APPENDIX F
COASTAL CONSISTENCY DETERMINATION

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DEPARTMENT OF THE NAVY
COMMANDING OFFICER
NAVAL BASE CORONADO
BOX 357033
SAN DIEGO, CA 92135-7033

IN REPLY REFER TO:
11000
Ser N00/949
8 Dec 17

Mr. Mark Delaplaine
California Coastal Commission
Federal Consistency Supervisor
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

Dear Mr. Delaplaine:

SUBJECT: COASTAL CONSISTENCY NEGATIVE DETERMINATION FOR REPLACEMENT OF C-2A TO CMV-22 AIRCRAFT AT THE FLEET LOGISTICS CENTER AT NAVAL AIR STATION NORTH ISLAND

The Navy proposes to provide facilities and functions to support the transition of C-2A to CMV-22 aircraft at the Fleet Logistics Centers at Naval Air Station North Island and Naval Station Norfolk. The proposed action will replace 27 C-2A aircraft with 38 CMV-22s between the two installations, while providing new or renovated infrastructure, i.e., hangars, wash racks, parking aprons, and runways. The project is needed to support the carrier onboard delivery mission to provide logistics support for Carrier Strike Groups at sea.

This Coastal Consistency Negative Determination is submitted in compliance with Section 930.35 (d) of the National Oceanic and Atmospheric Administration Federal Consistency Regulations (15 CFR 930). The Navy has determined the proposed action would have no effect to coastal resources for the reasons identified in the enclosure (1).

I request your concurrence on this proposed project. When completed, please email a letter of concurrence to Ms. Deb McKay, Region NEPA Coordinator, at deborah.mckay@navy.mil. If you have any questions or need further information, please contact her at (619) 532-2284.

Sincerely,

S.T. MULVEHILL
U. S. Navy
Commanding Officer
Naval Base Coronado

Enclosure: 1. Coastal Consistency Negative Determination

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COASTAL CONSISTENCY NEGATIVE DETERMINATION FOR THE TRANSITION FROM C-2A TO CMV-22 AIRCRAFT AT FLEET LOGISTICS CENTERS

This Coastal Consistency Negative Determination addresses construction and flight operations to take place at Naval Air Station (NAS) North Island, San Diego, California as part of the transition from C-2A (Figure 1) to CMV-22B (hereinafter referred to as "Navy V-22") aircraft (Figure 2). It is submitted to the California Coastal Commission in accordance with the Coastal Zone Management Act (CZMA) Federal Consistency Regulations (15 Code of Federal Regulations [CFR] § 930, et seq.), the California Coastal Management Program, and the California Coastal Act (California Public Resources Code § 3000 et seq.).

Figure 1: Navy C-2A

Figure 2: Navy V-22

Negative determinations may be submitted pursuant to 15 CFR § 930.35 if the federal agency's effects test indicates that the coastal effects are not reasonably foreseeable and the federal agency's activity is either: (1) identified on the state's "listed activity" per 15 CFR § 930.34(b), or through case-by-case monitoring of unlisted activities; (2) the same or similar to activities for which consistency determinations have been prepared in the past; or (3) for which a thorough consistency assessment was prepared with initial findings on the coastal effects of the activity. This Negative Determination is submitted per 15 CFR § 930.35(2): the United States Department of the Navy (Navy) has determined the coastal effects are not reasonably foreseeable and has submitted negative determinations for similar activities in the past, notably the Helicopter Wings Realignment and MH-60R/S Helicopter Transition at NAS North Island (ND-008-11) for which the California Coastal Commission concurred with the negative determination.

In accordance with the CZMA of 1972, as amended in Section 307c(1), the Navy has determined that the Proposed Action, transition from the legacy C-2A aircraft to the Navy V-22 at NAS North Island, will not affect the resources or uses of the coastal zone. Therefore, the Navy has concluded that a Coastal Consistency Determination is not required and is requesting concurrence with this Coastal Consistency Negative Determination in compliance with the Ocean and Coastal Resource Management regulations (15 CFR 930.35).

PROJECT DESCRIPTION

The Navy proposes to provide facilities and functions to support the replacement of the C-2A (Figure 1) with the Navy V-22 (Figure 2) at NAS North Island, California (Figure 3) and NS Norfolk, Virginia in co-location with established fleet logistics centers. In total on the East and West Coasts, the Navy would replace 27 C-2A aircraft with 38 Navy V-22 aircraft; establish a Navy V-22 training squadron for pilots and aircrews and a maintenance school for maintenance personnel; construct, renovate, and maintain facilities to accommodate Navy V-22 aircraft, aircraft maintenance, and personnel; make adjustments to personnel levels associated with the aircraft transition; and conduct Navy V-22 flight training operations. The Proposed Action would be implemented over a 10-year period beginning in 2018 with facility renovations and some personnel actions at NAS North Island. Under the Proposed Action, the Navy V-22 squadron and maintenance school would be established to fully support Navy training requirements. The transition is expected to be complete in the 2028 timeframe.

Aircraft Transition

The Navy would transition its logistics airframe from the C-2A to the Navy V-22 beginning in 2021, with the final retirement of the C-2A planned for 2026. Table 1 provides an end-state comparison of existing and proposed squadrons, detachments, and aircraft at NAS North Island.

Table 1: Aircraft Transition Comparison (C-2A versus Navy V-22)

	NAS North Island	
	Existing	*Proposed Action*
Aircraft Transition Component	***C-2A***	***Navy V-22***
Number of Fleet Squadrons	1	1
Number of Continental United States Fleet Detachments	4	5
Number of Home Guard Detachments	1	1
Aircraft Per Detachment	2	3
Fleet Squadron and Home Guard Aircraft (Subtotal)	10	18
Number of Fleet Training Squadrons	0	1
Training Squadron Aircraft	0	5
TOTAL AIRCRAFT	10	23
Change from Baseline	N/A	+13

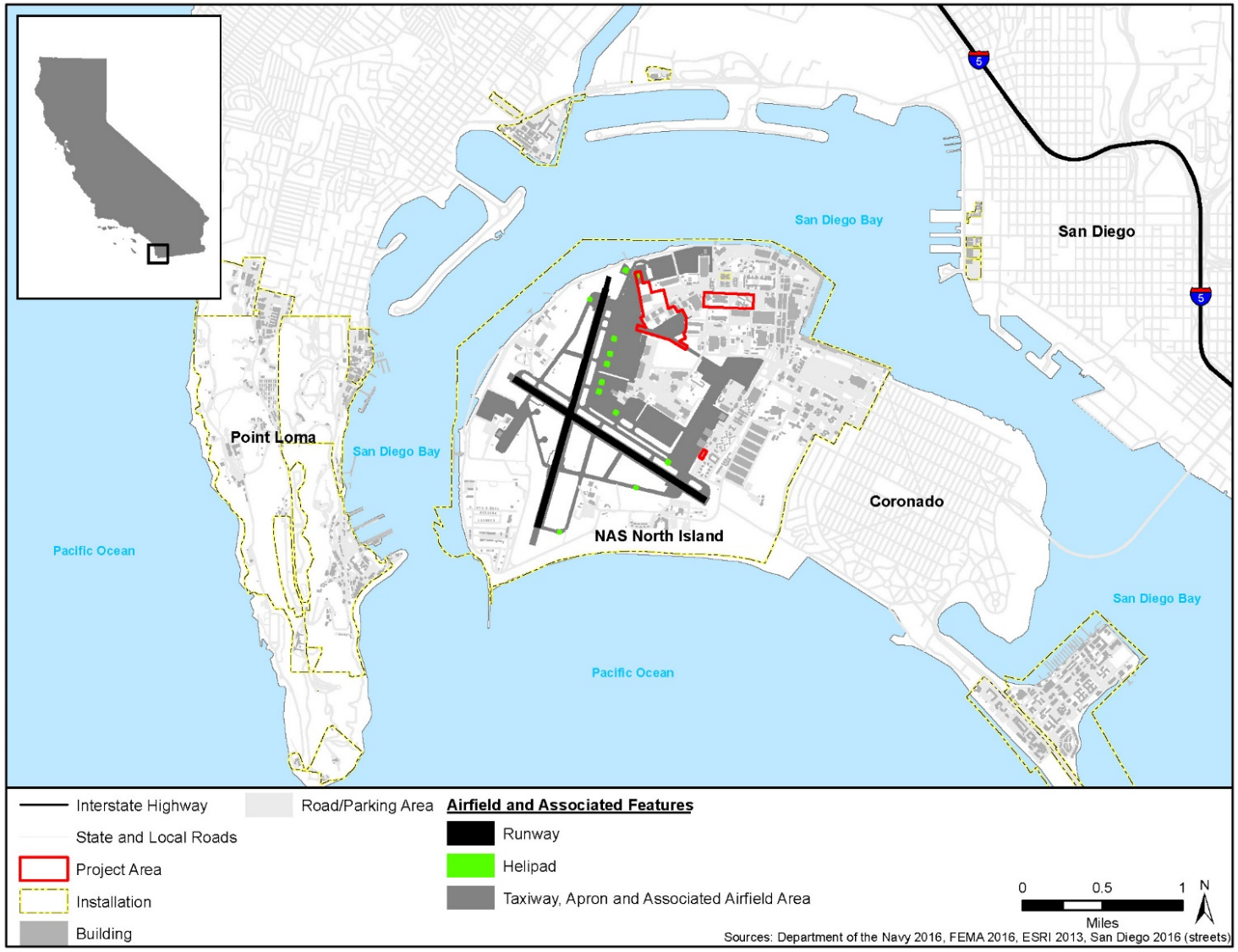

Figure 3: NAS North Island and Project Area

Facilities and Infrastructure

The Proposed Action would require constructing and/or renovating one or more hangars at NAS North Island; renovating the aircraft parking apron; adding an aircraft wash rack; installing at least two flight training devices (FTDs), e.g., simulators; and installing at least one aircraft maintenance trainer. In order to support the arrival of the aircraft in 2021, construction would begin as early as 2018 and be completed over approximately two years. Facility actions are summarized below and in Table 2. The project area for the proposed hangar is shown in Figure 4.

- **Hangar.** Approximately 156,000 square feet of aircraft hangar space would be constructed for the fleet operational squadron and fleet training squadrons at NAS North Island. The training squadron hangar space would be constructed adjacent to the fleet operational squadron hangar, either as a stand-alone building or as an addition to the operational squadron hangar. The height of the hangars would be approximately 60 feet.
- **Aircraft Parking Apron.** Due in part to handle Navy V-22 high-heat exhaust directed downward close to the ground associated with the Navy V-22 aircraft and existing pavement conditions, parking aprons, taxiways, and aircraft hover points would require full-depth replacement at NAS North Island. The pavement area proposed for renovation is approximately 30 acres. Striping for parking spots would be necessary to accommodate proper aircraft spacing, and tie downs would be needed to meet Navy V-22 requirements.
- **Aircraft Wash Rack.** One Type A wash rack would be established to meet Navy V-22 requirements. The wash rack would be located adjacent to the hangar site along with associated utilities, drainage system, and utilities control building.
- **Pilot Training Facilities.** Pilot and aircrew academic training would occur at NAS North Island, and at least two FTDs would be installed at NAS North Island. The FTDs would be located in existing Building 797, approximately 4,000 feet from the hangar area. The building interior would be partially renovated for the FTDs. There would be no construction outside the building.
  Maintenance Training. A minimum of one aircraft maintenance trainers would be required, and would be located to the east of the hangar site. Aircraft maintenance training would occur on the flightline and in the hangar(s).

The proposed facilities at NAS North Island would require the demolition of the following 26 buildings (Figure 4):

- Gas station
- Building C29, Kitting + Storage
- Building C41, A/C tool & equip storage
- Building C88, Metal Storage
- Building 40
- Building 41
- Building 42, Maintenance Shop
- Building 304, Line Shack
- Building 306, Rework Shop
- Building 308, Rework Shop
- Building 308A, Electric Power Plant
- Building 308B, Storage
- Building 308C, Hazardous/Flammable Storage
- Building 309, Rework Shop
- Building 310, Maintenance Hangar
- Building 312, Maintenance Hangar
- Building 328, Ready Magazine
- Building 329, Storage Shed
- Building 331, Storage
- Building 373, HAZ/FLAM Storage
- Building 335
- Building 454
- Building 588
- Building 809
- Building 1470
- Building 1471

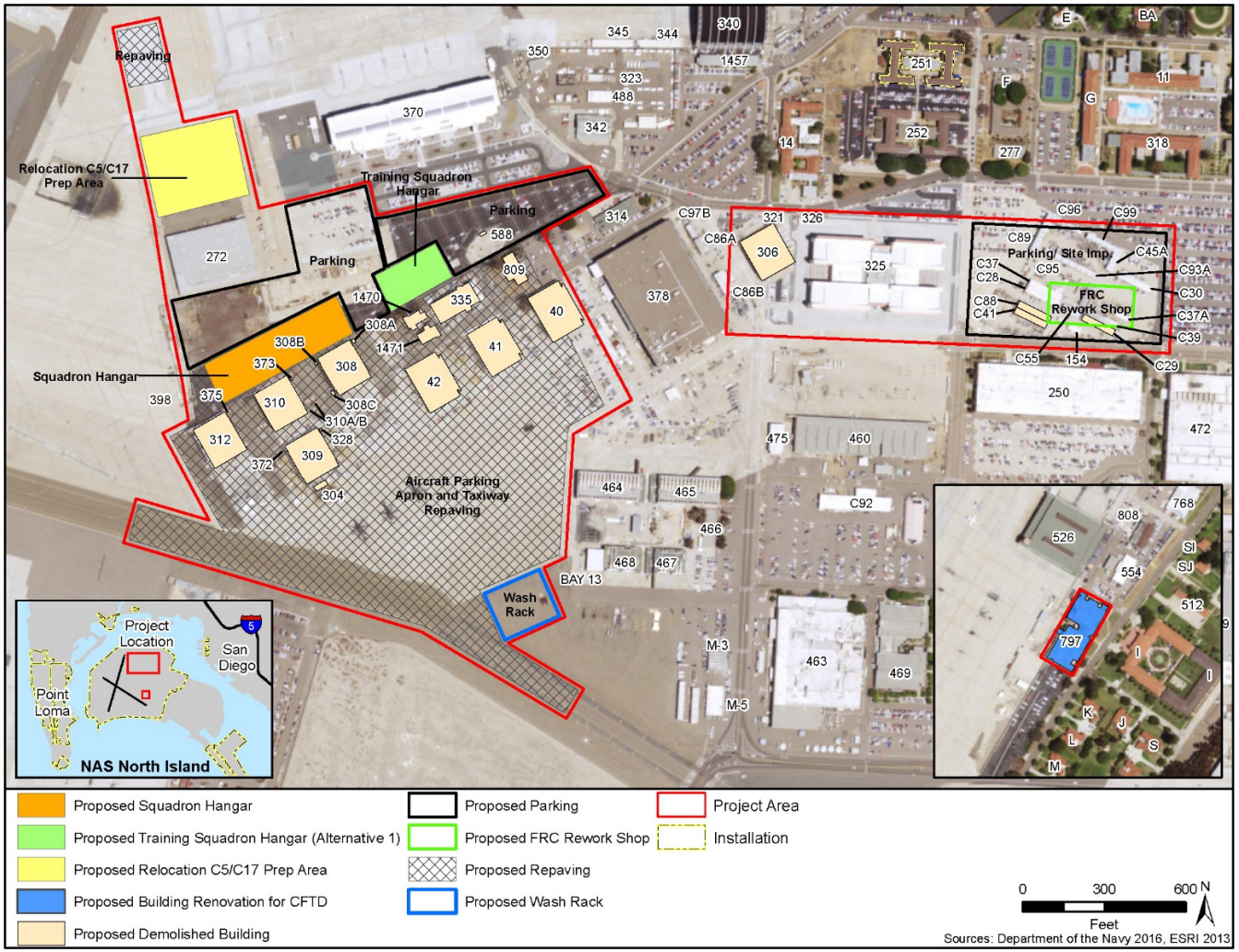

Figure 4: Project Area

Table 2: Facility Summary under the Proposed Action

Action Category	*NAS North Island*
Navy V-22 Squadrons	1 Navy V-22 Fleet operational squadron and 1 Navy V-22 training squadron
Facility Renovation (square feet)	118,293
Construction Area (acres)	29.7
New Impervious Surface (acres)	0

Personnel Requirements

Under the Proposed Action, current C-2A personnel would transition to Navy V-22 personnel, and there would be an overall increase of 341 Navy personnel for a total of 731 (including dependents) attached to NAS North Island. As with the aircraft transition, the change in personnel would occur over a period of several years.

Aircraft Operations

Under the Proposed Action, Navy V-22 aircraft operations would generally be similar to those of the C-2A with few exceptions. Operations would include deck landing qualification/vertical replenishment practice, and night vision goggle practice. The number of operations would increase with the greater amount of aircraft and a training squadron. The Navy anticipates 16,000 annual airfield operations at NAS North Island, which is an overall increase of 11,500 aircraft operations or an increase of approximately 14 percent of all aircraft operations conducted at NAS North Island (see Table 3 for a breakdown of operations).

