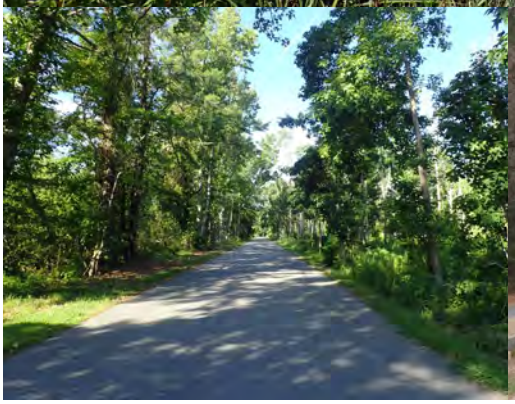
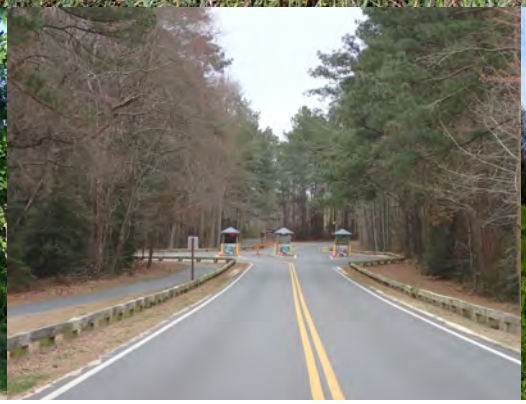
Chincoteague National Wildlife Refuge
Assateague Island National Seashore

Environmental Assessment for the
Recreational Beach Relocation





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ENVIRONMENTAL ASSESSMENT

for the

RECREATIONAL BEACH RELOCATION PROJECT

CHINCOTEAGUE NATIONAL WILDLIFE REFUGE

ASSATEAGUE ISLAND NATIONAL SEASHORE

Accomack County, Virginia

August 2018

This Environmental Assessment analyzes the proposed action for the site design of the facilities needed to support the relocation of the recreational beach, as described in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and approved by the Record of Decision signed on November 6, 2015. A no action, the proposed action, and three additional parking area options were analyzed. The no action alternative would implement current management plans. The proposed action would configure the parking areas, roads, and related facilities needed to access and support the use of the new recreational beach. Included in the proposed action is the: construction of a new two-lane access road and roundabout intersection; improvement of the entrance fee booths; new parking areas and paths to access the new recreational beach; vault toilets, rinse-off showers, foul weather shelters, changing room cabanas and other facilities needed to provide a safe and appropriate beach recreation experience; a new multi-use trail; replacement of the water control structures on C- and D-dikes; relocation of the National Park Service staff offices and educational programs currently residing at Toms Cove Visitor Center; and, a new parking area at the South Pony Corral.

Chapter 1 presents the purpose and need for the action, discusses the location and background of the project, identifies related plans and planning, and provides information regarding the scoping completed as a part of the project development process. Chapter 2 presents the alternatives proposed to meet the purpose and need of the action, and discusses alternatives that were dismissed from further consideration. Chapter 3 provides information regarding the resources present in the study area that would be impacted by the proposed action, and also discloses the impacts of each alternative to the resources. Chapter 4 documents the public involvement process throughout this project. Chapter 5 presents the list of references.

NOTE TO REVIEWERS AND RESPONDENTS

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1 INTRODUCTION, PURPOSE, NEED, AND PLANNING BACKGROUND

1.1 INTRODUCTION

Chapter 1 provides background information about the proposed project and the study area, explains the purpose of the proposed project and why it is needed, and identifies issues and opportunities for consideration during alternatives development.

The coastal environment on Assateague Island in the Chincoteague National Wildlife Refuge (refuge) is constantly changing in response to sea level rise and other natural processes. In August of 2015, the U.S. Fish and Wildlife Service (USFWS) released their Final Comprehensive Conservation Plan and Environmental Impact Statement (CCP/EIS) for the Chincoteague and Wallops Island National Wildlife Refuges. The Record of Decision (ROD) was signed on November 6, 2015, selecting Alternative B for implementation. The selected alternative included the relocation of the recreational beach, which is necessary because the parking area has been washed out numerous times in the past. The frequency of washouts resulting in beach access closure is expected to increase in the future. The CCP/EIS also stated that an Environmental Assessment (EA) would be completed to analyze alternatives for parking and access to this new beach location approximately 1.5 miles north of the existing beach.

This EA has been prepared by the USFWS in cooperation with the National Park Service (NPS). The USFWS and NPS have worked collaboratively throughout the development of the EA with local stakeholders including the Town of Chincoteague and Accomack County, Virginia. The USFWS and NPS also have partnered with the Federal Highway Administration (FHWA) in developing the EA. Additional information regarding cooperating agencies can be found in section 4.1.2 of the EA.

The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*) requires Federal agencies to consider potential environmental consequences of a wide variety of proposed actions, and to document the analysis and make the information available to the public. This EA was prepared to meet the NEPA requirements of the USFWS, NPS, and FHWA and presents the agencies' decision-making process and the potential impacts of the implementation of the proposed action. This EA is tiered to the broader-scope CCP/EIS discussed above. Thus, according to 43 CFR 46.140, a "finding of no significant impact other than those already disclosed and analyzed in the environmental impact statement to which the environmental assessment is tiered by also being called a 'finding of no new significant impact'" or FONNSI. This EA is anticipated to result in the USFWS issuing a FONNSI. The NPS and FHWA are both cooperating agencies, and intend to adopt the EA to issue their own decision documents.

Coordination in accordance with other laws and regulations, such as the Clean Water Act and the Endangered Species Act, has been completed in concert with development of the EA to help to guide decisions made during the NEPA process.

1.2 NEED AND PURPOSE FOR ACTION

1.2.1 Need

Assateague Island continues to change as a result of natural processes, and is moving west towards the mainland. The natural westward movement of the coastline is accelerated during storm events, leading to costly repairs and extensive public use closures of the recreational beach parking areas. Since 2003, major repairs have been required seven times at a cost of nearly $3.5 million. The refuge (owned and operated by the USFWS) and the recreational beach (managed and operated by the NPS) attract over one million visitors annually. Closure of the parking areas due to storm damage reduces the ability of the USFWS and NPS to provide recreational beach access and interpretative opportunities for these visitors.

Relocation of the recreational beach was approved in the ROD; however, the configuration of the access, parking, and facilities that support the new recreational beach still needs to be determined. Relocation of the recreational beach also provides an opportunity to correct operational deficiencies that contribute to congestion during periods of high visitor use. Congested areas include the entrance fee booths, the entrance to the recreational beach parking area, and the South Pony Corral area.

1.2.2 Purpose

The purpose of the project is to locate, design, and construct the infrastructure and facilities needed to support the recreational beach relocation that was approved as part of Alternative B in the ROD. The ROD committed to the completion of an additional study to analyze the site design of the parking areas. Visitors to the refuge support the economy of the Town of Chincoteague through their use of hotels, restaurants and shops. And so, relocation of the recreational beach before it is damaged beyond repair is important to both visitors and the town.

Primary objectives of this project are to:

- Design the necessary parking, access roads and facilities in a manner that will support the local tourism-based economy while providing an excellent and more sustainable visitor experience;
- Comply with and facilitate the achievement of goals identified in the refuge's CCP/EIS;
- Adhere to policies, mandates, and agreements discussed in the CCP/EIS; and
- Support the Assateague Island National Seashore's (seashore) mission statement for public access (U.S.C. Title 16, Chapter 1, Subchapter LXIII, Section 459f).

1.3 REGIONAL CONTEXT AND PROJECT AREA

1.3.1 Refuge Background and Mission

The refuge was established on May 13, 1943 through the acquisition of 8,808 acres under the authority of the Migratory Bird Conservation Act. Federal ownership of this land was deemed necessary for protection during nesting and migration seasons of all those species of wildlife determined as being of great value as a source of food, or in destroying of injurious insects, or in danger of extermination through lack of adequate protection (U.S. District Court 1943). The refuge purposes include: preserving and enhancing endangered species; protecting and

enhancing habitat for migratory and non-migratory species; maintaining indigenous species; and, providing opportunities for wildlife-dependent recreation (CNWR 1993).

1.3.2 Seashore Background and Mission

The Chincoteague-Assateague Bridge and Beach Authority (Beach Authority) was granted an easement in 1959 to build a bridge to and roadway across the refuge, and at that time USFWS entered into an agreement with the Beach Authority to allow the development and operation of a public beach and recreational facilities.

On September 21, 1965, Congress passed Public Law 89-195 (U.S.C. Title 16, Chapter 1, Subchapter LXIII, Section 459f) establishing the seashore as a unit of the national park system, "For the purposes of protecting and developing Assateague Island in the states of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation and enjoyment..." (National Park Service, 2016). The Secretary of Interior was authorized by Public Law 80-195 to acquire all of the rights, title, or interests of the Beach Authority, which included the recreational beach on the Virginia portion of Assateague Island. The seashore has a dual mission of conservation and public access; thus, the NPS has been managing the beach facilities since then under a Memorandum of Understanding (MOU) between the NPS and USFWS that defines and assigns certain management responsibilities to each agency.

1.3.3 Project Area

The new recreational beach, access road, parking areas, and support facilities would all be located within the current refuge boundaries on Assateague Island in Accomack County, Virginia. The approved location for the new recreational beach is approximately 1.5 miles north of the existing recreational beach, and is essentially centered on D-dike. Figure 1 provides an aerial image of the study area and identifies key landmarks. Infrastructure needed to provide access to the new recreational beach and facilities needed to support recreational beach use would be located west of the new recreational beach.

Figure 1. Location Map

1.4 RELATED STUDIES/ACTIONS

The transportation needs for the refuge have been studied several times over the past 10 years, and the need for improvements has been documented extensively. In January of 2008, a study titled "Transportation Observations, Considerations and Recommendations for Chincoteague National Wildlife Refuge" was conducted to discuss current conditions and issues for visitors to the refuge and identify possible solutions to the transportation challenges that meet the USFWS and NPS goals. In April of 2010, the "Chincoteague National Wildlife Refuge Alternative Transportation Study" was completed to study alternative transportation options that could mitigate transportation issues on and between the refuge and the Town of Chincoteague. And, most recently, the CCP/EIS was released in August of 2015, which identified the tenuous location of the existing parking area, the traffic choke points located at the entrance to the park and the beach and the inability of emergency vehicles to access the site quickly during high visitation periods.

Two other studies are currently underway that are related to the proposed action. The USFWS is currently conducting a hydrologic study of the seven water control structures to evaluate the hydrologic conditions at each impoundment and to quantify the volume of water to be removed from the impoundment following a storm surge event. The study goal is to establish the needed capacity of the water control structures to drain storm surge saltwater from the impoundments quickly after the tide water levels return to normal levels (Burgess & Niple, 2017).

In 2017 the NPS issued the "Abbreviated Final General Management Plan and Environmental Impact Statement, Assateague Island National Seashore" (GMP/EIS). The GMP/EIS describes the current management alternative and three action alternatives for future management of the seashore. The NPS Preferred Alternative adopts the CCP/EIS actions related to the new recreational beach as part of an effort to design visitor use infrastructure in the seashore to be more sustainable (National Park Service, 2017).

1.5 CONCERNS/ISSUES AND OPPORTUNITIES

Issues, as discussed in NEPA, describe the relationships between the action being proposed and the environmental (natural, cultural and socioeconomic) resources. Internal scoping was completed by an interdisciplinary team with members from the USFWS, NPS and FHWA. External scoping with the public and Federal, State and local stakeholders also aided in the identification of issues that should be analyzed in this EA. Internal and external scoping (defining the range of potential issues) was conducted for this EA to identify what relationships exist between the proposed action and environmental resources.

Concerns identified through the scoping process were:

- Relocation of the recreational beach facilities would locate them within a dynamic system experiencing consistent shoreline loss over time (averaging 13 feet/year).
- Parking area configurations with more parking lots of smaller size would increase the number of roads to connect them, increasing the amount of land disturbance and new impervious area.

- Construction of a new access road and new parking areas could impact naturally occurring and managed wetlands (impoundments) used by waterfowl and other species.
- Relocation of the parking areas further away from the beach may make it more difficult for visitors with limited mobility or disabilities to access the beach.
- Relocation of the beach access infrastructure may change the recreational opportunities available to visitors. The economic impact of any reduction in beach related tourism is of concern to the Town of Chincoteague, the refuge's gateway community.

1.6 RESOURCE CATEGORIES CARRIED FORWARD

The CCP/EIS disclosed the impacts of relocating the beach and parking area to the new location 1.5 miles north of its current location. This EA will focus on the analyses necessary for site-specific decisions to be made (site design for parking, visitor contact, and other amenities), and discuss the impacts in proportion to their significance.

The issues identified during scoping have been distilled into the following resources categories:

- Natural Coastal Processes
- Hydrology and Water Quality
- Wetlands
- Transportation and Access
- Visitor Services (Recreational Beach Use)

1.7 RESOURCE CATEGORIES DISMISSED FROM FURTHER CONSIDERATION

Some issues raised in scoping for this EA were previously examined in the CCP/EIS and determined to be less relevant or pertinent; therefore, these issues have been dismissed from further consideration. Provided below are brief descriptions of the resources and the reason for dismissal which incorporate the analysis in the CCP/EIS by reference.

1.7.1 Physical Environment

1.7.1.1 Geology and Soils

Soils in the area were identified using the Natural Resources Conservation Service's Web Soil Survey and were found to include: Assateague fine sand, Chincoteague fine sand, Fisherman fine sand, and Fisherman-Assateague and Fisherman-Camocca complexes (Natural Resources Conservation Service, 2016). Elevations in the project area generally range from 5 feet to 25 feet above sea level. High points and low points in the project area include the dunes and impoundments respectively; both of which are manmade. Fill material would be brought in to construct the roads, trails, and parking areas so that these areas are a minimum elevation of 6.56 feet above sea level. Disturbance of the native soils to construct the road and parking areas would be minimal, since excavation is not anticipated to extend much below the ground surface because of the high water table. If needed, dune fencing would be installed along the dunes to protect the vegetation from trampling.

1.7.1.2 Air Quality

The use of heavy equipment during construction would result in the emission of exhaust (and the associated air pollutants) and dust. These impacts would be temporary and Best Management Practices (BMPs) would be implemented to minimize the impacts to air quality. The project would not increase the size of the facility or create a through-road that would generate more trips, so the number of visitors is not expected to increase.

1.7.2 Vegetation

Four vegetation habitat types are found in the study area; beach dune, shrub, forested uplands, and wetlands/impoundments (wetlands/impoundments are discussed in Section 3.3). Species commonly found in the beach dune zone include American beach grass, sea oats, saltmeadow cordgrass, seaside goldenrod, dune sandbur, rough buttonweed, carpetweed, and seabeach evening primrose. The dune zone would be impacted only by the construction of pedestrian trails or walkovers so that visitors can walk from the parking areas to the beach. Sand fencing may be installed along the walkovers to restrict access to the dunes.

Behind the dune zone is a community of early successional shrub habitat. Commonly found species in this area include wax myrtle, northern bayberry, black cherry, serviceberry, blackberry, poison ivy, and greenbrier. Between approximately 1.1 and 1.4 acres of shrub habitat would be impacted, depending on the parking option implemented. About 2,872 acres of early successional shrub habitat cover the Assateague Island Unit of the refuge, and so loss of 1.1 to 1.4 acres would not cause a noticeable change in the composition of habitat in the refuge.

In the western portion of the study area, in the interior of Assateague Island, there are forested uplands. These areas were previously comprised almost entirely of loblolly pine. Deciduous trees also present include red oak, white oak, and water oak. In recent years, southern pine beetle infestations have resulted in the deaths of large stands of loblolly pines. The refuge has been clearing trees where needed to suppress the infestation. Dead trees have also been removed to reduce potential safety issues for visitors and decrease the potential for fires. Round-leaved greenbrier, an invasive vine species, thrives in recently disturbed areas and has completely covered the area previously inhabited by the loblolly pine. Impacts to the uplands habitat would range between 18 and 22 acres, depending on the parking option implemented. About 1,600 acres of forested uplands cover the Assateague Island Unit of the refuge. Loss of 18 to 22 acres of upland habitat would not cause a noticeable change in the composition of vegetated habitat in the refuge.

1.7.3 Wildlife

1.7.3.1 Federal and State Threatened and Endangered Species

Federally-listed species in Accomack County include the piping plover, roseate tern, red knot, seabeach amaranth, northeastern beach tiger beetle, northern long-eared bat, hawksbill sea turtle, leatherback sea turtle, Kemp's Ridley sea turtle, and loggerhead sea turtle. With the exception of the northern long-eared bat, these species are found on sandy beaches. The northern long-eared bat may be found during summer roosting underneath bark, in cavities, or in crevices of live and dead trees. Males and non-reproductive females may also roost during the summer in caves and mines. In winter, they hibernate in caves and mines (U.S. Fish and Wildlife Service, 2016). Dead loblolly pine trees in the project area create standing snags and provide roosting habitat for bats. Clearing of a portion of the live infested trees occurred prior

to the implementation of this project to suppress the spread of southern pine beetle. Any additional tree clearing needed to construct the project would be done outside of the pup season, which occurs from June 1 through July 31, in accordance with the Programmatic Biological Opinion for the Final 4(d) Rule on the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions.

State-listed species, beyond those that are also Federally-listed, present in the Assateague Channel-Assateague Bay-Toms Cove subwatershed include the great egret, Wilson's plover, snowy egret, peregrine falcon, spectral tiger beetle, and graphic moth.

The USFWS Virginia Field Office's online project review process was completed for the proposed action. In accordance with Section 7 of the Endangered Species Act, a determination was made that the project would have no effect/may affect, but is not likely to adversely affect Federally-listed species. The piping plover, roseate tern, red knot are shorebirds that primarily inhabit the dune and beach areas. Project activities that have the potential to impact this area are the construction of pedestrian trails and dune walkovers for beach access from the parking areas; however, historical data shows no nesting Federally-listed shorebirds in the project area. Seabeach amaranth is also found on the upper beach and sparsely vegetated overwash fans and inter-dune areas. USFWS records indicate that no known occurrences for seabeach amaranth are found in the project area. The northeastern beach tiger beetle, which inhabits broad sandy beaches, and the sea turtles, which nest on the beach, would also likely not be affected by the proposed action. The proposed action would impact the beach only to construct dune trails or walkovers. Mats may be placed to provide accessible access to the beach in at least one location, which may impact a small area of the beach.

1.7.3.2 Birds

The refuge is located along the Atlantic migratory flyway, and provides habitat for migrating shorebirds and waterfowl in the spring and fall. The refuge supports wintering greater snow geese, Canada geese, American black ducks, mallards, green-winged teal, northern pintail, northern shoveler, gadwall, American widgeon, bufflehead, red-breasted merganser, ruddy duck, tundra swan, and others. Impoundments in the refuge are managed for waterfowl to provide invertebrate and plant food sources, loafing cover, and winter thermo-regulatory cover. The highest use of the impoundments by waterfowl usually occurs between October and March depending on the weather. The study area includes 2 of the 14 impoundments in the refuge; Mallard Pool and Pintail Pool.

The shrub habitat behind the dunes provides habitat for neotropical migratory birds such as warblers, flycatchers and thrushes. More than 230 species are known to use the refuge regularly for nesting and brood rearing, feeding, resting and staging during migration, or wintering. Approximately 11.6 to 19.4 acres of bird habitat comprised of impoundments and adjacent shrub areas would be removed in order to construct the new access road, parking areas, and trails. As indicated in the CCP/EIS, impacts to shrub habitat would be mitigated by allowing natural vegetation to grow back in area that is approximately 300 acres in size, improving the habitat for spring and fall migratory neotropical birds. The existing parking areas would be restored and would provide early successional bird habitat.

1.7.3.3 Fish and Other Aquatic Species

The study area for the new parking area, access road, and visitor facilities is located in the interior part of the barrier island. The proposed action would have no impact on the open waters of the sound, salt marsh, or the Atlantic Ocean. Impoundments in the study area include Farm Fields Pool, Pintail Pool, and Mallard Pool. These impoundments are manmade freshwater areas that depend on precipitation for freshwater inputs and provide limited habitat for fish or other aquatic species (other than aquatic invertebrates) because the water levels of the impoundments are managed for waterfowl use.

