FINAL
ENVIRONMENTAL ASSESSMENT

Proposed Construction and Operation of an Outpatient Clinic, Virginia Beach, Virginia

U.S. Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

July 2025

Executive Summary

This environmental assessment (EA) has been prepared to analyze the potential environmental impacts associated with the U.S. Department of Veterans Affairs' (VA's) Proposed Action to award a lease to a private entity that would construct an outpatient clinic (OPC) for VA to lease and operate in Virginia Beach, Virginia. This EA has been prepared as required in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code 4321 et seq.).

Purpose and Need

The purpose of the Proposed Action is to provide outpatient health care services to area Veterans.

The Proposed Action is needed to provide additional capacity within the VA Hampton Health Care System as identified through the VA Strategic Capital Investment Planning process and to reduce transportation times for routine appointments. The new OPC would broaden access to Veterans in the southside area of Hampton Roads, where the majority of Veterans in the Hampton Roads area live, and expand upon care currently provided at nearby, at-capacity community-based outpatient clinics.

Proposed Action and Alternatives

VA's Proposed Action is to award a lease to a private entity that would construct an OPC for VA to lease and operate for up to 20 years in Virginia Beach, VA. The Proposed Action site (approximately 33 acres) is north of the intersection of Premium Outlets Blvd. and Northampton Blvd., Virginia Beach, VA.

Alternatives

VA is considering offers from two private entities (Alternative 1 and Alternative 2) to construct the OPC. This EA examines in depth the two action alternatives (Alternatives 1 and 2) as well as the No Action alternative; these alternatives are described below.

Action Alternatives

The Proposed Action site under both Alternative 1 and 2 is a former golf course that closed in 2014 and has been undeveloped for a decade. The site is currently vegetated with grass and interspersed wooded and shrubby patches.

Both Alternative 1 and 2 propose constructing a main entrance along Northampton Boulevard that extends north to the new OPC parking area, and a separate ambulance/maintenance entrance along Premium Outlets Boulevard. Both Alternative 1 and 2 would construct the OPC with a footprint of approximately 130,000-square-feet and approximately 246,000-building-square-feet, with a height not exceeding three stories. The OPC would be located in the central portion of the site and be surrounded by parking areas with capacity for approximately 1,250 vehicles. Under the Proposed Action, the private entity would be responsible for designing and constructing the facility in compliance with VA design requirements, applicable federal, state, and local regulations, and to meet Green Globes certification. The OPC would be operated and staffed by the VA Hampton Health Care System, with approximately 600 new staff anticipated. The private entity would be responsible for facility management and maintenance for the duration of VA's lease.

VA has not identified any other reasonable action alternatives that would meet the purpose and need for the Proposed Action.

No Action Alternative

Under the No Action alternative, the Proposed Action would not be implemented. VA would continue to provide primary, mental health, and specialty care outpatient services at six existing clinics in the Virginia Beach area. The clinics would remain overburdened and limit VA's ability to provide modern, state-of-the-art health care services to Veterans in the region and thus would not meet the purpose of or need for the Proposed Action. The proposed site for the Virginia Beach OPC could remain vacant or be developed by others for other uses, in accordance with local zoning. VA evaluated the No Action alternative in this EA. The No Action alternative also provides a benchmark against which VA can compare the impacts of implementing Proposed Action.

Summary of Potential Environmental Consequences

Table ES-1 lists the environmental resources evaluated and summarizes the potential impacts to each resource from the Proposed Action and No Action alternative.

Table ES - 1. Summary of Potential Environmental Consequences

Resource	Alternative 1 and Alternative 2	No Action
Aesthetics	**Construction**: Conversion of former golf course to active construction site for approximately 18-24 months. Temporary impact due to presence of construction equipment and site clearing. No significant adverse impact. **Operation**: Conversion of former golf course to an active medical facility; landscaped vegetated buffer would surround development area. No significant adverse impact.	No impact
Air Quality	**Construction**: Temporary emissions including fugitive dust from grading, criteria pollutant and GHG emissions from construction equipment and vehicles. No significant adverse impact. **Operation**: Emissions from heating/ventilation and air conditioning (HVAC), emergency generator testing, and vehicles. Design and operate OPC to achieve Green Building Initiative Green Globes certification. No significant adverse impact.	No impact
Wildlife and Habitat	**Construction**: Biological survey identified clusters of trees potentially providing low quality habitat for federal and state listed bats. Vegetation clearing with minor habitat loss; time-of-year restrictions on tree clearing and pre-construction surveys to avoid bat and bird impacts. No significant adverse impact. **Operation**: No additional impact beyond site development. No significant adverse impact.	No impact

Resource	Alternative 1 and Alternative 2	No Action
Floodplains, Wetlands, and Coastal Zone	**Floodplains**: Site is outside of 100- and 500-year floodplains. No impact. **Wetlands**: **Construction and operation** - Two small wetlands (less than 0.1 acre) in central portion of site to be filled with Virginia Department of Environmental Quality (VDEQ) permit approval; mitigation required by VDEQ. No significant adverse impact. **Coastal Zone: Construction and operation -** consistent with Virginia coastal zone policies. No significant adverse impact.	No impact
Cultural and Historic Resources	**Construction and Operation**: No National Register of Historic Places-listed or -eligible historic properties present at the site; no historic properties affected. No impact.	No impact
Geology and Soils	**Construction**: Soil erosion potential managed with VDEQ permit-required best management practices (BMPs); OPC building foundation not anticipated to encounter bedrock. Conversion of prime farmland would not lead to loss of agricultural production elsewhere. No significant adverse impact. **Operation**: No mechanisms to further impact soil or cause erosion during operation of the OPC. No impact.	No impact
Hydrology and Water Quality	**Construction**: Construction stormwater runoff management required through VDEQ permit; BMPs to prevent sedimentation. Groundwater is several hundred feet below grade, no impact from construction. No significant adverse impact. **Operation**: New impervious surfaces would increase stormwater, which would discharge to storm sewers operated by the City of Virginia Beach; stormwater controls avoid impacts. Groundwater is several hundred feet below grade, no impact from operation. No significant adverse impact.	No impact
Land Use	**Construction**: Consistent with City of Virginia Beach and City of Norfolk zoning and plans for high density mixed-use development in this area. No significant adverse impact. **Operation**: Use of site for an OPC is consistent with planned land use. No significant adverse impact.	No impact

Resource	Alternative 1 and Alternative 2	No Action
Noise and Vibration	**Construction**: Noise minimized through equipment maintenance, daytime use, and common construction BMPs. Temporary, negligible vibration impacts to sensitive receptors minimized by distance and assessed further in final design. No significant adverse impact. **Operation**: Noise from vehicle traffic, HVAC systems, and emergency generator testing. No significant adverse impact. No vibration impacts on sensitive receptors.	No impact
Solid Waste and Hazardous Materials	**Construction**: Phase I Environmental Site Assessment did not identify any recognized environmental conditions at the site. Construction wastes managed per regulations; recycled or reused to extent practicable. No significant adverse impact. **Operation**: Routine wastes managed per federal and state regulations. No significant adverse impact.	No impact
Traffic, Transportation, and Parking	**Construction**: Private entity to obtain Virginia Department of Transportation (VDOT) permits for road and right-of-way modifications, as well as coordinate with the Cities of Virginia Beach and Norfolk for entrance locations and roadway designs. Temporary traffic disruptions mitigated through planning. No significant adverse impact. **Operation**: While traffic forecasts suggest a potential decline in level of service by year 2044, any future decisions regarding mitigation should consider conditions and information available at that time. The private entity would be responsible for future coordination with VDOT and implementing mitigation, if warranted. No significant adverse impact.	No impact
Utilities	**Construction**: Utilities services are available; extension to site is required and responsibility of the private entity. Private entity to obtain right-of-way permits for utility extensions as needed. No significant adverse impact. **Operation**: Increased demand from OPC is within system capacity; operational utility use not anticipated to impact service quality to existing customers. No significant adverse impact.	No impact

Resource	Alternative 1 and Alternative 2	No Action
Community Services	**Construction**: No impact on community services. **Operation**: Significant long-term benefit to community services by improving Veteran health care access. No impact on other local community services.	Long-term significant adverse impact; existing VA clinics would remain overburdened.
Socioeconomics	**Construction**: Beneficial short-term impact due to spending on labor and material. **Operation**: Beneficial long-term impact through new staffing and spending on local economy, but no impact at regional or state level. No significant beneficial or adverse impact.	No impact
Potential for generating substantial controversy	Community support for improving Veterans' medical care is anticipated.	Controversy anticipated as existing VA clinics would remain overburdened.

Agency Coordination and Public Involvement

VA electronically sent a scoping notice to selected federal, state, and local agencies; Native American Tribes; and elected officials to solicit input regarding the scope of the EA and environmental issues for in-depth analysis. The scoping notice was also published on VA's website at http://www.cfm.va.gov/environmental and in the *Virginian-Pilot* on Friday, October 25, 2024, and Sunday, October 27, 2024, to announce VA's intent to prepare an EA and request scoping input. Copies of correspondence and newspaper notices are provided in Appendix E.

The Draft EA was published for a 30-day review and comment period. VA electronically sent a notice of availability (NOA) to federal, state, and local agencies, Tribes, and community stakeholders, to solicit input on the Draft EA. The NOA for the Draft EA was also published in the *Virginian-Pilot*. The NOA explained how to obtain the Draft EA electronically from the VA website at http://www.cfm.va.gov/environmental and in print at the Meyera E. Oberndorf Central Library at 4100 Virginia Beach Boulevard, Virginia Beach, VA 23452. The NOA explained that comments on the Draft EA are to be sent to vacoenvironment@va.gov.

VA received comments on the Draft EA from the U.S. Environmental Protection Agency, who provided recommended measures to minimize environmental impacts. The Virginia Department of Environmental Quality provided comments regarding regulations and this Final EA has been updated accordingly. None of the comments were in opposition to the Proposed Action.

Table of Contents

Tables

Figures

Appendices

ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Definition
ACAM	Air Conformity Applicability Model
APE	Area of Potential Effects
BGEPA	Bald and Golden Eagle Protection Act
BMP	best management practice
CARB	California Air Resources Board
CBPA	Chesapeake Bay Preservation Area
CFR	Code of Federal Regulations
CGP	Construction General Permit
CLG	Certified Local Government
CLV	Critical Lane Volume
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
CZMA	Coastal Zone Management Act
dBA	A-weighted decibels
EA	Environmental Assessment
EO	Executive Order
ESA	Endangered Species Act
ESC	Erosion and Sediment Control
FEMA	U.S. Federal Emergency Management Agency
GCR	USEPA General Conformity Rule
GHG	greenhouse gas
HUC	Hydrologic Unit Code
HVAC	Heating/Ventilation and Air Conditioning
ICRIP	Initial Cultural Resource Impact Prediction
IPaC	Information for Planning and Consultation
LOS	Level of Service
MBTA	Migratory Bird Treaty Act
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NLEB	Northern long-eared bat
NOA	notice of availability
NO_2	nitrogen dioxide
NRCS	National Resource Conservation Service
O_3	ozone
OPC	outpatient clinic
Phase I ESA	Phase I Environmental Site Assessment
PM	particulate matter
SF	square feet
SGA	Strategic Growth Area
SHPO	State Historic Preservation Office
SO_2	sulfur dioxide

Acronym/Abbreviation	Definition
SWM	Stormwater Management
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VA	U.S. Department of Veterans Affairs
VAFWIS	Virginia Fish and Wildlife Information Service
VAMC	VA Medical Center
VCZMP	Virginia Coastal Zone Management Program
VdB	vibration decibels
VDEQ	Virginia Department of Environmental Quality
VDH	Virginia Department of Health
VDOT	Virginia Department of Transportation
VDWR	Virginia Department of Wildlife Resources
VESCP	Virginia Erosion and Sediment Control Program
VOC	volatile organic compounds
VPDES	Virginia Pollutant Discharge Elimination System
VSMP	Virginia Stormwater Management Program
VWP	Virginia Water Protection

1.0 INTRODUCTION

The U.S. Department of Veterans Affairs (VA) prepared this environmental assessment (EA) in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 United States Code 4321 et seq.). NEPA requires federal agencies to consider the environmental effects of their proposed actions.

The Proposed Action site is an approximately 33-acre parcel located north of the intersection of Premium Outlets Boulevard and Northampton Boulevard in the northwestern portion of Virginia Beach. A Proposed Action site location map is presented in Figure 1 and a site detail map is provided in Figure 2.

This EA presents an analysis of the potential impacts on the human environment from construction and operation of the Proposed Action, as well as the impacts of a No Action alternative. As required under NEPA, this EA considers input from the public, agencies, and Tribes into the federal decision-making process; provides the federal decision-maker with an understanding of potential environmental effects of the decision before making it; identifies measures to reduce potential environmental effects; and documents the NEPA process. At the conclusion of the NEPA process, VA will determine whether this EA supports a Finding of No Significant Impact or necessitates the preparation of an Environmental Impact Statement.

Figure 1. Proposed Action Site Location Map

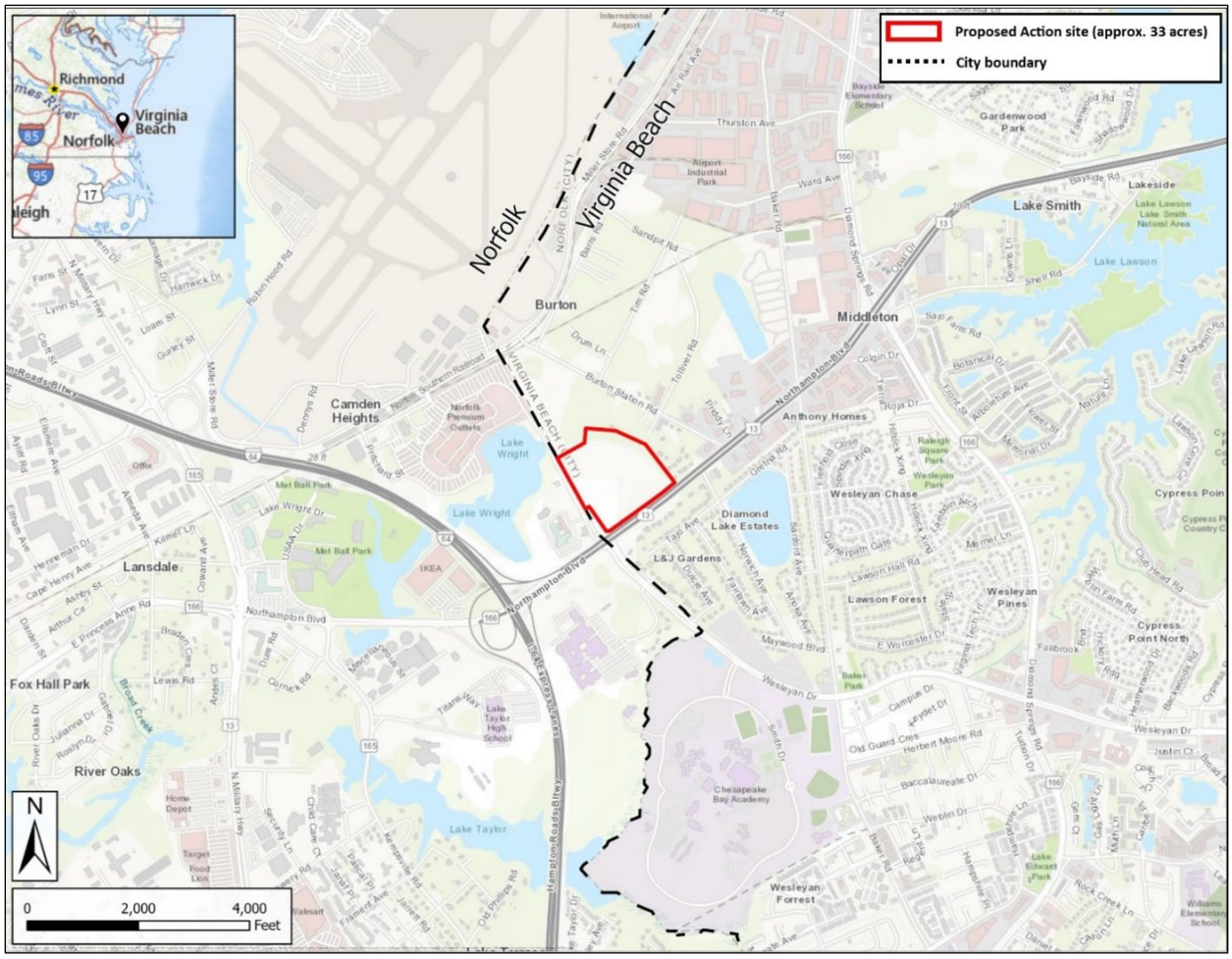


Figure 2. Proposed Action Site Detail Map

1.1 Background

The VA Hampton Health Care System includes the main Hampton VA Medical Center (VAMC) at 100 Emancipation Drive in Hampton, VA, and six outpatient clinics spanning a 70-mile region across southeastern Virginia and into North Carolina. The locations of each of the existing VA clinics along with their distances from the Hampton VAMC is presented in Table 1. The Proposed Action site is located 15 miles south of the Hampton VAMC.