Table 3: Annual Airfield Operations for Current C-2A and Proposed Navy V-22 at NAS North Island under the Proposed Action

	NAS North Island		
Type of Operation	*Current C-2A Operations*	*Proposed Navy V-22 Operations*	*Proposed Change*
Departures	800	2,500	+1,700
VFR Arrivals	700	2,300	+1,600
IFR Arrivals	100	200	+200
Visual Closed Patterns (Touch-and-Go)	2,600	10,000	+7,400
Instrument Patterns (ground-controlled approach)	300	900	+600
Total Annual Operations	4,500	16,000	+11,500

Notes: VFR = visual flight rules; IFR = instrument flight rules.

Navy V-22 flight training would require use of secondary training airfields. Factors such as weather, airfield maintenance, and conflicting aircraft influence the selection of the secondary training airfields on a given day.

Under the Proposed Action, the maximum capacity of Navy V-22 operations at the secondary training airfields are assumed at the levels set forth in Table 4. Occasional, transient use of other airfields available for public use in the southwest region may also be made for flight training by Navy V-22 logistics squadrons.

Table 4: Secondary Training Airfield Operations under the Proposed Action

Training Airfield	*Total Annual Airfield Operations*	*Maximum Annual Increase Training Airfield Operations*	*Percent Distribution (Day/Evening/Night Mix)*
NAF El Centro, MCAS Miramar, MCAS Camp Pendleton[1]	Up to 10,000 distributed across any of the three fields	7-15 percent	75/15/10
NALF San Clemente, MCOLF Camp Pendleton, MCAS Yuma	Up to 2,500 distributed across any of the three fields	2-9 percent	75/15/10 90/10 (MCAS Yuma, AZ)

Notes: MCAS = Marine Corps Air Station; MCOLF=Marine Corps Outlying Field; NAF = Naval Auxiliary Field; NALF = Naval Outlying Field.

Day/evening/night operating hours = day (7:00 a.m.–6:59 p.m.), evening (7:00 p.m.–9:59 p.m.), night (10:00 p.m.–6:59 a.m.)

[1] Existing operations data not available for MCOLF Camp Pendleton; percentage of overall Camp Pendleton operations would be less than 1 percent.

EFFECTS ANALYSIS

As defined in Section 304 of the CZMA, the term "coastal zone" does not include "lands the use of which is by law subject solely to the discretion of or which is held in trust by the Federal Government." NAS North Island is owned and operated by the Navy and, therefore, is excluded from the coastal zone. The Navy recognizes that actions outside the coastal zone may affect land or water uses or natural resources within the coastal zone and, therefore, are subject to the provisions of the CZMA. The Navy analyzed the impacts of the Proposed Action on the coastal zone by looking at reasonable foreseeable direct and indirect effects on the coastal use or resources and reviewing relevant management program enforceable policies and the Coastal Resources Planning and Management Policies (CRPMP).

Public Access (CRPMP Section 30210 *et seq.*) and Recreation (CRPMP Sections 30220 *et seq.*)

The project is located in a developed area on NAS North Island where access is controlled by the Navy and is restricted to military personnel, Department of Defense employees, and authorized contractors and official visitors. There is no public access and no public recreation opportunities located within the project area. However, NAS North Island is near several public recreational opportunities such as San Diego Bay and public beaches, including Coronado's main beach and Silver Strand State Beach. In addition, Navy V-22 based at NAS North Island would utilize existing Department of Defense airspace, national airspace, and secondary training airfields located some distance from the station for training operations and as such could potentially fly over other public access and recreation areas.

According to the noise analysis the Proposed Action would not result in a noticeable change in noise from increased aircraft operations, and therefore, would not adversely affect public access and recreation. Even with increased overall Navy V-22 operations resulting from the Proposed Action, the noise footprint at NAS North Island would be nearly indistinguishable from current conditions. Coastal areas that are overflown by the Navy V-22 en route to secondary airfields would not be affected by noise, as the Navy V-22 would fly at an appropriate altitude to negate any effects. It is not expected that existing recreation areas would be subjected to noise levels that would affect use.

The Proposed Action would result in an increase in traffic. The increase of 341 personnel at NAS North Island would generate 340 average daily trips. These trips would occur mainly during the week and not during the weekend and holidays when most recreation occurs. Furthermore, the additional trips represent less than 1 percent of the total NAS North Island traffic and does not increase average daily

traffic above levels projected in a published 2008 Navy traffic study. No changes to public access would occur for recreational opportunities. The Proposed Action would be compatible with existing land uses and would not change land use in the areas proposed.

Therefore, there will be no effect to public access and recreation within the coastal zone.

Marine Environment (CRPMP Sections 30230 *et seq*)

The project area for the Proposed Action is located on a currently developed area of NAS North Island and no in-water construction activity is proposed. Therefore, no marine species exist within the project area. However, NAS North Island is adjacent to the Pacific Ocean and San Diego Bay and temporary effects from construction/renovation of facilities as well as permanent effects of new infrastructure have the potential to affect coastal waters adjacent to the project area. Protective measures for constructing the hangars and other required infrastructure include implementing standard construction best management practices (BMPs), such as a spill prevention and cleanup plan. Following these practices will help avoid or minimize the potential for accidental releases of fuels/oils during construction. Construction activities would disturb more than 1 acre. Therefore, the Navy would be required to obtain authorization from the California State Water Resources Control Board under the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ/NPDES No. CAS000002) before starting construction activities. The construction contractor would be required to implement all appropriate BMPs for erosion and sedimentation control, as identified in Order No. 2009-0009-DWQ and as specified in a site-specific Stormwater Pollution Prevention Plan to minimize impacts to water quality. Before starting grading activities, BMPs such as temporary gravel construction entrances, silt fences, storm drain inlet protection, and sediment traps/basins would be implemented within the disturbance area to address erosion and sedimentation and prevent off-site transport of sediment.

The Proposed Action would not result in an increase of impervious surfaces at NAS North Island post-construction. Post-construction stormwater management features would be incorporated into the project planning and site design to ensure compliance with Energy Independence and Security Act (Section 438), the Department of the Navy Low Impact Development Policy, and the Naval Base Coronado NPDES Permit. Per these requirements, the runoff reduction features would be designed and located to provide on-site stormwater retention and trap eroded soils and, to the maximum extent technically feasible, infiltrate, filter, store, evaporate, and/or retain runoff close to its source. Non-stormwater discharges from the wash rack would also be required to be diverted into the sanitary sewer systems for treatment at the NAS North Island Industrial Waste Treatment Plant. NAS North Island has several existing wash racks in operation that divert wash water to the NAS North Island Industrial Waste Treatment Plant.

Therefore, the Proposed Action will have no long-term effects on biological productivity or water quality and no effect to the marine environment of the coastal zone.

Land Resources (CRPMP Section 30240 *et seq.*)

The Proposed Action is located in a developed area consisting of impervious surfaces within an active military installation (NAS North Island). There are no environmentally sensitive habitats occurring within the project area. No undeveloped areas would be affected by construction of Navy V-22 facilities and infrastructure at NAS North Island.

Active bird nests may be present within buildings or on building rooftops that would be demolished and in trees that would be removed as part of the project. Building demolition work and tree removal would, to the extent feasible, take place outside of the breeding season (non-breeding season is 1 September to 14 February). If this work must be conducted during the bird breeding season, a qualified biologist must confirm that no active nest would be impacted by these actions. If an active nest is found in the project area at any time during project work, work would be halted immediately. If this work must be conducted during the bird breeding season, a qualified biologist must confirm that no active nest would be impacted by these actions. The qualified biologist would be hired by the project proponent and approved by the Naval Base Coronado (NBC) Wildlife Biologist. The qualified biologist must survey the area within 72 hours of commencing work to determine if active nests are present. If an active nest is found in the project area at any time during project work, work would be halted immediately and the NBC Wildlife Biologist would be contacted. The contractor cannot take action to remove the bird or the nest from the area that is being used. Any removal action must be overseen by the NBC Wildlife Biologist and may require a permit from the United States Fish and Wildlife Service (USFWS) Migratory Bird Division.

Buildings constructed within the project area would incorporate bird-friendly design to prevent migratory birds from colliding with buildings (primarily through consideration of glass and lighting design). Bird-friendly design features include: (1) transparent passageways, corners, atria, or courtyards so that birds do not get trapped; (2) appropriately shielded outside lighting that is directed away from habitats to minimize attraction to light-migrating songbirds; (3) interior lighting that is turned off at night or designed to minimize light escaping through windows; and (4) landscaping that is designed to keep birds away from the building's façade. Use of non-reflective or opaque glass; external shades (or other devices to reduce glare, transparency, or reflectiveness) on windows; ultraviolet patterned glass; angled glass; and/or louvers can aid in reducing bird collisions. Additionally, night-time lighting would include bird-friendly design features such as shielded lights (to reduce ambient light into nearby habitats), use of motion detectors, dusk-to-dawn sensor activation and other automatic controls, low-lumen or limited-spectrum lighting, and lighting design that uses shields to prevent light from shining upward in the sky. The NBC Wildlife Biologist will be consulted to ensure the minimization measures are incorporated to prevent window strikes.

The Navy has determined that the project may result in potential for takes of migratory birds resulting from aircraft operations. The project would not create attractants with the potential to increase the concentration of birds at the airfield. There are no proposed changes to existing flight procedures. Therefore, the risk of impacts to migratory birds is managed through continued application of Bird/Animal Aircraft Strike Hazard (BASH) measures and the risk of impacts to Migratory Bird Treaty Act (MBTA) species would be expected to remain similar to existing levels. For all wildlife species, the 10-year average (2004-2014) of BASH incidents at NAS North Island is seven strikes per year. Additionally, aircraft operations under the Proposed Action are a military readiness activity. Military readiness activities are exempt from the take prohibitions of the MBTA, provided they would not result in a significant adverse effect on a population of migratory bird species. Five Birds of Conservation Concern (BCC) species (burrowing owl, western snowy plover, peregrine falcon, gull-billed tern, and California least tern) have the potential to occur within the project area. Given the San Diego County population size of the burrowing owl (46 breeding pairs), western snowy plover (140 pairs), peregrine falcon (15-35 individuals), gull-billed tern (32-37 breeding pairs), and California least tern (2,492 breeding pairs), the minor potential for an aircraft strike is not likely to adversely impact the population of these species. Therefore, the Proposed Action is not anticipated to have significant adverse effects on a population migratory birds (including BCC) that would result in the need for mitigation and consultation with the USFWS.

Two federally listed bird species nest on NAS North Island, the endangered California least tern and the threatened western snowy plover. These species are managed in accordance with the Naval Base Coronado Integrated Natural Resources Management Plan and several USFWS Biological Opinions (BOs) and informal consultations.

California least tern populations are monitored yearly under an ongoing Navy-funded monitoring program on Navy training facilities. NAS North Island currently has one active California least tern nesting site, the Least Tern Management Area (herein referred to as the MAT site), which is approximately 20.5 acres and enclosed by a chain-link fence. The MAT site is located immediately south of the project area adjacent to the taxiway. California least tern are also known to nest within the project area adjacent to the helicopter pad.

Western snowy plovers are observed yearly during migration and winter roosting flocks are observed regularly at NAS North Island. This species has historically nested on the beach and within the airfield at NAS North Island. Western snowy plover surveys are conducted throughout the year at NAS North Island to document both breeding and non-breeding populations and distribution to determine the species' abundance and nesting success.

The Navy has determined that the project *may affect, but is not likely to adversely affect* the California least tern and the western snowy plover; therefore, informal consultation with the USFWS has been initiated.

No construction activities would occur within 500 feet of the existing MAT site during the California least tern and western snowy plover nesting season. Construction occurring greater than 500 feet from the existing MAT site could occur during the nesting season. The project area is a developed military industrial land use subject to frequent elevated noise and activity levels. Therefore, construction activities more than 500 feet from the MAT site would not be anticipated to result in harassment of nesting terns and plovers.

Potential for creating predator perching habitat and associated predation on these species would be minimized by constructing the hangars and any other support buildings with a slanted roof, or other design that discourages perching and loafing by birds, and including anti-perch devices as part of the facility design. In addition, BASH measures would also act in a way that deters attractants to predators such as ravens. In addition, to minimize potential impacts to nesting within the MAT site, the Navy will incorporate the following measures into the project design: (1) permanent outdoor lighting installed within the project area will be shielded to maximally reduce light pollution into any areas that are occupied by a listed species, (2) other methods of reducing light pollution (e.g., dusk-to-dawn sensor activation, low-lumen or limited-spectrum lighting) will be applied wherever possible, and (3) light poles and light placement will be constructed at the lowest height possible (considering security constraints) to reduce impacts to the surrounding natural resources by reducing raptor perching sites and to reduce light pollution. Written approval by the NBC Wildlife Biologist is required prior to finalization and implementation of construction activities. Engagement and coordination with the aforementioned subject matter expert in the Request for Proposal (RFP) and design process must occur from the beginning to ensure timely coordination to afford appropriate opportunities for project review and modification to comply with federal laws and regulations to protect endangered/threatened species and habitats in close proximity to the project area. Subject matter experts must be contacted during RFP development and prior to the kickoff-meeting of the project design.

Aircraft operations (i.e., taxing along the existing taxiway and running the engines within the parking apron) would also occur within 500 feet of the MAT site. Potential issues from aircraft operations include heat effects from the aircraft engines and rotor wash (winds generated from the aircraft rotors

during operations). The Navy V-22 would be operated in accordance with the Naval Air Training and Operating Procedures Standardization training manual. The manual identifies measures and limitations on how the aircraft is operated, including time on the ground and requirements for nacelle rotation to reduce heat effects. During normal ground operations, the exhaust deflector system of the Navy V-22 is engaged at all times for safety purposes. While on the ground, the primary high-heat exhaust would be directed downward close to the ground directly under the aircraft engine with temperatures dissipating to ambient outdoor temperatures within 20 feet of the engine. Therefore, operations on the taxiway or the parking apron would not be expected to result in a change in ambient temperature at the MAT site. Operation of the Navy V-22 would result in aircraft rotor wash. Rotor wash forces are relative to the engine power settings and the aircraft's proximity to the ground. Navy V-22 aircraft on the taxiway and parking apron would be on the ground (i.e., not hovering) and operated in low-power setting. Wind velocities associated with rotor wash would diminish substantially beyond 100 feet from the aircraft and would not be expected to result in a change in ambient conditions at the MAT site.

The project could result in a minor increase in BASH potential at NAS North Island. Due to the importance of the airfield to the mission at NAS North Island, California least tern nesting and western snowy plover and loafing around the airfield is discouraged through harassment efforts. These efforts are performed in strict compliance with the Ongoing Operations and Management Strategies BO at NAS North Island (FWS-SDG-3908.3) and associated amendments (herein referred to as Ongoing Operations BO). In addition, the Ongoing Operations BO acknowledges the potential take for airfield operations. As described above, the project would not create attractants with the potential to increase the concentration of birds at the airfield. While there is a slight increase in air operations, there are no proposed changes to existing flight procedures. Therefore, the risk of impacts to the California least tern and western snowy plover is managed through continued application of BASH measures, and the risk of impacts would be expected to remain similar to existing levels. Nonetheless, there is a potential for individual California least tern and western snowy plover to be affected by a strike. Based on the last 35 years of records of BASH incidents kept for NAS North Island, seven incidents of aircraft striking California least tern and two incidents of aircraft striking a western snowy plover have been documented. Given the San Diego county population size of California least tern (2,492 breeding pairs) and western snowy plover (140 pairs), the potential for an aircraft strike is not likely to adversely impact the San Diego population of this species.

There are no historical or known archaeological resources within the area of potential effect defined for the project. Under Stipulation 8A of the Naval Base Coronado Programmatic Agreement, executed in May 2014 between the Commanding Officer of Naval Base Coronado, the Advisory Council on Historic Preservation, and the California State Historic Preservation Office, the Navy Region Southwest Cultural Resources Management Program determined that the Proposed Action would not affect properties that are listed, contributing, or eligible for the National Register of Historic Places. Consistent with 36 CFR 800.4(d)(1), the Cultural Resources Management Program has accordingly made a determination of "no historic properties affected" for the Proposed Action.

Therefore, there would be no effects to land resources in the coastal zone as a result of the Proposed Action.

Development (CRPMP Section 30250 *et seq.*)

Scenic and Visual Quality. The Proposed Action is located on an active military installation with shorelines on both San Diego Bay and the Pacific Ocean. Buildings on NAS North Island are typical military office and training buildings with heights not exceeding 59 feet or three stories. As appropriate, the proposed new construction would be designed based on elements from the current Naval Base

Coronado Installation Appearance Plan for the Airfield Functional District to provide an enduring, consistent architectural design that does not detract from the existing viewshed. At approximately 60 feet tall, the new hangar may be slightly taller than the tallest existing buildings; however, the height would not likely be visually distinguishable. This should foster consistency within the areas primarily used by NAS North Island personnel and to provide exterior environments for operations that are consistent with the existing flightline. Adding hangars and other Navy V-22 infrastructure would not appreciably alter the visual quality of the area. Due to the restricted access of the project area inside an active military installation, these activities are not subject to high-volume close-proximity public viewing nor would the project block or hinder existing public views of coastal resources. During construction activities, there would be temporary visual impacts, though the impact would be minimal since there are few viewers in the area. Construction activities would be visible to military and government personnel working nearby. It is not likely that construction activities would be visible from vantages outside of NAS North Island. Overall, the visual landscape would not appear to have changed significantly once the construction is complete. In addition, the change in airframe for the proposed purpose is not necessarily a change in type of aircraft using the airfield since transient aircraft bring a variety of airframe types to the airfield and the Marine Corps has been regularly using V-22s for several years now.

