Stantec Consulting Services Inc.
5209 Center Street
Williamsburg VA 23188-2680

November 12, 2014
File: 203446520

Attention: Mr. Randy Steffey and Mr. Ben Stagg
U.S. Army Corps of Engineers
Norfolk District Office
803 Front Street
Norfolk, VA 23501

Virginia Marine Resources Commission
2600 Washington Avenue, 3rd Floor
Newport News, VA 23607

Dear Mr. Steffey and Mr. Stagg,

Reference: NAO-2012-0080 Surry – Skiffes Creek – Whealton Joint Permit Application Modification BASF Realignment

On behalf of the applicant, Dominion Virginia Power (Dominion), Stantec Consulting Services, Inc. is submitting a modification to the previously submitted Joint Permit Application (JPA) for the proposed Surry – Skiffes Creek – Whealton Project. The JPA and supporting documents that were originally submitted to you on August 8, 2013 proposed to construct a new 7.76 mile 500 kV overhead transmission line, the Surry – Skiffes Creek 500 kV Line, from the Surry Nuclear Power Station in Surry County, to the proposed Skiffes Creek 500 kV – 230 kV – 115 kV Switching Station (Switching Station); construct the proposed Switching Station on a 51- acre parcel in James City County; and construct a new 230 kV overhead transmission line, the Skiffes Creek – Whealton 230 kV Line, 20.2 miles from the proposed Switching Station to the Whealton Substation in the City of Hampton (Figure 1 Project Vicinity Map, Appendix B). Collectively, these segments combined to make up the Selected Alternative, or JRV1. However, during the public comment period, BASF expressed concern over the siting of the line through an active remediation site located on their property in James City County. Dominion Virginia Power (Dominion) has revised the proposed route to avoid that site. The realignment to avoid the remediation site is the only change to the project limits (Figure 2 Project Location Map, Appendix B). Revised project details, graphics and updated portions of the JPA are provided.

In addition to this modification, updated threatened and endangered species habitat surveys for the small whorled pogonia (*Isotria medeoloides*) (SWP) and sensitive joint-vetch (*Aeschynomene virginica*) (SJV) are provided as the previous surveys have expired. The appropriate areas have

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been resurveyed, and those reports are included in Appendix D as well as updated database searches for threatened and endangered species.

BASF Modification

During the project review by the State Corporation Commission (SCC), BASF expressed concerns over the siting of the proposed Surry – Skiffes Creek 500 kV line through an active remediation site. The site, located on BASF property, was formerly the location of a wastewater treatment facility. This area is now the site of a 3.7 acre landfill which is subject to Resource Conservation and Recovery Act (RCRA) corrective action under the auspices of the Environmental Protection Agency (EPA) and the Virginia Department of Environmental Quality (DEQ). A representative from BASF testified during the SCC process that the use of the proposed route would have a devastating impact on BASF's ongoing remediation efforts in this area. Dominion worked with BASF to realign this segment of the 500 kV line in an effort to avoid the site and not interfere with remediation efforts.

Project Description

The BASF modification follows the same route from the Surry Nuclear Power Station and across the James River as the proposed JRV1 Route. The realignment begins on the eastern shore of the James River where JRV1 makes landfall, extends across Baseline Road and Copolymer Lane, and converges with JRV1 just south of the Dow Chemical Substation (Jurisdictional Area Impacts Map, Sheets 6, Appendix B). Specifically, structures 582/29 through 582/33 have been relocated to avoid location within the known boundaries of the remediation area. From the substation location to the proposed Skiffes Creek Switching Station the route continues along the original JRV1 route within an existing maintained Dominion ROW that currently contains a 115 kV transmission line.

Previously the project required the conversion of 0.71 acre (AC) of palustrine forested (PFO) wetlands to palustrine scrub-shrub (PSS) wetlands. The BASF modified route results in a reduction of 0.20 PFO conversion by largely avoiding impact area SHC1 (Sheet 6, Jurisdictional Impacts Map, Appendix B). Please note that a calculation error was identified on the Skiffes Creek - Whealton portion of the project, and the impact identified as SHC 5 increase by 0.01 AC to 0.02 AC (Sheet 15, Jurisdictional Impacts Map, Appendix B). With the BASF Alternative the project will now require the conversion of 0.52 AC of PFO wetlands to PSS wetlands (Table 1). The BASF Alternative will also

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avoid one of the proposed Wood Creek crossings. Additional information on the crossing is provided in the section below. Permanent wetland and stream impacts associated with the project remain unchanged (Jurisdictional Area Impacts Map, Appendix B). Tower placement will result in direct impacts to 220 square feet (SF) or 0.004 AC of non-tidal wetlands. No impacts to tidal wetlands will occur.

Table 1. Modified Wetland Conversion Impacts Table Due to the BASF Realignment

Impact Location	Impacts Map Sheet Number	Previously Proposed PFO to PSS Conversion (AC)	Change in Proposed PFO to PSS Conversion (AC)	Total Revised PFO to PSS Conversion (AC)
SHC1	5/6	0.21	- 0.20	0.01
SHC2	6	0.08	---	0.08
SHC3	7	0.31	---	0.31
SHC4	8	0.01	---	0.01
SHC5	15	0.01	+ 0.01	0.02
SHC6	15	0.09	---	0.09
Total PFO Conversion		**0.71**	**Revised Total PFO Conversion**	**0.52**

State-Owned Subaqueous Bottom Crossings

The Surry – Skiffes Creek 500 kV portion of the route crosses over the James River and Wood Creek, both of which are tidal. The originally proposed route crossed Wood Creek in two locations. However, with the realignment of the route to avoid the BASF remediation site, one crossing of Wood Creek (previously noted as Wood Creek 1) is no longer required. The 500 kV line also crosses Skiffes Creek but at an area that is neither tidal nor has a drainage area greater than five square miles.

