



# Public Notice

U.S. Army Corps of Engineers, Norfolk District

May 5, 2014

CENAO-WR-R  
NAO-2013-00428/13-V1539

## FEDERAL PUBLIC NOTICE

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

### APPLICANT

Corman-Wagman A Joint Venture  
12001 Guilford Road  
Annapolis Junction, Maryland 20701

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project site contains Accotink Creek, Mason Run and unnamed tributaries to Accotink Creek and is located along a 3.4 mile section of U.S. Route 1 between Telegraph Road (Route 611) and Mount Vernon Highway (Route 235) in Fairfax County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes improvements of approximately 3.4 miles of Route 1 between Telegraph Road (Route 611) and Mount Vernon Memorial Highway (Route 235). The project consists of the widening of the existing four-lanes of Route 1 to six lanes, with appropriate turn lanes at intersections, a sidewalk and multi-use trail within a right-of-way width of approximately 148 feet, a 32-foot-wide median to be reserved for future public transit, the widening of the existing bridge over Accotink Creek, the extension of pipes and culverts currently transporting water beneath the existing roadway, and the addition of rip-rap at the outfalls.

There has been an increase in population and employment within the region and the Route 1 corridor, specifically at Fort Belvoir within the study area, which has fueled an increase in transportation demand. The existing four-lane roadway lacks the amenities to accommodate pedestrians and bicyclists and does not adequately serve the existing traffic demand and will not accommodate future forecasted traffic in the corridor due to regional growth and BRAC relocations to Fort Belvoir Main Post.

The proposed project would temporarily and permanently impact approximately 2.61 acres of jurisdictional wetlands and waters of the United States consisting of 2.01 acres of permanent impacts, 0.08 acre of permanent conversion impacts, and 0.35 acre of temporary impacts. Permanent impacts are to 1.05 acre of palustrine forested wetland (PFO), 0.06 acre of palustrine scrub-shrub wetland (PSS), 0.26 acre of palustrine emergent wetland (PEM), 0.01 acre of open water, and 0.71 acre (3,668 linear feet) of stream channel. Permanent conversion impacts are to 0.08 acre PFO to PEM. Temporary impacts are to 0.18 acre PSS, and 0.08 acre (171 linear feet) of stream channels. The applicant proposes to mitigate these impacts offsite through the

purchase of 2.62 wetland credits from the Buena Vista Wetland Mitigation Bank and the purchase of 2,256 stream credits from the Hampstead Mitigation Bank and/or another approved mitigation bank.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit/401 certification from the Virginia Department of Environmental Quality 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.

The Federal Highway Administration (FHWA) is funding the project and therefore has been designated by the Corps as lead Federal agency to fulfill the collective Federal responsibilities under Section 7 of the Endangered Species Act of 1973 (PL 93-205) and Section 106 of the National Historic Preservation Act of 1966. Preliminary review indicates that: (1) FHWA approved an Environmental Assessment (EA) on June 1, 2012, and issued a Finding of No Significant Impact (FONSI) on November 21, 2012; (2) FHWA determined that no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act will be affected;

and (3) FHWA coordinated with the Virginia Department of Historic Resources and determined known properties eligible for inclusion or included in the National Register of Historic Places would be adversely affected by the proposal. A Programmatic Agreement (PA) for the project was developed and mitigation measures were developed that will adequately compensate for the adverse effects to those resources. Additional information might change any of these findings.

For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). It is the applicant's responsibility to submit a consistency certification to the Office of Environmental Impact Review for concurrence or objection and proof of concurrence must be submitted to the Corps prior to final permit issuance. A template federal consistency certification can be found here: <http://www.deq.virginia.gov/Programs/EnvironmentalImpactReview/FederalConsistencyReviews.aspx#cert> . For more information or to obtain a list of the enforceable policies of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: [ellie.irons@deq.virginia.gov](mailto:ellie.irons@deq.virginia.gov) or [john.fisher@deq.virginia.gov](mailto:john.fisher@deq.virginia.gov)

**COMMENT PERIOD:** Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-WR-R), 18139 Triangle Shopping Center, Suite 213, Dumfries, Virginia 22026 and should be received by the close of business on June 5, 2014.

**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, please call: Ms. Theresita Crockett-Augustine at 703-221-9736 or email at [theresita.m.crockett-augustine@usace.army.mil](mailto:theresita.m.crockett-augustine@usace.army.mil).

FOR THE DISTRICT COMMANDER:

Tucker Smith  
Acting Chief, Northern Virginia  
Regulatory Section

Enclosures