Public Notice

U.S. Army Corps of Engineers, Norfolk District

March 12, 2007

CENAO- REG
NAO-2007-957

FEDERAL PUBLIC NOTICE

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

APPLICANT

Toll Brothers Land Development
Attn: Mr. Jon Cannizzo
Suite 101
43089 Ryan Road
Ashburn, VA 20148

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located on a parcel south of the interchange at Route 7 and Claiborne Parkway near Ashburn in Loudoun County, Virginia. Claiborne Parkway bisects the site. The work will occur in Russell Branch 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 Belmont Executive Center. Approximately 0.38 acre palustrine forested wetlands, 0.02 acre palustrine scrub/shrub wetlands, 1.27 acres pond and 2242 linear feet of stream beds will be impacted by the proposed work. On-site pond construction and credit purchases from Cedar Run Wetland Bank and the Northern Virginia Stream Restoration Bank will provide compensation.

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.

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) 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 project site. 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 April 5, 2007.

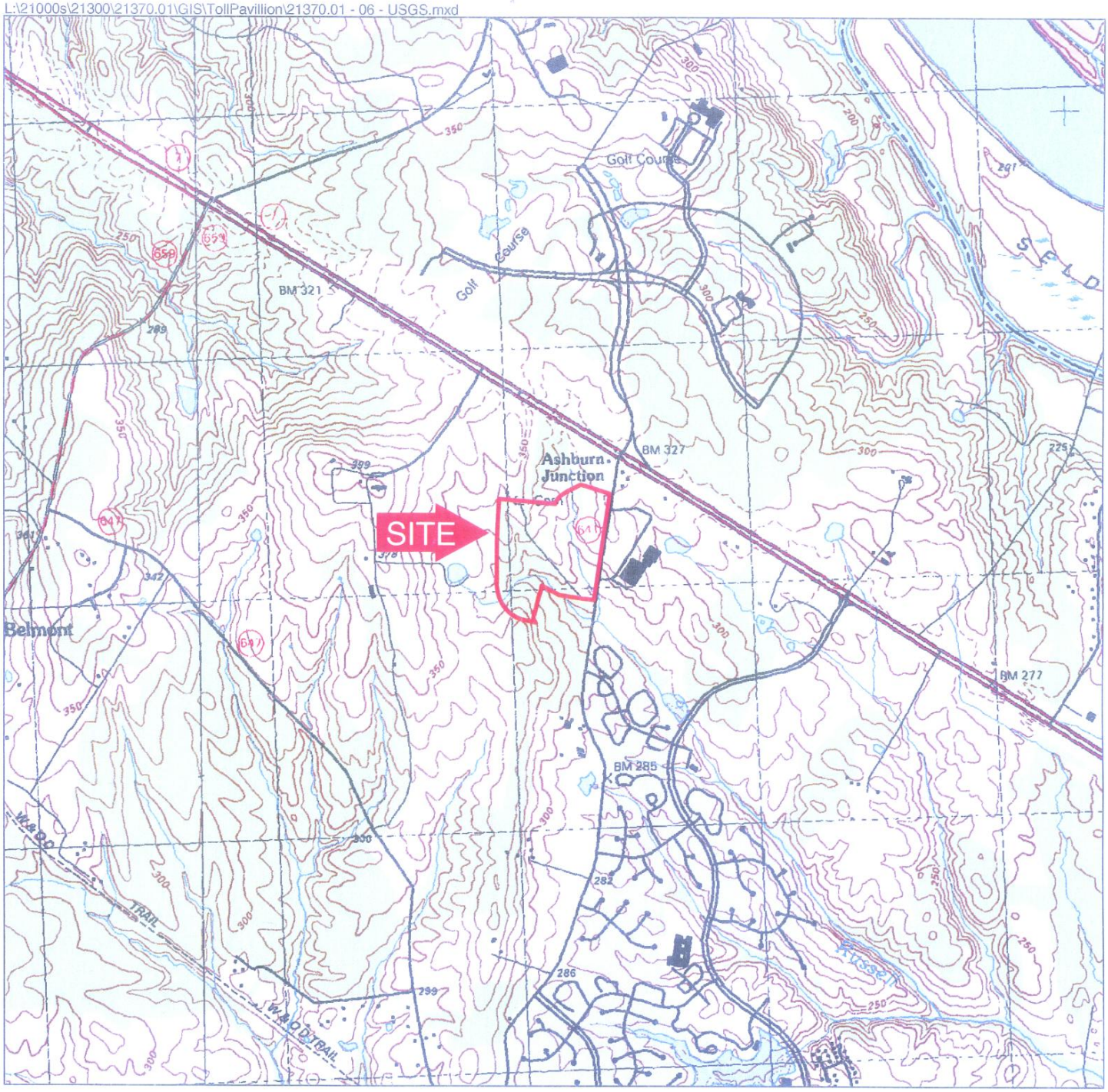
If you have any questions about this project or the permit process, please contact Mr. Ron Stouffer at 703-221-6967.

FOR THE DISTRICT COMMANDER:

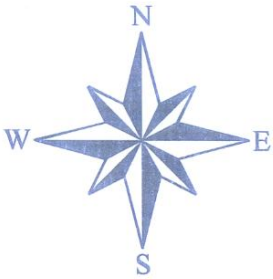
Keith B. Lockwood
Chief, Northern Virginia
Regulatory Section

Enclosures

L:\21000s\21300\21370.01\GIS\TollPavillion\21370.01 - 06 - USGS.mxd



USGS Quad Map
Sterling, VA-MD 1994
Belmont Executive Center
WSSI #21370.01
Scale: 1" = 2000'



Latitude: 39°04'01" N
Longitude: 77°28'59" W
Hydrologic Unit Code (HUC): 02070008
Stream Class: III
Name of Watershed: Russell Branch

Applicant: *Toll Brothers Land Development* *43089 Ryan Road, Suite 101* *Ashburn, Virginia 20148*	*BELMONT EXECUTIVE CENTER* *Proposed Non-Tidal Impacts to Waters of the U.S.* *Loudoun County, Virginia*	*Sheet Title:* OVERALL IMPACT MAP (8.5" x 11") *Scale:* 1" = 300'
Agent: *Wetland Studies and Solutions, Inc.* *5300 Wellington Branch Drive, Suite 100* *Gainesville, Virginia 20155* *Phone 703.679.5600 Fax 703.679.5601*		*Date:* JAN. 2007 — *Sheet:* 2 of 9

L:\21000s\21370.01\CADD\-w-Impact Map.dwg