



Public Notice

U.S. Army Corps of Engineers, Norfolk District

May 12, 2006

CENAO-TS-REG
05-V1885

FEDERAL PUBLIC NOTICE

The District Commander has received a joint application for Federal and State permits as described below:

APPLICANT

Edinburgh Land Associates, LLC
Attn: Doug Fuller
1401 Precon Drive
Chesapeake, VA 23320

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located in non tidal wetlands and tributary drainage ditches which drain to Coopers Ditch, a tributary to the Intracoastal Waterway, at the northern end of Edinburgh Parkway and west of the Route 168 Bypass, in Chesapeake, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to fill non tidal wetlands (emergent and forested) and non tidal drainage ditches for residential development (including impacts for lots, roads and stormwater ponds). The proposed development consists of 84 lots and is part of the Edinburgh Planned Unit Development (PUD). The drainage ditches are considered waters of the United States as they are part of the tributary system of the Intracoastal Waterway. The proposed development would impact 0.465 acres of forested wetlands and 1.501 acres of emergent wetlands and ditches. Approximately 0.208 acres of isolated emergent wetlands, not within our jurisdiction, will also be filled. The applicant has indicated that they have no current plans for any additional development on the remainder of the property. The applicant proposes to mitigate the project impacts by creating 0.893 acres of emergent wetlands on site and purchasing 1.746 acres of wetlands from the Great Dismal Swamp Restoration Bank, Edge Farm site for the remaining mitigation requirements.

Previously, a permit for impacts to 36.8 acres of forested wetlands and 2.99 acres of farmed wetlands was issued to the City of Chesapeake in 1998 for construction of the Route 168 Bypass. Total impacts to wetlands associated with the Bypass itself and with the Hillcrest Parkway on/off ramps were approximately 10.5+ acres of forested wetlands. In addition, a Nationwide Permit number 32 was issued for impacts to approximately 75.40 acres of forested wetlands on the Edinburgh PUD property for commercial development (mitigation was provided for these impacts).

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated. Project drawings are attached.

AUTHORITY: Permits are required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Commander within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Commander will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. Additional information might change any of these findings. For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). For more information or to obtain a list of the enforceable programs of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: elirons@deq.virginia.gov.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-TS-REG), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on **June 9, 2006**.

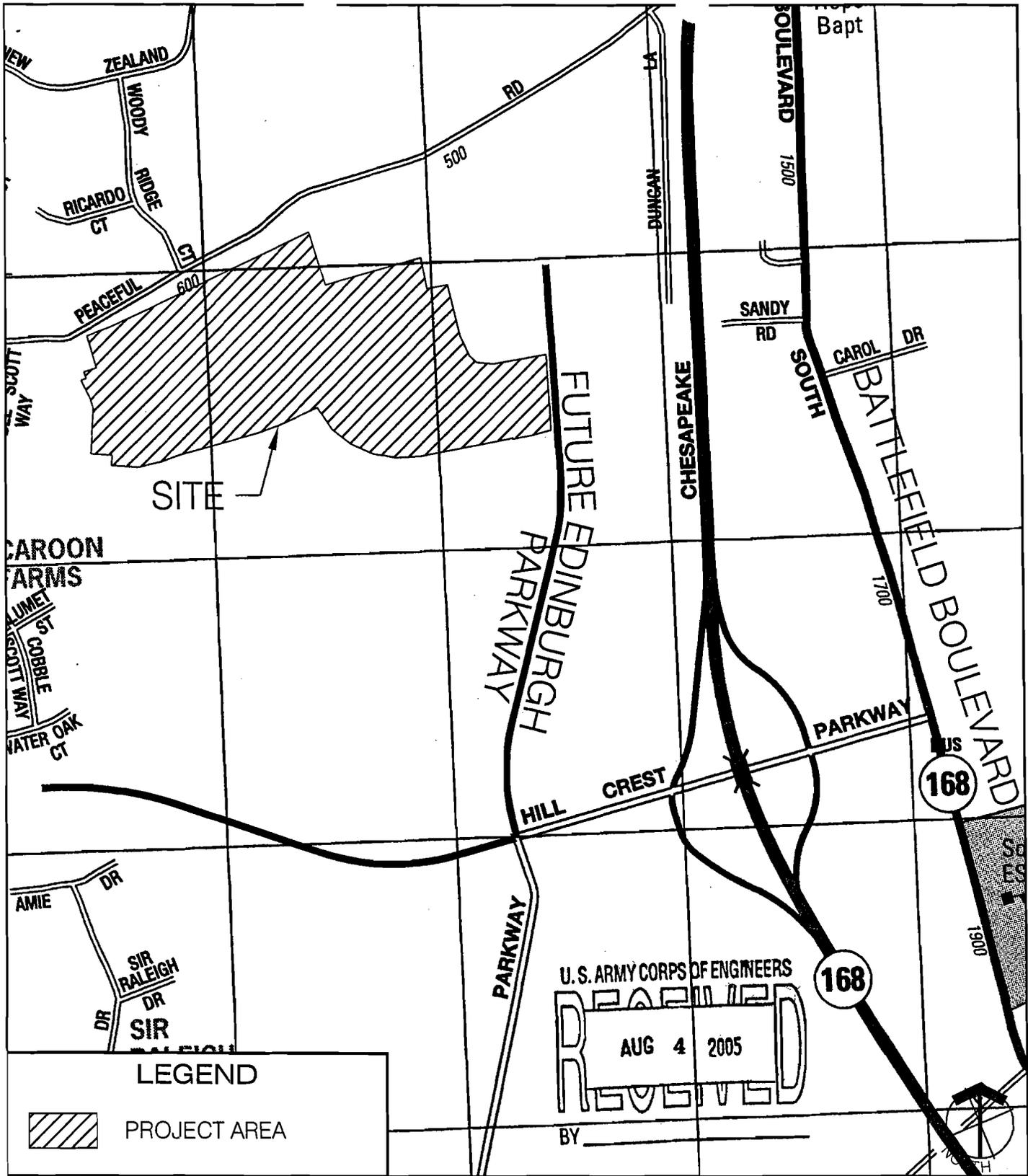
If you have any questions about this project or the permit process, please call:

Robert Berg (757) 201-7793

FOR THE DISTRICT COMMANDER:

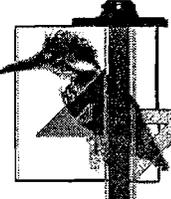
Michael A. Schwinn
Chief, Western Virginia
Regulatory Section

Attachment: Drawings



LEGEND

 PROJECT AREA



Kerr Environmental Services Corp.
Sustainable Ecological Restoration and Environmental Consulting

1008 Old Virginia Beach Road
 Suite 200
 Virginia Beach, VA 23451

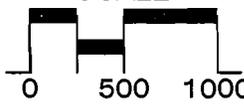
Ph: 757 963 2008
 Fax: 757 963 8322

LOCATION MAP

JOINT PERMIT APPLICATION
 FOR CC2A DEVELOPMENT
 EDINBURGH P.U.D.

EDINBURGH PARKWAY & HILLCREST PARKWAY
 PLEASANT GROVE BOROUGH CHESAPEAKE, VIRGINIA

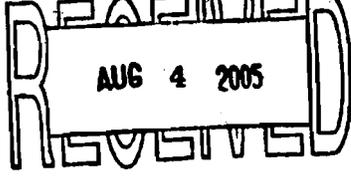
SCALE



DATE	FIGURE
08/01/05	1



U. S. ARMY CORPS OF ENGINEERS



BY

Impact Area 7
3,442 LF x 7.3 FT =
25,127 SF = 0.577 ac

EDINBURGH PARKWAY

Impact Area 10
964 SF = 0.022 AC

SHEET 7
SHEET 6

Impact Area 8
1,345 LF x 9 FT =
12,122 SF = 0.278 AC

Impact Area 5
17,589 SF = 0.404 AC

Wetland Creation Area
38,920 SF = 0.893 AC

Impact Area 4
7,970 SF = 0.183 AC

NWP 32 Restoration
Area with Trail

Impact Area 6
416 LF x 6 FT =
2,553 SF = 0.059 AC

Impact Area 9
3,822 SF = 0.088 AC

SHEET 5
SHEET 4

LEGEND

-  WETLANDS
-  NWP-32 PERMIT AREAS
-  WETLAND (EXCL. DITCHES)
IMPACT AREAS: ±1.052 ACRES
-  ISOLATED WETLAND
IMPACT AREAS: ±0.208 ACRES
-  HERBACEOUS WETLAND DITCHES
IMPACT AREAS: ±0.914 ACRES
-  WETLAND CREATION
AREA: ±0.893 ACRES
-  FUTURE LAKES
-  RESTORATION AREA WITH TRAIL

Impact Area 3
9,046 SF = 0.208 AC

SHEET 3

Impact Area 1
7,667 SF = 0.176 AC

Impact Area 2
7,819 SF = 0.179 AC

NOTE: BASE MAP INFORMATION PROVIDED BY ESI, VHB, AND HASSELL & FOLKES.

SITE MAP

JOINT PERMIT APPLICATION
CC2a DEVELOPMENT
EDINBURGH PUD

EDINBURGH PARKWAY & HILLCREST PARKWAY

PLEASANT GROVE BOROUGH

CHESAPEAKE, VIRGINIA

SCALE



DATE

SHEET

08/01/05

2



**Kerr Environmental
Services Corp.**

*Sustainable Ecological Restoration
and Environmental Consulting*

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Virginia Beach, VA 23451

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