

## Suzie Richert

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**From:** Fulcher, Valerie (DEQ) <Valerie.Fulcher@deq.virginia.gov>  
**Sent:** Wednesday, February 8, 2017 10:27 AM  
**To:** dgif-ESS Projects (DGIF); Tignor, Keith (VDACS); Rhur, Robbie (DCR); odwreview (VDH); Dacey, Katy (DEQ); Narasimhan, Kotur (DEQ); Gavan, Larry (DEQ); Moore, Daniel (DEQ); Sepety, Holly (DEQ); Robinson, Cindy (DEQ); Kirchen, Roger (DHR); Watkinson, Tony (MRC); Cromwell, James R. (VDOT); Jordan, Elizabeth (VDOT); Ben McFarlane; jmcbride@hrpdcva.gov; plan@vbgov.com; Evans, Gregory (DOF)  
**Cc:** Suzie Richert  
**Subject:** SCOPING REQUEST Veterans Care Center  
**Attachments:** DVS Veterans Affairs Scoping Response.pdf

Good morning—attached is a **request for scoping comments** on the following:

**Department of Veterans Services Construction of a Veterans Care Center in Virginia Beach**

You can find the document in the Scoping Notices folder in Fileshare: [www.deq.virginia.gov/filesshare/oeir](http://www.deq.virginia.gov/filesshare/oeir)

If you choose to make comments, please send them directly to the project sponsor (see attached) and copy the DEQ Office of Environmental Impact Review:  
<http://www.deq.virginia.gov/Programs/EnvironmentalImpactReview/DocumentSubmissions.aspx>. **We will coordinate a review when the environmental document is completed.**

DEQ-OEIR's scoping response is also attached.

If you have any questions regarding this request, please email our office at [eir@deq.virginia.gov](mailto:eir@deq.virginia.gov).

Valerie

Valerie A. Fulcher, CAP-OM, Environmental Program Specialist  
Department of Environmental Quality  
Environmental Enhancement - Office of Environmental Impact Review  
629 E. Main St., 6th Floor  
Richmond, VA 23219  
804/698-4330  
804/698-4319 (Fax)  
email: [Valerie.Fulcher@deq.virginia.gov](mailto:Valerie.Fulcher@deq.virginia.gov)  
<http://www.deq.virginia.gov/Programs/EnvironmentalImpactReview.aspx>

For program updates and public notices please subscribe to the [OEIR News Feed](#)

Molly Joseph Ward  
Secretary of Natural Resources

Clyde E. Cristman  
Director



Rochelle Altholz  
Deputy Director of  
Administration and Finance

David C. Dowling  
Deputy Director of  
Soil and Water Conservation  
and Dam Safety

Thomas L. Smith  
Deputy Director of Operations

**COMMONWEALTH of VIRGINIA**  
DEPARTMENT OF CONSERVATION AND RECREATION

December 29, 2016

Joanna Kimmel  
EEE Consulting, Inc.  
201 Church Street, Suite C  
Blacksburg, VA 24060

Re: 16-819, VA Vet Center EA, Virginia Beach

Dear Ms. Kimmel:

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, the North Landing River: West Neck Creek Conservation Site is located downstream from the project 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 Landing River: West Neck Creek Conservation Site has been given a biodiversity significance ranking of B4, which represents a site of moderate significance. The natural heritage resources of concern at this site are:

*Euphyes dukesi*

Dukes' skipper

G3/S2/NL/NL

The Duke's skipper is a small, orange-brown and yellow butterfly species which ranges along coastal areas from southeastern Virginia to central Florida, and up the Mississippi River valley from Louisiana to Illinois, and with a pocket in northwestern Ohio and northeastern Indiana (Glassberg, 1999). In Virginia, it is only recorded from the southeastern outer coastal plain. Females lay their eggs on the undersides of leaves of specific sedge (*Carex*) species; the larvae are dependent on these host sedges.

The Duke's skipper is primarily threatened by habitat destruction and fragmentation, especially the elimination of the host sedge species (Clark and Potter, 1995; NatureServe, 2009). Mosquito spraying may be a threat if Dibrome is used (NatureServe, 2009).

To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations.

600 East Main Street, 24<sup>th</sup> Floor | Richmond, Virginia 23219 | 804-786-6124

*State Parks • Soil and Water Conservation • Outdoor Recreation Planning  
Natural Heritage • Dam Safety and Floodplain Management • Land Conservation*

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the 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.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

New and updated information is continually added to Biotics. Please re-submit a completed order form and project map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

A fee of \$95.00 has been assessed for the service of providing this information. Please find enclosed an invoice for that amount. Please return one copy of the invoice along with your remittance made payable to the Treasurer of Virginia, **DCR - Division of Natural Heritage, 600 East Main Street, 24<sup>th</sup> Floor, Richmond, VA 23219**. Payment is due within thirty days of the invoice date. Please note the change of address for remittance of payment as of July 1, 2013. Late payment may result in the suspension of project review service for future projects.

The Virginia Department of Game and Inland Fisheries (VDGIF) 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 Ernie Aschenbach at 804-367-2733 or [Ernie.Aschenbach@dgif.virginia.gov](mailto:Ernie.Aschenbach@dgif.virginia.gov). This project is located within 2 miles of a documented occurrence of a state listed animal. Therefore, DCR recommends coordination with the VDGIF, Virginia's regulatory authority for the management and protection of this species to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570).

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

Clark, K.H. and J.L. Potter. 1995. North Landing River Natural Area Preserve Resource Management Plan, First Edition. Natural Heritage Technical Document 95-9. Virginia Department of Conservation and Recreation, Richmond, Virginia. February 1995.

Glassberg, J. 1999. Butterflies through binoculars: A field guide to the butterflies of eastern North America. Oxford University Press. New York, NY. 242pp.

NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>. (Accessed: April 15, 2010).



February 2, 2017

Ms. Bettina Sullivan, Manager, Environmental Impact Review and Long Range Priorities Program  
Department of Environmental Quality, Office of Environmental Impact Review  
P.O. Box 1105  
Richmond, VA 23218  
[eir@deq.virginia.gov](mailto:eir@deq.virginia.gov)

**Re:** Scoping Request in Preparation for an Environmental Assessment for Construction of a Veterans Care Center, City of Virginia Beach, Virginia

**Ref:** Federal Project FAI 51-011; Commonwealth of Virginia Project 912-17-957-000

Dear Ms. Sullivan,

On behalf of the Commonwealth of Virginia, Department of Veterans Services (DVS), EEE Consulting, Inc. is requesting project review for the proposed construction of a Veterans Care Center in Virginia Beach, Virginia. Because DVS plans to seek project cost reimbursements from the U.S. Department of Veterans Affairs, the proposed project must comply with the National Environmental Policy Act of 1969, as amended (NEPA); therefore, DVS is preparing an Environmental Assessment and requests DEQ project review and distribution to the review agencies and other entities as part of the NEPA process. As confirmed previously with DEQ, this submission, along with the EA, is intended to also satisfy the EIR requirements of Virginia Code 10.1-1188. The proposed project location and project site are depicted on the attached figures.

Please note that DVS will coordinate directly with the Virginia Department of Historic Resources (DHR) for the National Historic Preservation Act Section 106 process; the DHR coordination letter has been attached for reference only.

### **Project Background & Proposed Action**

The proposed project site is located in the City of Virginia Beach on property to be owned by the Commonwealth of Virginia. The property is located near the intersection of West Neck Road and North Landing Road. The Veterans Care Center would be constructed on approximately 26 acres in an agricultural field currently owned by the City of Virginia Beach. The property to the east, also owned by the City, is composed primarily of woods, the majority of which (14.22 acres) are forested wetlands, as verified by the USACE in 2015. DVS would obtain some of the forest/forested wetlands to the east as a vegetative buffer a minimum of 90 feet and a maximum of 165 feet wide; therefore, the total acreage of forest to the east that DVS would own has not been finalized at this time, but is anticipated to be between one and four acres. Any forested wetlands obtained by DVS would be left undisturbed and would not be developed. A 300-foot-wide row of trees is found on the north side of the agricultural field, about half of which is in the project site boundary, and a narrow strip of trees borders a portion of the western property boundary. A new residential subdivision is under construction immediately west of the property. To the south and southwest is residential housing. There are several existing non-jurisdictional man-made open channels (agricultural ditches) running across the agricultural field, two of which are larger than the others (two primary channels are shown on attached figure). Groundwater depths within the proposed project site (the agricultural field) range from three to four feet below ground surface. A three- to four-foot layer of soil with high clay content occurs at the ground surface and is underlain by sand; soils would be amended to support site construction.

The Veterans Care Center will be a 120-bed facility providing a mix of long-term skilled nursing care, Alzheimer's/memory loss care, and short-term rehabilitative care to Virginia veterans. It will also provide dining, physical activity, physical therapy, entertainment, and social event services to care center residents in both indoor and outdoor spaces. The proposed facility would feature all private rooms organized into two neighborhoods of six households each that surround a central community center. The site would also include an access road, parking lots, and landscaped areas. The facility will be designed to Virginia Energy Conservation & Environmental Standards.

All staging of equipment and materials and construction-related parking would occur on-site in areas of existing cleared space in the agricultural field. Access to the Veterans Care Center would be provided from an entrance driveway that would connect to a new extension of Nimmo Parkway on the north side of the project site (the City of Virginia Beach is constructing the Nimmo Parkway extension as part of the City's Comprehensive Plan to connect Nimmo Parkway to Indian River Road). The entrance driveway may cross one of the man-made channels on the east side of the agricultural field and be built through upland (non-wetland) wooded areas, although these areas may be avoided depending on final design. If the man-made channel is not avoided, it would be piped beneath the access road. There would be a secondary access road constructed on the south side of the property connecting to North Landing Road that would be used during construction with the potential to use it for emergency-only access once the facility opened.

DVS would install new underground utilities that would connect to existing underground and above-ground utilities along North Landing Road. Stormwater would be managed through the construction of multiple stormwater retention basins designed to have a shallow pool of water all the time along with the capacity to retain the total volume of rainfall from the 95<sup>th</sup> percentile storm, thus maintaining pre-development hydrology as required under Section 438 of the Energy Independence and Security Act. The Veterans Care Center would be operated by DVS and would employ approximately 150 staff. Construction would start in October 2017, following acquisition of the property by DVS, and last approximately two years, with the facility planned to open in late 2019.

