

U.S. Department of Transportation
Federal Highway AdministrationVirginia Department of Conservation and Recreation
Division of Planning and Recreation ResourcesFederal Highway Administration
Recreational Trails Program**Categorical Exclusion Determination****1. Project Summary****Project Number:****Project Sponsor/ Subrecipient:****Project Title:****County/ies:**

Project Description: Project Description: The Town of Clarksville (Town) is proposing to create (16) transient public-use boat slips and provide an ADA-accessible pedestrian pathway from downtown Clarksville. The pathway will consist of crushed stone and lighting along the path for safety and security. The project will include small scale tree removal and grading for installation of a walkway to the boat slips.

2. Environmental Determination

Functional Area	Determination	Source of Determination/ Other Comments
Public Comments/ Support	Choose an item.	
Community Impacts	No effect	Project will positively impact the community by providing additional access to Kerr Lake via an ADA Accessible pathway and 16 transient boat slips.
NHPA Section 106: Historic and/or Archaeological Resources	No effect	Project submitted through ePIX. Email received stating historic resources will not be adversely impacted.
Section 4(f)	Exempt	Recreational Trails Program projects are exempt from 4(f)
Section 6(f)	No 6(f) properties	N/A
ESA Section 7: Threatened & Endangered Species (USFWS)	No effect	Received Permit through USACE. Section 7 Consultation was initiated and completed by USACE to issue NWP and SPGP confirmation.
State Threatened & Endangered Species (VA DWR)	No effect	Project submitted through DWR project review. Email received stating no documented or listed species within the project area. No anticipated adverse impacts to result from proposed work.
Rare Species & Communities (VA DCR-Division of Natural Heritage)	No effect	Project submitted through DCR Natural Heritage Data Explorer. No Natural heritage resources documented within the project area including a 100-ft buffer as well as no intersection with predictive models.
Within 100 Year Floodplain	No	Project not located in a floodplain, see attached FEMA Map
Floodplains (local floodplain administrator)	No effect	Project not located in a floodplain, see attached FEMA Map
Flood Level Rise Analysis (USACE)	No effect	Project not located in a floodplain, see attached FEMA Map
Wetlands and/or Shoreline (local wetlands board, DEQ, VMRC, and/or USACE)	No effect	VMRC No Permit Necessary- (2025-0083) USACE NWP 18 and 23-SPGP-PASDO (NAO-2009-01707)
In Coastal Zone	No	N/A
Anticipated Feet of Stream Impacts	N/A	N/A
Anticipated Acreage of Wetlands Impacts	Permanent PFO-1055 SQFT Temporary PFO-592 SQFT Permanent POW-549 SQFT	All impacts covered under NWP-18 or 23-SPGP-PASDO as verified by USACE.

Supporting documentation and copies of agency correspondence must be attached to this form.

Functional Area	Determination	Source of Determination/ Other Comments
Erosion and Sediment Control and Stormwater Management (locality E&S/ESC administrator and/or VA DEQ)	Under review	Local approval of plans will be obtained before bidding.
Anticipated Square Footage of Impervious Surface Added	4,833 Square Feet	Concrete Landing- 49 Square Feet Gravel/Asphalt Trail- 4,784 Square Feet
Anticipated Permits	Yes, list:	Received permits- NWP-18 and 23-SPGP-PASDO (NAO-2009-01707)
Other:		

Comment Section for Adverse Effects

Describe each adverse impact in an objective and quantified manner and describe specifically how mitigation will be accomplished to minimize the adverse impact OR which impacts are unavoidable and cannot be positively addressed through mitigation measures.

Wetland impacts will occur to construct the ADA-accessible public pedestrian pathways to the sixteen (16) proposed boats slips. The pathway route was chosen to avoid and minimize potential impacts, and slope grading was kept to a minimum in the design of the project to avoid additional disturbance for the entire project. The positioning of the boat slips was chosen to lessen impacts from environmental forces, optimize boat slip configuration, and to minimize the potential of bottom interference during low water levels. No other adverse effects were identified during the CE determination research.

Please list subrecipient staff and consultants that assisted in this review:

Dylan Irby- Dewberry Engineers Inc.
Drew Arnold, PE- Dewberry Engineers Inc
Katherine Lynch- Dewberry Engineers Inc.

3. Environmental Document Approval

Based on the information obtained during the environmental review process and included as **attachments** to this form, the project is determined to be a Categorical Exclusion under 23 CFR part 771 pursuant to the National Environmental

Supporting documentation and copies of agency correspondence must be attached to this form.

Policy Act and complies with all other applicable environmental laws, regulations, and Executive Orders. The project action does not individually or cumulatively have a significant effect on the natural and human environment.

