

NARRATIVE

FOR

SP 2024_____

WOOLEN MILLS LIGHT INDUSTRIAL PARK

TMP 07700-00-00-040B2

ZONING

LI – LIGHT INDUSTRIAL

OWNER/APPLICANT

ELEMENTAL ECOTECH, INC.

809 BOLLING AVE, UNIT C

CHARLOTTESVILLE, VA 22902

ENGINEER

MERIDIAN CIVIL SURVEY, PLLC

195 RIVERBEND DR, STE 4

CHARLOTTESVILLE, VA 22911

DATE

NOVEMBER 20, 2024

PROJECT PROPOSAL

The purpose of this Special Use Permit application is to place fill in a 1.496-acre area of the floodplain. This area is outside of the Floodway.

As defined in Zoning Section 30.3.11 by special use permit fill may be placed in the floodplain.

A CLOMR-F for fill as shown on the Concept Plan has been approved by FEMA.

Once a special use permit has been approved and the fill has been completed then a Letter of Map Revision (LOMR) will be submitted to FEMA for approval. After FEMA has approved the LOMR the area will then be removed from the floodplain.

At that time, the best use for the 1.496-acre area will be determined and a Site Development Plan will be submitted for review and approval.

PROJECT'S CONSITANCY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan Designation for this this property is Parks & Green Systems, Private & Public Open Space. The Owner has agreed to dedicate the portion of the property within the 100' stream buffer along Moore's Creek to Albemarle County so that it can be used for a park and/or extension of the Greenway Trail. Pedestrian access to this property will be from Moores Creek Lane. This would meet the use designated in the Comprehensive Plan.

This Special Use Permit will only apply to the 1.496-acre area as defined on Sheet SP-1 of the application plan, which is located adjacent to Franklin Street. The existing uses along the eastern Right-of-way of Franklin Street are all light industrial. Removing this area from the floodplain will allow its use to be more compatible with the existing uses along Franklin Street.

The Owner has determined that the best use of this area cannot be determined until the fill has been completed and the area removed from the floodplain. Consequently, a site development plan cannot be submitted at this time.

ADJACENT PROPERTIES

The Property fronts on the eastern right-of-way of Franklin Street and just south of Moores Creek Lane.

The property to the north is Zoned LI and is currently used as the distribution warehouse for Carter's Breads.

The properties to the east and south area Zoned LI and owned by Rivanna Water and Sewer Authority. Moore's Creek is along the eastern boundary line.

The property to the west, on the opposite side of Franklin Street, is located within the City of Charlottesville and Zoned RX-3. This property is currently used as a Manufactured Home residential community.

PROJECT'S IMPACTS ON SCHOOLS, PUBLIC UTILITIES, STREETS

This project will have no impact on public infrastructure such as water lines etc.

This project will have no impact on public schools.

This project will add 1.3 acres of public park along Moore's Creek.

This project will have no impact on public transportation

CONCLUSION

Approval of this Special Use Permit for fill in the floodplain will provide 1.3 acres of dedicated open space along Moore's Creek for a park and extension of the Greenway Trails as designated in the Comprehensive Plan. It will also provide an additional 1.496 acres for light industrial use as designated by the LI zoning district and a use that is compatible with the existing uses along the eastern side of Franklin Street.



SITE DATA

RECORDED PLATS & DEEDS: DB 5210-304, DB 4796-325, DB 4673-132, DB 4790-637, DB 4935-90, DB 4797-416, DB 676-326, DB 4893-401, DB 4797-428, DB 4796-325, DB 4452-283, DB 4111-180, DB 3088-272, DB 2797-29, DB 2797-623, DB 1751-156, DB 900-440, DB 274-70, DB 5198-30, DB 5198-45, DB 5177-1, DB 5515-392, DB 5515-408, DB 5515-414.

MAGISTERIAL DISTRICT: SCOTTSVILLE

ZONING DISTRICT: LI - LIGHT INDUSTRY, FLOOD HAZARD, STEEP SLOPES (MANAGED AND PRESERVED)

PROPOSED USE: FILL IN FLOODPLAIN

PARCEL AREA: 7.081 ACRES

PARCEL ADDRESS: NOT ASSIGNED

SOURCE OF BOUNDARY: PLAT RECORDED IN DB 4893, PG 401

SOURCE OF TOPOGRAPHY: TOPOGRAPHIC SURVEY PERFORMED BY DRAPER ADEN, DATED FEBRUARY 20, 2015
TOPOGRAPHY WAS VISUALLY VERIFIED BY TIMOTHY MILLER ON JUNE 30, 2024. THERE IS A TEMPORARY STOCKPILE ON A
PORTION OF THE PROPERTY.

FLOODPLAIN: PORTION OF PARCEL IS IN ZONE X AS SHOWN ON FEMA MAP NO. 51003C0289D, EFFECTIVE DATE FEBRUARY 4, 2005, AND MAP REVISION DATED FEBRUARY 6, 2017. 100-YEAR FLOOD ELEVATION IS 324.00.

PUBLIC WATER SUPPLY: THIS PARCEL IS NOT LOCATED WITHIN A PUBLIC WATER SUPPLY RESERVOIR WATERSHED.

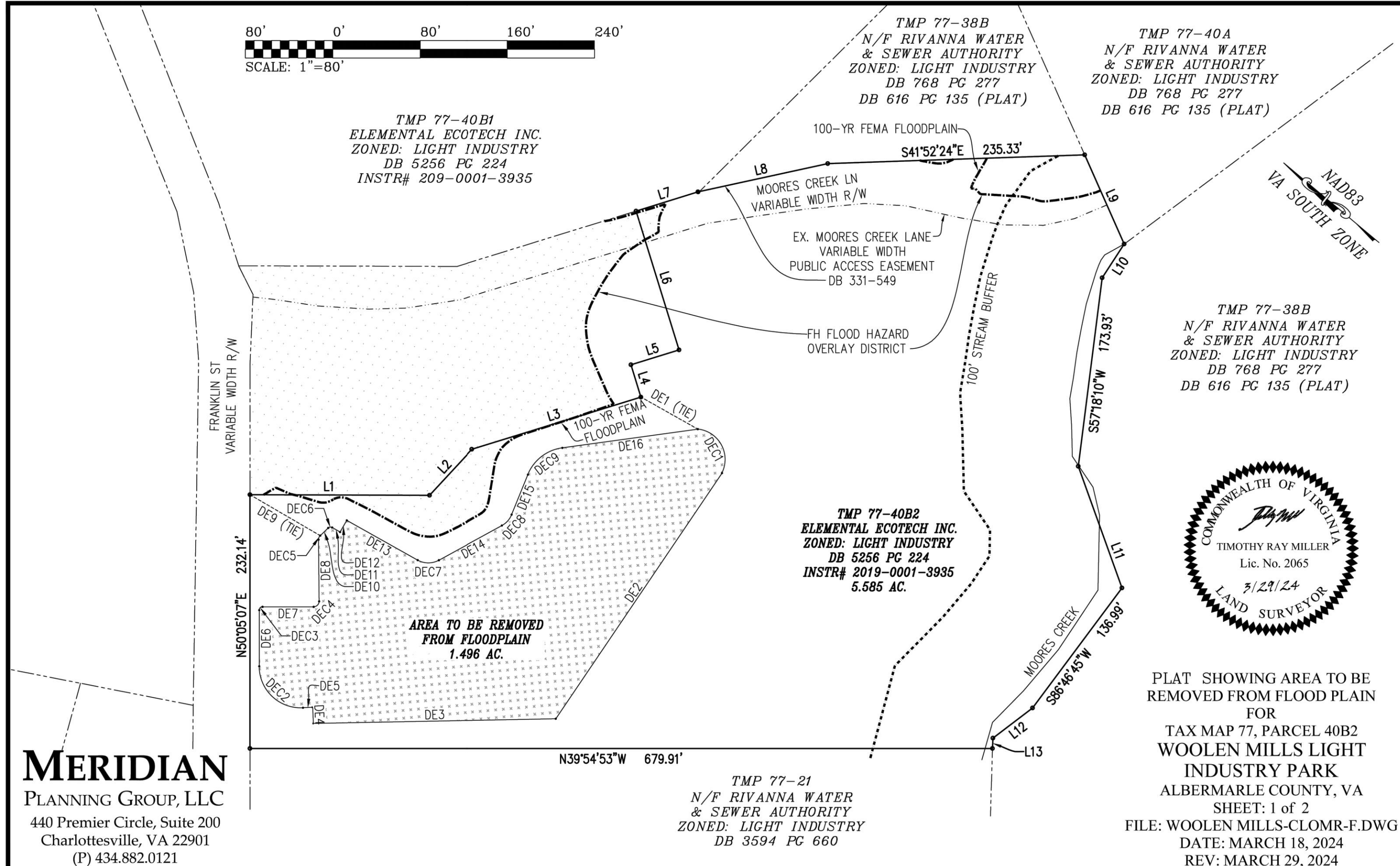
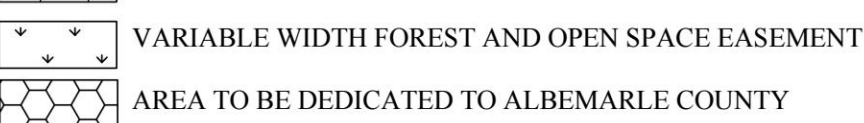
BUILDING SETBACK: FRONT MINIMUM: 10' FROM THE RIGHT-OF-WAY OR THE EXTERIOR EDGE OF THE SIDEWALK IF THE SIDEWALK IS OUTSIDE OF THE RIGHT-OF-WAY.
FRONT MAXIMUM: NONE
SIDE AND REAR MINIMUM: PRIMARY STRUCTURE SHALL BE CONSTRUCTED AND SEPARATED IN ACCORDANCE WITH THE CURRENT EDITION OF THE BUILDING CODE.
SIDE AND REAR MAXIMUM: NONE
IF THE ABUTTING LOT IS ZONED RESIDENTIAL, RURAL AREAS, OR THE MONTICELLO HISTORIC DISTRICT: (i) NO PORTION OF ANY STRUCTURE, EXCLUDING SIGNS, SHALL BE LOCATED CLOSER THAN 50 FEET FROM THE DISTRICT BOUNDARY; AND (ii) NO PORTION OF ANY OFF-STREET PARKING SPACE SHALL BE LOCATED CLOSER THAN 30 FEET FROM THE DISTRICT BOUNDARY.

BUILDING STEPBACK: FRONT: FOR EACH STORY THAT THAT BEGINS ABOVE 40' IN HEIGHT OR FOR EACH STORY ABOVE THE THIRD STORY, WHICHEVER IS LESS, THE MINIMUM STEPBACK SHALL BE 15'.
SIDE AND REAR: NONE

BUILDING HEIGHTS: MAXIMUM STRUCTURE HEIGHT: 65'
THE MINIMUM STEPPACK REQUIREMENTS FOR ANY STORY THAT BEGIN ABOVE FORTY (40) FEET IN HEIGHT OR FOR EACH STORY ABOVE THE THIRD STORY, WHICHEVER IS LESS, IN HEIGHT SHALL BE AS PROVIDED IN SECTION 4.20.

PARKING SETBACK: FRONT MINIMUM (OFF-STREET PARKING AND LOADING SPACES): 10' FROM ANY PUBLIC STREET RIGHT-OF-WAY.

SP-1	COVERSHEET
SP-2	EXISTING CONDITIONS PLAN
SP-3	CONCEPT PLAN



BOUNDARY LINE TABLE		
Line	Direction	Length
L1	S 39°44'54" E	164.28
L2	S 87°03'25" E	57.44'
L3	S 57°03'54" E	162.00'
L4	N 32°56'06" E	31.00'
L5	S 57°03'54" E	46.00'
L6	N 32°56'08" E	132.99'
L7	S 57°04'18" E	59.27'
L8	S 52°12'04" E	121.52'
L9	S 26°11'08" W	89.22'
L10	S 83°11'08" W	36.90'
L11	S 30°17'50" W	118.27'
L12	N 77°07'11" W	45.67'
L13	S 52°11'03" W	9.42'

PORTION TO BE REMOVED FROM THE FLOODPLAIN LINE TABLE		
Line	Direction	Length
DE1 (TIE)	S 10°29'43" E	59.74'
DE2	N 84°10'21" E	271.45'
DE3	S 41°00'46" E	222.18'
DE4	S 47°04'36" W	14.82'
DE5	S 42°55'24" E	8.82'
DE6	S 50°05'08" W	51.37'
DE7	N 39°54'52" W	46.77'
DE8	S 49°30'57" W	56.48'
DE9 (TIE)	S 09°42'13" E	74.31'
DE10	N 83°35'59" W	10.15'
DE11	N 09°53'08" W	8.34'
DE12	S 80°06'52" W	12.33'
DE13	N 10°38'35" W	74.35'
DE14	N 68°34'23" W	66.19'
DE15	S 72°16'55" W	39.50'
DE16	N 47°47'12" W	125.13'

<div style="text-align: center;"> PORTION TO BE REMOVED FROM THE FLOODPLAIN CURVE TABLE </div>						
Curve	Length	Radius	Delta	Tangent	Chord	Chord Bearing
DEC1	53.89'	27.93'	110°34'04"	40.30'	45.91'	N 21°15'57" E
DEC2	61.69'	38.00'	93°00'32"	40.05'	55.13'	S 04°34'52" W
DEC3	4.71'	3.00'	90°00'00"	3.00'	4.24'	N 85°54'52" W
DEC4	7.90'	5.00'	90°34'11"	5.05'	7.11'	N 85°11'58" W
DEC5	4.09'	5.00'	46°53'04"	2.17'	3.98'	S 72°57'29" W
DEC6	3.86'	3.00'	73°42'51"	2.25'	3.60'	N 46°44'33" W
DEC7	20.22'	20.00'	57°55'48"	11.07'	19.37'	N 39°36'29" W
DEC8	13.66'	20.00'	39°08'42"	7.11'	13.40'	N 88°08'44" W
DEC9	41.84'	40.00'	59°55'53"	23.06'	39.96'	N 77°45'08" W

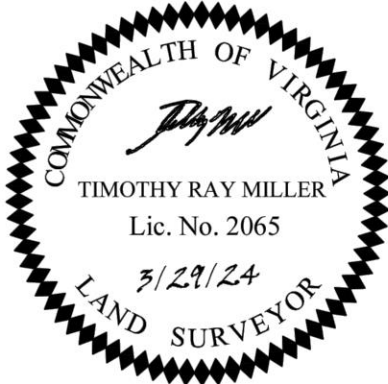
JOB NO.:	
DATE:	12/20/24
SCALE:	AS SHOWN
DRAWN BY:	TERM
DESIGNED BY:	
CHECKED BY:	

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195 Riverbend Drive, Suite 4
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www.meridianwbe.com

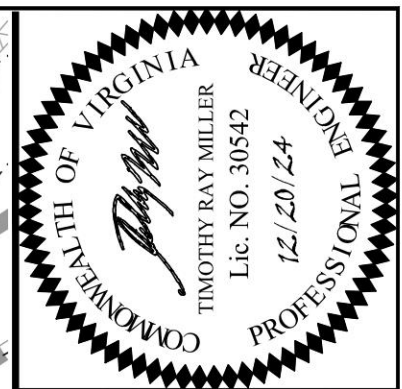
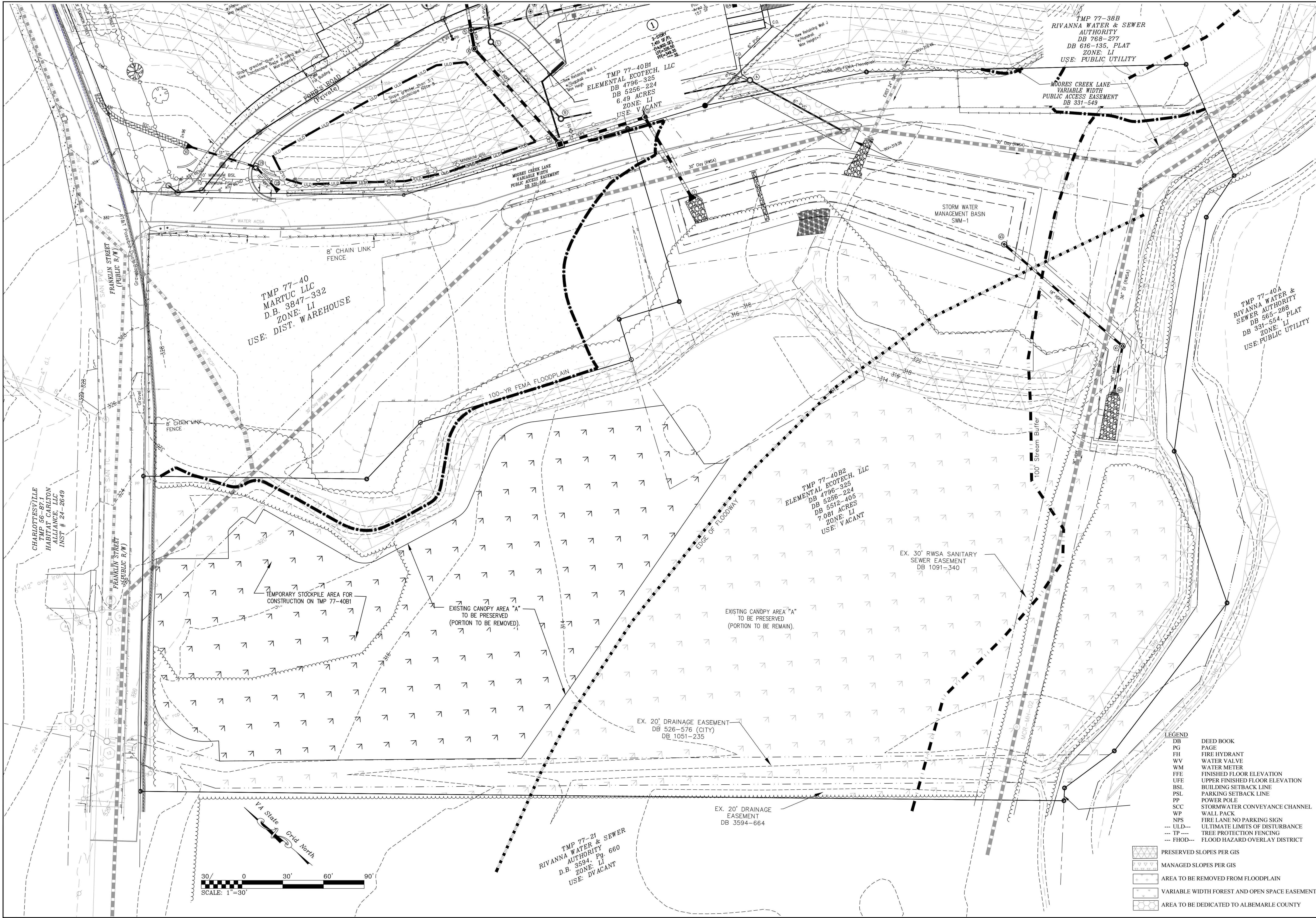
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PROJECT TITLE:
*SPECIAL USE PERMIT
APPLICATION PLAN FOR
WOOLEN MILLS INDUSTRIAL PARK*
SHEET TITLE:
COVERSHEET

SHEET No.
SP-1
SHEET 1 of 3



PLAT SHOWING AREA TO BE
REMOVED FROM FLOOD PLAIN
FOR
TAX MAP 77, PARCEL 40B2
WOOLEN MILLS LIGHT
INDUSTRY PARK
ALBERMARLE COUNTY, VA
SHEET: 2 of 2
FILE: WOOLEN MILLS-CLOMR-F.DWG
DATE: MARCH 18, 2024
REV: MARCH 29, 2024



JOB NO.	12/20/24
DATE:	AS SHOWN
SCALE:	BY: TEM
DRAWN BY:	DESIGNED BY:
CHECKED BY:	

MERIDIAN
CIVIL - SURVEY, PLLC
195 Riverbend Drive, Suite 4
Charlottesville, Va 22911
www.meridianwbe.com

NO.	DESCRIPTION	DATE

PROJECT TITLE:	SPECIAL USE PERMIT APPLICATION PLAN FOR WOOTEN MILLS INDUSTRIAL PARK
SHEET TITLE:	EXISTING CONDITIONS

SHEET NO.
SP-2

SHEET 2 of 3



REQUEST FOR A CONDITIONAL LETTER OF MAP REVISION -FILL

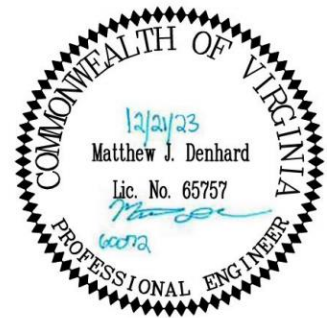
TECHNICAL SUPPORT DATA NOTEBOOK

MOORES CREEK INDUSTRIAL SITE

MOORES CREEK
ALBEMARLE COUNTY, VA

DECEMBER 2023

PREPARED BY:
TIMMONS GROUP
608 Preston Ave, SUITE 200
Charlottesville, VA 22903



TG Project Number: 60072

TABLE OF CONTENTS

1.0 PROJECT SUMMARY	1
2.0 HYDROLOGIC SUMMARY	3
3.0 HYDRAULIC SUMMARY	3
4.0 CONCLUSIONS	7

LIST OF APPENDICES

APPENDIX 1	Effective FIRM
APPENDIX 2	Work Map & Bearings for Parcel Location
APPENDIX 3	Detailed Model Output
3.0	County Mapping Update Results (HEC-RAS 6.1.0)
3.1	Existing Conditions Model Results (HEC-RAS 6.1.0)
3.2	CLOMR-F Model Results (HEC-RAS 6.1.0)
APPENDIX 4	ESA Compliance Report
APPENDIX 5	MT-1 Forms for CLOMR-F

1.0 Project Summary

This hydraulic analysis has been completed on a reach of Moores Creek located within Albemarle County, Virginia to document the regulated floodplain updates associated with fill in an adjacent parcel (Albemarle County TMP: 77-40B2). Below is the location of the parcel in relation to the Moores Creek regulatory floodplain.