The Skiffes Creek – Whealton 230 kV portion of the route requires an aerial crossing of a tidal portion of Skiffes Creek, as well as aerial crossings of Lee-Hall Reservoir and two crossings of Harwood's Mill Reservoir which have drainage areas greater than five square miles. In total, the modified project will require 21,932 LF of overhead crossings of tidal waters from MLW to MLW,

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22,527 LF of overhead crossings of tidal waters from MHW to MHW, and 147 LF of overhead crossings of non-tidal waters with drainage areas greater than five square miles. A revised table of VMRC jurisdictional crossings is provided below (Table 2). No changes in vertical clearances have occurred as a result of this modification.

As no towers within the river have been modified, the total subaqueous encroachment as a result of the project (tower footprint and fender footprint) remains 77,044 SF (1.7 AC).

Table 2. BASF Alternative Aerial Crossings of Subaqueous Bottom Requiring VMRC Authorization

Tidal Waters			
Crossing	**Tower Numbers**	**Crossing Length (LF)**	**Minimum Vertical Clearance Above MHW (FT)**
James River (Section 10 Authorization)	582/11 – 582/29	21,715 (MLW) 21,715 (MHW)	Tribell Shoal Channel: 204 Secondary Channel: 191 Remainder of River: ≥ 60
Wood Creek	582/33 – 582/34	23 (MLW) 183 (MHW)	83
Skiffes Creek	285/435-285/436	194 (MLW) 629 (MHW)	71.5
Total Tidal Crossings (LF)		**21,932 (MLW) 22,527 (MHW)**	
Non-Tidal Waters (drainage area >five square miles)			
Crossing	**Tower Numbers**	**Crossing Length (LF)**	**Minimum Vertical Clearance Above MHW (FT)**
Lee-Hall Reservoir	285/443 – 285/444	49	> 26
Harwood's Mill Reservoir 1	209/5725 – 209/573	49	> 26
Harwood's Mill Reservoir 2	292/590 – 292/591	49	> 26
Total Non-Tidal Crossings (LF)		**147**	

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Wetland Delineation and Resource Protection Area

The entire Surry – Skiffes Creek – Whealton project was previously delineated and confirmed by Mr. Randy Steffey of the U.S. Army Corps of Engineers (NAO 2011-01096, NAO 2012-01096, and NAO 2013-00451). Fieldwork for the BASF modification was conducted by Stantec during July 2014 using the Routine Determination Method as outlined in the 1987 *Corps of Engineers Wetland Delineation Manual* and methods described in the 2010 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0).* Jurisdictional features identified by Stantec within the BASF realignment area may be classified as forested wetlands. Wetland vegetation is typified by red maple (*Acer rubrum*), sweet gum (*Liquidambar styraciflua*), greenbrier (*Smilax rotundifolia*), and Nepalese browntop (*Microstegium vimineum*). The transition from wetland to upland is generally identified by a loss of surficial indicators of hydrology and a shift from hydric to non-hydric soils. It should be noted that Stantec observed a ditch network within the industrial section of the project area. However, it is Stantec's opinion that these features should not be considered jurisdictional due to a lack of a consistent ordinary high water mark, a lack of evidence of relatively permanent flow, and a lack of connectivity to any jurisdictional features.

The additional delineation identified 100 LF (0.01 AC) of non-tidal stream, and 169 LF of jurisdictional ditch, and resulted in a decrease of 0.01 AC of non-tidal wetlands within the project area. The BASF realignment contains a total of 66.70 AC of non-tidal wetlands, 1.45 AC of tidal wetlands, 4,477 LF (0.73 AC) of non-tidal stream channel, 420 LF (75.37 AC) of tidal stream channel, and 3,473 LF (1.07 AC) of jurisdictional ditches. A preliminary jurisdictional determination request is being submitted for your review with this modification request (Appendix C). The Delineation Map provided in Appendix C also depicts all previously confirmed wetlands within the project area as well as the realignment through the BASF property.

Threatened and Endangered Species

In response to comments received from the Department of Conservation and Recreation (DCR) as part of the Coastal Zone Management Area (CZMA) process, an updated database search was performed using the following sites: U.S. Fish and Wildlife Service (USFWS), Information, Planning, and Conservation System (IPAC); Virginia Department of Game and Inland Fisheries

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(DGIF), Virginia Fish and Wildlife Information Service (VaFWIS), DCR, Natural Heritage Resource (NHR); and Center for Conservation Biology (CCB) Eagle Nest Locator to determine if any additional species were now identified within the project area; including the BASF realignment segment. Based on the results of this search, the only species not previously identified is the northern long-eared bat (*Myotis septentrionalis*) which the USFWS has listed as proposed endangered. The species is identified as occurring in the vicinity of the Newport News/Williamsburg International Airport and the York County Sports Complex (Appendix D). These areas are located within the 230 kV portion of the project which generally includes existing, cleared ROW. Portions of the ROW in the vicinity of the York County Sports Complex are required to be expanded and clearing of 0.11 acres of forested area will occur.

