

DRAFT ENVIRONMENTAL ASSESSMENT

SECTION 202 DICKENSON COUNTY NONSTRUCTURAL PROJECT  
DICKENSON COUNTY PUBLIC SCHOOLS  
CONSOLIDATED MIDDLE/HIGH SCHOOL COMPLEX  
DICKENSON COUNTY, VIRGINIA

**APPENDIX H – AGENCY CORRESPONDENCE**

U.S. ARMY CORPS OF ENGINEERS

HUNTINGTON DISTRICT

HUNTINGTON, WEST VIRGINIA

NOVEMBER 2012

U.S. Department of Agriculture

## FARMLAND CONVERSION IMPACT RATING

<b>PART I (To be completed by Federal Agency)</b>		Date Of Land Evaluation Request	11/21/11
Name Of Project	Dickenson County Public School System	Federal Agency Involved	USACOE and USDA Rural Development
Proposed Land Use	Public School System Improvements	County And State	Dickenson County, Virginia

<b>PART II (To be completed by NRCS)</b>		Date Request Received By NRCS	11/21/11
Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply – do not complete additional parts of this form).</i>		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Acres Irrigated	Average Farm Size
Name Of Land Evaluation System Used	Name Of Local Site Assessment System	Amount Of Farmland As Defined in FPPA Acres: %	
		Date Land Evaluation Returned By NRCS 11/21/11	

<b>PART III (To be completed by Federal Agency)</b>	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly				
C. Total Acres In Site	0.0	0.0	0.0	0.0

<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>	Site A	Site B	Site C	Site D
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				

<b>PART V (To be completed by NRCS) Land Evaluation Criterion</b>	Site A	Site B	Site C	Site D
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)	0	0	0	0

<b>PART VI (To be completed by Federal Agency)</b>	Maximum Points	Site A	Site B	Site C	Site D
<i>Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))</i>					
1. Area In Nonurban Use					
2. Perimeter In Nonurban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Government					
5. Distance From Urban Builtup Area					
6. Distance To Urban Support Services					
7. Size Of Present Farm Unit Compared To Average					
8. Creation Of Nonfarmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
<b>TOTAL SITE ASSESSMENT POINTS</b>	160	0	0	0	0

<b>PART VII (To be completed by Federal Agency)</b>	Maximum Points	Site A	Site B	Site C	Site D
Relative Value Of Farmland (From Part V)	100	0	0	0	0
Total Site Assessment (From Part VI above or a local site assessment)	160	0	0	0	0
<b>TOTAL POINTS (Total of above 2 lines)</b>	260	0	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input type="checkbox"/>
----------------	-------------------	---

Reason For Selection:

No impact to farmland as defined by FPPA; the County recently acquired this land through condemnation procedures. -- J.C. Freyman, SRS  
(First FPPA determination for same project on CPA\_106.)



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ecological Services  
6669 Short Lane  
Gloucester, Virginia 23061



Date:

## Online Project Review Certification Letter

Project Name:

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Virginia Field Office online project review process. By providing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the referenced project in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA), and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c, 54 Stat. 250), as amended (Eagle Act). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended.

The species conclusions table in your project review package summarizes your ESA and Eagle Act conclusions. These conclusions resulted in "no effect" and/or "not likely to adversely affect" determinations for proposed/listed species and proposed/designated critical habitat and "no Eagle Act permit required" determinations for eagles regarding potential effects of your proposed project. We certify that the use of the online project review process in strict accordance with the instructions provided as documented in your project review package results in reaching the appropriate determinations. This letter in conjunction with the complete project review package including an official species list is your record of compliance with section 7 procedures. Therefore, we concur with the "no effect" and "not likely to adversely affect" determinations for proposed/listed species and proposed/designated critical habitat and "no Eagle Act permit required" determinations for eagles. Federal agencies are not required to contact the Service or provide documentation for "no effect" and/or "no Eagle Act permit required" determinations. For "not likely to adversely affect" determinations, federal agencies are required to send a copy of this letter and the project review package to the Service to complete consultation requirements. Regardless of the determination, non-federal applicants must submit a copy of this letter and the project review package to the Service's Virginia Field Office for this certification to be valid.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages protection of these species by avoiding adverse impacts to them. Contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of proposed/listed species, proposed/designated critical habitat, or eagles becomes available, this determination may be reconsidered. This certification letter is valid for one year.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Virginia is available at our website [http://www.fws.gov/northeast/virginiafield/endspecies/project\\_reviews.html](http://www.fws.gov/northeast/virginiafield/endspecies/project_reviews.html). If you have any questions, please contact Tylan Dean of this office at (804) 693-6694, extension 166, or via email at [Tylan\\_Dean@fws.gov](mailto:Tylan_Dean@fws.gov).

Sincerely,

/s/ Cynthia A. Schulz

Cindy Schulz  
Supervisor  
Virginia Field Office

Enclosure - project review package





U.S. Fish and Wildlife Service

## Natural Resources of Concern

This resource list is to be used for planning purposes only — it is not an official species-list.

**Endangered Species Act species-list information for your project is available online and listed below for the following FWS Field Offices:**

VIRGINIA ECOLOGICAL SERVICES FIELD OFFICE  
6669 SHORT LANE  
GLOUCESTER, VA 23061  
(804) 693-6694  
<http://www.fws.gov/northeast/virginiafield/>

***Project Name:***

New Dickenson Co High School

***Project Counties:***

Dickenson, VA

***Geographic coordinates (Open Geospatial Consortium Well-Known Text, NAD83):***

MULTIPOLYGON (((-82.3862845 37.1323314, -82.3877222 37.1304002, -82.3923356 37.1316876, -82.3908765 37.133533, -82.3862845 37.1323314)))

***Project Type:***

Federal Grant / Loan Related

***Endangered Species Act Species-list***

There are a total of 1 species in your species-list

**Species that may be affected by your project:**



U.S. Fish and Wildlife Service

## Natural Resources of Concern

Mammals			
Indiana bat ( <i>Myotis sodalis</i> )	Endangered	<a href="#">species info</a>	Virginia Ecological Services Field Office

### ***FWS National Wildlife Refuges***

There are no refuges found within the vicinity of your project.

### ***FWS Migratory Birds***

Not yet available through IPaC.

### ***FWS Delineated Wetlands***

Not yet available through IPaC.

# Indiana Bat

## *Myotis sodalis*



**Description** - The Indiana bat occurs throughout 27 states in the eastern and mid-western U.S. It is found in the western portion of Virginia during hibernation, but seldom found in Virginia during the summer. This medium-sized bat weighs six to nine grams and has an average life span of four years. This short-eared bat is two inches from head to toe and has a wing span of nine to eleven inches. Its fur is dull grayish-brown and the underparts are pinkish.

**Life History** - After mating in the fall, the Indiana bat travels up to 300 miles to hibernate in large caves and abandoned mines that have stable, cold temperatures during the winter. The fact that the Indiana bats congregate and form large aggregations in only a small percentage of known caves suggests that very few caves meet their requirements. During hibernation they can be found on flat ceilings of caves in clusters containing 500 to 1,000 or more bats. Half of all hibernating Indiana bats winter in Indiana. Hibernation begins in

mid-October and ends in April; females are the first to leave. Males roost in caves or mines during the summer. Maternity colonies are located in riparian forests along streams. Females roost together in hollow trees or under loose bark and have one young per pregnancy. The young are born in late June or early July. After one month, young are capable of flight and begin independent feeding. Foraging takes place along forested streams. They feed exclusively on insects.

