July 13, 2004

250.W

U.S. Fish and Wildlife Service
Attn: Mr. Eric Davis
6669 Short Lane
Gloucester, VA 23061

Subject: Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility

NASA Goddard Space Flight Center’s Wallops Flight Facility (WFF), Wallops Island, Virginia, invites your agency to participate in the scoping process for the upcoming Site Environmental Assessment (EA) for Current and Future Actions at WFF. WFF is composed of three separate landmasses: the Main Base (MB), the Mainland (ML), and Wallops Island (WI). Please see the enclosed map outlining these areas.

We are currently seeking your input and recommendations to be included in this document. All comments received prior to August 23, 2004, will be included in the Draft EA.

The purpose of the document is to facilitate NASA’s compliance with the National Environmental Policy Act (NEPA) and to streamline NEPA procedures at WFF for future actions. The EA will evaluate typical recurring actions undertaken by WFF, our tenants and customers. Typical recurring actions have been organized into two primary categories: Facility Components (including construction, demolition, and maintenance) and Operational Components (including rocket and balloon launches, unmanned vehicle operations, aircraft operations, and data and research activities).

The Draft EA will be issued in September 2004 with a 30-day public comment period. A copy of the Draft EA will be provided to you, at that time, for your review and comments. A public meeting will be held at the WFF Visitor’s Center on October 1, 2004.

If you have any questions or comments regarding this project, please contact Ms. Shari Silbert at (757) 824-2327.

William B. Bott, P.E.
Environmental Group Leader

Enclosure
United States Department of the Interior
FISH AND WILDLIFE SERVICE
Ecological Services
6669 Short Lane
Gloucester, VA 23061

August 3, 2004

Project name: Wallops Flight Facility
Project number: 9017 City/County, VA: Accomack

Greetings:

The U.S. Fish and Wildlife Service has reviewed your request for information on federally listed or proposed endangered or threatened species and designated critical habitat for the above referenced project. The following comments are provided under provisions of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

X You requested scoping comments. Enclosed are county lists (with species fact sheets).

X The information you requested is available at our website at http://vafo.fws.gov.

X In order to ensure coordination with the State agencies, we recommend that you contact both of the State agencies listed below since each agency maintains a different database and has differing expertise and/or regulatory responsibility. If either of these agencies determines that your project may impact a federally listed, proposed, or candidate species OR federally designated critical habitat, please contact this office and provide a copy of the response letter from each agency and the above referenced project number; otherwise, further contact with this office is not necessary.

Virginia Dept of Game and Inland Fisheries
Environmental Services Section
P.O. Box 11104
Richmond, VA 23220
(804) 367-1000

Virginia Dept of Conservation and Recreation
Division of Natural Heritage
217 Governor Street, 2nd Floor
Richmond, VA 23219
(804) 786-7951

Enclosed is information about communication towers and how certain categories of work may not require further coordination.

We concur that the proposed action is not likely to adversely affect federally listed species.

If you have any questions, please contact Eric Davis at (804) 693-6694, ext. 184.

Sincerely,

Karen L. Mayne
Supervisor
Virginia Field Office
KEY

LE - federally listed endangered.

LT - federally listed threatened.

PE - federally proposed endangered.

PT - federally proposed threatened.

EX - believed to be extirpated in Virginia.

LE(S/A) - federally listed endangered due to similarity of appearance to a federally listed species.

LT(S/A) - federally listed threatened due to similarity of appearance to a federally listed species.

C - candidate species; the U.S. Fish and Wildlife Service has enough information to list the species as threatened or endangered, but this action is precluded by other listing activities.

SOC - species of concern; those species that have been identified as potentially imperiled or vulnerable throughout their range or a portion of their range. These species are not protected under the Endangered Species Act.

G - global rank; the species rarity throughout its total range.

G1 - extremely rare and critically imperiled with 5 or fewer occurrences or very few remaining individuals; or because of some factor(s) making it especially vulnerable to extinction.

G2 - very rare and imperiled with 6 to 20 occurrences or few remaining individuals; or because of some factor(s) making it vulnerable to extinction.

G3 - either very rare and local throughout its range or found locally (abundantly at some of its locations) in a restricted range; or vulnerable to extinction because of other factors. Usually fewer than 100 occurrences are documented.

G_T_ - signifies the rank of a subspecies or variety. For example, a G3T1 would apply to a subspecies of a species that is very rare and local throughout its range or found locally in a restricted range (G3) but the subspecies warrants a rank of T1, critically imperiled.

