



# Public Notice

U.S. Army Corps of Engineers, Norfolk District

December 19, 2014

CENAO-WR-R  
NAO-2002-4325

## FEDERAL PUBLIC NOTICE

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

### APPLICANT

Virginia Department of Transportation (VDOT)  
ATTN: Mr. James E. Poff  
1700 North Main Street  
Suffolk, VA

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located in headwater wetlands of Nottoway Swamp, a tributary to the Nottoway River, at the Town of Courtland in Southampton County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to relocate Route 742 with a bridge over the Route 58 bypass and construct an interchange at the intersection of Routes 58 and 58 Business. Loops, a ramp, and a spur will be added to create an interchange. A right-turn lane will be added to accommodate the businesses along eastbound Route 58. The project will permanently impact 76,041 square feet and temporarily impact 14,800 square feet of nontidal forested wetlands. The applicant's stated purpose is to improve safety and traffic flow.

An interchange at this location was permitted in 2002, but was not constructed; that permit expired. The applicant states that wetland impacts have been reduced by 0.75 acres through design refinements. The applicant proposes to compensate for the wetland impacts by using credits from VDOT's William Benjamin Nottoway Bank that were debited in 2002 as part of the original permit (but impacts did not occur as the interchange was not built).

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.

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) The Federal Highway Administration (FHWA) is the lead Federal Agency for this project. They prepared a Categorical Exclusion document in 2010 in accordance with the National Environmental Policy Act. No environmental impact statement will be required; (2) FHWA has determined that 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. The Virginia Department of Historic Resources concurred with VDOT on December 20, 2011 that no historic properties will be affected by the project. 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 January 19, 2015.

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 Mr. Stephen Decker at telephone 757-201-7832 or at email [stephen.j.decker@usace.army.mil](mailto:stephen.j.decker@usace.army.mil).

FOR THE DISTRICT COMMANDER:

A handwritten signature in black ink, appearing to read 'P. Kube', with a long horizontal line extending to the right.

Peter R. Kube  
Chief, Eastern Virginia  
Regulatory Section

Attachment: Map, Selected Drawings

