

## APPENDIX 2 – Floodplain

FIRM Map (from Joint Permit Application)

NEPAssist Map (generated July 2023)

Floodplain Bridge detail

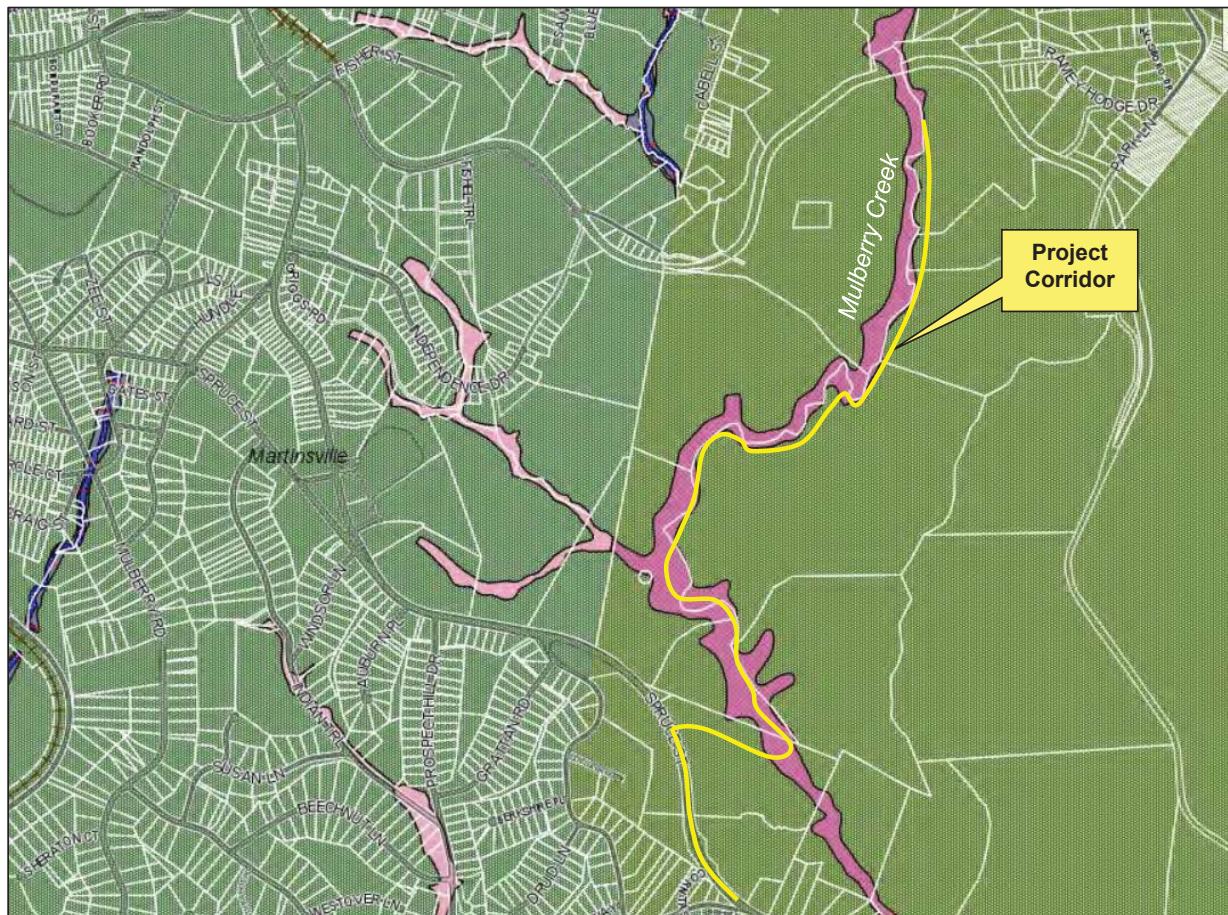
DHCD 8-Step Determination Process

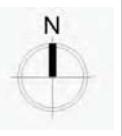
Early Public Notice (published 8/5/23) – No comments received

Final Public Notice (published 8/26/23 – No comments received

Nationwide Permit Approval from US COE, 4/20/22

Revised Nationwide Permit Application, 4/1/22



 <b>HURT &amp; PROFFITT</b> <small>INCORPORATE</small>	<small>2524 LANGHORNE ROAD LYNCHBURG, VA 24501 800.242.4906 TOLL FREE 434.847.7796 MAIN 434.847.0047 FAX WWW.HANDP.COM</small>	<b>Dick &amp; Willie Passage Trail (Phase 6A)</b> <b>Henry County, Virginia</b> <small>Source: Henry County, VA GIS and FEMA FIRMette system (2020), NTS</small>	<b>Figure 3</b> <b>Floodplain Map</b>	
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Find address or place



Basemap

Imagery

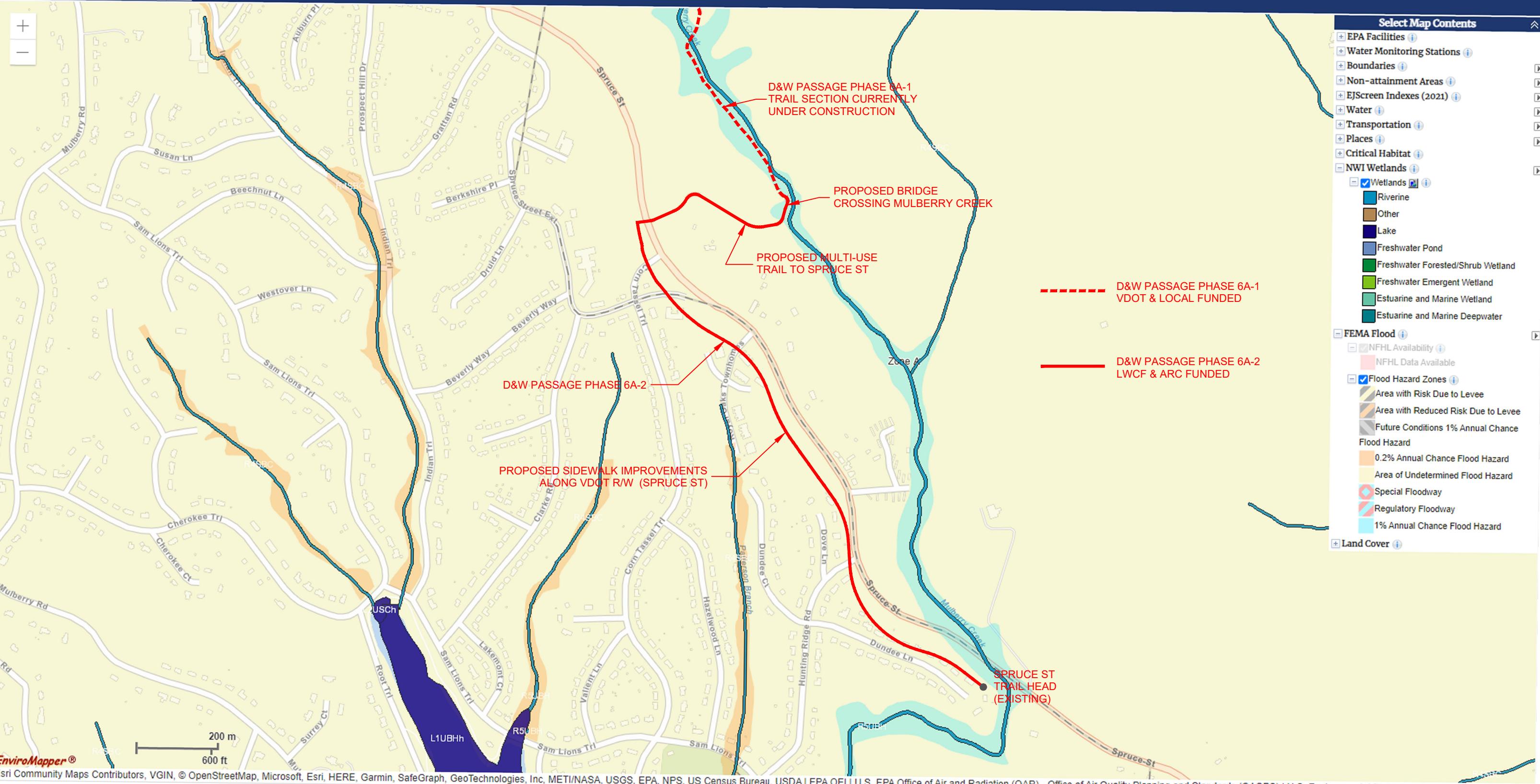
Draw

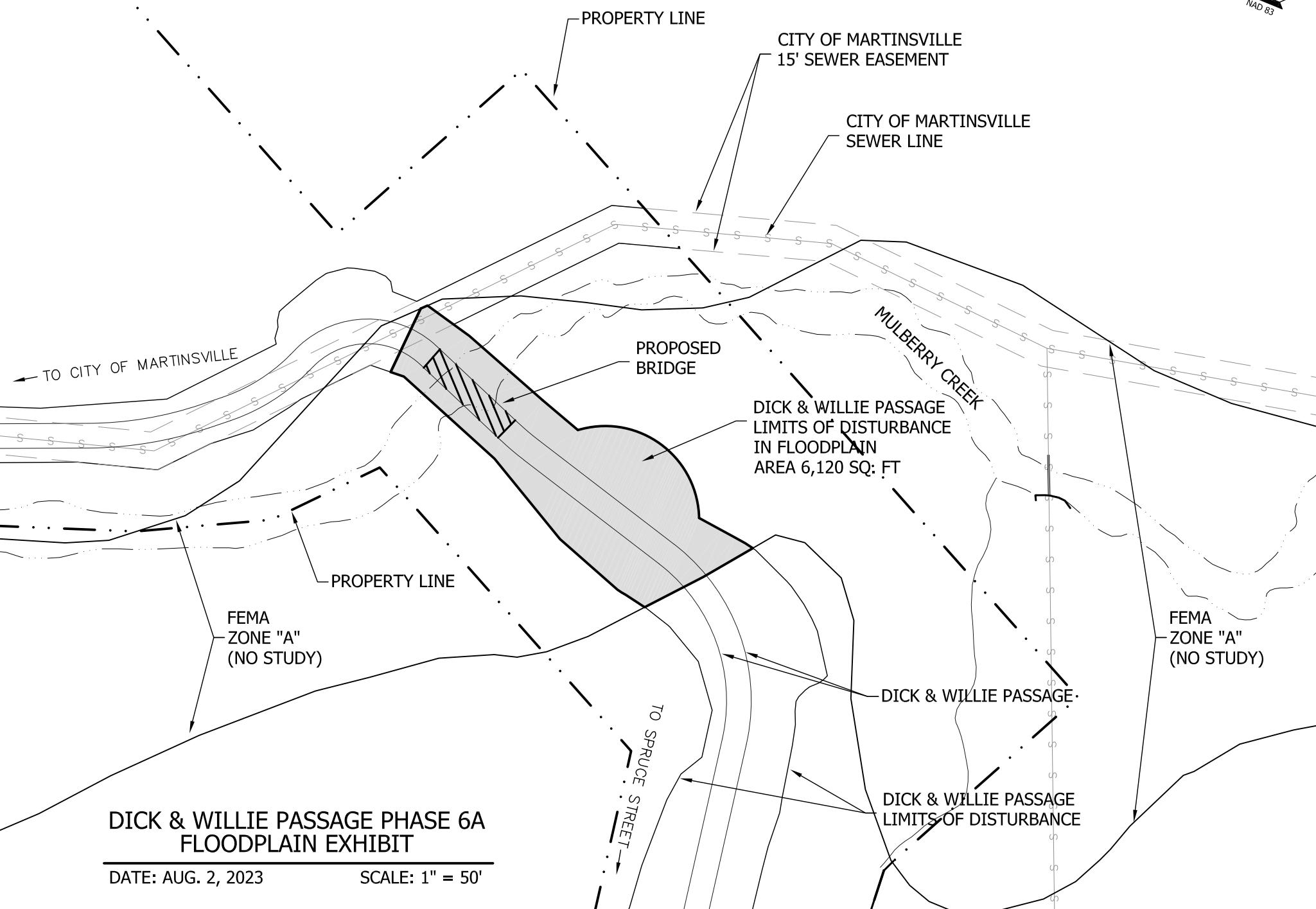
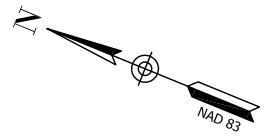
Erase

Save Session

Tools

More Data





## OPINION

Congressional Acres  
Assisted Living

As we age, our needs and circumstances often change. For so many older adults, the challenges that come with age can be overwhelming, and there's nothing more valuable than the peace of mind that comes from knowing you have a home where you can experience your golden years safely and with a high quality of life.

Here at Congressional Acres Assisted Living, we understand these needs. We're here to help your loved one reclaim their independence. Unlike competing assisted living facilities, however, we also allow your loved one to guide the course of American government for decades to come.

Congressional Acres offers two attractive packages: a 435 bed assisted living facility or a 100 bed around-the-clock care facility. Spaces are limited, so we encourage our guests to apply as early as possible.

But how do you know when it's time? As soon as your loved one begins exhibiting signs of confusion or agitation, have them file a Federal Election Commission Statement of Candidacy (Form 2) and state whether they're a new guest to our facility, or if they have already been living with us for two years, state that they're an incumbent. They should also raise at least \$5,000 to help cover living expenses while at



By Ben R. Williams

our facility.

Next, have your loved one vigorously campaign in their district; if they win the approval of their voters come November, they'll be well on their way to a bed at Congressional Acres.

Obviously, some guests need a higher degree of care than others. Fortunately, we have plenty of aides and

interns on staff to help your loved one get dressed, use the restroom, take a shower, or be wheeled into the chamber to introduce legislation or vote on a federal judge.

At Congressional Acres, we allow plenty of time for fun as well! We offer a weekly Bingo night, fun crafts, and an invaluable elective course on insider trading.

All too often in this country, the elderly are sidelined. Their driver's licenses are taken away after just a few fender benders, their ladders are taken away after one too many falls, and their guns are taken away after accidentally shooting just a single mailman.

But here at Congressional Acres, we don't believe the elderly should ever be sidelined, ever, for any reason. They should be free to pass laws, speak their minds, and decide on legislation that will have lasting ramifications

long after they're gone.

As the old saying goes, "A society grows great when old men cut down trees to make vacation homes in which they'll briefly sit."

But don't just take our word for it! Here are some real quotes from actual residents of Congressional Acres:

Chuck G. — "The folks at Congressional Acres are real nice. The heavyset woman in the kitchen always gives me extra corn. I like corn because I'm pretty sure I serve Iowa."

Dianne F. — "I've been here for thirty years and I like it. Except one of those boys keeps stealing my good socks with the grippers on them. I don't know what you're talking about. I've never lived here."

Mitch M. — "Congressional Acres is a wonderful place to live, and uhhhhhh... <47 seconds of silences Goodbye."

News from the 9th:  
Office of Refugee ResettlementMorgan  
Griffith  
Representative

In a March hearing, I asked U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra to come before my Oversight and Investigations (O&I) Subcommittee

to discuss the Office of Refugee Resettlement (ORR). I recently chaired said hearing.

ORR, an agency within HHS, is responsible for the care and placement of unaccompanied children who cross our borders.

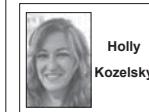
During my opening statement, I thanked him for testifying and said even though he and I don't agree on the Biden policies that brought these children

to our border, once we have taken on the responsibility for them, we must properly care for them.

During the Biden Administration, ORR has faced an unprecedented surge in the number of unaccompanied minors referred to its custody.

For reference, from fiscal years (FY) 2018 through 2020, ORR averaged around 44,500 referrals per year. As of March 31, 2023, the agency had received almost 60,000 referrals in FY2023. This puts the agency on pace for over 120,000 referrals

## Making ice and other side jobs

Holly  
Kozelsky

people would jump right in and suggest some type of pyramid scheme that delivers promises while it squeezes you dry of any and all money you sink into it, but I knew better than to do that.

She lives in Mexico, where life is a whole lot harder than it is here, but people also are a lot more creative than we are on how to get by. We communicate every day with chats over Facebook Messenger and sometimes over video calls too.

While I was hemming and hawing and not coming up with any good answers, she sent a reply: What would I think about her selling ice?

Selling ice? Why, that

would not have occurred to me in a million years.

Sofia lives on the outskirts of Monterrey, a dry and dusty concrete city of more than a million people (yes, it has its lush and beautiful parts, but not so much for the average poor person like my Sofia). She was born and grew up in a lovely remote mountain village where there wasn't any possibility at all of making a living, so she emigrated.

She and her two kids live in a new government-sponsored development of small matching concrete houses in a sea of other developments of small matching concrete houses

See Ice, page 5

NEWS | SPORTS | LOCAL PROGRAMS

**21 BTW**  
Your Neighborhood Network

The Southside's  
#1 Local TV Station

See 9th, page 5

## LEGAL NOTICES

HENRY COUNTY PUBLIC NOTICE  
INTENT TO REMOVE AN UNSAFE STRUCTURE  
RECEIVED  
Sherinta N. Williams-Yates

Pursuant to Section 6-300 of the Henry County Code, NOTICE is hereby given that the owner shall remove the structure which might endanger the public health or safety of other residents of the County or to do so will result in the County having to remove the structure and the cost or expense shall be charged to and paid by the owner and collected as taxes are collected.

PROPERTY IDENTIFICATION - Unsafe structure  
OWNER - Landowner: Sherinta N. Williams-Yates  
PROPERTY LOCATION AND TAX IDENTIFICATION NUMBER  
52 Parkers Creek Ave. - Irwood District  
Henry County, VA 24112  
Tax Map: 53.5017-0000/046X  
Account Number - 175260001

County of Henry  
Charles E. Howell  
Chief Building Inspector  
Telephone (276) 634-4615

**Notice of Public Meeting**  
The City of Martinsville Planning Commission and Martinsville City Council will hold a joint public meeting on August 16, 2023, beginning at 4:00 p.m. and held in Council Chambers of the Martinsville Municipal Building located at 55 West Church Street, Martinsville, VA 24112. The purpose of the meeting is to serve as a work session to discuss development processes within the city. Questions or comments can be directed to Hannah Powell at hpowell@ci.martinsville.vt.us or (276) 403-5156.

Early Notice and Public Review of a Proposed Activity  
Partially within a 100-year Floodplain

It is to give notice that the City of Martinsville under E.O. 11988 has determined that the following proposed action with the Dick & Willis Passage Trail Phase 6a-2 is located in 100 year floodplain and the County will be identifying, identifying and evaluating practicable alternatives to locating the action in the floodplain and the potential impacts on the floodplain from the proposed action as required by Executive Order 11988 and the National Flood Insurance Program (NFIP) regulations at 24 CFR 55.20 Subpart C procedures for making determinations on floodplain management and protection of wetlands.

This trial construction project will utilize funds available through the Appalachian Regional Power Project. Within the IOC's year floodplain project activities include construction of a mile-long segment of the 2.96-mile gap in the Dick & Willis Passage Trail segment between the 1.742' of the Dick & Willis Passage Trail segment and 1.461' sidewall connection. This finding is for Phase 6a, the final mile of the 2.96-mile gap known as Phase 6a. Preliminary design plans anticipate the following floodplain impacts: 156 linear feet of trail and bridge, 6,120 SF of disturbance within the floodplain. The entire Phase 6a trail section will extend from Dick & Willis Passage Trail Phase 5 (to the north) to the Spruce Street trailhead.

There are three primary purposes for this notice. First, people who may be affected by activities in the floodplain and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites or specific management methods to the proposed project. Second, an audience public notice program can be important and public educational tool. The dissemination of information and request for public comment about floodplain could facilitate and enhance federal efforts to reduce the risk impacts associated with the occupancy and modification of the special natural areas. As a matter of fact, the federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk. Written comments must be received by Henry County at the following address on or before August 21, 2023: Henry County, P.O. Box 7, Collinsville, VA 24047, ATTN: Dale Wagoner, County Administrator and Phone: 276-403-5156. A description of the project may be reviewed in the Office of Engineering, 3300 Kings Mountain Road, Martinsville, VA 24112 and may be examined or copied weekdays 8 A.M. to 5 P.M. Comments may also be submitted by email to dwagoner@co.henry.va.us

## ORDER OF PUBLICATION Case No. CJ23000017-00

COMMONWEALTH OF VIRGINIA  
VA. CODE § 1.1-110.1, 1.1-116, 317, 20-104  
HENRY CIRCUIT COURT

3160 Kings Mountain Rd., 3rd Floor, Martinsville, VA 24112  
Commonwealth of Virginia, in re  
Henry-Martinsville Department v. Donald Martin

The object of this suit is to:  
Terminate all residual parental rights to daughter McKenzie Rose Rector.  
It is ORDERED that Donald Martin appear at the above-named court and protect his interests on or before September 21, 2023 at 9:00 a.m.

July 11, 2023

## Notice of Public Hearing

A public hearing will be held before the Martinsville Architectural Review Board on August 17, 2023 at 10:00 a.m. in Council Chambers at the City of Martinsville Municipal Building located at 55 W. Church Street, Martinsville, VA 24112, for those parties in interest to the following requests:

## 1) APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Application of Davinelle Housing Authority, Applicant, and Chief Tassel, LLC, Owners, requesting a Certificate of Appropriateness to allow for the display of signage on business property located within the Martinsville Historic District. The property is located at 51 East Church Street, currently zoned C-UB, Uptown Business District, and operates as a mixed-use development. The building is approximately 17,120 square feet and was constructed in 1929. Changes or addition of signage to buildings within the Historic District require review by the Architectural Review Board and the granting of a Certificate of Appropriateness.

