

Arlington National Cemetery Millennium Project Final Environmental Assessment



Lead Agency:
Arlington National Cemetery
Cooperating Agency:
U.S. National Park Service

June 2013



US Army Corps
of Engineers®
Norfolk District

APPENDIX A:
Resource Agency Coordination



COMMONWEALTH of VIRGINIA

Douglas W. Domenech
Secretary of Natural Resources

Department of Game and Inland Fisheries

Robert W. Duncan
Executive Director

September 21, 2012

Susan L. Conner
U.S. Army Corps of Engineers - Norfolk District
803 Front Street
Norfolk, VA 23510
susan.l.conner@usace.army.mil

Re: Millennium Expansion Project

Dear Ms. Conner:

We appreciate your interest in submitting your project(s) for review by VDGIF to ensure the protection of sensitive wildlife resources during project development. Unfortunately, due to staffing limitations, our Fish and Wildlife Information Services Section (FWIS) is unable to review or provide an assessment of any projects submitted to them for review.

No response from VDGIF does not constitute "no comment" nor does it imply support of the project or associated activities. It simply means VDGIF has not been able to respond.

If you should have further questions or need additional information, please visit:
<http://www.dgif.virginia.gov/environmental-programs/>

Please feel free to attach a copy of this letter/email with your project paper work.

Thank You and Kindest Regards,

A handwritten signature in cursive script that reads "Mrs. Gladys D. Cason".

Mrs. Gladys D. Cason
Environmental Services Division
Phone: (804) 367-0909 Fax: (804) 367-2427
gladys.cason@dgif.virginia.gov



HISTORIC PRESERVATION SECTION
DEPARTMENT OF COMMUNITY PLANNING, HOUSING & DEVELOPMENT
ARLINGTON COUNTY, VIRGINIA

TO: Susan Conner, Chief, Environmental Analysis Section
U.S. Army Corps of Engineers, Norfolk District

FROM: Michael Leventhal, Historic Preservation Coordinator, Arlington County Government
Rebeccah Ballo, Historic Preservation Planner, Arlington County Government

DATE: October 22, 2012

SUBJECT: HISTORIC PRESERVATION COMMENTS ON NEPA SCOPING FOR ANC
MILLENNIUM PROJECT

This document contains the Arlington County Government, Historic Preservation Section's comments on the NEPA Scoping and other relevant documents made available for review as part of the study of the Millennium Project and proposed cemetery expansion at the Arlington National Cemetery. If there are any comments or clarifications needed about our comments, please contact Michael Leventhal at mleventhal@arlingtonva.us or 703-228-3813. We thank you for the opportunity to comment on this nationally significant project.

1. In order to properly comment on the scoping and further 106 and NEPA requirements, it is necessary to understand the universe of cultural resources existing on the property. US Army Corps should compile and make available the archaeological reports, maps overlaid with the identified cultural resources and landscape elements, soil studies, tree surveys, and other documentation done to date in the project area.
2. From the concepts presented, the Preferred Alternative was chosen from among the alternatives dated September 2009. However, information was not presented as part of the scoping meeting about the specific impacts those alternatives would have on the landscape delineated as part of the undertaking. More information about the range of alternatives would help generate comments on the impacts on the cultural resources of the area. This analysis will likely be presented as part of a Draft EA, and would be beneficial in helping us inform the scoping and development of analysis of the adverse impacts of the project.
3. Please provide information on any concurrent Section 106 reviews and consulting parties meetings and how those meetings, if they have occurred, have helped to inform the selection of a Preferred Alternative at this phase of the review.
4. A portion of the original 1870s boundary wall will be removed and the adjacent landscape altered as part of the undertaking. This adverse impact may require mitigation. Mitigation measures have not been clearly documented at this stage and need to be better defined so we can adequately comment. It is important that this original boundary be respected and maintained even though the landscape itself will be greatly altered. If possible, the wall should be salvaged and rebuilt in the same location. If that is not possible, further documentation of the wall, salvage measures, and other interpretive mitigation should be considered.