G_Q - The taxon has a questionable taxonomic assignment.
### ACCOMACK COUNTY, VIRGINIA
Federally Listed, Proposed, and Candidate Species

<table>
<thead>
<tr>
<th>SCIENTIFIC NAME</th>
<th>COMMON NAME</th>
<th>STATUS</th>
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</thead>
<tbody>
<tr>
<td><strong>BIRDS</strong></td>
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<tr>
<td>Charadrius melodus</td>
<td>Piping plover</td>
<td>LT</td>
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<tr>
<td>Haliaeetus leucocephalus</td>
<td>Bald eagle</td>
<td>LT</td>
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<tr>
<td><strong>INVERTEBRATES</strong></td>
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<tr>
<td>Cicindela dorsalis dorsalis</td>
<td>Northeastern beach tiger beetle</td>
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<tr>
<td><strong>MAMMALS</strong></td>
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<tr>
<td>Sciurus niger cinereus</td>
<td>Delmarva peninsula fox squirrel</td>
<td>LE</td>
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<tr>
<td><strong>REPTILES</strong></td>
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<td>Caretta caretta</td>
<td>Loggerhead sea turtle</td>
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<tr>
<td>Amaranthus pumilus</td>
<td>Seabeach amaranth</td>
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### Species of Concern (No official Federal status)

<table>
<thead>
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<th>VASCULAR PLANTS</th>
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<tr>
<td>Polygonum glaucum</td>
<td>Sea-beach knotweed</td>
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<tr>
<td>Trillium pusillum var virginianum</td>
<td>Virginia least trillium</td>
<td>G3T2</td>
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</tbody>
</table>

May 29, 2001
Prepared by U.S. Fish and Wildlife Service, Virginia Field Office
Piping Plover
Charadrius melodus

Description - Piping plovers occur in three disjunct populations in North America: Northern Great Plains, Great Lakes, and Atlantic Coast. The piping plover is a 5 1/2 inch long pale grayish-brown shorebird with a white breast. During the breeding season, it has a black breast band which is sometimes incomplete and a black bar between its eyes. The bill is dull orange with a black tip and the legs and feet are orange.

Life History - The piping plover nesting season is from late April to late July with one brood raised per year. If there is a disturbance or the nest is lost, the birds may renest. Plovers nest on beaches, dunes, and washover areas. They also nest on areas where suitable dredged material is deposited. The nest is a shallow scrape in the sand dug by the adults and is usually lined with broken seashells and small pebbles. The female usually lays four eggs. The chicks are mobile and able to feed themselves within hours of hatching. Piping plovers feed on small invertebrates in intertidal surf zones, mud flats, tidal pool edges, barrier flats, and sand flats and along the ocean and barrier bays. Plovers migrate to breeding grounds from February through early April, and to wintering grounds from late July through September.

Conservation - The piping plover was federally listed as a threatened species along the Atlantic Coast on January 10, 1986. In the Northern Great Plains, it is federally listed threatened and in the Great Lakes, endangered. Destruction and degradation of habitat and disturbance during the nesting season by humans and pets are threats to this species. Piping plovers are extremely sensitive to disturbance during the nesting season. Predation by red foxes, skunks, raccoons, feral cats, herring gulls, fish crows, grackles, and ghost crabs is an additional threat to the eggs and young.

What You Can Do To Help - Respect all signed or fenced shorebird nesting areas; stay as far away from these areas as possible. The birds and their eggs blend in with the sand and are difficult to see. Young birds are particularly vulnerable before they can fly and can be killed by vehicles or trapped in vehicle tracks. Watch for signs of adult birds calling, displaying a feigned broken wing, or flying or running ahead of you. Keep pets leashed or indoors during the nesting season; both dogs and cats are known to prey on eggs and chicks. Take care not to discard trash or food scraps on beaches used by nesting birds, as they attract predators that may prey on eggs and/or chicks.

To find out more about the piping plover contact:
Virginia Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, Virginia 23230
(804) 367-1000

References


Bald Eagle

Haliaeetus leucocephalus

Description - The bald eagle occurs throughout the United States. It is a large bird-of-prey with dark brown plumage, a white head and tail, and a yellow bill, feet, and eyes. Juvenile eagles generally have a dark brown body, sometimes with white patches on the tail, belly, and underwings. The head and tail become completely white when full adult plumage is reached at four to five years of age.

