

APPENDIX A

COORDINATION LETTERS AND RESPONSES

2010 REPRESENTATIVE COORDINATION LETTER AND RESPONSES

APPENDIX A. 2010 REPRESENTATIVE COORDINATION LETTER AND RESPONSES

| DATE | FROM | TO |
|-------------------|--|-------------------------|
| July 14, 2010 | Example Coordination Letter from WFF | |
| July 26, 2010 | U.S. Army Corps of Engineers | Wallops Flight Facility |
| July 22, 2010 | Virginia Marine Resources Commission | Wallops Flight Facility |
| August 3, 2010 | Virginia Department of Environmental Quality | Wallops Flight Facility |
| August 11, 2010 | Navy Surface Combat System Center | Wallops Flight Facility |
| August 11, 2010 | U.S. Environmental Protection Agency | Wallops Flight Facility |
| August 11, 2010 | Virginia Department of Conservation and Recreation | Wallops Flight Facility |
| August 24, 2010 | Virginia Department of Environmental Quality | Wallops Flight Facility |
| September 7, 2010 | Virginia Department of Game and Inland Fisheries | Wallops Flight Facility |

National Aeronautics and
Space Administration

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



Reply to Attn of: 250.W

July 14, 2010

Mr. Robert Cole
Environmental Scientist
U.S. Army Corps of Engineers, Eastern Shore Field Office
22545 Center Parkway
Accomack, VA, 23301-1330

Dear Mr. Cole:

In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, the National Aeronautics and Space Administration (NASA) Goddard Space Flight Center's Wallops Flight Facility (WFF) is preparing an Environmental Assessment (EA) to analyze potential impacts associated with the construction and operation of an Unmanned Aerial Systems (UAS) airstrip at the north end of Wallops Island in Accomack County, Virginia (Enclosure 1). The airstrip at north Wallops Island is needed to support WFF's ongoing and future UAS test research. The existing airstrip located at the south end of Wallops Island experiences severe cross winds and wash over during storm events. Additionally, mandatory safety constraints from increased rocket launch activities at the nearby Mid-Atlantic Regional Spaceport are anticipated to further reduce UAS research opportunities.

The proposed UAS airstrip would be constructed of asphalt and measure approximately 914 meters (3,000 feet long [2,500 feet plus an additional 500 feet clear zone] by 18 meters (60 feet) wide. The airstrip would be elevated approximately 1 meter (3 feet) above the existing ground surface. Two asphalt pads would also be constructed adjacent to the airstrip for staging aircraft and support vehicles during flight operations. A clear line of sight for UAS operators is necessary; therefore, vegetation alongside the length (up to 30 meters [100 feet] on each side) of the proposed airstrip would be cleared and maintained. Beyond the ends of the airstrip, the vegetation height would be maintained in order to provide the necessary line of sight for UAS operators. Crushed gravel would be used to improve the existing dirt access road to provide service to the airstrip. Infrastructure improvements to provide electrical and telecommunication service would be implemented; however, it is anticipated that most UAS operators would use small portable generators. The total affected area would be approximately 2 hectares (5 acres). The proposed airstrip would likely be constructed in several phases to reach the dimensions described above.

UAS operations would be conducted year round during NASA's normal Air Traffic Control tower hours (7 AM to 5 PM). Night operations would only take place under special

circumstances (e.g., hurricane monitoring). The UAS aircraft would operate within the existing NASA controlled Restricted Airspace Areas (R-6604A/B) and within the Virginia Capes Operating Area (VACAPES OPREA), the Navy's offshore training area. Aside from takeoff and landing, the minimum operating altitude would be 152 meters (500 feet). The largest UAS that would be authorized to operate from the proposed airstrip is the Viking 400. The Viking 400 has a 6 meter (20 foot) wingspan, is 4.5 meters (14.7 feet) in length, and would have a maximum weight of 240 kilograms (530 pounds). UAS would not operate over Chincoteague Island, Assateague Island National Park, or over any populated areas.

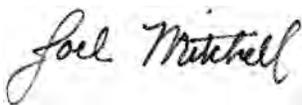
Letters describing the scope of the original proposal were sent June 2009. Since then, the scope of the proposal has changed. Enclosure 2 provides the approximate dimensions of the airstrip and its proximity to wetlands, a bald eagle nest, and a cultural resources investigation site.

As we are reinitiating the NEPA process, we request your participation as a Cooperating Agency in the preparation of the EA. As the USACE possesses both regulatory authority and specialized expertise pertaining to the proposed action, we feel that your agency would be a valuable member of our project team. As a Cooperating Agency, we request the USACE participate in various portions of the EA development as required. Specifically, we ask that you provide technical expertise, document review, and occasional meeting attendance throughout the NEPA process. A more detailed list of Cooperating Agency expectations will be provided if you accept our request.

Finally, as part of our ongoing efforts to keep the public abreast of proposed WFF activities, we plan to hold an information meeting at the WFF Visitor Center on the evening of Monday, August 2, 2010. Additional details regarding the meeting will be included in a forthcoming press release.

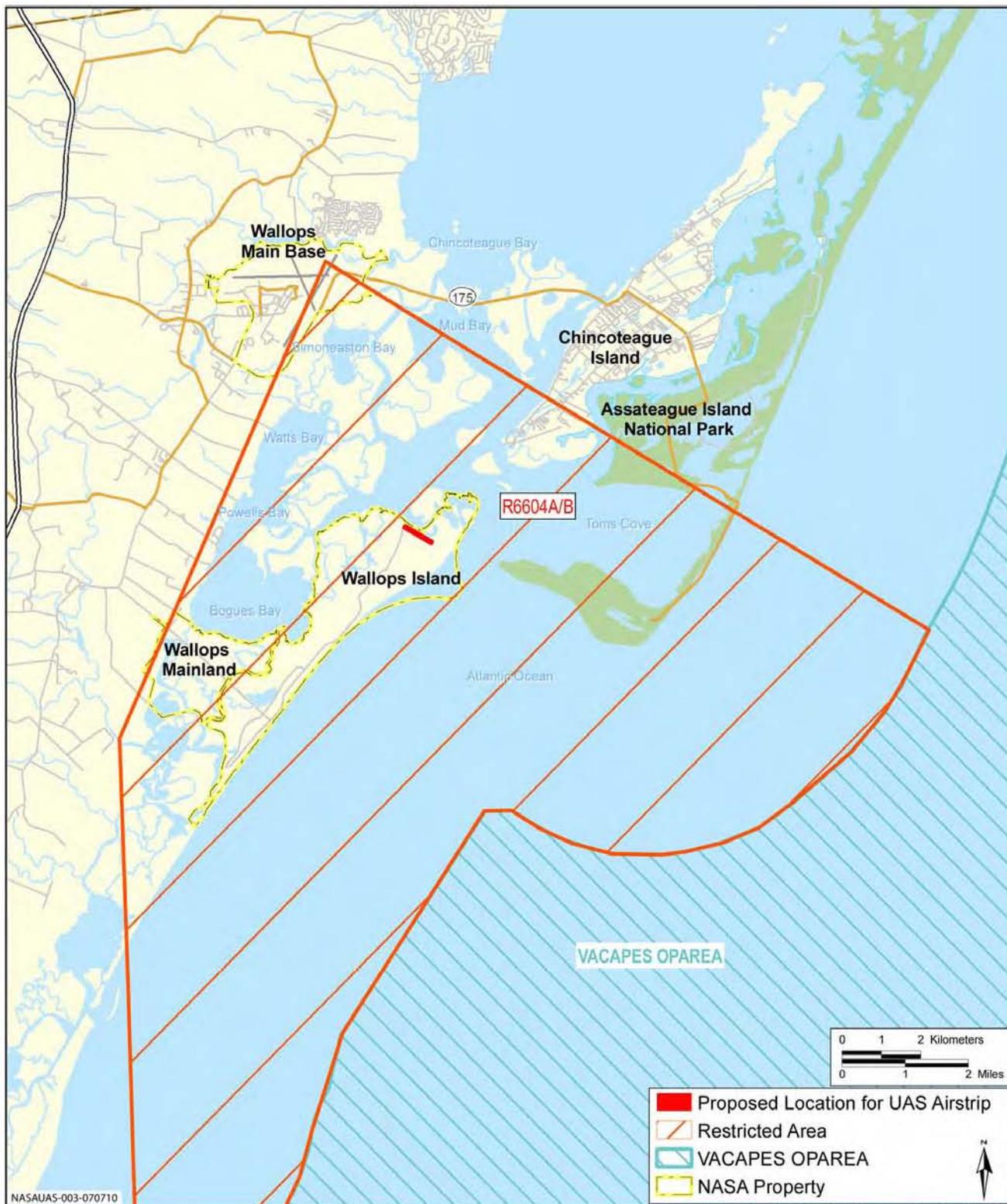
Thank you for your consideration of our request. We look forward to continuing our cooperative relationship with USACE as we work together to enable the WFF mission while also considering the unique environment within which we work. Please contact me at (757) 823-1127 or Mr. Josh Bundick at (757) 824-2319 if you have any questions or require any additional information.

Sincerely,



Joel T. Mitchell
Natural Resources Manager

2 Enclosures



Enclosure 1: Location of Proposed UAS Airstrip on NASA’s Wallops Island



Enclosure 2: Proximity of Proposed UAS Airstrip to Various Resources



DEPARTMENT OF THE ARMY
NORFOLK DISTRICT, CORPS OF ENGINEERS
FORT NORFOLK, 803 FRONT STREET
NORFOLK, VIRGINIA 23510-1096

REPLY TO
ATTENTION OF:

July 26, 2010

Eastern Virginia Regulatory Section
Unmanned Aerial Systems (UAS) Airstrip

Goddard Space Flight Center
Joel T. Mitchell
Natural Resources Manager
Wallops Flight Facility
Wallop Island, VA 23337-5099

Dear Mr. Mitchell,

The Norfolk District Corps of Engineers will be a cooperating agency in the preparation of documents for the Unmanned Aerial Systems (UAS) Airstrip, in accordance with the National Environmental Policy Act. Mr. Robert Cole will be the contact for the Norfolk District. Please forward to him any requests for participation, notices of meetings, requests for information, and written material to review. He may be contacted at 757-787-7567; by e-mail at "robert.h.cole@usace.army.mil"; by mail at Norfolk District Corps of Engineers, Eastern Shore Field Office, 22545 Center Parkway, Accomac, VA 23301-1330."

Sincerely,

Robert H. Cole
for

Audrey L. Cotnoir
Acting Chief, Eastern Virginia Regulatory Section



COMMONWEALTH of VIRGINIA

*Marine Resources Commission
2600 Washington Avenue
Third Floor
Newport News, Virginia 23607*

Douglas W. Domenech
Secretary of Natural Resources

Steven G. Bowman
Commissioner

July 22, 2010

Mr. Joel T. Mitchell
Wallops Flight Facility, Natural Resources Manager
c/o National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility (250.W)
Wallops Island, Virginia 23337

“Unmanned Airstrip”

Dear Mr. Mitchell:

You have inquired regarding the construction of a 2,500-foot long by 60-foot wide asphalt airstrip on the north end of Wallops Island in Accomack County. The airstrip will be used for unmanned aircraft takeoffs and landings.

The Marine Resources Commission requires a permit for any activities that encroach upon or over, or take use of materials from the beds of the bays, ocean, rivers and streams, or creeks which are the property of the Commonwealth.

Based upon my review of the two enclosures (site maps) it would appear that your proposed landing strip will not fall within the Commission's jurisdiction, therefore, no authorization would be required from the Marine Resources Commission. If however any portion of your proposed project encroaches channelward of mean low water a permit would be required.

For your information it would appear a wetlands permit will be required from Accomack County.

If I may be of further assistance, please do not hesitate to contact me at (757) 414-0710.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Badger, III", with a long horizontal flourish extending to the right.

George H. Badger, III
Environmental Engineer

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

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

August 3, 2010

Mr. Joshua A. Bundick
NEPA Program Manager
NASA Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia 23337-5099

Received
8/4/10 JAB

RE: Proposed Unmanned Aerial Systems Airstrip, Request for Scoping Comments for the Preparation of an Environmental Assessment

Dear Mr. Bundick:

This is in response to your July 14, 2010 letter (received July 16, 2010) announcing the preparation of an Environmental Assessment (EA) for the proposed Unmanned Aerial Systems (UAS) airstrip at the Wallops Flight Facility (WFF) on Wallops Island, and soliciting comments on the scope of the document. A request for scoping comments was originally solicited by the National Aeronautics and Space Administration (NASA) in June 2009. However, the scope of the project has changed.

PROJECT DESCRIPTION

According to the letter, the proposed airstrip at north Wallops Island is needed to support WFF's ongoing and future UAS test research. The existing airstrip located at the south end of Wallops Island experiences severe cross winds and wash over during storm events. Additionally, mandatory safety constraints from increased rocket launch activities at the nearby Mid-Atlantic Regional Spaceport are anticipated to further reduce UAS research opportunities. The proposed UAS airstrip would be constructed of asphalt and measure approximately 3,000 feet long by 60 feet wide. Two asphalt pads would be constructed adjacent to the airstrip for staging aircraft and support vehicles during flight operations. Vegetation alongside the length of the airstrip would be cleared and maintained. Crushed gravel would be used to improve the existing dirt access road. Infrastructure improvements to provide electrical and telecommunication service would be implemented.

ENVIRONMENTAL REVIEW

The roles of the Virginia Department of Environmental Quality (DEQ) in relation to the project under consideration are as follows. First, DEQ's Office of Environmental Impact Review (OEIR) will coordinate Virginia's review of the EA prepared pursuant to the National Environmental Policy Act (NEPA) and comment to NASA on behalf of the Commonwealth. A similar review process will pertain to the Federal Consistency Determination (FCD) that must be provided pursuant to the Coastal Zone Management Act (CZMA). If the FCD is included as part of the EA, there can be a single review.

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). NASA must provide a consistency determination which involves an analysis of the activities in light of the enforceable policies of the VCP (first enclosure), and a commitment to comply with the enforceable policies. In addition, we invite your attention to the advisory policies of the VCP (second enclosure). The FCD may be provided as part of the NEPA documentation or independently, depending on your agency's preference; we recommend, in the interests of efficiency for all concerned, that it be provided together with the NEPA document and that 60 days be allowed for review in keeping with the *Federal Consistency Regulations* (see section 930.41(a)). Section 930.39 of the *Federal Consistency Regulations* and Virginia's *Federal Consistency Information Package* at <http://www.deq.virginia.gov/eir/federal.html> give content requirements for the consistency determination.

PROJECT SCOPING

While this Office does not participate in scoping efforts beyond the advice given herein, other agencies are free to provide scoping comments concerning the preparation of the NEPA document for the proposed project. Therefore, we are sharing your letter with selected state and local Virginia agencies, which are likely to include the following (note: starred (*) agencies administer one or more of the Enforceable Policies of the Virginia Coastal Resources Management Program; see "Federal Consistency..." below):

- Department of Environmental Quality:
 - Office of Environmental Impact Review
 - Tidewater Regional Office*
 - Air Division*
 - Waste Division
- Department of Game and Inland Fisheries*
- Department of Conservation and Recreation:
 - Division of Soil and Water Conservation*
 - Division of Planning and Recreation Resources

Mr. Joshua A. Bundick
Proposed Unmanned Aerial Systems Airstrip

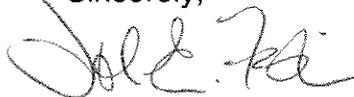
- Marine Resources Commission*
- Department of Agriculture and Consumer Services
- Department of Health
- Department of Mines, Minerals, and Energy
- Department of Historic Resources
- Department of Aviation
- Accomack-Northampton Planning District Commission
- Accomack County.

In order to ensure an effective coordinated review of the EA and FCD, we will require 18 copies of the document when it is published. The submission may include 4 hard copies and 14 CDs or 4 hard copies and an electronic copy available for download at a NASA web or ftp site. The document should include a U.S. Geological Survey topographic map as part of its information. We recommend, as well, that project details unfamiliar to people outside NASA be adequately described.

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 John Fisher of this Office at (804) 698-4339.

I hope this information is helpful to you.

Sincerely,



For Ellie L. Irons, Manager
Office of Environmental Impact Review

Attachments

Ec: Michelle Hollis, DEQ-TRO
Kotur S. Narasimhan, DEQ-Air
Paul Kohler, DEQ-Waste
Amy Ewing, DGIF
Robbie Rhur, DCR
Tony Watkinson, MRC
Barry Matthews, VDH
David Spears, DMME
Roger Kirchen, DHR
Keith Tignor, VDACS
Rusty Harrington, DoAv
Paul Berge, Accomack-Northampton PDC
Steven Miner, Accomack County



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Secretary of Natural Resources

David K. Paylor
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1-800-592-5482

Attachment 1

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 1 continued

Page 2

- d. Dunes Management - Dune protection is carried out pursuant to The Coastal Primary Sand Dune Protection Act and is intended to prevent destruction or alteration of primary dunes. This program is administered by the Marine Resources Commission; Virginia Code 28.2-1400 through 28.2-1420.
- e. Non-point Source Pollution Control – (1) Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. This program is administered by the Department of Conservation and Recreation; Virginia Code 10.1-560 et seq.

(2) Coastal Lands Management is a state-local cooperative program administered by the DCR's Division of Chesapeake Bay Local Assistance and 84 localities in Tidewater (see i) Virginia; Virginia Code §10.1-2100 –10.1-2114 and 9 VAC10-20 et seq.
- f. Point Source Pollution Control - The point source program is administered by the State Water Control Board (DEQ) pursuant to Virginia Code 62.1-44.15. Point source pollution control is accomplished through the implementation of:
 - (1) the National Pollutant Discharge Elimination System (NPDES) permit program established pursuant to Section 402 of the federal Clean Water Act and administered in Virginia as the Virginia Pollutant Discharge Elimination System (VPDES) permit program.
 - (2) The Virginia Water Protection Permit (VWPP) program administered by DEQ; Virginia Code §62.1-44.15:5 and Water Quality Certification pursuant to Section 401 of the Clean Water Act.
- g. Shoreline Sanitation - The purpose of this program is to regulate the installation of septic tanks, set standards concerning soil types suitable for septic tanks, and specify minimum distances that tanks must be placed away from streams, rivers, and other waters of the Commonwealth. This program is administered by the Department of Health (Virginia Code 32.1-164 through 32.1-165).
- h. Air Pollution Control - The program implements the federal Clean Air Act to provide a legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards. This program is administered by the State Air Pollution Control Board (Virginia Code 10-1.1300 through §10.1-1320).
- (i) Coastal Lands Management is a state-local cooperative program administered by the DCR's Division of Chesapeake Bay Local Assistance and 84 localities in Tidewater, Virginia established pursuant to the Chesapeake Bay Preservation Act; Virginia Code §10.1-2100 –10.1-2114 and Chesapeake Bay Preservation Area Designation and Management Regulations; Virginia Administrative Code 9 VAC10-20 et seq.

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.

Advisory Policies for Shorefront Access Planning and Protection

- a. Virginia Public Beaches - Approximately 25 miles of public beaches are located in the cities, counties, and towns of Virginia exclusive of public beaches on state and federal land. These public shoreline areas will be maintained to allow public access to recreational resources.
- b. Virginia Outdoors Plan - Planning for coastal access is provided by the Department of Conservation and Recreation in cooperation with other state and local government agencies. The Virginia Outdoors Plan (VOP), which is published by the Department, identifies recreational facilities in the Commonwealth that provide recreational access. The VOP also serves to identify future needs of the Commonwealth in relation to the provision of recreational opportunities and shoreline access. Prior to initiating any project, consideration should be given to the proximity of the project site to recreational resources identified in the VOP.
- c. Parks, Natural Areas, and Wildlife Management Areas - Parks, Wildlife Management Areas, and Natural Areas are provided for the recreational pleasure of the citizens of the Commonwealth and the nation by local, state, and federal agencies. The recreational values of these areas should be protected and maintained.
- d. Waterfront Recreational Land Acquisition - It is the policy of the Commonwealth to protect areas, properties, lands, or any estate or interest therein, of scenic beauty, recreational utility, historical interest, or unusual features which may be acquired, preserved, and maintained for the citizens of the Commonwealth.
- e. Waterfront Recreational Facilities - This policy applies to the provision of boat ramps, public landings, and bridges which provide water access to the citizens of the Commonwealth. These facilities shall be designed, constructed, and maintained to provide points of water access when and where practicable.
- f. Waterfront Historic Properties - The Commonwealth has a long history of settlement and development, and much of that history has involved both shorelines and near-shore areas. The protection and preservation of historic shorefront properties is primarily the responsibility of the Department of Historic Resources. Buildings, structures, and sites of historical, architectural, and/or archaeological interest are significant resources for the citizens of the Commonwealth. It is the policy of the Commonwealth and the VCRMP to enhance the protection of buildings, structures, and sites of historical, architectural, and archaeological significance from damage or destruction when practicable.



DEPARTMENT OF THE NAVY
SURFACE COMBAT SYSTEMS CENTER
30 BATTLE GROUP WAY
WALLOPS ISLAND, VIRGINIA 23337-5000

5090
Ser X31/392

11 AUG 2010

NASA Goddard Space Flight Center
Wallops Flight Facility
Attn: 250.W, Joel T. Mitchell
Wallops Island, Virginia 23337

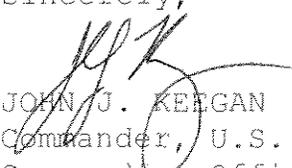
Dear Mr. Mitchell:

In response to your letter of July 14, 2010, Surface Combat Systems Center (SCSC) feels that the smaller runway as illustrated will represent less impact and hence is more desirable than earlier plans. There may still be restrictions due to the presence of piping plovers and bald eagles.

However, we do have concerns over RF avoidance, specifically current restrictions placed on SCSC during UAS/UAV operations for the SPS-49 at V-10 and V-24. Adding additional capability for UAVs at Wallops Island and not knowing the frequencies for which they operate could potentially limit use of other radars during these operations. Foreseen scheduling conflicts will result due to airspace requirements for UAV operations.

My point of contact is Marilyn Ailes at 757-824-2082 or Marilyn.Ailes@navy.mil.

Sincerely,


JOHN J. KEEGAN
Commander, U.S. Navy
Commanding Officer

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



August 11, 2010

Joel Mitchell
Natural Resources Manager
National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337

Re: Scoping Environmental Assessment (EA) Unmanned Aerial Systems (UAS) Airstrip,
Wallops Island, Accomack County, Virginia, July 14, 2010

Dear Mr. Mitchell:

In accordance with the National Environmental Policy Act (NEPA) of 1969, the U.S. Environmental Protection Agency (EPA) is responding to your request for comments on the above referenced project for the Wallops Flight Facility (WFF). Due to the limited amount of information EPA currently has at this time, we are unable to provide a comprehensive set of comments. We have included the following comments for your consideration in the development of the Environmental Assessment (EA).

The EA should clearly state the purpose and requirements of unmanned flight launching at WFF and the range of alternatives (including location and sizing) of a facility. Information should be provided on the number of flights or launches proposed for the airstrip, size of aircraft that will be utilizing the airstrip, in addition to the total flight/launch capabilities. It would also be helpful to put this information in the context of current flight and launch activities that are occurring at Wallops Flight Facility. The scoping letter described that clearing adjacent to the airstrip and beyond the ends of the airstrip would be necessary. A description of clearing and height restrictions should be included. The relationship the proposed project has to hazard arcs or zones and safety constraints should also be discussed. The EA should include discussion of possible impacts associated with access to the proposed site, any upgrades to existing roads or associated structures that may be needed, as well as impacts resulting from staging pads.

During the EA process, it is important to conduct a thorough alternatives analysis. Alternate airstrip lengths should be considered in the EA. Future plans or possible need to expand the airstrip at a later date should be clearly stated and evaluated. Airstrip locations further on inland on the Mainland, Main Base or other parcels should be evaluated. WFF is located on a barrier island, which is a sensitive and unstable ecosystem that is very vulnerable to



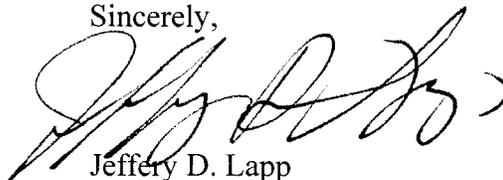
sea-level rise and intense storms. It may be prudent to consider this dynamic nature when looking at this and future development projects.

As noted in the scoping letter received by EPA, there are many wetland systems on Wallops Island that may be in proximity to the proposed airstrip. Avoidance and minimization of impacts to aquatic resources should be fully considered, as required under the CWA Section 404 (b) (1) Guidelines. Bald eagle nests are located near the proposed UAS airstrip. While bald eagles are no longer federally listed as threatened or endangered species, they are protected by the Bald and Golden Eagle Protection Act. EPA suggests coordination with U.S. Fish and Wildlife Service for addressing the bald eagle nests as well as other potential issues regarding threatened and endangered species.

An indirect and cumulative impact analysis for the proposed action should be included in the EA. Cumulative impacts can result from individually minor, but collectively significant, action taking place over a period of time. The Council on Environmental Quality in 40 CFR 1508.7 defines cumulative impacts as "impacts on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable action." A summary of other NASA projects and locations, any neighboring projects unrelated to NASA, sufficient project background and potential impacts to resources affected by the UAS, and the status of proposed projects should be included in the cumulative impacts analysis. If possible a tabulation of all proposed projects on Wallops Island should be provided to the resource agencies. It would be helpful if clarification was provided on which projects have funding, authorization or Congressional backing. EPA is concerned that some or many of these projects may be connected actions and warrant additional, more comprehensive study. The cumulative adverse environmental impact of these actions needs to be thoroughly evaluated. EPA recommends use of the document "Consideration of Cumulative Impacts in EPA Review of NEPA Documents" (EPA 1999) for a through explanation of the requirements of a cumulative impacts analysis.

EPA recommends and requests that a meeting be organized to review the information gathered for the study of alternatives for this project, with participation of US Army Corps and US Fish and Wildlife Service. EPA would appreciate if NASA would also provide an update on other planned or ongoing projects at WFF, as well as potential mitigation. Thank you for including EPA in your coordination efforts regarding this project and allowing EPA to provide comments to be incorporated into the EA. If you have questions regarding these comments, please feel free to contact Ms. Barbara Rudnick, NEPA Team Leader at 215-814-3322 or the staff contact for this project, Ms. Alaina DeGeorgio at 215-814-2741.

Sincerely,



Jeffery D. Lapp
Associate Director
Office of Environmental Programs



cc. Keith Lockwood, USACE
Cindy Schulz, USFWS



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Customer Service Hotline: 1-800-438-2474*

Douglas W. Domenech
Secretary of Natural Resources



David A. Johnson
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

Division of Natural Heritage
217 Governor Street
Richmond, Virginia 23219-2010
(804) 786-7951

August 11, 2010

Joel Mitchell
NASA, Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337

Re: NASA, Goddard Space Flight Center Wallops Flight Facility

Dear Mr. Mitchell:

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

According to the information currently in our files, this site is located within the North Wallops Island Conservation Site. Conservation sites are tools for representing key areas of the landscape that warrant further review for possible conservation action because of the natural heritage resources and habitat they support. Conservation sites are polygons built around one or more rare plant, animal, or natural community designed to include the element and, where possible, its associated habitat, and buffer or other adjacent land thought necessary for the element's conservation. Conservation sites are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. North Wallops Island Conservation Site has been given a biodiversity significance ranking of B2, which represents a site of very high significance. The rare plants and communities of concern associated with the site are:

| | | |
|------------------------|---------------------------------|----------------|
| Maritime Dune Woodland | | G1G2/SNR/NL/NL |
| Seaside plantain | Plantago maritime var.juncoides | G5T5/S1/NL/NL |
| Big-head rush | Juncus megacephalus | G4G5/S2/NL/NL |
| Southern beach spurge | Chamaesyce bombensis | G4G5/S2/NL/NL |

The Maritime Dune Woodland is a tall, deciduous, maritime shrubland or scrub forest of the mid-Atlantic coast, although physiognomy can vary dramatically, ranging from open woodland to stunted forest to dense nearly impenetrable thicket. Individual trees tend to be wind-pruned and multi-stemmed. It generally occurs on the lee side of sand dunes along the coast and is subject to salt spray and winds. The substrate varies from pure sand directly adjacent to the ocean to loamy sands in more sheltered areas of the coast. At the southern end of the range in Virginia, this community occurs as a woodland variably

dominated by *Prunus serotina*, *Sassafras albidum*, *Diospyros virginiana*, and *Malus angustifolia* var. *angustifolia*. Vine tangles are patchy and interspersed with areas of open sand dominated by *Schizachyrium littorale* and also containing *Opuntia humifusa*, *Conyza canadensis*, *Nuttallanthus canadensis*, *Cirsium horridulum* var. *horridulum*, and other xerophytic herbs at lower cover. This maritime shrubland community is restricted to a narrow range on coastal dunes of barrier islands on the mid-Atlantic coast. It does not occur north of southern New Jersey or south of Virginia. Occurrences are naturally small (a few acres), confined to the oceanward portion of barrier islands. Potential or historic habitat has been reduced by extensive human development such as residential or commercial building, recreation, or road expansion.

Seaside plantain (*Plantago maritima* var. *juncooides*, G5T5/S1/NL/NL) is a low perennial herb of salt marshes, beaches and coastal rocks (Gleason and Cronquist 1991). Spikes of mostly densely arranged small white flowers arise on leafless stems from a basal rosette of fleshy, linear-lanceolate leaves. The species is circumboreal, with variety *juncooides* at least being found in Greenland, Canada, and extending into the east coast of the US in New England, New York, New Jersey and Virginia; plants of northwestern North America are variously included or separated from var. *juncooides* (Kartesz 1999, Weakley in prep.). In Virginia, seaside plantain has only been documented in salt marshes and flats on the Eastern Shore in Accomack County. Threats include habitat destruction from development and sea-level rise.

Big-headed rush a rare perennial in Virginia, is found along the coastal plain usually in open moist or wet areas and often in shallow water, sands, peats and marls; marshy shores, interdune hollows, swales, brackish and fresh marshes, marl prairies and bogs. It is also known to colonize abundantly in ditches. Big-headed rush occurs from south of Virginia to Florida and as far west as southeast Texas. It is known currently in Virginia from nine occurrences, and historically from two occurrences.

Southern beach spurge, a state rare plant species, occurs in mats and is found on the secondary dunes of the Atlantic Ocean and Chesapeake Bay. Virginia is the northern limit of its range with ten documented sites state-wide. The rarity of this plant is due to habitat destruction associated with commercial development along the coast (Ludwig, 1996). Southern beach spurge is currently known from 10 occurrences in Virginia, and historically known from an additional five occurrences.

The Maritime Dune Woodland is a very rare community type known only from two sites in Virginia. The proposed project would directly impact this natural heritage resource. In addition, documented occurrences of Southern beach spurge, Big-head rush, and Seaside plantain, state-rare plants would also be impacted by this project. DCR strongly recommends avoiding impacts to this globally rare community and these state rare plants by relocating the proposed landing strip. Please see the attached map for natural heritage resource locations within and adjacent to the project location.

Furthermore, Peregrine falcon (*Falco peregrinus*, G4/S1BS2N/NL/LT), Northern Harrier (*Circus cyaneus*, G5/S1S2B,S3N/NL/SC), Piping plover (*Charadrius melodus*, G3/S2B,S1N/LT/LT), Wilson's plover (*Charadrius wilsonia*, G5/S1B/NL/LE), and Little blue heron (*Egretta caerulea*, G5/S2B,S3N/NL/NL) have been documented within the project area and the project vicinity. DCR zoologist, Dr. Steve Roble recommends a study to evaluate the potential impacts on these birds as well as colonial waterbirds (herons, egrets, terns) and migratory songbirds by the proposed project. With the study results we can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources.

Due to the legal status of the Piping plover, DCR also recommends coordination with USFWS and VDGIF to ensure compliance with protected species legislation. Due to the legal status of the Peregrine falcon and Wilson's plover, DCR also recommends coordination with the VDGIF to ensure compliance with protected species legislation.

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.

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

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes 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 this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact me at 804-692-0984. Thank you for the opportunity to comment on this project.

Sincerely,



Alli Baird, LA, ASLA
Coastal Zone Locality Liaison

CC: Amy Ewing, VDGIF

Literature Cited:

Gleason, H.A. and A. Cronquist. 1991. Manual of Vascular Plants of Northeastern United States and Adjacent Canada. Second Edition. The New York Botanical Garden. Bronx, NY. 910 pp.

Kartesz, J.T. 1999. A Synonymized Checklist and Atlas with Biological Attributes for the Vascular Flora of the United States, Canada, and Greenland. First Edition. In: Kartesz, J.T. and C.A. Meacham. Synthesis of the North American Flora, Version 1.0. North Carolina Botanical Garden, Chapel Hill, NC.

Ludwig, J. Christopher. 1996. Personal communication. Virginia Department of Conservation and Recreation, Division of Natural Heritage.

NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>. (Accessed: August 9, 2010).

Weakley, A.S. in prep. Flora of the Southern and Mid-Atlantic States. Working Draft of 8 March 2010. University of North Carolina Herbarium, North Carolina Botanical Garden, University of North Carolina at Chapel Hill, Chapel Hill, NC. 994 pp.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

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TDD (804) 698-4021

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L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

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

August 24, 2010

Mr. Joel T. Mitchell
Natural Resources Manager
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337

RE: Proposed Unmanned Aerial Systems Airstrip

Dear Mr. Mitchell,

The Department of Environmental Quality has received your July 14, 2010, letter requesting scoping comments on the above named project. The DEQ Waste Division staff has reviewed your letter and has the following comments concerning the waste issues associated with this project: When an 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.

The report author should analyze the data in the web-based Waste Division databases to determine if the project would affect or be affected by any sites identified in the databases. These are the Solid Waste Database, CERCLA Facilities, Voluntary Remediation Program, 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.

Mr. Joel T. Mitchell
Natural Resources Manager
Goddard Space Flight Center
Page 2

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> . Scroll down to the databases which 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 Search EPA's CERCLIS database 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.

The *Voluntary Remediation Program* GPS database can be accessed by clicking on "Voluntary Remediation," then "What's in my backyard" in the center shaded area, and then under "Mapping Applications," click on "What's in my backyard" again.

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.

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.

In your letter, neither solid waste issues and sites nor hazardous waste issues and sites were addressed. Nor did the letter detail a search of waste-related data bases. The Waste Division staff conducted a cursory review of its data files including a GIS database search, but did not identify any waste sites that would impact or be impacted by the proposed construction.

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 (VHWMR) (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.

Mr. Joel T. Mitchell
Natural Resources Manager
Goddard Space Flight Center
Page 3

Also, if an older structure will be demolished as part of this project, the structure 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.

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

If you have any questions or need further information, please contact Paul Kohler at (804) 698-4208.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. W. Kohler".

Paul W. Kohler
Environmental Specialist II

CC: file

Hoffman, Charee

From: Bundick, Joshua A. (WFF-2500) [joshua.a.bundick@nasa.gov]
Sent: Tuesday, September 07, 2010 11:22 AM
To: Hoffman, Charee; Bartlett, Matthew E.
Cc: Silbert, Shari A. (WFF-200.C)[EG&G, Inc. (WICC)]; Mitchell, Joel T. (WFF-2500)
Subject: ESSLog# 31176_Wallops Flight Facility_Unmanned Aerial Systems Airstrip

From: Ewing, Amy (DGIF) [mailto:Amy.Ewing@dgif.virginia.gov]
Sent: Tuesday, September 07, 2010 11:20 AM
To: Bundick, Joshua A. (WFF-2500)
Cc: Boettcher, Ruth (DGIF); Fisher, John (DEQ)
Subject: ESSLog# 31176_Wallops Flight Facility_Unmanned Aerial Systems Airstrip

Joshua,

We received notice that NASA is proposing to construct and Unmanned Airstrip at the north end of the island and that you are looking for scoping comments. In response to various projects going on at Wallops over the past few years, we have provided quite a bit of information about the wildlife resources known from Wallops and what we would like to see the EA's for projects on Wallops consider. We recommend review of the comments we made regarding the SRIPP and the 2009 expansion plans at Wallops. If you need to me provide you with copies of those comments, just let me know. Below is a recap of some of the things we would like to see discussed in the EA for the new airfield.

- Relation of the airfield to the state Threatened bald eagle's nest known from the north end of the property, discussion of any impacts upon this nesting structure, physical encroachment into within 660ft of the nest, and/or any impacts construction and operation of the airfield are likely to have on the eagles using this nest, and how NASA proposes to avoid, minimize or mitigate such impacts.
- Relation of the airfield to the artificial structure used by state Threatened peregrine falcons that is located at the north end of the property, discussion of any impacts construction and operation of the airfield are likely to have on the falcons using this structure, and how NASA proposes to avoid, minimize or mitigate such impacts.
- Any impacts the construction and operation of the airfield may have on federal Endangered piping plovers known to nest on the beaches at the north end of the island and how NASA proposes to avoid, minimize or mitigate such impacts.
- Any impacts the construction and operation of the airfield may have on other shorebirds, listed and non-listed, known to nest on Virginia's barrier islands and how NASA proposes to avoid, minimize or mitigate such impacts.
- Any impacts the construction and operation of the airfield may have on marine species such as sea turtles and sea mammals known from nearby waters and how NASA proposes to avoid, minimize or mitigate such impacts.

In addition to the above, we expect the EA to include a clear description of all proposed activities for the site so that we may better understand the project and assess the impacts it may have to resources under our jurisdiction.

We recommend coordination with the USFWS and NMFS regarding any impacts upon species under their jurisdictions.

Thank you.

Amy

Amy M. Ewing
Environmental Services Biologist
Virginia Dept. of Game and Inland Fisheries
804-367-2211

2009 REPRESENTATIVE COORDINATION LETTER AND RESPONSES

APPENDIX A. 2009 REPRESENTATIVE COORDINATION LETTER AND RESPONSES

| DATE | FROM | TO |
|---------------|--|--------------------------------|
| June 26, 2009 | Wallops Flight Facility | U.S. Fish and Wildlife Service |
| July 17, 2009 | Navy Surface Combat Systems Center | Wallops Flight Facility |
| July 27, 2011 | NOAA National Marine Fisheries Service | Wallops Flight Facility |

National Aeronautics and Space Administration

Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337-5099



June 26, 2009

Reply to Attn of: 250.W

Mr. Lou Hinds
U.S. Fish and Wildlife Service
Chincoteague National Wildlife Refuge
P.O. Box 62
Chincoteague, VA 23336

**Subject: Request for Study Plan Review of the NASA Goddard Space Flight Center's
Wallops Flight Facility, Wallops Island, Virginia Proposed Unmanned Aerial
System Airstrip**

To satisfy its obligations under the National Environmental Policy Act and Section 7 of the Endangered Species Act of 1973, the Wallops Flight Facility (WFF) has retained Timmons Group to assist with the planning for a 5,200-foot x 75-foot airstrip on the north end of Wallops Island in Accomack County, Virginia (see Enclosure 1 Site Vicinity Map). The preparation on an Environmental Assessment (EA) is forthcoming; however, WFF is moving forward with the early scoping process. The Unmanned Aerial Systems (UAS) Airstrip is being proposed to serve NASA and NASA clients and partners for uninhabited aerial vehicles. The WFF invites your agency to participate in the scoping process. We are currently seeking your input and recommendations concerning WFF's proposed project as it pertains to the protection of Threatened and Endangered Species.

The UAS Airstrip at WFF is proposed to have a ground disturbance impact of 125 feet x 5,200 feet to accommodate the grading and surfacing of the 75-foot runway for its entire proposed length. The runway would actually be built up 2 to 3 feet above existing ground surface. There is no excavation proposed as the water table is relatively high in this area. Two 100 foot x 100 foot hangars would be constructed to service the airstrip. The existing site access road (dirt road) will be improved to service the runway and hangars. No other ground disturbance is planned for the project (see Enclosure 2 Overall View of the Project Area). Vegetation clearing for sight would be perpendicular from the edge and along the entire length of the runway fill to approximately 250 feet at a maintained height of approximately 2 feet above ground or less. An additional 500 feet of vegetation would be cleared to the same height off of each end of the runway. Additionally, vegetation beyond the 250-foot limit would be maintained to a height of approximately 5 to 10 feet.

There is the potential for the presence of several threatened and endangered species within the vicinity of the proposed project (see Table below). A loggerhead sea turtle nest was documented on the beach 1.5 miles east of the project site and piping plover nesting habitat has been delineated on Wallops Island overwash areas (see Enclosure 3 Overall View of Piping Plover Habitat). Wilson's plovers tend to nest with piping plovers. Gull-billed terns can be found on the beaches or mud flats on Wallops Island. A pair of resident peregrine falcons nests on a tower on the northwest side of Wallops Island approximate 0.7 miles from the proposed airstrip. Migrating peregrine falcons transit the Wallops Island beach during fall migration.

| Threatened and Endangered Species Potentially in the Vicinity of the UAS Airstrip | | |
|--|---------------------------|----------------------|
| Scientific Name | Common Name | Status |
| <i>Dermochelys coriaces</i> | Leatherback Sea Turtle | Federally Endangered |
| <i>Eretmochelys imbricate</i> | Hawksbill Sea Turtle | Federally Endangered |
| <i>Lepidechelys kemp</i> | Kemp's Ridley Sea Turtle | Federally Endangered |
| <i>Chelonia mydas</i> | Atlantic Green Sea Turtle | Federally Threatened |
| <i>Caretta caretta</i> | Loggerhead Sea Turtle | Federally Threatened |
| <i>Charadrius melodus</i> | Piping Plover | Federally Threatened |
| <i>Charadrius wilsonia</i> | Wilson's Plover | State Endangered |
| <i>Haliaeetus leucocephalus</i> | Bald Eagle | State Threatened |
| <i>Falco peregrinus</i> | Peregrine Falcon | State Threatened |
| <i>Bartramia longicauda</i> | Upland Sandpiper | State Threatened |
| <i>Sterna nilotica</i> | Gull-billed Tern | State Threatened |

To protect piping plover habitat, since 1986 WFF has closed northern and southern Wallops Island beaches to vehicle and human traffic during the plover's nesting season (March 15th through September 1st). Biologists from the U. S. Fish and Wildlife Service's (USFWS) Chincoteague National Wildlife Refuge and the U. S. Department of Agriculture's Wildlife Services monitor piping plover nesting activities and provide advice to WFF on protection and management of the species.

Currently the proposed UAS Airstrip on the northern portion of Wallops Island is greater than 3,000 linear feet from any known piping plover nest. In a memorandum dated March 14, 2003, NASA documents consultation with the USFWS concerning the UAS runway that was to be sited at the southern end of Wallops Island. The consultation was to determine the potential for construction and operation of the UAS runway to disturb piping plovers. USFWS recommended imposing a no-fly zone 1,000 feet horizontally and vertically from any active piping plover nesting site. The current proposed UAS Airstrip would be sited much farther than 1,000 feet from any known nest and UAS operations would be conducted so as to observe the same no-fly restrictions instituted on the southern end of Wallops Island.

If you have any additional questions or require more information about the project, please, contact Mr. Josh Bundick at (757) 824-2319 (Joshua.A.Bundick@nasa.gov) or myself at (757-823-1127 (Joel.T.Mitchell@nasa.gov). Thank you for your attention to this request and we look forward to receiving your comments.


Joel T. Mitchell
Environmental Engineer

3 Enclosures

cc: (w/o encl.)
200/Ms. C. Massey
228/Mr. P. Bull
228/Mr. G. Lilly
250/Mr. J. Bundick
250/Ms. C. Turner
840/Mr. J. Pittman



DEPARTMENT OF THE NAVY
SURFACE COMBAT SYSTEMS CENTER
30 BATTLE GROUP WAY
WALLOPS ISLAND, VIRGINIA 23337-5000

5090
Ser X31/ 200
17 Jul 09

NASA GSFC Wallops Flight Facility
Attn: Josh Bundick, Code 250.W
Wallops Island, Virginia 23337

Dear Mr. Bundick:

Thank you for the opportunity to review your proposal for the UAS Airstrip on the northern end of Wallops Island.

We do recommend that you seek a Section 7 consultation with the Fish & Wildlife Service Endangered Species Office. The beach on the northern end of Wallops Island has been closed to entry for a number of years during the piping plover breeding season. As noted in your current Special Announcement (May 18, 2009), "The closures are part of our continuing cooperation with the U.S. Fish and Wildlife Service (USFWS) to protect the piping plover, a federally endangered species along the Atlantic Coast." Since the area has been closed to protect an endangered species, and since the birds tend to perceive low-flying aircraft as predators, it is likely that establishing a runway in this area would have an impact on the birds. The purpose of a Section 7 consultation is to determine the extent of that impact and any mitigation that could minimize the harm.

You may also need to consider the birds breeding on the nearby Fishing Point. A variety of species have nesting colonies there. A number of them are sensitive to low-flying aircraft due to the similarity to predators. The Section 7 consultation should also address this concern.

Although not clearly addressed, the proposed buildings may include a source of light near the beach. This may affect nesting marine turtles, as well as the viewscape from Assateague Island.

Although not addressed in this point paper, we are confident that you are aware that much of this area is tidal wetlands and will require mitigation. You may also need to address the essential fish habitat located nearby, and the destruction of the dunes. This is a very dynamic area; it will be difficult to maintain the integrity of the runway on the eastern side.

Sincerely,


JOHN J. KEEGAN
Commander, U.S. Navy
Commanding Officer



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Habitat Conservation Division
James J. Howard Marine
Sciences Laboratory
74 Magruder Road
Highlands, New Jersey 07732

July 27, 2009

Joshua A. Bundick
NEPA Program Manager
National Aeronautics and Space Administration
Goddard Space Flight Center, Wallops Island Facility
Wallops Island, VA 23337-5099
Attn: 250.W

Dear Mr. Bundick,

This is in response to a letter dated June 26, 2009 to John Nichols, NOAA Habitat Conservation Division regarding NASA's Wallops Island Facility's proposed Unmanned Aerial Systems (UAS) Airstrip, located on the north end of Wallops Island in Accomack County, Virginia. The proposed construction of a 75 ft. wide by 5,200 ft. long runway, two (2) 100 ft. by 100 ft. hangars, improvements to an existing dirt access road, and clearing of adjacent vegetation will occur across approximately 161 acres.

In seeking to satisfy your obligations under the National Environmental Policy Act (NEPA) and Section 7 of the Endangered Species Act (ESA) of 1973, your office requested and received comments regarding the proposed UAS's potential to adversely affect listed species from Mary Colligan, NOAA Fisheries Service, Protected Resources Division (PRD). At this time, NOAA Fisheries Service, Habitat Conservation Division (HCD) appreciates the opportunity to also provide input and recommendations during the scoping process in preparation of the forthcoming environmental assessment (EA) for this project.

As you know, NOAA Fisheries Service, Habitat Conservation Division (HCD) reviews projects with regards to the project's potential to adversely affect essential fish habitat (EFH), and provides comments and conservation recommendations to state and federal regulatory agencies pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-297; 11 October 1996) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C 661 et seq.). Section 305(b)(2) of the MSA requires all Federal agencies to consult with NOAA Fisheries Service on any action authorized, funded, or undertaken by that agency that may adversely affect EFH. This includes activities authorized or permitted by the U.S. Army Corps of Engineers, such as construction of the proposed UAS airstrip and supporting infrastructure at Wallops Island.

The EFH consultation process includes the preparation of a complete and appropriate EFH assessment to provide the necessary information on which NOAA Fisheries Service then



consults. Our EFH regulation at 50 CFR 600.905 mandates the preparation of EFH assessments and generally outlines each agency's obligations in this consultation procedure. In accordance with the EFH Final Rule published in the Federal Register on January 17, 2002, Federal agencies may incorporate an EFH assessment into documents prepared for another purpose, such as the forthcoming environmental assessment (EA) being prepared for the Wallops Island UAS project, provided the EFH assessment is clearly identified as a separate and distinct section of the document. The EFH assessment must include four major elements: 1) a description of the proposed actions; 2) an analysis of the effects of the actions on EFH, managed species and their prey species; 3) the Federal agency's views regarding the effects of the action on EFH, and; 4) a discussion of proposed mitigation, if applicable. Other information that should be included in the EFH assessment, if appropriate, includes: 1) the results of on-site inspections to evaluate the habitat and site-specific effects; 2) the views of recognized experts on the habitat or species that may be affected; 3) a review of pertinent literature and related information; and 4) an analysis of alternatives to the action that could avoid or minimize the adverse effects on EFH. Additional information on EFH consultation process and the development of EFH assessments can be found at NOAA's Northeast Region HCD website: <http://www.nero.noaa.gov/hcd/>

Though it is difficult to quantify potential impacts to wetlands and essential fish habitat based on the scale of the figures appended to your letter of June 26, 2009, it appears that the majority of the proposed UAS project area is located in sensitive terrestrial and aquatic habitats including palustrine forested wetlands (PFO), palustrine scrub-shrub wetlands (PSS), palustrine open water (POW), intertidal estuarine emergent wetlands (EEM) and estuarine subtidal open water (ESOW). Intertidal emergent wetlands such as smooth cordgrass (*Spartina alterniflora*) marshes and nonvegetated intertidal flats provide important breeding, nursery, forage and refuge habitat for the various life stages of numerous federally managed fish species and their prey.

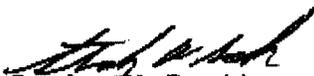
Based on information provided in your letter of June 26, 2009, the UAS airstrip was originally proposed to be located on the southern end of Wallops Island. However, ESA Section 7 consultation with U.S Fish and Wildlife Service (USFWS) regarding the Federally Threatened piping plover (*Charadrius melodus*) resulted in USFWS recommendations for a 1,000 ft. vertical and horizontal no-fly zone from any active piping plover nesting site. We assume that the currently proposed northern location of the UAS is in response to the presence of active piping plover nests on the southern end of the island and the operational constraints the USFWS no-fly zone recommendations would place on the UAS.

The NEPA process requires that a thorough alternatives analysis be conducted for Federal undertakings to evaluate the least environmentally damaging practicable alternative. Please include an alternatives analysis, including potential off-island locations for the UAS, in the EA along with a description of any measures employed during the planning phase of the project to avoid and minimize impacts to waters of the U.S. (WOUS), including tidal and non-tidal wetlands, as required under the Clean Water Act's (CWA) Section 404 (b)(1) guidelines. Typically, permitting agencies require compensation for unavoidable impacts to wetlands. Compensation for unavoidable loss of wetlands is supported by NOAA Fisheries Service HCD to compensate for the lost ecological services provided by these ecologically important habitats.

Thank you for the study plan review of the NASA Goddard Space Flight Center's Wallops Island

Flight Facility's proposed Unmanned Aerial System (UAS) airstrip and the opportunity to comment on issues and concerns under the purview of NOAA Fisheries Service's Habitat Conservation Division. Pursuant to the coordination requirements for Federal agencies under Section 305(b)(2) of the MSA, NOAA Fisheries Service requests that the NASA prepare an EFH assessment for the proposed UAS for inclusion in the forthcoming EA. Within 30 days following the submittal of an EFH assessment, NOAA Fisheries will review the assessment for completeness and will evaluate the proposed project's potential to adversely affect EFH, managed species and their prey species. At that time NOAA Fisheries Service may provide conservation recommendations to NASA designed to help avoid and minimize project impacts or to compensate for unavoidable impacts to EFH, managed species and their prey species. NOAA Fisheries Service reserves the right to raise additional concerns in the future as new information regarding the design, materials, and methods to be used in the construction of the UAS become available. Please contact Mr. David O'Brien of our Gloucester Point, VA field office at 804-684-7828 (David.L.O'Brien@noaa.gov) if you have any questions or concerns regarding the EFH consultation process.

Sincerely,


Stanley W. Gorski
Field Offices Supervisor

Cc: John Nichols, HCD
Carol Petrow, EPA
Robert Hume, Corps

APPENDIX B

BIOLOGICAL ASSESSMENT

APPENDIX B. BIOLOGICAL ASSESSMENT

| DATE | FROM | TO |
|--------------------|---|---------------------------------|
| July 13, 2009 | NOAA National Marine Fisheries Service | Wallops Flight Facility |
| August 24, 2010 | NOAA National Marine Fisheries Service | Wallops Flight Facility |
| June 10, 2011 | Wallops Flight Facility | U.S. Fish and Wildlife Services |
| September 22, 2011 | U.S. Fish and Wildlife Services | Wallops Flight Facility |
| June 2011 | Draft Biological Assessment for the Wallops Flight Facility Unmanned Aerial Systems Airstrip | |



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

JUL 13 2009

Joshua A. Bundick
National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia 23337
Attn: 250.W

Dear Mr. Bundick,

This is in response to your letter dated June 26, 2009 regarding the National Aeronautics and Space Administration's (NASA) Goddard Space Flight Center's Wallops Flight Facility's proposed Unmanned Aerial Systems Airstrip, located on the north end of Wallops Island in Accomack County, Virginia. The proposed work would have a ground disturbance impact of 125 feet x 5,200 feet to accommodate the grading and surfacing of the 75-foot runway for its entire proposed length. Work proposed includes: construction of two 100 foot x 100 foot hangars; improvement of the existing site access roads; and clearing of vegetation.

Several species of sea turtles listed by NOAA's National Marine Fisheries Service (NMFS) as threatened and endangered occur seasonally in the coastal waters of Virginia. However, as no in water work is proposed, no listed species will be affected by the proposed project. As such, no consultation pursuant to Section 7 of the Endangered Species Act of 1973, as amended, is required. Should project plans change or new information become available that changes the basis for this determination, consultation should be reinitiated. If you have any questions about these comments, please contact Danielle Palmer at (978)282-8468.

Sincerely,

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

AUG 24 2010

Joel T. Mitchell
National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia 23337
Attn: 250.W

Dear Mr. Mitchell,

This is in response to your letter dated July 14, 2010 regarding the National Aeronautics and Space Administration's (NASA) Goddard Space Flight Center's Wallops Flight Facility's proposed Unmanned Aerial Systems Airstrip, located on the north end of Wallops Island in Accomack County, Virginia.

Several species of sea turtles listed by NOAA's National Marine Fisheries Service (NMFS) as threatened and endangered occur seasonally in the coastal waters of Virginia. However, as no in water work is proposed, no listed species will be affected by the proposed project. As such, no consultation pursuant to Section 7 of the Endangered Species Act of 1973, as amended, is required. Should project plans change or new information become available that changes the basis for this determination, consultation should be reinitiated. If you have any questions about these comments, please contact Danielle Palmer at (978)282-8468.

Sincerely,

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources



National Aeronautics and
Space Administration

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



Reply to Attn of: 250.W

June 10, 2011

Ms. Cindy Schulz
Virginia Field Office
U.S. Fish and Wildlife Service
6669 Short Lane
Gloucester, Virginia 23061

Dear Ms. Schulz:

In accordance with Section 7(c) of the Endangered Species Act of 1973 (ESA), the National Aeronautics and Space Administration (NASA) has prepared a Biological Assessment for the construction and operation of an Unmanned Aerial Systems (UAS) Airstrip at Goddard Space Flight Center's Wallops Flight Facility (WFF) on the north end of Wallops Island in Accomack County, Virginia. Three copies of the Biological Assessment are enclosed with this letter.

NASA has determined that the proposed UAS airstrip will not contribute to the future listing of the candidate species, red knot. The project may affect but is not likely to adversely affect the piping plover and will have no effect on the loggerhead sea turtle. Please consider this correspondence as NASA's request to begin formal consultation pursuant to the ESA. NASA respectfully requests that your agency's Opinion be provided within 135 days of receiving this correspondence.

If you have any questions or require any additional information please contact me at (757) 824-1127, or Ms. Shari Silbert at (757) 824-2327.

Sincerely,

A handwritten signature in cursive script that reads "Joel Mitchell". The signature is written in dark ink and is positioned above the printed name and title.

Joel Mitchell
Natural Resources Program Manager

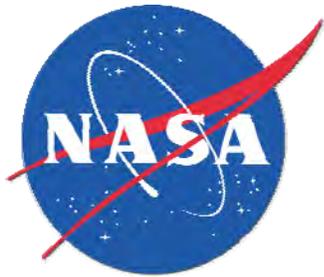
Enclosures

cc:
200/Ms. C. Massey
228/Mr. P. Bull
250/Mr. E. Connell
250/Ms. C. Turner
802/Mr. M. Hitch

DRAFT

**BIOLOGICAL ASSESSMENT
WALLOPS FLIGHT FACILITY
UNMANNED AERIAL SYSTEMS AIRSTRIP**

Prepared for:



National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility

**WALLOPS ISLAND, VIRGINIA
JUNE 2011**

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ACRONYMS AND ABBREVIATIONS

| | |
|---------------|--|
| AGL | above ground level |
| cm | centimeters |
| dB | decibel |
| DNL | Day-Night Average Sound Level |
| ESA | Endangered Species Act |
| FAA | Federal Aviation Administration |
| ft | feet |
| GTM | Generic Transport Model |
| in | inch |
| JP | jet propellant |
| km | kilometer |
| L_{max} | Maximum Level |
| m | meters |
| NMFS | National Marine Fisheries Service |
| SEL | Sound Exposure Level |
| UAS | unmanned aerial systems |
| USACE | U.S. Army Corps of Engineers |
| USFWS | U.S. Fish and Wildlife Service |
| VACAPES OPREA | Virginia Capes Operating Area |
| VDEQ | Virginia Department of Environmental Quality |
| VDGIF | Virginia Department of Game and Inland Fisheries |
| WFF | Wallops Flight Facility |

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CHAPTER 1 PROJECT OVERVIEW

1.1 INTRODUCTION

NASA Goddard Space Flight Center owns and operates Wallops Flight Facility (WFF). The mission of WFF is to support aeronautical research, science technology, and education. WFF provides NASA and other U.S. government agencies as well as foreign and commercial organizations access to resources such as special use (i.e., controlled/restricted) airspace, airstrips, launch pads, and the technical expertise and project oversight to conduct a wide-variety of scientific research in a low-cost environment. Much of the research at WFF is conducted via various carrier systems such as rockets, balloons, and unmanned aerial systems (UAS).

1.2 PROJECT AREA AND SETTING

WFF is located in the northeast portion of Accomack County, Virginia on the Delmarva Peninsula. The facility is comprised of three separate land masses: Main Base, Wallops Mainland, and Wallops Island (Figure 1). NASA Goddard Space Flight Center's Suborbital and Special Orbital Projects Directorate is responsible for management of Wallops Research Range located on Wallops Island. The Research Range is where the majority of scientific research launch activities occur. To support suborbital missions, restricted airspace R-6604A/B was established through the Federal Aviation Administration (FAA). Restricted airspace is established when it is determined necessary to confine or segregate activities considered hazardous to nonparticipating aircraft (14 Code of Federal Regulation Part 1.1). R-6604A/B, owned and operated by WFF, is available 24 hours a day, 7 days a week from the surface to unlimited altitude. This restricted airspace covers the entirety of Wallops Island and extends over the Atlantic Ocean for approximately 5.0 kilometers (km) (3 miles) (Figure 2).

UAS launch operations, which require restricted airspace, are an important business at WFF. UAS perform a wide variety of functions; the majority of these functions are some form of remote sensing (e.g., atmospheric monitoring and testing, hurricane analysis, etc.). Due to the temperate climate in the region, commercial UAS manufacturers and others come from around the world to WFF to conduct product trials, pilot training, and science missions from a UAS airstrip located on the south end of Wallops Island (Figure 2).

1.3 PROJECT NEED

Since 2003, UAS have been operating from an airstrip on a then remote portion of south Wallops Island. The airstrip (Figure 3), formerly a paved road, measured 230 meters (m) long by 15 m wide (750 feet [ft] long by 50 ft wide). In 2005, the airstrip was expanded to accommodate larger classes of UAS. The airstrip was lengthened to 450 m (1,500 ft); two staging pads were also added (Figure 4). While this airstrip met an immediate and emerging need, the location has proven to be unsatisfactory for continued UAS flight operations.



Figure 1. Location of NASA's Wallops Flight Facility

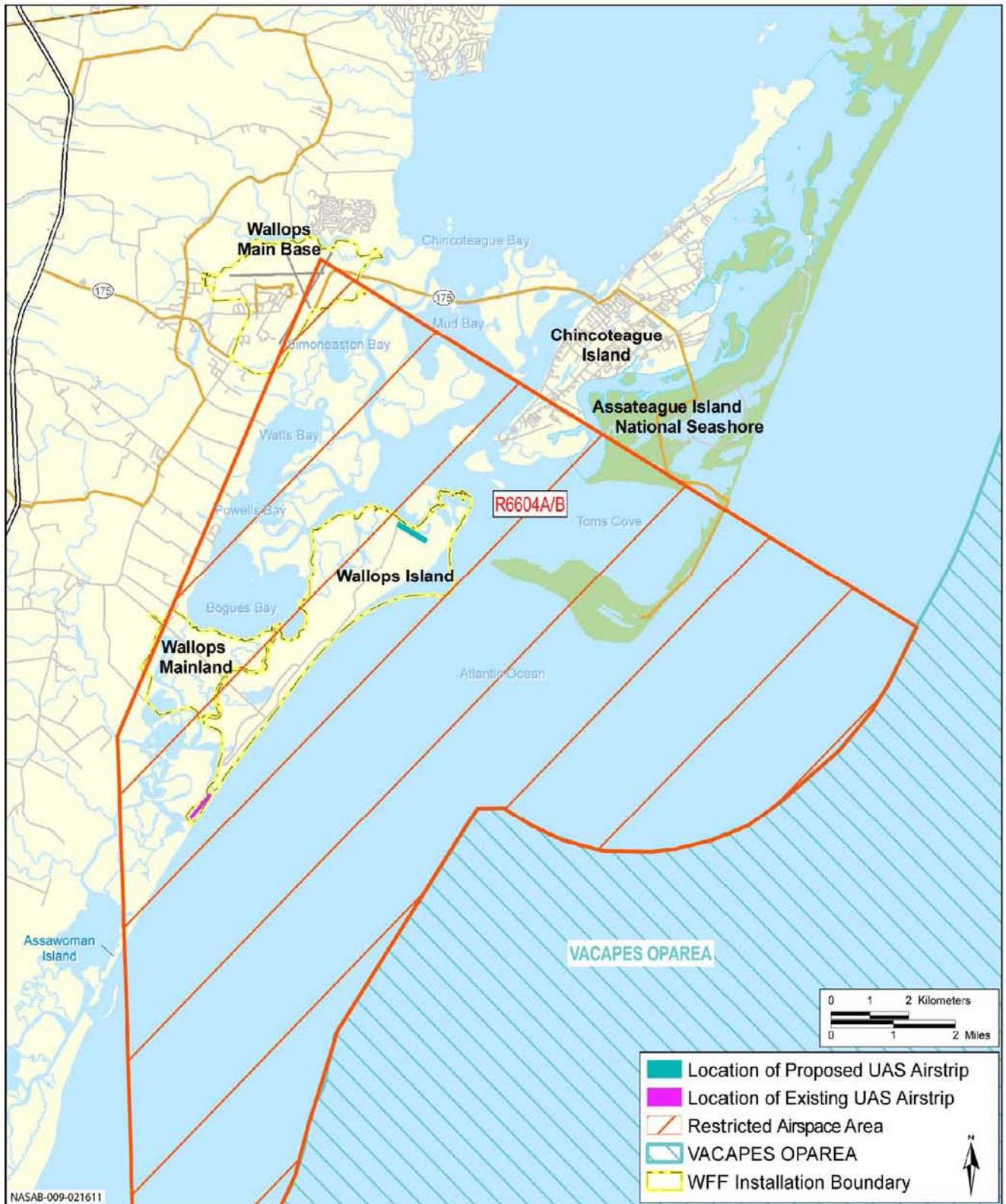


Figure 2. NASA Controlled/Restricted Airspace R-6604A/B and Location of the Existing and Proposed UAS Airstrip



Figure 3. Initial UAS Airstrip (2003)



Figure 4. Expanded UAS Airstrip (2005)

The most common and largest UAS that currently operate from the south Wallops Island airstrip are shown in Table 1 and provided in Figure 5. As shown in Table 1, the Viking 100 and 300 models require a 450 m (1,500 ft) airstrip for safe takeoff and landing and are therefore the largest UAS capable of operating from the existing airstrip. The Viking 400 is proposed for future operations at WFF.

Table 1. UAS Operating and Proposed for Operations on Wallops Island

| <i>Model</i> | <i>Wingspan (meters/feet)</i> | <i>Length (meters/feet)</i> | <i>Maximum Weight with Payload (kilogram/pounds)</i> | <i>Takeoff/Landing Minimum Requirement (meters/feet)</i> |
|--------------------------|-----------------------------------|---------------------------------|--|--|
| Aerosonde ¹ | 3.0 / 9.5 | 1.5 / 5.6 | 14 / 30 | none |
| GTM AirSTAR ² | 2.0 / 7.0 | 2.5 / 8.0 | 23 / 50 | 450 / 1,500 |
| Viking 100 ³ | 4.5 / 15.0 | 2.5 / 8.0 | 68 / 150 | 450 / 1,500 |
| Viking 300 ³ | 5.5 / 17.5 | 4.0 / 13.5 | 144 / 318 | 450 / 1,500 |
| Viking 400 ³ | 6.0 / 20.0 | 4.5 / 14.7 | 240 / 530 | 760 / 2,500 |
| Exdrone ⁴ | 3.0 / 9.5 | 2.0 / 6.2 | 2 / 6 | 100 / 300 |
| Scan Eagle ⁵ | 3.0 / 9.5 | 2.0 / 5.6 | 2 / 6 | 10 / 30 |
| Shadow 200 ⁶ | 6.0 / 20.0 | 4.0 / 12.0 | 4 / 12 | 30 / 500 |
| Blimp (tethered) | 2.0 / 7.0 | 7.0 / 23.0 | 7 / 23 | none |

Notes: ¹ Manufactured by Aerosonde. ² GTM (Generic Transport Model) AirSTAR is manufactured by NASA Langley Research Center. The GTM is similar to an upscale model airplane and is the smallest of the UAS piloted at WFF. ³ Manufactured by L3 BAI Systems. ⁴ Launched via catapult; stopped by chute or skid. ⁵ Launched via catapult; stopped via SkyHook. ⁶ Launched via catapult; wheel landing.

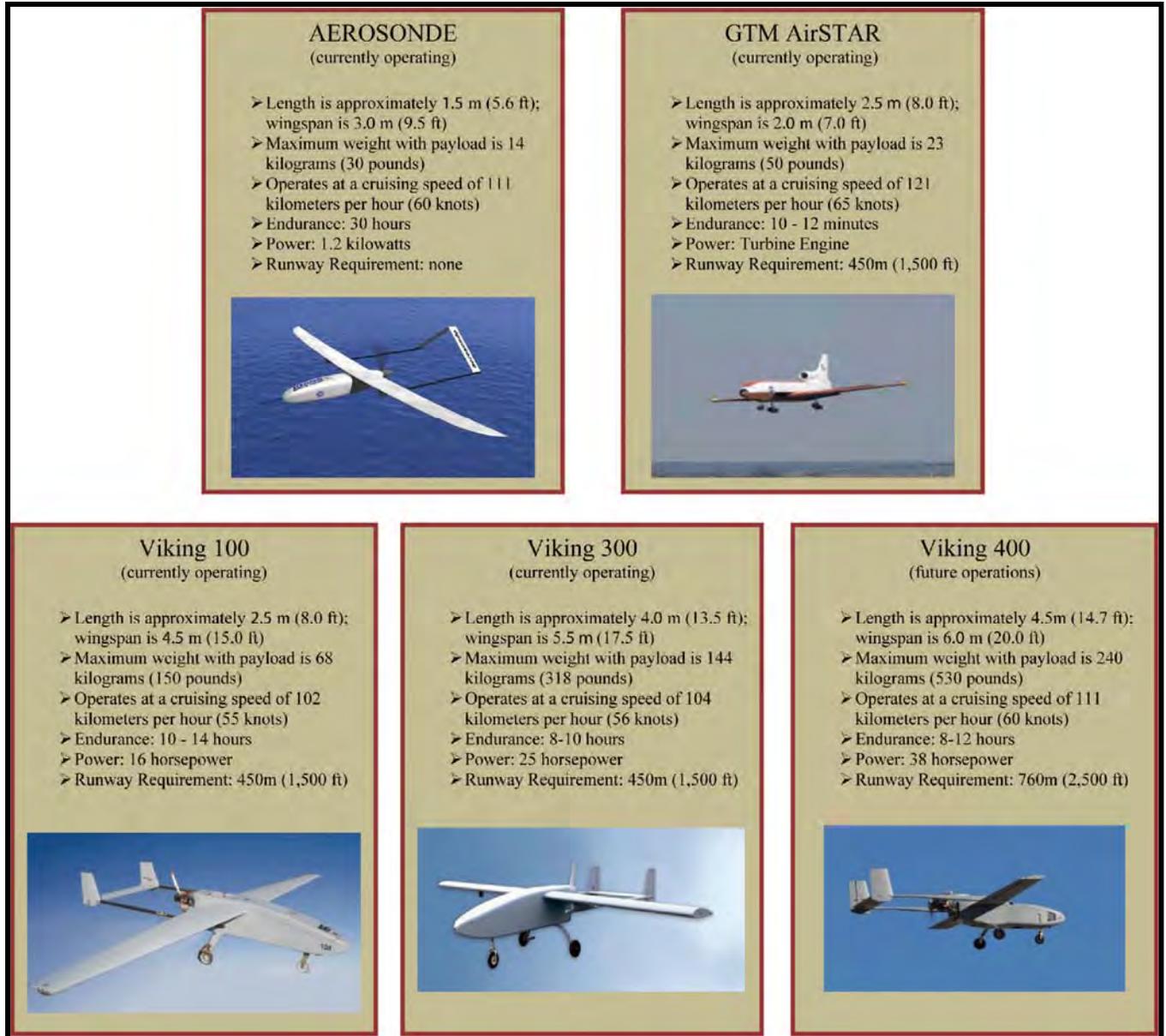


Figure 5. UAS Currently Operating and Proposed for Future Operations at WFF

In recent years, however, WFF has determined that the size and location of the existing airstrip has placed limitations on its use, constraining opportunities for scientific testing and research at WFF. Limitations on use of the existing UAS airstrip are outlined below:

- The airstrip has a north/south orientation making it susceptible to (east/west) cross winds. Due to the small size and light weight of most UAS, strong east/west winds often preclude and/or limit UAS operations. Historical wind data for Wallops Island indicates that winds are generally from the west/northwest or east/southeast directions (NASA 2010a).

- During storm events, the existing airstrip is often inundated with surf and sand. Severe beach erosion from hurricanes and nor'easters (as evident in Figure 6) has virtually eliminated the beachfront and dunes that provided protection in the past. Although, WFF is in the process of restoring the Wallops Island shoreline (NASA 2010b), the beach restoration project will not prevent storm driven flood waters from the back bays from inundating the existing UAS airstrip.
- WFF's rocket launch program has expanded with the current construction of a new launch pad north of the UAS airstrip. Mandatory safety constraints from increased rocket launch activities at the nearby Mid-Atlantic Regional Spaceport are anticipated to further reduce UAS research opportunities. The airstrip is inactivated prior to and immediately following rocket launch activities and static test firing of the rocket engines. Approximately 18 orbital launches, 60 sounding rockets, and 2 static test firing of rockets will occur each year (NASA WFF 2009a). Each of these activities has the potential to reduce opportunities for UAS flight operations.
- The existing airstrip (450 m [1,500 ft] long) would not be capable of supporting the next generation of Viking UAS; the Viking 400 would require, at a minimum, 760 m (2,500 ft) long airstrip for take-offs and landings; an additional 75 m (250 ft) clearance zone on each end would provide for safe operations.



Figure 6. South Wallops Island UAS Airstrip after a Storm

Based on the limitations presented, the requirement to operate UAS in restricted airspace, and NASA Goddard Space Flight Center's Suborbital and Special Orbital Projects Directorate's mission to provide the infrastructure and support services for scientific research and discovery, NASA has determined the need to construct a new UAS airstrip on the north end of Wallops Island.

1.4 PROJECT DESCRIPTION

As described above, WFF has determined that a new airstrip is needed to provide an adequately-sized facility that will be capable of supporting the testing and deployment of existing and future UAS and UAS-based scientific instruments at WFF. UAS test and UAS-based research opportunities form an important objective of NASA Goddard Space Flight Center's Suborbital and Special Orbital Projects Directorate and as such, this type of mission need requires an unencumbered operating environment. The new airstrip will have an asphalt surface and will measure approximately 900 m (3,000 ft long [2,500 ft plus an additional 500 ft clear zone]) by 25 m (75 ft) wide. Figure 7 offers a representative plan view of the proposed airstrip.

Design

The UAS airstrip will incorporate typical aircraft airstrip design elements such as the necessary airstrip length, width, shoulders, and clear zone. The length and width of the airstrip will be the minimum required to support the takeoff/landing requirements of the largest UAS proposed (i.e., Viking 400) for operations at the airstrip. The unpaved shoulders of the airstrip will provide passage of maintenance or other vehicles and the occasional UAS that could veer of course. The clear zones will extend beyond the end of the airstrip and will provide additional area for takeoff operations. The airstrip will be designed to ensure that the surface area is flat, without humps, depressions, or other surface variations and the shoulders of the airstrip will be sloped to direct water to an infiltration trench.

Construction

Prior to the start of construction activity, silt fencing and other approved measures to control erosion, sedimentation, stormwater runoff, and the integrity of a known archaeological site will be put in place. Following these control measures, two structures (metal observation tower and wood frame observation platform) located within the project area will be removed. The area comprising the base and clearing limits of the airstrip will be cleared of all vegetation. Vegetation alongside the length (out to 30 m [100 ft] on each side) of the airstrip will be cleared. Trees will be cut to ground level; digging below ground to remove stumps and roots is not anticipated since the area for the airstrip will be elevated with up to 1 m (3 ft) with fill in most areas. The site will then be filled, compacted, and graded to design specifications prior to application of the asphalt.

Construction of the UAS airstrip will affect approximately 5.3 hectares (13 acres) of vegetated areas from clearing and approximately 1.2 hectares (3 acres) of jurisdictional wetlands from fill activities. The appropriate permits for construction in a wetland area will be obtained prior to commencement of construction activities. Additionally, WFF will submit an infiltration trench design plan to Virginia Department of Environmental Quality (VDEQ) and U.S. Army Corps of Engineers (USACE) for review and approval.

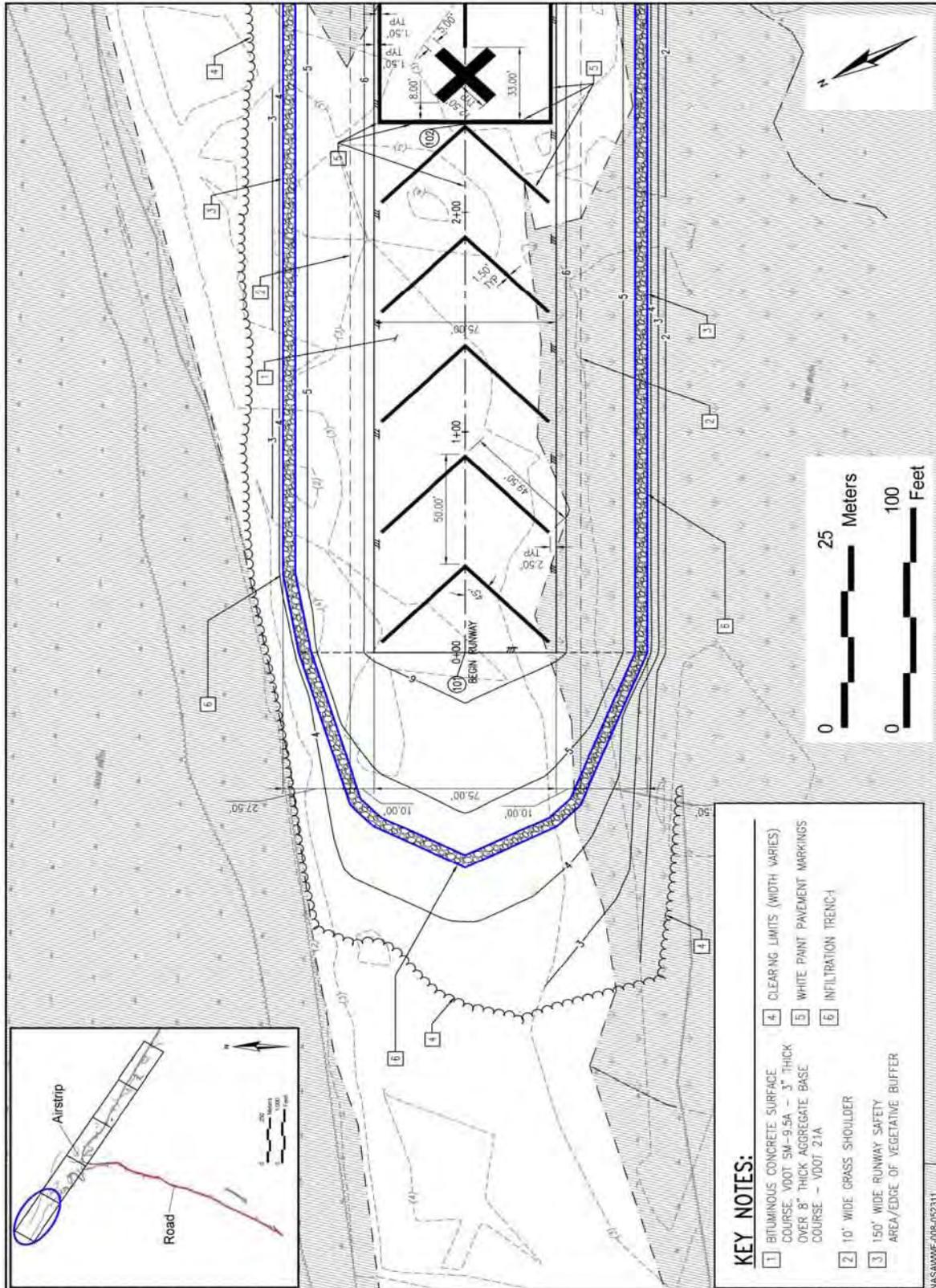


Figure 7. Representative View of the Proposed UAS Airstrip

The UAS airstrip will need to be elevated approximately 1 m (3 ft) above the existing ground surface to ensure sufficient surface water runoff for UAS operations. An infiltration trench will be constructed to capture the surface water runoff; the trench will incorporate low impact development techniques and will be constructed in accordance with Virginia stormwater management regulations and VDEQ standards for pre- and post-development stormwater discharge rates.

