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Subject: Follow-up to March 8 meeting: COE #2006-01343 Midwood

The Coalition is providing the below as requested.

Karen Sheehan

Program Manager

Coalition to Protect Prince William County

As requested and agreed on March 8, we are providing details to address three issues which came to light at the meeting:

1. **Amazon has cleared the land and fully intended to build Data Centers 2 and 3**
2. **Negative Environmental and Historical Impacts are extensive and widespread**
3. **Need for this project is to serve one customer – Amazon**

Complete documentation regarding this project can be found at: www.protectpwc.org

1. AMAZON HAS CLEARED THE LAND AND FULLY INTENDED TO BUILD DATA CENTERS 2 AND 3

At the March 8 meeting, the applicant presented the premise to the group that VaData/Amazon Web Services had no intention of building their entire data center campus at

one time. They indicated that the clearing they have done was required to “stage” for the building of Data Center building 1, and that they had no understanding that they were destroying historical battlefield integrity. The Coalition finds the claim that they had no intention to build Data Center buildings 2 and 3 to be disingenuous. Amazon claims that the trigger for the power line need is only Data Center 3. Amazon ***might*** build Data Center 3? Why is Dominion pushing a minimum \$65M transmission line and substation project for a “maybe” Amazon build need. Amazon is trying to obfuscate the truth. Either Dominion is building a transmission line and substation for a need that doesn’t exist, or Amazon knows full well that they had always planned to build both Data Centers 2 ***AND*** 3 within a very short time after constructing Data Center 1.

It is easy to follow the timeline of this process of more than three years from Dominion Power’s statements, both written and verbal, for an immediate need to bring power to their customer. This process has brought chaos to an entire community, while Amazon Web Services waits for its personal extension cord to be approved.

Bob Weir, from his role as a Planning Commissioner for the Town of Haymarket, presented testimony at the SCC Public Hearing on May 2, 2016 which gave an extensive timeline of this project: <http://www.protectpwc.org/wp-content/uploads/2016/05/Bob-Weir-testimony-050216.pdf>

There are dozens of articles in which Dominion Power communicated to the Haymarket community the immediate need for power to Amazon's Data Center Campus. You can find all articles here: <http://www.protectpwc.org/in-the-news/>. Here are links to some of those published articles, beginning in 2014:

<http://www.protectpwc.org/2014/10/01/princewilliamtimes-com-town-council-opposes-proposed-power-lines/>

https://www.washingtonpost.com/local/haymarket-gainesville-residents-fight-new-high-voltage-line-by-dominion-power/2014/08/29/8506dac8-2fbb-11e4-9b98-848790384093_story.html?utm_term=.48c551e2cfc1

http://www.bizjournals.com/washington/breaking_ground/2014/12/why-plans-for-a-haymarket-data-center-have.html

<http://www.datacenterknowledge.com/archives/2015/01/07/amazon-data-center-project-in-virginia-stumbles-over-power-line-opposition/comment-page-1/>

2. NEGATIVE ENVIRONMENTAL AND HISTORICAL IMPACTS ARE EXTENSIVE AND WIDESPREAD

Justin Patton, Prince William County’s Archeologist, articulated the negative impacts of this project to Civil War battlefields in his May 10, 2016 testimony to the SCC

(<http://www.protectpwc.org/wp-content/uploads/2016/01/Justin-Patton-PWC-Archaeologist-testimony-051016.pdf>):

Some of the most affected history by Dominion's proposed alternatives are four Civil War Battlefields and the Journey Through Hallowed Ground National Historic Area and National Scenic Byway.

- Second Battle of Manassas (076-5190)
- Thoroughfare Gap Battlefield (030-5610)
- Buckland Mills Battlefield (030-5152)
- Manassas Station Operations Battlefield (076-5036)
- Journey Through Hallowed Ground National Historic Area

All of the alternatives cut through four Civil War Battlefields.

Eight of the 384 principal battles of the Civil War are located in Prince William County. Of those eight, four are in the path of the five alternatives whose viewsheds and the land over which our ancestors fought and died for will be irrevocably destroyed forever. All of these battles are nationally significant, significant at the state level and locally significant. These battles were of special strategic, tactical, or thematic importance to local operations, campaigns, theaters, or to the Civil War as a whole. These battles are the fabric and landscape of our County's history, that our citizens retain a deep visceral connection to; and are the fabric of our Nation's history that Prince William County has fought to preserve.

From 2014 to the present, Dominion has neglected to consider the potential constraints of identified battlefields or the Journey Through Hallowed Ground National Heritage Area (see: <https://dom.com/library/domcom/pdfs/electric-transmission/haymarket/haymarket-overview-constraints.pdf> and <https://dom.com/library/domcom/pdfs/electric-transmission/haymarket/alternative-routes.pdf>)

The extent that this project impacts an entire community – its environmental and historical assets - cannot be overlooked. There are five separate routes on the table. The SCC Hearing Examiner has recommended the Carver Road Route, which impacts highly sensitive environmental and historical areas.

The following excerpts are taken directly from testimony presented to the SCC by one of the legal respondents in the case – Somerset Crossing. (Their entire response can be accessed here: <http://www.protectpwc.org/wp-content/uploads/2014/12/Somerset-Response-to-Hearing-Examiner-Recommendation-120616.pdf>):

The Carver Road Alternative Route has a greater negative effect upon the environment and historical assets than does the proposed I-66 Overhead Route. The Staff Testimony

included statements by Wayne McCoy, who confirmed that the I-66 Routes would have a far lesser impact on the environment than the Carver Road Alternative Route. At the Hearing, Mr. McCoy further testified that he did not believe that any of the alternative routes met the requirements of Va. Code § 56-46.1(D). He testified that construction of the proposed transmission lines along the Carver Road Alternative Route would substantially and negatively impact the environment in that area.

Indeed, none of the evidence presented at the Hearing contradicted the DEQ Office of Wetlands and Stream Protection finding that the Carver Road Alternative Route, would suffer a substantially greater negative impact on wetlands located within and adjacent to such alternative routes than the proposed I-66 Overhead Route. In fact, the record includes admissions by Dominion representatives that in order for the 230 kV Double Circuit Transmission Line to be placed along the Carver Road Alternative Route, construction would occur within the wetlands located along the Carver Road Alternative Route, which would include the placement of footers.

Dominion's own Environmental Routing Study notes that the Carver Road Alternative Route would cross several wetlands. On Page 29 of that report, Dominion admits to the following:

“Wetlands along the Carver Road Alternative Route are predominantly Palustrine Forested (PFO). Wetlands crossed by the route include PFO, Palustrine Emergent (PEM) and, Palustrine Unconsolidated (PUB) wetlands scattered along the eastern portion of the route and larger forested and emergent complexes surrounding North Fork Broad Run. As the route moves westward, it crosses a few smaller PFO wetlands including one surrounding a tributary to North Fork Broad Run and a second crossing of North Fork Broad Run.”

No evidence presented at the Hearing refuted that damage to the wildlife and natural habitat would arise from selection of the Carver Road Alternative Route and that such damage would be substantial and cause an irreversible disruption to the local ecosystem.

Moreover, the Hearing Examiner has failed to consider the uncontroverted evidence of record that the Carver Road Alternative Route also will cause inalterable harm to the environment by crossing a variety of waterbodies including Young's Branch, a tributary to Rocky Branch, two crossings of North Fork Broad Run, and two crossings of tributaries to North Fork Broad Run. Construction of a 230 kV Double Circuit Transmission Line within and adjacent to these waterbodies would cause irreversible devastation to these important wetlands that are a critical component of the local ecosystem.

Additionally, the Carver Road Alternative Route would cross one segment of high priority protected forest, and over two miles each of medium priority protected forest. This is in stark contrast to the proposed I-66 Overhead Route, which will not cross any

high priority protected forest and only would cross less than a half mile of medium protected forest.

The Coalition to Protect Prince William County, also a legal respondent in the case, provided input regarding the negative impact on environmental and historical assets in their testimony to the SCC. (Full text can be accessed here: <http://www.protectpwc.org/wp-content/uploads/2014/12/Coalition-Response-to-Hearing-Examiner-Recommendation-120616.pdf>):

Page 7:

... The archaeologist for the County, Justin S. Patton, testified that the Company's proposed route would directly impact historic assets, including Civil War battlefields and other historical sites. The Department of Environmental Quality found that the Hybrid Alternative would have the least impact on wetlands...

Footnote on Page 10:

"...see also Comments of Susan Caudle, May 2, 2016 (referencing impacts to the Leopold's nature preserve, "493 acres ... uniquely situated at the midsection of the Journey Through Hallowed Ground National Heritage Area and Scenic Byway, a corridor long valued by conservationists and historians.")

