# St. Paul's Area/Tidewater Gardens Choice Neighborhood Implementation (CNI)

**Resource Scoping Document** 

### **RESPONSIBLE ENTITY**

City of Norfolk, City Manager's Office of St. Paul's Transformation

### **GRANT RECIPIENT**

Norfolk Redevelopment & Housing Authority 910 Ballentine Boulevard Norfolk, Virginia 23501

CONSULTANT



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May 2020

### **Table of Contents**

ntroduction	1
Project Area	1
NEPA Process Overview	
Resource Topic Evaluation	1
Summary	1
Impact Topics Considered but Dismissed from Further Analysis	
Air Quality	
Airport Hazards	2
Coastal Barrier Resources	
Coastal Zone Management Act	
Endangered Species	
Explosives and Flammable Hazards	3
Farmland Protection	∠
Flood Insurance	∠
Natural Features	∠
Surface Water	∠
Unique Natural Features and Agricultural Lands	∠
Vegetation and Wildlife	5
Sole Source Aquifers	
Wetlands Protection	5
Wild and Scenic Rivers	6

### **Appendix A: Supporting Documentation**

### Introduction

The Norfolk Redevelopment and Housing Authority (NRHA) and the City of Norfolk (City) received funds from the United States Department of Housing and Urban Development (HUD) for its Tidewater Gardens community in the St. Paul's Area. These funds are through the Choice Neighborhoods Initiative (CNI) grant. NRHA, together with the City and other major partners, have developed a plan to address the impacts of poverty and implement real change within the extended St. Paul's area of the City. The first component of the St. Paul's area project is the redevelopment of Tidewater Gardens plus the addition of nearby City owned properties known as the Snyder Lot, the Transit Area and the proposed renovation of the Willis Building. The project includes phased demolition of 78 housing buildings and the phased redevelopment of the site with mixed-income residential properties, commercial space, associated infrastructure, and open green space.

### **Project Area**

The project location consists of approximately 58 acres broken into four areas: Tidewater Gardens, the Snyder Lot, the Transit Area, and the Willis Building. Tidewater Gardens is a 618-unit NRHA-owned public housing community situated on approximately 44 acres. The existing housing community is located west of Tidewater Drive, north of City Hall Avenue, east of Fenchurch Street, and south of Brambleton Avenue. The Snyder Lot is located in the southwest quadrant of the four-way intersection created by East City Hall Avenue and St. Paul's Boulevard. The Transit Area is located immediately north and south of East Charlotte Street between the intersections with Fenchurch Street and St. Paul's Boulevard. The Willis Building, constructed in 1988, is a 60,000 square foot commercial space that is currently vacant. It is located north of Tidewater Gardens at the corner of Church Street and E. Brambleton Avenue.

### **NEPA Process Overview**

The City, acting through the NRHA, is assuming environmental responsibility for the St. Paul's Area/Tidewater Gardens CNI project in accordance with regulations on the Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities (24 CFR Part 58). To comply with its obligations under these regulations, NRHA in partnership with the City has prepared an Environmental Assessment (EA) in accordance with the National Environmental Policy Act of 1969 (NEPA) and regulations of the Council on Environmental Quality (CEQ) (40 CFR 1500-1508). The Proposed Action is subject to compliance with NEPA because federal funds would be used for demolition and redevelopment activities.

### **Resource Topic Evaluation**

### **Summary**

During the scoping process for the EA, a comprehensive list of resource topics for consideration was compiled based on the environmental factors (i.e., statutes, Executive Orders, and regulations) listed in HUD's regulations at 24 CFR 50.4, 58.5, and 58.6. An initial screening process was undertaken to determine which resource topics would require a full analysis under NEPA and which could be dismissed from further consideration. Evaluation was supported using HUD's Environmental Review Partner Worksheets and other relevant guidance. The resource topics retained for full NEPA analysis are discussed and documented in the EA. The resource topics that were dismissed from further consideration are discussed below. A summary table of all resource topics considered is provided below for reference.

**Table 1** Summary of Resource Topics Considered

Resource Topics Retained for Further Analysis in the EA	Resource Topics Dismissed from Further Analysis in the EA		
Contamination and Toxic Substances	Air Quality		
Historic Preservation	Airport Hazards		
Land Development	Coastal Barrier Resources		
Transportation and Traffic	Coastal Zone Management Act		
Noise	Endangered Species		
Socioeconomics	Explosives and Flammable Hazards		
Community Facilities and Services	Farmland Protection		
Floodplain Management	Flood Insurance		
Environmental Justice	Natural Features		
	Sole Source Aquifers		
	Wetlands Protection		
	Wild and Scenic Rivers		

### **Impact Topics Dismissed from Further Analysis**

This section discusses the resource topics dismissed from further analysis in the EA, including the rationale for dismissal. The worksheets and associated supporting documentation are provided in the enclosed appendix for each resource topic that was dismissed from further analysis.

### **Air Quality**

The project is located in Norfolk, which is in attainment status for all criteria pollutants. The project would follow all local permitting requirements for stationary

sources, such as pump stations, as needed. The proposed project is in compliance with the Clean Air Act of 1970. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

### **Airport Hazards**

The proposed project site is not located within 15,000 feet of a military airport or 2,500 feet of a civilian airport. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

### **Coastal Barrier Resources**

According to the US Fish and Wildlife Service (USFWS) Coastal Barrier Resources System Mapper, there are no Coastal Barrier Resources Systems located in Norfolk. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

### **Coastal Zone Management Act**

Coastal zones consist of tidal and non-tidal wetlands, fisheries, subaqueous lands, coastal lands, dunes and beaches and various pollution concerns that might impact the above. The Chesapeake Bay Preservation Act (CBPA) designates resource protection and management buffer areas around resources that, if mismanaged, pose heightened impact risk to water quality. These resources include shorelines, perennial water bodies, and contiguous wetlands.

VHB initiated consultation with the Virginia Department of Environmental Quality (DEQ) on behalf of NRHA to determine potential impacts to the coastal zone associated with this demolition and redevelopment project. DEQ is responsible for reviewing and responding to federal consistency certifications submitted in accordance with the Coastal Zone Management Act to ensure that federal projects are constructed and operated in a manner that is consistent with the Virginia Coastal Zone Management (CZM) Program.

Based on its review of the proposed project, DEQ provided concurrence that the project is consistent with the Virginia CZM Program a letter dated March 16, 2020 stating that the proposed project would not impact subaqueous lands, wetlands, fisheries dunes or point source pollution (see Appendix C). The proposed project would remain consistent provided all applicable permits or approvals listed under "Enforceable Policies of Virginia's Coastal Zone Management Program" are received prior to construction. Given compliance with the applicable programs and regulations, the proposed project would not have an impact on coastal zone resources. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

### **Endangered Species**

A search of the U.S. Fish and Wildlife Information Service (USFWS) and the Virginia Department of Game and Inland Fisheries (DGIF) Virginia Fish and Wildlife Information Service (VaFWIS) database shows the occurrence of one species listed as state threatened within 2 miles of the project site: peregrine falcon (*Falco peregrinus*). The list in its entirety is included in Appendix D. Based on the habitat requirements of this species and since the project site does not provide nor contribute to those habitat requirements, this species is not expected to be present at the site. Further consultation with DCR has determined that there are no known occurrences of peregrine falcons within the project area and that neither peregrine falcon nor any other state or federally listed species are likely to be impacted by the proposed project. The USFWS online project review process resulted in a no effect determination; and therefore, no impacts to federally listed species or habitats are anticipated. This coordination is documented in Appendix D. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

### **Explosives and Flammable Hazards**

There are inherent potential dangers associated with locating HUD-assisted projects near hazardous facilities which store, handle, or process hazardous substances of a flammable or explosive nature. Project sites located too close to facilities handling, storing, or processing conventional fuels, hazardous gases, or chemicals of an explosive or flammable nature may expose occupants or end-users of a project to the risk of injury in the event of an explosion.

An assessment and inventory of all facilities listed as having an aboveground storage tank (AST) within a 1-mile radius of the site was conducted utilizing state and federal database results. Sixteen active AST facilities were identified within the search radius. The Acceptable Separation Distance (ASD) is the area beyond which the explosive or combustible hazard would not cause thermal radiation or blast overpressure damage to buildings or individuals. HUD requirements detailed in 24 CFR Part 51 Subpart C state that for projects resulting in development, construction, or rehabilitation of any project intended for residential or recreational use, an analysis considering the vulnerability of structures or individuals be considered. The ASD for each aboveground storage tank was calculated using HUD's online ASD Electronic Tool.

Of the sixteen identified facilities listed on the Virginia AST database, one was located within the ASD for people. The Plaza East 7423 facility, owned by Sun Trust Bank, contains a 10,000-gallon heating oil AST within the vicinity of the Snyder Lot. The thermal radiation distance was calculated for this tank. The ASD for people is 721.77 feet, and 145.78 feet for buildings. The distance from the Snyder Lot site boundary to this AST was 456 feet. Although the AST is not diked, the containment measures indicate that the tank is in a concrete vault under the sidewalk.

Because the tank is in a concrete vault under the sidewalk there is no line of sight to the project area. Additionally, there is a building located in between the facility and the Snyder Lot boundary. Therefore, no impact to the Proposed Action is anticipated as a result of the tank identified at the Plaza East 7423 facility. No further review is required for this resource topic for compliance with 24 CFR 58.6.

### **Farmland Protection**

The importance of farmlands to the national and local economy requires the consideration of the impact of activities on land adjacent to prime or unique farmlands. The purpose of the Farmland Protection Policy Act (7 USC 4201 et seq, implementing regulations 7 CFR Part 658, of the Agriculture and Food Act of 1981, as amended) is to minimize the effect of federal programs on the unnecessary and irreversible conversion of farmland to nonagricultural uses. According to the National Resources Conservation Service (NRCS) Web Soil Survey, there is no farmland within the vicinity of the proposed site. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

### **Flood Insurance**

The redeveloped communities will be participants in the National Flood Insurance Program. All future buildings within the FEMA designated 100-year floodplain would be required to have flood insurance. See Appendix E for a FEMA Flood Insurance Rate Map of the area. Therefore, no further review is required for this resource topic is required for compliance with 24 CFR 58.6.

#### **Natural Features**

#### **Surface Water**

The closest surface water feature is a stormwater management feature located approximately 350 feet to the north of the site, across the parking lot associated with the USPS facility. All soil-disturbing activities that would occur under the Proposed Action would be done in accordance with approved plans to reduce erosion and runoff and is addressed under the impact topic of "Land Development" below. Based on the implementation and strict adherence of these plans, impacts to surface water due to soil erosion during and immediately following demolition and construction activities would be negligible. Additionally, construction of stormwater features within the blue/greenway would create new surface water within the project area. These stormwater features would be buffered by green space and created wetlands, which would improve water quality and reduce flood risk. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

#### **Unique Natural Features and Agricultural Lands**

The project site is located within an intensely developed area and has been developed for over 50 years. Neither of the alternatives considered propose land disturbance to natural communities. Therefore, no adverse impacts are anticipated to these natural resources due to the scope of the project. Additionally, the soil

types within the Tidewater Gardens community have all been disturbed and are not designated by NRCS as Prime or otherwise Important Farmland. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

### **Vegetation and Wildlife**

The project site is currently developed, with a modest amount of landscaped, grassy open space. The vegetation at the site consists mostly of lawn with scattered trees and some ornamental shrubs. The tree species at the site are mostly oaks (*Quercus* sp.). Potential habitat for terrestrial wildlife and birds on the site is limited to this sparse landscaped vegetation within the urban setting. Most species using this urbanized habitat are common to the region and have adapted to the presence of human development. Proposed demolition activities associated with the Proposed Action would alter some of the existing landscape by increasing vegetative surfaces, particularly within the footprint of the blue/greenway. These activities would not represent a loss of any significant or unique vegetation or habitat but rather an increase in lawn area. Finally, no federally listed species would be impacted by this project due to lack of habitat. Overall, long-term impacts to wildlife and vegetation would be negligible. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

### **Sole Source Aquifers**

Aquifers and surface water are often drinking water systems and may be impacted by development. The Safe Drinking Water Act of 1974 requires protection of drinking water systems that are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.

Sole Source Aquifer designations are one tool to protect drinking water supplies in areas where alternatives to the groundwater resource are few, cost-prohibitive, or nonexistent. The designation protects an area's ground water resource by requiring US Environmental Protection Agency (EPA) review of any proposed projects within the designated area that are receiving federal financial assistance. All proposed projects receiving federal funds are subject to review to ensure they do not endanger the water source. Based on mapping available through the EPA, there are no Sole Source Aquifers within the vicinity of the proposed project (EPA 2019). Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

### **Wetlands Protection**

Based on aerial photography and on-site reconnaissance performed by environmental professionals, no wetlands or other waters of the U.S. are located within the boundary of the St. Paul's Area/Tidewater Gardens project site. Therefore, ground disturbing activity would have no impacts to wetlands and no further review for this resource topic is required for compliance with 24 CFR 58.6.

### Wild and Scenic Rivers

The Wild and Scenic Rivers Act (16 USC 1271-1287) provides federal protection for certain free-flowing, wild, scenic, and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System. The National Wild and Scenic Rivers System was created by Congress in 1968 (Public Law 90-542; 16 USC 1271 et seq., as amended) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. HUD-assisted activities are subject to the requirements of the Wild and Scenic Rivers Act (16 USC 1271 et seq.). There are no Wild and Scenic Rivers, Study Rivers, or river segments on the Nationwide Rivers Inventory in the project area vicinity. The nearby Eastern Branch of the Elizabeth River is not designated as a Wild and Scenic River. Therefore, no further review for this resource topic is required for compliance with 24 CFR 58.6.

Appendix A: Supporting Documentation

### Air Quality



### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

### Air Quality (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/air-quality

1.	Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?
	$\supset$ No $\rightarrow$ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide any documents used to make your determination.
2.	s your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?
	Follow the link below to determine compliance status of project county or air quality management district:
	nttps://www.epa.gov/green-book
	No, project's county or air quality management district is in attainment status for all criteria pollutants
	→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.
	☐ Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants. → Continue to Question 3.
3.	Determine the estimated emissions levels of your project for each of those criteria pollutants
	hat are in non-attainment or maintenance status on your project area. Will your project exceed
	any of the de minimis or threshold emissions levels of non-attainment and maintenance leve
	pollutants or exceed the screening levels established by the state or air quality management
	district?
	□ No, the project will not exceed <i>de minimis</i> or threshold emissions levels or screening evels
	→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Explain how you determined that the project would not exceed de minimis of threshold emissions.