Approximately three acres of trees would be permanently removed within the project site boundary for: construction of the entrance driveway, construction within the strip of trees on the northern portion of the property, and construction of the temporary construction road on the southern portion of the property. DVS designed the facility to avoid disturbing 4.2 acres of the total 7 acres of trees within the 24-acre agricultural field area. DVS would plant trees and shrubs to provide for or enhance a vegetated buffer along the western and southern sides of the agricultural field a minimum of 20 feet wide to provide some visual buffer of the Veterans Care Center to the adjacent residential housing.

## **Water Resources**

WOUS within the project site and adjacent areas and have been previously delineated and verified by USACE via Approved Jurisdictional Determination (AJD) on March 20, 2015 (NAO-2013-02226), as indicated on the attached AJD and associated figure. Of those WOUS verified under NAO-2013-02226, one non-tidal wetland feature (wetland LL, which totaled 14.22 acres [619,214 sq. ft.]) occurs partially within and adjacent to the project site. Because the site boundary for the proposed Veterans Care Center would not encompass the entire 14.22-acre area shown as wetland LL on the delineation map, only a portion of the 14.22 acres, likely between one and four acres, would be located within the DVS property boundary. No streams have been delineated or identified within the proposed site boundary, as shown on the AJD map. DVS would avoid and minimize impacts to WOUS to the maximum extent practicable; no impacts to wetlands are proposed based on the current design of the Veterans Care Center. DVS understands that if the Proposed Action changes in a way that would impact WOUS, further coordination and permitting with resource agencies including USACE and DEQ would be required.

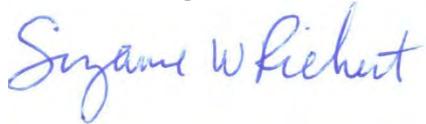
### **Threatened and Endangered Species**

DVS has determined that the proposed action would not adversely affect any Federally- or state-listed threatened and endangered species, including the Northern long-eared bat (*myotis septentrionalis*). DVS is requesting U.S. Fish and Wildlife review of this determination in consultation with that agency; the USFWS Information, Planning and Consultation system results and project review package as well as results from the Virginia Department of Game and Inland Fisheries' Virginia Fish and Wildlife Information Service and the Virginia Department of Conservation and Recreation's Natural Heritage Database Explorer are included with attachments to this letter.

### **Conclusion**

Thank you for your review of this project. We would appreciate a response within 30 days. Other agencies and entities including USACE and USFWS have been contacted concurrently for project reviews. If you have any questions or require additional information, please do not hesitate to contact me at (276) 389-9306, or via email at [srichert@eee-consulting.com](mailto:srichert@eee-consulting.com).

Sincerely,  
**EEE Consulting, Inc.**



Suzie Richert, CEP  
Senior Environmental Scientist, NEPA Specialist

Enclosures

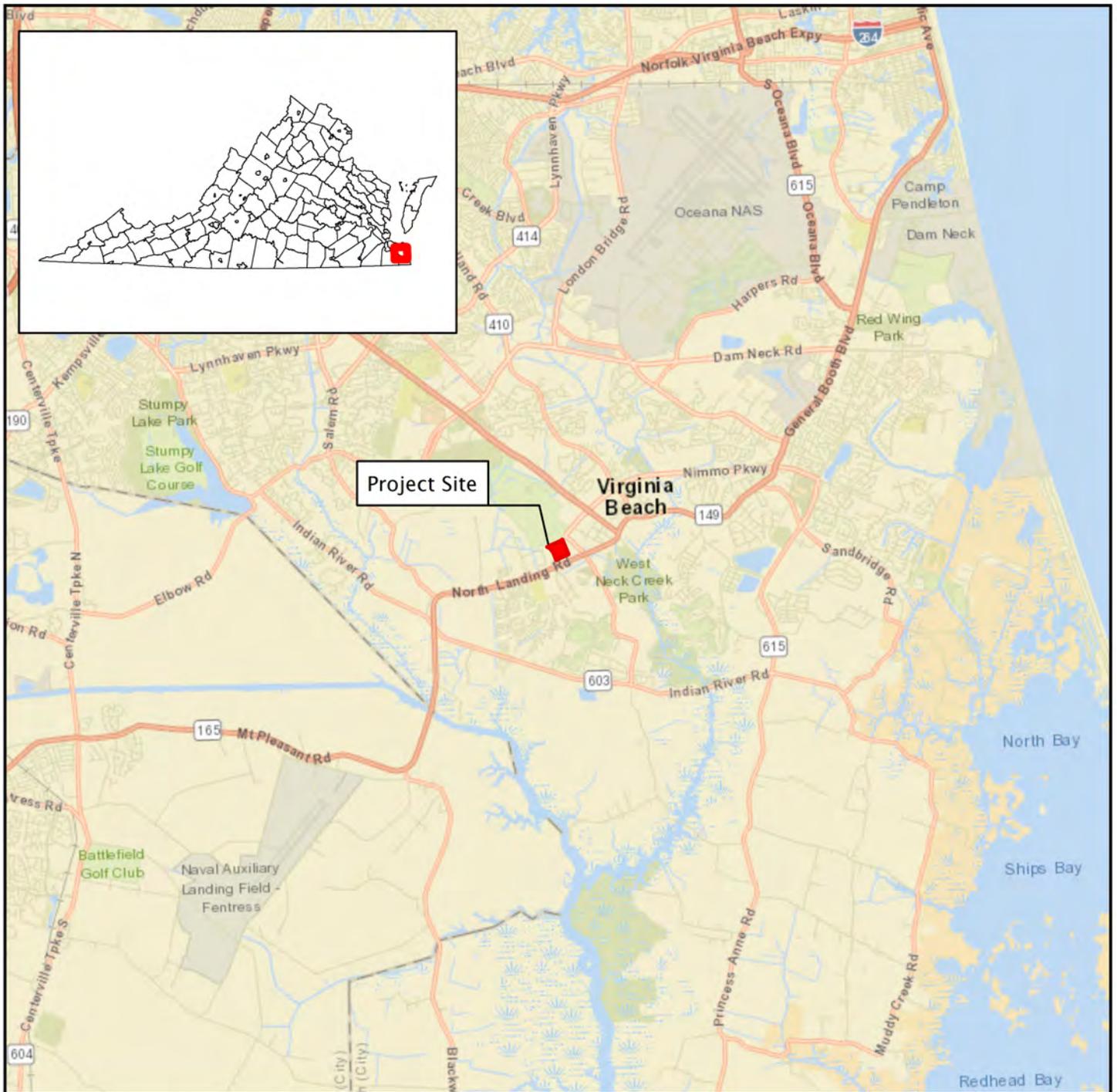
Cc:

Stan Kloss, Project Manager  
Virginia Department of General Services (for the Virginia Department of Veterans Services)

Dan Sutton, Senior Project Engineer  
Wiley|Wilson

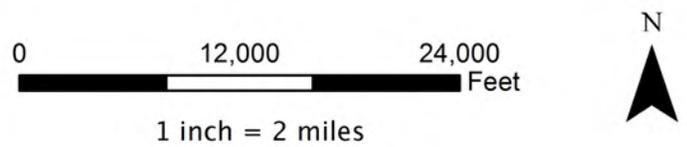
Corey Clayborne, Project Manager  
Wiley|Wilson

## Attachments



Project Coordinate System: NAD 1983 StatePlane Virginia South FIPS 4502 Feet  
 Projection: Lambert Conformal Conic  
 Datum: North American 1983  
 Units: Foot US

Sources: Esri, DeLorme, HERE, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom





VEGETATED BUFFER  
(MOUND WITH A MIX OF  
TREES AND SHRUBS)

EXISTING STORMWATER DITCH

EXISTING  
FORCE MAIN  
EASEMENT

PROPOSED BUILDING

NIMMO PRKY  
EXTENDED ROW

TEMPORARY CONSTRUCTION  
ENTRANCE

**DVS HR VCC**  
**DFCD9FHM1 & \*-57F9G**

VETERANS CARE CENTER  
ENTRANCE SIGN

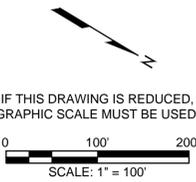
STORMWATER POND

VETERANS CARE  
CENTER DRIVEWAY  
(PRIVATE)

