

NOVA Environmental



DEPARTMENT OF THE ARMY
NORFOLK DISTRICT, CORPS OF ENGINEERS
FORT NORFOLK, 803 FRONT STREET
NORFOLK, VIRGINIA 23510-1096

REPLY TO
ATTENTION OF

November 7, 2005

Eastern Virginia Regulatory Section
05-4015-15 (Unn. Tribs. Accotink Creek)

Virginia Department of Transportation (VDOT)
ATTN: Mr. Christopher Reed
14685 Avion Parkway
Chantilly, Virginia 20151-1104

Ladies and Gentlemen:

Enclosed is a fully executed copy of Department of the Army Permit Number 05-4015-15, issued to the Virginia Department of Transportation (VDOT) for the extension of the Fairfax County Parkway (Route 7100) as a limited access connector roadway for a distance of 1.06 miles in Fairfax County, Virginia (VDOT Project #R000-029-249), and signed by both a representative of VDOT and the Corps of Engineers. A signed copy has also been retained in our files.

Please call Alice Allen-Grimes at 757-201-7219 if you have any questions.

Sincerely,

Nicholas L. Konchuba
Nicholas L. Konchuba
Chief, Eastern Virginia
Regulatory Section

Enclosures

Copy Furnished (w/cy of permit):

Virginia Department of Transportation, Richmond



**U.S. Army Corps
Of Engineers**
Norfolk District

Fort Norfolk, 803 Front Street
Norfolk, Virginia 23510-1096

DEPARTMENT OF THE ARMY PERMIT

Permittee: Virginia Department of Transportation
Permit No.: 05-4015-15
Issuing Office: Norfolk District, Corps of Engineers

Note: The term "you" and its derivatives, as used in this permit, mean the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below pursuant to:

- () Section 10 of the Rivers and Harbors Act of 1899
(33 U.S.C. 403).
- (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
- () Section 103 of the Marine Protection, Research and
Sanctuaries Act of 1972 (33 U.S.C. 1413).

Project Description: Extend the Fairfax County Parkway (Route 7100) as a limited access connector roadway for a distance of 1.06 miles from its current termini where it ties into the Franconia Springfield Parkway (Route 7900) in a southward direction through the Fort Belvoir Engineering Proving Grounds (EPG) to tie into Rolling Road with a new interchange in the southwest corner of the EPG. The stated purpose of the project is to provide a 4-lane replacement for a 2-lane section of Rolling Road in order to increase safety and capacity in an increasingly dense residential area. The design includes a typical section with 6 travel lanes, 10-foot paved shoulders and a 42-foot median.

Construction will result in total permanent impacts to approximately 0.76 acres of forested and 1.68 acres of emergent wetlands. In addition, the project will result in impacts to 583 linear feet of stream.

Project Specific Conditions:

1. Prior to the commencement of any work authorized by this permit, you shall advise Alice Allen-Grimes in writing at: Norfolk District, Corps of Engineers, Regulatory Branch, 803 Front St., Norfolk, 23510-1096, of the time the authorized activity will commence and the name and telephone number of all contractors or other persons performing the work. A copy of this permit and drawings must be provided to the contractor and made available to any regulatory representative during an inspection of the project site.

2. The time limit for completing the work authorized ends on December 31, 2010. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
3. Enclosed is a "compliance certification" form, which must be signed and returned within 30 days of completion of the project, including any required mitigation. Your signature on this form certifies that you have completed the work in accordance with the permit terms and conditions.
4. Any wetlands that are temporarily disturbed during construction must be restored to pre-construction elevations and sprigged with vegetation.
5. You will compensate for wetland impacts at a ratio of 2:1 for forested (1.52 acres) and 1:1 for emergent wetlands (1.68 acres). Your proposal to compensate by the use of credits (3.20 credits total) from your Great Oaks Bank located in Fauquier County is acceptable. Evidence that you have debited these credits (a current ledger) must be provided to the Corps before any work authorized by this permit can begin.
6. You must compensate for impacts to 583 linear feet of stream. In lieu of accomplishing compensatory mitigation on your own, you have proposed the use of the Virginia Aquatic Resources Trust Fund (the Fund) to satisfy the mitigation requirements of this permit. Use of the Fund is voluntary on your part. Other mitigation options may be used if approved by the permitting agencies. The contribution amount shown herein was compiled using normal mitigation ratios and general costs from other mitigation projects. The Fund is intended to work efficiently and at beneficial economies of scale to accomplish more mitigation than what is normally accomplished by other methods of mitigation. Therefore, this permit is conditioned that you submit \$95,612.00 to the Virginia Aquatic Resources Trust Fund. Please send contributions to The Virginia Aquatic Resources Trust Fund, c/o The Nature Conservancy of VA (TNC), Ms Linda Crowe, 490 Westfield Rd., Charlottesville, VA, 22901. A payment voucher must accompany this payment to TNC.