5. Please make available the most recent (2011-2012) Phase I and II archaeological reports, in addition to previous relevant reports, so that we can better comment on potential adverse impacts and mitigation.
6. The Preferred Alternative will entail the removal of stands of trees, the streambed and other landscape features. This work will presumably cause an adverse impact to the viewshed, both from Arlington House and from other areas within the ANC, and potentially areas outside the ANC (apartment buildings, public right-of-ways, etc.) Please provide viewshed studies for comment and review so we can better analyze the impacts of the undertaking.
7. It is our understanding that the project area contains the last remaining stand of old-growth forest in Arlington County. It appears from the available information that the preferred alternative will remove most if not all of these trees. This would be a significant adverse impact to the historic landscape of the cemetery and the County, and should be avoided, if possible. Better maps and information related to the trees proposed for removal will help to clarify our comments and help determine appropriate mitigation, if necessary.
8. Signage, both interpretive and directional, should be considered as part of the planning process. Some mitigation for disrupting historic landscaping features could be incorporated into the signage, for example.
9. The treatment of the boundary wall/columbarium between the ANC and Fort Myer should be studied further. More information including proposed heights, materials, grading, lighting, security features and other relevant design information (related to both sides of the wall) should be prepared so that we may comment further.



DEPARTMENT OF ENVIRONMENTAL SERVICES
Office of Sustainability and Environmental Management

2100 Clarendon Boulevard, Suite 705, Arlington, VA 22201
TEL 703-228-4488 FAX 703-228-7134 TTY 703-228-4611 www.arlingtonva.us

TO: Susan Conner, Chief, Environmental Analysis Section
U.S. Army Corps of Engineers, Norfolk District

FROM: Jeff Harn, Chief, Office of Sustainability and Environmental Management

DATE: October 22, 2012

SUBJECT: OFFICE OF SUSTAINABILITY AND ENVIRONMENTAL MANAGEMENT
COMMENTS ON NEPA SCOPING FOR ANC MILLENNIUM PROJECT

Thank you for the opportunity to provide comments on the NEPA Scoping and other relevant documents made available for review as part of the study of the Millennium Project and proposed cemetery expansion at the Arlington National Cemetery.

As you know, Corps staff and consultants met with Jason Papacosma of my staff at the project site on September 28, 2012. We found this site visit and discussion very helpful to gain an understanding of existing conditions in the stream valley as well as the Corps' overall stream restoration approach. In general, we are supportive of the stream restoration strategy discussed at the site visit to address existing stream instability and erosion as well as in-stream habitat.

Regarding the Commonwealth's Chesapeake Bay Preservation Act and Arlington's local Chesapeake Bay Preservation Ordinance, we are in general agreement with the framework outlined in your October 9, 2012, memorandum provided to Jason Papacosma as well as Joan Salvati with the Virginia Department of Conservation and Recreation.

We note in particular:

Projects that include land disturbing activity must adhere to the general performance criteria, especially with respect to minimizing land disturbance (including access and staging areas), retaining indigenous vegetation and minimizing impervious cover.

At this time, we do not have enough information to comment in detail about the stormwater runoff and stream impacts of and mitigation strategies for the proposed Millennium Project .

Therefore, we look forward to your submission of the detailed Water Quality Impact Assessment (WQIA) information for the proposed project. The features and factors of particular interest to Arlington County include:

- Existing tree and habitat conditions, including identification of high quality habitat, stands of mature/old growth trees, and an overall tree inventory, as well as areas of significant invasive plants;

- Impacts to these areas based upon the proposed limits of disturbance;
- Tree protection strategies;
- Proposed re-planting and invasive plant management program;
- Areas of existing slope instability and proposed stabilization measures;
- Cut/fill documentation and post-construction slope details and stabilization strategies where areas of fill tie into the new floodplain elevations of the restored stream;
- Details on the proposed stream restoration; and,
- Overall stormwater runoff impacts and mitigation strategies.

Overall, we recognize and acknowledge that Arlington County does not have formal jurisdiction over Arlington Cemetery under the Chesapeake Bay Preservation Act and our local ordinance.

