RECORD OF DECISION

As the Deputy Assistant Chief of Staff for Installation Management, I have reviewed the Final Environmental Impact Statement (EIS) for *Implementation of Base Realignment and Closure Recommendations and other Army Actions at Fort Lee, Virginia, and Fort A.P. Hill, Virginia.* The EIS, prepared in compliance with the Council on Environmental Quality's (CEQ) *Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act* (Title 40 of the *Code of Federal Regulations* [CFR] Parts 1500–1508) and *Environmental Analysis of Army Actions* (32 CFR Part 651), adequately assesses the impacts of implementing Base Closure and Realignment (BRAC) recommendations for Fort Lee, Virginia, and related actions at Fort A.P. Hill, Virginia, on the biological, physical, commercial, and cultural environment. The EIS is hereby incorporated by reference. The Army will proceed as indicated herein.

1.0 Background

On September 8, 2005, the Defense Base Closure and Realignment Commission (BRAC Commission) recommended that certain realignment actions occur at Fort Lee, Virginia. The recommendations were approved by the President on September 15, 2005, and forwarded to Congress. Upon expiration of the statutory period for Congress to enact a joint resolution of disapproval on November 9, 2005, the recommendations became law and must now be implemented as provided for in the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510), as amended. Six BRAC Commission recommendations affect Fort Lee by relocating specified organizations and activities to the post:

- Establish a Combat Service Support Center at Fort Lee[1]
- Establish a Joint Center for Consolidated Transportation Management Training
- Establish a Joint Center of Excellence for Culinary Training
- Co-locate Miscellaneous Department of Defense, Defense Agency, and Field Activity Leased Locations
- Relocate all components of the Defense Commissary Agency (DeCA) to Fort Lee
- Relocate mobilization processing functions from Fort Lee to a newly-designated Joint Pre-Deployment/Mobilization Site Bragg/Pope at Fort Bragg, North Carolina

The EIS states that applicable Executive Orders include Executive Orders 13101, 13123, and 13148. These have been revoked and replaced with Executive Order 13423. This new Executive Order is applicable.

2.0 Proposed Action

The Army proposes to implement the BRAC Commission's recommendations to realign Fort Lee. Implementation has three aspects:

- Relocation of approximately 7,700 additional personnel to Fort Lee,
- Construction of facilities at Fort Lee and Fort A.P. Hill, and
- Training at Fort Lee and Fort A.P. Hill.

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[1] The Army will call this organization the Sustainment Center of Excellence (SCOE).

Realignment of Fort Lee will raise the post's average daily population to about 20,700 personnel (a 64-percent increase). Implementing the Proposed Action at Fort Lee requires renovation of 226,100 square feet of existing facilities and construction of approximately 3.86 million square feet of new facilities, approximately 6.9 million square feet of roads and access control (gate) facilities, and approximately 40 acres of parking. Much of the new construction at Fort Lee will occur in Training Area 5 and the existing Ammunition Supply Point (ASP) area. At Fort A.P. Hill, 195,000 square feet of new facilities are required, 85 percent of which will consist of austere billeting (semi-permanent living quarters).

The BRAC Commission found the capacity of Fort Lee sufficient to meet the new training requirements created by consolidating four schools onto the installation, except for insufficient land and space available to conduct all combat or field training exercises. The Commission determined that the shortfall could be successfully mitigated by using nearby training sites at Fort Pickett, an installation operated by the Virginia Army National Guard. Further evaluation by the Army determined that Fort Pickett does not have suitable training areas or facilities and lacks schedule availability to support field training exercises for SCOE students. Accordingly, the Army will use Fort A.P. Hill to conduct combat or field and technical training on the basis of its proximity to Fort Lee, its suitable lands, and its schedule availability.

