Public Notice

U.S. Army Corps of Engineers, Norfolk District

11-25-2008

CENAO-REG
NAO-2006-1840 (VMRC 08-2014)

FEDERAL PUBLIC NOTICE

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

APPLICANT
Truxton Development, LLC
P.O. Box 68112
Virginia Beach, VA 23471-8112

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located at 120 Jefferson Street in the cove just north of Scuffletown Creek in the Southern Branch of the Elizabeth River in Chesapeake, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to construct a 194-slip watercraft service center/marina. The project consists of the installation of approximately 7,400 linear feet of floating piers/docks that will range from 6-28 feet in width, 700 structural support and free-standing mooring piles, a 200 foot long fixed pier with a 25 foot long by 12 foot wide aluminum gangway, a water taxi support pier with a 900 square foot passenger waiting area and a 72 square foot attendant booth. The commercial facility will provide many services to the boating community including electric, telephone, water, gasoline/diesel access, maintenance services, short- and long-term dockage and brokerage services.

31,661 cubic yards of material will be dredged over 214,014 square feet of subaqueous bottom to a depth of -8 feet at mean low water. The existing oyster reef to the south of the project will not be directly impacted by the proposed dredging and will be surrounded by a turbidity curtain.

A 700 linear foot living shoreline revetment with an associated 5600 square foot rip rap/oyster shell toe will be constructed on the existing shoreline to the east of the proposed marina. The rip rap toe will be located approximately 40 feet channelward of mean high water. The lower marsh will be planted with *Spartina alterniflora* and the upper marsh will be planted with *Spartina patens, Myrica cerifera* and *Iva fructescens* (or comparable native species). No grading/filling of the existing shoreline will be required.

Project drawings are attached.

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 and a permit from the Chesapeake Wetlands Board.

AUTHORITY: Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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 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) no environmental impact statement will be required; (2) no 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; 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. 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). For more information or to obtain a list of the enforceable programs of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: elirons@deq.virginia.gov.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The Elizabeth River is used by anadromous fish. The habitat that this project would affect consists of open water subaqueous bottom with a depth range from 0 to -8 feet at mean low water. The proposed project is described in Proposed Work and Purpose, above. Any recognized change in

the EFH will be limited to the proposed deepening by mechanically dredging to a depth of 8 feet at mean low water. The depths in the remainder of the waterway will not be affected. No submerged aquatic or vegetated wetlands are expected to be impacted. Our assessment of the project leads us to a preliminary determination that it will not have a substantial adverse effect on EFH and therefore expanded EFH consultation is not required. Our rationale for this preliminary determination is based on the expected short-term nature of the direct impacts/minimal increases in turbidity/changes in water temperature or salinity caused by the proposed work/the absence of vegetated wetlands, submerged aquatic vegetation, and anadromous fish spawning habitat/ existing poor water quality/unsuitable substrate. Based on comments from the National Marine Fisheries Service in response to this public notice, further EFH consultation may be necessary.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-REG), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on December 26, 2008.

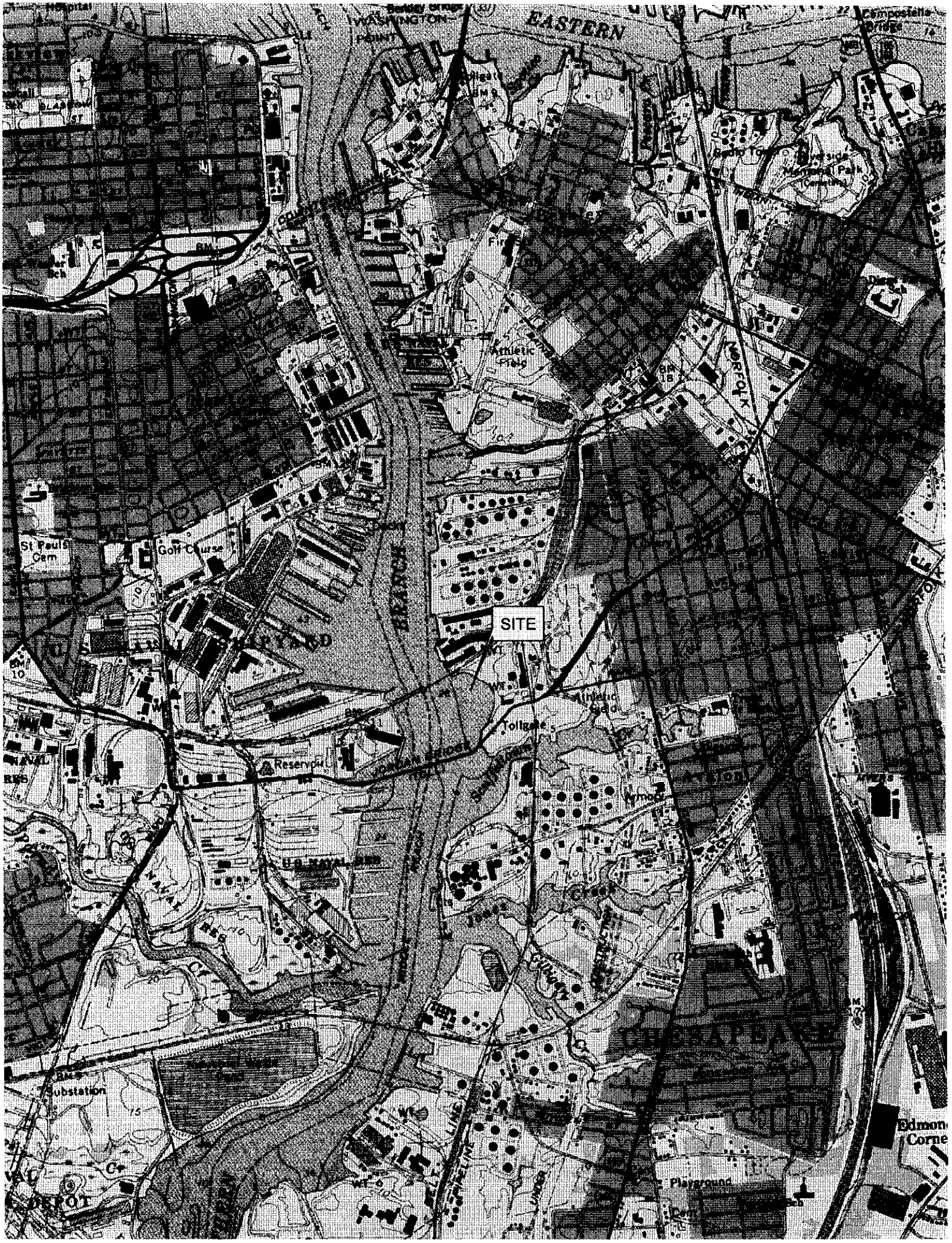
If you have any questions about this project or the permit process, please call:

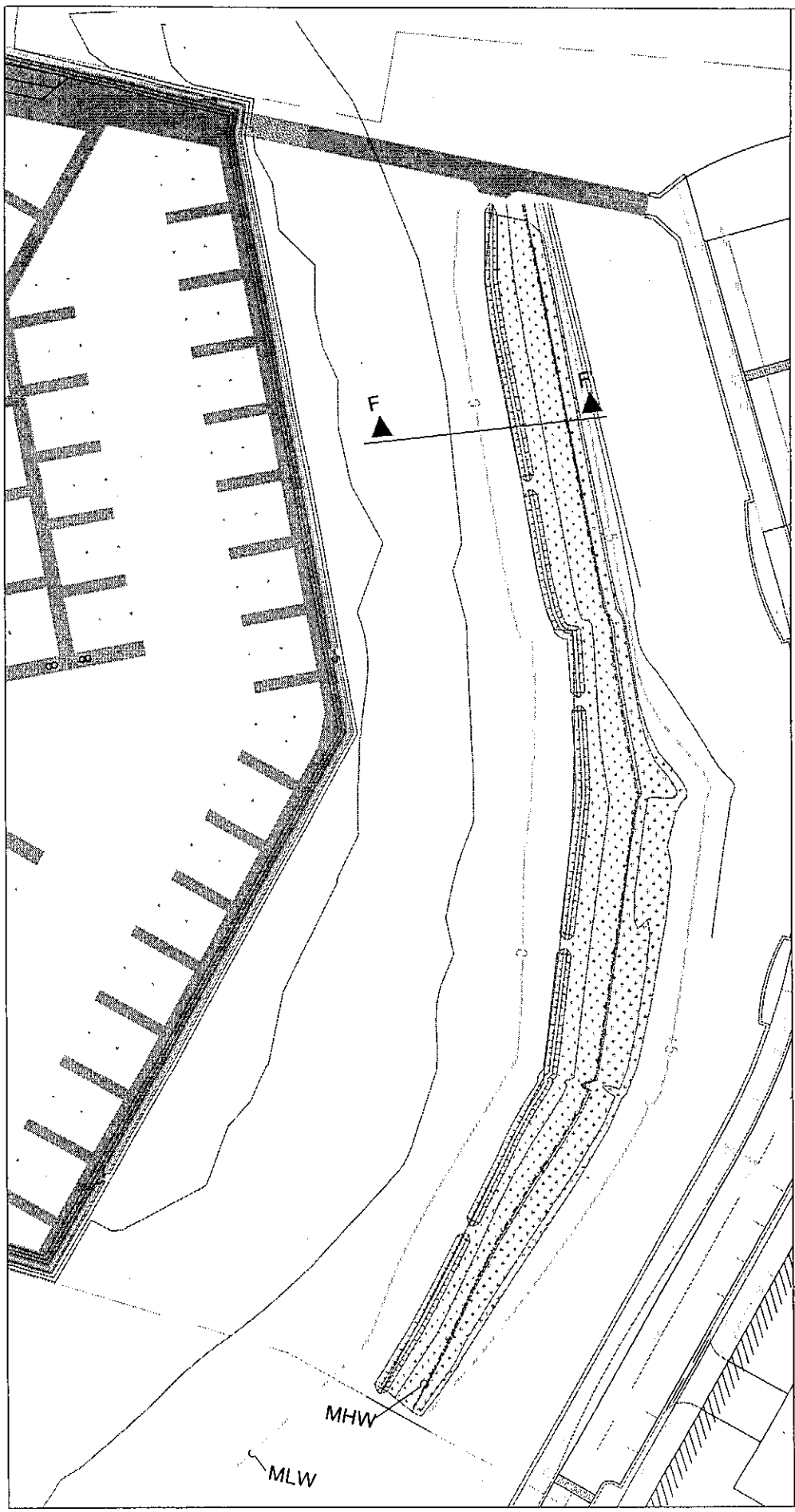
Amy Bourne at (757) 201-7579 or amy.c.bourne@usace.army.mil.

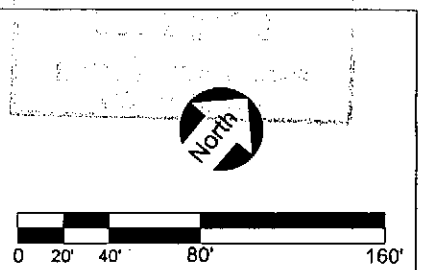
FOR THE DISTRICT COMMANDER:

for Nicholas L. Konchuba
Chief, Eastern Virginia
Regulatory Section

Attachment: Drawings


EASTERN
WASHINGTON POINT
Campostella Bridge
Athletic Field
NORFOLK
St Pauls Cem
Golf Course
BRANCH
SITE
Athletic Field
Tollgate
Reservoir
Armory
U.S. NAVAL RES
NAVAL RES
CHESAPEAKE
Substation
Playground
Edmon
Corne





U. S. ARMY CORPS OF ENGINEERS
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OCT 30 2008
BY

RIP RAP / OYSTER SHELL TOE

LOW MARSH (SPARTINA ALTERNIFLORA)

HIGH MARSH (SPARTINA PATENS WITH INTERPERSED IVA FRUTESCENS)

NOTES:

1. SEE SHEET 11 OF 14 FOR CROSS SECTION.

2. ALL UPLAND DATA SUPPLIED BY ENGINEERING RESOURCES GROUP.

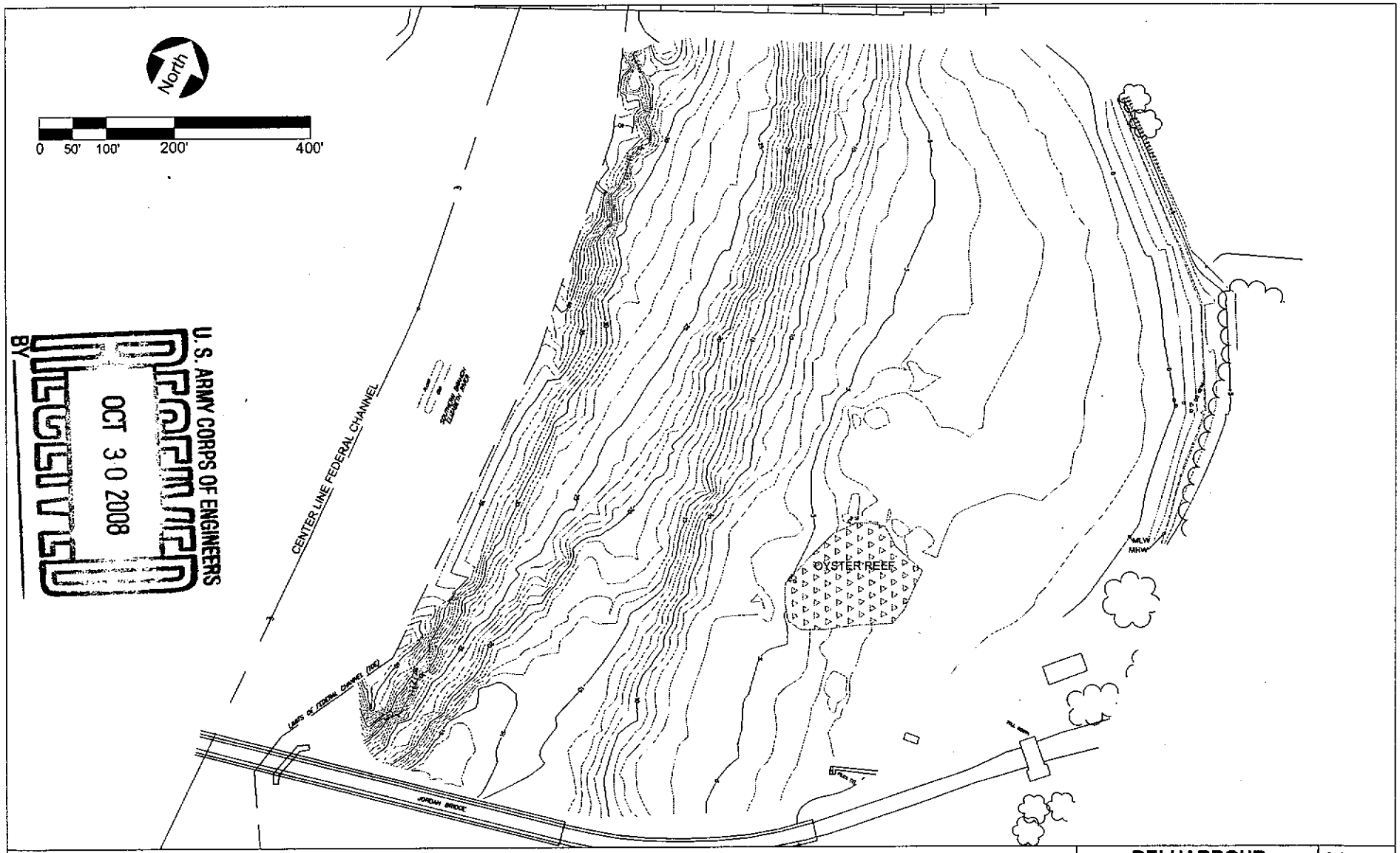
BELHARBOUR WATERCRAFT SERVICE CENTER
LIVING SHORELINE
PLAN VIEW

Designed by: K. BAILEY
Checked by: R. CZLAPINSKI

REV	DATE
0	09/29/08

Design file no. 3197_living_s.dwg
Drawing scale: AS SHOWN

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3768
FAX: (757) 461-4148
VIRGINIA ENGINEERING LICENSE 0407004433



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NORFOLK DISTRICT
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NOTES:

1. BATHYMETRIC SURVEY COMPLETED BY TETRA TECH OCTOBER 26 2005
2. UPLAND SURVEY PLAN SUPPLIED BY ENGINEERING RESOURCES GROUP LLC. AND WATERWAY SURVEYS AND ENGINEERING LTD.
3. VERTICAL DATUM IS MLW.

