

APPENDIX A - LIST OF ENVIRONMENTAL PERMITS REQUIRED

LIST OF ENVIRONMENTAL PERMITS REQUIRED

A.1 REGULATORY FRAMEWORK

This EA has been prepared under the provisions of, and in accordance with the NEPA, the CEQ Regulations Implementing the Procedural Provisions of NEPA, and VA's regulations for implementing NEPA (38 CFR Part 26). In addition, the EA has been prepared as prescribed in VA's *NEPA Interim Guidance for Projects* (VA 2010). Federal, state, and local laws and regulations specifically applicable to this Proposed Action are identified, where appropriate, within this EA, and include:

- Endangered Species Act of 1973, as amended (7 USC 136; 16 USC 1531 et seq.).
- Energy Independence Security Act Section 438.
- Executive Order 11988, *Floodplain Management* (24 May 1977).
- Executive Order 11990, *Protection of Wetlands* (24 May 1977).
- Executive Order 12898, *Environmental Justice* (11 February 1994).
- Executive Order 13834, *Efficient Federal Operations* (17 May 2018).
- Farmland Protection Policy Act (7 USC 4201, et seq.)
- Federal Clean Air Act of 1990 (42 USC 7401 et seq., as amended).
- Federal Clean Water Act (Federal Water Pollution Control Act) of 1948, as amended (1972, 1977) (33 USC 1251 et seq.); Sections 401 and 404.
- Migratory Bird Treaty Act (MBTA; 16 USC 703-712, 3 July 1918; as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986, and 1989).
- Native American Graves Protection and Repatriation Act, as amended (25 USC 3001 et seq.).
- National Historic Preservation Act (NHPA) of 1966, as amended (36 CFR Part 800).
- Virginia Department of Environmental Quality, Virginia Pollution Discharge Elimination System.
- Virginia Administrative Code.
- Spotsylvania County Code of Ordinances.
- City of Fredericksburg Unified Development Ordinance.
- City of Fredericksburg Code of Ordinances.

A.2 ENVIRONMENTAL PERMITS REQUIRED

In addition to the regulatory framework of NEPA, the CEQ Regulations Implementing the Procedural Provisions of NEPA, VA's NEPA regulations (38 CFR Part 26), and VA's *NEPA Interim Guidance for Projects*, the following federal, state, and/or local environmental permits are required as part of this Proposed Action, and include:

Both Action Alternative Sites

- Virginia Department of Environmental Quality, Virginia Pollution Discharge Elimination System.
- Virginia Department of Environmental Quality Air Quality Division general minor new source review (generators) permit and state operating permits.
- City of Fredericksburg or Spotsylvania County Land Disturbing Permit.

- Virginia Department of Environmental Quality Coastal Zone Management Program Federal Coastal Zone Consistency Determination.

Gateway Site

- U.S. Army Corps of Engineers/Virginia Department of Environmental Quality/Virginia Marine Resource Commission Section 401 and 404 of the Clean Water Act permits.

Hood Drive Site

- Virginia Department of Environmental Quality/Virginia Marine Resource Commission Section 401 and 404 of the Clean Water Act permits for WOUS or Virginia Department of Environmental Quality/Virginia Marine Resource Commission Water Protection permit for isolated waters of the state.

APPENDIX B – AGENCY CORRESPONDENCE



DEPARTMENT OF VETERANS AFFAIRS
Office of Construction & Facilities Management
Washington DC 20420

Date: November 26, 2019

Notice: Valued Stakeholders

Subject: Notice of Stakeholder Meeting for the Proposed Outpatient Clinic in the Fredericksburg Area

The U.S. Department of Veterans Affairs (VA), Office of Construction & Facilities Management is proposing a long-term, fully serviced lease for construction and operation of an approximate 426,722-square-foot Outpatient Clinic (OPC) in the Fredericksburg, Virginia area (see area of consideration in map below).

As part of the decision-making process, VA will undertake activities to comply with the National Environmental Policy Act (NEPA). VA is seeking input on issues to be addressed during the NEPA process, including environmental concerns. Concurrently, VA is seeking input to support future consultation under Section 106 of the National Historic Preservation Act regarding potential effects to historic properties. VA will also be consulting with the Virginia Department of Historic Resources and other consulting parties to identify historic properties that may potentially be affected by the undertaking, and to seek ways to avoid, minimize, or mitigate potential adverse effects.

NEPA requires that a Federal agency provide the public with an opportunity to participate in the process of analyzing the impact of Federal actions on the human environment. The purpose of this letter is to notify members of the community and other stakeholders of an opportunity to assist the VA in identifying issues, including environmental concerns that may occur as a result of the proposed Federal action.

VA is therefore requesting your presence at an agency scoping meeting to be held on Thursday, December 5th, 2019. The VA will present information on the proposed project and you will have an opportunity to ask questions and submit comments. The location, time, and date are presented below.

WHEN: Thursday, December 5th, 2019, from 10am to 12pm

WHERE: Country Inn & Suites, 656 Warrenton Road, Fredericksburg, VA 22401

An additional meeting is being held from 1 pm to 3 pm on December 5th at the same location for those unable to attend the 10 am meeting.

A public scoping comment period will be open through **Tuesday, December 31, 2019**. During this time, agencies are encouraged to provide written comments on the proposed action and identify potential issues or concerns for consideration in the NEPA process and NHPA Section 106 consultation. Comments received during the scoping period will be considered in the NEPA compliance process.

Comments may be submitted by email or mail as follows:

Email to Glenn Elliott (glenn.elliott@va.gov) using the subject line "Fredericksburg HCC Scoping".

Mail to (postmarked by **December 31, 2019**):

Glenn Elliott

VA Office of Construction & Facilities Management (003C2)

425 L'Eoye Street NW

Washington DC 20001

If you have any questions, please contact Glenn Elliott at (202) 632-5879.

AREA OF CONSIDERATION:





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

DEC 31 2019

Mr. Glenn Elliott
Department of Veterans Affairs
Office of Construction & Facilities Management (003C2)
425 I Street, NW
Washington, DC 20001

RE: Scoping for the Fredericksburg Outpatient Clinic

Dear Mr. Elliott:

The U.S. Environmental Protection Agency (EPA) received notice that a stakeholder meeting was held by the Department of Veterans Affairs (VA) on December 5, 2019 regarding the proposed long-term, fully serviced lease for construction and operation of an Outpatient Clinic (OPC or Project) in the vicinity of Fredericksburg, Virginia. As part of the decision-making process, the VA will undertake activities to comply with the National Environmental Policy Act (NEPA). The VA is seeking input on issues to be addressed during the NEPA process, including environmental concerns. In accordance with NEPA, Section 309 of the Clean Air Act and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1509), EPA is providing comments for your consideration in the development of the Environmental Impact Statement (EIS) or Environmental Assessment (EA).

Thank you for engaging the local community and agencies on the Project. We are providing comments for the development of the EIS or EA (Study) in the enclosure. Overall, we recommend consideration of brownfield or redevelopment of previously-developed sites for the project, which may reduce potential adverse impacts on the environment and cultural resources and provide benefits to the local community. We strongly encourage integrating low-impact development and green infrastructure into the site and/or building design. We also suggest that availability of public transit options to the site should be fully evaluated and incorporated into site selection.

We would welcome the opportunity to discuss any of these comments and to work with you as more information becomes available. We request that you share preliminary findings and the draft Study with EPA. Please feel free to contact Carrie Traver at 215-814-2772 or traver.carrie@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Rudnick".

Barbara Rudnick
NEPA Program Coordinator

Enclosure

VA Fredericksburg OPC - Detailed Comments for Scoping

EPA has the following recommendations for consideration in the development of the Study:

Purpose and Need

The purpose and need for the project define the range of alternatives evaluated. Therefore, it is important that the purpose and need of the facility are clearly stated in the Study.

Alternatives Analysis

As described in the regulations for the CEQ (40 CFR §1502.14), the examination and comparison of the alternatives under consideration is the heart of the environmental document, and the details of each alternative, including the “no action” alternative, should be clearly presented in a comparative form for easy analysis by the reader. We recommend including a thorough evaluation of the alternatives considered in the Study; such an analysis would include a discussion of the selected Area of Consideration, a detailed discussion of the specific key requirements for the facility, a list of sites that have been evaluated, and the reason(s) sites were eliminated from consideration.

EPA strongly recommends evaluation of brownfields or previously developed properties. We suggest careful rationale for selection of the Fredericksburg area be included in the NEPA documentation. Please reach out to us at your convenience to discuss potential property options or review options already under consideration.

Section 106 of the National Historic Protection Act

Given the significant historic and cultural resources in the area, continued consultation with the Virginia Historic Department of Historic Resources and other consulting parties throughout the planning process is recommended. The Study would benefit from an explanation of the historic or archaeological resources that may be impacted by the Project, including viewshed impacts.

We recommend early engagement with Native American tribes to identify resources that may of concern; this coordination should be documented in the Study.

Permits

We suggest that the Study include a discussion of any permits that may be needed for the construction and operation of the facility.

Air Quality

EPA, under the requirements of the 1970 Clean Air Act (CAA) as amended in 1977 and 1990, has established National Ambient Air Quality Standards (NAAQS) for criteria pollutants (40 CFR 50). These are: ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), coarse particulate matter (PM₁₀), fine particulate matter (PM 2.5.), lead (Pb), and sulfur dioxide (SO₂). The Study should identify the attainment status of each criteria pollutant.

The Study should include a general conformity rule analysis according to the guidance provided by the EPA in *Determining Conformity of General Federal Actions to State or Federal Implementation Plans*. Under the rule, federal actions located in nonattainment or maintenance areas are required to demonstrate compliance with the general conformity guidelines. Reasonably foreseeable emissions

associated with all operational and construction activities, both direct and indirect, must be quantified and compared to the annual de minimis levels for those pollutants in nonattainment for that area.

Floodplains

Consistent with Executive Order 11988, *Floodplain Management*, we recommend avoiding sites that are located in the floodplain or would contribute to flooding. Given the nature of the facility, we also recommend that the VA minimize risk to OPC operations by locating it in an area that would have minimal potential to have operations disrupted by flooding, even in a large-scale storm event.

Water Resources

In accordance with the Section 404 of the Clean Water Act, impacts to streams and wetlands should be avoided or minimized. For the purpose of site selection and comparison, use of geospatial data may be sufficient to determine the potential extent and location of aquatic resources. Once a preferred alternative is identified, more detailed information will be needed to assess impacts. As part of this assessment, all aquatic resources on or immediately surrounding the site should be delineated and characterized. The extent of streams should be mapped and wetlands on the site should be delineated according to the 1987 Corps of Engineers Wetlands Delineation Manual (“the 1987 Manual”) and the Regional Supplement.

For wetlands, information in the Study should include information such as the size of the wetland in the study area, the total area of the wetland(s), vegetation, sources of hydrology, and the area of any likely direct or indirect impacts. If impacts are planned or likely, an analysis of the wetland’s functions and values should be considered in the Study and a mitigation plan that compensates for lost or reduced functions and values of wetlands and/or streams will likely be needed.

The Study would benefit from a discussion of the likely temporary and permanent impacts to biological, physical, and chemical characteristics of aquatic ecosystems. Potential direct or indirect effects, including impacts to wetland or stream hydrology from the construction of the facility, road construction, or installation of outfalls or utilities should be evaluated.

The Study should outline specific measures to protect surface waters, including erosion and sedimentation control practices during construction, and post-construction management and treatment of stormwater. As part of this analysis, it would be helpful to discuss how the proposed stormwater management facilities protect water quality by preventing pollutants from entering surface waters and how they prevent or reduce runoff that contributes to flooding.

Sustainability, Low Impact Development, and Green Infrastructure

EPA encourages and promotes principles of sustainable design, which considers and incorporates factors such as energy management, resource use, and waste prevention in the site and building design to improve building performance and the health and comfort of building occupants while reducing negative environmental impacts. We recommend that a suite of options to limit environmental impacts and enhance building efficiency be evaluated.

Please consider recommendations such as those included in the LEED (Leadership in Energy and Environmental Design) Green Building Rating System. LEED is a voluntary, consensus-based national standard for developing high-performance, sustainable buildings. For more information, please review information from the U.S. Green Building Council at: <http://www.usgbc.org/leed>.

Section 502 of the Clean Water Act defines green infrastructure as "the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters." We recommend evaluating opportunities to incorporate green infrastructure in site design to reduce runoff volume and improve water quality. For example, use of pervious pavement options for sidewalk areas could reduce runoff. A number of stormwater best management practices (BMPs) may also provide co-benefits. For example, tree pits or trenches along parking areas can provide shade and stormwater retention. Rain gardens, bioswales, planter boxes, and other vegetation-based stormwater BMPs can provide aesthetic enhancement as well as water quality protection. If native species are used, these BMPs can also provide foraging habitat for pollinators.

The proposed facility is expected to be 426,722 square feet in size on 3 contiguous floors and will include 2600 parking spaces. Given the size of the building and its associated parking, we recommend full consideration of opportunities to minimize the construction of impervious areas associated with the facility, including the roof, parking, sidewalks, and roads. Structured parking, including an adjacent or attached parking garage could not only reduce the footprint of the parking area, but provide improved access for the physically disabled as spaces can be located in proximity to elevators into the building.

Use of the roof area to collect and store water, installation of solar panels, and/or installation of green roof areas can potentially enhance the facility while reducing impacts on local utilities and operational costs. Water collection and storage from the roof can be used to reduce runoff and facility water consumption (e.g. the water can be used to water landscaping plants or flush toilets). Installation of solar panels could generate energy for the facility, reducing dependency on local utilities and long-term energy costs. Green roof installations not only reduce stormwater runoff but can also provide a garden-type amenity for patients and employees.

In summary, EPA recommends the incorporation of green infrastructure practices and low impact development (LID) design features where possible for building design, parking, paving, landscaping, and stormwater management. Guidance and resources can be found at the following sites:

- <https://19january2017snapshot.epa.gov/sites/production/files/2015-09/documents/eisa-438.pdf>
- www.epa.gov/greeninfrastructure
- www.epa.gov/nps/lid
- www.epa.gov/smartgrowth
- <http://www.bmpdatabase.org>

Wildlife and Biological Resources

We suggest evaluation of the habitat function and value of existing resources on properties studied be discussed in the NEPA document. Depending on the site selected, impacts to wildlife could potentially include vegetation clearing and/or maintenance, habitat fragmentation, noise, bird mortality from window strikes, lighting, spread of invasive species, or other concerns. To reduce biological impacts and to preserve other ecological functions such as stormwater retention and flood storage, we recommend selecting a site where impacts to streams, wetlands, mature trees, or other sensitive or rare resources can be avoided.