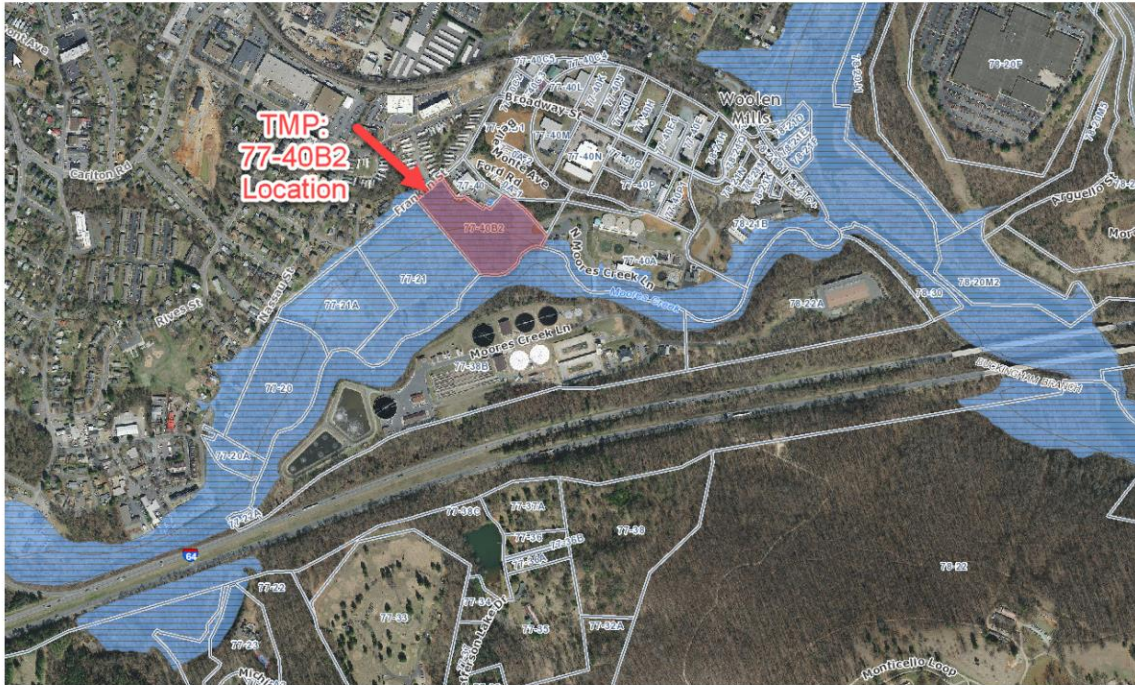
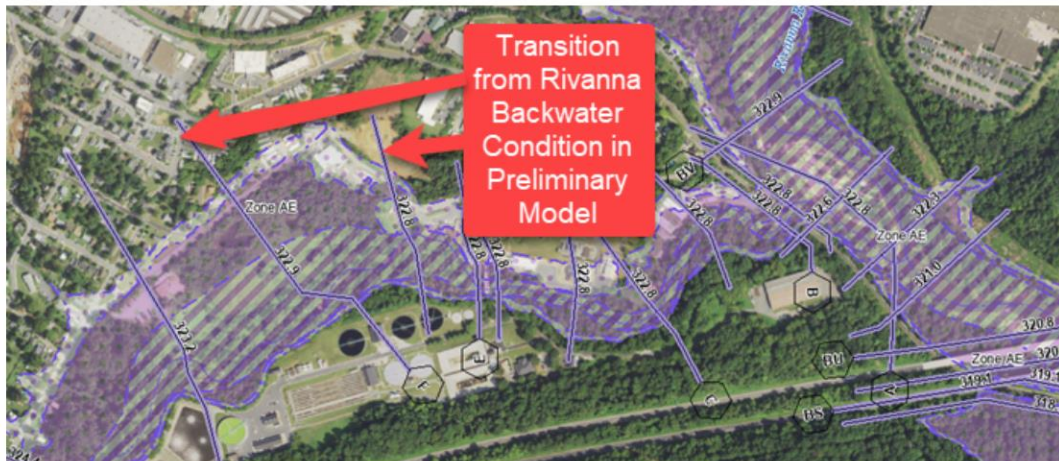
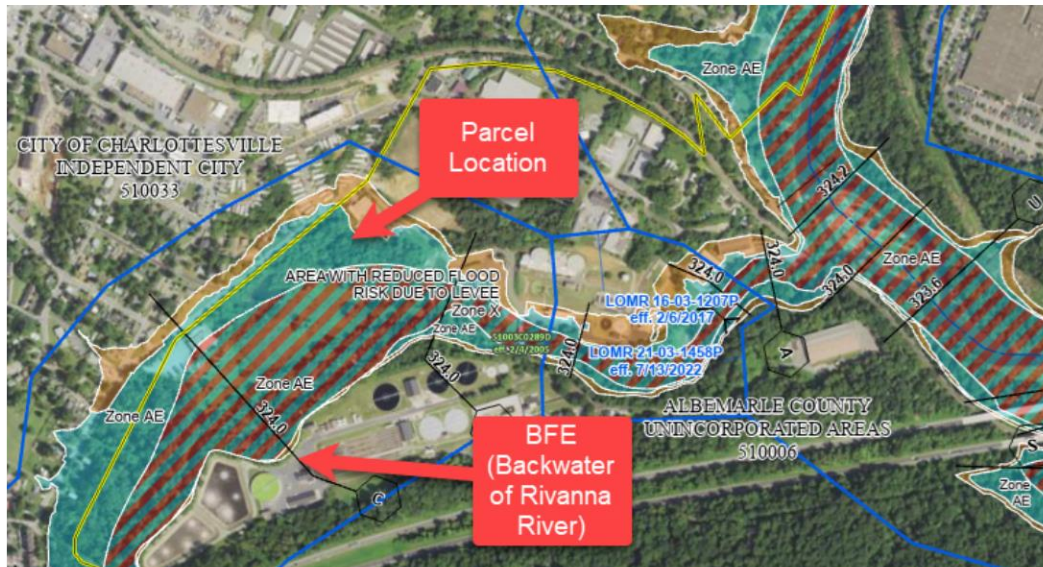


Figure 1: Project Location

Moores Creek is a FEMA regulated stream, which has been studied in detail (Zone AE with floodway) from its confluence with the Rivanna River to a point located just downstream of Poorhouse Road in Albemarle County. The effective study for this stream was found in the FIS for Albemarle County, Virginia and Incorporated Areas (51003CV000C), revised May 16, 2016. The stream is reflected in the current Flood Insurance Rate Map (FIRM) panel 289 (map number 51003C0289D, effective February 4, 2005) and with several LOMR's within this reach, most notably 16-03-1207P establishing a backwater condition up Moores Creek from the Rivanna River.

The purpose of this proposed CLOMR-F is to propose fill within the floodplain fringe to conditionally remove a portion of Parcel TMP: 77-40B2 from the regulated 100-year floodplain. An on-site pad will be filled to an elevation of 324.1 to be above the effective Base Flood Elevation of 324.00 (See BFE graphic below). Per LOMR 16-03-1207P, this regulatory BFE of 324.00 along this portion of Moores Creek is controlled by the downstream backwater flooding of the Rivanna River. In addition to this understanding of the backwater condition, we have performed a hydraulic study of the reach to confirm the fill placement on site is within an ineffective flow area due to a topographic flow constriction on the subject site. This study provides confirmation that all fill will be placed in inundation areas without impact to the conveyance of Moores Creek or the FEMA regulated BFE.



Because the location of the Rivanna River backwater condition may update in the near future with the preliminary FIS/FIRM updates, Timmons felt it prudent to study the reach of this subject site to confirm a CLOMR-F would remain appropriate in this condition. This study removes any uncertainty that this fill could affect upstream base flood elevations by more accurately evaluating where the Base Flood Elevation of Moores Creek exceeds the backwater BFE elevation and becomes the controlling flooding source. In selecting the appropriate and most accurate model for this hydraulic analysis, it was considered that Albemarle County is currently in the process of updating FIRM maps County-wide as part of a County wide mapping update effort. A new HEC-RAS model of Moores Creek has been created as a part of this effort which appears to have a high level of hydrologic and hydraulic accuracy. As this preliminary model best represents the existing current conditions of the affected reach and will likely become the effective model during the processing of this CLOMR-F/LOMR-F, this model was used in the hydraulic analysis of this proposed fill for the most accurate hydraulic results for this reach of Moores Creek.

The hydraulic analysis for this report has all been prepared in **HEC-RAS (v.6.1.0)**

2.0 Hydrologic Summary

The discharges associated with this modelling effort were taken from the County-wide mapping update model and compared with the current effective flows. The flow rates for the two models in this project reach are shown below in Table 2-1 for comparison. The preliminary model has a slightly higher flow rate through the project reach (12,603 cfs compared to the 12,200 cfs in the effective model), so the higher preliminary model flow rate was conservatively used for this analysis accounting for development within the watershed.

TABLE 2-1
Moore's Creek Discharges in Project Reach
(Effective Model vs. County Preliminary Mapping Update Model Comparison)

Model	100-Year (cfs)	Floodway (cfs)
Effective Model	12,200	12,200
County Preliminary Mapping Update	12,603	12,603

3.0 Hydraulic Summary

Preliminary County Mapping Update Model

The results of the preliminary County mapping update model for this project reach are shown in the figure and table below. As shown in Table 2-2, the 100-year water surface elevation for cross section 4309 (upstream of parcel TMP 77-40B2) is 322.89', showing that the Rivanna River backwater regulatory base flood elevation of 324.0' is still controlling and conservative with the on-going mapping updates.



Figure 4: County Preliminary Model Cross Sections & 100-YR WSEL

TABLE 2-2
County Mapping Update Results - Cross Sections

HEC-RAS Plan: Plan 04 Locations: User Defined

River	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl	Vel Total (ft/s)
MooreCrk	Main	5391	01pct	12603.00	306.91	323.47	319.59	323.71	0.001064	5.62	3869.71	570.47	0.28	3.26
MooreCrk	Main	5391	FW	12603.00	306.91	324.32	319.66	324.56	0.000898	5.40	3862.14	455.00	0.26	3.26
MooreCrk	Main	4309	01pct	12603.00	303.64	323.18		323.24	0.000256	3.26	9056.93	1011.52	0.14	1.39
MooreCrk	Main	4309	FW	12603.00	303.64	323.86		323.98	0.000411	4.24	6427.68	600.00	0.18	1.96
MooreCrk	Main	3682	01pct	12603.00	302.05	321.92	317.14	322.53	0.001691	7.91	3117.42	376.93	0.36	4.04
MooreCrk	Main	3682	FW	12603.00	302.05	322.73	317.17	323.33	0.001522	7.77	2981.95	275.00	0.34	4.23
MooreCrk	Main	3139	01pct	12603.00	301.24	319.90	314.42	321.29	0.002390	10.12	1512.43	135.30	0.44	8.33
MooreCrk	Main	3139	FW	12603.00	301.24	320.10	314.23	321.93	0.002839	11.13	1263.92	85.00	0.49	9.97
MooreCrk	Main	2563	01pct	12603.00	298.56	316.88		318.63	0.003244	11.19	1411.02	178.77	0.50	8.93
MooreCrk	Main	2563	FW	12603.00	298.56	317.01		319.15	0.003671	11.97	1129.92	84.00	0.53	11.15
MooreCrk	Main	1481	01pct	12603.00	295.12	311.29	308.74	314.32	0.006026	14.35	1089.60	148.96	0.67	11.57
MooreCrk	Main	1481	FW	12603.00	295.12	311.50		314.64	0.006009	14.47	956.24	81.00	0.67	13.18
MooreCrk	Main	923	01pct	12603.00	292.79	307.71	305.15	310.83	0.006408	14.36	977.01	96.01	0.70	12.90
MooreCrk	Main	923	FW	12603.00	292.79	308.69	305.16	311.36	0.005000	13.30	1059.98	90.00	0.62	11.89
MooreCrk	Main	805	01pct	12603.00	291.86	304.22	302.65	307.46	0.008025	14.63	944.96	106.19	0.77	13.34
MooreCrk	Main	805	FW	12603.00	291.86	305.19	302.58	307.95	0.006114	13.49	1005.15	90.00	0.68	12.54
MooreCrk	Main	84	01pct	12603.00	290.72	301.98	299.38	302.79	0.003131	8.48	2493.31	761.59	0.47	5.05
MooreCrk	Main	84	FW	12603.00	290.72	302.97	300.05	304.02	0.003129	9.03	2369.40	790.31	0.48	5.32

Existing Conditions Model

Prior to the placement of any fill, the preliminary model was updated adjacent to the parcel with interpolated cross section 3995.50* to properly model the ineffective flow caused by the channel constriction on the subject property. This additional cross section and ineffective flow area caused by the downstream constriction are shown in the figure below.

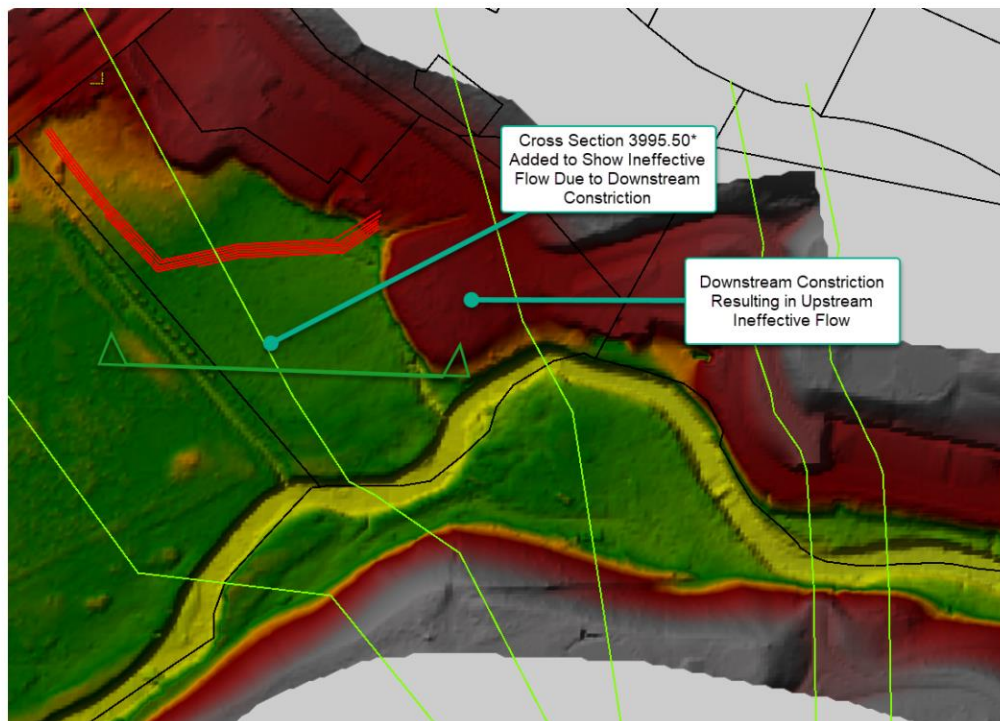


Figure 5: Downstream Channel Constriction Resulting in Upstream Ineffective Flow Adjacent to

Proposed Fill

This additional cross section and ineffective flow area resulted in slightly higher base flood elevations upstream of cross section 3995.50* as shown below, but still well below the controlling regulatory base flood elevation of 324.0. These differences are due to the flow constriction and are an improvement to the accuracy of the preliminary model for this studied reach.

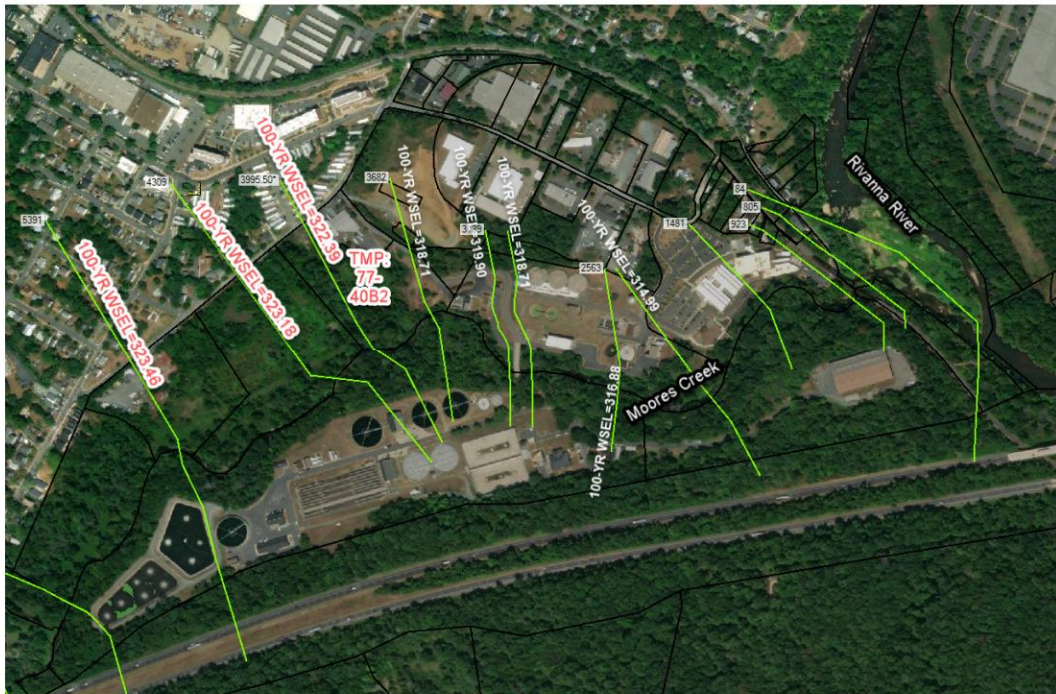


Figure 6: Resulting 100-YR WSEL With Addition of Ineffective Flow Area in Cross Section 3995.50

TABLE 2-3
Existing Conditions Model Results – Cross Sections

HEC-RAS Plan: Plan 04 Locations: User Defined

River	Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl	Vel Total (ft/s)
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MooresCrk	Main	4309	FW	12603.00	303.64	323.86		323.98	0.000411	4.24	6427.68	600.00	0.18	1.96
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MooresCrk	Main	3682	FW	12603.00	302.05	322.73	317.17	323.33	0.001522	7.77	2981.95	275.00	0.34	4.23
MooresCrk	Main	3139	01pct	12603.00	301.24	319.90	314.42	321.29	0.002390	10.12	1512.43	135.30	0.44	8.33
MooresCrk	Main	3139	FW	12603.00	301.24	320.10	314.23	321.93	0.002839	11.13	1263.92	85.00	0.49	9.97
MooresCrk	Main	2563	01pct	12603.00	298.56	316.88		318.63	0.003244	11.19	1411.02	178.77	0.50	8.93
MooresCrk	Main	2563	FW	12603.00	298.56	317.01		319.15	0.003671	11.97	1129.92	84.00	0.53	11.15
MooresCrk	Main	1481	01pct	12603.00	295.12	311.29	308.74	314.32	0.006026	14.35	1089.60	148.96	0.67	11.57
MooresCrk	Main	1481	FW	12603.00	295.12	311.50		314.64	0.006009	14.47	956.24	81.00	0.67	13.18
MooresCrk	Main	923	01pct	12603.00	292.79	307.71	305.15	310.83	0.006408	14.36	977.01	96.01	0.70	12.90
MooresCrk	Main	923	FW	12603.00	292.79	308.69	305.16	311.36	0.005000	13.30	1059.98	90.00	0.62	11.89
MooresCrk	Main	805	01pct	12603.00	291.86	304.22	302.65	307.46	0.008025	14.63	944.96	106.19	0.77	13.34
MooresCrk	Main	805	FW	12603.00	291.86	305.19	302.58	307.95	0.006114	13.49	1005.15	90.00	0.68	12.54
MooresCrk	Main	84	01pct	12603.00	290.72	301.98	299.38	302.79	0.003131	8.48	2493.31	761.59	0.47	5.05
MooresCrk	Main	84	FW	12603.00	290.72	302.97	300.05	304.02	0.003129	9.03	2369.40	790.31	0.48	5.32

CLOMR-F Model

To account for the addition of the proposed fill, this existing model was updated to include the proposed fill up to elevation 324.0 in cross section 3995.50. This resulted in no increase in the 100-year WSEL from the existing conditions model, as shown in the Table and cross section 3995.50* below.

