

# **ATTACHMENT A**

Dominion Energy Services, Inc.  
5000 Dominion Boulevard,  
Glen Allen, VA 23060



September 8, 2017

**BY E MAIL**

Ms. Amy Ewing  
Virginia Department of Game and Inland Fisheries  
7870 Villa Park Drive  
Henrico, VA 23228  
[Amy.Ewing@dgif.virginia.gov](mailto:Amy.Ewing@dgif.virginia.gov)

**Re: Atlantic Coast Pipeline  
Waterbody Time of Year Restriction Waiver Request in Virginia**

Dear Ms. Ewing:

Atlantic Coast Pipeline, LLC (Atlantic) is pleased to provide the enclosed table detailing the time of year restriction (TOYR) waivers being requested for the listed waterbodies along the proposed Atlantic Coast Pipeline (ACP) Project in Virginia. During construction planning, Atlantic and its contractor identified waterbodies where construction is anticipated to occur during the recommended TOYRs. Atlantic has identified 67 waterbodies where a waiver is required to accommodate the proposed sequence of construction.

As shown in the table, the waiver request is for installation of bridge center supports or tie-in of the pipeline at waterbody crossings. Six of the listed waterbodies require a waiver for both the bridge center support and tie-in installation. Additionally, 6 of the listed waterbodies require a waiver for only the bridge center support installation and 55 of these waterbodies require a waiver only during the tie-in installation. The waterbodies where bridge center support is needed includes only those waterbodies that are wide enough that a single span bridge is not feasible, thus requiring installation of a center support to allow safe passage. Because of the variability in the pace of construction Atlantic has estimated a time window for each proposed crossing, which is listed in columns T and U of the enclosed table as the period for which a waiver is requested.

We appreciate your review and request your concurrence on the enclosed information. Please contact Spencer Trichell at (804) 273-3472 or [Spencer.Trichell@dominionenergy.com](mailto:Spencer.Trichell@dominionenergy.com) if there are questions regarding this report. Please direct written responses to:

Richard B. Gangle  
Dominion Energy Services, Inc.  
5000 Dominion Boulevard  
Glen Allen, Virginia 23060

Ms. Ewing  
September 8, 2017  
Page 2 of 2

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Gangle', written over a horizontal line.

Richard B. Gangle  
Environmental Manager, Atlantic Coast Pipeline

Cc: Spencer Trichell, Dominion  
Amy Ewing, Virginia Department of Game and Inland Fisheries  
Rick Reynolds, Virginia Department of Game and Inland Fisheries

Enclosure:  
Waterbody Time of Year Restriction Waiver Request in Virginia Table

**Waterbody Time of Year Restriction Waiver Request in Virginia for the Atlantic Coast Pipeline Project**

State	Spread	County	Project Segment	Federal Land Management	Facilities Crossed	Milepost	Unique ID	Feature_Name	Federal Time of Year Restriction (TOYR)	Anadromous Fish TOYR	State Mussels and Fisheries TOYR	Trout/Cold & Sensitive Fisheries TOYR	Waiver Request for Center Support Bridge Installation	Waiver Request for Tie-In Installation
Virginia	4	Highland County	AP-1		Perm ROW, Surv Cor, Temp ROW	91.4	nhd_va_j_002	Morris Run				March 15 to June 30	N/A	4/29/2019-5/13/2019
Virginia	4	Highland County	AP-1		Perm ROW, Surv Cor, Temp ROW	91.5	nhd_va_j_003	Jackson River			May 15 to July 31	October 1 to March 31 / March 15 to May 15/March 15 to June 30	3/25/2019 - 4/8/2019	4/30/2019-5/14/2019
Virginia	4	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	97.8	sbaa015	Cowpasture River	May 15 to July 31		May 15 to July 31	March 15 to June 30	5/15/2019 - 5/29/2019	N/A
Virginia	4	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	97.8	sbaa016	UNT to Cowpasture River			May 15 to July 31		5/14/2019 - 5/28/2019	7/5/2019-7/19/2019
Virginia	4	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	97.9	nhd_va_n_002	UNT to Cowpasture River			May 15 to July 31		N/A	7/6/2019-7/20/2019
Virginia	4	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	98.0	nhd_va_n_006	UNT to Cowpasture River			May 15 to July 31		N/A	7/6/2019-7/20/2019
Virginia	4	Bath County	AP-1	GWNF	Perm ROW, Surv Cor, Temp ROW	98.3	sbaa005	UNT to Cowpasture River			May 15 to July 31		5/22/2019 - 6/5/2019	7/10/2019-7/24/2019
Virginia	4	Bath County	AP-1	GWNF	Perm ROW, Surv Cor, Temp ROW	98.9	sbaa006	UNT to Cowpasture River			May 15 to July 31		N/A	7/17/2019-7/31/2019
Virginia	4	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	99.0	sbaa007	UNT to Cowpasture River			May 15 to July 31		N/A	7/22/2019-8/5/2019
Virginia	4	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	100.7	sbaa001	Stuart Run				March 15 to June 30	6/10/2019 - 6/24/2019	N/A
Virginia	4	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	103.1	sbar008	Mill Creek			May 15 to July 31		6/29/2019 - 7/13/2019	N/A
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	103.1	sbar009	UNT to Mill Creek			May 15 to July 31		N/A	5/29/2018-6/12/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	103.6	sbar006	UNT to Mill Creek			May 15 to July 31		N/A	6/4/2018-6/18/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	103.8	sbar005	UNT to Mill Creek			May 15 to July 31		N/A	6/6/2018-6/20/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	103.9	sbar004	UNT to Mill Creek			May 15 to July 31		N/A	6/6/2018-6/20/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Cor, Temp ROW	104.0	sbar003	UNT to Mill Creek			May 15 to July 31		N/A	6/7/2018-6/21/2018

