

## **Appendix B**

### **Agency Correspondence**



February 19, 2004

«PREF» «FIRST» «INIT» «LAST» «SUFF»  
«COMPANY1»  
«ADDRESS1»  
«CITY», «STATE» «ZIP»

Re: Agency Scoping Meeting  
Richmond/Hampton Roads Passenger Rail Study  
Alternatives Analysis/Tier I Environmental Impact Statement

Dear «LAST»:

Your participation is requested in an Agency Scoping meeting on March 9th to initiate the Richmond/Hampton Roads Passenger Rail Study which includes an Alternatives Analysis and Tier I Environmental Impact Statements (EIS) in accordance with the National Environmental Policy Act (NEPA).

The Virginia Department of Rail and Public Transportation (DRPT), in close cooperation with the Federal Railroad Administration (FRA) and the Virginia Department of Transportation (VDOT), will prepare a Tier I EIS for the Richmond to Hampton Roads High Speed Rail Corridor. The study will evaluate potential alternatives and potential environmental impacts for higher-speed rail service within the study area. The passenger rail study area generally follows the Richmond to Petersburg to South Hampton Roads Corridor and the existing Amtrak corridor from Richmond to Williamsburg to Newport News. This rail service would be an extension of the planned Southeast High Speed Rail (SEHSR) Corridor, providing rail connections to the Southeast, Northeast and Mid-Atlantic regions.

Comments are solicited on the alternatives to be evaluated for possible selection. The transit improvements selected for implementation in the Locally Preferred Alternative (LPA) will be the subject of the EIS. The NEPA process is being initiated concurrently with the start of the Alternatives Analysis. This environmental process begins with a series of scoping meetings requesting participation from interested persons, organizations, and federal, state, and local agencies. The Agency Scoping meeting is as follows:

**Agency Scoping Meeting**  
Tuesday, March 9, 2004 at 1:00 PM  
DRPT, Central Conference Room  
1313 East Main Street, Suite 300  
Richmond, Virginia 23218

We encourage all agencies to participate in the Agency Scoping meeting on March 9 and to provide written comments pertaining to the proposed corridor. We are holding one formal Agency Scoping meeting to cover this study to minimize demands on your schedules. The formal Agency Scoping meeting will be followed by an informal open house to answer any questions you might have.

The purpose of this transmittal is to request your participation and to inform you about the proposed study. The main goal of scoping is to provide agencies and the public an opportunity to communicate issues and concerns to our study team early in the planning process. A Scoping Information Package for the corridor will be distributed during the agency and public meetings to provide additional information about the study. It will also be available beginning February 27 on the study website at [www.rich2hrrail.info](http://www.rich2hrrail.info). For your information, specific dates and times of the public scoping meetings are provided below:

#### Public Scoping Meeting Schedule

City	Date	Location	Address
Richmond	Tuesday, March 9 (Snow Date 3/23/04)	Science Museum of Virginia	2500 West Broad St., West Terrace Area Richmond, VA
Petersburg	Wednesday, March 10 (Snow Date 3/17/04)	Petersburg Union Train Station	103 River St. Petersburg, VA
Chesapeake	Thursday, March 11 (Snow Date 3/16/04)	Chesapeake Central Library	298 Cedar Rd., Room 1 Chesapeake, VA
Williamsburg	Wednesday, March 24 (Snow Date 3/31/04)	City of Williamsburg Community Building	401 North Boundary St. Williamsburg, VA

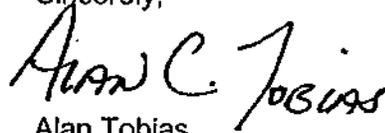
All public scoping meetings are scheduled between 4:00 PM and 7:00 PM, with two formal presentations beginning 4:30 and 6:00 PM.

Comments should focus on identifying the issues and alternatives for analysis, rather than indicating a preference for a particular alternative or alignment. Comments on the scope of alternatives and impacts considered can be made at the Agency Scoping meeting or submitted in writing anytime before May 15, 2004. Written comments should be sent to the address or E-mail listed below:

Alan Tobias  
 Manager of Passenger Rail Programs  
 Virginia Department of Rail and Public Transportation (DRPT)  
 P.O. Box 590  
 Richmond, VA 23218-0590  
 Phone: (804) 786-1063  
 Fax: (804) 225-3752  
 E-mail: [alan.tobias@drpt.virginia.gov](mailto:alan.tobias@drpt.virginia.gov)

If you would like to identify another representative as a study contact or are *not* interested in receiving future information about this study, please let me know. If you have any additional questions about the Agency Scoping meeting, please feel free to contact me. I would like to thank you in advance for your participation and look forward to working with you on this important study.

Sincerely,

A handwritten signature in black ink that reads "Alan C. Tobias". The signature is written in a cursive style with a large initial "A" and "T".

Alan Tobias  
Manager of Passenger Rail Programs

Enclosure (draft NOI and study map)



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

www.deq.state.va.us

W. Taylor Murphy, Jr.  
Secretary of Natural Resources

Robert G. Burnley  
Director

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

February 23, 2004

Mr. Alan C. Tobias  
Manager of Passenger Rail Programs  
Department of Rail and Public Transportation  
1315 East Main Street, Suite 300  
Richmond, Virginia 23219

RE: Agency Scoping Meeting, Richmond/Hampton Roads Passenger Rail Study,  
Alternatives Analysis/Tier I Environmental Impact Statement

Dear Mr. Tobias:

Thank you for your February 19, 2004 letter inviting me to the March 9 Agency Scoping meeting for the above-referenced Study. The Department of Environmental Quality may have several responsibilities relative to this Study and any resulting projects (see my enclosed letter, dated February 23, to Mr. Bonanti of the Federal Railroad Administration), and so I am pleased to accept your invitation. However, I will be out of town at the time of your March 9 meeting, and so I would like to be able to send one or two members of my staff from DEQ's Office of Environmental Impact Review.

If you have questions, please feel free to call me (698-4325) or one of my staff members, Charles Ellis (698-4488) or Anne Newsom (698-4135). I hope our participation will be helpful to your study efforts.

Sincerely,

Ellic L. Irons  
Program Manager  
Office of Environmental Impact Review

enclosures

cc: Christopher Bonanti, FRA  
Charles H. Ellis III, DEQ-OEIR  
Anne B. Newsom, DEQ-OEIR

Post-it® Fax Note	7671	Date	2/26/04	# of pages	8
To	CLINT HARRIS	From	ALAN TOBIAS		
Co./Dept.	DMIT+ HARRIS	Co.	DRPT		
Phone #	713-278-4603	Phone #	804-786-1063		
Fax #	713-267-3286	Fax #	804-225-3752		



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1-800-592-5482

February 23, 2004

Mr. Christopher Bonanti  
Environmental Program Manager  
Federal Railroad Administration  
U.S. Department of Transportation  
400 7<sup>th</sup> Street, S.W.  
MS 20  
Washington, D.C. 20590

RE: Notice of Intent: Environmental Impact Statement for Rail Corridor, Richmond to Hampton Roads, Virginia (via Williamsburg to Newport News and via Petersburg to Norfolk)

Dear Mr. Bonanti:

This is in response to the above Notice of Intent ("NOI"), which appeared in the Federal Register on February 23, 2004 (Volume 69, Number 35, pages 8261-2). The Virginia Department of Environmental Quality's Office of Environmental Impact Review has responsibilities possibly affecting, and affected by, the proposed provision of high-speed rail service in the study corridors.

Specifically, the Department of Environmental Quality ("DEQ") coordinates Virginia's review of federal environmental documents and responds to appropriate federal officials on behalf of the Commonwealth. In addition, DEQ is the lead agency for Virginia's review of federal consistency determinations and certifications submitted pursuant to the Coastal Zone Management Act.

### Environmental Review and Scoping

We are sharing copies of the NOI with selected Virginia state agencies, most of which are regularly involved in environmental reviews, and with affected regional Planning District Commissions and local governments. We will solicit comments from these agencies and entities when the Tier 1 Draft EIS is made available to us. The agencies and entities are likely to include the following (starred (\*) agencies administer

one or more of the Enforceable Programs of the Virginia Coastal Resources Management Program; see "Federal Consistency..." below):

Department of Environmental Quality  
Office of Environmental Impact Review (this Office)\*  
Piedmont Regional Office\*  
Tidewater Regional Office  
Water Division\*  
Air Division\*  
Waste Division  
Department of Game and Inland Fisheries\*  
Department of Conservation and Recreation\*  
Department of Health\*  
Marine Resources Commission\*  
Department of Historic Resources (section 106 contact)  
Department of Forestry  
Chesapeake Bay Local Assistance Department\*  
Department of Transportation  
Planning District Commissions: Richmond Regional, Crater, Hampton Roads  
Cities: Richmond, Williamsburg, Newport News, Hampton,  
Petersburg, Suffolk, Chesapeake, Portsmouth, Norfolk  
Counties: Henrico, Charles City, James City, York,  
Chesterfield, Prince George, Surry, Isle of Wight

In order to ensure an effective coordinated review of the Draft EIS and the consistency determination (see "Federal Consistency..." below), we will require 18 copies of the document for state agencies' review when it is published. In addition, the above-listed planning district commissions and localities will need copies of the EIS.

**Federal Consistency under the Coastal Zone Management Act**

Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities affecting Virginia's coastal resources or coastal uses must be consistent, to the maximum extent practicable, with the Virginia Coastal Resources Management Program (VCP) (see section 307(c)(1) of the Act and the Federal Consistency Regulations, 15 CFR Part 930, subpart C, sections 930.30 through 930.46). The consistency determination involves an analysis of the consistency of the proposed activities with the Enforceable Programs of the VCP (first enclosure). In addition, we invite your attention to the Advisory Policies of the VCP (second enclosure). The federal consistency determination may be provided as part of the NEPA documentation or independently, depending on your agency's preference. Section 930.39 of the Federal Consistency Regulations gives content requirements for the consistency determination. Virginia's

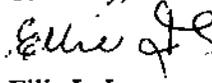
Mr. Christopher Bonanti  
Page 3

Federal Consistency Information Package, dated December 2001, gives guidance on consistency review in Virginia (see DEQ's web site, <http://www.deq.state.va.us/eir>, or contact this Office; see below).

If you have questions about the environmental review process or the federal consistency review process, please feel free to call this Office (Charles Ellis, (telephone (804) 698-4488).

I hope this information is helpful to you.

