



Public Notice

U.S. Army Corps of Engineers, Norfolk District

March 17, 2015

CENAO-WR-R
NAO-2014-1928

FEDERAL PUBLIC NOTICE

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

APPLICANT

Shirley Contracting, LLC
ATTN: Mr. Jeff Austin
8435 Backlick Road
Lorton, VA 22079

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located in Horsepen Run and Cabin Branch and unnamed tributaries of those waterways, all of which are tributary to Broad Run, just west of Dulles International Airport, in Loudoun County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to reconstruct and widen Route 606 (Loudoun County Parkway/Old Ox Road) from the existing two lanes to four lanes, between Evergreen Mills Road (Route 621) and the Dulles Greenway (Route 267), a distance of approximately five miles. The proposed work is a Design Build project with the Virginia Department of Transportation. The application indicates that the work will permanently impact 8.56 acres of wetlands, including emergent and forested wetlands, and temporarily impact 0.38 acres of wetlands. The work as proposed will also impact 1,578 linear feet of stream and temporarily impact 157 linear feet of stream. These impacts result not only from direct fill and excavation, but also from grading of channels to increase capacity for additional runoff resulting from the project. Proposed stormwater management (SWM) facilities cause the majority of project impacts to aquatic resources. Other components of the project include dedicated turn lanes at major intersections; traffic signals (where they are warranted); a continuous shared-use recreational path along the west/north side of the road; improved drainage facilities; and major improvements at Horsepen Dam to widen the dam to accommodate the extra travel lanes, accommodate the dam's emergency spillway, and meet Virginia Department of Conservation dam regulation standards. The stated purpose of the project is to address the need to increase capacity on this section of Route 606 due to growth in the surrounding area and the resulting increase in traffic congestion.

The applicant indicates that in order to avoid impacts one SWM facility was removed, and that avoidance and minimization was incorporated into the design and location of other SWM facilities, while still meeting required SWM criteria.

To compensate for impacts, the applicant proposes to purchase mitigation bank credits from a bank which includes the project site in its geographic service area. The applicant proposes to use a replacement ratio of 2:1 for forested wetlands, 1:1 for emergent wetlands, and stream credits

based on the Uniform Stream Methodology. Based on that, the applicant projects a need for 12.794 acres of wetland credit and 1,395 stream credits.

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. Selected 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: [NOTE: The Federal Highway Administration (FHWA) is the lead Federal agency for this project] (1) FHWA prepared an Environmental Assessment and signed a Finding of No Significant Effect in November of 2013; no environmental impact statement will be required; (2) After accessing the U.S. Fish and Wildlife Service database for Information, Planning, and Conservation System (IPaC), in which 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) were identified in the vicinity of the project, FHWA determined that the proposed project will have no effect to federally listed species or designated critical habitat; and (3) FHWA coordinated with the Virginia Department of Historic Resources (VDHR), and a Phase I archaeological survey was conducted and several sites were identified. VDHR did not concur that portions of sites located outside the Area of Potential Effect (APE) are not eligible for the National Register of Historic Places (Register). However, in 2012 VDHR concurred with FHWA that no properties eligible for inclusion or included in the

Register would be affected by the proposal provided that the archaeological sites identified outside the APE are not encroached upon by the project. A supplemental Phase I survey was conducted due to revisions to SWM design, and in 2013 VDHR reconfirmed that the project would have no effect to historic properties. 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 April 17, 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 Alice Allen-Grimes at 757-201-7219 or alice.w.allen-grimes@usace.army.mil.

Attachment: Drawings