EXISTING STORMWATER DITCH

DELINEATED WETLAND  
BOUNDARY

PROPOSED DVS  
PROPERTY  
BOUNDARY

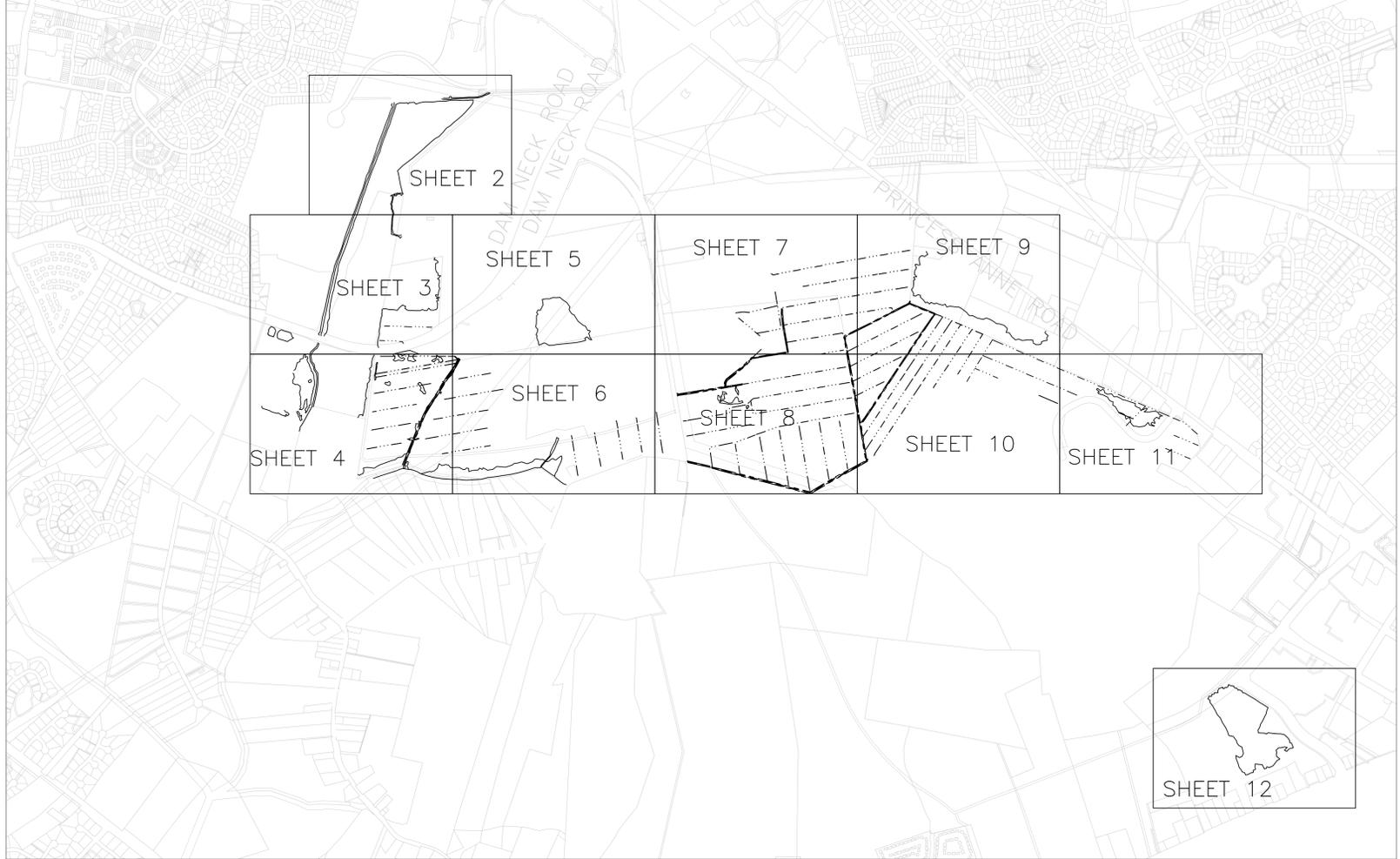


DATE: FEBRUARY 2, 2017

**Department of Veterans Services (DVS)**  
**Hampton Roads (HR)**  
**Veterans Care Center (VCC) Preliminary Site Plan**



# DEPARTMENT OF PUBLIC WORKS ENGINEERING GROUP/ SURVEY BUREAU



VIRGINIA STATE PLANE COORDINATE SYSTEM,  
SOUTH ZONE, NAD 1983/1993 (HARN)

**LEDGEND**

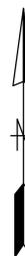
- AA2 WETLAND FLAG WITH ID NUMBER
- — — — — CENTERLINE DITCH
- — — — — TOP OF BANK
- — — — — TOE OF SLOPE
- — — — — WETLAND BOUNDARY

## WETLAND DELINEATION FOR A PORTION OF PRINCESS ANNE COMMONS

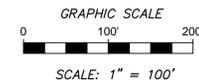
GENERAL NOTES:

1. HORIZONTAL CONTROL IS BASED ON VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983/93 (HARN), U.S. SURVEY FOOT. THE CITY OF VIRGINIA BEACH REFERENCE CONTROL POINTS USED TO ESTABLISH THE COORDINATE VALUES SHOWN HEREON ARE DISKS #1485-1, "CITY HALL", #134-0064 AND #TJ-10 .
2. VERTICAL CONTROL IS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). THE CITY OF VIRGINIA BEACH CONTROL REFERENCE POINT USED TO ESTABLISH THE ELEVATIONS SHOWN HEREON IS DISK #1485-1.
3. THIS TOPOGRAPHIC SURVEY OF WETLAND FEATURES DELINEATED BY KERR ENVIRONMENTAL, INC., OF A PORTION OF PRINCESS ANNE COMMONS WAS CONDUCTED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF J. DWIGHT SPIVEY, L.S., FROM AN ACTUAL GROUND SURVEY MADE UNDER HIS SUPERVISION. THE IMAGES AND ORIGINAL DATA WAS OBTAINED FROM MAY 19, 2014 THRU DECEMBER 31, 2014. THIS PLAT, MAP AND GEOSPATIAL DATA INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
4. KEER ENVIRONMENTAL, INC., IS SOLELY RESPONSIBLE FOR THE DETERMINATION OF THE WETLAND FEATURES SHOWN HEREON AND THE PLACEMENT OF WETLAND FLAGS.

VIRGINIA STATE PLANE COORDINATE SYSTEM,  
SOUTH ZONE, NAD 1983/1993 (HARN)



WETLAND LL



SHEET 12 OF 16

DRAWING SHOWING WETLAND DELINEATION FOR PORTIONS OF PRINCESS ANNE COMMONS		
VIRGINIA BEACH, VIRGINIA		
DEPARTMENT OF PUBLIC WORKS, ENGINEERING GROUP, SURVEY BUREAU CITY OF VIRGINIA BEACH, VIRGINIA		
DATE: MAR. 25, 2015	SCALE: 1"=100'	DRW: MHW
FLD BK: D 2014	FILE: HORIZONTAL	??



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

23 March 2015

**APPROVED JURISDICTIONAL DETERMINATION**

Special Projects Regulatory Section  
(NAO-2013-02226, North Landing River)

City of Virginia Beach  
c/o Mr. Brent Ashley  
Kerr Environmental Services Corp.  
1008 Old Virginia Beach Road, Suite 200  
Virginia Beach, VA 23451-5564

Mr. Ashley:

This letter is in regard to your request for an approved jurisdictional determination (JD) and confirmation of wetland delineation for various portions of the Princess Anne Commons property in Virginia Beach, Virginia. This JD and wetland delineation confirmation are only applicable to those areas within the "Subject Property Limits" but do not include the "Areas Previously Developed Or Permitted Prior to July 27, 2008" as depicted on the project drawing cited below.

An on-site jurisdictional determination has found waters and wetlands regulated under Section 404 of the Clean Water Act (33 U.S.C. 1344) on the project site described above. Non-tidal wetlands and other waters of the U.S. have been identified at the project site. This letter shall serve to confirm the JD and wetland delineation for the property that was performed by Kerr Environmental Services Corp. as shown on the attached, revised project drawing entitled *WETLAND DELINEATION EXHIBIT FOR PORTIONS OF PRINCESS ANNE COMMONS* dated 17 March 2015 that our office received via e-mail on 20 March 2015 (attached). The basis for this delineation confirmation includes application of the Corps of Engineers Wetlands Delineation Manual (1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region, Version 2.0 (2010), and the positive indicators of wetland hydrology, hydric soils, and hydrophytic vegetation. The other waters meet the Corps' definition of waters of the U.S., are part of a tributary system to interstate waters (33 CFR 328.3 (a)), and have an ordinary high water mark.

Discharges of dredged or fill material, including those associated with mechanized land-clearing, into jurisdictional waters and/or wetlands on this site will require a Department of the Army permit and may require authorization by state and local authorities, including a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ), a permit from the Virginia Marine Resources Commission (VMRC) and/or a permit from your local wetlands board. This letter is a confirmation of

the Corps jurisdiction for the waters and/or wetlands on the subject property and does not authorize any work in these jurisdictional areas. Please obtain all required permits before starting work in the delineated waters/wetland areas.

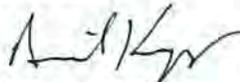
This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the North Atlantic Division Office at the following address:

United States Army Corps of Engineers  
North Atlantic Division  
ATTN: Mr. James W. Haggerty, Regulatory Program Manager  
Building 301, General Lee Avenue  
Fort Hamilton Military Community  
Brooklyn, NY 11252

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by 22 May 2015. It is not necessary to submit an RFA form to the Division office if you do not object to the determination in this letter.

This JD is valid for a period of five years from the date of this letter unless new information warrants revision prior to the expiration date. If you have any questions, please contact me at (757) 201-7488 or [david.a.knepper@usace.army.mil](mailto:david.a.knepper@usace.army.mil).

Sincerely,



David Knepper  
Environmental Scientist  
Special Projects Regulatory Section

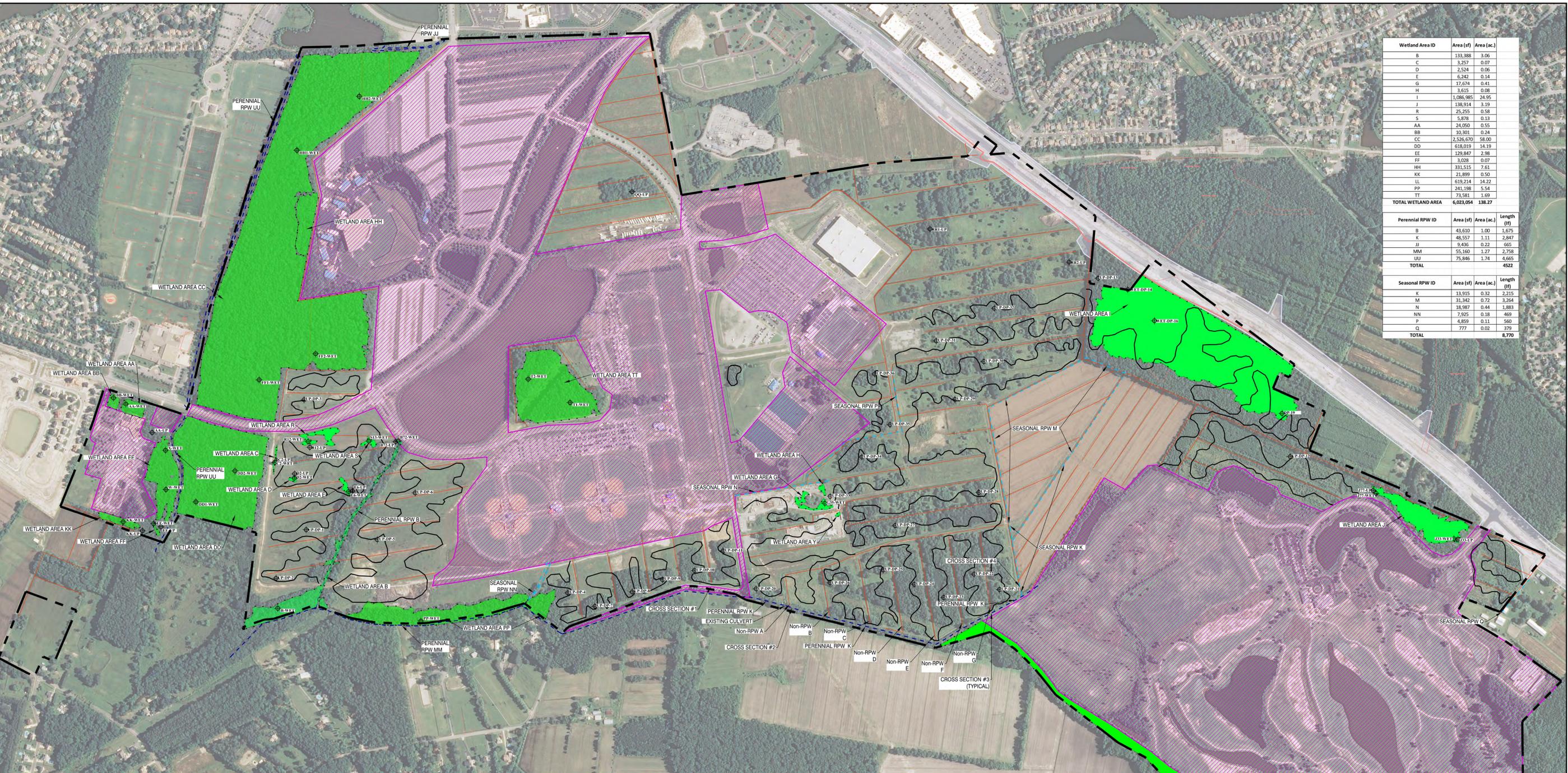
Wetland Area ID	Area (sf)	Area (ac)
B	133,388	3.06
C	3,257	0.07
D	2,524	0.06
E	5,242	0.14
G	17,214	0.41
H	3,615	0.08
I	1,086,985	24.95
J	138,914	3.19
N	25,255	0.58
S	5,878	0.13
AA	24,050	0.55
BB	10,301	0.24
CC	2,526,670	58.00
DD	618,019	14.19
EE	129,847	2.98
FF	3,028	0.07
HH	331,515	7.61
KK	21,889	0.50
LL	619,214	14.22
PP	241,198	5.54
TT	73,581	1.69
<b>TOTAL WETLAND AREA</b>	<b>6,023,054</b>	<b>138.27</b>

