Public Notice

U.S. Army Corps of Engineers, Norfolk District

June 8, 2007

CENAO-REG
NAO-2007-2424

FEDERAL PUBLIC NOTICE

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

APPLICANT

Sawminorth LLC
Attn: Mr. Steven W. Schmitz
PO Box 245
Philomont, VA 20131

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located on an approximately 340-acre parcel west of the intersection of Old Ox Road (Route 606) and Mercure Circle in Loudoun County, Virginia. The work will occur in Broad Run and its tributaries.

PROPOSED WORK AND PURPOSE: The project consists of the discharge of fill material into waters of the United States associated with the commercial development of the subject tract. The project is called Northwoods. Approximately 1.71 acres palustrine forested wetlands (PFO), 0.27 acre palustrine emergent wetlands (PEM) and 1414 linear feet of stream beds will be impacted by the proposed work. An additional 0.01 acre PFO will be permanently converted to PEM and 52 linear feet of stream bed will be temporarily impacted. Wetland mitigation will be provided with the preservation of 17.34 acres PFO and the purchase of 1.98 credits from Cedar Run Wetlands Bank. Stream mitigation is comprised of the preservation of 9889 linear feet of Broad Run and its tributaries and the purchase of 1701 stream conditions units from the Northern Virginia Stream Restoration Bank.

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. A vicinity map and project plans are attached. This public notice and the drawings can also be viewed at http://www.nao.usace.army.mil/Regulatory/PN/PN.html.

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: (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 near the permit area and would likely be affected by the proposal. The permit area consists of the impact areas and adjacent uplands. Additional information might change any of these findings.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the U.S. Army Corps of Engineers-Norfolk District, Northern Virginia Field Office, 18139 Triangle Plaza, Suite 213, Dumfries, VA 22026, and should be received by the close of business on **July 8, 2007.**

If you have any questions about this project or the permit process, please contact Mr. Ron Stouffer at 703-221-6967.

FOR THE DISTRICT COMMANDER:

Keith B. Lockwood
Chief, Northern Virginia
Regulatory Section

Enclosures

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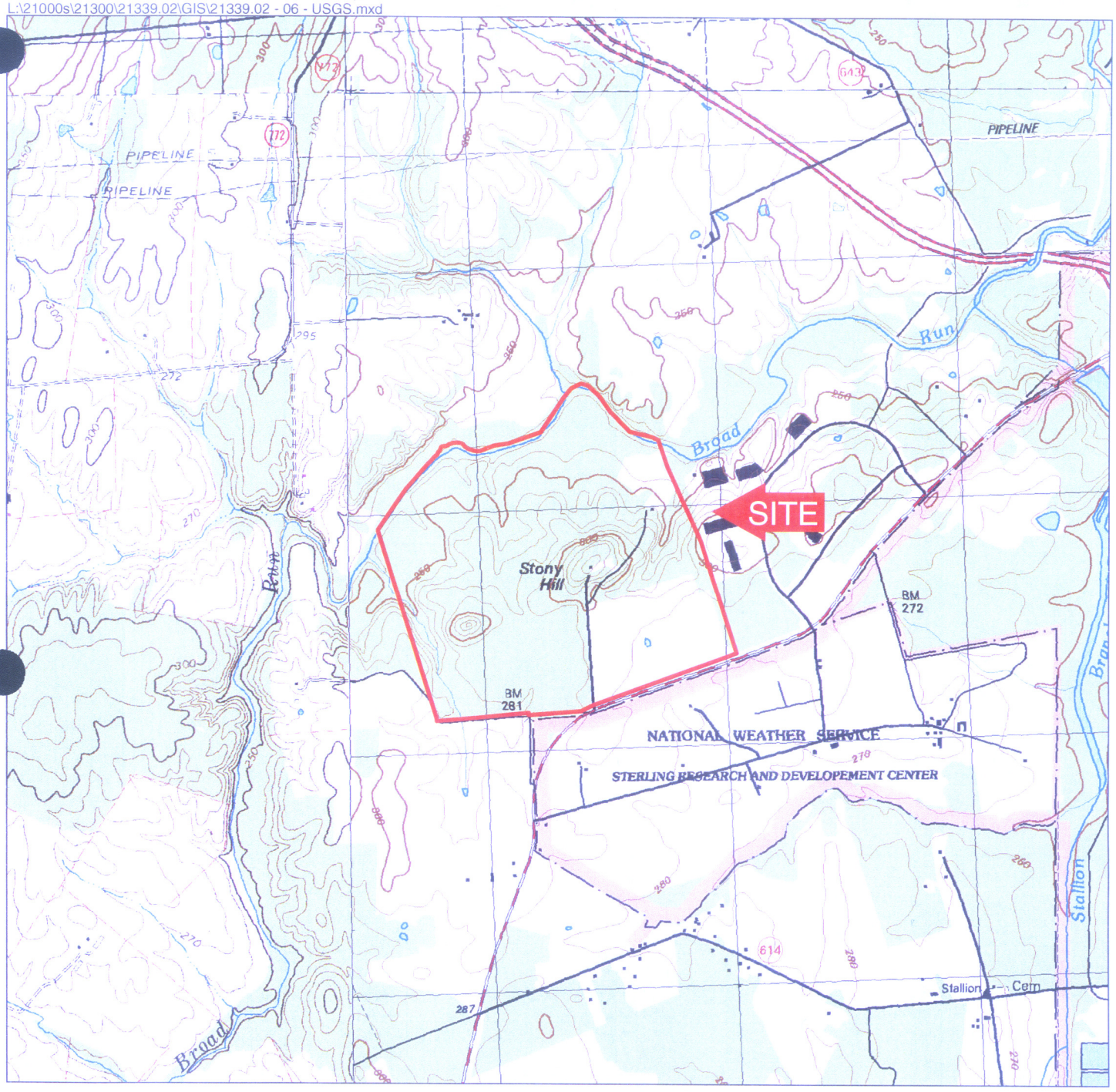
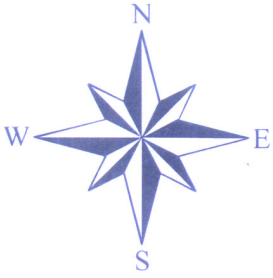


