

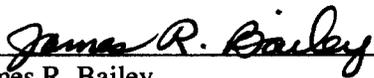
Finding of Suitability to Lease

**Space Used by Sheba Enterprises for Access to Electrical Panel Boxes
Near Lexan Ave and Hampton Blvd, Norfolk, VA
File No. LIC-0-1011**

In accordance with ASN I&E Memorandum of 22 December 1993, I have reviewed the Environmental Baseline Survey (EBS) Checklist and related appropriate information concerning this property as provided by Janice Bradley, Realty Contracting Officer, Hampton Roads/Iceland IPT in Memorandum to Atlantic Division, Naval Facilities Command, Code EV32 dtd 4 March 2003.

Commander, Navy Region, Mid-Atlantic (Regional Engineer) has requested a Finding of Suitability to Lease (FOSL) to be prepared in support of the request for easement for the use of space to accommodate access to electrical panel boxes mounted on the Northern exterior wall of Bazemore's new office/shop building at the corner of Lexan Ave and Hampton Blvd. No preceding FOSL appears to exist in the LANTDIV FOSL record for the building space under this file number. An Environmental Baseline Survey (EBS) Checklist was prepared on 30 January 2003 by Marty Costello and no environmental conditions of concern were noted.

Hazardous substances or petroleum products have not been stored for one year or more or known to have been released, treated or disposed of on the parcel.



James R. Bailey
Head, Environmental Support Branch
Environmental Quality Division
Atlantic Division, Naval Facilities Engineering Command

03/17/03
Date



DEPARTMENT OF THE NAVY

COMMANDER
NAVY REGION, MID-ATLANTIC
6506 HAMPTON BLVD.
NORFOLK, VA 23508-1273

IN REPLY REFER TO:

4535

RE 282/219

FEB 25 2003

From: Commander, Navy Region, Mid-Atlantic (Regional Engineer)
To: Commander, Atlantic Division, Naval Facilities
Engineering Command (OPAR BJ)
Via: Commander, U.S. Atlantic Fleet

Subj: REQUEST FOR REAL ESTATE EASEMENT TO COVER ACCESS TO
BAZEMORE'S ELECTRICAL PANEL BOXES

Ref: (a) OPNAVINST 5530.14B

Encl: (1) Site Approval
(2) Site Diagram
(3) National Environmental Policy Act (NEPA) Record of
Categorical Exclusion (CATEX)
(4) Clean Air Act - General Conformity Rule Record of
Non-Applicability (RONA)
(5) Environmental Baseline Survey (EBS) Checklist

1. It is hereby requested that a real estate easement, with Sheba Enterprises, be prepared to properly document and authorize access to electrical panel boxes mounted on the northern exterior wall of Bazemore's new office/shop building at the corner of Lexan Avenue and Hampton Boulevard. As currently positioned, the panel boxes extend over Government property, at Lafayette River Annex, and thereby necessitate access to Government property for monitoring and servicing. Enclosure (1) provides a Site Approval, and enclosure (2) illustrates the proposed easement area and necessary fence realignment. Enclosures (3) through (5) provide applicable supporting documentation for the requested real estate action.

2. In order to provide for continuing coverage, it is understood that during the interim period required for long-term easement development, a temporary, one year succeeding license will be issued, based upon the prior applicable instrument (License LIC-0-1011). This license was originally granted to cover the temporary relocation of our fence, during new building construction, with the intent to avoid long-term access to Government property. License LIC-0-1011 expired with project completion. The temporary succeeding license should remain in

Subj: REQUEST FOR REAL ESTATE EASEMENT TO COVER ACCESS TO
BAZEMORE'S ELECTRICAL PANEL BOXES

full force and effect until the requested easement is negotiated, executed and recorded.

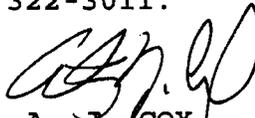
3. No additional security will be required of or by NSA during the course of work. Our point of contact, for construction related matters, will be LCDR Timothy Markle, Public Works Officer for Lafayette River Annex, at (757) 836-1836.