_____ Subrecipient – Project Manager	_____ DCR Recreation Grants Manager	_____ Federal Highway Administration
_____ Date	_____ Date	_____ Date

Section 106 Historic and/or Archaeological Resources

From: [Adrienne Birge-wilson](#)
To: [Irby, Dylan](#)
Subject: Clarksville Cove (DHR File No. 2024-4661) | e-Mail #03339
Date: Wednesday, September 18, 2024 8:47:52 AM

You don't often get email from adrienne.birge-wilson@dhrr.virginia.gov. [Learn why this is important](#)

[CAUTION] External Email. DO NOT click links or open attachments unless expected. Please use the "Phish Alert" button to report all suspicious emails.

Dylan,

Thank you for requesting comments from the Department of Historic Resources (DHR) on the referenced project. Based upon the documentation provided, it is our opinion that the historic resources within the Area of Potential Effects will not be adversely impacted by the proposed project.

Based on the construction drawings provided, this project involves placement of fill to level out the existing steep terrain and allow for an accessible walkway, with some grading toward the shoreline. Due to the steepness of the terrain the project area of potential effect has relatively low probability for archaeological resources. In the event that previously unidentified archaeological resources are discovered during ground disturbing activities, all construction work involving subsurface disturbances should be halted in the area of the resource and in the surrounding area where further subsurface remains can be reasonably expected to occur. The State Historic Preservation Officer (SHPO) via DHR should be contacted for further guidance before proceeding with additional site work.

If the scope of the project changes or if the project cannot be completed as proposed in the application submitted and reviewed by DHR, please contact our office for guidance on reinitiating consultation.

If you have any questions or require any further assistance, please contact me.

Sincerely,

Adrienne Birge-Wilson, Architectural Historian

Department of Historic Resources
Review and Compliance Division
Phone: (804) 482-6092

Adrienne.Birge-Wilson@dhrr.virginia.gov

ESA Section 7: Threatened & Endangered Species (VA DWR)

From: [Brann, Lee \(DWR\)](#)
To: [Irby, Dylan](#)
Cc: [nhreview \(DCR\)](#); [Strawderman, Nicole \(DWR\)](#)
Subject: ESSLog# 45510_Clarksville Cove Project_DWR_HLB20240924
Date: Tuesday, September 24, 2024 9:05:26 AM

You don't often get email from lee.brann@dwr.virginia.gov. [Learn why this is important](#)

[CAUTION] External Email. DO NOT click links or open attachments unless expected. Please use the "Phish Alert" button to report all suspicious emails.

Mr. Irby,

We have reviewed the subject project that proposes to construct transient boat slips and a pedestrian pathway in Mecklenburg County. We do not currently document any listed wildlife or designated resources under our jurisdiction from the project area. Therefore, we do not anticipate adverse impacts upon such species or resources to result from the proposed work.

We recommend conducting any in-stream activities during low or no-flow conditions, using non-erodible cofferdams or turbidity curtains to isolate the construction area, blocking no more than 50% of the streamflow at any given time (minimal overlap of construction footprint notwithstanding), stockpiling excavated material in a manner that prevents reentry into the stream, restoring original streambed and streambank contours, revegetating barren areas with native vegetation, and implementing strict erosion and sediment control measures. We recommend that instream work be designed and performed in a manner that minimizes impacts upon natural streamflow and movement of resident aquatic species. If a dam and pump-around must be used, we recommend it be used for as limited a time as possible and that water returned to the stream be free of sediment and excess turbidity. To minimize potential wildlife entanglements resulting from use of synthetic/plastic erosion and sediment control matting, we recommend use of matting made from natural/organic materials such as coir fiber, jute, and/or burlap. To minimize harm to the aquatic environment and its residents resulting from use of the Tremie method to install concrete, installation of grout bags, and traditional pouring of concrete, we recommend that such activities occur only in the dry, allowing all concrete to harden prior to contact with open water. Due to future maintenance costs associated with culverts, and the loss of riparian and aquatic habitat, we prefer stream crossings to be constructed via clear-span bridges. However, if this is not possible, we recommend countersinking any culverts below the streambed at least 6 inches, or the use of bottomless culverts, to allow passage of aquatic organisms. We also recommend the installation of floodplain culverts to carry bankfull discharges.

To minimize the adverse impacts of linear project development on wildlife resources, we offer the following general recommendations: avoid and minimize impacts to undisturbed forest, wetlands, and streams to the fullest extent practicable; maintain naturally vegetated buffers of at least 100 feet in width around wetlands and on both sides of perennial and intermittent streams, where practicable; conduct significant tree removal and ground clearing activities outside of the primary songbird nesting season of March 15 through August 15; and, implement and maintain appropriate erosion and sediment controls throughout project construction and site restoration. We understand that adherence to these general recommendations may be infeasible in some situations. We are happy to work with the applicant to develop project-specific measures as necessary to minimize project impacts upon the Commonwealth's wildlife resources.

