Public Notice

U.S. Army Corps of Engineers, Norfolk District

September 25, 2014

CENAO-WR-R
NAO-2008-1760/ 14-V1164

FEDERAL PUBLIC NOTICE

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

APPLICANT
City of Chesapeake Public Works- Civic Center
C/O: Earl Sorey, Jr., P.E., City Engineer
P.O. Box 15225
Chesapeake, Virginia 23238

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located in unnamed tributaries to Bailey Creek and Quaker Neck Creek, tributaries to the Western Branch of the Elizabeth River, at Route 337 (Portsmouth Boulevard in Chesapeake and Nansemond Boulevard in Suffolk) for approximately 1.9 miles between I-664 interchange in Chesapeake and Helen Street in Suffolk, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes improvements to Route 337 to address pedestrian and bicycle needs and improve traffic operations. Construction of the improvements will result in the permanent impact 1.07 acres of nontidal wetland and open water ditch, and 481 linear feet of stream.

The improvements consist of the following: widening the existing two lane roadway to a four lane divided roadway; adding a variable width median ranging from 16-ft to 40-ft wide, turn lanes at proposed median break locations, signalizing intersections, street lighting, a 5-foot wide sidewalk on the south side and a 10-foot wide multi-use path on the north side; extension of a deceleration lane from I-664 to Jolliff Road along eastbound Portsmouth Boulevard; and construction of roadway drainage improvements and stormwater management facilities. A median to accommodate an east bound left turn lane will be constructed just west of the intersection of Helen Street and Nansemond Parkway in Suffolk to tie the adjacent intersection improvements into the proposed project. Existing dual 6' by 6' box culverts will be extended 20 feet where an unnamed tributary to Bailey Creek flows under Portsmouth Boulevard in the eastern section of the corridor. Small culverts will be located at several points along the project to facilitate roadway drainage to stormwater treatment facilities. Outfalls will be associated with the stormwater management ponds. Stormwater improvements will also be constructed as part of the project. Five bioretention basins, two type III retention basins, one Gilterra, and a grass swale will be constructed within the Chesapeake

portion of the project and one stormwater pond will be constructed within the Suffolk portion of the project.

The applicant has proposed to mitigate for the permanent impacts to 1.01 acres of nontidal forested wetlands at a 2:1 ratio, and 0.05 acres of nontidal open water ditch and 0.01 acre of nontidal emergent wetlands at a 1:1 ratio through the purchase of 2.148 wetland mitigation credits from The Great Dismal Swamp Restoration Bank-Lewis Farm. The impacts to 481 linear feet of stream will be mitigated through the purchase of 481 stream credits from the Virginia Aquatic Resources Trust Fund.

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 and a permit from the Suffolk Wetlands Board. 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: (l) The Federal Highway Administration (FHWA) is the lead federal agency for this project. They determined that the project qualifies for a Categorical Exclusion (CE) which they signed December 18, 2013. No environmental impact statement will be required; (2) FHWA must determine whether any 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. No Corps coordination with USFWS is required; and (3) FHWA determined that the proposed activities will have no adverse effect to properties eligible for inclusion or included in the National Register of Historic Places. The Virginia Department of Historic Resources concurred with that determination on November 21, 2013. Additional information might change any of these findings.

For compliance with the Coastal Zone Management Act of 1972, as amended for projects located in Tidewater, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal uses or resources will be conducted in a manner consistent with the Virginia Coastal Zone Management Program (VCP) and obtain concurrence from the Department of Environmental Quality (DEQ), Office of Environmental Impact Review (OEIR). We have not received a certification from the applicant prior to publication of this public notice. 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 or 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), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on October 25, 2014.

