

Stafford Regional Airport

FAA Environmental Categorical Exclusion (CatEx) Form

for

Aircraft Self-Serve Fueling System



Stafford Regional Airport Authority

95 Aviation Way
Fredericksburg, VA 22406

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APPENDIX A. DOCUMENTED CATEX

Airport sponsors may use this form for projects eligible for a categorical exclusion (CATEX) that have greater potential for extraordinary circumstances or that otherwise require additional documentation, as described in the Environmental Orders (FAA Order 1050.1F and FAA Order 5050.4B).

To request a CATEX determination from the FAA, the sponsor should review potentially affected environmental resources, review the requirements of the applicable special purpose laws, and **consult with the Airports District Office or Regional Airports Division Office staff** about the type of information needed. The form and supporting documentation should be completed in accordance with the provisions of FAA Order 5050.4B, paragraph 302b, and submitted to the appropriate FAA Airports District/Division Office. The CATEX cannot be approved until all information/documentation is received and all requirements have been fulfilled.

Name of Airport, LOC ID, and location:

Stafford Regional Airport, RMN, Fredericksburg, VA

Project Title:

Aircraft Self-Serve Fueling System

Give a brief, but complete description of the proposed project, including all project components, justification, estimated start date, and duration of the project. Include connected actions necessary to implement the proposed project (including but not limited to moving NAVAIDs, change in flight procedures, haul routes, new material or expanded material sources, staging or disposal areas). Attach a sketch or plan of the proposed project. Photos can also be helpful.

The Stafford Regional Airport (RMN) is proposing to construct an aircraft self-fueling facility adjacent to the existing main terminal apron at the Airport. This facility will allow small, piston-powered aircraft to refuel without the need for fuel tender trucks or airport staff. This will also allow pilots to refuel their aircraft when the Airport is closed as the self-fueling system will be available 24 hours a day. The proposed facility consists of the following components:

- Installation of a 1,000-gallon AvGas 100LL (100 octane, Low Lead) double walled fuel tank and associated infrastructure including concrete tertiary containment curbing,
- Installation of an AvGas self-serve kiosk adjacent to the new tank,
- Construction of a small asphalt apron (215 square yards) adjacent to the new tank to accommodate refueling aircraft. A culvert under the proposed apron may be required for stormwater management,
- Adding markings to the existing apron identifying the self-fueling area

The proposed self-fueling facility will be located southeast of the terminal building as depicted in Exhibit 1.

The proposed self-fueling facility will add approximately 318 square yards of new impervious surfaces to the Airport. All work will be performed entirely on RMN Airport property. The

proposed project area (Limits of Disturbance - LOD) totals approximately 700 square yards (0.15 acres). Construction is planned for 2025 and will require approximately 180 days to complete.

The FAA is preparing for the transition from leaded AvGas fuel used in aircraft to a non-leaded fuel by developing the Eliminate Aviation Gasoline Lead Emissions (EAGLE) initiative. This initiative aims to eliminate leaded aircraft fuel by 2030. The Stafford Regional Airport Authority intends to eliminate the sale of leaded fuel at the Airport when a suitable replacement is made available as noted in the letter signed by the Airport Director, James Stover, and included in Attachment A.

Give a brief, but complete, description of the proposed project area. Include any unique or natural features within or surrounding airport property.

The proposed project area consists of graded grass which is regularly mowed. This area also includes a small drainage ditch, and the entire project area was previously disturbed via grading during the construction of the Airport circa 2000. The project area also includes an existing, adjacent asphalt apron.

Identify the appropriate CATEX paragraph(s) from Order 1050.1F (paragraph 5-6.1 through 5-6.6) or 5050.4B (Tables 6-1 and 6-2) that apply to the project. Describe if the project differs in any way from the specific language of the CATEX or examples given as described in the Order.

5-6.4(e) - Federal financial assistance, licensing, or Airport Layout Plan (ALP) approval for the following actions, provided the action would not result in significant erosion or sedimentation, and will not result in a significant noise increase over noise sensitive areas or result in significant impacts on air quality.

- Construction, repair, reconstruction, resurfacing, extending, strengthening, or widening of a taxiway, apron, loading ramp, or runway safety area (RSA), including an RSA using Engineered Material Arresting System (EMAS);

5-6.4(f) - Federal financial assistance, licensing, Airport Layout Plan (ALP) approval, or FAA construction or limited expansion of accessory on-site structures, including storage buildings, garages, hangars, t-hangars, small parking areas, signs, fences, and other essentially similar minor development items. (ATO, ARP, AST)

5-6.4(u) - Approval of an Airport Layout Plan (ALP) for installation of on-airport, aboveground storage tanks or underground storage tanks (USTs) on airport property or FAA installation, repair, or replacement of USTs and aboveground storage tanks at FAA facilities. These actions must comply with FAA Order 1050.15, Fuel Storage Tanks at FAA Facilities, and EPA regulations, 40 CFR parts 112, 280, and 281, as applicable. This CATEX includes the closure and removal of a fuel storage tank, and remediation of contaminants resulting from a fuel storage tank at an FAA facility or on an airport, provided those actions occur in accordance with the order and the regulations noted above. The establishment of bulk fuel storage and associated distribution systems is not within the scope of this CATEX. Those actions are subject to Paragraph 3-1.2.b.(5) of this Order. (ATO, ARP).

The circumstances one must consider when documenting a CATEX are listed below along with each of the impact categories related to the circumstance. Use FAA Environmental Orders 1050.1F,

5050.4B, and the Desk Reference for Airports Actions, as well as other guidance documents to assist you in determining what information needs to be provided about these resource topics to address potential impacts. Keep in mind that both construction and operational impacts must be included. Indicate whether or not there would be any effects under the particular resource topic and, **if needed**, cite available references to support these conclusions. Additional analyses and inventories can be attached or cited as needed.

5-2.b(1) National Historic Preservation Act (NHPA) resources

	YES	NO
<p>Are there historic/cultural resources listed (or eligible for listing) on the National Register of Historic Places located in the Area of Potential Effect? If yes, provide a record of the historic and/or cultural resources located therein and check with your local Airports Division/District Office to determine if a Section 106 finding is required.</p> <p>A 2024 Virginia Department of Historic Resources (DHR) archive search did not identify any cultural resources within or near the Area of Potential Effect (APE) as shown in Attachment B.</p> <p>A Section 106 review was conducted with DHR with the results included in Attachment B. On September 27, 2024, DHR determined that no historic properties will be affected by the proposed undertaking (see Attachment B).</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the project have the potential to cause effects? If yes, describe the nature and extent of the effects.</p> <p>No. The proposed project will occur on previously disturbed airport property and will be confined to the LOD. There are no anticipated historic/cultural resource impacts from the proposed project. Also, DHR concurred that the proposed undertaking will result in no adverse effect to historic properties.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Is the project area undisturbed? If not, provide information on the prior disturbance (including type and depth of disturbance, if available)</p> <p>No. The proposed project will occur on previously disturbed airport property and will be confined to the LOD.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project impact tribal land or land of interest to tribes? If yes, describe the nature and extent of the effects and provide information on the tribe affected. Consultation with their THPO or a tribal representative along with the SHPO may be required.</p> <p>No. There will be no direct or indirect impacts to tribal land or land of interest to tribes.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b(2) Department of Transportation Act Section 4(f) and 6(f) resources

YES NO

	YES	NO
<p>Are there any properties protected under Section 4(f) (as defined by FAA Order 1050.1F) in or near the project area? This includes publicly owned parks, recreation areas, and wildlife or waterfowl refuges of national, state or local significance or land from a historic site of national, state or local significance.</p> <p>No. The proposed project will occur on previously disturbed airport property and will be confined to the LOD. Also, DHR concurred that the proposed undertaking will result in no adverse effect to historic properties.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will project construction or operation physically or constructively “use” any Section 4(f) resource? If yes, describe the nature and extent of the use and/or impacts, and why there are no prudent and feasible alternatives. See 5050.4B Desk Reference Chapter 7.</p> <p>No. The proposed project will not use any Section 4(f) resources.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project affect any recreational or park land purchased with Section 6(f) Land and Water Conservation Funds? If so, please explain, if there will be impacts to those properties.</p> <p>No. The proposed project will occur on previously disturbed airport property and will not affect any recreational or park land purchased with Section 6(f) Land and Water Conservation Funds.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b(3) Threatened or Endangered Species

YES NO

	YES	NO
<p>Are there any federal or state listed endangered, threatened, or candidate species or designated critical habitat in or near the project area? This includes species protected by individual statute, such as the Bald Eagle.</p> <p>Coordination was conducted with US Fish and Wildlife Service (USFWS) through their online database, Information for Planning and Consultation (IPaC), which generated the IPaC Trust Resource Report. USFWS's IPaC report identified the following threatened or endangered mammals and insects as potentially existing near the proposed project area:</p> <ul style="list-style-type: none"> • Northern Long-eared Bat (NLEB) – Endangered • Tricolored Bat – Proposed Endangered • Monarch Butterfly - Candidate <p>The USFWS NLEB Determination Key (Attachment C) was consulted which resulted in a "No Effect" determination due to the lack of tree removal with this project. A species evaluation conclusion table is also included at the end of Attachment C which identifies no anticipated impacts to any of the species identified by USFWS. Neither the USFWS letter nor IPaC report identify any critical habitats or wildlife refuges that lie within the project area. The IPaC report identifies six migratory birds that could potentially exist near the proposed project area, including the Bald Eagle (Attachment C).</p> <p>The Monarch Butterfly typically lives mainly in prairies, meadows, grasslands. Documented occurrences of the Monarch Butterfly at the Stafford Regional Airport have not occurred. Any impacts to the butterfly will be temporary in nature as they will likely relocate to a new habitat during and after construction.</p> <p>In addition, a search of Virginia Department of Game and Inland Fisheries (VDGIF) online service Virginia Fish and Wildlife Information Service (VaFWIS) identified species known to occur or likely to occur within a three-mile radius of the Airport. A list of these species is included in Attachment C. None of these species were identified within the project area and the proposed project will not impact any of these species.</p> <p>According to the Bald Eagle Nest Report, the nearest bald eagle nest is located approximately 4.5 miles southeast of the Airport. No bald eagle habitat was identified in the project area and no impacts are anticipated. (http://www.cbbirds.org/maps/#eagles)</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	YES	NO
<p>Does the project affect or have the potential to affect, directly or indirectly, any federal or state-listed, threatened, endangered or candidate species, or designated habitat under the Endangered Species Act? If yes, Section 7 consultation between the FAA and the US Fish & Wildlife Service, National Marine Fisheries Service, and/or the appropriate state agency will be necessary. Provide a description of the impacts and how impacts will be avoided, minimized, or mitigated. Provide the Biological Assessment and Biological Opinion, if required.</p> <p>No. The proposed project will not directly or indirectly impact any federal or state-listed, threatened, endangered, or candidate species, or designated habitat. The project is not located within 0.25 miles of any known Northern Long Eared Bat (NLEB) hibernacula or within 150 feet of known, occupied NLEB maternity roost trees.</p> <p>The Tricolored Bat is typically found in the eastern half of the United States. As with the NLEB, no Tricolored Bat habitat or roost trees were identified in the proposed project area.</p> <p>The Monarch Butterfly can be found in Virginia during the summer months. The proposed project does not include any tree clearing and no Monarch Butterfly habitat has been identified within the proposed project area, including milkweed.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the project have the potential to take birds protected by the Migratory Bird Treaty Act? Describe steps to avoid, minimize, or mitigate impacts (such as timing windows determined in consultation with the US Fish & Wildlife Service).</p> <p>No. The proposed project will not take any birds protected by the Migratory Bird Treaty Act. There is no tree clearing associated with the proposed project.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b (4) Other Resources

Items to consider include:

a. Fish and Wildlife Coordination Act	YES	NO
<p>Does the project area contain resources protected by the Fish and Wildlife Coordination Act? If yes, describe any impacts and steps taken to avoid, minimize, or mitigate impacts.</p> <p>No. No critical habitat or resources protected by the Fish and Wildlife Act are located in the project area.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Wetlands and Other Waters of the U.S.	YES	NO
<p>Are there any wetlands or other waters of the U.S. in or near the project area?</p> <p>No. A review of the National Wetland Inventory Maps did not identify any wetlands on or around the project LOD as shown in Exhibit 2. An unnamed creek is depicted east of the project area however, this creek was removed when the Airport was originally constructed.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Has wetland delineation been completed within the proposed project area? If yes, please provide U.S. Army Corps of Engineers (USACE) correspondence and jurisdictional determination. If delineation was not completed, was a field check done to confirm the presence/absence of wetlands or other waters of the U.S.? If no to both, please explain what methods were used to determine the presence/absence of wetlands.</p> <p>No. A wetland delineation was not performed as there are no wetlands in or around the project site. An on-site visual inspection confirmed the lack of wetlands in the project area.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If wetlands are present, will the project result in impacts, directly or indirectly (including tree clearing)? Describe any steps taken to avoid, minimize or mitigate the impact.</p> <p>No. The proposed project will not cause impacts to wetlands or creeks.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Is a USACE Clean Water Act Section 404 permit required? If yes, does the project fall within the parameters of a general permit? If so, which general permit?</p> <p>No. A permit is not required as no wetlands or creeks will be impacted by the proposed project.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Floodplains	YES	NO
<p>Will the project be located in, encroach upon or otherwise impact a floodplain? If yes, describe impacts and any agency coordination or public review completed including</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p>coordination with the local floodplain administrator. Attach the FEMA map if applicable and any documentation.</p> <p>No. Current FEMA Flood Maps do not identify any floodplains on or around the project area as depicted in Exhibit 3.</p>		
d. Coastal Resources	YES	NO
<p>Will the project occur in or impact a coastal zone as defined by the State's Coastal Zone Management Plan? If yes, discuss the project's consistency with the State's CZMP. Attach the consistency determination if applicable.</p> <p>Yes. The Stafford Regional Airport is located within the Virginia Coastal Zone Management Area which includes the majority of Tidewater Virginia (Code of Virginia §28.2-100). The proposed project will not adversely impact the quality of state waters.</p> <p>The Federal Consistency Certification (FCC) was coordinated with the Virginia Department of Environmental Quality (DEQ). On November 21, 2024, DEQ stated that "based on our review of the FCC and the comments submitted by agencies administering the enforceable policies of the CZM Program, DEQ concurs that the proposal is consistent with the CZM Program provided that prior to implementation of the project all applicable permits and approvals are obtained."</p> <p>The project area is located in the Chesapeake Bay Preservation Area (CBPA) and Land/Resource Management Area (LRMA) but outside of Critical Resource Protection Areas (CRPAs) according to the Stafford County GIS data (see Exhibit 4). The entirety of Stafford County is designated as a Land/Resource Management Area while the closest CRPA is approximately 1,500 feet south of the proposed project site. There will be no adverse impacts to the CRPA as a result of implementing the proposed project.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Will the project occur in or impact the Coastal Barrier Resource System as defined by the US Fish and Wildlife Service?</p> <p>No. According to the Coastal Barrier Resources System map for Virginia, the proposed project is not located within the Coastal Barrier Resources System.</p> <p>(https://www.fws.gov/ecological-services/habitat-conservation/cbra/maps/mapper.html)</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. National Marine Sanctuaries	YES	NO
<p>Is a National Marine Sanctuary located in the project area? If yes, discuss the potential for the project to impact that resource.</p> <p>No. According to the NOAA, the proposed project is not within a National Marine Sanctuary. (https://sanctuaries.noaa.gov/)</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f. Wilderness Areas	YES	NO
<p>Is a Wilderness Area located in the project area? If yes, discuss the potential for the project to impact that resource.</p> <p>No, there are no Wilderness Areas located in the project area or within Stafford County, VA. No wilderness resource areas will be impacted by the proposed project. (https://www.arcgis.com/apps/mapviewer)</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Farmland	YES	NO
<p>Is there prime, unique, state, or locally important farmland in/near the project area? Describe any significant impacts from the project.</p> <p>Yes, the proposed project will occur entirely on previously disturbed existing airport property but the project area includes Caroline fine sandy loam soil which is classified as prime farmland. This area of RMN is not farmed nor planned to be farmed.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Does the project include the acquisition and conversion of farmland? If farmland will be converted, describe coordination with the US Natural Resources Conservation and attach the completed Form AD-1006.</p> <p>No, the project does not include any farmland conversion or acquisition.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

h. Energy Supply and Natural Resources	YES	NO
<p>Will the project change energy requirements or use consumable natural resources either during construction or during operations?</p> <p>Yes. The proposed project will require fuel consumption by construction equipment but will have no long-term impact. The self-fueling system is not anticipated to result in increased fuel sales. Instead, it is being implemented to make refueling easier and more convenient for small piston-powered aircraft. Pilots will be able to refuel their aircraft without relying on airport staff to fuel them with a tender truck. The long-term use of the self-fueling facility is not anticipated to adversely impact energy supply and natural resources.</p> <p>FAA Reauthorization Act of 2024 (P.L. 118-63) Section 770 “Grant Assurances” states that the airport owner or operator may not restrict or prohibit the sale or self-fueling of any 100-octane low lead aviation gasoline for purchase or use by operators of general aviation aircraft if such aviation gasoline was available at such airport at any time during calendar year 2022, until the earlier of (A) December 31, 2030; or (B) the date on which the airport or any retail fuel seller at such airport makes available an unleaded aviation gasoline that has been authorized for use by the Administrator of the Federal Aviation Administration as a replacement for 100-octane low lead aviation gasoline for use in nearly all piston-engine aircraft and engine models; and meets either an industry consensus standard or other standard that facilitates the safe use, production, and distribution of such unleaded aviation gasoline, as determined appropriate by the Administrator.</p> <p>The Airport acknowledges the FAA’s Eliminate Aviation Gasoline Emissions (EAGLE) initiative, which aims to eliminate low lead aviation fuels by the end of 2030 (see Attachment A). The FAA’s EAGLE initiative will help pilots shift away from low lead aviation fuels and eventually eliminate low lead aviation fuels consumed by tenants and transient visitors for aircraft operations at RMN.</p> <p>The fuel tank installed as part of the Proposed Project is capable of holding both low lead and unleaded aviation fuels. The Airport would be capable of making available an FAA authorized unleaded aviation gasoline replacement for 100LL by 2030.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Will the project change aircraft/vehicle traffic patterns that could alter fuel usage either during construction or operations?</p> <p>No. The proposed project will not change aircraft/vehicle traffic patterns.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Wild and Scenic Rivers	YES	NO
<p>Is there a river on the Nationwide Rivers Inventory, a designated river in the National System, or river under State jurisdiction (including study or eligible segments) near the project?</p> <p>No. Virginia does not have any state or federally designated Wild or Scenic Rivers.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p>Will the project directly or indirectly affect the river or an area within ¼ mile of its ordinary high water mark?</p> <p>No. The proposed project will not impact any federally or state designated wild or scenic rivers.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Solid Waste Management	YES	NO
<p>Does the project (either the construction activity or the completed, operational facility) have the potential to generate significant levels of solid waste? If so, discuss how these will be managed.</p> <p>No. The construction of the self-fueling facility will not generate significant levels of solid waste. Recycling of construction debris will be implemented to reduce solid waste impacts. General construction waste that cannot be recycled will be disposed of in accordance with all federal, state, and local rules and regulations.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b(5) Disruption of an Established Community

	YES	NO
<p>Will the project disrupt a community, planned development or be inconsistent with plans or goals of the community?</p> <p>No. The proposed project will not impact any communities or planned development nor is it inconsistent with the plans and goals of Stafford County.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Are residents or businesses being relocated as part of the project?</p> <p>No. Residents or businesses will not be relocated as part of the proposed project.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b(6) Environmental Justice

	YES	NO
<p>Are there minority and/or low-income populations in/near the project area?</p> <p>Yes. U.S. Census data indicates the lack of low-income populations around the proposed project area. However, approximately 50.0% of the population in this area of the County are considered to be minority. No residents near the Airport will be adversely impacted by the proposed self-fueling system. A map of RMN and the associated Census Tract data is included in Exhibit 5.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	YES	NO
<p>Will the project cause any disproportionately high and adverse impacts to minority and/or low-income populations? Attach census data if warranted.</p> <p>No. The proposed project will not disrupt or relocate any residents. The project is limited to existing airport property and will be confined to the LOD. The Airport will be capable of making available an FAA-authorized unleaded aviation gasoline replacement for 100LL by 2030.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b(7) Surface Transportation

	YES	NO
<p>Will the project cause a significant increase in surface traffic congestion or cause a degradation of level of service provided?</p> <p>No. The proposed project will not cause a significant increase in surface traffic congestion or cause degradation in the level of service. The proposed project is located on airport property and will be confined to the LOD. Construction traffic would be temporary and is only anticipated to last approximately 180 days.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project require a permanent road relocation or closure? If yes, describe the nature and extent of the relocation or closure and indicate if coordination with the agency responsible for the road and emergency services has occurred.</p> <p>No. The proposed project will not require a road relocation or closure. The proposed project is located on airport property and will be confined to the LOD.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b(8) Noise