Air Quality. The Navy has determined that the projected project emissions would not cause or contribute to a violation of any National Ambient Air Quality Standards or California Ambient Air Quality Standards. Projected emissions are below applicable General Conformity *de minimis* thresholds.

Coastal-dependent Development. The Navy's mission "is to maintain, train and equip combat-ready naval forces capable of winning wars, deterring aggression and maintaining freedom of the seas." Having installations on the coast, near the seas where its primary mission occurs, is critically important to the Navy and thus is a coastal-dependent use with priority in development. No development would occur in a wetland and redevelopment of existing industrial area would not affect coastal uses or resources of the coastal zone.

Therefore, there would be no effect to the visual, scenic, or air quality of coastal resources.

CONCLUSION

In accordance with the CZMA, as amended, Section 307 (c)(1), the Coastal Consistency Negative Determination demonstrates that the Proposed Action would be undertaken in a manner as to not affect coastal uses or resources.

The Navy respectfully requests your concurrence. If you need additional information, or if you have any questions, please do not hesitate to contact Ms. Deborah McKay at (619) 532-2284 or email at Deborah.McKay@navy.mil.

STATE OF CALIFORNIA—NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., *GOVERNOR*

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105- 2219
VOICE (415) 904- 5200
FAX (415) 904- 5400
TDD (415) 597-5885

February 8, 2018

S.T. Mulvehill, Captain
U.S. Navy
Commanding Officer
Attn: Deb McKay, Wes Bomyea
Naval Base Coronado
P.O.Box 357033
San Dieco, CA 92135-7033

Re: **ND-0033-17** U.S Navy, Negative Determination, NASNI Fleet Logistics Center, Aircraft Replacement - Transition from C2A to CMV-22B, Coronado, San Diego Co.

Dear Captain Mulvehill:

Pursuant to 15 CFR Section 930.35(c), I am hereby requesting the automatic 15-day extension to the 60-day time limit for Commission staff review of the above-referenced negative determination. This will extend our deadline from February 11, 2018, to February 26, 2018.

Thank you for your cooperation, and if you have any questions, please contact me at (415) 904-5289.

Sincerely,

MARK DELAPLAINE
Manager, Energy, Ocean Resources
and Federal Consistency Division

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STATE OF CALIFORNIA—NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., *GOVERNOR*

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105- 2219
VOICE (415) 904- 5200
FAX (415) 904- 5400
TDD (415) 597-5885

March 16, 2018

S.T. Mulvehill, Captain
U.S. Navy
Commanding Officer
Attn: Deb McKay, Wes Bomyea
Naval Base Coronado
P.O.Box 357033
San Dieco, CA 92135-7033

Re: **ND-0033-17** U.S Navy, Negative Determination, NASNI Fleet Logistics Center, Aircraft Replacement - Transition from C2A to CMV-22B, Coronado, San Diego Co.

Dear Captain Mulvehill:

The U. S. Navy has submitted the above-referenced negative determination for the transition of C2A to CMV-22B aircraft at the Fleet Logistics Center and Naval Air Station North Island (NASNI) in Coronado. The activity includes replacing the 10 C2A existing aircraft with 23 CMV22B aircraft, as well as modifications to support infrastructure serving the new aircraft (e.g., hangars, wash racks, parking aprons, and runways). Twenty six existing buildings would be demolished, and 118,293 sq. ft. of new or renovated facilities would be constructed. Additional Navy personnel (including dependents) would increase from 341 (existing) to 731 (proposed). The transition would occur over a 10 year period, commencing in 2018.

The Navy has prepared an Environmental Assessment (EA) for the activity, and the negative determination and EA indicate that aircraft operations "would generally be similar to those of the C-2A with few exceptions." The Navy indicates the number of operations would increase by approximately 14% over recent years, but compared to historic operations "the annual total would be well within historical averages (NBC, 2011)" and "… well below the levels that have been executed over the last 20 years…"

The flight paths would not change and all operations would be conducted in accordance with FAA and Navy policy. The Navy states:

> *With the transition to the Navy V-22, the Navy is not proposing any changes to airspace usage or noise environment. It should be noted that US Air Force (USAF) and US Marine Corps (USMC) variants of the V-22 have been flying in and out of NAS North Island for several years; and that the Fleet Readiness Center located at NAS North Island already performs routine maintenance on these aircraft.*

With respect to noise, the Navy's EA examined the area and numbers of persons potentially affected (see Attached Excerpts), but maintains that the changes in noise levels would be "imperceptible."

The Navy received approximately 15 comments on its EA from area residents, as well as a more extensive comment letter from the City of Coronado. The residents' letters raised concerns over noise, flight paths, biological resources and public safety. The City's letter summarized and referenced similar concerns, as well as concerns about land use compatibility and traffic. The City also expressed concerns over potential effects on burrowing owls, which do not currently nest at NASNI, but have been historically.

The City's letter asks the Navy to consider whether the improved maneuverability of the new aircraft (compared to the aircraft being replaced) could allow the Navy to use alternative flight paths that could reduce noise in non-Navy areas, thereby reducing noise to residents. Because of the popularity of Coronado's beaches, parks, and other visitor-serving amenities for public recreation, there is some degree of overlap between the City's expressed concerns and Coastal Act concerns. The Navy will be responding to the comments it received on the EA, including but not limited to expressing commitments to continue to work with the City on traffic improvements of mutual interest, and will continue to examine ways it may be able to to reduce its effects on the community, with the understanding that mission constraints may limit its ability to reduce noise effects on residents and recreation.

After further discussions between the Commission staff and the Navy, the Navy states:

> *The Navy follows governing FAA rules and regulations when establishing and flying arrival and departure procedures. Arrival and departure procedures into and out of NAS North Island have been developed in conjunction with the FAA over decades with an emphasis on de-conflicting military, commercial, and general aviation aircraft while avoiding more densely populated areas when and where feasible.*
>
> *Within documents such as the CMV-22 EA and Air Installation Compatible Use Zone (AICUZ) studies, flight tracks are provided for general information and depict how aircraft fly in relationship to the ground when executing an arrival or departure procedure. However, the path on which an aircraft travels is not as precise as a fixed, single lane of road traffic. Instead the actual path flown will vary due to factors such as weather conditions and avoidance of other aircraft. Depending upon the document, flight tracks may or may not be included for all arrival and departure procedures. The inclusion of flight track information is not intended to direct or restrict how a pilot will fly in particular procedure.*

The Commission staff expects the Navy to maintain its commitments to work in good faith with the City and, if feasible and practicable, and consistent with mission needs, in ways that could reduce conflicts with residents and recreationists.

In response to the issue raised by the City concerning burrowing owls (also a coastal resource issue), the Navy has also committed that, in the event burrowing owl nesting recurs at NASNI, it will monitor the species and the burrows for effects from the aircraft (as well as other activities at NASNI). The Navy states:

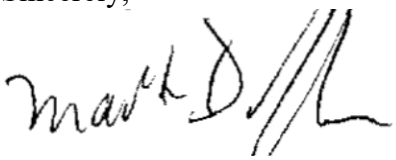
> *The Burrowing Owl is a species of concern that continues to be monitored and managed through the Naval Base Coronado INRMP with specific management objectives. Regular surveys by the Navy confirm that Burrowing Owls continue to occur regularly on NASNI during the winter/migration period. If owls begin nesting again on NASNI, the Navy will continue to monitor them with a careful eye to any effects that may inhibit their continued existence.*

Concerning potential visual impacts from hangar construction, the Navy states:

> *A contract to design and construct the hangar is expected to be awarded in fiscal year 2020 with actual construction expected to take 18-24 months to complete. The hangar will be located along the flight line and will visually blend in with the aesthetics of other aviation and industrial land-uses on NAS North Island. The design of the hangar will employ BASH measure like a slanted roof and other measures to discourage bird perching and loafing that may attract other birds and their predators. From a distance, there will be no discernable difference in building heights.*

With the understandings discussed above, the Commission staff **agrees** with the Navy that the proposed activity would not significantly adversely affect public access and recreation, sensitive habitats, or other coastal zone resources. We therefore **concur** with your negative determination made pursuant for 15 CFR Section 930.35 of the NOAA implementing regulations. Please contact Mark Delaplaine at (415) 904-5289, if you have any questions regarding this matter.

Sincerely,



(for) JOHN AINSWORTH
Executive Director

Attachments: EA Excerpts, Noise Contours, and Acreage/Persons Affected

cc: San Diego District
City of Coronado

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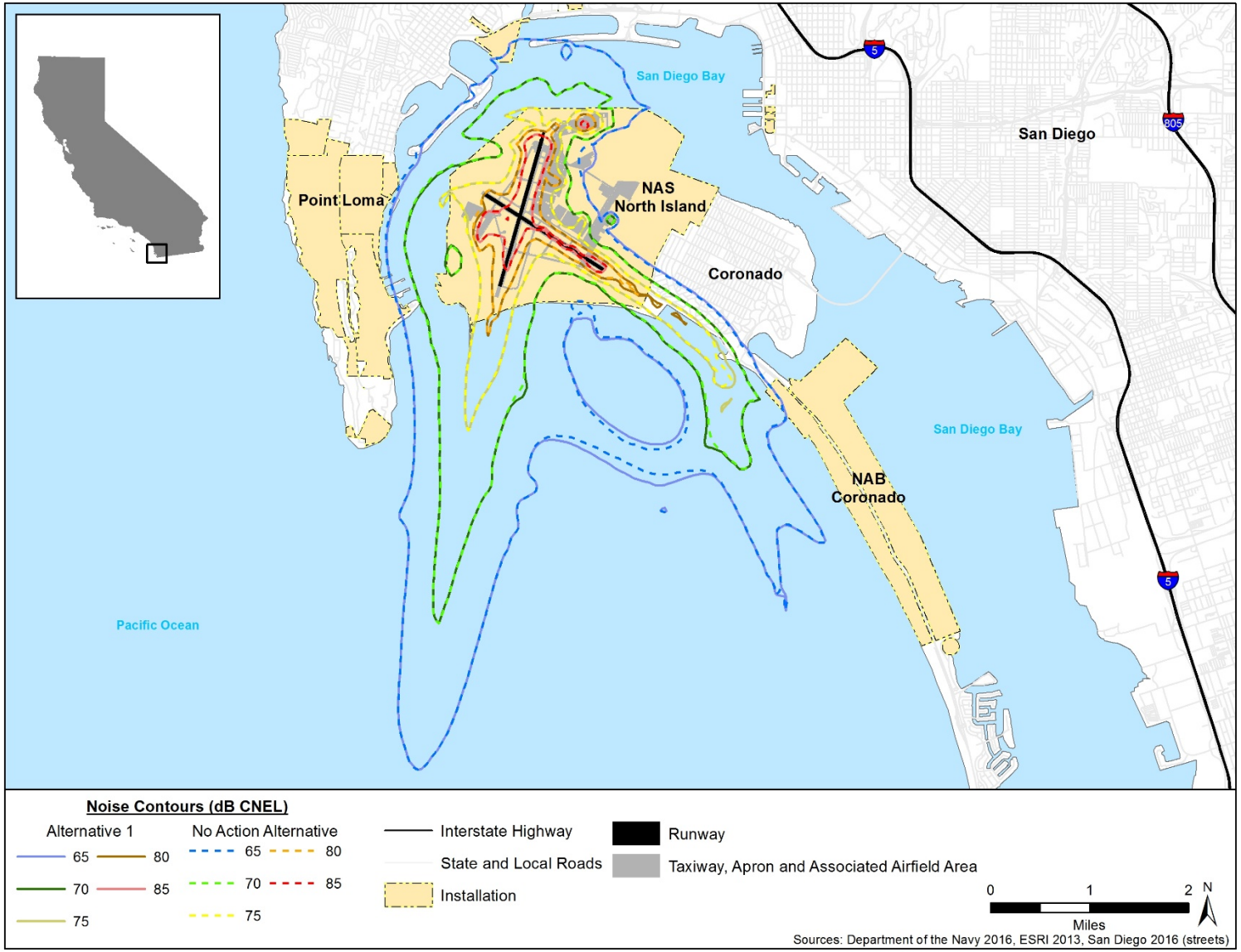

Figure 4.2-2: Alternative 1 CNEL Contours Compared to No Action Alternative

Table 4.2-7: Acreage and Estimated Population Impacts under Alternative 1 Compared to the No Action Alternative

CNEL (dBA)	*Total Acres[1]*	*Off-Base Acres*	*Estimated Population*	*Change in Acres*	*Change in Off-Base Acres[2]*	*Change in Off-Base Population[2,3]*
85 or greater	244	0	0	-2	0	0
80 or greater	562	4	30	+7	+4	0
75 or greater	1,040	65	434	+6	+6	+38
70 or greater	1,562	129	844	+8	+3	+38
65 or greater	2,093	326	2,304	+34	+5	+71

Source: USCB, 2017
Notes:
[1] Acres exclusive of water bodies.
[2] Total acres and population estimated to be within the given dBA level or greater. For example, "65 CNEL or greater" means all acreage and population exposed to CNEL at or greater than 65 dBA and includes the acres/population in the rows above.
[3] Population is based on assumed even distribution of 2015 census block population.

As **Table 4.2-7** shows, there would be a small general increase (approximately 0.2 percent) in the number of acres impacted off-base, and the estimated population that would be impacted. Under Alternative 1, there would continue to be no population impacted from noise levels equal to or greater than 80 dB CNEL. It is estimated that under Alternative 1, a total 2,304 people would be exposed to noise levels greater than 65 dB CNEL, which represents an increase of 71 people when compared to the No Action Alternative. While these numbers appear to be increases in population impacted, the actual noise increase would be less than 1 dBA and would be imperceptible in the area affected.

Given the minimal change, there would effectively be no perceptible difference between Alternative 1 and No Action Alternative.

Alternative 1 would not alter baseline noise contours to the extent that there would be any impacts to the AICUZ Program land use recommendations. Jet aircraft that routinely use NAS North Island are the primary drivers of the noise contours. As such, Alternative 1 would have no impact to the AICUZ Program.

4.2.2.4 Supplemental Noise Analysis

Table 4.2-8 shows the calculated CNEL for Alternative 1, as compared to the No Action Alternative for the 13 POIs surrounding NAS North Island. As shown, of the 13 POI locations, nine would show no change from the No Action Alternative. Of the remaining four locations, two would increase by 1 dB CNEL, and two would decrease by 1 dB CNEL. Under Alternative 1, the greatest change in CNEL at any of the POIs is 1 dB CNEL. These minor differences would be indistinguishable to the human ear in comparison to the No Action Alternative.

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

IN REPLY REFER TO:

5090
EV21/08/RE616

OCT 25 2017

Ms. Bettina Sullivan
Office of Environmental Impact Review
Department of Environmental Quality
Post Office Box 1105
Richmond, VA 23218

Dear Ms. Sullivan:

SUBJECT: FEDERAL CONSISTENCY DETERMINATION FOR NAVY TRANSITION FROM C-2A TO CMV-22B AIRCRAFT AT FLEET LOGISTICS CENTERS

The U.S. Department of the Navy (Navy) proposes to provide facilities and functions to support the replacement of the C-2A with the CMV-22B (hereinafter referred to as "Navy V-22") at Naval Air Station (NAS) North Island, CA and Naval Station (NAVSTA) Norfolk, VA in co-location with established fleet logistics centers. The Proposed Action would establish two Navy V-22 squadrons (one operational and one training) at NAVSTA Norfolk and one operational squadron at NAS North Island and would construct or renovate aircraft hangars, aircraft parking aprons, runways/taxiways, wash racks, containerized flight training devices, utilities, and personnel parking at NAVSTA Norfolk and NAS North Island. In total, the Navy would replace 27 C-2A aircraft with 38 Navy V-22 aircraft.

The enclosed Federal Coastal Consistency Determination and associated figures are being submitted in accordance with Section 307(c)(1) of the Federal Coastal Zone Management Act of 1972 as amended. The Navy has determined that the proposed federal agency action may have an effect on a coastal use or resource of the Commonwealth of Virginia's coastal zone and will be consistent to the maximum extent practicable with the applicable enforceable policies of the Virginia Coastal Zone Management Program.

The point of contact is Ms. Justine Woodward who may be reached at (757) 341-0496 or at E-Mail at Justine.Woodward@navy.mil.