TABLE 2-4
CLOMR-F Model Results – Cross Sections

HEC-RAS Plan: RVA_Moore's_Creek_CLOMRF Locations: User Defined

River	Reach	River Sta	Profile	Vel Total (ft/s)	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Moore'sCrk	Main	5391	01pct	3.26	12603.00	306.91	323.46	319.59	323.71	0.001064	5.62	3869.19	570.46	0.28
Moore'sCrk	Main	5391	FW	3.26	12603.00	306.91	324.32	319.66	324.56	0.000898	5.40	3861.92	455.00	0.26
Moore'sCrk	Main	4309	01pct	1.39	12603.00	303.64	323.18		323.24	0.000256	3.26	9055.85	1011.51	0.14
Moore'sCrk	Main	4309	FW	1.96	12603.00	303.64	323.86		323.98	0.000411	4.24	6427.35	600.00	0.18
Moore'sCrk	Main	3682	01pct	4.04	12603.00	302.05	321.92	317.14	322.53	0.001691	7.91	3117.42	376.93	0.36
Moore'sCrk	Main	3682	FW	4.23	12603.00	302.05	322.73	317.17	323.33	0.001522	7.77	2981.95	275.00	0.34
Moore'sCrk	Main	3139	01pct	8.33	12603.00	301.24	319.90	314.42	321.29	0.002390	10.12	1512.43	135.30	0.44
Moore'sCrk	Main	3139	FW	9.97	12603.00	301.24	320.10	314.23	321.93	0.002839	11.13	1263.92	85.00	0.49
Moore'sCrk	Main	2563	01pct	8.93	12603.00	298.56	316.88		318.63	0.003244	11.19	1411.02	178.77	0.50
Moore'sCrk	Main	2563	FW	11.15	12603.00	298.56	317.01		319.15	0.003671	11.97	1129.92	84.00	0.53
Moore'sCrk	Main	1481	01pct	11.57	12603.00	295.12	311.29	308.74	314.32	0.006026	14.35	1089.60	148.96	0.67
Moore'sCrk	Main	1481	FW	13.18	12603.00	295.12	311.50		314.64	0.006009	14.47	956.24	81.00	0.67
Moore'sCrk	Main	923	01pct	12.90	12603.00	292.79	307.71	305.15	310.83	0.006408	14.36	977.01	96.01	0.70
Moore'sCrk	Main	923	FW	11.89	12603.00	292.79	308.69	305.16	311.36	0.005000	13.30	1059.98	90.00	0.62
Moore'sCrk	Main	805	01pct	13.34	12603.00	291.86	304.22	302.65	307.46	0.008025	14.63	944.96	106.19	0.77
Moore'sCrk	Main	805	FW	12.54	12603.00	291.86	305.19	302.58	307.95	0.006114	13.49	1005.15	90.00	0.68
Moore'sCrk	Main	84	01pct	5.05	12603.00	290.72	301.98	299.38	302.79	0.003131	8.48	2493.31	761.59	0.47
Moore'sCrk	Main	84	FW	5.32	12603.00	290.72	302.97	300.05	304.02	0.003129	9.03	2369.40	790.31	0.48

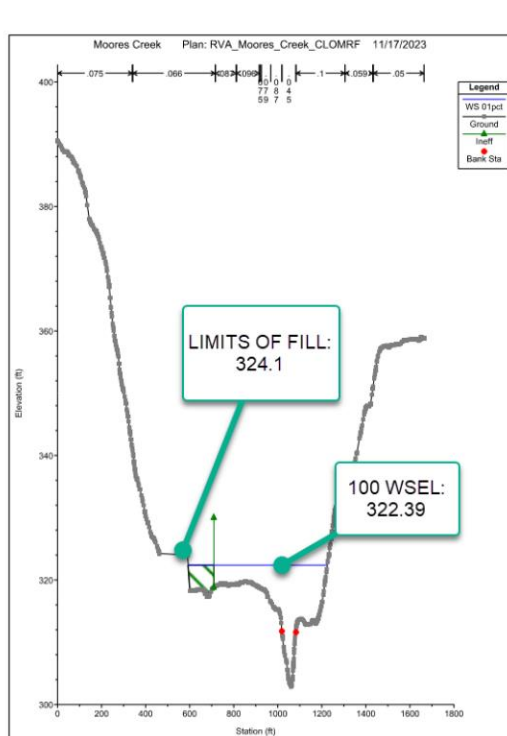


Figure 7: CLOMR-F Section

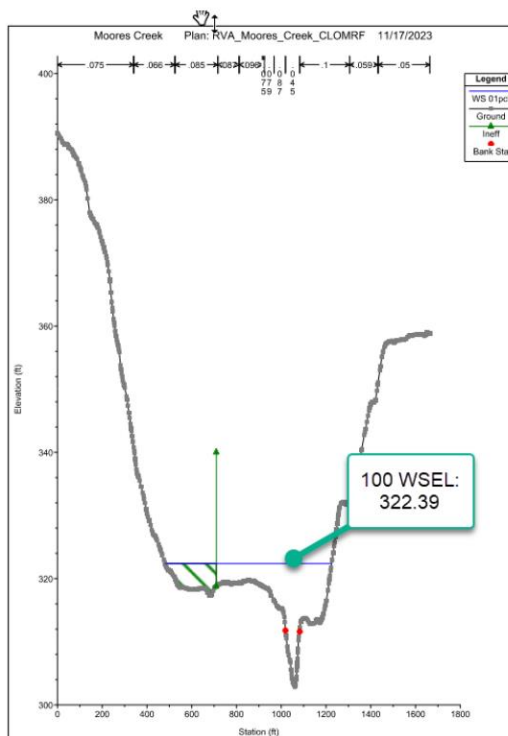


Figure 8: Existing Conditions Section

In conclusion, these modelling results demonstrate that the effective base flood elevation of 324.0 caused by the backwater of the Rivanna River remains the controlling factor in all three models. It is acknowledged the preliminary model for the Rivanna River generates a backwater base flood elevation slightly lower than the effective at 322.80. As can be seen above, the water surface of Moores Creek is still below the lower preliminary water surface elevation, meaning the backwater condition will still be the effective BFE on this site. In addition, even if the downstream flooding of the Rivanna River were to no longer be the controlling force, the existing constriction on site creates an ineffective flow area, reducing conveyance in the left overbank of Moores Creek such that placement of the proposed fill creates no increase in the 100-yr water surface elevation.

4.0 Conclusions

The purpose of this CLOMR-F is to conditionally remove a portion of parcel TMP 77-40B2 from the regulatory floodplain based on proposed fill to an elevation of 324.0 or above. The existing regulatory base flood elevation for parcel TMP 77-40B2 along Moores Creek is at 324.0 based on the backwater condition caused by the flooding of the Rivanna River. Based on this downstream flooding and supplementary findings of this study, it is the opinion of the submitting engineer that placement of fill on this parcel to a 324.1 as shown will have no impact on the effective BFE or water surface elevation of Moores Creek in this portion of the reach.

Appendix 1

Follows Conditional Case No.: 20-03-0027R



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	Albemarle County Virginia (Unincorporated Areas)	BRIDGE GRADING	BASE MAP CHANGES FLOODWAY 1D HYDRAULIC ANALYSIS UPDATED TOPOGRAPHIC DATA
	COMMUNITY NO.: 510006		
IDENTIFIER	Woolen Mills LOMR	APPROXIMATE LATITUDE AND LONGITUDE: 38.018, -78.457 SOURCE: Other DATUM: NAD 83	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM* NO.: 51003C0289D DATE: February 4, 2005		DATE OF EFFECTIVE FLOOD INSURANCE STUDY: May 16, 2016 PROFILE: 47P	

Enclosures reflect changes to flooding sources affected by this revision.

* FIRM - Flood Insurance Rate Map

FLOODING SOURCE AND REVISED REACH

Moore's Creek - from approximately 640 feet upstream of Railroad to approximately 130 feet downstream of Sewage Road

SUMMARY OF REVISIONS

Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Moore's Creek	Floodway	Floodway	YES	YES
	Zone AE	Zone AE	YES	YES
	Zone X (shaded)	Zone X (shaded)	YES	YES

DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panel revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

Patrick "Rick" F. Sacibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

21-03-1458P

102-I-A-C



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

COMMUNITY INFORMATION

APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

We provide the floodway designation to your community as a tool to regulate floodplain development. Therefore, the floodway revision we have described in this letter, while acceptable to us, must also be acceptable to your community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations.

NFIP regulations Subparagraph 60.3(b)(7) requires communities to ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management ordinances; therefore, responsibility for maintenance of the altered or relocated watercourse, including any related appurtenances such as bridges, culverts, and other drainage structures, rests with your community. We may request that your community submit a description and schedule of maintenance activities necessary to ensure this requirement.

COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in black ink, appearing to read "Rick Sacbitt".

Patrick "Rick" F. Sacbitt, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Ms. April Cummings
Director, Mitigation Division
Federal Emergency Management Agency, Region III
One Independence Mall, Sixth Floor
615 Chestnut Street
Philadelphia, PA 19106-4404
(215) 931-5635

STATUS OF THE COMMUNITY NFIP MAPS

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in black ink, appearing to read "Rick Sacibit".

Patrick "Rick" F. Sacibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

PUBLIC NOTIFICATION OF REVISION

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below, and through FEMA's Flood Hazard Mapping website at https://www.floodmaps.fema.gov/fhm/bfe_status/bfe_main.asp.

LOCAL NEWSPAPER

Name: *The Daily Progress*

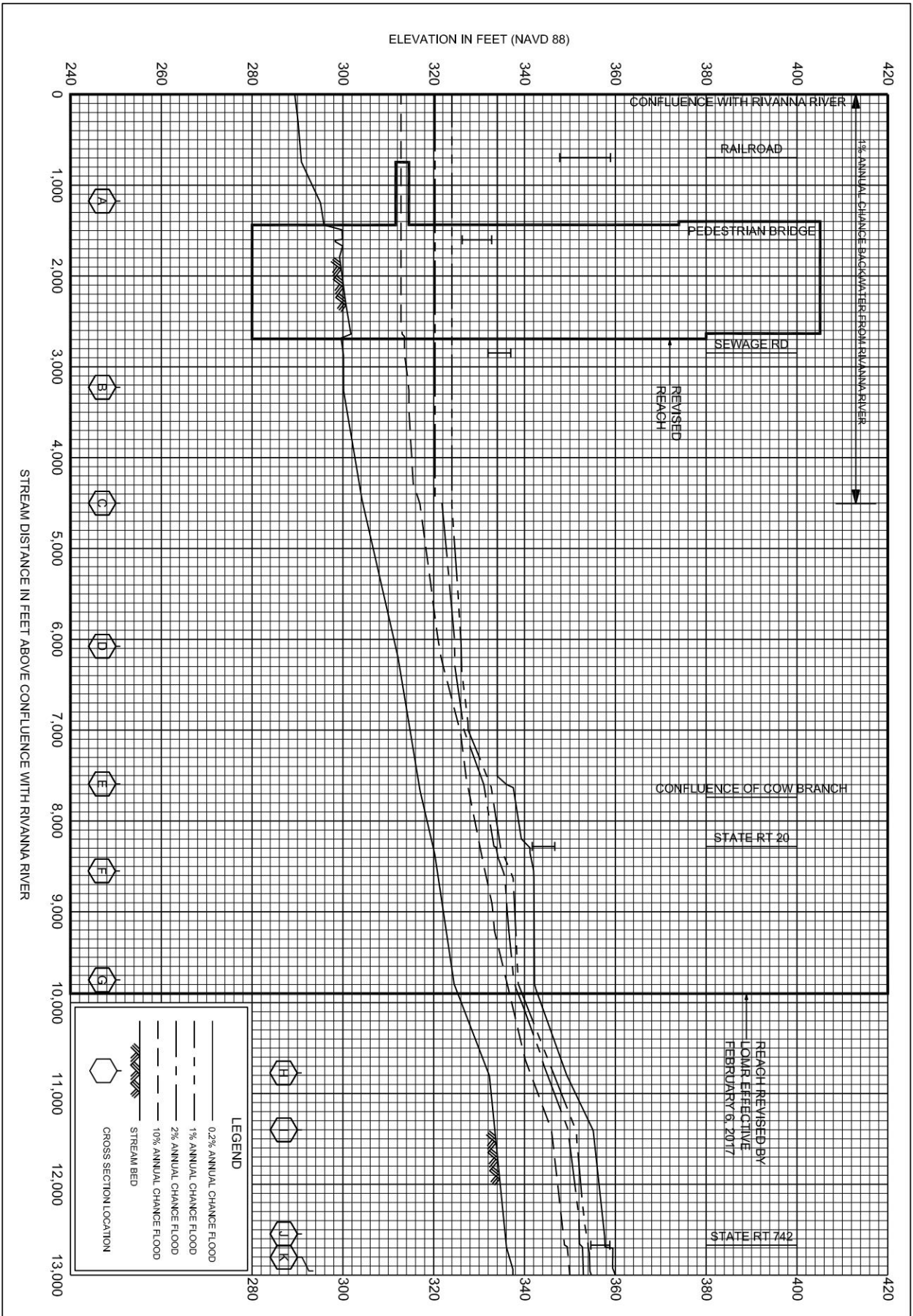
Dates: March 8, 2022 and March 15, 2022

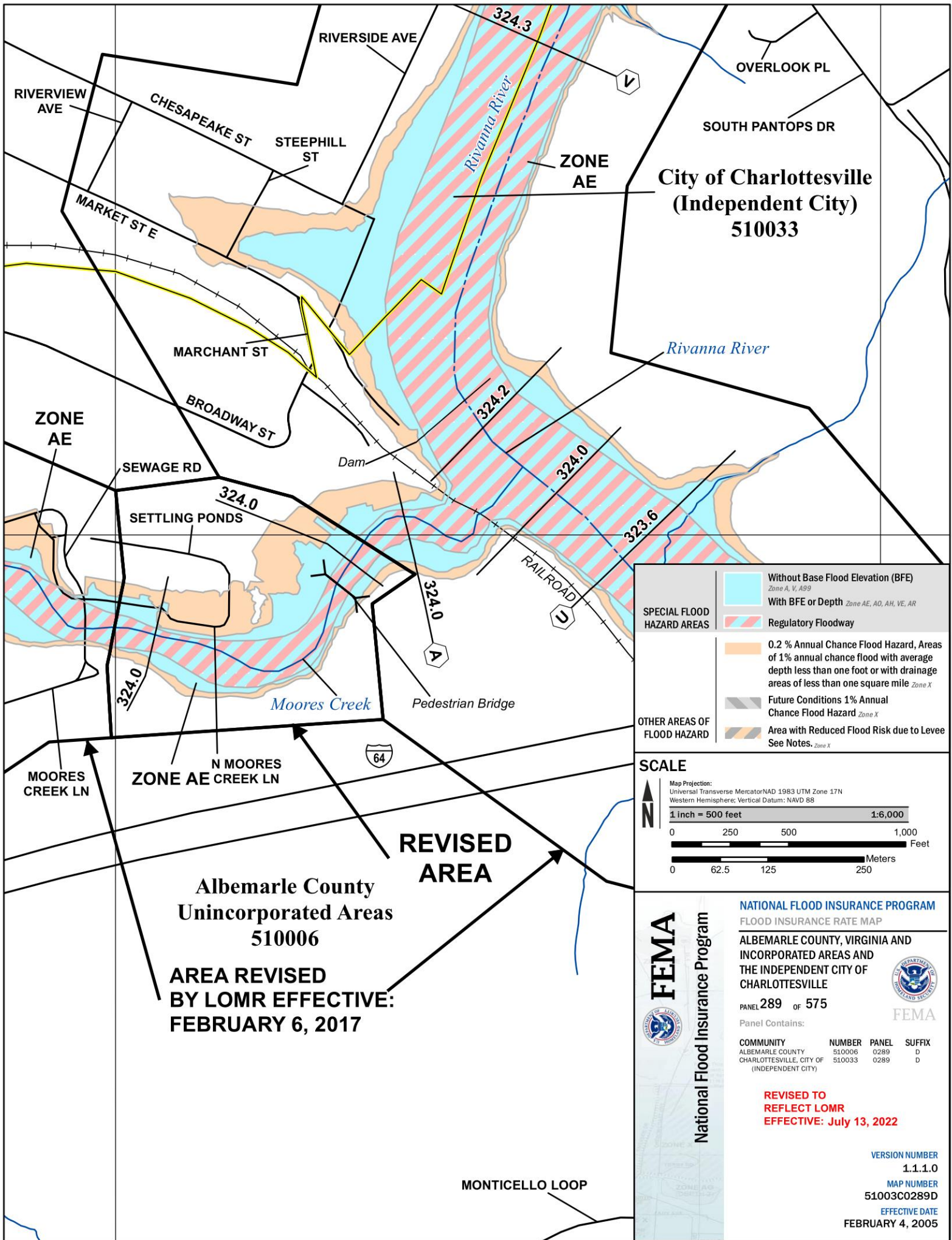
Within 90 days of the second publication in the local newspaper, any interested party may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. Therefore, this letter will be effective only after the 90-day appeal period has elapsed and we have resolved any appeals that we receive during this appeal period. Until this LOMR is effective, the revised flood hazard determination presented in this LOMR may be changed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in black ink, appearing to read "Rick F. Sacibit".

Patrick "Rick" F. Sacibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



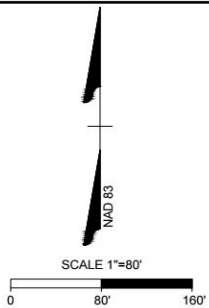


Appendix 2

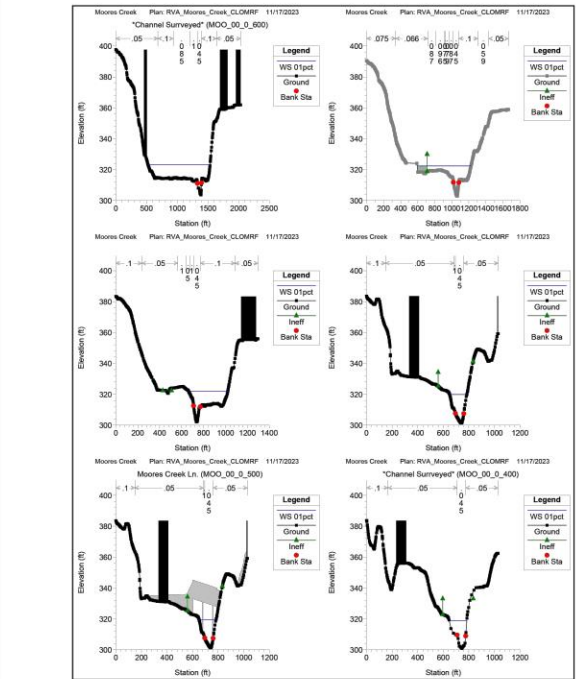
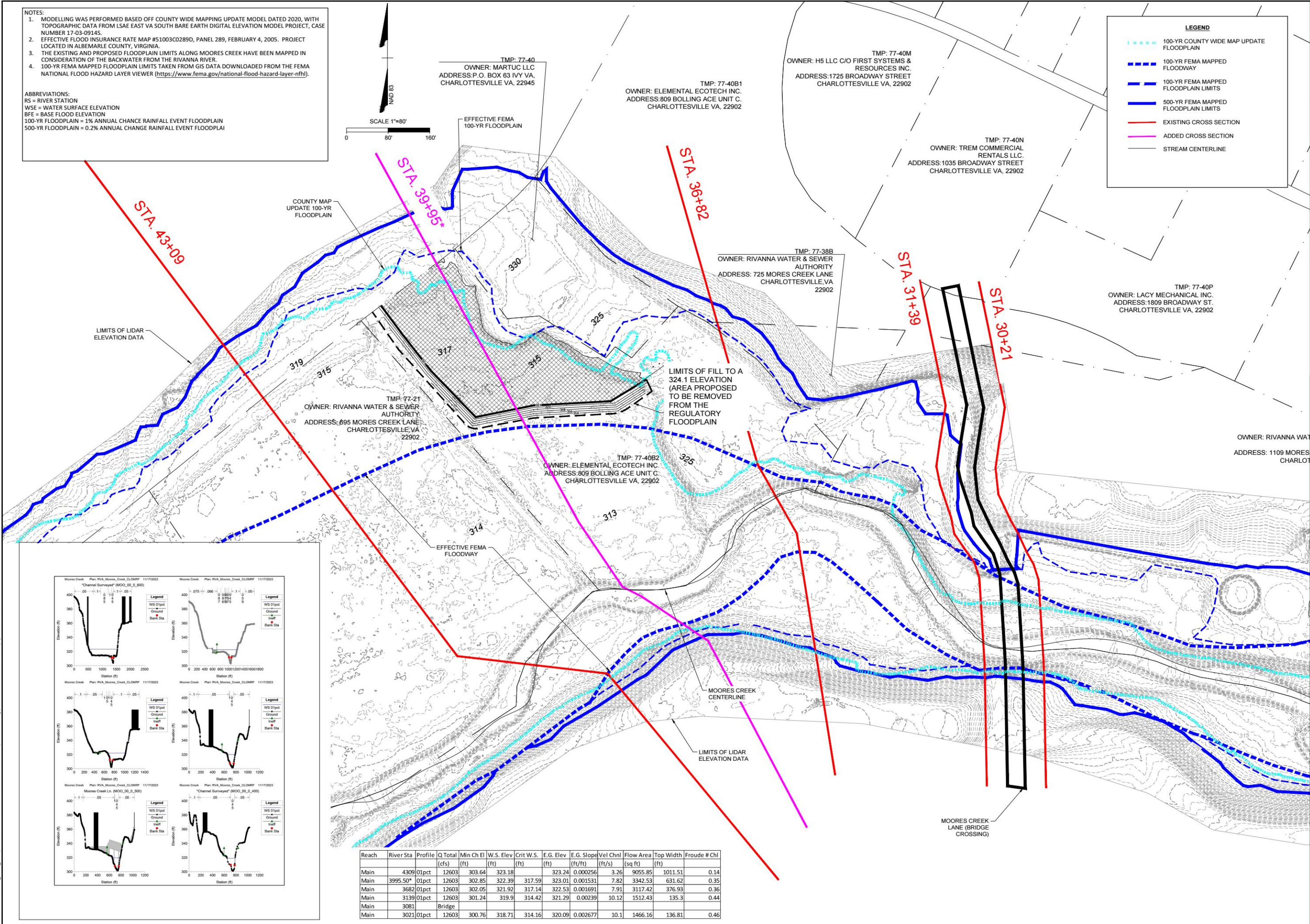
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- NOTES:
1. MODELLING WAS PERFORMED BASED OFF COUNTY WIDE MAP UPDATE MODEL DATED 2020, WITH TOPOGRAPHIC DATA FROM LSAE EAST VA SOUTH BARE EARTH DIGITAL ELEVATION MODEL PROJECT, CASE NUMBER 17-03-09145.
 2. EFFECTIVE FLOOD INSURANCE RATE MAP #51003C0289D, PANEL 289, FEBRUARY 4, 2005. PROJECT LOCATED IN ALBEMARLE COUNTY, VIRGINIA.
 3. THE EXISTING AND PROPOSED FLOODPLAIN LIMITS ALONG MOORES CREEK HAVE BEEN MAPPED IN CONSIDERATION OF THE BACKWATER FROM THE RIVANNA RIVER.
 4. 100-YR FEMA MAPPED FLOODPLAIN LIMITS TAKEN FROM GIS DATA DOWNLOADED FROM THE FEMA NATIONAL FLOOD HAZARD LAYER VIEWER (<https://www.fema.gov/national-flood-hazard-layer-nfh>).

