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April 27, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Atlantic Coast Pipeline Project
Docket No. PF15-6-000

Dear Ms. Bose:

On behalf of the Highland County, Virginia Board of Supervisors, please accept these comments and concerns regarding the proposed Atlantic Coast Pipeline (ACP) project.

Highland County is the least populated county in the Commonwealth of Virginia with a population of about 2,300 people. Called by many "Virginia's Switzerland," Highland is well known for its high mountain valleys, sheep and cattle grazing farms, vast woodlands, pristine scenic beauty and rural charm. Located in the Allegheny Mountains midway between the eastern border of West Virginia and the western border of the famed Shenandoah Valley, Highland is the headwaters of both the James River and the Potomac River. Highland is defined by its natural resources. We rely on tourist dollars year round.

Due to the low population and the lack of a significant industrial tax base, there are minimal resources available through the County government. Our rescue squad and fire departments are all volunteer organizations. We only have one building official and the Zoning Administrator position is only part-time. All of which is to say that a major construction project such as the ACP presents unique challenges for our small community.

The Board of Supervisors does not have in-house expertise to address many of the issues we believe this project raises. The attached document is our way of

Kimberly D. Bose, Secretary
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identifying the issues we know about and we hope FERC will put the burden on Dominion and its partners to identify additional issues through the use of experts.

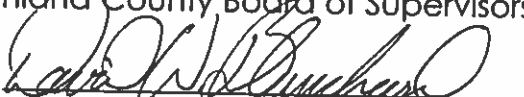
As the local governing body, we are convinced it is our duty to insist that Dominion and its partners mitigate to the fullest extent possible any negative impacts the project may have on Highland.

Thank you for your consideration of this letter and the attached list of issues and please do not hesitate to contact us if you need additional information.

Sincerely,

Highland County Board of Supervisors

By:


David W. Blanchard, Chairman

MAD/acr
Attachments/Enclosures
cc/enc: Senator Mark Warner
Senator Timothy Kaine
Congressman Bob Goodlatte
Governor Terry McAuliffe
Senator R. Creigh Deeds
Senator Emmett Hanger
Delegate Dickie Bell
Scott Smith, WVLS
John Bruce, The Recorder
Emmett W. Toms, Jr.

Attachment to Highland County, VA Board of Supervisors Letter to FERC April 2015

ACP Project Docket #PF15-6-000

Issues of Concern

A. **Unique nature of Highland** - Highland County, Virginia is the least populated county in the Commonwealth. It is known as “Virginia’s Switzerland” and is defined by its high mountain valleys, sheep and cattle grazing farms, vast timber resources, pristine scenic beauty, clean water, and rural charm. There are 2,300 people in Highland County; however, over fifty-one percent (51%) of the 460 square miles of land is owned by non-residents. The County is a second-home, tourist and retirement destination. Our scenic beauty and natural resources are critical elements of our existence.

B. **Geology and Soils** - FERC has already identified that the karst terrain that is found in Highland presents one of the biggest concerns and challenges for the ACP project. Karst terrain is known for being unstable and weak where development should be kept to a minimum. More importantly, caving is a popular tourist and resident activity here and the Virginia Speleological Society is headquartered here in Highland. The contact is Rick Lambert at 540-468-2722.

Because of the karst terrain, there are many caves, sinkholes and sinking springs in Highland. These will provide unique challenges to the construction and maintenance of the pipeline. The Virginia Cave Protection Act is found in the Virginia Code at Sec. 10.1-1000, *et seq.* Pursuant to that Act any degradation of caves can be misdemeanors. The Virginia Cave Board should be contacted for additional information. Attached are several maps found in the Highland County Comprehensive Plan that identify the karst terrain, steep slope areas, and other important aspects of the County.

Mitigation: The County does not have experts on staff to adequately address the negative impacts of construction in karst terrain. However, construction in areas with caves and sinkholes should be avoided. Similarly, it seems logical that construction should be avoided in steep slope areas where erosion, slope degradation, deforestation, and water run-off can damage property beyond the pipeline corridor. We request that FERC order the owners of the ACP project to solicit expert information regarding additional mitigation necessary to minimize the danger to people and the environment from heavy construction in fragile soils and adopt additional mitigation policies and procedures as are identified by the experts.

C. **Land Use** - Highland County is a mix of hardwood forests, mixed and pine forests and grassland. Traditional land use has been agriculture, primarily sheep and cattle grazing farms, and forestry management. Tourists visit Highland to see the agricultural activities. The county is known for its abundance of maple trees and the maple syrup that is made in large quantities each year. The Highland County Zoning Ordinance requires a Conditional Use permit for oil and gas transmission lines in almost every zoning district. When considering a Conditional Use permit, the governing body shall consider the effect of the proposed use on existing and projected traffic volumes in the neighborhood; the current and future need for the proposed use in Highland County or the Town of Monterey, and in the area; and the character of the existing neighborhood and the effect of the proposed use or special exception on existing property values. Because of the diminishing population, mountainous terrain and remote nature of the county, it is unlikely that large industries will locate here. Therefore, the existing land use patterns are likely to continue in the future. About one-third (1/3) of the county is public land, either national forest or state game commission land. Historically, development has occurred around the Town of

Monterey, the village of Blue Grass and the village of McDowell. This is likely to continue.

Mitigation - Highland farmers cannot afford major disruption in their daily routines managing sheep and cattle farms. Dominion will need to compensate farmers for the loss of hay as a consequence of the construction and maintenance of the pipeline. Further, Dominion must be sensitive to sheep and cattle reproductive cycles so farmers can expect the same number of live births throughout the life of the project. Highland is primarily made up of small farms.

Dominion and its partners should be held to the requirement that no more than 500 feet of open ditch can be open at any one time. Allowing any larger open ditch could prevent a farmer from raising stock for an entire year. Dominion should be ordered to use local loggers to the extent possible for the removal of trees in the pipeline corridor. Logging is a primary occupation in Highland and local loggers have expertise in cutting and hauling on steep slopes.

D. **Water resources** - Highland is known for its spring water, although there are also many private wells in the County as well. There are two public water systems in the County, one in the Town of Monterey and one in the village of McDowell. Both public water systems draw water from wells. We have great concern that construction of the pipeline will have a negative impact on the aquifer recharge area for both systems, either temporarily or permanently. The impact needs to be determined by experts so that construction and maintenance of the ACP will not degrade these public water sources in any way. Many Highlanders bought their homes specifically because they are served by spring water sources. Expert advice needs to be sought to determine what setback is necessary to protect these water sources. Highland rivers and streams are also known for the abundance of native trout. The trout habitat must not be adversely affected by pipeline construction and maintenance. The headwaters for both the James River

and the Potomac River are located here.

Mitigation - The pipeline should be diverted away from both the Town of Monterey aquifer and the aquifer that serves the McDowell wells. This is the only way to assure no damage or degradation to the public water supplies. FERC should order Dominion to seek out and follow expert advice on the appropriate setback from existing wells and spring water sources. This is particularly important in Highland because of the karst terrain where the limestone springs surface and sink with regularity. Dominion should redirect the pipeline to avoid any disturbance of the headwaters locations of the James River and the Potomac River.

E. Cultural Resources - Evidence of ancient Native American activity has been found in Highland by archeologists. The Civil War battle of McDowell location draws many re-enactors and Civil War history devotees each year. Highland's Maple Festival draws over 10,000 visitors to the County to celebrate the tapping of the maple trees and syrup making. This festival is held the second and third weekends of every March. The Chamber of Commerce and the County sponsor other festivals throughout the year, including a Fall Foliage Festival, Wintertide, a Blue Grass festival, and the Mountain Mama, a road bike challenge of up to 100 miles of riding in Highland and Pendleton County, WV. The County also holds the County Fair every year over Labor Day weekend. These festivals and community activities are important to our tourist industry and boost the local economy. FERC should also be aware that as a remote mountain farm community, there are unmarked and marked graves located all over the County. Just recently, an upgrade to an electric transformer station west of the Town of Monterey was temporarily delayed because of the presence of at least three unmarked graves on the construction site.

Mitigation - Highland only has three major roads crossing the County. US Route 220 crosses the County north to south; US Route 250 crosses the County west to east; and US Route 84 enters the County at the West Virginia line and intersects with US Route 220. Because of the mountainous terrain, these are the regularly used roads in and out of the County. Many Highlanders work outside of the County and rely on these roads staying passable. Because of the few miles of roads, the County's remoteness, and the small population, Highland road projects can take years to complete. The Virginia Department of Transportation simply doesn't have enough money to maintain the rural roads as it does the urban roads. The ACP will place a great burden on our few roads. If traffic is disrupted during any of our festivals or other cultural activities, the County and its residents will suffer an immediate economic setback. Highland will not have the money to repair damage to its roads caused by increased construction traffic. Like many rural counties, Highland does not maintain any county roads and relies almost exclusively on state funding for road repair. Therefore, Dominion should be expected to repair any roads damaged by the project and to coordinate with Highland officials to avoid road crossings during festival activities. If there is any possibility that grave sites exist on any property, Dominion should be obligated to test the ground for potential graves before construction begins. The pipeline should be redirected if grave sites are found.

F. Vegetation and wildlife - Most of Highland is either grassland or forested, with sheep and cattle farms and forestry as primary occupations. Highland is known as a desirable hunting and fishing location. Deer, bear and turkey abound on land and native trout fill the streams and rivers. The Board defers to the expertise of the Virginia Game and Inland Fisheries Commission for comments on the wildlife and interaction with the pipeline. Additional resources are the

Southern Environmental Law Center, Highlanders for Responsible Development, and the Virginia Extension Service.

Mitigation - Any negative impact to wildlife habitat must be mitigated by returning the land to its condition before the construction of the pipeline. If stands of trees and large areas of vegetation are altered or destroyed, Dominion should replant the areas in natural species to the extent possible.

G. Air Quality and Noise - Highland County is known for its dark skies where you can see nature as well as hear it. Any degradation of these qualities will have a lasting negative effect on the quality of life for residents and tourists of the county.

Mitigation - Dominion should be ordered to use the minimum necessary lighting during construction. All lighting should be downward-directed to the extent possible. Construction noise should be present only during daylight hours.

