

APPENDIX A –
COOPERATING AGENCY COORDINATION

National Aeronautics and Space Administration

Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337



August 18, 2020

Reply to Attn of: 250.W

Ms. Kristine Gilson
Office of Environment
Department of Transportation, Maritime Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Subject: Cooperating Agency Request for NASA Wallops Island Northern Development
Environmental Assessment

Dear Ms. Gilson:

In accordance with the National Environmental Policy Act (NEPA), the National Aeronautics and Space Administration (NASA) Goddard Space Flight Center's Wallops Flight Facility (WFF), in conjunction with the Virginia Commercial Space Flight Authority (Virginia Space), are preparing an Environmental Assessment (EA) to evaluate the potential environmental effects associated with future development of northern Wallops Island, including a port facility. For the port facility, Virginia Space has indicated a desire to apply for construction grants administered and awarded by the Department of Transportation's Maritime Administration (MARAD). Therefore, in accordance with the Council on Environmental Quality's (CEQ) NEPA guidelines (specifically 40 CFR Part 1501.6) and CEQ's 2003 guidance on cooperating agencies, NASA requests MARAD's participation as a cooperating agency for the development of the EA.

As the lead agency, NASA will be responsible for:

1. Determining the scope of the EA, including the alternatives evaluated.
2. Gathering all necessary background and technical information to support the preparation of the EA.
3. Preparing all necessary permit applications associated with the proposed action.
4. Consulting with other federal agencies, such as the National Marine Fisheries Service (NMFS) and U.S Fish and Wildlife Service (USFWS) to determine compliance with the Marine Mammal Protection Act (MMPA), Endangered Species Act (ESA), and other natural resources related laws.

5. Consulting with state and local officials to determine compliance with the Coastal Zone Management Act (CZMA) and other relevant environmental laws.
6. Circulating the appropriate NEPA documentation to the general public and any other interested parties.
7. Scheduling and supervising meetings held in support of the NEPA process and compiling any comments received.
8. Maintaining an administrative record and responding to any Freedom of Information Act requests relating to the EA.

NASA respectfully requests that MARAD, in its role as a cooperating agency, provide support as follows:

1. Participate in various portions of the EA development for issues your agency has special expertise; and
2. Make staff available for interdisciplinary project review of the EA.

As the point of contact for this action, I can be reached at 757-824-2327 or Shari.A.Miller@nasa.gov.

Sincerely,



Digitally signed by SHARI MILLER
Date: 2020.08.18 09:29:01 -04'00'

Center NEPA Manager

Enclosures:

cc:
250/Ms. K. Finch
250/Mr. T. Meyer
VCSFA/Mr. S. Mulligan
VCSFA/Mr. N. Overby



Reply to
Attention of

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

September 23, 2020

CENAO-WR-E
Eastern Projects Section
NAO-2020-1758

Shari Miller
Center NEPA Manager &
Environmental Planning Lead
NASA GSFC Wallops Flight Facility
Wallops Island, VA 23337

Dear Ms. Miller:

This is in response to your letter dated August 18, 2020 requesting USACE's participation as a cooperating agency for the development of an Environmental Assessment (EA) to evaluate the potential environmental effects associated with future development of northern Wallops Island, including a port facility. USACE will participate as a cooperating agency in the preparation of the EA. We recommend the use of a collaborative process for the study of this project, documenting concurrence of the pertinent Federal agencies at important steps, to provide the local governments and the public with a more dependable framework for planning decisions.

Depending on the construction method as well as the LEDPA, it is likely the project will impact waters and/or wetlands regulated by the Norfolk District Army Corps of Engineers (USACE) under Section 10 of the Rivers and Harbors Act (33 U.S.C. § 403) and Section 404 of the Clean Water Act (33 U.S.C. §1344). A permit will be required for impacts to these waters.

To determine the limits of our jurisdiction, our office will require a wetland delineation be performed for all areas of disturbance including laydown areas.

This project will also require a Section 408 review by our Operations Branch. This process has to be completed before a Department of the Army permit can be issued. To initiate this process, please send any drawings you may currently have showing the location and possible footprints of the port facility.