Virginia	4A	Bath County	AP-1		Perm ROW, Surv Corr, Temp ROW	104.1	sbar002	UNT to Mill Creek		May 15 to July 31		N/A	6/8/2018-6/22/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Corr, Temp ROW	104.2	nhd_va_j_01 7	UNT to Mill Creek		May 15 to July 31		N/A	6/9/2018-6/23/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Corr, Temp ROW	104.4	nhd_va_j_01 8	UNT to Mill Creek		May 15 to July 31		N/A	6/11/2018-6/25/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Corr, Temp ROW	104.6	nhd_va_j_01 9	UNT to Mill Creek		May 15 to July 31		N/A	6/13/2018-6/27/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Corr, Temp ROW	104.8	nhd_va_j_02 0	UNT to Mill Creek		May 15 to July 31		N/A	6/13/2018-6/27/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Corr, Temp ROW	104.8	nhd_va_j_02 1	UNT to Mill Creek		May 15 to July 31		N/A	6/13/2018-6/27/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Corr, Temp ROW	105.7	sbar015	UNT to Mill Creek		May 15 to July 31		N/A	6/20/2018-7/04/2018
Virginia	4A	Bath County	AP-1		Perm ROW, Surv Corr, Temp ROW	105.7	sbar016	UNT to Mill Creek		May 15 to July 31		N/A	6/20/2018-7/4/2018
Virginia	4A	Augusta County	AP-1		Perm ROW, Surv Corr, Temp ROW	110.1	sauc127	UNT to Calfpasture River		March 15 to June 30		6/22/2018 - 6/30/2018	N/A
Virginia	4A	Augusta County	AP-1	GWNF	Perm AR, Perm ROW, Surv Corr, Temp ROW	117.1	saua416	Dowell's Draft			October 1 to March 31	N/A	10/1/2018-10/14/2018
Virginia	4A	Augusta County	AP-1	GWNF	Perm ROW, Surv Corr, Temp ROW	117.2	saua418	UNT to Dowell's Draft			October 1 to March 31	N/A	10/1/2018-10/14/2018
Virginia	4A	Augusta County	AP-1	GWNF	Perm AR	117.2	saua418	UNT to Dowell's Draft			October 1 to March 31	N/A	10/1/2018-10/14/2018
Virginia	4A	Augusta County	AP-1	GWNF	Perm ROW, Surv Corr, Temp ROW	117.7	saua419	UNT to East Branch Dowell's Draft			October 1 to March 31	N/A	10/1/2018-10/9/2018
Virginia	4A	Augusta County	AP-1	GWNF	Perm ROW, Surv Corr, Temp ROW	122.5	saua421	UNT to Jennings Branch			October 1 to March 31	N/A	10/1/2018-11/4/2018
Virginia	4A	Augusta County	AP-1	GWNF	Perm ROW, Surv Corr, Temp ROW	122.8	saua422	UNT to Jennings Branch			October 1 to March 31	N/A	10/1/2018-11/5/2018
Virginia	4A	Augusta County	AP-1	GWNF	Perm ROW, Surv Corr, Temp ROW	123.0	saua423	UNT to Jennings Branch			October 1 to March 31	N/A	10/1/2018-11/7/2018
Virginia	5	Augusta County	AP-1		Perm ROW, Surv Corr, Temp ATWS, Temp ROW	153.8	nhd_va_a_00 1	Back Creek		March 15 to June 30		N/A	3/26/2019-4/9/2019
Virginia	6	Nelson County	AP-1		Perm ROW, Surv Corr, Temp ROW	183.3	snep005	UNT to Mayo Creek		April 15 to June 15 and August 15 to Sept 30		N/A	5/23/2018-6/6/2018