Table 1. VA Hampton Health Care System Clinics

Name	Address	Distance from Hampton VAMC
Albemarle VA Clinic	1845 West City Drive Elizabeth City, North Carolina	64 miles south
Chesapeake VA Clinic	1987 South Military Highway Chesapeake, Virginia	25 miles south
Langley VA Clinic	77 Nealy Avenue Hampton, Virginia	6 miles north
North Battlefield VA Clinic	70 Knells Ridge Road Chesapeake, Virginia	30 miles south
Portsmouth VA Clinic	600 Crawford Street Portsmouth, Virginia	26 miles south
Virginia Beach VA Clinic	244 Clearfield Boulevard Virginia Beach, Virginia	19 miles south

1.2 Purpose and Need

The purpose of the Proposed Action is to provide outpatient health care services to area Veterans.

The Proposed Action is needed to provide additional capacity within the VA Hampton Health Care System as identified through the VA Strategic Capital Investment Planning process and to reduce transportation times for routine appointments. The new OPC would broaden access to Veterans in the southside area of Hampton Roads, where the majority of Veterans in the Hampton Roads area live, and expand upon care currently provided at nearby, at-capacity community-based outpatient clinics.

The Proposed Action site is located within Hampton Roads, which is the name of the larger region encompassing southeastern Virginia and the northeastern North Carolina portions of the Tidewater region. The new OPC would broaden access to Veterans in the southside area of Hampton Roads, where the majority of Veterans in the Hampton Roads area live, and expand upon care currently provided at the nearby, at-capacity community-based outpatient clinics. The new lease would allow some decompression at the Hampton VAMC and allow VA to enhance outpatient services by closing space and utilization gaps identified in VA's Strategic Capital Investment Planning process. The new OPC would enhance Primary Care capabilities in the region by allowing for the full implementation of the Patient Aligned Care Team model of care delivery, improving operational efficiencies and the overall Veteran experience. The newly leased right-sized, state-of-the-art, energy-efficient health care facility would provide primary care, mental health, certain specialty care, and ancillary services to Veterans in the southside area of Hampton Roads.

2.0 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

VA reviewed alternative approaches for meeting the purpose and need for action. This section describes in detail the Proposed Action and the No Action alternative.

2.1 Proposed Action

VA's Proposed Action is to award a lease to a private entity that would construct an OPC for VA to lease and operate in Virginia Beach, Virginia. The private entity would construct the OPC on a "build-to-suit" basis for VA to lease for up to 20 years. The private entity would also maintain the OPC, which would be administered and staffed by the Hampton VA Health Care System.

The Virginia Beach OPC would provide enhanced primary care, mental health, and specialty care outpatient services to Veterans in the Virginia Beach area and surrounding communities. The OPC would provide services from approximately 7:00 a.m. to 5:00 p.m., Monday through Friday, although the operating hours are subject to change. Services are anticipated to include audiology, mental health, telehealth, ambulatory care, an eye clinic, physical and occupational therapy, prosthetics, dental services, a lab and pharmacy, and ancillary and diagnostic services.

The site was previously improved with a golf course that closed in 2014 and has been undeveloped for a decade. The site is currently vegetated with grass and interspersed wooded and shrubby patches. The site is identified by the Virginia Beach parcel viewer as #14587881950000 and is owned by Northampton Development, LLC. Virginia Beach is an independent city and is not part of any county. The site is located within Hampton Roads, which is the name of the larger region encompassing southeastern Virginia and the northeastern North Carolina portions of the Tidewater region.

2.1.1 Action Alternatives

VA is considering offers received from two private entities (defined herein as Alternative 1 and Alternative 2) that have proposed conceptual designs for the OPC and supporting infrastructure at the site. The conceptual design for Alternative 1 is presented in Figure 3 and Alternative 2 is presented in Figure 4. Both conceptual designs are similar in scope and scale.

The private entity would design and construct the OPC in compliance with applicable VA design requirements and applicable federal, state, and local regulations. The private entity would be responsible for obtaining all applicable federal, state, and local permits from appropriate government authorities. As soon as all review, regulatory, and permit requirements are met, construction would take approximately 18-24 months, with operation of the OPC to follow.

Construction would involve clearing the site of existing vegetation within the proposed limits of disturbance, grading, excavation for the building foundation and utilities, installation of new utility lines, construction of the OPC, and paving for roads, parking, and the new entrances. During operation, the VA Hampton Health Care System would operate and staff the OPC, with approximately 600 new staff anticipated. The private entity would be responsible for facility management and maintenance for the duration of VA's lease.

2.1.1.1 Alternative 1

Under Alternative 1, the OPC would be aligned in the central portion of the site, would not exceed three stories in height, have a footprint of approximately 130,000 square feet (SF), and have approximately 246,000-building-square feet. The OPC would include approximately 1,250 surface parking spaces surrounding the OPC. The OPC would have an anticipated staff of approximately 600. Utilities for potable water, sewer, electric, and stormwater would be extended to the site. The OPC would include two diesel-

fueled generators to provide emergency backup electrical power. A two-lane main entrance road would be constructed along Northampton Boulevard, extending north to the eastern side of the OPC parking lot where the main entrance to the OPC would be located. A secondary access road with two egress points would be developed along the southern boundary of the parking lot; the eastern end of this access road would connect to the main two-lane entrance road. Additionally, a maintenance/ambulatory access road would be created along Premium Outlets Boulevard. A paved walking path would be constructed adjacent to the outer boundary of the parking lot, beyond which would be a 10- to 15-foot-wide vegetated landscape buffer on the eastern, western, and northern sides separating the walking path from the adjacent properties. A marked pedestrian crosswalk is proposed across Premium Outlet Boulevard to connect the OPC to the Lake Wright trail to the west.

2.1.1.2 Alternative 2

The OPC concept under Alternative 2 is similar to Alternative 1. The OPC would be aligned in the central portion of the site, would not exceed three stories in height, have a footprint of approximately 120,000 SF, and provide approximately 246,000-building-square feet. The OPC would be surrounded by approximately 1,250 surface parking spaces. Other features described for Alternative 1 would also be provided under Alternative 2. A summary of the major OPC design elements for each Action Alternative is provided in Table 2.

Table 2. Conceptual Design Alternatives for Virginia Beach OPC

Action Alternative	Building footprint (SF)	Total building-square feet	Roadway entrances	Impervious surface area created (acres)
Alternative 1	130,000	246,000	2	21
Alternative 2	120,000	246,000	2	17

Figure 3. Alternative 1 – Conceptual OPC Development Plan

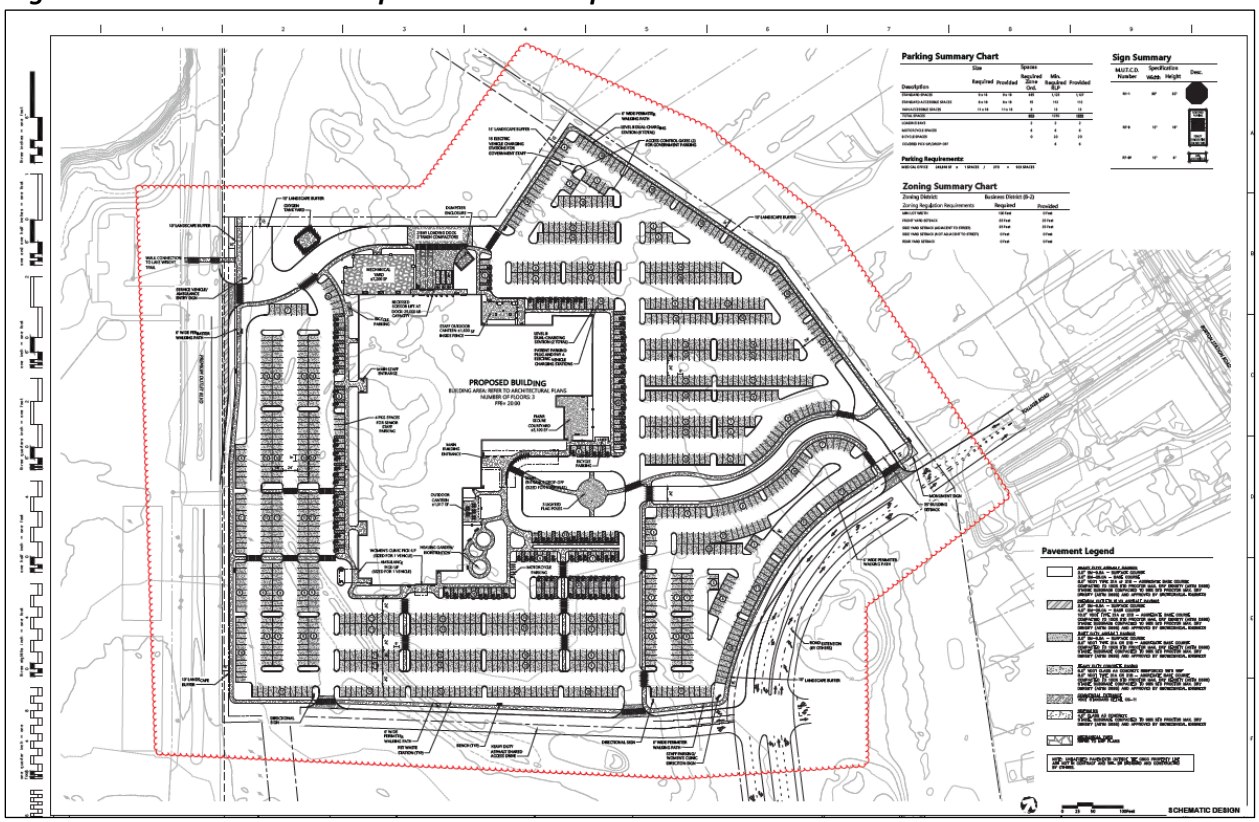


Figure 4. Alternative 2 - Conceptual OPC Development Plan

2.2 No Action

Under the No Action alternative, a new OPC would not be constructed in the Virginia Beach area. Existing VA medical facilities would continue to be overburdened and unable to meet the growing medical needs of the Veteran population in the Virginia Beach area. No beneficial impacts attributable to the Proposed Action would occur. The No Action alternative does not meet the purpose of and need for the Proposed Action. However, VA evaluated the No Action alternative in this EA. The No Action alternative also provides a benchmark against which VA can compare the impacts of the Proposed Action.

2.3 Summary of Alternatives

VA has identified two action alternatives (Alternatives 1 and 2) and the No Action alternative. VA will select one of the action alternatives based on a comprehensive review of environmental, technical, and operational factors.

The analysis of environmental impacts in this EA focuses on these alternatives to determine the most suitable development plan for the Proposed Action. No other action alternatives were identified by VA that meet the purpose and need for action.

3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This section describes the existing conditions at the Alternative 1 and Alternative 2 sites and analyzes the potential impacts of implementing the Proposed Action or the No Action Alternative on the human environment. The affected environment includes each site and, depending on the resource, the surrounding region. Alternative 1 and Alternative 2 are discussed separately.

To ensure consistency in the evaluation of potential environmental effects, this section defines key impact terminology used throughout the EA. These definitions clarify the nature, scale, and duration of the anticipated impacts, as well as temporary and permanent changes. Impact intensity is categorized to reflect the degree of change a resource may experience due to the Proposed Action. The following definitions provide a standardized framework for assessing environmental consequences.

- Permanent Impacts: Effects that are caused by the action and result in irreversible changes to the environment, such as the permanent loss of wetlands due to development.
- Temporary Impacts: Effects that are caused by the action and are reversible and last for a limited period, such as noise disturbances during construction.
- Negligible Impacts: Effects that are so minor that they do not noticeably alter any important attribute of the resource.
- Minor Impacts: Effects that are detectable but do not significantly alter the resource's attributes.
- Moderate Impacts: Effects that are readily apparent and alter the resource noticeably but do not threaten its integrity.
- Adverse Impacts: Effects that are detrimental or harmful to the environment, such as pollution leading to the decline of wildlife populations.
- Beneficial Impacts: Effects that are advantageous or positive, like restoration projects improving habitat quality.

For the purposes of this EA, a significant impact is an effect on the environment that is substantial in magnitude or duration, considering factors such as the extent of environmental change, potential harm to public health or natural resources, and whether the impact is irreversible. The determination of significance considers both the intensity of the impact and the broader environmental and societal context in which it occurs. If the analysis in this EA identifies significant impacts, a more detailed Environmental Impact Statement ("EIS") may be required to further evaluate those effects and identify mitigation measures.

3.1 Environmental Resources Included in this EA for Detailed Analysis

Based on the results of VA's internal and external scoping, the resources analyzed in this EA include: aesthetics; air quality; wildlife and habitat; floodplains, wetlands and coastal zone; cultural and historic resources; geology and soils; hydrology and water quality; land use; noise and vibration; solid waste and hazardous materials; traffic, transportation, and parking; utilities; community services; and socioeconomics. A definition of the environmental resource is provided in italics at the start of each topic.

3.2 Aesthetics

Aesthetics refers to the visual interaction between an individual and the environment.

3.2.1 Affected Environment

The site is a former golf course that has remained undeveloped and vacant since its closure in 2014. The site is primarily a large grass-covered field with scattered trees in the interior and a tree-lined border to the north and east. The site is located north of the intersection of Premium Outlets Boulevard and Northampton Boulevard in the northwestern portion of Virginia Beach. This is a densely developed area surrounded by residential and commercial properties, including a hotel and large shopping plaza across Premium Outlets Boulevard to the west; residences to the south across Northampton Boulevard, a six-lane divided highway running concurrently with US-13 and State Route 166; and residences located beyond a narrow-wooded area to the east. The Norfolk International Airport is located approximately 1,800 feet north of the site.

3.2.2 Environmental Consequences

3.2.2.1 Construction

Under both Alternative 1 and 2, the temporary presence of construction equipment, vehicles, materials, and related activity would impact the visual setting of the site. Construction would require clearing the site interior of existing vegetation, grading and compacting exposed soil, excavating utility corridors, paving for new entrances and parking areas, and vertical construction of the OPC. These activities would permanently convert the current visual character of the site from a former golf course to an active construction area. The construction area would be visible to passersby on Northampton Boulevard and Premium Outlets Boulevard.

There would be no impact on scenic resources as there are no prominent scenic vistas or state scenic highways at or in the vicinity of the site. The Proposed Action is consistent with the urban characteristics of the surrounding area.

Therefore, construction of the Proposed Action would have a temporary, minor adverse impact on aesthetics.

3.2.2.2 Operation

Under Alternative 1 and 2, the operation of an OPC would have long-term visual changes to the site. The visual contrast between the prior golf course and the new OPC would be visible to passersby along Premium Outlets Boulevard and Northampton Boulevard and nearby residents to the east of the site. The private entity would professionally manage the OPC and the landscaped grounds at the site to maintain a professional appearance throughout the duration of VA's lease. The size and scale of the OPC development would be similar to other commercial developments in this area, such as the Premium Outlets shopping plaza, nearby hotels, restaurants, and light industrial facilities.

Therefore, operation of the Proposed Action would have a permanent, minor adverse impact on aesthetics.

3.2.2.3 No Action Alternative

Under the No Action alternative, there would be no change to existing conditions at the site. Therefore, the No Action alternative would have no impact on aesthetics. However, the No Action alternative would not prevent the site from being developed for other uses by other private or public entities in the future.

3.3 Air Quality

Air quality refers to the concentration of air contaminants in a specific location. Air quality is determined by the type and amount of pollutants emitted into the atmosphere, the size and topography of the air basin, and prevailing meteorological conditions.

3.3.1 Affected Environment

The U.S. Environmental Protection Agency (USEPA) and the Virginia Department of Environmental Quality (VDEQ) regulate air quality in the state of Virginia. The VDEQ develops rules, regulations, and policies for regulating air quality in accordance with applicable legislation. USEPA regulations may not be superseded; however, state and local regulations may be more stringent.

3.3.2 Federal Air Quality Standards

The Clean Air Act of 1970 (42 U.S. Code 7401 et seq.) authorizes USEPA to establish National Ambient Air Quality Standards (NAAQS) (40 Code of Federal Regulations [CFR] Part 50) that set acceptable upper concentration limits for the following criteria pollutants: particulate matter with an aerodynamic diameter less than or equal to 10 micrometers (PM_{10}), particulate matter with an aerodynamic diameter less than or equal to 2.5 micrometers ($PM_{2.5}$), sulfur dioxide (SO_2), carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3), and lead.

The USEPA General Conformity Rule (GCR) requires federal agencies to demonstrate that actions that they undertake, approve, permit, or support in nonattainment and maintenance areas will conform to the appropriate USEPA-approved State Implementation Plan (40 CFR Parts 51 and 93). A conformity applicability analysis is the first step to assess whether a federal action must be supported by a full conformity determination. If the results of the applicability analysis indicate that the total emissions of a proposed project would not exceed GCR *de minimis* emissions thresholds, then the conformity evaluation process is complete. If total emissions would equal or exceed federal GCR *de minimis* thresholds, then a full conformity determination is required to ensure that federal actions do not cause or contribute to violations of the NAAQS or affect NAAQS attainment.

Areas that violate NAAQS are designated as nonattainment areas; areas with levels below NAAQS are designated as attainment areas. An area may also be classified as a maintenance area if it were once classified as nonattainment but has since reached attainment through implementation of a maintenance plan. Virginia Beach is designated by USEPA as being in attainment for all criteria pollutants (USEPA 2024). However, Virginia Beach was formerly in marginal non-attainment for 1- and 8-hour O_3 but was redesignated by USEPA to maintenance in 1997 and 2007, respectively. As a result, volatile organic compounds (VOCs) and NO_2, which are O_3 precursors, are compared to the GCR thresholds.

3.3.3 Greenhouse Gases

Greenhouse gases (GHGs) include carbon dioxide (CO_2), methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, and perfluorocarbons. The global warming potential of these GHGs is measured relative to CO_2, the most abundant GHG, and GHG emissions are typically expressed in terms of pounds or tons of "CO_2 equivalents" or CO_2e.

