Finding of No Significant Impact
U.S. Department Of Veterans Affairs
Proposed Construction and Operation of a
Multi-Specialty Outpatient Clinic
Jacksonville, Onslow County, North Carolina

The U.S. Department of Veterans Affairs (VA) proposes to award a lease to a private entity that would construct a multi-specialty outpatient clinic (MSOC) for VA to lease and operate in Jacksonville, Onslow County, North Carolina. As required by the National Environmental Policy Act of 1969 (NEPA; 42 U.S. Code § 4321 et seq.), VA prepared an environmental assessment (EA) evaluating the Proposed Action. The Final EA was completed in July 2025 and is incorporated by reference.

Purpose and Need

The purpose of the Proposed Action is to provide multi-specialty outpatient health care services to area Veterans. This multi-specialty outpatient clinic (MSOC) would replace the four existing Jacksonville outpatient clinics (OPCs) with one consolidated MSOC.

The Proposed Action is needed to address space gaps and operational inefficiencies at the four existing Jacksonville OPCs that were identified through the VA Strategic Capital Investment Planning process. By consolidating multiple outpatient services in geographically dispersed locations to a new MSOC with greater capacity, VA would be able to provide area Veterans timely access to state-of-the-art health care and mental health services in a centralized, appropriately sized, modern facility commensurate with current and projected demands.

Proposed Action

VA's Proposed Action is to award a lease to a private entity that would construct a MSOC for VA to lease and operate in Jacksonville, NC. The private entity would construct the MSOC on a "build-to-suit" basis for VA to lease for up to 20 years. The VA Fayetteville Coastal Health Care System would administer and staff the MSOC, with approximately 500 new staff anticipated.

The MSOC would support the parent facility of the Fayetteville VA Medical Center, Fayetteville, NC. The MSOC would integrate all care delivery (Primary Care, Multi-Specialty Clinical and Subspecialty Care [including Non-invasive Cardiology, Pain Clinic, Dermatology, Oncology and Pulmonary], Women Veteran's Clinical Service, Mental Health, Audiology, Dental, Endoscopy, Eye Clinic, Physical Medicine/Rehabilitation, Prosthetics, Radiology, Laboratory, Pharmacy, Home-Based Primary Care and Whole Health) into an efficient state-of-the-art facility.

The Proposed Action site is approximately 31 acres and is comprised of two adjacent parcels; these parcels are identified by the Onslow County, NC Assessor's GIS parcel viewer as #338-18.55 (4386 Western Blvd.) and #338-18.45 (4424 Western Blvd.).

The Proposed Action site is a former pine tree plantation that has been cleared for timber and reforested between 1956 and 2020 and is currently wooded and undeveloped. The site is in the northwest quadrant of Western Blvd. (a state highway alternatively referred to as NC-53) and Carolina Forest Blvd. (a city-maintained street).

VA is considering offers received from two private entities (Alternative 1 and Alternative 2) that have proposed conceptual designs for the MSOC and supporting infrastructure that would be constructed at the site. VA would select only one of the Action Alternatives for the new MSOC.

The private entity would design and construct the MSOC in compliance with applicable VA design requirements and applicable federal, state, and local regulations, as well as meeting Green Building Initiative Green Globes certification, which would minimize energy-related emissions using energy-efficient systems where feasible. The private entity would be responsible for obtaining all applicable federal, state, and local permits from appropriate government authorities. As soon as all review, regulatory, and permit requirements are met, construction would take approximately 18-24 months, with operation of the MSOC to follow.

Construction would involve clearing the site of existing vegetation within the proposed limits of disturbance, grading, excavation for the building foundation and utilities, installation of new utility lines, construction of the MSOC, and paving for roads, parking, and new entrances. Construction would require diesel-fueled off-road equipment (backhoes, loaders, graders, paving equipment), transport of building materials to the site using on-road multi-axle delivery vehicles, travel to and from the site by construction workers, asphalt paving, and vertical construction of the MSOC and associated infrastructure.

Alternatives

The EA examined two Action Alternatives for the implementation of the Proposed Action and the No Action alternative.