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- → Continue to Question 4. Explain how you determined that the project would not exceed de minimis or threshold emissions in the Worksheet Summary.
- 4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Click here to enter text.

### **Worksheet Summary**

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

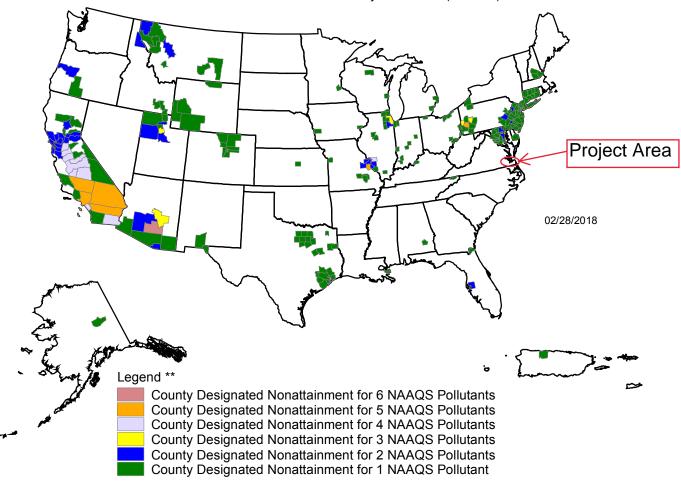
- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

The project is located in the City of Norfolk, Virginia which is in attainment status for all criteria pollutants. Therefore, the proposed project is in compliance with the Clean Air Act.

### Counties Designated "Nonattainment"

for Clean Air Act's National Ambient Air Quality Standards (NAAQS) \*



Guam - Piti and Tanguisson Counties are designated nonattainment for the SO2 NAAQS

<sup>\*</sup> The National Ambient Air Quality Standards (NAAQS) are health standards for Carbon Monoxide, Lead (1978 and 2008), Nitrogen Dioxide, 8-hour Ozone (2008), Particulate Matter (PM-10 and PM-2.5 (1997, 2006 and 2012), and Sulfur Dioxide.(1971 and 2010)

<sup>\*\*</sup> Included in the counts are counties designated for NAAQS and revised NAAQS pollutants. Revoked 1-hour (1979) and 8-hour Ozone (1997) are excluded. Partial counties, those with part of the county designated nonattainment and part attainment, are shown as full counties on the map.

### Airport Hazards



### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

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### Air Quality (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/air-quality

1.	Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?
	$\supset$ No $\rightarrow$ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide any documents used to make your determination.
2.	s your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?
	Follow the link below to determine compliance status of project county or air quality management district:
	nttps://www.epa.gov/green-book
	No, project's county or air quality management district is in attainment status for all criteria pollutants
	→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.
	☐ Yes, project's management district or county is in non-attainment or maintenance status for one or more criteria pollutants. → Continue to Question 3.
3.	Determine the estimated emissions levels of your project for each of those criteria pollutants
	hat are in non-attainment or maintenance status on your project area. Will your project exceed
	any of the de minimis or threshold emissions levels of non-attainment and maintenance leve
	pollutants or exceed the screening levels established by the state or air quality management
	district?
	□ No, the project will not exceed <i>de minimis</i> or threshold emissions levels or screening evels
	→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Explain how you determined that the project would not exceed de minimis of threshold emissions.

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- → Continue to Question 4. Explain how you determined that the project would not exceed de minimis or threshold emissions in the Worksheet Summary.
- 4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Click here to enter text.

### **Worksheet Summary**

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

The project is located in the City of Norfolk, Virginia which is in attainment status for all criteria pollutants. Therefore, the proposed project is in compliance with the Clean Air Act.





# AIR INSTALLATIONS COMPATIBLE USE ZONES (AICUZ)

### City of Norfolk, Virginia

## FEATURES ACCIDENT POTE

**ACCIDENT POTENTIAL** ZONES APZ1 APZ2 .... Clear Zones **NOISE LEVELS** ZONES 85 Decibles 80 Decibles 75 Decibles 70 Decibles 65 Decibles 60 Decibles 55 Decibles Street Centerline Water City Limits

Map created by the Department of Information Technology, GIS Team; and is intended for graphical purposes only. AICUZ information provided by the United States Navy. ~June 2010~

Other Localities

### **Coastal Barrier Resources**



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

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### Coastal Barrier Resources (CEST and EA) - PARTNER

https://www.hudexchange.info/environmental-review/coastal-barrier-resources

Projects located in the following states must complete this form.

			<u> </u>		
Alabama	Georgia	Massachusetts	New Jersey	Puerto Rico	Virgin Islands
Connecticut	Louisiana	Michigan	New York	Rhode Island	Virginia
Delaware	Maine	Minnesota	North Carolina	South Carolina	Wisconsin
Florida	Maryland	Mississippi	Ohio	Texas	

### 1. Is the project located in a CBRS Unit?

If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a CBRS Unit.

 $\square$ Yes  $\rightarrow$  Continue to 2.

<u>Federal assistance for most activities may not be used at this location. You must either choose an alternate site or cancel the project.</u> In very rare cases, federal monies can be spent within CBRS units for certain exempted activities (e.g., a nature trail), after consultation with the Fish and Wildlife Service (FWS) (see <u>16 USC 3505</u> for exceptions to limitations on expenditures).

#### 2. Indicate your recommended course of action for the RE/HUD

☐ Consultation with the I	-WS
☐ Cancel the project	

### **Worksheet Summary**

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

Include all documentation supporting your findings in your submission to HUD.

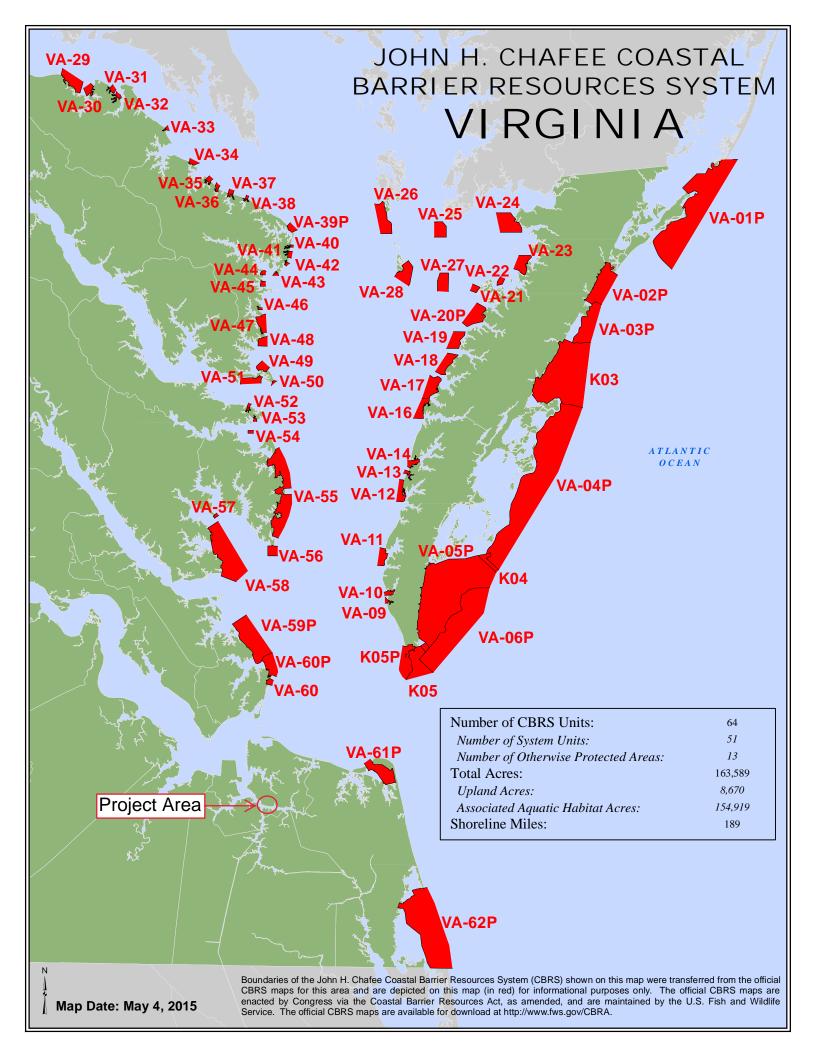


### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

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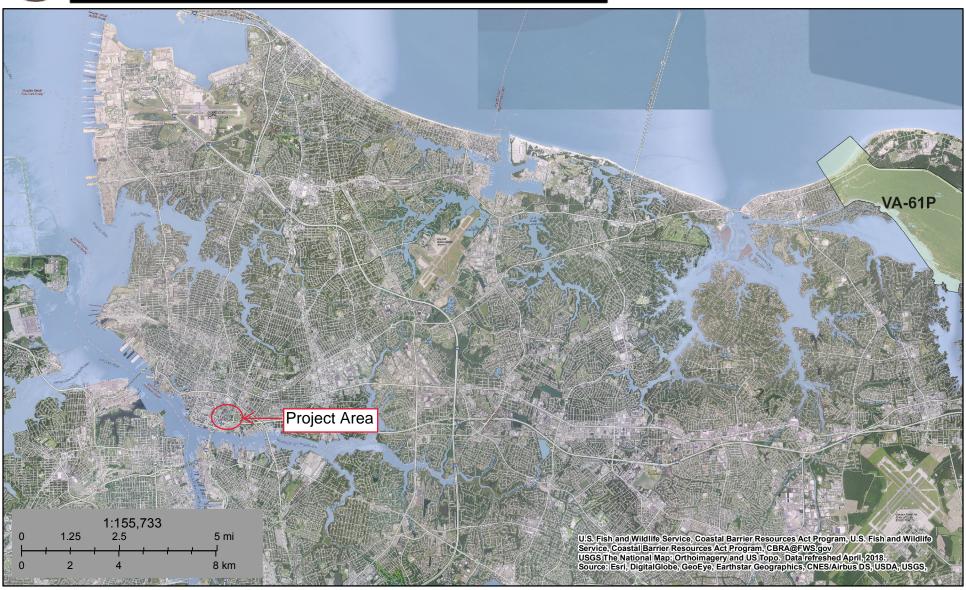
In accordance with the U.S. Fish & Wildlife Service's Coastal Barrier Resources System Mapper there are no Coastal Barrier Resources Systems located in the City of Norfolk, see enclosed graphic. Therefore, the environmental review is in compliance with this resource topic.





# U.S. Fish and Wildlife Service Coastal Barrier Resources System

### **Tidewater Gardens**



November 12, 2018

This map is for general reference only. The Coastal Barrier Resources System (CBRS) boundaries depicted on this map are representations of the controlling CBRS boundaries, which are shown on the official maps, accessible at <a href="https://www.fws.gov/cbra/maps/index.html">https://www.fws.gov/cbra/maps/index.html</a>. All CBRS related data should be used in accordance with the layer metadata found on the CBRS Mapper website.

The CBRS Buffer Zone represents the area immediately adjacent to the CBRS boundary where users are advised to contact the Service for an official determination (<a href="http://www.fws.gov/cbra/Determinations.html">http://www.fws.gov/cbra/Determinations.html</a>) as to whether the property or project site is located "in" or "out" of the CBRS.

CBRS Units normally extend seaward out to the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward extent of the units is not shown in the CBRS mapper.

### Coastal Zone Management Act



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

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### Coastal Zone Management Act (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/coastal-zone-managementh

Projects located in the following states must complete this form.

Alabama	Florida	Louisiana	Mississippi	Ohio	Texas	
Alaska	Georgia	Maine	New Hampshire	Oregon	Virgin Islands	
American	Guam	Maryland	New Jersey	Pennsylvania	Virginia	
Samoa						
California	Hawaii	Massachusetts	New York	Puerto Rico	Washington	
Connecticut	Illinois	Michigan	North Carolina	Rhode Island	Wisconsin	
Delaware	Indiana	Minnesota	Northern	South Carolina		
			Mariana Islands			

- 1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?
  - $\boxtimes$ Yes  $\rightarrow$  Continue to Question 2.
  - □No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing that the site is not within a Coastal Zone.
- 2. Does this project include activities that are subject to state review?
  - $\boxtimes$ Yes  $\rightarrow$  Continue to Question 3.
  - □No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide documentation used to make your determination.
- 3. Has this project been determined to be consistent with the State Coastal Management Program? 

  ⊠Yes, with mitigation. → The RE/HUD must work with the State Coastal Management 
  Program to develop mitigation measures to mitigate the impact or effect of the project.

$\square$ Yes, without mitigation. $ o$ If the RE/HUD agrees with this recommendation, the review is
in compliance with this section. Continue to the Worksheet Summary below. Provide documentation
used to make your determination.

$\square$ No $\rightarrow$	· Pro	ject cannot	proceed	d at this	location
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### **Worksheet Summary**

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

Norfolk Redevelopment and Housing Authority has coordinated with the Virginia Department of Environmental Quality (DEQ) to provide a Consistency Certification pursuant to 15 CFR Sections 930.58(a)(2) and 930.58(a)(3). In a letter dated March 16, 2020, DEQ provided concurrence that the project is consistent with the Virginia CZM Program provided all applicable permits or approvals listed under "Enforceable Policies of Virginia's Coastal Zone Management Program" are received prior to construction.



March 2, 2020

Ref: 34402.06

Ms. Valerie Fulcher, Environmental Program Specialist Office of Environmental Impact Review 1111 East Main St., Suite 1400 Richmond, VA 23219

Re: Federal Consistency Review
Norfolk Redevelopment and Housing Authority
St. Paul's Area/Tidewater Gardens Choice Neighborhood Implementation Grant
Norfolk, VA

#### Ms. Valerie Fulcher:

This document provides the Commonwealth of Virginia with the Norfolk Redevelopment and Housing Authority's Consistency Certification and necessary data and information under the Coastal Zone Management Act Section 307(c)(3)(A) and 15 CFR Part 930, sub-part F, for demolition, disposition, and redevelopment of the Tidewater Gardens community and nearby City of Norfolk (City) owned properties in the St. Paul's area of the City of Norfolk.