Virginia	6	Buckingham County	AP-1		Perm ROW, Surv Corr, Temp ROW	184.9	sbuc111	UNT to James River		March 15 to June 30	May 15 to July 31		N/A	6/14/2018-6/28/2018
Virginia	6	Buckingham County	AP-1		Perm ROW, Surv Corr, Temp ROW	185.0	sbuc110	UNT to James River		March 15 to June 30			N/A	5/25/2018-6/8/2018
Virginia	6	Buckingham County	AP-1		Perm ROW, Surv Corr	185.4	sbup017	UNT to James River		March 15 to June 30			N/A	6/14/2018-6/28/2018
Virginia	6	Prince Edward County	AP-1		Perm ROW, Surv Corr, Temp ROW	221.6	spek004	UNT to Appomattox River			May 15 to July 31		N/A	6/14/2018-7/1/2018
Virginia	6	Prince Edward County	AP-1		Perm ROW, Surv Corr, Temp ROW	221.8	spek006	UNT to Appomattox River			May 15 to July 31		N/A	7/14/2018-7/31/2018
Virginia	6	Prince Edward County	AP-1		Perm ROW, Surv Corr, Temp ROW	222.0	spek007	UNT to Appomattox River			May 15 to July 31		N/A	7/14/2018-7/31/2018
Virginia	6	Prince Edward County	AP-1		Perm ROW, Surv Corr, Temp ROW	222.1	spek008	UNT to Appomattox River			May 15 to July 31		N/A	7/14/2018-7/31/2018
Virginia	7	Dinwiddie County	AP-1		Perm ROW, Surv Corr, Temp ROW	252.7	sdim021	UNT to Butterwood Creek			March 15 to June 30		N/A	6/12/2019-6/26/2019
Virginia	7	Dinwiddie County	AP-1		Perm ROW, Surv Corr, Temp ROW	253.9	ddic001	UNT to Butterwood Creek			March 15 to June 30		N/A	6/12/2019-6/26/2019
Virginia	7	Dinwiddie County	AP-1		Perm ROW, Surv Corr, Temp ROW	254.0	sdic015	UNT to Butterwood Creek			March 15 to June 30		N/A	6/13/2019-6/27/2019
Virginia	7	Dinwiddie County	AP-1		Perm ROW, Surv Corr, Temp ROW	254.3	sdic013	UNT to Butterwood Creek			March 15 to June 30		N/A	6/13/2019-6/27/2019
Virginia	7	Dinwiddie County	AP-1		Perm ROW, Surv Corr, Temp ROW	255.9	sdib001	UNT to Beaver Pond Creek			March 15 to June 30		N/A	6/14/2019-6/28/2019
Virginia	7	Dinwiddie County	AP-1		Perm ROW, Surv Corr, Temp ROW	256.2	sdil001	Beaver Pond Creek			March 15 to June 30		N/A	6/18/2019-6/30/2019
Virginia	7	Dinwiddie County	AP-1		Perm ROW, Surv Corr, Temp ROW	256.5	sdil001	Beaver Pond Creek			March 15 to June 30		N/A	6/18/2019-6/30/2019
Virginia	7	Dinwiddie County	AP-1		Perm ROW, Surv Corr, Temp ROW	256.7	sdio017	UNT to Beaver Pond Creek			March 15 to June 30		N/A	6/20/2019-6/30/2019
Virginia	7	Dinwiddie County	AP-1		Perm ROW, Surv Corr, Temp ROW	256.8	sdio019	UNT to Beaver Pond Creek			March 15 to June 30		N/A	6/20/2019-6/30/2019
Virginia	7	Brunswick County	AP-1		Perm ROW, Surv Corr, Temp ROW	261.5	sbra202	UNT to Nottoway River			May 15 to July 31/March 15 to May 31/August 15 to Oct 15		N/A	6/26/2019-7/10/2019
Virginia	7	Brunswick County	AP-1		Perm ROW, Surv Corr, Temp ROW	267.4	sbrf014	Waqua Creek	March 15 to June 30		March 15 to June 30		5/9/2019 - 5/23/2019	N/A

Virginia	7	Brunswick County	AP-1		Perm ROW, Surv Corr, Temp ROW	267.9	sbro011	Big Branch			March 15 to June 30		5/11/2019 - 5/25/2019	N/A
Virginia	7	Brunswick County	AP-1		Perm ROW, Surv Corr	271.6	sbr005i	UNT to Sturgeon Creek			March 15 to June 30 and May 15 to July 31		N/A	7/13/2019-7/27/2019
Virginia	7	Brunswick County	AP-1		Perm ROW, Surv Corr, Temp ROW	271.9	sbr006i	UNT to Sturgeon Creek			March 15 to June 30 and May 15 to July 31		N/A	7/13/2019-7/27/2019
Virginia	7	Brunswick County	AP-1		Perm ROW, Surv Corr, Temp ROW	271.9	sbr008	UNT to Sturgeon Creek			March 15 to June 30 and May 15 to July 31		N/A	7/13/2019-7/27/2019
Virginia	7	Brunswick County	AP-1		Perm ROW, Surv Corr, Temp ROW	272.0	sbr007	Sturgeon Creek	March 15 to June 30		May 15 to July 31 /August 15 to October 15		5/17/2019 - 5/31/2019	7/13/2019-7/27/2019
Virginia	7	Brunswick County	AP-1		Perm ROW, Surv Corr, Temp ROW	272.9	sbro001	UNT to Spring Branch			March 15 to June 30 and May 15 to July 31		N/A	7/16/2019-7/30/2019
Virginia	7	Greensville County	AP-1		Perm ROW, Surv Corr, Temp ROW	285.9	sgra012	UNT to Meherrin River			April 15-June 15 and August 15 to Sept 30 /May 15 to July 31		N/A	8/8/2019-8/22/2019
Virginia	7	Greensville County	AP-1		Perm ROW, Surv Corr, Temp ROW	286.2	sgra014	UNT to Meherrin River			April 15-June 15 and August 15 to Sept 30 /May 15 to July 31		N/A	8/8/2019-8/22/2019
Virginia	7	Greensville County	AP-1		Perm ROW, Surv Corr, Temp ROW	286.8	sgra008	UNT to Meherrin River			May 15 to July 31 /April 15 to June 15 and August 15 to September 30		N/A	8/8/2019-8/22/2019
Virginia	11	Southampton County	AP-1		Perm ROW, Surv Corr, Temp ROW	30.7	wsoa017f	UNT to Nottoway River	March 15 to May 31 and August 15 to October 15; March 15 to June 30	February 15 to June 30	May 15 to July 31 /April 15 to June 15 and August 15 to September 30		6/3/2018 - 6/17/2018	8/15/2018-8/17/2018
Virginia	7	Greensville County	AP-3		Perm ROW, Surv Corr, Temp ROW	287.0	sgr0003	UNT to Meherrin River		February 15 to June 30	May 15 to July 31 /April 15 to June 15 and August 15 to September 30		N/A	8/9/2019-8/23/2019

