

Public Notice

U.S. Army Corps of Engineers, Norfolk District

May 15, 2008

CENAO-REG
NAO-2007-03326
07-V1866

FEDERAL PUBLIC NOTICE

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

APPLICANT

Phase III Construction
Ree Ellis
11008 S. Richardson Road
Ashland, Virginia 23005

WATERWAY AND LOCATION OF THE PROPOSED WORK: The 46-acre project site is located between State Route 60 and Interstate 64, north of Pocahontas Trail (US Route 60), south of Interstate 64, west of New Kent Highway (State Route 249) in the Chickahominy River drainage basin of New Kent County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to permanently impact 6.16 acres of non-tidal wetlands and 589 linear feet of stream channel for the construction of a commercial development that will include hotel accommodations, restaurants, and retail centers. Impacts to jurisdictional areas will result from the discharge of fill material for roadway and storm water facility construction, as well as lot grading in order to create buildable areas for buildings and parking pads.

Compensation for unavoidable impacts to waters of the United States will be provided through the purchase of mitigation credits from an approved bank, the preservation of onsite stream channels, and through contribution to the Virginia Aquatic Resources In-Lieu Fee Fund, depending on credit availability in within the watershed.

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 New Kent County 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 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.

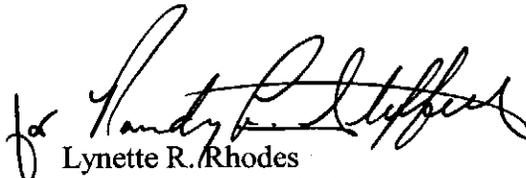
Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) no known properties eligible 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.

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 June 16, 2008.

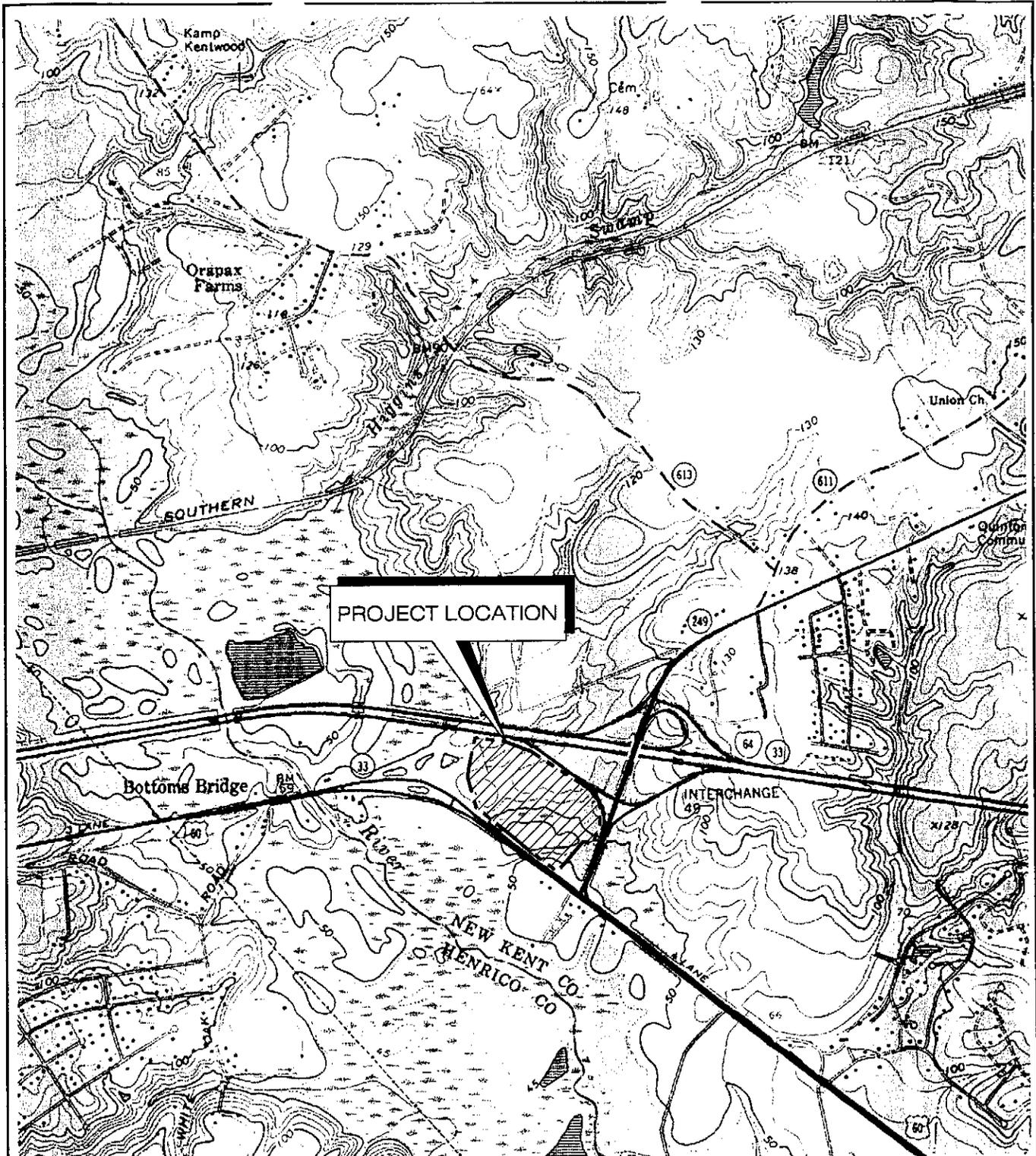
If you have any questions about this project or the permit process, please contact:

Randy Steffey at (757) 201-7327 or by email at randy.l.steffey@usace.army.mil

FOR THE DISTRICT COMMANDER:


Lynette R. Rhodes
Chief, Southern Virginia
Regulatory Section

Attachment: Drawings



2000' 1000' 0' 2000'
 SCALE: 1 INCH = 2000 FEET



LATITUDE: 037°30'47.18" N
 LONGITUDE: 077°11'39.09" W

SOURCE: PROFESSIONAL USGS TOPOGRAPHIC MAP,
 QUINTON, VA QUADRANGLE, 1965
 (REVISED 1980)



**WILLIAMSBURG
 ENVIRONMENTAL
 GROUP, INC.**

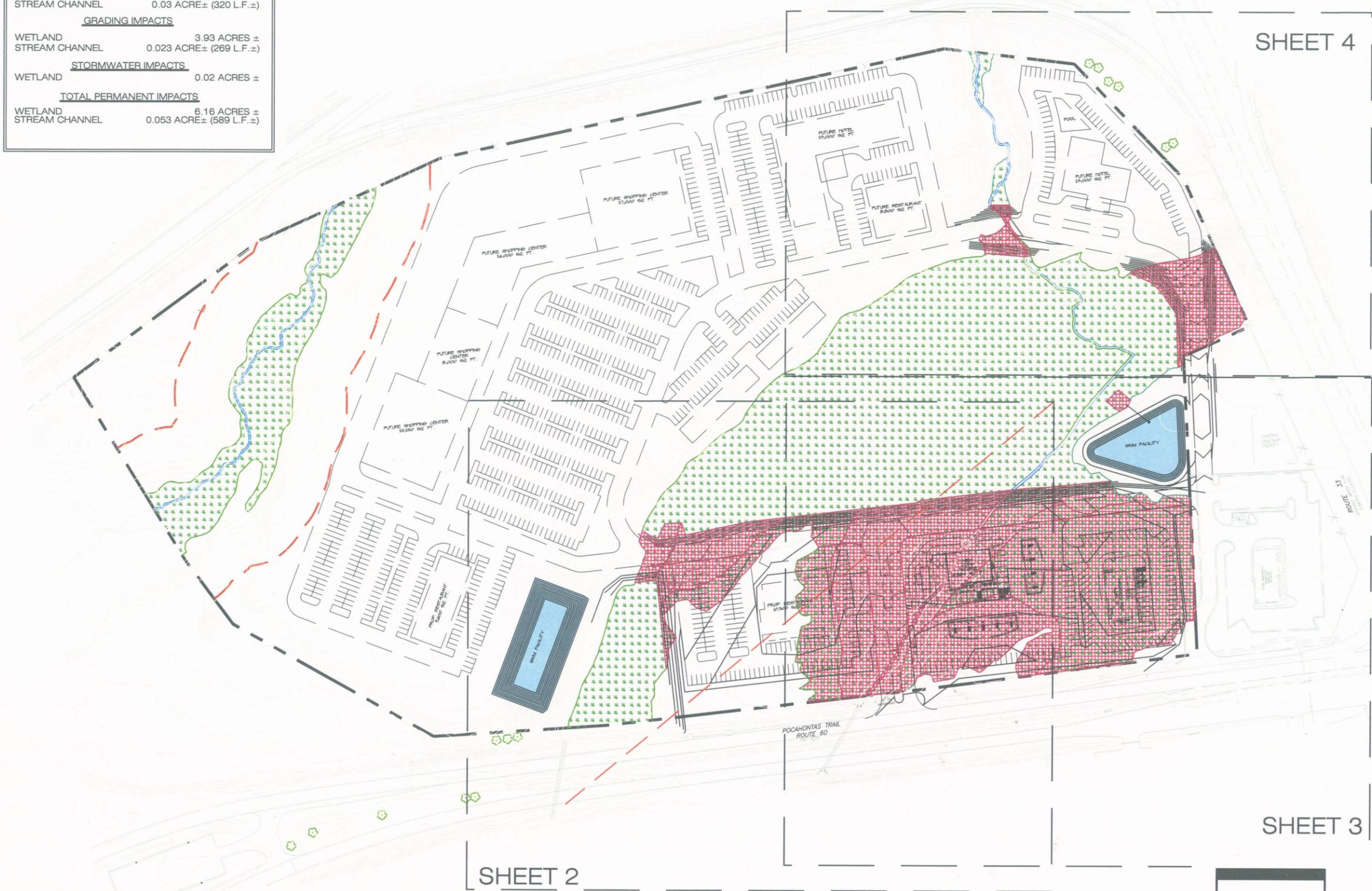
**FIGURE 1-2
 PROJECT LOCATION MAP
 BOTTOMS BRIDGE**

NEW KENT COUNTY, VIRGINIA

AUGUST 2007

I:\0600s\630-Ellis Tract\Regulatory\Impacts Map\630 - Impacts Map SEL.ALT (04-14-08).dwg

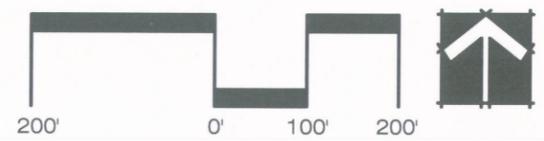
SITE DATA:		
PROJECT LIMITS	45.69 ACRES ±	
JURISDICTIONAL AREAS:		