**Conservation** - The Indiana bat was federally listed as an endangered species on March 11, 1967. This bat has declined primarily due to human disturbance during hibernation. This species is easily disturbed by human activity such as vandalism, caving, and research during the hibernating months. Other threats are flooding of caves, blockage of cave entrances, and pesticide poisoning.

**What You Can Do To Help** - Avoid using pesticides and other chemicals near caves and waterways. Do not enter gated caves or mines. These gates have been installed to protect bats and human safety. Cave habitats are fragile and easily disturbed; if you must enter a cave, do so only as an observer and leave everything as you found it. Never shoot, poison, or otherwise harm bats. Bats are extremely beneficial insect eaters, and nuisance bats can be encouraged to move elsewhere. If you find a bat, please do not disturb it!

Contact one of the following agencies for assistance:

Virginia Department of Game and Inland Fisheries  
P.O. Box 11104  
Richmond, Virginia 23230  
(804) 367-1000

Virginia Department of Conservation and Recreation  
Division of Natural Heritage  
217 Governor Street, 3rd Floor  
Richmond, Virginia 23219  
(804) 786-7951

U.S. Fish and Wildlife Service  
Virginia Field Office  
6669 Short Lane  
Gloucester, Virginia 23061  
(804) 693-6694

### References

Dalton, V.M. and C.O. Handley, Jr. 1991. Social myotis. Pages 569-570 in K. Terwilliger, ed. Virginia's Endangered Species, Proceedings of a Symposium. McDonald and Woodward Publishing Company, Blacksburg, Virginia.

U.S. Fish and Wildlife Service. 1999. Agency Draft: revised draft of the recovery plan for the Indiana bat (*Myotis sodalis*). Fort Snelling, Minnesota.



U.S. Fish and Wildlife Service  
Virginia Field Office  
6669 Short Lane  
Gloucester, Virginia 23061  
(804) 693-6694

<http://www.fws.gov>

December 2000

## April Lane

---

**From:** McComas, Michael D II LRH <Michael.D.MccomasII@usace.army.mil>  
**Sent:** Thursday, May 10, 2012 5:30 PM  
**To:** lkendrick@dcwin.org; scottmullins@verizon.net; hrobinson@dickenson.k12.va.us; 'Freddie Mullins'  
**Cc:** Woodard, Kenneth L LRH; Stafford, Susan LRH; Cannella, Carolyn M NAO; Lance DeBord; Laura Beth Hale; April Lane; Warner, James - RD, Lebanon, VA; Ayaay, Jonathan J LRH  
**Subject:** FW: Dickenson County School - New Consolidated Campus; Indiana bat (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Team Members,

Please find the comments below that I received this afternoon from the USFWS regarding the schools project. They have recommended a detailed habitat assessment for Virginia spiraea be performed in the area of the proposed sewer diffusion system adjacent to the Cranes Nest River. Additionally, they have recommended a survey for suitable habitat be performed for the Indiana bat throughout the area of potential effect (school site and surrounding area(s) to be impacted by construction), and if suitable habitat is found to conduct bat surveys in such documented areas. I wanted to pass this information along to all to allow the team to move forward on these tasks as they see appropriate. Please let me know if you all have any questions regarding the matter.

Thanks,

Michael McComas II  
Planning Branch  
U.S. Army Corps of Engineers  
Huntington District  
502 Eighth Street  
Huntington, WV 25701  
(304) 399-5826 work  
(304) 634-1443 cell  
[Michael.D.Mccomasii@usace.army.mil](mailto:Michael.D.Mccomasii@usace.army.mil)

-----Original Message-----

**From:** Sumalee\_Hoskin@fws.gov [mailto:Sumalee\_Hoskin@fws.gov]  
**Sent:** Thursday, May 10, 2012 1:54 PM  
**To:** McComas, Michael D II LRH  
**Cc:** Kimberly\_Smith@fws.gov; Cindy\_Schulz@fws.gov  
**Subject:** Dickenson County School - New Consolidated Campus; Indiana bat (UNCLASSIFIED)

We have reviewed the referenced project description. The following comments are provided under provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended and the Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668c, 54 Stat. 250) as amended.

Based on the project description and location, the project area may support potential habitat for the federally listed threatened Virginia spiraea (*Spiraea virginiana*) and federally listed endangered Indiana bat (*Myotis sodalis*). We recommend that a detailed habitat assessment be conducted for the Virginia spiraea along the proposed sewer outfall line that runs along Cranes Nest River and discharge point to Cranes Nest River and for the Indiana bat in the proposed school site by an approved surveyor to identify suitable habitat, and that a survey for the species be conducted within all suitable habitat identified in the action area. Surveys are not needed if the approved surveyor determines that no suitable habitat is present. A list of qualified surveyors can be found on our website at <http://www.fws.gov/northeast/virginiafield/endspecies/surveyors.html>. This list does not include all individuals qualified or authorized to survey for this species. If you select someone not on the pre-approved surveyor list, provide the proposed surveyor's qualifications and proposed survey design to this office for review and approval prior to initiating the survey. Send copies of all survey results to this office or inform this office if a survey will not be conducted.

After receiving the survey results and implementing any measures to avoid and minimize potential effects to listed species or their habitat that are identified during surveys, update your conclusions and determinations on your species conclusion table with the information received from the habitat assessment and/or survey, and submit the revised project review package, including the survey report. We have determined that no impacts to federally designated critical habitat will occur and no Eagle Act permit is required.

\*\*\*\*\*

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

Tel: 804-693-6694 ex. 128

Fax: 804-693-9032

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

Classification: UNCLASSIFIED

Caveats: NONE

## April Lane

---

**From:** Cannella, Carolyn M NAO <Carolyn.M.Cannella@usace.army.mil>  
**Sent:** Tuesday, August 14, 2012 4:56 PM  
**To:** McComas II, Michael; Lance Debord; lbhale@drallen.net  
**Subject:** FW: NAO-2011-00652 Dickenson County School Consolidation  
**Attachments:** graycol.gif; pic16641.gif; ecblank.gif

FYI

Carolyn Cannella  
Environmental Scientist  
Walker Mountain Regulatory Field Office  
434-607-7487

The Norfolk District is committed to providing the highest level of support to the public. In order for us to better serve you, we would appreciate you completing our Customer Satisfaction Survey located at <http://per2.nwp.usace.army.mil/survey.html>. We value your comments and appreciate your taking the time to complete the survey.

-----Original Message-----

From: Sumalee\_Hoskin@fws.gov [mailto:Sumalee\_Hoskin@fws.gov]  
Sent: Tuesday, August 14, 2012 4:52 PM  
To: Cannella, Carolyn M NAO  
Subject: Re: NAO-2011-00652 Dickenson County School Consolidation

Carolyn,

We have reviewed the survey report entitled "Mist Net Survey For Endangered Bats on Dickenson County School Consolidated Campus, Dickenson County, Virginia," dated June 21, 2012 and received on June 22, 2010. The following comments are provided under provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended.

