

Early Notice and Public Review of a Proposed Activity in a Wetland

To: All interested Agencies, Groups and Individuals

This is to give notice that the Berkeley County Commission (BCC) has determined that the proposed Inwood Park Project under the Community Project Funding Grant (Grant Number: B-24-CP-WV-2389) would impact one wetland. The BCC will be evaluating practicable alternatives and the potential impacts associated with locating the proposed project in a wetland, as required by Executive Order 11990, in accordance with U.S. Department of Housing & Urban Development (HUD) regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Protection of Wetlands.

BCC plans to develop a vacant lot northwest of U.S. Route 11 (Winchester Avenue) across from Musselman High School in Inwood, West Virginia for a recreational park identified as Inwood Park. The approximate center coordinates for the site are 39.354929, -78.044442 North American Datum 83. The construction of the park involves earthwork, grading and layout for pavilions, Americans with Disabilities Act (ADA) playground, soccer fields, amphitheater, splash pad, walking trails with benches, onsite parking, restroom facilities, driveway paving, and utility line installation and extension.

The proposed park entrance would be off of U.S. Route 11 and would include a pedestrian crossing with a crosswalk at the intersection of U.S. Route 11 and the new park entrance. Crosswalks would also be installed throughout the park where the multi-use pathway crosses the proposed road. The construction of the ADA playground and multi-use pathway would permanently impact one 0.005-acre palustrine emergent wetland within a 24.76-acre limit of disturbance (LOD). A Pre-construction Notification for Nationwide Permit-42 (NWP-42) was submitted to the West Virginia Department of Environmental Protection (WVDEP) and the United States Army Corps of Engineers (USACE) for the proposed impact. The WVDEP responded on September 10, 2024, that BCC had fulfilled Standard Condition 1 for prior written notification for the nationwide permit. The USACE issued the NWP-42 verification on November 21, 2024.

There are three primary purposes for this notice. First, people who may be affected by activities in wetlands 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, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about wetlands can facilitate and enhance federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in wetlands, it must inform those who may be put at greater or continued risk.

Written comments must be received by the Responsible Entity at the following address on or before January 29, 2025: Gary Wine (County Administrator), 400 West Stephen Street, Suite 201; Martinsburg, WV 25401 or at (304) 2641923. A full description of the project may also be reviewed from 9 am to 3 pm at 400 West Stephen Street, Suite 201; Martinsburg, WV 25401. Comments may also be submitted via email at gwine@berkeleywv.org.