

Finding of No Significant Impact

Environmental Assessment for Airspace Modification at Fort A.P. Hill, Virginia

Pursuant to the Council on Environmental Quality Regulations (CEQ) (40 CFR 1500-1508) for implementing the procedural provisions of the National Environmental Policy Act of 1969, as amended, (NEPA); and, 32 CFR 651 (*Environmental Analysis of Army Actions*), United States Army Garrison Fort A.P. Hill (Fort A.P. Hill) and the Federal Aviation Administration (FAA) have prepared an Environmental Assessment (EA) for the potential environmental, cultural, and socioeconomic effects of the Selected Action to modify the restricted airspace over Fort A.P. Hill, Virginia. The EA is incorporated into this finding.

Selected Action

The Selected Action will modify the restricted airspace (R-6601) over Fort A.P. Hill. The current restriction extends to an altitude of 5,000 feet relative to mean sea level (msl). The new restricted area will be divided into three shelves:

- A. Surface to 4,500 feet msl (R-6601A);
- B. 4,501 feet msl to 7,500 feet msl (R-6601B); and,
- C. 7,501 feet msl to 9,000 feet msl (R-6601C).

Along with decreasing the restricted altitude from 5,000 feet msl to 4,500 feet msl, the Selected Action will extend the established operational hours from 11:00 PM until 2:00 AM. The two other shelves (R-6601B and C) will be activated by Notice to Airmen (NOTAM) 24 hours in advance.

Alternatives Considered

A number of options, along with the No Action Alternative, were considered by Fort A.P. Hill and the FAA for the airspace modification, as part of the NEPA process. Options that did not meet the purpose and need, the screening criteria, or had too great of an environmental impact, were not considered for further analysis in the attached EA. A complete description of the alternatives considered for the project is included in Section 3.0 of the attached EA.

Factors Considered in Determining that the Project Would Not Cause Significant Adverse Impacts

The analysis included in the attached EA concluded that there will be no significant impacts as a result of modifying the airspace over Fort A.P. Hill. The CEQ significance criteria are listed below along with a brief explanation of how the project will adhere to these standards. References to the attached EA are provided where appropriate.

1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

The Selected Action will result in short-term adverse impacts to aesthetic resources. The Selected Action also will result in beneficial impacts to land use, transportation, and safety. These impacts are described in greater detail in Section 4.0 and summarized in Section 4.5 of the attached EA. The adverse impacts will be minor in nature and will not outweigh the benefit that the Army and FAA will gain through the modification of restricted airspace over Fort A.P. Hill.

2) The degree to which the Selected Action affects public health or safety.

Section 4.4.5 of the attached EA addresses Safety. The findings of this section indicate that safety within the study area will be improved by creating more restricted airspace for the use of all types of surface to surface weaponry. The use of high angle weaponry will comply with all Army and FAA safety regulations, avoiding any potential impact to public health or safety.

The Army and FAA provided a 30-day comment period following the mailing of scoping letters to agencies, groups, and individuals included on the Fort A.P. Hill mailing list (Appendix C of the EA) on October 4, 2011. During that time, the Army received eight pieces of correspondence. Five pieces of correspondence came from Federal and State regulatory agencies and confirmed the resource conditions documented in the attached EA and/or outlined the appropriate review process for the completed EA. The other three pieces of correspondence were submitted by individuals. Two of these individual pieces of correspondence noted no objections to the proposal, while the third noted the impact low flying aircraft currently have on the surrounding community.

The Army and FAA provided another comment period following the public release of the attached EA. During that time, the Army received three pieces of correspondence. One piece of correspondence came from the Fredericksburg Regional Chamber of Commerce and supported the Selected Action. The second piece of correspondence came from the Virginia Department of Environmental Quality (DEQ) and summarized comments by State agencies. These comments noted no objections to the Selected Action and recommendations for continued coordination with regulatory agencies. The final piece of correspondence received by the Army noted the impact low flying aircraft currently have on the surrounding community.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The study area contains or is adjacent to cultural resources, wetlands, and threatened and endangered species habitat. The existing condition of these resources, however, would remain unchanged through the implementation of the Selected Action, as described in sections 4.2.6, 4.3.4, and 4.3.3, respectively.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The Army and FAA provided a 30-day comment period following the mailing of scoping letters to agencies, groups, and individuals included on the Fort A.P. Hill mailing list (Appendix C of the EA) on October 4, 2011. During that time, the Army received eight pieces of correspondence. Five pieces of correspondence came from Federal and State regulatory agencies and confirmed the resource conditions documented in the attached EA and/or outlined the appropriate review process for the completed EA. The other three pieces of correspondence were submitted by individuals. Two of these individual pieces of correspondence noted no objections to the proposal, while the third noted the impact low flying aircraft currently have on the surrounding community.

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5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The Selected Action has been thoroughly reviewed by specialists in the Army and FAA to ensure that it conforms to all Army and FAA regulations. The document also has been reviewed by Virginia DEQ and other regulatory agencies. There are no uncertain, unknown, or unique risks associated with the Selected Action.

- 6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.**

The Selected Action is similar to many other existing and future actions taken by other Department of Defense installations. It does not establish a precedent or represent a decision in principle about future considerations.

- 7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.**

The Selected Action contains all elements necessary to modify the restricted airspace over Fort A.P. Hill. No additional actions will be necessary. Section 4.6 of the attached EA addresses cumulative impacts. The Selected Action, in combination with any cumulative action, will not result in any significant impact to the environment.

- 8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.**

Modification to the restricted airspace over Fort A.P. Hill would not result in changes to existing impacts on terrestrial resources, nor would it increase impacts from aerial activities on these resources. Therefore, the attached EA determined that there would be no impact on cultural or historic resources.

- 9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.**

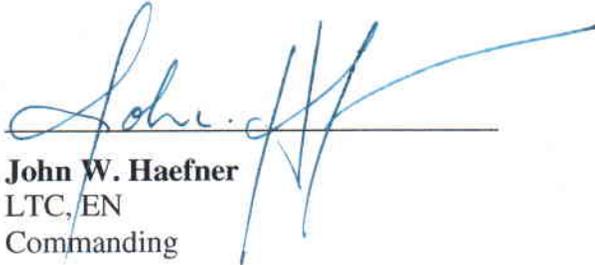
The Federally-threatened swamp pink (*Helonais bullata*) and small whorled pogonia (*Isotria medeoloides*) have been confirmed to occur within Fort A.P. Hill. In addition the bald eagle (*Haliaeetus leucocephalus*) and Bachman's sparrow (*Aimophila aestivalis*) has been identified (Section 4.3.3 of the attached EA). None of these species would be impacted by the modification of the restricted airspace over Fort A.P. Hill. Virginia Department of Conservation and Recreation Natural Heritage Division confirmed this analysis in their comments following review of the attached EA.

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The Selected Action is in compliance with all Federal, State, and local laws and regulations.

Conclusion

I have reviewed the Environmental Assessment for Airspace Modification, the information provided by interested parties, and the information contained in this Finding of No Significant Impact, and I find that the Airspace Modification will not significantly affect the quality of the human environment. Therefore, preparation of an Environmental Impact Statement, pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, is not required.



John W. Haefner
LTC, EN
Commanding

5 JUNE 2012

Date

Comments Submitted During the Public Review of the EA

Mr. Ted Hontz, Chairman, Fredericksburg Regional Chamber of Commerce Military Affairs Council (Comment #0001): The Military Affairs Council supports the change that will enhance the value of training by permitting high-angle indirect fire by units and personnel training at Fort A.P. Hill.

Response: Comment noted.

Ms. Ellie Irons, Virginia Department of Environmental Quality (DEQ) Office of Environmental Impact Review (Comment #0002): The DEQ Northern Regional Office (NRO) states that as proposed any appreciable impacts the project will have on programs that are overseen by NRO have been adequately addressed. Should there be substantive changes to the project, further review may be required.

Response: Comment noted.

Ms. Ellie Irons, DEQ Office of Environmental Impact Review (Comment #0003): DCR DNH states that the Biotics Data System documents the presence of natural heritage resources in the project area. However, due to the scope of the activity and the distance to the resources, DCR DNH does not anticipate that this project will adversely impact these natural heritage resources.

Response: Comment noted.

Ms. Ellie Irons, DEQ Office of Environmental Impact Review (Comment #0004): Since new and updated information is continually added to the Biotics Data System, contact DCR DNH for updated information if a significant amount of time passes before a project discussed in the plan is implemented.

Response: Comment noted.

Ms. Ellie Irons, DEQ Office of Environmental Impact Review (Comment #0005): Coordinate with the Department of Game and Inland Fisheries (DGIF) to ensure compliance with the Virginia Endangered Species Act due to the legal status of the bald eagle and Bachman's sparrow.

Response: Comment noted.

Ms. Ellie Irons, DEQ Office of Environmental Impact Review (Comment #0006): The VDOT Fredericksburg District Planning Section states that the proposed action should not have significant adverse impacts upon existing or proposed state highways in the area.

Response: Comment noted.

Ms. Ellie Irons, DEQ Office of Environmental Impact Review (Comment #0007): DOAv states that it assumes that by the addition of the other two restricted areas (R-6601B and R-6601C) there would be additional impact with respect to air traffic and airspace use. The EA identifies impacts using Victor Airway V376 and commercial air traffic using larger international airports near Richmond and Washington, D.C. DOAv requested additional information regarding to what extent instrument approach procedures or enroute vectoring altitudes would be affected by the modification of restricted airspace over A.P. Hill.

Response: On May 14, 2012, the Army submitted (email, K. Brown/J. Wellman) the following information (see DEQ correspondence in Appendix A of the attached EA) to address DOAv's request. DEQ submitted this information to DOAv on the same day but has not received a response.

Ms. Ellie Irons, DEQ Office of Environmental Impact Review (Comment #0008): Based on the information provided in the draft EA and FCD, and the comments of agencies administering the enforceable policies of the VCP, DEQ concurs with the Army that the proposed activity is consistent with the VCP. DEQ has no objection to the implementation of the proposed action provided that the Army ensures that the proposed action is consistent with the enforceable policies and that this project is constructed and operated in accordance with all applicable federal, state and local laws and regulations. However, there may be other applicable state and federal requirements that are not included in the stat's concurrence with the FCD.

Response: Comment noted.

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0009): The US Army EA documents that the vast majority of land surrounding FAPH is for non-residential use. The EA identifies that there are few geographical exceptions. The towns of Bowling Green and Port Royal. The areas of anticipated residential development, i.e. Skinners Neck. However, the US Army continues its practice of omitting the location of the Portobago Bay community adjacent to FAPH, a community larger than the Town of Port Royal. (Note: this continuing omission was a highly visible issue several years ago in the public debate over the Explosive Ordnance Demolition (EOD) EA.) As the current pending EA details, the vast non-residential areas surrounding FAPH provide abundant airspace for the Army to access FAPH.

Response: Comment noted. Language used in the EA was not designed to omit other developed locations around Fort A.P. Hill. Portobago Bay is not an incorporated area and does not show up as a town or location on any area maps. Standard area maps in a GIS format were used as the basis of the EA maps.

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0010): It is as a matter of public record in recent years that the US Army has actively supported the acquisition of residential development rights on thousands of acres of land surrounding FAPH. One example: thousands of acres immediately to the east and south of Portobago Bay. Owners of the tracts that make up this acreage on either side of Route 17 south of Portobago Bay and FAPH have sold their residential development rights through a program sponsored by the US Army. Army use of the airspace over these non-residential lands to access FAPH neither disturbs nor threatens the safety of residential areas below.

Response: Fort A.P. Hill has designated courtesy “no fly zones” over Towns of Bowling Green and Port Royal. Military pilots are advised to avoid those airspaces when possible, however, this is solely determined by the unit’s mission and need to train in those areas. Airspace off the garrison is controlled by the Federal Aviation Administration (FAA) and FAPH does not conduct flight following or have air traffic control, thus we are unable to monitor aircraft actions once under FAA purview.

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0011): The Army EA identifies no special FAPH airspace access issues or requirements along either the eastern or southern boundaries of FAPH. While the EA does mention civilian aircraft noise issues in others areas, including Bowling Green, it omits that it is a matter of record that over the years helicopter flights over the Portobago Bay community have prompted complaints to the Army. The Portobago Bay community continues to strongly object to continuing and unnecessary military flights in the airspace over its community.

Response: Comment noted.

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0012): The Army EA identifies no special FAPH airspace access issues or requirements along either the eastern or southern boundaries of FAPH. While the EA does mention civilian aircraft noise issues in others areas, including Bowling Green, it omits that it is a matter of record that over the years helicopter flights over the Portobago Bay community have prompted complaints to the Army. The Portobago Bay community continues to strongly object to continuing and unnecessary military flights in the airspace over its community.

Response: Comment noted. Language used in the EA was not designed to omit other developed locations around Fort A.P. Hill. Portobago Bay is not an incorporated area and does not show up as a town or location on any area maps. Standard area maps in a GIS format were used as the basis of the EA maps

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0013): Portobago Bay is located outside the southeast corner of FAPH. There are spacious non-residential areas of access to FAPH on the eastern side of FAPH adjacent to Portobago Bay and additional extended non-residential areas of access on the southern side of FAPH, also immediately adjacent to Portobago Bay. The Army has been a party in recent years to the acquisition of the residential development rights on the land to the south.

Response: Comment noted.

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0014): The Army has no need to use the relatively narrow Portobago Bay community airspace to access FAPH and should as a matter of policy cease to do so. Current flights directly over Portobago Bay, primarily helicopter, are disruptive. They create unnecessary noise, disturb sleep and on occasion, vibrate belongings on tables and in cabinets. They also pose a threat to the safety of families as evidenced by the recent Oceana air crash. That crash has been attributed to mechanical failure, an accident no one can guarantee could not happen over Portobago Bay. Given the open, expansive non-residential areas to either side of Portobago Bay and surrounding FAPH there is no reason for the Army to continue accessing FAPH over the Portobago Bay community.

Response: Comment noted.

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0015): Therefore, the US Army's FONSI to modify its restricted use of airspace over FAPH should also include a no-fly zone in the airspace over the Portobago Bay community. To do so would implement the Army's good neighbor policy on a matter of significant concern to the Portobago Bay community without having an impact on the Army's training missions and air access to FAPH.

Response: Comment noted.

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0016): The Army EA concludes that there will be no significant changes in noise levels but nothing in the EA can support this basis for its conclusion.

Response: Comment noted. The EA cites the approved 2011 Fort A.P. Hill Operational Noise Management Plan as the source and basis for its analysis related to noise .

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0017): The PBHOA opposes increases in the volume of training noise and reserves all of its rights to oppose increased noise levels that may result from the proposed changes.

Response: Comment noted.

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0018): The Army EA concerning its change in airspace restrictions changes nighttime training hours, extending them from 11 pm to 2 am. The Army provides no analysis or evaluation of the policy change and its impact on neighboring communities. Nor does the Army set forth enforcement policies and procedures. Therefore, the change cannot stand.

Response: Comment noted. The EA states that the Army will retain control over the referenced portion of airspace until 2:00 AM. The EA makes clear that the Selected Action will not result in changes to the timing of training activities within Fort A.P. Hill.

Mr. John Lampmann, President, Portobago Bay Homeowners Association (Comment #0019): The PBHOA opposes an extension of nighttime training to 2 am in the morning on the basis of current neighborhood nighttime training noise issues and the lack of an impact analysis. The PBHOA reserves all of its rights to oppose the extension of nighttime training noise.

Response: Comment noted. See response to previous comment.

Comments Submitted During the Initial Scoping Period for the EA

Mr. Richard Criqui, Jr., Environmental Engineer Senior, DEQ Hazardous Waste Program (Comment #0020): The staff of the DEQ's DLPR has no comments regarding the proposed action at this time (as the described proposal) does not have the potential to impact any solid or hazardous waste sites at Fort A. P. Hill. The DEQ DLPR staff will provide comments regarding potential solid and hazardous waste facilities at Fort A.P. Hill if the future Environmental Assessment (EA) submitted for review indicates that any action under this proposal would potentially impact solid and/or hazardous waste sites identified in the DEQ's databases regarding Fort A. P. Hill facility.

Response: Comment noted.

Mr. James T. Heimbach, Ph.D, F.A.C.N. (Comment #0021): First, I have reviewed the request for comments and my comment is that I have no objection to the proposed modification as it stands and see no need for changes in the plan. I imagine that you'll receive a formal response from the Port Royal Town Council, but we don't meet until Oct. 18.

Response: Comment noted.

Mr. Andy Hoffman, Refuge Manager, Eastern Virginia Rivers National Wildlife Refuge Complex (Comment #0022): Based on the information provided on the letter, we do not currently have any comments on the project; however, we look forward to reviewing the proposed project and providing input on listed or rare species or sensitive and important habitats.

Response: Comment noted.

Mr. Hart Rutherford, Chairman, Fredericksburg Regional Chamber of Commerce (Comment #0023): While it would be inappropriate for us to comment directly on this specific issue, we appreciate the information as we continue to carry out the MAC's mission in support of our military bases.

Response: Comment noted.

Mr. Bill Sparks (Comment #0024): Increasing the airspace is fine. You boys have some fun ☺!!

Response: Comment noted.

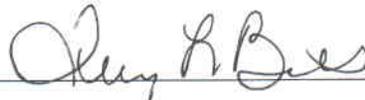
Ms. Sandra Thacker, Superintendent, Peumansend Creek Regional Jail (Comment #0025): Currently, your flights above jail property are very disruptive and loud, especially the helicopter traffic. To increase these disruptions would have an adverse impact on jail operations.

Response: Comment noted. The Selected Action addresses the areas contained in the restricted airspace over Fort A.P. Hill. It does not result in a change to the frequency of training activities.

Environmental Assessment U.S. Army Garrison Fort A.P. Hill Airspace Modification

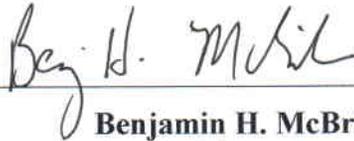
June 2012

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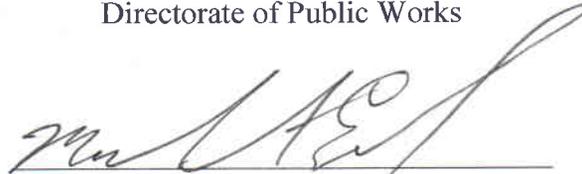


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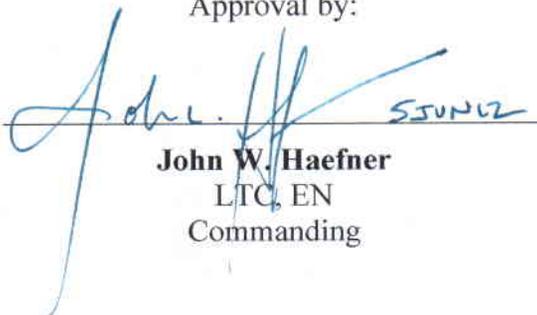


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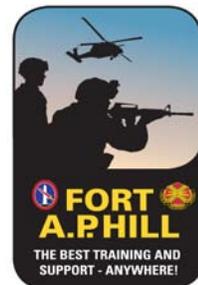


John W. Haefner
LTC, EN
Commanding

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Environmental Assessment for Airspace Modification



**U.S. Army Garrison Fort A.P. Hill
Bowling Green, Virginia
and the
Federal Aviation Administration**

June 2012

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Executive Summary

Introduction

United States Army (Army) Garrison Fort A.P. Hill (Fort A.P. Hill or the installation) is situated within the boundaries of Caroline County, Virginia, along U.S. Route 301 (Route 301), just a short distance from the Interstate 95 (I-95) corridor. The installation is located 20 miles southeast of Fredericksburg, Virginia, midway between Richmond, Virginia, and the Washington, D.C. metropolitan area. To the south and west, the installation is bordered by forest, farmland, and the Town of Bowling Green. Forests, farmland, and the Town of Port Royal lie to the east and north.

The Army operates Fort A.P. Hill to provide realistic joint and combined arms training support to the United States' defense forces. This includes the use of various artillery that target the existing duded impact areas in the southern end of the installation. Helicopters and fixed-wing aircraft also use the duded impact areas. These live fire activities are conducted within the Army's restricted airspace over Fort A.P. Hill. This airspace is contained beneath an altitude of 5,000 feet relative to mean sea level (msl). In order to provide the necessary training to meet the mission and goals of Fort A.P. Hill, the Army is proposing to modify the restricted airspace over the installation.

This Environmental Assessment (EA) addresses the proposal to modify the restricted airspace over Fort A.P. Hill, as well as the potential impacts to the physical, biological, and human environments in and around Fort A.P. Hill. This document has been prepared in accordance with the National Environmental Policy Act of 1969, as amended (NEPA); regulations of the Council on Environmental Quality (CEQ) (40 CFR 1508.9); and Title 32, CFR Part 651, Environmental Analysis of Army Actions.

Proposed Action and Alternatives

The Proposed Action would modify the restricted airspace (R-6601) over Fort A.P. Hill. The current restriction extends to an altitude of 5,000 feet msl. The proposed restricted area would be divided into three shelves:

- A. Surface to 4,500 feet msl (R-6601A);
- B. 4,501 feet msl to 7,500 feet msl (R-6601B); and,
- C. 7,501 feet msl to 9,000 feet msl (R-6601C).

The modification would prevent public use of the lowest shelf (R-6601A) from 7:00 AM to 2:00 AM daily and other times by NOTAM 24 hours in advance. The two other shelves (R-6601B and C) would be activated by NOTAM 24 hours in advance. The change in airspace would not alter the frequency or type of training currently conducted at Fort A.P. Hill.

Along with the Proposed Action, this EA considers a No Action Alternative. Inclusion of the No Action Alternative is required by Council on Environmental Quality (CEQ) regulations and serves as the benchmark against which Federal actions can be evaluated. Under the No Action Alternative, Fort A.P. Hill and the FAA would not modify the restricted airspace over the installation. Fort A.P. Hill would continue to conduct its

current training activities, but would be limited by the restriction. When necessary, Fort A.P. Hill would continue to obtain special clearance from the FAA to extend above the existing restricted airspace. Other options that are not evaluated in detail in the EA are discussed, as are the criteria that were used to eliminate them from further consideration.

Environmental Consequences

Implementing the Proposed Action would be expected to result in both short- and long-term impacts on environmental resources and conditions. The EA does not identify the need for any mitigation measures, outside of those included in the Proposed Action.

Table ES-1 provides a summary of the environmental consequences related to each alternative. A more detailed explanation of impacts is presented in Chapter 4.

Conclusions

On the basis of the analyses performed in this EA, implementation of the Proposed Action would have no significant direct, indirect, or cumulative impacts on the quality of the natural or human environment. Preparation of an Environmental Impact Statement (EIS) is not required.

Table ES-1: Summary of Environmental Consequences

Resource	Overall Impact of Proposed Action	Overall Impact of No Action Alternative
Soils, Topography, and Geology	No impact	No impact
Floodplains	No impact	No impact
Water Resources	No impact	No impact
Air Quality	No impact	No impact
Noise	No impact	No impact
Cultural Resources	No impact	No impact
Hazardous Materials	No impact	No impact
Aesthetic Resources	Long-term, minor, adverse	No impact
Vegetation	No impact	No impact
Fish and Wildlife	No impact	No impact
Threatened and Endangered Species	No impact	No impact
Wetlands	No impact	No impact

Table ES-1: Summary of Environmental Consequences

Resource	Overall Impact of Proposed Action	Overall Impact of No Action Alternative
Land Use	Long-term, minor, beneficial	Long-term, minor, adverse
Transportation	Long-term, minor, beneficial	No impact
Utilities and Energy Conservation	No impact	No impact
Population and Economics	No impact	No impact
Safety	Long-term, minor, beneficial	No impact
Cumulative Impacts	Both the Proposed Action and the No Action Alternative would contribute to cumulative impacts related to the resources discussed above.	

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APPENDICES

Appendix

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Acronyms and Abbreviations

ALZ	assault landing zone
Army	U.S. Army
CEQ	Council on Environmental Quality
CZMA	Coastal Zone Management Act
CZMP	Coastal Zone Management Program
DCA	Reagan National Airport
DCR	Virginia Department of Conservation and Recreation
DEQ	Virginia Department of Environmental Quality
DGIF	Virginia Department of Game and Inland Fisheries
DHR	Virginia Department of Historic Resources
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
ESC	Erosion and Sediment Control
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FNSI	Finding of No Significant Impact
Fort A.P. Hill	U.S. Army Garrison Fort A.P. Hill
GAO	Government Accounting Office
I-95	Interstate 95
ICRMP	Integrated Cultural Resource Management Plan
INRMP	Integrated Natural Resource Management Plan
installation	U.S. Army Garrison Fort A.P. Hill
msl	relative to mean sea level
National Register	National Register of Historic Places
NEPA	National Environmental Policy Act of 1969, as amended
NOTAM	Notice to Airmen
NPDES	National Pollutant Discharge Elimination System

NRCS	U.S. Department of Agriculture's Natural Resources Conservation Service
NZ	Noise Zone
ONMP	Operational Noise Management Plan
RIC	Richmond International Airport
Route 301	U.S. Route 301
TBT	Tributyltin
TMDL	Total Maximum Daily Load
VOR	VHF Omnidirectional Range navigation system
VPDES	Virginia Pollutant Discharge Elimination System
VSMP	Virginia Stormwater Management Program

1.0 Purpose and Need for Action

1.1 Introduction and Scope of the Document

United States Army (Army) Garrison Fort A.P. Hill (Fort A.P. Hill or the installation) is situated within the boundaries of Caroline County, Virginia, along U.S. Route 301 (Route 301), just a short distance from the Interstate 95 (I-95) corridor. The installation is located 20 miles southeast of Fredericksburg, Virginia, midway between Richmond, Virginia, and the Washington, D.C. metropolitan area. To the south and west, the installation is bordered by forest, farmland, and the Town of Bowling Green. Forests, farmland, and the Town of Port Royal lie to the east and north (Figure 1).

The installation is located within the upper Atlantic Coastal Plain, in the York River and Rappahannock River Watersheds (Figure 2). Fort A.P. Hill's terrain consists of rolling hills with some low areas and wetlands. Most of the installation is forested, with wooded areas containing both hardwood and coniferous trees. Route 301 divides the installation into northern and southern sections (Figure 3). The northern portion of the installation is dedicated to maneuver operations and the southern portion contains a 27,000-acre modern range facility and impact area.

The Army operates Fort A.P. Hill to provide realistic joint and combined arms training support to the United States' defense forces. This includes the use of various artillery that target the duded impact areas in the southern end of the installation. Helicopters and fixed-wing aircraft also use the impact. These live fire activities are conducted within the restricted airspace over Fort A.P. Hill. This airspace is contained beneath an altitude of 5,000 feet relative to mean sea level (msl). Before an action can occur above this altitude, the Army must give the Federal Aviation Administration (FAA) advance notice so the agency can approve the action and issue a Notice to Airmen (NOTAM). A NOTAM is filed with an aviation authority to alert aircraft pilots of any hazards en route or at a specific location. In order to provide the necessary training to meet the mission and goals of Fort A.P. Hill, the Army and FAA are proposing to modify the restricted airspace over the installation.

This Environmental Assessment (EA) addresses the proposal to modify the restricted airspace over Fort A.P. Hill, as well as the potential impacts to the physical, biological, and human environments in and around Fort A.P. Hill. This document has been prepared in accordance with the National Environmental Policy Act of 1969, as amended (NEPA); regulations of the Council on Environmental Quality (CEQ) (40 CFR 1508.9); and Title 32, CFR Part 651, Environmental Analysis of Army Actions.

1.2 Purpose and Need for the Proposed Action

The stated mission of Fort A.P. Hill is to provide realistic, joint forces and combined arms training support to America's defense forces. For some time, this mission has not been fully achieved due to the current restricted airspace over the installation. This constraint has limited training related to artillery, helicopters, and fixed-wing aircraft. The purpose of the proposed airspace modification is to allow the Army to better meet its mission at Fort A.P. Hill.