1.7.3.4 Mammals, Reptiles, Amphibians and Invertebrates

The refuge supports few native, terrestrial mammals. Common terrestrial species are white-tailed deer, cottontail rabbit, muskrat, river otter, racoon, red and gray fox, opossum, Delmarva fox squirrel, and several species of bat, mice, and shrews. Sika and the Chincoteague ponies were introduced to Assateague Island and are currently managed to avoid overpopulation of the island.

Reptile and amphibian diversity is limited. Documented reptile and amphibian species on Assateague Island include eleven turtles, seven frogs and toads, seven nonvenomous snakes, and one lizard. Eastern box turtle, northern diamond back terrapin, eastern mud turtle, eastern hognose snake, black rat snake and northern water snake are more commonly seen reptile species. Amphibians commonly seen include Fowler's toad, southern leopard frog, bull frog, and green tree frog. A diverse and abundant array of invertebrates can be found in the project area. Invertebrates of note include the monarch butterfly and the southern pine beetle. Refuge habitats provide an abundance of nectar sources, and important night-roosting sites are located in thickets of bayberry, wax myrtle, groundsel-tree, lobolly pine and eastern red-cedar in the vicinity of Toms Cove and along Service Road. The southern pine beetle is prevalent in the project area and has infested much of the loblolly pine forest in the refuge.

Impacts to mammals, reptiles, amphibians and invertebrates resulting from the relocation of the recreational beach were analyzed in the CCP/EIS. The parking options analyzed in this EA would impact mammals, reptiles, amphibians and invertebrates to a similar degree because available habitat in the project area would be reduced. Construction noise and increased human presence from construction through operation of the new recreational beach would cause many species to avoid the area.

1.7.3.5 Invasive/Exotic Species of Concern

Invasive plants on Assateague Island include common reed, which is controlled using herbicide and other techniques. Other invasive species include Asiatic sand sedge, climbing fern, Japanese stilt-grass, Japanese wisteria, and Japanese Honeysuckle. Round-leaved greenbrier has taken over the understory where the loblolly pine trees have died and recently been removed. This species is invasive in the project area. BMPs would be implemented during construction to reduce the introduction or spread of invasive and exotic species. Soil disturbing activities would be minimized to the extent possible and disturbed soils would be stabilized as soon as possible using non-invasive cover crops and native seed.

1.7.4 Socioeconomics and Environmental Justice

1.7.4.1 Socio-Demographic Characteristics

Chincoteague is a popular tourist destination, which is demonstrated by the fact that there are nearly three times the number of housing units as total households. Chincoteague is also a popular retirement destination, as such over 40 percent of these households are made up of individuals 65 years and older. The Town of Chincoteague has several sources of economic activity, including tourism, commercial fishing and seafood manufacturing, and the nearby National Aeronautics and Space Administration (NASA) Wallops Flight Facility. The largest employment sectors in Chincoteague are accommodation and food services, retail trade, and healthcare and social assistance.

Tourism at the refuge generates an estimated $50 million for the Town of Chincoteague and $200 million for Virginia's Eastern Shore annually. Interruptions in visitor use caused by storm damage are costly to local economies, which are largely dependent on beach-related tourism. In 2013, the USFWS Division of Economics reported that a reduction by one-half of the current parking capacity, which is approximately 1,000 vehicles, occurring from Memorial Day to Labor Day could result in a $38.4 million annual loss in local tourism revenue.

In the CCP/EIS, it was assumed that visitation would not change as a result of the relocation of the recreational beach because the same number of spaces would be available and the short-term transition between the locations would be carefully managed outside of the peak visitation period. Configuration of access, parking, and facilities to support the recreational beach may impact the quality of the visitor's beach experience. Visitor experience is discussed in Section 3.5 Visitor Services (Recreational Beach).

1.7.4.2 Environmental Justice

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," requires all Federal agencies to incorporate environmental justice into their missions by identifying and addressing the disproportionately high and/or adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities. The Department of Interior requires that the impacts of their actions on minority and low-income populations and communities be specifically discussed and evaluated in NEPA documents, as well as the equity of the distribution of the benefits and risk of the decision (National Park Service, 2015). The Town of Chincoteague and Assateague Island are located in census tracts 901 and 9801, respectively. In the analysis provided in the CCP/EIS, neither of these census tracts were found to be low-income or minority populations. The proposed action would not have any disproportionate or adverse impacts on minority or low-income populations.

1.7.5 Land Use Setting and Transportation (Land Use)

The refuge is located on the southern portion of Assateague Island, and is bounded at the Maryland state line to the north by the seashore. Across Assateague Channel to the west in the Town of Chincoteague, comprised primarily of residential area with pockets of commercial land use. The proposed action would have no impact on land use in areas surrounding the refuge or within the refuge beyond what was approved in the ROD.

1.7.6 Visitor Services

1.7.6.1 Hunting

Big game and migratory game bird hunting opportunities are provided in designated areas throughout the refuge. The current big game hunting program for the refuge consists of sika (Japanese deer) and white-tailed deer with archery or firearms. Migratory game bird hunting is only provided via water access for four hunt units: Wildcat Marsh, Morris Island, Assawoman, and Metompkin; none of which are in the vicinity of the study area. The proposed action would have no impact on big game or migratory game bird hunting.

1.7.6.2 Fishing

Surf fishing, crabbing, and clamming are popular wildlife-dependent recreational activities conducted on the refuge. Surf fishing in the North and South Over-Sand Vehicle (OSV) zones are accessible via OSV use, which is administered by the NPS and the USFWS. Fish commonly found in waters around the refuge include bluefish, striped bass, summer flounder, Atlantic croaker, spot and red drum. Clearnose skate, bullfish, southern stingrays, and smooth or spiny dogfish sharks can also be found. Currently, the North OSV zone, accessible from C-dike, allows 12 vehicles on approximately one mile of beach, beginning March 15 through August 31 to facilitate priority wildlife-dependent uses. The South OSV zone, accessible from the terminus of Beach Road, allows 48 vehicles on approximately five miles of beach, beginning September 1 through March 14. Access is limited to Toms Cove Hook and the Overwash during the spring and summer to protect coastal bird nesting habitat. Upon the development of the new recreational beach, the North OSV zone will be open year round and the South OSV zone will be open September 16 to March 14.

1.7.6.3 Environmental Education and Interpretation

The refuge partners with many agencies to provide classroom and hands-on programs for youth. The refuge also provides interpretive opportunities to visitors. Many programs take place at the Herbert H. Bateman Educational and Administrative Center (Bateman Center); however, refuge staff also lead bird walks, crabbing and surf fishing demonstrations, marsh walks, and photography hikes. Refuge staff also assist with NPS beach campfires (USFWS, 2015). The NPS provides educational and interpretive programs from the Toms Cove Visitor Center. After development and/or when Toms Cove Visitor Center operations are no longer viable, colocation of the seashore's staff and interpretive programs at the Bateman Center would benefit environmental education and interpretation, as it would allow for more collaboration.

1.7.6.4 Wildlife Observation and Photography

Wildlife viewing opportunities are available throughout the year. Wildlife can be observed while traveling paved roads and trails such as Beach Road and Wildlife Loop, and along trails including Marsh Trail and Woodland Trail. The natural beach also provides wildlife viewing and photography opportunities for visitors. The existing roads and trails providing access throughout the refuge would not change from the existing configuration under the proposed action and so the wildlife viewing opportunities would continue to be available.

1.7.6.5 Other Recreational Uses

Walking, bicycling, horseback riding, OSV use, boating, and commercial uses are all other recreational uses in the refuge. Bicycle access is currently available along the Service Road

(combination of asphalt paved and aggregate surface), C-dike (natural sand surface), and D-dike (natural sand surface). Approximately 2.28 miles of new paved trail would be created by the proposed action. The construction of a paved trail separated from vehicular traffic would likely be seen by visitors as an improvement over the current conditions. Impacts to walking and bicycling are discussed in Section 3.4, Transportation and Access. Impacts to OSV use are discussed in Section 1.7.6.2. There would be no change to horseback riding, boating, and commercial uses under the proposed action.

1.7.7 Cultural Resources

Seasonal use of the island most likely began about 1,000 years ago. Native Americans with settlements along mainland river estuaries most likely used the island when supplementing their diets with shellfish and finfish. During the early period of European contact, this area was occupied by several tribes: Metompkin, Kegotank, Chincoteague, and Assateague. European settlement of the Eastern Shore in 1620 led to rapid decline of these tribes. In 1671 Captain Daniel Jennifer began use of Assateague Island for seasonal livestock pasturing, and year-round settlement on Assateague appears to have begun in 1689 with Maximilian Gore owning tenant occupied dwellings (New South Associates, Inc, 2017).

In 1988, Goodwin and Associates conducted archaeological investigations to survey previously recorded archaeological resources and to assess the potential for unknown resources within the refuge (Goodwin et al. 1988). A landform sensitivity map was developed to determine which landforms were more likely to contain archaeological resources. Specific landforms around the refuge were defined from a geoarchaeological point of view based on their formation and assumed calendar ages. The likelihood for site probability was determined based on the presence or absence of archaeological resources within the quadrats examined for each landform.

A Phase I archaeological survey of the area of potential effect (APE) was completed, focusing on landforms previously determined by Goodwin and Associates to have a higher probability for sites. One newly recorded archaeological site (44C0666) was identified and one component of previously recorded site 44AC0410 was recorded. Site 44AC0666 is a small non-diagnostic historic resource, and is not eligible for the National Register of Historic Places. A cemetery component of a previously recorded site, 44AC0401 was recorded within the APE. The site represents the remains of Assateague Village, a nineteenth- and early twentieth-century fishing and farming village. One unmarked grave was located on the boundary of the APE, but all other observed burials were outside of it. The historic cemetery is protected under Virginia state burial statutes and would be avoided. No historic properties would be affected by the proposed action. Coordination and consultation in accordance with Section 106 of the National Historic Preservation Act was completed for the proposed action. In a letter dated April 10, 2018 the State Historic Preservation Office (SHPO) concurred that proposed action would have no adverse effect on historic properties.

1.7.8 Indian Trust Resources

The Department of the Interior requires the consideration of the effects of its actions on Indian Trust resources in EAs (National Park Service, 2015). The Federal Indian Trust responsibility is a legally enforceable obligation on the part of the U.S. to protect tribal lands, assets, resources, and treaty rights, and it represents a duty to carry out the mandates of Federal laws with respect to Native American tribes. There are no known Indian Trust resources in the project

area, and the lands comprising the refuge are not held in trust by the Secretary of Interior for the benefit of Indians due to their status of Indians.

1.7.9 Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966, 49 U.S.C. 303(c), states that the use of land from a significant publicly-owned public park, recreation area, or wildlife and waterfowl refuge, or any significant historic site (as determined by the officials having jurisdiction over the resource) as part of a Federally-funded or approved transportation project is permissible only if there are no feasible and prudent alternatives to the use and that the proposed action includes all possible planning to minimize harm to the protected property resulting from such use.

The proposed action would result in an overall enhancement of the Section 4(f) property when compared to the no action alternative and follows the FHWA Section 4(f) Programmatic Evaluation, entitled, "Section 4(f) Evaluation and Approval for Transportation Projects That Have a Net Benefit to a Section 4(f) Property." No avoidance alternatives are feasible as the project is located wholly within the refuge.

2 ALTERNATIVES CONSIDERED

2.1 INTRODUCTION

This chapter describes alternatives for the site design of the parking areas and related facilities needed to support the relocated recreational beach. The alternatives considered include: a no action alternative, the proposed action, and three additional options for the parking areas.

2.2 DEVELOPMENT OF ALTERNATIVES

A workshop was held in August of 2016 with representatives from the cooperating agencies to initiate the project. During the workshop, the group identified goals and constraints for the layout of the parking areas and related facilities. The group also discussed the components of an enjoyable recreational beach experience and how that fits within the requirements outlined in the selected action in the ROD and the constraints of the site.

Goals and Constraints

- *Provide 961 parking spaces.* The CCP/EIS states that in recognition of the vulnerability of the current parking, the refuge would allow the NPS to maintain 961 parking spaces and related facilities. Current beach facilities include 3 lifeguard stands, 14 vault toilets, 7 rinse-off showers, 7 changing room cabanas, solar powered wells, bike parking, beach wheelchairs/storage, 3 foul weather shelters, a naturalist's shack, and other facilities necessary for a safe and appropriate beach recreation experience.
- *Make the new infrastructure sustainable, resilient, and adaptable*. The new parking areas and related facilities should have a 25-year design life and account for anticipated changes to the shoreline during this time period. Studies have found shoreline movement averaging 13 feet/year at Assateague Island (Norbert P. Psuty, 2017). A set-back of 505-feet was calculated by adding together the average width of the beach from the water line (100 feet), fore dune (80 feet), and 25-year accommodation zone (325 feet). To meet further sustainability and resiliency goals, the road and parking areas would be constructed at an elevation of 6.56 feet high (mean sea level). The 505-foot set-back is illustrated in Figure 2 .

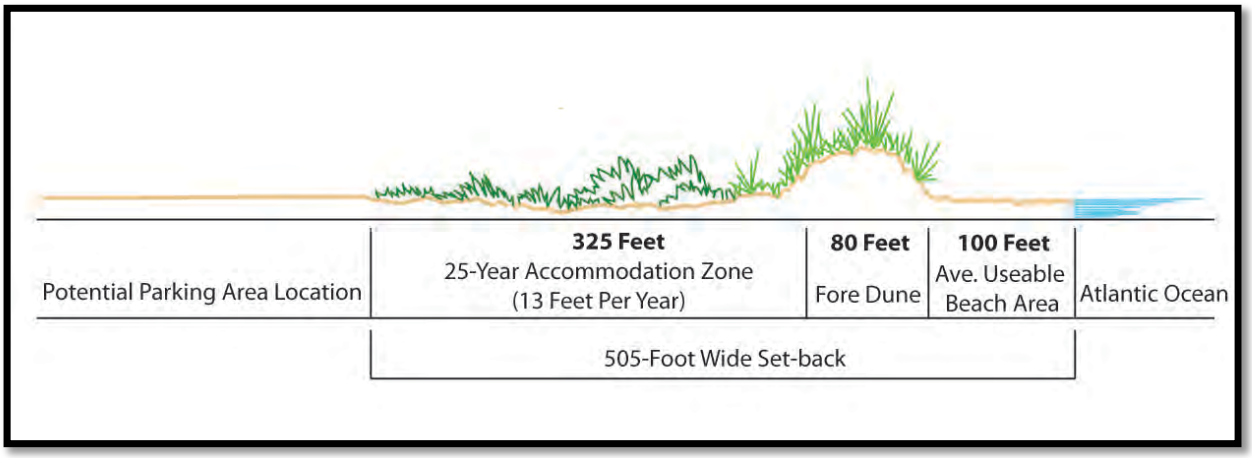

Figure 2. Set-back Used for Location of the Parking Area (Promin, 2016)

- *Reduce the potential for man-made materials to enter the coastal system.* Previous storms have damaged the existing hardened asphalt roads and parking areas. Asphalt debris ends up in the ocean and on the beach.
- *Provide infrastructure that is no larger in size and easier to maintain.* Through an agreement with the USFWS, the NPS maintains the recreational beach parking area and related facilities. This includes the Toms Cove Visitor Center. The Office of Management and Budget (OMB) Memorandum M-12-12, *Promoting Efficient Spending to Support Agency Operations*, agencies shall not increase the total square footage of their domestic office and warehouse inventory compared to the Fiscal Year 2012 baseline. This is known as the "Freeze the Footprint" policy. The NPS also has an extensive backlog of deferred maintenance on assets which are necessary to provide the public an enjoyable and informative experience. Deferred maintenance is defined as work activities that were not performed when scheduled on fixed assets and subsequently delayed until the future (most often due to funding constraints) (National Park Service, 2014).
- *Provide a reasonable walking distance from parking areas to the beach.* Commercial planning studies have found that 600 feet is the average maximum distance that people are willing to walk from their vehicle to their destination. This distance is consistent with the Accomack County Ordinances regarding parking standards, which allow for spaces to be located as far away as 600 feet (Accomack County, Virginia, 2016). In the Maryland portion of the seashore, visitors walk a maximum of 780 feet from the South Ocean Beach parking area to the beach access point. However, most of the beach's parking areas are within a 600-foot distance of the beach.
- *Accommodate multi-modal and barrier-free access.* The recreational beach is used by multiple types and sizes of vehicles, including passenger vehicles, shuttle buses and recreational vehicles (RVs) which are sometimes towing vehicles. The parking area adjacent to the recreational beach must provide distributed parking spaces and access points to the recreational beach accessible for people with disabilities.
- *Provide adequate shelter during inclement weather and access for emergency services.* The site design should include shelter during inclement weather, emergency service access, and allow for fast evacuation.
- *Avoid and minimize environmental impacts.* The project should be designed to minimize impacts to wetlands, cultural resources, and Federally-listed species to the extent possible while still meeting the goals of the project.

Conceptual Alternatives

Two conceptual options for the entrance fee booths and three conceptual options (Cluster, Seclude, and Diffuse) for the parking areas were presented to the public during a public scoping. See Appendix A for figures of these options. Public information meetings were held in July of 2017, after which comments on the conceptual options were accepted from the public. Comments were received from 21 commenters during the public scoping comment period. Eleven comments in support of the Cluster parking option were received, one comment in support of the Seclude parking option were received, and none of the comments supported the Diffuse parking option. The concerns raised most frequently were that the walking distance was too far and accessibility of the new recreational beach for visitors with limited mobility.

Refinement of Conceptual Alternatives

A second workshop with the cooperating agencies was held in November of 2017. Options developed as a result of the earlier workshop were evaluated and refined. Comments provided during the public scoping comment period were also taken into consideration. During this workshop, a fourth option (Hybrid) was developed to capture the most appealing elements of the Cluster parking option and minimize environmental impacts.

2.3 NO ACTION ALTERNATIVE

This EA considers the no action alternative as the existing configuration and status quo. The existing parking area would be maintained, and storm damage would be repaired as needed until the damage is too extensive to repair. This alternative would utilize existing road infrastructure and facilities. The entrance fee booth area would remain in its current configuration, with one entry lane feeding three booths, and one exit lane. The existing trail network would remain in place, and there would be no other proposed changes to utilities or water control structures.

The no action alternative does not meet the purpose and need for the project, because the decision to relocate the recreational beach and provide access, parking, and amenities has already been made. The ROD approved the relocation of the recreational beach, which is also consistent with the 1993 Master Plan to allow the NPS to maintain 8.5 acres [or the size needed in order to provide the required 961 spaces and related facilities] for parking at the recreational beach. No actions have been taken since the ROD to implement the approved plan. The no action alternative is analyzed in Chapter 3 as the current condition to provide a basis for the comparison of other feasible alternatives, as required as part of the NEPA process.

2.4 PROPOSED ACTION (PREFERRED ALTERNATIVE)

The proposed action would configure the roads, parking areas and related facilities for the new recreational beach. The site design would include several components, which are listed and discussed below.

- Construction of a new two-lane road to the new beach parking area. A roundabout intersection would be constructed, from which the road would follow a new alignment offset 100-feet from the Wildlife Loop. After Wildlife Loop, the road would then converge with and follow the alignment of Service Road;
- Construction of two additional queue lanes between the bridge and the entrance fee booths;
- Construction of a new multi-use trail adjacent to the new access road;
- Construction of new parking areas, circulation roads, and paths to access the new recreational beach;
- Replacement of existing water control structures on the C-, and D-dikes;
- Replacement of the existing recreational beach amenities, including utilities (potable water, power, telephone), toilets, showers, changing rooms, lifeguard stands, beach wheelchair storage and other facilities needed for a safe and appropriate beach recreational visit;
- Relocation of NPS staff offices from Toms Cove Visitor Center to be co-located with USFWS at the Bateman Center.

- Construction of three to five foul weather shelters that would also serve as visitor contact and gathering locations;
- Construction of a new 35-space aggregate parking area near the existing South Pony Corral;
- Installation of a gate on Beach Road for conversion to non-recreational beach use and winter over-sand vehicle use;
- And, demolition of Toms Cove Visitor Center, and all other structures (storm shelter, naturalist shack, etc.) at the existing recreational beach area.

