



**US Army Corps
of Engineers** ®
Wilmington District

PM-D-2021-S408-0001

PUBLIC NOTICE
REQUEST FOR PERMISSION
TO MODIFY A
U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408

TITLE: South Mayo River Stormwater Relocation Project, Patrick County, VA

PUBLIC NOTICE COMMENT PERIOD:

Begins: March 29, 2021

Expires: April 12, 2021

Interested parties are hereby notified that an application has been received for Department of the Army Section 408 (Section 14 of the Rivers and Harbors Act of 1899; 33 U.S.C. 408) approval to conduct proposed work adjacent to the South Mayo Flood Damage Reduction Project (FDRP), as described below. Written comments are being solicited from anyone having an interest in the requested alteration. Comments received will become part of the U.S. Army Corps of Engineers' (USACE) administrative record and will be considered in determining whether to approve the request. Comments supporting, opposing, or identifying concerns that should be considered by the USACE in its decision process are welcome. Comments providing substantive information and/or a rationale for the commenter's position are the most helpful. Comments regarding the proposed work should reference the USACE public notice number (PM-D-2021-S408-0001) and must reach the USACE via email no later than **April 12, 2021** to become part of the public record and be considered in the USACE's decision. Please send comments to the Wilmington District Section 408 Coordinator at: kent.tranter@usace.army.mil.

REQUESTER: In compliance with Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408; hereinafter Section 408), the County of Patrick, VA has requested permission to install a new stormwater pipe to divert stormwater flow directly into the South Mayo River rather than the existing diversion channel in Patrick County, VA.

LOCATION: The proposed action is with the Town of Stuart, Patrick County, VA.

PROPOSED ACTION: The proposed project has been designed to intercept existing stormwater flow at an open sump area which converges with the FDRP diversion channel. A precast junction box will be installed at the open sump area. Stormwater flow will be diverted into a new 24-inch pipe and manhole system which will reroute stormwater flow north and parallel to the top of the flood channel bank for approximately 200 linear feet. The stormwater flow will be discharged into the South Mayo River main channel at approximately Station 22+50 within the FDRP. The purpose of the referenced project is to improve the maintenance capabilities within the FDRP project.

REGULATORY AUTHORITY: This request will be reviewed according to the provisions of Section 408. A requester has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations. An approval under Section 408 does not grant any property rights or exclusive privileges, nor does it authorize any injury to the property or rights of others.

