



DEPARTMENT OF THE NAVY
COMMANDER
NAVY REGION, MID-ATLANTIC
1510 GILBERT ST.
NORFOLK, VA 23511-2737

IN REPLY REFER TO:
5090
EV/22/RE222
APR 2 2012

Ms. Ellie Irons
Department of Environmental Quality
Office of Environmental Impact Review
629 East Main Street, Room 631
Richmond, Virginia 23219

Dear Ms. Irons,

SUBJECT: FEDERAL COASTAL CONSISTENCY DETERMINATION, PROPOSED
TACTICAL VEHICLE TRAINING COURSE UPGRADES AT JOINT
EXPEDITIONARY BASE LITTLE CREEK-FORT STORY, VIRGINIA
BEACH, VIRGINIA

The Navy Special Warfare Development Group (NSWDG) is proposing to upgrade the existing tactical vehicle trails that are within the Small Arms Testing and Evaluation Compound (SATEC) property boundary at JEB Little Creek-Fort Story. Trails currently are considered unimproved and consist of the natural sand substrate with no aggregate or sub-base that is needed for road durability. The proposed action would upgrade these roads by laying geotextile fabric to separate the existing sub-grade from the new aggregate base. The improved roads would be constructed to support a maximum vehicle weight of 30,000 pounds. The course would consist of single and double lane areas, with single lanes being 18 feet (ft) wide and double lanes being 30 ft wide. The course route would follow the existing trail network located within the SATEC area and would feature a long straightaway along the southern edge of the SATEC boundary. This straightaway would be developed as a thoroughfare, with four total lanes and a roundabout located at the entrance to the SATEC city area. This four-lane section of the course would be paved with asphalt. The draft Environmental Assessment includes an evaluation of two alternatives for the proposed upgrades that differ in the route of the proposed tactical vehicle course. In addition, the No Action Alternative is evaluated.

The Navy requests your review of the enclosed Federal Coastal Consistency Determination (FCD) for the preferred alternative: upgrade of the existing tactical vehicle trails

5090
EV/22/RE222
APR 2 2012

within the SATEC, JEB Little Creek-Fort Story. This FCD is being submitted in accordance with Section 307 (c) (1) of the Federal Coastal Management Act of 1972 as amended.

The Department of the Navy has determined that the proposed federal agency action is reasonably likely to affect a land use, water use, and natural resources of the Commonwealth of Virginia's coastal zone but would be conducted in a manner either fully consistent or consistent to the maximum extent practicable with the applicable enforceable policies of the Virginia Coastal Zone Management Program.

To aid in your review, an electronic copy of this CCD is included. My point of contact is Angela Peyton, who may be reached by telephone at (757) 341-0489 or e-mail angela.peyton@navy.mil.

Sincerely,



MICHAEL H. JONES
DIRECTOR
ENVIRONMENTAL PLANNING
By direction of the Commander

Enclosure: Federal Coastal Consistency Determination

Department of the Navy
Commander, Navy Region, Mid-Atlantic

Coastal Zone Management Act of 1972
FEDERAL COASTAL CONSISTENCY DETERMINATION
Tactical Vehicle Training Course Upgrades at Joint Expeditionary
Base Little Creek-Fort Story
Virginia Beach, Virginia

Proposed Federal Agency Action

The Navy proposes to upgrade the existing tactical vehicle trails that are within the Small Arms Testing and Evaluation Compound (SATEC) property boundary at JEB Little Creek-Fort Story (Figure 1). Trails currently are considered unimproved and consist of the natural sand substrate with no aggregate or sub-base that is needed for road durability. The proposed action is to upgrade these roads by laying geotextile fabric to separate the existing sub-grade from the new aggregate base. The improved roads would be constructed to support a maximum vehicle weight of 30,000 pounds. The course would consist of single and double lane areas, with single lanes being 18 feet (ft) wide (this would be a finished road width of 12 ft, with 3 ft on either side for shoulder and side slope) and double lanes being 30 ft wide (24 ft finished road with 3 ft side slopes on either side). The course route would follow the existing trail network located within the SATEC area and would feature a long straightaway along the southern edge of the SATEC boundary (Figure 2). This straightaway would be developed as a thoroughfare, with four total lanes and a roundabout located at the entrance to the SATEC city area. This four-lane section of the course would be paved with asphalt.

Under the Proposed Action, exercise tempo would not increase. The tactical vehicle course would continue to be used as it is, but would allow for different types of vehicles (both

Enclosure (1)

tactical and non-tactical) to be used, while increasing overall vehicular safety. The largest vehicle expected to use the SATEC would be a 30,000 pound, 276 horsepower, diesel engine vehicle. The number of vehicles used per exercise would remain the same as current operations. Exercise tempo would continue with vehicles using the course three times a week, for up to five hours a day.

To fully execute development and validation of mobility tactics, techniques, and procedures (TTPs) in full mission profile exercises, common threats must be incorporated to the tactical vehicle course. These would include construction of pedestrian overpasses or footbridges, culverts, changes in topographic elevation, check points, guardrails, large rocks (or similar obstructions), and roads of varying widths. These additions to the course would be sited to avoid and/or minimize impacts to wetlands. Navy Special Warfare Development Group (NSWDG) personnel must also be equipped to identify and counter the ever growing threat from improvised explosive devices (IEDs).

The Coastal Zone Management Act (CZMA) of 1972 encourages states to preserve, protect, develop, and where possible restore or enhance valuable natural coastal resources such as wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs as well as the fish and wildlife supported by those habitats. The CZMA provides a procedure for states to review federal actions for consistency with their own approved coastal zone management program. Although federal lands are excluded from the definition of a coastal zone, the CZMA requires activities on federal lands that are reasonably likely to affect use of lands or waters, or natural resources of the coastal zone to be consistent to the maximum extent practicable with the enforceable policies of the state's coastal zone management plan. All federal development projects inside the coastal zone require a consistency determination. The VDEQ reviews the

determination for concurrence. The Virginia Coastal Zone Management Program (VCP) has nine applicable enforceable policies: fisheries management; subaqueous lands management; wetlands management; primary coastal sand dunes management; point source pollution control; non-point source pollution control; shoreline sanitation; air pollution control; and coastal lands management.

Background

The NSWDG plays a critical role in the Department of Defense. It is their overall mission to research, develop, test, and evaluate new weapons, tactics, and breaching systems in simulated realistic urban combat environments. Realistic training scenarios are necessary to maintain the readiness of NSWDG to support national defense objectives and to decrease the potential for combat casualties. Trail improvement is necessary to meet these training requirements and maximize training effectiveness at the SATEC. Due to an increased vigilance against terrorism and current conflicts abroad, there is a critical need for additional NSWDG testing and evaluation efforts to ensure that the best and most effective weapons and tactics are being utilized by U.S. forces.

Enforceable Policies Comprising Virginia's Coastal Zone Management Program and Proposed Action Analysis

a. Fisheries Management - The program stresses the conservation and enhancement of finfish and shellfish resources and the promotion of commercial and recreational fisheries to maximize food production and recreational opportunities. This program is administered by the Marine Resources Commission (MRC) (Virginia Code §28.2-200 through §28.2 - 713) and the Department of Game and Inland Fisheries (DGIF) (Virginia Code §29.1-100 through §29.1-570).

Analysis - No aspect of the Proposed Action occurs within an area managed for recreational or commercial fishing. No aspect of the Proposed Action would impact fisheries management. The vehicle trails that are to be improved are already in use and the training tempo would remain the same. Therefore, there would be no impacts to fisheries management.

The State Tributyltin (TBT) Regulatory Program has been added to the Fisheries Management program. The General Assembly amended the Virginia Pesticide Use and Application Act as it related to the possession, sale, or use of marine antifoulant paints containing TBT. The use of TBT in boat paint constitutes a serious threat to important marine animal species. The TBT program monitors boating activities and boat painting activities to ensure compliance with TBT regulations promulgated pursuant to the amendment. The MRC, DGIF, and Virginia Department of Agriculture and Consumer Services share enforcement responsibilities (Virginia Code §3.1-249.59 through §3.1-249.62).

Analysis - No aspect of the Proposed Action would require the use or disposal of marine antifoulant paints. Therefore, there would be no impacts to fisheries management from the Proposed Action.

b. Subaqueous Lands Management - The management program for subaqueous lands establishes conditions for granting or denying permits to use state-owned bottomlands based on considerations of potential effects on marine and fisheries resources, wetlands, adjacent or nearby properties, anticipated public and private benefits, and water quality standards established by the Department of Environmental Quality (DEQ) Water Division. The program is administered by the MRC (Virginia Code §28.2-1200 through §28.2-1213).

Analysis - The Proposed Action occurs within the confines of JEB Fort Story and would not impact or require any alteration to subaqueous lands in Virginia. Therefore, the Proposed Action would have no impacts to Subaqueous Lands Management.

c. Wetlands Management - The purpose of the wetlands management program is to preserve tidal wetlands, prevent their despoliation, and accommodate economic development in a manner consistent with wetlands preservation.

(i) The tidal wetlands program is administered by the MRC (Virginia Code §28.2-1301 through §28.2-1320).

Analysis - The Proposed Action would not impact tidal wetlands. Non-tidal wetlands would be impacted and impacts are described below. Therefore, the Proposed Action would be consistent with this policy.

(ii) The Virginia Water Protection Permit program administered by the DEQ includes protection of wetlands --both tidal and non-tidal. This program is authorized by Virginia Code § 62.1-44.15.5 and the Water Quality Certification requirements of §401 of the Clean Water Act of 1972.