However, our local ordinance provides a sound framework for evaluating the stormwater runoff and stream impacts of and mitigation strategies for the proposed Millennium Project at the current NEPA Scoping phase and as the project moves into the Environmental Assessment phase.

More broadly, Arlington has a strong commitment to urban watershed protection and restoration, as well as stringent regulatory obligations under our Municipal Separate Storm Sewer System Permit to protect water quality in our local streams, the Potomac River, and Chesapeake Bay.

The Millennium Project, while we understand its strong need and national significance, has the potential for significant impacts to a forested stream valley with areas of mature, high-value, and scenic tree canopy.

It is from these perspectives that Arlington is particularly interested and engaged in this project, and we are appreciative of the opportunity to provide direct feedback at this early scoping phase and as the project moves into all phases of design to encourage the minimization of environmental impacts and maximization of environmental benefits.

If there are any comments or clarifications needed about our comments, please contact me directly at jharn@arlingtonva.us or 703-228-3612.



OFFICE OF THE COUNTY MANAGER

2100 Clarendon Boulevard, Suite 302, Arlington, VA 22201
TEL 703-228-3120 FAX 703-228-3218 TTY 703-228-4611 www.arlingtonva.us

October 24, 2012

Ms. Susan L. Conner
Acting Chief, Planning and Policy Branch
U.S. Army Corps of Engineers, Norfolk District
803 Front Street
Norfolk, VA 23510

Dear Ms. Conner:

Thank you for the opportunity to provide comments on the Scoping of the Millennium Project at Arlington National Cemetery. We look forward to working with you on this important project.

As part of Arlington County's responsibility as a Cooperating Agency under NEPA for this project, the attached memos outline, from the County's perspective, the potential impacts of the proposed project on environmental, historical and cultural resources. While it is our desire to be complete and thorough in this initial response, Arlington County is not able to comment fully at this point in time due to the lack of baseline data and information about the resources on the property that has been provided to us.

I am particularly concerned about the apparent lack of adherence to standard NEPA procedures related to open scoping under 40 CFR 1501.7. and NEPA process under 40 CFR 1501.2. Given the lack of information presented, the short timeframe for comment and agency review, and, in particular, the choice of a Preferred Alternative prior to completion of the scoping, it does not appear as if the NEPA process is being properly followed.

Arlington National Cemetery is one of our local and national treasures and we fully understand the importance of their efforts to extend their closure date several decades. Particularly given the unique historic and cultural resources in this area, we believe it is of the utmost importance to weigh all alternatives, thoroughly examine all potential impacts. We firmly believe the goals of maximizing available burial space and protecting the Cemetery's goals for the project that will also result in the least impact on these important resources.

Thank you again for the opportunity to comment. We look forward to continuing to work diligently with you to aid in the NEPA undertaking.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Stout", with a stylized flourish at the end.

Brian Stout
Federal Liaison

Enclosure

Donofrio, Kristen L. NAO

From: Conner, Susan L. NAO
Sent: Monday, November 05, 2012 1:01 AM
To: 'Brian Stout'
Cc: 'Rebeccah Ballo'; Hegge, Greg E NAO
Subject: RE: Arlington County Comments - NEPA Scoping for ANC Millenium Project (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Brian -

Thanks so much for submitting comments on the Millennium Project at Arlington National Cemetery. Your comments have been shared with the study team and will be considered and addressed as we move forward through the NEPA process.

I did want to address one of your concerns, regarding the "lack of adherence to NEPA procedures." Just to clarify, scoping for the Millennium project began in 2005. Early agency coordination was accomplished in accordance with 40 CFR 1501, by way of a Public Notice dated December 28, 2005 which was issued to Federal, state, and local agencies. Responses to the Public Notice were received from the U.S. Fish and Wildlife Service (USFWS), the Virginia Marine Resources Commission (VMRC), Virginia Department of Conservation and Recreation (VDCR), and the Virginia Department of Game and Inland Fisheries (VDGIF). In April 2009, follow-up coordination letters were sent to the USFWS, VDCR, and VDGIF. Response letters were received from VDCR and VDGIF. The alternatives for the project were then developed and reviewed, with consideration to the comments received prior to that time.

