

From: Hoskin, Sumalee <sumalee_hoskin@fws.gov>
Sent: Wednesday, May 8, 2019 9:05 AM
To: mvp_fws
Subject: Fwd: Canoe Cave Giles County

Categories: MVP FWS HB

Sumalee Hoskin
US Fish & Wildlife Service
6669 Short Lane
Gloucester, VA 23061

Tel: 804-824-2414

Fax: 804-693-9032

Visit us at <http://www.fws.gov/northeast/virginiafield/>

----- Forwarded message -----

From: (b) (6)
Date: Thu, Feb 23, 2017 at 8:37 AM
Subject: Canoe Cave Giles County
To: Sumalee Hoskin <sumalee_hoskin@fws.gov>, wil orndorff <Wil.Orndorff@dcv.virginia.gov>
Cc: (b) (6)

Hey Sumalee

This is (b) (6) with Canoe Cave. Here is some information that I would like for you to take a look at. From the information that is available to the public you can see that the pipeline is well within the 1/4 mile zone. Our last phone conversation you stated that they had moved the line outside the 1/4 mile

Canoe Cave Variation

In an effort to avoid Canoe Cave, a Virginia Significant Cave and its associated VA DCR Conservation Site, FERC proposes a variation to "Shift 1,300 feet north to avoid cave as recommended in draft EIS". The purpose of the shift is not only to shift the pipeline from directly on top of the cave, but also to avoid the US Fish and Wildlife Service Rule 4D ¼ mile no cut zone associated with a potential known Northern Long Eared Bat (NLEB) hibernaculum.^[1] In the same report, two tricolored bats (State Endangered) were recorded. ¹ According to MVP's latest filing, it has not moved the pipeline 1300

feet from the cave entrance (see figures 3 and 4). They have, however, moved the route closer to contributing properties of the District including the Low Water Bridge (VADHR # 35-412-0034) the Welford Dowdy House (VHDR # 35-0412-0035)^[3] and the Reynolds Iron Ore Furnace, creating greater adverse effects on the historic resources and cultural landscape of the Old Furnace Road area of the District.

Figure 3 Topographic Map Canoe Cave Variation and historic properties (VADHR # 35-412-0036)

