



Public Notice

U.S. Army Corps of Engineers, Norfolk District

November 28, 2012

CENAO-WR-R
NUMBER 2007-1619

FEDERAL PUBLIC NOTICE

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

APPLICANT

Glenmore Associates
P.O. Box 8186
Charlottesville, Virginia 22906

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located in multiple unnamed tributaries and abutting wetlands to Carroll Creek, a tributary to the Rivanna River. The project is located south of Interstate 64 and Route 250 (Richmond Road), approximately 1 mile west of Route 22 (Louisa Road), Albemarle County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to place fill in waters of the U.S. for the purpose of constructing a project that will integrate residential, retail, office and institutional uses into a compact, walkable urban environment. Proposed permanent impacts will occur to 2155 linear feet (L.F.) of intermittent stream, 0.53 acres of forested wetlands (PFO), 0.72 acres of open water (POW), and 84 linear feet of temporary stream impacts.

The applicant incorporated avoidance and minimization efforts to minimize impacts to waters of the United States. The original proposal was to impact over 7,000 L.F. of stream, and the applicant has reduced this impact by over 5,000 L.F. through realignment of roads, building areas, and stormwater facilities.

Only parcels within the Albemarle County designated Development Areas were evaluated for off-site alternatives. Seven sites were analyzed, 3 sites were located in Neighborhoods, 2 were located in Communities and 2 were located in the Village of Rivanna. The site chosen was the only site of sufficient size and without constraints that met the Albemarle County Development Area needs for a mixed use site and would allow the applicant to realize his purpose and need. The Communities and Neighborhoods are part of the Albemarle County Development Areas and are not zoned for mixed use projects.

The project is proposed to be built in 9 phases, with mitigation and deed restrictions being required before each phase is built.

The applicant proposes to compensate for permanent wetland and stream impacts through the purchase of wetland and stream credits from an approved mitigation bank at 2:1 ratio for forested wetlands (PFO), 1.5:1 for scrub shrub wetlands (PSS), and 1:1 for emergent wetlands (PEM). Based on this, the applicant would need to purchase 1.07 wetland credits and 2,155 stream

credits. The stream credits were calculated through the application of the Unified Stream Methodology (USM) for the preferred alternative

Temporary impacts for the project (coffer dams, detention basins, utility crossings etc) will be in place during construction and will be removed upon completion and the areas (where applicable) will be restored to pre-construction condition.

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. The application and drawings can be viewed at the Greene County Administration Building located at 40 Celt Road, Stanardsville, Virginia, 22973

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.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers, Western Virginia Field Office (ATTN: Vincent Pero), 920

Gardens Boulevard Suite 200, Charlottesville, Virginia 22901, and should be received by the close of business on December 28, 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 Vinny Pero at 434-973-0568 or Vincent.d.pero@usace.army.mil

FOR THE DISTRICT COMMANDER:

Peter Kube

Chief, Western Virginia
Regulatory Section

Attachment: Drawings