	YES	NO
<p>Will the project result in an increase in aircraft operations, nighttime operations, or change aircraft fleet mix?</p> <p>No. No changes to operations, nighttime operations or fleet mix changes are anticipated as a result of implementing the proposed self-fueling system.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project cause a change in airfield configuration, runway use, or flight patterns either during construction or after the project is implemented?</p> <p>No. The proposed project will not result in airfield configuration, runway use, or flight pattern alterations during or after construction.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
<p>Does the forecast exceed 90,000 annual propeller operations, 700 annual jet operations or 10 daily helicopter operations or a combination of the above? If yes, a noise analysis may be required if the project would result in a change in operations.</p> <p>Yes. According to the current RMN Airport Master Record, RMN has approximately 30,300 annual operations with more than 700 annual jet operations.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Has a noise analysis been conducted, including but not limited to generated noise contours, a specific point analysis, area equivalent method analysis, or other screening method. If yes, provide that documentation.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Could the project have a significant impact (DNL 1.5 dB or greater increase) on noise levels over noise sensitive areas within the 65+ DNL noise contour?</p> <p>No. The proposed project will not result in a noise increase at the Airport and will not impact noise sensitive areas within the 65+ DNL contour.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b(9) Air Quality

	YES	NO
<p>Is the project located in a Clean Air Act non-attainment or maintenance area?</p> <p>No. The Airport is not located within a non-attainment or maintenance area. https://www3.epa.gov/airquality/greenbook/</p> <p>As stated in the DEQ FCC response RMN is within the Fredericksburg 1997 Ozone Attainment/Maintenance Area and Northern Virginia Emission Control Areas for volatile organic compounds (VOC) and oxides of nitrogen (NOX).</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If yes, is it listed as exempt, presumed to conform or will emissions (including construction emissions) from the project be below <i>de minimis</i> levels (provide the paragraph citation for the exemption or presumed to conform list below, if applicable)</p> <p>Is the project accounted for in the State Implementation Plan or specifically exempted? Attach documentation.</p> <p>N/A</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Does the project have the potential to increase landside or airside capacity, including an increase of surface vehicles?</p> <p>No. The proposed project will not increase landside or airside capacity.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
<p>Could the project impact air quality or violate local, State, Tribal or Federal air quality standards under the Clean Air Act Amendments of 1990 either during construction or operations?</p> <p>No, the proposed project will not violate local, state, tribal, or federal air quality standards under the CAA of 1990. The construction of the self-fueling facility will produce emissions however, the long-term operation of the facility will not impact emissions levels generated at RMN. A construction impact emission inventory is included in Exhibit 6. The construction emissions will be below NAAQS de minimis levels. Construction equipment will generate exhaust emissions and fugitive dust emissions but these will be temporary.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b (10) Water Quality

	YES	NO
<p>Are there water resources within or near the project area? These include groundwater, surface water (lakes, rivers, etc.), sole source aquifers, and public water supply. If yes, provide a description of the resource, including the location (distance from project site, etc.).</p> <p>No. There are no water resources within or near the proposed project as depicted in Exhibit 2.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project impact any of the identified water resources either during construction or operations? Describe any steps that will be taken to protect water resources during and after construction.</p> <p>No, there will be no impacts to water resources on or around the project site. Best Management Practices (BMP) such as silt fencing will be utilized during construction to reduce the chances of impacts to water resources.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project increase the amount or rate of stormwater runoff either during construction or during operations? Describe any steps that will be taken to ensure it will not impact water quality.</p> <p>Yes, the construction of the proposed self-fueling facility will increase the amount of impervious surfaces at the Airport by approximately 318 square yards however, best management practices will be utilized to control runoff and maintain water quality. The site will be designed to utilize existing drainage conveyances on airport property which funnel runoff away from the site. Since the project is less than 1 acre, a project specific Stormwater Pollution Prevention Plan (SWPPP) is not anticipated however, the Airport's existing SWPPP covering airport property will be updated to reflect the addition of the self-serve fueling system.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	YES	NO
<p>Does the project have the potential to violate federal, state, tribal or local water quality standards established under the Clean Water and Safe Drinking Water Acts?</p> <p>No. The proposed project will occur on existing airport property and will not violate water quality standards. Implementation of BMPs and adherence to a project-specific SWPPP, ESC, and SWM if required, as well as compliance with the Airport's SPCC plan, would ensure the Proposed Project would not affect water quality within the vicinity of the project study area.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Are any water quality related permits required? If yes, list the appropriate permits.</p> <p>Yes. A project-specific Stormwater Pollution Prevention Plan (SWPPP) and Erosion and Sediment Control (ESC) Plan may be required by Stafford County prior to the start of construction. Also, a Virginia Stormwater Management Program (VSMP) General Permit for Stormwater Discharges from Construction Activities will be acquired from Stafford County prior to construction, if required. All required permits will be obtained by the construction contractor.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5-2.b(11) Highly Controversial on Environmental Grounds

	YES	NO
<p>Is the project highly controversial? The term “highly controversial” means a substantial dispute exists as to the size, nature, or effect of a proposed federal action. The effects of an action are considered highly controversial when reasonable disagreement exists over the project’s risks of causing environmental harm. Mere opposition to a project is not sufficient to be considered highly controversial on environmental grounds. Opposition on environmental grounds by a federal, state, or local government agency or by a tribe or a substantial number of the persons affected by the action should be considered in determining whether or not reasonable disagreement exists regarding the effects of a proposed action.</p> <p>No. The proposed project is not highly controversial. The proposed project is located on existing airport property and will be confined to the LOD.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2.b(12) Inconsistent with Federal, State, Tribal or Local Law

	YES	NO
<p>Will the project be inconsistent with plans, goals, policy, zoning, or local controls that have been adopted for the area in which the airport is located?</p> <p>No. The proposed project is consistent with the Stafford County goals, policies, and zoning. Also, the proposed hangars are consistent with existing airport development at RMN.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
Is the project incompatible with surrounding land uses? No. The proposed project is not incompatible with surrounding land uses and is consistent with the surrounding airport facilities.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5-2 .b (13) Light Emissions, Visual Effects, and Hazardous Materials

a. Light Emissions and Visual Effects	YES	NO
Will the proposed project produce light emission impacts? No. The proposed project will not create light emission impacts. Any light generated by the proposed self-fueling facility will be shielded from surrounding landowners by existing trees and vegetation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will there be visual or aesthetic impacts as a result of the proposed project and/or have there been concerns expressed about visual/aesthetic impacts? No. The proposed project will not cause aesthetic impacts. The proposed self-fueling facility is consistent with existing airport development at RMN.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Hazardous Materials	YES	NO
Does the project involve or affect hazardous materials? Yes. The proposed project includes the storage and distribution of 100LL aviation fuel. To mitigate the chances for fuel spills, a double-walled tank will be used in addition to a concrete curbed enclosure around the tank. No existing hazardous materials are located within the project site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will construction take place in an area that contains or previously contained hazardous materials? No. The proposed project area does not contain hazardous materials. A review of the Virginia DEQ petroleum spill database does not indicate that there have been any previous fuel spills at RMN (https://geohub-vadeq.hub.arcgis.com).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If the project involves land acquisition, is there a potential for this land to contain hazardous materials or contaminants? No. There is no land acquisition involved with the proposed project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p>Will the proposed project produce hazardous and/or solid waste either during construction or after? If yes, how will the additional waste be handled?</p> <p>Yes. The proposed project will generate small amounts of construction debris solid waste which will be properly managed and disposed of in accordance with Virginia's Solid Waste Management Regulations (9VAC20-81). Recycling of debris will be utilized to reduce solid waste impacts in accordance with Executive Order (EO) 13693, Planning for Federal Sustainability in the Next Decade, §3 (j)iii. The contractor will adhere to the Stafford County Solid Waste requirements.</p> <p>If there are any hazardous waste(s) generated by the proposed project, the contractor will properly manage and dispose of them in accordance with the Commonwealth of Virginia's Hazardous Waste Management Regulations (9VAC20-60). Construction waste will be disposed of in accordance with federal, state, and local waste regulations at a local landfill which accepts construction debris.</p> <p>Any soil that is suspected of contamination or wastes that are generated will be tested and disposed of in accordance with applicable federal, state, and local laws and regulations.</p> <p>Also, The Airport acknowledges the FAA's Eliminate Aviation Gasoline Emissions (EAGLE) initiative, which aims to eliminate low lead aviation fuels by the end of 2030 (see Attachment A). The FAA's EAGLE initiative will help pilots shift away from low lead aviation fuels and eventually eliminate low lead aviation fuels consumed by tenants and transient visitors for aircraft operations at RMN.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	-------------------------------------	--------------------------

5-2 .b (14) Public Involvement

	YES	NO
<p>Was there any public notification or involvement? If yes, provide documentation.</p> <p>Yes. The public were offered the opportunity to provide comments to DEQ during the FCC review period. No comments were received from the public.</p> <p>Also, the Draft CatEx will be made available for a 15-day public review period on the Stafford Regional Airport's website (staffordairport.com) The public will have the option of providing feedback during this review period.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5-2 .b (15) Indirect/Secondary/Induced Impacts

	YES	NO
<p>Will the project result in indirect/secondary/induced impacts?</p> <p>No. There are no anticipated indirect/secondary/induced impacts from the proposed project.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
When considered with other past, present, and reasonably foreseeable future projects, on or off airport property and regardless of funding source, would the proposed project result in a significant cumulative impact?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No. There are no significant cumulative impacts anticipated from past, present, or reasonably foreseeable future projects from the proposed project.		

Permits

List any permits required for the proposed project that have not been previously discussed. Provide details on the status of permits.

1. A Land Disturbance Permit will be acquired from Stafford County prior to the start of construction.
2. A Virginia Stormwater Management Program (VSMP) General Permit for Stormwater Discharges from Construction Activities will be acquired from Stafford County prior to the start of construction if necessary.
3. A project-specific Stormwater Pollution Prevention Plan (SWPPP) and Erosion and Sediment Control Plan (ESC) may be required by Stafford County prior to the start of construction.

Environmental Commitments

List all measures and commitments made to avoid, minimize, mitigate, and compensate for impacts on the environment, which are needed for this project to qualify for a CATEX.

The use of sound construction best management practices (BMPs) will reduce environmental impacts. Storage of all equipment will be located in a designated staging area (Exhibit 1). All work will be performed during the day to minimize the impacts of construction noise on surrounding areas.

BMPs will be utilized to control fugitive dust and erosion impacts. The contractor will secure all permits for land disturbance, erosion and sediment control measures will be installed in accordance with the Virginia Erosion and Sediment Control handbook (VESCH, 3rd Edition), all Stafford County ordinances will be adhered to and local permits will be obtained by the contractor as required. The contractor will comply with all SWPPP plans for the Airport and the proposed project.

Pollutant runoff generated by the construction activities will be controlled via silt fencing and strict adherence to the Airport's Spill Prevention, Control, and Countermeasures Plan (SPCC). The contractor will be required to ensure proper maintenance of equipment to minimize the chances of pollutant impacts.

A precaution, which typically applies to road construction and paving work (9 VAC 5-45-780 et seq.), places limitations on the use of "cut-back" (liquefied asphalt cement, blended with petroleum solvents), and may apply to the project. The asphalt must be "emulsified" (predominantly cement and water with a small amount of emulsifying agent) except when specified circumstances apply.

POST REVIEW DISCOVERIES

A. Cultural Resources

The lead federal agency shall follow the procedures in 36 CFR 800.13(b) for post-review discoveries if potential historic properties are discovered or if unanticipated effects on known historic properties are found after the agency has completed Section 106 consultation for the undertaking.

B. Human Remains

If human remains, funerary objects, sacred ceremonial objects or objects of national or tribal patrimony are discovered on state, county, municipal, or private lands, either through archaeological excavation or during construction, and no Burial Agreement is in place the lead federal agency shall require the person in charge to immediately cease construction within a 100-foot radius of the discovery, take steps to protect the discovery, and immediately notify local police, coroner and the FAA. The FAA will notify the SHPO/THPO and tribes that have expressed an interest in the area.

Exhibits:

Exhibit 1 - Proposed Aircraft Self-Serve Fueling System

Exhibit 2 - RMN Wetlands

Exhibit 3 - RMN Flood Map

Exhibit 4 - RMN Resource Protection Areas

Exhibit 5 - U.S. Census Tract Map for Minority & Low-Income Populations

Exhibit 6 - RMN Emissions Inventory

Attachments:

Attachment A -EAGLE Initiative Acknowledgement Letter from RMN

Attachment B -DHR Archives Search Results / Section 106 Coordination

Attachment C - USFWS IPaC Trust Resource Report, USFWS Official Threatened and Endangered Species List, VDGIF VaFWIS

Attachment D - Virginia Coastal Zone Federal Consistency Certification / DEQ Coordination

Preparer Information

Point of Contact: Jeff Wellman		
Address: Talbert & Bright, 10105 Krause Road, Suite 100		
City: Chesterfield	State: VA	Zip Code: 23832
Phone: 804-768-6878	Email Address: jwellman@tbric.com	

Signature: Jeff Wellman Date: *November 29, 2024*

Airport Sponsor Information and Certification (may not be delegated to consultant)

Provide contact information for the designated sponsor point of contact and any other individuals requiring notification of the FAA decision.

Point of Contact: James Stover		
Address: 95 Aviation Way		
City: Fredericksburg	State: VA	Zip Code: 22406
Phone Number: (540) 658-1212	Email Address: director@staffordairport.com	
Additional Name(s):	Additional Email Address(es):	

I certify that the information I have provided above is, to the best of my knowledge, correct. I also recognize and agree that no construction activity, including but not limited to site preparation, demolition, or land disturbance, shall proceed for the above proposed project(s) until FAA issues a final environmental decision for the proposed project(s) and until compliance with all other applicable FAA approval actions (e.g., ALP approval, airspace approval, grant approval) has occurred.

Signature: James Stover Date: *12/2/2024*

FAA Decision

Having reviewed the above information, it is the FAA's decision that the proposed project (s) or development warrants environmental processing as indicated below.

Name of Airport, LOC ID, and location:

Stafford Regional Airport, RMN, Fredericksburg, VA

Project Title:

Aircraft Self-Serve Fueling System

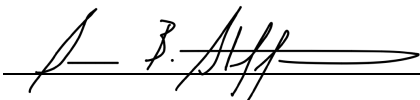
- ☒ No further NEPA review required. Project is categorically excluded per (cite applicable 1050.1.F CATEX that applies: **5-6.4.e, 5-6.4.f, and 5-6.4.u**)
- ☐..An Environmental Assessment (EA) is required.
- ☐..An Environmental Impact Statement (EIS) is required.
- ☐..The following additional documentation is necessary for FAA to perform a complete environmental evaluation of the proposed project.

Name: Susan Stafford

Title: Environmental Protection Specialist

Responsible FAA Official

Signature: _____



Date: 12/11/2024

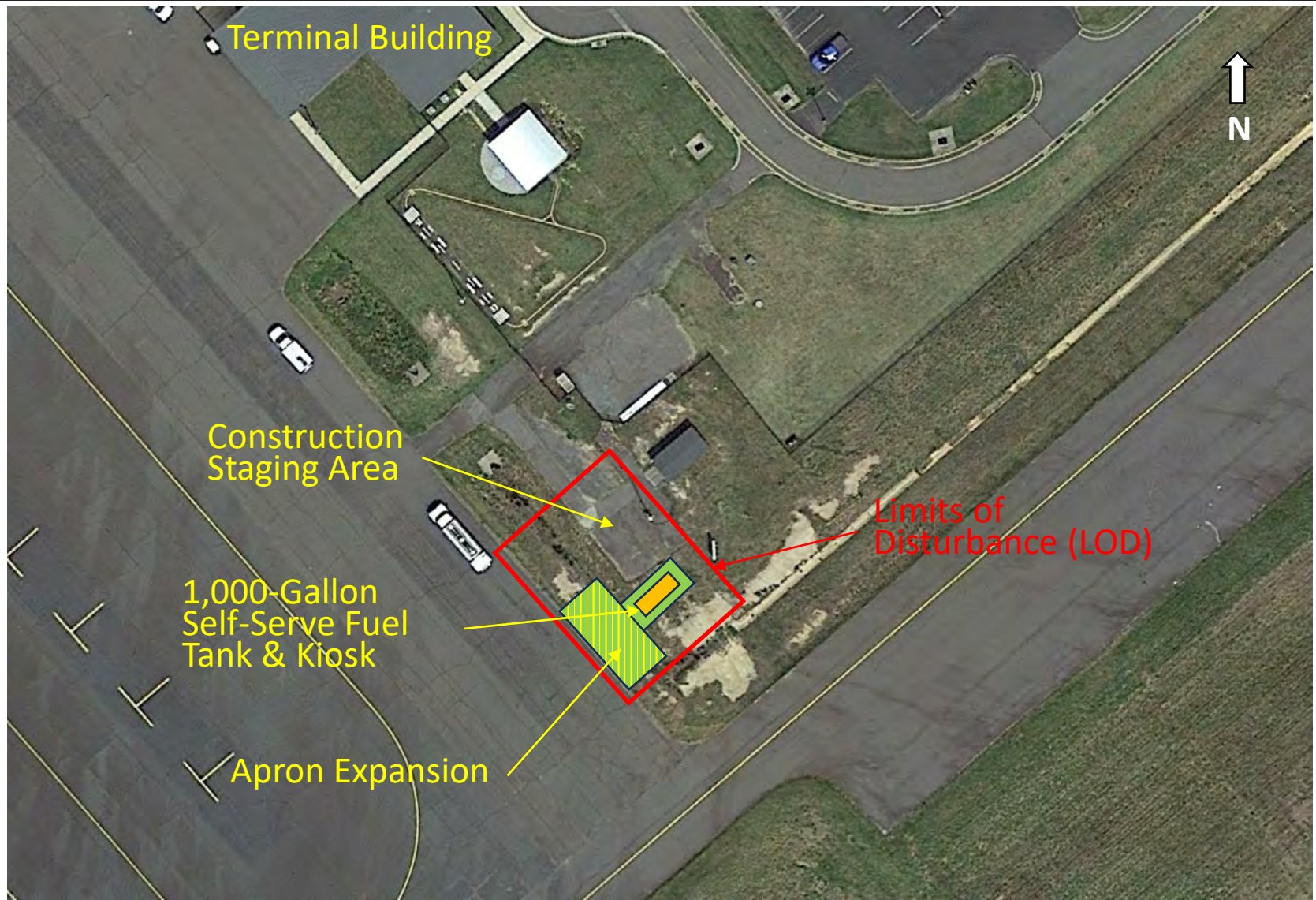


Exhibit 1
Stafford Regional Airport
Proposed Aircraft Self-Serve Fueling System

TALBERT & BRIGHT
ENGINEERING & PLANNING CONSULTANTS
10105 KRAUSE ROAD, SUITE 100
CHESTERFIELD, VIRGINIA 23832
PHONE: 804-768-6878 FAX: 804-768-6871



U.S. Fish and Wildlife Service

National Wetlands Inventory

Exhibit 2 - RMN Wetlands



June 20, 2024

Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Exhibit 3 - National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

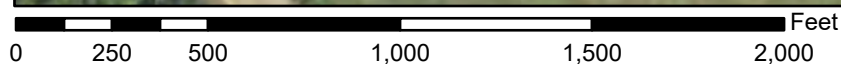
SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/20/2024 at 12:36 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



1:6,000


77°26'39"W 38°23'33"N

Basemap Imagery Source: USGS National Map 2023

Exhibit 4 - RMN Resource Protection Areas (RPA)