## Jonathan Gendzier

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**From:** Ewing, Amy (DGIF) <Amy.Ewing@dgif.virginia.gov>  
**Sent:** Monday, January 08, 2018 1:43 PM  
**To:** Sara Thronson  
**Cc:** Fernald, Ray (DGIF); Bugas, Paul (DGIF); Smith, Scott (DGIF); Greenlee, Bob (DGIF); Watson, Brian (DGIF); Pinder, Mike (DGIF); Spencer Trichell; Whitehurst, David (DGIF)  
**Subject:** ESSLog# 34825\_AtlanticCoastPipeline\_TOYRLeniency\_DGIF\_AME20180108  
**Attachments:** 34825\_ACP\_2017instreamTOYRWaiverRequest\_DGIF\_AME20180105.xlsx  
**Importance:** High

Sara,  
We have reviewed the request for leniency from time of year restrictions (TOYRs) which we have recommended adherence to during instream work to ensure protection of listed species and designated wildlife resources. I have attached the stream crossing table with an added column, "DGIF Comments". You also will note that there is highlighting in this column: **Green** means that we are agreeable to the requested leniency; **Yellow** means that we believe instream work during the currently proposed times of year is likely to result in adverse impacts upon the listed species or designated resource but that we could provide leniency at other times of year, proposed in parenthesis, upon further coordination; **Red** means that we believe that instream work during the previously recommended TOYR is likely to result in adverse impacts upon the listed species or designated resource and that therefore we cannot support such work; a mix of two colors (red/green or yellow/green) indicates consideration of two different TOYRs with two different responses; and **Purple** means that there was missing or erroneous data impeding our ability to provide comments at this time. Also note some yellow highlighting in the column representing the TOYR we recommended....that highlighting is to call out corrections to the TOYR that had been listed in that column.

Because we noticed some discrepancies with the TOYR listed in the attached, we offer the below a list of TOYR associated with listed species and designated resources that have been documented from the project area. This information is also available online at : <https://www.dgif.virginia.gov/wp-content/uploads/VDGIF-Time-of-Year-Restrictions-Table.pdf>

We recommend that applicant ensure that the TOYR in both the attached and the larger FEIS table K-1 are correct, based on the species of consideration. In addition, to avoid confusion, we recommend that columns E and G of the attached table be renamed "Federally-recommended TOYR" and "State-recommended TOYR", respectively. As they are named now, it could be implied that data in these columns indicates presence of state or federally-listed species rather than state or federal recommendations.

### **Fishes:**

Roanoke logperch (federal endangered) : March 15 through June 30 of any year  
Orangeфин madtoms (state threatened): March 15 through June 30 of any year

Anadromous fishes upstream of fall line: March 15 through June 30 of any year  
Anadromous fishes below fall line: February 15 through June 30 of any year

Wild trout waters that support brook and/or brown trout: October 1 through March 31 of any year  
Wild trout waters that support rainbow trout: March 15 through May 15 of any year  
Stockable trout waters: No TOYR, recommend coordination with regional fisheries manager

### **Mussels:**

Dwarf wedgemussels (federal endangered): March 15 through May 31 and August 15 through October 15 of any year  
Green floaters (state threatened): April 15 through June 15 and August 15 through September 30 of any year  
Atlantic pigtoes (state threatened): May 15 through July 31 of any year  
James spiny mussels (federal endangered): May 15 through July 31 of any year

We understand, from Spencer Trichell, that the applicant will adhere to all other instream TOYRs, as indicated in FEIS table K-1. We continue to recommend adherence to instream work TOYRs listed in K-1 of the FEIS, unless indicated otherwise by the attached. We recognize that, as reflected in the attached spreadsheet, the applicant may only require a day or two of instream work at the beginning or end of a TOYR protective of a listed species or resources designated due



to the presence of such. We are happy to continue working with the applicant to address conflicts between our protective recommendations and their construction schedule on a case-by-case basis as the project schedule tightens up and reflects true on the ground work dates, but at this time have continued to recommend adherence to the full TOYRs for these sites.

We look forward to working with you and the applicant as this project moves forward.

Thanks and let me know if you need anything additional.

Amy

## **Amy M. Ewing**

*Environmental Services Biologist/FWIS Program Manager*

*Chair, Team WILD (Work, Innovate, Lead and Develop)*

804-367-2211 📞 [www.dgif.virginia.gov](http://www.dgif.virginia.gov)

*"That land is a community is the basic concept of ecology, but that land is to be loved and respected is an extension of ethics" Aldo Leopold, 1948*



DEPARTMENT OF  
**GAME & INLAND  
FISHERIES**  
CONSERVE. CONNECT. PROTECT.