Tidewater Gardens, located at 450 Walke Street, is a public housing community owned and operated by the Norfolk Redevelopment Housing Authority (NHRA). The community was constructed circa 1953 and consists of six-hundred eighteen (618) dwelling units located within seventy-eight (78) 2-story apartment buildings covering approximately 44 acres (Figures 1 and 2). In 2018, NRHA contracted Dominion Due Diligence Group to perform a physical condition assessment (PCA) of Tidewater Gardens. The PCA determined that the structures are in poor physical condition and require significant rehabilitation and retrofit to render the structures viable for on-going safe and sanitary housing. Demolition was recommended over renovation due to the level of repair needed to correct structural and design deficiencies and the cost ineffectiveness of rehabilitation to correct the noted deficiencies versus demolition and new construction.

In light of the findings of the PCA and several other factors, NRHA partnered with the City of Norfolk and secured a Choice Neighborhood Implementation (CNI) Grant from the Department of Housing and Urban Development (HUD) for the St. Paul's Area/Tidewater Gardens community. The funds from this grant will partially support the St. Paul's Area Transformation Plan, a mixed-income development initiative that will

351 McLaws Circle

Suite 3

Williamsburg, Virginia 23185

P 757.220.0500

F 757.903.2794

Ms. Valerie Fulcher Ref: 34402.06 March 2, 2020 Page 2



simultaneously create new housing options and choices for Tidewater Gardens public housing residents, connect the St. Paul's area to the Downtown Norfolk mixed-income residential population and economic activity, protect the neighborhood through storm- and tidal-resilient design, and help repair generations of economic and racial segregation in Norfolk. The following is planned to occur:

- Demolition of Tidewater Gardens 618 dwelling units in 78 buildings, the property management office, and boiler/maintenance building;
- Disposition for infrastructure to support redevelopment at Tidewater Gardens, including roadways/ROW, open space, stormwater retention, pump station, and pathways;
- Disposition for redevelopment of mixed-income apartment buildings, multi-story, mixed-use buildings, single-family residences, duplexes, and row houses;
- Disposition for Future Commercial Development;
- Redevelopment of the Snyder Lot (located in the northern portion of Downtown Norfolk), Red Carpet Site/former Police Station site (located north of Tidewater Gardens), the Transit Site surrounding the Downtown Norfolk Transit Area and
- Potential renovation of the Willis Building (\$60,000).

Total development includes 730 to 1000 total units, of which 709-737 will be developed as part of the CNI project, and 15,000 to 47,000 square feet of non-residential spaces (facilities, retail, or other commercial).

Based on the proposed scope of work, NRHA has determined that the actions described above will have no adverse effect on the coastal uses and/or natural resources of Virginia that are addressed by the nine (9) enforceable policies of the Virginia Coastal Resources Management Program (VCP), as discussed below:

- **Fisheries Management** All proposed activities will adhere to strict erosion and sediment control measures, when applicable, to prevent potential negative impacts to fish and other wildlife resources in downstream receiving waters.
- **Subaqueous Lands Management** All proposed demolition activities will occur in built, previously disturbed environments and will not encroach upon subaqueous lands, nor will the project result in the destruction or alteration of subaqueous lands. No adverse impacts to subaqueous lands are anticipated.
- **Wetlands Management** All proposed activities will occur on land that was previously disturbed. A wetland delineation was performed on-site on February 3<sup>rd</sup>, 2020, and no wetlands or other waters of the U.S. were identified within the project area. There will be no impact to wetlands as a result of the proposed project activities.
- **Dunes Management** There are no dunes of any kind located on or near the project sites indicated in Figures 1 and 2. As such, no adverse impacts or alterations are anticipated to any primary dunes.
- Non-point Source Pollution Control HUD requires that all projects must comply with the Virginia Erosion and Sediment Control Law and Regulations and the Virginia Stormwater Management Law and Regulations, both of which are administered by the Virginia Department of Environmental Quality (DEQ). Based on the proposed scope of work, the project activities will not produce non-point source pollution.

Ms. Valerie Fulcher Ref: 34402.06 March 2, 2020 Page 3



- **Point Source Pollution Control** Based on the scope of work, the proposed activities will not be a point source of pollution and will not require a permit through the Virginia Pollutant Discharge Elimination System (VPDES) permit program.
- **Shoreline Sanitation** The project's development plans do not include installation of septic tanks. Therefore, no permits will be required from the Virginia Department of Health.
- **Air Pollution Control** The project is located in the City of Norfolk, Virginia, which is in attainment status for all criteria pollutants. Therefore, the proposed project is in compliance with the Clean Air Act and will not noticeably affect air quality in this area.
- Coastal Lands Management The definition of Resource Protection Area (RPA) as outlined in the Code of Ordinances, City of Norfolk, Virginia includes: tidal wetlands; nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow; tidal shores; and, a buffer area not less than 100 feet in width located adjacent to and landward of the components listed above. A wetland delineation was performed on-site on February 3<sup>rd</sup>, 2020, and no wetlands or other waters of the U.S. were identified within the project area. The nearest water feature, Mahone Canal, is greater than 100 feet from the project area boundaries. Therefore; this project will not occur within the 100-foot buffer. Based on the proposed activities, Tidewater Gardens will not impact any RPAs.

NRHA and the City of Norfolk have considered all the advisory policies of the VCP and determined that the proposed demolition, disposition, and redevelopment activities described above are consistent to the maximum extent practicable with these policies. The proposed activities comply with the enforceable policies of VCP and will be conducted in a manner consistent with such program. Pursuant to 15 CFR Section 930.63(b), if Virginia has not issued a decision within three months following commencement of State agency review, it shall notify NRHA and the federal agency of the status of the matter and the basis for further delay. The State's concurrence, objection, or notification of review status shall be sent to VHB and HUD, at the following addresses:

Vanasse Hangen Brustlin, Inc. Attn: Kimberly S. Blossom 351 McLaws Circle, Suite 3 Williamsburg, VA 23185-6316

U.S. Department of Housing and Urban Development Attn: Mr. Kerry Johnson Richmond Field Office 600 East Broad Street, 3<sup>rd</sup> Floor Richmond, VA 23219 Ms. Valerie Fulcher Ref: 34402.06 March 2, 2020 Page 4

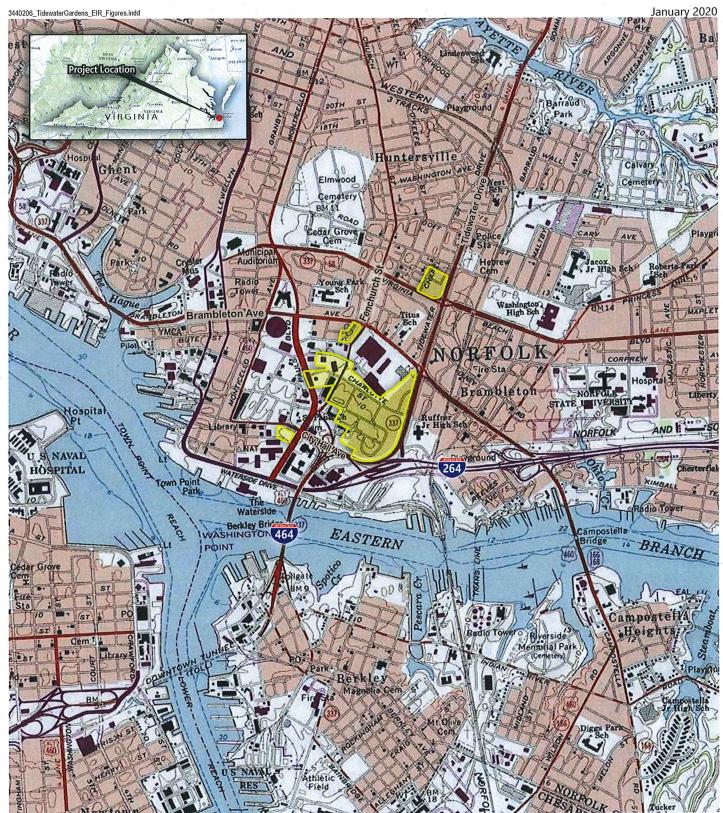


Upon review, should you have any questions, please feel free to contact me at 757-220-0500. We look forward to coordinating with you through the federal consistency review process.

Sincerely,

Kimberly S Blossom

Environmental Scientist kblossom@vhb.com



Source: USGS 7.5 min Norfolk South, Virginia Quadrangle



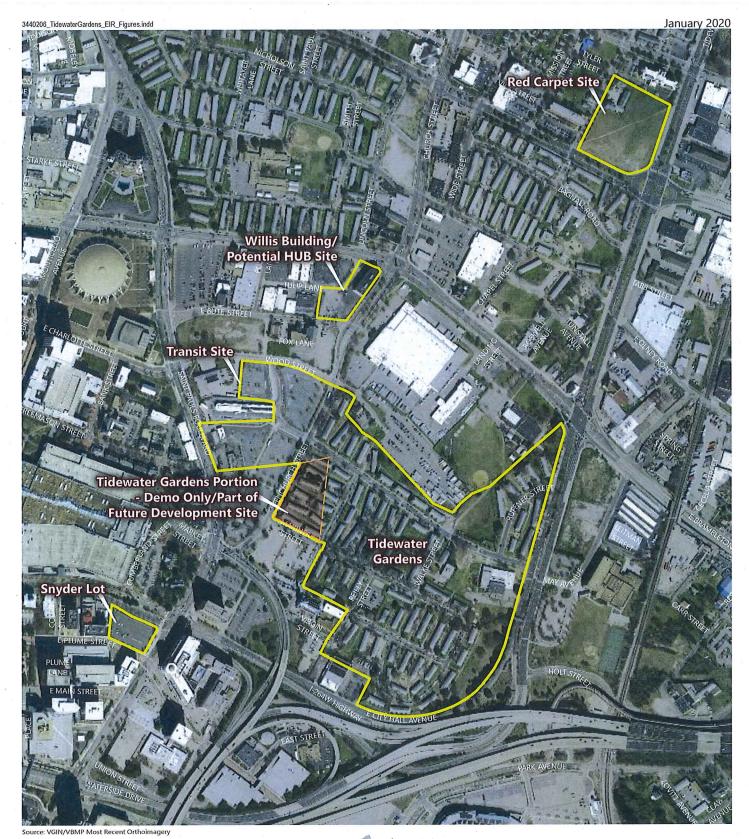
Tidewater Gardens Public Housing Site Norfolk Redevelopment and Housing Authority

City of Norfolk, Virginia

FIGURE 1

**Tidewater Gardens Property Location Map** (USGS Quadrangle)





North 0 SCALE IN FEET 600

Tidewater Gardens Public Housing Site
Norfolk Redevelopment and Housing Authority

City of Norfolk, Virginia

FIGURE 2

**Tidewater Gardens Property Location Map** (Áerial)



Matthew J. Strickler Secretary of Natural Resources Street address: 1111 East Main Street, Suite 1400, Richmond, VA 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

David K. Paylor Director

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

March 16, 2020

Vanasse Hangen Brustlin, Inc. Attn: Kimberly S. Blossom 351 McLaws Circle, Suite 3 Williamsburg, VA 23185-6316 Via Email: <a href="mailto:kblossom@vhb.com">kblossom@vhb.com</a>

RE: Federal Consistency Review, St. Paul's Area/Tidewater Gardens Choice Neighborhood Implementation Grant, City of Norfolk, DEQ #4146

Dear Ms. Blossom:

On behalf of the Commonwealth of Virginia, the Department of Environmental Quality (DEQ) is responsible for reviewing and responding to federal consistency documentation submitted in accordance with the Intergovernmental Review of Federal Programs (E.O. 12372) and federal consistency regulations for the review of federal financial assistance to state and local governments (15 CFR, Subpart F, §930.90 *et seq.)*. Pursuant to the Coastal Zone Management Act of 1972, as amended, because this project will be federally funded, it must be constructed and operated in a manner that is consistent with the Virginia Coastal Zone Management (CZM) Program.

### **PROJECT DESCRIPTION**

According to the submission dated and received March 2, 2020, the Norfolk Redevelopment Housing Authority (NHRA), in partnership with the City of Norfolk, proposes to secure a Choice Neighborhood Implementation (CNI) Grant from the Department of Housing and Urban Development (HUD) to demolish, dispose of, and redevelop the Tidewater Gardens public housing community and nearby City of Norfolk owned properties in the St. Paul's area. Tidewater Gardens, located at 450 Walke Street, was constructed in 1953 and consists of 618 dwelling units located within 78 two-story apartment buildings covering approximately 44 acres. It has been determined that the structures are in poor physical condition, and demolition was recommended over renovation. Funds from this grant will also partially support the St. Paul's Area Transformation Plan, a mixed-income development initiative.

This project consists of the following:

- Demolition and disposition of Tidewater Gardens
- Disposition for infrastructure to support redevelopment (including roadways/ROW, open space, stormwater retention, pump station, and pathways
- Disposition for redevelopment of mixed-income apartment buildings, multi-story, mixed-use buildings, single-family residences, duplexes, and row houses
- Disposition for Future Commercial Development
- Redevelopment of the Snyder Lot (in northern downtown Norfolk), the Red Carpet Site/former Police Station (located north of Tidewater Gardens), and the Transit site surrounding the Downtown Norfolk Transit Area
- Potential renovation of the Willis Building

New development will include 730-1,000 residential units and 15,000 to 47,000 square feet of non-residential space.

### FEDERAL CONSISTENCY

This project is consistent with the Virginia Coastal Zone Management Program (CZM), provided all applicable permits or approvals listed under "Enforceable Policies of Virginia's Coastal Zone Management Program" (enforceable policies) are received prior to implementation of the project. Accordingly, if any of the enforceable policies apply, please contact the relevant agencies to obtain applicable permits or approvals. DEQ's Tidewater Regional Office (DEQ TRO, 757-518-2000) administers the enforceable policies listed under DEQ's jurisdiction. Please contact that office for assistance in meeting the requirements of applicable programs.

The following discussion is provided as a guide to the enforceable policies administered by DEQ and other agencies of the Commonwealth which could apply to the project. In addition, DEQ encourages the applicant to consider potential project impacts to the <u>advisory policies</u> of the Virginia CZM Program. Final determination concerning potential impacts on these programs rests with DEQ TRO or the appropriate state agency. It is the applicant's responsibility to coordinate development with appropriate state agencies.

