1 Executive Summary

1.1 Purpose and Need

Seaward Marine Corporation (Client, Applicant) proposes to maintenance dredge approximately 13,600 linear feet of channel within Powell's Creek in Prince George County, Virginia. The dredging of the existing channel will re-establish access via water to the Hitch Gravel Mine site. This access is necessary for the export of mined material. The Hitch Gravel Mine is owned by Hitch Gravel Corporation (HGC) and is under an existing mine permit with the Virginia Department of Mines, Minerals, and Energy (DMME) permit number 05713AA.

1.2 Avoidance and Minimization

Impacts to subaqueous bottomland/river bottom are inherent to carrying out dredging work. In order to minimize impacts to shallow water, and to minimize disturbance to subaqueous bottomland that has not historically been used as a navigational channel, the entrance channel to Powell's Creek was re-routed such that it falls within the footprint of the existing channel as delineated on National Oceanic and Atmospheric Administration (NOAA) marine navigational charts.

There are indirect impacts to SAV. There are no impacts within the 2x buffer, however, 3,975 sf (0.09 acres) will be impacted within the 4x buffer (2018-2022 composite). All impacts are within the turning basin and were minimized to the extent practical by reshaping the basin to minimize impacts. The 2023 SAV mapping shows a reduced area over the composite. The only SAV impacts are within the turning basin and only within the 4x buffer. The size and configuration of the turning basin was modified to reduce impacts to SAV based on the 2018-2022 composite boundary while still providing for safe ingress/egress and mooring in the vicinity of the transfer area.

Shallow water has generically been defined as a water depth of 2 meters or approximately 6.5 ft MLW. This project was previously proposed to impact up to 551,300 sq. ft. (12.65 acres) of shallow water. The majority of the impact was at the mouth of Powell's Creek. At the time of bathymetric survey in 2022, water depths ranged from about 1 to 4 ft MLW. The current alignment follows the historic channel that is believed to have been dredged in the 1960's or 1970's in conjunction with the opening of the Hitch Sand and Gravel Mine's operation as shown on the multiple generations of NOAA navigation charts (1985, 2013, 2022, 2025). GES believes the Creek has shoaled in with accumulated transitory sediments over time, which have since been scoured, and this process is cyclic, where the flow of the stream and stormflows flush out the stream, and the ebb and flow of tides allow sediments to temporarily accumulate in the channel until the next storm flow event. The sediment in the stream travels downstream in wedges of sediment, depositing for short periods between storm events that again flush the sediment further downstream with the next storm event until the sediment is flushed into the James River. The sediment is composed of mostly fine to very fine sediments composed of silts, clays, and detrital particles (see **Appendix C: Powell's Creek Sediment Transport Assessment**). The shallow water impacts upstream of those stations are comprised of the side slopes of the dredged cut.

Proposed unavoidable impacts to shallow water total 48,452 sq. ft. (1.11 acres), a reduction of over 90%.

The proposed channel is 13,600 ft and will impact a total of 1,927,948 sq. ft. (44.25 acres) within the 2x buffer (1,430,132 sq. ft. or 32.83 acres in the channel toes). An estimated 230,000 cubic yards (cy) will be dredged to create a channel with water depths of up to -14 ft MLW. The channel widths range between 100 ft and 200 ft. The 200 ft section is for a turning basin necessary to maneuver (turn and dock) and temporarily store barges during the loading and offloading process.

1.3 Alternative Site Analysis

Three alternatives were considered as a part of the proposed project: (1) the no-build; (2) using the existing road system; (3) development of the proposed alternative as described in the attached narratives.

Alternative 1, No Action – the No Action would result in status quo and there would be no immediate plans for mining in Hitch Gravel. The No Action would result in the continued loss of revenue from mining activities, and would likely result in the exploration of a greenfield site to meet the need of the sand and gravel need for the region.