Sincerely,

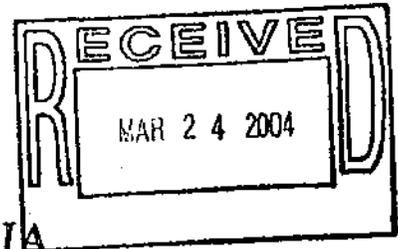


Ellie L. Irons  
Program Manager  
Office of Environmental Impact Review

Enclosures

cc: ~~Alan C. Tobias, DRPT~~  
Ellen Gilinsky, DEQ-Water  
Kotur S. Narasimhan, DEQ-Air  
Thomas D. Modena, DEQ-Waste  
R. Christopher French, DEQ-PRO  
Harold J. Winer, DEQ-TRO  
Brian D. Moyer, DGIF  
John R. Davy, Jr., DCR  
Alan D. Weber, VDH  
Tony Watkinson, MRC  
J. Michael Foreman, DOF  
Ethel R. Eaton, DHR  
Catherine M. Harold, CBLAD  
David V. Grimes, VDOT  
John M. Carlock, Hampton Roads PDC  
Paul E. Fisher, Richmond Regional PDC  
Dennis K. Morris, Crater PDC

First-class Fax Note	7671	Date	3/26/04	# of pages	2
To	CLINT HARBERS	From	ALAN TOBIAS		
Co./Dept	OMJM+HARRIS	Co.	DRPT		
Phone #	713-278-4003	Phone #	804-786-1063		
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www.deq.state.va.us

W. Taylor Murphy, Jr.  
Secretary of Natural Resources

Robert G. Burnley  
Director

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

March 22, 2004

Mr. Alan C. Tobias  
Manager of Passenger Rail Programs  
Virginia Department of Rail and Public Transportation  
1313 E. Main Street  
Richmond, Virginia 23218-0590

Subject: Richmond/Hampton Roads Passenger Rail Study  
Initial Comments

Dear Mr. Tobias:

The Department of Environmental Quality (DEQ) Virginia Water Protection Permit Program has reviewed the information provided regarding the Richmond/Hampton Roads Passenger Rail Study. We recognize the importance of this project.

The project corridor includes the area from Richmond to Norfolk between Route 460 and Interstate 64. Numerous wetland types and water bodies are found in the area. The Environmental Impact Statement should explore the potential for the most feasible alternative that also avoids and minimizes potential direct and indirect impacts to wetlands and streams to the greatest extent practicable. Examples of avoidance and minimization efforts include completely spanning wetlands and streams to avoid impact and shifting the alignment to avoid or minimize surface water impacts. The selected alternative's unavoidable impacts to surface waters will require compensatory mitigation to replace acreage and function.

Examples of specific resources that should be investigated as part of your study include: National Wetland Inventory maps, 305(b) Water Quality Assessment Report, 303(d) Impaired Waters Report, and Natural or Stockable Trout Waters Classifications. Should impacts to surface waters, including wetlands be unavoidable, this project will require a Virginia Water Protection Permit, which can be applied for through the Joint Permit Application process.

In general, DEQ encourages the use of erosion and sediment control measures, adherence to stormwater management regulations, and careful construction practices to minimize temporary impacts to surface waters during site construction activities.

(over)

Mr. Tobias  
Richmond/Hampton Roads Passenger Rail Study  
March 22, 2004  
Page 2 of 2

Please note that any impacts due to grading, clearing, or excavating more than one acre of land will require a storm water permit for construction. The proponent should coordinate storm water permitting issues with the DEQ Regional Office Storm Water Permitting staff at the appropriate regional office.

We appreciate the opportunity to comment on this project. Please contact Ms. Wendy Kedzierski at (804) 698-4503 or [wmkedziers@deq.state.va.us](mailto:wmkedziers@deq.state.va.us) with any questions or comments.

Sincerely,



Ellen Gilinsky, Ph.D.  
Director, Office of Wetlands and Water Projection and Compliance

cc: VWPP File



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

www.drq.state.va.us

W. Taylor Murphy, Jr.  
Secretary of Natural Resources

Robert G. Burnley  
Director

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

### Attachment 1

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

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

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

- b. Subaqueous Lands Management - The management program for subaqueous lands establishes conditions for granting or denying permits to use state-owned bottomlands based on considerations of potential effects on marine and fisheries resources, tidal wetlands, adjacent or nearby properties, anticipated public and private benefits, and water quality standards established by the Department of Environmental Quality (DEQ). The program is administered by the Marine Resources Commission; Virginia Code §28.2-1200 to §28.2-1213.

- c. Wetlands Management - The purpose of the wetlands management program is to preserve wetlands, prevent their despoliation, and accommodate economic development in a manner consistent with wetlands preservation.

(1) The tidal wetlands program is administered by the Marine Resources Commission; Virginia Code §28.2-1301 through §28.2-1320.

(2) The Virginia Water Protection Permit program administered by DEQ includes protection of wetlands -both tidal and non-tidal; Virginia Code §62.1-44.15:5 and Water Quality Certification pursuant to Section 401 of the Clean Water Act.

- d. Dunes Management - Dune protection is carried out pursuant to The Coastal Primary Sand Dune Protection Act and is intended to prevent destruction or alteration of primary dunes. This program is administered by the Marine Resources Commission; Virginia Code §28.2-1400 through §28.2-1420.
  
- e. Non-point Source Pollution Control - (1) Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. This program is administered by the Department of Conservation and Recreation; Virginia Code §10.1-560 et seq.  
  
(2) Coastal Lands Management is a state-local cooperative program administered by the Chesapeake Bay Local Assistance Department and 84 localities in Tidewater (see i) Virginia; Virginia Code §10.1-2100 -10.1-2114 and 9 VAC10-20 et seq.
  
- f. Point Source Pollution Control - The point source program is administered by the State Water Control Board (DEQ) pursuant to Virginia Code §62.1-44.15. Point source pollution control is accomplished through the implementation of:
  - (1) the National Pollutant Discharge Elimination System (NPDES) permit program established pursuant to Section 402 of the federal Clean Water Act and administered in Virginia as the Virginia Pollutant Discharge Elimination System (VPDES) permit program.
  - (2) The Virginia Water Protection Permit (VWPP) program administered by DEQ; Virginia Code §62.1-44.15:5 and Water Quality Certification pursuant to Section 401 of the Clean Water Act.
  
- g. Shoreline Sanitation - The purpose of this program is to regulate the installation of septic tanks, set standards concerning soil types suitable for septic tanks, and specify minimum distances that tanks must be placed away from streams, rivers, and other waters of the Commonwealth. This program is administered by the Department of Health (Virginia Code §32.1-164 through §32.1-165).
  
- h. Air Pollution Control - The program implements the federal Clean Air Act to provide a legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards. This program is administered by the State Air Pollution Control Board (Virginia Code §10-1.1300 through §10.1-1320).
  
- (i) Coastal Lands Management is a state-local cooperative program administered by the Chesapeake Bay Local Assistance Department and 84 localities in Tidewater, Virginia established pursuant to the Chesapeake Bay Preservation Act; Virginia Code §10.1-2100 -10.1-2114 and Chesapeake Bay Preservation Area Designation and Management Regulations; Virginia Administrative Code 9 VAC10-20 et seq.

**Attachment 2**

**Advisory Policies for Geographic Areas of Particular Concern**

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

Although the management of such areas is the responsibility of local government and some regional authorities, designation of these areas as Waterfront Development Areas of Particular Concern (APC) under the VCRMP is encouraged. Designation will allow the use of federal CZMA funds to be used to assist planning for such areas and the implementation of such plans. The VCRMP recognizes two broad classes of priority uses for waterfront development APC:

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

**Advisory Policies for Shorefront Access Planning and Protection**

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



# United States Department of the Interior

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



May 11, 2004

Mr. Alan C. Tobias  
Virginia Department of Rail and Public Transportation  
1313 East Main Street, Suite 300  
P.O. Box 590  
Richmond, Virginia 23218-0590

Re: Richmond to Hampton Roads High  
Speed Rail Corridor  
ER: 04/0142

Dear Mr. Tobias:

The U.S. Fish and Wildlife Service, Virginia Field Office (Service) has reviewed the Notice of Intent by the Federal Railroad Administration to prepare an Environmental Impact Statement for the proposed Richmond to Hampton Roads High Speed Rail Corridor. The project would evaluate potential alternatives for higher-speed rail service in both the Richmond-Petersburg-South Hampton Roads Corridor and the existing Amtrak corridor from Richmond to Williamsburg to Newport News, providing rail connections to the Southeast, Northeast, and mid-Atlantic regions as part of the Southeast High Speed Rail Corridor. This letter constitutes the scoping comments of the Service and the Department of the Interior on the proposed project and is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 USC, subsections 4321-4370a), as amended.

### Endangered Species Act Comments

Based on the information provided, we have included County/City lists of Federally listed endangered and threatened species, in which the current alternatives are located. If additional Counties/Cities would be included in the study area, the Service would provide those County lists as appropriate. As more detailed information becomes available on this project, the Service will provide additional recommendations on Federally listed species.

If you have not done so already, you should contact the following agencies to determine coordination requirements for Virginia State endangered and threatened species.

Virginia Department of Game and Inland Fisheries  
Environmental Services Section  
P.O. Box 11104  
Richmond, VA 23230  
(804) 367-8999

Virginia Department of Conservation and Recreation  
Division of Natural Heritage  
217 Governor Street, 3<sup>rd</sup> Floor  
Richmond, Virginia 23219  
(804) 786-4554

#### Fish and Wildlife Coordination Act Comments

A primary concern of the Service is the protection of wetlands for the numerous functions and values they provide. Wetlands are some of the most biologically productive ecosystems and they provide habitat for a variety of fish and wildlife species. Wetlands can improve water quality by trapping sediments and absorbing nutrients and pollutants. Forested wetlands preserve water quality by slowing and filtering runoff from uplands, buffering water temperature fluctuations, stabilizing stream banks, and contributing organic matter to the food chain. One-third of all Federally endangered species depend on wetlands for at least a portion of their life history requirements and one-half of all migratory birds depend upon or frequent wetlands and associated habitats (U.S. Department of the Interior 1990). Yet wetlands comprise only 5% of the total land area of the contiguous United States (Tiner 1984) and only 4% in Virginia (Tiner 1987). Numerous studies on the status and trends of wetlands indicate that palustrine forested wetlands are declining at a significant rate, with national losses totaling 3.4 million acres from the mid-1970s to the mid-1980s (Dahl and Johnson 1991) and losses within the mid-Atlantic region totaling 70,000 acres between the mid-1950s and late 1970s (Tiner and Finn 1986).