4. Recovery of Regional Engineer administrative costs, associated with the processing of this request, is not desired. However, it is recommended that any LANTDIV administrative costs be recouped from Sheba Enterprises.

5. As depicted on enclosure (2), the proposed new fence line is approximately 126 feet in length and the proposed easement area is approximately 380 SF. The type of new fencing, required to delineate the easement area, should be standard chain link fencing as specified in reference (a). The height should match the existing "emergency" gate height. The new, realigned fencing should be installed as per enclosure (2). We further request relocation of the existing curb to coincide with and run parallel to the new fence line. The ground surface area, within the easement space, should be soil filled, graded and seeded. The curbing, grading and paving work will have to be completed before the new fence is installed. Temporary construction fencing (much like what's there now) should be utilized during construction (in the interim).

6. Compensation for the easement is desired and should be based upon fair market value. The form of compensation should be that which is most beneficial to the Navy, but include acceptance of the Navy's encroachment onto the grantee's property. We also desire that the grantee accept responsibility for regular mowing and general grounds maintenance within the easement area.

7. Regional Facilities Operations Office point of contact is Mr. Robert Morrison at (757) 322-3011.


A. J. COX
By direction

Copy to:
LANTNAVFACENGCOM (OPAR BJ)

REQUEST FOR PROJECT SITE APPROVAL/EXPLOSIVES SAFETY CERTIFICATION NAVFAC 11010/31 (REV. 5-2001)

PART I

INSTRUCTIONS IN NAVFACINST 11010.45

SECTION A – INSTALLATION SUBMISSION

1. To: Commander, Navy Region, Mid-Atlantic (Regional Engineer)	2. From: Commanding Officer, Naval Support Activity, Norfolk, Virginia
--	---

3. Program Year: FY03	4. Cost (\$000): 3.0	5. Type Funding: OM&N	6. Activity UIC: N57095	7. Date: 30 Jan 03
------------------------------	-----------------------------	----------------------------------	--------------------------------	---------------------------

8. Category Code and Project Title: Relocate Fenceline Between LRA and Bazemore's Office/Shop Building	9. Project Number: TBD
---	-------------------------------

10. Type of Project: <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Relocation of Structure <input type="checkbox"/> Other <input type="checkbox"/> Change Use <input type="checkbox"/> Maintenance and/or Repairs <input type="checkbox"/> Addition to Existing Facility <input type="checkbox"/> Repair by Replacement <input type="checkbox"/> Major Modification to Existing Facility <input type="checkbox"/> Demolition	11. Type of Request: <input type="checkbox"/> Airfield Safety Site Approval <input type="checkbox"/> Explosives Site/Safety Certification <input type="checkbox"/> EMR Site Approval <input checked="" type="checkbox"/> Resubmittal or Standard Site Approval (No Safety Criteria Involved)
--	--

12. Project Description
 This project relocates an existing fenceline on the Lafayette River Annex at the corner of Lexan Avenue and Hampton Boulevard behind the Bazemore office/shop building. This relocation is necessary to provide an easement for electrical contractors and/or Virginia Power company personnel to have access to the electrical tie-ins for the Bazemore Building. The proposed new fenceline is approximately 126 feet in length and the proposed easement area is approximately 380 SF. The type of new fencing required to delineate the easement area should be like the temporary fence already in place. (i.e. 6 foot high, standard chain link). The temporary fence will be removed and the new fence installed. The existing curbing will be removed and replaced inside and parallel to the new fenceline. The remaining ground surface area within the easement space will be backfilled, graded, and overseeded.