Life History - The majority of Virginia’s eagle population is found on the coastal plain. The bald eagle breeding season begins in mid-November when large nests are built (or the previous year’s nest is repaired) usually in loblolly pine trees that are in close proximity to water. Eagles lay one to three eggs between mid-January and late March. In March, most eggs hatch and by June or July most young have fledged. However, the young will continue to use the nest for several weeks. In Virginia, during the summer and winter months, juvenile and nonbreeding adult eagles congregate along large rivers in areas with abundant food and little human disturbance. During the day, these eagles feed and perch along the river shoreline. In late afternoon, they move inland to roost either singly or communally. Roosts are typically located away from human disturbance and near water and a food source. Bald eagles feed primarily on fish, but will also eat carrion, waterfowl, small mammals, snakes, and turtles.

Conservation - The bald eagle was federally listed as an endangered species in the Chesapeake Bay Region on March 11, 1967. On July 12, 1995, the bald eagle was reclassified to threatened throughout the 48 lower states because the population had increased due to the banning persistent pesticides, habitat protection, and other recovery activities. On July 6, 1999, the bald eagle was proposed for removal from the list of endangered and threatened wildlife in the lower 48 states. This action was proposed because the available data indicated that this species has recovered. The recovery is due in part to habitat protection and management actions initiated under the Endangered Species Act. It is also due to reduction in levels of persistent pesticides occurring in the environment. If and when the eagle is no longer protected by the Endangered Species Act, it will still be protected by the Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, and state laws. Until the eagle is officially delisted, it will continue to receive protection pursuant to the Endangered Species Act. Bald eagles in the Chesapeake Bay are increasing. However, habitat destruction through urban and residential development and human disturbance in nesting, roosting, and foraging habitats continue to be a threat.

What You Can Do To Help - If you know of a bald eagle nest on or near property proposed for clearing, development, or logging please contact one of the following agencies for assistance:

Virginia Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, Virginia 23230
(804) 367-1000

U.S. Fish and Wildlife Service
6669 Short Lane
Gloucester, Virginia 23061
(804) 693-6694

References


Northeastern Beach Tiger Beetle
*Cicindela dorsalis dorsalis*

**Description** - Historically, the northeastern beach tiger beetle was common on coastal beaches from Massachusetts to central New Jersey, and along the Chesapeake Bay in Maryland and Virginia. Currently, the only populations known to exist along the Atlantic Coast are in New Jersey and southeastern Massachusetts. The majority of populations occur in the Chesapeake Bay. This insect measures 0.5 inches in length. It has white to light tan wing covers, often with several fine grayish-green lines, and a bronze-green head and body.

**Life History** - Adult and larval tiger beetles are found on long, wide, dynamic beaches that have little human and vehicular activity, fine sand-particle size, and a high degree of exposure to tidal action. Adult beetles are present from June through August and are active on warm, sunny days where they can be seen feeding, mating, or basking along the water's edge. Adults are active predators that forage on small invertebrates or scavenge on dead fish, crabs, and amphipods. Larvae are sedentary predators that live in well-formed burrows from which they extend to capture passing prey. During the summer, adult tiger beetles lay eggs on the beach. After hatching, the larvae pass through three developmental stages and emerge from their burrows as adults two years following egg-laying.

**Conservation** - The northeastern beach tiger beetle was federally listed as a threatened species on August 7, 1990. Few northeastern beach tiger beetle sites are protected and many are threatened by human activities. Loss of this beetle from most of its range has been attributed primarily to destruction and disturbance of natural beach habitat from shoreline development, beach stabilization, and high levels of recreational use. Additional threats include pollution, pesticides, oil spills, and off-road vehicle traffic. Natural limiting factors include winter storms, beach erosion, flood tides, hurricanes, parasites, and predators. Recovery for the tiger beetle depends to a large extent on re-establishing the subspecies across its former range along the Atlantic Coast and protecting it within the Chesapeake Bay.

**What You Can Do To Help** - If you plan to stabilize a tidal beach along the Chesapeake Bay or its tributaries, please contact the U.S. Fish and Wildlife Service.
Delmarva Peninsula Fox Squirrel
*Sciurus niger cinereus*

Description - The Delmarva Peninsula fox squirrel is a light gray, large-bodied tree squirrel with a full, fluffy tail. The feet and underparts are white and the ears and face are whitish. This fox squirrel is easily confused with the more common gray squirrel. However, the gray squirrel is smaller with darker gray fur and its feet, tail, face, and back are rusty brown.

