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DEPARTMENT OF DEFENSE
UNITED STATES ARMY
PROGRAMMATIC FINDING OF NO PRACTICABLE ALTERNATIVE FOR ROUTINE
AND ONGOING ARMY ACTIONS OCCURRING WITHIN 100-YEAR FLOODPLAINS
AND WETLANDS AT U.S. ARMY GARRISON FORT WALKER, VIRGINIA

1.0 INTRODUCTION

United States (U.S.) Army Garrison Fort Walker, Virginia (FWVA) has prepared a Programmatic Finding of No Practicable Alternative (PFONPA) to assess the effects of routine and ongoing activities that occur on the installation within 100-year floodplains and wetlands. FWVA is a military installation encompassing more than 76,000 acres of land between Bowling Green and Port Royal, Caroline County, Virginia ([Figure 1](#)). The installation is approximately 70 miles south of Washington D.C. and approximately 35 miles north of the state capital, Richmond, Virginia.

FWVA, formerly known as Fort A.P. Hill until 2023, was established as an Army training facility in 1941. The installation's mission as a Regional Training Center is to provide realistic joint and combined arms training in support of America's Defense Forces. FWVA serves as a training and maneuver center for active and reserve troops of the Army, Navy, Air Force, and Marines. Several government agencies, such as the Departments of State and Interior; U.S. Customs; and federal, state, and local law enforcement and security agencies also train at FWVA. The installation has also hosted foreign ally training. FWVA is the largest military installation in Virginia and sixth largest military installation on the east coast. It is used for training year-round.

100-year floodplains occur throughout FWVA and comprise approximately 2,848 acres, or 3.8% of the total land area, of FWVA ([Figure 2](#)). The floodplains generally follow narrow, linear waterway corridors. There are approximately 6,291 acres of wetlands at FWVA ([Figure 3](#)). Wetlands are typically classified as palustrine emergent, palustrine scrub-shrub, or palustrine forested and represent 8% of the installation's total land area (Center for Environmental Management of Military Lands [CEMML] 2024).

Several watercourses are located on FWVA, totaling approximately 560 miles. The headwaters of the watercourses are formed by groundwater discharges, which commonly create wetland areas that are locally referred to as "seepage swamps" (FWVA 2021). There are also 130 impoundments and ponds totaling approximately 800 acres at FWVA (CEMML 2024). Many of the floodplains and wetlands at FWVA are interconnected and are also associated with the installation's watercourses, impoundments, and ponds.

Due to the ubiquitous nature of these resources on the installation, the avoidance of floodplains and wetlands while implementing routine mission requirements is difficult and often not practicable. To support military mission requirements, FWVA proposes to enact a PFONPA to conduct routine and ongoing actions occurring within floodplains and wetlands. This action is needed to reduce the amount of time, resources, and administrative burden associated with preparing individual project-level FONPAs for each action as it is proposed. Activities that do not meet criteria established in this PFONPA will require an individual project-level FONPA.

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Floodplains and wetlands have been identified at FWVA. Executive Order (EO) 11988, *Floodplain Management*, requires federal agencies to determine whether a proposed action will occur within a floodplain and to avoid floodplains to the maximum extent possible when there is a practicable alternative. The 100-year floodplain is defined as an area adjacent to a water body that has a 1 percent or greater chance of inundation in any given year. EO 11990, *Protection of Wetlands*, requires that each federal agency, to the extent permitted by law, "shall avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds: (1) that there is no practicable alternative to such construction and (2) that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use." The term "wetlands" means "those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction."

In accordance with EO 11988, early public notice of this PFONPA was made and the public was invited to comment for 30 days ([Appendix A – Early Public Notice](#)). The public notice was published in the Fredericksburg Free Lance-Star on 25 March 2024 ([Figure A-1](#)), advertised via FWVA's Facebook page ([Figure A-2](#)), and posted on X (formerly Twitter, [Figure A-3](#)). No comments were received in the 30-day review period.

2.0 PROPOSED ACTION

FWVA proposes to implement a PFONPA for routine and ongoing actions occurring within floodplains and wetlands at FWVA. The Floodplain/Wetland Point of Contacts (POCs) review all project submittals via the FWVA National Environmental Policy Act (NEPA) process and will determine if an action meets the criteria suitable for tiering from this PFONPA. These criteria are:

1. The anticipated impact is no more than negligibly adverse to floodplains and/or wetlands,
2. The action falls within the boundary of those approved in this PFONPA, and
3. The action meets all requirements for a Categorical Exclusion under 32 CFR Part 651, *Environmental Analysis of Army Actions*.

The actions covered for this PFONPA include:

- a. Interior renovations/repairs to existing facilities and infrastructure where substantial damage to the floodplain is not anticipated, potential impacts due to flooding would be minimal, and flood proofing measures will be implemented.
- b. Exterior renovations/repairs to existing facilities and infrastructure where substantial damage is not anticipated, potential impacts due to flooding would be minimal, and flood proofing measures will be implemented. Examples include routine maintenance of existing buildings, parking lots, sidewalks, bridges, etc.
- c. General land maintenance and repairs that do not increase the amount of impervious surface area within a watershed (e.g., agriculture, Integrated Training Area Management actions, firebreak maintenance, approved tree removal along roads and fence lines,

mowing, landscaping, forestry activities, conservation activities, pest management, etc.) and where potential downstream impacts from flooding are not anticipated.

