

COMPLIANCE PHASE ENVIRONMENTAL GUIDANCE

To complete after you receive notice of selection

This guidance document guides you through all required compliance reviews pursuant to NEPA and Section 106. Use the same park name and assigned LWCF # in all agency correspondence.

The table below shows the overview of each compliance phase step. The following pages provide instructions for each step. **Steps 2-4 can be done concurrently.**

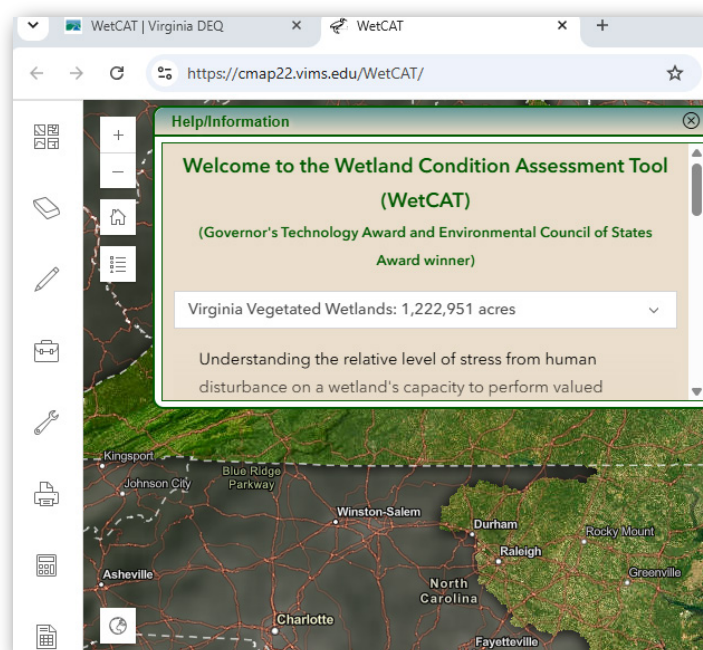
Step 1	Step 2	Step 3	Step 4
VA Department of Historic Resources Obtain Archives Report (Allow for 30 days)	VA Department of Historic Resources Submit to ePIX (Allow for 30 + days)	US Fish and Wildlife Service Submit to USFWS with Species List and Section 7 Determination Table	VA Department of Conservation & Recreation Floodplains Screen with VFRIS (no waiting period/self-serve)
US Army Corps of Engineers/VA Department of Environmental Quality Screen with WetCAT Mapper Tool (No waiting period/self-serve)	US Army Corps of Engineers Submit to Regulatory Request System (RRS) (Allow for 30 + days)	VA Department of Conservation & Recreation Natural Heritage Submit to Information Services (Allow for 30 days)	VA Department of Environmental Quality Complete Intergovernmental Review Submission Form
		VA Department of Wildlife Resources Submit to Project Review	

Obtain Archives Report from VA Department of Historic Resources (DHR)

Visit: <https://www.dhr.virginia.gov/dhr-archives/archives-search-service/> and follow all instructions provided by DHR. The base cost for the archives search is \$75. If the applicant wishes to travel to DHR and conduct the research on their own, there is no fee charged for the use of DHR computers and software. **Use the DHR Archives Search form embedded on the page to begin this process.** You will receive an Archives Report in return after a DHR Archivist has completed the review (**up to 30 days review time**). Save your report for the next step and email a copy of the report to kristal.mckelvey@dcr.virginia.gov and tarik.mansouri@dcr.virginia.gov