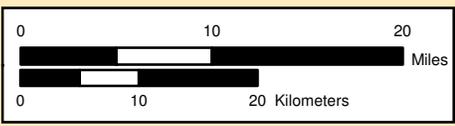
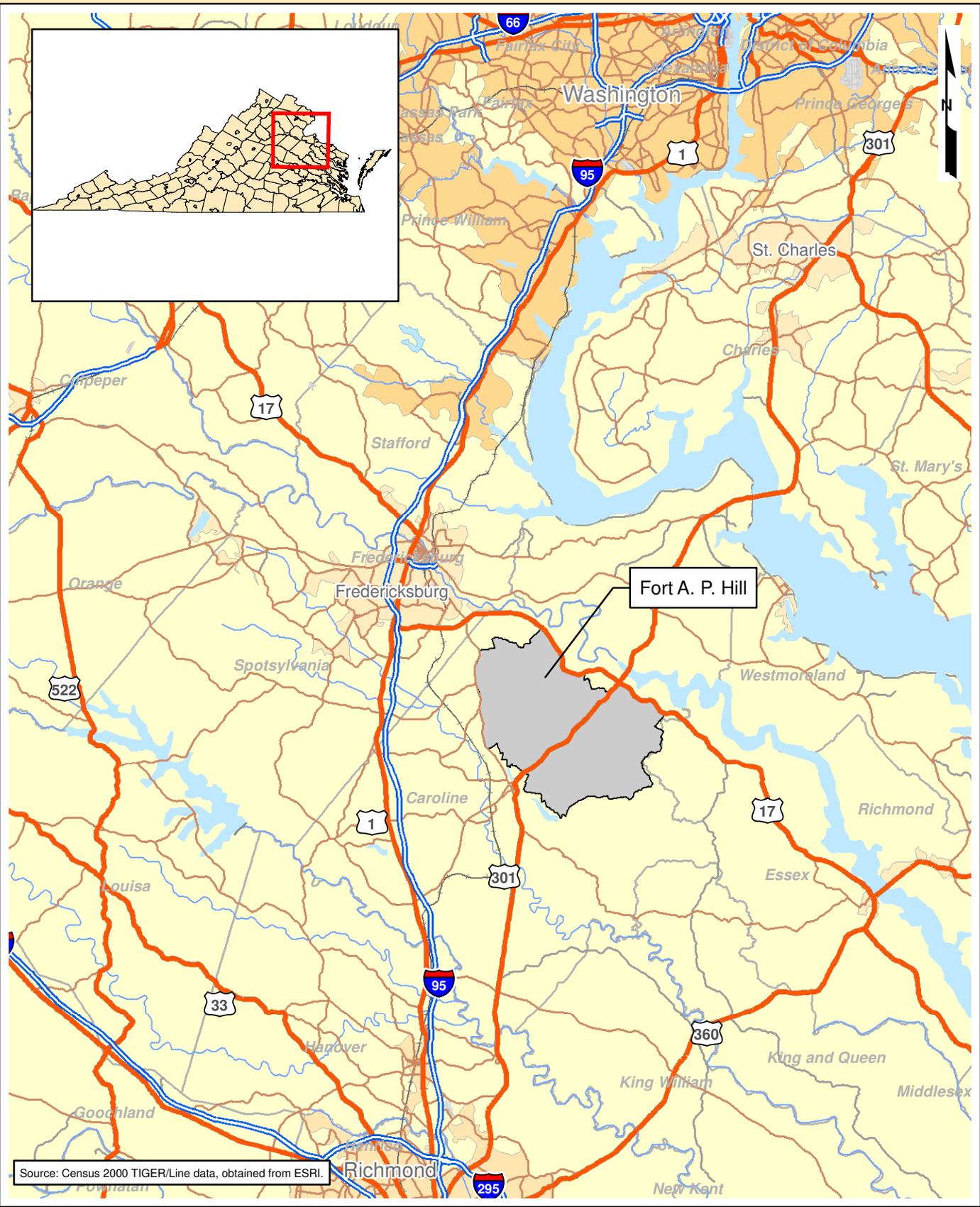
Currently, there are limited locations within Fort A.P. Hill from which the Army can train its soldiers in the use of artillery. A number of these locations have become unusable as weapon technology has improved and the altitude these weapons reach has increased. Usable locations must be in a location to allow the weapons to be fired at an appropriate angle and height to reach the designated duded impact areas on the installation. Not only does this limit the locations that can be used, but also limits the firing that can be done from usable locations. These conditions do not provide trainees with the various operating environments that Fort A.P. Hill provides for other activities. Furthermore, it does not provide realistic battlefield conditions for firing artillery. Therefore, there is a need to better define the restricted airspace over Fort A.P. Hill to enhance artillery training.

In addition to artillery training, Fort A.P. Hill provides air-to-ground training opportunities for helicopters and fixed-wing aircraft. Although the restricted airspace provides room for their training activities, it limits the approach that the aircraft can take as they approach the installation and often requires them to circle the area before beginning their training exercise. The relatively low altitude of the restricted air space also forces these activities into a smaller space than may be desired for safe training activities. Therefore, there is a need to modify the restricted airspace over Fort A.P. Hill to meet helicopter and fixed-wing aircraft training.

Currently, when the Army requires additional airspace for training activities over Fort A.P. Hill it must notify the FAA early enough for the agency to approve and issue a NOTAM. In order to issue the NOTAM, the Army and FAA must determine how much additional airspace must be restricted and for how long. The numerous variables related to these decisions requires extra time and planning for both agencies prior to the issuance of a NOTAM. This process also requires private pilots and other FAA offices to continually check for updates to the conditions around Fort A.P. Hill. Therefore, there is a need to better define the airspace over Fort A.P. Hill to assist both agencies in its future management.

1.3 Scope of the Document

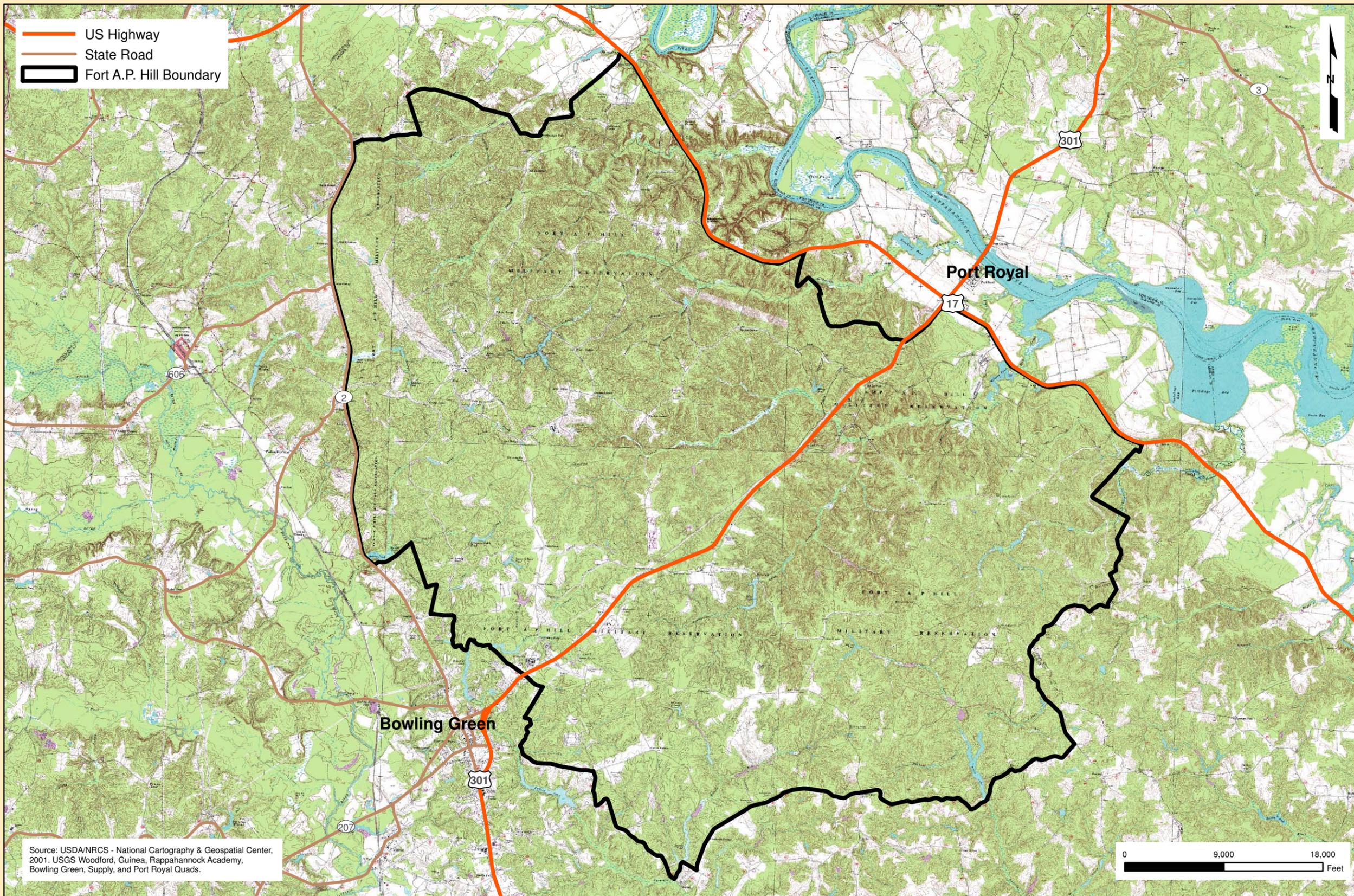
This EA is limited to assessing the impacts of modifying the restricted airspace over Fort A.P. Hill on the following environmental resources: soils, topography, and geology; floodplains; water resources; air quality; noise; cultural resources; hazardous materials; aesthetic resources; vegetation; fish and wildlife; threatened and endangered species; wetlands; land use; transportation; utilities and energy conservation; population and economics; and safety. Potential cumulative and secondary impacts associated with this project also are analyzed. Proposed mitigation measures to minimize environmental impact are provided, where necessary.



Regional Location Map
Airspace Modification
Fort A.P. Hill, Virginia

Figure
1

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— US Highway
 — State Road
 — Fort A.P. Hill Boundary

Source: USDA/NRCS - National Cartography & Geospatial Center,
 2001. USGS Woodford, Guinea, Rappahannock Academy,
 Bowling Green, Supply, and Port Royal Quads.

0 9,000 18,000 Feet

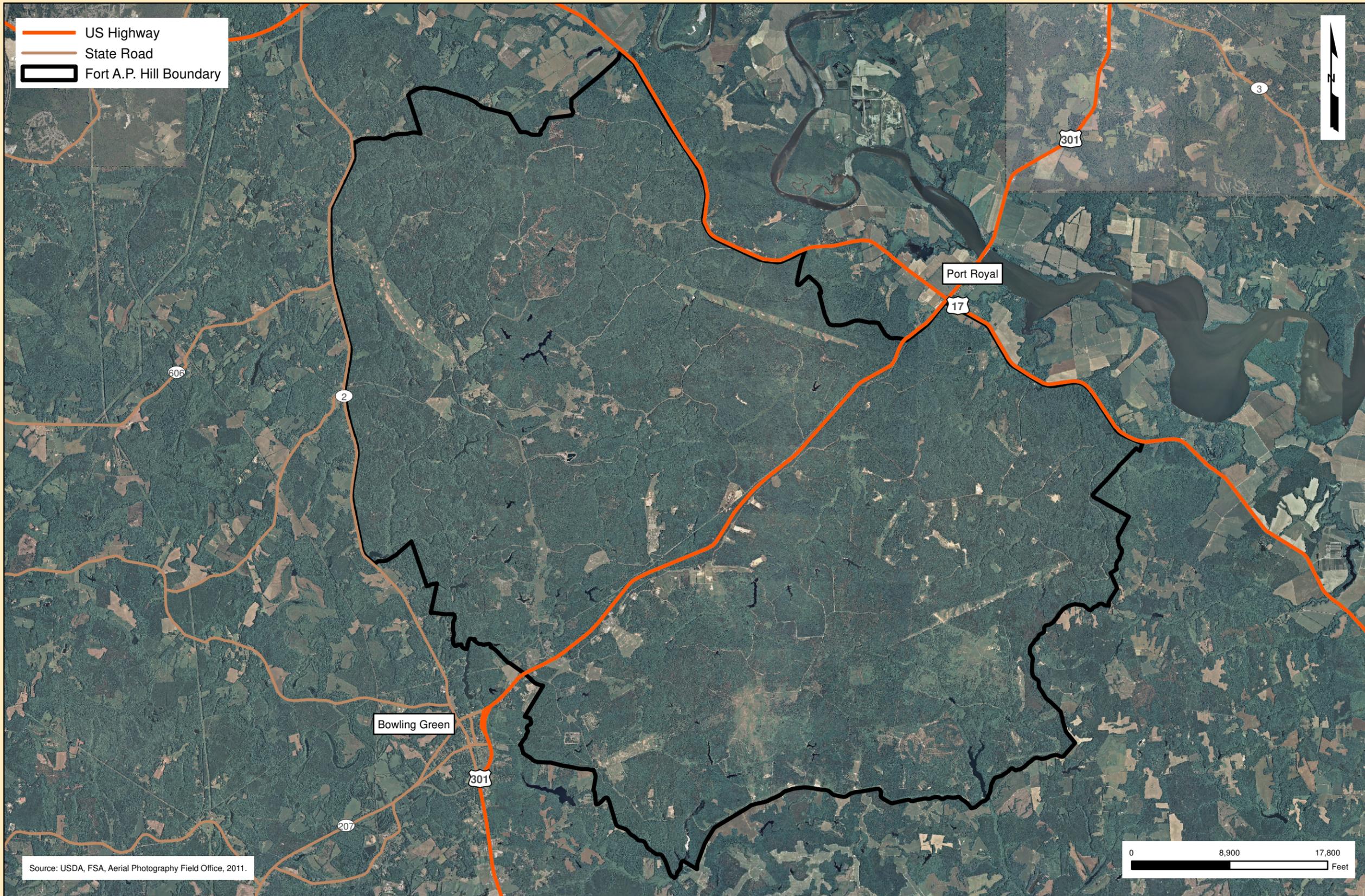
Figure 2

USGS Topographic
Quadrangle Map

Airspace Modification
Fort A.P. Hill, Virginia



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— US Highway
— State Road
 Fort A.P. Hill Boundary

Source: USDA, FSA, Aerial Photography Field Office, 2011.

Figure 3

Aerial Photograph

Airspace Modification
Fort A.P. Hill, Virginia



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1.4 Interagency Coordination and Public Comment Period

This EA was coordinated with appropriate Federal, State, and local agencies. Copies of agency correspondence are provided in Appendix A. In addition, agency and public input will be obtained during public comment periods. The initial public comment period for the proposed project included the 30 days following the release of the scoping letters included in Appendix A. Another 30-day comment period will be held following publication of this EA. The list of recipients for the public review document is included in Appendix C. Comments submitted by agencies, organizations, and members of the public on the Proposed Action or EA will be considered. If the EA concludes that there are no significant impacts, a Finding of No Significant Impact (FNSI) will be issued. A draft FNSI is included at the front of this EA to introduce the Army's decision-making process related to the Proposed Action. A notice of availability will be published to announce the availability of the final FNSI.

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2.0 Proposed Action

The description presented below is the Proposed Action. This alternative meets the screening criteria (see Section 3.2), and is the only action alternative considered for further analysis in this EA.

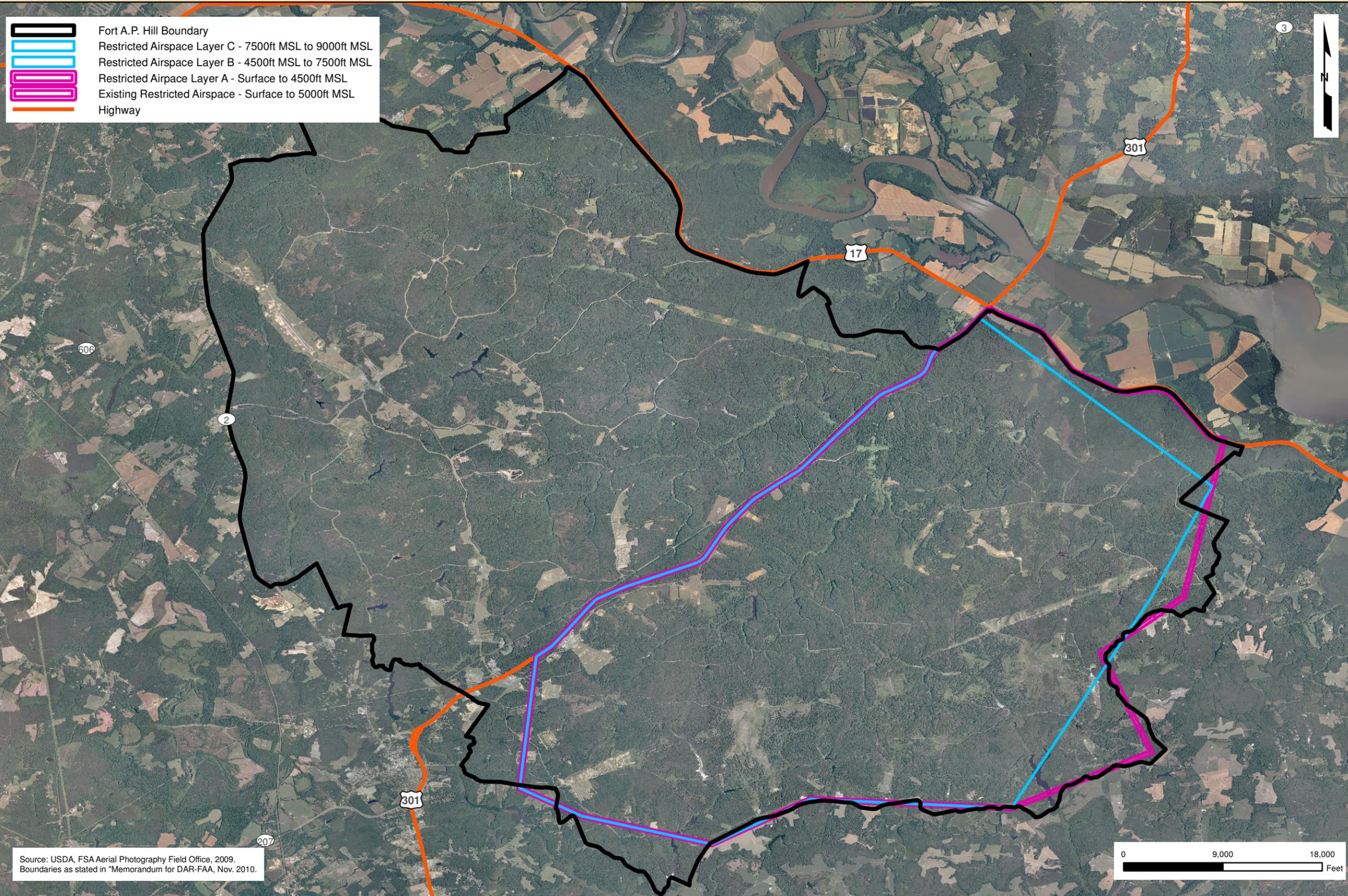
The Proposed Action for this EA (Figure 4) is to modify the restricted airspace over Fort A.P. Hill. The current restricted airspace (R-6601) over the installation extends to an altitude of 5,000 feet msl. The proposed restricted area would be divided into three shelves:

- A. Surface to 4,500 feet msl;
- B. 4,501 feet msl to 7,500 feet msl; and,
- C. 7,501 feet msl to 9,000 feet msl.

Along with decreasing the restricted altitude from 5,000 feet msl to 4,500 feet msl, the Proposed Action would extend the established operational hours from 11:00 PM until 2:00 AM. The two other shelves (R-6601B and C) will be activated by NOTAM 24 hours in advance.

Under the Proposed Action, there would be no change in the type or frequency of training occurring at Fort A.P. Hill. The Proposed Action would allow the Army to use all of the existing firing points within Fort A.P. Hill, spreading the use of artillery across the installation.

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Source: USDA, FSA Aerial Photography Field Office, 2009.
 Boundaries as stated in "Memorandum for DAR-FAA, Nov. 2010."

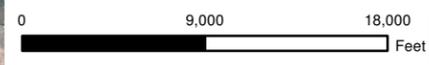


Figure 4

Proposed Action
 Airspace Modification
 Fort A.P. Hill, Virginia



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3.0 Alternatives Considered

3.1 Alternatives Development

For proposed actions that require preparation of an EA, CEQ regulations (§1508.9[b]), NEPA (§102[2] [E]), Army (32 CFR Part 651) and FAA regulations and policy require that appropriate alternatives for the Proposed Action be described and evaluated. A reasonable range of alternatives that meet the underlying purpose and need for the Proposed Action should be analyzed for their environmental impacts to support a fully informed decision by the decision-maker. An EA must include an evaluation of the No Action Alternative, as a reference for the comparison of potential environmental impacts associated with the Proposed Action. Should the No Action Alternative be selected, Fort A.P. Hill and the FAA would respond to future needs and conditions without major actions or changes in the present course of management. Additionally, the EA should identify any alternatives eliminated from detailed analysis and indicate the reasons for their elimination.

A number of options, along with the No Action Alternative, were considered by Fort A.P. Hill and the FAA for the proposed modification of the restricted airspace over the installation. Each option was considered for meeting the purpose and need and impact to the natural and human environment. Options that did not meet the purpose and need, the screening criteria, or had too great of an environmental impact were not considered for further analysis in the EA.

3.2 Screening Criteria

Fort A.P. Hill and the FAA considered several criteria for choosing the variations included in the modification to restricted airspace over the installation. Screening criteria for the proposed site include:

- Sufficient altitude to allow for all currently used artillery to be fired from all existing firing points into existing duded impact areas;
- Enough area to allow helicopters and fixed-wing aircraft to safely enter the restricted airspace before beginning their training exercises;
- Altitude and area should be limited to avoid existing FAA routes for commercial air traffic; and
- Appropriate time-of-day restrictions to facilitate the transfer of the airspace between the Army and FAA.

3.3 No Action Alternative

Under the No Action Alternative, no change would be made to the restricted airspace over Fort A.P. Hill (Figure 4). Opportunities to conduct realistic artillery and air-to-surface training would be limited. The Army would continue to request regular access to higher elevations. When these requests were granted, the FAA would issue a NOTAM to alert local pilots of the change in airspace conditions. The No Action Alternative would

be expected to have a negative impact on national security and training objectives and mission.

3.4 Options Considered but Dismissed from Further Analysis

The issue of restricted airspace has been discussed by the Army and FAA for some time. Options for slight increases to the restricted airspace over Fort A.P. Hill would not meet the purpose and need of the Proposed Action and could result in the need for future modifications. Options to increase the restrictions on airspace over Fort A.P. Hill more than those included in the Proposed Action would result in unacceptable impacts to FAA operations in the region. Another option the Army could have considered was expanding the existing duded impact areas at Fort A.P. Hill to provide more flexibility to artillery and air training activities. Such an expansion, however, would not conform to the Fort A.P. Hill Master Plan and would result in unacceptable levels of impact to the natural, cultural, and human environment. Given these unacceptable consequences, such options were not considered for further analysis in the EA.

4.0 Affected Environment and Environmental Consequences

This section describes the physical, natural, and human environments in and around the proposed study area, as well as the environmental consequences associated with the alternatives presented in Section 3.0. NEPA requires consideration of context, intensity, and duration of adverse and beneficial impacts (direct, indirect, and cumulative) and measures to mitigate for impacts. These elements are considered in the following impact analysis.

The study area analyzed in this document contains all lands within the Fort A.P. Hill boundary, as well as the airspace above the installation. For some resource topics, such as Population and Economics, it was necessary to expand the study area to include much of Caroline County, Virginia.

4.1 Methodology for Assessing Impacts

The CEQ regulations that implement NEPA require assessment of impacts to the human environment, which includes natural and cultural resources. As required by NEPA, potential impacts are described in terms of type (beneficial or adverse), context (site-specific, local, or regional), duration, and level of intensity (negligible, minor, moderate, or major). Both indirect and direct impacts also are described; however, they may not be identified specifically as direct or indirect. These terms are defined below. Overall, these impact analyses and conclusions were based on the review of existing literature and studies, information provided by on-site experts and other government agencies, professional judgments, and Army staff insight.

Type

Impacts can be beneficial or adverse. Beneficial impacts would improve resource conditions, while adverse impacts would deplete or negatively alter resources.

- Beneficial:** A positive change in the condition or appearance of the resource or a change that moves the resource toward a desired condition.
- Adverse:** A change that moves the resource away from a desired condition or detracts from its appearance or condition. The definition does not imply a significant impact nor does it include the regulatory connotations it carries in the permitting process.
- Direct:** An impact that is caused by an action and occurs at the same time and place.
- Indirect:** An impact that is caused by an action but is later in time or farther removed in distance, but still reasonably foreseeable.

Context

Context is the setting within which an impact occurs and can be site specific, local, installation-wide, or regional. Site-specific impacts would occur at the location of the action, local impacts would occur within the general vicinity of the study area, installation-wide impacts would affect a greater portion outside the study area yet within the boundary of Fort A.P. Hill, and regional impacts would extend beyond installation boundaries.

- Site Specific:** The impact would occur within project site.
- Local:** The impact would occur within the general vicinity of the study area.
- Installation-wide:** The impact would affect a greater range outside the study area yet within the installation.
- Regional:** The impact would affect localities and/or towns surrounding the installation.

Duration

Impacts can be either short-term or long-term.

- Short-term:** Impacts would be temporary in duration and would be associated with the implementation process. Depending on the resource, impacts would last as long as construction was taking place, or up to one year after implementation is completed.
- Long-term:** Impacts last beyond the construction period, and the resources may need more than one year post construction to resume their preconstruction condition.

Level of Intensity

For the purposes of this NEPA analysis general level of intensity definitions (minor, moderate, major) are used and described below.

- Minor:** Impacts would be detectable but would be of a magnitude that would not have an appreciable impact on the given resource.
- Moderate:** Impacts would be readily apparent and would result in substantial changes to the given resource.
- Major:** The impacts would be readily apparent, would result in substantial changes to the given resource, and be markedly different from existing conditions.

Significant Impacts

CEQ regulations define significant impacts by context and intensity.

Context: This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the Proposed Action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

Intensity: This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

- 1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.
- 2) The degree to which the Proposed Action affects public health or safety.
- 3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
- 4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.
- 5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
- 6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
- 7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.
- 8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic

Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

- 9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.
- 10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

[43 FR 56003, Nov. 29, 1978; 44 FR 874, Jan. 3, 1979]

4.2 Physical Environment

4.2.1 Soils, Topography, and Geology

4.2.1.1 Affected Environment

Fort A.P. Hill is located along the eastern boundary of the Virginia Coastal Plain. Since the installation lies just east of the fall line, it shares characteristic topographic features of both the Piedmont and Coastal Plain regions. Terrain at the installation includes level plains with rolling countryside interrupted by numerous shallow valleys that contain areas of sharp relief. Elevation averages 150 feet msl for most of the installation, extending from a low of 10 feet msl near the Rappahannock River to a high of 255 feet msl near State Route 2 (FAPH 2009).

The geology within the Coastal Plain is dominated by resources from the Tertiary Age. The sand, silt, and clay that occur within this area were deposited during interglacial highstands of the sea under conditions that exist today (William and Mary 2011). Within the proposed study area, there are no known unique geologic features. The same sands, silts, and clays that dominate the region exist beneath the surface of the proposed study area.

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) recently completed the first soil survey of Caroline County. The field survey included approximately 60,000 acres of the installation. The soils listed in Table 1 are the most common soils found on the installation as classified by the NRCS (FAPH 2009).

Development and training activities within the Fort A.P. Hill boundary have altered natural topographic, geologic, and soil conditions. The primary changes to natural conditions have come through the development of training and support facilities within the installation. These features include impervious surfaces and compacted soils that contribute to increased erosion and stormwater runoff.

Soil and topography within the existing duded impact areas are regularly affected by various training exercises, including artillery fire and air-to-surface activities. These areas have been impacted throughout the history of Fort A.P. Hill and were properly designed and managed to withstand these continued impacts.