2.4.1 Access Road

The access road to the new recreational beach would have two 12-foot wide asphalt pavement travel lanes with 2-foot wide aggregate topsoil shoulders (Figure 3). The road would diverge from the existing road after the existing entrance fee booths at a roundabout intersection and head north on a new alignment parallel to Wildlife Loop. After Wildlife Loop the road would shift to follow the existing Service Road for a distance of approximately 7,300 feet (1.39 miles), to provide access to the new parking areas. Construction of the access road would also include the installation of culverts for roadway drainage and hydrologic connectivity. The proposed action would construct 3,900 feet (0.74 miles) miles of new road, and would reconstruct approximately 7,300 feet (1.39 miles) of the 7.5-mile Service Road from a gravel road to a paved road. A gate would be placed where the road transitions back to gravel, and current use of Service Road would continue for the remaining length of the road.

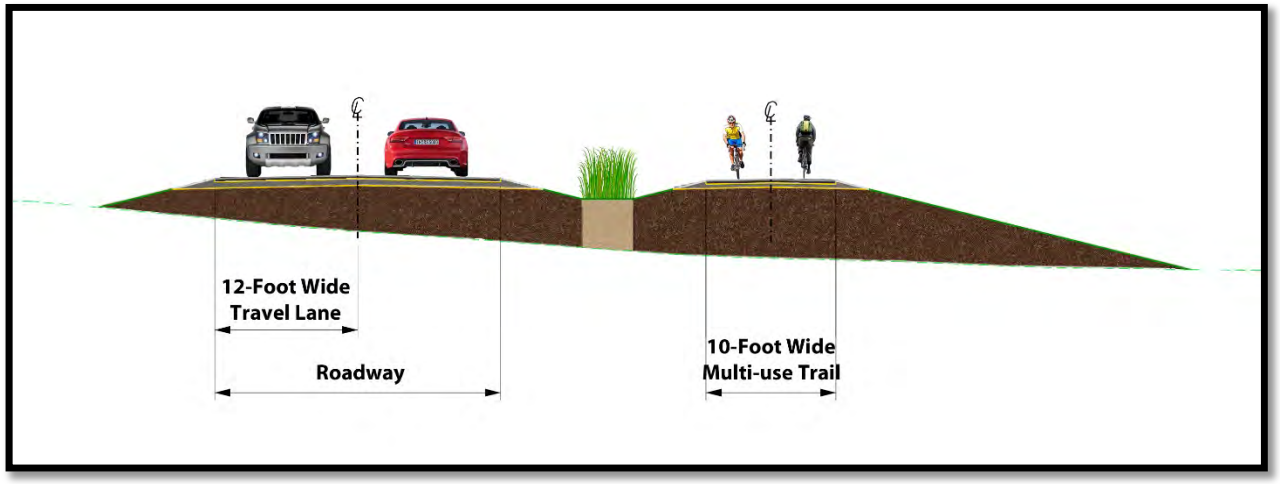

Figure 3. Typical Section of Entrance Road and Trail

2.4.2 Entrance Fee Booths

Visitors accessing the new recreational beach would continue to enter the refuge along Maddox Boulevard. After they cross the water and enter Assateague Island, visitors would travel 865 feet to the entrance fee booths to pay the entrance fee. The current entrance fee booth configuration consist of three fee booths with one 12-foot travel lane feeding the three booths. The new fee booth configuration would add two 12-foot wide lanes from the western edge of Assateague Island through the fee booths (Figure 4). The third fee booth could then be operated from both sides, and passholders would be able to enter the refuge in a separate travel lane.

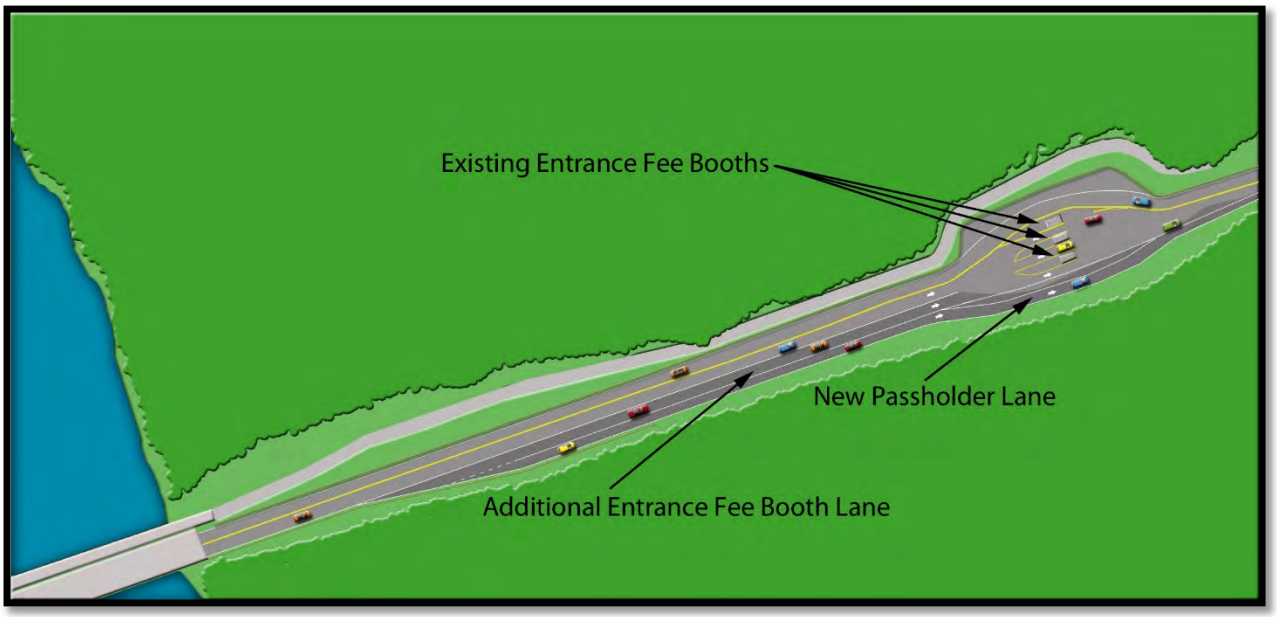

Figure 4. Entrance Fee Booths with Two New Entry Lanes

2.4.3 Multi-use Trail

A 10-foot wide asphalt paved multi-use trail would be constructed to provide bicycle and pedestrian access from the Maddox Boulevard causeway to the new recreational beach. A section of the existing trail would be incorporated into the trail alignment to create one contiguous trail. The multi-use trail located along the northern side of the existing entrance road would remain in place and a crossing would be constructed across the new access road after the roundabout intersection. The multi-use trail would then continue on a new alignment parallel to the access road. A total of 12,060 feet (2.28 miles) of new asphalt trail would be constructed.

2.4.4 Recreational Beach Parking Area – Hybrid Option

The Hybrid parking option provides separate parking pods with larger pods along the northern end of the recreational beach (Figure 5). This approach reduces wetland impacts while still spreading parking and access more evenly along the beach. Three smaller lots would be constructed south of D-Dike along the accommodation zone boundary. North of D-dike, three larger lots, increasing in size as they move north, would be constructed.

The new parking areas would have a clay-sand-clamshell surface, the same as what is currently found at the existing parking areas. Since parking spaces cannot be delineated with lane striping with this surface type, split rail fencing would be used where needed to guide parking. The capacity for the parking option was rounded from 961 spaces to approximately 1,000 spaces to account for the lack of delineated parking spaces.

The lots would be connected with circulation roads, and would include a roundabout centrally located at D-dike. Trails would lead visitors from the parking areas to the beach. The trails would be a combination of at-grade and elevated boardwalk. At least one of the trails would be designed to meet Architectural Barriers Act (ABA) requirements. ABA accessible parking spaces would be located near the accessible trail(s). The shortest and longest walk from the parking areas is approximately 480 feet and 535 feet, respectively.

Hospitality stations with rinse showers, vault toilets, and changing room cabanas would be dispersed among the parking lots. Foul weather shelters would also be dispersed among the parking lots. C-dike would remain as a dedicated OSV entrance. A dedicated gate would be provided to control access to the beach, along with a queuing area.

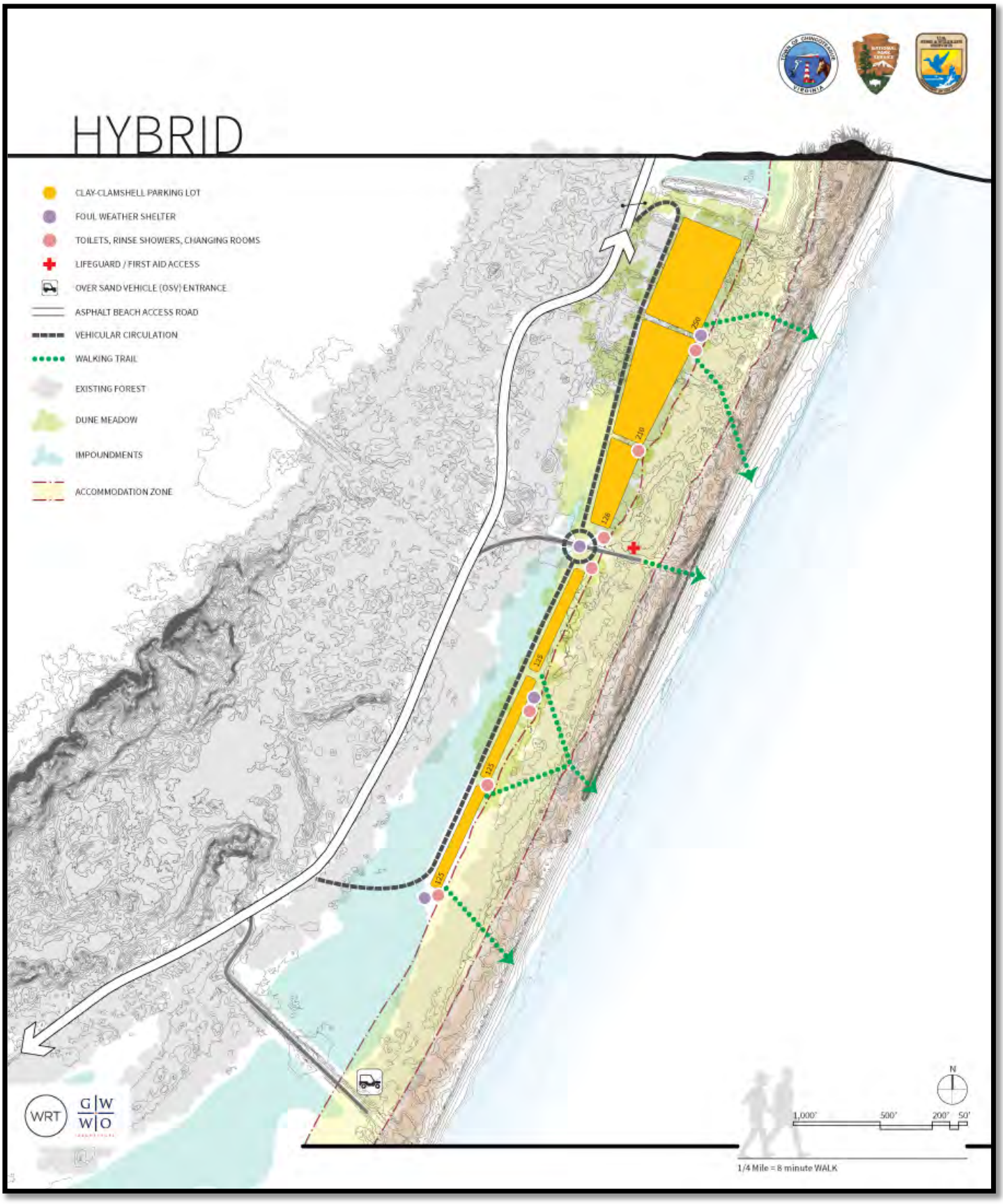

Figure 5. Hybrid Parking Option

2.4.5 Water Control Structures

Water Control Structures 5 and 6 are located on D- and C-dikes, respectively. The existing 2.0-foot diameter pipe for water control structure 5 and the 2.5-foot diameter pipe on water control structure 6 would be replaced. The new water control structures would likely be larger diameter pipes with the ability to manage the flow of water. A hydrologic study is currently underway to determine the size of the pipes.

2.4.6 Recreational Beach Amenities

Recreation amenities that are currently provided at the existing recreational beach would be provided at the new recreational beach. Amenities at the new recreational beach would include utilities (potable water, power, telephone), vault toilets, rinse-off showers, changing room cabanas, lifeguard stands, beach wheelchair storage and other facilities needed for a safe and appropriate beach recreational visit.

Approximately 6,000 to 9,000 linear feet of water line would be constructed along the new access road, and would connect to the existing 8-inch water main that runs from the Town of Chincoteague to the Bateman Center. Potable water would be provided to three to five foul weather shelters and the rinse-off showers. Gray water generated by the water fountains and showers may be treated through a wetland filtration system or leach field since there would be no septic system at the new recreational beach.

2.4.7 Staff Offices and Interpretive Programs

The USFWS would make approximately 865 square feet of office space available to the NPS at the Bateman Center for staff that currently work at Toms Cove Visitor Center. The existing MOU would be updated to formalize the co-location of the USFWS and NPS and outline the responsibilities of each agency. Co-location would allow for resource sharing, collaborative interpretation, and better coordination of emergency response. The interpretive exhibit area within the Bateman Center would be renovated to provide interpretive exhibits and aquaria related to the NPS's mission.

2.4.8 Foul Weather Shelters

Three to five foul weather shelters, which will also provide emergency contact information and wayfinding information about the recreational beach, would be located between the parking areas. The shelters would be approximately 1,000 square feet in size and would not be climate controlled.

2.4.9 Pony Corral Parking Area

A new parking area, consisting of approximately 35-spaces, would be constructed adjacent to the South Pony Corral. This parking area would have an aggregate surface, and would include split-rail fencing to delineate parking direction and traffic flow.

A vehicle turn around, OSV gate, pull-off, and tire inflation station would be constructed on Beach Road after the new South Pony Corral Parking Area. The remainder of Beach Road and the former parking area and recreational beach would be seasonally restricted.

2.4.10 Demolition/Relocation of Existing Recreational Beach Facilities

Until the recreational beach moves, NPS would maintain the Toms Cove Visitor Center. After the new parking and beach recreation facilities are constructed, NPS and USFWS may continue to operate environmental educational programs from Toms Cove Visitor Center, as long as that center remains serviceable and can be maintained economically. Eventually Toms Cove Visitor Center would be demolished and removed when it is no longer possible to maintain it (National Park Service, 2016).

2.4.11 Mitigation Measures and Best Management Practices (BMPs)

The following mitigation measures would be implemented with the proposed action:

- Should construction unearth previously undiscovered archeological resources, work would be stopped in the area of any discovery and the Park would consult with the SHPO/Tribal Historic Preservation Officer and the Advisory Council on Historic Preservation (ACHP), as necessary, according to §36 CFR 800.13, Post Review Discoveries. In the unlikely event that human remains are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (1990) would be followed as appropriate.
- The boundary of the cemetery would be marked prior to construction to ensure its protection.
- Tree clearing would not take place from June 1 through July 31 to minimize impacts to northern long-eared bats.
- Impacts to wetlands under the jurisdiction of the U.S. Army Corps of Engineers, the Virginia Department of Environmental Quality (DEQ), and Accomack County would be mitigated to meet requirements of the Clean Water Act.
- Vegetation surveys within the project area would be completed in consultation with the Virginia Department of Conservation and Recreation Natural Heritage Program.

BMPs would be implemented during construction and would include the following:

- Temporary BMPs would be utilized to minimize erosion and sedimentation from ground disturbing activities that expose bare soil. The BMPs may include the use of silt fence, fiber rolls, erosion matting and turbidity barriers. These BMPs would be used only during construction and would be removed once the disturbed area has been permanently stabilized.
- Soil excavated during construction would be stockpiled and reused as fill material if it is found to be suitable. Additional fill material would be clean, native soils.
- Soil disturbing activities would be minimized to the extent possible and disturbed soils would be stabilized as soon as possible using non-invasive cover crops and native seed.
- Debris from the demolition of the existing facilities would be disposed of legally off-site.

2.4.12 Construction Staging, Duration and Phasing

2.4.12.1 Staging

During construction, the storing of equipment and stockpiling of materials would take place only in designated areas.

2.4.12.2 Construction Duration and Phasing

The construction of the proposed action is anticipated to take approximately 12 months. The construction of the project may be done in phases if construction funding is unavailable to construct the entire project at one time.

2.5 PROPOSED ACTION WITH SECLUDE PARKING OPTION

In the Seclude parking option, the majority of the parking areas would be concentrated to the northern-most portion of the site in order to minimize impacts to the existing impoundments (Figure 6). Four 150-space lots would parallel the beach along the accommodation zone boundary. West of the northernmost lot, four 100-space lots would be constructed. The shortest and longest walk from the parking areas is approximately 500 feet and 1,065 feet, respectively.

Hospitality stations with rinse showers, vault toilets, and changing rooms would be dispersed throughout the parking areas, three of which would be positioned near the four trails to access the beach. The trails would be a combination of at-grade and elevated boardwalk. At least one of the trails would be designed to meet ABA requirements. ABA accessible parking spaces would be located near the accessible trail(s). Foul weather shelters would also be dispersed throughout the parking areas. Existing infrastructure at C-dike would remain as a dedicated OSV entrance. A dedicated booth and gate would be provided to control access to the beach.

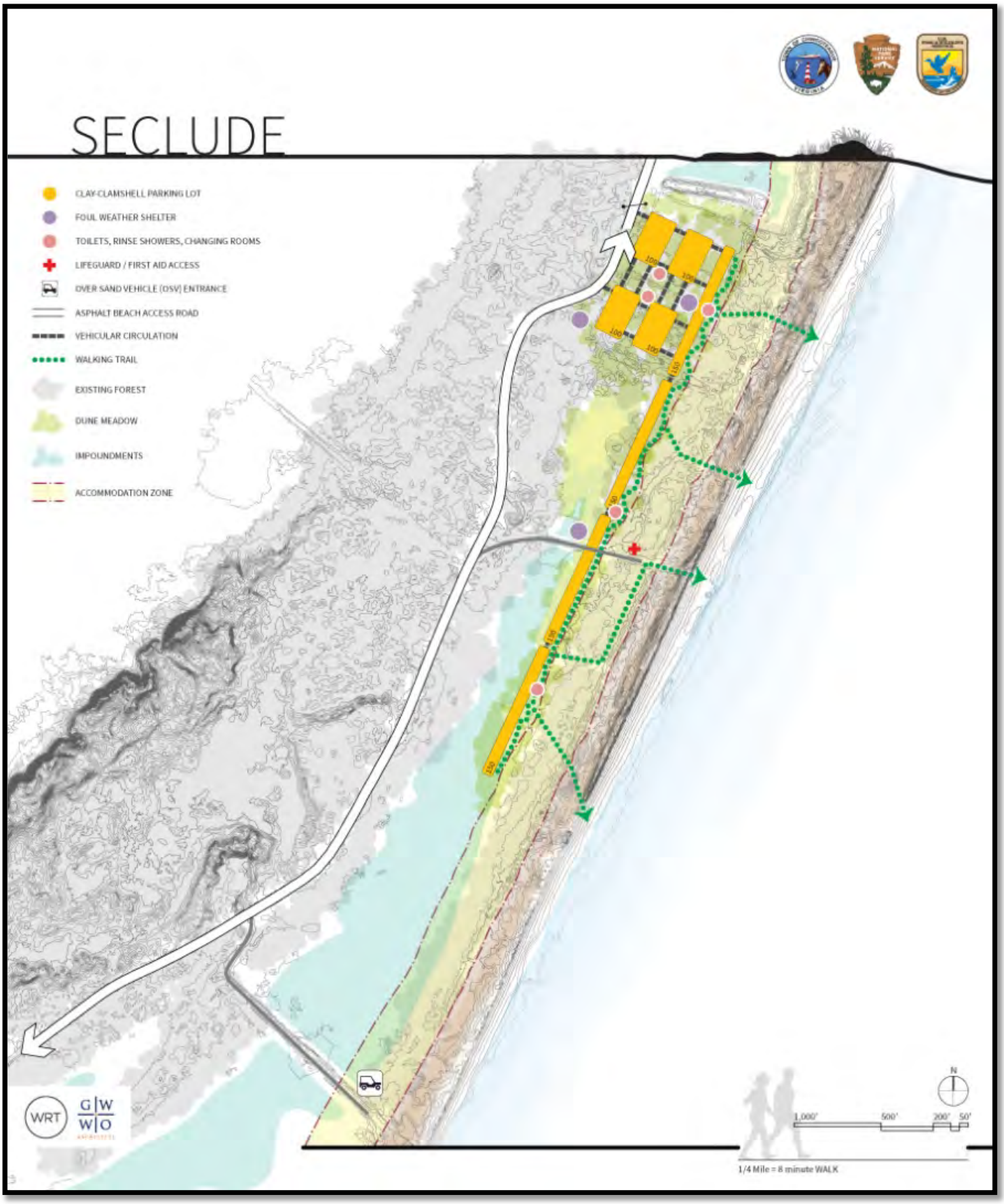

Figure 6. Seclude Parking Option

2.6 PROPOSED ACTION WITH DIFFUSE PARKING OPTION

In the Diffuse parking option, ten 100-space lots would be evenly distributed along the Service Road (with Ragged Point Trail) from C-dike northward to the Farmfields ponds (Figure 7). Five parking lots would be south of D-dike, and five parking lots would be north of D-dike. Given the distance away from the shoreline, this option would provide the most protection from shoreline loss.