3.3.4 Sensitive receptors

Sensitive receptors for air quality impacts are those that are the most sensitive to pollution effects, such as young children, older adults, or people with respiratory and other related illnesses. Sensitive receptors within an approximately one-mile radius of the site include:

- **North**: No sensitive receptors identified
- **South**: The Gardens of Virginia Beach Senior Assisted Living; Norfolk Academy; Chesapeake Bay Academy; Tidewater Collegiate Academy
- **East**: Tranquility at the Lakes Senior Living Apartments
- **West**: Bee Brilliant Childcare; Lake Taylor High School; Lake Taylor Middle School; Town and Country Day School

3.3.5 Environmental Consequences

3.3.5.1 Proposed Action

3.3.5.1.1 Construction

Construction emissions are primarily based on estimated operating hours and number of workdays to complete each phase of the Proposed Action. Criteria pollutant and GHG emissions for construction of the Proposed Action were estimated using the U.S. Air Force's Air Conformity Applicability Model (ACAM). Although a construction period from 2026 to 2027 was used in the model, the actual dates may occur later. Because emissions from construction equipment generally decrease over time as newer, more efficient technologies replace older models, the 2026 to 2027 timeframe provides a reasonable upper bound for anticipated emissions. If construction occurs later, emissions would likely be lower due to the continued adoption of cleaner and more efficient equipment.

Under either Alternative, construction of the Proposed Action would produce emissions during the approximately 18- to 24-month period from the use of diesel-fueled off-road equipment (backhoes, loaders, graders, paving equipment), on-road heavy-duty vehicles (multi-axle delivery vehicles), construction workers' passenger vehicles, curing of asphalt pavement, and interior painting. Construction would also generate fugitive dust from demolition and earth moving activities. The construction-related emissions would stop once construction is completed.

The estimated construction emissions calculated for each Alternative are similar, as shown in Table 3 and Table 4. The annual net changes in estimated emissions associated with construction of the OPC are below the GCR thresholds established at 40 CFR 93.153(b). Therefore, a GCR Determination is not warranted. Though negligible, construction of either Alternatives 1 or 2 would contribute GHG emissions to the region, but these emissions would stop once construction is completed.

These data show that the Proposed Action would have a temporary, negligible adverse impact on air quality.

To minimize generating fugitive dust during land-disturbing activities, VDEQ requires use of control methods outlined in 9VAC5-50-60 *et seq.* of the Regulations for the Control and Abatement of Air Pollution. The private entity would implement these precautions that include, but are not limited to, the following:

- Use, where possible, of water or suitable chemicals for dust control during the proposed demolition and construction operations and from material stockpiles;
- Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials;

- Covering of open equipment for conveying materials; and
- Prompt removal of spilled or tracked dirt or other materials from paved streets and removal of dried sediments resulting from soil erosion.

VDEQ also recommends necessary precautions to restrict the emissions of VOCs and NO_X from asphalt paving during construction. A precaution, which typically applies to road construction and paving work (9VAC5-45-780 *et seq*.), places limitations on the use of "cut-back" (liquefied asphalt cement, blended with petroleum solvents), and may apply to the Proposed Action. The asphalt must be "emulsified" (predominantly cement and water with a small amount of emulsifying agent) except when specified circumstances apply. Moreover, there are time-of-year restrictions on its use from April through October in VOC emission control areas. The private entity would implement these precautions during construction paving.

To further reduce criteria pollutant and GHG emissions during construction of the Proposed Action, the private entity may consider implementing the following strategies to the extent practicable:

- For construction equipment greater than 150 horsepower, aim to meet USEPA/California Air Resources Board (CARB) Tier 4 emissions standards, or Tier 3 standards if Tier 4 equipment is not available at the time of construction.
- Tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications.
- Use low-sulfur diesel or biodiesel in construction equipment.
- Diesel-powered vehicles may idle for up to 10 minutes to minimize restart problems but turned off after 10 minutes when not in use (VAC 1985).

3.3.5.1.2 Operation

The OPC would meet the Green Building Initiative, Inc. Green Globes certification requirements, which are designed to minimize operational emissions through energy-efficient design and construction practices (GBI 2024). Emissions would primarily result from increased vehicular traffic associated with patients, staff, and deliveries; heating/ventilation and air conditioning (HVAC) systems; and monthly testing of two diesel-powered emergency generators. The emissions associated with these operational activities are shown in Table 3 and Table 4, for Alternatives 1 and 2, respectively. None of these emissions exceed the GCR de minimis thresholds. Similar to the estimated construction emissions, 2028 was used in the ACAM model as the first year of operation; however, the actual start of operations may vary depending on the final construction timeline.

As a result, operation of the Proposed Action would have a permanent, negligible adverse impact on air quality.

3.3.5.2 No Action Alternative

Under the No Action alternative, air quality impacts associated with construction and operation of the Proposed Action would not occur. Therefore, the No Action alternative would have no impact on air quality.

Table 3. Alternative 1 - Criteria Pollutant and GHG Emissions from Construction and Operation of the Proposed Action

Criteria Pollutant	Year 1, construction emissions (ton/yr)	Year 2, construction emissions (ton/yr)	Year 3, operational emissions (ton/yr)	General Conformity Threshold/Exceedance (ton/yr)
VOC	0.232	3.045	2.480	100/No
NO_2	1.999	1.436	2.599	100/No
CO	2.345	1.883	36.464	Not applicable
SO_2	0.005	0.003	0.042	Not applicable
PM_{10}	43.056	0.049	0.156	Not applicable
$PM_{2.5}$	0.070	0.045	0.150	Not applicable
Greenhouse Gas	**Year 1, construction emissions (metric ton/yr)**	**Year 2, construction emissions (metric ton/yr)**	**Year 3, operational emissions (metric ton/yr)**	**Threshold**
CO_2	463	329	4,761	Not established
Methane	0.018	0.012	0.169	Not established
Nitrous oxide	0.004	0.002	0.079	Not established
CO_2e	464	330	4,783	Not established

Table 4. Alternative 2 - Criteria Pollutant and GHG Emissions from Construction and Operation of the Proposed Action

Criteria Pollutant	2026, construction emissions (ton/yr)	2027, construction emissions (ton/yr)	2028, operation emissions (ton/yr)	General Conformity Threshold/Exceedance (ton/yr)
VOC	0.231	3.043	2.480	100/no
NO_2	1.995	1.427	2.599	100/no
CO	2.342	1.878	36.464	Not applicable
SO_2	0.005	0.003	0.042	Not applicable
PM_{10}	43.056	0.049	0.156	Not applicable
$PM_{2.5}$	0.070	0.045	0.150	Not applicable
Greenhouse Gas	**Year 1, construction emissions (metric ton/yr)**	**Year 2, construction emissions (metric ton/yr)**	**Year 3, operational emissions (metric ton/yr)**	**Threshold**
CO_2	461	325	4,761	Not established
Methane	0.018	0.012	0.169	Not established
Nitrous oxide	0.004	0.002	0.079	Not established
CO_2e	462	326	4,783	Not established

3.4 Wildlife and Habitat

Considerations related to wildlife and habitat include the effects of a project on wildlife including through direct habitat loss; habitat fragmentation; disruption of behavior; or the import, export, or taking of state or federally listed endangered species.

Species that are imperiled may be listed as endangered or threatened under the Endangered Species Act (ESA). In addition, specific locations may be mapped and identified as a listed species' designated critical habitat which support the continued conservation of imperiled species by guiding cooperation within the federal government. Under Section 7 of the ESA, all federal agencies are required to consult with the U.S. Fish and Wildlife Service (USFWS) about actions that they carry out, fund, or authorize to ensure that they will not harm a listed species (USFWS 2024).

3.4.1 Affected Environment

On September 30, 2024, a biological survey was performed at the site for general habitat, land cover classification, and bat habitat assessment. Data for the survey were obtained from the USFWS Information for Planning and Consultation (IPaC) system and the Virginia Department of Wildlife Resources (VDWR) Virginia Fish and Wildlife Information Service (VAFWIS), and the data was assessed in the field by qualified biologists. Based on the IPaC review, two mammals (northern long-eared bat and tricolored bat) and one insect species (monarch butterfly) were identified as having the potential to occur at the site (USFWS 2024).

On November 25, 2024, VA received written confirmation from the Virginia Department of Conservation and Recreation's Division of Nature Heritage that there are no State Natural Area Preserves under their jurisdiction in the project vicinity. A copy of this correspondence is included in Appendix D.

3.4.1.1 Federal Listed Species and Habitats

The biological survey found that the site habitat included mowed/maintained lawn with interspersed lines and patches of trees/shrubs, which have increased in number since the golf course closed in 2014 (Figure 5).

The biological survey showed that the site is within the year-round range of both the northern long-eared bat (NLEB) and tricolored bat. The NLEB is present within potential roosting habitat year-round and does not utilize traditional hibernation strategies found in the rest of the species range. While the presence of forested areas may provide foraging land cover, the site was determined to contain low-quality habitat due to the surrounding high-intensity urban development. According to the VDWR NLEB Regulatory Buffer Interactive Tool (VDWR 2024c), no known summer maternity habitat, roost tree buffers, or hibernaculum buffers overlap the site.

According to the USFWS Range-Wide Indiana Bat and Northern Long-eared Bat Survey Guidelines (USFWS 2024a), the site is within the year-round (active zone 1) range for the tricolored bat. The biological survey provisionally determined that tricolored bats are unlikely to occur within the site due to the heavy influence of surrounding development and the absence of potential maternity roost trees. Habitat suitability for the tricolored bat is considered consistent with northern long-eared bat (USFWS 2024a). Tricolored bat habitat was assessed at one sample site, which was comprised of the forested land cover on site. While the presence of forested areas may provide foraging habitat, the site was determined to contain low-quality habitat due to the surrounding high-intensity urban development. According to the VDWR MYLU (Little Brown Bat) and PESU (Tricolored Bat) Habitat Application (VDWR 2024a), no known tricolored hibernaculum overlap the site.

The monarch butterfly is proposed threatened to the ESA. During the biological survey, no milkweed plants were observed within the site. Although adult monarch butterflies forage for nectar on a wide variety of flowering plants through migration and breeding, they only breed and lay eggs on their host plant, the milkweed (USFWS 2025).

3.4.1.2 State Listed Species and Habitats

The VDWR VAFWIS on October 7, 2024, provided a list of species that are known or likely to occur within a 2-mile radius of the site. The canebrake rattlesnake, the northern diamond-backed terrapin, and Least Tern were each determined, via VAFWIS, to have predicted habitat within the 2-mile buffer of the site. Bat species were also identified as are known or likely to occur within a 2-mile buffer of the site; these included Rafinesque's eastern big-eared bat (*Corynorhinus rafinesquii macrotis*), little brown bat (*Myotis lucifugus*), northern long-eared bat *(Myotis septentrionalis)*, and tricolored bat *(Perimyotis subflavus)*. The northern long-eared bat and tricolored bat are also federally protected species and discussed above in Section 3.4.1.1.

The biological survey found that neither individual species nor their habitat were present at the site for canebrake rattlesnake, the northern diamond-backed terrapin, and Least Tern. Rafinesque's eastern big-eared bat and little brown bat are unlikely to occur within the site due to the heavy influence of surrounding development and the absence of potential maternity roost trees at the site. While the presence of some forested areas may provide foraging habitat, the site was determined to contain low-quality habitat due to the surrounding high-intensity urban development.

3.4.1.3 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703-712) prohibits the pursuit, hunting, take, capture, kill, or sale of listed migratory bird species. The IPaC report identified 21 bird species protected under the MBTA as having habitat ranges that overlap the site. This identification reflects the species' potential to occur in the broader geographic region based on mapped habitat ranges but does not confirm the presence of suitable habitat or individuals at the site itself.

3.4.1.4 Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (BGEPA; 16 U.S.C. 668-668c) enacted in 1940, and amended several times since then, prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" eagles, including their parts, nests, or eggs. The BGEPA provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle or any golden eagle, alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb."

Three bald eagle (*Haliaeetus leucocephalus*) nest records were identified via VAFWIS. However, these nest records are over one mile away from the site. According to a review of the Center for Conservation Biology Virginia Bald Eagle Nest Locator, the closest identified nest, which was last verified in 2020, is approximately 0.8 miles south of the site, near Lake Taylor (CCB 2020).

Nesting habitat for the bald eagle (i.e., large mature trees near large bodies of open water) may be present to the west of the site, surrounding Lake Wright. However, no nests were observed within the site during the biological survey.

3.4.1.5 Additional Biological Survey Findings

During the survey, two wetlands (approximately 0.01 and 0.02 acres in size) were identified in the central portion of the site. These wetlands are shown on Figure 5. Neither wetland were shown on the USFWS

National Wetland Inventory Map. Due to the size of the wetlands, they are unlikely to be subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE) but would be subject to permitting by the State of Virginia. Additional details about the wetlands and permitting requirements are provided in Section 3.5.

Figure 5. Habitat and Wetlands at the Proposed Action Site

3.4.2 Environmental Consequences

3.4.2.1 Proposed Action

Under both Alternative 1 and 2, the existing vegetation within the proposed limits of disturbance at the site would be cleared during construction land clearing and grading. Based on the information obtained from the biological survey report, no federal or state listed species, or the critical habitat for such species, were identified at the site. The presence of some forested areas, which would be removed during construction of the Proposed Action, may provide potential foraging habitat at the site for the federal listed NLEB and tricolored bat and the state listed Rafinesque's eastern big-eared bat and little brown bat. However, these species are unlikely to occur within the site due to the absence of potential maternity roost trees and the low-quality habitat at the site and in the surrounding high-intensity urban areas.

VA preliminarily determined "may effect" for the NLEB, tricolored bat, Rafinesque's eastern big-eared bat, and little brown bat. On December 31, 2024, VA requested concurrence with its determination and

technical assistance from the USFWS Virginia Ecological Services Field Office to identify and describe the mitigation that may be required to reach a "may affect, not likely to adversely affect" determination to ensure no adverse impacts occur to the NLEB and tricolored bat during construction of the Proposed Action. Given that the site is within the year-round range of the NLEB and tricolored bat, VA also requested that USFWS confirm that presence/probable absence surveys must be conducted between March 1 and October 15 prior to any tree clearing activities following Phase 2 of the USFWS Range-Wide Indiana Bat and Northern Long-eared Bat Survey Guidelines (USFWS 2024a). The project was assigned #025-0016034 by USFWS IPaC system.

Following additional consultation with USFWS on January 13 and 15, 2025, VA confirmed that the private entity would be required to avoid tree removal and trimming during both the torpor season time-of-year restriction from December 15 – February 15 and the summer occupancy time-of-year restriction from April 1 – July 15 to minimize potential impacts to the listed bats. VA also informed VDWR on January 15, 2025, about the private entities requirement to implement the time-of-year-restriction, which would also minimize impacts to state listed bats. Therefore, with this time-of-year-restriction in place, and the requirement to perform presence/probable absence surveys between March 1 and October 15 prior to any tree clearing during those months, the determination was revised to "may affect, not likely to adversely affect" federal and state listed bats. On February 6, 2025, VA submitted the revised biological survey report with the inclusion of the time-of-year-restriction and the determination of "may affect, not likely to adversely affect" for these species; VA also included the USFWS self-certification form to USFWS for review and concurrence. In addition, the private entity would be required to perform the presence/probable absence surveys for listed bats prior to any clearing between March 1 and October 15; as well as preconstruction clearance surveys for MBTA birds prior to any clearing between March 15 and August 15. On February 12, 2025, USFWS informed VA that USFWS had no further comment on the project. Copies of this correspondence are provided in Appendix D.

On January 16, 2025, VA requested concurrence from VDWR with the "may affect, not likely to adversely affect" determination for state-listed species given the commitment to the time-of-year-restriction on tree clearing, the presence/probable absence survey, and preconstruction clearance surveys for nesting birds. On February 3, 2025, VDWR provided written concurrence with the determination and supported the proposed time-of-year-restriction. Copies of correspondence with VDWR are provided in Appendix D. A summary of the required time-of-year restrictions on vegetation clearing and additional impact avoidance measures are summarized in Table 5.

Therefore, construction and operation of the Proposed Action would have a permanent, minor adverse impact on wildlife and habitat.

Table 5. Summary of Time-of-Year Restrictions and Measures to Avoid Impacts to Wildlife

Month:	**Jan**	**Feb**	**Mar**	**April**	**May**	**June**	**July**	**Aug**	**Sep**	**Oct**	**Nov**	**Dec**
Required Restriction/ Impact Avoidance Measures	Bat torpor season, no clearing – Feb 15		Bat presence/ absence survey MBTA bird pre-construction clearance survey	Bat summer roosting season, no clearing April 1 – July 15				Bat presence/ absence survey MBTA bird pre-construction clearance survey	Bat presence / absence survey		No restrictions	Bat torpor season, no clearing from Dec 15

3.4.2.2 No Action Alternative

Under the No Action alternative, there would be no change to existing conditions at the site. Therefore, the No Action alternative would have no impact on wildlife and habitat.

3.5 Floodplains, Wetlands, and Coastal Zone

Development in a floodplain may result in adverse effects to the floodplain that can lead to the degradation and loss of natural functions and habitat. In particular, development could have direct and indirect detrimental effects on the quantity and quality of floodplain habitats used by fish and other wildlife. Protecting wetlands before construction is crucial because they act as natural filters for water preventing pollution from reaching waterways, help control flooding by absorbing excess rainwater, provide vital habitats for wildlife, and can contribute to shoreline erosion control.