The U.S. Fish and Wildlife Service (in Virginia) utilizes an online project review process (<https://www.fws.gov/office/virginia-ecological-services/virginia-field-office-online-review-process>) to facilitate compliance with the Endangered Species Act (16 U.S.C. 1531-1544, 87 Stat. 884) (ESA), as amended. The process enables users to 1) follow step-by-step guidance; 2) access information that will allow them to identify threatened and endangered species, designated critical habitat, and other Federal trust resources that may be affected by their project; and 3) accurately reach determinations regarding the potential effects of their project on these resources as required under the ESA. If you have questions regarding the online review process, please contact Rachel Case at rachel_case@fws.gov.

This project is located within 2 miles of a documented occurrence of a state or federal

threatened or endangered plant or insect species and/or other Natural Heritage coordination species. Therefore, we recommend coordination with VDCR-DNH regarding protection of these resources.

Thank you,



Lee Brann

Environmental Services Biologist

Wildlife Information and Environmental Services

P 804.367.1295

C 804.481.1934

Department of Wildlife Resources

CONSERVE. CONNECT. PROTECT.

A 7870 Villa Park Drive, P.O. Box 90778, Henrico, VA 23228

www.VirginiaWildlife.gov

Rare Species & Communities (VA DCR-Division of Natural Heritage)



Department of Conservation & Recreation

CONSERVING VIRGINIA'S NATURAL & RECREATIONAL RESOURCES

PROJECT INFORMATION

TITLE: Clarksville Cove

DESCRIPTION: Construct walkway off of street and from water plant to a proposed boat slip area

EXISTING SITE CONDITIONS: Wooded/Lake

Instream Activity: Yes - Instream Impact Required

QUADRANGLES: Clarksville North

Major Ground Disturbing Activities: Bank Grading

COUNTIES: Mecklenburg

Minor Ground Disturbing Activities: Manual tree removal with chainsaw

Latitude/Longitude (DMS): 36° 37' 38.1082" N / 78° 33' 19.7132" W

Acreage: 1 acres

Comments:

REQUESTOR INFORMATION

Priority: N

Tier Level: Tier I

Tax ID:

Contact Name: Dylan Irby

Company Name: Dewberry Engineers Inc.

Address: 551 Piney Forest Rd

City: Danville

State: VA

Zip: 24540

Phone: 434-548-0479

Fax:

Email: dirby@dewberry.com

Web Project ID: WEB0000026039

Client Project Number:

Conservation Site	Site Type	Brank	Acreage	Listed Species Presence	Essential Conservation Site?	Land Conservation Priorities
Natural Heritage Screening Features Intersecting Project Boundary						
Intersecting Predictive Models						
Predictive Model Results						

Clarksville Cove



- Buffered Project Boundary
- Project Boundary

0 0.05 0.1 0.2 Miles

Scale: 1:4,514

Quads: Clarksville North

Counties: Mecklenburg

Company: Dewberry Engineers Inc.

Lat/Long: 363738 / -783319



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

The project mapped as part of this report has been searched against the Department of Conservation and Recreation's Biotics Data System for occurrences of natural heritage resources in the vicinity of the area indicated for this project. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100 foot buffer. In addition, the project area does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks additional natural heritage resources. New and updated information is continually added to Biotics. Please revisit this website or contact DCR for an update on this natural heritage information if a significant amount of time passes (DCR recommends no more than six months) before it is utilized.

The Virginia Department of Wildlife Resources maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, that may contain information not documented in the Natural Heritage Data Explorer. Their database may be accessed from <https://svcgis.dwr.virginia.gov/fwis/> or contact Lee Brann at Lee.Brann@dwr.virginia.gov.

Thank you for submitting your project to the Virginia Department of Conservation and Recreation's Natural Heritage Data Explorer Web Service. **Based on the preliminary screening results for this project, no further correspondence will be sent from this office.** Should you have any questions or concerns about this report, the Data Explorer, or other Virginia Natural Heritage Program services, please contact the Natural Heritage Project Review Unit at 804-371-2708.

FEMA Flood Insurance Map

NOTES TO USERS

is for use in administering the National Flood Insurance Program. It is necessary to identify all areas subject to flooding, particularly from local sources of small size. The community map repository should be updated for possible updated or additional flood hazard information.

In more detailed information in areas where **Base Flood Elevations** and/or **floodways** have been determined, users are encouraged to consult **Profiles and Floodway Data** and/or **Summary of Stillwater Elevations** obtained within the Flood Insurance Study (FIS) report that accompanies this map. Users should be aware that BFEs shown on the FIRM represent whole-foot elevations. These BFEs are intended for flood insurance purposes only and should not be used as the sole source of flood information. Accordingly, flood elevation data presented in the FIS should be utilized in conjunction with the FIRM for purposes of flood insurance and/or floodplain management.

Base Flood Elevations shown on this map apply only to landward of the North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM are aware that coastal flood elevations are also provided in the Summary of Elevations tables in the Flood Insurance Study report for this jurisdiction. As shown in the Summary of Stillwater Elevations tables should be used for flood insurance and/or floodplain management purposes when they are higher than elevations shown on this FIRM.