H. Endangered and threatened species - The Virginia Department of Conservation and Recreation maintains the list of threatened and endangered species in Highland. It is well known that Highland provides good habitat for both bald eagles and golden eagles. Highland is one of the few places in the Commonwealth where the Golden-winged Warbler lives. Birders frequent the County throughout the year because of the abundance and variety of bird species that live here. Attached are several maps produced by the Virginia Department of Conservation and Recreation that demonstrate the unique biodiversity and ecological importance of Highland.

Mitigation - Dominion should be obligated to identify all endangered and threatened species located in Highland County and to redirect the pipeline to protect habitat for any of these species.

I. Socioeconomics - This project has the potential to negatively effect all of the tourist-driven

dollars in the County. If hunting land is disturbed by construction, some hunters will not come to Highland. If the roads are one lane during the Maple Festival, tourists may not come back the next year. If the minimal lodging available in the County is full of construction workers, there will be no housing for tourists. There are only a few restaurants in the County. These facilities should not have to choose between tourists and pipeline workers. Existing housing is simply not going to be sufficient to handle the immigration of construction workers. As mentioned previously, there are limited government resources here in Highland. If the pipeline project will require specialized inspections by the locality, there is no one available to do those inspections.

Mitigation - Dominion should be responsible for locating and developing a site for housing temporary workers. This site should include potable water and sewage disposal. Any such development could be donated to the County at the end of construction. Dominion should be responsible for paying the costs of any additional inspectors hired by the County to ensure erosion and sediment control compliance and any other compliance necessary to monitor the project for health and safety.

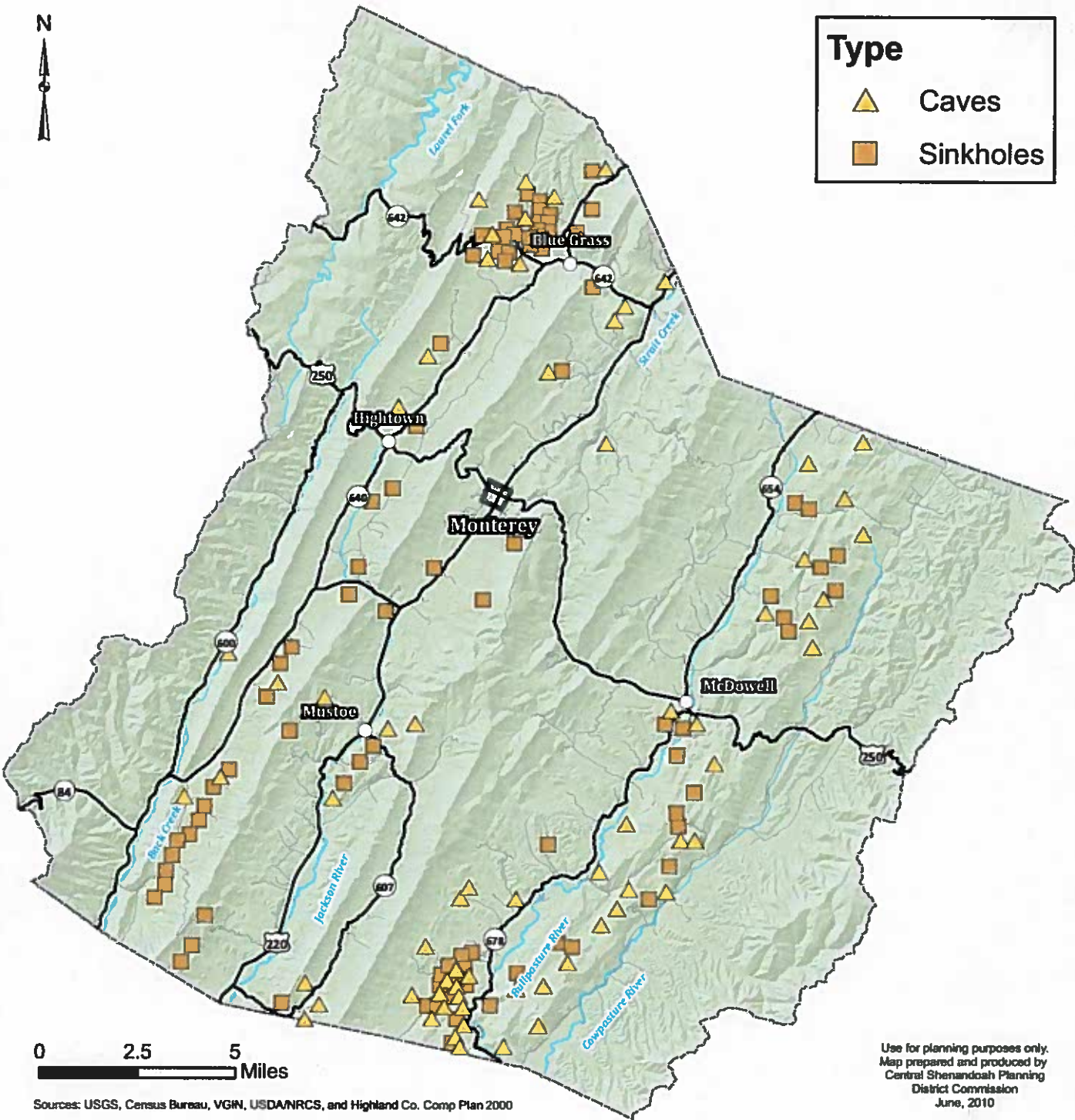
J. Public Safety - The ACP will definitely place an unrealistic burden on the County Sheriff's Office, the volunteer fire departments, the volunteer rescue squad, and the volunteer Local Emergency Planning Committee, unless adequate mitigation occurs. Highland is a remote and mountainous community. There are still areas of radio silence here. The closest hospitals are Bath County Community Hospital, Augusta Health, and Rockingham Memorial. Bath is between a 20 minute and an hour drive away, depending on where you are in the County, and both Augusta Health and Rockingham Memorial are over an hour drive from just about anywhere in the County. The volunteer organizations are constantly trying to upgrade radio







communications with their limited funds. A serious construction accident could draw all of our trained emergency responders at one time, leaving County residents and visitors without emergency medical service.

Mitigation - Dominion should be responsible for training local emergency responders on safety and emergency measures unique to pipeline construction. Dominion should provide its own emergency responder staff during the construction. Because of the limited vehicles and equipment maintained by the local volunteer agencies, Dominion should be expected to provide its own emergency vehicle during construction. Because of the communications challenges in Highland, Dominion should be ordered to work with the County to upgrade or locate tower facilities to ensure as much communication between construction sites and the County as possible. Because of the additional burden the project will place on Highland emergency services, we hope that Dominion will consider donating any equipment it purchases for emergency services while in Highland to the local organizations.

county.scoping letter to FERC

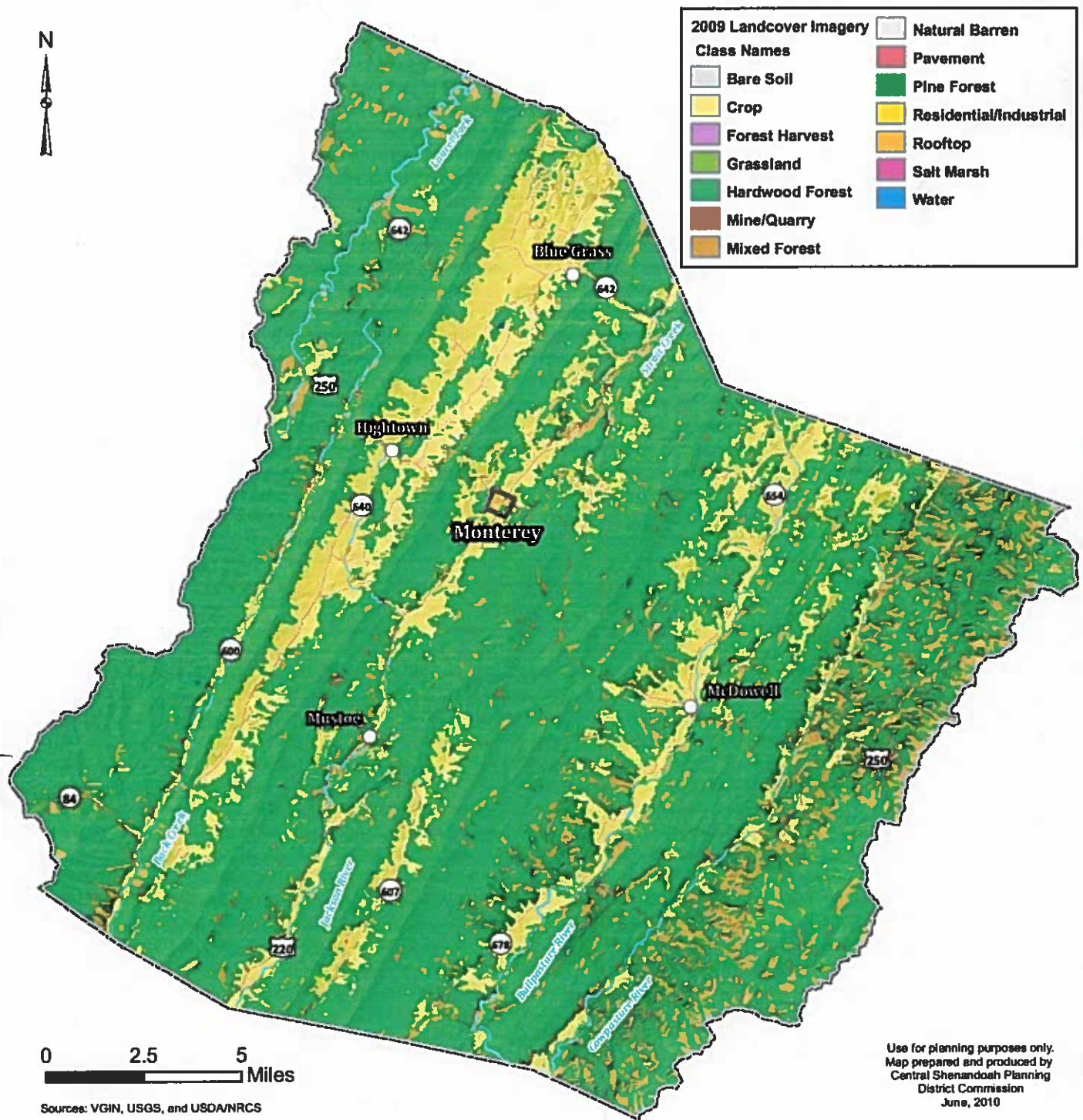
County of Highland - Caves and Sinkholes



