



ENVIRONMENTAL GUIDANCE



Revisions to the Norfolk District U.S. Army Corps of Engineers (Corps) State Programmatic General

2005 Spring Issue

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The revised Corps State Programmatic General Permit (SPGP) as public noticed on February 15, 2005, provides some subtle changes in the evaluation procedures; however no impact thresholds or excluded activities were altered. The following provides a summary of changes:

Flooding included as impacts

Impact calculations shall include flooding of wetlands associated with discharges of fill.

Jurisdictional Confirmations required for all projects proposing impacts.

Previously, jurisdictional confirmations were not necessary for any projects proposing impacts under 0.10 acre of wetland impact and 300 linear feet of stream impact.

Emphasis on Counter-sinking pipe culverts

Additional language was added to the special conditions to emphasize the requirement of countersinking pipes in waters of the United States. These conditions specify that pipes less than 24 inches in diameter be countersunk by 3 inches, and pipes larger than 24 inches, countersunk by 6 inches. These conditions will be added to the permit, unless the applicant proves that no fish or aquatic organisms are present in the stream being crossed. Further details on counter-sinking and pipe culvert installation are listed in the SPGP regulations.

Coordination Procedures

Provisions were added to allow for extensions of time for coordination of federal or state threatened and endangered species, historical properties, or if adverse comments are received from two or more agencies. Previously, the Corps had to either suspend the SPGP or elevate the projects to an Individual

Permit to allow for coordination of these issues.

Compensatory Mitigation

Under the SPGP program, the Corps will default to the Virginia Department of Environmental Quality (DEQ) for decision of an appropriate mitigation plan for the proposed project. Generally, mitigation for wetlands will follow standard ratios but can also include wetland preservation, preservation and/or restoration of associated upland buffers, purchase of mitigation bank credits, and

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in-lieu fee contributions to the Virginia Aquatic Resources Trust Fund. If the DEQ approves a mitigation plan for their

permit process, the project will meet requirements under the Corps SPGP program. See the DEQ changes for more information on their mitigation requirements.

Linear -Transportation Projects

Projects qualifying for this type of permit were expanded to include lateral encroachments, which are defined as roadways running parallel to a jurisdictional resource. However, lateral encroachments would be viewed as an entire single project, not for each impact area. Also, stipulations were made that stream mitigation would not be required for impacts up to 300 LF. However once this threshold is exceeded, the Corps would require a compensatory mitigation plan.





The Golf Center of Kingstowne

Construction of the Golf Center of Kingstowne began in March, on the site of an existing driving range. This new facility, which features a high-tech, point scoring golf game, will be the first of its kind in the U.S.!

WEG will be assisting with the zoning and planning review process, including preparation of rendered boards for presentation to the Planning Commission and Board of Supervisor meetings. WEG will also prepare the site plan for the driving range renovation, which could include the preparation of target layouts, storm water management, technical specifications, structural design, and cost opinion for the County submittal process. WEG will also prepare appropriate State permits such as the Virginia Pollutant Discharge Elimination System (VPDES) permit application and coordination of meetings.

The Golf Center of Kingstowne is being developed by Top Golf, Inc., and will turn into a state-of-the-art practice facility appealing to golfers and non-golfers alike, as well as players of all ages. Golfers will hit premium golf balls into any of eleven targets on a five acre outfield, and due to a tiny microchip in each ball, the player will be able to view the exact distance the ball traveled on a display screen in their own bay. Two other facilities, just like this one, have already been built in the U.K.

Top Rate Golf Courses

Unfortunately there are no annual awards for golf course planning and permitting, but WEG can take pride in its contribution to three golf courses that were rated in the top ten for new courses opening in 2004! The annual awards, which were announced in the January, 2005 issue of *Golf Digest*, are decided by a nationwide panel of more than 800 course raters. The Greenbrier Sporting Club was rated number 3 for private courses, while Cannon Ridge and Sleepy Hole were rated numbers 3 and 8, respectively, in the affordable public courses category.

Although each of these projects are unique, they share the attributes of great golf design, scenic sites and interesting history. **The Greenbrier Sporting Club** course was designed by Tom Marzolf of Fazio Golf Course Designers and is named the "Snead Course" in honor of Sam Snead, the long-time Greenbrier professional, and one of the greatest golfers in history. The course is located in a flat valley and is visually stunning with artistic bunkering and magnificent mountain views. Four of the last five holes parallel the scenic Howard Creek. The course will be very challenging for the members, with greens reminiscent of those at the legendary Pinehurst #2 course. A portion of the golf course sits on a former airport runway, which served Airforce One as well as general aviation traffic to the Greenbrier Resort. WEG provided regulatory support, floodplain analysis, erosion and sediment control design, and drainage design for the Snead Course. In addition, WEG contributed to the aesthetic and wildlife habitat value of the Greenbrier property through a major restoration of Howard Creek to improve trout habitat, landscape architecture of flood conveyance channels, and on-site wetland creation.