WETLAND	15.39 ACRES ±	
STREAM CHANNELS	0.19 ACRES± (2,350 L.F.±)	
JURISDICTIONAL AREA IMPACTS:		
ROAD IMPACTS		
WETLAND	2.21 ACRES ±	
STREAM CHANNEL	0.03 ACRE± (320 L.F.±)	
GRADING IMPACTS		
WETLAND	3.93 ACRES ±	
STREAM CHANNEL	0.023 ACRE± (269 L.F.±)	
STORMWATER IMPACTS		
WETLAND	0.02 ACRES ±	
TOTAL PERMANENT IMPACTS		
WETLAND	6.16 ACRES ±	
STREAM CHANNEL	0.053 ACRE± (589 L.F.±)	



SHEET 4

SHEET 2

SHEET 3



13921 Park Center Road
 Suite 100
 Williamsburg, Virginia 23186
 (757) 220-8829
 (703) 437-2066

6704 Salem Run Blvd
 Suite 105
 Fredericksburg, Virginia 22407
 (804) 786-5544

WEG
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**JURISDICTIONAL AREAS
 IMPACTS MAP
 SELECTED ALTERNATIVE
 SHEET 1 OF 4
 BOTTOMS BRIDGE
 NEW KENT COUNTY, VIRGINIA**

