



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: December 18, 2012  
Comment Deadline: January 16, 2013  
Corps Action ID #: SAW-2012-00906

The Wilmington District, Corps of Engineers (Corps) has received an application from **The Epiphany School of Global Studies** seeking Department of the Army authorization to impact **1.51 acres of wetlands and 0.016 acre of Relatively Permanent Waters** associated with **construction of recreational facilities at its Trent Road campus in New Bern, Craven County, North Carolina.**

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at [www.saw.usace.army.mil/wetlands](http://www.saw.usace.army.mil/wetlands)

**Applicant:** Mr. Tom McLaughlin  
The Epiphany School of Global Studies  
2301 Trent Road  
New Bern, North Carolina 28562

**Agent:** Ms. Kim Williams  
Land Management Group, Inc.  
3805 Wrightsville Avenue, Suite 15  
Wilmington, North Carolina 28403

## Authority

The Corps will evaluate this application and a decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act.

## Location

The project is located northeast of the intersection of Highway 70 and Trent Road just south of the existing Epiphany School of Global Studies at 35.100562° latitude and -77.074026° longitude in New Bern, Craven County, North Carolina. Wetlands and relatively permanent waters (RPWs) existing on the ten acre property connect with Lawson Creek, which then connects with the Trent and Neuse Rivers.

## **Existing Site Conditions**

The undeveloped, forested project area lies within a fragmented, residential and commercial landscape approximately 1.75 miles from the confluence of the Trent and Neuse Rivers. Non-wetland portions of the property are dominated by vegetation consisting of southern magnolia, red maple and sweetgum, with an understory of Chinese privet and greenbrier. Soils consist of Rains loam. Wetland areas are vegetated with black gum, water oak, red maple and sweetgum, with an understory of wax myrtle and Chinese privet. Project area soils are underlain by Arapahoe fine sandy loam. RPWs located on the site are approximately four feet deep and flow through culverts under Highway 70 before reaching Lawson Creek.

## **Applicant's Stated Purpose**

The applicant's stated purpose is to expand the existing Epiphany School property located on Trent Road in order to construct recreational facilities including a baseball and a football field. The applicant currently rents a recreational facility from Craven County, which requires schedule coordination, rental fees, and fees and liability associated with transporting students to and from the school. The applicant expects the proposed expansion will provide additional athletic capabilities and programs to the school that are currently lacking or non-existent. In addition, the expansion will potentially help to diversify and grow the student body and reduce tuition costs.

## **Project Description**

The applicant proposes to expand the Epiphany School recreational facilities onto an adjacent tract south of the existing school on Trent Road. Construction will consist of a football field/track, baseball/softball field, and accompanying bleachers, concessions, and parking. Standard football and baseball field dimensions were followed during the project design. A standard high school baseball field must have a 90-foot square infield with foul lines set 325 feet from home plate to create the outfield. A standard high school football field measures 360 feet long and 160 feet wide. All fields must be level and well-drained. The site will require fill to level the property. Fill activities will impact 1.51 acres of wetlands and 0.016 acre of RPWs. Fill will be obtained from a permitted site. Mitigation for wetland impacts is proposed to occur by obtaining credits from the North Carolina Ecosystem Enhancement Program for the restoration of 1.5 acres of non-riparian wetlands (1:1 ratio).

## **Other Required Authorizations**

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application combined with the appropriate application fee at the North Carolina

Division of Water Quality central office in Raleigh will constitute initial receipt of an application for a 401 Water Quality Certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 1650 Mail Service Center, Raleigh, North Carolina 27699-1650. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention Mr. Ian McMillan by January 16, 2013

The applicant has not provided to the Corps, a certification statement that his/her proposed activity complies with and will be conducted in a manner that is consistent with the approved North Carolina Coastal Zone Management Program. Pursuant to 33 CFR 325.2(b)(2), the Corps cannot issue a permit for the proposed work until the applicant submits such a certification to the Corps and the North Carolina Division of Coastal Management (NCDCM), and the NCDCM notifies the Corps that it concurs with the applicant's consistency certification.

### **Essential Fish Habitat**

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

### **Cultural Resources**

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

### **Endangered Species**

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps is not aware of the presence of species listed as threatened or endangered or their critical habitat formally designated pursuant to the Endangered Species Act of 1973 (ESA) within the project area. A final determination on the effects of the proposed project will be made upon additional review of the project and

completion of any necessary biological assessment and/or consultation with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service."

