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| Case Number (if already assigned) | PUE-2012-00029 |
| Case Name (if known) | For approval and certification of electric facilities: Surry-Skiffes Creek 500 kV Transmission Line, Skiffes Creek-Wheaton 230 kV Transmission Line, and Skiffes Creek 500 kV-230 kV-115 kV Switching Station |
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April 12, 2016

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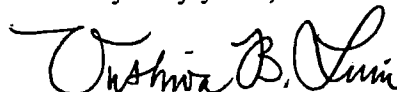
*Application of Virginia Electric and Power Company for
Approval and Certification of Electric Facilities: Surry-Skiffes Creek
500 kV Transmission Line, Skiffes Creek-Wheaton 230 kV Transmission
Line and Skiffes Creek 500 kV-230 kV-115 kV Switching Station
Case No. PUE-2012-00029*

Dear Mr. Peck:

Pursuant to Ordering Paragraph (1) of the Order issued by the State Corporation Commission in the above-captioned proceeding, enclosed please find for electronic filing on behalf of Virginia Electric and Power Company the *Update on Status of Certificated Project (April 12, 2016)*.

Please do not hesitate to call if you have any questions in regard to the enclosed.

Very truly yours,



Vishwa B. Link

Enc.

cc: Hon. Alexander F. Skirpan, Hearing Examiner
William H. Chambliss
D. Mathias Roussy
K. Beth Clowers
Alisson Klaiber
Lisa S. Booth
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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

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| APPLICATION OF |) | |
| |) | |
| VIRGINIA ELECTRIC AND POWER COMPANY |) | |
| d/b/a DOMINION VIRGINIA POWER |) | |
| |) | Case No. PUE-2012-00029 |
| For approval and certification of electric facilities: |) | |
| Surry-Skiffes Creek 500 kV Transmission Line, |) | |
| Skiffes Creek-Wheaton 230 kV Transmission Line, and |) | |
| Skiffes Creek 500 kV-230 kV-115 kV Switching Station |) | |

UPDATE ON STATUS OF CERTIFICATED PROJECT
April 12, 2016

Virginia Electric and Power Company (“Dominion Virginia Power” or the “Company”), by counsel, pursuant to Ordering Paragraph (1) of the Order issued by the State Corporation Commission (“Commission”) in this proceeding on June 5, 2015 (“Order Directing Updates”), hereby files this Update regarding the status of the Surry-Skiffes Creek Line, Skiffes Creek Switching Station (“Skiffes Station”), Skiffes Creek-Wheaton Line, and additional transmission facilities (collectively, the “Certificated Project”). This Update supersedes prior updates submitted by the Company. For this Update to the Commission, the Company respectfully states as follows:

1. By its November 26, 2013 Order, as modified by its February 28, 2014 Order Amending Certificates in the above-styled proceeding and confirmed by its April 10, 2014 Order Denying Petition, the Commission approved and certificated under § 56-46.1 of the Code of Virginia (“Va. Code”) and the Virginia Utility Facilities Act¹ the construction and operation by Dominion Virginia Power of the electric transmission lines and related facilities proposed by the

¹ Va. Code § 56-265.1 *et seq.*

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Company in its Application filed in this proceeding on June 11, 2012 (“2012 Application”). Those orders provide that this case is to remain open until the proposed facilities are in service.

2. Those orders were appealed by BASF Corporation and jointly by James City County, Save The James Alliance Trust and James River Association (“JCC Parties”) to the Supreme Court of Virginia, which issued its unanimous opinion in those appeals on April 16, 2015, affirming the Commission’s approval and certification of these transmission facilities, which comprise the Certificated Project. *BASF Corp. v. State Corp. Comm’n*, ___ Va. ___, 770 S.E.2d 458, *reh’g denied*, ___ Va. ___, ___ S.E.2d ___ (2015) (“*BASF*”).

3. The Court’s opinion in *BASF* also reversed and remanded (by a 4-3 vote) the holding in the Commission’s November 26, 2013 Order that the term “transmission line” includes transmission switching stations such as Skiffes Station under Va. Code § 56-46.1 F, which exempts transmission lines approved by the Commission under that section from Va. Code § 15.2-2232 and local zoning ordinances. Petitions of the Commission and the Company seeking rehearing of this aspect of the *BASF* opinion were denied by the Court on May 15, 2015. As a result, the Company is now required to obtain local land use approval from James City County to construct Skiffes Station.

4. The Court issued its mandate and remand on June 4, 2015, returning the case to the Commission for further proceedings consistent with the views expressed in the written opinion of the Court.

5. The Commission stated in its Order Directing Updates:
The evidence in this proceeding shows that the North Hampton Roads Area is in critical need of a significant electric system upgrade. The need is severe and fast approaching, and the reliability risks are far reaching. The facilities approved in this case, for which judicial review thereof has concluded, are needed to avoid violations of mandatory electric reliability standards

approved under federal law to prevent: the loss of electric service to customers; transmission system overloads; and outages in the North Hampton Roads Area with cascading outages into northern Virginia, the City of Richmond, and North Carolina. Given the time required for the construction of significant electric infrastructure projects like the Certificated Project, and the magnitude of the projected reliability violations, the Commission directs Dominion to provide regular updates on the status of the Certificated Project, including but not necessarily limited to the Skiffes Station, the status of the Army Corps process, and the Company's plans for maintaining system reliability in the North Hampton Roads Area.

Order Directing Updates at 2-3.

Updates on Status of the Certificated Project

6. **Applications for Section 404 and Section 10 Corps Permits.** The Company has continued with its permitting efforts to construct the facilities that have been approved and certificated by the Commission. As the Commission is aware, the Company must obtain permits from the U.S. Army Corps of Engineers ("Corps") under Section 404 of the Clean Water Act to place fill material in the James River for construction of the transmission line towers and Section 10 of the Rivers and Harbors Act of 1899 for resulting obstructions to navigation. The Company filed a Joint Permit Application ("JPA") for the Corps permits in March of 2012 for the Surry to Skiffes Creek portion of the Certificated Project and a separate JPA for the Skiffes Creek to Whealton portion in June of 2013. In August 2013, the Company submitted a combined JPA for the Surry-Skiffes Creek Line and the Skiffes Creek-Whealton Line. This combined JPA superseded the permit applications for each such transmission line that had been submitted in March 2012 and June 2013.²

² The JPA also served as the application to obtain an authorization from the Virginia Marine Resources Commission ("VMRC") for encroachment on subaqueous beds of the Commonwealth in the James River and a Virginia Water Protection Permit from the Virginia Department of Environmental Quality. The latter permit also serves as the required Certificate under Section 401 of the Clean Water Act that the discharges for the Certificated Project will not result in a violation of water quality standards.