- d. Demolition of existing structures where standard demolition practices would be applied to control sedimentation and erosion during demolition.
- e. Upgrades to existing utilities and/or installation of new utilities where substantial damage to the utility is not anticipated, potential impacts due to flooding would be minimal, and flood proofing measures will be implemented.
- f. Repairs to existing roadways or trails.
- g. New construction where impacts do not cause a change in topography (e.g., low-water crossings; pole structures; sidewalks; physical training equipment; temporary structures such as sheds, clamshells, etc.) and where repairs to such structures due to flooding would not be substantial.
- h. Training activities including, but not limited to, daily use of tank trails, ranges, and impact areas, combat bridge training, and vehicle maintenance activities.
- i. Streambank and shoreline stabilization in accordance with Clean Water Act requirements.
- j. Restoration or replacement of existing bridges, culverts, and water-crossing structures to preexisting conditions or purpose in accordance with required Clean Water Act requirements. This could include patchwork, replacing damaged sections of a structure in disrepair, upgrading to meet current safety standards, or partial to complete replacement.
- k. Erosion control, culvert, and/or storm water collection systems restoration or replacement in accordance with Clean Water Act requirements.
- l. Debris and sediment removal from waterways and water access points in accordance with federal and state requirements.
- m. Natural resources activities such as establishing and maintaining food plots, timber harvesting, and land regeneration activities.
- n. Water and land access projects that include ditches, stream crossings, ramps, and selective tree removal of upland areas outside the main cantonment area to provide access to previously inaccessible locations including unimproved access roads, trails, and/or paths.
- o. Recreational use of areas within the floodplain to include, but not limited to, fishing, golfing, boating, and hiking.
- p. Cleanup activities such as sampling, excavation, contaminated soil removal, grading, installing new wells, etc., that fall under the purview of the Environmental Restoration Program.

If the action does not qualify for the PFONPA, the NEPA POC will begin preparation of an individual FONPA for that action in accordance 32 CFR Part 651 and EOs 11988, 13690, and 11990.

3.0 IMPACTS AND MITIGATION MEASURES

EO 11988 states that if the only practicable alternative requires siting in a floodplain or wetland, the agency shall, prior to taking action, design or modify its action to minimize potential harm to or within the floodplain or wetland.

3.1 100-YEAR FLOODPLAIN

EO 11988 states that if the only practicable alternative requires siting in a floodplain, the agency shall, prior to taking action, design or modify its action to minimize potential harm to or within the floodplain. Therefore, where possible, installation POCs will shift proposed actions out of floodplains in the project planning phase (via mitigation by design). The FWVA Floodplain POC will review all proposed actions, and the installation will follow all local, state, and federal laws, and incorporate best management practices (BMPs) to reduce erosion, runoff, encroachment, and maintain water quality.

Taken together, these and other yet to be determined BMPs and mitigation measures would avoid or minimize the loss of and impacts on floodplains at FWVA. These measures represent all practicable measures to minimize harm to floodplains.

3.2 WETLANDS

EO 11990 states that if the only practicable alternative requires siting in a wetland, the agency shall, prior to taking action, design or modify its action to minimize potential harm to or within the wetland. The FWVA Wetlands POC will review all proposed actions, and the installation will follow all local, state, and federal laws, as well as any permitting requirements, and will incorporate BMPs to reduce erosion, runoff, encroachment, and maintain water quality.

Taken together, these and other yet to be determined BMPs and mitigation measures would avoid or minimize the loss of and impacts on wetlands at FWVA. These measures represent all practicable measures to minimize harm to wetlands.

3.3 MINIMIZATION MEASURES

Under the proposed action, the Army would implement BMPs and low-impact-development (LID) measures to reduce the potential for adverse impacts on the 100-year floodplain. BMPs and LID measures are incorporated into the proposed action to avoid or minimize impacts to floodplains and wetlands and are collectively described as follows:

1. It is the Department of Defense (DoD) policy and goal to minimize construction within areas designated as 100-year floodplains and wetlands. During the project siting and initial design process, some impacts may be shifted (fully or partially) out of these resource areas early in the project planning phase, via mitigation by design. The installation's goal is always to avoid the floodplain first, then minimize encroachment where it cannot be avoided, and then mitigate where impacts are deemed unavoidable. Minimization and mitigation methods would be identified early, documented via the DoD Form 1391 and the NEPA documentation, and, if required, its associated permitting

process. The NEPA process also requires that success of minimization and mitigation be tracked.

2. The FWVA Floodplain/Wetland POCs would assist in the completion of applicable Clean Water Act (CWA) Section 404 permitting requirements, and the FWVA Stormwater/Erosion and Sediment (E&S) POC would assist in obtaining applicable stormwater permitting. All permitting would be obtained prior to commencing any work within the 100-year floodplain or wetland.
3. During the design process, measures would be included to build up and above the 100-year floodplain elevation. Because floodplains are linked to adjacent streams and rivers, the installation requires engineers and contractors to design and construct so that runoff from rain events will not adversely impact existing streams, upstream systems, downstream systems, and associated wetlands. This helps maintain stormwater flow at the same levels during pre- and post-construction periods, which contributes to the preservation of water storage and conveyance, and the filtering of pollutants from runoff.
4. Installations are required to maintain local, state, and federal compliance for actions with the potential to impact local waters. FWVA implements LID and runoff controls according to its Virginia Pollutant Discharge Elimination System permits (Stormwater Industrial Permit # VAR051092; General Permit #s VAG87, VAG750219, and VAG750241; Wastewater Treatment Plant Permit # VA0032034, Wastewater Treatment Plant General Permit # VAN020035, and Virginia Pollution Abatement Permit # VPA00008) and Section 438 of the Energy Independence and Security Act (EISA). This ensures that new development outside the 100-year floodplain improves and preserves water quality and manages runoff quantity. When work within the floodplain is unavoidable, Standard Operating Procedures (SOPs) require that encroachment would not cause a measurable change to the upstream or downstream base flood elevation. In addition, any fill within flood zones shall result in no net loss of natural floodplain storage. Any loss of floodplain storage due to filling is offset by providing an equal volume of flood storage at or adjacent to the development site. Periodic monitoring of ongoing construction would also occur to ensure adherence to the associated site-specific Stormwater Pollution Prevention Plans.
5. The establishment of site-specific erosion control BMPs would be identified for all work within 100-year floodplains and wetlands and would be implemented through all phases of work. BMPs would be identified in advance within an E&S Pollution Control Plan and would be utilized at all times. All project sites would be inspected by the FWVA Floodplain/Wetland and Stormwater/E&S POCs periodically for adequacy. Floodway encroachment, including structures and fill, is prohibited unless certification with supporting technical data is provided by a professional engineer registered in the State of Virginia demonstrating that the encroachment would not result in any increase in flood elevations upstream or downstream of the project site.
6. FWVA Floodplain/Wetland and Stormwater/E&S POCs are actively engaged in monitoring the progress of all actions on the installation with the potential to impact floodplains and wetlands. This includes routine inspections of work sites to ensure all identified minimization and mitigation measures are being implemented and functioning properly. Adherence to minimization and mitigation measures specified in permits is

required, as applicable, to include all practicable measures available to ensure that floodplain and/or wetland impacts are minimized and/or mitigated to the greatest extent possible. All required permitting must be approved and in place prior to commencing any work on the installation. BMPs will be identified in advance of all work and must be utilized at all times, and all work sites will be inspected by the installation Floodplain and Wetlands POCs periodically for adequacy. Should monitoring and/or inspections determine that additional measures are required, coordination would occur between the installation and the project POCs, and the identified measures would be adjusted. A record of all such actions would be provided to the NEPA POC for incorporation into the Administrative Record for the Record of Environmental Consideration (REC), Environmental Assessment (EA), and/or Environmental Impact Statement (EIS).