Analysis - Up to 3.9 acres of non-tidal wetlands would be directly filled due to tactical vehicle course improvements under the Proposed Action and there is potential for indirect impact to approximately 2.1 acres of non-tidal wetlands. The Proposed Action would take maximum advantage of the existing trails that are in-use, thereby minimizing any new disturbance to non-tidal wetlands. Indirect impacts would occur from wetlands that are located in between lanes of the tactical vehicle course that potentially could be impacted from operations, runoff, or becoming hydrologically isolated due to the Proposed Action. NSWDC has coordinated with U.S. Army Corps of Engineers and with Virginia Department of Environmental

Quality and would obtain all necessary permitting prior to implementation of the Proposed Action. NSWDG would also adhere to any and all permit mitigations and requirements to achieve minimal impacts to wetlands areas. Therefore, the Proposed Action is consistent with this policy.

d. Primary Coastal Sand Dunes Management - Dune protection is carried out pursuant to the Coastal Primary Sand Dune Protection Act and is intended to prevent destruction or alteration of primary dunes. This program is administered by the MRC (Virginia Code §28.2-1400 through §28.2-1420).

Analysis - The Proposed Action would take place well back from the dune line, on already established trails within the SATEC property boundary. There would be no impact to the dune conservation areas outlined in JEB Fort Story's INRMP. Therefore, there would be no adverse impacts to dunes management.

e. Non-point Source Pollution Control - Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. This program is administered by the Department of Conservation and Recreation (DCR) (Virginia Code §10.1-560 et.seq.).

Analysis - Implementation of the Proposed Action would require a site specific Erosion and Sedimentation Control Plan that would be approved by DCR. Standard best management practices for minimizing erosion and sedimentation impacts from construction would be undertaken prior to any construction activities. JEB Fort Story maintains a Stormwater Pollution Prevention Plan that is updated every year that addresses stormwater impacts and non-point source pollution control on the

Installation and would adhere to the standard operating procedures for general construction with regards to stormwater management. Therefore, the Proposed Action would be consistent with this policy.

f. Point Source Pollution Control - The point source program is administered by the State Water Control Board pursuant to Virginia Code §62.1-44.15. Point source pollution control is accomplished through the implementation of the National Pollutant Discharge Elimination System permit program established pursuant to §402 of the federal Clean Water Act and administered in Virginia as the Virginia Pollutant Discharge Elimination System permit program. The Water Quality Certification requirements of §401 of the Clean Water Act of 1972 is administered under the Virginia Water Protection Permit program.

Analysis - Due to the acreage that would be disturbed for the Proposed Action, a Virginia Pollution Discharge Elimination System permit would be required. The Navy would obtain necessary permits through the submission of all necessary documentation to DCR and through the preparation of all required plans to control point source pollution. The Proposed Action would be consistent with this policy.

g. Shoreline Sanitation - The purpose of this program is to regulate the installation of septic tanks, set standards concerning soil types suitable for septic tanks, and specifies minimum distances that tanks must be placed away from streams, rivers, and other waters of the Commonwealth. This program is administered by the Department of Health (Virginia Code §32.1-164 through §32.1-165).

Analysis - No septic tanks would be installed or demolished, and no waste water would be discharged to the ground under the

Proposed Action. Therefore, there would be no adverse impacts to shoreline sanitation.

h. Air Pollution Control - The program implements the federal Clean Air Act to provide a legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards. This program is administered by the State Air Pollution Control Board (Virginia Code §10.1-1300 through 10.1-1320).

Analysis - The Proposed Action would occur within an area designated as a maintenance area for the ozone (O₃) eight-hour standard, but in attainment for all other criteria pollutants under the National Ambient Air Quality Standards. The Proposed Action would not result in any new, modified, or replacement stationary air emission sources. The Proposed Action is not expected to adversely impact local or regional air quality and the Navy has prepared a Record of Non-Applicability. Fugitive dust during construction would be controlled through standard construction practices consistent with policies of 9 Virginia Administrative Code (VAC) 5-50-60 *et seq.*

The number of vehicle training operations at the SATEC would not significantly change from existing training operations. However, the types of vehicles used would be expected to change. The largest vehicle expected to use the SATEC would be a 30,000 pound, 276 horsepower, diesel engine vehicle. Training operations of this vehicle type would be minor (approximately 2 vehicles, 25 hours per month) and would not significantly increase mobile source emissions within the project area. Operational emissions under the Proposed Action would be similar to existing operational emissions, and no significant air quality impacts would occur with implementation of the Proposed Action. Therefore, the Proposed Action would be consistent with this Policy.

i. Coastal Lands Management - A state-local cooperative program administered by the DCR's Division of Chesapeake Bay Local Assistance and 84 localities in Tidewater, Virginia established pursuant to the Chesapeake Bay Preservation Act (CBPA); Virginia Code §§ 10.1-2100 through 10.1-2114 and Chesapeake Bay Preservation Area Designation and Management Regulations; Virginia Administrative code 9 VAC10-20-10 et seq.

Analysis - The Proposed Action is reasonably likely to affect a land use, water use, or natural resource of the Commonwealth of Virginia's coastal zone. However, the Navy would conduct the proposed activity in a manner that would be either fully consistent or consistent to the maximum extent practicable with the applicable enforceable policies of the VCP.

Conclusion

After careful consideration of the administrative record, the Navy has determined that the proposed Federal agency action is reasonably likely to affect a land use, water use, or natural resource of the Commonwealth of Virginia. However, the Navy would conduct the proposed activity in a manner that would be either fully consistent or consistent to the maximum extent practicable with the applicable enforceable policies of the Virginia Coastal Zone Management Program.



Michael H. Jones
Director
Environmental Planning and Conservation
By Direction

2 April 2012

Date

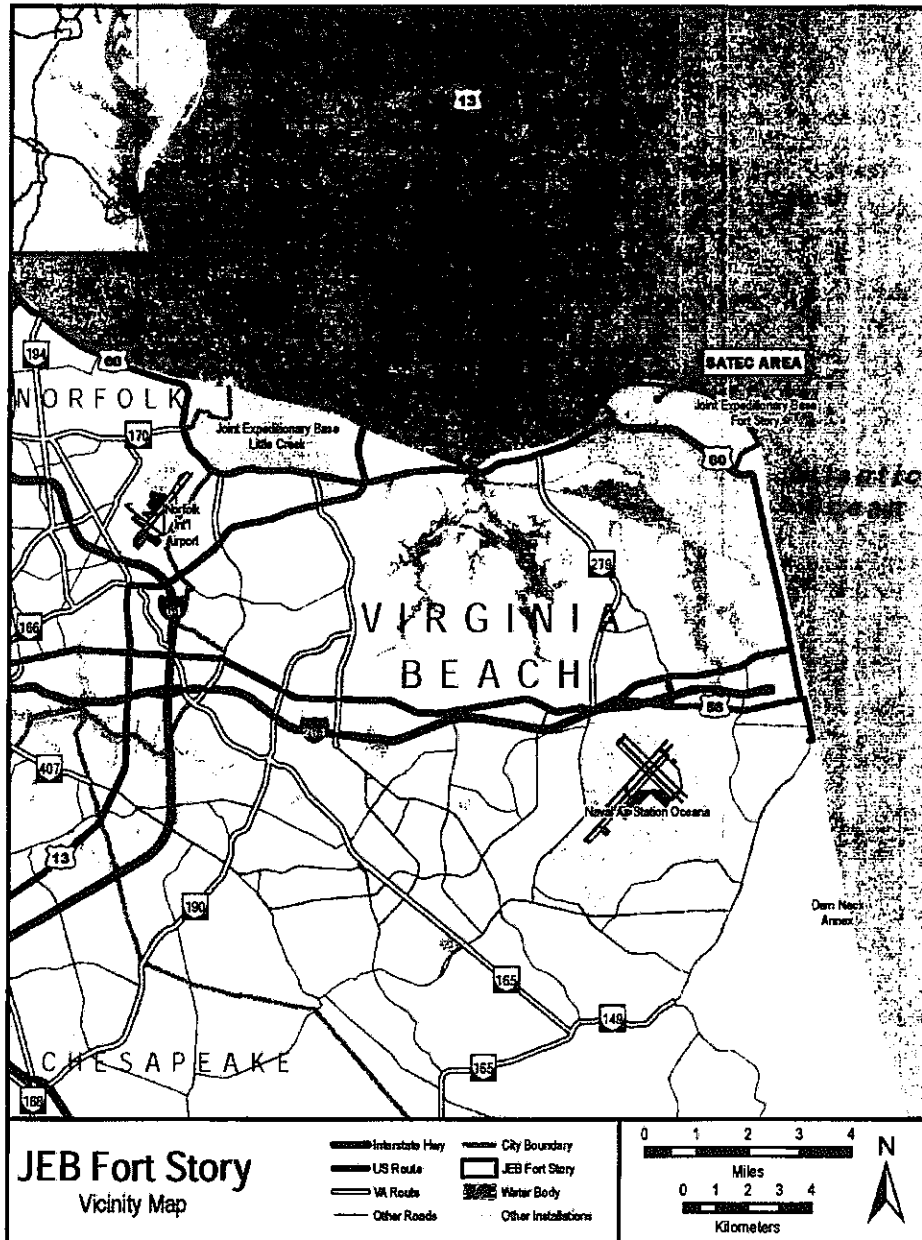


Figure 1. Regional Location



Figure 2. Tactical Vehicle Course Layout



COMMONWEALTH of VIRGINIA

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Douglas W. Domenech
Secretary of Natural Resources

May 29, 2012

Mr. Michael H. Jones
Director, Environmental Planning
Navy Region, Mid-Atlantic
1510 Gilbert Street
Norfolk, Virginia 23511

RE: Federal Consistency Determination, Proposed Tactical Vehicle Training Course Upgrades at Joint Expeditionary Base Little Creek-Fort Story, Virginia Beach, Virginia (Reference 5090, EV/22/RE222); DEQ-12-077F

Dear Mr. Jones:

The Commonwealth of Virginia has completed its review of the above-referenced federal consistency determination (dated April 2, 2012 and received April 6). The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of federal consistency determinations and responding to appropriate federal officials on behalf of the Commonwealth. The following state agencies and regional planning district commission joined in this review:

Department of Environmental Quality
Department of Game and Inland Fisheries
Department of Conservation and Recreation
Department of Historic Resources
Hampton Roads Planning District Commission

In addition, the City of Virginia Beach was invited to comment.

