

Public Notice

U.S. Army Corps of Engineers, Norfolk District

March 31, 2006

CENAO-TS-G
06-V0156-40

FEDERAL PUBLIC NOTICE

The District Engineer and the Virginia Department of Environmental Quality have received a joint application for Federal and State permits as described below:

APPLICANT

East Gate Partners II LLC
Attn: Mr. Robert G. Aaron
c/o Equinox Investments LLC
43571 John Mosby Highway, Suite 120
Chantilly, VA 20152

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located on an approximately 115-acre parcel south of the intersection of John Mosby Highway (Route 50) and Willard Road (Route 639) in Loudoun County, Virginia. The work will occur in a tributary to Cub Run.

PROPOSED WORK AND PURPOSE: The project consists of the discharge of fill material into waters of the United States associated with the commercial development of the subject tract. The project is called East Gate. Approximately 1.19 acres of jurisdictional waters of the United States, comprised of 0.29 acre palustrine forested wetlands, 0.15 acre palustrine scrub/shrub wetlands, 0.67 acre palustrine emergent wetlands, 0.08 acre palustrine open water and 3,190 linear feet of stream channels, will be impacted by the proposed work. On-site compensation, credit purchase from Cedar Run Wetland Bank and a contribution to the Virginia Aquatic Resources Trust Fund is planned for mitigation.

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. A vicinity map and project plans 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 that 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 Engineer within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Engineer 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) according to the Virginia Department of Historic Resources' Data Sharing System, the site contains historic properties potentially eligible for inclusion on the National Register. The permit area is the entire site and consultation with the Virginia Department of Historic Resources has been initiated. The permit area is limited to the development. Additional information might change any of these findings.

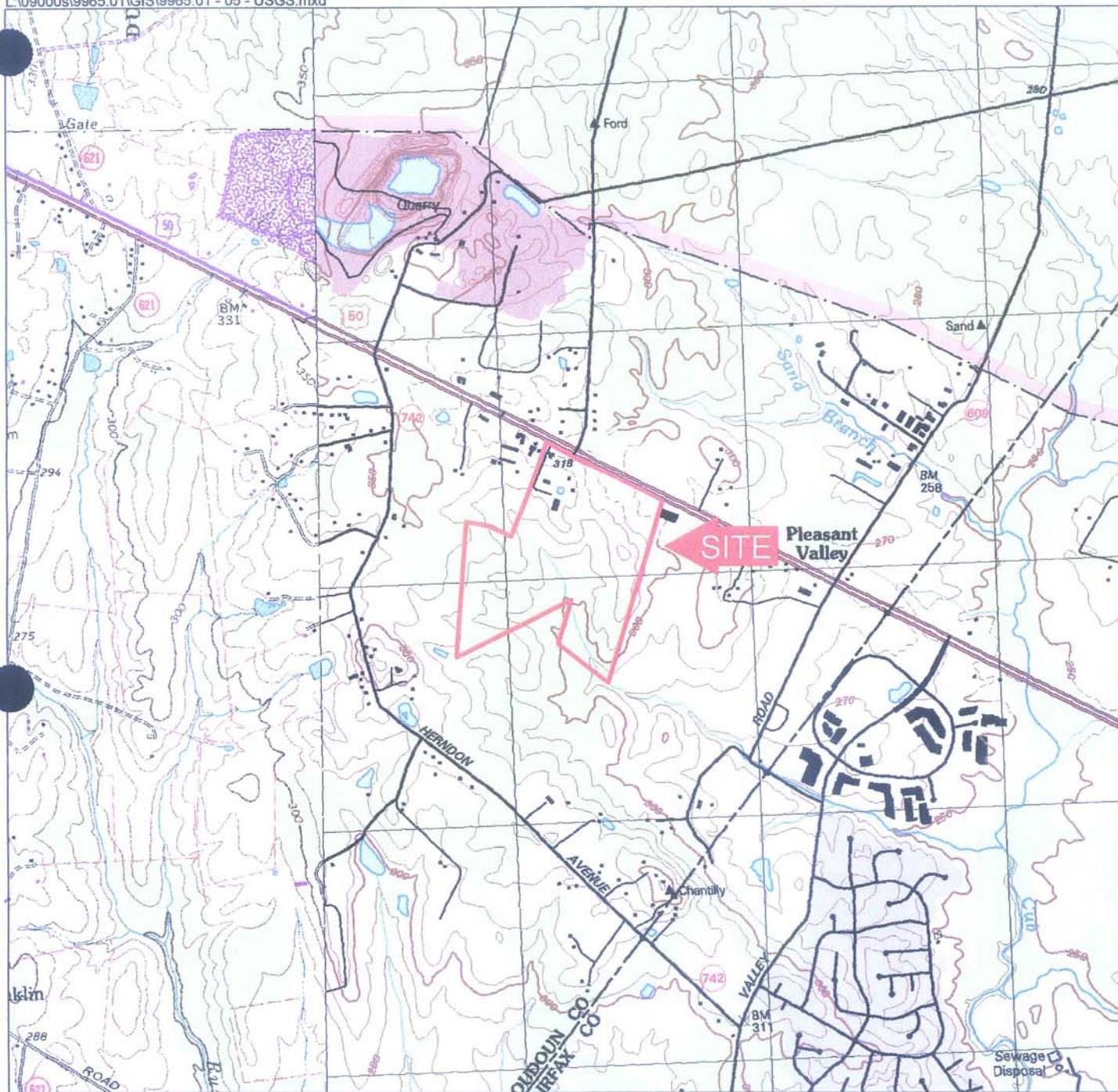
COMMENT PERIOD: Comments on this project should be made in writing, addressed to the U.S. Army Corps of Engineers-Norfolk District, Northern Virginia Field Office, 18139 Triangle Plaza, Suite 213, Dumfries, VA 22026, and should be received by the close of business on May 1, 2006.