Alternative 2, Use Existing Road System – Using existing road system to truck sand and gravel from HGC. This alternative is not only expensive but results in significant impacts to the roadway infrastructure, increased traffic, and due to the additional fuel costs would be more expensive. Trucking material would also generate a much larger carbon footprint and will not provide service to the regional need for sand and gravel.

Alternative 3, Proposed Action – a dredged channel to a transfer area at the HGC would provide an economical means to transport product from the mine. Barge transport of sand and gravel is the most economical method of transport, is accessible and has less carbon footprint and impacts on infrastructure and traffic than transport via truck.

1.4 Threatened and Endangered Species

On June 10, 2025, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database tool was accessed to search for threatened and/or endangered species in the vicinity of the proposed project. Requests for project review were also sent to the Virginia Department of Conservation and Recreation (VDCR) and the Virginia Department of Wildlife Resources (VDWR).

1.4.1 U.S. Fish and Wildlife Service

The U.S. Fish and Wildlife Service (USFWS) issued a determination that the proposed project is expected to have "no effect" on the northern long-eared bat (NLEB), tricolored bat (TCB), or monarch butterfly. The project area is within the river channel and does not possess the qualities to be reasonably considered suitable habitat for these species.

1.4.2 Virginia Department of Conservation and Recreation

Review of the VDCR Natural Heritage Data Explorer (NHDE) shows the potential occurrence of the sensitive joint-vetch in the proposed project area. No additional species of concern were provided through a search of this database. The proposed project is not reasonably certain to incidentally impact this species, as it is not a fully aquatic plant and the proposed work is entirely below mean low water (MLW). The proposed project area does not overlap with potential habitat for this species.

1.4.3 Virginia Department of Wildlife Resources

The VDWR Virginia Fish and Wildlife Information Service (VAFWIS) database was searched on June 10, 2025, to determine considerations to potential impact of state-listed threatened and endangered species within two miles of the project area, the minimum search distance. The proposed project is not reasonably certain to affect the northern long-eared bat, Atlantic sturgeon, eastern black rail, red-cockaded woodpecker, blackbanded sunfish, little brown bat, Rafinesque's big-eared bat, tricolored bat, peregrine falcon, and loggerhead shrike / migrating loggerhead shrike, as habitat for these species is not expected to be present within the project area.

1.5 Cultural and Historic Resources

On June 23, 2025, a database search was performed in the Virginia Department of Historic Resources (VDHR) Virginia Cultural Resource Information System (V-CRIS) for archaeological or cultural resources in the vicinity of the proposed project. The proposed project area does not contain any registered sites of cultural, architectural, and/or historical significance. The proposed project is not within a historic district and is not within the boundaries of any recognized Civil War Battlefields.

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2 Purpose and Need

Seaward Marine Corporation (Client, Applicant) proposes to maintenance dredge approximately 13,600 linear feet of channel within Powell's Creek in Prince George County, Virginia. The dredging of the existing channel will re-establish access via water to the Hitch Gravel Mine site. This access is necessary for the export of mined material. The Hitch Gravel Mine is owned by Hitch Gravel Corporation (HGC) and is under an existing mine permit with the Virginia Department of Mines, Minerals, and Energy (DMME).

Hitch Gravel Corporation (HGC) supports an active mining permit (#05713AA) and plans to continue to export existing resources. The older sand and gravel pit(s) will serve as an area for dredge disposal for the proposed Powell's Creek dredging activity as the dredge material meets the established sediment requirements and characteristics of the soil in the older sand and gravel pits and does not have elevated metals or other analytes that are not above background levels. The most economical means of exporting resources is via the waterway transport or barging. Thus, dredging Powell's Creek is necessary to support future operations.

