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