If you have any questions about this project or the permit process, please contact Mr. Ron Stouffer at 703-221-6967.

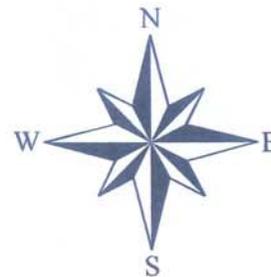
FOR THE DISTRICT ENGINEER:

Bruce F. Williams
Chief, Northern Virginia
Regulatory Section

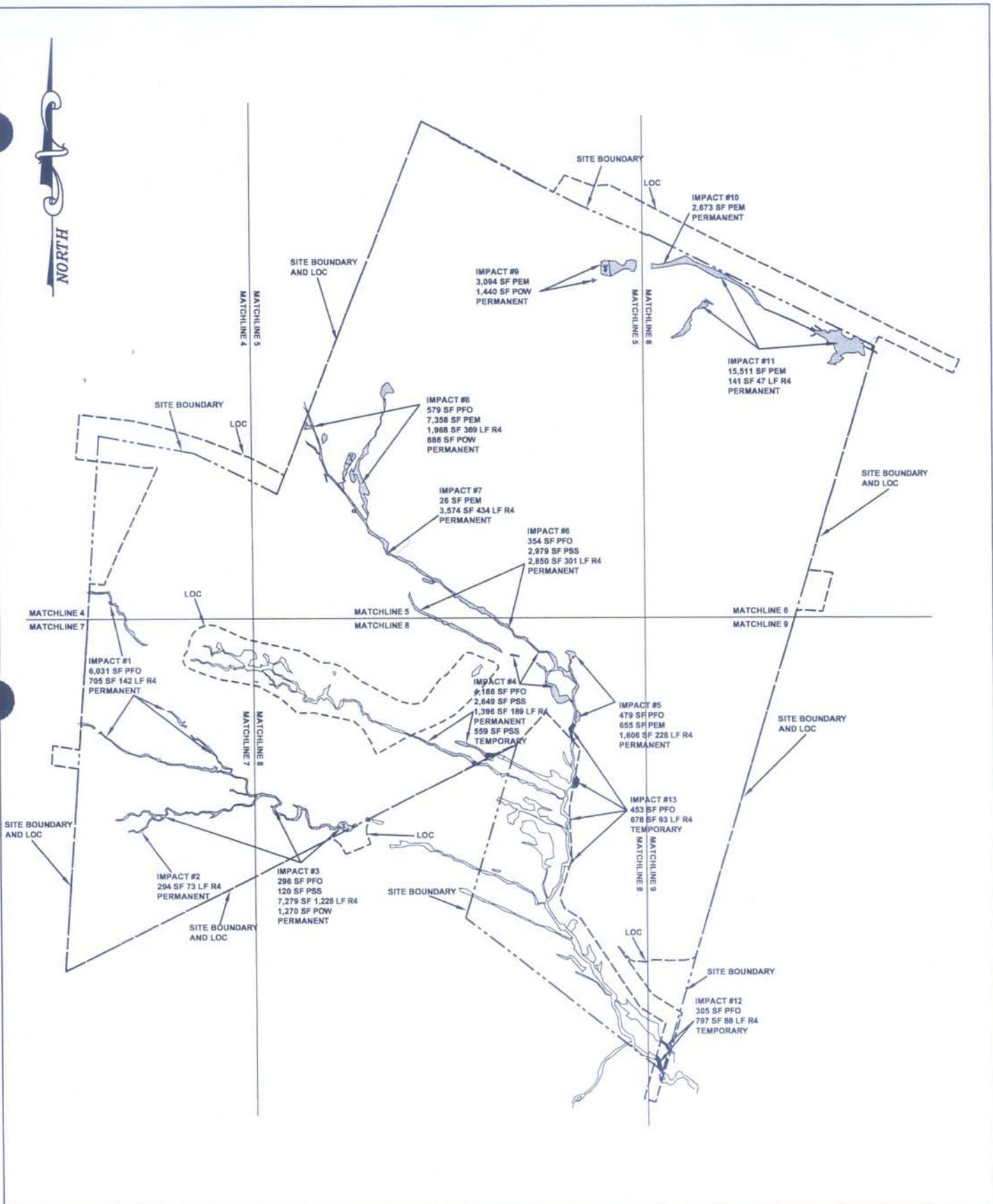
Enclosures



**USGS Quad Map
Herndon, VA 1994
East Gate
WSSI #9965.01
Scale: 1" = 2000'**



Latitude: 38°54'50" N
Longitude: 77°29'15" W
Hydrologic Unit Code (HUC): 02070010
Stream Class: III
Name of Watershed: Unnamed tributary to Cub Run