Additionally, surveys for both SWP and SJV were performed for the entire project area and previously submitted on August 8, 2013 and October 8, 2013, respectively. Surveys identified six areas of appropriate SWP habitat within the Skiffes Creek Switching Station and Skiffes Creek-Whealton 230kV Transmission Line project area. No individuals of SWP were identified during the above-mentioned surveys. All areas of appropriate habitat have been resurveyed under the guidance of the USWFS during the week of June 26, 2014 and May 28-30, 2014, respectively, and no SWP have been found. The resurveyed area includes the realigned portion of ROW through BASF property. The survey of the BASF property occurred July 23, 2041, which is outside the survey window. However, based of correspondence with Ms. Kim Smith of USFWS, the results of the survey are acceptable. The survey for SWP is included in Appendix D and has been submitted under separate cover to USFWS and the Virginia Department of Agriculture and Consumer Services (VDACS).

Since potential habitat for SJV may be present within the ROW limits for the Surry – Skiffes Creek line, a detailed survey was conducted on September 29, 2014, a time frame that occurs within the sampling window suggested by the USFWS for the region (July 15 - October 31) by Mr. Garrie D. Rouse of Rouse Environmental Services, who is recognized as an approved SJV surveyor by the USFWS. No individuals of SJV were found during the survey and inappropriate habitat conditions make its occurrence unlikely within the project area (Appendix D).

Additionally, the bald eagle nest previously identified on an existing structure (292/578) near the York County Sports Complex appears to have been destroyed during a recent storm event and is no longer present. Dominion had received an Eagle Nest Take – Inactive Nest Permit from USFWS

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on June 16, 2014 for removal of the nest. On August 5, 2014 when Stantec staff arrived to perform the initial bald eagle nest monitoring, it was noted that tower 282/578 no longer supports a bald eagle nest. USFWS has been contacted, and a permit termination request was submitted on September 9, 2014. No new nesting activity at this site, or any other sites within the project limits, has been observed at this time.

Cultural and Historic Resources

Stantec conducted a cultural resource assessment of approximately 66 acres of land associated with the BASF modification. A review of the data available at the Virginia Department of Historic Resources (DHR) was conducted, and no previously recorded cultural resources are located within the project corridor. Results of the walkover and the Phase 1 Archaeological survey indicate that the proposed shift in alignment will not constitute any significant changes in potential visual effects to cultural resources within the defined Area of Potential Effect (APE). Additionally, no new archaeological sites or isolated finds were identified. Stantec recommends that no further work is needed for the BASF realignment segment. These reports and an accompanying memorandum were submitted to the U.S. Army Corps of Engineers and the Department of Historic Resources (DHR) on September 8, 2014.

Conclusion

As proposed, the modification to the Surry – Skiffes Creek – Whealton 500 kV/230 kV project will reduce proposed conversion impacts by 0.19 AC for a total of 0.52 AC of PFO wetland to PSS wetland conversion for ROW clearing, permanent impacts to 220 SF (0.004 AC) of non-tidal wetland for pipe pile foundations, and permanent impacts to 612 SF (0.014 AC) of the river bottom for the construction of 17 towers and the fender system within the James River. The project will cross over 21,932 LF of tidal waters (MLW-MLW), 22,527 LF of tidal waters (MHW – MHW) and 147 LF of waters with drainage areas greater than five square miles, all under the jurisdiction of VMRC. The project will also require encroachment over 77,044 SF (1.7 AC) of state-owned subaqueous bottom for tower and fender system construction within the James River.

Thank you for your prompt review of the revised information and accompanying materials. If you have any questions or require additional information, please advise me at your earliest convenience.

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Regards,

STANTEC CONSULTING SERVICES INC.

Christine F. Conrad, PhD
Senior Associate, Environmental Services
Phone: (757) 220-6869
Fax: (757) 229-4507
Christine.conrad@stantec.com

Attachment: Appendices A-D

Cc: Courtney R. Fisher, Virginia Dominion Power
Ben Stagg, Virginia Marine Resources Commission
Larissa Ambrose, Department of Environmental Quality

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Appendix A

Joint Permit Application

PLEASE PRINT OR TYPE ALL ANSWERS. If a question does not apply to your project, please print N/A (not applicable) in the space provided. ***If additional space is needed, attach extra 8 ½ x 11 inch sheets of paper.***

CHECK ONE, if applicable:	Pre-Construction Notification (PCN) ☐ (*For Nationwide Permits ONLY*)	SPGP ☐

1. PROJECT LOCATION INFORMATION
(Attach a copy of a detailed map, such as a USGS topographic map or street map showing the site location and project boundary, so that it may be located for inspection. Include an arrow indicating the north direction.)