3. NEED FOR THIS PROJECT IS TO SERVE ONE CUSTOMER - AMAZON

While Dominion played cat and mouse with need of the "customer," it only came out very late in the process, at the SCC hearing of June 2016, that the "customer" need requires 97% of the power planned to be provided by the project. And, but for the need of this "customer," Dominion could not prove any other "need" for this new transmission line. Translation: No Amazon Data Center campus = No destruction of our community by this massive industrial project in an area immediately adjacent to Prince William County's protected rural area - the Rural Crescent.

Here is a quote directly from Greg Mathe, Dominion Power project lead for the Haymarket project (the original email in its entirety can be provided if needed):

On Tue, Jul 14, 2015 at 4:37 PM, Gregory E Mathe (VirginiaPower - 1)
<Gregory.E.Mathe@dom.com> wrote:

Jim –

I appreciate your questions and efforts to learn more about the planning, routing and siting of transmission facilities. Much of the details behind the answers to your

questions, especially ones you emailed Carla last year, will be covered in our Routing Study and application – which is the appropriate place to present our case....

....2) In reference to your third question: **Since the area is growing, there could be a need at some point, but the immediacy of the new infrastructure would no longer be there. New transmission facilities would still be useful to Dominion's and NOVEC's distribution operations to serve the native growth, but as of today that growth alone is not enough of a driver to necessitate new electric transmission facilities in our five-year planning horizon.**

Dominion also confirmed that the need for the project is for one customer in this article: <http://www.protectpwc.org/2015/07/16/inside-nova-dominion-confirms-haymarket-power-line-planned-for-just-one-business/>

The following statements are taken directly from the SCC Staff legal brief, which acknowledges that because this project is driven by one customer, the benefiting customer should be required to contribute their own resources for the infrastructure, or as the SCC Staff says, "put some skin in the game." The legal brief by the SCC Staff clearly lays out the argument that this "line extension," i.e. extension cord, should be required to have the least amount of impact on the community and that the cost should be borne by the customer. (Full text can be accessed at: <http://www.protectpwc.org/wp-content/uploads/2014/12/SCC-Staff-Legal-Brief-080516.pdf>):

Thus, in viewing these "line extensions" to large contingent loads, the **Commission may wish to require the customer requiring such project to put some of its own skin into the game.** Otherwise, the general public, already burdened by the environmental and aesthetic impacts of otherwise unneeded transmission projects, is not also burdened with 100% of the otherwise unnecessary costs.

It is also appropriate to apply the cost allocation formula described in Section 22 because the facilities are not being constructed to serve any other present need. The Commission Staff has argued that the Company could not "justify the need for this Project without the Customer's request for service" and "[a]s such, the Project may also be viewed as a line extension for electric service to a new customer, and thus, may be subject to cost allocation in accordance with Section XXII "Electric Line Extensions and Installations ... of the Company's Commission-approved terms and conditions." **While Dominion claims that the Haymarket Substation may serve other customers in the future, 97 percent of the projected load from the proposed substation would be directed to the Customer.**

The Coalition's Legal Brief to the SCC also outlined the evidence presented for a single retail customer need (full text can be accessed here: <http://www.protectpwc.org/wp-content/uploads/2014/12/Coalition-Legal-Brief.pdf>):

Dominion did not argue that the Project would be needed absent the Customer's load. Dominion did argue that it was likely that the new infrastructure would be needed in the future and suggested that the Project would be ready to serve new growth in the Haymarket area, if that growth "comes to fruition." Dominion suggests that the Project would be needed, at some point in the future, even without the load attributable to the Customer. **But this argument would require some measure of evidentiary support. Dominion presented none.** There were no studies provided by Dominion to support the proposition that the Project would be needed in the future even without the demand of the Customer. Dominion did not provide any studies showing when such demand would materialize absent the demands of the Customer. Dominion, however, did admit that the area west of Route 15 - which Dominion says would be served by the new substation - is designated as a Rural Area by Prince William County and is unlikely to experience significant load growth. Dominion also admitted that the potential large block load in the area that was discussed at the hearing would be served by the existing Gainesville Substation, not the Haymarket Substation. Dominion did not provide evidence of significant additional load growth for the Haymarket Substation, with the exception of the Customer's load. But, in any case, hypothetical load growth is not relevant to the Commission's decision in this case. **The evidence presented in this case is that the Project is needed only to serve a single retail customer, and for no other reason. "**

While the information which we have provided is only the tip of the iceberg for this entire project, we hope it will provide a better understanding for a scope which would forever alter this area - the integrity of the battlefields being one of those extensive impacts.

Please let us know if you have any other questions. We look forward to our next meeting.

Elena Schlossberg

Bob Weir

Karen Sheehan

The Coalition to Protect Prince William County