Impacts to species, including state and federally-listed species of special concern, should be evaluated in consultation with appropriate federal and state agencies. We recommend that consultation be documented in the Study.

Utilities

The Study would benefit from a discussion of the utilities that will be required for the Project (electric, water, sewer, etc.), whether existing infrastructure has sufficient capacity, and what needs may be met by onsite facilities.

Hazardous Wastes

We recommend that the Study describe known hazardous materials located within the study area. If necessary, the potential impacts from any remediation and a detailed plan for disposal should be discussed.

Environmental Justice

We recommend that an assessment be conducted to identify whether areas of potential environmental justice (EJ) concern are present and may be disproportionately impacted by Project activities. This identification should inform appropriate outreach to affected communities to assure that communication regarding project development reaches citizens in an appropriate way and feedback from the affected communities is fully considered.

Methodologies are discussed by several agencies including CEQ. EPA's environmental justice screening tool, EJSCREEN, can be utilized to provide such information. It can be accessed at: <https://www.epa.gov/ejscreen>. EJSCREEN provides demographic information on the census block group level. A census block group is a geographical unit used by the United States Census Bureau (Bureau) and is the smallest geographical unit for which the Bureau publishes sample data. An assessment of this level can address the question as to whether low-income and/or minority communities may be disproportionately impacted by the activities described in the Study. Specifically, consideration should be given to the block group(s) which contain the communities most impacted by the Project activities.

Additionally, please consider referring to "Promising Practices for EJ Methodologies in NEPA Reviews": <https://www.epa.gov/environmentaljustice/ej-iwg-promising-practices-ej-methodologies-nepa-reviews>.

Socioeconomic Impacts

The Study should include a discussion of the community and socioeconomic impacts of the Project, including the number of people, employees and/or jobs impacted as a result of the Project and address the decrease or increase of people, employees, jobs in relation to its effect on tax base, local housing, job markets, schools, utilities, businesses, property values, etc.

Traffic and Transportation

The Study should address traffic and transportation, including an evaluation of the impacts associated with construction and expected conditions for the completed project. Impacts on the local communities from a potential increase in traffic should be fully evaluated. We suggest the Study discuss existing public transportation and evaluate opportunities for providing or enhancing public transit access.

Noise, Lighting, and Other Community Impacts

Impacts to nearby residences or sensitive receptors should be fully evaluated from the construction and operation of the facility. The results of any noise studies or analyses in the Project area should be summarized in the Study, including noise caused by construction and during the operation of the facility. Lighting impacts on nearby residences should also be evaluated.

We would encourage ongoing community engagement and involvement to address concerns that may arise from the proposal. We suggest developing an outreach and communication plan to reach affected community members.

Secondary and Cumulative Effects

The discussion of cumulative effects should include a detailed narrative that clearly describes the incremental impact of the Project when added to other past, present, and reasonably foreseeable future impacts. Potential impacts could include not only other projects in the vicinity, but also associated road upgrades, utility installation or expansion, and impacts from future expansion of the facility. The temporal scope of the assessment should specify an adequate time frame prior to the Project and into the future.

The assessment of impacts should also include secondary and ancillary effects, such as potential secondary growth, construction haul roads, changes to traffic patterns during construction, etc.

From: [Elliott, Glenn \(CFM\)](#)
To: [Estes, Liz](#); [Modovsky, Christine M. \(CFM\)](#)
Subject: FW: [EXTERNAL] Veterans Affairs- Notice of Stakeholder Meeting for the Proposed Outpatient Clinic in the Fredericksburg Area
Date: Tuesday, December 3, 2019 8:02:00 AM
Attachments: [image002.jpg](#)
[image003.png](#)
[image004.jpg](#)
[image007.jpg](#)
[20151030_Letter_Service_to_Interested_Parties_Online_Project_Reviews_SIGNED.pdf](#)

Good info to have.
Glenn

From: Troy Andersen <troy_andersen@fws.gov>
Sent: Monday, December 02, 2019 1:11 PM
To: Elliott, Glenn (CFM) <Glenn.Elliott@va.gov>
Subject: RE: [EXTERNAL] Veterans Affairs- Notice of Stakeholder Meeting for the Proposed Outpatient Clinic in the Fredericksburg Area

Mr. Elliott:

No one from the U.S. Fish and Wildlife Service will be attending on Thursday. The Virginia Field Office utilizes an online project review process. This online project review process is intended for use by landowners, applicants, consultants, agency personnel, and any other individual or entity requiring U.S. Fish and Wildlife Service review or approval of their project within the Commonwealth of Virginia. The attached letter provides an overview of the process as well as a link to the process website. If you have additional questions regarding the process, don't hesitate to contact me.

Thanks,
Troy

Troy Signature_small



Troy Andersen
Assistant Field Office Supervisor – Endangered Species
Virginia Field Office
6669 Short Lane
Gloucester, VA 23061
804-824-2428

From: Elliott, Glenn (CFM) <Glenn.Elliott@va.gov>

Sent: Thursday, November 28, 2019 7:36 AM

To: megan.blum@dot.gov; shauna.haas@dot.gov; Daniel.Koenig@dot.gov; Felicia.James@dot.gov; John.Simkins@dot.gov; Marcie.Parker@VDOT.virginia.gov; fredericksburginfo@vdot.virginia.gov; troy_andersen@fws.gov; rudnick.barbara@epa.gov; millsaps@gwregion.org; enelson@fredericksburgva.gov

Cc: Ethier, Timothy (CFM) <Timothy.Ethier@va.gov>; MacRae, Scott (CFM) <Scott.MacRae@va.gov>; Stockstill, Brandilyne (Brandi) <Brandilyne.Stockstill@va.gov>; Gill, Garland (CFM) <Garland.Gill@va.gov>

Subject: [EXTERNAL] Veterans Affairs- Notice of Stakeholder Meeting for the Proposed Outpatient Clinic in the Fredericksburg Area



DEPARTMENT OF VETERANS AFFAIRS

Office of Construction & Facilities Management

Washington DC 20420

Date: November 26, 2019

Notice: Valued Stakeholders

Subject: Notice of Stakeholder Meeting for the Proposed Outpatient Clinic in the Fredericksburg Area

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Federal action.

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Comments may be submitted by email or mail as follows:

Email to Glenn Elliott (glenn.elliott@va.gov) using the subject line "Fredericksburg HCC Scoping".

Mail to (postmarked by **December 31, 2019**):

Glenn Elliott

VA Office of Construction & Facilities Management (003C2)

425 I (Eye) Street NW

Washington DC 20001

If you have any questions, please contact Glenn Elliott at (202) 632-5879.

AREA OF CONSIDERATION:



Glenn Elliott Senior PP/M
Director of Environmental Programs
Construction and Facilities Management Office
425 "I" Street NW
Washington, DC 20001
Office – 202 632-5879
Mobile – 202 360-1243



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Virginia Field Office
6669 Short Lane
Gloucester, VA 23061

October 30, 2015

Greetings:

Due to increased workload and refinement of our priorities in Virginia, this office will no longer provide individual responses to requests for environmental reviews. However, we want to ensure that U.S. Fish and Wildlife Service trust resources continue to be conserved. When that is not possible, we want to ensure that impacts to these important natural resources are minimized and appropriate permits are applied for and received. We have developed a website that provides the steps and information necessary to allow any individual or entity requiring review/approval of their project to complete a review and come to the appropriate conclusion. This site can be accessed at: <http://www.fws.gov/northeast/virginiafield/endangered/projectreviews.html>.

The website is frequently updated to provide new species/trust resource information and methods to review projects. Refer to the website for each project review to ensure that current information and methods are utilized.

If you have any questions about project reviews or need assistance, please contact Troy Andersen of this office at (804) 824-2428 or troy_andersen@fws.gov.

Sincerely,

Cindy Schulz
Field Supervisor
Virginia Ecological Services



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

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director

December 3, 2019

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

Glenn Elliott (glenn.elliott@va.gov)
VA Office of Construction & Facilities Management (003C2)
425 I (Eye) Street NW
Washington DC 20001

RE: Scoping Request – Fredericksburg HCC Scoping

Dear Mr. Elliot:

This letter is in response to the scoping request for the above-referenced project.

As you may know, the Department of Environmental Quality, through its Office of Environmental Impact Review (DEQ-OEIR), is responsible for coordinating Virginia's review of federal environmental documents prepared pursuant to the National Environmental Policy Act (NEPA) and responding to appropriate federal officials on behalf of the Commonwealth. Similarly, DEQ-OEIR coordinates Virginia's review of federal consistency documents prepared pursuant to the Coastal Zone Management Act which applies to all federal activities which are reasonably likely to affect any land or water use or natural resources of Virginia's designated coastal resources management area must be consistent with the enforceable policies Virginia Coastal Zone Management (CZM) Program.

DOCUMENT SUBMISSIONS

In order to ensure an effective coordinated review of the NEPA document and federal consistency documentation, notification of the NEPA document and federal consistency documentation should be sent directly to OEIR. We request that you submit one electronic to eir@deq.virginia.gov (25 MB maximum) or make the documents available for download at a website, file transfer protocol (ftp) site or the VITA LFT file share system (Requires an "invitation" for access. An invitation request should be sent to eir@deq.virginia.gov). We request that the review of these two documents be done concurrently, if possible.

The NEPA document and the federal consistency documentation (if applicable) should include U.S. Geological Survey topographic maps as part of their information. We strongly encourage you to issue shape files with the NEPA document. In addition, project details should be adequately described for the benefit of the reviewers.

ENVIRONMENTAL REVIEW UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT: PROJECT SCOPING AND AGENCY INVOLVEMENT

As you may know, NEPA (PL 91-190, 1969) and its implementing regulations (Title 40, *Code of Federal Regulations*, Parts 1500-1508) requires a draft and final Environmental Impact Statement (EIS) for federal activities or undertakings that are federally licensed or federally funded which will or may give rise to significant impacts upon the human environment. An EIS carries more stringent public participation requirements than an Environmental Assessment (EA) and provides more time and detail for comments and public decision-making. The possibility that an EIS may be required for the proposed project should not be overlooked in your planning for this project. Accordingly, we refer to “NEPA document” in the remainder of this letter.

While this Office does not participate in scoping efforts beyond the advice given herein, other agencies are free to provide scoping comments concerning the preparation of the NEPA document. Accordingly, we are providing notice of your scoping request to several state agencies and those localities and Planning District Commissions, including but not limited to:

Department of Environmental Quality:

- DEQ Regional Office*
- Air Division*
- Office of Wetlands and Stream Protection*
- Office of Local Government Programs*
- Division of Land Protection and Revitalization
- Office of Stormwater Management*

Department of Conservation and Recreation

Department of Health*

Department of Agriculture and Consumer Services

Department of Game and Inland Fisheries*

Virginia Marine Resources Commission*

Department of Historic Resources

Department of Mines, Minerals, and Energy

Department of Forestry

Department of Transportation

Note: The agencies noted with a star (*) administer one or more of the enforceable policies of the Virginia CZM Program.

FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT

Pursuant to the federal Coastal Zone Management Act of 1972, as amended, and its implementing regulations in Title 15, *Code of Federal Regulations*, Part 930, federal activities, including permits, licenses, and federally funded projects, located in Virginia’s Coastal Management Zone or those that can have reasonably foreseeable effects on Virginia’s coastal uses or coastal resources must be conducted in a manner which is consistent, to the maximum extent practicable, with the Virginia CZM Program.

Additional information on the Virginia’s review for federal consistency documents can be found online at <http://www.deq.virginia.gov/Programs/EnvironmentalImpactReview/FederalConsistencyReviews.aspx>

DATA BASE ASSISTANCE

Below is a list of databases that may assist you in the preparation of a NEPA document:

- DEQ Online Database: Virginia Environmental Geographic Information Systems

Information on Permitted Solid Waste Management Facilities, Impaired Waters, Petroleum Releases, Registered Petroleum Facilities, Permitted Discharge (Virginia Pollution Discharge Elimination System Permits) Facilities, Resource Conservation and Recovery Act (RCRA) Sites, Water Monitoring Stations, National Wetlands Inventory:

- www.deq.virginia.gov/ConnectWithDEQ/VEGIS.aspx

- DEQ Virginia Coastal Geospatial and Educational Mapping System (GEMS)

Virginia's coastal resource data and maps; coastal laws and policies; facts on coastal resource values; and direct links to collaborating agencies responsible for current data:

- <http://128.172.160.131/gems2/>

- MARCO Mid-Atlantic Ocean Data Portal

The Mid-Atlantic Ocean Data Portal is a publicly available online toolkit and resource center that consolidates available data and enables users to visualize and analyze ocean resources and human use information such as fishing grounds, recreational areas, shipping lanes, habitat areas, and energy sites, among others.

<http://portal.midatlanticocean.org/visualize/#x=-73.24&y=38.93&z=7&logo=true&controls=true&basemap=Ocean&tab=data&legends=false&layers=true>

- DHR Data Sharing System.

Survey records in the DHR inventory:

- www.dhr.virginia.gov/archives/data_sharing_sys.htm

- DCR Natural Heritage Search

Produces lists of resources that occur in specific counties, watersheds or physiographic regions:

- www.dcr.virginia.gov/natural_heritage/dbsearchtool.shtml

- DGIF Fish and Wildlife Information Service

Information about Virginia's Wildlife resources:

- <http://vafwis.org/fwis/>

- Total Maximum Daily Loads Approved Reports

- <https://www.deq.virginia.gov/programs/water/waterqualityinformationtmdls/tmdl/tmdldevelopment/approvedtmdlreports.aspx>

- Virginia Outdoors Foundation: Identify VOF-protected land

- <http://vof.maps.arcgis.com/home/index.html>

- Environmental Protection Agency (EPA) Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Database: Superfund Information Systems

Information on hazardous waste sites, potentially hazardous waste sites and remedial activities across the nation, including sites that are on the National Priorities List (NPL) or being considered for the NPL:
 - www.epa.gov/superfund/sites/cursites/index.htm

- EPA RCRAInfo Search

Information on hazardous waste facilities:
 - www.epa.gov/enviro/facts/rcrainfo/search.html

- EPA Envirofacts Database

EPA Environmental Information, including EPA-Regulated Facilities and Toxics Release Inventory Reports:
 - www.epa.gov/enviro/index.html

- EPA NEPAassist Database

Facilitates the environmental review process and project planning:
<http://nepaassisttool.epa.gov/nepaassist/entry.aspx>

If you have questions about the environmental review process and/or the federal consistency review process, please feel free to contact me (telephone (804) 698-4204 or e-mail bettina.rayfield@deq.virginia.gov).