A staging pad for aircraft and support vehicles (i.e., government vehicles, fire truck, mobile command station, and road sweeper) in preparation for and during flight operations will be located just below the point where the access road meets the airstrip. Crushed gravel will be used to improve the existing dirt access road that provides service to the northernmost end of Wallops Island. Infrastructure improvements to provide electrical and telecommunication service will be implemented.

WFF anticipates construction of the UAS airstrip will begin in fiscal year 2013 and require approximately 9 months to complete. Construction activities will occur during daylight hours.

Maintenance

UAS operators require a clear line of sight during take-offs and landings; therefore, vegetation alongside the length (out to 30 m [100 ft] on each side with some variations) of the airstrip will be maintained via mowing and simple mechanical tools, as needed, throughout the year. Beyond the ends of the airstrip, the vegetation height will also be maintained in order to provide the necessary line of sight for UAS operators. Clearing around the known archaeological site will be done in accordance with a plan approved by the Virginia Department of Historic Resources.

Operations

UAS and UAS-based operations will be conducted year round during NASA's normal Air Traffic Control tower hours (Monday through Friday, 7 AM to 5 PM). From 2007 to 2009, annual UAS operations varied between 70 and 130 sorties¹ (personal communication, Justis 2010). Under this proposal, WFF intends to conduct on average, four UAS sorties each day. A maximum of 1,040 UAS sortie operations² will occur each year. This total will include the transition of UAS flight operations from the south Wallops Island airstrip. The number and frequency of operations will be dictated by the type of UAS test and UAS-based research being conducted in a given year.

Night operations are probable and will take place under special circumstances (e.g., hurricane monitoring). The airstrip will have no permanent lighting; should lighting be required for the rare nighttime operation, the lighting will be provided via mobile vehicle source at the minimum intensity necessary for task performance.

UAS will operate within the existing NASA controlled/restricted airspace (R-6604A/B) and within the Virginia Capes Operating Area (VACAPES OPREA), the Navy's offshore training area (Figure 2). UAS from WFF will not operate over Chincoteague Island, Assateague Island National Seashore, or over any populated areas. Aside from takeoff and landing, the minimum operating altitude for UAS operating near the airstrip will be approximately 150 m (500 ft).

¹ A sortie consists of a single UAS flight operation from takeoff through landing.

² A sortie operation applies to flight activities outside of the airfield/airstrip space environment.

UAS Community Operational Noise Levels

Of the UAS currently operating and proposed for operations at the new UAS airstrip, the Viking 300 has been determined to be the loudest of the unmanned systems. The noise level³ of the Viking 300 is 70 dB at 300 m (1,000 ft) flight altitude at 100 km per hour (56 knots) (this is maximum level (L_{max}) occurring during the flyover). For aircraft flyovers at these speeds, the Sound Exposure Level (SEL)⁴ is approximately 10 decibels (dB) greater than the maximum level, which would give an estimated SEL value of 80 dB for a 300 m (1,000 ft) flyover. A 150 m (500 ft) minimum cruise altitude near the airstrip is proposed. The reduction of the altitude by a factor of 2 would increase the SEL by 3 dB⁵. Thus, the estimated SEL underneath the flight track near the airstrip at 150 m (500 ft) would be approximately 83 dB.

Under the Proposed Action, it is projected that the average operational day would consist of no more than four UAS sorties, which means eight operations per day (one sortie equals one departure and one arrival). UAS sorties would occur during daylight hours, with the potential for an occasional nighttime operation taking place under special circumstances (e.g., hurricane monitoring). Therefore, an estimated maximum Day-Night Average Sound Level (DNL)⁶ value underneath the flight track is calculated using the following formula:

$$DNL = SEL* + 10*\log(\text{Number of passes}) - 49.4$$

Using this formula, a maximum DNL for UAS operations under this proposal would be:

$$DNL = 83 \text{ dB SEL} + 10*\log(8) - 49.4 = DNL 43 \text{ dB}$$

This level is very low and is actually 10 dB below the ambient levels of DNL 52.5 dB (Downing 2011). These calculations indicate that UAS operations at the new airstrip would not create significant noise levels in the surrounding areas, assuming operational parameters remain as projected.

³ Sound Level is the amplitude (level) of the sound that occurs at any given time. When an aircraft flies by, the level changes continuously, starting at the ambient (background) level, increasing to a maximum as the aircraft passes closest to the receiver, then decreases to ambient as the aircraft flies into the distance. Sound levels occur on a logarithmic decibel scale; a sound level that is 10 dB louder than another will be perceived as twice as loud.

⁴ SEL accounts for both the maximum sound level and the length of time a sound lasts. SEL does not directly represent the sound level heard at any given time, but rather provides a measure of the total sound exposure for an entire event.

⁵ SEL values are analogous to a line source which has a distance variation of 3 dB per doubling, whereas L_{max} variation with distance follows a point source which is 6 dB per doubling of distance.

⁶ DNL is a noise metric combining the levels and durations of noise events, and the number of events over a 24-hour time period. It is a cumulative average, computed over a given time period like a year, to represent total noise exposure.

UAS Proposed for Operations

A representative list of UAS that currently operate and are proposed for operations has been provided (refer to Table 1). The Viking 400 would be the largest UAS authorized to operate from the proposed airstrip. The Viking 400 has a 6 m (20 ft) wingspan, is 4.5 m (14.7 ft) in length, and has a maximum weight of 240 kilograms (530 pounds). The minimum length for takeoff and landing the Viking 400 is 760 m (2,500 ft).

UAS Operators

UAS operators are and will remain responsible for transporting their respective aircraft to and from WFF; operators are not provided storage or maintenance space while on the installation. On average, a UAS operations team will consist of three people who will remain in the local area for up to two weeks. Additionally, WFF range safety personnel, consisting of up to three persons will remain on site during UAS operations. If the UAS airstrip will be used as a base for NASA scientific instrumentation, up to two NASA science personnel will also be present to monitor the instrument's functionality. UAS will be controlled by the operator via a truck mounted mobile command center or a hand-held control switch, depending on the type of UAS being operated. Operators will be required to maintain a clear line of sight for UAS take-offs and landings. WFF will not permit UAS to be remotely controlled unless prior approval by WFF Range Safety Office was provided. With the exception of the Aerosonde listed above, UAS operating from the airstrip will be fueled with a common jet propellant (JP). JP-5 is the most frequently used fuel for turbine engines. This fuel will not be stored on site; each UAS operator will be responsible for transporting and dispensing fuel for each day's use. The average UAS operating from WFF will hold approximately 11 liters (3 gallons) of JP-5 fuel.

1.5 GENERAL CONSERVATION MEASURES

Provided below is a summary of considerations and mitigation measures for sensitive biological resources that WFF has incorporated into the planning, design, and operation of the new UAS airstrip. These more general conservation measures help to avoid and minimize impacts to all species being covered by this biological assessment; species-specific conservation measures are discussed separately for each species in Chapter 3.

1. In 2009, WFF proposed to construct a 1,600 m (5,200 ft) long by 25 m (75 ft) wide UAS airstrip in the north end of Wallops Island at the location currently proposed. Coordination letters were sent to Federal and state agencies providing a brief description of the proposal. After careful consideration, WFF determined that a smaller UAS airstrip will meet their overall need. As such, the original proposed airstrip has been reduced by 42% in length, placing it further inland away from the coastal dunes and beaches, and thus lessening potential impacts on species using those habitats.
2. WFF has chosen to construct the shortest airstrip possible necessary to accommodate all UAS types. The Viking 400 will be the largest UAS that would be authorized to operate from the new airstrip.
3. The proposed airstrip is now sited to minimize encroachment of the existing bald eagle nest. The eastern end of the airstrip is now approximately 215 m (700 ft) from the recently active nest, and

the clear zones that will be annually maintained now only encroach tangentially on the previously required 200 m (660-ft) nest site buffer.

4. Prior to the start of construction activity, silt fencing and other approved measures to control erosion and sedimentation will be installed. After completion of construction, all barren and exposed soil surfaces will be revegetated using native grass seed mixtures following a site-specific Sediment and Erosion Control Plan that WFF will design and oversee its implementation.
5. In accordance with State of Virginia stormwater management standards for pre- and post-development stormwater discharge rates, an infiltration trench will be constructed to capture the surface water runoff from the airstrip and all other developed, impervious surfaces; low impact development methods will be incorporated into the trench allowing stormwater to infiltrate directly from the trench. .
6. Clear zones on either side of the airstrip (out to 30 m [100 ft] on each side with some variations) and at either ends are required to maintain clear lines-of-sight per safety standards. Vegetation within clear zones will be maintained in a minimally intrusive manner via mowing and simple mechanical tools, as needed, throughout the year.
7. UAS operating from the airstrip would be fueled with a common JP. JP-5 is the most frequently used fuel for turbine engines. In order to minimize any potential spills of hazardous materials, jet fuel will not be stored on site; instead, each UAS operator will be responsible for transporting fuel to the site, dispensing fuel for each day's use, and then transporting fuel offsite. All personnel involved in transporting and dispensing fuel will be trained on how to implement WFF's Integrated Contingency Plan prior to handling fuel onsite.
8. There will be no permanent lighting at the new airstrip. Any temporary lighting that may be necessary during UAS operations will be of the minimum intensity necessary to perform the required function and will be designed so that it is shielded and/or cast downwards. Because nighttime UAS operations will be very infrequent, and any light that is needed will be shielded and downward cast, the potential impact from nighttime safety lighting at the airstrip will be negligible.
9. Besides being infrequent, nighttime operations of UAS will not result in impacts from aircraft safety lighting potentially illuminating beachfront areas. UAS will be operating within the existing NASA controlled/restricted airspace (R-6604A/B) and within the Navy's VACAPES OPAREA, both of which are restricted airspace so standard FAA aircraft safety lighting requirements do not apply.
10. A minimum cruise altitude will be mandated as UAS fly over the beach areas, and maximum angles of ascent and descent will be used for UAS takeoffs and landings. Although, minimum cruise altitudes over the airstrip and beach/land areas may be as low as 150 m (500 ft) above ground level, UAS operators will be instructed to maintain an altitude of 305 m (1,000 feet) over protected species. Trajectories will be included in each UAS flight profile/plan.
11. UAS operators will be instructed not to use flight paths that run parallel to the beaches.
12. The existing threatened and endangered species monitoring/reporting program will continue. A summary of the program's objectives, methodologies, and reporting forms for the coming year

(2011) can be found in Appendix A – “*Wallops Island Protected Species Monitoring Plan, February 2011.*” Per the program’s protocols, should listed species (e.g., piping plovers, red knot, sea turtles) or their nests be found on the beach directly under the primary UAS flight paths, UAS operators will be directed to use alternate flight paths, or to temporarily shut down flight operations.

1.6 CONSULTATION HISTORY

NASA is the proponent for the North Wallops Island airstrip and is the lead agency for preparation of the corresponding Environmental Assessment. The USACE is a cooperating agency. As defined in 40 CFR §1508.5, a cooperating agency....

means any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment.

USACE is a cooperating agency because they possess regulatory authority and specialized expertise pertaining to the location of the Proposed Action. Under Section 404 of the Clean Water Act, the USACE has jurisdiction over the disposal of dredged and fill material in Waters of the U.S.

Because of the project’s potential to affect federally listed species under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS), WFF sent a project scoping letter to the USFWS Virginia Field Office on July 14, 2010, requesting any early project-related comments and potential concerns. Informal USFWS consultation began with a teleconference held on January 26, 2011, which was attended by Mr. Mike Drummond of the USFWS Virginia Field Office. Mr. Drummond requested that he be provided with a more focused project description, as well as a list of any avoidance and minimization measures that may have already been incorporated into the project design and operational phases. Mr. Drummond also requested that, in addition to the species list he was provided, that the biological assessment also consider potential impacts to red knot (*Calidris canutus*), nesting loggerhead sea turtles (*Caretta caretta*), and evaluate the potential for Delmarva fox squirrel (*Sciurus niger cinereus*) and tiger beetle (*Tetracha virginica*) to be present on Wallops Island.

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CHAPTER 2 EXISTING CONDITIONS

2.1 ACTION AREA

The action area is the geographic area in which project effects could be experienced by listed species. The area of effect for the construction of the new UAS airstrip includes the airstrip footprint, access road upgrade, and areas underlying the approach and takeoff zones at either end of the airstrip. The coastal communities over which UAS will traverse during takeoffs and on approach during landings are included because of potential indirect effects of visual and noise disturbance produced by overflying UAS. There are four distinct ecological communities included within the action area: 1) uplands, 2) non-tidal emergent and scrub-shrub wetlands, 3) estuarine intertidal emergent wetlands, and 4) coastal habitats (i.e., dunes, inter-dune swales, beaches, and nearshore waters). Due to varying degrees of human disturbance and the influence of invasive species within the project area, the quality of these habitats varies significantly throughout the site.

2.2 ECOLOGICAL CLASSIFICATION OF NORTH WALLOPS ISLAND

The western portion of the project area, identified as the area to the west of North Seawall Road, is dominated by tidal marsh which transition into smaller areas of palustrine emergent and scrub-shrub wetlands. Scrub-shrub uplands are located between the tidal and non-tidal wetland complexes located to the north and south. The eastern portion of the project area contains a larger percentage of forested and scrub-shrub uplands than the western portion. Palustrine emergent wetlands are more prevalent to the north of North Seawall Road while palustrine scrub-shrub wetlands are prevalent to the south of the road. The following descriptions generally depict the habitats encountered while transiting from the drier, more central portions of the island seaward to the inshore waters of the Atlantic Ocean.

Forested Uplands

The majority of the forested upland areas located within the subject project area are characterized as mature pine with mixed hardwoods. Dominant species within these areas include loblolly pine (*Pinus taeda*), black cherry (*Prunus serotina*), American Holly (*Ilex opaca*), and eastern red cedar (*Juniperus virginiana*). Dominant species within the scrub-shrub upland areas include wax myrtle (*Myrica cerifera*), poison ivy (*Toxicodendron radiicans*), common greenbrier (*Smilax rotundifolia*), black cherry, American holly, eastern red cedar, and Sassafras (*Sassafras albidium*). Upland soils typically have a fine sand texture with a very dark grayish brown (10YR 3/2) color with no mottles in the upper 2.5 to 10 centimeters (cm) (1 to 4 inches [in]) and underlain with a light olive brown (2.5Y 5/3) color.

Common mammal species that occupy the maritime forest include white tail deer (*Odocoileus virginianus*), gray fox, and opossum. Songbirds frequently seen in the woodlands and adjoining tidal wetlands include saltmarsh sharp-tailed sparrow (*Ammodramus caudacutus*), swamp sparrow (*Melospiza georgiana*), common yellowthroat (*Geothlypis trichas*), white-eyed vireo (*Vireo griseus*), and white-breasted nuthatch (*Sitta canadensis*). The inland areas and tidal marshes on Wallops Island also support a variety of raptor species, including turkey vulture (*Cathartes aura*), black vulture (*Coragyps atratus*), sharp-shinned hawk (*Accipiter striatus*), red-tailed hawk (*Buteo jamaicensis*), Cooper's hawk (*Accipiter cooperii*), red-shouldered hawk (*Buteo lineatus*), northern harrier (*Circus cyaneus*), American kestrel (*Falco sparverius*), barn owl (*Tyto alba*), bald eagle, and peregrine falcon.

Palustrine Scrub-Shrub

Palustrine scrub-shrub wetland communities are dominated by wax myrtle, poison ivy, common greenbrier, and groundsel bush (*Baccharis halimifolia*). Palustrine emergent wetlands are mainly dominated by common reed (*Phragmites australis*) with a low persistence of soft rush (*Juncus effuses*) in some areas. Soils within the non-tidal wetlands vary but typically have a sand texture with a black color in the upper 2.5 to 10 cm (1 to 4 in) and a grayish brown color beneath. Evidence of organic streaking was also noted to exist below the A layer.

Tidal Marsh

The tidal marsh complexes are dominated by species typically occurring in these communities. These species, transitioning from upper tidal marsh to lower tidal marsh, include common reed, salt bush (*Iva frutescens*), seashore mallow (*Kosteletzkya virginica*), marsh mallow (*Althaea officinalis*), seaside goldenrod (*Solidago sempervirens*), common glasswort (*Salicornia europaea*), salt meadow hay (*Spartina patens*), salt grass (*Distichlis spicata*), and salt marsh bulrush (*Scirpus robustus*). Typical lower tidal communities include salt meadow hay and smooth cordgrass (*Spartina alternifolia*). Non-vegetated tidal mud flats and tidal drainage patterns are present within the low marsh habitat along the southeastern boundary of the project area. Comacca soils within the tidal areas exhibit a fine sandy texture with a dark grayish brown color (10YR 4/2) in the top 15 cm (6 in), and underlain with a very dark gray color (10YR 3/1). Chincoteague soils exhibited a black (2.5Y 2.5/1) silt loam in the upper 15 cm (6 in) of soil, and underlain with a dark grey (2.5Y 4/1) loamy sand.

The tidal marshes on Wallops Island represent important stop-over habitat for waterfowl and shorebirds during spring and fall migration. Some of the species frequently observed in large numbers on Wallops Island include Canada goose (*Branta canadensis*), gadwall (*Anas strepera*), least sandpiper (*Calidris minutilla*), short-billed dowitcher (*Limnodromus griseus*), least tern (*Sterna antillarum*), osprey (*Pandion haliaetus*), double-crested cormorant (*Phalacrocorax auritus*), and horned grebe (*Podiceps auritus*).

The bays and tidal marshes adjacent to Wallops Island support a wide variety of breeding, wintering, and migrating waterfowl. Species frequently observed in large numbers during winter include common loon (*Gavia immer*), American black duck (*Anas rubripes*), blue-winged teal (*Anas discors*), bufflehead (*Bucephala albeola*), common goldeneye (*Bucephala clangula*), canvasback (*Aythya valisineria*), lesser scaup (*Aythya affinis*), common merganser (*Mergus merganser*), hooded merganser (*Lophodytes cucullatus*), and red-breasted merganser (*Mergus serrator*).

Dunes and Maritime Grasslands

The maritime grasslands, which occur on the foredunes and secondary sand dunes, are characterized by American beachgrass (*Ammophila breviligulata*), saltmeadow cordgrass, beach panic grass (*Panicum amarum*), and seaside goldenrod (*Solidago sempervirens*). Relatively pristine occurrences of this habitat type can be found at the northern end of Wallops Island.

Inter-dune Swales

Inter-dune swales (“sea swales”) are seasonally to semipermanently flooded, maritime herbaceous wetlands occupying deep inter-dune basins and swales. These swales occur chiefly in the northern and north central parts of the island. Common threesquare (*Schoenoplectus pungens* = *Scirpus pungens*), other Cyperaceae, grasses such as switchgrass (*Panicum virgatum*), and saltmeadow cordgrass, rushes (*Juncus*

spp.), sea pink (*Sabatia stellaris*), saltmarsh fimbriatilis (*Fimbristylis spadicea*), seaside goldenrod, and other herbaceous species are present.

Mammal species routinely observed in the inter-dune areas include white-tailed deer, meadow vole (*Microtus pennsylvanicus*), and cottontail rabbit (*Sylvilagus floridanus*), while typical amphibians and reptiles include Fowler's toad (*Bufo fowleri*), green tree frog (*Hyla cinerea*), black rat snake (*Elaphe obsoleta obsoleta*), eastern hognose snake (*Heterodon platirhinos*), fence lizard (*Sceloporus undulatus*), box turtle (*Terrapene carolina*), and diamondback terrapin (*Malaclemys terrapin*).

Beaches

The beach systems include upper beaches and over-wash flats, which are situated just above the mean high tide limit, but are flooded by high spring tides and storm surges. They are generally sparsely vegetated with American searocket (*Cakile edentula*), seabeach orach (*Atriplex arenaria*), and Russian thistle (*Salsola kali*), a common invasive non-native beach species.

Mammalian species frequently observed in the upper beach and intertidal zones include red fox and raccoon. Shorebirds and wading birds species that routinely use the marshes and shoreline areas of Wallops Island include piping plover (*Charadrius melodus*), red knot (*Calidris canutus*), great-black backed gull (*Larus marinus*), American oystercatcher (*Haematopus palliatus*), willet (*Catoptrophorus semipalmatus*), glossy ibis (*Plegadis alcinellus*), ring-billed gull (*Larus delawarensis*), great blue heron (*Ardea herodias*), snowy egret (*Egretta thula*), and green heron (*Butorides striatus*).

Inshore Marine System

The marine system consists of the open ocean overlying the continental shelf and its associated high-energy coastline. Salinities exceed 30 parts per thousand with little or no dilution except outside the mouths of estuaries. Marine systems are divided into two subsystems, subtidal and intertidal. In subtidal subsystems the substrate is continuously submerged, whereas in intertidal subsystems the substrate is exposed and flooded by tides. Substrates may consist of rock bottom, unconsolidated bottom, aquatic bed, reef, rocky shore, and unconsolidated shore. The beaches at Wallops Island are classified as intertidal with an unconsolidated sand bottom and the adjacent waters are classified as subtidal with an unconsolidated bottom. Shoreline erosion and accretion constantly change the character of the shoreline. Currently, the widest beaches occur on the northern and southern portions of the east shore, with the central portion of the island being nearly devoid of beaches and protected by a seawall.

Nearshore state jurisdictional waters extend 5.5 km (3 nautical miles) offshore of the Wallops Island coast. Water depth in state waters ranges up to approximately 12 m (40 ft). This zone is located on the inner portion of the outer continental shelf and extends to about 130 to 160 km (80 to 100 miles) off the mid-Atlantic Coast. Numerous invertebrate species are present in the unconsolidated substrate and open waters of the nearshore zone. Common species include annelid worms, bivalves, crabs, sand dollars, gastropods, comb jellies, and jellyfish. Many of these organisms are an important food source for fish, birds, and sea turtles.

Common fish in the waters near WFF include the sandbar shark (*Carcharhinus plumbeus*), sand shark (*Carcharisa taurus*), northern pipefish (*Syngnathus fuscus*), dusky pipefish (*Syngnathus floridae*), bay anchovy (*Anchoa mitchilli*), smooth dogfish (*Mustelus canis*), smooth butterfly ray (*Gymnura micrura*), bluefish (*Pomatomidae saltatrix*), spot (*Leiostomus xanthurus*), and summer flounder (*Paralichthys dentatus*).

CHAPTER 3 LISTED SPECIES THAT MAY BE AFFECTED BY THE PROPOSED ACTION

3.1 LISTED SPECIES OVERVIEW

The federal Endangered Species Act (ESA) provides for the protection of federally listed threatened and endangered species of plants and animals, as well as designation of critical habitat for animal species. The ESA establishes federal policy that federal agencies, in exercise of their authorities, shall seek to conserve and protect endangered and threatened species. It also establishes a consultation process through which federal agencies, such as NASA and USFWS, can facilitate avoidance of agency actions that would adversely affect, or result in “take,” of federally listed species or critical habitat. The taking prohibition includes any harm or harassment, and applies within the U.S. and on the high seas.

Table 2 includes a list of federally threatened and endangered species that are known to occur, or may potentially occur, within the action area. Note that this BA, and the table below, is an analysis of federally listed species that are terrestrial, but also includes marine species that may come ashore and nest on the nearby beaches of north Wallops Island. In general, this includes listed species that may be occupying habitats directly impacted by construction of the new UAS airstrip and associated facilities, as well as species that may be indirectly affected from lights, overflight UAS noise, and the visual disturbance from UAS suddenly appearing over the beach. As a federal agency, NASA does not have an obligation to protect state-listed only species, but often consults with Virginia Department of Game and Inland Fisheries (VDGIF) on species that are dually listed under the federal ESA and state ESA. As the Proposed Action will not affect nearshore or subtidal habitats, impacts to marine mammals, fish, and sea turtle species in the nearshore open water environment will not occur.

As a responsible federal agency and steward of the land under its jurisdiction and management, NASA WFF environmental program staff have been monitoring threatened and endangered species use of Wallops Island for many years now, either solely or through partnerships with other agencies, institutions, or research groups. In 2010, WFF staff organized its various monitoring efforts into a single Protected Species Monitoring Program, the results of which were published in December 2010 (NASA WFF 2010b). Data for loggerhead sea turtle nests, piping plover nests, and red knot flock sighting locations are presented in Figure 8, as are the locations of the Proposed Action (new UAS airstrip, hangar, and clear zones). A summary of the objectives, methodologies, and procedures that will be used in the 2011 monitoring program is provided in Appendix A.

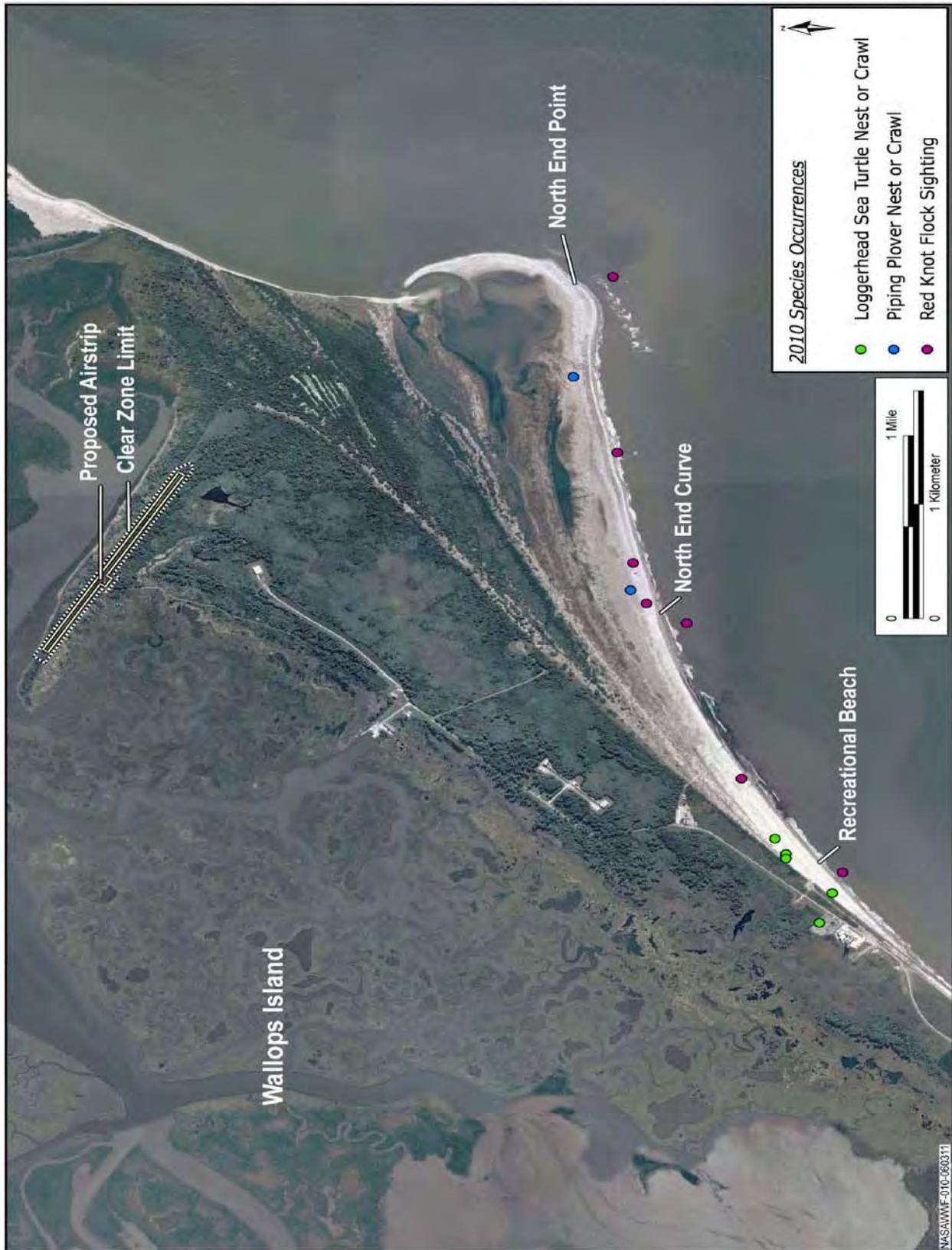


Figure 8. Nest and Sighting Locations on Wallops Island

Table 2. Federally Listed Threatened and Endangered Species Known to Occur in the Region

| <i>Common Name</i> | <i>Scientific Name</i> | <i>Federal Listing Status</i> | <i>Likelihood of Occurrence</i> | <i>Seasonality of Occurrence</i> | <i>Required Habitat & Potential to Occur Onsite</i> |
|------------------------------|------------------------------|-------------------------------|---------------------------------|--|--|
| Plants | | | | | |
| Seabeach Amaranth | <i>Amaranthus pumilus</i> | Threatened | Slight | Year-round | Restricted to open sandy portions of ocean beaches between the high tide line and the toe of the primary dune. Nearest known location in Virginia is Hog Island. Not known to occur on Wallops. |
| Invertebrates | | | | | |
| Northeast Beach Tiger Beetle | <i>Cicindela d. dorsalis</i> | Threatened | Remote | Year-round | Present historically, from Cape Cod south through the Chesapeake Bay shorelines, but now believed extirpated from nearly this entire region. Normally occurs from about the fore-dune to the high tide line on ocean and bay beaches. Not known to occur on Wallops. |
| Reptiles | | | | | |
| Loggerhead Sea Turtle | <i>Caretta caretta</i> | Threatened | Known to Occur | <u>Maturation & Migration</u> May- November <u>Nesting</u> April- September | The only sea turtle that nests as far north as Virginia. Nests in small numbers on sandy beaches along Virginia's coast late spring through summer, and found in Virginia's offshore coastal waters during winter and migration. Last nested on Wallops Island in 2010. |
| Birds | | | | | |
| Red Knot | <i>Calidris canutus</i> | Candidate | Known to Occur | Primarily late May | A locally common to abundant transient in late spring and early fall, and does not breed in Accomack County. Preferred habitats include tidal flats and sandy or pebbly beaches. Numbers declining, but several hundred observed in 2010 at North End Curve and North End Point on Wallops Island's ocean beaches. |

Table 2. Federally Listed Threatened and Endangered Species Known to Occur in the Region

| <i>Common Name</i> | <i>Scientific Name</i> | <i>Federal Listing Status</i> | <i>Likelihood of Occurrence</i> | <i>Seasonality of Occurrence</i> | <i>Required Habitat & Potential to Occur Onsite</i> |
|---------------------------------|-------------------------------|-------------------------------|---------------------------------|----------------------------------|---|
| Piping Plover | <i>Charadrius melodus</i> | Threatened | Known to Occur | late April-late July | Known to nest on Virginia’s coastal beaches, dunes, and wash-over areas in late spring to mid-summer, with one brood raised per year. They 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. Suitable nesting habitat occurs on the extreme southern and northern ends of Wallops Island., with three nesting events at north end in 2010, and one on south end in 2011. |
| Mammals | | | | | |
| Delmarva Peninsula Fox Squirrel | <i>Sciurus niger cinereus</i> | Endangered | None | Year-round | Prefers mature forest of both hardwood and pine trees with minimal understory and ground cover. Feeds primarily on nuts from oak, hickory, sweet gum, walnut and loblolly pine. While within the historic range of the species, the only known location for it in Virginia is a trans-located population at Chincoteague National Wildlife Refuge. This species does not occur on Wallops Island. |

Sources: Virginia Department of Game and Inland Fisheries (VDGIF 2009); NASA INRMP (2008b); USFWS (2011); and National Marine Fisheries Service (NMFS [2011]).

Note: The bald eagle, formerly listed as endangered, now de-listed and considered recovered; is provided protection under the federal Bald and Golden Eagle Protection Act. An active bald eagle nest is known to occur about 200 m (700 ft) east of the eastern portion of the proposed airstrip. WFF will continue to monitor activity at the nest during breeding season and during the operational phase of the UAS airstrip.

3.2 SEABEACH AMARANTH

The threatened seabeach amaranth (*Amaranthus pumilus*) is an herbaceous plant, which colonizes and stabilizes the areas seaward of the primary dunes, growing closer to the high tide line than any other coastal plant. An annual plant and fugitive species, seabeach amaranth appears to need extensive beach and inlet areas that function in a relatively natural and dynamic manner. It often grows in the same areas selected for nesting by shorebirds such as plovers, terns, and skimmers. It emerges on sand dunes, inlets, and over-wash flats in summer and early fall. Its distribution varies from year to year,



influenced by seed dispersal and locally favorable conditions for germination, growth, and flowering. Flowering begins as soon as plants are mature, sometimes as early as June, but more typically beginning in July and continuing into late fall. Seed production begins in July or August and peaks in September.

Seabeach amaranth occurs on barrier islands and beaches, where its primary habitat consists of over-wash flats at the accreting ends of islands, and the lower foredunes and upper strands of non-eroding beaches. This species appears to be intolerant of competition, and does well on sites with low vegetative cover. Seabeach amaranth requires extensive areas of barrier island beaches and inlet areas, and is most successful at colonizing un-altered beach landscapes which are inherently dynamic. These characteristics allow it to “move around” in the landscape as a fugitive species, occupying suitable habitat as it becomes available.

While seabeach amaranth has been documented as occurring along coastal Virginia in areas of suitable habitat, it has yet to be located on Wallops Island. Surveys in 2010 failed to locate any seabeach amaranth on Wallops Island (NASA WFF 2010b). Because seabeach amaranth is not known to occur on Wallops Island, and beach dune habitats will not be disturbed by construction, implementation of the Proposed Action would have **No Effect** on this plant species, and it will not be discussed further in this BA.

3.3 NORTHEAST BEACH TIGER BEETLE



Northeast beach tiger beetle (*Cicindela dorsalis dorsalis*) is a whitish tiger beetle with variable dark maculation that is found only along saltwater beaches. The northeast beach tiger beetle only occurs from about the fore-dune to the high tide line on some ocean and bay beaches. Adults actively hunt while larvae live in burrows in the sand where they sit and wait for passing prey. Tiger beetle larvae seal off their burrow and hibernate in early fall. The life cycle spans two or three years. The northeastern beach tiger beetle spends its entire two-year life cycle on sandy beaches. Eggs are laid in the sand, and the larvae live in burrows below the high

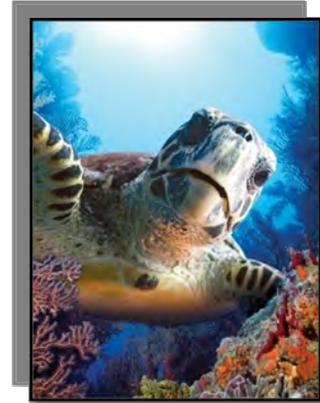
tide line. The adults are about 1 cm (0.5 in) long and are active along the intertidal zone (between high and low tide) during the day and rest under the sand along the back beach at night. The larvae inhabit vertical burrows within the intertidal zone, capturing food items washed ashore by waves.

The northeastern beach tiger beetle has a historic range from New Jersey to Cape Cod and along much of the eastern and western shorelines of the Chesapeake Bay, from southern Maryland to Virginia. Although the northeastern beach tiger beetle was present historically on the Atlantic coast beaches, especially in the northeast, it is extirpated from nearly this entire region. It is believed that this species only inhabits portions of the Delmarva Peninsula fronting the Chesapeake Bay, not the Atlantic Ocean (NASA WFF 2009b). Because it is highly unlikely that this species occurs in the Action Area, implementation of the Proposed Action would have **No Effect** on northeast beach tiger beetle, and they will be excluded from further discussion in this BA.

3.4 LOGGERHEAD SEA TURTLE

Although the loggerhead sea turtle (*Caretta caretta*) is the most abundant sea turtle in U.S. waters, it is still listed as threatened under the ESA. Loggerhead sea turtles are a reddish-brown sea turtle that inhabit the open sea to more than 800 km (500 miles) from shore, mostly over the continental shelf, as well as

bays, estuaries, lagoons, creeks, and river mouths. Nesting occurs on open high-energy sandy beaches above the high-tide mark, seaward of well-developed dunes. Hatchlings drift in convergence zones in floating patches of kelp (*Sargassum* spp.) (USFWS and NMFS 1993). As juveniles, they begin occupying the waters of the continental shelf, edge and slope from 200 m (656 ft) depth all the way into coastal waters and estuaries (Hopkins-Murphy et al. 2003). These waters comprise an important developmental habitat for this species. Juveniles and adults feed mostly on benthic invertebrates. Loggerheads do not venture into the Gulf Stream in the fall, probably to avoid being swept into the colder northern waters (Epperly et al. 1995). Loggerheads prefer steeply sloped beaches with gradual offshore approaches and are sensitive to beachfront lighting.



Based on data from the Wallops Island protected species monitoring program (NASA WFF 2010b), a total of four loggerhead sea turtle nests were found on Wallops Island's beaches in 2010 (during June and July), with the number of eggs in each ranging from 99 to 175. All four nests were located south of the existing south Wallops Island UAS airstrip, approximately 2.5 km (1.6 miles) southwest of the proposed new north Wallops Island airstrip (see Figure 8). Each nest was marked with protective signage and covered with a protective cage, with one egg being retained for eventual genetic analyses. No sea turtle nests or false crawls were found on Wallops Island's beaches in 2009, and in 2008 one nest was laid late in the season but was flooded and froze during late October storms (Mitchell 2011a).

3.5 RED KNOT

The red knot (*Calidris canutus*), a Candidate species for federal listing, is a medium sized sandpiper that is one of the longest-distance migrants known in the world (USFWS 2005). These small birds have wingspans of approximately 50 cm (20 in) and fly more than 1,500 km (930 miles) from south to north each spring and in reverse each autumn. These are relatively short birds with short legs, and their heads



and breasts are rusty colored during the breeding season and grey the rest of the year. Red knots migrate in large flocks and frequent the same stopping areas each year. Their long migration periods cause physiological changes such as increases in fat mass and flight muscle and decreases in leg muscle mass, stomach mass, and gizzard mass (USFWS 2005). Red knots survive on small mussels and other mollusks for a large percentage of the year and horseshoe crab eggs during migration (USFWS 2005). In 2006, USFWS reviewed the candidacy status of red knot, but determined that its protection under the federal ESA remains warranted but precluded by other, higher priority activities. Currently it is still a Candidate species.

Based on survey data from the mid-1990s, 8,000 to 10,000 red knots would migrate through the barrier islands of Virginia each year (NASA WFF 2009b). However, survey data throughout 2009 indicated much lower numbers of individuals. On May 8, 2009, there was a flock of approximately 1,300 individuals seen on north Wallops Island; but, later that same month, flock size dropped to about 20 to 200 individuals (NASA WFF 2009b). In 2010, red knot flocks were sighted between May 14 and May 28 at numerous locations along Wallops Island's beaches, with flock size ranging from 2 to 230, and flocks

averaging 56 individuals. A number of these sightings occurred at “North End Curve” and “North End Point,” which are both about 1.5 km (1 mile) south-southeast from the eastern end of the proposed airstrip, and generally near what will eventually be some of the UAS departure and approach flight paths over the beach (see Figure 8).

3.6 PIPING PLOVER

The Atlantic coast population of piping plover (*Charadrius meolodus*) breeds on coastal beaches in the north from Newfoundland and southeastern Quebec and south to North Carolina and Florida. Some plovers migrate as far south as the West Indies and Bahamas. Plovers are small, beige and white shorebirds with a black band across their breast and forehead. They typically feed on invertebrates such as marine worms, beetles, fly larvae, crustaceans, and mollusks. Habitat generally consists of ocean beaches, sand, or algal flats in protected bays, while breeding occurs mainly on gently sloping foredunes or blow-out areas behind dunes (NASA WFF 2009b).



In late March or early April, after they have established territories and conducted courtship rituals, plover pairs form shallow depressions in the sand for nests where they lay their eggs. Nests can be found above the high tide line on coastal beaches, sandflats at the end of spits and barrier islands, gently sloping foredunes, blowout areas behind dunes, and over-wash areas between dunes. These nests consist of a range of substrate material from fine grained sands up to shells and cobbles. Generally, nests are found in areas with little or no vegetation, however, occasionally nests have been found under beachgrass and other vegetation (NASA WFF 2009b).

Piping plovers have been monitored on Wallops Island since 1986 and nesting habitat has been delineated in the dune and over-wash areas. Plovers are observed annually foraging and resting on the beaches of Wallops Island, and nesting is routinely documented on the northern beaches; however, no nesting plovers have been observed on the southern portion of the island since 2000. In 2008, two pairs of piping plovers began nesting attempts at the north end of Wallops Island, but no eggs were laid (NASA WFF 2010b). In 2009, three pairs nested successfully on the northern beaches; and in 2010, there were three nesting attempts, including one nest that was washed out by the tide, one nest with eggs that did not hatch, and one nest with 4 eggs that fledged 4 young (NASA WFF 2010b; Mitchell 2011b). Of the three 2010 piping plover nests, the one nearest to the project site was at “North End Point,” about 1.5 km (0.9 miles) to the south-southeast from the eastern end of the proposed airstrip (see Figure 8). In May 2011, one piping plover nest was observed on the south end of Wallops Island. At the request of USFWS, NASA has designated piping plover nesting habitat at the extreme northern and southern ends of Wallops Island, and these areas are recognized as sensitive resource areas by WFF requiring special protective measures.

3.7 DELMARVA PENINSULA FOX SQUIRREL

Delmarva Peninsula fox squirrel (*Sciurus niger cinereus*) is a large tree squirrel that is a well-marked and distinct subspecies restricted in range to the Delmarva Peninsula (Delaware, Maryland, Virginia). There are about 180 Delmarva Peninsula fox squirrels in the Chincoteague National Wildlife Refuge. Habitat for the Delmarva Peninsula fox squirrel includes mature, open park-like stands of deciduous or mixed

deciduous-pine forest, especially near farmland; this species prefers ecotones where forest grades into scrub or grasslands. It is found in both upland and bottomland locations, but most often among loblolly pines. It is restricted to larger groves along streams, bays, or salt marshes and is found in relatively small woodlots on occasion. The squirrels prefer dens in hollow trees, but also construct nests of twigs and leaves in tree crotches, in tangles of vines in trees, or toward the ends of larger branches, 10-15 m (30 to 50 ft) above ground. Delmarva Peninsula fox squirrels are more terrestrial than gray squirrels and often forage on the ground. Diet includes acorns and nuts; the seeds of hickory, beech, walnut, and loblolly pine; buds and flowers of trees; and fungi, insects, fruit, and an occasional bird egg. When available in abundance, they can feed almost exclusively on green pine cones.



Though it occurs on nearby Assateague Island, the Delmarva Peninsula fox squirrel does not occur on those portions of the peninsula fronting the Atlantic Ocean, so it would not occur in the Action Area, and it has never been found on any part of Wallops Island (NASA WFF 2009b). As such, implementation of the Proposed Action would have **No Effect** on the Delmarva Peninsula fox squirrel, and it will be excluded from further discussion in this BA.

CHAPTER 4 ANALYSIS OF EFFECTS TO LISTED SPECIES

4.1 APPROACH TO ANALYSIS

This chapter presents an analysis of potential direct, indirect, temporary, and permanent effects on listed species that would result from construction, operation, and periodic maintenance of the proposed new UAS airstrip on north Wallops Island. Direct effects are considered to be the immediate result of the Proposed Action, whereas indirect effects are caused by the Proposed Action but occur later in time and are reasonably certain to occur. Potential project effects on protected species are further classified and evaluated based on their anticipated longevity as temporary or permanent effects. All project effects are summarized as they would occur after the General Conservation Measures (avoidance and minimization measures) described in Subchapter 1.5 are implemented. Any additional conservation measures being considered and implemented that are specific to certain species protection are described below.

4.2 EFFECTS TO LISTED SPECIES

Based on the scope of the proposed new UAS airstrip construction and operational parameters, as described in Chapter 1, potential effects to nesting loggerhead sea turtles, red knots, and piping plovers could occur with implementation of the Proposed Action. As discussed below, some impacts may occur from construction noise, but more likely from operational lighting with regard to sea turtles, or UAS overflight noise or visual disturbance with regard to red knots and piping plovers. The benefits that will be derived from implementing the project's General Conservation Measures, as well as any remaining potential effects, are described below for each of these three species.

4.3 LOGGERHEAD SEA TURTLE

Loggerhead sea turtles are often seen in the channels and inlets of Virginia's barrier islands. It has only been in more recent years that loggerhead sea turtle nests have been periodically found on Wallops Island beaches. Four loggerhead sea turtle nests were found on Wallops Island in 2010 (during June and July), but all four nests were located north of the existing south Wallops Island UAS airstrip, and approximately 2.6 km (1.6 miles) southwest of the proposed new north Wallops Island airstrip (see Figure 8). However, direct impacts to this species from the Proposed Action are not anticipated, because the project has been intentionally designed and sited to avoid disturbance to any dune or beach habitats. Nighttime lighting could disorient nesting females and emerging hatchlings; however, this type of indirect impact is also not anticipated, because: (1) UAS will only be operating infrequently at night; (2) any safety lighting at the airstrip will be of minimal intensity and downward-shielded; and (3) overflying UAS will not be using running lights. Finally, as directed by the WFF Threatened and Endangered Species Monitoring Program protocols, should WFF monitoring staff identify sea turtle nesting activity under UAS flight paths on the beach, UAS flights will be redirected or suspended until nesting activity has ceased or nestlings have completed their emergence. Given that direct impacts to sea turtle nesting habitat will be avoided, and that numerous measures will be implemented to avoid lighting and UAS overflight noise disturbances, it is concluded that implementation of the Proposed Action will have **No Effect** on loggerhead sea turtles.

4.4 RED KNOT

Red knots, a candidate species for federal listing, are a locally common to abundant transient from May 10th through June 5th and from July 20th through September 25th along the coast of Accomack County, Virginia. Red knots are rare west of the Chesapeake Bay and an uncommon to rare visitor in the winter and summer. Red knots do not breed in the vicinity of Accomack County, although they have been appearing regularly during spring migration on Wallops Island, mostly during the second half of May. In 2010 on the northern beaches of Wallops Island, numbers of red knots grew steadily from a low of 50 individuals or so in mid-May, to a large flock of 230 birds that was observed on May 28. No red knots were observed on the northern beaches after the end of May, and none were ever observed on the southern beaches. Many of the 2010 north beach sightings of red knots were at “North End Curve” and “North End Point” (see Figure 8), which are both about 1.6 km (1 mile) south-southeast from the eastern end of the proposed airstrip, and generally near what will eventually be some of the UAS departure and approach flight paths over the beach. However, direct impacts to this species’ habitat from the Proposed Action are not anticipated because the project has been intentionally designed and sited to avoid all sensitive intertidal and over-wash habitats seaward of the dunes.

It is possible that red knots occurring within the flight path of UAS overflying the beach could experience deleterious startle responses from the sudden appearance and sound generated by UAS. The effects of overflying aircraft on waterfowl and shorebirds have been well-studied in the past 20 years, with researchers reporting varying results and conclusions. A review of the literature indicates that at least some level of temporary startle response can be expected and anticipated, particularly in non-nesting birds. Komenda-Zehnder *et al.* (2003), for example, focused on determining the minimum altitude above ground level (AGL) needed to minimize the stressful startle response of ducks in the Swiss lowlands to overflying aircraft and helicopters; they found that, depending on aircraft type, between 60 and 78 percent of waterfowl exhibited “stressed” behaviors (alarm posture, swimming away, taking immediate flight) with fixed-wing aircraft flying at approximately 150 m (500 ft) AGL and generating 66-68 dB noise, while helicopters at the same altitude caused a 82-89 percent startle response rate at 75-79 dB. Waterfowl returned to a relaxed posture after 5 minutes or so, although they did not appear to habituate or acclimate to the overflights. Smit and Visser (1993), in summarizing many Dutch studies, believe that large groups of waterfowl can habituate to overflights that occur daily, but mass startle responses can be elicited when a new type of aircraft suddenly appears, particularly at low altitudes (less than 300 m [about 1,000 ft] AGL).

It is sufficient to conclude that at least some level of shorebird startle response may be elicited, particularly early on in UAS operations, and if UAS fly below 150 m (500 ft) over the beach and intertidal zone, although some eventual habituation to UAS overflights is possible. However: (1) UAS will only be overflying the beach eight times per day, at most; (2) UAS operators will be instructed to maintain a flight path both 305 m (1,000 feet) vertically and horizontally away from red knots; and (3) with sound levels generated by the loudest UAS type actually being nearly 10dB below ambient levels measured onsite - it is unlikely that red knots would experience any significant short or long-term effects from UAS sound or visual disturbances. Therefore, given that direct impacts to dune habitats and maritime habitats seaward of the dunes will be avoided, and that numerous measures will be implemented to minimize visual and sound disturbances, it is concluded that implementation of the Proposed Action **will not substantially affect** local populations of red knots.

4.5 PIPING PLOVER

The piping plover is an uncommon transient and summer resident of the lower Chesapeake Bay and is known to inhabit the coastal habitats of the nearby Chincoteague National Wildlife Refuge. It was first identified on northeast Wallops Island in a survey in June 28, 1995. Piping plovers are known to periodically use the sandy beaches and tidal flats along the coast of Wallops Island; piping plover nesting has been documented in recent years on Wallops Island. In 2008, two pairs of piping plovers began nesting attempts at the north end of Wallops Island, but no eggs were laid (NASA WFF 2010b). In 2009, three pairs nested successfully on the northern beaches; and in 2010, there were three nesting attempts, including one nest with 4 eggs that fledged 4 young (NASA WFF 2010b). Of the three 2010 piping plover nests, the one nearest to the project site was at “North End Point,” about 1.5 km (0.9 miles) to the south-southeast from the eastern end of the proposed airstrip (see Figure 8).

Direct impacts to this species’ habitat from the Proposed Action are not anticipated because the project has been intentionally designed and sited to avoid all sensitive intertidal and over-wash habitats seaward of the dunes. Indirect impacts on piping plovers from UAS noise and visual disturbances is possible, but unlikely. Similar precautions will be taken to avoid startle responses in nesting piping plovers from overflying UAS, including: (1) UAS overflights of the beach will be infrequent (eight times per day, at most) and (2) UAS operators will be instructed to maintain a flight path both 305 m (1,000 feet) vertically and horizontally away from piping plovers. And, with sound levels generated by the loudest UAS type actually being nearly 10dB below ambient levels measured onsite, startle responses resulting in piping plover nest abandonment are also not anticipated. Given that direct impacts to dune habitats and other maritime habitats seaward of the dunes will be avoided, and that numerous measures will be implemented to minimize visual and sound disturbances, it is concluded that implementation of the Proposed Action **may affect, but is not likely to adversely affect**, piping plovers.

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CHAPTER 5 CUMULATIVE IMPACTS

"Cumulative effects" under the ESA are those effects of *future* State, municipal, or private activities, *not* involving federal activities, that are reasonably certain to occur within the action area of the federal action subject to consultation (50 Code of Federal Regulations 402.02). No future State, municipal, or private projects have been identified in the action area. Therefore, the Proposed Action, in conjunction with other past, present, or reasonably foreseeable projects, would not be expected to result in major adverse cumulative impacts to any listed threatened or endangered species.

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CHAPTER 6 CONCLUSION

Based on the evaluation presented above, NASA has made the following determination of effects on listed species and critical habitat from implementation of the Proposed Action within the action area (Table 3).

| Table 3. Summary of Findings for Federally Listed Threatened and Endangered Species under the Jurisdiction of the USFWS | | |
|--|-------------------|---|
| <i>Species</i> | <i>ESA Status</i> | <i>Effects Determination</i> |
| Sea Turtles (nesting only) | | |
| Loggerhead Sea Turtle | Threatened | No effect. |
| Birds | | |
| Red Knot | Candidate | Not likely to substantially affect. |
| Piping Plover | Threatened | May affect, not likely to adversely affect. |

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CHAPTER 7 REFERENCES

- Downing, J.M. 2011. Review of Wallops Island 1999 Noise Study. J. M. Downing, PhD, Blue Ridge Research and Consulting, Personal Correspondence date 21 April, 2011, 2 p.
- Epperly, S.P., J. Braun, and A. Veishlow. 1995. Sea Turtles in North Carolina Waters. *Conservation Biology* 9:384-394.
- Hopkins-Murphy, S. R., D. W. Owens, and T. M. Murphy. 2003. Ecology of immature loggerheads on foraging grounds and adults in inter-nesting habitat in the eastern United States. In *Loggerhead sea turtles*, edited by A. B. Bolten and B. E. Witherington. Washington, DC: Smithsonian Institution Press.
- Justis, Barbara. 2010. E-mail correspondence from Barbara Justis, NASA Code 840, Range and Mission Management Office, Wallops Flight Facility regarding historical annual UAS operations. 13 July.
- Komenda-Zehnder, S., M. Cevallos, and B. Bruderer. 2003. Effects of disturbance by aircraft overflight on waterbirds – an experimental approach. International Bird Strike Committee. IBSC26/WP-LE2, Warsaw, May 5-9, 2003. 12p.
- Mitchell, J.T. 2011a. E-mail correspondence from Joel Mitchell, Environmental Engineer, NASA Wallops Flight Facility, regarding 2008 and 2009 sea turtle nest data for WFF, dated April 26, 2011.
- _____. 2011b. E-mail correspondence from Joel Mitchell, Environmental Engineer, NASA Wallops Flight Facility, regarding piping plover nest data for WFF from 1986-2008, dated April 26, 2011.
- National Aeronautics and Space Administration Wallops Flight Facility (NASA WFF). 2010a. Historical Wind and Weather Data.
- _____. 2010b. Wallops Island Protected Species Monitoring Report, December 2010. NASA Wallops Flight Facility (WFF), Wallops Island, Virginia. 5 p (plus appendices).
- _____. 2009a. Environmental Assessment for Expansion of the Wallops Flight Facility Launch Range. August.
- _____. 2009b. Final Biological Assessment for Proposed and Ongoing Orbital Launch Operations at Wallops Flight Facility. NASA Goddard Space Flight Center, Wallops Flight Facility, Wallops Island, VA. 29p.
- _____. 2009c. Wallops Flight Facility Draft Biological Assessment UAS Airstrip. Prepared by Timmons Group, Richmond, Virginia for NASA WFF. Timmons Group Project No. 27888. August 2009.
- _____. 2008. Integrated Natural Resources Management Plan Goddard Space Flight Center Wallops Flight Facility. Prepared by Geo-Marine Inc. Hampton, Virginia for NASA. Contract N62470-02-D-9997. September.
- National Marine Fisheries Service (NMFS). 2011. Loggerhead sea turtle (*Caretta caretta*). National Oceanographic and Atmospheric Administration (NOAA) NMFS Office of Protected Species. Accessed on 27 April 2011 at: <http://www.nmfs.noaa.gov/pr/species/turtles/loggerhead.htm>.

- Smit, C. J. & Visser, G. J. M. 1993. Effects of disturbance on shorebirds: a summary of existing knowledge from the Dutch Wadden Sea and Delta area. *Wader Study Group Bull.* 68: 6-19.
- USFWS. 2011. Federally Listed species in Accomack County, Virginia. U.S. Fish and Wildlife Service, Endangered Species Program, Environmental Conservation Online System. Accessed on 27 April 2011 at:
<http://www.fws.gov/endangered/?s8fid=112761032793&s8fid=112762573903&countyName=accomack>
- _____. 2005. Red Knot (*Calidris canutus rufa*). U.S. Fish and Wildlife Service: Northeast Region, Hadley, MA. <http://www.fws.gov/northeast/redknot/facts.pdf>. August.
- USFWS and NMFS. 1993. Recovery Plan US Population of Loggerhead Turtle (*Caretta caretta*). Prepared by the Loggerhead/Green Turtle Recovery Team for US Fish and Wildlife Service, Southeast Region, Atlanta, Georgia, and National Marine Fisheries Service, Washington, DC.
- Virginia Department of Game and Inland Fisheries (VDGIF). 2009. Special Status Faunal Species in Virginia. Dated 02/03/09. 13p.

**APPENDIX A
WALLOPS ISLAND PROTECTED SPECIES
MONITORING PLAN**

This document is available online at
<http://sites.wff.nasa.gov/code250/docs/2011WFFProtectedSpeciesMonitoringPlan.pdf>



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ecological Services
6669 Short Lane
Gloucester, Virginia 23061

SEP 22 2011

Mr. Josh Bundick
NASA Wallops Flight Facility
Code 250.W
Wallops Island, Virginia 23337

Re: Wallops Flight Facility – Unmanned
Aerial Systems Airstrip, Accomack
County, Virginia, Project # 2010-I-
0642

Dear Mr. Bundick:

This document transmits the U.S. Fish and Wildlife Service's (Service) the results of our review of the National Aeronautics and Space Administration's (NASA) referenced proposed project at the Wallops Flight Facility (WFF), in Accomack County, Virginia and its effects on the federally listed endangered green sea turtle (*Chelonia mydas*), leatherback sea turtle (*Dermochelys coriacea*), and Delmarva fox squirrel (*Sciurus niger cinereus*), and the threatened Atlantic coast population of the piping plover (*Charadrius melodius*), loggerhead turtle (*Caretta caretta*), seabeach amaranth (*Amaranthus pumilius*), and northeastern beach tiger beetle (*Cicindela dorsalis dorsalis*) in accordance with section 7 of the Endangered Species Act (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA).

Since 2003, unmanned aerial systems (UAS) have been operating from an airstrip on a then remote portion of south Wallops Island. In 2005, the airstrip was expanded to accommodate larger classes of UAS. The airstrip was lengthened to 1,500 feet (ft); two staging pads were also added. While this airstrip met an immediate and emerging need, the location has proven to be unsatisfactory for continued UAS flight operations. Storm events often inundate the runway with surf and sand, and the east/west orientation makes it susceptible to cross winds.

WFF has determined that a new airstrip is needed to provide an adequately-sized facility that will be capable of supporting the testing and deployment of existing and future UAS and UAS-based scientific instruments at WFF. UAS tests and UAS-based research opportunities form an important objective of NASA Goddard Space Flight Center's Suborbital and Special Orbital Projects Directorate and as such, this type of mission need requires an unencumbered operating environment. The new airstrip will have an asphalt surface and will measure approximately 3,000 ft long (2,500 ft plus an additional 500 ft clear zone) by 75 ft wide located at the northern portion of the island with an east-west orientation.

The federally listed species found on WFF inhabit the coastal beach zone of the island. The proposed runway site lies within the upland and marsh section of the island, well behind the coastal dune and shoreline side of the island. The Service agrees with NASA's determination that the proposed construction of the facility will have "no effect" on any of the federally listed species because construction activities will be limited to areas outside habitat that supports the listed species. However, the subsequent use of the runway and operation of UAS over the coastal zone associated with the construction of the runway as proposed has the potential to impact the federally listed species found within.

The candidate species red knot (*Calidris canutus rufa*) was included in NASA's June, 2011 biological assessment (BA). This species has not yet been proposed for listing and therefore will not be addressed further in this document; however, we appreciate NASA's consideration of this species and any conservation measures implemented to minimize or avoid threats to this species will contribute to its conservation. The Service would like to work with NASA to develop a candidate conservation agreement for the red knot.

The Service concurs with the NASA's determination that the proposed action will have "no effect" on the seabeach amaranth, Delmarva fox squirrel, and northeastern beach tiger beetle because these species are not found on Wallops Island.

The Service does not concur with NASA's determination of "no effect" on nesting sea turtles for the proposed project. NASA has proposed the following steps to reduce and minimize potential impacts to nesting sea turtles: (1) limit night flights for special circumstances like hurricane monitoring, (2) any safety lighting at the airstrip will be minimal intensity and downward-shielded, (3) over flying UAS will not use running lights, and (4) as directed by the WFF Threatened and Endangered Species Monitoring Program protocols, should WFF monitoring staff identify sea turtle nesting activity under UAS flight paths on the beach, UAS flights will be redirected or suspended until nesting activity has ceased or nestlings have completed their emergence. The avoidance and minimization measures proposed by NASA will be sufficient to prevent possible impacts to nesting sea turtles during normal UAS operations. However, during special circumstances (e.g., hurricane data collection missions) there may be a potential to affect nesting turtles. Based on the low number of nests at this site annually (between 1-4 nests per year), the low probability of hurricanes occurring during the nesting period here in Virginia, and the even lower probability that an emergency UAS flight would occur at night while turtles were nesting, the likelihood of disturbance resulting from UAS operations is low. Additionally, UAS operations and clearances from beach habitats will minimize the potential that UAS operations will affect sea turtles even if they do occur during nesting, and any effects are expected to be limited to temporary changes in behavior that will not reduce the likelihood of nesting. Consequently, these minor disturbances are considered to be insignificant and discountable, and the project as proposed, "may affect, but is not likely to adversely affect" nesting sea turtles.

The Service concurs with NASA's determination that the proposed action "may affect, but is not likely to adversely affect" piping plovers with the addition of avoidance and monitoring measures that NASA and the Service agreed to during a 19 August 2011 conference call. The

UAS flights may have the potential to disturb nesting plovers. NASA has proposed the following precautions to avoid and minimize disturbance of plovers: (1) UAS over-flights of the beach will be on average only four sorties each day (1,040 sorties maximum per year) and (2) UAS operators will be instructed to maintain a flight path both 1,000 ft vertically and horizontally away from nesting piping plovers. The Service has some concern regarding the 1,000 ft vertical and horizontal buffer proposed for UAS over flights adjacent to nesting piping plovers because this distance may not avoid all effects. Based on our review of available information on the effects of aircraft overflights on shorebirds, consultation with species experts, and past Service consultations on the effects of aircraft on nesting plovers, we recognized that the specific information on effects of aircraft is either limited to specific situations and/or aircraft types and no information was available that would allow evaluation of effects of small aircraft similar to those proposed. Current research that is being done is focusing primarily on larger and faster military aircraft types like the F-18 and the Osprey, and not the type of aircraft involved in this proposed action. Early results have shown that nesting plovers after such aircraft have flown over, are fast to return to normal behavior and there appears to be no adverse effects (Dr. Jim Fraser, Virginia Tech, pers. comm.).

The Service believes that conducting monitoring of the effects of UAS aircraft on plovers, in conjunction with an adaptive management type of approach, would be appropriate to ensure that any possible effects of these types of aircraft is addressed. On August 19, 2011, NASA and the Service held a conference call to discuss our concerns regarding what would be considered an appropriate buffer distance. NASA has agreed to work with the Service and other species experts to develop an approach to UAS operation and monitoring that would be compatible with NASA's needs and provide information on potential effects on shorebirds. NASA has agreed to monitor nesting plover behavior, through observation, video-recording, or even UAS-mounted cameras during aircraft operation to determine if plovers are affected. NASA may also attempt to establish disturbance thresholds and evaluate effects of other variables on likelihood of disturbance, including aircraft propulsion type, flight path relative to plovers, and others. The Service is confident that the monitoring program would provide good information on the response of plovers to UAS over-flights, and allow NASA to adopt appropriate modifications to avoidance buffers and flight paths if needed, and to reinitiate consultation under section 7 if necessary. Based on the best currently available data, the Service believes that with the conservation measures and the 1,000 foot horizontal and vertical buffers, disturbances to nesting plovers are unlikely to occur, and will be limited to temporary changes in behavior that are similar to responses to potential predators in the vicinity of nesting plovers and are unlikely to result in flushing from nests. The Service believes that the level of disturbance will be insignificant and discountable, and birds will return to normal activities quickly following disturbance, and the proposed action is not likely adversely affect piping plovers. In addition, the proposed monitoring in conjunction with UAS operation has the potential to significantly improve future conservation efforts for plovers and other shorebirds.

The proposed airstrip location was modified to minimize encroachment on an existing bald eagle nest. The project is outside the 660 ft buffer required to protect active nests, and there are no

identified eagle concentration areas, thus the proposed action is not likely to disturb bald eagles, and consequently, no eagle act permit is required.

Should project plans change or if additional information on the distribution of listed species or critical habitat becomes available, this determination may be reconsidered. If you have any questions, please contact Mike Drummond of this office at (804) 693-6694, extension 122, or via email at mike_drummond@fws.gov.

Sincerely,


Cindy Schulz
Supervisor
Virginia Field Office

cc: Chincoteague NWR, Chincoteague, VA (Lou Hinds)
VDACS, Richmond, VA (Keith Tignor)
VDCR, DNH, Richmond, VA (René Hypes)
VDGIF, Richmond, VA (Amy Ewing)

APPENDIX C

FEDERAL CONSISTENCY DETERMINATION

National Aeronautics and
Space Administration

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



Reply to Attn of: 250.W

December 21, 2011

Ms. Ellie Irons
Office of Environmental Impact Review
Virginia Department of Environmental Quality
629 East Main Street, Sixth Floor
Richmond, Virginia 23219

Dear Ms. Irons:

In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and Section 307 (c) (1) of the Coastal Zone Management Act of 1972, the National Aeronautics and Space Administration (NASA) has prepared a Draft Environmental Assessment (EA) and Federal Consistency Determination (FCD) for the proposed Unmanned Aerial Systems (UAS) airstrip at its Goddard Space Flight Center's Wallops Flight Facility (WFF) on Wallops Island, Virginia. The location for the proposed airstrip is the north end of Wallops Island.

As the project sponsor, NASA is serving as the lead agency for both NEPA and Federal Consistency coordination with the Virginia Department of Environmental Quality. The U.S. Army Corps of Engineers (USACE) would undertake actions connected to the UAS airstrip and are participating in NASA's NEPA process and Consistency coordination.

In cooperation with USACE, NASA has found that the proposed construction of the UAS airstrip would be consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Resources Management Program. NASA respectfully requests that you review the enclosed Draft EA and FCD and provide comments within 60 days of receiving this letter. Four (4) hard copies and fourteen (14) compact discs are enclosed to facilitate the consolidated state agency review process.

If you have any questions or require any additional information please contact me at (757) 824-1127, or Ms. Shari Silbert at (757) 824-2327.

Sincerely,

A handwritten signature in black ink that reads "Joel Mitchell".

Joel T. Mitchell
Natural Resources Manager

2 Enclosures

**FEDERAL CONSISTENCY DETERMINATION FOR THE
NORTH WALLOPS ISLAND
UNMANNED AERIAL SYSTEMS AIRSTRIP**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
GODDARD SPACE FLIGHT CENTER
WALLOPS FLIGHT FACILITY
WALLOPS ISLAND, VIRGINIA 23337**

INTRODUCTION

This document provides the Commonwealth of Virginia with the National Aeronautics and Space Administration's (NASA) Consistency Determination under Coastal Zone Management Act Section 307(c)(1) and Title 15 Code of Federal Regulations (CFR) Part 930, Subpart C, for construction of an Unmanned Aerial Systems (UAS) airstrip at NASA's Goddard Space Flight Center Wallops Flight Facility (WFF), Wallops Island, Virginia. The location for the proposed airstrip is the north end of Wallops Island. The information in this Consistency Determination is provided pursuant to 15 CFR Section 930.39.

NASA has prepared an Environmental Assessment (EA) to evaluate the potential environmental impacts from the proposed UAS airstrip in accordance with the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S. Code 4321-4347), the Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508), NASA's regulations for implementing NEPA (14 CFR Subpart 1216.3), and the *NASA Procedural Requirements (NPR) for Implementing NEPA* and *Executive Order (EO) 12114* (NPR 8580.1).

The U.S. Army Corps of Engineers (USACE), Norfolk District, has served as a Cooperating Agency in preparing the EA and this Consistency Determination, because they possess regulatory authority and specialized expertise pertaining to the Proposed Action. The ES is being developed to fulfill all three Federal agencies' obligations under NEPA. NASA, as the WFF property owner and project proponent, is the Lead Agency and responsible for ensuring overall compliance with applicable environmental statutes, including NEPA.

Based on the data and analysis, NASA finds that the activities associated with the construction of the proposed UAS airstrip are consistent to the maximum extent practicable with the enforceable polices of the Virginia Coastal Resources Management Program. The summary below supports NASA's determination.

**ENFORCEABLE POLICIES COMPRISING VIRGINIA’S COASTAL ZONE MANAGEMENT PROGRAM
AND PROPOSED ACTION ANALYSIS**

- 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 (MRC) (Virginia Code §28.2-200 through §28.2 - 713) and the Department of Game and Inland Fisheries (DGIF) (Virginia Code §29.1-100 through §29.1-570).

Consistent? Yes

Analysis –No fisheries habitat areas located within the footprint of the airstrip. Tidal wetlands are located outside of the footprint and all impacts to tidal wetlands have been avoided. The proposed airstrip construction would not have an impact on fisheries management.

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 MRC, DGIF, and Virginia Department of Agriculture and Consumer Services share enforcement responsibilities (Virginia Code §3.1-249.59 through §3.1-249.62).

Consistent? Yes

Analysis - No boating areas located within the footprint of the airstrip or adjacent to it. The proposed airstrip construction would not have an impact on the State TBT Regulatory Program.

- 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, wetlands, adjacent or nearby properties, anticipated public and private benefits, and water quality standards established by the Department of Environmental Quality (DEQ) Water Division. The program is administered by the MRC (Virginia Code §28.2-1200 through §28.2-1213).

Consistent? Yes

Analysis - There are no regulated subaqueous lands located within the footprint of the airstrip construction. The proposed range renovation would not have an impact on subaqueous lands.

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

consistent with wetlands preservation. (i) The tidal wetlands program is administered by the MRC (Virginia Code §28.2-1301 through §28.2-1320).

Consistent? Yes

Analysis –No tidal wetlands are located in the footprint of the airstrip construction. Impacts to tidal wetlands have been avoided. The proposed airstrip construction would not have an impact on tidal wetlands.

(ii) The Virginia Water Protection Permit program administered by the DEQ includes protection of wetlands --both tidal and non-tidal. This program is authorized by Virginia Code § 62.1-44.15.5 and the Water Quality Certification requirements of §401 of the Clean Water Act of 1972.

Consistent? Yes

Analysis –Non-tidal wetlands are present in the footprint of the airstrip. These non-tidal wetlands have been delineated and the limits confirmed by the Army Corps of Engineers (the Corps) in 2009. The wetland limits have been located by survey and illustrated on the attached exhibits. These wetlands are comprised of emergent and scrub shrub habitats. Impacts to forested areas have also been avoided. A Joint Permit application has been prepared to secure authorization for the necessary wetland impacts. A detailed alternatives analysis has been completed as part of this project. Additionally, many avoidance and minimization measures have been incorporated to further reduce wetland impacts. Mitigation will be provided to compensate for all wetland losses. Funds will be donated to the Virginia Aquatic Resources Trust Fund, managed by The Nature Conservancy. NASA has already initiated discussions with TNC to identify suitable mitigation for the proposed impacts. Wetland impacts are summarized in the table below.

| Habitat Type | Acreage |
|----------------------|--------------------------------|
| Emergent Wetlands | 0.9 hectares (2.32 acres) |
| Scrub Shrub Wetlands | 0.06 hectares (0.15 ac.) |
| <i>Total</i> | 1.0 hectares (2.47 ac.) |

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

Consistent? Yes

Analysis - No dunes are located within the footprint of the airstrip construction. The proposed range renovation would not have an impact on dunes.

- e. Non-point Source Pollution Control - Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. This program is administered by the Department of Conservation and Recreation (DCR) (Virginia Code §10.1-560 *et.seq.*).

Consistent? Yes

Analysis – The proposed airstrip construction incorporates temporary and permanent best management practices to reduce soil erosion. Low Impact Development (LID) principles were utilized in the development of the stormwater management plan for the project. In addition, WFF's most recent Stormwater Pollution Prevention Plan (SWPPP), developed in 2009 will be revised to include this airstrip. The SWPPP describes current stormwater management systems and associated outfalls, potential pollutant sources, and best management practices (BMPs) implemented to reduce runoff. In addition, the SWPPP details stormwater sampling activities, procedures for completing annual comprehensive site compliance evaluations, and the employee training program.

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

Consistent? Yes

Analysis – The proposed airstrip construction would not create any new point sources for pollution. Therefore, the action would have no impact on point source pollution control.

- g. Shoreline Sanitation - The purpose of this program is to regulate the installation of septic tanks, set standards concerning soil types suitable for septic tanks, and specify minimum distances that tanks must be placed away from streams, rivers, and other waters of the Commonwealth. This program is administered by the Department of Health (Virginia Code §32.1-164 through §32.1-165).

Consistent? Yes

Analysis - This action does not require the construction of facilities that require a septic tank. The proposed range renovation would not have an impact on shoreline sanitation.

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

Consistent? Yes

Analysis – Minimal impacts to air quality would occur during airstrip construction activities. The action would not lead to non-attainment to any of the National Ambient Air Quality Standards. The proposed range renovation would have minimal impacts to air pollution control.

- i. Coastal Lands Management is a state-local cooperative program administered by the DCR's Division of Chesapeake Bay Local Assistance and 84 localities in Tidewater, Virginia established pursuant to the Chesapeake Bay Preservation Act (CBPA); Virginia Code §§ 10.1-2100 through 10.1-2114 and Chesapeake Bay Preservation Area Designation and Management Regulations; Virginia Administrative code 9 VAC10-20-10 *et seq.*

Consistent? Yes

Analysis –The site is not located within the Chesapeake Bay Drainage Area. The proposed airstrip construction would not have an impact on Chesapeake Bay Preservation Areas resources.

APPENDIX D

**NATIONAL HISTORIC PRESERVATION ACT,
SECTION 106 CORRESPONDENCE**

**APPENDIX D. NATIONAL HISTORIC PRESERVATION ACT,
SECTION 106 CORRESPONDENCES**

| Date | From | To |
|--------------------|---|---|
| April 28, 2009 | Wallops Flight Facility | Virginia Department of Historic Resources |
| May 28, 2009 | Virginia Department of Historic Resources | Wallops Flight Facility |
| October 9, 2009 | Wallops Flight Facility | Virginia Department of Historic Resources |
| November 12, 2009 | Virginia Department of Historic Resources | Wallops Flight Facility |
| July 20, 2010 | Wallops Flight Facility | Assateague Island National Seashore |
| August 9, 2010 | Assateague Island National Seashore | Wallops Flight Facility |
| August 11, 2010 | Virginia Department of Historic Resources | Wallops Flight Facility |
| September 24, 2010 | Telephone Log between VDHR and WFF | |
| November 22, 2010 | Virginia Department of Historic Resources | Wallops Flight Facility |
| December 13, 2010 | Wallops Flight Facility | Virginia Department of Historic Resources |
| January 10, 2011 | Virginia Department of Historic Resources | Wallops Flight Facility |

National Aeronautics and
Space Administration

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



April 28, 2009

Reply to Attn of: 250.W

Virginia Department of Historic Resources
Attn: Mr. Ron Grayson
Archaeologist, Office of Review and Compliance
2801 Kensington Avenue
Richmond Virginia, 23221

Subject: Request for Study Plan Review of the NASA, Goddard Space Flight Center's Wallops Flight Facility, Wallops Island, Virginia, Proposed UAS Airstrip

To satisfy its obligations under the National Environmental Policy Act and Section 106 of the National Historic Preservation Act, the Wallops Flight Facility (WFF) has retained the Timmons Group and New South Associates to assist with the planning for a 5,200 foot x 75 foot airstrip on the north end of Wallops Island in Accomack County, Virginia (See attached Site Vicinity Map). The preparation of an Environmental Assessment (EA) is forthcoming; however, WFF is moving forward with the early scoping process. The Unmanned Aerial Systems (UAS) Airstrip is being proposed to serve NASA and NASA partners for small-scale uninhabited aerial vehicles. The WFF invites your agency to participate in the scoping process. We are currently seeking your input and recommendations concerning WFF's proposed scope for evaluating the potential effect this project may have on cultural resources.