BELHARBOUR WATERCRAFT SERVICE CENTER

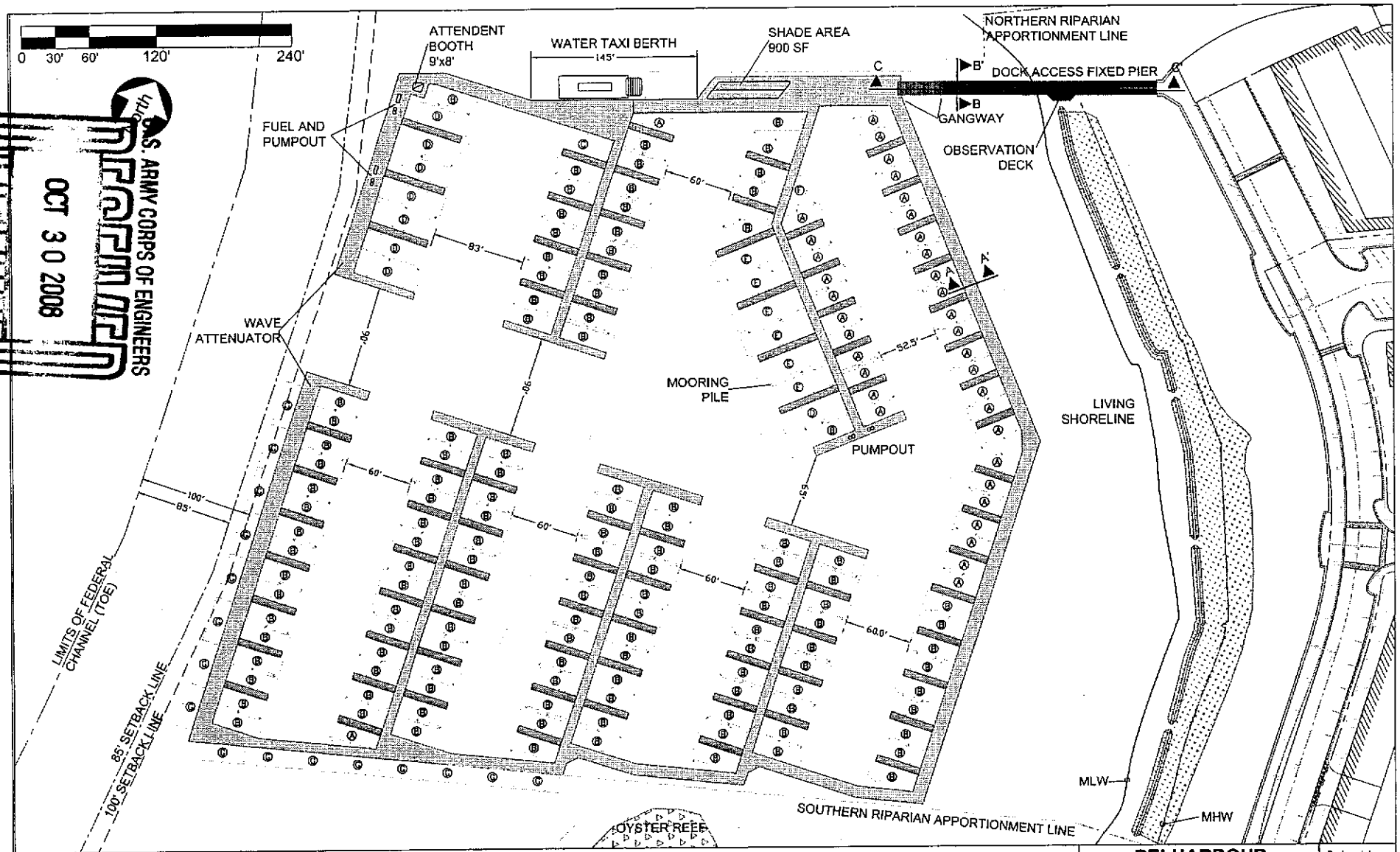
EXISTING CONDITIONS

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3768
FAX: (757) 461-4148
VIRGINIA ENGINEERING LICENSE 0407004433

Designed by: G. CONTRERAS
Checked by: R. CZLAPINSKI

REV	DATE
0	09/29/08

Design file no. 3197_Extcond.dwg
Drawing scale: AS SHOWN



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OCT 30 2008
BY

NOTES:

1. FACILITIES INCLUDE A FUEL DOCK AREA, TWO PUMPOUT STATIONS , AND A WATER TAXI AREA. INCLUDES A BOOTH FOR THE FUEL SERVICE ATTENDANT AND SHADE AREA TO BE USE AS WAITING ZONE TO BOARD THE WATER TAXI.
2. 194 TOTAL SLIPS, BREAKDOWN AS SHOWN IN THE TABLE.
3. RIPARIAN APPORTIONMENT LINE BASED UPON THE GRONER RULE (WATERWAYS SURVEYS & ENGINEERING, LTD., 28 MAY 2008).
4. ALL UPLAND DATA SUPPLIED BY ENGINEERING RESOURCES GROUP.

SLIP TABLE	Qty.	Type
35' SLIPS	37	A
40' SLIPS	125	B
45' SLIPS	01	C
55' SLIPS	08	D
60' SLIPS	06	E
SIDE-TIES 25'	01	F
SIDE-TIES 40'	16	G
TOTAL	194	

BELHARBOUR WATERCRAFT SERVICE CENTER

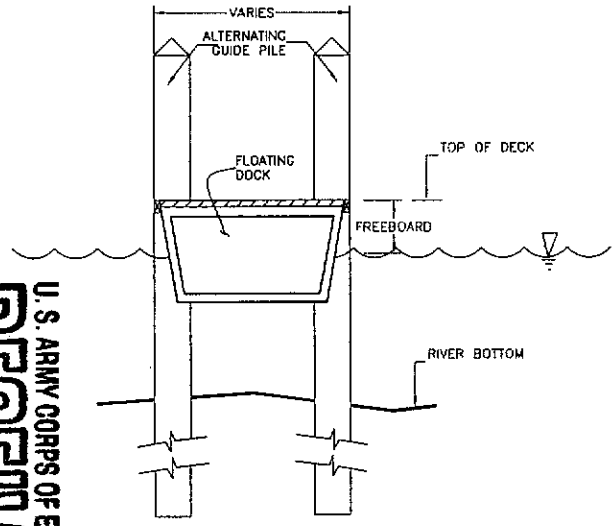
LAYOUT

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3788
FAX: (757) 461-4148
VIRGINIA ENGINEERING LICENSE 0407004433

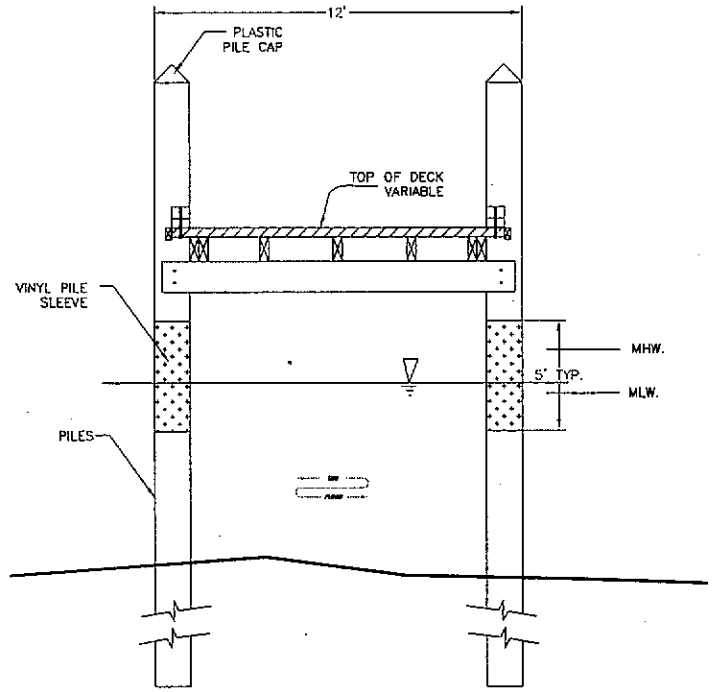
Designed by: G. CONTRERAS
Checked by: R.CZLAPINSKI

REV	DATE
0	06/26/08

Design file no. 3197_Locmap.dwg
Drawing scale: AS SHOWN



SECTION A-A' (FLOATING DOCK)



SECTION B-B' (FIXED PIER)

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NOTES:

1. CROSS SECTIONS FOR ILLUSTRATION PURPOSE FINAL DESIGN SUBJECT TO LOAD/DESIGN REQUIREMENTS.

2. SEE SHEET 03 OF 14 FOR CROSS SECTIONS LOCATION ON PLAN VIEW.

BELHARBOUR WATERCRAFT SERVICE CENTER

DOCK CROSS SECTIONS SECTIONS (1 of 2)

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3766
FAX: (757) 461-4146
VIRGINIA ENGINEERING LICENSE 0407004433