I hope this information is helpful to you.

Sincerely,



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

Matthew J. Strickler
Secretary of Natural Resources

Clyde E. Cristman
Director



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

Rochelle Altholz
*Deputy Director of
Administration and Finance*

Russell W. Baxter
*Deputy Director of
Dam Safety & Floodplain
Management and Soil & Water
Conservation*

Thomas L. Smith
Deputy Director of Operations

December 26, 2019

Glenn Elliott
Department of Veteran Affairs
425 I Street NW
Washington, VA 20001

Re: Proposed Outpatient Clinic in Fredericksburg Area Scoping

Dear Mr. Elliott:

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.

Biotics documents the presence of natural heritage resources within the project boundary including a 100ft buffer. DCR recommends re-coordination once a specific project location has been determined.

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 Virginia Department of Game and Inland Fisheries (VDGIF) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Ernie Aschenbach at 804-367-2733 or Ernie.Aschenbach@dgif.virginia.gov.

Should you have any questions or concerns, please contact me at 804-225-2429. Thank you for the opportunity to comment on this project.

Sincerely,

600 East Main Street, 24th Floor | Richmond, Virginia 23219 | 804-786-6124

*State Parks • Soil and Water Conservation • Outdoor Recreation Planning
Natural Heritage • Dam Safety and Floodplain Management • Land Conservation*

Tyler Meader

Tyler Meader
Natural Heritage Locality Liaison

From: [Elliott, Glenn \(CFM\)](#)
To: [Estes, Liz](#); [Modovsky, Christine M. \(CFM\)](#); [Gill, Garland \(CFM\)](#); [Patricia Restrepo \(patricia.restrepo@chartwellenterprises.com\)](#)
Subject: FW: [EXTERNAL] Re: NEW SCOPING: Fredericksburg HCC Scoping
Date: Thursday, December 12, 2019 11:51:13 AM

fyi

From: Warren, Arlene <arlene.warren@vdh.virginia.gov>
Sent: Thursday, December 12, 2019 11:37 AM
To: Elliott, Glenn (CFM) <Glenn.Elliott@va.gov>
Cc: rr Environmental Impact Review <eir@deq.virginia.gov>
Subject: [EXTERNAL] Re: NEW SCOPING: Fredericksburg HCC Scoping
Project Name: Fredericksburg HCC Scoping

Project #: N/A

UPC #: N/A

Location: **Fredericksburg Area**

VDH – Office of Drinking Water has reviewed the above project. Below are our comments as they relate to the **approximate proximity to public drinking water sources** (groundwater wells, springs and surface water intakes) of Fredericksburg VA. Potential impacts to public water distribution systems or sanitary sewage collection systems **must be verified by the local utility.**

The following public groundwater wells are approximately located within a 1 mile radius of the project site (wells **that appear to be within** 1,000 foot radius are formatted in **bold**):

PWS ID Number	City/County	System Name	Facility Name
6177175	SPOTSYLVANIA	HAZELWILD FARM EDUCATIONAL FOUNDATION	DRILLED WELL
6177105	SPOTSYLVANIA	GLENWOOD MOBILE HOME PARK	BORED WELL 3
6177105	SPOTSYLVANIA	GLENWOOD MOBILE HOME PARK	BORED WELL 2
6179250	SPOTSYLVANIA	DUFF MCDUFF GREEN MEMORIAL PARK	DRILLED WELL
6179450	SPOTSYLVANIA	MARIAN MANOR	DRILLED WELL
6179500	STAFFORD	HIDDEN LANE MHP	DRILLED WELL
6099410	KING GEORGE	PEACE LUTHERAN CHURCH_PRESCHOOL	WELL 1

The following surface water intakes **appear to be** located within a 5 mile radius of the project site:

PWS ID Number	System Name	Facility Name
6177300	SPOTSYLVANIA COUNTY UTILITIES	RAPPAHANNOCK RIVER INTAKE
6177300	SPOTSYLVANIA COUNTY UTILITIES	MOTTS RUN RESERVOIR (ALTERNATE INTAKE)
6179100	STAFFORD COUNTY UTILITIES	LAKE MOONEY RESERVOIR INTAKE
6179100	STAFFORD COUNTY UTILITIES	RAPPAHANNOCK RIVER TRANSFER INTAKE
6177300	SPOTSYLVANIA COUNTY UTILITIES	NI RIVER RESERVOIR INTAKE
6179100	STAFFORD COUNTY UTILITIES	AQUIA CREEK

The project **appears to be** within the watershed of the following public surface water sources

(facilities where the project falls within 5 miles of the intake **and** is within the intake’s watershed are formatted in **bold**):

PWS ID Number	System Name	Facility Name
6177300	SPOTSYLVANIA COUNTY UTILITIES	MOTTS RUN RESERVOIR (ALTERNATE INTAKE)
6177300	SPOTSYLVANIA COUNTY UTILITIES	RAPPAHANNOCK RIVER INTAKE

Best Management Practices should be employed, including Erosion & Sedimentation Controls and Spill Prevention Controls & Countermeasures on the project site. Well(s) within a 1,000 foot radius from project site should be field marked and protected from accidental damage during construction. Materials should be managed while on site and during transport to prevent impacts to nearby surface water.

Virginia Department of Health – Office of Drinking Water appreciates the opportunity to provide comments. If you have any questions, please let me know.

Best Regards,

Arlene Fields Warren

GIS Program Support Technician

Office of Drinking Water

Virginia Department of Health

109 Governor Street

Richmond, VA 23219

(804) 864-7781

On Tue, Dec 3, 2019 at 3:19 PM Fulcher, Valerie <valerie.fulcher@deq.virginia.gov> wrote:

**Good afternoon—attached is a request for scoping comments on the following:
Proposed Outpatient Clinic in the Fredericksburg Area**

If you choose to make comments, please send them directly to the project sponsor (Glenn.Elliott@va.gov; use the subject line “Fredericksburg HCC Scoping”), and copy the DEQ Office of Environmental Impact Review: eir@deq.virginia.gov. We will coordinate a review when the environmental document is completed.

DEQ-OEIR’s scoping response is also attached.

If you have any questions regarding this request, please email our office at eir@deq.virginia.gov.

Valerie

--

Valerie A. Fulcher, CAP, OM, Environmental Program Specialist

Department of Environmental Quality

Environmental Enhancement - Office of Environmental Impact Review

1111 East Main Street

Richmond, VA 23219

[804/698-4330](tel:8046984330)

[804/698-4319](tel:8046984319) (Fax)

email: Valerie.Fulcher@deq.virginia.gov

<http://www.deq.virginia.gov/Programs/EnvironmentalImpactReview.aspx>

For program updates and public notices please subscribe to Constant Contact:
<https://lp.constantcontact.com/su/MVcCump/EIR>

Estes, Liz

From: Elliott, Glenn (CFM) <Glenn.Elliott@va.gov>
Sent: Wednesday, December 11, 2019 9:32 AM
To: Modovsky, Christine M. (CFM); Estes, Liz
Subject: FW: Spotsylvania data
Attachments: SPOTSYLVANIA COUNTY OVERVIEW v3.docx; SPOTSYLVANIA OVERVIEW.docx; SPOTSYLVANIA RETAIL RELATED MARKET.docx; SPOTSYLVANIA SCHOOLS OVERVIEW October 2015.docx; Median Household Income from David Ross.xlsx; Spotsylvania healthcare resources 2014.xlsx

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

From: Tom Rumora <TRumora@spotsylvania.va.us>
Sent: Tuesday, December 10, 2019 4:17 PM
To: Gill, Garland (CFM) <Garland.Gill@va.gov>; Elliott, Glenn (CFM) <Glenn.Elliott@va.gov>; Vanderhye, Steven L. <Steven.Vanderhye@va.gov>
Subject: [EXTERNAL] Spotsylvania data

Garland / Glenn / Steven -

See attached examples of potential relevance to socio-economic and other research.
We have much more and updated information that can be provided to make your process as efficient and thorough as possible.
Bless you, Brethren ...

Tom Rumora

Note: I will be retiring to Ocala FL at Christmas time.
Please update your contacts accordingly, and forward all communications to:

Debbie Sanders, Interim Director
Spotsylvania County Dept of Economic Development
9019 Old Battlefield Blvd, 3rd Floor, Spotsylvania VA 22553
Ofc 540-507-7202 8:00-4:30 Mon-Fri
dsanders@spotsylvania.va.us

Web www.spotsylvania.org

This email is confidential and may be legally privileged. If you have received it in error, please notify the sender immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purpose, or disclose its content to any other person. To do so could violate state and federal privacy laws. Please contact Jennifer Scott at 540.507.7210 or email jlscott@spotsylvania.va.us if you need assistance.



DEPARTMENT OF VETERANS AFFAIRS
Construction & Facilities Management
425 I Street, NW
Washington DC 20001

Date: May 21, 2020

Notice: Valued Stakeholders

Subject: Updated NEPA Scoping: Proposed Fredericksburg VA Health Care Center

The U.S. Department of Veterans Affairs (VA), Office of Construction & Facilities Management, is proposing to award a long-term, fully serviced lease for construction and operation of a three or four-story health care center (HCC) in the Fredericksburg, Virginia area (Proposed Action). The proposed HCC would consolidate, enhance and expand primary care, mental health, and specialty care services currently provided at the two undersized Fredericksburg VA clinics (130 Executive Center Parkway and 10401 Spotsylvania Avenue) and would reduce the workload at the overcrowded Richmond VA Medical Center. The proposed HCC would also facilitate collaboration and sharing of services with the Department of Defense. The HCC would be constructed by a developer on a build-to-suit basis and leased to VA for up to 20 years.

The HCC would be approximately 426,722 square feet and the site would include approximately 2,600 parking spaces. VA is considering two sites for the Proposed Action:

- **Gateway Site:** The Gateway Site is located along the eastern side of Interstate 95, between Cowan Boulevard and Plank Road, in the City of Fredericksburg. The Gateway Site is identified by the City of Fredericksburg as part of Parcel IDs 7769-94-7825 and 7779-03-1528. The site includes approximately 35 acres of undeveloped woodlands with a small clearing in the southeastern corner associated with the Former Great Oaks County Day School. The site was primarily farmland in the 1960s and 1970s with limited undeveloped woodlands along the eastern and northern boundaries, and has been gradually reforested since the 1980s. Two development plans (offers) are being considered for the Gateway Site. One plan includes a new three-story HCC building and surface parking. The second plan includes a new four-story HCC building, a two-story parking garage, and surface parking. Site access would be provided by three drives from the planned Gateway Boulevard extension, which would be located along the eastern site boundary.
- **Hood Site:** The Hood Site is located along the eastern side of Interstate 95, south of Hood Drive, and east of Jefferson Davis Highway (US Route 1) in an unincorporated area of Spotsylvania County. The Hood Site is identified by Spotsylvania County as Parcel IDs 35-A-113, 36-A-10, and 35-A-114. The site includes approximately 49 acres and is mostly undeveloped, grassy land with small areas of trees and a pond. The site includes a small parcel with a house (4708 Hood Drive) that was built in the early 1950s and small parcel with a vacant gasoline station/convenience store (5313 Jefferson Davis Highway) that was built in the early 1970s. The Hood Site was mostly unimproved farmland with a farmstead in the northeastern portion from at least 1942 to the 1970s. With the exception of the north-central portion, the site gradually became reforested starting in the 1970s. The majority of the wooded area in the western portion of the site was removed by 2005. The site was cleared of most of its vegetation between 2005 and 2009 and the southern portion of the site was used for sand quarrying during the late 2000s and early 2010s. The majority of the site has gradually become revegetated with grass and shrubs since the early 2010s. The proposed development for the Hood Site includes a new four-story HCC building and surface parking. Site access would be provided by a main access drive from US Route 1, with secondary access drives from Hood Drive and US Route 1.

The locations of the Sites are shown in **Attachments 1A – 1E**.

As part of the decision-making process, VA is conducting a National Environmental Policy Act (NEPA) Environmental Assessment (EA) to evaluate the environmental, cultural, and socioeconomic issues associated with the Proposed Action.

Information Request: Information your agency can provide on any of the following environmental issue areas (at or in the vicinity of the proposed Sites) would be appreciated. Examples of such information include, but are not limited to:

- Potential environmental concerns or issues;
- Surface and groundwater resources, including streams, wetlands, floodplains, open water features, wells, and local aquifers;
- Federally or state listed threatened or endangered species, or any species proposed for such listing, or critical habitat for such species that may occur within a one-mile radius around the proposed Sites;
- Parks, nature preserves, conservation areas, designated wild or scenic rivers, migratory bird habitats, or special wildlife issues;
- Natural resource issues;
- Soils and geologic data, including lists of hydric soils;
- Prime and unique farmland;
- Traffic, noise, or socioeconomic concerns;
- Records of site investigations, remediation agreements/orders, and related correspondence;
- Air quality concerns; and
- Additional environmental, cultural, land use, or socioeconomic information or concerns your agency may have with regard to the referenced Sites.

Data that you make available will be used to scope the NEPA analysis and will provide valuable and necessary input into the EA process. Your office, local citizens, groups, and public agencies, among others, will have opportunity to review and comment on the information and alternatives addressed in the EA.

VA will also be consulting with the Virginia Department Historical Resources, Native American Tribes, and other consulting parties to identify historic properties that may potentially be affected by the undertaking, and to seek ways to avoid, minimize, or mitigate potential adverse effects.

We look forward to and welcome your participation in this process. **Please respond by June 15, 2020** to enable us to complete this scoping phase of the project within the scheduled timeframe.