Hospitality station with rinse showers, vault toilets, and changing rooms would be provided at common points where parking areas and access trails converge. A network of trails would lead visitors from the parking areas through the impoundments to the beach. The trails would be a combination of at-grade and elevated boardwalk. At least one of the trails would be designed to meet ABA requirements. ABA accessible parking spaces would be located near the accessible trail(s). Additional toilets would be installed along the trails at the accommodation zone boundary so beachgoers would have closer access to facilities. The shortest and longest walk from the parking areas is approximately 880 feet and 1,360 feet, respectively.

Existing infrastructure at C-dike would remain as a dedicated OSV entrance. Three foul weather shelters would be dispersed among the parking lots. A dedicated booth and gate would be provided to control access to the beach. D-dike would remain, but used solely for NPS and refuge staff and emergency access. A control gate would be placed at the Service Road to prevent regular public use.

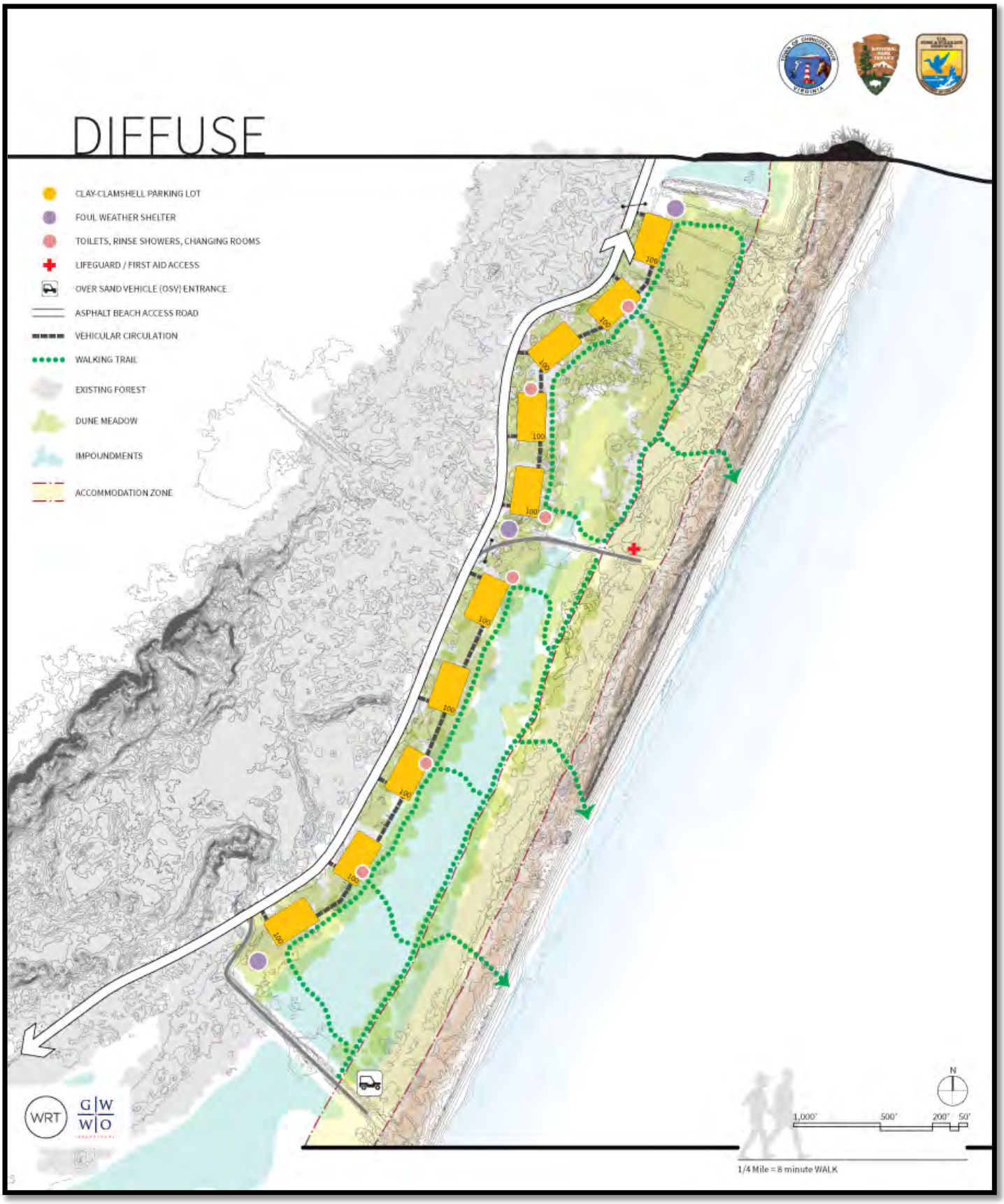

Figure 7. Diffuse Parking Option

2.7 PROPOSED ACTION WITH CLUSTER PARKING OPTION

The Cluster parking option combines one 95-space parking area with two 34-space parking areas to create a "pod" concept (Figure 8). The pod is repeated in six locations along western boundary of the accommodation zone. Three pods would be to the north and three to the south of D-dike, all of which would be connected by a new loop road. Trails would lead visitors from each location along a straight line to the beach. The trails would be a combination of at-grade and elevated boardwalk. At least one of the trails would be designed to meet ABA requirements. ABA accessible parking spaces would be located near the accessible trail(s). The shortest and longest walk from the parking areas is approximately 490 feet and 800 feet, respectively.

Hospitality stations with rinse showers, vault toilets, and changing rooms would be installed at each of the six pod locations. Three foul weather shelters would also be dispersed among the six parking pods. Existing infrastructure at C-dike would remain as a dedicated OSV entrance. A dedicated booth and gate would be provided to control access to the beach.

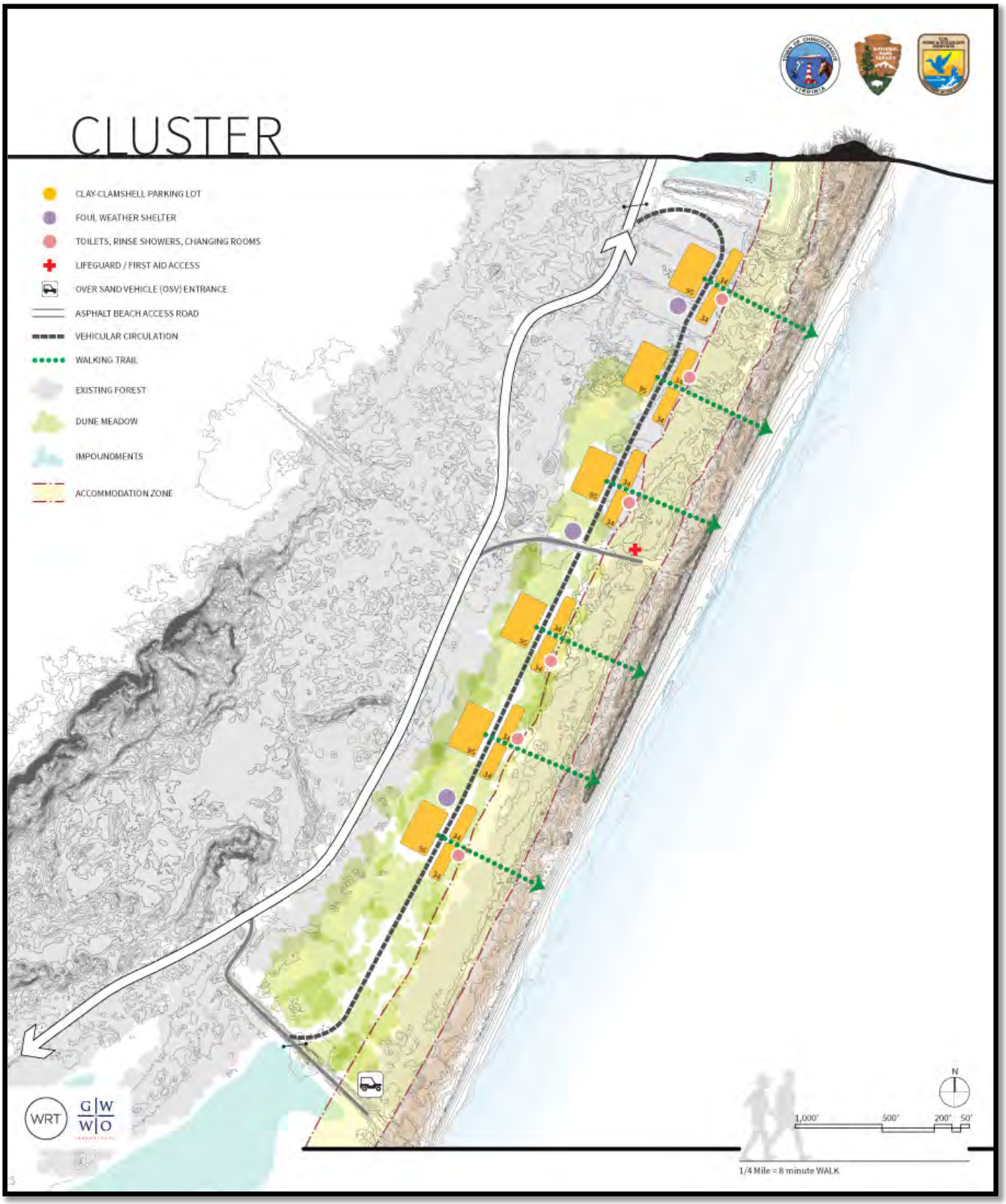

Figure 8. Cluster Parking Option

2.8 ALTERNATIVES CONSIDERED BUT DISMISSED

During the course of scoping and the alternatives screening and development process, several concepts were considered but eventually dismissed from further analysis.

2.8.1 Freeze-the-Footprint (Visitor Contact Station (VCS) with Offices)

This alternative would provide a VCS and offices similar in size to the existing Toms Cove Visitor Center at the new beach location. The VCS would provide an air-conditioned interpretive area for visitors to learn more about the refuge and seashore. The structure would also include offices for NPS employees. Additional features, such as areas for bird viewing and stargazing could also be provided. The VCS would be centrally located to the parking areas and recreational beach. In discussing this alternative, the participants felt that there was no imperative reason to have these services located at the new recreational beach, especially when the alternative of co-location of NPS offices and interpretation at the Bateman Center was possible. In addition, the costs associated with providing electric, wastewater, and internet utilities, along with the costs of designing and building a full VCS with offices was more than $6 million (net). NPS felt that budgetary constraints and the potential USFWS alternative of co-location at the Bateman Center made this alternative infeasible.

2.8.2 Self-sustaining Program/Co-location (VCS without Offices)

The size of the building at the new beach location would be reduced under this alternative, since the offices for NPS employees would be co-located to the refuge headquarters building. The programs and features would be the same as described for the VCS with Offices. In discussing this alternative, the participants felt that there was no imperative reason to provide these services at the new recreational beach, especially when the alternative of co-location of NPS visitor contact services at the Bateman Center was possible. The costs associated with providing electric, wastewater, and internet utilities, along with the costs of designing and building a reduced VCS was $1.8 million (net). NPS felt that budgetary constraints and the USFWS alternative of co-location at the Bateman Center made this alternative infeasible.

2.8.3 Fee Booth Concept #2

Under Fee Booth Concept #2, the existing fee booths would be removed from their current location. A new entrance fee booth area would be constructed approximately 1,285 feet from the proposed roundabout along the proposed beach access roadway. Under this option, fees would be collected from visitors accessing areas other than the recreational beach through an honor system vault, similar to what is current in place at the Bateman Center. This option would result in additional impacts to wetlands, vegetation, and wildlife because of the larger footprint needed for the relocation of all of the fee booths. Collecting fees from the recreational beach users separately from other visitors would also likely result in a decrease in fee revenue, as fee collection from non-recreational beach users would rely on the honor system. Therefore, Fee Booth Concept #2 was dismissed from further consideration.

3 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This chapter describes the existing environmental conditions in and around the project area and the environmental consequences associated with the implementation of the alternatives presented in Chapter 2: Alternatives. Chapter 3 is organized by impact topic, and includes the impact topics presented in Chapter 1: Purpose and Need that required further analysis: natural coastal processes, hydrology and water quality, wetlands, transportation and access, and visitor services (recreational beach use).

3.1 NATURAL COASTAL PROCESSES

Assateague Island, as a barrier island, is constantly being reshaped by natural coastal processes including the action of tides, wind, waves, currents, storms and sea level rise. The current recreational beach parking areas are located on the most dynamic and least stable portion of Assateague Island, east of Swan Cove Pool and Toms Cove. During the winter months, high tides plus moderately high winds are enough to damage the parking areas.

Sea levels have risen during the past 15,000 years and continue to rise. Tide data collected at Sewells Point in Norfolk shows that the sea level has risen approximately 1.51 feet in 100 years (National Oceanic and Atmospheric Administration, 2016). The slow rise in sea level and wave action, particularly during storms, are two primary long-term processes which cause the shoreline to recede (Virginia Institute of Marine Science, 2006). There have been seven storm events since 2003 that resulted in impacts to the existing recreational beach parking that rendered major portions of the parking areas and visitor use infrastructure unusable or inaccessible by the public. These storms were: Hurricane Isabel in 2003, Hurricane Ernesto and Nor'easter in 2006, Hurricane Hanna in 2008, Nor'easter Ida in 2009, Hurricane Irene in 2011, Hurricane Sandy in 2012, and the January 2016 Nor'easter. The existing recreational beach parking has been relocated to the west 75 yards over the last five years. Costly attempts to protect the existing recreational beach facilities by constructing artificial dunes, berms or installing sand fence have failed.

An analysis of coastal change on Assateague Island from 1997 to 2016 documented that the location of the new recreational beach has a lower rate of coastal displacement in comparison to the existing parking rate. The new location also has an existing dune that provides a barrier to storm surge and a buffer to shoreline erosion (Norbert P. Psuty, 2017).

Environmental Consequences

The proposed action and all of the parking options would be located at least 505-feet (set-back) from the shoreline. This location would allow for natural coastal processes to continue without interference, as there would be no need to modify the shoreline to protect or rebuild the parking areas. Three of the parking options are located adjacent to the set-back, which provides an estimated timeframe of 25 years. Under the Diffuse parking option, the lots would be located east of the Access Road which is even further away from the shoreline than the set-back. The Diffuse parking option would allow for an even longer estimated timeframe within which natural coastal processes could continue without interference.

Under the proposed action a walkover or trail through the dune would be constructed to provide access to the new recreational beach. Excavation of sections of the dune in order to construct a trail would create weak points that would be more vulnerable to damage during storm events. Construction of an elevated trail would also shade portions of the vegetation on the dune, which would also make the exposed areas vulnerable to increased erosion. The existing dunes would be protected to minimize vegetation loss; however, natural coastal processes would be allowed to continue unimpeded.

Under the no action alternative, the parking area would continue to be in close proximity to the shoreline, and; therefore, vulnerable to storm damage. The parking area would be rebuilt as needed to repair damage caused by storm events, which would disrupt natural coastal processes by impeding the shoreline migration.

3.2 HYDROLOGY AND WATER QUALITY

The project area is located at the southern portion of Assateague Island and is bordered by the Atlantic Ocean to the east and the White Hills and Sow Pond saltmarshes to the west. Most of the soils in the study area are sand, and well drained (hydric soil group A), although there is a shallow water table. The majority of the project area is located within the 100-year floodplain, as shown on Federal Emergency Management Agency Flood Insurance Rate Map Number 51001C0290G (Federal Emergency Management Agency, 2015); however, the White Hills area is shown as being within the 500-year floodplain (Zone X). Base flood elevations in the project area vary between six and eight feet.

The waters surrounding the project area are fresh to brackish within the impoundments and saltwater in the ocean. All surface water results from overwash or precipitation. The impoundments are managed to fill with rainfall to provide fresh to brackish water ponds in the fall and winter. During significant storm events, storm surf from the Atlantic Ocean and Toms Cove overwashes into Swan Cove Pool. The pool fills with salt water, which then flows through existing water control structures north into B Pool South (Snow Goose Pool), B Pool North (Shoveler Pool), C Pool (Mallard Pool), and D Pool (Pintail Pool). After the storm the salt water will return following the natural north to south drainage pattern; however, the size of the existing water control structures appears to restrict the movement causing water to breach the beach back to the ocean. This results in a longer time period during which the freshwater plant and animal species are exposed to a saltwater environment and an ephemeral breach north of parking area one (Burgess & Niple, 2017).

The topography of the study area is fairly flat, resulting in multiple small drainage areas ranging in size between 0.008 square miles to 0.147 square miles. Most of the study area has a natural, vegetated cover which allows for the infiltration of precipitation. Beach Road, Service Road, and Wildlife Loop are existing impervious surfaces in the study, and comprise approximately eight percent of the area within the drainage areas. The surface runoff generated from new impervious area would require treatment through stormwater management because unmanaged stormwater can cause erosion and flooding. It can also carry excess sediment and contaminants into nearby surface waters (Virginia Department of Environmental Quality, 2016). DEQ is the lead agency for developing and implementing statewide stormwater management. Additional detail regarding the required environmental permit can be found in Section 4.3.

Environmental Consequences

The proposed action would result in filling of Mallard Pool and Pintail Pool, which provide floodwater storage during storm events. The parking options would reduce the capacity of these impoundments, and so it is anticipated that during storm events the water levels of Snow Goose Pool and Shoveler Pool would rise and eventually overtop faster.

The new asphalt-paved access road and multi-use trail would create 7.6 acres of new impervious area. The clay-sand-clamshell parking areas and circulation roads would also be considered as new impervious area because the material includes clay and is compacted. The shelters and boardwalk trails would also contribute to the overall increase in impervious area, but were not included in the calculations to determine conceptual SWM requirements. Table 1 identifies the impervious area associated with each parking option.

Table 1. Impervious Area Created by Parking Options and Resulting SWM Requirements

Parking Option	Impervious Area of Entrance Road and Multi-use Trail	Impervious Area of Parking and Circulation Roads	Minimum SWM BMP Area Required to Treat New Impervious
Seclude	7.6 acres	9.44 acres	15.69 acres
Diffuse	7.6 acres	9.86 acres	19.13 acres
Cluster	7.6 acres	13.89 acres	19.90 acres
Hybrid (Preferred)	7.6 acres	10.97 acres	18.27 acres

The proposed action would increase impervious area, which would generate more surface runoff. Stormwater management BMPS would be constructed to encourage infiltration of the runoff into the surrounding sandy soil. Stormwater management requirements are determined by each drainage area in the project area, and so the configuration of the parking areas for each parking option affects the stormwater management required for the drainage area. The proposed action would result in a 12 percent increase in the impervious area in the study area.

Stormwater management would likely be accomplished through BMPs such as Sheet Flow to Conserved Open Space, Constructed Wetlands, Grass Channels, and Wet Swales. The removal and restoration of the existing parking areas would offset the new impervious area generated by the proposed action, but could not be used as treatment because it is located in a different drainage area. Coordination with DEQ would continue throughout the development of the project to make sure that stormwater management requirements are met.

Under the no action alternative, no new impervious area would be created and so no stormwater management would be required.

3.3 WETLANDS

Wetlands were delineated in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual, and the Atlantic & Gulf Coastal Plain regional supplement. Eight wetlands are present along the Wildlife Loop, Service Road, C-dike, and D-dike. Table 2 provides the Cowardin classification for each of the wetlands and Figure 9 depicts their location in the study area.