- **Alternative 1**: The MSOC would be aligned in the central portion of the site, would not exceed three stories in height, have a footprint of approximately 112,366 square feet (SF), and have approximately 255,318-building-square feet. The MSOC would include approximately 1,300 asphalt-paved parking spaces surrounding the MSOC. Three proposed stormwater ponds would be located on the site, one each to the east, southwest, and northwest of the MSOC. Utilities for potable water, sewer, electric, and stormwater would be extended to the site from mains on Western Boulevard and Carolina Forest Boulevard. The MSOC would include two diesel-fueled generators to provide emergency backup electrical power. The main entrance, with the entrance and exit access lanes separated by a physical raised-curb divider, would be constructed along the westbound-lane of Western Blvd. A separate maintenance entrance for deliveries would be constructed along Western Blvd., approximately 500 feet east of the MSOC main entrance.
- **Alternative 2**: The MSOC would be aligned in the central portion of the site, would not exceed three stories in height, have a footprint of approximately 153,451 SF, and provide approximately 244,913-building-square feet. The MSOC would be surrounded by approximately 1,300 asphalt-paved parking spaces. One proposed stormwater pond would be located on the site, northwest of the MSOC; this pond would also have a gravel walking path around its border. Utilities for potable water, sewer, electric, and stormwater would be extended to the site from mains on Western Boulevard and Carolina Forest Boulevard. The MSOC would include two diesel-fueled generators to provide emergency backup electrical power. The main entrance would be constructed along the westbound-lane of Western Blvd. and have separate entrance and exit lanes but without a physical raised-curb divider. A secondary entrance would be constructed along Carolina Forest Blvd.
- **No Action Alternative:** Under the No Action alternative, the Proposed Action would not be implemented. VA would continue to provide primary, mental health, and specialty care outpatient services at the four existing OPCs in Jacksonville, NC. These OPCs would continue to have space gaps and operational inefficiencies, thus limiting VA's ability to provide modern, state-of-the-art health care services to Veterans in the region. Under the No Action alternative, the proposed site for the Jacksonville MSOC could remain vacant or be developed by others for other uses. The No Action alternative does not meet VA's purpose or need for the Proposed Action.

Potential Environmental Effects

The potential environmental effects associated with implementing the alternatives as analyzed in the Final EA are summarized in the following table. The terms "effects" and "impacts" have the same meaning in this NEPA review.

Resource	Proposed Action (Alternatives 1 and 2)	No Action Alternative
Aesthetics	**Construction:** Conversion from wooded area to active construction site for approximately 18-24 months. Temporary, minor adverse impact due to presence of construction equipment and site clearing. **Operation**: Permanent, minor adverse impact from conversion of wooded area to medical facility with a professionally maintained landscape.	No impact
Air Quality	**Construction:** Emissions of fugitive dust from grading, criteria pollutant and greenhouse gas emissions from construction equipment and vehicles, resulting in temporary, negligible adverse impact on air quality. **Operation**: Emissions from heating, ventilation, and air conditioning (HVAC), emergency generator testing, and vehicles, resulting in permanent, negligible adverse impact on air quality. MSOC would be designed and operated to achieve Green Building Initiative Green Globes certification.	No impact

Resource	Proposed Action (Alternatives 1 and 2)	No Action Alternative
Wildlife and Habitat	**Construction**: Construction would clear potential habitat for federally and state listed species. To avoid and minimize impacts to wildlife, the private entity would implement the following measures. Prior to any vegetation clearing at any time of year, the private entity would conduct a pre-construction clearance survey for the three federally listed plant species: Pondberry, Rough-leaved Loosestrife, and Cooley's Meadowrue, during the USFWS-specified optimal plant survey windows to determine the species' presence or absence within the site. If a federally listed plant species is found within the site or is indicated within a one-mile radius of the site, the private entity must contact Eastern North Carolina USFWS, and, if required by USFWS, implement compensatory mitigation. The private entity would also implement a time-of-year-restriction (TOYR) on tree clearing that would be protective of the tricolored bat and the Northern long-eared bat ("NLEB"). The TOYR on tree clearing ensures no clearing would occur between May 1 to July 15, and between December 15 to February 15. The private entity would also avoid impacts to potentially nesting MBTA birds by conducting pre-construction clearance surveys in advance of any proposed tree clearing between March 1 to April 30, or between July 16 to September 30. If the results for these surveys performed during those time periods show that nesting MBTA birds are present, then the private entity would coordinate with USFWS to determine the potential need for non-disturbance buffers or other mitigation. The private entity would be responsible for implementing any mitigation required by USFWS. **Operation**: No additional impact beyond site development.	No impact