Please send your response via e-mail to:

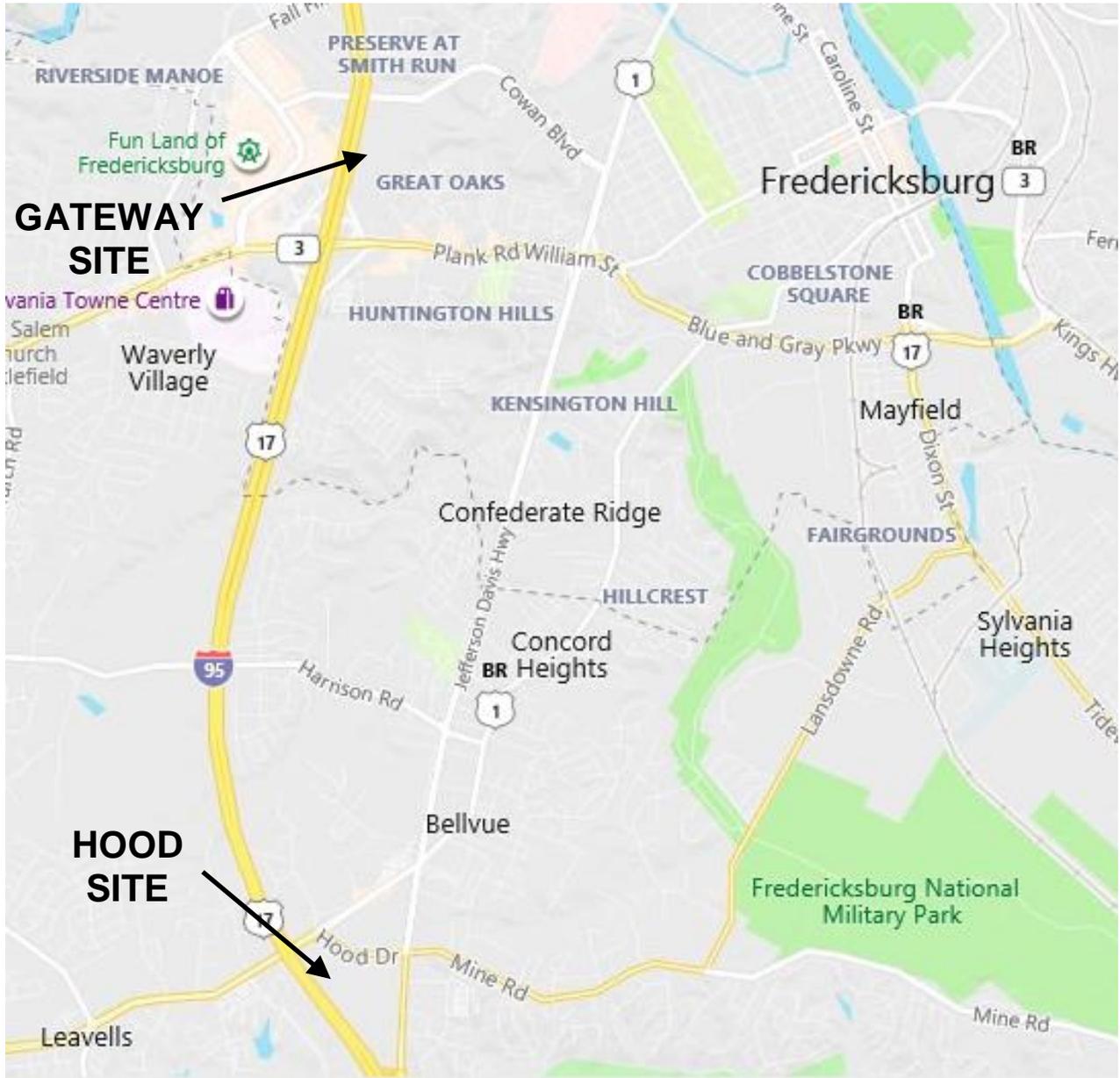
Glenn Elliott
VA Office of Construction & Facilities Management
glenn.elliott@va.gov

Please put "Fredericksburg HCC NEPA Scoping" in the subject line.

If you have any questions, please contact Glenn Elliott at (202) 632-5879.

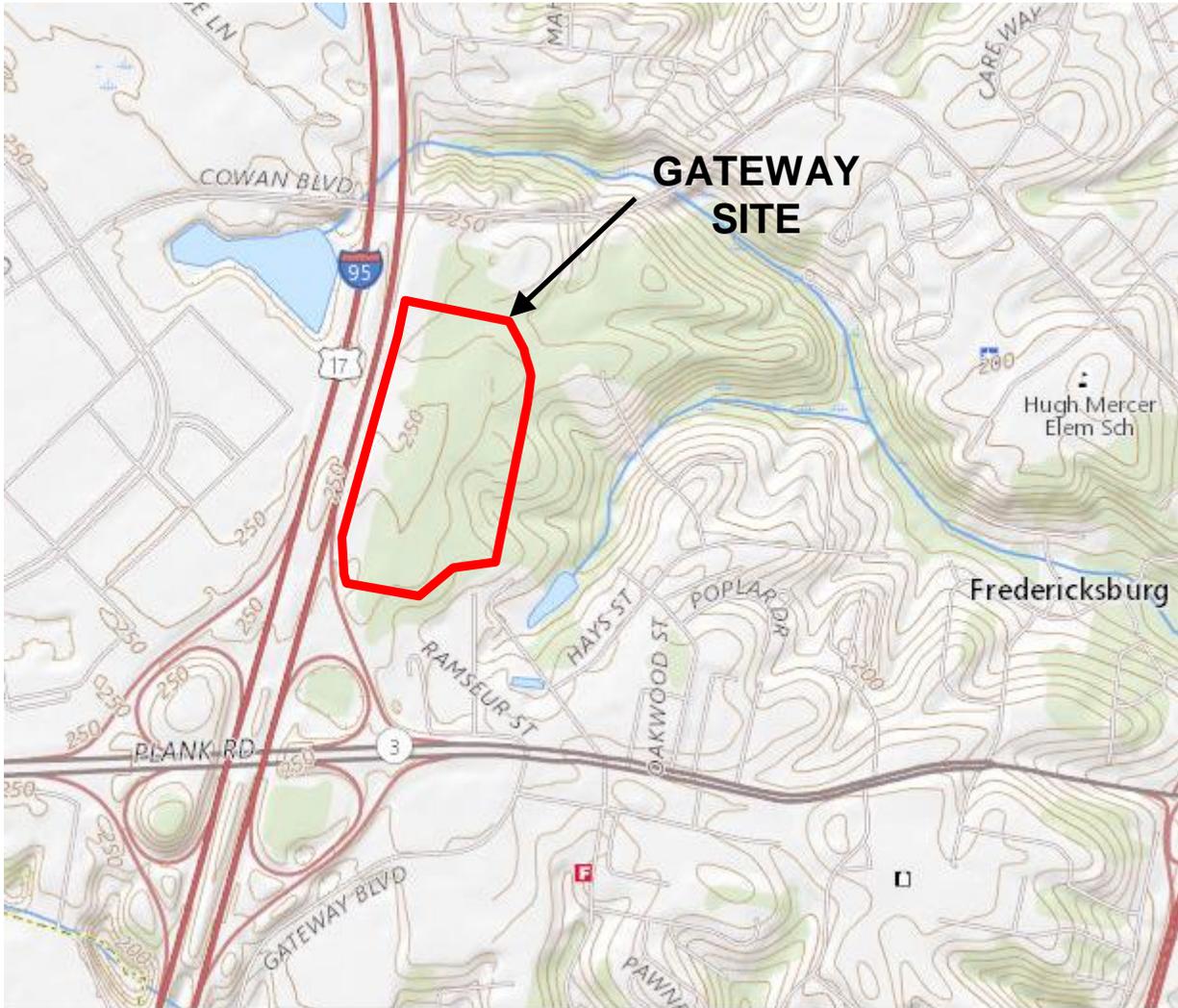
ATTACHMENT 1A

**SITES LOCATION MAP
PROPOSED FREDERICKSBURG HCC
CITY OF FREDERICKSBURG (GATEWAY SITE)
AND SPOTSYLVANIA COUNTY (HOOD SITE), VIRGINIA**



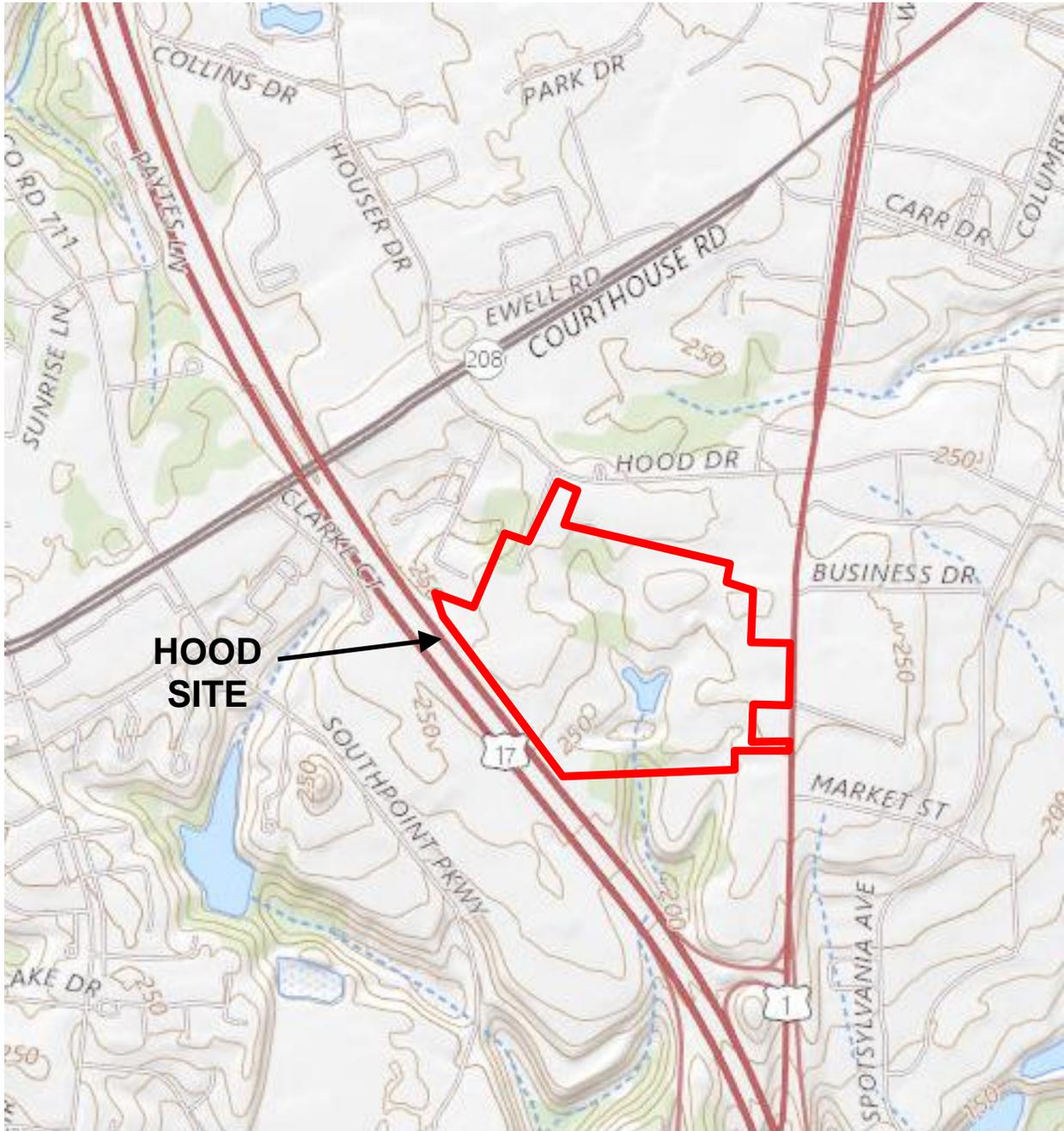
ATTACHMENT 1B

**GATEWAY SITE TOPOGRAPHIC LOCATION MAP
PROPOSED FREDERICKSBURG HCC
CITY OF FREDERICKSBURG, VIRGINIA**



ATTACHMENT 1C

**HOOD SITE TOPOGRAPHIC LOCATION MAP
PROPOSED FREDERICKSBURG HCC
SPOTSYLVANIA COUNTY, VIRGINIA**



ATTACHMENT 1D

**GATEWAY SITE AERIAL MAP (2017)
PROPOSED FREDERICKSBURG HCC
CITY OF FREDERICKSBURG, VIRGINIA**



ATTACHMENT 1E

**HOOD SITE AERIAL MAP (2017)
PROPOSED FREDERICKSBURG HCC
SPOTSYLVANIA COUNTY, VIRGINIA**



From: Warren, Arlene <arlene.warren@vdh.virginia.gov>
Sent: Wednesday, June 17, 2020 3:22 PM
To: Elliott, Glenn (CFM) <Glenn.Elliott@va.gov>
Cc: rr Environmental Impact Review <eir@deq.virginia.gov>
Subject: [EXTERNAL] Re: NEW SCOPING: Fredericksburg HCC NEPA Scoping

Project Name: NEW SCOPING: Fredericksburg HCC NEPA

Project #: N/A

UPC #: N/A

Location: City of Fredericksburg

VDH – Office of Drinking Water has reviewed the above project. Below are our comments as they relate to proximity to **public drinking water sources** (groundwater wells, springs, and surface water intakes). Potential impacts on public water distribution systems or sanitary sewage collection systems **must be verified by the local utility.**

GATEWAY SITE:

There are no public groundwater wells within a 1-mile radius of the project site.

The following surface water intakes are located within a 5 mile radius of the project site:

PWS ID Number	System Name	Facility Name
6177300	SPOTSYLVANIA COUNTY UTILITIES	RAPPAHANNOCK RIVER INTAKE
6177300	SPOTSYLVANIA COUNTY UTILITIES	MOTTS RUN RESERVOIR (ALTERNATE INTAKE)
6179100	STAFFORD COUNTY UTILITIES	LAKE MOONEY RESERVOIR INTAKE
6179100	STAFFORD COUNTY UTILITIES	RAPPAHANNOCK RIVER TRANSFER INTAKE

The project is not within the watershed of any public surface water intakes.

HOOD SITE:

There are no public groundwater wells within a 1-mile radius of the project site.