Perennial RPW ID	Area (sf)	Area (ac)	Length (ft)
B	43,610	1.00	1,675
K	48,557	1.11	2,947
JJ	9,436	0.22	665
MM	55,160	1.27	2,758
UU	75,846	1.74	4,665
<b>TOTAL</b>			<b>4822</b>

Seasonal RPW ID	Area (sf)	Area (ac)	Length (ft)
K	13,915	0.32	2,215
M	21,342	0.72	3,254
N	18,987	0.44	1,883
NN	7,925	0.18	469
P	4,859	0.11	560
Q	777	0.02	378
<b>TOTAL</b>			<b>8,770</b>

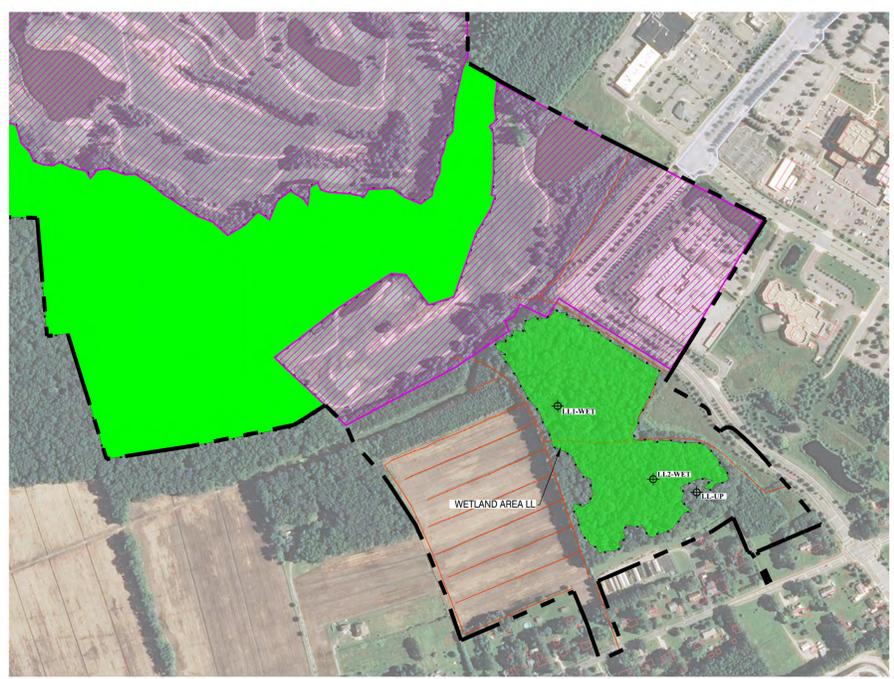


**NOTES**

- JURISDICTIONAL WETLANDS (WATERS OF THE UNITED STATES AND/OR STATE WATERS) SHOWN HEREON ARE PENDING CONFIRMATION AND WERE FIELD LOCATED BY GPS.
- THE AREAS DEPICTED AS 'AREAS PREVIOUSLY DEVELOPED OR PERMITTED' SHOWN HEREON WERE INCLUDED IN THE EXHIBIT REFERENCED IN EARLIER JURISDICTIONAL DETERMINATIONS. LIMITS ARE APPROXIMATED AND WERE PROVIDED, IN PART, BY THE CITY OF VIRGINIA BEACH.

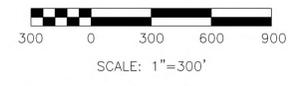
**LEGEND**

- SUBJECT PROPERTY LIMITS
- - - PERENNIAL RPW - WATERS OF THE U.S.
- - - SEASONAL RPW - WATERS OF THE U.S.
- LINEAR DRAINAGE FEATURES (NON-REGULATED MAN-MADE DITCHES)
- DELINEATED WETLANDS
- AREAS PREVIOUSLY DEVELOPED OR PERMITTED PRIOR TO JULY 17, 2008.
- PROJECT TRANSECT
- ⊕ DP-# DATA POINT



**MATCHLINE- INSET, THIS SHEET**

US Army Corps of Engineers  
Norfolk District Regulatory Branch  
Revised by BAK  
Date: 20 March 2015



**WETLAND DELINEATION EXHIBIT**  
FOR PORTIONS OF  
**PRINCESS ANNE COMMONS**

Kerr Environmental Services Corp.  
Sustainable Ecological Restoration  
and Environmental Consulting



CHECKED BY: RPK	DATE: MARCH 17, 2015	SCALE: 1"=300'
DESIGNED BY: BTA	DRAWN BY: PJS	SHEET 1 OF 1

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND  
REQUEST FOR APPEAL**

Applicant: City of Virginia Beach (c/o Kerr Environmental Services Corp., ATTN: Mr. Brent Ashley)

File Number: NAO-2013-02226

Date: 23 March 2015

Attached is:

See Section below

<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the Norfolk District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations (JD) associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the Norfolk District Engineer. Your objections must be received by the Norfolk District Engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the Norfolk District Engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the Norfolk District Engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the Norfolk District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the North Atlantic Division Engineer, ATTN: CENAD-PD-PSD-O, Fort Hamilton Military Community, Building 301, General Lee Avenue, Brooklyn, NY 11252-6700. This form must be received by the North Atlantic Division Engineer within 60 days of the date of this notice with a copy furnished to the Norfolk District Engineer.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the North Atlantic Division Engineer, ATTN: CENAD-PD-PSD-O, Fort Hamilton Military Community, Building 301, General Lee Avenue, Brooklyn, NY 11252-6700. This form must be received by the North Atlantic Division Engineer within 60 days of the date of this notice with a copy furnished to the Norfolk District Engineer.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the North Atlantic Division Engineer, ATTN: CENAD-PD-PSD-O, Fort Hamilton Military Community, Building 301, General Lee Avenue, Brooklyn, NY 11252-6700. This form must be received by the North Atlantic Division Engineer within 60 days of the date of this notice with a copy furnished to the Norfolk District Engineer.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:  
U.S. Army Corps of Engineers, Norfolk District  
c/o Mr. David Knepper  
803 Front Street  
Norfolk, VA 23510-1096  
Telephone: (757) 201-7488  
Email: david.a.knepper@uasace.army.mil

If you only have questions regarding the appeal process you may also contact:  
Mr. James W. Haggerty  
Regulatory Program Manager  
U.S. Army Corps of Engineers  
CENAD-PD-OR  
Fort Hamilton Military Community  
301 General Lee Avenue  
Brooklyn, NY 11252-6700  
347-370-4650

