



Public Notice

U.S. Army Corps of Engineers, Norfolk District

August 1, 2013

CENAO-WR-R
NAO-2008-1100 (Roanoke River)

FEDERAL PUBLIC NOTICE

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

APPLICANT

Henry County Industrial Development Authority
Commonwealth Crossing Business Centre (CCBC)
P.O. Box 7
3300 Kings Mountain Road
Collinsville, VA 24078

WATERWAY AND LOCATION OF THE PROPOSED WORK: The CCBC project is located in Henry County, Virginia and Rockingham County, North Carolina along Paterson Branch, a tributary to Marrowbone Creek and the Roanoke River. The project is located on the west side of US Route 220 (Center coordinates: Lat 36° 32' 39" N Long 79° 54' 57" W) and bounded by undeveloped woodlands as well as cleared property associated with the Roma Property to the north; the Norfolk Southern Railroad tracks, US Route 220, and cleared property associated with the Roma Property to the east; Spencer Road, Spring View Court, a former farm road, a trailer park, single family residences, and undeveloped woodlands to the west; and Norfolk Southern Railroad tracks, US Route 220, Spencer Road, a cemetery, single family residences, and agricultural fields to the south. The project is located within the Upper Dan Watershed (HUC 03010103) with perennial and intermittent and ephemeral streams that transect the Site, flowing primarily from southwest to northeast toward the Marrowbone Reservoir (see Drawing 1: Vicinity Map).

PROPOSED WORK AND PURPOSE: The applicant's stated purpose of the CCBC is to provide infrastructure, transportation and pad site improvements to accommodate

construction for two proposed industrial sites; Project Mercury and Project Atlantis. The entire parcel known as the Roma-Sharpe property is 739 acres; for the proposed phase one, 175 acres will be developed. The property provides rail and four-lane highway access.

Impacts of the proposed project are as follows: Permanent impacts of the proposed project are as follows: impacts to 0.25 acres of palustrine forested wetlands (PFO); 0.05 acres of palustrine emergent wetlands (PEM); 2, 674 linear feet of perennial streams and 7, 543 linear feet of intermittent and ephemeral streams. Compensation and mitigation are proposed as follows: 4,888 linear feet of stream (including Patterson Branch on the Sharpe Property) will be preserved onsite for a total of 806 compensation credits and 0.88 acres of wetlands; approximately 5,117 additional credits will be purchased from stream mitigation banks and 0.48 wetlands credits will be purchased from a wetland mitigation bank. Offsite compensation on the Bryant Tract is proposed as 9,286 linear feet of stream and 4.35 acres of wetlands. The impacts in North Carolina will total 0.25 wetland credits and 253 stream credits that will be purchased through the North Carolina Ecosystem Enhancement Program (NCEEP). All stream and wetland data will be reviewed in accordance with current policy. While proposed stream and wetland impacts are based on previously Corps verified delineation work, we expect that impact scope will not change due to a re-verification using the current Regional Supplement delineation criteria.

Road access to the site will be through the North Carolina parcel off US route 220 and Spenser Road. There are currently no documented occurrences of threatened or endangered species in the project area. A survey for James Spiny Mussel (*Pleurobema collina*) and Roanoke logperch (*Percina rex*) was conducted in July of 2012; no species were found. A survey for Small-Anthered bittercress (*Cardamine micranthera*) and Smooth coneflower (*Echinacea laevigata*) were conducted in May of 2012; no species were found. Archaeological and architectural resource phase 1 and 2 surveys were conducted in 2008 and 2009. The Corps received a letter from Virginia Department of Historic Resources (VDHR) on March 2, 2012 that they recommended a finding of No Adverse Affect for the referenced project.

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. Additionally a final permit decision from the North Carolina Division of Water Quality (NCDWQ) issuing, denying, or waiving State certification required by Section 401 of the Clean Water Act (PL 92-500) will also be required.

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) after conducting the NAO ESA Project Review Process, no listed, proposed, candidate species and/or designated, proposed critical habitat under the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended) will be affected. Based on this no effect determination, no further coordination with the Fish and Wildlife Service is required; 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 (ATTN: Danielle Courtois), Blue Ridge Field Office, P.O. Box 143, Floyd, VA 24091 or Danielle.R.Courtois@usace.army.mil and should be received by the close of business on August 31, 2013.

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 Danielle Courtois at 540-651-2088 or Danielle.R.Courtois@usace.army.mil.

FOR THE DISTRICT COMMANDER:

John Evans
Acting Chief
Western Virginia Regulatory Section

Attachments:

Drawing 1 Vicinity Map
Impact Drawings – Overall
Impact Drawings – Impact Areas
Impact Drawings – Detail 1
Public Notice Impact Drawings – Detail 2
Public Notice Impact Drawings – Detail 3
Public Notice Impact Drawings – Table and Notes
Bryant Property – Vicinity Map
Drawing 8 – Cross Section Drawings