Any comments or questions can be directed to Hannah Powell, Community Development Specialist, at (276) 403-5156 or hpowell@ci.martinsville.vt.us.

COUNTY OF HENRY  
REZONING PUBLIC HEARING NOTICE

Pursuant to Section 15.2-2204 of the Code of Virginia, a series of public hearings has been scheduled for August 9, 2023 at 6:00 p.m. in the Summerlin Meeting Room of the County Administration Building, Kings Mountain Rd, Collinsville, Virginia. Following these public hearings, the Planning Commission will make a recommendation on the applications to the Board of Supervisors.

The Henry County Board of Supervisors will conduct public hearings on the following applications on August 22, 2023 at 6:00 p.m. in the Summerlin Meeting Room of the County Administration Building, Kings Mountain Rd, Collinsville, Virginia.

The purpose of these public hearings is to receive input into the possible rezoning of property. Following are the specifics of the public hearings:

## Case R-23-11 Lonnie D. Eggleston

The property is located at 3180 & 3186 Figsboro Rd, in the Reed Creek District. The Tax Map number is 52.72(2)67. The applicant is requesting the rezoning of approximately 13-acres from Rural Residential District R-2 to Agricultural District A-1. The applicant plans to sell the property to a new owner that wishes to keep chickens and livestock.

## Case R-23-12 Robert K. Mills

The property is located at 792 Fisher Farm Road, in the Red Creek District. The Tax Map number is 52.72(2)67. The applicant is requesting the rezoning of 2 lots from Suburban Residential District S-2 to Commercial District B-1. The applicant wishes to bring the property into zoning compliance to allow for possible expansion.

The applications for these requests may be viewed in the Department of Planning, Zoning & Inspection between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

Lee H. Clark, ACP  
Director of Planning, Zoning & Inspection



## Weekly Publication

Published Each Saturday

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**Give us your view:**  
The Henry County Enterprise encourages letters from our readers on topics of general interest to the community and responses to our articles and columns. Letters must be signed and have a telephone number where you can be reached to be considered for publication. All letters will be verified before publication. The Henry County Enterprise reserves the right to deny publication of any letter and edit letters for length, content and style.

If you have news about or an upcoming event for your organization, company or church, email dhall@theenterprise.net and/or call (276) 694-3101

Be sure to like the  
Henry County Enterprise  
on Facebook



April 1, 2022

Beth Howell, VMRC  
380 Fenwick Road  
Ft. Monroe, VA 23651

**RE: Dick & Willie Passage Trail Project (Phase 6A)**  
**EN-15-044-035, P101, R201, M501, UPC: 107519, TAP-044-2(056)**  
**Non-Tidal Joint Permit Application (revised)**  
**Henry County and Martinsville, Virginia**  
**H&P Project 20171773**

Dear Beth,

Attached, please find a non-tidal Joint Permit Application (JPA) for the proposed Dick & Willie Passage Phase 6A Trail Project in Henry County (east of Martinsville). Please review this JPA, distribute to appropriate regulatory agencies for review and permitting, and call with any questions. No impacts to stream channels with watersheds larger than five square miles are proposed.

#### *Proposed Project*

The proposed project will involve construction of a new 10,742' Dick & Willie Passage Trail segment and 1,461' sidewalk connection (Phase 6A). This new trail section will extend from Dick & Willie Passage Trail Phase 5 (to the north) to the Spruce Street trailhead (to the south). To help minimize impacts and maintenance issues, the new trail will be located primarily within an existing cleared sanitary sewer line easement along the east side of Mulberry Creek. Due to its location within the Mulberry Creek floodplain, some culvert/piping (and culvert outlet riprap apron) impacts to tributaries and small adjacent wetland areas will be unavoidable. One aerial bridge crossing of Mulberry Creek is also planned near the southern / downstream terminus of this trail segment. The adjacent first-order tributary streams all have drainage areas less than 0.1 square mile each, and third-order Mulberry Creek has an approximate watershed area of 2.6 square miles. **Total proposed stream and wetland impacts will be:**

**Total permanent wetland filling impact: 2,047 sf (0.05 ac)**

**Total permanent stream impact: 268 lf (culvert) + 23 lf (riprap aprons) = 291 lf (13.4 cy fill)**

**Total temporary stream crossing impact: 20 lf (500 sf / 0.01 ac)**

#### *Existing Conditions*

The existing sanitary sewer line was installed in approximately 2007. The sewer line easement is approximately 50-100' wide, is regularly maintained/mowed, and is offset 20-50' east of Mulberry Creek. The 1,442' portion of the new trail corridor between the new Mulberry Creek trail bridge and Spruce Street is mature hardwood forest. Spruce Street itself is an existing roadway.



## Water Quality

The subject property is located within the Smith River-Mulberry Creek watershed (Hydrologic Unit Code 030101030803, RD26), which is part of the larger Upper Dan River Basin. Water quality in Mulberry Creek and its tributaries has not been evaluated by the Virginia Department of Environmental Quality (VDEQ). These stream channels are classified as Class III surface waters (Category 3A).

## Floodplains

The Federal Emergency Management Agency (FEMA) online Flood Insurance Rate Map (FIRM) FIRMette mapping system indicates the presence of a mapped 80-100' wide Flood Hazard Area Zone A (100-year floodplain) along Mulberry Creek (per FEMA FIRMette Map Panel 51089C0162C, dated 9/26/2008). However, the majority of the regulated flood zone width is west of Mulberry Creek, rather than to the east (where the new trail corridor is located).

## Protected Species

To document the potential presence of protected species nearby, records from three databases were reviewed for this report. These included the U.S. Fish and Wildlife Service (USFWS) ECOS-IPaC online system, the Virginia [Department of Wildlife Resources \(VDWR\)](#) VAFWIS online system, and the Virginia Department of Conservation and Recreation (VDCR) Natural Heritage Database Explorer (NHDE) online system. These databases indicated the potential presence of the following species in the surrounding area:

**Table 1: Protected Species**

<b>VDWR VAFWIS (common name)</b>	<b>Scientific name</b>	<b>Organism</b>	<b>Classification</b>
Roanoke logperch	<i>Percina rex</i>	Fish	FESE
James spiny mussel	<i>Parvula opercularis</i>	Mussel	FESE
Northern long-eared bat	<i>Myotis septentrionalis</i>	Mammal	FTST
Little brown bat	<i>Myotis lucifugus</i>	Mammal	SE
Tri-colored bat	<i>Perimyotis subflavus</i>	Mammal	SE
Loggerhead shrike	<i>Lanius ludovicianus</i>	Bird	ST
Orangetint madtom	<i>Noturus gilberti</i>	Fish	ST
Migrant loggerhead shrike	<i>Lanius ludovicianus migrans</i>	Bird	ST
<b>VDCR NHDE (common name)</b>	<b>Scientific name</b>	<b>Organism</b>	<b>Classification</b>
N/A	N/A	N/A	N/A
<b>USFWS IPaC (common name)</b>	<b>Scientific name</b>	<b>Organism</b>	<b>Classification</b>
Northern long-eared bat	<i>Myotis septentrionalis</i>	Mammal	FTST

FE – Federal Endangered, FT – Federal Threatened, SE – State Endangered, ST – State Threatened

Three aquatic species (two fish, and one mussel) and five terrestrial species (three bats, and two birds) were noted by the VAFWIS database. USFWS records included only northern long-eared bat. VDCR records did not include any listed Threatened or Endangered species. The proposed project should avoid significant impacts to forested terrestrial habitat, and should have only limited impacts to small first-order stream aquatic habitat. The affected stream channels are generally small (less than three feet width, and generally less than four inches deep), and are unlikely to provide suitable habitat for the noted aquatic species. The existing sewer line corridor is actively mowed/maintained. While this is limiting the extent of forest canopy somewhat, the mowed corridor does help maintain an ecotone area between adjacent upland habitats (which can benefit many species). To help minimize the potential for impacting these species, no tree clearing is proposed during the typical April 15-September 15 bat time-of-year restriction (TOYR) period (which also includes typical avian breeding seasons).



According to available VAFWIS records, Roanoke logperch were observed by VDEQ in the Smith River in 1999 (approximately 2.1 miles south of the project corridor). VAFWIS records also note that little brown bat observations were made nearby in 2006 (one mile southwest of project corridor) and in 2010 (two miles west of corridor). There were no confirmed sightings of the other noted species in proximity to the project corridor, though suitable terrestrial habitat may exist for various bat and bird species.

#### **Cultural Resources**

Available records from the Virginia Department of Historic Resources (VDHR) V-CRIS system have been evaluated for the proposed project site, to determine if any on-site or nearby resources are Eligible for Listing on the National Register of Historic Places (NRHP). VDHR-mapped cultural resources include the following:

**Table 2: Cultural Resources**

Resource	VDHR ID	Location	VDHR Determination
Open-Air Terrestrial Site	44HR0037	Within 200' of trail	Not Evaluated

The noted open-air terrestrial archaeological site was investigated in 1969 by a volunteer, and various artifacts were recovered. The VDHR V-CRIS system also notes 'Ballast Siding' as a previous/relic geographic location approximately 1,400' east of the trail project corridor. VDHR does not indicate the presence of a mapped cultural resource here, though. Ballast Siding may be a relic location associated with the previous Dick & Willie Railroad network.

#### **Conclusion**

Please contact us with any questions regarding this project. We can be reached at 540.520.1533 or via email (at [bleatherland@handp.com](mailto:bleatherland@handp.com)).

Sincerely,  
**HURT & PROFFITT, INC.**

A handwritten signature in black ink, appearing to read 'Ben Leatherland'.

Ben Leatherland, PWD, PWS  
Sr. Environmental Scientist

Attachments:      Attachment A - Joint Permit Application Form  
                            Attachment B - Maps and Figures  
                            Attachment C - Photographs  
                            Attachment D - Protected Species Database Records  
                            Attachment E - Cultural Resource Records  
                            Attachment F - Construction Drawing Excerpts

cc:    Henry County (File)  
          File



## **ATTACHMENT A**

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### **JOINT PERMIT APPLICATION**



Nationwide Permits (NWP) Effective **February 25, 2022**  
Clean Water Act (CWA) Section 401 Certification Compliance  
**(INITIAL ALL THAT APPLY)**

I am applying for written verification from the USACE of one or more of the following Nationwide Permits (NWP): **1, 2, 9, 10, 24, and 32**. As the VDEQ waived §401 Water Quality Certification for these NWPs, no further action needed.

I am applying for written verification from the USACE of **NWP 17**. As the DEQ denied General §401 Certification for this NWP, I understand that I must apply to the VDEQ for an Individual §401 Water Quality Certification decision.

I am applying for written verification of one or more of the following NWPs: **4, 5, 6, 7, 8, 11, 15, 19, 20, 23, 25, 28, 30, 31, 34, 35, 37, 38, 41, 45, 46, 49, 53, and 54**. PLEASE SELECT ONE OF THE FOLLOWING.

I attest that my project complies/will comply with all of the VDEQ's General §401 Water Quality Certification Conditions (A.1-A.12) listed in Appendix A.

**OR**

I am applying to the VDEQ for a VWP Permit or Coverage decision and/or an Individual §401 Water Quality Certification decision.

I am applying for written verification of one or more of the following NWPs: **3, 13, 14, 16, 18, 22, 27, 33, 36, 59**. PLEASE SELECT ONE OF THE FOLLOWING.

I attest that my project complies/will comply with all of the NWP-specific, General §401 Water Quality Certification Conditions (A.1-A.12 listed in Appendix A.), and impact thresholds.

**OR**

I am applying to the VDEQ for a VWP Permit or Coverage decision and/or an Individual §401 Water Quality Certification decision.

Applicant/Agent Signature and Date

Dick & Willie Passage Trail, Phase 6A

Project Name

**FOR AGENCY USE ONLY**

		Notes:
JPA#		

## **APPLICANTS**

**PLEASE PRINT OR TYPE ALL ANSWERS.** If a question does not apply to your project, please print N/A (not applicable) in the space provided. *If additional space is needed, attach extra 8 1/2 x 11 inch sheets of paper.*

<b><i>Check all that apply</i></b>			
<input type="checkbox"/> Pre-Construction Notification (PCN) <input checked="" type="checkbox"/> NWP # 23 <input type="checkbox"/> RP # 05 <small>(For NWPs &amp; RP 05 ONLY - No DEQ-VWP permit writer will be assigned)</small>	<input type="checkbox"/> SPGP	<input type="checkbox"/> DEQ Reapplication Existing permit number: <hr/>	<input type="checkbox"/> Receiving federal funds Agency providing funding: <hr/>
<input type="checkbox"/> Regional Permit 17 Checklist (RP-17)			

### **PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)**

Historical information for past permit submittals can be found online with VMRC - <https://webapps.mrc.virginia.gov/public/habitat/> - or VIMS - <http://ccrm.vims.edu/permis/newpermits.html>

Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial
USACE	NWP 23 permit authorization	NAO-2017-00615	4/26/2021	N/A
USACE	PJD approval	NAO-2017-00615	2/18/2021	N/A

### **1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION**

The applicant(s) is/are the legal entity to which the permit may be issued (see How to Apply at beginning of form). The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is representing the applicant(s). If a company, please also provide the company name that is registered with the State Corporation Commission (SCC), or indicate no registration with the SCC.

Legal Name(s) of Applicant(s) Henry County (Tim Pace, PE)			Agent (if applicable) Hurt & Proffitt, Inc.		
Mailing address PO Box 7			Mailing address 2524 Langhorne Road		
City Collinsville		State VA	ZIP Code 24078	City Lynchburg	State VA
ZIP Code 24078	State VA	ZIP Code 24501			
Phone number w/area code 276-634-4601	Fax N/A		Phone number w/area code 434.847.7796	Fax 434.847.0047	
Mobile 276-732-1182	E-mail tpace@co.henry.va.us		Mobile 540.520.1533	E-mail bleatherland@handp.com	
State Corporation Commission Name and ID number (if applicable) N/A			State Corporation Commission Name and ID number (if applicable) Fed Tax ID 54-0924377, SCC 0142895-2		
<i>Certain permits or permit authorizations may be provided via electronic mail. If the applicant wishes to receive their permit via electronic mail, please provide an e-mail address here:</i> <u>tpace@co.henry.va.us, bleatherland@handp.com</u>					

## 1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION (Continued)

Property owner(s) legal name, if different from applicant <b>Same as above</b>			Contractor, if known			
Mailing address			Mailing address			
City		State	ZIP code	City	State	ZIP code
Phone number w/area code	Fax		Phone number w/area code		Fax	
Mobile	E-mail		Mobile	E-mail		
State Corporation Commission Name and ID number (if applicable)			State Corporation Commission Name ID number (if applicable)			

## 2. PROJECT LOCATION INFORMATION

(Attach a copy of a detailed map, such as a USGS topographic map or street map showing the site location and project boundary, so that it may be located for inspection. Include an arrow indicating the north direction. Include the drainage area if the SPGP box is checked on Page 7.)

Street Address (911 address if available) <b>N/A</b>	City/County/ZIP Code <b>Henry County, VA 24112</b>		
Subdivision <b>N/A</b>	Lot/Block/Parcel # 43.4(026)000/013,15,17,18,19,22, and 25B, and 42.9(012)000/025A		
Name of water body(ies) within project boundaries and drainage area (acres or square miles). <b>Mulberry Creek (2.6 sq mile watershed) / Spruce Street storm drains flow to tributaries (but no stream impact)</b>			
Tributary(ies) to: <u>Mulberry Creek</u> Basin: <u>Upper Dan River</u> Sub-basin: <u>Lower Smith River</u> (Example: Basin: <u>James River</u> Sub-basin: <u>Middle James River</u> )			
Special Standards (based on DEQ Water Quality Standards 9VAC25-260 et seq.): <u>N/A (VDEQ Class III, Category 3A surface waters)</u>			
Project type (check one)	<input type="checkbox"/> Single user (private, non-commercial, residential) <input checked="" type="checkbox"/> Multi-user (community, commercial, industrial, government) <input type="checkbox"/> Surface water withdrawal		
Latitude and longitude at center of project site (decimal degrees): <u>36.681343 N</u> / <u>-79.835670 W</u> (Example: 37.33164/-77.68200)			
USGS topographic map name: <u>Martinsville East, Virginia</u>			
8-digit USGS Hydrologic Unit Code (HUC) for your project site (See <a href="http://cfpub.epa.gov/surf/locate/index.cfm">http://cfpub.epa.gov/surf/locate/index.cfm</a> ): <u>03010103</u> If known, indicate the 10-digit and 12-digit USGS HUCs (see <a href="http://consapps.dcr.virginia.gov/htdocs/maps/HUExplorer.htm">http://consapps.dcr.virginia.gov/htdocs/maps/HUExplorer.htm</a> ): <u>0301010308 Lower Smith River (VAHUS: RD-F)</u> <u>030101030803 Smith River - Mulberry Creek (VAHUS: RD26)</u>			
Name of your project (Example: <i>Water Creek driveway crossing</i> ) <u>Dick &amp; Willie Passage Phase 6A Trail Project</u>			
Is there an access road to the project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No. If yes, check all that apply: <input type="checkbox"/> public <input type="checkbox"/> private <input type="checkbox"/> improved <input type="checkbox"/> unimproved			
Total size of the project area (in acres): <u>Approximately 8.3 acres</u>			

## 2. PROJECT LOCATION INFORMATION (Continued)

Provide driving directions to your site, giving distances from the best and nearest visible landmarks or major intersections:

From Martinsville, take Spruce St southeast. After passing the intersection with Spruce St Extension/Grattan Rd, the proposed trail will connect to the northeast side of Spruce St and will continue north to the existing Phase 5 segment.

Does your project site cross boundaries of two or more localities (i.e., cities/counties/towns)?  Yes  No

If so, name those localities:

### 3. DESCRIPTION OF THE PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, PROJECT NEED, INTENDED USE(S), AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

- The purpose and need must include any new development or expansion of an existing land use and/or proposed future use of residual land.
- Describe the physical alteration of surface waters, including the use of pilings (#, materials), vibratory hammers, explosives, and hydraulic dredging, when applicable, and whether or not tree clearing will occur (include the area in square feet and time of year).
- Include a description of alternatives considered and measures taken to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered
- For surface water withdrawals, public surface water supply withdrawals, or projects that will alter in stream flows, include the water supply issues that form the basis of the proposed project.

The proposed project will involve construction of a new 10,742' Dick & Willie Railroad Trail segment (Phase 6A). This new trail section will extend from Dick & Willie Railroad Trail Phase 5 (to the north) to Spruce Street (to the south). To help minimize impacts and maintenance issues, the new trail will be located within an existing cleared sanitary sewer line easement along the east side of Mulberry Creek. Due to its location on the Mulberry Creek floodplain, some culvert/piping (and culvert outlet riprap apron) impacts to tributaries and small adjacent wetland areas will be unavoidable. One aerial bridge crossing (and temporary crossing) of Mulberry Creek is also planned near the southern / downstream terminus of this trail segment. Finally, in locations where the adjacent Mulberry Creek streambank is close to the proposed trail corridor, some limited streambank stabilization is also proposed. The adjacent first-order tributary streams all have drainage areas less than 0.1 square mile each, and third-order Mulberry Creek has an approximate watershed area of 2.6 square miles.

Date of proposed commencement of work (MM/DD/YYYY) <u>06/01/2022</u>	Date of proposed completion of work (MM/DD/YYYY) <u>06/01/2023</u>
Are you submitting this application at the direction of any state, local, or federal agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Has any work commenced or has any portion of the project for which you are seeking a permit been completed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.

N/A

Are you aware of any unresolved violations of environmental law or litigation involving the property?  Yes  No  
(If yes, please explain)

N/A

#### 4. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: \$ 2,250,000

Approximate cost of only the portion of the project affecting state waters (channelward of mean low water in tidal areas and below ordinary high water mark in nontidal areas): \$ 80,000

#### 5. PUBLIC NOTIFICATION (Attach additional sheets if necessary)

Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove. If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line. Per Army Regulation (AR 25-51) outgoing correspondence must be addressed to a person or business.

**Failure to provide this information may result in a delay in the processing of your application by VMRC.**

Property owner's name	Mailing address	City	State	ZIP code
Christine Kellam	274 Park Lane	Martinsville	VA	24112
HN and Thomas Dyer	PO Box 1406	Charlottesville	VA	22902
HN and Thomas Dyer	PO Box 1406	Charlottesville	VA	22902
HN and Thomas Dyer	PO Box 1406	Charlottesville	VA	22902
Thomas Dyer	PO Box 889	Rural Hall	NC	27045

Name of newspaper having general circulation in the area of the project: The Martinsville Bulletin

Address and phone number (including area code) of newspaper  
PO Box 3711 (204 Broad Street), Martinsville, VA 24115 (276-638-8801)

Have adjacent property owners been notified with forms in Appendix A?  Yes  No (attach copies of distributed forms)

#### 6. THREATENED AND ENDANGERED SPECIES INFORMATION

Please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts, such as database search results or confirmed waters and wetlands delineation/jurisdictional determination. Include information when applicable regarding the location of the project in Endangered Species Act-designated or -critical habitats. Contact information for the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Virginia Dept. of Game and Inland Fisheries, and the Virginia Dept. of Conservation and Recreation-Division of Natural Heritage can be found on page 4 of this package.