Sincerely,

MICHAEL H. JONES
Director, Environmental Planning
and Conservation
By direction of the Commander

Enclosure: 1. Federal Consistency Determination

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COASTAL CONSISTENCY DETERMINATION TRANSITION FROM C-2A TO CMV-22B AIRCRAFT AT FLEET LOGISTICS CENTERS

INTRODUCTION

This document provides the Commonwealth of Virginia with the U.S. Department of the Navy's (Navy) Consistency Determination under the Coastal Zone Management Act (CZMA) Section 307(c)(1) of the federal CZMA of 1972, as amended, and 15 Code of Federal Regulations part 930, Subpart C, for the Navy's proposed transition from the C-2A fixed-wing aircraft to the CMV-22B tilt-rotor aircraft (hereinafter referred to as "Navy V-22") at Naval Station (NS) Norfolk, Virginia and Naval Air Station (NAS) North Island, California. Figures 1 and 2 depict these aircraft and Figure 3 shows the location of NS Norfolk and proposed project area.

Figure 1: Navy C-2A

Figure 2: Navy V-22

The Proposed Action would establish two Navy V-22 squadrons (one operational and one training) at NS Norfolk and one operational squadron at NAS North Island and would construct or renovate aircraft hangars, aircraft parking aprons, runways/taxiways, wash racks, containerized flight training devices, utilities, and personnel parking at NS Norfolk and NAS North Island. In total, the Navy would replace 27 C-2A aircraft with 38 Navy V-22 aircraft. The Proposed Action would be implemented over a 10-year period beginning in 2018 with facility renovations and some personnel actions.

DESCRIPTION OF PROPOSED FEDERAL AGENCY ACTION

As noted, the Navy proposes to replace the C-2A with the new Navy V-22 at existing logistics centers at NAS North Island, California and NS Norfolk, Virginia.

The purpose of the Proposed Action is to provide the Navy logistics support community the facilities and functions needed to support the replacement of the fixed-wing C-2A aircraft with the Navy V-22 tilt-rotor aircraft to meet operational demands and enhance the logistics support mission. The Proposed Action is needed because the older C-2A has reached the end of its service life and is in need of replacement.

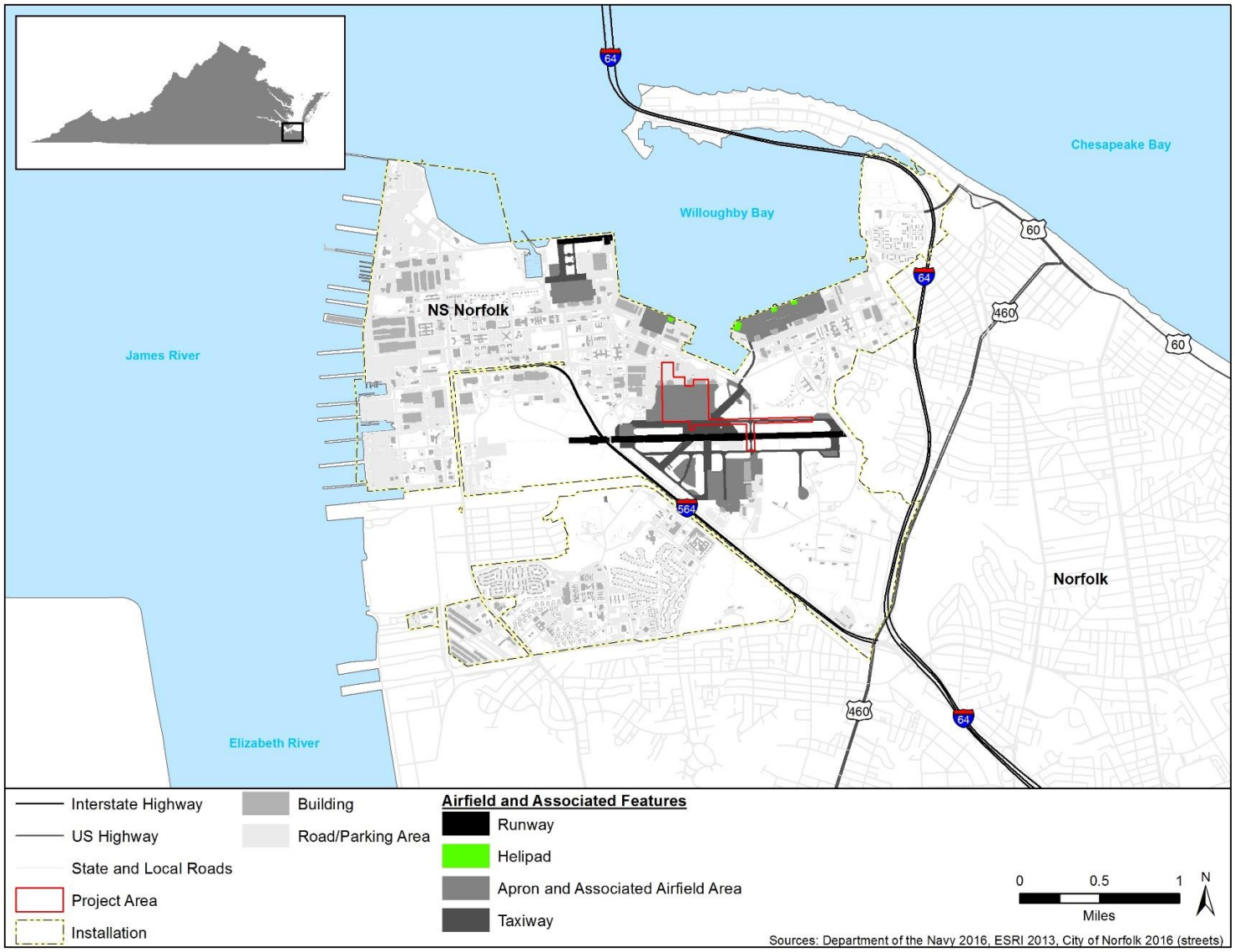


Figure 3: Naval Station Norfolk and Project Area General Location

NS Norfolk components are summarized below. The summary provided herein is for the Proposed Action Alternative 2 which if implemented would have greater potential impact at NS Norfolk (as it includes the provision of facilities and functions for the Navy V-22 Fleet training squadron at NS Norfolk). Should the Navy choose to implement Proposed Action Alternative 1 (which includes provision of facilities and functions for the Navy V-22 Fleet training squadron at NAS North Island), NS Norfolk would experience less potential impact (from less construction, fewer flight operations, and fewer personnel).

Aircraft Transition

The Navy would transition its logistics support squadron aircraft from the C-2A to the Navy V-22 airframe beginning in 2021, with the final retirement of the C-2A planned for 2026. Table 1 provides an end-state comparison of existing and proposed squadrons, detachments, and aircraft at NS Norfolk.

Table 1: Aircraft Transition Comparison (C-2A versus Navy V-22)

Aircraft Transition Component	*NS Norfolk*	
	Existing	*Proposed Action*
	C-2A	*Navy V-22*
Number of Fleet Squadrons	1	1
Continental United States Fleet Detachments	5	4
Home Guard Detachment	1	1
Aircraft Per Detachment	2	3
Fleet Squadron and Home Guard Aircraft (Subtotal)	12	15
Number of Fleet Training Squadrons	1	1
Training Squadron Aircraft	5	5
TOTAL AIRCRAFT	17	20
Change from Baseline	N/A	+3

Facilities and Infrastructure

The Proposed Action would require constructing and/or renovating one or more hangars at NS Norfolk, renovating and heat treating an aircraft parking apron and hover point, widening a runway and taxiway, and installing two containerized flight training devices (CFTDs) (i.e., simulators) and two aircraft maintenance trainers. Installation actions are summarized below and in Table 2. The hangar and airfield location is shown in Figure 4.

- **Hangar.** A hangar would be constructed to accommodate up to five fleet squadron aircraft. Additional hangar space for two fleet training squadron aircraft at NS Norfolk would be located adjacent to the fleet squadron hangar space. The hangar construction footprint would be approximately 96,100 square feet. The height of the hangars would be approximately 60 feet.
- **Aircraft Parking Apron.** The parking aprons would be renovated/repaired to accommodate the Navy V-22 requirements and parking configuration for the aircraft. Existing parking aprons at NS Norfolk are adequate in size to accommodate the expected number of V-22 aircraft; however, due to the high-heat exhaust directed downward close to the ground associated with the V-22 aircraft, the parking aprons, taxiways, and aircraft hover points would require coating with sodium silicate solution at NS Norfolk. Of the approximately 42 acres within the construction site boundary, pavement resurfacing is estimated to cover about 36 acres in front of the hangars. Additionally 3,500 linear feet of taxiway would be expanded by 25 feet (3,500 square feet).

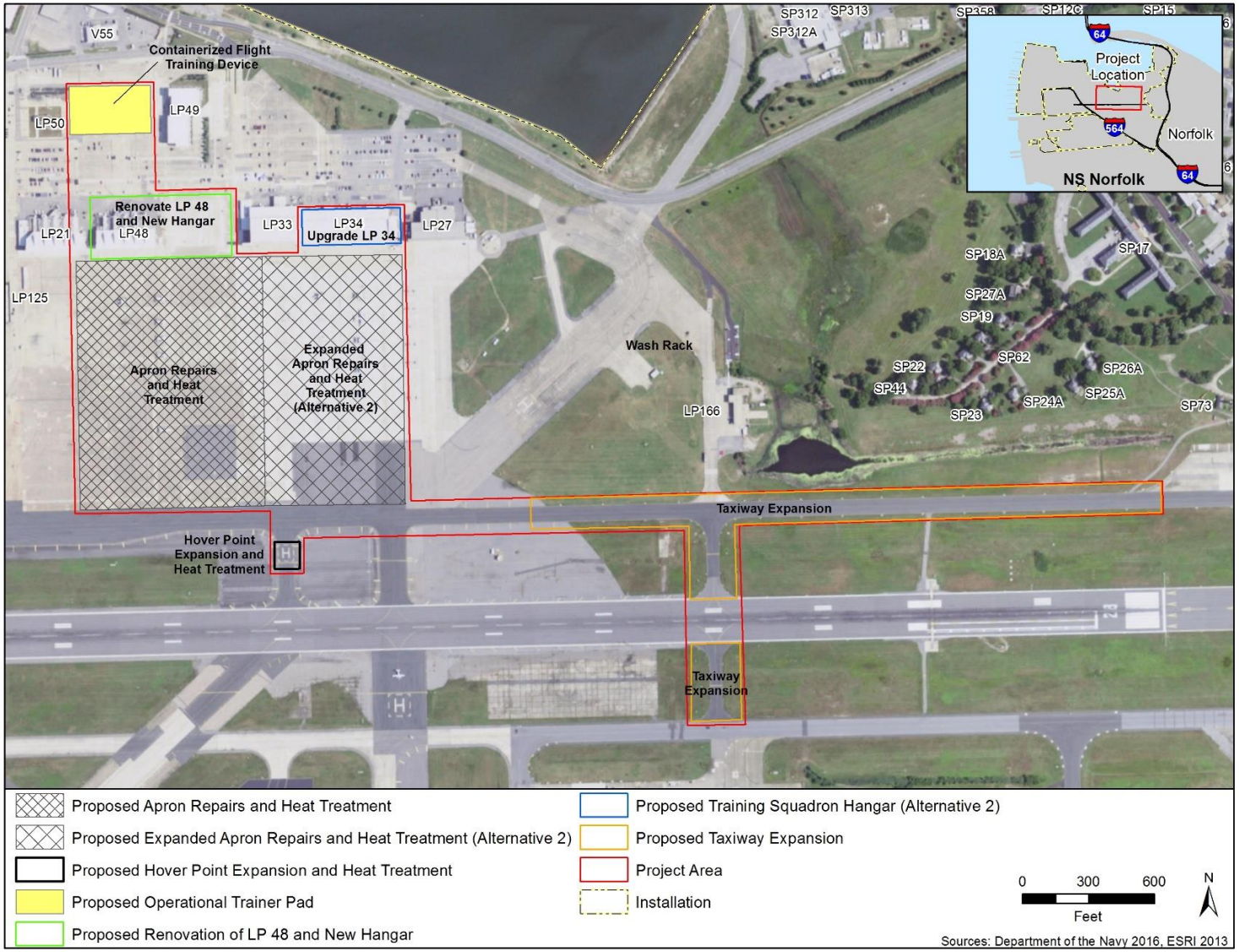


Figure 4: Naval Station Norfolk Project Area Detail

- **Aircraft Wash Rack.** An existing wash rack located east of the hangar site would be used for the Navy V-22. No additional wash rack construction would be required at NS Norfolk.
- **Pilot Training Facilities.** Pilot and aircrew academic training would occur at NS Norfolk and at least two CFTDs would be installed within the project area. At least one CFTD would be required at NS Norfolk to support the training squadron. A 100,000 square foot pad and CFTD would also be installed at NS Norfolk.
- **Maintenance Training.** A minimum of two aircraft maintenance trainers would be required. Aircraft maintenance training would occur on the flight line and in the maintenance hangar(s).

Table 2: Installation Summary under the Proposed Action

Action Category	*NS Norfolk*
Navy V-22 Squadrons	1 Navy V-22 Fleet squadron and 1 Navy V-22 training squadron
Installation Building Renovation (square feet)	96,100
Construction Area (acres)	42
New Impervious Surface (acres)	2.4

Personnel Requirements

Under the Proposed Action, current C-2A personnel would transition to Navy V-22 personnel, and there would be an overall increase of 54 personnel for a total of 635 personnel associated with the Proposed Action at NS Norfolk. As with the aircraft transition, the change in personnel would occur over several years.

Aircraft Operations

Under the Proposed Action, Navy V-22 aircraft operations would generally be similar to those of the C-2A with few exceptions. Operations would include deck landing qualification/vertical replenishment practice, and night vision goggle-practice. The Navy anticipates approximately 12,700 annual airfield operations at NS Norfolk, which is an increase of 5,700 operations from C-2A operations (see Table 3 for a breakdown of operations).

Table 3: Annual Airfield Operations for Current C-2A and Proposed Navy V-22 at NS Norfolk under the Proposed Action

	NS Norfolk		
Type of Operation	*Current C-2A Operations*	*Proposed Action Navy V-22 Operations*	*Proposed Change*
Departures	1,200	1,800	+600
VFR Arrivals	900	1,000	+100
IFR Arrivals	300	800	+500
Visual Closed Patterns (Touch-and-Go)	4,100	8,100	+4,000
Instrument Patterns	500	900	+400
Total Annual Operations	7,000	12,700	+5,700

Notes: VFR = Visual Flight Rules; IFR = Instrument Flight Rules
All values rounded.

Navy V-22 flight training would require the use of secondary training airfields. Factors such as weather, airfield maintenance, and conflicting airfield schedule limitations influence the selection of the

secondary training airfields on a given day. Under the Proposed Action, the maximum capacity of Navy V-22 operations at the secondary training airfields are assumed at the levels set forth in Table 4. The Navy V-22 logistics squadron may also use other airfields available for public use in the mid-Atlantic region on an occasional, transient basis. The use of secondary training airfields by Navy V-22 aircraft presents no new information or circumstances that would result in significantly different environmental effects than those previously analyzed under the National Environmental Policy Act. Therefore, analysis of environmental and operational impacts associated with the Navy V-22 use of secondary training airfields is not considered further.

Table 4: Secondary Training Airfield Operations under the Proposed Action

Training Airfield	*Total Annual Navy V-22 Airfield Operations*	*Maximum Increase in Overall Annual Training Airfield Operations (All Aircraft)*	*Percent (Day/Night Mix)*
NALF Fentress (Virginia), Felker AAF(Virginia), MCAS New River (North Carolina)	Up to 7,700 distributed across any of the three fields	6–8 percent	90/10
Blackstone AAF (Virginia), MCOLF Oak Grove (North Carolina), MCOLF Bogue (North Carolina)	Up to 1,900 distributed across any of the three fields	6–11 percent	90/10

Notes: MCAS=Marine Corps Air Station; NALF=Navy Auxiliary Landing Field; MCOLF=Marine Corps Outlying Landing Field; AAF=Army Airfield

REGULATORY BACKGROUND INFORMATION

The CZMA, codified in 16 U.S. Code (USC) Section 1451 et seq. and administered by the Secretary of Commerce through the Office of Coastal Resources Management of the National Oceanic and Atmospheric Administration, established a comprehensive regulatory scheme for effective management, beneficial use, protection, and development of the coastal zone and its natural resources. The CZMA encourages coastal states and provides a mechanism for them to develop, obtain federal approval for, and implement a broad-based coastal management program (CMP).

Pursuant to Section 307 of CZMA (16 U.S.C. § 1456), each Federal agency activity within or outside the coastal zone that affects any land or water use or natural resource of the coastal zone shall be carried out in a manner which is consistent to the maximum extent practicable with the enforceable policies of approved State management programs.