The Service conducted a study of wetland trends in the 63,000-square mile watershed draining into Chesapeake Bay. Wetland status and trends were estimated for the time period of 1982 to 1989. An estimated 1.7 million acres of wetlands and 3.5 million acres of deepwater habitat (including the Bay) existed in the watershed in 1989. Almost 90% of the wetlands are palustrine, with forested wetlands being most abundant. An estimated total of 22,000 acres of palustrine wetlands were lost in the Chesapeake Bay watershed during the study period and Virginia experienced the heaviest losses (Tiner et al. 1994). Because of the value of these areas and the national policy of no net loss of wetlands, the Service recommends avoiding wetland impacts.

To protect wetlands, the Service has formulated a Mitigation Policy to guide our coordination of projects with potential wetland impacts. According to the Service's Mitigation Policy (FR Part III, Vol. 46, No. 15, Jan. 23, 1981, p. 7660) wetland impacts should be avoided or minimized to the maximum extent practicable and should be mitigated in a sequential fashion as listed below:

1. Avoiding the impact altogether by not taking a certain action or parts of an action,
2. Minimizing the impact by limiting the degree or magnitude of the action and its implementation,
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment,
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5. Compensating for the impact by replacing or providing substitute resources or environments.

After numbers 1 through 4 above have been completed, if unavoidable wetland losses remain, we generally recommend that emergent wetland losses be compensated by restoring former wetlands or by creating similar emergent wetlands from low habitat value upland sites on a 1.5 to 1 areal basis and that unavoidable losses of scrub/shrub and forested wetlands be compensated in-kind on a 2 to 1 areal basis. These general recommendations incorporate more than simple areal replacement because of the inherent risk in wetland restoration/creation and the time lag between the loss of existing habitat and the replacement of that habitat value.

The Service makes several generic recommendations for habitat compensation. Sediment and erosion control measures should be implemented to prevent soil movement in the adjacent wetlands and waterways. The local Natural Resources Conservation Service office should be consulted regarding the soil amendments and planting schedule needed to maximize the likelihood of successful soil stabilization. No point source discharge (i.e. stormwater outfalls) should be directed into any restored or created wetlands.

To ensure successful compensation and to provide a basis for compliance monitoring, we recommend that a detailed compensation plan be developed that addresses the following items:

- o a detailed diagram of the compensation area boundaries and elevations;
- o a description of the soil conditions to be created or restored, including required pH, organic content, and necessary soil amendments (i.e. pH adjustments, fertilizer);

- o a description of the hydrologic conditions to be created or restored, including at least a description of the frequency and duration of soil saturation and/or inundation and the measures to be taken to develop this hydrologic regime;
- o a description of the plant communities desired, their proposed locations and means of establishment, the source of propagules, and the timing and density of establishment;
- o a detailed schedule describing when the proposed fill, dredging, planting, transplanting, or other actions will occur;
- o a post-compensation monitoring plan establishing monitoring methodologies, reporting schedules, and performance standards to be used to evaluate whether the compensation effort restored or replaced the affected wetland functions, including fish and wildlife habitat, flood storage, and water quality maintenance;
- o a description of actions to be taken if the compensation measures are not successful.

All compensation should be completed prior to or concurrent with project-induced habitat impacts. Compensation plans should include a construction chronology and deadlines for completion of all habitat construction. All compensation plans should be published in the Record of Decision that is required in fulfillment of the obligations for this project under the National Environmental Policy Act.

In accordance with Executive Order 11988 (Protection of Floodplains), floodplain impacts should be mitigated to the maximum extent possible, including compensation for any unavoidable floodplain impacts. We recommend that the applicant mitigate floodplain impacts following the recommendations listed above for wetland mitigation.

The Service requests that the following information be included for each alternative in the environmental document:

1. maps showing location and acreage of all habitat types to be impacted including streams, wetlands, and uplands,
2. maps showing impacts within the 100-year floodplain,
3. sequence and timing of project construction.

We request information on the potential indirect, secondary, and cumulative impacts to both upland and wetland habitat types predicted to result from each project alternative and the anticipated acreage to be impacted. Examples include land development for industrial facilities, housing, travel corridors, etc., that would be facilitated as a result of this transportation project.

The Service is concerned about impacts to forested habitat that are likely to occur if this project is constructed. Forested habitat in this portion of Virginia improves water quality, ameliorates flooding, and serves as habitat for many fish and wildlife species. The Service recommends some type of restoration/enhancement of forested habitat to offset such impacts to natural resources. Actions such as riparian and/or floodplain reforestation, restoration, or enhancement are examples of many options that could be considered. The Service would be glad to work with the Federal Railroad Administration and Virginia Department and Rail and Public Transportation to explore habitat rehabilitation options for this project.

If this project may involve publicly-owned park property, the Service recommends that the applicant contact the National Park Service at the following address to inform them of this project:

Regional Director  
National Park Service  
143 South Third Street  
Philadelphia, PA 19106  
(215) 597-7015

The Service appreciates your early coordination of this project with us. If you have questions, please contact William Hester at (804) 693-6694, ext. 134.

Sincerely,



Karen L. Mayne  
Supervisor  
Virginia Field Office

cc: VDOT Headquarters, Richmond, VA (Cooper Wamsley)  
FHWA, Richmond, VA (Ed Sundra)

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- Ware, D. M. E. 1991. Small whorled pogonia. Pages 95-97 in K. Terwilliger, ed. Virginia's Endangered Species, Proceedings of a Symposium. McDonald and Woodward Publishing Co., Blacksburg, VA.

**CITY OF HAMPTON, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
Charadrius melodus	Piping plover	LT
Haliaeetus leucocephalus	Bald eagle	LT
<u>INVERTEBRATES</u>		
Cicindela dorsalis dorsalis	Northeastern beach tiger beetle	LT

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**Species of Concern**

<u>VASCULAR PLANTS</u>		
Trillium pusillum var. virginianum	Virginia least trillium	G3T2

May 29, 2001

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF NEWPORT NEWS, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
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BIRDS

Haliaeetus leucocephalus

Bald eagle

LT

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**Species of Concern**

None documented

August 26, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**JAMES CITY COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
Haliaeetus leucocephalus <sup>1</sup>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
Aeschynomene virginica	Sensitive joint-vetch	LT
Isotria medeoloides	Small whorled pogonia	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
Speyeria diana	Diana fritillary	G3
Problema bulenta	Rare skipper	G2G3
<u>VASCULAR PLANTS</u>		
Carex decomposita	Epiphytic sedge	G3
Chamaecrista fasciculata var. macrosperma	Marsh senna	G5T2
Eriocaulon parkeri	Parker's pipewort	G3
Juncus caesariensis	New Jersey rush	G2
Monotropsis odorata	Sweet pine sap	G3
Nuphar sagittifolia	Narrow-leaved spatterdock	G2
Trillium pusillum var. virginianum	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

**NEW KENT COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i>	Sensitive joint-vetch	LT
<i>Helonias bullata</i> <sup>1</sup>	Swamp pink	LT
<i>Isotria medeoloides</i>	Small whorled pogonia	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Problema bulenta</i>	Rare skipper	G2G3
<i>Stygobromus araeus</i>	Tidewater interstitial amphipod	G2
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i>	Marsh senna	G5T2
<i>Eriocaulon parkeri</i>	Parker's pipewort	G3
<i>Juncus caesariensis</i> <sup>1</sup>	New Jersey rush	G2
<i>Nuphar sagittifolia</i>	Narrow-leaved spatterdock	G5T2T3
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>This species has been documented in an adjacent county and may occur in this county.

March 22, 1999  
 Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CHARLES CITY COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i> <sup>1</sup>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i>	Sensitive joint-vetch	LT
<i>Helonias bullata</i> <sup>2</sup>	Swamp pink	LT
<i>Isotria medeoloides</i> <sup>2</sup>	Small whorled pogonia	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Speyeria diana</i>	Diana fritillary	G3
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i>	Marsh senna	G5T2
<i>Eriocaulon parkeri</i>	Parker's pipewort	G3
<i>Juncus caesariensis</i>	New Jersey rush	G2
<i>Nuphar sagittifolia</i>	Narrow-leaved spatterdock	G5T2T3
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

May 29, 2001

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**HENRICO COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i> <sup>1</sup>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i> <sup>2</sup>	Sensitive joint-vetch	LT
<i>Helonias bullata</i> <sup>4</sup>	Swamp pink	LT
<i>Isotria medeoloides</i> <sup>3</sup>	Small whorled pogonia	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Fusconaia masoni</i>	Atlantic pigtoe	G2
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i> <sup>1</sup>	Marsh senna	G5T2
<i>Juncus caesariensis</i>	New Jersey rush	G2
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

<sup>3</sup>This species has been documented in an adjacent county and may occur in this county east of I-95.

<sup>4</sup>This species has been documented in this county east of I-95.

November 12, 2002

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**HANOVER COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT
<u>INVERTEBRATES</u>		
<i>Alasmidonta heterodon</i>	Dwarf wedgemussel	LE
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i> <sup>1</sup>	Sensitive joint-vetch	LT
<i>Helonias bullata</i> <sup>2</sup>	Swamp pink	LT
<i>Isotria medeoloides</i> <sup>2</sup>	Small whorled pogonia	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Elliptio lanceolata</i>	Yellow lance	G3
<i>Lasmigona subviridis</i>	Green floater	G3
<i>Sigara depressa</i>	Virginia Piedmont water boatmen	G1G3
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i> <sup>1</sup>	Marsh senna	G5T2

<sup>1</sup>This species has been documented in an adjacent county and may occur in this county.

<sup>2</sup>This species has been documented in an adjacent county & may occur in this county east of I-95.