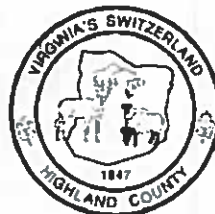
-  Highland Co. Boundary
-  Town Limits
-  Populated Places
-  Major Roads
-  Secondary Roads
-  Hydrography



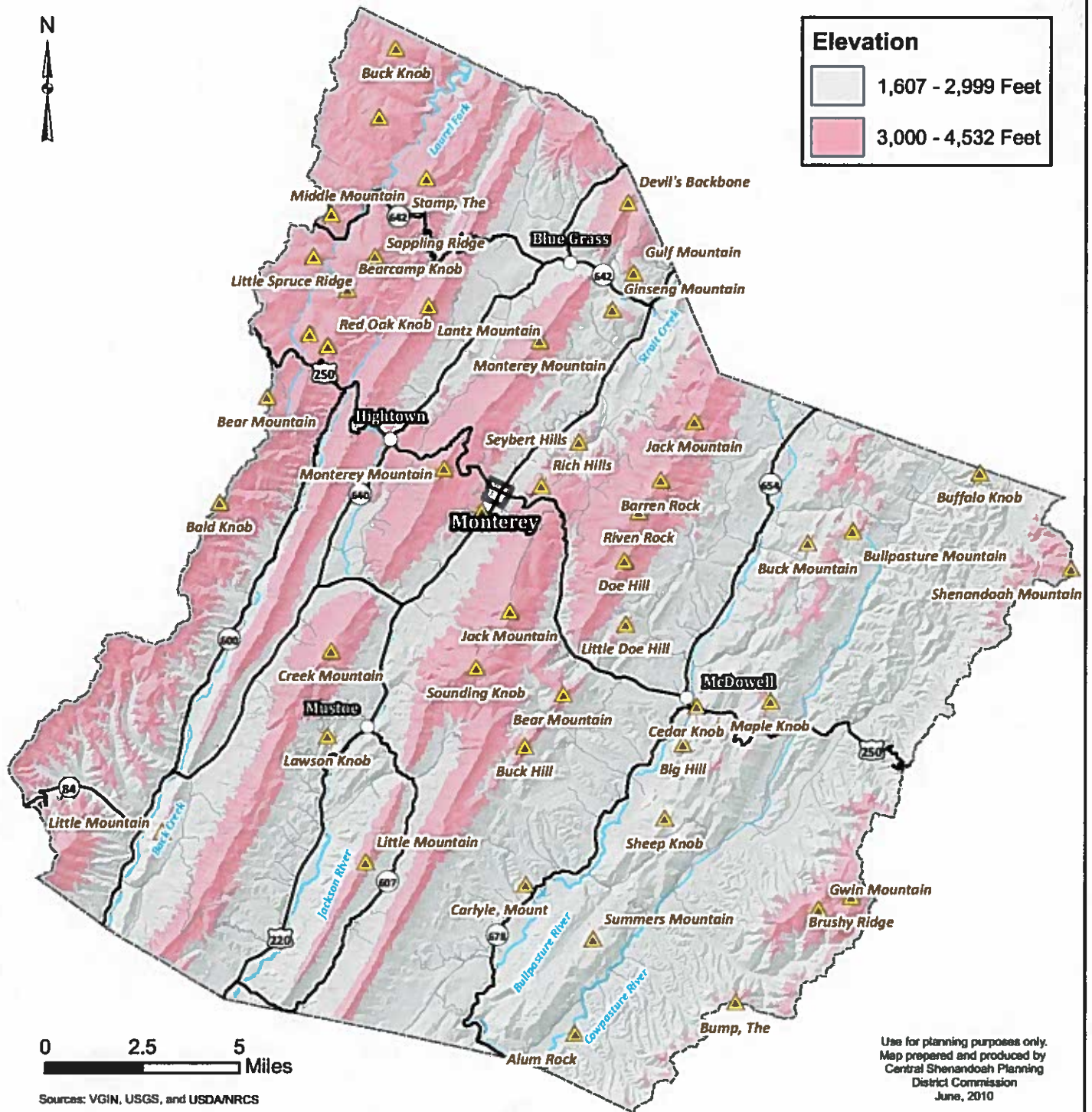
County of Highland - Developed and Agricultural Land



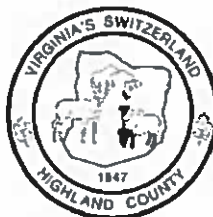
- Highland Co. Boundary
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- Hydrography



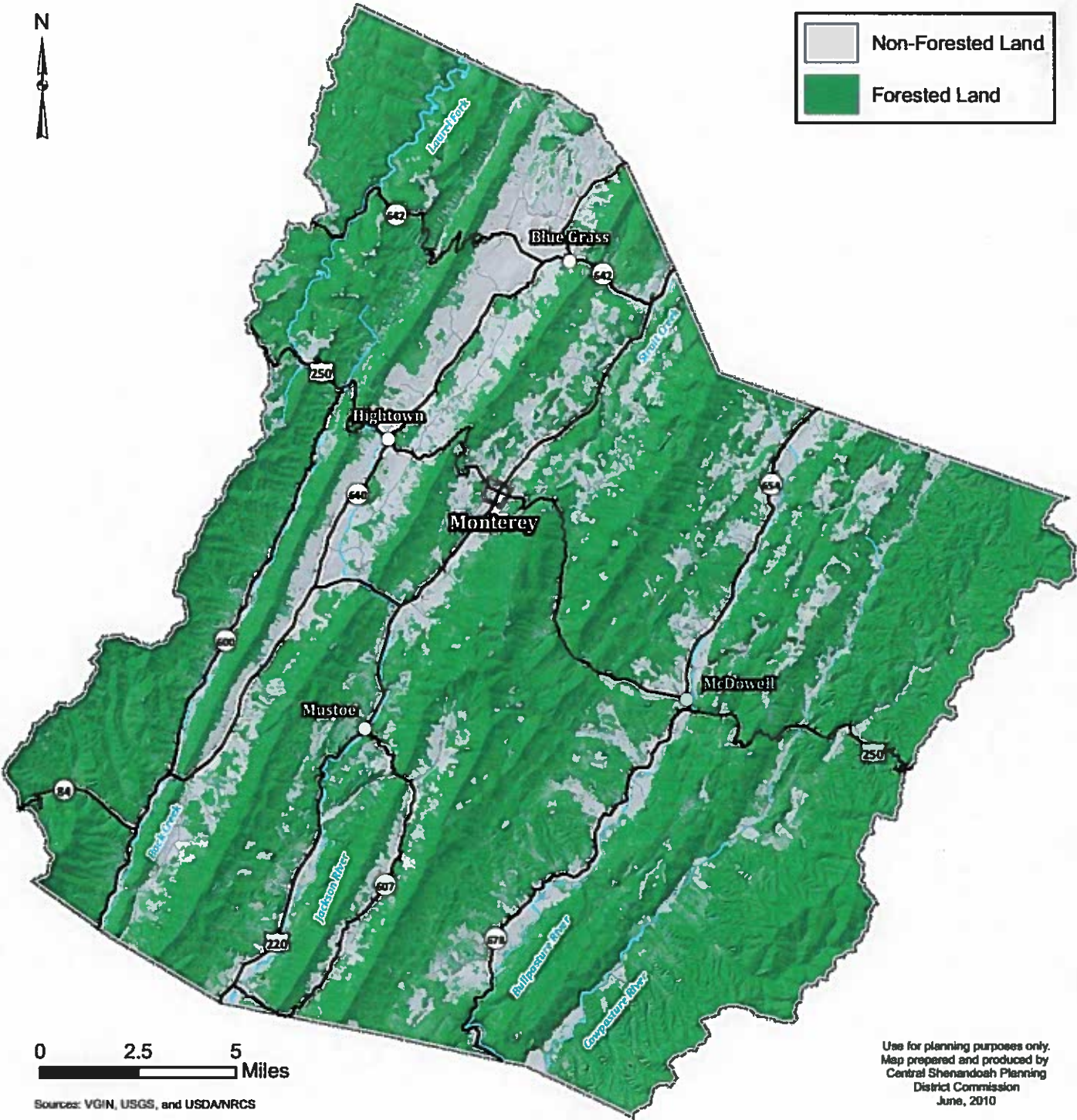
County of Highland - Elevation Above 3,000 Feet



- Highland Co. Boundary
- Town Limits
- Populated Places
- Major Roads
- Secondary Roads
- Hydrography