3 Avoidance and Minimization

Impacts to subaqueous bottomland are inherent to carrying out dredging work. In order to minimize impacts to shallow water, and to minimize disturbance to subaqueous bottomland that has not historically been used as a navigational channel, the entrance channel to Powell's Creek was re-routed such that it falls within the footprint of the existing channel as delineated on National Oceanic and Atmospheric Administration (NOAA) marine navigational charts. In previous submittals, the turning basin was also reconfigured to reduce impacts, which resulted in a reduction of impacts of 65,000 sq. ft. (1.49 acres) over the original design. Since these impacts are unavoidable and mitigation is limited in this area, the applicant will remove a sunken vessel and any other detectable derelict material in the channel. HGC will also work with the Virginia Institute of Marine Science (VIMS) to improve submerged aquatic vegetation (SAV) habitat in the Powell's Creek drainage area.

There are indirect impacts to SAV. There are no impacts within the 2x buffer; however, 3,975 sq. ft. (0.09 acres) will be impacted within the 4x buffer (2018-2022 composite). All SAV impacts are within the turning basin which was minimized to the extent practical. The 2023 SAV mapping shows a reduced area over the composite.

The only SAV impacts are within the turning basin and only within the 4x buffer. The size and configuration of the turning basin was modified to reduce impacts to SAV based on the 2018-2022 composite boundary while still providing for safe ingress/egress and mooring in the vicinity of the transfer area. As originally designed, approximately 20,050 sq. ft. (0.46 acres) of SAV would have been impacted by this project (4x buffer). That impact was reduced by nearly 80 percent. Since SAV are prolific in this area, HGC proposes to work with VIMS to restore SAV that have receded in recent years in an area outside of the dredging area but within the Powell's Creek drainage area.

Shallow water has generically been defined as a water depth of 2 meters or approximately 6.5 ft MLW. This project was previously proposed to impact up to 551,300 sq. ft. (12.65 acres) of shallow water. The majority of the impact was at the mouth of Powell's Creek. At the time of bathymetric survey in 2022, water depths ranged from about 1 to 4 ft MLW. The current alignment, which follows the historic channel that is believed to have been dredged in the 1960's or 1970's in conjunction with the opening of the Hitch Sand and Gravel Mine's operation as shown on the multiple generations of NOAA navigation charts (1985, 2013, 2022, 2025). GES believes the Creek has shoaled in with accumulated transitory sediments over time, which have since been scoured, and this process is cyclic, where the flow of the stream and stormflows flush out the stream, and the ebb and flow of tides allow sediments to temporarily accumulate in the channel until the next storm flow event. The sediment in the stream travels downstream in wedges of sediment, depositing for short periods between storm events that again flush the sediment further downstream with the next storm event until the sediment is flushed into the James River. The sediment is composed of mostly fine to very fine sediments composed of silts, clays, and detrital particles (see **Appendix C: Powell's Creek Sediment Transport Assessment**). The shallow water impacts upstream of those stations are comprised of the side slopes of the dredged cut.

Proposed unavoidable impacts to shallow water total 48,452 sq. ft. (1.11 acres), a reduction of over 90% from the original design (see **Appendix B: Figures**).

The proposed channel is 13,600 ft in length and will impact a total of 1,927,948 sq. ft. (44.25 acres) within the 2x buffer (1,430,132 sq. ft. or 32.83 acres in the channel toes). An estimated 230,000 cubic yards (cy) will be dredged to create a channel with water depths of up to -14 ft MLW. The channel widths range between 100 ft and 200 ft. The 200 ft section is for a turning basin necessary to maneuver (turn and dock) and temporarily store barges during the loading and offloading process.

To avoid unnecessary unintended impacts to anadromous fish waters, all work will be conducted during the time period from July 1 through February 14.

There are no impacts to non-vegetated tidal flats or vegetated wetlands. All impacts are subaqueous. See **Figures** for a detailed view of proposed impact areas.

4 Compensatory Mitigation

Impacts to jurisdictional features required in the furtherance of the proposed project will result in no changes in classification or loss of waters of the U.S. or jurisdictional wetlands. Therefore, compensatory mitigation is not necessary to achieve "no net loss" of aquatic resources function and value to Federal and State Waters.