Table 1: Common Soils Found within Fort A.P. Hill

Soil Name	Description
Altavista sandy loam, 0-2 percent slopes, very rarely flooded	Very deep, nearly level, and moderately well drained. Sandy loam surface with same or loam subsoil. Not highly erodible. Leaching Index of 13=CAUTION. Moderately well suited to crops, pasture, and hay.
Bibb-Chastain complex, 0-2 percent slopes, frequently flooded	Deep and poorly drained, nearly level broad upland flats and low depressions. Sandy loam surface with same, silty loam, or loamy sand subsoil. Hydric and non-highly erodible. Leaching index of 6= awareness of leaching may occur. Not suited for cultivated crops, moderately suited for pasture and hay.
Chastain loam, 0-2 percent slopes, ponded	Ponded
Kempsville-Emporia-Remlik complex, 15-50 percent slopes	Very deep, steeply sloping, and well drained. Surface layer of Emporia is loamy fine sand and fine sandy loam with a sandy clay loam or clay loam subsoil. Surface layer of a Rumford is loamy sand with a fine sandy loam subsoil. Very highly erodible. Not suited to cultivated crops and poorly suited to pasture and hay.
Kempsville-Emporia complex, 2-6 percent slopes	Very deep, gently sloping, and well drained. Surface layer is loam with a clay subsoil. Potentially highly erodible. Leaching Index of 6=awareness of leaching may occur. Moderately well suited to crops, pasture, and hay with limitations.

Table 1: Common Soils Found within Fort A.P. Hill

Soil Name	Description
Kempsville-Emporia complex, 6-10 percent slopes	Well drained with a fine sandy loam surface layer. Subsoil is sandy clay. Highly erodible. Leaching Index of 13=CAUTION. Well suited for crops and pasture with severe limitations.
Slagle-Kempsville complex, 2-15 percent slopes	Very deep, sloping, and well drained. Surface layer is sandy loam with clay subsoil. Highly erodible. Leaching Index of 9=awareness of leaching may occur.

Source: FAPH 2009

4.2.1.2 Impacts of the Proposed Action

Under the Proposed Action, the Army would be able to use all of its existing artillery firing points. This would spread out the impact of foot and vehicle traffic on the training sites, potentially reducing the rate of erosion in some areas. This beneficial impact would be slight and immeasurable in the overall context of the installation. There would be no change in current impacts in the existing duded impact areas from artillery and air-to-ground training, as there would be no increase in the frequency or magnitude of training.

4.2.1.3 Impacts of the No Action Alternative

Under the No Action Alternative, the Army would continue to use the limited existing firing points in the installation that allow for realistic artillery training within the current restricted airspace. The focused use of these few points could result in increased rates of erosion from foot and vehicle traffic. Any adverse impact associated with this erosion would be slight. This impact would be localized and immeasurable across the overall installation landscape. There would be no change in current impacts to soils, topography, or geology.

4.2.1.4 Conclusion

Both the Proposed Action and the No Action Alternative would have no impact on existing conditions. No mitigating actions would be required since there would be no significant impacts.

4.2.2 Floodplains

4.2.2.1 Affected Environment

Floodplains are those areas that are inundated during flood events, typically the 100- and 500- year flood events. The floodplain absorbs floodwaters, protecting the surrounding area and allowing the waters to recede after the event is over. According to Federal Emergency Management Agency (FEMA) Q3 digital data, approximately 1,970 acres with Fort A.P. Hill is located within the 100-year floodplain. This coverage includes

significant reaches of Ware, Mount, Goldenvale, Mill, and Portobago Creeks (FAPH 2009).

Development within Fort A.P. Hill's floodplains is limited to bridge crossings and other waterfront infrastructure that has limited impact on the conveyance of floodwaters through the installation. The installation's Integrated Natural Resource Management Plan (INRMP) directs the Army to manage these areas to support natural floodplain conditions, to the greatest extent possible (FAPH 2009).

4.2.2.2 Impacts of the Proposed Action

Under the Proposed Action, existing training activities and management of impact areas would remain unchanged. There would be no change to existing conditions.

4.2.2.3 Impacts of the No Action Alternative

Under the No Action Alternative, existing training activities and management of impact areas would remain unchanged. There would be no change to existing conditions.

4.2.2.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to existing floodplain conditions. No mitigating actions would be required since there would be no significant impacts.

4.2.3 Water Resources

4.2.3.1 Affected Environment

Located in Caroline County, Virginia, Fort A.P. Hill sits in the York River and Rappahannock River Watersheds. Both the York River and Rappahannock River Watersheds drain into the Chesapeake Bay. Within the York River Watershed, the installation is located in the Mattaponi River Subwatershed. The Mattaponi River Subwatershed drains approximately 900 square miles. The overall York River Watershed includes an estimated 2,660 square miles. The Rappahannock River Watershed contains an estimated 2,850 square miles. Fort A.P. Hill is located in the upper portions of all of these watersheds. The Virginia Department of Environmental Quality (DEQ) lists portions of the three watersheds on its most current 303(d) Impaired Waters Assessment (DEQ 2010). Several of these water resources have levels of pH, dissolved oxygen, or bacteria that exceed water quality criteria. These conditions are common throughout much of the Coastal Plain and have not been attributed to specific actions at Fort A.P. Hill. The U.S. Environmental Protection Agency (EPA) or DEQ have yet to develop a Total Maximum Daily Loads (TMDLs) for these pollutants within the streams of Fort A.P. Hill (DEQ 2010). The EPA, however, has adopted the Chesapeake Bay TMDL for nitrogen, phosphorus, and sediment which applies to actions at Fort A.P. Hill.

4.2.3.2 Impacts of the Proposed Action

Under the Proposed Action, existing training activities and resource management actions would remain unchanged. There would be no change to existing conditions.

4.2.3.3 Impacts of the No Action Alternative

Under the No Action Alternative, existing training activities and resource management actions would remain unchanged. There would be no change to existing conditions.

4.2.3.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to existing water resource conditions. No mitigating actions would be required since there would be no significant impacts.

4.2.4 Air Quality

4.2.4.1 Affected Environment

Caroline County is currently designated as an attainment area for all Federal and State air quality standards (EPA 2011a, DEQ 2011). Based upon the data collected by the U.S. Geological Survey, Caroline County is a candidate for designation as an Ozone Non-Attainment Area. If so designated by the EPA, Caroline County would be classified in an area together with the City of Fredericksburg, as well as Spotsylvania and Stafford Counties. These localities would be required to develop a plan to bring the region into compliance with the ozone standards (Caroline County 2001).

Air pollution associated with Fort A.P. Hill includes emissions from heating equipment, building and equipment maintenance activity, weapons firing, aircraft, other training activities, generators and other fuel burning equipment, and vehicle operation. The installation currently has an air quality State operating permit for all emissions activities. The most recently completed emission data at the installation was collected in 2010 (Table 2). These conditions are further documented in the installation's Emergency Planning and Community Right-to-Know Act (EPCRA) Tier II Emissions Reporting (FAPH 2010a). These levels of releases resulted in the EPA categorizing the region's air quality as good (EPA 2011b).

Table 2: Fort A.P. Hill Emission Data for 2010

Pollutant	Emission (in tons/year)
Volatile organic compounds	2.45
Nitrogen oxides	2.75
Sulfur oxides	0.69
Particulate matter	0.16
Carbon monoxide	0.67

Source: Army data

In addition to these emissions, activities at Fort A.P. Hill also result in smoke being released into the air due to training activities and prescribed burns. Smoke initiates within the installation boundaries and is often contained within the immediate area. Sometimes,

however, smoke that initiates on the installation travels beyond its boundaries. Smoke is produced as a result of some training exercises as well as natural and manmade fires.

4.2.4.2 Impacts of the Proposed Action

Under the Proposed Action, the overall frequency of artillery firing would not increase. More of the firing events, however, would occupy higher altitudes. In order to achieve these altitudes, additional gunpowder could be required in some of the artillery. This would result in a greater discharge in the immediate area surrounding the training exercise. While such discharges are currently uncommon to high range artillery training, they are common to other training exercises at Fort A.P. Hill and would be monitored and managed under existing programs and permits. Overall, there could be long-term, minor, adverse impacts in the area immediately surrounding the existing firing point. This impact, however, would be confined to the immediate area, as emissions would dissipate before spreading across or beyond the installation.

The Proposed Action would allow for artillery firing to be spread out across all of the installation's existing firing points, dispersing any potential increase. Overall, considering that there would be no change in emissions in any other location but some select existing firing points, there would be no impact from changes in artillery training.

Similarly, there would be no impact to the frequency of air-to-ground training as a result of the proposed airspace modification. This would result in the same level of emissions from air traffic and air-to-ground weapon training. Therefore, there would be no impact to existing air quality conditions.

4.2.4.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no change to current emission sources. Therefore, there would be no impact to existing air quality conditions.

4.2.4.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to existing air quality conditions. No mitigating actions would be required since there would be no significant impacts.

4.2.5 Noise

4.2.5.1 Affected Environment

Caroline County, Virginia is a relatively rural area. As such, obtrusive noises are generally confined to heavily trafficked road corridors in close proximity to agricultural, commercial, or industrial activities, or along the boundary of Fort A.P. Hill.

The Army routinely evaluates noise levels created by specific activities, as well as from the overall operation of Fort A.P. Hill. The most recent Operational Noise Management Plan (ONMP) was completed in June 2011. The plan analyzed the intensity and distance noise created by large caliber weapons/demolitions traveled from the installation. The plan also addressed noise created by aircraft operations.

The distance and intensity of noise is defined using the three Noise Zones (NZs) defined in 32 CFR Part 650 (Army 2007). For large caliber weapons, demolition activity, and aircraft, the NZs are defined based on annual average noise levels. Based on the ONMP,

current NZ II contours for large caliber weapons and demolitions extend slightly beyond the southern boundary of the installation, in the vicinity of the artillery existing firing points. NZ III levels are contained within the installation boundary. Future operations, which are unrelated to the Proposed Action analyzed in this document, will extend the NZ II contours slightly off installation along the eastern/northern boundary. NZ III contours will stay on installation for future operations. Under weather conditions that favor sound propagation, areas beyond the Fort A.P. Hill boundary which may receive peak noise levels that would generate a high risk of complaints are limited to areas along the southern boundary. Areas that may receive peak noise levels with a moderate risk of complaints extend beyond most of the installation with the exception of the northwest corner of the installation. According to 32 CFR Part 650, NZ I is compatible with most noise-sensitive land uses. NZ II is normally not recommended for noise-sensitive land uses. NZ III is never recommended for noise-sensitive land uses (Army 2011).

Aircraft operations are not frequent enough to generate NZ II or NZ III levels. The Fort A.P. Hill airfield, adjacent to the Town of Bowling Green, is subject to periodic heavy usage by rotary and tilt-rotor aircraft depending on mission requirements of specific units visiting the installation at multiple times during the year. Maximum noise levels from aircraft operations may be loud enough to annoy people as they are overflowed by aircraft approaching/departing the installation and also while utilizing routes along the installation perimeter. The highest area of aircraft activity beyond the boundary of Fort A.P. Hill is along the northwest corner. The Army has found that noise complaints are often received from areas outside of the NZs. Complaints often are attributable to a specific noise event rather than the average noise environment. Therefore, the ONMP also analyzed areas which are exposed to single event noise levels from operations that are high enough to generate complaints and/or cause annoyance (Army 2011).

4.2.5.2 Impacts of the Proposed Action

Under the Proposed Action, artillery training exercises would be dispersed more evenly around the installation. There could be an increase in the amount of charge used to fire artillery, in order to achieve the higher altitudes provided by the proposed modification to restricted airspace. These locations and the potential charges used for firing artillery were considered in the 2011 ONMP and do not represent a change in NZs.

Similarly, the increased airspace could alter the routes taken by military helicopters and fixed-wing aircraft as they begin their training exercises over Fort A.P. Hill. The frequency of these flights, however, and their points of origin and final destination points would not change. Therefore, because there would be no change in the existing NZs described above, the Proposed Action would have no impact on current noise levels.

4.2.5.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no change to existing noise levels. The use of artillery, helicopters, and fixed-wing aircraft would continue at its current level. Therefore, the No Action Alternative would have no impact on current noise levels.

4.2.5.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to existing noise levels. No mitigating actions would be required since there would be no significant adverse impacts.

4.2.6 Cultural Resources

4.2.6.1 Affected Environment

According to the Fort A.P. Hill Integrated Cultural Resources Management Plan (ICRMP), the site inventory files at the Virginia Department of Historic Resources (DHR) included 262 archaeological sites located within the installation. Of this number, 43 represent Native American sites, 198 are historic period sites, and 21 sites have both prehistoric and historic components. Recommendations for inclusion on the National Register of Historic Places (National Register) for these sites include: 147 sites recommended as not eligible, 103 sites recommended as potentially eligible, 10 sites recommended eligible, and two sites that have been determined eligible through consultation with DHR.

Architectural surveys have identified 65 architectural resources on the installation. The majority of these resources date to the World War II construction phase of the installation. Two architectural resources that predate the establishment of the installation have been determined eligible for inclusion in the National Register and have been listed in the Virginia Landmarks Register. These resources are (1) Liberty Church, a ca. 1850 brick church and (2) the Travis Lake Historic District, a 1930s summer retreat built around an antebellum mill pond (Fort A.P. Hill 2008).

4.2.6.2 Impacts of the Proposed Action

Under the Proposed Action, there would be no change to operations in and around cultural resources. Any impacts would be minimal and would occur in previously impacted areas and to resources determined to be historic properties by the Army and DHR. Overall, there would be no change to existing conditions.

4.2.6.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no change to operations in and around cultural resources. Any impacts would be minimal and would occur in previously impacted areas and to resources determined to be not significant by the Army and DHR. Overall, there would be no change to existing conditions.

4.2.6.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to cultural resources. No mitigating actions would be required since there would be no significant adverse impacts.

4.2.7 Hazardous Materials

4.2.7.1 Affected Environment

Within the area surrounding Fort A.P. Hill, there are only a few sites (gas stations) monitored by the EPA for the presence, use, or transfer of hazardous materials. These

sites are some distance from the proposed study area and do not have any notable toxic releases associated with them (EPA 2011b)

Fort A.P. Hill keeps a record of air emissions, surface water discharges, releases of toxic materials on land, and transfer of toxic materials to off-site disposal areas. Much of the information at the installation has been focused on local streams, air emissions, and the movement of toxic materials on land. Over the past eight years, the Army has moved relatively small amounts of lead off site for recycling/reuse purposes (EPA 2011b).

The Army also stores hazardous materials in secure locations throughout Fort A.P. Hill to be used for fuels and vehicle maintenance, painting, landscaping, and military operations. The location, storage, and use of these materials is dictated by individual and installation-wide management plans and are implemented by trained professionals.

4.2.7.2 Impacts of the Proposed Action

Under the Proposed Action, there would be no change in existing conditions related to hazardous materials. The Army would continue to maintain records of hazardous materials within Fort A.P. Hill. The storage and use of hazardous materials would continue to be dictated by individual and installation-wide management plans and would be implemented by trained professionals. The modification to restricted airspace would not affect these operations.

4.2.7.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no change in existing conditions related to hazardous materials. The Army would continue to maintain records of hazardous materials within Fort A.P. Hill. The storage and use of hazardous materials would continue to be dictated by individual and installation-wide management plans and would be implemented by trained professionals.

4.2.7.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to hazardous materials. No mitigating actions would be required since there would be no significant adverse impacts.

4.2.8 Aesthetic Resources

4.2.8.1 Affected Environment

Fort A.P. Hill's aesthetic resources include developed military use areas, forested lands, wetlands, and open water areas. Aesthetic resources also include the views of the installation from the surrounding lands. In some locations, the views consist of security fencing and/or formal entrances. In other locations, the Fort A.P. Hill boundary is heavily wooded. Limited views of activity within the installation are provided at any location. The most visible sign of activity occurs during evening training, when the lights from illumination rounds and aircraft are most visible.

4.2.8.2 Impacts of the Proposed Action

Under the Proposed Action, the Army would lower the elevation of its most actively used restricted airspace shelf. It would access higher altitudes of restricted airspace through issuance of a NOTAM. Illumination rounds and aircraft involved in training exercises

could occur at higher altitudes. The frequency of these occurrences or of evening training events would not increase. The higher altitudes used in training; however, would result in the illumination rounds and aircraft being visible for longer periods of time during an individual training exercise. The additional amount of time that these activities would be visible would vary depending on the training event, but would not be much longer than current conditions. Overall, this would result in a long-term, minor, adverse impact.

4.2.8.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no change in training activities at Fort A.P. Hill. Light from artillery fire and air-to-ground training would still be visible during evening training. Although there would be no change in restricted airspace, the Army would continue to use the NOTAM process to gain clearance into higher altitudes, as necessary. This would result in illumination rounds and aircraft involved in training exercises occurring at higher altitudes and being visible for longer periods of time during an individual training exercise. Overall, this would result in no change to existing conditions.

4.2.8.4 Conclusion

The Proposed Action would result in a long-term, minor, adverse impact to aesthetic resources. The No Action Alternative would result in no change to existing conditions. No mitigating actions would be required since there would be no significant adverse impacts.

4.3 Natural Resources

4.3.1 Vegetation

4.3.1.1 Affected Environment

Approximately 85 percent of Fort A.P. Hill is forested, with equal amounts of coniferous, deciduous, and mixed coniferous-deciduous forests. Loblolly pine (*Pinus taeda*) and Virginia pine (*Pinus virginiana*) are the dominant conifer species and white oaks (*Quercus alba*), red oaks (*Quercus rubra*), and tulip-poplar (*Liriodendron tulipifera*) are the most dominant hardwoods.

The Fort A.P. Hill INRMP divides terrestrial vegetative resources into four primary categories: forests, grasslands, agricultural areas, and landscaped areas. These areas are discussed in the paragraphs below.

Forests – Three forests types cover approximately 65,000 acres (85 percent) of the installation land area: southern yellow pines, mixed hardwoods, and a mixed pine hardwood. Generally, a mix of southern pine and hardwoods occurs on the uplands, whereas nearly pure stands of hardwoods occur in the creek bottoms. Pine-dominated sites occupy abandoned farmland and plantations throughout the installation. The presence of these three forest cover types and their varying stand structures contribute to a relatively high level of biological diversity on the installation.

Pine forests cover 29 percent of the installation land area (33 percent of forested acres) and include natural forests as well as plantations of various ages. Dominant

pine species include loblolly pine (*Pinus taeda*) and Virginia pine (*P. virginiana*), with a small component of short leaf pine (*P. echinata*).

Deciduous broad-leaf forests cover approximately 35 percent of the land area (40 percent of forested acres). The primary species include yellow poplar (*Liriodendron tulipifera*), red oaks (*Quercus falcata*, *Q. rubra*, *Q. coccinea*, and *Q. velutina*), and white oaks (*Q. alba* and *Q. stellata*) interspersed with hickory (*Carya* spp), sweet gum (*Liquidambar styraciflua*), black gum (*Nyssa sylvatica*), hackberry (*Celtis occidentalis*), red maple (*Acer rubrum*), and beech (*Fagus americana*).

Approximately 24 percent of the installation is covered by a mix of evergreen, needle-leaf trees and deciduous, broad-leaf trees (27 percent of forested acres).

Grasslands - Grassland vegetation represents approximately ten percent (7,500 acres) of Fort A.P. Hill. Given the significant role these grassland areas play in the installation's military mission, it's important that they are maintained in a sustainable condition. The current installation Grassland and Open Areas Management Plan provides a framework through which grasslands are characterized and managed. A major focus of the Grassland and Open Areas Management Plan is to plant native grasses in areas that are mowed annually or biennially.

Agricultural areas - The agricultural outlease program includes a 62-acre tract along U.S. Route 17 at Cooke Camp and a 128-acre tract along the south boundary and Enon Church firebreaks. The Cooke Camp outlease consists of nine parcels cultivated with corn, soybeans and wheat. The firebreaks outlease includes all land along the south boundary and Enon Church firebreaks. A variety of agricultural crops are produced on 85 acres and hay is cultivated on 25 acres. The remaining 18 acres are unsuitable for agriculture and are mowed annually by the lessee. Field crops are grown employing agricultural practices similar to those used throughout Virginia (i.e., a two-year crop cycle).

Landscaped areas - Regularly maintained landscaping at Fort A.P. Hill exists primarily in the Headquarters area, major campsites, and points of special interest. Approved native and ornamental trees and shrubs have been planted throughout these areas and at the main entrance to the installation. In the interest of maintenance cost reduction, minimal landscaping is applied at appropriate high-visibility areas throughout the installation. Other low maintenance landscaped areas include Army Family Housing, transient quarters, recreational fields, parade grounds, picnic grounds and playgrounds.

As noted above, vegetation resources within Fort A.P. Hill are actively managed to allow the Army to meet its training mission at the installation, along with its natural resource objectives. The condition of vegetative communities within the installation is affected by these management activities, regional weather patterns and other external conditions, and training exercises within the installation.

4.3.1.2 Impacts of the Proposed Action

Under the Proposed Action, the Army would be able to use all of its existing artillery firing points. There would be no new facilities developed or changes in land use within existing sites. Therefore, there would be no change in current impacts to vegetation.

4.3.1.3 Impacts of the No Action Alternative

Under the No Action Alternative, existing firing points would continue to support heavy foot traffic during training exercises and the impact areas would continue to be impacted from artillery rounds, demolitions, and other training exercises. Therefore, there would be no change to existing conditions.

4.3.1.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to the existing vegetative conditions. No mitigating actions would be required since there would be no significant adverse impacts.

4.3.2 Fish and Wildlife

4.3.2.1 Affected Environment

The Virginia Department of Game and Inland Fisheries' (DGIF) Fish and Wildlife Information Service notes the presence of up to 381 different fish and wildlife species occurring within a three-mile radius of Fort A.P. Hill (DGIF 2011). Common mammal species in the area include white-tail deer (*Odocoileus virginiana*), opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*), muskrat (*Ondatra zibethica*), woodchuck (*Marmota monax*), raccoon (*Procyon lotor*), eastern mole (*Scalopus aquaticus*), eastern gray squirrel (*Sciurus carolinensis*), cottontail rabbit (*Sylvilagus floridanus*), gray fox (*Urocyon cinereoargenteus*), and red fox (*Vulpes fulva*).

Bird species common to the area inhabit the forests and clearings of Fort A.P. Hill. Representative species include red-tailed hawk (*Buteo jamaicensis*), great-horned owl (*Bubo virginianus*), American goldfinch (*Carduelis tristis*), downy woodpecker (*Picoides pubescens*), Eastern wood-pewee (*Contopus virens*), American crow (*Corvus brachyrhynchos*), red-eyed vireo (*Vireo olivaceus*), yellow warbler (*Dendroica petechia*), gray catbird (*Dumetella carolinensis*), ovenbird (*Seiurus aurocapilla*), wood thrush (*Hylocichla mustelina*), wild turkey (*Meleagris gallopavo*), mourning dove (*Zenaidura macroura*), song sparrow (*Melospiza melodia*), northern mockingbird (*Mimus polyglottos*), Carolina chickadee (*Poecile carolinensis*), white-breasted nuthatch (*Sitta carolinensis*), Carolina wren (*Thryothorus ludovicianus*), and eastern kingbird (*Tyrannus tyrannus*). All of these species would be expected to be present primarily in upland areas.

Common bird species encountered in wetlands and open water areas include wood duck (*Aix sponsa*), mallard (*Anas platyrhynchos*), great blue heron (*Ardea herodias*), red-winged blackbird (*Agelaius phoeniceus*), green heron (*Butorides virescens*), and belted kingfisher (*Ceryle alcyon*).

Reptile and amphibian species expected to occur at Fort A.P. Hill include the northern copperhead (*Agkistrodon contortrix mokasen*), northern black racer (*Coluber constrictor constrictor*), eastern kingsnake (*Lampropeltis getulus*), eastern garter snake (*Thamnophis sirtalis*), eastern box turtle (*Terrapene carolina*), snapping turtle (*Chelydra serpentina*),

spotted salamander (*Ambystoma maculatum*), red-spotted newt (*Notopthalmus viridescens*), American toad (*Bufo americanus*), spring peeper (*Pseudacris crucifer*), and bullfrog (*Rana catesbeiana*).

Surveys at Fort A.P. Hill have identified 40 species of fishes that inhabit the installation's streams, lakes, and ponds. Species found in streams include redbfin pickerel (*Esox americanus*), mud sunfish (*Acantharchus pomotis*), creek chub (*Semotilus atromaculatus*), tessellated darter (*Etheostoma olmstedii*), and American eel (*Anguilla rostrata*) (FAPH 2009).

Fish and wildlife resources within Fort A.P. Hill are managed to allow the Army to meet its training mission at the installation, along with its natural resource objectives. In some locations, habitat is limited due to training or support activity and development. In other areas, the Army has focused its natural resource management activities to provide high quality habitat for fish and wildlife species.

4.3.2.2 Impacts of the Proposed Action

Under the Proposed Action, the Army would be able to use all of its existing artillery firing points. This would spread out the impact of human disturbance and vehicle traffic on undeveloped portions of the training sites, potentially reducing the impact to wildlife species in some areas. There would be no change in current impacts in the existing duded impact areas from artillery and air-to-ground training, as there would be no increase in the frequency or magnitude of training.

Although the modification to the restricted airspace would result in increased use of higher altitudes over Fort A.P. Hill, it would not increase the frequency of training exercises. The undeveloped nature of the surrounding area would provide ample habitat for species to retreat during these disruptions. Therefore, there would be no new impacts to fish and wildlife species in and around Fort A.P. Hill. Overall, there would be no change to existing conditions.

4.3.2.3 Impacts of the No Action Alternative

Under the No Action Alternative, no changes would occur in the regular training patterns at Fort A.P. Hill. Existing artillery firing points and air-to-ground training sites would continue to be regularly impacted by human activity. The undeveloped nature of the surrounding area would provide ample habitat for species to retreat during these disruptions. Therefore, there would be no change to existing conditions.

4.3.2.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to the existing conditions of fish and wildlife resources. No mitigating actions would be required since there would be no significant adverse impacts.

4.3.3 Threatened and Endangered Species

4.3.3.1 Affected Environment

Of the 381 wildlife species that the DGIF identified within close proximity to the proposed study area, eight are considered to be special status species (Table 3). Of these eight species, two are birds. The birds are transient species that are able to make use of many of the habitats in the region and at Fort A.P. Hill. Although the bald eagle is no longer a listed a Federally-endangered species, it is afforded protection under the Virginia Endangered Species Act, the Bald Eagle Protection Act, and the Migratory Bird Treaty Act. Anecdotal evidence presented by the Fort A.P. Hill staff suggests that the bald eagles have successfully adapted to the military activity in the area.

The other special status wildlife species live in streams within the installation. The plan species included on Table 3 also have been identified in a number of locations within Fort A.P. Hill.

4.3.3.2 Impacts of the Proposed Action

Under the Proposed Action, the Army would be able to use all of its existing artillery firing points. This would spread out the impact of human disturbance and vehicle traffic on undeveloped portions of the training sites, potentially reducing the impact to wildlife and vegetation in some areas. Prior to initiation of activities at previously undisturbed sites, Fort A.P. Hill surveys the area to ensure that species of concern are not present. There would be no change in current impacts in the existing duded impact areas from artillery and air-to-ground training, as there would be no increase in the frequency or magnitude of training.

Although the modification to the restricted airspace would result in increased use of higher altitudes over Fort A.P. Hill, it would not increase the frequency of aerial training exercises. The installation's Bald Eagle Management Plan would continue to provide buffers around known nests. The installation would continue to monitor the presence and abundance of endangered species and provide them with the appropriate protection. Overall, there would be no change to existing conditions.

4.3.3.3 Impacts of the No Action Alternative

Under the No Action Alternative, no changes would occur in the regular training patterns at Fort A.P. Hill. Existing artillery firing points and air-to-ground training sites would continue to be regularly used, creating high levels of human disturbance. These disturbances would be confined to specific training exercises. The undeveloped nature of the surrounding area would provide ample habitat for species to retreat during these disruptions. The installation would continue to monitor the presence and abundance of endangered species and provide them with the appropriate protection. Therefore, there would be no change to existing conditions.

Table 3: Threatened and Endangered Species Known to Occur within Fort A.P. Hill

Common Name	Scientific Name	Status	Type
American ginseng	<i>Panax quinquefolius</i>	State-endangered	plant
Bachman's sparrow	<i>Aimophila aestivalis</i>	State-threatened	bird
bald eagle	<i>Haliaeetus leucocephalus</i>	State-threatened Federal species of concern	bird
New Jersey rush	<i>Juncus caesariensis</i>	State-threatened	plant
small whorled pogonia	<i>Isotria medeoloides</i>	Federally-threatened State-endangered	plant
swamp pink	<i>Helonias bullata</i>	Federally-threatened State-endangered	plant

Source: FAPH 2009

4.3.3.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to the existing conditions of threatened and endangered species. No mitigating actions would be required since there would be no significant adverse impacts.