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

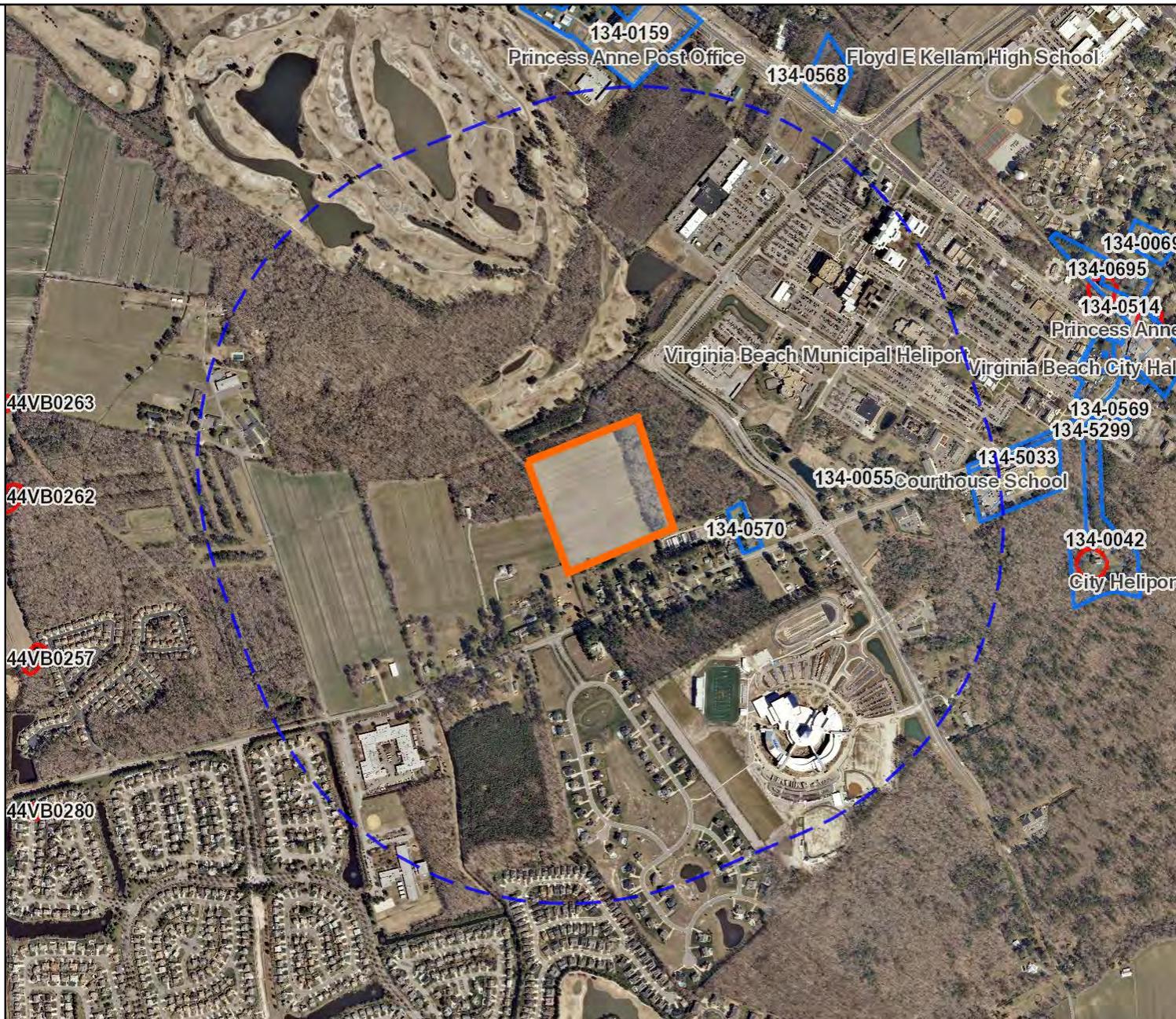
Date:

Telephone number:

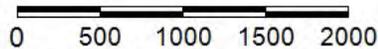


**Legend**

- Architecture Resources
- Architecture Labels
- Individual Historic District Properties
- Archaeological Resources
- Archaeology Labels
- USGS GIS Place names
- County Boundaries



Feet



1:18,056 / 1"=1,505 Feet

**Title: Cultural Resources**

**Date: 11/23/2016**

*DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.*

*Notice if AE sites: Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.*



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Virginia Ecological Services Field Office  
6669 SHORT LANE  
GLOUCESTER, VA 23061  
PHONE: (804)693-6694 FAX: (804)693-9032  
URL: [www.fws.gov/northeast/virginiafield/](http://www.fws.gov/northeast/virginiafield/)

Consultation Code: 05E2VA00-2017-SLI-0782

December 07, 2016

Event Code: 05E2VA00-2017-E-00906

Project Name: Virginia Beach Veterans Care Center EA

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

## To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and

endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Virginia Beach Veterans Care Center EA

## Official Species List

### Provided by:

Virginia Ecological Services Field Office

6669 SHORT LANE

GLOUCESTER, VA 23061

(804) 693-6694

<http://www.fws.gov/northeast/virginiafield/>

**Consultation Code:** 05E2VA00-2017-SLI-0782

**Event Code:** 05E2VA00-2017-E-00906

**Project Type:** DEVELOPMENT

**Project Name:** Virginia Beach Veterans Care Center EA

**Project Description:** The proposed project site is located in Virginia Beach, on property that is being donated to DVS by the City of Virginia Beach. Located near the intersection of West Neck Road and North Landing Road, the 24-acre proposed project site is currently open agricultural field with wooded areas along the north and east. The entire eastern boundary is bordered by woods, the majority of which are forested wetlands, as verified by the USACE in 2015. Forested wetlands occur within the project site boundary. To the south and southwest is residential housing. There is an existing non-jurisdictional man-made channel running in a straight line in the eastern portion of the project site.

The proposed project would include a 120-bed medical facility on approximately 10 of the 24 acres within the project site. The Veterans Care Center would provide nursing, memory loss care, short-term rehabilitative care, dining, physical activity, physical therapy, entertainment, and social event services to veterans in both indoor and outdoor spaces. The proposed facility would feature all private rooms organized into four neighborhoods that surround a central community center. The campus would also include parking lots, walking trails, landscaped areas, and open space comprised of forest and meadow. The north side of the project site includes approximately 3 acres identified for possible future growth of the Veterans Care Center; these areas may be used for staging and construction parking but would not be developed as part of the current Proposed Action. All staging of equipment and materials and construction-related parking would occur on-site. Primary access to the Veterans Care Center would be provided from an extension of Nimmo Parkway on the north



United States Department of Interior  
Fish and Wildlife Service

Project name: Virginia Beach Veterans Care Center EA

side of the project site, with secondary access provided on the south side of the property from North Landing Road. DVS would install new underground utilities that would connect to existing underground and above-ground utilities along North Landing Road. The Veterans Care Center would be operated by DVS and would employ approximately 150 staff. Construction would start in October 2017 and last approximately 2 years, with the facility planned to open in October 2019.

Up to approximately 3.5 acres of trees would be permanently removed for construction of the access road to the project site from the Nimmo Parkway extension; no other existing trees in the property boundary would be removed. DVS would plant trees along the western and southern property boundaries to provide some visual buffer of the Veterans Care Center to the homes immediately south of the project site.

**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Virginia Beach Veterans Care Center EA

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-76.06704763228782 36.74728141334342, -76.06903640056714 36.74661917617816, -76.07018850236437 36.74895754585531, -76.07067481543159 36.749345549484204, -76.06785127643943 36.75026245318521, -76.06634047200457 36.74750878788305, -76.06704763228782 36.74728141334342)))

**Project Counties:** Virginia Beach, VA



United States Department of Interior  
Fish and Wildlife Service

Project name: Virginia Beach Veterans Care Center EA

## Endangered Species Act Species List

There are a total of 1 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Mammals	Status	Has Critical Habitat	Condition(s)
Northern long-eared Bat ( <i>Myotis septentrionalis</i> ) Population: Wherever found	Threatened		



United States Department of Interior  
Fish and Wildlife Service

Project name: Virginia Beach Veterans Care Center EA

## **Critical habitats that lie within your project area**

There are no critical habitats within your project area.



United States Department of Interior  
Fish and Wildlife Service

Project name: Virginia Beach Veterans Care Center EA

## **Appendix A: FWS National Wildlife Refuges and Fish Hatcheries**

There are no refuges or fish hatcheries within your project area.

## VaFWIS Search Report Compiled on 11/23/2016, 1:39:07 PM

[Help](#)

Known or likely to occur within a **2 mile radius around point 36.7485690 -76.0675488**  
in **810 Virginia Beach City, VA**

[View Map of Site Location](#)

625 Known or Likely Species ordered by Status Concern for Conservation  
(displaying first 45) (45 species with Status\* or Tier I\*\* or Tier II\*\* )

<a href="#">BOVA Code</a>	<a href="#">Status *</a>	<a href="#">Tier **</a>	<a href="#">Common Name</a>	<a href="#">Scientific Name</a>	Confirmed	Database(s)
010031	FESE	Ia	<a href="#">Sturgeon, shortnose</a>	Acipenser brevirostrum		BOVA
030074	FESE	Ia	<a href="#">Turtle, Kemp's ridley sea</a>	Lepidochelys kempii		BOVA
010032	FESE	Ib	<a href="#">Sturgeon, Atlantic</a>	Acipenser oxyrinchus		BOVA
030075	FESE	Ic	<a href="#">Turtle, leatherback sea</a>	Dermochelys coriacea		BOVA
120030	FESE	IVb	<a href="#">Manatee, West Indian</a>	Trichechus manatus		BOVA
030073	FESE		<a href="#">Turtle, hawksbill sea</a>	Eretmochelys imbricata		BOVA
040183	FESE		<a href="#">Tern, roseate</a>	Sterna dougallii dougallii		BOVA
030071	FTST	Ia	<a href="#">Turtle, loggerhead sea</a>	Caretta caretta		BOVA
040144	FTST	Ia	<a href="#">Knot, red</a>	Calidris canutus rufa		BOVA,HU6
050022	FTST	Ia	<a href="#">Bat, northern long-eared</a>	Myotis septentrionalis		BOVA
030072	FTST	Ib	<a href="#">Turtle, green sea</a>	Chelonia mydas		BOVA
040120	FTST	Ila	<a href="#">Plover, piping</a>	Charadrius melodus		BOVA
030064	SE	Ia	<a href="#">Turtle, eastern chicken</a>	Deirochelys reticularia reticularia		BOVA
040118	SE	Ia	<a href="#">Plover, Wilson's</a>	Charadrius wilsonia		BOVA
040110	SE	Ia	<a href="#">Rail, black</a>	Laterallus jamaicensis		BOVA
050034	SE	Ia	<a href="#">Bat, Rafinesque's eastern big-eared</a>	Corynorhinus rafinesquii macrotis		BOVA,HU6
050027	SE	Ia	<a href="#">Bat, tri-colored</a>	Perimyotis subflavus		BOVA