A. **National Environmental Policy Act (“NEPA”).** The two Corps permits required for the placement of fill and obstruction to navigation trigger review under NEPA. The Corps has indicated it will prepare an Environmental Assessment (“EA”) to satisfy this requirement. NEPA requires the Corps to evaluate alternatives as well as the direct, indirect and cumulative effects of the project on the human environment. As part of this NEPA review, on August 28, 2013, the Corps solicited public comments on the undertaking via public notice in accordance with the requirements of NEPA. The Corps received voluminous comments on the undertaking and has evaluated numerous alternatives. On October 1, 2015, the Corps published their Preliminary Alternatives Conclusions White Paper (“White Paper”), which concluded, in relevant part:

- i. Therefore, based on information presented to date, our preliminary finding is that two alternatives appear to meet the project purpose while reasonably complying with the evaluation criteria. These are Surry-Skiffes-Wheaton 500 kV OH (AC) (Dominion’s Preferred) and Chickahominy-Skiffes-Wheaton 500kV. We have determined that other alternatives are unavailable due to cost, engineering constraints and/or logistics. Please note this is not a decision on whether Dominion’s preferred alternative is or is not permissible, nor does it exclude further consideration of alternatives should new information become available.

White Paper at 7-8. A copy of the White Paper was attached as Exhibit A to the Company’s October 2, 2015 Status Update filed with the Commission. On April 5, 2016, the Corps presented a response (“Corps Response” or “Response”) to an Advisory Council on Historic Properties (“ACHP”) letter and indicated within its Response to ACHP that, “based on analysis of all information made available to date, the USACE finds nothing to indicate that Dominion’s information regarding practicality of alternatives is flawed or incorrect. Additionally, Dominion has explored all feasible alternatives, including those identified by the consulting parties and the

public to date.” Corps Response at 3. A copy of the Corps Response is attached as Exhibit A hereto. The Corps will make its final selection of alternatives when it issues the EA which will accompany the permit decision.

B. **Endangered Species Act (“ESA”).** The two Corps permits also trigger review under the ESA. The Corps must determine that the construction and operation of the facilities will not violate the ESA. The Corps has been consulting with the United States Fish and Wildlife Service regarding the Certificated Project’s potential effect on the Northern Long Eared Bat, and the National Marine Fisheries Service (“NMFS”) regarding the Atlantic Sturgeon. Consultation will be completed with the issuance of the permit decision; however, NMFS indicated in a January 28, 2016 letter that they agreed with the Corps that the Project is not likely to adversely affect listed species.

C. **National Historic Preservation Act (“NHPA”).** Finally, the two Corps permits trigger review under the NHPA. Section 106 of the NHPA requires the Corps to take into consideration the effect of permitted activities on historic properties. The NHPA process has four components (a) evaluation of alternatives, (b) identification of historic properties that might be affected, (c) evaluation of whether and to what extent the federally permitted project will have an adverse effect on those historic properties and (d) mitigation of those adverse effects. This process commenced with the issuance of the initial public notice on August 28, 2013. The comments received helped facilitate the initial steps of the review process and provided interested members of the public with an opportunity to comment on alternatives, the identification of historic properties and potential effects, which includes Carter’s Grove, Jamestown and Hog Island. The Corps identified an Area of Potential Effect (APE”) which is shown on a map included as Exhibit A to the Company’s February 9, 2016 Status Update filed

with the Commission. The Corps, in coordination with the State Historic Preservation Office (“SHPO”), then identified organizations that have a demonstrated interest in the treatment of historic properties associated with the Certificated Project (“Consulting Parties”) within the APE.

(i) **Alternatives.** The Corps has conducted its alternative analysis under the NHPA concurrently with that under NEPA described in Paragraph 7 above.

(ii) **Historic Property Identification.** On November 13, 2014, the Corps issued a second public notice soliciting comments specific to historic property identification and an alternatives analysis. The Corps and SHPO reached initial agreement on historic properties within the APE on May 1, 2015. On June 19, 2015, the Advisory Council on Historic Preservation (“ACHP”) requested that the Corps consider whether a portion of the Captain John Smith Chesapeake National Historic Trail (“CAJO”) is eligible for inclusion on the National Register of Historic Places. On July 2, 2015, the Corps made a request to the Keeper of the Register (“Keeper”) concerning the eligibility of the CAJO within the APE. On August 14, 2015, the Keeper made a determination that a portion of the CAJO is eligible for listing on the National Register of Historic Places as a contributing element of a historic district within the APE.

(iii) **Determination of Effects.** On May 21, 2015 the Corps issued a third public notice to assist in evaluation of the effects of the Certificated Project on the identified historic properties and evaluation of alternatives or modifications which could avoid, minimize or mitigate adverse effects of the

undertaking. As part of the process to assist in consideration of historic impacts, the Company prepared a Consolidated Effects Report (“CER”) to merge the various studies that had been prepared beginning in 2011 into a single document. The Corps published the CER on October 1, 2015. The Corps and SHPO subsequently reached agreement on the list of adversely effected properties.

(iv) **Mitigation.** A draft mitigation plan was developed, and the Corps provided for a Consulting Parties comment period on the draft mitigation plan; the draft mitigation plan and comment period was noticed to the Consulting Parties on December 30, 2015, and ended January 29, 2016. A fifth Consulting Parties meeting was held February 2, 2016 to discuss mitigation for impacts to historic properties. The Corps is working toward entering into a Memorandum of Agreement with the SHPO and the ACHP regarding mitigation. If such an agreement is not possible, consultation will terminate and the Corps will make its permit determination after affording the ACHP an opportunity to file comments.

(v) **Consulting Party Meetings.** In total, the Corps has hosted five Consulting Parties meetings to date (September and December 2014, June and October 2015 and February 2016) to discuss alternatives to the Certificated Project, identification of and impacts to historic properties and potential mitigation opportunities.