#### 7. HISTORIC RESOURCES INFORMATION

*Note: Historic properties include but are not limited to archeological sites, battlefields, Civil War earthworks, graveyards, buildings, bridges, canals, etc. Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the USACE from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the USACE, after consultation with the Advisory Council on Historic Preservation (AChP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.*

Are any historic properties located within or adjacent to the project site?  Yes  No  Uncertain  
If Yes, please provide a map showing the location of the historic property within or adjacent to the project site.

Are there any buildings or structures 50 years old or older located on the project site?  Yes  No  Uncertain  
If Yes, please provide a map showing the location of these buildings or structures on the project site.

Is your project located within a historic district?  Yes  No  Uncertain

If Yes, please indicate which district: N/A

## 7. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?

Yes  No  Uncertain

If Yes, please provide the following information: Date of Survey: N/A

Name of firm: N/A

Is there a report on file with the Virginia Department of Historic Resources?  Yes  No  Uncertain

Title of Cultural Resources Management (CRM) report: N/A

Was any historic property located?  Yes  No  Uncertain

## 8. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 17.

	Impact site number 1	Impact site number 2	Impact site number 3	Impact site number 4	Impact site number 5
Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO (Example: F, NT, PE, V)	See Attached				
Latitude / Longitude (in decimal degrees)					
Wetland/waters impact area (square feet / acres)					
Dune/beach impact area (square feet)					
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)					
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)					

**Dick & Willie Passage Trail Phase 6 Project**

Impact Site	New and Replacement Culverts (net impact)							
	1	2	4	5	8	11	21	24
Feature	Stream 1	Stream 2	Stream 3	Stream 4	Stream 5	Stream 6	Stream 7	Stream 8
Impact Description	F, NT, PE, IN, NV	F, NT, PE, IN, NV	F, NT, PE, PR, NV	F, NT, PE, IN, NV	F, NT, PE, PR, NV			
Latitude	36.687768 N	36.685790 N	36.684308 N	36.683295 N	36.681763 N	36.681204 N	36.676442 N	36.674493 N
Longitude	-79.834394 W	-79.834244 W	-79.833964 W	-79.834511 W	-79.835289 W	-79.835808 W	-79.839771 W	-79.839011 W
Wetland/Waters Impact Area (sf)	0	0	0	0	0	0	0	0
Wetland/Waters Impact Area (acres)	0	0	0	0	0	0	0	0
Dune/Beach Impact Area	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stream Dimensions at Impact Site (length, in lf)	36	45	28	31	30	35	29	34
Stream Dimensions at Impact Site (ave width, in ft)	2	2	3	2	1.5	1.5	2	3
Stream Dimensions at Impact Site (area, in sf)	72	90	84	62	45	52.5	58	102
Volume of Fill Below OHWM (cy)	1.3	1.7	2.3	1.1	0.8	1.0	1.1	1.9
Cowardin Classification / Stream Classification	G4c/G5c	G4c/G5c	G4c/G5c	G4c/G5c	G4c/G5c	G4c/G5c	G4c/G5c	G4c/G5c
Ave. Stream Flow (cfs)	< 5	< 5	< 5	< 5	< 5	< 5	< 5	< 5
Contributing Drainage Area (ac)	11	22	32	23	6	6	14	44
DEQ Classification	Class III	Class III	Class III	Class III	Class III	Class III	Class III	Class III
Station (STA)	9+25	17+25	23+00	27+50	33+50	36+75	73+00	81+50

Impact Site	Riprap Outlet Apron Stabilization (Along Mulberry Creek Streambank)					Bridge	Temp Crossing
	3	13	14	18	23		
Feature	Mulberry Creek	Mulberry Creek	Mulberry Creek	Mulberry Creek	Mulberry Creek	27a	27b
Impact Description	F, NT, PE, PR, NV	F, NT, PE, PR, NV	F, NT, PE, PR, NV	F, NT, PE, PR, NV	F, NT, PE, PR, NV	Mulberry Creek	Mulberry Creek
Latitude	36.684890 N	36.681360 N	36.680270 N	36.679820 N	36.675630 N	NT, PR, NV	F, NT, PE, PR, NV
Longitude	-79.834360 W	-79.836830 W	-79.837520 W	-79.838730 W	-79.839300 W	36.671800 N	36.671800 N
Wetland/Waters Impact Area (sf)	0	0	0	0	0	-79.836800 W	-79.836800 W
Wetland/Waters Impact Area (acres)	0	0	0	0	0	0	0
Dune/Beach Impact Area	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stream Dimensions at Impact Site (length, in lf)	3	5	5	5	5	20	20
Stream Dimensions at Impact Site (ave width, in ft)	25	25	25	25	1.5	25	25
Stream Dimensions at Impact Site (area, in sf)	9	15	15	15	7.5	0	500
Volume of Fill Below OHWM (cy)	0.3	0.6	0.6	0.6	0.1	0.0	0.0
Cowardin Classification / Stream Classification	C4	C4	C4	C4	C4	C4	C4
Ave. Stream Flow (cfs)	20	20	20	20	20	20	20
Contributing Drainage Area (ac)	1,664	1,664	1,664	1,664	1,664	1,664	1,664
DEQ Classification	Class III	Class III	Class III	Class III	Class III	Class III	Class III
Station (STA)	20+75	41+25	46+00	66+50	76+75	93+25	93+25

Impact Site	Wetland Filling							
	6	7	10	12	19	20	22	25
Feature	Wetland A	Wetland B	Wetland C	Wetland D	Wetland E	Wetland E	Wetland E	Wetland F
Impact Description	F, NT, PE, V	F, NT, PE, V	F, NT, PE, V	F, NT, PE, V	F, NT, PE, V	F, NT, PE, V	F, NT, PE, V	F, NT, PE, V
Latitude	36.682797	36.681763	36.68127	36.68127	36.677070 N	36.676442	36.6764007	36.6764007
Longitude	-79.834693	-79.835289	-79.83575	-79.83575	-79.840800 W	-79.839771	-79.839568	-79.838568
Wetland/Waters Impact Area (sf)	436	0	0	0	0	871	305	436
Wetland/Waters Impact Area (acres)	0.010	0.000	0.000	0.000	0.000	0.020	0.007	0.010
Dune/Beach Impact Area	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stream Dimensions at Impact Site (length, in lf)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stream Dimensions at Impact Site (ave width, in ft)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Stream Dimensions at Impact Site (area, in sf)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Volume of Fill Below OHWM (cy)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cowardin Classification / Stream Classification	PEM1A	PEM1A	PEM1A	PEM1A	PEM1A	PEM1A	PEM1A	PEM1A
Ave. Stream Flow (cfs)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Contributing Drainage Area (ac)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DEQ Classification	Class VII	Class VII	Class VII	Class VII	Class VII	Class VII	Class VII	Class VII
Station (STA)	29+00	33+50	36+75	37+00	68+00	72+75	73+25	83+25

Total proposed culvert length (impact), lf:	268
Total proposed culvert fill volume (impact), cy:	11.3
Total riprap outlet apron/streambank stabilization (impact), lf:	23
Total riprap outlet apron/streambank stabilization (impact), cy:	2.1
Total wetland filling volume (impact), ac:	0.047
Total wetland filling volume (impact), sf:	2,047
Temporary stream crossing impact, ac:	0.011
Temporary stream crossing impact, sf:	500

Note: No impacts at the following riprap aprons locations, since no fill material is proposed below the OHWM elevation:

Impact Site	15	16	17	26
Station (STA)	49+25	53+75	59+25	84+25

## 8. WETLANDS/WATERS IMPACT INFORMATION (Continued)

Cowardin classification of impacted wetland/water or geomorphological classification of stream <i>Example wetland: PFO; Example stream: 'C' channel and if tidal, whether vegetated or non-vegetated wetlands per Section 28.2-1300 of the Code of Virginia</i>	See Attached				
Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second) and method of deriving it (gage, estimate, etc.)					
Contributing drainage area in acres or square miles (VMRC cannot complete review without this information)					
DEQ classification of impacted resource(s): Estuarine Class II Non-tidal waters Class III Mountainous zone waters Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII <a href="https://law.lis.virginia.gov">https://law.lis.virginia.gov</a>					
<b>For DEQ permitting purposes, also submit as part of this section a wetland and waters boundary delineation map – see (3) in the Footnotes section in the form instructions.</b>					
<b>For DEQ permitting purposes, also submit as part of this section a written disclosure of all wetlands, open water, or streams that are located within the proposed project or compensation areas that are also under a deed restriction, conservation easement, restrictive covenant, or other land-use protective instrument.</b>					

## 9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS

### READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING

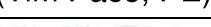
**PRIVACY ACT STATEMENT:** The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

**CERTIFICATION:** I am hereby applying for permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS (Continued)**

Is/Are the Applicant(s) and Owner(s) the same?  Yes  No

Legal name & title of Applicant <b>Henry County, VA (Tim Pace, PE)</b>	Second applicant's legal name & title, if applicable <b>N/A</b>
Applicant's signature 	Second applicant's signature
Date <b>4/5/22</b>	Date
Property owner's legal name, if different from Applicant	Second property owner's legal name, if applicable
Property owner's signature, if different from Applicant	Second property owner's signature
Date	Date

**CERTIFICATION OF AUTHORIZATION TO ALLOW AGENT(S) TO ACT ON APPLICANT'S(S') BEHALF (IF APPLICABLE)**

I (we), Henry County, VA (and) N/A,  
APPLICANT'S LEGAL NAME(S) – complete the second blank if more than one Applicant

hereby certify that I (we) have authorized Hurt & Proffitt (and) N/A  
AGENT'S NAME(S) – complete the second blank if more than one Agent

to act on my (our) behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. I (we) hereby certify that the information submitted in this application is true and accurate to the best of my (our) knowledge.

Applicant's signature 	Second applicant's signature, if applicable
Date 4/5/22	Date
Agent's signature and title	Second agent's signature and title, if applicable
Date	Date

## **CONTRACTOR ACKNOWLEDGEMENT (IF APPLICABLE)**

I (we), \_\_\_\_\_ (and) \_\_\_\_\_,  
APPLICANT'S LEGAL NAME(S) – complete the second blank if more than one Applicant

have contracted \_\_\_\_\_ (and) \_\_\_\_\_  
CONTRACTOR'S NAME(S) – complete the second blank if more than one Contractor

to perform the work described in this Joint Permit Application, signed and dated \_\_\_\_\_:

I (we) will read and abide by all conditions as set forth in all federal, state, and local permits as required for this project. I (we) understand that failure to follow the conditions of the permits may constitute a violation of applicable federal, state, and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes.

In addition, I (we) agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If I (we) fail to provide the applicable permit upon request, I (we) understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all of the terms and conditions.

Contractor's name or name of firm (printed/typed)	Contractor's or firm's mailing address	
Contractor's signature and title	Contractor's license number	Date
Applicant's signature	Second applicant's signature, if applicable	
Date	Date	

## ~~17. DREDGING, MINING, AND EXCAVATING (Continued)~~

*For mining projects:* On separate sheets of paper, explain the operation plans, including: 1) the frequency (e.g., every six weeks), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in water body segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list (available at <http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/TMDLProgramPriorities.aspx>) or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL (see, "What's in my backyard" or subsequent spatial files at <http://www.deq.virginia.gov/ConnectWithDEQ/VEGIS.aspx> to determine the extent of TMDL watersheds and impairment segments).

Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? \_\_\_\_\_ Yes \_\_\_\_\_ No If Yes:  
Existing permit number: \_\_\_\_\_ Date permit issued: \_\_\_\_\_

Contributing drainage area: _____ square miles	Average stream flow at site (flow rate under normal rainfall conditions): _____ cfs
--	---

## ~~18. FILL (not associated with backfilled shoreline structures) AND OTHER STRUCTURES (other than piers and boathouses) IN WETLANDS OR WATERS, OR ON DUNES/BEACHES~~

Source and composition of fill material (percentage sand, silt, clay, rock):

On-site clean fill soil (loam, 30% sand, 30% clay, 30% silt), new culvert pipe, and clean quarried riprap

Provide documentation (i.e., laboratory results or analytical reports) that *fill* material from *off-site* locations is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e., bill of lading from commercial supplier or disposal site). Documentation is not necessary for fill material obtained from on-site areas.

Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any):

Fill is required for culvert installations, riprap is necessary for energy dissipation at culvert outlets

Describe any structure that will be placed in wetlands/waters or on a beach dune and its purpose:

Some fill soil will be required in wetland areas, to create a stable recreational trail surface

Will the structure be placed on pilings? _____ Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Total area occupied by any structure. _____ Square Feet
How far will the structure be placed channelward from the back edge of the dune? _____ feet	How far will the structure be placed channelward from the back edge of the beach? _____ feet

## ~~19. NONTIDAL STREAM CHANNEL MODIFICATIONS FOR RESTORATION OR ENHANCEMENT, or TEMPORARY OR PERMANENT RELOCATIONS~~

*If proposed activities are being conducted for the purposes of compensatory mitigation, please attach separate sheets of paper providing all information required by the most recent version of the stream assessment methodology approved by the Norfolk District of the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality, in lieu of completing the questions below. Required information outlined by the methodology can be found at:*  
<http://www.nao.usace.army.mil/Missions/Regulatory/UnifiedStreamMethodology.aspx> or  
<http://www.deq.virginia.gov/Programs/Water/WetlandsStreams/Mitigation.aspx>.

*For all projects proposing stream restoration provide a completed Natural Channel Design Review Checklist and Selected Morphological Characteristics form. These forms and the associated manual can be located at:*

<https://www.fws.gov/chesapeakebay/StreamReports/NCD%20Review%20Checklist/Natural%20Channel%20Design%20Checklist%20Doc%20V2%20Final%2011-4-11.pdf>

Has the stream restoration project been designed by a local, state, or federal agency? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, please include the name of the agency here: \_\_\_\_\_.

Is the agency also providing funding for this project? \_\_\_\_\_ Yes \_\_\_\_\_ No

Stream dimensions at impact site (length and average width in linear feet, and area in square feet):  
L: \_\_\_\_\_ (feet) AW: \_\_\_\_\_ (feet) Area: \_\_\_\_\_ (square feet)

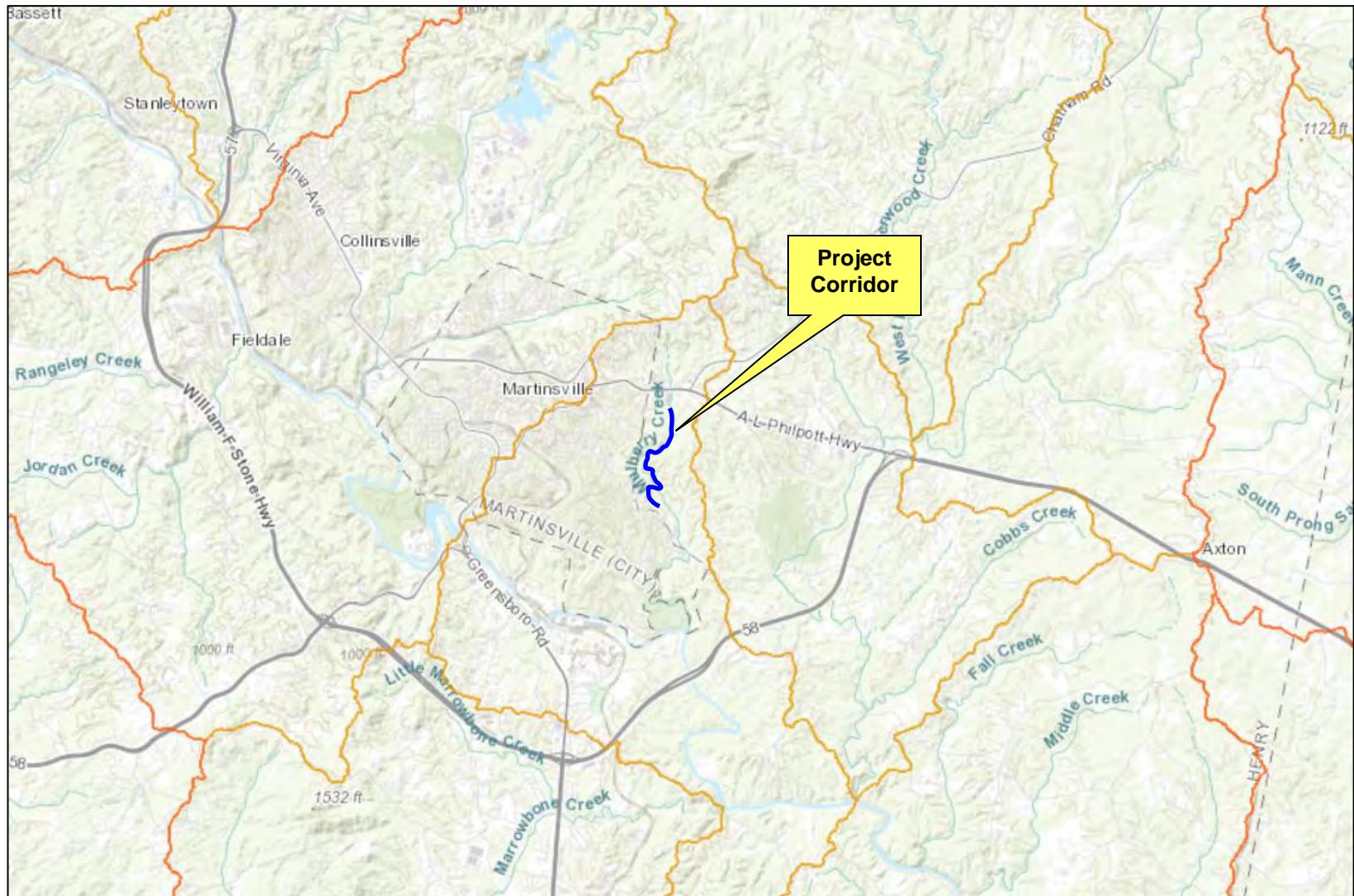
Contributing drainage area: \_\_\_\_\_ acres or \_\_\_\_\_ square miles



## **ATTACHMENT B**

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### **MAPS AND FIGURES**



**HURT & PROFFITT**  
INCORPORATE

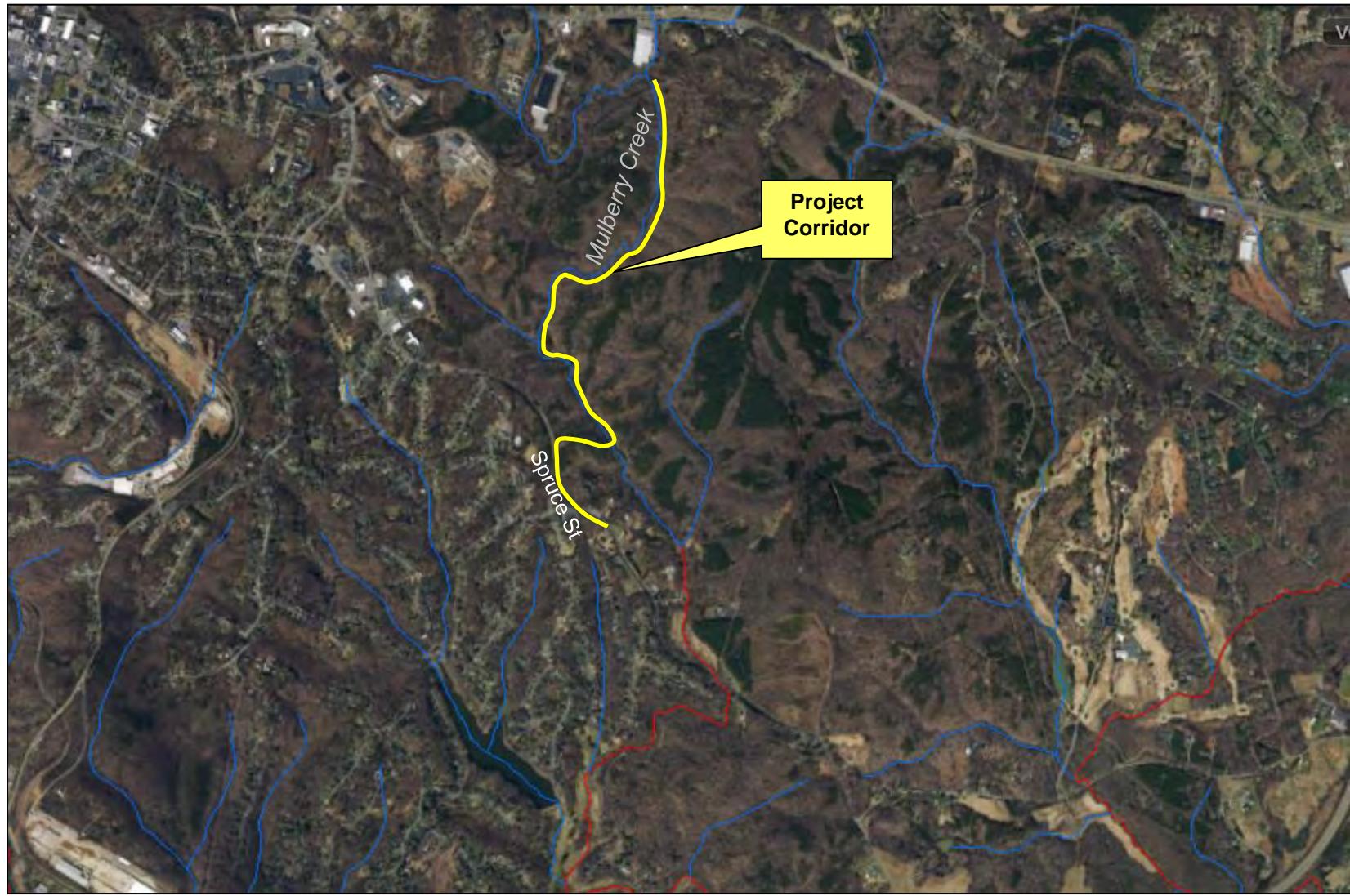
2524 LANGHORNE ROAD  
LYNCHBURG, VA 24501  
800.242.4906 TOLL FREE  
434.847.7796 MAIN  
434.847.0047 FAX  
[WWW.HANDP.COM](http://WWW.HANDP.COM)