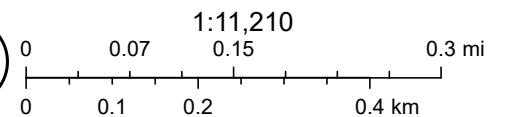


6/21/2024

 Resource Protection Area
World Imagery
Low Resolution 15m Imagery

High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations

2.4m Resolution Metadata



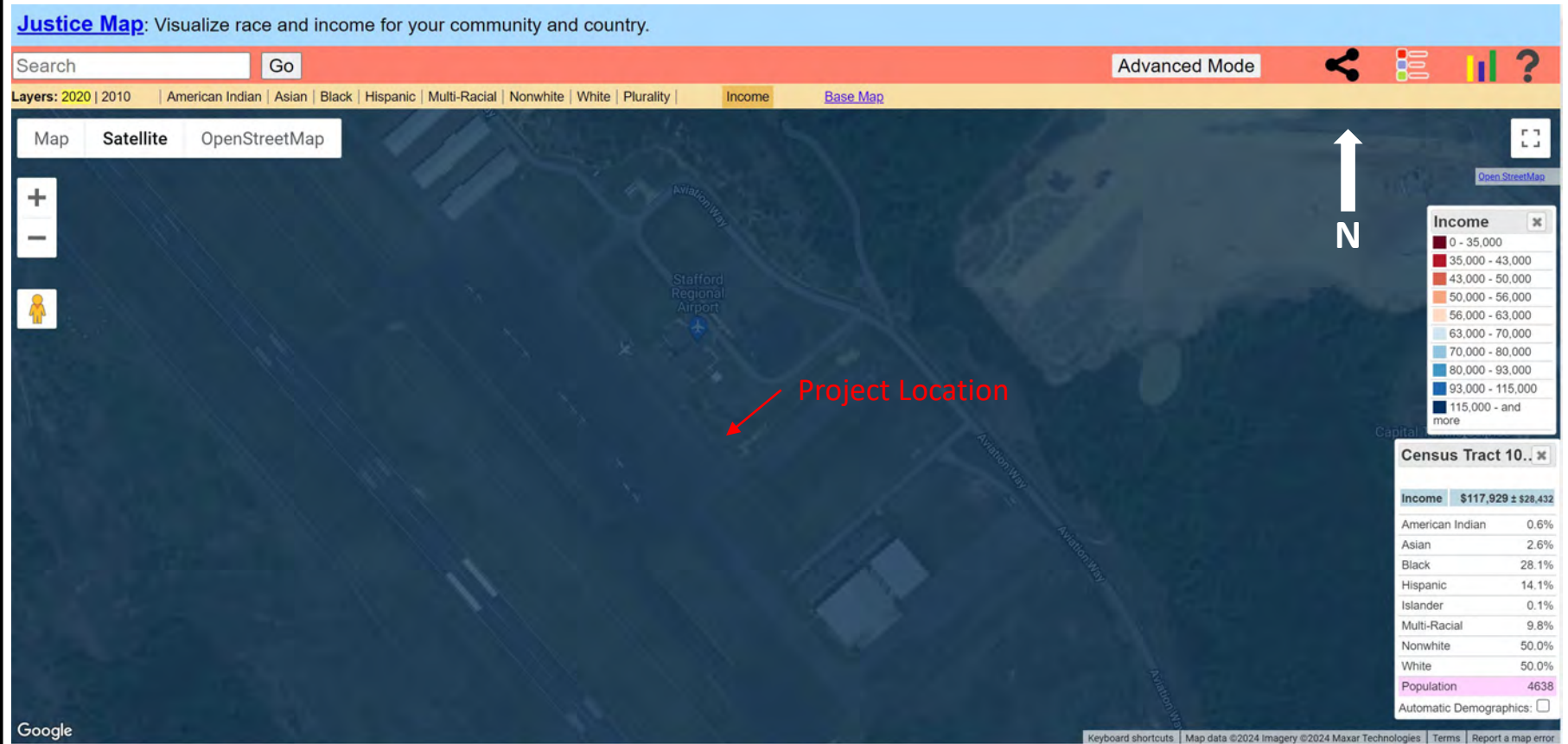


Exhibit 5

Stafford Regional Airport (RMN)

U.S. Census Tract Map for Minority & Low-Income Populations

TALBERT & BRIGHT

ENGINEERING & PLANNING CONSULTANTS

10105 KRAUSE ROAD, SUITE 100
CHESTERFIELD, VIRGINIA 23832
PHONE: 804-768-6878 FAX: 804-768-6871

Direct Self-Fueling Facility Construction Emissions (Temporary)

	Pollutants (tons per year)					
	CO	VOC	NO _x	SO _x	PM ₁₀	PM _{2.5}
2025 Construction Year	0.86	0.08	0.32	0	0.03	0.03
NAAQS De Minimis Threshold	100	100	100	100	100	100

Source: MOVES3

Attachment A
EAGLE Initiative Acknowledgement Letter from RMN



Susan B. Stafford
Environmental Protection Specialist
Beckley Airport Field Office
176 Airport Circle Road, Rm 101
Beaver, WV 25813

RE: 100LL AST

Dear Ms. Stafford,

Stafford Regional Airport (SRA) has received your email correspondence dated November 6, 2023, and is responding to your request to provide some information associated with your awareness of the EAGLE initiative and how SRA plans to meet the goals of the initiative associated with the planned AST?

SRA is keenly aware of the FAA's public-private partnership under the EAGLE initiative and the goal of lead-free fuel in aviation engines. SRA is also aware of the FAA's objectives published on the FAA's website ([faa.gov/unleaded](https://www.faa.gov/unleaded)). SRA plans to become an early adopter of unleaded aviation fuel. The airport currently supports only 100LL fuel sales. With the construction of a self-serve fuel point, SRA is positioned to sell unleaded fuel as a second means to dispense fuel, which can be unleaded fuel. By installing a 5,000 gallon tank, both fuels can be available to pilots. As soon as unleaded aviation fuel is approved for all or almost all light aviation aircraft, SRA would offer only unleaded aviation fuel.

Sincerely,

James Stover
Director
Stafford Regional Airport

Attachment B
**Virginia Department of Historic Resources Archives Search Results/
Section 106 Coordination**

Project Review Application Form

This application must be completed for all projects that will be federally funded, licensed, or permitted, or that are subject to state review. Please allow 30 days from receipt for the review of a project. All information must be completed before review of a project can begin and incomplete forms will be returned for completion.

I. GENERAL PROJECT INFORMATION

1. Has this project been previously reviewed by DHR? YES ____ NO X DHR File # _____

2. Project Name Aircraft Self-Serve Fueling System – Stafford Regional Airport (RMN)

3. Project Location Fredericksburg, VA Stafford
City Town County

4. Specify Federal and State agencies involved in project (providing funding, assistance, license or permit). Refer to the list of agencies and abbreviations in the instructions.

Lead Federal Agency Federal Aviation Administration (FAA)

Other Federal Agency _____

State Agency _____

5. Lead Agency Contact Information

Contact Person Susan Stafford – FAA Environmental Protection Specialist

Mailing Address Beckley Airports Field Office 176 Airport Circle, Rm 101 Beaver, WV 25813

Phone Number 304-252-6216 x130 Fax Number _____

Email Address Susan.Stafford@faa.gov

6. Applicant Contact Information

Contact Person Jeff Wellman

Mailing Address Talbert & Bright, 10105 Krause Road, Suite 100, Chesterfield, VA 23832

Phone Number (804)768-6878 Fax Number (804)768-6871

Email Address jwellman@tbiric.com

II. PROJECT LOCATION AND DESCRIPTION

7. USGS Quadrangle Name Stafford, VA 2022

8. Number of acres included in the project 0.15 acres

MAIL COMPLETED FORM AND ATTACHMENTS TO:

Virginia Department of Historic Resources
Attention: Project Review
2801 Kensington Avenue, Richmond, VA 23221
www.dhr.virginia.gov

9. Have any architectural or archaeological surveys of the area been conducted? YES ☐ NO ☒

If yes, list author, title, and date of report here. Indicate if a copy is on file at DHR.

10. Are any structures 50 years old or older within or adjacent to the project area? YES ☐ NO ☒

If yes, give date(s) of construction and provide photographs.

11. Does the project involve the rehabilitation, alteration, removal, or demolition of any structure, building, designed site (e.g. park, cemetery), or district that is 50 years or older? If yes, this must be explained fully in the project description. YES ☐ NO ☒

12. Does the project involve any ground disturbance (e.g. excavating for footings, installing sewer or water lines or utilities, grading roads, etc.)? If yes, this must be explained fully in the project description. YES ☒ NO ☐

13. **DESCRIPTION:** Attach a complete description of the project. Refer to the instructions for the required information.

To the best of my knowledge, I have accurately described the proposed project and its likely impacts.

Jeff Wellman
Signature of Applicant/Agent

August 13, 2024
Date

The following information must be attached to this form:

☒ Completed DHR Archives search
☒ USGS map with APE shown
☒ Complete project description
☒ Any required photographs and plans

☐ No historic properties affected ☐ No adverse effect
☐ Additional information is needed in order to complete our review.
☐ We have previously reviewed this project. A copy of our correspondence is attached.
Comments: _____

Signature _____ Date _____

Phone number _____ DHR File # _____

This Space For Department Of Historic Resources Use Only

MAIL COMPLETED FORM AND ATTACHMENTS TO:

Virginia Department of Historic Resources
Attention: Project Review
2801 Kensington Avenue, Richmond, VA 23221
www.dhr.virginia.gov

Stafford Regional Airport (RMN) Aircraft Self-Serve Fueling System

Project Description

The Stafford Regional Airport (RMN) is proposing to construct an aircraft self-fueling facility adjacent to the existing main terminal apron at the Airport. This facility will allow small, piston-powered aircraft to refuel without the need for fuel tender trucks or airport staff. This will also allow pilots to refuel their aircraft when the Airport is closed as the self-fueling system will be available 24 hours a day. The proposed facility consists of the following components:

- Installation of a 1,000-gallon AvGas 100LL (100 octane, Low Lead) double walled fuel tank and associated infrastructure including concrete tertiary containment curbing,
- Installation of an AvGas self-serve kiosk adjacent to the new tank,
- Construction of a small asphalt apron (215 square yards) adjacent to the new tank to accommodate refueling aircraft. A culvert under the proposed apron may be required for stormwater management,
- Adding markings to the existing apron identifying the self-fueling area

The proposed self-fueling facility will be located southeast of the terminal building as depicted in **Exhibit 1**. The proposed self-fueling facility will add approximately 318 square yards of new impervious surfaces to the Airport. All work will be performed entirely on RMN Airport property. The proposed project area (Limits of Disturbance - LOD) and Direct Area of Potential Effect (APE) totals approximately 700 square yards (0.15 acres). The Indirect APE is approximately 1 acre and includes areas which will be within the viewshed of the new self-fueling facility. The Indirect APE falls entirely on RMN Airport property and no surrounding residences will be impacted by the proposed project. The estimated depth of disturbance for the new facility is approximately 14". Construction is planned for 2025 and will require approximately 180 days to complete.

The proposed project area consists of graded grass which is regularly mowed. This area was disturbed via grading during the construction of the Airport. The project area also includes an adjacent asphalt apron as depicted in **Exhibit 3**.

A 2024 Virginia Department of Historic Resources (DHR) archive search did not identify any cultural resources within or near the Area of Potential Effect (APE) as shown in Appendix A.

Attachments

Exhibit 1 – Proposed Aircraft Self-Serve Fueling System

Exhibit 2 – USGS Map with Direct & Indirect Area of Potential Effect (APE)

Exhibit 3 – Project Area Photographs

Appendix A

- 2024 DHR Archives Search Results

MAIL COMPLETED FORM AND ATTACHMENTS TO:

Virginia Department of Historic Resources
Attention: Project Review
2801 Kensington Avenue, Richmond, VA 23221
www.dhr.virginia.gov

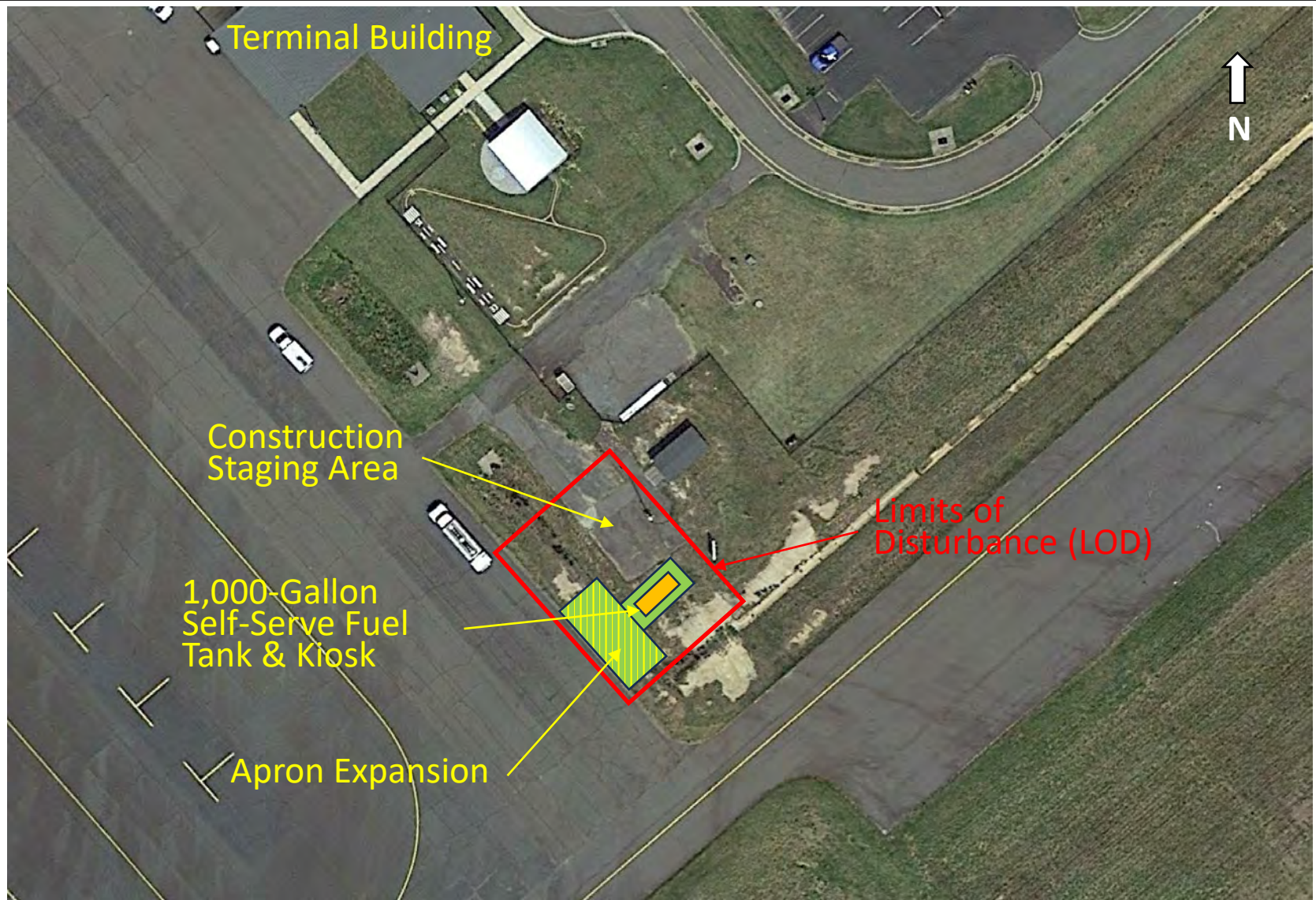


Exhibit 1
Stafford Regional Airport
Proposed Aircraft Self-Serve Fueling System

TALBERT & BRIGHT
ENGINEERING & PLANNING CONSULTANTS
10105 KRAUSE ROAD, SUITE 100
CHESTERFIELD, VIRGINIA 23832
PHONE: 804-768-6878 FAX: 804-768-6871

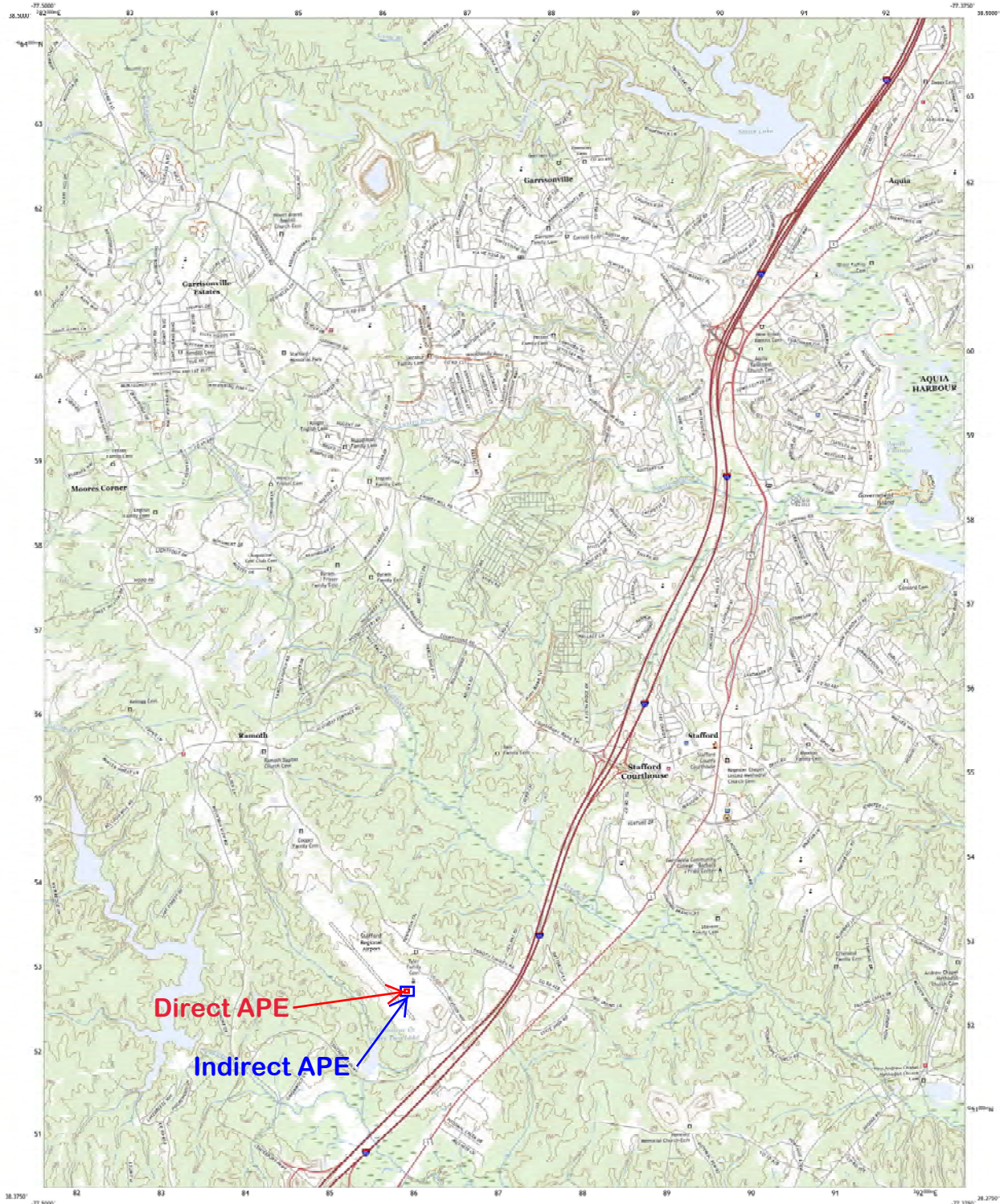
Exhibit 2



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



STAFFORD QUADRANGLE
WASHINGTON STATE
7.5-MINUTE SERIES



Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84)
100-meter grid contour interval. Contours are labeled every 100 feet. Contour interval is 100 feet. Contour interval is 100 feet. Contour interval is 100 feet.