There was a delay in project planning for a period of time, so once the project was again initiated, we felt it prudent to do another "round" of NEPA scoping to ensure that no new issues had developed since the previous scoping. Also, as a few years had elapsed, we wanted to ensure that everyone was informed and had a chance to participate in the process. I apologize if that was not all adequately explained or understood when you reviewed the scoping materials - it is my fault for not clarifying the situation. Generally, we seek to ensure early and ongoing scoping at every major decision point.

We greatly appreciate the time and effort of your staff to review the materials and submit comments. Please feel free to call or write with any additional questions or comments, and I hope that this email helps to better explain the NEPA process to date on the project, and our intention, with new staff and several years elapsed, to ensure that we had given all potentially interested parties a chance to comment on the project.

Sincerely - Susan Conner

Susan L. Conner
Acting Chief, Planning and Policy Branch
U.S. Army Corps of Engineers, Norfolk District
803 Front Street
Norfolk, VA 23510
757-201-7390

-----Original Message-----

From: Brian Stout [<mailto:Bstout@arlingtonva.us>]

Sent: Wednesday, October 24, 2012 12:32 PM
To: Conner, Susan L. NAO
Cc: Rebecca Ballo
Subject: Arlington County Comments - NEPA Scoping for ANC Millenium Project

Susan,

Attached please find Arlington County's comments on the NEPA Scoping for the Millenium Project at Arlington National Cemetery. I appreciate your understanding over the last few days as we prepared the attached information.

We look forward to working with you and to providing input through the NEPA process that will result in the best outcome for the project.

Sincerely,

Brian Stout

Brian Stout

Federal Liaison

Arlington County

2100 Clarendon Boulevard

Suite 302

Arlington, VA 22201

p: (703) 228-0577

f: (703) 228-3295

bstout@arlingtonva.us <<mailto:bstout@arlingtonva.us>>

Classification: UNCLASSIFIED
Caveats: NONE



DEPARTMENT OF THE ARMY
ARMY NATIONAL MILITARY CEMETERIES
ARLINGTON NATIONAL CEMETERY
ARLINGTON, VIRGINIA 22211-5003

NOV 7 2012

Office of the Executive Director

Mr. Jon G. James
Acting Superintendent, George Washington Memorial Parkway
700 George Washington Memorial Parkway
c/o Turkey Run Park
McLean, Virginia 22101

Dear Mr. James:

In accordance with regulations pertaining to the National Environmental Policy Act (Title 40 of the Code of Federal Regulations, part 1501.6), I would like to invite the National Park Service to participate as a cooperating agency in the environmental assessment processes concerning the Millennium Expansion project.

The Millennium Expansion project under development will provide approximately 32,000 additional interment and inurnment spaces to increase the operational life of the cemetery. The approximate 31 acre project site on Arlington National Cemetery's northwest boundary includes Section 29, the Joint Base Myer-Henderson Hall picnic area and old warehouse area.

Through designation as a cooperating agency, the National Park Service will be able to play an integral role in shaping the issues related to these proposed actions. We look forward to continuing to partner with your agency on this project. We request you indicate your interest in becoming a cooperating agency within 15 days of receipt of this letter.

The point of contact for this action is Mr. Daniel Delahaye at (703) 614-4306 or e-mail: daniel.b.delahaye.civ@mail.mil, if you have any further questions or require additional assistance.

Thank you for your continued interest in and partnership with Arlington National Cemetery.
Honor – Remember – Explore.

Sincerely,

A handwritten signature in black ink, reading "Kathryn A. Condon", is positioned below the word "Sincerely,".

Kathryn A. Condon
Executive Director



United States Department of the Interior

NATIONAL PARK SERVICE
George Washington Memorial Parkway
c/o Turkey Run Park
McLean, Virginia 22101

IN REPLY REFER TO:
H2217A (GWMP)

November 21, 2012

Ms. Kathryn A. Condon
Executive Director, Army National Military Cemeteries
Arlington National Cemetery
Arlington, VA 22211-5003

Dear Ms. Condon:

On behalf of the National Park Service (NPS) at George Washington Memorial Parkway (GWMP), I accept your invitation to participate as a cooperating agency in the environmental assessment process concerning the Millennium Expansion project at Arlington National Cemetery (ANC), located in ANC Section 29 and including Arlington Woods and the parking lot behind the NPS Old Administration Building.

We look forward to working with you and ANC to develop a mutually beneficial Millennium Expansion project plan on our adjoined lands that best protects natural and cultural resources. As specifically pertains to NPS interests, we are committed to helping ANC find the best alternative to control stormwater runoff from the parking lot behind the NPS Old Administration Building and restore and enhance the ecological functions and values of the stream and associated wetland habitat within the entirety of Section 29.

Please feel free to contact me at 703-289-2500 if you have any additional questions.

Sincerely,

Jon G. James
Acting Superintendent

cc:

Mr. Kent Carson
Deputy Engineer, Army National Cemeteries Program
Arlington National Cemetery
Arlington, VA 22211-5003

Ms. Susan L. Conner
Chief, Environmental Analysis Section
U.S. Army Corps of Engineers, Norfolk District
803 Front Street
Norfolk, VA 23510

Mr. Daniel Delahaye
Master Planner, Army National Cemeteries Program
1 Memorial Drive, AD Building
Arlington, VA 22211-5003

Mr. Greg Hegge
Chief, Projects Branch
U.S. Army Corps of Engineers, Norfolk District
803 Front Street
Norfolk, VA 23510

bcc:

GWMP Files
NCR Peter May
NCR Joel Gorder
GWMP ARHO Bies
GWMP IRRM Virta
GWMP IRRM Anderson
GWMP IRRM Steury
GWMP IRRM O'Connell
GWMP LAPP Helwig
GWMP LAPP McCallum
GWMP LAPP Sheffer

MO'Connell:11-20-2012:703-289-2540



Virginia Department of Game and Inland Fisheries

11/20/2012 10:35:39 AM

Fish and Wildlife Information Service

VaFWIS Search Report Compiled on 11/20/2012, 10:35:39 AM

[Help](#)

Known or likely to occur within a **3 mile radius around point Arlington National Cemetery (Cemetery) Arlington**
(at 38,52,45.4 -77,04,24.9)
in 013 Arlington County, 510 Alexandria City, VA

[View Map of Site Location](#)

523 Known or Likely Species ordered by Status Concern for Conservation
 (displaying first 22) (22 species with Status* or Tier I** or Tier II**)

BOVA Code	Status*	Tier**	Common Name	Scientific Name
010032	FE	II	Sturgeon, Atlantic	Acipenser oxyrinchus
060006	SE	II	Floater, brook	Alasmidonta varicosa
030062	ST	I	Turtle, wood	Glyptemys insculpta
040129	ST	I	Sandpiper, upland	Bartramia longicauda
040293	ST	I	Shrike, loggerhead	Lanius ludovicianus
100155	FSST	I	Skipper, Appalachian grizzled	Pyrgus wyandot
040093	FSST	II	Eagle, bald	Haliaeetus leucocephalus
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans
100248	FS	I	Fritillary, regal	Speyeria idalia idalia
100154	FS	II	Butterfly, Persius duskywing	Erynnis persius persius
030063	CC	III	Turtle, spotted	Clemmys guttata
030012	CC	IV	Rattlesnake, timber	Crotalus horridus
040225		I	Sapsucker, yellow-bellied	Sphyrapicus varius
040319		I	Warbler, black-throated green	Dendroica virens
040038		II	Bittern, American	Botaurus lentiginosus
040052		II	Duck, American black	Anas rubripes
040213		II	Owl, northern saw-whet	Aegolius acadicus
040105		II	Rail, king	Rallus elegans
040320		II	Warbler, cerulean	Dendroica cerulea
040304		II	Warbler, Swainson's	Limnothlypis swainsonii
040266		II	Wren, winter	Troglodytes troglodytes
070020		II	Amphipod, Pizzini's	Stygobromus pizzinii

To view **All 523 species** [View 523](#)

* FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed;
FC=Federal Candidate; FS=Federal Species of Concern; CC=Collection Concern

** I=VA Wildlife Action Plan - Tier I - Critical Conservation Need; II=VA Wildlife Action Plan - Tier II -
Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need;
IV=VA Wildlife Action Plan - Tier IV - Moderate Conservation Need

Anadromous Fish Use Streams (2 records)

[View Map of All
Anadromous Fish Use Streams](#)

Stream ID	Stream Name	Reach Status	Anadromous Fish Species			View Map
			Different Species	Highest TE*	Highest Tier**	
C25	Fourmile run	Confirmed	2			Yes
C64	Potomac river	Confirmed	6		IV	Yes

Impediments to Fish Passage

N/A

Threatened and Endangered Waters

N/A

Managed Trout Streams

N/A

Bald Eagle Concentration Areas and Roosts

N/A

Bald Eagle Nests (2 records)

[View Map of All Query Results
Bald Eagle Nests](#)

Nest	N Obs	Latest Date	N Species			View Map
			Different Species	Highest TE*	Highest Tier**	
AC9401	1	Mar 20 2011	1		II	Yes
AR0801	6	Feb 28 2010	1		II	Yes

Displayed 2 Bald Eagle Nests

Habitat Predicted for Aquatic WAP Tier I & II Species

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species (2 Species)[View Map of Combined Terrestrial Habitat Predicted for 2 WAP Tier I & II Species Listed Below](#)

ordered by Status Concern for Conservation

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
040038		II	Bittern, American	Botaurus lentiginosus	Yes
040105		II	Rail, king	Rallus elegans	Yes

Virginia Breeding Bird Atlas Blocks (6 records)[View Map of All Query Results
Virginia Breeding Bird Atlas Blocks](#)

BBA ID	Atlas Quadrangle Block Name	Breeding Bird Atlas Species			View Map
		Different Species	Highest TE*	Highest Tier**	
54192	Alexandria, NE	32		II	Yes
54191	Alexandria, NW	58	FSST	II	Yes
53192	Annandale, NE	49		IV	Yes
53206	Falls Church, SE	60		IV	Yes
54203	Washington West, CW	28		IV	Yes
54205	Washington West, SW	65		IV	Yes

Public Holdings: (5 names)

Name	Agency	Level
Arlington House National Historical Site	National Park Service	Federal
George Washington Memorial National Parkway	National Park Service	Federal
Arlington National Cemetery	U.S. Dept. of Army	Federal
Fort Myer Military Reservation	U.S. Dept. of Army	Federal
The Pentagon	U.S. Dept. of Army	Federal

Summary of BOVA Species Associated with Cities and Counties of the Commonwealth of Virginia:

FIPS Code	City and County Name	Different Species	Highest TE	Highest Tier
013	Arlington	458	FEST	I
510	Alexandria City	475	FESE	I

USGS 7.5' Quadrangles:

Annandale
Falls Church
Alexandria
Washington West

USGS NRCS Watersheds in Virginia:

N/A

USGS National 6th Order Watersheds Summary of Wildlife Action Plan Tier I, II, III, and IV Species:

HU6 Code	USGS 6th Order Hydrologic Unit	Different Species	Highest TE	Highest Tier
PL24	Potomac River-Pimmit Run	64	FSST	I
PL25	Potomac River-Fourmile Run	63	FSST	I

Compiled on 11/20/2012, 10:35:39 AM V436267.0 report=V searchType= R dist= 4828.032 poi= 38,52,45.4 -77,04,24.9

audit no. 436267 11/20/2012 10:35:39 AM Virginia Fish and Wildlife Information Service
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U.S. Fish and Wildlife Service

Natural Resources of Concern

This resource list is to be used for planning purposes only — it is not an official species list.

Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:

VIRGINIA ECOLOGICAL SERVICES FIELD OFFICE
6669 SHORT LANE
GLOUCESTER, VA 23061
(804) 693-6694
<http://www.fws.gov/northeast/virginiafield/>

Project Name:

USFWS List

Project Counties:

Arlington, VA

Project Type:

** Other **

Endangered Species Act Species List ([USFWS Endangered Species Program](#)).