### 1. Non-point Source Pollution Control.

1(a) Erosion and Sediment Control and Stormwater Management. A project specific erosion and sediment control (ESC) plan must be submitted to the locality for review and approval pursuant to the local ESC requirements for land-disturbing activities equal to or greater than 10,000 square feet (2,500 square feet in a Chesapeake Bay Preservation Area). Depending on local requirements, the area of land disturbance requiring an ESC plan may be less. The ESC plan must be approved by the locality prior to any land disturbing activity at the project site. All regulated land-disturbing activities associated with the project, including on- and off-site access roads, staging areas, borrow areas, stockpiles, and soil intentionally transported from the project must be covered by the project-specific ESC plan. Depending on local requirements, a Stormwater Management (SWM) plan may be required. Local ESC and SWM program

requirements may be requested through the appropriate locality office. [References: Virginia Erosion and Sediment Control Law, Virginia Code §62. 1-44. 15:51 et seq.; Virginia Erosion and Sediment Control Regulations, 9 VAC 25-840-10 et seq.; Virginia Stormwater Management Act, Virginia Code §62. 1. 44. 15:51 et seq.; Virginia Stormwater Management Program Permit Regulations, 9 VAC 25-880-1 et seq.]

Additional guidance may be obtained from DEQ's Office of Stormwater Management, Larry Gavan at (804) 698-4040 or Larry.Gavan@deq.virginia.gov.

**1(b)** Virginia Stormwater Management Program General Permit for Stormwater Discharges from Construction Activities. DEQ is responsible for the issuance, denial, revocation, termination, and enforcement of the Virginia Stormwater Management Program (VSMP) General Permit for Stormwater Discharges from Construction Activities related to municipal separate storm sewer systems (MS4s) and construction activities for the control of stormwater discharges from MS4s and land disturbing activities under the Virginia Stormwater Management Program.

The operator or owner of a construction project involving land-disturbing activities equal to or greater than one acre is required to register for coverage under the General Permit for Discharges of Stormwater from Construction Activities and develop a project-specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit, and it must address water quality and quantity in accordance with the VSMP Permit Regulations. General information and registration forms for the General Permit are available on DEQ's website at

http://www.deq.virginia.gov./Programs/Water/StormwaterManagementWSMPPermits/ConstructionGeneralPermit.aspx. [References: Virginia Stormwater Management Act, Virginia Code sections 62. 1. 44. 15:24 et seq.; VSMP Permit Regulations, 9 VAC 25-870-10 et seq.] Additional assistance may be obtained by contacting DEQ's Office of Stormwater Management, Holly Sepety at (804) 698-4039 or Holly.Sepety@deq.virginia.gov.

2. Coastal Lands Management. Under the Chesapeake Bay Preservation Act (Bay Act), localities within the state's coastal zone have enacted programs designed to improve water quality in the Chesapeake Bay through mitigation of the impacts of development and redevelopment on sensitive environmental features such as streams, wetlands, floodplains, highly erodible soils, and highly permeable soils. Resource Protection Areas (RPAs) and Resource Management Areas (RMAs) have been designated in each locality; these areas consist of groupings of sensitive environmental features. RPA features (tidal wetlands, certain non-tidal wetlands, tidal shores, and buffer areas) are the most sensitive; in general, only water-dependent uses may be constructed in an RPA. RMA features (highly erodible soils, highly permeable soils, and certain non-tidal wetlands) are less sensitive than RPA features, but no less important. Development in an RMA requires that activities meet certain performance criteria designed to mitigate negative environmental impacts. To ensure compliance with the Bay Act, please contact the appropriate locality office. Additional guidance may be

obtained from DEQ's Office of Local Government Programs, Daniel Moore at (804) 698-4520 or Daniel.Moore@deq.virginia.gov.

**3. Air Pollution Control.** DEQ recommends that precautionary measures be employed during construction to reduce ground-level ozone concentrations, especially during ozone alert days. This can be done by minimizing the generation of ozone precursors such as volatile organic compounds and nitrogen oxides during operation of construction equipment and vehicles. Any access roads, parking lots/garage, ingress/egress, or interchanges/ intersections should be designed and constructed so as to avoid or minimize traffic congestion and/or unnecessary localized vehicular idling.

Although no adverse impacts to air quality are anticipated from the proposed project, during construction fugitive dust must be kept to a minimum. This requires, but is not limited to, measures such as application of water to suppress dust and washing down construction vehicles and paved roadways immediately adjacent to the construction site. The following sections of the Regulations for the Control and Abatement of Air Pollution, which appear in the Virginia Administrative Code (VAC), may be applicable:

- 9 VAC 5-50-60 et seq. governs the abatement of visible emissions and fugitive dust emissions
- 9 VAC 5-45-760 et seq. addresses asphalt paving operations
- 9 VAC 5-130-1 0 et seq. addresses open burning.

For additional information, contact DEQ-TRO, Laura Corl at 757-518-2178, or Laura.Corl@deq.virginia.gov.

### ADDITIONAL ENVIRONMENTAL CONSIDERATIONS

In addition to the enforceable policies of the Virginia CZM Program, the project must comply with all other applicable federal, state and local laws and regulations. In general, to the extent practicable, development must incorporate features that prevent significant adverse impacts on ambient air quality, water quality, wetlands, historic structures, fish and wildlife, and species of plants, animals, or insects listed by state agencies as rare, threatened, or endangered.

The following discussion is provided as a guideline of programs administered by DEQ and other agencies of the commonwealth, which could be applicable. Final determinations concerning potential impacts on these programs rest with the DEQ TRO (757-518-2000) and the appropriate agency administering each program. It is the responsibility of the applicant (i.e., the NHRA) to coordinate with these agencies.

**1. Solid and Hazardous Wastes, and Hazardous Substances.** DEQ administers the *Virginia Solid Waste Management Regulations* (9 VAC 20-81) and the *Virginia Hazardous Waste Management Regulations* (9 VAC 20-60). The NHRA may contact DEQ's Tidewater Regional Office (Melinda Woodruff, telephone (757) 518-2174 or e-

mail <u>Melinda.Woodruff@deq.virginia.gov</u>) concerning the location and availability of waste management facilities in the project area.

- **1(a) Agency Recommendations.** DEQ encourages all projects and facilities to implement pollution prevention principles, including:
  - the reduction, reuse and recycling of all solid wastes generated; and
  - the minimization and proper handling of generated hazardous wastes.

### 1(b) Requirements.

- (i) Contaminated Waste. Any wastes that are generated must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations.
- (ii) Asbestos-Containing Materials and Lead-Based Paint. All structures being renovated must be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to demolition. If ACM or LBP are found, in addition to federal waste-related regulations, state regulations 9 VAC 20-80-620 for ACM and 9 VAC 20-60-261 for LBP must be followed.
- **2. Pollution Prevention.** DEQ advocates that principles of pollution prevention and sustainability be used in all construction projects as well as in facility operations. Effective siting, planning, and on-site Best Management Practices (BMPs) will help to ensure that environmental impacts are minimized. However, pollution prevention and sustainability techniques also include decisions related to construction materials, design, and operational procedures that will facilitate the reduction of wastes at the source. We have several pollution prevention recommendations that may be helpful for this project:
  - Consider environmental attributes when purchasing materials. For example, the extent of recycled material content, toxicity level, and amount of packaging should be considered and can be specified in purchasing contracts.
  - Consider energy efficiency when choosing materials and products, like insulation, fixtures, and HVAC systems.
  - Consider contractors' commitment to the environment when choosing contractors. Specifications regarding raw materials and construction practices can be included in contract documents and requests for proposals.
  - Choose sustainable materials and practices for infrastructure and building construction and design. These could include asphalt and concrete containing recycled materials, and integrated pest management in landscaping, among other things.
  - Integrate pollution prevention techniques into property construction and maintenance.

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

- **3. Pesticides and Herbicides.** DEQ recommends that the use of herbicides or pesticides for construction or landscape maintenance should be in accordance with the principles of integrated pest management. The least toxic pesticides that are effective in controlling the target species should be used. Please contact the Department of Agriculture and Consumer Services at (804) 786-3501 for more information.
- **4. Natural Heritage Resources.** The Department of Conservation and Recreation's Division of Natural Heritage (DNH) maintains a Biotics Data System (Biotics) for occurrences of natural heritage resources in identified project areas. Natural heritage resources are defined as the habitat of rare, threatened, or endangered animal and plant species, unique or exemplary natural communities, and significant geologic communities. Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Department of Conservation and Recreation (DCR), DCR has the authority to report for VDACS on state-listed plant and insect species. Contact DCR-DNH, Rene Hypes at (804) 371-2708, to secure information on natural heritage resources.
- **5. Historic and Archaeological Resources.** Section 106 of the National Historic and Preservation Act of 1966, as amended, requires that proponents of activities that receive federal funding must consider effects to properties that are listed, or eligible for listing, on the National Register of Historic Places. The Department of Historic Resources (DHR) conducts reviews of projects to determine their effect on historic structures or cultural resources.

Your letter indicates that the existing structures date from 1953. Please note that under historic preservation rules, structures over 50 years old may (by virtue of age and other characteristics) be eligible for listing on the National Register. Accordingly, we recommend that the NHRA or its agents contact DHR (Roger Kirchen, telephone (804) 482-6091) before proceeding with the rehabilitation work to ask two questions: (1) whether National Register (or Virginia Landmarks Register) eligibility is the case, and, if so, (2) whether it warrants any precautions relative to the scope of work that is contemplated for the property.

The NHRA or its contractor may encounter archaeological resources while undertaking or preparing for the project. If archaeological resources are encountered, contact DHR, Roger Kirchen at (804) 482-6091 or Roger.Kirchen@dhr.virginia.gov.

**6. Energy Conservation.** The redeveloped structure should be planned and designed to comply with state and federal guidelines and industry standards for energy conservation and efficiency. For example, the energy efficiency of the house can be enhanced by maximizing the use of the following:

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

Please contact the Department of Mines, Minerals and Energy (David Spears at (434) 951-6350) for assistance in meeting this challenge.

**7. Wildlife Resources.** The Department of Game and Inland Fisheries (DGIF), as the Commonwealth's wildlife and freshwater fish management agency, exercises enforcement and regulatory jurisdiction over wildlife and freshwater fish, including state or federally listed endangered or threatened species, but excluding listed insects (*Virginia Code* Title 29.1). DGIF is a consulting agency under the U.S. Fish and Wildlife Coordination Act (16 U.S.C. sections 661 *et seq.*), and provides environmental analysis of projects or permit applications coordinated through DEQ and several other state and federal agencies. DGIF determines likely impacts upon fish and wildlife resources and habitat, and recommends appropriate measures to avoid, reduce, or compensate for those impacts. For more information, contact Amy Ewing at (804) 367-2211.

Thank you for the opportunity to review this proposal. If you have questions, please feel free to call me at (804) 698-4299.

Sincerely,

Janine Howard, EIR Coordinator Office of Environmental Impact Review

Jam Hannel

Ec: Kerry Johnson, HUD

# **Endangered Species**



### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

### **Endangered Species Act (CEST and EA) – PARTNER**

https://www.hudexchange.info/environmental-review/endangered-species

1.	Does the project involve	e any activities that l	nave the potential to a	ffect species or habitats?
----	--------------------------	-------------------------	-------------------------	----------------------------

- □No, the project will have No Effect due to the nature of the activities involved in the project.
  - → If the RE/HUD agrees with this recommendation, the review is in compliance with this section.

    Continue to the Worksheet Summary below. Provide any documents used to make your determination.
- □No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office.

### **Explain your determination:**

Click here to enter text.

- → If the RE/HUD agrees with this recommendation, the review is in compliance with this section.

  Continue to the Worksheet Summary below. Provide any documents used to make your determination.
- $\boxtimes$  Yes, the activities involved in the project have the potential to affect species and/or habitats.
  - → Continue to Question 2.
- Are federally listed species or designated critical habitats present in the action area?
   Obtain a list of protected species from the Services. This information is available on the <u>FWS Website</u>.

⊠No, the project will have No Effect due to the absence of federally listed species and designated critical habitat.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section.

Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation may include letters from the Services, species lists from the Services' websites, surveys or other documents and analysis showing that there are no species in the action area.

 $\square$ Yes, there are federally listed species or designated critical habitats present in the action area.

→ Continue to Question 3.

- 3. Recommend one of the following effects that the project will have on federally listed species or designated critical habitat:
  - □No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat.
    - → If the RE/HUD agrees with this recommendation, the review is in compliance with this section.

      Continue to the Worksheet Summary below. Provide any documents used to make your determination. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate.
  - ☐ May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.
    - → Partner entities should not contact the Services directly. If the RE/HUD agrees with this recommendation, they will have to complete Informal Consultation. Provide the RE/HUD with a biological evaluation or equivalent document. They may request additional information, including surveys and professional analysis, to complete their consultation.
  - □Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.
    - → Partner entities should not contact the Services directly. If the RE/HUD agrees with this recommendation, they will have to complete Formal Consultation. Provide the RE/HUD with a biological evaluation or equivalent document. They may request additional information, including surveys and professional analysis, to complete their consultation.

#### **Worksheet Summary**

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

#### Include all documentation supporting your findings in your submission to HUD.

A search of the U.S. Fish and Wildlife Information Service (USFWS) and the Virginia Department of Game and Inland Fisheries (DGIF) Virginia Fish and Wildlife Information Service (VaFWIS) database shows the occurrence of one species listed as state threatened within 2 miles of the project site: peregrine falcon (*Falco peregrinus*). Based on the habitat requirements of this species and since the project site does not provide nor contribute to those habitat requirements, this species is not expected to be present at the site. Further consultation with DCR has determined that there are no known occurrences of peregrine falcons within the project area and that neither peregrine falcon nor any other state or federally listed species are likely to be impacted by the proposed project. The USFWS online project review process resulted in a determination of No Effect.



### 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: January 23, 2020

Consultation Code: 05E2VA00-2020-SLI-1606

Event Code: 05E2VA00-2020-E-04382 Project Name: Tidewater Gardens

Subject: List of threatened and endangered species that may occur in your proposed project

location, and/or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, 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-1606

Event Code: 05E2VA00-2020-E-04382

Project Name: Tidewater Gardens

Project Type: DEVELOPMENT

Project Description: HUD Redevelopment Project

### **Project Location:**

Approximate location of the project can be viewed in Google Maps: <a href="https://www.google.com/maps/place/36.85118125334786N76.28060466364413W">https://www.google.com/maps/place/36.85118125334786N76.28060466364413W</a>



Counties: Norfolk, VA

### **Endangered Species Act Species**

There is a total of 0 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 Fisheries<sup>1</sup>, 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. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### **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 <u>National Wildlife Refuge</u> 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.