Floodway Data were computed at cross sections and interpolated at cross sections. The floodways were based on hydraulic considerations and to requirements of the National Flood Insurance Program. Floodway and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

Information used in the preparation of this map was Virginia State Plane South of the horizontal datum was NAD 83, GRS80 spheroid. Differences in spheroid, projection or State Plane zones used in the production of FIRM maps of different jurisdictions may result in slight positional differences in map features and jurisdiction boundaries. These differences do not affect the accuracy of this map.

Elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding the difference between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at 1-800-368-5858.

Information Services Branch, 1-800-368-5858, or visit its website at www.ngs.noaa.gov.

Information on current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch, National Geodetic Survey at (801) 715-3242, or visit its website at www.ngs.noaa.gov.

Information shown on this FIRM was provided in digital format by the Virginia Department of Transportation, through the Virginia Geographic Information Network (VGIN). These data were produced at scales of 1:250,000 and 1:400,000 from one-foot and two-foot resolution digital orthorectified imagery.

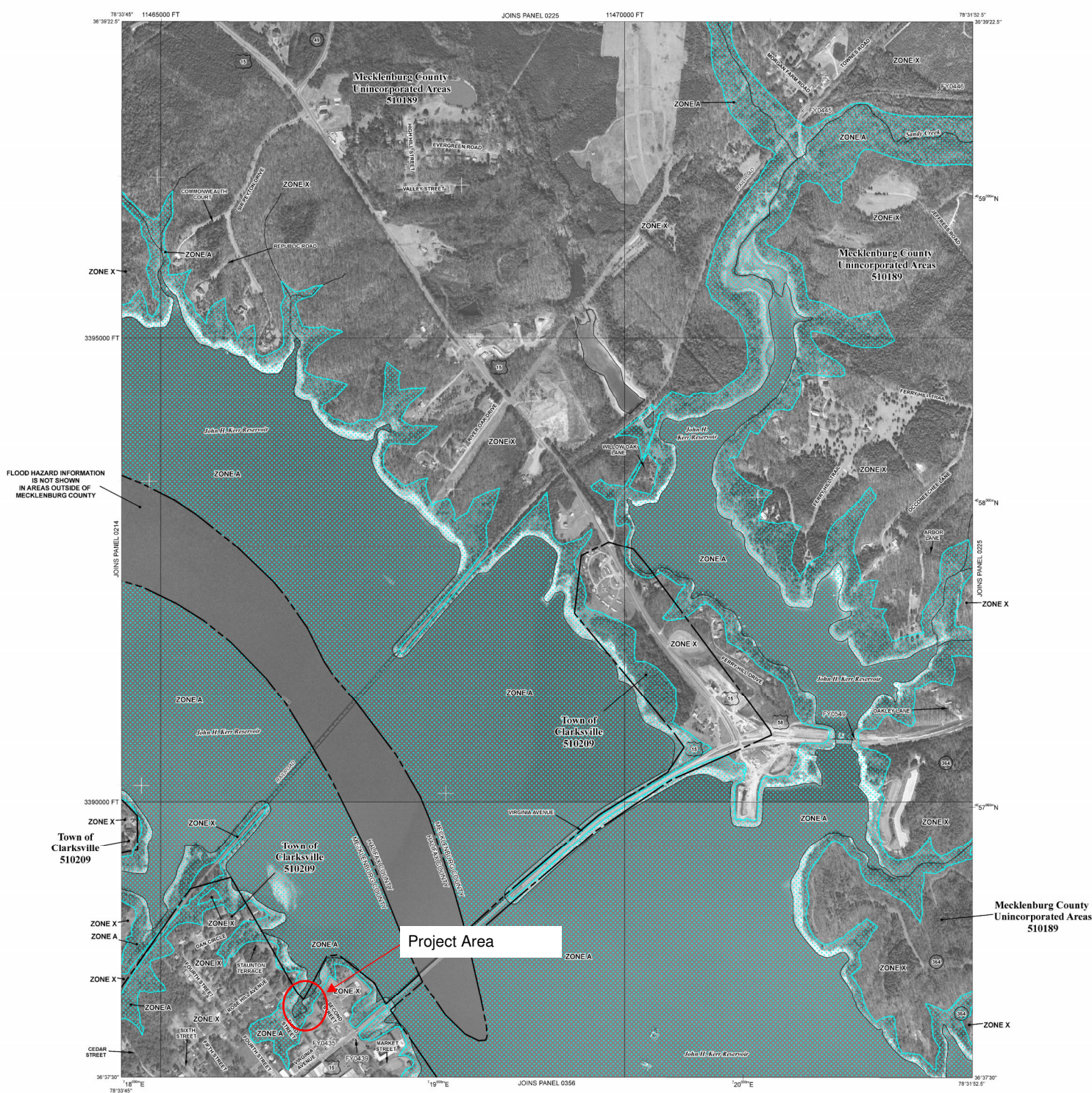
This map reflects more detailed and up-to-date **stream channel configurations** as shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to these new stream channel configurations. As a result, the Flood and Floodway Data tables for Haden Branch, Little Bluestone Creek, River, and Woodpecker Creek in the Flood Insurance Study Report contain authoritative hydraulic data may reflect stream channel distances or from what is shown on this map.