Historic Resources. The project may affect historic and cultural resources. As per 36 CFR 800.2(a)(2), the NASA is hereby designated as the lead Federal agency to fulfill the collective federal responsibilities under Section 106 of the National Historic Preservation Act for the undertaking. We authorize your agency to conduct Section 106 coordination on our behalf. Any Memorandum of Agreement prepared by your agency under 36 CFR 800.6 should include the following clause in the introductory text:

"Whereas, pursuant to Section 10 and/or Section 404 of the Clean Water Act, a Department of the Army permit will likely be required from the Corps of Engineers for this project, and the Corps has designated NASA as the lead federal agency to fulfill federal responsibilities under Section 106;"

Threatened and Endangered Species: Pursuant to 50 CFR 402.07, the Corps authorizes your agency to conduct Section 7 coordination with the U.S. Fish and Wildlife Service (USFWS) as well as the National Marine Fisheries Service (NMFS) on our behalf as well, concerning potential effects to Federally-listed threatened and endangered species. NASA will be responsible for completing all coordination pursuant to ESA, regardless of whether it occurs during the NEPA process or during the permitting process. In addition, we recommend that all documentation and coordination, including the IPAC determination, be included in the NEPA document.

Essential Fish Habitat. Pursuant to 50 CFR 600.920(b), the Corps authorizes your agency to conduct MSA consultation with the National Oceanic and Atmospheric Administration (NOAA) Fisheries on our behalf as well, concerning potential effects to Essential Fish Habitat. NASA is responsible for completing all coordination pursuant to MSA, regardless of whether it occurs during the NEPA process or during the permit process. In addition, we recommend that all documentation and coordination be included in the NEPA document.

Thank you for the opportunity to comment on the preparation of the EA. To the extent that workload and scheduling allow, we will participate in stakeholder meetings. However, we request that NASA will consider separate meetings with the Cooperating Agencies as needed to resolve issues.

You may contact at brian.c.denson@usace.army.mil or 757-201-7792 if you have any questions.

Sincerely,



Brian Denson
Environmental Scientist
Eastern Virginia Regulatory Section

From: [Gilson, Kristine \(MARAD\)](#)
To: [Miller, Shari A. \(WFF-2500\)](#); [Kendle, Erin \(MARAD\)](#)
Cc: [Nate Overby](#); [Sean Mulligan \(sean.mulligan@vaspace.org\)](#); [Meyer, T J \(WFF-2500\)](#); [Finch, Kimberly \(GSFC-2500\)](#)
Subject: [EXTERNAL] RE: NASA Wallops Island Northern Development EA
Date: Tuesday, August 25, 2020 11:58:36 AM

Hi,

Do you just need an email response that MARAD agrees to be a cooperating agency? If so, then this email serves as notification that MARAD agrees to be a cooperating agency on the EA. Thanks.

Kris Gilson, REM, CHMM
Office of Environment
MAR-410, Mail Drop #1
Maritime Administration
US Department of Transportation
Southeast Federal Center, West Bldg
1200 New Jersey Ave SE
Washington, DC 20590
Phone 202-366-1939
Cell 202-603-2402
kristine.gilson@dot.gov

From: Miller, Shari A. (WFF-2500) <shari.a.miller@nasa.gov>
Sent: Tuesday, August 18, 2020 9:40 AM
To: Gilson, Kristine (MARAD) <kristine.gilson@dot.gov>; Kendle, Erin (MARAD) <erin.kendle@dot.gov>
Cc: Nate Overby <nathan.overby@vaspace.org>; Sean Mulligan (sean.mulligan@vaspace.org) <sean.mulligan@vaspace.org>; Meyer, T J (WFF-2500) <theodore.j.meyer@nasa.gov>; Finch, Kimberly (GSFC-2500) <kimberly.s.finch@nasa.gov>
Subject: NASA Wallops Island Northern Development EA

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Kris,

Please find attached, NASA Wallops Flight Facility's request for MARAD's participation as a cooperating agency for the development of the Wallops Island Northern Development Environmental Assessment. Please let me know if your agency accepts this request or has any questions or concerns.

Thank you.

Shari A. Miller

Center NEPA Manager &
Environmental Planning Lead

NASA GSFC Wallops Flight Facility

Wallops Island, VA 23337

(757) 824-2327

Shari.A.Miller@nasa.gov

<https://code200-external.gsfc.nasa.gov/250-wff/>

"Be kind whenever possible. It is always possible." - Dalai Lama