



February 25, 2020

Transmitted Electronically

Mr. Lamont Myers
Fenton Mill Associates, LLC
110 Mid-Atlantic Place
Yorktown, Virginia 23693

**Re: Summary of Environmental Reviews and Approvals
Fenton Mill Road Property
York County, Virginia**

Dear Mr. Myers:

Wetland Studies and Solutions, Inc. (WSSI) is pleased to provide Fenton Mill Associates, LLC (Client) with this Summary of Environmental Reviews and Approvals for the above-referenced Project Site. The Project Site consists of +/- 375 acres located along Fenton Mill Road in York County, Virginia and consists of the following GPIN Numbers:

Northern Parcels

- D20c-1880-1425
- D20c-1816-0933

Williamsburg Pottery East Site

- C20d-4780-1137
- D19b-2734-4736
- D19a-1381-3152
- D19b-2545-2534

The Project Site is generally located east of Newman Road, south of Barlow Road, and North of Interstate 64. For the purposes of presentation, the Project Site is discussed herein as the Northern Parcels and the Williamsburg Potter East Site, per the above list.

Previously, the consulting firm, Vanasse Hangen Brustlin, Inc. (VHB) performed studies on the Williamsburg Pottery East Site. Within the last year WSSI performed environmental studies on the Williamsburg Pottery East Site as well as the Northern Parcels. The studies or approvals conducted or obtained on the Project Site include:

- Wetland/Waters Delineation and U.S. Army Corps of Engineers (USACE) Confirmation
- Chesapeake Bay Preservation Area (CBPA) Determination & Confirmation
- Small Whorled Pogonia Survey
- Phase I and II Environmental Site Assessments

Following is a summary of findings for each of these studies.

Wetland/Waters Delineation and USACE Confirmation

VHB performed a wetland delineation on the Williamsburg Pottery East Site and received USACE Preliminary Jurisdictional Determination (PJD) on May 31, 2018. This confirmation is referenced as NAO-2007-03264. This PJD is valid for 5 years (May 31, 2023).

WSSI conducted a wetland delineation on the Northern Parcels and submitted a request for a PJD on March 25, 2019. The USACE provided the PJD dated June 11, 2019. This confirmation is referenced as NAO-2019-1075. This PJD is valid for 5 years (June 11, 2024).

CBPA Determination & Confirmation

VHB submitted materials to York County requesting confirmation of the RPA boundary on the Williamsburg Pottery East Site on October 10, 2017. On December 15, 2017 the York County Department of Public Works responded with a confirmation letter agreeing with the RPA boundary. This confirmation is referenced as CB 17-215 for Williamsburg Pottery East.

WSSI submitted materials to York County requesting confirmation of the Resource Protection Area (RPA) boundary for the Northern Parcels on April 15, 2019. On June 4, 2019 the York County Department of Public Works responded with a confirmation letter agreeing with the RPA boundary. This confirmation is referenced as CB 19-086.

Small Whorled Pogonia Survey

A survey for small whorled pogonia (*Isotria medeoloides*) was performed on the entire Project Site by a WSSI U.S. Fish and Wildlife Service (USFWS)-qualified surveyor between May 10-13 and June 5-6, 2019. The findings were presented in a report dated June 24, 2019. The small whorled pogonia is currently listed by the USFWS as threatened. Virginia lists the species as state-endangered. Based on this survey, no small whorled pogonias were found during the survey of the site.

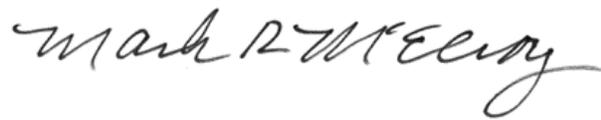
Phase I Environmental Site Assessment (ESA)

WSSI performed a Phase I ESA in conformance with the scope and limitations of American Society of Testing and Materials (ASTM) Standards E 1527-13 on the entire Project Site. An addition, pursuant to ASTM E 1903-11 §9.2.1, WSSI performed a Limited Phase II Environmental Site Assessment on a discrete portion of the Project Site. Based on the findings of the Limited Phase II ESA, and a Supplemental Environmental Assessment conducted by Haley and Aldrich, and Pursuant to ASTM E 1527-13 §12.8.2, this assessment has revealed no evidence of Recognized Environmental Conditions connected with the Project Site.

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Please contact us at (757) 963-2008 should you wish to discuss this matter more in detail. Thank you again for this opportunity to be of service.

Sincerely,
Wetland Studies and Solutions, Inc. – Hampton Roads Division

A handwritten signature in black ink that reads "Mark McElroy". The signature is written in a cursive, flowing style.

Mark McElroy, PWD, PWS
Manager – Environmental Services