Distribution - Historically, the Delmarva Peninsula fox squirrel was distributed throughout the eastern shore of Maryland and Virginia, southeastern Pennsylvania, New Jersey, and Delaware. By the early 1900s, this squirrel was extinct in Virginia. However, it has been reintroduced at Chincoteague National Wildlife Refuge in Accomack County and property owned by The Nature Conservancy in Northampton County.

Habitat - This fox squirrel is typically found in open, mature loblolly pine and oak forests or in mixed stands of pine, beech, and sweetgum. Sites that contain mast and seed producing trees, have old trees that provide den sites, and have agricultural fields nearby are preferred by this squirrel.

Life History - The diet of the fox squirrel appears to be identical to that of the gray squirrel. In autumn, nuts and pine cones are usually plentiful and comprise a large portion of the fox squirrel’s diet. In the spring, their diet shifts to tree buds and flowers, fruit, insects, seeds, and occasionally bird eggs and young. The fox squirrel prefers tree hollows for dens. They also construct nests composed of leaves and twigs. These nests are used for shelter and rearing young. Mating occurs in late winter and early spring and most young are born from February to April with a few as late as July or August. Offspring are raised solely by the female and food availability likely governs the size and number of the litters.

Conservation - The Delmarva Peninsula fox squirrel was federally listed as an endangered species on March 11, 1967. Destruction of habitat by timber harvest, short-rotation pine management, forest conversion to agriculture, and residential development is a continuing threat to this species. Pine-bark beetles, severe storms, and other factors causing forest die-offs are additional threats.

What You Can Do To Help - To learn more about the Delmarva Peninsula fox squirrel visit:

Chincoteague National Wildlife Refuge
U.S. Fish and Wildlife Service
P.O. Box 62
Chincoteague, Virginia 23336
(757) 336-6122

Or contact:

Virginia Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, Virginia 23230
(804) 367-1000

References


Loggerhead Sea Turtle
Caretta caretta

Description - The loggerhead sea turtle occurs in the Atlantic, Indian and Pacific Oceans; the Gulf of Mexico; and the Caribbean and Mediterranean Seas. In Virginia, loggerhead sea turtles are found throughout the Chesapeake Bay, around the barrier islands off the Eastern Shore, and off the coast in the Atlantic Ocean. The carapace (top shell) of the adult is hard, heart-shaped, and reddish-brown with an average length of 36.2 inches in the southeastern United States. The entire underside, sides of neck, and parts of the flippers are yellow or whitish. It has a large triangular head and each flipper has two claws.

Life History - This turtle is a marine species and spends most of its time in the ocean and estuaries where it feeds, breeds, and migrates. Loggerheads feed mainly on horseshoe crabs, but their diet also includes mollusks, crustaceans, jellyfish, fish, and various sea grasses. The loggerhead is the only sea turtle that nests as far north as Virginia. Loggerheads nest in small numbers along Virginia’s coast and nesting usually occurs from April through September. Females dig shallow pits on the beach to deposit their eggs. Hatchlings emerge as a group and begin to crawl rapidly toward the ocean. After reaching the water, they find food and protection among floating mats of vegetation in the Gulf Stream. They can be found in Virginia’s waters from May through November. They migrate south during the winter months.

Conservation - The loggerhead sea turtle was federally listed as a threatened species on July 28, 1978. Threats to this species are numerous: nest abandonment occurs from human disturbance; shoreline stabilization structures deter nesting; and beach development results in increased light intensity inland, causing hatchlings to become disoriented and travel inland where they die. Entanglement, ingestion, and contact with marine debris are hazards to sea turtles. Turtles can become entangled in trawling nets, pound nets, crab pot lines, and gill nets and subsequently drown. Boat propellers can wound or kill sea turtles.

What You Can Do To Help - Watch out for sea turtles while boating in Virginia’s waters! If you find a stranded, wounded, or dead sea turtle please contact one of the following organizations:

Virginia Marine Science Museum
(757) 437-4949

National Marine Fisheries Service
(508) 281-9291

References


July 13, 2004

250.W

Eastern Shore Field Office
Attn: Mr. Gerald Tracy
U.S. Army Corps of Engineers
Post Office Box 68
Accomack, VA 23301

Subject: Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility

NASA Goddard Space Flight Center’s Wallops Flight Facility (WFF), Wallops Island, Virginia, invites your agency to participate in the scoping process for the upcoming Site Environmental Assessment (EA) for Current and Future Actions at WFF. WFF is composed of three separate landmasses: the Main Base (MB), the Mainland (ML), and Wallops Island (WI). Please see the enclosed map outlining these areas.