D. **Public Hearing.** A fourth public notice was published October 1, 2015 providing notice of a public hearing on all aspects of the Corps permitting process held on

October 30, 2015 at Lafayette High School in Williamsburg, Virginia. The Corps conducted its public hearing on October 30, 2015, during which approximately 80 witnesses appeared to present their views to the Corps. The period for written public comments associated with the October 30, 2015 public hearing (originally scheduled to close on November 9, 2015) was subsequently extended to close of business November 13, 2015, concurrent with the public comment period for the CER and White Paper.

7. **Virginia Marine Resources Commission (“VMRC”) Permit.** The Company must obtain an authorization from the VMRC for encroachment on subaqueous beds of the Commonwealth in the James River. The Company continues to coordinate with VMRC, based upon their desire to have additional certainty surrounding the Corps permitting.

8. **Federal Aviation Administration Review.** Additionally, the Federal Aviation Administration has completed its review of all of the proposed 500 kV structures; the 230 kV structures; and associated cranes and has made a determination of no hazard to air navigation.

9. **James City County Special Use Permit.** Consistent with the Court’s opinion in *BASF*, on June 17, 2015, the Company filed a special use permit application (“SUP”), a rezoning request, a substantial accord determination request and a height waiver application for a switching station in James City County associated with the Certificated Project. Comments from County staff were received on July 2, 2015, and the Company responded to the County July 10, 2015. The County produced additional comments on the resubmission on July 17, 2015, and the Company responded on July 24, 2015. On July 23, 2015, an open house was hosted by Dominion Virginia Power to discuss the switching station. There were 26 attendees. The switching station was placed on the James City County Planning Commission agenda scheduled for August 5, 2015, and legal notices were run on July 22 and July 29, 2015 to alert the public of

the meeting. A favorable staff report was issued July 29, 2015 recommending approval of the switching station. On August 5, 2015, the James City County Planning Commission voted 4 to 2 against recommending approval of the Company's switching station. Pursuant to Va. Code § 15.2-2232, on August 17, 2015, the Company filed an appeal of the substantial accord determination to the James City County Board of Supervisors (the "JCC Board"). The JCC Board will make the final determination on the SUP, rezoning and height waiver requests and will hear the appeal on the substantial accord determination, and it is anticipated that all four items will be considered during the same meeting of the JCC Board. The appeal and the other pending applications were to be considered by the JCC Board at its October 13, 2015 public meeting, but the Company submitted a letter on September 17, 2015 requesting that action on the appeal be deferred until the JCC Board's meeting on November 24, 2015. The JCC Board approved that request at its meeting on September 22, 2015. A subsequent request was submitted by the Company on November 6, 2015 to defer the vote on the matter until the JCC Board's January 12, 2016 meeting; this request was approved by the JCC Board on November 10, 2015. The Company had anticipated that the decision of the JCC Board would be better informed by the status of the Corps process in January of 2016; so, on December 4, 2015, the Company submitted a letter of request for further deferral of the JCC Board's public hearing on this matter to the JCC Board's February 9, 2016 meeting; this request was approved by the JCC Board on December 8, 2015. The Company sought on January 8, 2016 an additional deferral until the March 8, 2016 JCC Board meeting. The JCC Board approved this request at their January 12, 2016 meeting. However, due to further delay in the Corps process, the Company sought an additional deferral until the August 9, 2016 JCC Board meeting unless the Corps issues its permits before that date, which deferral request was approved by the JCC Board on

February 9, 2016.

10. On September 11, 2015, in advance of the JCC Board's vote on the aforementioned items, the Company, at its own risk, submitted the Switching Station site plan to the County for review. Comments from JCC and other review agencies have been reviewed by the Company and were addressed in the Company's November 16, 2015 second submission of the Switching Station site plan. Review comments were received on the second submission of the site plan, and the Company reviewed and responded to these comments with a third submission of the site plan with revisions on February 2, 2016. All comments on the third submission have been received, and the Company will address these comments in their fourth submission of the site plan.

11. Upon obtaining the required approvals, the Company intends to commence construction of the Certificated Project. The Company will continue to report to the Commission material developments in its permitting and construction activities on the schedule set forth in the Order Directing Updates.

12. **Mercury and Air Toxics Standards ("MATS") Extension.** Additionally, the Company notes that the inability to begin construction for the past three years since the Application was filed with the Commission has made it impossible for the proposed facilities to be completed and in service by December 31, 2015, as provided in the Commission's February 28, 2014 Order Amending Certificates. As permitted by federal environmental regulations, the Company has obtained from the Virginia Department of Environmental Quality a one-year extension of the April 16, 2015 deadline for Yorktown Units 1 and 2 to comply with the U.S. Environmental Protection Agency's ("EPA") MATS regulation that will be achieved by retiring the units, which drove the original June 1, 2015 need date for the new transmission facilities. On

October 15, 2015, the Company submitted a Petition seeking from the EPA an administrative order under EPA's Administrative Order Policy for the MATS rule,³ which, if granted, would provide an additional one-year waiver of non-compliance with the regulations that drive those retirements and further extend the need date for the Certificated Project to June 1, 2017. On December 2, 2015, the Federal Energy Regulatory Commission ("FERC") issued Comments on the Company's request to EPA, stating that Yorktown Unit Nos. 1 and 2 "are needed during the administrative order period, as requested by Dominion, to maintain electric reliability and to avoid possible NERC Reliability Standard violations."⁴

13. On June 29, 2015, the United States Supreme Court ("Supreme Court") in *Michigan, et al. v. Environmental Protection Agency, et al.*, ___ U.S. ___ (2015) reversed and remanded (by a 5-4 vote) the EPA's MATS regulation to the United States Court of Appeals for the D.C. Circuit Court ("D.C. Court of Appeals") for further proceedings consistent with the Supreme Court's Opinion. This decision does not change the Company's plans to close coal units at Yorktown Power Station or the need to construct the Certificated Project by 2017. The Court's ruling required that EPA consider the cost of implementation. The decision neither vacated the rule nor placed a stay on its implementation. On July 31, 2015, the Supreme Court formally sent the litigation back to the D.C. Court of Appeals, to decide whether to vacate or leave in place the MATS rule while the EPA works to address the Supreme Court decision.

14. On November 20, 2015, in response to the Supreme Court decision, the EPA

³ *The Environmental Protection Agency's Enforcement Response Policy For Use of Clean Air Act Section 113(a) Administrative Orders In Relation To Electric Reliability and the Mercury and Air Toxics Standard*. EPA Memorandum from Cynthia Giles, Assistant Administrator of the Office of Enforcement and Compliance Assurance to EPA Regional Administrators, Regional Counsel, Regional Enforcement Directors and Regional Air Division Directors (December 16, 2011).