Due to the proposed work resulting in impacts within the 4x buffer to SAV, the applicant proposes to mitigate this impact through the purchase of tidal wetland credits at a 1:1 ratio from The Nature Conservancy / In Lieu Fee Fund for 3,975 sq. ft. of 4x buffer impacts. HGC will also work with VIMS to improve SAV habitat in the Powell's Creek drainage area. Since SAV are prolific in this area, HGC proposes to work with VIMS to restore SAV that have receded in recent years in an area outside of the dredging area but within the Powell's Creek drainage area.

The impacts to subaqueous bottomland should not require additional compensatory mitigation for the following reasons:

- The proposed project will not result in "new work" dredging;
- The proposed project will not result in impacts to shallow water aquatic habitat.

4.1 The proposed project will not result in "new work" dredging

The Hitch Gravel Mine possesses an active mining permit with the Virginia DMME, which originated in 1972. Barges with a 12-foot draft were known to be accessing this mine and transporting sand and gravel using generally this same proposed route in Powells Creek as late as the 1980's. The evidence of the use of this waterway for transport of sand and gravel by barge still exists today in the form of old dock pilings and sunken barges within the river. If the mouth of Powells Creek is shoaled in to only 2-4 feet in depth in recent years, it surely has been in the past as well; it would not be possible for barges of this size and depth of draft to access the mine through water that shallow.

Furthermore, NOAA Navigational Charts, which are regularly updated, depict a 9-foot-deep channel entering Powells Creek through surrounding shallow water where it meets the James River. This channel appears in multiple generations of published NOAA navigation charts (1985, 2013, 2022, 2025). Based on these findings, it is the professional opinion of GES that this channel has been dredged previously, and further dredging would be categorized as "maintenance" rather than "new work".

4.2 The proposed project will not result in impacts to shallow water aquatic habitat

The proposed project will not result in impacts to shallow water aquatic habitat as the sediments making up the bed material at the mouth of Powells Creek are transitory in nature and would not provide suitable permanent shallow water habitat for SAVs. Sampling of the sediment composition by Terracon indicate that the shoaling in the stream is mostly silt, clay, and muck with small amounts of sand. No sand, stone/cobble or otherwise hard bottom is present in this stream within the proposed project area. Aerial photographs of the waterway indicate that sediments are mobile

and suspended in the water column frequently. The composition of these sediments further support this as smaller particles are more readily suspended by wind, wave, and runoff action and tend to stay suspended for longer periods than larger particles. Most of the previously dredged channel has not filled in for this reason; the particles are easily mobilized and tend to be swept downstream by storm and other high flow events.

The source of the sediment shoaling in the mouth of Powells Creek comes both from Powells Creek and from the James River watersheds. Agricultural land in the Powells Creek watershed contributes silts and clays to the waterway in addition to those contributed by the James River. Tidal ebbs of the James River provide resistance to slow the migration of material out of Powells Creek, resulting in greater deposition at this location and therefore the wedge of sediment shown at the mouth of the waterway.

Available information implies there to be a cycle of deposition and scour at the mouth of Powells Creek. Bathymetric data produced in 2024 shows the sediment wedge at this location, with many areas 2-feet deep at MLW or shallower. However, the NOAA Navigational Charts, which are updated regularly and viewed in early 2025, show an approximately 9-foot-deep channel from Powells Creek to the James River. This indicates that the sediment depositional wedge is no longer present and was not there for any longer than six months after survey. Based on these findings, it is the professional opinion of GES that this shallow water habitat is likely no longer present, and when it is for the short periods, the areas would not constitute meaningful shallow water aquatic wildlife or SAV habitat due to the silt, clay and muck composition with little to no sand and the fact that the bottom is easily stirred by storms and tides to create a very turbid environment that does not allow for easy transmission of light. The sediment deposition is predominantly transitory based on the reviewed available data, and the lack of permanence makes it unsuitable habitat for shallow water aquatic species (see **Appendix C: Powell's Creek Sediment Transport Assessment**).