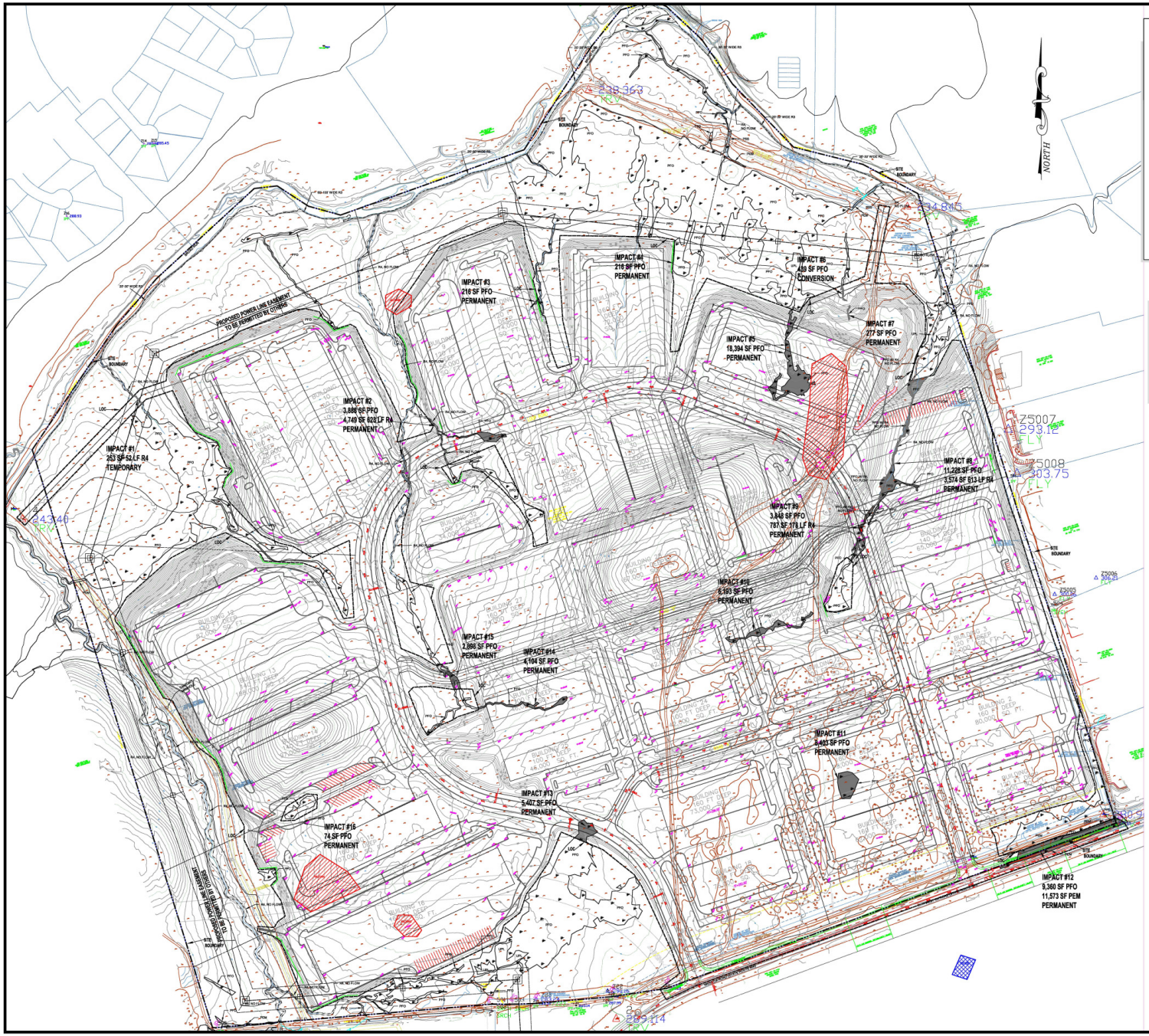
USGS Quad Map
Herndon, VA 1994
NorthWoods
WSSI #21339.02
Scale: 1" = 2000'



Latitude: 38°58'55" N
Longitude: 77°29'24" W
Hydrologic Unit Code (HUC): 02070008
Stream Class: III
Name of Watershed: Broad Run

Wetland Studies and Solutions, Inc.

Exhibit 6



LEGEND

- SITE BOUNDARY
- LIMITS OF CLEARING AND GRADING
- PERENNIAL STREAM
- INTERMITTENT STREAM
- JURISDICTIONAL WETLANDS
- PROPOSED IMPACT AREAS
- ARCHEOLOGICAL SITE
- ARCHITECTURAL RESOURCE

COWARDIN CLASSIFICATION

PFO	PALUSTRINE FORESTED WETLANDS
PEM	PALUSTRINE EMERGENT WETLANDS
PSS	PALUSTRINE SCRUB SHRUB WETLANDS
R3	PERENNIAL STREAM CHANNEL
R4	INTERMITTENT STREAM CHANNEL

NOTES:

1. TOPOGRAPHY AND SITE BOUNDARY INFORMATION PROVIDED BY URBAN, LTD. AND IS USED AS A BASE FOR THIS EXHIBIT. THE CONTOUR INTERVAL (C.I.) IS 2 FOOT.

