

Gifford R. Hampshire  
Email: ghampshire@bklawva.com

November 17, 2009

John E. Merrthrew  
Assistant Director of Planning  
Loudoun County  
Floor 3, MSC #62  
P.O. Box 7000  
Leesburg, VA 20177-7000

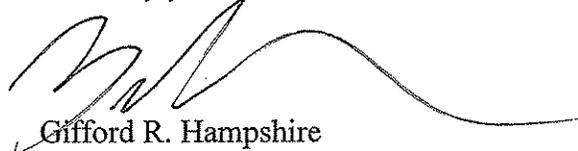
Re: SPX 2009-0032, SPMI 2009-0010 and CMT 2009-0011  
Arcola Substation

Dear Mr. Merrthrew:

The referenced application has been reviewed by Ms. Wini Polis, Planner, for minimum checklist submission compliance. Item 13 of her November 6, 2009 letter requests the Applicant to “[p]rovide the location and general description of vegetation and existing tree cover.” The purpose of this letter is to request a waiver from this requirement based on the fact that there is no tree cover on site. Part of the site is an existing substation while the other part of the site is an open pasture with no tree cover. Therefore, the Applicant requests a waiver from checklist item K.12.

I look forward to receiving your response to this waiver request. In the meantime, I remain

Sincerely yours,



Gifford R. Hampshire

GRH/klb

cc: George Coutts, Real Estate Administrator, NOVEC  
Ignacio Licht, Dewberry  
Wini Polis, Planner

November 10, 2009

John Merrithew AICP  
Division Manager, Land Use Review  
Department of Planning  
1 Harrison Street, S.E.  
Box 7000  
Leesburg, VA 20177-7000

Re: Arcola Substation  
Request for Waiver of Phase 1 Archaeological Survey

Dear Mr. Merrithew:

On behalf of our client, we are requesting an exception from the requirement to conduct a Phase 1 Archaeological and Environmental Survey for the improvement to the NOVEC Arcola Substation. Justification of our request is based on the following information:

1. Due to the fact that there are no water, storm, or sanitary sewer utilities entering this site, the subterranean impacts are minimal.
2. When completed, the substation is unmanned and normally requires only semi-monthly inspections eliminating the requirement for a parking area.
3. This site is not within the limits of any floodplain overlay district according to the F.E.M.A. flood insurance rate map (51107C0235D) for Loudoun County.
4. There are no wetlands or wells located within the limits of this site.

If additional information is required, please notify this office.

Sincerely,



Lauren McKee  
Project Engineer  
**Dewberry**

Gifford R. Hampshire  
Email: ghampshire@bklawva.com

November 20, 2009

Ms. Wini Polis, Planner  
Loudoun County Department of Planning  
1 Harrison Street, S.E., 3<sup>rd</sup> Floor  
P. O. Box 7000  
Leesburg, VA 20177-7000

Re: SPEX 2009-0032, SPMI 2009-0010 and CMT 2009-0011  
Arcola Substation

Dear Wini:

Please regard this as a request or waiver on checklist item K.5 requiring a report on an endangered species habitat. In support of the waiver, NOVEC states that the proposal is for the expansion of a substation that has existed on the property for many years. The expanded area, furthermore, is only 3.4 acres and has been used for many years as working cattle farm. The expansion area is a pasture area that has been used for the cattle operation. The balance of the property is nearly 400 acres providing plenty of area for any endangered species to live; however, this property has also been used as a cattle farm for many years. Given the existing uses of existing substation and cattle farm and the very large area of property left in its current state following the expansion, we feel that a waiver of the endangered species habitat report is justified and appropriate.

Thank you for your kind consideration of this waiver request.

Sincerely yours,



Gifford R. Hampshire

GRH:bh

cc: George Coutts, Real Estate Administrator, NOVEC  
Ignacio Licht, Dewberry