This survey, conducted by an approved surveyor from June 2 through June 5, 2012, found suitable habitat for the federally listed endangered Indiana bat, but none were captured during the field survey. Based on that survey report, it is the U.S. Fish and Wildlife Service's opinion that the Indiana bat does not currently occur at the project site and therefore, the referenced project is not likely to adversely affect this species. This survey is valid for three years.

Additionally, we have reviewed the correspondence from Mr. Doug Ogle subject line "Dickenson Schools, Consolidated Campus, Project #12-595," dated June 1, 2012. Mr. Ogle is an approved surveyor and had conducted extensive field work in the project area. The area has been heavily disturbed there is no appropriate habitat in the area. Based on Mr. Ogle's determination, it is the U.S. Fish and Wildlife Service's opinion that the Virginia spiraea does not currently occur at the project site and therefore, the referenced project is not likely to adversely affect this species. This determination is valid for two years.

We have reviewed the wetland and stream mitigation and have no comment.

Should project plans change or if additional information on the distribution of listed species or critical habitat becomes available, these determinations may be reconsidered. If you have any questions, please contact me.

Sumalee

Note: Our phone lines are not working properly. Please try 804 824 9720 or 9740 to reach me. My ext. is 128

\*\*\*\*\*

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

Tel: 804-693-6694 ex. 128

Fax: 804-693-9032

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

Inactive hide details for "Cannella, Carolyn M NAO" <[Carolyn.M.Cannella@usace.army.mil](mailto:Carolyn.M.Cannella@usace.army.mil)>"Cannella, Carolyn M NAO"  
<[Carolyn.M.Cannella@usace.army.mil](mailto:Carolyn.M.Cannella@usace.army.mil)>

"Cannella, Carolyn M NAO" <[Carolyn.M.Cannella@usace.army.mil](mailto:Carolyn.M.Cannella@usace.army.mil)>

08/10/2012 10:25 AM

To

"[Sumalee Hoskin@fws.gov](mailto:Sumalee_Hoskin@fws.gov)" <[Sumalee\\_Hoskin@fws.gov](mailto:Sumalee_Hoskin@fws.gov)>

cc

"McComas II, Michael" <[Michael.D.MccomasII@usace.army.mil](mailto:Michael.D.MccomasII@usace.army.mil)>, "[lbhale@drallen.net](mailto:lbhale@drallen.net)" <[lbhale@drallen.net](mailto:lbhale@drallen.net)>

Subject

NAO-2011-00652 Dickenson County School Consolidation

Sumalee -

The comment period for the attached public notice closes on Monday, August 13th. Will the USFWS be submitting comments to the Norfolk District in response to this notice, or will you provide a determination to the Huntington District for the overall Sec 202 project? I can utilize the Huntington determination in my 404 permit action as the scope is the same or larger for the Huntington project.

In either case, is there a projected time for completion of your agency's review of the submitted surveys regarding the project?

Thank you.

Carolyn Cannella  
Environmental Scientist  
Walker Mountain Regulatory Field Office  
434-607-7487

The Norfolk District is committed to providing the highest level of support to the public. In order for us to better serve you, we would appreciate you completing our Customer Satisfaction Survey located at <http://per2.nwp.usace.army.mil/survey.html>. We value your comments and appreciate your taking the time to complete the survey.

To: Lance DeBord  
D.R. Allen and Associates  
100 Campbell St SW  
Abingdon, VA 24210

and

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

From: Douglas W. Ogle  
300 Poor Valley Road  
Saltville, VA 24330-3691  
[dougogle@comcast.net](mailto:dougogle@comcast.net)  
(276) 274-3841

Date: 1 June 2012

Re: Dickenson County Schools, Consolidated Campus, Project #12-595

Dear Mr. DeBord,

I received the consolidated school project Mitigation Map-On-Site, dated 14 May 2012, and reviewed it. This is a locality I have visited many times, most recently on 17 April 2012 in connection with bridge construction on Rt. 83, just upstream.

I did sequential contracts for USACE in this area over a three year period attempting re-establishment of *Spiraea virginiana*. Three clones were ultimately out-planted in the immediate area. One thrived and the other two were destroyed, so there are several areas containing appropriate habitat near the proposed construction. The most suitable area, where the species may have occurred in the past, is on the south bank of the Cranes Nest River, just downstream from the mouth of Big Branch. This area has been bank stabilized several times in the past, and has been massively disturbed by both natural and anthropomorphic actions. It has been filled, grassed, and mowed for many years.

When I was doing the initial feasibility surveys for the out-plantings, I carefully surveyed this entire area and walked up Big Branch to approximately stream crossing #4 on the Mitigation Map. There was no appropriate habitat further upstream than the temporary wetland crossing illustrated on the map. The stream had a well-developed canopy and did not have sufficient flow to accomplish the erosion necessary to maintain this species. **No populations of *Spiraea virginiana* are present on proposed construction areas as shown on the Mitigation Map.**

As a result of having re-visited the area many times and over many years, I feel confident about these statements without the necessity of another redundant field

survey. If you have further questions or comments, I would be happy to address them. I am emailing a copy of this note directly to USFWS, and if they have concerns I will be happy to contact them directly.

Thank you very much.

Douglas W. Domenech  
Secretary of Natural Resources



David A. Johnson  
Director

COMMONWEALTH of VIRGINIA  
DEPARTMENT OF CONSERVATION AND RECREATION

Division of Natural Heritage  
217 Governor Street  
Richmond, Virginia 23219-2010  
(804) 786-7951

October 18, 2011

April Lane  
The Lane Group, Inc.  
PO Box 1340  
Chilhowie, VA 24319

Re: Dickenson County Public School System Improvements Project

Dear Ms. Lane:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

**Rose Ridge New Construction:**

According to the information currently in our files, the Cranes Nest River-Rush Creek Stream Conservation Unit is located within the project site. Stream Conservation Units (SCUs) identify stream reaches that contain aquatic natural heritage resources, including 2 miles upstream and 1 mile downstream of documented occurrences, and all tributaries within this reach. SCUs are also given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain. The Cranes Nest River-Rush Creek SCU has been given a biodiversity ranking of B4, which represents a site of moderate significance. Natural heritage resources associated with this site are:

*Cambarus veteranus*

Big Sandy crayfish

G3/S1S2/SOC/LE

The Big Sandy crayfish is known from a small area which includes parts of West Virginia, Kentucky and Virginia. It is possibly extirpated from West Virginia and it may be reduced by as much as half of its known range in Virginia since its first discovery (NatureServe, 2009). In Virginia, it is known from two counties, Buchanan and Dickenson, in the Russell Fork River drainage. It inhabits moderately sized streams (10-20 meters wide) with bedrock, cobble, boulder, and sand substrate and permanent, fast-flowing water (NatureServe, 2009). This rare crayfish is listed as endangered by the Virginia Department of Game and Inland Fisheries (VDGIF). It is also listed as a species of concern by the Virginia Field Office of the United States Fish and Wildlife Service (USFWS); however this designation has no legal status. Threats to the Big Sandy crayfish include mining activities, deforestation, and road construction which may negatively impact the water quality and habitat availability in the river substrate (NatureServe, 2009).