DATE: _____ BASE MAP PROVIDED BY: _____

REVISIONS:
 DATE: _____

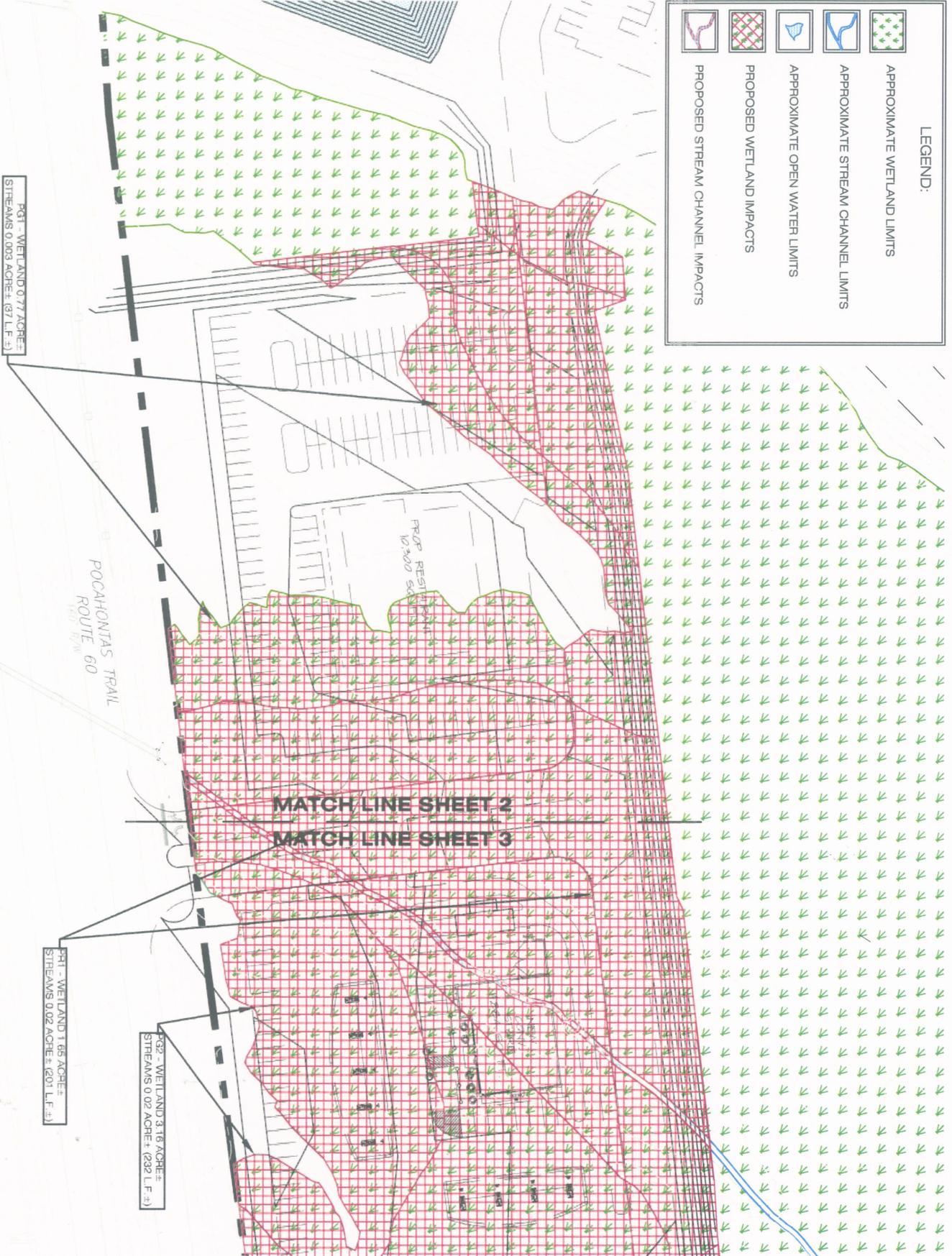
DRAWN BY: PAW
 DATE: 08/15/2008
 SCALE: 1 INCH = 200 FEET

CHECKED BY: MMSG

SHEET: _____ X
 JOB#: 630

LEGEND:

-  APPROXIMATE WETLAND LIMITS
-  APPROXIMATE STREAM CHANNEL LIMITS
-  APPROXIMATE OPEN WATER LIMITS
-  PROPOSED WETLAND IMPACTS
-  PROPOSED STREAM CHANNEL IMPACTS



DATE MAP REVISED: NONE

DATE: 08/08

PROJECT: 630 - ELLIS TRACT

SHEET: X

DESIGNED BY: [Name]

CHECKED BY: [Name]

DATE: [Date]

JURISDICTIONAL AREA IMPACTS MAP
SHEET 2 OF 4
BOTTOMS BRIDGE
NEW KENT COUNTY, VIRGINIA

WEG

WILLIAMSBURG ENVIRONMENTAL GROUP, INC.