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**Fish and Wildlife Information Service** 

Search Va DGIF Go

### **Virginia Department of Game and Inland Fisheries**

Home » By Map » VaFWIS GeographicSelect Options **Options** 

**Species Information** 

By Name

By Land Management

References

**Geographic Search** 

By Map

By Coordinates

By Place Name

**Database Search** 

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VaFWIS Initial Project Assessment Report Compiled on 1/20/2020, 1:58:28 PM

Known or likely to occur within a 3 mile radius around point 36,50,53.7 -76,16,47.4 in 550 Chesapeake City, 710 Norfolk City, 740 Portsmouth City, 810 Virginia Beach City, VA View Map of Site Location

669 Known or Likely Species ordered by Status Concern for Conservation (displaying first 45) (45 species with Status\* or Tier I\*\* or Tier II\*\*)

BOVA Code	Status*	Tier**	Common Name	Scientific Name	Confirmed	Database(s)
010031	FESE	la	Sturgeon, shortnose	Acipenser brevirostrum		BOVA
030074	FESE	la	Turtle, Kemp's ridley sea	Lepidochelys kempii		BOVA
010032	FESE	lb	Sturgeon, Atlantic	Acipenser oxyrinchus		BOVA
030075	FESE	lc	Turtle, leatherback sea	Dermochelys coriacea		BOVA
030073	FESE		Turtle, hawksbill sea	Eretmochelys imbricata		BOVA
040183	FESE		Tern, roseate	Sterna dougallii dougallii		BOVA
030071	FTST	la	Turtle, loggerhead sea	Caretta caretta		BOVA
040144	FTST	la	Knot, red	Calidris canutus rufa		BOVA
050022	FTST	la	Bat, northern long-eared	Myotis septentrionalis		BOVA
030072	FTST	lb	Turtle, green sea	Chelonia mydas		BOVA
040120	FTST	lla	Plover, piping	Charadrius melodus		BOVA
120030	FTSE	IVb	Manatee, West Indian	Trichechus manatus		BOVA
030064	SE	la	Turtle, eastern chicken	Deirochelys reticularia reticularia		BOVA
040118	SE	la	Plover, Wilson's	Charadrius wilsonia		BOVA
040110	FPSE	la	Rail, eastern black	Laterallus jamaicensis jamaicensis		BOVA
050034	SE	la	Bat, Rafinesque's eastern big-eared	Corynorhinus rafinesquii macrotis		BOVA
050027	SE	la	Bat, tri-colored	Perimyotis subflavus		BOVA
030013	SE	lla	Rattlesnake, canebrake	Crotalus horridus		BOVA,Habitat
040096	ST	la	Falcon, peregrine	Falco peregrinus	<u>Yes</u>	BOVA,SppObs
040293	ST	la	Shrike, loggerhead	Lanius ludovicianus		BOVA
040379	ST	la	Sparrow, Henslow's	Centronyx henslowii		BOVA
040179	ST	la	Tern, gull-billed	Gelochelidon nilotica		BOVA
020002	ST	lla	Treefrog, barking	Hyla gratiosa		BOVA
030010	ST	lla	Lizard, eastern glass	Ophisaurus ventralis		BOVA
040403	ST		Falcon, Arctic peregrine	Falco peregrinus tundrius		BOVA
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans		BOVA
030067	СС	lla	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin	<u>Yes</u>	BOVA,Habitat,SppObs
030063	СС	IIIa	Turtle, spotted	Clemmys guttata		BOVA
030031	СС	IIIc	Kingsnake, scarlet	Lampropeltis elapsoides		BOVA
040092		la	Eagle, golden	Aquila chrysaetos		BOVA
040040		la	Ibis, glossy	Plegadis falcinellus		BOVA
040213		lc	Owl, northern saw-whet	Aegolius acadicus		BOVA

020063	lla	a	<u>Toad, oak</u>	Anaxyrus quercicus		BOVA
040052	lla	а	Duck, American black	Anas rubripes		BOVA
040033	lla	a	Egret, snowy	Egretta thula		BOVA
040029	lla	a	Heron, little blue	Egretta caerulea caerulea		BOVA
040036	lla	a	Night-heron, yellow-crowned	Nyctanassa violacea violacea	<u>Yes</u>	BOVA,CWB
040114	lla	а	Oystercatcher, American	Haematopus palliatus		BOVA
040192	lla	a	Skimmer, black	Rynchops niger		BOVA
040181	lla	a [	Tern, common	Sterna hirundo		BOVA
040320	lla	а	Warbler, cerulean	Setophaga cerulea		BOVA
040140	lla	a [	Woodcock, American	Scolopax minor		BOVA
040203	IIb	o [	Cuckoo, black-billed	Coccyzus erythropthalmus		BOVA
040105	IIb	)	Rail, king_	Rallus elegans		BOVA,Habitat
040304	IIc		Warbler, Swainson's	Limnothlypis swainsonii		BOVA

To view All 669 species View 669

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

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

Bat Colonies or Hibernacula: Not Known

Anadromous Fish Use Streams (1 records)

View Map of All

Anadromous Fish Use Streams

Stream ID	Street Name	Danah Status	Anadro			
Stream ID	Stream Name	Reach Status	Different Species	Highest TE*	Highest Tier**	View Map
C20	Elizabeth river	Confirmed	3		IV	<u>Yes</u>

#### Impediments to Fish Passage

N/A

Colonial Water Bird Survey (11 records)

View Map of All Query Results Colonial Water Bird Survey

				N Species		
Colony_Name	N Obs	Latest Date	Different Species	Highest TE*	Highest Tier**	View Map
Urban, Norfolk South, Portsmouth	2	Jun 18 2013	2		II	<u>Yes</u>
Urban, Kempsville, Norfolk	2	Jun 14 2013	2		II	<u>Yes</u>
Urban, Norfolk South, Norfolk	2	Jun 14 2013	2		II	<u>Yes</u>
<u>Ingleside</u>	3	May 18 2008	3		II	<u>Yes</u>
Shea Terrace	2	May 18 2008	2		II	<u>Yes</u>
<u>Tanglewood</u>	3	May 18 2008	3		II	<u>Yes</u>
Campostella Heights	1	Jul 10 2003	1		II	<u>Yes</u>
<u>Ghent</u>	1	Jul 9 2003	1		II	<u>Yes</u>
West Ghent	1	Jun 1 1993	2		II	<u>Yes</u>
Campostella Jr. High	1	Jul 5 2008	1			<u>Yes</u>
Campostella Jr High	1	Jul 10 2003	1			<u>Yes</u>

Displayed 11 Colonial Water Bird Survey

**Threatened and Endangered Waters** 

N/A

**Managed Trout Streams** 

**Bald Eagle Concentration Areas and Roosts** 

N/A

**Bald Eagle Nests** 

N/A

#### Habitat Predicted for Aquatic WAP Tier I & II Species

N/A

#### Habitat Predicted for Terrestrial WAP Tier I & II Species (4 Species)

View Map of Combined Terrestrial Habitat Predicted for 4 WAP Tier I & II Species Listed Below

ordered by Status Concern for Conservation

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
030013	SE	lla	Rattlesnake, canebrake	Crotalus horridus	<u>Yes</u>
030067	СС	lla	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin	<u>Yes</u>
040105		llb	Rail, king	Rallus elegans	<u>Yes</u>
040186		Illa	Tern, least	Sternula antillarum	<u>Yes</u>

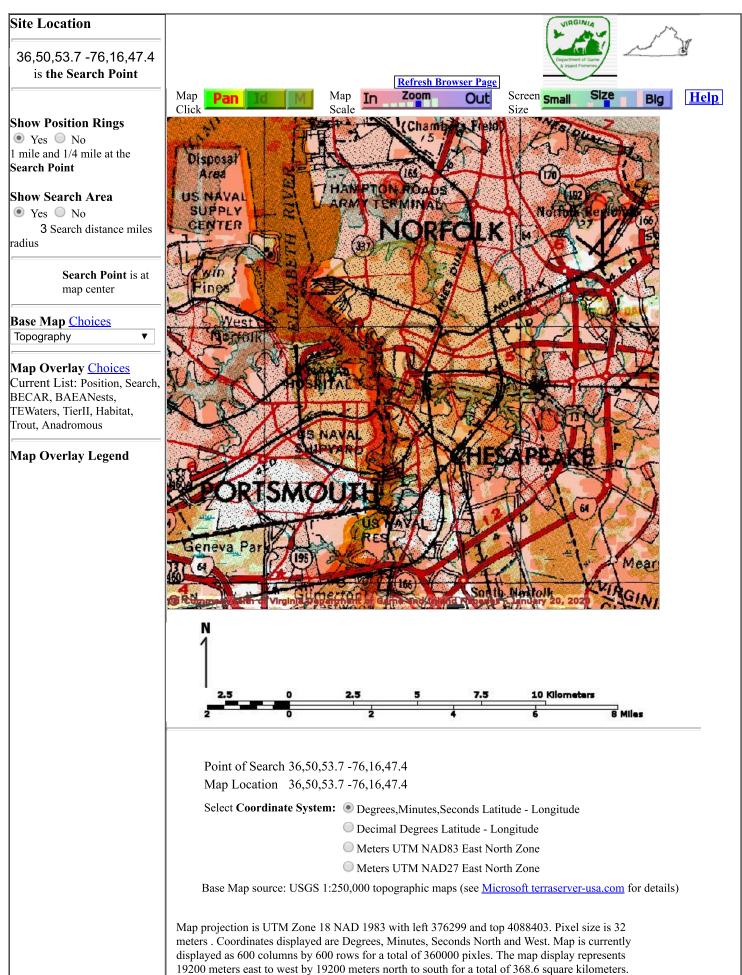
Public Holdings: (3 names)

Name	Agency	Level	
Fort Norfolk	Dept. of the Army	Federal	
Norfolk Naval Shipyard	Dept. of the Navy	Federal	
Portsmouth Naval Medical Center	Dept. of the Navy	Federal	

| 1/20/2020, 1:58:28 PM | DGIF | <u>Credits</u> | <u>Disclaimer</u> | Please view our <u>privacy policy</u> | © 1998-2020 Commonwealth of Virginia Department of Game and Inland Fisheries I 1011777

If you have difficulty reading or accessing documents, please  $\underline{\textbf{Contact Us}}$  for assistance.

1/20/2020 VaFWIS Map



1/20/2020 VaFWIS Map

The map display represents 63002 feet east to west by 63002 feet north to south for a total of 142.3 T & E Waters square miles. Federal Topographic maps and Black and white aerial photography for year 1990+are from the United States Department of the Interior, United States Geological Survey. State Color aerial photography aquired 2002 is from Virginia Base Mapping Program, Virginia Geographic Information Network. Shaded topographic maps are from TOPO! ©2006 National Geographic Predicted Habitat http://www.national.geographic.com/topo WAP Tier I & II All other map products are from the Commonwealth of Virginia Department of Game and Inland Aquatic Fisheries. map assembled 2020-01-20 13:58:43 (qa/qc March 21, 2016 12:20 - tn=1011777.0 Terrestrial dist=4828.032 I) \$poi=36.8482500 -76.2798333 **Trout Waters** Class I - IV Class V - VI Anadromous Fish Reach Confirmed Potential Impediment **Position Rings** 1 mile and 1/4 mile at the Search Point 3 mile radius Search Area **Bald Eagle Concentration Areas** and Roosts

> DGIF | Credits | Disclaimer | Contact vafwis support@dgif.virginia.gov | Please view our privacy policy | © 1998-2020 Commonwealth of Virginia Department of Game and Inland Fisheries



Web Project ID: WEB0000012256

**Client Project Number:** 

#### **PROJECT INFORMATION**

TITLE: Choice Neighborhoods Initiative (CNI) - Tidewater Gardens

**DESCRIPTION:** HUD Redevelopment Project

**EXISTING SITE CONDITIONS:** Existing HUD residential area

**QUADRANGLES:** Norfolk South

**COUNTIES:** City of Norfolk

Latitude/Longitude (DMS): 36° 51′ 4.3061″ N / 76° 16′ 49.2555″ W

Acreage: 278 acres

Comments:

#### REQUESTOR INFORMATION

Priority: N Tier Level: Tier II Tax ID: 04-2931679

**Contact Name:** Tim Davis

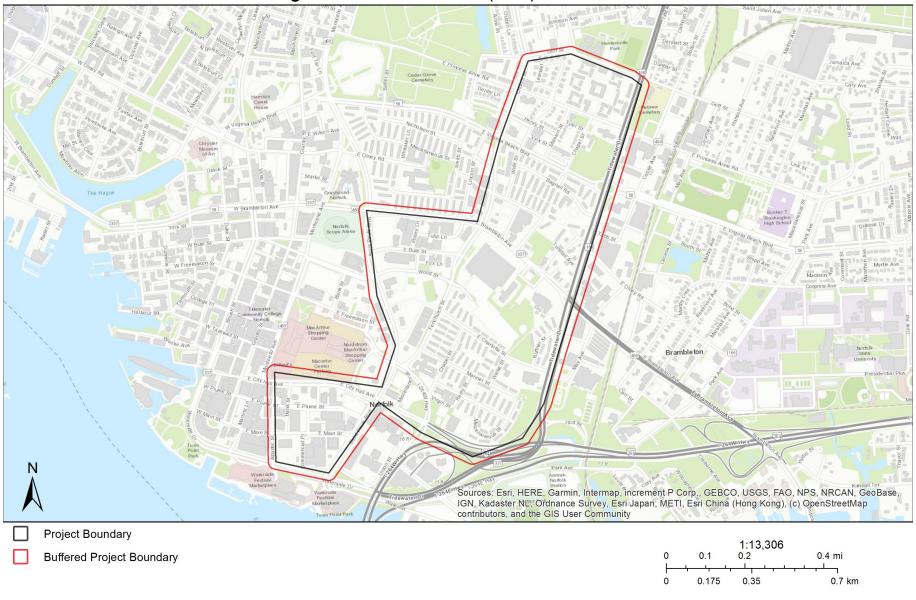
Company Name: VHB, Inc.

Address: 351 McLaws Circle, Suite 3

City: Williamsburg State: VA Zip: 23185

Conservation S				te Type	Br	ank	Acreage	Liste	ed Species P	resence
Natural Heritaç	ge Screening Featur	es Intersecting Proje	ect Boundary							
Site Name	Group Name	Common Name	Scientific Name	GRANK SRANK	Fed Status	Species of Concern	Status	EO Rank	Last Obs Date	Precision
Natural Heritaç	ge Resources Inters	ecting Project Bound	dary							
Intersecting Pre			_		_	_	_	_	_	_

### Choice Neighborhoods Initiative (CNI) - Tidewater Gardens



Quads: Norfolk South

Counties: City of Norfolk

Company: VHB, Inc.