Source: USGS, November 2018; November 2018
Data: USGS, November 2018; November 2018
Hydrography: USGS, November 2018; November 2018
Contour: USGS, November 2018; November 2018
Roads: USGS, November 2018; November 2018
Water: USGS, November 2018; November 2018



CONTOUR INTERVAL IS FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
This map was produced in conformance with the
National Geospatial Data Standards



1	2	3
4	5	6
7	8	9

ROAD CLASSIFICATION	
Expressway	Local Connector
Secondary Hwy	Local Road
Route	Highway
Interstate Route	US Route
	State Route

STAFFORD, WA
2022



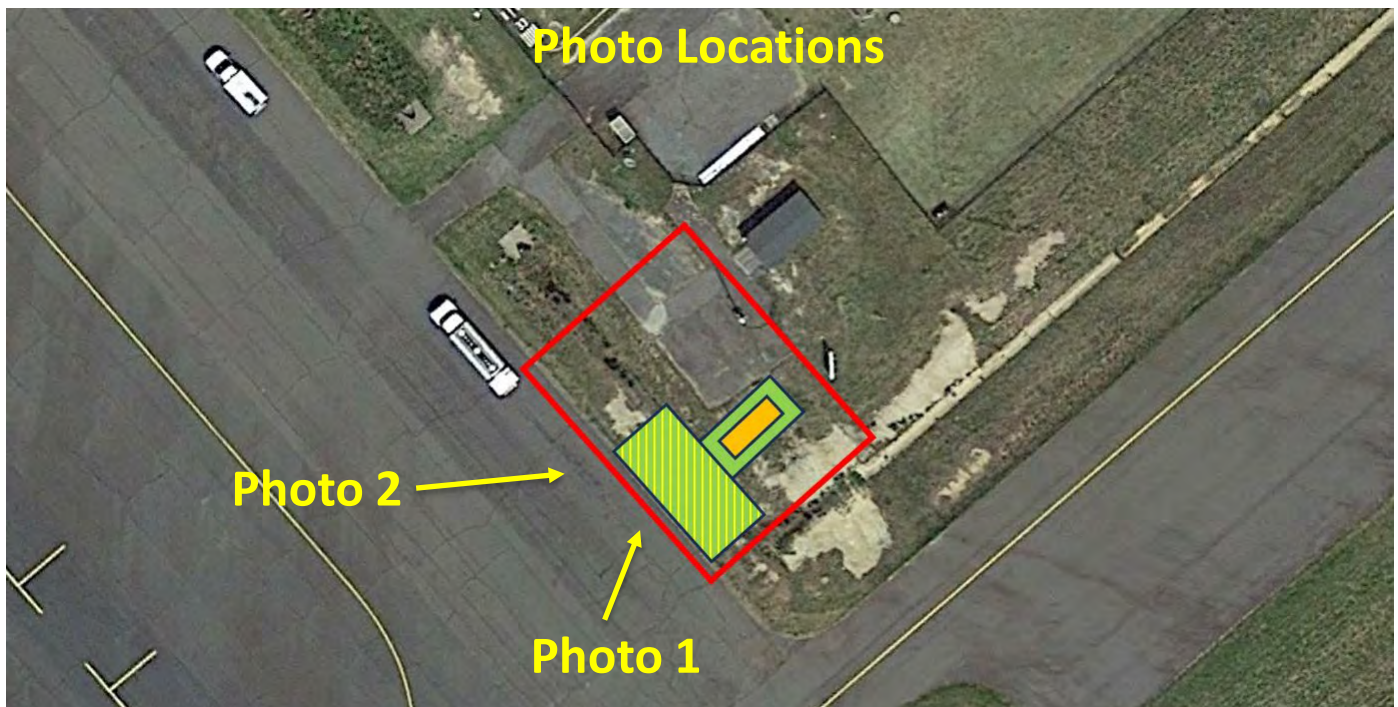
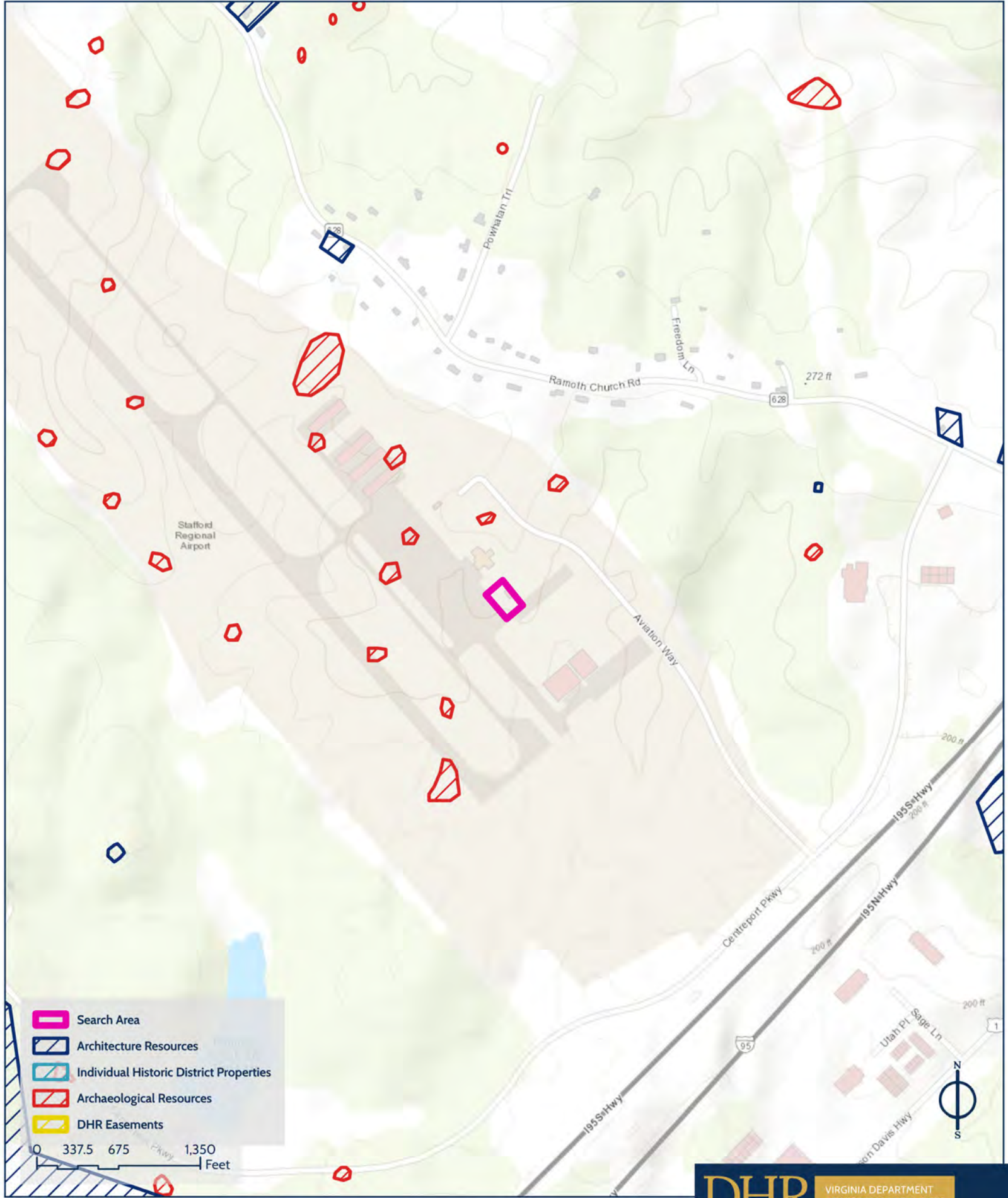


Exhibit 3
Stafford Regional Airport
Proposed Aircraft Self-Serve Fueling System Site Photos

TALBERT & BRIGHT
 ENGINEERING & PLANNING CONSULTANTS
 10105 KRAUSE ROAD, SUITE 100
 CHESTERFIELD, VIRGINIA 23832
 PHONE: 804-768-6878 FAX: 804-768-6871

Appendix A
2024 Virginia Department of Historic Resources Archives Search
Results



Project: Stafford Airport Self-Serve Fuel Facility
Location: 95 Aviation Way, Fredericksburg, VA
Date: 7/1/2024
Created By: D. Bascone

Sources: VDHR 2024, VGIN 2024, ESRI 2024
 Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years and the representation depicted is based on the field observation date and may not reflect current ground conditions. The map is for general illustration purposes and is not intended for engineering, legal or other site-specific uses.

Jeff Wellman

From: Roger Kirchen <Roger.Kirchen@dhr.virginia.gov>
Sent: Friday, September 27, 2024 9:47 AM
To: Susan Stafford
Cc: Jeff Wellman; Adrienne Birge-Wilson
Subject: Aircraft Self-Serve Fueling System – Stafford Regional Airport (RMN) (DHR File No. 2024-4730) | e-Mail #00935

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Stafford,

Thank you for requesting comments from the Department of Historic Resources (DHR) on the referenced project. Based upon the documentation provided, it is our opinion that no historic properties will be affected by the proposed undertaking.

Implementation of the undertaking in accordance with the finding of *No Historic Properties Affected* as documented fulfills the Federal agency's responsibilities under Section 106 of the National Historic Preservation Act. If the scope of the undertaking changes or if the undertaking cannot be completed as proposed in the application submitted and reviewed by DHR, please contact our office for guidance on reinitiating consultation under Section 106.

If you have any questions or require any further assistance at this time, please contact me.

Sincerely,

Roger W. Kirchen, Director
Review and Compliance Division
Phone: (804) 482-6091
Roger.Kirchen@dhr.virginia.gov

Attachment C
**USFWS IPaC Trust Resource Report, USFWS Official Threatened and
Endangered Species List, VDGIF VaFWIS**

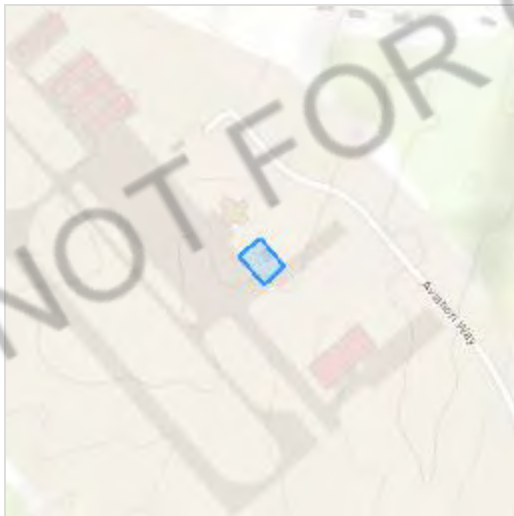
IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Stafford County, Virginia



Local office

Virginia Ecological Services Field Office

☎ (804) 693-6694

6669 Short Lane

Gloucester, VA 23061-4410

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
<p>Northern Long-eared Bat <i>Myotis septentrionalis</i></p> <p>Wherever found</p> <p>This species only needs to be considered if the following condition applies:</p> <ul style="list-style-type: none"> This species only needs to be considered if the project includes wind turbine operations. <p>No critical habitat has been designated for this species.</p> <p>https://ecos.fws.gov/ecp/species/9045</p>	Endangered
<p>Tricolored Bat <i>Perimyotis subflavus</i></p> <p>Wherever found</p> <p>No critical habitat has been designated for this species.</p> <p>https://ecos.fws.gov/ecp/species/10515</p>	Proposed Endangered

Insects

NAME	STATUS
<p>Monarch Butterfly <i>Danaus plexippus</i></p> <p>Wherever found</p> <p>No critical habitat has been designated for this species.</p> <p>https://ecos.fws.gov/ecp/species/9743</p>	Candidate

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<div>Bald Eagle <i>Haliaeetus leucocephalus</i></div> <div>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</div> <div>https://ecos.fws.gov/ecp/species/1626</div>	Breeds Sep 1 to Jul 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read

["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

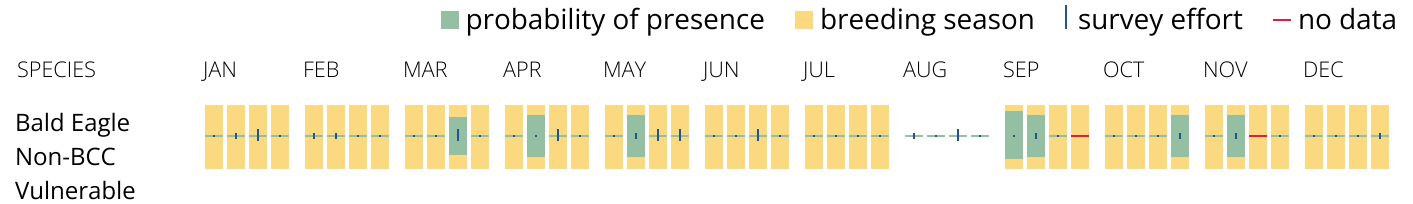
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON

Bald Eagle *Haliaeetus leucocephalus*

Breeds Sep 1 to Jul 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Chimney Swift *Chaetura pelagica*

Breeds Mar 15 to Aug 25

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Grasshopper Sparrow *Ammodramus savannarum*
perpallidus

Breeds Jun 1 to Aug 20

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/8329>

Prairie Warbler *Setophaga discolor*

Breeds May 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Rusty Blackbird *Euphagus carolinus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Wood Thrush *Hylocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey

effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

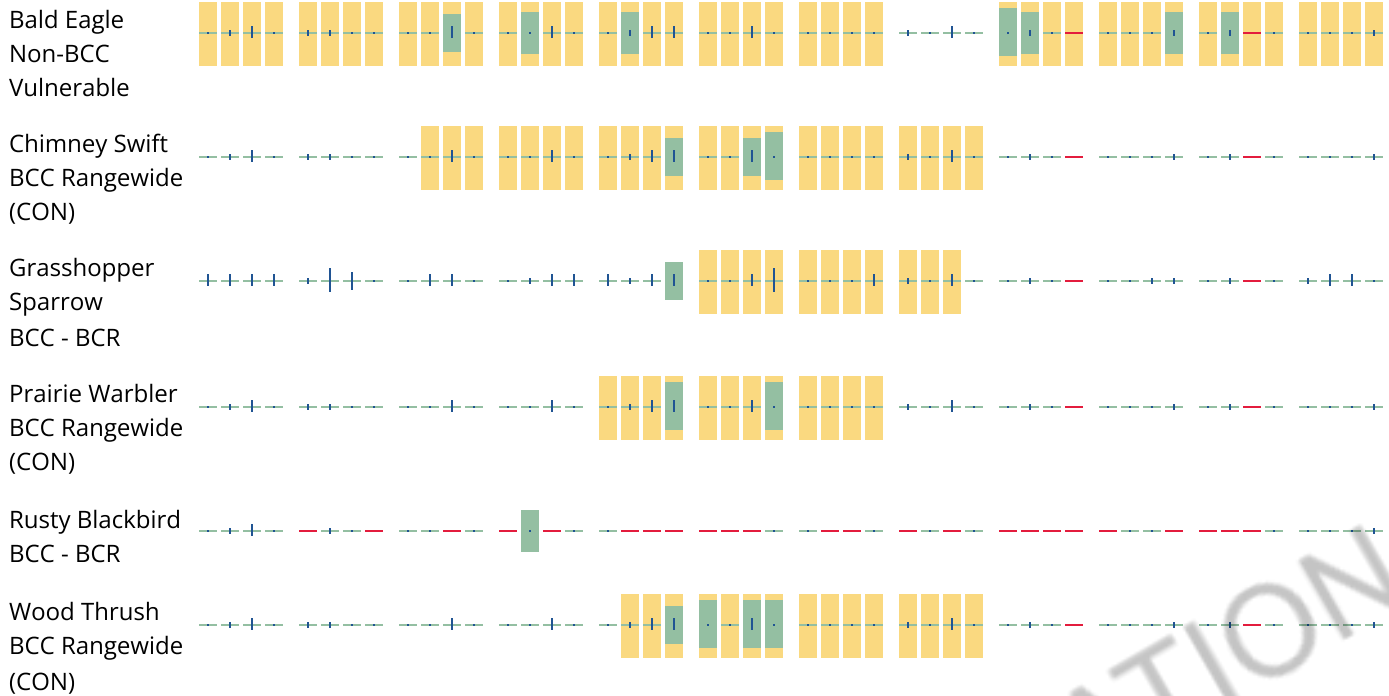
No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

This location did not intersect any wetlands mapped by NWI.

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies.

Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694



In Reply Refer To:
Project Code: 2024-0106570
Project Name: Stafford Airport Self-Fueling Facility

06/20/2024 14:46:22 UTC

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

To Whom It May Concern:

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

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

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

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

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

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Code in the header of this

letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Virginia Ecological Services Field Office

6669 Short Lane

Gloucester, VA 23061-4410

(804) 693-6694

PROJECT SUMMARY

Project Code: 2024-0106570

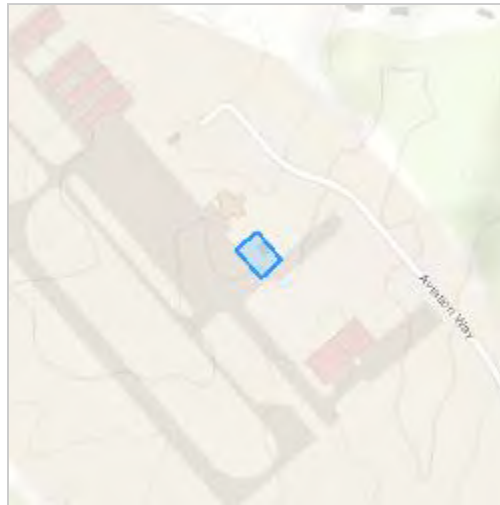
Project Name: Stafford Airport Self-Fueling Facility

Project Type: Airport - New Construction

Project Description: Addition of a self-fueling facility including a 1,000 gallon 100LL fuel tank.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.396484799999996,-77.44938289057923,14z>



Counties: Stafford County, Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none">This species only needs to be considered if the project includes wind turbine operations. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

1. The [Bald and Golden Eagle Protection Act](#) of 1940.
2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

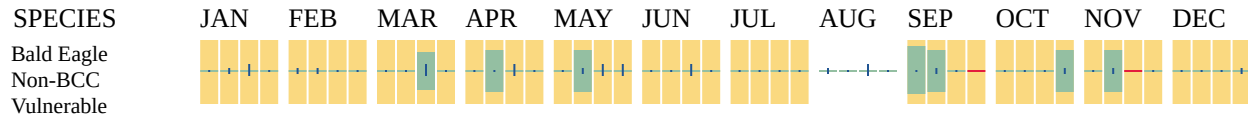
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

NAME	BREEDING SEASON
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8329	Breeds Jun 1 to Aug 20
Prairie Warbler <i>Setophaga discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9513	Breeds May 1 to Jul 31
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

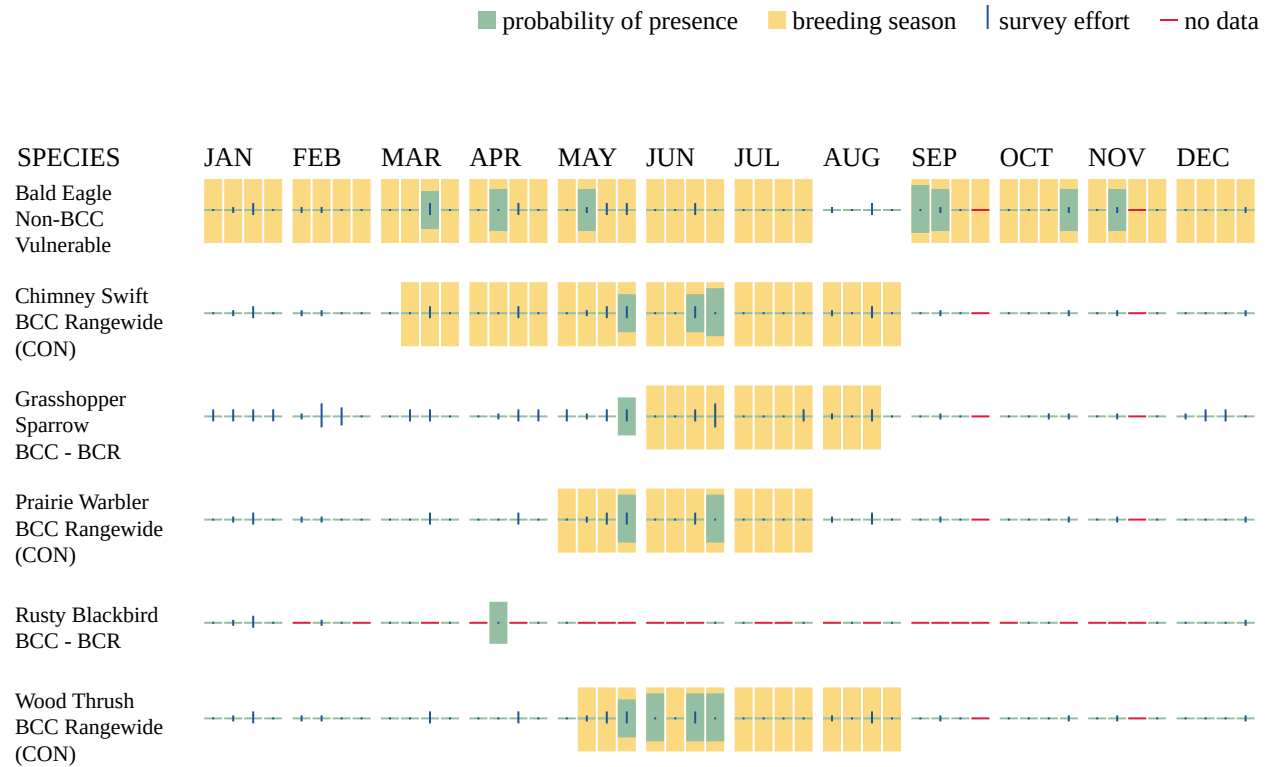
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

IPAC USER CONTACT INFORMATION

Agency: Talbert & Bright
Name: Jeff Wellman
Address: 10105 Krause Road
Address Line 2: Suite 100
City: Chesterfield
State: VA
Zip: 23832
Email: jwellman@tbiric.com
Phone: 8047686878

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694



In Reply Refer To:
Project code: 2024-0106570
Project Name: Stafford Airport Self-Fueling Facility

06/20/2024 17:46:40 UTC

Federal Nexus: yes
Federal Action Agency (if applicable):

Subject: Record of project representative's no effect determination for 'Stafford Airport Self-Fueling Facility'

Dear susan stafford:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on June 20, 2024, for 'Stafford Airport Self-Fueling Facility' (here forward, Project). This project has been assigned Project Code 2024-0106570 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed

action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

Based upon your IPaC submission, your project has reached the determination of “No Effect” on the northern long-eared bat. If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Virginia Ecological Services Field Office and reference Project Code 2024-0106570 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

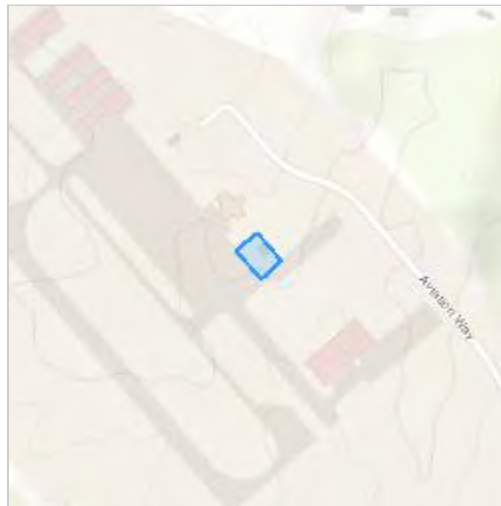
Stafford Airport Self-Fueling Facility

2. Description

The following description was provided for the project 'Stafford Airport Self-Fueling Facility':

Addition of a self-fueling facility including a 1,000 gallon 100LL fuel tank.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.396484799999996,-77.44938289057923,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (*Myotis septentrionalis*). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

Yes

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

9. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

Note: Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

10. [Semantic] Is the action area located within 0.5 miles of a known northern long-eared bat hibernaculum?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

11. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

No

12. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?
(If unsure, answer "Yes.")