ABBREVIATIONS:
RS = RIVER STATION
WSE = WATER SURFACE ELEVATION
BFE = BASE FLOOD ELEVATION
100-YR FLOODPLAIN = 1% ANNUAL CHANCE RAINFALL EVENT FLOODPLAIN
500-YR FLOODPLAIN = 0.2% ANNUAL CHANCE RAINFALL EVENT FLOODPLAIN



- LEGEND
- 100-YR COUNTY WIDE MAP UPDATE FLOODPLAIN
 - 100-YR FEMA MAPPED FLOODWAY
 - 100-YR FEMA MAPPED FLOODPLAIN LIMITS
 - 500-YR FEMA MAPPED FLOODPLAIN LIMITS
 - EXISTING CROSS SECTION
 - ADDED CROSS SECTION
 - STREAM CENTERLINE



Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Main	4309	01pct	12603	303.64	323.18		323.24	0.000256	3.26	9055.85	1011.51	0.14
Main	3995.50"	01pct	12603	302.85	322.39	317.59	323.01	0.001531	7.82	3342.53	631.62	0.35
Main	3682	01pct	12603	302.05	321.92	317.14	322.53	0.001691	7.91	3117.42	376.93	0.36
Main	3139	01pct	12603	301.24	319.9	314.42	321.29	0.00239	10.12	1512.43	135.3	0.44
Main	3081	Bridge										
Main	3021	01pct	12603	300.76	318.71	314.16	320.09	0.002677	10.1	1466.16	136.81	0.46



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TEL: 434.295.5624 FAX: 434.295.8317 www.timmons.com

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REVISION DESCRIPTION	DATE
	11/27/23
DRAWN BY	M. DENHARD
DESIGNED BY	M. DENHARD
CHECKED BY	B. CICHOCKI
SCALE	1" = 80'

MOORES CREEK FLOODPLAIN EXHIBIT

ALBEMARLE COUNTY, VA

FLOODPLAIN WORKMAP EXHIBIT

JOB NO.

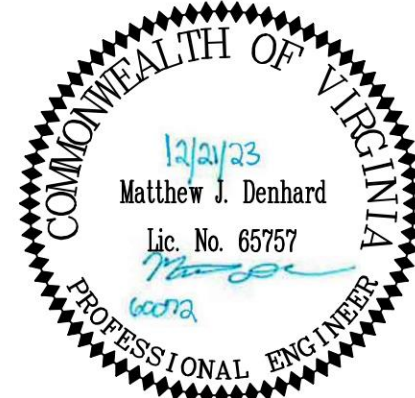
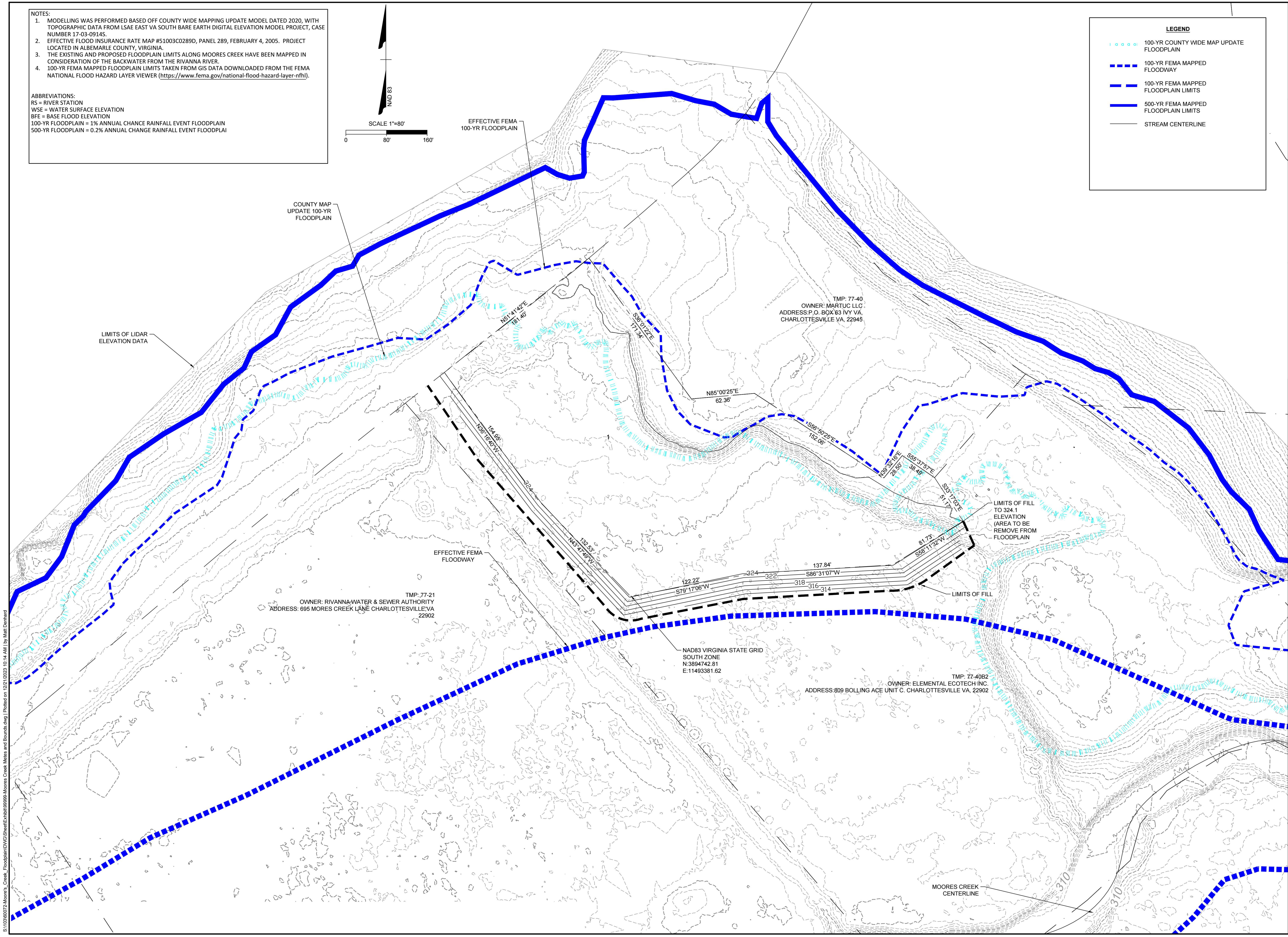
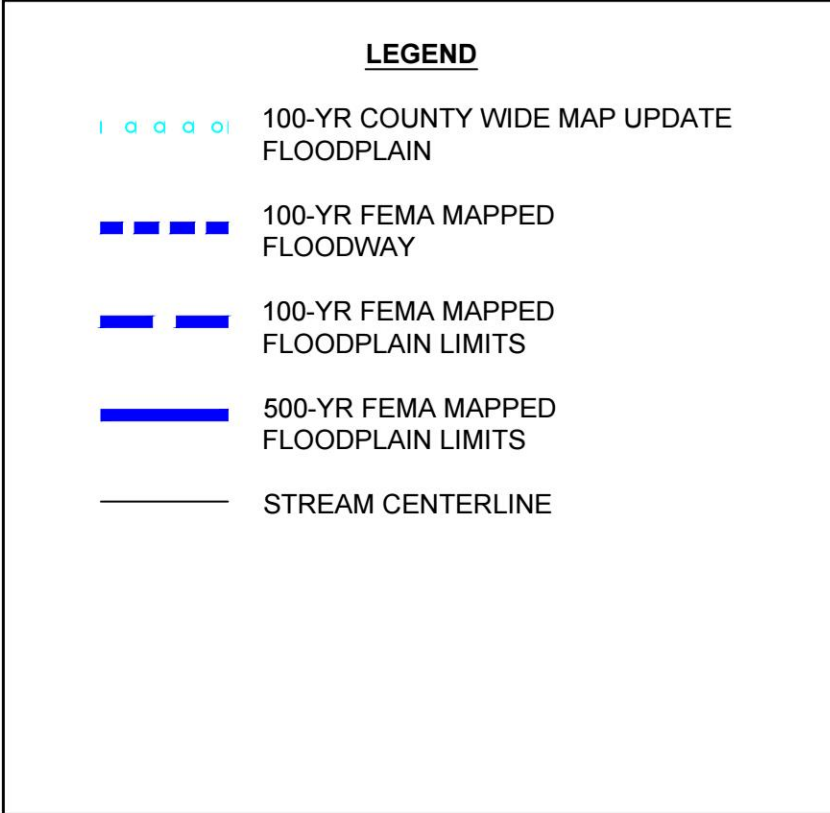
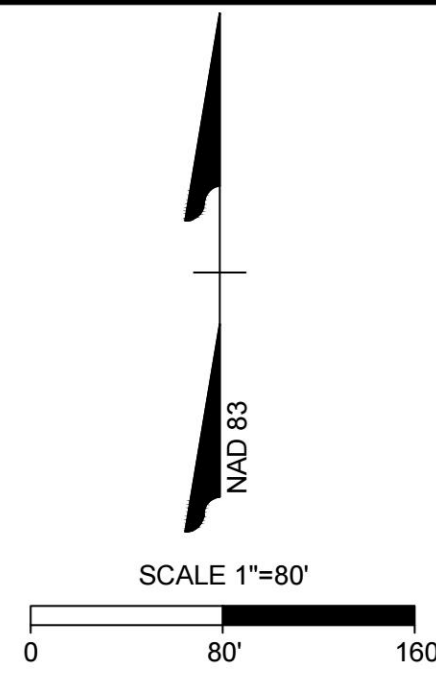
60072

SHEET NO.

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- ABBREVIATIONS:
RS = RIVER STATION
WSE = WATER SURFACE ELEVATION
BFE = BASE FLOOD ELEVATION
100-YR FLOODPLAIN = 1% ANNUAL CHANCE RAINFALL EVENT FLOODPLAIN
500-YR FLOODPLAIN = 0.2% ANNUAL CHANCE RAINFALL EVENT FLOODPLAIN

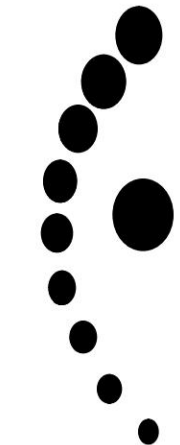


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[illegible]

DATE	12/20/23
DRAWN BY	M. DENHARD
DESIGNED BY	M. DENHARD
CHECKED BY	B. CICHOCKI
SCALE	1" = 80'



MOORES CREEK FLOODPLAIN CLOMRF
ALBEMARLE COUNTY, VA
PORTION OF PARCEL TO BE REMOVED FROM FLOODPLAIN

JOB NO.
60072

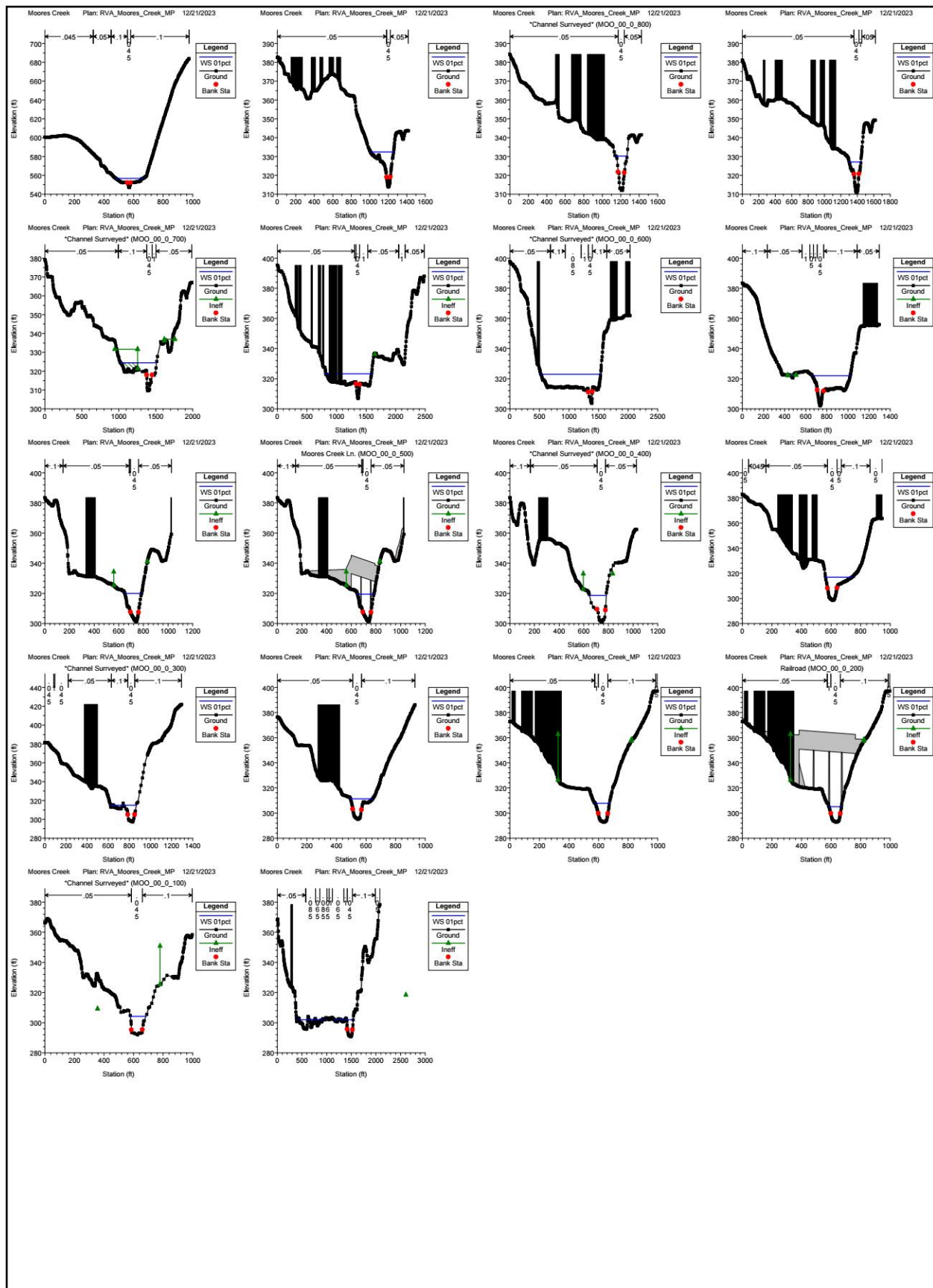
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Appendix 3

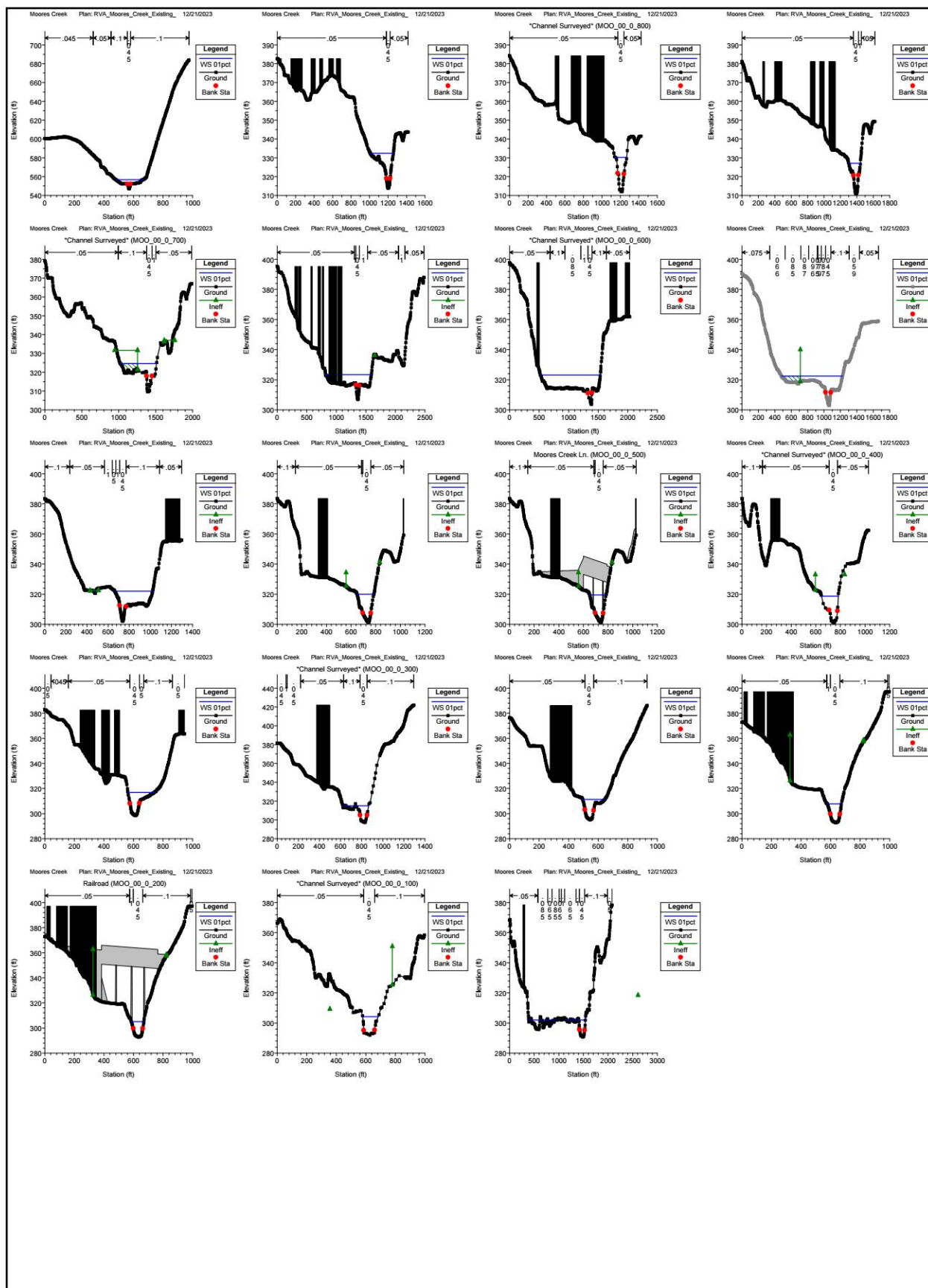
3.0 County Mapping Update Model Results

Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Main	7978	01pct	12372	313.78	332.34		333.96	0.003298	12.05	1591.21	248.26	0.52
Main	7502	01pct	12372	312.11	330.24		332.24	0.003779	11.67	1179.95	120.58	0.53
Main	7025	01pct	12603	310.87	327.15	325.66	329.86	0.006387	13.89	1100.26	142.49	0.68
Main	6422	01pct	12603	309.66	324.44	322.77	326.16	0.005144	11.66	1702.02	486.08	0.6
Main	5391	01pct	12603	306.91	323.21	319.59	323.48	0.00119	5.87	3721.85	568.93	0.29
Main	4309	01pct	12603	303.64	322.89		322.95	0.000283	3.38	8760.14	1008.25	0.15
Main	3682	01pct	12603	302.05	321.92	317.14	322.53	0.001691	7.91	3117.42	376.93	0.36
Main	3139	01pct	12603	301.24	319.9	314.42	321.29	0.00239	10.12	1512.43	135.3	0.44
Main	3081	Bridge										
Main	3021	01pct	12603	300.76	318.71	314.16	320.09	0.002677	10.1	1466.16	136.81	0.46
Main	2563	01pct	12603	298.56	316.88		318.63	0.003244	11.19	1411.02	178.77	0.5
Main	2050	01pct	12603	297.17	314.99		316.92	0.003353	11.51	1484.18	226.98	0.51
Main	1481	01pct	12603	295.12	311.29	308.74	314.32	0.006026	14.35	1089.6	148.96	0.67
Main	923	01pct	12603	292.79	307.71	305.15	310.83	0.006408	14.36	977.01	96.01	0.7
Main	854	Bridge										
Main	805	01pct	12603	291.86	304.22	302.65	307.46	0.008023	14.63	945.04	106.2	0.77
Main	84	01pct	12603	290.72	301.98	299.38	302.79	0.003131	8.48	2493.31	761.59	0.47