⁴ *Virginia Electric and Power Company*, Docket No. AD16-11-000, 153 FERC ¶ 61,265.

proposed a supplemental finding⁵ that consideration of cost does not alter the agency's previous conclusion that it is appropriate and necessary to regulate coal- and oil-fired electric utility steam generating units ("EGUs") under Section 112 of the Clean Air Act ("CAA"). The proposed supplemental finding was published for public comment on December 1, 2015. 80 Fed. Reg. 75025 (Dec. 1, 2015). The public comment period closed on January 15, 2016.

15. On December 15, 2015, the D.C. Court of Appeals in *White Stallion Energy, LLC v. Environmental Protection Agency*, No. 12-1100, 2015 U.S. App. LEXIS 21819 (D.C. Cir. 2015) issued an order remanding the MATS rulemaking proceeding back to EPA without vacatur. This action means that the MATS rule remains applicable and effective. The D.C. Court of Appeals noted that EPA had represented it was on track to issue by April 15, 2016, a final finding regarding its consideration of cost.

16. On December 1, 2015, the Company filed with the Commission a motion to extend the date for completion and placement in service of the Certificated Project to the date twenty (20) months after the date on which the Corps issues a construction permit for the Certificated Project. On December 22, 2015, the Commission issued an Order granting the Company's motion to extend.

Plans for Maintaining System Reliability in the North Hampton Roads Area

17. In order to ensure reliability for the Peninsula while the Surry-Skiffes Creek Line is being constructed in anticipation of the Yorktown Unit 1 and 2 retirements, the Company is conducting a rigorous inspection and maintenance program ("Inspection Program"). The focus of the Inspection Program is transmission lines and stations for assets that directly serve the Peninsula. This includes, but is not limited to, the lines and stations from Chickahominy east to

⁵ See <http://www.gpo.gov/fdsys/pkg/FR-2015-12-01/pdf/2015-30360.pdf>.

Newport News, as well as lines from Surry and Chuckatuck that feed into the southern end of the Peninsula. The Inspection Program focuses on the human performance factor that will be emphasized consistently over the work period to ensure the Electric Transmission and Station workforce involved in supporting the assets on the Peninsula are cognizant of the ongoing construction. The Inspection Program will also consist of a complete evaluation of all abnormal equipment logs that require equipment maintenance or replacement in order to ensure that all equipment is in-service, and infrared reviews of stations and transmission lines prior to and during long critical outages to identify any weak links in the system that need attention to prevent unplanned outage events. More frequent aerial and foot patrols of transmission lines and stations will also be incorporated into the Inspection Program. Lastly, the outages required to address any outstanding equipment issues will be scheduled around the necessary planned outages to support the construction of the Certificated Project to limit the overall system exposure.

18. Additional inspection and maintenance work that is currently being conducted as part of the Inspection Program includes performing substation inspections quarterly; augmenting quarterly inspections with Technical Oversight Inspections of select stations; increasing infrared inspections of affected substations; performing infrared inspections every two weeks if load exceeds 18,000 MW; and reviewing all Corrective & Preventative Maintenance orders for substation equipment and relay systems to ensure they are completed or can be deferred during construction of the Certificated Project.

19. Foundation work on the existing transmission lines at the James River Bridge was completed at the end of 2015. Additional inspection and maintenance work is also being planned for the future (prior to construction of the Certificated Project). This additional future work

under the Inspection Program includes the following: all line switches will be inspected and any necessary maintenance performed prior to construction; all questionable compression conductor connections will be inspected and any necessary repairs will be made prior to commencement of work; one month prior to beginning work, a foot patrol will be done on the four 230 kV lines serving the Peninsula, and any issues found will be corrected prior to commencement of work; one week prior to beginning work, an aerial patrol will be done on the four 230 kV lines serving the Peninsula, and any issues found will be corrected prior to commencement of work; and bi-weekly aerial patrols will be done throughout the construction of the Certificated Project on these four 230 kV lines to identify any issues that may have surfaced since the previous patrol. The bi-weekly aerial patrols will specifically look for equipment integrity issues identified through visual inspection, corona camera, and infrared camera; and any third-party work on or near the right-of-way with a potential threat to the lines, which will be identified and addressed accordingly. Should the permit be delayed and Yorktown is forced to shut down without the line in service, the above actions will be taken well in advance of the Yorktown coal unit closures.

20. If the Certificated Project is not in-service by the time that Yorktown Units 1 and 2 must retire to be in compliance with effective environmental regulations, then the plan for maintaining system reliability for the Peninsula will include careful planning of transmission outages and minimum work on assets on the Peninsula while the planned outages to support the construction of the Certificated Project outages are underway. Under some unplanned event scenarios, the reliability plan must include shedding of load in the amounts necessary to reduce stress on the system below critical demand levels. The shedding of load could occur in some instances at system load levels well below peak demand levels, on the order of 16,000 MW or higher. The exact system load level, load shed amounts and locations will be dependent on the

circumstances that exist on the system at the time.

21. The Company will continue to report to the Commission material developments of its plans for maintaining system reliability on the schedule set forth in the Order Directing Updates.

Respectfully submitted,

VIRGINIA ELECTRIC AND POWER COMPANY

By: Vishwa B. Link

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Counsel for Virginia Electric and Power Company

April 12, 2016



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APR 05 2016

Executive Office

Ms. Charlene Dwin Vaughn
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
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Dear Ms. Vaughn:

I am writing in response to your letter, dated March 2, 2016, regarding Dominion Virginia Power's (Dominion) proposed Surry-Skiffes Creek-Wheaton aerial transmission line project and the ongoing consultation pursuant to Section 106 of the National Historic Preservation Act (NHPA). I thank you for the Advisory Council on Historic Preservation's (ACHP) participation in this matter and the guidance provided thus far by both you and Dr. John Eddins. Your letter, adding to communications from a number of the consulting parties, expressed concern over the applicant's stated purpose and need, as well as our review of alternatives. In addition, you have noted concerns about our progress through the Section 106 consultation process. With this letter, I am hopeful that I can provide clarity on both our permit application review procedures and the status of Section 106 consultation.