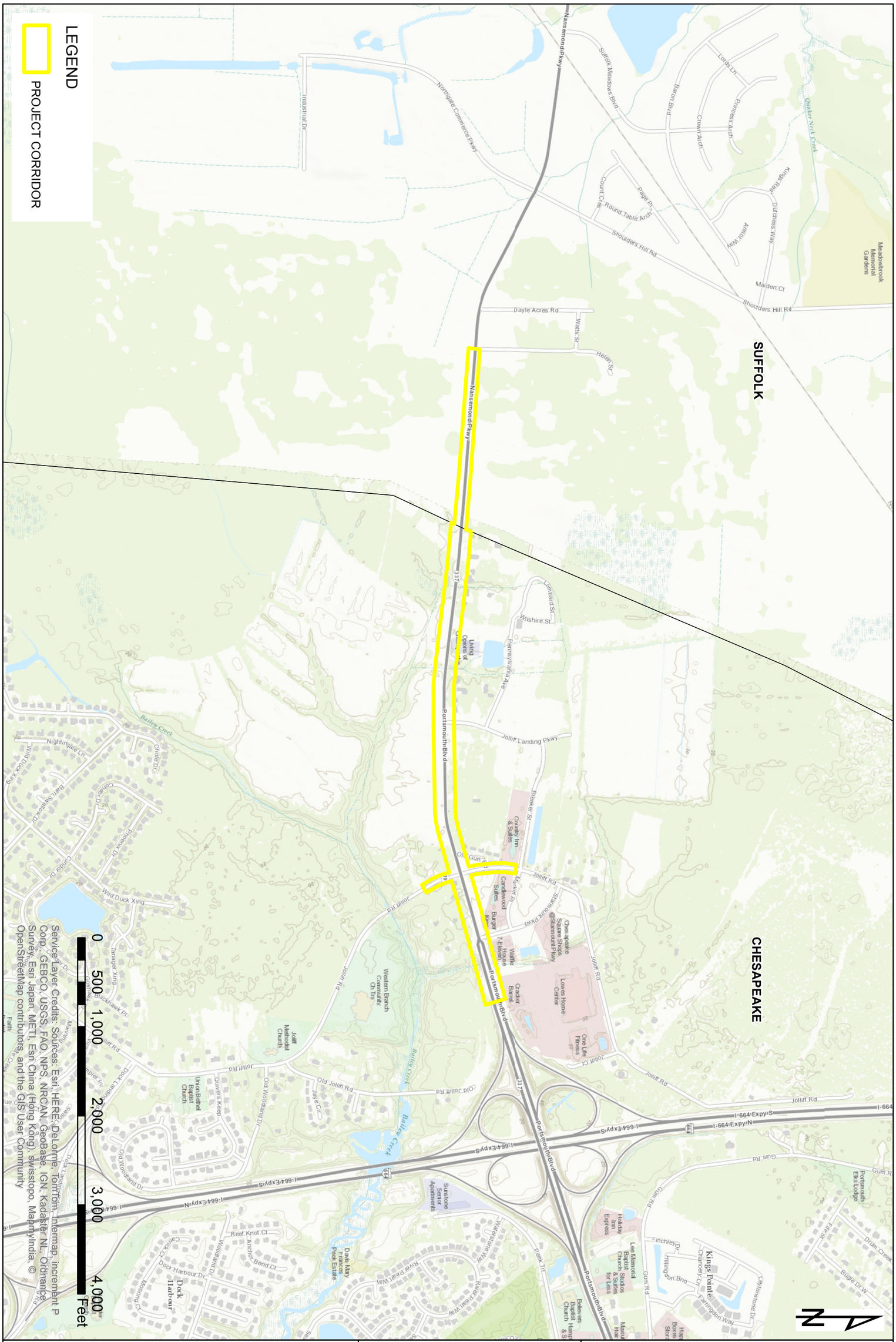
PRIVACY & CONFIDENTIALITY: Comments and information, including the identity of the submitter, submitted in response to this Public Notice may be disclosed, reproduced, and distributed at the discretion of the U.S. Army Corps of Engineers. Information that is submitted in connection with this Public Notice 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, contact Ms. Chelsea Bowman at (757) 201-7060 or via email at Chelsea.B.Bowman@usace.army.mil.