13. <u>1</u> Sets of Project Maps Attached	14. _____ Sets Part II Division(s) _____ Attached
--	---

SECTION B – EFD REVIEW

1. Name/Code/Phone No. of Reviewer/E-Mail Address:	2. Date Received:
--	-------------------

3. Evaluation:
No siting problems involved.

4. Safety Review Requested: (check appropriate box(es)) <input type="checkbox"/> NOSSA <input type="checkbox"/> DDESB <input type="checkbox"/> SPAWAR <input type="checkbox"/> NAVAIR <input type="checkbox"/> CNO <input type="checkbox"/> OTHER	5. Date Forwarded:
--	--------------------

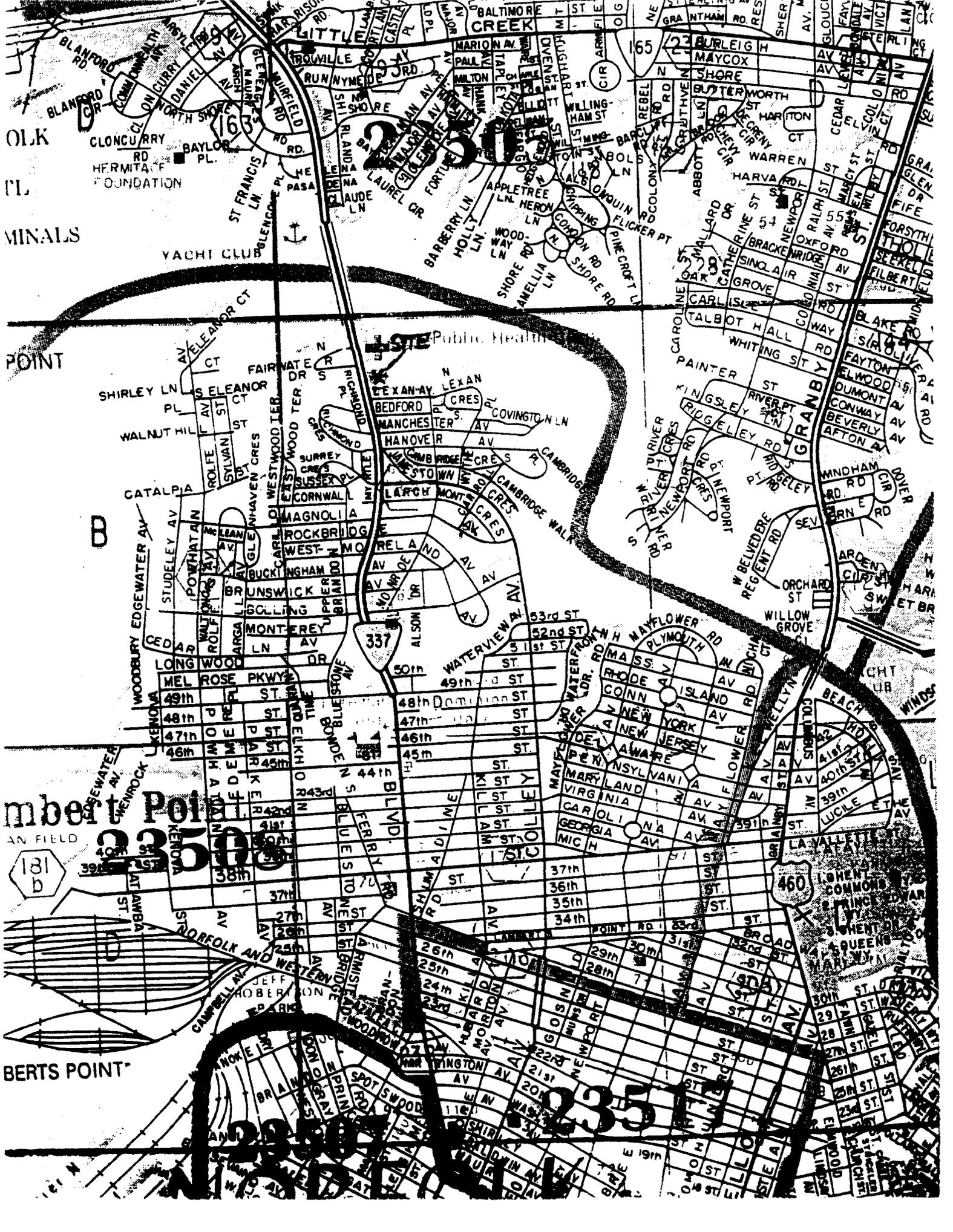
6. Date of Safety Certification: <u>NOSSA</u> <u>DDESB</u> <u>SPAWAR</u> <u>NAVAIR</u> <u>CNO</u> <u>OTHER</u>	
--	--