Training at Fort Lee will be predominantly indoors in classrooms, laboratories, simulators, and maintenance shops. Additional training will occur outdoors at designated training areas. Some transportation training will occur at Fort Eustis, Virginia. Training at Fort A.P. Hill will involve transporting approximately 800 students and 80 noncommissioned officers of the Noncommissioned Officers Academy from Fort Lee on Monday morning and returning them to Fort Lee Thursday evening. The intense, 4-day trips at Fort A.P. Hill will primarily involve field skills and technical training to develop skills in force protection, patrolling, convoying, small arms, and military operations on urban terrain. Field training exercises will occur under the austere conditions of a logistics support area (LSA) and forward operating bases in the Pender Camp area in the northern portion of Fort A.P. Hill. Explosive ordnance disposal (EOD) training will be conducted on new ranges in the eastern portion of Fort A.P. Hill.

3.0 Purpose of and Need for the Proposed Action

The purpose of the Proposed Action is to implement the BRAC Commission's recommendations pertaining to Fort Lee.

The need for the Proposed Action is to improve the ability of the Nation to respond rapidly to the challenges of the 21st century. To carry out its tasks, the Army must adapt to changing world conditions and must improve its capabilities to respond to a variety of circumstances across the full spectrum of military operations. BRAC supports advancing the goals of transformation, improving military capabilities, and enhancing military value. The Army must carry out the BRAC recommendations at Fort Lee to achieve the objectives for which Congress established the BRAC process and to comply with the law.

4.0 Alternatives to the Proposed Action

The Army determined that the existing 7.5 million square feet of facilities at Fort Lee are insufficient to accommodate the personnel and functions being realigned to the post. Also, because renovation or conversion of existing on-post facilities and leasing off-post facilities are not feasible, new construction is required.

The Army developed four alternative courses of action for siting new facilities.

- Course of Action 1 emphasized use of buildable land (areas without environmental constraints) within the existing cantonment area.
- Course of Action 2 emphasized use of undeveloped, unconstrained land north of Route 36.
- Course of Action 3 emphasized consolidation with the existing Quartermaster School while minimizing displacing of existing facilities.
- Course of Action 4 emphasized maximum consolidation with existing facilities.

The Army evaluated the four alternatives using the criteria of payoff, consolidation, completion, risk, cost, and environmental factors. The siting plan in Course of Action 2 was found to be superior to the other courses of action by a considerable margin. Because of this, the other courses of action were determined to be unreasonable and were not subject to full evaluation.

As required by Council of Environmental Quality (CEQ) regulations, the No Action Alternative was also evaluated in the EIS. The No Action Alternative serves as the benchmark against which federal actions can be evaluated. No action assumes that the Army would continue its mission at Fort Lee as it existed in the fall of 2005, with no units relocating from other locations, no new units established, and no new facilities constructed. Because the BRAC Commission's recommendations now have the force of law, continuation of the fall 2005 Fort Lee mission is not possible without further congressional action. The No Action Alternative is evaluated in detail in the EIS.

5.0 Environmental Consequences

5.1 Environmental Consequences at Fort Lee

Implementation of the Proposed Action will result in numerous adverse and beneficial environmental effects at Fort Lee. The majority of effects will be direct impacts on affected resources, with many of them being long term. The following paragraphs summarize the expected effects associated with the Proposed Action for each resource at Fort Lee, as determined by the EIS.

Land Use. Long-term minor adverse effects on land use are expected. Facilities to be constructed in Training Area 5 and the existing ASP area between Route 144 and Route 36 will be less compatible with the Petersburg National Battlefield than the present use of the Army's land because of the potential for noise and visual impacts on the battlefield setting and visitor experience. The Vehicle Recovery Area might also result in a land use incompatibility with nearby residential areas and correctional facilities.

Aesthetic and Visual Resources. A long-term minor adverse effect on visual resources at the Petersburg National Battlefield is expected from the replacement of a natural setting in Training Area 5 and the existing ASP area with buildings and maintenance structures that could be visible from the battlefield's visitor center and interpretive trails. Development near the battlefield and not on Fort Lee has already encroached somewhat on the visual setting of the battlefield, and development in Training Area 5 and the existing ASP area will further adversely affect the battlefield's visual character. Increased exterior lighting for buildings, parking lots, and training areas could add to light-pollution levels in the community.