Other Special Conditions:

1. No discharge of dredged or fill material may consist of unsuitable material (e.g.: trash, debris, car bodies, asphalt etc.) and material discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).
2. Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.
3. Appropriate erosion and siltation controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date.
4. The construction or work authorized by this permit will be conducted in a manner so as to minimize any degradation of water quality and/or damage to aquatic life. Also, you will employ measures to prevent or control spills of fuels or lubricants from entering the waterway.

5. Any heavy equipment working in wetlands must be placed on mats or other measures must be taken to minimize soil disturbance.
6. Failure to comply with the terms and conditions of this permit can result in enforcement actions against the permittee and/or contractor.
7. In granting an authorization pursuant to this permit, the Norfolk District has relied on the information and data provided by the permittee. If, subsequent to notification by the Corps that a project qualifies for this permit, such information and data prove to be materially false or materially incomplete, the authorization may be suspended or revoked, in whole or in part, and/or the Government may institute appropriate legal proceedings.
8. All dredging and/or filling will be done so as to minimize disturbance of the bottom or turbidity increases in the water, which tend to degrade water quality and damage aquatic life.
9. Your use of the permitted activity must not interfere with the public's right to reasonable navigation on all navigable waters of the United States.

General Conditions:

1. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Conditions 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
2. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
3. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
4. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.
6. The permittee understands and agrees that if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required upon due notice from the

Corps of Engineers to remove, relocate, or alter the structural work or obstructions caused thereby without expense to the United States. No claim shall be made against the United States on account of any such removal or alternation.

Further Information:

1. Limits of this authorization:

- a. This permit does not obviate the need to obtain other Federal, state or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.

2. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time that circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).
- c. Significant new information surfaces that this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified

in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

5. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as a permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

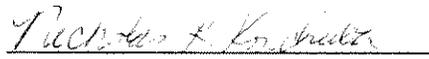


(Permittee)