Resource	Proposed Action (Alternatives 1 and 2)	No Action Alternative
Floodplains, Wetlands, and Coastal Zone	**Floodplains:** Site is outside 100- and 500-year floodplains. No impact on floodplains. **Wetlands and Surface Water:** Construction and operation would result in a permanent, minor adverse impact due to the potential filling of three wetlands, totaling 2.02 acres and approximately 1,770 linear feet of stream. Prior to construction, private entity would obtain Clean Water Act Section 404 and 401 permits and implement permit-required compensatory mitigation for wetland and stream impacts. Additionally, as required by North Carolina Department of Environmental Quality (NCDEQ) Division of Water Resources (DWR), the private entity would consider avoidance and minimization of impacts to surface waters in the site design and selection. A site plan would be included in a permit application, which depicts the delineated surface waters within the site boundary and quantify any/all impacts to those resources from the Proposed Action. **Coastal Zone:** North Carolina Division of Coastal Management (NCDCM) concurred that construction and operation would be consistent with NC enforceable coastal zone policies. No impact on coastal zone resources.	No impact
Cultural and Historic Resources	**Construction and Operation**: No National Register of Historic Places-listed or eligible historic properties present at the site; no historic properties affected. Section 106 concurrence of no impact on cultural and historic properties received from State Historic Preservation Office and Catawba Indian Nation.	No impact

Resource	Proposed Action (Alternatives 1 and 2)	No Action Alternative
Geology and Soils	**Geology:** Building foundation not anticipated to encounter bedrock. No impact on geology during construction or operation. **Soil:** Prior to construction, private entity would obtain NCDEQ National Pollutant Discharge Elimination System Construction General Stormwater Permit (CGP). Soil erosion and sedimentation minimized by implementing permit-required best management practices as specified in an Erosion and Sedimentation Control Plan and Stormwater Pollution Prevention Plan. Construction would result in permanent, minor adverse impact on soil quality and prime farmland soil. No mechanisms to further impact soil or cause erosion during operation of the MSOC. No impact.	No impact
Hydrology and Water Quality	**Construction:** Temporary, minor adverse impact by regrading site drainage patterns; construction stormwater managed through NCDEQ CGP and City of Jacksonville permit-required best management practices. **Operation**: Permanent, negligible adverse impact from increased impervious surface; operational stormwater managed in new on-site stormwater retention basins.	No impact
Land Use	**Construction and Operation:** Development consistent with Onslow County strategic plan and City of Jacksonville Corridor Commercial District zoning regulations. No impact on land use.	No impact

Resource	Proposed Action (Alternatives 1 and 2)	No Action Alternative
Noise and Vibration	**Construction**: Construction noise maintained in compliance with City of Jacksonville noise ordinance and the U.S. Occupational Safety and Health Administration would limit the effects on noise-sensitive receptors, resulting in temporary, minor adverse impacts on noise-sensitive receptors and negligible impact on construction personnel. Temporary, negligible adverse vibration impacts to sensitive receptors minimized by distance and assessed further in final design. **Operation**: Noise generated from HVAC systems, monthly emergency generator testing, and vehicles traveling to and from the site during operation, resulting in a permanent, negligible adverse impact on noise-sensitive receptors and workers. No impact on vibration-sensitive receptors.	No impact
Solid Waste and Hazardous Materials	**Construction**: The Phase I Environmental Site Assessment did not identify any recognized environmental conditions at the site. Construction debris recycled or reused to extent practicable, otherwise transported to an appropriate landfill; additional volume of waste would have a temporary, minor adverse impact on landfill capacity. **Operation**: Routine wastes managed per federal and state regulations. Permanent, negligible adverse impact due to minimal volumes of wastes generated and disposed.	No impact
Traffic, Transportation, and Parking	**Construction**: Construction material deliveries and facility entrance construction would have a temporary, minor adverse impact on traffic. Private entity would obtain NC Department of Transportation Street and Driveway Access Permit and City of Jacksonville Driveway Permit. Private entity would complete a detailed traffic impact analysis as part of the driveway permit process and implement any necessary design modifications. **Operation**: During operation, vehicle traffic would increase, but level of service is projected to remain at satisfactory level or above for up to the next 20 years, resulting in permanent, negligible adverse impact on traffic conditions.	No impact