SECTION C – FINAL SITE APPROVAL ACTION

1. Approvals: <input checked="" type="checkbox"/> Site Approved <input type="checkbox"/> Site Disapproved <input type="checkbox"/> Deferred/Returned <input type="checkbox"/> Explosives Safety Certification Approved <input type="checkbox"/> Explosives Safety Certification DISAPPROVED <input type="checkbox"/> Interim Construction Waiver Approved	2. Certification Identification: Hermanski Patterson/Code 274HP/836-1824/ patterh@pwcnorva.navy.mil 3. Remarks: 
---	---

4. Other Approvals <input type="checkbox"/> Airfield Safety Waiver Required Required <input type="checkbox"/> Final Explosives Safety Review Required	5. Approving Official: A.J. Cox LCDR CFC USN	6. Date: 21 Feb 03
--	---	------------------------------

ENCL (1)



OLK
PL
MINALS

POINT

Lambert Point
AN FIELD

BERTS POINT

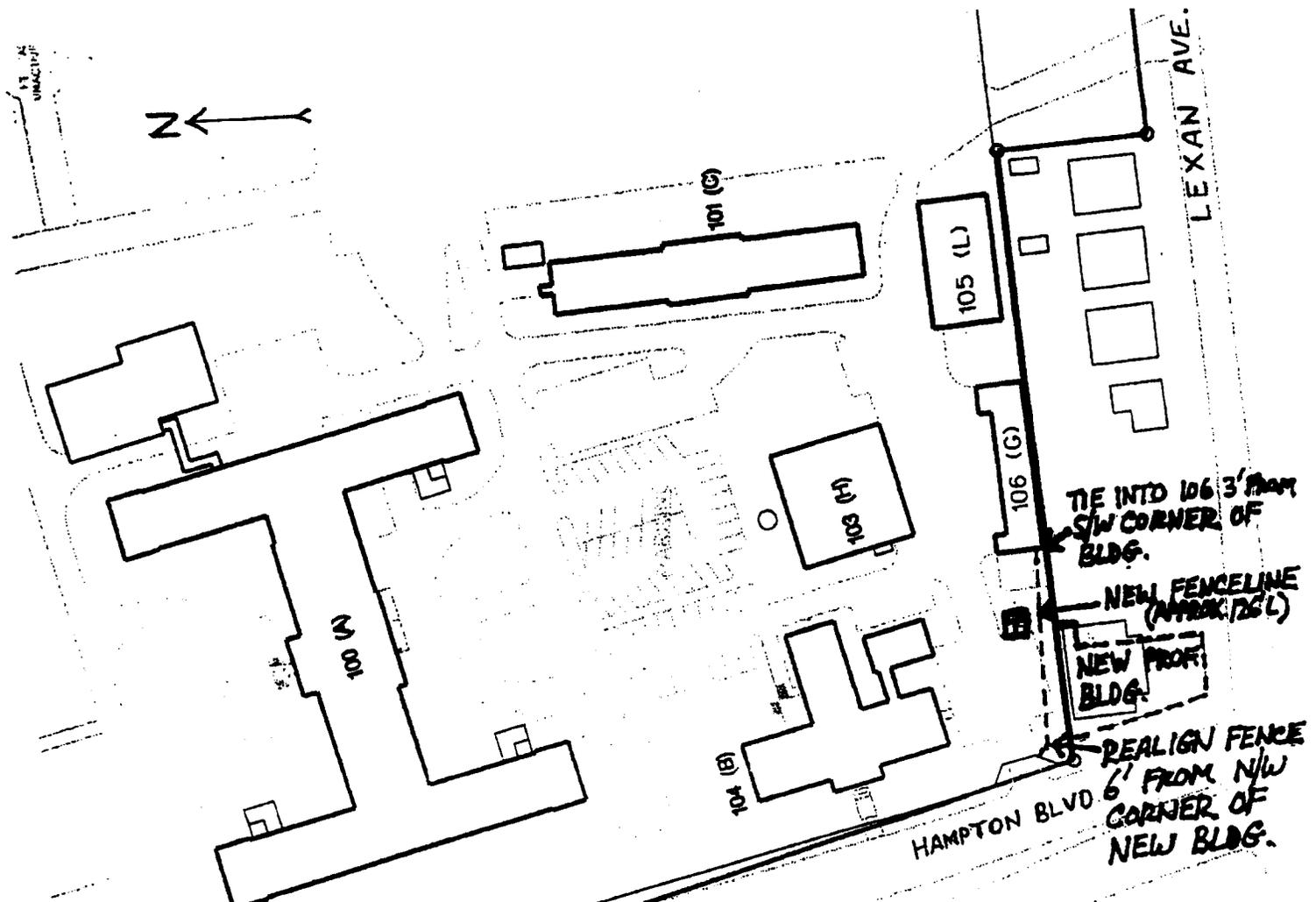
LSTIE Public Health

337

460

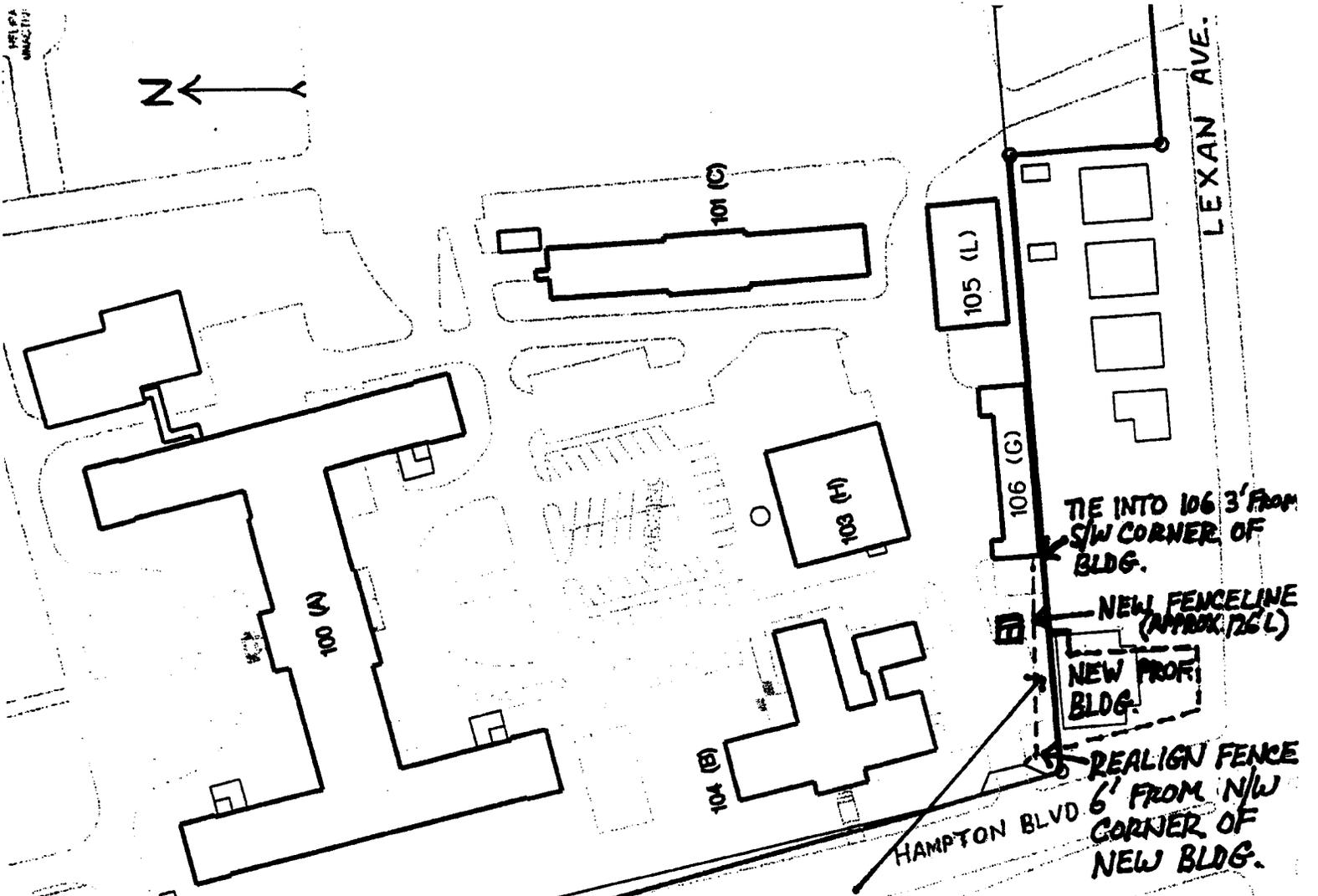
335





- REMOVE EXISTING TEMP. FENCE AND INSTALL NEW
- NEW FENCE TO BE APPROX 7' HIGH CHAIN LINK
- EXISTING CURB TO BE RELOCATED ALONG NEW FENCELINE.
- GROUND AREA TO BE SOIL FILLED, GRADED AND SEEDED.

HELIX
UNIVERSITY



APPROX. 380 SF AREA

- REMOVE EXISTING TEMP. FENCE AND INSTALL NEW
- NEW FENCE TO BE APPROX 7' HIGH CHAIN LINK
- EXISTING CURB TO BE RELOCATED ALONG NEW FENCELINE.
- GROUND AREA TO BE SOIL FILLED, GRADED AND SEEDED.

FOR OFFICIAL USE ONLY

NATIONAL ENVIRONMENTAL POLICY ACT OF 1969
RECORD OF CATEGORICAL EXCLUSION

FOR

REAL ESTATE EASEMENT TO COVER ACCESS TO BAZEMORE'S (SHEBA