Use the WetCAT Mapper tool to prepare your project for RRS submission

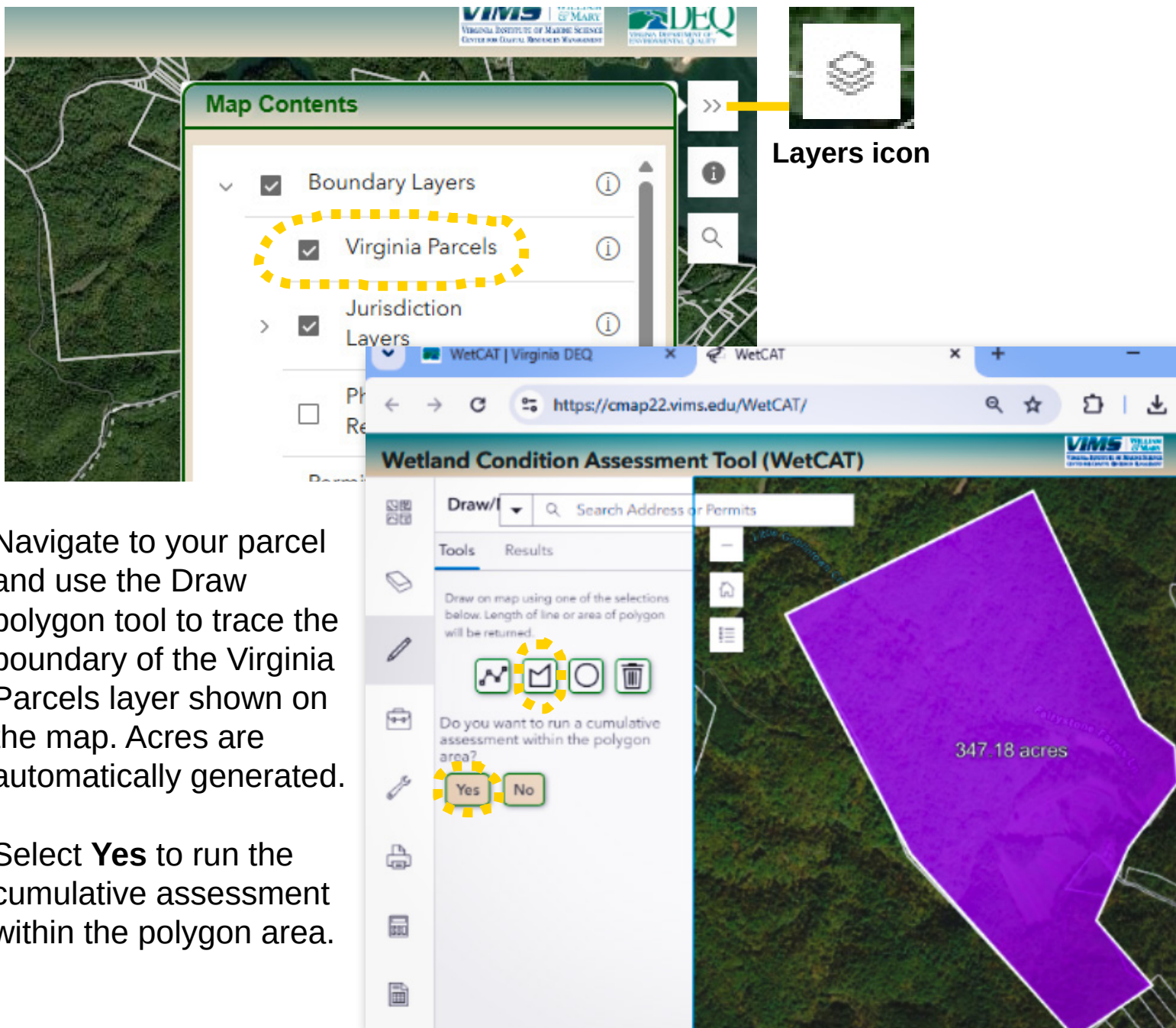
Visit VA Department of Environmental Quality Wetland Condition Assessment Tool page: <https://www.deq.virginia.gov/water/wetlands-streams/wetcat> Scroll to the bottom of the page and click on the WetCAT link to open the mapper.



STEP 1 CONTINUED - WetCAT

If you are drawing your project area you can trace the parcel area for a full review of your project site.

Select the **layers icon** in the top left side of the map. The layers icon will expand to show all layers in the Map Contents panel (*the layers icon changes to the double chevron when selected*). **Expand the Boundary Layers and turn on Virginia Parcels.**



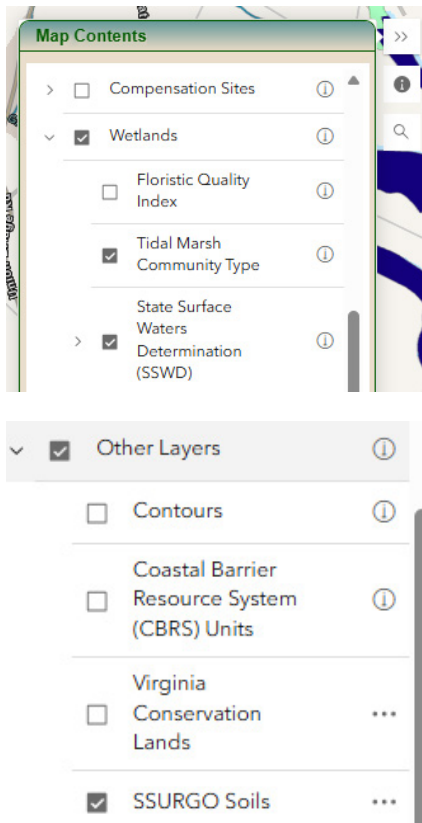
The image shows two overlapping screenshots of the WetCAT web application. The top screenshot displays the 'Map Contents' panel on the left side of the map. The 'Boundary Layers' section is expanded, and 'Virginia Parcels' is checked and highlighted with a yellow dashed circle. A yellow arrow points to the 'Layers icon' (a double chevron) in the top right corner of the map area. The bottom screenshot shows the 'Wetland Condition Assessment Tool (WetCAT)' interface. A polygon has been drawn on the map, and the area is labeled '347.18 acres'. The 'Tools' panel on the left shows the 'Draw' button selected, and the 'Results' panel shows the 'Yes' button selected for the question 'Do you want to run a cumulative assessment within the polygon area?'. The 'Yes' button is highlighted with a yellow dashed circle.

Navigate to your parcel and use the Draw polygon tool to trace the boundary of the Virginia Parcels layer shown on the map. Acres are automatically generated.