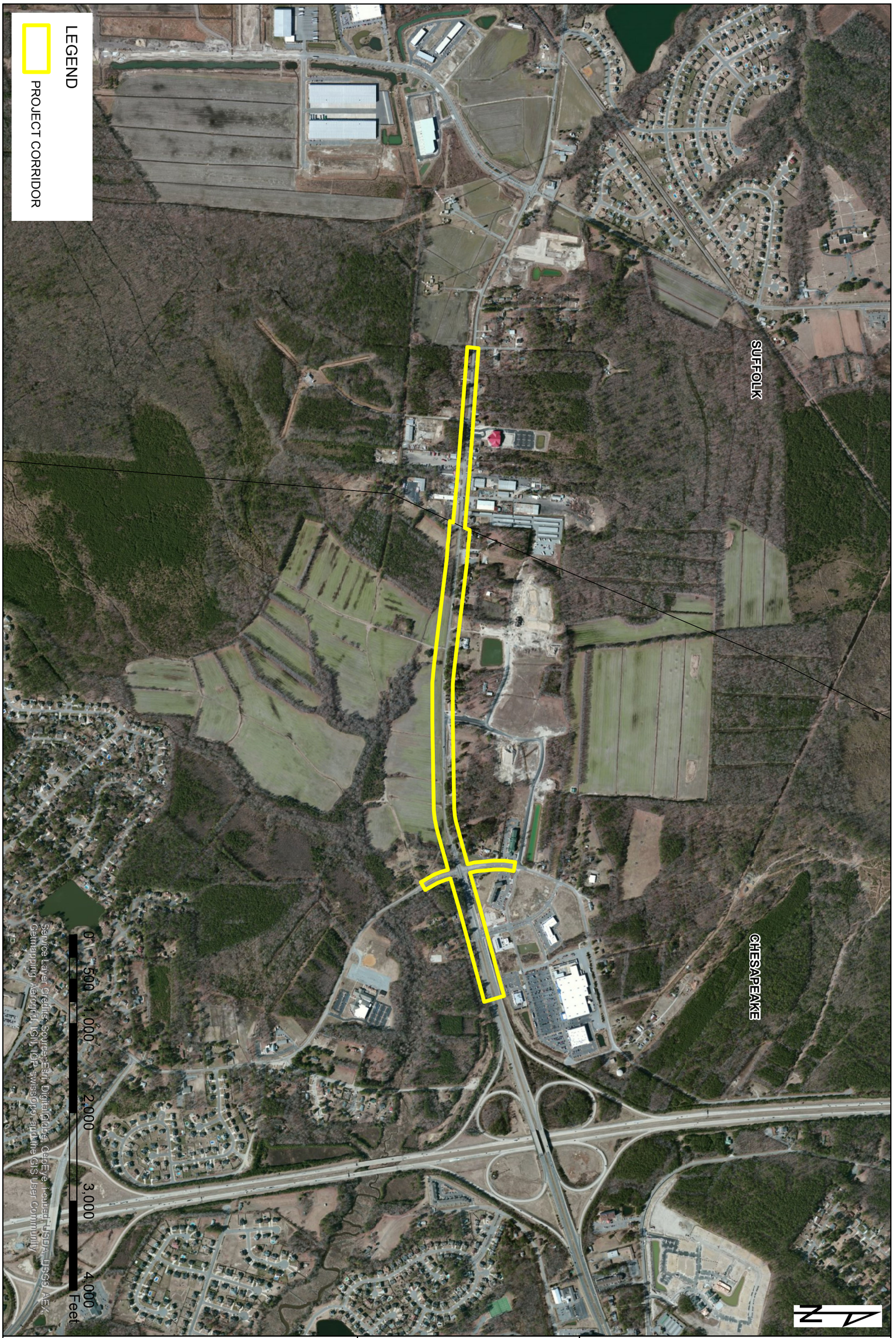
FOR THE DISTRICT COMMANDER:

Peter R. Kube
Chief, Eastern Virginia
Regulatory Section

Attachment: Drawings



Kimley»Horn	ROUTE 337 WIDENING CHESAPEAKE & SUFFOLK, VA	FIGURE 1 TOPOGRAPHIC VICINITY
	CREATED BY: T BEARD	DATE: 07/21/2014