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags ≥ 3 inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

13. Will the action cause effects to a bridge?

No

14. Will the action result in effects to a culvert or tunnel?

No

15. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

Note: Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

No

16. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

No

17. Will the action directly or indirectly cause construction of one or more new roads that are open to the public?

Note: The answer may be yes when a publicly accessible road either (1) is constructed as part of the proposed action or (2) would not occur but for the proposed action (i.e., the road construction is facilitated by the proposed action but is not an explicit component of the project).

No

18. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

Note: For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.). .

No

19. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

No

20. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

No

21. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

No

22. Will the action include drilling or blasting?

No

23. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

No

24. Will the proposed action involve the use of herbicide or other pesticides (e.g., fungicides, insecticides, or rodenticides)?

No

25. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

Note: Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

26. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

Note: Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

No

27. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

No

28. Will the action result in the use of prescribed fire?

No

29. Will the action cause noises that are louder than ambient baseline noises within the action area?

No

PROJECT QUESTIONNAIRE

Will all project activities be completed by November 30, 2024?

Yes

IPAC USER CONTACT INFORMATION

Agency: Federal Aviation Administration

Name: susan stafford

Address: 176 Airport Circle

City: Beaver

State: WV

Zip: 25813

Email: susan.stafford@faa.gov

Phone: 6099165793

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)

Species Conclusions Table

Project Name: Aircraft Self-Serve Fueling System – Stafford Regional Airport (RMN), Fredericksburg, VA

Date: July 20, 2024

Species/Resource Name/Status	Conclusion	ESA Section 7/Eagle Act Determination	Notes/Documentation
Northern Long-eared Bat (NLEB) <i>(Myotis septentrionalis)</i> Endangered	No suitable habitat within project area.	No effect	The proposed project does not include any tree or NLEB habitat removal. The project is not likely to adversely affect the NLEB based on project lack of tree removal, location, acreage, and lack of suitable habitat. Coordination with USFWS resulted in a “No Effect” determination.
Tricolored Bat <i>(Perimyotis subflavus)</i> Proposed Endangered	No suitable habitat within project area.	No effect	The proposed project does not include any tree or Tricolored Bat habitat removal. The project is not likely to adversely affect the Tricolored Bat based on project lack of tree removal, location, acreage, and lack of suitable habitat.
Monarch Butterfly <i>(Danaus plexippus)</i> Candidate	No habitat present.	No effect	The proposed project includes no habitat clearing and the Monarch Butterfly has not been observed in or around the project area.
Bald Eagle <i>(Haliaeetus leucocephalus)</i> Eagle Protection Act	No habitat present.	No effect	Due to the proximity of the nearest active Bald Eagle nest (approximately 4.5 miles southeast) of the project area, it is not likely this species will be adversely or significantly affected by the Proposed Action.

Source: US Fish and Wildlife Service T&E Species List for the Stafford County Airport (June 20, 2024); Talbert & Bright Analysis

VaFWIS Search Report Compiled on 6/20/2024, 10:49:18 AM[Help](#)

Observations reported or potential habitat occurs within a **3 mile radius around point 38,23,56.8**
-77,27,23.7
 in **179 Stafford County, VA**

[View Map of
Site Location](#)

496 Known or Likely Species ordered by Status Concern for Conservation
 (displaying first 20) (20 species with Status* or Tier I** or Tier II**)

BOVA Code	Status*	Tier**	Common Name	Scientific Name
050022	FEST	Ia	Bat, northern long-eared	Myotis septentrionalis
060003	FESE	Ia	Wedgemussel, dwarf	Alasmidonta heterodon
010032	FESE	Ib	Sturgeon, Atlantic	Acipenser oxyrinchus
050020	SE	Ia	Bat, little brown	Myotis lucifugus
050027	FPSE	Ia	Bat, tri-colored	Perimyotis subflavus
040293	ST	Ia	Shrike, loggerhead	Lanius ludovicianus
060081	FPST	IIa	Floater, green	Lasmigona subviridis
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans
100079	FC	IIIa	Butterfly, monarch	Danaus plexippus
030063	CC	IIIa	Turtle, spotted	Clemmys guttata
010077		Ia	Shiner, bridle	Notropis bifrenatus
100248		Ia	Fritillary, regal	Speyeria idalia idalia
040213		Ic	Owl, northern saw-whet	Aegolius acadicus
040052		IIa	Duck, American black	Anas rubripes
040036		IIa	Night-heron, yellow-crowned	Nyctanassa violacea violacea
040181		IIa	Tern, common	Sterna hirundo
040320		IIa	Warbler, cerulean	Setophaga cerulea
040140		IIa	Woodcock, American	Scolopax minor
040203		IIb	Cuckoo, black-billed	Coccyzus erythrophthalmus
040105		IIb	Rail, king	Rallus elegans

To view **All 496 species** [View 496](#)

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

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

a - On the ground management strategies/actions exist and can be feasibly implemented.; b -
 On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.; c -
 No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

Anadromous Fish Use Streams

N/A

Impediments to Fish Passage (3 records)[View Map of All Fish Impediments](#)

ID	Name	River	View Map
1278	HENDERSON DAM	TR-POTOMAC CREEK	Yes
1270	POTOMAC CREEK DAM #1	POTOMAC CREEK	Yes
1277	POTOMAC CREEK DAM #2	TR-POTOMAC CREEK	Yes

Threatened and Endangered Waters

N/A

Managed Trout Streams

N/A

Bald Eagle Concentration Areas and Roosts

N/A

Bald Eagle Nests

N/A

Habitat Predicted for Aquatic WAP Tier I & II Species (1 Reach)[View Map Combined Reaches from Below of Habitat Predicted for WAP Tier I & II Aquatic Species](#)

Stream Name	Tier Species						View Map
	Highest TE*	BOVA Code, Status*, Tier**, Common & Scientific Name					
Austin Run (20700112)	FESE	060003	FESE	Ia	Wedgemussel, dwarf	Alasmidonta heterodon	Yes

Habitat Predicted for Terrestrial WAP Tier I & II Species

N/A

Virginia Breeding Bird Atlas Blocks (6 records)

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

BBA ID	Atlas Quadrangle Block Name	Breeding Bird Atlas Species			View Map
		Different Species	Highest TE [*]	Highest Tier ^{**}	
51152	Fredericksburg, NE	35		III	Yes
51151	Fredericksburg, NW	44		III	Yes
51164	Stafford, CE	40		III	Yes
51166	Stafford, SE	72		III	Yes
50164	Storck, CE	55		III	Yes
50166	Storck, SE	74		III	Yes

Public Holdings:

N/A

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

FIPS Code	City and County Name	Different Species	Highest TE	Highest Tier
179	Stafford	431	FESE	I

USGS 7.5' Quadrangles:

Storck
Fredericksburg
Stafford

USGS NRCS Watersheds in Virginia:

N/A

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

HU6 Code	USGS 6th Order Hydrologic Unit	Different Species	Highest TE	Highest Tier
PL57	Lower Aquia Creek	57	FESE	I
PL58	Accokeek Creek	51	SS	I
PL59	Potomac Creek-Long Branch	50	SS	I
PL60	Potomac Creek-Beaverdam Creek	57	SS	I
RA46	Rappahannock River-Hazel Run	63	FPST	I

Attachment D
Virginia Coastal Zone Federal Consistency Certification / DEQ Coordination

Coastal Zone Management Act (CZMA) Federal Consistency Certification
Stafford Regional Airport
Aircraft Self-Serve Fueling System

This document provides the Commonwealth of Virginia with the Stafford Regional Airport's Federal Consistency Certification (FCC) and necessary data and information under CZMA Section 307(c)(3)(A) and 15 CFR Part 930, subpart D, for the construction of an aircraft self-fueling system at the Stafford Regional Airport located in Fredericksburg, Virginia.

A Federal Aviation Administration (FAA) Categorical Exclusion (CatEx) study has been prepared to identify potential impacts associated with the proposed project. This Federal Consistency Certification is included as an attachment to the CatEx document (Attachment D).

Certification:

The Stafford Regional Airport certifies that the proposed project complies with the enforceable policies of Virginia's Coastal Zone Management Program (CZM Program) and will be conducted in a manner consistent with CZM Program requirements.

Necessary Data and Information:

The Stafford Regional Airport is part of the National Plan of Integrated Airport Systems (NPIAS) and receives financial support for capital development projects from the Federal Aviation Administration (FAA). Therefore, the Airport is considered "federally obligated" and must adhere to their grant assurances including those pertaining to the National Environmental Policy Act (NEPA). Because the proposed project requires FAA Airport Layout Plan approval, it is considered to be a federal action which requires NEPA analysis. As part of the NEPA analysis, FCC coordination with the Virginia Department of Environmental Quality (DEQ) is required due to the location of the Airport within the Virginia Coastal Zone Management Area.

The Stafford Regional Airport is proposing to construct an aircraft self-fueling facility adjacent to the existing main terminal apron at the Airport. This facility will allow small, piston-powered aircraft to refuel without the need for fuel tender trucks or airport staff. This will also allow pilots to refuel their aircraft when the Airport is closed as the self-fueling system will be available 24 hours a day. The proposed facility consists of the following components:

- Installation of a 1,000-gallon AvGas 100LL (100 octane, Low Lead) double walled fuel tank and associated infrastructure including concrete tertiary containment curbing,
- Installation of an AvGas self-serve kiosk adjacent to the new tank,

Coastal Zone Management Act (CZMA) Federal Consistency Certification
Stafford Regional Airport
Aircraft Self-Serve Fueling System

- Construction of a small asphalt apron (215 square yards) adjacent to the new tank to accommodate refueling aircraft. A culvert under the proposed apron may be required for stormwater management,
- Adding markings to the existing apron identifying the self-fueling area

The proposed self-fueling facility will be located southeast of the terminal building as depicted in **CatEx Exhibit 1**.

The proposed self-fueling facility will add approximately 318 square yards of new impervious surfaces to the Airport. All work will be performed entirely on RMN Airport property. The proposed project area (Limits of Disturbance - LOD) totals approximately 700 square yards (0.15 acres). Construction is planned for 2025 and will require approximately 180 days to complete.

Assessment of Potential Environmental Effects:

Since the Airport is federally obligated and must meet FAA requirements, a Federal Consistency Certification (FCC) is being submitted to the Virginia Department of Environmental Quality (DEQ). All National Environmental Policy Act environmental consequences of this project are addressed below and in the accompanying FAA CatEx document. All applicable permits will be obtained and complied with throughout the duration of the project. A review of the permits and/or approvals required for this proposed project under the Enforceable Policies of the VCP has been prepared as follows:

- I. **Tidal and Non-Tidal Wetlands** – A review of the National Wetland Inventory Maps did not identify any wetlands on or around the project LOD as shown in **CatEx Exhibit 2**. An unnamed creek is depicted east of the project area however, this creek was removed when the Airport was constructed.

The project area is located in the Chesapeake Bay Preservation Area (CBPA) and Land/Resource Management Area (LRMA) but outside of Critical Resource Protection Areas (CRPAs) according to the Stafford County GIS data (see **CatEx Exhibit 4**). The entirety of Stafford County is designated as a Land/Resource Management Area while the closest CRPA is approximately 1,500 feet south of the proposed project site. There will be no adverse impacts to the CRPA as a result of implementing the proposed project.

It is the policy of the Commonwealth to avoid or minimize the loss of tidal wetlands and the adverse ecological effects of all permitted activities (*Va. Code Ann. § 28.2-1301 and -1308; 4 Va. Admin. Code § 20-390-20*).

Coastal Zone Management Act (CZMA) Federal Consistency Certification
Stafford Regional Airport
Aircraft Self-Serve Fueling System

- II. **Subaqueous Lands** – The project will not encroach upon or make use of any subaqueous lands managed by the Commonwealth. This program is administered by VMRC (*Va. Code Ann. §§ 28.2-1200, -1203, -1204 and -1205*).
- III. **Dunes and Beaches** – No coastal primary sand dunes or beaches are present on the Airport and therefore, none will be impacted by the proposed development. This program is administered by VMRC (*Va. Code Ann. §§ 28.2-1401 and -1408*).
- IV. **Chesapeake Bay Preservation Areas** – The project area is located in the Chesapeake Bay Preservation Area (CBPA) and Land/Resource Management Area (LRMA) but outside of Critical Resource Protection Areas (CRPAs) according to the Stafford County GIS data (see **CatEx Exhibit 4**). The entirety of Stafford County is designated as a Land/Resource Management Area while the closest CRPA is approximately 1,500 feet south of the proposed project site. There will be no adverse impacts to the CRPA as a result of implementing the proposed project.

The proposed project will adhere to the performance criteria identified in the Virginia Code listed below in order to minimize impacts to the CBPA in the region. This policy is administered by DEQ and 84 localities in Tidewater, Virginia, established pursuant to the Chesapeake Bay Preservation Act (*Va. Code Ann. §§ 28.2-104.1, 62.1-44.15:24, -44.15:51, -44.15:67, -44.15:68, -44.15:69, -44.15:73, -44.15:74, and -44.15:78; 9 Va. Admin. Code §§ 25-830-30, -40, -80, -90, -100, -120, -130, -140, and -150*).

- V. **Marine Fisheries** – The proposed project will have no impact on marine fisheries including finfish or shellfish resources and will not affect the promotion of commercial or recreational fisheries. The project will not use tributyltin (TBT) in any form, nor will it simulate the use of that chemical by any product users (*Va. Code Ann. §§ 28.2-101, -201, -203, -203.1, -225, -551, -600, -601, -603 -618, and -1103, -1203 and the Constitution of Virginia, Article XI, Section 3*).
- VI. **Wildlife and Inland Fisheries** – The proposed project will not adversely impact wildlife and inland fisheries nor import, export, take, pursue, kill or possess in the Commonwealth any fish or wildlife, or stock any species of fish in inland waters, in a manner that negatively impacts the Commonwealth's efforts in conserving, protecting, replenishing, propagating and increasing of the supply of game birds, game animals, fish and other wildlife of the Commonwealth (*Va. Code Ann. §§ 29.1-501, -512, -521, -530.2, -531, -533, -542, -543.1, -545, -548, -549, -550, -552, -554, -556, -569, and -574; 4 Va. Admin. Code §§ 15-30-10, -20, -50, and 15-290-60*).

Coordination was conducted with US Fish and Wildlife Service (USFWS) through their online database, Information for Planning and Consultation (IPaC), which

Coastal Zone Management Act (CZMA) Federal Consistency Certification
Stafford Regional Airport
Aircraft Self-Serve Fueling System

generated the IPaC Trust Resource Report. USFWS's IPaC report identified the following species as potentially existing near the proposed project area:

- Northern Long-eared Bat (NLEB) – Endangered
- Tricolored Bat – Proposed Endangered
- Monarch Butterfly - Candidate

The NLEB Determination Key (CatEx Attachment C) was coordinated with USFWS which resulted in a “No Effect” determination due to the lack of tree removal associated with this project. A species evaluation conclusion table is also included at the end of CatEx Attachment C which identifies no anticipated impacts to any of the species identified by USFWS. Neither the USFWS letter nor IPaC report identify any critical habitats or wildlife refuges that lie within the project area. The IPaC report identifies 6 migratory birds that could potentially exist near the proposed project area, including the Bald Eagle (CatEx Attachment C).

In addition, a search of Virginia Department of Wildlife Resources (DWR) online service Virginia Fish and Wildlife Information Service (VaFWIS) identified species known or likely to occur within a three-mile radius of the Airport. A list of these species is included in CatEx Attachment C. None of these species were identified within the project area and the proposed project will not impact any of these species.

According to the Bald Eagle Nest Report, the nearest bald eagle nest is located approximately 4.5 miles southeast of the Airport. No bald eagle habitat was identified in the project area and no impacts are anticipated. (<http://www.ccbbirds.org/maps/#eagles>)

- VII. Plant Pests and Noxious Weeds** – The proposed project will not sell, barter, offer for sale, move, transport, deliver, ship, or offer to ship into or within the Commonwealth any plant pests in any living stage or move, transport, deliver, ship, or offer for shipment into or within the Commonwealth any noxious weed, or part thereof (*Va. Code Ann. §§ 3.2-712 and -804; 2 Va. Admin. Code §§ 5-315-10 to -130, -317-10 to -100, -318-10 to -140, -330-10 to -90, and -440-10 to -70, -100, and -110*).
- VIII. Commonwealth Lands** – The proposed project will not impact or involve dams and fish passages, back bays, enclosures or entry to refuges, aquatic and terrestrial habitats used or owned by the Virginia Department of Wildlife Resources (DWR), use of fires, hunting and fishing, feeding of wildlife, or boating (*Va. Code Ann. § 29.1-532, § 29.1-103(10); 4 Va. Admin. Code § 15-20-90, § 29.1-554, § 29.1-554; 4 Va. Admin. Code §§ 15-20-150 and -320-100, 4 Va. Admin.*

Coastal Zone Management Act (CZMA) Federal Consistency Certification
Stafford Regional Airport
Aircraft Self-Serve Fueling System

Code §§ 5-30-70 and -220, §§ 5-30-240 to -250, § 5-30-422, §§ 5-30-190, -290, and -330).

- IX. Point Source Air Pollution** – The proposed action will be constructed in compliance with the Clean Air Act, as amended, and will not cause or contribute to any new or existing violations of the National Ambient Air Quality Standards (NAAQS). A direct (construction) emissions inventory is included in **CatEx Exhibit 6**. These emissions will be temporary and only occur during the construction of the proposed fueling system. No open burning will be conducted, and the proposed project is not located within a VOC Emission Control Area. Also, Best Management Practices such as watering will be used to control fugitive dust during construction (*Va. Code Ann. § 10.1-1308*).
- X. Point Source Water Pollution** – The proposed project will not generate new point sources of pollution and will not impact existing high quality state waters. This program is administered by the State Water Control Board (as delegated to DEQ) (*Va. Code Ann. § 62.1-44.2; 9 Va. Admin. Code § 25-31-20*).
- XI. Nonpoint Source Water Pollution** – The proposed project does not include any construction that would result in non-point source pollution and there will be no soil erosion or the input of chemical nutrients and sediments to the Chesapeake Bay, its tributaries and other waters of the Commonwealth. Stormwater runoff will be controlled via silt fencing (*Va. Code Ann. §§ 62.1-44.15:25, 62.1-44.15:52; 9 Va. Admin. Code §§ 25-840-30, 25-870-20*).
- XII. Shoreline Sanitation** – The proposed project will not involve sanitary waste or the installation and operation of a septic or treatment system. This program is administered by the Department of Health (*Va. Code Ann. §§ 32.1-12 and -164; 12 Va. Admin. Code §§ 5-610-20 and -80*).

Summary of Findings:

Although applicants are not required to make findings with respect to the coastal effects of the advisory policies, applicants should demonstrate adequate consideration of policies which are in the nature of recommendations (15 CFR 930.58(a)(3)). The proposed project is not located along a shorefront, so the advisory policies for shorefront access planning and protection are not applicable. In addition, the proposed project site is not located in a waterfront development area.

By this certification that the proposed fueling system development is consistent with the Virginia Coastal Zone Management Program, Virginia is notified that it has six months from the receipt of this letter and accompanying information in which to concur with or object to the Stafford Regional Airport's certification. Pursuant to 15 CFR Section

Coastal Zone Management Act (CZMA) Federal Consistency Certification
Stafford Regional Airport
Aircraft Self-Serve Fueling System

930.63(b), if Virginia has not issued a decision within three months following commencement of State agency review, it shall notify the Stafford Regional Airport and the federal agency (FAA) of the status of the matter and the basis for further delay. The State's concurrence, objection, or notification of review status shall be sent to:

Contact Information:

Mr. James Stover
Stafford Regional Airport Director
95 Aviation Way
Fredericksburg, VA 22406
director@staffordairport.com

Ms. Genevieve Walker
Environmental Protection Specialist
FAA Washington Airports District Office
13873 Park Center Road, Suite 490S
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Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

www.deq.virginia.gov

Travis A. Voyles
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director

November 21, 2024

James Stover
Stafford Airport
95 Aviation Way
Fredericksburg, VA 22406
Via email: director@staffordairport.com

RE: Federal Consistency Certification for the Stafford Regional Airport Aircraft Self-Serve Fueling System, Federal Aviation Administration, Fredericksburg, Virginia, DEQ 24-148F

Dear Mr. Stover:

The Commonwealth of Virginia has completed its review of the above-mentioned Federal Consistency Certification (FCC). The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of FCCs and responding to appropriate officials on behalf of the Commonwealth. This letter is in response to the FCC received by DEQ on August 28, 2024, submitted by Talbert & Bright on behalf of the Federal Aviation Administration. The following agencies participated in this review:

Department of Environmental Quality
Department of Health (VDH)
Department of Aviation (DOAV)
Department of Conservation and Recreation (DCR)
Department of Wildlife Resources (DWR)
Department of Historic Resources (DHR)

In addition, the George Washington Regional Commission and Stafford County were invited to comment on the proposal.