Designed by: G. CONTRERAS

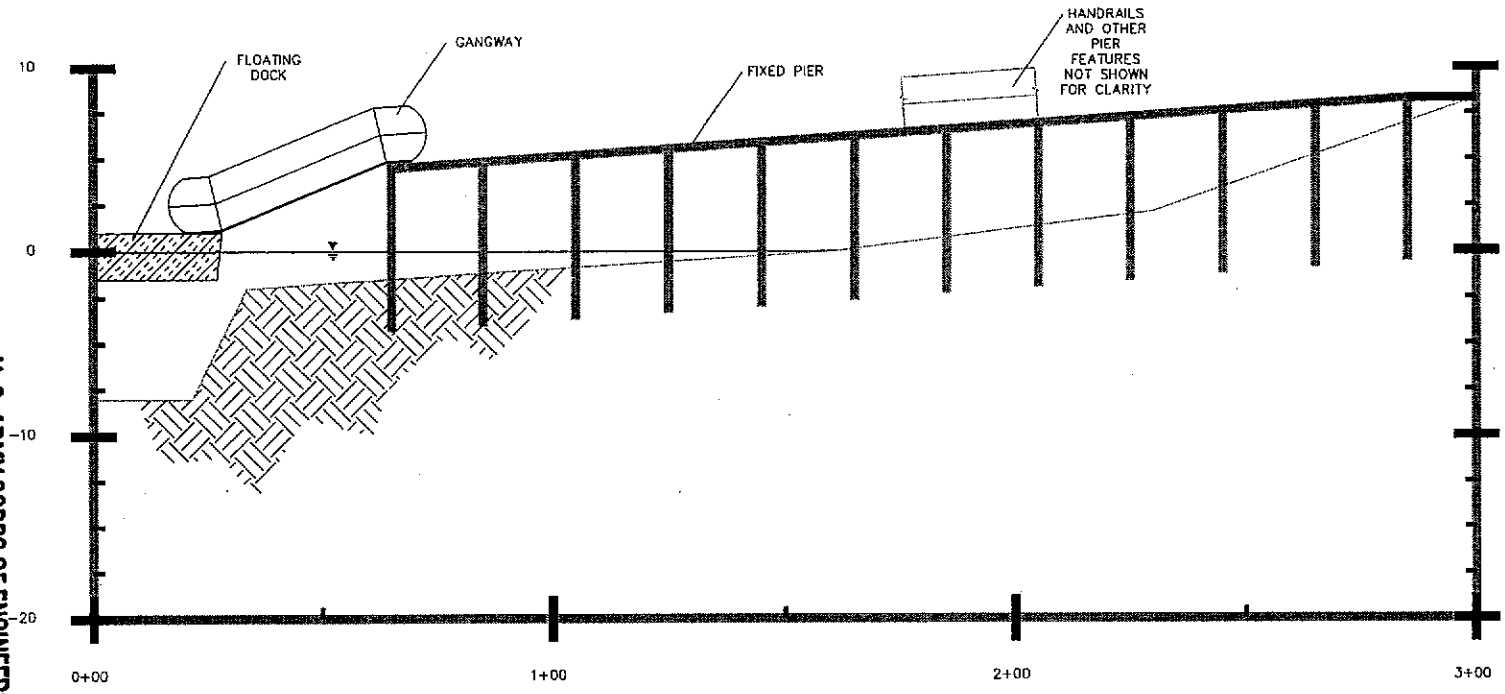
Checked by: R. CZLAPINSKI

REV	DATE
0	09/29/08

Design file no. 3197_docklay.dwg

Drawing scale: NOT TO SCALE

Sheet 4 of 13



SECTION C-C'(TRANSITION FIXED PIER - FLOATING DOCK)

U.S. ARMY CORPS OF ENGINEERS
OCT 30 2008

NOTES:

1. SEE SHEET 03 OF 14 FOR CROSS SECTION LOCATION ON PLAN VIEW.
2. VERTICAL EXAGGERATION IS 4:1.
3. FIXED PIER PILES SHOWN FOR ILLUSTRATION PURPOSE, SPACING AND ARRANGEMENT TO BE DETERMINED BASED IN FINAL DESIGN PERFORMED TO FULFILL LOAD AND CODE REQUIREMENTS.
4. ELEVATIONS SHOWN ARE APPROXIMATE AND DEPICT A SINGULAR WATER ELEVATION CONDITION. FINAL ELEVATION WILL CONSIDER THE FULL TIDAL RANGE OF OPERATION AND WILL MEET ADA AND OTHER CODE REQUIREMENTS.

BELHARBOUR WATERCRAFT SERVICE CENTER

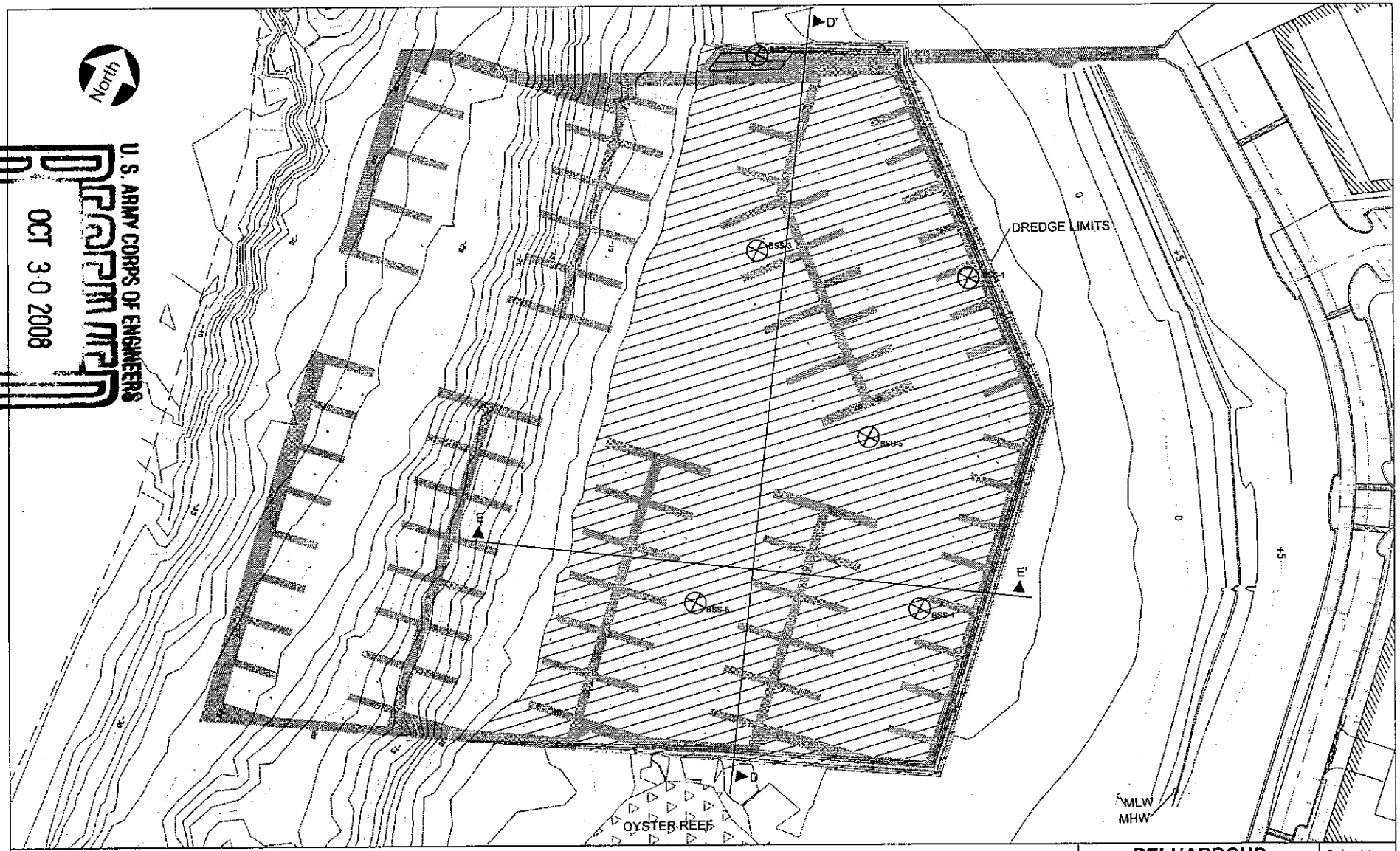
DOCK CROSS SECTIONS (2 OF 2)

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3930
FAX: (757) 461-4148
VIRGINIA ENGINEERING LICENSE 0407004433

Designed by: G. CONTRERAS
Checked by: R. CZLAPINSKI

REV	DATE
0	09/29/08

Design file no. 3197_dwsec.dwg
Drawing scale: NOT TO SCALE



U. S. ARMY CORPS OF ENGINEERS
OCT 30 2008
BY

NOTES:
1. PROPOSED PERMIT DREDGE DEPTH -8.0 MLW.
2. SEE SHEET 7 OF 14 FOR CROSS SECTIONS.
3. ALL UPLAND DATA SUPPLIED BY ENGINEERING RESOURCES GROUP.