November 12, 2002

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF RICHMOND, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

SCIENTIFIC NAME

COMMON NAME

STATUS

BIRDS

Haliaeetus leucocephalus

Bald eagle

LT

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**Species of Concern**

None documented

5-5-98

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CHESTERFIELD COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
Haliaeetus leucocephalus <sup>1</sup>	Bald eagle	LT
<u>INVERTEBRATES</u>		
Alasmidonta heterodon <sup>2</sup>	Dwarf wedgemussel	LE
<u>VASCULAR PLANTS</u>		
Aeschynomene virginica	Sensitive joint-vetch	LT
Rhus michauxii <sup>2</sup>	Michaux's sumac	LE

**Species of Concern**

<u>INVERTEBRATES</u>		
Elliptio lanceolata	Yellow lance	G3
Speyeria diana	Diana fritillary	G3
<u>VASCULAR PLANTS</u>		
Chamaecrista fasciculata var. macrosperma	Marsh senna	G5T2
Desmodium ochroleucum	Creamflower tick-trefoil	G2G3
Trillium pusillum var virginianum	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

May 29, 2001

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF PETERSBURG, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

SCIENTIFIC NAME

COMMON NAME

STATUS

None documented

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**Species of Concern**

NON-VASCULAR PLANTS

Sphagnum cyclophyllum

Circular-leaved peatmoss

G3

March 22, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**PRINCE GEORGE COUNTY, VIRGINIA  
Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i> <sup>1</sup>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i>	Sensitive joint-vetch	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Speyeria diana</i>	Diana fritillary	G3
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i>	Marsh senna	G5T2
<i>Rudbeckia heliopsidis</i>	Sun-facing coneflower	G2
<i>Trillium pusillum</i> var. <i>virginianum</i> <sup>2</sup>	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

March 22, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**SURRY COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i> <sup>1</sup>	Bald eagle	LT
<u>PLANTS</u>		
<i>Aeschynomene virginica</i>	Sensitive joint-vetch	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Speyeria diana</i>	Diana fritillary	G3
<i>Stygobromus araeus</i>	Tidewater interstitial amphipod	G2
<u>VASCULAR PLANTS</u>		
<i>Carex decomposita</i>	Epiphytic sedge	G3
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i>	Marsh senna	G5T2
<i>Desmodium ochroleucum</i>	Creamflower tick-trefoil	G2G3
<i>Rudbeckia heliopsis</i> <sup>2</sup>	Sun-facing coneflower	G2
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>Surveys needed within 5-miles of Prince George County species location.

March 22, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**SUSSEX COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT
<i>Picoides borealis</i>	Red-cockaded woodpecker	LE
<u>FISH</u>		
<i>Percina rex</i>	Roanoke logperch	LE
<u>INVERTEBRATES</u>		
<i>Alasmidonta heterodon</i>	Dwarf wedge mussel	LE
<u>VASCULAR PLANTS</u>		
<i>Rhus michauxii</i> <sup>1</sup>	Michaux's sumac	LE
<i>Schwalbea americana</i>	American chaffseed	LE-EX

**Species of Concern**

<u>BIRDS</u>		
<i>Aimophila aestivalis</i>	Bachman's sparrow	G3
<u>FISH</u>		
<i>Ambloplites cavifrons</i>	Roanoke bass	G3
<u>INVERTEBRATES</u>		
<i>Elliptio lanceolata</i>	Yellow lance	G3
<i>Elliptio roanokensis</i>	Roanoke slabshell	G2
<i>Fusconia masoni</i>	Atlantic pigtoe	G2
<u>NON-VASCULAR PLANTS</u>		
<i>Sphagnum carolinianum</i>	Carolina peatmoss	G3
<u>VASCULAR PLANTS</u>		
<i>Carex decomposita</i>	Epiphytic sedge	G3
<i>Hypericum adpressum</i>	Creeping St. John's-wort	G2G3
<i>Lilium iridollae</i> <sup>1</sup>	Panhandle lily	G1G2
<i>Pycnanthemum torrei</i>	Torrey's mountain-mint	G2
<i>Rudbeckia heliopsidis</i> <sup>2</sup>	Sun-facing coneflower	G2

June 13, 2000

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

SCIENTIFIC NAME

COMMON NAME

STATUS

Scirpus flaccidifolius

Reclining bulrush

G2

Trillium pusillum var. virginianum

Virginia least trillium

G3T2

<sup>1</sup>This species has been documented in an adjacent county and may occur in this county.

<sup>2</sup>Surveys needed within 5-miles of Prince George County species location.

June 13, 2000

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**ISLE OF WIGHT COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT

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**Species of Concern**

INVERTEBRATES

<i>Caecidotea phreatica</i>	Phreatic isopod	G1
<i>Speyeria diana</i>	Diana fritillary	G3
<i>Stygobromus araeus</i>	Tidewater interstitial amphipod	G2
<i>Stygobromus indentatus</i>	Tidewater amphipod	G2G3

NON-VASCULAR PLANTS

<i>Sphagnum cyclophyllum</i>	Circular leaved peatmoss	G3
<i>Sphagnum macrophyllum</i> var <i>macrophyllum</i>	Large-leaf peatmoss	G3T3

VASCULAR PLANTS

<i>Carex decomposita</i>	Epiphytic sedge	G3
<i>Litsea aestivalis</i> <sup>1</sup>	Pondspice	G3
<i>Trillium pusillum</i> var. <i>virginianum</i> <sup>2</sup>	Virginia least trillium	G3T2

<sup>1</sup>Survey may be needed along the Blackwater River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

May 29, 2001

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**SOUTHAMPTON COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<b><u>BIRDS</u></b>		
Haliaeetus leucocephalus	Bald eagle	LT
Picoides borealis	Red-cockaded woodpecker	LE
<b><u>FISH</u></b>		
Percina rex	Roanoke logperch	LE

**Species of Concern**

<b><u>INVERTEBRATES</u></b>		
Basilisa boardmani	Southeastern myotis bat fly	G3
Elliptio lanceolata	Yellow lance	G3
Fusconaia masoni	Atlantic pigtoe	G2
Siphonplecton corstalense	Spieth's great speckled olive mayfly	G2G3
<b><u>NON-VASCULAR PLANTS</u></b>		
Sphagnum carolinianum	Carolina peatmoss	G3
<b><u>VASCULAR PLANTS</u></b>		
Carex decomposita	Epiphytic sedge	G3
Litsea aestivalis <sup>1</sup>	Pondspice	G3
Pycnanthemum torrei	Torrey's mountain-mint	G2
Scirpus flaccidifolius	Reclining bulrush	G2
Trillium pusillum var. virginianum <sup>2</sup>	Virginia least trillium	G3T2

<sup>1</sup>Survey may be needed along the Blackwater River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

June 16, 2002

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF SUFFOLK, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT

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**Species of Concern**

INVERTEBRATES

<i>Chlorochroa dismalia</i>	Dismal Swamp green stink bug	G2
<i>Speyeria diana</i>	Diana fritillary	G3
<i>Stygobromus araeus</i>	Tidewater interstitial amphipod	G2
<i>Stygobromus indentatus</i>	Tidewater amphipod	G2G3

NON-VASCULAR PLANTS

<i>Sphagnum carolinianum</i>	Carolina peatmoss	G3
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VASCULAR PLANTS

<i>Eriocaulon parkeri</i>	Parker's pipewort	G3
<i>Gentiana autumnalis</i>	Pine-barren gentian	G3
<i>Litsea aestivalis</i> <sup>1</sup>	Pondspice	G3
<i>Rhynchospora pallida</i>	Pale beakrush	G3
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>Survey may be needed along the Blackwater River.

February 28, 2000

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF CHESAPEAKE, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
Haliaeetus leucocephalus	Bald eagle	LT

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**Species of Concern**

<u>INVERTEBRATES</u>		
Euphyes dukesi	Scarce swamp skipper	G3
Pseudopolydesmus paludicolous	A millipede	G1
Stygobromus araeus	Tidewater interstitial amphipod	G2
<u>NON-VASCULAR PLANTS</u>		
Sphagnum macrophyllum var. macrophyllum	Large-leaf peatmoss	G3T3
<u>VASCULAR PLANTS</u>		
Trillium pusillum var. virginianum	Virginia least trillium	G3T2

**CITY OF VIRGINIA BEACH, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
Haliaeetus leucocephalus	Bald eagle	LT
<u>REPTILES</u>		
Caretta caretta	Loggerhead sea turtle	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
Barronopsis jeffersi	A funnel-web spider	G3
Bothynotus johnstoni	A mirid bug	G3
Ctenotrachelus shermani	Combneck assassin bug	G3
Euphyes dukesi	Scarce swamp skipper	G3
Pnirontis brimleyi	An assassin bug	G2
Pseudopolydesmus paludicolous	A millipede	G1
<u>VASCULAR PLANTS</u>		
Chamaecrista fasciculata var. macrosperma	Marsh senna	G5T2
Carex decomposita	Epiphytic sedge	G3
Trillium pusillum var. virginianum	Virginia least trillium	G3T2

February 28, 2000

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**bcc:** EPA, Region 3, Philadelphia, PA  
(Attn: Pete Stokely)  
VDCR, DNH, Richmond, VA  
(Attn: Renee Hypes)  
DEQ, Richmond, VA  
(Attn: Carolyn Browder)  
VDGIF, Richmond, VA  
(Attn: Andy Zadnick)  
Norfolk Corps, Norfolk, VA  
(Attn: Alice Allen-Grimes)  
Field Director,  
National Park Service, 143 South Third Street, Philadelphia, PA 19106  
DOI, OEPC, Washington, DC (Terence Martin)

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**(whester: 5-7-04)**



# COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Kathleen S. Kilpatrick  
Director

Tel: (804) 367-2323  
Fax: (804) 367-2391  
TDD: (804) 367-2386  
www.dhr.state.va.us

October 29, 2004

Mr. Alan C. Tobias  
Department of Rail and Public Transportation  
1313 East Main Street, Suite 300  
P.O. Box 590  
Richmond, Virginia 23218-0590

RE: Richmond to Hampton Roads Passenger Rail Study  
Statewide  
VDHR File No. 2001-1460

Dear Mr. Tobias:

We have received your Scoping Package for our review and comment regarding the above referenced project. It is our understanding that the Department of Rail and Public Transportation (DRPT) proposes to construct an enhanced passenger rail system between Richmond and the Hampton Roads region as part of the Southeast High Speed Rail Corridor. The DRPT is currently considering five alternatives consisting of a No Action Alternative, Peninsula/CSX Alternative, James River Alternative, Southside/Norfolk Southern Alternative, and a Southside/US 460 Alternative.

Due to the scope and nature of the undertaking, there is a high probability that all of the proposed alternatives, except the No Action Alternative, will have an affect on historic, architectural, and archaeological resources listed in or eligible for the National Register of Historic Places. These effects include direct and indirect impacts ranging from physical destruction to changes in the viewshed and auditory levels. Since there is such a high potential for affecting historic properties, it is important that applicable state and federal preservation laws are followed in order to identify significant cultural resources; and to avoid or mitigate any possible adverse effect to such properties. Of particular importance is adherence to the process established by Section 106 of the National Historic Preservation Act, as amended, and it implementing regulation 36 CFR 800. Please reference the Advisory Council on Historic Preservation's website at [www.achp.gov](http://www.achp.gov) for guidance on the Section 106 process.