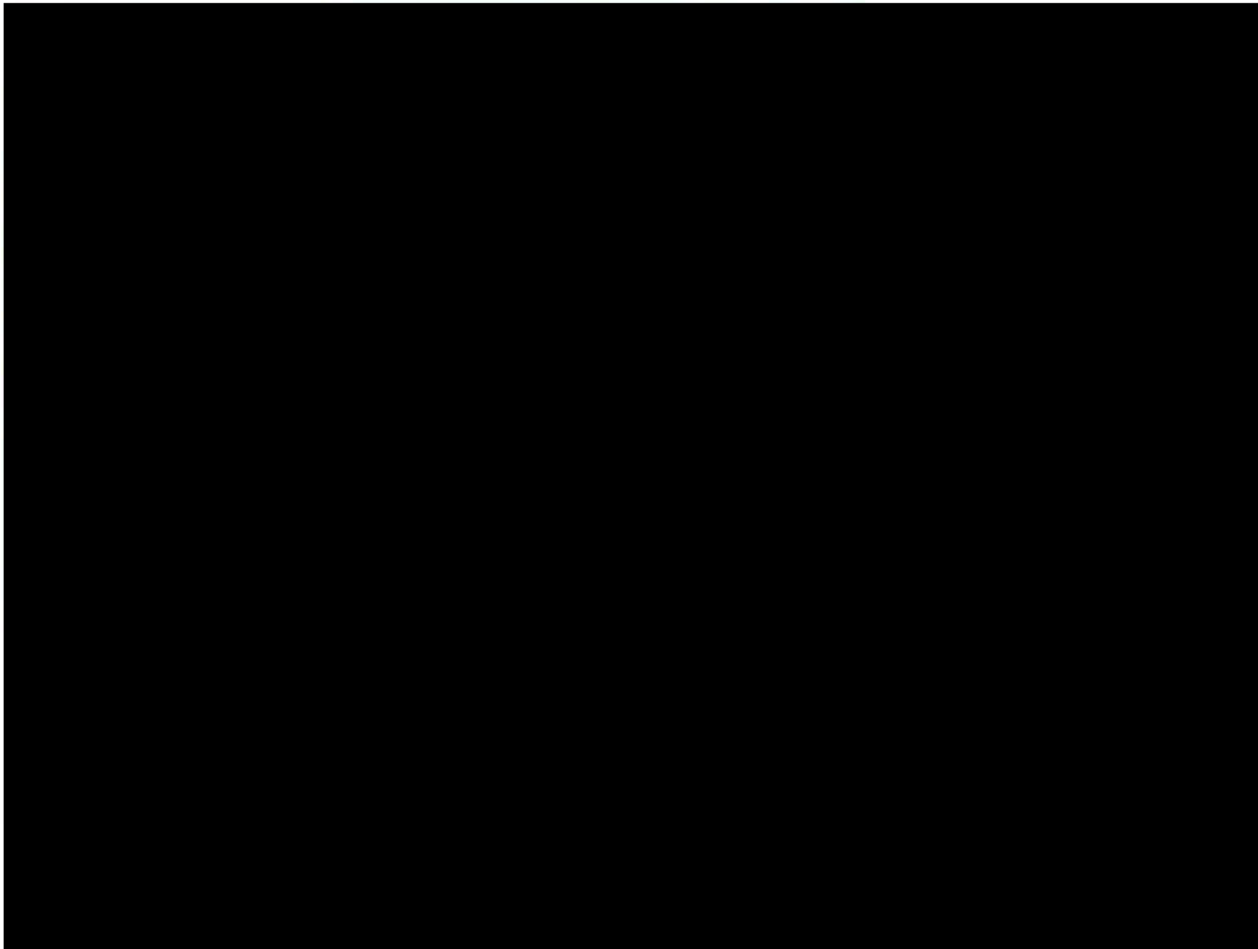


Figure 4 Satellite Imagery showing wooded sections in the 4D no cut zone

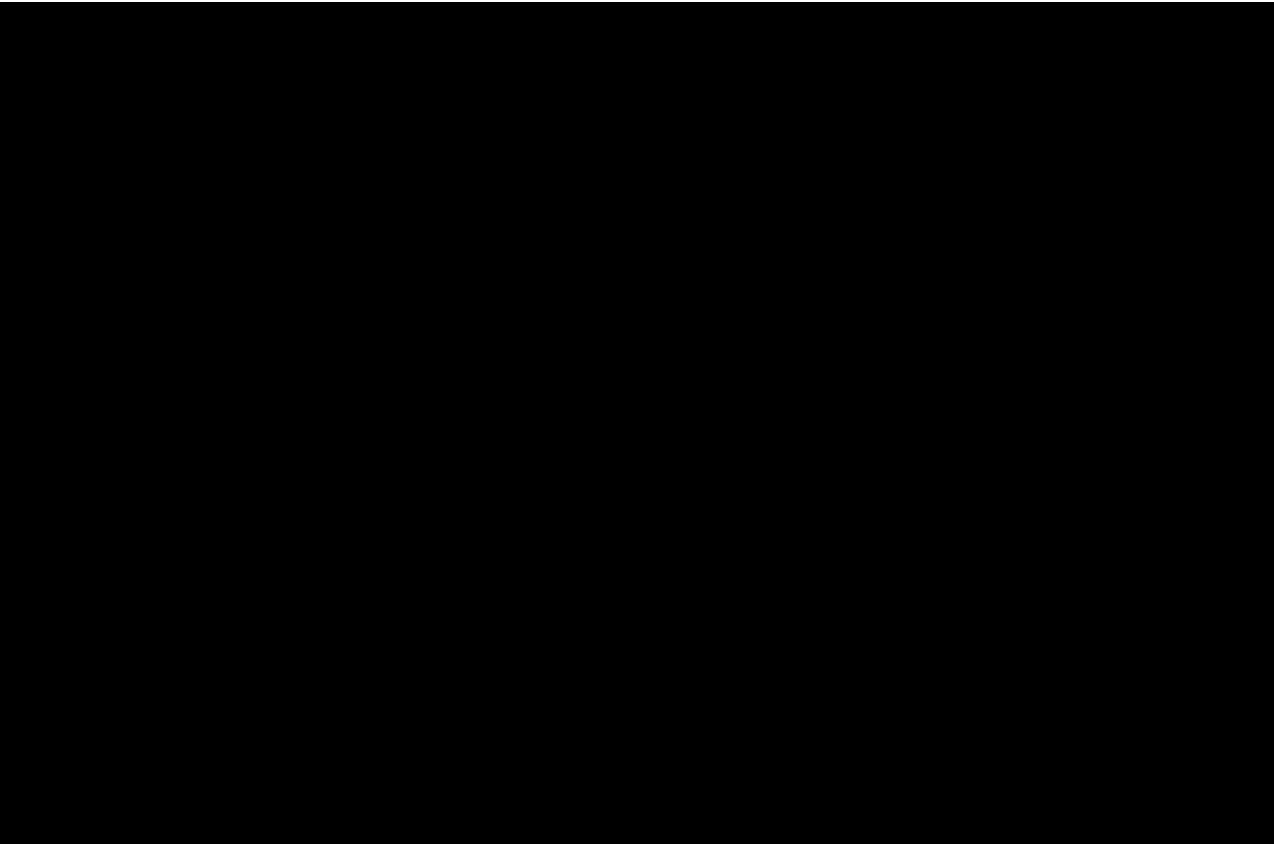


Figure 5 Canoe Cave Conservation Site



It is clear from the maps that MVP cannot comply with Rule 4D to protect the hibernaculum and comply with the recommendation of the VA DCR to avoid the Canoe Cave Conservation Site^[4] without moving the pipeline further north, involving multiple crossings of Sinking Creek and further adversely affecting the cultural landscape and contributing properties of the Welford Dowdy Farm and Bud Reynolds Farm in the Old Furnace Road area.

This variation and the proposed route in the vicinity of these historic and environmental resources should be abandoned. The Committee opposes this variation and any other previously proposed routes through the District. Hybrid Alternative 1A completely avoids the Canoe Conservation Site's and Districts' historic, cultural, environmental, and biological resources in this area, and this alternative requires further empirical study before any decision could be made about accepting the adverse effects on the environment by this route variation.

Link and Atkins Farms and Tawneys Cave Variation

This variation is presented as a “landowner preference”, however, it also appears to be submitted for the purpose of moving the pipeline away from the historic Link family farm and two of its contributing properties, including the Link Farm Covered Bridge (Red Covered Bridge VDHR #035-0412-0245, 35-0005), a property individually eligible for listing on the NRHP, and one of the last seven covered bridges in Virginia). Unfortunately, this variation appears to affect the southern edge of the VA DCR designated Clover Hollow Conservation Site and Tawney’s Cave, a popular conservation site, and bat hibernaculum for the federally endangered Indiana Bat, and two state endangered species, tricolored bat and little brown bat. The effects on Tawney’s cave was one of the contributing reasons for moving the crossing of Sinking Creek near the Covered Bridge in the first place.