7. The installation maintains a Watershed Management Plan that is used to guide actions involving water resources on FWVA.
8. The federal Coastal Zone Management Act (CZMA) of 1972 (Title 16 U.S.C. § 1451, et seq.) provides management of the nation's coastal resources and balances economic development with environmental conservation by preserving, protecting, developing, and, where possible, restoring or enhancing the nation's coastal zones. CZMA provisions facilitated the development of the federally approved Virginia Coastal Zone Management Program (CZMP) in 1986. FWVA is within Virginia's coastal zone and is subject to the CZMP regulations. Federal actions that have reasonably foreseeable effects on any land or water use, or natural resource of the coastal zone, must be consistent with the enforceable policies of a coastal state's federally approved coastal management program before they can occur; therefore, a Coastal Zone Consistency Determination for the proposed action is provided in [Appendix B. Coastal Zone Management Act \(CZMA\) Consistency Determination](#).
9. FWVA is within the Chesapeake Bay watershed and is subject to the Chesapeake Bay Watershed Agreement and EO 13508, *Chesapeake Bay Protection and Restoration*, regulations. Federal actions that have reasonably foreseeable effects on any land or water use, or natural resource of the Chesapeake Bay, will be consistent with the enforceable policies of the DoD Chesapeake Bay Program before they can occur. In accordance with the *Chesapeake Bay Preservation Area Designation and Management Regulations* of the Bay Act, FWVA has established 100-foot-wide resource protection areas (RPAs) around all intermittent and perennial streams that preclude or limit most forms of land disturbance.
 - The construction of new facilities, roads, trails, and mechanically created firebreaks (i.e., plow lines) are prohibited within an RPA; the sole exception to the latter is in the event of wildfire suppression, which may require subsequent remediation. FWVA also applies land disturbance restrictions within the 100-foot-wide RPA to include forestry and other non-silvicultural vegetation management activities. Exceptions to the RPA policy may be required to meet military mission objectives and shall be validated and documented by the proponent and approved by the Environmental and Natural Resources Division Chief.
 - Examples of such exceptions may include, but are not limited to, establishing desired terrain conditions for military mission support, thinning of overstocked

forest stands for forest health improvement, forest insect and disease control, site-specific habitat management practices, and/or ecological restoration. When an exception has been approved, a 50-foot “no disturbance” buffer shall be established around all wetlands, perennial streams, and intermittent streams to minimize any impacts from management actions unless that buffer conflicts with military mission requirements (e.g., line of sight).

10. If applicable, projects will be completed in accordance U.S. Army Corps of Engineers Nationwide Permit requirements.

11. Low-water crossing projects will not permanently impact more than 0.10 acre of wetlands.

Taken together, these and other yet to be determined BMPs and mitigation measures would avoid or minimize impacts to floodplains and wetlands at FWVA. These measures represent all practicable measures to minimize harm to these resources.

4.0 FINDING OF NO PRACTICABLE ALTERNATIVE

During development of the proposed action, the FWVA Environmental and Natural Resources Division worked proactively to ensure the purpose and need of the proposed action was met while also avoiding as many potential impacts to floodplains and wetlands as practicable. Due to operational requirements, it was determined that complete avoidance of floodplains and/or wetlands was not feasible; however, the proposed action minimizes potential impacts to the greatest degree practicable while also achieving the required results.

Accordingly, I find there is no practicable alternative to siting the proposed action entirely outside of the floodplains and/or wetlands; however, the Army will ensure that all practicable measures to minimize impacts are incorporated into the proposed action.

Date

Carla K. Coulson
Deputy Assistant Secretary of the Army
Installations, Housing & Partnerships

5.0 ATTACHMENTS

- [Figure 1. Site map of Fort Walker, Virginia.](#)
- [Figure 2. 100-year floodplains at Fort Walker, Virginia.](#)
- [Figure 3. Wetlands at Fort Walker, Virginia.](#)
- [Appendix A – Early Public Notice.](#)
- [Appendix B – Coastal Zone Management Act \(CZMA\) Consistency Determination.](#)

6.0 REFERENCES

Center for Environmental Management of Military Lands (CEMML). 2024. Colorado State University. Integrated Natural Resources Management Plan for Fort Walker. Prepared for Department of the Army, Fort Walker, Virginia, USA.

Federal Emergency Management Agency (FEMA). 2024. FEMA flood map service center. United States Department of Homeland Security. Washington D.C., USA.
<<https://msc.fema.gov/portal/home>>. Accessed 11 April 2024.

U.S. Army Garrison Fort Walker, Virginia (FWVA), formerly Fort A.P. Hill. 2021. Fort A.P. Hill Integrated Natural Resources Management Plan: FY21-25. Environmental and Natural Resources Division, Directorate of Public Works, Department of the Army. Fort A.P. Hill, Virginia.

United States Fish and Wildlife Service (USFWS). 2024. National wetlands inventory. United States Department of the Interior. Washington D.C., USA.
<<https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>>. Accessed 11 April 2024.

Figure 1. Site Map of Fort Walker, Virginia.