Cannon Ridge, located within the Celebrate Virginia project, sits above the Rappahannock River, where the Battle of Fredericksburg began on December 11, 1862. The Union army setup cannons on the site that

gave cover fire for troops during the battle. The fighting lasted for four days with General Lee driving out the Union for a Confederate Victory. On this historic site, golf architect Bobby Weed and former PGA tour commissioner Deane Beman teamed up to fashion a

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great golf course in a classic traditional style. The site is predominantly open with rolling terrain and features long vistas and deep ravines. Golfers are sure to enjoy the challenge and beauty of the course, as well as the strong sense of history, highlighted by historic cannon emplace-

ments on several holes. WEG obtained State and Federal permits for the entire Celebrate Virginia project, provided engineering design for the golf course, and prepared site plans for the golf clubhouse and maintenance facility.

Architect Tom Clark brought new life to the **Sleepy Hole Golf Course** originally designed by Russell Breeden in 1972. Sleepy Hole played host to the LPGA Crestar Classic between 1981 and 1988. The project included the rerouting of some holes, reconstruction of greens, tees, and bunkers, and regrassing of fairways. The result is a wonderful golf experience and one of the best golf bargains in Virginia. The course is challenging, fun to play, and in excellent condition. The 18th

hole, already one of the most scenic and challenging finishing holes in Virginia, was further improved by relocating the green closer to the Nansemond River. Players approaching 18 are now treated to a view that is both scary and magnificent at the same time. The ambiance surrounding the 18th green is further enhanced by the historic



Obici House, which may eventually be converted to the clubhouse. WEG provided regulatory as well as engineering services to the City of Suffolk on this renovation project.

One final common thread among these projects is that WEG's clients, the Greenbrier Sporting Club, the Silver Companies and TSC Golf, and the City of Suffolk, as well as the golf architects, were all a pleasure to work with. WEG appreciates the opportunity to be a part of these award winning projects!



Revisions to the Virginia Department of Environmental Quality (DEQ) Water Protection General Permits

Revisions of the Virginia Water Protection (VWP) General Permits (GP's) were finalized by DEQ and published on January 25, 2005. No changes in impact thresholds or excluded activities occurred. Also, the Reporting-Only permit is still in effect for impacts to wetlands under 0.10 acre and less than 300 linear feet of stream and requires no application fee, no compensatory mitigation, and no construction monitoring. However, some significant changes were made in the areas of compensatory mitigation and construction monitoring activities. The following are a summary of changes:

More options for Compensatory Mitigation

The new GP's no longer require that remaining state waters, including wetlands, on a project site be preserved in perpetuity. While the standard ratios still apply to wetlands (2:1 for forested, 1.5:1 scrub-shrub, 1:1 emergent), wetland mitigation can include preservation of wetlands and/or preservation or restoration of upland buffers adjacent to state waters when in conjunction with creation, restoration, or purchase of bank credits. Also, stream mitigation can include a combination of stream restoration, riparian buffer restoration or enhancement, preservation or enhancement of stream corridors, the purchase of stream credits at a bank, or a contribution to the in-lieu fee fund. However, stream mitigation should

also accompany a stream impact assessment utilizing a methodology approved by DEQ to further document an appropriate mitigation plan.

Timeline of Compensatory Mitigation bank or In-lieu Fee Purchase Changed

The GP's no longer require a 60-day stipulation to provide proof of purchase of credits or contribution to an in-lieu fee, but proof will be required prior to commencement of construction within permitted areas.

More stringent Construction Monitoring conditions

The GP's now require permittees to conduct monitoring and submit reports during the 1st, 2nd, now 3rd, now 6th and 12th months in the 1st year of construction, and semi-annually for years thereafter. DEQ also requires prior approval to submitting reports without photographs and also tightens the deadline for submitting the reports from 30 days to 10 days.

VWP General Permit for Impacts Less than One-Half of an Acre (VWPI)

While the compensatory mitigation for wetlands remains at a 2:1 ratio, provisions have been included in all GP's that will allow different types of mitigation in regards to streams, as mentioned above.

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For any questions or comments on this article or the permit changes, please contact Charlene Parker in our Richmond office at (804) 267-3474.





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Stream Mitigation: Regulatory Update

U.S. Army Corps of Engineers

The Corps has set forth a cooperative effort to field test the proposed Stream Attribute Assessment Methodology (SAAM) form, which includes representatives of the public- and private-sector. Currently, selected individuals have been contacted to convene on April 13, 2005 to review the most recent form. Field testing will be conducted at several sites that will serve to calibrate practitioners and provide feedback on the strengths and weaknesses of the form. Field testing will occur for approximately one month at sites in Richmond, Charlottesville, and NOVA with all comments due by May 13, 2005. The Corps will then make any necessary changes prior to finalizing the form.

Virginia Department of Environmental Quality

The DEQ has established a Stream Mitigation

Advisory Workgroup to develop guidance for determining how stream impacts are assessed and what compensation requirements should be required. Published physical, biological, and chemical stream assessment methodologies, along with any newer concepts, are being reviewed to identify strengths and weaknesses which, if one or combination of methods, including the pending Corps SAAM, is most appropriate. The initial meeting was completed on February 25, 2005 with four additional meetings currently scheduled. The tentative final meeting date is set for May 24, 2005 although additional sessions may be added, as required.

In the end, the Corps and DEQ may apply separate stream assessment methods and require different stream mitigation requirements.

WEG is participating in both the Corps and DEQ workgroups and will provide updates as they become available.

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