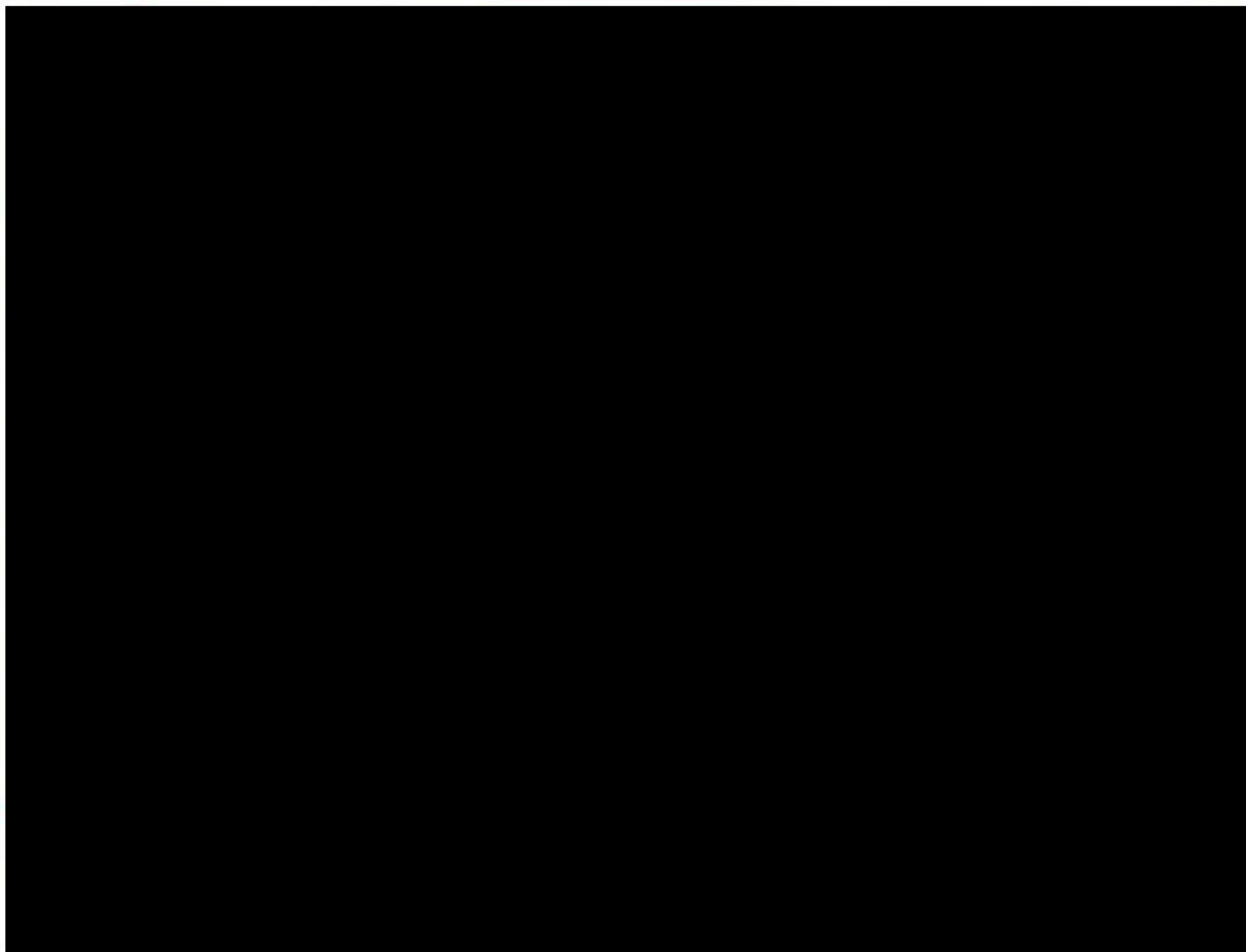
About Tawney’s Cave the VA DCR writes:

Two rare bat species, the Eastern small-footed bat and the Indiana bat are known from the conservation site. However, the Indiana bat record is very old and the species has not been observed in the conservation site for decades. Nonetheless, coordination with the US Fish and Wildlife Service is recommended should the AEP-Newport Variation be pursued.

The current center line of the AEP/Newport alternative passes directly over known cave passage in two designated significant caves – Tawneys and Smokehole. In addition to the invertebrate element occurrences, Tawneys Cave has hosted a modest hibernacula (~800-1000 total individuals) for little brown (*Myotis lucifugus*), tricolored (*Perimyotis subflavus*), and big brown bats (*Eptesicus fuscus*.)

Tawneys and Smokehole caves are highly significant in terms of recreational use. Tawney’s Cave is used by numerous parks and recreation departments, scouting troops, church groups, and other civic organizations, as well as members of the caving community. Smokehole Cave is popular among cavers in the region, and receives some informal visitation as well. The loss of these caves as recreational resources due to safety concerns associated with underlying a gas pipeline would be likely to move the “traffic” to other sites, many of which are less suitable due to safety and environmental reasons.^[5]

Figure 6 Tawney's Cave Topographical Map showing Variation^[6]



The variation places the pipeline construction within 200 feet of the Tawney's Cave entrance. Additionally, US Fish and Wildlife Service has recommended a five mile buffer zone around Tawney's cave bat hibernaculum:

The proposed route intersects with Tawneys Cave in Giles County, a known hibernaculum for Indiana and Northern long-eared bats. We recommend a minimum 5 mile buffer from the known hibernaculum opening and any mapped passages.^[7]

Additionally, the routing, while avoiding more direct impacts on some historic structures, will have dominant impacts on several others, opening the issue of loss of integrity of the District in this area. There are other issues as well, including severe karst topography^[8], in which this site crossing Sinking Creek was identified as being one of the worst for potential adverse pipeline damage and associated effects; and apparently an undisclosed rare, threatened or endangered mussel populations at this crossing site of Sinking Creek.^[9] This complex and environmentally, culturally, and historically rich have led FERC to move the route in one alternative to address one environmental issue, and then back by variation another to counteract another- neither successfully. There should be more time and energy devoted to finding and advancing avoidance solutions than trying to weigh off competing mitigation strategies and ending up harming all of the available resources.