### Dick & Willie Passage Trail (Phase 6A) Henry County, Virginia

Source: VDEQ Hydrologic Unit Explorer (2020) NTS

**Figure 1**  
Watershed  
Map





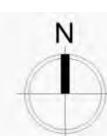
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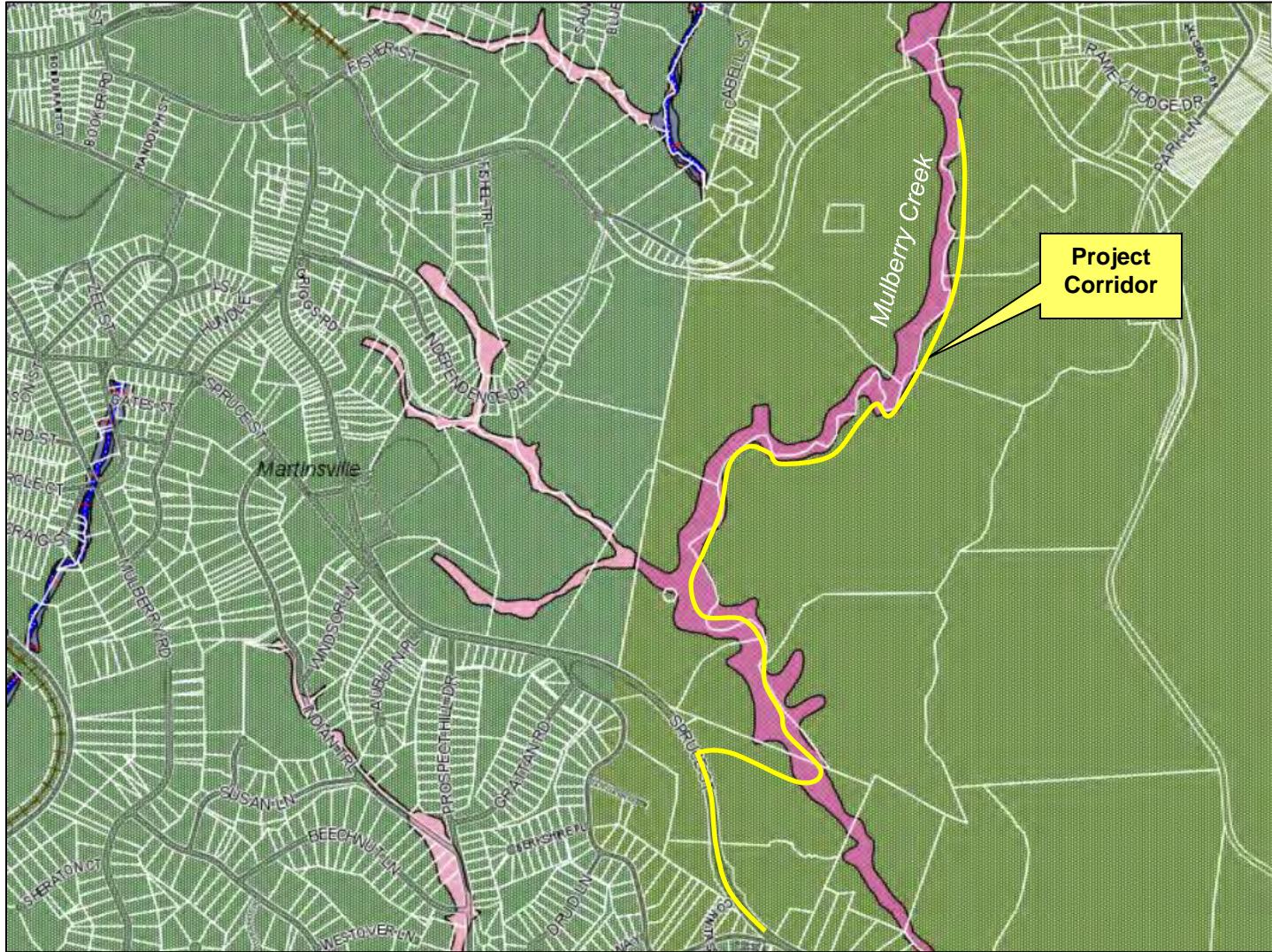
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### Dick & Willie Passage Trail (Phase 6A) Henry County, Virginia

Source: VDEQ VEGIS system (2020) NTS

**Figure 2**  
Aerial  
Photograph





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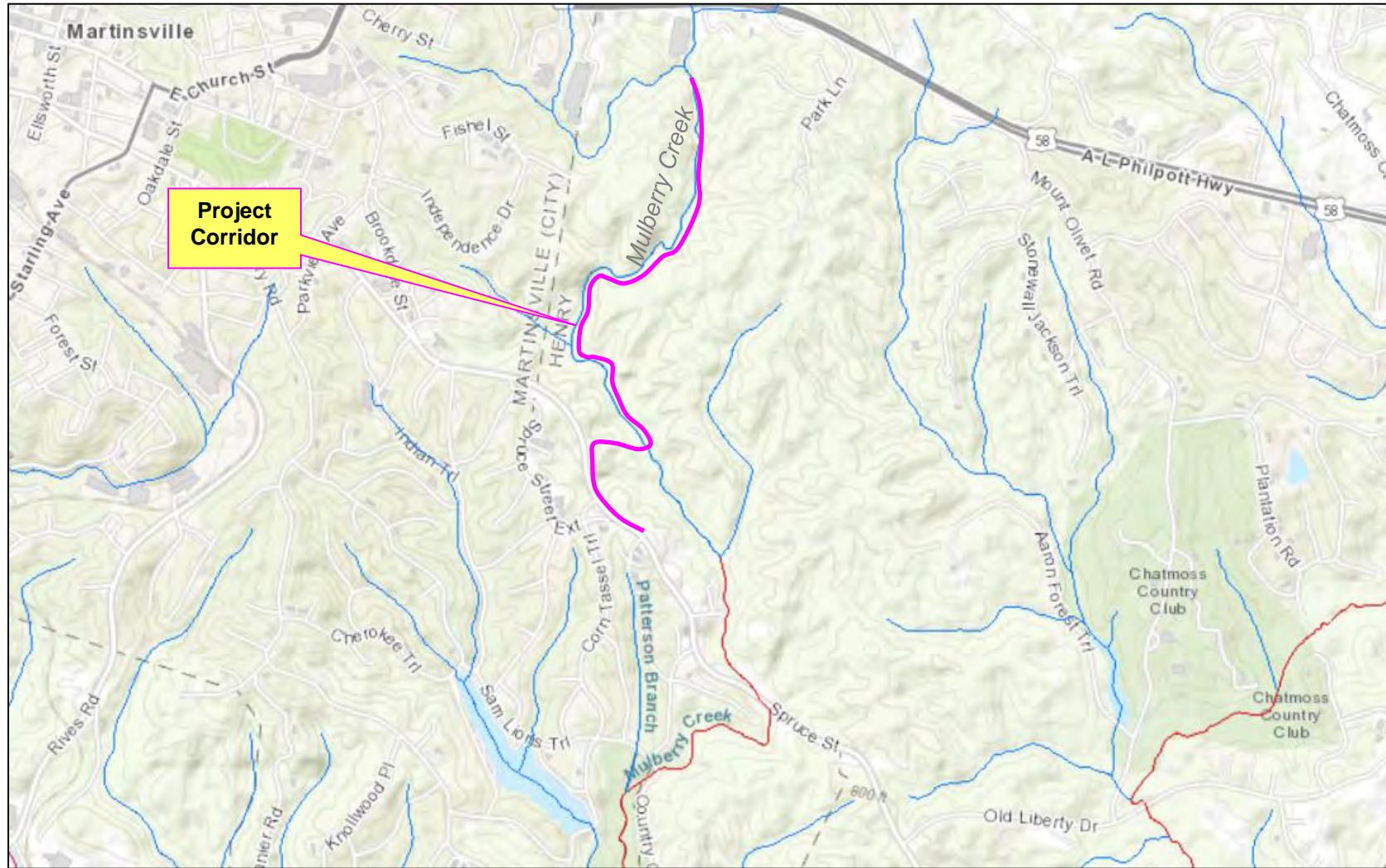
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### Dick & Willie Passage Trail (Phase 6A) Henry County, Virginia

Source: Henry County, VA GIS and FEMA FIRMette system (2020), NTS

**Figure 3**  
Floodplain  
Map





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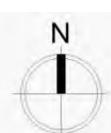
2524 LANGHORNE ROAD  
LYNCHBURG, VA 24501  
800.242.4906 TOLL FREE  
434.847.7796 MAIN  
434.847.0047 FAX  
WWW.HANDP.COM

## **Dick & Willie Passage Trail (Phase 6A) Henry County, Virginia**

Source: VDEQ VEGIS (2020) NTS

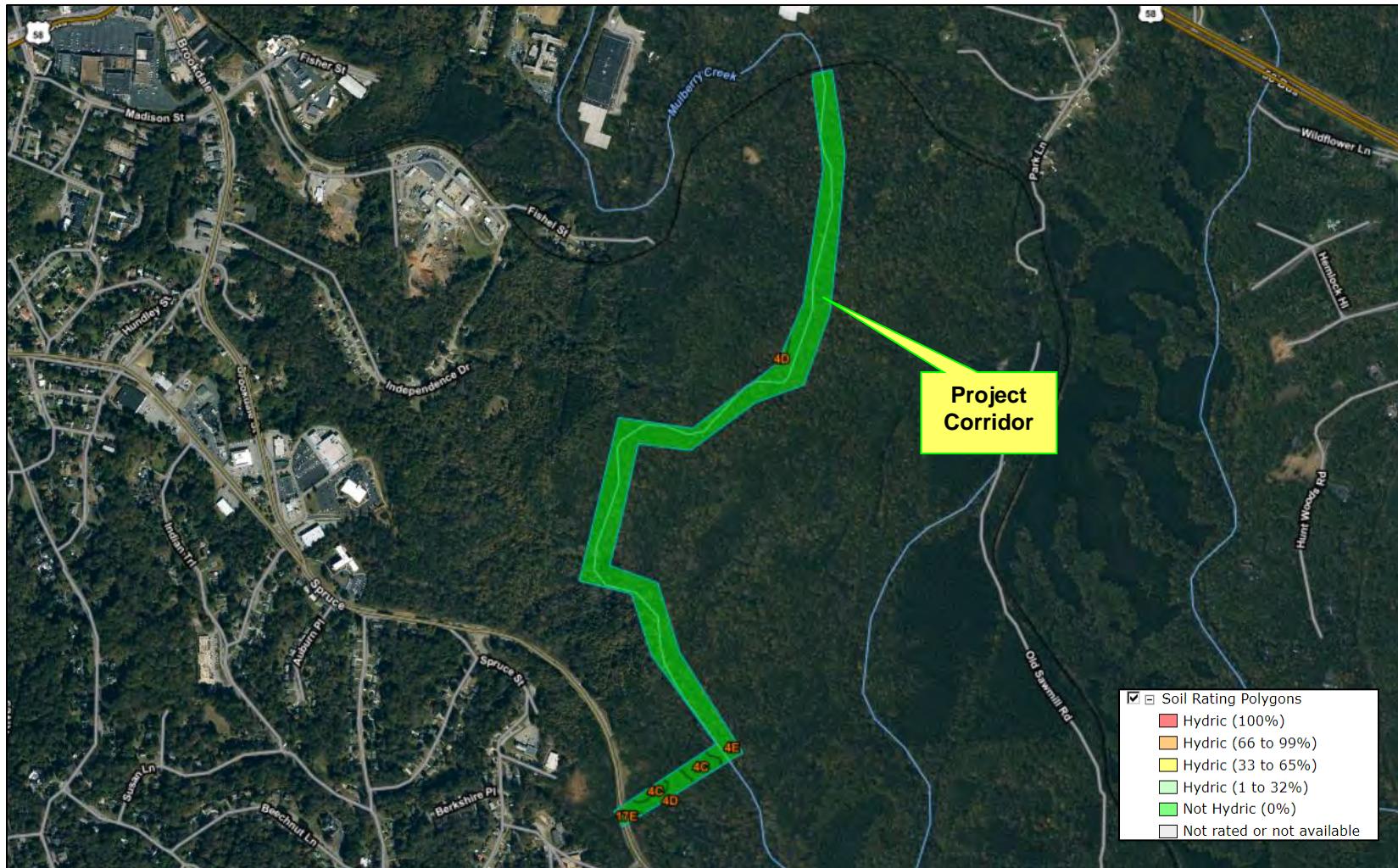
## Figure 4

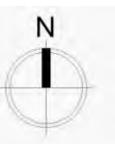
### Topography





 <p><b>HURT &amp; PROFFITT</b> INCORPORATE</p> <p>2524 LANGHORNE ROAD LYNCHBURG, VA 24501 800.242.4906 TOLL FREE 434.847.7796 MAIN 434.847.0047 FAX WWW.HANDP.COM</p>	<p><b>Dick &amp; Willie Passage Trail (Phase 6A)</b> <b>Henry County, Virginia</b></p> <p>Source: VDHR V-CRIS system (2020) NTS</p>	<p><b>Figure 5</b> Cultural Resources Map</p>	
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 <p><b>HURT &amp; PROFFITT</b> INCORPORATE</p> <p>2524 LANGHORNE ROAD LYNCHBURG, VA 24501 800.242.4906 TOLL FREE 434.847.7796 MAIN 434.847.0047 FAX <a href="http://WWW.HANDP.COM">WWW.HANDP.COM</a></p>	<p><b>Dick &amp; Willie Passage Trail (Phase 6A)</b> <b>Henry County, Virginia</b></p> <p>Source: USDA Web Soil Survey (2020) NTS</p>	<p><b>Figure 6</b> <b>Hydric Soils Map</b></p>	
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## **ATTACHMENT C**

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### **PHOTOGRAPHS**



Photograph 1: Stream 1 crossing location (view SE)



Photograph 2: Stream 2 crossing location (view S)



Photograph 3: Stream 3 crossing location (view SE), note existing CMP culvert



Photograph 4: Stream 4 crossing location (view S), note exposed sanitary sewer line



Photograph 5: Stream 5 crossing location (view N)



Photograph 6: Stream 6 crossing location (view S)



Photograph 7: Stream 7 crossing location (view SE), note existing 10' culvert



Photograph 8: Stream 8 crossing location (view N), no flow at crossing (some flow u/s)



Photograph 9: Wetland A crossing location (view NE)



Photograph 10: Wetland B crossing location (view N), note bare/compacted soil to left



Photograph 11: Wetland C crossing location (view NE)



Photograph 12: Wetland D crossing location (view N), note tire ruts



Photograph 13: Wetland E crossing location (view SE), note tire ruts



Photograph 14: Wetland F crossing location (view W), note tire ruts



Photograph 15: Proposed Mulberry Creek bridge crossing location (view SE)



Photograph 16: Mulberry Creek floodplain (view S, at proposed bridge location)



Photograph 17: Typical Mulberry Creek and streambanks at culvert outlet apron site (view N, u/s)



Photograph 18: Existing Phase 5 Dick & Willie Passage Trail (up-gradient, to the north)



## **ATTACHMENT D**

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### **PROTECTED SPECIES DATABASE RECORDS**



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Virginia Ecological Services Field Office  
6669 Short Lane  
Gloucester, VA 23061-4410  
Phone: (804) 693-6694 Fax: (804) 693-9032  
<http://www.fws.gov/northeast/virginiafield/>

In Reply Refer To:

April 01, 2022

Project Code: 2022-0026968

Project Name: Dick and Willie Trail

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Code in the header of this

letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds

# **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Virginia Ecological Services Field Office**

6669 Short Lane  
Gloucester, VA 23061-4410  
(804) 693-6694

## Project Summary

Project Code: 2022-0026968

Event Code: None

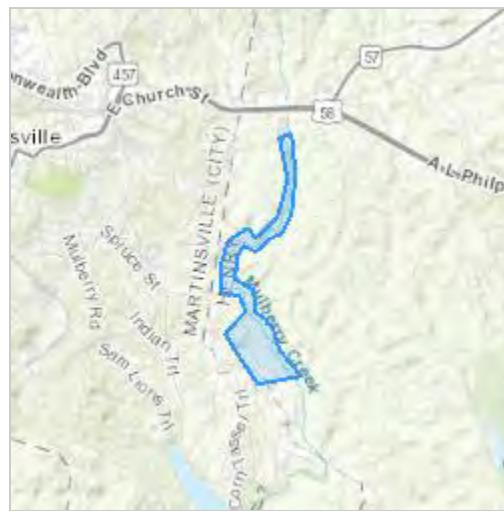
Project Name: Dick and Willie Trail

Project Type: Recreation - Maintenance / Modification

Project Description: Dick & Willie Passage Phase 6A Trail Project in Henry County.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.67863314999999,-79.84109486822469,14z>



Counties: Henry and Martinsville counties, Virginia

## Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

### Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

### Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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# **USFWS National Wildlife Refuge Lands And Fish Hatcheries**

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

# Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

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1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

## Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the

FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

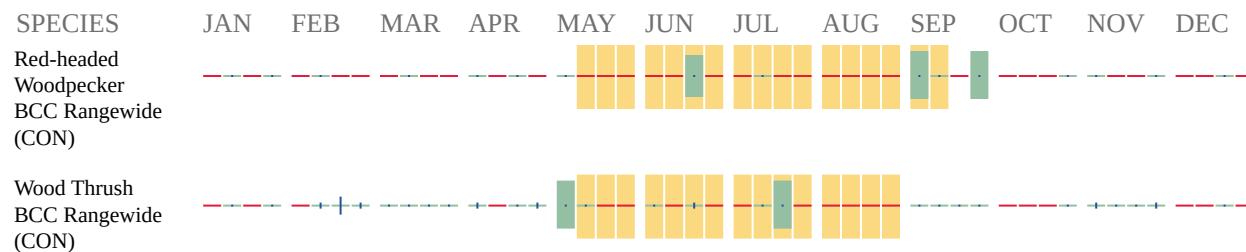
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

### No Data (-)

A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides

birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

**Species Conclusion Table**

Project Name: Dick & Willie Trail Phase 6A - EN-15-044-035, P101, R201, M501, UPC: 107519, TAP-044-2(056)

**Date: April 1, 2022**

Prepared by: Ben Leatherland **and Lauren White**, Hurt & Proffitt

Species / Resource Name	Conclusion	ESA Section 7 / Eagle Act Determination	Notes / Documentation
Northern long-eared bat ( <i>Myotis septentrionalis</i> ), FT	Potential habitat present	May affect, not likely to adversely affect	No tree clearing is proposed during the April 15-September 15 time-of-year restriction (TOYR) period. Proposed trail corridor is within an existing/maintained (mowed) sanitary sewer line easement.
Critical Habitat	No critical habitat present		Per USFWS IPaC Official Species List, there are no critical habitats within the project area under USFWS Northeast region's jurisdiction.

