



The Culture Center
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Randall Reid-Smith, Commissioner

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EEO/AA Employer

Ms. Heather Millis
Office Practice Leader, Cultural Resources
TRC Environmental Corporation
50101 Governor's Drive, Suite 250
Chapel Hill, NC 27517

RE: Rover Pipeline Project
FR# 14-916-Multi-3

Dear Ms. Millis:

We have reviewed the document titled Procedures Guiding the Discovery of Unanticipated Cultural Resources and Human Remains: Post-Review Discoveries (36 CFR § 800.13) that was submitted for the above mentioned project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

This document outlines notification protocols and levels of field investigation to be undertaken should cultural resources or human remains be discovered during construction of the proposed Rover Pipeline project. In general we find the proposed plan to be acceptable. However, please note that WV Code § 29-1-8(c)(1) states that projects being undertaken in compliance with Section 106 of the National Historic Preservation Act are not required to obtain a permit from my office for the excavation of burials, etc. As such, should human remains be discovered in West Virginia during construction, Rover will not need to receive permission from an ad hoc committee, nor will my office need to issue a permit to excavate those remains. We have no objection to referencing WV Code § 29-1-8 and WV Code § 29-1-8a in Stipulation II (B) Standards/Guidelines and Laws/Regulations for Unanticipated Historic Properties and Human Remains as long as this is understood.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the permit conditions, please contact Lora A. Lamarre-DeMott, Senior Archaeologist at (304) 558-0240.*

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/LLD