The following surface water intakes are located within a 5 mile radius of the project site:

PWS ID Number	System Name	Facility Name
6177300	SPOTSYLVANIA COUNTY UTILITIES	RAPPAHANNOCK RIVER INTAKE
6177300	SPOTSYLVANIA COUNTY UTILITIES	MOTTS RUN RESERVOIR (ALTERNATE INTAKE)
6177300	SPOTSYLVANIA COUNTY UTILITIES	NI RIVER RESERVOIR INTAKE

The project is not within the watershed of any public surface water intakes.

Best Management Practices should be employed, including Erosion & Sedimentation Controls and Spill Prevention Controls & Countermeasures on the project site.

Materials should be managed while on-site and during transport to prevent impacts to nearby surface water.

Virginia Department of Health – Office of Drinking Water appreciates the opportunity to provide comments. If you have any questions, please let me know.

Best Regards,

Arlene Fields Warren

GIS Program Support Technician

Office of Drinking Water

Virginia Department of Health

109 Governor Street

Richmond, VA 23219

(804) 864-7781

On Mon, Jun 8, 2020 at 3:45 PM Fulcher, Valerie <valerie.fulcher@deq.virginia.gov> wrote:
Good afternoon—attached is a request for scoping comments on the following:

Proposed Fredericksburg VA Health Care Center-Two Sites

A scoping request for this 426,722 sq. ft. project was sent to reviewers in December 2019. This request is for scoping comments on two proposed sites for the facility: the Gateway Site and the Hood Site. Please put “Fredericksburg HCC NEPA Scoping” in the subject line.

If you choose to make comments, please send them directly to the project sponsor (glenn.elliott@va.gov) and copy the DEQ Office of Environmental Impact Review: eir@deq.virginia.gov. We will coordinate a review when the environmental document is completed.

DEQ-OEIR’s scoping response is also attached.

If you have any questions regarding this request, please email our office at eir@deq.virginia.gov.

Valerie

--

Valerie A. Fulcher, CAP, OM, Environmental Program Specialist

Department of Environmental Quality

Environmental Enhancement - Office of Environmental Impact Review

1111 East Main Street

Richmond, VA 23219

804/698-4330

804/698-4319 (Fax)

email: Valerie.Fulcher@deq.virginia.gov

<http://www.deq.virginia.gov/Programs/EnvironmentalImpactReview.aspx>

For program updates and public notices please subscribe to Constant Contact: <https://lp.constantcontact.com/su/MVcCump/EIR>

Robert W. Farrell
State Forester



COMMONWEALTH of VIRGINIA

Department of Forestry

900 Natural Resources Drive, Suite 800 • Charlottesville, Virginia 22903
(434) 977-6555 • Fax: (434) 296-2369 • www.dof.virginia.gov

June 2, 2020

Glenn Elliott
Department of Veterans Affairs
Construction & Facilities Management
425 I Street, NW
Washington DC 20001

Dear Mr. Elliott:

Recently, I received your request to assess two properties in the Fredericksburg area that are currently proposed sites for VA Health Care Centers. I appreciate the opportunity to weigh in on the potential impacts to these sites. Here is my report:

Gateway Site:

This property lies along the east side of I-95, just south of Cowan Boulevard and north of Plank Road. It is currently fully forested, with the exception of a small clearing at the north end of the property (just off of Cowan Boulevard) that is beginning to revert back to a forested condition (this field is outside of the proposed HCC site). The forests here are comprised of two stands:

- 1.) Loblolly pine (*Pinus taeda*). It's estimated that this stand was established by artificial means (by planting seedlings) 50 to 60 years ago. Historic aerial images suggest that a portion of this stand has experienced some mortality prior to 2005. In response to the increased sunlight reaching the forest floor (as a result of the tree mortality), considerable new growth has begun. This area is primarily an upland site. Due to the density at which the pines were planted, a partial harvest (specifically, a thinning) should have occurred when they were 18 to 20 years old, in order to keep them healthy. Now that they have surpassed that age without the benefit of the partial harvest, the stand has become over-stocked and stressed. A thinning now is not advised. It is recommended that the area be clearcut harvested, prior to any structures being erected on the site. In the meantime, it is imperative to protect this area from forest fire. See notes below for more information on this stand.
- 2.) Mixed pine and hardwood. The remainder of this property is a mix of pines and hardwoods, which is very common throughout Virginia. The site is comprised of both upland and bottomland soils, which is reflected in the species found growing here. The species on this site include: Virginia pine (*Pinus virginiana*), loblolly pine, white oak (*Quercus alba*), southern red oak (*Quercus falcata*), northern red oak (*Quercus rubra*), willow oak (*Quercus phellos*), hickory (*Carya* spp.), red maple (*Acer rubrum*), sweet gum (*Liquidambar styraciflua*), sycamore (*Platanus occidentalis*), beech (*Fagus grandifolia*). This forest appears healthy, although there is some mortality in some of the pines found within this stand. This is a healthy and normal progression, and does not cause any concern.

Discussion: This property was once likely cleared for agriculture, and then reverted to forestland. While it is a healthy forest, it is not especially unique or rare. It contains a great deal of diversity in the variety of tree species found growing here. It currently benefits a wide variety of game and non-game wildlife species.

It is recommended to have a forester or arborist assess the remaining forest, once the development of this property is complete. The goal is to develop a written plan on how to manage this forest going forward. The management of this forest will depend on how large it is (after the development is complete), its proximity to buildings and utilities, and its shape (whether its intact or fragmented) and its intended use. If a sufficient amount of forested acreage remains after development, this forest could be an important asset to the visitors, employees and veterans using this facility. Should space allow, a walking path through the forest would benefit anyone who uses it. It would also provide habitat for a number of non-game wildlife species, such as songbirds and pollinators. Note: The planted loblolly pine is something of an exception: due to the age of this stand, and the short-live nature of loblolly pine, for safety reasons, these trees should be removed by clear-cut harvesting. It is recommended, however, to leave no more than 3 to 5 stems standing, and cut so that they are at least 20' tall, but no taller than 40'. These snags are left for wildlife purposes, and will act as cavity and nesting habitat for a number of species. It is imperative to leave snags in strategic locations, so that they will not impact visitors to the forest. A variety of native hardwood and evergreen trees should be replanted as soon as possible.

A forested buffer along I-95 will help with noise abatement, as well as help block the interstate from view, and even help a small amount toward air quality. It is recommended to plan for as wide of a buffer as possible. It is imperative to use native trees and shrubs when planting buffers. Also, taking care to plant each tree and shrub properly, using the 'right tree in the right place' will alleviate many issues in the future.

Currently, this site has Tree of Heaven (*Ailanthus altissima*) and Japanese Stiltgrass (*Microstegium vimineum*); both are invasive species that should be controlled. Other invasives may appear at a later date- it is important to monitor the site regularly for invasive species.

Hood Site:

The Hood Site lies between Rt. 1 and Courthouse Road, just south of Hood Drive, in Spotsylvania County, Virginia. The area surrounding this site is heavily developed. The timber was harvested from this site in 2005, with only a small strip of trees along the interstate, and a few 'islands' of trees scattered throughout the property. A considerable amount of site work has been done since the timber harvest. Two ephemeral streams on the property drain into a small pond. The soils found here are heavily compacted, and there is now primarily grass covering the site.

Due to the location of this property, it is subject to high level of noise from I-95, Rt. 1 as well as from the surrounding businesses. The property currently has Tree of Heaven (*Ailanthus altissima*) and autumn olive (*Elaeagnus umbellata*)- both invasive species that should be controlled. As mentioned above, other invasives may appear at a later date- it is important to monitor the site regularly for invasive species.

As with the Gateway Site above, there is nothing unique or rare concerning this site. Again, forests can play an important role in the development of this site- to assist with abating noise from the nearby highways, and to give a visual buffer. In this case, however, the disturbed soils should be addressed in the areas to be reforested, prior to planting. Quality soils will allow the trees planted to be healthier, grow faster and live longer.

For both sites, there are a number of local volunteer groups who would likely be willing to assist with tree planting projects, once a plan has been developed. These same groups may also be willing to maintain, prune and remove invasives from these sites.

Both sites have the potential to impact large numbers of individuals. Trees play an important role in the aesthetics of a property. Also, many studies indicate that access to, or a simple view of a natural scene can help medical patients, more so than patients who do not have access to such views. Having healthy forests takes planning and commitment, but will benefit many individuals for years to come.

Feel free to contact me with further questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Thomas Snoddy". The signature is written in a cursive style with a horizontal line above the first name.

Thomas A. Snoddy

Forester

Virginia Department of Forestry

138 Courthouse Lane

Bowling Green, VA 22427-9335

(540) 273-6148 Mobile

Thomas.snoddy@dof.virginia.gov

www.dof.virginia.gov

VDOF: Protecting and Serving since 1914

Matthew J. Strickler
Secretary of Natural Resources

Clyde E. Cristman
Director



Rochelle Altholz
Deputy Director of
Administration and Finance

Russell W. Baxter
Deputy Director of
Dam Safety & Floodplain
Management and Soil & Water
Conservation

Thomas L. Smith
Deputy Director of Operations

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

MEMORANDUM

DATE: June 15, 2020
TO: Glenn Elliott, The VA
FROM: Roberta Rhur, Environmental Impact Review Coordinator
SUBJECT: DCR 20-006, SCOPING VETERATNS HOSPITAL - 2 SITES

Office of Land Conservation

Please be aware that DCR holds an easement with Central Virginia Battlefields Trust (CVBT) for the 11.2-acre conservation easement immediately to the east of the Gateway Site. However, we do not anticipate that this project will negatively affect this easement.

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.

Gateway Site

According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100 foot buffer. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. In addition, the project boundary does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

In addition, the proposed project will fragment an Ecological Core C5 as identified in the Virginia Natural Landscape Assessment (<https://www.dcr.virginia.gov/natural-heritage/vaconvisvnl>), one of a suite of tools in Virginia ConservationVision that identify and prioritize lands for conservation and protection.

Ecological Cores are areas of unfragmented natural cover with at least 100 acres of interior that provide habitat for a wide range of species, from interior-dependent forest species to habitat generalists, as well as species that utilize marsh, dune, and beach habitats. Cores also provide benefits in terms of open space, recreation, water quality (including drinking water protection and erosion prevention), and air quality (including carbon sequestration and oxygen production), along with the many associated economic benefits of these functions. The cores are ranked from C1 to C5 (C5 being the least ecologically relevant) using many prioritization criteria, such as the proportions of sensitive habitats of natural heritage resources they contain.

Fragmentation occurs when a large, contiguous block of natural cover is dissected by development, and other forms of permanent conversion, into one or more smaller patches. Habitat fragmentation results in biogeographic changes that disrupt species interactions and ecosystem processes, reducing biodiversity and habitat quality due to limited recolonization, increased predation and egg parasitism, and increased invasion by weedy species.

Therefore minimizing fragmentation is a key mitigation measure that will reduce deleterious effects and preserve the natural patterns and connectivity of habitats that are key components of biodiversity. DCR recommends efforts to minimize edge in remaining fragments, retain natural corridors that allow movement between fragments and designing the intervening landscape to minimize its hostility to native wildlife (natural cover versus lawns). Mapped cores in the project area can be viewed via the Virginia Natural Heritage Data Explorer, available here: <http://vanhde.org/content/map>.

Hood Site

According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100 foot buffer. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. In addition, the project boundary does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

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 Virginia Department of Game and Inland Fisheries (VDGIF) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Ernie Aschenbach at 804-367-2733 or Ernie.Aschenbach@dgif.virginia.gov.

Division of Dam Safety and Floodplain Management

Floodplain Management Program:

The National Flood Insurance Program (NFIP) is administered by the Federal Emergency Management Agency (FEMA), and communities who elect to participate in this voluntary program manage and enforce the program on the local level through that community's local floodplain ordinance. Each local floodplain ordinance must comply with the minimum standards of the NFIP, outlined in 44 CFR 60.3; however, local communities may adopt more restrictive requirements in their local floodplain ordinance, such as regulating the 0.2% annual chance flood zone (Shaded X Zone).

All development within a Special Flood Hazard Area (SFHA), as shown on the locality's Flood Insurance Rate Map (FIRM), must be permitted and comply with the requirements of the local floodplain ordinance.

State Agency Projects Only

[Executive Order 45](#), signed by Governor Northam and effective on November 15, 2019, establishes mandatory standards for development of state-owned properties in Flood-Prone Areas, which include Special Flood Hazard Areas, Shaded X Zones, and the Sea Level Rise Inundation Area. These standards shall apply to all state agencies.

1. Development in Special Flood Hazard Areas and Shaded X Zones
 - A. All development, including buildings, on state-owned property shall comply with the locally-adopted floodplain management ordinance of the community in which the state-owned property is located and any flood-related standards identified in the Virginia Uniform Statewide Building Code.
 - B. If any state-owned property is located in a community that does not participate in the NFIP, all development, including buildings, on such state-owned property shall comply with the NFIP requirements as defined in 44 CFR §§ 60.3, 60.4, and 60.5 and any flood-related standards identified in the Virginia Uniform Statewide Building Code.
 - (1) These projects shall be submitted to the Department of General Services (DGS), for review and approval.
 - (2) DGS shall not approve any project until the State NFIP Coordinator has reviewed and approved the application for NFIP compliance.
 - (3) DGS shall provide a written determination on project requests to the applicant and the State NFIP Coordinator. The State NFIP Coordinator shall maintain all documentation associated with the project in perpetuity.
 - C. No new state-owned buildings, or buildings constructed on state-owned property, shall be constructed, reconstructed, purchased, or acquired by the Commonwealth within a Special Flood Hazard Area or Shaded X Zone in any community unless a variance is granted by the Director of DGS, as outlined in this Order.

The following definitions are from Executive Order 45:

Development for NFIP purposes is defined in 44 CFR § 59.1 as “Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.”

The Special Flood Hazard Area may also be referred to as the 1% annual chance floodplain or the 100-year floodplain, as identified on the effective Flood Insurance Rate Map and Flood Insurance Study. This includes the following flood zones: A, AO, AH, AE, A99, AR, AR/AE, AR/AO, AR/AH, AR/A, VO, VE, or V.

The Shaded X Zone may also be referred to as the 0.2% annual chance floodplain or the 500-year floodplain, as identified on the effective Flood Insurance Rate Map and Flood Insurance Study.