4.3.4 Wetlands

4.3.4.1 Affected Environment

The 5,856 acres of wetlands within the Fort A.P. Hill represent approximately eight percent of the installation's total land area. Wetlands are widespread but largely limited to narrow stream valleys. Roughly half of the wetlands are palustrine forested, one-fourth palustrine scrub-shrub, and one-fourth are palustrine emergent.

4.3.4.2 Impacts of the Proposed Action

Under the Proposed Action, there would be no change to existing impacts to wetlands. Overall, there would be no change to existing conditions.

4.3.4.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no change to existing impacts to wetlands. Overall, there would be no change to existing conditions.

4.3.4.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no impact to the existing conditions of wetlands. No mitigating actions would be required since there would be no significant adverse impacts.

4.4 Socioeconomic Characteristics

4.4.1 Land Use

4.4.1.1 Affected Environment

The Caroline County Comprehensive Plan provides land use classifications for the entire County. The area of the County located along the southern boundary of Fort A.P. Hill and east of the Town of Bowling Green, Virginia is included in the Sparta Agricultural Preserve Area. The area west of the installation is classified as Agricultural Preservation, with floodplain and sensitive resource overlays providing additional protection over some areas. To the north, County lands are primarily classified as Agricultural Preservation with sensitive resource overlays. The Town of Port Royal and the community of Skinners Neck are located on the northern boundary of the installation and are classified for Planned Development. The Town of Bowling Green also is included in this classification. Other areas within the County that are included in the Planned Development classification as are the communities of Ladysmith, Carmel Church, and Dawn which are located south of the installation (Caroline County 2001).

Within Fort A.P. Hill, Route 301 divides the installation into northern and southern sections, allowing maneuver and range operations to occur simultaneously. The northern portion of the installation is dedicated to maneuver operations and the southern portion contains a 27,000-acre modern range facility and impact area. Due to the improvements in weapons technology and range, many of the existing firing points located within the installation are unusable because it is impossible to fire weapons at an angle that will stay within the restricted airspace and land in the designated impact area within the installation.

4.4.1.2 Impacts of the Proposed Action

Under the Proposed Action, there would be no new impacts to lands surrounding Fort A.P. Hill. Within the installation, the Army would be able to make better use of its own land. All areas that have been designated as existing firing points would be able to be used to support artillery training. There would be no other changes to land use within the installation. Overall, this would result in a long-term, minor, beneficial impact.

4.4.1.3 Impacts of the No Action Alternative

Under the Proposed Action, there would be no new impacts to lands surrounding Fort A.P. Hill. Within the installation, the Army would be limited in achieving optimal use of its own land, as only a few of the designated existing firing points would be capable of supporting artillery training. There would be no other changes to land use within the installation. Overall, this would result in a long-term, minor, adverse impact.

4.4.1.4 Conclusion

The Proposed Action would result in a long-term, minor, beneficial impact to land use. The No Action Alternative would result in a long-term, minor, adverse impact to land use. No mitigating actions would be required since there would be no significant adverse impacts.

4.4.2 Transportation

4.4.2.1 Affected Environment

The primary access route to Fort A.P. Hill is Route 301, which bisects the installation. Highway access also is available from I-95, U.S. Route 17, and Virginia State Route 2 via local roads. Within the installation, transportation is provided by a series of roads that provide access to all functional areas. Secondary and tertiary light-duty roadways provide access between and within various functional areas.

Access to Fort A.P. Hill also is provided to the military via helicopter and fixed-wing aircraft. A.P. Hill Army Airfield is a military airport located within the installation. The airfield has one active runway, designated 5/23, with a 2,201 x 100 ft. (671 x 30 m) turf surface (FAA 2011a). The airfield is limited to rotary-wing traffic. The installation also contains an assault landing zone (ALZ). The ALZ is an aggregate landing strip that was refurbished in 2004 to support C-130 and C-17 aircraft, as well as smaller fixed wing aircraft.

The closest commercial airport to Fort A.P. Hill is the Shannon Airport in Fredericksburg, Virginia. Larger, international airports exist near Richmond and Washington, D.C. The FAA establishes routes for aircraft to travel to and from these airports, including a Victor airway that passes over a portion of Fort A.P. Hill. Victor airways are pre-determined routes flown by pilots under Instrument Flight Rules. They are defined by VHF Omnidirectional Range navigation system (VOR) radials and have established minimum (and possibly maximum) altitudes at which they may be flown. The Victor airway V376 occurs above the restricted airspace over Fort A.P. Hill, while Victor airway V286 passes to the north.

Under current conditions, when the Army wishes to conduct exercises that will occupy areas above the existing restricted airspace, it must notify the FAA and the two agencies must determine the appropriate location and time to restrict the airspace. The FAA then issues a NOTAM. The Victor airway that passes over the installation is outside the range of the restricted airspace or the area that it may extend into through the NOTAM process.

4.4.2.2 Impacts of the Proposed Action

Under the Proposed Action, the Army and the FAA would modify the restricted airspace over Fort A.P. Hill. The modifications would provide the Army with more control over higher altitudes above the installation while maintaining FAA access during designated times. The restricted airspace would avoid interfering with the existing FAA Victor airway that passes over a portion of Fort A.P. Hill.

The modification would result in changes to the way FAA manages the airspace over and around the installation. Fort A.P. Hill's location in Caroline County prevents the surrounding airspace from being regularly used by commercial airliners. The primary, nonmilitary traffic in the local airspace are crop dusters. Initially, the Proposed Action would result in some changes to FAA routes and could change current flight patterns, resulting in a short-term, minor, adverse impact. Once the new rules were adopted and incorporated into regular air traffic control, there would be no measurable impact on air travel.

The Proposed Action would have no impact on the frequency of military flights into or out of Fort A.P. Hill or the use of restricted airspace for artillery training. In addition, there would be no impact to ground transportation within or outside of the installation boundary. Overall, the Proposed Action would result in a long-term, minor, beneficial impact to transportation.

4.4.2.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no change in ground or air travel in or around Fort A.P. Hill. When training exercises required altitudes above the restricted area, the Army would make a request of the FAA to extend its airspace. This request would be documented in a NOTAM, alerting local pilots to the change in airspace. Overall, there would be no impact to existing transportation conditions.

4.4.2.4 Conclusion

The Proposed Action would result in a long-term, minor, beneficial impact to transportation. The No Action Alternative would result in no impact to existing transportation conditions. No mitigating actions would be required since there would be no significant adverse impacts.

4.4.3 Utilities and Energy Conservation

4.4.3.1 Affected Environment

The electric distribution system at Fort A.P. Hill is privately owned and operated by Rappahannock Electric Cooperative, which performs all capital improvements and maintenance. The water and wastewater system(s) at the installation are privately owned and operated by American Water O&M, which performs all capital improvements and system maintenance. Telephone and other services are maintained by local providers.

In terms of military training, the current airspace restrictions limit the altitude and angle that artillery can be fired. This limits the amount of propellant used to fire artillery at Fort A.P. Hill. The restricted airspace has the opposite effect on military air traffic. Due to the limits on its controlled airspace, military fixed-wing aircraft must often circle the installation at higher altitudes before entering the restricted airspace to begin training exercises.

4.4.3.2 Impacts of the Proposed Action

Under the Proposed Action, there would be no impact to utilities within or outside Fort A.P. Hill. The Army's use of fuel for artillery training could increase. This increase, however, would be within the limits of the Army's budgeted fuel allotment for Fort A.P. Hill. The modified airspace also would reduce the use of aircraft fuel, as fixed-wing aircraft would not be required to circle the installation as long or as often before beginning training exercises. Both of these impacts would be so small in nature that there would be no measurable impact to current conditions.

Outside of the installation, the Proposed Action could result in some changes to air traffic in the region. The FAA Victor airway would remain in place, avoiding any changes in navigation patterns along the route. Local pilots may be required to make permanent alterations in their flight patterns. These alterations could result in some change in fuel

consumption; however, these increases would be of little consequence to total fuel consumption. Overall, there would be no impact on utilities and energy conservation.

4.4.3.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no change to the use of utilities or fuel at Fort A.P. Hill. The use of artillery fuel would remain limited, due to the constraints created by the restricted airspace. Fuel use for fixed-wing aircraft would remain elevated, as the aircraft would be required to circle the installation before gaining access to the restricted airspace to begin their training exercises. Both of these impacts would be so small in nature that there would be no measurable impact to current conditions. Outside of the installation, there would be no change in utilities or energy conservation.

4.4.3.4 Conclusion

Both the Proposed Action and the No Action Alternative would result in no change to existing conditions. No mitigating actions would be required since there would be no significant adverse impacts.

4.4.4 Population and Economics

4.4.4.1 Affected Environment

Fort A.P. Hill is located in Caroline County, Virginia, southeast of the City of Fredericksburg, Virginia. In 2000, Caroline County had a population of 22,121. This population had grown to an estimated 28,545 by 2010. At the time of the 2010 Census, children under five years of age made up nearly seven percent of the County population, just above the State average (Census 2011).

In 2010, the median household income in the County was \$57,352 and the State average household income was \$59,372. The per capita income in the County was \$14,705 and the State level was \$31,606. Approximately ten and a half percent of the County's population was below the poverty level, equal to the State average (Census 2011).

Fort A.P. Hill serves as the largest employer to the neighboring County (FAPH 2010b). Other primary labor categories in the County include: distribution and light manufacturing, environmental remediation, tourism, business services, and retail/commercial (Caroline County 2011).

4.4.4.2 Impacts of the Proposed Action

Under the Proposed Action, there would be no impact to population and on the local economy. Fort A.P. Hill would remain the second largest employer to neighboring Caroline County. Implementation of the Proposed Action would be accomplished by existing Army and FAA employees and would not result in any changes to employment or result in any changes to the military population in Caroline County. Therefore, there would be no impact on existing conditions.

4.4.4.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no impact to population and economics. Fort A.P. Hill would remain the second largest employer to neighboring Caroline County. There would be no change to the military population in Caroline County. Therefore, there would be no impact on existing conditions.

4.4.4.4 Conclusion

The Proposed Action and the No Action Alternative would have no impact on population and economic conditions. No mitigating actions would be required since there would be no significant adverse impacts.

4.4.5 Safety

4.4.5.1 Affected Environment

To provide safe conditions across Fort A.P. Hill, the Army maintains an Installation Safety Office on the installation. The vision of the Safety Office is to provide a "...Warrior Culture that achieves the highest level of combat power without compromising the safety or health of its members, by making informed risk based decisions at appropriate levels." Staff at the Safety Office act as advisors to directors and supervisors so work tasks and assignments can be completed quickly and efficiently without compromising safety.

This advice is provided through an essential task list which includes the following:

- Leaders will refuse to accept unsafe conditions or acts as "the cost of doing business" or "that's the way it's always been."
- All Warriors and workers and their families and guests are entitled to a safe and healthy place to work, train, live and recreate.
- Our Warriors, leaders, managers, supervisors and workers are not "risk averse"; through the judicious use of composite risk management processes and adherence to safety regulations, standards, policies and principles, Fort A.P. Hill employees, partners, contractors and Warriors will work together as a team to accept and manage risks in order to complete missions, assignments and tasks safely and efficiently plan, implement and oversee execution of the Command Safety Program.

The basis for decisions made by the Safety Office are made in compliance with AR 385-10/PAM385-10 the Army Safety Program, AR 385-63 Range Safety, PAM 385-63 Range Safety, PAM 385-64 Ammunition and Explosives Safety and FM 5-19 Composite Risk Management.

The use of and travel through restricted airspace is defined in the FAA's *Aeronautical Information Manual* (FAA 2011b). The manual defines restricted airspace and the risk posed by entering these areas without appropriate permissions. The manual also defines how restricted air space can be released back to FAA control when it is not being used. These definitions and explanations are based on language included in the Code of Federal Regulations.

4.4.5.2 Impacts of the Proposed Action

Under the Proposed Action, modifications would be made to the restricted airspace over Fort A.P. Hill. The proposed modifications already have been reviewed by appropriate staff at the Army and FAA to ensure they meet with each agency's safety goals and

regulations. The review has ensured that the additional restricted airspace would be separated from the FAA Victor airway by the required distance. Similarly, the FAA would impose a buffer on top of the uppermost altitude of the restricted airspace to ensure a safe distance between military actions and commercial air traffic. By maintaining safe conditions throughout Fort A.P. Hill and the airspace around the installation, there would be no change in current conditions.

Expanding the restricted airspace would improve the safety of those involved in training exercises at Fort A.P. Hill, as well as private air traffic in the vicinity. Specifically, the safety of air-to-ground training exercises would be improved. This would be accomplished by providing more space for aircraft to operate in and to create a greater distance between the aircraft and ordnance being detonated on the ground below. Overall, this would result in a long-term, minor, beneficial impact.

4.4.5.3 Impacts of the No Action Alternative

Under the No Action Alternative, there would be no change to the restricted airspace over Fort A.P. Hill. Actions within the installation would continue to be governed by Army safety regulations. Any activity would be confined to the existing airspace or would be granted a special exception by the FAA after a NOTAM had been issued. This safety precaution would avoid any potential unsafe conditions during military actions outside of the restricted airspace.

Air-to-ground training exercises would remain confined to the existing airspace. This would limit the space aircraft had to operate within, and would limit the distance between aircraft and ordnance detonating on the ground below. Therefore, there would be no change to existing conditions.

4.4.5.4 Conclusion

The Proposed Action would have a long-term, minor, beneficial impact to safety. The No Action Alternative would have no impact on existing conditions. No mitigating actions would be required since there would be no significant adverse impacts.

4.5 Summary of Environmental Consequences

Table 4 provides a summary of the environmental consequences related to each alternative. A more detailed explanation of the impacts is presented in the sections above.

Table 4: Summary of Environmental Consequences		
Resource	Proposed Action	No Action Alternative
Soils, Topography, and Geology See Section 4.2.1	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Floodplains See Section 4.2.2	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Water Resources See Section 4.2.3	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Air Quality See Section 4.2.4	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Noise See Section 4.2.5	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Cultural Resources See Section 4.2.6	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Hazardous Materials See Section 4.2.7	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact

Table 4: Summary of Environmental Consequences

Resource	Proposed Action	No Action Alternative
Aesthetic Resources See Section 4.2.8	Light from aircraft and artillery could be visible for longer periods of time. <i>Overall impact:</i> long-term, minor, adverse	No change in existing conditions. <i>Overall impact:</i> no impact
Vegetation See Section 4.3.1	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Fish and Wildlife See Section 4.3.2	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Threatened and Endangered Species See Section 4.3.3	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Wetlands See Section 4.3.4	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Land Use See Section 4.4.1	No impacts to surrounding lands; however, the Army would be able to make better use of its own land. <i>Overall impact:</i> long-term, minor, beneficial	No impacts to surrounding lands. The Army would be limited in achieving optimal use of its own land. <i>Overall impact:</i> long-term, minor, adverse
Transportation See Section 4.4.2	Adjustment in regional air traffic control would improve access to/over Fort A.P. Hill and result in more consistent air traffic conditions in the region. <i>Overall impact:</i> long-term, minor, beneficial	No change in existing conditions. <i>Overall impact:</i> no impact

Table 4: Summary of Environmental Consequences

Resource	Proposed Action	No Action Alternative
Utilities and Energy Conservation See Section 4.4.3	Adjustments in regional air traffic would change fuel use patterns. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Population and Economics See Section 4.4.4	No change in existing conditions. <i>Overall impact:</i> no impact	No change in existing conditions. <i>Overall impact:</i> no impact
Safety See Section 4.4.5	No change in regional safety conditions; however, safety of air-to-ground training would be improved. <i>Overall impact:</i> long-term, minor, beneficial	No change in existing conditions. <i>Overall impact:</i> no impact
Cumulative Impacts See Section 4.6	Both the Proposed Action and the No Action Alternative would contribute to cumulative impacts related to the resources discussed above.	

4.6 Cumulative Impacts

The CEQ regulations that implement NEPA require assessment of cumulative impacts in the decision-making process for Federal projects. Cumulative impacts are defined as impacts which result when the impact of the Proposed Action is added to the impacts of other present and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such other actions (40 CFR 1508.7).

To determine the potential cumulative impacts, existing and anticipated future projects at Fort A.P. Hill and the surrounding area were identified. Potential projects identified as cumulative actions included any planning or development activity currently being implemented or expected to be implemented in the reasonably near future. The projects identified as contributing to cumulative impacts on the resources addressed by this EA include growth of regional airports and air traffic, continued training and development at Fort A.P. Hill, and overall regional growth.

Growth of Regional Airports and Air Traffic

The major airports in the region include Richmond International Airport (RIC) and Reagan National Airport (DCA). Both airports have considered increasing “on-the-ground” facilities to support the growing number of incoming and outgoing flights. The RIC Master Plan recommends a long list of improvements, including expanded or new runways, expanded or new hangars and cargo facilities, new or improved concourse facilities, and new connections to local and regional roads. These improvements are designed to meet the growing demand for cargo and passenger service at RIC. The Master Plan projects the number of average passengers per departure or arrival will increase at twice the rate projected by the FAA for the United States as a whole (RIC 2009). Similarly, a 2007 Government Accounting Office (GAO) report notes that DCA is not meeting its permitted capacity for incoming/outgoing flights. The report also states that this capacity could possibly be increased, though on the ground facilities would need to be expanded (GAO 2007).

The increases at these airports, as well as the continued use of Shannon Airport and other local airports, should result in additional air traffic on existing and future FAA routes through the region. These increases in regional air traffic have the potential to impact air quality, noise, aesthetic resources, transportation, utilities and energy conservation, and population and economics.

Continued Training and Development at Fort A.P. Hill

Fort A.P. Hill is used year-round for military training of both active and reserve troops of the Army, Navy, Marines, and Air Force, as well as other government agencies. These include the Department of State and Department of the Interior; U.S. Customs Service; and Federal, State and local security and law enforcement agencies. Activities and development within the installation are focused on training exercises for these groups, as well as constructing new training facilities and supporting infrastructure. These activities have the potential to impact soils, topography, and geology; floodplains; water resources; air quality; noise; cultural resources; hazardous materials; aesthetic resources; vegetation; fish and wildlife; threatened and endangered species; wetlands; land use; transportation; utilities and energy conservation; population and economics; and safety.

Overall Regional Growth

Since the opening of Fort A.P. Hill, Caroline County, and the surrounding communities have experienced increasing levels of growth and development. This has included increases in population, residential and commercial development, and improved roads and utilities. An example of this development is the recent extension of the underground water and sewer utility system. These developments and activities have the potential to impact soils, topography, and geology; floodplains; water resources; air quality; noise; cultural resources; hazardous materials; vegetation; fish and wildlife; threatened and endangered species; wetlands; land use; transportation; utilities and energy conservation; population and economics; and safety.

4.6.1 Cumulative Impact Analysis

The contribution of the two alternatives analyzed in this EA, the Proposed Action and the No Action Alternative, to the cumulative actions described above is similar for many resources. Unless otherwise noted below, neither the Proposed Action nor the No Action Alternative contributes to cumulative impacts. There is no contribution because the alternatives have no impact on the existing condition of the given resource. By not contributing to these cumulative impacts, the Proposed Action and/or the No Action Alternative would not result in increased impacts to resources within the installation or throughout the region.

The Proposed Action would contribute minor beneficial increments to cumulative impacts related to land use, transportation, and safety. The contributions would be related to Army making better use of its lands at the installation. These contributions also would be the result of better use of regulated airspace and improved access for aircraft training at Fort A.P. Hill. While these contributions may be of some consequence relative to the proposed study area, they do not represent significant increases to impacts on these resources. Therefore, the cumulative projects, along with the Proposed Action, would have a long-term, minor, beneficial cumulative impact on land use and transportation.

By expanding and better defining the restricted airspace over Fort A.P. Hill, the Proposed Action would increase the safety of those involved in air-to-ground training. Safer training conditions would result in safer conditions in the area surrounding the training site, as well. While these contributions may be of some consequence relative to the proposed study area, they do not represent a significant increase to impacts on the resource. Therefore, the cumulative projects, along with the Proposed Action, would have a long-term, minor, beneficial cumulative impact on safety.

Other minor contributions to cumulative impacts are related to utilities and energy conservation. These contributions result in changes in fuel consumption patterns related to military training, as well as local aircraft rerouting around restricted airspace. As noted in Section 4.4.3 of the EA, these contributions would be short-term. Once the changes were incorporated into regular budgets and plans, the adverse contribution would end. While these contributions may be of some consequence relative to the proposed study area, they do not represent significant increases to impacts on these resources. Therefore, the cumulative projects, along with the Proposed Action, would have a short-term, minor, adverse cumulative impact on utilities and energy conservation.

The No Action Alternative would contribute to cumulative impacts related to land use. These contributions would be related to the Army not being able to use all of the existing firing points at Fort A.P. Hill for artillery training. This would prevent the Army from making the best use of its own land. While these contributions may be of some consequence relative to the proposed study area, they do not represent a significant increase to impacts on the resource. Therefore, the cumulative projects, along with the No Action Alternative, would have a long-term, minor, adverse cumulative impact on land use.

5.0 Preparers and References

5.1 Preparers, Contributors, and Reviewers

This document was prepared by EEE Consulting, Inc. with input and review from staff at Fort A.P. Hill the U.S. Army Public Health Command, and the Federal Aviation Administration.

Fort A.P. Hill

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APPENDIX A
AGENCY CORRESPONDENCE AND PUBLIC COMMENT

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DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
NORTHEAST REGION
HEADQUARTERS, U.S. ARMY GARRISON, FORT A.P. HILL
18436 4TH STREET
FORT A.P. HILL, VIRGINIA 22427-3114

REPLY TO
ATTENTION OF

IMNE-APH-ZA

19 May 2011

MEMORANDUM FOR Director Dennis E. Roberts, Federal Aviation Administration, Mission Support Services, 800 Independence Ave, SW, Suite 400 East, Washington, DC 20531

SUBJECT: Cooperating Agency Request for the Proposed Modification to R-6601

1. The United States Army is initiating the preparation of an Environmental Assessment (EA) to Modify R-6601 to allow for the use of high-angle weapon systems in order to accomplish mandatory training requirements. In the past, the Installation used Controlled Firing Areas (CFAs) to accomplish the training events that required more than the 5,000 feet that R-6601 provided. During a review of current practices and procedures, the FAA Eastern Service Center determined that the activities no longer met the criteria of a CFA as described in FAA Order JO 7400.2, Chapter 27. As a result, units have had to cancel high-angle weapon system training due to the current ceiling of R-6601 being 5,000 feet MSL.

2. We request the Federal Aviation Administration's (FAA) formal participation as a cooperating agency during the preparation of this EA as prescribed in the President's Council on Environmental Quality National Environmental Policy Act (NEPA) Regulations, 40 CFR 1501.6, *Cooperating Agencies*. Federal Aviation Administration (FAA) participation in the NEPA process is necessary because this proposed action will require modification to an existing Restricted Area, R-6601, from 5,000 feet MSL to 9,000 feet MSL.

3. As a cooperating agency, we request your participation in the following activities:

- a. Making staff support available to enhance interdisciplinary analysis and review.
- b. Participating in and utilizing the public involvement process for any necessary FAA public involvement related to potential Restricted Airspace modification.
- c. Assuming responsibility, upon request, for developing information and preparing analysis on topics for which the FAA has special expertise.
- d. Signing or adopting the EA if it is determined that Restricted Airspace R-6601 requires modification.

IMNE-APH-ZA

SUBJECT: Cooperating Agency Request for the Proposed Modification to R-6601

e. Responding, in writing, to this request.

4. We look forward to working with the FAA to produce an EA that meets the needs of all parties involved. My point of contact for this matter is Ms. Terry L. Banks, Chief Environmental Division, at 804-633-8255 or Terry.Banks1@us.army.mil.

AUTHORITY LINE:



JOHN W. HAEFNER
Lieutenant Colonel, US Army
Commanding

CF:

Department of the Army Representative, FAA Eastern Service Area



U.S. Department
of Transportation
**Federal Aviation
Administration**

JUN 2 2011

John W. Haefner
Lieutenant Colonel, US Army
Department of the Army
Installation Management Command
Headquarters, US Army Garrison, Fort A.P. Hill
18436 4th Street
Fort A.P. Hill, Virginia 22427-3114

Dear Lieutenant Colonel Haefner:

Thank you for your letter requesting the Federal Aviation Administration participate as a cooperating agency in the environmental assessment (EA) for the proposed modification to restricted area 6601 (R-6601).

The FAA is pleased to participate in the EA process in accordance with the National Environmental Policy Act of 1969 as amended, and its implementing regulations. Since the proposal involves special use airspace (SUA), the FAA will cooperate following the guidelines described in the Memorandum of Understanding (MOU) between the FAA and the Department of Defense Concerning SUA Environmental Actions, dated October 4, 2005.

Modification of the SUA resides under the jurisdiction of the Eastern Service Center, Operations Support Group, College Park, GA. The Eastern Service Center will be the primary focal point for matters related to both airspace and environmental matters. Mr. Mark D. Ward is the Manager of the Operations Support Group. FAA Order 7400.2, Chapter 32 indicates the airspace and environmental processes should be conducted in tandem as much as possible; however, they are separate processes. Approval of either the aeronautical process or the environmental process does not automatically indicate approval of the entire proposal. I have attached Appendix 2, 3, and 4 of FAA Order 7400.2 for additional details.

A copy of the incoming correspondence and this response is being forwarded to Mr. Ward of the Eastern Service Center, Operations Support Group. Mr. Ward can be contacted at (404) 305-5571 for further processing of your proposal.