County	Milepost	Unique ID	Feature Name	Federal Time of Year Restriction	Anadromous Fish TOYR	State Mussels and Fisheries TOYR	Trout/Cold & Sensitive Fisheries TOYR	Waiver Request for Center Support Bridge Installation	Waiver Request for Tie-In Installation	DGIF recommendations per stream crossing.
Highland County	91.4	hhd_va_j_00 2	Morris Run				March 15 to June 30	N/A	4/29/2019-5/13/2019	We are agreeable to rescinding the TOYR(s) previously recommended for work at this site.
Highland County	91.5	hhd_va_j_00 3	Jackson River			May 15 to July 31	October 1 to March 31 / March 15 to May 15/March 15 to June 30	3/25/2019 - 4/8/2019	4/30/2019-5/14/2019	We appreciate your willingness to adhere to the TOYR protective of James spiny mussel from May 15 - July 31 of any year. It appears you are requesting to be in the stream during rainbow trout spawning. To assist you, we would be willing to provide leniency at the beginning of the recommended TOYR protective of rainbow trout and brook and brown trout spawning, where it does not overlap with the TOYR protective of James spiny mussel (ex. March 15 - April 1), but cannot support work in the stream from May 15 through July 31, in adherence to the mussel TOYR. In addition, we continue to recommend adherence to the October 1 through March 31 (unless otherwise negotiated per the above) instream work TOYR protective of brook and brown trout.
Bath County	97.8	sbaa015	Cowpasture River	May 15 to July 31		May 15 to July 31	March 15 to June 30	5/15/2019 - 5/29/2019	N/A	The Cowpasture River is known to support federally endangered James spiny mussels. As such, we cannot support work in this stream during spawning activities for this species, as is currently proposed. We are agreeable to providing leniency from the recommended trout time of year restrictions from March 15 through the beginning of the mussel TOYR on May 15th. Recommended instream work TOYR for this crossing: May 15 through July 31 of any year
Bath County	97.8	sbaa016	UNT to Cowpasture River			May 15 to July 31		5/14/2019 - 5/28/2019	7/5/2019-7/19/2019	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	97.9	hhd_va_n_00 2	UNT to Cowpasture River			May 15 to July 31		N/A	7/6/2019-7/20/2019	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	98.0	hhd_va_n_00 6	UNT to Cowpasture River			May 15 to July 31		N/A	7/6/2019-7/20/2019	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	98.3	sbaa005	UNT to Cowpasture River			May 15 to July 31		5/22/2019 - 6/5/2019	7/10/2019-7/24/2019	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	98.9	sbaa006	UNT to Cowpasture River			May 15 to July 31		N/A	7/17/2019-7/31/2019	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	99.0	sbaa007	UNT to Cowpasture River			May 15 to July 31		N/A	7/22/2019-8/5/2019	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	100.7	sbaa001	Stuart Run				March 15 to June 30	6/10/2019 - 6/24/2019	N/A	We are agreeable to rescinding the TOYR(s) previously recommended for work at this site.
Bath County	103.1	sbar008	Mill Creek			May 15 to July 31		6/29/2019 - 7/13/2019	N/A	Mill Creek is known to support federally endangered James spiny mussels. As such, we cannot support work in this stream during spawning activities for this species, as is currently proposed. Recommended instream work TOYR for this crossing: May 15 through July 31 of any year
Bath County	103.1	sbar009	UNT to Mill Creek			May 15 to July 31		N/A	5/29/2018-6/12/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	103.6	sbar006	UNT to Mill Creek			May 15 to July 31		N/A	6/4/2018-6/18/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	103.8	sbar005	UNT to Mill Creek			May 15 to July 31		N/A	6/6/2018-6/20/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	103.9	sbar004	UNT to Mill Creek			May 15 to July 31		N/A	6/6/2018-6/20/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	104.0	sbar003	UNT to Mill Creek			May 15 to July 31		N/A	6/7/2018-6/21/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	104.1	sbar002	UNT to Mill Creek			May 15 to July 31		N/A	6/8/2018-6/22/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	104.2	hhd_va_j_01 7	UNT to Mill Creek			May 15 to July 31		N/A	6/9/2018-6/23/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.