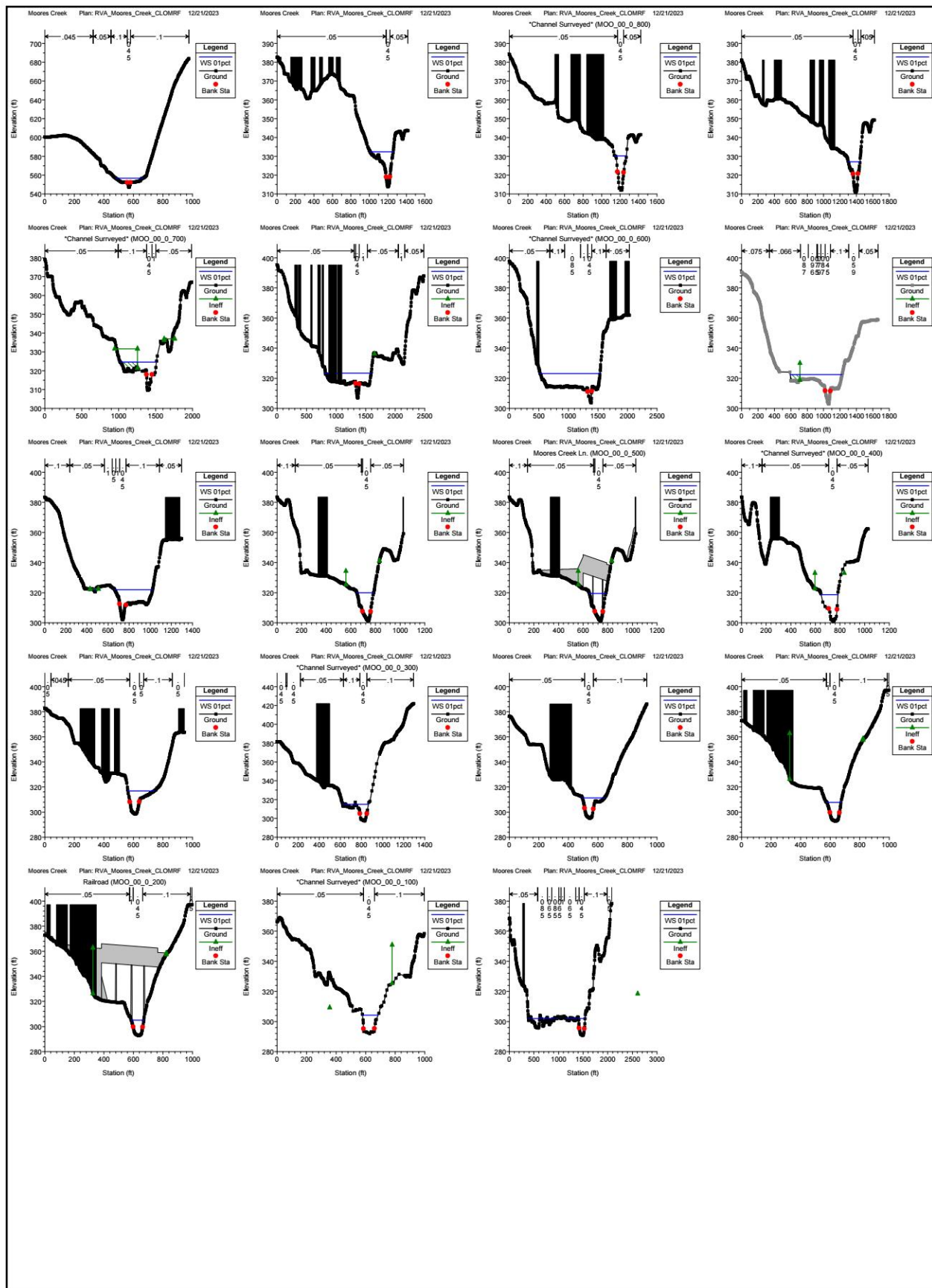
3.1 Existing Conditions Model Results

Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Main	7978	01pct	12372	313.78	332.34		333.96	0.003298	12.05	1591.22	248.26	0.52
Main	7502	01pct	12372	312.11	330.24		332.24	0.003779	11.67	1179.96	120.58	0.53
Main	7025	01pct	12603	310.87	327.15	325.66	329.86	0.006388	13.89	1100.19	142.48	0.68
Main	6422	01pct	12603	309.66	324.53	322.77	326.2	0.004981	11.53	1724.45	488.2	0.59
Main	5391	01pct	12603	306.91	323.47	319.59	323.71	0.001064	5.62	3869.71	570.47	0.28
Main	4309	01pct	12603	303.64	323.18		323.24	0.000256	3.26	9056.93	1011.52	0.14
Main	3995.50*	01pct	12603	302.85	322.39	317.61	323.01	0.001534	7.83	3342.1	744.21	0.35
Main	3682	01pct	12603	302.05	321.92	317.14	322.53	0.001691	7.91	3117.42	376.93	0.36
Main	3139	01pct	12603	301.24	319.9	314.42	321.29	0.00239	10.12	1512.43	135.3	0.44
Main	3081		Bridge									
Main	3021	01pct	12603	300.76	318.71	314.16	320.09	0.002677	10.1	1466.16	136.81	0.46
Main	2563	01pct	12603	298.56	316.88		318.63	0.003244	11.19	1411.02	178.77	0.5
Main	2050	01pct	12603	297.17	314.99		316.92	0.003353	11.51	1484.18	226.98	0.51
Main	1481	01pct	12603	295.12	311.29	308.74	314.32	0.006026	14.35	1089.6	148.96	0.67
Main	923	01pct	12603	292.79	307.71	305.15	310.83	0.006408	14.36	977.01	96.01	0.7
Main	854		Bridge									
Main	805	01pct	12603	291.86	304.22	302.65	307.46	0.008025	14.63	944.96	106.19	0.77
Main	84	01pct	12603	290.72	301.98	299.38	302.79	0.003131	8.48	2493.31	761.59	0.47



3.2 CLOMRF Model Results

Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Main	7978	01pct	12372	313.78	332.34		333.96	0.003298	12.05	1591.22	248.26	0.52
Main	7502	01pct	12372	312.11	330.24		332.24	0.003779	11.67	1179.96	120.58	0.53
Main	7025	01pct	12603	310.87	327.15	325.66	329.86	0.006388	13.89	1100.19	142.48	0.68
Main	6422	01pct	12603	309.66	324.53	322.77	326.2	0.004981	11.53	1724.36	488.19	0.59
Main	5391	01pct	12603	306.91	323.46	319.59	323.71	0.001064	5.62	3869.19	570.46	0.28
Main	4309	01pct	12603	303.64	323.18		323.24	0.000256	3.26	9055.85	1011.51	0.14
Main	3995.50*	01pct	12603	302.85	322.39	317.59	323.01	0.001531	7.82	3342.53	631.62	0.35
Main	3682	01pct	12603	302.05	321.92	317.14	322.53	0.001691	7.91	3117.42	376.93	0.36
Main	3139	01pct	12603	301.24	319.9	314.42	321.29	0.00239	10.12	1512.43	135.3	0.44
Main	3081		Bridge									
Main	3021	01pct	12603	300.76	318.71	314.16	320.09	0.002677	10.1	1466.16	136.81	0.46
Main	2563	01pct	12603	298.56	316.88		318.63	0.003244	11.19	1411.02	178.77	0.5
Main	2050	01pct	12603	297.17	314.99		316.92	0.003353	11.51	1484.18	226.98	0.51
Main	1481	01pct	12603	295.12	311.29	308.74	314.32	0.006026	14.35	1089.6	148.96	0.67
Main	923	01pct	12603	292.79	307.71	305.15	310.83	0.006408	14.36	977.01	96.01	0.7
Main	854		Bridge									
Main	805	01pct	12603	291.86	304.22	302.65	307.46	0.008025	14.63	944.96	106.19	0.77
Main	84	01pct	12603	290.72	301.98	299.38	302.79	0.003131	8.48	2493.31	761.59	0.47



Appendix 4

November 9, 2023

Mr. Timothy Miller
Meridian Planning Group, LLC
440 Premier Circle
Charlottesville, VA 22901

**Re: Protected Species Database Summary
Moores Creek Floodplain
(Approx. 7.1 acres)
Albemarle County, VA**

Mr. Miller,

Timmons Group has completed a Protected Species Database Review for the Moores Creek Floodplain site (Site). The study area encompasses approximately 7.1 acres in Albemarle County, Virginia. This summary consists of a comprehensive review of publicly available environmental mapping and database resources. It was developed as a preliminary planning tool to identify all local, state, and federally regulated species that have the potential to impact the feasibility of proposed developments at the Site.

Protected Species Database Search

A protected species review was conducted to determine the potential presence of Endangered Species Act (ESA) listed species, State listed species, or other protected species on or within the vicinity of the Site. The following agencies and associated databases were reviewed:

- U.S. Fish and Wildlife Services (USFWS) – Information for Planning and Consultation (IPaC)
- Virginia Department of Wildlife Resources (VDWR) – Virginia Fish and Wildlife Information Service (VaFWIS)
- VDWR – Northern Long Eared Bat (NLEB) Winter Habitat & Roost Tree Locator
- VDWR – Little Brown Bat and Tri-colored Bat Hibernacula Locator
- Virginia Department of Conservation and Recreation (DCR) – Department of Natural Heritage (DCR-DNH) Subwatershed Search
- Center for Conservation Biology (CCB) – Virginia Eagles Nest Locator

The comprehensive database search identified the potential for three (3) species with federal and/or state protection to occur on or within the vicinity of the Site. Database search results are summarized in Table 1 and species are discussed below.

Table 1. Threatened and Endangered Species Potentially Present at Site

Common Name	Scientific Name	Classification	Status	Agency Source
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Mammal - Bat	FE, ST	USFWS IPaC
Tri-colored Bat	<i>Perimyotis subflavus</i>	Mammal - Bat	FP, SE	USFWS IPaC
Green Floater	<i>Lasmigona subviridis</i>	Mussel - Clam	FP, ST	VDWR VaFWIS

*F=Federally, S=State, T=Threatened, E=Endangered P=Proposed.

Northern long-eared bat

According to USFWS IPaC, the federally endangered and state threatened northern long-eared bat (*Myotis septentrionalis*) (NLEB) has the potential to occur onsite. The NLEB's habitat range covers the majority of Virginia west of the Blue Ridge Mountains. The species typically overwinters in caves or mines and spends the remainder of the year in forested habitats. A NLEB Range-wide Determination Key was completed on November 9, 2023 and a preliminary "may affect, not likely to adversely affect" determination from USFWS was issued. Based upon a review of available information, primarily the VDWR NLEB Winter Habitat and Roost Tree Locator, there are no known maternity roosts or hibernacula for this species located on or within close proximity to the Site. Additionally, VDWR VaFWIS has no documented observations of the species within a 2-mile radius of the Site. Additional coordination with USFWS will likely be required as a result of project-related tree clearing or if state or federal permits are pursued.

Tri-colored bat

According to USFWS IPaC, the federally proposed and state endangered tri-colored bat (*Perimyotis subflavus*) has the potential to occur onsite. Suitable habitat for this species includes roadway bridges, tunnels, abandoned buildings, and continuous forested areas. According to the Tri-colored Bat Winter Habitat & Roosts Locator, no known maternity roosts or hibernacula are located within or near the site. Additional coordination with USFWS will likely be required as a result of project-related tree clearing or if state or federal permits are pursued.

Green floater

According to VDWR VaFWIS, the federally proposed and state threatened green floater (*Lasmigona subviridis*) has the potential to occur onsite. This species occupies perennial waterways with slow currents, low flow, and a variety of stream substrates. If suitable stream habitat is identified onsite, a species survey may be required to determine the presence of this species within the project area. Additional coordination with VDWR may be required as a result of project-related in-stream work or if state or federal permits are pursued.

Other Potential Species of Concern

A search of known bald eagle nest locations/concentration areas utilizing the William and Mary Center for Conservation Biology (CCB) Virginia Eagles Nest Locator indicates that the Site does not intersect with eagle concentration areas and is not within 660 feet of any documented nests. Barring the discovery of new eagle nests onsite, Site development will not likely affect this protected species and additional agency coordination is not anticipated. Additionally, there are no Critical Habitats identified within the project study limits.

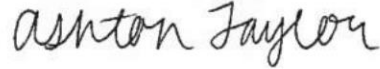
The monarch butterfly (*Danaus plexippus*) was identified as a candidate species by USFWS IPaC. Unless the monarch butterfly gains a listing regulation, no coordination for this species will be necessary.

Summary and Conclusions

If work is proposed in jurisdictional wetlands or waters, then Section 401 and Section 404 Clean Water Act Permits will be required. Submittal of a Section 404 Clean Water Act Permit will provide a federal nexus that will trigger review of protected species that could impose timeline restrictions or reduce the developable footprint of the study area.

We appreciate the opportunity to present this Protected Species Database Summary. Please note that these database searches must be current (data accessed within six months) to be considered valid by reviewing agencies. If you have any questions, please feel free to contact me at ashton.taylor@timmons.com or (804) 378-6094.

Sincerely,
Timmons Group



Ashton Taylor
Environmental Technician

MAPS

Figure 1	Vicinity Map
Figure 2	Hydrologic Unit Code Map
Figure 3	Environmental Inventory Map

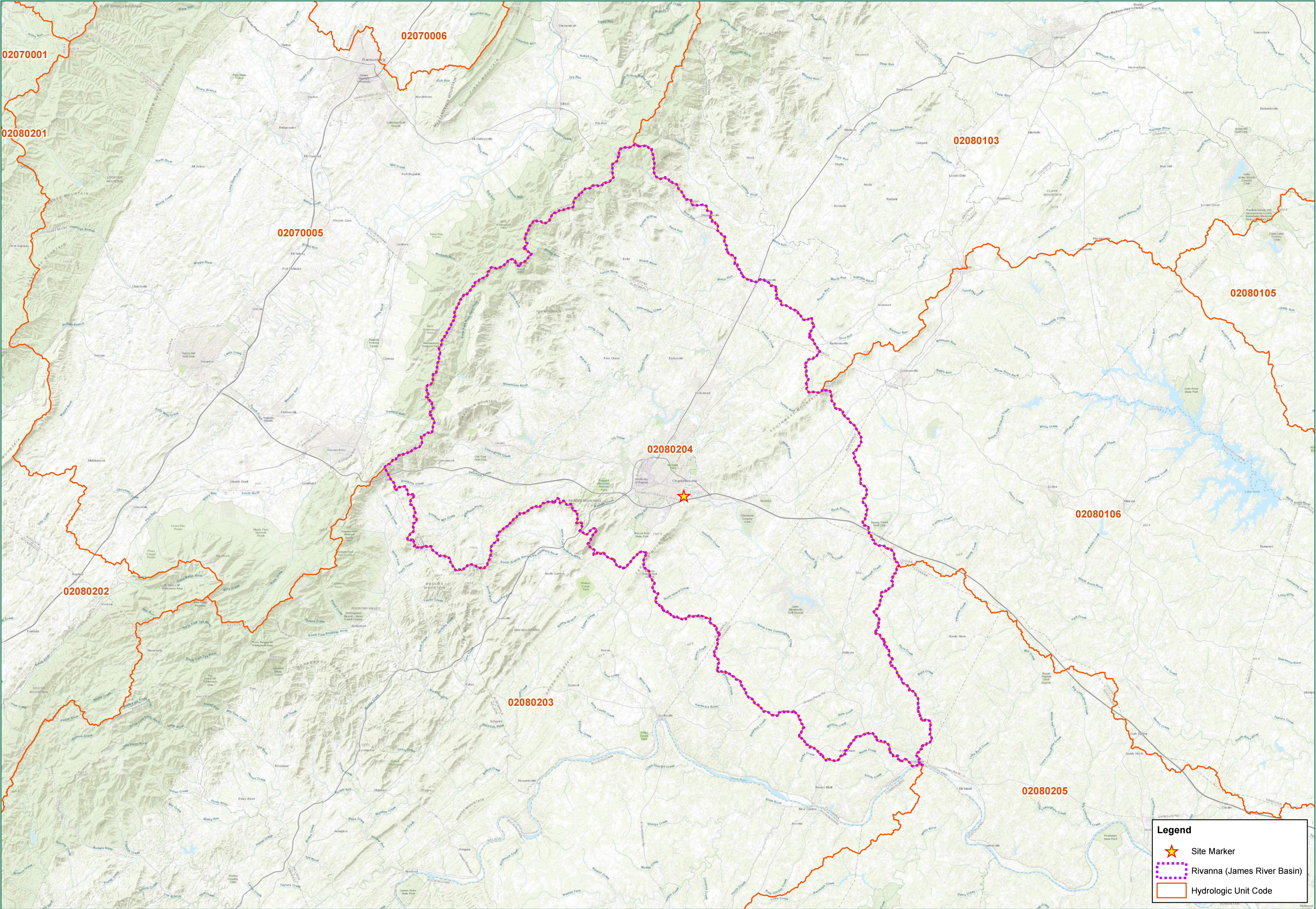
ATTACHMENTS

Attachment A	USFWS IPAC Search Documents
Attachment B	VDWR VAFWIS Search Documents
Attachment C	VDWR Bat Habitat and Roost Locator Search Documents
Attachment D	DCR-DNH Database Search Document
Attachment E	CCB Eagle Nest Locator Search Document

MAPS

TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS.

U.S.G.S. QUADRANGLE(S):CHARLOTTESVILLE EAST
DATE(S):2022
WATERSHED(S):RIVANNA (JAMES RIVER BASIN)
HYDROLOGIC UNIT CODE(S):02080204



TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS.
1001 Builders Parkway, Suite 300
Richmond, VA 23225
TEL 804.200.6500
www.timmons.com

PROJECT NAME & LOCATION

MOORE'S CREEK FLOODPLAIN
ALBEMARLE COUNTY, VIRGINIA

DATE	11/09/2023
PROJECT NUMBER	60072
PROJECT NAME	MOORE'S CREEK FLOODPLAIN
DESIGNED BY / DRAWN BY	A. MEHFOUD

NOTES:
Site marker is approximate.
HUC from USGS.
Topographic basemap from Esri Online.

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REVISIONS	
#	DESCRIPTION

DRAWING DESCRIPTION
**FIGURE 2:
HYDROLOGIC
UNIT CODE MAP**

Legend

Site Marker

Rivanna (James River Basin)

Hydrologic Unit Code

Miles
0 3 6

PLANS PRINTED AS 11X17 ARE HALF SCALE

SCALE	SHEET NUMBER
H: 1" = 3 Miles	1



Albemarle County Soils	
Mapunit Symbol	Mapunit Name
10	Ronda loamy sand, 0 to 2 percent slopes, frequently flooded
77	Dan River-Codorus complex, 0 to 2 percent slopes, occasionally flooded
83	Colvard fine sandy loam, 0 to 2 percent slopes, occasionally flooded
88	Udorthents, loamy, 2 to 25 percent slopes
91	Urban land
12D	Catoctin silt loam, 15 to 25 percent slopes
12E	Catoctin silt loam, 25 to 45 percent slopes
171D	Rabun - Urban land complex, 15 to 25 percent slopes
55B	Danripple loam, 2 to 7 percent slopes, rarely flooded
71D	Rabun clay loam, 15 to 25 percent slopes

Legend

Project Study Limits - 7.1 Acres

National Hydrography Dataset

National Wetlands Inventory

Hydric Soil Classification

Non Hydric

Hydric

TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS.

1001 Builders Parkway, Suite 300
Richmond, VA 23225
TEL 804.200.6500
www.timmons.com

PROJECT NAME & LOCATION

MOORE'S CREEK FLOODPLAIN

ALBEMARLE COUNTY,
VIRGINIA

DATE 11/09/2023

PROJECT NUMBER 60072

PROJECT NAME MOORE'S CREEK FLOODPLAIN

DESIGNED BY / DRAWN BY A. MEHFOUD

NOTES:
Project Limits are approximate.
NWI from US Fish and Wildlife Service.
Soils data from SSURGO.
National Hydrography Dataset from USGS.
Aerial imagery from VGIN.