**Haysi High School Demolition, Haysi New Construction Elementary School, and Sandlick Elementary School Demolition:**

According to the information currently in our files, the McClure – Russell – Frying Pan Creek Stream Conservation Unit is located adjacent to the project site. The McClure – Russell – Frying Pan Creek SCU has been given a biodiversity ranking of B3, which represents a site of high significance. Natural heritage resources associated with this site are:

<i>Cambarus jezerinaci</i>	Powell River crayfish	G1G2/S1S2/SOC/NL
<i>Cambarus veteranus</i>	Big Sandy crayfish	G3/S1S2/NL/LE
<i>Cambarus sciotensis</i>	Scioto crayfish	G5/S2S3/NL/NL

The Powell River crayfish has a restricted range in southwestern Virginia and eastern Kentucky and Tennessee. In Virginia, it is found in first and second order spring-fed streams draining into the Powell River, living under rocks in mid-stream and along stream edges (Thoma, 2000). Please note that this species is listed as a species of concern by the Virginia Field Office of the United States Fish and Wildlife Service (USFWS); however this designation has no legal status. Threats to the Powell River crayfish include degradation of water quality due to deforestation and mining activities which may increase sediments, water temperatures, or pollutant loads (NatureServe, 2009). To minimize adverse impacts to the aquatic ecosystem the implementation of erosion and sediment control measures during all land disturbing activities should be undertaken.

The Scioto crayfish lives under flat, boulder-sized rocks in riffle areas of small to large, clean water streams (NatureServe, 2009). It is known from Kentucky, Ohio, West Virginia, and Virginia. In Virginia, the Scioto crayfish is restricted to the New River drainage in the southwest. This species is considered rare by the Virginia Department of Conservation, Division of Natural Heritage (Roble, 2006), but is not listed as threatened or endangered by the USFWS or the VDGIF. Harvesting of the Scioto crayfish for use as bait in the New River of West Virginia is considered as a threat in Virginia (NatureServe, 2009). Other general threats include activities such as deforestation and riverside development, which may lead to poor water quality conditions such as increased sediments, increased pollutant loads, and increased water temperatures.

**Ervington High School Demolition:**

According to the information currently in our files, the McClure River Stream Conservation Unit is located downstream from the project site. The McClure River SCU has been given a biodiversity ranking of B3, which represents a site of high significance. The natural heritage resources associated with this site are:

<i>Cambarus veteranus</i>	Big Sandy crayfish	G3/S1S2/SOC/LE
<i>Cambarus jezerinaci</i>	Powell River crayfish	G3/S1S2/NL/NL

**Clinchco Elementary School Demolition:**

According to the information currently in our files, the McClure River Near Clinch Stream Conservation Unit is located downstream from the project site. The McClure River Near Clinch SCU has been given a biodiversity ranking of B4, which represents a site of moderate significance. The natural heritage resource associated with this site is:

<i>Cambarus veteranus</i>	Big Sandy crayfish	G3/S1S2/SOC/LE
---------------------------	--------------------	----------------

To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. Due to the legal status of the Big Sandy crayfish,

DCR also recommends coordination with the VDGIF to ensure compliance with protected species legislation.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

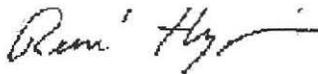
New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

A fee of \$485.00 has been assessed for the service of providing this information. Please find enclosed an invoice for that amount. Please return one copy of the invoice along with your remittance made payable to the Treasurer of Virginia, Department of Conservation and Recreation, 217 Governor Street, Richmond, VA 23219. Payment is due within thirty days of the invoice date. Please note late payment may result in the suspension of project review service for future projects.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,



S. René Hypes  
Project Review Coordinator

Cc: Ernie Aschenbach, VDGIF  
Tylan Dean, USFWS

#### Literature Cited

NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>. (Accessed: July 22, 2009 ).

Roble, S. M. 2006. Natural Heritage Resources of Virginia: Rare Animal Species. Natural Heritage Technical Report 06-10. Virginia Department of Conservation and Recreation, Division of Natural Heritage, Richmond, Virginia. 44 pages.

Thoma, Roger F. 2000. *Cambarus* (*Jugicambarus*) *jezerinaci* (Crustacea: Decapoda: Cambaridae), A New Species of Crayfish from the Powell River Drainage of Tennessee and Virginia. In the Proceedings of the Biological Society of Washington. 113(3): 731-738.



## COMMONWEALTH of VIRGINIA

### DEPARTMENT OF ENVIRONMENTAL QUALITY

SOUTHWEST REGIONAL OFFICE

Doug W. Domenech  
Secretary of Natural Resources

355 Deadmore Street, PO Box 1688, Abingdon, Virginia 24212

Phone (276) 676-4800 Fax (276)676-4899

[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

Dallas R. Sizemore  
Regional Director

September 30, 2011

Ms. April O. Lane  
The Lane Group, Inc.  
124 Depot Avenue  
Chilhowie, VA 24319

Re: Dickenson County: Public Schools Project

Dear Ms. Lane:

The Department of Environmental Quality fully supports the proposed Public School System Improvement Project. The completed project will have a positive impact on the lives of Virginia's citizens. Lead-based paint and asbestos abatement should be performed prior to any demolition work. A solid waste plan is necessary to deal with any waste generated.

The following discussion is provided as a guideline of programs administered by the Department of Environmental Quality (DEQ) and other agencies of the Commonwealth, which could be applicable to the proposed action. Final determination concerning potential impacts on these programs rests with DEQ's Southwest Regional Office and the appropriate agency administering each program. It is the responsibility of the applicant to coordinate development with these agencies.

This project includes:

- Rose Ridge – construction of 222,000 square feet of education and community space, athletic facilities, parking, and roadways. This facility will be served by a package wastewater plant that will discharge into Cranesnest River. This area is in the Big Sandy Subbasin, Hydrologic Unit Code 05070202 in VAS-Q14R, the Cranesnest River watershed, classified as Section 4, Class IV, mountainous zones waters in the Virginia Water Quality Standards. Cranesnest River is listed as impaired for the Recreation Use due to bacteria levels.
- New Elementary School construction southwest of Haysi and an access road; plans are not final. This area is in the Big Sandy Subbasin, Hydrologic Unit Code 05070202 in VAS-Q11R, the McClure River watershed, classified as Section 4,

Class IV, mountainous zones waters in the Virginia Water Quality Standards. No water quality impairments are known at this location.

- Demolition of detached structures in the floodplain at Haysi High. This area is in the Russell Fork of the Big Sandy Basin, Hydrologic Unit Code 05070202 in VAS-Q12R, classified as Section 4, Class IV, mountainous zones waters in the Virginia Water Quality Standards. No water quality impairments are known at this location.
- Demolition of Sandlick Elementary. This area is in the Russell Fork of the Big Sandy Basin, Hydrologic Unit Code 05070202 in VAS-Q10R, classified as Section 4, Class IV, mountainous zones waters in the Virginia Water Quality Standards. No water quality impairments are known at this location.
- Demolition of Ervington High. This area is in the Russell Fork of the Big Sandy Basin, Hydrologic Unit Code 05070202 in the McClure River drainage VAS-Q11R, classified as Section 4, Class IV, mountainous zones waters in the Virginia Water Quality Standards. No water quality impairments are known at this location.
- Demolition of Clinchco Elementary. This area is in the Russell Fork of the Big Sandy Basin, Hydrologic Unit Code 05070202 in the McClure River drainage. VAS-Q11R, classified as Section 4, Class IV, mountainous zones waters in the Virginia Water Quality Standards. Water quality impairments are known at this location for Recreation Use from excessive bacteria and Aquatic Life Use due to a poor benthic community. No TMDL has been developed.