The coastal zone is a legislatively defined geographic region that establishes the area regulated under the federal Coastal Zone Management Act (CZMA), encompassing both land and water areas.

3.5.1 Affected Environment

3.5.1.1 Floodplains

The U.S. Federal Emergency Management Agency (FEMA) National Flood Hazard Layer (FIRMette 5155310014F, effective 5/4/2009) shows the site is in Zone X, which FEMA defines as an area of minimal flood hazard (FEMA 2009). Zone X is outside the 100-year and 500-year floodplains. The site is not located within or adjacent to a FEMA-mapped special flood hazard area. The FEMA FIRMette is shown in Figure 6.

3.5.1.2 Wetlands

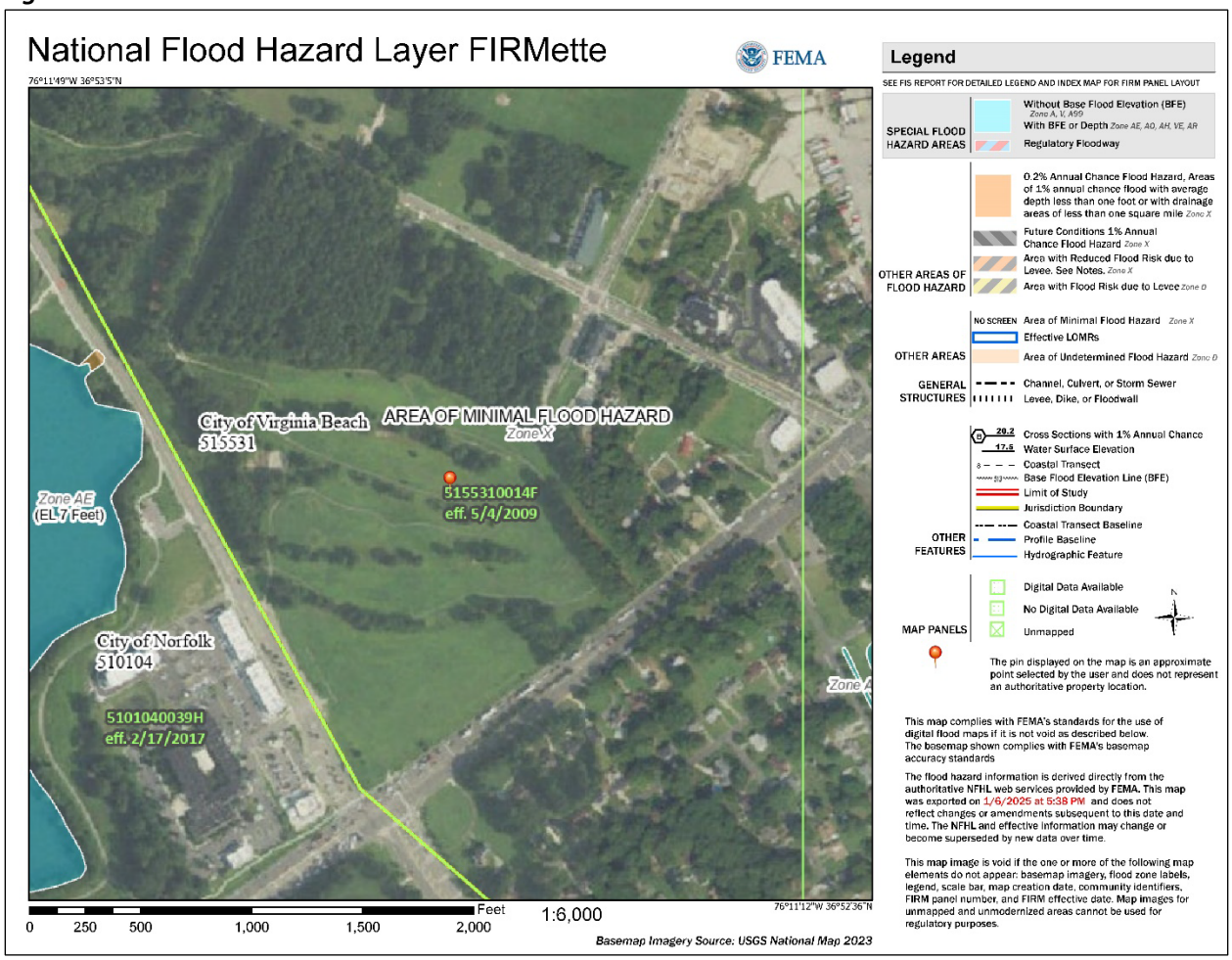
During the biological survey on September 30, 2024, two wetlands were identified in the central portion of the site (see Figure 5). The wetlands are approximately 0.01 and 0.02 acres in size and in the central portion of the site. Neither wetland is depicted on the USFWS National Wetland Inventory Map. Due to the size of the wetlands, they are unlikely to be subject to the jurisdiction of USACE but impacts to these wetlands would be subject to permitting by the State of Virginia.

3.5.1.3 Coastal Zone

The entire state of Virginia is included within the federal coastal zone. Federal agencies must show their projects are consistent with state programs to implement the CZMA. A project would be considered to have a significant adverse effect on the coastal zone if it were inconsistent with enforceable policies under the Virginia Coastal Zone Management Program (VCZMP) as required by Section 307 of the CZMA.

The VDEQ and its partner state agencies regulate activities that are proposed within the federal coastal zone through evaluation of consistency with the state's enforceable policies. The VCZMP consists of twelve National Oceanic and Atmospheric Administration-approved enforceable policies which can be found at https://www.deq.virginia.gov/our-programs/environmental-impact-review/federal-consistency. This framework allows the state to make decisions consistent with its constitution, providing the people with clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, while conserving, developing, and utilizing the state's natural resources, public lands, and historical sites and buildings. Federal agencies must certify their proposed activity would be conducted in a manner consistent with the state's coastal zone management program. VDEQ has the authority to "concur" or "object" to the federal consistency review.

Figure 6. FEMA FIRMette



3.5.2 Environmental Consequences

3.5.2.1 Proposed Action

3.5.2.1.1 Floodplains

The Proposed Action site is outside the 100- and 500-year floodplains. As a result, the construction and operation of the Proposed Action would have no impact on floodplains.

3.5.2.1.2 Wetlands

Under both Alternative 1 and 2, construction of the Proposed Action would involve land clearing and grading, which would result in the permanent loss of the two wetlands 0.01 and 0.02 acres in size on site. These wetlands, though not federally jurisdictional, are regulated by VDEQ. VDEQ requires a Virginia Water Protection (VWP) permit to impact state-regulated wetlands. The selected private entity would be responsible for applying for and obtaining the VWP permit. Due to the size of the wetlands (0.01 and 0.02 acres), the VWP General Permit "WP4" may be the most applicable permit because it covers activities with impacts from development and authorizes impacts up to two acres of wetlands and open waters, and/or 1,500-linear-feet of stream channel. The private entity would be required to coordinate with VDEQ on the appropriate permit, which the private entity would be responsible for applying for and obtaining.

Under both Alternative 1 and 2, the private entity would be required to apply for and obtain the necessary VDEQ VWP permit and complete permit-required compensatory mitigation prior to impacting the wetlands.

Compensatory mitigation involves compensating for unavoidable wetland or stream impacts of a proposed permit action, after avoiding and minimizing impacts to the maximum extent practicable (VDEQ 2024). The purpose of compensatory mitigation is to replace the acreage and biological, chemical, and physical functions of wetland and stream resources by quantifying the replaced acreage and function as a 'credit,' which can be purchased by permittees to compensate or 'debit' for unavoidable wetland or stream losses. Compensatory mitigation may take the form of the following options specified by VDEQ using the mitigation hierarchy shown in the following outline:

- Purchase of wetland or stream mitigation credits from a VDEQ approved mitigation bank;
- Purchase of wetland or stream mitigation credits from a VDEQ approved in-lieu fee mitigation program;
- Permittee-responsible mitigation under a watershed approach;
- Permittee-responsible mitigation through onsite and in-kind mitigation;
- Permittee-responsible mitigation through off-site or out-of-kind mitigation;
- Restoration, enhancement, or preservation of upland buffers adjacent to wetlands and/or streams when utilized in conjunction with the options above; and,
- Preservation of wetlands and/or streams when utilized in conjunction with the options listed above.

The private entity would be required to coordinate with VDWR about the availability of wetland mitigation credits necessary to permit the final design proposed by the private entity; the private entity would then be required to obtain the permit and implement the required mitigation prior to construction of the Proposed Action.

Therefore, construction and operation of Proposed Action would have a permanent, minor adverse impact on wetlands.

3.5.2.1.3 Coastal Zone

VA evaluated the consistency of the Proposed Action with each of the 12 VCZMP enforceable policies. Under both Alternative 1 and 2, the Proposed Action would be consistent with each of VCZMP's enforceable policies and would not have reasonably foreseeable effects on Virginia's coastal uses or resources. Additionally, the site does not have any coastal uses or natural resources of the coastal zone. The consistency review comparing the Proposed Action to the VCZMP enforceable policies is shown in Table 6.

Therefore, the Proposed Action would have no impact on coastal zone resources.

The EA was made available to VDEQ for concurrence with VA's consistency determination with the VCZMP. VDEQ posted a public notice about the Proposed Action in the VDEQ OEIR Public Notices Bulletin and on the VDEQ website from May 16-30, 2025; no public comments were received. On June 3, 2025, VDEQ provided a letter of concurrence with VA's determination the Proposed Action would be consistent with the VCZMP, provided all applicable permits and approvals are obtained. This EA has been updated accordingly to include the VDEQ-specified applicable permits and approvals. The private entity would coordinate with the appropriate agencies to ensure appropriate permits and approvals are obtained. A copy of the VDEQ VCZMP concurrence letter is provided in Appendix D.

Table 6. VCZMP Enforceable Policies Coastal Management Act Consistency Review

Virginia CZMA Enforceable Policy	Consistency Determination
I. Tidal and Non-Tidal Wetlands	Consistent. The site is located in an area of Tidewater Virginia outside of tidal or non-tidal wetlands, as mapped by the USFWS National Wetlands Inventory.
II. Subaqueous Lands	Consistent. The site is not located on subaqueous lands, including any bed of the bays, rivers, creeks and shores of the Commonwealth of Virginia.
III. Dunes and Beaches	Consistent. The site is not located on any coastal primary sand dunes or beaches.
IV. Chesapeake Bay Preservation Areas	Consistent. The site is located within the Chesapeake Bay watershed. Although the site is not within a Chesapeake Bay Preservation Area (CBPA) Resource Protection Area (RPA), all remaining lands in the Chesapeake Bay watershed are designated as Resource Management Areas (RMA). Accordingly, the Proposed Action would adhere to RMA performance criteria including compliance with the requirements of the Virginia Stormwater Management Handbook, Version 1.1. The nearest CBPA RPA boundary is in Norfolk, 0.4 miles to the west of the project area, while the nearest CBPA RPA boundary in Virginia Beach is 2.0 miles to the north.
V. Marine Fisheries	Consistent. The site is not located within the tidal waters of the Commonwealth of Virginia.
VI. Wildlife and Inland Fisheries	Consistent. The Proposed Action does not involve the import, export, taking, pursuit, killing, possession, harassment, harm, pursue, hunt, shoot, wound, kill, trap, capture, possess, collect, transport, sell or offer to sell, or administer any drug to native and non-native fish and wildlife.
VII. Plant Pests and Noxious Weeds	Consistent. The Proposed Action does not involve importing or moving regulated articles described by the Board of Agriculture and Consumer Services or the Commissioner of Agriculture and Consumer Services or facilitating the movement of any plant pests or noxious weeds.
VIII. Commonwealth Lands	Consistent. There are no streams or dams located at the site. Back Bay, its tributaries, and the North Landing River are not located in proximity to the site. There are no game refuges or Wildlife Management areas located on or near the site. There are no fish hatcheries or related infrastructure owned or operated by the Virginia Department of Wildlife Resources on or near the site. No designated state parks, parkways, historical and natural areas, natural area preserves, sites, or other areas under the jurisdiction of the Virginia Department of Conservation and Recreation are located at or adjacent to the site.
IX. Point Source Air Pollution	Consistent. The site is within the Hampton Roads Emissions Control area and would follow all pertaining rules and regulations related to asphalt paving operations. The Proposed Action would not involve any open burning of solid waste. During construction and operation of the OPC, reasonable precautions would be taken to prevent particulate matter from becoming airborne. The Proposed Action would meet state and federal emissions limits and operating requirements.

Virginia CZMA Enforceable Policy	Consistency Determination
X. Point Source Water Pollution	Consistent. The site does not encompass any state waters, and the Proposed Action has no mechanism to impact state waters. The Proposed Action would include obtaining a General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities (referred to as the Construction General Permit; CGP) from the City of Virginia Beach.
XI. Nonpoint Source Water Pollution	Consistent. The site does not encompass any state waters, and the Proposed Action has no mechanism to impact state waters. The Proposed Action would include obtaining a General VPDES CGP from the City of Virginia Beach.
XII. Shoreline Sanitation	Consistent. The OPC would connect to the City of Virginia Beach sewage system, following the Commercial/Multi-Family Utility Connection New Construction process (https://pu.virginiabeach.gov /customer-service/utility-connections); therefore there would be no impacts to shoreline sanitation.

3.5.2.2 No Action Alternative

Under the No Action alternative, there would be no change to existing conditions. Therefore, the No Action alternative would have no impact on coastal zone resources.

3.6 Cultural and Historic Resources

Cultural resources include both archaeologically significant elements and historic elements. The Archaeological Resources Protection Act prohibits the excavation of archaeological resources on federal lands. The National Historic Preservation Act (NHPA) of 1966, as amended, provides for the preservation of historic properties. Section 106 of the NHPA requires that federal agencies consider the effects of their actions on such properties. Section 110 requires all federal agencies to assume responsibility for the preservation of historic properties under federal agency ownership or control.

3.6.1 Affected Environment

3.6.1.1 Initial Cultural Resource Impact Prediction Study

In November 2024, VA completed an Initial Cultural Resource Impact Prediction (ICRIP) study to assess the potential impacts of the Proposed Action on the Area of Potential Effect (APE) in compliance with Section 106 of the National Historic Preservation Act. The APE, as defined in 36 CFR 800.16(d), is "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking."

Given the major geographic visual and physical boundaries Premium Outlets Boulevard and Northampton Boulevard present, the APE included the site and an additional buffer that extended 150 feet beyond the site to the north and east to address any potential visual effects due to the construction of above-ground features for Alternatives 1 and 2. The ICRIP concluded that there are no National Register of Historic Places listed or eligible properties within the APE.

3.6.1.2 Phase I Archaeological Survey

In November 2024, VA completed a Phase I archaeological survey of the site to assess the potential for finding precontact Native American and historic properties as well as potential for cultural material related to former structures at the site. All shovel tests were negative for cultural material, and no archaeological sites were documented during the survey.

3.6.1.3 Section 106 Consultation

Based on the ICRIP and Phase I archaeological survey results, VA concluded that the Proposed Action would result in no historic properties affected.

On December 20, 2024, VA initiated Section 106 consultation with the Virginia State Historic Preservation Office (SHPO); the Historic Preservation Commission of the City of Virginia Beach Planning Department (the Certified Local Government [CLG]); and the following three federally recognized Native American Tribes with interests in Virginia Beach as required under NHPA, Native American Graves Protection and Repatriation Act, Executive Order (EO) 13007 Indian Sacred Sites, and EO 13175 Consultation and Coordination with Indian Tribal Governments:

- Delaware Nation, Oklahoma
- Nansemond Indian Nation
- Pamunkey Indian Tribe

The consultation included a copy of the ICRIP and Phase I archaeology survey report and a determination of finding that the Proposed Action would result in no historic properties affected pursuant to 36 CFR Part 800.4(d)(1).

On January 22, 2025, the Virginia SHPO provided written concurrence with VA's determination that no historic properties will be affected by this undertaking [the Proposed Action]. A copy of the letter is included in Appendix C. The Tribes and CLG did not respond to VA's request for consultation.

3.6.2 Environmental Consequences

3.6.2.1 Proposed Action

As described in Section 3.6.1.3, VA concluded and the SHPO concurred that the Proposed Action would result in no historic properties affected. Therefore, construction and operation of the Proposed Action would have no impact on cultural and historic properties.

3.6.2.2 No Action Alternative

Under the No Action alternative, there would be no change to existing conditions at the selected site. Therefore, there would be no impact on cultural and historic properties.

3.7 Geology and Soils

The geology of an area includes surface and bedrock materials, its orientation and faulting, and geologic resources such as mineral deposits, petroleum reserves, and fossils. Soils refers to unconsolidated earthen materials overlaying bedrock or other parent material. Excavation, soil erosion, soil compaction, soil horizon removal, grading, and cutting and filling operations can result in a potential loss of soils and/or changes in geology.

3.7.1 Affected Environment

3.7.1.1 Geology

The site is located in the Atlantic Coastal Plain geologic province (USGS 2016). The Atlantic Coastal Plain is characterized by a geology primarily composed of unconsolidated sedimentary deposits, like sand, clay, and silt, which accumulated over millions of years from the erosion of older rock formations further inland, resulting in a gently sloping, flat terrain that dips towards the ocean. These sediments are primarily of Mesozoic and Cenozoic age, with layers varying depending on location, and often contain marine fossils, indicating their deposition in ancient coastal environments. The Coastal Plain's structure features a thick sedimentary wedge that deepens as it approaches the coast, with the underlying bedrock gradually dipping eastward. Due to the loose nature of these sediments, the region is prone to groundwater availability and is often marked by extensive wetland areas (USGS 2016). Virginia Geological Survey boring logs for two wells completed at the Norfolk International Airport, approximately one mile northwest of the site, show that bedrock was not encountered within several hundred feet below grade (Virginia Energy 1958). There are no bedrock outcrops at the site.