Air Quality. Short- and long-term minor adverse effects on air quality are expected primarily from nonroad vehicle and fugitive dust emissions during construction and subsequent operational emissions from emergency backup generators, heating boilers, and other internal combustion sources. The short-term construction emissions would exceed *de minimis* thresholds for calendar years 2008 through 2012

but would not cause or contribute to a violation of any federal, Commonwealth of Virginia, or local air regulation or contribute to a violation of Fort Lee's air operating permit. General Conformity under the Clean Air Act, Section 176, has been evaluated according to the requirements of 40 CFR Part 93, Subpart B, and 9 VAC 5-150. In a proposed maintenance plan, the Commonwealth of Virginia has identified and accounted for the total direct and indirect emissions from the Proposed Action. Upon approval of the Draft Maintenance Plan for the Richmond/Petersburg Area the Proposed Action will be presumed to conform because the total direct and indirect emissions from the Proposed Action will be specifically identified and accounted for in the applicable implementation plan's attainment or maintenance demonstration.

Noise. Short- and long-term minor adverse effects on the noise environment are expected primarily from heavy equipment noise during construction, the addition of vehicle recovery training facilities in the North Range Area, and the addition of heavy vehicle maintenance facilities (highbays) in Training Area 5. Training Area 5 is adjacent to the Petersburg National Battlefield and the Jackson Circle family housing area.

Geology and Soils. Short- and long-term minor adverse effects are expected from soil erosion that would result from construction activities and potentially from increased storm water runoff. Erosion control measures implemented as part of Fort Lee's Storm Water Pollution Prevention Plan would minimize soil erosion both during and after construction. As recommended by the Fort Lee Integrated Natural Resources Management Plan, the Army would avoid areas with slopes of 5 percent or greater for development. No effects on geology, topography, or prime farmland would occur.

Water Resources. Short- and long-term minor adverse effects on surface water quality, groundwater quality, wetlands, and riparian areas are expected. Construction of facilities and infrastructure could increase runoff because there will be more impervious surface area, soil erosion, sediment, and pollutant loads. The Army will site facilities to avoid sensitive environmental areas, including wetlands and resource protection areas to the maximum extent practicable, although several small, isolated wetlands will be lost. Any wetlands lost may require 2:1 in-kind mitigation under the Virginia Department of Environmental Quality's Water Protection Permit and/or a U.S. Corps of Engineers Section 404 permit. Long-term minor adverse effects on groundwater quality are expected from infiltration of storm water laden with increased loads of nitrogen and other contaminants, such as soluble metals, into the groundwater. Absorption loss and pollutant loading could partially be alleviated by use of best management practices that facilitate infiltration to groundwater. The reduction in pervious surfaces could reduce groundwater infiltration, which could reduce baseflow conditions during dry periods. Long-term minor adverse effects on floodplains in riparian areas could occur if encroachment into these areas is required for facility construction. The Virginia Department of Environmental Quality found that the proposed action at Fort Lee will be consistent with the Virginia Coastal Resources Management Program, provided that actions taken are in compliance with Land Use and Development Performance Criteria (Part IV of the Chesapeake Bay Preservation Area Designation and Management Regulations), storm water management criteria of the Virginia Stormwater Management Regulations, and the requirements of the *Virginia Erosion and Sediment Control Handbook.*

Biological Resources. Long-term minor adverse effects on vegetation, wildlife, and natural habitats—and therefore on the local ecosystem—are expected because of the loss of forested areas in Training Area 5 and the ASP area adjacent to it. Training Area 5 and the ASP area support a mature forest that connects natural areas on the North Range Area to those of the Petersburg National Battlefield; the contiguous natural area is important for animal population dispersal. Deer population management (through an active hunting program) on Fort Lee could be hindered from a loss of hunting areas. No effects on federally listed or state-listed endangered or threatened species at Fort Lee are expected. Short-term minor adverse effects on wetlands and aquatic biota in streams on the installation are expected from temporary

sedimentation in streams during the construction of facilities. Long-term minor adverse effects on aquatic biota could result from hydrologic changes due to increased storm water runoff generated by the additional area of impervious surface on the installation.

