

Public Notice

U.S. Army Corps of Engineers, Norfolk District

July 18, 2012

CENAO-WR-R
NAO-2012-1419

FEDERAL PUBLIC NOTICE

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

APPLICANT

Branch Highways, Inc.
P. O. Box 40004
Roanoke, VA 24022

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located in tributaries to Laurel Fork and Big Reed Island Creek, tributaries to the New River, and in Meadow Creek, a tributary to the Dan River, on an 8.2 mile length of Route 58 starting east of Hillsville and ending west of Meadows of Dan, in Carroll, Floyd, and Patrick Counties, Virginia. The portion of Route 58 known as the Laurel Fork section is located in Carroll County and extends from 0.306 miles east of the existing U.S. Route 58 bridge crossing of Big Reed Island Creek to approximately 0.3 miles east of Route 632 (Mapleshade Road) for an approximate length of 5.0 miles. The portion of Route 58 known as the Tri-County section extends from approximately 0.3 miles east of Route 632 (Mapleshade Road) in Carroll County, through Floyd County, to 0.273 miles west of the existing Route 600 in Patrick County for an approximate length of 3.2 miles.

PROPOSED WORK AND PURPOSE: The applicant proposes drainage and roadway improvements to the Tri-County and Laurel Fork sections of the U. S. Route 58 corridor. Both sections will be expanded from an existing two-lane configuration to a 4-lane, divided highway with median-separated twin 2-lane pavement in each direction. The proposed work will result in permanent impacts to approximately 4.098 acres of nontidal wetlands, 0.22 acres of open water (ponds) and approximately 11,743 linear feet of streams (8,452 perennial, 2,422 intermittent, and 869 ephemeral). The applicant's stated purpose is to upgrade an existing highway in order to meet rural principal arterial design standards, as the Virginia 2010 Statewide Highway Plan identified the need to upgrade these two sections of U.S. Route 58 to four lanes in order to meet current design standards. The applicant states that the project will improve safety, enhance mobility, and provide consistency of travel patterns on Route 58 between the recently completed four-lane Hillsville and Meadows of Dan Bypasses, addressing current sharp curves, steep hills, and inadequate passing capabilities.

Regarding avoidance and minimization, the applicant indicates that a location study was conducted in the mid -1990's that evaluated various alignments and developed alternatives, settling on three build alternatives, and identifying a preferred alternative. Preliminary alternatives and the preferred alternative were presented at public information meetings and a public hearing conducted by the Virginia Department of Transportation in the 1990's. Environmental constraints such as streams, wetlands, endangered species, historic sites, parks, homes and other buildings, cemeteries, and the Blue Ridge Parkway were all taken into account as part of the development of alternatives. The project area's terrain was a primary limitation to engineering design criteria such as vertical roadway curvature and allowable horizontal grades. The application states that impacts to waters of the U.S. cannot be totally avoided due to the linear nature of the project and the existing topography along the project alignment. To minimize impacts, the applicant has focused on relation/realignment/reconfiguration of stormwater facilities, using

the steepest allowable side slopes along the roadway, and minimizing impacts at culverts through construction techniques.

To compensate for unavoidable impacts to streams and wetlands, the applicant proposes permittee-responsible stream and wetland restoration. Conceptual proposals were submitted with the application for three separate sites, one in Floyd County and two in Pulaski County, with the expectation of using only one of the sites to provide required compensation. The applicant proposes to provide 13,096 stream credit units as compensation for stream impacts, based on the Unified Stream Methodology. For wetland compensation, the applicant proposes 2.64 acres for forested wetland impacts (2:1 ratio), 1.18 acres for scrub-shrub wetlands (1.5:1), 1.78 acres for emergent wetlands (1:1), and 0.22 acres for open water (1:1), resulting in a total of 5.82 acres of wetlands restoration.

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 map of the project location is attached, and project drawings are available upon request.

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) on 9 July 2012, the Virginia Department of Historic Resources concurred that the proposed work will have no effect to properties eligible for inclusion or included in the National Register of Historic Places. Additional information might change any of these findings.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-WR-R), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on August 18, 2012.