## VaFWIS Search Report Compiled on 4/1/2022, 11:07:15 AM

[Help](#)

Known or likely to occur within a 2 mile radius around point 36.37,26.4 -79.47,09.2 in 089 Henry County, VA

[View Map of Site Location](#)

376 Known or Likely Species ordered by Status Concern for Conservation (displaying first 20) (15 species with Status\* or Tier \*\* or Tier \*\*\* )

BOVA Code	Status*	Tier**	Common Name	Scientific Name	Confirmed	Database(s)
060017	FESE	Ia	<a href="#">Spiny mussel, James</a>	Parvaspina collina		BOVA
010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	<a href="#">Yes</a>	BOVA,TEWaters,Habitat,SppObs,HU6
050022	FTST	Ia	<a href="#">Bat, northern long-eared</a>	Myotis septentrionalis		BOVA
050020	SE	Ia	<a href="#">Bat, little brown</a>	Myotis lucifugus		BOVA,HU6
050027	SE	Ia	<a href="#">Bat, tri-colored</a>	Perimyotis subflavus		BOVA
040293	ST	Ia	<a href="#">Shrike, loggerhead</a>	Lanius ludovicianus		BOVA
010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>	BOVA,TEWaters
040292	ST		<a href="#">Shrike, migrant loggerhead</a>	Lanius ludovicianus migrans		BOVA
030012	CC	IVa	<a href="#">Rattlesnake, timber</a>	Crotalus horridus		BOVA,HU6
010174		Ia	<a href="#">Bass, Roanoke</a>	Ambloplites cavifrons	<a href="#">Yes</a>	BOVA,Habitat,SppObs,HU6
040052		IIa	<a href="#">Duck, American black</a>	Anas rubripes		BOVA,HU6
040320		IIa	<a href="#">Warbler, cerulean</a>	Setophaga cerulea		BOVA,HU6
040140		IIa	<a href="#">Woodcock, American</a>	Scolopax minor		BOVA,HU6
040203		IIb	<a href="#">Cuckoo, black-billed</a>	Coccyzus erythrophthalmus		BOVA
040105		IIb	<a href="#">Rail, king</a>	Rallus elegans		BOVA
010131		IIIa	<a href="#">eel, American</a>	Anguilla rostrata		BOVA
030068		IIIa	<a href="#">Turtle, woodland box</a>	Terrapene carolina carolina		BOVA,HU6
040100		IIIa	<a href="#">Bobwhite, northern</a>	Colinus virginianus	<a href="#">Potential</a>	BOVA,BBA,HU6
040202		IIIa	<a href="#">Cuckoo, yellow-billed</a>	Coccyzus americanus	<a href="#">Potential</a>	BOVA,BBA,HU6
040099		IIIa	<a href="#">Grouse, ruffed</a>	Bonasa umbellus		BOVA

To view All 376 species [View 376](#)

\*FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed; FC=Federal Candidate; CC=Collection Concern

\*\*=VA Wildlife Action Plan - Tier I - Critical Conservation Need; III=VA Wildlife Action Plan - Tier II - Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need; IV=VA Wildlife Action Plan - Tier IV - Moderate Conservation Need  
Virginia Wildlife Action Plan Conservation Opportunity Ranking:a - On the ground management strategies/actions exist and can be feasibly implemented.; b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.;  
c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.[View Map of All Query Results from All Observation Tables](#)

Bat Colonies or Hibernacula: Not Known

## Anadromous Fish Use Streams

N/A

## Impediments to Fish Passage

N/A

## Colonial Water Bird Survey

N/A

## Threatened and Endangered Waters ( 13 Reaches )

[View Map of All Threatened and Endangered Waters](#)

Stream Name	T&E Waters Species					View Map	
	Highest TE*	BOVA Code, Status*, Tier**, Common & Scientific Name					
<a href="#">Smith River (0329953)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0329964)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0330185)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0330192)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0331357)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0332596)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0332619)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0332754)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0335629)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0340240)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>
		010214	FESE	IIa	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0341663)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus giberti	<a href="#">Yes</a>

		010214	FESE	Ia	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0341780)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus gilberti	<a href="#">Yes</a>
		010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	
<a href="#">Smith River (0347394)</a>	FESE	010127	ST	IIb	<a href="#">Madtom, orangefin</a>	Noturus gilberti	<a href="#">Yes</a>
		010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	

## Managed Trout Streams

N/A

## Bald Eagle Concentration Areas and Roosts

N/A

## Bald Eagle Nests

N/A

**Species Observations** (21 records - displaying first 20 , 2 Observations with Threatened or Endangered species )

[View Map of All Query Results](#)  
[Species Observations](#)

obsID	class	Date Observed	Observer				N Species			View Map
			Different Species	Highest TE *	Highest Tier **					
<a href="#">622501</a>	SppObs	Oct 13 2014	Greg; Anderson  Brandon; Plunkett  AJ; Barnard  Zoey; Car	16	FESE	II	<a href="#">Yes</a>			
<a href="#">55295</a>	SppObs	Sep 21 1998	Scott Smith, VDGIF	1	FESE	II	<a href="#">Yes</a>			
<a href="#">315310</a>	SppObs	Jul 1 1999	DEQ	22		I	<a href="#">Yes</a>			
<a href="#">65923</a>	SppObs	Jun 4 2002	Aaron Liberty, Brett Ostby, and Melissa Petty (collectors)	8		IV	<a href="#">Yes</a>			
<a href="#">67341</a>	SppObs	Jun 4 2002	RICHARD NEVES AND MELLISSA PETTY, VA COOPERATIVE FISH AND WILDLIFE RESEARCH UNIT	7		IV	<a href="#">Yes</a>			
<a href="#">67342</a>	SppObs	Jun 4 2002	RICHARD NEVES AND MELLISSA PETTY, VA COOPERATIVE FISH AND WILDLIFE RESEARCH UNIT	9		IV	<a href="#">Yes</a>			
<a href="#">335855</a>	SppObs	Jan 1 1977	ACE-B-ARMY CORP. ENGIN.	8		IV	<a href="#">Yes</a>			
<a href="#">29278</a>	SppObs	Jan 1 1900	Mitchell, J. C.	1		IV	<a href="#">Yes</a>			
<a href="#">623745</a>	SppObs	Sep 22 2014	Greg; Anderson  Brandon; Plunkett  AJ; Barnard  Zoey ; Ca	19			<a href="#">Yes</a>			
<a href="#">623319</a>	SppObs	Aug 25 2014	Greg; Anderson  Brandon; Plunkett  Zoey; Carroll  Beatic	13			<a href="#">Yes</a>			
<a href="#">622373</a>	SppObs	Aug 11 2014	Greg; Anderson  Brandon; Plunkett  Lillian ; Shermerhor	17			<a href="#">Yes</a>			
<a href="#">623738</a>	SppObs	Jul 7 2014	Greg; Anderson  Brandon; Plunkett  Lillian ; Shermerhor	7			<a href="#">Yes</a>			
<a href="#">622369</a>	SppObs	Jul 7 2014	Greg; Anderson  Brandon; Plunkett  Lillian ; Shermerhor	8			<a href="#">Yes</a>			
<a href="#">65922</a>	SppObs	May 24 2002	John McLeod, Brett Ostby, and Melissa Petty (collectors)	3			<a href="#">Yes</a>			
<a href="#">15406</a>	SppObs	Jun 25 1981	BURKHEAD	16			<a href="#">Yes</a>			
<a href="#">337023</a>	SppObs	Jan 1 1981	NMB-B-BURKHEAD	16			<a href="#">Yes</a>			
<a href="#">15239</a>	SppObs	Jul 23 1979	PETRIMOULX	10			<a href="#">Yes</a>			
<a href="#">336705</a>	SppObs	Jan 1 1979	HJP-B-PETRIMOULX	10			<a href="#">Yes</a>			
<a href="#">10513</a>	SppObs	Jul 26 1977	Frankenstein	13			<a href="#">Yes</a>			
<a href="#">335856</a>	SppObs	Jan 1 1977	ACE-B-ARMY CORP. ENGIN.	13			<a href="#">Yes</a>			

Displayed 20 Species Observations

**Selected 21 Observations** [View all 21 Species Observations](#)

**Habitat Predicted for Aquatic WAP Tier I & II Species** ( 9 Reaches )

[View Map Combined Reaches from Below of Habitat Predicted for WAP Tier I & II Aquatic Species](#)

Stream Name	Tier Species					View Map	
	Highest TE *	BOVA Code, Status * , Tier ** , Common & Scientific Name					
Cobbs Creek (30101031)	FESE	010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	<a href="#">Yes</a>
Fall Creek (30101031)	FESE	010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	<a href="#">Yes</a>
Fall Creek (30101032)	FESE	010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	<a href="#">Yes</a>
Leatherwood Creek (30101031)	FESE	010174		Ia	<a href="#">Bass, Roanoke</a>	Ambloplites cavifrons	<a href="#">Yes</a>
		010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	
Leatherwood Creek (30101031)	FESE	010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	<a href="#">Yes</a>
Leatherwood Creek (30101032)	FESE	010174		Ia	<a href="#">Bass, Roanoke</a>	Ambloplites cavifrons	<a href="#">Yes</a>
		010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	
Smith River (30101031)	FESE	010174		Ia	<a href="#">Bass, Roanoke</a>	Ambloplites cavifrons	<a href="#">Yes</a>
		010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	
		010432			<a href="#">Madtom, spotted-margin</a>	Noturus insignis ssp 1	
Smith River (30101031)	FESE	010174		Ia	<a href="#">Bass, Roanoke</a>	Ambloplites cavifrons	<a href="#">Yes</a>
		010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	
Smith River (30101032)	FESE	010174		Ia	<a href="#">Bass, Roanoke</a>	Ambloplites cavifrons	<a href="#">Yes</a>
		010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	
Smith River (30101032)	FESE	010174		Ia	<a href="#">Bass, Roanoke</a>	Ambloplites cavifrons	<a href="#">Yes</a>
		010214	FESE	Ila	<a href="#">Logperch, Roanoke</a>	Percina rex	

**Habitat Predicted for Terrestrial WAP Tier I & II Species**

N/A

**Virginia Breeding Bird Atlas Blocks** ( 2 records )

[View Map of All Query Results](#)  
[Virginia Breeding Bird Atlas Blocks](#)

BBA ID	Atlas Quadrangle Block Name	Breeding Bird Atlas Species			View Map
		Different Species	Highest TE *	Highest Tier **	

32026	<a href="#">Martinsville East, SE</a>	60		III	<a href="#">Yes</a>
32025	<a href="#">Martinsville East, SW</a>	1			<a href="#">Yes</a>

**Public Holdings:**

N/A

**Summary of BOVA Species Associated with Cities and Counties of the Commonwealth of Virginia:**

FIPS Code	City and County Name	Different Species	Highest TE	Highest Tier
089	<a href="#">Henry</a>	329	FESE	I

**USGS 7.5' Quadrangles:**

Northwest Eden  
 Martinsville East  
 Northeast Eden  
 Axton

**USGS NRCS Watersheds in Virginia:**

N/A

**USGS National 6th Order Watersheds Summary of Wildlife Action Plan Tier I, II, III, and IV Species:**

HU6 Code	USGS 6th Order Hydrologic Unit	Different Species	Highest TE	Highest Tier
RD26	<a href="#">Smith River-Mulberry Creek</a>	48	FESE	I
RD29	<a href="#">Lower Leatherwood Creek</a>	46	FESE	I
RD30	<a href="#">Smith River-Fall Creek</a>	47	FESE	I

Compiled on 4/1/2022, 11:07:15 AM 11174143.0 report=all searchType=R dist=3218.688 poi=36.37,26.4,-79,47,09.2  
 PixelSize=64; Anadromous=0.019093; BBA=0.037824; BECAR=0.017962; Bats=0.017997; Buffer=0.077529; County=0.056599; HU6=0.064634; Impediments=0.01801; Init=0.109705; PublicLands=0.021755; Quad=0.035504; SppObs=0.240317; TEWaters=0.031531; TierTerrestrial=0.101856; Total=1.044326; Tracking\_BOVA=0.150236; Trout=0.027994; huvu=0.032638

# Natural Heritage Resources

## Your Criteria

Watershed (8 digit HUC): 03010103 - Upper Dan River

Subwatershed (12 digit HUC): RD26 - Smith River-Mulberry Creek

Search Run: 4/1/2022 11:22:30 AM

## Result Summary

Total Species returned: 2

Total Communities returned: 1

Click scientific names below to go to NatureServe report.

Click column headings for an explanation of species and community ranks.

Common Name/Natural Community	Scientific Name	Scientific Name Linked	Global Conservation Status Rank	State Conservation Status Rank	Federal Legal Status	State Legal Status	Statewide Occurrences	Virginia Coastal Zone
<b>Upper Dan</b>								
Smith River-Mulberry Creek								
TERRESTRIAL NATURAL COMMUNITY								
Northern Coastal Plain / Piedmont Oak - Beech / Heath Forest	<i>Fagus grandifolia</i> - <i>Quercus (alba, montana, rubra) / Kalmia latifolia</i>	<a href="#">Fagus grandifolia</a> - <a href="#">Quercus (alba, montana, rubra)</a> / <a href="#">Kalmia latifolia</a>	G4	S3	None	None	21	N
VASCULAR PLANTS								
Sweet-shrub	<i>Calycanthus floridus</i>	<a href="#">Calycanthus floridus</a>	G5	S1	None	None	11	N
Carolina alumroot	<i>Heuchera caroliniana</i>	<a href="#">Heuchera caroliniana</a>	G3	S1	None	None	1	N

**Note:** On-line queries provide basic information from DCR's databases at the time of the request. They are NOT to be substituted for a project review or for on-site surveys required for environmental assessments of specific project areas.

For Additional Information on locations of Natural Heritage Resources please submit an [information request](#).

To Contribute information on locations of natural heritage resources, please fill out and submit a [rare species sighting form](#).



## **ATTACHMENT E**

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### **CULTURAL RESOURCES RECORDS**

## Snapshot

Date Generated: April 01, 2022

**Site Name:** No Data  
**Site Classification:** Terrestrial, open air  
**Year(s):** 6500 - 3001 B.C.E  
**Site Type(s):** No Data  
**Other DHR ID:** No Data  
**Temporary Designation:** No Data

**Site Evaluation Status**  
Not Evaluated

## Locational Information

**USGS Quad:** MARTINSVILLE EAST  
**County/Independent City:** Henry (County)  
**Physiographic Province:** No Data  
**Elevation:** No Data  
**Aspect:** No Data  
**Drainage:** No Data  
**Slope:** No Data  
**Acreage:** No Data  
**Landform:** Other  
**Ownership Status:** No Data  
**Government Entity Name:** No Data

## Site Components

### Component 1

**Category:** No Data  
**Site Type:** No Data  
**Cultural Affiliation:** Native American  
**Cultural Affiliation Details:** No Data  
**DHR Time Period:** Middle Archaic Period  
**Start Year:** -6500  
**End Year:** -3001  
**Comments:** No Data

## Bibliographic Information

### Bibliography:

No Data

### Informant Data:

No Data

## CRM Events

### Event Type: Other

**Project Staff/Notes:**

Middle Archaic added as temporal due to Guilford point as diagnostic; Woodland added due to pottery as diagnostic.

**Project Review File Number:** No Data

**Sponsoring Organization:** No Data

**Organization/Company:** Unknown (DSS)

**Investigator:** WMCAR

**Survey Date:** 4/3/1997

**Survey Description:**

Depth not tested; probably shallow. A small site, located 2.28 miles almost directly north of 44HR3 (Belmont) which is located a short distance above the point at which Mulberry Creek enters Smith River. Probably unrelated as pottery is dissimilar.

<b>Current Land Use</b>	<b>Date of Use</b>	<b>Comments</b>
Agricultural field	No Data	Site last cultivated several years ago; now beginning to overgrow with blackberries and small trees.

**Threats to Resource:** No Data

**Site Conditions:** Site Condition Unknown

**Survey Strategies:** Informant

**Specimens Collected:** No

**Specimens Observed, Not Collected:** No

**Artifacts Summary and Diagnostics:**

2 sherds of crushed stone tempered, fabric impressed pottery, 1 sherds of same ware with fabric roughened surface, several eroded sherds of the same ware, a broken brown flint point (Guilford), the enamel cap from a cow's molar, several pieces of glazed earthenware (recent)

**Summary of Specimens Observed, Not Collected:**

sherds, flint flakes and chips, arrowheads

**Current Curation Repository:** No Data

**Permanent Curation Repository:** No Data

**Field Notes:** No

**Field Notes Repository:** No Data

**Photographic Media:** No Data

**Survey Reports:** No Data

**Survey Report Information:**

No Data

**Survey Report Repository:** No Data

**DHR Library Reference Number:** No Data

**Significance Statement:** No Data

**Surveyor's Eligibility Recommendations:** No Data

**Surveyor's NR Criteria Recommendations, :** No Data

**Surveyor's NR Criteria Considerations:** No Data

### Event Type: Survey:Volunteer

**Project Staff/Notes:**

No Data

**Project Review File Number:** No Data

**Sponsoring Organization:** No Data

**Organization/Company:** Unknown (DSS)

**Investigator:** Gravely, R.P.

**Survey Date:** 4/17/1969

**Survey Description:**

No Data

**Threats to Resource:** No Data  
**Site Conditions:** No Data  
**Survey Strategies:** No Data  
**Specimens Collected:** No Data  
**Specimens Observed, Not Collected:** No Data  
**Artifacts Summary and Diagnostics:**  
    No Data  
**Summary of Specimens Observed, Not Collected:**  
    No Data  
**Current Curation Repository:** No Data  
**Permanent Curation Repository:** No Data  
**Field Notes:** No Data  
**Field Notes Repository:** No Data  
**Photographic Media:** No Data  
**Survey Reports:** No Data  
**Survey Report Information:**  
    No Data  
**Survey Report Repository:** No Data  
**DHR Library Reference Number:** No Data  
**Significance Statement:** No Data  
**Surveyor's Eligibility Recommendations:** No Data  
**Surveyor's NR Criteria Recommendations, :** No Data  
**Surveyor's NR Criteria Considerations:** No Data



## **ATTACHMENT F**

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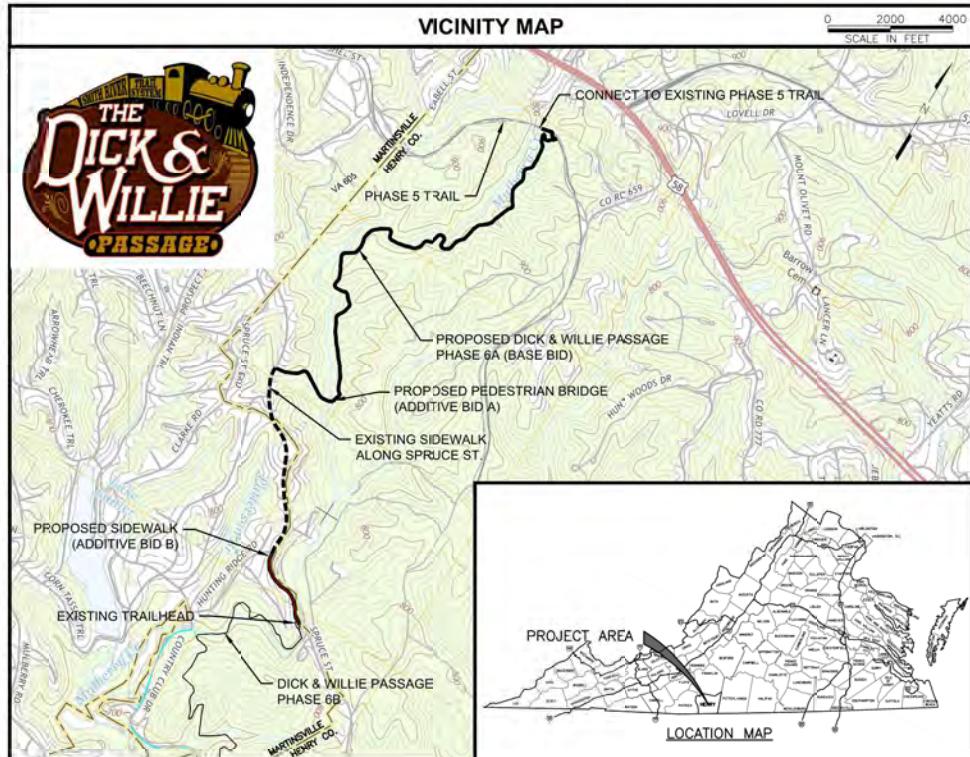
### **CONSTRUCTION DRAWING EXCERPTS**

# THE DICK AND WILLIE PASSAGE PHASE 6A

## HENRY COUNTY, VIRGINIA

VDOT PROJECT # EN15-044-035, P101,R201,M501 / UPC#: 107519

Federal #: TAP-044-2(056)



This project is to be constructed in accordance with the Virginia Department of Transportation 2020 Road and Bridge Specifications as well as the 2016 Road and Bridge Standards; the American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2011; AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities, July 2004; AASHTO Guide for the Development of Bicycle Facilities, 2012; the Virginia Work Area Protection Manual, 2011 (Revision 2); the Virginia Erosion and Sediment Control Handbook, latest edition; the 2009 Manual on Uniform Traffic Control Devices, (Revision 2) with 2011 VDOT supplement (Revision 1); The 2004 Standard Highway Signs and Markings Book, with 2012 Supplement and 2011 VDOT supplement (Revision 1); and the project plans and technical specifications.