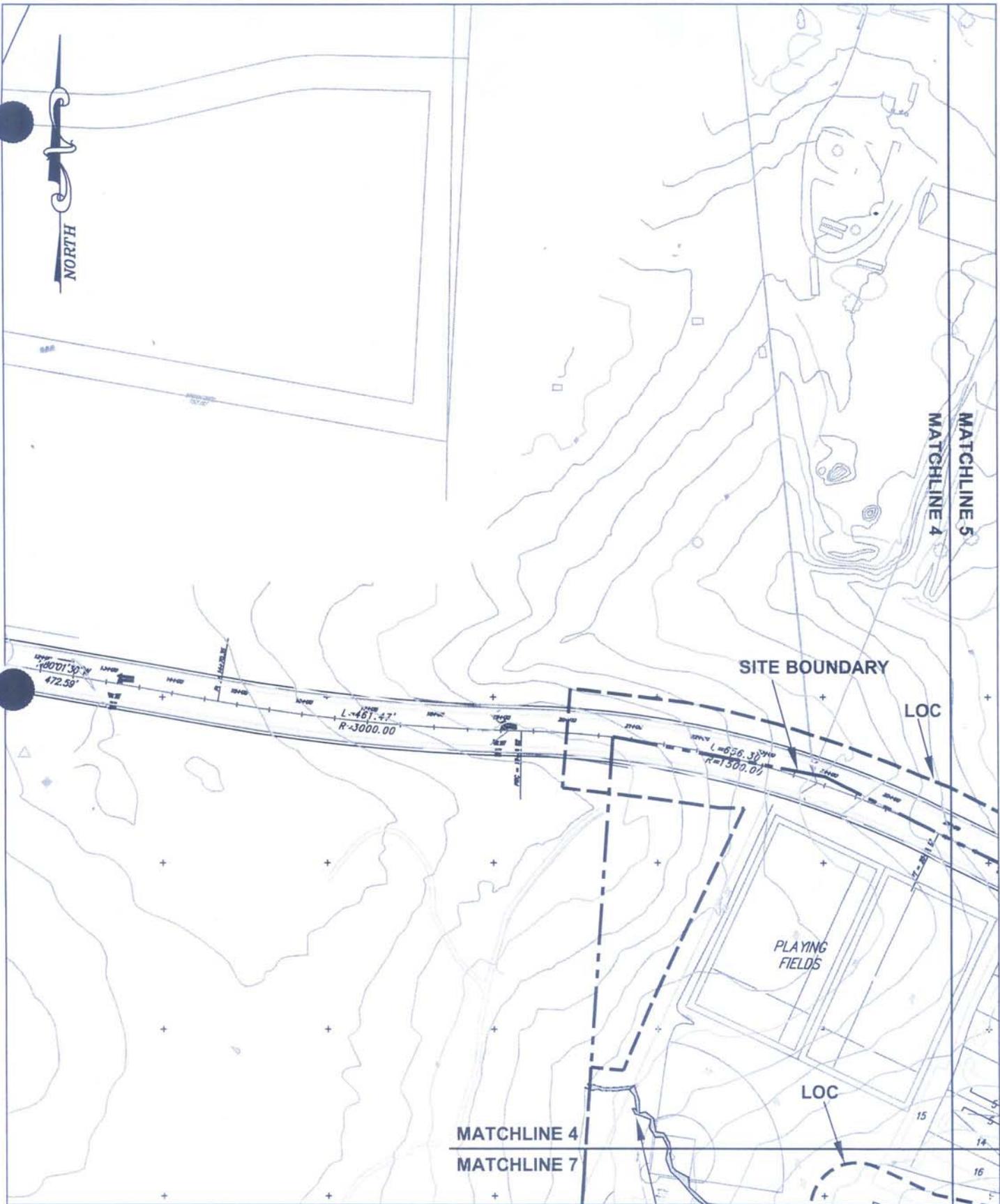


Applicant:
EAST GATE PARTNERS II, LLC
c/o Equinox Investments
43571 John Mosby Highway Suite 120
Chantilly, Virginia 20152

Agent:
WETLAND STUDIES AND SOLUTIONS, INC.
5300 Wellington Branch Drive Suite 100
Gainesville, Virginia 20155
Phone (703)679-5600 Fax (703)679-5601

EAST GATE
*Proposed Impacts to Nontidal