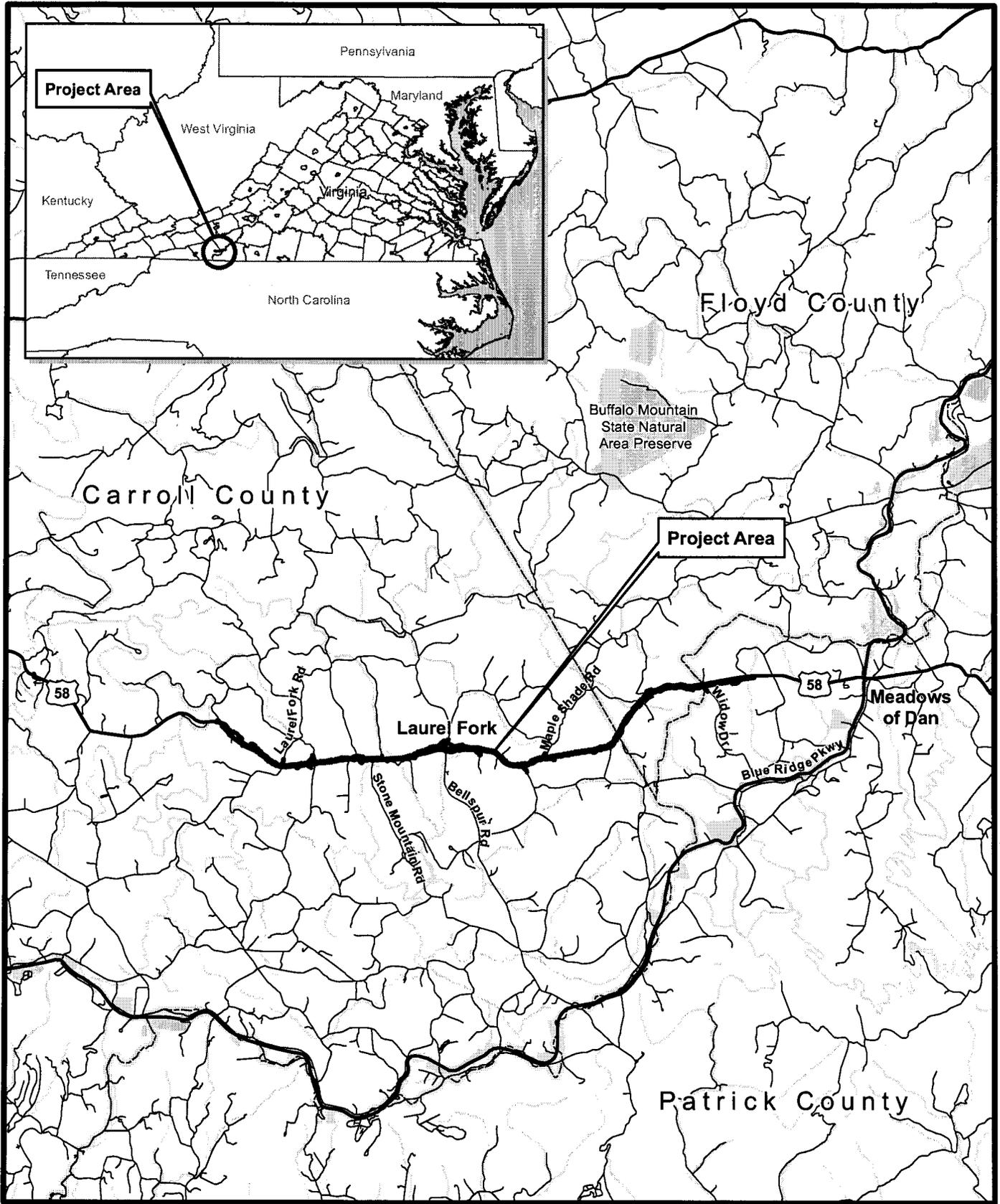
PRIVACY & CONFIDENTIALITY: Comments and information, including the identity of the submitter, submitted in response to this Public Notice may be disclosed, reproduced, and distributed at the discretion of the U.S. Army Corps of Engineers. Information that is submitted in connection with this Public Notice 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 Alice Allen-Grimes at 757-201-7219 or alice.w.allen-grimes@usace.army.mil

FOR THE DISTRICT COMMANDER:


for Kimberly A. Prisco-Baggett
Chief, Eastern Virginia
Regulatory Section

Attachment: Map



LEGEND

-  Limits of Construction
-  Park / Forest / Recreational Area

**U.S. Route 58 - Laurel Fork (E11 and E02, Phase 3)
Location and Vicinity Map
Figure 1**

Source: Virginia Department of Conservation and Recreation, ESRI



0 5,000 10,000 20,000 Feet