0 30' 60' 120' 240'

DREDGE AREA

SEDIMENT CORE LOCATION

BELHARBOUR WATERCRAFT SERVICE CENTER

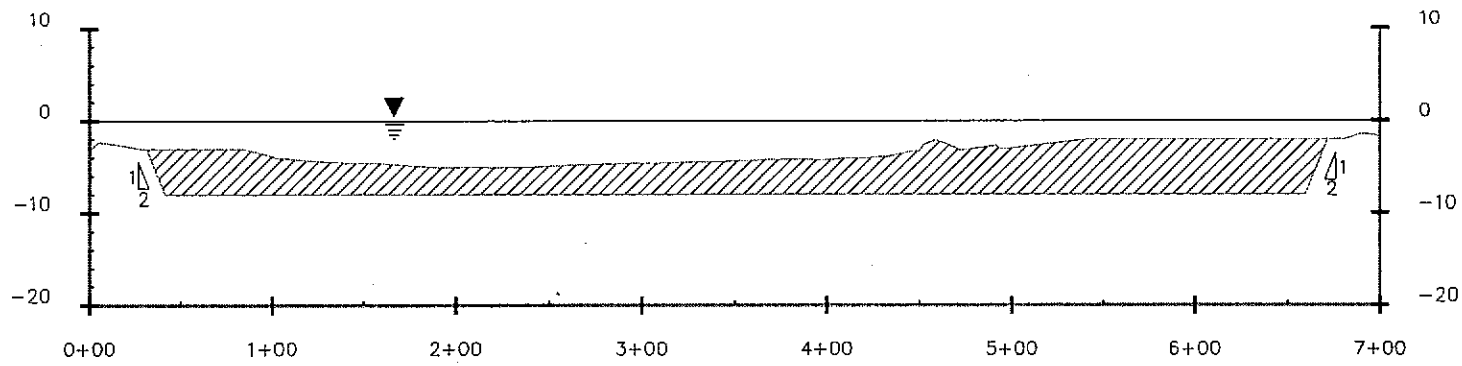
DREDGE PLAN

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS 1, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3768
FAX: (757) 461-4148
VIRGINIA ENGINEERING LICENSE 0407004433

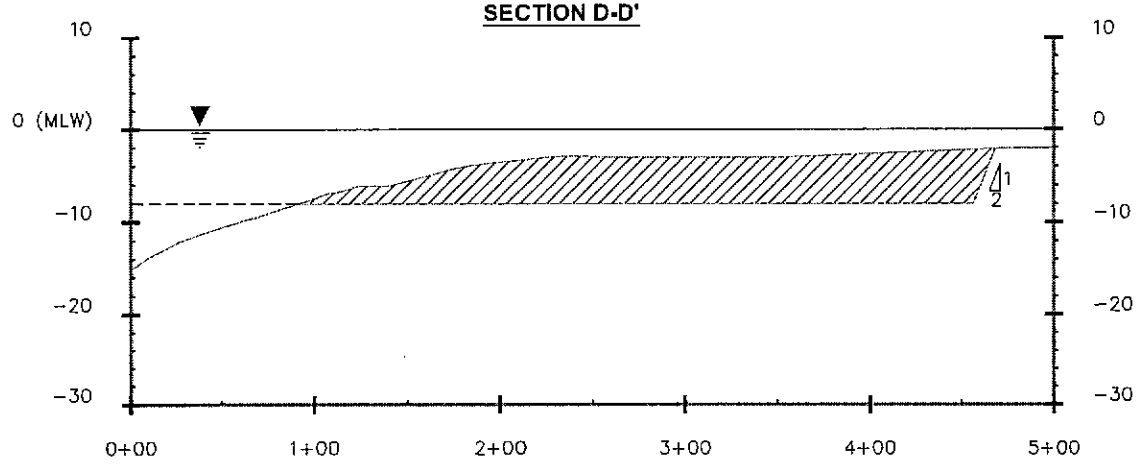
Designed by: G. CONTRERAS
Checked by: R. CZLAPINSKI

REV	DATE
0	09/29/08

Design file no. 3197_dredpla.dwg
Drawing scale: AS SHOWN



SECTION D-D'



SECTION E-E'

U.S. ARMY CORPS OF ENGINEERS
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NOTES:

1. VERTICAL DATUM IS MLW.
2. PROPOSED PERMIT DREDGE DEPTH -8.0 MLW.
3. SEE SHEET 6 OF 14 FOR CROSS SECTIONS LOCATION ON PLAN VIEW.
4. VERTICAL EXAGGERATION IS 5:1.

DREDGE SECTION

BELHARBOUR WATERCRAFT SERVICE CENTER

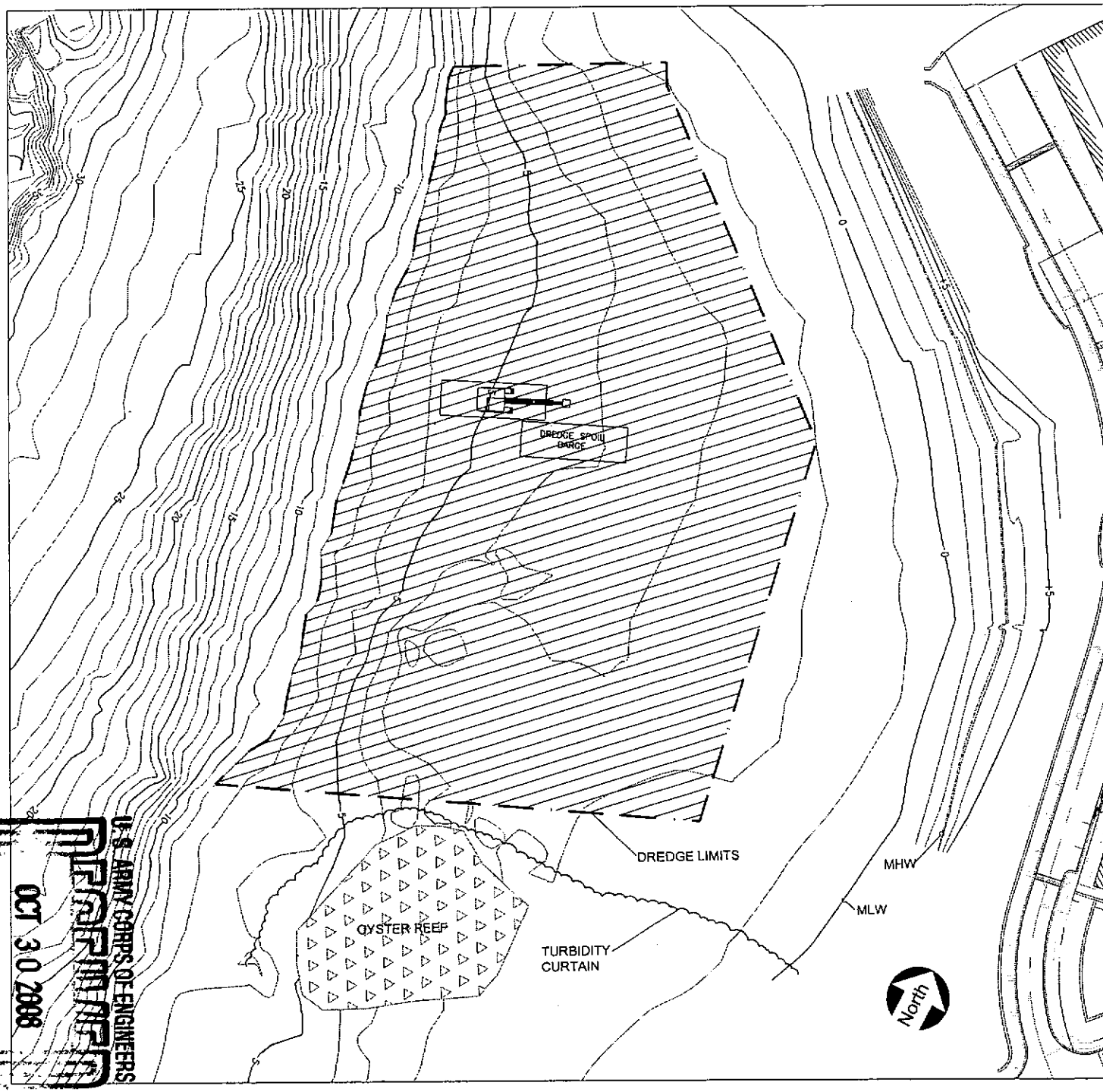
DREDGE CROSS SECTIONS

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3788
FAX: (757) 461-4148
VIRGINIA ENGINEERING LICENSE 0407004433