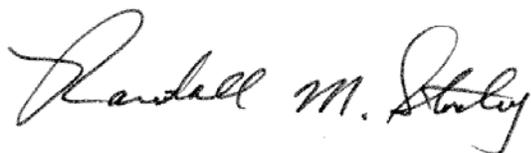
A study was previously conducted for WFF that included the current project area. The study, *Cultural Resources Assessment (CRA) of WFF, Accomack County, Virginia*, identified high sensitivity areas that would require further investigations. The purpose of the proposed investigation is to conduct a Phase I Archaeological Survey to determine if high sensitivity areas in the Area of Potential Effect (APE) contain sites that are eligible for listing on the National Register of Historic Places, and determine the effects this project may have on cultural resources. One previously identified site, 44AC0089, which is a probable Revolutionary War fort, will be investigated as part of this scope. This work is being undertaken proactively and will also be incorporated in the EA that will be prepared for this proposed action.

The UAS Airstrip at WFF is proposed to have a ground disturbance impact of 125 feet x 5,200 feet to accommodate the grading and surfacing of the 75-foot runway for its entire proposed

length. The runway would actually be elevated 2-to-3 feet above existing ground surface. There is no excavation proposed as the water table is relatively high in this area. Two 100 foot x 100 foot hangars would be constructed to service the airway. The site access road (existing dirt road) would be improved to service the runway and hangars. No other ground disturbance is planned for the project (See attached Cultural Resources Investigation Limits Map). Vegetation clearing for line of sight would be perpendicular from the edge and along the entire length of the runway fill to approximately 250 feet at a maintained height of approximately 2 feet or less. An additional 500 feet of vegetation would be cleared to the same height off of each end of the runway. Additionally, vegetation beyond the 250-foot limit would be maintained at a height of approximately 5-to-10 feet.

The APE for this project as defined in the attached scope includes the 125 feet x 5,200 feet of ground disturbance for the airstrip, the two 100 foot x 100 foot hangar sites, and the improvements to the existing site access road. The vegetation clearings for line of sight have not been included in the proposed scope, as no ground disturbance will occur within those areas (See attached Cultural Resources Investigation Limits Map).

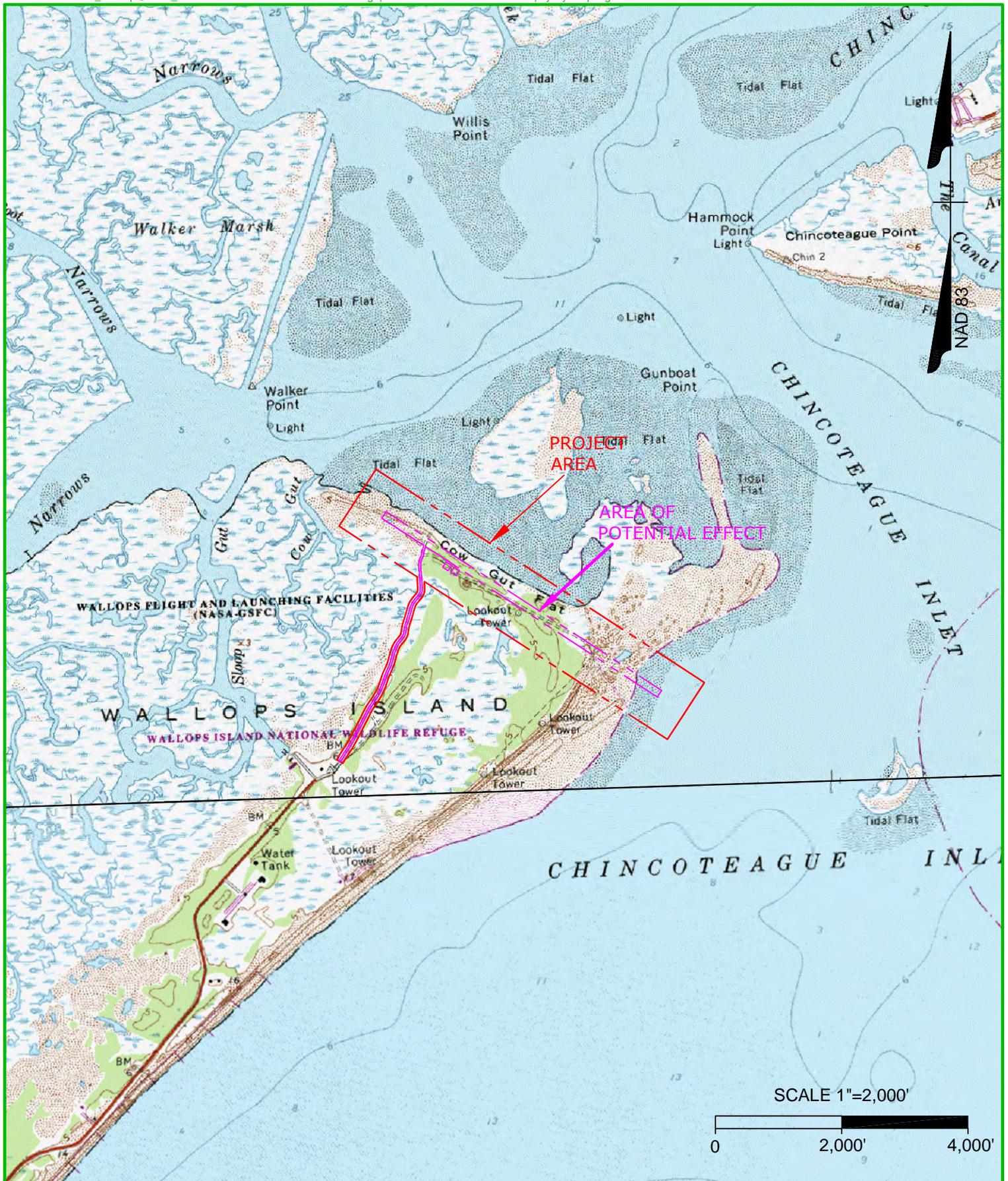
A detailed description technical proposal outlining the proposed survey methodology and staff qualification from New South Associates is attached for you review. If you have any additional questions or require more information about the project, please Mr. Josh Bundick at 757-824-2319 (joshua.a.bundick@nasa.gov) or me at 757-824-1309 (randall.m.stanley@nasa.gov). If you have any specific questions regarding the technical proposal, please contact New South Associates via Mr. Chris Espenshade at (336) 379-0433 (cespenshade@newsouthassoc.com). Thank you for your attention to this request and we look forward to receiving your comments.



Randall M. Stanley
Facility Historic Preservation Officer

4 Enclosures

cc: (w/o encl.)
200/Ms. C. Massey
228/Mr. P. Bull
228/Mr. G. Lilly
250/Mr. J. Bundick



UAS AIRFIELD AT WFF
 ACCOMACK COUNTY, VIRGINIA
 SITE VICINITY MAP

TIMMONS GROUP 
 YOUR VISION ACHIEVED THROUGH OURS.

TIMMONS GROUP JOB NUMBER: 27597
 PROJECT STUDY LIMITS: 161.1 ACRES
 LATITUDE: 35°53'05"
 LONGITUDE: 75°26'16"

U.S.G.S. QUADRANGLE(S): CHINCOTEAGUE WEST AND WALLOPS ISLAND
 DATE: 1989
 WATERSHED: CHINCOTEAGUE & EASTERN LOWER DELMARVA
 HUC IDENTIFICATION: 02060010, 02080110

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.

NEW SOUTH TECHNICAL PROPOSAL

Principal Investigator: Chris Espenshade, MA, RPA

WFF Page 1 of 2

Cultural Resources Assessment

The Historian will conduct background research at the Wallops Flight Facility, the Library of Virginia, and the Virginia Department of Historic Resources. The research will begin with a review of the 2003 Cultural Resource Assessment. It is anticipated that a focus of the background research will be better defining the history of the military earthwork in the Area of Potential Effect (APE). For this survey, the APE is defined as an area that captures the proposed airstrip plus a construction corridor (125 x 5,200), (2) 100 x 100 hangars, and access road improvements. The APE will be established in the field through the use of Trimble GeoXT GPS receivers with sub-meter positional accuracy.

The main method for site discovery will be excavation of subsurface shovel tests. Given the high sensitivity of the APE for archaeological sites, it is appropriate that this survey use shovel tests excavated at 15-meter intervals. The 15-meter interval is recommended for areas of high archaeological potential by the VDHR in their survey guidelines. At 15-meter intervals, there will be 16 shovel tests per acre for site discovery. These will be positioned through pacing and compass bearing from known points, and the locations of all positive shovel tests will be plotted with the GPS. The shovel tests will measure 30 centimeters in diameter and will be excavated to sterile subsoil, groundwater, or 70 centimeters below surface. The majority of the APE is mapped as Fisherman-Assateague complex, which is characterized by deep sands. It is likely that the majority of the units will need to be excavated to 70 centimeters below surface. Soil will be screened through 0.25-inch mesh. Notes will be made on the soil strata and artifact content of each test.

When artifacts are recovered from a unit, the site will be delineated using a cruciform of shovel tests at 7.5-meter intervals. The site boundaries will be pursued until there are two negative tests in each direction, the landform drops away, or the edge of the APE is reached. A plan map will be prepared for each site, and photographs will be made of each site. All site boundaries, surface finds, positive shovel tests, and any other pertinent natural or cultural features will be recorded with the sub-meter GPS receiver. It is anticipated that 318 shovel tests will be excavated for runway (3 transects of 106 tests each), an estimated 100 additional tests will be required for the road along 1 transect, and an additional 64 tests for site discovery.

Artifacts will be accessioned by discrete field provenience. They will be washed and rebagged with appropriate identifying tags. The focus of the analysis will be to characterize the temporal and functional dimensions of each site, and to provide a comprehensive artifact catalog. Prehistoric pottery will be sorted by aplastic content and surface decoration; type names will be assigned as feasible. Lithic artifacts will be described by raw material and technotype. Shell or bone tools will be described by species and function. Historic artifacts will be first classified by material class (e.g., ceramics). Additional technological and stylistic details will be recorded to narrow the production span (e.g., amethyst glass was produced only 1890-1905). Form will also be recorded when feasible (e.g., pint flask).

Military items will be sorted to army of origin, as feasible. Diameter will be recorded for all munitions; musket balls will be classed as dropped or fired. Buttons and other uniform items will be identified through consultation with published artifact guides.

NEW SOUTH TECHNICAL PROPOSAL

Principal Investigator: Chris Espenshade, MA, RPA

WFF Page 2 of 2

The consultant will complete a full technical report, as per the guidelines of the VDHR. The report will include: a detailed description of the project and APE; a natural context chapter; a cultural context chapter including a historic overview of the APE; a chapter describing the methods for the background research, field survey, analysis, and curation; a detailed results chapter with throughout descriptions of each site, their soils, and the recovered artifacts; a recommendations chapter that details the eligibility recommendations and appropriate further work; a bibliography; and a complete artifact catalog. The report will have a detailed map of every positive and negative shovel test, a map of every metal detector find, a photograph and plan map for every site discovered, drawings of representative soil profiles, and illustrations of key artifacts.



COMMONWEALTH of VIRGINIA

L. Preston Bryant, Jr.
Secretary of Natural Resources

Department of Historic Resources
2801 Kensington Avenue, Richmond, Virginia 23221-0311

Kathleen S. Kilpatrick
Director

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May 28, 2009

Mr. Randall Stanley
Facility Historic Preservation Officer
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337

Re: Study Plan Review of the Proposed UAS Airstrip
Wallops Island
DHR File #: 2009-0696
Date Received: April 29, 2009

Dear Mr. Stanley:

We have received information for our review and comment regarding the above referenced project. The proposed survey methodology and Area of Potential Effect appears appropriate for the archaeological investigation proposed. However, because of the possible increase in noise, we recommend that you request the comments of the National Park Service (NPS) Assateague Island National Seashore regarding indirect effects to the NRHP-listed Assateague Beach Lifeboat Station. According to the NPS directory, Trish Kicklighter is Superintendent and Carl Zimmerman is the Resource Management Specialist. These comments will allow us to better comment on the effects of the proposed undertaking.

We look forward to further consultation on this project. If you have any questions about our comments, please contact me at: ron.grayson@dhr.virginia.gov or (804) 367-2323, Ext. 105.

Sincerely,

Ronald Grayson, RPA, Archaeologist
Office of Review and Compliance

National Aeronautics and
Space Administration



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

Reply to Attn of: 250.W

July 20, 2010

Ms. Trish Kicklighter
Superintendent
National Park Service, Assateague Island National Seashore
7206 National Seashore Lane
Berlin, MD 21811

Dear Ms. Kicklighter:

In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, the National Aeronautics and Space Administration (NASA) Goddard Space Flight Center's Wallops Flight Facility (WFF) is preparing an Environmental Assessment to analyze potential impacts associated with the construction and operation of an Unmanned Aerial Systems (UAS) airstrip at the north end of Wallops Island in Accomack County, Virginia (Enclosure 1).

A letter we recently sent to you dated July 14, 2010, describes the full scope of this project. In summary, the proposed UAS airstrip would be constructed of asphalt and measure approximately 914 meters (3,000 feet long [2,500 feet plus an additional 500 feet clear zone]) by 18 meters (60 feet) wide. The airstrip would be elevated approximately 1 meter (3 feet) above the existing ground surface. Two asphalt pads also would be constructed adjacent to the airstrip for staging aircraft and support vehicles during flight operations. A clear line of sight for UAS operators is necessary; therefore, vegetation alongside the length (up to 30 meters [100 feet]) on each side of the proposed airstrip would be cleared and maintained. Additionally, vegetation height would be maintained beyond the ends of the airstrip. Crushed gravel would be used to improve the existing dirt access road to provide service to the airstrip. Infrastructure improvements to provide electrical and telecommunication service would be implemented; however, it is anticipated that most UAS operators would use small portable generators. The total affected area would be approximately 2 hectares (5 acres). The proposed airstrip would likely be constructed in several phases to reach the dimensions described above.

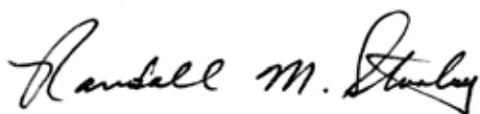
In mid-2009, WFF was preparing for a cultural resources investigation of the project area for the proposed UAS airstrip and consulted with the Virginia Department of Historic Resources (VDHR), which is the Virginia State Historic Preservation Office, regarding the area of potential effects and survey methodology for the investigation. In turn, VDHR recommended consulting with you regarding potential indirect effects of the project on the National Register-eligible Assateague Beach Life-Saving Station located on Toms Cove Hook (Enclosure 1). We are seeking your input concerning WFF's UAS airstrip proposal.

We have determined that UAS operations from the proposed airstrip on Wallops Island would have no adverse effect on the Assateague Beach Life-Saving Station. UAS operations would be conducted year round during NASA's normal Air Traffic Control tower hours (7 AM to 5 PM). Night operations would only take place under special circumstances (e.g., hurricane monitoring). The UAS aircraft would operate within the existing NASA controlled Restricted Airspace Areas (R-6604A/B) and within the Virginia Capes Operating Area (VACAPES OPREA), the Navy's offshore training area (Enclosure 1). Aside from takeoff and landing, the minimum operating altitude would be 152 meters (500 feet). The largest UAS that would be authorized to operate from the proposed airstrip is the Viking 400. The Viking 400 has a 6 meter (20 foot) wingspan, is 4.5 meters (14.7 feet) in length, and would have a maximum weight of 240 kilograms (530 pounds).

UAS would not operate over Assateague Island National Seashore. UAS would take off from the airstrip and fly southeast over water. Preliminary noise analysis indicates the loudest noise would be at the airstrip on Wallops Island; otherwise, the noise environment would not perceptibly change. Because UAS would not fly over Assateague Island National Seashore and the current noise environment beyond Wallops Island would not change, the proposed project would have no indirect visual or audible effects on the Assateague Beach Life-Saving Station.

If you have any questions or require additional information about the project, please contact Mr. Joel Mitchell at (757) 824-1127 or me at (757) 824-1309. Thank you for your attention to this request and we look forward to receiving your comments.

Sincerely,

A handwritten signature in black ink that reads "Randall M. Stanley". The signature is written in a cursive style with a large, stylized initial 'R'.

Randall M. Stanley
Facility Historic Preservation Officer

Enclosure



United States Department of the Interior
NATIONAL PARK SERVICE
Assateague Island National Seashore
7206 National Seashore Lane
Berlin, MD 21811
(410) 641-1443



August 9, 2010

Mr. Joel Mitchell, Natural Resources Manager
250.W
NASA Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia 23337

Dear Mr. Mitchell:

Assateague Island National Seashore (AINS), a unit of the National Park Service located in Virginia and Maryland, appreciates the opportunity to provide comments during the preparation of the Environmental Assessment to analyze potential impacts associated with a new UAS airstrip at the north end of Wallops Island, Virginia.

The southern portion of AINS is located approximately 2 miles east of the proposed project. After speaking with you about this project, our understanding is that the project would not add any additional restrictions to the airspace over Assateague Island, that the flight lines would not cross over Assateague Island, and that the noise levels associated with flights would not exceed the ambient noise levels on Assateague Island. With that understanding, we do not have significant concerns at this time about the project's potential impacts on AINS resources or visitor experience.

Thank you for the opportunity to comment. We would appreciate continued communication about this project and any changes to the proposal.

Sincerely,

Trish Kicklighter
Superintendent, Assateague Island National Seashore

National Aeronautics and
Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337



Reply to Attn of: 228

October 9, 2009

Virginia Department of Historic Resources
Attn: Mr. Ron Grayson
Archaeologist, Office of Review and Compliance
2801 Kensington Avenue
Richmond Virginia, 23221

Subject: UAS Airstrip at Wallops Flight Facility, Draft Cultural Resources
Investigation for the Proposed Uninhabited Aerial Systems Airstrip,
Wallops Flight Facility, Accomack County, Virginia

In accordance with Section 106 of the National Historic Preservation Act, as amended, the National Aeronautics and Space Administration (NASA) Goddard Space Flight Center's (GSFC) Wallops Flight Facility (WFF) is submitting the enclosed draft "*Cultural Resources Investigation of the Proposed Uninhabited Aerial Systems Airstrip*" (Enclosure 1) for your review and concurrence concerning the below-described undertaking.

Wallops Flight Facility (WFF) has contracted Timmons Group to assist with a proposal to create a 1,500 x 34 meter airstrip and associated improvements on the north end of Wallops Island in Accomack County, Virginia. The Uninhabited Aerial Systems (UAS) Airstrip is being proposed to serve as a takeoff and landing facility for UAS. WFF previously consulted with Virginia Department of Historic Resources (VDHR) while preparing the study plan for the proposed undertaking (DHR File #:2009-0696).

Brief Background:

Previously, an archaeological study was conducted for WFF that included the current project area. The study, *Cultural Resources Assessment, (CRA) NASA Wallops Flight Facility (NASA, 2003c), Accomack County, Virginia*, identified areas of increased sensitivity for the presence of archaeological resources that would require further investigations if the areas were to be disturbed. The CRA briefly discussed the recordation and discovery of Site, 44AC0089, described as a probable Revolutionary War fort. Because no development was planned for the north end of Wallops Island, Site 44AC0089 was not further investigated at that time.

In 2009, Timmons Group sub-contractor New South Associates completed a cultural resource study in support of the proposed construction of UAS Airstrip on north Wallops Island. . The proposed airstrip effectively would reach from the Atlantic Ocean beach across the northern end of the island, to the tidal marshes between the island and the mainland. The project vicinity has mixed vegetation including small hardwoods, 20 to 30-year old planted pines, and dense underbrush. Soils are generally deep sands. The proposed project would entail the construction of a paved airstrip and two hangar buildings, as well as improvements to the current access road.

The archaeological Area of Potential Effects (APE) was originally defined as 1,100 x 10 meters of road improvements, two 30 x 30-meter hangar locations, and 1,500 x 34 meters of airstrip and apron. When it was discovered that the original airstrip location threatened a site recommended eligible for the National Register of Historic Places (NRHP), the APE was revised by shifting the northwestern end of the airstrip to the south as detailed in the enclosed report. The revised APE now completely avoids this area.

The cultural resources investigations also included:

- archaeological survey of the APE as originally defined;
- delineation and evaluation of site 44AC0089, a Revolutionary War fort;
- archaeological survey of the APE after revision to avoid 44AC0089;
- architectural resource survey of the original and revised APEs; and
- architectural evaluation of the North Observation Mound, a mid-late twentieth-century structure.

The background research revealed that 44AC0089 was the only previously recorded site in the original APE. The examination of the APE through screened shovel tests at 15-meter intervals encountered only 44AC0089. The APE was revised to avoid this site, and the survey of the revised APE found no additional archaeological sites. Metal detector survey behind the fort failed to discover any evidence of an associated camp. Site 44AC0089 is a well-preserved example of a small, coastal, gun emplacement from the Revolutionary War. It is recommended eligible for the NRHP under Criteria C and D. The revised APE does not include the site, and the proposed undertaking will have no effect on any sites eligible for, or listed on, the NRHP.

NASA has determined that this undertaking will have no adverse effect on historic properties. NASA is requesting VDHR's concurrence with this determination, and submits the enclosed draft of the *Cultural Resources Investigation of the Proposed Uninhabited Aerial Systems Airstrip* (Enclosure 1) and associated Project Review Form (Enclosure 2) which describes this undertaking for your consideration.

If you have any questions or require any additional information please contact me at (757) 824-1309, or Ms. Shari Silbert at (757) 824-2327.

A handwritten signature in black ink that reads "Randall M. Stanley". The signature is written in a cursive style with a large, stylized initial 'R'.

Randall M. Stanley
Facility Historic Preservation Officer

2 Enclosures

cc:
200/Ms. C. Massey
228/Mr. G. Lilly
250/Ms. C. Turner



COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221-0311

L. Preston Bryant, Jr.
Secretary of Natural Resources

Kathleen S. Kilpatrick
Director

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November 12, 2009

Mr. Randall Stanley
Facility Historic Preservation Officer
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337

Re: UAS Airstrip Draft Cultural Resources Investigation
Wallops Flight Facility
DHR File #: 2009-0696
Date Received: October 13, 2009

Dear Mr. Stanley:

We have received information regarding our review of the above referenced undertaking, including a copy of the Draft report *Cultural Resources Investigations of the Proposed Uninhabited Aerial Systems Airstrip, Wallops Flight Facility, Accomack County, Virginia* (Espenshade and Lockerman: 2009). Based upon information presented in the report, the level of effort appears to be sufficient to have identified any historic properties within the area investigated. However, we are unable to comment on the effect of this undertaking to historic properties without additional information.

We are unable to provide comments regarding the eligibility of the ca. 1952 North Observation Mound (DHR ID# 001-0027-0125) at this time. The hard copy survey file that accompanies the Data Sharing System (DSS) record is incomplete, and the record does not meet the Department's Quality Assurance and Quality Control (QA/QC) requirements. We require the supporting materials (USGS topographic map of the resource, black and white photographs, and sketch plan) be provided to complete this record.

Additional information is also needed to positively determine the eligibility of archaeological site 44AC0089 for listing in the National Register or Historic Places (NRHP). The boundary of the site must be indicated on the contour map (Figure 15). Additionally, further information concerning the soils of the earthwork is needed, including a comparison of soil profiles from within the site to those of the surrounding area. Given the lack of cultural materials, this information is crucial to understanding the construction/formation of this landform.

Administrative Services
10 Courthouse Avenue
Petersburg, VA 23803
Tel: (804) 862-6416
Fax: (804) 862-6196

Capital Region Office
2801 Kensington Ave.
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Tidewater Region Office
14415 Old Courthouse Way, 2nd Floor
Newport News, VA 23608
Tel: (757) 886-2807
Fax: (757) 886-2808

Roanoke Region Office
1030 Penmar Ave., SE
Roanoke, VA 24013
Tel: (540) 857-7585
Fax: (540) 857-7588

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7023

It is stated within the report and in the accompanying cover letter that the plans of the project have been revised to avoid impacts to 44AC0089. However, the plans in the report do not clearly indicate this alteration. Additional plans are needed to assess the impacts of the proposed construction on 44AC0089.

We also request an update regarding the agreements concerning the Wallops Beach Lifeboat Station (DHR ID# 011-0027-0100) and Observation Tower (DHR ID# 011-0027-0101).

We look forward to further consultation on this project. If you have any questions about our comments, please contact me at: ron.grayson@dhr.virginia.gov or (804) 367-2323, Ext. 105.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron Grayson', is written over a light blue horizontal line.

Ronald Grayson, RPA, Archaeologist
Office of Review and Compliance



COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Douglas W. Domenech
Secretary of Natural Resources

Kathleen S. Kilpatrick
Director

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August 11, 2010

Mr. Joel T. Mitchell
Natural Resources Manager
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337

Re: UAS Airstrip Impacts
Wallops Flight Facility
DHR File #: 2009-0696
Date Received: July 15, 2010

Dear Mr. Mitchell:

We have received information regarding our review of the above referenced undertaking, our office previously responded to your agency in a letter dated November 12, 2009. Our current comments are largely the same as those forwarded to you in 2009. However, we are unable to comment on the effect of this undertaking to historic properties without additional information.

We are unable to provide comments regarding the eligibility of the ca. 1952 North Observation Mound (DHR ID# 001-0027-0125) at this time. The hard copy survey file that accompanies the Data Sharing System (DSS) record is incomplete, and the record does not meet the Department's Quality Assurance and Quality Control (QA/QC) requirements. We require the supporting materials (USGS topographic map of the resource, black and white photographs, and sketch plan) be provided to complete this record.

Additional information is also needed to positively determine the eligibility of archaeological site 44AC0089 for listing in the National Register or Historic Places (NRHP). Further information concerning the soils of the earthwork is needed, including a comparison of soil profiles from within the site to those of the surrounding area. Given the lack of cultural materials, this information is crucial to understanding the construction/formation of this landform.

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Even though it appears that direct impacts from the airstrip avoid the archaeological site 44AC0089, the impacts from other activities are unknown. We require a more complete description of the ground disturbing activities in the vicinity of archaeological site 44AC0089. The description should include impacts related to the construction of the airstrip itself and any vegetation clearing activities.

We look forward to further consultation on this project. If you have any questions about our comments, please contact me at: ron.grayson@dhr.virginia.gov or (804) 367-2323, Ext. 105.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron Grayson', written in a cursive style.

Ronald Grayson, RPA, Archaeologist
Office of Review and Compliance

c.c. Randall Stanley, NASA Wallops Historic Preservation Officer

Silbert, Shari A. (WFF-200.C)[EGG, Inc. (WICC)]

From: Mitchell, Joel T. (WFF-2500)
Sent: Wednesday, September 22, 2010 2:45 PM
To: Bundick, Joshua A. (WFF-2500); Silbert, Shari A. (WFF-200.C)[EG&G, Inc. (WICC)]
Cc: Bull, Paul C. (WFF-2280); Turner, Carolyn (WFF-2500); Stanley, Randall M. (WFF-2280)
Subject: UAS and the revolutionary war earthworks

Randy Stanley and I, along w/ the TEC folks (Charee, Kim, and Matt) talked w/Ron Grayson and Amanda Lee of VDHR today concerning the extent of buffer zone that would be required for construction of the air strip and the associated vegetation clearing activities.

First of all, Ron said that DHR had not yet determined that the site was eligible and referred to the information DHR requested back in 2009 and again this summer in 2010. Specifically it was soil profile information that would determine the boundaries of the earthworks and determine if changing conditions over the years would have redeposited soils or filled areas which would minimize the archaeological value of portions of the site..

Ron continued that typically a Phase II survey would answer these questions. I responded that New South had conducted a "limited Phase II at the site and Ron said that he still needed the information that DHR had requested. He also said that in the interests of time you can just assume that the site is eligible and use the profile information to determine the buffer and the type of clearing activities (if any) would be allowed on and within the earthworks themselves. When pressed about typical buffer distances for very unstable soils, he would not commit. Evidently depending on the site, you may need no buffer and a buffer up to 100+ feet.

The upshot of the meeting was that DHR cannot advise us on buffer zones and clearance activities until it is provided with the soil profile information. Kim indicated that she had the information, would pull it together and send it to NASA for review, whereupon we'll forward it to DHR with all due dispatch.

Ron said that information should be sent to Amanda Lee, who will be our point of contact until a permanent replacement for Ron Grayson is chosen. Ron is leaving DHR as of next Thursday.

Randy, if you have anything to add or change, please reply to the group. Thanks.

Joel Mitchell
Environmental Engineer
NASA Wallops Flight Facility
757-824-1127



COMMONWEALTH of VIRGINIA

Department of Historic Resources

Douglas W. Domenech
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
Director

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November 22, 2010

Mr. Randall M. Stanley, Historic Preservation Officer
NASA Goddard Space Flight Center
Wallops Flight Facility
Building N-161, Room 127
Wallops Island, Virginia 23337

Re: UAS Airstrip Cultural Resources Investigations
Accomack County
DHR File No. 2009-0696

Dear Mr. Stanley,

On October 26, 2010, the Virginia Department of Historic Resources (DHR) received additional information (letter describing the proposed action as well as the additional information requested by DHR in its letter of November 12, 2009) regarding the above referenced project for our review and comment pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended. Unfortunately, we are unable to comment on the effect of this undertaking to historic properties.

We are unable to provide comments regarding the eligibility of the ca. 1952 North Observation Mound (DHR ID# 001-0027-0125) at this time. The hard copy survey file that accompanies the Data Sharing System (DSS) record is incomplete, and the record does not meet DHR's Quality Assurance/Quality Control (QA/QC) requirements. We require the supporting materials (USGS topographic map of the resource, black and white photographs, and sketch plan) be provided to complete this record. While your submission noted that black and white photographs were provided, none accompanied the report. We do appreciate the submission of the digital photographs, but current survey standards require black and white photographs for the file as well as mapping that is separate for a produced report.

DHR understands that NASA WFF wishes to treat archaeological site 44AC0089, the Revolutionary War earthworks, as eligible for listing in the National Register of Historic Places. DHR agrees to this treatment for the purposes of compliance with Section 106 of the National Historic Preservation Act. The proposed UAS Airstrip has the potential to affect site 44AC0089, perhaps adversely, and NASA proposes five options for protection of the resource

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during construction. While the "No Disturbance" option, which calls for retaining all current vegetation and excluding heavy machinery on the site and within a reasonable buffer, may be the most effective way to preserve site 44AC0089, DHR accepts that this is not the only feasible option. Accordingly, DHR would accept the following as appropriate treatment of site 44AC0089:

1. Establish a 25-foot buffer around the site within which no heavy machinery is allowed.
2. Depict the buffer zone on all construction plans.
3. Erect during construction a temporary exclusion fence around the site, including the buffer.
4. Remove, by hand, all vegetation on the site at or above ground level while keeping all roots intact and minimizing foot traffic on the earthworks.
5. Seed the site with a low-lying, non-woody ground cover.
6. Establish a maintenance plan that monitors the condition of the earthworks and stipulates procedures for future vegetation removal, as needed.

We look forward to receiving the DSS record and supporting materials for North Observation Mound (DHR ID# 001-0027-0125) and notice of your preferred option regarding the treatment of archaeological site 44AC0089. Should you have any questions, I may be reached via email at amanda.lee@dhr.virginia.gov or by phone at 804-367-2323 Ext. 122.

Sincerely,



M. Amanda Lee, Historic Preservationist
Office of Review and Compliance



National Aeronautics and
Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337

December 13, 2010

Amanda Lee
Commonwealth of Virginia
Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221-0311

RE: UAS Airstrip Cultural Resources Investigations
Wallops Flight Facility
DHR File #2009-0696

Dear Ms. Lee:

As per your request in your letter of November 22, 2010, please find enclosed the additional information for the determination of eligibility for the 1952 North Observation Mound (DHR# 001-0027-0125). Included are a copy of the VDHR resource survey form, topographical maps, and a site sketch on acid-free paper. A set of black and white photographs (from digital) in Print File sleeves are included, as well as a CD with the digital photo files.

In addition, NASA has determined that the following options will be taken to preserve and protect the earthworks associated with the Revolutionary War Fort (44AC0089) during construction of the new UAS airstrip. Option 1 would establish a 25-foot buffer zone around the earthworks within which no clearing will be done and the site will be maintained and preserved in its current state.

Should it be determined that the vegetation must be removed from the site for safety concerns, trees and large vegetation will be hand-cleared from the site and 25-foot buffer zone. NASA will attempt to control excess foot traffic and inadvertent damage to the earthworks during clearing activities. The roots of trees and other vegetation will not be removed from the earthworks to minimize damage and the site will be reseeded with an approved, non-woody ground cover.

A long-term maintenance plan will be established that will outline procedures for yearly vegetation removal and that will monitor the state of the earthworks. The plan may include observations of erosion and/or other damage to the earthworks through photodocumentation and

include provisions for short and long term stabilization techniques and emergency stabilization in the event of natural disasters, including hurricanes. Long-term maintenance may include the erection of a permanent enclosure to guard against vandalism or inadvertent damage to the site.

If you have any questions or require additional information about the project, please contact Mr. Joel Mitchell at (757) 824-1127 or me at (757) 824-1309. Thank you for your attention to this request and we look forward to receiving your comments.

Sincerely,

A handwritten signature in black ink that reads "Randall M. Stanley". The signature is written in a cursive style with a large, looping initial 'R'.

Randall M. Stanley
Facility Historic Preservation Officer

Enclosure



COMMONWEALTH of VIRGINIA

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January 10, 2011

Mr. Randall M. Stanley, Historic Preservation Officer
NASA Goddard Space Flight Center
Wallops Flight Facility (WFF)
Building N-161, Room 127
Wallops Island, Virginia 23337

Re: UAS Airstrip Cultural Resources Investigations
Accomack County
DHR File No. 2009-0696

Dear Mr. Stanley,

On December 14, 2010, the Virginia Department of Historic Resources (DHR) received additional information regarding the above referenced project for our review and comment pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

Based upon a review of the information provided regarding the ca. 1952 North Observation Mound (DHR ID# 001-0027-0125), DHR concurs that the resource is not eligible for inclusion in the National Register of Historic Places.

DHR understands that NASA WFF has determined that it will implement Option 1 regarding the treatment of the Revolutionary War Fort, archaeological site (44AC0089). NASA WFF will establish a 25-foot buffer zone around the earthworks within which no clearing will be done, and the site will be maintained and preserved in its current state. DHR recommends no adverse effect to 44AC0089 by this option.

Should you have any questions, I may be reached via email at amanda.lee@dhr.virginia.gov or by phone at 804-367-2323 Ext. 122.

Sincerely,

M. Amanda Lee, Historic Preservationist
Office of Review and Compliance

Cc: Shari A. Silbert, NASA WFF

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APPENDIX E

AIR QUALITY CALCULATIONS

APPENDIX E

AIR QUALITY ANALYSIS

As described in Section 3.9, air quality in a given location is described by the concentration of various pollutants in the atmosphere. The significance of the pollutant concentration is determined by comparing it to the federal and state ambient air quality standards.

The air quality analysis in this Environmental Assessment (EA) examined impacts from air emissions associated with the proposed construction and operation activities associated with the Proposed Action. As part of the analysis, emissions generated from construction equipment, motor vehicles and Unmanned Aerial Systems (UAS), and other area (nonmobile) sources (i.e., generators) were examined for carbon monoxide (CO), nitrogen oxides (NO_x), sulfur dioxide (SO_x), ozone (in the form of volatile organic compounds [VOCs]), and particulate matter (PM₁₀ and PM_{2.5}). Air quality at Wallops Island is regulated by the United States Environmental Protection Agency (USEPA) and Virginia Department of Environmental Quality (VDEQ). The Northeastern Virginia Intrastate Air Quality Control Region (AQCR), including Accomack County, is attainment/unclassifiable for all criteria pollutants.

CONSTRUCTION

Air quality impacts from proposed construction activities were estimated from (1) combustion emissions due to the use of fossil fuel-powered equipment; (2) fugitive dust emissions (PM₁₀ and PM_{2.5}) during earth-moving activities, and the operation of equipment on bare soil; and (3) VOC emissions from application of asphalt materials during paving operations.

Factors needed to derive the construction source emission rates were obtained from *Median Life, Annual Activity, and Load Factor Values for Nonroad Engine Emissions Modeling* (USEPA 2010a); *Exhaust and Crankcase Emission Factors for Nonroad Engine Modeling—Compression-Ignition* (USEPA 2010b); *Nonroad Engine and Vehicle Emission Study—Report* (USEPA 1991); *Conversion Factors for Hydrocarbon Emission Components* (USEPA 2005); and *Western Regional Air Partnership (WRAP) Fugitive Dust Handbook* (WRAP 2006).

The analysis assumed that all construction equipment was manufactured before 2000. This approach is based on the well-known longevity of diesel engines, although use of 100% Tier 0 equipment may be somewhat conservative. The analysis also inherently reduced PM₁₀ fugitive dust emissions from earth-moving activities by 50 percent as this control level is included in the emission factor itself.

Off-Road Equipment Emissions. The NONROAD model (USEPA 2008) is the EPA standard method for preparing emission inventories for mobile sources that are not classified as being related to on-road traffic, railroads, air traffic, or water-going vessels. As such, it is the starting place for quantifying emissions from construction-related equipment.

The NONROAD model uses the following general equation to estimate emissions separately for CO, NO_x, PM (essentially all of which is PM_{2.5} from construction sources), and total hydrocarbons (THC), nearly all of which are nonmethane hydrocarbons:

$$EMS = EF * HP * LF * Act * DF$$

Where:

EMS = estimated emissions

EF = emissions factor in grams per horsepower hours

HP = peak horsepower

LF = load factor (assumed percentage of peak horsepower)

Act = activity in hours of operation per period of operation

DF = deterioration factor

The emissions factor is specific to the equipment type, engine size, and technology type. The technology type for diesel equipment can be “base” (before 1988), “tier 0” (1988 to 1999), or “tier 1” (2000 to 2005). Tier 2 emissions factors could be applied to equipment that satisfies 2006 national standards (or slightly earlier California standards). The technology type for two-stroke gasoline equipment can be “base” (before 1997), “phase 1” (1997 to 2001), or “phase 2” (2002 to 2007). Equipment for phases 1 and 2 can have catalytic converters. For this study, all diesel equipment was assumed to be either tier 0 or tier 1 and all two-stroke diesel equipment was assumed to be phase 1 without catalytic converters.

The load factor is specific to the equipment type in the NONROAD model regardless of engine size or technology type, and it represents the average fraction of peak horsepower at which the engine is assumed to operate. NONROAD model default values were used in all cases. Because Tier 0 equipment was conservatively used throughout the analysis period (begin in 2016; complete within 9 months), deterioration factors were not used to estimate increased emissions due to engine age. Based on the methodology described, it is possible to make a conservative estimate of emissions from off-road equipment if the types of equipment and durations of use are known.

Fugitive Dust. Emission rates for fugitive dust were estimated using guidelines outlined in the *WRAP Fugitive Dust Handbook* (WRAP 2006). The WRAP handbook offers several options for selecting factors for PM₁₀ (coarse PM) depending on what information is known. After PM₁₀ is estimated, the fraction of fugitive dust emitted as PM_{2.5} is estimated, the most recent WRAP study (MRI 2005) recommends the use of a fractional factor of 0.10 to estimate the PM_{2.5} portion of the PM₁₀. For site preparation activities, the emission factor was obtained from Table 3-2 of the WRAP Fugitive Dust Handbook. The areas of disturbance and approximate durations were used in conjunction with the large scale of land-disturbing activities occurring, resulting in the selection of the first factor with worst-case conditions for use in the analysis.

PM₁₀, PM_{2.5}, and Mobile Sources. Diesel exhaust is a primary, well-documented source of PM_{2.5} emissions. The vast majority of PM emissions in diesel exhaust is PM_{2.5}. Therefore, all calculated PM is assumed to be PM_{2.5}. A corollary result of this is that the PM₁₀ fraction of diesel exhaust is estimated very conservatively as only a small fraction of PM₁₀ is present in the exhaust. However, ratios of PM₁₀ to PM_{2.5} in diesel exhaust are not yet published and therefore for the purposes of the EA calculations, all PM emissions are equally distributed as PM₁₀ and PM_{2.5}.

VOC Emissions from Paving. VOC emissions from the application of hot mix asphalt were calculated throughout the nine month construction period in 2016. The estimates used asphalt volumes as provided in the Final Cost Estimate (NASA 2011) , and used the published California Air Resources Board (CARB) hot mix asphalt emission factor.

OPERATIONS

Air emissions from the air strip operations are due to the UAS themselves and generators that power the mobile command centers that are associated with each UAS.

UAS Operations. The total number of flights per year for each model of UAS was evenly split from the proposed annual total, including the flights for battery-powered UAS. The maximum flight duration for each model was provided by NASA personnel, and these data were conservatively used as the standard flight duration. Brake specific fuel consumption (BSFC) and criteria pollutant emission factors were obtained from) *Exhaust and Crankcase Emission Factors for Nonroad Engine Modeling—Compression-Ignition* (USEPA 2010b).

For the GTM AirSTAR, which is a 5.5% scaled version of a Boeing 757, throughput and emission factors were derived from the International Civil Aviation Organization (ICAO) Engine Emissions Databank Datasheets for two common 757 engine models, the PW2037 and PW2040 (ICAO 2004a and ICAO 2004b). The emission factors for these two engines were averaged because the exact engine model that has been scaled for the GTM AirSTAR is not known. In order to appropriately scale the emission factors, the rated turbofan engine output for each engine type was scaled to 5.5% of the actual full-size output (in kilonewtons) as indicated in the datasheets, and the average taken of the scaled outputs for the two engine models. The emission factors were then multiplied by the scaled output and the number of engines (2) to calculate total air emissions from operation of the UAS.

Command Center Generator Operations. Mobile generators are required to power the command centers for the UAS. A generator size of 60 kW was assumed for all command centers, based on the use of this size generator for the GTM AirSTAR Command Center (Jordan *et al.* undated). The total hours of operation of a 60 kW generator for one year was established by adding the total maximum duration flight times X total annual flights for each UAS (including battery operated UAS). Emission factors for the rated generator size were obtained from *Exhaust and Crankcase Emission Factors for Nonroad Engine Modeling—Compression-Ignition* (USEPA 2010b) and the use of diesel fuel was assumed for generator operation.

REFERENCES

- International Civil Aviation Organization (ICAO). 2004a. Engine Exhaust Emissions Data Bank. PW2037.
- _____. 2004b. Engine Exhaust Emissions Data Bank. PW2040.
- Jordan, T.L., J.V. Foster, R.M. Bailey, and C.M. Belcastro. Undated. AirSTAR: A UAS Platform for Flight Dynamics and Control System Testing. American Institute of Aeronautics and Astronautics.
- Midwest Research Institute (MRI). 2005. MRI Project No. 110397. Analysis of the Fine Fraction of Particulate Matter in Fugitive Dust, conducted for the Western Governors Association Western Regional Air Partnership (WRAP). October.
- National Aeronautic and Space Administration (NASA). 2011. Final Cost Estimate for Unmanned Aerial Systems Airstrip. May 6.
- U.S. Environmental Protection Agency (USEPA). 2010a. EPA Report No. NR-005d, Median Life, Annual Activity, and Load Factor Values for Nonroad Engine Emissions Modeling. July.
- _____. 2010b. EPA Report No. NR-009d, Exhaust and Crankcase Emission Factors for Nonroad Engine Modeling—Compression-Ignition. July.
- _____. 2008. NONROAD Model (nonroad engines, equipment, and vehicles). USEPA Modeling and Inventories. Accessible at <http://www.epa.gov/otaq/nonrdmdl.htm>
- _____. 2005. EPA420-R-05-015, NR-002c. Conversion Factors for Hydrocarbon Emission Components. December.
- _____. 1991. EPA 460/3-91-02, Nonroad Engine and Vehicle Emission Study—Report.
- Western Regional Air Partnership (WRAP). 2006. WRAP Fugitive Dust Handbook.

UAS Airstrip Construction Air Emissions - Wallops Flight Facility, VA

Airstrip Construction

Begin in 2016 and completion within 9 months

Construct Airstrip measuring 3,000 ft long by 75 feet wide
Fill brought from offsite except 978 CY from onsite trenching.

14cy

Land Clearing 13 AC

| <i>Equipment</i> | <i>Number</i> | <i>Hr/day</i> | <i># days</i> | <i>Hp</i> | <i>LF</i> | VOC g/hp-hr | CO g/hp-hr | NOx g/hp-hr | SO2 g/hp-hr | PM g/hp-hr | VOC lb | CO lb | NOx lb | SO2 lb | PM lb |
|-------------------|---------------|---------------|---------------|-----------|-----------|-----------------------|----------------------|-----------------------|-----------------------|----------------------|------------------|-----------------|------------------|------------------|-----------------|
| Excavator | 1 | 6 | 13 | 95 | 0.21 | 0.99 | 3.49 | 6.9 | 0.85 | 0.722 | 3 | 12 | 24 | 3 | 2 |
| Mulching head | 1 | 6 | 13 | 150 | 0.58 | 0.68 | 2.7 | 8.38 | 0.93 | 0.402 | 10 | 40 | 125 | 14 | 6 |
| Backhoe/loader | 2 | 4 | 30 | 98 | 0.21 | 0.99 | 3.49 | 6.9 | 0.85 | 0.722 | 11 | 38 | 75 | 9 | 8 |
| Skid/steer Loader | 1 | 8 | 13 | 67 | 0.23 | 0.5213 | 2.3655 | 5.5988 | 0.93 | 0.473 | 2 | 8 | 20 | 3 | 2 |
| Dump truck | 6 | 0.5 | 30 | 275 | 0.21 | 0.68 | 2.7 | 8.38 | 0.89 | 0.402 | 8 | 31 | 96 | 10 | 5 |
| Subtotal | | | | | | | | | | | 34 | 130 | 340 | 40 | 23 |

Site fill 44228 CY

| <i>Equipment</i> | <i>Number</i> | <i>Hr/day</i> | <i># days</i> | <i>Hp</i> | <i>LF</i> | VOC g/hp-hr | CO g/hp-hr | NOx g/hp-hr | SO2 g/hp-hr | PM g/hp-hr | VOC lb | CO lb | NOx lb | SO2 lb | PM lb |
|-------------------|---------------|---------------|---------------|-----------|-----------|-----------------------|----------------------|-----------------------|-----------------------|----------------------|------------------|-----------------|------------------|------------------|-----------------|
| Skid steer loader | 2 | 8 | 91 | 67 | 0.23 | 0.5213 | 2.3655 | 5.5988 | 0.93 | 0.473 | 26 | 117 | 277 | 46 | 23 |
| Backhoe/loader | 4 | 8 | 105 | 98 | 0.21 | 0.99 | 3.49 | 6.9 | 0.85 | 0.722 | 151 | 532 | 1,052 | 130 | 110 |
| Dump truck | 30 | 0.5 | 105 | 275 | 0.21 | 0.68 | 2.7 | 8.38 | 0.89 | 0.402 | 136 | 541 | 1,680 | 178 | 81 |
| Subtotal | | | | | | | | | | | 177 | 649 | 1,329 | 176 | 133 |

Grading 95571 SY

| <i>Equipment</i> | <i>Number</i> | <i>Hr/day</i> | <i># days</i> | <i>Hp</i> | <i>LF</i> | VOC g/hp-hr | CO g/hp-hr | NOx g/hp-hr | SO2 g/hp-hr | PM g/hp-hr | VOC lb | CO lb | NOx lb | SO2 lb | PM lb |
|----------------------|---------------|---------------|---------------|-----------|-----------|-----------------------|----------------------|-----------------------|-----------------------|----------------------|------------------|-----------------|------------------|------------------|-----------------|
| Dozer | 1 | 6 | 22 | 90 | 0.59 | 0.99 | 3.49 | 6.9 | 0.93 | 0.722 | 15 | 54 | 107 | 14 | 11 |
| Skid steer loader | 2 | 4 | 55 | 67 | 0.23 | 0.5213 | 2.3655 | 5.5988 | 0.93 | 0.473 | 8 | 35 | 84 | 14 | 7 |
| Backhoe/loader | 2 | 6 | 22 | 98 | 0.21 | 0.99 | 3.49 | 6.9 | 0.85 | 0.722 | 12 | 42 | 83 | 10 | 9 |
| Small diesel engines | 2 | 4 | 44 | 10 | 0.43 | 0.7628 | 4.1127 | 5.2298 | 0.93 | 0.4474 | 3 | 14 | 17 | 3 | 1 |
| Grader | 2 | 2 | 22 | 150 | 0.59 | 0.68 | 2.7 | 8.38 | 0.93 | 0.402 | 12 | 46 | 144 | 16 | 7 |
| Subtotal | | | | | | | | | | | 49 | 191 | 434 | 58 | 35 |

Trenching 978 CY

| <i>Equipment</i> | <i>Number</i> | <i>Hr/day</i> | <i>days</i> | <i>Hp</i> | <i>LF</i> | VOC g/hp-hr | CO g/hp-hr | NOx g/hp-hr | SO2 g/hp-hr | PM g/hp-hr | VOC lb | CO lb | NOx lb | SO2 lb | PM lb |
|----------------------|---------------|---------------|-------------|-----------|-----------|-----------------------|----------------------|-----------------------|-----------------------|----------------------|------------------|-----------------|------------------|------------------|-----------------|
| Backhoe/loader | 1 | 8 | 10 | 98 | 0.21 | 0.99 | 3.49 | 6.9 | 0.85 | 0.722 | 4 | 13 | 25 | 3 | 3 |
| Excavator | 1 | 8 | 7 | 90 | 0.21 | 0.99 | 3.49 | 6.9 | 0.85 | 0.722 | 2 | 8 | 16 | 2 | 2 |
| Dump truck | 1 | 4 | 10 | 275 | 0.21 | 0.68 | 2.7 | 8.38 | 0.89 | 0.402 | 3 | 14 | 43 | 5 | 2 |
| Small diesel engines | 1 | 8 | 7 | 10 | 0.43 | 0.7628 | 4.1127 | 5.2298 | 0.93 | 0.4474 | 0 | 2 | 3 | 0 | 0 |
| Trencher | 1 | 8 | 8 | 100 | 0.21 | 0.99 | 3.49 | 6.9 | 0.85 | 0.722 | 3 | 10 | 20 | 3 | 2 |
| Subtotal | | | | | | | | | | | 13 | 47 | 107 | 13 | 9 |

Gravel Work 2666 CY

| <i>Equipment</i> | <i>Number</i> | <i>Hr/day</i> | <i># days</i> | <i>Hp</i> | <i>LF</i> | VOC g/hp-hr | CO g/hp-hr | NOx g/hp-hr | SO2 g/hp-hr | PM g/hp-hr | VOC lb | CO lb | NOx lb | SO2 lb | PM lb |
|----------------------|---------------|---------------|---------------|-----------|-----------|-----------------------|----------------------|-----------------------|-----------------------|----------------------|------------------|-----------------|------------------|------------------|-----------------|
| Backhoe/loader | 1 | 8 | 28 | 98 | 0.21 | 0.990 | 3.49 | 6.9 | 0.85 | 0.722 | 10 | 35 | 70 | 9 | 7 |
| Skid steer loader | 2 | 6 | 83 | 67 | 0.23 | 0.521 | 2.3655 | 5.5988 | 0.93 | 0.473 | 18 | 80 | 189 | 31 | 16 |
| Small diesel engines | 1 | 8 | 83 | 10 | 0.43 | 0.763 | 4.1127 | 5.2298 | 0.93 | 0.4474 | 5 | 26 | 33 | 6 | 3 |
| Dump truck | 8 | 0.5 | 28 | 275 | 0.21 | 0.680 | 2.7 | 8.38 | 0.89 | 0.402 | 10 | 39 | 119 | 13 | 6 |
| Subtotal | | | | | | | | | | | 42 | 180 | 412 | 59 | 32 |

Construct/pave airstrip 225,000 SF

| <i>Equipment</i> | <i>Number</i> | <i>Hr/day</i> | <i># days</i> | <i>Hp</i> | <i>LF</i> | VOC g/hp-hr | CO g/hp-hr | NOx g/hp-hr | SO2 g/hp-hr | PM g/hp-hr | VOC lb | CO lb | NOx lb | SO2 lb | PM lb |
|----------------------|---------------|---------------|---------------|-----------|-----------|-----------------------|----------------------|-----------------------|-----------------------|----------------------|------------------|-----------------|------------------|------------------|-----------------|
| Grader | 1 | 4 | 38 | 150 | 0.59 | 0.68 | 2.7 | 8.38 | 0.93 | 0.402 | 20 | 81 | 251 | 28 | 12 |
| Roller | 1 | 4 | 13 | 30 | 0.59 | 1.8 | 5 | 6.9 | 1 | 0.8 | 4 | 10 | 14 | 2 | 2 |
| Paver | 1 | 8 | 13 | 107 | 0.59 | 0.68 | 2.7 | 8.38 | 0.93 | 0.402 | 10 | 39 | 121 | 13 | 6 |
| Delivery truck | 1 | 2 | 13 | 180 | 0.21 | 0.68 | 2.7 | 8.38 | 0.89 | 0.402 | 1 | 6 | 18 | 2 | 1 |
| Skid steer loader | 1 | 4 | 38 | 67 | 0.23 | 0.5213 | 2.3655 | 5.5988 | 0.93 | 0.473 | 3 | 12 | 29 | 5 | 2 |
| Small diesel engines | 1 | 4 | 26 | 10 | 0.43 | 0.7628 | 4.1127 | 5.2298 | 0.93 | 0.4474 | 1 | 4 | 5 | 1 | 0 |
| Dump truck (12 CY) | 1 | 0.5 | 26 | 275 | 0.21 | 0.68 | 2.7 | 8.38 | 0.89 | 0.402 | 1 | 4 | 14 | 1 | 1 |
| Subtotal | | | | | | | | | | | 40 | 157 | 452 | 52 | 24 |

Volume of hot mix asphalt 56,250 ft³
 Average density of HMA 145 lb/ft³
 CARB EF for HMA 0.04 lb/ton
 VOC emissions from HMA paving 163 lb

Fugitive Dust Emissions:

| PM₁₀ tons/acre/mo | acres | days of disturbance | PM₁₀ Total | PM_{2.5}/PM₁₀ Ratio | PM_{2.5} Total |
|--|--------------|----------------------------|---------------------------------|--|----------------------------------|
| 0.42 | 2.5 | 180 | 6.3 | 0.1 | 0.63 |

Heavy duty truck trips to/from site (primarily for fill and gravel):
 Assume 50 mile roundtrip:

| <i>Equipment</i> | <i>Distance</i> | <i># Trips</i> | VOC g/mi | CO g/mi | NOx g/mi | SO2 g/mi | PM g/mi | VOC lb | CO lb | NOx lb | SO2 lb | PM lb |
|--|-----------------|----------------|--------------------|-------------------|--------------------|--------------------|-------------------|------------------|-----------------|------------------|------------------|-----------------|
| Dump Truck (Heavy Duty Diesel Vehicle) | 50 | 3694 | 0.4216 | 2.0378 | 7.853 | 0.0132 | 0.22902 | 172 | 830 | 3,198 | 5 | 93 |

2016 Emission Totals:

| VOC T/yr | CO T/yr | NOx T/yr | SO2 T/yr | PM₁₀ T/yr | PM_{2.5} T/yr |
|--------------------|-------------------|--------------------|--------------------|--------------------------------|---------------------------------|
| 0.34 | 1.09 | 3.14 | 0.20 | 6.47 | 0.80 |

generator for mobile ops center
fuel
1040 flights per year total

UAS ops

| Model | Engine (HP) Rating | ¹ annual # flights | flight time in hours | ² BSFC lb/hp-hr | ³ VOC lb/hp-hr | CO lb/hp-hr | ³ NOx lb/hp-hr | ³ PM lb/hp-hr | ⁴ CO2 g/hp-hr | VOC lb | CO lb | NOx lb | PM lb | CO2 lb |
|--|-----------------------|-------------------------------|-------------------------|--|------------------------------|----------------|------------------------------|-----------------------------|-----------------------------|---------------------------|-----------------|------------------|-----------------|------------------|
| Viking 100 | 16 | 130 | 12 | 0.408 | 0.000966 | 0.004764 | 0.00978836 | 0.000588 | 188 | 9.83 | 48.52 | 99.68 | 5.98 | 4220.84 |
| Viking 300 | 25 | 130 | 9 | 0.408 | 0.000966 | 0.004764 | 0.00978836 | 0.000588 | 188 | 11.52 | 56.86 | 116.81 | 7.01 | 4946.30 |
| Viking 400 | 38 | 130 | 10 | 0.408 | 0.000615 | 0.003378 | 0.01042329 | 0.000747 | 188 | 12.39 | 68.09 | 210.08 | 15.06 | 8353.75 |
| Exdrone | 8 | 130 | 2 | 0.408 | 0.0016817 | 0.009067 | 0.011529796 | 0.0009864 | 188 | 1.43 | 7.69 | 9.78 | 0.84 | 351.74 |
| Shadow 200 | 38 | 130 | 4 | 0.408 | 0.000615 | 0.003378 | 0.01042329 | 0.000747 | 188 | 4.96 | 27.24 | 84.03 | 6.02 | 3341.50 |
| | | | | turbofan 757 engines rated output scaled to | | | | | | ⁵ VOC | ⁵ CO | ⁵ NOx | ⁵ PM | ⁶ CO2 |
| GTM AirSTAR | | 5.5% in kN | # engines | ¹ annual # flights | g/kN | g/kN | g/kN | g/kN | g/kN | lb | lb | lb | lb | lb |
| average flight | | 9.5978 | 2 | 130 | 3.23 | 33.6 | 51.6 | 11.6 | NA | 17.77 | 184.85 | 283.88 | 63.82 | NA |
| Grand Total in Tons/yr for All Flight Ops | | | | | | | | | | 0.03 | 0.20 | 0.40 | 0.05 | 10.61 |
| | | | | | | | | | | CO2 in metric tons (CO2e) | | | 9.6 | |

¹Total number of flights per year/number of aircraft that may fly (1040/8) - includes battery operated aircraft (2)

²Brake Specific Fuel Consumption

³From Table A-4 of Exhaust and Crankcase Emission Factors for Nonroad Engine Modeling - Compression-Ignition, EPA, July 2010.

⁴Converted from emission factor for Distillate Fuel Oil #2 (diesel) as listed in Table C-1 to Subpart C of Part 98 Default CO2 Emissions Factors and High Heat Values for Various Types of Fuel.

Listed factor 73.96 kg CO2/mmBtu
393 hp-hr = mmBtu
188 g CO2/hp-hr

⁵Averaged and scaled EFs from ICAO Engine Emissions Databank Datasheets for engines PW2037 and PW2040 (common 757 engine models)(could find no data on the scaled engines).

⁶Scaled EF from Good Practice Guidance and Uncertainty Management in National Greenhouse Gas Inventories, Sect 2.5, Table 2, IPCC, 2001.

Operational Emissions - Mobile Generators Assume 60kW generators used for all mobile control centers

| Generator size HP | hours of operation | BSFC lb/hp-hr | ¹ CO lb/yr | ¹ NOx lb/yr | ¹ PM lb/yr | ¹ VOC lb/yr | CO2 lb/yr |
|---------------------------|--------------------|---------------|--------------------------|---------------------------|--------------------------|---------------------------|---------------|
| 80.46 | 15210 | 0.408 | 3475 | 15479 | 360 | 7490 | 539,263 |
| Tons/yr | | | 1.74 | 7.74 | 0.18 | 3.74 | 269.63 |
| CO2 in metric tons (CO2e) | | | | | | | 244.6 |

| Pollutant | Emission Factors Diesel Fuel ^{a, b} lb/hp-hr |
|-----------|---|
| CO | 0.00696 |
| NOx | 0.031 |
| PM | 0.00072 |
| VOC | 0.015 |
| CO2 | 1.08 |

^aEmission factors used to estimate emissions from the consumption of diesel fuel from AP-42, Section 3.3, Table 3.3-1, EPA 1996.

^bEmission factors from From Table A-4 of Exhaust and Crankcase Emission Factors for Nonroad Engine Modeling - Compression-Ignition, EPA, July 2010.

Total Annual Operation Emissions/Year in Tons

| VOC | CO | NOx | PM | CO2 |
|---------------------------|-------------|-------------|-------------|---------------|
| 3.79 | 1.77 | 7.94 | 0.58 | 280.24 |
| CO2 in metric tons (CO2e) | | | | 254 |

APPENDIX F

INVASIVE SPECIES MANAGEMENT PLAN

**Invasive Species Management Plan
for
North Wallops Island UAS Airstrip**

National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia



June 2012

Invasive Species Management Plan for Unmanned Aerial Systems (UAS) Airstrip June 2012

Introduction

Invasive species are any species that are not native to a given ecosystem and whose introduction causes, or is likely to cause, economic or environmental harm and/or harm to human health (EO 13112 on Invasive Species 1999). Because of their ability to alter natural ecosystems and diminish the abundance or survival of native species, invasive species are recognized as a threat to biodiversity and in some instances, to native species survival. It is estimated that over 40 percent of the species protected by the Endangered Species Act are at risk primarily because of nonnative, invasive species (Pimentha et al. 2005).

A Natural Heritage Survey of North Wallops Island was conducted in the summer and fall of 2011 by the Natural Heritage Division of the Virginia Department of Conservation and Recreation (DCR). The survey found two invasives, Phragmites (*Phragmites australis*) and Japanese Sedge (*Carex kobomugi*), in the north Wallops Island area (DCR, 2012). Phragmites is the predominant invasive species of concern and will be addressed in this plan. Annual monitoring will be conducted for other invasive species and appropriate control actions will be taken as necessary.

Species Description

Phragmites is a tall (15 feet) perennial grass with creeping rhizomes that may make a dense vegetative mat. In the United States and other countries, Phragmites is generally recognized as an invasive species; sometimes guilty of altering the structure of local ecosystems and rendering them a monoculture. Thick rhizomal growth and the accumulation of litter from the aerial shoots prevent other species from becoming established. These monocultures decrease the value wetlands as habitat for wildlife.

Rhizomes generate roots and stalks at regularly spaced nodes. An individual plant can multiply into a large stand through its rhizomes. Rhizomes may exceed 60 feet in length, grow more than 6 feet per year and readily grow into new plants when fragmented. In addition to facilitating reproduction, Phragmites rhizomes can penetrate the soil to a depth of more than 6 feet. This allows the plant to reach low-lying ground water and tolerate a variety of conditions, including dry upland sites and wetlands with water depths exceeding 2 feet. Phragmites experiences the majority of its vegetative growth during the summer months of June and July. Flowering and seed production occur during August and early September. In September and October, food is transported to the rhizomes and seeds are shed in autumn months. The plant remains dormant through the winter months and the seeds germinate from April to late May (USFWS, 2007).

Phragmites is an opportunistic species, taking advantage of the disturbances to the local vegetative community caused by disruptions of the natural state, such as those caused by fire or earth moving activities. Construction of an UAS airstrip on north Wallops Island is likely to create conditions conducive to Phragmites colonization.

Establishment of Phragmites stands along the footprint of the UAS airstrip cannot be tolerated for operational as well as ecological reasons. The presence of the tall stems in the clear zones along the edges of the runway would impede pilot lines of sight, while the stiff stems would be hazardous to the fragile airframes of the UAS should they lose control and veer from the airstrip. It is therefore necessary to prevent the establishment of new Phragmites stands in the UAS airstrip footprint and, to the extent practical, reduce those stands already extant in the vicinity.

Implementation of Controls (Adapted from Norris, et.al., 2002)

Restricted Construction Equipment Access - To prevent the accidental introduction of Phragmites during construction or maintenance activities, all tracked equipment involved in earth work will be inspected and cleaned to remove any rhizomes and seeds prior to arrival on-site. If tracked equipment is used in earth work on a portion of a project where Phragmites is known to exist, this portion of the earthwork will be conducted last, or the equipment will be cleaned prior to use on any portion of the site that is known to be free of Phragmites.

Cleaning Methods for Construction Equipment - Construction equipment shall be cleaned by using physical means and hand tools, such as brushes, brooms, rakes or shovels, on all track and bucket/blade components to adequately remove all visible dirt and plant debris. If water is used, the water/slurry shall be contained so as to restrict introduction of Phragmites rhizomes and seeds into the project site as well as to prevent off- site introduction during surplus material disposal.

Post Construction/UAS Airstrip Operations Control - Cleared areas surrounding the UAS airstrip will be mowed periodically to prevent colonization of new stands of Phragmites in this area. The purpose of the mowing is threefold: to maintain a low, safe surface for UAS that accidentally veer from the airstrip, to help maintain a line of site for the UAS pilots, and to prevent growth of young shoots of Phragmites.

Mowing will occur during summer months of June, July, and early August when most of the food reserves are in the aerial portion of the plant. Mowing will cease in mid-August. Small stands of Phragmites in the immediate vicinity of the UAS airstrip will be hand- sprayed with a Glyphosate- type herbicide during the post-tasseling stage (early September) when nutrients are being transported back to rhizomes so that the herbicides will translocate to the rhizome system as well. Alternatively, an Imazapyr-type herbicide may be applied from June until the first hard

frost. Care will be taken to ensure that other herbaceous species are not sprayed indiscriminately; spraying will not occur when winds exceed five miles per hour.

Results of implementing this Invasive Species Management Plan will be evaluated yearly, and this Plan will be revised as needed to adapt control techniques to the special characteristics and environmental conditions of this area. WFF will consult with Virginia DCR on adaptive management strategies for Phragmites control.

Selective Control of Phragmites Outside the UAS Airstrip Clear Zones - In its 2011 reinventory of the north Wallops Island area, DCR discovered the presence of Florida thoroughwort (*Eupatorium anomalum*). This plants species is known to have only one other occurrence in Virginia and the Wallops Island population is the northernmost example of the species. On Wallops Island, the species is found along the both edges of the unpaved road that extends south-eastward along the footprint of the proposed UAS airstrip and beyond. WFF will keep this road open in those portions of roadway beyond the UAS airstrip where the plant occurs by mowing the road edges early in the season to reduce the growth of woody species and the Phragmites. Should Phragmites still threaten *E. anomalum* clusters, the Phragmites will hand cut to a height below the first leaf and an herbicide will be applied to the stems by hand (URI-CELS, 2012.) *E. anomalum* clusters will be identified and periodically monitored by DCR as funding support from WFF to DCR allows.

References

Norris, L., Perry, J.E., and Havens, K.J. (2002). *A Summary of Methods for Controlling Phragmites australis*. Technical Report No.02-2. Wetlands Program, School of Marine Science, Virginia Institute of Marine Science.

Olson, B.E. (2007) *Phragmites Control Plan*. U.S. Fish and Wildlife Service.
http://www.fws.gov/bearriver/Phragmites_Control_Plan.pdf (date accessed June, 2012).

URI-CELS Outreach Center. *Common Reed (Phragmites australis) Control Fact Sheet*.
<http://www.uri.edu/cels/ceoc/documents/commonReed.pdf> (date accessed June, 2012).

Van Alstine, N.E., Fleming, G.P., Patterson, K.D., and Hobson, C.S. (2012). *A 2011 Reinventory of the Natural Heritage Resources in the North Wallops Island Conservation Site, Wallops Flight Facility, Virginia.* Natural Heritage Tech. Report. 12-03. Division of Natural Heritage, Virginia Department of Conservation and Recreation.

APPENDIX G

RARE SPECIES AND COMMUNITY ACTION PLAN FOR NORTHERN WALLOPS ISLAND

National Aeronautics and
Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337



June 13, 2012

Reply to Attn of: 250.W

Natural Heritage Program
Ms. Rene Hypes
Project Review Manager
Virginia Department of Conservation and Recreation
217 Governor Street, 3rd Floor
Richmond, VA 23219

Subject: Proposed NASA Wallops Flight Facility (WFF) Unmanned Aerial Systems (UAS)
Airstrip

RE: Teleconference NASA and Virginia Department of Conservation and Recreation
(DCR) dtd. 3/29/2012

During our March 29, 2012, meeting, NASA agreed to provide DCR a plan to accomplish the following:

1. Set aside areas for the research, study, and possible preservation;
2. Protect the remaining Maritime Dune Woodland community, post-construction;
3. Assess the feasibility of pivoting the UAS airstrip to minimize impacts to the Maritime Dune Woodland community;
4. Assess the feasibility of constructing a retaining wall along the Maritime Dune Woodland to protect it from construction;
5. Maintain an open portion of the road east of the UAS airstrip to promote growth of *E. anomalum*; and
6. Prepare an Invasive Species Management Plan.

This letter report serves as WFF's Rare Species and Community Action Plan for Northern Wallops Island. NASA hereby commits to the following measures.

1. Set Aside Areas for Further Research, Study, and Possible Preservation

WFF is establishing ecosystem study areas on Wallops Island. While WFF policy prohibits the establishment of preservation areas, these ecosystem study areas will be added to WFF's Master Planning documents with prohibitions against future development. All proposed construction and projects would be required to be compliant with the WFF Master Planning process and to avoid ecosystem study areas. Additionally, establishment and maintenance of ecosystem study areas on north Wallops Island shall be made an objective of the Protected Areas and Protected Species Priority of the WFF Environmental Management System (EMS). Status will be reviewed quarterly and will be presented annually to both the EMS Project Team and at the annual EMS Review for WFF Senior Management.

Attached is a draft map of north Wallops Island from a planning tool currently under development in our Facilities Management Branch (Enclosure 1). Once finalized, this map will be adopted into WFF's Master Planning process. Each constraining layer (i.e., munitions and explosives of concern, culturally sensitive areas, piping plover nesting area, hazard arcs, and environmental restoration areas) has been added to the layers for the ecosystem study area. The darker the orange on the map, the more overlapping constraints are imposed on development in an area; therefore, Facility planners examining this map can quickly assess construction suitability of a proposed site. Layers for wetland areas were not incorporated into this draft as they were too extensive to map; however, they will be incorporated into the final version for the Master Planning process. Given the plethora of constraints on north Wallops Island, it is apparent that this section is undesirable for future development.

NASA will partner with DCR, the Marine Science Consortium, and other researchers to promote and encourage further research and study of the *E. anomolum* habitat, the Maritime Dune Woodland community, and the dune systems along northern Wallops Island.

2. Protect the Remaining Maritime Dune Woodland Community Post UAS Airstrip Construction

In addition to Action 1 above, the remaining Maritime Dune Woodland areas on north Wallops Island will be posted with appropriate signage prohibiting unauthorized access.

3. Assess Feasibility of Pivoting the Airstrip to Minimize Impacts

Using ESRI® ArcGIS®, WFF undertook a desktop exercise of sliding the airstrip to the north (Enclosure 2), to the west (Enclosures 3 and 4), and to the south (Enclosure 5), as well as two orientations pivoting the airstrip counterclockwise around a central point (Enclosures 6 and 7) and one rotating the airstrip clockwise around a central point (Enclosure 8). Additionally, in

consultation with the Virginia Department of Environmental Quality, the U.S. Environmental Protection Agency, and the U.S. Army Corps of Engineers, WFF has relocated the staging pad (Enclosure 9). Table 1 compares the findings of those exercises with the orientation of the original proposed action described in the December 2011, Draft North Wallops Island UAS Airstrip Environmental Assessment. Findings are expressed in the change in impacted acreage with respect to the originally proposed UAS airstrip.

Table 1: Changes in Resource Impacts from Airstrip Reorientations in ArcGIS®

| Orientation | Δ Wetland Impacts (acres) | Δ <i>E. anomalum</i> Impacts (acres) | Δ Maritime Dune Woodland Impacts (acres) | Δ Impact to Rev. Earth Works (acres) |
|------------------------------------|----------------------------------|---|---|---|
| <i>Proposed Action^a</i> | 2.47 | 1.37 | 2.28 | 0.00 |
| Parallel North | +7.16 | -1.37 | -2.28 | +0.42 |
| Contiguous West | +4.33 | -1.37 | -2.28 | 0.00 |
| West, 500 feet | +0.30 | -0.48 | -1.16 | 0.00 |
| Parallel South | +6.89 | -1.37 | -2.28 | 0.00 |
| Counterclockwise 1 | +2.41 | -1.32 | -1.98 | 0.00 |
| Counterclockwise 2 | +4.39 | -1.35 | -2.24 | 0.00 |
| Clockwise | +2.34 | -1.09 | -1.63 | 0.00 |
| Relocated Pad | -0.19 | 0.00 | 0.00 | 0.00 |

^aAs proposed in the December 2011, Draft North Wallops Island UAS Airstrip Environmental Assessment

As the Enclosures and Table 1 demonstrate, it is possible to almost completely eliminate the impact of the UAS Airstrip on *E. anomalum* and on the Maritime Dune Woodland community. However, each reorientation came at the expense of greater impacts to wetlands. And, while the original proposal had avoided all impacts to Palustrine forested and Estuarine emergent wetlands, each rotational orientation would impact both of these communities. For example, in the case of the 500 foot westerly shift, 0.30 acres of additional wetland would be impacted beyond the original proposal; however, this impact includes 0.84 acres of Estuarine emergent wetland. Estuarine wetlands exhibit some of the highest primary productivity habitat in the world and provide nursery habitat for numerous fish species. Construction and drainage of 500 feet of airstrip in an Estuarine wetland has the potential to negatively directly impact Essential Fish Habitat in the area. Moreover, in 4 VAC 20-390-10 *et seq.*, the requirements state that tidal wetlands must be preserved onsite as much as possible and that “all mitigative actions, including alternate siting, which would eliminate or minimize wetlands loss or disturbance must be incorporated in the proposal.” As only relocation of the staging pad would reduce wetland impacts from the original proposal, only that alternative configuration meets the requirements of this regulation. Finally construction and operation of the airstrip in an estuarine wetland would pose significant engineering and operational cost and challenges.

4. Assess the Feasibility of Constructing a Retaining Wall Along the Maritime Dune Woodland

UAS would be controlled by the operator via a truck mounted mobile command center or a hand-held control switch, depending on the type of UAS being operated. Operators would be required to maintain a clear line of sight for UAS take-offs and landings. To ensure that operators can maintain a clear line of site to the UAS, vegetation alongside the length (out to 75 feet on each side of the centerline) of the airstrip would be cleared. This clear line of site would need to be maintained along the entire length of the airstrip, thereby rendering a retaining wall ineffective in protecting the Maritime Dune Woodland, as the trees beyond the wall that intrude into the clear space would still need to be removed.

5. Maintain an Open Portion of the Road East of the UAS Airstrip to Promote Growth of *E. anomalum*

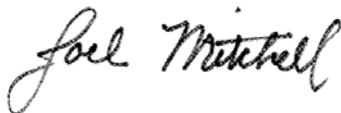
Florida thoroughwort (*Eupatorium anomalum*) is found along both edges of the unpaved road that extends south-eastward along the footprint of the proposed UAS airstrip and beyond. This road is currently unmaintained and plant overgrowth is threatening to strangle out individuals of the *E. anomalum*. WFF will keep this road open in those portions of roadway beyond the UAS airstrip where the plant occurs by mowing the road edges early in the season to reduce the growth of woody species and the common reed (*Phragmites australis*). *E. anomalum* clusters will be identified and periodically monitored by DCR as funding support from WFF to DCR allows.

6. Prepare Invasive Species Management Plan

An Invasive Species Management Plan is provided with this letter report (Enclosure 10).

We would like to discuss this proposed Plan with you next week, at your earliest convenience. Please contact either myself at (757) 824-1127 or Joel.T.Mitchell@nasa.gov or Shari Silbert at (757) 824-2327 or Shari.A.Silbert@nasa.gov.