In June of 2015, the Committee recommended that FERC and MVP:

Avoidance versus Route Variation

Given the combined adverse effects this proposed pipeline will have on historic, cultural, environmental, and recreational resources in the Greater Newport Rural Historic District in a very short distance (<4 mi.), avoidance of the area would seem both the prudent and required mitigation strategy. It seems impossible to conceive that in a mid-Atlantic study area bounded by the Company's Northern Route Alternative, and Alternative 1 and its variants to the south, the FERC cannot find alternatives of less environmental impact that could avoid these historic, cultural, environmental, and recreational resources. It is also difficult to comprehend that the proposed route over the Greater Newport Rural Historic District is still considered by the Company to be the preferred corridor, or that FERC would consider this sensitive resource rich area as a suitable pipeline route. Unfortunately, the Company appears to be committed to the route, suggesting it will mitigate impacts on District resources by route variation rather than avoidance. ^[10]

By ignoring this advice, a year and a half later, we now have routing that adversely affects eight rural and historic districts, several major conservation sites and easements, Virginia State Significant Caves, federally endangered bats and fish, greenfield crossings of national resources like the Jefferson National Forest (including a Roadless Area), the Appalachian National Scenic Trail and the Blue Ridge Parkway and more impacts, when an alternative exists that has the potential to avoid all of these resource impacts- Hybrid alternative 1A.

Hybrid Alternative 1A

According to FERC's Guidelines for *Reporting on Cultural Resource Investigations for Pipeline Projects*:

"The FERC prefers that projects avoid historic properties, wherever possible."

The Committee wholly supports this view. However, FERC's currently preferred route plows through not one

but eight potential, eligible, or listed Virginia rural historic districts in southwest Virginia, and its filing is bereft of empirically comparable study of an alternative that affects 0-1 historic district and includes many significant advantages: including but not limited to: ^[11]

- Hybrid Alternative 1A crosses the Blue Ridge Parkway, the

Jefferson National Forest, and the Appalachian National Scenic Trail adjacent to existing

138-kilovolt (kV) overhead electric transmission lines. The proposed route creates all new greenfield disturbances of these national resources

- 84 miles less shallow bedrock
- 8 miles less karst
- 130 fewer karst known features
- 70 fewer wells and springs

- Avoids several major conservation easements, including the Blake Preserve and the Sizemore Conservancy
- Avoids several VA-DCR designated Conservation Sites: including the Canoe Cave and Slusser's Chapel Conservation Sites
- Avoids Federally endangered and threatened NLEB and Indiana Bat hibernacula, and waterbodies sustaining federally endangered Roanoke Logperch populations .^[12]

Conclusions

The Committee concludes that (1) the impacts of these route variations will still result in significant and unacceptable adverse effects on the cultural, environmental, historic, and recreational resources of the District; and (2) FERC does not have sufficient empirical data to conclude that Hybrid Alternative 1A is environmentally or culturally less preferable and should not proceed to an FEIS absent this information. Moreover, the public does not have access to the empirical data prepared by MVP to conclude that the Hybrid Route 1A is less environmentally preferable by any objective methodology.

The Committee reserves the right to comment further on legal and factual matters in this proceeding.

^[1] See Submittal # 20160317-5126(31318143)-1, page 3

^[2] *Id.*

^[3] Once again mislocated by MVP and its consultants

^[4] *Id.* Page 8.

^[5] 20150420-0068(30505492) page 14

^[6] 20170217-5199(31975332), page 177 (extract)

^[7] FERC Docket PF15-3 20150617-507, Page 11

^[8] Submittal # 20160713-5029 “An Expert Report on Geologic Hazards in the Karst Regions of Virginia and West Virginia” prepared by Dr. Ernst Kastning.

^[9] Submittal # 20161014-5022(31736310) MVP alignment sheets 3 Giles is styled with the following guidance: T.O.Y.R.: NO CONSTRUCTION OCTOBER 1ST TO JUNE 30TH & MUSSEL RELOCATION TO BE COMPLETED ONLY BETWEEN MAY 1ST AND SEPT 30TH WITHIN STREAM S-NN17.

^[10] FERC Docket PF15-3 Submittal # 20161221-5365(31853908), page 13.

^[11] Submittal # 20170217-5199(31975326), page 176.

^[12] Submittal #s 20170217-5199(31975326) MVP 02172017 DRs Narrative Responses, page 176; and 20170217-5199(31975327) MVP 02172017 DRs Pub Alternatives Attach Part 1. Attachment DR4 Alternatives 4b, page 1