Waters of the U.S.*
Loudoun County, Virginia

Sheet Title:
MATCHLINE SHEET INDEX
8.5" X 11"
Scale: 1" = 450'
Date: JAN. 2006 **Sheet: 3 of 35**



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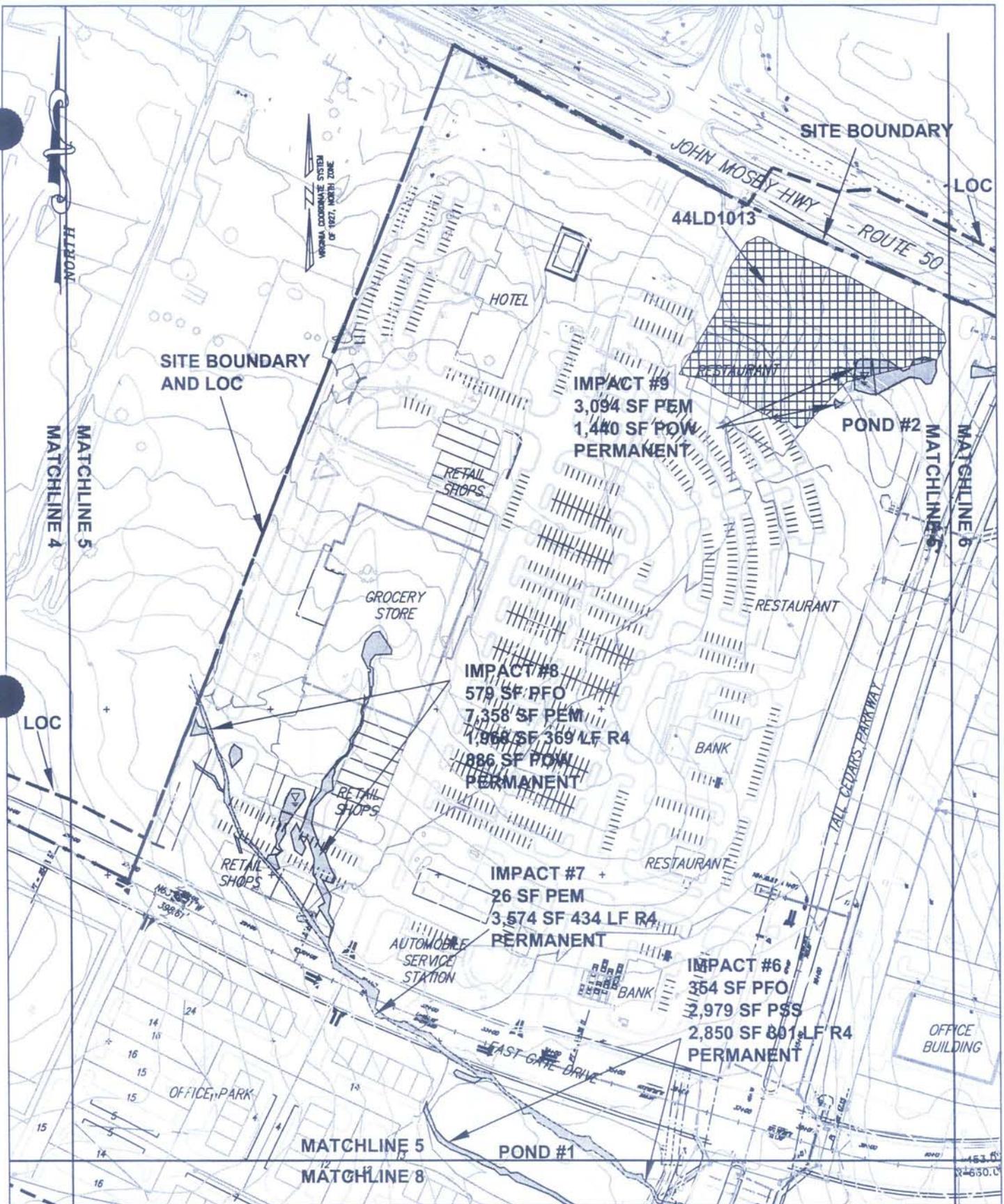
EAST GATE
*Proposed Impacts to Nontidal
 Waters of the U.S.*
 Loudoun County, Virginia