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REVISIONS	
#	DESCRIPTION

DRAWING DESCRIPTION

**FIGURE 3:
ENVIRONMENTAL
INVENTORY MAP**

SCALE (FEET)

0 50 100

PLANS PRINTED AS 11x17 ARE HALF SCALE

SCALE SHEET NUMBER

H:1" = 50' 1

ATTACHMENT A
USFWS IPAC SEARCH DOCUMENTS



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032



In Reply Refer To:
Project Code: 2024-0014757
Project Name: Moores Creek Floodplain

November 09, 2023

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

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

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

Attachment(s):

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

OFFICIAL SPECIES LIST

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

This species list is provided by:

Virginia Ecological Services Field Office

6669 Short Lane

Gloucester, VA 23061-4410

(804) 693-6694

PROJECT SUMMARY

Project Code: 2024-0014757

Project Name: Moores Creek Floodplain

Project Type: Provide Technical Assistance

Project Description: The proposed project involves the potential development and fill within the existing FEMA floodplain areas on site.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.01937375,-78.46263915528843,14z>



Counties: Albemarle County, Virginia

ENDANGERED SPECIES ACT SPECIES

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

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

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

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

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

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

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

CRITICAL HABITATS

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

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

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

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

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

BALD & GOLDEN EAGLES

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

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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

There are bald and/or golden eagles in your project area.

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

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

PROBABILITY OF PRESENCE SUMMARY

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

Probability of Presence (■)

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

Breeding Season (■)

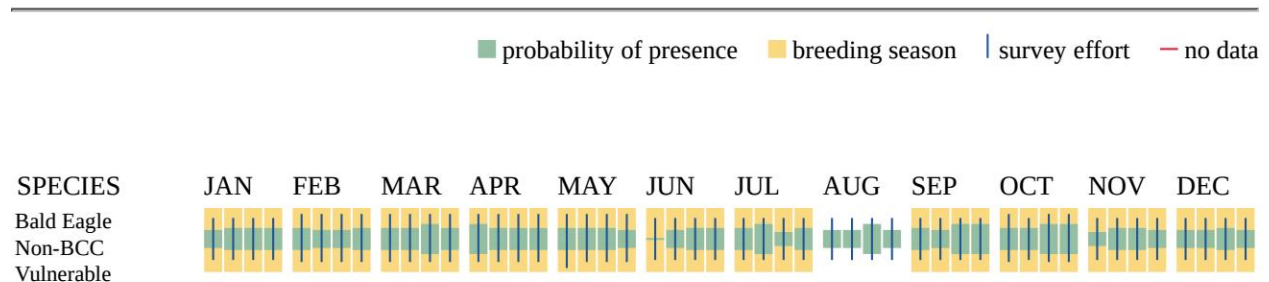
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (I)

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

No Data (—)

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



Additional information can be found using the following links:

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

MIGRATORY BIRDS

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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

3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Cerulean Warbler <i>Dendroica cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974	Breeds Apr 28 to Jul 20
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10678	Breeds May 1 to Aug 20
Kentucky Warbler <i>Oporornis formosus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9443	Breeds Apr 20 to Aug 20
King Rail <i>Rallus elegans</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8936	Breeds May 1 to Sep 5
Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9513	Breeds May 1 to Jul 31

NAME	BREEDING SEASON
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

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

Probability of Presence (■)

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

Breeding Season (■)

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

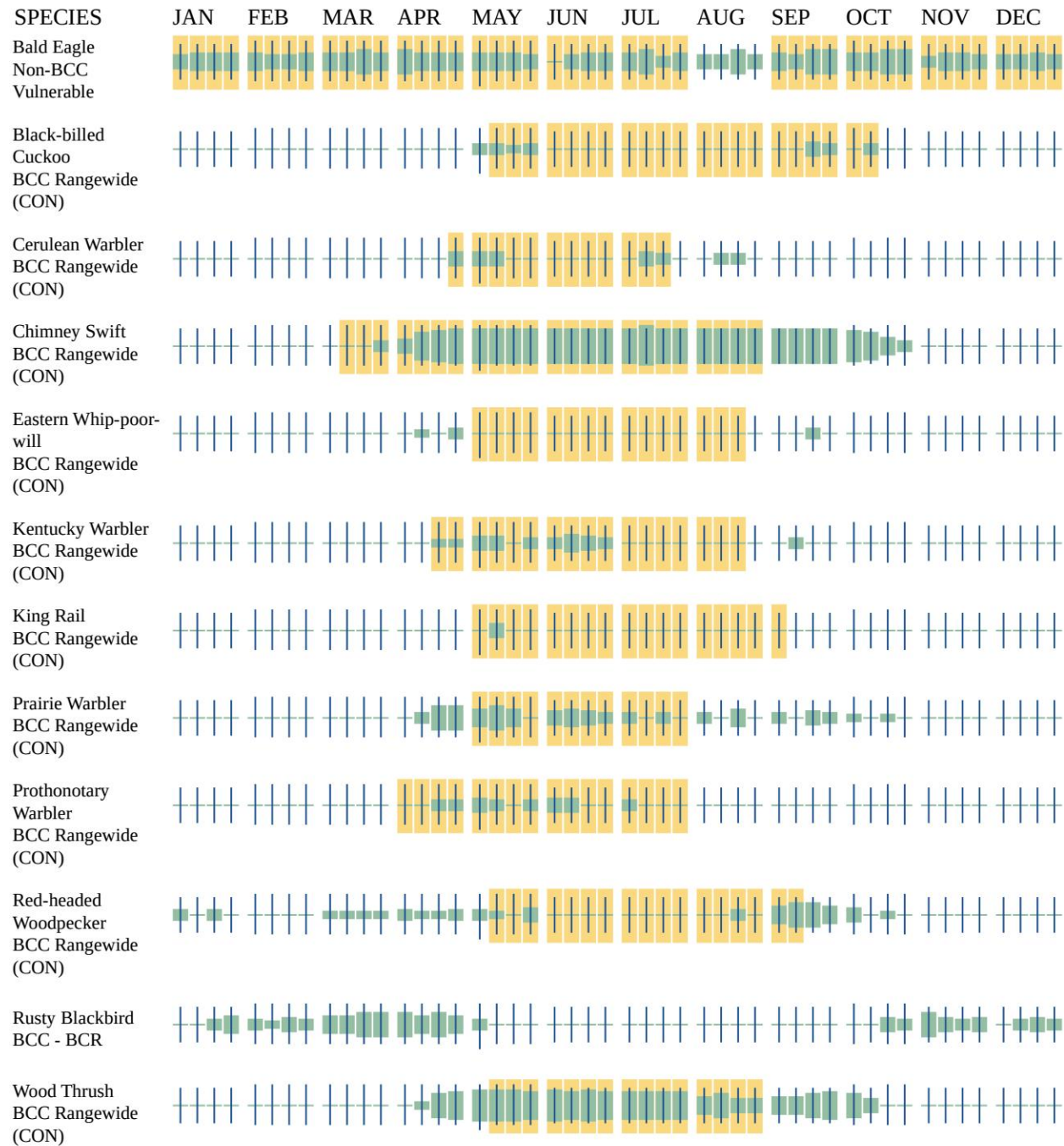
Survey Effort (|)

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

No Data (—)

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

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



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>
-

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Timmons Group
Address: 1001 Boulders Pkwy
City: Richmond
State: VA
Zip: 23225
Email: 804@timmons.com
Phone: 8042006500

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Emergency Management Agency



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032



In Reply Refer To:
Project code: 2024-0014757
Project Name: Moores Creek Floodplain

November 09, 2023

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

Subject: Technical assistance for 'Moores Creek Floodplain'

Dear Timmons Group:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on November 09, 2023, for 'Moores Creek Floodplain' (here forward, Project). This project has been assigned Project Code 2024-0014757 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

Ensuring Accurate Determinations When Using IPaC

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

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

Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project is not reasonably certain to cause incidental take of the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

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

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

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

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

Next Step

Consultation with the Service is necessary. The project has a federal nexus (e.g., Federal funds, permit, etc.), but you are not the federal action agency or its designated (in writing) non-federal representative. Therefore, the ESA consultation status is incomplete and no project activities should occur until consultation between the Service and the Federal action agency (or designated non-federal representative), is completed.

As the federal agency or designated non-federal representative deems appropriate, they should submit their determination of effects to the Service by doing the following.

1. Log into IPaC using an agency email account and click on My Projects, click "Search by record locator" to find this Project using **116-134477599**. (Alternatively, the originator of the project in IPaC can add the agency representative to the project by using the Add Member button on the project home page.)
2. Review the answers to the Northern Long-eared Bat Range-wide Determination Key to ensure that they are accurate.
3. Click on Review/Finalize to convert the 'not likely to adversely affect' consistency letter to a concurrence letter. Download the concurrence letter for your files if needed.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place before project implements any changes which are final or commits additional resources.

If you have any questions regarding this letter or need further assistance, please contact the Virginia Ecological Services Field Office and reference Project Code 2024-0014757 associated with this Project.

Action Description

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

1. Name

Moore's Creek Floodplain

2. Description

The following description was provided for the project 'Moore's Creek Floodplain':

The proposed project involves the potential development and fill within the existing FEMA floodplain areas on site.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.01937375,-78.46263915528843,14z>



DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

QUALIFICATION INTERVIEW

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

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

No

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

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

No

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

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

No

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

Yes

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

No

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

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

No

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

No

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

No

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

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

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

No

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

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

Automatically answered

No

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

No

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

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

Yes

13. Will the action cause effects to a bridge?

No

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

No

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

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

No

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

No

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

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

No

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

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

No

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

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

No

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

No

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

No

22. Will the action include drilling or blasting?

No

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

No

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

No

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

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

No

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

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

No

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

Yes

28. Has a presence/probable absence summer bat survey targeting the northern long-eared bat following the Service's [Range-wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines](#) been conducted within the project area? If unsure, answer "No."

No

29. Does the action include emergency cutting or trimming of hazard trees in order to remove an imminent threat to human safety or property? See hazard tree note at the bottom of the key for text that will be added to response letters

Note: A "hazard tree" is a tree that is an immediate threat to lives, public health and safety, or improved property and has a diameter breast height of six inches or greater.

No

30. Are any of the trees proposed for cutting or other means of knocking down, bringing down, topping, or trimming suitable for northern long-eared bat roosting (i.e., live trees and/or snags ≥ 3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities)?

Yes

31. [Semantic] Does your project intersect a known sensitive area for the northern long-eared bat?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your [state agency or USFWS field office](#)

Automatically answered

No

32. Will all tree cutting/trimming or other knocking or bringing down of trees be restricted to the inactive season for the northern long-eared bat?

Note: Inactive Season dates for summer habitat outside of staging and swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>.

No

PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

4

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the inactive (hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

4

In what extent of the area (in acres) will trees be cut, knocked down, or trimmed during the active (non-hibernation) season for northern long-eared bat? **Note:** Inactive Season dates for spring staging/fall swarming areas can be found here: <https://www.fws.gov/media/inactive-season-dates-swarming-and-staging-areas>

4

Will all potential northern long-eared bat (NLEB) roost trees (trees ≥ 3 inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

Yes

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

4

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

0

Will any snags (standing dead trees) ≥ 3 inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

No

Will all project activities be completed by April 1, 2024?

No

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Timmons Group
Address: 1001 Boulders Pkwy
City: Richmond
State: VA
Zip: 23225
Email: 804@timmons.com
Phone: 8042006500

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Emergency Management Agency

ATTACHMENT B
VDWR VAFWIS SEARCH DOCUMENTS

VaFWIS Initial Project Assessment Report Compiled on 11/9/2023,[Help](#)

11:17:46 AM

Known or likely to occur within a **2 mile buffer around polygon; center 38.0200900 -78.4640999**
 in **003 Albemarle County, 540 Charlottesville City, VA**

[View Map of
Site Location](#)

488 Known or Likely Species ordered by Status Concern for Conservation
 (displaying first 23) (23 species with Status* or Tier I** or Tier II**)

BOVA Code	Status*	Tier**	Common Name	Scientific Name	Confirmed	Database(s)
050022	FEST	Ia	Bat, northern long-eared	Myotis septentrionalis		BOVA
060017	FESE	Ia	Spinymussel, James	Parvaspina collina		BOVA
060173	FTST	Ia	Pigtoe, Atlantic	Fusconaia masoni		BOVA,Habitat
060029	FTST	IIa	Lance, yellow	Elliptio lanceolata		BOVA
050020	SE	Ia	Bat, little brown	Myotis lucifugus		BOVA
050027	FPSE	Ia	Bat, tri-colored	Perimyotis subflavus		BOVA
060006	SE	Ib	Floater, brook	Alasmodonta varicosa		BOVA
040096	ST	Ia	Falcon, peregrine	Falco peregrinus		BOVA
040293	ST	Ia	Shrike, loggerhead	Lanius ludovicianus		BOVA
060081	ST	IIa	Floater, green	Lasmigona subviridis	Yes	BOVA,TEWaters,Habitat
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans		BOVA
100079	FC	IIIa	Butterfly, monarch	Danaus plexippus		BOVA
030063	CC	IIIa	Turtle, spotted	Clemmys guttata		BOVA
030012	CC	IVa	Rattlesnake, timber	Crotalus horridus		BOVA
040092		Ia	Eagle, golden	Aquila chrysaetos		BOVA
040306		Ia	Warbler, golden-winged	Vermivora chrysopetra		BOVA
100248		Ia	Fritillary, regal	Speyeria idalia idalia		BOVA
040052		IIa	Duck, American black	Anas rubripes		BOVA
040320		IIa	Warbler, cerulean	Setophaga cerulea		BOVA
040140		IIa	Woodcock, American	Scolopax minor		BOVA
040203		IIb	Cuckoo, black-billed	Coccyzus erythrophthalmus		BOVA
040105		IIb	Rail, king	Rallus elegans		BOVA
040304		IIc	Warbler, Swainson's	Limnothlypis swainsonii		BOVA

To view **All 488 species** [View 488](#)

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

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

a - On the ground management strategies/actions exist and can be feasibly implemented.;

b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.;

c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

Bat Colonies or Hibernacula: **Not Known**

Anadromous Fish Use Streams (1 records)

[View Map of All
Anadromous Fish Use Streams](#)

Stream ID	Stream Name	Reach Status	Anadromous Fish Species			View Map
			Different Species	Highest TE *	Highest Tier **	
P133	Rivanna river	Potential	0			Yes

Impediments to Fish Passage (1 records)

[View Map of All
Fish Impediments](#)

ID	Name	River	View Map
847	WOOLEN MILLS DAM	RIVANNA RIVER	Yes

Colonial Water Bird Survey

N/A

Threatened and Endangered Waters (5 Reaches)

[View Map of All
Threatened and Endangered Waters](#)

Stream Name	T&E Waters Species						View Map
	Highest TE [*]	BOVA Code, Status [*] , Tier ^{**} , Common & Scientific Name					
Rivanna River (0101486.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
Rivanna River (0102602.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
Rivanna River (0117013.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
Rivanna River (099017.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
Rivanna River (099110.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes

Managed Trout Streams

N/A

Bald Eagle Concentration Areas and Roosts

N/A

Bald Eagle Nests

N/A

Habitat Predicted for Aquatic WAP Tier I & II Species (2 Reaches)

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

Stream Name	Tier Species						View Map
	Highest TE *	BOVA Code, Status *, Tier **, Common & Scientific Name					
Rivanna River (20802041)	FTST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
		060173	FTST	Ia	Pigtoe, Atlantic	Fusconaia masoni	
Rivanna River (20802042)	FTST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
		060173	FTST	Ia	Pigtoe, Atlantic	Fusconaia masoni	
Rivanna River (20802042)	FTST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
		060173	FTST	Ia	Pigtoe, Atlantic	Fusconaia masoni	

Habitat Predicted for Terrestrial WAP Tier I & II Species

N/A

Public Holdings:

N/A

Compiled on 11/9/2023, 11:17:46 AM I1537236.0 report=IPA searchType= P dist= 3218 poi= 38.0200900 -78.4640999 siteDD= 38.0200960 -78.4641007;38.0203004 -78.4637916;38.0199535 -78.4634271;38.0199453 -78.4632280;38.0197033 -78.4627562;38.0197747 -78.4626976;38.0197060 -78.4625637;38.0200125 -78.4623125;38.0199239 -78.4621399;38.0197193 -78.4618067;38.0192379 -78.4612617;38.0190181 -78.4613985;38.0190061 -78.4615256;38.0187483 -78.4620338;38.0184680 -78.4622411;38.0184470 -78.4627158;38.0184750 -78.4628704;38.0184591 -78.4628962;38.0198916 -78.4644098;38.0199225 -78.4643630;38.0200960 -78.4641007;

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Threatened and Endangered Waters where Floater, green (060081) observed

38,01,12.3 -78,27,50.7
is the Search Point

Show Position Rings

☐ Yes ☒ No
1 mile and 1/4 mile at the
Search Point

Show Search Area

☒ Yes ☐ No
2 Search distance miles
buffer

Search Point is at
map center

Base Map Choices


BW Aerial Photography ▾

Map Overlay Choices

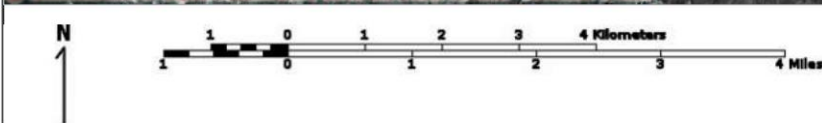
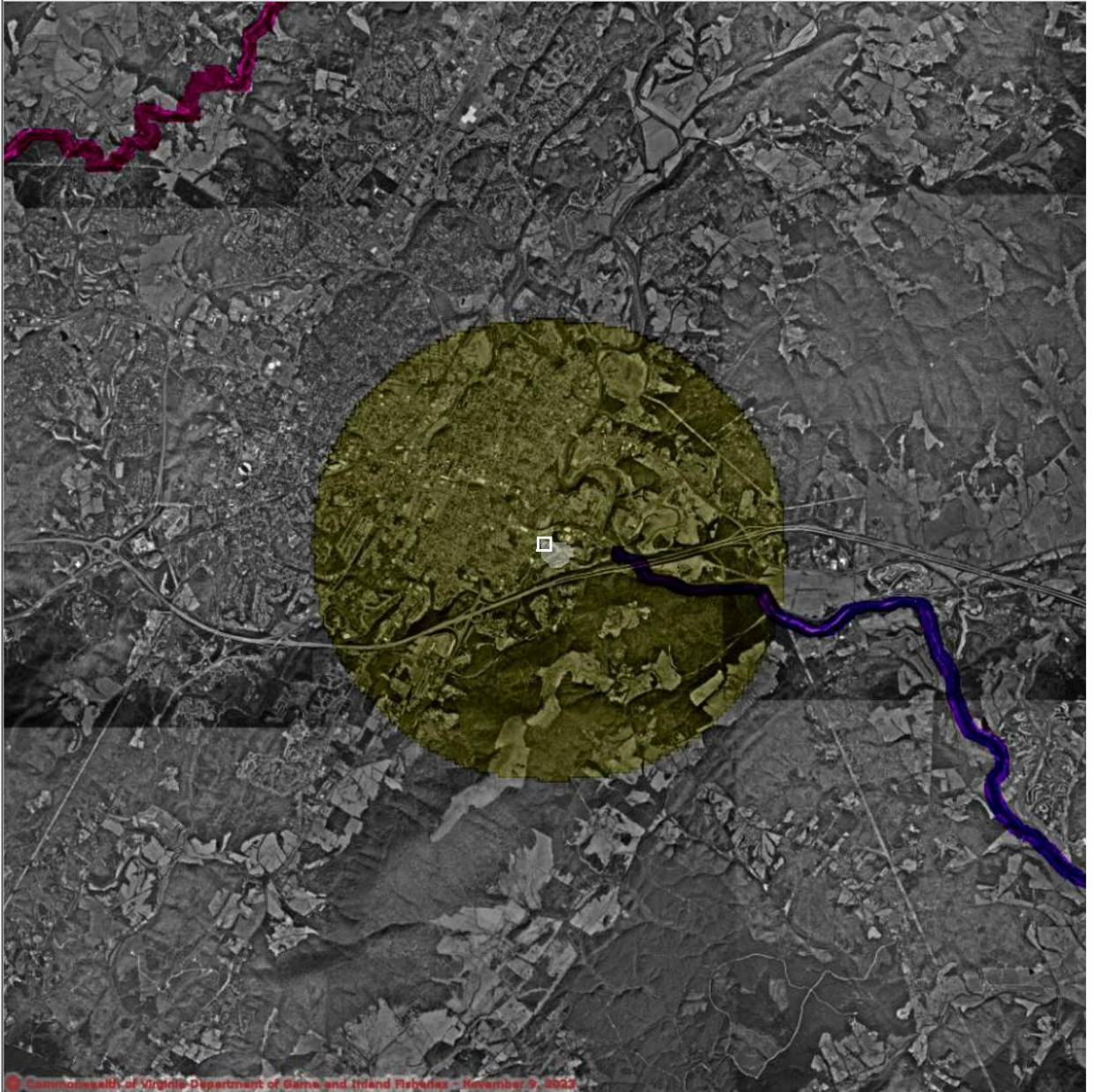
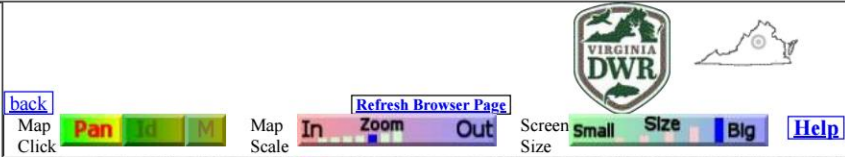
Current List: TEWaters,
Search

Map Overlay Legend

T & E Waters

 Federal
 State

 2 mile radius
Search Area



Point of Search 38,01,12.3 -78,27,50.7

Map Location 38,01,09.7 -78,27,46.2

Select **Coordinate System**: ☒ Degrees, Minutes, Seconds Latitude - Longitude

☐ Decimal Degrees Latitude - Longitude

☐ Meters UTM NAD83 East North Zone

☐ Meters UTM NAD27 East North Zone

Base Map source: Black & White USGS Aerial Photography (see Microsoft.terraserver-usa.com for details)

Map projection is UTM Zone 17 NAD 1983 with left 714715 and top 4219002. Pixel size is 11. .
Coordinates displayed are Degrees, Minutes, Seconds North and West. Map is currently displayed
as 1000 columns by 1000 rows for a total of 1000000 pixels. The map display represents 16000
meters east to west by 16000 meters north to south for a total of 256.0 square kilometers. The map
display represents 52502 feet east to west by 52502 feet north to south for a total of 98.8 square
miles.