There are a total of 1 threatened, endangered, or candidate species, and/or designated critical habitat on your species list. Species on this list are the species that may be affected by your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Please contact the designated FWS office if you have questions.

Species that may be affected by your project:

Flowering Plants	Status	Species Profile	Contact
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Natural Resources of Concern

Sensitive joint-vetch (<i>Aeschynomene virginica</i>)	Threatened	species info	Virginia Ecological Services Field Office
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FWS National Wildlife Refuges ([USFWS National Wildlife Refuges Program](#)).

There are no refuges found within the vicinity of your project.

FWS Migratory Birds ([USFWS Migratory Bird Program](#)).

Most species of birds, including eagles and other raptors, are protected under the Migratory Bird Treaty Act (16 U.S.C. 703). Bald eagles and golden eagles receive additional protection under the [Bald and Golden Eagle Protection Act](#) (16 U.S.C. 668). The Service's [Birds of Conservation Concern \(2008\)](#) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

NWI Wetlands ([USFWS National Wetlands Inventory](#)).

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).



United States Department of the Interior



FISH AND WILDLIFE SERVICE
VIRGINIA ECOLOGICAL SERVICES FIELD OFFICE
6669 SHORT LANE
GLOUCESTER, VA 23061
PHONE: (804)693-6694 FAX: (804)693-9032
URL: www.fws.gov/northeast/virginiafield/

Consultation Tracking Number: 05E2VA00-2013-SLI-0445

December 11, 2012

Project Name: ANC Millennium PProject

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project.

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having

similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: ANC Millennium PProject

Official Species List

Provided by:

VIRGINIA ECOLOGICAL SERVICES FIELD OFFICE

6669 SHORT LANE

GLOUCESTER, VA 23061

(804) 693-6694

<http://www.fws.gov/northeast/virginiafield/>

Consultation Tracking Number: 05E2VA00-2013-SLI-0445

Project Type: Development

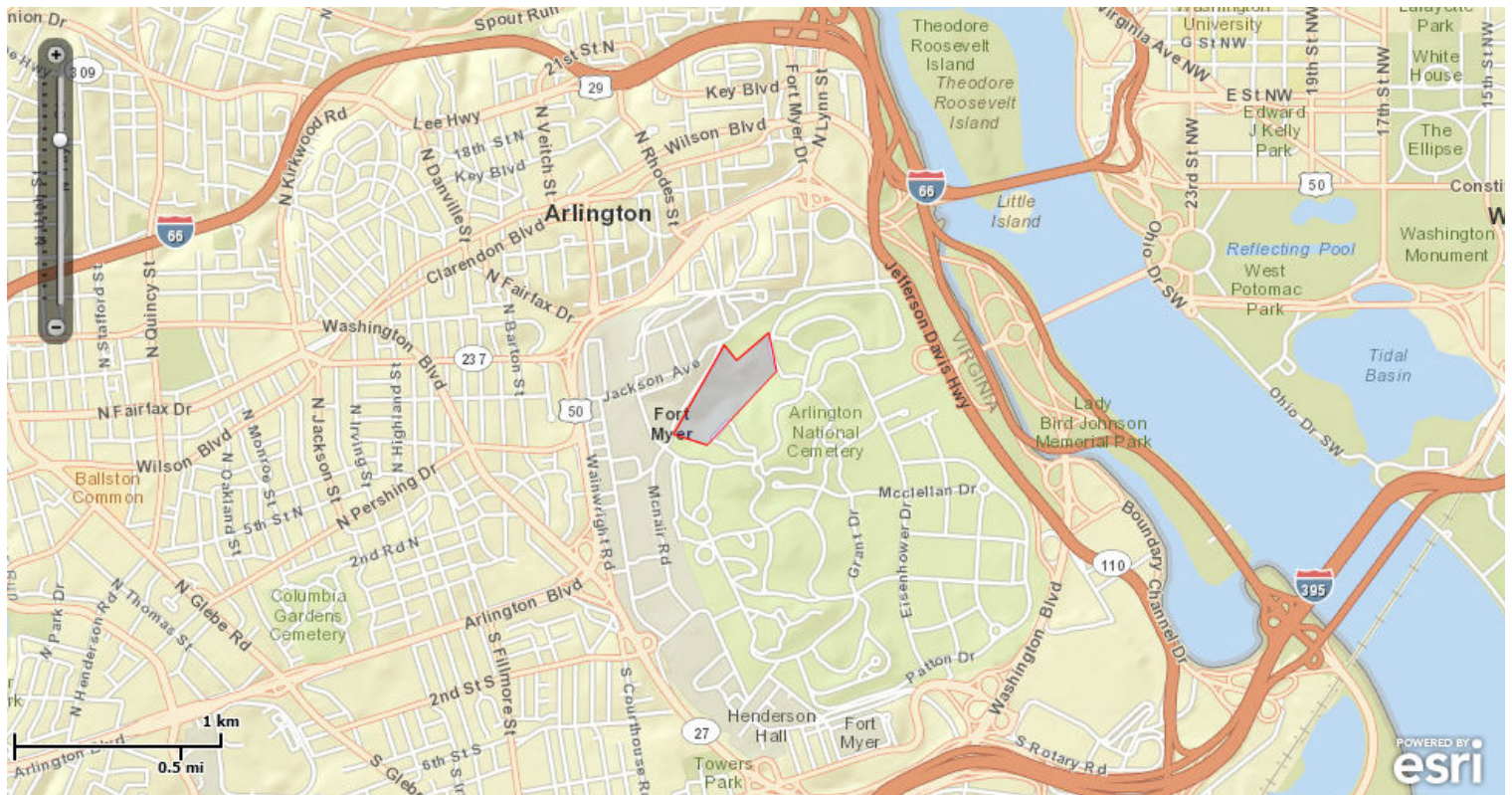
Project Description: ANC is expanding to accommodate more area for burials.



