

Natural Resources Services for Real Estate

Mitigating your Risk. Maximizing your Value.

The benefits of development are readily apparent. But sometimes the risks aren't. Navigating local, state, and federal permitting processes; planning for wetland delineation; applying the intricacies of evolving regulations; tackling historical and archeological issues and evaluating endangered species can be tricky and time-consuming. And those are just a few of the challenges.

However, with the right team to turn to, those challenges are easily overcome.

At Apex, our nationwide team of scientific professionals has extensive natural and cultural experience with both public and private projects. We can help you:

- Understand the complexities of the regulatory environment
- Identify environmental constraints
- Evaluate avoidance, minimization, and permitting options
- Develop a timely, cost-effective strategy to achieve compliance
- Navigate the permitting process

And because we understand that every development project is different, we ensure our innovative solutions are customized to your needs.

Our comprehensive approaches include desktop assessments, field survey and GIS mapping, avoidance and minimization planning, and permitting and mitigation. We identify critical environmental issues during the crucial planning stages and use the pre-planning process to design around complex constraints to minimize impacts and resulting permitting requirements. Following the selection of a preferred design, we develop a tailored project plan to effectively meet our client's goals while ensuring regulatory compliance.

By maintaining an informed understanding of the current regulatory environment, our professionals are proficient in navigating complex permitting processes including Section 404 of the Clean Water Act (CWA), the Endangered Species Act (ESA), the National Environmental Policy Act (NEPA), and Section 106 of the National Historic Preservation Act.

State & Federal Endangered Species

Our biologists can help you identify, evaluate, and permit endangered species issues through state agencies and US Fish and Wildlife Service. Our services include:

- Threatened and Endangered Species Habitat Studies
- Section 7 and 10 Consultation Support
- Mitigation Planning
- Migratory Bird Treaty Act Compliance
- FEMA ESA Compliance
- Construction Monitoring

Jurisdictional Waters & Wetlands

With a thorough knowledge of the CWA permitting process, our biologists skillfully negotiate issues involving discharges to regulated waters, including:

- Jurisdictional Waters and Wetland Determinations and Delineations
- Waters and Wetlands Impact Analyses
- Section 401/402 Permitting
- Section 404 Nationwide Permit Authorization and Individual Permits
- Compensatory Mitigation Planning
- Mitigation Banking
- Stream/Wetland Restoration Design, Build, and Construction Oversight

Cultural Resources

We maintain a thorough understanding of archeological and historical regulatory frameworks at the state and federal level with expertise that proves invaluable during project scoping and during environmental constraints analyses. This includes historic structures, historic archeology, and prehistoric archeology experts who can provide:

- Phase I, II, and III Archeological and Historical Resource Investigations
- Section 106 Coordination for Federal Actions
- Historic Standing Structures Assessment
- Construction Monitoring

National Environmental Policy Act

We can help you successfully navigate the NEPA review process—required for all federal actions—through expert identification of environmental constraints, maintaining productive relationships with agency staff, understanding the regulatory framework and review process, and effectively coordinating with agencies and the project team to keep the project on schedule. Our experience spans pipeline construction, telecommunication installations, third party property transfers, city and county renovation projects, transportation corridor studies, master plans for municipal development, water supply projects, and public utility projects.

Representative Projects

200-acre Residential Development, Adams County, Pennsylvania

Following the onsite wetland delineation, Apex successfully navigated a Jurisdictional Determination and Joint Permit Application under Section 404 of the CWA with the US Army Corps of Engineers (USACE) Baltimore District and Pennsylvania Department of Environmental Protection, serving as a liaison between client, survey, engineer, and agency interests throughout the process. We advised the client on avoidance and minimization strategies during the planning stages that ultimately circumvented the need for expensive mitigation.

Leading Retail Corporation, Wetland Mitigation Monitoring, Oklahoma, Colorado, New York, Wisconsin, and Washington

Apex conducts annual wetland monitoring for various compensatory mitigation wetlands created following unavoidable impacts to waters of the US resulting from adjacent commercial development projects. Where the mitigation is failing, we provide/implement site-specific corrective action plans to accomplish the success criteria.

George Mason University, Virginia

Apex prepared numerous Environmental Impact Reviews (EIRs) for proposed development sites associated with George Mason University campuses throughout Northern Virginia. Key tasks included historical research, cultural resource investigations, endangered species and habitat reviews, wetland delineations and Section 404 permitting, wetland mitigation, Resource Protection Area (RPA) delineation and survey, geotechnical studies, environmental hazard inspections. The EIR process is the NEPA review for state agencies within the Commonwealth of Virginia.

Retail Center, Washington, DC

Apex provided environmental compliance support for a nearly 500,000 square foot retail center in northeastern DC. Key task components included preparation of an Environmental Impact Screening Form (EISF), groundwater investigation work plan, oversight of a Phase I and Phase II archaeological investigation, and preparation of a Memorandum of Agreement (MOA) between the client and the State Historic Preservation Office (SHPO). Environmental impacts and compliance efforts were documented in a NEPA Environmental Assessment (EA) prepared primarily by Apex.

400-acre Industrial Development, Bryan County, Oklahoma

Apex's multi-disciplinary team of scientists performed due diligence on an approximately 400-acre multi-parcel property for a proposed industrial development. In addition to standard due diligence, we assisted this industrial client with multiple biological and cultural surveys triggered by the CWA Section 404 permitting to relocate a jurisdictional waterway that could not be avoided. We successfully completed consultation with the USFWS, State Archaeologist, and State Historic Preservation Office to ensure a purchase and construction schedule that met the client's needs. We provide on-going support to ensure seasonal surveys remain current throughout the life of the construction project.