Pursuant to CZMA regulations, (15 CFR 930.30) all Federal agency activities with an "effect on any coastal use or resource" must be undertaken in a manner "consistent to the maximum extent

practicable with the enforceable policies of approved management programs." As defined by 15 CFR 930.11, an effect on any coastal use or resource (coastal effect) means "any reasonably foreseeable effect on any coastal use or resource resulting from the federal agency activity or federal license or permitted activity." Effects include both direct effects, which result from the activity and occur at the same time and place as the activity, and indirect (cumulative and secondary) effects which result from the activity and are later in time or farther removed in distance, but are still reasonably foreseeable. Additionally "any coastal use or resource" is defined as "any land or water use or natural resource of the coastal zone." Per 16 U.S. Code 1453, the term "coastal zone" specifically excludes "lands the use of which is by law subject solely to the discretion of or which is held in trust by the Federal Government, its officers or agents." Therefore, the coastal zone excludes Naval Station Norfolk, the military installation to host the Proposed Action. Land and water uses, or coastal uses, include, but are not limited to, public access, recreation, fishing, historic or cultural preservation, development, hazards management, marinas and floodplain management, scenic and aesthetic enjoyment, and resource creation or restoration projects. Natural resources include biological or physical resources that are found within a State's coastal zone on a regular or cyclical basis.

The term ''consistent to the maximum extent practicable'' means fully consistent with the enforceable policies of management programs unless full consistency is prohibited by existing law applicable to the Federal agency. See 15 CFR 930.32. ''Enforceable policy'' means State policies which are legally binding through constitutional provisions, laws, regulations, land use plans, ordinances, or judicial or administrative decisions, by which a State exerts control over private and public land and water uses and natural resources in the coastal zone. See 15 CFR 930.11(h). Enforceable policies are those which have been incorporated into the state's approved CZM program.

EFFECTS TEST DETERMINATION

In accordance with 15 CFR Part 930; Subpart C, the Navy reviewed its Proposed Action and has determined that the Proposed Action may have an effect on a coastal use or resource of the Commonwealth of Virginia's coastal zone. More specifically, the Navy determined that the proposed Navy V-22 flight operations at NS Norfolk would generate air emissions and proposed facilities construction on the military installation has potential to indirectly affect a coastal zone resource via the generation of point or non-point source pollution and by its proximity to on-installation non-tidal wetlands north of the taxiway. Therefore, the Navy has prepared this consistency determination rather than a no effect determination. As discussed herein, the Navy will conduct the proposed activity in a manner that will be fully consistent with the applicable enforceable policies of the Virginia CZM Program.

This Coastal Consistency Determination is submitted under the CZMA and its implementing regulations, and Chief of Naval Operations Instruction M-5090.1, "Environmental Readiness Program Manual."

VIRGINIA COASTAL ZONE MANAGEMENT PROGRAM

The nine enforceable policies of the Virginia CZM Program are: (1) fisheries management, (2) subaqueous lands management, (3) wetlands management, (4) primary coastal sand dunes management, (5) point source water pollution control, (6) non-point source pollution control, (7) shoreline sanitation, (8) air pollution control, and (9) coastal lands management.

Although not required for the purposes of consistency, in accordance with 15 CFR §930.39(c), the Navy has also considered the advisory policies (recommendations) of the Virginia CZM Program. The Navy considered advisory policies for geographic areas of particular concern including coastal natural resource areas, coastal natural hazard areas, and waterfront development areas. The Proposed Action would have no direct or indirect effect on coastal natural resource areas. The Proposed Action is not located within a coastal natural hazard area such as a highly erodible area. Most of the project area is located at 10 feet in elevation and outside of the 100-year floodplain; although parts of the existing taxiway are within the floodplain and could be impacted by a storm-surge. The Proposed Action does not involve any waterfront development such as a port or fishing pier. The Navy further considered advisory policies for shorefront access planning and protection. Given its location within the interior of NS Norfolk, the Proposed Action would have no effect on advisory policies regarding: Virginia public beaches; Virginia Outdoors Plan; parks, natural areas and wildlife management areas; waterfront recreational land acquisition; or waterfront recreational facilities. Finally, the Proposed Action would have no effect on waterfront historic properties. The Navy has initiated consultation with the Virginia Department of Historic Resources' State Historic Preservation Officer.

ANALYSIS OF ENFORCEABLE POLICIES

Enforceable Policies Not Applicable to the Proposed Action

The Navy reviewed the Virginia CZM Program to identify enforceable policies relevant to the Proposed Action. Table 5 presents the policies that the Navy has determined to be not applicable to the Navy's Proposed Action. For the reasons set forth therein, the enforceable policies listed in Table 5 are not addressed further.

Table 5: Enforceable Policies of Virginia's Coastal Zone Management Program

Not Applicable to the Proposed Action

Enforceable Policy	Brief Description of Policy Requirements	Consistency Analysis
Virginia Code §28.2-200 through 713; §29.1-100 through 570; and §3.2-3935 through 3937 *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 Virginia Marine Resources Commission and the Virginia Department of Game and Inland Fisheries. For the Tributyltin program, which regulates the possession, sale or use of marine antifoulant paints, Virginia Marine Resources Commission, Virginia Department of Game and Inland Fisheries, and the Virginia Department of Agriculture and Consumer Services share enforcement responsibilities.	Not applicable. The Proposed Action would occur entirely on land outside the coastal zone, or in airspace and does not entail the maintenance or painting of vessels. No finfish or shellfish resources would be removed from the waterways or be otherwise affected as a result of the Proposed Action.
Virginia Code §28.2-1200 through 1213 *Subaqueous Land 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 Virginia DEQ Water Division. The program is administered by the Virginia Marine Resources Commission.	Not applicable. The Proposed Action does not include any activities that could affect, or require a permit to use, state-owned bottomlands.
Virginia Code §28.2-1400 through 1420 *Coastal Primary 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 Marine Resources Commission.	Not applicable. No aspect of the Proposed Action occurs on or adjacent to coastal primary sand dunes.
Virginia Code §32.1-164 through 165 *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 specify 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.	Not applicable. No septic tanks would be installed or demolished, and no sanitary wastewater would be discharged to the ground under the Proposed Action.
Virginia Code §62.1-44.15:67 through 62.1-44.15-79; and 9 VAC 25-830-10 et seq.	Coastal Lands Management is a state-local cooperative program administered by Virginia DEQ's Water Division and 84 localities in Tidewater, Virginia established pursuant to the Chesapeake Bay Preservation Act and Chesapeake Bay	Not applicable. As a federal installation, Chesapeake Bay Preservation Area overlays are not applicable to NS Norfolk.

Enforceable Policy	Brief Description of Policy Requirements	Consistency Analysis
Coastal Lands Management	Preservation Area Designation and Management Regulations.	

ENFORCEABLE POLICIES APPLICABLE TO THE PROPOSED ACTION

The Navy determined that the following enforceable policies are relevant to the Proposed Action. For each of these enforceable policies, the Navy has provided a brief policy description and its consistency analysis.

Wetlands Management

Pursuant to Code of Virginia §28.2-1301 through 1320, the VMRC administers a program for the protection of tidal wetlands. Pursuant to Code of Virginia §62.1-44.15.5 and the Clean Water Act (CWA) (33 USC §1251 et seq.), Virginia DEQ administers a water protection permit program to include tidal and non-tidal wetlands. The U.S. Army Corps of Engineers has permitting jurisdiction over waters of the U.S. under Section 404 of the CWA. Executive Order 11990 requires federal agencies to consider alternatives to wetland sites to the greatest extent possible for new construction and that all practicable measures be taken to minimize impacts on wetlands.

Consistency Analysis

No tidal or non-tidal wetlands occur within the project boundary. However, there are non-tidal wetlands adjacent to the project area approximately 50 feet north of the existing taxiway. Under the Proposed Action, the taxiway expansion would be constructed to avoid direct impacts to wetlands. Best management practices (BMPs) installed during construction activities (e.g., silt fences, fiber rolls, etc.) would be planned and managed for the construction areas to avoid indirect impacts to wetlands from surface water runoff and sedimentation. Should project developments require any impact to wetlands, appropriate permits would be obtained and impacts would be mitigated.

The Proposed Action would be fully consistent with the wetlands management policy of the Virginia CZM Program.

Point Source Pollution Control

Pursuant to Code of Virginia §62.1-44.15 and the CWA (33 US.C §1251 et seq.), Virginia DEQ regulates discharges to state waters through the Virginia Pollution Discharge Elimination System (VPDES) and Virginia Pollution Abatement Permit programs. The point source program is administered by the State Water Control Board (Virginia DEQ) pursuant to Virginia Code §62.1-44.15. Point source pollution control is accomplished by implementing (1) the National Pollutant Discharge Elimination System permit program established pursuant to Section 402 of the CWA and administered in Virginia as the VPDES permit program and (2) the Virginia Water Protection Permit program administered by Virginia DEQ (Virginia Code §62.1-44.15:20 et seq.) and Water Quality Certification pursuant to Section 401 of the CWA.

Consistency Analysis

NS Norfolk operates under VPDES industrial permit (Permit # VA0004421) as well as a regional Phase II Municipal Separate Storm Sewer System (MS4) permit (Permit # VAR040114). The industrial permit covers approximately 35 outfalls that discharge stormwater from various industrial facilities. As part of the permit program, NS Norfolk has prepared a Stormwater Pollution Prevention Program (SWPPP) to

control stormwater discharges from the installation into surrounding surface waters. The plan identifies sources of pollution that affect the quality of stormwater discharges from industrial areas associated with airfield operation and support activities. The plan also provides guidelines for the installation's SWPPP and technical procedures to prevent illicit discharges to the stormwater drainage system. In addition, the installation reduces pollutants in stormwater discharges by implementing BMPs at industrial facilities. These BMPs include structural modifications such as skimmer dams, spill-control gates, oil-water separators, roof and canopy structures over waste storage areas, and personnel training.

The MS4 permit requires an MS4 Program Plan that details a comprehensive program to minimize stormwater pollution by establishing BMPs, measurable goals, and responsible parties to achieve compliance with the control measures of the Phase II stormwater management permit. The MS4 Plan includes construction site runoff control BMPs.

Under the Proposed Action, washing and maintenance of the Navy V-22 would be managed in accordance with NS Norfolk's existing permits. Per the Permit #VA0004421 there would be no discharges to surface waters from the washing of aircraft, ground vehicles, or equipment. Similarly, there would be no discharges of deicing chemicals. The SWPPP would be updated to incorporate the new appurtenances and log books would be maintained that document the date and time of aircraft washing, the position of washrack valves during washing, the type of cleaning chemicals used, when oil/water separators or other devices are maintained, and when the washrack logs are inspected by NS Norfolk water program personnel.

The Proposed Action would be fully consistent with the point source pollution control enforceable policy of the Virginia CZM Program.

Non-Point Source Pollution Control

Pursuant to Code of Virginia §62.1-44.15:24 et seq. and §62.1-44.15:51 et seq., Virginia DEQ administers a program to help prevent destruction of property and natural resources caused by soil erosion, sedimentation and nonagricultural runoff from regulated land-disturbing activities. As explained by Virginia DEQ, problems associated with construction activities, like soil erosion, water pollution, flooding, stream channel damage, decreased ground water storage, slope failures, and damage to adjacent or downstream properties can be successfully minimized by implementing erosion and sediment control measures on construction sites. These measures help prevent soil movement or loss, enhance project aesthetics and eliminate appreciable damage to off-site receiving channels, property and natural resources.

Consistency Analysis

NS Norfolk maintains an SWPPP that is updated annually. It addresses stormwater impacts and non-point source pollution control on the installation. Implementing the Proposed Action would require disturbing more than 1 acre. Therefore, a General VPDES Permit for Discharge of Storm Water from Construction Activities would be obtained and all provisions of the permit would be adhered to, including the development of a SWPPP, which includes an erosion and sediment control plan, a

stormwater management plan, and a pollution prevention plan. Standard BMPs for minimizing erosion and sedimentation impacts from construction would be undertaken prior to any construction activities.

The Proposed Action must incorporate proper post-construction stormwater management features into the project planning and site design to ensure compliance with the Energy Independence and Security Act (Section 438), Department of the Navy Low Impact Development Policy, and VSMP Law and Regulations. Naval Facilities Engineering Command (NAVFAC) Mid-Atlantic has developed Post Construction Stormwater Management Instructions for its Regional MS4 Program Plan which covers NS Norfolk (Michael Baker International, 2013). Under these instructions, if the project area exceeds the average existing impervious cover at NS Norfolk (42.2 percent), the discharge after development must not exceed 10 percent less than the discharge of the existing condition or the discharge based on the average impervious cover (42.2 percent) at NS Norfolk. The Proposed Action would result in an increase of 2.4 acres of impervious surfaces at NS Norfolk. Post-construction standards require that water quality BMPs (e.g., bioretention basins, infiltration facilities, or retention basins) be included in the project design to offset potential increases in runoff to maintain the pre-project hydrology. To comply with the VPDES permit (permit #VA0004421), non-stormwater discharges from the wash rack would be required to be diverted into the sanitary sewer systems. Diverting the additional wash rack discharges to the sanitary sewer system would also need coverage under Hampton Roads Sanitation District Industrial Wastewater Discharge Regulations. NS Norfolk has several existing wash racks in operation that include valves to divert wash rack discharges to the Hampton Roads Sanitation District sanitary sewer system.

The Proposed Action is fully consistent with the non-point source water pollution control policy of the Virginia CZM Program.

Air Pollution Control

Pursuant to Code of Virginia §10-1.1300 and the Clean Air Act (42 USC §7401 et seq.), Virginia DEQ implements a legally enforceable State Implementation Plan for attaining and maintaining National Ambient Air Quality Standards. The State Air Pollution Control Board administers this program.

Consistency Analysis

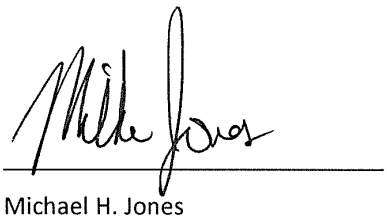
The Proposed Action would not include installing or operating stationary emissions sources. No air permitting would be required. Air emissions would be generated from construction activities, aircraft operations, privately owned vehicles, and aircraft maintenance. Fugitive dust from land-disturbing activities would be kept to a minimum using control methods outlined in 9VAC5-50-60 et seq. of the Regulations for the Control and Abatement of Air Pollution. The Proposed Action would not violate National Ambient Air Quality Standards in the Hampton Roads Intrastate Air Quality Control Region and would conform to the State Implementation Plan.

The Proposed Action would be fully consistent with the air pollution control policy of the Virginia CZM Program.

CONCLUSION

Based on the foregoing analysis, the Navy has determined that the Proposed Action is reasonably likely to affect land uses, water uses, or natural resources of the Commonwealth of Virginia's coastal zone pursuant to the CZMA. However, the activity would be conducted in a manner that is fully consistent with the applicable enforceable policies of the Virginia CZM Program.

Pursuant to 15 CFR Section 930.41, the Virginia CZM Program has 60 days from the receipt of this letter in which to concur with or object to this Consistency Determination, or to request an extension under 15 CFR Section 930.41(b). Virginia's concurrence will be presumed if its response is not received by the Navy on the 60th day from receipt of this determination. The State's response should be sent to the Naval Facilities Engineering Command, Mid-Atlantic (Point of Contact: Ms. Justine Woodward at Justine.Woodward@navy.mil).



Michael H. Jones
Director, Environmental Planning
And Conservation
By direction of the Commander

25 OCTOBER 2017

Date

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

December 14, 2017

Ms. Justine Woodward
Environmental Planning and Conservation
NAVFAC MID-ATLANTIC
Building Z-144, 1st Floor
9324 Virginia Avenue
Norfolk, Virginia 23511-3095

RE: Federal Consistency Determination for the Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers, Naval Station Norfolk, U.S. Department of the Navy, City of Norfolk, DEQ 17-157F.

Dear Ms. Woodward:

The Commonwealth of Virginia has completed its review of the Federal Consistency Determination (FCD) for the above-referenced project. The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of federal consistency documents and responding to appropriate officials on behalf of the Commonwealth. This letter is in response to your submission dated October 25, 2017 (received October 26, 2017) requesting concurrence with the FCD prepared by the U.S. Department of the Navy for the proposed project. The following agencies participated in this review:

Department of Environmental Quality
Virginia Marine Resources Commission
Department of Game and Inland Fisheries
Department of Conservation and Recreation
Department of Aviation

In addition, the Department of Historic Resources, City of Norfolk, and the Hampton Roads Planning District Commission were invited to comment on the proposed project.

PROJECT DESCRIPTION

The U.S. Department of the Navy (Navy) proposes to provide facilities and functions to support the replacement of the C-2A aircraft with the CMV-22B (aka Navy V-22) aircraft at Naval Station (NAVSTA) Norfolk, in the City of Norfolk, Virginia. The Proposed

Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers
Navy FCD, DEQ #17-157F

Action would establish two Navy V-22 squadrons (one operational and one training) at NAVSTA Norfolk and would construct or renovate aircraft hangars, aircraft parking aprons, runways/taxiways, wash racks, containerized flight training devices, utilities, and personnel parking at NAVSTA Norfolk. In total, the Navy would replace 27 C-2A aircraft with 38 Navy V-22 aircraft. Current C-2A personnel would transition to Navy V-22 personnel and there would be an overall increase of 54 personnel for a total of 635 personnel at NAVSTA Norfolk. The Navy anticipates approximately 12,700 annual airfield operations at NAVSTA Norfolk, which is an increase of 5,700 operations from C-2A. The Proposed Action would be implemented over a 10-year period beginning in 2018 with facility renovations and some personnel actions.