Map limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may occur after this map was published, map users should contact appropriate local officials to verify current corporate limit locations.

Refer to the separately printed **Map Index** for an overview map of the showing the layout of map panels; community map repository addresses; listing of Communities table containing National Flood Insurance Program for each community as well as a listing of the panels on which each community is located.

For the **FEMA Map Service Center** at 1-800-358-9616 for information on products associated with this FIRM. Available products may include the Flood Insurance Study Report, a Flood Insurance Study report, and/or versions of this map. The FEMA Map Service Center may also be reached at 1-800-358-9620 and its website at <http://msc.fema.gov>.

For **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2627) or FEMA website at <http://www.fema.gov/business/fip>.



LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Areas are subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard are designated as Zone A, AE, AH, AD, AR, AR9, V, and VE. The base flood elevation is the water elevation of the 1% annual chance flood.

Zone A: No Base Flood Elevations determined.

Zone AE: Base Flood Elevations determined.

Zone AH: Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

Zone AD: Flood depths of 1 to 3 feet (usually shallow flow on sloping terrain); Base Flood Elevations determined.

Zone AR: Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently deteriorated, indicating that the flood control system is being restored to its original condition from the 1% annual chance or greater flood.

Zone AR9: Area to be protected from 1% annual chance flood by a Federal flood control system under construction; no Base Flood Elevations determined.

Zone V: Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

Zone VE: Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increase in flood heights.

OTHER FLOOD AREAS

Zone X: Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile and areas protected by levees from 1% annual chance flood.

OTHER AREAS

Zone D: Areas determined to be outside the 0.2% annual chance floodplains; areas in which flood hazards are unassessable, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% annual chance floodplain boundary

0.2% annual chance floodplain boundary

Floodway boundary

Zone D boundary

CBRS and OPA boundary

Boundary dividing Special Flood Hazard Area Zone AE from Zone X

Boundary dividing Special Flood Hazard Area Zone AE from Zone V

Base Flood Elevation line and value; elevation in feet

Base Flood Elevation value where uniform within zone; elevation in feet

* Referenced to the North American Vertical Datum of 1988

Zone section line

Traverse line

Geographic coordinates referenced to the North American Datum of 1983 (NAD 83); Western Hemisphere

100-meter Universal Transverse Mercator grid values, zone 18T

500-foot grid ticks: Virginia State Plane coordinate system, South zone (PPS20-4502), Lambert Conformal Conic

North arrow (see explanation in Notes to Users section of FIS report)

MAP REPOSITORY

Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP

September 11, 2008

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located within the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6633.

MAP SCALE 1" = 500'

250 0 500 1000 FEET

150 0 150 300 METERS

NFIP

PANEL 0218C

FIRM

FLOOD INSURANCE RATE MAP

MECKLENBURG COUNTY, VIRGINIA

AND INCORPORATED AREAS

PANEL 218 OF 475

(SEE MAP INDEX FOR FIRM PANEL LIST)

CONTAINS:

CLARKSVILLE, TOWN OF MECKLENBURG COUNTY

NUMBER 510189

PANEL 0218

Notice to User: The Map Number shown below is for the community map only. The community map shown above should be used on insurance applications and other documents.

MAP NUMBER 511707

EFFECTIVE DATE SEPTEMBER 11, 2008

Federal Emergency Management Agency

**Wetlands and/or Shoreline (local
wetlands board, DEQ, VMRC,
and/or USACE)**

From: [Birge, Tiffany \(MRC\)](#)
To: townmanager@clarksvilleva.org; [Irby, Dylan](#)
Cc: [Boyd, Teresa \(MRC\)](#); cenao.reg_rod@usace.army.mil (cenao.reg_rod@usace.army.mil); [PRO VWP \(DEQ\)](#); [Jones, Bryan \(DEQ\)](#)
Subject: VMRC #2025-0085, Town of Clarksville - No Permit Necessary
Date: Wednesday, April 30, 2025 5:31:35 PM

You don't often get email from tiffany.birge@mrc.virginia.gov. [Learn why this is important](#)

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Mr. Irby,
Mr. Jones,

We are in receipt of your application requesting authorization to construct two (2) ADA-accessible public pedestrian pathways and a floating pier equipped with transient boat slips adjacent to West Street, situated along the John H. Kerr Reservoir as part of the Clarksville Cove Project in Mecklenburg County.

Your proposal is located outside of the jurisdictional areas of the Virginia Marine Resources Commission. Therefore, no authorization is required from this agency.

For your information you may need authorization from your locality, the Department of Environmental Quality, and / or the U. S. Army Corps of Engineers prior to commencing your project. Your application has been forwarded to these agencies.