Sheet Title:
MATCHLINE SHEET 4

Scale: 1" = 200'

Date: JAN. 2006

Sheet: 4 of 35



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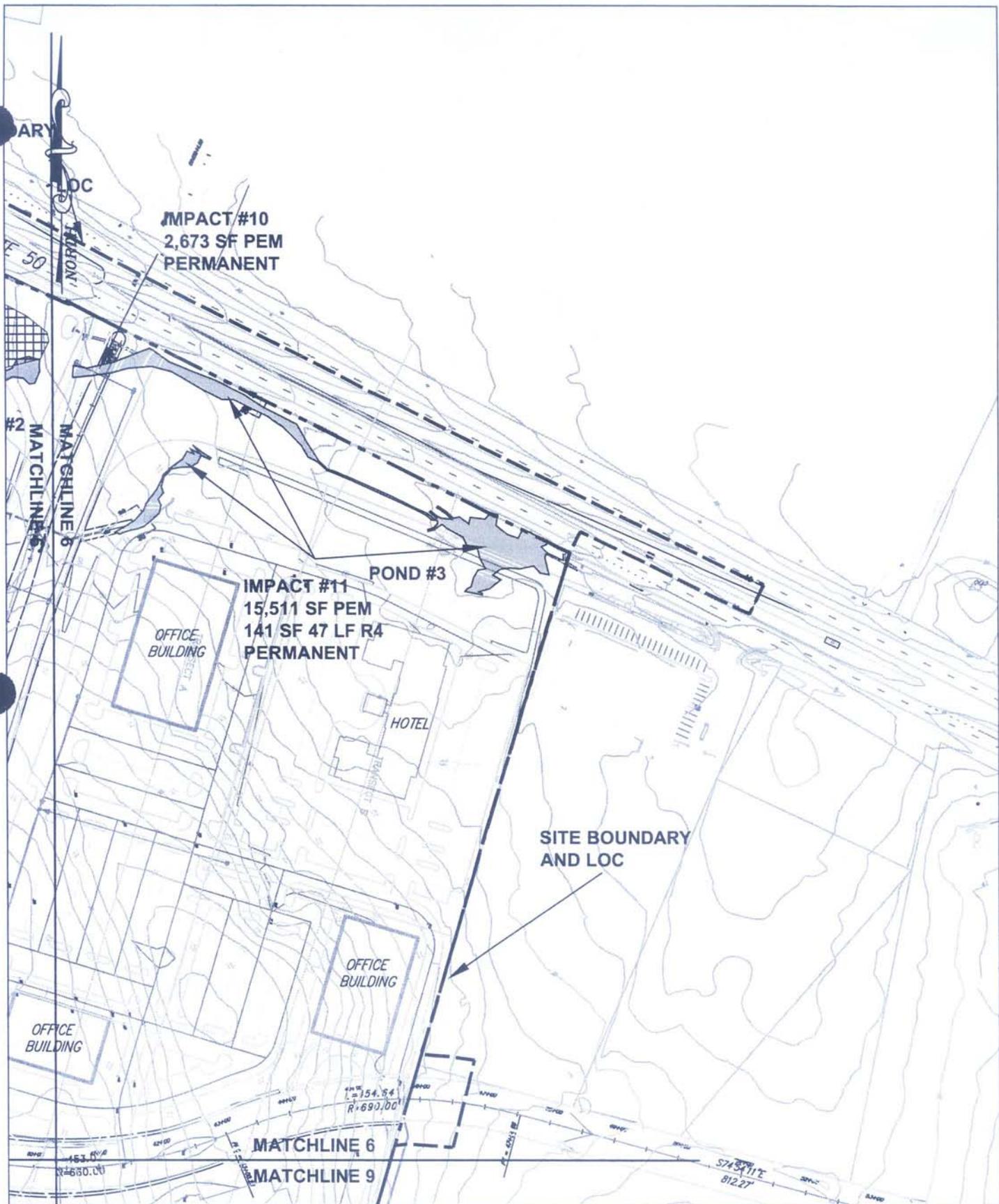
Loudoun County, Virginia