PROJECT DESCRIPTION

According to the federal consistency determination (FCD), the Navy proposes to upgrade existing tactical vehicle trails in the Small Arms Testing and Evaluation Compound at Joint Expeditionary Base, Fort Story in Virginia Beach. The Navy would

add geotextile fabric to separate the existing sub-grade, of natural sand substrate, from a new aggregate base. The improved roads would be made to support a maximum vehicle weight of 30,000 pounds. The upgrade would follow the existing trail network, with single- and double-lane portions. A straightaway along the southern edge of the Compound would be paved with asphalt and expanded to four lanes; this would be connected to the Compound's city area by a roundabout. (FCD, pages 1-2.)

FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT

Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities located inside or outside of Virginia's designated coastal management area that can have reasonably foreseeable effects on coastal resources or coastal uses must be implemented in a manner consistent, to the maximum extent practicable, with the Virginia Coastal Zone Management Program (VCP) (see section 307(c)(1) of the federal Coastal Zone Management Act, as amended, and its implementing regulations at Title 15, *Code of Federal Regulations* (CFR), Part 930, Sub-part C (sections 930.30 through 930.46). The VCP consists of a network of programs administered by several state agencies. In order to be consistent with the VCP, the project activities must be consistent with the enforceable policies of the VCP, and all the applicable permits and approvals listed under the enforceable policies of the VCP must be obtained prior to commencing the project. DEQ coordinates the review of FCDs with agencies administering the enforceable and advisory policies of the VCP.

Public Participation

In accordance with 15 CFR §930.2, a public notice of this proposed action was published on the DEQ website from April 13, 2012 to May 11, 2012. No public comments were received in response to the notice.

Federal Consistency Conditional Concurrence

Based on our review of the FCD and the comments submitted by agencies administering the applicable enforceable policies of the VCP, DEQ concurs that the proposed action is consistent, to the maximum extent practicable, with the VCP, **provided** that the Navy: (i) obtain all approvals not yet secured that are applicable to the enforceable policies; (ii) adhere to all the conditions of the (a) Virginia Water Protection permit (if required), (b) Virginia Erosion and Sediment Control and (c) Stormwater Management laws and regulations; and (iii) carry out the subsequent activities consistently with the Coastal Lands Management enforceable policy governed under the Chesapeake Bay Preservation Act (*Virginia Code* sections 10.1-2100 *et seq.*) and the regulations that implement the Act.

Should the training course upgrades occur in areas that are analogous to Resource Protection Areas, then this proposal may need to include additional mitigation requirements in order to be consistent with the Chesapeake Bay Preservation Act and

the regulations. These requirements are discussed further in the "Applicable Enforceable Policies" and "Regulatory and Coordination Needs" sections of this report.

In accordance with the Federal Consistency Regulations at 15 CFR Part 930, section 930.4, this conditional concurrence is based on the Navy obtaining necessary authorizations prior to any ground disturbance. If the requirements of section 930.4, sub-paragraphs (a)(1) through (a)(3) are not met, this conditional concurrence becomes an objection under 15 CFR Part 930, section 940.43.

In addition, other state approvals which may apply to this project are not included in this consistency concurrence. Therefore, the Navy must ensure that this project is constructed and operated in accordance with all applicable federal, state, and local laws and regulations. Also, we encourage the Navy to consider the advisory policies of the VCP as well (see Attachment 2).

Analysis of Enforceable Policies

The state agencies responsible for the administration of the enforceable policies of the VCP that may apply to the proposed project generally agree with the Navy's findings that the proposed event will not affect enforceable policies of the VCP (FCD, items a through i, pages 3-9). The Navy must ensure that the construction of the project is consistent with the enforceable policies of the VCP.

The analysis which follows responds to the discussion in the Navy's federal consistency determination of the enforceable policies of the VCP that apply, or may apply, to the proposed action.

1. Fisheries Management and Aquatic Resources. The FCD indicates that no part of the proposed action would occur in an area managed for recreational or commercial fishing; nor would it affect fisheries management because the vehicle trails to be improved are in use, and the training tempo would remain the same (FCD, page 4, item a).

1(a) Agency Jurisdiction. The Department of Game and Inland Fisheries (DGIF), pursuant to Virginia Code Title 29.1 §§ 29.1-100 through 29.1-577 and the Virginia Marine Resources Commission, pursuant to Virginia Code §28.2-200 to §28.2-713 administer the fisheries management enforceable policy of the VCP. The program stresses the conservation and enhancement of finfish and shellfish resources and the promotion of commercial and recreational fisheries to maximize food production and recreational opportunities.

Because DGIF responsibilities extend to terrestrial and avian wildlife as well as fisheries, see the additional discussion in "Additional Environmental Considerations," item 4, below.

1(b) Agency Findings and Recommendations. DGIF indicates that the following listed species and resources have been documented in the project area:

- Kemp's Ridley sea turtles, listed as Endangered by the federal government;
- Loggerhead sea turtles, listed as Threatened by the federal government;
- Green sea turtles, listed as Threatened by the federal government

Based on the scope and location of the proposed project, DGIF does not anticipate that the project will result in adverse impacts upon these species. However, DGIF recommends coordination with federal agencies regarding possible impacts on species under federal jurisdiction; see "Regulatory and Coordination Needs," item 2, below.

DGIF recommends use of permeable trail surfaces, as appropriate.

1(c) Conclusion. DGIF finds the project consistent with the Fisheries Management enforceable policy of the Virginia Coastal Zone Management Program (VCP), provided that the Navy adheres to applicable erosion and sediment controls during construction (see item 7(b), below).

2. Subaqueous Lands Management. The Navy states that the proposed action would not require any alteration of, or otherwise affect, subaqueous lands (FCD, page 5, item b).

2(a) Agency Jurisdiction. The Virginia Marine Resources Commission (VMRC), pursuant to Virginia Code sections 28.2-1200 *et seq.*, has jurisdiction over any encroachments in, on, or over any state-owned rivers, streams, or creeks in the Commonwealth. Accordingly, authorization may be required from VMRC for projects involving encroachments channelward of ordinary high water along non-tidal rivers and streams and below mean low water in tidal regions. In addition, permits may be required pursuant to the Tidal Wetlands Act or the Coastal Primary Sand Dunes and Beaches Act (see item 4, below) for proposed structures or facilities located in these jurisdictional areas.

The VMRC serves as the clearinghouse for the Joint Permit Application (JPA) used by:

- VMRC for encroachments on or over state-owned subaqueous beds as well as tidal wetlands;
- U.S. Army Corps of Engineers (Corps) for issuing permits pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act;
- DEQ for issuance of a Virginia Water Protection Permit; and
- local wetlands board for impacts to wetlands.

VMRC administers the subaqueous lands management enforceable policy of the VCP.

2(b) Agency Comments. VMRC states that the proposed course upgrades do not affect jurisdictional areas under the Commission's purview. For this reason, no authorization from the Commission is required.

2(c) Conclusion. The proposed action is consistent with the subaqueous lands. Management enforceable policy of the VCP

3. Wetlands Management. According to the FCD, as much as 3.9 acres of non-tidal wetlands would be directly filled due to tactical vehicle course improvements; indirect impacts would approximate 2.1 acres of wetlands. The Navy would make maximum use of existing trails, minimizing new disturbance to non-tidal wetlands. Wetlands between lanes of the vehicle course could be affected by runoff or other effects, or hydrologic isolation. (FCD, page 5, item c.)

3(a) Agency Jurisdiction. The State Water Control Board (SWCB) promulgates Virginia's water regulations, covering a variety of permits to include Virginia Pollutant Discharge Elimination System (VPDES) Permit, Virginia Pollution Abatement Permit, Surface and Groundwater Withdrawal Permit, and the Virginia Water Protection Permit (VWP permit).

The VWP is a State permit which governs wetlands, surface water, and surface water withdrawals/impoundments. It also serves as §401 certification of the federal Clean Water Act § 404 permits for dredge and fill activities in waters of the U.S. The VWPP Program is under the Office of Wetlands and Water Protection/Compliance, within the DEQ Division of Water Quality Programs. The six DEQ regional offices perform permit application reviews and issue permits for the covered activities.