Select **Yes** to run the cumulative assessment within the polygon area.

STEP 1 CONTINUED - WetCAT

In the map, **navigate to layers** and **turn on Wetlands > all nested layers below Wetlands** (do not turn on *Floristic Quality Index*); **Other Layers > SSURGO Soils**. In the left side column 'Cumulative Assessment' panel, Select the option to **Include all data** (blue check box).



Wetland Condition Assessment Tool (WetCAT)

Draw/

Tools Results

Cumulative Assessment: User Defined Boundary

☒ Include all data **Print Results**

Check the box to include **ALL** the cumulative result data in the print window **OR** check the individual boxes below to select the data to print.

☒ Include NWI Summary tables

NWI Summary - Scores

Score Type	Score	Minimum	Maximum
Habitat (average) is Somewhat Stressed	0.70	0.66	0.74
Habitat Restoration Potential (average %)	12	9	19
Water Quality (mode) is Somewhat Stressed	0.7	0.4	0.7
Water Quality Restoration Potential (mode)	0	-43	0

NWI Summary - Stress Level

Stress Level	# Wetlands (Habitat)	# Wetlands (Water Quality)
Slightly Stressed	0	0
Somewhat Stressed	4	3
Somewhat Severely Stressed	0	1

Select the **Print Results** button to generate the report. *If the report does not automatically appear as a pop up in your browser in front of the map, check that pop-ups are not blocked and repeat the step until the report appears with an option to save as PDF.*

Step 1 is now complete. Proceed forward with RRS submission in Step 2. You can proceed forward with ePix submission in Step 2 when you receive your Archives Report from DHR. Archives Reports can take between 2-4 weeks from date of request. Contact your DHR case manager if you do not receive a timely response.

WetCAT Cumulative Results summarizing data within user defined boundary

The following is a summary of selected data within a 347.18 acre polygon (center point longitude: -80.132871 latitude: 36.794696). This analysis was run in the Wetland Condition Assessment Tool (WetCAT) on Tue Jun 30 2026.

Located in the following jurisdiction(s): Patrick County, Virginia

10-Digit Hydrologic Unit(s): Upper Smith River (0301010306)

Save report as a pdf

NWI Summary - Scores

Score Type	Score	Minimum	Maximum
Habitat (average) is Somewhat Stressed	0.70	0.66	0.74
Habitat Restoration Potential (average %)	12	9	19
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NWI Summary - Stress Level

Stress Level	# Wetlands (Habitat)	# Wetlands (Water Quality)
Slightly Stressed	0	0
Somewhat Stressed	4	3
Somewhat Severely Stressed	0	1
Severely Stressed	0	0

NWI Summary - Classes

Wetland Class	Acres	# Wetlands	Ave Habitat Score	Min Habitat Score	Max Habitat Score	Ave Habitat Restoration Potential (%)	Mode WQ Score	Min WQ Score	Max WQ Score	Mode WQ Restoration Potential (%)
PEM	2.14	3	0.69	0.66	0.74	13	0.7	0.4	0.7	0
PSS	0.49	1	0.73	0.73	0.73	9	0.7	0.7	0.7	-43

Tidal Marsh is not present within this user defined area.
DEQ Permit Points are not present within this user defined area.

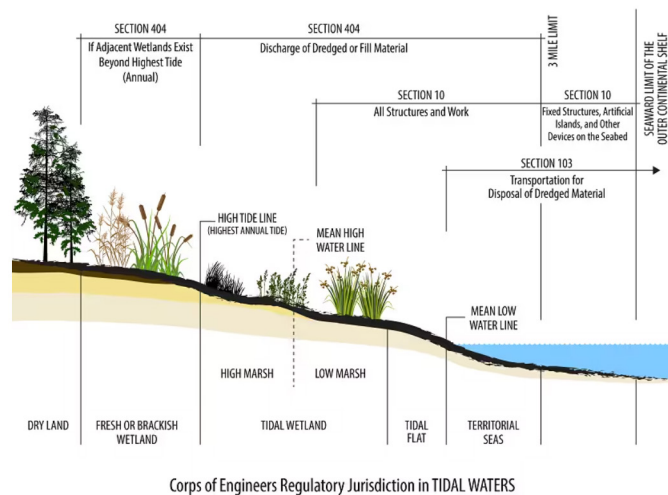
STEP 2 COMPLIANCE PHASE - USACE RRS AND DHR EPIX

Step 2 is a time-sensitive process. Minimum review times by agencies take approximately 30 days plus additional time (60 days or more) to address their required recommendations based on the scope of the project. This applies to both the US Army Corps and VA DHR.