Kimley»Horn

ROUTE 337 WIDENING CHESAPEAKE & SUFFOLK, VA	FIGURE 2 AERIAL PHOTOGRAPHY
CREATED BY: T BEARD	DATE: 07/21/2014

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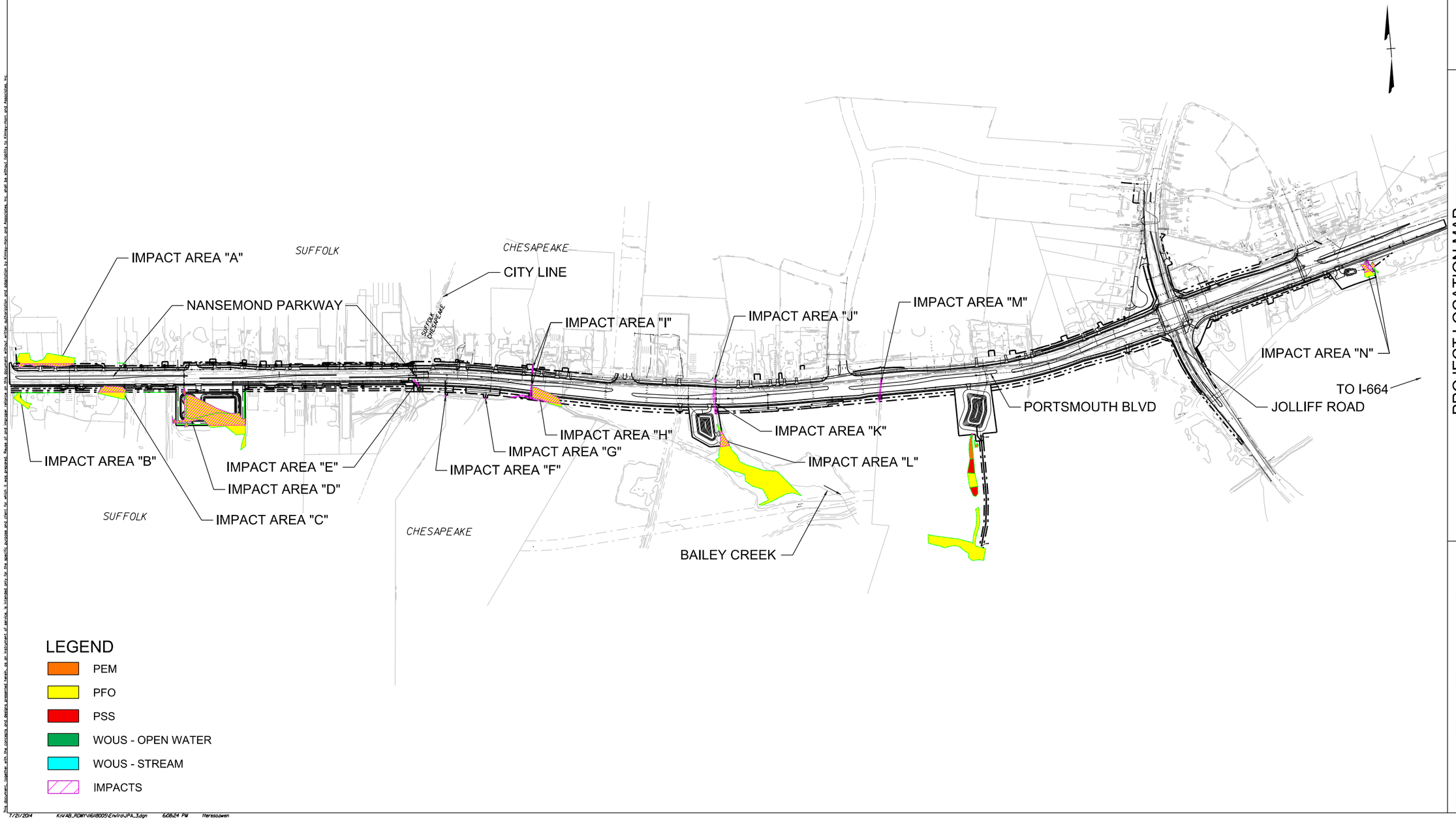

LEGEND

- PEM
- PFO
- PSS
- WOUS - OPEN WATER
- WOUS - STREAM
- IMPACTS

PROJECT LOCATION MAP
JOINT PERMIT APPLICATION
ROUTE 337 WIDENING, SUFFOLK & CHESAPEAKE

Kimley-Horn and Associates, Inc.