Street Address	City/County/Zipcode Surry, James City and York Counties, as well as the Citites of Newport News and Hampton
Subdivision	Lot/Block/Parcel # Skiffes Creek Switching Station: Tax Map 592, DC 01, Lot 2

Name of water body(ies) within project boundaries and drainage area (acres or square miles)
James River, Skiffes Creek, Lee-Hall Reservoir& Harwood's Mill Reservoir (DA>5sq mi)
Wood Creek, Skiffes Creek, Jones Run, Brick Kiln, Newmarket Creek & Whiteman Swamp (DA<5sq mi)

Tributary(ies) to: James River, Poquoson River and Back River
Basin: James River & Poquoson River Subbasin: Lower James/Lawnes Creek and Lynnhaven-Poquoson Creek
(*Example: Basin: James River Subbasin: Middle James River*)

Special Standards (based on DEQ Water Quality Standards 9VAC25-260 et seq.): _____

Project type (check one)
__×__ Single user (private, non-commercial, residential)
__×__ Multi-user (community, commercial, industrial, government)

Latitude and longitude at center of project site: Start at Surry Nuclear Power Station- 37°09'42.48"N 76°41'47.41"W Terminus at Whealton Substation- 37°01'59.39"N 76°25'52.95"W

USGS topographic map name: Hog Island (1964,1985), Yorktown (1984, 1994), Poquoson West (1983, 1996), Newport News North (1965,1986)

8- digit USGS Hydrologic Unit Code (HUC) for your project site (See http://cfpub.epa.gov/surf/locate/index.cfm): 02080206, 02020208
If known, indicate the 10-digit and 12-digit USGS HUCs (see *http://dswcapps.dcr.virginia.gov/htdocs/maps/HUExplorer.htm* :
0208020607, 0208020608, 0208020609, 0208010801 020802060704, 020802060802, 020802060901, 020802060901, 020801080102, 020802060906, 020801080103

Name of your project (*Example: Water Creek driveway crossing*) Surry - Skiffes Creek - Whealton

Is there an access road to the project? __ Yes __ No. If yes, check all that apply: __ public __ private __ improved __ unimproved

Provide driving directions to your site, giving distances from the best and nearest visible landmarks or major intersections:
The project may be access from the Surry Nuclear Power Station in Surry County. This is a restricted access installation. Please contact the agent or applicant to schedule a visit. The river crossing may be accessed from the James River. In James City County, the route may be access by Utility Rd. approximately 0.25 miles from Baseline Rd. and from the proposed Switching Station via the Dominion ROW. Follow ROW approximately 0.5 miles until intersection with another Dominion ROW. This is the southwest corner of the proposed Switching Station. The Whealton Substation may be accessed by heading west on RT 258/ Mercury Blvd. Take right on Whealton Rd., then right on Threechopt Rd. Substation approximately 0.3 miles down on left.

Does your project site cross boundaries of two or more localities (i.e. cities/counties/towns)? __ Yes __ No
If so, name those localities: Surry County, James City County, York County, the City of Newport News, and the City of Hampton

FOR AGENCY USE ONLY	
	Notes:
JPA#	

2. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION

The applicant(s) is/are the legal entity to which the permit may be issued. The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is representing the applicant(s). If a company, please use the company name that is registered with the State Corporation Commission (SCC), or indicate no registration with the SCC.

Applicant(s) (For a company, use SCC-registered name)			Agent (if applicable) (For a company, use SCC-registered name)		
Virginia Electric & Power Co. (Dominion) Attn: Courtney R. Fisher			Stantec Consulting Services, Inc/Christine Conrad, PhD		
Mailing address			Mailing address		
701 E. Cary Street, 12th Floor			5209 Center Street		
City	State	Zip Code	City	State	Zip Code
Richmond	VA	23219	Williamsburg	VA	23188
Phone number w/area code	Fax		Phone number w/area code	Fax	
(804) 771-6408			(757) 220-6869	(757) 220-4507	
Mobile/pager	E-mail		Mobile/pager	E-mail	
				christine.conrad@stantec.com	
State Corporation Commission ID number (if applicable)			State Corporation Commission ID number (if applicable)		
0006317-2			F1493189		

Certain permits or permit authorizations may be provided via electronic mail. If the applicant wishes to receive their permit via electronic mail, please provide an e-mail address here: christine.conrad@stantec.com

Property owner(s), if different from applicant (For a company, use SCC-registered name)			Contractor, if known (For a company, use SCC-registered name)		
Mailing address			Mailing address		
City	State	Zip code	City	State	Zip code
Phone number w/area code	Fax		Phone number w/area code	Fax	
Mobile/pager	E-mail		Mobile/pager	E-mail	
State Corporation Commission ID number (if applicable)			State Corporation Commission ID number (if applicable)		

3. PROVIDE A DESCRIPTION OF THE PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, PROJECT NEED, INTENDED USE, AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

- The purpose must include any new development or expansion of an existing land use and/or proposed future use of residual land
- Describe the physical alteration of surface waters
- Include a description of alternatives considered to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered
- For major surface water withdrawals, public surface water supply withdrawals, or projects that will alter in-stream flows, include the water supply issues that form the basis of the proposed project.

In order to maintain reliability and keep up with increased demand in the Hampton Roads Area, Dominion proposes to construct a new 7.76 mile 500 kV line from the Surry Nuclear Power Station in Surry County to the proposed Skiffes Creek Switching Station in James City County, including construction of the Switching Station, as well as reconfigure an existing ROW from the proposed Switching Station to the existing Whealton Substation in the City of Hampton to accommodate a new 230 kV line. For this project, 17 structures and a fender system will be placed in the James River requiring encroachment over 77,044 SF of subaqueous bottom. The river structures require pipe pile foundations and will impact 612 SF of river bottom. The placement of 22 structures in wetlands will be required resulting in impacts to 220 SF. The project requires a total of 21,932 LF of aerial crossing of tidal waters (MLW to MLW) as well as 49 LF crossings of both Lee-Hall Reservoir and 2 of Harwood's Mill Reservoir, which have a drainage area greater than 5 sq. miles. All tidal crossings outside the James River will be spanned. Clearing and expansion of the new ROW will result in selective hand clearing of 0.52 AC of Palustrine Forested (PFO) wetlands to Palustrine Scrub-Shrub (PSS) wetlands. Construction access will be provided through existing roads, timber paths and along the existing ROW. See Permit Support Document for further details.