We are currently seeking your input and recommendations to be included in this document. All comments received prior to August 23, 2004, will be included in the Draft EA.

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If you have any questions or comments regarding this project, please contact Ms. Shari Silbert at (757) 824-2327.

William B. Bott, P.E.
Environmental Group Leader

Enclosure
July 13, 2004

250.W

National Marine Fisheries Service
Attn: Mr. Peter D. Colosi
Assistant Regional Administrator
One Blackburn Drive
Gloucester, MA 01930-2298

Subject: Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility

NASA Goddard Space Flight Center’s Wallops Flight Facility (WFF), Wallops Island, Virginia, invites your agency to participate in the scoping process for the upcoming Site Environmental Assessment (EA) for Current and Future Actions at WFF. WFF is composed of three separate landmasses: the Main Base (MB), the Mainland (ML), and Wallops Island (WI). Please see the enclosed map outlining these areas.

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If you have any questions or comments regarding this project, please contact Ms. Shari Silbert at (757) 824-2327.

William B. Bott, P.E.
Environmental Group Leader

Enclosure
July 13, 2004

250.W

Chesapeake Bay Local Assistance Department
Attn: Ms. Catherine Harold
James Monroe Building
101 North 14th Street, 17th Floor
Richmond, VA  23219

Subject:  Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility

NASA Goddard Space Flight Center’s Wallops Flight Facility (WFF), Wallops Island, Virginia, invites your agency to participate in the scoping process for the upcoming Site Environmental Assessment (EA) for Current and Future Actions at WFF.  WFF is composed of three separate landmasses: the Main Base (MB), the Mainland (ML), and Wallops Island (WI).  Please see the enclosed map outlining these areas.

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If you have any questions or comments regarding this project, please contact Ms. Shari Silbert at (757) 824-2327.

[Signature]

William B. Bott, P.E.
Environmental Group Leader

Enclosure
July 13, 2004

250.W

Department of Historic Resources
Attn: Ms. Ethel Eaton
Federal Review and Compliance Coordinator
2801 Kensington Avenue
Richmond, VA 23221

Subject: Scoping for Site Environmental Assessment for Current and Future Actions
at the Wallops Flight Facility and Part 2 of the Cultural Resource Assessment

NASA Goddard Space Flight Center’s Wallops Flight Facility (WFF), Wallops Island,
Virginia, invites your agency to participate in the scoping process for the upcoming Site
Environmental Assessment (EA) for Current and Future Actions at WFF. As an appendix, this
document will contain the continuation of the WFF Cultural Resource Assessment. WFF is
composed of three separate landmasses: the Main Base (MB), the Mainland (ML), and
Wallops Island (WI). Please see the enclosed map outlining these areas.

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at (757) 824-2327.

William B. Bott, P.E.
Environmental Group Leader

Enclosure
November 4, 2004

Ms Barbara Lusby
National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia 23337-5099

RE: “Historic Resources Survey and Eligibility Report for Wallops Flight Facility”
NASA Wallops Flight Facility
Accomack County, Virginia
DHR File No. 2003-0571

Dear Ms Lusby:

We have received the draft report prepared by URS titled “Historic Resources Survey and Eligibility Report for Wallops Flight Facility, Accomack County, Virginia” for our review and comment. It is our understanding that the subject survey of the National Aeronautics and Space Administration (NASA) facility is in preparation for the development of an Integrated Cultural Resource Management Plan (ICRM) and in compliance with Section 110 of the National Historic Preservation Act.

The inventory of Wallops Flight Facility identified 124 buildings and structures fifty years old or older. Of those, the consultants from URS recommend only two as individually eligible for the National Register of Historic Places. These two properties are the Wallops Beach Lifeboat Station (DHR Survey No. 001-0027-0100; WFF #V-065) and Coast Guard Observation Tower (DHR Survey No. 001-0027-0101; WFF #070). The consultants recommend both properties eligible under Criteria A and C. The period of significance for both begins at the date of construction, 1936; and ends in 1947 when the United States Coast Guard decommissioned the properties. The consultants also recommend that there is not the potential for a historic district due to a large amount modern infill construction and a lack of historic integrity for most of the buildings and structures from the period of significance.
Page 2
November 4, 2004
Ms Barbara Lusby

We concur that the Lifeboat Station and Observation Tower appear to be potentially eligible for listing in the National Register. However, we believe that the tower is not significant individually but as a contributing structure to the Lifeboat Station. We further agree that there does not seem to be justification for a historic district at WFF. Please note that we will need two copies of the final report once available.