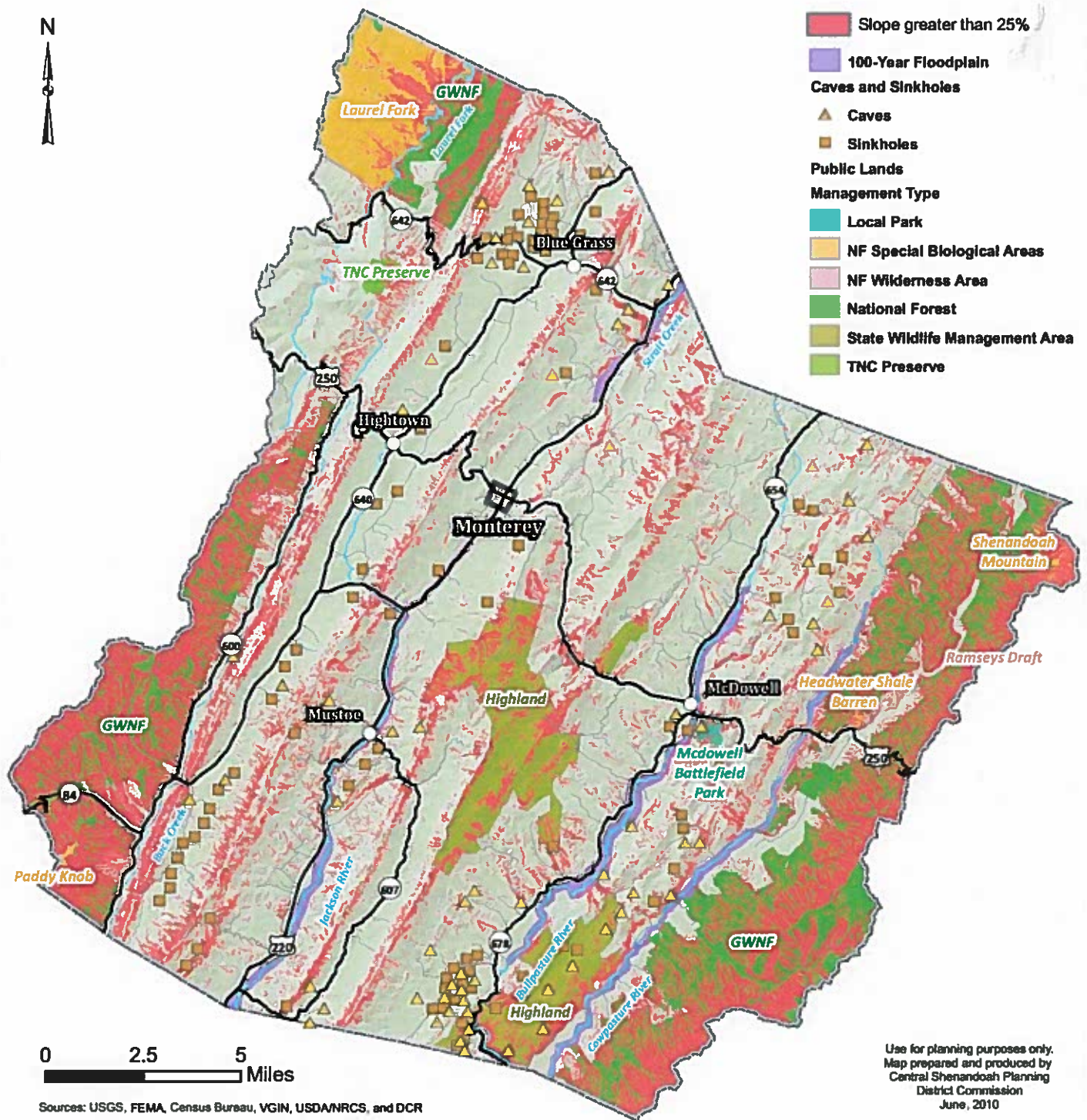
County of Highland - Forested Land



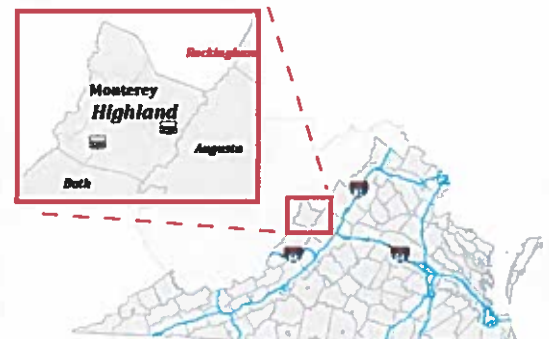
- Highland Co. Boundary
- Town Limits
- Populated Places
- Major Roads
- Secondary Roads
- Hydrography



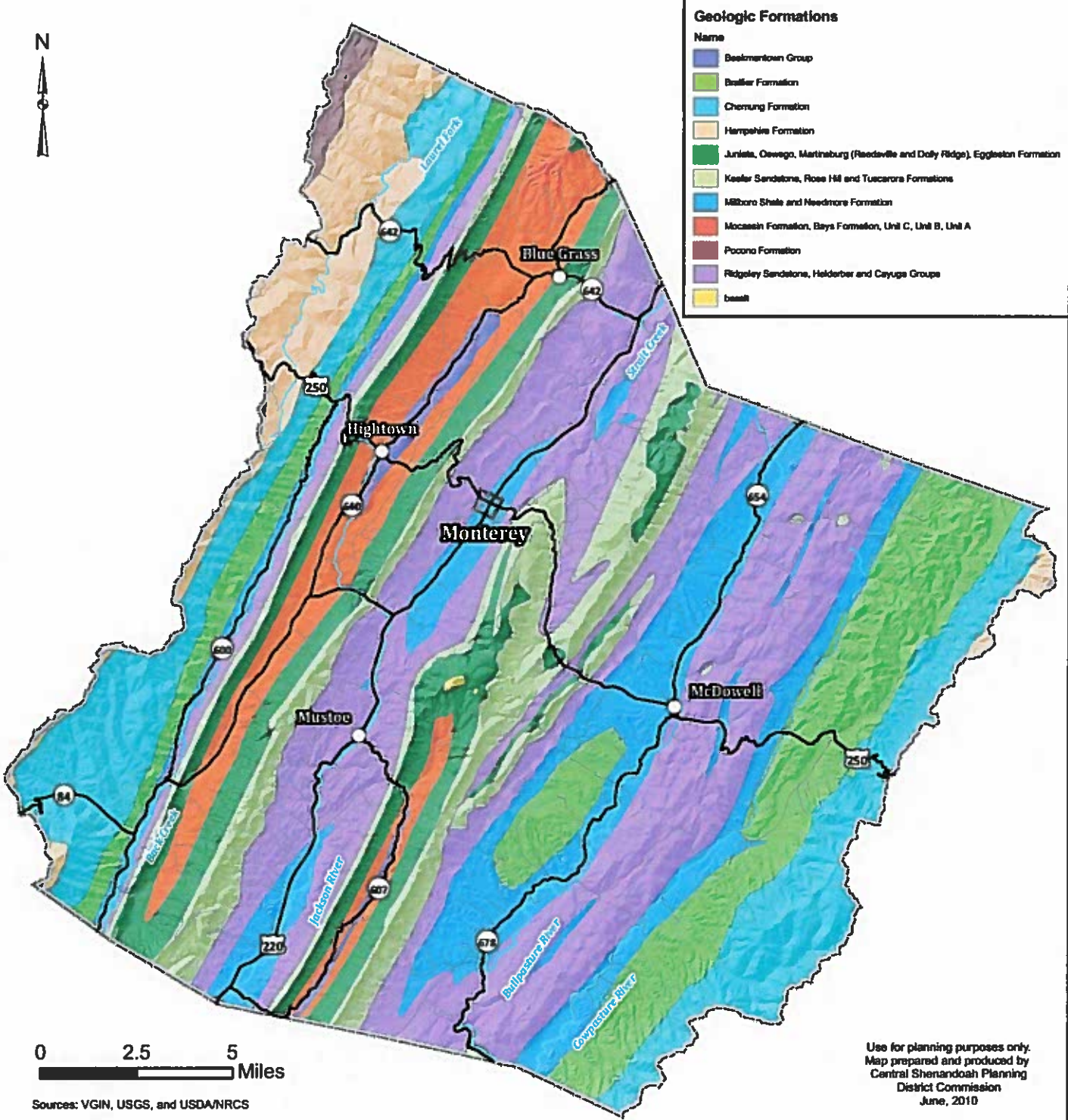
County of Highland - Generalized Land Use Constraints Map



- Highland Co. Boundary
- Town Limits
- Populated Places
- Major Roads
- Secondary Roads
- Hydrography



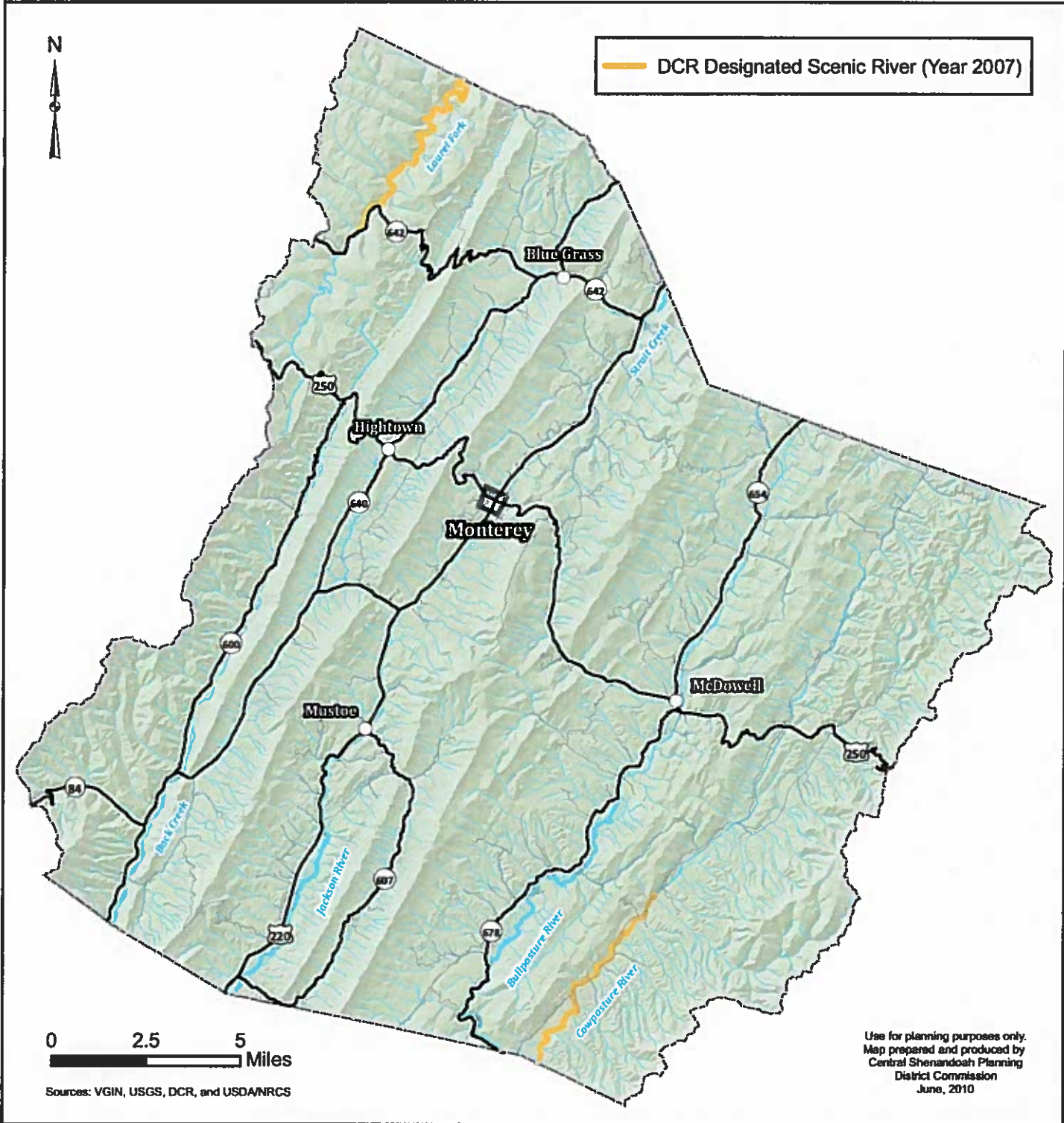
County of Highland - Geologic Formations