PROJECT DESCRIPTION

Talbert & Bright, on behalf of the Stafford Regional Airport (the applicant), submitted an FCC for the construction of an aircraft self-fueling facility adjacent to the existing main terminal apron at its facility in Fredericksburg, Virginia. The new addition will allow small, piston-powered aircraft to refuel without the need for fuel tender trucks or airport staff. The proposed project will involve the installation of a 1,000-gallon AvGas 100LL double-walled fuel tank and associated infrastructure as well as an AvGas self-serve kiosk adjacent to the new tank. Construction of a small asphalt apron adjacent to the new tank is proposed to accommodate refueling aircraft, and a culvert under this proposed apron may be required for stormwater management. Markings will be added to the existing apron to identify the self-fueling area. The proposed facility will be located southeast of the terminal building and will add approximately 318

square yards of new impervious surface to the Airport. The applicant certifies that the project is consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

FEDERAL CONSISTENCY PUBLIC PARTICIPATION

In accordance with 15 CFR §930.2, the public was invited to participate in the review of the proposal. Public notice of the proposed action was included in OEIR's Program Newsletter and published on the DEQ website from September 3, 2024 to September 30, 2024. No public comments were received in response to the notice.

FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT

Pursuant to the Coastal Zone Management Act of 1972 (CZMA), as amended, and the federal consistency regulations implementing the CZMA (15 CFR, Part 930, Subpart D, Section 930.50 *et seq.*), projects receiving federal permits, licenses or approvals, which can affect Virginia's coastal uses or resources, must be constructed and operated in a manner which is consistent with the Virginia Coastal Zone Management (CZM) Program. The Virginia CZM Program is comprised of a network of programs administered by several agencies. In order to be consistent with the Virginia CZM Program, all the applicable permits and approvals listed under the enforceable policies of the Virginia CZM Program must be obtained prior to commencing the project.

FEDERAL CONSISTENCY CONCURRENCE

Based on our review of the FCC and the comments submitted by agencies administering the enforceable policies of the CZM Program, DEQ concurs that the proposal is consistent with the CZM Program provided that prior to implementation of the project all applicable permits and approvals are obtained as described below.

If, prior to implementation, the project should change significantly and any of the enforceable policies of the Virginia CZM Program would be affected, pursuant to 15 CFR 930.66, the applicant must submit supplemental information to DEQ for review and approval.

Other state approvals which may apply to this project are not included in this consistency concurrence. Therefore, the applicant must ensure that this project is constructed and operated in accordance with all applicable federal, state and local laws and regulations.

FEDERAL CONSISTENCY ANALYSIS

The analysis that follows responds to the discussion of the enforceable policies of the Virginia CZM Program that apply to this project and review comments submitted by the agencies that administer these enforceable policies.

1. Tidal and Non-Tidal Wetlands. According to the FCC (page 2) and based on a review of National Wetlands Inventory (NWI) mapping, no wetlands are located on or around the project limits of disturbance.

1(a) Agency Jurisdiction. The purpose of the policy is to preserve and protect wetlands and non-tidal surface waters, to prevent their despoliation and destruction, and accommodate necessary economic development in a manner consistent with wetlands preservation. Impacts to wetlands and streams shall be avoided or minimized to the maximum extent practicable. Tidal Wetlands are administered by the Virginia Marine Resources Commission (VMRC) under the authority of the Tidal Wetlands Act of 1972

(Virginia Code § 28.2-1301 and -1308; 4 VAC § 20-390-20). Tidal and Nontidal Wetlands are administered by the Department of Environmental Quality (DEQ) through the Virginia Water Protection (VWP) Permit program and includes Water Quality Certification pursuant to Section 401 of the Clean Water Act (Virginia Code §§ 62.1-44.15:20 and -44.15:21; and 9 VAC §§ 25-210-10, -210-45, 210-80, 260-10, -380, -390).

1(b) DEQ Finding. If any permanent or temporary impacts to surface waters and wetlands are identified, the project may require a VWP permit pursuant to §401 of the Clean Water Act, Virginia Code §62.1-44.15:20, and Virginia Administrative Code 9 VAC 25-210-10 *et seq.*

1(c) DEQ Recommendation. Potential adverse impacts to water quality and wetlands resulting from surface runoff due to construction activities must be minimized. This can be achieved by using Best Management Practices (BMPs).

1(d) Conclusion. As proposed, the project is consistent with the tidal and non-tidal wetlands enforceable policy of the Virginia CZM Program.

2. Point Source Air Pollution. According to the FCC (page A-12), the project is not located in a Clean Air Act non-attainment or maintenance area. Construction equipment will generate exhaust and fugitive dust emissions, but those will be temporary and not exceed National Ambient Air Quality Standards.

2(a) Agency Jurisdiction. The policy is administered by DEQ through the federal Clean Air Act and Virginia's legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards. It is the policy of the Commonwealth to abate, control, and prohibit air pollution throughout the Commonwealth (Virginia Code § 10.1-1308), to include: asphalt paving operations in volatile organic compound emission control areas (Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-20-206 and -45-780), open burning (Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-80-1105, -130-10, -130-30 to -50, 20-60-30, and 5-60-200), fugitive dust emissions (Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-50-90 and -40-90), state operation permits (Virginia Code §§ 10.1-1308 and -1322; 9 VAC § 5-80-800), and new source review (Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-80-1100, -1400, -1605, and -2000).

2(b) Agency Finding. The project site is located within the Fredericksburg 1997 Ozone Attainment/Maintenance Area and Northern Virginia Emission Control Areas for volatile organic compounds (VOC) and oxides of nitrogen (NO_x).

2(c) Requirements.

2(c)(i) Fugitive Dust. During land-disturbing activities, fugitive dust must be kept to a minimum by using control methods outlined in 9VAC5-50-60 *et seq.* of the Regulations for the Control and Abatement of Air Pollution. These precautions include, but are not limited to, the following:

- Use, where possible, of water or suitable chemicals for dust control during the proposed demolition and construction operations and from material stockpiles;
- Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials;
- Covering of open equipment for conveying materials; and
- Prompt removal of spilled or tracked dirt or other materials from paved streets and removal of dried sediments resulting from soil erosion.

2(c)(ii) Open Burning. If project activities include the burning of construction material, this activity must meet the requirements under 9VAC5-130 *et seq.* of the *Regulations* for open burning, and it may require a permit. The *Regulations* provide for, but do not require, the local adoption of a model ordinance concerning open burning. DCR should contact locality fire officials to determine what local requirements, if any, exist. Some applicable provisions of the regulation include, but are not limited to:

- Open burning or the use of special incineration devices for the destruction of clean burning waste and debris waste resulting from clearing operations is prohibited from May 1 through September 30.
- Open burning is permitted for forest management, agricultural practices, and highway construction and maintenance programs approved by the board shall be at least 1,000 feet from any occupied building unless the occupants have given prior permission, other than a building located on the property on which the burning is conducted and the burning shall be attended at all times.
- Special attention should be directed to § [10.1-1142](#) of the Code of Virginia, which is enforced by the Department of Forestry.
- Special attention should also be directed to the regulations of the Virginia Waste Management Board.
- Follow the open burning prohibitions as outlined in 9VAC5-130-30.

2(c)(iii) Asphalt Paving. A precaution, which typically applies to road construction and paving work (9VAC5-45-780 *et seq.*), places limitations on the use of “cut-back” (liquefied asphalt cement, blended with petroleum solvents), and may apply to the project. The asphalt must be “emulsified” (predominantly cement and water with a small amount of emulsifying agent) except when specified circumstances apply. Moreover, there are time-of-year restrictions on its use from April through October in VOC emission control areas.

2(d) Recommendation. Take precautions to restrict the emissions of VOC and NO_x, especially during periods of high ozone.

2(e) Conclusion. The project will be consistent with the point source air pollution enforceable policy of the Virginia CZM Program, provided it complies with the above requirements.

3. Chesapeake Bay Preservation Areas. The FCC (page 3) states that the project is located within a Resource Management Area as the entirety of Stafford County is designated as such. The closest Resource Protection Area is approximately 1,500 feet south of the proposed project site and will not be impacted as a result of the proposed project.

3(a) Agency Jurisdiction. The policy is intended to protect and improve the water quality of the Chesapeake Bay, its tributaries, and other state waters by ensuring that land use and development performance criteria and standards are implemented in Chesapeake Bay Preservation Areas, which if improperly used or developed may result in substantial damage to the water quality of the Chesapeake Bay and its tributaries. The program is administered by DEQ and 84 Bay Act localities through the Chesapeake Bay Preservation Act (Virginia Code §§ 28.2-104.1, 62.1-44.15:24, -44.15:51, -44.15:67, -44.15:68, -44.15:69, -44.15:73, -44.15:74, and -44.15:78) and Chesapeake Bay Preservation Area Designation and Management Regulations (9 VAC §§ 25-830-30, -40, -80, -90, -100, -120, -130, -140, and -150).

3(b) Agency Findings. In Stafford County, the areas protected by the Chesapeake Bay Preservation Act (CBPA), as locally implemented, require conformance with performance criteria. These areas include

Resource Protection Areas (RPAs) and Resource Management Areas (RMAs) as designated by the local governments. RPAs include tidal wetlands, certain non-tidal wetlands, and tidal shores. RPAs also include a 100-foot vegetated buffer area located adjacent to and landward of these features and along both sides of any water body with perennial flow. RMAs, which require less stringent performance criteria than RPAs, include all areas of Stafford County not included in the RPA.

Desktop analysis of Stafford County GIS mapping and Exhibit 4 (Resource Protection Areas) of the submitted documentation confirm the applicant's assertion that there is no RPA within the project area. The project area is located within the county's jurisdiction-wide RMA.

3(c) Requirements. Areas within the RMA are subject to general performance criteria as specified in in § 9VAC25-830-130 of the Regulations. Projects within the RMA must minimize land disturbance (including access and staging areas), retain existing vegetation and minimize impervious cover. For land disturbances over 2,500 square feet, the project must comply with the requirements of the *Virginia Erosion and Sediment Control Handbook*. Additionally, stormwater management criteria consistent with water quality protection provisions of the *Virginia Stormwater Management Regulations* shall be satisfied.

3(d) Conclusion. Provided adherence to the above requirements, the proposed activity would be consistent with the *Chesapeake Bay Preservation Act* and the Regulations.

4. Non-Point Source Water Pollution. According to the FCC (page 5), the proposed action does not include any construction that would result in non-point source pollution. There will be no soil erosion nor chemical or nutrient input. Stormwater runoff will be controlled via silt fencing.

4(a) Agency Jurisdiction. The policy addresses the control stormwater runoff to protect the quality and quantity of state waters from the potential harm of unmanaged stormwater. Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. This program is administered by DEQ (Virginia Code §§ 62.1-44.15:25, 62.1-44.15:52; 9 VAC §§ 25-840-30, 25-870-20).

4(b) Requirements.

4(b)(i) Erosion and Sediment Control Plan. The applicant is responsible for submitting a project-specific erosion and sediment control (ESC) plan to the locality in which the project is located for review and approval pursuant to the local ESC requirements, if the project involves a land-disturbing activity of 2,500 square feet or more. Depending on local requirements the area of land disturbance requiring an ESC plan may be less. The ESC plan must be approved by the locality prior to any land-disturbing activity at the project site. All regulated land-disturbing activities associated with the project, including on- and off-site access roads, staging areas, borrow areas, stockpiles, and soil intentionally transported from the project, must be covered by the project specific ESC plan. Local ESC program requirements must be requested through the locality.

4(b)(ii) Stormwater Management Plan. Depending on local requirements, a Stormwater Management (SWM) plan may be required. Local SWM program requirements must be requested through the locality.

4(b)(iii) General Permit for Stormwater Discharges from Construction Activities (VAR10). The operator or owner of a construction activity involving land disturbance of equal to or greater than 1 acre is required to register for coverage under the General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities and develop a project

specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the General Permit and the SWPPP must address water quality and quantity in accordance with the *Virginia Stormwater Management Program Regulations*.

4(c) Conclusion. Provided adherence to ESC, SWM, and VPDES requirements, as applicable, the proposed activity will be consistent with the Non-Point Source Water Pollution enforceable policy of the Virginia CZM Program.

5. Wildlife and Inland Fisheries. The FCC (pages 3-4) states that the proposed project will not adversely impact wildlife and inland fisheries. A search of the Department of Wildlife Resources' online protected species database yielded no results within the project area.

5(a) Agency Jurisdiction. DWR, as the Commonwealth's wildlife and freshwater fish management agency, exercises enforcement and regulatory jurisdiction over wildlife and freshwater fish, including state- or federally-listed endangered or threatened species, but excluding listed insects (Virginia Code, Title 29.1). DWR is a consulting agency under the U.S. Fish and Wildlife Coordination Act (16 U.S. Code §661 *et seq.*) and provides environmental analysis of projects or permit applications coordinated through DEQ and several other state and federal agencies. DWR determines likely impacts upon fish and wildlife resources and habitat, and recommends appropriate measures to avoid, reduce or compensate for those impacts. For more information, see the DWR website at www.dwr.virginia.gov.

5(b) Agency Findings. DWR does not currently document any listed wildlife or designated resources under its jurisdiction within the project area.

5(c) Agency Recommendations. To minimize overall impacts on wildlife and natural resources from development activity, observe the following DWR recommendations:

- Avoid and minimize impacts to undisturbed forest, wetlands, and streams to the fullest extent practicable;
- Maintain undisturbed naturally vegetated buffers of at least 100 feet in width around all on-site wetlands and on both sides of perennial and intermittent streams;
- Maintain wooded lots to the fullest extent possible;
- Design stormwater controls for this project to replicate and maintain the hydrographic condition of the site prior to the change in landscape. This should include, but not be limited to, utilizing bioretention areas, and minimizing the use of curb and gutter in favor of grassed swales. Bioretention areas (also called rain gardens) and grass swales are components of Low Impact Development (LID). They are designed to capture stormwater runoff as close to the source as possible and allow it to slowly infiltrate into the surrounding soil. They benefit natural resources by filtering pollutants and decreasing downstream runoff volumes;
- Adhere to erosion and sediment controls during ground disturbance;
- Utilize matting made from natural/organic materials such as coir fiber, jute, and/or burlap, to minimize potential wildlife entanglements resulting from use of synthetic/plastic erosion and sediment control matting; and
- Adhere to a time-of-year restriction from March 15 through August 15 of any year for all tree removal and ground clearing to protect nesting resident and migratory songbirds.

5(d) Conclusion. Assuming strict adherence to BMPs for erosion and sediment control is maintained, the project is consistent to the maximum extent practicable with the Wildlife and Inland Fisheries enforceable policy of the Virginia CZM Program.

ADDITIONAL ENVIRONMENTAL CONSIDERATIONS

In addition to the enforceable policies of the Virginia CZM Program, comments were also provided with respect to other applicable requirements and recommendations. The applicant must ensure that this project is constructed and operated in accordance with all applicable federal, state, and local laws and regulations.

1. Solid and Hazardous Waste Management.

1(a) Agency Jurisdiction. On behalf of the Virginia Waste Management Board, the [DEQ Division of Land Protection and Revitalization](#) is responsible for carrying out the mandates of the Virginia Waste Management Act (Virginia Code §10.1-1400 *et seq.*), as well as meeting Virginia's federal obligations under the Resource Conservation and Recovery Act (CERCLA) and the Comprehensive Environmental Response Compensation Liability Act, commonly known as Superfund. The DEQ Division of Land Protection and Revitalization also administers those laws and regulations on behalf of the State Water Control Board governing Petroleum Storage Tanks (Virginia Code §62.1-44.34:8 *et seq.*), including Aboveground Storage Tanks (9VAC25-91 *et seq.*) and Underground Storage Tanks (9VAC25-580 *et seq.* and 9VAC25-580-370 *et seq.*), also known as 'Virginia Tank Regulations', and § 62.1-44.34:14 *et seq.* which covers oil spills.

Virginia:

- Virginia Waste Management Act, Virginia Code § 10.1-1400 *et seq.*
- *Virginia Solid Waste Management Regulations*, 9 VAC 20-81
 - (9 VAC 20-81-620 applies to asbestos-containing materials)
- *Virginia Hazardous Waste Management Regulations*, 9 VAC 20-60
 - (9 VAC 20-60-261 applies to lead-based paints)
- *Virginia Regulations for the Transportation of Hazardous Materials*, 9 VAC 20-110.

Federal:

- Resource Conservation and Recovery Act (RCRA), 42 U.S. Code sections 6901 *et seq.*
- U.S. Department of Transportation *Rules for Transportation of Hazardous Materials*, 49 *Code of Federal Regulations*, Part 107
- Applicable rules contained in Title 40, *Code of Federal Regulations*.

1(b) Agency Findings. DEQ's Division of Land Protection and Revitalization (DLPR) conducted a solid and hazardous waste database search (200-foot radius) for waste sites, including petroleum releases, in close proximity to the project area. DLPR did not identify any waste sites within the project area which might impact the project.

1(c) Requirements.

1(c)(i) Contaminated and Generated Wastes. Any soil that is suspected of contamination or wastes that are generated during construction must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations. All construction and demolition debris must be characterized in accordance with the *Virginia Hazardous Waste Management Regulations* prior to disposal at an

appropriate facility. It is the generator's responsibility to determine if a solid waste meets the criteria of a hazardous waste and to manage the waste appropriately.

1(c)(ii) Petroleum Releases and Storage Tanks. If evidence of a petroleum release is discovered, it must be reported to DEQ, as authorized by Virginia Code § 62.1-44.34.8 through 9 and 9 VAC 25-580-10 *et seq.* Installation and operation of any regulated petroleum storage tank(s) either aboveground storage tanks (AST) or underground storage tanks (UST) must also be conducted in accordance with the Virginia Regulations 9 VAC 25-91-10 *et seq.* and / or 9 VAC 25-580-10 *et seq.*

1(c)(iii) Asbestos-containing Material and Lead-based Paint. Any structures being demolished, renovated or removed should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to construction. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, state regulations 9 VAC 20-80-640 for ACM and 9 VAC 20-60-261 for LBP must be followed.

1(d) Pollution Prevention Recommendation. DEQ recommends that the applicant implement pollution prevention principles, including the reduction, reuse, and recycling of all solid wastes generated. All generation of hazardous wastes should be minimized and handled appropriately.

2. Public Water Supplies.

2(a) Agency Jurisdiction. The Virginia Department of Health (VDH) Office of Drinking Water reviews projects for the potential to impact drinking water sources (groundwater wells, springs, and surface water intakes) serving waterworks. VDH administers the Virginia Waterworks Regulations (12VAC5-590) governing waterworks operation and construction, has primacy for the National Primary Drinking Water Regulations (40 CFR § 141) and implements the National Secondary Drinking Water Regulations (40 CFR § 143).

2(b) Agency Findings. The VDH ODW found that there are no apparent impacts to public drinking water sources due to this project.

3. Aviation.

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

3(b) Agency Findings. As the proposed project will not increase the approach or departure minimums at Stafford Regional Airport, the Department of Aviation offers its endorsement.

3(c) Requirement. The applicant must keep the airport layout plan current as the project proceeds.

4. Natural Heritage Resources.

4(a) Agency Jurisdiction.

4(a)(i) [Virginia Department of Conservation and Recreation Division of Natural Heritage \(DNH\)](#). DNH's mission is conserving Virginia's biodiversity through inventory, protection and stewardship. The Virginia Natural Area Preserves Act (Virginia Code §10.1-209 through 217), authorized DCR to maintain a statewide database for conservation planning and project review, protect land for the conservation of

biodiversity, and the protect and ecologically manage the natural heritage resources of Virginia (the habitats of rare, threatened and endangered species, significant natural communities, geologic sites, and other natural features).

4(a)(ii) Virginia Department of Agriculture and Consumer Services (VDACS). The Endangered Plant and Insect Species Act of 1979 (Virginia Code Chapter 39 §3.1-1020 through 1030) authorizes VDACS to conserve, protect and manage endangered and threatened species of plants and insects. Under a Memorandum of Agreement established between VDACS and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species.

4(b) Agency Findings. DCR searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100-foot buffer. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. In addition, the project boundary does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

4(b)(i) State-listed Plant and Insect Species. DCR finds that the current activity will not affect any documented state-listed plant and insect species.

4(b)(ii) State Natural Area Preserves. DCR files do not indicate the presence of any State Natural Area Preserves under the agency's jurisdiction in the project vicinity.

4(c) Recommendations. Contact DCR DNH to secure updated information on natural heritage resources if the scope of the project changes and/or six months has passed before it is utilized. New and updated information is continually added to the Biotics Data System.

5. Floodplain Management.

5(a) Agency Jurisdiction. DCR is the lead coordinating agency for the Commonwealth's floodplain management program and the National Flood Insurance Program (Executive Memorandum 2-97).

5(b) Agency Findings. The National Flood Insurance Program (NFIP) is administered by the Federal Emergency Management Agency (FEMA), and communities who elect to participate in this voluntary program manage and enforce the program on the local level through that community's local floodplain ordinance. Each local floodplain ordinance must comply with the minimum standards of the NFIP, outlined in 44 CFR 60.3; however, local communities may adopt more restrictive requirements in their local floodplain ordinance, such as regulating the 0.2% annual chance flood zone (Shaded X Zone).

All development within a Special Flood Hazard Area (SFHA), as shown on the locality's Flood Insurance Rate Map (FIRM), must be permitted and comply with the requirements of the local floodplain ordinance.

5(c) Requirement. The applicant/developer must contact the local floodplain administrator for an official floodplain determination, and if the project is located in the SFHA, this project must comply with the community's local floodplain ordinance, including receiving a local permit, as necessary. Failure to comply with the local floodplain ordinance could result in enforcement action from the locality.