Resource	Proposed Action (Alternatives 1 and 2)	No Action Alternative
Utilities	**Construction**: Utilities services are available; extension of utility lines to site is required and responsibility of the private entity. Private entity to obtain right-of-way permits for utility extensions as needed. This would result in a temporary, negligible adverse impact on utilities. **Operation**: Increased demand from MSOC is within capacity of utility systems; operational utility use is not anticipated to impact service quality to existing customers. The increased use would result in a permanent, negligible adverse impact on utilities.	No impact
Community Services	**Construction and Operation**: MSOC resolves capacity issues at existing Jacksonville VA clinics. Permanent, significant benefit to community services related to health care for Veterans. No impact on other local community services.	Permanent significant adverse impact; existing VA clinics would remain overburdened.
Socioeconomics	**Construction**: Temporary employment and spending on construction materials would have a temporary, negligible beneficial impact on economic activity in Jacksonville. **Operation**: Permanent, negligible beneficial impact through increase in staffing and incidental spending by workers in the local economy, but no impact at regional or state level.	No impact
Potential for Generating Substantial Controversy	**Construction**: No controversy anticipated during the construction. **Operation**: Community support for improving Veterans' timely access to modern, state-of-the-art health care services is anticipated.	Controversy anticipated because existing VA clinics would remain overburdened.

The project-specific protection and mitigation measures listed in Attachment A are incorporated into the Proposed Action and would ensure the potential adverse effects would be less than significant. VA would require the developer to construct and operate the Proposed Action in accordance with these measures and comply with the agreements developed with U.S. Fish and Wildlife Service (USFWS) under the Endangered Species Act consultation processes.

Public Comment and Agency Consultation

VA requested public and agency scoping input in December 2024 and published the Draft EA for public and agency comment in May 2025. In each case, newspaper notices were published in *The Daily News* and VA notified agencies, Tribes, and other stakeholders via email.

VA received six comment submissions on the Draft EA. Comments were considered in developing the Final EA. Responses to each comment submission are included in the Final EA.

VA consulted with the USFWS Eastern North Carolina Ecological Services Raleigh, NC Field Office regarding the potential effects of the Proposed Action on federally listed species, including Cooley's meadowrue, pondberry, and rough-leaved loosestrife, as well as birds protected under the Migratory Bird Treaty Act (MBTA). VA determined that the Proposed Action may affect, but is not likely to adversely affect, the three listed plant species, contingent on the private entity conducting pre-construction surveys during the optimal seasonal windows and coordinating with USFWS if any species are found. For MBTA-protected birds and the tricolored bat, VA determined the Proposed Action would have no effect, provided that a time-of-year restriction on tree clearing is implemented between October 1 and January 31, or that pre-construction clearance surveys are conducted if clearing occurs during the nesting season. USFWS concurred with these determinations in a letter dated July 7, 2025. VA also consulted with the North Carolina Natural Heritage Program (NCNHP), which confirmed there were no records of rare species or conservation areas within the project boundary and did not recommend additional avoidance measures.

VA consulted under Section 106 of the NHPA with the NC State Historic Preservation Office (SHPO) and federally recognized Tribes on potential effects of the Proposed Action on historic properties. The EA includes the consultation correspondence and summarizes the outcome of the consultation, including the NC SHPO's concurrence with VA's finding of no historic properties affected.

Finding of No Significant Impact

Based on the analyses in the Final EA, which is summarized and incorporated by reference herein, VA concludes that implementing the Proposed Action would have no significant adverse impact on the quality of the natural or human environment within the meaning of Section 102(2)(C) of NEPA. Therefore, preparation of an environmental impact statement is not required.

JASON STURM

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Date: 2025.08.04 13:29:20 -06'00'

Jason Sturm
Environmental Engineer
Environmental Program Office
VA Office of Construction & Facilities Management

LINDSAY KILLIAN

Digitally signed by LINDSAY KILLIAN
Date: 2025.08.05 12:23:33 -05'00'

Lindsay Killian
Director, Lease Execution
Office of Real Property
VA Office of Construction & Facilities Management

Attachment A: Best Management Practices, Management, Minimization, and Mitigation Measures Incorporated into the Proposed Action

ATTACHMENT A

Best Management Practices, Management, Minimization, and Mitigation Measures Incorporated into the Proposed Action

Resource	Minimization and Avoidance Measures
Aesthetics	The private entity would professionally manage the MSOC and the landscaped grounds at the site to maintain its appearance throughout the duration of VA's lease.
Air Quality	Design and operate the MSOC to achieve Green Globes certification. To the extent practicable, for construction equipment greater than 150 horsepower, the private entity would aim to meet USEPA Tier 4 emissions standards, or Tier 3 standards if Tier 4 equipment is not available at the time of construction; tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications; use low-sulfur diesel or biodiesel in construction equipment. The private entity would be responsible to implement any NPDES permit requirements such as dust control measures and off-site sediment tracking.