Designed by: C. CONTRERAS
Checked by: R. CZIAPINSKI

REV	DATE
0	09/29/08

Design file no. 3197_dockley.dwg
Drawing scale: NOT TO SCALE



DATUM CHART:

+2.86 — MHW

0.0 — MLW

TURBIDITY CURTAIN

DREDGE AREA

NOTES:

1. PROPOSED PERMIT DREDGE DEPTH −8.0 MLW.

2. DREDGE MATERIAL TO BE DISPOSED AT THE CRANEY ISLAND DREDGING MATERIAL MANAGEMENT FACILITY.

3. ALL UPLAND DATA SUPPLIED BY ENGINEERING RESOURCES GROUP

BELHARBOUR WATERCRAFT SERVICE CENTER DREDGE OPERATIONS

Designed by: G. CONTRERAS

Checked by: R. CZLAPINSKI

REV	DATE
0	09/29/08

Design file no. 3197_dredgpe.dwg

Drawing scale: AS SHOWN

Sheet 8 of 14

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3768
FAX: (757) 461-4148
VIRGINIA ENGINEERING LICENSE 0407004433

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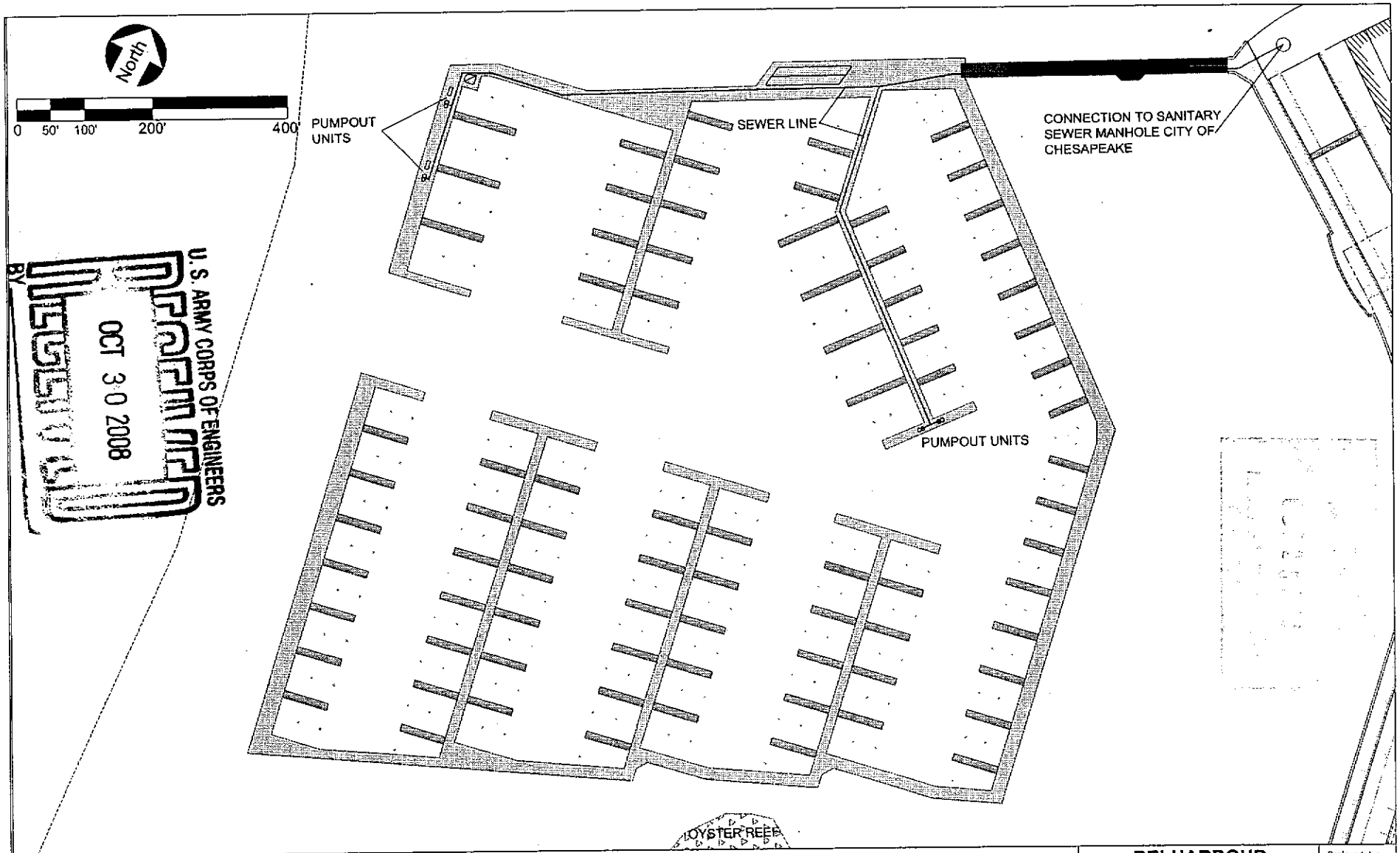

U.S. ARMY CORPS OF ENGINEERS
NORFOLK
OCT 30 2008
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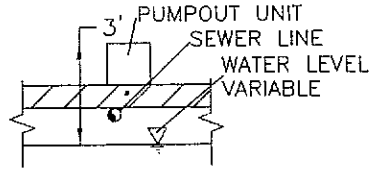
NOTES:

1. APPROXIMATELY 1150' OF SEWER LINE TO CONNECT THE SYSTEM TO MANHOLE.
2. ALL UPLAND DATA SUPPLIED BY ENGINEERING RESOURCES GROUP.



DOCK PUMPOUT UNIT ELEVATION TYPICAL

BELHARBOUR WATERCRAFT SERVICE CENTER

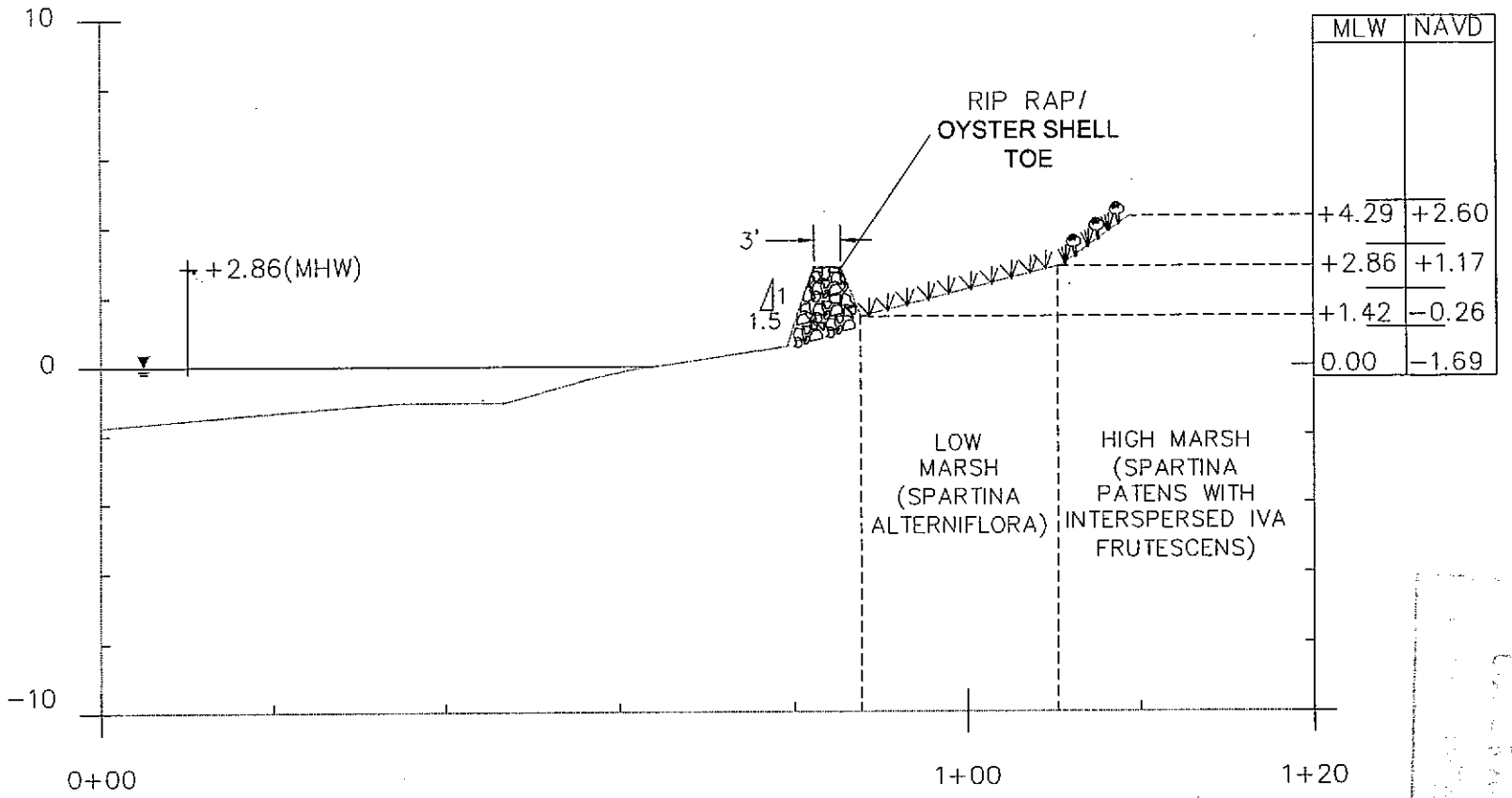
PUMPOUT SCHEMATIC

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3768
FAX: (757) 461-4148
VIRGINIA ENGINEERING LICENSE 0407004433