The majority of the wetlands in the project area form a wetland complex that was created by the construction of the impoundments. The wetlands serving primarily as impoundments (Wetlands 1, 3 and 5) are seasonally flooded and transition to emergent grasses such as dallisgrass, stinging nettle, tapered rosette grass, saltmeadow cordgrass, seaside goldenrod, small carpetgrass, and globe flatsedge surrounded by shrubs and trees including crack willow, northern bayberry, and groundsel tree. Wetland 4 is an open water area within a forested area, with plants including small carpetgrass and duckweed, and cinnamon fern and nodding ladies tresses along the edge. Wetland 6 is a forested wetland dominated by loblolly pine and northern bayberry.

Wetlands 2, 7 and 8 are located west of Wildlife Loop and Service Road. Wetland 2 is a small depression along Wildlife Loop containing loblolly pine, crack willow, northern bayberry, dallisgrass, sawtooth blackberry, and green arrow arum. Wetland 7 is part of a larger forested area that extends to the north with plants including loblolly pine, northern bayberry and round-leaf greenbrier. Wetland 8 is also part of a larger wetland area that extends to the north. Northern bayberry, small carpetgrass, and round-leaf greenbrier are present at the edge of wetland, and cinnamon fern was also found. Wetland 9, located near the South Pony Corral, is part of a larger wetland that extends to the south and ultimately ends at open water. This wetland is dominated by cordgrass and sweet gale.

The wetland complex associated with the impoundments was determined by the U.S. Army Corps of Engineers to not be a jurisdictional wetland; however, these wetlands are still under the jurisdiction of DEQ because of their direct or indirect connectivity to a Water of the United States (WOUS) and/or their location in the 100-year floodplain of a WOUS. Wetland functions were assessed using a method established by the Virginia Institute of Marine Science for non-tidal wetlands in the coastal plains of Virginia.

Table 2. Cowardin Classification of Wetlands in the Study Area

Wetland	Cowardin Classification
Wetland 1 (W01)	Estuarine, Intertidal, Emergent, Persistent, Regularly Flooded, Oligohaline (E2EM1N6) along the edge with the center transitioning to Estuarine, Subtidal, Unconsolidated Bottom, Subtidal, Oligohaline (E1UBL6)
Wetland 2 (W02)	Palustrine, Forested, Needle-Leaved Evergreen and Palustrine, Scrub-shrub, Broad-leaved Deciduous, Seasonally Flooded (PFO4/SS1C)
Wetland 3 (W03)	Estuarine, Intertidal, Forested, Broad-leaved Deciduous, Irregularly Flooded, Diked/Impounded Oligohaline (E2FO1Ph6) along the edge with the center transitioning to Estuarine, Subtidal, Unconsolidated Bottom, Subtidal, Oligohaline (E1UBL6)
Wetland 4 (W04)	Estuarine, Intertidal, Forested, Broad-leaved Evergreen, Irregularly Flooded, Oligohaline (E2FO3P6)
Wetland 5 (W05)	Estuarine, Intertidal, Forested, Broad-leaved Deciduous, Irregularly Flooded, Diked/Impounded Oligohaline (E2FO1Ph6) along the edge with the center transitioning to Estuarine, Subtidal, Unconsolidated Bottom, Subtidal, Oligohaline (E1UBL6)
Wetland 6 (W06)	Estuarine, Intertidal, Forested, Broad-leaved Deciduous, Irregularly Flooded, Diked/Impounded Oligohaline (E2FO1Ph6)
Wetland 7 (W07)	Estuarine, Intertidal, Emergent, Persistent, Regularly Flooded, Oligohaline (E2EM1N6)
Wetland 8 (W08)	Palustrine, Forested, Needle-Leaved Evergreen and Palustrine, Scrub-shrub, Broad-leaved Deciduous, Seasonally Flooded (PFO4/SS1C)
Wetland 9 (W09)	Estuarine, Intertidal, Emergent, Persistent, Irregularly Flooded (E2EM1P)

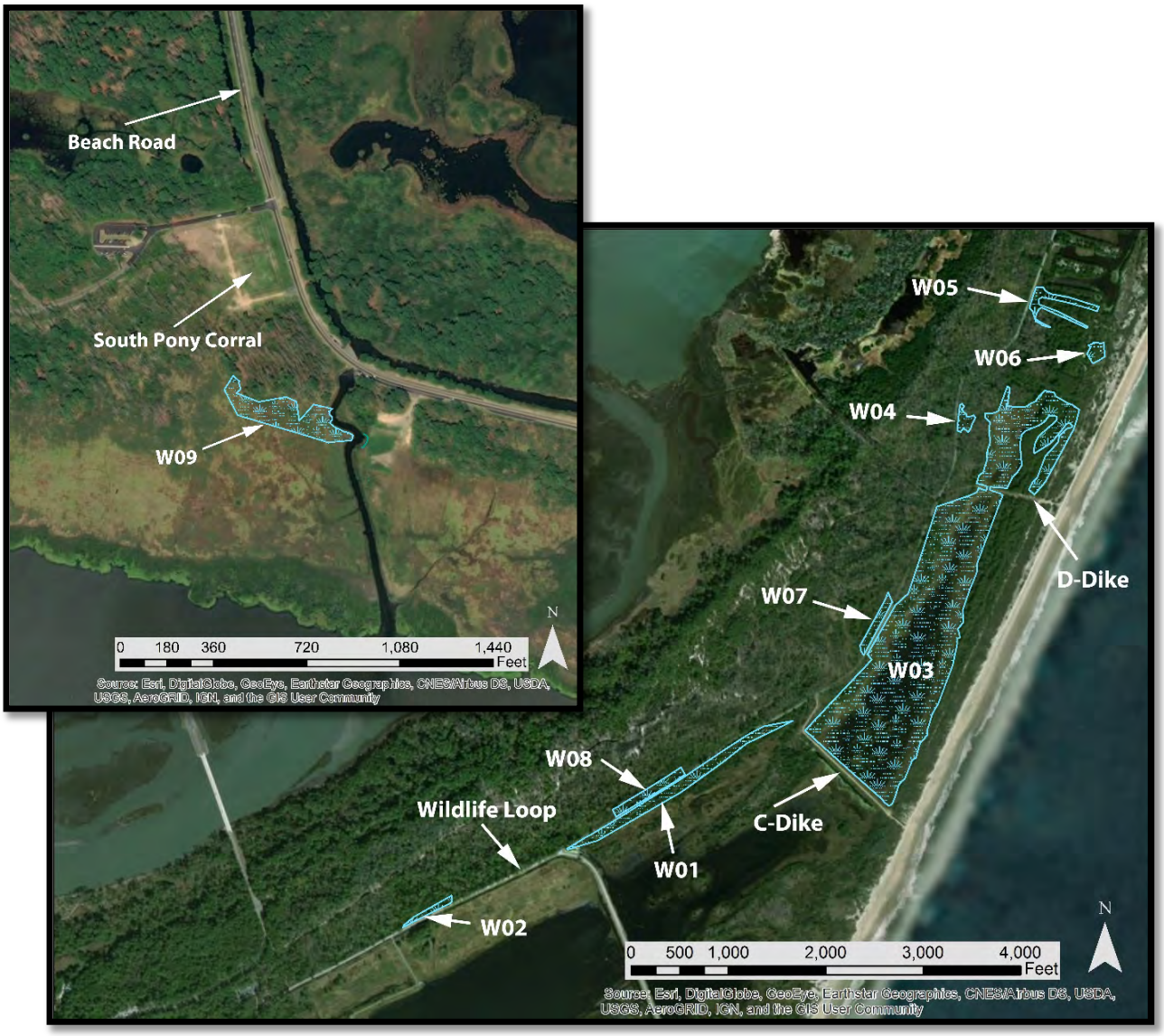

Figure 9. Wetlands in the Study Area

Wetlands in the study area provide the functions of wildlife habitat and flood storage, especially wetlands 3 and 5 which were rates as highly functioning for these values. The wetlands also provide for public recreational, educational, and scientific use. Wetland 3 is comprised of two impoundments, Pintail Pool and Mallard Pool, that are connected by a water control structure. Wetland 5 is part of the Farm Fields Pool impoundment. In the fall, the water control structures are closed to catch rainwater. The higher water levels provide habitat for waterfowl and other migratory birds. In the spring water levels are lowered to create a mudflat-type environment to attract shorebirds. These impoundments are three of the 14 impoundments totaling over 2,600 acres that were created in 1965 in order to support the migration of waterfowl.

Wetlands 1, 2, 4, 6, 7, 8, and 9 were determined to have low to moderate wetland functions resulting from naturally occurring factors such as low vegetation densities and small wetland size.

Environmental Consequences

Components of the proposed action, such as the new access road, multi-use trail, and South Pony Corral parking area would decrease the size of wetlands in the study area because portions of the wetlands would be filled and converted to roads, trails, and parking areas. The proposed action would result in the loss of between 3.72 acres and 11.55 acres, depending on the parking option. Table 3 identifies the wetland impacts associated with each parking option (and includes the other components of the proposed action).

Table 3. Wetland Impacts

Wetland	Size	Proposed Action w/ Seclude	Proposed Action w/ Diffuse	Proposed Action w/ Cluster	Proposed Action w/ Hybrid (Preferred)
W01	5.16 acres	1.28 acres	1.28 acres	1.28 acres	1.28 acres
W02	0.62 acres	0 acres	0 acres	0 acres	0 acres
W03	68.0 acres	1.90 acres	5.00 acres	9.80 acres	3.79 acres
W04	0.64 acres	0.20 acres	0.20 acres	0.20 acres	0.18 acres
W05	1.64 acres	0.20 acres	0.15 acres	0.13 acres	0.03 acres
W06	0.64 acres	0 acres	0 acres	0 acres	0 acres
W07	1.11 acres	0.02 acres	0.02 acres	0.02 acres	0.06 acres
W08	1.59 acres	0.12 acres	0.12 acres	0.12 acres	0.21 acres
W09	1.03 acres	0 acres	0 acres	0 acres	0 acres
Total		**3.72 acres**	**6.77 acres**	**11.55 acres**	**5.55 acres**

The demolition of the Toms Cove Visitor Center would allow for the restoration of 1,000 square feet (0.02 acres) of wetlands. It is anticipated that the wetlands would be restored to be estuarine, intertidal, emergent, persistent, and regularly flooded (E2EM1N) wetlands.

All of the parking options proposed would impact wetlands 1 (edge of Shoveler Pool) and 3 (Pintail Pool and Mallard Pool). Reduction in the size of the wetlands in the study area would also reduce the floodwater storage capacity. However, the loss of wetlands and the functions associated with the impoundments would not be significant, given that there are almost 75 acres in the study area and a total of about 2,600 acres of impoundment wetland area in the refuge. The reduction in the size of wetlands 2, 4, 6, 7, 8 and 9 would have little change in the functions provided (nutrient retention and transformation, sediment and toxicant trapping, sediment stabilization, wildlife habitat, aquatic habitat, and public use) by these wetlands because they were already rated low to moderate due to low vegetation density and small size.

Impacts to wetlands may require compensatory wetland mitigation through the restoration of wetlands or purchase of credits from a mitigation bank. Coordination with the U.S. Army Corps of Engineers, DEQ, and Accomack County Tidal Wetlands Board would continue throughout the

development of the project to ensure that compensatory mitigation, if required, adequately mitigates for wetland impacts.

Under the no action alternative, parking for the recreational beach would be maintained in its current location. Existing roads would be used to access the beach with only minor improvements, such as resurfacing and replacement of deteriorated culverts, and so there would be a minimal loss of wetlands. Wetland functions would not change as a result of the implementation of the no action alternative.

3.4 TRANSPORTATION AND ACCESS

There are two public transportation systems serving the Town of Chincoteague, the Pony Express and Shore Transit and Rideshare (STAR) Transit; however, they do not serve the refuge. Cycling is a popular mode of transportation for both visitors and residents to get to the refuge from the Town of Chincoteague and to travel within the refuge.

The majority of the visitors to the refuge arrive via personal vehicles. On a typical day during the summer, the breakdown of the classes of vehicles entering the refuge is 3 percent motorbikes, 76 percent cars and trailers, 17 percent 2-axle long (pickup trucks, ambulances, campers, etc.), 4 percent 2-axle 6 tire (dual rear tire trucks), and 0.2 percent <5 axle double (heavy trucks and trucks with trailers) (Federal Highway Administration, 2017).

Each visitor to the refuge must have a valid pass during their stay. Entrance passes are sold at the three booths stationed on Beach Road after the entrance to the refuge. Operation of the booths varies throughout the year depending on anticipated visitation. There is one entrance lane that divides into three fee booths and one exit lane. During the peak season, all three booths may be utilized to manage the demand of entering vehicles; however, during off season visitors and directed to the self-pay station at the Bateman Center. One of the entrance fee booths is typically used as a passholder lane, which allows visitors who have previously purchased an entrance pass to show the pass and merge back into one lane of traffic.

Approximately 30 percent of visitors entering the refuge are purchasing an entrance pass. The typical time to purchase a pass varies depending on the type of payment (cash vs. credit), type of entrance pass purchased, and the interaction with the visitor during the transaction. During a peak visitation day in July of 2017, the average time spent at the entrance fee booth was 33 seconds. Queuing can develop rapidly as vehicles stop at the entrance fee booths to purchase an entry pass, but typically dissipates within 15 minutes. Queuing is most notable between 9:30am and 11:30am (Federal Highway Administration, 2017). During high volume times, like holiday weekends and pony penning, vehicles back up from the booths along the causeway. At times, the line of vehicles extends nearly the entire length of the causeway into the Town of Chincoteague. (Interagency Transportation Assistance Group, 2008).

Currently, the new recreational beach can be accessed by Wildlife Loop Road, Service Road, and C- and D-dikes. Wildlife Loop Road is a 3.0-mile loop around Snow Goose Pool and is known as a great place to observe wildlife, especially waterfowl and wading birds. This 20-foot wide asphalt trail is open to pedestrians and bicyclists throughout the day; however, vehicles are only permitted from 3:00 pm until dusk (U.S. Fish and Wildlife Service, 2017). Use of the Wildlife Loop trail by vehicles accessing the recreational beach is not consistent with its

intended use as access for wildlife dependent activities. Service Road is a 14-foot wide gravel road that begins at the northern curve of Wildlife Loop Road and continues north for 7.5 miles. The road currently provides access to several impoundments, C- and D-dikes, northern pony unit, and the Maryland portion of Assateague Island. Pedestrian access is permitted for the entire length of the road. Bicyclists are able to access the first 1.25 miles of the road as a trail providing access to the D-dike beach access area. Cars are not permitted on the Service Road with the exception of OSV permit holders that are accessing the North OSV zone for fishing purposes. Based on data collected in July 2017, the Annual Average Daily Traffic (AADT) volume at the current beach is 3,300 vehicles per day.

Bicycle use is increasingly more common in the refuge and is heavy during the summer. Bicyclists mostly take advantage of the dedicated riding space on the network of trails connecting points of interest in the refuge. However, the designated paths are incomplete in some places, do not meet standards in other places, and do not always provide safe barriers from vehicles. Bicycles and pedestrians are often intermixed with vehicular traffic, at times during peak traffic conditions (Volpe National Transportation Systems Center, 2010). Visitors are able to enter the refuge from the Town of Chincoteague on an asphalt multi-use trail that runs parallel to and at times immediately adjacent to Maddox Boulevard. This trail continues along Beach Road.

Environmental Consequences

The new entrance fee booth lane would create additional vehicle storage capacity, and vehicles purchasing an entry pass would be separated from the rest of the visitors utilizing the passholder lane. Traffic simulation using PTV Vision VISSIM 9 software was completed. The results of the queuing analysis show that heavy queuing can develop rapidly, but usually dissipate quickly as well. Under the proposed action, queues would be reduced 73 percent from existing conditions, largely by providing additional distance to passholders to bypass queue vehicles at the entrance fee booth.

The new access road would be designed to accommodate the volume of vehicles traveling to the new recreational beach. Multiple entry and exit points would be constructed as part of the layout of the parking areas to reduce congestion and improve emergency response time. The asphalt multi-use trail would be extended from Maddox Boulevard along the new access road, so that visitors would have bicycle and pedestrian access to the new recreational beach. The multi-use trail would be aligned to separate bicycles and pedestrians from vehicular traffic. Crossings of the access and circulation roads within the parking areas would be reduced to the extent possible to reduce the potential for conflicts with vehicles.

Under the no action alternative, bicyclists and pedestrains would use the existing network of trails and the existing deficiencies would not be corrected. There would continue to be a potential for conflicts with vehicles in locations where the trails are not complete or do not meet standards. The no action alternative would have no change on queuing at the entrance fee booths.

3.5 VISITOR SERVICES (RECREATIONAL BEACH USE)

The refuge attracts over one million visitors annually, of which approximately 90 percent are primarily visiting the recreational beach. During peak season (summer), visitors enjoy swimming, sunbathing, kite flying, campfires and beachcombing at the recreational beach. Typically, during that time of year, the existing parking lots reach capacity between the hours of 11:00 am and 3:00 pm on weekends. When the lot is full, visitors will start parking along the road leading up to the lots.

The existing recreational beach provides parking for approximately 961 vehicles in multiple parking areas. Amenities are provided to support the use of the recreational beach, including seven rinse-off showers (one of which is ABA accessible), seven changing room cabanas, and fourteen vault toilets. Three wells with portable solar pumping units are used to supply the water to the showers. Water used for the showers is non-potable. Three lifeguard stands are also staffed by the NPS to provide a section of protected beach. In addition, NPS provides bike parking, beach wheelchairs/storage, and other related beach amenities.

Each year approximately 75,000 people visit Toms Cove Visitor Center, located at the end of Beach Road prior to reaching the recreational beach. The Toms Cove Visitor Center is a 2,200-square foot air conditioned building that offers visitors educational and interpretive programs, a touch tank, an aquarium, and book sales through Eastern National, a park cooperating association. The building also provides office space for 3 permanent NPS employees and up to 20 seasonal lifeguards, interpretive, and maintenance employees in the summer.

Across from Toms Cove Visitor Center is the Naturalist Shack, used to stage educational and interpretive programs, and the storm shelter for use during inclement weather. Toms Cove Visitor Center is one of the two primary visitor contact facilities for the seashore.

Environmental Consequences

The proposed action would provide roughly the same number of parking spaces at the new recreational beach; however, the parking areas would be further inland from the beach than the current conditions. Table 4 provides the ranges of walking distance for each parking option as well as the travel time.

Table 4. Walking Distance and Travel Time for Parking Options

Parking Option	Walking Distance	Walking Travel Time*
Seclude	500 feet to 1065 feet	2.08 minutes to 4.43 minutes
Diffuse	880 feet to 1360 feet	3.67 minutes to 5.67 minutes
Cluster	490 feet to 800 feet	2.04 minutes to 3.33 minutes
Hybrid (Preferred)	480 feet to 585 feet	2.00 minutes to 2.44 minutes

*An average speed of 4 feet per second was used (TranSafety, Inc. , 1997)

The increase in walking distance to reach the recreational beach from the parking areas may limit the use of the recreational beach by some visitors with impaired or limited mobility, such as the elderly, disabled and families with small children. However, to accommodate the needs of these visitors at least one of the trails to the beach and the associated parking area would be designed to meet ABA requirements.

Amenities available at the existing beach (vault toilets, rinse showers, lifeguard stands) would continue to be available at the new recreational beach. The proposed action includes the installation of a water line to provide potable water to the new recreational beach. The availability of drinking water would be an improvement from current conditions and the no action alternative.

Under the no action alternative, visitors would continue to access the recreational beach from the parking area located adjacent to the beach. Parking close to the beach would be viewed favorably by visitors because of the shorter walking distance. Sections of the parking area damaged by storms would be closed for short time periods for repair. As the parking area becomes too difficult to repair it would be reconfigured, likely with less capacity.

3.6 CUMULATIVE IMPACTS

The CEQ regulations (40 CFR 1508.7) require the assessment of "cumulative impacts" which are defined as the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.

A cumulative effects analysis was completed in the CCP/EIS, which included the conceptual cumulative impacts of the relation of the recreational beach. The cumulative effects analysis in this EA provides additional analysis specific to the new recreational beach.

