



DEPARTMENT OF THE ARMY
NORFOLK DISTRICT CORPS OF ENGINEERS
FORT NORFOLK 803 FRONT STREET
NORFOLK VIRGINIA 23510-1090

REPLY TO
ATTENTION OF
CENAO-TS-G
06-R0010-75 (Laurel Fork)

January 23, 2006

Ms Susan T. Murdock
Malcolm Pirnie
701 Town Center Drive
Suite 600
Newport News, VA 23606

Dear Ms Murdock:

This is in response to your letter of January 4, 2006 concerning the proposed utility line crossing of Laurel Fork and two tributaries to Laurel Fork.

If the proposed project requires the discharge of dredged or fill material below the ordinary high water line of Laurel Fork Creek or its tributaries, and/or into adjacent wetlands, a Department of the Army Permit will be necessary. If required, the Corps of Engineers is obligated to comply with the requirements of the National Environmental Protection Act (NEPA), the Endangered Species Act (ESA), and the National Historic Preservation Act (NHPA). The Corps cannot issue a permit until the requirements of these laws have been satisfied.

Depending upon the proposed impacts, a Nationwide Permit 12 may be applicable. However, we have made a preliminary database search and determined that there may be potential impacts of this project on the state and federally listed endangered Northern Flying Squirrel, Glaucomys sabrinus fuscus. As indicated above, we would be required to contact and coordinate with the U. S. Fish & Wildlife Service for their input on this proposed project.

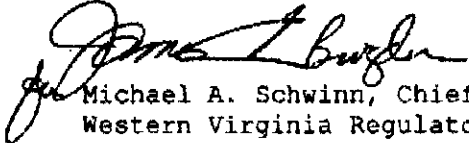
In addition, we have received information from the Virginia Department of Historic Resources that portions of this project

may impact a listed historic property requiring additional coordination with that agency.

Further, Laurel Fork is a listed State Trout Water (see attachment), including it's perennial tributaries, and pursuant to a regional condition to this nationwide permit, prior coordination with the Virginia Department of Game & Inland Fisheries will also be required before a DA permit is issued. As part of this review, it will be relevant to clarify the perennial or intermittent classification of the two tributaries which may be impacted by this project.

If you have any further questions you may contact Mr. Brogdon in Staunton, Virginia at 540-886-4221.

Sincerely,



Michael A. Schwinn, Chief
Western Virginia Regulatory Section

Copies furnished:

U. S. Fish & Wildlife Service, Gloucester
Virginia Department of Environmental Quality, Harrisonburg
Virginia Department of Historic Resources, Richmond
Virginia Department of Game & Inland Fisheries, Verona