- Highland Co. Boundary
- Town Limits
- Populated Places
- Major Roads
- Secondary Roads
- Hydrography



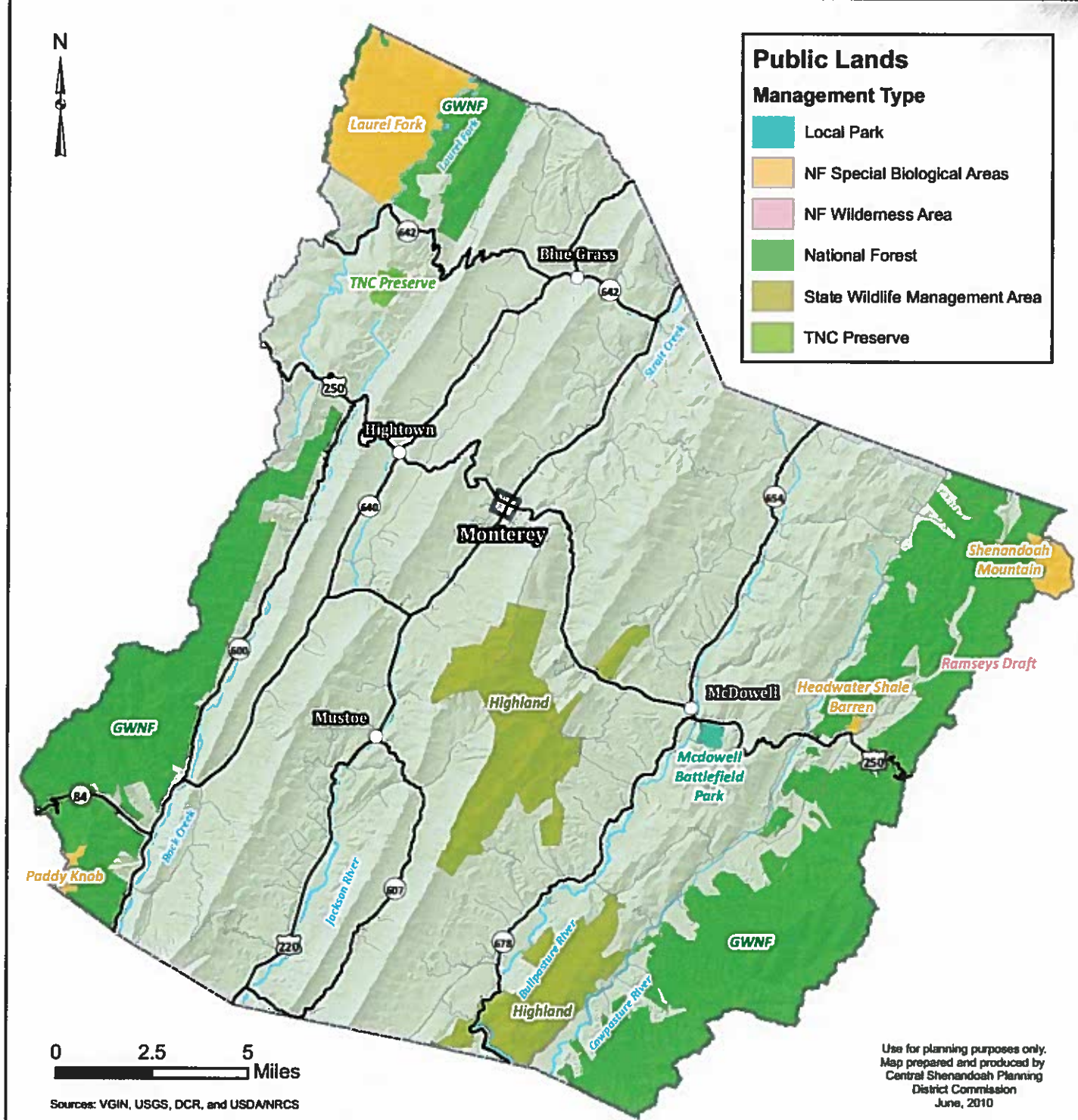
County of Highland - Hydrography



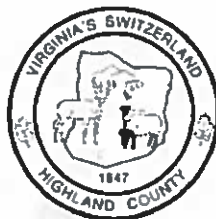
- Highland Co. Boundary
- Town Limits
- Populated Places
- Major Roads
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- Hydrography



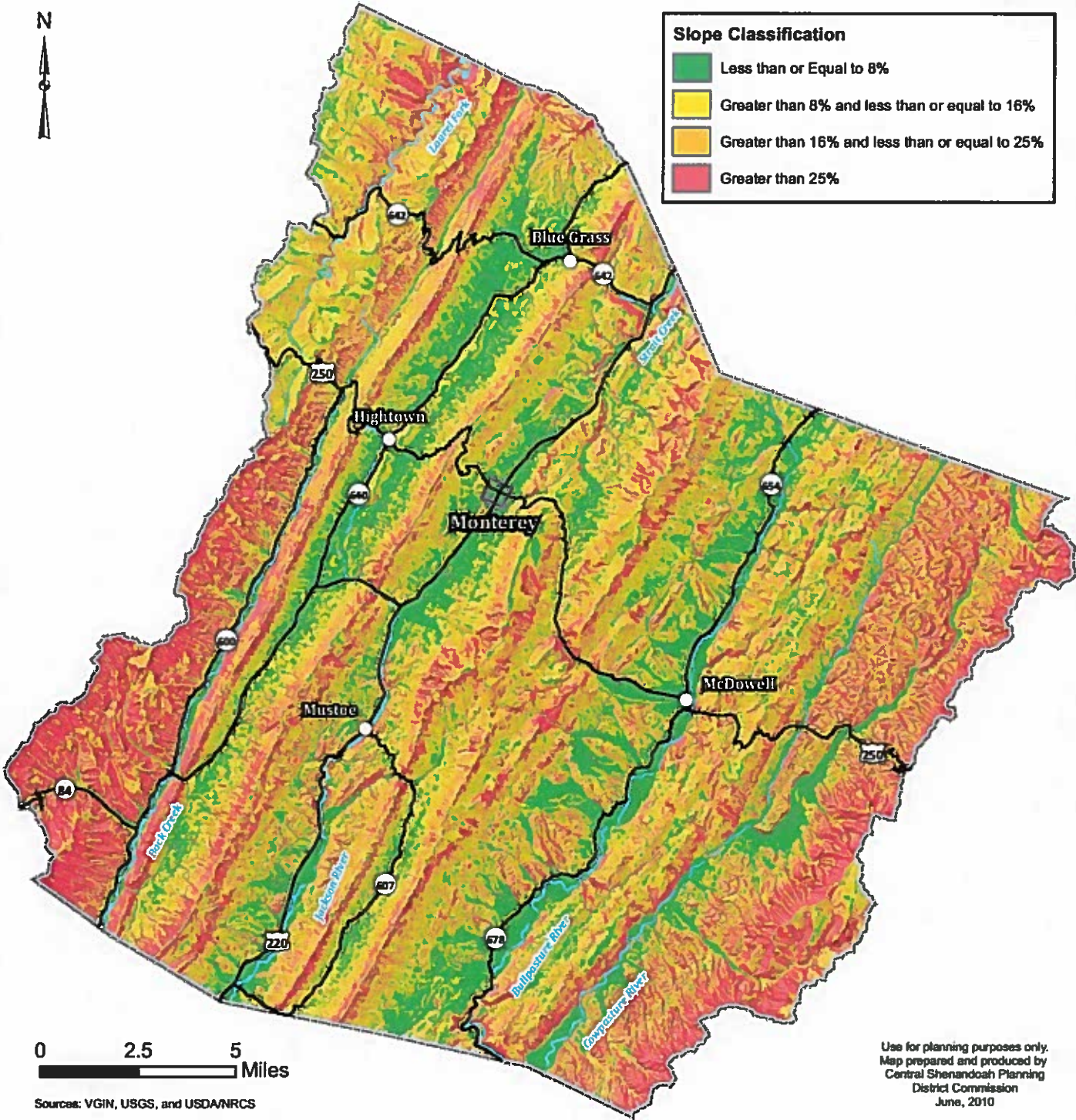
County of Highland - Public Lands



- Highland Co. Boundary
- Town Limits
- Populated Places
- Major Roads
- Secondary Roads
- Hydrography