Designed by: G. CONTRERAS
Checked by: R. CZLAPINSKI

REV	DATE
0	06/25/08

Design file no. 3197_Locmap.dwg
Drawing scale: AS SHOWN



MLW	NAVD
+4.29	+2.60
+2.86	+1.17
+1.42	−0.26
0.00	−1.69

SECTION F-F'

NOTES:

1. SEE SHEET 10 OF 14 FOR CROSS SECTION LOCATION ON PLAN VIEW.
2. VERTICAL EXAGGERATION IS 4:1.
3. VERTICAL DATUM IS MLW.
4. ALL UPLAND DATA SUPPLIED BY ENGINEERING RESOURCES GROUP.

U.S. ARMY CORPS OF ENGINEERS
OCT 30 2008
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BELHARBOUR WATERCRAFT SERVICE CENTER

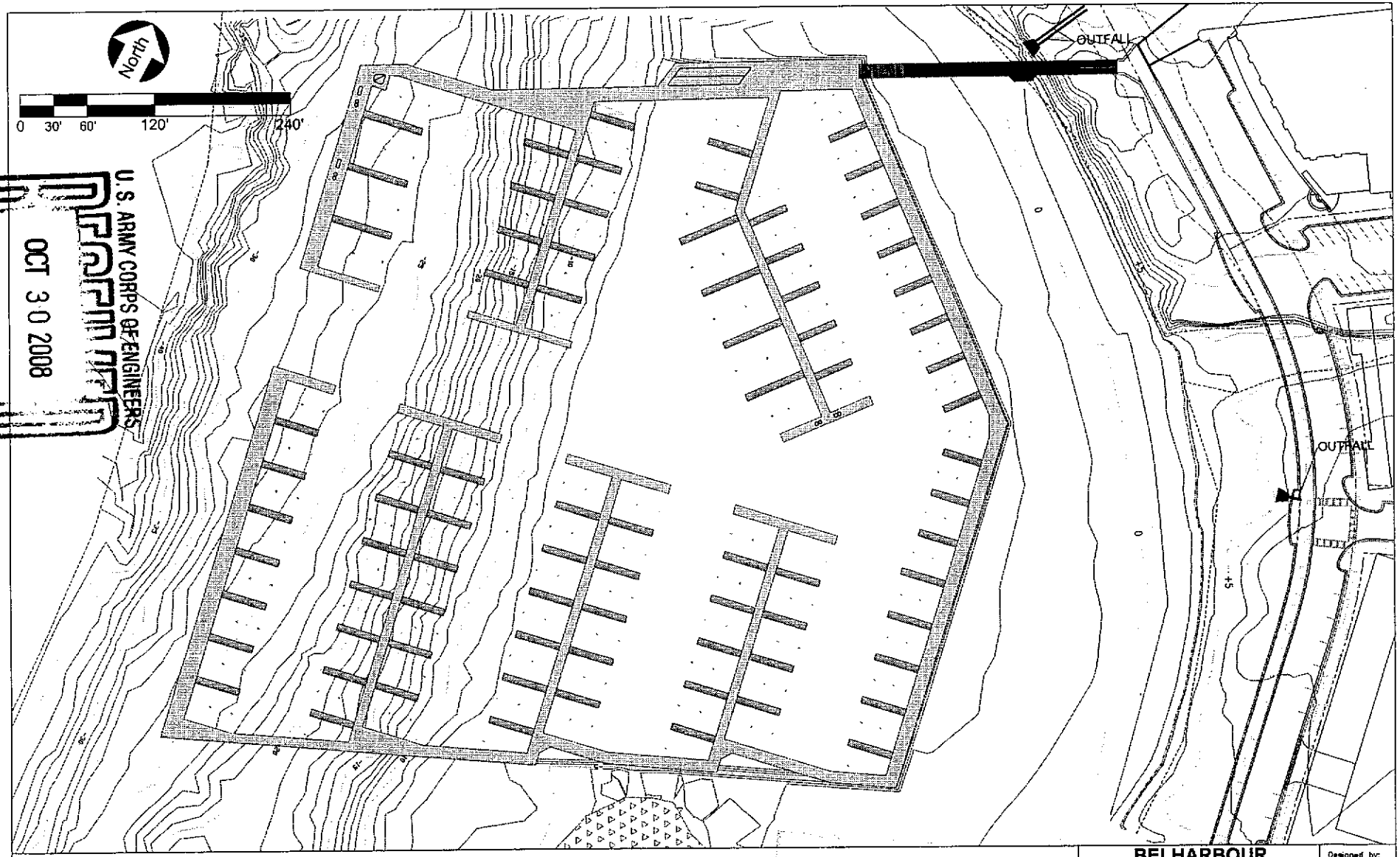
LIVING SHORELINE CROSS SECTION

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 461-3830
FAX: (757) 461-4148
VIRGINIA ENGINEERING LICENSE 0407004433

Designed by: K. BAILEY
Checked by: R. CZLAPINSKI

REV	DATE
0	09/23/08

Design file no. 3197_shoreli.dwg
Drawing scale: NOT TO SCALE



U.S. ARMY CORPS OF ENGINEERS
OCT 30 2008
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NOTES:

1. OUTFALL LOCATIONS ARE APPROXIMATE AND SUBJECT TO FINAL DESIGN CONDITIONS.
2. ALL UPLAND DATA SUPPLIED BY ENGINEERING RESOURCES GROUP LLC.