I. Purpose and Need and Evaluation of Alternatives

When we review any request for authorization pursuant to our authorities under the Clean Water Act and/or the Rivers and Harbors Act, the U.S. Army Corps of Engineers (USACE) is neither a proponent nor an opponent of the proposed action. Rather, we review the applicant's proposal pursuant to our statutory authorities and regulatory processes to determine whether the project can be authorized by a Department of the Army permit. Establishing the project purpose and need is key to this review. The USACE generally relies on the applicant's input for defining the underlying problem addressed by the proposed project. However, the USACE does independently evaluate the applicant's submissions and other pertinent information, to determine the overall purpose and need for the proposed project from both the applicant's and the public's perspective.

Once the project purpose and need is established, the USACE evaluates the availability of alternatives to the applicant's proposal. The alternatives analysis for any standard permit action is designed to fulfill our responsibilities under the National Environmental Policy Act (NEPA), the Clean Water Act, Section 404(b)(1) Guidelines (Guidelines), and the Public Interest Review (PIR). While NEPA implementing regulations call for evaluating a full range of reasonable alternatives, the Guidelines and

the PIR provide the substantive criteria for the USACE decision making process and the basis for deciding how rigorously an alternative need be explored.

The Guidelines require that the applicant demonstrate that the proposed alternative is the least environmentally damaging practicable alternative (LEDPA). For an alternative to preclude authorization of the proposed action, it generally must be both less damaging to the aquatic environment and practicable. To be considered practicable, the alternative must be available to the applicant and able to be reasonably accomplished considering cost, existing technology and logistics in light of the project purpose. While the cost of mitigating historic resource impacts is a valid consideration in overall project cost, and therefore practicability, proximity to cultural resources or even potential adverse effects to historic and/or cultural resources is not an element of practicability. If an alternative is considered not practicable or it does not meet the project purpose, it needs no further exploration. Where an applicant's preferred alternative is the LEDPA, the proposed action must still satisfy all other restrictions on discharge and be found not contrary to the public interest in order to be permitted.

Section 106 of the National Historic Preservation Act and the ACHP regulations at 36 CFR § 800 (the 800 regulations) require that we consider impacts to historic properties in the evaluation of any proposed project and that we evaluate alternatives to avoid, minimize, or mitigate an undertaking's adverse effects. However, in contrast to the Guidelines and PIR criteria, Section 106 and the 800 regulations provide no process or framework for making a decision on a particular project or alternative. Therefore, while we fully consider impacts to historic properties and measures to avoid, minimize, or mitigate those impacts, our authorities and substantive criteria determine the range of alternatives that warrant in-depth review.

The USACE has independently analyzed all information supplied by Dominion, consulting parties, and the general public in evaluating the expressed need for this project, as well as the overall project purpose. Responding to requests from consulting parties for information on alternatives, the USACE on October 1, 2015, circulated a preliminary alternatives conclusions white paper (the October Alternatives Whitepaper). In this document, we explained our conclusion that Dominion had adequately established the need for this project and that the project purpose (to provide sustainable electrical capacity into the North Hampton Roads Load Area in a manner that addresses future load growth deficiencies, replaces aging infrastructure, complies with federal regulations, including the Mercury Air Toxics Standards, and maintains compliance with the North American Electric Reliability Corporation standards) is valid.

In November 2015, National Parks Conservation Association (NPCA) and its consultant, Princeton Energy Resources International (PERI), approached the USACE questioning the validity of the load flow analysis data supporting the need for the proposed action. Dominion responded to this concern with new load flow analysis

based on current user trends. PJM Interconnection, the regional transmission organization (RTO), also provided a letter to the USACE on January 25, 2016, confirming "the project continues to be needed even considering the updated load forecasts in the recently released 2016 PJM Load Forecast Report." After evaluating the information submitted by all parties, the USACE finds the additional analysis further demonstrates there is a need for this project from both Dominion's and the general public's perspective.

Dominion, with its initial submission or in response to USACE inquiries and public comment, has provided information on over 20 alternatives, including generation alternatives, upgrades to existing facilities, use of existing transmission lines, and the construction of new transmission lines at varying capacities. While we should be clear that the USACE has not made a permit decision, the October Alternatives Whitepaper contained the USACE's initial findings regarding alternatives. We acknowledge that many of the alternatives would substantially reduce or remove adverse effects to historic properties. However, based on analysis of all information made available to date, the USACE finds nothing to indicate that Dominion's information regarding practicability of alternatives is flawed or incorrect. Additionally, Dominion has explored all feasible alternatives, including those identified by the consulting parties and the public to date.

II. The Section 106 Process

Your letter also raises concerns about our progress through the Section 106 process. Specifically, you note the perception that the USACE has overlapped the steps prescribed by the 800 regulations and that USACE conclusions regarding effects are unclear. Taken together, Section 106, the 800 regulations, and the USACE procedures for the protection of historic properties found at 33 CFR § 325 Appendix C, require that we consider the effects of the proposed power line on historic properties and consult at various stages of the review process with the ACHP, the State Historic Preservation Office, Virginia Department of Historic Resources (VDHR), and other invited consulting parties. I believe the USACE, with your guidance, has clearly made a good faith effort to appropriately initiate consultation, identify historic properties, and assess the effects on those properties by following the sequential process described in both the 800 regulations and Appendix C.

Following applicable procedures, we have maximized opportunity for coordination and comment by providing the most current information to consulting parties and the public as the information has become available. In addition to circulating information to the consulting parties and through public notice, we maintain a webpage where we have posted current project information. We have requested consulting party and public input where required during each step prescribed by the 800 regulations. The ACHP and others have suggested that we should conclude each step of the Section 106 process

by providing our final findings and determinations. However, to ensure our decision is based on the best available information, we have not precluded discussion of prior steps as new information has become available or as project plans have been modified. At no time during this process have we turned away input from consulting parties or the public.

In addition to conducting a transparent process, we believe we have appropriately and sequentially worked through the process described in the applicable regulations. On August 28, 2013, the USACE released a public notice describing the proposed undertaking and inviting public comment. In response to this notice, several organizations requested to join consultation as consulting parties. The USACE worked with VDHR to identify and invite other potential consulting parties. On March 3, 2014, the USACE formally invited all requesting parties to participate as consulting parties in the NHPA Section 106 process. Additional invitations were sent to Tribes and Local Governments.