Cultural Resources. Long-term minor adverse effects on cultural resources would occur from new construction activities in the Fort Lee cantonment and the proposed Vehicle Recovery Area. When conducting ground-disturbing activities, there is always the possibility that buried archaeological resources will be discovered or unanticipated adverse effects will occur on historic properties. All areas proposed for construction activities or new operations such as the Vehicle Recovery Area, however, either have been inventoried for archaeological resources or are in areas that have been heavily disturbed through previous construction activities, and the likelihood of disturbing cultural resources is low. Only one construction area, Training Area 5 between Routes 36 and 144, contains National Register of Historic Places-eligible archaeological sites. In accordance with the installation's Integrated Cultural Resources Management Plan (ICRMP) and Section 106 of the National Historic Preservation Act (NHPA), the Army will fence in all sites during construction activities to ensure avoidance and protection, and it will implement best management practices to protect the sites from changes in erosion patterns during and after construction. Construction and operation of new facilities in Training Area 5 will have long-term minor adverse effects on Petersburg National Battlefield. Operations at the high bays will introduce loud noise levels. The construction of buildings visible from the park will result in modern intrusions into the view shed and setting of the park. These impacts will adversely affect the historic setting of the battlefield, adversely affect people's appreciation and understanding of the property and its historic context, and adversely affect visitors' experiences of the park and its attractions. Fort Lee is developing a Programmatic Agreement in consultation with consulting parties specifically to address the proposed BRAC activities. The installation is working with Petersburg National Battlefield and the Virginia State Historic Preservation Officer (SHPO) to identify measures to avoid, reduce, and mitigate these effects on the park to the maximum extent practicable.

Socioeconomics. Short- and long-term significant adverse effects, long-term significant beneficial effects, and short- and long-term minor adverse effects are expected. Realignment actions at the post will create long-term beneficial effects on job creation, income generation, and spending. An estimated 9,800 direct jobs could be created as a result of direct expenditures associated with the Proposed Action, generating increases in local income and spending. Income in the socioeconomic region of influence could increase by as much as $317 million as a result of direct jobs generated by realignment activity, and sales volume could total more than $411 million. Secondary job creation, income generation, and spending would also result. Direct plus indirect effects could amount to 15,000 jobs, income generation of more than $558 million, and sales of more than $1.5 billion. These increases in employment, income, and business sales volume, however, would not exceed historical fluctuations and would be considered minor. Short- and long-term significant adverse effects on schools are expected from a potential increase of an estimated 4,500 school children in the region of influence. School districts are eligible to receive Federal Impact Aid for current and new federally connected students in accordance with the Federal Impact Aid Program and could receive additional aid under Section 572 of the National Defense Authorization Act for Fiscal Year 2006 to compensate for potential impacts.[2] The EIS analyzed the impact of the proposed action on human services in all surrounding counties and communities, and determined that a mixture of significant

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[2] Section 572, National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) authorizes the Secretary of Defense to provide assistance to local educational agencies that benefit dependents of members of the Armed Forces and DoD civilian employees. Section 572 states in relevant part: "The Secretary of Defense shall provide financial assistance to an eligible local educational agency ... if, without such assistance, the local educational agency will be unable (as determined by the Secretary of Defense in consultation with the Secretary of Education) to provide the students in the schools of the local educational agency with a level of education that is equivalent to the minimum level of education available in the schools of the other local educational agencies in the same State."

and minor effects on those services would occur. Short-term significant and long-term minor adverse effects on housing; law enforcement, fire protection, and medical services; and family support and social services could occur. Adverse effects on family support and social services are expected from an increased demand for these services on- and off-post. Short- and long-term minor adverse effects on the protection of children (because of the safety risk posed to children by the construction activity) could occur. Short- and long-term minor adverse effects on shops and recreation are expected from an increased demand. No adverse effects on environmental justice are expected.

Transportation. Short- and long-term significant adverse effects on vehicle-based transportation resources are expected from having additional personnel at the post. Short-term minor adverse effects are expected due to the use of on-road construction vehicles during the periods of construction. The increased travel demand resulting from the Proposed Action will have significant adverse effects on traffic in the Fort Lee area in both the short term (2015) and long term (2026). Although implementation of the Proposed Action would increase traffic and decrease level of service on all roadways, intersections in the area will eventually degrade to unacceptable levels because of traffic growth in the affected areas even without the Proposed Action. Effects on railway, air, and public transportation at Fort Lee will be negligible.

