

**Fourth Annual Review of the
Norfolk District's State Program
General Permit (SPGP-01)**

May 2007

Executive Summary

On October 4, 2002, the Norfolk District Corps of Engineers (Corps) issued a State Program General Permit (SPGP-01) for the discharge of dredged and/or fill material in nontidal wetlands and waters associated with residential, commercial, and institutional developments and linear transportation projects within the geographic limits of the Commonwealth of Virginia under the regulatory jurisdiction of the Norfolk District. SPGP-01 became effective on November 1, 2002. At that time, Norfolk District also suspended Corps Nationwide Permits 14 and 39 where they apply to nontidal waters. To determine the effectiveness of SPGP-01 and to evaluate the extent of its cumulative impacts, the Corps committed to conducting an annual review. In February 2004 we issued the first annual report on SPGP-01, in December 2004 we issued a second annual report, and in November of 2005 we issued a third annual report. This is the fourth annual report. The public is invited to comment on this annual report via the issued public notice.

Introduction

When the Norfolk District issued the SPGP-01 in October 2002, we committed to preparing annual reports. The reports would assess the effectiveness of SPGP-01 and evaluate the extent of its cumulative impacts. The report would also review similar information related to the Virginia Department of Environmental Quality's (DEQ) nontidal wetlands program. The Corps' SPGP-01 includes the following activities:

Activity 1—Residential, Commercial, and Institutional Developments

Category A—Affecting less than 1/10 acres of nontidal wetlands and less than 300 linear feet of stream bed;

Category B—Affecting up to 1/2 acre of nontidal wetland and/or no more than 300 linear feet of stream bed; and

Category C—Affecting up to 1 acre of nontidal wetlands and/or up to 2,000 linear feet of stream bed

Activity 2—Linear Transportation Projects

Category A—Affecting no more than 1/10 acre of nontidal wetlands and waters per crossing; and

Category B—Affecting no more than 1/3 acre of wetlands and waters per crossing

Specifically, the report provides data on the type, number, and acreage of wetlands and linear footage of stream impacts requested and authorized, the mitigation required, and the geographic distribution of the authorized impacts. This report will be advertised by public notice to provide an opportunity for the public, agencies, and other interested parties to submit comments.

DEQ Data for all Water Protection General Permits for Activity 1 Commercial, Residential, and Institutional Development, Categories A and B, Issued between January 1, 2006 and December 31, 2006

	Category A	Category B
Number of Permits Issued	155	73
Acreage of Wetland Impacts Requested	Forested: 5.34 Scrub Shrub: 0.41 Emergent: 1.18	Forested: 15.09 Scrub Shrub: 2.00 Emergent: 4.62
Acreage of Wetland Impacts Authorized	Forested: 5.37 Scrub Shrub: 0.38 Emergent: 1.15	Forested: 13.59 Scrub Shrub: 2.00 Emergent: 4.70
Acreage of Wetland Mitigation Received	Forested: 2.46 Scrub Shrub: 0.06 Emergent: .014	Forested: 26.70 Scrub Shrub: 2.67 Emergent: 5.05
Linear Footage of Stream Impacts Requested	16,479.61	6,165.96
Linear Footage of Stream Impacts Authorized	15,960.61	6,123.96
Linear Footage of Stream Mitigation Received	793	8,436.40

DEQ Data for all Water Protection General Permits for Activity 1 Commercial, Residential, and Institutional Activities, Category C, Issued between January 1, 2006 and December 31, 2006

Number of Permits Issued	114
Acreage of Wetland Impacts Requested	Forested: 37.37 Scrub Shrub: 5.32 Emergent: 8.66
Acreage of Wetland Impacts Authorized	Forested: 31.95 Scrub Shrub: 4.75 Emergent: 9.19
Acreage of Wetland Mitigation Received	Forested: 80.08 Scrub Shrub: 9.54 Emergent: 11.66
Linear Footage of Stream Impacts Requested	50,194.04
Linear Footage of Stream Impacts Authorized	48,907.32
Linear Footage of Stream Mitigation Received	107,477.50

**Corps Data for Activity 1 Commercial, Residential, and Institutional Activities,
Category C, Issued between January 1, 2006 and December 31, 2006**

Number of Permits Issued	101
Acreage of Wetland Impacts Requested	Forested: 29.53 Scrub Shrub: 5.33 Emergent: 12.39
Acreage of Wetland Impacts Authorized	Forested: 25.93 Scrub Shrub: 4.83 Emergent: 11.41
Acreage of Wetland Mitigation Received	Forested: 77.48 Scrub Shrub: 6.84 Emergent: 8.84
Contributions Required to the Virginia Aquatic Resources Trust Fund (for wetland mitigation)	\$82,365.70
Linear Footage of Stream Impacts Requested	57,130.80
Linear Footage of Stream Impacts Authorized	48,133.29
Linear Footage of Stream Mitigation Received	110,192
Contributions Required to the Virginia Aquatic Resources Trust Fund (for stream mitigation)	\$3,490,853.05

**DEQ Data for Activity 2 Linear Transportation Projects, Categories A and B,
Issued between January 1, 2006 and December 31, 2006**

	Category A	Category B
Acreage of Wetland Impacts Requested	Forested: 0.41 Scrub Shrub: 0.30 Emergent: 0.37	Forested: 0.40 Scrub Shrub: 0.08 Emergent: 0.70
Acreage of Wetland Impacts Authorized	Forested: 0.41 Scrub Shrub: 0.30 Emergent: 0.37	Forested: 0.40 Scrub Shrub: 0.08 Emergent: 0.70
Acreage of Wetland Mitigation Received	Forested: 0.48 Scrub Shrub: 0.13 Emergent: 0.12	Forested: 0.73 Scrub Shrub: 0.12 Emergent: 0.90
Linear Footage of Stream Impacts Requested	7,500.79	1534
Linear Footage of Stream Impacts Authorized	7415.79	1534
Linear Footage of Stream Mitigation Received	1640.00	2645

**Corps Data on SPGP Geographic Cumulative Impacts Analysis of Activity 1
Residential, Commercial, and Institutional, Category C, Developments Based on the
Number of Permits and Nontidal Wetland Impacts Organized by Locality between
January 1, 2006 and December 31, 2006**

Locality	Number Of Permits	Acreage of Wetland Impacts Requested	Acreage of Wetland Impacts Authorized	Acreage of Wetland Mitigation Received	Trust Fund
Amelia Co.	1	Forested: 0.67	Forested: 0.67	Forested: 1.75	
Campbell Co.	1	Forested: 0.73	Forested: 0.39	Forested: 4.62	
Caroline Co.	3	Forested: 1.04 Scrub Shrub: 0.24 Emergent: 0.74	Forested: 1.44 Scrub Shrub: 0.24 Emergent: 0.72	Forested: 2.88 Scrub Shrub: 0.36 Emergent: 0.72	
Chesapeake	2	Forested: 0.96 Scrub Shrub: 0.81	Forested: 0.96 Scrub Shrub: 0.81	Forested: 3.14 Emergent: 0.26	
Chesterfield Co.	9	Forested: 3.41 Emergent: 0.06	Forested: 3.05 Emergent: 0.06	Forested: 7.31	
Culpepper Co.	5	Forested: 1.01 Scrub Shrub: 0.52 Emergent: 0.47	Forested: 1.01 Scrub Shrub: 0.52 Emergent: 0.47	Forested: 4.13 Scrub Shrub: 0.75 Emergent: 0.15	
Fairfax Co.	2	Forested: 0.88 Emergent: 0.02	Forested: 0.88 Emergent: 0.02	Forested: 1.75 Emergent: 0.02	
Fauquier Co.	2	Emergent: 0.95	Emergent: 0.95	Emergent: 0.95	
Franklin	1	Emergent: 0.91	Emergent: 0.91	Emergent: 0.91	
Frederick Co.	3	Emergent: 0.87	Emergent: 0.73	Emergent: 0.69	\$5367.10
Fredericksburg	1	Forested: 0.78	Forested: 0.18	Forested: 8.44	
Hanover Co.	5	Forested: 1.96 Scrub Shrub: 0.74 Emergent: 0.46	Forested: 1.95 Scrub Shrub: 0.74 Emergent: 0.46	Forested: 4.33 Scrub Shrub: 2.59	
Henrico Co.	10	Forested: 6.01 Emergent: 0.97	Forested: 5.32 Emergent: 0.97	Forested: 8.49 Emergent: 0.33	
Loudoun Co.	8	Forested: 0.40 Scrub Shrub: 0.02 Emergent: 2.72	Forested: 0.40 Scrub Shrub: 0.02 Emergent: 2.72	Forested: 0.65 Scrub Shrub: 0.03 Emergent: 2.32	
Mecklenburg Co.	1	Scrub Shrub: 1.50	Scrub Shrub: 1.00	Scrub Shrub: 2.00	
New Kent Co.	1	Forested: 0.86	Forested: 0.86	Forested: 1.72	
Newport News	3	Forested: 1.20 Scrub Shrub: 0.54 Emergent: 0.18	Forested: 1.20 Scrub Shrub: 0.54 Emergent: 0.18	Forested: 10.02 Scrub Shrub: 0.80 Emergent: 0.18	
Nottoway Co.	1	Emergent: 0.60	Emergent: 0.60	Emergent: 0.65	
Orange Co.	1	Forested: 1.00	Forested: 0.96	Forested: 0.96	
Powhatan Co.	3	Forested: 1.02	Forested: 1.02	Forested: 1.63	
Prince William Co.	4	Forested: 0.25 Scrub Shrub: 0.01 Emergent: 0.198	Forested: 0.25 Scrub Shrub: 0.01 Emergent: 0.198	Forested: 0.53 Scrub Shrub: 0.015 Emergent: 0.21	
Richmond	1	Forested: 0.96	Forested: 0.96	Forested: 1.92	
Roanoke Co.	1	Emergent: 0.04	Emergent: 0.04	Emergent: 0.00	
Spotsylvania Co.	5	Forested: 3.84 Scrub Shrub: 0.30	Forested: 1.93 Scrub Shrub: 0.30	Forested: 2.75 Scrub Shrub: 0.30	
Stafford Co.	4	Forested: 1.28 Scrub Shrub: 0.56	Forested: 1.23 Scrub Shrub: 0.56	Forested: 3.70 Emergent: 0.06	

		Emergent: 0.16	Emergent: 0.16		
Virginia Beach	2	Forested: 1.23 Emergent: 0.83	Forested: 1.23 Emergent: 0.83	Forested: 2.46	\$73,470.60
Washington Co.	1	Emergent: 0.76	Emergent: 0.76	Emergent: 0.76	
Woodstock Co.	1	Forested: 0.06 Emergent: 1.43	Forested: 0.06 Emergent: 0.61	Forested: 0.11 Emergent: 0.61	
York Co.	2	Forested: 0.84 Emergent: 0.02	Forested: 0.84 Emergent: 0.02	Forested: 5.90 Emergent: 0.02	\$3528.00

**Corps Data on SPGP Geographic Cumulative Impacts Analysis of Activity 1
Residential, Commercial, and Institutional, Category C, Developments Based on the
Number of Permits and Nontidal Wetland Impacts Organized by Hydrologic Unit
Code (HUC) between January 1, 2006 and December 31, 2006**

HUC	Number of Permits	Acreage of Wetland Impacts Requested	Acreage of Wetland Impacts Authorized	Acreage of Wetland Mitigation Received	Trust Fund
02070004	2	Emergent: 0.52	Emergent: 0.52	Emergent: 0.48	\$5367.10
02070006	1	Forested: 0.06 Emergent: 1.43	Forested: 0.06 Emergent: 0.61	Forested: 0.11 Emergent: 0.61	
02070007	1	Emergent: 0.35	Emergent: 0.21	Emergent: 0.21	
02070008	8	Forested: 0.40 Scrub Shrub: 0.02 Emergent: 2.72	Forested: 0.40 Scrub Shrub: 0.02 Emergent: 2.72	Forested: 0.65 Scrub Shrub: 0.03 Emergent: 2.32	
02070010	7	Forested: 1.13 Scrub Shrub: 0.01 Emergent: 0.40	Forested: 1.13 Scrub Shrub: 0.01 Emergent: 0.40	Forested: 2.28 Scrub Shrub: 0.015 Emergent: 0.41	
02070011	2	Forested: 0.97 Scrub Shrub: 0.10 Emergent: 0.06	Forested: 0.92 Scrub Shrub: 0.10 Emergent: 0.06	Forested: 2.00 Emergent: 0.06	
02080103	6	Forested: 1.01 Scrub Shrub: 0.52 Emergent: 1.24	Forested: 1.01 Scrub Shrub: 0.52 Emergent: 1.24	Forested: 4.13 Scrub Shrub: 0.75 Emergent: 0.92	
02080104	6	Forested: 3.24 Scrub Shrub: 0.55 Emergent: 0.10	Forested: 1.21 Scrub Shrub: 0.55 Emergent: 0.10	Forested: 11.58	
02080105	4	Forested: 2.73 Scrub Shrub: 0.30	Forested: 2.65 Scrub Shrub: 0.30	Forested: 4.19 Scrub Shrub: 0.30	
02080106	3	Forested: 0.17 Scrub Shrub: 0.98 Emergent: 0.85	Forested: 0.17 Scrub Shrub: 0.98 Emergent: 0.83	Forested: 0.41 Scrub Shrub: 2.95 Emergent: 0.72	
02080107	1	Forested: 0.84	Forested: 0.84	Forested: 5.90	
02080108	2	Emergent: 0.85	Emergent: 0.85	Emergent: 0.02	\$76,998.60
02080204	1	Forested: 1.00	Forested: 0.96	Forested: 0.96	
02080205	9	Forested: 3.66 Emergent: 0.80	Forested: 3.41 Emergent: 0.80	Forested: 6.19	
02080206	14	Forested: 7.76 Scrub Shrub: 0.54 Emergent: 0.76	Forested: 7.27 Scrub Shrub: 0.54 Emergent: 0.76	Forested: 22.30 Scrub Shrub: 0.80 Emergent: 0.51	
02080207	7	Forested: 3.63	Forested: 3.32	Forested: 7.88	
02080208	1	Scrub Shrub: 0.81	Scrub Shrub: 0.81	Forested: 1.22	
03010101	2	Forested: 0.73 Emergent: 0.04	Forested: 0.39 Emergent: 0.04	Forested: 4.62	
03010106	1	Scrub Shrub: 1.50	Scrub Shrub: 1.00	Scrub Shrub: 2.00	
03010201	1	Emergent: 0.60	Emergent: 0.60	Emergent: 0.65	
03010202	1	Emergent: 0.91	Emergent: 0.91	Emergent: 0.91	
03010205	2	Forested: 1.34	Forested: 1.34	Forested: 2.68 Emergent: 0.26	
06010102	1	Emergent: 0.76	Emergent: 0.76	Emergent: 0.76	

**Corps Data on SGP Geographic Cumulative Impacts Analysis of Activity 1
Residential, Commercial, and Institutional, Category C, Developments Based on the
Number of Permits and Stream Impacts Organized by Locality between January 1,
2006 and December 31, 2006**

Locality	Number of Permits	Linear Footage of Stream Impacts Requested	Linear Footage of Stream Impacts Authorized	Linear Footage of Stream Mitigation Received	Trust Fund
Amelia Co.	1	303.00	303.00	3008.00	
Campbell Co.	1	996.00	556.00	2949.00	
Caroline Co.	2	1030.80	634.29	3691.00	
Chesterfield Co.	8	5231.00	2995.00	4813.00	\$144,733.45
Culpepper Co.	5	5549.00	3449.00	3756.00	\$25,696.00
Fairfax Co.	2	686.00	686.00	616.00	\$15,050.00
Fauquier Co.	1	409.00	409.00	1057.00	
Frederick Co.	3	4480.00	3673.00	19,226.00	\$239,010.00
Fredericksburg	2	1113.00	1113.00	1490.00	
Hanover Co.	6	2798.00	2798.00	6980.00	\$28,908.00
Henrico Co.	3	2901.00	2508.00	1201.00	\$193,292.00
Loudoun Co.	7	4138.00	3559.00	5034.00	\$488,609.00
Montgomery Co.	1	499.00	499.00	1210.00	
New Kent Co.	1	240.00	240.00	977.00	
Newport News	2	775.00	775.00		\$123,240.00
Orange Co.	1	368.00	368.00	368.00	
Powhatan Co.	3	2083.00	2043.00	16,644.00	
Prince George Co.	1	506.00	506.00		\$267,906.00
Prince William Co.	7	4921.00	4921.00	6251.00	\$289,651.60
Richmond	1	239.00	239.00	189.00	
Roanoke Co.	5	7141.00	7001.00	24,964.00	\$221,904.00
Spotsylvania Co.	5	4109.00	2762.00		\$879,381.00
Stafford Co.	4	3045.00	2960.00	4186.00	
Washington Co.	1	660.00	660.00	780.00	
Wise Co.	1	500.00	500.00		\$164,500.00
Woodstock Co.	1	1604.00	802.00	802.00	
York Co.	2	1174.00	1174.00		\$408,972.00

**Corps Data on SPGP Geographic Cumulative Impacts Analysis of Activity 1
Residential, Commercial, and Institutional, Category C, Developments Based on the
Number of Permits and Stream Impacts Organized by Hydrologic Unit Code (HUC)
between January 1, 2006 and December 31, 2006**

HUC	Number of Permits	Linear Footage of Stream Impacts Requested	Linear Footage of Stream Impacts Authorized	Linear Footage of Stream Mitigation Received	Trust Fund
02070004	2	2196.00	2196.00	6101.00	\$239,010.00
02070006	1	1604.00	802.00	802.00	
02070007	1	2284.00	1477.00	13,125.00	
02070008	7	4138.00	3559.00	5034.00	\$488,609.00
02070010	10	6016.00	6016.00	7924.00	\$304,701.60
02070011	2	860.00	775.00	1066.00	
02080103	5	5549.00	3449.00	3756.00	\$25,696.00
02080104	8	7107.00	5874.00	4947.00	\$836,751.00
02080105	3	1330.80	820.29	3691.00	\$42,630.00
02080106	2	785.00	785.00	1367.00	
02080107	1	136.00	136.00		
02080108	1	1038.00	1038.00		\$408,972.00
02080204	1	368.00	368.00	368.00	
02080205	7	4246.00	3886.00	8792.00	\$193,292.00
02080206	8	3806.00	3733.00	6655.00	\$152,148.00
02080207	8	5999.00	3763.00	16,661.00	\$412,639.45
03010101	5	7262.00	6682.00	27,038.00	\$221,904.00
03040101	1	875.00	875.00	875.00	
05050001	1	499.00	499.00	1210.00	
06010102	1	660.00	660.00	780.00	
06010205	1	500.00	500.00		\$164,500.00

Report Summary

Since the implementation of the State Program General Permit (SPGP) in 2002, a total of 1677 SPGPs have been issued—of these, 918 (55%) were issued for Residential, Commercial, and Institutional projects and 759 (45%) were issued for Linear Transportation projects. The average authorized impact per permit for all four years was 0.13 acres of nontidal wetlands and 173 linear feet of stream, while the average mitigation received per permit for all four years was 0.25 acres of nontidal wetland, 244 linear feet of streambed, and a \$4,403.94 contribution to the Virginia Aquatic Resources Trust Fund (VARTF).

A total of 427 SPGPs were issued in calendar year 2006. Of these, 342 permit actions were for Residential, Commercial, and Institutional projects and 85 permit actions were for Linear Transportation projects. It should be noted that there are differences in the number of permit actions recorded by the Norfolk District and the Virginia Department of Environmental Quality (DEQ). These differences are most likely due to documentation errors at either agency or differences in impact calculation due to differing jurisdiction (i.e.—the District does not have jurisdiction over isolated wetlands and would not track impacts to these resources, whereas DEQ does have jurisdiction over and would track impacts to isolated wetlands). The average authorized impact per permit in calendar year 2006 was 0.17 acres of nontidal wetlands and 185.40 linear feet of streambed. The average mitigation received per permit in calendar 2006 was 0.31 acres of nontidal wetlands, 289.71 linear feet of streambed, and an \$8,368.19 contribution to the VARTF. This suggests the SPGP continues to exceed the federally recommended “no net loss of wetlands” goal.

The data collected for calendar year 2006 continues to show an upward trend in both the average impact authorized and the average mitigation received per permit (e.g.—in 2002, the average authorized impact and average mitigation received per permit were 0.07 acres of nontidal wetlands and 178.63 linear feet of streambed and 0.14 acres of nontidal wetlands, 278.69 linear feet of streambed, and a \$944.18 contribution to the VARTF respectively). However, the Norfolk District and DEQ better tracked originally proposed impacts relative to authorized impacts during calendar year 2006. This data appears to show that the agencies were able to reduce proposed impacts by 8.35% through avoidance and minimization, indicating the preapplication process continues to be effective.

The SPGP continues to allow the Norfolk District to focus some of its resources to other program responsibilities, such as preapplication consultations, permit compliance review, and unauthorized activities investigations.