Lat/Long: 365104 / -761649



The project mapped as part of this report has been searched against the Department of Conservation and Recreation's Biotics Data System for occurrences of natural heritage resources in the vicinity of the area indicated for this project. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

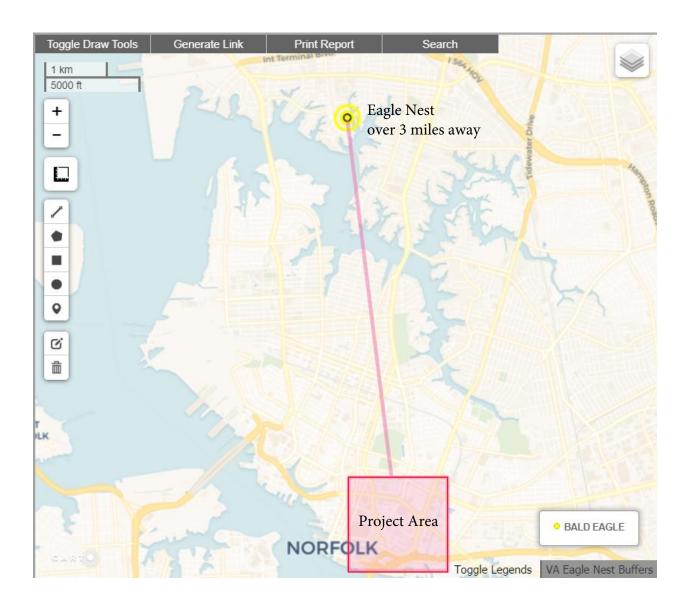
According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100 foot buffer. In addition, the project area does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

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

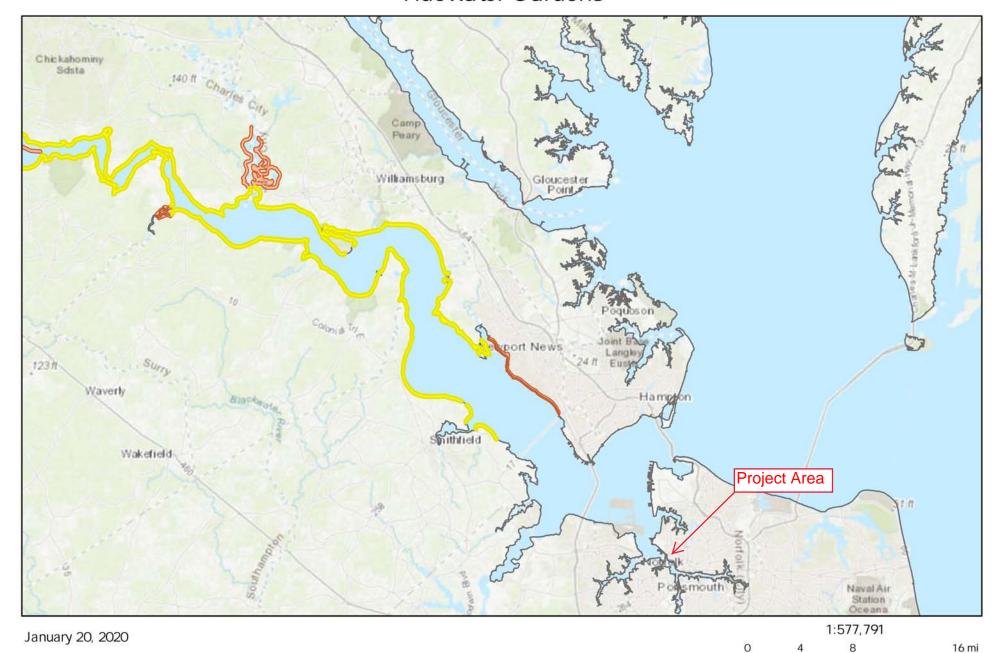
Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks additional natural heritage resources. New and updated information is continually added to Biotics. Please revisit this website or contact DCR for an update on this natural heritage information if a significant amount of time passes (DCR recommends no more than six months) before it is utilized.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, that may contain information not documented in the Natural Heritage Data Explorer. Their database may be accessed from <a href="http://vafwis.org/fwis/">http://vafwis.org/fwis/</a> or contact Ernie Aschenbach (804-367-2733 or <a href="maintain-ernie-Ern

Thank you for submitting your project to the Virginia Department of Conservation and Recreation's Natural Heritage Data Explorer Web Service. Should you have any questions or concerns about this report, the Data Explorer, or other Virginia Natural Heritage Program services, please contact the Natural Heritage Project Review Unit at 804-371-2708.



### Tidewater Gardens

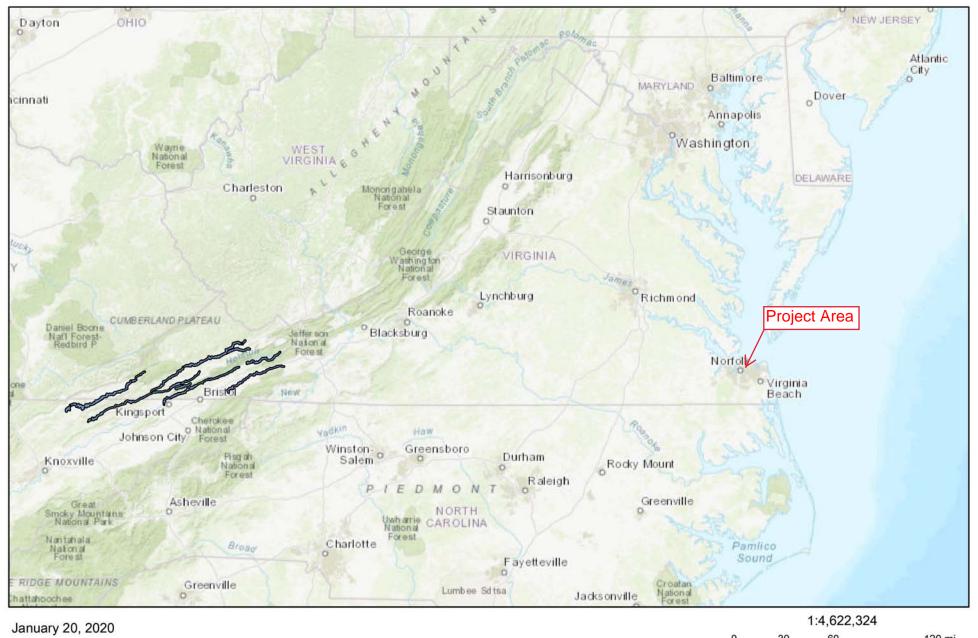


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

20 km

10

### **Tidewater Gardens**



Virginia Critical Habitat (published)

1:4,622,324 0 30 60 120 mi 1:4,622,324 0 50 100 200 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

### Species Conclusions Table

Project Name: Tidewater Gardens Redevelopment

Date: 01/24/2020

Species / Resource Name	Conclusion	ESA Section 7	Notes / Documentation
ESA listed species	Species not present	No effect	
Critical Habitat	No critical habitat present	No effect	
Bald Eagle	Unlikely to disturb nesting bald eagles.	No Eagle Act permit required	There are no eagle nests within 3 miles of the project site.
Bald Eagle Concentration Area	Does not intersect with nesting bald eagles	No Eagle Act permit required	



### United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Virginia Field Office 6669 Short Lane Gloucester, VA 23061

Date: May 22, 2020

### **Self-Certification Letter**

Project Name: St. Paul's Area/Tidewater Gardens Choice Neighborhood Implementation (CNI)

### Dear Applicant:

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

The species conclusions table in the enclosed project review package summarizes your ESA conclusions. These conclusions resulted in:

- "no effect" determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- 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) [as determined through the Information, Planning, and Consultation System (IPaC) northern long-eared bat assisted determination key]; and/or
- "may affect, not likely to adversely affect" determinations for proposed/listed species and/or proposed/designated critical habitat.

Applicant Page 2

We certify that use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the determinations described above for proposed and listed species and proposed and designated critical habitat. Additional coordination with this office is not needed.

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

Should project plans change or if additional information on the distribution of proposed or listed species, proposed or designated critical habitat becomes available, this determination may be reconsidered. This certification letter is valid for 1 year.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Virginia is available at our website http://www.fws.gov/northeast/virginiafield/endspecies/project\_reviews.html. If you have any questions, please contact Troy Andersen of this office at (804) 824-2428.

Sincerely,

Cindy Schulz Field Supervisor

Virginia Ecological Services

Cynthia a Schuly

Enclosures - project review package

# **Explosives and Flammable Hazards**



### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

### Explosive and Flammable Hazards (CEST and EA) – PARTNER

https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities

$\iota\iota\iota$	5.// www.hudexchange.inio/environmentar-review/explosive-and-naminable-racinties
1.	Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?  No à Continue to Question 2.
	☐ Yes  Explain: Click here to enter text. à Go directly to Question 5.
2.	Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?  □ No à If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.
	⊠ Yes à Continue to Question 3.
3.	<ul> <li>Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:         <ul> <li>Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR</li> <li>Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.</li> </ul> </li> <li>If all containers within the search area fit the above criteria, answer "no." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "yes."</li> </ul>
	<ul> <li>□ No</li> <li>à Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.</li> </ul>
	∀es     à Continue to Question 4.

- 4. Visit HUD's website to identify the appropriate tank or tanks to assess and to calculate the required separation distance using the <u>electronic assessment tool</u>. To document this step in the analysis, please attach the following supporting documents to this screen:
  - Map identifying the tank selected for assessment, and showing the distance from the tank to the proposed HUD-assisted project site; and
  - Electronic assessment tool calculation of the required separation distance.

Based on the analysis, is the proposed HUD-assisted project site located at or beyond the required separation distance from all covered tanks?

⊠ Yes	
à Based on the response, the review is in compliance with this section. Continue to th	ie
Worksheet Summary below.	
$\square$ No	
à Go directly to Question 6.	

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD's website for information on calculating Acceptable Separation Distance.

Yes

à If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below.

Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

 $\square$  No

à Continue to Question 6.

Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, provide approval from a licensed professional engineer.

Click here to enter text.

### Worksheet Summary

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

Map panel numbers and dates

- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

An assessment and inventory of all facilities listed as having an aboveground storage tank (AST) within a 1-mile radius of the site was conducted utilizing state and federal database results. Sixteen active AST facilities were identified within the search radius. The Acceptable Separation Distance (ASD) for each aboveground storage tank was calculated using HUD's online ASD Electronic Tool. Of the sixteen identified facilities listed on the Virginia AST database, one was located within the ASD for people. The Plaza East 7423 facility, owned by Sun Trust Bank, contains a 10,000-gallon heating oil AST within the vicinity of the Snyder Lot. The thermal radiation distance was calculated for this tank. The ASD for people is 721.77 feet, and 145.78 feet for buildings. The distance from the Snyder Lot site boundary to this AST was 456 feet. Although the AST is not diked, the containment measures indicate that the tank is in a concrete vault under the sidewalk. Because the tank is in a concrete vault under the sidewalk there is no line of sight to the project area. Additionally, there is a building located in between the facility and the Snyder Lot boundary. Therefore, no impact to the Proposed Action is anticipated as a result of the tank identified at the Plaza East 7423 facility.

# **Farmland Protection**



### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

### Farmlands Protection (CEST and EA) - PARTNER

https://www.hudexchange.info/environmental-review/farmlands-protection

1.	Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?  ☐ Yes → Continue to Question 2.  ☐ No						
	→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section.						
	Continue to the Worksheet Summary below.						
2.	<ul> <li>Does "important farmland," including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?</li> <li>You may use the links below to determine important farmland occurs on the project site:         <ul> <li>Utilize USDA Natural Resources Conservation Service's (NRCS) Web Soil Survey <a href="http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm">http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm</a></li> </ul> </li> <li>Check with your city or county's planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)</li> <li>Contact NRCS at the local USDA service center <a href="http://offices.sc.egov.usda.gov/locator/app?agency=nrcs">http://offices.sc.egov.usda.gov/locator/app?agency=nrcs</a> or your NRCS state soil scientist <a href="https://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951">https://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951</a></li> </ul>						
	□ No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.						
	☐ Yes → Continue to Question 3.						
3.	Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.						

Complete form AD-1006, "Farmland Conversion Impact Rating" and contact the state soil

Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 to the USDA-NRCS State Soil

scientist before sending it to the local NRCS District Conservationist.

Scientist or his/her designee informing them of your determination.

### Work with the RE/HUD to determine how the project will proceed. Document the conclusion:

□ Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Click here to enter text.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.

□ Project will proceed without mitigation.

### **Explain why mitigation will not be made here:**

Click here to enter text.

→ If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.

#### **Worksheet Summary**

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

### Include all documentation supporting your findings in your submission to HUD.

The site is currently developed as an existing multifamily housing development consisting of six-hundred eighteen (618) dwelling units located within seventy-eight (78) 2-story apartment buildings, developed land and existing surface lots. The proposed project does not include any activities that could convert agricultural land to a non-agricultural use.

### **NRCS Prime Farmland**



Source: USDA NRCS, Esri | VITA, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

# Flood Insurance



## U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

This Worksheet was designed to be used by those "Partners" (including Public Housing Authorities, consultants, contractors, and nonprofits) who assist Responsible Entities and HUD in preparing environmental reviews, but legally cannot take full responsibilities for these reviews themselves. Responsible Entities and HUD should use the RE/HUD version of the Worksheet.

### Flood Insurance (CEST and EA) - PARTNER

https://www.hudexchange.info/environmental-review/flood-insurance

1.	Does this project involve mortgage insurance, refinance, acquisition, repairs, rehabilitation, or construction of a structure, mobile home, or insurable personal property?  □No. This project does not require flood insurance or is excepted from flood insurance.  → Continue to the Worksheet Summary.
	⊠Yes → Continue to Question 2.
2.	Provide a FEMA/FIRM map showing the site. The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs).
	Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?  □ No → Continue to the Worksheet Summary.
	Yes → Continue to Question 3.
3.	Is the community participating in the National Flood Insurance Program <i>or</i> has less than one year passed since FEMA notification of Special Flood Hazards?
	<ul> <li>Yes, the community is participating in the National Flood Insurance Program.</li> <li>Flood insurance is required. Provide a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance.</li> <li>→ Continue to the Worksheet Summary.</li> </ul>
	<ul> <li>Yes, less than one year has passed since FEMA notification of Special Flood Hazards.</li> <li>If less than one year has passed since notification of Special Flood Hazards, no flood Insurance is required.</li> <li>→ Continue to the Worksheet Summary.</li> </ul>
	No. The community is not participating, or its participation has been suspended. Federal assistance may not be used at this location. Cancel the project at this location.