If I may be of further assistance, please contact me at (757) 247-2254.

Respectfully,
Tiffany

Tiffany Birge
Environmental Engineer, Habitat Management

Virginia Marine Resources Commission
Building 96, 380 Fenwick Road
Ft. Monroe, VA 23651

Tiffany.birge@mrc.virginia.gov, 757-247-2254

From: [Birge, Tiffany \(MRC\)](#)
To: townmanager@clarksvilleva.org; [Irby, Dylan](#)
Cc: [Boyd, Teresa \(MRC\)](#); cenao.reg_rod@usace.army.mil (cenao.reg_rod@usace.army.mil); [PRO VWP \(DEQ\)](#); [Jones, Bryan \(DEQ\)](#)
Subject: RE: VMRC #2025-0083, Town of Clarksville - No Permit Necessary
Date: Wednesday, April 30, 2025 5:33:31 PM

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Please accept this email as a correction to the previous. The VMRC # included in the subject line should reference 2025-0083, instead of 2025-0085 as previously indicated.

Thanks,
Tiffany

Tiffany Birge
Environmental Engineer, Habitat Management

Virginia Marine Resources Commission
Building 96, 380 Fenwick Road
Ft. Monroe, VA 23651

Tiffany.birge@mrc.virginia.gov, 757-247-2254

From: Birge, Tiffany (MRC)
Sent: Wednesday, April 30, 2025 5:31 PM
To: townmanager@clarksvilleva.org; dirby@dewberry.com
Cc: [Boyd, Teresa \(MRC\) <Teresa.Boyd@mrc.virginia.gov>](mailto:Boyd, Teresa (MRC) <Teresa.Boyd@mrc.virginia.gov>); cenao.reg_rod@usace.army.mil (cenao.reg_rod@usace.army.mil) <cenao.reg_rod@usace.army.mil>; [PRO VWP \(DEQ\)](#) <PRO.VWPCompliance@deq.virginia.gov>; [Jones, Bryan \(DEQ\) <Bryan.Jones@deq.virginia.gov>](#)
Subject: VMRC #2025-0085, Town of Clarksville - No Permit Necessary

Mr. Irby,
Mr. Jones,

We are in receipt of your application requesting authorization to construct two (2) ADA-accessible public pedestrian pathways and a floating pier equipped with transient boat slips adjacent to West Street, situated along the John H. Kerr Reservoir as part of the Clarksville Cove Project in Mecklenburg County.

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Respectfully,

Tiffany

Tiffany Birge
Environmental Engineer, Habitat Management

Virginia Marine Resources Commission
Building 96, 380 Fenwick Road
Ft. Monroe, VA 23651