Cumulative impacts were determined by looking at each resource (impact topic), determining which past, present, and future actions would impact the resource for the determined geographic and temporal boundaries, and then combining the impacts of the alternative being considered with other past, present, and reasonably foreseeable future actions. Therefore, it was necessary to identify other ongoing or reasonably foreseeable future projects within the geographic and temporal boundaries. The proposed action has an estimated lifespan of 25 years, and so this also constitutes the temporal boundary of the cumulative effects analysis. The geographic boundary for the cumulative effects analysis is determined by each resource.

3.6.1 Cumulative Impacts By Resource

3.6.1.1 Natural Coastal Processes

Other past, present, and reasonably foreseeable future actions that have occurred or would occur within the shoreline in the study area include the intital construction of the dune in the 1960s. Construction of the dune provides protection from storm surge for an area that in general experiences a lower rate of coastal displacement, which is beneficial in combating climate change and sea level rise for improved sustainability. The proposed action would locate the parking areas behind a 505-foot set-back distance that allows for the dune to shift in response to natural processes and future storm events. When the impacts of the proposed action are combined with the beneficial impacts of other past, present, and reasonably foreseeable future projects, there would be an overall beneficial impact on natural coastal processes. The proposed action would have a noticeable contribution to the beneficial impact.

3.6.1.2 Hydrology and Water Quality

Other past, present, and reasonably foreseeable future actions that have occurred or would occur within the drainage areas surrounding the access road, new parking areas, trails, and recreational beach related facilities include the construction of the Bateman Center and the associated access road and parking area. Construction of the Bateman Center and the associated access road and parking area created new impervious area on Assateague Island; however, this new impervious area was mitigated by the incorporation of stormwater management areas and the removal of the existing visitor contact station site and old administrative area. The proposed action would expose erodible soils during construction and would increase impervious area. BMPs would be implemented during construction to reduce erosion and sedimentation. Stormwater management to encourage infiltration of surface runoff would be incorporated into the project to meet DEQ's requirements. Stormwater would likely be managed through sheetflow, swales, and stormwater wetlands. The past, present, and reasonably foreseeable future actions combined with the proposed action would have an overall beneficial impact on hydrology and water quality because existing roads would be redeveloped to include stormwater management. The proposed action would have a noticeable contribution to the beneficial effect.

3.6.1.3 Wetlands

Other past, present, and reasonably foreseeable future actions that have occurred or would occur within the wetlands in the study area include the construction of visitor use infrastructure such as Wildlife Loop and Service Road, and the construction of the impoundments. The construction of visitor use infrastructure and facilities on Assateague Island, as well as the creation of the impoundments and dune, likely resulted in the loss of wetlands or conversion of wetlands from forested to scrub/shrub or emergent. These projects would not have any new adverse or benefical impacts on the existing wetlands. The proposed action would result in the loss of between 1.96 and 9.88 acres of wetlands. Compensatory wetland mitigation would be completed to offset the loss of wetland functions from implementation of the proposed action. Other past, present, and reasonably foreseeable future actions combined with the proposed action would have an overall adverse effect on wetlands. The proposed action would have a noticeable contribution to the adverse effect, although over time the adverse effect would diminish as compensatory wetland mitigation is completed and fully functioning.

4 PUBLIC INVOLVEMENT AND COORDINATION

This chapter documents the agency coordination and public involvement process for this project and identified contributors to the document.

4.1 AGENCY COORDINATION

Other Federal and State agencies and local governments were contacted during the development of this EA. Appendix B contains copies of written correspondence with those agencies.

4.1.1 MOU

Since 1966 there have been several agreements in place between the NPS and USFWS to define and assign certain management responsibilities to each agency. The MOU that is currently in place between the NPS and USFWS, "General Agreement / Memorandum of Understanding between the National Park Service and US Fish and Wildlife Service for Interagency Cooperation at Assateague Island National Seashore and Chincoteague National Wildlife Refuge," was signed in 2017. This MOU provides a framework for interagency cooperation in the "Assigned Area" on Assateague Island. The ROD approved the relocation of the Assigned Area, and so the MOU will need to be amended to address any associated changes in management responsibilities or administrative requirements (National Park Service and US Fish and Wildlife Service, 2017).

4.1.2 Cooperating Agencies

The USFWS requested that the Town of Chincoteague, NASA – Goddard Space Flight Center's Wallops Flight Facility, Virginia Department of Conservation and Recreation, U.S. Army Corps of Engineers, and Accomack County serve as cooperating agencies for the preparation of this EA (in accordance with 40 CFR 1501.6, 40 CFR 1508.5, 42 USC §§ 4331(a) and 42 USC §§ 4332(2)) because they have jurisdiction by law within the refuge, specific areas of expertise/knowledge needed for completion of the EA, and/or they provide other benefits to the USFWS in the preparation of the EA. An MOU outlining the roles and responsibilities was signed in 2016.

Meetings with the cooperating agencies were held at key points in the development in this EA, project initiation (August 2-4, 2016), scoping (May 18, 2017), and refinement of the conceptual options (November 8-9, 2017). Coordination with the cooperating agencies will continue throughout the development of the proposed action.

4.2 PUBLIC INVOLVEMENT

Comments from the public are solicited at two stages in the project planning process; during public scoping and during public review of the EA document.

4.2.1 Scoping

Scoping is an early and open process to: determine important issues; eliminate issues not important or relevant; identify relationships to other planning efforts or documents; define a time schedule and document preparation and decision-making; and, define purpose and need, agency objectives and constraints, and the range of alternatives.

A public scoping comment period was held from July 25, 2017 through August 24, 2017. Legal notices announcing the public scoping period and public meetings were placed in the Eastern Shore Post on July 21, 2017 and Eastern Shore News on July 22, 2017. An informal open house was hosted by the USFWS at the Bateman Center Classroom on July 25-27, 2017. Concept design exhibits were displayed and staff from USFWS, NPS, and FHWA were available to answer questions. All of the displays from the open house were made available after the meeting on the project website https://flh.fhwa.dot.gov/projects/va/chin-10/. Comments were requested to be received by August 24, 2017. Comments were received from 21 commenters during the public scoping comment period. Thirteen comments were provided via email, three comments were provided via mail, and five comment forms were handed in during the public meetings. Eleven comments in support of the Cluster parking option were received, and the concerns raised most frequently were that the walking distance was too far and accessibility of the new recreational beach for visitors with limited mobility.

4.2.2 Release of EA for Public Review

This EA will be available for public review from August 14, 2018 to September 13, 2018. During this 30-day period, hardcopies of the EA will be available for review at the Bateman Center. An electronic version of this document will be made available on the project website. Comments on this EA will be summarized and addressed in an appendix to the decision document.

4.3 Environmental Permits

If the proposed action is implemented, several permits would be required in order to construct the project. These permits include:

Clean Water Act Section 404 Permit/ Section 10 of the Rivers and Harbors Act

The Rivers and Harbors Appropriation Act of 1899 prohibits the creation of any obstruction to the navigable capacity of any of the waters of the United States. The Federal Water Pollution Control Act, more commonly known as the "Clean Water Act," under Section 404, directs the Secretary of the Army, acting through the Chief of Engineers, to issue permits for the discharge of dredged or fill material into waters of the United States at specified disposal sites. This project would discharge dredged or fill material into the waters of the United States, including a nearby Outstanding National Resource Water. The proposed project would most likely qualify for a Nationwide Permit.

NPDES (National Pollutant Discharge Elimination System) Permit

This project would result in land disturbance greater than one acres; therefore, it would need coverage under the General Virginia Pollutant Discharge Elimination System (VPDES). This general permit regulates stormwater discharges at land disturbance construction sites, and must be obtained prior to conducting any land disturbance activity. The removal of vegetation leaves bare soil which is more vulnerable to erosion. As stormwater flows over a construction site, it can pick up pollutants like sediment, debris and chemicals and transport these to a water body. Polluted stormwater runoff can harm or kill fish and other wildlife. The general permit requires the implementation of a site specific Stormwater Pollution Prevention Plan. Water quality and quantity treatment to reduce pollutants in the stormwater runoff during and after construction must be implemented as outlined in the Virginia Stormwater Management Program (VSMP). The VSMP regulation requires the use of the Virginia Runoff Reduction

Method for compliance with the Part IIB water quality criteria. Federal projects are reviewed by DEQ (Virginia Department of Environmental Quality, 2016). The study area is located in the 6th order Virginia Hydrologic Unit Code (HUC) AO03, which has no reported Total Maximum Daily Load (TMDLs).

401 Water Quality Certification

The 401 Water Quality Certification is needed for any Federal permit involving impacts to water quality. Most 401 Certifications are triggered by Section 404 Permits issued by the U.S. Army Corps of Engineers. Typical types of projects involve filling in surface waters or wetlands. Section 401 of the Clean Water Act delegates authority to the States to issue a 401 Water Quality Certification for all projects that require a Federal permit (such as a Section 404 Permit). The "401" is essentially verification by the State that a given project will not remove or degrade existing, designated uses of "Waters of the State," or otherwise violate water quality standards. The Virginia Water Protection (VWP) Permit Program serves as Virginia's Section 401 certification for Federal Section 404 permits issued under the authority of the Clean Water Act. A VWP must be obtained before disturbing a wetland or stream by clearing, filling, excavating, draining, or ditching (Virginia Department of Environmental Quality, 2016).

4.4 LIST OF PREPARERS

The following individuals contributed to the development of this document:

U.S. Fish and Wildlife Service, Chincoteague National Wildlife Refuge
Robert Leffel, Deputy Refuge Manager
Casey Custer, Supervisory Facility Operations Specialist
Kevin Holcomb, Supervisory Wildlife Biologist
Michael Dixon, Supervisory Park Ranger

National Park Service, Assateague Island National Seashore
Deborah Darden, Superintendent
Bill Hulslander, Chief of Resource Management
Gretchen Knapp, Park Ranger
Bill Osterhaus, Chief of Facility Management (former)
Eric Sherry, Acting Chief of Facility Management
Liz Davis, Chief of Interpretation and Education

National Park Service, Denver Service Center
Kristie Franzmann, Transportation Branch Chief
Alison Promin, Project Manager

U.S. Fish and Wildlife Service, Northeast Region
John Sauer, NWRS Sandy Resiliency Project Manager
Thomas Bonetti, Refuge Planner

Federal Highway Administration
John Wilson, Project Manager
Lisa Landers, Environmental Protection Specialist

Town of Chincoteague
Arthur Leonard, Mayor

NASA – Wallops Flight Facility
Shari Miller, NEPA Manager

Virginia Department of Conservation and Recreation
Mike Vanlandingham, Shoreline Engineer

Accomack County
Billy Joe Tarr

Rutgers University
Norbert Psuty

U.S. Army Corps of Engineers
Brian Denson, Project Manager

5 CHAPTER 5: REFERENCES

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APPENDIX A: SCOPING FIGURES

CLUSTER

- CLAY-CLAMSHELL PARKING LOT
- VISITOR CONTACT FACILITY
- HOSPITALITY STATION
- LIFEGUARD / FIRST AID ACCESS
- ASPHALT BEACH ACCESS ROAD
- VEHICULAR CIRCULATION
- WALKING TRAIL
- EXISTING FOREST
- DUNE MEADOW
- IMPOUNDMENTS
- ACCOMMODATION ZONE

95 34

1/4 Mile = 8 minute WALK

1,000' 500' 200' 50'

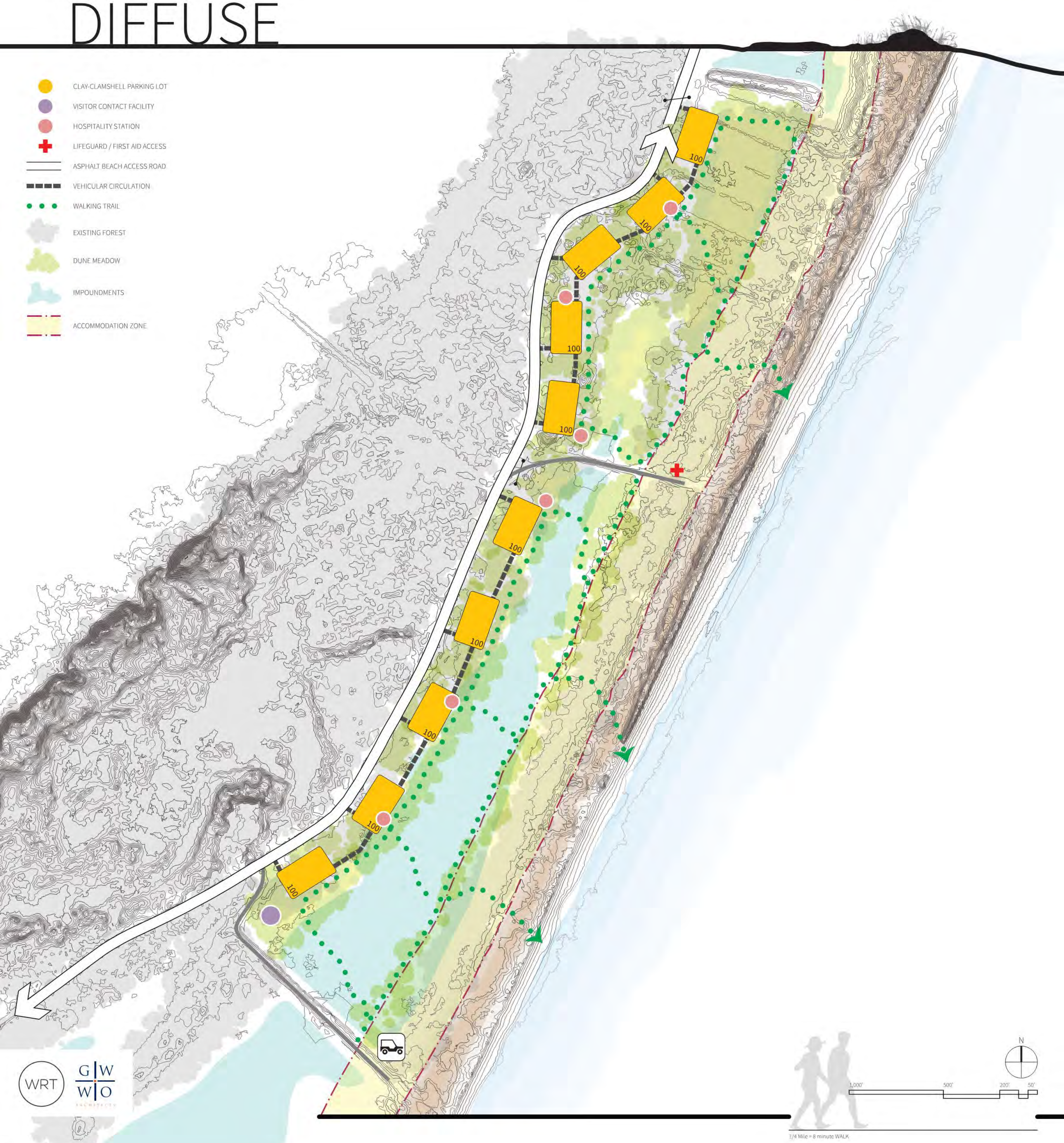
N

WRT

G|W W|O ARCHITECTS

DIFFUSE

- CLAY-CLAMSHELL PARKING LOT
- VISITOR CONTACT FACILITY
- HOSPITALITY STATION
- LIFEGUARD / FIRST AID ACCESS
- ASPHALT BEACH ACCESS ROAD
- VEHICULAR CIRCULATION
- WALKING TRAIL
- EXISTING FOREST
- DUNE MEADOW
- IMPOUNDMENTS
- ACCOMMODATION ZONE



WRT

G|W W|O ARCHITECTS

N

1,000' 500' 200' 50'

1/4 Mile = 8 minute WALK

SECLUDE

- CLAY-CLAMSHELL PARKING LOT
- VISITOR CONTACT FACILITY
- HOSPITALITY STATION
- LIFEGUARD / FIRST AID ACCESS
- ASPHALT BEACH ACCESS ROAD
- VEHICULAR CIRCULATION
- WALKING TRAIL
- EXISTING FOREST
- DUNE MEADOW
- IMPOUNDMENTS
- ACCOMMODATION ZONE

100 100 100 100 150 150 150 150

N

1,000' 500' 200' 50'

1/4 Mile = 8 minute WALK

APPENDIX B: AGENCY CORRESPONDENCE

U.S. Department
of Transportation
Federal Highway
Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

SENT VIA ELECTRONIC CORRESPONDENCE

In Reply Refer to: HFPP-15

FEB 15 2018

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

Subject: Project Review Request, CHIN 10(2)
Accomack County, Virginia

Dear Sir or Madam:

The U.S. Fish and Wildlife Service and the Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), are preparing an Environmental Assessment to analyze the site design of the facilities needed to support the relocation of the recreational beach, as described in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and approved by the Record of Decision signed on November 6, 2015. The proposed action would include: a two-lane access road and roundabout intersection; a queue lane to the entrance fee booths; parking areas and paths to access the new recreational beach; vault toilets, rinse-off showers, foul weather shelters, changing room cabanas and other facilities needed to provide a safe and appropriate beach recreation experience; a multi-use trail; replacement of the water control structures on C- and D-dikes; relocation of the NPS staff offices and educational programs currently residing at Toms Cove Visitor Center; and a parking area at the South Pony Corral.

Review of the proposed action was completed using the Virginia Field Office's online project review process. The proposed action would result in determinations of "no effect" or "not likely to adversely affect" for Federally-listed species, and the Eagle Act determination is "no Eagle Act permit required"; therefore, in accordance with the online project review process, a copy of the Self-Certification Letter and project review package are enclosed for your records. The project review package includes the official species list from the Information, Planning and Consultation system (IPaC), results from the Virginia Department of Game and Inland Fisheries and Virginia Department of Conservation and Recreation – Division of Natural Heritage database reviews, eagle nest and eagle concentration area maps, conceptual design plans, and the species conclusions table.

If you have any questions concerning this matter, please contact Ms. Lisa Landers, Environmental Protection Specialist, at Lisa.Landers@dot.gov or (571) 434-1592.

Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Virginia Field Office
6669 Short Lane
Gloucester, VA 23061

Date: February 14, 2018

Self-Certification Letter

Project Name: CHIN 10(2), Recreational Beach Relocation

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Virginia Ecological Services online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the project named above in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. . 1531-1544, 87 Stat. 884), as amended (ESA), and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c, 54 Stat. 250), as amended (Eagle Act). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office for this certification to be valid. This letter and the project review package will be maintained in our records.

The species conclusions table in the enclosed project review package summarizes your ESA and Eagle Act conclusions. These conclusions resulted in:

- "no effect" determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- "may affect, not likely to adversely affect" determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- "may affect, likely to adversely affect" determination for the Northern long-eared bat (*Myotis septentrionalis*) and relying on the findings of the January 5, 2016 Programmatic Biological Opinion for the Final 4(d) Rule on the Northern long-eared bat; and/or
- "no Eagle Act permit required" determinations for eagles.

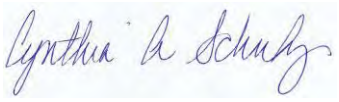
We certify that use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the "no effect" or "not likely to adversely affect" determinations for proposed and listed species and proposed and designated critical habitat; the "may affect" determination for Northern long-eared bat; and/or the "no Eagle Act permit required" determinations for eagles. Additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages consideration of these species by avoiding adverse impacts to them. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of proposed or listed species, proposed or designated critical habitat, or bald eagles becomes available, this determination may be reconsidered. This certification letter is valid for 1 year.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Virginia is available at our website http://www.fws.gov/northeast/virginiafield/endspecies/project_reviews.html. If you have any questions, please contact Troy Andersen of this office at (804) 824-2428.