01/18/2005

(Date)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



Nicholas L. Konchuba
Chief, Eastern Virginia
Regulatory Section

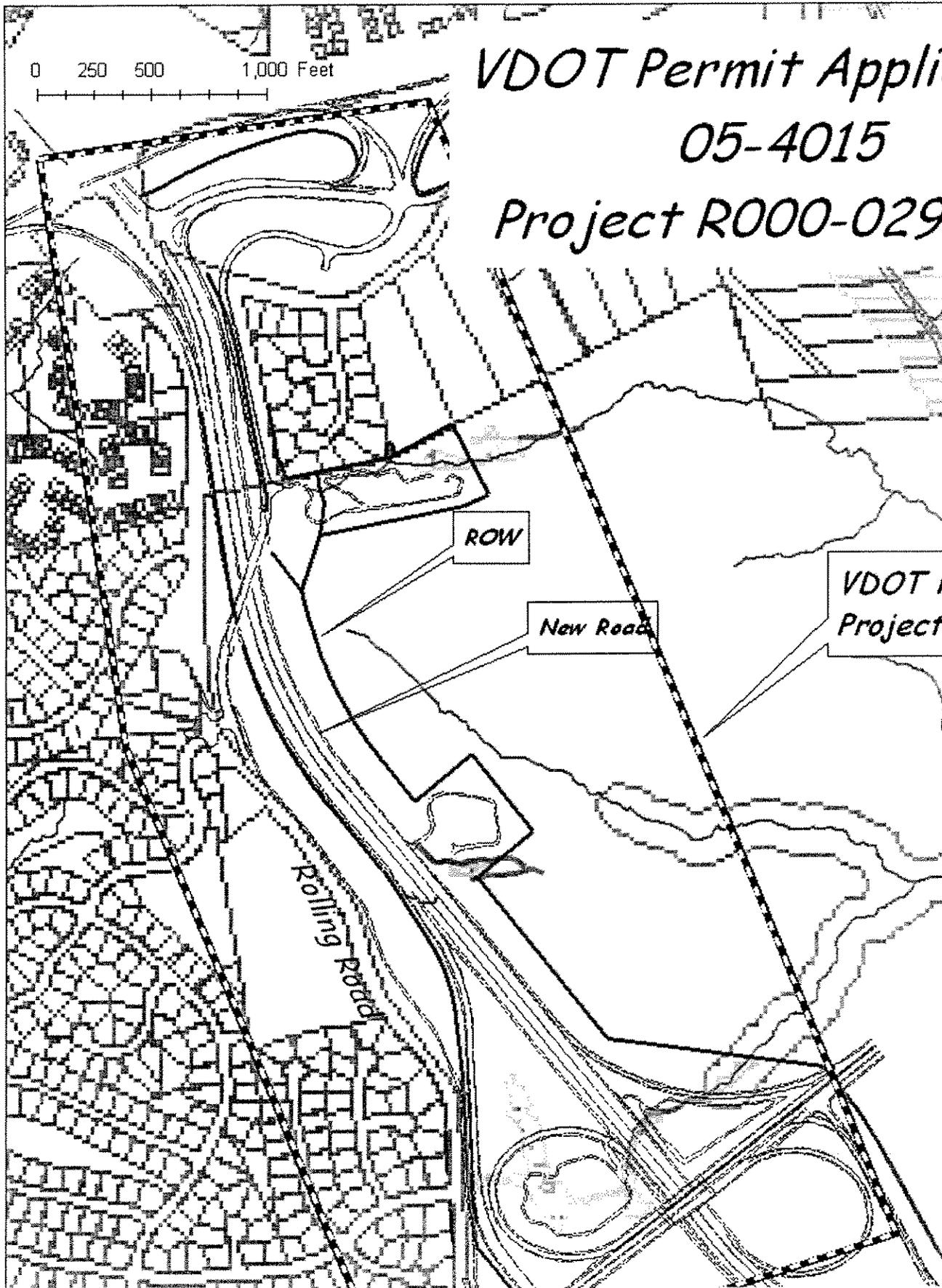
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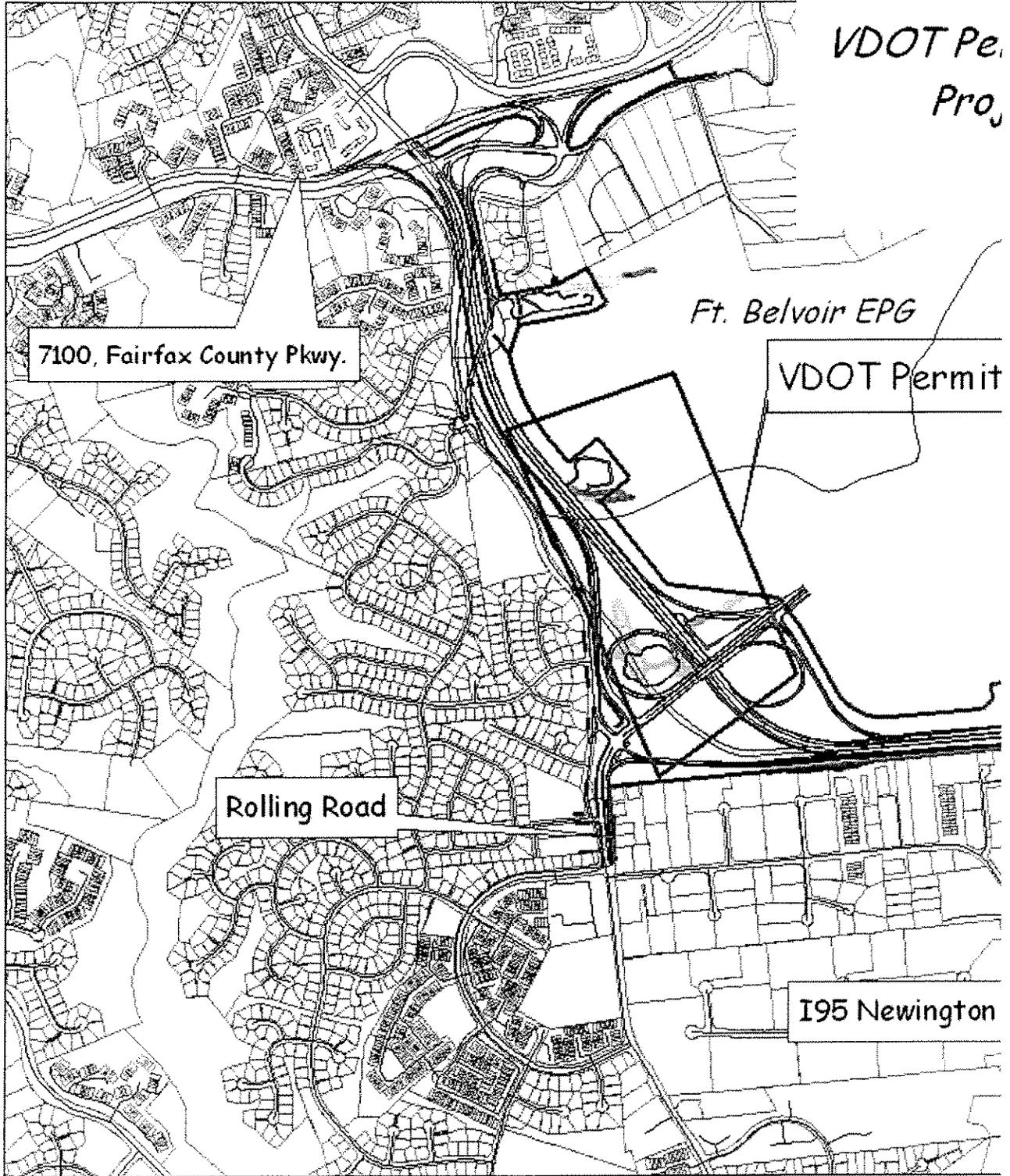
(Date)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(Transferee)