PUBLIC PARTICIPATION

In accordance with 15 CFR §930.2, the public was invited to participate in the review of the FCD. Public notice of this proposed action was published in OEIR's Program Newsletter and on the DEQ website from October 27, 2017 through November 27, 2017. No public comments were received in response to the notice.

FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT

Pursuant to the Coastal Zone Management Act of 1972 (§ 1456(c)), as amended, and the federal consistency regulations implementing the CZMA (15 CFR Part 930, Subpart C, § 930.30 *et seq.*) federal actions that can have reasonably foreseeable effects on Virginia's coastal uses or resources must be conducted in a manner which is consistent, to the maximum extent practicable, with the Virginia Coastal Zone Management (CZM) Program. The Virginia CZM Program is comprised of a network of programs administered by several agencies. In order to be consistent with the Virginia CZM Program, the federal agency must obtain all the applicable permits and approvals listed under the enforceable policies of the Program prior to commencing the project.

FEDERAL CONSISTENCY CONCURRENCE

Based on our review of the consistency determination and the comments submitted by agencies administering the enforceable policies of the Virginia CZM Program, DEQ concurs that the proposal is consistent, to the maximum extent practicable, with the Program provided all applicable permits and approvals are obtained as described below. However, 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.

FEDERAL CONSISTENCY ANALYSIS

According to information in the FCD, the proposed project would have no effect on the following enforceable policies: fisheries management; subaqueous lands management; dunes management; shoreline sanitation; and coastal lands management. The

agencies of the Commonwealth that are responsible for the administration of the enforceable policies of the Virginia CZM Program generally agree with the determination. The Navy must ensure that the proposed action is consistent with the aforementioned policies. In addition, the Navy considered potential project impacts on the advisory policies of the Virginia CZM Program and finds the proposal consistent with those policies. The analysis which follows responds to the discussion of the enforceable policies of the Virginia CZM Program that apply to this project and review comments submitted by agencies that administer the enforceable policies.

1. Fisheries Management. According to the FCD (page 9), the Proposed Action would occur entirely on land outside the coastal zone, or in air space and does not entail the maintenance or painting of vessels. No finfish or shellfish resources would be removed from the waterways or be otherwise affected as a result of the Proposed Action.

1(a) Agency Jurisdiction. The fisheries management enforceable policy is administered by the Virginia Marine Resources Commission (VMRC) (Virginia Code §28.2-200 to §28.2-713) and the Department of Game and Inland Fisheries (DGIF) (Virginia Code §29.1-100 to §29.1-570). In addition, the Virginia Department of Health (VDH) Division of Shellfish Sanitation (DSS) is responsible for protecting the health of the consumers of molluscan shellfish and crustacea by ensuring that shellfish growing waters are properly classified for harvesting, and that molluscan shellfish and crustacea processing facilities meet sanitation standards.

1(b) Agency Findings.

(i) Virginia Marine Resources Commission

VMRC concurs with the FCD's conclusion that fisheries resources under its jurisdiction will not be impacted as a result of the project.

(ii) Department of Game and Inland Fisheries

DGIF does not anticipate that the proposed action will result in significant adverse impacts on fisheries resources under its jurisdiction.

1(c) Recommendation. DGIF recommends adherence to erosion and sediment controls.

1(d) Conclusion. The project is consistent to the maximum extent practicable with the fisheries management enforceable policy of the Virginia CZM Program.

For further information regarding these comments, contact VMRC, Rachael Peabody at (757) 247-8027 or DGIF, Amy Ewing at (804) 367-2211.

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2. Subaqueous Lands Management. The FCD (page 9) states that the Proposed Action does not include any activities that could affect, or require a permit to use, state-owned bottom lands.

2(a) Agency Jurisdiction. 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, tidal wetlands, adjacent or nearby properties, anticipated public and private benefits, and water quality standards established by the Department of Environmental Quality. The program is administered by the Virginia Marine Resources Commission (Virginia Code §28.2-1200 to §28.2-1213).

2(b) Agency Findings. VMRC concurs that state subaqueous lands under its jurisdiction will not be impacted as a result of the project.

2(c) Conclusion. The activity is consistent to the maximum extent practicable with the subaqueous lands management enforceable policy of the Virginia CZM Program.

For additional information, contact VMRC, Rachael Peabody at (757) 247-8027.

3. Wetlands Management. According to the FCD (page 11), no tidal or non-tidal wetlands occur within the project boundary. However, there are non-tidal wetlands adjacent to the project area approximately 50 feet north of the existing taxiway. Under the Proposed Action, the taxiway expansion would be constructed to avoid direct impacts to wetlands. Should project developments require any impact to wetlands, appropriate permits would be obtained and impacts would be mitigated.

3(a) Agency Jurisdiction. The wetlands management enforceable policy is administered by the Virginia Marine Resources Commission (tidal wetlands) (Virginia Code §28.2-1301 through 28.2-1320) and the Department of Environmental Quality through the Virginia Water Protection Permit program (tidal and non-tidal wetlands) (Virginia Code §62.1-44.15:20 and Water Quality Certification pursuant to Section 401 of the Clean Water Act).

3(b) Agency Findings.

(i) Department of Environmental Quality

The Virginia Water Protection (VWP) Permit program at the DEQ Tidewater Regional Office (TRO) finds that VWP Permit authorization is not required provided the project does not impact surface waters.

(ii) Virginia Marine Resources Commission

VMRC concurs that tidal wetlands under its jurisdiction will not be impacted as a result of the project.

3(c) Requirements. If surface water and wetland impacts are necessary, the Navy must obtain and comply with a VWP Permit issued by DEQ-TRO. The initiation of the VWP Permit review process is accomplished through the submission of a Joint Permit Application (JPA) (form MRC 30-300) to the VMRC. Upon receipt of a JPA for the proposed surface waters impacts, VWP Permit staff will review the proposed project in accordance with the VWP Permit regulations and guidance. In addition, any potential jurisdictional impacts to tidal wetlands will be reviewed by VMRC.

3(d) Conclusion. The action as proposed is consistent to the maximum extent practicable with the wetlands management enforceable policy of the Virginia CZM Program, provided the Navy obtains any necessary authorization from the VWP Permit program and complies with the provisions of the authorization.

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

4. Nonpoint Source Pollution Control. According to the FCD (page 12), Implementing the Proposed Action would require disturbing more than 1 acre of land. Therefore, a Virginia Stormwater Management Program General Permit for Stormwater Discharges from Construction Activities would be obtained and all provisions of the permit would be adhered to, which includes an erosion and sediment control plan, a stormwater management plan, and a pollution prevention plan.

4(a) Agency Jurisdiction. The DEQ Office of Stormwater Management (OSWM) administers the nonpoint source pollution control enforceable policy through the *Virginia Erosion and Sediment Control Law and Regulations* (*VESCL&R*) and *Virginia Stormwater Management Law and Regulations* (*VSWML&R*). In addition, DEQ is responsible for the issuance, denial, revocation, termination and enforcement of the Virginia Stormwater Management Program (VSMP) General Permit for Stormwater Discharges from Construction Activities related to municipal separate storm sewer systems (MS4s) and construction activities for the control of stormwater discharges from MS4s and land-disturbing activities under the Virginia Stormwater Management Program.

4(b) Requirements.

(i) Erosion and Sediment Control and Stormwater Management Plans

According to DEQ-TRO, 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*) and *Virginia Stormwater Management Law and Regulations* (*VSWML&R*), 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-disturbing activities that result in the total land disturbance of equal to or greater than 2,500 square feet in lands analogous to Chesapeake Bay Preservation Areas would be regulated by *VESCL&R*. Accordingly, the applicant must prepare and implement an erosion and sediment control (ESC) plan to ensure compliance with state law and regulations. The ESC plan is submitted to DEQ-TRO, the review authority for federal projects, 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 62.1-44.15 *et seq*.]

(ii) Virginia Stormwater Management Program General Permit for Stormwater Discharges from Construction Activities (VAR10)

The operator or owner of a construction project involving land-disturbing activities equal to 1 acre is 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 *VSMP Permit Regulations*. General information and registration forms for the General Permit are available on DEQ's website at http://www.deq.virginia.gov/Programs/Water/StormwaterManagement/VSMPPermits/ConstructionGeneralPermit.aspx. [Reference: Virginia Stormwater Management *Act* 62.1-44.15 *et seq*.] *VSMP Permit Regulations* 9 VAC 25-870-10 *et seq*.].

4(c) Conclusion. The proposed project is consistent to the maximum extent practicable with the nonpoint source pollution control enforceable policy of the Virginia CZM Program, provided the Navy obtains and complies with applicable ESC and SWM authorizations and requirements.

5. Point Source Pollution Control. According to the FCD (page 11), NAVSTA Norfolk operates under Virginia Pollutant Discharge Elimination System industrial permit (VA0004421) as well as a regional Phase II MS4 permit (VAR040114). The industrial permit covers approximately 35 outfalls that discharge stormwater from various industrial facilities. As part of the permit program, the Navy has prepared a SWPPP to control stormwater discharges from the installation into surrounding surface waters.

5(a) Agency Jurisdiction. The point source program is administered by the State Water Control Board (DEQ) pursuant to Virginia Code §62.1-44.15. Point source pollution control is accomplished through the implementation of: (1) the National Pollutant Discharge Elimination System (NPDES) permit program established pursuant to Section 402 of the federal Clean Water Act and administered in Virginia as the Virginia Pollutant Discharge Elimination System (VPDES) permit program; and (2) the Virginia Water Protection (VWP) Permit program administered by DEQ (Virginia Code

§62.1-44.15:20 et seq.) and Water Quality Certification pursuant to Section 401 of the Clean Water Act.

5(b) Requirement. The Navy must coordinate with DEQ-TRO to update its current VPDES Permit (VA0004421) and MS4 Permit (VAR040114). For any questions, please contact Deanna Austin of the Tidewater Regional Office 757-518-2008.

5(c) Conclusion. The project would be consistent to the maximum extent practicable with the point source pollution control enforceable policy of the Virginia CZM Program, provided the Navy updates its VPDES and MS4 Permits.

6. Air Pollution Control. According to the FCD (page 13), the Proposed Action would not include installing or operating stationary emissions sources. No air permitting would be required. Air emissions would be generated from construction activities, aircraft operations, privately owned vehicles, and aircraft maintenance. The Proposed Action would not violate National Ambient Air Quality Standards in the Hampton Roads Intrastate Air Quality Control Region and would conform to the State Implementation Plan.

6(a) Agency Jurisdiction. DEQ's Air Division, on behalf of the State Air Pollution Control Board, is responsible to develop regulations that implement Virginia's Air Pollution Control Law. DEQ is charged to carry 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 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 at DEQ (Virginia Code §10-1.1300 through §10.1-1320).

6(b) Agency Findings. According to the DEQ Air Division, the project site is located in an ozone attainment and emission control area for volatile organic compounds (VOCs) and oxides of nitrogen (NO_x).

6(c) Recommendation. The Navy should take all reasonable precautions to limit emissions of VOCs and NO_x, principally by controlling or limiting the burning of fossil fuels.

6(d) Requirements. The following regulatory requirements will apply to the proposed action.

(i) Fugitive Dust

During construction 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 chemicals for dust control;

- 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.

(ii) Open Burning

If project activities include the burning of construction or demolition material, this activity must meet the requirements under 9 VAC 5-130 *et seq.* of the *Regulations* for open burning, and it may require a permit. Should open burning or use of special incineration devices be employed in the disposal of land-clearing debris during construction, the operation would be subject to the *Open Burning Regulation* (9 VAC 5-130-10 through 9 VAC 5-130-60 and 9 VAC 5-130-100). The *Regulations* for open burning provide for, but do not require, the local adoption of a model ordinance concerning open burning. The Navy should contact City of Norfolk fire officials to determine what local requirements, if any, exist.

(iii) Fuel Burning Equipment

Should the project require the installation of fuel burning equipment (e.g. boilers and generators), a permit may be required prior to beginning construction of the facility (9 VAC 5-80, Article 6, Permits for New and Modified Sources). The Navy should contact DEQ-TRO for guidance on whether this provision applies.

6(e) Conclusion. The project, as proposed, is consistent to the maximum extent practicable with the air pollution control enforceable policy of the Virginia CZM Program provided the Navy obtains all applicable approvals prior to implementation of the project.

7. Coastal Lands Management. According to the FCD (page 9), as a federal installation, Chesapeake Bay Preservation Area overlays are not applicable to NAVSTA Norfolk.

7(a) Agency Jurisdiction. The DEQ Office of Local Government Programs (OLGP) administers the coastal lands management enforceable policy through the Chesapeake Bay Preservation Act (Bay Act) (Virginia Code §62.1-44.15 *et seq.*) and *Chesapeake Bay Preservation Area Designation and Management Regulations* (*Regulations*) (9 VAC 25-830-10 *et seq.*).

7(b) Agency Comments. In the City of Norfolk, the areas protected by the Bay Act, as locally implemented, require conformance with performance criteria. These areas include Resource Protection Areas (RPAs) and Resource Management Areas (RMAs), as designated by the local governments. RPAs include:

- tidal wetlands,

- certain non-tidal wetlands,
- tidal shores, and
- a 100-foot vegetated buffer area located adjacent to and landward of these features and along both sides of any water body with perennial flow.

In Norfolk, RMAs, which require less stringent performance criteria than RPAs, consist of the land area adjacent to and landward of the RPA and extends landward to include the remainder of the lot or parcel designated as RPA. When the landward boundary of the RPA falls within an improved public right-of-way, the RMA is defined as the remainder of the improved public right-of-way.

7(c) Agency Findings. DEQ-OLGP finds that it appears the proposed project will not result in land disturbance on land analogous to RPA, although the proposed project will likely impact lands analogous to RMA.

7(d) Requirements. As stated above (Federal Consistency Under the Coastal Zone Management Act, page 2), the CZMA requires that federal activities in Virginia must be conducted in a manner consistent to the maximum extent practicable with the enforceable policies of the federally-approved Virginia CZM Program. The coastal lands management enforceable policy is one of nine policies administered by DEQ through the Bay Act and *Regulations.* **Accordingly, federal actions on installations located within the commonwealth's federally-approved coastal zone are required to be consistent with the enforceable policy regardless of whether a Chesapeake Bay Preservation Area overlay has been delineated on federal land.**

Therefore, the proposed action must be constructed and operated in a manner consistent with the general performance criteria found in 9 VAC 25-830-130 of the *Regulations* on lands analogous to locally designated RPAs and RMAs. These criteria include:

- minimizing land disturbance (including access and staging areas),
- retaining existing vegetation,
- minimizing impervious cover,
- complying with the requirements of the *Virginia Erosion and Sediment Control Handbook*, and
- satisfying stormwater management criteria consistent with water quality protection provisions of the *Virginia Stormwater Management Regulations*.

7(c) Conclusion. The proposed project is consistent to the maximum extent practicable with the coastal lands management enforceable policy of the Virginia CZM Program, provided adherence to the above requirements as administered by DEQ through the Bay Act and *Regulations.*

ADDITIONAL ENVIRONMENTAL CONSIDERATIONS

In addition to the enforceable policies of the Virginia CZM Program, comments were also provided with respect to other applicable requirements and recommendations. The applicant must ensure that this project is constructed and operated in accordance with all applicable federal, state, and local laws and regulations.

1. Solid and Hazardous Waste Management.

1(a) Agency Jurisdiction. On behalf of the Virginia Waste Management Board, the DEQ Division of Land Protection and Revitalization (DEQ-DLPR) is responsible for carrying out the mandates of the Virginia Waste Management Act (Virginia Code §10.1-1400 *et seq.*), as well as meeting Virginia's federal obligations under the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response Compensation Liability Act (CERCLA), commonly known as Superfund.

Virginia:

- Virginia Waste Management Act, Virginia Code § 10.1-1400 *et seq.*
- *Virginia Solid Waste Management Regulations*, 9 VAC 20-81
- (9 VAC 20-81-620 applies to asbestos-containing materials)
- *Virginia Hazardous Waste Management Regulations*, 9 VAC 20-60
- (9 VAC 20-60-261 applies to lead-based paints)
- *Virginia Regulations for the Transportation of Hazardous Materials*, 9 VAC 20-110.

Federal:

- Resource Conservation and Recovery Act, 42 U.S. Code sections 6901 *et seq.*
- U.S. Department of Transportation *Rules for Transportation of Hazardous Materials*, 49 *Code of Federal Regulations*, Part 107
- Applicable rules contained in Title 40, *Code of Federal Regulations*.

DEQ-DLPR also administers laws and regulations on behalf of the State Water Control Board governing Petroleum Storage Tanks (Virginia Code §62.1-44.34:8 *et seq.*), including Aboveground Storage Tanks (9 VAC 25-91 *et seq.*) and Underground Storage Tanks (9 VAC 25-580 *et seq*. and 9 VAC 25-580-370 *et seq.*), also known as 'Virginia Tank Regulations', and § 62.1-44.34:14 *et seq*. which covers oil spills.