Sincerely,



Cindy Schulz
Field Supervisor
Virginia Ecological Services

Enclosures - project review package

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

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

In Reply Refer To: HFPP-15

MAR 0 9 2018

FEDERAL EXPRESS

Ms. Ethel Eaton
Division of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Request for Section 106 Concurrence
DHR File No. 2013-0966

Dear Ms. Eaton:

The Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), and the U. S. Fish and Wildlife Service, are in receipt of your letter dated December 21, 2017, in which you provided comments on the draft report titled *Phase I Archaeological Survey at Chincoteague National Wildlife Refuge, Accomack County, Virginia*. The comments indicated that the report did not provide sufficient information for the Department of Historic Resources (DHR) to agree that no further work is warranted at Site 44AC0410 (the remains of Assateague Village). In order to address this comment, Figure 27 of the report was revised to show the entirety of Site 44AC0410. The cemetery boundary, area of potential effect (APE), headstones, unmarked graves, and previously recorded site elements are also now shown in the figure. The proposed improvements associated with the entrance fee booths would add another 12-foot wide queue lane adjacent to the existing lane. No improvements would be made to the existing exit travel lane or multi-use trail, and so impacts to Site 44AC0410 would be avoided. In addition, the boundary of the cemetery would be marked prior to construction to maximize protection of the site. Enclosed you will find a copy of the 30% conceptual design plans that depict the improvements for this section of Beach Road. Therefore, FHWA and FWS have determined the proposed undertaking would have no effect on Site 44AC0410.

The report was also revised to address the other comments provided in the letter. Enclosed you will find the revised draft report and a comment matrix listing the revisions made to the document. FHWA respectfully requests your review of the revised draft report and concurrence with our determination. Please provide us with a response within 30 days of this letter.

If you require any additional information, or have any questions, please contact Ms. Lisa Landers, Environmental Protection Specialist, at Lisa.Landers@dot.gov or (571) 434-1592.

Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS
Ms. Amy Wood, Regional Historic Preservation Officer, USFWS

COMMONWEALTH of VIRGINIA

Department of Historic Resources

Matt Strickler
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director

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

April 10, 2018

Kevin S. Rose
Environmental Compliance Specialist
Eastern Federal lands Highway Division
Federal Highway Administration
21400 Ridgetop Circle
Sterling, Virginia 20166

Re: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague and Wallops Island National Wildlife Refuges
Comprehensive Conservation Plan and Environmental Impact Statement (CCP/EIS)
DHR File No. 2013-0966
Received March 13, 2018

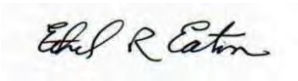
Dear Mr. Rose:

Thank you for your letter of March 9, 2018 providing the Department of Historic Resources with the final report titled *Phase I Archaeological Survey at Chincoteague National Wildlife Refuge, Accomack County, Virginia.* The draft report was prepared by Shawn Patch *et al*. of New South Associates in January 2018. We also appreciate receiving the 30% plans and specifications for the proposed project.

I am pleased to inform you that the final report successfully meets the *Secretary of the Interior's Standards and Guidelines for Archaeological Documentation*, 48 Fed. Reg. 44,734-37 (Sep. 29, 1983) and our state *Guidelines for Conducting Historic Resources Survey in Virginia* (201; rev. 2017). Further, the comments made in our letter of December 21, 2017 have been satisfactorily addressed. Based upon the additional information provided, we now understand that Site 44AC0410 will be avoided by the proposed improvements. We also understand that the boundary of the cemetery will be marked prior to construction to ensure its protection from any construction impacts. As such, this letter provides our recommendation of No Adverse Effect on historic properties for the proposed recreational beach relocation project.

If you have any questions concerning our comments, or if we may provide any further assistance, please do not hesitate to contact me at (804) 482- 6088.

Sincerely,



Ethel R. Eaton, Ph.D., Senior Policy Analyst
Review and Compliance Division

Western Region Office
962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

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

U.S. Department
of Transportation
Federal Highway
Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

In Reply Refer to: HFPP-15

MAR 0 9 2018

CERTIFIED MAIL

Chief Stephen R. Adkins
8200 Lott Cary Road
Providence Forge, VA 23140

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Section 106 Consultation

Dear Chief Adkins:

The Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), and the U. S. Fish and Wildlife Service, are proposing the subject project in Accomack County, Virginia. An Environmental Assessment is currently underway, which analyzes alternatives for the site design of the facilities needed to support the relocation of the recreational beach, as approved in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and Record of Decision. A Phase I Archaeological Investigation was completed within the area of potential effect (APE), which included a corridor around the alignment for the new entrance road and multi-use trail, as well as the area between C-dike and Farm Fields Pool within which the new parking would be located. A copy of the report is enclosed.

One newly recorded archaeological site (44AC0666) was identified and one component of previously recorded site 44AC0410 was recorded. Site 44AC0666 is a small non-diagnostic historic resource. It is not eligible for the National Register of Historic Places and no further work is recommended at the site. Site 44AC0410 relates to the historic Assateague Village occupied on or about 1863 and includes an historic cemetery. Impacts to this site would be avoided because no improvements to the existing exit lane or multi-use trail are proposed in the vicinity of the site. The conceptual plans depicting the improvements for this section of Beach Road are enclosed.

The FHWA and FWS respectfully request your review of the proposed project and concurrence with our determination that the proposed undertaking would have no adverse effect on historic properties within 30 days of receipt of this letter.

If you have any questions concerning this matter, please contact Ms. Lisa Landers, Environmental Protection Specialist, at Lisa.Landers@dot.gov or (571) 434-1592.

Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS
Ms. Amy Wood, Regional Historic Preservation Officer, USFWS

U.S. Department
of Transportation
Federal Highway
Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

In Reply Refer to: HFPP-15

MAR 0 9 2018

CERTIFIED MAIL

Chief Gene W. Adkins
2895 Mt. Pleasant road
Providence Forge, VA 23140

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Section 106 Consultation

Dear Chief Adkins:

The Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), and the U. S. Fish and Wildlife Service, are proposing the subject project in Accomack County, Virginia. An Environmental Assessment is currently underway, which analyzes alternatives for the site design of the facilities needed to support the relocation of the recreational beach, as approved in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and Record of Decision. A Phase I Archaeological Investigation was completed within the area of potential effect (APE), which included a corridor around the alignment for the new entrance road and multi-use trail, as well as the area between C-dike and Farm Fields Pool within which the new parking would be located. A copy of the report is enclosed.

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The FHWA and FWS respectfully request your review of the proposed project and concurrence with our determination that the proposed undertaking would have no adverse effect on historic properties within 30 days of receipt of this letter.

If you have any questions concerning this matter, please contact Ms. Lisa Landers, Environmental Protection Specialist, at Lisa.Landers@dot.gov or (571) 434-1592.

Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS
Ms. Amy Wood, Regional Historic Preservation Officer, USFWS

U.S. Department
of Transportation
Federal Highway
Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

In Reply Refer to: HFPP-15

MAR 0 9 2018

CERTIFIED MAIL

Assistant Chief Gerald A. Stewart
11911 Indian Hill Lane
Providence Forge, VA 23141

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Section 106 Consultation

Dear Assistant Chief Stewart:

The Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), and the U. S. Fish and Wildlife Service, are proposing the subject project in Accomack County, Virginia. An Environmental Assessment is currently underway, which analyzes alternatives for the site design of the facilities needed to support the relocation of the recreational beach, as approved in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and Record of Decision. A Phase I Archaeological Investigation was completed within the area of potential effect (APE), which included a corridor around the alignment for the new entrance road and multi-use trail, as well as the area between C-dike and Farm Fields Pool within which the new parking would be located. A copy of the report is enclosed.

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The FHWA and FWS respectfully request your review of the proposed project and concurrence with our determination that the proposed undertaking would have no adverse effect on historic properties within 30 days of receipt of this letter.

If you have any questions concerning this matter, please contact Ms. Lisa Landers, Environmental Protection Specialist, at Lisa.Landers@dot.gov or (571) 434-1592.

Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS
Ms. Amy Wood, Regional Historic Preservation Officer, USFWS

U.S. Department of Transportation
Federal Highway Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

In Reply Refer to: HFPP-15

MAR 0 9 2018

CERTIFIED MAIL

Chief Dean Branham
P.O. Box 1136
Madison Heights, VA 24572

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Section 106 Consultation

Dear Chief Branham:

The Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), and the U. S. Fish and Wildlife Service, are proposing the subject project in Accomack County, Virginia. An Environmental Assessment is currently underway, which analyzes alternatives for the site design of the facilities needed to support the relocation of the recreational beach, as approved in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and Record of Decision. A Phase I Archaeological Investigation was completed within the area of potential effect (APE), which included a corridor around the alignment for the new entrance road and multi-use trail, as well as the area between C-dike and Farm Fields Pool within which the new parking would be located. A copy of the report is enclosed.

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If you have any questions concerning this matter, please contact Ms. Lisa Landers, Environmental Protection Specialist, at Lisa.Landers@dot.gov or (571) 434-1592.

Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS
Ms. Amy Wood, Regional Historic Preservation Officer, USFWS

U.S. Department of Transportation
Federal Highway Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

In Reply Refer to: HFPP-15

MAR 0 9 2018

CERTIFIED MAIL

Chief Lee Lockamy
1001 Pembroke Lane
Suffolk, VA 23434

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Section 106 Consultation

Dear Chief Lockamy:

The Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), and the U. S. Fish and Wildlife Service, are proposing the subject project in Accomack County, Virginia. An Environmental Assessment is currently underway, which analyzes alternatives for the site design of the facilities needed to support the relocation of the recreational beach, as approved in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and Record of Decision. A Phase I Archaeological Investigation was completed within the area of potential effect (APE), which included a corridor around the alignment for the new entrance road and multi-use trail, as well as the area between C-dike and Farm Fields Pool within which the new parking would be located. A copy of the report is enclosed.

One newly recorded archaeological site (44AC0666) was identified and one component of previously recorded site 44AC0410 was recorded. Site 44AC0666 is a small non-diagnostic historic resource. It is not eligible for the National Register of Historic Places and no further work is recommended at the site. Site 44AC0410 relates to the historic Assateague Village occupied on or about 1863 and includes an historic cemetery. Impacts to this site would be avoided because no improvements to the existing exit lane or multi-use trail are proposed in the vicinity of the site. The conceptual plans depicting the improvements for this section of Beach Road are enclosed.

The FHWA and FWS respectfully request your review of the proposed project and concurrence with our determination that the proposed undertaking would have no adverse effect on historic properties within 30 days of receipt of this letter.

If you have any questions concerning this matter, please contact Ms. Lisa Landers, Environmental Protection Specialist, at Lisa.Landers@dot.gov or (571) 434-1592.

Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS
Ms. Amy Wood, Regional Historic Preservation Officer, USFWS

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

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

In Reply Refer to: HFPP-15

MAR 0 9 2018

CERTIFIED MAIL

Chief Robert Gray
191 Lay Landing Road
King William, VA 23086

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Section 106 Consultation

Dear Chief Gray:

The Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), and the U. S. Fish and Wildlife Service, are proposing the subject project in Accomack County, Virginia. An Environmental Assessment is currently underway, which analyzes alternatives for the site design of the facilities needed to support the relocation of the recreational beach, as approved in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and Record of Decision. A Phase I Archaeological Investigation was completed within the area of potential effect (APE), which included a corridor around the alignment for the new entrance road and multi-use trail, as well as the area between C-dike and Farm Fields Pool within which the new parking would be located. A copy of the report is enclosed.

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Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS
Ms. Amy Wood, Regional Historic Preservation Officer, USFWS

U.S. Department
of Transportation
Federal Highway
Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

In Reply Refer to: HFPP-15

MAR 0 9 2018

CERTIFIED MAIL

Chief Anne Richardson
5036 Indian Neck Road
Indian Neck, VA 23148

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Section 106 Consultation

Dear Chief Richardson:

The Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), and the U. S. Fish and Wildlife Service, are proposing the subject project in Accomack County, Virginia. An Environmental Assessment is currently underway, which analyzes alternatives for the site design of the facilities needed to support the relocation of the recreational beach, as approved in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and Record of Decision. A Phase I Archaeological Investigation was completed within the area of potential effect (APE), which included a corridor around the alignment for the new entrance road and multi-use trail, as well as the area between C-dike and Farm Fields Pool within which the new parking would be located. A copy of the report is enclosed.

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If you have any questions concerning this matter, please contact Ms. Lisa Landers, Environmental Protection Specialist, at Lisa.Landers@dot.gov or (571) 434-1592.

Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS
Ms. Amy Wood, Regional Historic Preservation Officer, USFWS

U.S. Department
of Transportation
Federal Highway
Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

In Reply Refer to: HFPP-15

MAR 0 9 2018

CERTIFIED MAIL

Chief William F. Adams
P.O. Box 184
King William, VA 23086

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Section 106 Consultation

Dear Chief Adams:

The Eastern Federal Lands Highway Division, of the Federal Highway Administration (FHWA), and the U. S. Fish and Wildlife Service, are proposing the subject project in Accomack County, Virginia. An Environmental Assessment is currently underway, which analyzes alternatives for the site design of the facilities needed to support the relocation of the recreational beach, as approved in the August 2015 Final Comprehensive Conservation Plan and Environmental Impact Statement and Record of Decision. A Phase I Archaeological Investigation was completed within the area of potential effect (APE), which included a corridor around the alignment for the new entrance road and multi-use trail, as well as the area between C-dike and Farm Fields Pool within which the new parking would be located. A copy of the report is enclosed.

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Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

Enclosures

cc:
Mr. Robert Leffel, Chincoteague National Wildlife Refuge, USFWS
Ms. Amy Wood, Regional Historic Preservation Officer, USFWS

U.S. Department of Transportation
Federal Highway Administration

Eastern Federal Lands
Highway Division

21400 Ridgetop Circle
Sterling, VA 20166-6511

JUL 16 2018

In Reply Refer to: HFPP-15

FEDERAL EXPRESS

Mr. Robert Leffel
Deputy Refuge Manager
Chincoteague National Wildlife Refuge
8231 Beach Road
Chincoteague Island, VA 23336

Subject: FW-CHIN 10(2), Recreational Beach Relocation Project
Chincoteague National Wildlife Refuge
Section 4(f) Net-Benefit

Dear Mr. Leffel:

The Eastern Federal Lands Highway Division of the Federal Highway Administration (FHWA), has been working closely with the United States Fish and Wildlife Service (FWS) to complete the National Environmental Policy Act (NEPA) process for the proposed project to relocate the recreational beach. An Environmental Assessment is underway to analyze the site design of the facilities needed to support the relocation of the recreational beach. The relocation of the recreational beach was previously analyzed in the August 2015, Final Comprehensive Conservation Plan and Environmental Impact Statement and approved by the Record of Decision signed on November 6, 2015. The preferred alternative would include: a two-lane access road and roundabout intersection; additional queue lanes to the entrance fee booths; parking areas and paths to access the new recreational beach; vault toilets, rinse-off showers, foul weather shelters, changing room cabanas and other facilities needed to provide a safe and appropriate beach recreation experience; a multi-use trail; replacement of the water control structures on C- and D-dikes; relocation of the NPS staff offices and educational programs currently residing at Toms Cove Visitor Center; and, a parking area at the South Pony Corral.

As you may be aware, Section 4(f) of the U.S. Department of Transportation Act ("Section 4f") established the requirement for consideration of park and recreational lands, wildlife and waterfowl refuges, and historic sites in transportation project development. The purpose of this letter is to document the achievement of a "Net Benefit," pursuant to the requirements of Section 4(f) of the U.S. Department of Transportation Act of 1966, to the Chincoteague National Wildlife Refuge as a result of implementation of the preferred alternative in the Environmental Assessment.

The preferred alternative for the project, as documented in the Environmental Assessment, results in an overall enhancement of the Section 4(f) Property when compared to the "No Action Alternative" and follows the FHWA Section 4(f) Programmatic Evaluation, entitled, "Section

4(f) Evaluation and Approval for Transportation Projects That Have a Net Benefit to a Section 4(f) Property." The proposed access roads, new trail, and relocated parking areas are all located within Chincoteague National Wildlife Refuge, and constructing those transportation facilities outside of the Chincoteague National Wildlife Refuge does not correct or address the issues identified in the Environmental Assessment's purpose and need section. In addition, the No Action Alternative is not feasible and prudent because it does not meet the purpose and need for the project.

Mitigation measures to minimize harm have been identified through coordination with the FWS. These measures will be incorporated into the project to preserve the functions and values of the Section 4(f) property (Chincoteague National Wildlife Refuge), which will result in a Net Benefit to the Section 4(f) property.

The signatures below document that the FHWA and FWS agree in the determination of a Net Benefit to the Section 4(f) property for the project.

By: _____ Date: 7/16/18
Kurt A. Dowden, Chief of Business Operations
Eastern Federal Lands Highway Division
Federal Highway Administration

By: _____ Date: 7/12/18
Robert Leffel, Deputy Refuge Manager
Chincoteague National Wildlife Refuge
U.S. Fish and Wildlife Service

Please return the signed letter, via mail or a scanned copy via email, as soon as possible to Ms. Lisa Landers, Environmental Protection Specialist, at Lisa.Landers@dot.gov. If you have any questions concerning this matter, please contact Ms. Lisa Landers at the above email address or (571) 434-1592.

Sincerely,

Kevin S. Rose
Environmental Compliance Specialist

cc:
Ms. Deborah Darden, Superintendent, Assateague Island National Seashore

APPENDIX C: FEDERAL CONSISTENCY DETERMINATION

FEDERAL CONSISTENCY DETERMINATION

Recreational Beach Relocation Project

Chincoteague National Wildlife Refuge
Assateague Island National Seashore
Accomack County, Virginia

This document provides the Commonwealth of Virginia with the U.S. Fish and Wildlife Service (USFWS)'s Consistency Determination under CZMA section 307(c)(1) [or (2)] and 15 CFR Part 930, subpart C, for the site design of facilities needed to support the relocation of the recreational beach in the Chincoteague National Wildlife Refuge. The information in this Consistency Determination is provided pursuant to 15 CFR §930.39. This activity includes:

The proposed action would configure the parking areas, roads, and related facilities needed to access and support the use of the new recreational beach. Included in the proposed action is the: construction of a new two-lane access road and roundabout intersection; improvement of the entrance fee booths; new parking areas and paths to access the new recreational beach; vault toilets, rinse-off showers, foul weather shelters, changing room cabanas and other facilities needed to provide a safe and appropriate beach recreation experience; a new multi-use trail; replacement of the water control structures on C- and D-dikes; relocation of the NPS staff offices and educational programs currently residing at Toms Cove Visitor Center; and, a new parking area at the South Pony Corral. The proposed action is described in more detail in Section 2.4 of the Environmental Assessment (pages 2-15 through 2-20).

The USFWS has determined that the proposed action affects the land or water uses or natural resources of Virginia in the following manner:

Water Resources. The proposed action has been designed with a 505-foot set-back from the Atlantic Ocean to maximize the timeframe within which the parking areas would not encroach on the shoreline. This also provides more sustainable infrastructure and reduces the potential for damage from future storm events. Construction of a new access road, parking areas and circulation roads, a multi-use trail, and trails to the access the beach would all increase impervious area by approximately 18.57 acres. Stormwater management best management practices (BMPs) would be implemented to treat surface runoff and encourage infiltration into the surrounding sandy soil. The proposed action would also impact wetlands by permanently converting them to roads, trails, and parking areas. Approximately 6.09 acres of wetlands would be lost as a result of the implementation of the proposed action. Compensatory wetland mitigation would be done in order to offset the impacts to wetlands. Erosion and sediment control BMPs would be implemented during construction to minimize erosion and sedimentation that could impact water resources. Additional detail regarding the impacts to Natural Coastal

Processes, Hydrology and Water Quality, and Wetlands is provided in pages 3-26 to 3-31 of the Environmental Assessment.

Land Resources. The proposed action would result in the loss of approximately 18 to 22 acres of forested upland and 1.1 to 1.4 acres of shrub habitat, and would displace the wildlife for which these areas provided habitat. The existing parking area would be allowed to revert to natural conditions, which would provide some offset of impacts to land resources. Additional detail regarding the impacts to Vegetation and Wildlife is provided in pages 1-7 to 1-9 of the Environmental Assessment.

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

Fisheries Management. Administered by Virginia Marine Resources Commission (VMRC) and Virginia Department of Game and Inland Fisheries (VDGIF), this program stresses the conservation and enhancement of shellfish and finfish resources and the promotion of commercial and recreational fisheries (Code of Virginia §28.2-200 through §28.2-713, §29.1-100 through §29.1-570, or §3.1-249.59 through §3.1-249.62).

The proposed action would have no impact on VCZMP's Fisheries Management policy.

Subaqueous Lands Management. Administered by VMRC, this program establishes conditions for granting permits for encroachments in, on, or over State-owned submerged lands throughout the Commonwealth (Code of Virginia §28.2-1200 through §28.2-1213).

The proposed action would have no impact on VCZMP's Subaqueous Lands Management; however, coordination and consultation would be completed with VMRC regarding the potential for impacts to subaqueous lands during the permitting process.