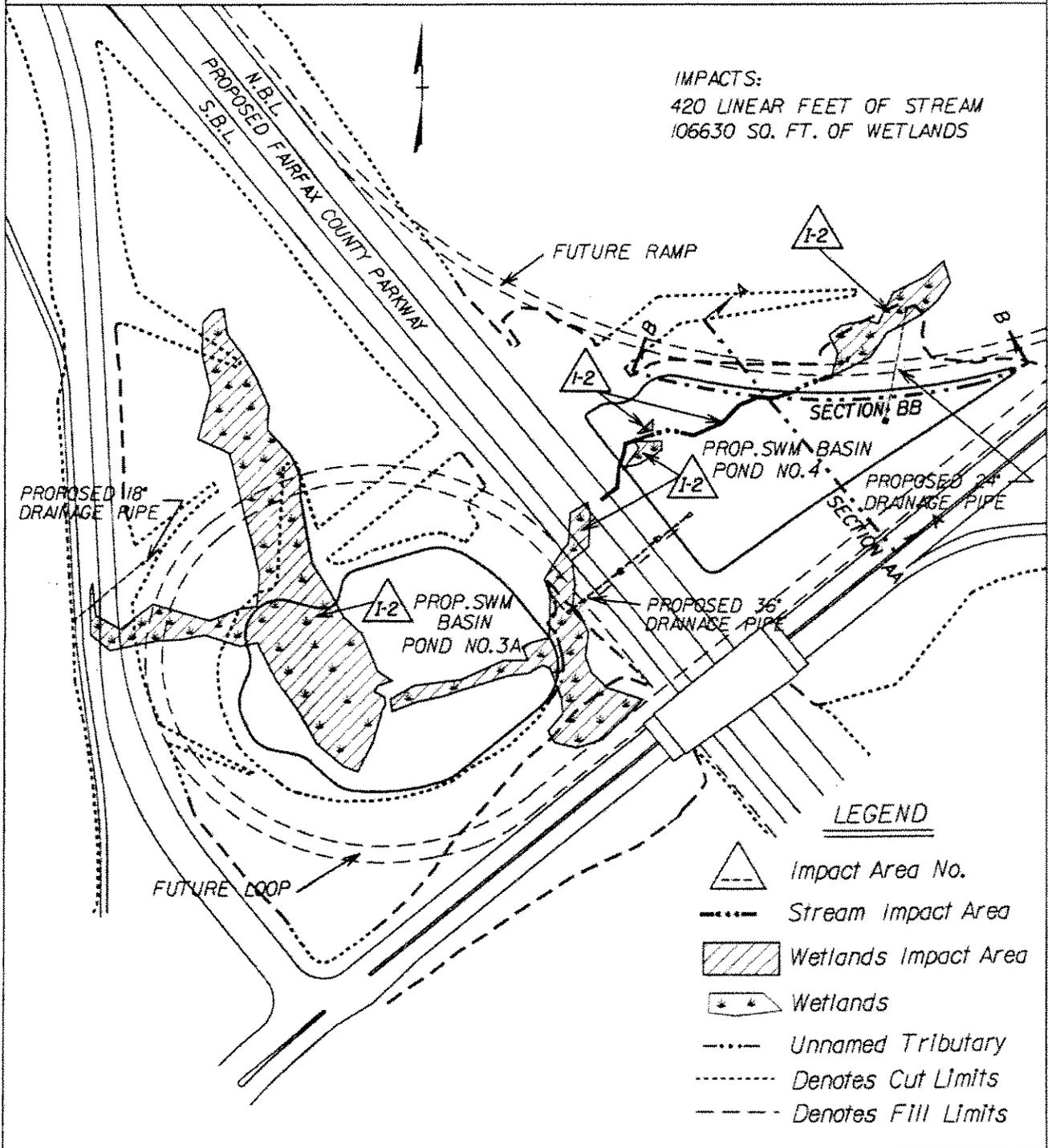
(Date)