US Army Corps of Engineers Regulatory Request System (RRS) - new process for Joint Permit Application

Submit your project through RRS if your parcel and project area has wetlands, streams (including intermittent streams), canals, or is adjacent to a body of water such as a bay, river, or ocean. Reference your WetCAT report to confirm the presence of these aquatic resources, NWI Wetlands, and USGS soil types, and use this information in your RRS submission. Visit this official USACE help page for general support:

<https://rrs.usace.army.mil/rrs/support>

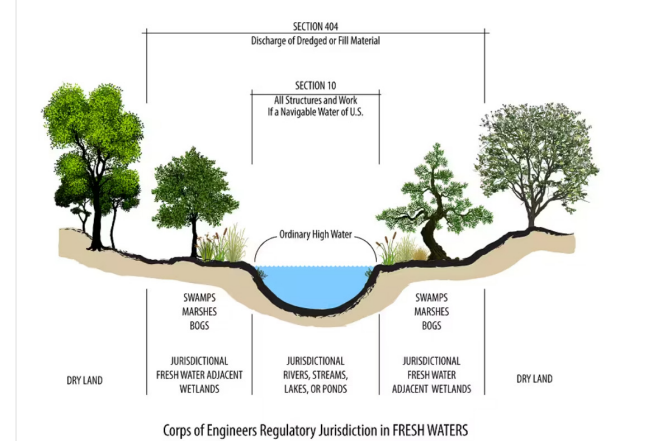


Corps of Engineers Regulatory Jurisdiction in TIDAL WATERS

This figure is a graphical depiction of the lateral limits of the USACE jurisdiction in tidal waters.

Expand to Learn More About Non-Tidal Waters of the United States

- The limit of jurisdiction in non-tidal waters extends to the **ordinary high water mark**.
- When adjacent wetlands are present, the jurisdiction extends beyond the **ordinary high water mark** to the delineated limit.



Corps of Engineers Regulatory Jurisdiction in FRESH WATERS

This figure is a graphical depiction of the lateral limits of the USACE jurisdiction in fresh waters (non-tidal waters).

These graphics show the tidal and fresh water regulatory jurisdiction of USACE and areas that need a Joint Permit Application (JPA) review and determination.

You will need to create a Login.gov account. Depending on the level of detail and documentation already prepared, you can request a pre-application review. This will allow you to communicate with a USACE reviewer to determine which documents are needed and a pathway for permitting. Application drawings will be required. For further information see:

<https://rrs.usace.army.mil/rrs/home/regulatory-program>.

Start a New Request

1 Agents - If you are selecting the "Jurisdictional Determination" option, below, and you have completed a delineation and Aquatic Resource Inventory, you must also select the "Submit an Aquatic Resource Delineation Report and Aquatic Resource Inventory". Note that you will be prompted to upload the Aquatic Resource Inventory at the end of this section.

Select a Request Type

Delineation / Jurisdictional Determination

☐ Aquatic Resource Delineation Report and Aquatic Resource Inventory

☐ Jurisdictional Determination

Permits & Pre-construction Notifications (Use for ALL Permit Types (SP, LOP, NWPS, RGP, PGP))

☐ Application for Department of the Army (DA) Permit

Pre-Application / Project Scoping

☒ Pre-application / Project Scoping

Self Screening Tools (Optional)

☐ No Permit Required (Activity Based)

☐ No Pre-construction Notification Required (Nationwide Permits)

Step 2 of 3 [Cancel](#) [Previous](#) [Next](#)

VA DHR ePIX

All LWCF projects must be submitted to ePIX for Section 106 regulatory review by the VA Department of Historic Resources pursuant to the National Historic Preservation Act. VA DHR will review your project within 30 days, after which you will receive a response letter with additional guidance to address cultural and historic resources believed to occur on the property, or you will receive a letter of no findings.

Important Notice - Please be aware

LWCF Applications will not be accepted by the National Park Service until VA DHR completes the initial review after ePIX submission.

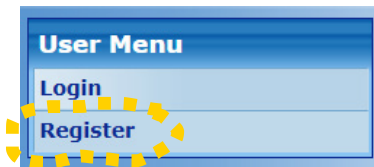
Secondly, The National Park Service will not guarantee a grant project will be approved until all VA DHR recommendations are satisfied and completed by the applicant (i.e. Phase I Archaeological Surveys).

We recommend ePIX submission as soon as the Archives Report is received, and initiating any recommendations immediately.

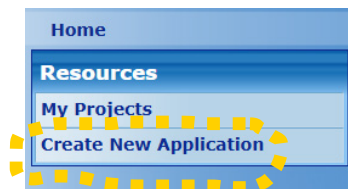
GET STARTED

Click get started icon or go to <https://epix.dhr.virginia.gov/> and begin by clicking Register to create your account, followed by Create New Application. Existing account holders should Login to their previously created account even if past submissions were unrelated to the LWCF application.