030013	SE	Ia	<a href="#">Rattlesnake, canebrake</a>	Crotalus horridus	<a href="#">Yes</a>	BOVA,Habitat,SppObs,HU6
040096	ST	Ia	<a href="#">Falcon, peregrine</a>	Falco peregrinus	<a href="#">Yes</a>	BOVA,SppObs
040293	ST	Ia	<a href="#">Shrike, loggerhead</a>	Lanius ludovicianus		BOVA
040379	ST	Ia	<a href="#">Sparrow, Henslow's</a>	Ammodramus henslowii		BOVA
040179	ST	Ia	<a href="#">Tern, gull-billed</a>	Sterna nilotica		BOVA
020002	ST	Ia	<a href="#">Treefrog, barking</a>	Hyla gratiosa		BOVA
030010	ST	Ia	<a href="#">Lizard, eastern glass</a>	Ophisaurus ventralis		BOVA
040403	ST		<a href="#">Falcon, Arctic peregrine</a>	Falco peregrinus tundrius		BOVA
040292	ST		<a href="#">Shrike, migrant loggerhead</a>	Lanius ludovicianus migrans		BOVA
030067	CC	Ia	<a href="#">Terrapin, northern diamond-backed</a>	Malaclemys terrapin terrapin	<a href="#">Potential</a>	BOVA,Habitat,HU6
030063	CC	IIIa	<a href="#">Turtle, spotted</a>	Clemmys guttata		BOVA,HU6
040092		Ia	<a href="#">Eagle, golden</a>	Aquila chrysaetos		BOVA
040040		Ia	<a href="#">Ibis, glossy</a>	Plegadis falcinellus		BOVA,HU6
040213		Ic	<a href="#">Owl, northern saw-whet</a>	Aegolius acadicus		BOVA,HU6
040422		Ic	<a href="#">Warbler, Wayne's</a>	Dendroica virens waynei	<a href="#">Potential</a>	Habitat,HU6
020063		Ia	<a href="#">Toad, oak</a>	Anaxyrus quercicus		HU6
040052		Ia	<a href="#">Duck, American black</a>	Anas rubripes		BOVA,HU6
040033		Ia	<a href="#">Egret, snowy</a>	Egretta thula		BOVA
040029		Ia	<a href="#">Heron, little blue</a>	Egretta caerulea caerulea		BOVA
040036		Ia	<a href="#">Night-heron, yellow-crowned</a>	Nyctanassa violacea violacea		BOVA
040114		Ia	<a href="#">Oystercatcher, American</a>	Haematopus palliatus		BOVA
040192		Ia	<a href="#">Skimmer, black</a>	Rynchops niger		BOVA
040181		Ia	<a href="#">Tern, common</a>	Sterna hirundo		BOVA,HU6
040320		Ia	<a href="#">Warbler, cerulean</a>	Setophaga cerulea		BOVA,HU6
040140		Ia	<a href="#">Woodcock, American</a>	Scolopax minor		BOVA,HU6
040203		Ib	<a href="#">Cuckoo, black-billed</a>	Coccyzus erythrophthalmus		BOVA
040105		Ib	<a href="#">Rail, king</a>	Rallus elegans		BOVA,HU6
040304		Ic	<a href="#">Warbler, Swainson's</a>	Limnothlypis swainsonii		BOVA,HU6

To view **All 625 species** [View 625](#)

\*FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FC=Federal Candidate; CC=Collection Concern

\*\*I=VA Wildlife Action Plan - Tier I - Critical Conservation Need; II=VA Wildlife Action Plan - Tier II - Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need; IV=VA Wildlife Action Plan - Tier IV - Moderate Conservation Need  
Virginia Wildlife Action Plan Conservation Opportunity Ranking:

a - On the ground management strategies/actions exist and can be feasibly implemented.;

b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.;

c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

[View Map of All Query Results from All Observation Tables](#)

Bat Colonies or Hibernacula: **Not Known**

Anadromous Fish Use Streams

N/A

**Impediments to Fish Passage**

N/A

**Colonial Water Bird Survey**

N/A

**Threatened and Endangered Waters**

N/A

**Managed Trout Streams**

N/A

**Bald Eagle Concentration Areas and Roosts**

N/A

**Bald Eagle Nests** ( 1 records )

[View Map of All Query Results  
Bald Eagle Nests](#)

Nest	N Obs	Latest Date	DGIF Nest Status	View Map
<a href="#">VB1102</a>	2	May 18 2011	RECENTLY ACTIVE	<a href="#">Yes</a>

Displayed 1 Bald Eagle Nests

**Species Observations** ( 60 records - displaying first 20 , 3  
Observations with Threatened or  
Endangered species )

[View Map of All Query Results](#)  
[Species Observations](#)

obsID	class	Date Observed	Observer	N Species			View Map
				Different Species	Highest TE *	Highest Tier **	
<a href="#">614010</a>	SppObs	Sep 2 2012	John ; Kleopfer  David ; Knepper	1	SE	II	<a href="#">Yes</a>
<a href="#">4933</a>	SppObs	Oct 11 1990	Don Schwab, VDGIF	1	SE	II	<a href="#">Yes</a>
<a href="#">62360</a>	SppObs	Sep 24 1999	Michael A. Yates	1	ST	I	<a href="#">Yes</a>
<a href="#">334023</a>	SppObs	Jan 1 1971	VPI-B-VA. POLY. INST.	9		III	<a href="#">Yes</a>
<a href="#">366453</a>	SppObs	Jan 1 1900		1		IV	<a href="#">Yes</a>
<a href="#">623378</a>	SppObs	Jul 30 2014	Cecilia ; Hatton	1			<a href="#">Yes</a>
<a href="#">623377</a>	SppObs	Jul 24 2014	Cecilia ; Hatton	1			<a href="#">Yes</a>
<a href="#">623521</a>	SppObs	Jul 9 2014	Cecilia ; Hatton	1			<a href="#">Yes</a>
<a href="#">621973</a>	SppObs	Jul 5 2014	Cecilia ; Hatton	2			<a href="#">Yes</a>
<a href="#">620257</a>	SppObs	Nov 23 2013	Amy; Johnson  Alexis; White	1			<a href="#">Yes</a>
<a href="#">604784</a>	SppObs	Sep 26 2008	Natasha Seibel	1			<a href="#">Yes</a>
<a href="#">605826</a>	SppObs	Sep 18 2008	Natasha Seibel	1			<a href="#">Yes</a>
<a href="#">607289</a>	SppObs	Sep 3 2008	Natasha Seibel	1			<a href="#">Yes</a>
<a href="#">607693</a>	SppObs	Aug 20 2008	Natasha Seibel	1			<a href="#">Yes</a>
<a href="#">602424</a>	SppObs	Jul 25 2008	Natasha Seibel	1			<a href="#">Yes</a>
<a href="#">607043</a>	SppObs	Jul 16 2008	Natasha Seibel	1			<a href="#">Yes</a>
<a href="#">602881</a>	SppObs	Jul 14 2008	Natasha Seibel	1			<a href="#">Yes</a>
		Jul 10					

<a href="#">605935</a>	SppObs	2008	Natasha Seibel	1			<a href="#">Yes</a>
<a href="#">321337</a>	SppObs	Oct 6 2007	MAYLON WHITE (PRINCIPLE PERMITTEE), VMSM	1			<a href="#">Yes</a>
<a href="#">321336</a>	SppObs	Aug 22 2007	MAYLON WHITE (PRINCIPLE PERMITTEE), VMSM	1			<a href="#">Yes</a>

Displayed 20 Species Observations

Selected 60 Observations [View all 60 Species Observations](#)

### Habitat Predicted for Aquatic WAP Tier I & II Species

N/A

### Habitat Predicted for Terrestrial WAP Tier I & II Species ( 4 Species )

[View Map of Combined Terrestrial Habitat Predicted for 4 WAP Tier I & II Species Listed Below](#)

ordered by Status Concern for Conservation

BOVA Code	Status *	Tier **	Common Name	Scientific Name	View Map
030013	SE	Ila	<a href="#">Rattlesnake, canebrake</a>	Crotalus horridus	<a href="#">Yes</a>
030067	CC	Ila	<a href="#">Terrapin, northern diamond-backed</a>	Malaclemys terrapin terrapin	<a href="#">Yes</a>
040422		Ic	<a href="#">Warbler, Wayne's</a>	Dendroica virens waynei	<a href="#">Yes</a>
050008			<a href="#">Shrew, Dismal Swamp southeastern</a>	Sorex longirostris fisheri	<a href="#">Yes</a>

### Virginia Breeding Bird Atlas Blocks ( 3 records )

[View Map of All Query Results](#)  
[Virginia Breeding Bird Atlas Blocks](#)

BBA ID	Atlas Quadrangle Block Name	Breeding Bird Atlas Species			View Map
		Different Species	Highest TE *	Highest Tier **	
62022	<a href="#">Pleasant Ridge, NE</a>	2			<a href="#">Yes</a>
62021	<a href="#">Pleasant Ridge, NW</a>	2			<a href="#">Yes</a>
62036	<a href="#">Princess Anne, SE</a>	59		III	<a href="#">Yes</a>

### Public Holdings:

N/A

### Summary of BOVA Species Associated with Cities and Counties of the Commonwealth of Virginia:

FIPS Code	City and County Name	Different Species	Highest TE	Highest Tier
810	<a href="#">Virginia Beach City</a>	556	FESE	I

**USGS 7.5' Quadrangles:**

Pleasant Ridge  
Princess Anne

**USGS NRCS Watersheds in Virginia:**

N/A

**USGS National 6th Order Watersheds Summary of Wildlife Action Plan Tier I, II, III, and IV Species:**

HU6 Code	USGS 6th Order Hydrologic Unit	Different Species	Highest TE	Highest Tier
AS13	<a href="#">Upper North Landing River</a>	86	FTSE	I
AS14	<a href="#">West Neck Creek</a>	83	FTSE	I

Compiled on 11/23/2016, 1:39:07 PM I784356.0 report=all searchType= R dist= 3218 poi= 36.7485690 -76.0675488

PixelSize=64; Anadromous=0.016443; BBA=0.053707; BECAR=0.014052; Bats=0.013389; Buffer=0.100207; County=0.083271; HU6=0.116155; Impediments=0.013519; Init=0.148515; PublicLands=0.026885; Quad=0.064784; SppObs=0.32562; TEWaters=0.023499; TierReaches=0.057333; TierTerrestrial=0.259636; Total=1.490373; Tracking\_BOVA=0.184683; Trout=0.025313; huva=0.054735



Department of Conservation & Recreation

CONSERVING VIRGINIA'S NATURAL & RECREATIONAL RESOURCES

## ***PROJECT INFORMATION***

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**TITLE:** VA Vet Center EA Virginia Beach

**DESCRIPTION:** Under the Proposed Action, DVS would construct a new 120-bed medical facility to provide nursing, memory loss care, and short-term rehabilitative care to veterans. The Veterans Care Center would provide dining, physical activity and physical therapy, entertainment and social event services to veterans in both indoor and outdoor spaces. The proposed facility would feature all private rooms organized into four neighborhoods that surround a central community center. The proposed project site is located near the intersection of West Neck Road and North Landing Road in the City of Virginia Beach. The property is being donated to DVS by the City of Virginia Beach. The 24-acre proposed project site is currently open agricultural field with wooded areas along the north and east. There is a narrow strip of trees along part of the western property boundary, and the property immediately to the west was recently graded and is planned for development. There is a 300-foot-wide strip of trees along the northern side of the project site, about half of which is in the project site boundary. The Virginia Beach National Golf Club golf course is located immediately north of this 300-foot strip of trees. The entire eastern boundary is bordered by woods, the majority of which are forested wetlands, as verified by the USACE in 2015. Forested wetlands occur within the project site boundary. To the south and southwest is residential housing, with backyards of seven homes bordering the project site. There is an existing man-made channel running in a straight line along the border of the farm field and the woods in the eastern portion of the project site.