3(b) Agency Recommendations. In general, DEQ recommends that wetland and surface water impacts be avoided to the maximum extent practicable. To minimize unavoidable impacts to wetlands and waterways, DEQ recommends the following practices:

- Operate machinery and construction vehicles outside of stream-beds and wetlands; use synthetic mats when in-stream work is unavoidable.
- Preserve the top 12 inches of trench material removed from wetlands for use as wetland seed and root-stock in the excavated area.
- Erosion and sedimentation controls should be designed in accordance with the most current edition of the Virginia Erosion and Sediment Control Handbook. These controls should be in place prior to clearing and grading, and maintained in good working order to minimize impacts to State waters. The controls should remain in place until the area is stabilized.
- Place heavy equipment, located in temporarily impacted wetland areas, on mats, geotextile fabric, or use other suitable measures to minimize soil disturbance, to the maximum extent practicable.
- Restore all temporarily disturbed wetland areas to pre-construction conditions and plant or seed with appropriate wetlands vegetation in accordance with the

cover type (emergent, scrub-shrub, or forested). The applicant should take all appropriate measures to promote revegetation of these areas. Stabilization and restoration efforts should occur immediately after the temporary disturbance of each wetland area instead of waiting until the entire project has been completed.

- Place all materials which are temporarily stockpiled in wetlands, designated for use for the immediate stabilization of wetlands, on mats, geotextile fabric in order to prevent entry in State waters. These materials should be managed in a manner that prevents leachates from entering state waters and must be entirely removed within thirty days following completion of that construction activity. The disturbed areas should be returned to their original contours, stabilized within thirty days following removal of the stockpile, and restored to the original vegetated state.
- All non-impacted surface waters within the project or right-of-way limits that are within 50 feet of any clearing, grading, or filling activities should be clearly flagged or marked for the life of the construction activity within that area. The project proponent should notify all contractors that these marked areas are surface waters where no activities are to occur.
- Measures should be employed to prevent spills of fuels or lubricants into state waters.

3(c) Conclusion. Provided that any required VWPP is obtained and complied with, this project would be consistent with the wetlands management enforceable policy as administered through the VWPP program. If a VWPP is required, the Navy should submit a Joint Permit Application to the Virginia Marine Resources Commission for dissemination to appropriate agencies (see item 2(a), above) so the appropriate permit actions can be determined.

For additional information, contact DEQ-TRO, Bert Parolari at (757) 518-2166.

4. Dunes Management. According to the FCD, the proposed actions would take place on established trails, well back from the dune line. There would be no impact to the dune conservation areas outlined in the Integrated Natural Resources Management Plan (INRMP) for Joint Expeditionary Base Fort Story (FCD, page 6, item d).

4(a) Agency Jurisdiction. The Virginia Marine Resources Commission, and Wetlands Boards in coastal localities, administer the Coastal Primary Sand Dune Protection Act (Virginia Code sections 28.2-1400 through 28.2-1420), which is intended to prevent destruction or alteration of primary sand dunes.

4(b) Conclusion. The Virginia Marine Resources Commission did not indicate that sand dunes would be affected by the proposed action.

5. Air Pollution Control. According to the FCD, the proposed action would not result in any new, modified, or replacement stationary sources of air pollution; nor would it give rise to adverse impacts upon local or regional air quality. The number of vehicle operations would not significantly change, and would not significantly increase mobile

source emissions. The Navy commits to control fugitive dust during construction, consistent with policies of the rules at 9 VAC 5-50-60 *et seq.* (FCD, page 8, item h).

5(a) Agency Jurisdiction. DEQ is charged with carrying out mandates of the state law and related regulations as well as Virginia's federal obligations under the Clean Air Act, as amended in 1990. The objective is to protect and enhance public health and quality of life through control and mitigation of air pollution. DEQ's Division of Air Program Coordination and its Regional Offices ensure the safety and quality of air in Virginia by monitoring and analyzing air quality data, regulating sources of air pollution, and working with local, state and federal agencies to plan and implement strategies to protect Virginia's air quality. DEQ's Regional Offices are directly responsible for the issuance of necessary permits to construct and operate all stationary sources, depending on their locations, as well as monitoring emissions from these sources for compliance.

5(b) Agency Findings. DEQ's Division of Air Program Coordination indicates that the project area is classified as an ozone maintenance area and emission control area for oxides of nitrogen (NOx) and volatile organic compounds (VOCs).

5(c) Open Burning. If project activities include the burning of vegetative or demolition debris, the activities must meet the open burning requirements under 9 VAC5-130 *et seq.* of the *Regulations*, and may require a permit. Open burning is prohibited from May through September of each year in VOC emissions control areas; Virginia Beach is part of the Hampton Roads VOC Emissions Control Area.

5(d) Fugitive Dust. During land-disturbing activities, fugitive dust must be kept to a minimum by using control methods outlined in 9 VAC 5-50-60 *et seq.* of the *Regulations for the Control and Abatement of Air Pollution*. These precautions include, but are not limited to, the following:

- Use, where possible, of water or suitable chemicals for dust control during the proposed demolition and construction operations and from material stockpiles;
- Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials;
- Covering of open equipment for conveying materials; and
- Prompt removal of spilled or tracked dirt or other materials from paved streets and removal of dried sediments resulting from soil erosion.

5(e) Agency Recommendation. DEQ's Division of Air Program Coordination states that in undertaking construction activities, the Navy should take all precautions necessary to restrict emissions of VOC and NOx.

5(f) Conclusion. Provided that the Navy, in implementing this project, complies with applicable air pollution control requirements, the proposed actions under the plan are consistent with the air pollution control enforceable policy of the VCP.

6. Point Source Pollution Control. According to the Navy, due to the acreage that would be disturbed, a Virginia Pollutant Discharge Elimination System (VPDES) permit will be required for the project (FCD, page 7, item f). The Navy plans to obtain necessary permits through the submission of all necessary documentation to DCR.

6(a) Agency Jurisdiction. The State Water Control Board promulgates Virginia's water regulations, covering a variety of permits. These include the Virginia Pollutant Discharge Elimination System (VPDES) Permit, Virginia Pollution Abatement Permit, Surface and Groundwater Withdrawal Permit, and the Virginia Water Protection (VWP) Permit. DEQ issues individual VPDES permits to both municipal and industrial facilities. Permit requirements, special conditions, effluent limitations, and monitoring requirements are determined for each facility on a site-specific basis in order to meet applicable water quality standards. General permits are written for a class of discharges including petroleum-contaminated sites and hydrostatic tests (*Regulations*, 9 VAC 25-120). As with air pollution control (item 5(a), above) DEQ Regional Offices, including the Northern, Piedmont, and Tidewater Regional Offices, perform permit application reviews and issue permits for covered activities, according to activity locations.

6(b) Agency Comments. DEQ's Tidewater Regional Office did not comment on this review. However, based on the Navy's comments in the FCD, it appears that the Navy is referring to the VPDES permit for construction activities which is currently administered by the Department of Conservation and Recreation under the Virginia Stormwater Management Program (VSMP) Permit Regulations (see item 7(c) below).

6(c) Recommendation. The Navy should contract DEQ's Tidewater Regional Office regarding the applicability of a VPDES wastewater permit (governing the Point Source Pollution Control enforceable policy of the VCP) to this project.

7. Non-point Source Pollution Control. The Navy indicates that it will undertake best management practices for minimizing erosion and sedimentation impacts from construction. The Navy indicates that an Erosion and Sediment Control plan will be required. It states that Joint Expeditionary Base Fort Story maintains a Stormwater Pollution Prevention Plan to address stormwater management (FCD, pages 6-7, item e).

7(a) Agency Jurisdiction. The mission of the Department of Conservation and Recreation (DCR) is to conserve Virginia's natural and recreational resources. DCR supports a variety of environmental programs organized within seven divisions including the Division of Stormwater Management. DCR's Division of Stormwater Management (DCR-DSM) administers the non-point source enforceable policy of the VCP which is governed by the Virginia Erosion and Sediment Control Law and Regulations [References: Virginia Code §10.1-563; *Virginia Erosion and Sediment Control Regulations* 4 VAC 50-30-30, 4 VAC 50-30-40] and the Virginia Stormwater Management Law and Regulations [Reference: Virginia Code §10.1-603.3; *Virginia Stormwater Management (VSMP) Permit Regulations*, 4 VAC 50-60-110.]

7(b) Agency Comments: Erosion and Sediment Control. The Navy and its authorized agents conducting regulated land-disturbing activities on private and public lands in the state must comply with the Virginia Erosion and Sediment Control Law and Regulations (VESCL&R), Virginia Stormwater Management Law and Regulations including coverage under the general permit for stormwater discharge from construction activities, and other applicable federal non-point source pollution mandates (e.g., Clean Water Act, section 313, Federal Consistency under the Coastal Zone Management Act). Clearing and grading activities, installation of staging areas, parking lots, roads, buildings, utilities, borrow areas, soil stockpiles, and related land-disturbing activities that result in the disturbance of 2,500 or more square feet of land (in Chesapeake Bay Preservation Areas) are regulated by VESCL&R. Accordingly, the Navy must prepare and implement erosion and sediment control (ESC) plan to ensure compliance with state law and regulations. The ESC plan is submitted to DCR's Suffolk Regional Office (the office that serves the area where the project is located) for review for compliance (see "Regulatory and Coordination Needs," item 3, below). The Navy is ultimately responsible for achieving project compliance through oversight of on-site contractors, regular field inspection, prompt action against non-compliant sites, and other mechanisms consistent with agency policy. [Reference: VESCL, Virginia Code, section 10.1-567.]