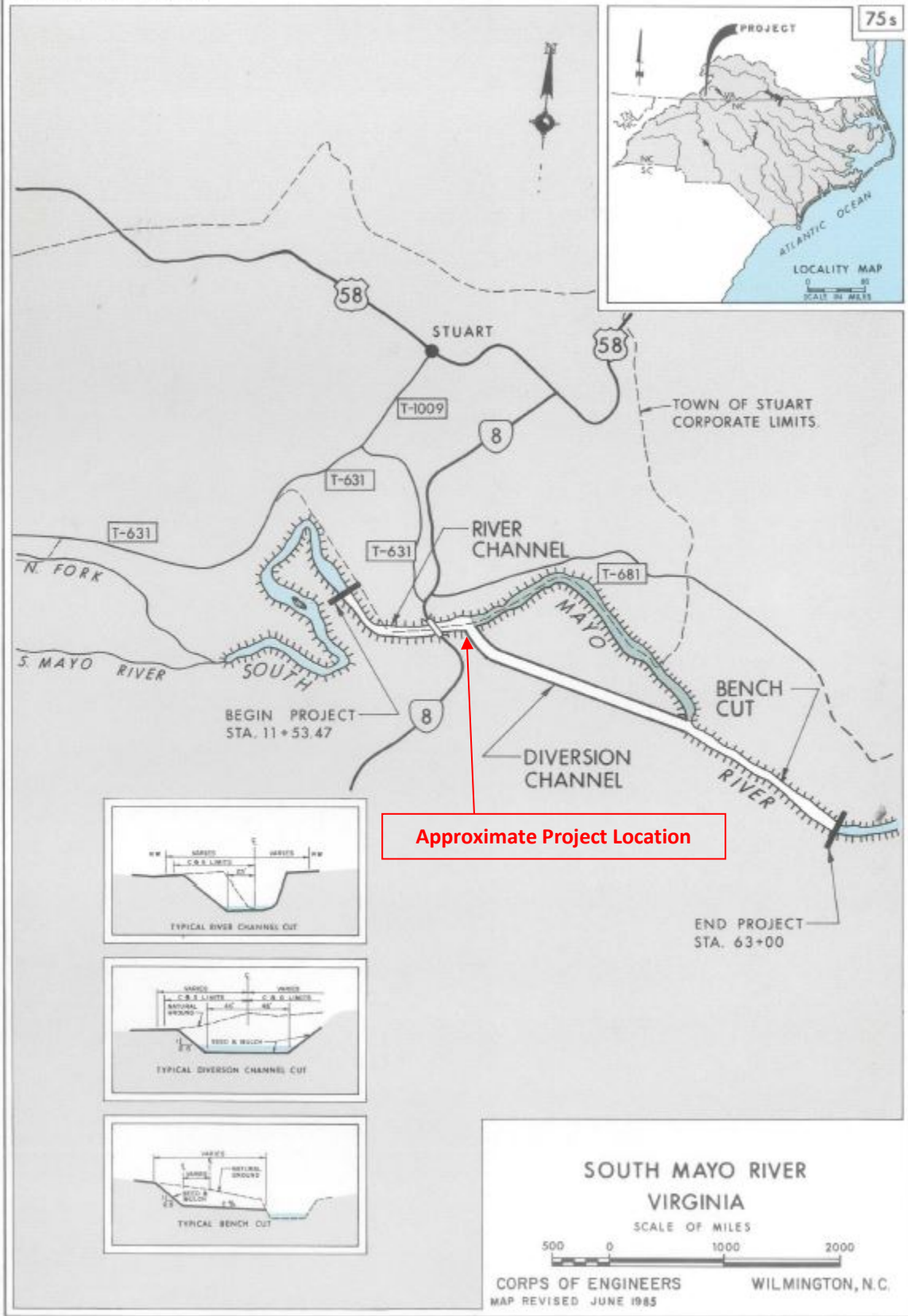
EVALUATION: The decision whether to grant the requested permission for federal project modification under Section 408 will be based on several factors and will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. Review of the request for modification will be reviewed by a USACE technical review team and will consider, but not necessarily be limited to, the following factors:

1. Impair the Usefulness of the Project Determination. The review team will determine if the proposed alteration would limit the ability of the projects to function as authorized, or would compromise or change any authorized project's conditions, purposes, or outputs. The decision whether to approve a request for modification would be based on a determination of no impairments.
2. Injurious to the Public Interest Determination. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest.

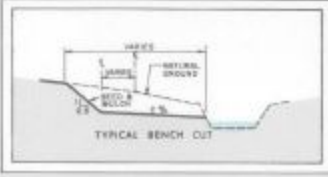
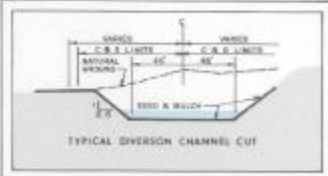
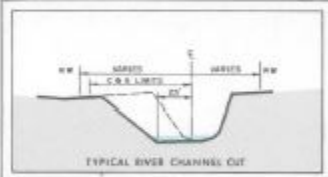
SUMMARY: It should be noted that materials submitted as part of Section 408 requests become part of the public record and will be available to the general public under the provisions of the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under the FOIA or make an appointment to view the project file at the USACE Wilmington District's Office of Counsel.

Interested parties wishing to comment on the proposed action must do so in writing no later than **April 12, 2021**. It is presumed that all parties viewing this notice will wish to respond; therefore, a lack of response will be interpreted as meaning there is no objection to the proposed action as described.

Kent Tranter
Wilmington District
U.S. Army Corps of Engineers



Approximate Project Location



SOUTH MAYO RIVER VIRGINIA

SCALE OF MILES



CORPS OF ENGINEERS
MAP REVISED JUNE 1985

WILMINGTON, N.C.