top right of page



top left of page

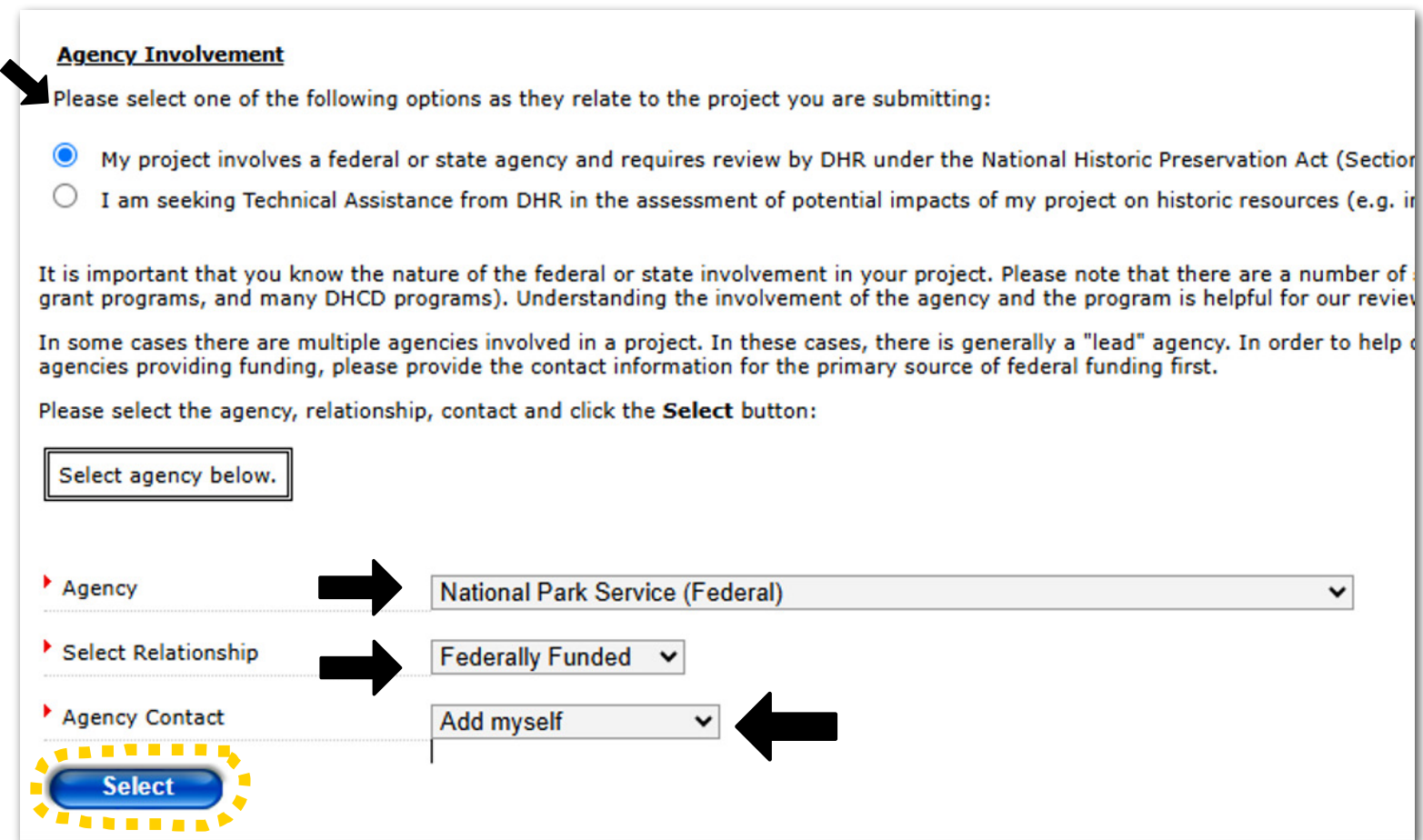


Reference the Archives Report and other project details to fill out the fields in the ePIX submission form.

STEP 2 COMPLIANCE PHASE - DHR EPIX CONTINUED

VA DHR ePIX

VA DHR has designated staff who review federal-funded projects. It is necessary to submit your ePIX project application exactly as shown below for your project to be routed to the correct agency staff person at VA DHR.



Agency Involvement

Please select one of the following options as they relate to the project you are submitting:

☒ My project involves a federal or state agency and requires review by DHR under the National Historic Preservation Act (Section 106 of the National Historic Preservation Act, 54 USC 306101).

☐ I am seeking Technical Assistance from DHR in the assessment of potential impacts of my project on historic resources (e.g. in the context of a grant program, and many DHCD programs).

It is important that you know the nature of the federal or state involvement in your project. Please note that there are a number of grant programs, and many DHCD programs). Understanding the involvement of the agency and the program is helpful for our review.

In some cases there are multiple agencies involved in a project. In these cases, there is generally a "lead" agency. In order to help agencies providing funding, please provide the contact information for the primary source of federal funding first.

Please select the agency, relationship, contact and click the **Select** button:

Select agency below.

Agency: National Park Service (Federal) ▼

Select Relationship: Federally Funded ▼

Agency Contact: Add myself ▼

Select

Step 2 is complete with RRS and ePIX submissions.