7(c) Agency Comments: Stormwater Management. The operator or owner of construction activities involving land-disturbing activities greater than or equal to 2,500 square feet in areas designated as subject (or analogous) to the *Chesapeake Bay Preservation Area Designation and Management Regulations* (9 VAC 10-20-10 *et seq.*) adopted pursuant to the Chesapeake Bay Preservation Act (Virginia Code sections 10.1-2100 *et seq.*) are required to register for coverage under the General Permit for Discharges of Stormwater from Construction Activities and develop a project specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit and the SWPPP must address water quality and quantity in accordance with the *Virginia Stormwater Management Program (VSMP) Permit Regulations*. General information and registration forms for the General Permit are available on DCR's website at http://www.dcr.virginia.gov/soil_and_water/index.shtml. [Reference: Virginia Stormwater Management Law, Virginia Code sections 10.1-603.1 *et seq.*; *VSMP Permit Regulations*, 4 VAC 50 *et seq.*]

8. Coastal Lands Management. The Navy states that it would conduct the proposed action in a manner either fully consistent or consistent to the maximum extent practicable with the "applicable enforceable policies of the VCP" (FCD, page 9, item i).

8(a) Agency Jurisdiction. The Department of Conservation and Recreation's Division of Stormwater Management (see item 5(a), above) is also responsible for administering the state's responsibilities under the Chesapeake Bay Preservation Act (Virginia Code sections 10.1-2100 *et seq.* and the *Chesapeake Bay Preservation Area Designation and Management Regulations* (9 VAC 10-20-10 *et seq.*).

8(b) Agency Comments. According to DCR, the federal consistency determination notes that the improvements will impact non-tidal wetlands (FCD, page 5, section c.ii), but it is unknown if these wetlands are considered Chesapeake Bay Resource Protection Area (RPA) features. A review of the City of Virginia Beach's Chesapeake Bay Preservation Areas mapping did not appear to show RPAs in the vicinity of the proposed work. A determination whether RPA features are on the site, and likely to be affected, is necessary in order to determine consistency. Should the proposed activities occur in areas that are analogous to RPAs (within tidal wetlands, tidal shores, non-tidal wetlands that are connected and contiguous to tidal wetlands or water bodies with perennial flow, or within 100 feet of the prior listed features or any water body with perennial flow), then the project may need to include additional mitigation requirements in order for it to be consistent with the Chesapeake Bay Preservation Act and the *Regulations*. For additional guidance, see "Regulatory and Coordination Needs," item

8(c) Conclusion. The Department of Conservation and Recreation indicates that project activities must be outside of areas that are analogous to RPAs in order for the project to be consistent with the Coastal Lands Management enforceable policy of the VCP.

ADDITIONAL ENVIRONMENTAL CONSIDERATIONS

1. Solid and Hazardous Waste Management.

1(a) Agency Jurisdiction. Solid and hazardous wastes in Virginia are regulated by DEQ, the Virginia Waste Management Board, and the U.S. Environmental Protection Agency pursuant to legislation including the federal Resource Conservation and Recovery Act ("RCRA"), the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA," or "Superfund"), and the Virginia Waste Management Act (Virginia Code sections 10.1-1400 *et seq.*). DEQ, through its Division of Land Protection and Revitalization (DEQ-DLPR), administers regulations established by the Virginia Waste Management Board and reviews permit applications for completeness and conformance with facility standards and financial assurance requirements.

1(b)(i) General Comments. Any soil suspected of contamination, or wastes that are generated, must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations. See "Regulatory and Coordination Needs," item 1(a), below.

1(b)(ii) Asbestos-Containing Materials and Lead-based Paints. If an older structure is to be demolished as part of this project, the structure should be checked for asbestos-containing materials (ACM) and lead-based paints (LBP). If these materials are found, they should be addressed in accordance with applicable provisions of state waste management regulations (see "Regulatory and Coordination Needs," item 1(a), below).

1(c) Database and Data File Searches: Recommendations. DEQ-DLPR recommends an environmental investigation to identify waste sites or issues related to the project area. Suggested data bases include:

- *Permitted solid waste management facilities:* a list of active solid waste facilities in Virginia;
- *CERCLA Facilities:* a list of active and archived CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act, or EPA Superfund Program) sites;
- *Hazardous Waste Facilities Database:* A list of hazardous waste generators, hazardous waste transporters, and hazardous waste storage and disposal facilities.

Data for the CERCLA Facilities and Hazardous Waste Facilities databases are periodically downloaded by DEQ-DLPR from EPA's website.

- *Virginia Environmental Geographic Information Systems (VEGIS):* The "What's in My Backyard" application displays cross-media geographical features in proximity to a selected site/address for different facility search parameters.

1(d) How to Access the DEQ Data bases. The DEQ website can be found at:

<http://www.deq.virginia.gov/Programs/LandProtectionRevitalization/ReportsPublications/OriginalReports.aspx>.

Scroll down to the databases which are listed under **Real Estate Search Information** heading.

Initially, the **solid waste information** can be accessed by clicking on the Permitted Solid Waste Management Facilities link and opening the file. One can search by city/county or region (zip code) for active permitted waste facilities. (Note: A targeted solid waste facility search can be accomplished through the **VEGIS** link - see information below re: VRP search).

The **Superfund information** will be listed by clicking on the Search EPA's CERCLIS database tab and clicking on the **Search Superfund Site Information** button (blue box). On this form, enter either 1) the zip code for the project site, or, 2) the name of the city or county and select Virginia in the State drop down box. Click "Search" at the bottom of the form. A facilities list will be appear.

The **hazardous waste** information can be accessed by clicking on the Hazardous Waste Facilities link. Go to the Geography Search section and fill in the 1) zip code of the project, or 2) the name of the city or county and VA in the state block, and click on "Search." The hazardous waste facilities in the locality will be listed.

The **Voluntary Remediation Program (VRP)**, **Solid Waste Facilities**, and **Petroleum Release Sites** GPS databases can be accessed from the www.deq.virginia.gov website by clicking on **VEGIS** link under the **Resources & Tools** category. Then click on the "What's in my backyard" in the **Mapping Applications** block to the left. On the web map page, click on the "Pick a Quick Search Here" drop down arrow, and select "Address Search." In the adjacent block enter the zip code or address for the project site. Click on "Search." On the map, one will see a green "balloon" indicating the site.

On the map area click on the "Tools" drop down arrow, and then select "Identify". A normal search looks like this: In the "Radius" block, type in [.5], and in the adjacent block select [miles] from the drop down options. Click on the "Layer" drop down arrow, select "VRP Sites," and then click on the green balloon. All VRP sites within the indicated range will appear in the Map/Results block to the left. Clicking on the block by the identified site will result in a second green balloon on the map. With multiple sites identified by the search, one can select/unselect each site to visualize its location, or change the radius of the search as needed.

At this time, one can also search for "Solid Waste" sites and "Petroleum Releases" information for the project area by selecting these topics from the "Layer" options and then clicking on the green balloon on the map after each selection.

These database searches will include most waste-related site information for each locality based upon the radius of the address selected (such as .5 miles, .25 miles, or .1 mile). In many cases, especially when the project is located in an urban area, the database output for that locality will be extensive. This information is important to identify possible environmental concerns that may affect a new project.

1 (e) Recommendation: DEQ encourages the Navy to implement pollution prevention principles, including the reduction of waste materials at the source, re-use of materials, and recycling of all solid wastes generated. All hazardous wastes should be minimized.

2. Historic Structures and Archaeological Resources.

2(a) Agency Jurisdiction. The Department of Historic Resources (DHR) conducts reviews of projects to determine their effect on historic structures or cultural resources under its jurisdiction. As the designated Historic Preservation Office for the Commonwealth, DHR ensures that federal actions comply with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, and its implementing regulation at Title 36, Code of Federal Regulations, Part 800 (36 CFR Part 800). The NHPA requires federal agencies to consider the effects of federal projects on properties that are listed or eligible for listing on the National Register of Historic Places. Section 106 also applies if there are any federal involvements, such as licenses, permits, approvals or funding.

2(b) Agency Comments. DHR has been in direct consultation with the Navy regarding this project. The parties have reached consensus that the Tactical Vehicle Training Course project will have no adverse effect on historic properties.

3. Natural Heritage Resources.

(3)(a) Agency Jurisdiction: The mission of the Department of Conservation and Recreation's Division of Natural Heritage is to conserve Virginia's biodiversity through inventory, protection, and stewardship. The Virginia Natural Area Preserves Act, Virginia Code sections 10.1-209 through 10.1-217, enacted in 1989, codified DCR's powers and duties related to statewide biological inventory: maintaining a statewide database for conservation planning and project review, land protection for the conservation of biodiversity, and the protection and ecological management of natural heritage resources. "Natural heritage resources" are defined as the habitats of rare, threatened and endangered species, significant natural communities, geologic sites, and other natural features.

3(b) Agency Findings and Recommendations. The Department of Conservation and Recreation's Division of Natural Heritage (DCR-DNH) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted maps. According to the information currently in DCR's files, this site is located within the Fort Story West Beach Dunes Conservation Site (see item 3(c), next). The natural heritage resource of concern at this site is the bluejack oak (*quercus incana*), G5/S2/NL/NL. Bluejack oak is a small evergreen tree with dark brown to gray bark that is broken into squares; it also has elliptical leaves with a bluish hue. This tree is found in dry sandy soil (sandhills) (Radford et al, 1968). Bluejack oak is currently known from 11 occurrences and historically known from 5 occurrences in Virginia's coastal plain.

According to additional information provided to DCR by the Navy, no trees will be cleared for this project just brush along the sides of the roads. Therefore, DCR does not anticipate adverse impact to natural heritage resources from the proposed project. However if it does become necessary to remove small trees/large shrubs, DCR recommends avoidance of Bluejack oak wherever possible.