Sheet Title:
MATCHLINE SHEET 5

Scale: 1" = 200'

Date: JAN. 2006

Sheet: 5 of 35



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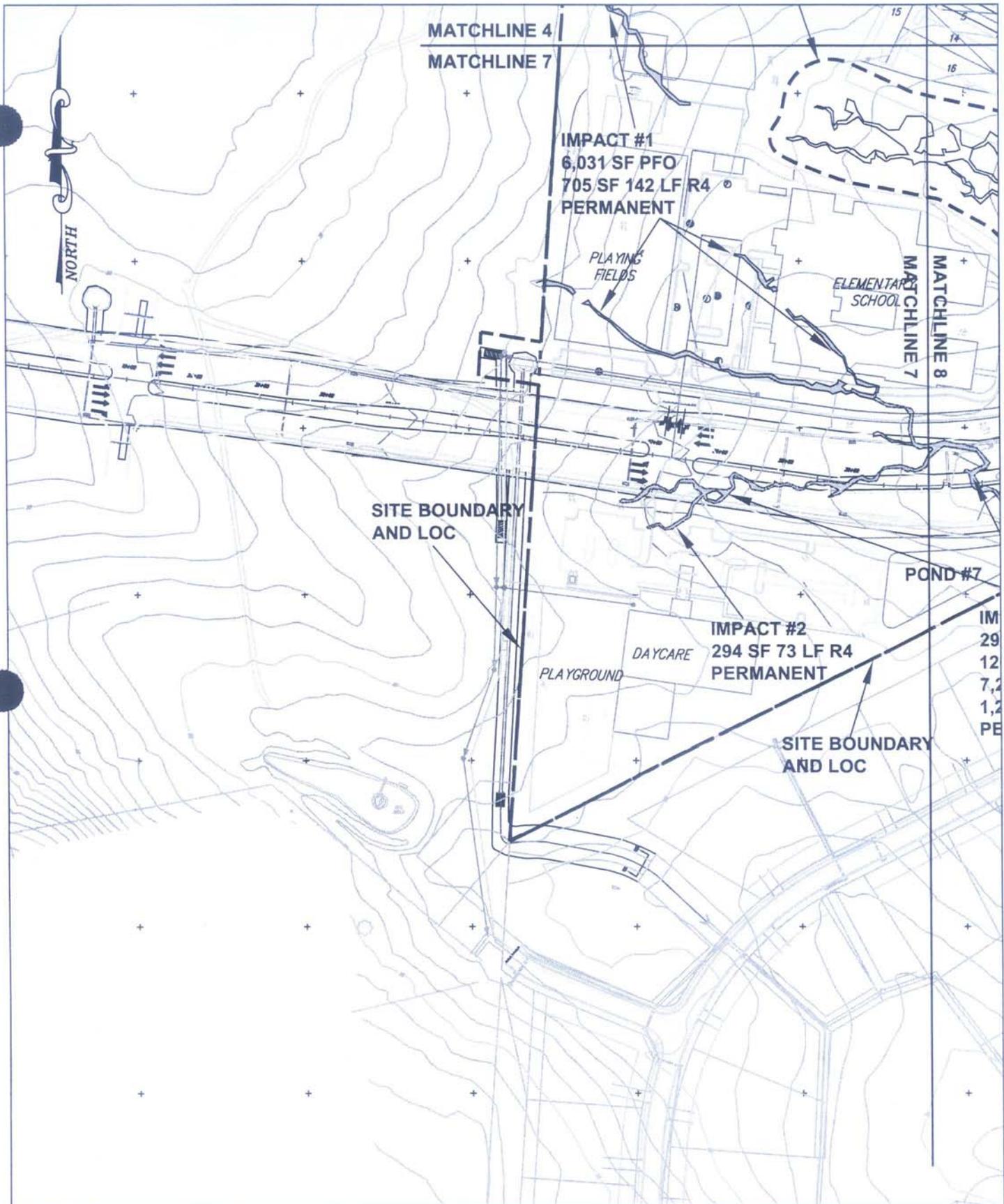
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*Proposed Impacts to Nontidal
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Loudoun County, Virginia