Step 3 guides you through the following agency submissions and reviews: US Fish & Wildlife Service (USFWS), VA Department of Conservation and Recreation Natural Heritage (VA DCR NH), VA Department of Wildlife Resources (VA DWR)

Section 7 Endangered Species Act - USFWS IPaC Species List, Determination Keys, and Species Conclusion Table

Use the USFWS's **Virginia Ecological Field Office's Project Review and Consultation** step by step guidance to complete an Endangered Species Act review. It can be accessed at:

<https://www.fws.gov/office/virginia-ecological-services/virginia-field-office-online-review-process>.

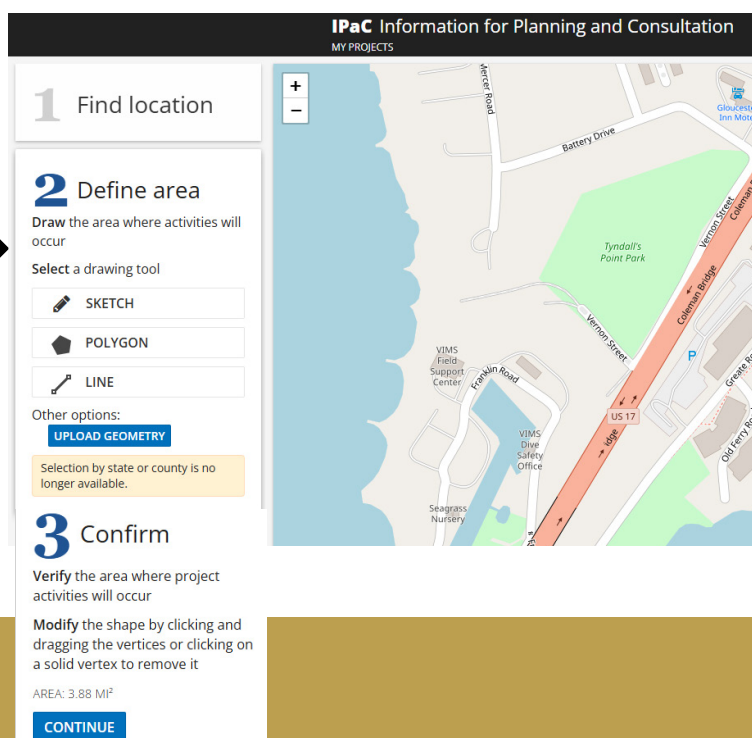
Complete their steps 1 & 2 as directed, then follow the prompts to log into the USFWS **Information for Planning and Consultation (IPaC)** site to begin step 3.

IPaC can be accessed at <https://ipac.ecosphere.fws.gov/>. Users must create or use their Login.gov account.



Once logged in, select **GET STARTED** from the home screen.

A map will pop up allowing you to navigate to your location. Once your project action area is visible, use the **2 Define area** polygon tool to outline your project action area boundary. Double click to finalize the area, then click **CONTINUE** under **3 Confirm**.



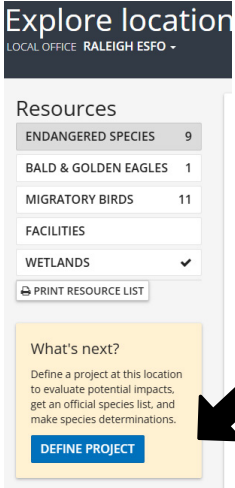
IPaC Information for Planning and Consultation
MY PROJECTS

1 Find location

2 Define area
Draw the area where activities will occur
Select a drawing tool
SKETCH
POLYGON
LINE
Other options:
UPLOAD GEOMETRY
Selection by state or county is no longer available.

3 Confirm
Verify the area where project activities will occur
Modify the shape by clicking and dragging the vertices or clicking on a solid vertex to remove it
AREA: 3.88 Mi²
CONTINUE

STEP 3 COMPLIANCE PHASE - USFWS CONTINUED



On the next page details about the project area will come up. Review this information then under What's next click **DEFINE PROJECT**.

What's next?

ESA REVIEW

Review this project's effects on listed species[?] pursuant to the Endangered Species Act (ESA), as part of the overall regulatory review.

START REVIEW

The Project Home page will open. From here, click **START REVIEW**.

Follow the prompts to request an **Official Species List**. Be sure to enter the following information under the corresponding question:

- **Yes** - is project funded by a Federal agency?
- **None** - does project fall under special project authorities?
- **There is another agency that is the lead agency** - who is the Lead Federal Agency?
- **No** - are you a designated non-federal representative?
- **Lead Project Proponent** - what is your role in this project?
- **Federal agency** - what kind of organization is the lead agency?
- **National Park Service** - who is the lead agency?

Under **Select your project type**, please review the list, but the likely most applicable options are: **Recreation - Maintenance/ Modification** or **Recreation - New Construction**.

SUBMIT OFFICIAL SPECIES LIST REQUEST

After clicking the submit button, you will be able to download the official species list. Save this file.

STEP 3 COMPLIANCE PHASE - USFWS CONTINUED

Continue through step 3 as outlined on the VA Field Office guide.

It will direct you to download a Section 7 Determination Table (right) and if bat species were identified, complete a determination key in IPaC (see below).

