



Public Notice

U.S. Army Corps of Engineers, Norfolk District

January 6, 2015

CENAO-WR-R
NAO-2014-01804/14-V1739

FEDERAL PUBLIC NOTICE

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

APPLICANT

Bradley Square Neighborhoods, LLC
Attn: Soledad M. Portilla
11111 Sunset Hills Road, Suite 200
Reston, Virginia 20190

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project site is located north of the former Old Dominion Speedway entrance at 8930 Old Dominion Drive Road in Prince William County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes improvements to Old Dominion Drive. The project consists of the realignment of and improvements to the existing Old Dominion Drive from Dumfries Road to the east for approximately 0.3 of a mile. The existing Old Dominion Drive will be improved with curb and gutter and storm sewer system and widened to accommodate the surrounding community and future residential subdivisions.

The proposed project would permanently impact approximately 0.87 acres of jurisdictional wetlands. Permanent impacts are to 0.55 acre of palustrine forested wetland (PFO) and 0.04 acre of palustrine emergent wetland (PEM) for the construction of the western section of the realigned Old Dominion Drive and permanent impacts to 0.18 acre of PFO and 0.08 acre of PEM for the construction of the eastern section of the realigned Old Dominion Drive. The applicant proposes to mitigate these impacts offsite through the purchase of 1.62 wetland credits from an 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.

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; and (3) known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area. The sites are considered not eligible for listing on the National Register of Historic Places; therefore the project will not impact historic properties listed or eligible for listing on the National Register of Historic Places. 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 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), 18139 Triangle Shopping Center, Suite 213, Dumfries, Virginia 22026 and should be received by the close of business on February 9, 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, please call: Ms. Theresita Crockett-Augustine at 703-221-9736 or email at theresita.m.crockett-augustine@usace.army.mil.

FOR THE DISTRICT COMMANDER:

Tucker Smith
Chief, Northern Virginia
Regulatory Section

Enclosures