The Sea Level Rise Inundation Area referenced in this Order shall be mapped based on the National Oceanic and Atmospheric Administration Intermediate-High scenario curve for 2100, last updated in 2017, and is intended to denote the maximum inland boundary of anticipated sea level rise.

“State agency” shall mean all entities in the executive branch, including agencies, offices, authorities, commissions, departments, and all institutions of higher education.

“Reconstructed” means a building that has been substantially damaged or substantially improved, as defined by the NFIP and the Virginia Uniform Statewide Building Code.

Federal Agency Projects Only

Projects conducted by federal agencies within the SFHA must comply with federal Executive Order 11988: Floodplain Management.

DCR's Floodplain Management Program does not have regulatory authority for projects in the SFHA. The applicant/developer must reach out to the local floodplain administrator for an official floodplain determination and comply with the community's local floodplain ordinance, including receiving a local permit. Failure to comply with the local floodplain ordinance could result in enforcement action from the locality. For state projects, DCR recommends that compliance documentation be provided prior to the project being funded. For federal projects, the applicant/developer is encouraged reach out to the local floodplain administrator and comply with the community's local floodplain ordinance.

To find flood zone information, use the Virginia Flood Risk Information System (VFRIS):
www.dcr.virginia.gov/vfris

To find community NFIP participation and local floodplain administrator contact information, use DCR's Local Floodplain Management Directory: www.dcr.virginia.gov/dam-safety-and-floodplains/floodplain-directory

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

Board of Supervisors
DEBORAH H. FRAZIER
BARRY K. JETT
KEVIN W. MARSHALL
TIMOTHY J. MCLAUGHLIN
DAVID ROSS
GARY F. SKINNER
CHRIS YAKABOUSKI



County Administrator
ED PETROVITCH
Deputy County Administrator
MARK L. COLE
P.O. BOX 99, SPOTSYLVANIA, VA 22553
Voice: (540) 507-7010
Fax: (540) 507-7019

June 12, 2020

Glenn Elliott, Director of Environmental Programs
VA Office of Construction & Facilities Management
Department of Veteran Affairs

Via email: glenn.elliott@va.gov

RE: Fredericksburg HCC NEPA Scoping – Hood Site

Dear Mr. Elliott:

Spotsylvania County appreciates the opportunity to provide information relevant to the National Environmental Policy Act (NEPA) Environmental Assessment (EA) related to environmental, cultural, and socioeconomic issues for the Hood Site. The Hood Site is approximately 49 acres located in Spotsylvania County between I-95 and US Route 1, just north of Exit 126 and includes three parcels of land further described below.

- TM Parcel 35-A-113 fronts Hood Drive and US Route 1, is approximately 47.4 acres and is currently undeveloped. Formerly it was a farm and a gravel quarry.
- TM Parcel 36-A-10 fronts US Route 1, is approximately 0.95 acres and contains a former convenience store and gasoline station.
- TM Parcel 35-A-114 fronts Hood Drive, is approximately 0.44 acres and contains a ca. 1948 house.

The Hood Site is centrally located within the County's designated Primary Development area that is intended growth and development in a variety of suburban, semi-urban, and urban scale densities. Roughly 17% of the County land area is within the limits of the Primary Development area. The Hood Site is accessed by Hood Drive on the north and US Route 1 on the east. Public water and sewer is available to the site.

I-95 Exit 126 is an important gateway to Spotsylvania County and the Hood Site is within a designated Opportunity Zone (Census Tract 51177020305). The County has experienced interest in new investment in the area, resulting in redevelopment of aged sites subject to modern development standards that consider landscape improvements, storm water management, accommodation of bicycle and pedestrian frontage improvements, and design / aesthetic improvements. Recent examples include the development of a Royal Farms Gas Station and

Convenience Store at the corner of US Route 1 and Hood Drive, and an expected Chick-fil-A at the corner of US Route 1 and Market Street (Site Plan ST19-0054 now under review).

Surface and Groundwater Resources

The Hood Site is not known to contain any rivers, Resource Protection Areas (RPAs), Special Flood Hazard Areas, and the site is not within a Dam Break Inundation Zone. The site lies within the E20 Rappahannock River / Massaponax Creek Watershed and the RA-L Rappahannock River-Massaponax Creek-Muddy Creek-Hazel Run-Motts Run-Claiborne Run Subwatershed.

A May 13, 2020 study by Flickinger Geoservices Group, Ltd. concludes that any ponds potentially identified in any registry “were created by the excavation of material within a pre-colonial hydrologically eroded ground feature. There is no intermittent flow off of the property served by this feature. There is no associated Ordinary High Water Mark and, there is no tributary by definition 3(iii) above serving this property. Thus there are no federally regulated Waters on the subject site”.

Environmental Concerns/Issues

TM Parcel 36-A-10 contains a former convenience store and gasoline station. In August of 2015, a permit was issued by the County for removal of three 6,000 gal. and one 10,000 gal. underground tanks. In 2016, the Virginia Department of Environmental Quality issued a Case Closed letter for the property (PC#2016-3051). Additional information is available in the Phase I Environment Site Assessment of Parcel Numbers 35-A-113, 35-A-114, and 36-A-10, Jefferson Davis Highway, Fredericksburg, Virginia 22408, ATC Project No. NPCMD19003, prepared by ATC Group Services, LLC.

Threatened and Endangered Species

The Massaponax Creek Subwatershed of the Lower Rappahannock River Watershed is a known habitat for the Small Whorled Pogonia. There are no known findings of this plant on the Hood Site.

Parks, Nature Preserves, Conservation Areas/ Natural Resource Issues

There are no public parks within 1 mile of the Hood Site. On site, there are no known conservation areas or natural resource concerns.

Soils

The following soils are identified as present on the property in the USDA Web Soil Survey (WSS) (www.websoilsurvey.nrcs.usda.gov):

- 36B - Savannah sandy loam, 2 to 7 percent slopes
- 31C2 - Mattaponi sandy clay loam, 7 to 15 percent slopes, eroded
- 17C - Dystrochrepts-Udults complex, sloping
- 17D - Dystrochrepts-Udults complex, moderately steep
- 17E - Dystrochrepts-Udults complex, steep
- 45B - Udorthents-Udifluvents complex, gently sloping
- 46 - Urban land-Udults complex, smoothed
- 24 - Goldsboro sandy loam

Prime and Unique Farmland

The Hood Site is largely Commercially zoned, it has been quarried in the past, and is in a growth area for the County. Its location is not conducive to farm use.

Traffic, Air Quality, and Transportation

The Hood Site is located in close proximity to the confluence of a number of major transportation routes including I-95, US Route 1, Route 208 (Courthouse Road), and the US Route 17 corridor from Interstate exit 126 and providing access to the Virginia Railway Express Spotsylvania Station. All the aforementioned Interstate and US Routes are part of Corridors of Statewide Significance (CoSS), including the Coastal Corridor (US Route 17) and Washington to North Carolina Corridor (I-95, Route 1, Virginia Railway Express, CSX National Gateway Corridor).

A number of transportation projects are being studied or are proposed near the Hood Site. Along I-95, a feasibility analysis is underway for collector-distributor lanes to Exit 126. Additional Transportation improvements planned proximate to this site include improving Hood Drive to 4-lane divided, intersection enhancements at Hood Drive and Route 208, intersection improvements at US Route 1 and Market Street, and revitalization of US Route 1 north of Market Street that would include streetscape improvements, such as sidewalks, landscaping, and signage.

The provision of transportation alternatives is beneficial to the transportation system for enhanced accessibility, including disadvantaged populations, as well as air quality. Provision of transportation alternatives are supported in the County's Comprehensive Plan and expanded upon in the new draft (adoption anticipated in 2020). Per the adopted Comprehensive Plan Transportation Policy 3 states "promote alternative modes of transportation and multi-modal facilities to more effectively address demands on the transportation network". Sub strategies identified reference employing transportation demand management, design and construction of bike/pedestrian facilities, transportation facilities that consider the needs of persons with disabilities and an aging population, and coordination with regional transit providers. Access to bicycle and pedestrian infrastructure, Fredericksburg Regional (FRED) transit, privately and operated elderly or disabled-persons transit services are all encouraged with increased emphasis in the draft Comprehensive Plan.

Historic Resources

The following resources were reviewed to determine if there are any known historic resources on the Hood Site:

- Virginia Department of Historic Resources VCRIS database – Found an architectural survey of the ca. 1948 house on TM Parcel 35-A-114 (DHR # 88-5304) determined Not Eligible for the National Register of Historic Places.
- Historic Architectural Survey of Spotsylvania County prepared by Tracerics, 1996 – No findings.
- A Wealth of Hidden Resources: An Archaeological Assessment of Spotsylvania County, Virginia, 2007 – No findings.
- Handbook of Historic Sites in Spotsylvania County, Virginia, 1987 – No findings.

- Spotsylvania County Cemetery Inventory (on-going) – No findings.
- A Study of Spotsylvania County Civil War Battlefield Site prepared by the National Park Service, 1993 – No findings.
- Spotsylvania County Zoning Map and Ordinance – No locally designated historic districts or properties.

Please feel free to contact me at (540) 507-7425 or wparrish@spotsylvania.va.us with any questions or for additional information.

Sincerely,

A handwritten signature in blue ink that reads "Wanda Parrish". The signature is written in a cursive, flowing style.

Wanda Parrish, AICP
Assistant County Administrator

APPENDIX C - NATIVE AMERICAN TRIBE CORRESPONDENCE

APPENDIX D – IPaC REPORTS



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032
<http://www.fws.gov/northeast/virginiafield/>

In Reply Refer To:
Consultation Code: 05E2VA00-2020-SLI-2238
Event Code: 05E2VA00-2020-E-12680
Project Name: Fredericksburg HCC - Gateway sites

June 24, 2020

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

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

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

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

species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

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

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

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

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

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

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

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Virginia Ecological Services Field Office

6669 Short Lane

Gloucester, VA 23061-4410

(804) 693-6694

Project Summary

Consultation Code: 05E2VA00-2020-SLI-2238

Event Code: 05E2VA00-2020-E-12680

Project Name: Fredericksburg HCC - Gateway sites

Project Type: DEVELOPMENT

Project Description: Construct and operate an approximately 426,722-square-foot outpatient Health Care Center in the Fredericksburg, Virginia area.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.30127021135658N77.50131001930964W>



Counties: Fredericksburg, VA

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Clams

NAME	STATUS
Yellow Lance <i>Elliptio lanceolata</i> There is proposed critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4511	Threatened

Flowering Plants

NAME	STATUS
Small Whorled Pogonia <i>Isotria medeoloides</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1890	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032
<http://www.fws.gov/northeast/virginiafield/>

In Reply Refer To:

June 24, 2020

Consultation Code: 05E2VA00-2020-SLI-2261

Event Code: 05E2VA00-2020-E-12692

Project Name: Fredericksburg HCC - Carnegie Hood Drive

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

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

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

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

species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

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

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

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

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

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

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

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Virginia Ecological Services Field Office

6669 Short Lane

Gloucester, VA 23061-4410

(804) 693-6694

Project Summary

Consultation Code: 05E2VA00-2020-SLI-2261

Event Code: 05E2VA00-2020-E-12692

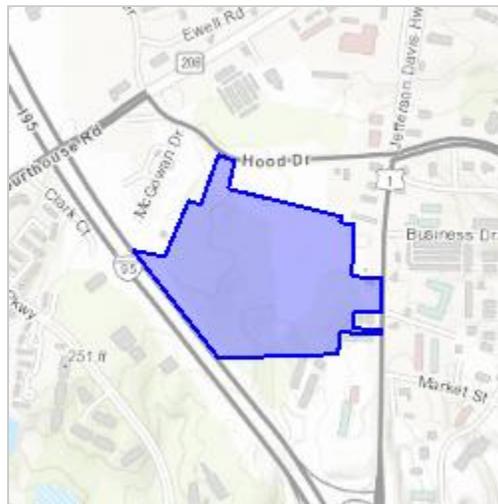
Project Name: Fredericksburg HCC - Carnegie Hood Drive

Project Type: DEVELOPMENT

Project Description: Construct and operate a four-story 426,000-GSF outpatient health care center with 2,612 surface parking spaces. The 47.8-acre site is a vacant field with one residence.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.24733533845134N77.50308548491103W>



Counties: Spotsylvania, VA

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Clams

NAME	STATUS
Yellow Lance <i>Elliptio lanceolata</i> There is proposed critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4511	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
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Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032
<http://www.fws.gov/northeast/virginiafield/>

In Reply Refer To:

February 27, 2020

Consultation Code: 05E2VA00-2020-TA-2261

Event Code: 05E2VA00-2020-E-06233

Project Name: Fredericksburg HCC - Carnegie Hood Drive

Subject: Verification letter for the 'Fredericksburg HCC - Carnegie Hood Drive' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear Christine Modovsky:

The U.S. Fish and Wildlife Service (Service) received on February 27, 2020 your effects determination for the 'Fredericksburg HCC - Carnegie Hood Drive' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"^[1] prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

This IPaC-assisted determination allows you to rely on the PBO for compliance with ESA Section 7(a)(2) only for the northern long-eared bat. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Yellow Lance, *Elliptio lanceolata* (Threatened)

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

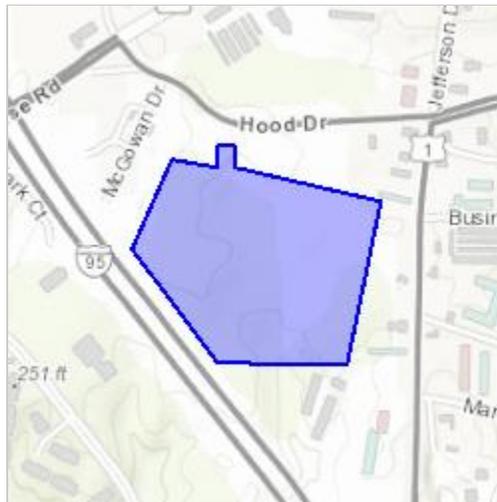
Fredericksburg HCC - Carnegie Hood Drive

2. Description

The following description was provided for the project 'Fredericksburg HCC - Carnegie Hood Drive':

Construct and operate a four-story 426,000-GSF outpatient health care center with 2,612 surface parking spaces. The 47.8-acre site is a vacant field with one residence.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.247171045357106N77.5028678679442W>

**Determination Key Result**

This Federal Action may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service's PBO dated January 5, 2016. Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o). Therefore, the PBO satisfies your responsibilities for this Action under ESA Section 7(a)(2) relative to the northern long-eared bat.