Administrative Services  
10 Courthouse Avenue  
Petersburg, VA 23803  
Tel: (804) 863-1624  
Fax: (804) 862-6196

Capital Region Office  
2801 Kensington Ave.  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391

Portsmouth Region Office  
612 Court Street, 3<sup>rd</sup> Floor  
Portsmouth, VA 23704  
Tel: (757) 396-6707  
Fax: (757) 396-6712

Roanoke Region Office  
1030 Penmar Ave., SE  
Roanoke, VA 24013  
Tel: (540) 857-7585  
Fax: (540) 857-7586

Winchester Region Office  
107 N. Kent Street, Suite 203  
Winchester, VA 22601  
Tel: (540) 722-3427  
Fax: (540) 722-7535

Page 2

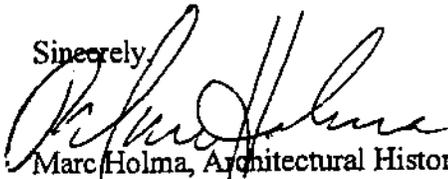
October 29, 2004

Mr. Alan C. Tobias

We look forward to working with DRPT to assist it through the Section 106 review and to ensure that historic properties are given proper consideration.

If you have any questions about our comments, please contact me at (804) 367-2323, Ext. 114.

Sincerely,



Marc Holma, Architectural Historian  
Office of Review and Compliance

**BOARD OF SUPERVISORS  
COUNTY OF NEW KENT  
VIRGINIA**

**R-18-05**

At the regular meeting of the Board of Supervisors of the County of New Kent in the Boardroom of the Administration Building in New Kent, Virginia, on the 11<sup>th</sup> day of April, 2005:

Present:

Vote:

Stran L. Trout

Aye

Mark E. Hill

Aye

D. M. Sparks

Absent

James H. Burrell

Aye

W. R. Davis, Jr.

Aye

---

Motion was made by Mr. Trout, which carried 4:0, to adopt the following resolution:

**A RESOLUTION TO SUPPORT THE DEVELOPMENT  
AND EXPANSION OF PASSENGER RAIL SERVICES  
BETWEEN RICHMOND AND HAMPTON ROADS  
ALONG THE CSXT CORRIDOR INCLUDING  
REESTABLISHING PASSENGER RAIL SERVICE AT  
PROVIDENCE FORGE**

WHEREAS, the Virginia Department of Rail and Public Transportation is currently analyzing passenger rail options and alternatives between Richmond and Hampton Roads as a part of the federally-designated Southeast High Speed Rail Corridor; and

WHEREAS, the Interstate 64 Major Investment Study completed in 1999 contained recommendations for substantially enhanced intercity passenger rail service on the Virginia Peninsula including reestablishing passenger rail service to Providence Forge; and

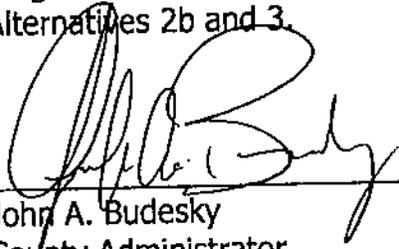
WHEREAS, the current study is evaluating alternatives, at least one of which would align the primary corridor between Richmond and Hampton Roads along the south shore of the James River in the US 460 corridor rather than along the Peninsula; and

WHEREAS, the New Kent County Comprehensive Plan, Vision 2020, provides strong recommendation that passenger rail be reestablished in Providence Force to serve both commuters and tourists; and

WHEREAS, high speed rail linkages along the Peninsula would also enable and provide enhanced access to and connection between Richmond International Airport and Newport News/Williamsburg Airport and potentially Norfolk International Airport thus improving operating capacities at the existing commercial airports without construction of a new airport: and

WHEREAS, providing enhanced passenger rail access along the Peninsula will provide far more appropriate opportunities for modal choice than routes along the south shore of the James River and the Peninsula alternative outperform the south shore alignments in terms of time, passengers, revenues, and convenience;

NOW THEREFORE BE IT RESOLVED this, the 11<sup>th</sup> day of April, 2005, by the New Kent County Board of Supervisors that the Board strongly supports and encourages establishing enhanced passenger rail alternatives that utilize the CSXT Peninsula corridor and reestablish passenger rail service to Providence Forge. In the Richmond/Hampton Roads Passenger Rail Study, these are Alternatives 2b and 3.

  
\_\_\_\_\_  
John A. Budesky  
County Administrator

  
\_\_\_\_\_  
W. R. Davis, Jr.  
Chairman

# MEMORANDUM

**To:** MPO Technical Advisory Committee  
**From:** Dan Lysy, RRPDC  
**Date:** April 22, 2005  
**Subj:** Richmond/Hampton Roads Passenger Rail Study

---

In response to a request made at the April 14, 2005 MPO meeting for TAC's recommendations on the Richmond/Hampton Roads Passenger Rail Study analysis of preliminary alternatives, TAC took action at its April 21 meeting to provide the following recommendation for MPO review and consideration (motion passed with all voting in favor except for one vote opposed and one vote to abstain):

**RESOLVED**, that the MPO Technical Advisory Committee (TAC) recommends that action to endorse one of the study alternatives is premature at this point in time and that the MPO should defer to the Hampton Roads MPO as to the need for an alternative that provides for a James River crossing.

Prior to taking this action, an amendment to the motion was made and seconded and the vote on the motion failed to pass (six voting for, six voting against, and one vote to abstain). The motion to amend the main motion was made as follows:

That the baseline alternative for this study include the adopted rail alternative from the MPO approved I-64 Major Investment Study.

Staff requests that individual TAC members provide comments which they would like for the MPO to consider at its May 12 meeting. Please submit your comments no later than Thursday, April 28, 2005 (submit for my attention).

Should you have any questions, please call me at 367-6001.

DNL/ser

pc: Russell Holland, MPO Chairman  
Alan Tobias, VDRPT  
Winston Phillips, VDRPT  
Joe Vinsh, Crater PDC  
Ivan Rucker, FHWA  
Paul Fisher, RRPDC



AUG 16

# COMMONWEALTH of VIRGINIA

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

**Department of Historic Resources**  
2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick  
Director

Tel: (804) 367-2323  
Fax: (804) 367-2391  
TDD: (804) 367-2386  
[www.dhr.virginia.gov](http://www.dhr.virginia.gov)

August 12, 2005

Mr. Winston D. Phillips  
Rail Passenger Project Engineer  
Virginia Department of Rail and Public Transportation  
1313 East Main Street, Suite 300  
Richmond, VA 23218-0590

Re: Richmond to Hampton Roads Passenger Rail Study  
DHR file no. 2001-1460

Dear Mr. Phillips:

Please see the attached correspondence from our office dated October 29, 2004. Based on the review of information provided, our comments remain essentially unchanged. We continue to believe that due to the scope and nature of the undertaking, there is a high probability that both of the proposed alternatives will have an effect on historic properties. Therefore, it is important that the Federal Railroad Administration initiate the Section 106 review process early in the planning stage of the project.

The first step in the Section 106 process is the definition of the undertaking and the identification of the Area of Potential Effect (or APE). The APE is the area within which effects to historic properties may occur should they be present, and it should take into consideration both direct effects and indirect effects, such as viewshed or noise concerns. Once the APE is agreed upon by the federal agency and the SHPO, the federal agency then proceeds to identify historic properties within the APE. Historic properties are defined as those that are listed on or eligible for listing on the National Register of Historic Places and are most commonly identified through a cultural resource survey by a qualified professional. Additional information on the Section 106 process can be found on the website of the Advisory Council on Historic Preservation ([www.achp.gov](http://www.achp.gov)).

If you have any questions, I can be reached at (804) 367-2323 ext. 111.

Sincerely,

Kristin Hill, Architectural Historian  
Office of Review and Compliance

Administrative Services  
10 Courthouse Avenue  
Petersburg, VA 23803  
Tel: (804) 863-1624  
Fax: (804) 862-6196

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

Tidewater Region Office  
14415 Old Courthouse Way, 2<sup>nd</sup> Floor  
Newport News, VA 23608  
Tel: (757) 886-2807  
Fax: (757) 886-2808

Roanoke Region Office  
1030 Pennar Ave., S1  
Roanoke, VA 24013  
Tel: (540) 857-7585  
Fax: (540) 857-7588

Winchester Region Office  
107 N. Kent Street, Suite 203  
Winchester, VA 22601  
Tel: (540) 722-3427  
Fax: (540) 722-7535



AUG 16

# COMMONWEALTH of VIRGINIA

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

**Department of Historic Resources**  
2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick  
Director

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Fax: (804) 367-2391  
TDD: (804) 367-2386  
[www.dhr.virginia.gov](http://www.dhr.virginia.gov)

August 12, 2005

Mr. Winston D. Phillips  
Rail Passenger Project Engineer  
Virginia Department of Rail and Public Transportation  
1313 East Main Street, Suite 300  
Richmond, VA 23218-0590

Re: Richmond to Hampton Roads Passenger Rail Study  
DHR file no. 2001-1460

Dear Mr. Phillips:

Please see the attached correspondence from our office dated October 29, 2004. Based on the review of information provided, our comments remain essentially unchanged. We continue to believe that due to the scope and nature of the undertaking, there is a high probability that both of the proposed alternatives will have an effect on historic properties. Therefore, it is important that the Federal Railroad Administration initiate the Section 106 review process early in the planning stage of the project.

The first step in the Section 106 process is the definition of the undertaking and the identification of the Area of Potential Effect (or APE). The APE is the area within which effects to historic properties may occur should they be present, and it should take into consideration both direct effects and indirect effects, such as viewshed or noise concerns. Once the APE is agreed upon by the federal agency and the SHPO, the federal agency then proceeds to identify historic properties within the APE. Historic properties are defined as those that are listed on or eligible for listing on the National Register of Historic Places and are most commonly identified through a cultural resource survey by a qualified professional. Additional information on the Section 106 process can be found on the website of the Advisory Council on Historic Preservation ([www.achp.gov](http://www.achp.gov)).

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# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
6669 Short Lane  
Gloucester, VA 23061



August 15, 2005

Mr. Winston D. Phillips  
Virginia Department of Rail and Public Transportation  
1313 East Main Street, Suite 300  
P.O. Box 590  
Richmond, Virginia 23218-0590

AUG 17 2005

Re: Richmond to Hampton Roads High  
Speed Rail Corridor

Dear Mr. Phillips:

The U.S. Fish and Wildlife Service, Virginia Field Office (Service) has reviewed your letter dated July 18, 2005. It regarded the project update by the Virginia Department of Rail and Public Transportation (DRPT) to prepare a Tier I Environmental Impact Statement for the proposed Richmond to Hampton Roads High Speed Rail Corridor. This letter constitutes the comments of the Service and the Department of the Interior on the proposed project and is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 USC, subsections 4321-4370a), as amended.