Utilities. Long-term minor adverse and beneficial effects on utility systems are expected. Beneficial effects are expected from utility system upgrades made to accommodate the additional personnel and functions moving to the post. Adverse effects will result from the additional demand placed on all utility systems.

Hazardous and Toxic Substances. Long-term minor beneficial effects are expected from the removal of asbestos-containing materials (ACM) and lead-based paint (LBP) in existing buildings that would be demolished or renovated. Long-term minor adverse effects could result from an increase in the use of hazardous materials (such as pesticides, solvents, paints, asphalt, lubricants, fuel, and motor oils) and the generation of hazardous wastes. Long-term negligible adverse effects could result from incidental spills associated with the use of hazardous materials, and long-term minor adverse effects could result from an increase in storage capacity requirements for petroleum, oil, and lubricants. No effects from pesticide use or related to unexploded ordnance would be expected.

Cumulative Effects. Implementing the Proposed Action will produce a mixture of beneficial and adverse cumulative effects with respect to land use, aesthetic and visual resources, water resources, biological resources, cultural resources, socioeconomics, and utilities. None of the cumulative effects will be significantly adverse. No cumulative effects on the waters of the Chesapeake Bay from the combined actions at Fort Lee and Fort A.P. Hill will occur.

No Action Alternative. No effects on any of the resource areas would be expected from implementation of the No Action Alternative at Fort Lee. The No Action Alternative is the environmentally preferred alternative.

5.2 Environmental Consequences at Fort A.P. Hill

Implementation of the Proposed Action will result in numerous adverse and beneficial environmental effects at Fort A.P. Hill. The majority of effects will be direct impacts on affected resources, with many of them being long term. The following paragraphs summarize the expected effects associated with the Proposed Action for each resource at Fort A.P. Hill, as determined by the EIS.

Land Use. A long-term minor adverse effect on surrounding land use is expected from noise generated at the proposed EOD site, which is close to the installation border and residential areas of the Port Royal settlement.

Aesthetic and Visual Resources. Long-term minor adverse effects on the visual environment could be caused by light pollution from lights installed to support nighttime activities at both the LSA and EOD training sites.

Air Quality. Short- and long-term minor adverse effects on air quality are expected, primarily from nonroad vehicle and fugitive dust emissions during construction and subsequent operational emissions from emergency backup generators, heating boilers, and other internal combustion sources. The Proposed Action would not cause or contribute to a violation of any federal, state, or local air regulation, or contribute to a violation of Fort A.P. Hill's air operating permit.

Noise. Short- and long-term minor adverse effects on the noise environment are expected. The effects will be primarily from heavy equipment noise during construction and operation of the proposed EOD range. Implementing the Proposed Action will extend existing noise contours approximately 300 meters (328 yards) beyond the southern boundary and approximately 600 meters (656 yards) beyond both the northern and eastern boundaries. Individuals within these areas will be exposed to a louder acoustical environment and more frequent noise. These newly exposed areas are low-density residential, undeveloped, or agricultural. No adverse effects on historic structures outside the installation, including those within the boundaries of the Port Royal Historic District, will result.

Geology and Soils. Short-term minor adverse effects on soils will occur during preparation of the LSA and EOD sites for their military training purposes. No effects on geology, topography, or prime farmland will occur.

Water Resources. Long-term minor adverse effects on surface water quality, groundwater quality, and riparian areas are expected. Construction of facilities and infrastructure could increase runoff because there will be more impervious surface area, soil erosion, and sediment and pollutant loads. Adverse effects on riparian areas, floodplains, and wetlands (which generally occupy the same areas on the areas proposed for facilities) would be expected if encroachment into the areas was required for facility construction. The Army will construct facilities outside these areas to the maximum extent practicable. The Virginia Department of Environmental Quality found that the proposed action at Fort A.P. Hill will be consistent with the Virginia Coastal Resources Management Program, provided that actions taken are in compliance with Land Use and Development Performance Criteria (Part IV of the Chesapeake Bay Preservation Area Designation and Management Regulations), storm water management criteria of the Virginia Stormwater Management Regulations, and the requirements of the *Virginia Erosion and Sediment Control Handbook.*

Biological Resources. Long-term minor adverse effects on vegetation and wildlife are expected from the establishment and use of an LSA and an EOD range. Military training activities at the LSA will result in continual disturbances to vegetation and resident wildlife. Ecosystem-level effects are expected to be negligible. Long-term minor adverse effects on sensitive species at the LSA are expected from the potential disturbance of state-threatened American ginseng populations by the military training activities. No effects on federally listed endangered or threatened species at Fort A.P. Hill are expected.

