

Coastal Zone Management Act (CZMA) Consistency Determination

This document provides the Commonwealth of Virginia with the Joint Base Myer-Henderson Hall's (JBM-HH) Consistency Determination under CZMA section 307(c)(1) and (2) and 15 CFR Part 930, subpart C, for the proposed construction of a perimeter security fence. The information in this Consistency Determination is provided pursuant to 15 CFR §930.39.

This consistency determination represents an analysis of the Proposed Action in light of established Virginia Coastal Resources Management (CRM) Program Enforceable Policies and Programs. Submission of this consistency determination reflects the commitment of JBM-HH to comply with the maximum extent practicable with those Enforceable Policies and Programs. The Proposed Action would be operated and implemented in a manner consistent with the CRM. JBM-HH has determined that the effects of the Proposed Action would be less than significant on land and water uses and natural resources of the Commonwealth of Virginia's coastal zone and is consistent to the maximum extent practicable with the enforceable policies of the CRM.

PROPOSED ACTION

The Proposed Action includes the construction of a new perimeter eight foot tall ornamental security fence, five vehicle entry points, and an intrusion detection system along the JBM-HH and ANC perimeter. The fence will be aesthetically neutral as viewed from the ANC side. Walkways will be removed and replaced in alternative locations where the fence alignment conflicts with existing pedestrian flow. Additional proposed security measures include the installation of more security cameras, motion sensors, additional lighting and an increase of patrols by the Military Police. This Action would require relocation of some existing lighting poles and intrusion detection poles and cameras, as well as the permanent relocation of the parking along the existing stone wall near Henderson Hall Gate 3 to a nearby location on Henderson Hall. The parking area adjacent to the Old Post Chapel is being reconfigured to include caisson staging, ceremony staging, and improved circulation. Reconfiguration of this area will involve the removal of the existing asphalt and storm drainage within the lot footprint. The new proposed parking lot includes stormwater management features and an asphalt staging area for the ceremonial function of the chapel. Areas along the proposed fence that are disturbed during construction would be landscaped to return them to pre-construction conditions.

Under the Proposed Action, approximately 10,000 linear feet of fence would be added or improved along the entire length of the JBM-HH boundary with ANC. The security fence begins to the north at Wright Gate, continues past the Millennium Site, the Old Post Chapel, the Tri Service Parking Lot, the Memorial Chapel, Henderson Hall, and ends at the intersection of Hobson Drive and Southgate Road. The fence alignment would parallel the historic boundary wall between JBM-HH and ANC for the majority of its alignment with offsets up to 50 feet on the JBM-HH side. Slight realignments may occur which will require portions of the existing gates and fence to be removed and tied into the new fence.

The green space between the Tri-Service Parking Lot and the Memorial Chapel would be utilized for a proposed pavilion area. The proposed pavilion area would include a new trellis, a sitting wall, a jogging path, and landscape.

The proposed ornamental black structural steel and black wrought iron fence will be aesthetically neutral. Due to varying conditions along the boundary, different fence alignment strategies may be incorporated into the design throughout the length of the project. Design of the project will include an ornamental picket and post fence on the JBM-HH side, four to ten from the existing historic stone wall. Large, mature trees and other natural and cultural resources within the proposed project area would be identified and the project would be designed to avoid and protect these resources to the extent feasible.

ENFORCEABLE POLICIES

The Commonwealth of Virginia has developed and implemented the federal-approved CRM encompassing nine enforceable policies for the coastal area pertaining to:

- Fisheries management
- Subaqueous lands management
- Wetlands management
- Dunes management
- Non-point source pollution control
- Point source pollution control
- Shoreline sanitation
- Air pollution control
- Coastal lands management

A summary analysis of how the Proposed Action would affect each of the enforceable policies is presented below. This analysis is based on the more detailed analyses contained in the Environmental Assessment which was provided to the Commonwealth of Virginia Department of Environmental Quality (VADEQ) along with this analysis.