### National Environmental Policy Act Comments

Based on the information contained in your July 18 letter, if a build alternative is selected for this project we recommend selection of an alternative on existing alignment that would have the least impacts to Waters of the United States including wetlands and streams.

### Endangered Species Act Comments

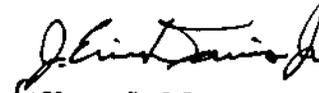
Based on the information provided by DRPT to date, the Service believes that this project is not likely to affect federally listed or proposed species or adversely modify critical habitat. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

Mr. Phillips

2

For additional information from the Service on project scoping, please refer to our letter to Mr. Alan Tobias of DRPT, dated May 11, 2004 (enclosed). We appreciate your ongoing coordination of this project with us. If you have questions, please contact William Hester at (804) 693-6694, ext. 134.

Sincerely,

  
\*Karen L. Mayne  
Supervisor  
Virginia Field Office

Enclosure

cc: VDOT Headquarters, Richmond, VA (Cooper Wamsley)



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
6669 Short Lane  
Gloucester, VA 23061



May 11, 2004

Mr. Alan C. Tobias  
Virginia Department of Rail and Public Transportation  
1313 East Main Street, Suite 300  
P.O. Box 590  
Richmond, Virginia 23218-0590

Re: Richmond to Hampton Roads High  
Speed Rail Corridor  
ER: 04/0142

Dear Mr. Tobias:

The U.S. Fish and Wildlife Service, Virginia Field Office (Service) has reviewed the Notice of Intent by the Federal Railroad Administration to prepare an Environmental Impact Statement for the proposed Richmond to Hampton Roads High Speed Rail Corridor. The project would evaluate potential alternatives for higher-speed rail service in both the Richmond-Petersburg-South Hampton Roads Corridor and the existing Amtrak corridor from Richmond to Williamsburg to Newport News, providing rail connections to the Southeast, Northeast, and mid-Atlantic regions as part of the Southeast High Speed Rail Corridor. This letter constitutes the scoping comments of the Service and the Department of the Interior on the proposed project and is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 USC, subsections 4321-4370a), as amended.

### Endangered Species Act Comments

Based on the information provided, we have included County/City lists of Federally listed endangered and threatened species, in which the current alternatives are located. If additional Counties/Cities would be included in the study area, the Service would provide those County lists as appropriate. As more detailed information becomes available on this project, the Service will provide additional recommendations on Federally listed species.

If you have not done so already, you should contact the following agencies to determine coordination requirements for Virginia State endangered and threatened species.

Virginia Department of Game and Inland Fisheries  
Environmental Services Section  
P.O. Box 11104  
Richmond, VA 23230  
(804) 367-8999

Virginia Department of Conservation and Recreation  
Division of Natural Heritage  
217 Governor Street, 3<sup>rd</sup> Floor  
Richmond, Virginia 23219  
(804) 786-4554

#### Fish and Wildlife Coordination Act Comments

A primary concern of the Service is the protection of wetlands for the numerous functions and values they provide. Wetlands are some of the most biologically productive ecosystems and they provide habitat for a variety of fish and wildlife species. Wetlands can improve water quality by trapping sediments and absorbing nutrients and pollutants. Forested wetlands preserve water quality by slowing and filtering runoff from uplands, buffering water temperature fluctuations, stabilizing stream banks, and contributing organic matter to the food chain. One-third of all Federally endangered species depend on wetlands for at least a portion of their life history requirements and one-half of all migratory birds depend upon or frequent wetlands and associated habitats (U.S. Department of the Interior 1990). Yet wetlands comprise only 5% of the total land area of the contiguous United States (Tiner 1984) and only 4% in Virginia (Tiner 1987). Numerous studies on the status and trends of wetlands indicate that palustrine forested wetlands are declining at a significant rate, with national losses totaling 3.4 million acres from the mid-1970s to the mid-1980s (Dahl and Johnson 1991) and losses within the mid-Atlantic region totaling 70,000 acres between the mid-1950s and late 1970s (Tiner and Finn 1986).

The Service conducted a study of wetland trends in the 63,000-square mile watershed draining into Chesapeake Bay. Wetland status and trends were estimated for the time period of 1982 to 1989. An estimated 1.7 million acres of wetlands and 3.5 million acres of deepwater habitat (including the Bay) existed in the watershed in 1989. Almost 90% of the wetlands are palustrine, with forested wetlands being most abundant. An estimated total of 22,000 acres of palustrine wetlands were lost in the Chesapeake Bay watershed during the study period and Virginia experienced the heaviest losses (Tiner et al. 1994). Because of the value of these areas and the national policy of no net loss of wetlands, the Service recommends avoiding wetland impacts.

To protect wetlands, the Service has formulated a Mitigation Policy to guide our coordination of projects with potential wetland impacts. According to the Service's Mitigation Policy (FR Part III, Vol. 46, No. 15, Jan. 23, 1981, p. 7660) wetland impacts should be avoided or minimized to the maximum extent practicable and should be mitigated in a sequential fashion as listed below:

1. Avoiding the impact altogether by not taking a certain action or parts of an action,
2. Minimizing the impact by limiting the degree or magnitude of the action and its implementation,
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment,
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5. Compensating for the impact by replacing or providing substitute resources or environments.

After numbers 1 through 4 above have been completed, if unavoidable wetland losses remain, we generally recommend that emergent wetland losses be compensated by restoring former wetlands or by creating similar emergent wetlands from low habitat value upland sites on a 1.5 to 1 areal basis and that unavoidable losses of scrub/shrub and forested wetlands be compensated in-kind on a 2 to 1 areal basis. These general recommendations incorporate more than simple areal replacement because of the inherent risk in wetland restoration/creation and the time lag between the loss of existing habitat and the replacement of that habitat value.

The Service makes several generic recommendations for habitat compensation. Sediment and erosion control measures should be implemented to prevent soil movement in the adjacent wetlands and waterways. The local Natural Resources Conservation Service office should be consulted regarding the soil amendments and planting schedule needed to maximize the likelihood of successful soil stabilization. No point source discharge (i.e. stormwater outfalls) should be directed into any restored or created wetlands.

To ensure successful compensation and to provide a basis for compliance monitoring, we recommend that a detailed compensation plan be developed that addresses the following items:

- o a detailed diagram of the compensation area boundaries and elevations;
- o a description of the soil conditions to be created or restored, including required pH, organic content, and necessary soil amendments (i.e. pH adjustments, fertilizer);

- o a description of the hydrologic conditions to be created or restored, including at least a description of the frequency and duration of soil saturation and/or inundation and the measures to be taken to develop this hydrologic regime;
- o a description of the plant communities desired, their proposed locations and means of establishment, the source of propagules, and the timing and density of establishment;
- o a detailed schedule describing when the proposed fill, dredging, planting, transplanting, or other actions will occur;
- o a post-compensation monitoring plan establishing monitoring methodologies, reporting schedules, and performance standards to be used to evaluate whether the compensation effort restored or replaced the affected wetland functions, including fish and wildlife habitat, flood storage, and water quality maintenance;
- o a description of actions to be taken if the compensation measures are not successful.

All compensation should be completed prior to or concurrent with project-induced habitat impacts. Compensation plans should include a construction chronology and deadlines for completion of all habitat construction. All compensation plans should be published in the Record of Decision that is required in fulfillment of the obligations for this project under the National Environmental Policy Act.

In accordance with Executive Order 11988 (Protection of Floodplains), floodplain impacts should be mitigated to the maximum extent possible, including compensation for any unavoidable floodplain impacts. We recommend that the applicant mitigate floodplain impacts following the recommendations listed above for wetland mitigation.

The Service requests that the following information be included for each alternative in the environmental document:

1. maps showing location and acreage of all habitat types to be impacted including streams, wetlands, and uplands,
2. maps showing impacts within the 100-year floodplain,
3. sequence and timing of project construction.

We request information on the potential indirect, secondary, and cumulative impacts to both upland and wetland habitat types predicted to result from each project alternative and the anticipated acreage to be impacted. Examples include land development for industrial facilities, housing, travel corridors, etc., that would be facilitated as a result of this transportation project.

The Service is concerned about impacts to forested habitat that are likely to occur if this project is constructed. Forested habitat in this portion of Virginia improves water quality, ameliorates flooding, and serves as habitat for many fish and wildlife species. The Service recommends some type of restoration/enhancement of forested habitat to offset such impacts to natural resources. Actions such as riparian and/or floodplain reforestation, restoration, or enhancement are examples of many options that could be considered. The Service would be glad to work with the Federal Railroad Administration and Virginia Department and Rail and Public Transportation to explore habitat rehabilitation options for this project.

If this project may involve publicly-owned park property, the Service recommends that the applicant contact the National Park Service at the following address to inform them of this project:

Regional Director  
National Park Service  
143 South Third Street  
Philadelphia, PA 19106  
(215) 597-7015

The Service appreciates your early coordination of this project with us. If you have questions, please contact William Hester at (804) 693-6694, ext. 134.

Sincerely,



Karen L. Mayne  
Supervisor  
Virginia Field Office

cc: VDOT Headquarters, Richmond, VA (Cooper Wamsley)  
FHWA, Richmond, VA (Ed Sundra)

## Literature Cited

- Dahl, T.E. and C.E. Johnson. 1991. Status and trends of wetlands in the conterminous United States, mid-1970's to mid-1980's. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. 28 pp.
- Stiehl, Richard B. 1993. Habitat evaluation procedures workbook. National Ecology Research Center, Fort Collins, Colorado.
- Tiner, Ralph W., I. Kenenski, T. Nuerminger, J. Eaton, D.B. Foulis, G.S. Smith, and W.E. Frayer. 1994. Recent wetland status and trends in the Chesapeake watershed (1982 to 1989): Technical Report. U.S. Fish and Wildlife Service, Region 5, Ecological Services, Hadley, MA. Cooperative interagency technical report prepared for the Chesapeake Bay Program, Annapolis, MD. 70 pp. plus appendices.
- \_\_\_\_\_. 1987. Mid-Atlantic wetlands, a disappearing natural treasure. U.S. Fish and Wildlife Service, Newton Corner, MA. 28 pp.
- \_\_\_\_\_. 1984. Wetlands of the United States: current status and recent trends. U.S. Fish and Wildlife Service, Newton Corner, MA.
- \_\_\_\_\_, and J.T. Finn. 1986. Status and recent trends of wetlands in five mid-Atlantic states: Delaware, Maryland, Pennsylvania, Virginia, and West Virginia. U.S. Fish and Wildlife Service, Region 5, National Wetland Inventory project, Newton Corner, MA and U.S. Environmental Protection Agency, Region III, Philadelphia, PA. Cooperative publication. 40 pp.
- U.S. Department of the Interior. 1990. Wetlands, meeting the President's challenge. U.S. Fish and Wildlife Service. Washington, D.C. 64 pp.
- Ware, D. M. E. 1991. Small whorled pogonia. Pages 95-97 in K. Terwilliger, ed. Virginia's Endangered Species, Proceedings of a Symposium. McDonald and Woodward Publishing Co., Blacksburg, VA.