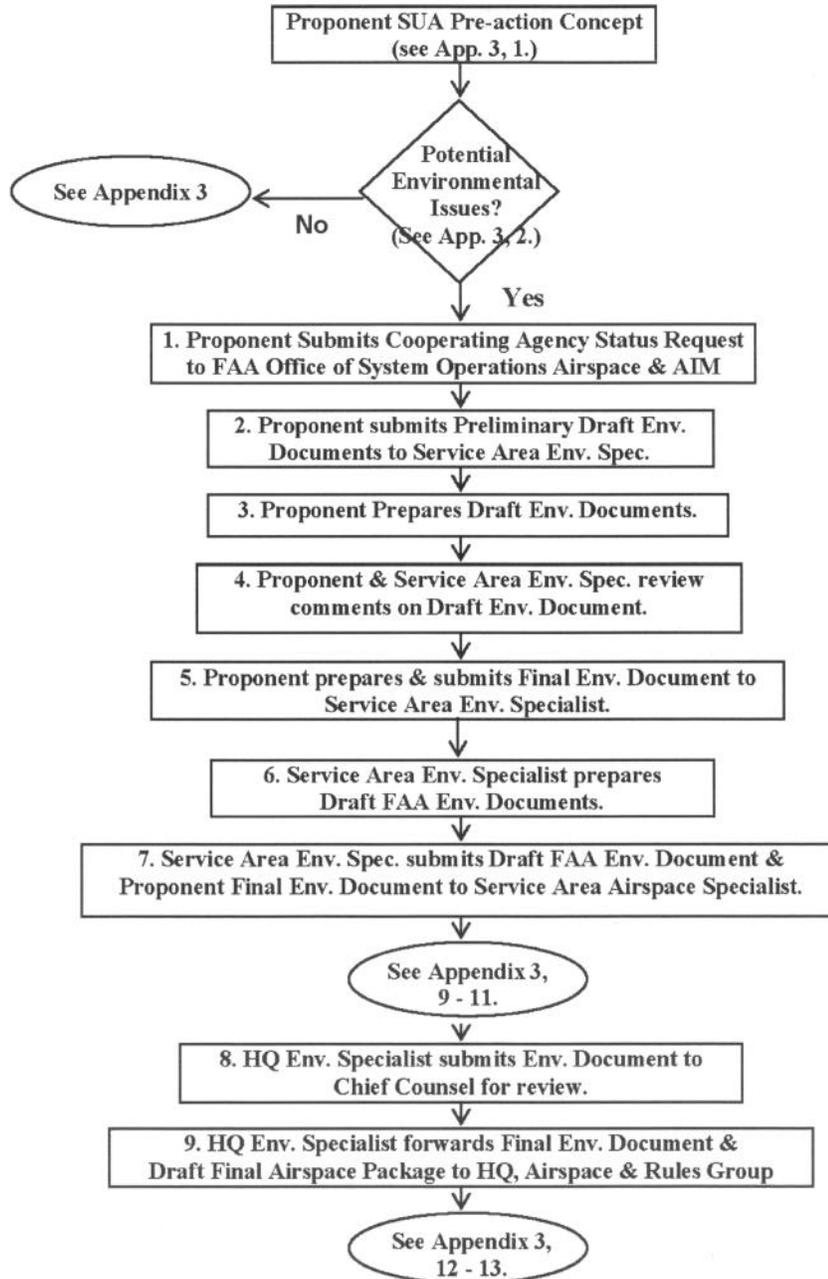
Sincerely,

Dennis E. Roberts
Director, Airspace Services
Air Traffic Organization

3 Enclosures

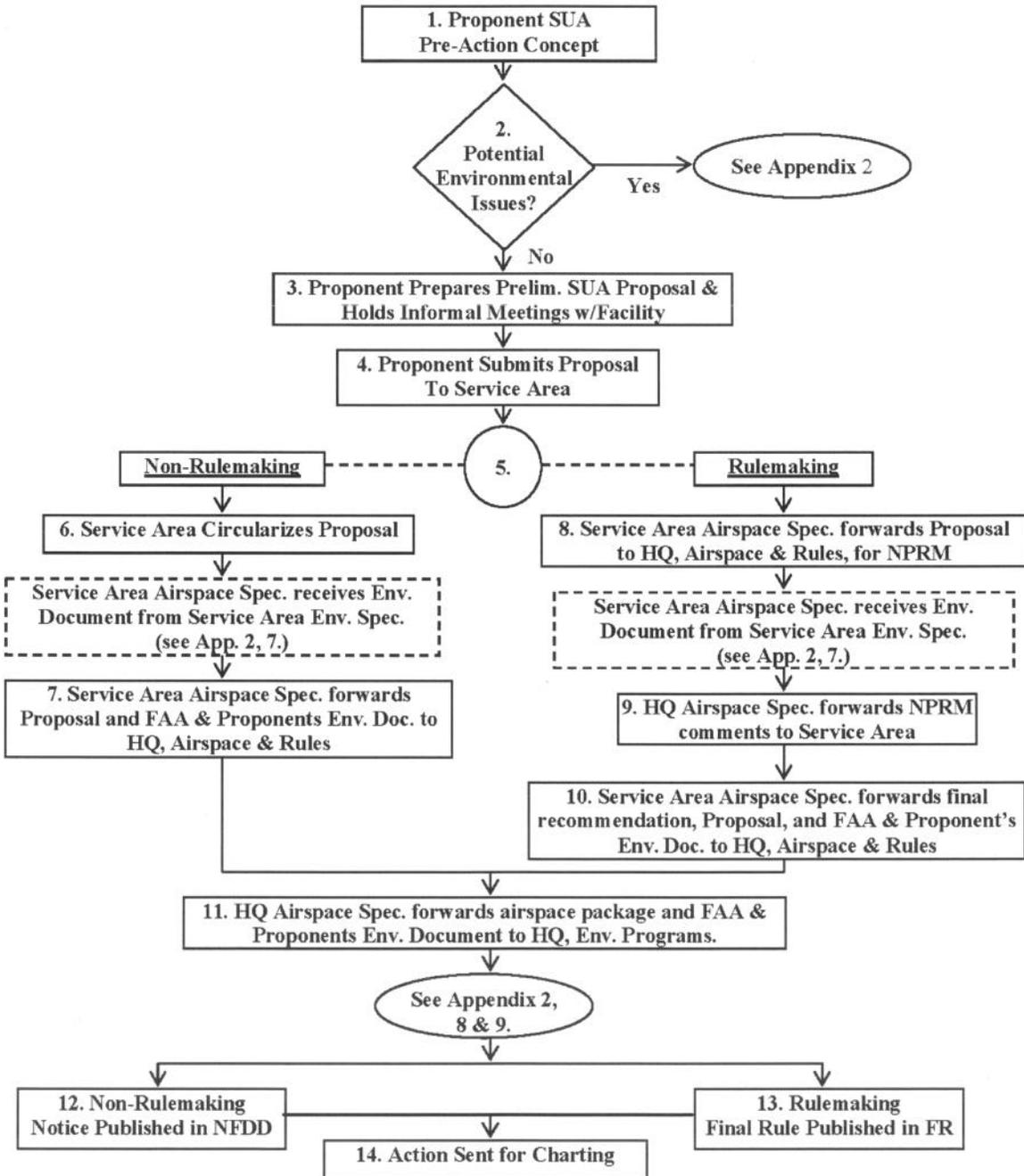
Appendix 2. Procedures for Processing SUA Actions Environmental Process Flow Chart

(This Appendix is for use with Appendix 4 and the numbers correlate to the numbers in the Environmental column of that table.)



Appendix 3. Procedures for Processing SUA Actions Aeronautical Process Flow Chart

(This Appendix is for use with Appendix 4 and the numbers correlate to the numbers in the Aeronautical column of that table.)



Appendix 4. FAA Procedures for Processing SUA Actions Aeronautical and Environmental Summary Table

(The aeronautical and environmental processes may not always occur in parallel.)

(This Appendix is for use with Appendix 2 and Appendix 3, and the numbers correlate to numbers on those charts.)

(See note below.)

AERONAUTICAL	ENVIRONMENTAL
<p>1. Proponent shall present to the Facility a Pre-draft concept (i.e., new/ revisions to SUA needed or required).</p>	<p>1. Proponent shall discuss with the Service Area, at the earliest time, the potential for environmental impacts associated with the proposal.</p>
	<p>2. If there is the potential for environmental impacts, Proponent shall make a request to the FAA for a Cooperating Agency (CA) status when Proponent decides to initiate the environmental process. Proponent shall forward the request to the Director of the Mission Support, Airspace Services. The Director will transmit the request to the Airspace Management Group who prepares and forwards the response to Proponent. The Airspace Management Group will send a courtesy copy of the response to the responsible Service Area. The Service Area environmental specialist works as the FAA point of contact throughout the process in development of any required environmental documentation.</p>
	<p>3. Proponent submits a Preliminary Draft EA or EIS to the Service Area environmental specialist.</p> <p>The Service Area environmental specialist shall provide comments, in consultation with the airspace specialist and the Airspace Management Group, back to Proponent.</p>

<p>2. Proponent forwards the aeronautical proposal to the FAA Service Area for review and processing by the airspace specialist.</p>	<p>4. Proponent prepares a Draft EA or EIS with a 45-day public comment period. As the FAA CA point of contact, the Service Area environmental specialist reviews the associated draft environmental documentation to ensure that the Proponent addressed adequately all environmental concerns submitted on the Preliminary Draft. If required, the Service Area environmental specialist forwards the draft environmental documentation to the Airspace Management Group for review and comment by the headquarters environmental specialist and the Office of Chief Counsel.</p>
<p>3. The Service Area airspace specialist, in accordance with this order, determines the type of airspace action(s) necessary, either Non-Rulemaking or Rulemaking. FAA Service Area and Proponent determine if informal Airspace Meetings are required.</p>	
<p>For Non-Rulemaking:</p>	
<p>4. The Service Area airspace specialist sends out a circularization with a 45-day public comment period. The Service Area airspace specialist reviews and prepares, in consultation with the Proponent, responses to the aeronautical comments from the study and circularization in accordance with Chapter 21 of this order.</p>	<p>5. The Proponent reviews comments received on their Draft EA/FONSI or EIS and prepares their responses to the comments, in consultation with the FAA and other cooperating agencies, if necessary, and in accordance with Chapter 32 of this order.</p>
	<p>6. Proponent prepares and submits their Final EA/FONSI or EIS/ROD to the Service Area environmental specialist.</p>
	<p>7. The Service Area environmental specialist prepares a Draft FAA FONSI/ROD or Draft FAA Adoption Document/ROD.</p>
	<p>8. The Service Area environmental specialist submits the Draft FAA FONSI/ROD or Draft FAA Adoption Document/ROD and the Proponent's Final EA/FONSI or EIS/ROD to the Service Area airspace specialist for inclusion with the airspace proposal package.</p>
<p>5. The Service Area airspace specialist then sends the completed package containing the aeronautical proposal, response to comments, Proponent's Final EA/FONSI, and the Draft FAA FONSI/ROD to the Headquarters Airspace Regulations and ATC Procedures Group with their recommendation.</p>	

For Rulemaking:	
6. The Service Area airspace specialist sends the proposal to the Airspace Regulations and ATC Procedures Group who prepares a Notice of Proposed Rulemaking (NPRM). The Headquarters Airspace Regulations and ATC Procedures Group submits the NPRM for publication in the Federal Register with a 45-day comment period in accordance with Chapter 2 of this order.	
7. The Headquarters airspace specialist sends comments received on the NPRM to the Service Area airspace specialist for resolution.	
8. The Service Area airspace specialist then sends the completed package containing the response to comments, final service area recommendation, the proposal, Proponent's Final EA/FONSI or EIS/ROD, and the Draft FAA FONSI/ROD or Draft FAA Adoption Document/ROD to the Headquarters Airspace Regulations and ATC Procedures Group for preparation of the Final Rule.	
9. The Headquarters airspace specialist forwards the draft final rule package or draft non-rulemaking case summary (NRCS) with all supporting documentation to the Headquarters Airspace Management Group for review (after all aeronautical comments have been resolved).	9. The Headquarters environmental specialist reviews the package for environmental technical accuracy; then submits the environmental documentation to the Office of the Chief Counsel, Airports and Environmental Law Division, for legal sufficiency review (having collaborated throughout the process).
	10. The Chief Counsel's environmental attorney's comments are incorporated into the final FAA environmental decision and signed by Headquarters Airspace Management Group Manager. The package is then returned to the Headquarters Airspace Regulations and ATC Procedures Group.
10. For Non-rulemaking: The non-rulemaking action is published in the National Flight Data Digest (NFDD). ■	
11. For Rulemaking: The Final Rule is published in the Federal Register. The Final Rule will contain a reference to the decision rendered and location of documentation for the associated environmental process.	

Consult the following documents throughout the process for further information:

- Council on Environmental Quality Regulations for Implementing the National Environmental Policy Act (NEPA), 40 CFR Parts 1500–1508
- FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures”
- FAA Order 7400.2, “Procedures for Handling Airspace Matters,” Part 5
- FAA Order 7400.2, Chapter 32, “Environmental Matters” and the associated appendixes (for specific SUA environmental direction)

NOTE: The time periods below are for a non-controversial aeronautical proposal and its associated environmental process. The time periods are for FAA review/processing only. Times for proponent and/or environmental contract support processing must be added.

ENVIRONMENTAL: The estimated time of completion for EA processing is 12 to 18 months or, for EIS processing, 18 to 36 months.

AERONAUTICAL (Non-Rulemaking): A minimum 4 months is required from submission of the Formal Airspace Proposal by the Proponent to the Service Area through completion of the circularization process. Additionally, a minimum of 6 months is required from submission of the Formal Airspace Proposal by the Service Area to Headquarters through completion of the charting process.

AERONAUTICAL (Rulemaking): A minimum 6 weeks for Service Area processing, and a minimum of 9 months to complete rulemaking once the formal package is received at Headquarters.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
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May 17, 2012

Ms. Terry Banks
Chief, Environmental Division
19952 North Range Road
Fort A.P. Hill, Va. 22427-3123

**RE: Draft Environmental Assessment and Federal Consistency Determination:
Modification of Restricted Airspace Over Fort A.P. Hill, Caroline County,
Department of the Army (DEQ 12-064)**

Dear Ms. Banks:

The Commonwealth of Virginia has completed its review of the above-referenced draft environmental assessment (EA), which includes a federal consistency determination (FCD). The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of federal environmental documents prepared pursuant to the National Environmental Policy Act and responding to appropriate federal officials on behalf of the Commonwealth. DEQ is also responsible for coordinating state reviews of FCDs submitted under the Coastal Zone Management Act. The following agencies joined in this review:

Department of Environmental Quality
Department of Conservation and Recreation
Department of Transportation

The Department of Game and Inland Fisheries, Department of Historic Resources, George Washington Regional Commission, Caroline County and the Town of Bowling Green also were invited to comment.

PROPOSED ACTION

The Department of the Army submitted an EA to address the proposal to modify the restricted airspace over Fort A.P. Hill in Caroline County. The current restriction extends to an altitude of 5,000 feet above mean sea level (MSL). The proposed restricted area would be divided into three shelves: a) surface to 4,500 feet MSL, b) 4,501 feet MSL to 7,500 feet MSL, and c) 7,501 feet MSL to 9,000 feet MSL. The modification would prevent public use of the lowest shelf during certain times and other times would apply with 24 hours advanced notice. The two other shelves would be activated with 24 hours advanced notice. The EA describes the Proposed Action or Preferred Alternative (described above) and the No Action Alternative. The change in airspace would not alter the frequency or type of training currently conducted at Fort A.P. Hill. However, the Preferred Alternative would allow the Army to use all of the existing firing points within Fort A.P. Hill, spreading the use of artillery across the installation. One of the criteria in choosing how to modify the airspace was that the altitude and area should be limited to avoid existing Federal Aviation Administration (FAA) routes for commercial air traffic. According to the FCD included in the EA, the project would be consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Zone Management Program (VCP) (formerly called the Virginia Coastal Resources Management Program).

COMMONWEALTH OF VIRGINIA COMMENTS

1. Air Pollution Control. The EA (page 24) states that under the Proposed Action, the overall frequency of artillery firing would not increase. However, more firing events would occupy higher altitudes. The Army does not expect an increase in emissions because there would be no impact in the frequency of air-to-ground training. The EA (page B-7) also states that the implementation of the project would have no effect on the air pollution control enforceable policy of the VCP.

1(a) Agency Jurisdiction. The DEQ Air Division, on behalf of the Air Pollution Control Board, is responsible for developing regulations that become Virginia's Air Pollution Control Law. DEQ is charged with carrying out mandates of the state law and related regulations as well as Virginia's federal obligations under the Clean Air Act as amended in 1990. The objective is to protect and enhance public health and quality of life through control and mitigation of air pollution. The division ensures the safety and quality of air in Virginia by monitoring and analyzing air quality data, regulating sources of air pollution, and working with local, state and federal agencies to plan and implement strategies to protect Virginia's air quality. The appropriate regional office is directly responsible for the issue of necessary permits to construct and operate all stationary sources in the region as well as to monitor emissions from these sources for compliance. As a part of this mandate, the environmental documents of new projects to be undertaken in the state are also reviewed. In the case of certain projects, additional evaluation and demonstration must be made under the general conformity provisions of state and federal law.

1(b) Ozone Attainment Area. According to the DEQ Air Division, the project location is in an ozone attainment area.

1(c) Agency Comments. The DEQ Northern Regional Office (NRO) states that as proposed any appreciable impacts the project will have on programs that are overseen by NRO have been adequately addressed. Should there be substantive changes to the project, further review may be required.

2. Natural Heritage Resources. The EA (page 3) states that existing vegetation would not be affected.

2(a) Agency Jurisdiction. The mission of DCR is to conserve Virginia's natural and recreational resources. The DCR Division of Natural Heritage's (DNH) mission is conserving Virginia's biodiversity through inventory, protection and stewardship. The Virginia Natural Area Preserves Act, 10.1-209 through 217 of the Code of Virginia, was passed in 1989 and codified DCR's powers and duties related to statewide biological inventory: maintaining a statewide database for conservation planning and project review, land protection for the conservation of biodiversity, and the protection and ecological management of natural heritage resources (the habitats of rare, threatened and endangered species, significant natural communities, geologic sites, and other natural features).

2(b) Agency Findings. DCR DNH states that the Biotics Data System documents the presence of natural heritage resources in the project area. However, due to the scope of the activity and the distance to the resources, DCR DNH does not anticipate that this project will adversely impact these natural heritage resources.

According to the information currently in DCR's files, the Bald eagle (*Haliaeetus leucocephalus*) and Bachman's Sparrow (*Aimophila aestivalis*) have been documented in the project vicinity.

2(c) Threatened and Endangered Plant and Insect Species. The Endangered Plant and Insect Species Act of 1979, Chapter 39, §3.1-102- through 1030 of the Code of Virginia, as amended, authorizes VDACS to conserve, protect and manage endangered species of plants and insects. The VDACS Virginia Endangered Plant and Insect Species Program personnel cooperates with FWS, DCR DNH and other agencies and organizations on the recovery, protection or conservation of listed threatened or endangered species and designated plant and insect species that are rare throughout their worldwide ranges. In those instances where recovery plans, developed by the U.S. Fish and Wildlife Service, are available, adherence to the order and tasks outlined in the plans are followed to the extent possible. VDACS has regulatory authority to conserve rare and endangered plant and insect species through the Virginia Endangered Plant and Insect Species Act.

Under a Memorandum of Agreement established between VDACS and DCR, DCR has the authority to report for VDACS on state-listed plant and insect species. DCR DNH

finds that the current activity will not affect any documented state-listed plant and insect species.

2(d) State Natural Area Preserves. DCR's files do not indicate the presence of any State Natural Area Preserves under the agency's jurisdiction.

2(e) Agency Recommendations.

- Since new and updated information is continually added to the Biotics Data System, contact DCR DNH for updated information if a significant amount of time passes before a project discussed in the plan is implemented.
- Coordinate with the Department of Game and Inland Fisheries (DGIF) to ensure compliance with the Virginia Endangered Species Act due to the legal status of the Bald eagle and Bachman's Sparrow.

3. Wildlife Resources.

3(a) Agency Jurisdiction. The Department of Game and Inland Fisheries (DGIF), as the Commonwealth's wildlife and freshwater fish management agency, exercises enforcement and regulatory jurisdiction over wildlife and freshwater fish, including state or federally listed endangered or threatened species, but excluding listed insects (Virginia Code Title 29.1). DGIF is a consulting agency under the U.S. Fish and Wildlife Coordination Act (16 U.S.C. sections 661 *et seq.*) and provides environmental analysis of projects or permit applications coordinated through DEQ and several other state and federal agencies. DGIF determines likely impacts upon fish and wildlife resources and habitat, and recommends appropriate measures to avoid, reduce or compensate for those impacts.

3(b) Agency Comments. DGIF did not respond to DEQ's request for comments.

3(c) Additional Information. For additional information on wildlife resources, visit the DGIF website at www.dgif.virginia.gov.

4. Historic Architectural Resources.

4(a) Agency Jurisdiction. The Department of Historic Resources (DHR) conducts reviews of projects to determine their effect on historic structures or cultural resources under its jurisdiction. DHR, as the designated State's Historic Preservation Office, ensures that federal actions comply with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation at 36 CFR Part 800. The preservation act requires federal agencies to consider the effects of federal projects on properties that are listed or eligible for listing on the National Register of Historic Places. Section 106 also applies if there are any federal involvements, such as licenses, permits, approvals or funding. DHR also provides comments to DEQ through the state environmental impact report review process.

4(b) Agency Comments. DHR did not respond to DEQ's request for comments.

4(c) Requirement. Consult directly with DHR pursuant to Section 106 of the National Historic Preservation Act (as amended) and its implementing regulations codified at 36 CFR Part 800 which require federal agencies to consider the effects of their undertakings on historic properties.

5. Transportation Impacts.

5(a) Agency Jurisdiction. The Virginia Department of Transportation (VDOT) provides comments pertaining to potential impacts to existing and future transportation systems.

5(b) Agency Comments. The VDOT Fredericksburg District Planning Section states that the proposed action should not have significant adverse impacts upon existing or proposed state highways in the area.

6. Aviation Impacts.

6(a) Agency Jurisdiction. The Virginia Department of Aviation (DOAv) is a state agency that plans for the development of the state aviation system; promotes aviation; grants aircraft and airports licenses; and provides financial and technical assistance to cities, towns, counties and other governmental subdivisions for the planning, development, construction and operation of airports, and other aviation facilities.

6(c) Agency Findings. Overall DOAv states that the Proposed Action includes measures to ensure safety and minimize the social, economic and environmental impacts to the air transportation system. In addition, DOAv states that the current airspace configuration of the restricted airspace would be lowered by 500 feet (R-6601A) and have active hours from 7 a.m. to 2 a.m. daily. The airspace would be activated at other times via a Notice to Airmen issued by the FAA. This aspect of the Proposed Action should have no foreseeable impact on current aircraft operations.

6(d) Agency Comments. DOAv states that it assumes that by the addition of the other two restricted areas (R-6601B and R-6601C) there would be additional impact with respect to air traffic and airspace use. The EA identifies impacts using Victor Airway V376 and commercial air traffic using larger international airports near Richmond and Washington, D.C. DOAv requested additional information regarding to what extent instrument approach procedures or enroute vectoring altitudes would be affected by the modification of restricted airspace over A.P. Hill.

6(e) Army and FAA Response. On May 14, 2012, the Army submitted (email, K.Brown/J.Wellman) the following information from the FAA to address DOAv's request. DEQ submitted this information to DOAv on the same day but has not received a response.

Instrument Approach Procedures

Fredericksburg/Shannon (KEZF): The restricted area expansion has no impact to any approach procedures. The main runway is aligned parallel to the restricted area, and there's almost 13 nautical miles (NM) from restricted area border to the airport. The restricted area is not expanding laterally.

Stafford Regional (KRMN): Runway 33 is the primary runway for instrument approaches. All the approaches are north of the restricted area. Since the restricted area is not expanding laterally, there are no additional impacts to either of the two instrument procedures for Runway 33.

Washington Dulles (KIAD) and Washington National (KDCA): These two airports are over 40 NM away from the restricted area and will not have an impact to any of their approaches.

Standard Terminal Arrival Routes (STARs) and Victor Airways

There are two STARs and one victor airway that overlie the restricted areas: OJAAY 1, IRONS 4, and V-376. All three have the same ground track and proceed through the area in a northeast/southwest fashion. When only R-6601A (SFC < 4,500 feet MSL) is active, there is no additional impact to air traffic. The original R-6601 was from the surface to 5,000' MSL. Now that R-6601A will be reduced by 500 feet, this actually aids air traffic because it adds another IFR altitude at 5,000 feet MSL for southbound traffic.

The proposed R-6601B (4,500 feet < 7,500 feet MSL), when active with 6601A, civil aircraft will no longer have IFR altitudes of 5,000, 6,000, and 7,000 feet. Potomac TRACON stated that, on average, only nine aircraft traverse northbound at 6,000 feet MSL weekly – a minimal impact. Additionally, the proponent is not expected to activate 6601B or 6601C nearly as much as 6601A, thereby further reducing the impacts to civil aviation.

The proposed R-6601C (7,500 feet - 9,000 feet MSL), when active with 6601A and 6601B, civil aircraft will not have IFR altitudes from 5,000 to 9,000 feet MSL. Potomac TRACON stated that in addition to the nine travelling northbound at 6,000 feet, there are 17 per week travelling northbound at 8,000 feet – again a minimal impact. Again, the proponent is not expected to activate 6601B or 6601C nearly as much as 6601A, thereby further reducing the impacts to civil aviation.

In summary, there will be no impacts to aircraft flying above 9,000 feet MSL on V-376 or the two STARs. Creating R-6601A to be 500 feet below the current restricted area adds a cardinal altitude that southbound civil aviation can use. The only impact will be to those civil aircraft that are on the STARs or V-376 at 9,000 feet and below with all three proposed restricted areas active. Potomac Approach will be required to vector those

aircraft in order to miss the restricted areas. Lastly, the proponent intends for 6601A to be heavily used with occasional activations of 6601B and C.

7. Local and Regional Comments.

7(a) Jurisdiction. In accordance with the Code of Virginia, Section 15.2-4207, planning district commissions encourage and facilitate local government cooperation and state-local cooperation in addressing, on a regional basis, problems of greater than local significance. The cooperation resulting from this is intended to facilitate the recognition and analysis of regional opportunities and take account of regional influences in planning and implementing public policies and services. Planning district commissions promote the orderly and efficient development of the physical, social and economic elements of the districts by planning, and encouraging and assisting localities to plan for the future.

7(b) Comments. The George Washington Regional Commission, Caroline County and the Town of Bowling Green did not respond to DEQ's request for comments.

FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT

Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities located inside or outside of Virginia's designated coastal management area that can have reasonably foreseeable effects on coastal resources or coastal uses must, to the maximum extent practicable, be implemented in a manner consistent with the VCP. The VCP consists of a network of programs administered by several agencies. DEQ coordinates the review of FCDs with agencies administering the enforceable and advisory policies of the VCP.

PUBLIC PARTICIPATION

In accordance with 15 CFR §930.2, the public was invited to participate in the Commonwealth's review of the FCD. A public notice of this proposed action was published by the Army from October 4, 2011 to November 2, 2011. An additional 30-day comment period will be held if a Finding of No Significant Impact for the draft EA is issued.

CONSISTENCY ANALYSIS

According to the FCD (B-3 to B-7), the project would be consistent to the maximum extent practicable with the enforceable policies of the VCP. In addition, the FCD states that the implementation of the Proposed Action would not affect land or water uses or natural resources, and addresses each enforceable policy of the VCP, indicating that there would be no effect to the policies. In addition, the analysis in the FCD for the air pollution control enforceable policy states that the estimated emissions from the implementation of the Proposed Action would not exceed the *de minimis* threshold

American Water, the wastewater treatment plant operator for Fort A.P. Hill, holds permits related to the point source pollution control enforceable policy and none of the permits would be affected by the Proposed Action.

CONSISTENCY CONCURRENCE

Based on the information provided in the draft EA and FCD, and the comments of agencies administering the enforceable policies of the VCP, DEQ concurs with the Army that the proposed activity is consistent with the VCP. DEQ has no objection to the implementation of the proposed action provided that the Army ensures that the proposed action is consistent with the enforceable policies and that this project is constructed and operated in accordance with all applicable federal, state and local laws and regulations. However, there may be other applicable state and federal requirements that are not included in the state's concurrence with the FCD.

REGULATORY AND COORDINATION NEEDS

1. Natural Heritage Resources. Contact the DCR DNH at (804) 371-2708 for an update on natural heritage information if a significant amount of time passes before the project is implemented.

2. Wildlife Resources and Protected Species.

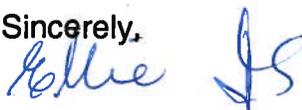
- DGIF's database may be accessed at <http://vafwis.org/fwis> or by contacting DGIF (Shirl Dressler at 804-367-6913).
- Coordinate with DGIF (Amy Ewing at Amy.Ewing@dgif.virginia.gov) to ensure compliance with the Virginia Endangered Species Act (Code of Virginia §§ 29.1-563 – 570).

3. Historic Resources. Contact DHR (Roger Kirchen at Roger.Kirchen@dhr.virginia.gov) to ensure compliance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulation 36 CFR 800 regarding this proposed project.

CONCLUSION

Thank you for the opportunity to review the draft EA and FCD. Detailed comments of reviewing agencies are attached for your review. Please contact me at (804) 698-4325 or Julia Wellman at (804) 698-4326 for clarification of these comments.

Sincerely,



Ellie L. Irons, Program Manager
Environmental Impact Review

Fort A.P. Hill
EA & FCD: Modification of Restricted Airspace
DEQ 12-064F

Enclosures

cc: Mark G. Gibb, NVRC
Charles Culley, Caroline County
Stephen Manster, Town of Bowling Green

ec: Amy Ewing, DGIF
Robbie Rhur, DCR
Kotur Narasimhan, DEQ Air
John Cheatham, DEQ
Roger Kirchen, DHR
Alfred Ray/James Cromwell, VDOT
Rusty Harrington, DOAv
Terry Page, FAA

Cheatham, John (DEQ)

RECEIVED

From: Cheatham, John (DEQ)
Sent: Monday, April 02, 2012 1:34 PM
To: Wellman, Julia (DEQ)
Subject: EA #12-064F

APR 04 2012

DEQ-Office of Environmental
Impact Review

NRO comments regarding the Modification of Restricted Airspace Over Fort A.P. Hill are as follows:

After a page by page review of the project, it has been determined that, as currently represented in the documentation provided, any appreciable impacts the project will have on programs that are overseen by this regional office have been adequately addressed at this time. Should there be substantive changes to the project, further review may be required.