ENTERPRISES) ELECTRICAL PANEL BOXES, NAVAL SUPPORT ACTIVITY (NSA)
LAFAYETTE RIVER ANNEX (LRA), NORFOLK, VIRGINIA

1. **Executive Summary:** The proposed project complies with the National Environmental Policy Act of 1969. No significant environmental impacts are anticipated as a result of the proposed action; therefore, neither an environmental assessment nor an environmental impact statement will be prepared. This project falls within Categorical Exclusion letter "r" as stated in OPNAVINST 5090.1B CH. 2, paragraph 2-4.2. Exclusion "r" is for "Grants of license, easement, or similar arrangements for the use of existing rights-of-way or incidental easements complementing the use of existing right-of-way for use by vehicles (not to include significant increases in vehicle loading); electrical, telephone, and other transmission and commission lines; water, wastewater, stormwater, and irrigation pipelines, pumping stations, and facilities and for similiar utility and transportation uses". This Record of Categorical Exclusion meets the requirements of 32 CFR Part 775 of 20 August 90.
2. **Action:** This action is to grant a temporary easement to Sheba Enterprises to properly document and authorize access to electrical panel boxes mounted on the northern exterior wall of Bazemore's new office/shop building at the corner of Lexan Avenue and Hampton Boulevard. As currently positioned, the panel boxes extend over Government property and thereby necessitate access to Government property for monitoring and servicing. The proposed action is necessary to cover the interim period required for long-term easement development and a temporary one year succeeding license will be issued based upon the prior applicable instrument (LIC-O-1011).
3. **Alternatives:** The only alternative is the 'no-action' alternative, which is considered unacceptable.
4. **Summary and Environmental Impacts:** Project action would not have a significant effect on the quality of the human environment, either individually or cumulatively. The site is not a wetland. No cultural or historic resources listed or currently determined eligible for listing on the National Register of Historic Places would be impacted by the action. No federal or state protected floodplains, prime farmland, endangered or threatened species would be impacted as a result of the proposed action. No Resource Conservation and Recovery Act (RCRA) investigation sites or underground storage tanks (UST's) would be affected by the action. Erosion control measures will comply with 1992 Virginia Erosion and Sediment Control Handbook, 3rd edition.
5. **Review:** This project was reviewed for compliance with the National Environmental Policy Act of 1969 as implemented by OPNAVINST 5090.1B of 09 September 99 by CDR. M. R. Beebe, Public Works Officer, Sewells Point Public Works Office, Norfolk Virginia. This record of Categorical Exclusion was prepared by Hermanski Patterson, Regional Facilities Operations Office, on 30 January 2003. Mr. Patterson's phone number is (757) 836-1824 or DSN 836-1824.