5 Alternative Site Analysis

Three alternatives were considered as a part of the proposed project: (1) the no-build; (2) using the existing road system; (3) dredging using originally proposed design; (4) development of the proposed alternative as described in the attached narratives.

Alternative 1, No Action – the No Action would result in status quo and there would be no immediate plans for mining in Hitch Gravel. The No Action would result in the continued loss of revenue from mining activities, and would likely result in the exploration of a greenfield site to meet the need of the sand and gravel need for the region.

Alternative 2, Use Existing Road System – Using existing road system to truck sand and gravel from HGC. This alternative is not only expensive but results in significant impacts to the roadway infrastructure, increased traffic, and due to the additional fuel costs would be more expensive. Trucking material would also generate a much larger carbon footprint and will not provide service to the regional need for sand and gravel.

Alternative 3, Dredging Originally Proposed Route - A dredged channel to a transfer area at the HGC would provide an economical means to transport product from the mine. Barge transport of sand and gravel is the most economical method of transport, is accessible and has less carbon footprint and impacts on infrastructure and traffic than transport via truck. The originally proposed route of dredging would result in less total linear feet of channel, but significantly greater impacts to shallow water. Mitigation of impact to potential shallow water aquatic habitat makes this the less desirable alternative to Alternative 4.

Alternative 4, Proposed Action – The proposed action results in the same benefit to the applicant as Alternative 3, except with significantly reduced impact to potential shallow water aquatic habitat. The proposed action re-routes the proposed path of dredging through an existing channel location at the mouth of Powell's Creek. Available information shows this path at approximately 9-feet in depth. As the majority of shallow water impact in the original design was at this location, potential impact to shallow water habitat is reduced by over 90% through this route (551,300 sq. ft. reduced to 48,452 sq. ft.).

6 Threatened and Endangered Species

On June 10, 2025, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database tool was accessed to search for threatened and/or endangered species in the vicinity of the proposed project. Requests for project review were also sent to the Virginia Department of Conservation and Recreation (VDCR) and the Virginia Department of Wildlife Resources (VDWR). See **Appendix D** for complete details regarding assessment for potential sensitive, rare, threatened, and endangered species.

In accordance with permit regulations, if any previously unknown threatened or endangered species are encountered during construction activities, the U.S. Army Corps of Engineers – Norfolk District will be notified, in order to initiate Federal and State coordination.

6.1 U.S. Fish and Wildlife Service

The USFWS issued a preliminary determination that the proposed project is expected to have no effect on the northern long-eared bat and the tricolored bat. No project activities will occur until Endangered Species Act (ESA) consultation between the USFWS and the USACE is completed.

- The proposed project is not reasonably certain to cause incidental take of the northern long-eared bat (NLEB), a federally listed endangered species. While the USFWS believes the NLEB is present near the proposed project area within the James River National Wildlife Refuge, the project area itself is within the river channel and does not possess the qualities to be reasonably considered suitable habitat for the NLEB. The proposed activities are expected to have no effect on this species. Therefore, a "not likely to adversely affect" determination is appropriate and no time of year restrictions associated with bats should be ascribed to the proposed project.
- The proposed project is not reasonably certain to cause incidental take of the tricolored bat (TCB), a proposed federally endangered species. Captures of the TCB are documented in the VDWR Virginia Fish and Wildlife Information Service (VAFWIS) within the James River National Wildlife Refuge, though this capture was over two miles from the proposed project area. Similar to the northern long-eared bat, while suitable habitat may exist near the proposed project area within the James River National Wildlife Refuge, the project area itself is within the river channel and does not possess the qualities to be reasonably considered suitable habitat for the TCB. The proposed activities are expected to have no effect on this species. Therefore, a "not likely to adversely affect" determination is appropriate and no time of year restrictions associated with bats should be ascribed to the proposed project.
- The proposed project is not reasonably certain to cause incidental take of the monarch butterfly, a candidate for federal listing. The project area is fully within the river channel and therefore lacks suitable habitat and breeding conditions for the monarch butterfly. The obligate host species milkweed is not present within the project area, and open meadow with a large population of nectar-producing flowers is not present within the proposed project area.