ASSESSMENT OF PROBABLE EFFECTS

JBM-HH has prepared a Draft Environmental Assessment (EA) to evaluate the potential environmental impacts from the Proposed Construction of a Perimeter Security Fence in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S. Code 4321-4347), and 32 Code of Federal Regulations (CFR) Part 651, Environmental Analysis of Army Actions. The Army intends to obtain all applicable permits required for implementation of the Proposed Action alternative. A review of the permits and/or approvals required under the enforceable policies is being conducted. The Army has evaluated the Proposed Action for its foreseeable effects on the following enforceable policies:

Fisheries Management:

The Proposed Action would have no foreseeable impacts on finfish or shellfish resources and would not affect the promotion of commercial or recreational fisheries. JBM-HH is located within the Potomac River drainage basin. JBM-HH is located approximately two miles west of the Potomac River. An unnamed tributary runs along the southwestern boundary of JBM-HH, and drains into the Potomac River via Long Branch Creek. Henderson Hall property drains into Long

Branch Creek, a tributary of Four Mile Run which flows into the Potomac River south of Ronald Reagan Washington National Airport.

Contractors would be required to implement best management practices (BMPs) associated with stormwater management to reduce erosion and sediment impacts in accordance with the Virginia Stormwater Management Program. BMP features such as a depressed bio-retention drainage areas, pervious pavers, concrete sidewalks and a retaining wall would be utilized.

Subaqueous Lands Management:

The Virginia Marine Resources Commission pursuant to Virginia Code §28.2-1200 through §28.2-1213, has jurisdiction over encroachment in, on or over, any State-owned Rivers, streams and creeks. The Proposed Action would not involve in-water construction and would therefore have no foreseeable impacts on subaqueous lands.

Wetlands Management:

Short-term, minor adverse impacts to wetlands are possible if the final alignment of the fenceline is constructed through the wetland identified on the north side of Fort Myer, southeast of the Wright Gate. If disturbance occurs, it would be during construction only, along approximately 95 linear feet of the fence line, and consists of staking silt fence, digging post holes for the security fence, excavating for a duct bank adjacent to the fence and traveling over the wetland with construction vehicles. After fenceline construction activities are complete, the area would be returned back to existing conditions, with no permanent wetland disturbance. JBM-HH would coordinate with the VADEQ and the U.S. Army Corps of Engineers to ensure the proper wetland permits are secured prior to construction. The Army would provide compensation as required by the USACE and the VADEQ for unavoidable impacts.

The Proposed Action also includes the construction of a new parking lot structure to replace a lot of the same size that would be demolished. The new parking lot would include stormwater management features such as a depressed bio-retention drainage area, pervious pavers, concrete sidewalks and a retaining wall. Long-term, minor beneficial impacts to stormwater are expected due to the addition of these stormwater management features and prevention of sedimentation from entering surface waters and associated wetlands.

Dunes Management:

No sand dunes are located on or near JBM-HH. The Proposed Action would not affect any coastal primary sand dunes.

Non-Point Source Pollution Control:

Under the Proposed Action JBM-HH would continue to adhere to requirements set forth by the Virginia Erosion and Sediment Control Law and Regulations and the Virginia Stormwater Management Program Permit consistent with the requirements of the Arlington County Stormwater Management Program for activities initiated within Fort Myer and Henderson Hall.

The Proposed Action is located in a Chesapeake Bay Preservation Area and would disturb approximately 6.8 acres (298,270 square feet), which is greater than the 2,500 square feet needed to require a General Permit for the Discharge of Stormwater from Construction Activities (Construction General Permit) as required by the Virginia Stormwater Management Program. As required to obtain the permit, a site-specific stormwater pollution prevention plan (SWPPP) would be prepared prior to construction of the Proposed Action. Prior to construction the Army would also prepare and erosion and sediment control plan in compliance with 9 Virginia Administrative Code (VAC) 25-840 and in conformance with the Virginia Erosion and Sediment Control Handbook, Third Edition, 1992. The implementation of erosion and sediment control measures specified in the Construction General Permit, SWPPP and erosion and sediment control plan would minimize the erosion of exposed soils and the sedimentation of downstream water courses. Although these impacts cannot be entirely eliminated, they would remain minor. The Proposed Action includes the construction of a new parking lot structure to replace a lot of the same size that would be demolished. The new parking lot would include stormwater management features such as a depressed bio-retention drainage areas, pervious pavers, concrete sidewalks, and a retaining wall. Long-term minor beneficial impacts to stormwater are expected due to the addition of these stormwater management features.

The implementation of erosion control features for all phases of construction or demolition would ensure that no sediment laden runoff will exit construction or demolition sites without proper treatment. BMPs appropriate to activities on Fort Myer and Henderson Hall would be planned and employed to incorporate all applicable state and local stormwater and erosion control requirements to offset pollutant loadings in streams. Mechanisms to control erosion and sediment to efficiently reduce phosphorus entering water bodies would be applied.

Point Source Pollution Control:

The Proposed Action would result in a new source (construction stormwater) of point source pollution, but adverse impacts would be minimal. Stormwater discharged through conveyances such as separate storm sewers, ditches, channels or other mechanisms are considered point sources under the Clean Water Act, and subject to regulation through the National Pollutant Discharge Elimination System (NPDES) permit program. JBM-HH's Municipal Separate Storm Sewer (MS4) permit requires contractors to comply with the Installation's permit prior to initiating construction/demolition activities and includes submission of a sediment and erosion control plan when one or more acre of ground is disturbed.

Shoreline Sanitation:

The Proposed Action would not be equipped with septic systems and would, therefore, have no impacts on shoreline sanitation.

Air Pollution Control:

Construction activities initiated under the Proposed Action would result in short-term minor adverse impacts to air quality as a result of the following:

- Fugitive dust – generated during construction activities, fugitive dust emissions would be controlled by adherence to local ordinances, application of water, periodic street sweeping and wetting down paved roadway surfaces. Annual estimated emissions of fine particulates, nitrogen oxide and sulphur dioxide should be below the thresholds of 100 tons per year which would trigger the General Conformity Rule.
- Emission of volatile organic compounds and nitrogen oxides (precursors of O₃) – construction activities that would cause emissions include the use of construction equipment, movement of trucks containing materials, use of paving equipment, commuting for contractor workers. Annual estimated emissions of volatile organic compounds and nitrogen oxides should be less than the threshold of 50 tons per year and 100 tons per year, respectively. As a result, the Proposed Action would not be subjected to the General Conformity Rule.

Adverse short-term impacts on air quality would be minimized through the use of standard BMPs such as wetting pavements and/or exposed soils to minimize fugitive dust. The construction contractor would comply with all applicable VADEQ air pollution control regulations such as:

- 9VAC5-40 Article 1, Visible Emissions and Fugitive Dust/Emissions;
- 9VAC5-40 Article 2, Odor;
- 9VAC5-45 Article 4, Emission Standards for Consumer Products Manufactured On or After August 1, 2010;
- 9VAC5-45 Article 5, Emission Standards for Architectural and Industrial Maintenance Coatings; 9VAC5-45 Article 6, Emission Standards for Adhesives and Sealants; and
- 9VAC-45 Article 7, Emission Standards for Asphalt Paving Operations.

Construction and vehicle emissions would result in temporary, localized changes to air quality as a result of fugitive dust and vehicle emissions. Criteria and hazardous air pollutant emissions from the operation of construction vehicles would be temporary and localized. Projects would be undertaken in compliance with state and federal standards for air quality. Applicable NEPA considerations would be made and the resulting documentation (if any) would be kept on file. Coordination with VADEQ prior to project initiation would determine the applicability of permits required. Projects would be initiated only after the environmental review has been completed and the appropriate state permits are acquired.

Coastal Lands Management:

The Proposed Action would not occur within designated 100-foot Resource Protection Areas (RPAs). As outlined in the Tidal and Non-tidal Wetlands management section, short-term adverse impacts to wetlands are possible if the final alignment of the fenceline is constructed through the wetland identified on the North side of Fort Myer, southeast of the Wright Gate. JBM-HH would coordinate with the VADEQ and the U.S. Army Corps of Engineers to ensure the proper wetland permits are secured prior to construction. The Army would provide compensation as required by the USACE and the VADEQ for unavoidable impacts.

SUMMARY OF FINDINGS

Based upon the following information, data, and analysis, JBM-HH finds that the proposed perimeter security fence is consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Zone Management Program. The table below summarizes how the Proposed Action would affect each of the enforceable policies outlined within the CZMA Consistency Determination:

Enforceable Policy	Consistent to the Maximum Extent Practicable?
Fisheries management	Not Applicable (NA)
Subaqueous lands management	NA
Wetlands Management	Yes
Dunes Management	NA
Non-point source pollution control	Yes
Point source pollution control	Yes
Shoreline Sanitation	NA
Air pollution control	Yes
Coastal land management	Yes

Pursuant to 15 CFR Section 930.41, the Virginia Coastal Zone Management Program 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 JBM-HH on the 60th day from receipt of this determination. The State's response should be sent to:

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