*VDOT Per.
Pro.*

FAIRFAX COUNTY PARKWAY R000-029-249
CROSSING NO. 2, IMPACT 1-2



IMPACTS:
420 LINEAR FEET OF STREAM
106630 SQ. FT. OF WETLANDS

PURPOSE: PROPOSED FAIRFAX COUNTY PARKWAY

DATUM: NGVD29

GENERAL PLAN

SCALE = 1" = 200'

APPLICATION

COUNTY OF: FAIRFAX STATE: VA

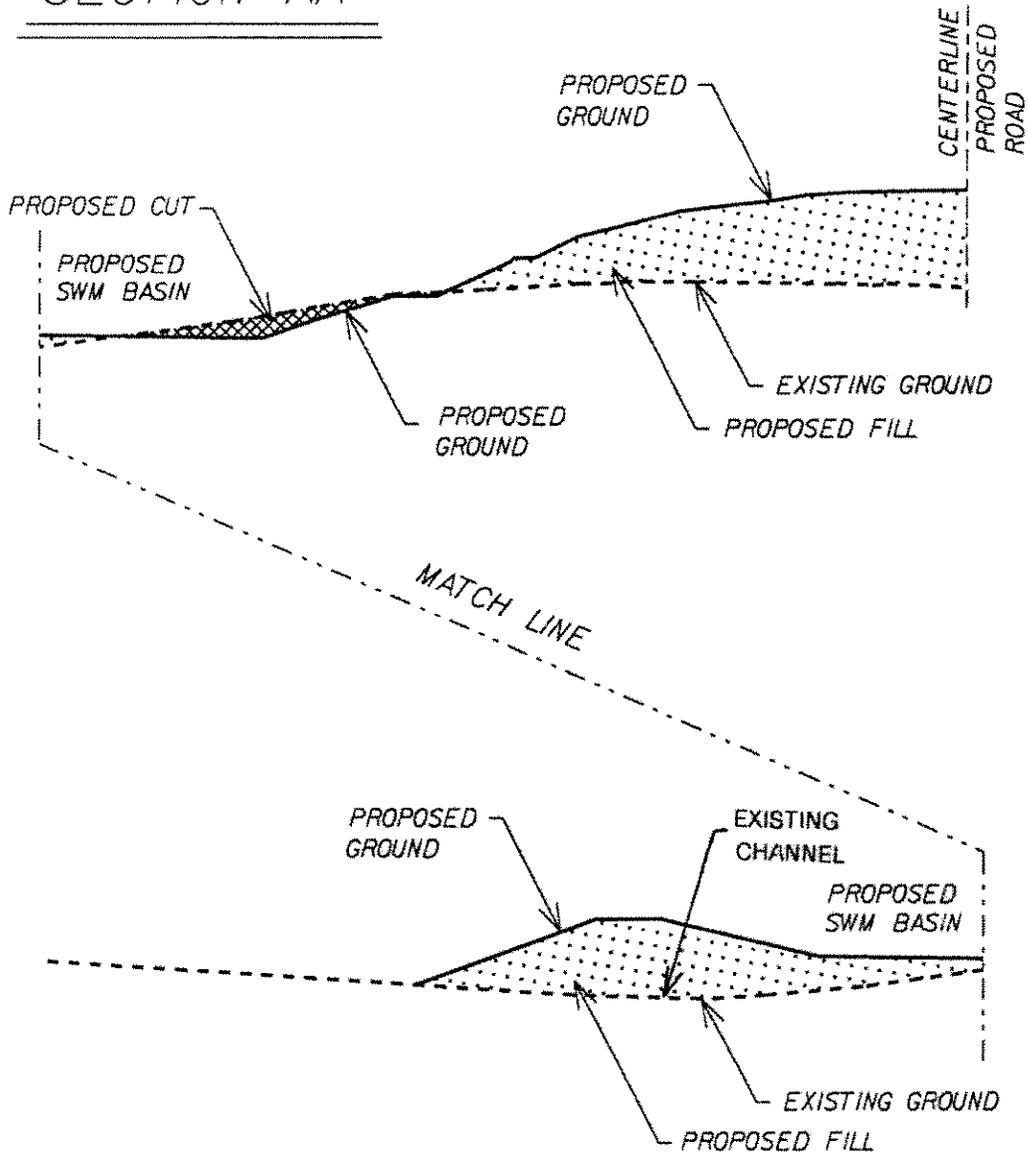
APPLICATION BY: VIRGINIA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 3