Cultural Resources. Long-term minor adverse effects on historic properties at Fort A.P. Hill could occur as a result of the implementation of the Proposed Action. The Army will continue consultation under Section 106 of the NHPA with the Virginia SHPO and other consulting parties to ameliorate or mitigate such impacts should they occur. Construction activities could disturb cultural resources. The Army will

mitigate any unanticipated effects by complying with Section 106 of the NHPA, the installation's ICRMP, and the BRAC Programmatic Agreement.

Socioeconomics. Long-term minor beneficial effects on economic development are expected. On the basis of a total cost range of construction of $8 to $35 million, 60 to 80 direct jobs could be created and approximately $1.8 million to $2.5 million in direct income and approximately $2.9 million to $7.4 million in direct sales volume could be generated. The direct effects will also result in secondary job creation, income generation, and spending. These increases in business volume, income, and employment will not exceed historical fluctuations and are, therefore, considered minor. No increase in population is projected. No adverse effects on housing are expected. Long-term minor adverse effects on medical services are expected from the additional student Soldier load, which will increase demand for medical services. No adverse effects on police or fire services are expected. No effects on schools, family support or other services, recreation, environmental justice, or protection of children are expected.

Transportation. Both short-term and long-term minor adverse effects on vehicle-based transportation resources at Fort A.P. Hill are expected. These effects will be directly related to construction vehicles during the periods of construction and to the transport of Army personnel from Fort Lee for field training. Effects on railway, air, and public transportation resources will be negligible.

Utilities. Long-term minor adverse and beneficial effects on utilities are expected. Minor beneficial effects are expected from renovations and utilities upgrades necessary to support the additional activities and personnel loads in the LSA and EOD areas. Minor adverse effects will result from the additional demand on all utility systems because of increased numbers of personnel.

Hazardous and Toxic Substances. Long-term minor adverse effects could result from an increase in the use of hazardous materials. Short-term negligible adverse effects could result from an increase in spills associated with the use of hazardous materials. No effects are expected from hazardous waste disposal. Long-term minor adverse effects could result from an increase in storage capacity requirements for petroleum, oils, and lubricants. No adverse health effects or environmental effects are expected from unexploded ordnance or pesticides.

Cumulative Effects. Implementing the Proposed Action will produce a mixture of beneficial and adverse cumulative effects with respect to land use, noise, socioeconomics, and utilities. None of the cumulative effects will be significantly adverse. No cumulative effects on the waters of the Chesapeake Bay from the combined actions at Fort Lee and Fort A.P. Hill will occur.

No Action Alternative. No effects to any of the resource areas would be expected from implementing the No Action Alternative at Fort A.P. Hill. The No Action Alternative is the environmentally preferred alternative.

6.0 Mitigation

The EIS predicts that implementing the Proposed Action will result in significant adverse effects on several environmental resources. Other resources will incur minor adverse effects. The EIS identifies mitigation measures to minimize, avoid, or compensate for such effects. All practicable means to avoid or minimize environmental harm from the selected alternative have been adopted, except as discussed below under transportation. The following mitigation measures are deemed appropriate.

Aesthetic and Visual Resources. The Army will continue consultation with the Petersburg National Battlefield to identify measures (for example, retention or creation of visual vegetative buffers) to minimize visual effects on the battlefield. At Fort Lee, the Army will design and locate new facilities to

minimize visual intrusion on the Petersburg National Battlefield and the Jackson Circle family housing area.