6. Pesticides and Herbicides. In general, when pesticides or herbicides must be used, their use should be strictly in accordance with manufacturers' recommendations. In addition, DEQ recommends that the responsible agent use the least toxic pesticides or herbicides effective in controlling the target species. For

more information on pesticide or herbicide use, please contact the Virginia Department of Agriculture and Consumer Services (804- 371-6560).

7. Historic Resources.

7(a) Agency Jurisdiction. The Virginia [Department of Historic Resources \(DHR\)](https://www.dhr.virginia.gov) conducts reviews of both federal and state projects to determine their effect on historic properties. Under the federal process, DHR is the State Historic Preservation Office, and ensures that federal undertakings - including licenses, permits, or funding - comply with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation at 36 CFR Part 800. Section 106 requires federal agencies to consider the effects of federal projects on properties that are listed or eligible for listing on the National Register of Historic Places. For state projects or activities on state lands, DHR is afforded an opportunity to review and comment on (1) the demolition of state property; (2) major state projects requiring an EIR; (3) archaeological investigations on state-controlled land; (4) projects that involve a landmark listed in the Virginia Landmarks Register; (5) the sale or lease of surplus state property; (6) exploration and recovery of underwater historic properties; and (7) excavation or removal of archaeological or historic features from caves. Please see DHR's website for more information about applicable state and federal laws and how to submit an application for review: <https://www.dhr.virginia.gov/programs/federal-state-review/>.

7(b) Agency Findings. DHR has been in direct consultation with the FAA and its agents regarding this project and reached consensus that the Stafford Regional Airport Aircraft Self-Serve Fueling System will result in no historic properties affected.

REGULATORY AND COORDINATION NEEDS

1. Tidal and Non-Tidal Wetlands. A VWP permit from DEQ may be required from DEQ should impacts to surface waters be necessary. For additional information, contact the regional VWP compliance manager, Natasha Nahas, at (571) 866-6496 or natasha.nahas@deq.virginia.gov.

2. Point Source Air Pollution. Activities associated with this project may be subject to air regulations administered by DEQ. The state air pollution regulation that may apply to the project is:

- fugitive dust and emissions control (9VAC5-50-60 *et seq.*);
- asphalt paving (9VAC5-45-780 *et seq.*); and
- open burning restrictions (9VAC5-130 *et seq.*).

For questions regarding these regulations, contact the regional air compliance manager David Hartshorn at (571) 408-1778 or r.david.hartshorn@deq.virginia.gov.

3. Chesapeake Bay Preservation Areas. Areas within the RMA are subject to the general performance criteria as specified in § 9VAC25-830-130 of the Regulations. Projects within the RMA must minimize land disturbance (including access and staging areas), retain existing vegetation and minimize impervious cover. For more information regarding applicable regulations, contact DEQ Principal Environmental Planner Daniel Moore at (804) 774-9577 or Daniel.Moore@deq.virginia.gov.

4. Non-Point Source Water Pollution.

4(a) Erosion and Sediment Control and Stormwater Management. This project must comply with *Virginia's Erosion and Sediment Control Law* (Virginia Code § 62.1-44.15:61) and *Regulations* (9 VAC 25-840-30 *et seq.*) and *Stormwater Management Law* (Virginia Code § 62.1-44.15:31) and *Regulations* (9

VAC 25-870-210 *et seq.*) as locally administered. Land-disturbing activities 10,000 square feet or more (2,500 square feet or more in a Chesapeake Bay Preservation Area) would be regulated by *VESCL&R* and *VSWML&R*. Erosion and sediment control, and stormwater management requirements should be coordinated with the DEQ Northern Regional Office (Mark Remsberg at 703-583-3874 or mark.remsberg@deq.virginia.gov.)

4(b) General Permit for Stormwater Discharges from Construction Activities (VAR10). For projects involving land-disturbing activities of equal to or greater than one acre the applicant is required to register for coverage under the Virginia Stormwater Management Program General Permit for Discharges of Stormwater from Construction Activities (9 VAC 25-870-1 *et seq.*). For questions regarding stormwater, contact the regional stormwater program manager Mark Remsberg (703-583-3874 or mark.remsberg@deq.virginia.gov).

5. Wildlife and Inland Fisheries. Contact DWR (Lee Brann at 804-481-1934 or lee.brann@dwr.virginia.gov) with questions regarding its recommendations.

6. Solid and Hazardous Wastes. All solid waste, hazardous waste, and hazardous materials must be managed in accordance with all applicable federal, state, and local environmental regulations. For additional questions regarding waste or land protection, please contact the regional waste program manager Jim Datko at (571) 866-6446 or james.datko@deq.virginia.gov.

7. Aviation. The project sponsor must keep the airport layout plan current as the project proceeds. For more information, contact Bill LaManque at (804) 774-4635 or Bill.LaManque@doav.virginia.gov.

8. Natural Heritage Resources. Contact DCR-DNH, Rene Hypes (804-371-2708) to secure updated information on natural heritage resources if the scope of the project changes and/or six months passes before the project is implemented, since new and updated information is continually added to the Biotics Data System.

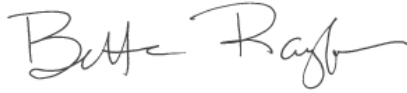
9. Floodplain Management. The applicant/developer must contact the local floodplain administrator for an official floodplain determination, and if the project is located in the SFHA, this project must comply with the community's local floodplain ordinance, including receiving a local permit, as necessary.

Contact the local floodplain administrator for an official floodplain determination and to ensure compliance with the community's local floodplain ordinance. To find flood zone information, use the Virginia Flood Risk Information System (VFRIS): www.dcr.virginia.gov/vfris

To find community NFIP participation and local floodplain administrator contact information, use DCR's Local Floodplain Management Directory: www.dcr.virginia.gov/dam-safety-and-floodplains/floodplain-directory

Thank you for the opportunity to comment on the FCC submitted for the Stafford Regional Airport Aircraft Self-Serve Fueling System. Detailed comments of reviewing agencies are attached for your review. Please contact Megan Black at 804-698-4099 for clarification of these comments.

Sincerely,



Bettina Rayfield, Manager
Environmental Impact Review and Long Range Priorities Program
Virginia Department of Environmental Quality
804-659-1915
Bettina.Rayfield@deq.virginia.gov
Central Office
1111 E. Main Street, Suite 1400
Richmond, Virginia 23219
804-698-4000

Ec: Hannah Schul, DWR
Allison Tillett, DCR
Arlene Warren, VDH
Adrienne Birge-Wilson, DHR
Rusty Harrington, DOAV
Bill Ashton, Stafford County
Chip Boyles, George Washington Regional Commission
Jeff Wellman, Talbert & Bright



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

MEMORANDUM

DATE: September 27, 2024
TO: Megan Black, DEQ
FROM: Allison Tillett, Environmental Impact Review Coordinator
SUBJECT: DEQ 24-148F, Stafford Regional Airport Aircraft Self-Serve Fueling System

Division of Planning and Recreation Resources

The Department of Conservation and Recreation (DCR), Division of Planning and Recreational Resources (PRR), develops the *Virginia Outdoors Plan* and coordinates a broad range of recreational and environmental programs throughout Virginia. These include the Virginia Scenic Rivers program; Trails, Greenways, and Blueways; Virginia State Park Master Planning and State Park Design and Construction. PRR also administers the Land & Water Conservation Fund (LWCF) program in Virginia.

Division of Natural Heritage

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

According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100 foot buffer. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. In addition, the project boundary does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

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

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

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

The Virginia Department of Wildlife Resources (VDWR) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed at <https://services.dwr.virginia.gov/fwis/> or contact Hannah Schul at Hannah.Schul@dwr.virginia.gov.

Division of State Parks

DCR's Division of State Parks is responsible for acquiring and managing, state parks. Park development and master planning are managed by the Division of Planning and Recreation Resources. Master plans are required prior to a parks opening and are updated every ten years (Virginia Code § 10.1-200 *et seq.*).

Division of Dam Safety and Floodplain Management

Dam Safety Program:

The Dam Safety program was established to provide proper and safe design, construction, operation and maintenance of dams to protect public safety. Authority is bestowed upon the program according to *The Virginia Dam Safety Act*, Article 2, Chapter 6, Title 10.1 (10.1-604 *et seq*) of the Code of Virginia and Dam Safety Impounding Structure Regulations (Dam Safety Regulations), established and published by the Virginia Soil and Water Conservation Board (VSWCB).

Floodplain Management Program:

The National Flood Insurance Program (NFIP) is administered by the Federal Emergency Management Agency (FEMA), and communities who elect to participate in this voluntary program manage and enforce the program on the local level through that community's local floodplain ordinance. Each local floodplain ordinance must comply with the minimum standards of the NFIP, outlined in 44 CFR 60.3; however, local communities may adopt more restrictive requirements in their local floodplain ordinance, such as regulating the 0.2% annual chance flood zone (Shaded X Zone).

All development within a Special Flood Hazard Area (SFHA), as shown on the locality's Flood Insurance Rate Map (FIRM), must be permitted and comply with the requirements of the local floodplain ordinance.

State Agency Projects Only

[Executive Order 45](#), signed by Governor Northam and effective on November 15, 2019, establishes mandatory standards for development of state-owned properties in Flood-Prone Areas, which include Special Flood Hazard Areas, Shaded X Zones, and the Sea Level Rise Inundation Area. These standards shall apply to all state agencies.

1. Development in Special Flood Hazard Areas and Shaded X Zones
 - A. All development, including buildings, on state-owned property shall comply with the locally-adopted floodplain management ordinance of the community in which the state-owned property is located and any flood-related standards identified in the Virginia Uniform Statewide Building Code.
 - B. If any state-owned property is located in a community that does not participate in the NFIP, all development, including buildings, on such state-owned property shall comply with the NFIP requirements as defined in 44 CFR §§ 60.3, 60.4, and 60.5 and any flood-related standards identified in the Virginia Uniform Statewide Building Code.

- (1) These projects shall be submitted to the Department of General Services (DGS), for review and approval.
 - (2) DGS shall not approve any project until the State NFIP Coordinator has reviewed and approved the application for NFIP compliance.
 - (3) DGS shall provide a written determination on project requests to the applicant and the State NFIP Coordinator. The State NFIP Coordinator shall maintain all documentation associated with the project in perpetuity.
- C. No new state-owned buildings, or buildings constructed on state-owned property, shall be constructed, reconstructed, purchased, or acquired by the Commonwealth within a Special Flood Hazard Area or Shaded X Zone in any community unless a variance is granted by the Director of DGS, as outlined in this Order.

The following definitions are from Executive Order 45:

Development for NFIP purposes is defined in 44 CFR § 59.1 as “Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.”

The Special Flood Hazard Area may also be referred to as the 1% annual chance floodplain or the 100-year floodplain, as identified on the effective Flood Insurance Rate Map and Flood Insurance Study. This includes the following flood zones: A, AO, AH, AE, A99, AR, AR/AE, AR/AO, AR/AH, AR/A, VO, VE, or V.

The Shaded X Zone may also be referred to as the 0.2% annual chance floodplain or the 500- year floodplain, as identified on the effective Flood Insurance Rate Map and Flood Insurance Study.

The Sea Level Rise Inundation Area referenced in this Order shall be mapped based on the National Oceanic and Atmospheric Administration Intermediate-High scenario curve for 2100, last updated in 2017, and is intended to denote the maximum inland boundary of anticipated sea level rise.

“State agency” shall mean all entities in the executive branch, including agencies, offices, authorities, commissions, departments, and all institutions of higher education.

“Reconstructed” means a building that has been substantially damaged or substantially improved, as defined by the NFIP and the Virginia Uniform Statewide Building Code.

Federal Agency Projects Only

Projects conducted by federal agencies within the SFHA must comply with federal Executive Order 11988: Floodplain Management.

DCR’s Floodplain Management Program does not have regulatory authority for projects in the SFHA. The applicant/developer must reach out to the local floodplain administrator for an official floodplain determination and comply with the community’s local floodplain ordinance, including receiving a local permit. Failure to comply with the local floodplain ordinance could result in enforcement action from the locality. For state projects, DCR recommends that compliance documentation be provided prior to the project being funded. For federal projects, the applicant/developer is encouraged reach out to the local floodplain administrator and comply with the community’s local floodplain ordinance.

To find flood zone information, use the Virginia Flood Risk Information System (VFRIS):

www.dcr.virginia.gov/vfris

To find community NFIP participation and local floodplain administrator contact information, use DCR's Local Floodplain Management Directory: www.dcr.virginia.gov/dam-safety-and-floodplains/floodplain-directory

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



Outlook

Stafford Regional Airport Aircraft Self-Serve Fueling System (DEQ #24-148F: DHR File No. 2024-4730)

From Kirchen, Roger (DHR) <Roger.Kirchen@dhr.virginia.gov>
Date Fri 9/27/2024 9:51 AM
To Black, Megan (DEQ) <Megan.Black@deq.virginia.gov>
Cc Birge-wilson, Adrienne (DHR) <Adrienne.Birge-Wilson@dhr.virginia.gov>

DHR has been in direct consultation with the FAA and its agents regarding this project and reached consensus that the Stafford Regional Airport Aircraft Self-Serve Fueling System project will result in no historic properties affected. DHR has no further comment at this time.

**Roger W. Kirchen**

Director, Review and Compliance Division

Department of Historic ResourcesEmail roger.kirchen@dhr.virginia.gov

Phone 804-482-6091

2801 Kensington Ave, Richmond, VA 23221

www.dhr.virginia.gov



COMMONWEALTH OF VIRGINIA

Greg Campbell
Director

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

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

September 11, 2024

Megan Black
Department of Environmental Quality
Office of Environmental Impact Review
P.O. Box 1105
Richmond, VA 23218

RE: FAA Stafford Regional Airport Aircraft Self-Serve Fueling System; DEQ #24-148F

Megan Black,

The Virginia Department of Aviation has reviewed DEQ Project #24-148F, concerning the installation of an aircraft self-serve fueling system at Stafford Regional Airport.

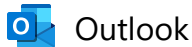
Since the proposed project will not increase the approach or departure minimums at Stafford Regional Airport, we endorse it. We support this development, recognizing the airport's need for such an upgrade. We would like to remind the project sponsor of their obligation to keep the airport layout plan current as the project proceeds.

Thank you for considering our comments. Should you have any questions or require further information, please feel free to contact me at (804) 774-4635 or Bill.LaManque@doav.virginia.gov.

Sincerely,

Bill LaManque
Senior Planner
Virginia Department of Aviation





ESSLog# 45551_24-148F_Stafford Regional Airport Aircraft Self-Serve Fueling System_DWR_HLB20241004

From Brann, Lee (DWR) <Lee.Brann@dwr.virginia.gov>

Date Fri 10/4/2024 3:20 PM

To Black, Megan (DEQ) <Megan.Black@deq.virginia.gov>

Cc Strawderman, Nicole (DWR) <Nicole.Strawderman@dwr.virginia.gov>

Ms. Black,

We have reviewed the subject project that proposes to construct an Aircraft Self-Serve Fueling System at the Stafford Regional Airport in Stafford County. We do not currently document any listed wildlife or designated resources under our jurisdiction from the project area. Therefore, we do not anticipate adverse impacts upon such species or resources to result from the proposed work.

To minimize overall impacts to wildlife and our natural resources, we offer the following comments about development activities: we recommend that the applicant avoid and minimize impacts to undisturbed forest, wetlands, and streams to the fullest extent practicable. Avoidance and minimization of impact may include relocating stream channels as opposed to filling or channelizing as well as using, and incorporating into the development plan, a natural stream channel design and forested riparian buffers. We recommend maintaining undisturbed naturally vegetated buffers of at least 100 feet in width around all on-site wetlands and on both sides of all perennial and intermittent streams. We recommend maintaining wooded lots to the fullest extent possible. We generally do not support proposals to mitigate wetland impacts through the construction of stormwater management ponds, nor do we support the creation of in-stream stormwater management ponds.

We recommend that the stormwater controls for this project be designed to replicate and maintain the hydrographic condition of the site prior to the change in landscape. This should include, but not be limited to, utilizing bioretention areas, and minimizing the use of curb and gutter in favor of grassed swales. Bioretention areas (also called rain gardens) and grass swales are components of Low Impact Development (LID). They are designed to capture stormwater runoff as close to the source as possible and allow it to slowly infiltrate into the surrounding soil. They benefit natural resources by filtering pollutants and decreasing downstream runoff volumes.

We recommend that all tree removal and ground clearing adhere to a time of year restriction (TOYR) protective of resident and migratory songbird nesting from March 15 through August 15 of any year.

We recommend adherence to erosion and sediment controls during ground disturbance. To minimize potential wildlife entanglements resulting from use of synthetic/plastic erosion and sediment control matting, we recommend use of matting made from natural/organic materials such as coir fiber, jute, and/or burlap.

The U.S. Fish and Wildlife Service (in Virginia) utilizes an online project review process (<https://www.fws.gov/office/virginia-ecological-services/virginia-field-office-online-review-process>) to facilitate compliance with the Endangered Species Act (16 U.S.C. 1531-1544, 87 Stat. 884) (ESA), as amended. The process enables users to 1) follow step-by-step guidance; 2) access information that will allow them to identify threatened and endangered species, designated critical habitat, and other Federal trust resources that may be affected by their project; and 3) accurately reach determinations regarding the potential effects of their project on these resources as required under the ESA. If you have questions regarding the online review process, please contact Rachel Case at rachel_case@fws.gov.

Assuming strict adherence to best management practices for erosion and sediment control is maintained, we find this project to be consistent with the Wildlife and Inland Fisheries and

Commonwealth Lands Enforceable Policies of the Coastal Zone Management Program.

Thank you,



Lee Brann

Environmental Services Biologist

Wildlife Information and Environmental Services

P 804.367.1295

C 804.481.1934

Department of Wildlife Resources

CONSERVE. CONNECT. PROTECT.

A 7870 Villa Park Drive, P.O. Box 90778, Henrico, VA 23228

www.VirginiaWildlife.gov



MEMORANDUM

TO: Megan Black, DEQ/EIR Environmental Program Planner

FROM: Nikolas I. Churchill, Division of Land Protection & Revitalization Review Coordinator

DATE: September 9, 2024

COPIES: Sanjay Thirunagari, Division of Land Protection & Revitalization Review Manager; file

SUBJECT: Environmental Impact Review: 24-148F Stafford Regional Airport Aircraft Self-Serve Fueling System in Stafford County, Virginia.

The Division of Land Protection & Revitalization (DLPR) has completed its review of the Federal Aviation Administration's August 29, 2024 EIR for 24-148F Stafford Regional Airport Aircraft Self-Serve Fueling System in Stafford County, Virginia.

DLPR staff conducted a search (200 ft. radius) of the project area of solid and hazardous waste databases (including petroleum releases) to identify waste sites in close proximity to the project area. DLPR search did not identify any waste sites within the project area which might impact the project.

DLPR staff has reviewed the submittal and offers the following comments:

Hazardous Waste/RCRA Facilities – none in close proximity to the project area.

CERCLA Sites – none in close proximity to the project area.

Formerly Used Defense Sites (FUDS) – none in close proximity to the project area.

Solid Waste – none in close proximity to the project area.

Virginia Remediation Program (VRP) – none in close proximity to the project area.

Petroleum Releases – none in close proximity to the project area.

Please note that the DEQ's Pollution Complaint (PC) cases identified should be further evaluated by the project engineer or manager to establish the exact location, nature and extent of the petroleum release and the potential to impact the proposed project. In addition, the project engineer or manager should contact the DEQ's Northern Regional Office at (703) 583-3800 (Tanks Program) for further information about the PC cases.

PROJECT SPECIFIC COMMENTS

Solid and hazardous waste issues were addressed, but the report did not include a search of waste-related databases.

GENERAL COMMENTS

Soil, Sediment, Groundwater, and Waste Management

Any soil, sediment or groundwater that is suspected of contamination or wastes that are generated must be tested and disposed of in accordance with applicable Federal, State, and local laws and regulations. Some of the applicable state laws and regulations are: Virginia Waste Management Act, Code of Virginia Section 10.1-1400 *et seq.*; Virginia Hazardous Waste Management Regulations (VHWMR) (9VAC 20-60); Virginia Solid Waste Management Regulations (VSWMR) (9VAC 20-81); Virginia Regulations for the Transportation of Hazardous Materials (9VAC 20-110). Some of the applicable Federal laws and regulations are: the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901 *et seq.*, and the applicable regulations contained in Title 40 of the Code of Federal Regulations; and the U.S. Department of Transportation Rules for Transportation of Hazardous Materials, 49 CFR Part 107.

Asbestos and/or Lead-based Paint

All structures being demolished/renovated/removed should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to demolition. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, State regulations 9VAC 20-81-620 for ACM and 9VAC 20-60-261 for LBP must be followed. Questions may be directed to the DEQ's Northern Regional Office at (703) 583-3800.

Pollution Prevention – Reuse - Recycling

Please note that DEQ encourages all construction projects and facilities to implement pollution prevention principles, including the reduction, reuse, and recycling of all solid wastes generated. All generation of hazardous wastes should be minimized and handled appropriately.

If you have any questions or need further information, please contact Nikolas Churchill by phone at (804) 659-2663 or email nikolas.churchill@deq.virginia.gov.