The Department of Environmental Quality has no objections to the project provided that the applicant abides by all applicable state, Federal, and local laws and regulations. Prior to construction, all permits and approvals must be obtained. In general, development must incorporate features which prevent significant adverse impacts on ambient air quality, water quality, wetlands, historic structures, fish wildlife, and species of plants, animals, or insects listed by state agencies as rare, threatened, or endangered.

Demolition of the structures may result in materials containing lead or asbestos which must be considered hazardous wastes and require disposal as such. Please contact [Stacy.Bowers@deq.virginia.gov](mailto:Stacy.Bowers@deq.virginia.gov) for additional information.

**1. Water Quality and Wetlands.** Although no long-term adverse impacts to water quality are anticipated from this project, potential short-term adverse impacts resulting from surface runoff due to construction must be minimized. This can be achieved by using Best Management Practices (BMPs).

Federal and state governments regulate impacts to streams and wetlands. The Virginia Marine Resources Commission serves as the clearinghouse for the Joint Permit Application (JPA) used by: (1) U.S. Army Corps of Engineers for issuing permits pursuant to § 404 of the Clean Water Act and § 10 of the Rivers and Harbors Act; (2) Department of Environmental Quality for issuance of Virginia Water Protection Permit

pursuant to § 401 of the Clean Water Act, Virginia Code § 62.1-44.2 et seq., Virginia Code § 62.1-44.15:5, and Virginia Administrative Code 9 VAC 25-210-10 et seq.; and (3) Virginia Marine Resources Commission regulates encroachments on or over state-owned subaqueous beds as well as tidal wetlands pursuant to Virginia Code §28.2-1200 through 1400. Contact VMRC at (757) 247-2200 to determine the need for a JPA for this project. VMRC will distribute the application to the appropriate agencies. Each agency will conduct its review and respond.

In general, DEQ recommends that the amount of stream and wetland impacts be avoided to the maximum extent practicable. For unavoidable impacts, DEQ encourages the following practices to minimize the impacts to wetlands and waterways: use of directional drilling from upland locations; operation of machinery and construction vehicles outside of stream-beds and wetlands; use of synthetic mats when in-stream work is unavoidable; stockpiling of material excavated from the trench for replacement if directional drilling is not feasible; and preservation of the top 12 inches of trench material removed from wetlands for use as wetland seed and root stock in the excavated area. The Southwest Regional contact is Clairise Shaheen at (276) 676-4809 or email [crshaheen@deq.virginia.gov](mailto:crshaheen@deq.virginia.gov), if a permit is necessary to go forward with the project.

**2. Erosion and Sediment Control and Stormwater Management** Non-point source pollution resulting from this project should be minimal provided that effective erosion and sediment control practices and structures are employed. Denuded areas should be vegetated. Erosion and sediment control measures must be implemented in accordance with the current edition of the Virginia Erosion and Sediment Control Handbook and the Virginia Erosion and Sediment Control Regulations, which are available online: <http://www.dcr.virginia.gov/sw/e&s.htm#pubs>. If the total land disturbance exceeds 10,000 square feet, an erosion and sediment control plan will be required. A stormwater management plan may also be required. If you would like assistance regarding the requirements for plan submittal and content, contact Phyllis Hinch at the Department of Conservation and Recreation's Abingdon Office at (276) 676-5528 or email [phyllis.hinch@dcr.virginia.gov](mailto:phyllis.hinch@dcr.virginia.gov).

Furthermore, effective 29 January 2005, House Bill 1177 transferred regulatory authority of the Virginia Pollutant Discharge Elimination System (VPDES) programs related to municipal separate storm sewer systems (MS4s) and construction activities from State Water Control Board to the Soil and Water Conservation Board and transferred oversight of these programs from DEQ to the Virginia Department of Conservation and Recreation (DCR). As such, DCR is responsible for the issuance, denial, revocation, termination and enforcement of VPDES permits for the control of stormwater discharges from MS4s and land disturbing activities under the Virginia Stormwater Management Program. DEQ will continue to manage the remaining VPDES program. Therefore, for any land disturbing activities equal to one acre or more, the applicant is required to apply to DCR for registration coverage under the General Permit for Discharges of Stormwater from Construction Activities. Specific

questions regarding the Stormwater Management Program requirements should be directed to Eric Capps, DCR, at (804) 786-3957, e-mail [eric.capps@dcr.virginia.gov](mailto:eric.capps@dcr.virginia.gov) or Elizabeth Abe at (276) 676-5528, email [elizabeth.abe@dcr.virginia.gov](mailto:elizabeth.abe@dcr.virginia.gov).

**3. Air Quality.** This project is not likely to adversely affect air quality. However, during construction fugitive dust must be kept at a minimum. This requires, but is not limited to, measures such as application of water to suppress dust, and washing down construction vehicles and paved roadways immediately adjacent to the construction site. Please note any process equipment that prepares coal via breaking, crushing, screening, wet or dry cleaning, thermal drying, etc. should be evaluated for permit applicability. The following sections of Virginia Administrative Code (VAC) may be applicable: 9 VAC 5-50-60 *et. seq.*, governs abatement of visible emissions and fugitive dust emissions, and 9 VAC 5-40-5600 *et. seq.* addresses open burning. The Southwest Regional contact is Crystal Bazyk at (276) 676-4829, email [ccbazyk@deq.virginia.gov](mailto:ccbazyk@deq.virginia.gov).

**4. Solid and Hazardous Wastes, and Hazardous Substances.** DEQ administers the Virginia Solid Waste Management Regulations and the Virginia Hazardous Waste Management Regulations. We recommend that all solid wastes generated at the site be reduced at the source, reused, or recycled. All hazardous wastes should be minimized. Otherwise, all solid waste, hazardous waste, and hazardous material must be managed in accordance with all applicable federal, state, and local environmental regulations. Please contact DEQ's Southwest Regional Office at (276) 676-4800 concerning location and availability of waste management facilities in the project area.

**5. Pesticides and Herbicides.** DEQ recommends that the use of herbicides or pesticides for construction or landscape maintenance should be in accordance with the principles of integrated pest management. The least toxic pesticides that are effective in controlling the target species should be used. Please contact the Department of Agriculture and Consumer Services at (804) 786-3501 for more information.

**6. Pollution Prevention.** DEQ recommends that construction projects incorporate the principles of pollution prevention including the following recommendations:

- Consider environmental attributes when purchasing materials. For example, the extent of recycled material content and toxicity level should be considered.
- Consider contractors' commitments to the environment when choosing contractors. Also, specifications regarding raw material selection (alternative fuels and energy sources) and construction practices can be included in contract documents and requests for proposals.
- Choose sustainable practices and materials in infrastructure and construction and design. These could include asphalt and concrete containing recycled materials and integrated pest management in landscaping.
- Integrate pollution prevention techniques into maintenance and operation activities to include source reduction (fixing leaks, energy efficient products).

Pollution prevention measures are likely to reduce potential environmental impacts and reduce costs for material purchasing and waste disposal. For more information, contact Sharon Baxter, DEQ's Office of Pollution Prevention, at (804) 698-4344.