Dell Cheatham

VWP Permit Writer - Virginia Department of Environmental Quality
Northern Regional Office - 13901 Crown Court, Woodbridge, VA 22193
703-583-3805



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street
Richmond, Virginia 23219-2010
(804) 786-1712

MEMORANDUM

DATE: April 23, 2012
TO: Julia Wellman, DEQ
FROM: Roberta Rhur, Environmental Impact Review Coordinator
SUBJECT: DEQ 12-064F, DOD, Dept of the Army – Modification of Restricted Airspace over Fort AP Hill

Division of Natural Heritage

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

Biotics documents the presence of natural heritage resources in the project area. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

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

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

The Virginia Department of Game and Inland Fisheries (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 Shirl Dressler at (804) 367-6913. According to the information currently in our file, the Bald eagle (*Haliaeetus leucocephalus*) and Bachman's Sparrow (*Aimophila aestivalis*) have been documented in the project vicinity. Due to the legal status of the Bald eagle and Bachman's Sparrow, DCR recommends coordination with Virginia's regulatory authority for the management and

protection of these species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570).

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.

Cc: Amy Ewing, VDGIF

Wellman, Julia (DEQ)

From: VanDussen, Craig (VDOT)
Sent: Monday, April 23, 2012 1:09 PM
To: Wellman, Julia (DEQ)
Cc: Cromwell, James R. (VDOT); Ray, Alfred C. (VDOT); Shropshire, Michelle, PE (VDOT); VanDussen, Craig (VDOT); Haynes, Stephen P. (VDOT)
Subject: Modification of Restricted Airspace Over Fort A. P. Hill

The Fredericksburg District Planning Section has reviewed the "Finding of No Significant Impact - Environmental Assessment for Airspace Modification at Fort A.P. Hill, Virginia" and has concluded that the proposed action should have no significant adverse impacts upon existing or proposed State Highways in the area, based upon the document provided.

Thank you for the opportunity to comment.

Craig Van Dussen, RLA/LEED AP

*Planning Manager
Fredericksburg District
VDOT
540- 899- 4260 (direct)
540- 907- 5884 (cell)
540- 899- 4704 (fax)*

craig.vandussen@vdot.virginia.gov



COMMONWEALTH of VIRGINIA

Randall P Burdette
Director

Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250-2422

RECEIVED

APR 13 2012

DEQ-Office of Environmental
Impact Review

V/TDD • (804) 236-3624
FAX • (804) 236-3635

April 9, 2012

Ms. Julia H. Wellman
Department of Environmental Quality
Office of Environmental Impact Review
629 East Main Street, 6th Floor
Richmond, Virginia 23219

**Re: Modification of Restricted Airspace over Fort A. P. Hill
Project Number 12-064F**

Dear Ms. Wellman:

Thank you for requesting our comments regarding the Modification of Restricted Airspace over Fort A. P. Hill, Project Number 12-064F.

The Virginia Department of Aviation has reviewed the environmental assessment report provided. After our review of the document, the Department acknowledges the fact that the current configuration of the Restricted Airspace would be lowered by 500' and identified as R-6601A and active from the hours of 7:00 a.m. until 2:00 a.m. daily. This airspace would also be activated at other times by a Notice to Airmen (NOTAM) issued by the Federal Aviation Administration (FAA) 24 hours in advance. This aspect of the proposed action should have no foreseeable impact on current aircraft operations. We would assume that by the addition of the other two restricted areas, R-6601B and R-6601C, therein would lie the additional impacts with respect to air traffic and airspace use.

The document identifies impacts for IFR traffic using Victor Airway V376 and commercial air traffic using "larger international airports existing near Richmond and Washington, DC." The Department would ask what would be the extent that instrument approach procedures or enroute vectoring altitudes at Shannon Airport (EZF), Stafford Regional Airport (RMN) Richmond International Airport (RIC), Washington Dulles International Airport (IAD) and Ronald Reagan Washington National Airport (DCA)?

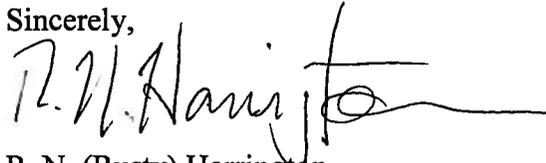


Ms. Julia H. Wellman
Project Number 12-064F
April 9, 2012
Page 2

The Department believes that the proposed action of the DOD/Department of the Army has taken considerable means to ensure safety and minimize the social, economic and environmental impacts on the air transportation system.

The Department appreciates the consideration you have given to us by requesting our comments on this project. Please do not hesitate to contact me should you have any questions or require further assistance regarding the Department's review of this project.

Sincerely,

A handwritten signature in black ink, appearing to read "R. N. Harrington", with a long horizontal flourish extending to the right.

R. N. (Rusty) Harrington
Manager, Planning and Environmental Section
Airport Services Division

tbm/

Wellman, Julia (DEQ)

From: Brown, Kristine L CIV (US) [kristine.l.brown.civ@mail.mil]
Sent: Monday, May 14, 2012 8:36 AM
To: Wellman, Julia (DEQ)
Cc: Banks, Terry L CIV (US)
Subject: FW: Fort AP Hill Restricted Airspace--VA DOA Request (UNCLASSIFIED)
Signed By: kristine.l.brown@us.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

Ms. Wellman,

Please see the FAA's response to the Virginia Department of Aviation questions regarding the Environmental Assessment for the proposed modification of restricted airspace at Fort A.P. Hill.

Please let me know if I can provide any additional assistance.

Thank you!

Kristine

-----Original Message-----

From: Steven.Brown@faa.gov [mailto:Steven.Brown@faa.gov]
Sent: Friday, May 11, 2012 3:14 PM
To: Brown, Kristine L CIV (US)
Cc: Delgado, Jose G CIV (US); Williams, Charles J III CIV (US)
Subject: Fort AP Hill Restricted Airspace--VA DOA Request

Kristine,

Reference the Commonwealth of Virginia's Department of Aviation memorandum dated 9 Apr 12, here are the answers to their questions. If you could pass these on to them, I'd appreciate it.

Instrument Approach Procedures:

Fredericksburg/Shannon (KEZF): The restricted area expansion has no impact to any approach procedures. The main runway is aligned parallel to the restricted area, and there's almost 13 NM from restricted area border to the airport. The restricted area is not expanding laterally.

Stafford Regional (KRMN): Runway 33 is the primary runway for instrument approaches. All the approaches are north of the restricted area. Since the restricted area is not expanding laterally, there are no additional impacts to either of the two instrument procedures for Runway 33.

Washington Dulles (KIAD) and Washington National (KDCA): These two airports are over 40 NM away from the restricted area and will not have an impact to any of their approaches.

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There are two STARs and one victor airway that overlie the restricted areas: OJAAY 1, IRONS 4, and V-376. All three have the same ground track

and proceed through the area in a northeast/southwest fashion. When only R-6601A (SFC < 4,500' MSL) is active, there is no additional impact to air traffic. The original R-6601 was from the surface to 5,000' MSL. Now that R-6601A will be reduced by 500 feet, this actually aids air traffic because it adds another IFR altitude at 5,000' MSL for southbound traffic.

The proposed R-6601B (4,500' < 7,500' MSL), when active with 6601A, civil aircraft will no longer have IFR altitudes of 5000, 6000, and 7000 feet. Potomac TRACON stated that, on average, only nine aircraft traverse northbound at 6,000' MSL weekly--a minimal impact. Additionally, the proponent is not expected to activate 6601B or 6601C nearly as much as 6601A, thereby further reducing the impacts to civil aviation.

The proposed R-6601C (7,500' - 9,000' MSL), when active with 6601A and 6601B, civil aircraft will not have IFR altitudes from 5,000 to 9,000 feet MSL. Potomac TRACON stated that in addition to the nine travelling northbound at 6,000 feet, there are 17 per week travelling northbound at 8,000 feet--again a minimal impact. Again, the proponent is not expected to activate 6601B or 6601C nearly as much as 6601A, thereby further reducing the impacts to civil aviation.

In summary, there will be no impacts to aircraft flying above 9,000 feet MSL on V-376 or the two STARs. Creating R-6601A to be 500 feet below the current restricted area adds a cardinal altitude that southbound civil aviation can use. The only impact will be to those civil aircraft that are on the STARs or V-376 at 9,000 feet and below with all three proposed restricted areas active. Potomac Approach will be required to vector those aircraft in order to miss the restricted areas. Lastly, the proponent intends for 6601A to be heavily used with occasional activations of 6601B and C.

[Memo for Record: Potomac TRACON concurs with the above statements per e-mail dated 11 May 12.]

Regards,

Steve

J. Steven Brown
Military Liaison Officer
FAA Eastern Service Center
Operations Support Group (AJV-E23)
COMM: (404) 305-5611 (Voice Mail capable)
FAX: (404) 305-5535

From: "Delgado, Jose G CIV (US)" <jose.g.delgado.civ@mail.mil>

To: Steven Brown/ASO/FAA@FAA

Cc: "Brown, Kristine L CIV (US)" <kristine.l.brown.civ@mail.mil>,
"Williams, Charles J III CIV (US)"
<charles.j.williams5.civ@mail.mil>

Date: 04/27/2012 01:24 PM

Subject: FW: 400 DOAVAS 201200409 Fort AP Hill restricted airspace mod
Project 12-064F.doc (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Mr. Brown,

Attached is a letter from the Virginia Department of Aviation with questions regarding the Environmental Assessment for the proposed modification of restricted airspace at Fort A.P. Hill. Would you be able to assist us with answering these questions?

To what extent will instrument approach procedures or enroute vectoring altitudes at the airports listed below be affected by the modification of restricted airspace over A.P. Hill?

Instrument approach procedures or enroute vectoring altitudes at Shannon Airport (EZF) Stafford Regional Airport (RMN) Richmond International Airport (RIC) Washington Dulles International Airport (IAD) and Ronald Reagan Washington National Airport (DCA)?

Thank you in advance for you time and support in this matter.

Jose.

Jose G. Delgado
Aviation Officer
Directorate of Plans, Training,
Mobilization and Security
Airfield Division
18945 A.P. Hill Dr.
Fort A.P. Hill, VA 22427
ph: 804-633-8272/8713 DSN 578
E-mail: Jose.g.delgado.civ@mail.mil

Classification: UNCLASSIFIED
Caveats: NONE

[attachment "400 DOAVAS 201200409 Fort AP Hill restricted airspace mod
Project 12-064F.doc.pdf" deleted by Steven Brown/ASO/FAA]

Classification: UNCLASSIFIED
Caveats: NONE

Wellman, Julia (DEQ)

From: Wellman, Julia (DEQ)
Sent: Monday, May 14, 2012 9:27 AM
To: Harrington, Rusty N. (DOAV)
Subject: FW: Fort AP Hill Restricted Airspace--VA DOA Request (UNCLASSIFIED)

Please see the response from the FAA to your questions regarding the above-referenced project.

-----Original Message-----

From: Brown, Kristine L CIV (US) [mailto:kristine.l.brown.civ@mail.mil]
Sent: Monday, May 14, 2012 8:36 AM
To: Wellman, Julia (DEQ)
Cc: Banks, Terry L CIV (US)
Subject: FW: Fort AP Hill Restricted Airspace--VA DOA Request (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Ms. Wellman,

Please see the FAA's response to the Virginia Department of Aviation questions regarding the Environmental Assessment for the proposed modification of restricted airspace at Fort A.P. Hill.

Please let me know if I can provide any additional assistance.

Thank you!

Kristine

-----Original Message-----

From: Steven.Brown@faa.gov [mailto:Steven.Brown@faa.gov]
Sent: Friday, May 11, 2012 3:14 PM
To: Brown, Kristine L CIV (US)
Cc: Delgado, Jose G CIV (US); Williams, Charles J III CIV (US)
Subject: Fort AP Hill Restricted Airspace--VA DOA Request

Kristine,

Reference the Commonwealth of Virginia's Department of Aviation memorandum dated 9 Apr 12, here are the answers to their questions. If you could pass these on to them, I'd appreciate it.

Instrument Approach Procedures:

Fredericksburg/Shannon (KEZF): The restricted area expansion has no impact to any approach procedures. The main runway is aligned parallel to the restricted area, and there's almost 13 NM from restricted area border to the airport. The restricted area is not expanding laterally.

Stafford Regional (KRMN): Runway 33 is the primary runway for instrument approaches. All the approaches are north of the restricted area. Since the restricted area is not expanding laterally, there are no additional impacts to either of the two instrument procedures for Runway 33.

**Portobago Bay Homeowners Association
P.O. Box 88
Port Royal, Virginia 22535**

May 14, 2012

John W. Haefner
Lieutenant Colonel, US Army
Commanding
Headquarters, US Army Garrison Fort A.P. Hill
18436 4th Street
Fort A.P. Hill, Virginia 22427-3114

Dear Commander:

This responds to your solicitation for public comment regarding the proposed modification of the restricted airspace over Fort A.P. Hill (FAPH), Virginia and your draft Finding of No Significant Impact (FONSI) on your Environmental Assessment (EA).

Comments following respond to the EA and FONSI as they address: 1, the Portobago Bay Homeowners Association (PBHOA) community airspace; 2, the Army's proposed increase in explosives to fire its artillery weapons; and 3. the Army's proposed extension of nighttime training hours.

I. Army's use of airspace over the Portobago Bay residential community by military aircraft to access FAPH.

A. The US Army EA documents that the vast majority of land surrounding FAPH is for non-residential use. The EA identifies that there are few geographical exceptions. The towns of Bowling Green and Port Royal. The areas of anticipated residential development, i.e. Skinners Neck. However, the US Army continues its practice of omitting the location of the Portobago Bay community adjacent to FAPH, a community larger than the Town of Port Royal. (Note: this continuing omission was a highly visible issue several years ago in the public debate over the Explosive Ordnance Demolition (EOD) EA.) As the

current pending EA details, the vast non-residential areas surrounding FAPH provide abundant airspace for the Army to access FAPH.

B. It is as a matter of public record in recent years that the US Army has actively supported the acquisition of residential development rights on thousands of acres of land surrounding FAPH. One example: thousands of acres immediately to the east and south of Portobago Bay. Owners of the tracts that make up this acreage on either side of Route 17 south of Portobago Bay and FAPH have sold their residential development rights through a program sponsored by the US Army. Army use of the airspace over these non-residential lands to access FAPH neither disturbs nor threatens the safety of residential areas below.

C. The Army EA identifies no special FAPH airspace access issues or requirements along either the eastern or southern boundaries of FAPH. While the EA does mention civilian aircraft noise issues in others areas, including Bowling Green, it omits that it is a matter of record that over the years helicopter flights over the Portobago Bay community have prompted complaints to the Army. The Portobago Bay community continues to strongly object to continuing and unnecessary military flights in the airspace over its community.

D. Portobago Bay is located outside the southeast corner of FAPH. There are spacious non-residential areas of access to FAPH on the eastern side of FAPH adjacent to Portobago Bay and additional extended non-residential areas of access on the southern side of FAPH, also immediately adjacent to Portobago Bay. The Army has been a party in recent years to the acquisition of the residential development rights on the land to the south

E. The Army has no need to use the relatively narrow Portobago Bay community airspace to access FAPH and should as a matter of policy cease to do so. Current flights directly over Portobago Bay, primarily helicopter, are disruptive. They create unnecessary noise, disturb sleep and on occasion, vibrate belongings on tables and in cabinets. They also pose a threat to the safety of families as evidenced by the recent Oceana air crash. That crash has been attributed to mechanical failure, an accident no one can guarantee could not happen

over Portobago Bay. Given the open, expansive non-residential areas to either side of Portobago Bay and surrounding FAPH there is no reason for the Army to continue accessing FAPH over the Portobago Bay community.

F. Therefore, the US Army's FONSI to modify its restricted use of airspace over FAPH should also include a no-fly zone in the airspace over the Portobago Bay community. To do so would implement the Army's good neighbor policy on a matter of significant concern to the Portobago Bay community without having an impact on the Army's training missions and air access to FAPH.

II. Comments directed to the Army's increase in the amount of explosives needed to fire its artillery at higher angles.

A.The Army EA concludes that there will be no significant changes in noise levels but nothing in the EA can support this basis for its conclusion.

B.The PBHOA opposes increases in the volume of training noise and reserves all of its rights to oppose increased noise levels that may result from the proposed changes.

III. Army's extension in its current EA of training hours from 11 pm to 2 am.

A.The Army EA concerning its change in airspace restrictions changes nighttime training hours, extending them from 11 pm to 2 am. The Army provides no analysis or evaluation of the policy change and its impact on neighboring communities. Nor does the Army set forth enforcement policies and procedures. Therefore, the change cannot stand.

B. The PBHOA opposes an extension of nighttime training to 2 am in the morning on the basis of current neighborhood nighttime training noise issues and the lack of an impact analysis. The PBHOA reserves all of its rights to oppose the extension of nighttime training noise.

On behalf of the PBHOA and its Board of Directors, thank you for the opportunity to comment.

Your interest in these matters is appreciated.

John Lampmann
President
Portobago Bay Homeowners Association



May 9, 2012

Lieutenant Colonel John W. Haefner
Fort A.P. Hill Public Affairs Office
18436 4th Street
Fort A.P. Hill, Virginia 22427

RE: Request for Comments on Increased Air Space Restrictions

Dear LTC Haefner:

Thank you for including the Military Affairs Council (MAC) in your Request for Comments, regarding your Environmental Assessment for the modification of the restricted airspace over Fort A.P. Hill, Virginia.

The Military Affairs Council supports the change that will enhance the value of training by permitting high-angle indirect fire by units and personnel training at Fort A.P. Hill.

We wish you well for the successful completion of this project and appreciate the consideration you give the community.

Sincerely,

Ted Hontz

Chairman

Fredericksburg Regional Chamber of Commerce Military Affairs Council

Cc: Steve Manster; Town Manager of Bowling Green


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The News Desk
TheNewsDesk

Army downplays airspace changes

By RUSTY DENNEN

A proposal to modify restricted airspace over Fort A.P. Hill would have no significant impact on the environment. That's according to a recently completed environmental assessment, which looks at potential impacts on such things as wetlands, endangered species, vegetation, air quality, transportation, cultural resources and other categories.

The Army installation, which encompasses more than 76,000 acres in Caroline and Essex counties, wants to ease its longstanding airspace restrictions to allow it to get full use of its training sites.

Military pilots currently cannot exceed 5,000 feet mean sea level. The plan is to replace that with a three-tiered replacement: from the surface to 4,500 feet; from 4,501 feet to 7,500 feet; and from 7,501 feet to 9,000 feet.

A.P. Hill officials say the current restrictions limit the height of certain training, along with operations of helicopters and fixed-wing aircraft. Jets, for example, provide close air support for training exercises, and transport aircraft drop paratroopers over landing zones. According to the document, "Although the restricted airspace provides room for their training activities, it limits the approach that the aircraft can take as they approach the installation, and often requires them to circle the area before beginning their training exercise."

Raising the airspace ceiling would also enhance high-angle artillery training. Soldiers must have that training prior to deployment to war zones. No increase in the frequency of artillery training is planned.

Fort A.P. Hill manages its restricted airspace and provides air-traffic advisories. The Federal Aviation Administration manages the nation's air traffic.

According to the environmental assessment, there would be a few minor adverse effects with the planned modifications. For example, light from aircraft and artillery could be visible for longer periods.

One long-term minor beneficial impact would be improved and more consistent air-traffic conditions over the installation and in the region, the report says, along with improved safety of air-to-ground training.

The Army says that, overall, there would be no increase in the type or frequency of training activities.

Public comments on the draft finding of no significant impact will be accepted by the Army through May 17.

Documents are available for review at Caroline County's Bowling Green, Milford and Port Royal library branches, and at the Essex County public library in Tappahannock. Comments can be emailed to usarmy.aphill.imcom.at.lantic.mbx.pao@mail.mil.

Rusty Dennen: 540/374-5431
rdennen@freelancestar.com

By Bill Tolbert on April 1st, 2012 6:19 pm

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News Desk



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Desk is a collection of news, notes and breaking items from The Free Lance-Star and fredericksburg.com newsrooms.

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Weekly SUDOKU

by Linda Thistle

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	8		6						9
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	6				7	3			
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Place a number in the empty boxes in such a way that each row across, each column down and each small 3x3 square contains all of the numbers from one to nine.

DIFFICULTY THIS WEEK: ***

★ Moderate ★★ Challenging

*** HOO BOY!

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The Garden Bug
Prepping your soil for the demands of the growing season ahead is key to the success of your garden this year. If the soil crumbles when you work it around in your hands, then it's ready to till; if it's sticky, it may be too wet. Use a soil testing kit to see what nutrients should be added to your soil, then work the needed amounts of lime, fertilizer and/or manure into the soil right before planting.
Source: uvm.edu

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MAGIC MAZE • TYPES OF HATS

B K I F C Z W U R P M J H E C
Z X U E S Q N L J T G E C Z X
V T R P P N E L A J H E C A N
L Y W T I Y H T R P N N I L
K A M A N A P B D I G O K Z B
E C R A B O H E L Z X S A E W
U S E O T R D R V I N T R F P
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J I G E Y I D B O A T T D A Y
X W U T S Q A C P O H S E N I
K J H G G R U B M O H F F D C

Use the black words with diagonal lines to fill in all the circles in the maze. Use the white words to fill in the squares.

- Balmora
- Basile
- Copaska
- Derby
- Fez
- Hood hat
- Hornburg
- Patima
- Somboro
- Stowpse
- Tam
- Top hat
- Trby

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King Crossword

ACROSS

- 1 Mary's pet
- 5 Sleepwear, for short
- 8 Commotions
- 12 Brit's exclamation
- 13 Debtor's letters
- 14 Domestic
- 15 Made moist
- 17 Send forth
- 18 Lance
- 19 Crouches
- 21 Line of fashion?
- 24 Boom times
- 25 Auction actions
- 28 Asian desert
- 30 Animation frame
- 33 Historic time
- 34 Bolivian city
- 35 Guitar's cousin
- 36 Jewel
- 37 War god
- 38 Cruising
- 39 Pick a target
- 41 Profound
- 43 Jamaican music style
- 46 Blunder
- 50 Satan's speciality
- 51 Greek, threatened by a sword

1	2	3	4	5	6	7	8	9	10	11
12				13				14		
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- 54 Flintstones' pet
- 55 Wildebeest
- 56 Aid
- 57 Lily variety
- 58 Tackle's teammate
- 59 Slithery
- DOWN
- 1 Covers
- 2 Now, on a memo
- 3 Jerry Herman musical
- 4 Circumvent
- 5 Wrestling win
- 6 Scarborough living
- 7 Lather
- 8 Enjoyed thoroughly
- 9 Syrian city
- 10 Leave out
- 11 Collections
- 16 Before
- 20 Classroom surprise
- 22 Culture medium
- 23 Segway alternative
- 25 Plead
- 26 Rage
- 27 Harmful
- 29 Diamond corner
- 31 — out of MSNBC
- 32 Meadow
- 34 Dalai —
- 38 Iraq War helicopter
- 40 Nome dome home
- 42 Id counter part
- 43 Cincinnati team
- 44 1960s singer
- 45 Sands
- 46 Rim
- 47 Run away
- 48 Topped
- 49 Catch sight of
- 52 Massachusetts cape
- 53 Pie filling?

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- Iowa
- Ohio
- Pennsylvania
- Indiana
- California
- Texas
- Michigan
- Minnesota
- Florida
- Nebraska

Source: American Egg Board

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CAROLINE COUNTY BOARD OF SUPERVISORS PUBLIC HEARING

The Caroline County Board of Supervisors will hold a public hearing on Tuesday, April 3, 2012, in the Community Services Center, Auditorium, located at 17202 Richmond Turnpike, Milford, Virginia, to consider the following:

RZ-04-2011 - RZ07, LLC, OWNER, ALAN SHAIK, APPLICANT: Request a Rezoning from M-1, Industrial (no specified density) to B-1, Business (no specified density) on a portion of tax map #82-A-128 consisting of 6.37 acres, more or less, and a portion of tax map #83-A-11 consisting of 1.86 acres, more or less. This property is located on the east and west side of Route 652 (Carmel Church Loop), at the intersection with McKesson Drive, Mattaponi Voting District. Proposed Use: Business. The 2030 Comprehensive Plan identifies this property as being located in the Carmel Church Community Plan designated as office/industrial with no specified density.

TXT-02-2012: An Ordinance to amend the Zoning Ordinance of Caroline County by repealing and replacing Article XVIII, Board of Zoning Appeals. The purpose of this amendment is to increase the number of members from five to seven, to change references of a majority from three (3) members to four (4) members, based upon the increase in membership, and to allow an applicant to request a decision to be continued to the next meeting in the event of a tie vote. Any persons desiring to be heard in favor of or in opposition to the above is hereby invited to be present at the Public Hearing. Copies of the above are on file in the Department of Planning & Community Development, 233 West Broad Street, Bowling Green, Virginia 22427. Alan Parlin, Interim County Administrator.

OFFICIAL CALL

Mass Meeting of the Caroline County Republican Committee of the Republican Party of Virginia. As Chairman of the Caroline County Committee of the Republican Party, and pursuant to the Plan of Organization and as recommended and directed by the Committee, I, Jeff Shi do hereby issue this call for a Mass Meeting to be held at the Caroline County Courthouse, 123 N. Main Street, Bowling Green, Va 22427 starting at 7 pm local time on April 13, 2012 for the following purposes: (a) Electing up to 185 Delegates and an equal number of Alternates to the Republican Party of Virginia State Convention to be held on June 16 at the Greater Richmond Convention Center, beginning at 10 a.m. for the purpose of electing a State Party Chairman, RNC National Committeeman, RNC National Committeewoman, 13 At-Large Delegates and 13 At-Large Alternate Delegates to the RNC Convention, and two At-Large Presidential Electors. Each unit is entitled to one (1) Delegate Vote per 250 Republican votes for Governor and President at their last election, so that Caroline is entitled to 37 Delegate Votes; (b) Electing up to 95 Delegates and an equal number of Alternates to the 1st District Convention, to be held on May 12, 2012 at T.C. Walker Elementary School on T.C. Walker Road in Gloucester, VA, beginning at 1:00 pm for the purposes of electing a District Chairman, three Delegates and three Alternate Delegates to the RNC Convention, a Presidential Elector, and three members of the State Central Committee. Each unit is entitled to one (1) Delegate Vote per 500 Republican votes for Governor and President at their last election, so that Caroline is entitled to 19 Delegate Votes; (c) and for the transaction of such other business as may properly come before the mass meeting. **Qualifications for Participation** All legal and qualified voters of Caroline County under the laws of the Commonwealth of Virginia, regardless of race, religion, national origin or sex, who are in accord with the principles of the Republican Party and who, if requested, express in open meeting either orally or in writing as may be required, their intent to support all of its nominees for public office in the ensuing election, may participate as members of the Republican Party of Virginia in its mass meetings, party caucuses, conventions or primaries encompassing their respective election districts. **Filing Requirements** Candidates to be a Delegate to the 1st District Convention and/or the State Convention at said mass meeting shall file a written statement which includes their name, address and phone number and also indicate which position(s) they are seeking. This statement must be delivered by mail or in person to Tina Gambill, 122 Lakewood Rd Bowling Green, VA, 22427 and received not later than April 12th, 2012 at 5 p.m. Postmarks do not govern. Delegate candidates must be present at the mass meeting. Registration will begin at 6:30. **Registration Fee** There will be a \$10.00 voluntary registration fee to participate. In this mass meeting, there is a voluntary registration fee of \$35 for the State Convention and a \$10 voluntary registration fee for the 1st District Convention. Voluntary fees may be paid at the mass meeting, payable to the Caroline County Republican Committee. Paid for and authorized by the Caroline County Republican Committee.

FORT A.P. HILL RELEASES ENVIRONMENTAL ASSESSMENT FOR REVIEW

FORT A.P. HILL, Va. — The Army has completed the Environmental Assessment for the modification of the restricted airspace over Fort A.P. Hill.

In compliance with the National Environmental Policy Act of 1969 as amended, the EA and draft Finding of No Significant Impact will be available to the public for a 45-day review and comment period, March 23-May 17. The documents are made available for review and comment at the Caroline County Public Library branches in Bowling Green, 17202 Richmond Turnpike, Milford, Va., 22514; at Port Royal, 419 King Street, Port Royal, Va., 22535; and, at the Essex County Public Library, 117 N. Church Lane, Tappahannock, Va., 22560. Electronic versions of the documents can also be found at www.aphill.army.mil/sites/directorates/ea.asp. Written comments should be addressed to Commander, U.S. Army Garrison, Fort A.P. Hill, ATTN: Public Affairs Office, 1843E 4th Street, Fort A.P. Hill, VA 22427-3114 or emailed to fhpagha@conus.army.mil.