Sincerely,



Joel T. Mitchell
Natural Resources Program Manager

10 Enclosures

cc:

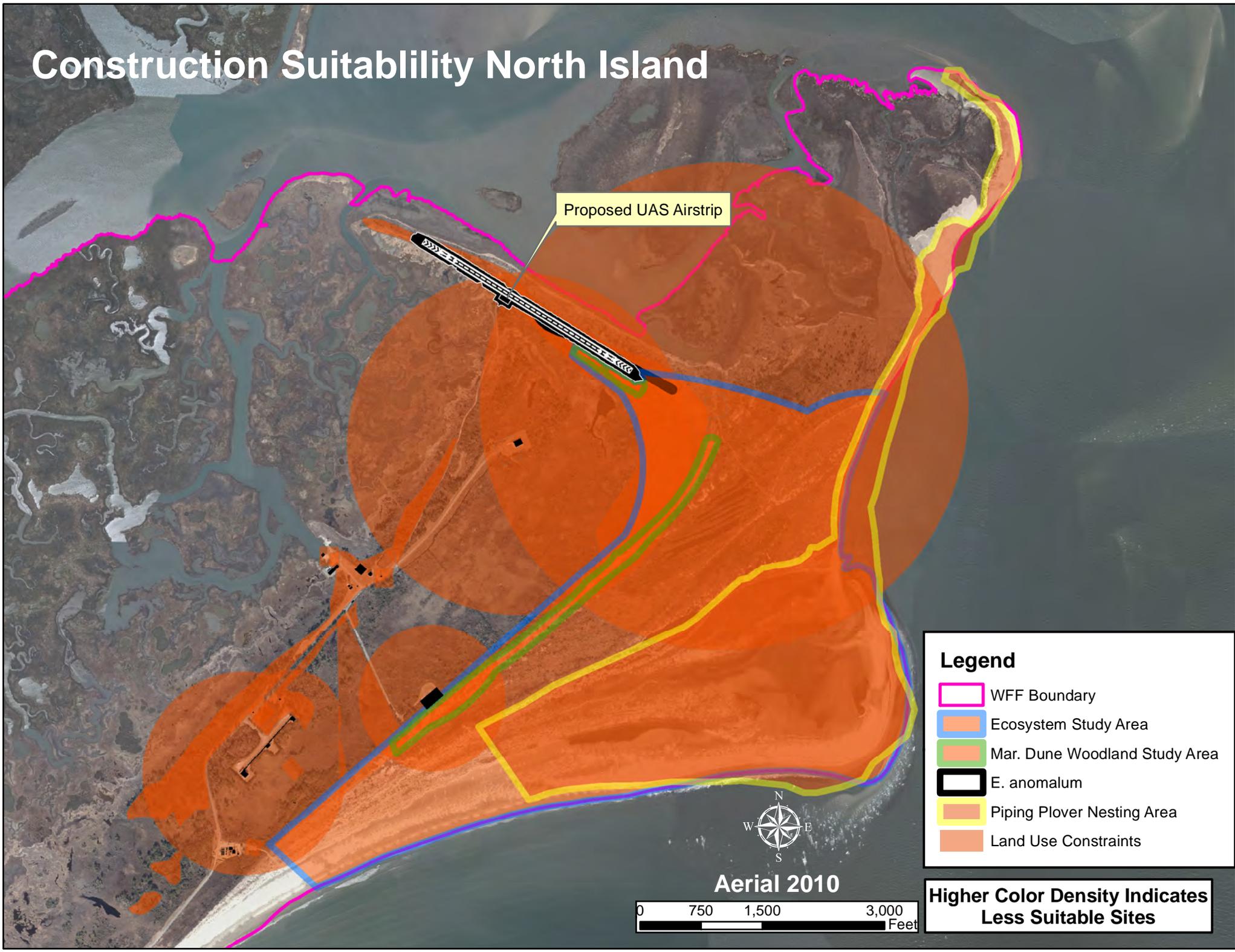
228/Mr. P. Bull

250/Mr. E. Connell

250/Ms. C. Turner

802/Mr. M. Hitch

Construction Suitability North Island



Proposed UAS Airstrip

Legend

- WFF Boundary
- Ecosystem Study Area
- Mar. Dune Woodland Study Area
- E. anomalum
- Piping Plover Nesting Area
- Land Use Constraints

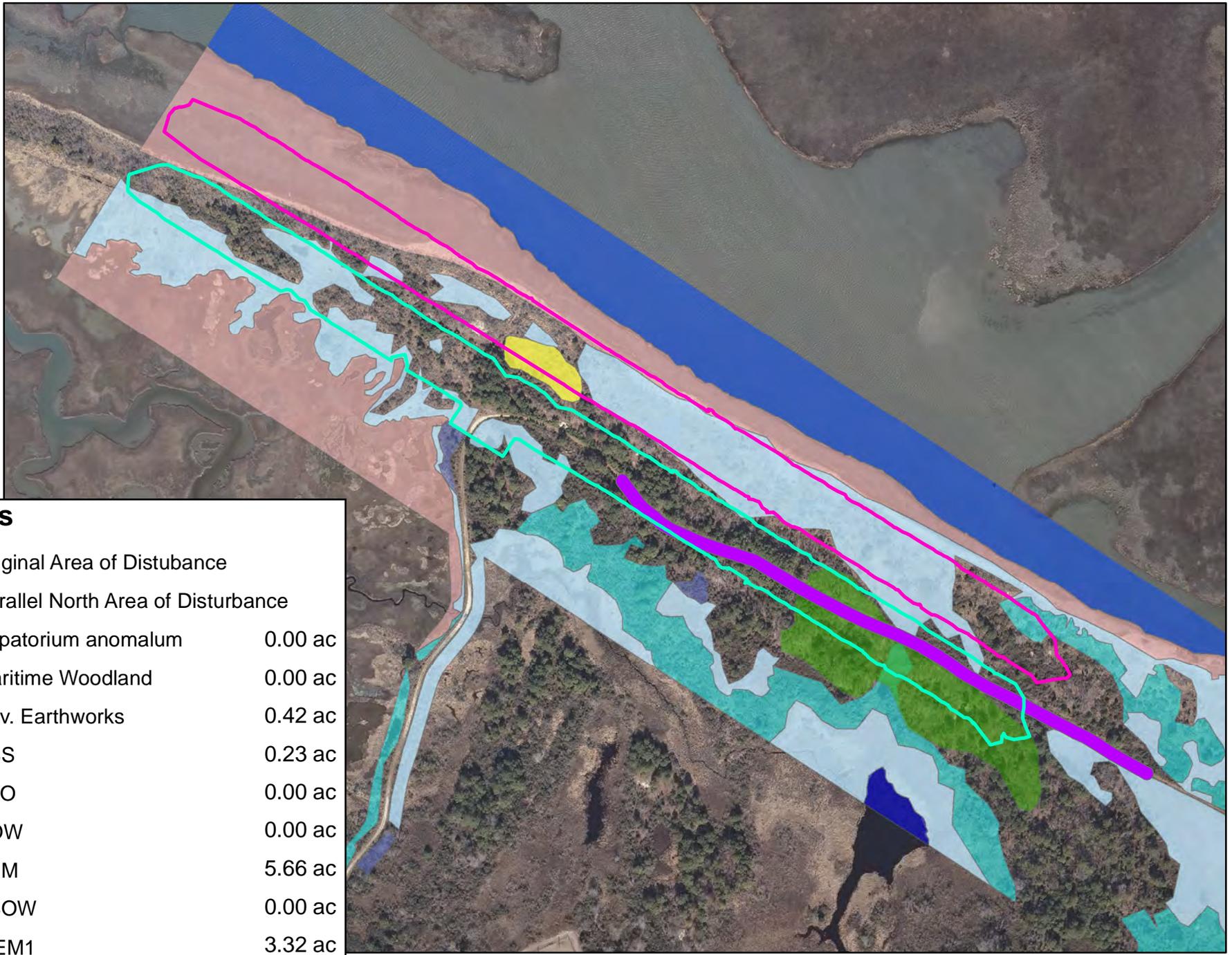


Aerial 2010

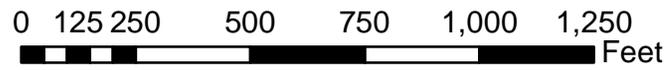


Higher Color Density Indicates Less Suitable Sites

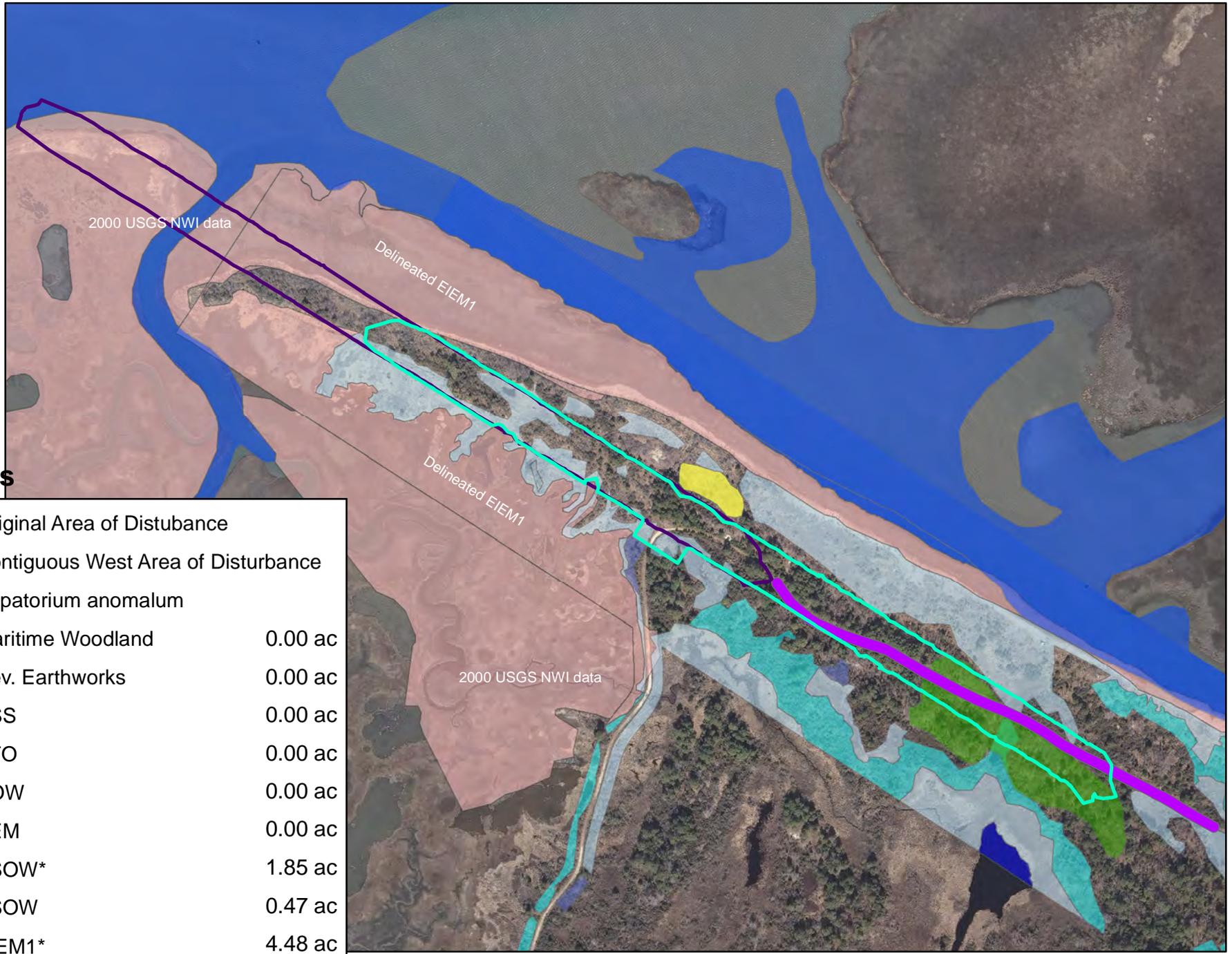
UAS Airstrip Natural Resources Impacts Parallel North Alternative



| Impacts | |
|--|------------------------------------|
|  | Original Area of Disturbance |
|  | Parallel North Area of Disturbance |
|  | Eupatorium anomalum 0.00 ac |
|  | Maritime Woodland 0.00 ac |
|  | Rev. Earthworks 0.42 ac |
|  | PSS 0.23 ac |
|  | PFO 0.00 ac |
|  | POW 0.00 ac |
|  | PEM 5.66 ac |
|  | ESOW 0.00 ac |
|  | EIEM1 3.32 ac |
| Total Wetland Disturbance: 9.63 ac | |



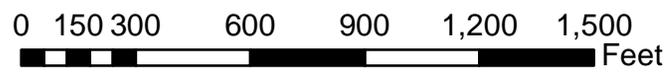
UAS Airstrip Natural Resources Impacts Contiguous West Alternative



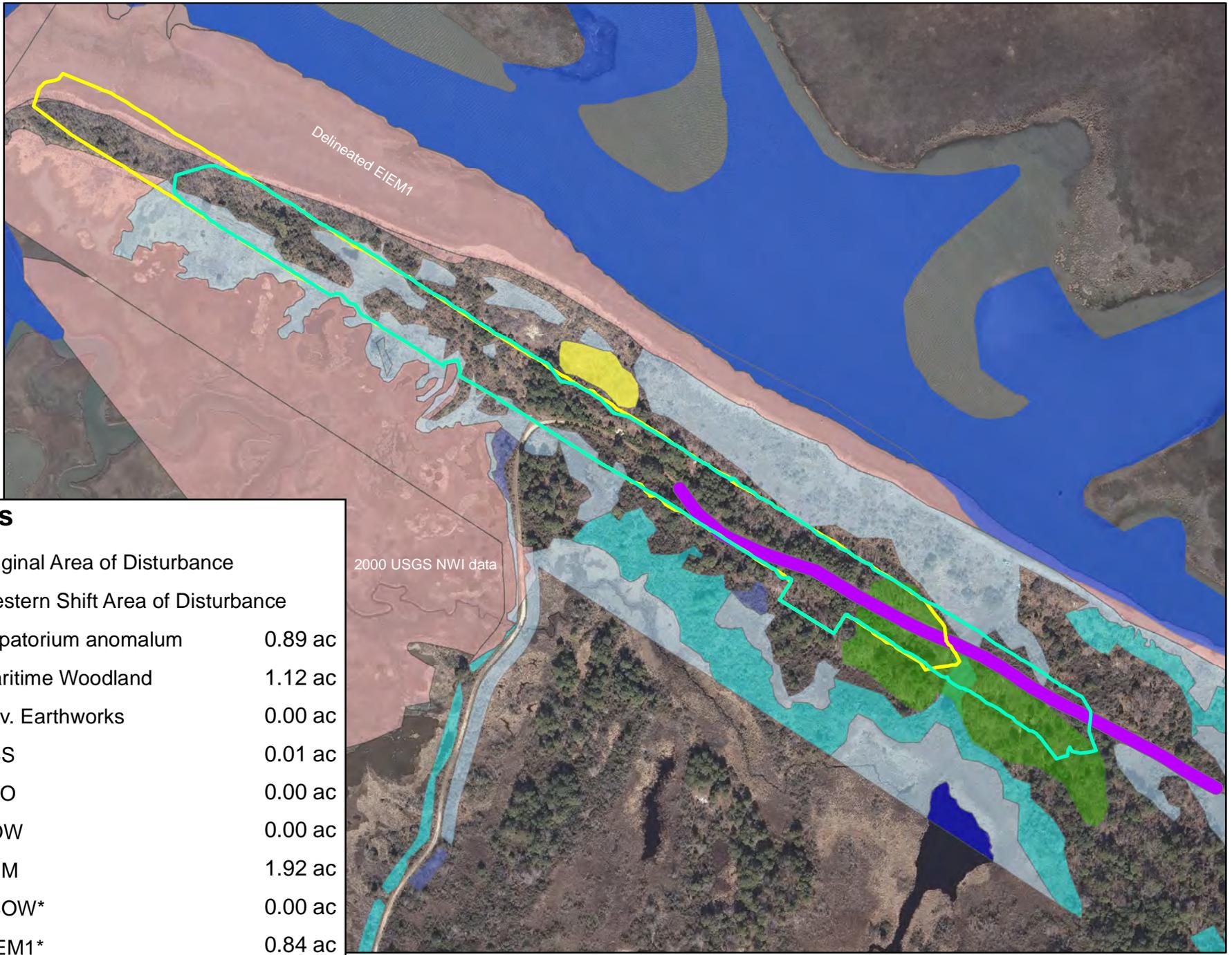
Impacts

| | | |
|-----------------------------------|-------------------------------------|----------------|
| | Original Area of Disturbance | |
| | Contiguous West Area of Disturbance | |
| | Eupatorium anomalum | |
| | Maritime Woodland | 0.00 ac |
| | Rev. Earthworks | 0.00 ac |
| | PSS | 0.00 ac |
| | PFO | 0.00 ac |
| | POW | 0.00 ac |
| | PEM | 0.00 ac |
| | ESOW* | 1.85 ac |
| | ESOW | 0.47 ac |
| | E1EM1* | 4.48 ac |
| Total Wetland Disturbance: | | 6.80 ac |

*Data partially from 2000 USGS NWI



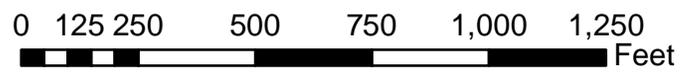
UAS Airstrip Natural Resources Impacts Western Shift Alternative



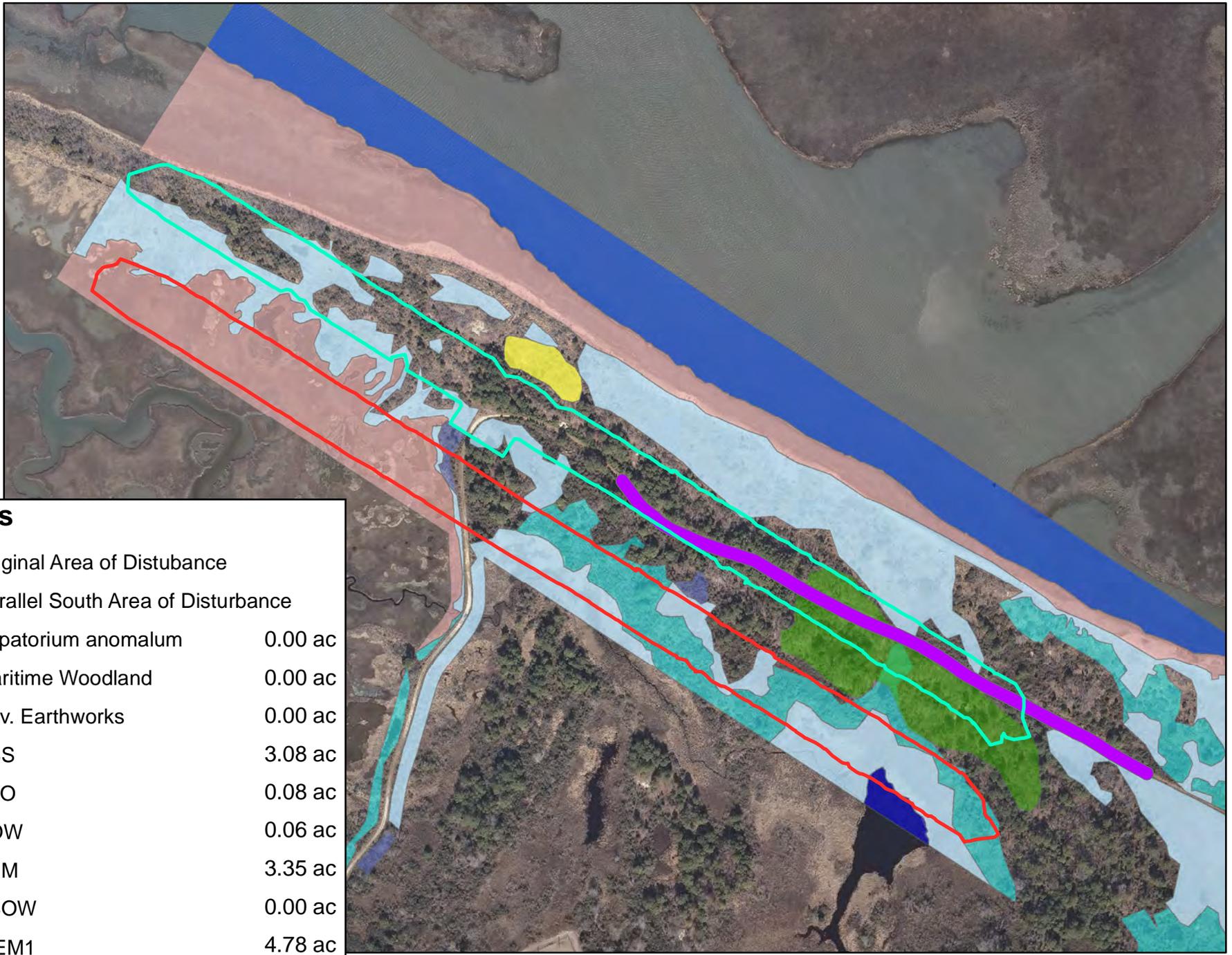
Impacts

| | | |
|-----------------------------------|-----------------------------------|----------------|
| | Original Area of Disturbance | |
| | Western Shift Area of Disturbance | |
| | Eupatorium anomalum | 0.89 ac |
| | Maritime Woodland | 1.12 ac |
| | Rev. Earthworks | 0.00 ac |
| | PSS | 0.01 ac |
| | PFO | 0.00 ac |
| | POW | 0.00 ac |
| | PEM | 1.92 ac |
| | ESOW* | 0.00 ac |
| | EIEM1* | 0.84 ac |
| Total Wetland Disturbance: | | 2.77 ac |

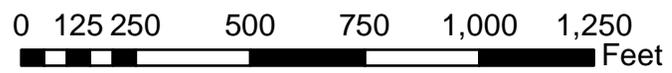
*Data partially from 2000 USGS NWI



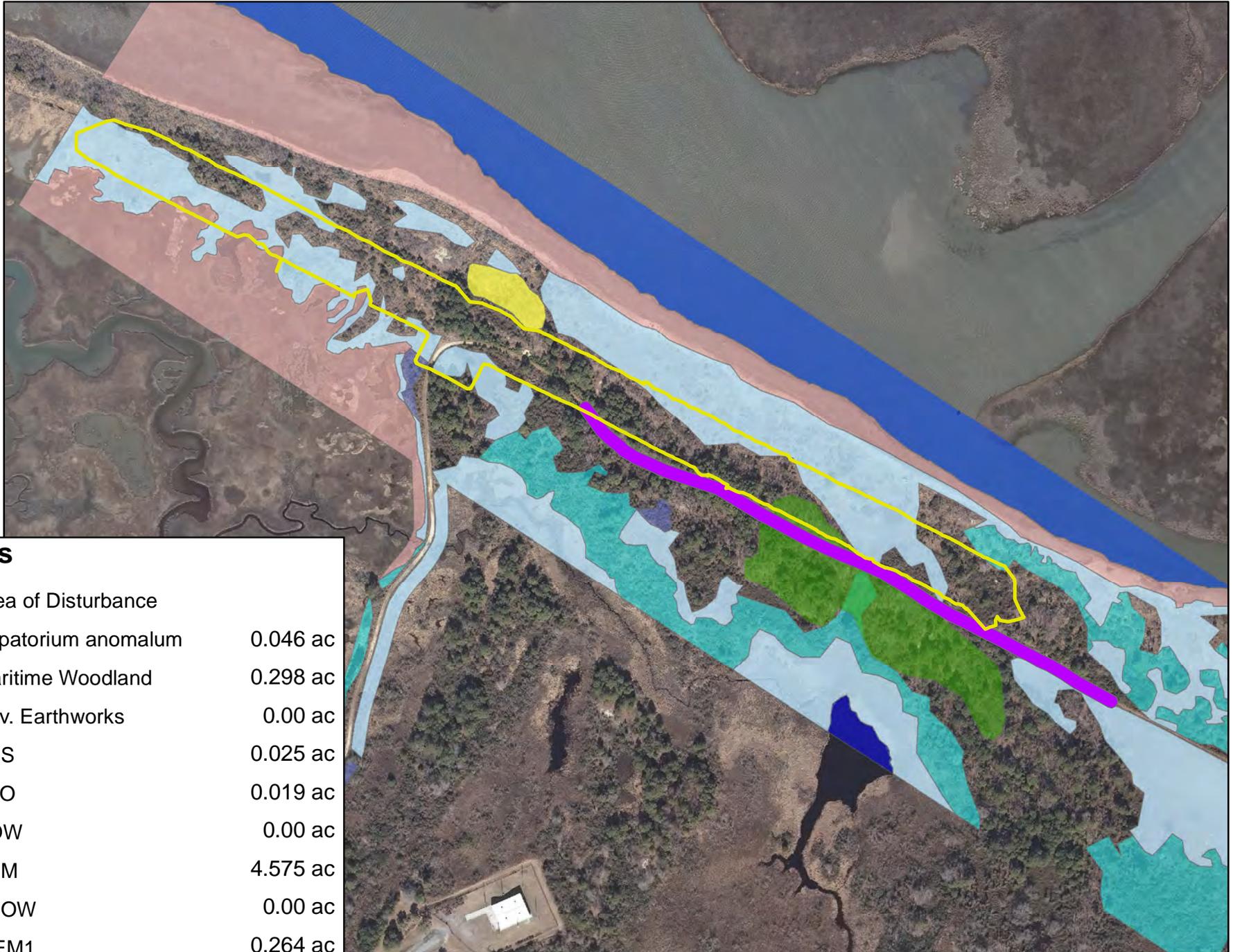
UAS Airstrip Natural Resources Impacts Parallel South Alternative



| Impacts | |
|--|------------------------------------|
| | Original Area of Disturbance |
| | Parallel South Area of Disturbance |
| | Eupatorium anomalum 0.00 ac |
| | Maritime Woodland 0.00 ac |
| | Rev. Earthworks 0.00 ac |
| | PSS 3.08 ac |
| | PFO 0.08 ac |
| | POW 0.06 ac |
| | PEM 3.35 ac |
| | ESOW 0.00 ac |
| | EIEM1 4.78 ac |
| Total Wetland Disturbance: | 11.35 ac |



UAS Airstrip Natural Resources Counterclockwise Rotation 1

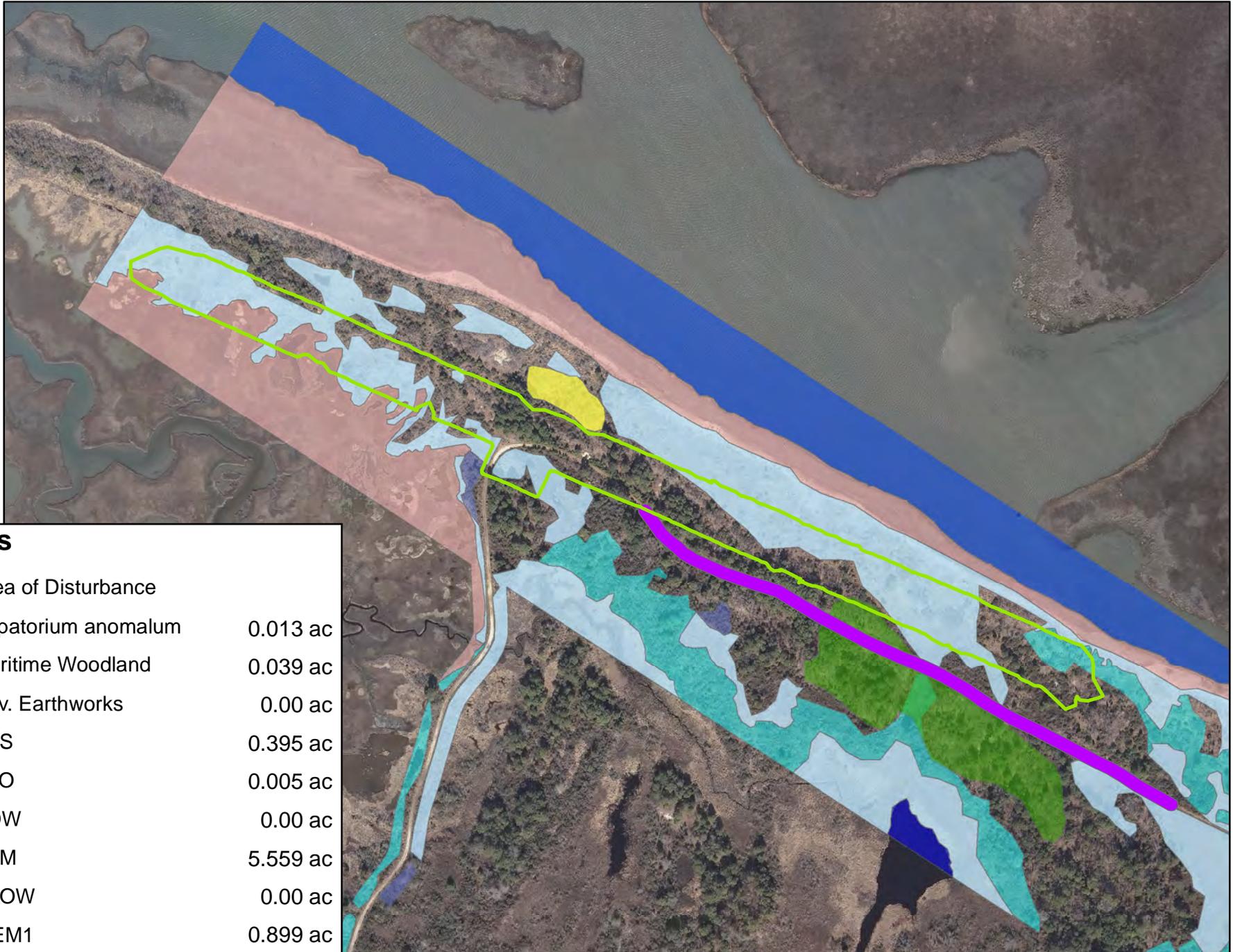


| Impacts | |
|-----------------------------------|-----------------|
| Area of Disturbance | |
| Eupatorium anomalum | 0.046 ac |
| Maritime Woodland | 0.298 ac |
| Rev. Earthworks | 0.00 ac |
| PSS | 0.025 ac |
| PFO | 0.019 ac |
| POW | 0.00 ac |
| PEM | 4.575 ac |
| ESOW | 0.00 ac |
| EIEM1 | 0.264 ac |
| Total Wetland Disturbance: | 4.883 ac |

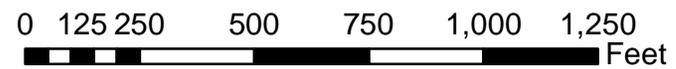
0 125 250 500 750 1,000 1,250 Feet



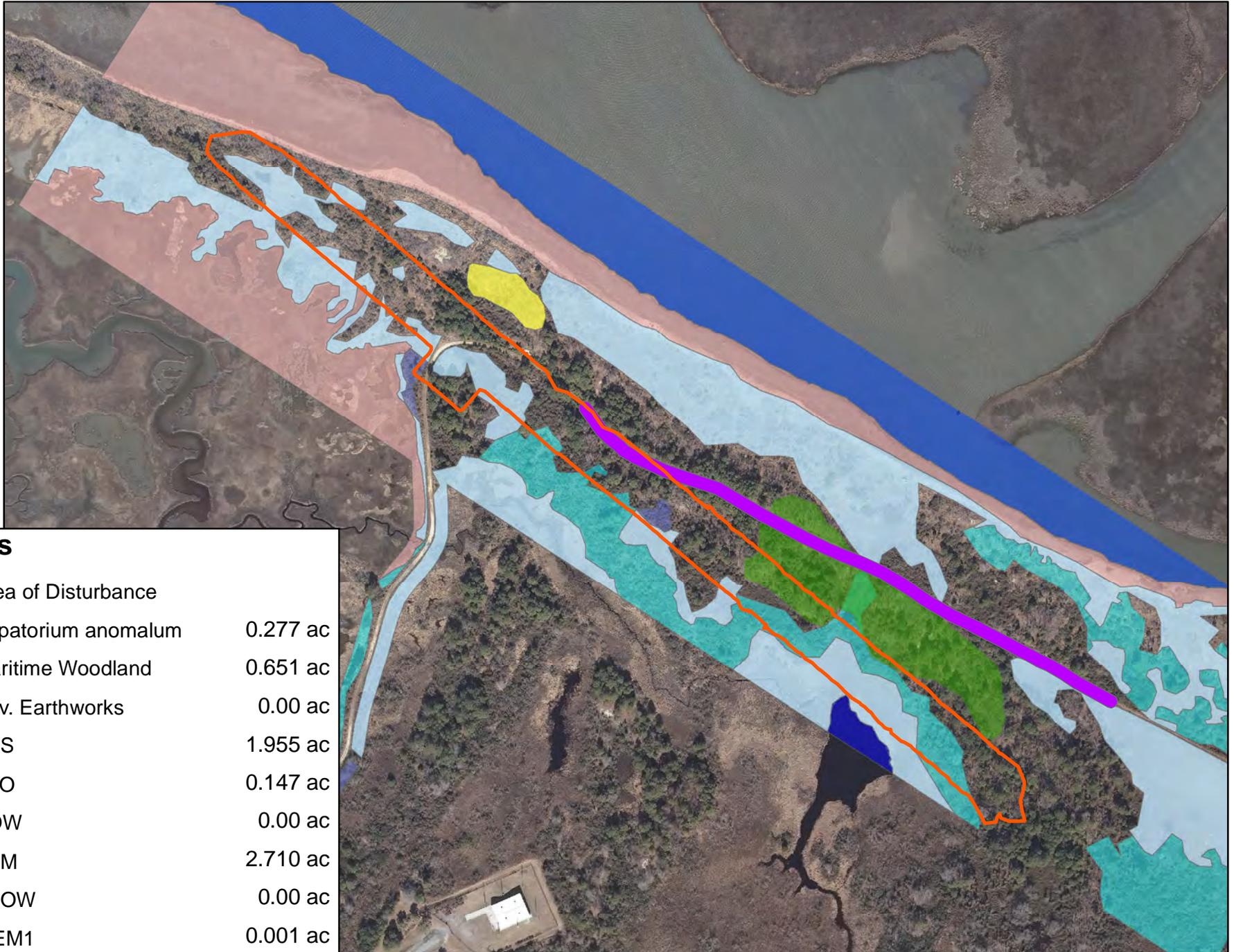
UAS Airstrip Natural Resources Counterclockwise Rotation 2



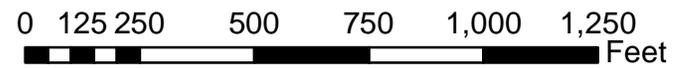
| Impacts | | |
|--|---------------------|----------|
|  | Area of Disturbance | |
|  | Eupatorium anomalum | 0.013 ac |
|  | Maritime Woodland | 0.039 ac |
|  | Rev. Earthworks | 0.00 ac |
|  | PSS | 0.395 ac |
|  | PFO | 0.005 ac |
|  | POW | 0.00 ac |
|  | PEM | 5.559 ac |
|  | ESOW | 0.00 ac |
|  | EIEM1 | 0.899 ac |
| Total Wetland Disturbance: 6.858 ac | | |



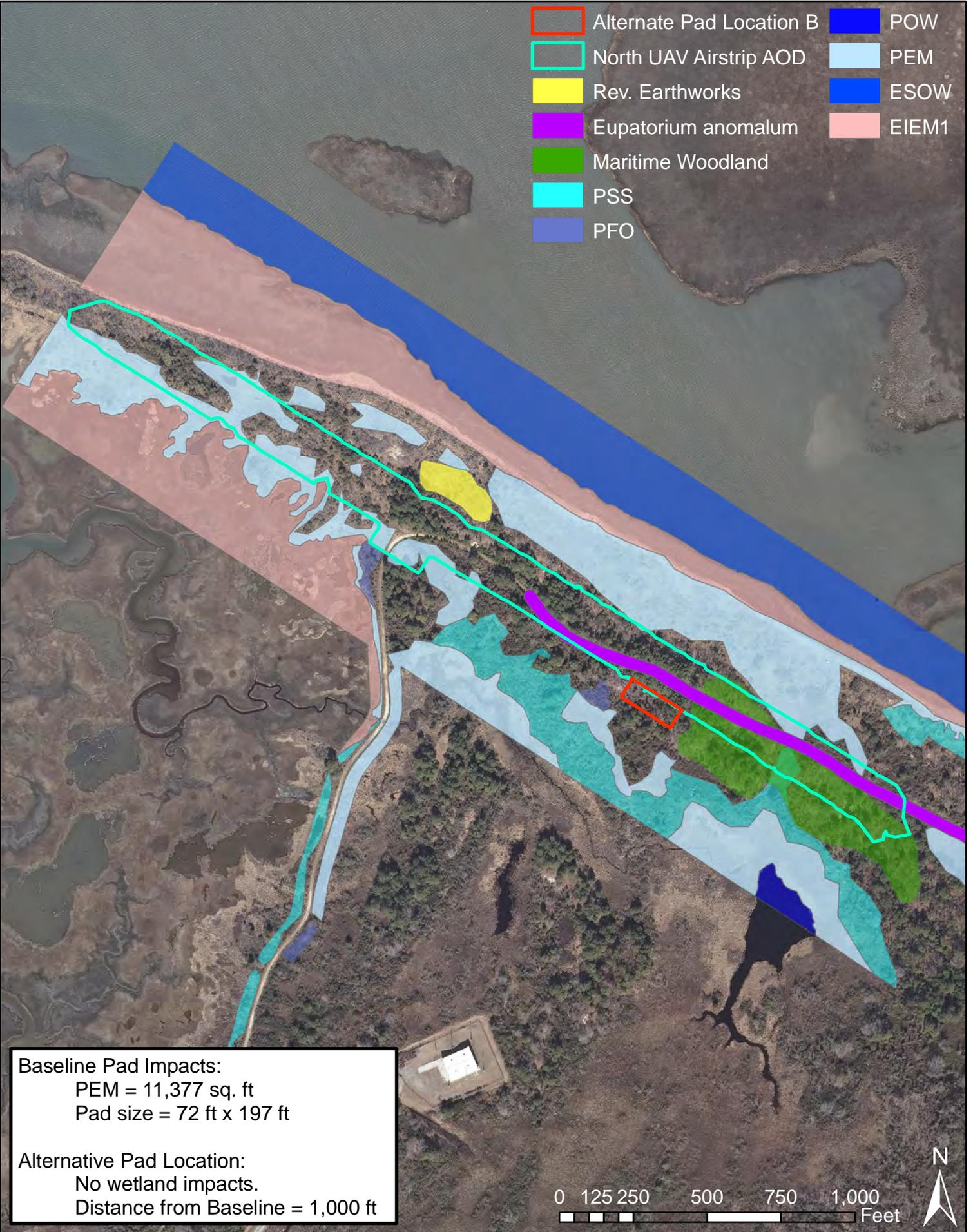
UAS Airstrip Natural Resources Clockwise Rotation



| Impacts | | |
|--|---------------------|-----------------|
|  | Area of Disturbance | |
|  | Eupatorium anomalum | 0.277 ac |
|  | Maritime Woodland | 0.651 ac |
|  | Rev. Earthworks | 0.00 ac |
|  | PSS | 1.955 ac |
|  | PFO | 0.147 ac |
|  | POW | 0.00 ac |
|  | PEM | 2.710 ac |
|  | ESOW | 0.00 ac |
|  | EIEM1 | 0.001 ac |
| Total Wetland Disturbance: | | 4.813 ac |



UAS Airstrip Alternative Pad Location Map



Baseline Pad Impacts:
PEM = 11,377 sq. ft
Pad size = 72 ft x 197 ft

Alternative Pad Location:
No wetland impacts.
Distance from Baseline = 1,000 ft



**Invasive Species Management Plan
for
North Wallops Island UAS Airstrip**

National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia



June 2012

Invasive Species Management Plan for Unmanned Aerial Systems (UAS) Airstrip June 2012

Introduction

Invasive species are any species that are not native to a given ecosystem and whose introduction causes, or is likely to cause, economic or environmental harm and/or harm to human health (EO 13112 on Invasive Species 1999). Because of their ability to alter natural ecosystems and diminish the abundance or survival of native species, invasive species are recognized as a threat to biodiversity and in some instances, to native species survival. It is estimated that over 40 percent of the species protected by the Endangered Species Act are at risk primarily because of nonnative, invasive species (Pimentha et al. 2005).

A Natural Heritage Survey of North Wallops Island was conducted in the summer and fall of 2011 by the Natural Heritage Division of the Virginia Department of Conservation and Recreation (DCR). The survey found two invasives, Phragmites (*Phragmites australis*) and Japanese Sedge (*Carex kobomugi*), in the north Wallops Island area (DCR, 2012). Phragmites is the predominant invasive species of concern and will be addressed in this plan. Annual monitoring will be conducted for other invasive species and appropriate control actions will be taken as necessary.

Species Description

Phragmites is a tall (15 feet) perennial grass with creeping rhizomes that may make a dense vegetative mat. In the United States and other countries, Phragmites is generally recognized as an invasive species; sometimes guilty of altering the structure of local ecosystems and rendering them a monoculture. Thick rhizomal growth and the accumulation of litter from the aerial shoots prevent other species from becoming established. These monocultures decrease the value wetlands as habitat for wildlife.

Rhizomes generate roots and stalks at regularly spaced nodes. An individual plant can multiply into a large stand through its rhizomes. Rhizomes may exceed 60 feet in length, grow more than 6 feet per year and readily grow into new plants when fragmented. In addition to facilitating reproduction, Phragmites rhizomes can penetrate the soil to a depth of more than 6 feet. This allows the plant to reach low-lying ground water and tolerate a variety of conditions, including dry upland sites and wetlands with water depths exceeding 2 feet. Phragmites experiences the majority of its vegetative growth during the summer months of June and July. Flowering and seed production occur during August and early September. In September and October, food is transported to the rhizomes and seeds are shed in autumn months. The plant remains dormant through the winter months and the seeds germinate from April to late May (USFWS, 2007).

Phragmites is an opportunistic species, taking advantage of the disturbances to the local vegetative community caused by disruptions of the natural state, such as those caused by fire or earth moving activities. Construction of an UAS airstrip on north Wallops Island is likely to create conditions conducive to Phragmites colonization.

Establishment of Phragmites stands along the footprint of the UAS airstrip cannot be tolerated for operational as well as ecological reasons. The presence of the tall stems in the clear zones along the edges of the runway would impede pilot lines of sight, while the stiff stems would be hazardous to the fragile airframes of the UAS should they lose control and veer from the airstrip. It is therefore necessary to prevent the establishment of new Phragmites stands in the UAS airstrip footprint and, to the extent practical, reduce those stands already extant in the vicinity.

Implementation of Controls (Adapted from Norris, et.al., 2002)

Restricted Construction Equipment Access - To prevent the accidental introduction of Phragmites during construction or maintenance activities, all tracked equipment involved in earth work will be inspected and cleaned to remove any rhizomes and seeds prior to arrival on-site. If tracked equipment is used in earth work on a portion of a project where Phragmites is known to exist, this portion of the earthwork will be conducted last, or the equipment will be cleaned prior to use on any portion of the site that is known to be free of Phragmites.

Cleaning Methods for Construction Equipment - Construction equipment shall be cleaned by using physical means and hand tools, such as brushes, brooms, rakes or shovels, on all track and bucket/blade components to adequately remove all visible dirt and plant debris. If water is used, the water/slurry shall be contained so as to restrict introduction of Phragmites rhizomes and seeds into the project site as well as to prevent off- site introduction during surplus material disposal.

Post Construction/UAS Airstrip Operations Control - Cleared areas surrounding the UAS airstrip will be mowed periodically to prevent colonization of new stands of Phragmites in this area. The purpose of the mowing is threefold: to maintain a low, safe surface for UAS that accidentally veer from the airstrip, to help maintain a line of site for the UAS pilots, and to prevent growth of young shoots of Phragmites.

Mowing will occur during summer months of June, July, and early August when most of the food reserves are in the aerial portion of the plant. Mowing will cease in mid-August. Small stands of Phragmites in the immediate vicinity of the UAS airstrip will be hand- sprayed with a Glyphosate- type herbicide during the post-tasseling stage (early September) when nutrients are being transported back to rhizomes so that the herbicides will translocate to the rhizome system as well. Alternatively, an Imazapyr-type herbicide may be applied from June until the first hard

frost. Care will be taken to ensure that other herbaceous species are not sprayed indiscriminately; spraying will not occur when winds exceed five miles per hour.

Results of implementing this Invasive Species Management Plan will be evaluated yearly, and this Plan will be revised as needed to adapt control techniques to the special characteristics and environmental conditions of this area. WFF will consult with Virginia DCR on adaptive management strategies for Phragmites control.

Selective Control of Phragmites Outside the UAS Airstrip Clear Zones - In its 2011 reinventory of the north Wallops Island area, DCR discovered the presence of Florida thoroughwort (*Eupatorium anomalum*). This plants species is known to have only one other occurrence in Virginia and the Wallops Island population is the northernmost example of the species. On Wallops Island, the species is found along the both edges of the unpaved road that extends south-eastward along the footprint of the proposed UAS airstrip and beyond. WFF will keep this road open in those portions of roadway beyond the UAS airstrip where the plant occurs by mowing the road edges early in the season to reduce the growth of woody species and the Phragmites. Should Phragmites still threaten *E. anomalum* clusters, the Phragmites will hand cut to a height below the first leaf and an herbicide will be applied to the stems by hand (URI-CELS, 2012.) *E. anomalum* clusters will be identified and periodically monitored by DCR as funding support from WFF to DCR allows.

References

Norris, L., Perry, J.E., and Havens, K.J. (2002). *A Summary of Methods for Controlling Phragmites australis*. Technical Report No.02-2. Wetlands Program, School of Marine Science, Virginia Institute of Marine Science.

Olson, B.E. (2007) *Phragmites Control Plan*. U.S. Fish and Wildlife Service.
http://www.fws.gov/bearriver/Phragmites_Control_Plan.pdf (date accessed June, 2012).

URI-CELS Outreach Center. *Common Reed (Phragmites australis) Control Fact Sheet*.
<http://www.uri.edu/cels/ceoc/documents/commonReed.pdf> (date accessed June, 2012).

Van Alstine, N.E., Fleming, G.P., Patterson, K.D., and Hobson, C.S. (2012). *A 2011 Reinventory of the Natural Heritage Resources in the North Wallops Island Conservation Site, Wallops Flight Facility, Virginia.* Natural Heritage Tech. Report. 12-03. Division of Natural Heritage, Virginia Department of Conservation and Recreation.

APPENDIX H

JOINT PERMIT APPLICATION

2. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION

The applicant(s) is/are the legal entity to which the permit may be issued. The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is representing the applicant(s). If a company, please use the company name that is registered with the State Corporation Commission (SCC), or indicate no registration with the SCC.

| | | | | | |
|---|--------------------------------|-------------------|---|----------------------------------|-------------------|
| Applicant(s) (For a company, use SCC-registered name) NASA WFF c/o Paul Bull, PE | | | Agent (if applicable) (For a company, use SCC-registered name) John Lowenthal, TEC Inc. | | |
| Mailing address Building N- 161, Code 228 | | | Mailing address 11817 Canon Blvd, Suite 300 | | |
| City Wallops Island | State VA | Zip Code 23337 | City Newport News | State VA | Zip Code 23606 |
| Phone number w/area code 757.824.1168 | Fax 757.824.1876 | | Phone number w/area code 757-594-1465 | Fax | |
| Mobile/pager 757.894.8321 | E-mail paul.c.bull@nasa.gov | | Mobile/pager 757-652-8710 | E-mail jmlowenthal@tecinc.com | |
| State Corporation Commission ID number (if applicable) | | | State Corporation Commission ID number (if applicable) | | |

Certain permits or permit authorizations may be provided via electronic mail. If the applicant wishes to receive their permit via electronic mail, please provide an e-mail address here: _____

| | | | | | |
|---|--------|----------|---|--------|----------|
| Property owner(s), if different from applicant (For a company, use SCC-registered name) | | | Contractor, if known (For a company, use SCC-registered name) N/A | | |
| Mailing address Same as above | | | Mailing address | | |
| City | State | Zip code | City | State | Zip code |
| Phone number w/area code | Fax | | Phone number w/area code | Fax | |
| Mobile/pager | E-mail | | Mobile/pager | E-mail | |
| State Corporation Commission ID number (if applicable) | | | State Corporation Commission ID number (if applicable) | | |

3. PROVIDE A DESCRIPTION OF THE PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, PROJECT NEED, INTENDED USE, AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

- The purpose must include any new development or expansion of an existing land use and/or proposed future use of residual land
- Describe the physical alteration of surface waters
- Include a description of alternatives considered to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered
- For major surface water withdrawals, public surface water supply withdrawals, or projects that will alter instream flows, include the water supply issues that form the basis of the proposed project.

See Attached

3. PROVIDE A DESCRIPTION OF THE PROJECT (Continued)

Date of proposed commencement of work (MM/DD/YYYY)
01/01/2014

Date of proposed completion of work (MM/DD/YYYY)
01/01/2015

Are you submitting this application at the direction of any State, local, or Federal agency? ____ Yes No

Has any work commenced or has any portion of the project for which you are seeking a permit been completed?
____ Yes No

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.

Are you aware of any unresolved violations of environmental law or litigation involving the property? ____ Yes No
(If yes, please explain)

4. PREVIOUS SITE VISITS AND/OR PERMITS RELATED TO THE PROPOSED WORK (Include all Federal, State, and Local pre-application coordination or previous permits)

| Agency | Activity | Permit/Project number, and explanation of non-reporting Nationwide permits previously used | Action taken ** and Date of Action | If denied, give reason for denial |
|-----------|---------------------------------|--|------------------------------------|-----------------------------------|
| USACE | Delineation Confirmation | NAO 2009-00939 | Approved | |
| Corps/EPA | Pre-Application Meeting 2/24/11 | | | |

** Issued, denied, site visit

5. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: \$3,270,000

Approximate cost of only the portion of the project affecting State waters (below mean low water in tidal areas and below ordinary high water mark in nontidal areas): \$ n/a

6. PUBLIC NOTIFICATION (Attach additional sheets if necessary)

- Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove.
- If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.

| Property owner's name see attached | Mailing address | City | State | Zip code |
|---------------------------------------|-----------------|------|-------|----------|
| No adjacent property owner | | | | |

Name of newspaper having general circulation in the area of the project: Eastern Shore News, PO Box 288 Tasley, VA 23441
Address and phone number (including area code) of newspaper: 877-424-0148

Have adjacent property owners been notified with forms in Appendix A? Yes No (attach copies of distributed forms)

7. THREATENED AND ENDANGERED SPECIES INFORMATION

Please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts, such as database search results or your Corps' waters and wetlands delineation confirmation. Contact information for the Virginia Department of Game and Inland Fisheries and the Virginia Department of Conservation and Recreation, Division of Natural Heritage can be found on page 4 of this package.

8. HISTORIC RESOURCES INFORMATION

Note: Historic properties include but are not limited to archeological sites, battlefields, Civil War earthworks, graveyards, buildings, bridges, canals, etc. Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.

Are any historic properties located within or adjacent to the project site? Yes No
 Uncertain

If Yes, please provide a map showing the location of the historic property within or adjacent to the project site.

Are there any buildings or structures 50 years old or older located on the project site? Yes No Uncertain
If Yes, please provide a map showing the location of these buildings or structures on the project site.

Is your project located within a historic district? Yes No Uncertain
If Yes, please indicate which district: _____

8. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?

Yes No Uncertain

If Yes, please provide the following information: Date of Survey: see attached correspondence with DHR

Name of firm: _____

Is there a report on file with the Virginia Department of Historic Resources? Yes No Uncertain

Title of Cultural Resources Management (CRM) report: UAS Airstrip Cult. Res. Investig. DHR File: 2009-0696

Was any historic property located? Yes No Uncertain

9. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 18.

| | Impact site number 1 | Impact site number 2 | Impact site number 3 |
|---|---|-------------------------|-------------------------|
| Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO | <i>Example: F, NT, PE, V</i> see attached document | | |
| Wetland/waters impact area (square feet) | | | |
| Dune/beach impact area (square feet) | | | |
| Stream dimensions at impact site (length and average width in linear feet, and area in sq. ft.) | | | |
| Volume of fill below Mean High Water or Ordinary High Water (cubic yards) | | | |
| Cowardin classification of impacted wetland/water or geomorphological classification of stream (Ex: PFO wetland; 'C' Channel Stream) | | | |
| Average stream flow at site (flow rate under normal rainfall conditions) (cubic feet per second) | | | |
| Contributing drainage area (acres or square miles) | | | |

9. WETLANDS/WATERS IMPACT INFORMATION (Continued)

| | | | |
|--|--|--|--|
| DEQ classification of impacted resource(s): Estuarine Class II Non-tidal waters Class III Mountainous zone waters Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII | | | |
|--|--|--|--|

For DEQ permitting purposes, also submit as part of this section a wetland and waters boundary delineation map⁽⁴⁾ – see the Footnotes section in the form instructions.

For DEQ permitting purposes, also submit as part of this section a written disclosure of all wetlands, open water, or streams that are located within the proposed project or compensation areas that are also under a deed restriction, conservation easement, restrictive covenant, or other land-use protective instrument.

10. APPLICANT, AGENT, OWNER, AND CONTRACTOR CERTIFICATIONS

If the Applicant(s), Agent(s), Owner(s), or Contractor(s) is/are a company, please use the company name(s) that is/are registered with the State Corporation Commission (SCC).

READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for permits typically issued by the DEQ, VMRC, U.S. Army Corps of Engineers, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Is/Are the Applicant(s) and Owner(s) the same? Yes ___ No

| | |
|--|---|
| Applicant's name & title (printed or typed) NASA WFF c/o Glenn D. Lilly | Second applicant's name & title, if applicable (printed or typed) |
| Applicant's signature | Second applicant's signature |
| Date | Date |
| <i>(Required for VMRC permit actions only)</i> Property owner's name, if different from Applicant | <i>(Required for VMRC permit actions only)</i> Second property owner's name, if applicable |
| Owner's signature, if different from Applicant | Second owner's signature |
| Date | Date |

10. APPLICANT, AGENT, OWNER, AND CONTRACTOR CERTIFICATIONS (Continued)

If the Applicant(s), Agent(s), Owner(s), or Contractor(s) is/are a company, please use the company name(s) that is/are registered with the State Corporation Commission (SCC).

CERTIFICATION OF AUTHORIZATION TO ALLOW AGENT(S) TO ACT ON APPLICANT'S(S)' BEHALF (IF APPLICABLE)

I (we), NASA WFF c/o Glenn D. Lilly (and) N/A
 APPLICANT'S NAME(S) – complete the second blank if more than one Applicant

hereby certify that I (we) have authorized TEC- John Lowenthal (and) N/A
 AGENT'S NAME(S) – complete the second blank if more than one Agent

to act on my (our) behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. I (we) hereby certify that the information submitted in this application is true and accurate to the best of my (our) knowledge.

| | | |
|--|---|--|
| Applicant's signature | Second applicant's signature, if applicable | |
| Date | Date | |
| Agent's signature and title <i>[Handwritten Signature]</i> Senior Biologist | Second agent's signature and title, if applicable | |
| Date 10-12-11 | Date | |

CONTRACTOR ACKNOWLEDGEMENT (IF APPLICABLE)

I (we), _____ (and) _____
 APPLICANT'S NAME(S) – complete the second blank if more than one Applicant

have contracted N/A (and) _____
 CONTRACTOR'S NAME(S) – complete the second blank if more than one Contractor

to perform the work described in this Joint Permit Application, signed and dated _____.

I (we) will read and abide by all conditions as set forth in all Federal, State, and Local permits as required for this project. I (we) understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, State, and Local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes.

In addition, I (we) agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If I (we) fail to provide the applicable permit upon request, I (we) understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all of the terms and conditions.

| | | |
|--|---|------|
| Contractor's name or name of firm (printed/typed) N/A | Contractor's or firm's mailing address | |
| Contractor's signature and title | Contractor's license number | Date |
| Applicant's signature | Second applicant's signature, if applicable | |
| Date | Date | |



END OF GENERAL INFORMATION

The following sections are activity-specific. Fill out only the sections that apply to your particular project.

19. FILL (not associated with backfilled shoreline structures) AND OTHER STRUCTURES (other than piers and boathouses) IN WETLANDS OR WATERS, OR ON DUNES/BEACHES

Source and composition of fill material (percentage sand, silt, clay, rock): course aggregate and common earth

Provide documentation (i.e. laboratory results or analytical reports) that *fill* material from *off-site* locations is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e. bill of lading from commercial supplier or disposal site). Documentation is not necessary for fill material obtained from on-site areas.

Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any):

Creation of UAS Airstrip

Describe any structure that will be placed in wetlands/waters or on a beach dune and its purpose:

UAS Airstrip will be placed on wetlands

Will the structure be placed on pilings? ___ Yes No

Total area occupied by any structure.
234,800 Square Feet

How far will the structure be placed channelward from the back edge of the dune? N/A feet

How far will the structure be placed channelward from the back edge of the beach? N/A feet

20. NONTIDAL STREAM CHANNEL MODIFICATIONS FOR RESTORATION OR ENHANCMENT, or TEMPORARY OR PERMANENT RELOCATIONS

If proposed activities are being conducted for the purposes of compensatory mitigation, please attach separate sheets of paper providing all information required by the most recent version of the stream assessment methodology approved by the Norfolk District of the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality, in lieu of completing the questions below. Required information outlined by the methodology can be found at: <http://155.78.20.211/Technical%20Services/Regulatory%20Branch/USM.asp> or <http://www.deq.virginia.gov/wetlands/mitigate.html>.

Has the stream restoration project been designed by a local, state, or federal agency? ___ Yes ___ No. If yes, please include the name of the agency here: _____.

Is the agency also providing funding for this project? ___ Yes ___ No

Linear feet of stream impact: _____

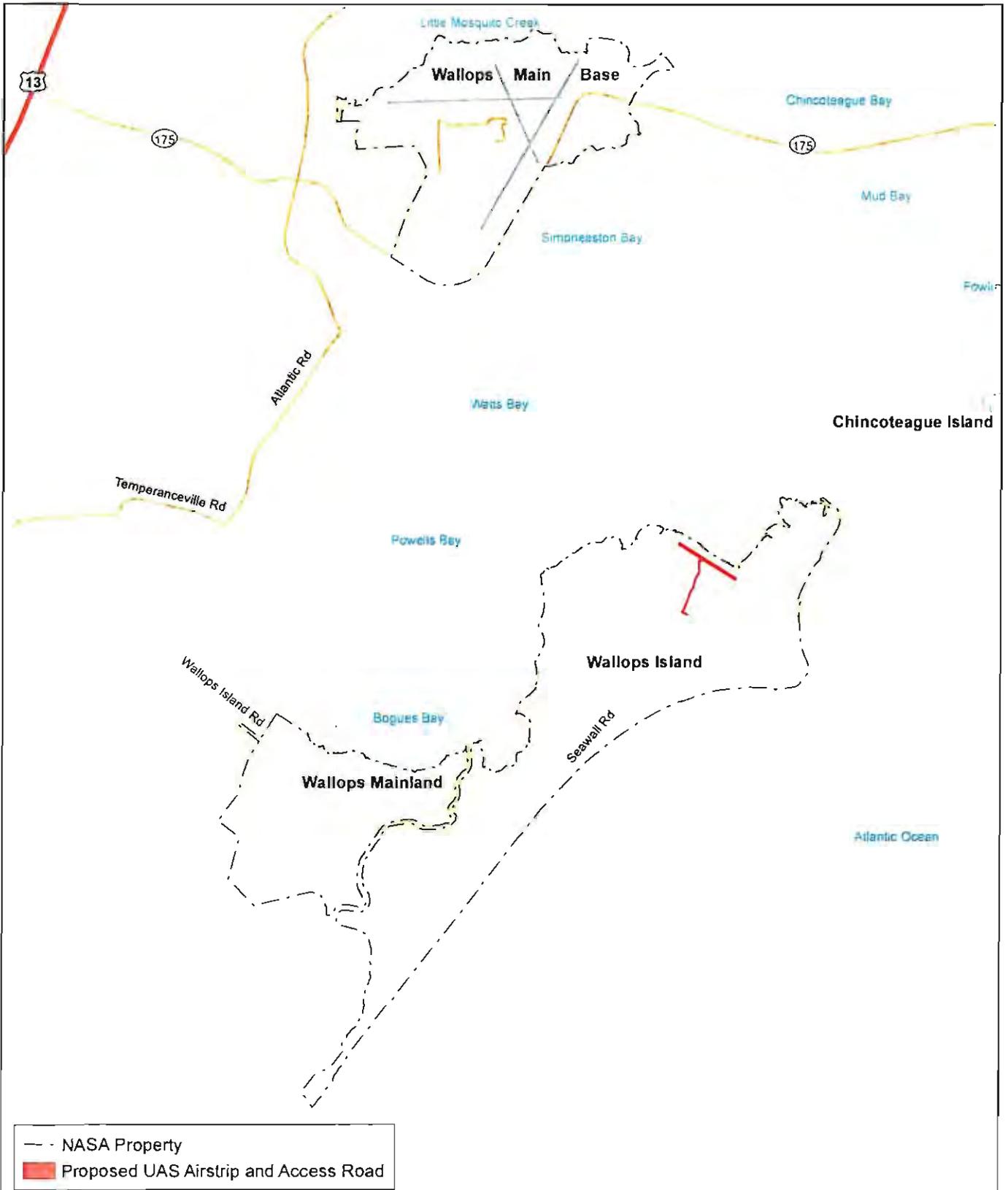
Contributing drainage area: _____ acres or _____ square miles

Existing average stream flow at site (flow rate under normal rainfall conditions): _____ cfs

Proposed average stream flow at site after modifications (flow rate under normal rainfall conditions): _____ cfs

Explain, in detail, the method to be used to stabilize the banks:

Explain the composition of the existing stream bed (percent cobble, rock, sand, etc.):



- - NASA Property
 ■ Proposed UAS Airstrip and Access Road

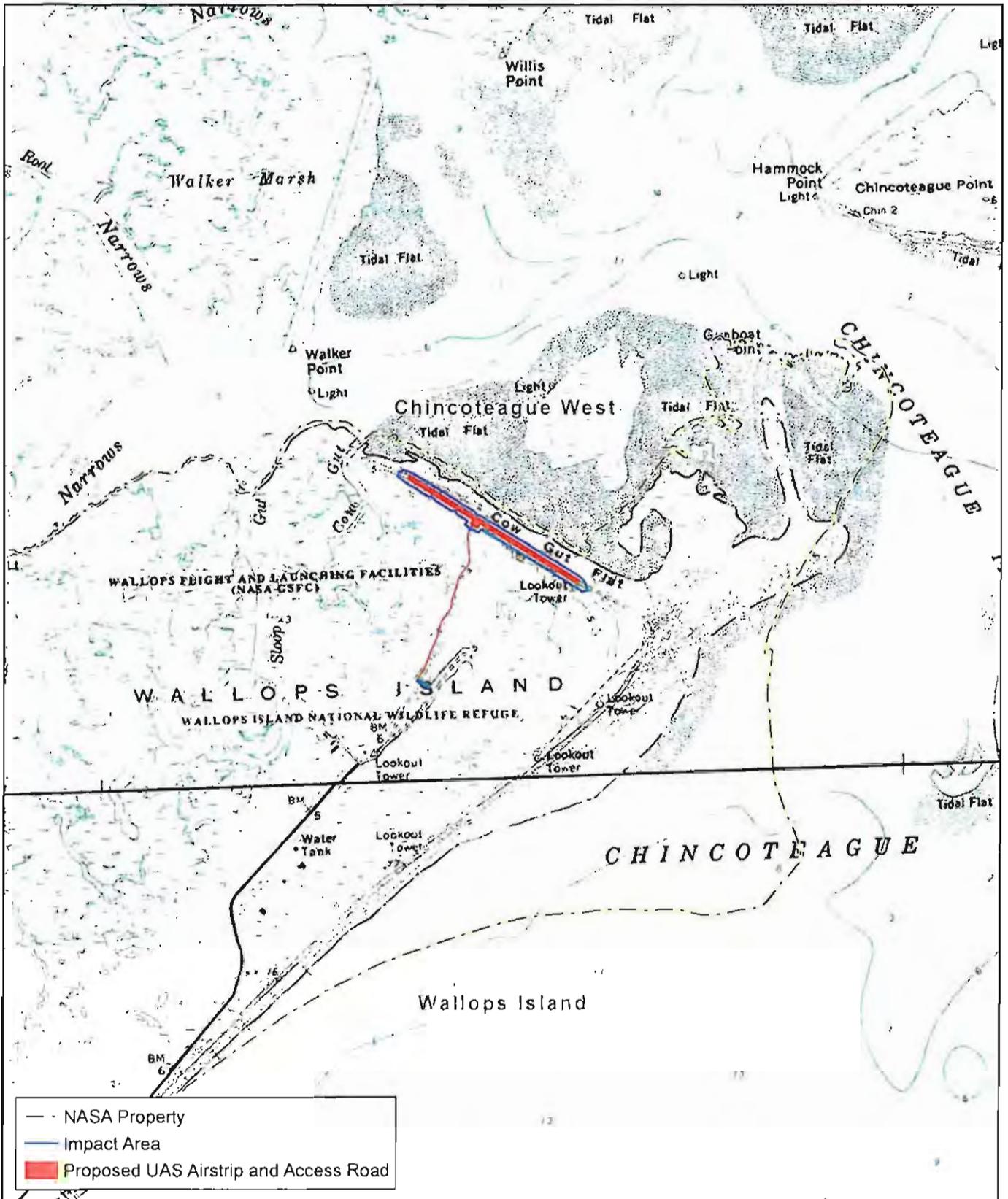
Purpose: UAS Airstrip
 App by: NASA
 APO: N/A
 Waterbody: Cow Gut flat
 HUC: 02060010

Overall Location Map
 TEC Inc.

City: Chincoteague
 State: Virginia
 Scale: 1 inch = 6,000 feet
 Date: 6/20/2011
 Sheet: 1 of 7

N

 0 6,000 Feet



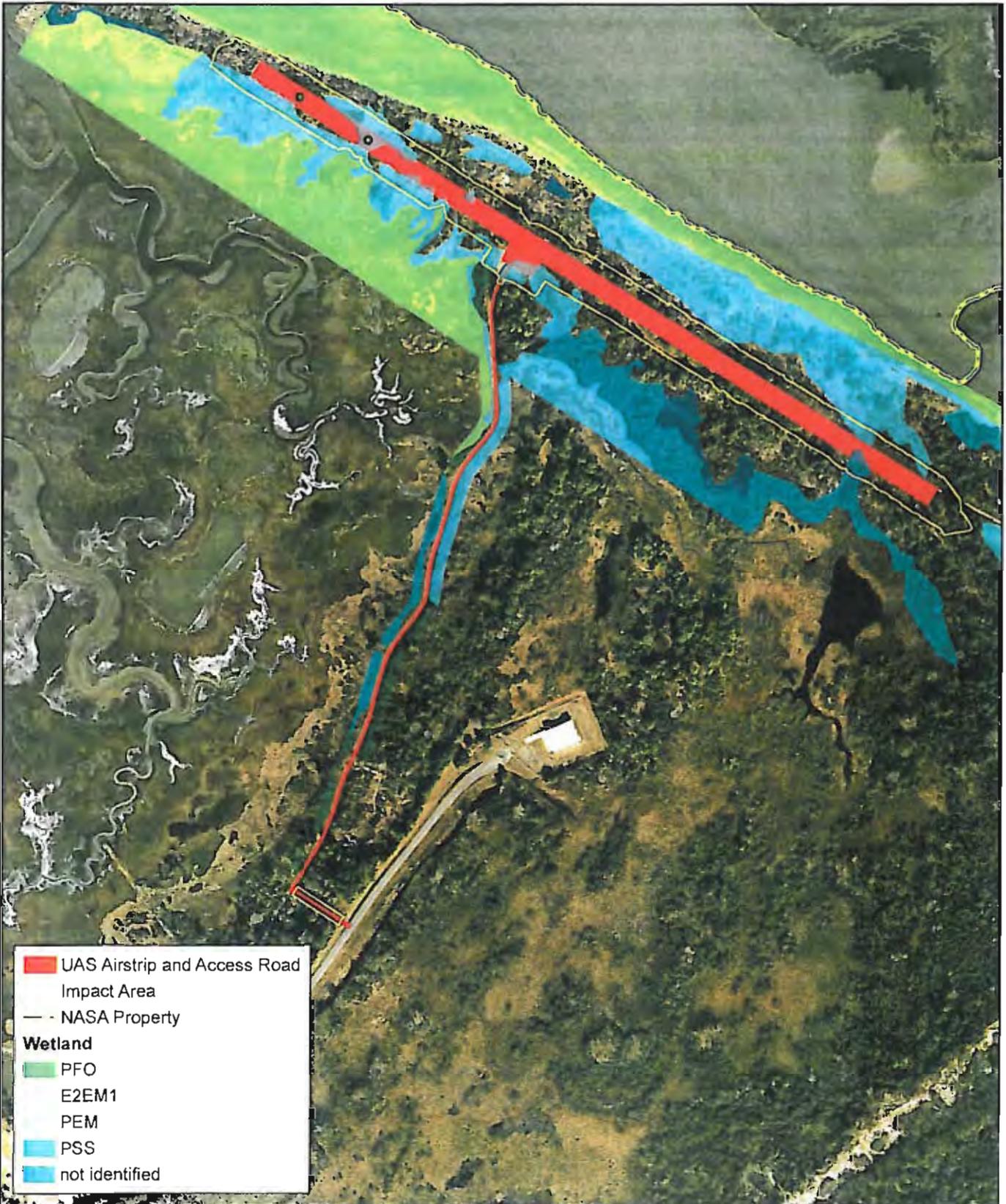
Purpose: UAS Airstrip
 App by: NASA
 APO: N/A
 Waterbody: Cow Gut flat
 HUC: 02060010

UAS Airstrip USGS Chincoteague and Wallops Island Quadrangle Location Map

TEC Inc.

City: Chincoteague
 State: Virginia
 Scale: 1 inch = 2,000 feet
 Date: 6/20/2011
 Sheet: 2 of 7

0 2,000 Feet



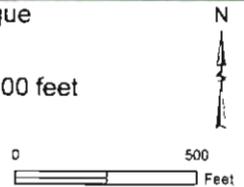
■ UAS Airstrip and Access Road
 Impact Area
 - - NASA Property
Wetland
■ PFO
■ E2EM1
■ PEM
■ PSS
■ not identified

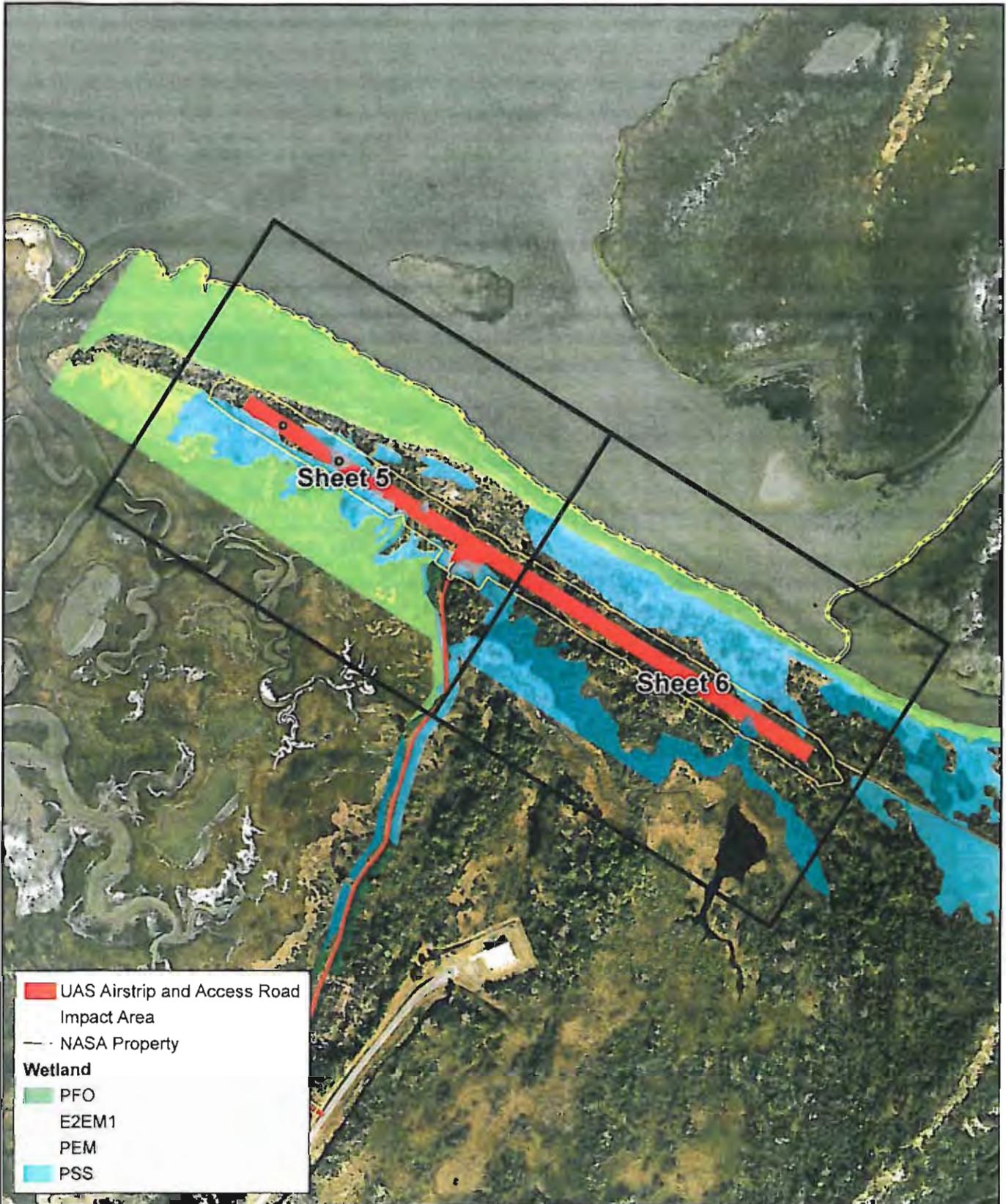
Purpose: UAS Airstrip
 App by: NASA
 APO: N/A
 Waterbody: Cow Gut flat
 HUC: 02060010

UAS Airstrip Project Area

City: Chincoteague
 State: Virginia
 Scale: 1 inch = 500 feet
 Date: 6/20/2011
 Sheet: 3 of 7

TEC Inc.





| | |
|---|---|
|  | UAS Airstrip and Access Road Impact Area |
|  | NASA Property |
| Wetland | |
|  | PFO |
|  | E2EM1 |
|  | PEM |
|  | PSS |

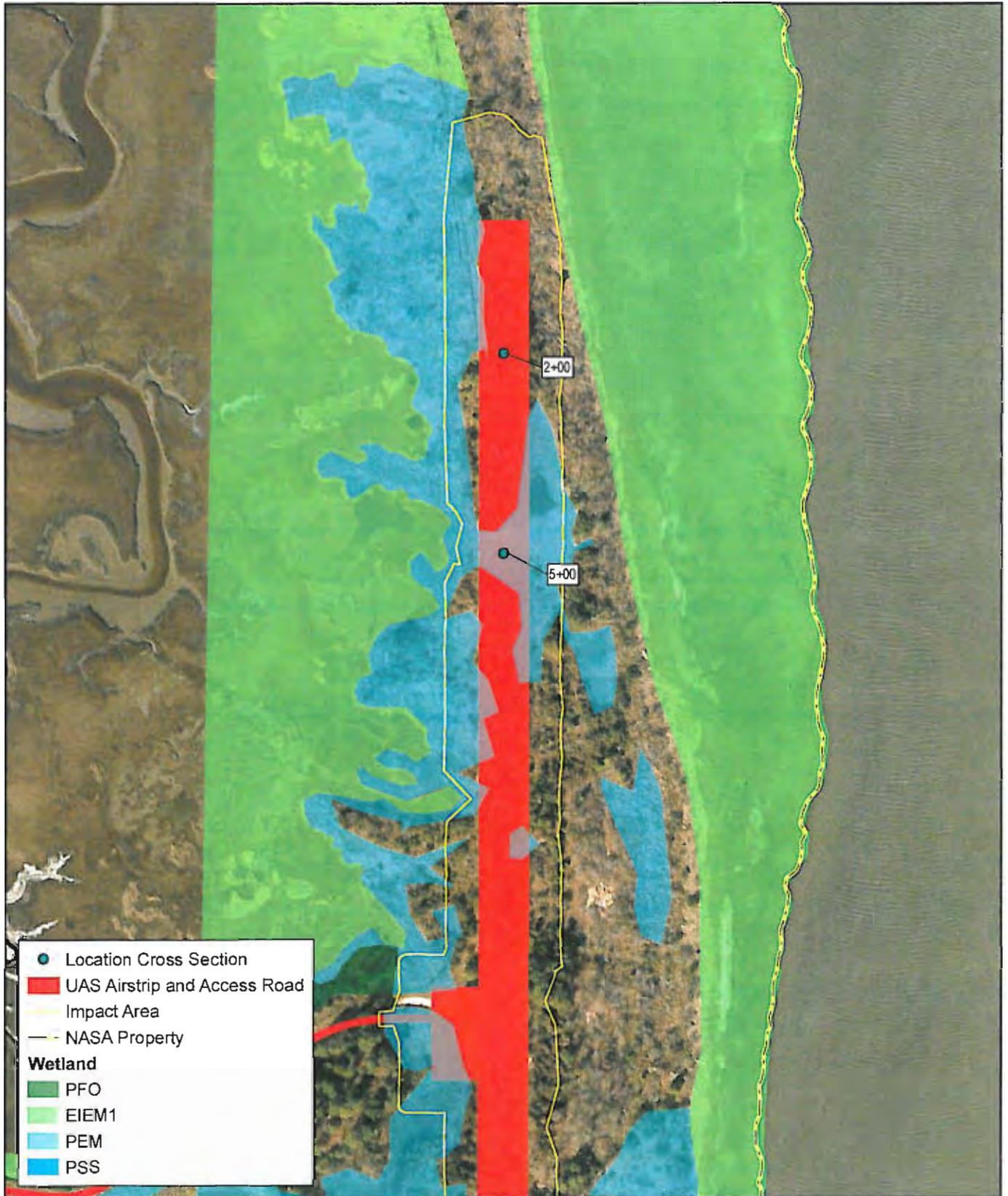
Purpose: UAS Airstrip
 App by: NASA
 APO: N/A
 Waterbody: Cow Gut flat
 HUC: 02060010

UAS Airstrip Wetland Impact Areas
 Plan View

TEC Inc.

City: Chincoteague
 State: Virginia
 Scale: 1 inch = 600 feet
 Date: 6/20/2011
 Sheet: 4 of 7



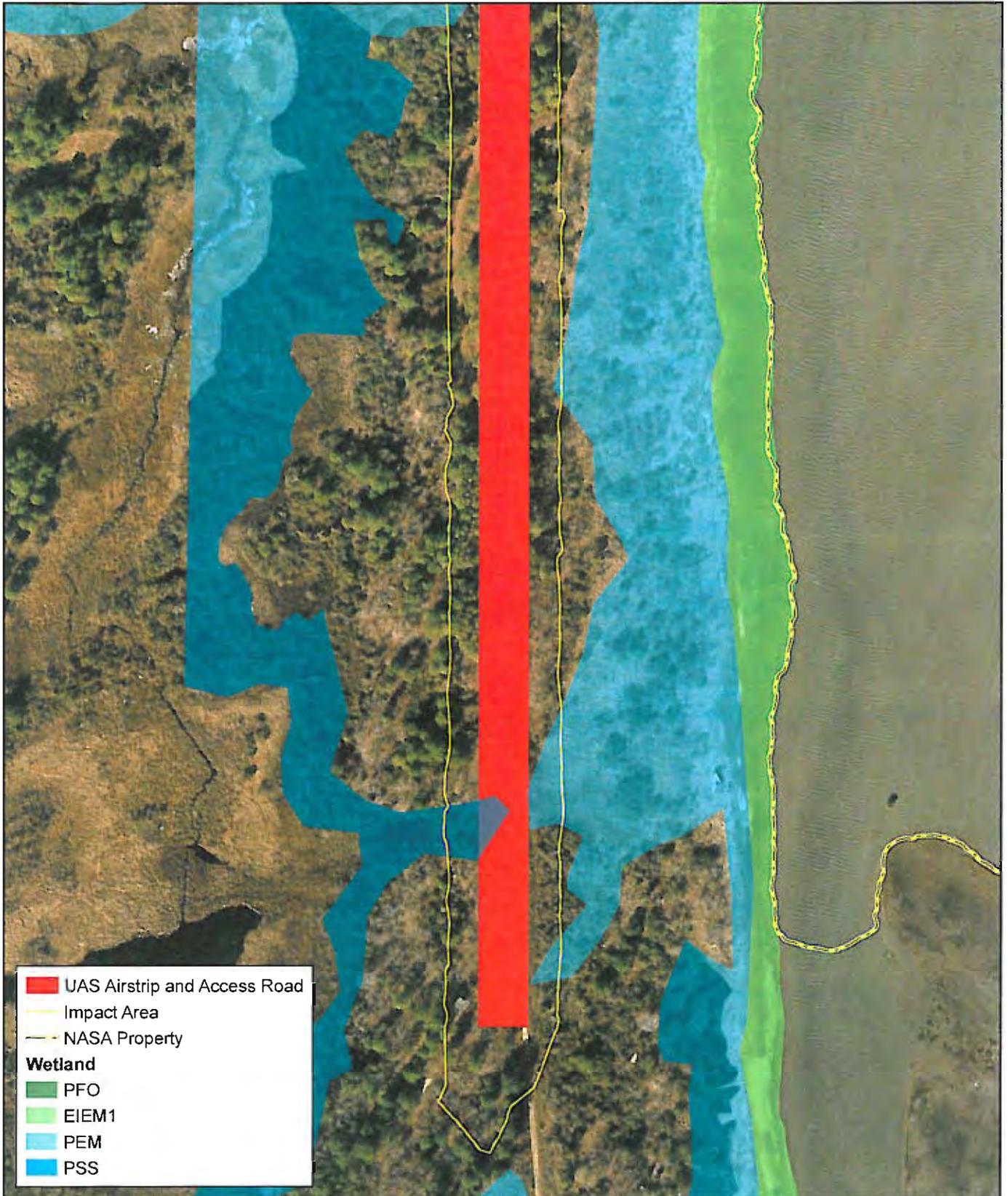
- Location Cross Section
- UAS Airstrip and Access Road
- Impact Area
- - - NASA Property
- Wetland**
- PFO
- EIEM1
- PEM
- PSS

Purpose: UAS Airstrip
 App by: NASA
 APO: N/A
 Waterbody: Cow Gut flat
 HUC: 02060010

UAS Airstrip Wetland Impact Areas
 Plan View

TEC Inc.

City: Chincoteague
 State: Virginia
 Scale: 1 inch = 200 feet
 Date: 7/14/2011
 Sheet: 5 of 7



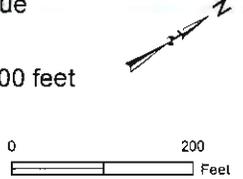
| | |
|---|------------------------------|
|  | UAS Airstrip and Access Road |
|  | Impact Area |
|  | NASA Property |
| Wetland | |
|  | PFO |
|  | ELEM1 |
|  | PEM |
|  | PSS |

Purpose: UAS Airstrip
 App by: NASA
 APO: N/A
 Waterbody: Cow Gut flat
 HUC: 02060010

UAS Airstrip Wetland Impact Areas
 Plan View

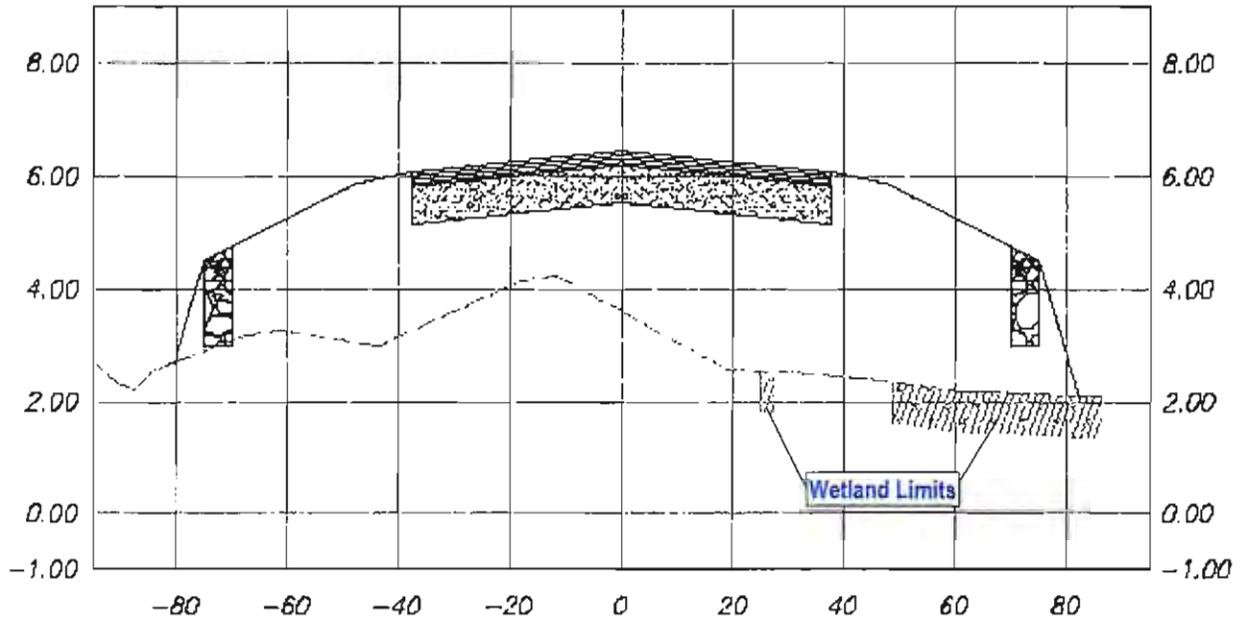
TEC Inc.

City: Chincoteague
 State: Virginia
 Scale: 1 inch = 200 feet
 Date: 7/14/2011
 Sheet: 6 of 7

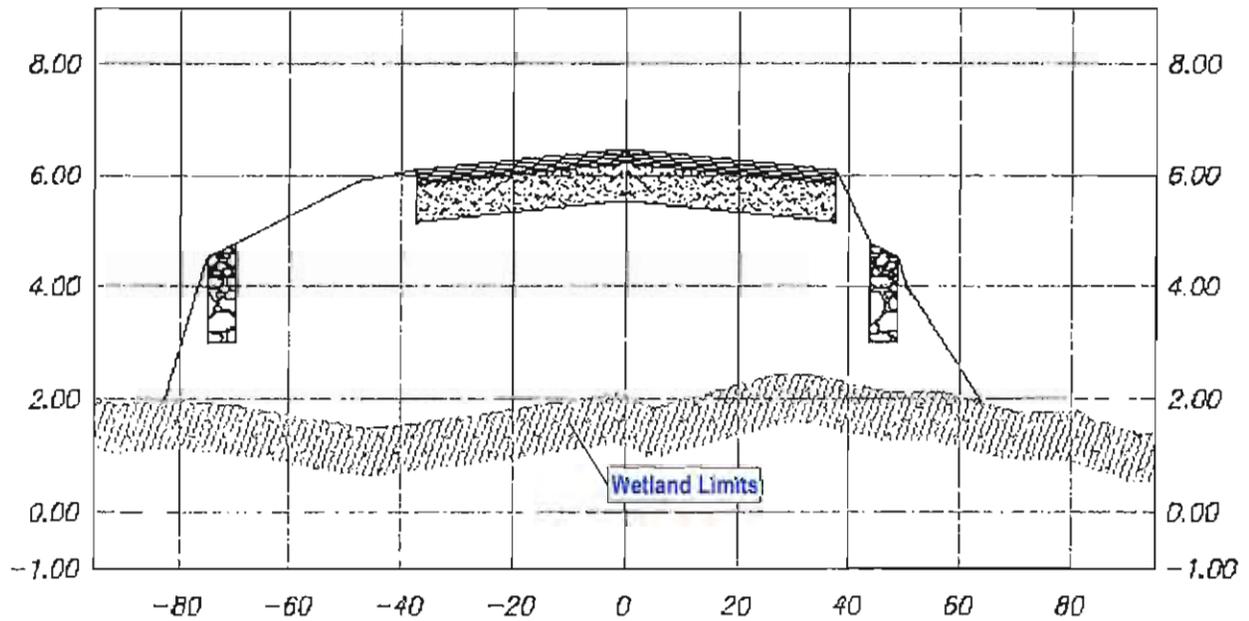


0 200 Feet

2+00



5+00

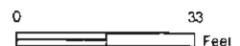


Purpose: UAS Airstrip
App by: NASA
APO: N/A
Waterbody: Cow Gut flat
HUC: 02060010

UAS Airstrip Wetland Impact Areas
Cross Sections

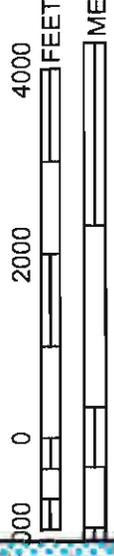
City: Chincoteague
State: Virginia
Scale: 1 inch = 33 feet
Date: 6/20/2011
Sheet: 7 of 7

TEC Inc.





MAP SCALE 1" = 2000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0275F

FIRM
FLOOD INSURANCE RATE MAP
ACCOMACK COUNTY,
VIRGINIA
AND INCORPORATED AREAS
PANEL 275 OF 905
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

| CONTAINS | COMMUNITY | UNINCORPORATED AREAS | TOWN OF | NUMBER | PANEL | SUFFIX |
|----------|-----------------|----------------------|--------------|--------|-------|--------|
| | ACCOMACK COUNTY | | | 510001 | 0275 | F |
| | | | CHINCOTEAGUE | 510002 | 0275 | F |

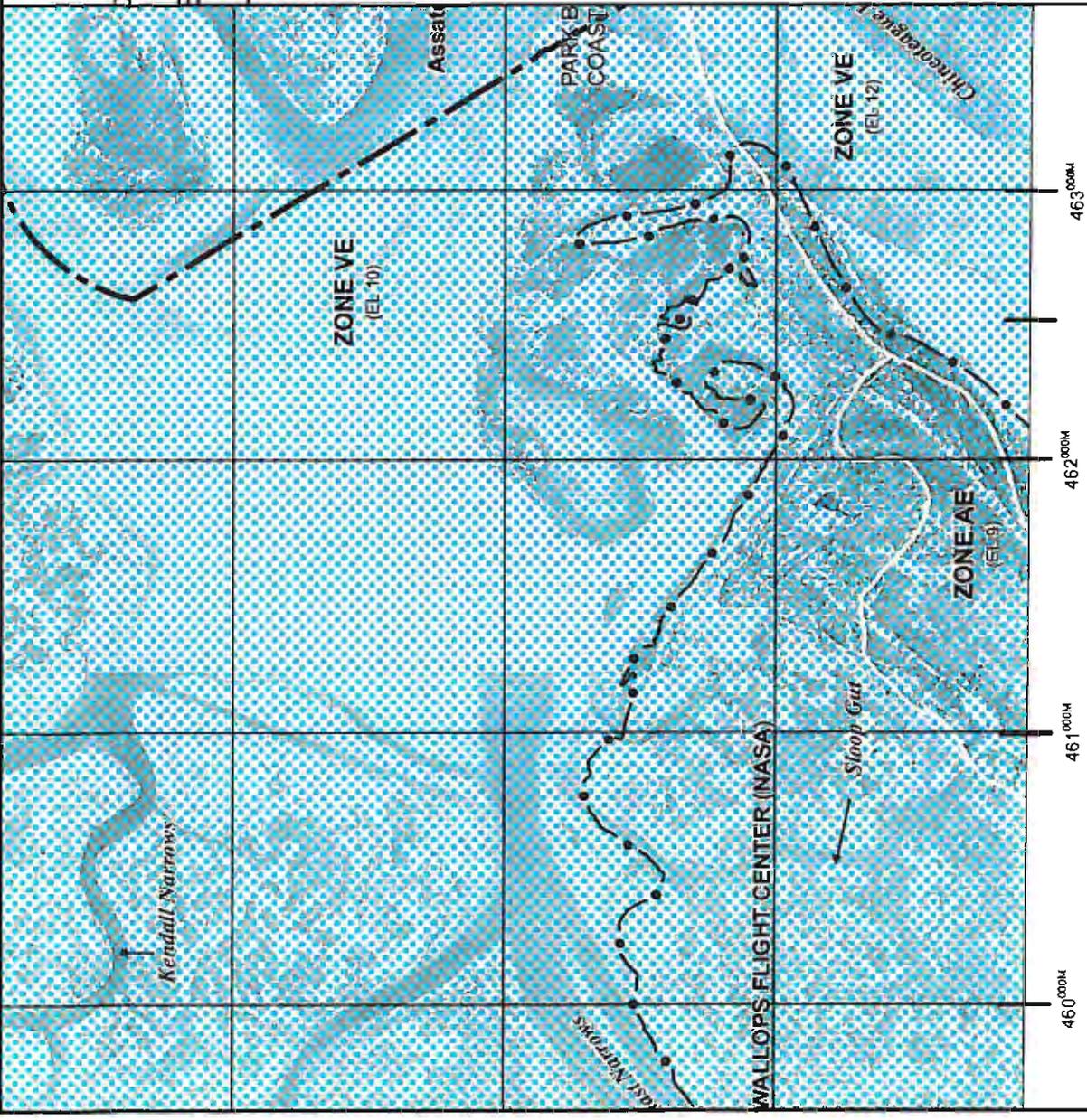
NOTE:
THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES SYSTEM ESTABLISHED UNDER THE COASTAL ZONING ACT OF 1972 AND/OR SUBSEQUENT ENABLING LEGISLATION.
Notice to User: The Map Number shown below should be used when ordering map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
51001C0275F

EFFECTIVE DATE
MARCH 16, 2009

Federal Emergency Management Agency



This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

LEGEND



SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

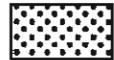
The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Area of Special Flood Hazard formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.



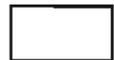
FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.



OTHER FLOOD AREAS

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.



OTHER AREAS

- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.

- ZONE D** Areas in which flood hazards are undetermined, but possible.



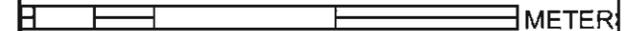
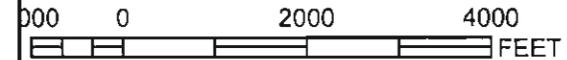
COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS



OTHERWISE PROTECTED AREAS (OPAs)



MAP SCALE 1" = 2000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0275F

FIRM

FLOOD INSURANCE RATE MAP

ACCOMACK COUNTY, VIRGINIA AND INCORPORATED AREAS

PANEL 275 OF 905

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

| COMMUNITY | NUMBER | PANEL | SUFFIX |
|-----------------------|--------|-------|--------|
| ACCOMACK COUNTY | 510001 | 0275 | F |
| UNINCORPORATED AREAS | 510002 | 0275 | F |
| CHINCOTEAGUE, TOWN OF | 510002 | 0275 | F |

-NOTE-
THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES SYSTEM ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT ENABLING LEGISLATION.

Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

FEDERAL EMERGENCY
MANAGEMENT AGENCY

MAP NUMBER
51001C0275F

EFFECTIVE DATE
MARCH 16, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.mac.fema.gov



National Aeronautics and
Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, VA 23337

December 13, 2010

Amanda Lee
Commonwealth of Virginia
Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221-0311

RE: UAS Airstrip Cultural Resources Investigations
Wallops Flight Facility
DHR File #2009-0696

Dear Ms. Lee:

As per your request in your letter of November 22, 2010, please find enclosed the additional information for the determination of eligibility for the 1952 North Observation Mound (DHR# 001-0027-0125). Included are a copy of the VDHR resource survey form, topographical maps, and a site sketch on acid-free paper. A set of black and white photographs (from digital) in Print File sleeves are included, as well as a CD with the digital photo files.

In addition, NASA has determined that the following options will be taken to preserve and protect the earthworks associated with the Revolutionary War Fort (44AC0089) during construction of the new UAS airstrip. Option 1 would establish a 25-foot buffer zone around the earthworks within which no clearing will be done and the site will be maintained and preserved in its current state.

Should it be determined that the vegetation must be removed from the site for safety concerns, trees and large vegetation will be hand-cleared from the site and 25-foot buffer zone. NASA will attempt to control excess foot traffic and inadvertent damage to the earthworks during clearing activities. The roots of trees and other vegetation will not be removed from the earthworks to minimize damage and the site will be reseeded with an approved, non-woody ground cover.

A long-term maintenance plan will be established that will outline procedures for yearly vegetation removal and that will monitor the state of the earthworks. The plan may include observations of erosion and/or other damage to the earthworks through photodocumentation and

include provisions for short and long term stabilization techniques and emergency stabilization in the event of natural disasters, including hurricanes. Long-term maintenance may include the erection of a permanent enclosure to guard against vandalism or inadvertent damage to the site.

If you have any questions or require additional information about the project, please contact Mr. Joel Mitchell at (757) 824-1127 or me at (757) 824-1309. Thank you for your attention to this request and we look forward to receiving your comments.

Sincerely,

A handwritten signature in black ink that reads "Randall M. Stanley". The signature is written in a cursive style with a large, prominent initial "R".

Randall M. Stanley
Facility Historic Preservation Officer

Enclosure

**Virginia Department of Historic Resources
Intensive Level Survey**

DHR ID#: 001-0027-0125

Other DHR ID#:

Resource Information

Resource Name(s): North Observation Mound {Current}
Man-made Mound {Descriptive}
Date of Construction: ca 1952
Local Historic District :

Location of Resource

County/Independent City: Accomack
Magisterial District:
Town/Village/Hamlet: Chincoteague
Tax Parcel:
Zip Code: 23337
Address(s): Wallops Island, North end of {Current}
USGS Quadrangle Name: CHINCOTEAGUE WEST
UTM Boundary Coordinates :

| | <u>NAD</u> | <u>Zone</u> | <u>Easting</u> | <u>Northing</u> |
|---------------------------------|------------|-------------|----------------|-----------------|
| <i>UTM Center coordinates :</i> | 1983 | 18 | 461685 | 4193063 |
| <i>UTM Data Restricted?.</i> | No | | | |

National Register Eligibility Status

Resource has not been evaluated.*

This Resource is associated with the Wallops Island Flight Facility Historic District (NASA)

* Resource has not been formally evaluated by DHR or eligibility information has not been documented in DSS at this time.

Resource Description

Ownership Status: Public - Federal
Government Agency Owner: U.S. National Aeronautics & Space Administration
Acreage: 0.11
Surrounding area: Rural
Open to Public: No
Site Description:

July 2009: Situated on the north end of Wallops Island, the mound is located along the southwest side of an unnamed dirt and gravel road in a heavily wooded area.

Secondary Resource Summary:

July 2009: none

Individual Resource Information

| <u>Count</u> | <u>Resource Types</u> | <u>Resource Status</u> |
|--------------|-------------------------------|------------------------|
| 1 | Landscape Feature,Man-Made | Contributing |

Individual Resource Detail Information

| | | | |
|------------------------------|----------------------------|-----------------------------|---|
| <i>Resource Type.</i> | Landscape Feature,Man-Made | <i>Primary Resource?</i> | Yes |
| <i>Date of Construction:</i> | ca 1952 {Written Data} | <i>Accessed?</i> | Yes |
| <i>Architectural Style:</i> | No Discernable Style | <i>Number of Stories:</i> | 2.0 |
| <i>Form:</i> | | <i>Condition:</i> | Ruinous |
| <i>Interior Plan Type:</i> | | <i>Threats to Resource:</i> | Erosion Structural Failure Neglect Deterioration |

Virginia Department of Historic Resources
Intensive Level Survey

DHR ID#: 001-0027-0125

Other DHR ID#:

July 2009: This man-made dirt mound was constructed circa 1952. The oval mound measures approximately 18 x 25 meters (59 x 82 feet) and rises approximately 8 meters (26.25 feet) above natural grade. A stair-accessed wood deck/platform was placed atop the mound for the purpose of monitoring a target area for Naval ordnance testing.

A heavily deteriorated 10-step wood staircase leads from the southeastern end of the mound to a fallen-in wood landing. This landing previously spanned an area of approximately .9 x 1.2 meters (3 x 4 feet) and was supported by four circular wood posts. It leads to a northwestern-oriented set of 12 wood steps. This staircase, while less damaged than the previous, is also greatly deteriorated.

A rectangular wood deck is situated atop the mound, stretching from southeast to northwest. It measures approximately 2.4 x 4.9 meters (8 x 16 feet) and is supported by six wood circular posts. Ten rectangular wood posts line the southwestern, northwestern, and a portion of the northeastern perimeter of the deck. A wood railing sits atop these posts along the southwestern and northwestern perimeter, but the portion along the northeastern perimeter is now missing.

Electrical service was provided to the mound, as evidenced by two power outlets attached to two deck railing posts. A metal electrical power box which was most likely attached to the deck at one point was located atop the mound, immediately east of the deck. Near the base of the mound, remnants of an 11-pair power cable were detected.

Primary Resource Exterior Component Description:

| <u>Component</u> | <u>Comp Type/Form</u> | <u>Material</u> | <u>Material Treatment</u> |
|-------------------|---------------------------|-----------------|---------------------------|
| Structural System | Structural System - Frame | Wood | other |
| Foundation | Foundation - Piers | Wood | other |

Historic Time Period(s): S- The New Dominion (1946- Present)

Historic Context(s): Military/Defense
Technology/Engineering

Significance Statement

July 2009: This man-made mound, constructed circa 1952, was built as part of the U.S. Navy's Naval Air Ordnance Test Station (NAOTS) on the north end of Wallops Island. The mound, built with a wood deck at its top, was constructed to give an elevated vantage point for the observance and photography of the target test range located southwest of the mound. While taller towers were erected for similar purposes on the island, this mound is believed to be the only man-made landscape form to be constructed as a vantage point. When constructed on the north end of Wallops Island, the land on which the mound was erected was owned by the National Advisory Committee on Aeronautics (NACA). NACA leased the north end of the island to the U.S. Navy for use as an ordnance testing range by NAOTS. The mound is located along the southwest side of an unnamed dirt and gravel road in a heavily wooded area.

The mound is representative of a secondary resource to a Military/Defense research facility built at the beginning of the New Dominion (1945 to present) period. In 1946, the U.S. Navy expanded the mission of the Chincoteague Naval Auxiliary Air Station (CNAAS) to include the NAOTS on Wallops Island. As a result of this new mission, NAOTS carried out bomb drops and firing on Wallops Island from 1948 to 1959. In 1951, CNAAS became a Naval Air Facility with primarily research-based focus that corresponded with the mission of NAOTS until the base was closed in 1959. The exact construction date of the mound is unknown; however, aerial photography and development plans from this period suggest the presence of the mound around 1952. Aerial photography dating to 1949 does not show the man-made land form, but an image of the mound is present on aerial photography from 1958. A development map of the island from 1952 describes structures and elements at the north end of the island such as the target center and the "Baker Instrument Tower" at the north shore, as well as a storage facility immediately northeast of the location of the mound. While the map lacks some detail in its description, a small mark near the location of the mound may indicate a topographic abnormality. It is also possible that the structure described as a storage facility may in fact be the mound instead.

In 1959, ownership of CNAAS and NAOTS was transferred to the National Aeronautics and Space Administration (NASA) and the Wallops Island facility was renamed Wallops Station. The mound has been unused and abandoned since that time.

A proposed historic district that would include this resource was previously examined, taking into consideration issues of integrity, significance and district boundaries. It was decided that the proposed district lacks integrity of design, setting, materials, feeling,

**Virginia Department of Historic Resources
Intensive Level Survey**

DHR ID#: 001-0027-0125

Other DHR ID#:

association, and workmanship due to the removal of a majority of buildings and structures related to the proposed period of significance (1946 to 1959) and the construction of later buildings and structures. Thus, an historic district at this project location is not eligible under Criterion A, B, C, or D.

As an individual resource, the mound is not eligible for the National Register of Historic Places or the Virginia Landmarks Register under Criterion A, B, C, or D. The mound is not associated with a significant event or individual at the local, state, or national level; nor does it embody the distinctive characteristics of a type, period, or method of construction. The mound does not represent the work of a master, possess high artistic value, or represent a significant or distinguishable entity whose components may lack individual distinction. Furthermore, this resource does not have the potential for provided additional information in history of prehistory.

The mound has retained integrity of location. Despite maintaining its historic location, the resource's integrity of design, materials, and workmanship has greatly diminished due to deterioration and structural failure from neglect, vegetative overgrowth, and inhabiting wildlife. Integrity of the mound has also diminished in the area's of setting, association, and feeling not only from the damage caused by encroaching vegetation and wildlife, but also due to the demolition of NAOTS and CNAAS buildings and structures from the resource's period of significance. The disappearance of such buildings and structures, as well as the construction of later buildings and structures by NASA, had altered the historic character of the physical character of the resource and its historic context.

National Register Eligibility Information (Intensive Level Survey):

| <u>NR Count</u> | <u>NR Resource Type</u> | <u>NR Resource Status</u> |
|---------------------|-------------------------|---------------------------|
| 1 | Structure | Non-contributing |
| Non-Contributing: 1 | | |

National Register Criteria:

Period of Significance: 1946-1959

Level of Significance: national

NR Areas of Significance: Engineering
Military

| | | | | |
|---------------------------------------|---------------|------------|---------------|-----------|
| <i>Property Retains Integrity of:</i> | 1)Association | No | 5)Material | No |
| | 2)Design | No | 6)Setting | No |
| | 3)Feeling | No | 7)Workmanship | No |
| | 4)Location | Yes | | |

Graphic Media Documentation

| <u>DHR Negative #</u> | <u>Photographic Media</u> | <u>Negative Repository</u> | <u>Photo Date</u> | <u>Photographer</u> |
|-----------------------|---------------------------|----------------------------|-------------------|----------------------|
| | Digital Images | NASA | July 20, 2009 | New South Associates |

Bibliographic Documentation

Reference #: 1

Bibliographic RecordType: Photograph/Hist

Author: U.S. Army Corps of Engineers

DHR CRM Report Number:

Notes:

U.S. Army Corps of Engineers, St. Louis District. "NASA-Wallops Flight Facility, Accomack, Virginia." Aerial Photograph. 1974.

Reference #: 2

Bibliographic RecordType: Map

**Virginia Department of Historic Resources
Intensive Level Survey**

DHR ID#: 001-0027-0125

Other DHR ID#:

Author: Shore Station Development Board

DHR CRM Report Number:

Notes:

Shore Station Development Board, Naval Auxiliary Air Station/Naval Aviation Ordnance Test Station, Chincoteague, Virginia. "Wallops Island Development Map." 1952.

Reference #: 3

Bibliographic RecordType: Photograph/Hist

Author: U.S. Army Corps of Engineers

DHR CRM Report Number:

Notes:

U.S. Army Corps of Engineers, St. Louis District. "NASA-Wallops Flight Facility, Accomack, Virginia." Aerial Photograph. 1958.

Reference #: 4

Bibliographic RecordType: Photograph/Hist

Author: U.S. Army Corps of Engineers

DHR CRM Report Number:

Notes:

U.S. Army Corps of Engineers, St. Louis District. "NASA-Wallops Flight Facility, Accomack, Virginia." Aerial Photograph. 1949.

Cultural Resource Management (CRM) Events

CRM Event # 1,

Cultural Resource Management Event: Survey:Phase I/Reconnaissance

Date of CRM Event: July 20, 2009

CRM Person: New South Associates

VDHR Project ID # Associated with Event: 2009-0696

CRM Event Notes or Comments:

Resource recorded by:

Kristie Lockerman

New South Associates

6150 E Ponce de Leon Ave

Stone Mountain, Georgia 30083

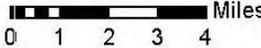
Bridge Information

Cemetery Information

Ownership Information

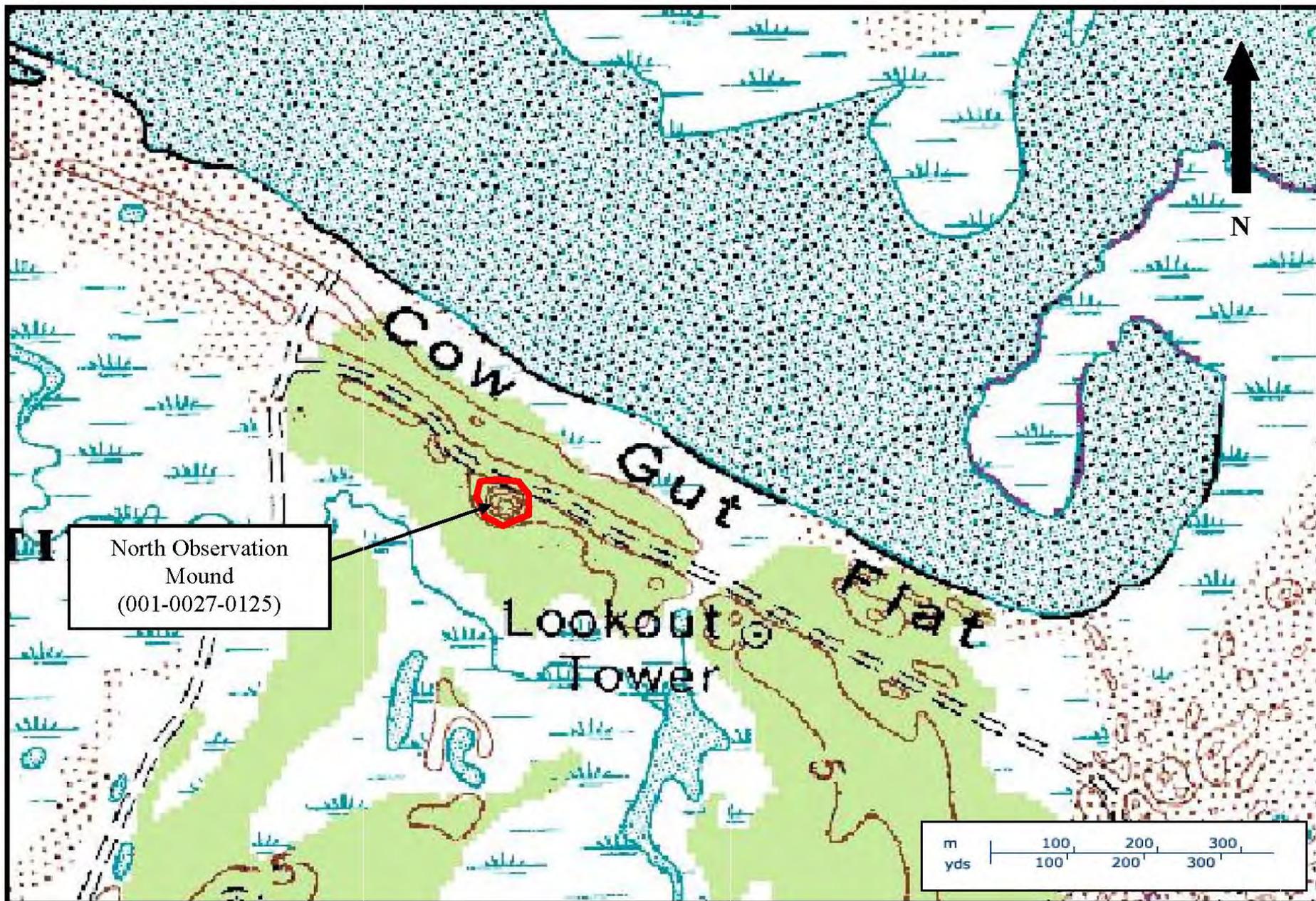


 Resource Location

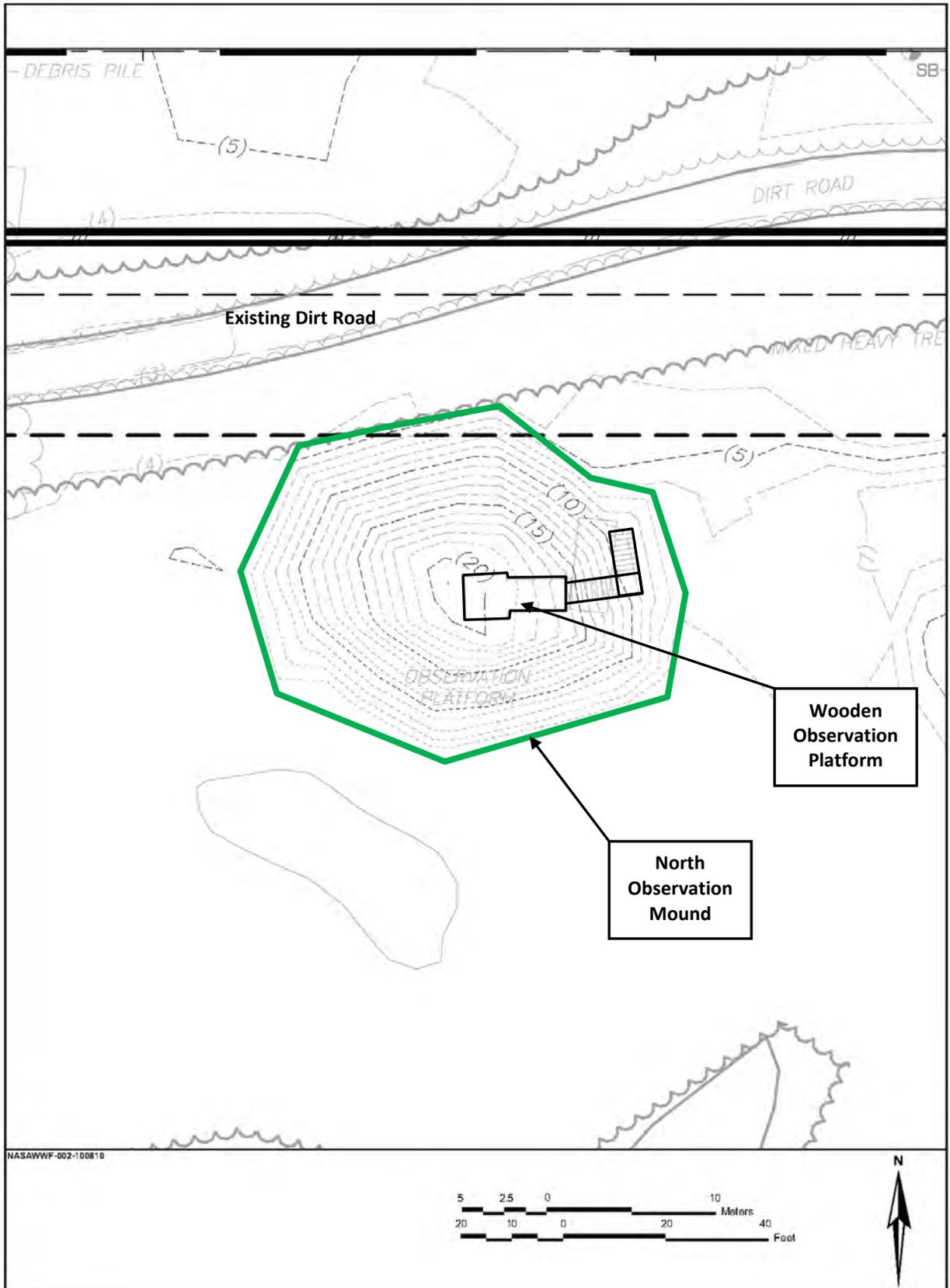
 Miles



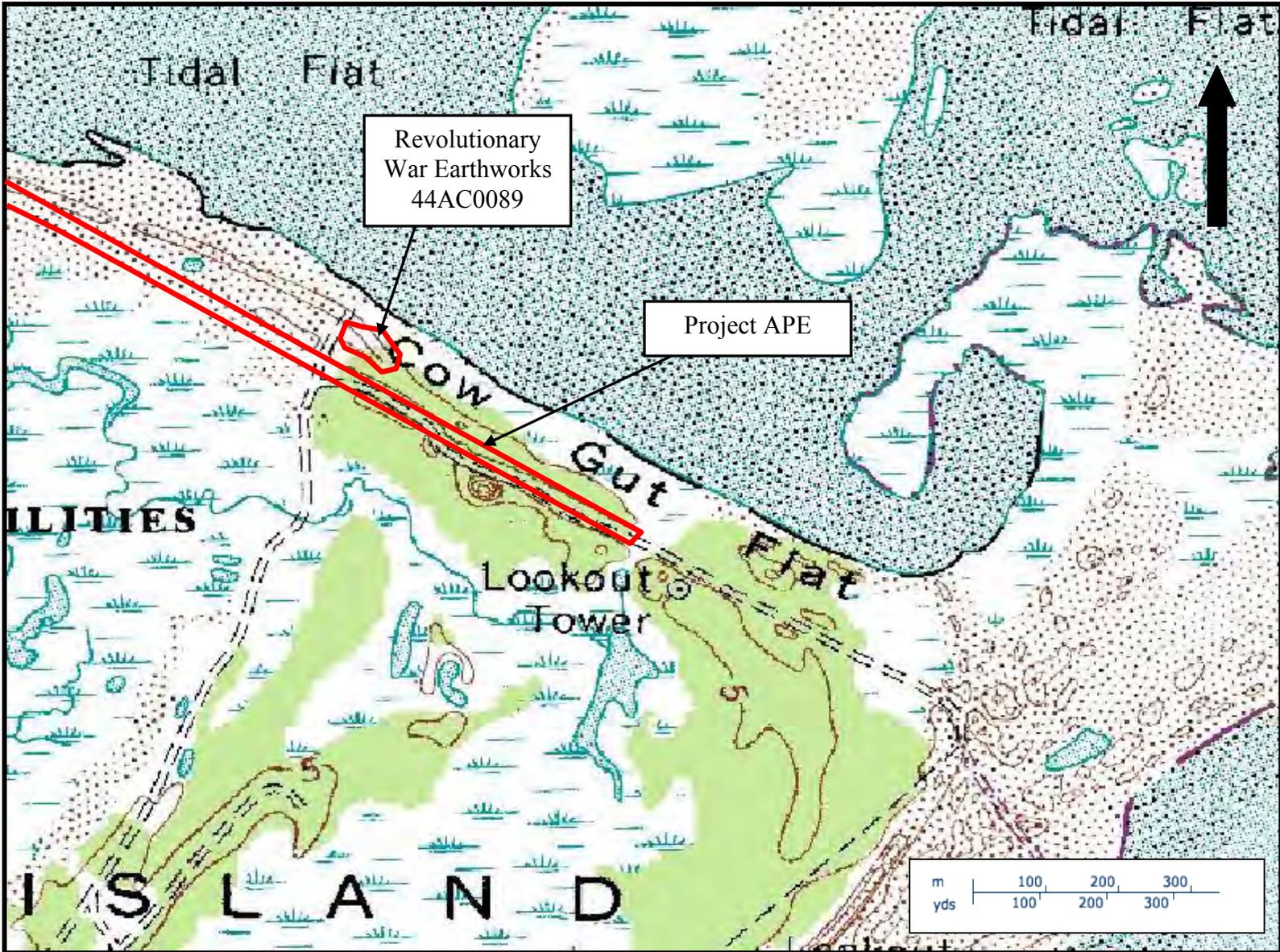
Portion of Chincoteague West USGS Quadrangle Map Showing Location of North Observation Mound (DHR #001-0027-0125)



Portion of Chincoteague West Quadrangle Map Showing Location of North Observation Mound (DHR #001-0027-0125)



Sketch of North Observation Mound (DHR #001-0027-0125)





COMMONWEALTH of VIRGINIA

Department of Historic Resources

Douglas W. Domenech
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
TDD: (804) 367-2386
www.dhr.virginia.gov

January 10, 2011

Mr. Randall M. Stanley, Historic Preservation Officer
NASA Goddard Space Flight Center
Wallops Flight Facility (WFF)
Building N-161, Room 127
Wallops Island, Virginia 23337

Re: UAS Airstrip Cultural Resources Investigations
Accomack County
DHR File No. 2009-0696

Dear Mr. Stanley,

On December 14, 2010, the Virginia Department of Historic Resources (DHR) received additional information regarding the above referenced project for our review and comment pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

Based upon a review of the information provided regarding the ca. 1952 North Observation Mound (DHR ID# 001-0027-0125), DHR concurs that the resource is not eligible for inclusion in the National Register of Historic Places.

DHR understands that NASA WFF has determined that it will implement Option 1 regarding the treatment of the Revolutionary War Fort, archaeological site (44AC0089). NASA WFF will establish a 25-foot buffer zone around the earthworks within which no clearing will be done, and the site will be maintained and preserved in its current state. DHR recommends no adverse effect to 44AC0089 by this option.

Should you have any questions, I may be reached via email at amanda.lee@dhr.virginia.gov or by phone at 804-367-2323 Ext. 122.

Sincerely,

Handwritten signature of M. Amanda Lee in blue ink.

M. Amanda Lee, Historic Preservationist
Office of Review and Compliance

Cc: Shari A. Silbert, NASA WFF

Administrative Services
10 Courthouse Ave.
Petersburg, VA 23803
Tel: (804) 862-6416
Fax: (804) 862-6196

Capital Region Office
2801 Kensington Office
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Tidewater Region Office
14415 Old Courthouse Way 2nd
Floor
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**DEQ WATER PROTECTION INDIVIDUAL PERMIT
USACE INDIVIDUAL PERMIT
JOINT PERMIT APPLICATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
WALLOPS FLIGHT FACILITY
NORTH WALLOPS ISLAND
UNMANNED AERIAL SYSTEMS AIRSTRIP
WALLOPS ISLAND, VIRGINIA**

Prepared by:

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December 2011

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NORTH WALLOPS ISLAND UAS AIRSTRIP WETLAND PERMIT Project Narrative

1.0 Background

Wetland Delineation. A wetland delineation was completed by the Timmons Group and confirmed by the Corps of Engineers by letter dated April 30, 2009. The wetland flags were located by survey. Wetland acreages and habitat types were taken from the confirmed delineation.

Pre-Application Meeting. A pre-application meeting was conducted on February 24, 2011. It was hosted by Virginia Department of Environmental Quality (VDEQ) Tidewater Regional Office and was attended by the following:

- A. National Aeronautics and Space Administration (NASA): Josh Bundick, Paul Bull, Joe Mitchell, and Shari Silbert.
- B. Corps of Engineers: Steve Gibson.
- C. VDEQ: Sheri Kattan.
- D. Transystems: Mike Brown and Anthony Bream.
- E. U.S. Environmental Protection Agency: Alaina DeGeorgio and Carol Petro.
- F. National Oceanic and Atmospheric Administration/National Marine Fisheries Service: Dave O'Brien.
- G. U.S. Fish and Wildlife Service (USFWS): Mike Drummond and Kim Smith (by phone).
- H. TEC Inc.: Charee Hoffman, Dana Banwart, Matt Bartlett, and John Lowenthal.

2.0 Project Purpose and Need

The purpose of the Proposed Project is to provide an adequately-sized Unmanned Aerial Systems (UAS) airstrip that would be capable of supporting the testing and deployment of existing and future UAS and UAS-based scientific instruments at NASA Goddard Space Flight Center's (GSFC) Wallops Flight Facility (WFF). UAS test and UAS-based research opportunities form an important objective of WFF's Suborbital and Special Orbital Projects Directorate and as such, this type of mission requires an unencumbered operating environment. The new airstrip would measure approximately 3,000 feet (ft.) long (2,500 ft. plus an additional 500 ft. clear zone) by 75 ft. wide.

A new airstrip at north Wallops Island is needed to support WFF's ongoing and future UAS and UAS-based test research. Limitations on use of the existing UAS airstrip, as presented below, have inhibited opportunities for scientific testing and research at WFF.

1. The airstrip has a north/south orientation making it susceptible to (east/west) cross winds. Due to the small size and light weight of most UAS, strong east/west winds often preclude and/or limit UAS operations. Historical wind data for Wallops Island indicates that winds are generally from the west/northwest or east/southeast directions.
2. During storm events, the existing airstrip is often inundated with surf and sand. Severe beach erosion from hurricanes and nor'easters has virtually eliminated the beachfront and dunes that

provided protection in the past. Although, WFF is in the process of restoring the Wallops Island shoreline, the beach restoration project will not prevent storm driven flood waters from the back bays from inundating the existing UAS airstrip.

3. WFF's rocket launch program has expanded with the current construction of a new launch pad north of the UAS airstrip. Mandatory safety constraints from increased rocket launch activities at the nearby Mid-Atlantic Regional Spaceport (MARS) are anticipated to further reduce UAS research opportunities. The airstrip is inactivated prior to and immediately following rocket launch activities and static test firing of the rocket engines. Approximately 18 orbital launches, 60 sounding rockets, and 2 static test firing of rockets would occur each year. Each of these activities has the potential to reduce opportunities for UAS flight operations.
4. The existing airstrip (1,500 ft. long) would not be capable of supporting the next generation of UAS. The Viking 400-class UAS would require, at a minimum, a 2,500 ft. long airstrip for take-offs and landings; an additional 250 ft. clearance zone on each end would provide for safe operations.

Based on the limitations presented, the requirement to operate UAS in restricted airspace, and WFF's Suborbital and Special Orbital Projects Directorate's mission to provide the infrastructure and support services for scientific research and discovery, NASA has determined the need to construct a new UAS airstrip on the north end of Wallops Island.

3.0 Existing Conditions

Within the project vicinity, the dominant habitat is tidal marsh. These tidal wetlands transition into smaller areas of non-tidal Palustrine forested, emergent, and scrub-shrub wetland habitat types. The forested areas are located on the highest elevations and they transition down to scrub shrub and then emergent habitats. The non-tidal emergent wetlands typically transition into the tidal emergent wetlands. The tidal wetland habitat vegetation was primarily comprised of smooth chordgrass (*Spartina alterniflora*) and salt meadow hay (*Spartina patens*). The non-tidal emergent wetland habitat vegetation is primarily comprised of common reed (*Phragmites australis*) on the eastern portion of the airstrip area and soft rush (*Juncus effusus*) and salt meadow hay on the western portion. The scrub shrub wetland vegetation was comprised of wax myrtle (*Myrica cerifera*), common reed, red bay (*Persea borbonia*) and poison ivy (*Toxicodendron radicans*). The forested wetland habitat vegetation was comprised of loblolly pine (*Pinus taeda*) and common greenbrier (*Smilax rotundifolia*). The upland areas are also comprised of forest and scrub shrub habitats with dominant vegetation comprised of loblolly pine, black cherry (*Prunus serotina*), red cedar (*Juniperus virginiana*), and American holly (*Ilex opaca*).

4.0 Description of Alternatives

The analysis of alternatives was conducted included the following elements: Off-site Locations and On-site Locations.

4.1 Off-Site Locations Considered

Numerous off-site alternative locations were considered to determine their viability when examined using project criteria developed by WFF.

- A. NASA Langley Research Center and Langley Air Force Base, adjacent facilities, in Virginia do not possess the controlled/restricted airspace to support UAS test and UAS-based research operations.
- B. Kennedy Space Center in Florida possesses the services, equipment, facilities, and controlled/restricted airspace to support UAS test and UAS-based research; however, Kennedy Space Center is a different administrative entity from Goddard Space Flight Center WFF, the location is remote from WFF, and is not located in a mid-Atlantic region. As such, this location would not meet the needs of the GSFC UAS scientific community.
- C. Naval Air Station Patuxent River is a U.S. Naval Air Station located in St. Mary's County, Maryland approximately 200 miles from WFF. The Naval Air Station is the Navy's primary location for research, development, test, evaluation, engineering, and fleet support for naval aircraft and systems. Webster Field provides an airstrip and airspace for UAS operations. Overall, the installation would meet many requirements; however, the coastal zone/ocean research objectives would not be met.
- D. Accomack County Airport, located in Melfa, Virginia is approximately 35 miles from WFF. The airport has two 5,000 ft. long by 100 ft. wide north/south airstrips that would be capable of supporting aircraft of the size proposed at WFF and would meet the project requirements; however, this location was not considered further since it is not a NASA-supported Center, it does not meet the controlled/restricted airspace, and due to the proximity of business and residential areas within 1 mile of the airstrip, the location would fail to meet operational flight safety requirements.
- E. Purchase of off-site land parcels surrounding the entrance to Wallops Mainland and north towards the Main Base was considered; however, these off-site land parcels would be located outside of restricted airspace (R-)6604A/B. Additionally, UAS operating from WFF are permitted only to operate and fly over areas where people, vehicles, or homes and businesses would not be located and overflights of these areas would not occur.

4.2 On-Site Locations Considered

Below is a discussion of the on-site locations considered for the location of the airstrip.

- A. Expansion of the Existing UAS airstrip on the south end of Wallops Island was considered. The north/south orientation of the airstrip makes it susceptible to east/west cross winds, the airstrip is often inundated with water and sand from storm events, and mandatory safety constraints from increased rocket launch activities at the nearby MARS would continue to reduce UAS test/research opportunities. Additionally, expansion of the existing airstrip to a length necessary to accommodate the next class of UAS, the Viking 400-class UAS, would place the south end unacceptably close to the Resource Conservation and Recovery Act permitted hazardous waste Treatment, Storage, and Disposal Facility.
- B. Causeway Road (Route 803) links Wallops Island to the Mainland. WFF considered using a section of the road south of the Causeway Bridge since the location, dimensions, and orientation of the road segment would meet the design requirement; however, the road does not present a flat, level surface required for safe operations. Additionally, UAS operations

- would require scheduled road closures, up to 3 days in a row in some cases, and extra roadway maintenance to ensure the road was clear of debris. Use of Causeway Road could place limitations and restrictions on other NASA mission areas. Furthermore, the proximity of the Mainland's occupied facilities would present an unacceptable risk to people.
- C. The Mainland is a thin strip of land adjacent to Wallops Island. The Mainland is the location for WFF's radar, optical, communications, and command transmitter facilities along with the Wallops Geophysical Observatory and the Atmospheric Sciences Research Laboratory. Due to the structures found on the Mainland, operation of a UAS airstrip would conflict with existing mission activities, present unnecessary hazards to persons on the ground, and would require UAS to fly over MARS to remain within R-6604/A/B and avoid populated areas to the north, south, and west of the Mainland. The Mainland would not provide suitable space to either construct an airstrip of the required length or orientation; would present an unacceptable risk to persons in the Mainland's occupied facilities; and would therefore fail to meet the needs of the scientific community.
- D. Expansion of R-6604 over the Main Base Airstrips was considered. In 2009, WFF submitted a proposal to the Federal Aviation Administration (FAA) for expansion of R-6604 to the west to encompass the airspace above NASA's property. The intent of the proposal was to meet the needs of ongoing and future UAS and UAS-based test research at a location void of constraints and limitations such as those presented at the existing UAS airstrip, and to ensure that non-participating aircraft would not be granted access while the restricted airspace was active. The expansion would have enveloped the airspace above all three airstrips of WFF's Research Airport and the entire Main Base area. UAS at WFF would have been permitted to take off from the Main Base airstrips, transit to an already established restricted area (i.e., R-6604A/B), and return to the Main Base airstrips for landing while under a Certificate of Authorization (COA). Expanding R-6604 over the Main Base would have given WFF the ability to effectively accommodate multiple flight platforms and move the current UAS operations away from the MARS, furthering WFF's support of the needs of the scientific community in development of research platforms for NASA and the nation. Under this proposal, UAS test aircraft (i.e., unproven/unreliable aircraft) operating under a COA would have required closure of Route 175 for takeoffs and landings; the result would have been road closure for 20-30 minutes for each takeoff and landing. Closure of Route 175 is undesirable to NASA as this road is the only means of vehicular ingress and egress to Chincoteague, Accomack County's largest town. Additionally, the Main Base runways are adjacent to the NASA and NOAA workforce as well as various high value assets (e.g., NASA telemetry assets and NOAA tracking assets). For UAS missions flown on the Main Base, significant flight restrictions would be required to protect people and property; some UAS would be denied because the risk is too great, even with restrictions. Likewise, several of the approach paths to the runways overfly housing developments, all within 0.8 km (0.5 mi) mile of the end of the respective runway. This places additional restriction on UAS take-off and landing options. FAA rejected the proposal for expansion of the restricted airspace, instead suggesting that WFF apply for a COA for each UAS vehicle configuration. Because many of the UAS flown from WFF are unproven aircraft that could pose potential hazards to persons

and property, WFF determined that UAS operations would need to occur under restricted airspace R-6604A/B to meet the needs of the UAS scientific and research community.

- E.** Alternative Location 1 was initially considered for placement of the proposed UAS airstrip. An existing road would provide access to the site, the location would be outside of the munitions and explosives of concern (MEC) hazard area, outside of areas modeled as having an increased sensitivity for potential archaeological resources, and would not encroach upon the bald eagles' nest situated to the northeast. The location of the airstrip would require UAS to operate over active piping plover nesting areas at altitudes near the airstrip of 500 ft. to 1000 ft. USFWS has requested that UAS not operate within 1000 ft. horizontally or vertically of sections of the beach on which piping plovers are known to nest during breeding season. Construction of an airstrip at Alternative Location 1 would have to cross over a wetland area potentially impacting 119,790 square feet (sf.) (2.75 acres [ac.]) of wetlands. Additionally, in 2010, WFF identified an area just south of Alternative Location 1, outside of wetland areas, for potential placement of a Rocket Motor Storage Building. The building would contain Class 1.1 explosives; a 1,250 ft. safety buffer (i.e., hazard arc) would surround the building and encompass the majority of Alternative Location 1, rendering it unusable for UAS operations. Given the placement of the Rocket Motor Storage Facility, Alternative Location 1 would not meet the project requirements.
- F.** Alternative Location 2 was also an initial consideration for placement of the proposed UAS airstrip. An existing road would provide access to the site, the location would be just outside of the MEC hazard area, outside of areas modeled as having an increased sensitivity for potential archaeological resources, it would not encroach upon the bald eagles' nest situated to the northeast, and the airstrip would have been oriented southeast-northwest. Construction of an airstrip at Alternative Location 2 would have potentially impacted 54,450 sf. (1.25 ac.) of wetlands. As would occur under Alternative Location 1, the location of the airstrip would require UAS to operate over piping plover nesting areas at altitudes near the airstrip of 500 ft. to 1000 ft. USFWS has requested that UAS not operate within 1000 ft. horizontally or vertically of sections of the beach on which piping plovers are actively nesting during breeding season. Additionally, the potential placement of the Rocket Motor Storage Facility south of the site would require a 1,250 ft. hazard arc around the building. The buffer would surround the building and would encompass the majority of the alternative site, rendering it unusable for UAS operations. Lastly, the airstrip would have to be extended onto the beach and into the water with the potential for significant adverse impacts to natural and biological resources. Alternative Location 2 was not considered a viable alternative since it would not meet the project requirements.

In conclusion, WFF determined that the north end of Wallops Island was the one location that would meet the overall purpose and need and would result in the least amount of potential environmental impacts for the UAS airstrip.

5.0 Avoidance and Minimization Measures

Once the alternatives analysis was concluded and the preferred location of the airstrip was identified, additional avoidance and minimization measures were implemented.

5.1 Design Criteria

- A.** Reduced Airstrip Length. In 2009, WFF originally proposed to construct a 5,200 ft. long by 75 ft. wide UAS airstrip in the north end of Wallops Island at the location currently proposed.
- a) Construction would have affected approximately 1,481,040 sf. (34 ac.) of wetlands.
 - b) The southeast end of the airstrip would have encroached within the 660 ft. buffer around the bald eagle's nest.
 - c) The airstrip would have required UAS to operate over piping plover nesting areas at altitudes near the airstrip of 500 ft. to 1000 ft..
 - d) Additionally, essential fish habitat found in the tidal wetlands may have been adversely impacted from clearing and fill activities.
 - e) After careful consideration of the potential environmental impacts associated with an airstrip of that length in this location, WFF surveyed its UAS user community and determined that a shorter airstrip would satisfy the majority of the UAS missions expected to fly at WFF in the reasonably foreseeable future. As such, the airstrip length originally proposed has been reduced to 3,000 ft. while the width of the airstrip would remain at 75 ft.
- B.** Buffer Clearing. Clearing of additional areas for buffer were minimized to avoid additional wetland clearing.
- C.** Avoiding Tidal Wetland Impacts. To avoid 7,127 sf. (0.166 ac.) of impacts to emergent intertidal wetlands, two retaining walls are proposed along the south side of the airstrip at the western end.
- D.** Avoiding Forested Wetland Impacts. During the Pre-Application meeting, the question was presented regarding the location of the staging area and if it could be moved to a non-wetland location. During the meeting, it was initially agreed to move the staging area east, down the airstrip. When the new location was reviewed in greater detail it was determined to be not feasible for the following reasons.
- a) If the pad was moved to the east another 200 ft., all vehicular traffic would need to drive on the airstrip which has not being designed for vehicular traffic. The current location allows for vehicular traffic to stay on the staging area pad which is being constructed with concrete, whereas the airstrip itself is being constructed with asphalt. The maintenance and support vehicles are in a much greater weight class then the UASs and would significantly degrade the airstrip and require maintenance/construction sooner than locating it at the end of the access road.
 - b) Operations require that the pad be located in the center of the airstrip to allow the most flexibility with operations.
 - c) The staging area was re-configured to avoid the 1,292 sf. (0.029 ac.) of forested wetland located at the southwestern portion of the staging area.

5.2 Stormwater Management

- A. Multiple Ponds. Throughout the design process, the team evaluated various methods to meet the mandated stormwater management criteria. One alternative included multiple ponds to collect and release the stormwater. These ponds would all have an outfall structure releasing concentrated flows into nearby wetlands.
- B. Infiltration Trench. It was determined that the stormwater management system with the least potential to negatively impact adjacent areas was an infiltration trench around the entire perimeter of the airstrip. The infiltration trench would not include an outfall structure, but would release water along the entire perimeter of the airstrip, allowing the trench to act as one long discharge weir. This method, considered Low Impact Development, avoids the release of concentrated stormwater flows into wetlands.
- C. Pavement Design. The use of porous pavement was evaluated to minimize the need for the infiltration trench or to reduce the size of the trench. This would allow for a reduction in clearing and grading. It was determined that the site would be an unsuitable location for porous pavement due to the very high probability that the pore spaces would quickly fill with sand, compromising the pavement function.
- D. Airstrip Elevation. Constructing the airstrip at a lower elevation was evaluated to allow a reduction in the footprint of the project thereby further reducing wetland impacts. The project is proposed at the lowest possible elevation that still allows the airstrip to drain effectively and the infiltration trench to function as designed.

6.0 Summary of Avoidance and Minimization

NASA has avoided and minimized wetland encroachments to the maximum extent practicable as summarized below:

1. Reduced total wetland impacts by over 1,306,800 sf. (30 ac.).
2. Removed all tidal wetland impacts.
3. Removed all forested wetland impacts.
4. Reduced the potential for secondary impacts to protected species.
5. Reduced the potential for secondary impacts due to stormwater runoff.

7.0 Project Impacts

After completing the evaluation of alternatives and providing additional avoidance and minimization measures, the proposed necessary and warranted wetland encroachments total the following:

| | |
|----------------------|-------------------------------|
| Emergent Wetlands | 100,909 sf. (2.32 ac.) |
| Scrub Shrub Wetlands | 6,505 sf. (0.15 ac.) |
| Total | 107,414 sf. (2.47 ac.) |

8.0 Project Compensation

NASA WFF proposes to provide compensation for the above identified wetland impacts by payment to The Nature Conservancy (TNC)/Virginia Aquatic Resources Trust Fund (VARTF) in the approximate amount of \$165,425 per the following calculations:

Calculations

The VARTF amount for Non Tidal Wetlands in HUC 02080110 (Atlantic Ocean) is \$65,000/ac. (taken from February 24, 2011 Public Notice).

| | |
|--|------------------|
| 2.3 ac. at 1:1 times \$65,000/ac. = | \$150,800 |
| 0.15 ac. at 1.5:1=0.225 times \$65,000/ac. = | \$ 14,625 |
| Total | \$165,425 |

NASA contacted TNC regarding potential mitigation/restoration sites on the eastern shore. Karen Johnson at TNC provided the following information via email on May 18, 2011.

“The Conservancy is actively pursuing a wetland restoration project in the Hydrologic Unit Codes (HUC) adjacent to the impacted watershed. This restoration project involves a 50 ac. property and activities which are expected to restore up to nine ac. of wetlands and enhance and preserve several additional ac. of existing wetlands. Although not considered in kind for the impacts at Wallops (to my knowledge non-tidal wetland impacts are expected at WFF), the Conservancy has also pursued and completed two Submerged Aquatic Vegetation restoration projects and an oyster restoration project within impact area HUC. All of the projects discussed above are examples of the type of work and restoration completed by the Trust Fund once adequate funds are available to fully implement a project.”

9.0 Impacts Summary Table

Table 1. Summary of Impacts to Waters of the U.S.

| Impact Site | Impact Description* | Wetland/waters Impact Area ac. (sf.) | Stream Dimensions | Volume of Fill (cubic yards)*** | Cowardin Classification | Average Stream Flow (cfs)* | VDEQ Classification** |
|--------------|---------------------|--------------------------------------|-------------------|---------------------------------|-------------------------|----------------------------|-----------------------|
| 1 | F, NT, PE, V | 2.32 (100,909) | N/A | 11,212 | PEM | N/A | VII |
| 1 | F, NT, PE, V | 0.15 (6,505) | N/A | 722 | PSS | N/A | VII |
| Total | | 2.47 (107,414) | | | | | |

Notes:

* F=fill, NT=non-tidal, PE=permanent, V=vegetated, PEM=Palustrine emergent, PSS=Palustrine scrub shrub,

**Wetlands Class VII

*** Fill volumes are approximate

10.0 Cultural Resources

The cultural resource investigation identified two resources within the project area: Virginia Department of Historic Resources (VDHR) ID#001-0027-0125 North Observation Mound and archaeological site 44AC0089 Revolutionary War Fort. VDHR concurred that the North Observation Mound is not eligible for inclusion in the National Register of Historic Places and that site 44AC0089 is being treated as eligible for listing in the National Register of Historic Places. WFF will establish a 25 ft. buffer around

the earthworks within which no mechanical clearing will be done and the site will be maintained and preserved in its current state. VDHR recommended no adverse effect to site 44AC0089 by this treatment (see attached letter January 10, 2011).

11.0 Threatened and Endangered Species

A Biological Assessment (BA) has been prepared to address potential impacts to federally threatened and endangered Species. The species evaluated and conclusions are summarized below.

The following table (Table 2 taken from BA, previously submitted to the USFWS) includes a list of Federally threatened and endangered species that are known to occur, or may potentially occur, within the action area. Note the table below, is an analysis of federally listed species that are terrestrial, but also includes marine species that may come ashore and nest on the nearby beaches of north Wallops Island. In general, this includes listed species that may be occupying habitats directly impacted by construction of the new UAS airstrip and associated facilities, as well as species that may be indirectly affected from lights, over flight UAS noise, and the visual disturbance from UAS suddenly appearing over the beach. As a Federal agency, NASA does not have an obligation to protect state-listed only species, but often consults with Virginia Department of Game and Inland Fisheries on species that are dually listed under the Federal Endangered Species Act (ESA) and state ESA. As the Proposed Action will not affect near shore or sub-tidal habitats, impacts to marine mammals, fish, and sea turtle species in the near shore open water environment will not occur.

Based on the evaluation presented in the BA, NASA with USFWS concurrence has made the following determination of effects on listed species and critical habitat from implementation of the Proposed Action within the action area (USFWS concurrence letter, dated September 22, 2011) is attached.

Table 2. Federally Listed Threatened and Endangered Species Known to Occur in the Region

| Common Name | Scientific Name | Federal Listing Status | Likelihood of Occurrence | Seasonality of Occurrence | Required Habitat & Potential to Occur Onsite | USFWS Concurrence |
|------------------------------|------------------------------|------------------------|--------------------------|---------------------------|---|-------------------|
| Plants | | | | | | |
| Seabeach Amaranth | <i>Amaranthus pumilus</i> | Threatened | Slight | Year-round | Restricted to open sandy portions of ocean beaches between the high tide line and the toe of the primary dune. Nearest known location in Virginia is Hog Island. Not known to occur on Wallops. | No Effect |
| Invertebrates | | | | | | |
| Northeast Beach Tiger Beetle | <i>Cicindela d. dorsalis</i> | Threatened | Remote | Year-round | Present historically, from Cape Cod south through the Chesapeake Bay shorelines, but now believed extirpated from nearly this entire region. Normally occurs from about the fore-dune to the high tide line on ocean and bay beaches. Not known | No Effect |

Table 2. Federally Listed Threatened and Endangered Species Known to Occur in the Region

| Common Name | Scientific Name | Federal Listing Status | Likelihood of Occurrence | Seasonality of Occurrence | Required Habitat & Potential to Occur Onsite | USFWS Concurrence |
|---------------------------------|-------------------------------|------------------------|--------------------------|--|--|--|
| | | | | | to occur on Wallops | |
| Reptiles | | | | | | |
| Loggerhead Sea Turtle | <i>Caretta caretta</i> | Candidate | Known to Occur | Maturation & Migration May- November Nesting April- September | The only sea turtle that nests as far north as Virginia. Nests in small numbers on sandy beaches along Virginia's coast late spring through summer, and found in Virginia's offshore coastal waters during winter and migration. Last nested on Wallops Island in 2010. | May affect, but not likely to adversely affect |
| Birds | | | | | | |
| Red Knot | <i>Calidris Canutus</i> | Candidate | Known to Occur | Primarily late May | A locally common to abundant transient in late spring and early fall, and does not breed in Accomack County. Preferred habitats include tidal flats and sandy or pebbly beaches. Numbers declining, but several hundred observed in 2010 at North End Curve and North End Point on Wallops Island's ocean beaches. | Not Addressed due to status |
| Piping Plover | <i>Charadrius melodus</i> | Threatened | Known to Occur | late April- late July | Known to nest on Virginia's coastal beaches, dunes, and wash-over areas in late spring to mid-summer, with one brood raised per year. They 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. Suitable nesting habitat occurs on the extreme southern and northern ends of Wallops Island, with three nesting events at north end in 2010, and one on south end in 2011. | May affect, but not likely to adversely affect |
| Mammals | | | | | | |
| Delmarva Peninsula Fox Squirrel | <i>Sciurus niger cinereus</i> | Endangered | None | Year-round | Prefers mature forest of both hardwood and pine trees with minimal understory and ground cover. Feeds primarily on nuts from oak, hickory, sweet gum, walnut | No Effect |

Table 2. Federally Listed Threatened and Endangered Species Known to Occur in the Region

| Common Name | Scientific Name | Federal Listing Status | Likelihood of Occurrence | Seasonality of Occurrence | Required Habitat & Potential to Occur Onsite | USFWS Concurrence |
|-------------|-----------------|------------------------|--------------------------|---------------------------|--|-------------------|
| | | | | | and loblolly pine. While within the historic range of the species, the only known location for it in Virginia is a trans-located population at Chincoteague National Wildlife Refuge. This species does not occur on Wallops Island. | |



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
6669 Short Lane
Gloucester, Virginia 23061



SEP 22 2011

Mr. Josh Bundick
NASA Wallops Flight Facility
Code 250.W
Wallops Island, Virginia 23337

Re: Wallops Flight Facility -- Unmanned
Aerial Systems Airstrip, Accomack
County, Virginia, Project # 2010-I-
0642

Dear Mr. Bundick:

This document transmits the U.S. Fish and Wildlife Service's (Service) the results of our review of the National Aeronautics and Space Administration's (NASA) referenced proposed project at the Wallops Flight Facility (WFF), in Accomack County, Virginia and its effects on the federally listed endangered green sea turtle (*Chelonia mydas*), leatherback sea turtle (*Dermochelys coriacea*), and Delmarva fox squirrel (*Sciurus niger cinereus*), and the threatened Atlantic coast population of the piping plover (*Charadrius melodius*), loggerhead turtle (*Caretta caretta*), seabeach amaranth (*Amaranthus pumilius*), and northeastern beach tiger beetle (*Cicindela dorsalis dorsalis*) in accordance with section 7 of the Endangered Species Act (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA).

Since 2003, unmanned aerial systems (UAS) have been operating from an airstrip on a then remote portion of south Wallops Island. In 2005, the airstrip was expanded to accommodate larger classes of UAS. The airstrip was lengthened to 1,500 feet (ft); two staging pads were also added. While this airstrip met an immediate and emerging need, the location has proven to be unsatisfactory for continued UAS flight operations. Storm events often inundate the runway with surf and sand, and the east/west orientation makes it susceptible to cross winds.

WFF has determined that a new airstrip is needed to provide an adequately-sized facility that will be capable of supporting the testing and deployment of existing and future UAS and UAS-based scientific instruments at WFF. UAS tests and UAS-based research opportunities form an important objective of NASA Goddard Space Flight Center's Suborbital and Special Orbital Projects Directorate and as such, this type of mission need requires an unencumbered operating environment. The new airstrip will have an asphalt surface and will measure approximately 3,000 ft long (2,500 ft plus an additional 500 ft clear zone) by 75 ft wide located at the northern portion of the island with an east-west orientation.

The federally listed species found on WFF inhabit the coastal beach zone of the island. The proposed runway site lies within the upland and marsh section of the island, well behind the coastal dune and shoreline side of the island. The Service agrees with NASA's determination that the proposed construction of the facility will have "no effect" on any of the federally listed species because construction activities will be limited to areas outside habitat that supports the listed species. However, the subsequent use of the runway and operation of UAS over the coastal zone associated with the construction of the runway as proposed has the potential to impact the federally listed species found within.

The candidate species red knot (*Calidris canutus rufa*) was included in NASA's June, 2011 biological assessment (BA). This species has not yet been proposed for listing and therefore will not be addressed further in this document; however, we appreciate NASA's consideration of this species and any conservation measures implemented to minimize or avoid threats to this species will contribute to its conservation. The Service would like to work with NASA to develop a candidate conservation agreement for the red knot.

The Service concurs with the NASA's determination that the proposed action will have "no effect" on the seabeach amaranth, Delmarva fox squirrel, and northeastern beach tiger beetle because these species are not found on Wallops Island.

The Service does not concur with NASA's determination of "no effect" on nesting sea turtles for the proposed project. NASA has proposed the following steps to reduce and minimize potential impacts to nesting sea turtles: (1) limit night flights for special circumstances like hurricane monitoring, (2) any safety lighting at the airstrip will be minimal intensity and downward-shielded, (3) over flying UAS will not use running lights, and (4) as directed by the WFF Threatened and Endangered Species Monitoring Program protocols, should WFF monitoring staff identify sea turtle nesting activity under UAS flight paths on the beach, UAS flights will be redirected or suspended until nesting activity has ceased or nestlings have completed their emergence. The avoidance and minimization measures proposed by NASA will be sufficient to prevent possible impacts to nesting sea turtles during normal UAS operations. However, during special circumstances (e.g., hurricane data collection missions) there may be a potential to affect nesting turtles. Based on the low number of nests at this site annually (between 1-4 nests per year), the low probability of hurricanes occurring during the nesting period here in Virginia, and the even lower probability that an emergency UAS flight would occur at night while turtles were nesting, the likelihood of disturbance resulting from UAS operations is low. Additionally, UAS operations and clearances from beach habitats will minimize the potential that UAS operations will affect sea turtles even if they do occur during nesting, and any effects are expected to be limited to temporary changes in behavior that will not reduce the likelihood of nesting. Consequently, these minor disturbances are considered to be insignificant and discountable, and the project as proposed, "may affect, but is not likely to adversely affect" nesting sea turtles.

The Service concurs with NASA's determination that the proposed action "may affect, but is not likely to adversely affect" piping plovers with the addition of avoidance and monitoring measures that NASA and the Service agreed to during a 19 August 2011 conference call. The

UAS flights may have the potential to disturb nesting plovers. NASA has proposed the following precautions to avoid and minimize disturbance of plovers: (1) UAS over-flights of the beach will be on average only four sorties each day (1,040 sorties maximum per year) and (2) UAS operators will be instructed to maintain a flight path both 1,000 ft vertically and horizontally away from nesting piping plovers. The Service has some concern regarding the 1,000 ft vertical and horizontal buffer proposed for UAS over flights adjacent to nesting piping plovers because this distance may not avoid all effects. Based on our review of available information on the effects of aircraft overflights on shorebirds, consultation with species experts, and past Service consultations on the effects of aircraft on nesting plovers, we recognized that the specific information on effects of aircraft is either limited to specific situations and/or aircraft types and no information was available that would allow evaluation of effects of small aircraft similar to those proposed. Current research that is being done is focusing primarily on larger and faster military aircraft types like the F-18 and the Osprey, and not the type of aircraft involved in this proposed action. Early results have shown that nesting plovers after such aircraft have flown over, are fast to return to normal behavior and there appears to be no adverse effects (Dr. Jim Fraser, Virginia Tech, pers. comm.).

The Service believes that conducting monitoring of the effects of UAS aircraft on plovers, in conjunction with an adaptive management type of approach, would be appropriate to ensure that any possible effects of these types of aircraft is addressed. On August 19, 2011, NASA and the Service held a conference call to discuss our concerns regarding what would be considered an appropriate buffer distance. NASA has agreed to work with the Service and other species experts to develop an approach to UAS operation and monitoring that would be compatible with NASA's needs and provide information on potential effects on shorebirds. NASA has agreed to monitor nesting plover behavior, through observation, video-recording, or even UAS-mounted cameras during aircraft operation to determine if plovers are affected. NASA may also attempt to establish disturbance thresholds and evaluate effects of other variables on likelihood of disturbance, including aircraft propulsion type, flight path relative to plovers, and others. The Service is confident that the monitoring program would provide good information on the response of plovers to UAS over-flights, and allow NASA to adopt appropriate modifications to avoidance buffers and flight paths if needed, and to reinitiate consultation under section 7 if necessary. Based on the best currently available data, the Service believes that with the conservation measures and the 1,000 foot horizontal and vertical buffers, disturbances to nesting plovers are unlikely to occur, and will be limited to temporary changes in behavior that are similar to responses to potential predators in the vicinity of nesting plovers and are unlikely to result in flushing from nests. The Service believes that the level of disturbance will be insignificant and discountable, and birds will return to normal activities quickly following disturbance, and the proposed action is not likely adversely affect piping plovers. In addition, the proposed monitoring in conjunction with UAS operation has the potential to significantly improve future conservation efforts for plovers and other shorebirds.

The proposed airstrip location was modified to minimize encroachment on an existing bald eagle nest. The project is outside the 660 ft buffer required to protect active nests, and there are no

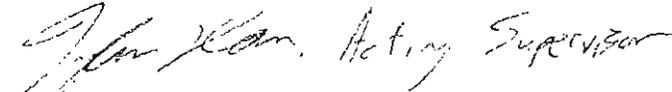
Mr. Bundick

Page 4

identified eagle concentration areas, thus the proposed action is not likely to disturb bald eagles, and consequently, no eagle act permit is required.

Should project plans change or if additional information on the distribution of listed species or critical habitat becomes available, this determination may be reconsidered. If you have any questions, please contact Mike Drummond of this office at (804) 693-6694, extension 122, or via email at mike_drummond@fws.gov.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Schulz, Acting Supervisor".

Cindy Schulz
Supervisor
Virginia Field Office

cc: Chincoteague NWR, Chincoteague, VA (Lou Hinds)
VDACS, Richmond, VA (Keith Tignor)
VDCR, DNH, Richmond, VA (René Hypes)
VDGIF, Richmond, VA (Amy Ewing)



COMMONWEALTH of VIRGINIA

Marine Resources Commission

2600 Washington Avenue

Third Floor

Newport News, Virginia 23607

Douglas W. Domenech
Secretary of Natural Resources

Steven G. Bowman
Commissioner

January 24, 2012

National Aeronautics and Space Administration
Mr. Paul Bull, P.E.
c/o TEC Inc., Mr. John Lowenthal
11817 Canon Building, Suite 300
Newport News, VA 23606

Re: VMRC #12-0076

Dear Mr. Bull:

You have inquired regarding a permit to construct a 3,000-foot long by 75-foot wide asphalt airstrip on the north end of Wallops Island in Accomack County. The airstrip will be used for unmanned aircraft takeoffs and landings.

Based on your application and drawings we have determined that the proposed project is above mean low water and will not require a permit from the Marine Resources Commission. A permit would, however, be required if any portion of your proposed project falls channelward of mean low water.

For your information you may need a permit from your local wetlands board, authorization from the U. S. Army Corps of Engineers, and/or the Department of Environmental Quality (DEQ). Your application is currently being processed by these agencies.

If I may be of further assistance, please do not hesitate to contact me at (757) 414-0710.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Badger III".

George H. Badger III
Environmental Engineer

GHB/lra
HM

cc: Department of Environmental Quality #6
Accomack County Wetlands Board
U.S. Army Corps of Engineers
Applicant

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

Doug Domenech
Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

February 14, 2012

Mr. Paul Bull, P.E.
NASA Wallops Flight Facility
c/o Mr. John Lowenthal
TEC, Inc.
11817 Canon Boulevard, Suite 300
Newport News, Virginia 23606

RE: **Additional Information and Application Processing Fee Request**
Joint Permit Application #12-0076
NASA Wallops Flight Facility - Unmanned Aerial Systems Airstrip
Wallops Island

Dear Mr. Bull:

The Department of Environmental Quality (DEQ) received the above-referenced application on January 23, 2012. Based on our review, the following additional information is necessary to complete and evaluate your application:

1. The project drawings do not clearly depict the proposed project features and wetland impacts. The drawings depict the air strip footprint then show a yellow "impact area" line around the airstrip, but there are no details on impact activities are occurring within that yellow impact line. Also, there are other project features discussed in the project narrative, including a "clear zone" 250 feet on either end of the proposed air strip, an infiltration trench around the entire airstrip, and retaining walls in a couple of locations. The drawings must clearly depict these details in both plan view and cross sections and at scales that are easily measurable on 8.5" X 11" or 11" X 17" paper. Regarding project impacts, the JPA states that 2.47 acres of wetlands will be impacted by fill, yet the project narrative suggests that some wetland vegetation clearing or maintenance may still be part of the project scope. Please clarify the project impact methods and locations and if any wetland areas will be cleared only or maintained via vegetation management. This information must be clearly explained and depicted on the drawings. There are several drawings that were provided during the pre-application meeting on February 24, 2011, and contained within the EA, that more clearly depict some of these details. It may be helpful to include these drawings as part of the JPA. If any existing drawings are it be revised, please make sure they have revision dates on them.
2. Virginia Regulation 9 VAC 25-210-115.C requires that the applicant demonstrate that avoidance and minimization opportunities have been identified and applied to the proposed activity, that practicable alternatives, including design alternatives, have been evaluated for the proposed activity, and that the proposed activity, in terms of impacts to water quality and fish and wildlife resources, is the least damaging practicable alternative. Measures, such as reducing the size, scope, configuration or density of

Mr. Paul Bull, P.E.
February 14, 2012
Page 2 of 2

the proposed project, that would avoid or result in less adverse impacts to surface waters shall be considered to the maximum extent practicable. To assist in this demonstration, the application must provide justification for a 75-foot wide airstrip, especially when the largest wingspan on aircraft proposed to use this airstrip is 20 feet. Please also provide more documentation on the Viking 400-Class UAS and why it requires a 3,000-foot long runway. With regard to the staging pad, the JPA states that the pad can not be shifted slightly to avoid wetland impacts as this would require heavy vehicles to travel on the asphalt runway, thereby resulting in unacceptable damage to the runway. While this topic was discussed in some detail during our teleconference on February 9, please provide additional information on the heavier vehicles that will be using the pad area and why allowing them to drive on a small portion of the runway would result in unacceptable impacts to the runway and project. Finally, there were several on-site alternatives considered for the runway location. Some graphics were provided during the pre-application meeting depicting the details and location of these alternatives. It would be helpful if these graphics were submitted as part of the JPA to support information in the project narrative.

3. An acceptable compensation plan for the project's wetland impacts is required. You have proposed a donation to the Virginia Aquatic Resources Trust Fund; however, no credit availability letter from TNC has been issued. TNC has indicated they may not have credits available in the project HUC that they would be comfortable releasing for this project. Further, the Corps and EPA expressed concerns with TNC not having any viable sites in the project HUC or on Wallops Island that a donation could be used for. It was suggested during the February 9th teleconference that Wallops initiate a real estate search to attempt to identify possible sites for wetland restoration that TNC or Wallops could pursue for compensation. Please provide documentation of this search and the results to DEQ and any further coordination with TNC toward an acceptable compensation plan for this project.
4. DEQ has determined that the proposed activity qualifies for an individual VWP Permit with a designated fee of **\$3,500**. Please complete the enclosed Permit Application Fee Form and mail the form with the designated fee to the following address:

DEQ - Receipts Control
Water Division
P.O. Box 1104
Richmond, Virginia 23218

Checks or money orders should be made payable to the Treasurer of Virginia. Please do not send cash.

If you have any questions, feel free to contact me at (757) 518-2156 or at sheri.kattan@deq.virginia.gov. Thank you for your cooperation in this matter.

Sincerely,

Sheri Kattan
Project Manger

Enclosure: Fee Form

cc: Steve Gibson, U.S. Army Corps of Engineers
Hank Badger, Virginia Marine Resources Commission

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER DIVISION
PERMIT APPLICATION FEE FORM
EFFECTIVE JANUARY 1, 2008

INSTRUCTIONS

Applicants for individual Virginia Pollutant Discharge Elimination System (VPDES), Virginia Pollution Abatement (VPA), Virginia Water Protection (VWP), Surface Water Withdrawal (SWW), and Ground Water Withdrawal (GWW) Permits are required to pay permit application fees, except farming operations engaged in production for market. Fees are also required for registration for coverage under General Permits except for the general permits for sewage treatment systems with discharges of 1,000 gallons per day (GPD) or less and for Corrective Action Plans for leaking underground storage tanks. Except for VWP permits, fees must be paid when applications for permit issuance, reissuance* or modification are submitted. Applicants for VWP permits will be notified by the DEQ of the fee due. Applications will be considered incomplete if the proper fee is not paid and will not be processed until the fee is received. (* - the reissuance fee does not apply to VPDES and VPA permits - see the fee schedule included with this form for details.)

The permit fee schedule is included with this form. Fees for permit issuance or reissuance and for permit modification are included. Once you have determined the fee for the type of application you are submitting, complete this form. The original copy of the form and your check or money order payable to "Treasurer of Virginia" should be mailed to:

Department of Environmental Quality
Receipts Control
P.O. Box 1104
Richmond, VA 23218

A copy of the form and a copy of your check or money order should accompany the permit application. You should retain a copy for your records. Please direct any questions regarding this form or fee payment to the DEQ Office to which you are submitting your application.

APPLICANT NAME: NASA Wallops Flight Facility, Attn: Mr. Paul Bull

ADDRESS: Building N-161, Code 228
Wallops Island, VA 23337

DAYTIME PHONE: (757) 824-1168
Area Code

IRS Employer Identification Number (EIN):
[aka Federal Tax Identification Number (FIN)]

FACILITY/ACTIVITY NAME: NASA WFF Un-Manned Aerial Systems Airstrip

LOCATION: Route 803 on North end of Wallops Island

TYPE OF PERMIT APPLIED FOR: VWP Individual Permit
(from Fee Schedule - see back of form)

TYPE OF ACTION: New Issuance Reissuance Modification

AMOUNT OF FEE SUBMITTED (from Fee Schedule): \$3,500.00

EXISTING PERMIT NUMBER (if applicable): 12-0076

DEQ OFFICE TO WHICH APPLICATION SUBMITTED (check one)

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Abingdon/SWRO | <input type="checkbox"/> Harrisonburg/VRO | <input type="checkbox"/> Woodbridge/NVRO | <input type="checkbox"/> Lynchburg/BRRO-L |
| <input type="checkbox"/> Richmond/PRO | <input type="checkbox"/> Richmond/Headquarters | <input type="checkbox"/> Roanoke/BRRO-R | <input checked="" type="checkbox"/> Virginia Beach/TRO |

FOR DEQ USE ONLY

Date: _____
DC #: _____

Original Form and Check - DEQ Receipts Control, Richmond
Copy of Form and Copy of Check - DEQ Regional Office or Permit
Program Office

FEE SCHEDULES

A. VPDES and VPA Permits. Applications for issuance of new individual VPDES or VPA permits, and for permittee initiated major modifications that occur (and become effective) before the stated permit expiration date. (Flows listed are facility "design" flows. Land application rates listed are facility "design" rates.) [NOTE: VPDES and VPA permittees pay an Annual Permit Maintenance Fee (APMF) instead of a reapplication fee. The permittee is billed separately by DEQ for the APMF.]

| TYPE OF PERMIT | ISSUANCE | MODIFICATION | LAND APP MOD* |
|--|----------|--------------|---------------|
| VPDES Industrial Major | \$24,000 | \$12,000 | |
| VPDES Municipal Major | \$21,300 | \$10,650 | \$1,000 |
| VPDES Industrial Minor / No Standard Limits | \$10,200 | \$5,150 | |
| VPDES Industrial Minor / Standard Limits | \$3,300 | \$3,300 | |
| VPDES Industrial Stormwater | \$7,200 | \$3,600 | |
| VPDES Municipal Minor / Greater Than 100,000 GPD | \$7,500 | \$3,750 | \$1,000 |
| VPDES Municipal Minor / 10,001 GPD - 100,000 GPD | \$6,000 | \$3,000 | \$1,000 |
| VPDES Municipal Minor / 1,001 GPD - 10,000 GPD | \$5,400 | \$2,700 | \$1,000 |
| VPDES Municipal Minor / 1,000 GPD or Less | \$2,000 | \$1,000 | |
| VPDES Municipal Minor / 1,000 GPD or Less that includes authorization for land application or land disposal of sewage sludge | \$5,000 | \$1,000 | \$1,000 |
| VPA Industrial Wastewater Operation / Land Application of 10 or More Inches Per Year | \$15,000 | \$7,500 | |
| VPA Industrial Wastewater Operation / Land Application of Less Than 10 Inches Per Year | \$10,500 | \$5,250 | |
| VPA Industrial Sludge Operation | \$7,500 | \$3,750 | |
| VPA Municipal Wastewater Operation | \$13,500 | \$6,750 | |
| VPA Municipal Sludge Operation | \$5,000 | \$1,000 | |
| All other VPA operations not specified above | \$750 | \$375 | |

* The fee for modification of a VPDES permit due to changes relating to authorization for land application or land disposal of sewage sludge shall be \$1,000.

B. Virginia Water Protection (VWP) Permits. Applications for issuance of new individual, and reissuance or major modification of existing individual VWP permits. Only one permit application fee will be assessed per application; for a permit application involving more than one of the operations described below, the governing fee shall be based upon the primary purpose of the proposed activity. (Withdrawal amounts shown are maximum daily withdrawals.)

| TYPE OF PERMIT | ISSUANCE/REISSUANCE | MODIFICATION |
|--|---|---|
| VWP Individual / Surface Water Impacts (Wetlands, Streams and/or Open Water) | \$2,400 plus \$220 for each 4,356 sq. ft. (1/10 acre) (or portion thereof) of incremental impact over 87,120 sq. ft. (two acres) (\$60,000 maximum) | \$1,200 plus \$110 for each 4,356 sq. ft. (1/10 acre) (or portion thereof) of incremental impact over 87,120 sq. ft. (two acres) (\$30,000 maximum) |
| VWP Individual/Minimum Instream Flow - Withdrawals equal to or greater than 3,000,000 gallons on any day | \$25,000 | \$5,000 |
| VWP Individual / Minimum Instream Flow - Withdrawals between 2,000,000 and 2,999,999 gallons on any day | \$20,000 | \$5,000 |
| VWP Individual / Minimum Instream Flow - Withdrawals between 1,000,000 and 1,999,999 gallons on any day | \$15,000 | \$5,000 |
| VWP Individual / Minimum Instream Flow - Withdrawals < 1,000,000 gallons on any day that do not otherwise qualify for a general VWP permit for water withdrawals | \$10,000 | \$5,000 |
| VWP Individual / Reservoir - Major | \$35,000 | \$12,500 |
| VWP Individual / Reservoir - Minor | \$25,000 | \$12,500 |
| VWP Individual/Nonmetallic Mineral Mining | \$2,400 plus \$220 for each 4,356 sq. ft. (1/10 acre) (or portion thereof) of incremental impact over 87,120 sq. ft. (two acres) (\$7,500 maximum) | \$1,200 plus \$110 for each 4,356 sq. ft. (1/10 acre) (or portion thereof) of incremental impact over 87,120 sq. ft. (two acres) (\$3,750 maximum) |

C. Surface Water Withdrawal (SWW) and Ground Water Withdrawal (GWW) Permits. Applications for issuance of new individual, and reissuance or major modification of existing individual SWW permits or GWW permits.

| TYPE OF PERMIT | ISSUANCE/REISSUANCE | MODIFICATION |
|--|---------------------|--------------|
| Surface Water Withdrawal | \$12,000 | \$6,000 |
| Ground Water Withdrawal / Initial Permit for an Existing Withdrawal Based Solely on Historic Withdrawals | \$1,200 | \$600 |
| Ground Water Withdrawal | \$6,000 | \$3,000 |

D. Registration Statements (VPDES and VPA permits) or Applications (VWP permits) for General Permit Coverage.

1. Except as specified in 2, 3, and 4 below, the fee for registration for coverage under a general permit is \$600.
2. General VPDES Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 GPD (VAG40) = \$0.
General VPDES Permit Regulation for Discharges From Petroleum Contaminated Sites (VAG83) = \$0.
3. VWP General Permit:

| TYPE OF PERMIT | ISSUANCE |
|---|---|
| VWP General / Less Than 4,356 sq. ft. (1/10 acre) of Surface Water Impact (Wetlands, Streams and/or Open Water) | \$0 |
| VWP General / 4,356 sq. ft. to 21,780 sq. ft. (1/10 acre to 1/2 acre) of Surface Water Impact (Wetlands, Streams and/or Open Water) | \$600 |
| VWP General / 21,781 sq. ft. to 43,560 sq. ft. (greater than 1/2 acre to one acre) of Surface Water Impact (Wetlands, Streams and/or Open Water) | \$1,200 |
| VWP General / 43,561 sq. ft. to 87,120 sq. ft. (greater than one acre to two acres) of Surface Water Impact (Wetlands, Streams and/or Open Water) | \$1,200 plus \$120 for each 4,356 sq. ft. (1/10 acre) (or portion thereof) of incremental impact over 43,560 sq. ft. (one acre) (\$2,400 maximum) |
| VWP General / Minimum Instream Flow / Reservoir - Water withdrawals and/or pond construction | \$2,400 |

4. General VPDES Permit for Industrial Activity Storm Water Discharges (VAR05) = \$500



**COUNTY OF ACCOMACK
DEPARTMENT OF BUILDING AND ZONING**

23296 COURTHOUSE AVENUE, ROOM 105

Post Office Box 93

Accomac, Virginia 23301-0093

(757) 787-5721 (757) 824-5223

FAX (757) 787-8948

building@co.accomack.va.us

David A. Fluhart
Director

Building/Fire Inspections
Zoning and Wetlands

May 23, 2012

Mr. Paul Bull, P.E.
C/o NASA
Wallops Flight Facility
Building N-161, Code 228
Wallops Island, Virginia 23337

In Re: VMRC 2012-0076 UAS

Dear Mr. Bull:

This office is in receipt of your Joint Permit Application to construct a 3,000-foot X 75-foot asphalt airstrip on the north end of Wallops Island, County Parcel Number 57-A-1, Wallops Island, Virginia. The airstrip will be used for unmanned aircraft take-off and landings.

A review of your application reveals the proposed project will not impact tidal wetlands within the jurisdiction of the Accomack County Wetlands Board.

Please be advised no authorization is required from the Accomack County Wetlands Board as this project appears to be out of their jurisdiction. However, this is a large project in very close proximity to tidal jurisdictional wetlands. As such, as this project begins, close attention should be paid to avoid impacts to jurisdictional wetlands and if it is determined jurisdictional wetlands will be impacted during construction, approval from the County of Accomack Wetlands Board will be required.

These Federal and State authorities may require a permit before you begin work:

Virginia Marine Resources Commission
Habitat Management Division
2600 Washington Avenue, 3rd Floor
Newport News, Virginia 23607

U. S. Army Corps of Engineers
Mr. Robert Cole
22545 Center Parkway
Accomac, Virginia 23301

You may also be required to obtain an Erosion and Sediment Control Permit or approval through the Accomack County Planning Office. You should contact Mr. Norman Pitt at 757-787-5726 for additional information.

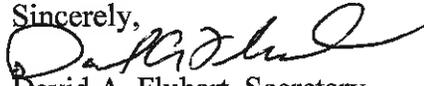
Mr. Paul Bull, P.E.

Page 2

May 23, 2012

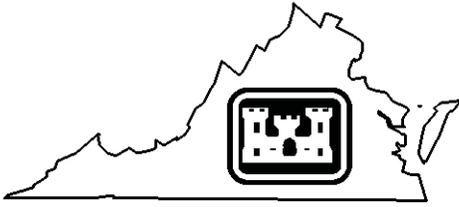
Please feel free to give me a call if you have any questions.

Sincerely,



David A. Fluhart, Secretary
Accomack County Wetlands Board

Copy to: Virginia Marine Resources Commission
Department of Planning



Public Notice

U.S. Army Corps of Engineers, Norfolk District

May 21, 2012

CENAO-WR-RE
NAO-2011-0424

FEDERAL PUBLIC NOTICE

The District Commander has received a joint application for Federal and State permits as described below:

APPLICANT

National Aeronautics and Space Administration Wallops Flight Facility
Mr. Paul Bull, P.E.
NASA WFF, Building N-161, Code 228
Wallops Island, Virginia 23337

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located on the northern tip of Wallops Island, Virginia in the Atlantic Ocean basin.

PROPOSED WORK AND PURPOSE:

The purpose of the proposed action is to provide an adequately-sized Unmanned Aerial Systems (UAS) airstrip that would be capable of supporting the testing and deployment of existing and future UAS and UAS-based scientific instruments at NASA Goddard Space Flight Center's (GSFC) Wallops Flight Facility (WFF). UAS test and UAS-based research opportunities form an important objective of WFF's Suborbital and Special Orbital Projects Directorate and as such, this type of mission requires an unencumbered operating environment. Under the Proposed Action, WFF would construct an asphalt airstrip measuring approximately 900 meters (m) (3,000 feet [ft] long [2,500 ft plus an additional 500-ft clear zone]), on north Wallops Island. The width of the airstrip would be 25 m (75 ft); additional width would be provided by a grass buffer and cleared areas as needed for a clear line of sight for UAS operators. UAS-based operations typically would be conducted year round during WFF's normal Air Traffic Control tower hours (Monday through Friday, 0600 to 1800). A maximum of 1,040 UAS sortie operations each year would be conducted from the new airstrip.

The original concept proposed the construction of a 5,200 foot long by 75 foot wide UAS airstrip. Construction of the original proposed airstrip would have affected approximately 34 acre of wetlands (tidal and non-tidal) from clearing and fill activities. After careful consideration of the potential environmental impacts, WFF determined that a shorter airstrip would satisfy the majority of the UAS missions expected to fly at WFF in the reasonably foreseeable future. As such, the airstrip length originally proposed was reduced by 2,200 feet to the proposed length of 3,000 feet (2,500 feet with 250 feet of clear zones on either end) while the width of the airstrip would remain at 75 feet. Two retaining walls will be constructed along the south side of the west end of the airstrip to avoid potential impacts to approximately 0.2 acre of emergent intertidal wetlands. Additionally, the airstrip staging area has been reconfigured and relocated to avoid all

associated wetland impacts (This avoidance measure reduces PEM wetland impacts to 2.28 acres, plan revision is underway) . Reduction of stormwater runoff and its potential to impact wetlands through concentrated runoff flows resulted in the addition of a low impact designed infiltration trench that will run along the entire perimeter of the airstrip. Vegetation clearing was reduced to the minimum necessary to construct the airstrip and to provide clear zones along the length and ends of the airstrip for safe UAS operations. In summary, reduced airstrip requirements and avoidance and minimization practices diminished the potential for wetland impacts by 30 acres, removed potential tidal wetland and forested wetland impacts, and decreased the potential for impacts due to stormwater runoff.

Impacts will consist of approximately 2.47 acres of palustrine emergent wetlands and 0.15 acres of palustrine scrub shrub wetlands. NASA WFF proposes to compensate for impacts by payment to The Virginia Aquatic Resources Trust Fund and/or on-site mitigation.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit/401 certification from the Virginia Department of Environmental Quality assuring that applicable laws and regulations pertaining to water quality are not violated and a permit from the Accomack County Wetlands Board. Project drawings are attached.

AUTHORITY: Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the direct, indirect, and cumulative impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Commander within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Commander will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required

(2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be adversely affected. Section 7 ESA Consultation - Loggerhead Sea Turtles – In a letter dated September 22, 2011, the USFWS stated that, “Based on the low number of nests at this site annually (between 1-4 nests per year), the low probability of hurricanes occurring during the nesting period here in Virginia, and the even lower probability that an emergency UAS flight would occur at night while turtles were nesting, the likelihood of disturbance resulting from UAS operations is low. Additionally, UAS operations and clearances from beach habitats will minimize the potential that UAS operations will affect sea turtles even if they do occur during nesting, and any effects are expected to be limited to temporary changes in behavior that will not reduce the likelihood of nesting. Consequently, these minor disturbances are considered to be insignificant and discountable and the project as proposed, “may affect, but is not likely to adversely affect” nesting sea turtles.”

Piping Plovers – “Based on the best currently available data, the Service believes that with the conservation measures and the 1,000 foot horizontal and vertical buffers, disturbances to nesting plovers are unlikely to occur, and will be limited to temporary changes in behavior that are similar to responses to potential predators in the vicinity of nesting plovers and are unlikely to result in flushing from nests. The Service believes that the level of disturbance will be insignificant and discountable, and birds will return to normal activities quickly following disturbance, and the proposed action is not likely (to) adversely affect piping plovers. In addition, the proposed monitoring in conjunction with UAS operation has the potential to significantly improve future conservation efforts for plovers and other shorebirds.”

(3) No known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. Section 106 NHPA Consultation – In a letter dated January 10, 2011, the Virginia SHPO concurred with NASA’s eligibility determination for Site 44AC0089 and concluded that with implementation of the avoidance procedures proposed, no adverse effect to the resource would occur.

(4) CZMA Consistency – In a letter dated February 15, 2012, the Virginia Department of Environmental Quality concurred with NASA’s Federal Consistency Determination with Virginia’s Coastal Zone Management Policy. For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP).

(5) National Park Service Consultation – NASA consulted with the NPS regarding the potential for UAS operations and noise from UAS overflights to affect the Assateague Beach Life-Saving Station. In a letter dated August 9, 2010, the NPS determined that the Proposed Action would not impact the Assateague Island National Seashore resources (i.e., Assateague Beach Life-Saving Station) or visitor experience on the Island since the flight lines would not cross over Assateague Island and noise from UAS would not exceed ambient noise levels on Assateague Island.

(6) Virginia Department of Conservation and Recreation Consultation – NASA is currently working on a Rare Plant Species and Communities Preservation Plan with DCR.

Additional information might change any of these findings.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-WR-R), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on July 19, 2012.

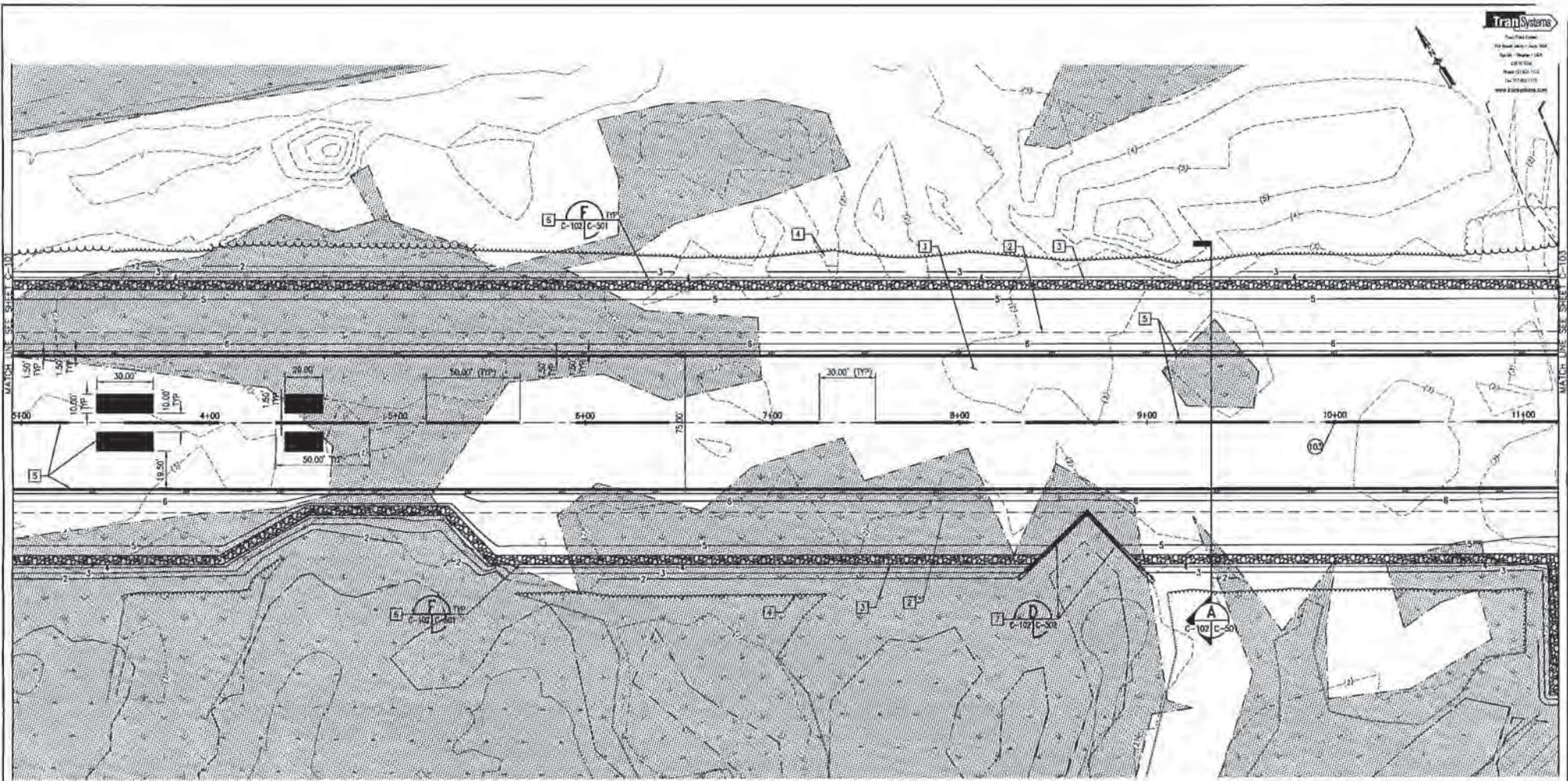
PRIVACY & CONFIDENTIALITY: Comments and information, including the identity of the submitter, submitted in response to this Public Notice may be disclosed, reproduced, and distributed at the discretion of the U.S. Army Corps of Engineers. Information that is submitted in connection with this Public Notice cannot be maintained as confidential by the U.S. Army Corps of Engineers. Submissions should not include any information that the submitter seeks to preserve as confidential.

If you have any questions about this project or the permit process, contact Steven Gibson at Steven.W.Gibson@USACE.Army.mil

FOR THE DISTRICT COMMANDER:

Kimberly Prisco-Baggett
Chief, Eastern Virginia
Regulatory Section

Attachment: Drawings



PLAN VIEW - AIRSTRIP

SCALE: 1" = 25'

SHEET NOTES:

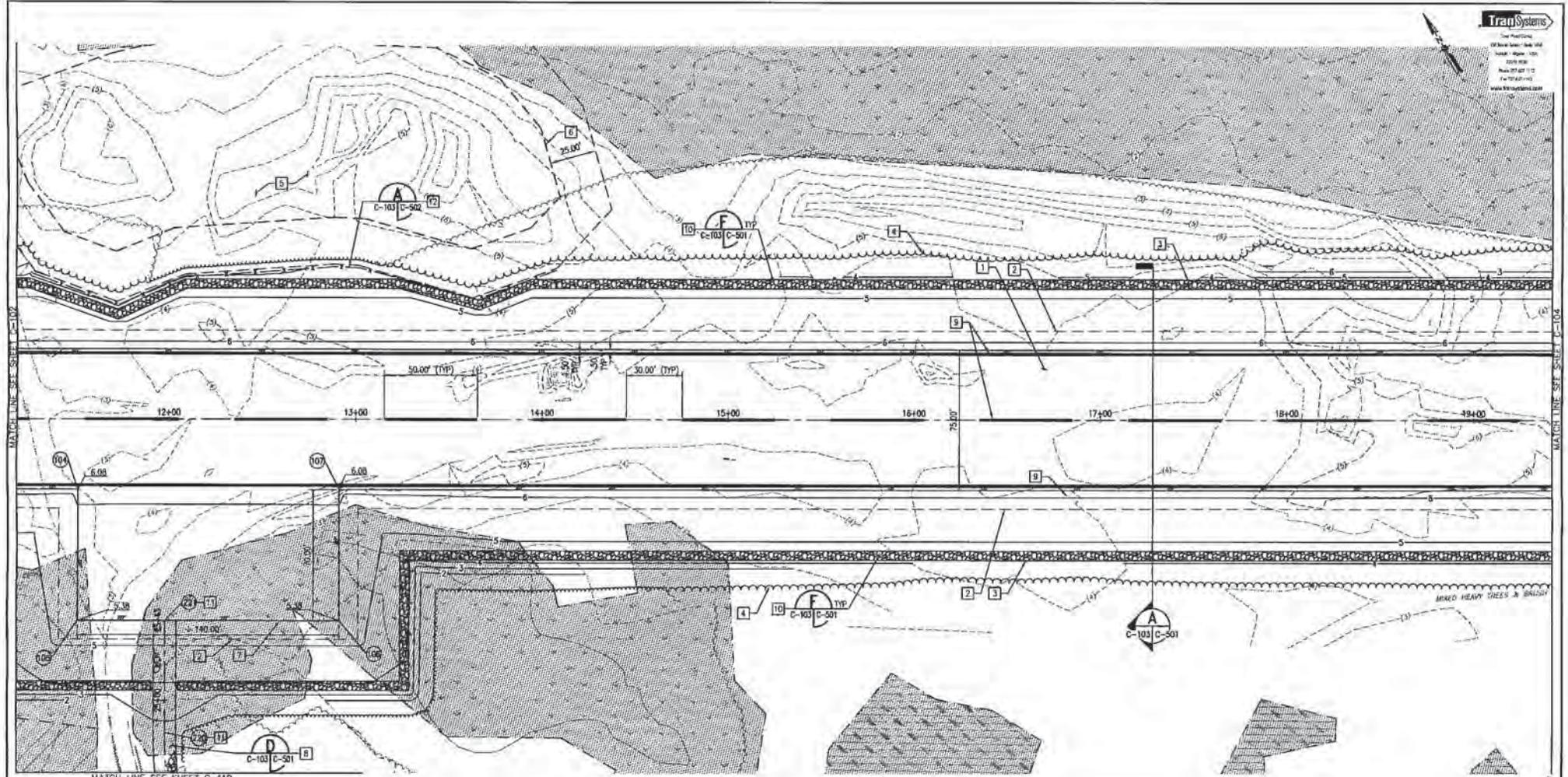
1. REFER TO SHEET C-001 FOR LEGEND, GENERAL NOTES AND ABBREVIATIONS.
2. REFER TO SHEET C-002 FOR EXISTING SURVEY CONTROL, KEY PLAN, SURVEY NOTES AND STRUCTURE DATA.
3. REFER TO SHEET B-101 FOR SITE GEOTECHNICAL INFORMATION.
4. REFER TO SHEETS E-001 THROUGH E-601 FOR ELECTRICAL UTILITY CONSTRUCTION.
5. REFER TO SHEET C-101 FOR CONSTRUCTION LAYOUT COORDINATE TABLE.

KEY NOTES:

- 1 BITUMINOUS CONCRETE SURFACE COURSE - VDOT SM 9.5A - 3" THICK OVER 8" THICK AGGREGATE BASE COURSE - VDOT 21A.
- 2 10' WIDE GRASS SHOULDER
- 3 150' WIDE RUNWAY SAFETY AREA/EDGE OF VEGETATIVE BUFFER
- 4 CLEARING LIMITS (WIDTH VARIES)
- 5 WHITE PAINT PAVEMENT MARKINGS
- 6 INFILTRATION TRENCH
- 7 SEGMENTAL CONCRETE BLOCK RETAINING WALL

C-102

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| NATIONAL AERONAUTICS AND SPACE ADMINISTRATION GODDARD SPACE FLIGHT CENTER WALLOPS FLIGHT FACILITY WALLOPS ISLAND, VIRGINIA 22337 | DATE: _____ LET: _____ | REVISIONS _____ _____ | CL. AP. _____ PROJECT ENGINEER _____ DATE: _____ SUBMITTED BY _____ DATE: _____ PROJECT MANAGER _____ | NASA SAFETY _____ DATE: _____ FIRE PROTECTION _____ DATE: _____ | CONSTRUCTION MANAGEMENT _____ DATE: _____ O & M _____ DATE: _____ | ENGINEERING APPROVAL _____ DATE: _____ ENGINEERING GROUP LEADER _____ BRANCH APPROVAL _____ DATE: _____ BRANCH HEAD _____ | GRAPHIC SCALE 1" = 25' 0" 0' 25' 50' | UAS AIRSTRIP PLAN VIEW - AIRSTRIP PROJECT NUMBER: P30710117 DR. REP. [DATE MAY 8 2011] CL. APPR. _____ REVISED: _____ |
| | AUTOCAD - RELEASE L2004 FILE NAME: 0177C-102.DWG SHEET 13 OF 38 | | | | | | | DRAWING NO. 16138 |



PLAN VIEW - AIRSTRIP

SCALE: 1" = 25'

- SHEET NOTES:**
- REFER TO SHEET C-001 FOR LEGEND, GENERAL NOTES AND ABBREVIATIONS.
 - REFER TO SHEET C-002 FOR EXISTING SURVEY CONTROL, KEY PLAN, SURVEY NOTES AND STRUCTURE DATA.
 - REFER TO SHEET B-101 FOR SITE GEOTECHNICAL INFORMATION.
 - REFER TO SHEETS E-001 THROUGH E-601 FOR ELECTRICAL UTILITY CONSTRUCTION.
 - REFER TO SHEET C-101 FOR CONSTRUCTION LAYOUT COORDINATE TABLE.

- KEY NOTES:**
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| 1 BITUMINOUS CONCRETE SURFACE COURSE VDOT SM-9.5A - 3" THICK OVER 8" THICK AGGREGATE BASE COURSE - VDOT 21A | 4 CLEARING LIMITS (WIDTH VARIES) | 8 12' WIDE (BY 6" THICK AGGREGATE BASE COURSE - VDOT 21A | 12 6' HIGH CHAIN LINK FENCE |
| 2 10' WIDE GRASS SHOULDER | 5 ARCHEOLOGICAL SENSITIVE AREA | 9 WHITE PAINT PAVEMENT MARKINGS | |
| 3 150' WIDE RUNWAY SAFETY AREA/EDGE OF VEGETATIVE BUFFER | 6 25' BUFFER AROUND ARCHEOLOGICAL SENSITIVE AREA | 10 INFILTRATION TRENCH | |
| | 7 140' X 70' BITUMINOUS CONCRETE PAD, 3" THICK VDOT SM-9.5A OVER 8" THICK VDOT 21A AGGREGATE BASE COURSE | 11 FOR POINT NUMBERS (22) AND (22'), REFER TO ROADWAY CONSTRUCTION LAYOUT COORDINATE TABLE ON SHEET C-107. | |

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
 GODDARD SPACE FLIGHT CENTER
 WALLOPS FLIGHT FACILITY
 WALLOPS ISLAND, VIRGINIA 23357



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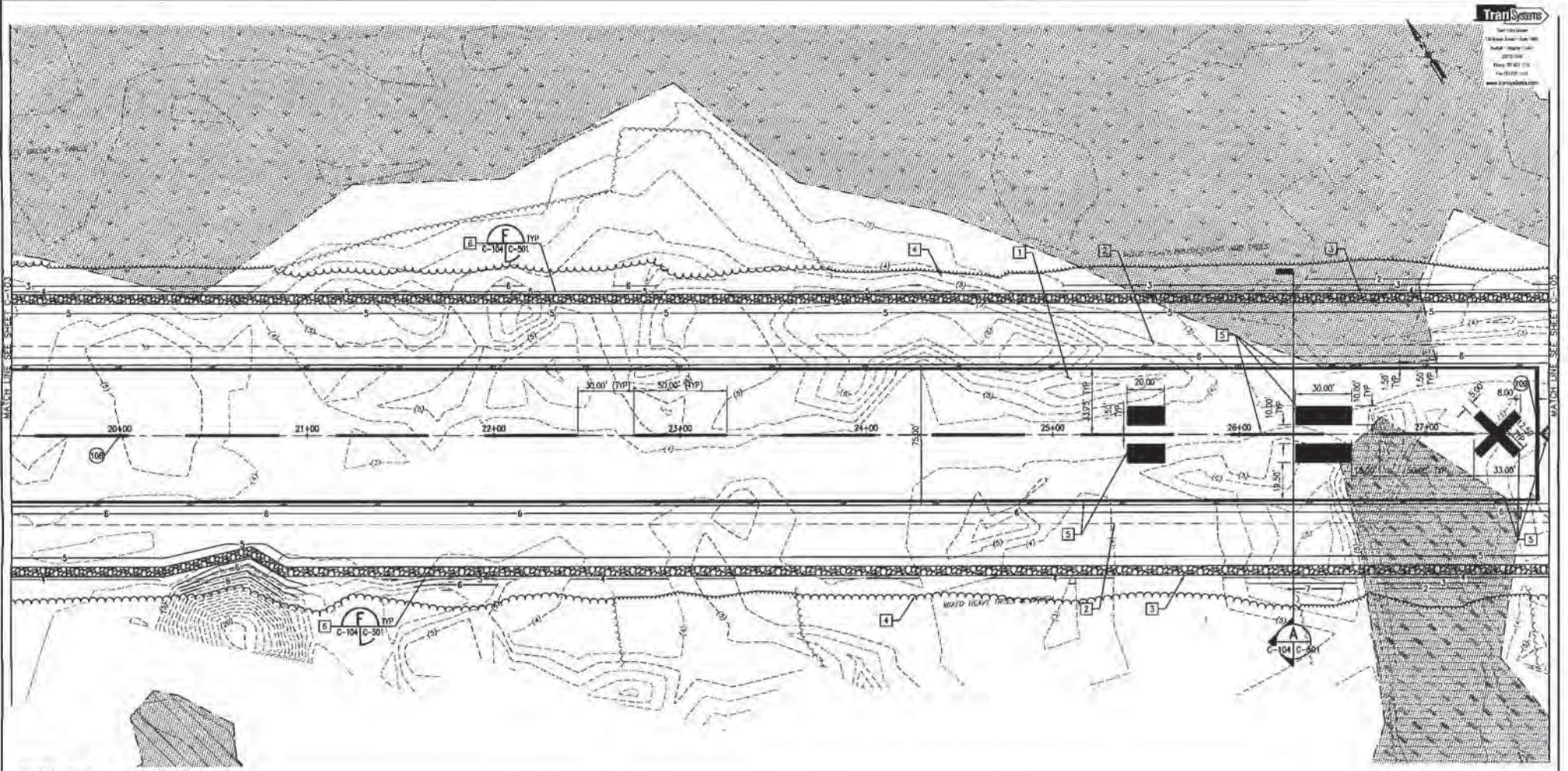
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| MUTECAD - RELEASE 2004 FILE NAME: 6117C-153.DWG |

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| PROJECT NUMBER: P307108112 | DRAWING NO. 161 |
| DATE: MAY 8 2011 | |
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C-103



PLAN VIEW - AIRSTRIP

SCALE: 1" = 25'

SHEET NOTES:

1. REFER TO SHEET C-001 FOR LEGEND, GENERAL NOTES AND ABBREVIATIONS.
2. REFER TO SHEET C-002 FOR EXISTING SURVEY CONTROL, KEY PLAN, SURVEY NOTES AND STRUCTURE DATA.
3. REFER TO SHEET B-101 FOR SITE GEOTECHNICAL INFORMATION.
4. REFER TO SHEETS E-001 THROUGH E-601 FOR ELECTRICAL UTILITY CONSTRUCTION.
5. REFER TO SHEET C-101 FOR CONSTRUCTION LAYOUT COORDINATE TABLE.

KEY NOTES:

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|--|----------------------------------|
| 1 BITUMINOUS CONCRETE SURFACE COURSE: VDOT SM-9.5A - 3" THICK OVER 8" THICK AGGREGATE BASE COURSE - VDOT 21A | 4 CLEARING LIMITS (WIDTH VARIES) |
| 2 10' WIDE GRASS SHOULDER | 5 WHITE PAINT FAVEMENT MARKINGS |
| 3 150' WIDE RUNWAY SAFETY AREA/EDGE OF VEGETATIVE BUFFER | 6 INFILTRATION TRENCH |

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
 GODDARD SPACE FLIGHT CENTER
 Wallops Flight Facility
 Wallops Island, Virginia 22357



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| NASA SAFETY | DATE |
| FIRE PROTECTION | DATE |

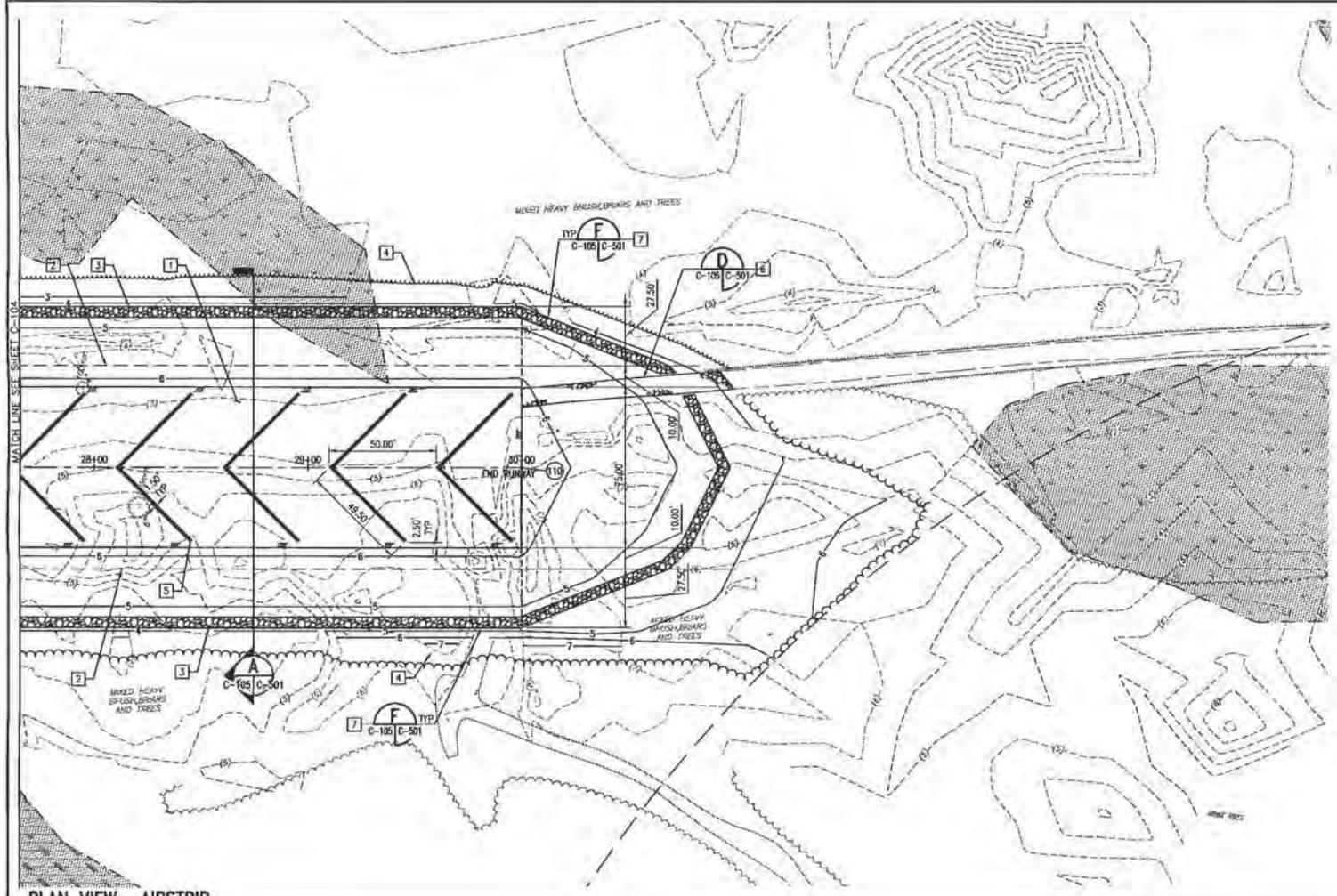
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| AUTOCAD - RELEASE 2004 | FILE NAME: 01175-104.DWG |
| SCALE | 1"=25' |
| DATE | MAY 8 2011 |

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| UAS AIRSTRIP | |
| PLAN VIEW - AIRSTRIP | |
| PROJECT NUMBER: P00790117 | DRAWING NO. 16140 |
| DR. HSP | DATE: MAY 8 2011 |
| CL. HSP | REVISION: |

C-104



PLAN VIEW - AIRSTRIP

SCALE: 1" = 25'

SHEET NOTES:

- REFER TO SHEET C-001 FOR LEGEND, GENERAL NOTES AND ABBREVIATIONS.
- REFER TO SHEET C-002 FOR EXISTING SURVEY CONTROL, KEY PLAN, SURVEY NOTES AND STRUCTURE DATA.
- REFER TO SHEET B-101 FOR SITE GEOTECHNICAL INFORMATION.
- REFER TO SHEETS E-001 THROUGH E-601 FOR ELECTRICAL UTILITY CONSTRUCTION.
- REFER TO SHEET C-101 FOR CONSTRUCTION LAYOUT COORDINATE TABLE.

KEY NOTES:

- BITUMINOUS CONCRETE SURFACE COURSE. VDOT SM-85A - 3" THICK OVER 8" THICK AGGREGATE BASE COURSE - VDOT 21A.
- 10' WIDE GRASS SHOULDER
- 150' WIDE RUNWAY SAFETY AREA/EDGE OF VEGETATIVE BUFFER
- CLEARING LIMITS (WIDTH VARIES)
- WHITE PAINT PAVEMENT MARKINGS
- 12' WIDE 6" THICK AGGREGATE BASE COURSE - VDOT 21A
- INFILTRATION TRENCH

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
 GODDARD SPACE FLIGHT CENTER
 WALLOPS FLIGHT FACILITY
 WALLOPS ISLAND, VIRGINIA 23337



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| FILE NAME: 0117C-105.DWG | | SHEET | | 16' OF 38 | |
| PROJECT NUMBER: 2307100117 | DATE: MAY 6 2011 | DRAWING NO. | 161 | | |
| DR. GCP | | | | | |
| CR. VWO | | | | | |

C-105

APPENDIX I

**DRAFT EA COMMENT LETTERS AND
COMMENT/RESPONSE MATRIX**



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

FEB 06 2012

Joshua Bundick
 NASA Wallops Flight Facility
 Code 250. W
 Wallops Island, VA 23337

RE: Draft Environmental Assessment (DEA) North Wallops Island Unmanned Aerial Systems Airstrip, Accomack County, Virginia, December, 2011

Dear Mr. Bundick:

In accordance with the National Environmental Policy Act of 1969 (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Assessment for the North Wallops Island Unmanned Aerial Systems (UAS) Airstrip located at the National Aeronautics and Space Administration's (NASA) Wallops Flight Facility (WFF) on Wallops Island, Accomack County, Virginia. The proposed project involves the construction and operation of a new UAS airstrip that would be paved for the length of 3,000 feet (ft) by 75 ft wide located on the north end of Wallops Island. The purpose and need of the proposed action is to provide an adequately-sized UAS airstrip that would be capable of supporting the testing and deployment of existing and future UAS and UAS-based scientific instruments at WFF due to limitations on the size and use of the existing UAS airstrip located on the southern end of Wallops Island. The existing airstrip was expanded in 2005 to measure 1,500 ft by 50 ft, with the Viking 300-class as the largest UAS being flown. The Viking 400-class UAS model is proposed for the future operations at WFF. The existing airstrip is limited by its north-south orientation, inundation from storms, operational constraints from nearby launch pads, and size not capable of supporting the Viking 400-class UAS.

NASA proposed two alternatives, including the no action and the preferred alternative. The preferred proposed alternative involves the construction of a 3,000 ft paved airstrip, including 2,500 ft with additional 250 ft paved clear zone on each end, by 75 ft located entirely within NASA's restricted airspace. The proposed airstrip would be elevated approximately 3 ft above the existing ground and also requires clearing of adjacent vegetation within the runway safety area. Also included in the construction of the airstrip are associated roadway improvements and a staging pad for aircraft and support vehicles. The Draft EA also briefly discusses several other alternatives that were not carried forward to detailed study, which include off-site locations, ie Langley Research Center or the Naval Air Station Patuxent River, as well as other alternatives on WFF property including two alternatives located on the north end of Wallops Island.



EPA appreciated the opportunity to review the environmental document prepared to assist decision-making for this project. EPA believes the study is deficient in some areas, such as wetland avoidance and minimization, compensatory mitigation, and clarification on runway dimensions and features, which would aid in establishing need for the project, and therefore selection of an appropriate action. EPA supports minimization of impacts to aquatic and terrestrial environment, and supportive of the use of innovative stormwater management and low impact development techniques incorporated where appropriate in upland locations into project design. Please see detailed comments regarding purpose and need, alternatives analysis, and assessment of impacts as an enclosure to this letter.

In the event that the proposed action is constructed as described in this Draft EA, approximately 8 acres of total vegetation would be cleared and 2.47 acres of wetlands would be filled. While impacts to vegetation and wetlands had decreased from previously considered airstrip designs that would result in a longer runway, EPA remains concerned about adverse impacts to wetlands on the north end of Wallops Island and on Wallops Island as a whole. It appears that reasonable avoidance and minimization measures to further reduce impacts to wetlands may still exist. Particularly the location of the proposed staging pad, dimensions of the airstrip, and the elevated height of the proposed airstrip. A Clean Water Act (CWA) Section 404 permit would be necessary for the construction of the proposed action, as it is currently designed. The CWA 404b(1) Guidelines only allows the least environmentally damaging practicable alternative (LEDPA) to be permitted. As described in this EA, it is not clear that the proposed alternative represents the LEDPA.

Also of concern to EPA is proposed compensatory mitigation for unavoidable wetland impacts. NASA is currently proposing to mitigate by paying into Virginia's in lieu fee (ILF) program for use in the Virginia Aquatic Resources Trust Fund which is administered in partnership with the U.S. Army Corps of Engineers (Corps), Virginia Department of Environmental Quality (DEQ) and the Nature Conservancy. EPA is concerned that the proposed mitigation technique will not adequately compensate for lost functions and values in the subwatershed where the project is located. EPA and other resource agencies have previously expressed concern with the use of ILF for this project and that a specific project would need to be identified with measureable environmental benefit and would need to be located in the same watershed where impacts are occurring. EPA has previously expressed and still feels that a thorough evaluation of on-site, off-site or a combination of mitigation opportunities needs to be completed and explored before committing to payment into ILF. It is not clear to EPA that a specific project through ILF has been identified at this time, nor has investigation occurred for on-site mitigation opportunity. Full avoidance and minimization should be demonstrated prior to commitment of compensatory mitigation. At this time, EPA is concerned that adequate mitigation to offset for unavoidable impacts may not be available.

Additional detailed comments and concerns are provided as an enclosure to this letter. We would appreciate the opportunity to discuss our questions and comments at your convenience. Thank you for allowing EPA the opportunity to review and comment on the DEA for the North Wallops Flight Island Unmanned Aerial Systems Airstrip. These comments have been coordinated with EPA's wetland program reviewer, Ms. Carol Petrow. If you have



questions regarding these comments, the staff contact for this project is Ms. Alaina DeGeorgio; she can be reached at 215-814-2741.

Sincerely,



Barbara Rudnick
NEPA Team Leader

Enclosure

cc. Dave O'Brien, NOAA
Kim Smith, FWS
Steve Gibson, USACE



**Detailed Comments on the North Wallops Flight Island Unmanned Aerial Systems Airstrip
Draft EA**

Purpose and Need & Alternatives Analysis

- As mentioned above the proposed action is needed due to several constraints on the existing UAS airstrip located on the southern end of Wallops Island, which was last expanded in 2005. When EPA was first contacted for scoping for the proposed project in 2010, the existing airstrip expansion construction was barely five years old. While EPA can appreciate that the UAS technology and scientific community using these aircraft is growing rapidly, EPA remains concerned that the speed at which new needs are identified have and will continue to outpace the facilities capacity. It is the concern of EPA that natural resources will be impacted multiple times. Clarify the intended lifespan for the proposed airstrip and how long the proposed action is expected to meet the needs of the scientific community. Discuss any plans or restrictions being discussed at NASA that might help ensure operational and safety limitations, currently occurring at the southern airstrip, are prevented for the proposed northern airstrip. 4
4a
- Page 2-2, criterion 3 mentions a proposal to construct a payload processing and fueling complex less than 2 miles from the launch range. Is this being proposed to be moved as part of this project? Is separate NEPA documentation being prepared for the payload processing facility? 5
- Page 2-4 states that clear zones are typically unpaved. It is not clear to EPA why clear zones proposed for this project would need to be paved if they are typically left unpaved. Please clarify why in this case paving of the clear zone was determined to be necessary. It is also not clear why an additional grass buffer is required beyond the proposed 250 ft clear zone. What purpose does the grass buffer serve that the clear zone does not? Discuss the selection of a buffer/clearing width. 6
- Please provide documentation that clearly states that the proposed craft Viking 400-class UAS, which has a wingspan of less than 20 ft, requires a 2,500 runway with a 75 ft width. No discussion was included in the EA as to why the 75 ft width was selected or determined to be necessary. It is not clear if a narrower runway, and/or even a slightly shorter runway (2,000 or 2,200 ft), would meet the identified needs. It should also be noted a 2,500 ft runway can accommodate a much larger aircraft including even small cargo or passenger planes. Documentation for proposed runway dimensions needs to be supported. 7
 - What is the predicted percent of the maximum 1,040 UAS flights annually that will be the larger Viking 400-class or equivalent? What percent of the total annual flights will be Viking 300-class or smaller that can be flown on the existing airstrip? 8
- The Naval Air Station Patuxent River was one off-site locations considered but not carried forwarded for detailed analysis. In Table 2, this alternative meets 5 of the 6 criterion applied in considering alternatives outside of WFF. The only criterion that wasn't met was criterion 1- meet needs of Goddard Space Flight Center (GSFC) UAS Scientific and research community. The apparent reason why this criterion was not met is said because WFF is too far from the Naval Air Station Patuxent River, 200 miles. However, WFF is located 170 miles from GSFC and the Naval Air Station is only 70 9

miles from GSFC. If the need is proximity to GSFC scientists, this alternate location appears to meet this need. It also appears that the Naval Air Station would be continue to be able to meet coastal zone/ocean research objectives as it is located on the Chesapeake Bay. Please clarify why this location was not considered further as it appears to meet all of the defined criteria.

- Off-site parcels were also considered but dismissed in the alternatives analysis. While off-site parcels would be outside of the restricted airspace as it currently exists, EPA is aware that NASA is attempting to coordinate expansion of restricted airspace in the upcoming site-wide EIS. It is not clear why an off-site parcel could not be included in an expansion. It is also not clear why UAS represent and pose an unacceptable risk to the public and residential property from mishaps that could occur with untested/unproven UAS. The document explains that UAS crash rates are very low and have not had a crash at WFF to date. The EA also details that UAS crashes do not represent a severe risk to unexploded ordinances that are located surrounding the proposed airstrip and also do not represent a crash risk to piping plover nests that are located on the north end beach. Please make clear what the risk of UAS crashes/near misses is.
- A staging pad is proposed with the associated action. This location and placement of this pad was discussed at length with an interagency group in February 2011, which included EPA, Corps, NASA and several other resource agencies. It is EPA recollection of this meeting, which is referred to the project Joint Permit Application (JPA) that was recently released, it was decided that the pad did not have to be located in wetlands and would be moved outside of any wetlands. Relocating the pad outside of wetlands represents a clear avoidance and minimization opportunity. A very brief discussion on why the pad was not relocated as discussed was included in the EA and recent JPA. Please provide documentation that emergency and support vehicles cannot drive on the airstrip or transition from a concrete surface to an asphalt surface. The existing runway has two pads that can only be accessed by driving on the runway; it is not clear why this does not represent a reasonable and practicable alternative for the proposed project. Evaluation of alternate pad size, shape and material, for example can the pad be put on piers, is needed. A Clean Water Act (CWA) Section 404 would be necessary for the construction of the proposed action, as it is currently designed. The CWA 404b(1) Guidelines only allows the least environmentally damaging practicable alternative (LEDPA) to be permitted. As described in this EA, it is not clear that the proposed alternative represents the LEDPA.
- Elevation of the airstrip is proposed to be 3 ft above existing ground; this is stated to be this height needed in order to accommodate the stormwater infiltration trench that would surround the airstrip. Drawings of design cross-sections for airstrip and bio-trenches should be clear and legible. Why do trenches need to be elevated? As currently designed, below the base of trenches would be additional compacted fill, and trenches do not connect to existing uncompacted ground levels or groundwater. It is not apparent how this disconnect enhances or promotes infiltration. Please clarify the design and intended rates of infiltration volume or velocity that the design will achieve. If trenches do not have to be elevated and can put in closer to existing ground levels, the amount of fill needed and the footprint of the project would be smaller. A smaller footprint that is not as elevated may allow for additional avoidance and minimization opportunities. This opportunity should also be considered despite the known presence of unexploded

ordinances, which can be remediated if necessary. It is also not clear if the trench can only be located on one side to further minimize impacts.

17

Resource impacts

- Please clarify what the expected noise levels from construction and operation of the proposed action. It appears that noise levels on this remote part of Wallops Island could raise from 47-57 dBA to a high of 73 dBA. It is not clear what the operational noise would be at 500ft or below the flight path at ground level. Discuss if noise during take-off or landing would be louder than during flight, and if these conditions were taken into account for the noise analysis. 18
- Page 3-14 states that maritime habitats are well outside the project ground disturbance zone. Does this include maritime forests shown on Figure 12? 19
- It is not clear how many acres of wetland will be impacted by conversion and clearing. EPA suggests that compensatory mitigation for conversion of wetlands also be considered. Discuss any temporary impacts to wetlands for construction and staging. Indirect impacts from changes in flow and water movement should also be included. 20
- Page 3-40 mentions the use of retaining walls and trenches. More information about the use of retaining walls and trenches is needed. Show where the retaining wall is proposed for use. Would the use of retaining walls reduce the amount of impact to wetlands? Stormwater management should not be located in wetlands. 21
- EPA encourages NASA to continue working with FWS to monitor and minimize effects to rare, threatened and endangered species that are located on the north end of Wallops Island. 22
- An invasive species management plan may be necessary to prevent further spread of common reed during the construction of the proposed project. Further spread of this invasive species and loss of native wetland vegetation is of concern to EPA. 22
- Page 5-9 discusses potential cumulative effects on wetlands, saying that the wetland loss “would represent a long-term impact; however, WFF has compensated for more wetlands impacts than have occurred in the recent past for activities outside of the geographic scope of this proposal.” While it may be true that WFF has compensated for past wetland impacts, it has not been determined that the compensatory mitigation be used to offset lost functions and values of resources considered and cannot be used to offset the adverse wetland impacts associated with this or other future projects. It is the concern of EPA that adverse cumulative effects to wetlands may be occurring at Wallops Island and may continue to occur in the future. 23
- What is the rationale for cumulative impact spatial and temporal boundaries that were used for the analysis? The spatial boundary for this EA was limited to only the north end of Wallops Island. EPA may suggest that a larger spatial boundary be considered. 24





United States Department of the Interior

FISH AND WILDLIFE SERVICE



Chincoteague National Wildlife Refuge
8231 Beach Road, Chincoteague, VA 23336

February 3, 2012

Mr. Joel T. Mitchell
Lead, Natural Resources
NASA Goddard Space Flight Center's
Wallops Flight Facility, Code 250.W
Wallops Island, Virginia 23337

Dear Mr. Mitchell:

As indicated in NASA's Environmental Assessment for the proposed Unmanned Aerial Systems (UAS) runway on the northern end of Wallops Island, the U.S. Fish and Wildlife Service (Service) has coordinated with NASA regarding the potential impacts of the project on federally listed candidate, threatened, and endangered species; bald eagles; and impacts to wetlands, and measures that NASA could adopt to reduce potential impacts.

The conservation measures NASA has adopted in their proposed action to avoid impacts to these federal trust resources will result in reduced adverse effects, and will tend to maintain habitat and environmental conditions favorable for listed species, as well as the wide variety of other wildlife species that occurs in the area. Proposed monitoring of the effects of UAS on shorebirds may also help address information gaps that will allow for improved protection of shorebirds, both on Wallops Island and in other locations where aircraft operations can affect shorebirds. The Service appreciates the opportunity to work with NASA to promote conservation of fish, wildlife, plants, and their habitats, while implementing their mission.

Should you have any questions, I may be reached via email at Louis_Hinds@fws.gov or by phone at (757) 336-6122 Ext. 328.

Sincerely,

Louis Hinds
Refuge Manager
Chincoteague National Wildlife Refuge



UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 NORTHEAST REGION
 55 Great Republic Drive
 Gloucester, MA 01930-2276

JAN - 5 2012

Joel T. Mitchell
 National Aeronautics and Space Administration
 Goddard Space Flight Center
 Wallops Flight Facility
 Wallops Island, Virginia 23337
 Attn: 250.W

Dear Mr. Mitchell,

This is in response to your letter dated December 21, 2011, requesting our review and comments on the National Aeronautics and Space Administration's (NASA) Draft Environmental Assessment (EA) for the proposed Unmanned Aerial Systems Airstrip at your Goddard Space Flight Center, located on the north end of Wallops Island in Accomack County, Virginia.

As noted in our August 24, 2010, letter to NASA regarding this proposal, several species of sea turtles listed by NOAA's National Marine Fisheries Service (NMFS) as threatened and endangered occur seasonally in the coastal waters of Virginia. However, as no in water work is proposed, no listed species will be affected by the construction of the Unmanned Aerial Systems Airstrip. Based on this information, NMFS does not intend to offer additional comments on the Draft EA and thus, no further coordination with NMFS Protected Resources Division is needed. Should project plans change or new information become available that changes the basis for this determination, further coordination should be pursued. If you have any questions regarding these comments, please contact Danielle Palmer at (978) 282-8468.

Sincerely,

Mary A. Colligan
 Assistant Regional Administrator
 for Protected Resources

Enclosure

File Code: NASA Draft EA Unmanned Aerial Systems Airstrip





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

AUG 24 2010

Joel T. Mitchell
National Aeronautics and Space Administration
Goddard Space Flight Center
Wallops Flight Facility
Wallops Island, Virginia 23337
Attn: 250.W

Dear Mr. Mitchell,

This is in response to your letter dated July 14, 2010 regarding the National Aeronautics and Space Administration's (NASA) Goddard Space Flight Center's Wallops Flight Facility's proposed Unmanned Aerial Systems Airstrip, located on the north end of Wallops Island in Accomack County, Virginia.

Several species of sea turtles listed by NOAA's National Marine Fisheries Service (NMFS) as threatened and endangered occur seasonally in the coastal waters of Virginia. However, as no in water work is proposed, no listed species will be affected by the proposed project. As such, no consultation pursuant to Section 7 of the Endangered Species Act of 1973, as amended, is required. Should project plans change or new information become available that changes the basis for this determination, consultation should be reinitiated. If you have any questions about these comments, please contact Danielle Palmer at (978)282-8468.

Sincerely,

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources



Hoffman, Charee

Subject: UAV EA**From:** Silbert, Shari A. (WFF-200.C)[EG&G, Inc. (WICC)] [<mailto:shari.a.silbert@nasa.gov>]**Sent:** Thursday, January 05, 2012 3:04 PM**To:** Hoffman, Charee**Cc:** Mitchell, Joel T. (WFF-2500)**Subject:** FW: UAV EA*Shari A. Silbert*

URS Corporation
 Environmental Scientist
 NASA Wallops Flight Facility
 Wallops Island, VA 23337
 ph (757) 824-2327
 fx (757) 824-1819
Shari.A.Silbert@nasa.gov

Please visit our website at [WFF Environmental Office](#)*"The contents of this message do not reflect any position of the National Aeronautics and Space Administration or Goddard Space Flight Center."*

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

From: Ailes, Marilyn CIV SCSC, X31 [<mailto:marilyn.ailes@navy.mil>]**Sent:** Thursday, December 29, 2011 3:34 PM**To:** Silbert, Shari A. (WFF-200.C)[EG&G, Inc. (WICC)]**Subject:** RE: UAV EA

Comments on the runway on the north end:

Noise: You are using loudspeakers at the launch sites which are exceedingly loud; they are enough to startle my dog inside my home, about 2 miles away. Will you be using such loudspeakers on the north end? They would be quite disruptive, but you don't mention them. | 1

Traffic: You mention about six vehicles per launch going up the road, up to three times a day (1,000 launches/year). This is a lot of traffic, but you don't address this disturbance. Would it affect peregrines? Probably not, but you should mention it. It would be a disturbance to migrating birds coming south in the fall. Probably significant. | 2

P. 3-13 and 31: myrtle plants are now 'Morella'. Taxonomists playing their games. | 3

P. 5-3: ARTIST isn't included. | 4

P. 5-9: There is currently no program to control common reed or other invasives. Will you be starting a program? If not, you shouldn't say it would be controlled, except by mowing along the sides of the runway. That'll happen, anyway. | 5

Those are the main comments.

Marilyn



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

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

TDD (804) 698-4021

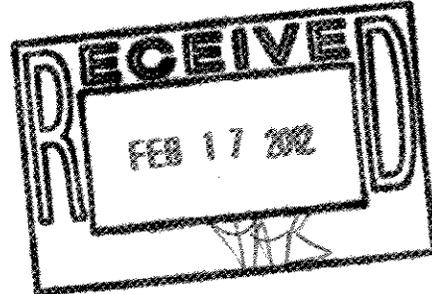
www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

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

February 15, 2012



Mr. Joshua A. Bundick
WFF NEPA Manager
Environmental Office
NASA Wallops Flight Facility
Wallops Island, Virginia 23337

RE: Draft Environmental Assessment and Federal Consistency Determination for the North Wallops Island Unmanned Aerial Systems Airstrip, Accomack County, (DEQ 11-211F).

Dear Mr. Bundick:

The Commonwealth of Virginia has completed its review of the December 2011 Draft Environmental Assessment (EA) and Federal Consistency Determination (FCD) (received December 20, 2011) for the construction of the North Wallops Island Unmanned Aerial Systems Airstrip in Accomack County. The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of federal environmental documents and responding to appropriate federal officials on behalf of the Commonwealth. DEQ is also responsible for coordinating Virginia's review of FCDs submitted pursuant to the Coastal Zone Management Act (CZMA) and providing the state's response. The following agencies participated in the review of the EA and FCD for this proposal:

- Department of Environmental Quality
- Department of Conservation and Recreation
- Department of Game and Inland Fisheries
- Virginia Marine Resources Commission
- Department of Agriculture and Consumer Services
- Department of Health
- Department of Historic Resources
- Department of Transportation
- Department of Aviation

The Department of Forestry, Accomack County and Accomack-Northampton Planning District Commission were also invited to comment on the proposal.

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

PROJECT DESCRIPTION

National Aeronautics and Space Administration (NASA) proposes to construct an unmanned aerial systems (UAS) airstrip at the Goddard Space Flight Center (GSFC) Wallops Flight Facility (WFF) in Accomack County. NASA has submitted an Environmental Assessment (EA) for the proposal that analyzes the potential environmental consequences of construction and operation of a UAS airstrip on the north end of Wallops Island to support the testing and deployment of existing and future UAS and UAS-based scientific instruments. Under the Proposed Action, WFF would construct a new UAS airstrip that would measure approximately 3,000 feet long (2,500 feet plus an additional 500-foot clear zone) by 75 feet wide. Additional width would be provided by a grass buffer and cleared areas as needed for a clear line of sight for UAS operators. UAS-based operations typically would be conducted year round during WFF's normal Air Traffic Control tower hours (Monday through Friday, 0600 to 1800). A maximum of 1,040 UAS sortie operations each year would be conducted from the new airstrip. The airstrip would be located entirely within existing restricted airspace, which has been designated by the Federal Aviation Administration (FAA) as R-6604A/B. A Federal Consistency Determination was included in the EA (Appendix C).

CONCLUSION

Based on the information provided in the Draft Environmental Assessment and comments from reviewers, reviewing agencies generally have no objections to the proposal as presented. Provided activities are performed in compliance with all applicable laws and regulations and in accordance with the recommendations which follow, this project is unlikely to have significant effects on ambient air quality, water quality, surface waters, groundwater, wetlands, fisheries, agricultural land and historic resources.

However, due to the significance of the Maritime Dune Woodland Conservation Site and the state rare plant (*Anomalous eupatorium*) documented there, the Department of Conservation and Recreation strongly recommends avoiding impacts to this globally rare community and state rare plant and suggests relocating the airstrip to another site (see section 8. **Natural Heritage Resources**, page 10).

ENVIRONMENTAL IMPACTS AND MITIGATION

1. Surface Waters and Wetlands. According to the EA (page 3-43), the site is bound by the WFF to the south, Cow Gut to the west, Chincoteague Inlet to the north, and the Atlantic Ocean to the east. The document (page 3-48) states that construction activities would result in both short- and long-term impacts to stormwater conveyance due to raising the site elevation and removing vegetation. In addition, non-tidal wetlands (i.e.,

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

emergent and scrub shrub) are present in the footprint of the airstrip and would be adversely affected by its construction. A Joint Permit Application (JPA) has been prepared to secure authorization for the necessary wetland impacts.

1(a) Agency Jurisdiction. The State Water Control Board (SWCB) promulgates Virginia's water regulations, covering a variety of permits to include Virginia Pollutant Discharge Elimination System (VPDES) Permit, Virginia Pollution Abatement Permit, Surface and Groundwater Withdrawal Permit, and the Virginia Water Protection Permit (VWPP). The VWPP is a state permit which governs wetlands, surface water, and surface water withdrawals/impoundments. It also serves as § 401 certification of the federal *Clean Water Act* § 404 permits for dredge and fill activities in waters of the U.S. The VWPP Program is under the Office of Wetlands and Water Protection/Compliance, within the DEQ Division of Water Quality Programs. In addition to central office staff that review and issue VWP permits for transportation and water withdrawal projects, the seven DEQ regional offices perform permit application reviews and issue permits for the covered activities.

1(b) Agency Findings. According to the VWPP program at the DEQ Tidewater Regional Office, as proposed, the project will impact 2.47 acres of non-tidal wetlands which will likely require a VWPP. The EA indicates that NASA has already obtained a wetland delineation confirmation from the Corps of Engineers and that NASA has prepared a JPA.

1(c) Requirements. The JPA should be specific as to the type, amount, and location of wetlands that will be impacted by this project. For example, the EA states that a Low Impact Development (LID) infiltration trench may be constructed to convey surface water runoff away from the airstrip. If this trench is constructed through or adjacent to wetlands, the JPA should discuss possible drainage effects of this trench on nearby wetlands. All impacts should be clearly depicted on the project plans, including impacts associated with the demolition of the existing airfield, maintenance of wetlands in the buffer zones, etc. In addition, the EA states that several listed threatened and/or endangered species are located in the vicinity of the project site. Impacts to these species will be evaluated during the application process.

1(d) Recommendations. In general, DEQ recommends that surface water and wetland impacts be avoided to the maximum extent practicable. To minimize unavoidable impacts to wetlands and waterways, DEQ recommends the following practices:

- Use directional drilling from upland locations for stream crossings, to the extent practicable. If directional drilling is not feasible, stockpile the material excavated from the trench for replacement.
- Operate machinery and construction vehicles outside of stream-beds and

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

- wetlands; use synthetic mats when in-stream work is unavoidable;
- Construct trenches in a manner that does not drain the wetlands (for example, backfilling with extensive gravel layers thereby creating a French drain effect).
 - Preserve the top 12 inches of trench material removed from wetlands for use as wetland seed and root-stock in the excavated area.
 - Erosion and sedimentation controls should be designed in accordance with the most current edition of the *Virginia Erosion and Sediment Control Handbook*. These controls should be in place prior to clearing and grading, and maintained in good working order to minimize impacts to State waters. The controls should remain in place until the area is stabilized.
 - Place heavy equipment, located in temporarily impacted wetland areas, on mats, geotextile fabric, or use other suitable measures to minimize soil disturbance, to the maximum extent practicable.
 - Restore all temporarily disturbed wetland areas to pre-construction conditions and plant or seed with appropriate wetlands vegetation in accordance with the cover type (emergent, scrub-shrub, or forested). The applicant should take all appropriate measures to promote re-vegetation of these areas. Stabilization and restoration efforts should occur immediately after the temporary disturbance of each wetland area instead of waiting until the entire project has been completed.
 - Place all materials which are temporarily stockpiled in wetlands, designated for use for the immediate stabilization of wetlands, on mats, geotextile fabric in order to prevent entry in state waters. These materials should be managed in a manner that prevents leachates from entering state waters and must be entirely removed within thirty days following completion of that construction activity. The disturbed areas should be returned to their original contours, stabilized within thirty days following removal of the stockpile, and restored to the original vegetated state.
 - All non-impacted surface waters within the project or right-of-way limits that are within 50 feet of any clearing, grading, or filling activities should be clearly flagged or marked for the life of the construction activity within that area. The project proponent should notify all contractors that these marked areas are surface waters where no activities are to occur.
 - Measures should be employed to prevent spills of fuels or lubricants into state waters.

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

2. Subaqueous Lands. According to the FCD (Appendix C, page 2), there are no regulated subaqueous lands located within the footprint of the airstrip construction. The proposed range renovation would not have an impact on subaqueous lands.

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

2(a) Agency Jurisdiction. The Virginia Marine Resources Commission (VMRC), pursuant to Section 28.2-1204 of the Code of Virginia, has jurisdiction over any encroachments in, on, or over any state-owned rivers, streams, or creeks in the Commonwealth. For any development that involves encroachments channelward of ordinary high water along natural rivers and streams, a permit is required from VMRC.

The VMRC serves as the clearinghouse for the Joint Permit Application used by the:

- VMRC for encroachments on or over state-owned subaqueous beds as well as tidal wetlands;
- U.S. Army Corps of Engineers (Corps) for issuing permits pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act;
- DEQ for issuance of a Virginia Water Protection Permit; and
- local wetlands board for impacts to wetlands.

2(b) Agency Findings. According to VMRC, it appears that the proposed project does not fall under VMRC's jurisdiction. Therefore, no authorization would be required from VMRC.

2(c) Recommendation. Should any portion of the proposed project encroach channelward of mean low water, a permit from VMRC would be required.

For further information, contact VMRC, George Badger at (757) 414-0710.

3. Erosion and Sediment Control, and Stormwater Management. According to the EA (page 3-48), to mitigate potential short-term impacts, prior to construction, NASA would obtain a Virginia Stormwater Management Program construction site stormwater permit, develop a site-specific Stormwater Pollution Prevention Plan (SWPPP), and implement site specific Best Management Practices (BMPs). The SWPPP would identify all stormwater discharges at the site, actual and potential sources of stormwater contamination, and would require the implementation of both structural and nonstructural BMPs to reduce the impact of stormwater runoff on nearby receiving waters.

3(a) Agency Jurisdiction. The Department of Conservation and Recreation (DCR) Division of Stormwater Management (DSM) administers the *Virginia Erosion and Sediment Control Law and Regulations (VESCL&R)* and *Virginia Stormwater Management Law and Regulations (VSWML&R)*.

3(b) Erosion and Sediment Control and Stormwater Management Plans. According to DCR-DSM, NASA and its authorized agents conducting regulated land-disturbing activities on private and public lands in the state must comply with *VESCL&R* and *VSWML&R*, including coverage under the general permit for stormwater discharge

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

from construction activities, and other applicable federal nonpoint source pollution mandates (e.g. Clean Water Act-Section 313, federal consistency under the Coastal Zone Management Act). Clearing and grading activities, installation of staging areas, parking lots, roads, buildings, utilities, borrow areas, soil stockpiles, and related land-disturbing activities that result in the land disturbance of equal to or greater than 10,000 square feet would be regulated by *VESCL&R*. Accordingly, NASA must prepare and implement an erosion and sediment control (ESC) plan to ensure compliance with state law and regulations. The ESC plan is submitted to the DCR Regional Office that serves the area where the project is located for review for compliance. NASA is ultimately responsible for achieving project compliance through oversight of on site contractors, regular field inspection, prompt action against non-compliant sites, and other mechanisms consistent with agency policy. [Reference: *VESCL* §10.1-567]

3(c) Virginia Stormwater Management Program General Permit for Stormwater Discharges from Construction Activities. DCR 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.

Therefore, the operator or owner conducting land-disturbing activities equal to or greater than one acre are 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. Construction activities requiring registration also includes land disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan of development will ultimately disturb equal to or greater than one acre. The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit and the SWPPP must address water quality and quantity in accordance with the VSMP *Permit Regulations*. General information and registration forms for the General Permit are available on DCR's website at:

http://www.dcr.virginia.gov/stormwater_management/vsmp.shtml. [Reference: Virginia Stormwater Management Act §10.1-603.1 *et seq.*; VSMP Permit Regulations 4 VAC-50 *et seq.*]

4. Air Emissions. According to the EA (page 3-60), calculations indicate that annual emissions for proposed construction activities would not exceed the 250 tons per year for any criteria pollutant, nor would the Greenhouse Gas (GHG) threshold of 25,000 metric tons per year be exceeded. Air quality impacts associated with the construction activities would be minimal. In addition, the document (page 3-61) finds that air quality impacts associated with the operational activities would be minimal.

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

4(a) Agency Jurisdiction. DEQ's Air Quality Division, on behalf of the State Air Pollution Control Board, is responsible to develop regulations that become Virginia's *Air Pollution Control Law*. DEQ is charged to carry out mandates of the state law and related regulations as well as Virginia's federal obligations under the *Clean Air Act* as amended in 1990. The objective is to protect and enhance public health and quality of life through control and mitigation of air pollution. The division ensures the safety and quality of air in Virginia by monitoring and analyzing air quality data, regulating sources of air pollution, and working with local, state and federal agencies to plan and implement strategies to protect Virginia's air quality. The appropriate regional office is directly responsible for the issue of necessary permits to construct and operate all stationary sources in the region as well as to monitor emissions from these sources for compliance. As a part of this mandate, the environmental documents of new projects to be undertaken in the state are also reviewed. In the case of certain projects, additional evaluation and demonstration must be made under the general conformity provisions of state and federal law.

4(b) Agency Findings. According to the DEQ Air Division, the project site is located in an ozone (O₃) attainment area.

4(c) Recommendation. NASA should take all reasonable precautions to limit emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x), principally by controlling or limiting the burning of fossil fuels.

4(d) Requirements.

(i) Fugitive Dust

During construction, fugitive dust must be kept to a minimum by using control methods outlined in 9 VAC 5-50-60 *et seq.* of the *Regulations for the Control and Abatement of Air Pollution*. These precautions include, but are not limited to, the following:

- Use, where possible, of water or chemicals for dust control;
- Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;
- Covering of open equipment for conveying materials; and
- Prompt removal of spilled or tracked dirt or other materials from paved streets and removal of dried sediments resulting from soil erosion.

(ii) Open Burning

If project activities include the burning of construction or demolition material, this activity must meet the requirements under 9 VAC 5-130 *et seq.* of the *Regulations* for open burning, and it may require a permit. The *Regulations* for open burning provide for, but

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

do not require, the local adoption of a model ordinance concerning open burning. NASA should contact Accomack County officials to determine what local requirements, if any, exist.

(iii) Fuel-Burning Equipment

Fossil fuel-fired portable generators used both during and post-construction may be subject to New Source Performance Standards and/or National Emission Standard for Hazardous Air Pollutants (NESHAP) regulations. Such units, dependent upon size, may also be subject to the permitting requirements of 9 VAC 5 Article 6 of the *Regulations*. Portable concrete/asphalt plants/crushers may also be subject to the permitting requirements of Article 6 of the *Regulations*.

5. Solid and Hazardous Wastes and Hazardous Materials. The EA (page 3-63) states that construction activities would include the use of hazardous materials and may generate hazardous waste (e.g., solvents, hydraulic fluid, oil, and antifreeze) from the construction equipment. NASA would require its contractors to manage all hazardous materials and wastes in accordance with the WFF Integrated Contingency Plan (ICP) and federal, state, and local regulations. All construction and demolition debris would be characterized in accordance with *Virginia Hazardous Waste Management Regulations* and disposed of at an appropriate facility.

5(a) Agency Jurisdiction. Solid and hazardous wastes in Virginia are regulated by the Virginia Department of Environmental Quality, the Virginia Waste Management Board (VWMB) and the U.S. Environmental Protection Agency. They administer programs created by the federal Resource Conservation and Recovery Act, Comprehensive Environmental Response Compensation and Liability Act, commonly called Superfund, and the Virginia Waste Management Act. DEQ administers regulations established by the VWMB and reviews permit applications for completeness and conformance with facility standards and financial assurance requirements. All Virginia localities are required, under the Solid Waste Management Planning Regulations, to identify the strategies they will follow on the management of their solid wastes to include items such as facility siting, long-term (20-year) use, and alternative programs such as materials recycling and composting.

5(b) Agency Findings. The DEQ Division of Land Protection and Revitalization (DLPR) (formerly called the Waste Division) conducted a Geographic Information System (GIS) data base search and found waste sites within a half-mile radius of the project site. A cursory review of Waste Division data files determined that there are several waste sites located within the same zip code at the project site. However, their proximity to the project site is unknown. A list of these sites is included in the attachments to this document.

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

5(c) Requirements.

(i) Hazardous Waste Management

Any soil that is suspected of contamination or wastes that are generated during construction-related activities must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations. All construction and demolition debris must be characterized in accordance with the *Virginia Hazardous Waste Management Regulations* and disposed of at an appropriate facility.

(ii) Asbestos-containing Material and Lead-based Paint

All structures being demolished or removed should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to demolition. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, state regulations 9 VAC 20-80-640 for ACM and 9 VAC 20-60-261 for LBP must be followed.

5(d) Recommendations.

(i) Comprehensive Environmental Response, Compensation and Liability Act

DEQ's Federal Facilities Restoration Program recommends contacting NASA WFF, T.J. Meyer at (757) 824-1987 and the Corps, Sher Zaman at (410) 962-3134, for information concerning Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) obligations at the installation. Coordinate with WFF and the Corps prior to initiating any land-, sediment-, or groundwater-disturbing activities associated with construction and demolition activities.

(ii) Additional Waste Site Information

The following website may be accessed to locate additional information on listed waste sites using their identification numbers:

<http://www.epa.gov/superfund/sites/cursites/index.htm> or
http://www.epa.gov/enviro/html/rcris/rcris_query_java.html.

(iii) Pollution Prevention

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

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

6. Petroleum Storage Tanks.

6(a) Petroleum Storage Tank Cleanups. According to DEQ-TRO, there have been no petroleum releases reported at or adjacent to the proposed project site at Wallops Flight Facility. Petroleum contaminated soils or groundwater generated during construction of this project must be characterized and disposed of properly.

6(b) Requirements. NASA must comply with the following requirements of the Storage Tank Program.

- The relocation, removal or closure of any regulated aboveground or underground petroleum storage tank(s) must be reported to DEQ TRO.
- Spills or other accidental releases of petroleum or other hazardous products from construction activities must be reported to the DEQ Tidewater Regional Office Pollution Response Program (Prep).
- If evidence of a petroleum release is discovered during implementation of the project, it must be reported to DEQ-TRO.
- If any regulated ASTs or USTs are closed, relocated or altered, NASA must notify DEQ-TRO.
- If the construction of this project will include the use of portable ASTs (>660 gallons) for more than 120 days, it must be registered with DEQ-TRO using AST Registration form 7540-AST. This form is available at the DEQ web site at www.deq.virginia.gov.

7. Herbicides and Pesticides. DEQ recommends that the use of herbicides or pesticides for construction or landscape maintenance be in accordance with the principles of integrated pest management. The least toxic pesticides that are effective in controlling the target species should be used. Contact the Department of Agriculture and Consumer Services at (804) 786-3501 for more information.

8. Natural Heritage Resources. According to the EA (page 2-20), minor, long-term impacts to upland and non-tidal wetland communities would occur. Approximately 8.05 acres of vegetation would be cleared and roughly 2.47 acres of non-tidal wetlands would be filled. The document concludes that the loss of habitat would not adversely impact wildlife species abundance or population sustainability.

8(a) Agency Jurisdiction. The mission of the Virginia Department of Conservation and Recreation is to conserve Virginia's natural and recreational resources. DCR supports a variety of environmental programs organized within seven divisions including the Division of Natural Heritage. The Natural Heritage Program's (DCR-DNH) mission is conserving Virginia's biodiversity through inventory, protection, and stewardship. The *Virginia Natural Area Preserves Act*, 10.1-209 through 217 of the *Code of Virginia*, was passed in 1989 and codified DCR's powers and duties related to statewide biological

Mr. Joshua A. Bundick
North Wallops Island Unmanned Aerial Systems

inventory: maintaining a statewide database for conservation planning and project review, land protection for the conservation of biodiversity, and the protection and ecological management of natural heritage resources (the habitats of rare, threatened, and endangered species, significant natural communities, geologic sites, and other natural features).

8(b) Agency Findings.

(i) North Wallops Island Conservation Site

The project site is located within the North Wallops Island Conservation Site. Conservation sites are tools for representing key areas of the landscape that warrant further review for possible conservation action because of the natural heritage resources and habitat they support. Conservation sites are polygons built around one or more rare plant, animal, or natural community designed to include the element and, where possible, its associated habitat, and buffer or other adjacent land thought necessary for the element's conservation. Conservation sites are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. North Wallops Island Conservation Site has been given a biodiversity significance ranking of B2 which represents a site of very high significance. The natural heritage resources of concern at this site are:

| | | |
|------------------------|---|----------------|
| Maritime Dune Woodland | <i>Prunus serotina/Smilax rotundifolia/</i> | |
| | <i>Schizachyrium littorale</i> Woodland | G1G2/S1/SOC/NL |
| Anomalous eupatorium | <i>Eupatorium anomalum</i> | G2G3/S1/NLNL |

Maritime Dune Woodland: a very rare community type known only from two sites in Virginia. This woodland comprises tall, temperate, deciduous maritime shrublands or scrub forests of the mid-Atlantic coast. It generally occurs on the lee side of sand dunes along the coast and is subject to salt spray and winds. The substrate varies from pure sand directly adjacent to the ocean to loamy sands in more sheltered areas of the coast. Although placed within the shrubland class at one time, the physiognomy of this vegetation can be variable and ranges from open woodland to stunted forest to dense nearly impenetrable thicket (this association has been placed back in the forest class). Individual trees tend to be wind-pruned and multi-stemmed. The vegetation is dominated by *Prunus serotina*, *Amelanchier canadensis*, *Pinus taeda*, *Sassafras albidum*, *Photinia pyrifolia* (*Aronia arbutifolia*), and *Diospyros virginiana* in varying proportions. *Morella cerifera* (*Myrica cerifera*) and *Vaccinium corymbosum* may form a subcanopy, but if the community is particularly stunted, this species may contribute substantially to the canopy. Lianas are abundant in the canopy or over the ground layer, and species include *Smilax rotundifolia*, *Smilax glauca*, *Parthenocissus quinquefolia*, and *Toxicodendron radicans*. Herbs are generally scarce to lacking

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entirely, and when present are generally made up of tree and vine seedlings.
(NatureServe, 2011)

Anomalous eupatorium: a tall, perennial, rhizomatous herb in the aster family and grows in interdunal swales, moist savannas (Weakley in prep.). The usually opposite-leaved stem branches toward the top and produces multiple, flat to convex-topped, white-flowered inflorescences in August-October. Anomalous eupatorium was documented during a site visit in October 2011 as part of DCR's re-inventory of the North Wallops Island Conservation Site, on the edges of a seldom-used road through old sand dunes. With the finding of this eupatorium in 2011 along the old access road on North Wallops Island, two occurrences are now documented in Virginia, the other in the Virginia Beach-False Cape area.

(ii) Avian Species

The Peregrine falcon (*Falco peregrinus*, G4/S1BS2N/NL/LT), Northern Harrier (*Circus cyaneus*, G5/S1S2B,S3N/NL/SC), Piping plover (*Charadrius melodus*, G3/S2B,S1N/LT/LT), Wilson's plover (*Charadrius wilsonia*, G5/S1B/NL/LE), and Little blue heron (*Egretta caerulea*, G5/S2B,S3N/NL/NL) have been documented within the project area and the project vicinity. DCR supports the continued annual monitoring of the peregrine falcon use of the hacking tower, the bald eagle nest at the east end of the proposed airstrip's clear zone, annual shorebird monitoring and the monitoring of the effects of the aircraft on plovers and other shorebirds in conjunction with an adaptive management approach as described on p 3-39 of the *Draft EA, Chapter 3: Affected Environment and Environmental Consequences, 3.5.2.3 Special-Status Species Monitoring* and in *Chapter 4: Mitigation and Monitoring, Biological Resources*.

(iii) Threatened and Endangered Plant and Insect Species

The Endangered Plant and Insect Species Act of 1979, Chapter 39, §3.1-102- through 1030 of the *Code of Virginia*, as amended, authorizes the Virginia Department of Agriculture and Consumer Services (VDACS) to conserve, protect and manage endangered species of plants and insects. The VDACS Virginia Endangered Plant and Insect Species Program personnel cooperates with the U.S. Fish and Wildlife Service, DCR-DNH and other agencies and organizations on the recovery, protection or conservation of listed threatened or endangered species and designated plant and insect species that are rare throughout their worldwide ranges. In those instances where recovery plans, developed by the U.S. Fish and Wildlife Service, are available, adherence to the order and tasks outlines in the plans are followed to the extent possible.

VDACS has regulatory authority to conserve rare and endangered plant and insect species through the Virginia Endangered Plant and Insect Species Act. Under a

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Memorandum of Agreement established between VDACS and DCR, DCR has the authority to report for VDACS on state-listed plant and insect species. DCR finds that the current activity will not affect any documented state-listed plants or insects. In addition, VDACS reviewed statements in the EA concerning listed endangered species and compared them to available information. VDACS finds that no additional comments are necessary in reference to listed endangered plant and insect species with regard to the proposed project.

(iv) State Natural Area Preserves

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

8(c) Conclusion.

(i) Maritime Dune Woodland Community

The proposed project would directly impact the Maritime Dune Woodland community, a natural heritage resource. The EA (page 2-20) states that "this ecosystem is considered rare by the Commonwealth of Virginia; however, this impact would be minor when considered within the context of existing like habitat in the Mid-Atlantic region." In addition, the EA (page 3-35) states that "The UAS Airstrip project is proposing to remove a maximum of 0.93 hectares (2.3 acres) of this community. While this represents almost half of the black cherry xeric maritime dune woodland on Wallops Island, it is 1 percent of the type and the remaining 99 percent reside on protected conservation areas."

While DCR does not dispute the statistics cited above, these statements are somewhat misleading regarding the global status and significance of the proposed loss. There are essentially eight occurrences of this community type with an aggregate coverage of only 84 ha (208 acres) in the world. Based on well-established ranking standards employed by NatureServe and the Natural Heritage network, the community therefore ranks as one of the rarest and least extensive (acreage-wise) natural communities in eastern North America. Moreover, there is little likelihood of additional occurrences since the environmental requirements (xeric high dunes well removed from salt spray) are rare everywhere within the known Mid-Atlantic range.

In Virginia, the only other occurrence of this community is found on the Chincoteague National Wildlife Refuge; data from the purported occurrence on Fisherman's Island has been re-analyzed and that occurrence has been more appropriately re-classified as a maritime forest. Therefore, the Wallops Island occurrence is also the southernmost known occurrence of the type and one of two occurrences in the state. The loss of 1% of the global range of such a rare community is not minor, as stated in the EA

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justification. In addition, the acreage of the Wallops occurrence that would remain, should the proposed airstrip be constructed, would be fragmented and questionably viable.

(ii) *Anomalous eupatorium*

Anomalous eupatorium is known from Virginia, North Carolina, Georgia, Florida, and Alabama. A species of hybrid origin, what is known as *Eupatorium anomalum* currently, may in fact need to be split into two entities, one with a *E. semiserratum* x *E. mohri* lineage (Florida, Alabama) and the other with a *E. serotinum* x *E. mohri* lineage. The recent DNA sequencing of the Wallops Island collections by Edward Schilling of the University of Tennessee confirmed that this Wallops Island population is similar to the Virginia Beach population and North Carolina material in being derived from *E. mohri* x *E. serotinum* (E. Schilling pers. com 2011). The Wallops Island plants may therefore be an even rarer entity than it is currently ranked.

The population at Wallops is highly threatened by a combination of the proposed airstrip project and the associated clearing that is planned as well as by succession/re-vegetation occurring along the seldom-used road which Wallops Flight Facility does not plan to keep open (Joel Mitchell pers. comm. 2011).

8(d) Recommendations.

• ***Maritime Dune Woodland and Anomalous eupatorium***

Due to the significance of the Maritime Dune Woodland and the Anomalous eupatorium, DCR-DNH strongly recommends avoiding impacts to this globally rare community and state rare plant and suggests relocating the airstrip to another site. In addition, DCR-DNH recommends maintaining the margins of the road bed, where the Anomalous eupatorium occurs, by periodic mowing/bush-hogging during the late winter/early spring. This should maintain the area in a more sunlit state to support the remaining plants.

• ***Peregrine Falcon and Wilson's Plover***

Due to the legal status of the Peregrine falcon and Wilson's plover, DCR recommends coordination with the Virginia Department of Game and Inland Fisheries (DGIF), to ensure compliance with the *Virginia Endangered Species Act* (§§ 29.1-563-570). Due to the legal status of the Piping plover, DCR also recommends continued coordination with the U.S. Fish and Wildlife Service and DGIF to ensure compliance with protected species legislation.

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- **Natural Heritage Resource Information**

NASA should contact DCR-DNH at (804) 786-7951 to secure updated information on natural heritage resources if a significant amount of time passes before it is utilized. New and updated information is continually added to the Biotics Data System.

- **Protected Species**

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 by DCR. The DGIF database may be accessed at <http://vafwis.org/fwis/> or by contacting Shirli Dressler at (804) 367-6913.

9. Shellfish Resources. According to the EA (page 5-5), although Wallops Island is closed to public access, the adjacent waterways and marshes to the north and west are regularly used by the public for activities such as harvesting shellfish.

9(a) Agency Jurisdiction. The Virginia Department of Health's (VDH) Division of Shellfish Sanitation (DSS) is responsible for protecting the health of the consumers of molluscan shellfish and crustacea by ensuring that shellfish growing waters are properly classified for harvesting, and that molluscan shellfish and crustacea processing facilities meet sanitation standards. The mission of this Division is to minimize the risk of disease from molluscan shellfish and crustacea products at the wholesale level by classifying shellfish waters for safe commercial and recreational harvest; by implementing a statewide regulatory inspection program for commercial processors and shippers; and by providing technical guidance and assistance to the shellfish and crustacea industries regarding technical and public health issues.

9(b) Agency Finding. According to VDH-DSS, the project is located in approved shellfish growing waters. However, the activity as described will not require a change in classification.

For additional information, contact VDH-DSS, Keith Skiles at (804) 864-7487.

10. Wildlife Resources and Protected Species. According to the EA (page 3-32), long term, the removal of upland and wetlands habitat at the proposed project site would cause birds, mammals, reptiles, and amphibians using the uplands and wetlands within the project footprint to be permanently displaced once the land is cleared. The document lists several listed species in the area including the loggerhead sea turtle, piping plover, red knot, bald eagle and peregrine falcon. The document finds that the proposed project is unlikely to adversely affect sea turtles; will not adversely impact piping plovers; will have minor but not long lasting impact to local populations of red

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knots; and may have long term but minor impacts to raptor species (i.e. bald eagle, peregrine falcon).

10(a) Agency Jurisdiction. 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). The 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.

10(b) Agency Findings. DGIF reiterates (as stated in earlier correspondence with NASA and in the EA) that the state-listed threatened bald eagle and peregrine falcon, and federal-listed threatened piping plover and loggerhead sea turtle have been documented from the project area. In addition, the federal candidate red knot and state-listed endangered Wilson's plover may be found on or near the proposed work site. There are also a number of Species of Greatest Conservation Need, as designated in Virginia's Wildlife Action Plan (www.bewildvirginia.org), known from the project area.

10(c) Recommendations. DGIF offers the following recommendations with respect to the monitoring plans described in the EA as part of mitigation for possible impacts upon listed species:

- The monitoring of avian responses by human observers should be utilized in addition to video cameras and begin March 15 and continue through the fall migration, approximately November 15 of any year, as video cameras are effective at capturing responses of birds on nests, but are not effective for monitoring birds passing through or foraging in the area after the nests have hatched. This monitoring should occur for at least one year after the UAS is in operation.
- Human observers should be used to record flight behavior, direction, and the elevation of the eagles should they flush in response to UAS activities. Video cameras are an effective tool for monitoring the responses of bald eagles to UAS activities.
- Video cameras should be placed in view of any documented oystercatcher nests in order to provide a better understanding of their responses to UAS activities in addition to other video camera monitoring.
- Piping plover monitoring should begin during shorebird spring migration and at the onset of piping plover nest site selection, approximately March 15 of any year

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to ensure that piping plover monitoring considers responses to take-off and landing activities from migrant as well as breeding birds. Monitoring should continue until all piping plover pairs have left their territories.

- Red knot monitoring by human observers should be performed from April 15 through June 15 of any year. Observers should record responses of all avian species present during take-off and landing during this period, in addition to recording responses by red knots.

In addition, the old airstrip should be abandoned and allowed to revert back to beach/overwash habitats which are necessary to many wildlife in the area. However, the area should be monitored for encroachments by invasive species if it is allowed to naturally revert back to vegetated dune.

10(d) Conclusion. DGIF agrees with the USFWS and NASA determinations that construction of the UAS at WFF is not likely to result in significant adverse impacts upon the listed species documented from the project area, and that not much is known about how operation of the UAS may impact nesting and foraging wildlife in the area, including listed species. DGIF supports the avoidance and minimization methods agreed upon by the USFWS and NASA; implementation of which is anticipated to greatly reduce impacts from construction and operation of the UAS at WFF on wildlife and their habitats. In addition, DGIF supports an adaptive management approach to the wildlife monitoring plan.

DGIF is available to assist in the development of monitoring plans, and requests a copy of the results of the monitoring as it may inform the understanding of wildlife responses to UAS and similar activities.

11. Forest Resources. According to the EA (page 1-7), vegetation alongside the length (out to 100 feet on each side) of the airstrip will be cleared. Trees will be cut to ground level; digging below ground to remove stumps and roots is not anticipated since the area for the airstrip will be elevated with up to 3 feet of fill material in most areas. Construction of the UAS airstrip will affect approximately 13 acres of vegetated areas from clearing.

11(a) Agency Jurisdiction. The mission of the Virginia Department of Forestry (VDOF) is to protect and develop healthy, sustainable forest resources for Virginians. VDOF was established in 1914 to prevent and suppress forest fires and reforest bare lands. Since the Department's inception, it has grown and evolved to encompass other protection and management duties including: protecting Virginia's forests from wildfire, protecting Virginia's waters, managing and conserving Virginia's forests, managing state-owned lands and nurseries, and managing regulated incentive programs for forest landowners.

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11(b) Agency Findings. VDOF did not respond to our request for comments on the proposal.

11(c) Recommendations. In general, trees not slated for removal should be left in groupings or clusters to provide aesthetic and environmental benefits, as well as reducing costs associated with maintaining open space, to the extent practicable. The following measures are recommended during construction to protect trees not slated for removal.

- Mark and fence trees at least to the dripline or the end of the root system, whichever extends farther from the tree stem.
- Mark trees with highly visible ribbon so that equipment operators can see the protected areas easily.
- Do not park heavy equipment, move or stack construction materials near trees which can damage root systems by compacting the soil.
- Use mats to minimize soil compaction and mechanical injury to plants.
- Stockpile soil away from trees to avoid killing the root systems.

Questions pertaining to mitigation and tree protection may be addressed to the Department of Forestry, Tom Harlan at (434) 220-9064.

12. Public Water Supply.

12(a) Agency Jurisdiction. The Virginia Department of Health (VDH), Office of Drinking Water (ODW), reviews projects for the potential to impact public drinking water sources (groundwater wells and surface water intakes).

12(b) Agency Findings. According to VDH-ODW, the project site is not proximate to any identified public drinking water sources (groundwater wells, springs and surface water intakes).

Contact VDH, Diedre Forsgren at (804) 864-7241 for additional information.

13. Transportation Impacts. According to the EA (page 3-66), access to WFF is provided by Route 175 (Chincoteague Road), a two-lane minor arterial that connects to Atlantic Road and Mill Dam Road, both of which terminate at the Main Base gate. Wallops Island is accessed via Atlantic Road which intersects with Wallops Island Road. Wallops Island Road terminates at the Mainland gate. The proposed UAS airstrip would be located on a remote portion of Wallops Island. Because of its location, it is not routinely accessed by WFF personnel or contractors. Construction vehicles would present the greatest volume of traffic to the location.

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13(a) Agency Jurisdiction. The Virginia Department of Transportation (VDOT) provides comments pertaining to potential impacts to existing and future transportation systems.

13(b) Agency Findings. VDOT's preliminary review indicates that major impacts to the transportation system are not anticipated. There are no current road projects in the vicinity.

13(c) Requirements. According to VDOT, a land use permit will be required for any work in VDOT right-of-way.

For more information, contact VDOT, Kevin J. Thomas at (757) 925-1592.

14. Historic Structures and Archaeological Resources. According to the EA (page 3-53), this project has been coordinated with the Virginia Department of Historic Resources and it has been determined that no adverse impacts to archaeological and architectural resources would occur as a result of this project.

14(a) Agency Jurisdiction. The Department of Historic Resources (DHR) conducts reviews of projects to determine their effect on historic structures or cultural resources under its jurisdiction. DHR, as the designated State's Historic Preservation Office (SHPO), ensures that federal actions comply with Section 106 of the *National Historic Preservation Act of 1966 (NHPA)*, as amended, and its implementing regulation at 36 CFR Part 800. The *NHPA* requires federal agencies to consider the effects of federal projects on properties that are listed or eligible for listing on the National Register of Historic Places. Section 106 also applies if there are any federal involvements, such as licenses, permits, approvals or funding.

14(b) Agency Comments. According to DHR, NASA initiated direct consultation with DHR regarding the potential impacts of this project on historic resources. DHR confirms its recommendation in a January 10, 2011 letter that it anticipates the project will not result in adverse effects to historic resources.

For additional information, contact DHR, Amanda Lee at (804) 367-2323.

15. Aviation Impacts.

15(a) Agency Jurisdiction. The Virginia Department of Aviation's (DoAv) Airport Services Division provides airport sponsors and managers with technical assistance on a wide range of projects and issues, including the planning, design, construction and maintenance of airport facilities. The division manages funding programs for capital improvements, facilities and equipment, airport maintenance projects, and airport security; the General Aviation Voluntary Security Certification Program; the licensing

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program for public-use airports; and the registration program for private-use airports. The division conducts statewide aviation system planning and maintains the Virginia Air Transportation System Plan.

15(b) Agency Findings. DoAv reviewed the EA and does not have any comments.

For additional information, contact DoAv, Rusty Harrington at (804) 236-3624.

16. Pollution Prevention. DEQ advocates that principles of pollution prevention 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 techniques also include decisions related to construction materials, design, and operational procedures that will facilitate the reduction of wastes at the source.

16(a) Recommendations. We have several pollution prevention recommendations that may be helpful in the construction of this project and in the operation of the facility:

- Consider development of an effective Environmental Management System (EMS). An effective EMS will ensure that the facility is committed to minimizing its environmental impacts, setting environmental goals, and achieving improvements in its environmental performance. DEQ offers EMS development assistance and it recognizes facilities with effective Environmental Management Systems through its Virginia Environmental Excellence Program.
- 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 contractors' commitment to the environment (such as an EMS) 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 construction and design. These could include asphalt and concrete containing recycled materials, and integrated pest management in landscaping, among other things.

DEQ's Office of Pollution Prevention provides information and technical assistance relating to pollution prevention techniques and EMS. For more information, contact DEQ's Office of Pollution Prevention, Sharon Baxter at (804) 698-4344.

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FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT

Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities located inside or outside of Virginia's designated coastal management area that can have reasonably foreseeable effects on coastal resources or coastal uses must, to the maximum extent practicable, be implemented in a manner consistent with the Virginia Coastal Zone Management Program (VCP). The VCP consists of a network of programs administered by several agencies. The DEQ coordinates the review of federal consistency determinations with agencies administering the Enforceable and Advisory Policies of the VCP. A federal consistency determination was submitted with the EA that includes an analysis of the enforceable policies of the VCP. In addition, the document includes a review of potential project impacts to the advisory policies of the VCP. The document finds the proposal consistent with the advisory policies.

Federal Consistency Public Participation

In accordance with 15 CFR § 930.2, public notice of the proposed action was published on DEQ's web site from December 22, 2011 to January 20, 2012. No public comments were received in response to the notice.

Federal Consistency Concurrence

Based on our review of NASA's consistency determination, and the comments and recommendations submitted by agencies administering the enforceable policies of the VCP, DEQ concurs that this proposal is consistent with the VCP. However, other state approvals which may apply to this project are not included in this concurrence. Therefore, NASA must ensure that this project is constructed and operated in accordance with all applicable federal, state, and local laws and regulations.

REGULATORY AND COORDINATION NEEDS

1. Surface Waters and Wetlands. A Virginia Water Protection Permit may be required for anticipated impacts to wetlands pursuant to Virginia Code §62.1-44.15:5. Coordination with the appropriate agencies for anticipated impacts is accomplished through the submission of a JPA to VMRC. For additional information regarding the VWPP program, contact DEQ-TRO, Bert Parolari at (757) 518-2166.

2. Erosion and Sediment Control and Stormwater Management.

2(a) Erosion and Sediment Control and Stormwater Management. NASA must ensure that it is in compliance with *Virginia's Erosion and Sediment Control Law* (Virginia Code 10.1-567) and *Regulations* (4 VAC 50-30-30 *et seq.*) and *Stormwater Management Law* (Virginia Code 10.1-603.5) and *Regulations* (4 VAC 3-20-210 *et*

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seq.). Activities that disturb 10,000 square feet or more of land would be regulated by VESCL&R and VSWML&R. NASA is encouraged to contact DCR's Suffolk Regional Office at (757) 925-2468, for assistance with developing or implementing an ESC plan to ensure project conformance.

2(b) Virginia Stormwater Management Program General Permit for Stormwater Discharges from Construction Activities. For projects involving land-disturbing activities one acre or more, NASA is required to develop a project-specific stormwater pollution prevention plan and apply for registration coverage under the Virginia Stormwater Management Program General Permit for Discharges of Stormwater from Construction Activities. Specific questions regarding the Stormwater Management Program requirements should be directed to Holly Sepety, DCR, at (804) 225-2613.

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

- 9 VAC 5-50-60 *et seq.* governing fugitive dust emissions;
- 9 VAC 5-130 *et seq.* for open burning; and
- 9 VAC 5-80-1100 *et seq.* for stationary sources.

For additional information and coordination, contact DEQ-TRO, Troy Breathwaite at (757) 518-2006. Also, contact the Accomack County for any local requirements on open burning.

4. Solid and Hazardous Wastes. All solid waste, hazardous waste, and hazardous materials must be characterized and managed in accordance with all applicable federal, state, and local environmental regulations. Some of the applicable state laws and regulations are:

- Virginia Waste Management Act (Code of Virginia Section 10.1-1400 *et seq.*);
- Virginia Hazardous Waste Management Regulations (VHWMR) (9 VAC 20-60);
- Virginia Solid Waste Management Regulations (VSWMR) (9 VAC 20-80); and
- Virginia Regulations for the Transportation of Hazardous Materials (9 VAC 20-110).

Applicable federal regulations are as follows:

- *Resource Conservation and Recovery Act* (RCRA), 42 U.S.C. Section 6901 *et seq.*, and the applicable regulations contained in Title 40 of the Code of Federal Regulations; and

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- *U.S. Department of Transportation Rules for Transportation of Hazardous Materials*, 49 CFR Parts 107, 171.1-172.558.

For additional information concerning location and availability of suitable waste management facilities in the project area or if free product, discolored soils, or other evidence of contaminated soils are encountered, contact DEQ-TRO, Milt Johnston at (757) 518-2151.

4(a) Asbestos-Containing Material. It is the responsibility of the owner or operator of a demolition activity, prior to the commencement of the demolition, to thoroughly inspect the affected part of the facility where the operation will occur for the presence of asbestos, including Category I and Category II nonfriable asbestos containing material (ACM). Upon classification as friable or non-friable, all waste ACM shall be disposed of in accordance with the Virginia Solid Waste Management Regulations (9 VAC 20-80-640), and transported in accordance with the Virginia regulations governing Transportation of Hazardous Materials (9 VAC 20-110-10 *et seq.*). Please contact the DEQ Division of Land Protection and Revitalization, Linda Richardson at (804) 698-4318, and the Department of Labor and Industry, Ronald L. Graham at (804) 371-0444.

4(b) Lead-Based Paint. If applicable, the proposed project must comply with the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) regulations, and with the Virginia Lead-Based Paint Activities Rules and Regulations. For additional information regarding these requirements contact the Department of Professional and Occupational Regulation, David Dick at (804) 367-8588.

4(c) Comprehensive Environmental Response Compensation and Liability Act. NASA should contact T.J. Meyer at (757) 824-1987 for information concerning Comprehensive Environmental Response, Compensation, and Liability Act obligations at the installation.

5. Storage Tanks. If evidence of a petroleum release is discovered during construction of this project, NASA must contact the DEQ Tidewater Regional Office, Lynne Smith at (757) 518-2055 or Gene Siudyla at (757) 518-2117.

The use of portable fuel AST(s) with a capacity of greater than 660 gallons for more than 120 days will require that the tank(s) are registered with DEQ using *AST Registration Form 7540-AST*. Tank registration may be accomplished by contacting Tom Madigan, DEQ Tidewater Regional Office, at (757) 518-2115 or by e-mail at temadigan@deg.virginia.gov.

6. Natural Heritage Resources. Coordinate with DCR-DNH, Rene Hypes at (804) 371-2708, regarding potential project impacts to rare species.

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7. Protected Species. Coordination of this project with respect to potential impacts to the Peregrine falcon and Wilson's plover may be accomplished by contacting the Virginia Department of Game and Inland Fisheries, Amy Ewing at (804) 367-2211 to ensure compliance with the *Virginia Endangered Species Act* (§§ 29.1-563-570). In addition, DCR recommends continued coordination with the U.S. Fish and Wildlife Service to ensure compliance with protected species legislation. Also, for assistance in the development of monitoring plans for identified avian species in the area of the project site, contact DGIF, Amy Ewing at (804) 367-2211.

Thank you for the opportunity to review the Draft Environmental Assessment and Federal Consistency Determination for the North Wallops Island Unmanned Aerial Systems Airstrip in Accomack County. Detailed comments of reviewing agencies are attached for your review. Please contact me at (804) 698-4325 or John Fisher at (804) 698-4339 for clarification of these comments.

Sincerely,



Ellie Irons, Program Manager
Environmental Impact Review

Enclosures

Ec: Cindy Keltner, DEQ-TRO
Steve Coe, DEQ-DLPR
Kotur Narasimhan, DEQ-Air
Tony Watkinson, VMRC
Amy Ewing, DGIF
Robbie Rhur, DCR
Keith Tignor, VDACS
Tom Harlan, VDOF
Barry Matthews, VDH
Roger Kirchen, DHR
Chip Ray, VDOT
Rusty Harrington, DoAv

Cc: Steven Minor, Accomack County
Elaine Meil, Accomack-Northampton PDC



DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
ENVIRONMENTAL IMPACT REVIEW COMMENTS

January 19, 2012

RECEIVED

JAN 17 2012

DEQ-Office of Environmental
Impact Review

PROJECT NUMBER: 11-211F

PROJECT TITLE: North Wallops Island Unmanned Aerial Systems

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

Petroleum Storage Tank Cleanups:

DEQ records indicate that there have been no petroleum releases reported at or adjacent to the proposed project. If evidence of a petroleum release is discovered during implementation of this project, it must be reported to DEQ, as authorized by CODE # 62.1-44.34.8 through 9 and 9 VAC 25-580-10 et seq. Contact Ms. Lynne Smith at (757) 518-2055 or Mr. Gene Siudyla at (757) 518-2117. Petroleum-contaminated soils and ground water generated during implementation of this project must be properly characterized and disposed of properly.

Petroleum Storage Tank Compliance/Inspections:

Installation and operation of any regulated petroleum storage tank(s) either AST or UST must also be conducted in accordance with the Virginia Regulations 9 VAC 25-91-10 et seq and / or 9 VAC 25-580-10 et seq. Please contact Tom Madigan (757) 518-2115 for additional details.

The installation or use of any portable aboveground petroleum storage tank (>660 gallons – 9 VAC 25-91-10 et seq.) for more than 120 days for this project must be reported to the DEQ Tidewater Regional Office Petroleum Storage Tank Program attn: Tom Madigan – DEQ Tidewater Regional Office – 5636 Southern Blvd., Virginia Beach, VA 23462. Phone (757) 518-2115.

Virginia Water Protection Permit Program (VWPP):

As proposed, the project will impact 2.47 acres of non-tidal wetlands which will likely require a VWP permit. In the EIR, you indicate that you have already obtained a wetland delineation confirmation from the Corps of Engineers and that you have already prepared a JPA. In the JPA, please be specific as to the type, amount, and location of wetlands that you will impact with this project. You mention that a Low Impact Development (LID) infiltration trench may be constructed to convey surface water runoff away from the airstrip. If this trench is constructed through or adjacent to wetlands, please be prepared to discuss possible drainage effects of this trench on nearby wetlands. Please ensure that all impacts are clearly depicted on the project plans, including impacts associated with the demolition of the existing airfield, maintenance of wetlands in the buffer zones, etc. You indicate that several threatened and/or endangered species are located in the vicinity of the project site. Impacts to these species will be evaluated during the



DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
ENVIRONMENTAL IMPACT REVIEW COMMENTS

January 19, 2012

PROJECT NUMBER: 11-211F

PROJECT TITLE: North Wallops Island Unmanned Aerial Systems

application process.

Air Permit Program :

Fossil fuel-fired portable generators used both during and post-construction may be subject to New Source Performance Standards and/or NESHAP regulations. Such units, dependent upon size, may also be subject to the permitting requirements of 9 VAC 5 Article 6 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution (the Regulations). Portable concrete/asphalt plants/crushers may also be subject to the permitting requirements of Article 6 of the Regulations.

Water Permit Program :

Water permits – no comments

Ground Water – No comments

Waste Permit Program :

All construction and demolition debris, including excess soil, generated during construction and all waste generated during operation must be characterized in accordance with the Virginia Hazardous Waste Management Regulations prior to disposal at an appropriate facility.

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

Sincerely,

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



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COMMONWEALTH of VIRGINIA

Marine Resources Commission
2600 Washington Avenue
Third Floor
Newport News, Virginia 23607

Douglas W. Domenech
Secretary of Natural Resources

Steven G. Bowman
Commissioner

January 9, 2012

Mr. John E. Fisher
c/o Department of Environmental Quality
Office of the Environmental Impact Review
629 East Main Street, Sixth Floor
Richmond, Virginia 23219

Re: 11-211F
(NASA, North Wallops Island, Unmanned Airstrip)

Dear Mr. Fisher:

You have inquired regarding the construction of a new UAS airstrip that would measure approximately 3,000 feet long (2,500 ft plus an additional 500 ft clear zone) by 75 ft wide on the north end of Wallops Island in Accomack County. The airstrip will be used for unmanned aircraft takeoffs and landings.

The Marine Resources Commission requires a permit for any activities that encroach upon or over, or take use of materials from the beds of the bays, ocean, rivers and streams, or creeks which are the property of the Commonwealth.

Based upon my review of the "Proposed Action" it would appear that your proposed landing strip will not fall within the Commission's jurisdiction, therefore, no authorization would be required from the Marine Resources Commission. If however any portion of your proposed project encroaches channelward of mean low water a permit would be required.

For your information it would appear a wetlands permit may be required from the Accomack County Wetlands Board.

If I may be of further assistance, please do not hesitate to contact me at (757) 414-0710.

Sincerely,

George H. Badger, III
Environmental Engineer

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD



Douglas W. Domenech
Secretary of Natural Resources

David A. Johnson
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street
Richmond, Virginia 23219-2010
(804) 786-1712

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DEQ-Office of Environmental
Impact Review

MEMORANDUM

DATE: January 30, 2012
TO: John Fisher, DEQ
FROM: Roberta Rhur, Environmental Impact Review Coordinator
SUBJECT: DEQ 11-211F, North Wallops Island Unmanned Aerial Systems Airstrip Draft EA

Division of Natural Heritage

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

According to information currently in our files, the project site is located within the North Wallops Island Conservation Site. Conservation sites are tools for representing key areas of the landscape that warrant further review for possible conservation action because of the natural heritage resources and habitat they support. Conservation sites are polygons built around one or more rare plant, animal, or natural community designed to include the element and, where possible, its associated habitat, and buffer or other adjacent land thought necessary for the element's conservation. Conservation sites are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. North Wallops Island Conservation Site has been given a biodiversity significance ranking of B2 which represents a site of very high significance. The natural heritage resources of concern at this site are:

| | | |
|------------------------|---|----------------|
| Maritime Dune Woodland | <i>Prunus serotina/Smilax rotundifolia/</i> | |
| | <i>Schizachyrium littorale</i> Woodland | G1G2/S1/SOC/NL |
| Anomalous eupatorium | <i>Eupatorium anomalum</i> | G2G3/S1/NLNL |

The Maritime Dune Woodland is a very rare community type known only from two sites in Virginia. This woodland comprises tall, temperate, deciduous maritime shrublands or scrub forests of the mid-Atlantic coast. It generally occurs on the lee side of sand dunes along the coast and is subject to salt spray and winds. The substrate varies from pure sand directly adjacent to the ocean to loamy sands in more sheltered areas of the coast. Although placed within the shrubland class at one time, the physiognomy of this vegetation can be variable and ranges from open woodland to stunted forest to dense nearly impenetrable thicket (this association has been placed back in the forest class). Individual trees tend to be

wind-pruned and multi-stemmed. The vegetation is dominated by *Prunus serotina*, *Amelanchier canadensis*, *Pinus taeda*, *Sassafras albidum*, *Photinia pyrifolia* (= *Aronia arbutifolia*), and *Diospyros virginiana* in varying proportions. *Morella cerifera* (= *Myrica cerifera*) and *Vaccinium corymbosum* may form a subcanopy, but if the community is particularly stunted, this species may contribute substantially to the canopy. Lianas are abundant in the canopy or over the ground layer, and species include *Smilax rotundifolia*, *Smilax glauca*, *Parthenocissus quinquefolia*, and *Toxicodendron radicans*. Herbs are generally scarce to lacking entirely, and when present are generally made up of tree and vine seedlings. (NatureServe, 2011)

The proposed project would directly impact this natural heritage resource. Regarding the Maritime Dune Woodland community, under "Biological Resources" (p. 2-20 of the *North Wallops Island Unmanned Aerial Systems Airstrip, Draft Environmental Assessment*), the statement is made that "this ecosystem is considered rare by the Commonwealth of Virginia; however, this impact would be minor when considered with the context of existing like habitat in the Mid-Atlantic region." On p. 3-35, the EA states that "The UAS Airstrip project is proposing to remove a maximum of 0.93 hectares (2.3 acres) of this community. While this represents almost half of the black cherry xeric maritime dune woodland on Wallops Island, it is 1 percent of the type and the remaining 99 percent reside on protected conservation areas."

While DCR does not dispute the statistics cited above, these statements are somewhat misleading regarding the global status and significance of the proposed loss. There are essentially eight occurrences of this community type with an aggregate coverage of only 84 ha (208 acres) in the world. Based on well-established ranking standards employed by NatureServe and the Natural Heritage network, the community therefore ranks as one of the rarest and least extensive (acreage-wise) natural communities in eastern North America. Moreover, there is little likelihood of additional occurrences since the environmental requirements (xeric high dunes well removed from salt spray) are rare everywhere within the known Mid-Atlantic range.

In Virginia, the only other occurrence of this community is found on the Chincoteague National Wildlife Refuge; data from the purported occurrence on Fisherman's Island has been re-analyzed and that occurrence has been more appropriately re-classified as a maritime forest. Therefore, the Wallops Island occurrence is also the southernmost known occurrence of the type and one of two occurrences in the state. The loss of 1% of the global range of such a rare community is not minor, as stated in the EA justification. In addition, the acreage of the Wallops occurrence that would remain, should the proposed airstrip be constructed, would be fragmented and questionably viable.

Anomalous eupatorium is a tall, perennial, rhizomatous herb in the aster family and grows in interdunal swales, moist savannas (Weakley in prep.) The usually opposite-leaved stem branches toward the top and produces multiple, flat to convex-topped, white-flowered inflorescences in August – October. Anomalous eupatorium was documented during a site visit in October 2011 as part of DCR's re-inventory of the North Wallops Island Conservation Site, on the edges of a seldom-used road through old sand dunes. With the finding of this eupatorium in 2011 along the old access road on North Wallops Island, two occurrences are now documented in Virginia, the other in the Virginia Beach-False Cape area.

Anomalous eupatorium is known from Virginia, North Carolina, Georgia, Florida, and Alabama. A species of hybrid origin, what is known as *Eupatorium anomalum* currently, may in fact need to be split into two entities, one with a *E. semiserratum* x *E. mohri* lineage (Florida, Alabama) and the other with a *E. serotinum* x *E. mohri* lineage. The recent DNA sequencing of the Wallops Island collections by Edward Schilling of the University of Tennessee confirmed that this Wallops Island population is similar to the Virginia Beach population and North Carolina material in being derived from *E. mohri* x *E. serotinum* (E. Schilling pers. com 2011). The Wallops Island plants may therefore be an even rarer entity

than it is currently ranked. The population at Wallops is highly threatened by a combination of the proposed airstrip project and the associated clearing that is planned as well as by succession / re-vegetation occurring along the seldom-used road which Wallops Flight Facility does not plan to keep open (Joel Mitchell pers. comm. 2011).

Due to the significance of the Maritime Dune Woodland and the Anomalous eupatorium, DCR-DNH strongly recommends avoiding impacts to this globally rare community and state rare plant and suggests relocating the airstrip to another site. In addition, DCR – DNH recommends maintaining the margins of the road bed, where the Anomalous eupatorium occurs, by periodic mowing/bush-hogging during the late winter / early spring. This should maintain the area in a more sunlit state to support the remaining plants.

Furthermore, Peregrine falcon (*Falco peregrinus*, G4/S1BS2N/NL/LT), Northern Harrier (*Circus cyaneus*, G5/S1S2B,S3N/NL/SC), Piping plover (*Charadrius melodus*, G3/S2B,S1N/LT/LT), Wilson's plover (*Charadrius wilsonia*, G5/S1B/NL/LE), and Little blue heron (*Egretta caerulea*, G5/S2B,S3N/NL/NL) have been documented within the project area and the project vicinity. DCR supports the continued annual monitoring of the peregrine falcon use of the hacking tower, the bald eagle nest at the east end of the proposed airstrip's clear zone, annual shorebird monitoring and the monitoring of the effects of the aircraft on plovers and other shorebirds in conjunction with an adaptive management approach as described as described on p 3-39 of the *Draft EA, Chapter 3: Affected Environment and Environmental Consequences, 3.5.2.3 Special-Status Species Monitoring* and in *Chapter 4: Mitigation and Monitoring, Biological Resources*.

Due to the legal status of the Peregrine falcon and Wilson's plover, DCR recommends coordination with Virginia's regulatory authority for the management and protection of these species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570). Due to the legal status of the Piping plover, DCR also recommends continued coordination with USFWS and VDGIF to ensure compliance with protected species legislation.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the 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.

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes 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 this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Shirl Dressler at (804) 367-6913.

Division of Stormwater Management

Stormwater Management:

The applicant and their authorized agents conducting regulated land disturbing activities on private and public lands in the state must comply with the Virginia Erosion and Sediment Control Law and Regulations (VESCL&R), Virginia Stormwater Management Law and Regulations including coverage under the general permit for stormwater discharge from construction activities, and other applicable

federal nonpoint source pollution mandates (e.g. Clean Water Act-Section 313, Federal Consistency under the Coastal Zone Management Act). Clearing and grading activities, installation of staging areas, parking lots, roads, buildings, utilities, borrow areas, soil stockpiles, and related land-disturbance activities that result in the land-disturbance of [equal to or greater than 10,000 square feet would be regulated by VESCL&R. Accordingly, the applicant must prepare and implement erosion and sediment control (ESC) plan to ensure compliance with state law and regulations. The ESC plan is submitted to the DCR Regional Office that serves the area where the project is located for review for compliance. The applicant is ultimately responsible for achieving project compliance through oversight of on site contractors, regular field inspection, prompt action against non-compliant sites, and other mechanisms consistent with agency policy. [Reference: VESCL §10.1-567;].

The operator or owner of construction activities involving land disturbing activities equal to or greater than one acre are 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). Construction activities requiring registration also includes the land-disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan of development will ultimately disturb equal to or greater than one acre. The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit and the SWPPP must address water quality and quantity in accordance with the Virginia Stormwater Management Program (VSMP) Permit Regulations. General information and registration forms for the General Permit are available on DCR's website at http://www.dcr.virginia.gov/soil_and_water/index.shtml [Reference: Virginia Stormwater Management Law Act §10.1-603.1 et seq.; VSMP Permit Regulations §4VAC-50 et seq.]

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

Cc: Tylan Dean, USFWS
Amy Ewing, VDGIF

Literature Cited:

Joel Mitchell 2011. Personal communication. NASA, Natural Resources Program Manager/ Hazardous Waste and Air Programs.

NatureServe. 2011. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>. (Accessed: January 26, 2012).

Weakley, A. In prep. Flora of the southern and mid-Atlantic states. Working draft of 15 May 2011. University of North Carolina Herbarium, North Carolina Botanical Garden, University of North Carolina at Chapel Hill, NC.

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JAN 11

DEQ Office of Environmental Impact Review

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF AIR PROGRAM COORDINATION

ENVIRONMENTAL REVIEW COMMENTS APPLICABLE TO AIR QUALITY

TO: John E. Fisher

DEQ - OEIA PROJECT NUMBER: 11 - 211F

PROJECT TYPE: STATE EA / EIR FEDERAL EA / EIS SCC
 CONSISTENCY DETERMINATION

PROJECT TITLE: NORTH WALLOPS ISLAND UNMANNED AERIAL SYSTEMS AIRSTRIP

PROJECT SPONSOR: NATIONAL AERONAUTICS & SPACE ADMINISTRATION

PROJECT LOCATION: OZONE ATTAINMENT AREA

REGULATORY REQUIREMENTS MAY BE APPLICABLE TO: CONSTRUCTION
 OPERATION

STATE AIR POLLUTION CONTROL BOARD REGULATIONS THAT MAY APPLY:

1. 9 VAC 5-40-5200 C & 9 VAC 5-40-5220 E – STAGE I
2. 9 VAC 5-40-5200 C & 9 VAC 5-40-5220 F – STAGE II Vapor Recovery
3. 9 VAC 5-40-5490 et seq. – Asphalt Paving operations
4. **9 VAC 5-130 et seq. – Open Burning**
5. **9 VAC 5-50-60 et seq. Fugitive Dust Emissions**
6. 9 VAC 5-50-130 et seq. - Odorous Emissions; Applicable to _____
7. 9 VAC 5-50-160 et seq. – Standards of Performance for Toxic Pollutants
8. 9 VAC 5-50-400 Subpart _____, Standards of Performance for New Stationary Sources, designates standards of performance for the _____
9. 9 VAC 5-80-10 et seq. of the regulations – Permits for Stationary Sources
10. 9 VAC 5-80-1700 et seq. Of the regulations – Major or Modified Sources located in PSD areas. This rule may be applicable to the _____
11. 9 VAC 5-80-2000 et seq. of the regulations – New and modified sources located in non-attainment areas
12. 9 VAC 5-80-800 et seq. Of the regulations – Operating Permits and exemptions. This rule may be applicable to _____

COMMENTS SPECIFIC TO THE PROJECT:



(Kotur S. Narasimhan)
Office of Air Data Analysis

DATE: January 12, 2012



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MEMORANDUM

TO: John Fisher, Environmental Program Planner

FROM: *G. Stephen "Steve" Coe*
Steve Coe, Division of Land Protection & Revitalization Review Coordinator

DATE: January 18, 2012

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

SUBJECT: Environmental Impact Report: Project No. 11-211F

The Division of Land Protection & Revitalization has completed its review of the Environmental Impact report for the Unmanned Aerial Systems Airstrip project at Wallops Island, Virginia 23337. Project description: NASA proposes to construct a new UAS airstrip that would measure approximately 3,000 feet long by 75 feet wide at the Wallops Flight Facility.

We have the following comments concerning the waste issues associated with this project:

Only hazardous waste issues were addressed in the report. The report did not include a search of waste-related data bases. A GIS database search revealed waste sites within a half mile radius that may impact or be impacted by the subject site. The Division of Land Protection & Revitalization staff performed a cursory review of its data files and determined that there are waste sites located within the same zip code, however their proximity to the subject site is unknown. DEQ's Federal Facilities Program was contacted for a review of this determination and staff comments are included.

Cerclis – NASA Wallops Island. EPA ID VA8800010763. Not NPL.

RCRA/HW – 11 sites

- 1) Assateague Island National Seashore Tom's Cove, Chincoteague Road, Wallops Island. VAR000508770. Contact: Richard Barrett at 410-641-1443.
- 2) BAYSYS Technologies, Fulton Street, Wallops Island. VAR000518811. Contact: Dominick Scott at 757-877-6-7668, ext 2017.
- 3) Chesapeake & Potomac Telephone Co, Wallops Island. VAD980555387. Contact: Bartley Terry at 202-392-8284.
- 4) Cropper USAR Ctr, Kearsarg Circle, Wallops Island. VAR000007211. Contact: John Pontier at 301-677-7593.
- 5) Mid-Atlantic Regional Spaceport, 24200 Fulton Street, Wallops Island. VAR000518845. Contact: Richard Baldwin at 757-824-2335.

- 6) NASA GSFC Wallops Flight Facility, Fulton Street, Wallops Island. VA7800020888. Contact: Joel Mitchell at 757-824-1127.
- 7) NASA GSFC Wallops Flight Facility, Fulton Street, Wallops Island. VA8800010763. Contact: Joel Mitchell at 757-824-1127.
- 8) Navy Surface Combat Systems Center, Buildings R-2, R-30, R-20, 30 Battlegroup Way, Wallops Island. VAR000518829. Contact: Marilyn Ailes at 757-824-2082.
- 9) Navy Surface Combat Systems Center, Buildings V-10/20/21, Artist, Seaside Road, Wallops Island. VAR000518837. Contact: Marilyn Ailes at 757-824-2082.
- 10) NOAA, Wallops Command 7 Data Acquisition Station, 35663 Chincoteague Road, Wallops Island. VAR000518803. Contact: Stephen Howard at 757-824-7311.
- 11) Wallops FUDS Program, NASA Wallops Flight Facility, Wallops Island. VAR000509240. Contact: George Mears at 757-201-7181.

SW - none

VRP - none

FUDS – C03VA0301, VA9799F1697, Wallops Island.

Based on our cursory review of this project there are Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) sites in the immediate vicinity of the proposed demolition project. In this particular area certain CERCLA sites are managed by the U.S. Army Corps of Engineers Formerly Used Defense Site (FUDS) program. DEQ's Federal Facilities Restoration Program recommends the contractor selected to construct the airstrip contact Mr. Theodore J. Meyer, NASA Wallops Flight Facility Environmental Program Manager at (757) 824-1987 and Mr. Sher Zaman, U.S. Army Corps of Engineers FUDS Program Project Manager (410) 962-3134 for information concerning CERCLA obligations at this installation. The contractor should consult Mr. Meyer and Mr. Zaman prior to initiating any land, sediment, or groundwater disturbing activities associated with the construction of the North Wallops Island Unmanned Aerial Systems Airstrip.

If you have any questions or require further information, please contact Mr. Paul Herman, DEQ, at 804-698-4464.

Petroleum Releases - none

The following websites may prove helpful in locating additional information for these identification numbers: <http://www.epa.gov/superfund/sites/cursites/index.htm> or http://www.epa.gov/enviro/html/rcris/rcris_query_java.html.

GENERAL COMMENTS:

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

Also, all structures being demolished/renovated/ removed should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to demolition. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, State regulations 9VAC 20-80-640 for ACM and 9VAC 20-60-261 for LBP must be followed. The local DEQ office contact for questions is Ms. Lisa Silvia at (757) 518-2175.

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

If you have any questions or need further information, please contact Steve Coe at (804) 698-4029.

If you cannot meet the deadline, please notify JOHN FISHER at 804/698-4339 prior to the date given. Arrangements will be made to extend the date for your review if possible. An agency will not be considered to have reviewed a document if no comments are received (or contact is made) within the period specified.

REVIEW INSTRUCTIONS:

- A. Please review the document carefully. If the proposal has been reviewed earlier (i.e. if the document is a federal Final EIS or a state supplement), please consider whether your earlier comments have been adequately addressed.
- B. Prepare your agency's comments in a form which would be acceptable for responding directly to a project proponent agency.
- C. Use your agency stationery or the space below for your comments. **IF YOU USE THE SPACE BELOW, THE FORM MUST BE SIGNED AND DATED.**

Please return your comments to:

MR. JOHN E. FISHER
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL IMPACT REVIEW
629 EAST MAIN STREET, SIXTH FLOOR
RICHMOND, VA 23219
FAX #804/698-4319
John.Fisher@deq.virginia.gov

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COMMENTS



JOHN E. FISHER
ENVIRONMENTAL PROGRAM PLANNER

Statements in the project document concerning endangered species were reviewed and compared to available information. VDACS encourages the minimal transfer of agricultural land to non-agricultural purposes in the development of this project. No additional comments are necessary in reference to endangered plant and insect species regarding this project.

(signed)  (date) _____
(title) _____ (Keith R. Tignor) _____ January 18, 2012
(agency) Endangered Species Coordinator
VDACS, Office of Plant Industry Service



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DEQ-Office of Environmental
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COMMONWEALTH of VIRGINIA

Douglas W. Domenech
Secretary of Natural Resources

Department of Game and Inland Fisheries

Robert W. Duncan
Executive Director

February 10, 2012

John Fisher
Environmental Impact Review Coordinator
VA Dept. of Environmental Quality
PO Box 1105
Richmond, VA 23218

RE: Wallops Flight Facility
Unmanned Aerial Systems
Airstrip Draft EA
ESSLog # 31176

Dear Mr. Fisher:

We have reviewed the Draft Environmental Assessment (Draft EA) for the construction and operation of NASA's proposed Unmanned Aerial Systems Airstrip (UAS) at Wallops Flight Facility (WFF) in Accomack County, VA. Based on our review of that document and our data, we offer the following comments and recommendations. The Virginia Department of Game and Inland Fisheries (VDGIF), as the Commonwealth's wildlife and freshwater fish management agency, exercises law enforcement and regulatory jurisdiction over those resources, inclusive of State or Federally *Endangered* or *Threatened* species, but excluding listed insects. We are a consulting agency under the U. S. Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*), and we provide environmental analysis of projects or permit applications coordinated through the Virginia Department of Environmental Quality, the Virginia Marine Resources Commission, the Virginia Department of Transportation, the U. S. Army Corps of Engineers, and other state or federal agencies. Our role in these procedures is to determine likely impacts upon fish and wildlife resources and habitats, and to recommend appropriate measures to avoid, reduce, or compensate for those impacts.

As stated both in earlier correspondence with NASA and in the Draft EA, state Threatened bald eagles, state Threatened peregrine falcons, federal Threatened piping plovers, and federal Threatened loggerhead sea turtles have been documented from the project area. In addition, federal Candidate red knot and state Endangered Wilson's plover may be found on or near the proposed work site. There are also a number of Species of Greatest Conservation Need, as designated in Virginia's Wildlife Action Plan (www.bewildvirginia.org), known from the project area.

We agree with the determinations made by the USFWS and NASA that construction of the UAS at WFF is not likely to result in significant adverse impacts upon the listed species documented from the project area. We also agree with USFWS and NASA, however, that not much is known about how operation of the UAS may impact nesting and foraging wildlife in the area, including listed species. We are supportive of the avoidance and minimization methods agreed upon by the USFWS and NASA, implementation of which is anticipated to greatly reduce impacts from construction and operation of the UAS at WFF on wildlife and their habitats. We do, however offer the following comments and recommendations about the monitoring plans described in the Draft EA as part of mitigation for possible impacts upon listed species:

- We agree with the Draft EA that video cameras are effective at capturing responses of birds on nests, but they are not effective for monitoring birds passing through or foraging in the area after the nests have hatched. Therefore, we recommend that monitoring of avian responses by human observers also be utilized and begin March 15 and continue through the fall migration, approximately November 15 of any year. We recommend this monitoring occur for at least one year after the UAS is in operation. We would be happy to assist NASA in the development of such an avian monitoring plan. 1
- We agree with the Draft EA that video cameras are an effective tool for monitoring the responses of bald eagles to UAS activities. However, we also recommend that human observers be used to record flight behavior, direction, and the elevation of the eagles should they flush in response to UAS activities.
- In addition to other video camera monitoring suggested by the Draft EA, we recommend video cameras also be placed in view of any documented oystercatcher nests in order to provide a better understanding their responses to UAS activities.
- To ensure that piping plover monitoring considers responses to take-off and landing activities from migrant as well as breeding birds, we recommend that piping plover monitoring begin during shorebird spring migration and at the onset of piping plover nest site selection, approximately March 15 of any year. We recommend that monitoring continue until all piping plover pairs have left their territories. 2
- Finally, we recommend that red knot monitoring by human observers be performed from April 15 through June 15 of any year. We recommend that observers record responses of all avian species present during take-off and landing during this period, in addition to recording responses by red knots.

We support an adaptive management approach to the wildlife monitoring plan. We are happy to assist in the development of monitoring plans, and are interested to see the results of the monitoring as it may inform understanding of wildlife responses to UAS and similar activities.

We note that the Draft EA does not state what NASA plans for the existing UAS airstrip at the southern end of the facility. Based on our knowledge of the area and its use by wildlife, including listed species, we believe that it would be beneficial for the old airstrip to be abandoned and allowed to revert back to beach/overwash habitats which are necessary to many wildlife in the area. We would advise NASA, however, to monitor the area for encroachment by invasive species if it is allowed to naturally revert back to vegetated dune.

John Fisher
February 10, 2012
Page 3 of 3

Thank you for the opportunity to provide input on the Draft Environmental Assessment for NASA's proposed Unmanned Aerial Systems Airstrip at Wallops Flight Facility. Please contact me or Amy Ewing at 804-367-0909 if we may be of further assistance.

Sincerely,



Raymond T. Fernald, Manager
Environmental Programs

RTF/AME

Cc: Robert W. Duncan, VDGIF
Richard Weeks, VDEQ
Sheri Kattan, VDEQ
Hank Badger, VMRC

Fisher, John (DEQ)

From: Forsgren, Diedre (VDH)
Sent: Wednesday, January 18, 2012 9:38 AM
To: Fisher, John (DEQ)
Subject: (11-211F) EA/CD: North Wallops Island Unmanned Aerial Systems Airstrip

DEQ Project #: 11-211F
Name: North Wallops Island Unmanned Aerial Systems Airstrip
Sponsor: NASA
Location: Accomack County

The Department of Health has reviewed the above captioned project and the information provided.

The project is not proximate to any identified public drinking water sources (groundwater wells, springs and surface water intakes).

The project is located in approved shellfish growing waters, however the activity as described will not require a change in classification.



11-211F Shellfish
Comment.pdf

Diedre Forsgren

Office Services Specialist
VIRGINIA DEPARTMENT OF HEALTH
Office of Drinking Water, Room 622-A
109 Governor Street
Richmond, VA 23219
Phone: (804) 864-7241
email: diedre.forsgren@vdh.virginia.gov



COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487
Fax: 804-864-7481

MEMORANDUM

DATE: 1/10/2012
TO: John E. Fisher
Department of Environmental Quality
FROM: B. Keith Skiles, MPH, Classification Chief
Division of Shellfish Sanitation
SUBJECT: NASA North Wallops UAS airstrip

City / County: Accomack

Waterbody: Cow Gut, Chincoteague Inlet, Atlantic Ocean

Type: VPDES VMRC VPA VWP JPA Other: Federal Consistency Determination

Application / Permit Number: 11-211F

- The project will not affect shellfish growing waters.
- The project is located in approved shellfish growing waters, however, the activity as described will not require a change in classification.
- The project is located in condemned shellfish growing waters and the activity, as described, will not cause an increase in the size or type of the existing closure.
- The project will affect condemned shellfish waters and will not cause an increase in the size of the total condemnation. However, a prohibited area (an area from which shellfish relay to approved waters for self-purification is not allowed) will be required within a portion of the currently condemned area. See comments.
- A buffer zone (including a prohibited area) has been previously established in the vicinity of this discharge, however, the closure will have to be revised. Map attached.
- This project will affect approved shellfish waters. If this discharge is approved, a buffer zone (including a prohibited area) will be established in the vicinity of the discharge. Map attached.
- Other.

ADDITIONAL
COMMENTS:



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1700 North Main Street
SUFFOLK, VIRGINIA 23434

RECEIVED

JAN 18

Office of Environmental
Impact Review

Greg Whirley
Commissioner

January 18, 2012

MEMORANDUM

To: A.C. (Chip) Ray, Environmental Program Planner

From: Eric L. Stringfield, District Planning Engineer

Subject: Federal Consistency Determination

Project: North Wallops Island Unmanned Aerial Systems Airstrip

Location: Accomack, VA

The Hampton Roads Transportation Planning section has reviewed the above referenced Federal Consistency Determination report for impacts to existing and proposed transportation facilities. Our preliminary review does not indicate any major impacts to the transportation system at this time nor are there any current road projects in the vicinity.

The VDOT has no problem with this project moving forward but will require a Land Use permit if any work is located in the VDOT right of way.

If any additional information is required notify Kevin J. Thomas at 757-925-1592 or by e-mail kevin.thomas@vdot.virginia.gov.

kjt

If you cannot meet the deadline, please notify JOHN FISHER at 804/698-4339 prior to the date given. Arrangements will be made to extend the date for your review if possible. An agency will not be considered to have reviewed a document if no comments are received (or contact is made) within the period specified.

REVIEW INSTRUCTIONS:

- A. Please review the document carefully. If the proposal has been reviewed earlier (i.e. if the document is a federal Final EIS or a state supplement), please consider whether your earlier comments have been adequately addressed.
- B. Prepare your agency's comments in a form which would be acceptable for responding directly to a project proponent agency.
- C. Use your agency stationery or the space below for your comments. **IF YOU USE THE SPACE BELOW, THE FORM MUST BE SIGNED AND DATED.**

Please return your comments to:

MR. JOHN E. FISHER
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ENVIRONMENTAL IMPACT REVIEW
629 EAST MAIN STREET, SIXTH FLOOR
RICHMOND, VA 23219
FAX #804/698-4319
John.Fisher@deq.virginia.gov



JOHN E. FISHER
ENVIRONMENTAL PROGRAM PLANNER

COMMENTS

See attached letter.

(signed) M. Amanda Chee (date) 17 January 2012
(title) Historic Preservationist, Office of Review and Compliance
(agency) Department of Historic Resources



RECEIVED

JAN 17 2012

DEQ-Office of Environmental Impact Review

COMMONWEALTH of VIRGINIA

Department of Historic Resources

Douglas W. Domenech
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
TDD: (804) 367-2386
www.dhr.virginia.gov

January 17, 2012

Mr. Joel T. Mitchell, Natural Resources Program Manager
Goddard Space Flight Center
NASA Wallops Flight Facility, Code 250 W
Wallops Island, Virginia 23337

Re: Draft North Wallops Island Unmanned Aerial Systems Airstrip Environmental Assessment
Accomack County
DHR File No. 2009-0696

Dear Mr. Mitchell,

On December 27, 2011 the Virginia Department of Historic Resources (DHR) received a copy of the draft North Wallops Island Unmanned Aerial Systems Airstrip Environmental Assessment (EA) for our review and comment pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

We have reviewed the EA against previous documentation in the associated project file and maintain our January 10, 2011 recommendation of no adverse effect to historic properties, specifically archaeological site 44AC0089, by the proposed project. Should you have any questions, I may be reached via email at amanda.lee@dhr.virginia.gov.

Sincerely,

M. Amanda Lee, Historic Preservationist
Office of Review and Compliance

Cc: Randall M. Stanley, Historic Preservation Officer, NASA WFF
Shari A. Silbert, NASA WFF
John E. Fisher, Virginia Department of Environmental Quality

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Fax: (540) 387-5446

Northern Region Office
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PO Box 519
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Tel: (540) 868-7031
Fax: (540) 868-7033



COMMONWEALTH of VIRGINIA

Randall P Burdette
Director

Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250-2422

V/TDD • (804) 236-3624
FAX • (804) 236-3635

January 27, 2012

Mr. John E. Fisher
Department of Environmental Quality
Office of Environmental Impact Review
629 East Main Street, 6th Floor
Richmond, Virginia 23219

**Re: National Aeronautics and Space Administration
North Wallops Island Unmanned Aerial Systems Airstrip
Environmental Assessment Consistency Determination (11-211F)**

Dear Mr. Fisher:

Thank you for requesting our comments on the Project concerning the Environmental Assessment for the North Wallops Island Unmanned Aerial Systems Airstrip, Project Number 11-211F.

The Virginia Department of Aviation has reviewed the document and does not have any comments concerning this project at this time. The Department of Aviation appreciates the opportunity to comment on this project.

Sincerely,

R. N. (Rusty) Harrington
Manager, Planning and Environmental Section
Airport Services Division

tbm/



Douglas W. Domenech
Secretary of Natural Resources



David A. Johnson
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street
Richmond, Virginia 23219-2010
(804) 786-1712

MEMORANDUM

DATE: January 30, 2012
TO: John Fisher, DEQ
FROM: Roberta Rhur, Environmental Impact Review Coordinator
SUBJECT: DEQ 11-211F, North Wallops Island Unmanned Aerial Systems Airstrip Draft EA

Division of Natural Heritage

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

According to information currently in our files, the project site is located within the North Wallops Island Conservation Site. Conservation sites are tools for representing key areas of the landscape that warrant further review for possible conservation action because of the natural heritage resources and habitat they support. Conservation sites are polygons built around one or more rare plant, animal, or natural community designed to include the element and, where possible, its associated habitat, and buffer or other adjacent land thought necessary for the element's conservation. Conservation sites are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. North Wallops Island Conservation Site has been given a biodiversity significance ranking of B2 which represents a site of very high significance. The natural heritage resources of concern at this site are:

| | | |
|------------------------|--|----------------|
| Maritime Dune Woodland | <i>Prunus serotina/Smilax rotundifolia/</i> <i>Schizachyrium littorale</i> Woodland | G1G2/S1/SOC/NL |
| Anomalous eupatorium | <i>Eupatorium anomalum</i> | G2G3/S1/NLNL |

The Maritime Dune Woodland is a very rare community type known only from two sites in Virginia. This woodland comprises tall, temperate, deciduous maritime shrublands or scrub forests of the mid-Atlantic coast. It generally occurs on the lee side of sand dunes along the coast and is subject to salt spray and winds. The substrate varies from pure sand directly adjacent to the ocean to loamy sands in more sheltered areas of the coast. Although placed within the shrubland class at one time, the physiognomy of this vegetation can be variable and ranges from open woodland to stunted forest to dense nearly impenetrable thicket (this association has been placed back in the forest class). Individual trees tend to be

wind-pruned and multi-stemmed. The vegetation is dominated by *Prunus serotina*, *Amelanchier canadensis*, *Pinus taeda*, *Sassafras albidum*, *Photinia pyrifolia* (= *Aronia arbutifolia*), and *Diospyros virginiana* in varying proportions. *Morella cerifera* (= *Myrica cerifera*) and *Vaccinium corymbosum* may form a subcanopy, but if the community is particularly stunted, this species may contribute substantially to the canopy. Lianas are abundant in the canopy or over the ground layer, and species include *Smilax rotundifolia*, *Smilax glauca*, *Parthenocissus quinquefolia*, and *Toxicodendron radicans*. Herbs are generally scarce to lacking entirely, and when present are generally made up of tree and vine seedlings. (NatureServe, 2011)

The proposed project would directly impact this natural heritage resource. Regarding the Maritime Dune Woodland community, under “Biological Resources” (p. 2-20 of the *North Wallops Island Unmanned Aerial Systems Airstrip, Draft Environmental Assessment*), the statement is made that “this ecosystem is considered rare by the Commonwealth of Virginia; however, this impact would be minor when considered with the context of existing like habitat in the Mid-Atlantic region.” On p. 3-35, the EA states that “The UAS Airstrip project is proposing to remove a maximum of 0.93 hectares (2.3 acres) of this community. While this represents almost half of the black cherry xeric maritime dune woodland on Wallops Island, it is 1 percent of the type and the remaining 99 percent reside on protected conservation areas.”

While DCR does not dispute the statistics cited above, these statements are somewhat misleading regarding the global status and significance of the proposed loss. There are essentially eight occurrences of this community type with an aggregate coverage of only 84 ha (208 acres) in the world. Based on well-established ranking standards employed by NatureServe and the Natural Heritage network, the community therefore ranks as one of the rarest and least extensive (acreage-wise) natural communities in eastern North America. Moreover, there is little likelihood of additional occurrences since the environmental requirements (xeric high dunes well removed from salt spray) are rare everywhere within the known Mid-Atlantic range.

In Virginia, the only other occurrence of this community is found on the Chincoteague National Wildlife Refuge; data from the purported occurrence on Fisherman’s Island has been re-analyzed and that occurrence has been more appropriately re-classified as a maritime forest. Therefore, the Wallops Island occurrence is also the southernmost known occurrence of the type and one of two occurrences in the state. The loss of 1% of the global range of such a rare community is not minor, as stated in the EA justification. In addition, the acreage of the Wallops occurrence that would remain, should the proposed airstrip be constructed, would be fragmented and questionably viable.

Anomalous eupatorium is a tall, perennial, rhizomatous herb in the aster family and grows in interdunal swales, moist savannas (Weakley in prep.) The usually opposite-leaved stem branches toward the top and produces multiple, flat to convex-topped, white-flowered inflorescences in August – October. Anomalous eupatorium was documented during a site visit in October 2011 as part of DCR’s re-inventory of the North Wallops Island Conservation Site, on the edges of a seldom-used road through old sand dunes. With the finding of this eupatorium in 2011 along the old access road on North Wallops Island, two occurrences are now documented in Virginia, the other in the Virginia Beach-False Cape area.

Anomalous eupatorium is known from Virginia, North Carolina, Georgia, Florida, and Alabama. A species of hybrid origin, what is known as *Eupatorium anomalum* currently, may in fact need to be split into two entities, one with a *E. semiserratum* x *E. mohri* lineage (Florida, Alabama) and the other with a *E. serotinum* x *E. mohri* lineage. The recent DNA sequencing of the Wallops Island collections by Edward Schilling of the University of Tennessee confirmed that this Wallops Island population is similar to the Virginia Beach population and North Carolina material in being derived from *E. mohri* x *E. serotinum* (E. Schilling pers. com 2011). The Wallops Island plants may therefore be an even rarer entity

than it is currently ranked. The population at Wallops is highly threatened by a combination of the proposed airstrip project and the associated clearing that is planned as well as by succession / re-vegetation occurring along the seldom-used road which Wallops Flight Facility does not plan to keep open (Joel Mitchell pers. comm. 2011).

Due to the significance of the Maritime Dune Woodland and the Anomalous eupatorium, DCR-DNH strongly recommends avoiding impacts to this globally rare community and state rare plant and suggests relocating the airstrip to another site. In addition, DCR – DNH recommends maintaining the margins of the road bed, where the Anomalous eupatorium occurs, by periodic mowing/bush-hogging during the late winter / early spring. This should maintain the area in a more sunlit state to support the remaining plants.

1

Furthermore, Peregrine falcon (*Falco peregrinus*, G4/S1BS2N/NL/LT), Northern Harrier (*Circus cyaneus*, G5/S1S2B,S3N/NL/SC), Piping plover (*Charadrius melodus*, G3/S2B,S1N/LT/LT), Wilson’s plover (*Charadrius wilsonia*, G5/S1B/NL/LE), and Little blue heron (*Egretta caerulea*, G5/S2B,S3N/NL/NL) have been documented within the project area and the project vicinity. DCR supports the continued annual monitoring of the peregrine falcon use of the hacking tower, the bald eagle nest at the east end of the proposed airstrip’s clear zone, annual shorebird monitoring and the monitoring of the effects of the aircraft on plovers and other shorebirds in conjunction with an adaptive management approach as described as described on p 3-39 of the *Draft EA, Chapter 3: Affected Environment and Environmental Consequences*, 3.5.2.3 *Special-Status Species Monitoring* and in *Chapter 4: Mitigation and Monitoring, Biological Resources*.

Due to the legal status of the Peregrine falcon and Wilson’s plover, DCR recommends coordination with Virginia's regulatory authority for the management and protection of these species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570). Due to the legal status of the Piping plover, DCR also recommends continued coordination with USFWS and VDGIF to ensure compliance with protected species legislation.

2

There are no State Natural Area Preserves under DCR’s jurisdiction in the project vicinity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the 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.

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes 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 this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Shirl Dressler at (804) 367-6913.

Division of Stormwater Management

Stormwater Management:

The applicant and their authorized agents conducting regulated land disturbing activities on private and public lands in the state must comply with the Virginia Erosion and Sediment Control Law and Regulations (VESCL&R), Virginia Stormwater Management Law and Regulations including coverage under the general permit for stormwater discharge from construction activities, and other applicable

federal nonpoint source pollution mandates (e.g. Clean Water Act-Section 313, Federal Consistency under the Coastal Zone Management Act). Clearing and grading activities, installation of staging areas, parking lots, roads, buildings, utilities, borrow areas, soil stockpiles, and related land-disturbance activities that result in the land-disturbance of [equal to or greater than 10,000 square feet would be regulated by VESCL&R. Accordingly, the applicant must prepare and implement erosion and sediment control (ESC) plan to ensure compliance with state law and regulations. The ESC plan is submitted to the DCR Regional Office that serves the area where the project is located for review for compliance. The applicant is ultimately responsible for achieving project compliance through oversight of on site contractors, regular field inspection, prompt action against non-compliant sites, and other mechanisms consistent with agency policy. [Reference: VESCL §10.1-567;].

The operator or owner of construction activities involving land disturbing activities equal to or greater than one acre are 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). Construction activities requiring registration also includes the land-disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan of development will ultimately disturb equal to or greater than one acre. The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit and the SWPPP must address water quality and quantity in accordance with the Virginia Stormwater Management Program (VSMP) Permit Regulations. General information and registration forms for the General Permit are available on DCR's website at http://www.dcr.virginia.gov/soil_and_water/index.shtml

[Reference: Virginia Stormwater Management Law Act §10.1-603.1 et seq.; VSMP Permit Regulations §4VAC-50 et seq.]

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

Cc: Tylan Dean, USFWS
Amy Ewing, VDGIF

Literature Cited:

Joel Mitchell 2011. Personal communication. NASA, Natural Resources Program Manager/ Hazardous Waste and Air Programs.

NatureServe. 2011. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>. (Accessed: January 26, 2012).

Weakley, A. In prep. Flora of the southern and mid-Atlantic states. Working draft of 15 May 2011. University of North Carolina Herbarium, North Carolina Botanical Garden, University of North Carolina at Chapel Hill, NC.



COMMONWEALTH of VIRGINIA

Department of Historic Resources

Douglas W. Domenech
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
Director

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Fax: (804) 367-2391
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www.dhr.virginia.gov

January 17, 2012

Mr. Joel T. Mitchell, Natural Resources Program Manager
Goddard Space Flight Center
NASA Wallops Flight Facility, Code 250 W
Wallops Island, Virginia 23337

Re: Draft North Wallops Island Unmanned Aerial Systems Airstrip Environmental Assessment
Accomack County
DHR File No. 2009-0696

Dear Mr. Mitchell,

On December 27, 2011 the Virginia Department of Historic Resources (DHR) received a copy of the draft North Wallops Island Unmanned Aerial Systems Airstrip Environmental Assessment (EA) for our review and comment pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended.

We have reviewed the EA against previous documentation in the associated project file and maintain our January 10, 2011 recommendation of no adverse effect to historic properties, specifically archaeological site 44AC0089, by the proposed project. Should you have any questions, I may be reached via email at amanda.lee@dhr.virginia.gov.

Sincerely,

M. Amanda Lee, Historic Preservationist
Office of Review and Compliance

Cc: Randall M. Stanley, Historic Preservation Officer, NASA WFF
Shari A. Silbert, NASA WFF
John E. Fisher, Virginia Department of Environmental Quality

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COMMONWEALTH of VIRGINIA

Marine Resources Commission
2600 Washington Avenue
Third Floor
Newport News, Virginia 23607

Douglas W. Domenech
Secretary of Natural Resources

Steven G. Bowman
Commissioner

January 9, 2012

Mr. John E. Fisher
c/o Department. Of Environmental Quality
Office of the Environmental Impact Review
629 East Main Street, Sixth Floor
Richmond, Virginia 23219

Re: 11-211F
(NASA, North Wallops Island, Unmanned Airstrip)

Dear Mr. Fisher:

You have inquired regarding the construction of a new UAS airstrip that would measure approximately 3,000 feet long (2,500 ft plus an additional 500 ft clear zone)) by 75 ft wide on the north end of Wallops Island in Accomack County. The airstrip will be used for unmanned aircraft takeoffs and landings.

The Marine Resources Commission requires a permit for any activities that encroach upon or over, or take use of materials from the beds of the bays, ocean, rivers and streams, or creeks which are the property of the Commonwealth.

Based upon my review of the "Proposed Action" it would appear that your proposed landing strip will not fall within the Commission's jurisdiction, therefore, no authorization would be required from the Marine Resources Commission. If however any portion of your proposed project encroaches channelward of mean low water a permit would be required.

For your information it would appear a wetlands permit may be required from the Accomack County Wetlands Board.

If I may be of further assistance, please do not hesitate to contact me at (757) 414-0710.

Sincerely,



George H. Badger, III
Environmental Engineer

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

Hoffman, Charee

From: Silbert, Shari A. (WFF-200.C)[EG&G, Inc. (WICC)] <shari.a.silbert@nasa.gov>
Sent: Tuesday, January 10, 2012 12:55 PM
To: Beacham, Deanna (GOV)
Cc: Stanley, Randall M. (WFF-2280); Mitchell, Joel T. (WFF-2500); Hoffman, Charee
Subject: RE: Release of the Draft UAS EA

Ms. Beacham,

Thank you for your review and comment on our Draft EA. We appreciate your involvement with this process.

Shari A. Silbert

URS Corporation
 Environmental Scientist
 NASA Wallops Flight Facility
 Wallops Island, VA 23337
 ph (757) 824-2327
 fx (757) 824-1819
Shari.A.Silbert@nasa.gov

Please visit our website at [WFF Environmental Office](#)

"The contents of this message do not reflect any position of the National Aeronautics and Space Administration or Goddard Space Flight Center."

From: Beacham, Deanna (GOV) [\[mailto:Deanna.Beacham@governor.virginia.gov\]](mailto:Deanna.Beacham@governor.virginia.gov)
Sent: Tuesday, January 10, 2012 12:52 PM
To: Silbert, Shari A. (WFF-200.C)[EG&G, Inc. (WICC)]
Subject: RE: Release of the Draft UAS EA

Thank you for the opportunity to comment on the draft of the NASA Wallops Flight Facility North Wallops Island UAS EA. I enjoyed reading the report, but have no comments to offer, as there are no expected impacts on any known American Indian cultural resources.

Sincerely,
 Deanna Beacham

Deanna Beacham
 Virginia Council on Indians
 Office of the Governor
 P. O. Box 1475
 Richmond, VA 23218
 804.225.2084
deanna@governor.virginia.gov
<http://indians.vipnet.org>

From: Silbert, Shari A. (WFF-200.C)[EG&G, Inc. (WICC)] [\[mailto:shari.a.silbert@nasa.gov\]](mailto:shari.a.silbert@nasa.gov)
Sent: Wednesday, December 21, 2011 9:12 AM
To: undisclosed-recipients
Subject: Release of the Draft UAS EA

Sent on behalf of Joe Mitchell:

Good Morning,

I am pleased to announce the release of the Draft of the NASA Wallops Flight Facility North Wallops Island Unmanned Aerial Systems (UAS) Airstrip Environmental Assessment (EA). This Draft EA analyzes the potential environmental consequences resulting from the construction and operation of a new UAS airstrip on the north end of Wallops Island in Accomack County, Virginia.

The Draft EA and its appendices may be accessed from the following website:

http://sites.wff.nasa.gov/code250/UAS_DEA.html

The comment period for the Draft EA extends through February 6, 2012. Copies of the document have been sent to persons and organizations that have previously expressed an interest in the project. If you have not received a copy and would like one, please let me know.

Thank you for your interest in this project.

Sincerely,

Joel Mitchell
Natural Resources Manager
NASA Wallops Flight Facility
757-824-1127
Joel.T.Mitchell@nasa.gov



TOWN OF CHINCOTEAGUE, INC.

February 3, 2012

Joel T. Mitchell, Natural Resources Manager
NASA Wallops Flight Facility, Code 250.W
Wallops Island, VA 23337

RE: North Wallops Island – UAS Airstrip
Environmental Assessment Comments

Dear Mr. Mitchell:

The following comments are submitted on behalf of the Town of Chincoteague, Virginia regarding the Draft EA that you sent for our review. We appreciate the opportunity to learn about the proposed airstrip improvements and expansion of use on Wallops Island. There is one issue that is very important to Chincoteague Island residents that was not addressed by the Environmental Assessment.

On an annual basis, the Town of Chincoteague contracts with Allen Chorman & Son, Inc. to provide aerial application of insecticide for mosquito control. Even though this application only occurred 4 times last year on May 27th, May 28th, June 25th, and July 1st, the timing of the flights are of critical importance. They are typically scheduled 8 to 10 days after a significant period of rainfall, when there is evidence of a hatch that cannot be controlled with ground application, and weather conditions permit the application as close to a prime tourist weekend as possible.

This last year there were several times when the delay of the necessary aerial application by even a day caused a crisis in the community as our campgrounds, rental homes and hotels worried about losing business from cancellations due to the clouds of mosquitoes. Mr. Chorman typically will time the application for 6:30 a.m. taking advantage of early morning light-wind conditions. He requires time to fly from Delaware and to complete multiple north/south applications over Chincoteague Island including approximately 1/2 mile area south of the island to turn around. This process is completed within approximately 60 to 90 minutes.

Our concern is the more frequent closure of airspace shown on the EA Figure 2 that may occur 5 days each week; 4 operations per day; from 7am to 5pm with occasional night and weekend operations. This airspace management issue was not identified in the EA and we hope that you will consider some flexibility to accommodate the limited but critical need for Mr. Chorman to 'call ahead' and reserve a few hours for aerial spraying of Chincoteague Island.

Thank you for considering this important issue for the Town of Chincoteague.

Sincerely,

Robert G. Ritter, Jr.
Town Manager

North Wallops Island Unmanned Aerial Systems Airstrip Environmental Assessment

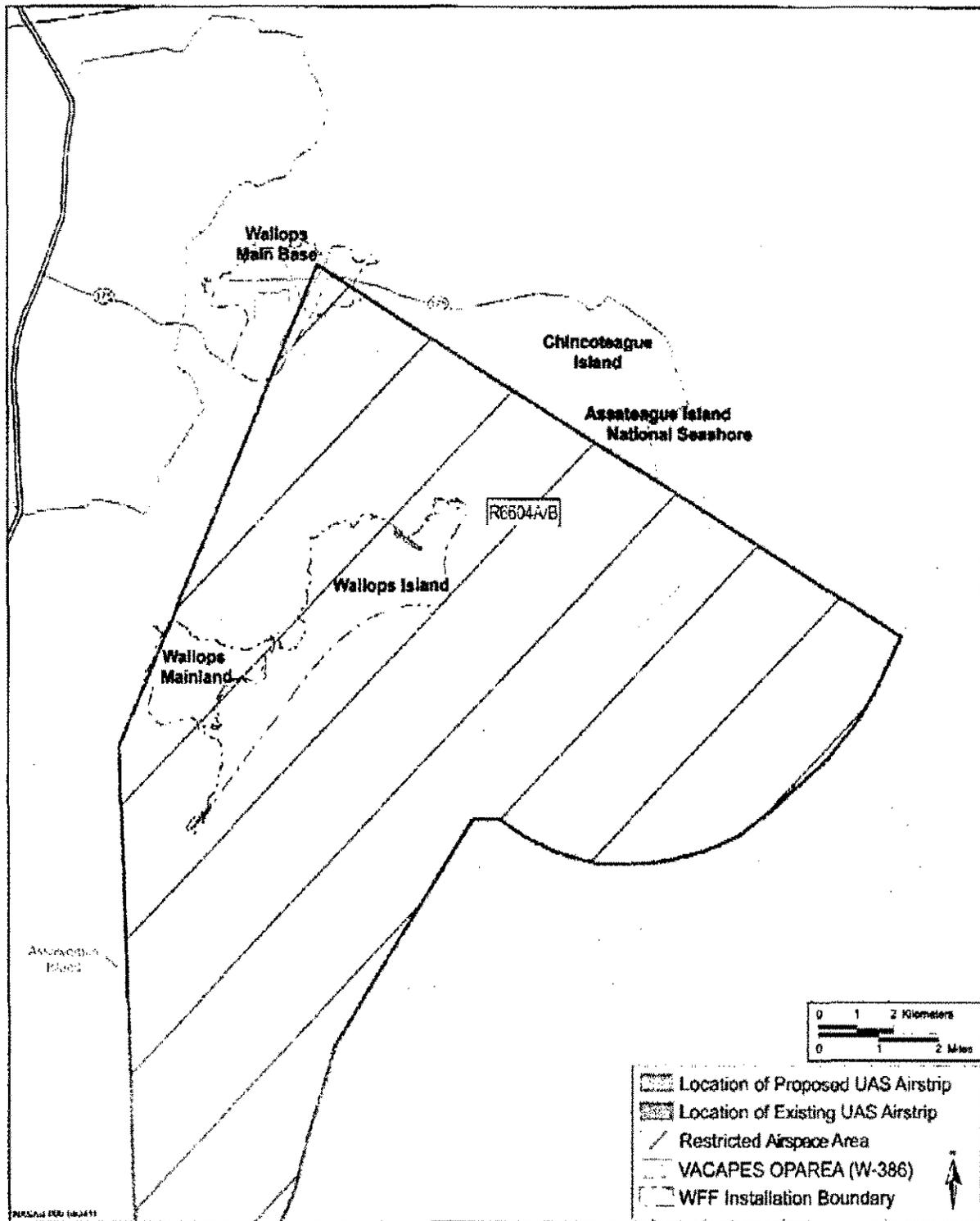


Figure 2. NASA Controlled/Restricted Airspace R-6604A/B and Location of the Existing and Proposed UAS Airstrip

NORMAN H. CONWAY
Legislative District 38B
 Wicomico and Worcester Counties



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Chair
 Appropriations Committee

THE MARYLAND HOUSE OF DELEGATES
 ANNAPOLIS, MARYLAND 21401

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 Salisbury, Maryland 21801-3241
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February 3, 2012

Mr. Joel T. Mitchell
 Lead, Natural Resources
 NASA Goddard Space Flight Center's
 Wallops Flight Facility, Code 250.W
 Wallops Island, VA 23337

Dear Mr. Mitchell:

I am writing about the importance of the proposed North Wallops Island Unmanned Aerial Systems (UAS) Airstrip on the states of Maryland and Virginia. The new airstrip for unmanned vehicles will add to the diversity of the Mid-Atlantic Regional Spaceport (MARS).

I represent a rural area on the Lower Eastern Shore of Maryland that strives to remain competitive with the more urban areas of the state. We are struggling to keep our state and region in competition for increased tourism and the creation of new jobs. The continued growth of the Mid-Atlantic Regional Spaceport (MARS) is critical to the economic future of our area and the small business community.

I continue to support MARS and the funding to construct the airstrip and I look forward to the opportunities the favorable approval of the project will provide. Our rural area of the state needs a better economic future and the facilities at MARS and Wallops create a favorable impact on the region's economy.

Thank you for your consideration. Please feel free to call me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Norman H. Conway". The signature is written in a cursive style with a large, prominent "N" and "C".

Norman H. Conway

NHC/kr

JAMES N. MATHIAS, JR.
Legislative District 38
 Somerset, Wicomico,
 and Worcester Counties

Finance Committee



THE SENATE OF MARYLAND
 ANNAPOLIS, MARYLAND 21401

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February 9, 2012

Mr. Joel T. Mitchell
 Lead, Natural Resources
 NASA Goddard Space Flight Center's
 Wallops Flight Facility, Code 250.W
 Wallops Island, VA 23337

Dear Mr. Mitchell:

Thank you for sending me the draft report of the North Wallops Island Unmanned Aerial Systems Airstrip Environmental Assessment, dated December 2011. As a former Delegate from Maryland District 38B and currently the State Senator for Somerset, Worcester, and Wicomico Counties, I am writing to urge that you build a new airstrip at the northern end of the island.

As you know, the NASA Wallops Flight Facility has been engaged in the research, development, testing, and evaluation of unmanned aerial systems (UAS) since the late 1970's. Maryland and Virginia are two of the leading states in the nation for business activity related to such systems, so it is important to maintain the presence of the unmanned aerial system at Wallops Island. The existing, temporary airstrip is vulnerable to storm damage, which limits its availability for UAS testing. The proposed new airstrip would be located on higher, more protected ground that is less subject to storm damage.

The Wallops Island facility already has restricted airspace. That airspace plus the proposed new UAS airstrip would make the facility an ideal candidate for one of the six new sites that the FAA is selecting in 2012 to test the integration of the UAS into the National Airspace System.

In conclusion, I urge you to continue and strengthen the unmanned aerial systems program at NASA's Wallops Flight Facility.

Sincerely,
 Senator James N. Mathias, Jr.

cc: The Honorable Martin O'Malley
 The Honorable Christian Johansson
 Mrs. Caroline R. Massey

Mr. Jerry Redden

Somerset County
Economic Development Commission

11916 Somerset Avenue, Suite 202
 Princess Anne, Maryland 21853
 www.somersetcountyedc.org



Daniel K. Thompson
 Executive Director

Telephone: 410.651.0500
 Fax: 410.651.3836
 Email: edc@co.somerset.md.us

Via E-Mail to: Joel.T.Mitchell@nasa.gov

Mr. Joel T. Mitchell
 Lead, Natural Resources
 NASA Goddard Space Flight Center's
 Wallops Flight Facility, Code 250.W
 Wallops Island, VA 23337

RE:Draft - North Wallops Island Unmanned Aerial Systems Airstrip Environmental Assessment

Dear Mr. Mitchell:

Thank you for the opportunity to view the document entitled "Draft - North Wallops Island Unmanned Aerial Systems Airstrip Environmental Assessment," dated December 2011.

Since the late 1970's, the NASA Wallops Flight Facility (WFF) has been engaged in the research, development, testing, and evaluation (RDT&E) of unmanned aerial systems (UAS).

The existing temporary UAS airstrip situated at the southern end of the island often receives storm damage that limits and impacts its availability for UAS testing. Limitations on the size and use of the existing airstrip have driven the necessity for a new, longer, and wider airstrip at WFF to meet UAS test and research operations. The proposed new UAS airstrip is to be located on higher ground that is more adequately protected and less subject to storm damage. This would provide an adequately-sized UAS airstrip that would be capable of supporting the testing and deployment of existing and future UAS and UAS-based scientific instruments at WFF.

Unmanned aerial systems (UAS) are a very crucial function of NASA Wallops, including NASA's Global Hawk as well as those from the U. S. Navy at Patuxent. Two of the four leading states in the nation in regards to UAS is Maryland and Virginia. It is important to maintain the well-established UAS presence at WFF that has continued for more than 30 years.

With the existing restricted airspace available at WFF, establishment of this new UAS airstrip makes WFF an ideal candidate for the FAA to select in 2012 as one of the six new UAS sites to test the integration of UAS into the National Airspace System (NAS).

Attraction of new aerospace industries along with maintaining the ones already established is very important and I support the continuation and strengthening of the unmanned aerial systems program at the NASA Wallops Flight Facility.

Sincerely,

Daniel K. Thompson
 Executive Director

cc: The Honorable Martin O'Malley
 The Honorable Christian Johansson
 Mrs. Caroline R. Massey
 Mr. Jerry Redden



The Nature Conservancy in Virginia
 Virginia Coast Reserve
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 Nassawadox, VA 23413

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Via email: hard copy to follow

February 6, 2012

Mr. Joel Mitchell
 Code 250.W.
 NASA Goddard Space Flight Center's Wallops Flight Facility
 Wallops Island, Virginia 23337

Re: Comments on the Draft Environmental Assessment, North Wallops Island Unmanned Aerial Systems Airstrip

Dear Mr. Mitchell:

On behalf of The Nature Conservancy in Virginia (Conservancy), I am writing to submit our response to the National Aeronautics and Space Administration's (NASA) Draft Environmental Assessment (EA) for the proposed North Wallops Island Unmanned Aerial Systems Airstrip (UAS). We appreciate the opportunity to comment on NASA's plans and the impacts of the project.

As we have mentioned in previous public comment letters to NASA, the Conservancy greatly appreciates NASA's continued receptivity to informed public input through this and other environmental impact reviews. Additionally, the Conservancy supports both the mission and the work of NASA's Wallops Flight Facility (WFF) and appreciates the critical national security functions, the opportunities for sub-orbital research programs and commercial launches it provides, and the important economic development it brings to the Eastern Shore.

As you know well, the Conservancy has worked to conserve the rich diversity of natural habitats and wildlife on the Eastern Shore for over 40 years. Working with public and private conservation partners, we have protected over 114,000 acres, including the 14 barrier islands we own and manage just to the south of NASA's operations at Wallops. This network of islands, called the Virginia Coast Reserve, is acknowledged as the best example of a naturally functioning barrier island system on the U.S. Atlantic coast and one of the best remaining examples of a coastal wilderness anywhere in America. Because of its outstanding human and natural values, it has been recognized as a United Nations Man and the Biosphere Reserve, a U.S. Department of the Interior National Natural Landmark, a National Science Foundation Long-Term Ecological Research Site and a Western Hemisphere International Shorebird Reserve Network Site.

These outstanding conservation values are why the Conservancy evaluates projects at the Wallops Flight Facility not only for their potential ecological impacts to natural resources on Wallops Island itself, but also for their potential impacts to the larger barrier island and associated coastal lagoon and seaside saltmarsh ecosystem. As NASA clearly recognizes, Wallops Island--as the only barrier island with significant infrastructure between Ocean City Inlet and the mouth of the Chesapeake Bay--has a unique position and responsibility to approach new infrastructure development with careful consideration for the larger ecological and geological context of which Wallops is part.

With that context in mind, our analysis of the draft UAS EA leads us to conclude that the project appears to have limited negative impacts on the barrier island system's larger natural processes. While some of the direct impacts to important biological resources on Wallops Island are locally significant, we believe these to be manageable provided NASA takes special steps to avoid and minimize physical impacts to habitats and operational impacts to species to the greatest extent possible.

Our specific comments are:

General

We are satisfied that no reasonable alternative exists to the general location of UAS air-strip site NASA has selected on the north end of Wallops Island. We recommend that NASA work in collaboration with partners to very carefully place the final location of the airstrip and access road to minimize impacts on maritime dune woodland, palustrine scrub-shrub and emergent wetlands, and rare plants. Invasive *Phragmites* must be carefully monitored and controlled. In the EA NASA acknowledges both the diversity and number of productive habitats and biological elements in and around the UAS site. Wallops Island is endowed with a very high concentration of important biological resources in a very small area. Formal construction and operational protocols should be designed and implemented to protect these resources.

1
2

Avian Resources

Many shorebird species are highly vulnerable to stress and disturbance when migrating (e.g. red knots) and nesting (e.g. piping and Wilson's plovers). Little is known about their responses to UAS over-flights. The small size of UAS aircraft may amplify the impacts, as they may more closely approximate natural avian predators. The bald eagle and peregrine falcon nests are also of concern, as are migratory and nesting songbirds. The proposed 1000 ft. buffer may or may not be sufficient. NASA-WFF can determine if the buffer is adequate and gain other valuable information to help protect populations of these birds by working with experienced partners to develop specific, replicable and scientifically-valid monitoring protocols that measure and evaluate noise and startle responses. The results of this monitoring should be shared with other scientists and the general public. We greatly appreciated NASA's commitment to alter flight paths and/or shut down operations, if necessary, based on monitoring results. Any impacts to

3

migratory and nesting songbirds, particularly neo-tropical migratory birds due to the proposed action are best addressed through protection of the undisturbed plants communities and habitats remaining during and after construction.

Maritime Dune Woodlands

The Conservancy strongly recommends careful fine tuning of the final site plan to minimize the loss of the maritime dune woodlands, an extremely rare natural community type. In the EA, it appears that the project would destroy nearly half of the island’s maritime dune woodlands, an outcome we submit must be avoided if at all practicable. Based on the maps and overlays NASA provided in the EA, it appears that slight readjustments to the location of the airstrip could substantially reduce these impacts. We urge NASA to work with the Virginia’s Department of Conservation and Recreation Division of Natural Heritage and other interested stakeholders on these refinements to minimize loss of this rare community type.

4

Palustrine Scrub-Shrub and Emergent Wetlands

It also appears that a slight re-working of the airstrip and access road locations would lessen the impacts on palustrine scrub-shrub and palustrine emergent wetlands. The loss of these wetlands will be exacerbated by the almost certain invasion of the common reed, *Phragmites australis*, which thrives in disturbed wetlands and can quickly crowd out more diverse communities of beneficial native plants. NASA should pay special attention to the airstrip access road, which appears to bisect the scrub-shrub and emergent wetland communities. Again, staff at the Division of Natural Heritage would be a great help with this issue.

5

Florida Thoroughwort

The rareness of the Florida thoroughwort (*Eupatorium* genus) both in terms of the occurrence of the species and the indications that it may be genetically distinct from *Eupatorium anomalum*, making it a new, even rarer, species present a unique opportunity to protect and study this plant. We commend NASA for seeking partners to research and preserve the unique occurrences found on Wallops Island, and suggest that NASA develop a formal plan for this work. Construction and operations can be carefully planned and performed to minimize damage to this rare plant population.

6

Invasive Phragmites

NASA can prevent the spread of invasive *Phragmites* by rigorously avoiding the disturbance and re-distribution of rhizomes and seeds by construction equipment and/or workers, and by aggressively monitoring and treating existing and emergent *Phragmites* before, during and after construction. The plant communities, habitats and individual occurrences of species that remain on and around the UAS site can be best protected if the monitoring and control of *Phragmites* is integrated into the design, construction and management of the UAS site, and should be made part of standard operating procedures of the facility.

7

We are pleased that the draft EA acknowledges the importance of Wallops Island as part of a larger geological and ecological system that is unique, fragile and highly dynamic. As we have stressed in previous communications, it is also important that NASA evaluate the potential vulnerability of WFF to climate change impacts including sea level rise, increased coastal flooding, and heightened storm surges. This larger perspective is essential for NASA to work with federal, state and local partners to maintain and enhance the resiliency of both natural and human systems and strategically adapt to heightened challenges to its infrastructure and operations in the future. We emphasize that maintaining the overall integrity of the barrier island system itself so that these islands may continue protecting economically and ecologically important salt marshes, coastal bays, beaches and mainland shoreline, as well as the human community and NASA's facilities, is an essential element of any plan to ensure the continued health of both human and natural communities on Virginia's Eastern Shore.

We appreciate the opportunity to comment on the draft EA and look forward to continuing our work with NASA-WFF in the future. Thank you for your time and consideration.

Yours truly,



Stephen N. Parker

Director, The Nature Conservancy's Virginia Coast Reserve

cc:

Tylan Dean, Assistant Supervisor, Ecological Services, Virginia Field Office, USFWS

Lou Hinds, Superintendent, Chincoteague National Wildlife Refuge, USFWS

Trish Kicklighter, Superintendent, Assateague Island National Seashore, NPS

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Via email: hard copy to follow

February 6, 2012

Mr. Joel Mitchell
 Code 250.W.
 NASA Goddard Space Flight Center's Wallops Flight Facility
 Wallops Island, Virginia 23337

Re: Comments on the Draft Environmental Assessment, North Wallops Island Unmanned Aerial Systems Airstrip

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We appreciate the opportunity to comment on the draft EA and look forward to continuing our work with NASA-WFF in the future. Thank you for your time and consideration.

Yours truly,



Stephen N. Parker

Director, The Nature Conservancy's Virginia Coast Reserve

cc:

Tylan Dean, Assistant Supervisor, Ecological Services, Virginia Field Office, USFWS

Lou Hinds, Superintendent, Chincoteague National Wildlife Refuge, USFWS

Trish Kicklighter, Superintendent, Assateague Island National Seashore, NPS

Laura McKay, Director, Virginia Coastal Zone Management Program, DEQ

Karen McGlathery, Director, Virginia Coast Reserve Long-Term Ecological Research, UVA

Tom Smith, Director, Division of Natural Heritage, DCR

Tony Watkinson, Chief, Habitat Management Division, VMRC

David Whitehurst, Director, Wildlife Diversity Division, DGIF



Monday 06 February, 2012

Mr. Joel.T.Mitchell Lead Natural Resources (via email joel.t.mitchell@nasa.gov)
Code 250.W
Goddard Space Flight Center's Wallops Flight Facility
National Aeronautics and Space Administration
Wallops Island, VA 23337

Re: Draft Environmental Assessment
Reconfiguration of the Wallops Flight Facility Main Entrance
March 2011

Dear Mr. Mitchell

The Eastern Shore Defense Alliance (ESDA) respectfully extends its thanks for the opportunity to review the draft report for the above reference.

The ESDA is a group of more than 75 businesses, business people, and other citizens that fosters and supports the missions of the National Aeronautics and Space Administration (NASA), United States Navy (USN), National Oceanic and Atmospheric Administration (NOAA), United States Coast Guard (USCG), Mid-Atlantic Regional Spaceport (MARS), and Marine Science Consortium which operate from the federal facilities at Wallops Island, Virginia, where approximately 1,800 civilian government and civilian contractor personnel are employed. On the Delmarva Peninsula, the ESDA is the largest independent support organization and the Wallops Island facilities have the largest concentration of high tech employees.

In reading the background we support the expansion of UAS activities at the proposed site on the North Side of Wallops Island. We look forward to the multifunctional use of the strip as it is described and the applications to further the studies of those scientific communities that are finally realizing the applicability of such UAS systems. This Airstrip will also serve well as the NASA facility is a prime location for the recent FAA Re Authorization Bill that identifies up to six test sites for UAS activities. NASA Wallops is set in a prime position on the east coast to service both this opportunity with the FAA as well as addressing national security roles with UAS technology.

We look forward to hearing of the next steps.

Thank you.

Respectfully submitted,

Peter J. Bale
Chairman

cc: Mrs. Caroline R. Massey, Assistant Director (via e-mail to caroline.r.massey@nasa.gov)
Management Operations Directorate, Code 200
Goddard Space Flight Center's Wallops Flight Facility
National Aeronautics and Space Administration
Wallops Island, VA 23337-5099



February 6, 2012

Joel T. Mitchell
Lead, Natural Resources
NASA Goddard Space Flight Center's
Wallops Flight Facility, Code 250.W
Wallops Island, VA 23337

Subject: VCSFA Comment on North Wallops Island UAS Airstrip

Reference (a): "Draft - North Wallops Island Unmanned Aerial Systems Airstrip
Environmental Assessment," dated December 2011

Dear Mr. Mitchell:

In response to Reference (a), the Virginia Commercial Space Flight Authority (VCSFA) would like to express its support of the tentative plan to move the Unmanned Aerial Systems (UAS) Airstrip from South to North Wallops Island. UAS research and capabilities have become a National need, which support Homeland Security, agriculture, resource management, and more.

Relocating the UAS airstrip to North Wallops Island would also support other National need programs conducted on the Island, such as sounding rocket research flights, Antares/Cygnus resupply of the International Space Station (ISS), DoD Operationally Responsive Space (ORS) missions, and the NASA Lunar Atmosphere and Dust Environment Explorer (LADEE) mission.

Thank you for consideration in this important matter, which significantly affects National needs.

Sincerely,

(Signed)

Zigmond V. Leszczynski
Deputy Director
Virginia Commercial Space Flight Authority (VCSFA)
4111 Monarch Way, Suite 201
Norfolk, VA 23508
757.440.4020



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410-651-6183 phone ♦ 410-651-6512 fax ♦ dskuennen@mdhawk.org

2/5/2012

Joel T. Mitchell
Lead, Natural Resources
NASA Goddard Space Flight Center's
Wallops Flight Facility, Code 250.W
Wallops Island, VA 23337

Dear Mr. Mitchell:

Please accept this as a wholehearted endorsement for the above UAS/UAV project at NASA Wallops by the Maryland Hawk Corporation. The evidence for our support and that of the University of Maryland Eastern Shore and its collaborators is presented by the various programs initiated by this cooperative effort in support of UAV development in the region.

UMES established a university-affiliated 501(c) 3 not-for-profit to streamline the university's ability to provide contractual services to corporate and government clients, commercialize the university's intellectual property, spin off for-profit corporations, and facilitate economic development in the region.

The Maryland Hawk Corporation (MHC) generated \$1.8 million in gross revenues in its first year of operation and has spun off the Hawk Institute for Space Sciences that achieved annual gross revenues in excess of \$5 million and a staff of 52 employees. A major program for is the development UAVs on Delmarva.

In furtherance of the State of Maryland's policy to develop the emerging Lower Eastern Shore cluster of space and defense businesses, emphasizing commercial launches from MARS, as well as the research range, mobile systems, UAVs and other aeronautical and space technologies UMES and MHC have been engaged in various UAS related activities and programs for over 3 years. The State and Governor have encouraged more linkages

A non-profit organization affiliated with the University of Maryland Eastern Shore, an 1890 land-grant institution.

between Wallops and Maryland's military facilities such as the Naval Research Laboratory and the Naval Air Station Patuxent River and academic institutions including the UMES.

UMES in cooperation with MHC has constructed a 25'x 300' Unmanned Aerial Systems (drones) Runway on the campus to support commercial research and development. Applied for a Certificate of Authority from the FAA to use surrounding airspace for research and training purposes. As you may know pending faculty approval and budget allocation, UMES is developing a BS program in Unmanned Aerial Systems to accommodate needs in this growing industry.

UMES is currently in the planning phase for a Engineering and Aviation Sciences Building (\$84 million) and has received the first \$3M of planning funds for this new facility that will be completed in the next four years.

Consistent with STEM initiatives throughout Maryland's technology sectors, UMES builds onto these existing efforts to prepare students for careers in space and Earth sciences.

UMES continues to **STEP-UP Technical Internship Program** with NASA's Wallops Flight Facility and the Worcester County Department of Economic Development to create technical internship opportunities for local high school and college students. The program is currently entering its seventh year. **Reach for the Stars Middle School STEM Program is a second program** students in which one third of the students had a physical challenge, one third had a learning disability, and one third were considered to be academically gifted. The program is currently entering its fifth year.

In support of the continued development and support of UAS, the Hawk Institute for Space Sciences (HISS) launched an Unmanned Aircraft Systems (UAS) Maintenance Training program for dislocated workers on the Lower Eastern Shore of Maryland. In partnership with the Lower Shore Workforce Alliance (LSWA), the workforce development division of Tri-County Council for the Lower Eastern Shore of Maryland, HISS is providing classroom instruction, hands on training, and job placement assistance for program participants. The 9-week training program covers topics such as: UAS air vehicle construction and manufacturing processes, ground support equipment construction and manufacturing processes, testing and maintenance tools, technical manual and blueprint comprehension, quality control procedures and configuration management, and inspection processes and approvals. The initial class consists of 13 dislocated workers residing in Somerset, Wicomico, and Worcester counties. Additionally, priority of selection was provided to veterans who have been honorably separated from service within the past 3 years. This

program was funded by the Workforce Investment Act (WIA) Dislocated Worker funding provided by the Maryland Department of Labor, Licensing & Regulation (DLLR).

I hope the aforementioned is evidence of our progress to encourage UAV development.

In closing I would like to reiterate the continuous and ongoing support from MHC for all of the efforts at NASA Wallops for their support of the UAV industry in the region.

Thanks for the opportunity to voice our support.

Daniel S. Kuennen
Executive Director

Hoffman, Charee

From: Silbert, Shari A. (WFF-200.C)[EG&G, Inc. (WICC)] <shari.a.silbert@nasa.gov>
Sent: Friday, February 03, 2012 1:01 PM
To: Hoffman, Charee; Bartlett, Matthew E.
Cc: Mitchell, Joel T. (WFF-2500)
Subject: FW: North Wallops Island Unmanned Aerial Systems Airstrip

For the record...

Shari A. Silbert

URS Corporation
 Environmental Scientist
 NASA Wallops Flight Facility
 Wallops Island, VA 23337
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 fx (757) 824-1819
Shari.A.Silbert@nasa.gov

Please visit our website at [WFF Environmental Office](#)

"The contents of this message do not reflect any position of the National Aeronautics and Space Administration or Goddard Space Flight Center."

From: Mitchell, Joel T. (WFF-2500)
Sent: Friday, February 03, 2012 12:40 PM
To: Underwood, Bruce E. (WFF-8020); Hitch, Michael G. (WFF-8020); Bull, Paul C. (WFF-2280); Turner, Carolyn (WFF-2500); Bundick, Joshua A. (WFF-2500); Silbert, Shari A. (WFF-200.C)[EG&G, Inc. (WICC)]
Subject: FW: North Wallops Island Unmanned Aerial Systems Airstrip

FYI

Joel Mitchell
 Environmental Engineer
 NASA Wallops Flight Facility
 757-824-1127

From: James Thomas [<mailto:jthomas0745@gmail.com>]
Sent: Friday, February 03, 2012 11:59 AM
To: Mitchell, Joel T. (WFF-2500)
Subject: North Wallops Island Unmanned Aerial Systems Airstrip

Dear Mr. Mitchell,

Please consider this my unqualified endorsement of the referenced project to be built and operated on Wallops Island.

I have been very involved, from an economic development standpoint, with creating more opportunities for Wallops Island. It seems that it is still space and aeronautics' unknown jewel.

I am a former Chair of the Mid-Atlantic Institute of Space and Technology and still sit on the Board. My day job, before retirement in January, 2011, was CEO of George, Miles & Buhr, LLC, Engineers and Architects, headquartered in Salisbury.

If you would like to contact me regarding the matter, use the contact information below.

**Best Regards,
Jim Thomas**

Phone: (410) 726-8144

E-Mail: jthomas0745@gmail.com

January 19, 2012

The Honorable Raymond H. LaHood
Secretary of Transportation
1200 New Jersey Avenue, S.E.
Washington, DC, 20590-9898

Dear Secretary LaHood:

As the Department of Transportation prepares to implement the Unmanned Aircraft Systems (UAS) Test Range provisions in the recently passed National Defense Authorization Act and the FAA Reauthorization bill, we encourage you to establish a Mid-Atlantic UAS Test Range in the Maryland–Virginia region to leverage our UAS facilities, airspace and talent.

We would like to highlight a few critical points. First, Maryland and Virginia have joined together in this effort because we realize no single installation or region can do what we can do together. We offer thousands of square miles of restricted and special-use airspace and modern UAS infrastructure at the Atlantic Test Range, NASA Wallops Flight Facility, NASA Langley Research Center, and Naval Air Station Patuxent River. Our airspace exists today and does not need to be created. Nearly every UAS operated by the United States Government has been flown in and tested from our flight test facilities.

Second, provisions in both bills direct the FAA to take on the challenging task of integrating UAS into the national air space almost immediately and without an accompanying Congressional appropriation. We urge you to consider the use of the DoD, NASA, industry and academic institutions in our states that will provide the FAA with a solution at no cost to the taxpayer. Today's budget reality demands a smarter way of doing business. We urge you to take advantage of Virginia and Maryland's existing infrastructure and capabilities, which are ready for operations today and able to provide a savings for the taxpayer and relieve some pressure on the Federal budget.

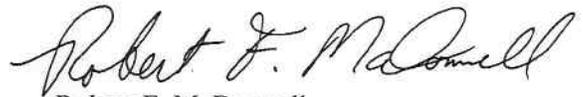
Finally, a UAS Test Range based in the MD-VA region offers the FAA the lowest risk and highest value proposition. Industry, academia and Federal agencies in Maryland and Virginia design, test and operate every category of UAS. Facilities in both states have extensive experience integrating UAS into the national air space. Our states have the capability to be the center of gravity for UAS operations. Our workforce offers the ability to complete the UAS integration task with the right people and a flat learning curve while having the finest UAS infrastructure in the nation at their disposal.

We look forward to discussing this important endeavor with you and commend you for your leadership on this vitally important task.

Sincerely,



Martin O'Malley
Governor



Robert F. McDonnell
Governor

North Wallops Island UAS Airstrip Draft EA
December 2011

Public and Agency Review Comments

| # | Letter | Commenter | Page / Resource | Comment | Response |
|----|--------|---|-----------------|--|--|
| 1. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 1 | | A Clean Water Act (CWA) Section 404 permit would be necessary for the construction of the proposed action, as it is currently designed. The CWA 404 b(1) Guidelines only allows the least environmentally damaging practicable alternative (LEDPA) to be permitted. As described in this EA, it is not clear that the proposed alternative represents the LEDPA. | <p><i>Section 3.7.2 detail the avoidance and minimization steps that NASA undertook to limit the impacts to wetlands to the least damaging practicable.</i></p> <p><i>Section 2.2.1 has been modified to read:</i></p> <p>“The UAS airstrip would incorporate typical manned aircraft runway design elements. The airstrip width would be based upon the 75 foot width requirements in Table 3.2 of the Federal Aviation Administration (FAA) Airport Design Advisory Circular 150/5300-13 for Airplane Design Group I which includes aircraft with up to but not including 49 feet wingspan or tail height up to but not including 20 feet. The proposed airstrip would support flying both UAS with a great deal of heritage and known parameters of performance (e.g., Viking 400-class) and similarly sized UAS that are prototypical in design that, consequently, do not have known performance parameters. The latter would require greater safety margins in the length of the airstrip during take-off and landing.</p> <p>The proposed UAS airstrip length requirements would be based upon safety constraints for flying unproven UAS as well as those for the envelope vehicle of the Viking 400-class. There is not a standard airstrip length requirement for the Viking 400 as this length varies with weather conditions, i.e., on a perfect weather day, the Viking 400 might be able to take-off/land on a 1,500 foot airstrip while conversely, on a bad weather day, the Viking 400 may require a 3,000 foot airstrip. Most weather days at WFF would be in the middle of these two extremes such that the Viking 400 would be safe when flying from/to a 2,500 foot airstrip. The unpaved shoulders of the airstrip would provide passage of maintenance or other vehicles and the occasional UAS that may veer off course. The clear zones would extend beyond</p> |

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| | | | | | <p>the end of the airstrip and would provide additional area for takeoff operations.</p> <p>Lastly, the airstrip was designed to ensure that the surface area is flat, without humps, depressions, or other surface variations. The airstrip grading was designed to provide as flat as possible surface area with positive drainage towards the natural drainage features and to ensure that low spots on the airstrip that could hold water would not be created. An infiltration trench was designed to encircle the entire airstrip for effective drainage of the entire surface area. The airstrip grading was designed to provide as flat as possible surface area with positive drainage towards the natural drainage features and to ensure that low spots on the airstrip that could hold water would not be created.”</p> <p>Additionally, NASA performed a desktop GIS study of shifting and/or rotating the proposed airstrip. Each iteration resulted in greater wetland impacts than the proposed orientation.</p> |
| 2. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 2 | | Also of concern to EPA is proposed compensatory mitigation for unavoidable wetland impacts. NASA is currently proposing to mitigate by paying into Virginia's in lieu fee (ILF) program for use in the Virginia Aquatic Resources Trust Fund which is administered in partnership with the U.S. Army Corps of Engineers (Corps), Virginia Department of Environmental Quality (DEQ) and the Nature Conservancy. EPA is concerned that the proposed mitigation technique will not adequately compensate for lost functions and values in the subwatershed where the project is located. | <i>WFF is preparing a mitigation plan in conjunction with the requirements for obtaining a permit under Section 404 of the Clean Water Act.</i> |
| 3. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 3 | | It is not clear to EPA that a specific project through ILF has been identified at this time, nor has investigation occurred for on-site mitigation opportunity. Full avoidance and minimization should be demonstrated prior to commitment of compensatory mitigation. At this time, EPA is | <p><i>See Responses #1 and #2.</i></p> <p><i>Refer to Section 3.7.2, Wetlands, Avoidance and Minimization</i></p> |

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| | | | | concerned that adequate mitigation to offset for unavoidable impacts may not be available. | |
| 4. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 4 | Purpose and Need & Alternatives Analysis | It is the concern of EPA that natural resources will be impacted multiple times. Clarify the intended lifespan for the proposed airstrip and how long the proposed action is expected to meet the needs of the scientific community. | <p><i>Section 1.3.2, 4th bullet. Added...</i> “The Viking 400-class UAS, a 20-year planning vehicle for WFF, would require....”</p> <p><i>Section 1.3.2, Page 1-9. Added to the paragraph under Figure 6....</i> “The Viking 400-class UAS would be the largest UAS to be flown from the new airstrip. UAS larger than the Viking 400-class would be flown from the Main Base runways.”</p> <p><i>Page 2-16, Maintenance. This section has been broken out to include “Vegetation” and “Airstrip Surface”.</i></p> <p><i>Airstrip Surface includes the following statement:</i> “The UAS airstrip would be inspected on a regular basis (i.e., annually). When signs of wear begin to show, the asphalt surface would be repaired or resurfaced, as needed. It is anticipated that resurfacing would be required approximately every 10 years to maintain efficient and safe UAS operations.”</p> |
| 5. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 4a | Purpose and Need & Alternatives Analysis | Discuss any plans or restrictions being discussed at NASA that might help ensure operational and safety limitations, currently occurring at the southern airstrip, are prevented for the proposed northern airstrip. | <p><i>See Attachment 1.</i></p> <p><i>No changes required.</i></p> |
| 6. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 5 | Page 2-2, Criterion 3 | Page 2-2, Criterion 3 mentions a proposal to construct a payload processing and fueling complex less than 2 miles from the launch range. Is this being proposed to be moved as part of this project? Is separate NEPA documentation being prepared for the payload processing facility? | <p><i>Sentence has been rewritten to read:</i></p> <p>“As previously analyzed, a new Payload Processing and Fueling Complex will be constructed approximately 3km (1.75 mi) from the northern extent of the launch range to meet the expanding needs of the NASA and MARS rocket programs (NASA 2009a).”</p> |
| 7. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 6 | Page 2-4, Criterion 4 Airstrip Dimension | Page 2-4 states that clear zones are typically unpaved. It is not clear to EPA why clear zones proposed for this project would need to be paved if they are typically left unpaved. Please clarify why in this case paving of the clear zone was determined to be necessary. It is also not clear why an additional grass buffer is required beyond the proposed 250 ft clear zone. What purpose does | <p><i>See Response #1.</i></p> |

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| | | | | the grass buffer serve that the clear zone does not? Discuss the selection of a buffer/clearing width. | |
| 8. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 7 | | Please provide documentation that clearly states that the proposed craft Viking 400-class UAS, which has a wingspan of less than 20 ft, requires a 2,500 runway with a 75 ft width. | <i>See Response #1.</i> |
| 9. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 8 | | What is the predicted percent of the maximum 1,040 UAS flights annually that will be the larger Viking 400-class or equivalent? What percent of the total annual flights will be Viking 300-class or smaller that can be flown on the existing airstrip? | <i>As stated on page 2-17, "The number and frequency of operations would be dictated by the type of UAS test and UAS-based research being conducted in a given year." The following has been added to page 2-17 under Operations at the New UAS Airstrip: "The south Wallops Island UAS airstrip would be decommissioned for UAS operations when the north Wallops Island UAS airstrip has been activated."</i> |
| 10. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 9 | Page 2-5 | The Naval Air Station Patuxent River was one off-site locations considered but not carried forwarded for detailed analysis. In Table 2, this alternative meets 5 of the 6 criterion applied in considering alternatives outside of WFF. Please clarify why this location was not considered further as it appears to meet all of the defined criteria. | <i>Section 2.1 has been modified to read: Naval Air Station Patuxent River is a U.S. Naval Air Station located on the Chesapeake Bay in St. Mary's County, Maryland approximately 320 km (200 mi) from WFF. The Naval Air Station is home to three major Navy commands and is the Navy's primary location for research, development, test, evaluation, engineering and fleet support for naval aircraft and support systems; over 165,000 aircraft operations occur at the Naval Air Station each year. As such, Navy UAS operate from the Air Station's Webster Field Annex located approximately 13 miles southwest of the Navy's Patuxent River Complex. The auxiliary field is primarily used by the Navy's VC-6 squadron responsible for maintaining the Pioneer UAS. Overall, the Navy's Webster Field Annex would meet the requirements under Criterion 2 through 6; however, the Naval Air Station and its associated Webster Field Annex is not a NASA-supported Center; the Navy would receive priority scheduling of the runways and airspace providing limited opportunities for other users. In addition, due to the location of the Webster Field Annex in the mouth of the St. Mary's River, coastal zone/ocean research objectives would not be available rendering this location unable to meet the needs of the WFF UAS scientific and research community as required under Criterion 1.</i> |

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| | | | | | Accordingly, further consideration of Naval Air Station Patuxent River is not warranted. |
| 11. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 10 | Page 2-6 | It is not clear why an off-site parcel could not be included in an expansion. | <p><i>Section 2.1 has been modified to read:</i></p> <p><i>Purchase of off-site land parcels</i> surrounding the entrance to Wallops Mainland and north towards the Main Base was considered; however, multiple considerations preclude this from being a viable alternative. First, if adjacent off-site land parcels were available for purchase, a constructed airstrip would not be located under NASA-controlled restricted airspace R-6604A/B thereby failing to meet the requirements described under Criterion 2. Second, per NASA's range safety regulations, UAS operating under the management and oversight of WFF are permitted only to fly over unpopulated areas; this means areas where people, vehicles, or homes and businesses would not be located and overflights of these areas would not occur. Although rural, the areas around both the Mainland and Main Base are populated. UAS operating from an off-site location would need to transit from the airstrip, fly over populated areas, operate within R-6604 A/B and VACAPES, and then fly back over populated areas to return to the airstrip. Risk analyses for all UAS flight operations are conducted to determine the probability of hazard to the public. The risk to the public cannot exceed 30×10^{-6}. WFF has determined that conducting flight operations of untested/unproven UAS over populated areas would pose an unacceptable risk to the public (refer to section 3.3.1, <i>Flight Safety</i>). As such Criterion 6 would not be met resulting in a failure to also meet the requirements under Criterion 1. Lastly, the cost of purchasing and securing an off-site land parcel when NASA already possesses available land and restricted airspace is impractical and unwarranted.</p> |
| 12. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 11 | | It is also not clear why UAS represent and pose an unacceptable risk to the public and residential property from mishaps that could occur with untested/unproven UAS. | <i>See Response #11.</i> |
| 13. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick | | The EA also details that UAS crashes do not represent a severe risk to unexploded ordinances that are located surrounding the proposed airstrip | <i>Refer to Section 3.3.1, Flight Safety, which describes the few</i> |

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| | | 12 | | and also do not represent a crash risk to piping plover nests that are located on the north end beach. Please make clear what the risk of UAS crashes/near misses is. | <i>incidents that have occurred out of 312 UAS flights at WFF.</i> |
| 14. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 13 | | Please provide documentation that emergency and support vehicles cannot drive on the airstrip or transition from a concrete surface to an asphalt surface. The existing runway has two pads that can only be accessed by driving on the runway; it is not clear why this does not represent a reasonable and practicable alternative for the proposed project. | <i>Upon further analysis of the load bearing capacity of the proposed airstrip, it was determined that the surface could support limited vehicular traffic (2 large support and/or emergency vehicles, 2 passenger vehicles, and numerous UAS passes, daily). Consequently, the staging pad will be redesigned and relocated further east along the airstrip to avoid wetland impacts.</i> |
| 15. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 14 | | Evaluation of alternate pad size, shape and material, for example can the pad be put on piers, is needed. | <i>See Response #14.</i> |
| 16. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 15 | | A Clean Water Act (CWA) Section 404 would be necessary for the construction of the proposed action, as it is currently designed. The CWA 404 b(1) Guidelines only allows the least environmentally damaging practicable alternative (LEDP A) to be permitted. As described in this EA, it is not clear that the proposed alternative represents the LEDP A. | <i>See Response #1.</i> |
| 17. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 16 | Page 2-14 and Figure 11 | Elevation of the airstrip is proposed to be 3 ft above existing ground; this is stated to be this height needed in order to accommodate the storm water infiltration trench that would surround the airstrip. Drawings of design cross-sections for airstrip and bio-trenches should be clear and legible. | <i>Figure 11 has been enhanced for better clarity.</i> |
| 18. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 17 | Page 2-14 | Why do trenches need to be elevated? As currently designed, below the base of trenches would be additional compacted fill, and trenches do not connect to existing uncompacted ground levels or groundwater. It is not apparent how this disconnect enhances or promotes infiltration. Please clarify the design and intended rates of infiltration volume or velocity that the design will | <i>In order for the drainage trench to work effectively, the base must be above the current water table such that storm water can flow into the trench then infiltrate through the base into the ground water table. If the base of the trench is within the ground water table, the trench would quickly fill with water and potentially overflow the airstrip during storm events. If trenching was only established on one side of the airstrip, the airstrip would be required to be designed on a slope. To provide maximum control of UAS aircraft, the primary</i> |

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| | | | | <p>achieve. If trenches do not have to be elevated and can put in closer to existing ground levels, the amount of fill needed and the footprint of the project would be smaller. A smaller footprint that is not as elevated may allow for additional avoidance and minimization opportunities. This opportunity should also be considered despite the known presence of unexploded ordinances, which can be remediated if necessary.</p> <p>It is also not clear if the trench can only be located on one side to further minimize impacts.</p> | <p><i>surface area of the airstrip has been designed to be as flat as possible with minimal slope in any direction.</i></p> <p><i>Section 2.2.1 has been modified and includes the following:</i></p> <p>“The airstrip grading was designed to provide as flat as possible surface area with positive drainage towards the natural drainage features and to ensure that low spots on the airstrip that could hold water would not be created. An infiltration trench was designed to encircle the entire airstrip for effective drainage of the entire surface area.”</p> |
| 19. | 001 | <p>U.S. Environmental Protection Agency, Barbara Rudnick</p> <p>18</p> | Resource Impacts | <p>Please clarify what the expected noise levels from construction and operation of the proposed action. It appears that noise levels on this remote part of Wallops Island could raise from 47-57 dBA to a high of 73 dBA. It is not clear what the operational noise would be at 500 ft or below the flight path at ground level.</p> <p>Discuss if noise during take-off or landing would be louder than during flight, and if these conditions were taken into account for the noise analysis.</p> | <p><i>Refer to Table 6, page 3-11 for predicted construction noise levels.</i></p> <p><i>As presented on page 3-11, Operations, “Of the UAS currently operating and proposed for operations at the new UAS airstrip, the Viking 300 has been determined to be the loudest. The basic sound level of the Viking 300 is 70 dB at 300 m (1,000 ft) flight altitude at 100 kilometers per hour (56 knots) (this is the L_{max} occurring during the flyover). For aircraft flyovers at these speeds, the SEL is approximately 10 dB greater than the L_{max}, which would give an estimated SEL value of 80 dB for a 300 m (1,000 ft) flyover. A 150 m (500 ft) minimum cruise altitude near the airstrip is proposed. The reduction of the altitude by a factor of 2 would increase the SEL by 3 dB. Thus, the estimated SEL underneath the flight track near the airstrip at 150 m (500 ft) would be approximately 83 dB. Under the Proposed Action, it is projected that the average operational day would consist of no more than four UAS sorties, which means eight operations per day (one sortie equals one departure and one arrival).”</i></p> <p><i>“UAS sorties would occur during daylight hours, with the potential for an occasional nighttime operation taking place under special circumstances (e.g., hurricane monitoring). Therefore, the estimated maximum DNL value underneath the flight track was calculated to be DNL= 43 dB. The SEL values from these events ranged from 56 dBA to 88 dBA</i></p> |

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| | | | | | (BRRC 2011). |
| 20. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 19 | Page 3-14 | Page 3-14 states that maritime habitats are well outside the project ground disturbance zone. Does this include maritime forests shown on Figure 12? | <i>To clarify between the Maritime Dune Woodland and Coastal Habitats, the subheader Maritime Habitats has been changed to Coastal Habitats; coastal habitats are well outside the project ground disturbance zone.</i> |
| 21. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 20 | | It is not clear how many acres of wetland will be impacted by conversion and clearing. EPA suggests that compensatory mitigation for conversion of wetlands also be considered. Discuss any temporary impacts to wetlands for construction and staging. Indirect impacts from changes in flow and water movement should also be included. | <i>No acreage would be converted; .92 hectares (2.28 acres) would be filled. This has been clarified in the text on page 3-30. The following has been incorporated into section 3.5.2.1: "A site specific Sediment and Erosion Control Plan would be developed. Staging would occur only on the access road or developed portions of the airstrip. Orange construction fencing would be placed on the perimeter of the area of disturbance. At a minimum, silt fencing would be placed near the edge of the wetlands. In addition, oversight during construction operations to avoid wetlands would be implemented."</i> |
| 22. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 21 | Page 3-40 (Essential Fish Habitat) | Page 3-40 mentions the use of retaining walls and trenches. More information about the use of retaining walls and trenches is needed. Show where the retaining wall is proposed for use. Would the use of retaining walls reduce the amount of impact to wetlands? Stormwater management should not be located in wetlands. | <i>Discussion of retaining walls is provided on page 3-50. Figure 13 has been modified to show location of retaining walls. Stormwater discussion (page 3-50) has been removed.</i> |
| 23. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 22 | | An invasive species management plan may be necessary to prevent further spread of common reed during the construction of the proposed project. Further spread of this invasive species and loss of native wetland vegetation is of concern to EPA. | <i>A site-specific Invasive Species Management Plan is located in Appendix F of the Final EA.</i> |
| 24. | 001 | U.S. Environmental Protection Agency, Barbara Rudnick 23 | Page 5-9 | Page 5-9 discusses potential cumulative effects on wetlands, saying that the wetland loss "would represent a long-term impact; however, WFF has compensated for more wetlands impacts than have | |

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| | | | | <p>occurred in the recent past for activities outside of the geographic scope of this proposal." While it may be true that WFF has compensated for past wetland impacts, it has not been determined that the compensatory mitigation be used to offset lost functions and values of resources considered and cannot be used to offset the adverse wetland impacts associated with this or other future projects.</p> <p>It is the concern of EPA that adverse cumulative effects to wetlands may be occurring at Wallops Island and may continue to occur in the future.</p> | <p>WFF will continue to comply with all federal, state, and local regulations regarding wetland impacts and compensation.</p> |
| 25. | 001 | <p>U.S. Environmental Protection Agency, Barbara Rudnick</p> <p>24</p> | Page 5-1 and 5-10 | <p>What is the rationale for cumulative impact spatial and temporal boundaries that were used for the analysis? The spatial boundary for this EA was limited to only the north end of Wallops Island. EPA may suggest that a larger spatial boundary be considered.</p> | <p>Section 5.2 on page 5-1 has been modified to include the following:</p> <p>“Potential impacts from the construction and operation of the Proposed Action are generally considered minor and temporary in nature. Construction activities would be limited to WFF’s north Wallops Island. UAS would fly from the airstrip and directly out to the Warning Areas over VACAPES and would thus not impact mid and southern areas of the Island.”</p> |
| 26. | 002 | <p>USFWS, Lou Hinds</p> | | <p>The Service appreciates the opportunity to work with NASA to promote conservation of fish, wildlife, plants, and their habitats, while implementing their mission.</p> | <p>No changes required.</p> |
| 27. | 003 | <p>NOAA National Marine Fisheries Service, Mary Colligan</p> | | <p>As noted in our August 24, 2010, letter to NASA regarding this proposal, several species of sea turtles listed by NOAA's National Marine Fisheries Service (NMFS) as threatened and endangered occur seasonally in the coastal waters of Virginia. However, as no in water work is proposed, no listed species will be affected by the construction of the Unmanned Aerial Systems Airstrip. Based on this information, NMFS does not intend to offer additional comments on the Draft EA and thus, no further coordination with NMFS Protected Resources Division is needed.</p> | <p>No changes required.</p> |
| 28. | 004 | <p>Navy, Marilyn Ailes</p> | Noise | <p>You are using loudspeakers at the launch sites which are exceedingly loud; they are enough to</p> | |

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| | | 1 | | startle my dog inside my home, about 2 miles away. Will you be using such loudspeakers on the north end? They would be quite disruptive, but you don't mention them. | <i>Loudspeakers are not anticipated to be used. No changes required.</i> |
| 29. | 004 | Navy, Marilyn Ailes 2 | Traffic (page 3-67) | You mention about six vehicles per launch going up the road, up to three times a day (1,000 launches/year). This is a lot of traffic, but you don't address this disturbance. Would it affect peregrines? Probably not, but you should mention it. It would be a disturbance to migrating birds coming south in the fall. Probably significant. | <i>The following has been incorporated into section 3.1.3.2:</i> "It is anticipated that for any given day, only 1 model of UAS would be flown from the airstrip and the majority of the associated vehicles would remain at the airstrip for the duration of the flight day." <i>Associated vehicular noise would be less than construction and operational noise; no impact.</i> |
| 30. | 004 | Navy, Marilyn Ailes 3 | Page 3-13; Page 3-31 | Myrtle plants are now 'Morella'. Taxonomists playing their games. | <i>Revised as indicated.</i> |
| 31. | 004 | Navy, Marilyn Ailes 4 | Page 5-3 | ARTIST isn't included. | <i>ARTIST is located within an existing impervious surface area in Figure 15.</i> |
| 32. | 004 | Navy, Marilyn Ailes 5 | Page 5-9 | There is currently no program to control common reed or other invasives. Will you be starting a program? If not, you shouldn't say it would be controlled, except by mowing along the sides of the runway. That'll happen, anyway. | <i>See Response #23.</i> |
| 33. | 005 | Department of Environmental Quality, Ellie Irons | | Based on the information provided in the Draft Environmental Assessment and comments from reviewers, reviewing agencies generally have no objections to the proposal as presented. However, due to the significance of the Maritime Dune Woodland Conservation Site and the state rare plant (<i>Anomalous eupatorium</i>) documented there, the Department of Conservation and Recreation strongly recommends avoiding impacts to this globally rare community and state rare plant and suggests relocating the airstrip to another site (see section 8. Natural Heritage Resources , page 10). | <i>Refer to Appendix G for the Rare Plant and Community Action Plan for Northern Wallops Island prepared by WFF through consultation with DCR. The Plan provides preservation strategies WFF will take to mitigate impacts on rare plant species and communities.</i> |
| 34. | 005 | Department of Game and Inland Fisheries, Raymond Fernald | Page 2 | We agree with the Draft EA that video cameras are effective at capturing responses of birds on nests, but they are not effective for monitoring birds passing through or foraging in the area after the | |

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| | | 1 | | <p>1 nests have hatched. Therefore, we recommend that monitoring of avian responses by human observers also be utilized and begin March 15 and continue through the fall migration, approximately November 15 of any year. We recommend this monitoring occur for at least once year after the UAS is in operation. We would be happy to assist NASA in the development of such an avian monitoring plan.</p> <p>We agree with the Draft EA that video cameras are an effective tool for monitoring the responses of bald eagles to UAS activities. However, we also recommend that human observers be used to record flight behavior, direction, and the elevation of the eagles should they flush in response to UAS activities.</p> <p>In addition to other video camera monitoring suggested by the Draft EA, we recommend video cameras also be placed in view of any documented oystercatcher nests in order to provide a better understanding their responses to UAS activities.</p> | <p><i>WFF will cooperate with VDGIF to develop and implement an Avian Response Monitoring Plan for UAS activities that will include bald eagles and oystercatchers. This Plan will employ both human and video observations.</i></p> |
| 35. | 005 | Department of Game and Inland Fisheries, Raymond Fernald 2 | Page 2 | <p>To ensure that piping plover monitoring considers responses to take-off and landing activities from migrant as well as breeding birds, we recommend that piping plover monitoring begin during shorebird spring migration and at the onset of piping plover nest site selection, approximately March 15 of any year. We recommend that monitoring continue until all piping plover pairs have left their territories.</p> <p>Finally, we recommend that red knot monitoring by human observers be performed from April 15 through June 15 of any year. We recommend that observers record responses of all avian species present during take-off and landing during this period, in addition to recording responses by red knots.</p> | <p><i>WFF currently performs this monitoring as part of the WFF Protected Species Monitoring Plan. Results are reported annually to the USFWS and VDGIF. No changes required.</i></p> |

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| 36. | 006 | Department of Conservation and Recreation, Roberta Rhur/John Fisher 1 | | Due to the significance of the Maritime Dune Woodland and the Anomalous eupatorium, DCR-DNH strongly recommends avoiding impacts to this globally rare community and state rare plant and suggests relocating the airstrip to another site. In addition, DCR – DNH recommends maintaining the margins of the road bed, where the Anomalous eupatorium occurs, by periodic mowing/bush-hogging during the late winter / early spring. This should maintain the area in a more sunlit state to support the remaining plants. | <i>See Response #33.</i> |
| 37. | 006 | Department of Conservation and Recreation, Roberta Rhur/John Fisher 2 | | Due to the legal status of the Peregrine falcon and Wilson’s plover, DCR recommends coordination with Virginia’s regulatory authority for the management and protection of these species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570). Due to the legal status of the Piping plover, DCR also recommends continued coordination with USFWS and VDGIF to ensure compliance with protected species legislation. | <i>No changes required.</i> <i>No changes required.</i> |
| 38. | 007 | Department of Historic Resources, Amanda Lee | | We have reviewed the EA against previous documentation in the associated project file and maintain our January 10, 2011 recommendation of no adverse effect to historic properties, specifically archaeological site 44AC0089, by the proposed project. | <i>No changes required.</i> |
| 39. | 008 | Marine Resources Commission, George Badger, III | | Based upon my review of the “Proposed Action”, it would appear that your proposed landing strip will not fall within the Commission’s jurisdiction; therefore, no authorization would be required from the Marine Resources Commission. For your information, it would appear a wetlands permit may be required from the Accomack County Wetlands Board. | <i>No changes required.</i> |
| 40. | 009 | Virginia Council on Indians, Deanna Beacham | | Thank you for the opportunity to comment on the draft of the NASA Wallops Flight Facility North | |

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| | | | | Wallops Island UAS EA. I enjoyed reading the report, but have no comments to offer, as there are no expected impacts on any known American Indian cultural resources. | <i>No changes required.</i> |
| 41. | 010 | Town of Chincoteague, Robert Ritter, Jr. | | <p>On an annual basis, the Town of Chincoteague contracts with Allen Chorman & Son, Inc, to provide aerial application of insecticide for mosquito control. Even though this application only occurred 4 times last year on May 27th, May 28th, June 25th, and July 1st, the timing of the flights are of critical importance. They are typically scheduled 8 to 10 days after a significant period of rainfall, when there is evidence of a hatch that cannot be controlled with ground application, and weather conditions permit the application as close to a prime tourist weekend as possible.</p> <p>Our concern is the more frequent closure of airspace shown on the EA Figure 2 that may occur 5 days each week; 4 operations per day; from 7am to 5pm with occasional night and weekend operations. This airspace management issue was not identified in the EA and we hope that you will consider some flexibility to accommodate the limited but critical need for Mr. Chorman to 'call ahead' and reserve a few hours for aerial spraying of Chincoteague Island.</p> | <i>WFF would schedule UAS operations around aerial spraying operations upon notice provided by Mr. Chorman.</i> |
| 42. | 011 | Maryland House of Delegates, Norman Conway | | endorsement/support | <i>No changes required.</i> |
| 43. | 012 | Maryland Senate, Senator Mathias, Jr. | | endorsement/support | <i>No changes required.</i> |
| 44. | 013 | Somerset County Economic Development Commission, Daniel Thompson | | endorsement/support | <i>No changes required.</i> |
| 45. | 014 | The Nature Conservancy, Stephen Parker 1 | General | We recommend that NASA work in collaboration with partners to very carefully place the final location of the airstrip and access road to minimize impacts on maritime dune woodland, palustrine scrub-shrub and emergent | <i>See Response #33.</i> |

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| | | | | wetlands, and rare plants. | |
| 46. | 014 | The Nature Conservancy, Stephen Parker 2 | General | Invasive <i>Phragmites</i> must be carefully monitored and controlled. | <i>See Response #23.</i> |
| 47. | 014 | The Nature Conservancy, Stephen Parker 3 | Avian Resources | The bald eagle and peregrine falcon nests are also of concern, as are migratory and nesting songbirds. The proposed 1,000 ft. buffer may or may not be sufficient. NASA WFF can determine if the buffer is adequate and gain other valuable information to help protect populations of these birds by working with experienced partners to develop specific, replicable and scientifically-valid monitoring protocols that measure and evaluate noise and startle responses. The results of this monitoring should be shared with other scientists and the general public. | <i>A commitment to further study Bald eagles or peregrine falcons has not been made. As written on page 3-37, "To mitigate the potential adverse effects during construction, NASA would employ a 200 m (660 ft) buffer around the eagle nest within which no clearing or construction activities would occur. The establishment of such a buffer is consistent with recommendations of the National Bald Eagle Management Guidelines (USFWS 2007). Peregrine falcon nests have been found well outside of the project area (page 3-37). USFWS has partnered with NASA on mutually beneficial projects related to management of special status and other species found within the unique barrier island system including Wallops Island. WFF will consider future monitoring efforts with USFWS to study these species as well as partnering opportunities with academia and through NASA's internship programs.</i> |
| 48. | 014 | The Nature Conservancy, Stephen Parker 4 | Maritime Dune Woodlands | The Conservancy strongly recommends careful fine tuning of the final site plan to minimize the loss of the maritime dune woodlands, an extremely rare natural community type. In the EA, it appears that the project would destroy nearly half of the island's maritime dune woodlands, an outcome we submit must be avoided if at all practicable. Based on the maps and overlays NASA provided in the EA, it appears that slight readjustments to the location of the airstrip could substantially reduce these impacts. | <i>See Response #33.</i> |
| 49. | 014 | The Nature Conservancy, Stephen Parker 5 | Palustrine Scrub-Shrub and Emergent Wetlands | NASA should pay special attention to the airstrip access road, which appears to bisect the scrub-shrub and emergent wetland communities. | <i>Based on the wetland delineations, the wetlands on each side of the road are connected with other wetland areas and tidal wetlands and would not be hydrologically isolated.</i> |
| 50. | 014 | The Nature Conservancy, Stephen Parker | Florida Thoroughwort | The rareness of the Florida thoroughwort (<i>Eupatorium</i> genus) both in terms of the | |

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| | | 6 | | occurrence of the species and the indications that it may be genetically distinct from <i>Eupatorium anomalum</i> , making it a new, even rarer species present a unique opportunity to protect and study this plant. We commend NASA for seeking partners to research and preserve the unique occurrences found on Wallops Island, and suggest that NASA develop a formal plan for this work. | <i>WFF will consider future monitoring efforts to study these species through partnering opportunities with academia and through NASA's internship programs.</i> |
| 51. | 014 | The Nature Conservancy, Stephen Parker 7 | Invasive Phragmites | The plant communities, habitats and individual occurrences of species that remain on and around the UAS site can be best protected if the monitoring and control of <i>Phragmites</i> is integrated into the design, construction and management of the UAS site. | <i>See Response #23.</i> |
| 52. | 014 | The Nature Conservancy, Stephen Parker 8 | | As we have stressed in previous communications, it is also important that NASA evaluate the potential vulnerability of WFF to climate change impacts including sea level rise, increased coastal flooding, and heightened storm surges. This larger perspective is essential for NASA to work with federal, state and local partners to maintain and enhance the resiliency of both natural and human systems and strategically adapt to heightened challenges to its infrastructure and operations in the future. | <i>Sea level rise for this proposal was addressed on page 2-12 and in Cumulative Effects on page 5-8. No changes required.</i> |
| 53. | 015 | Eastern Shore Defense Alliance, Peter Bale | | endorsement/support | <i>No changes required.</i> |
| 54. | 016 | Virginia Commercial Space Flight Authority, Zigmond Leszczynski | | endorsement/support | <i>No changes required.</i> |
| 55. | 017 | Maryland Hawk Corporation, Daniel Kuennen | | endorsement/support | <i>No changes required.</i> |
| 56. | 018 | Jim Thomas | | endorsement/support | <i>No changes required.</i> |
| 57. | 019 | Governor McDonnell and Governor O'Malley | | endorsement/support | <i>No changes required.</i> |

ATTACHMENT 1

Reason for Location of Launch Facilities at the South End of Wallops Island

The geographic location of WFF's launch range has been a critical factor in its continued ability to safely and successfully conduct science, technology, and educational flight projects aboard rockets. WFF's launch range location is farthest away from the general public; it is also the safest part of WFF for hazardous operations. NASA's primary concern is limiting the risk of harm to private property, its employees, and the general public resulting from hazardous operations. Regarding public safety, one concept prevails: the farther the hazardous activity is from the general public, the smaller the risk of harm. NASA's safety policy is that such activities must be conducted as far away from the public as possible.

Safety Considerations

When a rocket is being prepared for launch, it possesses certain hazards based upon the types and quantities of explosive charges and propellants onboard. To ensure employee and public safety, an off-limits area is established as a radius around the pad. Only specially trained, mission-essential personnel are allowed within this off-limits area once established. This area is commonly referred to as the Pre-Launch Danger Area (PLDA), and can range from several hundred feet for small weather rockets to more than 380 meters (m) (1,250 feet [ft]) for larger orbital rockets. A PLDA can be in effect as long as the hazard exists on the launch pad, but is typically established for several weeks preceding the launch.

Several hours prior to launch, a Launch Hazard Area (LHA) is established. The purpose of the LHA is to protect the general public from direct harm from the launch (i.e., debris from a rocket flying off course). These areas are sized based on the types and quantities of propellant onboard, rocket reliability, flight trajectory, and types of debris expected if the flight were terminated. The LHAs are considerably larger than PLDAs and can range in size from 380 m (1,250 ft) for small sounding rockets up to more than 3,050 m (10,000 ft) for larger orbital rockets. LHAs must be clear of people prior to launch; this is part of the go/no-go criteria during a launch countdown. The LHA typically requires evacuation several hours prior to launch until liftoff. Recent orbital launches have had several postponements when conditions do not permit a launch at the originally scheduled time. Postponed launches would require hazard area clearance at the next launch window until either the launch is completed or completely rescheduled.

In addition to the hazards presented by explosion or debris, other safety considerations include distance focused overpressure (DFO) and toxic materials dispersion. DFO is a term that refers to acoustical energy transferred through the atmosphere that would result from a rocket explosion, the primary hazard being injuries inflicted by shattered windows. Toxics include a variety of hazardous materials that could be transported through the atmosphere from either a normal or terminated flight, and may include rocket exhaust products such as hydrogen chloride and carbon monoxide (CO), or propellants such as hydrazines and oxides of nitrogen. The effects of DFO and toxic materials cannot be contained within a certain pre-defined hazard area as they are dictated by atmospheric conditions. As such, the effects of these hazards are analyzed real-time during launch countdown using industry accepted computer models. As the extent of potential hazards could change with the weather, the areas requiring clearance are also subject to change. To ensure maximum operational flexibility while also upholding NASA's rigorous safety standards during variable weather conditions, one concept prevails: the farther the hazardous activity is from the general public, the smaller the risk of harm. It is standing NASA safety policy that such activities must be conducted as absolutely far away from the public as possible.

While creating launch facilities and infrastructure further north on Wallops Island would reduce the risk of mission conflicts, the public would be exposed to greater safety risks, which is absolutely unacceptable to NASA and its partners.