Tiffany.birge@mrc.virginia.gov, 757-247-2254

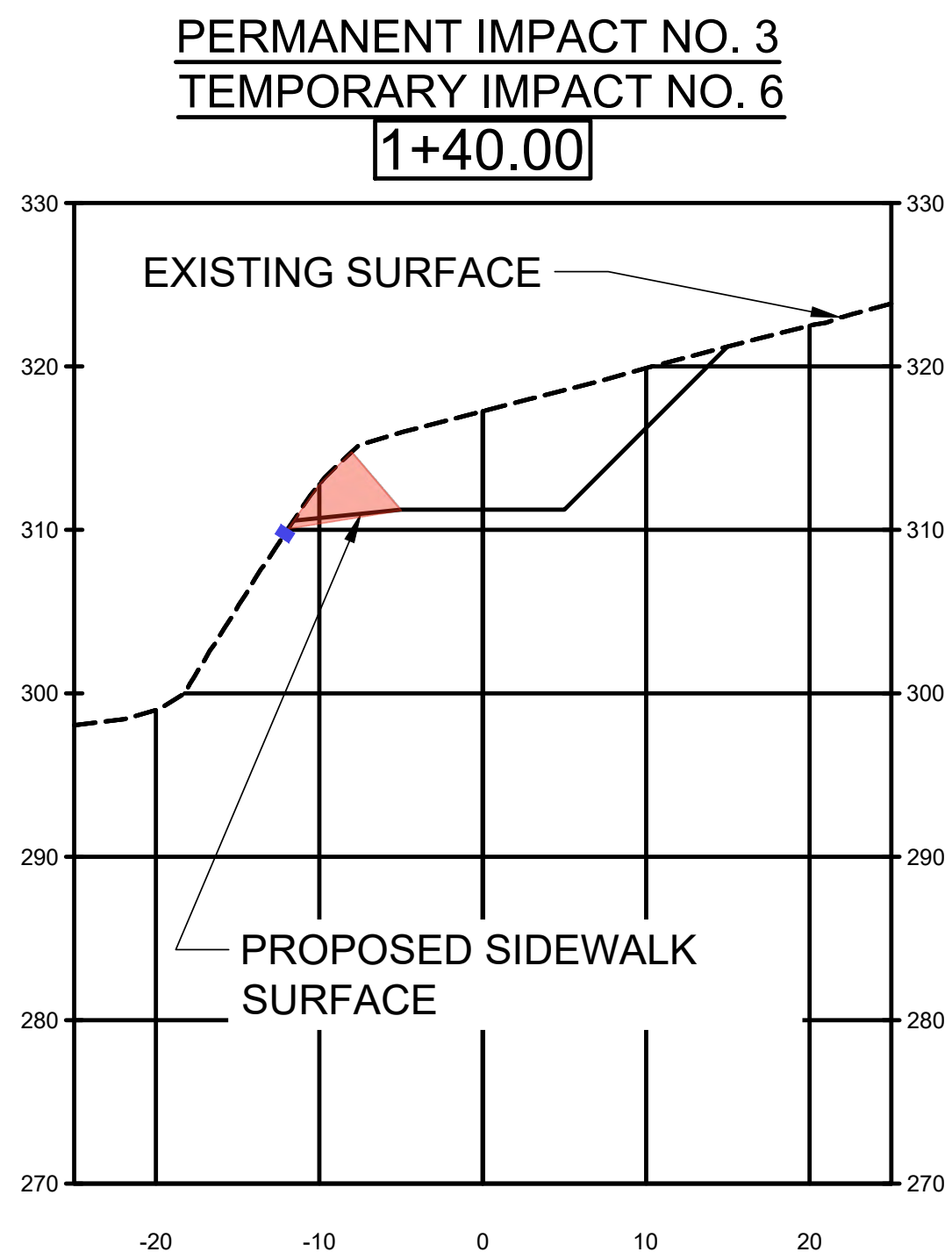
Anticipated Acreage of Wetlands Impacts



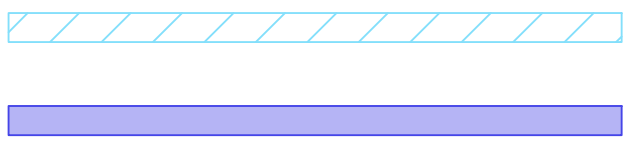


Steel Pile Impact Size			
Pile #	Diameter (In.)	Diameter (Sq.Ft.)	Depth
Pile #1	16	1.4	Determined by Contractor
Pile #2	16	1.4	Determined by Contractor
Pile #3	16	1.4	Determined by Contractor
Pile #4	16	1.4	Determined by Contractor
Pile #5	16	1.4	Determined by Contractor
Pile #6	16	1.4	Determined by Contractor
Cumulative Totals			
Total Impact Area		8.4 (Sq.Ft.)	0.01 Acres*

NWP 18 Impacts Table				
Area Permanenet Impacts	Cowardin Classification	Area (Sq Ft)	Latitude	Longitude
1	PFO	724	36.62665	-78.55602
	POW	548		
2	PFO	150	36.62669	-78.55602
	POW	1		
3	PFO	181	36.62699	-78.55558
Area Temporary Impacts	Cowardin Classification	Area (Sq Ft)	Latitude	Longitude
4	PFO	126	36.62700	-78.55556
	POW	274		
5	PFO	312	36.62733	-78.55546
	POW	54		
6	PFO	154	36.62733	-78.55544



TEMPORARY IMPACT

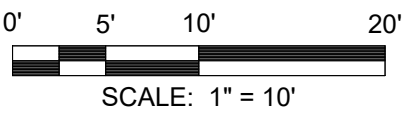


551 Piney Forest Road
Danville, VA 24540-3353
434.797.4497

SEAL

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

SCALE



REVISIONS

[illegible]

NO.	DESCRIPTION	DATE
-----	-------------	------

DRAWN BY _____ EGD

APPROVED BY _____ XX

CHECKED BY _____ XX

DATE SEPTEMBER 2024

TITLE _____

PROJECT NO.	50171660
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SHEET NO. 27 OF 29

Received Permits



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

11 March 2025

Southern Virginia Regulatory Section
NAO-2009-01707 / VMRC#25-V0083 (Kerr Reservoir)

Town of Clarksville
c/o Jeff Jones
321 Virginia Avenue
Clarksville, Virginia 23927

Dear Mr. Jones:

This is regarding your Department of the Army permit application number NAO-2009-01707 / VMRC#25-V0083, submitted on your behalf by Dewberry & Davis, Inc, to install two 6-foot-wide pedestrian pathways and associated pier with 16 boat slips. The proposed work will occur along the shoreline between 2nd and 4th Streets in Clarksville, Virginia. These impacts are detailed on the enclosed drawings entitled "Clarksville Cove Project," Figures W1.1 – W1.3, prepared and submitted on behalf of the applicant by Dewberry and date stamped as received by this office on 16 January 2025.

Your proposed fill of 0.02 acres of wetlands as part of construction of the pedestrian pathways satisfies the criteria contained in the **Corps Nationwide Permit(s) (18)**, attached. The 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.