**EXISTING SITE CONDITIONS:** Existing Agricultural

**QUADRANGLES:** Princess Anne, Pleasant Ridge

**COUNTIES:** City of Virginia Beach

**Latitude/Longitude (DMS):** 36°44'54.4280"N / 76°4'6.3162"W

Web Project ID: WEB0000006154

Client Project Number: 16-819

Acreage: 21 acres

Comments:

***REQUESTOR INFORMATION***

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Priority: N

Tier Level: Tier II

Tax ID:

Contact Name: Joanna Kimmel

Company Name: EEE Consulting, Inc.

Address: 201 Church Street, Suite C

City: Blacksburg

State: VA

Zip: 24060

Phone: (540) 953-0170 x304

Fax: (540) 953-0171

Email: [jkimmel@eee-consulting.com](mailto:jkimmel@eee-consulting.com)

Conservation Site	Site Type	Brank	Acreage	Listed Species Presence
NORTH LANDING RIVER: WEST NECK CREEK	Conservation Site	B4	7747	SL
NORTH LANDING RIVER: GUM SWAMP	Conservation Site	B2	12507	SL

Natural Heritage Screening Features within Search Radius

Site Name	Group Name	Common Name	Scientific Name	GRANK	SRANK	Fed Status	State Status	EO Rank	Last Obs Date	Precision
NORTH LANDING RIVER: WEST NECK CREEK	Vertebrate Animal	Canebrake Rattlesnake	<i>Crotalus horridus</i> [Coastal Plain population]	G4T4	S1		LE	C	2012-09-02	M
NORTH LANDING RIVER: WEST NECK CREEK	Natural Community	Southern Coastal Plain Mesic Mixed Hardwood Forest	<i>Fagus grandifolia</i> - <i>Quercus</i> ( <i>alba</i> , <i>nigra</i> , <i>michauxii</i> ) / <i>Symplocos tinctoria</i> - ( <i>Stewartia malacodendron</i> ) Forest	G3	S2S3			C	2011-09-14	
NORTH LANDING RIVER: WEST NECK CREEK	Invertebrate Animal	Southeastern Cane Borer Moth	<i>Papaipema</i> sp. 3	G4	S2S3			C	2010-10-06	
NORTH LANDING RIVER: WEST NECK CREEK	Vascular Plant	Virginia Least Trillium	<i>Trillium pusillum</i> var. <i>virginianum</i>	G3T2	S2	SOC		E	1993-04-15	S

Natural Heritage Resources within Search Radius

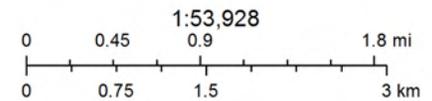
Intersecting Predictive Models

Predictive Model Results

# VA Vet Center EA Virginia Beach



- Project Area
- Buffered
- Conservation Site



Quads: Princess Anne, Pleasant Ridge  
 Counties: City of Virginia Beach

Company: EEE Consulting, Inc.  
 Lat/Long: 364454 / -760406



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF CONSERVATION AND RECREATION

The project mapped as part of this report has been searched against the Department of Conservation and Recreation's Biotics Data System for occurrences of natural heritage resources from the area indicated for this project. 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 Biotics files, NATURAL HERITAGE RESOURCES HAVE BEEN DOCUMENTED within two miles of the indicated project boundaries and/or POTENTIAL HABITAT FOR NATURAL HERITAGE RESOURCES intersect the project area.

You have submitted this project to DCR for a more detailed review for potential impacts to natural heritage resources. DCR will review the submitted project to identify the specific natural heritage resources in the vicinity of the proposed project. Using the expertise of our biologists, DCR will evaluate whether your specific project is likely to impact these resources, and if so how. DCR's response will indicate whether any negative impacts are likely and, if so, make recommendations to avoid, minimize and/or mitigate these impacts. If the potential negative impacts are to species that are state- or federally-listed as threatened or endangered, DCR will also recommend coordination with the appropriate regulatory agencies: the Virginia Department of Game and Inland Fisheries for state-listed animals, the Virginia Department of Agriculture and Consumer Services for state-listed plants and insects, and the United States Fish and Wildlife Service for federally listed plants and animals. If your project is expected to have positive impacts we will report those to you with recommendations for enhancing these benefits.

**There will be a charge for this service for "for profit companies": \$60, plus an additional charge of \$35 for 1-5 occurrences and \$60 for 6 or more occurrences.**

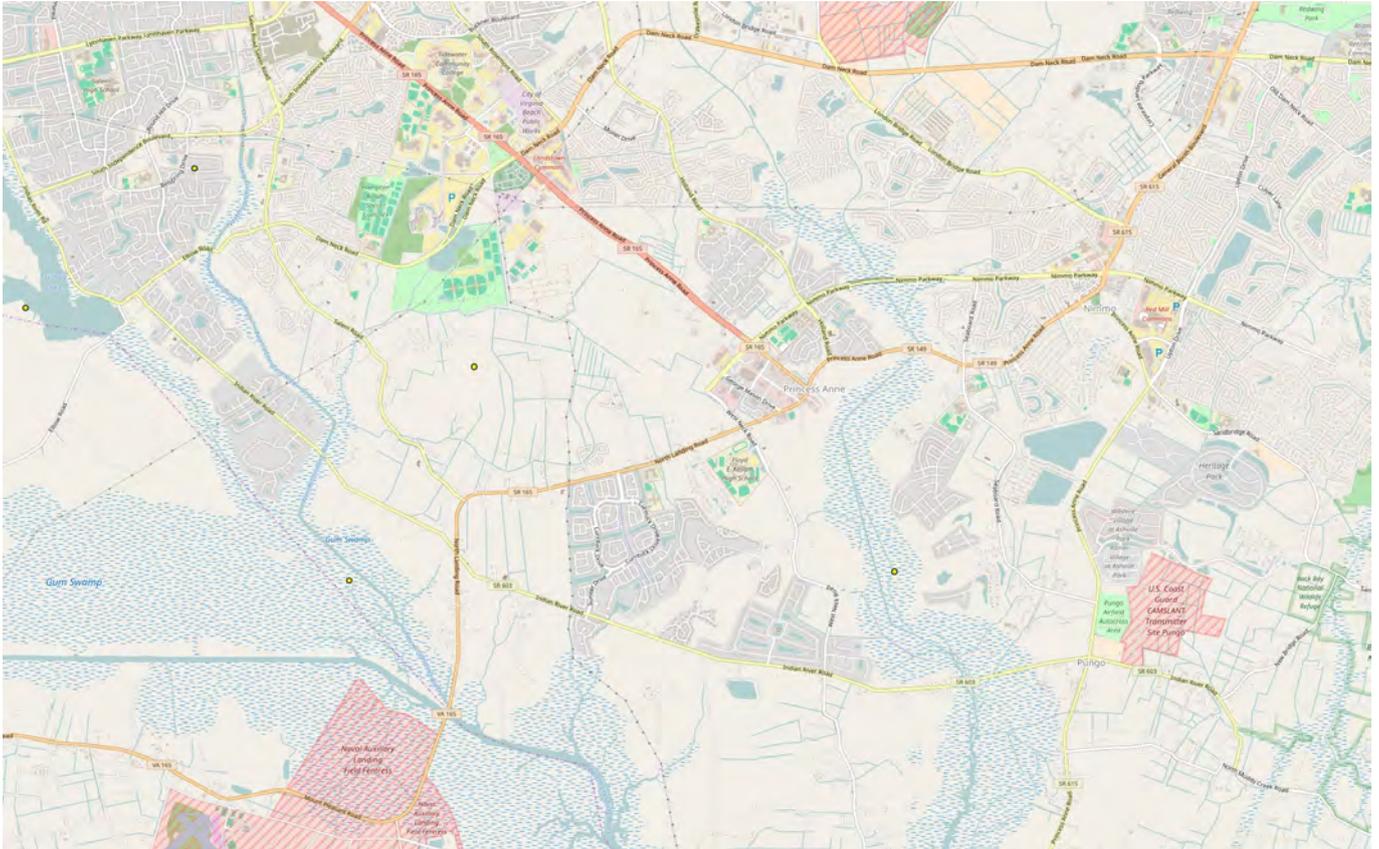
Please allow up to 30 days for a response, unless you requested a priority response (in 5 business days) at an additional surcharge of \$500. An invoice will be provided with your response.

We will review the project based on the information you included in the Project Info submittal form, which is included in this report. Also any additional information including photographs, survey documents, etc. attached during the project submittal process and/or sent via email referencing the project title (from the first page of this report).

Thank you for submitting your project for review to the Virginia Natural Heritage Program through the NH Data Explorer. Should you have any questions or concerns about DCR, the Data Explorer, or this report, please contact the Natural Heritage Project Review Unit at 804-371-2708.