**CITY OF HAMPTON, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
Charadrius melodus	Piping plover	LT
Haliaeetus leucocephalus	Bald eagle	LT
<u>INVERTEBRATES</u>		
Cicindela dorsalis dorsalis	Northeastern beach tiger beetle	LT

---

**Species of Concern**

<u>VASCULAR PLANTS</u>		
Trillium pusillum var. virginianum	Virginia least trillium	G3T2

May 29, 2001

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF NEWPORT NEWS, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
------------------------	--------------------	---------------

BIRDS

Haliaeetus leucocephalus

Bald eagle

LT

---

**Species of Concern**

None documented

August 26, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**JAMES CITY COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i> <sup>1</sup>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i>	Sensitive joint-vetch	LT
<i>Isotria medeoloides</i>	Small whorled pogonia	LT

**Species of Concern**

INVERTEBRATES

<i>Speyeria diana</i>	Diana fritillary	G3
<i>Problema bulenta</i>	Rare skipper	G2G3

VASCULAR PLANTS

<i>Carex decomposita</i>	Epiphytic sedge	G3
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i>	Marsh senna	G5T2
<i>Eriocaulon parkeri</i>	Parker's pipewort	G3
<i>Juncus caesariensis</i>	New Jersey rush	G2
<i>Monotropsis odorata</i>	Sweet pine sap	G3
<i>Nuphar sagittifolia</i>	Narrow-leaved spatterdock	G2
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

March 22, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**NEW KENT COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i>	Sensitive joint-vetch	LT
<i>Helonias bullata</i> <sup>1</sup>	Swamp pink	LT
<i>Isotria medeoloides</i>	Small whorled pogonia	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Problema bulenta</i>	Rare skipper	G2G3
<i>Stygobromus araeus</i>	Tidewater interstitial amphipod	G2
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i>	Marsh senna	G5T2
<i>Eriocaulon parkeri</i>	Parker's pipewort	G3
<i>Juncus caesariensis</i> <sup>1</sup>	New Jersey rush	G2
<i>Nuphar sagittifolia</i>	Narrow-leaved spatterdock	G5T2T3
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>This species has been documented in an adjacent county and may occur in this county.

March 22, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CHARLES CITY COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
Haliaeetus leucocephalus <sup>1</sup>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
Aeschynomene virginica	Sensitive joint-vetch	LT
Helonias bullata <sup>2</sup>	Swamp pink	LT
Isotria medeoloides <sup>2</sup>	Small whorled pogonia	LT

**Species of Concern**

INVERTEBRATES

Speyeria diana	Diana fritillary	G3
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VASCULAR PLANTS

Chamaecrista fasciculata var. macrosperma	Marsh senna	G5T2
Eriocaulon parkeri	Parker's pipewort	G3
Juncus caesariensis	New Jersey rush	G2
Nuphar sagittifolia	Narrow-leaved spatterdock	G5T2T3
Trillium pusillum var. virginianum	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

May 29, 2001

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**HENRICO COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i> <sup>1</sup>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i> <sup>2</sup>	Sensitive joint-vetch	LT
<i>Helonias bullata</i> <sup>4</sup>	Swamp pink	LT
<i>Isotria medeoloides</i> <sup>3</sup>	Small whorled pogonia	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Fusconaia masoni</i>	Atlantic pigtoe	G2
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i> <sup>1</sup>	Marsh senna	G5T2
<i>Juncus caesariensis</i>	New Jersey rush	G2
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

<sup>3</sup>This species has been documented in an adjacent county and may occur in this county east of I-95.

<sup>4</sup>This species has been documented in this county east of I-95.

November 12, 2002

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**HANOVER COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT
<u>INVERTEBRATES</u>		
<i>Alasmidonta heterodon</i>	Dwarf wedgemussel	LE
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i> <sup>1</sup>	Sensitive joint-vetch	LT
<i>Helonias bullata</i> <sup>2</sup>	Swamp pink	LT
<i>Isotria medeoloides</i> <sup>2</sup>	Small whorled pogonia	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Elliptio lanceolata</i>	Yellow lance	G3
<i>Lasmigona subviridis</i>	Green floater	G3
<i>Sigara depressa</i>	Virginia Piedmont water boatmen	G1G3
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i> <sup>1</sup>	Marsh senna	G5T2

<sup>1</sup>This species has been documented in an adjacent county and may occur in this county.

<sup>2</sup>This species has been documented in an adjacent county & may occur in this county east of I-95.

**CITY OF RICHMOND, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u> Haliaeetus leucocephalus	Bald eagle	LT

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**Species of Concern**

None documented

5-5-98

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CHESTERFIELD COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i> <sup>1</sup>	Bald eagle	LT
<u>INVERTEBRATES</u>		
<i>Alasmidonta heterodon</i> <sup>2</sup>	Dwarf wedgemussel	LE
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i>	Sensitive joint-vetch	LT
<i>Rhus michauxii</i> <sup>2</sup>	Michaux's sumac	LE

**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Elliptio lanceolata</i>	Yellow lance	G3
<i>Speyeria diana</i>	Diana fritillary	G3
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i>	Marsh senna	G5T2
<i>Desmodium ochroleucum</i>	Creamflower tick-trefoil	G2G3
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

May 29, 2001

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF PETERSBURG, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

SCIENTIFIC NAME

COMMON NAME

STATUS

None documented

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**Species of Concern**

NON-VASCULAR PLANTS

Sphagnum cyclophyllum

Circular-leaved peatmoss

G3

March 22, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**PRINCE GEORGE COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i> <sup>1</sup>	Bald eagle	LT
<u>VASCULAR PLANTS</u>		
<i>Aeschynomene virginica</i>	Sensitive joint-vetch	LT

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**Species of Concern**

<u>INVERTEBRATES</u>		
<i>Speyeria diana</i>	Diana fritillary	G3
<u>VASCULAR PLANTS</u>		
<i>Chamaecrista fasciculata</i> var. <i>macroserma</i>	Marsh senna	G5T2
<i>Rudbeckia heliopsidis</i>	Sun-facing coneflower	G2
<i>Trillium pusillum</i> var. <i>virginianum</i> <sup>2</sup>	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

March 22, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**SURRY COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i> <sup>1</sup>	Bald eagle	LT
<u>PLANTS</u>		
<i>Aeschynomene virginica</i>	Sensitive joint-vetch	LT

**Species of Concern**

INVERTEBRATES

<i>Speyeria diana</i>	Diana fritillary	G3
<i>Stygobromus araeus</i>	Tidewater interstitial amphipod	G2

VASCULAR PLANTS

<i>Carex decomposita</i>	Epiphytic sedge	G3
<i>Chamaecrista fasciculata</i> var. <i>macrosperma</i>	Marsh senna	G5T2
<i>Desmodium ochroleucum</i>	Creamflower tick-trefoil	G2G3
<i>Rudbeckia heliopsis</i> <sup>2</sup>	Sun-facing coneflower	G2
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>Nesting occurs in this county; concentrated shoreline use has been documented on the James River.

<sup>2</sup>Surveys needed within 5-miles of Prince George County species location.

March 22, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**SUSSEX COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT
<i>Picoides borealis</i>	Red-cockaded woodpecker	LE
<u>FISH</u>		
<i>Percina rex</i>	Roanoke logperch	LE
<u>INVERTEBRATES</u>		
<i>Alasmidonta heterodon</i>	Dwarf wedge mussel	LE
<u>VASCULAR PLANTS</u>		
<i>Rhus michauxii</i> <sup>1</sup>	Michaux's sumac	LE
<i>Schwalbea americana</i>	American chaffseed	LE-EX

**Species of Concern**

<u>BIRDS</u>		
<i>Aimophila aestivalis</i>	Bachman's sparrow	G3
<u>FISH</u>		
<i>Ambloplites cavifrons</i>	Roanoke bass	G3
<u>INVERTEBRATES</u>		
<i>Elliptio lanceolata</i>	Yellow lance	G3
<i>Elliptio roanokensis</i>	Roanoke slabshell	G2
<i>Fusconia masoni</i>	Atlantic pigtoe	G2
<u>NON-VASCULAR PLANTS</u>		
<i>Sphagnum carolinianum</i>	Carolina peatmoss	G3
<u>VASCULAR PLANTS</u>		
<i>Carex decomposita</i>	Epiphytic sedge	G3
<i>Hypericum adpressum</i>	Creeping St. John's-wort	G2G3
<i>Lilium iridollae</i> <sup>1</sup>	Panhandle lily	G1G2
<i>Pycnanthemum torrei</i>	Torrey's mountain-mint	G2
<i>Rudbeckia heliopsisidis</i> <sup>2</sup>	Sun-facing coneflower	G2

June 13, 2000

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

SCIENTIFIC NAME

COMMON NAME

STATUS

Scirpus flaccidifolius

Reclining bulrush

G2

Trillium pusillum var. virginianum

Virginia least trillium

G3T2

<sup>1</sup>This species has been documented in an adjacent county and may occur in this county.

<sup>2</sup>Surveys needed within 5-miles of Prince George County species location.