Virginia Department of Wildlife Resources

11/9/2023 11:18:40 AM

Fish and Wildlife Information Service

VaFWIS Search Report Compiled on 11/9/2023, 11:18:40 AM

[Help](#)

Known or likely to occur within a **2 mile buffer around polygon; center 38.0200900 -78.4640999**
in **003 Albemarle County, 540 Charlottesville City, VA**
where (060081) [Floater, green](#) observed.

[View Map of Site Location](#)

Threatened and Endangered Waters where Floater, green (060081) observed

(5 Reaches)

[View Map of All Threatened and Endangered Waters](#)

Stream Name	T&E Waters Species						View Map
	Highest TE*	BOVA Code, Status*, Tier**, Common & Scientific Name					
Rivanna River (0101486.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
Rivanna River (0102602.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
Rivanna River (0117013.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
Rivanna River (099017.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
Rivanna River (099110.)	ST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes

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

**I=VA Wildlife Action Plan - Tier I - Critical Conservation Need;

II=VA Wildlife Action Plan - Tier II - Very High Conservation Need;

III=VA Wildlife Action Plan - Tier III - High Conservation Need;

IV=VA Wildlife Action Plan - Tier IV - Moderate Conservation Need

Virginia Wildlife Action Plan Conservation Opportunity Ranking:

a - On the ground management strategies/actions exist and can be feasibly implemented.;

b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.;

c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

Habitat Predicted for Aquatic WAP Tier I & II Species where Floater, green (060081) observed

(2 Reaches)

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

Stream Name	Tier Species						View Map
	Highest TE*	BOVA Code, Status*, Tier**, Common & Scientific Name					
Rivanna River (20802041)	FTST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
		060173	FTST	Ia	Pigtoe, Atlantic	Fusconaia masoni	
Rivanna River (20802042)	FTST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
		060173	FTST	Ia	Pigtoe, Atlantic	Fusconaia masoni	
Rivanna River (20802042)	FTST	060081	ST	Ila	Floater, green	Lasmigona subviridis	Yes
		060173	FTST	Ia	Pigtoe, Atlantic	Fusconaia masoni	

Habitat Predicted for Terrestrial WAP Tier I & II Species where Floater, green (060081) observed

N/A

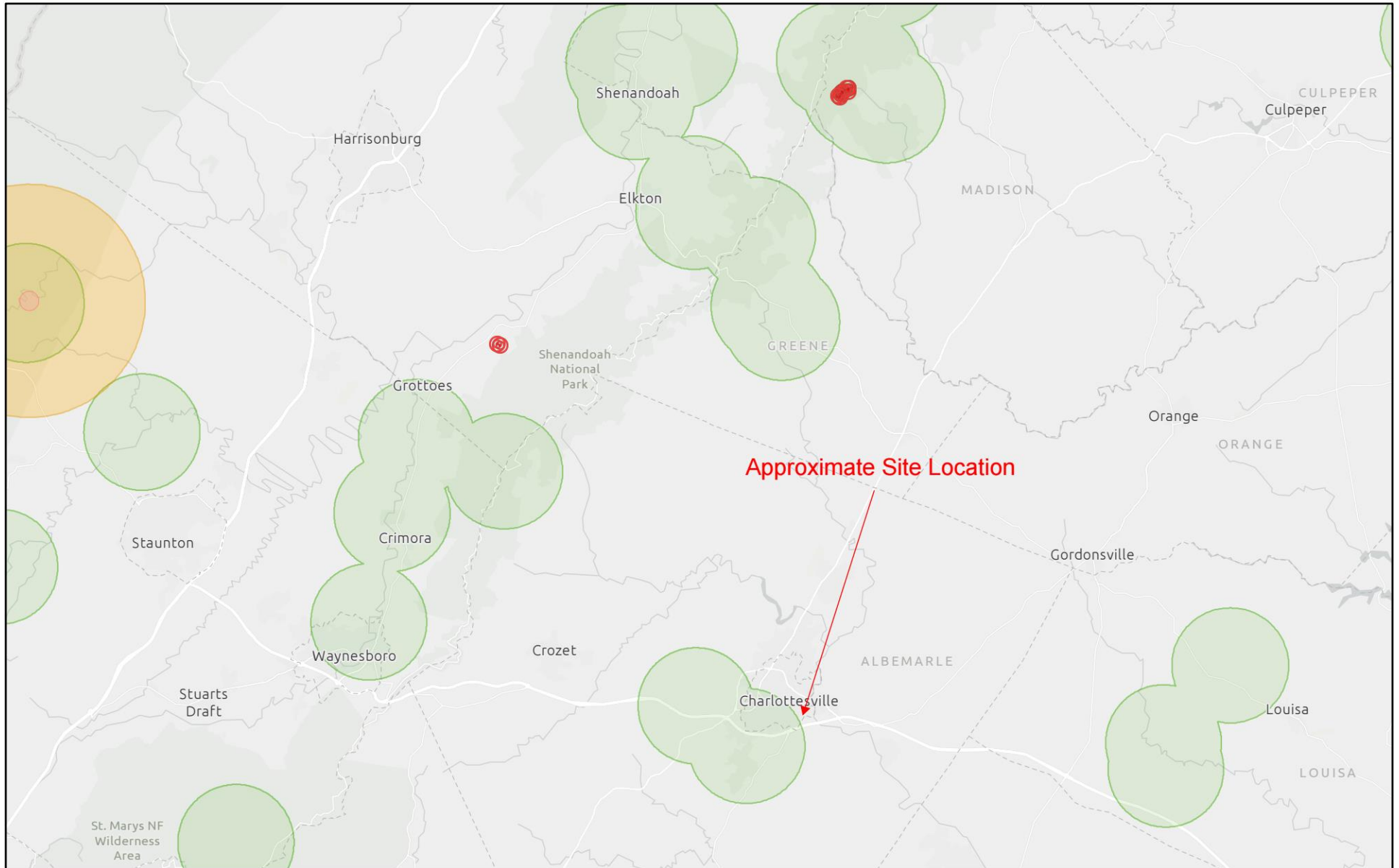
Compiled on 11/9/2023, 11:18:40 AM I1537236.1 report=BOVA searchType= P dist= 3218 poi= 38.0200900 -78.4640999

audit no. 1537236 11/9/2023 11:18:40 AM Virginia Fish and Wildlife Information Service

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ATTACHMENT C
VDWR BAT HABITAT AND ROOST LOCATOR SEARCH DOCUMENTS

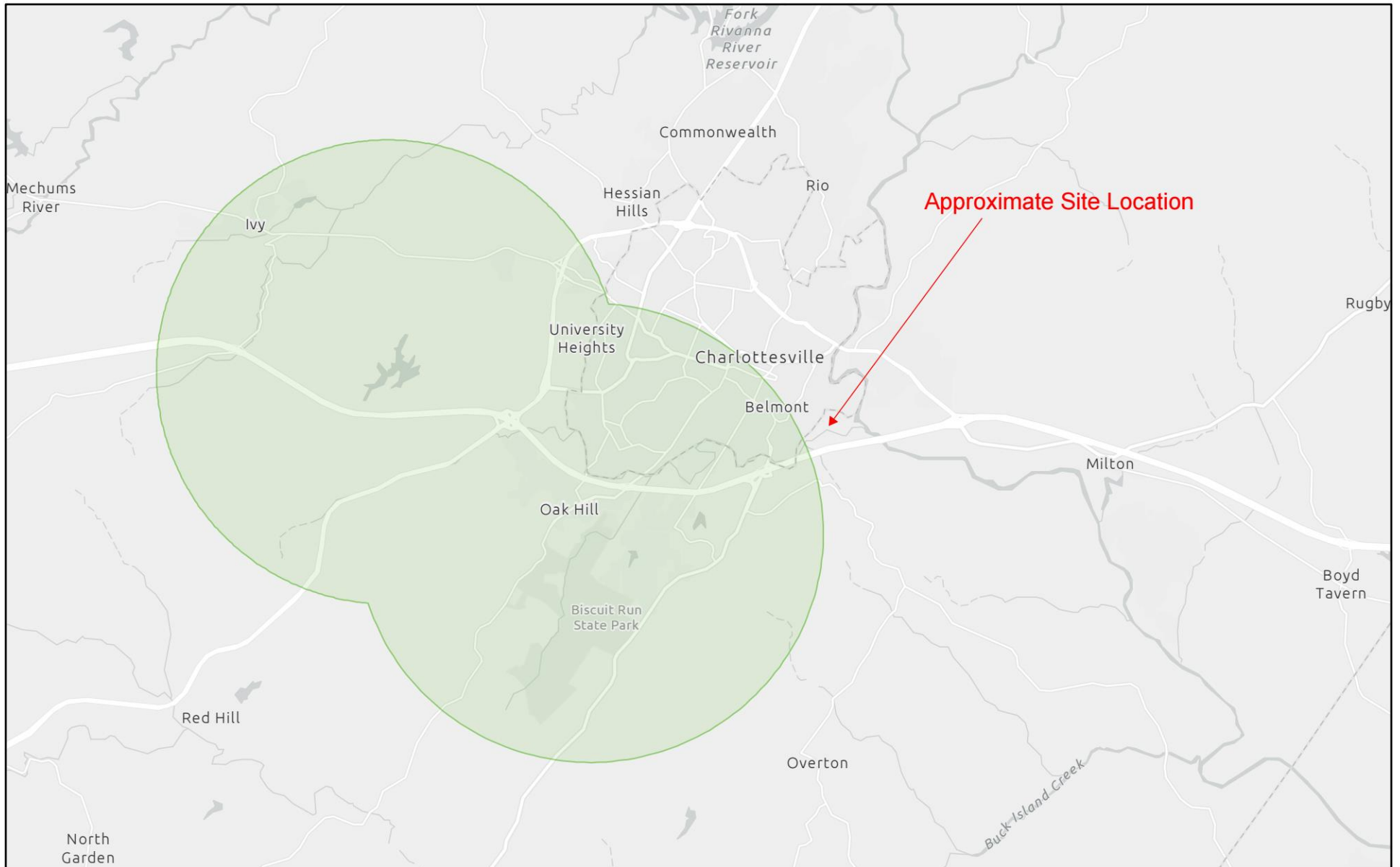
NLEB Locations and Roost Trees



11/9/2023, 11:36:33 AM

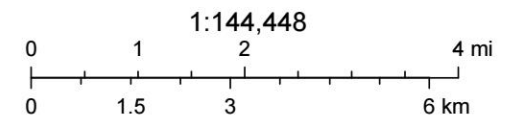
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NLEB Locations and Roost Trees



11/9/2023, 11:39:21 AM

 NLEB Capture 3 Mile Buffer

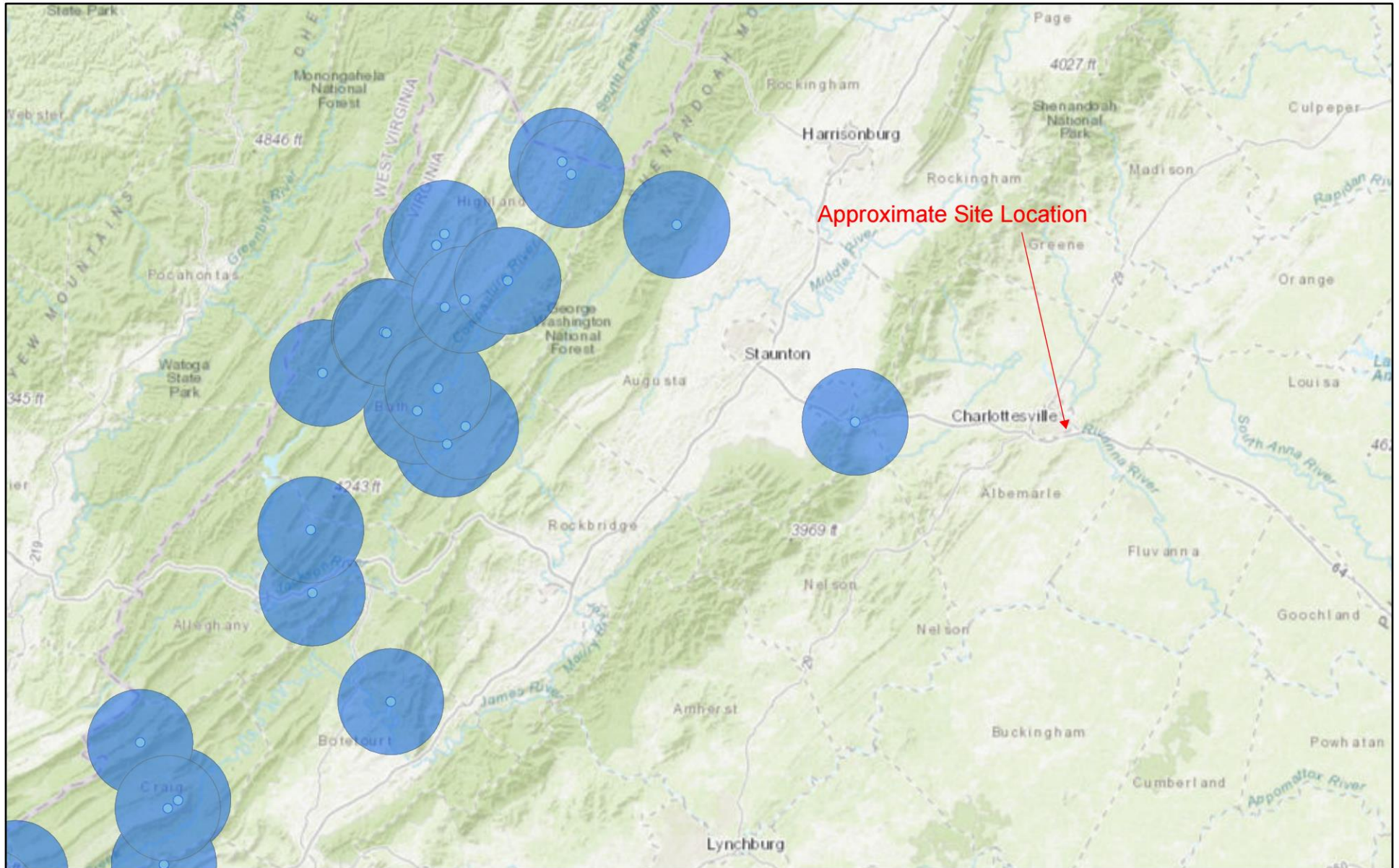


WWU Facilities, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA


VA Dept. Game & Inland Fisheries

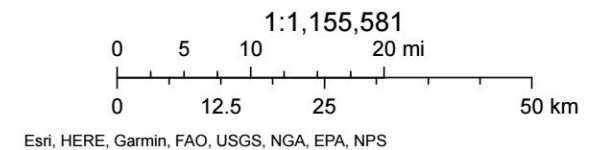
WWU Facilities, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA | Virginia Geographic Information Network (VGIN), and the Census and Localities and Towns submitting data to the project | WWU Facilities, VGIN,

Tri-colored and Little Brown Bat Hibernacula



11/9/2023, 11:41:45 AM

-  Tri-colored and Little Brown Hibernaculum Half Mile Buffer
-  Tri-colored and Little Brown Hibernaculum 5.5 Mile Buffer



ATTACHMENT D
DCR-DNH DATABASE SEARCH DOCUMENT

The Virginia Department of Conservation and Recreation's Department of Natural Heritage (DCR-DNH) Database Search indicates that no results found for Federal or State Threatened and Endangered species. The search occurred on November 9, 2023 with the criteria listed below.

Taxonomic Group: Select All

Federal Legal Status: Select All

State Legal Status: Select All

Watershed (8-digit HUC): 02080204 – Rivanna River

Subwatershed (12-digit HUC): JR15 – Moores Creek

Global Conservation Status Rank: Select All G1 - Critically imperiled G2 - Imperiled G3 - Vulnerable	State Conservation Status Rank: Select All S1 - Critically imperiled S2 - Imperiled S3 - Vulnerable
Federal Legal Status: Select All LE - Listed endangered LT - Listed threatened PE - Proposed endangered	State Legal Status: Select All LE - Listed endangered LT - Listed threatened PE - Proposed endangered
Select Operand: <input type="radio"/> AND <input checked="" type="radio"/> OR	
County: Select All Accomack Albemarle Alleghany	Physiographic Province: Select All Allegheny Mountains Cumberland Mountains Northern Blue Ridge
Click here to view county map	Click here to view province map
Watershed (8 digit HUC): 02080202 - Maury River 02080203 - Middle James-Buffalo 02080204 - Rivanna River 02080205 - Middle James-Willis River	Subwatershed (12 digit HUC): JR13 - North Fork Rivanna River-Flann JR14 - Rivanna River-Meadow Creek JR15 - Moores Creek JR16 - Buck Island Creek
Click here to view watershed map	Click here to view subwatershed map
Planning District: Select All Accomack-Northampton Central Shenandoah Commonwealth Regional Council	Virginia Coastal Zone: Select All Yes No
Click here to view planning district map	Click here to view coastal zone map

[Search](#) [Reset](#)

Feature Search Error
No results found.

ATTACHMENT E
CCB EAGLE NEST LOCATOR SEARCH DOCUMENT



CCB Mapping Portal



Layers: VA Eagle Nest Locator, VA Eagle Nest Buffers, Eagle Roosts, Eagle Roost Polygons, Eagle Roost Buffers

Map Center [longitude, latitude]: [-78.45319747924805, 38.01354385408553]

Map Link:

https://ccbbirds.org/maps/#layer=VA+Eagle+Nest+Locator&layer=VA+Eagle+Nest+Buffers&layer=Eagle+Roosts&layer=Eagle+Roost+Polygons&layer=Eagle+Roost+Buffers&zoom=13&lat=38.01354385408553&lng=-78.45319747924805&legend=legend_tab_59557df6-c07b-11e5-a485-0e31c9be1b51&base=Street+Map+%28OSM%2FCarto%29

Report Generated On: 11/09/2023

The Center for Conservation Biology (CCB) provides certain data online as a free service to the public and the regulatory sector. CCB encourages the use of its data sets in wildlife conservation and management applications. These data are protected by intellectual property laws. All users are reminded to view the [Data Use Agreement](#) to ensure compliance with our data use policies. For additional data access questions, view our [Data Distribution Policy](#), or contact our Data Manager, Marie Pitts, at mlpitts@wm.edu or 757-221-7503.

Report generated by [The Center for Conservation Biology Mapping Portal](#).

To learn more about CCB visit ccbbirds.org or contact us at info@ccbbirds.org

Appendix 5

DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY
PROPERTY INFORMATION FORM

O.M.B. NO. 1660-0015
Expires February 28, 2014

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 1.63 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015). **NOTE: Do not send your completed form to this address.**

This form may be completed by the property owner, property owner's agent, licensed land surveyor, or registered professional engineer to support a request for a Letter of Map Amendment (LOMA), Conditional Letter of Map Amendment (CLOMA), Letter of Map Revision Based on Fill (LOMR-F), or Conditional Letter of Map Revision Based on Fill (CLOMR-F) for existing or proposed, single or multiple lots/structures. In order to process your request, all information on this form must be completed **in its entirety**, unless stated as optional. **Incomplete submissions will result in processing delays.** Please check the item below that describes your request:

<input type="checkbox"/> LOMA	A letter from DHS-FEMA stating that an existing structure or parcel of land that has not been elevated by fill (natural grade) would not be inundated by the base flood.
<input type="checkbox"/> CLOMA	A letter from DHS-FEMA stating that a proposed structure that is not to be elevated by fill (natural grade) would not be inundated by the base flood if built as proposed.
<input type="checkbox"/> LOMR-F	A letter from DHS-FEMA stating that an existing structure or parcel of land that has been elevated by fill would not be inundated by the base flood.
<input checked="" type="checkbox"/> CLOMR-F	A letter from DHS-FEMA stating that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed.

Fill is defined as material from any source (including the subject property) placed that raises the ground to or above the Base Flood Elevation (BFE). The common construction practice of removing unsuitable existing material (topsoil) and backfilling with select structural material is not considered the placement of fill if the practice does not alter the existing (natural grade) elevation, which is at or above the BFE. **Fill that is placed before the date of the first National Flood Insurance Program (NFIP) map showing the area in a Special Flood Hazard Area (SFHA) is considered natural grade.**

Has fill been placed on your property to raise ground that was previously below the BFE?

☐ Yes ☒ No

If yes, when was fill placed?

mm/dd/yyyy

Will fill be placed on your property to raise ground that is below the BFE?

☒ Yes* ☐ No

If yes, when will fill be placed?

06/01/2024

mm/dd/yyyy

* If yes, Endangered Species Act (ESA) compliance must be documented to FEMA prior to issuance of the CLOMR-F determination (please refer page 4 to the MT-1 instructions).