**7. Energy Conservation.** The structure should be planned and designed to comply with state and federal guidelines and industry standards for energy conservation and efficiency. For example, energy efficiency of the structures can be enhanced by maximizing the use of the following:

- thermally-efficient building shell components (roof, wall, floor, and insulation);
- high efficiency heating, ventilation, air conditioning systems; and
- high efficiency lighting systems.

Gerald Wilkes, Department of Mines, Minerals and Energy, at (434) 951-6364 should be contacted for assistance in meeting this challenge.

**8. Natural Heritage Resources.** The Department of Conservation and Recreation's Division of Natural Heritage (DNH) can search its Biotics Data System (BDS) for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered animal and plant species, unique or exemplary natural communities, and significant geologic communities.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Department of Conservation and Recreation (DCR), DCR has the authority to report for VDACS on state-listed plant and insect species. We recommend that the DNH be contacted at (804) 786-7951, to secure updated information on natural heritage resources before the project is implemented.

**9. Wildlife Resources.** The Department of Game and Inland Fisheries (DGIF), as the Commonwealth's wildlife and freshwater fish management agency, exercises enforcement and regulatory jurisdiction over wildlife and freshwater fish, including state or federally listed endangered or threatened species, but excluding listed insects (*Virginia Code* Title 29.1). DGIF is a consulting agency under the U.S. Fish and Wildlife Coordination Act (16 U.S.C. sections 661 *et seq.*), and provides environmental analysis of projects or permit applications coordinated through DEQ and several other state and federal agencies. DGIF determines likely impacts upon fish and wildlife resources and habitat, and recommends appropriate measures to avoid, reduce, or compensate for those impacts. For more information, see the DGIF website at [www.dgif.state.va.us](http://www.dgif.state.va.us) or contact Ray Fernald at (804) 367-6913.

**10. Historic and Archaeological Resources.** *Section 106 of the National Historic and Preservation Act of 1966*, as amended, requires that activities that receive federal funding must consider effects to properties that are listed or eligible for listing on the

Washington County –Exit 14 Wastewater Project  
September 30, 2011  
Page 6

National Register of Historic Places. The Department of Historic Resources (DHR) conducts reviews of projects to determine their effect on historic structures or cultural resources. If applicable, contact DHR. In the event that archaeological resources are encountered during construction, immediately contact Ms. Ethel Eaton, DHR, at (804) 367-2323.

Thank you for your inquiry. We appreciate your interest in complying with Virginia's environmental legislation. If you have any further questions please do not hesitate to call Teresa Frazier at (276) 676-4805.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen J. Newman". The signature is written in a cursive style with a long horizontal flourish at the end.

Allen J. Newman, P.E.  
Water Permit Manager

cc. file



# COMMONWEALTH of VIRGINIA

Douglas W. Domenech  
Secretary of Natural Resources

**Department of Historic Resources**  
2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick  
Director

Tel: (804) 367-2323  
Fax: (804) 367-2391  
TDD: (804) 367-2386  
[www.dhr.virginia.gov](http://www.dhr.virginia.gov)

October 17, 2011

Ms. April O. Lane  
The Lane Group, Inc.  
P.O. Box 1340  
Chilhowie, VA 24319

Re: Dickenson County Public School System Improvements  
Dickenson County, Virginia  
DHR File No. 2009-1380

Dear Ms. Lane:

We have received your request for comments on the project referenced above. The project, as presented, is the demolition of three existing school and several structures near Haysi High School, and the construction of two new schools. Our comments are provided as assistance to USDA – Rural Utilities Service and the Army Corps of Engineers in meeting their responsibilities under Section 106 of the National Historic Preservation Act.

Our Archives show a few recorded historic resources in the immediate vicinity of the six discontinuous project areas. Of high concern is a cluster of resources near Haysi High School that has been determined eligible for listing in the National Register of Historic Places. The structures scheduled for demolition near Haysi High School may include these NR-eligible resources. To aid in the identification of historic properties that may be affected by this undertaking we recommend reconnaissance-level architectural survey of all structures proposed for demolition and standing structures in the immediate vicinity of the proposed new schools and archaeological survey of the proposed sites of the new schools, including land for all associated utilities and infrastructure, and all previously undisturbed areas to be impacted by the demolition of the existing schools. The recommended studies must be completed by qualified professionals in the appropriate discipline and in accordance with DHR's *Survey Guidelines*. Two hardcopies and one digital copy of all reports should be submitted to DHR for review. Once we have the results of the studies, we will advise you on the need for any further evaluations.

Thank you for requesting our comments on this project. If you have any questions concerning our review, please do not hesitate to contact me at [roger.kirchen@dhr.virginia.gov](mailto:roger.kirchen@dhr.virginia.gov).

Sincerely,

Roger W. Kirchen, Archaeologist  
Office of Review and Compliance

Administrative Services  
10 Courthouse Avenue  
Petersburg, VA 23803  
Tel: (804) 862-6416  
Fax: (804) 862-6196

Capital Region Office  
2801 Kensington Avenue  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391

Tidewater Region Office  
14415 Old Courthouse Way  
2<sup>nd</sup> Floor  
Newport News, VA 23608  
Tel: (757) 886-2807  
Fax: (757) 886-2808

Western Region Office  
962 Kime Lane  
Salem, VA 24153  
Tel: (540) 387-5428  
Fax: (540) 387-5446

Northern Region Office  
5357 Main Street  
P.O. Box 519  
Stephens City, VA 22655  
Tel: (540) 868-7029  
Fax: (540) 868-7033

## April Lane

---

**From:** Necessary, Donny Jr. [Donald.Necessary@VDOT.Virginia.gov]  
**Sent:** Monday, September 26, 2011 9:31 AM  
**To:** April Lane  
**Cc:** Adkins, Chris; Halloway, Marty, P.E.  
**Subject:** Dickenson County Public School System Improvements Project  
Ms. Lane:

The VDOT Bristol District Planning Investment Management Division has review the submitted package for the proposed schools relocation and demolition. The developments will be required to comply with Chapter 527 2006 Acts of Assembly added § 15.2-2222.1 to the *Code of Virginia*. These guidelines can be found at the following link <http://www.vdot.virginia.gov/projects/chapter527/default.asp> The locality will determine the application of the code and make determination of the required traffic impact study.

In addition, the new access road mentioned will need to comply with the access management policies as set forth in the link attached.