### **Evaluation**

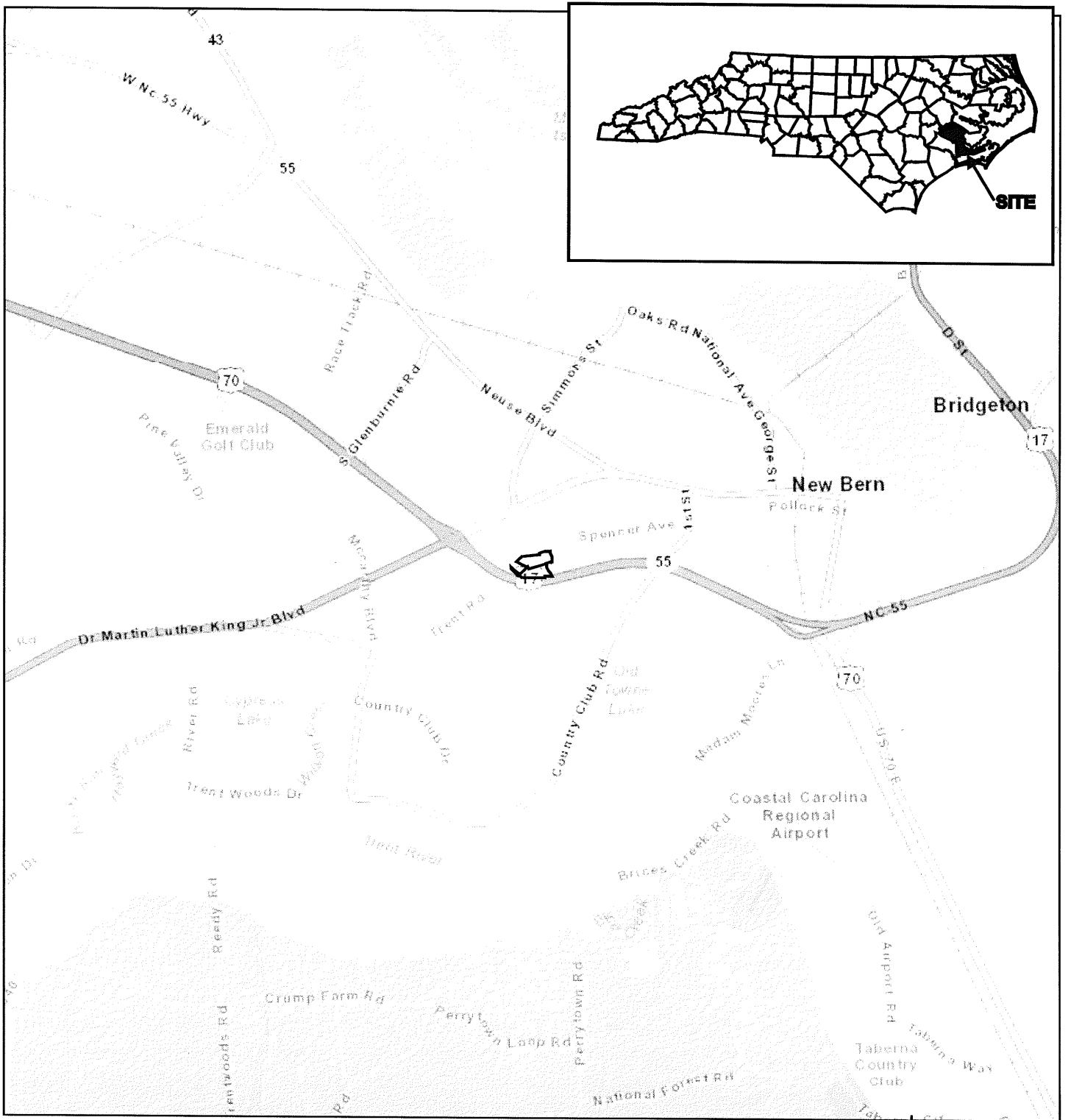
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

### **Commenting Information**

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

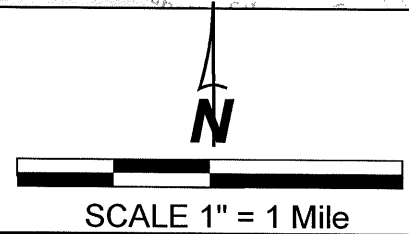
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, on January 16, 2013. Comments should be submitted to: **Ms. Emily Greer, 2407 West 5<sup>th</sup> Street, Washington, NC 27889** [Emily.C.Greer@usace.army.mil](mailto:Emily.C.Greer@usace.army.mil)



\*Boundaries are approximate and are not meant to be absolute.

Map Source: World Street Map



Epiphany School  
Craven County, NC  
November 2012

40-12-192



**LMG**  
LAND MANAGEMENT GROUP  
Environmental Consultants

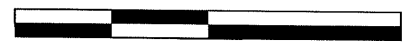
www.LMGroup.net  
Phone: 910.452.0001 • 1.866.LMG.1078  
Fax: 910.452.0060  
P.O. Box 2522, Wilmington, NC 28402

Figure 1  
Vicinity Map



\*Boundaries are approximate and are not meant to be absolute.