3. PROVIDE A DESCRIPTION OF THE PROJECT (Continued)

Date of proposed commencement of work (MM/DD/YYYY)	Date of proposed completion of work (MM/DD/YYYY)
Winter 2014	Winter 2015
Are you submitting this application at the direction of any State, local, or Federal agency? _____Yes __X__No	Has any work commenced or has any portion of the project for which you are seeking a permit been completed? _____ Yes __X__ No

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.

N/A

Are you aware of any unresolved violations of environmental law or litigation involving the property? _____Yes __X__No
(If yes, please explain)

4. PREVIOUS SITE VISITS AND/OR PERMITS RELATED TO THE PROPOSED WORK (Include all Federal, State, and Local pre-application coordination or previous permits)

Agency	Activity	Permit/Project number, and explanation of non-reporting Nationwide permits previously used	Action taken ** and Date of Action	If denied, give reason for denial
Corps	Preliminary JD - 230 kV Line	NAO-2011-01096	7/26/2012	
	Preliminary JD - Switching Station Preliminary JD - 500 kV Line	NAO-2012-01096 NAO-2013-00451	6/132013 6/5/2013	

** Issued, denied, site visit

5. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: $ 155 Million

Approximate cost of only the portion of the project affecting State waters (below mean low water in tidal areas and below ordinary high water mark in nontidal areas): $ >500,000

6. PUBLIC NOTIFICATION (Attach additional sheets if necessary)

- Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove.
- If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.

Property owner's name	Mailing address	City	State	Zip code
Please see attached list				

Name of newspaper having general circulation in the area of the project: Daily Press

Address and phone number (including area code) of newspaper 7505 Warwick Blvd., Newport News, VA 23607 (757) 247-4700

Have adjacent property owners been notified with forms in Appendix A? _____Yes __X__No (attach copies of distributed forms)

7. THREATENED AND ENDANGERED SPECIES INFORMATION

Please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts, such as database search results or your Corps' waters and wetlands delineation confirmation. Contact information for the Virginia Department of Game and Inland Fisheries and the Virginia Department of Conservation and Recreation, Division of Natural Heritage can be found on page 4 of this package. Please See Modification Letter and Appendix D

8. HISTORIC RESOURCES INFORMATION

Note: Historic properties include but are not limited to archeological sites, battlefields, Civil War earthworks, graveyards, buildings, bridges, canals, etc. Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. Please See Modification Letter

Are any historic properties located within or adjacent to the project site? X Yes ____ No _____ Uncertain
If Yes, please provide a map showing the location of the historic property within or adjacent to the project site.

Are there any buildings or structures 50 years old or older located on the project site? ____ Yes X No _____ Uncertain
If Yes, please provide a map showing the location of these buildings or structures on the project site.

Is your project located within a historic district? ____ Yes X No ____ Uncertain
If Yes, please indicate which district: _____

8. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?
X Yes ___ No ___ Uncertain

If Yes, please provide the following information: Date of Survey: June 2012/February 2013/July 2012 and September 2014

Name of firm: Cultural Resources, Inc and Stantec

Is there a report on file with the Virginia Department of Historic Resources? X Yes ____ No ___Uncertain

Title of Cultural Resources Management (CRM) report: Phase I Cultural Resource Survey of the Proposed Approximately 20.2-mile Dominion Virginia Power Skiffes Creek to Whealton 230 kV Transmission Line in James City and York Counties, and the Cities of Newport News and Hampton, VA; Phase II Evaluation Site 44JC0662 for Dominion Virginia Power Skiffes Creek Switching Station; Phase I Cultural Resources Survey of the Proposed Dominion Virginia Power Skiffes Creek to Surry 500 kV Transmission Line Alternative and Phase I Cultural Resources Survey of the Proposed BASF Alternative in James City and Surry Counties, Virginia

Was any historic property located? X Yes ____ No __ Uncertain

9. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Please See Attached Impacts Table

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 18.

	Impact site number 1	Impact site number 2	Impact site number 3
Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO (*Example: F, NT, PE, V)*			
Wetland/waters impact area (square feet)			
Dune/beach impact area (square feet)			
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)			
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)			
Cowardin classification of impacted wetland/water or geomorphological classification of stream *Example wetland: PFO;* *Example stream: wide; bank eroding; braided channel;* *Example stream: 'C' channel*			
Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second)			
Contributing drainage area (acres or square miles)			

WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION																		
	Impact site number PU1	Impact site number PU2	Impact site number PU3	Impact site number PU4	Impact site number PU5	Impact site number PU6	Impact site number PU7	Impact site number PU8	Impact site number PU9	Impact site number PU10	Impact site number PU11	Impact site number PU12	Impact site number PU13	Impact site number PU14	Impact site number PU15	Impact site number PU16	Impact site number PU17	Impact site Fender System
Impact Description (use all that apply) F= Fill EX= excavation S= structure T=tidal NT= non-tidal TE= temporary PE= permanent PR= perennial IN= intermittent SB= subaqueous bottom DB= dune/beach I S= hydrologically isolated V=vegetated NV= non-vegetated MC= mechanized clearing of PFO	Tower 582/12 F, S, T, PE, PR, SB	Tower 582/13 F, S, T, PE, PR, SB	Tower 582/14 F, S, T, PE, PR, SB	Tower 582/15 F, S, T, PE, PR, SB	Tower 582/16 F, S, T, PE, PR, SB	Tower 582/17 F, S, T, PE, PR, SB	Tower 582/18 F, S, T, PE, PR, SB	Tower 582/19 F, S, T, PE, PR, SB	Tower 582/20 F, S, T, PE, PR, SB	Tower 582/21 F, S, T, PE, PR, SB	Tower 582/22 F, S, T, PE, PR, SB	Tower 582/23 F, S, T, PE, PR, SB	Tower 582/24 F, S, T, PE, PR, SB	Tower 582/25 F, S, T, PE, PR, SB	Tower 582/26 F, S, T, PE, PR, SB	Tower 582/27 F, S, T, PE, PR, SB	Tower 582/28 F, S, T, PE, PR, SB	Fender System F, S, T, PE, PR, SB
Wetland/waters impacts area (square feet)	F= 36 SB= 3600	F= 36 SB= 3600	F= 36 SB= 3600	F= 36 SB= 3600	F= 36 SB= 3600	F= 36 SB= 3600	F= 36 SB= 3600	F= 36 SB= 3600	F= 36 SB= 3600	F= 36 SB=5625	F= 36 SB=5625	F= 36 SB= 3600	F= 36 SB= 3600	F= 36 SB=5625	F= 36 SB=5625	F= 36 SB= 3600	F= 36 SB= 3600	SB= 7744
Dune/Beach impact area (square feet)																		
Stream dimensions at impact site (length and average width in linear feet, and in area sq. ft.)																		
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)																		
Cowardin classification of impacted wetland/water of geomorphological classification of stream	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1
Average stream flow at site (flow rate under normal rainfall conditions) (cubic feet per second)	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.	> 5 ft^3/sec.
Contributing drainage area (acres or square miles)	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2
DEQ classification of impacted resource(s): Estuarine Class I Non-tidal waters Class III Mountainous zone water Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II

WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION																						
	Impact site number PU18	Impact site number PU19	Impact site number PU20	Impact site number PU21	Impact site number PU22	Impact site number PU23	Impact site number PU24	Impact site number PU25	Impact site number PU26	Impact site number PU27	Impact site number PU28	Impact site number PU29	Impact site number PU30	Impact site number PU31	Impact site number PU32	Impact site number PU33	Impact site number PU34	Impact site number PU35	Impact site number PU36	Impact site number PU37	Impact site number PU38	Impact site number PU39
Impact Description (use all that apply) F= Fill EX= excavation S= structure T=tidal NT= non-tidal TE= temporary PE= permanent PR= perennial IN= intermittent SB= subaqueous bottom DB= dune/beach I S= hydrologically isolated V=vegetated NV= non-vegetated MC= mechanized clearing of PFO	Tower 285/463 F, S, NT, PE, V	Tower 58/276 F, S, NT, PE, V	Tower 58/277 F, S, NT, PE, V	Tower 58/278 F, S, NT, PE, V	Tower 58/279 F, S, NT, PE, V	Tower 58/280 F, S, NT, PE, V	Tower 58/281 F, S, NT, PE, V	Tower 58/282 F, S, NT, PE, V	Tower 58/287 F, S, NT, PE, V	Tower 58/288 F, S, NT, PE, V	Tower 58/289 F, S, NT, PE, V	Tower 58/290 F, S, NT, PE, V	Tower 292/595 F, S, NT, PE, V	Tower 292/596 F, S, NT, PE, V	Tower 292/599 F, S, NT, PE, V	Tower 292/607 F, S, NT, PE, V	Tower 292/608 F, S, NT, PE, V	Tower 292/613 F, S, NT, PE, V	Tower 292/626 F, S, NT, PE, V	Tower 292/627 F, S, NT, PE, V	Tower 292/628 F, S, NT, PE, V	Tower 292/629 F, S, NT, PE, V
Wetland/waters impacts area (square feet)	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
Dune/Beach impact area (square feet)																						
Stream dimensions at impact site (length and average width in linear feet, and in area sq. ft.)																						
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)																						
Cowardin classification of impacted wetland/water of geomorphological classification of stream	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS	PEM/PSS
Average stream flow at site (flow rate under normal rainfall conditions) (cubic feet per second)																						
Contributing drainage area (acres or square miles)	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^3	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2	>5 mi^2
DEQ classification of impacted resource(s): Estuarine Class I Non-tidal waters Class III Mountainous zone water Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II	Estuarine Class II

9. WETLANDS/WATERS IMPACT INFORMATION (Continued)			
DEQ classification of impacted resource(s): Estuarine Class II Non-tidal waters Class III Mountainous zone waters Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII			

For DEQ permitting purposes, also submit as part of this section a wetland and waters boundary delineation map[4] – see the Footnotes section in the form instructions.

For DEQ permitting purposes, also submit as part of this section a written disclosure of all wetlands, open water, or streams that are located within the proposed project or compensation areas that are also under a deed restriction, conservation easement, restrictive covenant, or other land-use protective instrument.