DCR joins DGIF ("Additional Environmental Considerations," item 4(b), below in identifying several species documented in the project area. These are:

- Bald eagle (*Haliaeetus leucocephalus*)
- Barking tree frog (*Hyla gratiosa*)
- Chicken turtle (*Deirochelys reticularia*) and
- Eastern big-eared bat (*Corynorhinus rafinesquii macrotis*).

Due to the legal status of these four species, DCR recommends that the Navy coordinate with the Department of Game and Inland Fisheries, Virginia's regulatory

authority for the management and protection of these species, to ensure compliance with the Virginia Endangered Species Act (Virginia Code sections 29.1-563 through 29.1-570). See "Regulatory and Coordination Needs," item 2(a), below.

3(c) Conservation Sites. Conservation sites are tools for representing key areas of the landscape that warrant further review for possible conservation action because of the natural heritage resources and habitat they support. Conservation sites are polygons built around one or more rare plant, animal, or natural community designed to include the element and, where possible, its associated habitat, and buffer or other adjacent land thought necessary for the element's conservation. Conservation sites are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. Fort Story West Beach Dunes Conservation Site has been given a biodiversity significance ranking of B2, which represents a site of very high significance.

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

3(f) Natural Area Preserves. According to DCR, there are no state Natural Area Preserves in the project vicinity.

3(e) Additional Natural Heritage Information. New and updated information is continually added to DCR's Biotics Data System. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized (see "Regulatory and Coordination Needs," item 2(b), below).

4. Wildlife Resources.

4(a) Agency Jurisdiction. The Department of Game and Inland Fisheries, 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). The 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.

Because DGIF responsibilities extend to fisheries as well as terrestrial and avian wildlife, see also the discussion in "Federal Consistency Analysis" sub-heading, item 1, above.

4(b) Agency Findings and Comments. DGIF indicates that the following listed species and resources have been documented in the project area:

- Eastern chicken turtles, listed as Endangered by the state government;
- Rafinesque's eastern big-eared bats, listed as Endangered by the state government;
- Barking tree frogs, listed as Threatened by the state government;
- Bald eagles, listed as Threatened by the state government; and
- Colonial waterbird colonies.

Based on the scope and location of the proposed project, DGIF does not anticipate that the project will result in adverse impacts upon these species. However, DGIF recommends coordination with federal agencies regarding possible impacts on species under federal jurisdiction; see "Regulatory and Coordination Needs," item 2, below.

The project site is within 2 miles of a documented occurrence of a state or federal threatened or endangered plant or insect species and/or other species requiring coordination with the Department of Conservation and Recreation's Division of Natural Heritage (see item 3, above). For these reasons, DGIF recommends that the Navy coordinate with that Division as well (see "Regulatory and Coordination Needs," item 2, below).

DGIF recommends use of permeable trail surfaces, as appropriate.

4(c) Additional Wildlife Information The DGIF 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. The database may be accessed from <http://vafwis.org/fwis/>.

5. Local and Regional Planning. DEQ invited the Hampton Roads Planning District Commission (HRPDC) to comment on the FCD for this project.

5(a) Agency Jurisdiction. In accordance with Virginia Code section 15.2-4207, planning district commissions (PDCs) encourage and facilitate local government cooperation and state-local cooperation in addressing, on a regional basis, problems of greater than local significance. This cooperation is intended to facilitate the recognition and analysis of regional opportunities and take account of regional influences in planning and implementing public policies and services. Planning district commissions promote the orderly and efficient development of the physical, social, and economic elements of the districts by planning, and encouraging and assisting localities to plan for the future.

5(b) PDC Comments. The HRPDC staff reviewed the FCD and consulted with the City of Virginia Beach regarding the proposed project. Based on this review, HRPDC concludes that the project appears to be consistent with local and regional plans and policies.

REGULATORY AND COORDINATION NEEDS

1. Waste Management.

1(a) Applicable Laws and Regulations. Some of the applicable laws and regulations follow (see "Additional Environmental Considerations," items 1(b)(i) and 1(b)(ii), above):

State:

- Virginia Waste Management Act, Virginia Code sections 10.-1400 *et seq.*;
- *Virginia Hazardous Waste Management Regulations*, 9 VAC 20-60;
For lead-based paint: 9 VAC 20-60-261 (see "Additional Environmental Considerations," item 1(b)(ii), above)
- *Virginia Solid Waste Management Regulations*, 9 VAC 20-80;
For asbestos-containing materials: 9 VAC 20-80-640 (see "Additional Environmental Considerations," item 1(b)(ii), above)
- *Virginia Regulations for the Transportation of Hazardous Materials*, 9 VAC 20-110.

Federal:

- Resource Conservation and Recovery Act (RCRA), 42 U.S. Code, sections 6901 *et seq.*;
- Title 40, *Code of Federal Regulations*;
- U.S. Department of Transportation, *Rules for Transportation of Hazardous Materials*, Title 49, *Code of Federal Regulations*, Part 107.

1(b) Coordination. DEQ's Federal Facilities Restoration Program recommends contacting Mr. Bryan Peed, Remedial Project Manager in your Office (telephone (757) 341-0480) for information concerning Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) obligations at Joint Expeditionary Base Fort Story. Mr. Peed, or his designee, should be advised prior to initiating any land-, sediment-, or groundwater-disturbing activities associated with the proposed Tactical Vehicle Training Course upgrades, as this site is located within an operational range area.

Additional questions may be directed to DEQ-DLPR (Mr. Wade Smith, telephone (804) 698-4125 or wade.smith@deq.virginia.gov). Other questions on waste management may be directed to DEQ-DLPR (Steve Coe, telephone (804) 698-4029).

2. Wildlife Protection and Information.

2(a) Wildlife Protection and Coordination. As indicated above ("Federal Consistency Analysis" sub-heading, item 1(b) and "Additional Environmental Considerations," item 4(b), above), DGIF recommends that the Navy coordinate with the following agencies with regard to the species under their jurisdiction that may be affected by this project:

- U.S. Fish and Wildlife Service, Virginia Office (start with Cindy Schultz, telephone (804) 693-6694);
- National Oceanic and Atmospheric Administration, NOAA Fisheries (David O'Brien, e-mail David.L.O'Brien@noaa.gov).
- DCR-DNH (Rene' Hypes, telephone (804) 371-2708).

As mentioned above ("Additional Environmental Considerations," item 3(b)), DCR recommends coordination with DGIF on listed species as well (begin with Amy Ewing, telephone (804) 367-2211).

2(b) Additional Information. For additional information concerning the DGIF web site on wildlife locations, the Navy may contact DGIF (Gladys Cason, telephone (804) 367-0909 or e-mail Gladys.Cason@dgif.virginia.gov). For updated natural heritage resource information, the Navy may contact DCR-DNH (Rene' Hypes, telephone (804) 371-2708).

3. Non-point Source Pollution Control Enforceable Policy.

3(a) Erosion and Sediment Control Project-Specific Plans. If the proposed action disturbs 2,500 square feet of land area or more in a Chesapeake Bay Preservation Area (10,000 square feet outside a CBPA), an erosion and sediment control (ESC) plan should be prepared and implemented to ensure compliance with state law and regulations (VESCL, Virginia Code sections 10.1-560, 10.1-564; *Virginia Erosion and Sediment Control Regulations*, 4 VAC 50-30-30). The ESC plan should be submitted to DCR's Suffolk Regional Office for review at the following address:

1548 Holland Road
Suffolk, Virginia 23434

Questions may be directed to that Office (telephone (757) 925-2468).

3(b) VSMP General Permit. If the proposed action disturbs 2,500 square feet or more of land in Chesapeake Bay Preservation Areas (one acre outside of CBPA), apply to DCR for registration coverage under the Virginia Stormwater Management Program (VSMP) General Permit for Discharges of Stormwater from Construction Activities. This permit requires the Navy to develop a project-specific stormwater pollution prevention plan (SWPPP) (Virginia Stormwater Management Law, Virginia Code sections 10.1-603.1 *et seq.*; *VSMP Permit Regulations*, 4 VAC 40-50 *et seq.*). Specific questions regarding the VSMP General Permit for Construction Activities requirements should be directed to DCR's Division of Stormwater Management (Holly Sepety, telephone (804) 225-2613).

4. Wetlands Management Enforceable Policy. The proposed action may require a Virginia Water Protection Permit. For guidance on application for and compliance with the VWP permit, please contact DEQ-TR0 (Bert Parolari, telephone (757) 518-2166).

Compliance requirements may also be found on the DEQ web site, <http://www.deq.virginia.gov>. To apply for a VWP permit, please obtain a Joint Permit Application from the Marine Resources Commission (telephone (757) 247-2200).

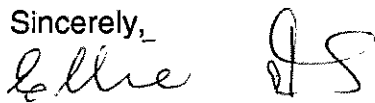
5. Air Pollution Control Enforceable Policy. The *Regulations for the Control and Abatement of Air Pollution* that may apply to the project are:

- fugitive dust and emissions control (9 VAC 5-50-60 *et seq.*); and
- open burning restrictions (9 VAC 5-130 *et seq.*).

The Navy may contact DEQ-TRO (Troy Breathwaite, telephone (757) 518-2106) for additional information on air pollution control, including but not limited to the time-of-year prohibition on open burning (May through September).

