

Public Notice

U.S. Army Corps of Engineers, Norfolk District

July 10, 2008

CENAO-REG
2008-1173

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:

APPLICANTS

Hanover County
Department of Public Utilities
7516 County Complex Road
Hanover, Virginia 23069

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is located east of Shady Grove Road and south of Rt. 301 along the banks of Opossum Creek specifically where Opossum Creek intercepts Totopotomoy Creek. At this intercept, the sewer line will turn south and travel down the eastern and western line of the creek to its terminus at Strawhorn Creek Interceptor located south of Studley Road. Opossum Creek flows into Totopotomoy Creek, which flows into the Pamunkey River.

PROPOSED WORK AND PURPOSE: The applicant proposes to construct approximately 13,800 linear feet of wastewater gravity interceptor. The project is proposed to be constructed through a proposed mitigation area along Opossum Creek. This mitigation area was approved for another project, but has not been constructed yet. Total impacts to wetlands would be 7.49 acres. Approximately 1.99 acres of forested wetland will be converted to emergent wetlands and 5.50 acres of wetlands are temporary impacts. The project will temporarily impact stream channels in 12 locations. Proposed mitigation will be accomplished through the purchase of credits at an approved mitigation bank at a ratio of 2 to 1.

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 Hanover 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) there are resources that may be eligible for inclusion or included in the National Register of Historic Places that 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.

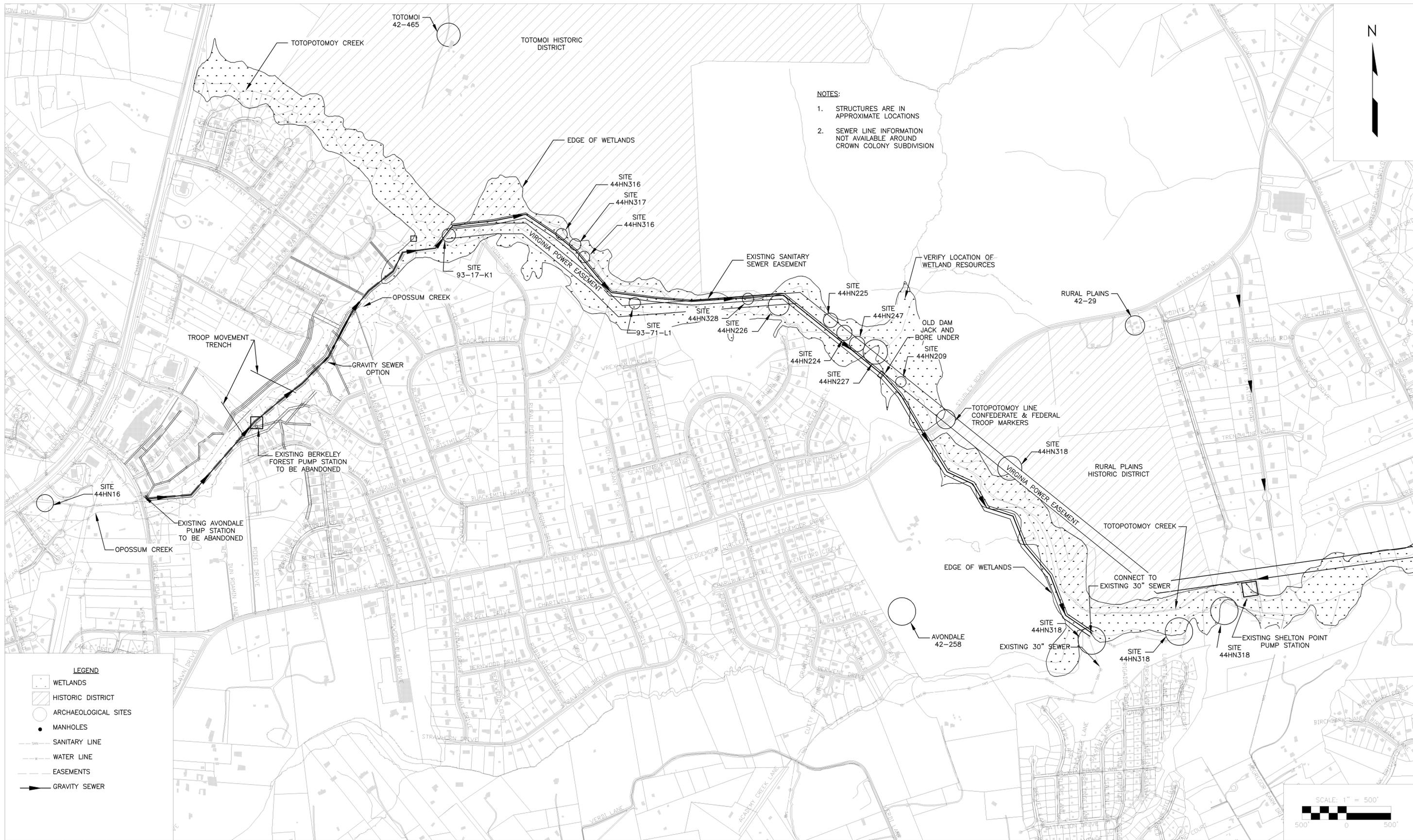
COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-REG), 9100 Arboretum Parkway, Suite 235, Richmond, Virginia 23236, and should be received by the close of business on August 10, 2008

If you have any questions about this project or the permit process, please call: Mr. Todd Miller at (804) 323-3782

FOR THE DISTRICT COMMANDER:


Lynette R. Rhodes
Chief, Southern Virginia
Regulatory Section

Attachment: Location Maps



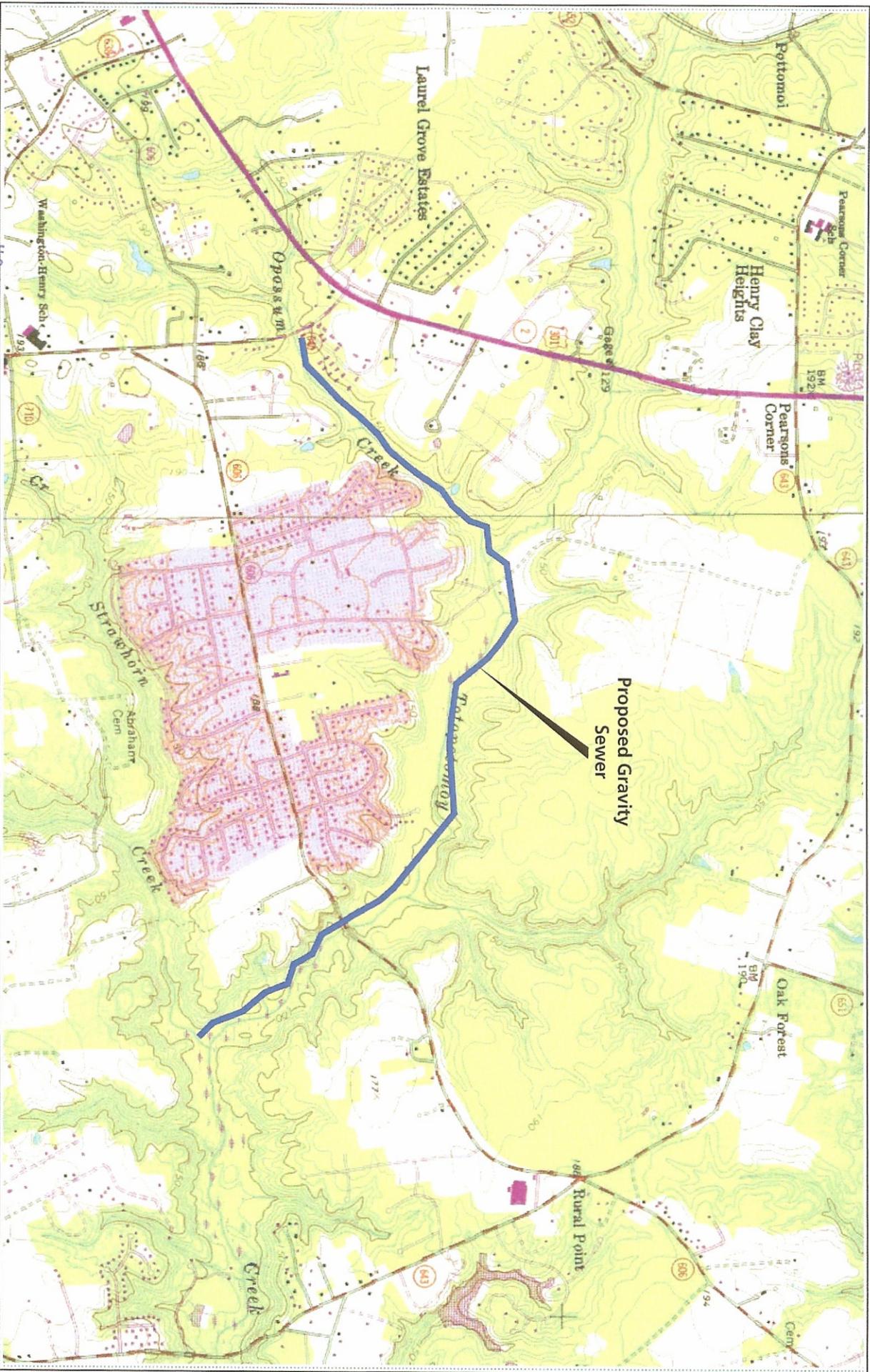
REV.	DATE	BY	APP.	DESCRIPTION

THIS DRAWING IS NOT INTENDED BY WILEY & WILSON FOR CONSTRUCTION

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2310 Langhorne Road
Lynchburg, VA 24501-1547
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PRELIMINARY

DESIGNED TRW	DRAWN FAO	PROJECT LOWER OPOSSUM CREEK SEWERAGE IMPROVEMENTS HANOVER COUNTY, VIRGINIA
CHECKED	REVIEWED	TITLE EXHIBIT A - GRAVITY SEWER
COMM. NO. 206143	CTRL. NO.	DWG. NO. 206143 EXHIBIT A
CADD NO. 206143EXA.DWG		SHEET NO.
DATE 03/06/2007		REV. 0



Vannase Hangen Brustlin, Inc.

Wiley & Wilson
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ADJACENT PROPERTY ENGINEERS:
OWNERS:

SEE APPENDIX B.008

LOWER OPOSSUM CREEK SEWERAGE IMPROVEMENT PROJECT
Project Location

AT: OPOSSUM CREEK AND TOTOPOTOMOY CREEK

IN: HANOVER COUNTY, VIRGINIA

PURPOSE: UTILITY LINE INSTALLATION



APPLICATION BY:
Hanover County, Virginia

DATE: 03/14/08

FIGURE: 4