#### **Worksheet Summary**

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

#### Include all documentation supporting your findings in your submission to HUD.

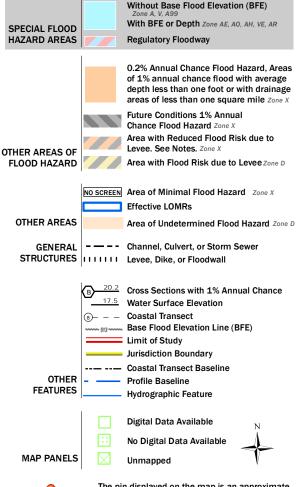
The redeveloped communities will participate in the National Flood Insurance Program. All future buildings in the FEMA 100-year floodplain would be required to have flood insurance.

## National Flood Hazard Layer FIRMette



#### Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



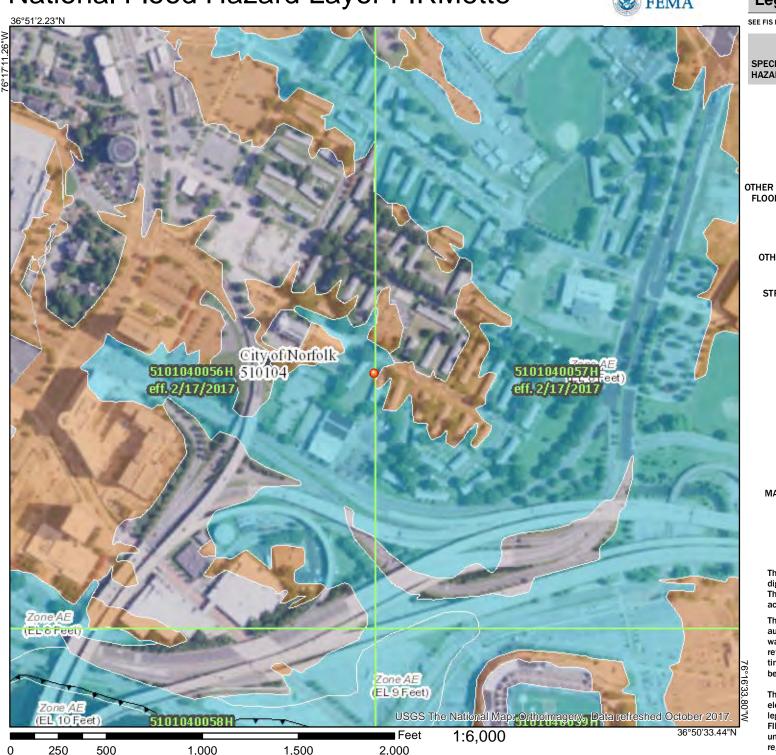
**•** 

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/30/2018 at 9:04:23 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



## **Natural Features**



NATURAL S

Natural Resources Conservation Service A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

# Custom Soil Resource Report for Tidewater Cities Area, Virginia



## **Preface**

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2 053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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# **Contents**

Preface	2
How Soil Surveys Are Made	
Soil Map	
Soil Map	
Legend	
Map Unit Legend	
Map Unit Descriptions	
Tidewater Cities Area, Virginia	
1—Altavista-Urban land complex, 0 to 3 percent slopes	
24—Tomotley-Urban land complex, 0 to 2 percent slopes	
26—Udorthents-Dumps complex	
27—Urban land	
References	

## **How Soil Surveys Are Made**

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

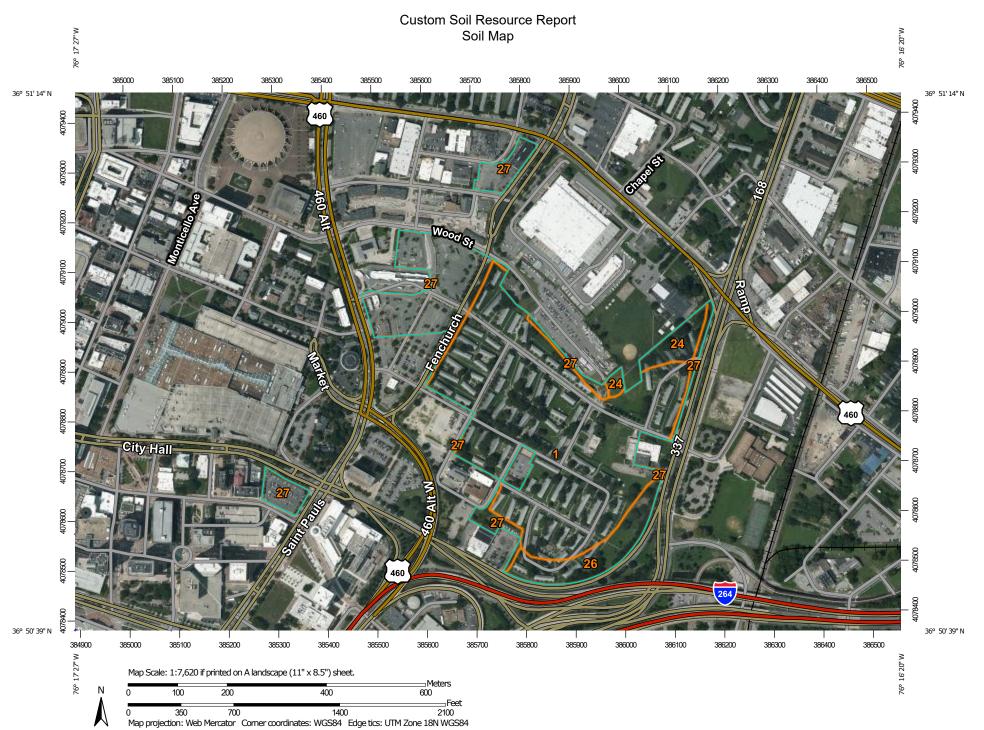
Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

# Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.



#### MAP LEGEND

#### Area of Interest (AOI)

A

Area of Interest (AOI)

#### Soils

Soil Map Unit Polygons

-

Soil Map Unit Lines

Soil Map Unit Points

#### **Special Point Features**

(c) E

Blowout

 $\boxtimes$ 

Borrow Pit

366

Clay Spot

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Closed Depression

 $\Diamond$ 

Gravel Pit

0

**Gravelly Spot** 

0

Landfill Lava Flow

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Marsh or swamp

Ø.

Mine or Quarry

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Miscellaneous Water

0

Perennial Water
Rock Outcrop

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Saline Spot

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Sandy Spot

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Severely Eroded Spot

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Sinkhole

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Sodic Spot

Slide or Slip

#### 8

Spoil Area Stony Spot



Very Stony Spot



Wet Spot Other



Special Line Features

#### Water Features

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Streams and Canals

#### Transportation

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Rails

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Interstate Highways

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US Routes

 $\sim$ 

Major Roads

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Local Roads

#### Background

100

Aerial Photography

#### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12.000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Tidewater Cities Area, Virginia Survey Area Data: Version 17, Sep 16, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 1, 2018—Aug 1, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## **Map Unit Legend**

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Altavista-Urban land complex, 0 to 3 percent slopes	36.9	64.7%
24	Tomotley-Urban land complex, 0 to 2 percent slopes	2.2	3.9%
26	Udorthents-Dumps complex	4.5	7.8%
27	Urban land	13.5	23.6%
Totals for Area of Interest		57.1	100.0%

## **Map Unit Descriptions**

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

#### **Tidewater Cities Area, Virginia**

#### 1—Altavista-Urban land complex, 0 to 3 percent slopes

#### **Map Unit Setting**

National map unit symbol: 43ch

Mean annual precipitation: 37 to 52 inches Mean annual air temperature: 57 to 61 degrees F

Frost-free period: 207 to 241 days

Farmland classification: Not prime farmland

#### **Map Unit Composition**

Altavista and similar soils: 65 percent

Urban land: 20 percent Minor components: 3 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

#### **Description of Altavista**

#### Setting

Landform: Marine terraces

Landform position (three-dimensional): Tread

Down-slope shape: Convex Across-slope shape: Convex

Parent material: Loamy fluviomarine deposits

#### **Typical profile**

H1 - 0 to 11 inches: fine sandy loam

H2 - 11 to 62 inches: loam

H3 - 62 to 74 inches: stratified fine sandy loam to loamy fine sand to fine sand

#### Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches Natural drainage class: Moderately well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to

high (0.57 to 1.98 in/hr)

Depth to water table: About 18 to 30 inches

Frequency of flooding: None Frequency of ponding: None

Available water storage in profile: High (about 9.6 inches)

#### Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2w

Hydrologic Soil Group: C Hydric soil rating: No

#### **Description of Urban Land**

#### Setting

Landform position (three-dimensional): Tread

#### **Properties and qualities**

Slope: 0 to 3 percent

Runoff class: Very high

Depth to water table: About 24 to 79 inches

#### Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8s

Hydric soil rating: Unranked

#### **Minor Components**

#### Chickahominy

Percent of map unit: 3 percent Landform: Stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Convex Across-slope shape: Convex Hydric soil rating: Yes

#### 24—Tomotley-Urban land complex, 0 to 2 percent slopes

#### **Map Unit Setting**

National map unit symbol: 43dm

Elevation: 10 to 150 feet

Mean annual precipitation: 37 to 52 inches Mean annual air temperature: 57 to 61 degrees F

Frost-free period: 207 to 241 days

Farmland classification: Not prime farmland

#### **Map Unit Composition**

Tomotley and similar soils: 70 percent

Urban land: 15 percent
Minor components: 3 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

#### **Description of Tomotley**

#### Setting

Landform: Stream terraces

Landform position (three-dimensional): Riser

Down-slope shape: Linear Across-slope shape: Linear

Parent material: Loamy alluvial sediments

#### Typical profile

H1 - 0 to 4 inches: fine sandy loam
H2 - 4 to 15 inches: fine sandy loam
H3 - 15 to 65 inches: sandy clay loam
H4 - 65 to 75 inches: loamy sand

#### **Properties and qualities**

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Poorly drained

Runoff class: Very high

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to

high (0.20 to 1.98 in/hr)

Depth to water table: About 0 to 12 inches

Frequency of flooding: None Frequency of ponding: None

Available water storage in profile: Moderate (about 8.9 inches)

#### Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: B/D Hydric soil rating: Yes

#### **Description of Urban Land**

#### Setting

Landform position (three-dimensional): Tread

#### **Properties and qualities**

Slope: 0 to 2 percent Runoff class: Very high

Depth to water table: About 24 to 79 inches

#### Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8s

Hydric soil rating: Unranked

#### **Minor Components**

#### Nimmo

Percent of map unit: 3 percent Landform: Marine terraces

Landform position (three-dimensional): Tread

Down-slope shape: Convex Across-slope shape: Convex

Hydric soil rating: Yes

#### 26—Udorthents-Dumps complex

#### **Map Unit Setting**

National map unit symbol: 43dp

Elevation: 30 to 120 feet

Mean annual precipitation: 37 to 52 inches

Mean annual air temperature: 57 to 61 degrees F

Frost-free period: 207 to 241 days

Farmland classification: Not prime farmland

#### Map Unit Composition

Udorthents and similar soils: 50 percent

Dumps: 25 percent

Minor components: 8 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

#### **Description of Udorthents**

#### Setting

Landform position (three-dimensional): Tread

#### **Properties and qualities**

Slope: 0 to 25 percent

Depth to restrictive feature: More than 80 inches Depth to water table: More than 80 inches

Frequency of flooding: None Frequency of ponding: None

#### **Description of Dumps**

#### Setting

Landform position (three-dimensional): Tread

#### Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8s

Hydric soil rating: Unranked

#### **Minor Components**

#### **Bethera**

Percent of map unit: 8 percent Landform: Marine terraces

Landform position (three-dimensional): Tread

Down-slope shape: Concave Across-slope shape: Linear Hydric soil rating: Yes

#### 27—Urban land

#### **Map Unit Setting**

National map unit symbol: 43dr Elevation: 10 to 150 feet

Mean annual precipitation: 37 to 52 inches Mean annual air temperature: 57 to 61 degrees F

Frost-free period: 207 to 241 days

Farmland classification: Not prime farmland

#### **Map Unit Composition**

Urban land: 85 percent Minor components: 2 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

#### **Description of Urban Land**

#### Setting

Landform position (three-dimensional): Tread

#### Properties and qualities

Slope: 0 to 6 percent Runoff class: Very high

Depth to water table: About 24 to 79 inches

#### Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8s

Hydric soil rating: Unranked

#### **Minor Components**

#### Nimmo

Percent of map unit: 1 percent Landform: Marine terraces

Landform position (three-dimensional): Tread

Down-slope shape: Convex Across-slope shape: Convex

Hydric soil rating: Yes

#### **Tomotley**

Percent of map unit: 1 percent Landform: Marine terraces

Landform position (three-dimensional): Tread

Down-slope shape: Convex Across-slope shape: Convex

Hydric soil rating: Yes

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# **Sole Source Aquifers**



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

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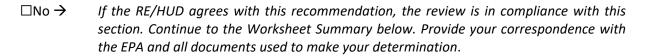
#### Sole Source Aquifers (CEST and EA) - PARTNER

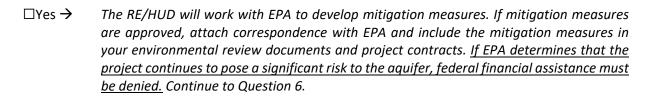
ht	tps://www.hudexchange.info/environmental-review/sole-source-aquifers
1.	Is the project located on a sole source aquifer (SSA)¹?  ⊠No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section.  Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project or jurisdiction in relation to the nearest SSA.
	□Yes → Continue to Question 2.
2.	Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)? $\Box$ Yes $\Rightarrow$ The review is in compliance with this section. Continue to the Worksheet Summary below.
	$\square$ No $\rightarrow$ Continue to Question 3.
3.	Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?  Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.  □Yes → Continue to Question 4.
	$\square$ No $\rightarrow$ Continue to Question 5.
4.	Does your MOU or working agreement exclude your project from further review?  □Yes → If the RE/HUD agrees with this recommendation, the review is in compliance with this section.  Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.
	$\square$ No $\rightarrow$ Continue to Question 5.
5.	Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow

<sup>&</sup>lt;sup>1</sup> A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.