Resource	Minimization and Avoidance Measures
Wildlife and Habitat	Prior to any vegetation clearing at any time of year, the private entity would conduct a pre-construction clearance survey for the three federally listed plant species: Pondberry, Rough-leaved Loosestrife, and Cooley's Meadowrue, during the following optimal plant survey windows to determine the species' presence or absence within the site: • Pondberry: February-March or September-October • Rough-leaved Loosestrife: Mid-May to September • Cooley's Meadowrue: Mid-June to early July If a federally listed plant species is found within the site or is indicated within a one-mile radius of the site, the private entity must contact Eastern North Carolina USFWS, and, if required by USFWS, implement compensatory mitigation, which could include on-site or off-site conservation projects designed to offset adverse impacts to the plant species by ensuring no net loss or even a net gain in conservation outcomes for the affected species. Additionally, the private entity would implement a time-of-year-restriction (TOYR) on tree clearing that would be protective of the tricolored bat and the Northern Long-eared bat (NLEB). The TOYR on tree clearing ensures no clearing would occur between May 1 to July 15, and between December 15 to February 15. The private entity would also avoid impacts to potentially nesting MBTA birds by conducting pre-construction clearance surveys in advance of any proposed tree clearing between March 1 to April 30, or between July 16 to September 30. If the results for these surveys performed during those time periods show that nesting MBTA birds are present, then the private entity would coordinate with USFWS to determine the potential need for non-disturbance buffers or other mitigation. The private entity would be responsible for implementing any mitigation required by USFWS. ***See FONSI TABLE 1 for a summary of these time-of-year restrictions and measures to avoid impacts to wildlife.***

Resource	Minimization and Avoidance Measures
Wetlands and Surface Water	Construction and operation would result in a permanent, minor adverse impact due to the potential filling of three wetlands, totaling 2.02 acres and approximately 1,770 linear feet of stream. Private entity would apply for and obtain CWA Section 404 Individual Permit issued by USACE, as well as complete any permit-required mitigation to offset impacts to the wetlands and stream. Concurrently, NCDEQ would review the permit application for a CWA Section 401 WQC. NCDEQ also requires that avoidance and minimization of impacts to wetlands and surface waters be considered in site design and selection. Accordingly, the private entity would develop a final design site plan that avoids or minimizes impacts to wetlands and streams. The private entity would submit a permit application to NCDEQ with the site plan showing delineated wetlands and streams within the site boundary, measures to avoid or minimize impacts, and quantify any/all impacts to these resources from the Proposed Action. The private entity would be responsible for implementing any NCDEQ permit-required mitigation for those impacts.
Geology and Soils	Prior to construction, the private entity would apply for and obtain NPDES CGP; the application would include an Erosion and Sedimentation Control Plan. Private entity would also apply for and obtain City of Jacksonville Stormwater Permit; the application would include a Stormwater Management Plan, Stormwater Pollution Prevention Plan, and Operation and Maintenance Agreement. Private entity responsible for implementing and maintaining permit-required BMPs and stormwater facilities at the site for the duration of VA's lease. Private entity to implement spill and leak prevention and response procedures to reduce the impacts to soils from incidental releases of vehicle fluids (such as diesel or hydraulic fluids), including maintaining a complete spill kit at the site. Report oil spills to VA and the NC Division of Waste Management's Wilmington Regional Office.
Hydrology and Water Quality	To minimize adverse impacts on hydrology and water quality, the private entity would obtain necessary stormwater management permits and implement BMPs such as bio-retention areas, vegetated swales, and retention basins. Private entity would also implement a Spill Prevention, Control, and Countermeasure plan and train workers to handle accidental releases of petroleum-based fluids during construction to avoid impacts to surface water or groundwater.
Land Use	Private entity to comply with City of Jacksonville zoning regulations.