Following the procedures of 36 CFR § 800.4, and in consultation with VDHR, the USACE identified the Area of Potential Effect (APE) and initiated collection of available information regarding historic properties and potential effects. Prior to submitting its permit application to our office, the applicant collected a vast amount of historic resource information vetted through VDHR as part of the Virginia State Corporation Commission (SCC) process. With VDHR concurrence, and pursuant to 36 CFR § 800.4(a), the USACE determined it appropriate to accept this information to inform our Section 106 consultation process. Using this and additional information, the USACE worked with VDHR to establish the APE for the undertaking. On January 28, 2014, VDHR concurred with the APE as defined. To facilitate further consultation, the USACE, on May 8, 2014, distributed information regarding historic property identification and potential effects to VDHR, consulting parties, and ACHP.

In response to this distribution, consulting parties raised concerns about compression of Section 106 process steps. On June 20, 2014, the USACE reiterated its intent to follow Section 106 coordination procedures and clarified to ACHP and consulting parties that the May 8, 2014, circulation was not a final coordination. We again requested input on historic property identification pursuant to 36 CFR § 800.4 (b). Working with VDHR and ACHP, the USACE also developed and circulated a Section 106 Consultation and Public Involvement Plan.

On September 25, 2014, the USACE held an in-person meeting with the consulting parties to finalize the historic property identification and discuss potential effects. To further inform this step and facilitate the evaluation of historic significance pursuant to 36 CFR § 800.4(c), Dominion provided additional cultural resource surveys, reports, and documentation. Based on input received from the public and consulting parties, the USACE in consultation with VDHR modified the initial APE by identifying direct and

indirect boundaries. While VDHR fully participated at the time of this APE modification, to assuage concern they, on January 15, 2015, provided formal written concurrence with the direct and indirect APE's.

After incorporating input from consulting parties, the USACE, on November 13, 2014, issued a public notice soliciting final comments on historic property identification. In response to questions raised by consulting parties, the USACE also included information on project alternatives. On December 9, 2014, the USACE held a second consulting parties meeting focused on concluding historic property identification and discussing potential effects. By letters received May 1 and May 11, 2015, VDHR provided their concurrence with the USACE's Identification of Historic Properties pursuant to 36 CFR § 800.4. However, based on later correspondence received from ACHP on June 19, 2015, the USACE consulted with the Keeper of the National Register of Historic Properties (Keeper) concerning the eligibility status of the Captain John Smith National Historic Trail (CAJO). On August 14, 2015, the Keeper rendered a final decision, concluding that "The entire area encompassed by the Indirect APE is eligible for the National Register of Historic Places as a historic district" and that the section of the CAJO within the project APE was "eligible for the National Register of Historic Places as a contributing element in the larger historic district." In response, the USACE added the newly defined Historic District to its list of historic properties and added the CAJO as a contributing resource to the Historic District. The USACE welcomed an October 22, 2015, letter from the National Park Service indicating their agreement that the USACE has completed and satisfied the requirements under 800.4.

Following receipt of VDHR's May 2015 concurrence on "Historic Property Identification," the USACE, in consultation with VDHR, applied the criteria of adverse effects as specified in 36 CFR § 800.5. On May 21, 2015, the USACE released a public notice and request for comment stating that the USACE, in consultation with VDHR, "has determined that the undertaking will have an overall adverse effect." As directed by 36 CFR § 800.5 (d) (2), the USACE requested input on the resolution of adverse effects. Because new information had been received since the list of historic properties was finalized, the notice also requested comments from VDHR, ACHP, consulting parties, and the public concerning effects specific to individual historic properties. The USACE hosted a third consulting party meeting on June 24, 2015, to discuss avoidance minimization and mitigation of adverse effect. Though not required by the 800 Regulations, VDHR on November 13, 2015, provided a letter formally concurring with the adverse effect determination, thereby confirming the completion of 36 CFR § 800.5.

To inform and aid in discussions on the resolution of adverse effects, the USACE provided further information regarding the nature of effects. Based on feedback received in response to the May 21, 2015 public notice and at the June 24, 2015, Consulting Party meeting, Dominion prepared a Consolidated Effects Report discussing effects to individual properties within the APE. Ahead of the fourth Consulting Party

meeting, the USACE provided this information, along with confirmation of the previously provided final effect determinations for individual historic properties within the APE. With its November 13, 2015 letter, VDHR concurred with all effect determinations for individual properties except the Battle of Yorktown Site and Fort Crawford. Following further discussion with VDHR and the applicant, these properties were identified as adversely affected.

Many consulting parties objected to our determination that several individual properties within the APE would not be adversely affected, and/or commented that the final effect determinations for individual properties were not clear. On January 29, 2016, the USACE provided all parties with tables (enclosed) that reflect the final effect determinations for identified archaeological and architectural resources. These final effect determinations are consistent with VDHR's November 13th concurrence. The USACE clarified during the fifth consulting party meeting held February 2, 2016, that the tables distributed January 29, 2016, were final effect determinations for individual properties. To clarify the record further, VDHR, on February 17, 2016, provided formal written concurrence with these tables and the effect determinations made for individual historic properties.


The approach outlined above fully complies with the organization of 36 CFR § 800.5. 36 CFR § 800.5(a) provides the criteria for assessing adverse effect of an undertaking. 36 CFR § 800.5(b) details the steps and coordination necessary should the agency find that the undertaking has no adverse effect on historic properties, and 36 CFR § 800.5(c) prescribes necessary consulting party review should the agency propose a finding of no adverse effect. 36 CFR § 800.5(d)(2) instructs the agency, upon finding an adverse effect, to "consult further to resolve the adverse effect pursuant to 36 CFR § 800.6." We have evaluated the effects of the undertaking and have circulated our adverse effect findings. After finding an overall adverse effect, we have proceeded in accordance with § 800.5(d)(2) by consulting to resolve the adverse effect pursuant to § 800.6.

The 800 regulations require that we request and consider input from consulting parties and the public at various stages of the process. The regulations do not require that we, and the consulting parties, reach agreement on the severity of effects to individual historic properties before discussing avoidance, minimization, and mitigation measures. Indeed both you and Dr. Eddins confirmed this during the February 2, 2016, consulting parties meeting. Incorporated into our record are the comments and opinions of consulting parties specific to the effects on individual historic properties. While we understand consulting parties continue to object to the alternative under review, we have considered all resource- and effect-specific comments, and are working with the applicant to reconsider or revise assessment where appropriate. We will continue to consider all comments and opinions as we proceed. However, comments simply contending that more work should be done or that more information is required are not specific enough to aid our decision making process.