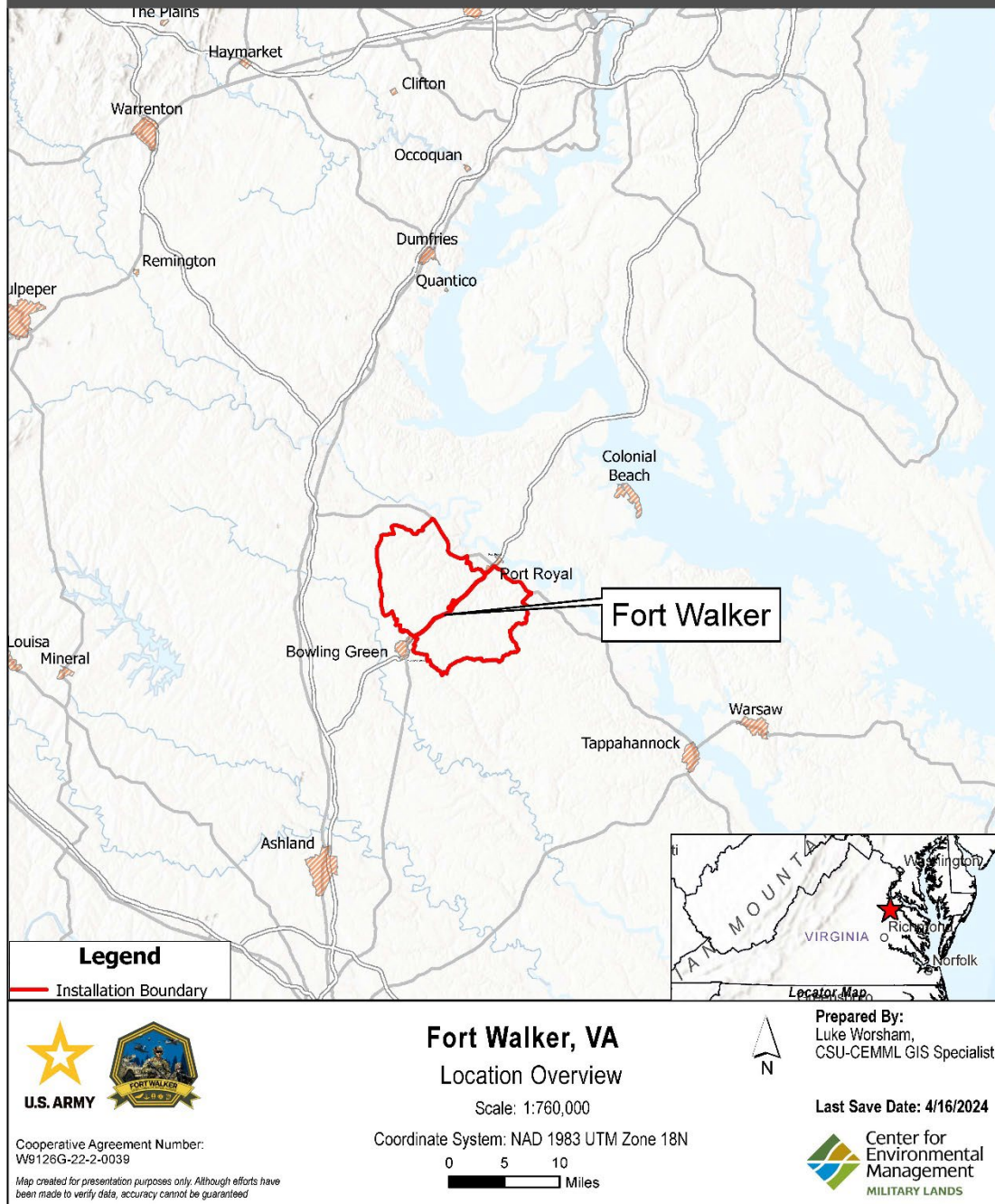


Figure 1. Site map of Fort Walker, Virginia.

Figure 2. 100-year floodplains at Fort Walker, Virginia.