1(b) Agency Findings. DEQ-DLPR staff conducted a search (0.5-mile radius) of solid and hazardous waste databases (including petroleum releases) to identify waste sites in close proximity to the project area. The search identified ten petroleum release sites and one Formerly Used Defense Site (FUDS) the project area which might impact the project. In addition, one CERCLA waste site of possible concern is found in the project zip code (23511). See DEQ-DLPR's detailed comments (attached) for additional information.

1(c) Recommendations.

(i) Hazardous Waste Sites

Additional information on identified CERCLA hazardous waste sites can be accessed from Environmental Protection Agency (EPA) websites at:

- https://www3.epa.gov/enviro/,
- https://rcrainfopreprod.epa.gov/rcrainfoweb/action/main-menu/view, and
- https://www.epa.gov/superfund

(ii) Petroleum Release Sites

Additional information on identified petroleum release sites may be obtained by accessing DEQ's Pollution Complaint (PC) cases. It is recommended that the Navy evaluate these files to establish the exact location, nature and extent of the petroleum releases and their potentials to impact the proposed project. The Navy should contact the Tanks Program at DEQ-TRO (757) 518-2175, for further information about the PC cases.

(iii) Pollution Prevention

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

1(d) Requirements.

(i) Waste Management

Any soil that is suspected of contamination or wastes that are generated during construction must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations. All construction waste must be characterized in accordance with the *Virginia Hazardous Waste Management Regulations* prior to management at an appropriate facility. It is the applicant's responsibility to determine if a solid waste meets the criteria of a hazardous waste and be managed appropriately.

(ii) Asbestos-Containing Material and Lead-Based Paint

All structures being demolished, renovated, or removed should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to demolition. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, state regulations 9 VAC 20-81-620 for ACM and 9 VAC 20-60-261 for LBP must be followed.

(iii) Petroleum Contamination

If evidence of a petroleum release is discovered during construction of this project, it must be reported to DEQ (Virginia Code §§ 62.1-44.34.8 through 9 and 9 VAC 25-580-10 *et seq.*). Petroleum contaminated soils generated during construction of this project must be characterized and disposed of properly.

(iv) Petroleum Storage Tank Compliance and Inspections

The installation and use of an aboveground storage tank (AST) of greater than 660 gallons for temporary fuel storage of more than 120 days must follow the requirements in the *Facility and Aboveground Storage Tank Regulation* (9 VAC 25-91-10 *et seq.*)

If you have any other questions or need further information regarding waste comments, contact DEQ-DLPR, Katy Dacey at (804) 698-4274.

2. Natural Heritage Resources.

2(a) Agency Jurisdiction.

(i) The Virginia Department of Conservation and Recreation (DCR) Division of Natural Heritage (DNH)

DNH's mission is conserving Virginia's biodiversity through inventory, protection and stewardship. The Virginia Natural Area Preserves Act (Virginia Code §10.1-209 through 217) authorizes DCR to maintain a statewide database for conservation planning and project review, protect land for the conservation of biodiversity, and protect and ecologically manage the natural heritage resources of Virginia (the habitats of rare, threatened and endangered species, significant natural communities, geologic sites, and other natural features).

(ii) Virginia Department of Agriculture and Consumer Services (VDACS)

The Endangered Plant and Insect Species Act of 1979 (Virginia Code Chapter 39 §3.1-1020 through 1030) authorizes VDACS to conserve, protect and manage endangered and threatened species of plants and insects. Under a Memorandum of Agreement established between VDACS and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species.

2(b) Agency Findings.

(i) Atlantic Sturgeon

According to the information currently in DCR files, the Atlantic sturgeon (*Acipenser oxyrinchus,* G3/S2/LE/LE) has been documented downstream of the project site in the James River. Stocks on the Atlantic slope have been severely reduced by overfishing (mainly late 1800s and early 1900s), pollution, sedimentation, and blockage of access to spawning areas by dams (Gilbert 1989, Burkhead and Jenkins 1991, Marine and Coastal Species Information System 1996). This species is currently classified as endangered by the National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) and by DGIF.

(ii) Threatened and Endangered Plant and Insect Species

DCR finds that the current activity will not affect any documented state-listed plants or insects.

(iii) State Natural Area Preserves

DCR files do not indicate the presence of any State Natural Area Preserves under the agency's jurisdiction in the project vicinity.

2(c) Requirements. Due to the legal status of the Atlantic sturgeon, DCR recommends coordination with NOAA Fisheries.

2(d) Recommendations.

(i) Protection of the Aquatic Ecosystem

DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control and stormwater management laws and regulations to minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities.

(ii) Natural Heritage Resources

Contact DCR-DNH to secure updated information on natural heritage resources if the scope of the project changes or six months pass before the project is implemented, since new and updated information is continually added to the Biotics Data System.

3. Wildlife Resources and Protected Species.

3(a) Agency Jurisdiction. The Virginia Department of Game and Inland Fisheries (DGIF), 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). DGIF is a consulting agency under the U.S. Fish and Wildlife Coordination Act (16 U.S. Code §661 *et seq.*) and provides environmental analysis of projects or permit applications coordinated through DEQ and several other state and federal agencies. DGIF determines likely impacts upon fish and wildlife resources and habitat, and recommends appropriate measures to avoid, reduce or compensate for those impacts. For more information, see the DGIF website at *www.dgif.virginia.gov.*

3(b) Agency Findings. DGIF does not anticipate the project to result in adverse impacts upon the listed species and designated resources under its jurisdiction based on the scope and location of the proposed work.

For additional information, contact DGIF, Amy Ewing at (804) 367-2211.

4. Historic and Archaeological Resources.

4(a) Agency Jurisdiction. The Virginia Department of Historic Resources (DHR) conducts reviews of both federal and state projects to determine their effect on historic properties. Under the federal process, DHR is the State Historic Preservation Office, and ensures that federal undertakings-including licenses, permits, or funding-comply with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation at 36 CFR Part 800. Section 106 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. For state projects or activities on state lands, DHR is afforded an opportunity to review and comment on (1) the demolition of state property; (2) major state projects requiring an EIR; (3) archaeological investigations on state-controlled land; (4) projects that involve a landmark listed in the Virginia Landmarks Register; (5) the sale or lease of surplus state property; (6) exploration and recovery of underwater historic properties; and (7) excavation or removal of archaeological or historic features from caves. Please see DHR's website for more information about applicable state and federal laws and how to submit an application for review: http://www.dhr.virginia.gov/StateStewardship/Index.htm.

4(b) Agency Findings. DHR did not respond to the request for comments on the proposed undertaking. However, the Navy must consult directly on this project with DHR pursuant to Section 106 of the National Historic Preservation Act.

5. Aviation Impacts.

5(a) Agency Jurisdiction. The Virginia Department of Aviation (DoAv) is a state agency that plans for the development of the state aviation system; promotes aviation; grants aircraft and airports licenses; and provides financial and technical assistance to cities, towns, counties and other governmental subdivisions for the planning, development, construction and operation of airports, and other aviation facilities.

5(b) Agency Comments. DoAv has no comments or concerns with the proposal.

For additional information, contact DoAv, Rusty Harrington at (804) 236-3632.

7. Pesticides and Herbicides. Should construction or maintenance require the use of pesticides or herbicides for landscape maintenance, these chemicals should be in accordance with the principles of integrated pest management. The least toxic pesticides that are effective in controlling the target species should be used.

Contact the Department of Agriculture and Consumer Services at (804) 786-3501 for more information.

6. Pollution Prevention. DEQ advocates that principles of pollution prevention and sustainability be used in all construction projects as well as in facility operations. Effective siting, planning, and on-site Best Management Practices will help to ensure that environmental impacts are minimized. However, pollution prevention and sustainability techniques also include decisions related to construction materials, design, and operational procedures that will facilitate the reduction of wastes at the source.

6(a) Recommendations. We have several pollution prevention recommendations that may be helpful in constructing the improvements or operating the facility:

- Consider development of an effective Environmental Management System (EMS). An effective EMS will ensure that the proposed facility is committed to complying with environmental regulations, reducing risk, minimizing environmental impacts, setting environmental goals, and achieving improvements in its environmental performance. DEQ offers EMS development assistance and recognizes facilities with effective Environmental Management Systems through its Virginia Environmental Excellence Program (VEEP). VEEP provides recognition, annual permit fee discounts, and the possibility for alternative compliance methods.
- Consider environmental attributes when purchasing materials. For example, the extent of recycled material content, toxicity level, and amount of packaging should be considered and can be specified in purchasing contracts.
- Consider energy efficiency when choosing materials and products, like insulation, fixtures, and HVAC systems.
- Consider contractors' commitment to the environment when choosing contractors. Specifications regarding raw materials and construction practices can be included in contract documents and requests for proposals.
- Choose sustainable materials and practices for building construction and design.
- Integrate pollution prevention techniques into the facility maintenance and operation, to include inventory control for centralized storage of hazardous materials. Maintenance facilities should have sufficient and suitable space to allow for effective inventory control and preventive maintenance.

DEQ's Office of Pollution Prevention provides information and technical assistance relating to pollution prevention techniques and EMS. If interested, please contact Meghann Quinn at (804) 698-4021.

7. Energy Conservation. The proposed improvements should be planned and designed to comply with state and federal guidelines and industry standards for energy conservation and efficiency. The Commonwealth encourages architectural and engineering designers to recognize and incorporate the energy, environmental, and sustainability concepts listed in the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Rating System into the development and procurement of their projects.

The energy efficiency of structures can be enhanced by maximizing the use of the following:

- thermally-efficient building shell components (roof, wall, floor, windows, and insulation);
- facility siting and orientation with consideration towards natural lighting and solar loads
- high efficiency heating, ventilation, air conditioning systems;
- high efficiency lighting systems and daylighting techniques; and
- energy-efficient appliances.

Contact the Department of Mines, Minerals and Energy, David Spears at (434) 951-6350 for additional information on energy conservation measures. For more information on the LEED rating system, visit www.leedbuilding.org.

8. Water Conservation. The following recommendations will result in reduced water use associated with the facility.

- Grounds should be landscaped with hardy native plant species to conserve water as well as lessen the need to use fertilizers and pesticides.
- Convert turf to low water-use landscaping such as drought resistant grass, plants, shrubs and trees.
- Low-flow toilets should be installed in new facilities.
- Consider installing low flow restrictors and aerators to faucets.
- Improve irrigation practices by:
    - upgrading sprinkler clock; water at night, if possible, to reduce evapotranspiration (lawns need only 1 inch of water per week, and do not need to be watered daily; overwatering causes 85% of turf problems);
    - installing a rain shutoff device; and
    - collecting rainwater with a rain bucket or cistern system with drip lines.
- Use new high-efficiency washers and dishwashers to reduce water useage by 30-50% per use.

REGULATORY AND COORDINATION NEEDS

1. Nonpoint Source Pollution.

1(a) Erosion and Sediment Control and Stormwater Management Plans. The Navy must ensure that it is in compliance with Virginia's Erosion and Sediment Control Law (Virginia Code § 62.1-44.15:61) and *Regulations* (9 VAC 25-840-30 *et seq.*) and Stormwater Management Law (Virginia Code § 62.1-44.15:31) and *Regulations* (9 VAC 25-870-210 *et seq.*) as administered by DEQ. Land-disturbing activities equal to or greater than 10,000 square feet (2,500 square feet or more and lands analogous to CBPAs) would be regulated by VESCL&R and VSWML&R. The Navy is encouraged to contact the DEQ Tidewater Regional Office, Noah Hill at (757) 518-2024, for assistance with developing or implementing ESC and SWM plans to ensure project conformance.

1(b) Virginia Stormwater Management Program General Permit for Stormwater Discharges from Construction Activities. For projects involving land-disturbing activities of equal to or greater than one acre , the Navy is required to develop a project-specific stormwater pollution prevention plan and apply for registration coverage under the Virginia Stormwater Management Program General Permit for Discharges of Stormwater from Construction Activities (9 VAC 25-870-10 *et seq.*). Specific questions regarding the Stormwater Management Program requirements should be directed to DEQ, Holly Sepety at (804) 698-4039.

2. Point Source Pollution Control. Pursuant to Virginia Code §62.1-44.15, the Navy must coordinate with DEQ-TRO to update its current VPDES Permit (VA0004421) and MS4 Permit (VAR040114). For additional information and coordination, contact DEQ-TRO, Deanna Austin at (757) 518-2008.

3. Air Pollution Control. This project may be subject to air quality regulations administered by the Department of Environmental Quality. The following sections of Virginia Administrative Code are applicable:

- asphalt paving operations (9 VAC 5-40-5490 *et seq.*)
- fugitive dust and emissions control (9 VAC 5-50-60 *et seq.*); and
- open burning restrictions (9 VAC 5-130).

In addition, a permit may be required for any fuel-burning equipment. For more information and coordination contact DEQ-TRO, John Brandt at (757) 518-2010. Also, contact Norfolk fire officials for information on any local requirements pertaining to open burning.

4. Coastal Lands Management. The project must be conducted in a manner which is consistent to the maximum extent practicable with the coastal lands management enforceable policy of the Virginia CZM program which is administered through 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 25-830-10 *et seq.*). The proposed project is subject to the general performance criteria of 9 VAC 25-830-130 for construction in lands analogous to RPA and RMA. For additional information and coordination, contact DEQ-OLGP, Daniel Moore at (804) 698-4520.

5. Waste Management. All solid waste, hazardous waste, and hazardous materials must be managed in accordance with all applicable federal, state, and local environmental regulations. For additional information concerning location and availability of suitable waste management facilities in the project area or if free product, discolored soils, or other evidence of contaminated soils are encountered, contact DEQ-TRO, Melinda Woodruff at (757) 518-2174.

5(a) Asbestos-Containing Material. The owner or operator of a demolition activity, prior to the commencement of the activity, is responsible to thoroughly inspect affected structures for the presence of asbestos, including Category I and Category II nonfriable asbestos containing material (ACM). Upon classification as friable or non-friable, all waste ACM shall be disposed of in accordance with the Virginia Solid Waste Management Regulations (9 VAC 20-80-640), and transported in accordance with the Virginia regulations governing Transportation of Hazardous Materials (9 VAC 20-110-10 et seq.). Contact the DEQ-TRO, Lisa Silvia at (757) 518-2175 and the Department of Labor and Industry, Doug Wiggins (540) 562-3580 ext. 131 for additional information.

5(b) Lead-Based Paint. This project must comply with the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) regulations, and with the Virginia Lead-Based Paint Activities Rules and Regulations. For additional information regarding these requirements contact the Department of Professional and Occupational Regulation at (804) 367-8500.

5(c) Petroleum Contamination. In accordance with Virginia Code §§ 62.1-44.34.8 through 9 and 9 VAC 25-580-10 *et seq.*, site activities involving excavation or disturbance of petroleum contaminated soils and or groundwater must be reported to DEQ-TRO, Tom Madigan at (757) 518-2115 or Lynne Smith at (757) 518-2055.

5(d) Petroleum Storage Tank Compliance and Inspection. The installation and use of an AST of greater than 660 gallons for temporary fuel storage of more than 120 days must comply with the requirements in 9 VAC 25-91-10 *et seq.* Contact DEQ-TRO, Steve Pollock (757) 518-2014 for additional details.

6. Natural Heritage Resources. Contact DCR-DNH, Rene Hypes at (804) 371-2708, to secure updated information on natural heritage resources if the scope of the project changes and/or six months passes before the project is implemented, since new and updated information is continually added to the Biotics Data System.

6(a) Atlantic Sturgeon. Contact the NOAA Fisheries Chesapeake Bay Office, Sean Corson at (410) 267-5646, to ensure compliance with regulations for the protection of the Atlantic sturgeon.

7. Historic and Archaeological Resources. In accordance with Section 106 of the *National Historic Preservation Act*, as amended, and its implementing regulation 36 CFR 800, the Navy must coordinate with DHR with respect to potential project impacts to historic and archaeological resources. For additional information and coordination, contact DHR, Roger Kirchen at (804) 482-6091.

Thank you for the opportunity to comment on the FCD for the Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers at Naval Station Norfolk. The detailed comments of reviewing agencies are attached for your review. Please contact me at (804) 698-4204 or John Fisher at (804) 698-4339 for clarification of these comments.

Sincerely,

Bettina Rayfield, Program Manager
Environmental Impact Review and Long-Range Priorities

Enclosures

Ec: Rachael Peabody, VMRC
Robbie Rhur, DCR
Amy Ewing, DGIF
Roger Kirchen, DHR
Rusty Harrington, DoAv
Seamus McCarthy, City of Norfolk
Ben McFarlane, HRPDC
Justine Woodward, Navy

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
ENVIRONMENTAL IMPACT REVIEW COMMENTS

December 14, 2017

PROJECT NUMBER: 17-157F

PROJECT TITLE: Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers

As Requested, TRO staff has reviewed the supplied information and has the following comments:

Petroleum Storage Tank Cleanups:
DEQ records indicate that there are several historical and closed subsurface petroleum pollution compliant (PC) cases associated with this proposed site on the Naval Base. These cases have been closed based on their limited risk to the environment. However, any future site activities involving excavation or disturbance of petroleum contaminated soils and or groundwater must be reported to the DEQ Tidewater Regional Office (TRO). Contact Mr. Tom Madigan (757) 518-2115 or Lynne Smith (757) 518-2055.