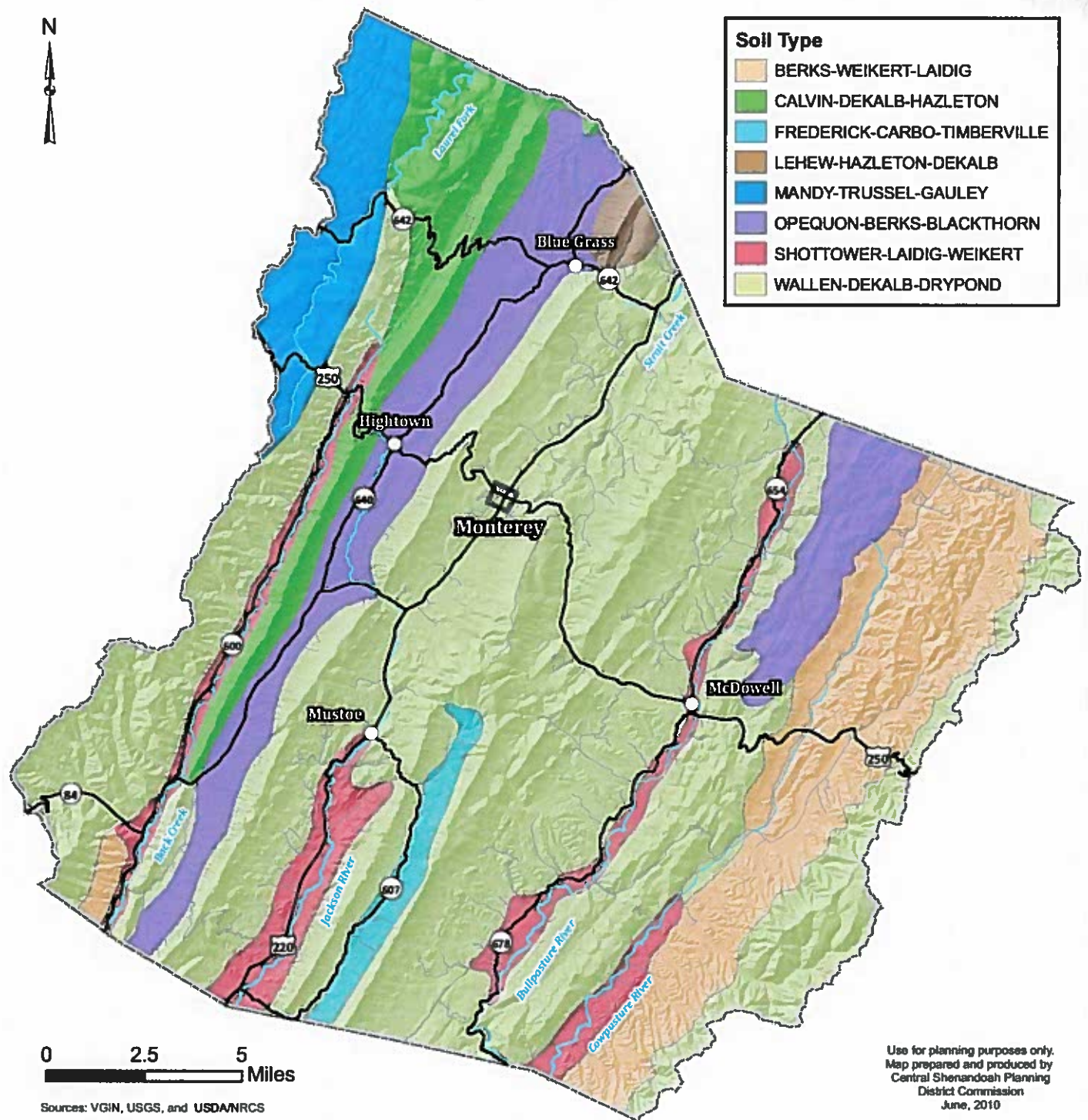
County of Highland - Slope Classification



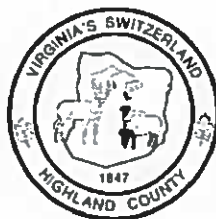
- Highland Co. Boundary
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- Secondary Roads
- Hydrography



County of Highland - Soils



- Highland Co. Boundary
- Town Limits
- Populated Places
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- Hydrography