5206 Center Street
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7501 Boulders View Drive
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Richmond, Virginia 23225
(804) 267-3474

5705 Salem Run Blvd.
Suite 105
Fredericksburg, Virginia 22407
(540) 785-5544

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LEGEND:

-  APPROXIMATE WETLAND LIMITS
-  APPROXIMATE STREAM CHANNEL LIMITS
-  APPROXIMATE OPEN WATER LIMITS
-  PROPOSED WETLAND IMPACTS
-  PROPOSED STREAM CHANNEL IMPACTS

POCAHONTAS TRAIL
ROUTE 60

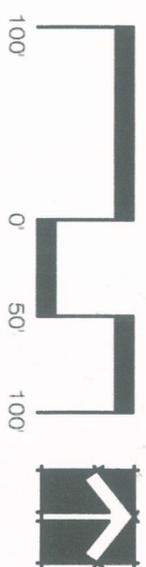
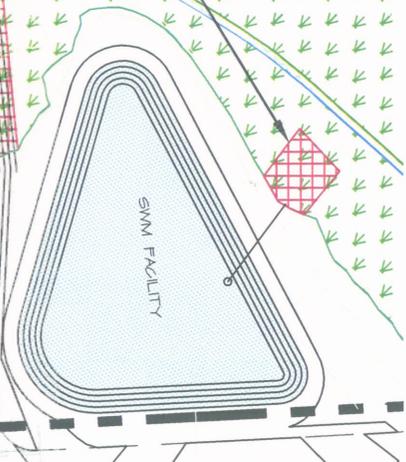
PG1 - WETLAND 0.77 ACRE ±
STREAMS 0.003 ACRE ± (37 L.F. ±)

PG1 - WETLAND 1.65 ACRE ±
STREAMS 0.02 ACRE ± (201 L.F. ±)

PG2 - WETLAND 3.16 ACRE ±
STREAMS 0.02 ACRE ± (232 L.F. ±)

PG3 - WETLAND 0.02 ACRE ±

MATCH LINE SHEET 2
MATCH LINE SHEET 3



JURISDICTIONAL AREA IMPACTS MAP
SHEET 3 OF 4
BOTTOMS BRIDGE
NEW KENT COUNTY, VIRGINIA



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Fredericksburg, Virginia 22407
(540) 786-5544