Resource	Minimization and Avoidance Measures
Noise	If necessary during construction, the private entity would use shields or other physical barriers to restrict noise transmission; provide soundproof housings or enclosures for noise producing machinery; use efficient intake and exhaust mufflers on internal combustion engines that are maintained so equipment performs below noise levels specified; conduct truck loading, unloading, and hauling operations so that noise is kept to a minimum; select material transportation routes as far away from sensitive receptors as possible; shut down noise-generating heavy equipment when not in use. Construction will follow the City of Jacksonville noise ordinance which states that construction activities inside the city limits and within 200 feet of a residential dwelling must be conducted Monday through Friday, 6:00 a.m. to 9:00 p.m.; Saturday, 7:00 a.m. to 9:00 p.m.; and Sunday, 8:00 a.m. to 7:00 p.m. Private entity to implement a hearing conservation program when construction worker noise exposure is at or above 85 decibels averaged over 8 working hours, or above 90 dBA over an 8-hour time-weighted average, including providing hearing protection.
Vibration	Potential construction-period vibration impacts would be assessed by the private entity during the final design phase, when construction methods and the locations of specific types of construction equipment have been identified. Measures for reducing vibration impact to sensitive receptors would be considered in the development of construction plans for areas where construction activities causing temporary perceptible vibration could occur.
Solid Waste and Hazardous Materials	Private entity to recycle or reuse construction debris to the maximum extent practicable. Only materials that cannot be reused or recycled would be transported off-site for disposal at a landfill approved for construction debris. All soil that cannot be reused on site would be transported to an appropriate landfill for reuse as fill or daily cover. Solid wastes generated at the MSOC would be disposed of in designated bins and dumpsters and transported and disposed of at a USEPA-licensed disposal facility.
Traffic, Transportation, and Parking	During development of the final design for the MSOC, the private entity would complete a detailed traffic impact analysis in coordination with the NCDOT and the City as part of the driveway permit process. The private entity would collaborate with the NCDOT and the City to identify and implement any necessary design modifications, such as revising the roadway access plans on Carolina Forest Blvd., to minimize impacts of the MSOC. Private entity to obtain and comply with the conditions of a Street and Driveway Access Permit from NCDOT for the proposed entrance along Western Blvd. Private entity to obtain and comply with the conditions of a Driveway Permit from the City of Jacksonville to construct any driveways with a curb cut within the city limits.

Resource	Minimization and Avoidance Measures
Utilities	Private entity to apply for and obtain a permit for work or activity on or crossing any right-of-way to extend utilities. Private entity to design and operate the MSOC to achieve Green Globes certification to ensure efficient use of electricity, water, and sewerage during operation. The private entity would be required to maintain any privately-owned on-site utility infrastructure required to operation of the Proposed Action for the duration of VA's lease.

FONSI TABLE 1. Summary of Time-of-Year Restrictions and Measures to Avoid Impacts to Wildlife

Month:	Jan	Feb 1-15	Feb 16-28	Mar	Apr	May	June	Jul 1-15	Jul 16-31	Aug	Sep	Oct	Nov	Dec 1-14	Dec 15-31
Required Restrictions / Wildlife Impact Avoidance Measures:	No clearing allowed due to tricolored bat and northern long-eared bat (NLEB) winter torpor season		[(B)] Clearing during this period is contingent on prior completion of surveys for all listed plant species, and coordination with USFWS on any required mitigation if needed	[(A)] Pre-construction clearance survey required for nesting MBTA birds before any clearing is allowed, and coordination with USFWS on any required buffers or other mitigation if needed. [(B)] Clearing during this period is contingent on prior completion of surveys for all listed plant species, and coordination with USFWS on any required mitigation if needed		No clearing allowed due to tricolored bat and NLEB bat pup season			[(A)] Pre-construction clearance survey required for nesting MBTA birds before any clearing is allowed, and coordination with USFWS on any required buffers or other mitigation if needed. [(B)] Clearing during this period is contingent on prior completion of surveys for all listed plant species, and coordination with USFWS on any required mitigation if needed			[(B)] Clearing during this period is contingent on prior completion of surveys for all listed plant species, and coordination with USFWS on any required mitigation if needed		No clearing allowed due to tricolored bat and NLEB winter torpor season

Notes:

(A) *Prior to any vegetation clearing from March 1 to April 30, or from July 16 to September 30, pre-construction clearance surveys are required to determine nesting MBTA bird presence/absence and the potential for non-disturbance buffers, in coordination with USFWS.*

(B) *Prior to any vegetation clearing at any time of the year, pre-construction clearance surveys for Pondberry, Rough-leaved loosestrife, and Cooley's meadowrue is required during the USFWS-specified optimal survey windows as follows, including coordination with USFWS regarding any potentially required compensatory mitigation:*

- *Pondberry: February-March or September-October*
- *Rough-leaved Loosestrife: Mid-May to September*
- *Cooley's Meadowrue: Mid-June to early July*