1. Street Address of the Property (if request is for multiple structures or units, please attach additional sheet referencing each address and enter street names below):

809 BOLLING AVE UNIT C CHARLOTTESVILLE VA, 22902

2. Legal description of Property (Lot, Block, Subdivision or abbreviated description from the Deed):

All that certain lot or parcel of land, situated in Albemarle County, Virginia on the southeast side of Franklin Street, containing 11.77 acres, more or less, shown as TMP77-40B, on a plat by Dominion Engineering, dated October 24th, 2011 and recorded in Deed Book 4111, page 180.

3. Are you requesting that a flood zone determination be completed for (check one):

- ☐ Structures on the property? What are the dates of construction? _____ (MM/YYYY)
- ☒ A portion of land within the bounds of the property? (A certified metes and bounds description and map of the area to be removed, certified by a licensed land surveyor or registered professional engineer, are **required**. For the preferred format of metes and bounds descriptions, please refer to the MT-1 Form 1 Instructions.)
- ☐ The entire legally recorded property?

4. Is this request for a (check one):

- ☐ Single structure
- ☒ Single lot
- ☐ Multiple structures (How many structures are involved in your request? List the number: _____)
- ☐ Multiple lots (How many lots are involved in your request? List the number: _____)

In addition to this form (MT-1 Form 1), please complete the checklist below. **ALL** requests must include one copy of the following:

- ☒ Copy of the effective FIRM panel on which the structure and/or property location has been accurately plotted (property inadvertently located in the NFIP regulatory floodway will require Section B of MT-1 Form 3)
- ☐ Copy of the Subdivision Plat Map for the property **(with recordation data and stamp of the Recorder's Office)**
OR
- ☒ Copy of the Property Deed **(with recordation data and stamp of the Recorder's Office)**, **accompanied by** a tax assessor's map or other certified map showing the surveyed location of the property relative to local streets and watercourses. The map should include at least one street intersection that is shown on the FIRM panel.
- ☒ Form 2 – Elevation Form. If the request is to remove the structure, and an Elevation Certificate has already been completed for this property, it may be submitted in lieu of Form 2. If the request is to remove the entire legally recorded property, or a portion thereof, the lowest lot elevation must be provided on Form 2.
- ☒ Please include a map scale and North arrow on all maps submitted.

For LOMR-Fs and CLOMR-Fs, the following must be submitted in addition to the items listed above:

- ☒ Form 3 – Community Acknowledgment Form

For CLOMR-Fs, the following must be submitted in addition to the items listed above:

- ☒ Documented ESA compliance, which may include a copy of an Incidental Take Permit, an Incidental Take Statement, a “not likely to adversely affect” determination from the National Marine Fisheries Service (NMFS) or the U.S. Fish and Wildlife Service (USFWS), or an official letter from NMFS or USFWS concurring that the project has “No Effect” on proposed or listed species or designated critical habitat. Please refer to the MT-1 instructions for additional information.

Please do not submit original documents. Please retain a copy of all submitted documents for your records.

DHS-FEMA encourages the submission of all required data in a digital format (e.g. scanned documents and images on Compact Disc [CD]). Digital submissions help to further DHS-FEMA's Digital Vision and also may facilitate the processing of your request.

Incomplete submissions will result in processing delays. For additional information regarding this form, including where to obtain the supporting documents listed above, please refer to the MT-1 Form Instructions located at http://www.fema.gov/plan/prevent/fhm/dl_mt-1.shtm.

Processing Fee (see instructions for appropriate mailing address; or visit http://www.fema.gov/fhm/frm_fees.shtm for the most current fee schedule)

Revised fee schedules are published periodically, but no more than once annually, as noted in the **Federal Register**. Please note: single/multiple lot(s)/structure(s) LOMAs are fee exempt. The current review and processing fees are listed below:

Check the fee that applies to your request:

- ☐ \$325 (single lot/structure LOMR-F following a CLOMR-F)
- ☐ \$425 (single lot/structure LOMR-F)
- ☒ \$500 (single lot/structure CLOMA or CLOMR-F)
- ☐ \$700 (multiple lot/structure LOMR-F following a CLOMR-F, or multiple lot/structure CLOMA)
- ☐ \$800 (multiple lot/structure LOMR-F or CLOMR-F)

Please submit the Payment Information Form for remittance of applicable fees. Please make your check or money order payable to:

National Flood Insurance Program.

All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Applicant's Name (required): **Matthew Denhard**

Company (if applicable): **Timmons Group, Inc.**

Mailing Address (required):

608 Preston Avenue Ste. 200 Charlottesville, VA 22903

Daytime Telephone No. (required): **(434) 327-5384**

E-Mail Address (optional): ☒ By checking here you may receive correspondence electronically at the email address provided):

Fax No. (optional):

Date (required) **12/21/2023**

Signature of Applicant (required)

DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY
ELEVATION FORM

O.M.B. NO. 1660-0015
Expires February 28, 2014

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 1.25 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015). **NOTE: Do not send your completed form to this address.**

This form must be completed for requests and must be completed and signed by a registered professional engineer or licensed land surveyor. **A DHS - FEMA National Flood Insurance Program (NFIP) Elevation Certificate may be submitted in lieu of this form for single structure requests.**

For requests to remove a structure on natural grade OR on engineered fill from the Special Flood Hazard Area (SFHA), submit the lowest adjacent grade (the lowest ground touching the structure), **including an attached deck or garage**. For requests to remove an entire parcel of land from the SFHA, provide the lowest lot elevation; or, if the request involves an area described by metes and bounds, provide the lowest elevation within the metes and bounds description. All measurements are to be rounded to nearest tenth of a foot. In order to process your request, all information on this form must be completed **in its entirety**. **Incomplete submissions will result in processing delays.**

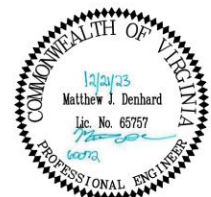
- NFIP Community Number: 510006C Property Name or Address: 809 BOLLING AVE UNIT C CHARLOTTESVILLE VA, 22902
- Are the elevations listed below based on ☐ **existing** or ☒ **proposed** conditions? (Check one)
- For the existing or proposed structures listed below, what are the types of construction? (check all that apply)
☐ crawl space ☐ slab on grade ☐ basement/enclosure ☐ other (explain) **N/A (Proposed Fill)**
- Has DHS - FEMA identified this area as subject to land subsidence or uplift? (see instructions) ☐ Yes ☒ No
If yes, what is the date of the current re-leveling? / (month/year)
- What is the elevation datum? ☐ NGVD 29 ☒ NAVD 88 ☐ Other (explain)
If any of the elevations listed below were computed using a datum different than the datum used for the effective Flood Insurance Rate Map (FIRM) (e.g., NGVD 29 or NAVD 88), what was the conversion factor? N/A
Local Elevation +/- ft. = FIRM Datum
- Please provide the Latitude and Longitude of the most upstream edge of the **structure** (in decimal degrees to the nearest fifth decimal place):
N/A Indicate Datum: ☐ WGS84 ☐ NAD83 ☐ NAD27 Lat. . Long. .
Please provide the Latitude and Longitude of the most upstream edge of the **property** (in decimal degrees to the nearest fifth decimal place):
Indicate Datum: ☐ WGS84 ☒ NAD83 ☐ NAD27 Lat. . Long. .
N:3894399.26 E: 11493618.70

Address	Lot Number	Block Number	Lowest Lot Elevation*	Lowest Adjacent Grade To Structure	Base Flood Elevation	BFE Source
809 BOLLING AVE UNIT C CHARLOTTESVILLE VA, 22902	TMP	N/A	324.10	N/A (Proposed Fill)	324.0	FIRM Panel: 51003C0289D

This certification is to be signed and sealed by a licensed land surveyor, registered professional engineer, or architect authorized by law to certify elevation information. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Certifier's Name: Matthew Denhard	License No.: 65757	Expiration Date: 10/31/2024
Company Name: Timmons Group, Inc.	Telephone No.: 434-327-5384	
Email: matt.denhard@timmons.com	Fax No.	
Signature:	Date: 12/21/2023	


* For requests involving a portion of property, include the lowest ground elevation within the metes and bounds description.
Please note: If the Lowest Adjacent Grade to Structure is the only elevation provided, a determination will be issued for the structure only.



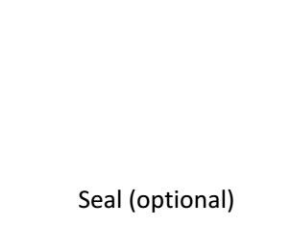
Continued from Page 1.

[illegible]

This certification is to be signed and sealed by a licensed land surveyor, registered professional engineer, or architect authorized by law to certify elevation information. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Certifier's Name:	License No.:	Expiration Date:
Company Name:	Telephone No.:	
Email:	Fax No.	
Signature:	Date:	

* For requests involving a portion of property, include the lowest ground elevation within the metes and bounds description.
Please note: If the Lowest Adjacent Grade to Structure is the only elevation provided, a determination will be issued for the structure only.



Seal (optional)

DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY
COMMUNITY ACKNOWLEDGMENT FORM

O.M.B. NO. 1660-0015
Expires February 28, 2014

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 1.38 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015). NOTE: Do not send your completed form to this address.

This form must be completed for requests involving the existing or proposed placement of fill (complete Section A) **OR** to provide acknowledgment of this request to remove a property from the SFHA which was previously located within the regulatory floodway (complete Section B).

This form must be completed and signed by the official responsible for floodplain management in the community. **The six digit NFIP community number and the subject property address must appear in the spaces provided below. Incomplete submissions will result in processing delays.** Please refer to the MT-1 instructions for additional information about this form.

Community Number: 510006C Property Name or Address: 809 BOLLING AVE UNIT C CHARLOTTESVILLE VA, 22902

A. REQUESTS INVOLVING THE PLACEMENT OF FILL

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this Letter of Map Revision Based on Fill (LOMR-F) or Conditional LOMR-F request. Based upon the community's review, we find the completed or proposed project meets or is designed to meet all of the community floodplain management requirements, including the requirement that no fill be placed in the regulatory floodway, and that all necessary Federal, State, and local permits have been, or in the case of a Conditional LOMR-F, will be obtained. For Conditional LOMR-F requests, the applicant has or will document Endangered Species Act (ESA) compliance to FEMA prior to issuance of the Conditional LOMR-F determination. For LOMR-F requests, I acknowledge that compliance with Sections 9 and 10 of the ESA has been achieved independently of FEMA's process. Section 9 of the ESA prohibits anyone from "taking" or harming an endangered species. If an action might harm an endangered species, a permit is required from U.S. Fish and Wildlife Service or National Marine Fisheries Service under Section 10 of the ESA. For actions authorized, funded, or being carried out by Federal or State agencies, documentation from the agency showing its compliance with Section 7(a)(2) of the ESA will be submitted. In addition, we have determined that the land and any existing or proposed structures to be removed from the SFHA are or will be reasonably safe from flooding as defined in 44CFR 65.2(c), and that we have available upon request by DHS-FEMA, all analyses and documentation used to make this determination. For LOMR-F requests, we understand that this request is being forwarded to DHS-FEMA for a possible map revision.

Community Comments:

Community Official's Name and Title: *(Please Print or Type)*
Frank Pohl, PE, CFM / County Engineer

Telephone No.:
434-296-5832 x 7914

Community Name:
Albemarle County, VA

Community Official's Signature: (required)

Date:
12/21/2023

B. PROPERTY LOCATED WITHIN THE REGULATORY FLOODWAY

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this request for a LOMA. We understand that this request is being forwarded to DHS-FEMA to determine if this property has been inadvertently included in the regulatory floodway. We acknowledge that no fill on this property has been or will be placed within the designated regulatory floodway. We find that the completed or proposed project meets or is designed to meet all of the community floodplain management requirements.

Community Comments:

Community Official's Name and Title: *(Please Print or Type)*

Telephone No.:

Community Name:

Community Official's Signature (required):

Date:



Federal Emergency Management Agency

Washington, D.C. 20472

CONDITIONAL LETTER OF MAP REVISION BASED ON FILL

COMMENT DOCUMENT

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	ALBEMARLE COUNTY, VIRGINIA (Unincorporated Areas)	<p>A portion of the Woolen Mills Light Industry Park, a Condominium, as described in the Declaration of Condominium recorded as Instrument No. 201900013935, in Book 05256, Pages 0224 through 0286, in the Office of the Clerk of Circuit Court, Albemarle County, Virginia</p> <p>The portion of property is more particularly described by the following metes and bounds:</p>
	COMMUNITY NO.: 510006	
AFFECTED MAP PANEL	NUMBER: 51003C0289D	
	DATE: 2/4/2005	
FLOODING SOURCE: MOORES CREEK; RIVANNA RIVER		<p>APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY:38.019660, -78.463509</p> <p>SOURCE OF LAT & LONG: LOMA LOGIC</p> <p>DATUM: NAD 83</p>

COMMENT TABLE REGARDING THE PROPOSED PROPERTY (PLEASE NOTE THAT THIS IS NOT A FINAL DETERMINATION. A FINAL DETERMINATION WILL BE MADE UPON RECEIPT OF AS-BUILT INFORMATION REGARDING THIS PROPERTY.)

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT WOULD BE REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
--	--	Woolen Mills Light Industry Park	809 Bolling Avenue Unit C	Portion of Property	X (shaded)	324.0 feet	--	325.0 feet


Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION PORTIONS REMAIN IN THE FLOODWAY CONDITIONAL LOMR-F DETERMINATION	REVISED BY LETTER OF MAP REVISION STATE LOCAL CONSIDERATIONS
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This document provides the Federal Emergency Management Agency's comment regarding a request for a Conditional Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the proposed described portion(s) of the property(ies) would not be located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) if built as proposed. Our final determination will be made upon receipt of a copy of this document, as-built elevations, and a completed Community Acknowledgement form. Proper completion of this form certifies the subject property is reasonably safe from flooding in accordance with Part 65.5(a)(4) of our regulations. Further guidance on determining if the subject property is reasonably safe from flooding may be found in FEMA Technical Bulletin 10-01. A copy of this bulletin can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/mit/tb1001.pdf>. This document is not a final determination; it only provides our comment on the proposed project in relation to the SFHA shown on the effective NFIP map.

This comment document is based on the flood data presently available. The enclosed documents provide additional information regarding this request. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.



Patrick "Rick" F. Sacbibit, P.E., Branch Chief
 Engineering Services Branch
 Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472


CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

BEGINNING AT A POINT THAT IS S09°42'13"E AT A DISTANCE OF 74.31 FEET FROM A PROPERTY CORNER IN THE EASTERN RIGHT-OF-WAY OF FRANKLIN STREET, Thence, S 83° 35' 59" E for a distance of 10.15 feet to the beginning of a curve, Said curve turning to the right through an angle of 73° 42' 51", having a radius of 3.00 feet, and whose long chord bears S 46° 44' 33" E for a distance of 3.60 feet; Thence, S 09° 53' 08" E for a distance of 8.34 feet to a point on a line; Thence, N 80° 06' 52" E for a distance of 12.33 feet to a point on a line; Thence, S 10° 38' 35" E for a distance of 74.35 feet to the beginning of a curve, Said curve turning to the left through an angle of 57° 55' 48", having a radius of 20.00 feet, and whose long chord bears S 39° 36' 29" E for a distance of 19.37 feet; Thence, S 68° 34' 23" E for a distance of 66.19 feet to the beginning of a curve, Said curve turning to the left through an angle of 39° 08' 42", having a radius of 20.00 feet, and whose long chord bears S 88° 08' 44" E for a distance of 13.40 feet; Thence, N 72° 16' 55" E for a distance of 39.50 feet to the beginning of a curve, Said curve turning to the right through an angle of 59° 55' 53", having a radius of 40.00 feet, and whose long chord bears S 77° 45' 08" E for a distance of 39.96 feet; Thence, S 47° 47' 12" E for a distance of 125.13 feet to the beginning of a non-tangential curve, Said curve turning to the right through an angle of 110° 34' 04", having a radius of 27.93 feet, and whose long chord bears S 21° 15' 57" W for a distance of 45.91 feet to a point of intersection with a non-tangential line; Thence, S 84° 10' 21" W for a distance of 271.45 feet to a point on a line; Thence, N 41° 00' 46" W for a distance of 222.18 feet to a point on a line; Thence, N 47° 04' 36" E for a distance of 14.82 feet to a point on a line; Thence, N 42° 55' 24" W for a distance of 8.82 feet to the beginning of a curve, Said curve turning to the right through an angle of 93° 00' 32", having a radius of 38.00 feet, and whose long chord bears N 03° 34' 52" E for a distance of 55.13 feet; Thence, N 50° 05' 08" E for a distance of 51.37 feet to the beginning of a curve, Said curve turning to the right through an angle of 90° 00' 00", having a radius of 3.00 feet, and whose long chord bears S 84° 54' 52" E for a distance of 4.24 feet; Thence, S 39° 54' 52" E for a distance of 46.77 feet to the beginning of a curve, Said curve turning to the left through an angle of 90° 34' 11", having a radius of 5.00 feet, and whose long chord bears S 85° 11' 58" E for a distance of 7.11 feet; Thence, N 49° 30' 57" E for a distance of 56.48 feet to the beginning of a curve, Said curve turning to the right through 46° 53' 04", having a radius of 5.00 feet, and whose long chord bears N 72° 57' 29" E for a distance of 3.98 feet to the POINT OF BEGINNING.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.


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Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

PORTIONS OF THE PROPERTY REMAIN IN THE FLOODWAY (This Additional Consideration applies to the preceding 1 Property.)

A portion of this property is located within the Special Flood Hazard Area and the National Flood Insurance Program (NFIP) regulatory floodway for the flooding source indicated on the Determination/Comment Document while the subject of this determination is not. The NFIP regulatory floodway is the area that must remain unobstructed in order to prevent unacceptable increases in base flood elevations. Therefore, no construction may take place in an NFIP regulatory floodway that may cause an increase in the base flood elevation, and any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management. The NFIP regulatory floodway is provided to the community as a tool to regulate floodplain development. Modifications to the NFIP regulatory floodway must be accepted by both the Federal Emergency Management Agency (FEMA) and the community involved. Appropriate community actions are defined in Paragraph 60.3(d) of the NFIP regulations. Any proposed revision to the NFIP regulatory floodway must be submitted to FEMA by community officials. The community should contact either the Regional Director (for those communities in Regions I-IV, and VI-X), or the Regional Engineer (for those communities in Region V) for guidance on the data which must be submitted for a revision to the NFIP regulatory floodway. Contact information for each regional office can be obtained by calling the FEMA Mapping and Insurance eXchange toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/about/regoff.htm>.

CONDITIONAL LOMR-F DETERMINATION (This Additional Consideration applies to the preceding 1 Property.)


Comments regarding this conditional request are based on the flood data presently available. Our final determination will be made upon receipt of this Comment Document, certified as-built elevations and/or certified as-built survey. Since this request is for a Conditional Letter of Map Revision based on Fill, we will also require the applicable processing fee, and the "Community Acknowledgement" form. Please note that additional items may be required before a final as-built determination is issued.

This letter does not relieve Federal agencies of the need to comply with Executive Order 11988 on Floodplain Management in carrying out their responsibilities and providing Federally undertaken, financed, or assisted construction and improvements, or in their regulating or licensing activities.

REVISED BY LETTER OF MAP REVISION (This Additional Consideration applies to the preceding 1 Property.)

The effective National Flood Insurance Program map for the subject property, has since been revised by a Letter of Map Revision (LOMR) dated 2/6/2017. The 2/6/2017 LOMR has been used in making the determination/comment for the subject property.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.


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CONDITIONAL LETTER OF MAP REVISION BASED ON FILL COMMENT DOCUMENT

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

STATE AND LOCAL CONSIDERATIONS (This Additional Consideration applies to all properties in the CLOMR-F COMMENT DOCUMENT)

Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.


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COMMENT DOCUMENT

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	ALBEMARLE COUNTY, VIRGINIA (Unincorporated Areas)	A portion of the Woolen Mills Light Industry Park, a Condominium, as described in the Declaration of Condominium recorded as Instrument No. 201900013935, in Book 05256, Pages 0224 through 0286, in the Office of the Clerk of Circuit Court, Albemarle County, Virginia The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 510006	
AFFECTED MAP PANEL	NUMBER: 51003C0289D	
	DATE: 2/4/2005	
FLOODING SOURCE: MOORES CREEK; RIVANNA RIVER		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 38.019660, -78.463509 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83

COMMENT TABLE REGARDING THE PROPOSED PROPERTY (PLEASE NOTE THAT THIS IS NOT A FINAL DETERMINATION. A FINAL DETERMINATION WILL BE MADE UPON RECEIPT OF AS-BUILT INFORMATION REGARDING THIS PROPERTY.)

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT WOULD BE REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
--	--	Woolen Mills Light Industry Park	809 Bolling Avenue Unit C	Portion of Property	X (shaded)	324.0 feet	--	325.0 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION PORTIONS REMAIN IN THE FLOODWAY CONDITIONAL LOMR-F DETERMINATION	REVISED BY LETTER OF MAP REVISION STATE LOCAL CONSIDERATIONS
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This comment document is based on the flood data presently available. The enclosed documents provide additional information regarding this request. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

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**CONDITIONAL LETTER OF MAP REVISION BASED ON FILL
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