6. Coastal Lands Management Enforceable Policy. This project must be implemented in a manner which is consistent with the requirements of the *Chesapeake Bay Preservation Act* (Virginia Code §§ 10-1-2100 through 10.1-2114) and *Chesapeake Bay Preservation Area Designation and Management Regulations* (Virginia Code 9 VAC 10-20-10 *et seq.*) as administered the city of Virginia Beach. To address appropriate mitigation of impacts of the training course upgrades,, the Navy should consult with the Department of Conservation and Recreation's Division of Stormwater Management, Local Implementation (Shawn Smith, telephone (804) 371-0609).

Thank you for the opportunity to comment on the federal consistency determination. If you have questions, please feel free to contact me (telephone (804) 698-4325 or e-mail ellie.irons@deq.virginia.gov) or Charles Ellis of this Office (telephone (804) 698-4195 or e-mail charles.ellis@deq.virginia.gov).

Sincerely,

Ellie L. Irons, Program Manager
Environmental Impact Review

enclosures

ec: Amy M. Ewing, DGIF
Roberta Rhur, DCR
Kotur S. Narasimhan, DEQ-DAPC
G. Stephen Coe, DEQ-DLRP
Cindy Keltner, DEQ-TRO
Justin D. Worrell, VMRC
Roger W. Kirchen, DHR
David W. Davis, DEQ VWP
John M. Carlock, HRPDC

cc: H. Clayton Bernick III, City of Virginia Beach

From: Worrell, Justin (MRC)
Sent: Thursday, April 12, 2012 3:13 PM
To: Ellis, Charles (DEQ)
Subject: FW: DEQ-12-077F, Navy Tactical Vehicle Training Course upgrades, Fort Story, FCD

Mr. Ellis,

The proposed Course upgrades on Fort Story in Virginia Beach do not impact jurisdictional areas within the Commission's purview, therefore they will not require future Commission authorization. Thank you for the opportunity to comment.

Justin D. Worrell
Environmental Engineer
Habitat Management Division
Virginia Marine Resources Commission
(757) 247-8063 telephone
(757) 247-8062 fax

From: Watkinson, Tony (MRC)
Sent: Wednesday, April 11, 2012 3:02 PM
To: Worrell, Justin (MRC)
Subject: FW: DEQ-12-077F, Navy Tactical Vehicle Training Course upgrades, Fort Story, FCD

FYA You may need to get a ride in one of the "Tactical Vehicles" to make a proper assessment.

From: Ellis, Charles (DEQ)
Sent: Wednesday, April 11, 2012 10:32 AM
To: Ewing, Amy (DGIF); Rhur, Robbie (DCR); Watkinson, Tony (MRC); Narasimhan, Kotur (DEQ); Coe, Stephen (DEQ); Keltner, Cindy (DEQ); Kirchen, Roger (DHR); jcarlock@hrpdcva.gov; eso@vb.gov
Cc: Fulcher, Valerie (DEQ)
Subject: DEQ-12-077F, Navy Tactical Vehicle Training Course upgrades, Fort Story, FCD

Everybody – Here is a new Navy federal consistency determination (FCD) to review, along with the review request form. The form is 2 pages; the document is 13, I think. Please comment to this office by May 11. Thanks very much.

Charlie Ellis
DEQ-OEIR
April 11, 2012

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

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.

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.

The Virginia Department of Game and Inland Fisheries (VDGIF) 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 Gladys Cason (804-367-0909 or Gladys.Cason@dgif.virginia.gov). In addition, the Bald eagle (*Haliaeetus leucocephalus*), Barking treefrog (*Hyla gratiosa*), Chicken turtle (*Deirochelys reticularia*) and Eastern Big-eared bat (*Corynorhinus rafinesquii macrotis*) have been documented in the project vicinity. Due to the legal status of the Bald eagle, Barking treefrog, Chicken turtle and Eastern Big-eared bat, DCR recommends coordination with Virginia's regulatory authority for the management and protection of these species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570).

Division of Stormwater Management

Chesapeake Bay Local Assistance:

We have reviewed the proposed Tactical Vehicle Training Course upgrade located in Fort Story in the City of Virginia Beach. The consistency determination documentation notes that the improvements will impact nontidal wetlands, but it is unknown if these wetlands are considered RPA features. A review of the City of Virginia Beach's Chesapeake Bay Preservation Areas mapping did not appear to show RPAs in the vicinity of the proposed work. A determination of whether or not RPA features are onsite, and proposed to be impacted is necessary in order to determine consistency. Should the proposed activities occur in areas that are analogous to RPAs (within tidal wetlands, tidal shores, nontidal wetlands that are connected and contiguous to tidal wetlands or water bodies with perennial flow or within 100 feet of the prior listed features or any water body with perennial flow), then the project may need to include additional mitigation requirements in order for it to be consistent with the Chesapeake Bay Preservation Act and regulations.

Stormwater Management:

The applicant and their authorized agents conducting regulated land disturbing activities on private and public lands in the state must comply with the Virginia Erosion and Sediment Control Law and Regulations (VESCL&R), Virginia Stormwater Management Law and Regulations including coverage under the general permit for stormwater discharge from construction activities, and other applicable federal nonpoint source pollution mandates (e.g. Clean Water Act-Section 313, Federal Consistency under the Coastal Zone Management Act). Clearing and grading activities, installation of staging areas, parking lots, roads, buildings, utilities, borrow areas, soil stockpiles, and related land-disturbance activities that result in the land-disturbance of equal to or greater than 2,500 square feet would be regulated by VESCL&R. Accordingly, the applicant must prepare and implement erosion and sediment control (ESC) plan to ensure compliance with state law and regulations. The ESC plan is submitted to the DCR Regional Office that serves the area where the project is located for review for compliance. The applicant is ultimately responsible for achieving project compliance through oversight of on site

contractors, regular field inspection, prompt action against non-compliant sites, and other mechanisms consistent with agency policy. [Reference: VESCL §10.1-567;].

The operator or owner of construction activities involving land disturbing activities equal to or greater than 2,500 square feet in areas designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations adopted pursuant to the Chesapeake Bay Preservation Act are required to register for coverage under the General Permit for Discharges of Stormwater from Construction Activities and develop a project specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit and the SWPPP must address water quality and quantity in accordance with the Virginia Stormwater Management Program (VSMP) Permit Regulations. General information and registration forms for the General Permit are available on DCR's website at http://www.dcr.virginia.gov/soil_and_water/index.shtml

[Reference: Virginia Stormwater Management Law Act §10.1-603.1 et seq.; VSMP Permit Regulations §4VAC-50 et seq.]

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.

Cc: Amy Ewing, VDGIF

Literature Cited

Radford, A.E., H.A. Ahles, C.R. Bell. 1968. *Manual of the Vascular Flora of the Carolinas*. University of North Carolina Press, Chapel Hill. p. 385.

From: Ewing, Amy (DGIF)
Sent: Wednesday, May 16, 2012 11:04 AM
To: Ellis, Charles (DEQ)
Cc: nhreview (DCR)
Subject: ESSLog# 32838_12-077F_Ft. Story

We have reviewed the subject project that proposes to improve the tactical vehicle training course existing at Ft. Story in Virginia Beach.

According to our records, the following listed species and resources have been documented from the project area: federal Endangered Kemp's Ridley sea turtles, federal Threatened loggerhead sea turtles, federal Threatened green sea turtles, state Endangered eastern chicken turtles, state Endangered Rafinesque's eastern big-eared bats, state Threatened barking treefrogs, state Threatened bald eagles, and colonial waterbird colonies. Based on the scope and location of the proposed work, we do not anticipate it to result in adverse impacts upon these species and resources. We recommend coordination with the USFWS and NOAA Fisheries regarding possible impacts upon species under their jurisdictions.

This project is located within 2 miles of a documented occurrence of a state or federal threatened or endangered plant or insect species and/or other Natural Heritage coordination species. Therefore, we recommend coordination with VDCR-DNH regarding the protection of these resources.

We recommend use of permeable trail surfaces, as appropriate.

Assuming adherence to applicable erosion and sediment controls during trail improvement, we find this project consistent with the Fisheries Management section of the CZMA.

Thanks, Amy

Amy Ewing
Environmental Services Biologist
VA Dept. of Game and Inland Fisheries
4010 W. Broad Street
Richmond, VA 23230
804-367-2211
amy.ewing@dgif.virginia.gov

From: Kirchen, Roger (DHR)
Sent: Wednesday, April 18, 2012 11:32 AM
To: Ellis, Charles (DEQ)
Subject: Tactical Vehicle Training Course - Ft. Story (DEQ #12-077F; DHR File No. 2011-0679)

DHR has been in direct consultation with the Navy regarding this project and the parties have reached consensus that the Tactical Vehicle Training Course project will have no adverse effect on historic properties. DHR has no further comment at this time.

Roger

*Roger W. Kirchen, Archaeologist
Office of Review and Compliance
Division of Resource Services and Review
Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221
phone: 804-482-6091 (NEW!)
fax: 804-367-2391
roger.kirchen@dhr.virginia.gov*



MEMORANDUM

TO: Charles Ellis, Environmental Program Planner

FROM: *G. Stephen "Steve" Coe*
Steve Coe, Division of Land Protection & Revitalization Review Coordinator

DATE: May 9, 2012

COPIES: Sanjay Thirunagari, Division of Land Protection & Revitalization Review Manager; EIR file

SUBJECT: Environmental Impact Statement: Project #12-077F. Tactical Vehicle Training Course, Fort Story– DOD/U.S. Navy

The Division of Land Protection & Revitalization (DLPR) has completed its review of the Environmental Review Request for the Tactical Vehicle Training Course, Fort Story project in the Virginia area as identified above. The Department can only offer general comments concerning potential waste issues associated with this project review request.