3.7.1.2 Soils

3.7.1.2.1 Soil Types

Based on National Resource Conservation Service (NRCS) mapping, five soil types are present at the site. The NRCS features for these soils are listed in Table 7 and depicted in a soil map on Figure 7. The table and map show the NRCS map ID number associated with each soil. Soils in the partially wooded portion in the northwest portion of the site are moderately well-drained. The grassy lawns to the east of the wooded area consist of somewhat poorly to poorly drained soils. The southern portion of the site consists of deposits of dump, cut, or fill soils. Soil conditions in the portion of the site where the two wetlands were identified may have localized drainage issues that the private entity would consider when designing site-specific stormwater management strategies.

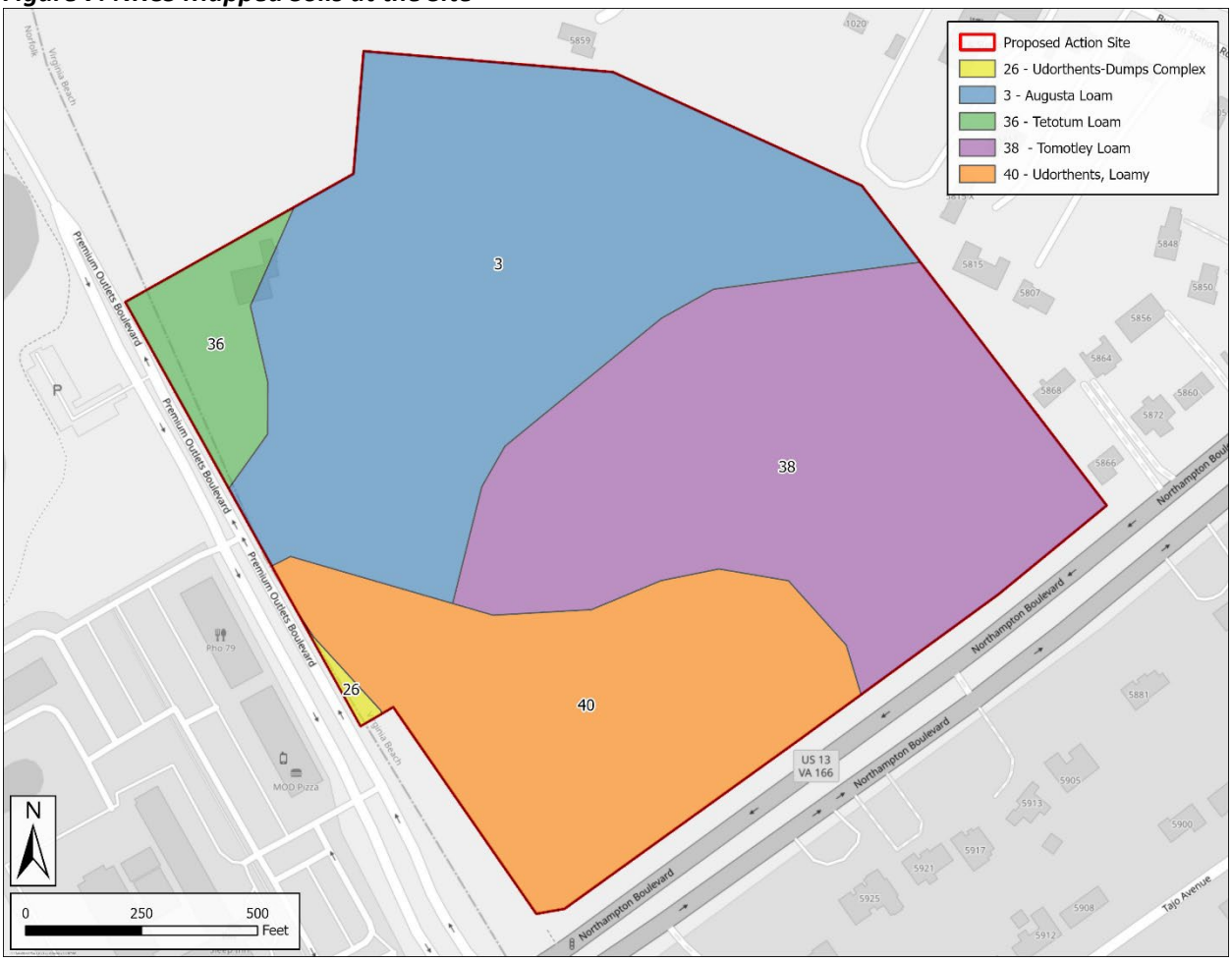
3.7.1.2.2 Prime Farmland

The Farmland Protection Policy Act requires federal agencies to assess the potential impact on agricultural land before approving a project that might convert prime farmland to non-agricultural use. As shown in Table 7, NRCS classifies several of the site soils as prime farmland.

Table 7. NRCS Mapped Soils at the Site

NRCS Map ID	Soil Name	Drainage Classification	Acres	Prime Farmland	Percent of Site
3	Augusta loam	Somewhat poorly drained	12.0	Yes	37.9%
26	Udorthents-Dumps complex	Not classified	Less than 0.1	No	0.1%
36	Tetotum loam	Moderately well drained	1.6	Yes	5.0%
38	Tomotley loam	Poorly drained	10.6	Yes	33.6%
40	Udorthents, loamy	Not classified	7.4	No	23.4%

Figure 7. NRCS Mapped Soils at the Site



3.7.2 Environmental Consequences

3.7.2.1 Proposed Action

3.7.2.1.1 Construction

3.7.2.1.1.1 Geology

Under both Alternative 1 and 2, development of the OPC site would require grading, excavation, and foundation work. Based on the depth to bedrock (using data from the nearby Norfolk International Airport), these activities are not anticipated to contact bedrock. As a result, the Proposed Action would have no impact on geological resources.

3.7.2.1.1.2 Soil

Under both Alternative 1 and 2, construction would remove vegetation during grading, exposing soils and making them susceptible to erosion by wind and surface runoff.

To minimize sedimentation of runoff, prior to construction the selected private entity must apply for and obtain a General VPDES CGP from the VDEQ Office of Stormwater Management, which is required for projects that would disturb greater than one acre of soil. The package must include a Stormwater Pollution Prevention Plan (SWPPP), an Erosion and Sediment Control (ESC) plan, and a Stormwater Management (SWM) Plan. The private entity would also ensure that stormwater management systems comply with the

requirements of the Virginia Stormwater Management Handbook, Version 1.1. The private entity would be responsible for implementing and maintaining best management practices (BMPs) specified in the VPDES CGP throughout the duration of the construction period. The BMPs may include:

- Installing and maintaining sedimentation and erosion control measures, including silt fences and water breaks, detention basins, filter fences, sediment berms, interceptor ditches, synthetic hay bales, rip-rap, and/or similar physical control structures.
- Retaining on-site vegetation to the maximum extent possible.
- Revegetating disturbed areas with native, non-invasive vegetation.

The private entity would implement spill and leak prevention and response procedures, including maintaining a complete spill kit at the site, to reduce the impacts of incidental releases of construction vehicle fluids (such as diesel or hydraulic fluids) to soil quality. Releases of regulated quantities of petroleum-based fluids would be reported to VA and the City of Virginia Beach and cleaned up by the private entity per state regulatory requirements.

Therefore, construction of the Proposed Action would have a permanent, minor adverse impact on soil quality.

3.7.2.1.1.3 Prime Farmland

Under both Alternative 1 and 2, construction of the Proposed Action infrastructure, access roadways, and parking areas would result in permanent conversion of prime farmland soils at the site to non-agricultural use. However, the Proposed Action has no mechanism to limit, restrict, or prevent access to other prime farmland soils at properties beyond the site.

Therefore, construction of the Proposed Action would have a permanent, minor adverse impact on prime farmland soils at the site, but no impact beyond the site.

VA completed Form AD-1006, the Farmland Conversion Impact Rating Form for determination of whether the site is farmland subject to the Farmland Protection Policy Act. A copy of Form AD-1006 is included in Appendix B for NRCS review. Copies of NRCS correspondence are included in Appendix B.

3.7.2.1.2 Operation

Under both Alternative 1 and 2, operation of the Proposed Action would have no mechanism to impact bedrock. During operation, soils previously exposed during construction would be revegetated or covered with structures, asphalt/paving, or landscaping, thereby preventing erosion and potential sedimentation of stormwater runoff. The private entity would maintain these land covers as designed for the duration of VA's lease. Therefore, operation of the Proposed Action would have no impact on geology or soils.

3.7.2.2 No Action Alternative

Under the No Action alternative, there would be no change to existing conditions. Therefore, the No Action alternative would have no impact on geology or soils.

3.8 Hydrology and Water Quality

Hydrology and water quality considerations relate to both surface water and groundwater and the impact of stormwater on both. Stormwater is surface water runoff generated from precipitation and has the potential to introduce sediments and other pollutants into surface waters. Impervious surfaces such as buildings, roads, parking lots, and even some natural soils increase surface runoff. Stormwater infrastructure includes the manufactured conveyance systems that function together with natural

drainages to collect and control the rate of surface runoff during and after a precipitation event. In urbanized areas, stormwater that is not infiltrated into the ground or discharged to a waterbody may be conveyed to stormwater management systems which are designed to contain runoff on site during construction and to maintain predevelopment stormwater flow characteristics following development through either the application of infiltration or retention practices.

3.8.1 Affected Environment

The site is located within the Coastal Plain physiographic province and features relatively flat topography, shallow groundwater, and proximity to several significant water bodies and wetlands that are components of the Chesapeake Bay watershed.

3.8.1.1 Surface Water Features

The site lies approximately 130 feet east of Lake Wright, a freshwater pond, and approximately 1 mile south of Lake Whitehurst and 1 mile west of Lake Lawson and Lake Smith, which are interconnected freshwater lakes that support recreational activities and provide stormwater management for the region. Smaller unnamed drainage ditches and tributaries, located within 0.5 miles of the site, direct stormwater toward the nearby Lake Wright and eventually into the Chesapeake Bay watershed. These drainage systems play a critical role in maintaining regional hydrology and are part of the local municipal stormwater infrastructure.

3.8.1.2 Groundwater Characteristics

The site is underlain by the Yorktown-Eastover aquifer, a primary groundwater source for southeastern Virginia (USGS 1973). Based on regional data, the groundwater table at the site may range from 15-60 feet below the surface, depending on seasonal and climatic conditions. As part of the VCZMP federal consistency review, the Virginia Beach Planning Department stated that "groundwater is typically encountered 2.5- to 5-feet below existing ground" but did not provide specific data for the site. The Virginia Beach Estimated Groundwater Depth to Water Table website shows that groundwater at the site may range from 5 feet to greater than 10 feet deep (City of Virginia Beach 2020). The depth to groundwater in a U.S. Geological Survey (USGS) test well located approximately 4,600 feet southwest of the site was measured at 22.5 feet below ground surface (Virginia Energy 1968).

3.8.1.3 Stormwater Management and Drainage Patterns

The site is a former golf course and is currently undeveloped land. It is nearly entirely pervious except for narrow paved paths that were formerly used for golf carts and the former foundation of the golf course maintenance building. Existing drainage patterns are influenced by the design of the former golf course, with no discernable surface runoff flow direction. However, the presence of two wetlands in the central portion of the site suggests the overland flow direction is toward these wetlands.

A previously discussed in Section 3.5.1.1, the site is not located within a FEMA-designated 100- or 500-year floodplain. However, Lake Wright is identified by FEMA as Zone AE, which FEMA defines as a high-risk area with a 1% annual chance of flooding (FEMA 2009). The proximity of the site to Lake Wright (located opposite adjacent to Premium Outlets Boulevard) highlights the need for the final design of the Proposed Action to include stormwater management features that ensure it does not induce downstream flooding.

3.8.1.4 Water Quality Conditions

Watersheds, or drainage basins, are areas of land that drain into rivers or bodies of water. Every water body in Virginia ranging from small creeks to large rivers has a watershed. The USGS shows the site is located in the Chesapeake Bay Watershed, which is comprised of several smaller subwatersheds, each

having a unique Hydrologic Unit Code (HUC). The site is located in two different subwatersheds: the northern portion of the site is located in the Little Creek-Frontal Chesapeake Bay Watershed (HUC 12-020801080202), while the southern portion of the site is in the Eastern Branch Elizabeth River Watershed (HUC 12-020802080204) (USGS 2024). The Chesapeake Bay watershed is designated by USEPA for enhanced water quality protections under the Chesapeake Bay Total Maximum Daily Load (TMDL) program (USEPA 2024b). Water bodies downstream of the site, including Lake Wright, are listed as impaired under Section 303(d) of the Clean Water Act due to elevated levels of nitrogen, phosphorus, and sediment. The City of Virginia Beach also shows the site is located within the Little Creek stormwater drainage watershed (Virginia Beach 2022).

On June 3, 2025, VDEQ provided comments on the Draft EA that stated in the City of Virginia Beach, lands protected by the CBPA require conformance with specific performance criteria. There is no RPA on the Proposed Action site; however, all land within the City's Chesapeake Bay Watershed that is not RPA is RMA, so the project does fall within the RMA. Areas within the RMA are subject to the general performance criteria as specified in Section 9VAC25-830-130 of the Regulations. Projects within the RMA must minimize land disturbance (including access and staging areas), retain existing vegetation and minimize impervious cover. For land disturbances over 2,500 square feet, a project must comply with the requirements of the Virginia Stormwater Management Handbook, Version 1.1.

3.8.2 Environmental Consequences

3.8.2.1 Proposed Action

3.8.2.1.1 Construction

Under both Alternative 1 and 2, the Proposed Action construction will alter existing site conditions, potentially impacting hydrology and water quality. Key concerns include increased surface runoff due to impervious surfaces and changes to the on-site drainage patterns.

Construction of the Proposed Action would involve clearing, grading, and constructing the OPC building, parking lots, and other impervious infrastructure at the site. These activities are expected to result in both short-term and long-term impacts to hydrology and water quality, as described below.

Soil disturbance during construction is likely to increase erosion, especially during high-intensity storm events. Sediments could be transported into nearby tributaries and Lake Wright, potentially degrading aquatic habitats and water quality.

During construction, grading and site reconfiguration may disrupt existing drainage patterns, leading to ponding in low-lying areas or overloading nearby stormwater infrastructure. These disruptions could also affect adjacent properties and municipal stormwater systems.

During construction, the use of heavy equipment and storage of materials like fuel and lubricants could lead to accidental spills, posing a contamination risk to the underlying groundwater.

To minimize adverse impacts to hydrologic and water quality conditions from construction activities, the private entity would obtain the VPDES CGP and implement and maintain permit-required BMPs, such as bio-retention areas, vegetated swales, and retention basins. The private entity would be required to demonstrate pollutant reductions consistent with Chesapeake Bay TMDL goals for the larger Chesapeake Bay watershed and maintain consistency with the TMDLs through BMPs and volume reduction targets. The private entity would also implement a construction Spill Prevention, Control, and Countermeasure plan and train workers on how to respond to and remediate accidental releases of petroleum-based fluids to prevent impacts to groundwater. The private entity would also ensure that stormwater management systems comply with the requirements of the Virginia Stormwater Management Handbook, Version 1.1.

Therefore, construction of the Proposed Action would have a temporary, minor adverse impact on hydrology and water quality conditions.

3.8.2.1.2 Operation

Under both Alternative 1 and 2, the addition of impervious surfaces, including the OPC building, parking areas, and entrance road, would increase stormwater runoff volume and velocity during operation of the Proposed Action. This stormwater runoff would require proper management to avoid potential for sedimentation and downstream flooding.

Stormwater runoff from the site during operation of the Proposed Action may contain oils, grease, heavy metals, and other contaminants associated with vehicular traffic and maintenance activities. These pollutants pose a risk to water quality in the larger Chesapeake Bay watershed, which is already impaired due to nutrient loading and sedimentation. Additionally, the increase in impervious surfaces may reduce groundwater recharge, affecting aquifer levels and potentially impacting nearby wells that depend on this resource.

To minimize operational impacts to hydrology and water quality, the private entity would design, construct, maintain, and operate stormwater management systems at the site that prevent sedimentation and off-site discharge of runoff. The stormwater management systems may include oil-water separators in parking lot drainage systems to capture hydrocarbons and other contaminants; design and maintain infiltration systems with liners or pre-treatment measures to reduce the risk of contaminant migration into groundwater; and install and maintain advanced stormwater controls, including detention basins, rain gardens, and permeable pavement to reduce runoff and promote infiltration.

Therefore, operation of the Proposed Action would have a permanent, negligible adverse impact on hydrology and water quality conditions.

3.8.2.2 No Action Alternative

Under the No Action alternative, there would be no change to existing conditions. Therefore, the No Action alternative would result in no impact to hydrology and water quality.

3.9 Land Use

Considerations related to land use help to provide insights into existing land use patterns, identify potential conflicts, and inform decisions related to zoning and infrastructure planning.