If you have any questions about our comments please contact me at (804) 367-2323, Ext. 114.

Sincerely,

Marc Holma, Architectural Historian
Office of Review and Compliance
July 13, 2004

Office of Environmental Impact Reviews  
Attn: Ms. Ellis Irons  
Department of Environmental Quality  
629 East Main Street, Room 631  
Richmond, VA  23219

Subject: Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility

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If you have any questions or comments regarding this project, please contact Ms. Shari Silbert at (757) 824-2327.

William B. Bott, P.E.  
Environmental Group Leader

Enclosure
250.W

Tidewater Regional Office
Attn: Mr. Harold Winer
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, VA 23462

Subject: Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility

NASA Goddard Space Flight Center’s Wallops Flight Facility (WFF), Wallops Island, Virginia, invites your agency to participate in the scoping process for the upcoming Site Environmental Assessment (EA) for Current and Future Actions at WFF. WFF is composed of three separate landmasses: the Main Base (MB), the Mainland (ML), and Wallops Island (WI). Please see the enclosed map outlining these areas.

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William B. Bott, P.E.
Environmental Group Leader

Enclosure
Mr. William B. Bott, P.E.
Environmental Group Leader
National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia 23337

RE: Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility (reference 250.W)

Dear Mr. Bott:

Thank you for your July 13, 2004 letter on the above subject.

The Department of Environmental Quality's Office of Environmental Impact Review coordinates Virginia's review of federal NEPA documents and responds to appropriate federal officials on behalf of the Commonwealth. In addition, this Office is the lead agency for Virginia's review of federal consistency determinations and certifications submitted pursuant to the Coastal Zone Management Act.

Environmental Review and Scoping

We are sharing your letter with Virginia state agencies, the affected locality, and the affected regional planning district commission. Reviewing agencies are likely to include the following (starred (*) agencies administer one or more of the Enforceable Programs of the Virginia Coastal Resources Management Program; see "Federal Consistency...", below):

Department of Environmental Quality:
Office of Environmental Impact Review*
Tidewater Regional Office*
Division of Water Quality*
Division of Air Programs Coordination*
Division of Waste Programs Coordination
Mr. William B. Bott, P.E.
Page 2

Department of Game and Inland Fisheries*
Department of Conservation and Recreation:
Division of Chesapeake Bay Local Assistance*
Division of Soil and Water Conservation*
Division of Natural Heritage
Division of Planning
Department of Health*
Marine Resources Commission*
Department of Historic Resources
Virginia Institute of Marine Science
Acomack-Northampton Planning District Commission
Acomack County
Town of Chincoteague.

In order to ensure an effective coordinated review of the Environmental Assessment or the Environmental Impact Statement, and the consistency determination, we will require 19 copies of the document when it is published. While this Office does not participate in scoping efforts beyond the advice given herein, other agencies are free to provide scoping comments concerning the NEPA documents for the proposed project.

**Federal Consistency under the Coastal Zone Management Act**

Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities affecting Virginia’s coastal resources or coastal uses must be consistent with the Virginia Coastal Resources Management Program (VCP) (see section 307(c)(1) of the Act and the Federal Consistency Regulations, 15 CFR Part 930, sub-part C). The Corps must provide a consistency determination which involves an analysis of the activities in light of the Enforceable Programs of the VCP (first enclosure), and a commitment to comply with the Enforceable Programs. In addition, we invite your attention to the Advisory Policies of the VCP (second enclosure). The federal consistency determination may be provided as part of the NEPA documentation or independently, depending on your agency's preference. Section 930.39 of the Federal Consistency Regulations gives content requirements for the consistency determination.

If you have questions about the environmental review process or the federal consistency review process, please feel free to call me at (804) 698-4325 or Charles Ellis of this Office at (804) 698-4488.
I hope this information is helpful to you.