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Travis A. Voyles
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

MEMORANDUM

TO: Megan Black, DEQ Environmental Impact Review Coordinator

FROM: Daniel Moore, DEQ Principal Environmental Planner

DATE: August 29, 2024

SUBJECT: DEQ #24-148F: FCC FAA Stafford Regional Airport Self-Serve Fueling System Project, Stafford County

We have reviewed the Federal Consistency Certification (FCC) submittal for the proposed above project and offer the following comments regarding consistency with the provisions of the *Chesapeake Bay Preservation Area Designation and Management Regulations* (Regulations):

In Stafford County, the areas protected by the Chesapeake Bay Preservation Act (CBPA), as locally implemented, require conformance with performance criteria. These areas include Resource Protection Areas (RPAs) and Resource Management Areas (RMAs) as designated by the local governments. RPAs include tidal wetlands, certain non-tidal wetlands, and tidal shores. RPAs also include a 100-foot vegetated buffer area located adjacent to and landward of these features and along both sides of any water body with perennial flow. RMAs, which require less stringent performance criteria than RPAs, include all areas of Stafford County not included in the RPA.

The proposed project calls for the construction of an aircraft self-fueling facility adjacent to an existing main terminal apron at the regional airport. The project site is located southeast of the existing terminal building. The project will result in 318 square yards of new impervious surface in a maintained grassed area of the airport complex. The proposed limits of disturbance encompass 700 square yards.

The proposed project calls for the following:

- Installation of a 1,000 gallon AvGas 100LL (100 octane, Low Lead) double-walled fuel tank and associated infrastructure;
- Installation of an AvGas self-serve kiosk adjacent to the new tank;

- Construction of a small asphalt apron adjacent to the new tank (a culvert under the proposed apron may be required for purposes of stormwater management);
- Add markings to the existing apron to identify the self-fueling area.

Desktop analysis of Stafford County GIS mapping and Exhibit 4 (Resource Protection Areas) of the submitted documentation confirm the applicant's assertion that there is no RPA within the project area. The project area is however located within the county's jurisdiction-wide RMA and, accordingly, the project is subject to general performance criteria, per 9VAC25-830-130 of the Regulations. Those criteria include disturbing no more land than necessary to provide for the proposed use, minimizing impervious cover, and preserving indigenous vegetation to the maximum extent practicable consistent with the proposed use. All land disturbing activity exceeding 2,500 square feet must comply with the requirements of the *Virginia Erosion and Sediment Control Handbook*, Third Edition, 1992. Finally, stormwater management criteria consistent with the water quality protection provisions of the *Virginia Stormwater Management Regulations*, 9VAC25-870-51 and 9VAC25-870-103, shall be satisfied.

Provided the above conditions are met, the proposed activity would be consistent with the Regulations and the *Chesapeake Bay Preservation Act*.

NEW PROJECT FAA Stafford REgional Airport Aircraft Self-Serve Fueling System, DEQ #24-148F

Shupe, Holly (DEQ) <Holly.Shupe@deq.virginia.gov>

Fri 9/6/2024 4:40 PM

To: Black, Megan (DEQ) <Megan.Black@deq.virginia.gov>

Cc: Miller, Mark (DEQ) <Mark.Miller@deq.virginia.gov>

Northern Regional Office comments regarding the Environmental Assessment for FAA Stafford Regional Airport Aircraft Self-Serve Fueling System, *DEQ 24-148F*, are as follows:

Land Protection Division – The project manager is reminded that if any solid or hazardous waste is generated/encountered during construction, the project manager would follow applicable federal, state, and local regulations for their disposal. For additional Land Protection/Waste questions, please contact the regional waste program manager Jim Datko at 571.866.6446 or james.datko@deq.virginia.gov.

Air Compliance/Permitting - The project manager is reminded that during the construction phases that occur with this project; the project is subject to the Fugitive Dust/Fugitive Emissions Rule 9 VAC 5-50-60 through 9 VAC 5-50-120. In addition, should any open burning or use of special incineration devices be employed in the disposal of land clearing debris during demolition and construction, the operation would be subject to the Open Burning Regulation 9 VAC 5-130-10 through 9 VAC 5-130-60 and 9 VAC 5-130-100. Additionally, the project manager is reminded, stationary air emissions sources constructed at this location may be subject to 9 VAC 5-80-1120. The regulation requires obtaining an air permit before starting actual construction of, or operation of any new stationary source. For additional air questions please contact the regional air compliance manager David Hartshorn at 571.408.1778 or r.david.hartshorn@deq.virginia.gov.

Virginia Water Protection Permit (VWPP) Program – The project manager is reminded that a VWP permit from DEQ may be required should impacts to surface waters be necessary. Measures should be taken to avoid and minimize impacts to surface waters and wetlands during construction activities. The disturbance of surface waters or wetlands may require prior approval by DEQ and/or the U.S. Army Corps of Engineers. The Army Corps of Engineers is the authority for an official confirmation of whether there are federal jurisdictional waters, including wetlands, which may be impacted by the proposed project. DEQ may confirm additional waters as jurisdictional beyond those under federal authority. Review of National Wetland Inventory maps or topographic maps for locating wetlands or streams may not be sufficient; there may need to be a site-specific review of the site by a qualified professional. Even if there will be no intentional placement of fill material in jurisdictional waters, potential water quality impacts resulting from construction site surface runoff must be minimized. This can be achieved by using Best Management Practices (BMPs). If construction activities will occur in or along any streams (perennial, intermittent, or ephemeral), open water or wetlands, the applicant should contact DEQ-NRO VWPP staff to determine the need for any permits prior to commencing work that could impact surface waters or wetlands. Upon receipt of a Joint Permit Application for the proposed surface water impacts, DEQ VWP Permit staff will review the proposed project in accordance with the VWP permit program regulations and current VWP permit program guidance. VWPP staff reserve the right to provide comment upon receipt of a permit application requesting authorization to impact state surface waters, and at such time that a wetland delineation has been conducted and associated jurisdiction determination made by the U.S. Army Corps of Engineers. For additional air questions please contact the regional VWP compliance manager Natasha Nahas at 571.866.6496 or natasha.nahas@deq.virginia.gov.

Erosion and Sediment Control, Storm Water Management – DEQ has regulatory authority for the Virginia Pollutant Discharge Elimination System (VPDES) programs related to municipal separate storm sewer systems (MS4s) and construction activities. Erosion and sediment control measures are addressed in local ordinances and State regulations. Additional information is available at

<http://www.deq.virginia.gov/Programs/Water/StormwaterManagement.aspx>. Non-point source pollution resulting from this project should be minimized by using effective erosion and sediment control practices and structures. Consideration should also be given to using permeable paving for parking areas and walkways where appropriate, and denuded areas should be promptly revegetated following construction work. If the total land disturbance exceeds 10,000 square feet, an erosion and sediment control plan will be required. Some localities also require an E&S plan for disturbances less than 10,000 square feet. A stormwater management plan may also be required. For any land disturbing activities equal to one acre or more, you are required to apply for coverage under the VPDES General Permit for Discharges of Storm Water from Construction Activities. The Virginia Stormwater Management Permit Authority may be DEQ or the locality. For additional storm water construction questions please contact the regional storm water program manager Mark Remsberg at 703.583.3874 or mark.remsberg@deq.virginia.gov.

Other VPDES Permitting – A construction project may require coverage under the VAG83 permit for discharges from petroleum contaminated sites, groundwater remediation, and hydrostatic tests for any hydrostatics tests on any new piping installed, or for any potential dewatering during construction if petroleum contamination is encountered. For additional water permitting/compliance questions please contact the regional water compliance manager Rebecca Johnson at 571.866.6500 or rebecca.johnson@deq.virginia.gov.

Respectfully,

Holly M Shupe

Regional Enforcement Specialist

VA Department of Environmental Quality

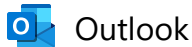
Northern Regional Office

13901 Crown Court, Woodbridge, VA 22193

Ph: 571-866-6923

Email: holly.shupe@deq.virginia.gov

Website: www.deq.virginia.gov



Re: NEW PROJECT FAA Stafford Regional Airport Aircraft Self-Serve Fueling System

From Gavan, Larry (DEQ) <Larry.Gavan@deq.virginia.gov>
Date Mon 9/23/2024 2:00 PM
To Black, Megan (DEQ) <Megan.Black@deq.virginia.gov>

(a) Agency Jurisdiction. The DEQ administers the nonpoint source pollution control enforceable policy of the VCP through the *Virginia Erosion and Sediment Control Law and Regulations (VESCL&R)* and *Virginia Stormwater Management Law and Regulations (VSWML&R)*.

(b) Erosion and Sediment Control Plan. The Applicant is responsible for submitting a project-specific erosion and sediment control (ESC) plan to the locality in which the project is located for review and approval pursuant to the local ESC requirements, if the project involves a land-disturbing activity of 10,000 square feet or more (2,500 square feet or more in a Chesapeake Bay Preservation Area). Depending on local requirements the area of land disturbance requiring an ESC plan may be less. The ESC plan must be approved by the locality prior to any land-disturbing activity at the project site. All regulated land-disturbing activities associated with the project, including on and off site access roads, staging areas, borrow areas, stockpiles, and soil intentionally transported from the project must be covered by the project specific ESC plan. Local ESC program requirements must be requested through the locality. [Reference: *Virginia Erosion and Sediment Control Law* §62.1-44.15 et seq.; *Consolidated ESC/SWM Regs. 9VAC25-875-10 et seq.*]

(c) Stormwater Management Plan. Depending on local requirements, a Stormwater Management (SWM) plan may be required. Local SWM program requirements must be requested through the locality. [Reference: *Virginia Stormwater Management Act* §62.1-44.15 et seq.; *Consolidated ESC/SWM Regs. 9VAC25-875-10 et seq.*]

(d) General Permit for Stormwater Discharges from Construction Activities (VAR10). DEQ is responsible for the issuance, denial, revocation, termination and enforcement of the Virginia Stormwater Management Program (VSMP) General Permit for Stormwater Discharges from Construction Activities related to municipal separate storm sewer systems (MS4s) and construction activities for the control of stormwater discharges from MS4s and land disturbing activities under the Virginia Stormwater Management Program.

The operator or owner of a construction project involving land-disturbing activities equal to or greater than 1 acre is required to register for coverage under the General Permit for Discharges of Stormwater from Construction Activities and develop a project-specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the General Permit and the SWPPP must address water quality and quantity in accordance with the *VSMP Permit Regulations*.

(Reference: VSWML 62.1-44.15 et seq.; *Consolidated ESC/SWM Regs. 9VAC25-875-10 et seq.*)

Larry Gavan
Plan Review Coordinator
Office of Stormwater Management
[Virginia Department of Environmental Quality](https://www.deq.virginia.gov/)



RE: NEW PROJECT FAA Stafford Regional Airport Aircraft Self-Serve Fueling System

From Warren, Arlene (VDH) <Arlene.Warren@vdh.virginia.gov>

Date Mon 9/23/2024 1:42 PM

To Black, Megan (DEQ) <Megan.Black@deq.virginia.gov>

Project #: 24-148F

Project Name: FAA Stafford Regional Airport Aircraft Self-Serve Fueling System

UPC #: N/A

Location: Stafford County

VDH – Office of Drinking Water has reviewed the above project. Below are our comments as they relate to proximity to **public drinking water sources** (groundwater wells, springs and surface water intakes). Potential impacts to public water distribution systems or sanitary sewage collection systems **must be verified by the local utility**.

There are no public groundwater wells within a 1-mile radius of the project site.

There are no surface water intakes located within a 5-mile radius of the project site.

The project is not within the watershed of any public surface water intakes.

There are no apparent impacts to public drinking water sources due to this project.

The Virginia Department of Health – Office of Drinking Water appreciates the opportunity to provide comments. If you have any questions, please let me know.

Best Regards,

Arlene F. Warren

GIS Program Support Technician

Mobile 804-389-2167 (office/cell/text)

Email [arlene.warren@vdh.virginia.gov] arlene.warren@vdh.virginia.gov

VDH, Office of Drinking Water

109 Governor Street, 6th Floor

Richmond, VA 23219

From: Black, Megan (DEQ) <Megan.Black@deq.virginia.gov>

Sent: Thursday, August 29, 2024 9:29 AM

To: dgif-ESS Projects (DWR) <ESSProjects@dwr.virginia.gov>; DCR-PRR Environmental Review (DCR) <envreview@dcr.virginia.gov>; odwreview (VDH) <odwreview@vdh.virginia.gov>; Kirchen, Roger (DHR) <Roger.Kirchen@dhr.virginia.gov>; Harrington, Rusty N. (DOAV) <Rusty.Harrington@doav.virginia.gov>; Chip Boyles <boyles@gwregion.org>; cmeadows@staffordcountyva.gov; Churchill, Nikolas (DEQ) <Nikolas.Churchill@deq.virginia.gov>; Ballou, Thomas (DEQ) <Thomas.Ballou@deq.virginia.gov>; Lovain, Ava (DEQ) <Anna.Lovain@deq.virginia.gov>; Gavan, Larry (DEQ) <Larry.Gavan@deq.virginia.gov>; Moore, Daniel (DEQ)

DEQ Federal Consistency Certification Requirements and Responses
Stafford Regional Airport (RMN)
Proposed Aircraft Self-Serve Fueling System
November 29, 2024

Comment #	Date	Organization	Page #	Comment (Agency Requirements)	Response By	Response
1	11/21/24	DEQ Air Division	3	<p>2(c) Requirements. 2(c)(i) Fugitive Dust. During land-disturbing activities, fugitive dust must be kept to a minimum by using control methods outlined in 9VAC5-50-60 et seq. of the Regulations for the Control and Abatement of Air Pollution. These precautions include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Use, where possible, of water or suitable chemicals for dust control during the proposed demolition and construction operations and from material stockpiles; • Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials; • Covering of open equipment for conveying materials; and • Prompt removal of spilled or tracked dirt or other materials from paved streets and removal of dried sediments resulting from soil erosion. 	Talbert & Bright	Best Management Practices will be implemented during construction in order to minimize fugitive dust impacts including the use of water to reduce dust generation.

DEQ Federal Consistency Certification Requirements and Responses
Stafford Regional Airport (RMN)
Proposed Aircraft Self-Serve Fueling System
November 29, 2024

Comment #	Date	Organization	Page #	Comment (Agency Requirements)	Response By	Response
2	11/21/24	DEQ Air Division	4	<p>2(c)(ii) Open Burning. If project activities include the burning of construction material, this activity must meet the requirements under 9VAC5-130 et seq. of the Regulations for open burning, and it may require a permit. The Regulations provide for, but do not require, the local adoption of a model ordinance concerning open burning. DCR should contact locality fire officials to determine what local requirements, if any, exist. Some applicable provisions of the regulation include, but are not limited to:</p> <ul style="list-style-type: none"> • Open burning or the use of special incineration devices for the destruction of clean burning waste and debris waste resulting from clearing operations is prohibited from May 1 through September 30. • Open burning is permitted for forest management, agricultural practices, and highway construction and maintenance programs approved by the board shall be at least 1,000 feet from any occupied building unless the occupants have given prior permission, other than a building located on the property on which the burning is conducted and the burning shall be attended at all times. • Special attention should be directed to § 10.1-1142 of the Code of Virginia, which is enforced by the Department of Forestry. • Special attention should also be directed to the regulations of the Virginia Waste Management Board. • Follow the open burning prohibitions as outlined in 9VAC5-130-30. 	Talbert & Bright	There is no open burning associated with this project.

DEQ Federal Consistency Certification Requirements and Responses
Stafford Regional Airport (RMN)
Proposed Aircraft Self-Serve Fueling System
November 29, 2024

Comment #	Date	Organization	Page #	Comment (Agency Requirements)	Response By	Response
3	11/21/24	DEQ Air Division	4	2(c)(iii) Asphalt Paving. A precaution, which typically applies to road construction and paving work (9VAC5-45-780 et seq.), places limitations on the use of “cut-back” (liquefied asphalt cement, blended with petroleum solvents), and may apply to the project. The asphalt must be “emulsified” (predominantly cement and water with a small amount of emulsifying agent) except when specified circumstances apply. Moreover, there are time-of-year restrictions on its use from April through October in VOC emission control areas.	Talbert & Bright	The airport sponsor will adhere to these requirements during construction.
4	11/21/24	DEQ	5	3(c) Requirements. Areas within the RMA are subject to general performance criteria as specified in in §9VAC25-830-130 of the Regulations. Projects within the RMA must minimize land disturbance (including access and staging areas), retain existing vegetation and minimize impervious cover. For land disturbances over 2,500 square feet, the project must comply with the requirements of the Virginia Erosion and Sediment Control Handbook. Additionally, stormwater management criteria consistent with water quality protection provisions of the Virginia Stormwater Management Regulations shall be satisfied.	Talbert & Bright	The proposed project will adhere to these requirements. Also, the proposed project is less than 2,500 square feet in size.

DEQ Federal Consistency Certification Requirements and Responses
Stafford Regional Airport (RMN)
Proposed Aircraft Self-Serve Fueling System
November 29, 2024

Comment #	Date	Organization	Page #	Comment (Agency Requirements)	Response By	Response
5	11/21/24	DEQ Office of Stormwater Management (DEQ-OSWM)	5	<p>4(b)(i) Erosion and Sediment Control Plan. The applicant is responsible for submitting a project specific erosion and sediment control (ESC) plan to the locality in which the project is located for review and approval pursuant to the local ESC requirements, if the project involves a land-disturbing activity of 2,500 square feet or more. Depending on local requirements the area of land disturbance requiring an ESC plan may be less. The ESC plan must be approved by the locality prior to any land disturbing activity at the project site. All regulated land-disturbing activities associated with the project, including on- and offsite access roads, staging areas, borrow areas, stockpiles, and soil intentionally transported from the project, must be covered by the project specific ESC plan. Local ESC program requirements must be requested through the locality.</p> <p>4(b)(ii) Stormwater Management Plan. Depending on local requirements, a Stormwater Management (SWM) plan may be required. Local SWM program requirements must be requested through the locality.</p> <p>4(b)(iii) General Permit for Stormwater Discharges from Construction Activities (VAR10). The operator or owner of a construction activity involving land disturbance of equal to or greater than 1 acre is required to register for coverage under the General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities and develop a project specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the General Permit and the SWPPP must address water quality and quantity in accordance with the Virginia Stormwater Management Program Regulations.</p>	Talbert & Bright	<p>An Erosion and Sediment Control (ESC) Plan will be coordinated with Stafford County if required.</p> <p>A SWM will be prepared and coordinated with Stafford County if required.</p> <p>A SWPPP will be prepared and coordinated with Stafford County if required.</p>

DEQ Federal Consistency Certification Requirements and Responses
Stafford Regional Airport (RMN)
Proposed Aircraft Self-Serve Fueling System
November 29, 2024

Comment #	Date	Organization	Page #	Comment (Agency Requirements)	Response By	Response
6	11/21/24	DEQ Division of Land Protection and Revitalization (DEQ-DLPR)	7	<p>1(c)(i) Contaminated and Generated Wastes. Any soil that is suspected of contamination or wastes that are generated during construction must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations. All construction and demolition debris must be characterized in accordance with the Virginia Hazardous Waste Management Regulations prior to disposal at an appropriate facility. It is the generator's responsibility to determine if a solid waste meets the criteria of a hazardous waste and to manage the waste appropriately.</p> <p>1(c)(ii) Petroleum Releases and Storage Tanks. If evidence of a petroleum release is discovered, it must be reported to DEQ, as authorized by Virginia Code § 62.1-44.34.8 through 9 and 9 VAC 25-580-10 et seq. Installation and operation of any regulated petroleum storage tank(s) either aboveground storage tanks (AST) or underground storage tanks (UST) must also be conducted in accordance with the Virginia Regulations 9 VAC 25-91-10 et seq. and / or 9 VAC 25-580-10 et seq.</p> <p>1(c)(iii) Asbestos-containing Material and Lead-based Paint. Any structures being demolished, renovated or removed should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to construction. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, state regulations 9 VAC 20-80-640 for ACM and 9 VAC 20-60-261 for LBP must be followed.</p>	Talbert & Bright	The airport sponsor will adhere to these requirements during construction.

DEQ Federal Consistency Certification Requirements and Responses
Stafford Regional Airport (RMN)
Proposed Aircraft Self-Serve Fueling System
November 29, 2024

Comment #	Date	Organization	Page #	Comment (Agency Requirements)	Response By	Response
7	11/21/24	Virginia Department of Aviation (DOAV)	8	3(c) Requirement. The applicant must keep the airport layout plan current as the project proceeds.	Talbert & Bright	The RMN Airport Layout Plan will be revised to depict the completed self-fueling system during the next Pen & Ink Revision.
8	11/21/24	Virginia Department of Conservation and Recreation (DCR)	9	5(c) Requirement. The applicant/developer must contact the local floodplain administrator for an official floodplain determination, and if the project is located in the SFHA, this project must comply with the community's local floodplain ordinance, including receiving a local permit, as necessary. Failure to comply with the local floodplain ordinance could result in enforcement action from the locality.	Talbert & Bright	There are no floodplains near the proposed project area nor will any floodplains be impacted by the proposed project. Coordination will be conducted with the Stafford County Floodplain Administrator during the design phase of this project.