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for Federal actions is to assist determinations as to whether proposed actions are consistent with those analyzed in the Service's PBO dated January 5, 2016.

Federal actions that may cause prohibited take of northern long-eared bats, affect ESA-listed species other than the northern long-eared bat, or affect any designated critical habitat, require ESA Section 7(a)(2) consultation in addition to the use of this key. Federal actions that may affect species proposed for listing or critical habitat proposed for designation may require a conference under ESA Section 7(a)(4).

Determination Key Result

This project may affect the threatened Northern long-eared bat; therefore, consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.) is required. However, based on the information you provided, this project may rely on the Service's January 5, 2016, *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions* to fulfill its Section 7(a)(2) consultation obligation.

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?
Yes
2. Have you determined that the proposed action will have "no effect" on the northern long-eared bat? (If you are unsure select "No")
No
3. Will your activity purposefully **Take** northern long-eared bats?
No
4. Is the project action area located wholly outside the White-nose Syndrome Zone?
Automatically answered
No
5. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html.

Yes

6. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?

No

7. Will the action involve Tree Removal?

Yes

8. Will the action only remove hazardous trees for the protection of human life or property?

No

9. Will the action remove trees within 0.25 miles of a known northern long-eared bat hibernaculum at any time of year?

No

10. Will the action remove a known occupied northern long-eared bat maternity roost tree or any trees within 150 feet of a known occupied maternity roost tree from June 1 through July 31?

No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

4

2. If known, estimated acres of forest conversion from April 1 to October 31

4

3. If known, estimated acres of forest conversion from June 1 to July 31

4

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?
0

APPENDIX E – COASTAL ZONE CONSISTENCY DETERMINATION INFORMATION

FEDERAL CONSISTENCY
DETERMINATION
OF THE PROPOSED
VA HEALTH CARE CENTER
FREDERICKSBURG, VIRGINIA



U.S. DEPARTMENT OF VETERANS AFFAIRS

425 I STREET, NW
WASHINGTON, DC 20001

PREPARED BY:

TTL Associates, Inc.

July 9, 2020

TABLE OF CONTENTS

1. INTRODUCTION.....	2
1.1 Introduction	2
1.2 Proposed Action	2
1.3 Site Description	3
2. COMPLIANCE WITH APPLICABLE RULES.....	4
2.1 Enforceable Policies.....	4
2.1.1 Fisheries Management and State Tributyltin (TBT) Regulatory Program.....	4
2.1.2 Subaqueous Land Management	5
2.1.3 Wetlands Management.....	5
2.1.4 Dunes Management.....	6
2.1.5 Non-point Source Pollution Control	7
2.1.6 Point Source Pollution Control	7
2.1.7 Shoreline Sanitation	8
2.1.8 Air Pollution Control	8
2.1.9 Coastal Lands Management [Chesapeake Bay Preservation Act (Bay Act)]	8
2.2 Advisory Policies for Geographic Areas of Particular Concern	9
2.2.1 Coastal Natural Resource Areas	9
2.2.2 Coastal Natural Hazard Areas.....	9
2.2.3 Waterfront Development Areas	10
3. CONCLUSIONS.....	10

1. INTRODUCTION

1.1 Introduction

The federal Coastal Zone Management Act (CZMA) was enacted to encourage coastal states to develop management programs to balance the competing demands of growth and development with the protection of coastal resources. The Commonwealth of Virginia administers the Virginia Coastal Zone Management Program through the Virginia Department of Environmental Quality (VDEQ). Pursuant to the CZMA, Virginia has defined its coastal zone boundaries and developed policies to be utilized to evaluate proposed projects within the designated coastal zone, as set forth in the Virginia Coastal Zone Management Program regulations. The City of Fredericksburg and Spotsylvania County are located within the designated Virginia Coastal Management Area and are subject to the Virginia Coastal Zone Management Program regulations.

The CZMA requires federal actions that have reasonably foreseeable effects on any land or water use or natural resources within a designated coastal zone to be consistent with the enforceable policies of the coastal state's approved Coastal Zone Management Program. All federal development projects proposed in a state's designated coastal zone are, by statute, deemed to have coastal effects and require the federal agency to prepare a consistency determination.

This document provides the Commonwealth of Virginia with the U.S. Department of Veterans Affairs' (VA's) Consistency Determination under CZMA section 307(c)(2) and 15 CFR Part 930, subpart C, for the establishment of a VA Health Care Center (HCC) in the Fredericksburg, Virginia area. The information in this Consistency Determination is provided pursuant to 15 CFR §930.39.

This Consistency Determination has been prepared in conjunction with VA's preparation of a National Environmental Policy Act (NEPA) Draft Environmental Assessment (EA) for the proposed HCC. References to additional information within the Draft EA that support this Consistency Determination are provided, where applicable.

1.2 Proposed Action

VA's Proposed Action is to establish an approximately 426,722-square-foot, three- or four-story HCC with approximately 2,600 surface parking spaces in the Fredericksburg, Virginia area. Two undersized leased Fredericksburg area VA clinics would be replaced by the new facility. The proposed HCC would also provide approximately 30,000 square feet of clinical space for the Department of Defense.

VA would select a developer to construct the HCC on a build-to-suit basis and then lease the facility to VA for up to 20 years. The developer (lessor) would be responsible to design and construct the facility in compliance with VA design requirements and applicable federal, state, and local regulations. VA contract design requirements ensure sustainable development by requiring the HCC development meet a minimum rating of two Green Globes for new construction and sustainable interiors and the buildings earn an Energy Star label. The facility would be staffed by VA, with facility management and maintenance provided by the lessor.

VA anticipates construction of the proposed HCC would begin in 2021 and the new facility would open in 2024 or 2025. The new HCC would provide primary care, mental health, and specialty care outpatient services to the area's Veterans. Outpatient health care services currently provided the undersized and overcrowded Fredericksburg VA Clinic (130 Executive Center Parkway) and the Fredericksburg 2 VA

Clinic (10401 Spotsylvania Avenue) would be relocated and consolidated at the new HCC. VA would no longer lease or operate these facilities once the proposed HCC is open and the existing leases expire.

Additional information regarding the purpose of and need for the Proposed Action is provided in Section 1.3 of the Draft EA.

1.3 Alternatives and Site Descriptions

VA received three viable offers for development on two sites (Gateway Site and Hood Drive Site) on which to establish the proposed HCC. VA is considering three Action Alternatives - the implementation of the Proposed Action at the Gateway Site (Gateway Site A or Gateway Site B) or the Hood Drive Site - and the No Action Alternative.

Action Alternatives

- **Gateway Site:** The Gateway Site consists of approximately 35 acres of land within the proposed 1500 Gateway Boulevard Development. The Gateway Site is located along the eastern side of Interstate 95, between Cowan Boulevard and Plank Road, and west of the proposed Gateway Boulevard extension in the City of Fredericksburg. The Gateway Site is identified by the City of Fredericksburg as part of Parcel Numbers 7769-94-7825 and 7779-03-1528. The site is mostly undeveloped woodlands. The site was primarily farmland in the 1960s and 1970s with limited undeveloped woodlands along the eastern and northern boundaries, and has been gradually reforested since the 1980s. Two development plans (offers) are being considered for the Gateway Site (Gateway Site A and B).

Alternative A: Gateway Site A – The Gateway Site A Alternative consists of approximately 35 acres. The HCC development would include a three-story HCC building located near the center of the site and approximately 2,600 surface parking spaces located north, east, and south of the HCC building. Site access would be provided by three drives from the proposed Gateway Boulevard extension.

Alternative B: Gateway Site B – The Gateway Site B Alternative consists of approximately 33 acres. The HCC development would include a four-story HCC building located near the center of the site, a two-story parking garage north of the HCC building, and surface parking spaces located north, east, and south of the building. A total of approximately 2,600 parking spaces would be provided. Site access would be provided by three drives from the proposed Gateway Boulevard extension.

- **Hood Drive Site:** The Hood Drive Site consists of approximately 49 acres of land located along the eastern side of Interstate 95, south of Hood Drive, and east of U.S. Route 1 (also referred to as Jefferson Davis Highway) in an unincorporated area of Spotsylvania County. The Hood Drive Site is identified by Spotsylvania County as Parcel Numbers 35-A-113, 35-A-114, and 36-A-10. The site is mostly undeveloped, grassy land with small areas of shrubs/trees and a pond. The site includes a small parcel with a house (4708 Hood Drive) that was built in the early 1950s and a small parcel with a vacant gasoline station/convenience store (5313 U.S. Route 1) that was built in the early 1970s. The Hood Drive Site was mostly unimproved farmland with a farmstead in the northeastern portion from at least 1942 to the 1970s. With the exception of the north-central portion, the site gradually became reforested starting in the 1970s and was heavily wooded by 2003. The site was cleared of most of its vegetation between 2005 and 2006 in anticipation of commercial development. Earthwork for the commercial development began in late 2008 and ceased prior to completion in 2009. During that time, the southern portion of the site was heavily

disturbed and graded. Since 2009, the majority of the site has gradually become revegetated with grass and shrubs.

Alternative C: Hood Drive Site – The Hood Drive Site Alternative would consist of a four-story HCC building located near the center of the site and approximately 2,600 surface parking spaces located north, east, south, and west of the HCC building. A stormwater management pond would be located near the southern site boundary. Site access would be provided by two drives from U.S. Route 1 and one drive from Hood Drive. The main access drive would be from U.S. Route 1.

The general locations of the two considered sites are shown on Draft EA Figure 1-1. Topographic maps and aerial photographs of the sites are provided on Draft EA Figures 2-1 and 2-2 (Gateway Site) and Figures 2-3 and 2-4 (Hood Drive Site).

No detailed design plans for the proposed HCC are currently available as this project would be executed as a build-to-suit lease. The developer (lessor) would be responsible to design and construct the facility, in compliance with VA design requirements and applicable federal, state, and local regulations.

2. COMPLIANCE WITH VIRGINIA COASTAL ZONE MANAGEMENT PROGRAM POLICIES

The following sections identify the enforceable and advisory policies of the Virginia Coastal Zone Management Program and describe the anticipated effects of the Proposed Action on these policies.

2.1 Enforceable Policies

2.1.1 Fisheries Management

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

The State Tributyltin (TBT) Regulatory Program has been added to the Fisheries Management Program. The use of TBT in boat paint constitutes a serious threat to important marine animal species. The TBT program monitors boating activities and boat painting activities to ensure compliance with TBT regulations promulgated pursuant to the amendment. The MRC, DGIF, and Virginia Department of Agriculture and Consumer Services share enforcement responsibilities (Virginia Code §3.1-249.59 through §3.1-249.62).

The Action Alternative sites are located in an inland area, not proximal to finfish or shellfish habitat; the Proposed Action would have no effect on finfish or shellfish. The Proposed Action would not involve boating activities or boat painting activities.

The Proposed Action would be consistent with the Fisheries Management and TBT Regulatory Program rules.

2.1.2 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 VDEQ Water Division. The program is administered by the VMRC (Virginia Code §28.2-1200 through §28.2-1213). Title 28.2 Fisheries and Habitat of the Tidal Waters Chapter 12 Submerged Lands pertains to the beds of bays, rivers, creeks and shores of the sea owned by the Commonwealth of Virginia. VMRC regulates tidal waters and non-tidal navigable streams, which includes perennial streams with a drainage basin greater than 5 square miles or a mean flow of 5 cubic feet per second.

The Action Alternative sites are not located in or adjacent to tidal areas, and do not contain perennial streams or state-owned bottomlands. The Proposed Action would not include activities within state-owned bottomlands.

The Proposed Action would be consistent with the Subaqueous Land Management rules.

2.1.3 Wetlands Management

The purpose of the wetlands management program is to preserve tidal wetlands, prevent their despoliation, and accommodate economic development in a manner consistent with wetlands preservation. The tidal wetlands program is administered by the VMRC (Virginia Code §28.2-1301 through §28.2-1320). The Virginia Water Protection Permit (VWP) program administered by the VDEQ and VMRC includes protection of wetlands (both tidal and non-tidal). This program is authorized by Virginia Code § 62.1-44.15.5 and the Water Quality Certification requirements of §401 of the Clean Water Act of 1972.

Gateway Site

A wetlands investigation completed in October 2018 for the 88-acre 1500 Gateway Boulevard Development area that includes the 35-acre Gateway Site identified a small palustrine forested wetland in the southeast portion of the Gateway Site. The small wetland is the origin of an intermittent stream that continues offsite to unnamed tributaries of Smith Run, east of the site.

The Gateway Site wetland and other wetlands identified east of the site within the 88-acre 1500 Gateway Boulevard Development area received a Jurisdictional Determination (JD) from the USACE in December 2018 and were determined to be Waters of the U.S. (WOTUS). A USACE/VDEQ/VRMC joint permit application for taking or filling these wetlands, including the small wetland on the Gateway Site, was submitted by Hylton Venture, LLC (current owner of the 88-acre area) in April 2020 to USACE/VDEQ for the proposed 88-acre development.

If the Gateway Site is selected for the proposed HCC, Hylton Venture, LLC and/or the developer of the VA HCC would obtain the required USACE/VDEQ/VRMC permits and would implement the permit-required mitigation measures.

Hood Drive Site

The Hood Drive Site generally slopes from north to south, with a natural drainage in the south-central part of the site that was dammed in the late 1950s, forming a pond that remains today. Two ephemeral

drainage channels (remnants of the original natural drainage) form on the site and drain from the northeast and northwest to the pond.

In 2006, a wetlands delineation was conducted for a proposed commercial center development of the Hood Drive Site. The delineation identified 0.92 acres of wetlands at the site, consisting of approximately 0.74 acres of open water (the 1950s farm pond) and the 0.18 acres of palustrine forested wetland around the perimeter of the pond. On June 16, 2006, USACE Norfolk District Office conducted a JD at the Hood Drive Site and concluded the identified wetlands were isolated and not jurisdictional WOTUS.