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The USACE remains committed to providing a quality decision in adherence to the process and in a timely manner. It is the USACE's position that we have adhered to all necessary legal and regulatory requirements in processing this request for authorization. However, I desire that this process be clear and transparent. Therefore, should ACHP disagree with any information provided above related to the application of the 800 regulations please provide specific clarification so that we can continue to move forward in this evaluation. If you have any questions about issues addressed in this letter, please do not hesitate to contact Mr. Tom Walker, Chief of my Regulatory Branch at (757) 201-7657, Mr. Randy Steffey, Project Manager, at (757) 201-7579, or me at (757) 201-7601.

Sincerely,


Jason E. Kelly
Colonel, U.S. Army
Commanding

Enclosure

cc:
Dominion
Stantec
Virginia Department of Historic Resources
Consulting Parties

LIST OF IDENTIFIED ARCHAEOLOGICAL RESOURCES AND CORRESPONDING EFFECT DETERMINATIONS

| DHR ID# | Resource Type | Final Eligibility Determination/Proximity to Direct APE | Potential Effect | USACE Effect Determination | | VDHR Effect Comments | | Consulting Party Comment/Final Effect Determination | |
|----------|--|---|---|----------------------------|---------|--|---------|---|---------|
| | | | | NAE | NAE | NAE | NAE | NAE | NAE |
| 44IC0018 | 17th Century Cemetery Mazaro's Hundred | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| 44IC0649 | Indet. Historic | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| 44IC0650 | Indet. 18th Cent | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| 44IC0667 | 18th to 19th Cent Dwelling Eligible | Inside | Destruction by Switching Station Construction | ADVERSE | ADVERSE | ADVERSE | ADVERSE | ADVERSE | ADVERSE |
| 44IC0751 | Prehistoric Camp, 18th to 19th Cent. Dwelling | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| 44IC0826 | 19th Cent. Farmstead | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| 44IN0060 | Indet. Woodland | Inside | Direct Impact Tower Replacement | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO0997 | Civil War Earthworks | Inside | Direct Impact Tower Replacement | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO0180 | Prehistoric Camp | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO0181 | Indet. Late Archak | Inside | Direct Impact Tower Replacement | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO0183 | 18th Cent. Domestic | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO0184 | Indet. 19th to 20th Cent. | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO0233 | Civil War Military base | Inside | Direct Impact Tower Replacement | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO0237 | Archaic & Woodland Camp | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO0740 | Historic Bridge & Road | Inside | Avoided; within Hanwoods Mill Reservoir | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO0597 | Mild 18th to 19th Cent. Military Camp | Inside | Direct Impact Tower Replacement | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO1059 | Prehistoric Camp, Early to Mid 18th Cent. Dwelling | Inside | Direct Impact Tower Replacement | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO1129 | Historic Dwelling | Inside | Direct Impact Tower Replacement | NAE | NAE | NAE | NAE | NAE | NAE |
| 44YO1131 | 19th Cent. Dwelling | Inside | Avoided; no ground disturbance | NAE | NAE | NAE | NAE | NAE | NAE |
| | 76 submerged anomalies in James River | Inside | Avoided; no ground disturbance | NAE | ADVERSE | Further Avoidance Documentation Needed | ADVERSE | NAE; Based on Avoidance | ADVERSE |

NAE = No Adverse Effect

LIST OF IDENTIFIED ARCHITECTURAL RESOURCES AND CORRESPONDING EFFECT DETERMINATIONS

| DHR ID# | Resource Name | Final Eligibility Determination | Direct/Indirect APE | Proximity to ROW (miles) | Visible to Undertaking | USACE Effect Determination | VDHR Effects Comments | Consulting Party Comments | Final Effect Determination |
|----------|--|---|---------------------|--------------------------|------------------------|----------------------------|-----------------------|---------------------------|----------------------------|
| 046-0031 | Bourne-Turner House at Smith's Beach | Potentially Eligible under Criteria C | Indirect | 8.75 | No | NAE | NAE | | NAE |
| 046-0037 | Fort Hugger | NRHP Listed | Indirect | 3.21 | Yes | NAE | NAE | ADVERSE | NAE |
| 046-0044 | Bay Cliff Manor on Burwell's Bay/James C. Sprigg, Jr. House | Potentially Eligible under Criteria C | Indirect | 7.11 | No | NAE | NAE | | NAE |
| 046-0094 | Basses Choice (Days Point Archeological District, Route 673) | NRHP Listed; Archaeological Sites 441W0003-441W0237 | Indirect | 7.67 | Yes | NAE | NAE | | NAE |
| 046-0095 | Fort Boykin Archeological Site/Herbert T. Greer House and Gardens, Route 705 | NRHP Listed | Indirect | 8.84 | Yes | NAE | NAE | ADVERSE | NAE |
| 046-5045 | Barlow-Nelson House, 5374 Old Stage Highway | Potentially Eligible Under Criteria C | Indirect | 6.33 | No | NAE | NAE | | NAE |
| 046-5138 | Bay View School, 6114 Old Stage Hwy | Potentially Eligible Under Criteria A & C | Indirect | 6.84 | No | NAE | NAE | | NAE |
| 046-5415 | USS Sturgis (MH-1A Sturgis, Nuclear Barge, James River Reserve Fleet) | Eligible Under Criteria A & Consider D | Indirect | 1.92 | No; Removed | NAE | NAE | | NAE |
| 047-0001 | Carter's Grove | NHL; NRHP Listed | Indirect | 0.43 | Yes | ADVERSE | ADVERSE | ADVERSE | ADVERSE |
| 047-0002 | Colonial National Historic Park; Colonial Parkway Historic District | NRHP Listed | Indirect | 3.16 | Yes | ADVERSE | ADVERSE | ADVERSE | ADVERSE |
| 047-0009 | Jamestown National Historic Site / Jamestown Island / Jamestown Island Historic District | NRHP Listed | Indirect | 3.26 | Yes | ADVERSE | ADVERSE | ADVERSE | ADVERSE |
| 047-0010 | Kingsmill Plantation | NRHP Listed | Indirect | 3.16 | Yes | NAE | NAE | ADVERSE | NAE |
| 047-0043 | Amblers (Amblers-on-the-James) | Eligible | Indirect | 6.64 | No | NAE | NAE | | NAE |
| 047-0082 | Governor's Land Archeological District | NRHP Listed | Indirect | 5.70 | No | NAE | NAE | | NAE |
| 047-5307 | Artillery Landing Site at Trebell's Landing | Potentially Eligible Under Criterion D | Indirect | 0.52 | Yes | NAE | NAE | | NAE |
| 047-5333 | Martin's Hundred Graveyard (Cemetery) | Eligible under Criteria A & D | Direct | 0.00 | Yes | NAE | NAE | | NAE |
| 047-5432 | 4H Camp, 4H Club Road | Potentially Eligible Under A & C | Indirect | 9.20 | No | NAE | NAE | | NAE |
| 090-0020 | Pleasant Point (Crouches Creek Plantation) | NRHP Listed | Indirect | 4.32 | Yes | NAE | NAE | | NAE |
| 090-0024 | New Chippokes (Jones-Stewart Mansion) | NRHP Listed; associated with Chippokes Plantation Historic District | Indirect | 2.07 | No | NAE | NAE | | NAE |