# CCB Mapping Portal



**Layers:** VA Eagle Nest Locator

**Map Center [longitude, latitude]:** [-76.06907844543457, 36.74538376031243]

**Map Link:**

[http://www.ccbbirds.org/maps/#layer=VA+Eagle+Nest+Locator&zoom=14&lat=36.74538376031243&lng=-76.06907844543457&legend=legend\\_tab\\_7c321b7e-e523-11e4-aaa0-0e0c41326911&base=Street+Map+%28OSM%29](http://www.ccbbirds.org/maps/#layer=VA+Eagle+Nest+Locator&zoom=14&lat=36.74538376031243&lng=-76.06907844543457&legend=legend_tab_7c321b7e-e523-11e4-aaa0-0e0c41326911&base=Street+Map+%28OSM%29)

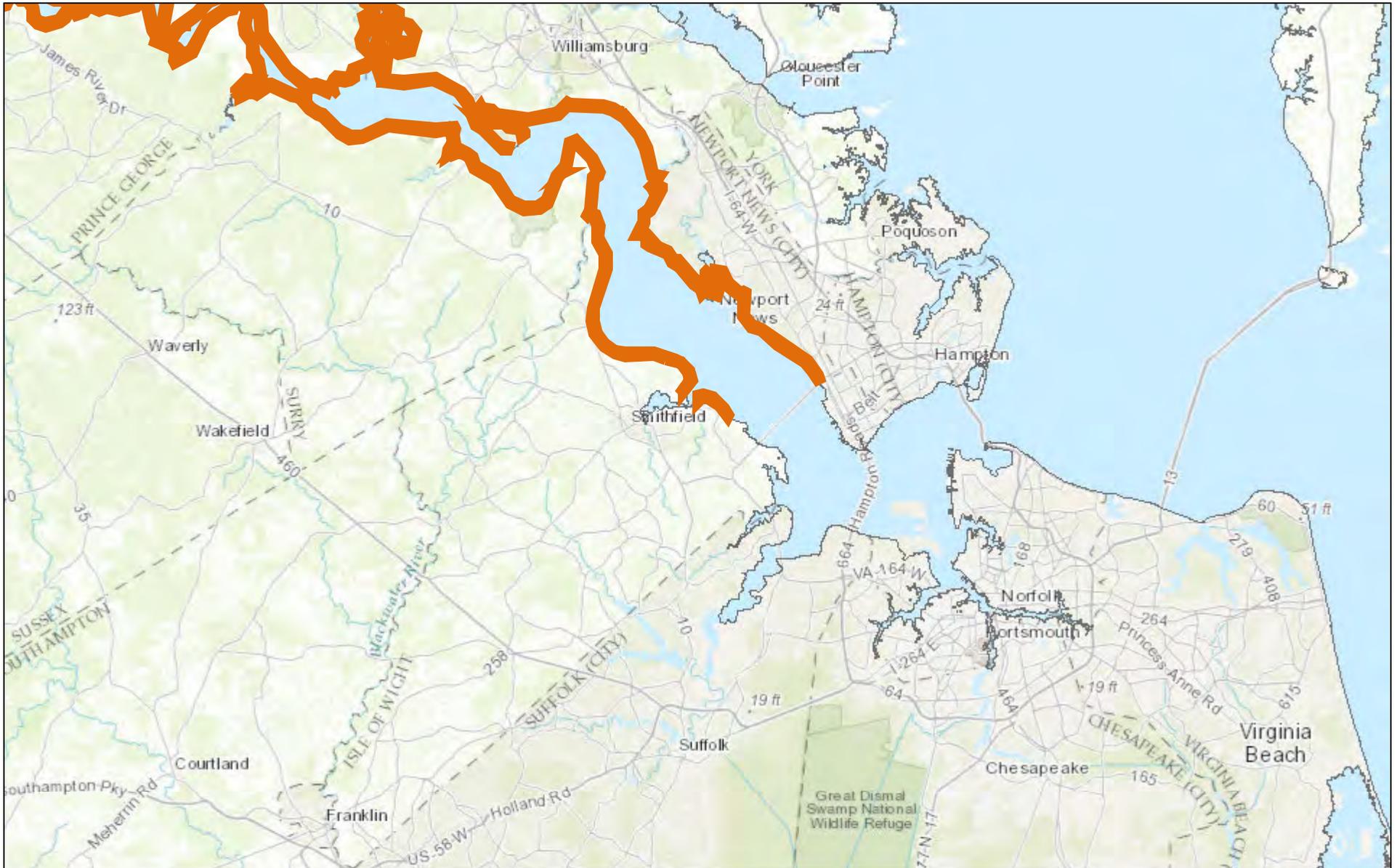
**Report Generated On:** 11/30/2016

The Center for Conservation Biology (CCB) provides certain data online as a free service to the public and the regulatory sector. CCB encourages the use of its data sets in wildlife conservation and management applications. These data are protected by intellectual property laws. All users are reminded to view the [Data Use Agreement](#) to ensure compliance with our data use policies. For additional data access questions, view our [Data Distribution Policy](#), or contact our Data Manager, Marie Pitts, at [mlpitts@wm.edu](mailto:mlpitts@wm.edu) or 757-221-7503.

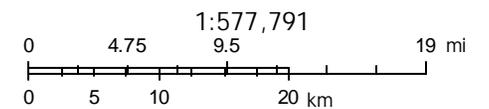
Report generated by [The Center for Conservation Biology Mapping Portal](#).

To learn more about CCB visit [ccbbirds.org](http://ccbbirds.org) or contact us at [info@ccbbirds.org](mailto:info@ccbbirds.org)

# VA Bald Eagle Concentration Areas

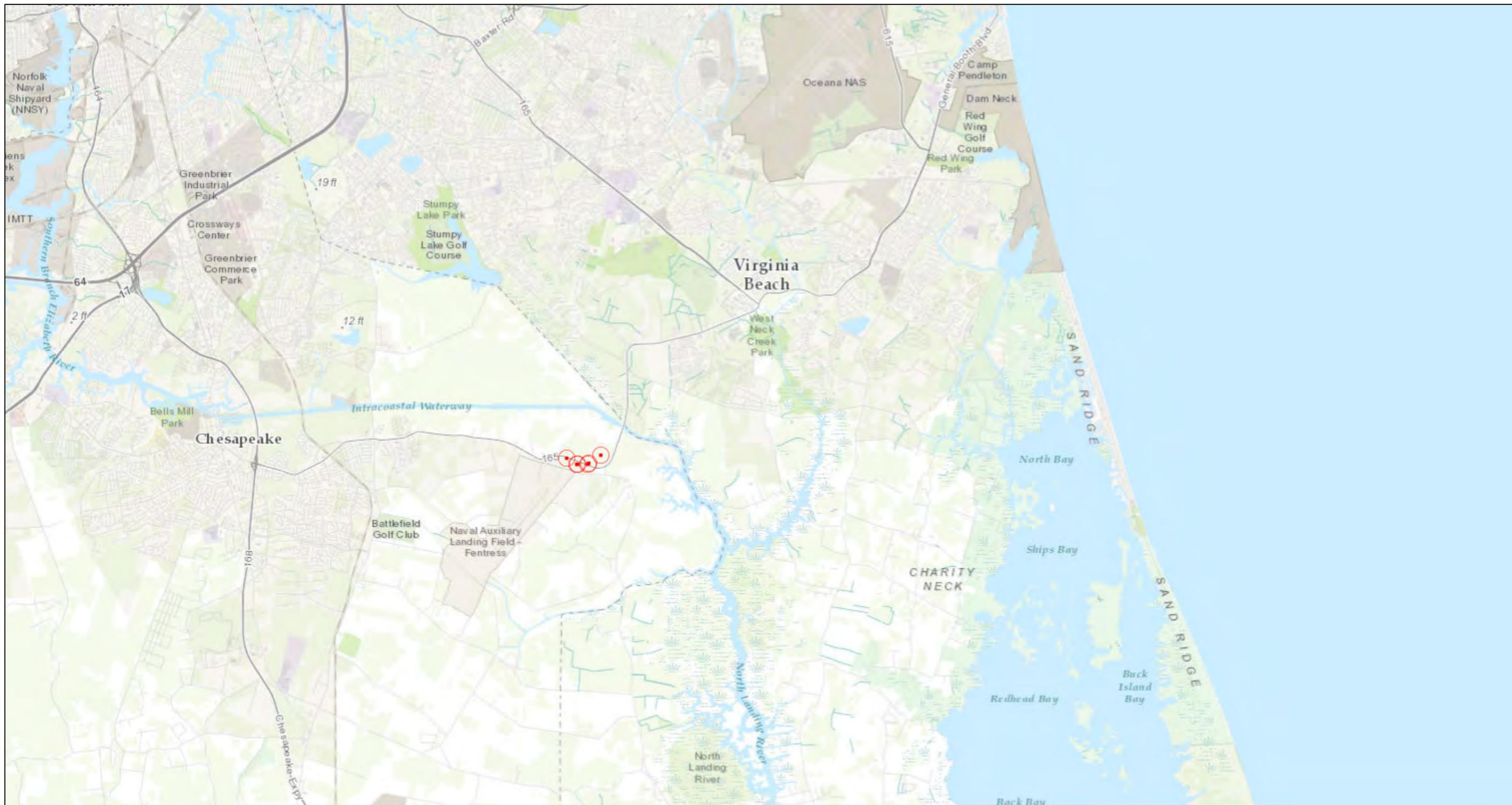


November 30, 2016



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey,

# NLEB Locations and Roost Trees



November 30, 2016

 NLEB Maternity Roost

1:144,448



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS

Species Conclusions Table

Project Name: Virginia Beach Veterans Care Center EA

Date: **January 25, 2017**

Species / Resource Name	Conclusion	ESA Section 7 / Eagle Act Determination	Notes / Documentation
Northern long-eared bat ( <i>Myotis septentrionalis</i> )	Suitable general summer habitat present. No winter hibernacula or known occupied maternity roost trees present.	May affect - Not likely to adversely affect.	<b>Neither DCR NHDE nor the VDGIF database search results indicated confirmed NLEB occurrences within a 2-mile radius of the action area. No known hibernacula are within 5.5 miles of the action area; no known occupied maternity roost trees are within 150 feet of the action area. Up to 3.5 acres of trees would be permanently removed for construction; all other trees would remain. If new NLEB hibernacula and roost tree locations are identified at a later time within 5.5 miles and 150 feet of the action area, respectively, DVS would implement a TOYR for any tree removal. If the TOYR could not be adhered to, DVS would rely on the 1/5/2016 Programmatic Biological Opinion for Final 4(d) Rule on the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions to fulfill their project-specific section 7 responsibilities.</b>
Critical Habitat	No critical habitat present.	No effect.	Action area is located in Virginia Beach and does not intersect Critical Habitat, which is only located in Bland, Lee, Scott, Smyth, Russell, Tazewell, Washington, Wise, and Wythe Counties in Virginia.
Bald Eagle	Unlikely to disturb nesting bald eagles. Does not intersect with an eagle concentration area.	No Eagle Act permit required.	<b>Action area is not located with 660' of a bald eagle nest. The nearest nest is over 1.5 miles northwest of the action area.</b>