DATE: 3-17-05

FAIRFAX COUNTY PARKWAY R000-029-249
 CROSSING NO. 2, IMPACT 1-2

SECTION AA



PURPOSE: PROPOSED FAIRFAX COUNTY PARKWAY

DATUM: NGVD29

SECTION

SCALE - 1" = 40'

APPLICATION

COUNTY OF: FAIRFAX STATE: VA

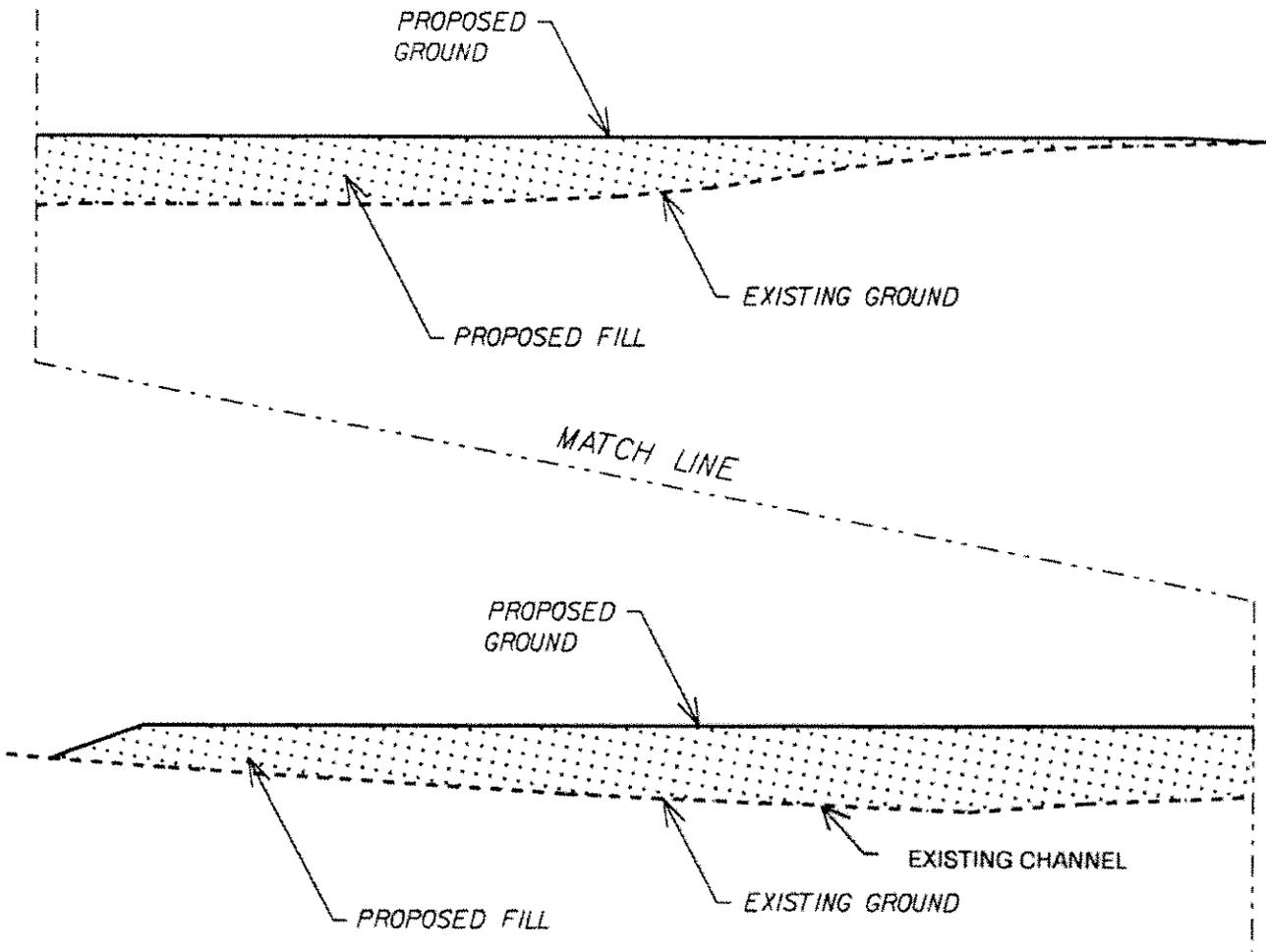
APPLICATION BY: VIRGINIA DEPARTMENT OF TRANSPORTATION

SHEET 2 OF 3

DATE: 3-17-05

FAIRFAX COUNTY PARKWAY R000-029-249
CROSSING NO. 2, IMPACT 1-2

SECTION BB



PURPOSE: PROPOSED FAIRFAX
COUNTY PARKWAY

DATUM: NGVD29

SECTION

SCALE - 1" = 40'