The Army operates Fort A.P. Hill to provide realistic joint and combined arms training support to the United States' defense forces. This includes the use of various artillery that target the existing diked impact areas in the southern end of the installation. Helicopters and fixed-wing aircraft also use the diked impact areas. These live fire activities are conducted within the Army's restricted airspace over Fort A.P. Hill. This airspace is contained beneath an altitude of 5,000 feet relative to mean sea level (msl). In order to provide the necessary training to meet the mission and goals of Fort A.P. Hill, the Army is proposing to modify the restricted airspace over the installation.

The current restricted airspace over the installation extends to an altitude of 5,000 feet msl. The proposed restricted area would be divided into three shelves:

- A. Surface to 4,500 feet msl.
- B. 4,501 feet msl to 7,500 feet msl; and,
- C. 7,501 feet msl to 9,000 feet msl.

Along with decreasing the restricted altitude from 5,000 feet msl to 4,500 feet msl, the Proposed Action would extend the established operational hours from 11 p.m. until 2 a.m. The two other shelves (B-6601B and C) will be activated by a Notice to Airmen issued by the Federal Aviation Administration 24 hours in advance of Army activities.

Under the Proposed Action, there would be no change in the type or frequency of training occurring at Fort A.P. Hill. The Proposed Action would allow the Army to use all of the existing firing points within Fort A.P. Hill, spreading the use of artillery across the installation.

5K AND 10K RACES
5th Annual Festival of Feet Memorial Race
REGISTER ONLINE AT: www.carolinetogainline.org
Also find us on Facebook at Festival of Feet Memorial Race in Memory of Mark Haygood
SATURDAY, APRIL 28, 2012
RACE TIME: 8:00 a.m.
OPENING CEREMONIES BEGIN AT 7:45 a.m.
BOWLING GREEN, VIRGINIA (CAROLINE COUNTY)
FAMILY EVENT...TUNNERS AND WALKERS WELCOME!
IN MEMORY OF FIRST SERGEANT MARK HAYGOOD
VIRGINIA STATE POLICE (1964 - 2008)
COST: 5K IS \$10.00 PER PERSON OF \$25.00 PER FAMILY (2 adults, 1 child)
10K IS \$20.00 PER PERSON (NO FEE FOR CHILD)
Packet pick ups
Friday, April 27th from 1 p.m. - 6 p.m. On race day, from 8 a.m. - 7:30 a.m.
BOTH the race and packet pick up will be at:
Bowling Green Town Hall, 217 Butler Street, Bowling Green, Virginia
Proceeds to benefit the Caroline County 4th Grade Virginia State Police Association's Emergency Relief Fund, and the local children's playground fund.

Memorial Gar-
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Mar 29, Apr 5, 12, 19

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This is a communication
from a debt collector.
FOR INFORMATION CON-
TACT: SAMUEL I. WHITE, P.C.,
(01-021589-10/CONV), 5040
Corporate Woods Drive, Suite
120, Virginia Beach, Virginia
23462. 757/457-1460. Call be-
tween 9:00 a.m. and 11:30
a.m. or visit our website at
www.siwpc.net

TRUSTEE'S SALE
100 Vista Woods Road
Stafford, Virginia 22556
(Tax Map No. 19D 5 87)

Default having been made in
the terms of a certain Deed of
Trust dated August 23, 2006,
in the original principal a-
mount of \$319,410.00 and re-
corded in the Clerk's Office of
the Circuit Court of the County
of Stafford, Virginia as Instru-
ment No. LR060028295, the
undersigned Substitute Trust-
tees will sell at public auction
on April 9, 2012, at 1:00 p.m.,
in front of the building hous-
ing the Stafford County Circuit
Court, at the main entrance of
the Judicial Center, 1300
Courthouse Road, Stafford,
Va., the property designated as
Lot 87, Section Five (V)
(erroneously referred to as
Section One (V) in a Deed
recorded as Instrument No.
LR980002771 and also errone-
ously referred to as Section
One (V) in the aforesaid Deed
of Trust), Vista Woods Sub-
division, as shown on plat of
survey dated May 25, 1983,
and recorded in the aforesaid
Clerk's Office in Plat Book 12,
at Page 113.

Sale is subject to all prior
liens, easements, restrictions,
covenants, and conditions, if
any, of record, or other mat-
ters which would be disclosed
by an accurate survey or
inspection of the premises.

TERMS: CASH. A deposit of
\$31,500.00 or 10% of the sale
price, whichever is lower, will
be required of the successful
bidder at time of sale. Prior to
the sale, interested bidders
will be required to register
with and must present a bid
deposit which may be held
during the sale by the trustee.
The bid deposit must be cer-
tified funds and/or cash, but
no more than \$10,000.00 of
cash will be accepted. The suc-
cessful bidder's deposit will be
retained at the sale and ap-
plied to the sale price. If held
by the trustee, all other bid
deposits will be returned to
the unsuccessful bidders. Set-
tlement is to be made within
15 days. The successful bidder
will be required to execute a
Memorandum of Trustee's
Sale, available for review on
the Foreclosure Sales page of
www.glasserlaw.com, outlin-
ing additional terms of sale
and settlement. A Trustee's
Deed will be prepared by
Trustee's attorney at high bid-
der's expense.

This is a communication
from a debt collector.
Glasser and Glasser, P.L.C.
and/or REO Solutions, LLC,
Substitute Trustees, Crown
Center Building, Suite 600, 580
East Main Street, Norfolk, VA
23510. File No. 90455. Tel:
757/321-6465, between 10:00
a.m. and 12:00 noon only.

Mar 29, Apr 5

It's like having a press pass
to your favorite sporting
events! View and order photos
of your favorite athlete in ac-
tion at fredericksburg.com.
Click on The Photo Place.

strument dated May 5, 2010
and recorded as LR#100009599,
in said Clerk's Office, will offer
for sale at public auction the
following-described property,
to-wit:

ALL those certain tracts or
parcels of land with all im-
provements thereon, and all
rights and privileges thereto
appurtenant, situate, lying and
being in Falmouth-Hartwood
District, Stafford County, Vir-
ginia, containing 17.18 acres,
more or less, and being more
particularly shown and de-
scribed on Exhibit "A" as
7.00000 acres by metes and
bounds, and on Exhibit "B" as
10.180000 acres by metes and
bounds, said exhibits being at-
tached to said deed of trust.

Said property being shown
as part of Tax Map Number
45-127A, 45-133A and 45-227.

Sale shall be held on April
23, 2012, at 10:00 o'clock a.m.,
in front of the Circuit Court
House of Stafford County, Vir-
ginia.

Terms of Sale: Cash.
A bidder's deposit of
\$16,700.00 shall be required of
the successful bidder, and the
balance due within twenty
(20) days after the date of
sale.

Said sale of the property is
in "as is" condition, and no
warranties with respect to the
property will be given to the
purchaser other than a
Trustee's Special Warranty
Deed.

H. Glenn Goodpasture
Substitute Trustee
Goodpasture, Purvis &
Frackelton, P.C., 1602 William
Street, Fredericksburg, Vir-
ginia 22401. 540/371-5107.

Mar 29, Apr 5, 12, 19

Rock Hill District, Stafford
County, Virginia, being Lot 9,
containing 1.5501 acres as
shown on plat recorded in plat
book 7, page 96, one of the
land records of Stafford
County, Virginia, with im-
provements thereon.

TERMS OF SALE: Cash. A
ten percent (10%) bidder's de-
posit in cash or certified check
payable to the Trustee(s) shall
be required of the successful
bidder at the time of sale
before the bidding will be
closed; settlement must be
made within twenty (20) days
from the date of sale or prop-
erty to be resold at cost of
defaulting purchaser. All costs
of conveyancing, examination
of title, recording charges, etc.
will be at cost of purchaser.
Neither the Substitute Trust-
tees, nor any other party guar-
antees or covenants to deliver,
or in any way, to obtain
possession of the premises for
any third party purchaser.
Additional terms may be an-
nounced at the time of sale.

Commonwealth Asset Ser-
vices, LLC, Sole Acting Sub-
stitute Trustees

This communication is from
a debt collector.

This is an attempt to collect
a debt and any information
obtained will be used for that
purpose.

**FOR INFORMATION CON-
TACT: Commonwealth Asset
Services, LLC, 281 Indepen-
dence Boulevard, Pembroke
One Building, 5th Floor, Vir-
ginia Beach, VA 23462. www.
sykesbourdon.com. 757/
965-5097 BETWEEN HOURS
OF 9:00 A.M. and 11:00 A.M.
ONLY. Our Case No: ca12-
190137-1**

Mar 29, Apr 5

(the Clerk's Office), as Instru-
ment Number 200600034795,
default having been made in
the payment of the note
thereby secured, the under-
signed Sole Acting Substitute
Trustees, pursuant to the re-
quest of the holder of the
Note thereby secured, will of-
fer for sale at public auction
outside of the Spotsylvania
Circuit Court, located at 9107
Judicial Center Lane, Spots-
ylvania, VA 22553 on April 11,
2012 at 10:00 a.m., the prop-
erty briefly described as 5408
Veld Court, Fredericksburg, VA
22407, and more particularly
described in said Deed of Trust
as follows:

City of Fredericksburg in the
County of Spotsylvania, and
state of VA and deed dated
08/24/2005 and recorded
09/12/2005 as instrument
number 200500038258 among
the land records of the county
and state, Courtland Magiste-
rial District, Spotsylvania
County, Virginia lot 76, section
two, south oaks subdivision,
as shown on plat dated
January 23, 1995 and recorded
in the clerk's office of the
circuit court of Spotsylvania
County, Virginia in plat file 5
at pages 248 thru 251, with
improvements thereon.

TERMS OF SALE: Cash. A
ten percent (10%) bidder's de-
posit in cash or certified check
payable to the Trustee(s) shall
be required of the successful
bidder at the time of sale
before the bidding will be
closed; settlement must be
made within twenty (20) days
from the date of sale or prop-
erty to be resold at cost of
defaulting purchaser. All costs
of conveyancing, examination
of title, recording charges, etc.
will be at cost of purchaser.

Neither the Substitute Trust-
tees, nor any other party guar-
antees or covenants to deliver,
or in any way, to obtain
possession of the premises for
any third party purchaser.
Additional terms may be an-
nounced at the time of sale.

Commonwealth Asset Ser-
vices, LLC
Sole Acting Substitute
Trustees

This communication is from
a debt collector.

This is an attempt to collect
a debt and any information
obtained will be used for that
purpose.

**FOR INFORMATION CON-
TACT: Commonwealth Asset
Services, LLC, 281 Indepen-
dence Boulevard, Pembroke
One Building, 5th Floor, Vir-
ginia Beach, VA 23462. www.
sykesbourdon.com. 757/
965-5097 BETWEEN HOURS
OF 9:00 A.M. and 11:00 A.M.
ONLY. Our Case No: CA11-
190963-2**

Mar 29, Apr 5

**VIRGINIA
IN THE CIRCUIT COURT
FOR THE COUNTY OF
STAFFORD, VIRGINIA
MICHAEL KWAME SUTTON
TO
MICHAEL KWAME ABANYIN**

Case No. CL12000275-00
ORDER OF PUBLICATION
The object of this suit is to:
MINOR CHILD NAME CHANGE
It is ORDERED that BAR-
NARD SUTTON appear at the
above-named court and pro-
tect his/her interests on or
before APRIL 19, 2012

An Extract-Teste:
Barbara G. Decatur, Clerk
By Kathy McAllister, Deputy
Clerk

Mar 27, 27, 27, 27



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Public Notices

Public Announcement ¶ FORT A.P. HILL RELEASES ENVIRONMENTAL ASSESSMENT FOR REVIEW ¶ FOR

[Return to main page](#)

Public Announcement ¶ FORT A.P. HILL RELEASES ENVIRONMENTAL ASSESSMENT FOR REVIEW ¶ FORT A.P. HILL, Va. - The Army has completed the Environmental Assessment for the modification of the restricted airspace over Fort A.P. Hill. ¶ In compliance with the National Environmental Policy Act of 1969 as amended, the EA and draft Finding of No Significant Impact will be available to the public for a 45-day review and comment period, March 23-May 17. ¶ The documents are made available for review and comment at the Caroline County Public Library branches in Bowling Green, 17202 Richmond Turnpike, Milford, VA 22514; at Port Royal, 419 King Street, Port Royal, VA 22535; and, at the Essex County Public Library, 117 N. Church Lane, Tappahannock, VA 22560. Electronic versions of the documents can also be found at <http://www.aphill.army.mil/sites/directorates/ea.asp>. Written comments should be addressed to Commander, U.S. Army Garrison, Fort A.P. Hill, ATTN: Public Affairs Office, 18436 4th Street, Fort A.P. Hill, VA 22427-3114 or e-mailed to fapppao@conus.army.mil. ¶ The Army operates Fort A.P. Hill to provide realistic joint and combined arms training support to the United States' defense forces. This includes the use of various artillery that target the existing dudded impact areas in the southern end of the installation. Helicopters and fixed-wing aircraft also use the dudded impact areas. These live fire activities are conducted within the Army's restricted airspace over Fort A.P. Hill. This airspace is contained beneath an altitude of 5,000 feet relative to mean sea level (msl). In order to provide the necessary training to meet the mission and goals of Fort A.P. Hill, the Army is proposing to modify the restricted airspace over the installation. ¶ The current restricted airspace over the installation extends to an altitude of 5,000 feet msl. The proposed restricted area would be divided into three shelves: ¶ XA. Surface to 4,500 feet msl; ¶ XB. 4,501 feet msl to 7,500 feet msl; and, ¶ XC. 7,501 feet msl to 9,000 feet msl. ¶ Along with decreasing the restricted altitude from 5,000 feet msl to 4,500 feet msl, the Proposed Action would extend the established operational hours from 11 p.m. until 2 a.m. The two other shelves (R-6601B and C) will be activated by a Notice to Airmen issued by the Federal Aviation Administration 24 hours in advance of Army activities. ¶ Under the Proposed Action, there would be no change in the type or frequency of training occurring at Fort A.P. Hill. The Proposed Action would allow the Army to use all of the existing firing points within Fort A.P. Hill, spreading the use of artillery across the installation.

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Fort A.P. Hill, Virginia: The Best Training Support Anywhere.

PRESS RELEASE

DATE: Oct. 7, 2011

FOR MORE INFORMATION CONTACT:

Fort A.P. Hill Public Affairs Office
Jennifer Erickson, (804) 633-8324
jennifer.b.erickson2.civ@mail.mil

ARMY PROPOSES MODIFYING AIRSPACE OVER FORT A.P. HILL

FORT A.P. HILL, Va. — The Army is preparing an Environmental Assessment for the modification of restricted airspace over Fort A.P. Hill.

Fort A.P. Hill, part of the Army Installation Management Command's Atlantic Region, is a regional training center providing realistic joint and combined arms training support to America's Defense Forces.

The current restricted airspace over the installation extends to an altitude of 5,000 feet relative to mean sea level. The current restricted area provides minimum airspace to support military live-fire operations and limits Fort A.P. Hill to meet its existing mission. The limitations of this space have inhibited required training activities and affected the overall readiness of the Warriors who train on the post.

The proposed restricted area would be divided into three shelves: A. Surface to 4,500 feet MSL; B. 4,501 feet MSL to 7,500 feet MSL; and, C. 7,501 feet MSL to 9,000 feet MSL. The proposed modification would limit the time of day use of the lowest shelf from 7 a.m. to 2 a.m. daily and other times by Notice to Airmen 24 hours in advance.

An increased airspace ceiling would enhance high-angle indirect firing of artillery needed by units which require this training. In today's combat environment, artillery must

employ high angle trajectories to reach designated targets. These firing techniques must be practiced prior to deployment.

The increased airspace also would benefit training operations for rotary and fixed wing aircraft while potentially incorporating standoff to residents. There is no proposed increase in the frequency of existing artillery fire.

Because the proposed project relies on federal funding and occurs on federal property, it must comply with the National Environmental Policy Act of 1969, as amended. As a part of the General Scoping process, citizens are invited to submit comments by Nov. 7 to the Fort A.P. Hill Public Affairs Office, 18436 4th Street, Fort A.P. Hill, Virginia, 22427 or by email at faphpao@conus.army.mil.

The next opportunity to comment on the proposed project will be after the Environmental Assessment is drafted.



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
ATLANTIC REGION
HEADQUARTERS, U.S. ARMY GARRISON, FORT A.P. HILL
18436 4TH STREET
FORT A.P. HILL, VIRGINIA 22427-3114

REPLY TO
ATTENTION OF

September 27, 2011

Garrison Commander

Dear Interested Party:

Subject: Request for Comments on Proposed Action (General Scoping)

The United States Army is preparing an Environmental Assessment (EA) for the modification of the restricted airspace over Fort A.P. Hill (FAPH), Virginia. The current restricted airspace (R-6601) over FAPH extends to an altitude of 5,000 feet relative to mean sea level (MSL). The proposed restricted area would be divided into three shelves: A. Surface to 4,500 feet MSL; B. 4,501 feet MSL to 7,500 feet MSL; and, C. 7,501 feet MSL to 9,000 feet MSL. The proposed modification would limit the time of day use of the lowest shelf (R-6601A) from 7:00 AM to 2:00 AM daily and other times by Notice to Airmen (NOTAM) 24 hours in advance. The two new areas/subdivision (R-6601B/C) will be activated by NOTAM 24 hours in advance.

The current restricted area provides minimum airspace to support military live-fire operations and limits FAPH to meet its existing mission. The limitations of this space have inhibited required training activities and affected the overall readiness of the War Fighters who train at FAPH. An increased airspace ceiling would enhance high-angle indirect firing of artillery needed by units which require this training. In today's combat environment, artillery must employ high angle trajectories to reach designated targets. These firing techniques must be practiced prior to deployment. The increased airspace also would benefit training operations for rotary and fixed wing aircraft while potentially incorporating standoff to residents. There is no proposed increase in the frequency of existing artillery fire.

Because the proposed project relies on federal funding and occurs on federal property, it must comply with the National Environmental Policy Act of 1969, as amended (NEPA). We welcome any comments you may have regarding the project. Our intent is to address your concerns and incorporate any recommendations into the planning process at the earliest possible time.

In order to sufficiently address key project issues while maintaining the project schedule, we are requesting that you provide a written response to this letter within 30 days of receipt. Please send your response to Fort A.P. Hill Public Affairs Office, 18436 4th Street, Fort A.P. Hill, Virginia 22427 or by email at faphpao@conus.army.mil. If you have any questions, please

contact the Public Affairs Office at (804) 633-8324/8120 or at the above referenced email address.

We look forward to working cooperatively with you to make this important project successful for all parties involved.

Sincerely,

A handwritten signature in black ink, appearing to read 'John W. Haefner', with a stylized flourish extending to the right.

John W. Haefner
Lieutenant Colonel, US Army
Commanding



United States Department of the Interior



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

SEP 02 2010

Greetings:

Due to increases in workload and refinement of our priorities in Virginia, this office will no longer provide individual responses to requests for environmental reviews. However, we want to ensure that U.S. Fish and Wildlife Service (Service) trust resources continue to be conserved. When that is not possible, we want to ensure that impacts to these important natural resources are minimized and appropriate permits are applied for and received. We have developed a website, http://www.fws.gov/northeast/virginiafield/endspecies/Project_Reviews.html, that provides the steps and information necessary to allow landowners, applicants, consultants, agency personnel, and any other individual or entity requiring Service review / approval of their project to complete a review and come to the appropriate conclusion.

The website will be frequently updated to provide new species / trust resource information and methods to review projects, so refer to the website for each project review to ensure that current information is utilized.

If you have any questions about project reviews or need assistance, please contact Tylan Dean of this office at (804) 693-6694, extension 166, or tylan_dean@fws.gov. For problems with the website, please contact Mike Drummond of this office at mike_drummond@fws.gov.

Sincerely,

Cindy Schulz
Supervisor
Virginia Field Office

From: [Brown, Kristine L USA CIV \(US\)](#)
To: [Scott Smizik](#); [John Marling](#)
Subject: FW: Scoping Letter on Modification of Restricted Airspace (UNCLASSIFIED)
Date: Friday, October 07, 2011 2:33:44 PM

Classification: UNCLASSIFIED
Caveats: NONE

FYI, comment on the scoping letter.

-----Original Message-----

From: Jim Heimbach [<mailto:jheimbach@va.metrocast.net>]
Sent: Thursday, October 06, 2011 3:37 PM
To: Erickson, Jennifer B USA CIV (US)
Subject: Scoping Letter on Modification of Restricted Airspace

Dear Jennifer--

First, I have reviewed the request for comments and my comment is that I have no objection to the proposed modification as it stands and see no need for changes in the plan. I imagine that you'll receive a formal response from the Port Royal Town Council, but we don't meet until Oct. 18.

Second, although I received this as a letter in the post office, it would be easier and cheaper to include me in the e-mail, from which I was omitted for some reason. E-mails should be sent to jh@jheimbach.com.

Thanks--
Jim

James T. Heimbach, Ph.D., F.A.C.N.
JHeimbach LLC
923 Water Street, Box 66
Port Royal VA 22535
tel 804-742-5548
fax 202-478-0986
cell 202-320-3063
email jh@jheimbach.com

Classification: UNCLASSIFIED
Caveats: NONE

From: [Brown, Kristine L USA CIV \(US\)](#)
To: [Scott Smizik](#)
Cc: [John Marling](#)
Subject: FW: A.P. Hill airspace (UNCLASSIFIED)
Date: Wednesday, October 19, 2011 2:48:07 PM
Importance: High

Classification: UNCLASSIFIED
Caveats: NONE

Scott,
Please include this comment as part of the scoping process.

Thank you!
Kristine

-----Original Message-----

From: Erickson, Jennifer CIV USA [<mailto:JENNIFER.ERICKSON3@US.ARMY.MIL>] On Behalf Of FAPH PAO
Sent: Wednesday, October 19, 2011 2:46 PM
To: Banks, Terry L USA CIV (US); Brown, Kristine L USA CIV (US); Haefner, John W LTC USA MIL (US); Skinner, Lisa E USA CIV (US)
Subject: FW: A.P. Hill airspace (UNCLASSIFIED)
Importance: High

Classification: UNCLASSIFIED
Caveats: NONE

We received this comment in our FAPH PAO inbox.

Jennifer Erickson
Public Affairs Officer
Fort A.P. Hill, VA
"The Best Training & Support - Anywhere!"
(804) 633-8324
DSN: 578-8324

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-----Original Message-----

From: william e. sparks [<mailto:wsparks@bealenet.com>]
Sent: Wednesday, October 19, 2011 11:10 AM
To: FAPH PAO
Subject: A.P. Hill airspace
Importance: High

Gentlemen,

Increasing the airspace is fine.You boys have some fun :)!!

Bill Sparks

October 20, 2011

Lieutenant Colonel John W. Haefner
Fort A.P. Hill Public Affairs Office
18436 4th Street
Fort A.P. Hill, Virginia 22427

RE: Request for Comments on Proposed Action (General scoping)

Dear LTC Haefner:

Thank you for including the Military Affairs Council (MAC) in your Request for Comments, regarding your Environmental Assessment for the modification of the restricted airspace over Fort A.P. Hill, Virginia.

While it would be inappropriate for us to comment directly on this specific issue, we appreciate the information as we continue to carry out the MAC's mission in support of our military bases.

We wish you well for the successful completion of this project and appreciate the consideration you give the community.

Sincerely,



Hart Rutherford
Chairman

Fredericksburg Regional Chamber of Commerce Military Affairs Council

Comments due by 10/27/11

10/27/11

Portobago Bay
Port Royal, VA
22835



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
ATLANTIC REGION
HEADQUARTERS, U.S. ARMY GARRISON, FORT A.P. HILL
18436 4TH STREET
FORT A.P. HILL, VIRGINIA 22427-3114

To:

Lt. Col. John Haefner

REPLY TO
ATTENTION OF

Dear Sir:

September 27, 2011

Garrison Commander

The proposed area
"A: surface to 4,500 ft. MSL"
is hard on our home and
our barn and horses. Two
days ago a helicopter flew very
low over our barn and pasture
and horses. Please try to
avoid this area.

Dear Interested Party:

Subject: Request for Comments on Proposed Action (General Scoping)

Thank you.
Lyle B. Sellers
John R. Sellers
Sr.

The United States Army is preparing an Environmental Assessment (EA) for the modification of the restricted airspace over Fort A.P. Hill (FAPH), Virginia. The current restricted airspace (R-6601) over FAPH extends to an altitude of 5,000 feet relative to mean sea level (MSL). The proposed restricted area would be divided into three shelves: A. Surface to 4,500 feet MSL; B. 4,501 feet MSL to 7,500 feet MSL; and, C. 7,501 feet MSL to 9,000 feet MSL. The proposed modification would limit the time of day use of the lowest shelf (R-6601A) from 7:00 AM to 2:00 AM daily and other times by Notice to Airmen (NOTAM) 24 hours in advance. The two new areas/subdivision (R-6601B/C) will be activated by NOTAM 24 hours in advance.

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Because the proposed project relies on federal funding and occurs on federal property, it must comply with the National Environmental Policy Act of 1969, as amended (NEPA). We welcome any comments you may have regarding the project. Our intent is to address your concerns and incorporate any recommendations into the planning process at the earliest possible time.

In order to sufficiently address key project issues while maintaining the project schedule, we are requesting that you provide a written response to this letter within 30 days of receipt. Please send your response to Fort A.P. Hill Public Affairs Office, 18436 4th Street, Fort A.P. Hill, Virginia 22427 or by email at faphpao@conus.army.mil. If you have any questions, please

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after
Sept. 27, 2011



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The News Desk
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Army post tightening air space

By RUSTY DENNEN

Civilian aircraft flying over much of Fort A.P. Hill in Caroline County can go no lower than 5,000 feet.

Now the Army wants to be able to raise its restricted airspace to 9,000 feet at certain times to enhance its training activities, according to post spokeswoman Jennifer Erickson.

"This is a good example of how we are evolving to meet the needs of warriors," Erickson said. "With the current environment, we're going to model what [soldiers] see in the battlefield."

Since Fort A.P. Hill was established in 1941, the 5,000-foot restriction was in place over most of the post south of U.S. 301. The elevation is calculated from mean sea level.

The proposed restricted airspace, in the same area, would be divided into three shelves—from the ground to 4,500 feet; from 4,501 feet to 7,500 feet, and from 7,501 feet to 9,000 feet. There are exceptions in which non-military pilots will be notified 24 hours in advance.

Erickson said the current restrictions limit the height of certain training, along with operations of helicopters and fixed-wing aircraft. Jets, for example, provide close air support for training exercises, and transport aircraft drop paratroopers over landing zones.

A higher airspace ceiling, she said, would enhance high-angle artillery training. Soldiers must have that training prior to deployment to war zones. No increase in the frequency of artillery training is planned.

Fort A.P. Hill manages the restricted air space, and provides air-traffic advisories. The Federal Aviation Administration manages the nation's air traffic.

Before creating the new restriction zones, the post must prepare an environmental assessment. The draft will go to the FAA, other state and federal agencies, and the public, for comment.

Public comment will be accepted until Nov. 7 by the public affairs office, 18436 Fourth St., Fort A.P. Hill, Va., 22427, or by email to faphpao@conus.army.mil. Comments will also be accepted after the assessment is drafted.

Fort A.P. Hill is one of the Army's key East Coast training venues, encompassing over 76,000 acres. Nearly 100,000 troops trained at the post last year.

Read more about the post, aphill.army.mil/sites/local/
Rusty Dennen: 540/374-5431
rdennen@freelancestar.com

By billt on October 18th, 2011 8:38 pm

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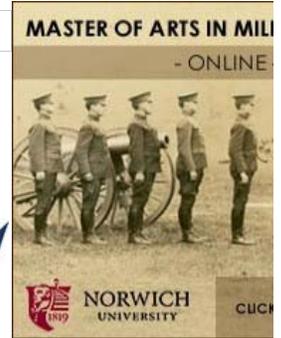
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Mailing address: P.O. Box 1105, Richmond, Virginia 23218

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Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

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

October 11, 2011

Fort A.P. Hill Public Affairs Office
18436 4th Street
Fort A.P. Hill, Virginia 22427

RE: Request for Comments on Proposed Action (General Scoping): Modification of Restricted Airspace over Fort A.P. Hill

Ladies and Gentlemen:

This responds to a letter from Lieutenant Colonel John W. Haefner dated September 27, 2011 (received October 7) requesting our comments and information concerning modification of restricted airspace over the Fort, for purposes of an Environmental Assessment to be prepared by the Army.