Noise. At Fort Lee, the Army will locate and orient new, heavy-vehicle maintenance facilities (highbays) to minimize noise exposure to Petersburg National Battlefield and the Jackson Circle family housing area. The highbay facilities will be placed as far away from sensitive noise receptors as feasible. The Army will also, where practicable, install noise control devices on outdoor equipment. At Fort A.P. Hill, the Army will, if necessary, expand the perimeter noise monitoring system to add a noise monitor in the area of concern. The monitors will allow the installation to evaluate operations under varied weather conditions and assess how noise levels may be impacting adjacent off-post communities. Mission permitting, locations or scheduling of training activities would be adjusted to lower off-post noise levels.

Water Resources. At Fort Lee, the Proposed Action will result in the loss of several small, isolated wetlands in Training Area 5 and the existing ASP Area, and potentially in the loss of contiguous wetlands. The Army will meet federal and state requirements for avoidance, minimization, and mitigation under the Clean Water Act (Sections 401 and 404) and the Virginia Water Protection Permit program for unavoidable impacts on wetlands and surface waters. Any wetlands lost will be replaced at an appropriate ratio as determined by the U.S. Army Corps of Engineers and the Commonwealth of Virginia. Hydrologic impacts of increased storm water and sediment runoff and any loss of wetland water quality functions will be reduced with created wetlands or some other means, as determined by the Commonwealth of Virginia.

Biological Resources. At Fort Lee, the Army will avoid and minimize effects on wildlife corridors and create corridors where construction would fragment habitats. Design and construction planning for Training Area 5 will include, to the maximum extent feasible, the preservation of a wildlife corridor to link the North Range Area with the Petersburg National Battlefield and the Blackwater Swamp. Additionally, areas with existing environmental constraints (such as for cultural resources and riparian buffers) together with non-obtrusive training areas could be used to create a viable wildlife corridor and mitigate population dispersal problems that could be created by habitat fragmentation. Protective fencing or signage, as appropriate, will be placed around environmentally sensitive areas. Wetland losses will be mitigated as discussed above under *Water Resources*.

At Fort A.P. Hill, protective fencing or signage, as appropriate, will be placed around environmentally sensitive areas.

Cultural Resources. At Fort Lee, the Army will install fences around sites 44PG160, 44PG195, 44PG196, 44PG197, and 44PG299 during construction activities and implement best management practices to protect the sites from changes in erosion patterns during and after construction. The Army will periodically monitor the sites to ensure that avoidance and protection measures are effective. If avoidance and protection of the sites are not feasible, a Programmatic Agreement would be developed between Fort Lee and the Virginia State Historic Preservation Office (SHPO) to determine measures to be implemented to mitigate the adverse effect. Mitigation measures could include data recovery excavation of prehistoric and historic deposits, archival research for historic components, or development of public interpretation materials regarding cultural resources of the installation or region.

The Army will continue to consult with Petersburg National Battlefield and the Virginia SHPO to identify measures to mitigate visual and noise effects on the park caused by facilities and training in Training Area 5. A Programmatic Agreement will be developed between Fort Lee, the National Park Service, the Virginia SHPO and potentially other consulting parties to define the measures to be implemented. Mitigation measures for noise impacts could include locating noise-producing buildings or activities away from the battlefield, orienting buildings and activities to reduce noise effects, and locating buildings

between the battlefield and the noise source to block noise. Mitigation measures for visual impacts could include locating taller buildings away from the battlefield and planting vegetation to reduce visual impacts.

At Fort A.P. Hill, the Army will install fencing around all historic properties during nearby construction activities and monitor historic properties periodically to ensure that avoidance and protection measures are effective. Fort A.P. Hill, in consultation with the Virginia SHPO and potentially other consulting parties, will develop a Programmatic Agreement to determine measures to be implemented to mitigate any yet to be determined effects if avoidance and protection of historic properties are not feasible. Mitigation measures could include data recovery excavation of prehistoric and historic deposits, archival research for historic components, or development of public interpretation materials regarding cultural resources of the installation or region.

Socioeconomics. At Fort Lee, the Army will continue communication between the installation and human service agencies and providers in surrounding communities to assist those communities in accommodating the additional demand on those services that the BRAC action is anticipated to impose.