Map Source: 2010 NAPP Aerial Photography



SCALE 1" = 300'

Epiphany School  
Craven County, NC  
November 2012

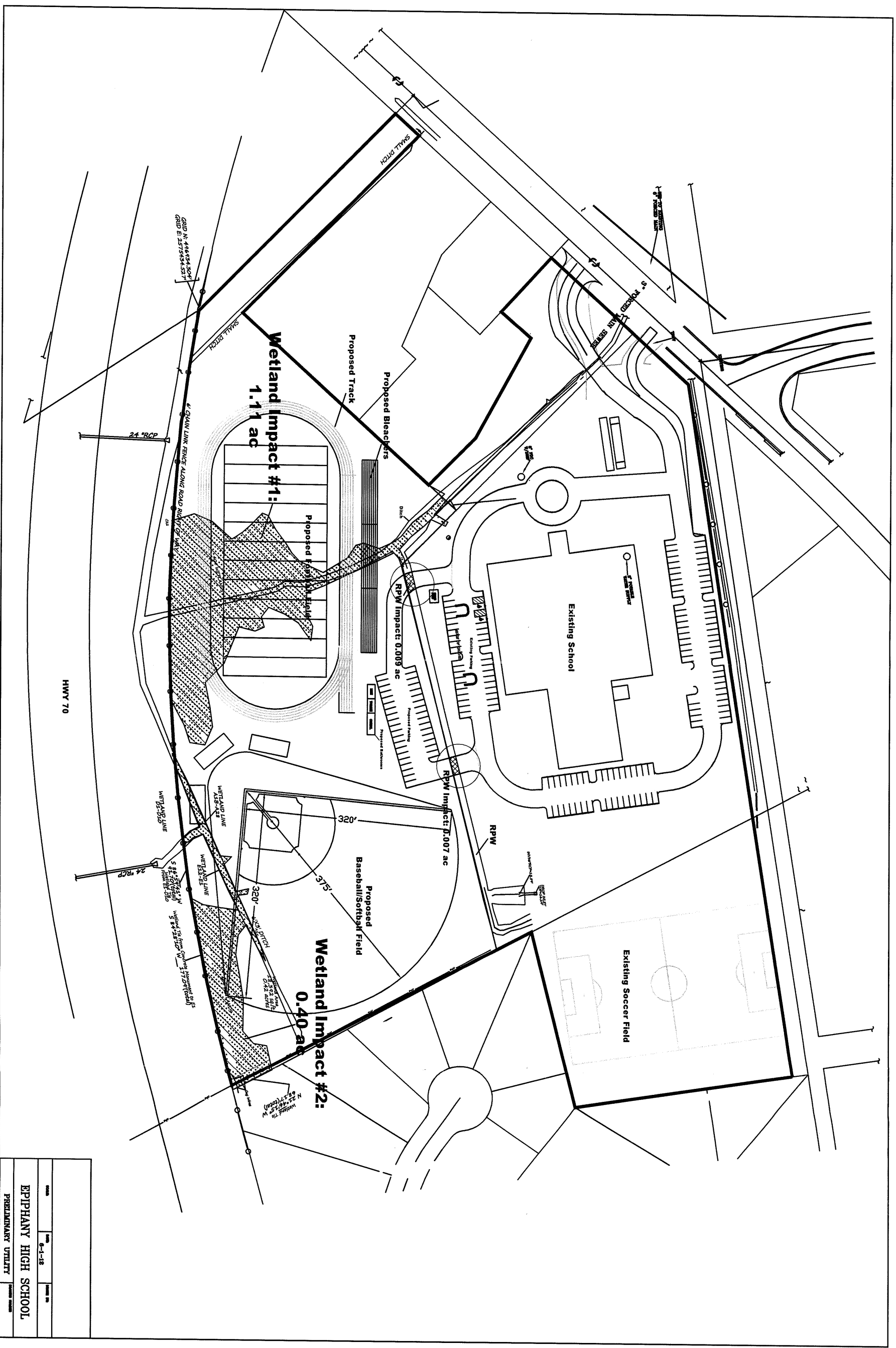
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P.O. Box 2522, Wilmington, NC 28402

Figure 4  
Aerial Photograph



DATE	NOV 04-18	ISSUE NO.	
EPIPHANY HIGH SCHOOL			
PRELIMINARY UTILITY			

Preliminary: Not for Construction  
 for 404/401 Permitting Purposes Only  
 Site design and survey information provided by  
 Tarheel Buildings Systems, Inc.

 Proposed Wetland Impacts (1.51 ac)  
 Proposed RPW Impacts (0.016 ac)

**Figure 8. Proposed Site Plan**

EPIPHANY HIGH SCHOOL