Project Description

According to Colonel Haefner's letter, the Army proposes to alter the current restricted airspace over the Fort, which extends to an altitude of 5,000 feet above mean sea level (5,000 feet MSL) by dividing it into three "shelves." The first would be from the surface to 4,500 feet MSL; the second from 4,501 feet to 7,500 feet MSL; and the third from 7,501 feet to 9,000 feet MSL. The time-of-day use of the lowest shelf would be 7:00 AM to 2:00 AM daily, and other times by Notice to Airmen (NOTAM) 24 hours in advance. The two new shelves would be activated by NOTAM 24 hours in advance.

The purpose of the undertaking, according to the letter, is to enhance high-angle indirect firing of artillery needed by units requiring the training, so as to practice firing techniques prior to deployment. In addition, the increased airspace would benefit training operations for rotary and fixed-wing aircraft. There is no proposed increase in the frequency of existing artillery fire.

Environmental Review under the National Environmental Policy Act

According to the letter, an Environmental Assessment (EA) will be prepared in accordance with the National Environmental Policy Act of 1969 (NEPA).

The roles of the Virginia Department of Environmental Quality (DEQ) in relation to the project are the same as stated in our October 1, 2009 scoping response as follows. First, DEQ's Office of Environmental Impact Review (OEIR) will coordinate Virginia's review of the EA and comment to the Army on behalf of the Commonwealth. A similar review process will pertain to the Federal Consistency determination (FCD) (next paragraph). If the FCD is provided as part of the EA, there can be a single review.

Federal Consistency under the Coastal Zone Management Act

Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities affecting Virginia's coastal resources or coastal uses must be consistent with the Virginia Coastal Zone Management Program (VCP) (see section 307(c)(1) of the Act and the *Federal Consistency Regulations*, 15 CFR Part 930, subpart C). The Army must provide a consistency determination which includes an analysis of the proposed activities in light of the enforceable policies of the VCP (first enclosure) and a commitment to comply with the enforceable policies. In addition, we invite your attention to the advisory policies of the VCP (second enclosure). The FCD may be provided as part of the environmental document or independently, depending on the Army's preference. We recommend, in the interests of efficiency, that the FCD be provided with the environmental document and that 60 days be allowed for review, in keeping with the *Federal Consistency Regulations* (see section 930.41(a)). Section 930.39 of these *Regulations*, and Virginia's *Federal Consistency Information Package* (available at <http://www.deq.virginia.gov/eir/federal.html>) give content requirements for the FCD.

Project Scoping and Agency Involvement

While this Office does not participate in scoping efforts beyond the advice given herein, other agencies are free to provide scoping comments concerning the preparation of the EA. Accordingly, we are sharing our response to your letter with selected state and local Virginia agencies. These are likely to include the following (note: starred (*) agencies administer one or more of the enforceable policies of the VCP):

Department of Environmental Quality:

- Office of Environmental Impact Review
- Northern Regional Office*
- Air Division*
- Division of Land Protection and Restoration (formerly Waste Division)

Department of Game and Inland Fisheries*

Department of Conservation and Recreation:

- o Division of Stormwater Management*
- o DSM –Local Implementation*
- o Division of Planning and Recreation Resources

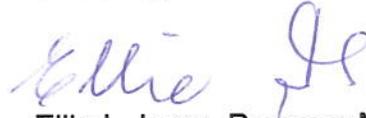
Department of Historic Resources
George Washington Regional Commission
Caroline County.

In order to ensure an effective coordinated review of the environmental document and FCD, we will require 13 copies of the document when it is published. This submission may include 4 printed copies and 9 CDs, or 4 printed copies and an electronic copy available for download at an Army web site or ftp site. The document should include a U.S. Geological Survey topographic map as part of its information. We recommend, as well, that project details unfamiliar to people outside AFETA be adequately described.

If you have questions about the environmental review process or the federal consistency review process, please feel free to call me at (804) 698-4325 or John Fisher at (804) 698-4339.

I hope this information is helpful to you.

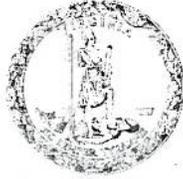
Sincerely,



Ellie L. Irons, Program Manager
Environmental Impact Review

Attachments

ec: David Hartshorn, DEQ-NRO
Kotur S. Narasimhan, DEQ-Air
Richard J. Criqui, Jr., DEQ-DLPR
Amy Martin Ewing, DGIF
Roberta Rhur, DCR
Roger W. Kirchen, DHR
L. Eldon James, Jr., GWRC
Alan Partin, Caroline County



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

TDD (804) 698-4021

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Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

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

Attachment 1

Enforceable Regulatory Programs comprising Virginia's Coastal Zone Management Program (VCP)

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

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

- b. **Subaqueous Lands Management** - The management program for subaqueous lands establishes conditions for granting or denying permits to use state-owned bottomlands based on considerations of potential effects on marine and fisheries resources, tidal wetlands, adjacent or nearby properties, anticipated public and private benefits, and water quality standards established by the Department of Environmental Quality (DEQ). The program is administered by the Marine Resources Commission; Virginia Code 28.2-1200 to 28.2-1213.
- c. **Wetlands Management** - The purpose of the wetlands management program is to preserve wetlands, prevent their despoliation, and accommodate economic development in a manner consistent with wetlands preservation.
- (1) The tidal wetlands program is administered by the Marine Resources Commission; Virginia Code 28.2-1301 through 28.2-1320.
 - (2) The Virginia Water Protection Permit program administered by DEQ includes protection of wetlands --both tidal and non-tidal; Virginia Code §62.1-44.15:5 and Water Quality Certification pursuant to Section 401 of the Clean Water Act.

Attachment 1 continued

Page 2

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

- e. Non-point Source Pollution Control – (1) Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. This program is administered by the Department of Conservation and Recreation; Virginia Code 10.1-560 et seq.

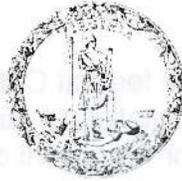
(2) Coastal Lands Management is a state-local cooperative program administered by the DCR's Division of Chesapeake Bay Local Assistance and 84 localities in Tidewater (see i) Virginia; Virginia Code §10.1-2100 –10.1-2114 and 9 VAC10-20 et seq.

- f. Point Source Pollution Control - The point source program is administered by the State Water Control Board (DEQ) pursuant to Virginia Code 62.1-44.15. Point source pollution control is accomplished through the implementation of:
 - (1) the National Pollutant Discharge Elimination System (NPDES) permit program established pursuant to Section 402 of the federal Clean Water Act and administered in Virginia as the Virginia Pollutant Discharge Elimination System (VPDES) permit program.
 - (2) The Virginia Water Protection Permit (VWPP) program administered by DEQ; Virginia Code §62.1-44.15:5 and Water Quality Certification pursuant to Section 401 of the Clean Water Act.

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

- h. Air Pollution Control - The program implements the federal Clean Air Act to provide a legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards. This program is administered by the State Air Pollution Control Board (Virginia Code 10-1.1300 through §10.1-1320).

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



COMMONWEALTH of VIRGINIA

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Secretary of Natural Resources

David K. Paylor
Director

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1-800-592-5482

Attachment 2

Advisory Policies for Geographic Areas of Particular Concern

- a. **Coastal Natural Resource Areas** - These areas are vital to estuarine and marine ecosystems and/or are of great importance to areas immediately inland of the shoreline. Such areas receive special attention from the Commonwealth because of their conservation, recreational, ecological, and aesthetic values. These areas are worthy of special consideration in any planning or resources management process and include the following resources:
- a) Wetlands
 - b) Aquatic Spawning, Nursery, and Feeding Grounds
 - c) Coastal Primary Sand Dunes
 - d) Barrier Islands
 - e) Significant Wildlife Habitat Areas
 - f) Public Recreation Areas
 - g) Sand and Gravel Resources
 - h) Underwater Historic Sites.
- b. **Coastal Natural Hazard Areas** - This policy covers areas vulnerable to continuing and severe erosion and areas susceptible to potential damage from wind, tidal, and storm related events including flooding. New buildings and other structures should be designed and sited to minimize the potential for property damage due to storms or shoreline erosion. The areas of concern are as follows:
- i) Highly Erodible Areas
 - ii) Coastal High Hazard Areas, including flood plains.
- c. **Waterfront Development Areas** - These areas are vital to the Commonwealth because of the limited number of areas suitable for waterfront activities. The areas of concern are as follows:
- i) Commercial Ports
 - ii) Commercial Fishing Piers
 - iii) Community Waterfronts

Although the management of such areas is the responsibility of local government and some regional authorities, designation of these areas as Waterfront Development Areas of Particular Concern (APC) under the VCRMP is encouraged.

Designation will allow the use of federal CZMA funds to be used to assist planning for such areas and the implementation of such plans. The VCRMP recognizes two broad classes of priority uses for waterfront development APC:

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

Advisory Policies for Shorefront Access Planning and Protection

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



Peumansend Creek Regional Jail

11093 S.W. LEWIS MEMORIAL DRIVE ■ P.O. BOX 1460 ■ BOWLING GREEN, VA 22427
PH: 804-633-0043 FAX: 804-633-3170 E-MAIL: pcrj@pcrj.org WEB: www.pcrj.org

City of Alexandria • City of Richmond • Arlington County • Caroline County • Loudoun County • Prince William County

October 17, 2011

Fort A. P. Hill Public Affairs Office
18436 4th Street
Fort A. P. Hill, VA 22427

RE: Response to Proposed Action
Modification of Restricted Airspace

To whom it may concern:

I am in receipt of your letter dated September 27, 2011, regarding the proposed modifications to restricted airspace actions on Fort A. P. Hill.

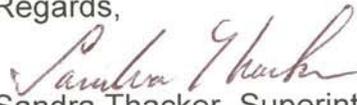
My concerns are outlined below:

- I have no objections to increasing the elevations.
- If the airspace includes any area over the jail property, I would be opposed to it. The proposal regarding shelf level A, Surface to 4,500 feet mean sea level would be used from 7:00 a.m. to 2:00 a.m.
- If the airspace includes any area over jail property, I would not be opposed if it eliminated the times of 1100 hours to 0500 hours.

Currently, your flights above jail property are very disruptive and loud, especially the helicopter traffic. To increase these disruptions would have an adverse impact on jail operations.

It has been my experience the requests for responses have meant very little to the Army's projects. But I do appreciate the opportunity to express my concerns and become part of the record.

Regards,


Sandra Thacker, Superintendent
Peumansend Creek Regional Jail

cc: All PCRJ Authority Members

National Commission on Correctional Health Care Accreditation
American Correctional Association, Jail Industries Accreditation
"America's First Accredited Jail Industry"
American Correctional Association, Adult Local Detention Facilities



United States Department of the Interior

FISH AND WILDLIFE SERVICE



Eastern Virginia Rivers National Wildlife Refuge Complex
Rappahannock River Valley, James River, Presquile, and Plum Tree Island National Wildlife Refuges
P.O. Box 1030
Warsaw, Virginia 22572

November 4, 2011

Lieutenant Colonel John W. Haefner
Fort A.P. Hill Public Affairs Office
18436 4th Street
Fort A.P. Hill, Virginia 22427

Subject: Request for Comments on Proposed Action

Dear Lieutenant Colonel Haefner:

Thank you for your letter dated September 27, 2011, notifying the U.S. Fish and Wildlife Service of the Environmental Assessment (EA) that you are preparing to modify the restricted airspace over Fort A.P. Hill, Virginia.

Based on the information provided on the letter, we do not currently have any comments on the project; however, we look forward to reviewing the proposed project and providing input on listed or rare species or sensitive and important habitats. Please let us know if we may be of assistance as you prepare the Environmental Assessment.

Sincerely,

Andy Hofmann
Refuge Manager

From: [Brown, Kristine L USA CIV \(US\)](#)
To: [Scott Smizik](#); [John Marling](#)
Subject: FW: Request for Scoping Comments - Changes in Restricted Airspace of Fort A.P. Hill, Virginia (UNCLASSIFIED)
Date: Tuesday, November 15, 2011 3:19:46 PM

Classification: UNCLASSIFIED
Caveats: NONE

Scott/John,
Please see comments below regarding the Scoping for the Airspace EA.
Thanks!
Kristine

-----Original Message-----

From: Meisberger, Michael CIV USA [<mailto:michael.meisberger@us.army.mil>]
Sent: Tuesday, November 15, 2011 3:18 PM
To: Banks, Terry L USA CIV (US); Brown, Kristine L USA CIV (US)
Cc: Erickson, Jennifer B USA CIV (US)
Subject: Request for Scoping Comments - Changes in Restricted Airspace of Fort A.P. Hill, Virginia (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

11/14/2011

To: John W. Haefner, Lieutenant Colonel, U.S. Army Commanding, For A. P. Hill

Dear Sir,

The purpose of this e-mail correspondence is to document that the Department of Environmental Quality (DEQ), Division of Land Protection and Revitalization (DLPR) (former Waste Division) has reviewed the Scoping Request for Comments sent to Ms. Ellie Irons, DEQ, regarding the proposed revision of the restricted air space of over Fort A. P. Hill. The proposal would increase the airspace ceiling of the restricted airspace to enhance high-angle indirect firing of artillery needed by units which require live-fire operations training at the Fort.

The staff of the DEQ's DLPR has no comments regarding the proposed action at this time (as the described proposal) does not have the potential to impact any solid or hazardous waste sites at Fort A. P. Hill.

The DEQ DLPR staff will provide comments regarding potential solid and hazardous waste facilities at Fort A.P. Hill if the future Environmental Assessment (EA) submitted for review indicates that any action under this proposal would potentially impact solid and/or hazardous waste sites identified in the DEQ's databases regarding Fort A. P. Hill facility.

If you have any questions, please contact me.

Sincerely,

Richard

Richard J. Criqui, Jr., C.P.S.S.

Environmental Engineer Senior

Hazardous Waste Program

Office of Waste Permitting and Compliance, DEQ

Phone: (804) 698-4013

Richard.Criqui@deq.virginia.gov

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

APPENDIX B
COASTAL ZONE CONSISTENCY DETERMINATION

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**Coastal Zone Management Act Consistency Determination
for the
Proposed Airspace Modification
at Fort A.P. Hill, Virginia**

Determination under the Coastal Zone Management Act (CZMA) section 307(c) (1) and 15 CFR Part 930, sub-part C, for implementation of the Proposed Action described below. The information in this Consistency Determination is provided pursuant to 15 CFR Section 930.39. A full description of the proposed activity may be found in main body of the Environmental Assessment (EA) for the proposed Airspace Modification at Fort A.P. Hill, Virginia, which is incorporated by reference into this Consistency Determination.

Consistency Determination

The Virginia Coastal Zone Management Program (CZMP) contains the applicable enforceable policies presented in the left column of Table A-1. The Army has determined that the implementation of the Proposed Action would have no effects on the land or water uses or natural resources of Virginia as described in the right column of the table.

Based upon the information, data, and analysis, as contained in the EA, the Army finds that the Proposed Action is consistent to the maximum extent practicable with the enforceable policies of the Virginia CZMP. Pursuant to 15 CFR Section 930.41, the Virginia CZMP has 60 days from the receipt of this document in which to concur with or object to this Consistency Determination, or to request an extension under 15 CFR section 930.41(b). Virginia's concurrence will be presumed if its response is not received by the Army on or before the 60th day from receipt of this determination. The Commonwealth of Virginia's response should be sent to Ms. Terry Banks, Chief, Environmental Division, 19952 North Range Road, Fort A.P. Hill, Virginia, 22427.

Table B-1: Fort A.P. Hill CZMA/CZMP Consistency Determination

Fisheries Management

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

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

No Effect

The Proposed Action would not affect any fisheries within or around Fort A.P. Hill.

Subaqueous Lands Management

The management program for subaqueous lands establishes conditions for granting or denying permits to use State-owned bottomlands based on considerations of potential effects on marine and fisheries resources, wetlands, adjacent or nearby properties, anticipated public and private benefits, and water quality standards established by the DEQ, Water Division. The program is administered by the VMRC (Virginia Code '28.2-1200 to '28.2-1213).

No Effect

The Proposed Action would not affect any subaqueous lands within or around Fort A.P. Hill.

Table B-1: Fort A.P. Hill CZMA/CZMP Consistency Determination

Nonpoint Source Pollution Control

Virginia's Erosion and Sediment Control (ESC) Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. This program is administered by the Department of Conservation and Recreation (DCR) (Virginia Code 10.1-560 et seq.). Also, construction activity of less than 1 acre but part of a common plan of development disturbing 1 or more acres and having the potential to discharge stormwater requires coverage under the Virginia Stormwater Management Program (VSMP) General Permit for Discharges of Stormwater for Construction Activities.

No Effect

The proposed action would not affect current nonpoint source pollution levels or controls.

Wetlands Management

The purpose of the wetlands management program is to preserve tidal wetlands, prevent their despoilation, and accommodate economic development in a manner consistent with wetlands preservation.

(i) The tidal wetlands program is administered by the VMRC (Virginia Code §28.2-1301 through '28.2-1320).

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

Except where required for road crossing of the wetland, the project design would preserve a 100-foot buffer adjacent to all jurisdictional wetlands, conforming with the Chesapeake Bay Preservation Act.

No Effect

The Proposed Action would not affect any wetlands within or around Fort A.P. Hill.

Table B-1: Fort A.P. Hill CZMA/CZMP Consistency Determination

Dunes Management	No Effect
Dune protection is carried out pursuant to The Coastal Primary Sand Dune Protection Act and is intended to prevent destruction or alteration of primary dunes. This program is administered by the VMRC (Virginia Code '28.2-1400 through '28.2-1420).	No permanent alteration of or construction upon any coastal primary sand dune will take place under the Proposed Action.
Point Source Pollution Control	No permanent alterations to existing point sources will take place under the Proposed Action.
The point source program is administered by the State Water Control Board pursuant to Virginia Code '62.1-44.15. Point source pollution control is accomplished through the implementation of the National Pollutant Discharge Elimination System (NPDES) permit program established pursuant to Section 402 of the Federal Clean Water Act and administered in Virginia as the Virginia Pollutant Discharge Elimination System (VPDES) permit program.	American Water O&M, Inc., is now the permittee for the wastewater treatment plant at Fort A.P. Hill. Fort A.P. Hill has a petroleum, oil, and lubricants industrial general permit. The Proposed Action would not impact these permits.
Coastal Lands Management	No Effect
A State-local cooperative program administered by DCR's Division of Chesapeake Bay Local Assistance and 84 localities in Tidewater, Virginia, established pursuant to the Chesapeake Bay Preservation Act; Virginia Code §§ 10.1-2100 through 10.1-2114 and Chesapeake Bay Preservation Area Designation and Management Regulations; Virginia Administrative code 9 VAC10-20-10 et seq.	No permanent alteration of or construction upon any coastal lands will take place under the Proposed Action.
Shoreline Sanitation	No Effect
The purpose of this program is to regulate the installation of septic tanks, set standards concerning soil types suitable for septic tanks, and specify minimum distances that tanks must be placed away from streams, rivers, and other waters of the Commonwealth. This program is administered by the Department of Health (Virginia Code '32.1-164 through '32.1-165).	No permanent alteration of or construction of sanitation facilities will take place under the Proposed Action.

Table B-1: Fort A.P. Hill CZMA/CZMP Consistency Determination

Air Pollution Control

The program implements the Federal Clean Air Act to provide a legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards. This program is administered by the State Air Pollution Control Board (Virginia Code '10-1.1300).

No Effect

The estimated emissions from implementation of the Proposed Action would not exceed the de minimis threshold values. A conformity determination is not required.

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APPENDIX C
LIST OF RECIPIENTS

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Scoping and EA Recipient List

Salutation	First Name	Last Name	Affiliation
Mr.	Wayne	Acors	Madison District, Caroline County Board of Supervisors
Mr.	Dan	Bacon	Virginia Marine Resources Commission
Mr.	C. Douglas	Barnes	Spotsylvania County Administrator
Ms.	Deanna	Beacham	Virginia Council on Indians
Mr.	David & Linda	Beck	Portobago Bay Home Owners Association
Mr.	Harry	Betchy	Portobago Bay Home Owners Association
Mr.	Thomas	Blackwell	Essex County Commissioner of Revenue
Mr. & Mrs.	Edward & Margaret	Blevins	Portobago Bay Home Owners Association
Mr.	Jeff	Bodner	Portobago Bay Home Owners Association
Mr.	Michael	Bohlmann	Portobago Bay Home Owners Association
			Bowling Green Library
Ms.	Regena	Bronson	U.S. Army Corps of Engineers
Mr.	Cedell	Brooks, Jr.	King George Board of Supervisors
Mr.	Kevin	Byrnes	George Washington Regional Commission
Mr.	Beverly	Cameron	Fredericksburg City Manager
Ms.	Bonnie	Cannon	
			Caroline Library, Inc. Port Royal Branch
Mr.	William & Phyllis	Carpenter	Edmont of Port Royal Bed & Breakfast
Ms.	Sharon	Carter	Caroline County Commissioner of Revenue
			Central Rappahannock Regional Library Headquarters
Ms.	Mary Frances	Coleman	Bowling Green Town Council
Ms.	Cleopatra	Coleman	Historic Port Royal, Inc.
Mr.	Richard	Cope	
Mr.	Richard	Cottrell	Portobago Bay Home Owners Association
Mr.	Tim	Cox	The Caroline Progress
Ms.	Allison	Daguilar	Portobago Bay Home Owners Association
Ms.	Jean	Davis	Bowling Green Town Council
Ms.	Carolyn & John	Davis	
Mr.	Walter A. "Pete"	Davis, Jr.	Chairman, Caroline County Planning Commission
Mr.	James	Day	President, Rappahannock Chapter Association of the United States Army
Mr.	Tylan	Dean	US Fish and Wildlife Service
	E.L.	Donalson	Portobago Bay Home Owners Association

Salutation	First Name	Last Name	Affiliation
Mr.	Spencer	Dorsey	
Ms.	Mary	Dorsey	Portobago Bay Home Owners Association
Ms.	Shirl	Dressler	Virginia Department of Game and Inland Fisheries
Mr. & Mrs.	Larry & Carolyn	Ervin	
			Essex Public Library
Mr.	Thomas	Faha	Virginia Department of Environmental Quality - Northern Regional Office
Ms.	Sharon	Farmer	
Mr.	Scott	Fearnow	Portobago Bay Home Owners Association
Ms.	Cynthia	Fields	Portobago Bay Home Owners Association
Mr.	Mike	Finchum	Caroline Co Dept of Planning & Community Development
Ms.	Judith	Fulks	Belvedere Plantation, Nottingham Fairways
Mr. & Mrs.	Jacqueline & George	George	Portobago Bay Home Owners Association
Mr.	Roy	Gladding	Mayor, Town of Tappahannock
Mr. & Mrs.		Hall	
Ms	Marilyn	Handel	Sawan Kirpal Meditation Center
Ms.	Terri	Harrison	Town Clerk, Port Royal
Dr.	James	Heimbach	Port Royal Town Council
Mr.	Bill	Henderson	Port Royal Town Council
Mr.	Andy	Hofmann	US Fish and Wildlife Service
Mr.	Marc	Holma	Virginia Department of Historic Resources
Ms.	Rene	Hypes	Virginia Department of Conservation and Recreation - Division of Natural Heritage
Ms.	Ellie	Irons	Department of Environmental Quality
Mr.	Kevin	James	Pastor, Salem Baptist Church
Mr.	Harald	Jenewein	Portobago Bay Home Owners Association
Ms.	Caren	Johnson	Portobago Bay Home Owners Association
Dr.	Gregory	Killough	Superintendent, Caroline County Public Schools
Mr.	Gary	Kline	
Mr.	John	Lampmann	President, Portobago Bay Home Owners Association
Mr.	Glen	Lanford	Bowling Green Town Council
Mr.	Helmut	Linne von Berg	Portobago Bay Home Owners Association
Mr.	Tony	Lippa	Sheriff, Caroline County

Salutation	First Name	Last Name	Affiliation
Ms.	Tamatha	Locklerr	
Honorable	Nancy	Long	Mayor, Town of Port Royal
Ms.	Linda	Lumpkin	Essex County Assistant County Administrator
	B. Walton	Mahon	
Mr.	Stephen	Manster	Town of Bowling Green
Mr.	Guy	Mattox, Jr.	
Mr.	Glen	McDearmon	Vice Mayor, Town of Bowling Green
Ms.	Tana	McDonald	President, Caroline County Chamber of Commerce
Ms.	Vivian	McDonald	
Mr.	Steve	Meehan	Portobago Bay Home Owners Association
Dr.	Jule	Millard	Caroline Counseling
Ms.	Della	Mills	Port Royal Town Council
Dr.	W. Angus	Muir	President, Caroline County Countryside Alliance
Ms.	Sharon	Nelson Craig	Holland & Knight LLP
Mr. & Mrs.	Michael & Marilyn	Newman	Portobago Bay Home Owners Association
Mr. & Mrs.	Fred & Crystal	Pannell	Portobago Bay Home Owners Association
Mr.	Joe	Parker	Photography by Joe Parker
Ms.	Wanda	Parrish	Spotsylvania County Planning Director
Mr.	Alan	Partin	Interim Caroline County Adimistrator
Mr.	David	Paylor	Virginia Department of Environmental Quality
Mr. & Mrs.	Glen & Jennifer	Pickerel	Portobago Bay Home Owners Association
Mr.	Kenneth	Pogue	
Ms.	Patricia	Posner	
Mr.	Travis	Quesenberry	King George County Administrator
Ms.	Anne	Richardson	Chief, Rappahannock Tribe Cultural Center
Mr.	David	Richardson	Portobago Bay Home Owners Association
Ms.	Margaret	Roberts	
Ms.	Jane	Robinson	
Mr.	Rudy	Rodriguez	
Mr.	Clarence	Runstmann	Portobago Bay Home Owners Association
Mr.	Hart	Rutherford	Chairman, Fredericksburg Regional Chamber of Commerce Military Affairs Council
Mr.	Jason	Satterwhite	Bowling Green Town Council

Salutation	First Name	Last Name	Affiliation
Mr.	Stan	Scott	Virginia National Defense Industrial Authority
Mr. & Mrs.	John and Sylvia	Sellers	Portobago Bay Home Owners Association
Mr.	Jeff	Sili	Caroline Co Board of Supervisors – Bowling Green District
Mr.	Robert	Simmons	Portobago Bay Home Owners Association
Mr.	Dale	Sisson, Jr.	Chairman, King George County Board of Supervisors
Mr.	Gary	Skinner	Chairman, Spotsylvania County Board of Supervisors
Mr.	William	Smith III	Portobago Bay Home Owners Association
Mr.	William	Smith	Sawan Kirpal Meditation Center
Mr.	Edwin E. "Bud"	Smith, Jr.	Chairman, Essex County Board of Supervisors
Ms.	Susan	Spears	President, Fredericksburg Regional Chamber of Commerce
Mr.	Charles	Stapp	Portobago Bay Home Owners Association
Honorable	David	Storke	Mayor, Town of Bowling Green
Mr.	Calvin	Taylor	Caroline Co Board of Supervisors – Port Royal District
Colonel	Sandra	Thacker	Peumansend Creek Regional Jail
Mr.	Floyd	Thomas	Chairman, Caroline County Board of Supervisors
Mr.	Thomas	Tomzak	Mayor, City of Fredericksburg
Mr.	Reggie	Underwood	Reedy Church District, Caroline Co. Board of Supervisors
Ms.	Rosie	Upshaw	Councilmember, Town of Port Royal
Mr.	Daniel	Webb	Bowling Green Town Council
Mr.	Bill	Wick	Councilmember, Town of Port Royal
Mr.	David	Whitlow	Essex County County Administrator
Mr.	Kevin	Wightman	
Mr.	Robert	Wilson	George Washington Regional Commission
Mr.	Boyd	Wisdom	Portobago Bay Home Owners Association
Mr.	C.B.	Wisdom, Jr.	
Mr.	Chuck	Womble	President, Sparta Ruritan Club
Mr.	Otis	Wright	Bowling Green Town Council
Ms.	Dorothy	Wright	