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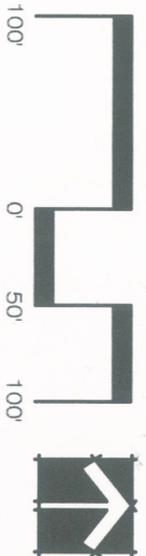
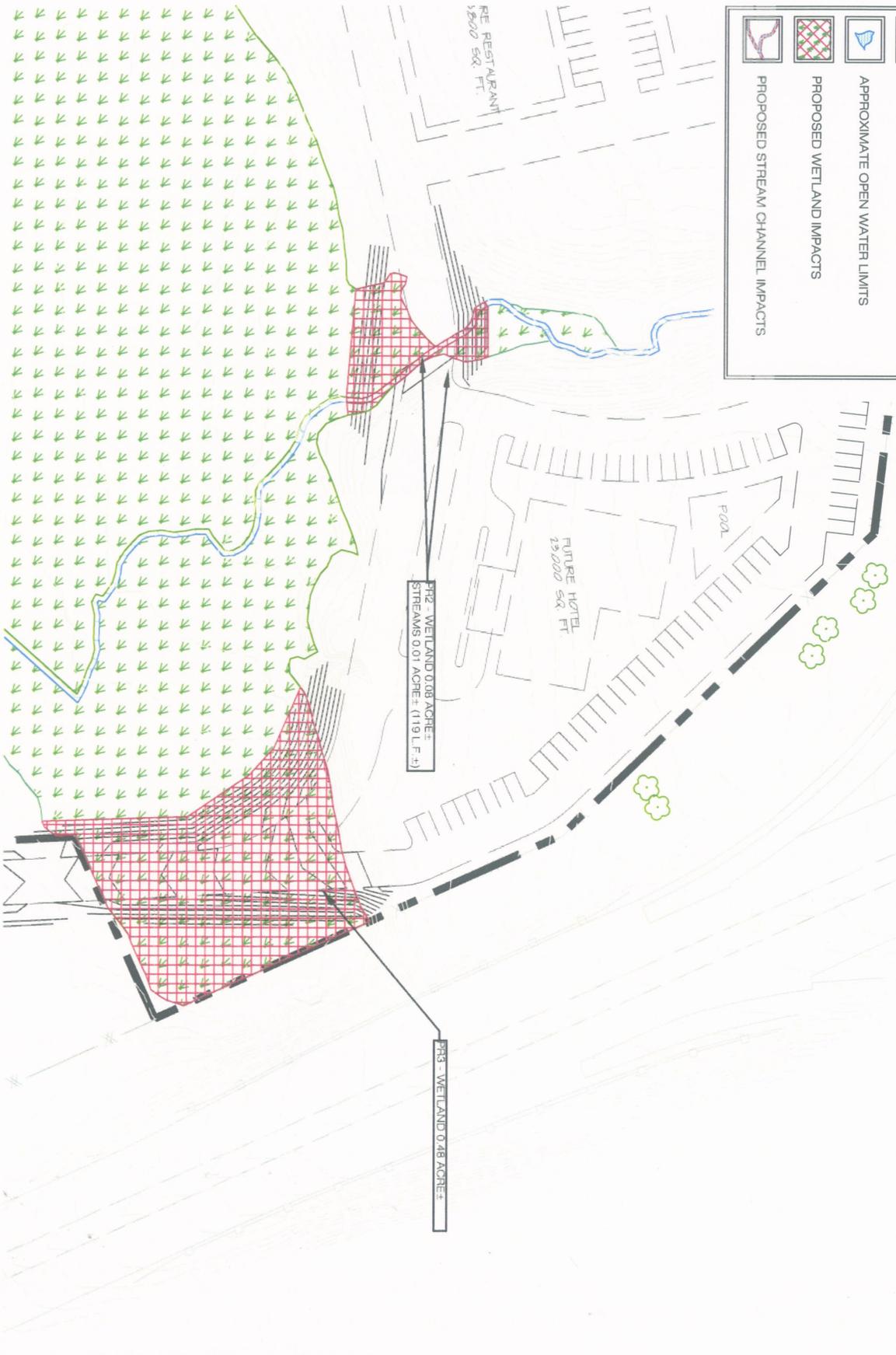
DATE: 04/14/08
SCALE: AS SHOWN

DESIGNED BY: [Signature]
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DATE: 04/14/08

SHEET: X

LEGEND:

-  APPROXIMATE WETLAND LIMITS
-  APPROXIMATE STREAM CHANNEL LIMITS
-  APPROXIMATE OPEN WATER LIMITS
-  PROPOSED WETLAND IMPACTS
-  PROPOSED STREAM CHANNEL IMPACTS