3.9.1 Affected Environment

3.9.1.1 Municipal Zoning

The site is located in Virginia Beach. However, Premium Outlets Boulevard, which abuts the western border of the site, is within the boundaries of the City of Norfolk, which also owns the road. The site is in the Virginia Beach-Norfolk-Newport News, VA-North Carolina Metropolitan Statistical Area, a designation used by the U.S. Census Bureau and other federal agencies for statistical purposes. The site parcel is listed in the City of Virginia Beach Zoning District Map (Virginia Beach 2024) as a Business District (B-2) Community Business District. Figure 8 illustrates the Virginia Beach and Norfolk zoning districts of the area surrounding the site. The City of Virginia Beach defines the purpose of a B-2 district as providing land needed for community-wide business establishments. This B-2 district is intended for general application in the city. It is intended that, by the creation of this district, business uses will be geographically concentrated (Virginia Beach 2024). The zoning districts adjacent to the site and east of Burton Station Road include several other B-2 zones as well as the following:

- *R-5D Residential Duplex District* - created in recognition of the existence of developed areas where single-family and semidetached dwellings exist on lots averaging 5,000 SF in area and where duplexes exist on lots of 10,000 SF in area. It is not the intention to create additional R-5D Districts or to enlarge the limits of existing R-5D Districts.
- *I-1 Light Industrial District* – intended to permit light industrial uses, wholesaling, storage, packaging, distribution, and retailing restricted primarily to operations requiring bulk deliveries by truck or van in locations served by major transportation networks and in areas where employment centers close to residential concentrations will reduce traffic congestion and add to public convenience by moving places of work closer to places of residence.
- *O-2 Office District* - intended for larger scale office and institutional structures and uses in areas where public facilities are available and where conflicts with residential neighborhoods can be avoided.

Premium Outlets Boulevard serves as a boundary between the City of Virginia Beach and the City of Norfolk. The zoning districts for the City of Norfolk areas adjacent to the site include the following:

- OSP Open Space and Preservation (Lake Wright) - intended to provide lands to accommodate the preservation and protection of active park and recreation activities, passive open space lands, significant natural features, and environmentally sensitive lands. District standards limit development in these areas in order to preserve the city's natural, scenic, and recreational assets; ensure their proper functioning; and promote visitor enjoyment.
- C-R Regional Commercial - intended to provide lands that accommodate region-serving commercial development. Development allowed in this district includes retail establishments, large-scale shopping centers, offices, and high-density mixed-use development.

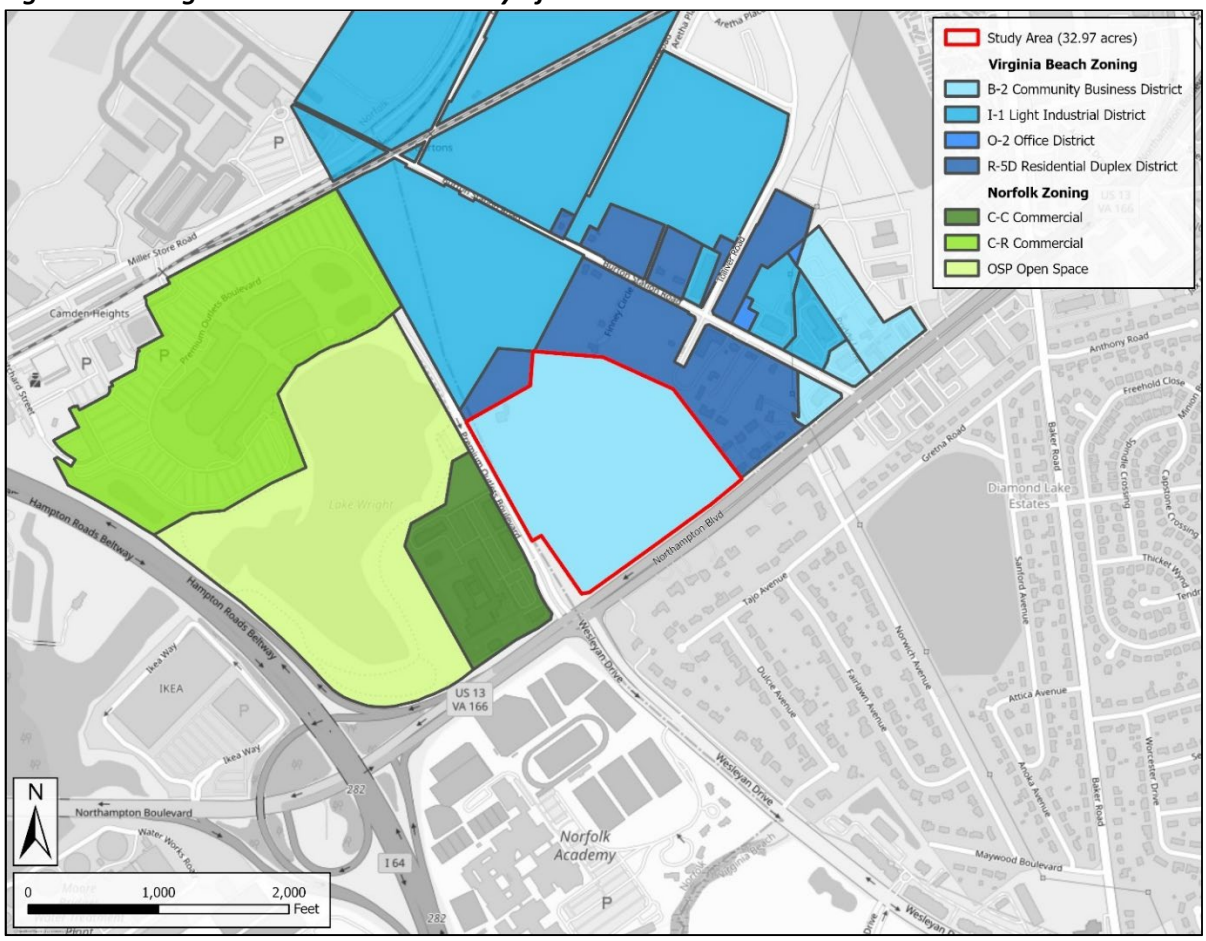
In summary, the site is zoned by the City of Virginia Beach for community-wide business establishments and the adjacent area to the west is zoned by the City of Norfolk for region-serving commercial development. The provision of outpatient health care services to Veterans in the community is consistent with these zoning designations. The only residences near the site are located along Finney Circle, Tolliver Road, and Burton Station Road, and these residences are separated from the site by wooded areas.

3.9.1.2 Strategic Growth Area

Long-time residents of Burton Station advocated for public improvements that would ensure the health and sustainability of their community, and in 2009 the neighborhood, including the Proposed Action site, was designated a Strategic Growth Area (SGA) by the City of Virginia Beach (Virginia Beach 2018).

Between 2009 and 2018, the City of Virginia Beach conducted a public engagement effort to seek feedback from stakeholders including local property owners, residents, and business owners as well as representatives from nearby civic leagues, the City of Norfolk, and the Norfolk International Airport to identify appropriate land uses, infrastructure needs, opportunities for private development, and civic amenities for the SGA. The public input resulted in infrastructure improvements including new utility connections, lighting, landscaping, sidewalks, and drainage as well as a new fire/emergency management station and Burton Station and Tolliver Road improvements (Virginia Beach 2024). The "Tranquility at the Lakes" affordable senior housing development, which opened in 2017, is an example of the capital improvements planned for the SGA (VCDC 2024). The selected site is designated in the 2018 SGA plan as a commercial center (Virginia Beach 2018).

Figure 8. Zoning Districts at and in Vicinity of the Site



3.9.2 Environmental Consequences

3.9.2.1 Proposed Action

Under both Alternative 1 and 2, construction and operation of the Proposed Action is consistent with the City of Virginia Beach and City of Norfolk zoning designations and with Virginia Beach's intention to geographically concentrate businesses in this area. The Proposed Action is also consistent with the City of Norfolk's intention to zone the areas for high density mixed-use development. Neither the construction nor operation of the Proposed Action would impact the zoning designation of Lake Wright. Additionally, the construction and operation of the Proposed Action would not prevent the use, development, or redevelopment of private property adjacent to and in the vicinity of the site. As the zoning ordinances state that these zones are not intended to be enlarged, the Proposed Action is unlikely to encroach upon any adjacent residential zoning districts in the future.

The Proposed Action in the Burton Station SGA is consistent with the City of Virginia's goals for the area and the local stakeholders' requests as recorded in the Master Plan (Virginia Beach 2018).

Therefore, construction and operation of the Proposed Action would have no impact on land use.

3.9.2.2 No Action

Under the No Action alternative, there would be no change to existing conditions. Therefore, the No Action alternative would result in no impact to land use.

3.10 Noise and Vibration

3.10.1 Noise

Noise is generally defined as an unwanted sound that interferes with or disrupts normal human activities. Sound is most commonly measured in decibels (dB). Daytime noise levels of 40 dB are generally perceived as quiet, 60 dB as moderate, and greater than 70 dB as loud. The Noise Pollution and Abatement Act of 1972 initiated a federal program of regulating noise pollution with the intent of protecting human health and minimizing annoyance of noise to the public.

Sensitive noise receptors are defined as properties where frequent human use occurs and where a lowered noise level would be of benefit. Hospitals, schools, convalescent facilities, religious institutions, libraries, recreation areas, and residential areas are considered to be sensitive receptors, particularly when located within 0.25 miles of the noise source.

3.10.2 Vibration

Vibration refers to the oscillatory motion of particles in a medium, often caused by mechanical forces. Vibration decibels (VdB) are used to measure vibration because they correspond well to how humans respond to environmental vibrations. The background vibration velocity level in residential areas is usually 50 VdB or lower and the threshold of perception for humans is approximately 65 VdB. A vibration level of 85 VdB in a residence can result in strong annoyance (FTA 2018). Sensitive receptors for vibration are the same as sensitive receptors for noise.

3.10.3 Affected Environment

The soundscape and vibration conditions at the site are typical of a busy commercial district. The soundscape is dominated by noise from the Norfolk International Airport, which is approximately 0.35 miles from site. The soundscape is also influenced by vehicles traveling on Northampton Boulevard, a six-lane divided highway running concurrently with US-13 and State Route 166, and on Premium Outlets Boulevard. The nearest sensitive noise receptors are residents living on Tolliver Road, Burton Station Road, and along Northampton Boulevard between the wooded area adjacent to the selected site and Burton Station Road.

3.10.4 Environmental Consequences

3.10.4.1 Proposed Action

3.10.4.1.1 Noise

3.10.4.1.1.1 Construction

Under both Alternative 1 and 2, construction noise levels would be similar because the conceptual development plans would require similar construction phasing and equipment. Construction noise levels vary depending on the equipment being used, its duration of use, and the receptor's distance from the noise source. Table 8 details the predicted noise levels (at a distance of 100 feet from the source) for common construction equipment (FTA 2018). The sound levels experienced by human receptors, as A-weighted decibels (dBA), would vary depending on distance from the noise source and decrease approximately 6 dBA with every doubling of distance.

Table 8. Predicted Noise Levels for Construction Equipment

Construction Equipment	Predicted Noise Level at 100 feet (dBA)
Welding generator	65–76
Backhoe	66–87
Roller	67–69
Concrete mixer	67–82
Crane	69–81
Grader/Dozer	74–87
Jackhammer	75–92
Truck	77–88
Paver	80–82

Under both Alternative 1 and 2, the Proposed Action would generate noise from equipment used during site grading and construction. Typical construction equipment involved in the Proposed Action would include excavators, cranes, backhoe-loaders, welders, aerial lifts, graders, pavers/paving equipment, rollers, haul trucks, and concrete mixing trucks. Once mobilized to the site, construction equipment would be operated within the work site and generally during the hours of 7 a.m. to 9 p.m., as specified under the City of Virginia Beach noise ordinance.

The nearest residential receptors are Finney Circle and Tolliver Road, approximately 125 feet from the northern boundary of the construction site. The construction activities that are nearest to the residential receptors would occur intermittently for a few months during the early phases of the construction period; the activities would involve land clearing and grading. Based on a grader/dozer temporarily operating at approximately 125 feet away from the nearest residence, the projected sound level at the nearest residential receptor would be approximately 79.5 dBA. As shown in Table 9, this sound level is approximately 20 dBA lower than a typical construction site (OSHA 2022). Later phases of construction would involve construction of the OPC in the central portion of the site, creation of the new entrance and access roads, and paving of the parking lots and roads.

Table 9. Common Sound Levels and Exposure Conditions

Source	Decibel Level (dBA)
Silent Study Room	20
North Rim of Grand Canyon	30
Soft Whisper (5 feet away)	40
Urban Residence	50
Conversation (3 feet away)	60
Classroom Chatter	70
Freight Train (100 feet away)	80
Boiler Room	90
Construction Site	100
Night Club (with music)	110
Operating Heavy Equipment	120
Jet Taking Off (200 feet away)	130
Threshold of Pain	140

The City of Virginia Beach noise ordinance exempts activities related to the construction, repair, maintenance, remodeling or demolition, grading, or other improvement of real property from maximum sound levels and residential dwellings rules. The private entity would comply with the ordinance's requirement to refrain from the operation of any construction equipment between the hours of 9:00 p.m. and 7:00 a.m.

The U.S. Occupational Safety and Health Administration requires employers to implement a hearing conservation program when noise exposure is at or above 85 decibels averaged over 8-working-hours, or above 90 dBA over an 8-hour time-weighted average. The private entity would provide hearing protection to all workers who may be exposed to these noise levels.

The private entity would also comply with the City of Virginia Beach noise ordinance. If warranted, the private entity may implement BMPs for noise control, such as those in the following list:

- Using shields or other physical barriers to restrict noise transmission.
- Providing soundproof housings or enclosures for noise producing machinery.
- Using efficient intake and exhaust mufflers on internal combustion engines that are maintained so equipment performs below the noise levels specified.
- Conducting truck loading, unloading, and hauling operations so that noise is kept to a minimum.
- Selecting material transportation routes as far away from sensitive receptors as possible.
- Shutting down noise-generating construction equipment when not in use.

Therefore, construction of the Proposed Action would have a temporary, minor adverse impact on noise-sensitive receptors in the surrounding community.

3.10.4.1.1.2 Operation

Under both Alternative 1 and 2, operation of the Proposed Action would create noise typical of a busy commercial district. The OPC would generate noise from HVAC equipment, monthly emergency generator testing, and vehicles traveling to and from the site. The soundscape at and in the vicinity of the site would continue to be vehicle traffic along Northampton Boulevard, a 6-lane highway, and airplane traffic from Norfolk International Airport, which is located approximately 0.35 miles from the site.

Therefore, operation of the Proposed Action would have a permanent, negligible adverse impact on noise-sensitive receptors near the site.

3.10.4.1.2 Vibration

3.10.4.1.2.1 Construction

Under both Alternative 1 and 2, construction of the Proposed Action would require removal of the foundation for the former golf course maintenance building, land clearing, and grading. These activities would require the use of excavators, dozers, and supporting construction equipment. It is possible that demolition of the foundation would require the temporary use of typical jackhammering equipment to break the foundation for excavation and off-site disposal. Following grading, tampers may be needed to compact the soil to make it suitable for development. This work would temporarily increase vibration levels at the site.

Construction would cause various degrees of ground vibration, depending on the equipment, methods employed, and soil compactness, but the vibrations diminish in strength with distance (Hanson 2006). Typical vibration levels from construction equipment at a reference distance of 25 feet are: 104 VdB for an impact pile driver; 87 VdB for a bulldozer; 86 VdB for a loaded truck; and 79 VdB for a jackhammer. In general, if most construction activity is located more than 75 feet from the nearest sensitive receptor, the

estimated vibration levels would be expected to be below the strong annoyance criterion of 85 VdB (FTA 2018).

Potential construction-period vibration impacts would be assessed during the final design phase, when construction methods and the locations of specific types of construction equipment have been identified. Measures for reducing vibration impact to sensitive receptors would be considered in the development of construction plans for areas where construction activities causing short-term perceptible vibration could be required.

Therefore, construction of the Proposed Action would have a temporary, negligible adverse impact to off-site vibration-sensitive receptors due to distance.

3.10.4.1.2.2 Operation

Under both Alternative 1 and 2, operating the Proposed Action would not require activities that generate vibrations that would disrupt medical services or affect sensitive receptors in the surrounding community. Therefore, operation would have no impact on vibration-sensitive receptors.

3.10.4.2 No Action Alternative

Under the No Action alternative, there would be no change to existing conditions. Therefore, the No Action alternative would result in no impact to noise- and vibration-sensitive receptors.

3.11 Solid Waste and Hazardous Materials

Hazardous materials include, but are not limited to, hazardous and toxic substances and waste, and any materials that pose a potential hazard to human health and the environment due to their quantity, concentration, or physical and chemical properties.

Hazardous wastes are characterized by their ignitability, corrosivity, reactivity, and toxicity. Hazardous materials and wastes, if not controlled, may either (1) cause or significantly contribute to an increase in mortality, serious irreversible illness, or incapacitating reversible illness; or (2) pose a substantial threat to human health or the environment.

3.11.1 Affected Environment

The proposals provided by the private entities for both Alternative 1 and 2 to VA included a Phase I Environmental Site Assessment (Phase I ESA) for the site completed in August 2023 (ECS Mid-Atlantic, LLC 2023) (Environmental Works, Inc. 2023). The Phase I ESAs were completed in accordance with ASTM E1527-21, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, and USEPA Standards and Practices for All Appropriate Inquiries contained in 40 CFR Part 312. Each Phase I ESA was performed by different environmental consulting companies using qualified environmental professionals. Both Phase I ESA reports concluded that no evidence of recognized environmental conditions, controlled recognized environmental conditions, or significant data gaps in connection with the subject property was identified.