Your proposed pier and 16 boat slips satisfies the terms and conditions of Norfolk District's State Programmatic General Permit for piers, aquaculture, shoreline, dredging, and other activities (23-SPGP-PASDO), **Category B**. For Category B, permittees must also obtain authorization from the Virginia Marine Resources Commission (VMRC), Virginia Department of Environmental Quality (VDEQ), and/or a Local Wetlands Board by permit, rule, or regulation prior to commencing work in Waters of the U.S. Private piers for noncommercial purposes that qualify for the statutory authorization found in Section 28.2-1203(A)5 of the Code of Virginia (no permit required from the VMRC) are covered under **Category B**. Provided that you follow the general and permit specific conditions of the 23-SPGP-PASDO and any additional special conditions that have been included below, no further authorization will be required from the Corps.

IF THE STATE OR LOCAL WETLAND BOARD DOES NOT AUTHORIZE THE PROPOSED ACTIVITY THIS IS A PROVISIONAL NOTIFICATION THAT A 23-SPGP-PASDO CATEGORY C AUTHORIZATION IS REQUIRED and you (the applicant) must certify that federally licensed or permitted activities affecting Virginia's coastal uses or resources will be conducted in a manner consistent with the Virginias' coastal zone management program (Virginia CZM program) and obtain concurrence from the DEQ, office of environmental impact review (OEIR). It is YOUR responsibility to submit a consistency certification to the OEIR for

concurrence or objection, and you must submit proof of concurrence to the Corps prior to final permit authorization. A template federal consistency certification can be found in the Federal Consistency Manual here: <https://www.deq.virginia.gov/our-programs/environmental-impact-review/federal-consistency>. For more information or to obtain a list of the enforceable policies of the Virginia CZM Program, contact the DEQ-OEIR at (804) 659-1915 or e-mail: bettina.rayfield@deq.virginia.gov.

The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

Provided you comply with the Regional Conditions and the General Conditions of the Nationwide Permit (enclosed); the Permit Specific Conditions, and the General Conditions of the 23-SPGP-PASDO; an individual Department of the Army Permit will not be required.

This Nationwide Permit 18 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.

Unless suspended or revoked, the 23-SPGP-PASDO will be in effect until September 4, 2028. Activities which have commenced (i.e., are under construction) or are under contract to commence construction in reliance upon 23-SPGP-PASDO will remain authorized provided the activity is completed within 12 months of the date of this 23-SPGP-PASDO's expiration of September 4, 2028, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.7(a-e). Activities qualifying for this extension that are not complete by September 4, 2029, must apply for new general and/or individual Corps permit authorization. Activities which have NOT commenced or are NOT under contract to commence construction by the September 4, 2028, expiration require a new general and/or individual Corps permit authorization.

The State Water Control Board provided unconditional §401 Water Quality Certification (WQC) for this 23-SPGP-PASDO. Therefore, the activities that qualify for this 23-SPGP-

PASDO meet the requirements of the VDEQ Virginia Water Protection Permit Regulation, provided that you abide by the conditions of this 23-SPGP-PASDO. You will not be required to obtain a separate §401 WQC from VDEQ. 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.

Pursuant to the Coastal Zone Management Act (CZMA) of 1972, the VDEQ Virginia Coastal Zone Management Program (VCP) completed its review of the Federal Consistency Determination (FCD) for this SPGP-PASDO on June 6, 2023 and provided conditional concurrence that Category B authorizations under the 23-SPGP-PASDO are consistent with the VCP. Authorizations under this 23-SPGP-PASDO do not supersede State or local government authority or responsibilities pursuant to any State or local laws or regulations.

In granting an authorization pursuant to this permit, the Norfolk District has 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) 201-7540 or by email at matt.m.wicks@usace.army.mil.

Sincerely,

WICKS.STEVEN.
M.1384937736

Digitally signed by
WICKS.STEVEN.M.1384937736
Date: 2025.03.11 11:26:31
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Matthew Wicks
Environmental Scientist
Southern Virginia Regulatory Section

Enclosure(s)



U.S. Army Corps
Of Engineers
Norfolk District

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**CERTIFICATE OF COMPLIANCE
WITH
ARMY CORPS OF ENGINEERS PERMIT**

Permit Number: NAO-2009-01707
VMRC Number: 25-V0083
Corps Contact: Matthew Wicks
Permittee Name: Jeff Jones, Town of Clarksville
Date of Verification: 11 March 2025
Permit Type: Nationwide Permit 18 and 23-SPGP-PASDO

Within 30 days of completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification, and return it to the following address:

US Army Corps of Engineers - Norfolk District
CENAO-WR-R
Attn: Matthew Wicks
803 Front Street
Norfolk, VA 23510-1011

Or scan and send via email to matt.m.wicks@usace.army.mil

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit and required mitigation has been completed in accordance with the permit conditions.

Signature of Permittee

Date