DATE: 04/14/08
SCALE: AS SHOWN
PROJECT: BOTTOMS BRIDGE
SHEET: X

**JURISDICTIONAL AREA IMPACTS MAP
 SHEET 4 OF 4
 BOTTOMS BRIDGE
 NEW KENT COUNTY, VIRGINIA**

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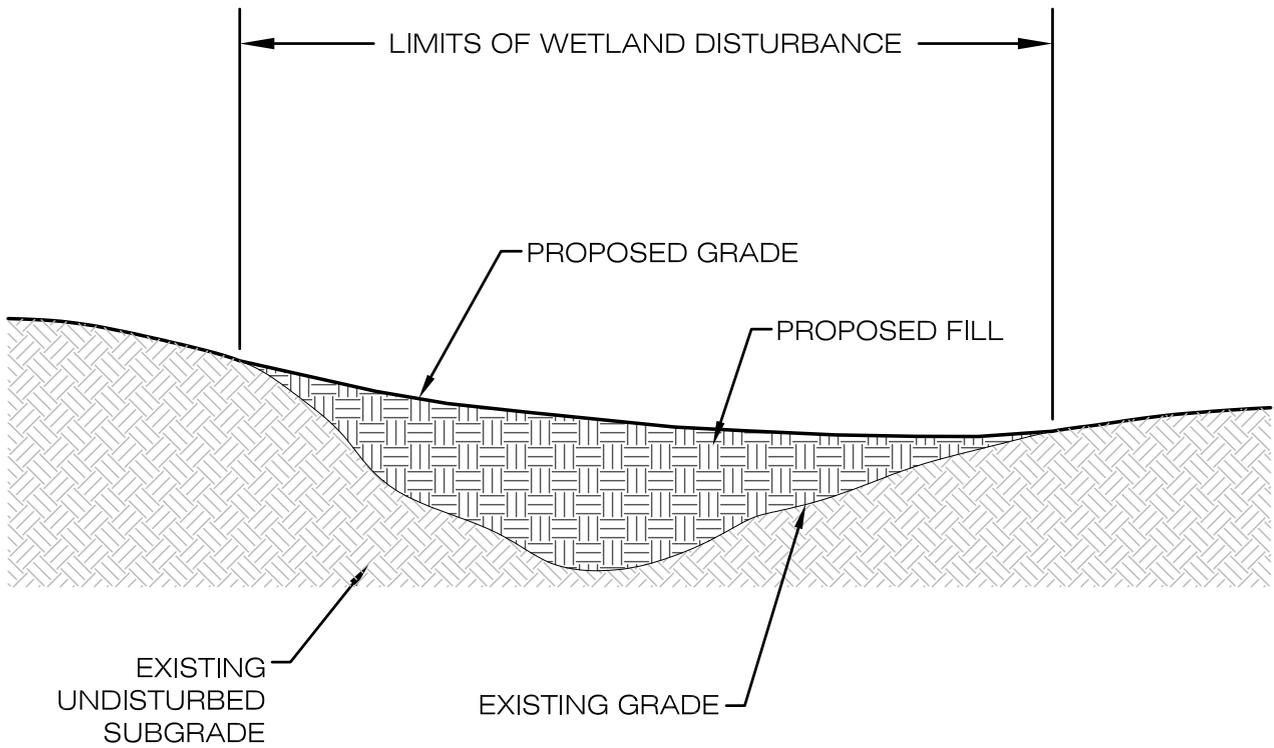
5209 Center Street
 Williamsburg, Virginia 23188
 (757) 250-8888