Solid and hazardous waste issues were not addressed in the submittal. The DEQ DLPR staff has reviewed the notice and has the following comments concerning possible waste issues associated with this proposed program/project:

When the environmental impact report is written or compiled for specific sites, it should include an environmental investigation on and near the properties selected in order to identify any solid or hazardous waste sites or issues related to the project area. The databases include the Permitted Solid Waste Management Facilities, Virginia Environmental Geographic Information Systems (Solid Waste, Voluntary Remediation Program, and Petroleum Release sites), CERCLA Facilities, and Hazardous Waste Facilities databases.

The Permitted Solid Waste Management Facilities Database

A list of active solid waste facilities in Virginia.

CERCLA Facilities Database

A list of active and archived CERCLA (EPA Superfund Program) sites.

Hazardous Waste Facilities Database

A list of hazardous waste generators, hazardous waste transporters, and hazardous waste storage and disposal facilities. Data for the CERCLA Facilities and Hazardous Waste Facilities databases are periodically downloaded by the Waste Division from U.S. EPA's website.

Virginia Environmental Geographic Information Systems (VEGIS)

The "What's in My Backyard" application displays cross-media geographical features in proximity to a selected site/address for different facility search parameters.

Accessing the DEQ Databases:

The report author should access this information on the DEQ website at

<http://www.deq.virginia.gov/Programs/LandProtectionRevitalization/ReportsPublications/OriginalReports.aspx>.

Scroll down to the databases which are listed under **Real Estate Search Information** heading.

Initially, the *solid waste information* can be accessed by clicking on the Permitted Solid Waste Management Facilities link and opening the file. You can search by city/county or region (zip code) for active permitted waste facilities. (Note: A targeted solid waste facility search can be accomplished through the **VEGIS** link - see information below re: VRP search).

The *Superfund information* will be listed by clicking on the Search EPA's CERCLIS database tab and clicking on the **Search Superfund Site Information** button (blue box). On this form, enter either 1) the zip code for the project site, or, 2) the name of the city or county and select Virginia in the State drop down box. Click "Search" at the bottom of the form. A facilities list will be appear.

The *hazardous waste* information can be accessed by clicking on the Hazardous Waste Facilities link. Go to the Geography Search section and fill in the 1) zip code of the project, or 2) the name of the city or county and VA in the state block, and click on "Search". The hazardous waste facilities in the locality will be listed.

The *Voluntary Remediation Program (VRP), Solid Waste Facilities, and Petroleum Release Sites* GPS databases can be accessed from the www.deq.virginia.gov website by clicking on **VEGIS** link under the **Resources & Tools** category. Then click on the "What's in my backyard" in the **Mapping Applications** block to the left. On the web map page, click on the "Pick a Quick Search Here" drop down arrow, and select "Address Search". In the adjacent block enter the zip code or address for the project site. Click on "Search". On the map you will see a green "balloon" indicating the site.

On the map area click on the "Tools" drop down arrow, and the select "Identify". A normal search looks like this: In the "Radius" block, type in [.5], and in the adjacent block select [miles] from the drop down options. Click on the "Layer" drop down arrow, select "VRP Sites", and then click on the green balloon. All VRP sites within the indicated range will appear in the Map/Results block to the left. Clicking on the block by the identified site will result in a second green balloon on the map. With multiple sites identified by the search, you can select/unselect each site to visualize its location, or change the radius of the search as needed.

At this time you can also search for "Solid Waste" sites and "Petroleum Releases" information for the project area by selecting these topics from the "Layer" options and then clicking on the green balloon on the map after each selection.

These database searches will include most waste-related site information for each locality based upon the radius of the address selected (such as .5 miles, .25 miles, or .1 mile). In many cases, especially when the project is located in an urban area, the database output for that locality will be extensive. This information is important to identify possible environmental concerns that may impact a new project.

Federal Facilities Program comments:

The DEQ's Federal Facilities Restoration Program recommends contacting Mr. Bryan Peed, Remedial Project Manager (RPM), NAVFAC MIDLANT at (757) 341-0480 for information concerning Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) obligations at Joint Expeditionary Base (JEB) – Fort Story. Mr. Peed, or his designee, should be advised prior to initiating any land, sediment, or groundwater disturbing activities associated with the proposed Tactical Vehicle Training Course upgrades, as this site is located within an operational range area. Contact Mr. Wade Smith at (804) 698-4125 or wade.smith@deq.virginia.gov with any additional questions.

GENERAL COMMENTS

Any soil that is suspected of contamination or wastes that are generated must be tested and disposed of in accordance with applicable Federal, State, and local laws and regulations. Some of the applicable state laws and regulations are: Virginia Waste Management Act, Code of Virginia Section 10.1-1400 et seq.; Virginia Hazardous Waste Management Regulations (VHWMR) (9VAC 20-60); Virginia Solid Waste Management Regulations (VSWMR) (9VAC 20-80); and Virginia Regulations for the Transportation of Hazardous Materials (9VAC 20-110). Some of the applicable Federal laws and regulations are: the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901 et seq., the applicable regulations contained in Title 40 of the Code of Federal Regulations; and the U.S. Department of Transportation Rules for Transportation of Hazardous materials, 49 CFR Parts 107.

Also, if an older structure will be demolished as part of this project, the structure should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP). If they are found, in addition to the federal waste-related regulations mentioned above, State regulations 9VAC 20-80-640 for ACM and 9VAC 20-60-261 for LBP must be followed.

Finally, DEQ encourages all construction projects and facilities to implement pollution prevention principles, including the reduction, reuse, and recycling of all solid wastes generated. All hazardous wastes should be minimized.

If you have any questions or need further information, please contact Steve Coe at (804) 698-4029.

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF AIR PROGRAM COORDINATION

ENVIRONMENTAL REVIEW COMMENTS APPLICABLE TO AIR QUALITY

TO: Charles H. Ellis III

DEQ - OEIA PROJECT NUMBER: 12 - 077F

PROJECT TYPE: STATE EA / EIR FEDERAL EA / EIS SCC

X CONSISTENCY DETERMINATION

PROJECT TITLE: TACTICAL VEHICLE TRAINING COURSE, FORT STORY

PROJECT SPONSOR: DOD / U. S. NAVY

PROJECT LOCATION: **X OZONE MAINTENANCE AND
EMISSION CONTROL AREA FOR NOX & VOC**

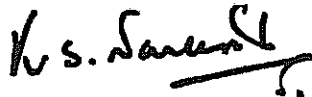
REGULATORY REQUIREMENTS MAY BE APPLICABLE TO: CONSTRUCTION
 OPERATION

STATE AIR POLLUTION CONTROL BOARD REGULATIONS THAT MAY APPLY:

1. 9 VAC 5-40-5200 C & 9 VAC 5-40-5220 E – STAGE I
2. 9 VAC 5-40-5200 C & 9 VAC 5-40-5220 F – STAGE II Vapor Recovery
3. 9 VAC 5-40-5490 et seq. – Asphalt Paving operations
4. **9 VAC 5-130 et seq. – Open Burning**
5. **9 VAC 5-50-60 et seq. Fugitive Dust Emissions**
6. 9 VAC 5-50-130 et seq. - Odorous Emissions; Applicable to _____
7. 9 VAC 5-50-160 et seq. – Standards of Performance for Toxic Pollutants
8. 9 VAC 5-50-400 Subpart _____, Standards of Performance for New Stationary Sources, designates standards of performance for the _____
9. 9 VAC 5-80-1100 et seq. of the regulations – Permits for Stationary Sources
10. 9 VAC 5-80-1700 et seq. Of the regulations – Major or Modified Sources located in PSD areas. This rule may be applicable to the _____
11. 9 VAC 5-80-2000 et seq. of the regulations – New and modified sources located in non-attainment areas
12. 9 VAC 5-80-800 et seq. Of the regulations – Operating Permits and exemptions. This rule may be applicable to _____

COMMENTS SPECIFIC TO THE PROJECT:

All precautions are necessary to restrict the emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO_x).



(Kotur S. Narasimhan)
Office of Air Data Analysis

DATE: May 11, 2012



THOMAS B. SHEPPERD, JR., CHAIRMAN • KENNETH I. WRIGHT, VICE-CHAIR • JAMES G. McREYNOLDS - TREASURER
DWIGHT L. FARMER, EXECUTIVE DIRECTOR/SECRETARY

MEMBER JURISDICTIONS

May 11, 2012

CHESAPEAKE

Mr. Charles H. Ellis
Virginia Department of Environmental Quality
Office of Environmental Impact Review
629 East Main Street, Sixth Floor
Richmond, VA 23219

FRANKLIN

GLOUCESTER

HAMPTON

Re: DEQ #12-077F, Tactical Vehicle Training Course, Fort Story (ENV: GEN)

ISLE OF WIGHT

Dear Mr. Ellis:

JAMES CITY

Pursuant to your request, the staff of the Hampton Roads Planning District Commission has reviewed the Federal Consistency Determination for the following project, Tactical Vehicle Training Course, Fort Story, in the City of Virginia Beach. We have consulted with city staff regarding this project.

NEWPORT NEWS

NORFOLK

Based on this review, the proposal appears to be consistent with local and regional plans and policies.

POQUOSON

We appreciate the opportunity to review this project. If you have any questions, please do not hesitate to call.

PORTSMOUTH

Sincerely,

SOUTHAMPTON

SUFFOLK

John M. Carlock, AICP
Deputy Executive Director

SURRY

VIRGINIA BEACH

BJM/fh

WILLIAMSBURG

Copy: Clay Bernick, VB

YOCK