

Public Notice

U.S. Army Corps of Engineers, Norfolk District

February 25, 2008

CENAO-REG
07-V1876/NAO2007-03547

FEDERAL PUBLIC NOTICE

The District Engineer and the Virginia Department of Environmental Quality have received a joint application for Federal and State permits as described below:

APPLICANT

Mr. Jim Kirk, Jamestowne Builders, Incorporated
3731 Darby Drive
Midlothian, Virginia 23113

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed work is planned on a site containing approximately 10 acres of land and an additional offsite area for sanitary sewer construction, being part of an existing subdivision known as "Oakdale" located on the east line of Chester Road, opposite Brinkley Road in Chesterfield County, Virginia. The site drains to Kingsland Creek, a tributary to the James River.

PROPOSED WORK AND PURPOSE: The applicant proposes to discharge fill in 0.07 acre of palustrine forested wetlands for the purposes of constructing an access road and related drainage and erosion control structures. The project purpose is to provide housing. The wetland impacts are minimal, and the project will likely qualify for the Norfolk District's State Program General Permit. The project is located within the core area of the Second Drewry's Bluff battlefield, which is eligible for listing in the National Register of Historic Places. In consultation with the Virginia Department of Historic Resources and the National Park Service, we have determined that the undertaking will adversely affect the Second Drewry's Bluff battlefield. The applicant proposes to mitigate the adverse effects with onsite preservation and an interpretive sign.

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. 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 individual 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 Engineer within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Engineer will then decide if a hearing should be held.

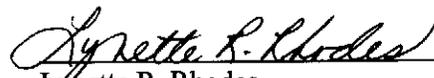
Preliminary review indicates that (1) no environmental impact statement will be required; (2) no Federally listed species pursuant to the Endangered Species Act of 1973 (PL 93-205) are known to occur on the site; and (3) Second Drewry's Bluff battlefield is a known property that is eligible for inclusion in the National Register of Historic Places that will be adversely affected by the proposal. Additional information might change any of these findings. 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.state.va.us.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: Richmond Field Office), 9100 Arboretum Parkway, Suite 235, Richmond, Virginia 23236, and should be received by the close of business on March 11, 2008.

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

Ms. Elaine Holley at (804) 323-3780

FOR THE DISTRICT ENGINEER:

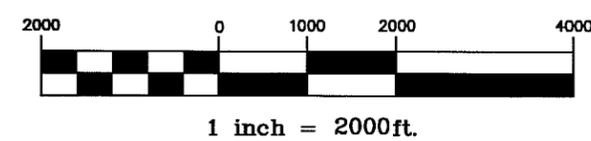


Lynette R. Rhodes
Chief, Southern Virginia
Regulatory Section

Attachment: Drawings



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LAT: 37° 23' 46" N
 LONG: 77° 26' 37" W
 WGS 84/NAD83

Draper Aden Associates
 Engineering • Surveying • Environmental Services
 8090 Villa Park Drive Blacksburg, VA
 Richmond, VA 23228 Charlottesville, VA
 804-264-2228 Fax: 804-264-8773 Hampton Roads, VA

DESIGNED PMO
 DRAWN BAS
 CHECKED MDW/PMO
 DATE 08.08.05

SITE MAP
JAMESTOWNE BUILDERS - 9143 CHESTER ROAD
 CHESTERFIELD COUNTY, VIRGINIA - USGS DREWERY'S BLUFF QUAD

SCALE: 1" = 2000'
 PROJ. NO. R05499-01

FIGURE
1