Bath County	104.4	nhd_va_j_01 8	UNT to Mill Creek		May 15 to July 31		N/A	6/11/2018-6/25/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	104.6	nhd_va_j_01 9	UNT to Mill Creek		May 15 to July 31		N/A	6/13/2018-6/27/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	104.8	nhd_va_j_02 0	UNT to Mill Creek		May 15 to July 31		N/A	6/13/2018-6/27/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	104.8	nhd_va_j_02 1	UNT to Mill Creek		May 15 to July 31		N/A	6/13/2018-6/27/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	105.7	sbar015	UNT to Mill Creek		May 15 to July 31		N/A	6/20/2018-7/04/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Bath County	105.7	sbar016	UNT to Mill Creek		May 15 to July 31		N/A	6/20/2018-7/4/2018	This work site is upstream of waters known to support federally endangered James spiny mussels. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of James spiny mussel spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon James spiny mussels.
Augusta County	110.1	sauc127	UNT to Calfpasture River		March 15 to June 30		6/22/2018 - 6/30/2018	N/A	We are agreeable to rescinding the TOYR(s) previously recommended for work at this site.
Augusta County	117.1	saau416	Dowell's Draft			October 1 to March 31	N/A	10/1/2018-10/14/2018	We are agreeable to rescinding the TOYR(s) previously recommended for work at this site.
Augusta County	117.2	saau418	UNT to Dowell's Draft			October 1 to March 31	N/A	10/1/2018-10/14/2018	We are agreeable to rescinding the TOYR(s) previously recommended for work at this site.
Augusta County	117.2	saau418	UNT to Dowell's Draft			October 1 to March 31	N/A	10/1/2018-10/14/2018	We are agreeable to rescinding the TOYR(s) previously recommended for work at this site.
Augusta County	117.7	saau419	UNT to East Branch Dowell's Draft			October 1 to March 31	N/A	10/1/2018-10/9/2018	We are agreeable to rescinding the TOYR(s) previously recommended for work at this site.
Augusta County	122.5	saau421	UNT to Jennings Branch			October 1 to March 31	N/A	10/1/2018-11/4/2018	MISSING from Shapefile
Augusta County	122.8	saau422	UNT to Jennings Branch			October 1 to March 31	N/A	10/1/2018-11/5/2018	MISSING from Shapefile
Augusta County	123.0	saau423	UNT to Jennings Branch			October 1 to March 31	N/A	10/1/2018-11/7/2018	MISSING from Shapefile
Augusta County	153.8	nhd_va_a_00 1	Back Creek		March 15 to June 30		N/A	3/26/2019-4/9/2019	We are agreeable to rescinding the TOYR(s) previously recommended for work at this site.
Nelson County	163.3	snep005	UNT to Mayo Creek		April 15 to June 15 and August 15 to Sept 30		N/A	5/23/2018-6/6/2018	Please confirm this location. Per our GIS, this site is Ivy Creek, an UNT to James River, which is designated a Threatened and Endangered Species Water due to the presence of S1 green floaters.
Buckingham County	184.9	sbuc111	UNT to James River	March 15 to June 30	April 15 to June 15 and August 15 to Sept 30		N/A	6/14/2018-6/28/2018	This work site is just upstream of the James River, known to support state Threatened green floaters. As such, we cannot support work in this stream during spawning activities for this species, as is currently proposed. We are agreeable to rescinding the TOYR protective of Anadromous Fishes, where it does not overlap with the TOYR protective of green floaters (so that means leniency from March 15 - April 15; June 15 to June 30) based on the location of this site in the watershed. Recommended instream work TOYR for this crossing: April 15 through June 15 and August 15 through Sept 30 of any year
Buckingham County	185.0	sbuc110	UNT to James River	March 15 to June 30	April 15 to June 15 and August 15 to Sept 30		N/A	5/25/2018-6/8/2018	This work site is just upstream of the James River, known to support state Threatened green floaters. As such, we cannot support work in this stream during spawning activities for this species, as is currently proposed. We are agreeable to rescinding the TOYR protective of Anadromous Fishes, where it does not overlap with the TOYR protective of green floaters (so that means leniency from March 15 - April 15; June 15 to June 30) based on the location of this site in the watershed. Recommended instream work TOYR for this crossing: April 15 through June 15 and August 15 through Sept 30 of any year
Buckingham County	185.4	sbup017	UNT to James River	March 15 to June 30	April 15 to June 15 and August 15 to Sept 30		N/A	6/14/2018-6/28/2018	This work site is upstream of the James River, known to support state Threatened green floaters. However, based on its distance upstream of the James River, we would be willing to provide some leniency at the beginning and end of the TOYR (April 15 - May 1; Sept 15 - Sept 30), but believe the current request, if allowed, would likely result in impacts upon green floaters. Based on the location of this site in the watershed, we are agreeable to rescinding the TOYR protective of Anadromous Fishes, where it does not overlap with the TOYR protective of green floaters (so, that means leniency from March 15 - April 15; May 1 - June 30).
Prince Edward County	221.6	spek004	UNT to Appomattox River		May 15 to July 31		N/A	6/14/2018-7/1/2018	This work site is upstream of the Appomattox River, known to support state threatened Atlantic pigtoes. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of Atlantic pigtoe spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon Atlantic pigtoes.
Prince Edward County	221.8	spek006	UNT to Appomattox River		May 15 to July 31		N/A	7/14/2018-7/31/2018	This work site is upstream of waters known to support state threatened Atlantic pigtoes. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of Atlantic pigtoe spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon Atlantic pigtoes.
Prince Edward County	222.0	spek007	UNT to Appomattox River		May 15 to July 31		N/A	7/14/2018-7/31/2018	This work site is upstream of waters known to support state threatened Atlantic pigtoes. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of Atlantic pigtoe spawning (ex. May 15 - June 1; July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon Atlantic pigtoes.