### LOCALITY CERTIFICATION

BY SIGNATURE OF A PERSON OF RESPONSIBLE CHARGE FROM THE LOCALITY, THE LOCALITY CERTIFIES THAT THESE PLANS ARE COMPLETE, CONSTRUCTIBLE, AND BIDDABLE.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
TITLE \_\_\_\_\_

UPC# 107519	FED# TAP-044-2(056)	VDOT PROJECT NUMBER EN15-044-035,P101,R201,M501
HENRY COUNTY BID #		TBD

INDEX OF SHEETS:	BASE BID	ADD A	ADD B	TIER 1 PROJECT	
1. TITLE SHEET	X	X	X	LOCALLY ADMINISTERED PROJECTS	
2- 2B. DETAIL SHEETS	X	X	X	DATE: TITLE OF POSITION	
2C-2D. VDOT DETAIL	X	X	X	(SIGNATURE)	
3. SHEET LAYOUT	X	X	X	NAME OF RESPONSIBLE LOCAL GOVERNMENT OFFICIAL (TYPE)	
3A-3F. ALIGNMENT DATA SHEETS	X	X	X	RECOMMENDED FOR APPROVAL FOR CONSTRUCTION	
4. PLAN AND PROFILE STA. 00+00-11+50	X			DATE: TITLE OF POSITION	
5. PLAN AND PROFILE STA. 11+50-23+00	X				
6. PLAN AND PROFILE STA. 23+00-34+00	X				
7. PLAN AND PROFILE STA. 34+00-45+50	X				
8. PLAN AND PROFILE STA. 45+50-56+00	X				
9. PLAN AND PROFILE STA. 56+00-67+00	X				
10. PLAN AND PROFILE STA. 67+00-78+00	X				
11. PLAN AND PROFILE STA. 78+00-89+50	X				
12. PLAN AND PROFILE STA. 89+50-98+00	X				
13. PLAN AND PROFILE STA. 98+00-107+42	X	X	X		
13A. SIGHT DISTANCE CLEARING		X	X		
14. ENTRANCE IMPROVEMENTS		X	X		
15-16. SIDEWALK CONNECTION		X	X		
17-25. EROSION & SETTLEMENT CONTROL PLANS	X	X	X		
26. RETAINING WALLS	X	X	X		
27-30. STORM PLAN AND PROFILE	X	X	X		
S-1. BRIDGE DETAILS	X	X	X		
31-32. TEMPORARY TRAFFIC CONTROL PLAN	X	X	X		

LEGEND	
EXISTING	PROPOSED
— 4" W	WATER LINE
— 8" SS	SANITARY SEWER
— fm	FORCE MAIN
— 2" g	STORM SEWER
— ugt	GAS LINE
— uge	U/G TELEPHONE
— oht	O/H TELEPHONE
— ohp	O/H POWER
— gwm	WATER METER
— valve	VALVE
— utility box	UTILITY BOX
— power pole	POWER POLE
— guy wire	GUY WIRE
— sign	SIGN
— light pole	LIGHT POLE
— manhole	MANHOLE
— property line	PROPERTY LINE
— right-of-way	RIGHT-OF-WAY
— centerline	CENTERLINE
EXISTING	PROPOSED
— 2050	CONTOUR LINE
— earth ditch or swale	RAILING/ FENCE
— rail	PROPOSED TRAIL
— post	POST
— pt/pc	PT/PC
— benchmark	BENCHMARK
— horizontal control	HORIZONTAL CONTROL
— tree	TREE
— woods	WOODS
— gravel road/ parking	GRAVEL ROAD/ PARKING
— paved	PAVEMENT
— grass	GRASS
— concrete	CONCRETE
— river or stream	RIVER OR STREAM
— direction of flow	DIRECTION OF FLOW
construction entrance (VESCH STD. & SPEC. 3.02)	CONSTRUCTION ENTRANCE (VESCH STD. & SPEC. 3.02)
silt fence (VESCH STD. & SPEC. 3.05)	SILT FENCE (VESCH STD. & SPEC. 3.05)
inlet protection (VESCH STD. & SPEC. 3.07)	INLET PROTECTION (VESCH STD. & SPEC. 3.07)
culvert inlet protection (VESCH STD. & SPEC. 3.08)	CULVERT INLET PROTECTION (VESCH STD. & SPEC. 3.08)
temporary diversion dike (VESCH STD. & SPEC. 3.09)	TEMPORARY DIVERSION DIKE (VESCH STD. & SPEC. 3.09)
outlet protection (VESCH STD. & SPEC. 3.18)	OUTLET PROTECTION (VESCH STD. & SPEC. 3.18)
rock check dam (VESCH STD. & SPEC. 3.20)	ROCK CHECK DAM (VESCH STD. & SPEC. 3.20)
permanent seeding (VESCH STD. & SPEC. 3.32)	PERMANENT SEEDING (VESCH STD. & SPEC. 3.32)
topsoiling (VESCH STD. & SPEC. 3.30)	TOPSOILING (VESCH STD. & SPEC. 3.30)
ec-2 or ec-3 ditch lining	EC-2 OR EC-3 DITCH LINING
concrete ditch	CONCRETE DITCH

### Abbreviations:

Bl:	Base Line	Pg:	Pole
Bnt:	Bent	Pr:	Pr Traverse Nail Set
C&P:	Chesapeake & Potomac Telephone	PP:	Power Pole
Co:	Conduit Line	Prf:	Profiled
Cmp:	Corrugated Metal Pipe	Rcp:	Reinforced Concrete Pipe
Cy:	Cubic Yards	Rsm:	Sanitary Sewer Manhole
D.B.:	Deed Book	Stdt:	Storm Drain Inlet
Dip:	Drop in Pipe	Stgr:	Storm Grate
Fh:	Fire Hydrant	Tns:	Traverse Nail Set
Fnd:	Found	Trs:	Traverse Rod Set
Light Pole		Wrm:	Water Meter
Ms:		Wv:	Water Valve
Ngas:	Natural Gas		
O.C.:	On Center		
P.B.:	Plat Book		

**HURT & PROFFITT**  
1861 PRATT DRIVE, SUITE 100  
BLACKSBURG, VIRGINIA 24060  
800.763.5586 TOLL FREE  
540.552.5592 FAX  
GEOTECHNICAL • CONSTRUCTION & INSPECTION • CULTURAL RESOURCES

**TITLE SHEET**  
THE DICK & WILLIE PASSAGE  
HENRY COUNTY, VA PLAN NO.:1025-01-C



Revisions  
1 25 June 2020  
2 10 August 2020  
SHEET NO.  
1

## EROSION AND SEDIMENT CONTROL NARRATIVE

### 1. Project Area

The project area lies within Henry County and a portion of the City of Martinsville, running generally parallel to Mulberry Creek. It is connected at the northern end to the existing Phase 5 portion of the Dick and Willie Passage, travels south along Mulberry Creek, until heading west over the creek into the existing sidewalk along Spruce Street, then turns east along Spruce Street, and includes the extension of the existing railroad of Phase 6B of the Dick and Willie Passage. The site consists of approximately 6.30 acres which will be disturbed to construct this project.

### 2. Critical Areas

The proximity of the entire project area to Mulberry Creek will require that particular attention is given to eliminating sediment laden runoff from the site into Mulberry Creek to the maximum extent practicable.

Site fence will be installed wherever tenued surfaces may run off into Mulberry Creek or the contributing drainage ditch. To minimize the possibility of sediment runoff into Mulberry Creek, the slope is not to be denuded until immediately after construction of the greenway is to begin and permanently stabilized immediately following initiation of the finished grade.

### 3. Soils

Soil information is provided by the NRCS Custom Soil Resource Report for Henry County, VA. Listed below are the soils identified on the site and in the contributing drainage area. See Appendix H of the Stormwater Pollution Prevention Plan for the full report.

- 4C Clifford sandy loam, 7 to 15 percent slopes
- 4D Clifford sandy loam, 15 to 25 percent slopes
- 4E Clifford sandy loam, 25 to 45 percent slopes
- 6A Colvard fine sandy loam, 0 to 2 percent slopes, occasionally flooded
- 14C Minnieville loam, 7 to 15 percent slopes
- 17E Crenshaw-Springs complex, 25 to 45 percent slopes

### 4. Erosion and Sediment Control Measures

The construction phase erosion and sediment control shall be designed to control sediment on site to the maximum practicable. All measures shall be designed to be fully effective, reliable, and maintainable in accordance with the manufacturer's specifications and good engineering practice. If periodic inspections or other information indicates a control has been used inappropriately or incorrectly, the permittee must replace or modify the control for site stability. If erosion or sediment control measures (e.g., sediment traps, sediment basins, etc.) are not maintained nor afford a safety hazard to users of public streets, later, construction debris, and construction chemicals exposed to storm water shall be prevented from becoming a pollutant source for storm water discharges (e.g., screening outfalls, picked up debris).

The following measures will be used to control erosion and sediment-laden runoff on this project, and the full text is found in Appendix E of the Stormwater Pollution Prevention Plan.

1. Safety Fence: will prevent the public from entering the construction site. (VESCH Standard and Spec. 3.01)
2. Construction Entrance: will be used to reduce mud/soil tracking onto public roads. If mud or sediment is transported onto a paved road surface, the road shall be cleaned thoroughly at the end of each day. Sediment and mud shall be removed from the roads by shoveling or sweeping and transported to a site control disposal area. Sweep tools shall be allowed only after sediment and mud are removed in this manner. (VESCH Standard and Spec. 3.02)

3. Silt Fence: will be used to intercept and detain small amounts of sediment from disturbed areas during construction operations and to prevent sediment from leaving the site. (VESCH Standard and Spec. 3.03)

4. Storm Drain Inlet Protection: will be used to prevent sediment from entering the storm drain system prior to permanent stabilization of the disturbed area. (VESCH Standard and Spec. 3.07)

5. Culvert Inlet Protection: will prevent sediment from entering, accumulating and being transferred by a culvert and into the drainage system prior to permanent stabilization of a disturbed project area. (VESCH Standard and Spec. 3.08)

6. Stormwater Conveyance Channel: will be provided for the conveyance of concentrated surface runoff water to a receiving channel or system without damage from erosion. (VESCH Standard and Spec. 3.17)

7. Outfall Protection: will prevent erosion at stormwater outlets, protect the outlet structures, and minimize the potential for concentrated erosion by reducing the velocity and energy of concentrated stormwater flows. (VESCH Standard and Spec. 3.18)

8. Riprap: will protect the cut from the erosive forces of concentrated runoff and slow the velocity of concentrated runoff while enhancing the potential for infiltration and stabilizing slopes with screen problems and non-cohesive soils. (VESCH Standard and Spec. 3.20)

9. Rock Check Dam: will be used in velocity reduction of concentrated stormwater flows, thereby reducing erosion of the rock check. (VESCH Standard and Spec. 3.20)

10. Surface Rooting: will be used in establishment of vegetative cover with sediment runoff velocity, and increase infiltration, while reducing erosion and providing for sediment traps. (VESCH Standard and Spec. 3.29)

11. Topsoil: will provide a suitable growth medium for the soil stabilization with site stabilization. (VESCH Standard and Spec. 3.30)

12. Temporary Seeding: Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade but will remain dominant for more than 30 days. (VESCH Standard and Spec. 3.31)

13. Permanent Seeding: will be used to establish vegetative cover and to reduce soil runoff for any areas not paved or vegetated. Permanent soil stabilization shall be applied to areas that are to be left dormant for more than one year. (VESCH Standard and Spec. 3.32)

14. Mulching: will protect the soil surface from rainfall impact and reduce velocity of overland flow, and foster growth of vegetation by reducing runoff, reducing runoff velocity, and providing resistance against sediment traps. (VESCH Standard and Spec. 3.35)

15. Soil Stabilization Blankets & Mattings: will be used in controlling erosion on critical areas by providing a microsite, which minimizes soil movement and promotes its establishment. (VESCH Standard and Spec. 3.36)

16. Dust Control: will prevent surface and air movement of dust from exposed soil surfaces and reduce the presence of airborne substances which may present health hazards, traffic safety problems, or harm animal or plant life. (VESCH Standard and Spec. 3.38)

### MINIMUM STANDARDS (MS-19)

All Institute of Virginia Erosion and Sediment Control Regulations and Minimum Standards shall be adhered to during all phases of construction. If site details and specifications are more stringent, then they shall supersede the Minimum Standards. The Minimum Standards include, but are not limited to the following:

#### 1. STABILIZATION OF DENUDED AREAS:

Permanent or temporary soil stabilization shall be applied to bare areas within seven days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade, but will remain dominant for more than 14 days. Permanent stabilization shall be applied to denuded areas that may not be at final grade for more than 14 days.

Applicable: The contractor shall apply permanent seeding within seven days after reaching final grade. If Contractor elects to rough grade areas of the greenway or postpone permanent seeding until other sections of the greenway are completed which will remain dormant or undisturbed for more than 30 days, then temporary seeding shall be applied as the contractor sees fit.

#### 2. STABILIZATION OF SOIL STOCKPILES:

During construction of the project, soil stockpiles shall be stabilized or protected with sediment trapping measures. The applicant is responsible for temporary protection and permanent stabilization of all soil stockpiles on site as well as soil intermittently transported from the project site.

Applicable: Due to limited space, existing easements, and floodplain limits, stockpiling on site will not be allowed. With approved property owner agreements obtained by the contractor, stockpiles will be allowed offsite. The Contractor shall provide the required E&S permits and temporary and permanent stabilization measures for areas offsite.

#### 3. PERMANENT VEGETATIVE COVER

A permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until a ground cover is achieved that, in the opinion of

local authority (City of Martinsville and/or Henry County), is uniform and mature enough to survive to inhibit erosion.

Applicable: The Contractor must seed and mulch all denuded areas per the project specifications. Over-seeding may be required. In the Contractor's discretion, any areas that are not to be disturbed as determined by City of Martinsville and/or Henry County, E&S measures shall not be removed until approved by the local authority. Areas of rutting shall be filled in and resodded at the Contractor's expense.

#### 4. TIMING & STABILIZATION OF SILT TRAPPING MEASURES:

Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment shall be constructed at the site in any land disturbing activity and shall be made functional before upsite land disturbance is placed.

Applicable: The Contractor shall install construction entrances, perimeter silt fence, and inlet protection on existing structures as noted on the plans prior to any land disturbance. Once proposed storm pipes are installed, culvert inlet and outlet protection shall be installed immediately after installation.

#### 5. STABILIZATION OF EARTHEN STRUCTURES:

Stabilization measures shall be applied to earthen structures such as dams, dikes and diversions immediately after installation.

Not Applicable: No earthen structures are proposed for this project.

#### 6. SEDIMENT TRAPS AND BASINS:

A sediment basin shall contain surface runoff from disturbed areas that is comprised of flow from drainage areas greater than or equal to three acres. The sediment basin shall be designed and constructed to accommodate the anticipated sediment loading for the land disturbing activity. The outlet device or system device shall take into account the total drainage area flowing through the disturbed area to be served by the basin.

Not Applicable: No sediment traps or basins are proposed since concentrated drainage crosses the greenway property and there is minor land disturbance per outlet.

#### 7. CUT AND FILL SLOPES:

Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion. Slopes that are found to be eroding excessively within one year of permanent stabilization shall be provided with additional slope stabilizing measures until permanent is corrected.

Applicable: Prior to final acceptance, there shall be no evidence of excessive erosion and the cut/fill slopes shall be stabilized by permanent stabilization acceptable to City of Martinsville and/or Henry County. In the event that excessive erosion is present within one year of project acceptance, the Contractor shall be responsible for remediation.

#### 8. CONCENTRATED RUNOFF DRAIN AND FILL SLOPES:

Concentrated runoff shall not flow down cut or fill slopes unless contained within an adequate temporary or permanent channel, flume, or sheet drain structure.

Applicable: Concentrated runoff is designed to flow down cut or fill slopes with existing or newly constructed ditches. In the event that concentrated runoff is proposed for culvert or ditch installation, the Contractor shall provide temporary ditches or slope drains to accommodate the concentrated runoff to prevent erosion on cut and fill slopes.

#### 9. WATER SEEPERS FROM A SLICE FACE:

Whenever water seeps from a slice face, adequate drainage or other protection shall be provided.

Not Applicable: Based on site investigation, there are no existing water seeps within the project corridor. In the event water seeps are discovered, the Contractor shall notify the Engineer, City of Martinsville and/or Henry County and adequate drainage or other protection shall be provided.

#### 10. STORMWATER INLET PROTECTION:

All storm drains that are made open during construction shall be protected so sediment-laden water cannot enter the conveyance system without first being filtered or otherwise treated to remove sediment.

Applicable: The Contractor shall protect the existing storm sewer system with inlet protection as shown on the plans. Inlets to proposed storm sewer shall also be protected by inlet protection as shown on the plans. The Contractor shall provide inlet protection calculated from sediment-laden water with culvert inlet protection as shown on the plans. All inlet protection shall be removed until final completion.

#### 11. STABILIZATION OF OUTLETS:

Before newly constructed stormwater conveyance channels are made operational, adequate outlet protection and any required temporary or permanent channel shall be installed in both the conveyance channel and receiving channel.

Applicable: Concentrated runoff originating perpendicular to the greenway requires a culvert or riprap bed outlet ditch in order to comply with this standard. The Contractor will be required to construct the outlet ditch from the end of the culvert and install temporary or permanent channel lining prior to the installation of the culvert. If construction activity allows the installation of the outlet and outlet ditch protection within the same day, then this will be an acceptable approach.

#### 12. WORK IN LIVE WATERCOURSES:

When work in a live watercourse is planned, protection shall be taken to minimize erosion, control sediment, and stabilize the work area and the greenway during construction. Non-erodible material shall be used for the construction of causeways and corduroys. Earth fill may be used for these structures if armored by non-erodible cover materials.

Applicable: The Contractor shall have a riprap outlet protection within the Mulberry Creek for several spots. This work will require non-erodible cover and protection during pumping with filter bags to prepare the soils for installation of the outlet and outlet ditch protection. Once work is completed, all materials shall be removed from the watercourse.

#### 13. CROSSING A LIVE WATERCOURSE:

When a live watercourse is crossed, construction should be crossed by non-erodible materials more than twice in any six month period, a temporary stream crossing should be constructed of non-erodible materials shall be provided.

Not Applicable: No live watercourses will be crossed.

#### 14. APPLICABLE REGULATIONS:

All applicable state, local and federal regulations pertaining to working in or crossing live watercourses shall be met.

Not Applicable: Contractor shall be responsible for obtaining and maintain all required permits for work within Mulberry Creek.

#### 15. STABILIZATION OF BED AND BANKS:

The bed and banks of a stream or watercourse shall be stabilized immediately after work in the watercourse is completed.

Not Applicable: contractor shall not disturbance to stream banks while performing installation of outlet protection and stabilizing bed and banks with temporary or permanent seeding immediately after work is complete at each location.

#### 16. UNDERGROUND UTILITIES:

Underground utilities shall be installed in accordance with the following standards in addition to other criteria:

a. No more than 500 linear feet of trench may be opened at one time.

b. Excavated material shall be placed on the upland side of trenches.

c. Effluent for dredging operations shall be filtered or passed through approved sediment trapping device, or both, and discharged in a manner that does not adversely affect flowing streams or offsite property.

d. Material used for backfilling trenches shall be properly compacted in order to minimize erosion and promote stabilization.

e. Rehabilitation shall be accomplished in accordance with these regulations.

f. Applicable safety regulations shall be complied with.

Applicable: Storm sewer pipe shall be installed per these requirements for trenching. Additionally, adjustment of outlet protection and riprap arm irrigations is to be completed in accordance with these requirements for excavation safety and stabilization.

#### 17. CONSTRUCTION ACCESS ROUTES:

Where construction vehicle access routes intersect paved public roads, provisions shall be made to minimize the transport of sediment by vehicular travel onto paved surfaces. Where sediment is transported onto a public road surface, the contractor shall be responsible for removing the sediment and returning the surface to its original condition. Street washing shall be allowed only after sediment is removed in this manner. This provision shall apply to individual lots as well as to larger land disturbing activities.

Applicable: The Contractor shall install and maintain construction entrances as shown on the plans. In the event another construction access to the site is obtained by the Contractor, a construction entrance shall be installed and maintained by the Contractor. Once the construction entrance is no longer utilized, the construction entrance shall be removed and the areas restored prior to final acceptance.

#### 18. TEMPORARY E&S CONTROL MEASURE REMOVAL:

All temporary erosion and sediment control measures shall be removed within 30 days after final site classification or after temporary measures are no longer needed, unless otherwise authorized by the local authority. Trapped sediment and the disturbed soil areas resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sediment.

Applicable: After the site is stabilized and approved by City of Martinsville and/or Henry County, site fence, inlet protection, control entrances, and other temporary E&S measures shall be removed within 30 days. The areas of removal shall be graded, graded, seeded, and mulched. Any remaining buildup of sediment shall be removed from the site by the Contractor.

#### 19. ADEQUACY OF RECEIVING CHANNELS:

Properties and waterways downstream from the development site shall be protected from sediment deposition, erosion, and damage, due to increases in volume, velocity and peak flow rates of a greater number for the stated frequency or storm, control entrances, and other temporary E&S measures shall be removed within 30 days. The areas of removal shall be 24-hour duration.

a. Control entrances: During the time a development site shall be discharged into an adequate natural or man-made receiving channel, pipe, or storm sewer system. For those sites where runoff is discharged into a pipe or pipe system, downstream stability analysis at the outlet of the pipe or pipe system shall be performed.

b. Adequacy of all channels and pipes shall be verified in the following manner:

1. The applicant shall demonstrate that the total drainage areas to the point of analysis within the channel is one hundred times greater than the contributing drainage area of the project in question; or

2. Each outlet shall be analyzed by the use of a one-year storm to verify that stormwater will not overflow channel banks or cause erosion of channel bed or banks; and

3. All previously constructed man-made channels shall be analyzed by the use of a ten-year storm to verify that stormwater will not overflow its banks and by the use of a two-year storm to demonstrate that stormwater will not cause erosion of channel bed or banks; and

4. Develop a site design that will not cause the pre-development peak runoff rate from a two-year storm to increase when the outlet into a natural channel will not cause the pre-development peak runoff rate from a ten-year storm to increase when the outlet into a natural channel; or

5. Provide a combination of channel improvement, stormwater detention or other measures which is satisfactory to the plan-approving authority to prevent downstream erosion.

d. The applicant shall provide evidence of permission to make the improvements.

e. All hydraulic analyses shall be based on the existing watershed characteristics and the ultimate development of the subject project.

f. If the applicant chooses an option that includes stormwater detention, applicant shall obtain approval from the local authority or the authority having jurisdiction of the location of the facility. The plan shall set forth the maintenance and the person responsible for performing the maintenance.

g. At all outlets used to discharge from the facility as necessary to provide a stabilized transition from the facility to the receiving channel, the outlet channels must be verified to be adequate.

h. Increased volumes of three flows that may cause erosion or sedimentation on adjacent properties shall be diverted to a outlet, adequate channel, pipe or pipe system, or to a detention facility.

i. In applying these stormwater runoff criteria, individual lots or parcels in a residential, commercial, or industrial development shall not be considered to be separate development projects. Instead, the development as a whole, shall be considered to be a single development project. Hydrologic parameters that reflect the ultimate development of the subject project shall be used in all calculations.