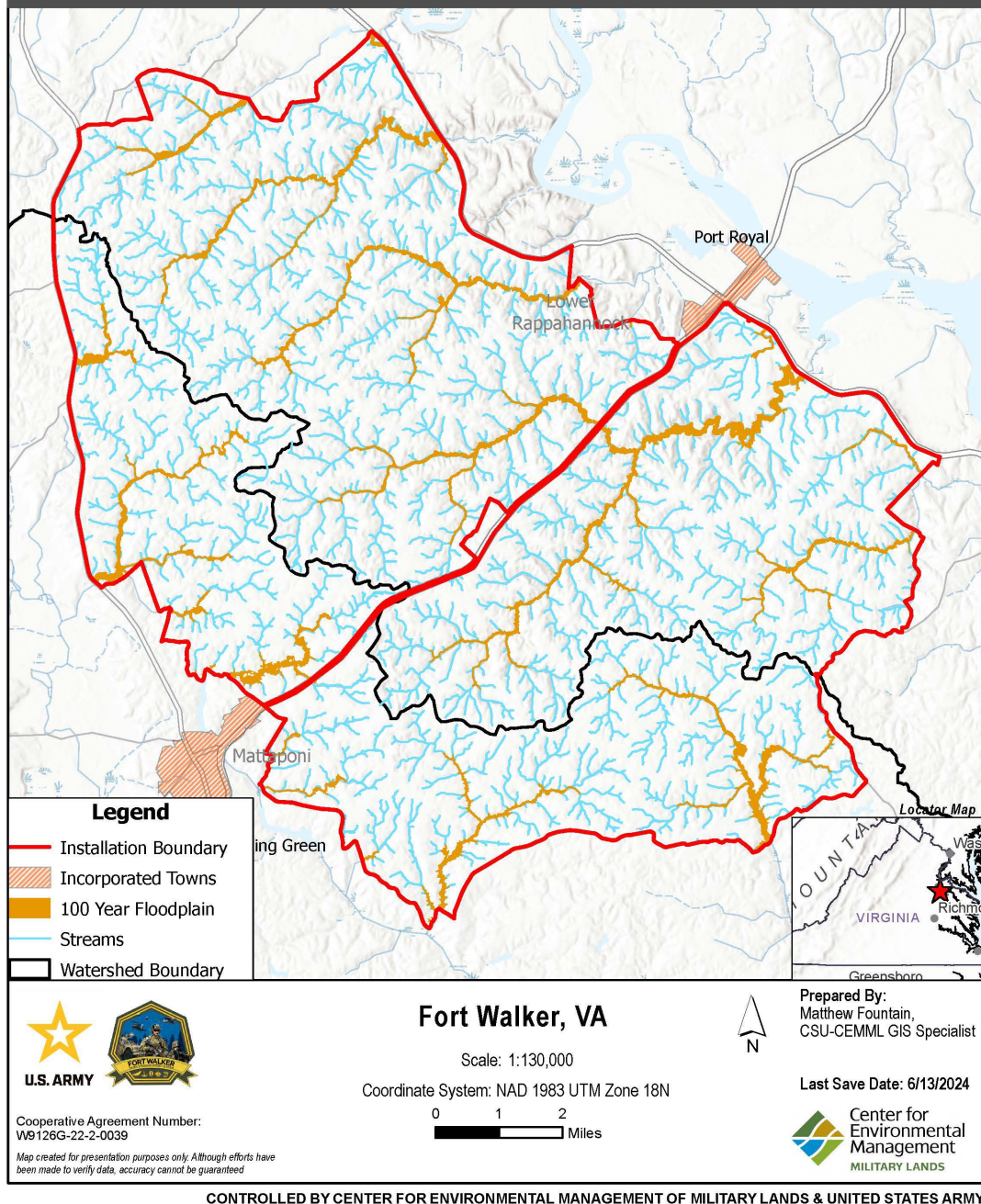


Figure 2. 100-year floodplains at Fort Walker, Virginia.

Figure 3. Wetlands at Fort Walker, Virginia.

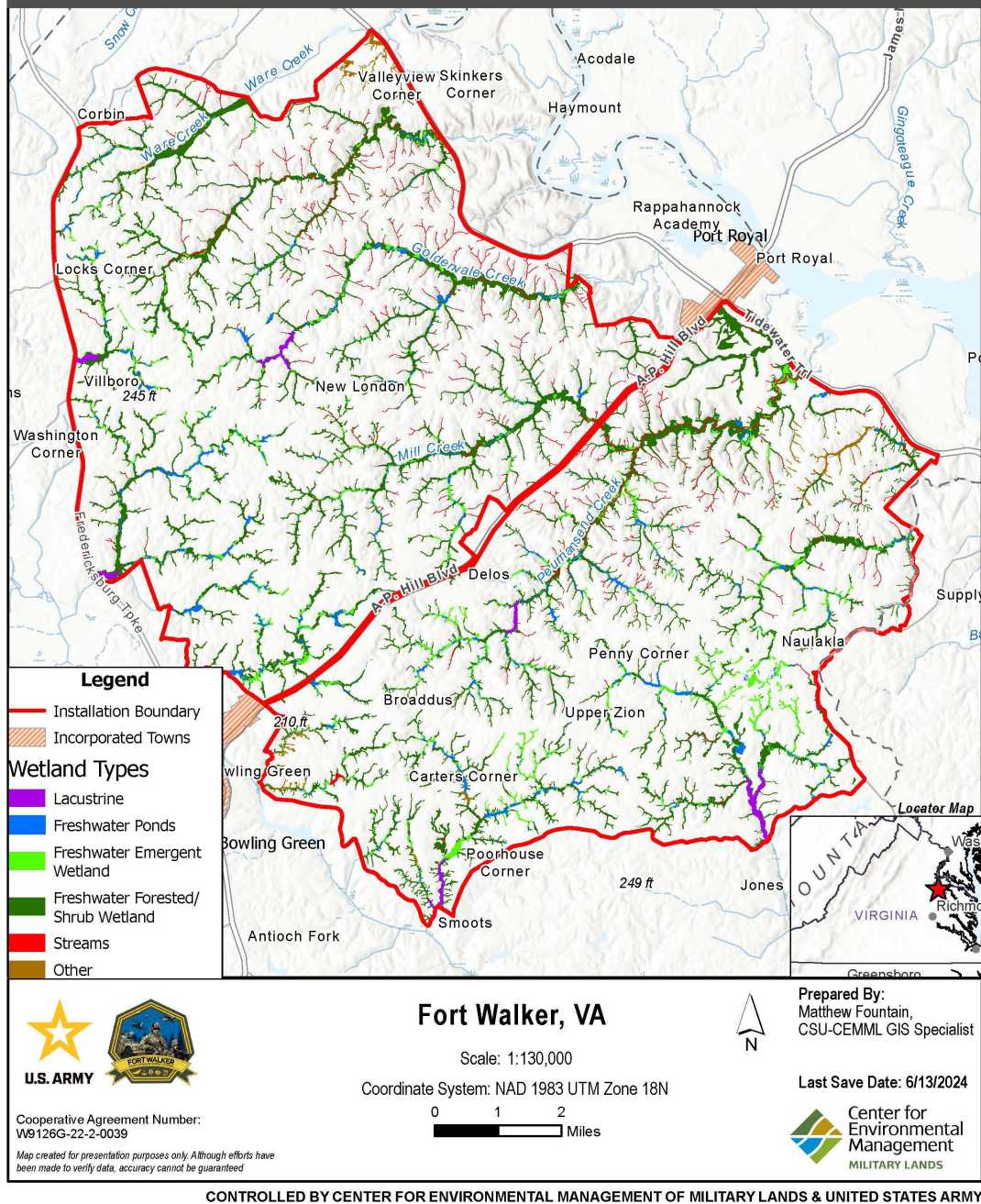


Figure 3. Wetlands at Fort Walker, Virginia.

APPENDIX A. EARLY PUBLIC NOTICE

Published in Fredericksburg Free-Lance Star on March 25, 2024	
Location	
Spotsylvania County, Virginia	
Notice Text	
25 March 2024	
To all interested agencies, groups, and individuals:	
<p>The U.S. Army seeks public input on any practicable alternatives for proposed activity within the floodplain and/or wetlands at Fort Walker, Virginia. The proposed activity includes the intent to develop a Programmatic Finding of No Practicable Alternative (PFONPA) for the installation.</p> <p>The PFONPA is being developed to reduce the amount of time and resources required to approve individual project FONPAs. The activities that will be included within the PFONPA are of such a nature that their occurrence would cause little to no measurable impact on the floodplains and/or wetlands as they currently exist. Consequently, development of a FONPA for each occurrence will not be required. This PFONPA only applies when there is no alternative to locating the proposed activity in a floodplain and/or wetland.</p> <p>This Early Notice has been prepared in accordance with Section 2(a)(2) of Executive Order (EO) 11988 (Floodplain Management) and EO 11990 (Protection of Wetlands). The early public comment period will run for 30 days, from 25 March to 24 April 2024. Comments are encouraged to be sent by email to: usarmy.fort-walker.id-sustainment.mbx.enrd-mailbox@army.mil. Comments must be sent on or before 24 April 2024. Written comments can be sent to:</p> <p style="text-align: center;">Fort Walker Directorate of Public Works Environmental and Natural Resources Division 19952 North Range Road, Bldg. 1220 Fort Walker, Virginia, 22427</p> <p>This early public comment period precedes the Notice of Availability and publication of the Draft PFONPA. These materials will be published, and the public will have the opportunity to comment on them, during an additional 30-day public comment period in the summer of 2024.</p> <p>COL-3000280</p>	

Figure A-1. Early public notice in Fredericksburg Free Lance-Star.