In 2006, the commercial center developer applied for a VWP General Permit from VDEQ for the wetland impacts associated with the planned commercial development. The development plans included the installation of an approximately 3.6-acre, east-west oriented, stormwater management pond south of the 1950s farm pond. The southern portion of the farm pond was to be incorporated into the proposed stormwater management pond. VDEQ issued the VWP General Permit on September 27, 2006 and, in 2013, granted an extension of the permit to September 26, 2020.

Earthwork for the commercial center development began in late 2008 and ceased prior to completion in early 2009. The rectangular stormwater management pond was partially completed south of the 1950s pond during the 2008-2009 earthwork. The 1950s pond now discharges to the rectangular pond and an outlet structure installed in the rectangular pond directs surface water to an unnamed, modified intermittent stream that flows southwest from the Hood Drive Site, under Interstate 95, via a culvert, and to the south towards Massaponax Creek.

In May and June 2020, TTL Associates, Inc. completed a wetland determination/delineation for the Hood Drive Site on behalf of VA. TTL identified six wetland areas on the site, including the 1950s pond and the rectangular pond in the southern portion of the site, the natural drainage channels to the northeast and northwest of the 1950s pond, and two small areas near the northwestern and southwestern corners of the site that appear to be associated with stormwater management features.

Based on the length of time since the 2006 USACE JD and the changed hydrology of the Hood Drive Site since the 2006 JD, a request for jurisdictional determination was submitted to the USACE Norfolk District Office for the wetlands identified on the Hood Drive Site. If USACE concludes that the Hood Drive Site wetlands are WOTUS, and the Hood Drive Site is selected for the proposed HCC, the developer would file a USACE/VDEQ/VRMC joint permit application for the taking or filling of these wetlands. If the wetlands are determined to be isolated, the developer would file an application for a new VWP General Permit from VDEQ for the proposed HCC development. The developer would obtain the required permits and implement the permit-required mitigation measures.

The Proposed Action would be consistent with the Wetlands Management rules. All required permits would be obtained, and all permit requirements would be implemented, including mitigation measures.

Additional information regarding wetlands at the Action Alternative sites is provided in Section 3.10 of the Draft EA.

2.1.4 Dunes Management

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

The Action Alternative sites are not located in an area with sand dunes. The Proposed Action would not destroy or alter any dunes.

The Proposed Action would be consistent with the Dunes Management rules.

2.1.5 Non-point Source Pollution Control

Virginia's Erosion and Sediment Control Law requires land-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. Erosion and Sediment Control (ESC) regulations specify the minimum standards that must be followed on all regulated activities including: criteria, techniques and policies. Most land-disturbing activities on privately owned lands must be covered by ESC plans that have been approved by localities. This program is administered by the VDEQ Office of Stormwater Management and delegated to local units of government.

The City of Fredericksburg and Spotsylvania County maintain ESC ordinances that require land-disturbing activities to have a Land Disturbing Permit, including an Erosion and Sediment Control Plan (ESCP) approved by the City/County. The developer would prepare, have approved, and implement an ESCP for the selected site. Best management practices would be implemented to control erosion and off-site discharges of sediment-laden runoff, per the ESCP.

The City of Fredericksburg and Spotsylvania County maintain stormwater management ordinances and are designated Virginia Stormwater Management Program Authorities. The developer would prepare, have approved, and implement a Stormwater Management Plan for construction activities at the selected site.

Once construction is complete, no long-term erosion and sedimentation impacts would be anticipated from the Proposed Action. Stormwater from the proposed HCC development would be conveyed to appropriately designed and permitted stormwater management systems.

The Proposed Action would be consistent with the Non-Point Source Pollution Control rules. All required ESC and stormwater management permits would be obtained for the selected site, and all permit requirements would be implemented.

Additional information regarding erosion and sediment control and stormwater management at the Action Alternative sites is provided in Sections 3.5 and 3.6 of the Draft EA.

2.1.6 Point Source Pollution Control

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

The developer for the selected site would register for coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10) from the City of Fredericksburg or Spotsylvania County, as applicable. The City of Fredericksburg and Spotsylvania County are designated Virginia Stormwater Management Program Authorities. As part of the VPDES permit requirements, a

site-specific Stormwater Pollution Prevention Plan (SWPPP) would be developed, approved, and implemented.

Part 401 Water Quality Certification would be obtained for wetlands impacts through the VWP program.

The Proposed Action would be consistent with the Point Source Pollution Control rules. The required VPDES permit and VWP permit would be obtained for the selected site, and all permit requirements would be implemented.

2.1.7 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 (Virginia Code §32.1-164 through §32.1-165).

The Action Alternative site areas are serviced by municipal sanitary sewer systems. The proposed HCC would be connected to the municipal sanitary system and would not require installation or use of septic tanks.

The Proposed Action would be consistent with the Shoreline Sanitation rules.

2.1.8 Air Pollution Control

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

The City of Fredericksburg and Spotsylvania County are currently designated as areas in full attainment of the NAAQS. The Action Alternative sites are not located in areas subject to Virginia's SIP.

The Proposed Action would be consistent with the Air Pollution Control program rules.

2.1.9 Coastal Lands Management [Chesapeake Bay Preservation Act (Bay Act)]

Coastal Lands Management is a state-local cooperative program administered by the VDCR's Division of Stormwater Management – Local Implementation and 88 localities in Tidewater Virginia, established pursuant to the Chesapeake Bay Preservation Act; Virginia Code §§ 10.1-2100 through 10.1-2114 and Chesapeake Bay Preservation Area Designation and Management Regulations; Virginia Administrative code 9 VAC10-20-10 et seq. The Bay Act program is designed to improve water quality in the Chesapeake Bay and other waters of the Commonwealth by requiring the use of effective land management and land use planning. At the heart of the Bay Act is the concept that land can be used and developed to minimize negative impacts on water quality.

Resource Protection Areas (RPAs) consist of lands adjacent to water bodies with perennial flow that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may cause significant degradation to the quality of state waters. RPAs includes tidal wetlands; nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow; tidal shores; and such other lands considered by the local government necessary to protect the quality of state waters. A buffer area, not less than 100 feet in width, is designated

adjacent to and landward of the components listed above and along both sides of any water body with perennial flow. A locality is not required to designate a RPA adjacent to a daylighted stream. However, a locality that elects not to designate a RPA adjacent to a daylighted stream shall use a water quality assessment to ensure that proposed development on properties adjacent to the daylighted stream do not result in the degradation of the stream.

Resource Management Areas (RMAs) include land types that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the RPA. RMAs are contiguous to the entire inland boundary of the RPA. The following land categories are considered for inclusion in the RMA and, where mapping resources indicate the presence of these land types contiguous to the RPA, should be included in designations of RMAs including: floodplains; highly erodible soils, including steep slopes; highly permeable soils; nontidal wetlands not included in the RPA; and such other lands considered by the local government necessary to protect the quality of state waters.

The Action Alternative sites are not located in or adjacent to designated RPAs or RMAs.

The Proposed Action would be consistent with the Coastal Lands Management rules.

2.2 Advisory Policies for Geographic Areas of Particular Concern

Although not required for the purposes of consistency, in accordance with 15 CFR §930.39(c), the federal agency should consider the following advisory policies (recommendations).

2.2.1 Coastal Natural Resource Areas

These areas are vital to estuarine and marine ecosystems and/or are of great importance to areas immediately inland of the shoreline. Such areas receive special attention from the Commonwealth because of their conservation, recreational, ecological, and aesthetic values. These areas are worthy of special consideration in any planning or resources management process and include the following resources: wetlands; aquatic spawning, nursery, and feeding grounds; coastal primary sand dunes; barrier islands; significant wildlife habitat areas; public recreation areas; sand and gravel resources; and underwater historic sites.

The Action Alternative sites are not located in areas immediately inland of the shoreline; therefore, the Proposed Action would be consistent with the Coastal Natural Resource Areas policies.

2.2.2 Coastal Natural Hazard Areas

This policy covers areas vulnerable to continuing and severe erosion and areas susceptible to potential damage from wind, tidal, and storm related events including flooding. New buildings and other structures should be designed and sited to minimize the potential for property damage due to storms or shoreline erosion. The areas of concern include: highly erodible areas and coastal high hazard areas, including flood plains.

The Action Alternative sites are not located in highly erodible areas, coastal high hazard areas, or flood plains.

2.2.3 Waterfront Development Areas

These areas are vital to the Commonwealth because of the limited number of areas suitable for waterfront activities. The areas of concern include: commercial ports; commercial fishing piers; and community waterfronts.

The Action Alternative sites are not located along the waterfront; therefore, the Proposed Action would be consistent with the Waterfront Development Areas policies.

3. CONCLUSIONS

Based upon the information, data, and analysis, included in this Consistency Determination and the associated NEPA EA, VA finds that the implementation of the Proposed Action at either of the Action Alternative sites would be consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Zone Management Program.

Pursuant to 15 CFR Section 930.41, the Virginia Coastal Zone Management 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 VA on the 60th day from receipt of this determination. The State's response should be sent to:

Glenn Elliott
Environmental Program Director
Construction & Facilities Management
U.S. Department of Veterans Affairs
425 I Street NW
Washington DC 20001
glenn.elliott@va.gov

APPENDIX F – PUBLIC NOTICES AND COMMENTS



U.S. DEPARTMENT OF VETERANS AFFAIRS OFFICE OF CONSTRUCTION & FACILITIES MANAGEMENT

NOTICE OF SCOPING AND PUBLIC INVOLVEMENT UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT AND SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE PROPOSED CONSTRUCTION AND OPERATION OF A HEALTH CARE CENTER FREDERICKSBURG, VIRGINIA

The U.S. Department of Veterans Affairs (VA) Office of Construction & Facilities Management will hold a public scoping meeting to share information and invite comments on the proposed long-term lease for construction and operation of an approximately 426,722-square-foot outpatient Health Care Center in the Fredericksburg, Virginia area.

In accordance with the National Environmental Policy Act (NEPA), VA is seeking the public's input on issues to be addressed during the NEPA process, including alternatives and environmental concerns. Concurrently, VA is seeking input to support consultation under Section 106 of the National Historic Preservation Act regarding potential effects to historic properties.

The scoping meeting will present information on the proposed project and the public will have an opportunity to ask questions and submit comments. The location, time, and date are presented below:

WHEN: Monday, December 9th, 2019, from 6:30 p.m. to 8:30 p.m.

WHERE: Hilton Garden Inn, 1060 Hospitality Lane, Fredericksburg, VA 224001

A public scoping period is open through December 31, 2019. During this time, the public is invited to submit comments on the proposed action and identify potential issues or concerns for consideration in the NEPA process and NHPA Section 106 consultation. Comments may be submitted by email or mail as follows:

Email to Glenn Elliott (glenn.elliott@va.gov) using the subject line "Fredericksburg HCC Scoping".

Mail to (postmarked by **December 31, 2019**):

Glenn Elliott
VA Office of Construction & Facilities Management (003C2)
425 I (Eye) Street NW
Washington DC 20001

If including your address, phone number, e-mail address, or other personally identifiable information in your comment, please be aware that your entire comment – including your personal identifiable information – may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

The Free Lance-Star

Advertising Affidavit

THE FREE LANCE-STAR
1340 Central Park Blvd
Suite 100
Fredericksburg, Va 22401

Account Number

6073680

STANTEC CONSULTING SERVICES, INC.
Attn PANOPTIC PRESERVATION
150 RIVERSIDE PARKWAY, #301
FREDERICKSBURG, VA 22406

Date

December 02, 2019

Date	Category	Description	Ad Size	Total Cost
12/02/2019	Any-Main-FLS	Scoping Notice Fredericksburg	2 x 7.00 IN	767.20

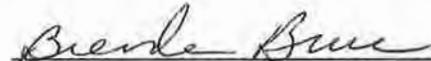
Proof of Publication

I hereby certify that the attached notice was published in
The Free Lance-Star, a newspaper published daily in
Fredericksburg, Va. on the following date(s);

11/26, 12/02/2019

___ Listed additionally on-line @ Fredericksburg.com

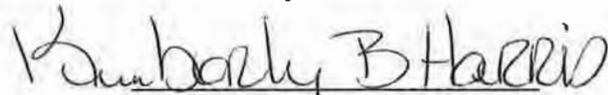
Newspaper reference: 0001032420



Publisher, Supervisor or Accounting Assistant

Sworn to and subscribed before me this

2nd Day of December 2019



Notary Public

Kimberly B. Harris
NOTARY PUBLIC
Commonwealth of Virginia
Notary Registration Number 356753
Commission Expires January 31, 2021

State of Virginia
County/City _____

My Commission expires _____

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**NOTICE OF SCOPING AND PUBLIC INVOLVEMENT UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT AND SELECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE PROPOSED CONSTRUCTION AND OPERATION OF A HEALTH CARE CENTER FREDERICKSBURG, VIRGINIA**

The U.S. Department of Veterans Affairs (VA) Office of Construction & Facilities Management will hold a public scoping meeting to share information and invite comments on the proposed long-term plans for construction and operation of an approximately 25,725-square-foot, outpatient Health Care Center in the Fredericksburg, Virginia area.

In accordance with the National Environmental Policy Act (NEPA), VA is seeking the public's input on issues to be addressed during the NEPA process, including alternatives and environmental concerns. Concurrently, VA is seeking input to support evaluation under Section 106 of the National Historic Preservation Act (NHPA) regarding potential effects to historic properties.

The scoping meeting will present information on the proposed project and the public will have an opportunity to ask questions and submit comments. The location, time, and date are presented below:

WHEN: Monday, December 31st, 2019,
From 8:30 p.m. to 9:30 p.m.

WHERE: Hilton Garden Inn, 1000 Hospitality Lane,
Fredericksburg, VA, 22401

A public scoping period is open through December 31, 2019. During this time, the public is invited to submit comments on the proposed action and identify potential issues or concerns for consideration in the NEPA process and NHPA Section 106 consultation. Comments may be submitted by email or mail, as follows:

Email to Glenn Elliott (glenn.elliott@va.gov) using the subject line "Fredericksburg HCC Scoping".
Mail to (postmarked by December 31, 2019):
Glenn Elliott
VA Office of Construction & Facilities Management (00002)
455 L (Eye) Street NW
Washington DC 20001

If including your address, phone number, email address, or other personally identifiable information in your comments, please be aware that your entire comment - including your personal identifiable information - may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

U.S. DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION & FACILITIES
MANAGEMENT

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