2. JURISDICTIONAL WETLANDS AND OTHER WATERS OF THE U.S. (WOUS) LOCATED WITHIN THE PROJECT LIMITS WERE DELINEATED AND SURVEY-LOCATED BY WETLAND STUDIES AND SOLUTIONS, INC. (WSSI) IN JULY AND AUGUST 2006. THE RESULTS OF THIS DELINEATION ARE DESCRIBED IN WSSI'S REPORT DATED SEPTEMBER 20, 2006 AND SUBMITTED TO THE U.S. ARMY CORPS OF ENGINEERS (COE) ON NOVEMBER 15, 2006. THE MAP WAS REVISED ON JANUARY 2, 2007 BASED ON COMMENTS RECEIVED FROM THE COE DURING THEIR SITE VISIT ON DECEMBER 21, 2006. THE COE VERIFIED THE DELINEATION WITH A JURISDICTIONAL DETERMINATION (JD) DATED JANUARY 3, 2007 (COE #06-B0205). FOR MORE INFORMATION, SEE EXHIBIT 11.

3. LIMITS OF IMPACTS TO JURISDICTIONAL WETLANDS SHOWN HEREON ARE BASED UPON CURRENT DEVELOPMENT PLANS AND RENDERINGS FOR SUBMISSION OF THIS JOINT PERMIT APPLICATION. BUILDINGS AND OTHER ANCILLARY IMPROVEMENT TYPES, LAYOUTS, AND PROPOSED USES MAY VARY SOMEWHAT WITHOUT AFFECTING SAID PERMITS AS LONG AS THE NATURE AND SCOPE OF IMPACTS TO JURISDICTIONAL WETLANDS AND OTHER WOUS ARE NOT CHANGED.

SUMMARY OF WETLAND IMPACTS

IMPACT	PFO (SF)	PEM (SF)	R4 (SF)	R4 length (FT)	R4 width (FT)	TOTAL IMPACT AREA (SF)
1	--	--	253	52	5	253
2	3,888	--	4,749	623	8	8,637
3	216	--	--	--	--	216
4	246	--	--	--	--	246
5	18,394	--	--	--	--	18,394
6	439	--	--	--	--	439
7	277	--	--	--	--	277
8	11,228	--	3,574	613	6	14,802
9	3,848	--	787	178	4	4,635
10	6,193	--	--	--	--	6,193
11	8,403	--	--	--	--	8,403
12	9,360	11,573	--	--	--	20,933
13	5,407	--	--	--	--	5,407
14	4,104	--	--	--	--	4,104
15	2,898	--	--	--	--	2,898
16	74	--	--	--	--	74
Total (lf)	**--**	**--**	**--**	**1,466**	**--**	**1,466**
Total (ft²)	**74,975**	**11,573**	**9,363**	**--**	**--**	**95,911**
Total (ac)	**1.72**	**0.27**	**0.21**	**--**	**--**	**2.20**

PERMANENT IMPACT SUMMARY

Total (lf)	**--**	**--**	**--**	**1,414**	**--**	**1,414**
Total (ft²)	**74,536**	**11,573**	**9,110**	**--**	**--**	**95,219**
Total (ac)	**1.71**	**0.27**	**0.21**	**--**	**--**	**2.19**

PERMANENT CONVERSION SUMMARY

Total (lf)	**--**	**--**	**--**	**-**	**--**	**-**
Total (ft²)	**439**	**-**	**-**	**--**	**--**	**439**
Total (ac)	**0.01**	**-**	**-**	**--**	**--**	**0.01**

TEMPORARY IMPACT SUMMARY

Total (lf)	**--**	**--**	**--**	**52**	**--**	**52**
Total (ft²)	**-**	**-**	**253**	**--**	**--**	**253**
Total (ac)	**-**	**-**	**0.01**	**--**	**--**	**0.01**

Wetland Studies and Solutions, Inc.
5300 Wellington Branch Drive, Suite 100 • Gainesville, VA 20155
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wetlandstudies.com

Exhibit 8
Overall Wetlands Impact Map

Prepared For: Sawminorth, L.L.C.

NORTHWOODS
Loudoun County, Virginia

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REVISIONS

No.	Date	Description	Rev. By:	App. By:

SCALE: 1"=200'

DATE: MAY 2007

Horizontal Datum: NAD 83

Vertical Datum: Proj. Datum

Boundary and Topo Source: Urban, Ltd.

Design	Draft	Approved
EML	EML	DCL

Sheet # 2 of 31

Computer File Name: