DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USC 1539(a)
16 USC 1533(d)

REGULATIONS
50 CFR 17.22
50 CFR 17.32

50 CFR 13

1. PERMITTEE

VIRGINIA ELECTRIC AND POWER COMPANY
dba DOMINION VIRGINIA POWER
5000 DOMINION BOULEVARD
GLEN ALLEN, VA 23060

3. NUMBER
TE58976A-0

4. RENEWABLE
☒ YES
☐ NO

5. MAY COPY
☒ YES
☐ NO

6. EFFECTIVE
11/30/2011

7. EXPIRES
11/30/2020

8. NAME AND TITLE OF PRINCIPAL OFFICER *(If #1 is a business)*
ROBERT B MCKINLEY
VICE PRESIDENT, GENERATION CONSTRUCTION

9. TYPE OF PERMIT
NATIVE ENDANGERED & THREATENED SP. HABITAT CONSERVATION PLAN - E & T WILDLIFE

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
477 Kelly Dr., Front Royal VA

11. CONDITIONS AND AUTHORIZATIONS:

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL, TRIBAL, OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. Further conditions of authorization are contained in the attached Special Terms and Conditions.

E. The authorization granted by this permit is subject to full and complete compliance with, and implementation of the following documents which are incorporated herein and include but are not limited to all aspects of the Madison Cave Isopod (MCI) Habitat Conservation Plan for the Warren County Power Plant, Warren, County, Virginia (HCP) and all associated Appendices and documents relating to implementation of the plan, monitoring and reporting requirements, all components of the Incidental Take Statement of the Service's Biological Opinion (BO) dated - November 21, 2011, and Implementing Agreement between the Service and Dominion Virginia Power (DVP) .

F. The Permittee is authorized to impact up to 2,897 square feet (0.07 acres) of karst in the project site during construction. This level of take represents the maximum area where MCI would be exposed to the potential for direct impacts from impingement from falling rocks or contact with the drill bit or pile point, indirect effects from sediment introduced into flooded voids during drilling/pile driving into the phreatic zone during construction (assumed to disturb an area of one square foot around piles), and accounts for the loss of subterranean habitat due to installation of up to 2,234 piles and 13 caissons.

G. The general provisions contained in 50 C.F.R. part 13, subpart D, and specific provisions of 50 C.F.R. section 17.32 are hereby incorporated as conditions of this permit. The continued validity or renewal of this permit is subject to the Permittee's complete and timely compliance with all permit conditions.

H. By Accepting this permit, the Permittee acknowledges that it understands and agrees to abide by all of the terms and conditions of the permit, and all sections of 50 C.F.R. parts 13 and 17 pertinent to the issuance of permits. Section 11 of the Endangered Species Act of 1973, as amended, provides for civil and criminal penalties for failure to comply with permit conditions.

I. The Permittee shall allow USFWS employees, personnel, its agents, contractors, or other properly qualified persons designated by the Service to enter the Property at any reasonable time for the general purposes specified in 50 C.F.R. section 13.21(e)(2) or to carry out work, monitoring or compliance monitoring consistent with the HCP (see HCP Sections 5.2.1, Subsection 8, and Section 5.4.1); and (b) following construction, DVP agree to allow USFWS employees, and contractors and cooperators, as applicable, to enter the Property at any reasonable time for similar purposes throughout the 9-year permit term (see HCP Section 5.2.2, Subsection 2.c.i and IA Section 15.2).

J. For the purposes of monitoring compliance, reporting, and administration of the terms and conditions of this permit, except where otherwise specified in the HCP, the contact office for the Service shall be: Virginia Field Office, 6669 Short Lane, Gloucester, Virginia 23061, telephone: 804-693-6694.

☒ ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

Annual reports will be produced for each year of monitoring and will include results of the water quality measurements, MCI population assessments, discharge monitoring reports with the applicable stormwater permit monitoring requirements, and a summary of construction activities conducted during the previous calendar year.

ISSUED BY	TITLE	DATE
Sherry W. Morgan	Acting REGIONAL DIRECTOR	11/30/2011

K. Upon locating a dead, injured, or sick MCI, notification must be made to nearest Service Law Enforcement Office at: Division of Law Enforcement, U.S. Fish and Wildlife Service, 5721 S. Laburnum Avenue, Richmond, Virginia 23231, telephone: 804-771-2883. Care should be taken in handling sick or injured individuals and in the preservation of specimens in the best possible state for later analysis of cause of death or injury.

L. Unless the permit is amended, suspended, revoked or terminated, the permit is in effect for 9 years from the date of the permit issuance.

M. If new sinkholes form within the project construction work area that must be filled, notify the Service's Virginia Field Office within 24 hours of formation and prior to filling, and use an inverted filter to bridge the karst feature above the water table rather than filling it below.

N. Operators, employees, and contractors must be educated on the biology of the MCI, activities that may affect MCI, and ways to avoid and minimize these effects prior to working on site.

O. Contaminants, including but not limited to oils, solvents, and others should be strictly controlled so the known occupied or presumed occupied habitat is not affected.

P. Ensure the following are included in the site spill plan:

a. Construction equipment and related vehicles will not be serviced, stored, washed, or refueled within 300 feet of a streambed, sinkhole, fissure, or areas draining to these or other open throated karst features except by hand-carried cans (5 gallon maximum capacity) when necessary.

b. Hazardous materials, chemicals, fuels, lubricating oils, and petroleum products will not be stored within 300 feet of any open throated karst feature.

c. All equipment will be checked by a DVP inspector daily for leaks prior to beginning work in karst habitat and leaking equipment will be removed or repaired the same day.

d. If a spill has impacted an open throated karst feature call the Service at 804-693-6694 to report the release in addition to the normal DVP reporting requirements.