United States Department of Interior
Fish and Wildlife Service

Project name: ANC Millennium PROject

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-77.0789799 38.8813433, -77.0761475 38.8852151, -77.0754609 38.884547, -77.0736584 38.8857496, -77.0732293 38.8840826, -77.0770917 38.8808756, -77.0789799 38.8813433)))

Project Counties: Arlington, VA



United States Department of Interior
Fish and Wildlife Service

Project name: ANC Millennium PProject

Endangered Species Act Species List

Species lists are not entirely based upon the current range of a species but may also take into consideration actions that affect a species that exists in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Please contact the designated FWS office if you have questions.

There are no listed species identified for the vicinity of your project.

United States Department of
the Interior

FISH AND WILDLIFE
SERVICE
Ecological Services
6669 Short Lane
Ft. Belvoir, VA 22061

Date:

Online Project Review Certification Letter

Project Name:

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Virginia Field Office online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the referenced project in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA), and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c, 54 Stat. 250), as amended (Eagle Act). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office for this certification to be valid. This letter and the project review package will be maintained in our records.

The species conclusions table in the enclosed project review package summarizes your ESA and Eagle Act conclusions. These conclusions resulted in “no effect” and/or “not likely to adversely affect” determinations for listed species and critical habitat and/or “no Eagle Act permit required” determinations for eagles regarding potential effects of your proposed project. We certify that the use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the “no effect” and “not likely to adversely affect” determinations for listed species and critical habitat and “no Eagle Act permit required” determinations for eagles. Additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages consideration of these species by avoiding adverse impacts to them. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of listed species, critical habitat, or bald eagles becomes available, this determination may be reconsidered. This certification letter is valid for one year.

Applicant

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Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Virginia is available at our website http://www.fws.gov/northeast/virginiafield/endspecies/project_reviews.html. If you have any questions, please contact Kimberly Smith of this office at (804) 693-6694, extension 124.

Sincerely,

/s/ Cynthia A. Schulz

Cindy Schulz
Supervisor
Virginia Field Office

Enclosures - project review package

Species Conclusions Table

Project Name: ANC Millennium Project

Date: 12/11/12

[illegible]