Endangered Species Act (ESA) Section 7 Determination Table

Project Name:

Date:

Consultation Code:

Species / Resource Name Insert name of species or resource as listed on Official Species List	Habitat/Species Presence in Action Area Indicate if suitable habitat and species are present in the Action Area (see examples in Step 5)	Sources of Info Explain what info suitable habitat/species presence is based on	ESA Section 7 Determination Using reasoning and decision tables in Step 5, select determination for each species (e.g. no effect, not likely to adversely affect, or likely to adversely affect)	Project Elements that Support Determination Explain which project elements may impact the habitat or individuals of each species and any Avoidance and Minimization Measures being implemented

After downloading the official species list in IPaC, select **NEXT STEP: DETERMINATION KEYS**.

A list of possible determination keys (Dkeys) will generate. Select **SKIP** for Dkeys applicable to other federal agencies. If northern-long eared bats and/or tricolored bats are indicated in your species list, select **EVALUATE** to evaluate the project using that Dkey.

Fill out the DKey questionnaire for northern-long eared and tricolored bats.

After all answers have been recorded, select **GENERATE TECHNICAL ASSISTANCE LETTER**. Verify the information, submit, and download* your letter to save a copy.

**note it may take several minutes for the letter to generate and be available for download*

Step 4 of the VA Field Office guide is to coordinate with state conservation agencies (VA DWR and VA DCR NH). Those procedures are outlined on the next page of this guide. Complete then return to this page.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Virginia Field Office
6669 Short Lane
Gloucester, VA 23061

Date:

Self-Certification Letter

Project Name:

Dear Federal Action Agency:

Thank you for using the U.S. Fish and Wildlife Service (Service) Virginia Ecological Services online project review process. By submitting this letter, in conjunction with your project review package to our office for review, you are certifying that you have completed the online project review process for the project named above in accordance with all instructions provided, using the best available information to reach your determinations. From the date of receipt, our office has 60 days (50 CFR § 402.13(c)(2)) to review your project package. If we do not concur with the Section 7 determination(s) provided or if we have any questions/concerns regarding the information provided, you will be contacted. If you are not contacted during the 60-day review period, this letter and your project review package complete the review of your project in accordance with the Endangered Species Act (16 USC 1536), as amended (ESA). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 USC 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office by the Federal action agency or their officially designated non-federal representative (per 50 CFR 402.08) for this self-certification letter to be valid. This letter and the project review package will be maintained in our records.

The ESA Section 7 Determination Table in the enclosed project review package summarizes your ESA analyses and determinations. These analyses resulted in a "no effect" and/or a "may affect, not likely to adversely affect" determination for proposed/listed species and/or proposed/designated critical habitat.

The use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package resulted in reaching the appropriate determinations. Therefore, we concur with the not likely to adversely affect determination(s) for proposed/listed species and proposed/designated critical habitat provided in the ESA Section 7 Determination Table.

Should project plans change, surveys expire, or information on the distribution or status of proposed/listed species and/or proposed/designated critical habitat become available/change, this letter is no longer valid and you must submit an updated project package.

Once you have received information from state agencies, proceed to complete Steps 5 & 6. Fill out the project's Section 7 Determine Table.

Once complete, proceed to Step 7 - Project Review Package Submittal.

Collect all listed documentation and complete either the **Self-Certification Letter** (left) or **Review Request Letter**, as applicable. Submit the package to USFWS as outlined and send a copy DCR.

USFWS has 60 days to review, ask questions, and provide a response.

VA DWR

Instructions for obtaining project review comments from the Virginia Department of Wildlife Resources (DWR) are online at <https://dwr.virginia.gov/wies/environmental-services/> under **“Federal and State Agencies, Permit Writers, and NGO Conservation Partners.”**

Collect the listed information and follow the instructions to submit the projects to the DWR via email to ProjectReview@dwr.virginia.gov.

DCR NH - Allow at least 30 days for Natural Heritage staff review and responses.

Instructions for obtaining project review comments from the Virginia Division of Natural Heritage are online at <https://www.dcr.virginia.gov/natural-heritage/ereview>.

Follow the instructions for obtaining a Project Review using the **Information Services Order Form**.

All consultants including those hired by local governments must use this Information Services Order Form:
<https://www.dcr.virginia.gov/natural-heritage/nhserviceform/>.

Local government staff will work with DCR NH staff on their project review through the **Locality Liaison Program**:
<https://www.dcr.virginia.gov/natural-heritage/localityliaison>.

Return to previous page to finish USFWS review, then Step 3 is complete.

