

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

**In Reply Refer To:**  
OEP/DG2E/Gas Branch 4  
Atlantic Coast Pipeline, LLC  
Atlantic Coast Pipeline  
Dominion Energy Transmission, Inc.  
Supply Header Project  
Docket Nos. CP15-554-000,  
CP15-554-001, and CP15-555-000

January 19, 2018

Mr. Matthew R. Bley  
Director, Gas Transmission Certificates  
Dominion Energy Transmission, Inc.  
707 East Main Street  
Richmond, VA 23219

**Re: Partial Notice to Proceed with Tree Felling**

Mr. Bley:

I grant Atlantic Coast Pipeline, LLC's (Atlantic) and Dominion Energy Transmission, Inc.'s (DETI) December 15, 2017 request to commence limited pre-construction upland tree felling in West Virginia, Virginia, and North Carolina as more fully described in your request and supplements.

In considering this limited notice to proceed, we have reviewed Atlantic and DETI's Implementation Plan, filed on October 17, 2017; "NTP and skip tracking table," filed on January 18, 2018; and the construction constraint and tree-felling maps, filed on January 18, 2018. Based on our review, Atlantic and DETI have provided the necessary information to meet the environmental conditions of the Commission's October 13, 2017 *Order Issuing Certificates* (Order) solely as it relates to the activities approved herein. In addition, we have documented the receipt or waiver of all required federal authorizations relevant to the approved activities herein.

As described in your request, Atlantic's and DETI's activities approved include felling of trees in upland areas via non-mechanized methods. I clarify here that non-mechanized clearing is defined as the use of equipment that can be operated and carried

by hand, by an individual; and that use of wheeled, tracked, or other similar types of ground-disturbing equipment is **not** authorized for clearing-related activity. Activities may only occur as described in Atlantic's "NTP and Skip Tracking Table" in its January 18, 2018 supplement on lands where easements have been obtained, surveys have been completed, and where no additional state or local permits are required for the activity. As indicated in your request, contractors may only cross wetlands and waterbodies on foot. Trees and vegetation may be felled at or above ground level, and must use methods that will not rut soils or damage root systems, and be felled in a way that avoids obstruction of flow, rutting, and sedimentation of wetlands and waterbodies. Felled trees and woody and other vegetation debris shall be left in place until further authorization for any earth-disturbing activities is granted by the FERC.

This approval does not authorize tree-felling within waterbodies and wetlands. Atlantic and DETI shall maintain a 50-foot buffer between waterbody and wetland boundaries and the extent of upland tree-cutting activities. Improvement or modification of approved access roads is not authorized as part of this limited notice to proceed. This approval does **not** authorize use of U.S. Forest Service access roads until Atlantic obtains the applicable road use permit(s). Also, DETI's tree felling maps include non-certificated workspace and a newly identified access road; therefore, the area from approximate station nos. 962+00 and 975+00, as well as access road 31-100-A002-AR02 on the Supply Header Project are also not authorized at this time, until DETI provides the information required for these changes under environmental condition 5 of the Order.

I remind you that the area authorized is for tree felling only, and that Atlantic and DETI must comply with all applicable terms and conditions of the Order, as well as the conservation measures identified in other agency authorizations required by federal law. In particular I remind you that Atlantic and DETI (as applicable) must:

- inspect the construction right-of-way for stick nests prior to tree felling activities occurring between January 1 and March 31 in accordance with your Timber Removal Plan. If any active raptor nests are found, Atlantic must implement a 100-foot no-activity buffer until the nest is no longer active;
- notify appropriate agencies, including the Virginia Department of Environmental Quality, of any tree felling activities prior to initiation; and
- obtain appropriate buffers zone determinations and authorizations from the North Carolina Department of Environmental Quality prior to any tree felling within protected riparian buffers in the Neuse and Tar/Pamlico Basins.

Furthermore, this approval does not grant Atlantic or DETI the authority to commence construction of project facilities and, as specified above, Atlantic must successfully obtain easements prior to commencement of cutting on individual tracts.

If you have any questions regarding this authorization, please contact Kevin Bowman at 202-502-6287.

Sincerely,

Dave Swearingen  
Chief, Gas Branch 4  
Division of Gas – Environment  
and Engineering

cc: Public File, Docket Nos. CP15-554-000, CP15-554-001, and CP15-555-000

Document Content(s)

CP 15-554 Final NTP .PDF.....1-3