10. APPLICANT, AGENT, OWNER, AND CONTRACTOR CERTIFICATIONS

If the Applicant(s), Agent(s), Owner(s), or Contractor(s) is/are a company, please use the company name(s) that is/are registered with the State Corporation Commission (SCC).

READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for permits typically issued by the DEQ, VMRC, U.S. Army Corps of Engineers, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Is/Are the Applicant(s) and Owner(s) the same? _x_ Yes ___ No

Applicant's name & title (printed or typed) Virginia Electric & Power Company (Dominion Virginia Power)	Second applicant's name & title, if applicable (printed or typed)
Applicant's signature CRJ[illegible]	Second applicant's signature
Date 11 / 10 / 2014	Date
(Required for VMRC permit actions only) Property owner's name, if different from Applicant	*(Required for VMRC permit actions only)* Second property owner's name, if applicable
Owner's signature, if different from Applicant	Second owner's signature
Date	Date

10. APPLICANT, AGENT, OWNER, AND CONTRACTOR CERTIFICATIONS (Continued)
If the Applicant(s), Agent(s), Owner(s), or Contractor(s) is/are a company, please use the company name(s) that is/are registered with the State Corporation Commission (SCC).

CERTIFICATION OF AUTHORIZATION TO ALLOW AGENT(S) TO ACT ON APPLICANT'S(S') BEHALF (IF APPLICABLE)

I (we), Virginia Electric & Power Company (and) _____,
APPLICANT'S NAME(S) – *complete the second blank if more than one Applicant*

hereby certify that I (we) have authorized Stantec Consulting Services, Inc. (and) _____
AGENT'S NAME(S) – *complete the second blank if more than one Agent*

to act on my (our) behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. I (we) hereby certify that the information submitted in this application is true and accurate to the best of my (our) knowledge.

Applicant's signature	Second applicant's signature, if applicable
Date 11/10/2014	Date
Agent's signature and title Christine F. Conrad	Second agent's signature and title, if applicable
Date 11/11/14	Date

CONTRACTOR ACKNOWLEDGEMENT (IF APPLICABLE)

I (we), _____ (and) _____,
APPLICANT'S NAME(S) – *complete the second blank if more than one Applicant*

have contracted _____ (and) _____
CONTRACTOR'S NAME(S) – *complete the second blank if more than one Contractor*

to perform the work described in this Joint Permit Application, signed and dated _____.

I (we) will read and abide by all conditions as set forth in all Federal, State, and Local permits as required for this project. I (we) understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, State, and Local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes.

In addition, I (we) agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If I (we) fail to provide the applicable permit upon request, I (we) understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all of the terms and conditions.

Contractor's name or name of firm (printed/typed)	Contractor's or firm's mailing address	
Contractor's signature and title	Contractor's license number	Date
Applicant's signature	Second applicant's signature, if applicable	
Date	Date	

END OF GENERAL INFORMATION

The following sections are activity-specific. Fill out only the sections that apply to your particular project.

20. NONTIDAL STREAM CHANNEL MODIFICATIONS (Continued)

Will low-flow channels be maintained in the modified stream channel? _ _Yes _ _No.
Describe how:

Will any structure(s) be placed in the stream to create riffles, pools, meanders, etc.? _____Yes _ _No
If yes, please explain:

21. UTILITY CROSSINGS

Type of crossing x × ___overhead _____trenched _____directionally-drilled

Method of clearing corridor of vegetation (check all that apply): __ __ mechanized land clearing that disturbs the soil surface
__×__ cutting vegetation above the soil surface

Describe the materials to be used in the installation of the utility line (including gravel bedding for trenched installations, bentonite slurries used during direction-drilling, etc.) and a sequence of events to detail how the installation will be accomplished (including methods used for in-stream and dry crossings).

The support structures will be a combination of new single steel pole and galvanized lattice, using different designs that vary in height depending on tower location. All material will be delivered and assembled at each structure location in ROW. Towers have been designed using pipe pile or existing foundations. Please see Permit Support Document for further detail.

For overhead crossings over navigable waterways (including all tidal waterways), please indicate the height of other overhead crossings or bridges over the waterway relative to mean high water, mean low water, or ordinary high water mark:

Please refer to the previously submitted James River Crossing Plan and Profile. Average river minimum vertical clearance is 60 feet. The 230 kV line vertical clearances will be equal to or greater than the existing lines and will be greater than 26 feet.

Nominal system voltage, if project involves power lines: 500 kV and 230 kV

Will there be an excess of excavated material? _ __Yes _ × __No
If so, describe the method that will be undertaken to dispose of, and transport, the material to its permanent disposal location and give that location:

Will any excess material be stockpiled in wetlands? _____Yes _ × __No
If so, will the stockpiled material be placed on filter fabric or some other type of impervious surface? _____Yes _____No

21. UTILITY CROSSINGS (Continued)

Will permanent access roads be placed through wetlands/streams? ____Yes __X__No
If yes, will the roads be _____at grade or _____above grade (check one)?

Will the utility line through wetlands/waters be continually maintained (e.g. via mowing or herbicide)? __X__Yes _____No

If maintained, what is the maximum width? _____150-250_____feet

22. ROAD CROSSINGS

Have you conducted hydraulic studies to verify the adequacy of the culverts? _____Yes _____No
If so, please attach a copy of the hydraulic study/report.
Virginia Department of Transportation (VDOT) standards require that the backwater for a 100 year storm not exceed 1 foot for all road, culvert, and bridge projects within FEMA-designated floodplains.

Will the culverts be countersunk below the stream bottom? _____Yes _ X _No. If no, explain: _____
_____

If the project entails a bridged crossing and there are similar crossings in the area, what is the vertical distance above mean high water, mean low water, or ordinary high water mark of those similar structures? _____feet above _____
For all bridges proposed over navigable waterways (including all tidal water bodies), you will be required to contact the U.S. Coast Guard to determine if a permit is required of their agency.

On separate sheets of paper, describe the materials to be used, the method of construction (including the use of cofferdams), and the sequence of construction events. Include cross sections and profile plans of the culvert crossings including wing walls or rip rap.

23. PRIVATE AND COMMERCIAL AQUACULTURE ACTIVITIES

Please review VMRC regulations related to aquaculture activities if you are completing this section. An abbreviated application is available for certain private oyster gardening activities by a riparian owner. Also, separate information is required by the VMRC Fisheries Management Division for the review of commercial projects that may qualify for the Virginia Marine Resources Commission General Permit #4 FOR TEMPORARY PROTECTIVE ENCLOSURES FOR SHELLFISH. The VMRC aquaculture regulations can be found on the agency web page at: http://www.mrc.state.va.us/regulations/regindex.shtm.
Please see regulations 4 VAC 20-335-10 et seq., 4 VAC 20-336-10 et seq., and 4 VAC 20-1130-10 et seq.

Briefly describe your proposed aquaculture activity from the time of acquisition (seed, fingerlings, etc.) to time of harvest, and indicate which species you intend to culture. Attach additional sheets if needed.

Source of the animals/plants that you want to culture: _____
_____
Note: VMRC Regulation 4VAC 20-754 et seq. "Pertaining to the Importation of Fish, Shellfish or Crustacea" sets forth the requirements for importing organisms from out of state.

Describe below the number, type, and dimensions of the structures that will be used (e.g., 4' x 2' x 18" floats, 3' x 3' x 1' bottom cages, etc.) and the overall dimensions of the area to be occupied by the aquaculture structures (e.g., two 40-foot by 10-foot bottom plots).

APPENDIX C

Chesapeake Bay Preservation Act Information

Please answer the following questions to determine if your project is subject to the requirements of the Bay Act Regulations:

1. Is your project located within Tidewater Virginia? _X_ Yes ____ No (See map on next page) - If the answer is "no", the Bay Act requirements do not apply; if "yes", then please continue to question #2.

2. Please indicate if the project proposes to impact any of the following Resource Protection Area (RPA) features:

   ____ Tidal wetlands,

   _X_ Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow,

   ____ Tidal shores,

   _X_ Other lands considered by the local government to meet the provisions of subsection A of § 9VAC 25-830-80 and to be necessary to protect the quality of state waters (contact the local government for specific information),

   _X_ A buffer area not less than 100 feet in width located adjacent to and landward of the components listed above, and along both sides of any water body with perennial flow.

If the answer to question #1 was "yes" and any of the features listed under question #2 will be impacted, compliance with the Chesapeake Bay Preservation Area Designation and Management Regulations is required. **The Chesapeake Bay Preservation Area Designation and Management Regulations** are enforced through locally adopted ordinances based on the Chesapeake Bay Preservation Act (CBPA) program. Compliance with state and local CBPA requirements mandates the submission of a ***Water Quality Impact Assessment (WQIA)*** for the review and approval of the local government. Contact the appropriate local government office to determine if a WQIA is required for the proposed activity(ies).

The individual localities, not the DEQ, USACE, or the Local Wetlands Boards, are responsible for enforcing the CBPA requirements and, therefore, local permits for land disturbance are not issued through this JPA process. **Approval of this wetlands permit does not constitute compliance with the CBPA regulations nor does it guarantee that the local government will issue land-disturbing permits for this project**.

Notes for all projects in RPAs

Development, construction, land disturbance, or placement of fill within the RPA features listed above *requires a review from the locality and may require an exception or variance from the local Bay Act program or zoning ordinance*. Please contact the appropriate local government to determine the types of development or land uses that are permitted within RPAs.

Pursuant to § 9VAC 25-830-110, *on-site delineation of the RPA is required for all projects in CBPAs*. Because USGS maps are not always indicative of actual "in-field" conditions, they may not be used to determine the site-specific boundaries of the RPA.

Notes for shoreline erosion control projects in RPAs

Re-establishment of woody vegetation in the buffer may be required to mitigate for the removal or disturbance of buffer vegetation associated with your proposed project. Please contact the local government to determine the mitigation requirements for impacts to the 100-foot RPA buffer.

Pursuant to § 9VAC 25-830-140.5.a(4), § 9VAC 25-830-140.1, and § 9VAC 25-830-130 of the Virginia Administrative Code, the locality will use the information provided in this Appendix and in the project drawings, along with other information in this permit application and a WQIA, to make a determination that:

1. Any proposed shoreline erosion control measure is necessary and consistent with the nature of the erosion occurring on the site, and the measures have employed the "best available technical advice"
2. Indigenous vegetation will be preserved to the maximum extent practicable
3. Proposed land disturbance has been minimized
4. Appropriate mitigation plantings will provide the required water quality functions of the buffer (§ 9VAC 25-830-140.3)
5. The project is consistent with the locality's comprehensive plan
6. Access to the project will be provided with the minimum disturbance necessary.