Sheet Title:
MATCHLINE SHEET 6

Scale: 1" = 200'
 Date: JAN. 2006 Sheet: 6 of 35

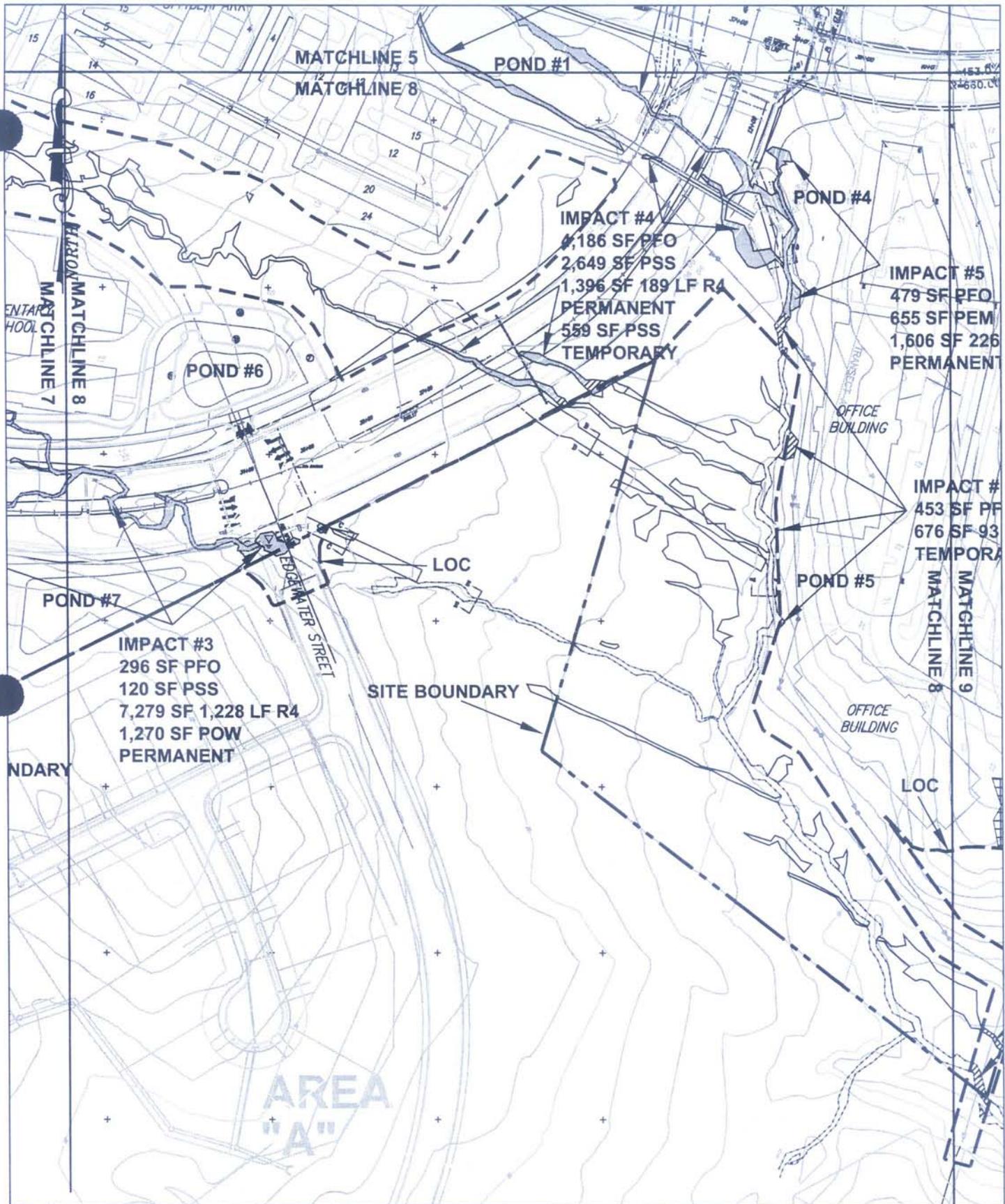


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EAST GATE
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 Loudoun County, Virginia