#### **Worksheet Summary**

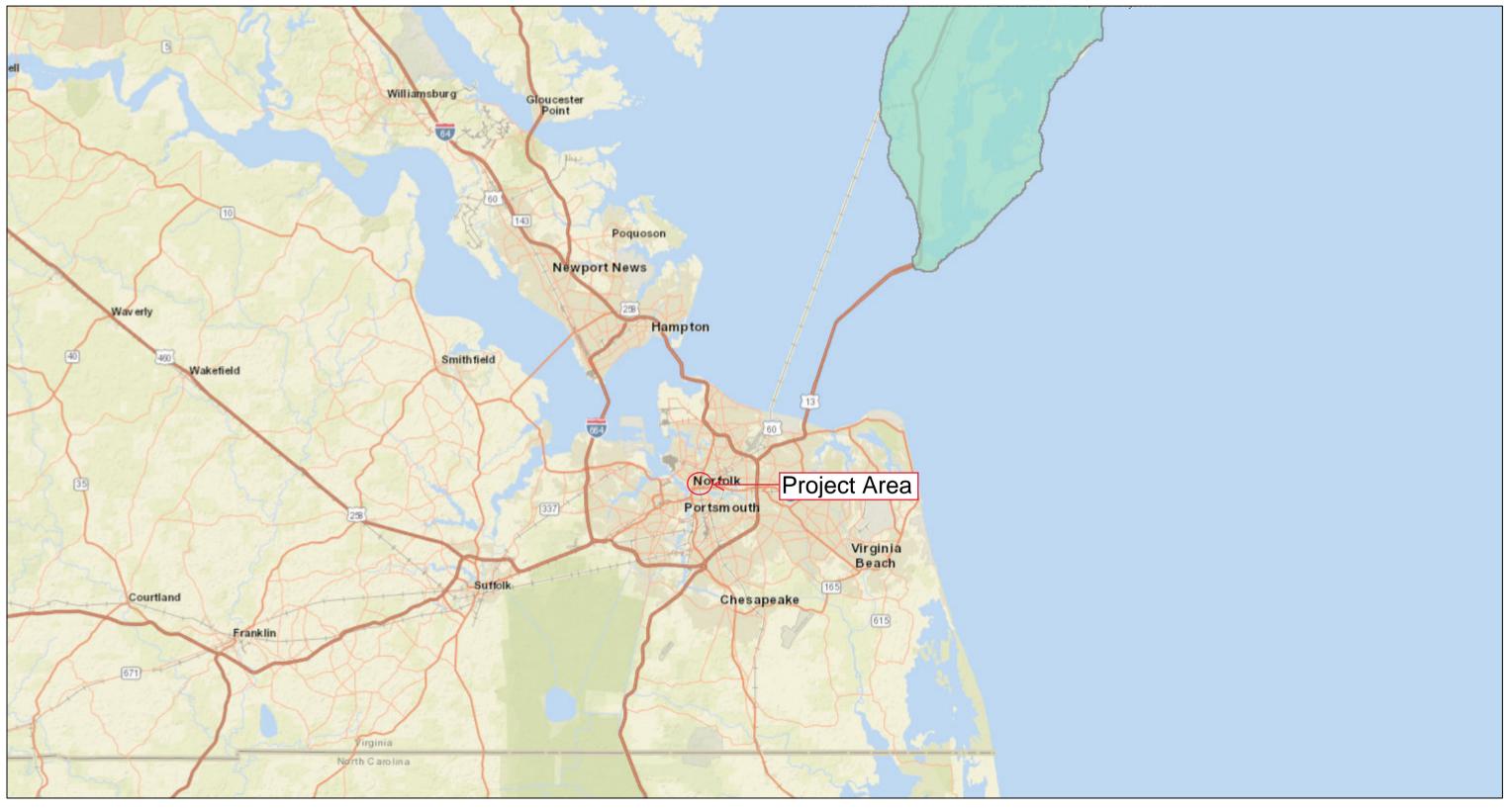
Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

#### Include all documentation supporting your findings in your submission to HUD.

According to mapping available through the EPA, there are no Sole Source Aquifers within the vicinity of the proposed project.

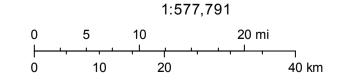
# ArcGIS Web Map



11/30/2018, 9:22:59 AM

Sole Source Aquifers - Labels

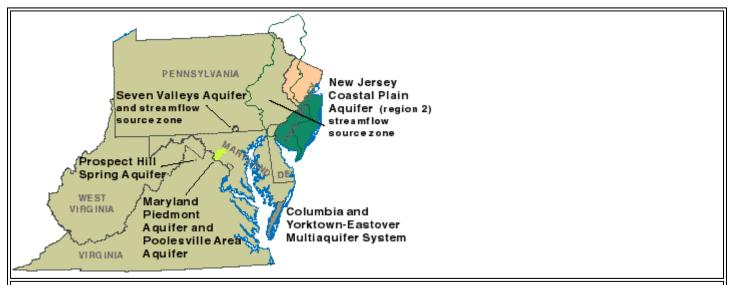
SSA



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, @ OpenStreetMap contributors, and the GIS User Community

# **Designated Sole Source Aquifiers in EPA Region III**

District of Columbia, Delaware, Maryland, Pennsylvania, Virginia, West Virginia



EPA Region 3 Dale Long

Water Protection Division

1650 Arch Street

Philadelphia, PA 19103-2029 phone: (215) 814-5779

e-mail: long.dale@epa.gov

The 6 Sole Source Aquifer designations in Region III are listed below. Contact the coordinator above for more information. For information on the NJ SSA visit the Region 2 site.

#### SOLE SOURCE AQUIFERS IN REGION III:.

State	Sole Source Aquifer Name		Publication Date
*DE/PA/NJ	New Jersey Coastal Plain Aquifer	53 FR 23791	06/24/88
MD	Maryland Piedmont Aquifer Montgomery, Howard, Carroll Counties	45 FR 57165	08/27/80
MD	Poolesville Area Aquifer Extension of the Maryland Piedmont Aquifer	98 FR 3042	02/06/98
PA	Seven Valleys Aquifer, York County	50 FR 9126	03/06/85
VA	Prospect Hill Aquifer, Clark County	2 FR 21733	06/09/87
VA	Columbia and Yorktown, Eastover Multi-aquifer System Accomack and North Hampton Counties	62 FR 17187	04/09/97

<sup>\*</sup>The New Jersey Coastal Plains Aquifer is jointly managed with Region II.

Return to: Sole Source Aquifer program home page

## **Wetland Protection**



#### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-1000

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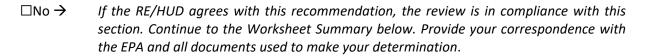
#### Sole Source Aquifers (CEST and EA) - PARTNER

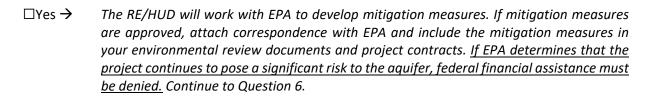
ht	tps://www.hudexchange.info/environmental-review/sole-source-aquifers
1.	Is the project located on a sole source aquifer (SSA)¹?  ⊠No → If the RE/HUD agrees with this recommendation, the review is in compliance with this section.  Continue to the Worksheet Summary below. Provide documentation used to make your determination, such as a map of your project or jurisdiction in relation to the nearest SSA.
	□Yes → Continue to Question 2.
2.	Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)? $\Box$ Yes $\Rightarrow$ The review is in compliance with this section. Continue to the Worksheet Summary below.
	$\square$ No $\rightarrow$ Continue to Question 3.
3.	Does your region have a memorandum of understanding (MOU) or other working agreement with EPA for HUD projects impacting a sole source aquifer?  Contact your Field or Regional Environmental Officer or visit the HUD webpage at the link above to determine if an MOU or agreement exists in your area.  □Yes → Continue to Question 4.
	$\square$ No $\rightarrow$ Continue to Question 5.
4.	Does your MOU or working agreement exclude your project from further review?  □Yes → If the RE/HUD agrees with this recommendation, the review is in compliance with this section.  Continue to the Worksheet Summary below. Provide documentation used to make your determination and document where your project fits within the MOU or agreement.
	$\square$ No $\rightarrow$ Continue to Question 5.
5.	Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, storm water and waste water at the proposed project. Follow

<sup>&</sup>lt;sup>1</sup> A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.





#### **Worksheet Summary**

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

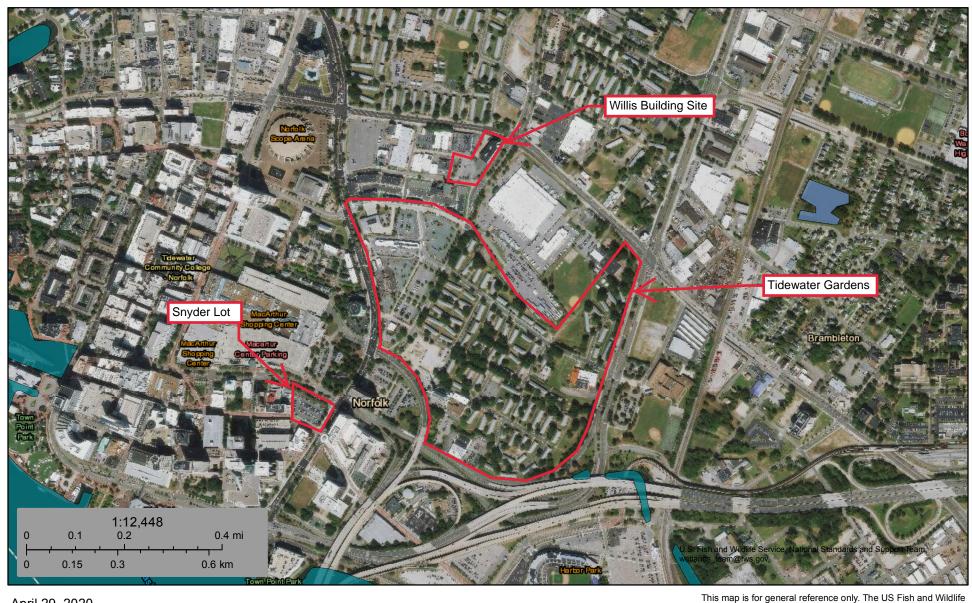
#### Include all documentation supporting your findings in your submission to HUD.

According to mapping available through the EPA, there are no Sole Source Aquifers within the vicinity of the proposed project.

#### U.S. Fish and Wildlife Service

## **National Wetlands Inventory**

## Tidewater Gardens NWI Mapping



April 29, 2020

#### Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Other

Riverine

Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

# Wild and Scenic Rivers

(exp. 9/30/2021)



## U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, DC 20410-1000

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#### Wild and Scenic Rivers (CEST and EA) - PARTNER

https://www.hudexchange.info/environmental-review/wild-and-scenic-rivers

1.	Is your project within proximity of a Wild and Scenic River, Study River, or Nationwide Rivers
	Inventory River?

 $\boxtimes$  No  $\Rightarrow$  If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide documentation used to make your determination.

 $\square$  Yes  $\rightarrow$  Continue to Question 2.

#### 2. Could the project do any of the following?

- Have a direct and adverse effect within Wild and Scenic River Boundaries,
- Invade the area or unreasonably diminish the river outside Wild and Scenic River Boundaries,
   or
- Have an adverse effect on the natural, cultural, and/or recreational values of a NRI segment.

Consult with the appropriate federal/state/local/tribal Managing Agency(s), pursuant to Section 7 of the Act, to determine if the proposed project may have an adverse effect on a Wild & Scenic River or a Study River and, if so, to determine the appropriate avoidance or mitigation measures.

#### Select one:

- ☐ The Managing Agency has concurred that the proposed project will not alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.
- → If the RE/HUD agrees with this recommendation, the review is in compliance with this section. Provide documentation of the consultation (including the Managing Agency's concurrence) and any other documentation used to make your determination.
- ☐ The Managing Agency was consulted and the proposed project may alter, directly, or indirectly, any of the characteristics that qualifies or potentially qualifies the river for inclusion in the NWSRS.
- → The RE/HUD must work with the Managing Agency to identify mitigation measures to mitigate the impact or effect of the project on the river.

#### **Worksheet Summary**

Provide a full description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your program or region

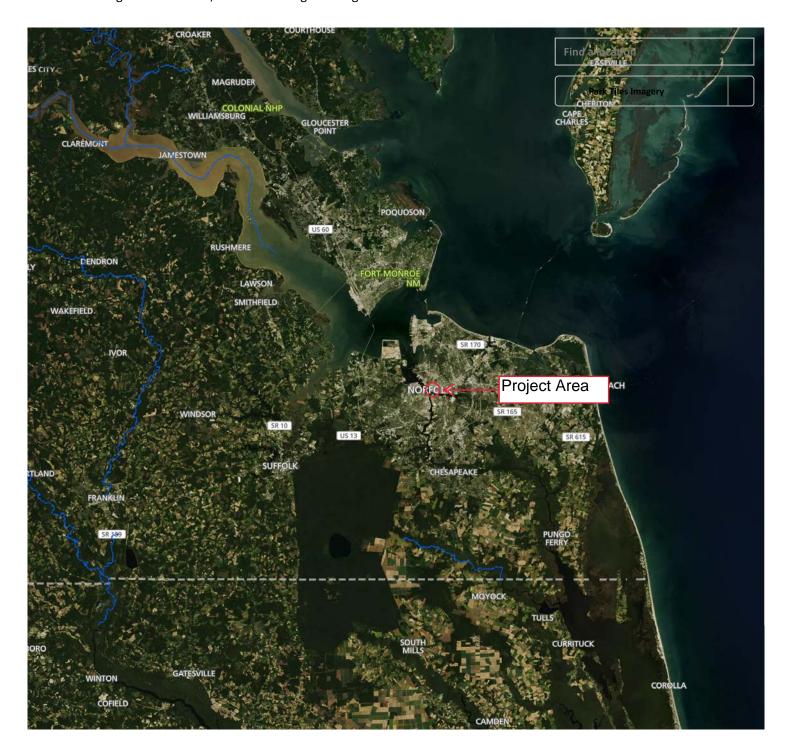
#### Include all documentation supporting your findings in your submission to HUD.

In accordance with the National Park Service Nationwide Rivers Inventory, there are no national wild and scenic rivers in the vicinity of the project site.

# **Nationwide Rivers Inventory**

National Park Service U.S. Department of the Interior

This is a listing of more than 3,200 free-flowing river segments in the U.S....



10 m/right) contributors | Improve Park Tiles (https://www.nps.gov/npmap/tools/park-tiles/improve/#9.5/36.94502/-75.58583)

2/27/2018 Virginia