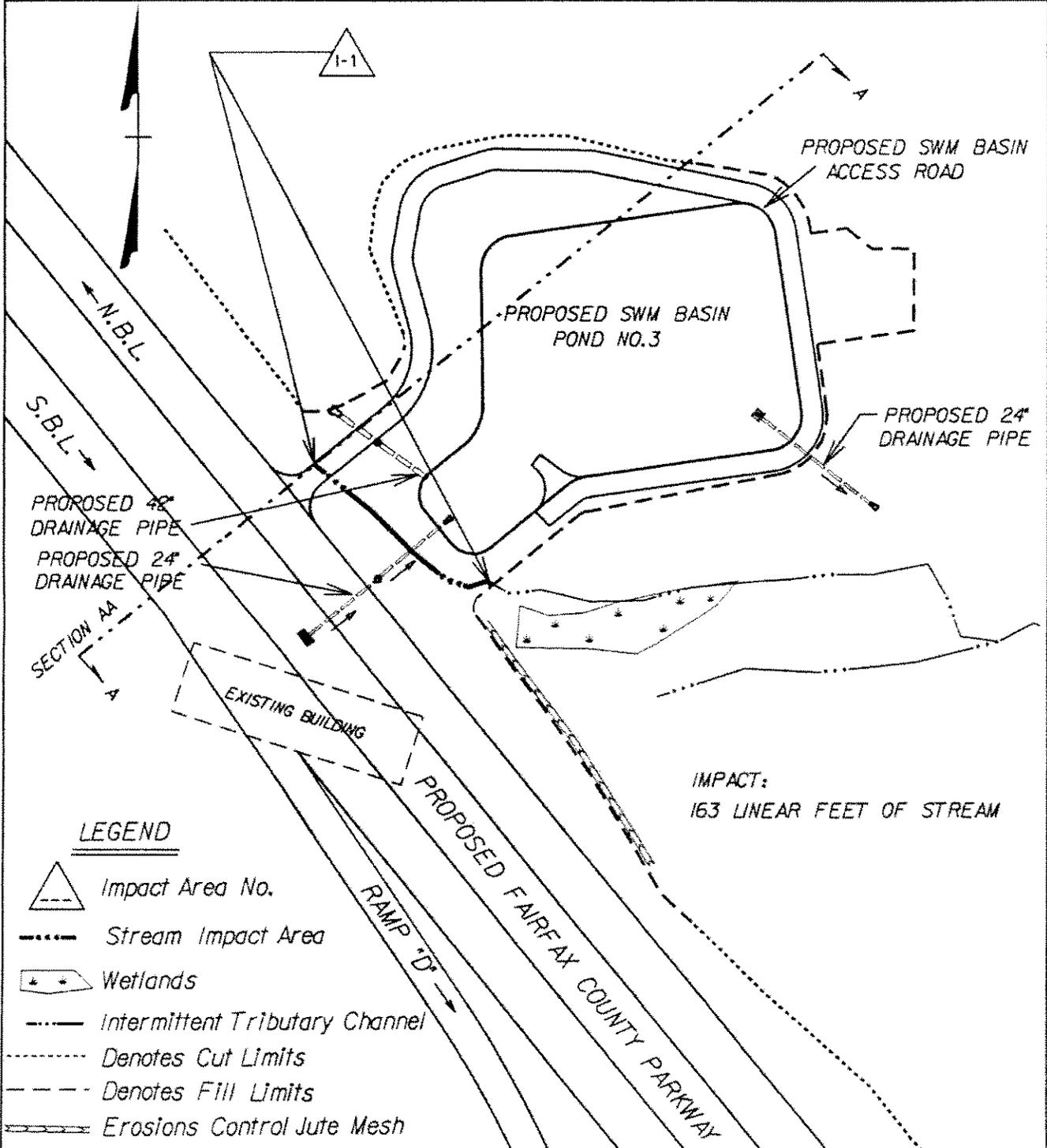
APPLICATION

COUNTY OF: FAIRFAX STATE: VA

APPLICATION BY: VIRGINIA
DEPARTMENT OF TRANSPORTATION

SHEET 2 OF 3 DATE: 3-17-05

FAIRFAX COUNTY PARKWAY R000-029-249
CROSSING NO. 1, IMPACT 1-1



LEGEND

- Impact Area No.
- Stream Impact Area
- Wetlands
- Intermittent Tributary Channel
- Denotes Cut Limits
- Denotes Fill Limits
- Erosions Control Jute Mesh

PURPOSE: PROPOSED FAIRFAX COUNTY PARKWAY

DATUM: NGVD29

GENERAL PLAN

SCALE - 1" = 100'