Sincerely,

Ellie L. Irons
Program Manager
Office of Environmental Impact Review

Enclosures

cc: Harold J. Winer, DEQ-TRO
    Ellen Gilinsky, DEQ-Water
    Kotur S. Narasimhan, DEQ-Air
    Allen Brockman, DEQ-Waste
    Raymond T. Fernald, DGIF
    John R. Davy, DCR
    Alan D. Weber, VDH
    Tony Watkinson, MRC
    Ethel R. Eaton, DHR
    Catherine M. Harold, DCR-DCBLA
    Thomas A. Barnard, Jr., VIMS
    Paul F. Berge, Accomack-Northampton PDC
    R. Keith Bull, Accomack County
    James M. West, Town of Chincoteague
Enforceable Regulatory Programs comprising Virginia's Coastal Resources Management Program (VCP)

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

The State Tributyltin (TBT) Regulatory Program has been added to the Fisheries Management program. The General Assembly amended the Virginia Pesticide Use and Application Act as it related to the possession, sale, or use of marine antifoulant paints containing TBT. The use of TBT in boat paint constitutes a serious threat to important marine animal species. The TBT program monitors boating activities and boat painting activities to ensure compliance with TBT regulations promulgated pursuant to the amendment. The VMRC, DGIF, and Virginia Department of Agriculture Consumer Services (VDACS) share enforcement responsibilities; Virginia Code §3.1-249.59 to §3.1-249.62.

b. **Subaqueous Lands Management** - The management program for subaqueous lands establishes conditions for granting or denying permits to use state-owned bottomlands based on considerations of potential effects on marine and fisheries resources, tidal wetlands, adjacent or nearby properties, anticipated public and private benefits, and water quality standards established by the Department of Environmental Quality (DEQ). The program is administered by the Marine Resources Commission; Virginia Code §28.2-1200 to §28.2-1213.

c. **Wetlands Management** - The purpose of the wetlands management program is to preserve wetlands, prevent their despoliation, and accommodate economic development in a manner consistent with wetlands preservation.

(1) The tidal wetlands program is administered by the Marine Resources Commission; Virginia Code §28.2-1301 through §28.2-1320.

(2) The Virginia Water Protection Permit program administered by DEQ includes protection of wetlands - both tidal and non-tidal; Virginia Code §62.1-44.15:5 and Water Quality Certification pursuant to Section 401 of the Clean Water Act.
Attachment 2

Advisory Policies for Geographic Areas of Particular Concern

a. **Coastal Natural Resource Areas** - These areas are vital to estuarine and marine ecosystems and/or are of great importance to areas immediately inland of the shoreline. Such areas receive special attention from the Commonwealth because of their conservation, recreational, ecological, and aesthetic values. These areas are worthy of special consideration in any planning or resources management process and include the following resources:

   a) Wetlands
   b) Aquatic Spawning, Nursery, and Feeding Grounds
   c) Coastal Primary Sand Dunes
   d) Barrier Islands
   e) Significant Wildlife Habitat Areas
   f) Public Recreation Areas
   g) Sand and Gravel Resources
   h) Underwater Historic Sites.

b. **Coastal Natural Hazard Areas** - This policy covers areas vulnerable to continuing and severe erosion and areas susceptible to potential damage from wind, tidal, and storm related events including flooding. New buildings and other structures should be designed and sited to minimize the potential for property damage due to storms or shoreline erosion. The areas of concern are as follows:

   i) Highly Erodible Areas
   ii) Coastal High Hazard Areas, including flood plains.

c. **Waterfront Development Areas** - These areas are vital to the Commonwealth because of the limited number of areas suitable for waterfront activities. The areas of concern are as follows:

   i) Commercial Ports
   ii) Commercial Fishing Piers
   iii) Community Waterfronts

Although the management of such areas is the responsibility of local government and some regional authorities, designation of these areas as Waterfront Development Areas of Particular Concern (APC) under the VCRMP is encouraged. Designation will allow the use of federal CZMA funds to be used to assist planning for such areas and the implementation of such plans. The VCRMP recognizes two broad classes of priority uses for waterfront development APC:

   i) water access dependent activities;
   ii) activities significantly enhanced by the waterfront location and complementary to other existing and/or planned activities in a given waterfront area.
August 16, 2004

William B. Bott, P.E.
Environmental Group Leader
National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia 23337

Dear Mr. Bott:

This is in response to your July 13, 2004, environmental scoping letter for “Current and Future Actions at the Wallops Flight Facility.” The DEQ Waste Division staff has reviewed your letter and has the following comments concerning the waste issues associated with this project:

When the environmental impact report is written or compiled, it should include an environmental investigation on and near the property to identify any solid or hazardous waste sites or issues. This should include a search of waste-related databases.