Prince Edward County	222.1	spek008	UNT to Appomattox River			May 15 to July 31		N/A	7/14/2018-7/31/2018	This work site is upstream of waters known to support state threatened Atlantic pigtoes. We would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of Atlantic pigtoe spawning (ex. May 15 - June 1, July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon Atlantic pigtoes.
Dinwiddie County	252.7	sdm021	UNT to Butterwood Creek			March 15 to June 30		N/A	6/12/2019-6/26/2019	This work site is located just upstream of Butterwood Creek, known to support federally endangered Roanoke logperch. As such, we cannot support work at this site during the TOYR protective of logperch spawning, as is currently requested. Recommended instream work TOYR for this crossing: March 15 through June 30 of any year
Dinwiddie County	253.9	sdic001	UNT to Butterwood Creek			March 15 to June 30		N/A	6/12/2019-6/26/2019	This work site is located just upstream of Butterwood Creek, known to support federally endangered Roanoke logperch. As such, we cannot support work at this site during the TOYR protective of logperch spawning, as is currently requested. Recommended instream work TOYR for this crossing: March 15 through June 30 of any year
Dinwiddie County	254.0	sdic015	UNT to Butterwood Creek			March 15 to June 30		N/A	6/13/2019-6/27/2019	This work site is located just upstream of Butterwood Creek, known to support federally endangered Roanoke logperch. As such, we cannot support work at this site during the TOYR protective of logperch spawning, as is currently requested. Recommended instream work TOYR for this crossing: March 15 through June 30 of any year
Dinwiddie County	254.3	sdic013	UNT to Butterwood Creek			March 15 to June 30		N/A	6/13/2019-6/27/2019	This work site is located just upstream of Butterwood Creek, known to support federally endangered Roanoke logperch. As such, we cannot support work at this site during the TOYR protective of logperch spawning, as is currently requested. Recommended instream work TOYR for this crossing: March 15 through June 30 of any year
Dinwiddie County	255.9	sdib001	UNT to Beaver Pond Creek			March 15 to June 30		N/A	6/14/2019-6/28/2019	We do not recognize this tributary or Beaver Pond Creek as waters known to support Roanoke logperch. As such, we do not recommend adherence to a TOYR for instream work at this site. If there is information about presence of Roanoke logperch in this system about which we are unaware, even if perhaps we should be, we recommend that such information be provided to us for additional consideration.
Dinwiddie County	256.2	sdii001	Beaver Pond Creek			March 15 to June 30		N/A	6/18/2019-6/30/2019	We do not recognize this tributary or Beaver Pond Creek as waters known to support Roanoke logperch. As such, we do not recommend adherence to a TOYR for instream work at this site. If there is information about presence of Roanoke logperch in this system about which we are unaware, even if perhaps we should be, we recommend that such information be provided to us for additional consideration.
Dinwiddie County	256.5	sdii001	Beaver Pond Creek			March 15 to June 30		N/A	6/18/2019-6/30/2019	We do not recognize this tributary or Beaver Pond Creek as waters known to support Roanoke logperch. As such, we do not recommend adherence to a TOYR for instream work at this site. If there is information about presence of Roanoke logperch in this system about which we are unaware, even if perhaps we should be, we recommend that such information be provided to us for additional consideration.
Dinwiddie County	256.7	sdio017	UNT to Beaver Pond Creek			March 15 to June 30		N/A	6/20/2019-6/30/2019	We do not recognize this tributary or Beaver Pond Creek as waters known to support Roanoke logperch. As such, we do not recommend adherence to a TOYR for instream work at this site. If there is information about presence of Roanoke logperch in this system about which we are unaware, even if perhaps we should be, we recommend that such information be provided to us for additional consideration.
Dinwiddie County	256.8	sdio019	UNT to Beaver Pond Creek			March 15 to June 30		N/A	6/20/2019-6/30/2019	We do not recognize this tributary or Beaver Pond Creek as waters known to support Roanoke logperch. As such, we do not recommend adherence to a TOYR for instream work at this site. If there is information about presence of Roanoke logperch in this system about which we are unaware, even if perhaps we should be, we recommend that such information be provided to us for additional consideration.
Brunswick County	261.5	sbra202	UNT to Nottoway River			May 15 to July 31/March 15 to May 31/August 15 to Oct 15		N/A	6/26/2019-7/10/2019	This work site is upstream of the Nottoway River, known to support federally endangered Roanoke logperch and state threatened Atlantic pigtoes. As such, we cannot support work in at this site during the TOYR protective of these species, as is currently requested. Recommended instream work TOYR for this crossing: March 15 through July 31 and August 15 through Oct 15 of any year
Brunswick County	267.4	sbr014	Waqua Creek	March 15 to June 30		March 15 to June 30		5/9/2019 - 5/23/2019	N/A	This work site is in Waqua Creek, known to support federally endangered Roanoke logperch. As such, we cannot support work at this site during the TOYR protective of this species, as is currently requested. Recommended instream work TOYR for this crossing: March 15 through June 30 of any year
Brunswick County	267.9	sbr0011	Big Branch			March 15 to June 30		5/11/2019 - 5/25/2019	N/A	This work site is in Big Branch, known to support federally endangered Roanoke logperch. As such, we cannot support work at this site during the TOYR protective of this species, as is currently requested. Recommended instream work TOYR for this crossing: March 15 through June 30 of any year
Brunswick County	271.6	sbr005i	UNT to Sturgeon Creek			March 15 to June 30 and May 15 to July 31		N/A	7/13/2019-7/27/2019	This site is upstream of Sturgeon Creek, known to support state threatened Atlantic pigtoes. Due to its distance upstream of Sturgeon Creek, we would be willing to provide leniency at the beginning and/or end of the recommended TOYR protective of Atlantic pigtoe spawning (ex. May 15 - June 1, July 15 - July 31), but believe the current request, if allowed, would likely result in impacts upon Atlantic pigtoes.
Brunswick County	271.9	sbr006i	UNT to Sturgeon Creek			March 15 to June 30, May 15 to July 31, March 15 through May 31 and August 15 through October 15		N/A	7/13/2019-7/27/2019	This site is upstream of Sturgeon Creek, known to support state threatened Atlantic pigtoes, federally endangered Roanoke logperch and federally endangered dwarf wedgenose. As such, we cannot support work at this site during the TOYR protective of these species, as is currently requested. Recommended instream work TOYR for this crossing: March 15 through July 31 and August 15 through October 15 of any year.
Brunswick County	271.9	sbr008	UNT to Sturgeon Creek			March 15 to June 30, May 15 to July 31, March 15 through May 31 and August 15 through October 15		N/A	7/13/2019-7/27/2019	This site is upstream of Sturgeon Creek, known to support state threatened Atlantic pigtoes, federally endangered Roanoke logperch and federally endangered dwarf wedgenose. As such, we cannot support work at this site during the TOYR protective of these species, as is currently requested. Recommended instream work TOYR for this crossing: March 15 through July 31 and August 15 through October 15 of any year.
Brunswick County	272.0	sbr007	Sturgeon Creek	March 15 to June 30	March 15 - June 30	March 15 to June 30, May 15 to July 31, March 15 through May 31 and August 15 through October 15		5/17/2019 - 5/31/2019	7/13/2019-7/27/2019	This site is upstream of Sturgeon Creek, known to support state threatened Atlantic pigtoes, federally endangered Roanoke logperch and federally endangered dwarf wedgenose. As such, we cannot support work at this site during the TOYR protective of these species, as is currently requested. Based on the location of this site within the watershed, we are agreeable to rescheduling the TOYR protective of Anadromous Fishes, where it does not overlap the TOYR protective of the species listed above (March 15 - June 30) based on the location of this site in the watershed, however, because it overlaps with the other TOYR, leniency from Anadromous fish protections does not modify our recommended TOYR. Recommended instream work TOYR for this crossing: March 15 through July 31 and August 15 through October 15 of any year
Brunswick County	272.9	sbr0001	UNT to Spring Branch			March 15 to June 30 and May 15 to July 31		N/A	7/16/2019-7/30/2019	MISSING from Shapefile