APPLICATION

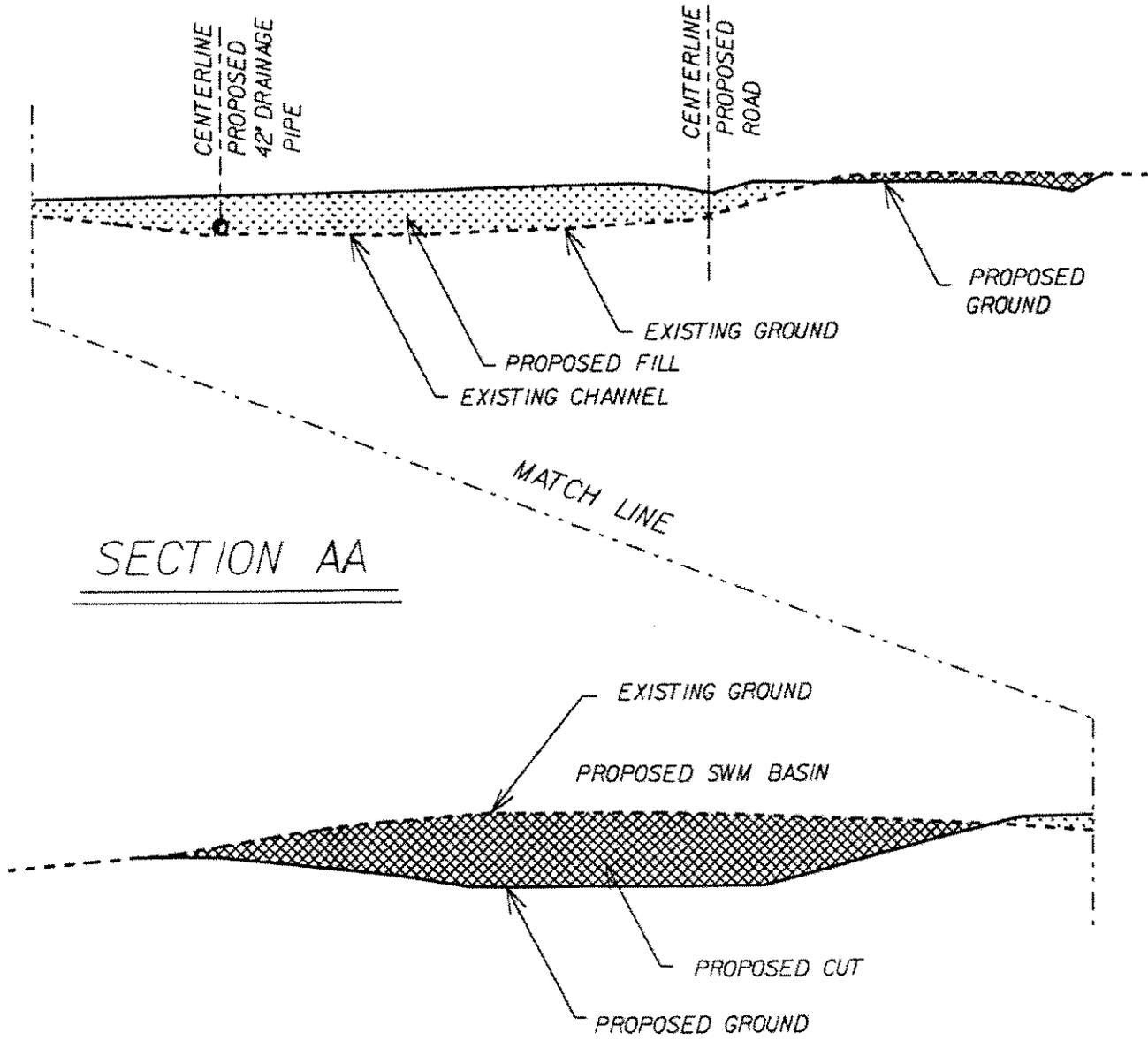
COUNTY OF: FAIRFAX STATE: VA

APPLICATION BY: VIRGINIA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 2

DATE: 3-17-05

FAIRFAX COUNTY PARKWAY R000-029-249
 CROSSING NO. 1, IMPACT 1-1



SECTION AA

PURPOSE: PROPOSED FAIRFAX COUNTY PARKWAY

DATUM: NGVD29

SECTION

SCALE = 1" = 40'

APPLICATION

COUNTY OF: FAIRFAX STATE: VA

APPLICATION BY: VIRGINIA DEPARTMENT OF TRANSPORTATION

SHEET 2 OF 2 DATE: 3-17-05