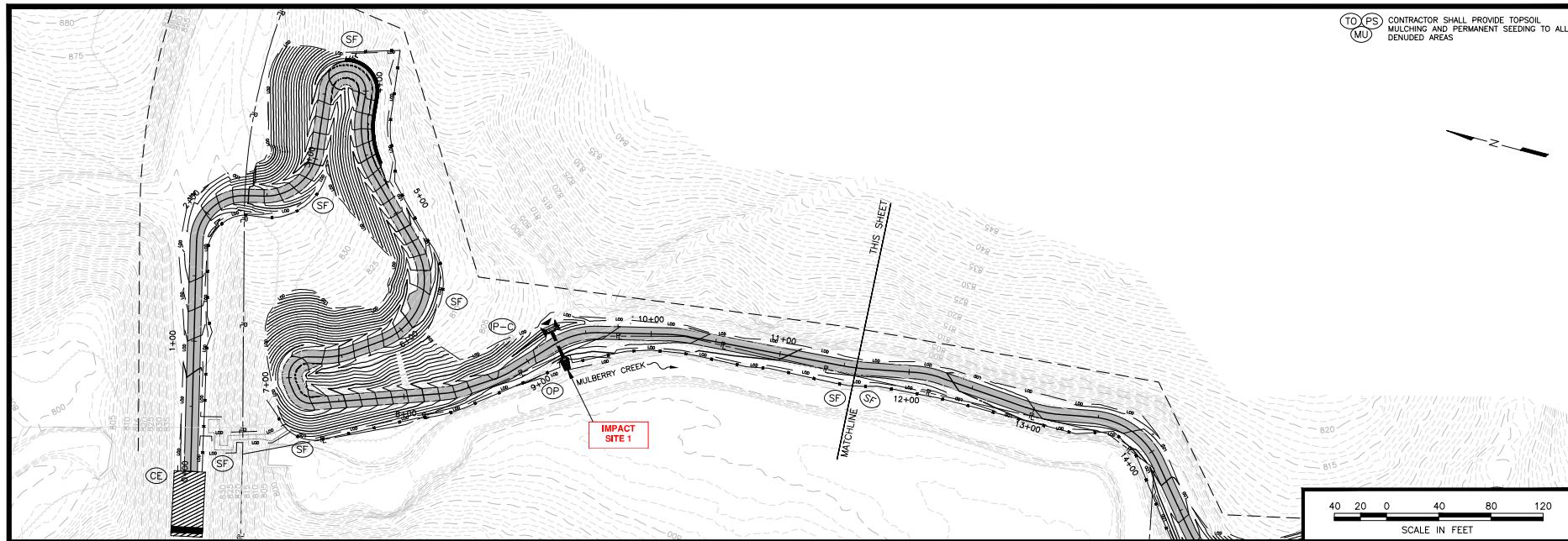
k. All measures used to protect properties and waterways shall be employed in a manner which minimizes impacts on the physical, chemical, and biological integrity of rivers, streams, and other waters of the state.

Applicable: The project is of a linear nature. Each outlet has been analyzed and found that there are minor increases in the peak flow rates. Per Virginia Stormwater Management Regulations, all drainage areas discharge less than 1% of the total drainage area at the point of analysis. Proposed ditches, pipes, storm sewer systems, and outfalls have been analyzed and found to be adequate. The receiving channel is Mulberry Creek.

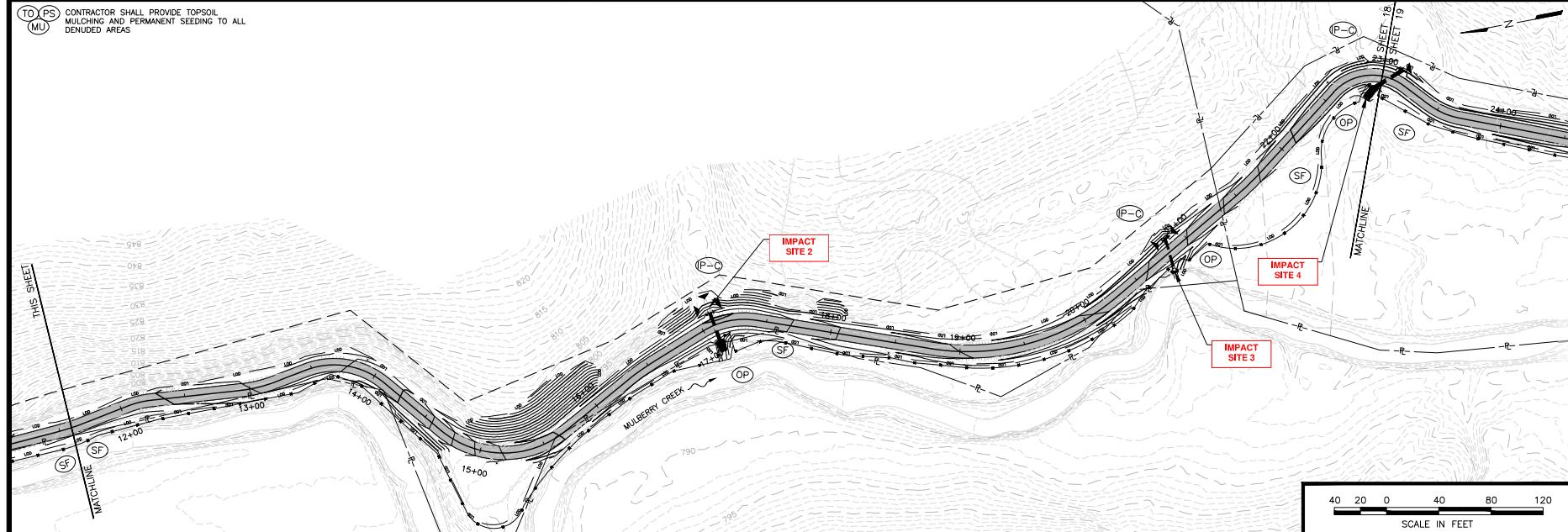
## EROSION AND SEDIMENT CONTROL LEGEND (VDOT STANDARDS)

 <b>3.01 SAFETY FENCE</b>
 <b>3.02 CONSTRUCTION ENTRANCE</b>
 <b>3.05 SILT FENCE</b>
 <b>3.07 INLET PROTECTION (EC-6)</b>
 <b>3.08 CULVERT INLET PROTECTION (EC-6-1)</b>
 <b>3.18 OUTLET PROTECTION (EC-1)</b>
 <b>3.19 RIPRAP (PC-3)</b>
 <b>3.20 ROCK CHECK DAMS (EC-4)</b>
 <b>3.29 SURFACE ROUGHENING</b>
 <b>3.30 TOPSOILING</b>
 <b>3.31 TEMPORARY SEEDING</b>
 <b>3.32 PERMANENT SEEDING</b>
 <b>3.38 TREE PROTECTION</b>
 <b>3.39 DUST CONTROL</b>





TO PS CONTRACTOR SHALL PROVIDE TOPSOIL  
MU MULCHING AND PERMANENT SEEDING TO ALL  
DENUDED AREAS



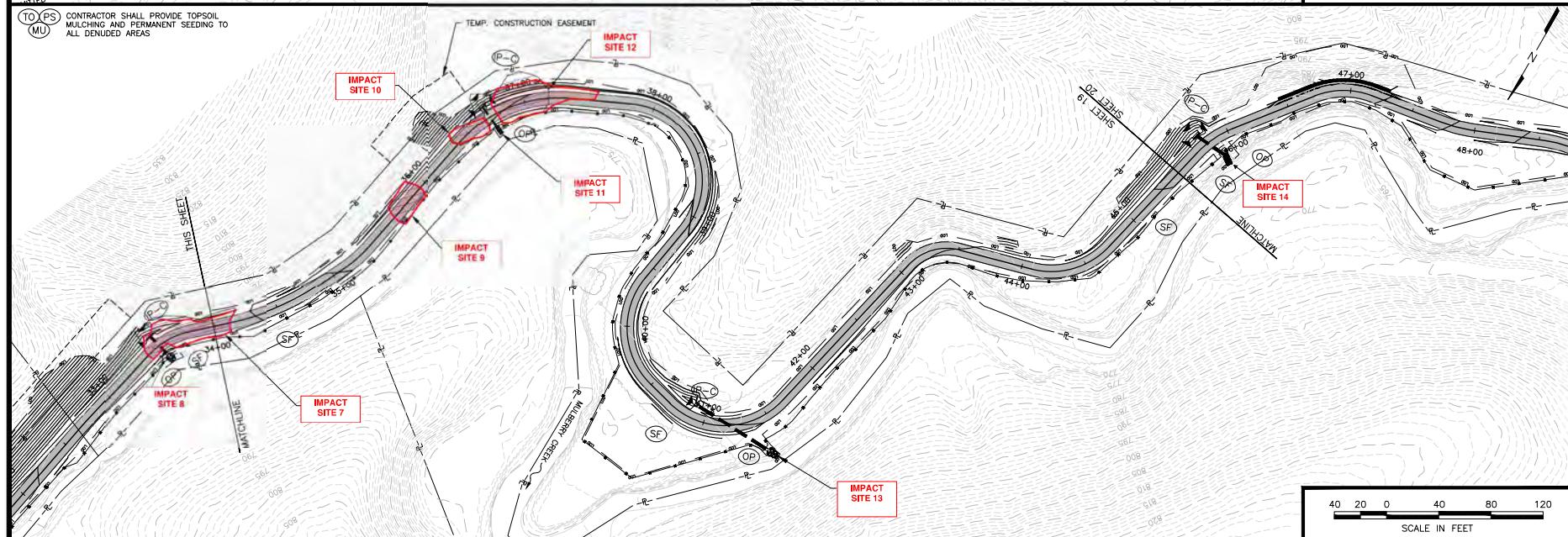
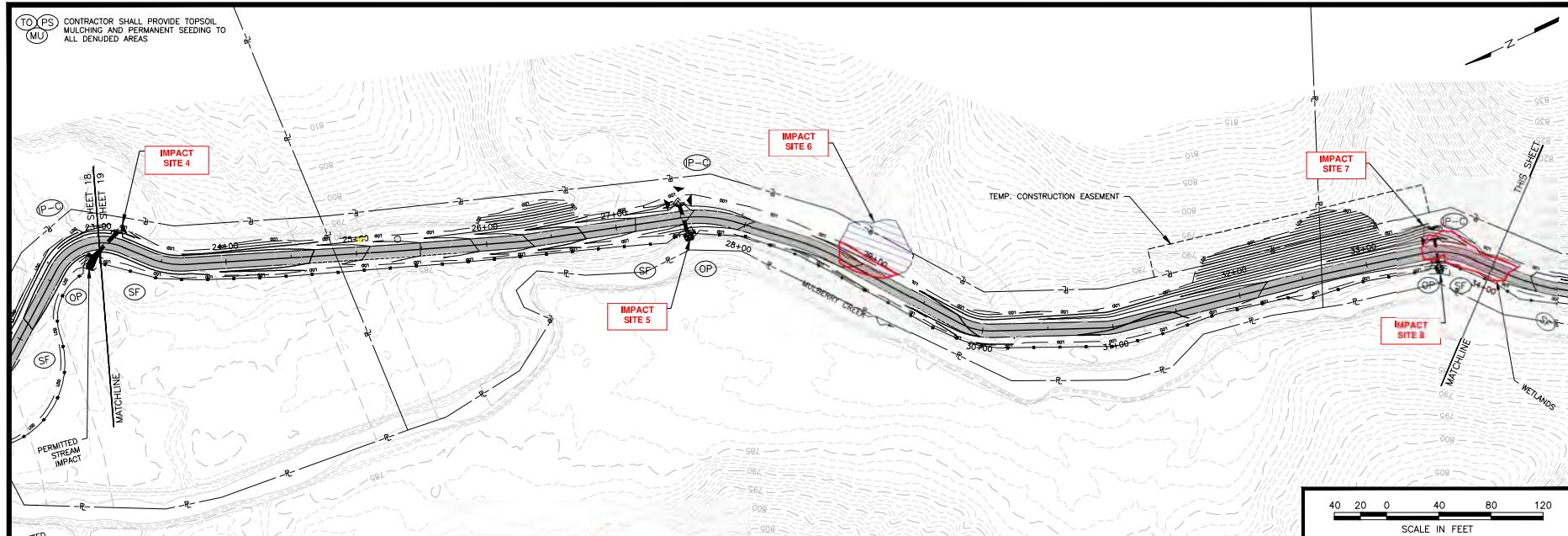
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DRAWN BY:	AVM, TWH
CHECKED BY:	SES
 <p>COMMONWEALTH OF VIRGINIA Department of Professional Esports JEREMY MICHAEL JOHNSON Lic. No. 04202050112 18 August 2020</p>	
Revisions	
1	25 June 2020
2	10 August 2020

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**HURT & PROFFITT**  
1681 PRATT DRIVE, SUITE 1100  


**EROSION & SEDIMENT CONTROL PLANS**  
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**THE DICK & WILLIE PASSAGE**  
HENRY COUNTY, VA PLANO NO. 1026-01 C

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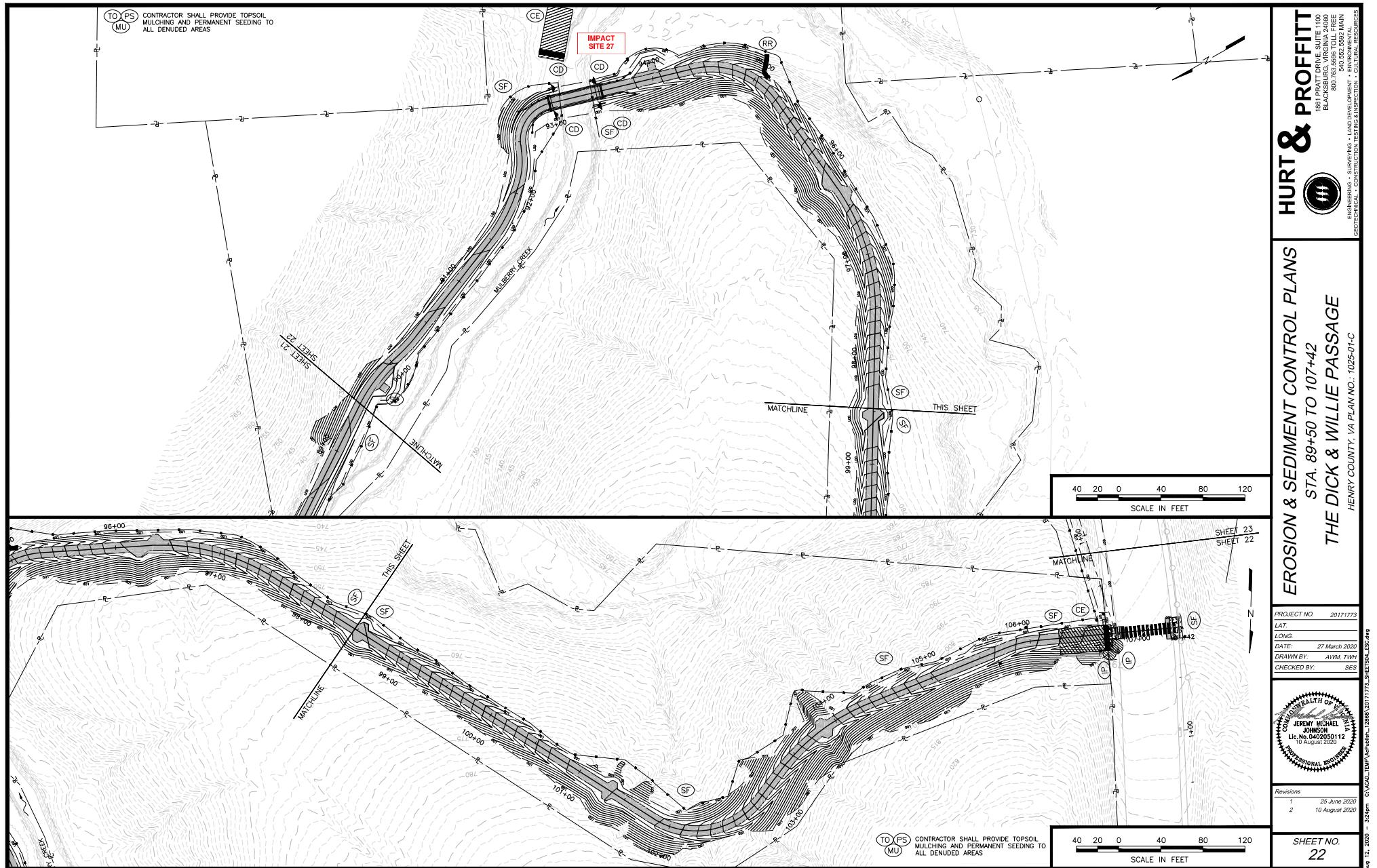
**EROSION & SEDIMENT CONTROL PLANS**  
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**THE DICK & WILLIE PASSAGE**

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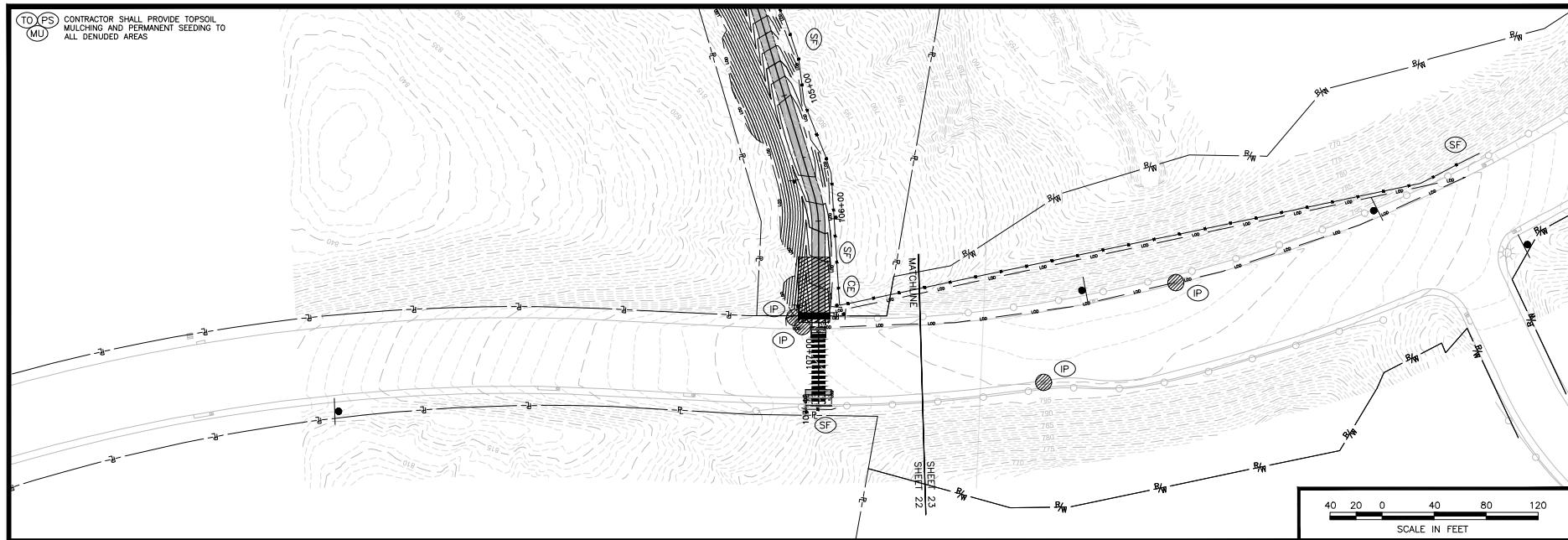






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ALL DENUDED AREAS



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**EROSION & SEDIMENT CONTROL PLANS**

**THE DICK & WILLIE PASSAGE**

HENRY COUNTY, VA PLAN NO.: 1025-01-C

PROJECT NO. 20171773

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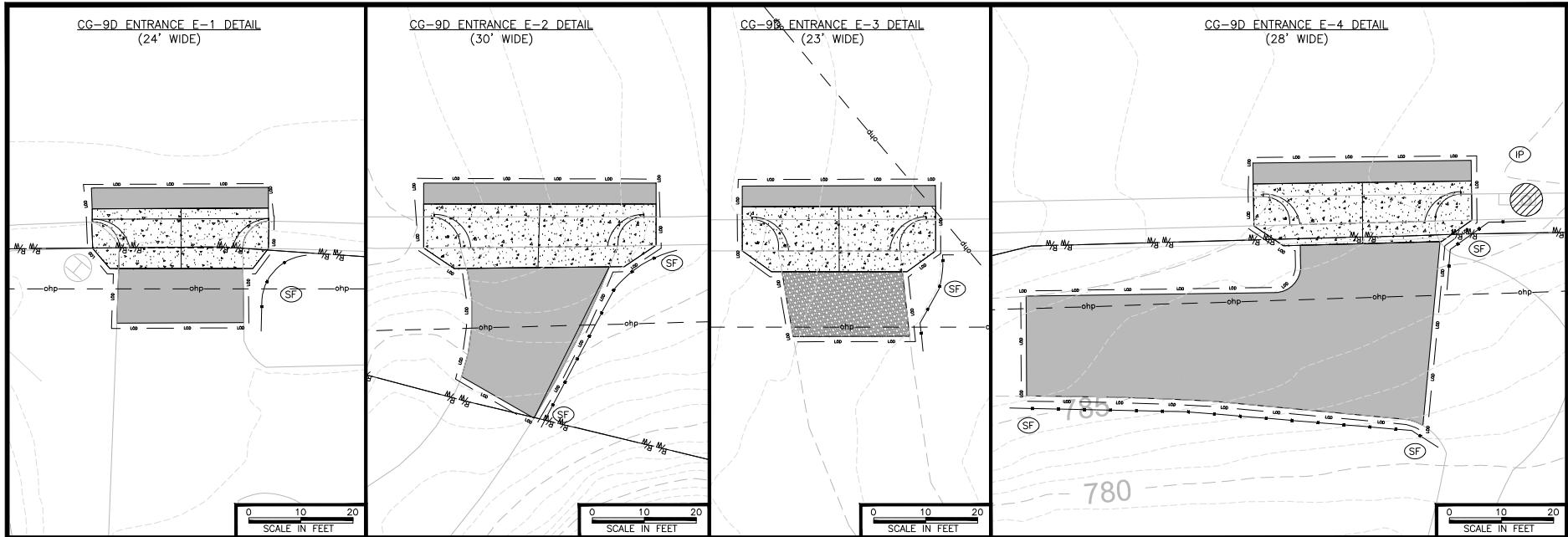
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JEREMY MICHAEL  
JOHNSON  
Lic. No. 0402050112  
10 August 2020  
PROFESSIONAL ENGINEER