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 (703) 437-3096

7501 Boulders View Drive
 Suite 205
 Richmond, Virginia 23225
 (804) 267-3474

5705 Salem Run Blvd.
 Suite 105
 Fredericksburg, Virginia 22407
 (540) 786-5644

Environmental Consultants



DATE: AUGUST 15, 2007
 JOB NUMBER: 630
 SCALE: NOT TO SCALE

TYPICAL FILL CROSS-SECTION
BOTTOMS BRIDGE
 NEW KENT COUNTY, VIRGINIA

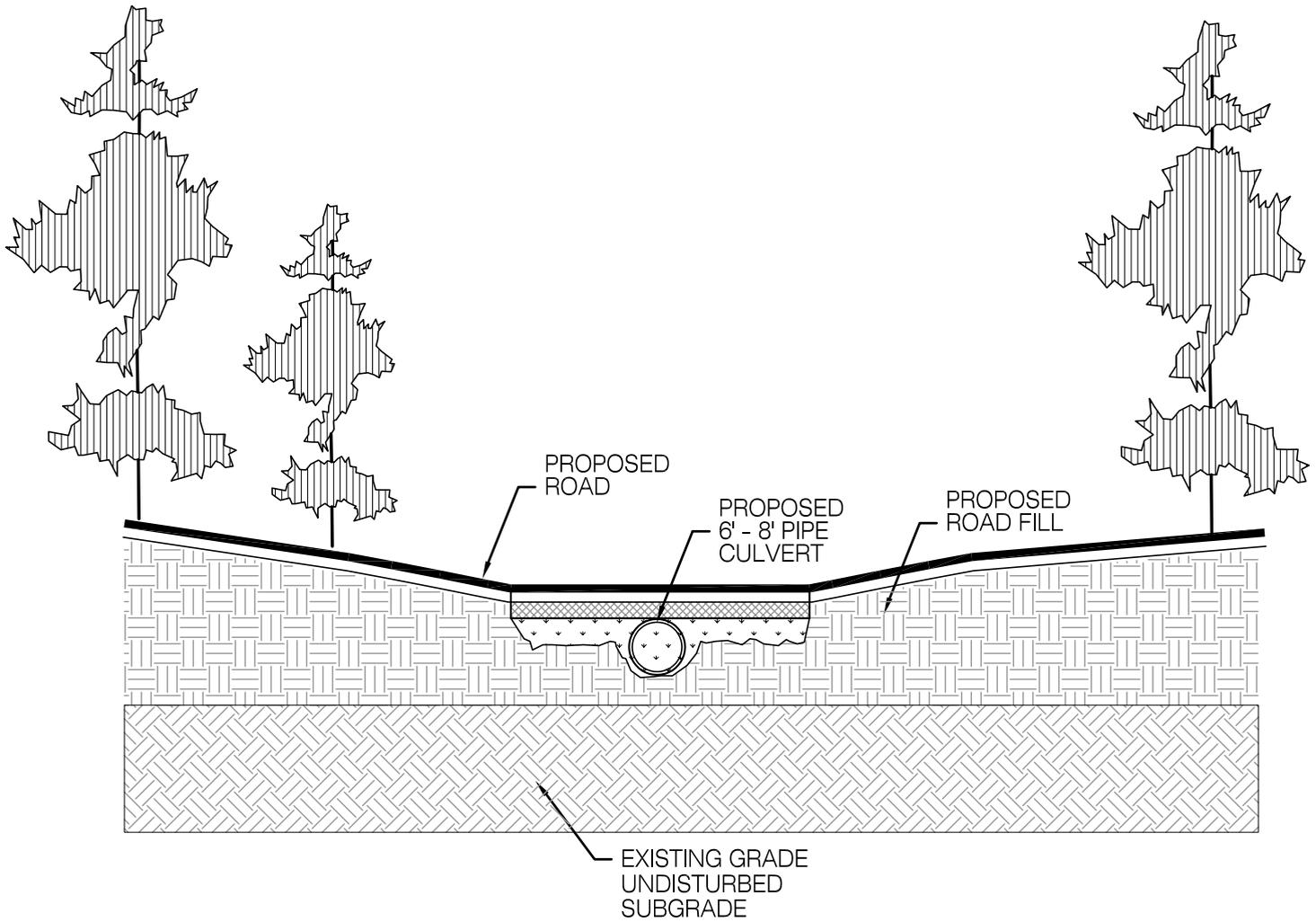
5209 Center Street
 Williamsburg, Virginia 23188
 (757) 253-8889

13921 Park Center Road
 Suite 100
 Hampton, Virginia 20171
 (703) 437-3098

7401 Beaufort Springs Drive
 Suite 205
 Richmond, Virginia 23225
 (804) 267-3474

4500 Hank Road
 Suite 205
 Fredericksburg, Virginia 22407
 (540) 785-2544

WILLIAMSBURG ENVIRONMENTAL GROUP, INC.
 Environmental Consultants



DATE: AUGUST 15, 2007
 JOB NUMBER: 630
 SCALE: NOT TO SCALE

TYPICAL ROAD CROSS-SECTION
BOTTOMS BRIDGE
NEW KENT COUNTY, VIRGINIA

6209 Center Street
 Williamsburg, Virginia 23188
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 (703) 437-3098

7401 Beaufort Springs Drive
 Suite 205
 Richmond, Virginia 23225
 (804) 267-3474

4500 Hank Road
 Suite 205
 Fredericksburg, Virginia 22407
 (540) 785-2544

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