3.11.2 Environmental Consequences

3.11.2.1 Proposed Action

3.11.2.1.1 Construction

Under both Alternative 1 and 2, Proposed Action construction would generate vegetative debris, demolition debris, and excess soils during land clearing and grading, and material debris during construction of the OPC. The private entity would be required to recycle or reuse materials to the

maximum extent practicable. Only materials that cannot be reused or recycled would be transported off-site for disposal at a landfill approved for construction debris. All soil removed that cannot be reused on site would be transported to an appropriate landfill for reuse as fill or daily cover.

Under both Alternative 1 and 2, construction of the Proposed Action would have a temporary, minor adverse impact on solid waste by temporarily increasing the volume of construction-related debris disposed of at an off-site landfill.

3.11.2.1.2 Operation

Under both Alternative 1 and 2, the OPC would be maintained and operated as a typical VA OPC, which uses a variety of small quantities of chemicals used for diagnostics and treatments. Hazardous wastes may consist of chemical wastes, low-level radiopharmaceutical wastes, and medical wastes. Maintenance (janitorial and landscaping) activities include the use of cleaners, solvents, degreasers, and paints. Other non-hazardous materials used during OPC operations include diesel fuel for the emergency generators, lubricants, and oils.

The OPC would not have an on-site solid waste management facility. Solid wastes generated at the OPC would be disposed of in designated bins and dumpsters and transported and disposed of at USEPA-licensed disposal facilities. The private entity would be responsible for the proper management and disposal of all operational wastes.

Therefore, operation of the Proposed Action would have a permanent, negligible adverse impact on solid waste and hazardous materials associated with routine operation of an OPC.

3.11.2.2 No Action Alternative

Under the No Action alternative, there would be no change to existing conditions. Therefore, the No Action alternative would result in no impact to solid waste and hazardous materials.

3.12 Traffic, Transportation, and Parking

Transportation and parking refer to the movement and parking of people, goods, and equipment on a local and regional transportation network, consisting of streets, railroads, transit facilities, bicycle lanes, and other modes of transportation, including walking.

3.12.1 Affected Environment

3.12.1.1 Roadways and Site Access

On behalf of VA, a traffic study was completed to assess the existing transportation conditions surrounding the site and to estimate potential future traffic impacts to the Level of Service (LOS) on transportation conditions with and without the Proposed Action in the year 2044 (TTG 2024). The study included five intersections as depicted in Figure 3 and identified by road name in Table 11.

The LOS is used to rate traffic operation based on traffic volumes and roadway capacity using letter designations ranging from *A through F* (Table 10). An LOS of *"A"* represents good operating conditions and "*F*" represents unsatisfactory operating conditions (Transportation Research Board 2022). Table 11 also shows the corresponding Critical Lane Volume (CLV), which is a numeric value representing vehicle volume, typically in vehicles per hour. The CLV quantifies the combined demand of conflicting traffic movements at a signalized intersection during peak periods.

Hampton Roads Transit is the public transit provider for the region. Hampton Roads Transit operates four bus stops within a 0.5-mile radius from the site. Transit stops exist along US 13 for bus route number 027. Sidewalks are present along Northampton Boulevard, Tolliver Road and Burton Station Road near the proposed entrances. Bicycle lanes are not present on roadways adjacent to the site.

VA provides the Veterans Transportation Service (VTS) and partners with organizations including Disabled American Veterans (DAV) and Angel Wings for Veterans, which offer free transportation services. In the Hampton, Virginia area, DAV van resources work with county Veterans Affairs directors to provide transportation for Veterans to and from Veteran health care centers for scheduled medical appointments. These vans transport Veterans throughout Virginia. Each month, between 1,500 and 1,700 Veterans receive DAV transportation (VA 2024). These programs would also serve the new OPC once it becomes operational.

Table 10. Level of Service Definitions

LOS Rating	Description of Traffic Conditions	Critical Lane Volume (CLV)
A	Traffic flows freely, with little or no restrictions to vehicle maneuvers within the traffic stream.	Less than 1,000
B	Reasonably free-flowing conditions, with slight restrictions to vehicle maneuvers within the traffic stream.	1,000-1,150
C	Traffic speed approaches free-flowing conditions, but freedom to maneuver within the traffic stream is noticeably restricted.	1,150-1,300
D	Traffic speed begins to reduce, and freedom to maneuver is seriously limited due to a high concentration of traffic.	1,300-1,450
E	Unpredictable traffic flow, with virtually no usable gaps in the traffic stream to accommodate vehicle maneuvers.	1,450-1,600
F	Unstable traffic flow resulting in delays and the formation of queues in locations where traffic demand exceeds roadway capacity.	Greater than 1,600

On September 4, 2024, intersection turning movement counts were collected during peak hours from 6-9 a.m. and 3-7 p.m. at five intersections selected based on their proximity to the site and the potential future access points (Figure 9).

Based on the collected peak hour traffic data, four study intersections currently operate at LOS "A" conditions while the intersection of US 13 & Wesleyan Drive/Premium Outlets Boulevard operates at LOS "C" for the morning peak hour and LOS "E" for the evening peak hour (Table 11).

3.12.2 Environmental Consequences

3.12.2.1 Proposed Action

3.12.2.1.1 Construction

Under both Alternatives 1 and 2, there would be two potential access points to and from the site (refer to conceptual plans in Figure 3 and Figure 4, respectively):

1. Main entrance from a to-be-constructed access roadway extending north from Northampton Boulevard to the eastern side of the OPC main parking lot.
2. Access for service vehicles and ambulances on Premium Outlets Boulevard.

Northampton Boulevard (also known as US-13) is under the jurisdiction of the Virginia Department of Transportation (VDOT). Additionally, the private entity would coordinate with City of Virginia Beach Traffic Engineering regrading entrance locations and roadway designs. The private entity would obtain and comply with the requirements of a Land Use permit from the VDOT for the construction of the main entrance off Northampton Boulevard. Compliance with the permit ensures that all work performed in the right-of-way of any highway in the state highway system meets VDOT standards and policies, complies

with highway laws and regulations, preserves the integrity and functionality of the highway, and provides for the safety of the traveling public. The private entity would be required to obtain and implement this permit.

Figure 9. Traffic Study Intersections

Table 11. 2024 LOS for the Five Study Intersections

Intersection (as shown on Figure 9)	Intersection	2024 LOS (a.m. peak)	2024 LOS (p.m. peak)
1	US-13 & I-64 Westbound Off-Ramp	A	A
2	US-13 & Wesleyan Drive - Premium Outlets Boulevard	C	E
3	Premium Outlets Boulevard & Lake Wright Trail Parking	A	A
4	US-13 & Norwich Avenue	A	A
5	US-13 & Burton Station Road	A	A

For the construction of the maintenance/ambulance entrance off Premium Outlets Boulevard, the private entity would obtain and comply with the conditions of a Right-of-Way-Use permit from the City of Norfolk. The permit is required for constructing anything in a City-owned right-of-way. The City of Norfolk also requires a Street, Lane, or Sidewalk Closure Permit for any work within the right-of-way which closes or prevents access to the roadway, driveway entrances, sidewalk, or blocks any lanes of traffic for more than fifteen minutes. The City of Norfolk must approve any requests for traffic detours and/or lane closures. The private entity would be required to submit such requests and obtain and implement these permits.

Additionally, the private entity must submit a site plan to the City of Virginia Beach Development Services Center for work in the City's right-of-way. All work in the Virginia Beach City right-of-way would be designed in accordance with the City's Public Works Design Manual and Public Utilities Design Manual.

Under both Alternative 1 and 2, construction-related activities would involve the removal of construction and demolition debris, the delivery of construction materials and equipment, worker commuting, and the removal of equipment after construction concludes. Construction worker travel would recur on a daily basis and may coincide with peak commuting periods. While worker trips would recur during the peak commuting periods, some of these trips would likely involve carpooling and/or transit, thus limiting effects on traffic. Material deliveries would be periodic but could occur during or outside of peak commuting periods.

Therefore, under both Alternative 1 and 2, construction of the Proposed Action would have a temporary, negligible adverse impact on traffic conditions on Premium Outlets Boulevard and Northampton Boulevard.

3.12.2.1.2 Operation

VA strives for a Proposed Action CLV increase of no more than 20% above the no-build (no action) alternative over the same time period; or, if greater than 20%, then not significantly more than the CLV increase under the no action alternative over the same time period. If the CLV increase with the Proposed Action by year 2044 is significantly greater than the no action alternative, then VA strives for little to no decrease in the corresponding LOS.

The 2024 traffic study estimated future traffic conditions in year 2044 with and without the Proposed Action and analyzed the future LOS impacts at each intersection (TTG 2024). The study assumed a 0.5% annual increase in traffic at the study intersections over the next twenty years (to year 2044) based on population growth and annual growth rate data obtained from the City of Virginia. This percent annual increase was applied to the existing data on the five intersections to project future CLV capacity with the Proposed Action ("build scenario") and without the Proposed Action ("no build") scenario to project the impact of the Proposed Action on the CLV and LOS at each of the five study intersections.

Table 12 shows the projected CLV and corresponding LOS for the Proposed Action and the No Action alternatives in year 2044, and is summarized below for both Alternative 1 and 2 with the Proposed Action:

- Intersection #1 is acceptable with LOS "A" and the CLV increase is under 20% in both peak hours.
- Intersection #2 is not acceptable at LOS "E" for a.m. (morning) and "F" for p.m. (afternoon) peak hours, although the CLV increase is under 20% in both peak hours. However, Intersection #2 also decreases to "F" for the p.m. peak hours without the Proposed Action.
- Intersection #3 is acceptable with LOS "A" although the CLV increases are over 20% in both peak hours.
- Intersection #4 is acceptable with LOS "A" and the CLV increase is under 20% in both peak hours.
- Intersection #5 is acceptable with LOS "B" and the CLV increase is under 20% in both peak hours.

Traffic forecasts project that by year 2044, the LOS at Intersection #2 could decline from LOS "D" to "E" in the a.m. peak hours as a result of vehicle traffic contributed by the Proposed Action. However, traffic conditions in year 2044 depend on many dynamic and evolving factors, including regional growth, transportation investments, and travel behavior. While preliminary recommendations, such as adding new turning lanes, have been identified to mitigate the potential future decline in LOS, the actual future LOS may warrant different mitigation than can be anticipated at this stage. Accordingly, any future

mitigation, if warranted, would be based on conditions as they exist closer to 2044, supported by current data and planning priorities to ensure the most appropriate and effective response. The private entity would be responsible for coordinating with the VDOT and City of Norfolk and implementing the mitigation.

While traffic forecasts suggest a potential decline in level of service by 2044, any future decisions regarding mitigation should consider conditions and information available at that time.

As previously described, the DAV transit program and similar programs would remain available to Veterans requiring transit assistance to and from the new OPC once it is operational.

Therefore, operation of the Proposed Action is anticipated to have a permanent, minor adverse impact on traffic conditions surrounding the OPC.

3.12.2.2 No Action Alternative

Under the No Action alternative, current traffic conditions at Premium Outlet Boulevard or Northampton Boulevard traffic conditions would remain unchanged, though other development at or near the site could occur to impact traffic conditions. Future traffic conditions under the No Action alternative (no build scenario) could occur by the year 2044 at the intersections included in the traffic study; these conditions are shown in Table 12.

Therefore, the No Action alternative would result in no impact on traffic conditions.

Table 12. Traffic Impact Analysis for the Five Study Intersections

Inter-section ID in Fig 5	Crossroads	No-Build Scenario, in year 2044 (Without the OPC)				Proposed Action, in year 2044 (With the OPC)					
		2044 – a.m.		2044 – p.m.		2044 – a.m.			2044 – p.m.		
		LOS	CLV	LOS	CLV	LOS	CLV	% CLV change	LOS	CLV	% CLV change
1	US 13 & I-64 west bound Off-Ramp	A	627	A	812	A	696	11%	A	828	2%
2	US 13 & Wesleyan Drive - Premium Outlets Blvd	D	1,409	F	1,696	E	1,507	7%	F	1,721	1%
3	Premium Outlets Blvd & Lake Wright Trail Parking	A	88	A	317	A	288	227%	A	467	47%
4	US 13 & Norwich Avenue	A	810	A	873	A	814	0%	A	886	1%
5	US 13 & Burton Station Road	B	1,010	B	1,066	B	1,023	1%	B	1,069	0%

3.13 Utilities

Utilities are the services that support the efficient and comfortable operation of a facility or location. Utilities include potable water, sanitary sewerage, electricity, telecommunications, and stormwater management.

3.13.1 Affected Environment

The project site is located in Virginia Beach, Virginia where utility infrastructure is well-established and serves a mix of residential and commercial developments (VBDED 2025b). The utilities to be supplied to the site include:

- **Potable Water**: City of Virginia Beach Public Utilities. Potable water originated from Lake Gaston. The current daily capacity is 50 million gallons; the average daily demand is 30.8 million gallons.
- **Sewerage**: City of Virginia Beach Public Utilities. The city operates and maintains over 400 sewer pumping stations. A pumping station collects the wastewater collected by the gravity system and pumps it into a sanitary sewer force main for delivery to Hampton Roads Sanitation District for treatment. The current capacity is 54 million gallons per day; the average daily demand is 26 million gallons per day.
- **Electricity**: Dominion Energy
- **Telecommunications**: Multiple providers offer services in the area. The Virginia Beach area features one of the nation's most advanced telecommunications networks, with multiple providers. The City of Virginia Beach has about 150 miles of fiber infrastructure connecting 70 sites and serving 110 city buildings in addition to the Virginia Beach City Public Schools' 120 miles of fiber.
- **Stormwater Management**: City of Virginia Beach
- **Natural Gas**: Virginia Natural Gas

3.13.2 Environmental Consequences

3.13.2.1 Proposed Action

3.13.2.1.1 Construction

The improvements in the SGA to the east of the site, and the opening in 2017 of the 332,000 SF Premium Outlets Mall in Norfolk to the west of the site, suggest that the area has sufficient infrastructure necessary to support the construction and operation of the Proposed Action.

Under both Alternative 1 and 2, construction of the Proposed Action would require extending to the site utility lines for potable water, sewerage, electricity, telecommunications, and stormwater management. As part of the final design, the private entity would be required to coordinate with the City of Virginia Beach Public Utilities Engineering staff and confirm and verify with utility providers that capacities are available to meet the projected demands for the OPC. The private entity would also be required to apply for and obtain permits required to connect to and utilize utility services.

Construction of utility infrastructure would involve upfront site work to create utility corridors and coordination with the utility providers to ensure uninterrupted utility services continues to current customers in the community. The private entity would be required to apply for and obtain a Land Use Permit for work or activity on or crossing any right-of-way under the jurisdiction of the VDOT. These include activities such as but not limited to installation of utilities, construction of private and commercial entrances, landscaping, and the temporary use of the right-of-way. The private entity would also submit a site plan to the City of Virginia Beach Development Services Center for work in a City right-of-way. All

work in the City right-of-way would be designed in accordance with the City's Public Works Design Manual and Public Utilities Design Manual. Additionally, the private entity would be required to apply for and obtain a Right-of-Way Use Permit from the City of Virginia Beach prior to construction activities occurring in a City-owned right-of-way or easement. Activities in a right-of-way that require a permit may include but are not limited to: installation of utilities (ex. cable, gas, power, telephone); installation of storm drain piping, which also requires plan approval; open cutting of a roadway or sidewalk for repair or installation of utilities; any blocking of a lane of traffic or a sidewalk for which a traffic and pedestrian control plan is required.

3.13.2.1.1.1 Potable Water and Sanitary Sewerage

Under both Alternative 1 and 2, the private entity would be required to apply for and obtain all applicable potable water and sewerage permits. Potentially applicable sanitary sewerage permits may include but not be limited to a Sewage Handling Permit from the Virginia Department of Health (VDH) to discharge to the municipal Department of Public Works. Should the final design include connecting to and discharging to the City of Virginia Beach sewage system, the private entity would be required to adhere to the Commercial/Multi-Family Utility Connection New Construction process (Virginia Beach 2024), including submission of a completed commercial American Water Works Association calculation form.

3.13.2.1.1.2 Electricity and Telecommunications

Under both Alternative 1 and 2, the private entity would be required to apply for and obtain any permits or approvals required by Dominion Energy and local telecommunications providers to extend service to the OPC. Any necessary upgrades or modifications would be addressed during the design phase.

Therefore, construction of the Proposed Action would have a temporary, negligible adverse impact on utilities during construction.

3.13.2.2 Operation

Under both Alternative 1 and 2, the Proposed Action would achieve Green Globes certification, which seeks to efficiently use electricity, water, and sewerage and stormwater infrastructure. The private entity would be required to maintain any privately-owned on-site utility infrastructure required for operation of the Proposed Action for the duration of VA's lease.

Under both Alternative 1 and 2, the private entity would be required to coordinate with utility providers to ensure that utility service quality meets VA's requirements during operation. Under both Alternative 1 and 2, the conceptual plans show that operational stormwater would be discharged to the City of Virginia Beach stormwater management systems. The private entity would be required to obtain any necessary permits or approvals for this discharge.

Therefore, operation of the Proposed Action would have a permanent, negligible adverse impact on utilities through the increase in consumption of utilities.

3.13.2.3 No Action Alternative

Under the No Action alternative, no changes to utility infrastructure or consumption rates would occur. Therefore, the No Action alternative would have no impact on utilities.

3.14 Community Services

Community services include police, fire, ambulance, medical and emergency services provided by VA or surrounding communities.