Revisions

- 1 25 June 2020
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- 3 10 August 2020

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MU CONTRACTOR SHALL PROVIDE TOPSOIL  
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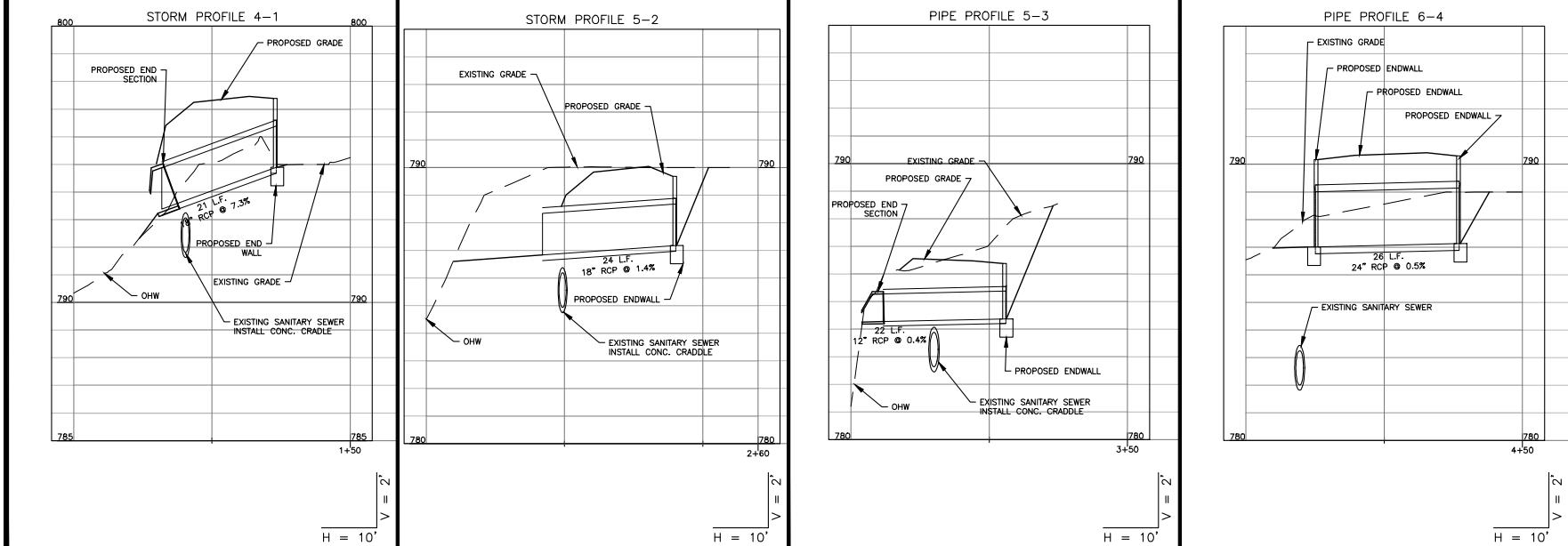
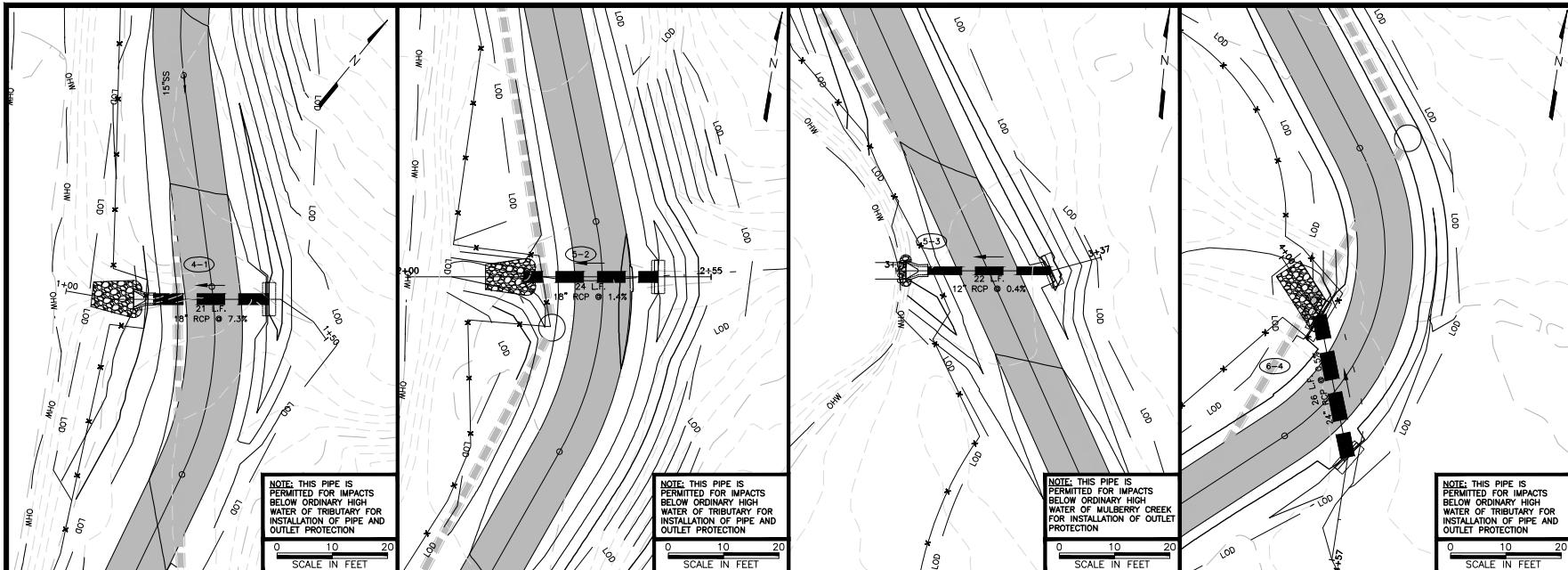
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Revisions	
1	25 June 2020
2	10 August 2020
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## **STORM PLAN AND PROFILE**

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**HURT & PROFFITT**

*THE DICK & WILLIE PASSAGE*  
HENRY COUNTY, VA

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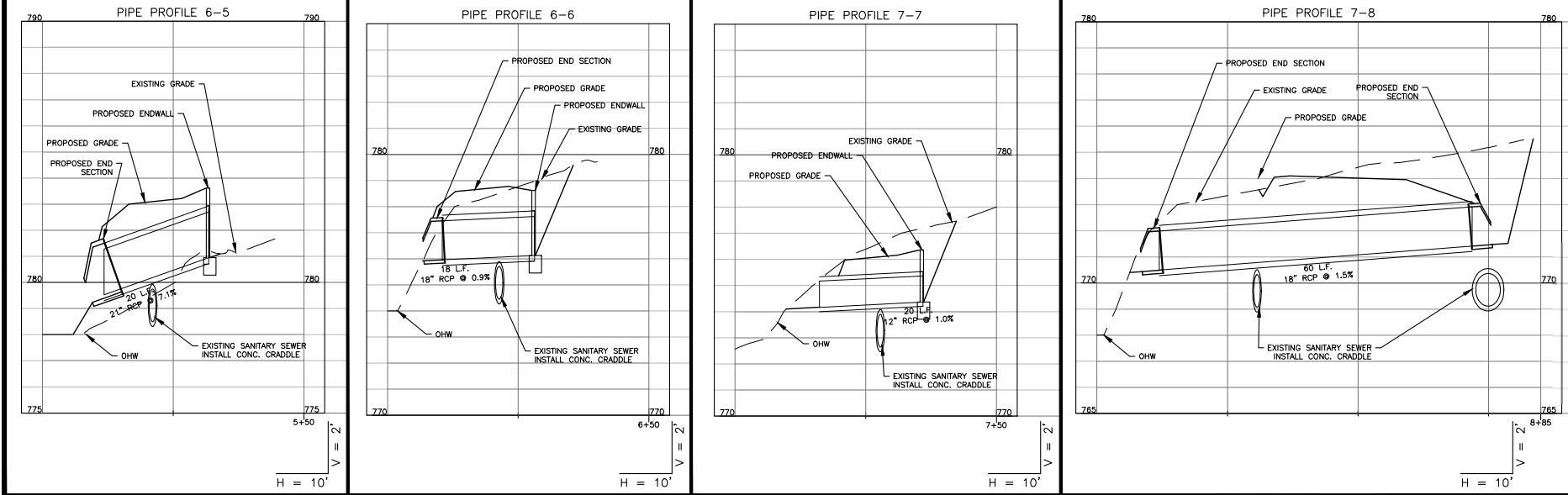
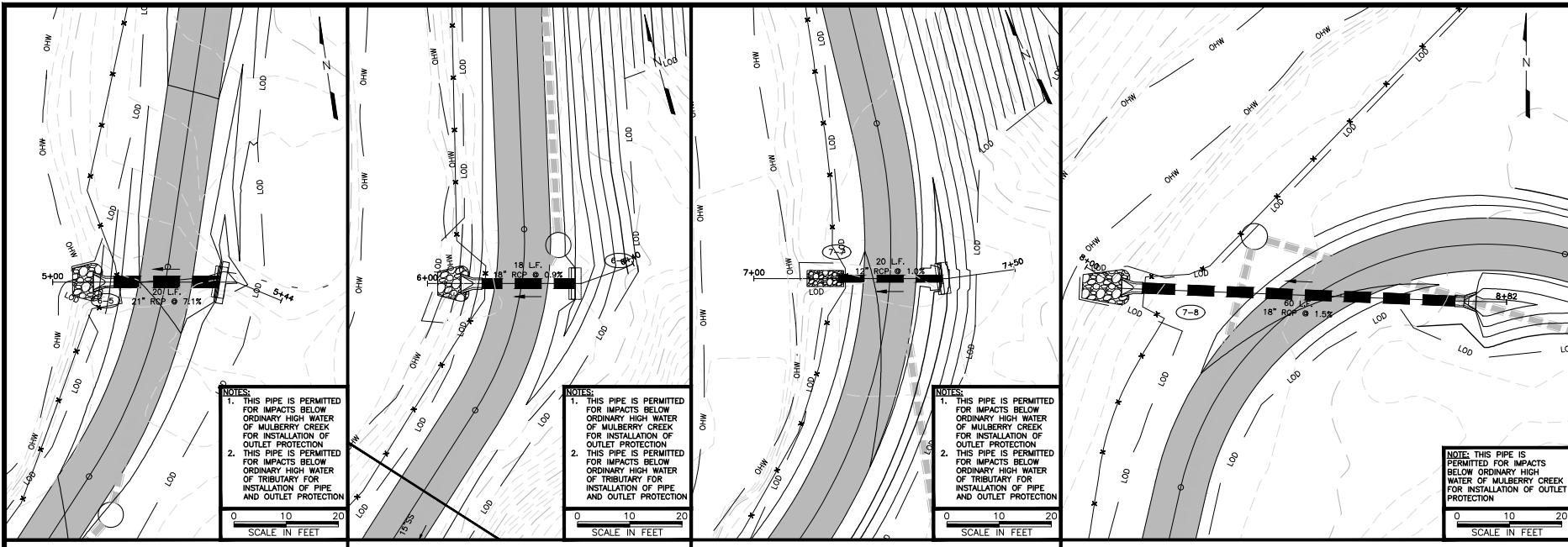
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**STORM PLAN AND PROFILE**

**THE DICK & WILLIE PASSAGE**

HENRY COUNTY, VA



PROJECT NO. 20171773  
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Revisions: 1 25 June 2020  
2 10 August 2020  
SHEET NO. 28



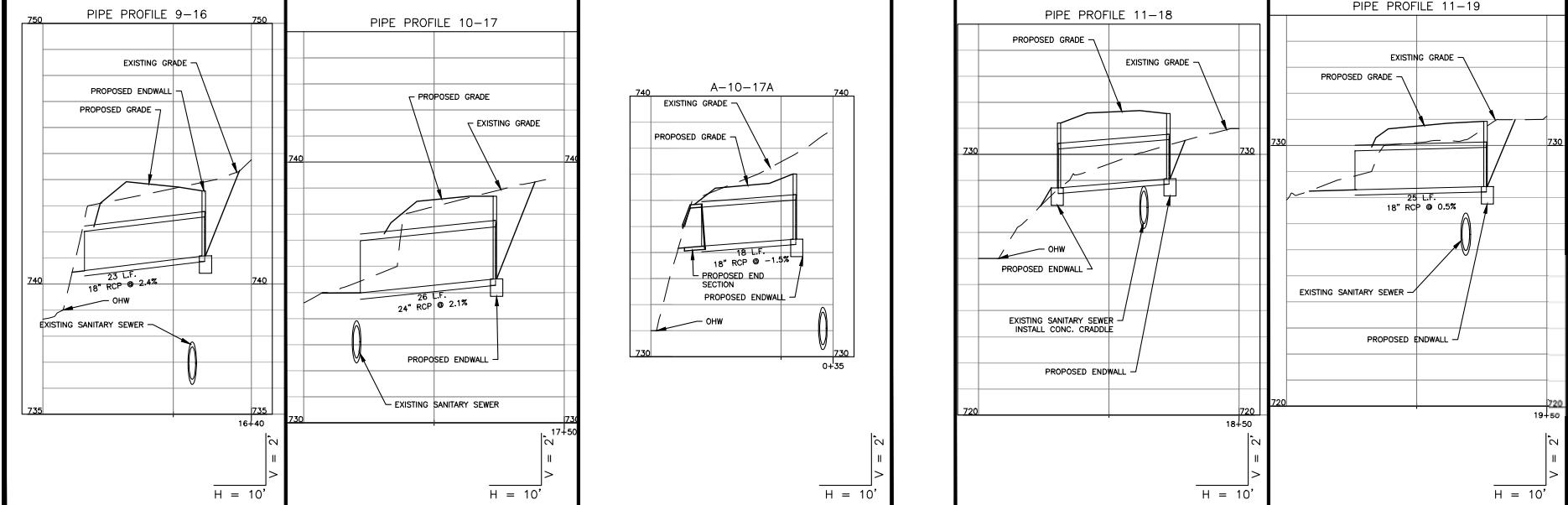
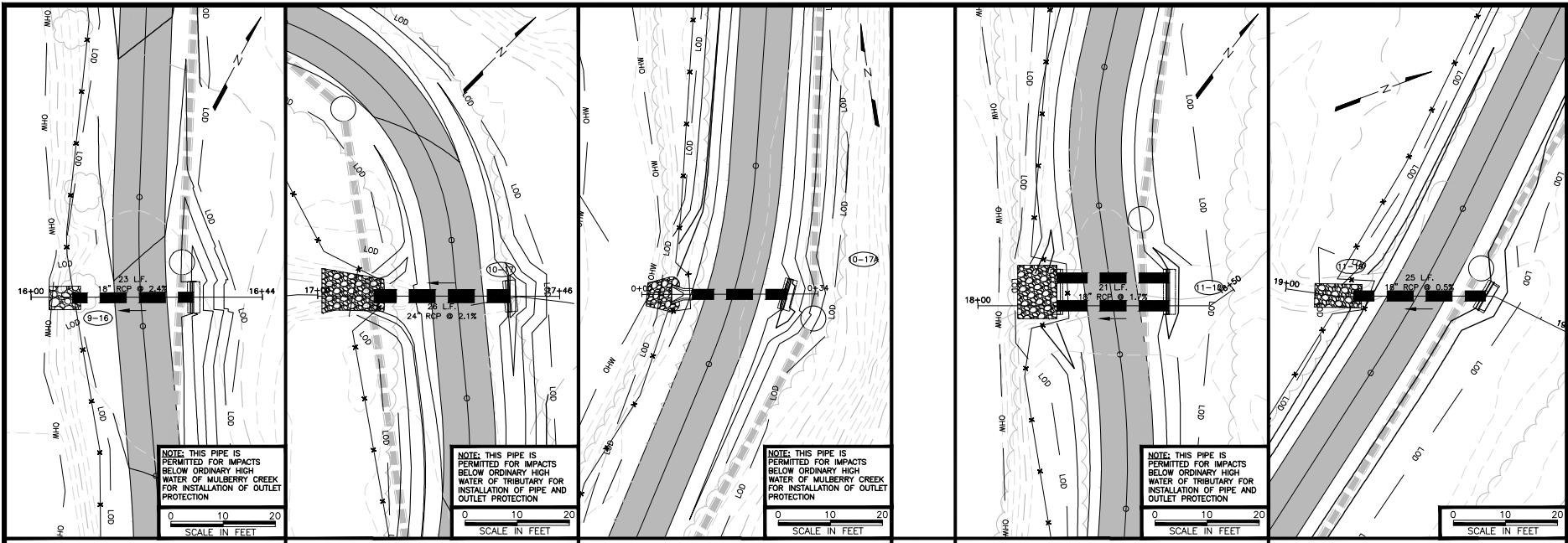




**STORM PLAN AND PROFILE**

**THE DICK & WILLIE PASSAGE**

HENRY COUNTY, VA





**DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NORFOLK DISTRICT  
FORT NORFOLK  
803 FRONT STREET  
NORFOLK VA 23510-1011**

April 20, 2022

Special Projects Section  
NAO-2017-00615 / VMRC#20-V1763 (Mulberry Creek)

Henry County  
Attn: Tim Pace  
PO Box 7  
Collinsville, Virginia 24078

Dear Mr. Pace:

This is regarding your Department of the Army permit application number NAO-2017-00615 (VMRC #20-V1763) to permanently impact 0.05 acres of wetlands due to fill for the trail in 3 locations and permanent impacts to 291 linear feet of streams at 8 different locations for culvert installation and riprap installation associated with trail construction. In addition, 20 linear feet of streams will be temporarily impacted. The work will occur from Trail Phase 5 (to the north) to the Spruce Street trailhead (to the south) in Henry County Virginia. These impacts are detailed on the enclosed drawings entitled "Erosion and Sediment Control Plans, STA. 0+00 to 23+0, THE DICK & WILLIE PASSAGE, Henry County, VA Plan #: 1025-01-C" sheets 17-25, and dated March 27, 2020 (attached).

Your proposed work as outlined above satisfies the criteria contained in the Corps Nationwide Permit 23, attached. Certain Corps Nationwide Permits were published in the December 27, 2021, Federal Register notice (86 FR 73522) and the regulations governing their use can be found in 33 CFR 330 published in Volume 56, Number 226 of the Federal Register dated November 22, 1991.

This nationwide permit verification is contingent upon the following project specific conditions:

**SPECIAL CONDITIONS:**

1. You must provide proof of purchase of 0.05 acres of wetland mitigation credits from an approved wetland mitigation bank servicing the area of impact before any impacts to regulated aquatic resources occurs.
2. All temporary stream impacts must be restored to preconstruction conditions upon completion of the work.

Provided the project specific conditions (above), Regional Conditions, and the Nationwide Permit General Conditions (enclosed) are met, an individual Department of the Army Permit will not be required. To assist in your compliance with NWP General Condition #30, enclosed is a "compliance certification" form, which must be signed and returned within 30 days of completion of the project, including any required compensatory mitigation.

Please be aware that a permit may be required from the Virginia Marine Resources Commission and/or your local wetlands board, and this verification may not be valid until you obtain their approval, if necessary. This authorization does not relieve your responsibility to comply with local requirements pursuant to the Chesapeake Bay Preservation Act (CBPA), nor does it supersede local government authority and responsibilities pursuant to the Act. You should contact your local government before you begin work to find out how the CBPA applies to your project.

This verification is valid until the Nationwide Permit is modified, reissued, or revoked. This Nationwide Permit 23 is scheduled to be modified, reissued, or revoked prior to March 14, 2026.

It is incumbent upon you to remain informed of changes to the Nationwide Permits. We will issue a public notice when the Nationwide Permits are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the Nationwide Permit to complete the activity under the present terms and conditions of this Nationwide Permit unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 330.4(e) and 33 CFR 330.5 (c) or (d). Project specific conditions listed in this letter continue to remain in effect after the Nationwide Permit verification expires unless the district engineer removes those conditions. Activities completed under the authorization of a Nationwide Permit which was in effect at the time the activity was completed continue to be authorized by that Nationwide Permit.

In granting an authorization pursuant to this permit, we relied on the information and data provided by the permittee. If we determine that this information is false or incomplete, we may suspend or revoke, in whole or in part, this authorization and institute appropriate legal proceeding.

If you have additional questions or concerns about this permit authorization, please contact the office by telephone at (757) 201-7793 or by email at [robert.a.berg@usace.army.mil](mailto:robert.a.berg@usace.army.mil).

Sincerely,



Robert Berg  
Special Projects Section

Enclosure(s)

cc:  
Hurt & Proffitt