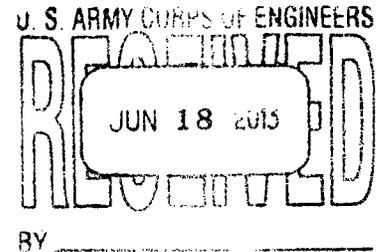


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Coastal Zone Management Act (CZMA)
Federal Consistency Concurrence
DEQ 401 Water Quality Certification

Nimmo's Quay East and West
Original ACOE Permit Number: 97-V1450-18
Applicant: Kemp Del, Inc.
Owner: Mr. George Kemp



PROPERTY DESCRIPTION:

The property consists of approximately 112 acres located on the north side of Nimmo Parkway (under construction) approximately 900 feet west of Hunters Run Trail. There are approximately 45.09 acres of forested and isolated wetlands on site. The property is wooded with vegetation ranging in age from 15 to 20 years. There are two ditches that run north to south that do NOT meet the requirements to be classified as Perennial Streams. There are also flood plains within and outside of the wetlands areas on site as determined by the City of Virginia Beach. Infrastructure that will be utilized for the project is currently under construction within the proposed Nimmo Parkway project.

The general concept for development of the properties has not changed from the original concept approved in 1998 and 2008. The basic number of proposed residential lots under the original approved plan was 134. This plan calls for a total of 134 residential lots.

A permit (ACOE number 97-V1450-18) was issued in 1998 and updated and reapproved in 2008. The wetlands impact area under that permit was 7.22 acres.

Through minimization and avoidance (m & a) efforts we have reduced the total wetlands impact area to 5.40 acres.

The impact from the entrance road off Nimmo Parkway cannot be avoided due to the fact that this is the only location where a crossover is available therefore, the City will not allow a relocation of the entrance road.

There are no other access road location available.

Additional m & a is not possible due to additional City of Virginia Beach requirements.

1. 20% green space which cannot include wetlands areas.
2. Parks and recreational areas and storm water BMP facilities.

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3. Certain uplands areas fall within the flood plain and cannot be developed into residential lots.

4. No residential lots may be developed within the ACUZE zone.

Given all of the ' multi layered ' constraints listed above and the reduction in the total number of lots we have minimized the total wetlands impact.

None of the residual wetlands (conservation areas) will be developed at a future date. There are two areas of uplands that may be developed into additional lots at a future date.

PROJECT LOCATION

G-pin # 2404-37-1633 and 2404-57-3796
Latitude: 36-45-58.7 / Longitude: 76-02-0.50
USGS Hydrologic Unit Code: 03010205

PROJECT EVALUATION

Preliminary plans and rezoning have been approved by the City of Virginia Beach.

The Joint Permit Application has been submitted to VMRC.

There are no requirements for NEPA documentation.

The proposed development meets all requirements for NON - point Source Pollution Control through Erosion and Sediment control and the use of Storm Water Management and BMP's under current Virginia law and DCR regulations.

There are no additional impacts anticipated from development of this property.

The project is in compliance with CZMA Section 307 (c) (3) (A) and 307 (d) and 15 CFR part 930.

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