Any soil that is suspected of contamination or wastes that are generated must be tested and disposed of in accordance with applicable Federal, State, and local laws and regulations. Some of the applicable state laws and regulations are: Virginia Waste Management Act, Code of Virginia Section 10.1-1400 et seq.; Virginia Hazardous Waste Management Regulations (VITWMR) (9VAC 20-60); Virginia Solid Waste Management Regulations (VSWMR) (9VAC 20-80); and Virginia Regulations for the Transportation of Hazardous Materials (9VAC 20-110). Some of the applicable Federal laws and regulations are: the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901 et seq., the applicable regulations contained in Title 40 of the Code of Federal Regulations; and the U.S. Department of Transportation Rules for Transportation of Hazardous materials, 49 CFR Parts 107.

Also, if any structure(s) will be demolished as part of this project, the structure(s) should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP). If they are found, in addition to the federal waste-related regulations mentioned above, State regulations 9VAC 20-80-640 for ACM and 9VAC 20-60-261 for LBP must be followed.
Waste Information

There are three Waste Division databases that are to be used to complete this review. These are the Solid Waste Database, CERCLA Facilities, and Hazardous Waste Facilities databases.

The Solid Waste Database
A list of active solid waste facilities in Virginia.

CERCLA Facilities Database
A list of active and archived CERCLA (EPA Superfund Program) sites.

Hazardous Waste Facilities Database
A list of hazardous waste generators, hazardous waste transporters, and hazardous waste storage and disposal facilities. Data for the CERCLA Facilities and Hazardous Waste Facilities databases are periodically downloaded by the Waste Division from U.S. EPA’s website.

Accessing the DEQ Databases:
The report author should access this information on the DEQ website at http://www.deq.state.va.us/waste/waste.html. The databases are listed under Real Estate Search Information heading.

The solid waste information can be accessed by clicking on the Solid Waste Database tab and opening the file. Type the county or city name and the word County or City, and click the Preview tab. All active solid waste facilities in that locality will be listed.

The Superfund information will be listed by clicking on the CERCLA Facilities tab and opening the file. Click on the locality box, click on sort, then click on Datasheet View. Scroll to the locality of interest.

The hazardous waste information can be accessed by clicking on the Hazardous Waste Facility tab. Go to the Geography Search section and fill in the name of the city or county and VA in the state block, and hit enter. The hazardous waste facilities in the locality will be listed.

This database search will include most waste-related site information for each locality. In many cases, especially when the project is located in an urban area, the database output for that locality will be extensive.
July 13, 2004

Virginia Institute of Marine Science
Attn: Mr. Thomas A. Barnard, Jr.
Associate Marine Scientist
P.O. Box 1346
Gloucester Point, VA 23062

Subject: Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility

NASA Goddard Space Flight Center’s Wallops Flight Facility (WFF), Wallops Island, Virginia, invites your agency to participate in the scoping process for the upcoming Site Environmental Assessment (EA) for Current and Future Actions at WFF. WFF is composed of three separate landmasses: the Main Base (MB), the Mainland (ML), and Wallops Island (WI). Please see the enclosed map outlining these areas.

We are currently seeking your input and recommendations to be included in this document. All comments received prior to August 23, 2004, will be included in the Draft EA.

The purpose of the document is to facilitate NASA’s compliance with the National Environmental Policy Act (NEPA) and to streamline NEPA procedures at WFF for future actions. The EA will evaluate typical recurring actions undertaken by WFF, our tenants and customers. Typical recurring actions have been organized into two primary categories: Facility Components (including construction, demolition, and maintenance) and Operational Components (including rocket and balloon launches, unmanned vehicle operations, aircraft operations, and data and research activities).

The Draft EA will be issued in September 2004 with a 30-day public comment period. A copy of the Draft EA will be provided to you, at that time, for your review and comments. A public meeting will be held at the WFF Visitor’s Center on October 1, 2004.

If you have any questions or comments regarding this project, please contact Ms. Shari Silbert at (757) 824-2327.

William B. Bott, P.E.
Environmental Group Leader

Enclosure
July 13, 2004

250.W

Accomack County Administration
Attn: Mr. Keith Bull
Post Office Box 388
Acomac, VA 23301

Subject: Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility

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[Signature]

William B. Bott, P.E.
Environmental Group Leader

Enclosures
July 13, 2004

250.W

Accomack-Northampton Planning District Commission
Attn: Mr. Paul F. Berge
Post Office Box 417
Accomac, VA 23301

Subject: Scoping for Site Environmental Assessment for Current and Future Actions at the Wallops Flight Facility

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Environmental Group Leader

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