

# Public Notice

U.S. Army Corps of Engineers, Norfolk District

June 30, 2008

CENAO-REG  
08-V0535/NAO2008-01206

## 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

Hickory Hill Partners, LLC  
Attn: Mr. Terry Cave  
9235 Shady Grove Road, Suite 102  
Mechanicsville, Virginia 23116

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project site is approximately 1,784 acres and is located on the north line of Route 54, generally east of I-95, west of the Chesapeake and Ohio railroad track in Hanover County, Virginia. The site drains into the Pamunkey River and Slayden Creek. Slayden Creek drains into Mechumps Creek, a tributary to the Pamunkey River, a navigable water of the U.S.

PROPOSED WORK AND PURPOSE: The applicant proposes to construct a residential development consisting of 247 lots. The applicant proposes to discharge fill material in 0.54 acre of wetlands and 156 linear feet of stream for the construction of roads and associated erosion and sediment control measures. 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 Hickory Hill property which is listed on the National Register of Historic Places and the Virginia Landmarks Register. An open space preservation easement will be recorded on a portion of the project site comprising approximately 50 acres (Preservation Lot). The 50-acre parcel includes the manor house, the family cemetery, and the majority of the historic outbuildings. As per local requirements, the preservation easement must comply with the standard designated by the Virginia Board of Historic Resources.

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 pursuant to 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) The Hickory Hill property is listed in the National Register of Historic Places and will be adversely affected by the proposal. 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](mailto: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 JULY 30, 2008.

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

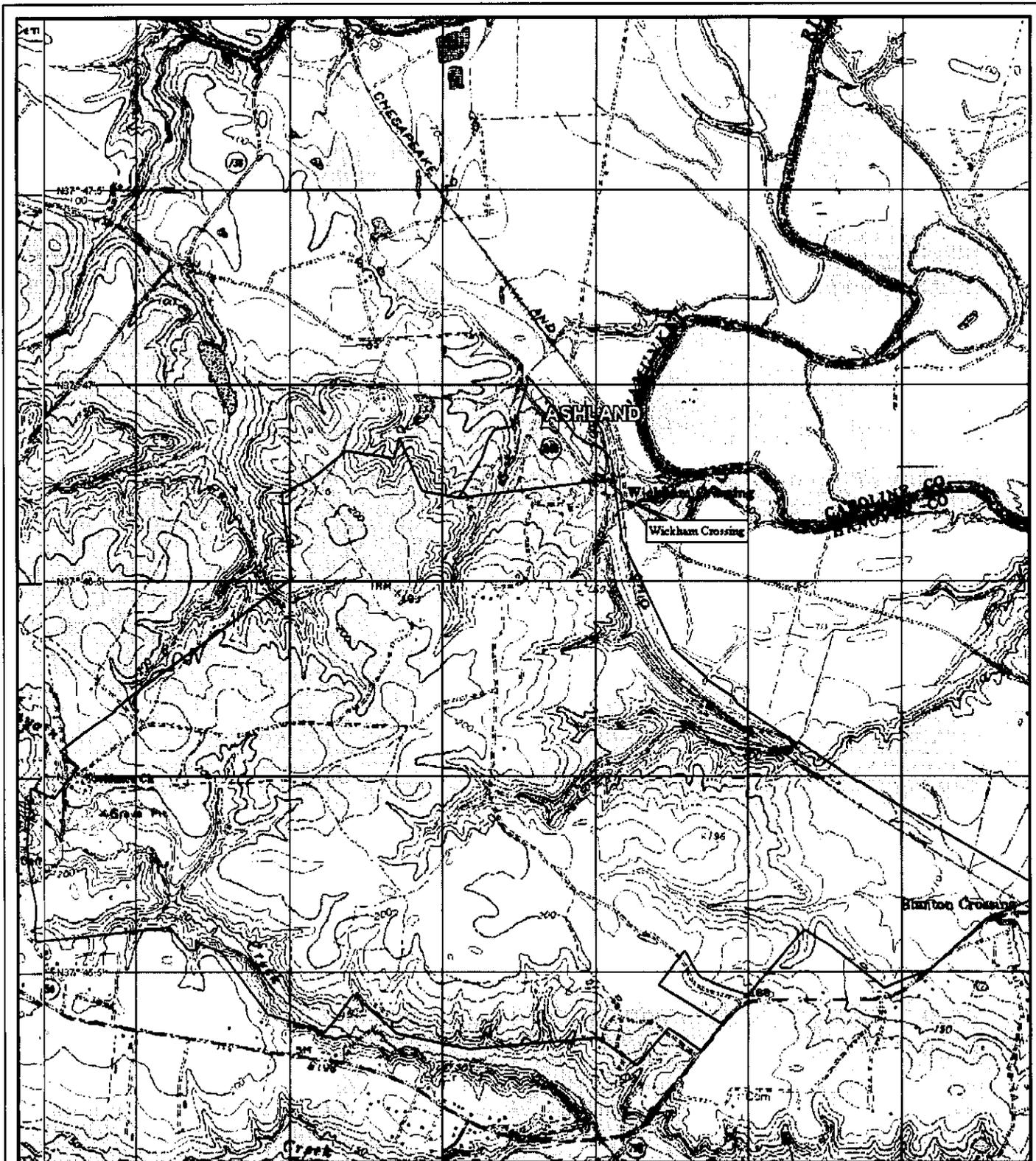
Dr. Silvia Gazzera at (804) 323-3780

FOR THE DISTRICT ENGINEER:



Lynette R. Rhodes  
Chief, Southern Virginia  
Regulatory Section

Attachment: Drawings



# HICKORY HILL

USGS  
HANOVER, VA

DATE: 02/08/08  
SCALE: 1"=2000'  
JOB NO: H0700105.01  
SOURCE: ASHLAND QUAD



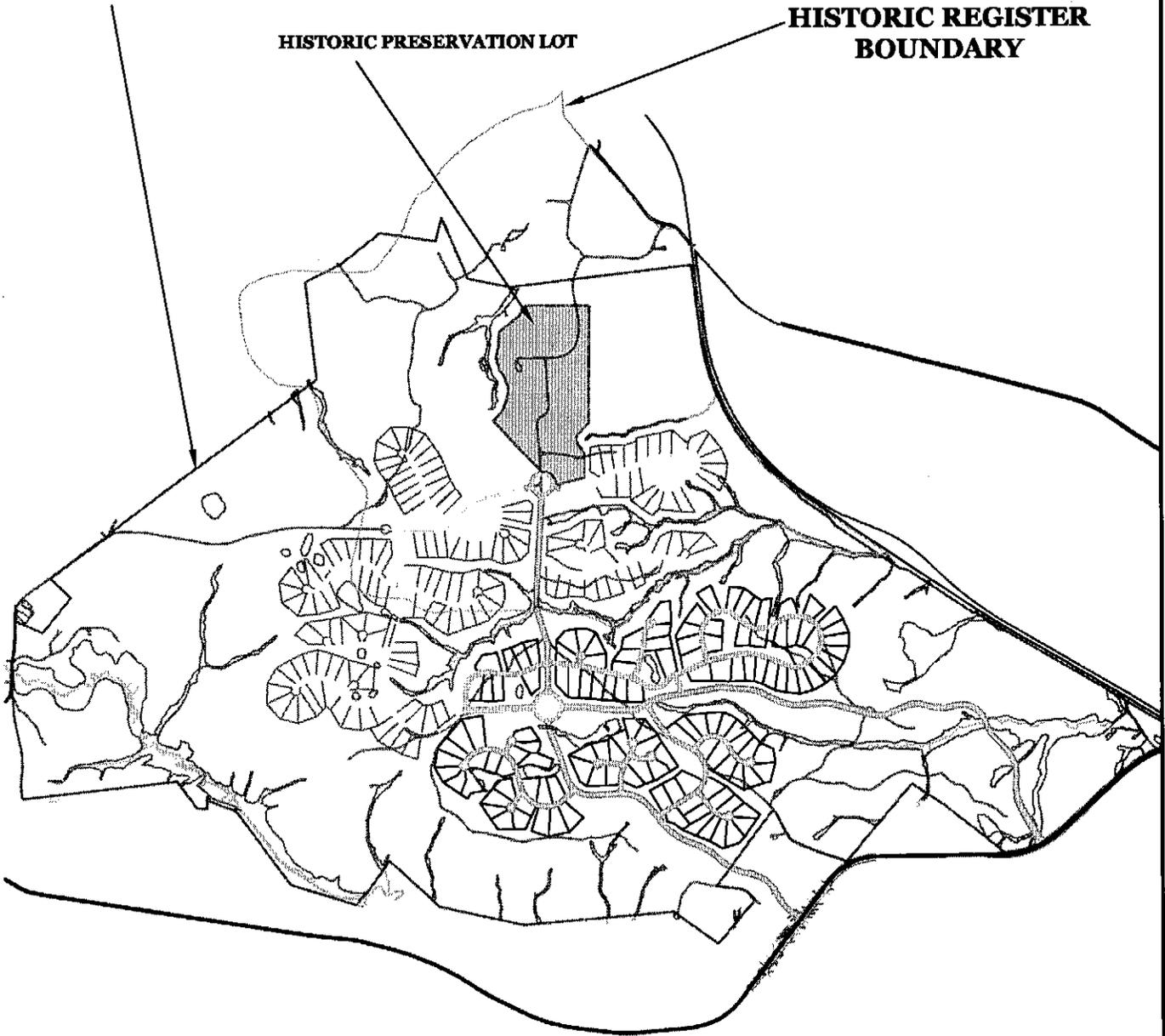
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501 Branchway Road • Suite 100 • Richmond, Virginia 23236 • Phone (804) 794-0571 • Fax (804) 794-2635

**PROJECT LIMITS**

**HISTORIC PRESERVATION LOT**

**HISTORIC REGISTER  
BOUNDARY**



# HICKORY HILL

KEY:

GREEN: HISTORIC REGISTER BOUNDARY

RED: PROJECT LIMITS

DATE: 03/03/08

SCALE: 1"=2000'

JOB NO: H0700105.01

SOURCE: B&A

PROJECT LAYOUT  
HANOVER, VA

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