There are recorded eagle nests in the vicinity of the proposed project. The proposed project does not involve activities that result in permanent alterations of the terrestrial landscape, or frequently recurring work; the dredging activities are intended to be a one-time event, after which many years can pass before maintenance is needed. Dredging activities are not expected to result in chronic disturbances which may negatively affect the courtship, loafing, nesting, and incubating process of bald eagles. As well, the bald eagles have become acclimated to human activities along the James River to include dredging; therefore, no impact to bald eagles is likely to occur as a result of the proposed project.

Table 1 – Summary of Documented Eagle Nests
Center for Conservation Biology

ID	Last Occupied	Last Checked	Latitude	Longitude
PG9201	2021	2021	37.293964	-77.160320
PG1402	2017	2018	37.286375	-77.164132
PG1804	2021	2021	37.285597	-77.161992

According to the Center for Conservation Biology, these documented nests have not been checked since 2021 for the presence of nesting pairs. The available data does not suggest that these nests have been used for nesting within the last three breeding seasons. In accordance with Virginia guidance, the nests are not "recently active". In any case, dredging is a temporary disturbance; and due to the inactivity of the nests, no time-of-year restrictions should be recommended.

6.2 Virginia Department of Conservation and Recreation

Review of the VDCR Natural Heritage Data Explorer (NHDE) shows the potential occurrence of the following species in the proposed project area. No additional species of concern were provided through a search of this database.

- The proposed project is not reasonably certain to incidentally impact the sensitive joint-vetch, a federally and state listed threatened species, as the areas of the proposed work do not overlap with potential habitat for this species. This species is believed by the USFWS to exist along Powells Creek. However, this species is not fully aquatic, and its preferred habitat is intertidal marshes where the plant can be flooded twice daily. While it is likely that intertidal marshes exist which could support this species along Powells Creek, dredging is to occur exclusively below MLW. As stated in **Section 3**, all proposed impacts are subaqueous and there are no proposed impacts to non-vegetated tidal flats or vegetated wetlands.

6.3 Virginia Department of Wildlife Resources

The VDWR Virginia Fish and Wildlife Information Service (VAFWIS) database was searched on June 10, 2025, to determine considerations to potential impact of state-listed threatened and endangered species within two miles of the project area, the minimum search distance.

- The proposed project is not reasonably certain to cause incidental take of the northern long-eared bat, a federally and state listed endangered species, for the reasons described above in **5.1**.
- The proposed project is not reasonably certain to affect the Atlantic sturgeon, a federally and state listed endangered species due to the lack of hard rock bottoms used for breeding and sand bottom conditions used for feeding. Documentation in the VAFWIS indicates a sighting of the Atlantic sturgeon across the James River from the proposed project area; this was a deceased specimen, the sighting was over 20-years ago, and there are no documented sightings in the vicinity before or since then. Despite the lack of sightings, it is possible this species utilizes this portion of the James River as habitat during the breeding season or for feeding; however, limited documentation in Powell's Creek is consistent with the lack of habitat. However, given likely presence of other anadromous fish in the vicinity of the project, it is proposed that work will occur outside of the anadromous fish waters time of year restriction of February 15 through June 30. Should sturgeon be observed during dredging, all operations will stop to assure no impacts and will not resume until the fish has left the vicinity of the dredging. As well, the proposed mechanical or hydraulic dredging without a cutter head and with an orifice smaller than 6 inches in diameter should not pose a threat to sturgeon and other fish, as the fish are likely to not move into an area where dredging is occurring, and if so this type of dredging has been documented to have little to no impact.
- The proposed project is not reasonably certain to affect the eastern black rail, a federally threatened and state endangered species. The project area is fully within the river channel below MLW, and this species' preferred habitat of brackish marshes, inland tidal creeks, and salt marshes are not present in the project area. Furthermore, the project area lacks the dense and low-lying vegetative cover which would provide suitable habitat for this species. If this species is present, it has not been observed within two miles of the project area.
- The proposed project is not reasonably certain to affect the red-cockaded woodpecker, a federally threatened and state endangered species. The project area is fully within the river channel and lacks the mature longleaf pine forest with an open understory that make up the preferred habitat of this species. Virginia is the very northern extent of the accepted range of this species, and known populations of the red-cockaded woodpecker in Virginia are isolated to locations in Sussex County and the City of Chesapeake, and they do not tend to migrate and have not been documented in the vicinity of the project.
- The proposed project is not reasonably certain to affect the blackbanded sunfish, a state listed endangered species. The project area is not within the accepted distribution limits

