



Preserving America's Heritage

July 21, 2017

Mr. Marshall Tucker Smith
Chief, Northern Section, Regulatory
Corps of Engineers, Norfolk District
Norfolk District Main Office
803 Front Street
Norfolk, Virginia 23510

Ref: Proposed Midwood Data Center Project
Permit Application: NAO-2006-01343
Haymarket, Prince William County, Virginia

Dear Mr. Smith:

The Advisory Council on Historic Preservation (ACHP) has received the Corps of Engineers, Norfolk District's (Corps) letter dated July 14, 2017, responding to our letter of May 17, 2017, summarizing consulting party concerns regarding the referenced undertaking. The ACHP is still considering the Corps' response to our inquiry, including the relationship between Building 1 and the 2 remaining buildings of the proposed data center. Further, we are considering the applicant's actions in clearing and grading the entire 38.5-acre project site as part of the construction of Building 1 with the Corps' endorsement of this action. Likewise, we are concerned about the Corps' responsibility to consider the cumulative effects of the undertaking, especially relative to the proposed construction of a Gainesville to Haymarket 230kV double circuit transmission line and a 230-34.5 kV substation at the data center site, the capacity of which will be essentially monopolized by the data center. With that in mind, the ACHP recommends that the Corps look closely at its Section 106 responsibilities that require it to consider the potential for effects to historic properties along the alternative routes proposed for the Dominion transmission line, particularly the Carver Road alternative.

As we noted in our letter of May 17, 2017, the overall project appears to consist of the construction and operation of a three-building data center with necessary infrastructure, which appears also to require upwards of 97% of the power that can be supplied by a 230kV double circuit transmission line that Virginia Electric and Power Company (Dominion) intends to construct from Gainesville, Virginia, to Haymarket, Virginia. In addition, a 230-34.5 kV Haymarket Substation will be constructed on a portion of the land owned by VAData adjacent to the three building data center. On November 6, 2015, Dominion filed an application for a certificate of public convenience and necessity for the proposed transmission line and substation with the Virginia State Corporation Commission (SCC). A number of alternative routes for the transmission line Right-of-Way (ROW) were considered. The SCC issued an interim order approving the application with conditions on April 6, 2017. However, on July 14, 2017, the SCC announced that it would reconsider its decision to allow the route of the Dominion power lines along the Carver Road ROW, following elimination of other alternatives. The Carver Road alternative cuts through land that has been the home to multiple generations of an extended family that are descendants of freed slaves who settled there in the latter 1800's.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637
Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov

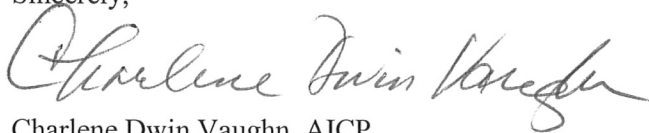
As such, the Corps should consider the potential for the presence of historic properties along the Carter Road ROW associated with multiple generations of descendants of freed slaves that may be affected by the proposed transmission line, which is an undertaking that is directly and necessarily linked to the current permit review, and which may also require Corps permits. It seems reasonable to suggest that there may be archaeological sites, standing structures, perhaps even an historic district or landscape, associated with the ongoing, multi-generational presence of descendants of freed slaves along the Carver Road ROW. If so, the Corps might also consider the appropriateness of characterizing the area as a Traditional Cultural Property (TCP).

As we noted in our letter of May 17, 2017, the proposed Dominion transmission line is an undertaking being carried out by a different proponent that is, nonetheless, integrally linked to the data center project. As such, the Corps is responsible for considering the effects of the transmission line on historic properties, at least as contributing to the cumulative effects of the construction of the data center. Further, it is not unreasonable to expect that the Carver Road alternative for the transmission line, as well as the other proposed alternatives, may require Corps permits.

We understand that the final selection of a preferred alternative for the transmission line ROW is under re-consideration following the Virginia SCC announcement on July 14, 2017. Therefore, ACHP encourages the Corps to consider the potential for effects to historic properties from the Carver Road and other transmission line alternatives. In that way, the Corps' consideration of effects to historic properties, as part of a more robust federal review process, would appropriately address the potential for effects to historic properties along Carver Road and other alternatives, prior to the state level decision that may limit alternatives.

Should you have any questions or wish to discuss this matter further, please contact John T. Eddins, PhD at 202-517-0211, or by e-mail at jeddins@achp.gov.

Sincerely,

A handwritten signature in cursive script, reading "Charlene Dwin Vaughn".

Charlene Dwin Vaughn, AICP
Assistant Director
Federal Permitting, Licensing, and Assistance Section
Office of Federal Agency Programs