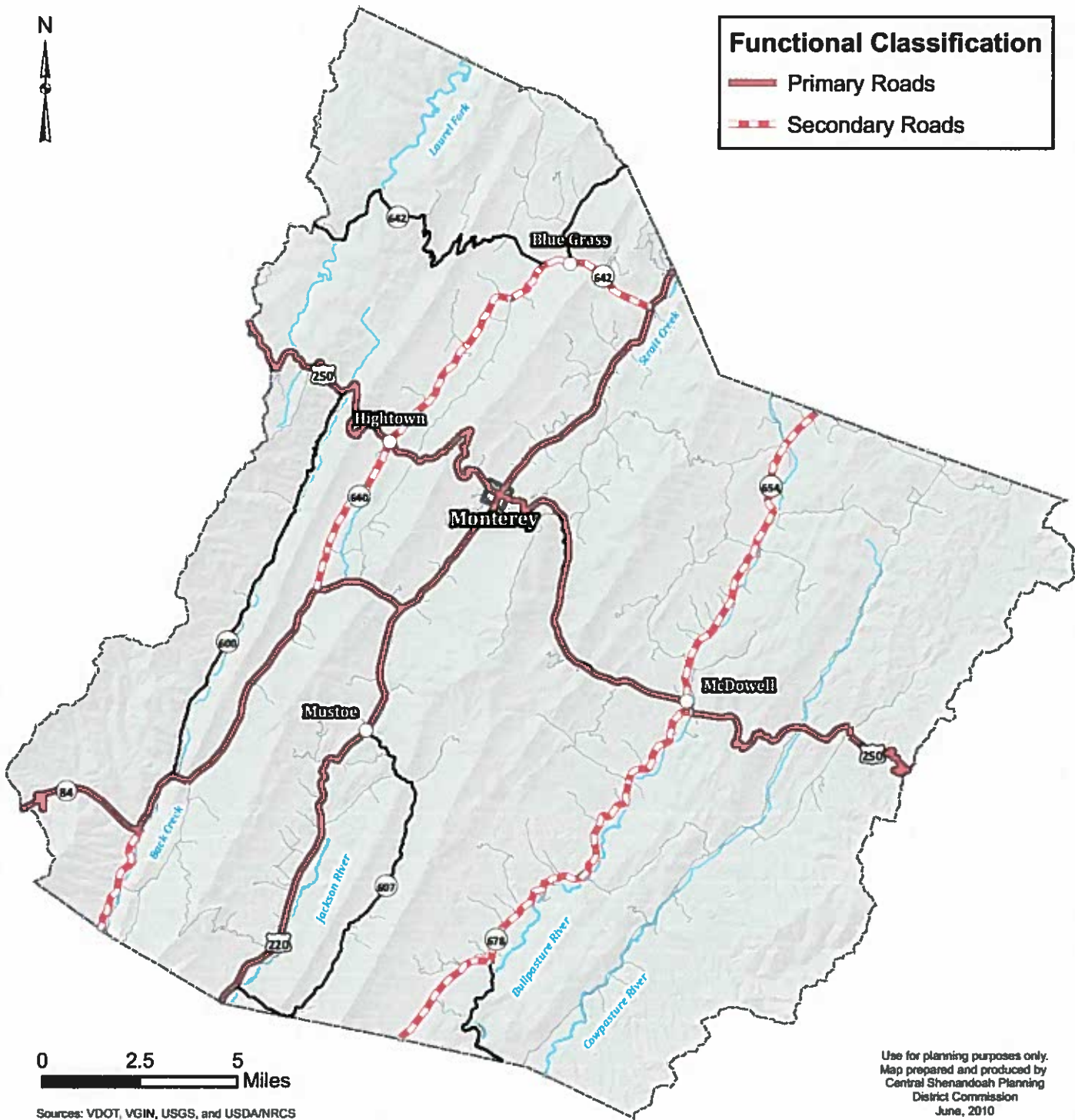


County of Highland - Highway Classification System



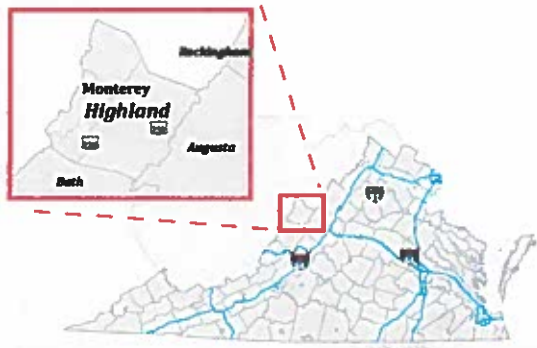
Functional Classification

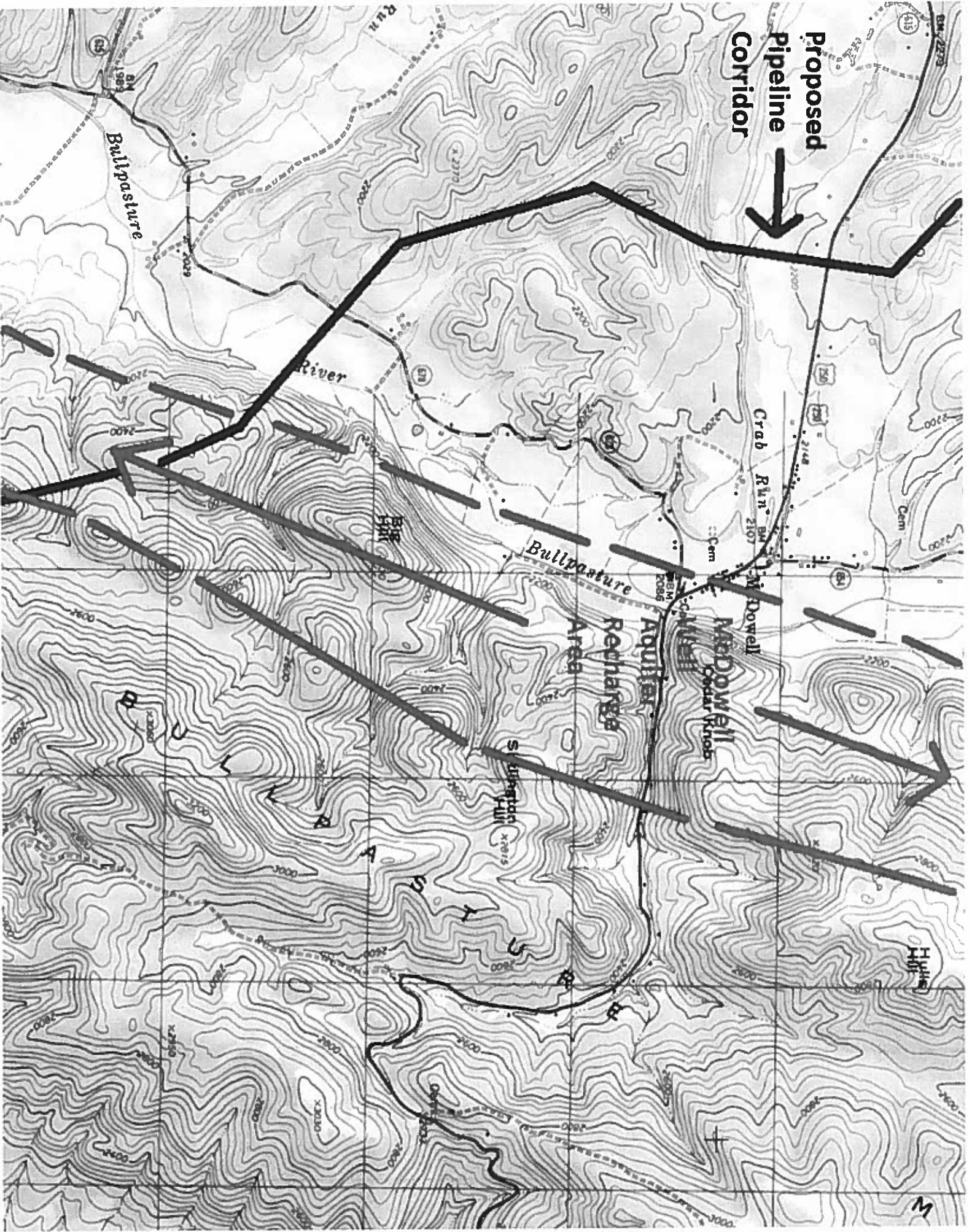
- Primary Roads
- Secondary Roads



Use for planning purposes only.
Map prepared and produced by
Central Shenandoah Planning
District Commission
June, 2010

- Highland Co. Boundary
- Town Limits
- Populated Places
- Major Roads
- Secondary Roads
- Hydrography

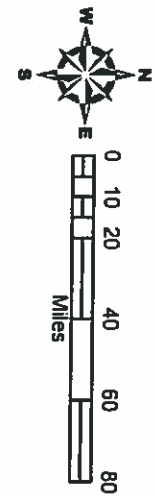
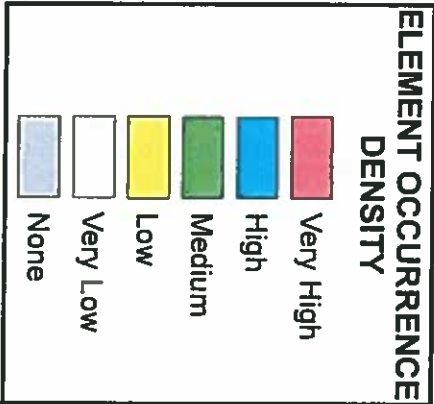
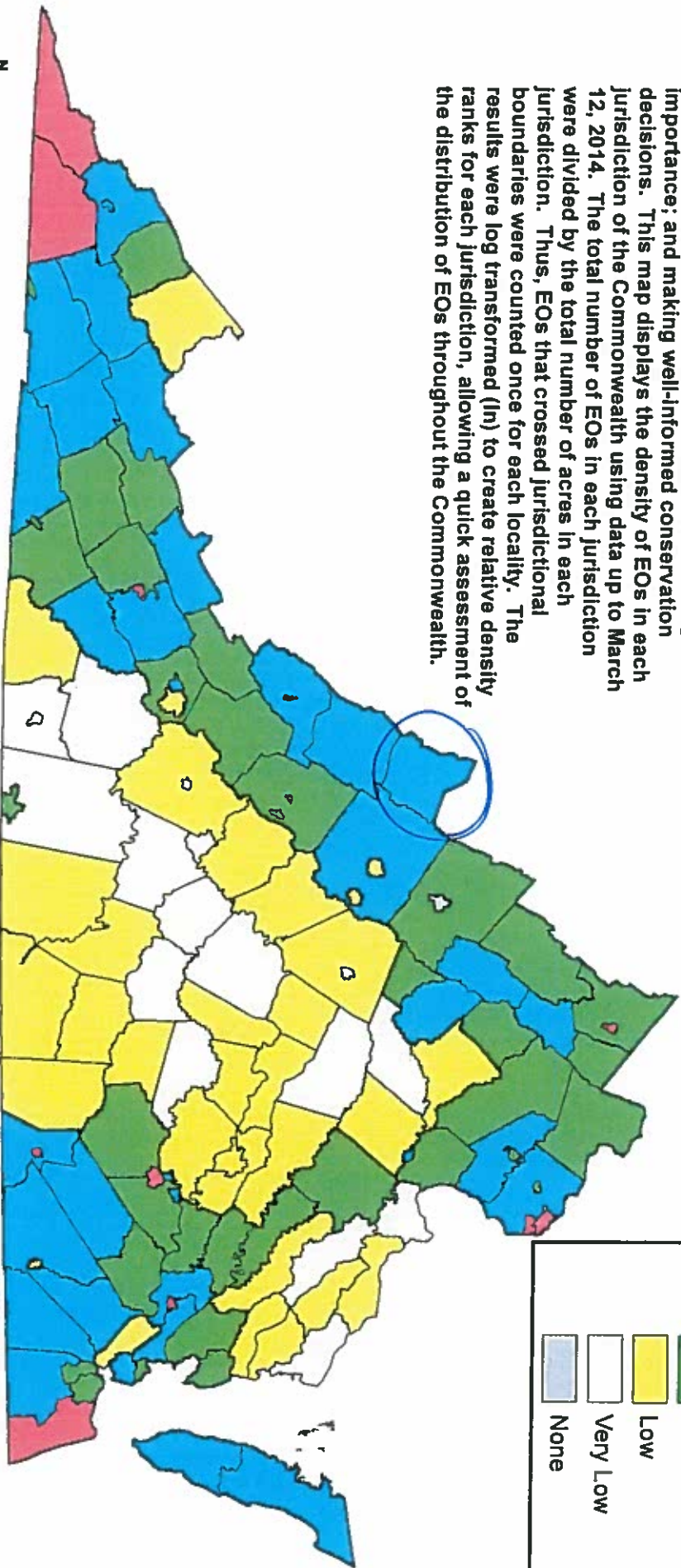




ELEMENT OCCURRENCES OF VIRGINIA

June, 2014

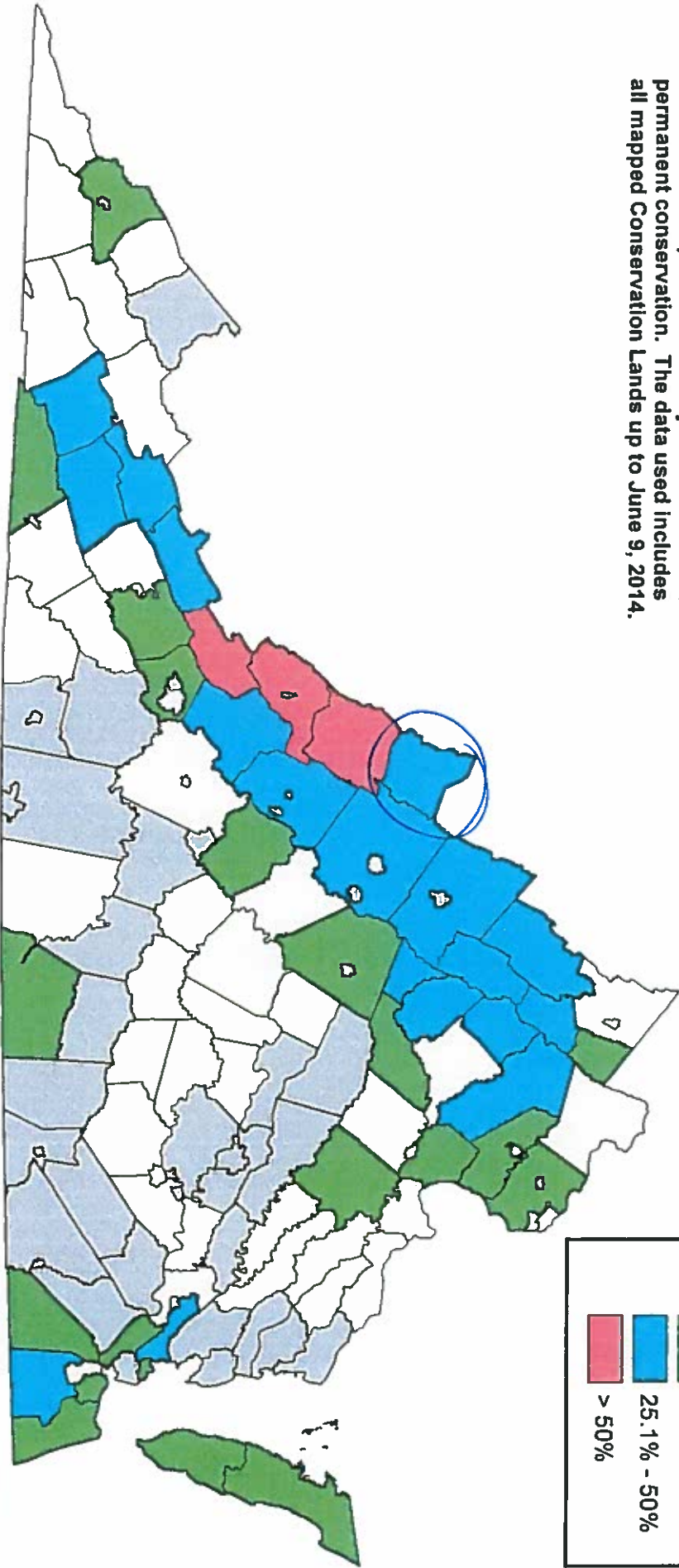
The Virginia DCR-Natural Heritage Program manages an inventory of rare, threatened, and endangered plant and animal species, and exemplary natural communities, across the Commonwealth. Locations of these Natural Heritage resources are known as Element Occurrences (EOs). Knowing the locations and condition of EOs provides information vital to ranking species rarity; understanding areas of high biodiversity and ecological importance; and making well-informed conservation decisions. This map displays the density of EOs in each jurisdiction of the Commonwealth using data up to March 12, 2014. The total number of EOs in each jurisdiction were divided by the total number of acres in each jurisdiction. Thus, EOs that crossed jurisdictional boundaries were counted once for each locality. The results were log transformed (ln) to create relative density ranks for each jurisdiction, allowing a quick assessment of the distribution of EOs throughout the Commonwealth.