Figure A-2. Early public notice post on Facebook.



Figure A-3. Early public notice post on X (formerly Twitter).

APPENDIX B. COASTAL ZONE MANAGEMENT ACT (CZMA) CONSISTENCY DETERMINATION

DETERMINATION OF CONSISTENCY WITH VIRGINIA'S COASTAL RESOURCES MANAGEMENT PROGRAM FOR PROGRAMMATIC FINDING OF NO PRACTICABLE ALTERNATIVE FOR ROUTINE AND ONGOING ARMY ACTIONS OCCURRING WITHIN 100-YEAR FLOODPLAINS AND WETLANDS AT U.S. ARMY GARRISON FORT WALKER, VIRGINIA

This document provides the Commonwealth of Virginia with the U.S. Army's Consistency Determination under Coastal Zone Management Act (CZMA) § 307(c)(1) [or (2)] and 15 CFR Part 930, subpart C, for the routine and ongoing Army actions occurring within 100-year floodplains and wetlands at U.S. Army Garrison Fort Walker, Virginia (FWVA). The information in this Consistency Determination is provided pursuant to 15 CFR § 930.39.

The proposed actions analyzed in the Programmatic Finding of No Practicable Alternative (PFONPA) are routine, ongoing actions within 100-year floodplains and wetlands at FWVA. These actions are needed to reduce the amount of time, resources, and administrative burden associated with preparing individual project-level FONPAs for each action as it is proposed. Activities that do not meet the criteria established in this PFONPA will require individual project-level FONPAs. Further detail on the proposed action and criteria is included in [Section 2.0](#) of the PFONPA.

The U.S. Army has determined that the routine and ongoing Army actions occurring within 100-year floodplains and wetlands at FWVA would affect the land or water uses or natural resources of Virginia. Further detail on impacts and mitigation measures is included in [Section 3.0](#) of the PFONPA.

The Virginia Coastal Zone Management Program (CZMP) contains the following applicable enforceable policies:

I. Tidal and Non-Tidal Wetlands

It is the Commonwealth's policy that non-tidal surface waters, including wetlands and streams, shall be protected. Development shall only be permitted in a manner consistent with the protection of wetland acreage and function and stream function. Impacts to wetlands and streams shall be avoided or minimized to the maximum extent practicable in order to achieve no net loss in non-tidal wetland acreage and function and to achieve no net loss in stream function.

Below is a description of the anticipated impacts for each action covered by the PFONPA.

Table 1. Anticipated impacts to tidal and non-tidal wetlands.

Action	Anticipated Impacts
Interior renovations/repairs	No impacts. Existing footprints of facilities and infrastructure would not be expanded.
Exterior renovations/repairs	No impacts. Existing footprints of facilities and infrastructure would not be expanded.

Table 1. Anticipated impacts to tidal and non-tidal wetlands.

Action	Anticipated Impacts
General land maintenance and repairs	Negligible adverse impacts. The activities may slightly increase erosion in proximity to wetlands from vegetation removal. FWVA maintains RPAs around all wetlands, and no increase to the amount of impervious surface area within a watershed is anticipated.
Demolition of existing structures	Negligible adverse impacts. Demolition may result in debris and erosion; however, erosion and sediment control BMPs would be implemented.
Upgrades to or installation of utilities	Negligible adverse impacts. Utility work may result in construction debris and erosion; however, erosion and sediment control BMPs would be implemented.
Repairs to existing roadways or trails	No impacts. Existing footprints of roadways or trails would not be expanded, and repairs would reduce erosion.
New construction	Minor adverse impacts. Most new construction would not occur within wetlands. Construction occurring within wetlands (i.e., low-water crossings) would be short-term and would result in long-term, moderate, beneficial impacts due to stabilization of soils.
Training activities	Negligible adverse impacts. Existing training areas would remain unchanged, and any impacts would be short-term.
Streambank and shoreline stabilization	Minor beneficial impacts. This action is designed to improve water resources on FWVA in accordance with the Clean Water Act requirements.
Restoration or replacement of existing bridges, culverts, and water-crossings	Minor adverse impacts. This action may result in debris and erosion in the short-term; however, erosion and sediment control BMPs would be implemented. This action is designed to maintain waterway integrity and will result in long-term, beneficial impacts to wetlands.
Erosion control, culvert, and/or storm water collection systems restoration/replacement	Minor beneficial impacts. This action would improve water quality and reduce erosion.
Debris and sediment removal from waterways and water access points	Minor beneficial impacts. This action would improve water quality and reduce erosion.
Natural resources activities	Minor negative impacts would be expected in the short-term; however, natural resources activities will result in long-term, beneficial impacts to wetlands.
Water and land access projects	Minor negative impacts. This action may result in minimal disturbance within wetlands but would not reduce the footprint of wetlands.
Recreational use	Negligible negative impacts. Recreational use may result in disturbance within wetlands that would be short-term in nature.
Cleanup activities	Minor beneficial impacts. This action would improve water quality.

Although the projects in the proposed action may temporarily impact wetlands, no net loss in non-tidal wetland acreage and function and no net loss in stream function are anticipated in the long-term. Long-term, several of the projects would have beneficial impacts on the natural resources and military mission at FWVA through improved water quality, reduced flood risk, and maintaining function of the installation's transportation network. Projects would be reviewed individually by the FWVA Environmental and Natural Resources Division (ENRD) to evaluate and minimize environmental impacts prior to execution. Best Management Practices (BMPs) for the proposed action are included in [Section 3.3](#) of the PFONPA.