Sheet Title:
MATCHLINE SHEET 7
 Scale: 1" = 200'
 Date: JAN. 2006 Sheet: 7 of 35



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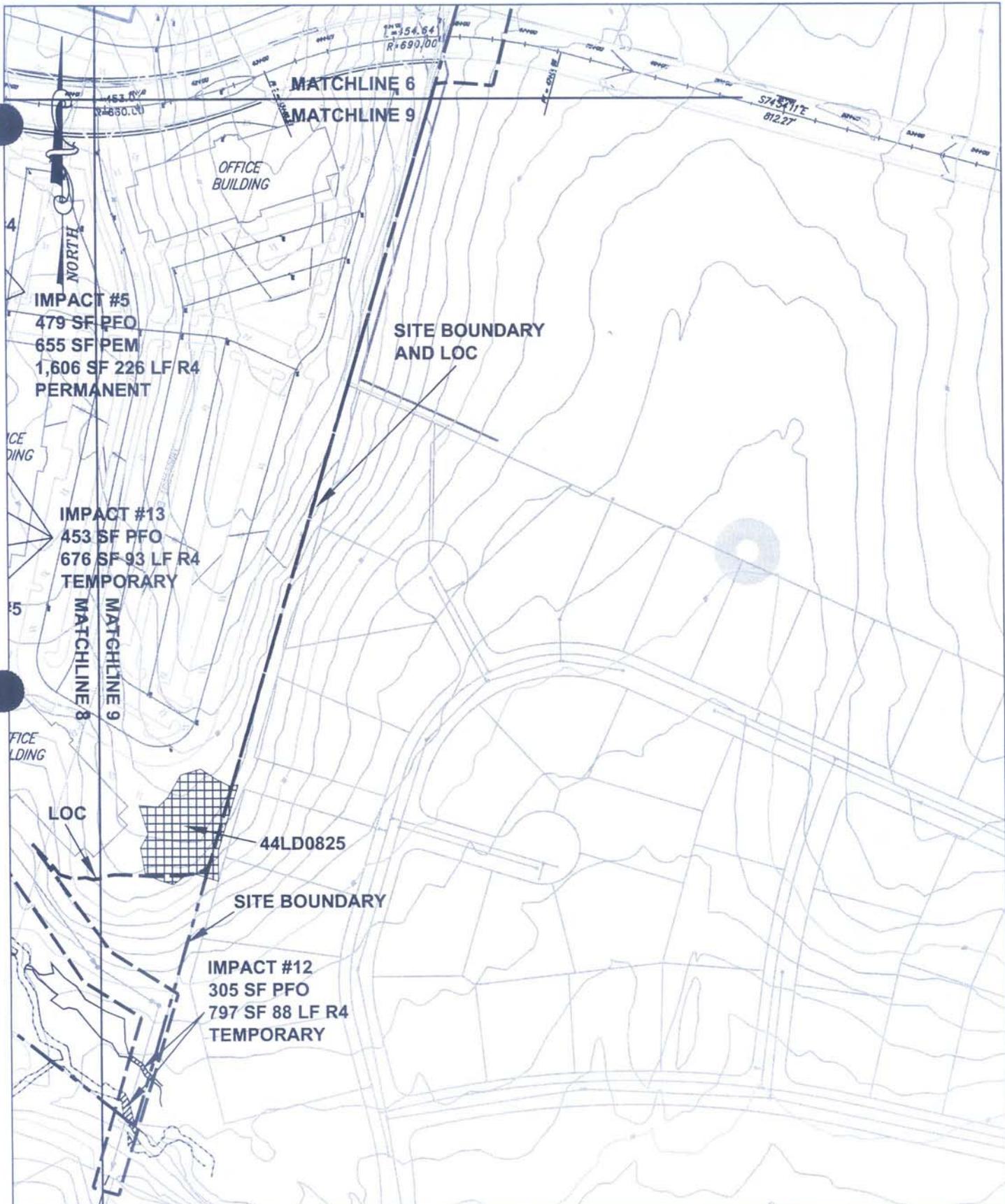
EAST GATE

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 Waters of the U.S.*

Loudoun County, Virginia

Sheet Title:
MATCHLINE SHEET 8

Scale: 1" = 200'
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EAST GATE

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Sheet Title:
MATCHLINE SHEET 9

Scale: 1" = 200'
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