BELHARBOUR WATERCRAFT SERVICE CENTER

OUTFALL LOCATION

Designed by: K. BAILEY

Checked by: R. CZLAPINSKI

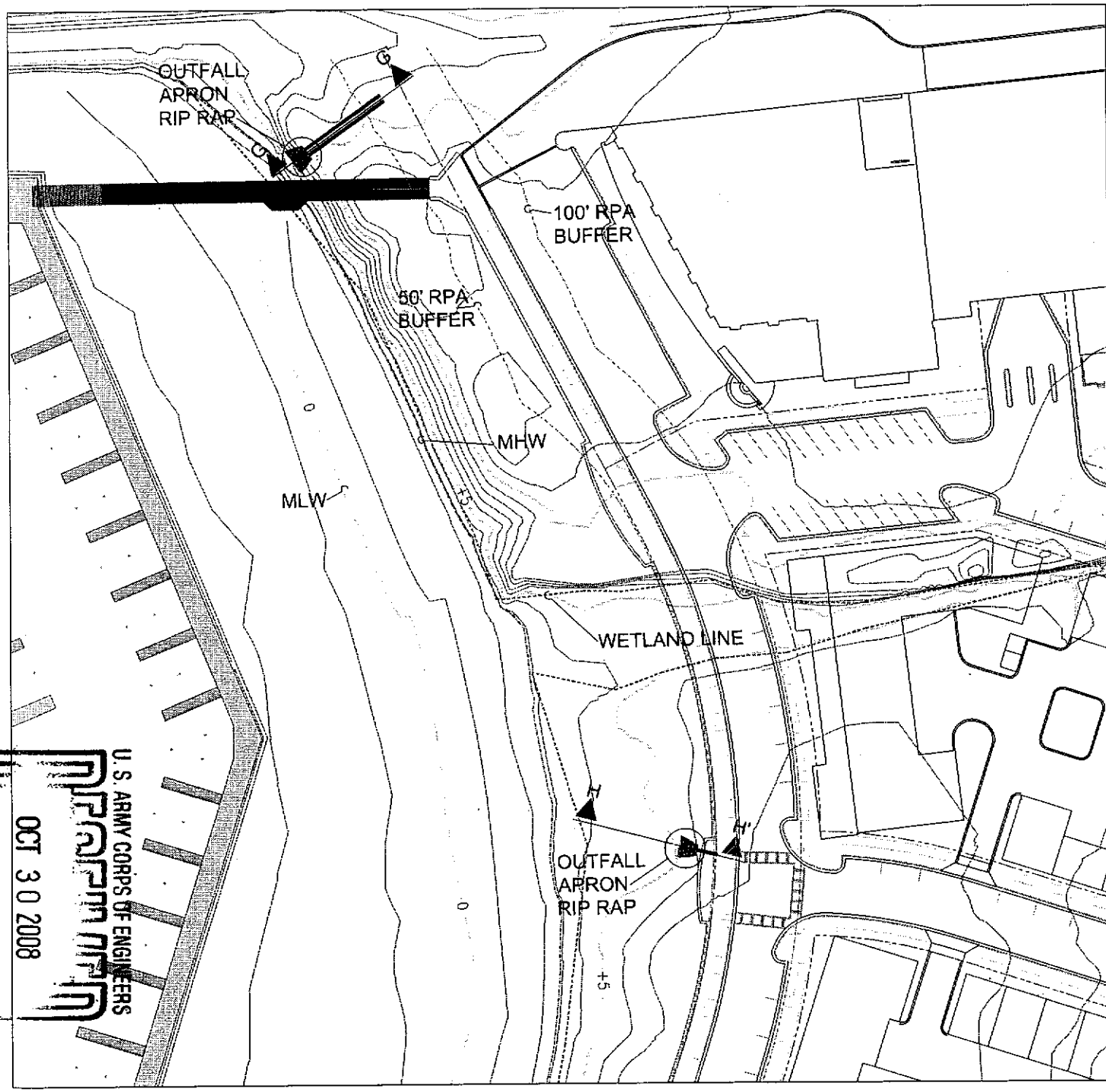
REV	DATE
0	09/29/08

Design file no. 3197_outfall.dwg

Drawing scale: AS SHOWN

Sheet 12 of 14

TETRA TECH EC, INC.
5700 LAKE WRIGHT DRIVE
TWIN OAKS I, SUITE 309
NORFOLK, VA 23502
TEL: (757) 451-3766
FAX: (757) 451-4148
VIRGINIA ENGINEERING LICENSE 0407004433



NOTES:

1. SEE SHEET 14 OF 14 FOR CROSS SECTION.

2. WETLAND LINE DATA OBTAINED FROM SURVEY VERIFIED BY US ARMY CORPS OF ENGINEERS JURISDICTIONAL DETERMINATION DATED 14 APRIL 2004 AND PROVIDED BY MAP ENVIRONMENTAL.

3. ALL UPLAND DATA SUPPLIED BY ENGINEERING RESOURCES GROUP.

BELHARBOUR WATERCRAFT SERVICE CENTER

OUTFALL PLAN VIEW DETAIL

Designed by: K. BAILEY

Checked by: R. CZLAPINSKI

REV	DATE
0	09/29/08

Design file no. 3197_outfall.dwg

Drawing scale: AS SHOWN

Sheet 13 of 14

TETRA TECH EC, INC.
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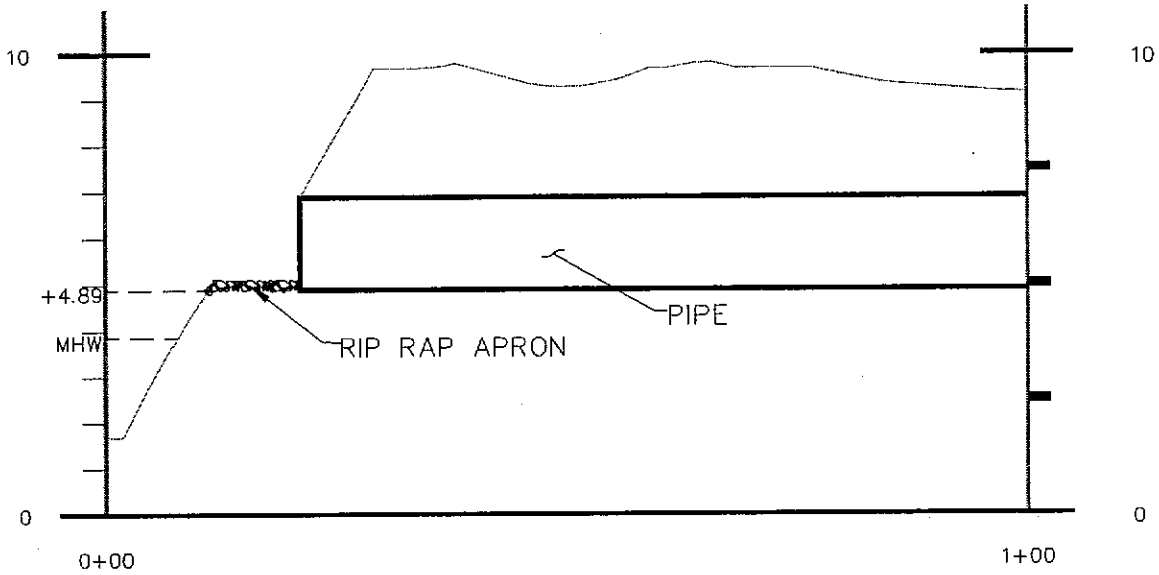
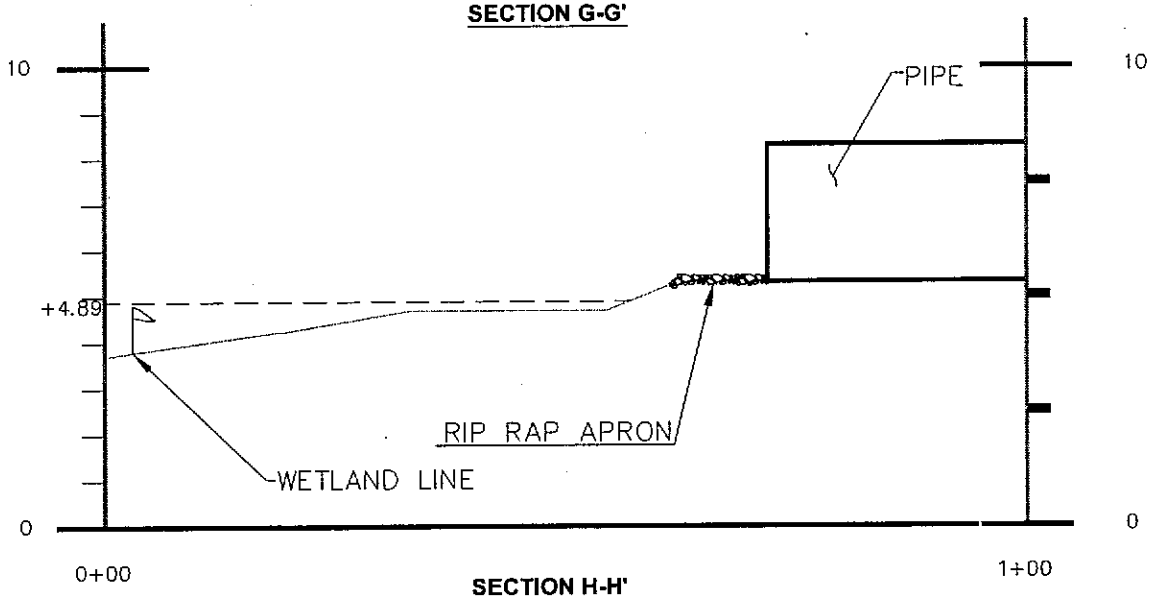
U. S. ARMY CORPS OF ENGINEERS
OCT 30 2008
BY



SECTION G-G'



SECTION H-H'

NOTES:

1. VERTICAL DATUM IS MLW.

2. SEE SHEET 13 OF 14 FOR CROSS SECTION LOCATION ON PLAN VIEW.

3. WETLAND LINE DATA OBTAINED FROM SURVEY VERIFIED BY US ARMY CORPS OF ENGINEERS JURISDICTIONAL DETERMINATION DATED 14 APRIL 2004 AND PROVIDED BY MAP ENVIRONMENTAL.

4. ALL UPLAND DATA SUPPLIED BY ENGINEERING RESOURCES GROUP.

BELHARBOUR WATERCRAFT SERVICE CENTER

OUTFALL CROSS SECTION

Designed by: K. BAILEY

Checked by: R. CZLAPINSKI

REV	DATE
0	09/29/08

TETRA TECH EC, INC.
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TWIN OAKS I, SUITE 309
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Design file no. 3197_outfall.dwg

Drawing scale: 1"=20'

Sheet 14of 14

U.S. ARMY CORPS OF ENGINEERS
OCT 30 2008
BY