Created By:
Scale: 1" = 500'
Date: 7/21/2014
Sheet: 3 of 10

Purpose: Linear Transportation

App by: City of Chesapeake

HUC: 02080208

7/21/2014 K:\VAB_RDMY\116180025\Enviro\JPA_3.dgn 6:08:24 PM theresa.owen

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Purpose: Linear Transportation
City: Chesapeake & Suffolk
App by: City of Chesapeake

HUC: 02080208

EXHIBIT INDEX SHEET
JOINT PERMIT APPLICATION
ROUTE 337 WIDENING

Kimley-Horn and Associates, Inc.

Created By:
Scale: 1" = 500'
Date: 7/21/2014
Sheet: 4 of 10

IMPACT SITE "A"
PFO = 2,827 S.F.

PROP. PERM.
UTILITY EASE.

PROP. TEMP.
CONST. EASE.

PROP. PERM.
DRAIN. EASE.

PROP. R/W

PROP. LIMITS
OF CONST.

NANSEMOND PARKWAY

PROP. PERM.
DRAIN. EASE.

PROP. TEMP.
CONST. EASE.

PROP. PERM.
UTILITY EASE.

IMPACT SITE "B"
PFO = 1 S.F.

IMPACT SITE "C"
PFO = 3,536 S.F.

IMPACT SITE "D"
PEM = 569 S.F.
PFO = 28,046 S.F.

PROP. R/W

PROP. LIMITS
OF CONST.

LEGEND

- PEM
- PFO
- PSS
- WOUS - OPEN WATER
- WOUS - STREAM
- IMPACTS

Created By:
Scale: 1" = 100'
Date: 7/21/2014
Sheet: 5 of 10

PLAN VIEW MAP
JOINT PERMIT APPLICATION
ROUTE 337 WIDENING

Kimley-Horn
and Associates, Inc.

Purpose: Linear Transportation
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SUFFOLK
CHESAPEAKE

NANESMOND PARKWAY

PORTSMOUTH BLVD.

EXIST. STREAM

IMPACT SITE "I"
WOUS - STREAM = 116 L.F.

IMPACT SITE "E"
WOUS - OPEN DITCH = 167 S.F.

PROPOSED SWMF

IMPACT SITE "F"
WOUS - STREAM = 4 L.F.

EXIST. STREAM

PROP. R/W

IMPACT SITE "G"
WOUS - STREAM = 4 L.F.

PROPOSED SWMF

PROP. LIMITS
OF CONST.

PROP. PERM.
DRAIN. EASE.

IMPACT SITE "H"
PFO = 6,384 S.F.
WOUS - STREAM = 163 L.F.

WETLANDS

PROP. TEMP.
CONST. EASE.

LEGEND

- PEM
- PFO
- PSS
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- WOUS - STREAM
- IMPACTS

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PLAN VIEW MAP
JOINT PERMIT APPLICATION
ROUTE 337 WIDENING

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Sheet: 6 of 10

Purpose: Linear Transportation
City: Chesapeake & Suffolk
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EXIST. STREAM

IMPACT SITE "J"
WOUS - STREAM = 4 L.F.

PORTSMOUTH BLVD.

IMPACT SITE "K"
WOUS - STREAM = 128 L.F.

PROPOSED SWMF

EXIST. STREAM

IMPACT SITE "L"
PFO = 2,052 S.F.

WETLANDS

EXIST. STREAM

LEGEND

- PEM
- PFO
- PSS
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- WOUS - STREAM
- IMPACTS

PLAN VIEW MAP
JOINT PERMIT APPLICATION
ROUTE 337 WIDENING

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PORTSMOUTH BLVD.

IMPACT SITE "M"
WOUS - OPEN WATER = 1,810 S.F.