Petroleum Storage Tank Compliance/Inspections:
Installation and operation of any regulated petroleum storage tank(s) either AST or UST must also be conducted in accordance with the Virginia Regulations 9 VAC 25-91-10 et seq and / or 9 VAC 25-580-10 et seq. Please contact Steve Pollock (757) 518-2014 for additional details. The installation and use of an AST (>660 gallons) for temporary fuel storage (>120 days) during the project must follow the requirements in 9 VAC 25-91-10 et. seq. Please contact Steve Pollock of the DEQ Tidewater Regional Office (757) 518-2014 for additional details.

Virginia Water Protection Permit Program (VWPP):
The submitted information indicates that while there are surface waters (wetlands) in the vicinity of the proposed project, it will not impact these areas. Provided the project does not impact surface waters, no VWPP authorization is required. If surface water impacts are required, the project will be consistent with our program provided VWPP authorization is obtained and complied with.

Air Permit Program :
No Comments

Water Permit Program :
No comments. It appears the facility understands the need for updates under their current VPDES Permit (VA0004421) and MS4 Permit (VAR040114). For any questions, please contact Deanna Austin of the Tidewater Regional Office 757-518-2008.

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
ENVIRONMENTAL IMPACT REVIEW COMMENTS

December 14, 2017

PROJECT NUMBER: 17-157F

PROJECT TITLE: Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers

Waste Permit Program :
All construction, demolition and debris waste including excess soil must be characterized in accordance with the Virginia Hazardous Waste Management Regulations prior to management at an appropriate facility. For additional information, contact Sean Priest, DEQ-TRO at (757) 518-2141 or jonathan.priest@deq.virginia.gov.

Storm Water Program:
General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10) will be required for construction activities. DEQ will be the Virginia Stormwater Management Program Authority for federal projects. Stormwater and erosion & sediment control plans should be submitted to DEQ for review and approval.

The staff from the Tidewater Regional Office thanks you for the opportunity to provide comments.

Sincerely,

Cindy Robinson

Cindy Robinson
Environmental Specialist II
5636 Southern Blvd.
VA Beach, VA 23462
(757) 518-2167
Cindy.Robinson@deq.virginia.gov

Fisher, John (DEQ)

From: Peabody, Rachael (MRC)
Sent: Friday, October 27, 2017 2:03 PM
To: Fisher, John (DEQ)
Subject: FW: NEW PROJECT NAVY C-2A to CMV-22B 17-157F
Attachments: V-22_NS_Norfolk_CCD.PDF

John,

The VMRC concurs with the applicant's conclusions that resources under the jurisdiction of the VMRC will not be impacted as a result of this project.

Thank you for allowing us to comment,

Rachael Peabody
Environmental Engineer
Virginia Marine Resources Commission
Office: 757-247-8027
Fax: 757-247-8062

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF AIR PROGRAM COORDINATION

ENVIRONMENTAL REVIEW COMMENTS APPLICABLE TO AIR QUALITY

TO: John E. Fisher **DEQ - OEIA PROJECT NUMBER: DEQ #17-157F**

PROJECT TYPE: ☐ STATE EA / EIR **X FEDERAL EA / EIS** ☐ SCC

X CONSISTENCY DETERMINATION

PROJECT TITLE: Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers

PROJECT SPONSOR: U.S. Navy

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

REGULATORY REQUIREMENTSMAY BE APPLICABLE TO: **X 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 5-45-760 et seq. – Asphalt Paving operations
3. **X 9 VAC 5-130 et seq. – Open Burning**
4. **X 9 VAC 5-50-60 et seq. Fugitive Dust Emissions**
5. ☐ 9 VAC 5-50-130 et seq. - Odorous Emissions; Applicable to_____
6. ☐ 9 VAC 5-60-300 et seq. – Standards of Performance for Toxic Pollutants
7. ☐ 9 VAC 5-50-400 Subpart_____, Standards of Performance for New Stationary Sources, designates standards of performance for the_____
8. ☐ 9 VAC 5-80-1100 et seq. of the regulations – Permits for Stationary Sources
9. ☐ 9 VAC 5-80-1605 et seq. Of the regulations – Major or Modified Sources located in PSD areas. This rule may be applicable to the _____
10. ☐ 9 VAC 5-80-2000 et seq. of the regulations – New and modified sources located in non-attainment areas
11. ☐ 9 VAC 5-80-800 et seq. Of the regulations – State Operating Permits. 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).

K. S. Narasimhan

(Kotur S. Narasimhan)
Office of Air Data Analysis **DATE: October 30, 2017**

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
Fax: 804-698-4019 - TDD (804) 698-4021
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4020
1-800-592-5482

MEMORANDUM

TO: John Fisher, DEQ Office of Environmental Impact Review

FROM: Heather Mackey, DEQ Principal Environmental Planner

DATE: November 14, 2017

SUBJECT: DEQ #17-157F U.S. Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers – City of Norfolk

We have reviewed the Federal Consistency Determination submittal for the proposed project and offer the following comments regarding consistency with the provisions of the *Chesapeake Bay Preservation Area Designation and Management Regulations* (Regulations).

In the City of Norfolk, the areas protected by the Chesapeake Bay Preservation Act (CBPA), as locally implemented, require conformance with performance criteria. These areas include Resource Protection Areas (RPAs) and Resource Management Areas (RMAs), as designated by the local governments. RPAs include tidal wetlands, certain non-tidal wetlands, and tidal shores. RPAs also include a 100-foot vegetated buffer area located adjacent to and landward of these features and along both sides of any water body with perennial flow. In Norfolk, RMAs, which require less stringent performance criteria than RPAs, consist of the land area adjacent to and landward of the RPA and extends landward to include the remainder of the lot or parcel designated as RPA. When the landward boundary of the RPA falls within an improved public right-of-way, the RMA is defined as the remainder of the improved public right-of-way.

Under the Federal Consistency Regulations of the *Coastal Zone Management Act of 1972*, federal actions in Virginia must be conducted in a manner "consistent to the maximum extent practicable" with the enforceable policies of the Virginia Coastal Zone Management Program. Those enforceable policies are administered through the Chesapeake Bay Preservation Act and Regulations. Federal actions on installations located within Tidewater Virginia are required to be consistent with the performance criteria of the Regulations on lands analogous to locally designated RPAs and RMAs, as provided in §9VAC25-830-130 and 140 of the Regulations, including the requirement to minimize land disturbance (including access and staging areas), retain existing vegetation and minimize impervious cover, as well as compliance with the requirements of the *Virginia Erosion and Sediment Control Handbook*, and stormwater management criteria consistent with water quality protection provisions of the *Virginia Stormwater Management Regulations*." For land disturbance over 2,500 square feet, the project must comply with the requirements of the *Virginia Erosion and Sediment Control Handbook.*

The proposed project involves the establishment of two Navy V-22 squadrons at NAVSTA Norfolk and one operational squadron at NAS North Island that would construct or renovate aircraft hangars, aircraft parking aprons, runways/taxiways, wash racks, containerized flight training devices, utilities, and personnel parking at NAVSTA Norfolk and NAS North Island. Based upon the submitted documentation, it appears that as currently envisioned the proposed project will not result in land disturbance on land analogous to RPA lands, although the proposed project will likely impact lands analogous to RMA lands. Provided adherence to the above requirements, particularly as it relates to the requirements to minimize land disturbance, retain existing vegetation and minimize impervious cover, the proposed activity would be consistent with the *Chesapeake Bay Preservation Act* and Regulations.

2

VIRGINIA DEPARTMENT OF
ENVIRONMENTAL QUALITY

MEMORANDUM

TO: John Fisher, DEQ/EIR Environmental Program Planner

FROM: Katy Dacey, Division of Land Protection & Revitalization Review Coordinator

DATE: October 30, 2017

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

SUBJECT: Environmental Impact Review: EIR Project No 17-157F Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers, City of Norfolk, VA

The Division of Land Protection & Revitalization (DLPR) has completed its review of the October 25, 2017 EIR for the Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers located at Naval Station Norfolk atl530 Gilbert Street #2000 in Norfolk, Virginia 23511

Project Scope: construction and renovation of aircraft hangars, parking aprons, runways/taxiways, wash racks, containerized flight training devices, utilities and personnel parking

Solid and hazardous waste issues were not addressed in the submittal. The submittal did not indicate that a search of Federal or State environmental databases was conducted. DLPR staff conducted a search (0.5-mile radius) of solid and hazardous waste databases (including petroleum releases) to identify waste sites in close proximity to the project area. DLPR search did identify eleven sites at the project area which might impact the project. Additionally, one waste site of possible concern is the project area found by a zip code search, 23511. DLPR staff has reviewed the submittal and offers the following comments:

Hazardous Waste/RCRA Facilities - none in close proximity to the project area

CERCLA Sites – one is the project area

1. ***VA6170061463, Norfolk Naval Base (Sewells Point Naval Complex), Helmick Street, Virginia Beach, VA 23511. Final NPL. Federal Facility***

The above information related to hazardous wastes, RCRA/CERCLA sites can be accessed from EPA's websites at https://www3.epa.gov/enviro/, https://rcrainfopreprod.epa.gov/rcrainfoweb/action/main-menu/view and https://www.epa.gov/superfund

Formerly Used Defense Sites (FUDS) – one in the project area

1. ***Norfolk Naval Base, Helmick Street, Virginia Beach, VA 23511. Navy***

Solid Waste *– none in close proximity to the project area*

Virginia Remediation Program (VRP) *– none in close proximity to the project area*

Petroleum Releases *– ten in the project area*

1. ***PC#19921089, Naval Air Station – Bldg U 113, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 12/21/1991. Status: Closed.***
2. ***PC#19910298, Naval Air Station – Bldg U 79, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 06/06/1990. Status: Closed.***
3. ***PC#19880663, Naval Air Station – Bousch Creek – LP22, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 07/11/1986. Status: Closed.***
4. ***PC#19911538, Naval Air Station – Bldg U 117, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 04/19//1991. Status: Closed.***
5. ***PC#1991711, Naval Air Station – LP Fuel Farm, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 05/23/1991. Status: Open.***
6. ***PC#19901796, Naval Air Station – Tank U-115, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 06/19/1990. Status: Closed.***
7. ***PC#19940210, Naval Air Station – UST V-64, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 08/04/1993. Status: Closed.***
8. ***PC#19910632, Naval Aviation Depot – Bldg LP-22, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 10/18/1990. Status: Open.***
9. ***PC#19901510, Naval Aviation Depot – Bldg U 132, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 05/02/1990. Status: Closed.***
10. ***PC#19920332, Naval Aviation Depot – U-127C, 9900 Hampton Boulevard, Norfolk, VA 23505. Release Date: 08/15/1991. Status: Closed.***

Please note that the DEQ's Pollution Complaint (PC) cases identified should be further evaluated by the project engineer or manager to establish the exact location, nature and extent of the petroleum release and the potential to impact the proposed project. Also, the project engineer or manager should contact the DEQ's Tidewater Regional Office at (757) 518-2175 (Tanks Program) for further information about the PC cases.

PROJECT SPECIFIC COMMENTS

None

GENERAL COMMENTS

Soil, Sediment, Groundwater, and Waste Management

Any soil, sediment or groundwater 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 20-81); 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.*, and 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 Part 107.

Asbestos and/or Lead-based Paint

All structures being demolished/renovated/removed should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to demolition. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, State regulations 9VAC 20-81-620 for ACM and 9VAC 20-60-261 for LBP must be followed. Questions may be directed to Lisa Silvia at the DEQ's Tidewater Regional Office at (757) 518-2175.

Pollution Prevention – Reuse - Recycling

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

If you have any questions or need further information, please contact Katy Dacey at (804) 698-4274.

MEMORANDUM

DATE: November 27, 2017

TO: John Fisher, DEQ

FROM: Roberta Rhur, Environmental Impact Review Coordinator

SUBJECT: DEQ 17-157F, Navy Transition from C-2A to CMV-22B Aircraft at Fleet Logistics Centers

Division of Natural Heritage

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in our files, the Atlantic sturgeon (*Acipenser oxyrinchus,* G3/S2/LE/LE) has been documented downstream of the project site in the James River. The Atlantic sturgeon is a large fish that reaches a maximum length of about 4.3 meters and may live for several decades. The adults migrate between fresh water spawning areas and salt water non-spawning areas. They feed primarily on benthic invertebrates and small fishes as available.

Stocks on the Atlantic slope have been severely reduced by overfishing (mainly late 1800s and early 1900s), pollution, sedimentation, and blockage of access to spawning areas by dams (Gilbert 1989, Burkhead and Jenkins 1991, Marine and Coastal Species Information System 1996). In Chesapeake Bay and elsewhere in the range, hypoxic events have increased and may degrade nursery habitat for Atlantic sturgeon (Secor and Gunderson 1997). Habitat loss due to dam construction and water pollution are thought to be major factors impeding full recovery of populations (Smith 1985, cited by Johnson et al. 1997; Gilbert 1989). A late maturation age and use of estuaries, coastal bays, and upstream areas of rivers for spawning and juvenile development make stocks vulnerable to habitat alterations in many areas (NatureServe 2012). Please note that this species is currently classified as endangered by the National Oceanic and Atmospheric Administration National Marine Fisheries Service (NOAA Fisheries) and by the Virginia Department of Game and Inland Fisheries (VDGIF).

To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. Due to the legal status of the Atlantic sturgeon, DCR also recommends coordination with NOAA Fisheries and Virginia's regulatory authority for the management and protection of this species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570).

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 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 re-submit project information and map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

The 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 Ernie Aschenbach at 804-367-2733 or Ernie.Aschenbach@dgif.virginia.gov.

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

CC: Christine Vaccaro, NOAA Fisheries-Protected Species Division
Amy Ewing, VDGIF

Literature Cited

Burkhead, N. M., and R. E. Jenkins. 1991. Fishes. Pages 321-409 in K. Terwilliger (coordinator). Virginia's Endangered Species: Proceedings of a Symposium. McDonald and Woodward Publishing Company, Blacksburg, Virginia.

Gilbert, C. R. 1989. Species profiles: life histories and environmental requirements of coastal fishes and invertebrates (Mid-Atlantic Bight) Atlantic and shortnose sturgeons. U.S. Fish and Wildlife Service Biological Report. 82(11.22). U.S Army Corps of Engineers TR EL-82-4. 28 pp.

Johnson, J. H., D. S. Dropkin, B. E. Warkentine, J. W. Rachlin, and W. D. Andrews. 1997. Food habits of Atlantic sturgeon off the central New Jersey coast. Transactions of the American Fisheries Society 126(1):166-170.

Marine and Coastal Species Information System. 1996. October 1-last update. Fish and Wildlife Information Exchange-VA Tech. Online. Available: http://www.fw.vt.edu/fishes/macsis.html.

NatureServe. 2012. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available http://www.natureserve.org/explorer. (Accessed: May 14, 2012).

Secor, D. H., and T. E. Gunderson. 1997. Effects of hypoxia and temperature on survival, growth, and respiration of juvenile Atlantic sturgeon, Acipenser oxyrinchus. Fisheries Bulletin 96:603-613.

Fisher, John (DEQ)

From: Ewing, Amy (DGIF)
Sent: Friday, December 01, 2017 4:04 PM
To: Fisher, John (DEQ)
Subject: ESSLog# 38690_17-157F_NavyTransition_DGIF_AME20171201

Based on the scope and location of the proposed work, we do not anticipate it to result in significant adverse impacts upon listed species or designated resources under our jurisdiction.

Assuming adherence to erosion and sediment controls, we find this project consistent with the Fisheries Management Section of the CZMA.

Thanks, Amy

Amy M. Ewing

Environmental Services Biologist/FWIS Program Manager
Chair, Team WILD (Work, Innovate, Lead and Develop)
804-367-2211 ☯ *www.dgif.virginia.gov*

"That land is a community is the basic concept of ecology, but that land is to be loved and respected is an extension of ethics" Aldo Leopold, 1948

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Fisher, John (DEQ)

From: Harrington, Rusty N. (DOAV)
Sent: Tuesday, December 12, 2017 3:00 PM
To: Fisher, John (DEQ)
Subject: RE: NEW PROJECT NAVY C-2A to CMV-22B 17-157F

No sir, thank you for asking.

From: Fisher, John (DEQ)
Sent: Tuesday, December 12, 2017 2:58 PM
To: Harrington, Rusty N. (DOAV)
Subject: FW: NEW PROJECT NAVY C-2A to CMV-22B 17-157F

Hi Rusty:

Got your comments on the projects at DCA. Thank you.

Do you have comments on this one at the Norfolk Naval Air Station?

John

John E. Fisher
Virginia Department of Environmental Quality
Division of Environmental Enhancement
Office of Environmental Impact Review
629 East Main Street, #634
Richmond, Virginia 23219
(804) 698-4339
(804) 698-4319 fax
john.fisher@deq.virginia.gov
www.deq.virginia.gov
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