II. Subaqueous Lands

All decisions affecting subaqueous lands shall be guided by the Commonwealth's General Policy to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings and to protect its atmosphere, lands, and waters from pollution, impairment, or destruction for the benefit, enjoyment, and general welfare of the people of the Commonwealth. Subaqueous lands, including all the beds of the bays, rivers, creeks, and the shores of the sea within the jurisdiction of the Commonwealth, shall remain the property of the Commonwealth and may be used as a common by all the people of the Commonwealth for the purpose of fishing, fowling, hunting, and taking and catching oysters and other shellfish. The General Assembly has authorized the Virginia Marine Resources Commission (VMRC) to grant or deny any use of state-owned bottomlands, including dredging, aquaculture, the taking and use of material from the bottomland, and the placement of wharves, bulkheads, and fill.

Below is a description of the anticipated impacts for each action covered by the PFONPA.

Table 2. Anticipated impacts to subaqueous lands.

Action	Anticipated Impacts
Interior renovations/repairs	No impacts. Existing footprints of facilities and infrastructure would not be expanded.
Exterior renovations/repairs	No impacts. Existing footprints of facilities and infrastructure would not be expanded.
General land maintenance and repairs	Negligible adverse impacts. The activities may slightly increase erosion in proximity to subaqueous lands from vegetation removal. No increase to the amount of impervious surface area within a watershed is anticipated.
Demolition of existing structures	Negligible adverse impacts. Demolition may result in debris and erosion; however, erosion and sediment control BMPs would be implemented.
Upgrades to or installation of utilities	Negligible adverse impacts. Utility work may result in construction debris and erosion; however, erosion and sediment control BMPs would be implemented.
Repairs to existing roadways or trails	No impacts. Existing footprints of roadways or trails would not be expanded, and repairs would reduce erosion.
New construction	Minor adverse impacts. Most new construction would not occur within subaqueous lands. Construction occurring within subaqueous lands (i.e., low-water crossings) would be short-term and would result in long-term, moderate, beneficial impacts due to stabilization of soils.

Table 2. Anticipated impacts to subaqueous lands.

Action	Anticipated Impacts
Training activities	Negligible adverse impacts. Existing training areas would remain unchanged, and any impacts would be short-term.
Streambank and shoreline stabilization	Minor beneficial impacts. This action is designed to improve water resources on FWVA in accordance with the Clean Water Act requirements.
Restoration or replacement of existing bridges, culverts, and water-crossings	Minor adverse impacts. This action may result in debris and erosion in the short-term; however, erosion and sediment control BMPs would be implemented. This action is designed to maintain waterway integrity and will result in long-term, beneficial impacts to subaqueous lands.
Erosion control, culvert, and/or storm water collection systems restoration/replacement	Minor beneficial impacts. This action would improve water quality and reduce erosion.
Debris and sediment removal from waterways and water access points	Minor beneficial impacts. This action would improve water quality and reduce erosion.
Natural resources activities	Minor negative impacts would be expected in the short-term; however, natural resources activities will result in long-term, beneficial impacts to subaqueous lands.
Water and land access projects	Minor negative impacts. This action may result in minimal disturbance within subaqueous lands but would be short-term in nature.
Recreational use	Negligible negative impacts. Recreational use may result in disturbance within subaqueous lands that would be short-term in nature.
Cleanup activities	Minor beneficial impacts. This action would improve water quality.

The projects in the proposed action would be anticipated to result in disturbance of subaqueous lands during the lifetime of the projects in the short-term. Long-term, the projects would have moderate beneficial impacts on the natural resources and military mission at FWVA through improved water quality, reduced flood risk, and maintaining function of the installation's transportation network. Projects would be reviewed individually by the FWVA ENRD to evaluate and minimize environmental impacts prior to execution. Minimization measures for the proposed action are included in [Section 3.3](#) of the PFONPA.

IV. Chesapeake Bay Preservation Areas

It is the policy of the Commonwealth to protect and improve the water quality of the Chesapeake Bay, its tributaries, and other state waters by minimizing the effect of human activity upon these waters. To that end, the Commonwealth will ensure that land use and development performance criteria and standards are implemented in Chesapeake Bay Preservation Areas (CBPAs), which if improperly used or developed may result in substantial damage to the water quality of the Chesapeake Bay and its tributaries.

Below is a description of the anticipated impacts for each action covered by the PFONPA.

Table 3. Anticipated impacts to subaqueous lands.

Action	Anticipated Impacts
Interior renovations/repairs	No impacts. Existing footprints of facilities and infrastructure would not be expanded.
Exterior renovations/repairs	No impacts. Existing footprints of facilities and infrastructure would not be expanded.
General land maintenance and repairs	Negligible adverse impacts. The activities may slightly increase erosion in proximity to CBPAs from vegetation removal. No increase to the amount of impervious surface area within a watershed is anticipated.
Demolition of existing structures	Negligible adverse impacts. Demolition may result in debris and erosion; however, erosion and sediment control BMPs would be implemented.
Upgrades to or installation of utilities	Negligible adverse impacts. Utility work may result in construction debris and erosion; however, erosion and sediment control BMPs would be implemented.
Repairs to existing roadways or trails	No impacts. Existing footprints of roadways or trails would not be expanded, and repairs would reduce erosion.
New construction	Minor adverse impacts. Most new construction would not occur within CBPAs. Construction occurring within CBPAs (i.e., low-water crossings) would be short-term and would result in long-term, moderate, beneficial impacts due to stabilization of soils.
Training activities	Negligible adverse impacts. Existing training areas would remain unchanged, and any impacts would be short-term.
Streambank and shoreline stabilization	Minor beneficial impacts. This action is designed to improve water resources on FWVA in accordance with the Clean Water Act requirements.
Restoration or replacement of existing bridges, culverts, and water-crossings	Minor adverse impacts. This action may result in debris and erosion in the short-term; however, erosion and sediment control BMPs would be implemented. This action is designed to maintain waterway integrity and will result in long-term, beneficial impacts to CBPAs.
Erosion control, culvert, and/or storm water collection systems restoration/replacement	Minor beneficial impacts. This action would improve water quality and reduce erosion.
Debris and sediment removal from waterways and water access points	Minor beneficial impacts. This action would improve water quality and reduce erosion.
Natural resources activities	Minor negative impacts would be expected in the short-term; however, natural resources activities will result in long-term, beneficial impacts to CBPAs.
Water and land access projects	Minor negative impacts. This action may result in minimal disturbance within CBPAs but would be short-term in nature.
Recreational use	Negligible negative impacts. Recreational use may result in disturbance within CBPAs that would be short-term in nature.