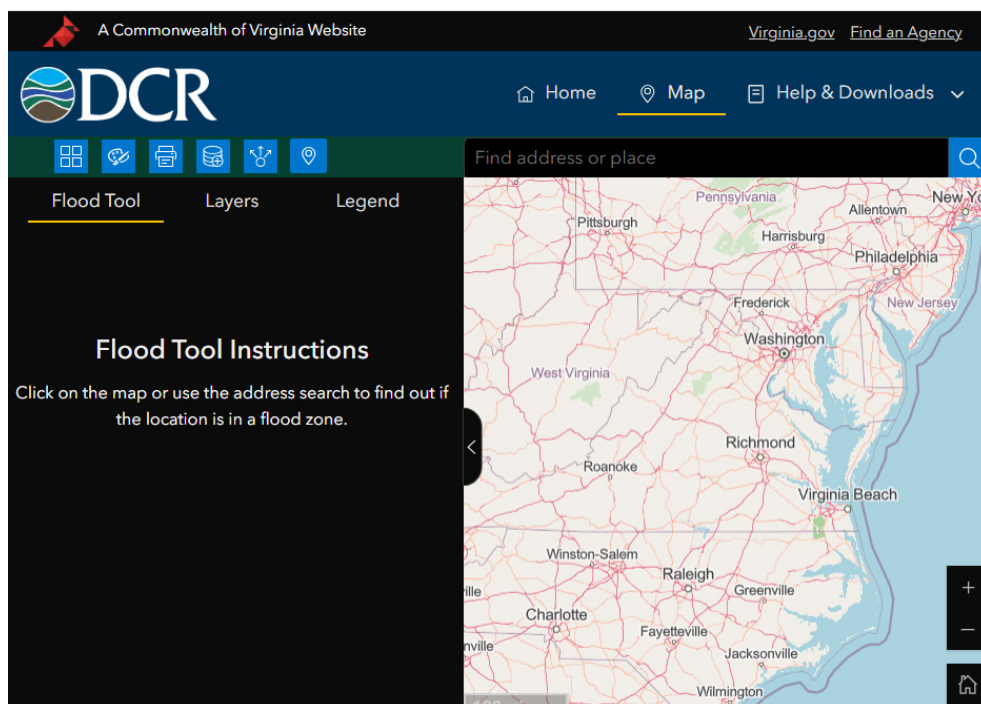
STEP 4 COMPLIANCE PHASE - VA DCR FLOODPLAINS, VA DEQ

DCR Floodplains - Virginia Flood Risk Information System (VFRIS)

Projects in floodplains may require special permits. This self-serve screening tool will help you identify any potential permitting needs. Always consult with your local floodplains board if your project may be in a floodplain.

To access the VFRIS map:

<https://casdsis.dcr.virginia.gov/VFRIS/?page=Map>



The Help & Downloads page will guide you through ways to use the VFRIS tool to identify floodplain conditions that may impact your project

NPS LWCF requires compliance with National Flood Insurance Program where applicable.

VA DEQ Intergovernmental Review

Complete the Office of Environmental Impact Review Intergovernmental Review Submission Form and submit via email to EIR@DEQ.Virginia.gov.

- Under Financial Assistance Program check **"Land and Water Conservation and Local Assistance Grant Program."**
- Under Associated State Agency list: **Department of Conservation and Recreation.**



Office of Environmental Impact Review (OEIR)
Intergovernmental Review Submission Form

Disclaimer: This submission form was prepared as a tool to assist the Office of Environmental Impact Review in facilitating the review of applications for federal funding. This form should ONLY be used by the following entities:

- Applicants requesting pass-through federal funding distributed by a state agency, or
- State or local governments and related special purpose districts (such as authorities or planning district commissions) applying for federal funding directly, or
- Entities covered by localities.

Please complete this form to the best of your knowledge and include it with your submission. Please note that DEQ does not serve as the state clearinghouse under E.O. 12372, and federal agency financial assistance programs to state or local governments are not listed in our federally approved Virginia Coastal Zone Management Program. Therefore, the release of funds from a federal agency to a state or local government is not subject to compliance under the Coastal Zone Management Act (CZMA) and DEQ is not required to conduct these reviews. DEQ only provides this optional review as a courtesy to assist state agencies and local governments in applying for federal financial assistance.

Other types of environmental reviews by OEIR not covered by this form may be required for this project including, but not limited to:

- ☐ Major State Projects (per Code of Virginia §10.1-1188) – State agency proponent, costs \$500,000 or more. (Note: In accordance with Code of Virginia §10.1-1188, all state agencies, boards, authorities, and commissions or any branch of the state government shall prepare and submit an environmental impact report to the Department on each major state project.)
- ☐ Federal consistency documents (per Coastal Zone Management Act) – Projects receiving federal agency permits or approvals located within Virginia Coastal Zone Management Areas ([Tideavate, Virginia](#) per Code of Virginia § 28.2-100)
- ☐ National Environmental Policy Act (NEPA) Environmental Assessments or Environmental Impact Statements (Categorical Exclusions do not require coordination with OEIR)

Please contact OEIR if you have any questions (oeir@deq.virginia.gov).

Financial Assistance Program (check one that applies):

- ☐ Land and Water Conservation and Local Assistance Grant Program (National Park Service)
- ☐ Virginia Recreational Trails Program (Federal Highway Administration)
- ☐ Clean Vessel Act Grant Program (US Fish and Wildlife Service)
- ☐ Community Development Block Grant funding (US Department of Housing and Urban Development)
- ☐ LEAN 232(f) program funding (US Department of Housing and Urban Development)