walls:

- Consult with other local informants, and the Virginia Department of Historic Resources regarding the significance of the walls as individual properties and as part of a historic landscape.
- Provide additional information about these resources. Dominion’s answer was inadequate and did not address the specific stone walls in the APE in Augusta County.
- FERC requested Dominion “consult with other local informants, and the VDHR.”

“Although they appeared to look at other VDHR reports, many of which had no correlation with the specific type of stone walls addressed in the ACHS report, there was no consultation as indicated by their response,” Sorrells said.

Construction on this leg of the 600-mile, \$5.1 billion project crossing Augusta and Nelson counties is scheduled to begin in 2019.