Greensville County	285.9	sgra012	UNT to Meherrin River		March 15 - June 30	May 15 to July 31/April 15 to June 15 and August 15 to September 30		N/A	8/8/2019-8/22/2019	This work site is just upstream of the Meherrin River, known to support state threatened green floaters and Atlantic pigtoes. As such, we cannot support work in this stream during spawning activities for these species, as is currently proposed. Based on the location in the watershed, we are agreeable to rescinding the TOYR protective of anadromous fishes where it does not overlap with the TOYR protective of this species listed above (so that means leniency from March 15 - April 15). Recommended instream work TOYR for this crossing: April 15 through July 31 and August 15 through September 30 of any year
Greensville County	286.2	sgra014	UNT to Meherrin River		March 15 - June 30	May 15 to July 31/April 15 to June 15 and August 15 to September 30		N/A	8/8/2019-8/22/2019	This work site is just upstream of the Meherrin River, known to support state threatened green floaters and Atlantic pigtoes. As such, we cannot support work in this stream during spawning activities for these species, as is currently proposed. Based on the location in the watershed, we are agreeable to rescinding the TOYR protective of anadromous fishes where it does not overlap with the TOYR protective of this species listed above (so that means leniency from March 15 - April 15). Recommended instream work TOYR for this crossing: April 15 through July 31 and August 15 through September 30 of any year
Greensville County	286.8	sgra008	UNT to Meherrin River		March 15 - June 30	May 15 to July 31/April 15 to June 15 and August 15 to September 30		N/A	8/8/2019-8/22/2019	This work site is just upstream of the Meherrin River, known to support state threatened green floaters and Atlantic pigtoes. As such, we cannot support work in this stream during spawning activities for these species, as is currently proposed. Based on the location in the watershed, we are agreeable to rescinding the TOYR protective of anadromous fishes where it does not overlap with the TOYR protective of this species listed above (so that means leniency from March 15 - April 15). Recommended instream work TOYR for this crossing: April 15 through July 31 and August 15 through September 30 of any year
Southampton County	30.7	wsoa017f	UNT to Nottoway River	March 15 to May 31 and August 15 to October 15; March 15 to	February 15 to June 30	May 15 to July 31/April 15 to June 15 and August 15 to September 30		6/3/2018 - 6/17/2018	8/15/2018-8/17/2018	We are agreeable to rescinding the TOYR(s) previously recommended for work at this site.
Greensville County	287.0	sgra003	UNT to Meherrin River		February 15 to June 30	May 15 to July 31/April 15 to June 15 and August 15 to September 30		N/A	8/8/2019-8/23/2019	This work site is upstream of the Meherrin River, known to support state threatened green floaters and Atlantic pigtoes. However, based on its distance upstream of the of the Meherrin, we would be willing to provide some leniency at the beginning and end of the TOYR (April 15 - May 1; Sept 15 - Sept 30), but believe the current request, if allowed, would likely result in impacts upon green floaters. Based on the location of this site in the watershed, we are agreeable to rescinding the TOYR protective of Anadromous Fishes, where it does not overlap with the TOYR protective of the species listed above (so that means leniency from March 15 - April 15).