3.14.1 Affected Environment

Virginia Beach has a population of approximately 453,649, which includes approximately 47,318 Veterans or 14.2% of the population. This percentage is higher than both the statewide average of 9.1% and the national average of 6.1% (USCB 2023). The Veteran population in Virginia Beach is largely attributed to its proximity to several major military installations, including Naval Station Norfolk, Joint Expeditionary Base Little Creek-Fort Story, and Naval Station Oceana.

Public safety services in Virginia Beach are provided by the Virginia Beach Police Department and the Virginia Beach Fire Department, which provides fire protection and emergency response services across the city. Virginia Beach is served by several public hospitals, including Sentara Virginia Beach General Hospital, Sentara Leigh Hospital, Sentara Norfolk General Hospital, and the Sentara Princess Anne Hospital, that provide comprehensive medical services to the community.

3.14.2 Environmental Consequences

3.14.2.1 Proposed Action

3.14.2.1.1 Construction and Operation

Under both Alternative 1 and 2, construction and operation of the Proposed Action would not induce or require changes in non-Veteran community services, such as force protection or security services. Based on community impacts analyzed under prior VA OPC projects, the construction and operation of the Proposed Action would not increase needs for housing, social, or emergency services in the surrounding community. The increase in available jobs associated with the construction or operation of the Proposed Action would not result in an increase in the population of families with children such that it would cause expanded enrollment at local schools.

During operation, the Proposed Action would provide a full range of outpatient medical services for Veterans in the Virginia Beach area. The OPC would serve Veterans with both primary care and mental health needs as well as offer pharmacy, laboratory, pathology, and social work services.

Therefore, the Proposed Action would increase area Veterans' access to quality health care resulting in a permanent, beneficial significant impact to community services related to health care for Veterans in the Virginia Beach area.

3.14.2.2 No Action Alternative

Under the No Action alternative, the current VA Hampton Health Care System OPCs would continue to be overburdened and local Veterans would experience long wait times and potentially longer travel distances to receive care at a VA medical facility. The No Action alternative does not meet the purpose and need for the Proposed Action and would diminish the level of care that VA is able to provide Veterans within the VA Hampton Health Care System service area.

Therefore, the No Action alternative would result in a permanent, significant adverse impact to community services related to health care for Veterans.

3.15 Socioeconomics

Socioeconomics refers to the social and economic conditions in the communities surrounding the Proposed Action.

3.15.1 Affected Environment

Virginia Beach is the most populous city in Virginia and has a large business community "renowned for its highly diverse collection of industries, including nationally and internationally known corporate

headquarters, technologically advanced manufacturers, billion-dollar defense contractors, and locally owned shops" (VBDED 2023). The gross domestic product of the City of Virginia Beach in 2022 was $27M (in thousands of dollars) (FRED 2024). Other key socioeconomic indicators defined by USEPA representing the affected environment include the unemployment rate, low-income rate, and education attainment (USEPA 2024). The demographic data for Virginia Beach, reported as percentage and compared to the entirety of Virginia, is provided in Table 13 and Table 14.

Virginia Beach and Virginia have a similar percentage of demographic categories, including minority populations, age groups, high school graduate, though a higher percentage of Veterans live in Virginia Beach (USCB 2023).

Hampton Roads, which includes Virginia Beach as a principal city, has a total of 18 military installations, including Naval Station Norfolk, the world's largest naval base, and over 80,000 active-duty military personnel (Hampton Roads Alliance 2025). As a result, the region has one of the largest concentrations of armed forces in the United States. Other major industries in the region include advanced manufacturing, food processing & technology, business services, software and information technology, and defense contracting services. Virginia Beach has a slightly higher median household income, slightly lower percentage of population below the poverty line, and slightly lower unemployment rate than Virginia (USCB 2023) (Table 14).

Table 13. Demographic Data for Virginia Beach and the State of Virginia

Area	Population	Population under 18 Years of Age	Population over 65 Years of Age	Minority (reporting other than white alone)	High School Graduates	Veterans
Virginia Beach	453,649	21.7% (98,437)	16.5% (74,852)	40% (182,000)	94.6% (300,100)	14.2% (43,318)
Virginia	8.7M	21.5% (1.8M)	17.2% (1.5M)	40% (3.48M)	91.5% (5.5M)	9.1% (612,622)

Table 14. Regional and State Employment and Income

Area	Number of households	Median Household Income	Population Below Poverty Level	Unemployment Rate
Virginia Beach	179,291	$91,141	8.5% (37,869)	2.8% (4,700)
Virginia	3.4M	$89,931	10.2% (864,394)	3.0% (130,000)

3.15.2 Environmental Consequences

3.15.2.1 Proposed Action

3.15.2.1.1 Construction

Under both Alternative 1 and 2, construction of the Proposed Action would involve the temporary employment of skilled and non-skilled laborers and require materials that may be purchased from local and regional vendors. There would also be an increase in incidental spending by workers on food, lodging, products, and services, but the amount of spending would represent a negligible increase in the overall economic activity in Virginia Beach.

Therefore, the temporary increase in employment and spending during construction of the Proposed Action would have a temporary, negligible beneficial impact on socioeconomic conditions in Virginia Beach.

3.15.2.1.2 Operation

Under both Alternative 1 and 2, operation of the OPC would require approximately 600 employees and would serve approximately 1,357 Veteran patients per day. VA would be required to hire new staff to provide medical services at this OPC, while the private entity would be required to provide staff to maintain the OPC for the duration of VA's lease. The increase in medical and maintenance staff at this OPC could result in an increase in incidental spending by workers on services provided within the local community around this OPC, but the amount of spending would represent a negligible increase in the overall economic activity in Virginia Beach.

Therefore, operation of the Proposed Action would result in a permanent, negligible beneficial impact to socioeconomic conditions in Virginia Beach, but no impact at the regional or state levels.

3.15.2.2 No Action Alternative

Under the No Action alternative, there would be no change to existing conditions. Existing socioeconomic conditions would continue. Therefore, the No Action alternative would result in no impact to socioeconomic conditions in Virginia Beach or at the regional or state levels.

3.16 Potential for Generating Substantial Public Controversy

As discussed in Sections 5 and 6, VA solicited input from the public, several federal, state, and local government agencies, and Tribes, regarding the Proposed Action. Several government agencies have provided input; none of the input expressed opposition to the Proposed Action or anticipated substantial controversy related to the Proposed Action. VA published and distributed the Draft EA for a 30-day public comment period. VA did not receive any comments from the public on the Draft EA.

4.0 PROTECTION AND MITIGATION MEASURES

This chapter summarizes the protection and mitigation measures identified throughout Chapter 3 that are incorporated into the Proposed Action, under both Alternative 1 and 2, to avoid or minimize potential adverse effects. The measures identified in Table 15 would be implemented and maintained by the selected private entity. These measures would maintain potential impacts at less-than-significant adverse levels for all resources, but do not imply that impacts would be significant without these measures. For resources not listed, no measures are identified. Additionally, potentially applicable permits shown in this table are summarized in Appendix A.

Table 15. Measures Incorporated into the Proposed Action to Avoid or Minimize Potential Adverse Effects

Resource	Protection and Mitigation Measures
Aesthetics	The private entity would professionally manage the OPC and the landscaped grounds at the site to maintain its appearance throughout the duration of VA's lease.
Air Quality	Design and operate the OPC to achieve Green Globes certification. To minimize generating fugitive dust during land-disturbing activities, VDEQ requires use of control methods outlined in 9VAC5-50-60 *et seq.* of the Regulations for the Control and Abatement of Air Pollution. The private entity would implement these precautions that include, but are not limited to, the following: ▪ Use, where possible, of water or suitable chemicals for dust control during the proposed demolition and construction operations and from material stockpiles; ▪ Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials; ▪ Covering of open equipment for conveying materials; and ▪ Prompt removal of spilled or tracked dirt or other materials from paved streets and removal of dried sediments resulting from soil erosion. VDEQ also recommends necessary precautions to restrict the emissions of VOCs and NO_X from asphalt paving during construction. A precaution, which typically applies to road construction and paving work (9VAC5-45-780 *et seq*.), places limitations on the use of "cut-back" (liquefied asphalt cement, blended with petroleum solvents), and may apply to the Proposed Action. The asphalt must be "emulsified" (predominantly cement and water with a small amount of emulsifying agent) except when specified circumstances apply. Moreover, there are time-of-year restrictions on its use from April through October in VOC emission control areas. The private entity would implement these precautions during construction paving. To the extent practicable, for construction equipment greater than 150 horsepower, aim to meet USEPA/CARB Tier 4 emissions standards, or Tier 3 standards if Tier 4 equipment is not available at the time of construction; tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications; use low-sulfur diesel or biodiesel in construction equipment; and diesel-powered vehicles may idle for up to 10 minutes to minimize restart problems, but turned off after 10 minutes when not in use (VAC 1985).

Resource	Protection and Mitigation Measures
Wildlife and Habitat	Avoid tree removal and trimming during both the torpor season time-of-year restriction from December 15 – February 15 and the summer occupancy time-of-year restriction from April 1 – July 15 to minimize potential impacts to federal and state listed bats. Perform presence/probable absence surveys for listed bats prior to any clearing between March 1 and October 15. Perform preconstruction clearance surveys for MBTA birds and state-listed nesting birds prior to any clearing between March 15 and August 15.
Wetlands	Obtain VDEQ VWP permit to fill wetlands and complete VDEQ-required mitigation for the permanent loss of wetlands at the site.
Soils	Obtain a General VPDES CGP from VDEQ [the Virginia Erosion and Sediment Control Program [VESCP]/Virginia Stormwater Management Program [VSMP] authority) including providing an SWPPP, an ESC plan, an SWM plan, and a Stormwater Management Facility Maintenance Agreement. Adhere to RMA performance criteria including compliance with the requirements of the Virginia Stormwater Management Handbook, Version 1.1. Implement spill and leak prevention and response procedures to reduce the impacts of incidental releases of vehicle fluids (such as diesel or hydraulic fluids), including maintaining a complete spill kit at the site. Report releases of regulated quantities of petroleum-based fluids to VDEQ and conduct cleanup per state regulatory requirements
Hydrology and Water Quality	Construction stormwater runoff to be managed through VDEQ permit-required BMPs; demonstrate consistency with Chesapeake Bay TMDL goals; and implement a construction Spill Prevention, Control, and Countermeasure plan. Adhere to RMA performance criteria including compliance with the requirements of the Virginia Stormwater Management Handbook, Version 1.1.
Noise and Vibration	Comply with City of Virginia Beach noise ordinance during construction and operation. If necessary during construction, use shields or other physical barriers to restrict noise transmission; provide soundproof housings or enclosures for noise producing machinery; use efficient intake and exhaust mufflers on internal combustion engines that are maintained so equipment performs below noise levels specified; conduct truck loading, unloading, and hauling operations so that noise is kept to a minimum; select material transportation routes as far away from sensitive receptors as possible; shut down noise-generating heavy equipment when not in use. Implement a hearing conservation program when construction worker noise exposure is at or above 85 decibels averaged over 8 working hours, or above 90 dBA over an 8-hour time-weighted average, including providing hearing protection.

Resource	Protection and Mitigation Measures
Vibration	Potential construction-period vibration impacts would be assessed during the final design phase, when construction methods and the locations of specific types of construction equipment have been identified. Measures for reducing vibration impact to sensitive receptors would be considered in the development of construction plans for areas where construction activities causing short-term perceptible vibration could be required.
Solid Waste and Hazardous Materials	Recycle or reuse construction debris to the maximum extent practicable.
Traffic, Transportation, and Parking	Obtain and comply with the conditions of a Land Use Permit from the VDOT for the construction of entrances to the OPC. Entrance locations and roadway design shall be coordinated with City of Virginia Beach Traffic Engineering. A site plan must be submitted to the City of Virginia Beach Development Services Center for work in City right-of-way. Work in the City of Virginia Beach right-of-way shall be designed in accordance with the City of Virginia Beach Public Works Design Manual and Public Utilities Design Manual. Obtain and comply with a Right-of-Way-Use Permit from the City of Virginia Beach and City of Norfolk for the construction of the maintenance/ambulance entrance from Premium Outlets Boulevard. Obtain and comply with a Street, Lane, or Sidewalk Closure Permit for any work within the right-of-way which closes or prevents access to the roadway, driveway entrances, sidewalk, or blocks any lanes of traffic for more than fifteen minutes. Obtain approval from the City of Virginia Beach and City of Norfolk for any traffic detours and/or lane closures.

Resource	Protection and Mitigation Measures
Utilities	Apply for and obtain a Land Use Permit for work or activity on or crossing any right-of-way under the jurisdiction of the VDOT. Utility connections shall be coordinated with the City of Virginia Beach Public Utilities Engineering. Potentially applicable sanitary sewerage permits may include but not be limited to a Sewage Handling Permit from the VDH to discharge to the municipal Department of Public Works. Should the final design include connecting to and discharging to the City of Virginia Beach sewage system, the private entity would be required to adhere to the Commercial/Multi-Family Utility Connection New Construction process (Virginia Beach 2024), including submission of a completed commercial American Water Works Association calculation form. Obtain any permits or approvals required by Dominion Energy and local telecommunications providers to extend service to the OPC. Design and operate the OPC to achieve Green Globes certification to ensure efficient use of electricity, water, and sewerage and stormwater infrastructure during operation of the OPC. The selected private entity would be required to maintain any privately-owned on-site utility infrastructure required to operation of the Proposed Action for the duration of VA's lease. Obtain permits to discharge operational stormwater to the City of Virginia Beach stormwater management systems.

5.0 PUBLIC PARTICIPATION, COORDINATION, AND CONSULTATION

5.1 Public Involvement

VA initiated the public scoping process for the Proposed Action with publication of a notice in the *Virginian-Pilot*, a daily newspaper with circulation throughout Virginia and parts of North Carolina, announcing the opportunity to provide early input on the Proposed Action. The notice was published on October 25 and 27, 2024. The scoping notice was also published on the VA website at www.cfm.va.gov/environmental. VA also electronically sent the scoping notice to selected federal, state, and local agencies; Native American Tribes; and elected officials to solicit input regarding the scope of the EA and environmental issues for in-depth analysis. Copies of correspondence and newspaper notices are provided in Appendix E.

VA published the Draft EA for a 30-day review and comment period. The notice of availability (NOA) for the Draft EA was also published in the *Virginian-Pilot*. VA also electronically sent the NOA to federal, state, and local agencies, Tribes, and community stakeholders, to solicit input on the Draft EA. The NOA explained how to obtain the Draft EA electronically from the VA website at http://www.cfm.va.gov/environmental and in print at the Meyera E. Oberndorf Central Library at 4100 Virginia Beach Boulevard, Virginia Beach, VA 23452. The NOA explained that comments on the Draft EA were to be sent to vacoenvironment@va.gov. VA did not receive any comments from the public on the Draft EA.

5.2 Agency Consultation and Coordination

5.2.1 Consultation

On December 20, 2024, VA initiated Section 106 consultation with the Virginia Department of Historic Resources (the SHPO), the three federally recognized Native American Tribes with interests in Virginia Beach, and the Historic Preservation Commission of the City of Virginia Beach Planning Department (the CLG). The Virginia SHPO issued concurrence on January 22, 2025. Comments were not received from Tribes or the CLG. See Section 3.6 for more information and Appendix C for copies of all Section 106 correspondence.

VA consulted with the USFWS Virginia Ecological Services Field Office and VDWR regarding confirmation of time-of-year-restrictions on vegetation clearing to avoid adverse impacts to the NLEB, tricolored bat, little brown bat, and Rafinesque's eastern big-eared bat during construction of the OPC. See Section 3.4 for more information and Appendix D for copies of all USFWS and VDWR correspondence.

5.2.2 Coordination

VA electronically sent scoping notices and the NOA for the Draft EA to the agencies, Tribes, and potentially interested parties listed below. Appendix D contains copies of comments received and a summary of responses to comments. The Draft EA was also provided to the VDEQ Office of Environmental Impact Review (at EIR@DEQ.Virginia.gov) for comment and concurrence with the Coastal Zone Management Act federal consistency determination (VDEQ 2024). On June 3, 2025, VDEQ issued a concurrence letter and provided comments regarding regulations, which have been incorporated into this EA. The USEPA provided comments suggesting methods for community engagement in the future, and consideration of future rainfall projections, public transportation utilization rates, and protecting children from potential impacts. See Appendix D for copies of VDEQ and USEPA correspondence.

5.2.2.1 Federal Agencies

- U.S. Environmental Protection Agency, Region 3

5.2.2.2 State Agencies

- Virginia Department of Environmental Quality
- Virginia Department of Transportation
- Virginia Department of Historic Resources
- Virginia Division of Veterans Services

5.2.2.3 City Agencies

- City of Virginia Beach Mayor's Office

5.2.2.4 Federally Recognized Tribes with Interests in Virginia Beach, Virginia

- Delaware Nation, Oklahoma
- Nansemond Indian Nation
- Pamunkey Indian Tribe

5.2.2.5 Environmental Organizations

- Virginia Interfaith Power & Light
- Virginia Environmental Justice Collaborative

5.2.2.6 Veteran Organizations

- Veterans of Foreign Wars General MacArthur Memorial Post No. 392
- Virginia Department of Veterans Services - Portsmouth Benefits Office
- Virginia Department of Veterans Services - Norfolk Benefits Office
- Virginia Department of Veterans Services - Virginia Beach - Pembroke Benefits Office
- Virginia Veterans Service Foundation

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