



# Public Notice

U.S. Army Corps of Engineers, Norfolk District

August 3, 2012

CENAO-WR-R  
NAO-2006-7731/12-V0974

## FEDERAL PUBLIC NOTICE

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

### APPLICANT

Reed Enterprises, Inc.  
Attn: Mr. Neal Reed  
2885 West Neck Road  
Virginia Beach, VA 23456

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located south of the intersection of Holland Road and Dam Neck Road on GPIN numbers 1495-13-8628 and 1495-14-6175 in Virginia Beach, Virginia. The site drains into West Neck Creek, a tributary to North Landing River, a navigable water of the U.S.

PROPOSED WORK AND PURPOSE: The applicant proposes to expand an existing commercial automobile maintenance operation by constructing two 6,000 square foot collision repair buildings and associated parking, and relocating an existing BMP.

The proposed project will result in 1.07 acres of forested wetland impacts and 0.66 acre of emergent wetland impacts. As compensatory mitigation, the applicant is proposing to purchase 2.80 credits from the Lower James River Wetland Mitigation Bank.

The applicant has redesigned the project from the original proposal in order to minimize impacts which have been reduced from 3.23 acres to 1.73 acres.

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 and a permit from the Virginia Beach Wetlands Board. 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 direct, indirect, and cumulative 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](mailto: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-WR-R, Nancy Hankins), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on September 3, 2012.

**PRIVACY & CONFIDENTIALITY:** Comments and information, including the identity of the submitter, submitted in response to this Public Notice may be disclosed, reproduced, and distributed at the discretion of the U.S. Army Corps of Engineers. Information that is submitted in connection with this Public Notice cannot be maintained as confidential by the U.S. Army Corps of Engineers. Submissions should not include any information that the submitter seeks to preserve as confidential.

If you have any questions about this project or the permit process, contact Nancy Hankins at (757)201-6048 or [nancy.d.hankins@usace.army.mil](mailto:nancy.d.hankins@usace.army.mil).

FOR THE DISTRICT COMMANDER:

A handwritten signature in cursive script that reads "Lynette R. Rhodes".

Lynette R. Rhodes  
Chief, Southern Virginia  
Regulatory Section

Attachment: Drawings