PROP. R/W

PROPOSED SWMF

Inv.14.50

MATCH LINE - THIS SHEET

MATCH LINE - THIS SHEET

Inv.10.0

LEGEND

- PEM
- PFO
- PSS
- WOUS - OPEN WATER
- WOUS - STREAM
- IMPACTS

PLAN VIEW MAP
JOINT PERMIT APPLICATION
ROUTE 337 WIDENING

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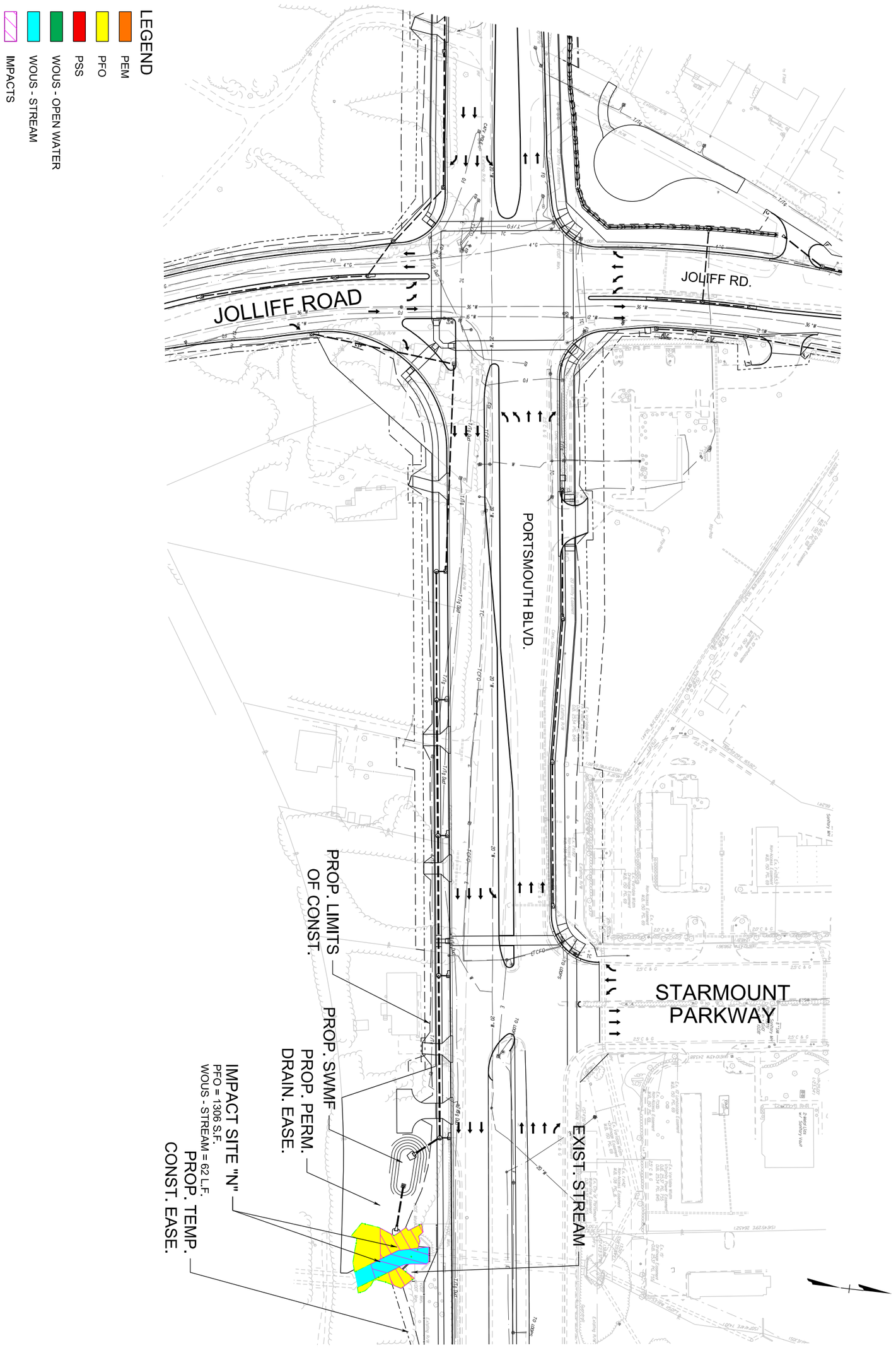
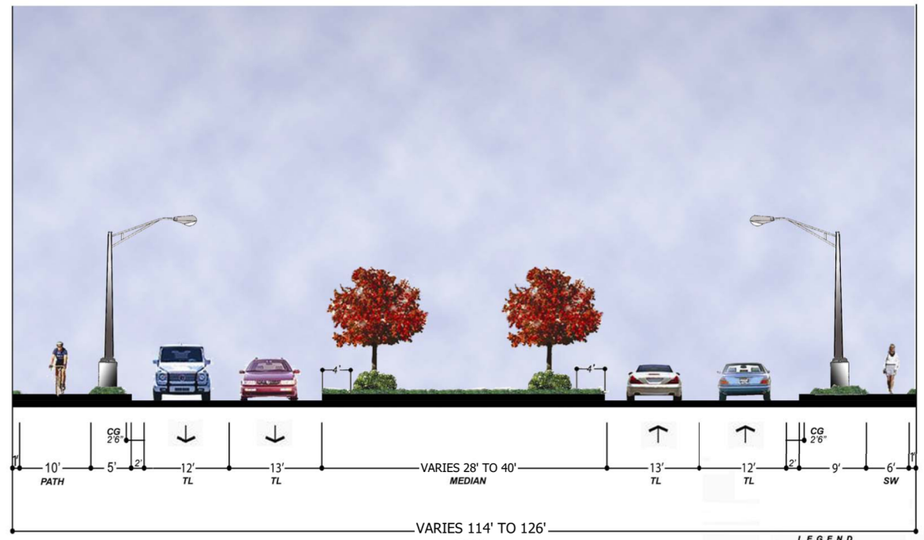