Table 3. Anticipated impacts to subaqueous lands.

Action	Anticipated Impacts
Cleanup activities	Minor beneficial impacts. This action would improve water quality.

FWVA maintains Resource Protection Areas (RPAs) and Resource Management Areas (RMAs) in accordance with the Chesapeake Bay Preservation Act. Additionally, the proposed action would not result in a net gain of impervious surfaces, nor would it result in further encroachment on RPAs beyond the existing encroachment. Long-term, the many of the projects would have moderate beneficial impacts on the natural resources and military mission at FWVA through improved water quality, reduced flood risk, and maintaining function of the installation's transportation network. Projects would be reviewed individually by the FWVA ENRD to evaluate and minimize environmental impacts prior to execution. Minimization measures for the proposed action are included in [Section 3.3](#) of the PFONPA.

VI. Wildlife and Inland Fisheries

No person shall import, export, take, pursue, kill, or possess in the Commonwealth any fish or wildlife, or stock of any species of fish in inland waters, in a manner that negatively impacts the Commonwealth's efforts in conserving, protecting, replenishing, propagating, and increasing of the supply of game birds, game animals, fish and other wildlife of the Commonwealth. No person shall harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, possess, collect, transport, sell or offer to sell, or attempt to do so, any species of fish or wildlife listed as threatened or endangered by the Department of Wildlife Resources, except:

- for zoological, educational, or scientific purposes and for propagation of such fish or wildlife in captivity for preservation purposes when such actions will result in long-term survival benefits to such species; or
- when incidental to other lawful actions and where the species will accrue long-term survival benefits from measures implemented in concert with or as mitigation for the incidental take; or
- for actions affecting a designated experimental population of said species, when such actions are taken in the context of implementing an approved Conservation Plan for the species; or
- for possession, breeding, sale, and transport of nonnative wildlife listed as threatened or endangered by the United States Secretary of the Interior pursuant to provisions of the federal Endangered Species Act of 1973 (P.L. 93-205), as amended, when (i) the federal designation does not specifically prohibit such possession, breeding, selling, or transporting and (ii) the nonnative wildlife is not listed by the Department of Wildlife Resources as a predatory or undesirable species because its introduction into the Commonwealth would not be detrimental to the native fish and wildlife resources of Virginia.

The proposed action would not be expected to significantly impact fish and wildlife or threatened and endangered species. Some projects (i.e., replacement or maintenance of wet culverts and low-water crossings) would temporarily impede movement of aquatic species and disturb

aquatic and riparian habitat during the lifetime of each construction project in the short-term. Long-term, the projects would have moderate beneficial impacts on the natural resources and military mission at FWVA through improved water quality, reduced flood risk, and maintaining function of the installation's transportation network. Projects would be reviewed individually by the FWVA ENRD to evaluate and minimize environmental impacts prior to execution. Minimization measures for the proposed action are included in [Section 3.3](#) of the PFONPA.

IX. Point Source Air Pollution

In addition to the requirements of the Clean Air Act established by the Federal Government and the Commonwealth of Virginia, which in accordance with 15 CFR § 923.45 are part of the Commonwealth's CZMP, it is the policy of the Commonwealth, after observing the effects of air pollution, to abate, control, and prohibit air pollution throughout the Commonwealth. It is the policy of the Commonwealth that reasonable precautions will be taken to prevent particulate matter from becoming airborne during the construction or operation of any structure or facility.

The proposed action would not generate air emissions that exceed *de minimis* threshold values, nor would it create any permanent stationary sources of air pollution. A Clean Air Act general conformity determination is not required.

XI. Nonpoint Source Water Pollution

It is the policy of the Commonwealth to control stormwater runoff to protect the quality and quantity of state waters from the potential harm of unmanaged stormwater; to control soil erosion and sediment deposition in order to prevent unreasonable degradation of properties, stream channels, state waters, and other natural resources; and to otherwise act to control nonpoint source water pollution to ensure the general health, safety, and welfare of the citizens of the Commonwealth.

The proposed action would not be expected to result in any significant nonpoint source pollutants due to the implementation of sound, proactive stormwater management procedures. Limited soil erosion would be expected during construction projects. Long-term, the projects would have moderate beneficial impacts on the natural resources and military mission at FWVA through improved water quality, reduced flood risk, and maintaining function of the installation's transportation network. Projects would be reviewed individually by the FWVA ENRD to evaluate and minimize environmental impacts prior to execution. Minimization measures for the proposed action are included in [Section 3.3](#) of the PFONPA.

Conclusion

Based upon the information provided above, the U.S. Army finds that the routine and ongoing Army actions occurring within 100-year floodplains and wetlands at U.S. Army Garrison Fort Walker, Virginia are consistent to the maximum extent practicable with the enforceable policies of the Virginia CZMP.

Under the proposed action, the Army would implement best management practices (BMPs) and low-impact-development (LID) measures to reduce the potential for adverse impacts on the 100-year floodplain. BMPs and LID measures are incorporated into the proposed action to avoid or minimize impacts to floodplains and wetlands and are further detailed in [Section 3.3](#) of the PFONPA. Taken together, these and other yet to be determined BMPs and LID measures

would avoid or minimize impacts to the Virginia CZMP resources at FWVA. These measures represent all practicable measures to minimize harm to these resources.

Pursuant to 15 CFR § 930.41, the Virginia CZMP has 60 days from the receipt of this letter in which to concur with or object to this Consistency Determination, or to request an extension under 15 CFR § 930.41(b). Virginia's concurrence will be presumed if its response is not received by the U.S. Army on the 60th day from receipt of this determination. The State's response should be sent by email to: usarmy.fort-walker.id-sustainment.mbx.enrd-mailbox@army.mil. Written comments can be sent to:

Fort Walker Directorate of Public Works
Environmental and Natural Resources Division
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Fort Walker, Virginia, 22427