of this species, as they are not known to be present outside of the Blackwater and Nottoway River watersheds in Virginia. Furthermore, the project area is in a tidally influenced brackish river; whereas, this species is predominantly found in freshwater wetlands and ponds.

- The proposed project is not reasonably certain to affect the little brown bat, a state endangered species, as suitable hibernacula and summer roosting conditions are not present within the project area.
- The proposed project is not reasonably certain to affect the Rafinesque's big-eared bat, a state listed endangered species, as the project area does not possess the qualities to be reasonably considered suitable habitat for this species, as suitable winter hibernacula and summer roosting conditions are not present within the project area. Removal of trees is not anticipated to be required in the course of this project.
- The proposed project is not reasonably certain to cause incidental take of the tricolored bat, a state endangered and proposed federally endangered species, for the reasons described above in **5.1**.
- The proposed project is not reasonably certain to affect the peregrine falcon, a state threatened species, as no peregrine falcon nests have been observed in the project area. There are additionally no urban structures tall enough or protected enough to be enticing for nesting nor is suitable habitat present in the vicinity of the project.
- The proposed project is not reasonably certain to affect the loggerhead shrike or migrating loggerhead shrike, state threatened species and subspecies, respectively, as the open grasslands or meadows with low trees or thorny shrubs that are typically associated with habitat for this species are not present in or near the project area.

7 Cultural and Historic Resources

On June 23, 2025, a database search was performed in the Virginia Department of Historic Resources (VDHR) Virginia Cultural Resource Information System (V-CRIS) for archaeological or cultural resources in the vicinity of the proposed project. The proposed project area does not contain any registered sites of cultural, architectural, and/or historical significance.

The vicinity of the proposed project area contains two sites of cultural, architectural, and/or historical significance; however, none of these areas or sites exist within the proposed project area. The proposed project is expected to have no effect on these sites, and will be entirely out of the viewshed of any sites registered in V-CRIS

The proposed project is not within a historic district and is not within the boundaries of any recognized Civil War Battlefields.

For more information on assessed cultural and historic resources, see **Appendix E**.

8 Erosion and Sediment Control Plan

The final site plan is required to include an Erosion and Sediment Control Plan that meets the latest State regulations and adheres to the methodology prescribed in the Virginia Stormwater Management Handbook (Version 1.1, 2024) published by the Virginia Department of Environmental Quality.

9 Previous Agency Action

This proposed project was originally applied for in September 2024 under a different configuration. This is a resubmittal joint permit application requested by the USACE to account for the revised route of the proposed dredge channel through the existing channel at the mouth of Powells Creek where it meets the James River.

References

Natural Heritage Data Explorer. June 10, 2025. Virginia Department of Conservation and Recreation, Natural Heritage Program. Accessed June 10, 2025.

Virginia Fish and Wildlife Information Service. Virginia Department of Wildlife Resources. Accessed June 10, 2025.

Virginia Cultural Resources Information System. Virginia Department of Historic Resources. Accessed June 23, 2025.

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Appendix A – Joint Permit Application