Transportation. The EIS identifies six upgrade projects that could eliminate adverse traffic conditions attributable to the Proposed Action. The disposition of those projects is listed below.

Two of the projects are being executed by local government and the Commonwealth of Virginia, and are therefore not adopted as part of the proposed action. Regarding Hickory Hill Road (Route 109) - from County Drive (US 460) to Mahone Avenue (Gate), we understand that this project will be implemented by the Virginia Department of Transportation (VDOT) / Tri-Cities Metropolitan Planning Organization (MPO). This project will be altered in its design but should provide the same mitigation as the plan described in the EIS. The intersection at County Drive and Hickory Hill Road has also been funded through the MPO in coordination with state and local agencies. A third identified project, the Courthouse Road and Bull Hill Road project is a long-term project to improve this intersection. Because this project may be executed by local government and the Commonwealth of Virginia, it is not now being adopted as part of the Army's action.

Temple Avenue and River Road; Jefferson Park Road and Adams Avenue; and Jefferson Park Road/Allin Road and Bull Hill. The Army is not currently resourced to execute these projects. As the proposed action proceeds, however, these projects will be submitted by the Installation Management Command to the Surface Deployment and Distribution Command (SDDC) for certification under the Defense Access Road Program (DAR). The SDDC executes the DAR Program for DOD and determines which public highway projects are eligible to receive defense funding. The Army will pursue defense funding for eligible DAR projects. If the projects are not eligible for the DAR Program or defense funding cannot be made available, the Army will pursue other non-defense funding sources and cooperate with other concerned parties. During the period of construction Fort Lee will work with local transportation authorities to avoid, to the greatest extent practicable, traffic issues related to construction activities. For assigned personnel and students alternate work schedules and staggered report-to-work times will be utilized to mitigate traffic concerns pending resolution of these traffic improvement projects.

The Army will minimize effects on all environmental and socioeconomic resources by implementing best management practices, including those listed in Table ES-2 of the EIS, as appropriate for the affected resource.

7.0 Decision

On behalf of the Department of the Army, I have decided to proceed with the Proposed Action. I have considered the results of the analysis presented in the EIS, supporting studies, and comments provided during formal comment and review periods. These factors as well as the description of the purpose and need for the Proposed Action guided my decision on whether to approve the Proposed Action. I gave special consideration to the effect of the Proposed Action on natural resources, cultural resources, traffic, and the Petersburg National Battlefield. I also took into account the fact that the No Action Alternative would not meet the Army's purpose and need for the Proposed Action. This was critical because the BRAC realignment is required by Congress and needed for Army transformation to be effective. On the basis of this review, I have determined that implementing the Proposed Action reflects a proper balance between initiatives for protection of the environment, appropriate mitigation, and actions to achieve the Army's requirements. Consistent with this decision and the Proposed Action and analyses described in the EIS, the Army will:

- Relocate approximately 7,700 additional personnel to Fort Lee as specified by the Defense Base Closure and Realignment Commission.
- Construct and renovate facilities at Fort Lee and Fort A.P. Hill as described in the EIS.
- Conduct operations and training at Fort Lee and Fort A.P. Hill as described in the EIS.
- Implement the best management practices and mitigation measures as specified in Paragraph 6.0, above, subject to the availability of funds.[3] The Army will exercise good faith in seeking funding for the best management practices and mitigation measures adopted herein.
- Before beginning facilities construction or training, the Garrison Commanders at Fort Lee and Fort A.P. Hill will develop and implement procedures, consistent with Appendix C of 32 CFR Part 651 (*Mitigation and Monitoring*), for mitigation measures outlined in Paragraph 6.0, above, at their respective installations.
- The action except for continuing design activities will not begin until approval of the Draft Maintenance Plan for the Richmond/Petersburg Area, which will constitute Clean Air Act conformity.

Craig E. College

CRAIG E. COLLEGE
Deputy Assistant Chief of Staff
for Installation Management

May 11, 2007
Date

[3] The Anti-Deficiency Act (31 U.S.C. 1341 (a)(1)), provides that an officer or employee of the U.S. government may not (a) make or authorize an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or (b) involve the government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law.