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| DHR ID# | Resource Name | Final Eligibility Determination | Direct/Indirect APE | Proximity to Distance From ROW (miles) | Visible to Undertaking | USACE Effect Determination | VDHR Effects Comments | Consulting Party Comments | Final Effect Determination |
|-------------------|--|--|---------------------|--|------------------------|----------------------------|-----------------------|---------------------------|----------------------------|
| 090-0070/090-0003 | Chippokes Plantation Historic District (Chippokes State Park) | NRHP Listed | Indirect | Outside 1.26 | No | NAE | NAE | | NAE |
| 090-0121 | Hog Island Wildlife Management Area | Potentially Eligible Under Criterion A & D for purposes of 106 | Direct & Indirect | Inside 0.00 | Yes | ADVERSE | ADVERSE | ADVERSE | ADVERSE |
| 090-5046 | Scotland Wharf Historic District | Potentially Eligible Under Criterion A & C | Indirect | Outside 5.03 | Yes | NAE | NAE | | NAE |
| 090-5046-0001 | House, 16177 Rolfe Hwy (RT 31) | Not Individually Eligible; Contributing to Scotland Wharf Hist Distr | Indirect | Outside 5.16 | No | NAE | NAE | | NAE |
| 090-5046-0002 | House, 16223 Rolfe Hwy (RT 31) | Not Individually Eligible; Contributing to Scotland Wharf Hist Distr | Indirect | Outside 5.16 | Yes | NAE | NAE | | NAE |
| 090-5046-0003 | House, 16239 Rolfe Hwy (RT 31) | Not Individually Eligible; Contributing to Scotland Wharf Hist Distr | Indirect | Outside 5.16 | No | NAE | NAE | | NAE |
| 090-5046-0004 | House, 16271 Rolfe Hwy (RT 31) | Not Individually Eligible; Contributing to Scotland Wharf Hist Distr | Indirect | Outside 5.14 | No; Demolished | NAE | NAE | | NAE |
| 090-5046-0008 | House, 16205 Rolfe Hwy (RT 31) | Not Individually Eligible; Contributing to Scotland Wharf Hist Distr | Indirect | Outside 5.12 | No | NAE | NAE | | NAE |
| 099-5241 | Yorktown and Yorktown Battlefield (Colonial National Monument/Historical Park) | Eligible | Direct & Indirect | Inside 0.00 | Yes | NAE | ADVERSE | ADVERSE | ADVERSE |
| 099-5283 | Battle of Yorktown (Civil War) | Eligible | Direct & Indirect | Inside 0.00 | Yes | NAE | ADVERSE | ADVERSE | ADVERSE |
| 121-0006 | Matthew Jones House | NRHP Listed | Indirect | Outside 1.93 | Yes | NAE | NAE | ADVERSE | NAE |
| 121-0017 | Crafford House Site/ Earthworks (Fort Eustis) | NRHP Listed as part of 121-0027/44NN0070 | Indirect | Outside 3.38 | Yes | NAE | NAE | ADVERSE | NAE |
| 121-0027 | Fort Crafford | NRHP Listed | Indirect | Outside 3.28 | Yes | NAE | ADVERSE | ADVERSE | ADVERSE |
| 121-0045 | S.S. John W. Brown | NRHP Listed | Indirect | Outside 2.18 | Yes | NAE | NAE | | NAE |
| 121-5068 | Village of Lee Hall Historic District | NRHP Listed | Indirect | Outside 0.25 | No | NAE | NAE | | NAE |
| 121-5070 | Ghost Fleet (James River Reserve Fleet/ Maritime Admin. Non-Retention Ships) | Eligible under Criterion A | Indirect | Outside 1.64 | Yes | NAE | NAE | | NAE |
| | Battle of Green Springs | NRHP Listed | Indirect | Outside 5.70 | No | NAE | NAE | | NAE |
| | Historic District (formerly Jamestown Island - Hog Island Cultural Landscape) Including CAJO | Eligible under Criteria A, B, C & D | Direct & Indirect | Inside 0.00 | Yes | ADVERSE | ADVERSE | ADVERSE | ADVERSE |

| DHR ID# | Resource Name | Final Eligibility Determination | Direct/Indirect APE | Proximity to Distance From ROW (miles) | Visible to Undertaking | USACE Effect Determination | VDHR Effects Comments | Consulting Party Comments | Final Effect Determination |
|---------|---------------|---------------------------------|---------------------|--|------------------------|----------------------------|-----------------------|---------------------------|----------------------------|
|---------|---------------|---------------------------------|---------------------|--|------------------------|----------------------------|-----------------------|---------------------------|----------------------------|

NAE = No Adverse Effect

Other Resources/Properties Commented on by Consulting Parties

| | | | | | | | | | |
|----------|--------------------------------------|--|-------------------|------|-----|---------|---------|---|---------|
| 121-0016 | Lee Hall Mansion | Outside of Indirect APE; Property is associated with 121-5068 | Outside | 0.80 | No | N/A | N/A | No Discussion in CER | N/A |
| | CAO (Individually) | Trail is Not Individually Eligible; Contributes to Hist District | Direct & Indirect | 0.00 | Yes | Adverse | Adverse | Adverse; Not Individually Assessed in CER | Adverse |
| | Washington-Rochambeau Historic Trail | SHPO Concurred with a Determination of Not Eligible | Direct & Indirect | 0.00 | Yes | N/A | N/A | Adverse; No Discussion in CER | N/A |

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of April, 2016, copies of the foregoing were hand delivered, electronically mailed, and/or mailed first class postage prepaid to:

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