Wetland Management. Administered by VMRC and VDEQ, the wetlands management program preserves and protects tidal wetlands (Code of Virginia §28.2-1301 through §28.2-1320 or § 62.1-44.15.5).

Impacts to wetlands would be avoided to the extent possible; however, the proposed action would result in wetland impacts. Coordination with VMRC and VDEQ would be completed to identify minimization and mitigation measures to compensate for wetland impacts, and obtain all necessary permits.

Dunes Management. Administered by VMRC, the purpose of this program is to prevent the destruction and/or alteration of primary dunes (Code of Virginia §28.2-1400 through §28.2-1420).

The proposed recreational beach parking and access roads would be located a minimum of 505 feet behind the shoreline to provide an estimated 25-year design life and improve sustainability of these facilities. The existing managed dune behind which the new recreational beach parking would be located, would be impacted by the construction of trails for public access to the beach. The number of crossings over the dune would be minimized to the extent possible. Coordination with VMRC and Accomack County regarding impacts associated with projects that fall within the Coastal Primary Sand Dunes/Beaches of Accomack County would be completed, if necessary.

Non-point Source Pollution Control. Administered by the VDEQ, the Virginia Erosion and Sediment Control Law and Regulations are intended to minimize non-point source pollution entering Virginia's waterways (Code of Virginia §10.1-560 et seq).

Construction of access roads, parking, and trails would result in land-disturbing activity and an increase in impervious area. Coordination with VDEQ would continue throughout the development of the project in order to identify the most appropriate erosion and sediment control and stormwater BMPs in order to minimize the potential for non-point source pollution. All necessary permits from VDEQ would be obtained.

Point Source Pollution Control. Administered by the State Water Control Board, the National Pollutant Discharge Elimination System permit program regulates point source discharges to Virginia's waterways (Code of Virginia §62.1-44.15).

Relocation of the recreational beach requires the relocation of amenities needed in order to support safe use of the beach. These amenities include hospitality stations with rinse-off showers and vault toilets. Coordination with the Virginia Department of Health would continue throughout the development of the project to ensure proper design of these amenities.

Air Pollution Control. Administered by the State Air Pollution Control Board, this program implements the Federal Clean Air Act through a legally enforceable State Implementation Plan (Code of Virginia §10.1-1300 through 10.1-1320).

The proposed action would not violate Environmental Protection Agency standards for air quality.

Coastal Lands Management. 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 Virginia's CZM Program. While Chesapeake Bay Preservation Areas (CBPA) are not designated on Federal lands, this does not relieve Federal agencies of their responsibility to be consistent with the provisions of the Chesapeake Bay Preservation Area Designation and Management Regulations (Regulations), as one of the enforceable programs of the CZM Program. Federal actions on installations located within Tidewater Virginia are required to be

consistent with the performance criteria of the Regulations on lands analogous to locally designated CBPAs. Projects that include land disturbing activity must adhere to the general performance criteria of the Regulations, especially with respect to minimizing land disturbance (including access and staging areas), retaining indigenous vegetation and minimizing impervious cover. In addition to the above requirements, any land disturbance over 2,500 square feet must comply with state erosion and sediment control and state/local stormwater management requirements.

> The refuge has lands analogous to either the Resource Protection Area (RPA) or the Resource Management Area (RMA), but as a Federal resource, not included in either. Consultation with VDEQ would be completed to ensure protection of coastal lands to the extent possible. Land disturbance and impervious cover would be minimized and indigenous vegetation would be retained to the extent possible.

Geographical Areas of Concern. Coastal natural resource areas (e.g., wetlands; aquatic spawning, nursery, and feeding grounds, significant wildlife habitat areas, public recreational areas, and underwater historic sites) are vital to estuarine and marine ecosystems and receive special attention from the Commonwealth because of their conservation, recreational, ecological, and aesthetic values. Coastal natural hazard areas are vulnerable to continuing and severe erosion and are susceptible to wind, tidal, and storm- related damage.

> The proposed action would relocate the parking area in a more stable part of Assateague Island, and would be set-back from the shoreline to improve sustainability. The existing parking area would revert to natural conditions, as it is currently extremely vulnerable to erosion and storm-related damage.

Shorefront Access Planning and Protection. The Commonwealth values maintenance of shorefront access for public recreational uses, while protecting the historic features of waterfront properties.

> The proposed action would have no impact on Virginia’s 25 miles of public beaches. The relocation of the recreational beach and its related access roads, trails, parking areas, facilities, and amenities would support the maintenance of shorefront access for public recreational uses.

Finding

Based upon this information, data, and analysis, the USFWS finds that the proposed action (preferred alternative) is consistent to the maximum extent practicable with the enforceable policies of the VCZMP.

Pursuant to 15 CFR Section 930.41, the VCZMP has 60 days from the receipt of this letter in which to concur with or object to this Consistency Determination, or to request an extension

under 15 CFR section 930.41(b). Virginia's concurrence will be presumed if its response is not received by the USFWS on the 60th day from receipt of this determination. The State's response should be sent to:

Bob Leffel
Deputy Refuge Manager
Chincoteague National Wildlife Refuge
PO Box 62 (Mailing)
8231 Beach Road (Delivery)
Chincoteague, VA 23336

FINDING OF NO NEW SIGNIFICANT IMPACT
Environmental Assessment for the
Recreational Beach Relocation
Chincoteague National Wildlife Refuge
Accomack County, Virginia

INTRODUCTION

The United States Fish and Wildlife Service (USFWS), in cooperation with the National Park Service (NPS) and the Federal Highway Administration (FHWA), prepared the Recreational Beach Relocation Environmental Assessment (EA) that evaluated the site design for the facilities needed to support the relocation of the recreational beach. The parking for the existing recreational beach is located adjacent to the recreational beach. The natural westward movement of the shoreline is accelerated by storm events and results in costly repairs to the parking area and public use closures of the existing recreational beach.

The EA tiers off and incorporates by reference the Final Comprehensive Conservation Plan and Environmental Impact Statement (CCP/EIS), approved by the Record of Decision signed on November 6; 2015. While the CCP/EIS analyzed the relocation of the recreational beach, it also stated that an EA would be completed to analyze alternatives for parking and access to this new beach location approximately 1.5 miles north of the existing beach. Tiering the NEPA analysis (in accordance with 40 CPR 1508.28) allows Federal agencies to avoid repetition of issues and to focus on the issues for decision at each level of review. Tiering is appropriate when the sequence of statements or analyses is from a plan EIS to a site-specific analysis. The selected alternative will not cause significant impacts beyond those previously disclosed in the CCP/EIS; therefore, this.document constitutes the USFWS's finding ofno new significant impact (FONNSI) per 43 CFR 16.140.

SELECTED ALTERNATIVE

Based on the analysis presented in the EA, the USFWS has selected the proposed action, the preferred alternative (Hybrid Alternative), for implementation. The access road to the new recreational beach will have two 12-foot wide asphalt pavement travel lanes with 2-foot wide aggregate topsoil shoulders. The access road will diverge from the existing road after the entrance fee booths at a roundabout intersection and head north on a new alignment parallel to Wildlife Loop. After Wildlife Loop the road will shift to follow the existing Service Road for a distance of approximately 7,300 feet (1.39 miles), to provide access to the new perking areas. Construction of the access road will also include the installation of
culverts for roadway drainage and hydrologic connectivity. The selected alternative will construct 3,900 feet (0.74 miles) miles of new road, and will reconstruct approximately 7,300 feet (1.39 miles) of the
7.5-mile Service Road from a gravel road to a paved road. A gate will be placed where the road transitions back to gravel just past the beach access, and current use of Service Road will continue for the remaining length of the road.

Visitors accessing the new recreational beach will continue to enter the refuge along Maddox Boulevard. After they cross the causeway and enter Assateague Island, visitors will travel 865 feet to the entrance fee booths to pay the entrance fee. The current entrance fee booth configuration consists of three fee booths with one 12-foot travel lane feeding the three booths. The new fee booth configuration will add

two 12-foot wide lanes from the western edge of Assateague Island through the fee booths. The third fee booth could then be operated from both sides, and passholders will be able to enter the refuge in a separate travel lane.

A 10-foot wide asphalt paved multi-use trail will be constructed to provide bicycle and pedestrian access from the Maddox Boulevard causeway to the new recreational beach. A section of the existing trail will be incorporated into the trail alignment to create one contiguous trail. The existing multi-use trail from Assateague Bridge located adjacent to the entrance road will remain in place. The trail will then cross the access road after the roundabout to follow along-side the new access road. A total of 12,060 feet (2.28 miles) of new asphalt trail will be constructed.

The recreational beach parking will consist of separate parking lots with larger lots along the northern end of the designated recreational beach. Three smaller lots will be constructed south of D-Dike along the accommodation zone boundary. North of D-dike, two larger lots, increasing in size as they move north, will be constructed. The new parking areas will have a clay-sand-clamshell surface, the same as what is currently found at the existing parking areas. Since parking spaces cannot be delineated with lane striping with this surface type, split rail fencing will be used where needed to guide parking. The lots will be connected with circulation roads, and will include a roundabout centrally located at D-dike. Trails will lead visitors from the parking areas to the beach. The trails will be a combination of at-grade and elevated boardwalk. At least one of the trails will be designed to meet Architectural Barriers Act (ABA) requirements. ABA accessible parking spaces will be located near the accessible trail(s). The three southern-most parking areas will be shifted slightly seaward between the 20 and 25-year projected accommodation zones. This change from the original proposal will allow for parking areas to be moved seaward of non-jurisdictional wetland areas initially and provide a slightly shorter access point to improve options for accessibility.

C-dike will remain as a dedicated OSV entrance. A dedicated gate will be provided to control access to the beach, along with a queuing area.

Water Control Structures 7 and 6, located on D- and C-dikes, respectively, will be replaced. The existing 2.0-foot diameter pipe for water control structure 7 and the 2.5-foot diameter pipe on water control structure 6 will be replaced with larger diameter pipes (size to be determined by an ongoing hydrologic study) with the ability to manage the flow of water.

Recreation amenities that are currently provided at the existing recreational beach will be provided at the new recreational beach. Amenities at the new recreational beach will include utilities (potable water, power, telephone), vault toilets, rinse-off showers, changing room cabanas, lifeguard stands, beach wheelchair storage and other facilities needed for a safe and appropriate beach recreational visit. Hospitality stations with rinse showers, vault toilets, and changing room cabanas will be dispersed among the parking lots. Approximately 6,000 to 9,000 linear feet of water line will be constructed along the new access road, and will connect to the existing 8-inch water main that runs from the Town of Chincoteague to the Herbert H. Bateman Educational and Administrative Center (Bateman Center). Potable water will be provided to three to five foul weather shelters and the rinse-off showers. Gray water generated by the water fountains and showers may be treated through a wetland filtration system or leach field since there will be no septic system at the new recreational beach. Three to five foul weather shelters, which will also provide emergency contact information and wayfinding information

about the recreational beach, will be located between the parking areas. The shelters will be approximately 1,000 square feet in size and will not be climate controlled.

A new parking area, consisting of approximately 35-spaces, will be constructed adjacent to the South Pony Corral. This parking area will have an aggregate surface, and will include split-rail fencing to delineate parking direction and traffic flow. A vehicle turn around, OSV gate, pull-off, and tire inflation station will be constructed on Beach Road after the new South Pony Corral Parking Area. The OSV access will be seasonally restricted. Vehicular, bicyclist, and pedestrian access on Beach Road will be allowed year-round to the existing roundabout at Toms Cove; however, no parking will be permitted and Beach Road will be maintained only to provide OSV access and allow for the management of the Swan Pool impoundment. Should the existing roundabout be overtaken by landward migration of sand and establishment of a dune system, the circle will be closed to vehicular traffic except those holding OSV permits.

The USFWS will make approximately 865 square feet of office and exhibit space available to the NPS at the Bateman Center Administration Offices for staff that currently work at Toms Cove Visitor Center. The existing Memorandum of Understanding will be updated to formalize the co-location of the USFWS and NPS and outline the responsibilities of each agency. Co-location will allow for resource sharing, collaborative interpretation, and better coordination of emergency response. The interpretive exhibit area within the Bateman Center will be renovated to provide interpretive exhibits and aquaria related to the NPS's mission.

Until the recreational beach moves, NPS will maintain the Toms Cove Visitor Center. After the new parking and beach recreation facilities are constructed, NPS and USFWS may continue to operate environmental educational programs from Toms Cove Visitor Center, as long as that center remains serviceable and can be maintained economically. Eventually Toms Cove Visitor Center will be demolished and removed when it is no longer possible to maintain it.

MITIGATION MEASURES

The following are mitigation measures related to construction activities to be implemented under the selected alternative (proposed action).

- Should construction unearth previously undiscovered archeological resources, work will be stopped in the area of any discovery and the USFWS will consult with the State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer and the Advisory Council on Historic Preservation, as necessary, according to 36 CFR 800.13, Post Review Discoveries. In the unlikely event that human remains are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (1990) will be followed as appropriate.
- The boundary of the Assateague Village cemetery will be marked prior to construction to ensure its protection.
- Tree clearing will not take place from June 1 through July 31 to minimize impacts to northern long-eared bats in compliance with recommendations by the Virginia Field Office of USFWS.
- Impacts to wetlands under the jurisdiction of the U.S Army Corps of Engineers, the Virginia Department of Environmental Quality, and Accomack County will be mitigated to meet

requirements of the Clean Water Act. The Wetlands and Floodplains Statement of Findings in Attachment B provides additional detail regarding wetland impacts and mitigation.
- Vegetation surveys within the project area will be completed in consultation with the Virginia Department of Conservation and Recreation Natural Heritage Program.

Best Management Practices (BMPs) will be implemented and will include the following:
- Temporary BMPs will be utilized to minimize erosion and sedimentation from ground disturbing activities that expose bare soil, which will otherwise negatively impact water quality. The BMPs may include the use of silt-fence, fiber rolls, erosion matting, and turbidity barriers. These BMPs will be used only during construction and will be removed once the disturbed area has been permanently stabilized.
- Any suitable soil excavated during construction will be stockpiled and reused as fill if it is suitable. Additional fill materials will be clean native soils.
- Soil disturbing activities will be minimized to the extent possible and disturbed soils will be stabilized, as soon as possible, using non-invasive cover crops and native seed.
- Debris from the demolition of the existing facilities will be disposed of legally off-site.

OTHER ALTERNATIVES CONSIDERED

In addition to the Selected Alternative, the no action alternative was also considered, as described in Chapter 2 of the EA. Under the No Action Alternative, no relocation of the beach would occur. The existing park area would have to be maintained, and storm damage would be repaired as needed until the damage is too expensive to repair. This alternative would utilize existing road infrastructure and facilities. Analysis of the No Action Alternative is required as part of the NEPA process in order to provide a benchmark to compare what would happen to the environment if current management were continued into the future with other feasible alternatives.

Several options under the action alternative were considered. These options were termed the seclude, diffuse, and cluster parking area options. The seclude option includes concentrating a parking lot in the northern-most portion of the site. Four 150 lot spaces would parallel the beach along the accommodation zone boundary. West of the northernmost lot, four 100 space lots would be constructed. The diffuse option includes ten 100 space lots being evenly distributed along the Service Road (with Ragged Point Trail) from C-dike northward to the Farmfields ponds. Five parking lots would be south of the D-dike, and five parking lots would be north of D-dike. The cluster option combines one 95-space parking area with two 34-space parking areas to form a "pod." The pod is repeated in six locations along the western boundary of the accommodation zone. Three pods would be north and south of D-dike, all of which would be connected by a new loop road.

PUBLIC REVIEW

The EA was available for public review from August 14, 2018 to September 13, 2018. A notice of the availability for the EA was distributed to the project stakeholders. A legal notice was also run in the Eastern Shore Post and Eastern Shore News. During the public comment period, copies of the EA were available for review at the Bateman Center and the Chincoteague Island Library. One hundred and twenty-four (124) pieces of correspondence were received during the comment period for the EA. A

summary of the comments and responses are provided in Attachment A of this FONNSI. Responses to specific comments have been developed and are posted on the project website.

AGENCY COORDINATION

Consultation per Section 106 of the National Historic Preservation Act was completed with the SHPO regarding the potential for the proposed project to adversely affect cultural resources. USFWS determined that the proposed project will not adversely affect any known or potential cultural resources. In a letter dated April 10, 2018, the SHPO concurred that the project will have no adverse effect on historic properties.

Informal consultation per Section 7 of the Endangered Species Act of 1973, as amended was completed using the USFWS-Virginia Field Office's online project review process. The selected action will have no effect on the hawksbill and Kemp's Ridley sea turtles and may affect, but is not likely to adversely affect the northern long-eared bat, piping plover, red knot, roseate tern, leatherback and loggerhead sea turtles and seabeach amaranth; Federally-listed species potentially present in the project area. The Self-Certification Letter and project review package were submitted to the Virginia Field Office on February 15, 2018. Project-specific measures that will be implemented to avoid and minimize impacts to Federally-listed species are listed in the mitigation section.

SUMMARY OF IMPACTS

As described in the EA, the selected alternative has the potential for impacts on natural coastal processes, hydrology and water quality, and wetlands. No potential for significant adverse impacts was identified. Construction of the access roads, parking areas, trails, and amenities will impact natural coastal processes, hydrology and water quality, and wetlands.

Natural Coastal Processes: Assateague Island is constantly being reshaped by natural coastal processes including the actions of the tides, wind, waves, currents, storms, and sea level rise. Under the selected alternative, the parking lots will be constructed approximately 505 feet from the current shoreline allowing the natural processes of the coast to continue unaffected for a projected 25-year timeframe. It should be acknowledged that this projection is based on an average of 13 feet per year loss and erosion rates may vary over time.

Hydrology and Water Quality: The waters surrounding the project area are fresh to brackish within the impoundments and saltwater in the ocean. The topography is fairly flat, resulting in multiple small drainage areas ranging in size between 0.008 square miles to 0.147 square miles. The selected alternative will create a minimum of 18.27 acres of new impervious area that will require the implementation stormwater management BMPs. Stormwater management will likely be accomplished through BMPs, such as Sheet Flow to Conserved Open Space, Constructed Wetlands, Grass Channels, and Wet Swales. Mallard Pool and Pintail Pool will be partially filled to construct the new parking areas. It is anticipated that as a result, during storm events the water levels of Snow Goose Pool and Shoveler Pool will rise and eventually overtop faster.

Wetlands: The majority of the wetlands in the project area form a wetland complex that was created by the construction of the impoundments, thus are deemed non-jurisdictional wetlands by the United States

Army Corps of Engineers. However, these wetlands are still under the jurisdiction of the Virginia Department of Environmental Quality. These wetlands provide wildlife habitat, floodwater storage, and recreational, educational, and scientific use opportunities. Construction of the selected alternative will decrease the size of wetlands in the project area because portions of the wetlands will be filled and converted to roads, trails, and parking areas. The selected alternative will impact approximately 5.55 acres of wetlands, and result in a minor loss of wetland functions. Losses for wildlife habitat, floodwater and recreational, educational and scientific opportunities have been fully mitigated through changes to management of the North Wash Flats Impoundment (management action 23b in CCP/EIS) to allow for natural vegetation to grow back in an area of approximately 300 acres. Allowing natural geologic processes to restore overwash and allowing the area to naturally revegetate will provide additional wildlife habitat and recreational, educational, and scientific use opportunities. Additional compensatory wetland mitigation, if required by the United States Army Corps of Engineers, Virginia Department of Environmental Quality or Accomack County, may be accomplished through the restoration of wetlands or purchase of credits from a mitigation bank.

DETERMINATION

The analyses, potential impacts, and conclusions detailed in the CCP/EIS remain applicable and valid. Therefore, USFWS has determined that a supplemental EIS is not required, and is issuing this FONNSI. Furthermore, we find that implementing the proposed action, as described in the EA, will not have a significant impact on the quality of the human environment, in accordance with Section 102(2)(c) of NEPA, and this FONNSI is appropriate and warranted.

Recommended: _____ 12-11-18

Nancy Finley
Refuge Manager
U.S. Fish and Wildlife Service
Chincoteague National Wildlife Refuge

Date

Approved: _____ 12/11/2018

Scott B. Kahan
Regional Chief
National Wildlife Refuge System
U.S. Fish and Wildlife Service
Northeast Region

Date