<http://www.virginiadot.org/projects/accessmgt/default.asp>

Should you have any questions, please contact Bristol VDOT Planning and Investment Office Mr. Marty Halloway - Land Development Engineer - (276) 669-6151

*D. A. "Donny" Necessary, Jr.*

Virginia Department of Transportation

Bristol District Planner

870 Bonham Road

Bristol, VA

Office (276) 669-9956

Cell (276) 591-9545

## April Lane

---

**From:** Owen, Randy (MRC) [Randy.Owen@mrc.virginia.gov]

**Sent:** Thursday, October 20, 2011 6:31 PM

**To:** April Lane

**Subject:** Dickenson County Public School System Improvements Project

**Please be advised that the Commission, pursuant to Section 28.2-1200 et seq of the Code of Virginia, has jurisdiction over any encroachments in, on, or over the beds of the bays, ocean, rivers, streams, or creeks which are the property of the Commonwealth. Accordingly, if any portion of the subject project involves any encroachments channelward of ordinary high water along natural rivers and streams above the fall line or mean low water below the fall line, a permit may be required from our agency. Any jurisdictional impacts will be reviewed by VMRC during the Joint Permit Application process. Thank you for the opportunity to comment.**

**McComas II, Michael**

---

**From:** Sumalee\_Hoskin@fws.gov  
**Sent:** Wednesday, August 15, 2012 10:18 AM  
**To:** McComas II, Michael  
**Subject:** Fw: NAO-2011-00652 Dickenson County School Consolidation

Michael,  
I'm sorry, I forgot to cc you on this email.  
Sumalee

Note: Our phone lines are not working properly. Please try 804 824 9720 or 9740 to reach me.  
My ext. is 128

\*\*\*\*\*

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

Tel: 804-693-6694 ex. 128  
Fax: 804-693-9032  
Visit us at <http://www.fws.gov/northeast/virginiafield/>

----- Forwarded by Sumalee Hoskin/R5/FWS/DOI on 08/15/2012 10:16 AM -----

Sumalee Hoskin/R5/FWS/DOI  
08/14/2012 04:51 PM

To  
"Cannella, Carolyn M NAO" <[Carolyn.M.Cannella@usace.army.mil](mailto:Carolyn.M.Cannella@usace.army.mil)>

cc

Subject  
Re: NAO-2011-00652 Dickenson County School ConsolidationSumalee Hoskin  
<[Notes:///85256879004197D0/DABA975B9FB113EB852564B5001283EA/E6A99A32F216659987257A56004F437C](mailto:///85256879004197D0/DABA975B9FB113EB852564B5001283EA/E6A99A32F216659987257A56004F437C)>

Carolyn,  
We have reviewed the survey report entitled "Mist Net Survey For Endangered Bats on Dickenson County School Consolidated Campus, Dickenson County, Virginia," dated June 21, 2012 and received on June 22, 2010. The following comments are provided under provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended.

This survey, conducted by an approved surveyor from June 2 through June 5, 2012, found suitable habitat for the federally listed endangered Indiana bat, but none were captured during the field survey. Based on that survey report, it is the U.S. Fish and Wildlife Service's opinion that the Indiana bat does not currently occur at the project site and therefore, the referenced project is not likely to adversely affect this species. This survey is valid for three years.

Additionally, we have reviewed the correspondence from Mr. Doug Ogle subject line "Dickenson Schools, Consolidated Campus, Project #12-595," dated June 1, 2012. Mr. Ogle is an approved surveyor and had conducted extensive field work in the project area. The area has been heavily disturbed there is no appropriate habitat in the area. Based on Mr. Ogle's determination, it is the U.S. Fish and Wildlife Service's opinion that the Virginia spiraea does not currently occur at the project site and therefore, the referenced project is not likely to adversely affect this species. This determination is valid for two years.

We have reviewed the wetland and stream mitigation and have no comment.

Should project plans change or if additional information on the distribution of listed species or critical habitat becomes available, these determinations may be reconsidered. If you have any questions, please contact me.

Sumalee

Note: Our phone lines are not working properly. Please try 804 824 9720 or 9740 to reach me. My ext. is 128

\*\*\*\*\*

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

Tel: 804-693-6694 ex. 128

Fax: 804-693-9032

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

Inactive hide details for "Cannella, Carolyn M NAO"  
<[Carolyn.M.Cannella@usace.army.mil](mailto:Carolyn.M.Cannella@usace.army.mil)>"Cannella, Carolyn M NAO"  
<[Carolyn.M.Cannella@usace.army.mil](mailto:Carolyn.M.Cannella@usace.army.mil)>

"Cannella, Carolyn M NAO" <[Carolyn.M.Cannella@usace.army.mil](mailto:Carolyn.M.Cannella@usace.army.mil)>

08/10/2012 10:25 AM

To

"[Sumalee Hoskin@fws.gov](mailto:Sumalee.Hoskin@fws.gov)" <[Sumalee Hoskin@fws.gov](mailto:Sumalee.Hoskin@fws.gov)>

cc

"McComas II, Michael" <[Michael.D.MccomasII@usace.army.mil](mailto:Michael.D.MccomasII@usace.army.mil)>, "[lbhale@drallen.net](mailto:lbhale@drallen.net)"  
<[lbhale@drallen.net](mailto:lbhale@drallen.net)>

Subject

NAO-2011-00652 Dickenson County School Consolidation

Sumalee -

The comment period for the attached public notice closes on Monday, August 13th. Will the USFWS be submitting comments to the Norfolk District in response to this notice, or will you provide a determination to the Huntington District for the overall Sec 202 project? I can utilize the Huntington determination in my 404 permit action as the scope is the same or larger for the Huntington project.

In either case, is there a projected time for completion of your agency's review of the submitted surveys regarding the project?

Thank you.

Carolyn Cannella  
Environmental Scientist  
Walker Mountain Regulatory Field Office  
434-607-7487

The Norfolk District is committed to providing the highest level of support to the public. In order for us to better serve you, we would appreciate you completing our Customer Satisfaction Survey located at <http://per2.nwp.usace.army.mil/survey.html>. We value your comments and appreciate your taking the time to complete the survey.



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
HUNTINGTON DISTRICT, CORPS OF ENGINEERS  
502 EIGHTH STREET  
HUNTINGTON, WEST VIRGINIA 25701-2070

August 27, 2012

Planning, Programs and Project Management Division  
Planning Branch, Environmental Analysis Section

Ethel Eaton, Senior Policy Analyst  
Division of Resources Services and Review  
2801 Kensington Avenue  
Richmond, VA 23221

Re: Proposed Consolidated Middle School/High School Complex, Dickenson County, Virginia  
(DHR File No. 2009-1380)

Dear Ms. Eaton:

Dickenson County, Virginia is proposing a consolidated middle school/high school complex on State Route 637 between Clintwood and Clinchco, Virginia. The consolidation is receiving funding from both the U.S. Army Corps of Engineers (USACE) and the US Department of Agriculture Rural Development Authority (USDA). The proposed consolidation therefore qualifies as a Federal undertaking as defined by Section 106 of the National Historic Preservation Act of 1966 (U.S.C. 470(f)). The USACE has assumed the role of Lead Federal agency as it relates to statutory compliance under 36 C.F.R. 800.2(a)(2). Therefore, the USACE is required to consider effects to historic properties.

**PROJECT DESCRIPTION**

The new middle school/high school complex is authorized by the USACE under Section 202 of the Energy and Water Development Appropriation Act of 1981 (P.L. 96-367), as amended by Section 336 of the Water Resources Development Act of 2000 (P.L. 106-543). The project is receiving funding from the USACE as well as additional funding from the USDA through the American Recovery and Reinvestment Act (ARRA) of 2009.

The mission of the Section 202 program is to relocate or floodproof existing buildings that are located in the floodplain/floodway. An initial study was completed by the USACE identified 225 structures located in the floodplain or floodway along the Russell Fork and upstream tributaries in Dickenson County, Virginia. Among the 225 structures, four (4) schools were identified. The schools include Sandlick Elementary School, Clinchco Elementary School, Ervinton High School, and the lower buildings of Haysi High School.