Purpose: Linear Transportation City: Chesapeake & Suffolk App by: City of Chesapeake & City of Suffolk HUC: 02080208	PLAN VIEW MAP JOINT PERMIT APPLICATION ROUTE 337 WIDENING Kimley-Horn and Associates, Inc.	Created By: Scale: 1" = 100' Date: 7/21/2014 Sheet: 9 of 10



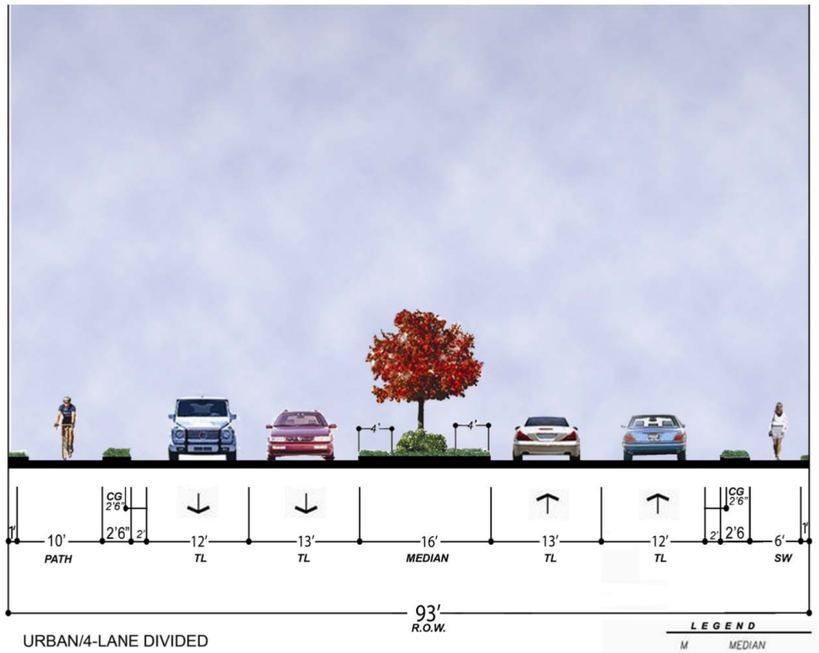
URBAN/4-LANE DIVIDED

CITY OF CHESAPEAKE

PORTSMOUTH BOULEVARD

0 10 20 30 40 60

LEGEND	
M	MEDIAN
R.O.W.	RIGHT OF WAY
S W	SIDEWALK
TL	TRAVEL LANE
	TRAVEL DIRECTION
PATH	MULTI-USE PATH
CG	CURB AND GUTTER



URBAN/4-LANE DIVIDED

CITY OF CHESAPEAKE & SUFFOLK

PORTSMOUTH BOULEVARD - NANSEMOND PARKWAY

0 10 20 30 40 60

LEGEND	
M	MEDIAN
R.O.W.	RIGHT OF WAY
S W	SIDEWALK
TL	TRAVEL LANE
	TRAVEL DIRECTION
PATH	MULTI-USE PATH
CG	CURB AND GUTTER

SECTION VIEW DRAWINGS
JOINT PERMIT APPLICATION
ROUTE 337 WIDENING

Kimley-Horn and Associates, Inc.

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