Approved by:



M. R. Beebe, CDR, CEC, USN
Public Works Officer

Date: 2/4/03

EX-101 (2)

DEPARTMENT OF DEFENSE
DEPARTMENT OF THE NAVY

GENERAL CONFORMITY RULE

RECORD OF NON-APPLICABILITY
For

REAL ESTATE EASEMENT TO COVER ACCESS TO BAZEMORE'S (SHEBA ENTERPRISES) ELECTRICAL PANEL BOXES, NAVAL SUPPORT ACTIVITY (NSA), LAFAYETTE RIVER ANNEX (LRA), NORFOLK, VIRGINIA

The Clean Air Act, as amended in 1990, requires federal action to conform to an approved State Implementation Plan (SIP) designed to achieve or maintain an attainment designation for air pollutants as defined by the National Ambient Air Quality Standards (NAAQS). The General Conformity Rule (40 CFR Parts 51 and 93) implements these requirements for actions occurring in air quality nonattainment and maintenance areas.

Naval Station, Norfolk is located in the Hampton Roads Intrastate Air Quality Control Region. This region was recently designated as a maintenance area (i.e., an area with a maintenance plan approved under Section 175 of the Clean Air Act) for ozone. The redesignation provides for maintenance of the standard through the year 2008. The region is in attainment for all other NAAQS.

The proposed action is to grant a temporary easement to Sheba Enterprises to properly document and authorize access to electrical panel boxes mounted on the northern exterior wall of Bazemore's new office/shop building at the corner Lexan Avenue and Hampton Boulevard.

The Environmental Protection Agency (EPA) has ruled that some Federal actions are exempted from the requirement of conformity. Section 51.853 of the rule exempts actions that would result in no emission increase or an increase that is clearly de minimis such as (Actions with respect to existing structures, properties, facilities and lands where future activities conducted will be similar in scope and operation to activities currently being conducted at the existing structures, properties, facilities, and lands (e.g. relocation of personnel, disposition of federally owned existing structures, properties, facilities and lands, rent subsidies, operation and maintenance cost subsidies, the exercise of receivership or conservatorship authority, assistance in purchasing).

To the best of my knowledge, the information provided is correct and accurate and I concur in the finding that the proposed action will conform to the SIP.

Prepared by: *Aurmanah Patterson*
Regional Facility Planner

Date: 30 Jan 03

Approved by: *M.R. Beebe*
M.R. Beebe, CDR, CEC, USN
Public Works Officer

Date: 2/4/03

ENCLOSURE (4)

Installation: Northwest Naval Station Annex, Chesapeake, Virginia LANTDIV File #:

Real Estate Transaction Description: Real Estate Easement with Sheba Enterprises

Survey Completed by: Marty Costello Date: 30 January 2003

Job Title: Envl. Prot. Specialist Telephone Number: 757-444-3009 X-371

SITE SUMMARY INFORMATION: EASEMENT TO COVER ACCESS TO BAZEMORE'S ELECTRICAL PANEL BOXES

1. Information regarding hazardous materials or contamination

A. Use of Facility: Commercial Establishment. Prior Uses: Same Future Uses: Same G. Presence of Polychlorinated Biphenyl's (PCB's): [] Yes, [] Suspected, [X] No Comments:

H. Asbestos: [] Yes, [] Suspected, [X] No [] Accessible [] Suspected [] Non-Friable [] Suspected Comments:

B. Contaminants: [] Yes, [] Suspected, [X] No Comments: I. Lead Paint: [] Yes, [] Suspected, [X] No Comments:

C. Hazardous Materials Use/Storage: [] Use, [] Storage [] Suspected Use, [] Suspected Storage Type of HM: Comments: None J. Radon: [] Yes, [] Suspected, [X] No Comments:

D. Treatment, Storage, Disposal of Hazardous Waste: [] Yes, [X] No, [] Suspected Comments: K. Radiological Materials: [] Yes, [] Suspected, [X] No Comments:

E. Underground Storage Tanks: [] Yes, [] Suspected, [X] No UST No. ? Gals. Comments: L. Use of Adjacent Property: Current Use: Admin. Building Past Use:

F. Above-Ground Storage Tanks: [] Yes, [X] No AST No. ___ Gals. ___ Comments:

2. With regard to the subject site, has the Activity complied with all federal and applicable state and local environmental laws and regulations? [X] Yes [] No

3. Additional information or comments regarding questions shown above (attach sheet(s) if additional room is needed):

ENCL (5)

RECORDS REVIEW AND SITE VISIT

1. This EBS considers all sources of available information regarding environmentally significant current and past uses of real property and consists of the following:

A. A review of real estate property records and files: Records, Files, None Comments:

B. A review of all reasonably obtainable federal state, and local government records for the adjacent facility where a known release of any hazardous substances or any petroleum products has occurred and is likely to cause or contribute to a release or threatened release of any hazardous substances or petroleum products on the real property in question: Federal, State, Local, None Comments Adjacent Facility: ADMIN Building

C. A review of aerial and/or historical photographs that may reflect prior uses of the property: Yes, No
Comments:

D. Interviews with current and /or former employees involved in the operations: Current Employees, Former Employees, None Comments: Based on environmental knowledge

E. A visual inspection of the areas listed below located on or near the subject site/parcel:
Subject Site/Parcel: Yes, No If yes, evidence of potential contamination observed included:
Stained Soil, Stressed Vegetation (not seasonally related), Dead or ill wildlife, Other signs of actual or potential release of a hazardous substance or petroleum products, No apparent evidence on the site/parcel.
Buildings/Structures: Yes, No, Exterior, Interior, NA
Pipe/pipelines: Yes, No, NA
Equipment: Yes, No, NA
Other Improvements: Yes, No, NA
Adjacent Properties: Yes, No, NA
Comments:

2. Brief Synopsis of the EBS inspection Contacted IR Program Manager for any past site envl. hazard. info. Negative.

A. Description of past and current activities on the listed property and on the adjacent property (if applicable):

Past: SAME ADMIN

Current: .SAME

B. Description of hazardous substances or petroleum products (to include storage, release, treatment, or disposal) at the property and adjacent properties: N/A

C. Any relevant information obtained from the search of records and/or files: No.

D. Any relevant information obtained from a review of the recorded chain of title documents regarding real property: No.

E. Brief summary stating the areas of real property evaluated and conclusions of the survey: Easement granted to Sheba Enterprises to authorize access to electrical panel boxes mounted on the northern exterior wall of Bazemore's new office/shop building at the corner of Lexan Avenue and Hampton Boulevard.

322-4931

EO-0706

OPAR BJ

22 Apr 02

MEMORANDUM FOR CODE EV32

Subj: REQUEST FOR ENVIRONMENTAL BASELINE SURVEY/FOSL

Encl: (1) COMNAVREG MIDLANT ltr 4535 re 282/219 OF
25 Feb 03 (endorsement pending)

1. As evidenced by enclosure (1), we have been requested to prepare an easement to cover permanent realignment of the fenceline along the southern property line of Lafayette River Annex. The easement area will be maintained by the Grantee.
2. Based on the information contained in enclosure (1), please prepare a FOSL for this action.
3. If additional information is required, please contact me at 322-4931.

Janice C. Bradley

JANICE C. BRADLEY
Real Estate Contracting Officer
Hampton Roads/Iceland IPT