The county is currently developing plans to construct a consolidated middle school/high school for the above referenced schools. An elementary school is also included in the Section 202 program, but the location of the elementary school has yet to be identified. The consolidated middle school/high school will consist of the campus area encompassing approximately 107 acres. The campus is comprised of a school building, vocational building, football stadium, baseball field, softball field, tennis courts, practice fields, parking lots, and a two-lane access road. Additional facilities associated with the middle school/high school include a sewage

treatment plant with approximately 10,700 feet of sewer outfall line which terminates in a leachate field along the Cranes Nest River, as well and spot improvements along State Route 637 for approximately 1.00 miles from its intersection with State Route 83 to the school site. Turn lanes will also be constructed on Rt. 637 at the school entrance. As part of the undertaking, the four (4) identified schools will be demolished.

Lyle Browning and Associates, Ltd. completed a Phase I cultural resources survey for the proposed undertaking in August, 2011 and January, 2012. The Phase I survey identified two (2) archeological sites within the proposed sewer outfall line (44DK0044 and 44DK0045), as well as one (1) chert flake, two (2) clear bottle glass fragments, and one (1) whiteware sherd within the proposed middle school/high school location, which do not meet the established threshold for archeological site classification. The Phase I report also evaluated the four (4) schools scheduled from demolition, as well as the viewshed around all of the project components. A supplemental evaluation was conducted by the USACE for proposed mitigation sites related to stream and wetland impacts associated with the middle school/high school site development. Cultural resources were not encountered as part of the supplemental evaluation.

#### **DETERMINATION OF EFFECTS TO HISTORIC PROPERTIES**

The enclosed Phase I survey determined that the two (2) identified archeological sites will not be affected by the proposed undertaking. The sewer outfall line will be laid on the surface with buffers to avoid effects to the two 20<sup>th</sup> century archeological sites. The sites, which were identified based upon a visual inspection, local interviews and title research, are consistent with 1940s to 1960s domestic structures associated with coal mining. Identified standing structures within the project viewshed, as well as the four (4) schools scheduled for demolition, did not meet the eligibility criteria for the National Register of Historic Places.

#### **CONCLUDING STATEMENT**

In accordance with 36 CFR 800.4(d)(1), it is the USACE's determination that no historic properties will be affected by the proposed undertaking. Please submit any comments to my attention within 30 days. As per 36 CFR 800.4 (d)(1)(i), if the Virginia Department of Historic Resources does not object within this time frame, the USACE's responsibilities under Section 106 will be considered fulfilled. If you have any questions, please do not hesitate to contact Susan Stafford of my staff at 304-399-5729 or by email at [Susan.B.Stafford@usace.army.mil](mailto:Susan.B.Stafford@usace.army.mil).

A Phase I survey will be forthcoming for the proposed elementary school once the site location has been identified and evaluated.

Sincerely,



Jonathan J. Aya-ay  
Chief, Environmental Analysis Section

Enclosures



# COMMONWEALTH of VIRGINIA

## Department of Historic Resources

Douglas W. Domenech  
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick  
Director

Tel: (804) 367-2323  
Fax: (804) 367-2391  
TDD: (804) 367-2386  
www.dhr.virginia.gov

September 24, 2012

Susan B. Stafford  
U.S. Army Corps of Engineers, Huntington District  
502 Eighth Street  
Huntington, WV 25701-2070

RE: *Rose Ridge School Construction Project Dickenson County, Virginia Phase I Intensive Cultural Resources Survey* (DHR File No. 2009-1380)

Dear Ms. Stafford:

We have received for review a revised version of the report referenced above prepared by Browning & Associates, Ltd. on behalf of The Lane Group. Our comments are provided as assistance to the United States Army Corps of Engineers, Huntington District in meeting its responsibilities under Section 106 of the National Historic Preservation Act. The referenced report represents the fourth draft summarizing the cultural resources investigations conducted in support of this project. The current report draft discusses the results of the cultural resources survey at the site of the proposed new high and middle school complex as well as discusses the buildings to be demolished at the Sandlick Elementary School, Haysi High School, Clinchco Elementary School, and Ervinton High School complexes. At present, DHR has received a sufficient amount of information to determine the National Register of Historic Places (NRHP) eligibility of the resources located within the project's area of potential effect (APE).

The Phase I archaeological survey conducted in support of the project identified two new sites, 44DK0044 and 44DK0045. Both of these resources represented the ephemeral remains of a miner's house site dating to ca. 1940-1980. Due to their poor condition, overall lack of artifactual material, and low potential to contain intact subsurface deposits, DHR agrees with Browning & Associates recommendation that **Sites 44DK0044 and 44DK0045** are not eligible for the NRHP. No additional investigations are warranted for these resources.

The architectural survey identified 11 new properties within the Rose Ridge APE. These resources included: **1717 Rose Ridge (DHR ID# 025-5173), Gladys Counts House (DHR ID# 025-5174), 873 Rose Ridge (DHR ID# 025-5177), 1199 Rose Ridge (DHR ID# 025-5178), 1388 Rose Ridge (DHR ID# 025-5179), 1603 Rose Ridge (DHR ID# 025-5180), Bungalow, No Address (DHR ID# 025-5181), Bungalow, No Address (DHR ID# 025-5182), Counts Cemetery (DHR ID# 025-5183), Fleming/Adams Cemetery (DHR ID# 025-5184), and the Grady Fleming Cemetery (DHR ID# 025-5185).**

In addition to these properties, Browning & Associates investigated the following school facilities which are scheduled to be demolished as part of the proposed project: **Sandlick Elementary School (DHR ID# 025-5175), Ervinton High School (DHR ID# 025-5176), Clinchco Elementary School (DHR ID# 339-5001), and Haysi High School (DHR ID# 234-5002).**

Administrative Services  
10 Courthouse Ave.  
Petersburg, VA 23803  
Tel: (804) 862-6416  
Fax: (804) 862-6196

Capital Region Office  
2801 Kensington Office  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391

Tidewater Region Office  
14415 Old Courthouse Way  
2<sup>nd</sup> Floor  
Newport News, VA 23608  
Tel: (757) 886-2807  
Fax: (757) 886-2808

Western Region Office  
962 Kime Lane  
Salem, VA 24153  
Tel: (540) 387-5443  
Fax: (540) 387-5446

Northern Region Office  
5357 Main Street  
P.O. Box 519  
Stephens City, VA 22655  
Tel: (540) 868-7029  
Fax: (540) 868-7033

Rose Ridge School Construction Project (DHR File No. 2009-1380)  
September 24, 2012  
Page 2

Based upon the data presented in the report, DHR agrees with the consultant's recommendation that each of these resources are not eligible for the NRHP and no additional investigations are warranted. Although the Counts Cemetery, Fleming/Adams Cemetery, and Grady Fleming Cemetery are not eligible for the NRHP, if these resources cannot be avoided by the proposed project, we recommend the Corps continue consultation with DHR to insure proper treatment and, if necessary, removal and relocation of their associated remains.

Given these findings, DHR agrees with the Corps that the Rose Ridge School Construction project will have **No Effect** on historic properties.

Thank you for giving us the opportunity to comment on this project. If you have any questions concerning our comments, or if we may provide any further assistance, please do not hesitate to contact me at (804) 482-6452; [brad.mcdonald@dhr.virginia.gov](mailto:brad.mcdonald@dhr.virginia.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad McDonald', with a stylized flourish at the end.

Brad McDonald, Archaeologist  
Office of Review and Compliance

c. Vincent Pero, USACE-Norfolk