VIRGINIA'S CONSERVATION LANDS

June, 2014

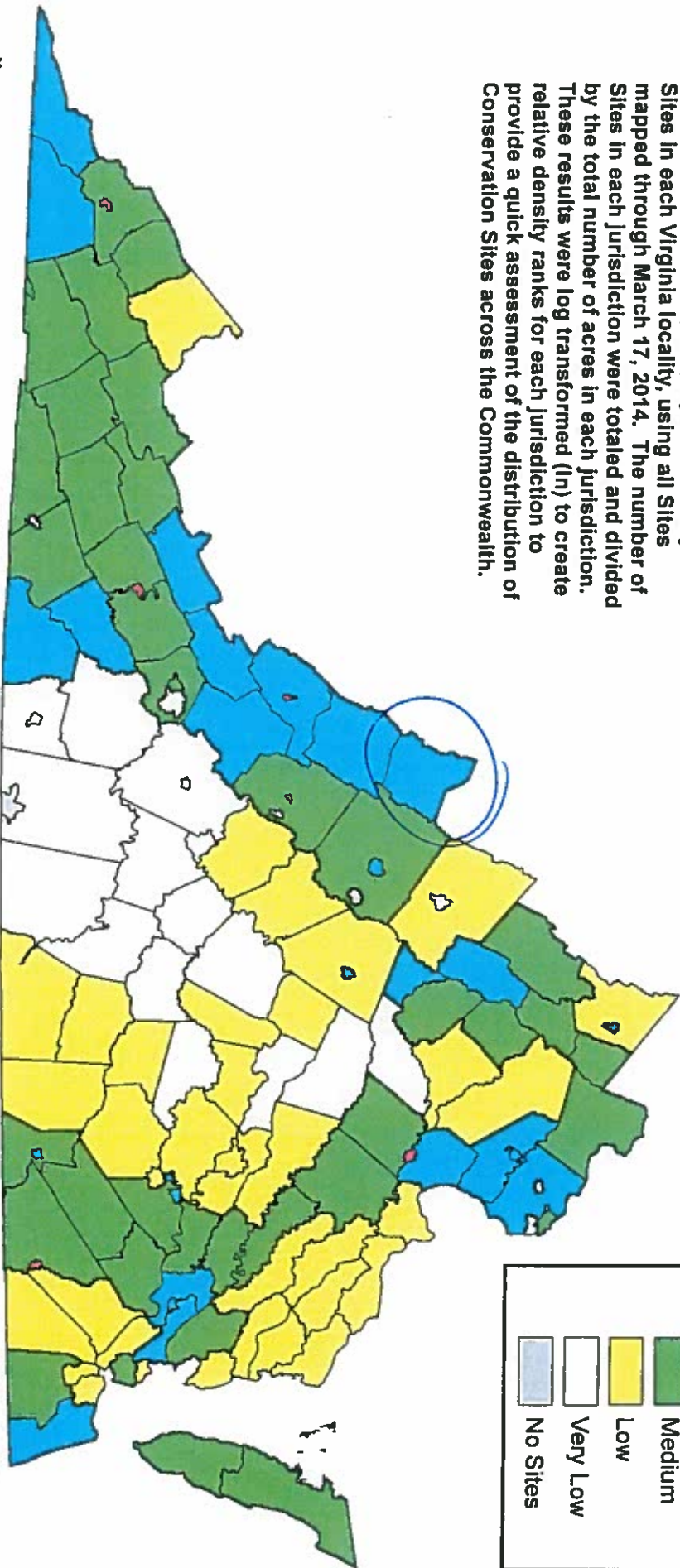
The Virginia DCR-Natural Heritage Program maintains data for all conserved lands in Virginia. These data are used to track state and regional land conservation goals, and for making local land conservation and land use decisions. In this map, acres of Virginia's Conservation Lands were totaled and divided by the total acres of each jurisdiction, to calculate the percent of each jurisdiction under permanent conservation. The data used includes all mapped Conservation Lands up to June 9, 2014.



CONSERVATION SITES OF VIRGINIA

June, 2014

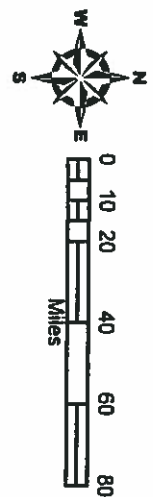
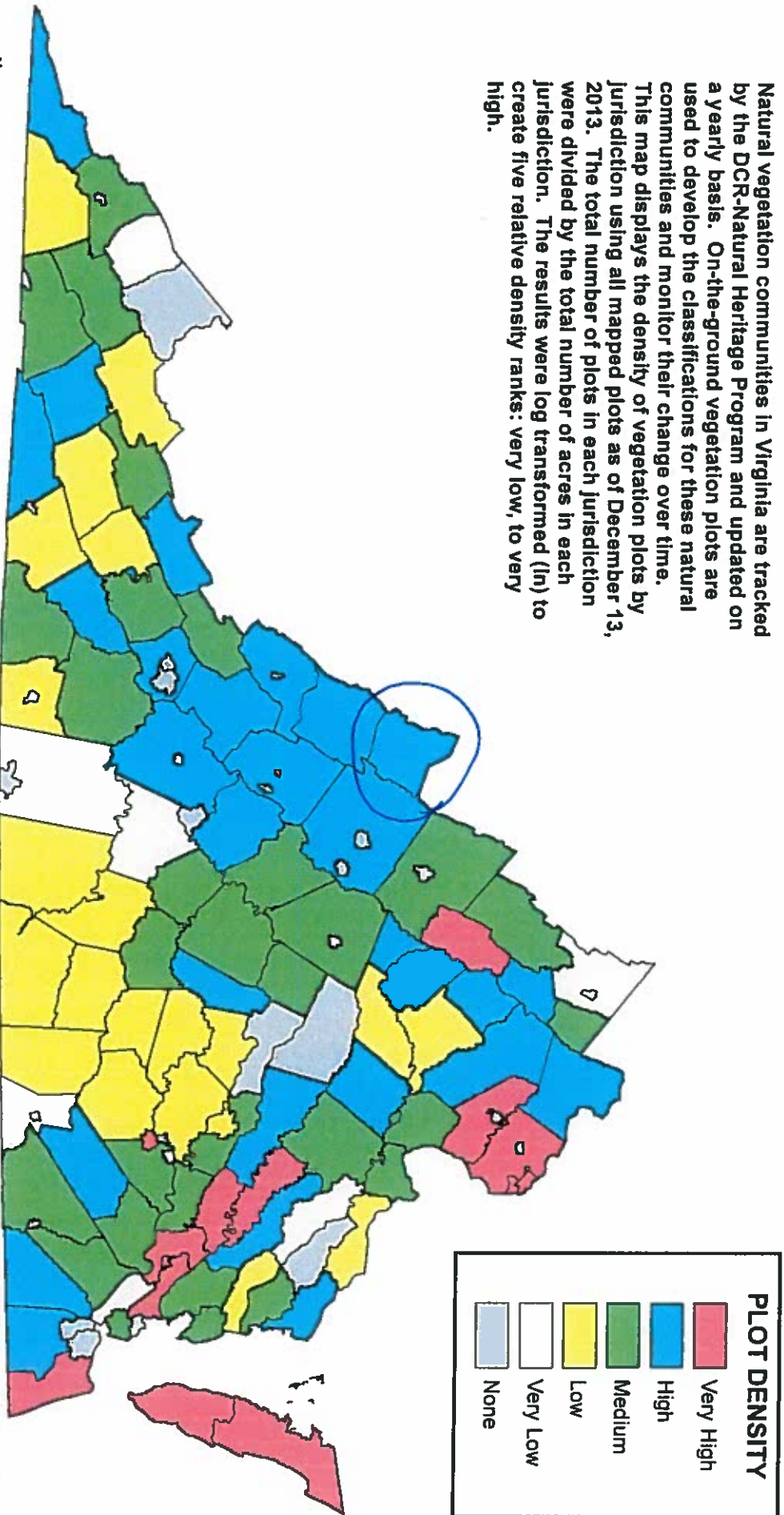
Conservation Sites are an important planning tool for the Virginia DCR-Natural Heritage Program. Conservation Sites (Sites) are key areas of the landscape worthy of protection and stewardship because of the natural heritage resources (i.e. rare plants and animals, significant natural communities, and geologic features) and habitat they support. This map displays the density of Sites in each Virginia locality, using all Sites mapped through March 17, 2014. The number of Sites in each jurisdiction were totaled and divided by the total number of acres in each jurisdiction. These results were log transformed (ln) to create relative density ranks for each jurisdiction to provide a quick assessment of the distribution of Conservation Sites across the Commonwealth.



VEGETATION PLOTS OF VIRGINIA

June, 2014

Natural vegetation communities in Virginia are tracked by the DCR-Natural Heritage Program and updated on a yearly basis. On-the-ground vegetation plots are used to develop the classifications for these natural communities and monitor their change over time. This map displays the density of vegetation plots by jurisdiction using all mapped plots as of December 13, 2013. The total number of plots in each jurisdiction were divided by the total number of acres in each jurisdiction. The results were log transformed (ln) to create five relative density ranks: very low, to very high.



Document Content(s)

FERC.PDF.....1-28