June 13, 2000

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**ISLE OF WIGHT COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<b><u>BIRDS</u></b>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT

---

**Species of Concern**

<b><u>INVERTEBRATES</u></b>		
<i>Caecidotea phreatica</i>	Phreatic isopod	G1
<i>Speyeria diana</i>	Diana fritillary	G3
<i>Stygobromus araeus</i>	Tidewater interstitial amphipod	G2
<i>Stygobromus indentatus</i>	Tidewater amphipod	G2G3
<b><u>NON-VASCULAR PLANTS</u></b>		
<i>Sphagnum cyclophyllum</i>	Circular leaved peatmoss	G3
<i>Sphagnum macrophyllum</i> var <i>macrophyllum</i>	Large-leaf peatmoss	G3T3
<b><u>VASCULAR PLANTS</u></b>		
<i>Carex decomposita</i>	Epiphytic sedge	G3
<i>Litsea aestivalis</i> <sup>1</sup>	Pondspice	G3
<i>Trillium pusillum</i> var. <i>virginianum</i> <sup>2</sup>	Virginia least trillium	G3T2

<sup>1</sup>Survey may be needed along the Blackwater River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

May 29, 2001

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**SOUTHAMPTON COUNTY, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
Haliaeetus leucocephalus	Bald eagle	LT
Picoides borealis	Red-cockaded woodpecker	LE
<u>FISH</u>		
Percina rex	Roanoke logperch	LE

**Species of Concern**

INVERTEBRATES

Basilia boardmani	Southeastern myotis bat fly	G3
Elliptio lanceolata	Yellow lance	G3
Fusconaia masoni	Atlantic pigtoe	G2
Siphonplecton corstalense	Spiehl's great speckled olive mayfly	G2G3

NON-VASCULAR PLANTS

Sphagnum carolinianum	Carolina peatmoss	G3
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VASCULAR PLANTS

Carex decomposita	Epiphytic sedge	G3
Litsea aestivalis <sup>1</sup>	Pondspice	G3
Pycnanthemum torrei	Torrey's mountain-mint	G2
Scirpus flaccidifolius	Reclining bulrush	G2
Trillium pusillum var. virginianum <sup>2</sup>	Virginia least trillium	G3T2

<sup>1</sup>Survey may be needed along the Blackwater River.

<sup>2</sup>This species has been documented in an adjacent county and may occur in this county.

June 16, 2002

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF SUFFOLK, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT

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**Species of Concern**

INVERTEBRATES

<i>Chlorochroa dismalia</i>	Dismal Swamp green stink bug	G2
<i>Speyeria diana</i>	Diana fritillary	G3
<i>Stygobromus araeus</i>	Tidewater interstitial amphipod	G2
<i>Stygobromus indentatus</i>	Tidewater amphipod	G2G3

NON-VASCULAR PLANTS

<i>Sphagnum carolinianum</i>	Carolina peatmoss	G3
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VASCULAR PLANTS

<i>Eriocaulon parkeri</i>	Parker's pipewort	G3
<i>Gentiana autumnalis</i>	Pine-barren gentian	G3
<i>Litsea aestivalis</i> <sup>1</sup>	Pondspice	G3
<i>Rhynchospora pallida</i>	Pale beakrush	G3
<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2

<sup>1</sup>Survey may be needed along the Blackwater River.

February 28, 2000

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF CHESAPEAKE, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<b><u>BIRDS</u></b>		
<i>Haliaeetus leucocephalus</i>	Bald eagle	LT

---

**Species of Concern**

**INVERTEBRATES**

<i>Euphyes dukesi</i>	Scarce swamp skipper	G3
<i>Pseudopolydesmus paludicolous</i>	A millipede	G1
<i>Stygobromus araeus</i>	Tidewater interstitial amphipod	G2

**NON-VASCULAR PLANTS**

<i>Sphagnum macrophyllum</i> var. <i>macrophyllum</i>	Large-leaf peatmoss	G3T3
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**VASCULAR PLANTS**

<i>Trillium pusillum</i> var. <i>virginianum</i>	Virginia least trillium	G3T2
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May 29, 2001

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**CITY OF VIRGINIA BEACH, VIRGINIA**  
**Federally Listed, Proposed, and Candidate Species**

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>BIRDS</u>		
Haliaeetus leucocephalus	Bald eagle	LT
<u>REPTILES</u>		
Caretta caretta	Loggerhead sea turtle	LT

**Species of Concern**

<u>INVERTEBRATES</u>		
Barronopsis jeffersi	A funnel-web spider	G3
Bothynotus johnstoni	A mirid bug	G3
Ctenotrachelus shermani	Combneck assassin bug	G3
Euphyes dukesi	Scarce swamp skipper	G3
Prirontis brimleyi	An assassin bug	G2
Pseudopolydesmus paludicolous	A millipede	G1
<u>VASCULAR PLANTS</u>		
Chamaecrista fasciculata var. macrosperma	Marsh senna	G5T2
Carex decomposita	Epiphytic sedge	G3
Trillium pusillum var. virginianum	Virginia least trillium	G3T2

February 28, 2000

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

**bcc:** EPA, Region 3, Philadelphia, PA  
(Attn: Pete Stokely)  
VDCR, DNH, Richmond, VA  
(Attn: Renee Hypes)  
DEQ, Richmond, VA  
(Attn: Carolyn Browder)  
VDGIF, Richmond, VA  
(Attn: Andy Zadnick)  
Norfolk Corps, Norfolk, VA  
(Attn: Alice Allen-Grimes)  
Field Director,  
National Park Service, 143 South Third Street, Philadelphia, PA 19106  
DOI, OEPC, Washington, DC (Terence Martin)

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**(whester:** 5-7-04)



JEANNE ZEIDLER, CHAIR • PAUL D. FRAM, VICE CHAIRMAN • JAMES O. McREYNOLDS, TREASURER  
ARTHUR L. COLLINS, EXECUTIVE DIRECTOR/SECRETARY

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Amar Dwarkanath, *Deputy City Manager*  
Dakon S. Edge, *Mayor*  
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**JAMES CITY COUNTY**

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Sanford B. Wanner, *County Administrator*

**NEWPORT NEWS**

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Joe S. Frank, *Mayor*  
Eggar E. Maroney, *City Manager*

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Regina V.K. Williams, *City Manager*  
Barclay C. Winn, *Council Member*  
W. Randy Wright, *Council Member*

**POQUOSON**

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Gordon C. Hetsel, Jr., *Mayor*

**PORTSMOUTH**

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**SOUTHAMPTON COUNTY**

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**SUFFOLK**

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Bobby L. Ralph, *Mayor*

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Peter W. Schmidt, *Council Member*  
James K. Spore, *City Manager*

**WILLIAMSBURG**

Jackson C. Tuttle, Jr., *City Manager*  
Jeanne Zeidler, *Mayor*

**YORK COUNTY**

James O. McReynolds, *County Administrator*  
Thomas G. Shepperd, Jr., *Board Member*

August 15, 2005

Mr. Winston D. Phillips  
Rail Passenger Project Engineer  
Virginia Department of Rail and Public Transportation  
1313 East Main Street, Suite 300  
Richmond, Virginia 23218-0590

Re: Richmond to Hampton Roads  
Passenger Rail Study, Tier I  
Environmental Impact Statement  
(TMT: Passenger Rail Study 2004)

Dear Mr. Phillips:

This is in response to your July 18, 2005, letter regarding the progress made to date on the Richmond to Hampton Roads Passenger Rail Study and the announcement of the kick-off of the Draft Tier I EIS. Mr. Dwight Farmer, Deputy Executive Director of the Hampton Roads Planning District Commission, is a member of the EIS Technical Advisory Committee and has provided comments throughout the study process. We have no additional comments at this time.

We appreciate the opportunity to comment on the Draft Tier I EIS for this project. We look forward to reviewing the completed Environmental Impact Statement document.

Sincerely,

Eric J. Walberg  
Principal Planner

MLJ/mkf

AUG 16 2005



SEP 8

# COMMONWEALTH of VIRGINIA

W. Taylor Murphy, Jr.  
Secretary of Natural Resources

*DEPARTMENT OF ENVIRONMENTAL QUALITY*  
Street address: 629 East Main Street, Richmond, Virginia 23219  
Mailing address: P. O. Box 10009, Richmond, Virginia 23240  
Fax (804) 698-4500 TDD (804) 698-4021  
www.deq.virginia.gov

Robert G. Burnley  
Director

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

September 6, 2005

Mr. Winston D. Phillips  
Rail Passenger Project Engineer  
Department of Rail and Public Transportation  
1313 East Main Street, Suite 300  
Richmond, Virginia 23219

RE: Richmond to Hampton Roads Passenger Rail Study, Tier I Environmental Impact Statement

Dear Mr. Phillips:

This letter confirms your August 1 and September 2, 2005 conversations with Charles Ellis of this Office concerning the exchange of information on the two remaining "Build Alternatives" for the Study listed above.

Background: DEQ Responsibilities

The Department of Environmental Quality is responsible, through this Office, for coordinating the state's review of federal environmental documents prepared pursuant to the National Environmental Policy Act (NEPA) and responding to appropriate federal officials on behalf of the Commonwealth. DEQ also administers the state environmental impact reporting requirement pursuant to *Virginia Code* sections 10.1-1188 *et seq.* In addition, DEQ is the lead agency for Virginia's review of federal consistency determinations submitted by federal agencies (and federal consistency certifications submitted by applicants for federal licenses, permits, or assistance) pursuant to the Coastal Zone Management Act (CZMA) and the Virginia Coastal Resources Management Program (VCP). As stated in our November 29, 2004 letter to Mr. Tobias of your Department, the construction and operation of a passenger rail project between Richmond and Hampton Roads is likely to require review under both NEPA and CZMA, and must meet the Enforceable Policies of the VCP, insofar as they apply to the project.

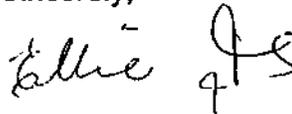
Mr. Winston D. Phillips  
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Your July 18 Letter and Enclosures

As confirmed in your August 1 telephone conversation (Phillips/Ellis, 8/1/05), your July 18, 2005 letter to me described the progress of the Study since last fall. There are now just two "Build Alternatives" under consideration, rather than the four involved in last year's review. These two "Build Alternatives" consist of the "Peninsula/CSXT Alternative," which runs down the Peninsula from Richmond to Newport News on the north side of the James River; and the "Southside/Norfolk Southern Alternative," which runs from Richmond to Petersburg and thence near U.S. Route 460 to downtown Norfolk, south of the River. These are two of the four "Build Alternatives" that we reviewed last year in commenting on the Study (see our November 19, 2004 letter to Mr. Tobias). In light of our prior review of these alternatives, and of your direct submission of the new information to reviewing agencies (Phillips/Ellis, 8/1/05), we did not attempt to coordinate a review of the new information. Accordingly, as Charlie Ellis indicated in your recent conversation (Phillips/Ellis, 9/2/05), we have no additional comments to make at this time. We are returning the extra mapping that you provided, and keeping the maps that came with your July 18 letter.

Thank you for including this Office among those to which your updated information was sent. We look forward to coordinating the review of the Tier I Draft EIS for the Richmond to Hampton Roads Passenger Rail project when the EIS becomes available.

Sincerely,



Ellie L. Irons  
Program Manager  
Office of Environmental Impact Review

cc: Charles H. Ellis III, DEQ-OEIR

