



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: December 06, 2012
Comment Deadline: January 07, 2013
Corps Action ID #: SAW-2012-01900

The Wilmington District, Corps of Engineers (Corps) has received an application from Mr. Michael Moran of Ashley Furniture Industries, Inc. (Ashley Furniture), seeking a Department of the Army permit authorization for permanent impacts to 316 linear feet of jurisdictional stream channels and 4.089 acres of jurisdictional forested wetlands adjacent to Buffalo Creek, associated with the proposed expansion of their existing warehouse and manufacturing facilities located off of 916 Baltimore Road, west of Advance, in Davie County, North Carolina.

Specific plans, alternatives, and locations 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

Applicant: Ashley Furniture Industries, Inc.
Attn: Mr. Michael Moran
One Ashley Way
Arcadia, WI 54612

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404(b) of the Clean Water Act (33U.S.C. 1344).

Background

Ashley Furniture owns and operates an existing warehouse and manufacturing facility, in the northeastern portion of Davie County, adjacent to tributaries of Buffalo Creek. The facility address is 916 Baltimore Road, Advance, North Carolina 27006. The proposed project is the expansion of the existing facilities necessary for operation of the proposed Ashley Furniture Mid-Atlantic Manufacturing and Distribution Center. The proposed facility expansion consists of construction of a 2,304,100 square foot building addition, tractor trailer loading areas/parking areas, access roads, a railroad spur, and stormwater ponds.

Location

The general project area is a portion of the 667.63 acre tract owned by Ashley Furniture, located on Tax Parcel No. F700000018, off of Baltimore Road, west of Advance, in Davie County, North Carolina (35.962515°N, -80.471043°W). The location of the subject property is depicted by the appropriate portion of the 1987 Advance, N.C. USGS Topographic Map (*Figure 1*), a site plan (*Figure 2*), a USDA Stokes County Soil Survey Map (*Figure 3*), a National Wetlands Inventory Map (*Figure 4*), and a stream & wetland delineation map (*Figure 5*).

Existing Site Conditions

The site is currently developed with approximately 1.7 million square feet of industrial structures that include a maintenance garage with fuel storage area, thirty-two warehouse/storage buildings and an approximate 418,078 square foot warehouse/manufacturing facility. The existing maintenance garage will be utilized as is with minimal updates. The existing thirty-two warehouse storage units, approximately 37,200+/- square feet in size, will be utilized for lumber drying activities, raw material storage and serve as storage areas for over-flow of finished goods.

To compete with growing demands for goods in today's market and in order for the property to be developed for its intended use, Ashley Furniture requires an additional 2,304,100 new building square footage that will connect to the existing warehouse/manufacturing facility. The warehouse/manufacturing facility will be expanded in four phases of construction: 1) 620,075 feet and 115 trailer docks; 2) 902,079 square feet and 181 trailer docks; 3) 509,871 square feet and 98 trailer docks; and, 4) 272,075 square feet and 51 trailer docks. The completed manufacturing and distribution center will provide a total of 438 docks to load/unload materials.

A railroad spur is located on the southeastern portion of the site. The railroad spur forks on the central portion of the site to the north and south of the existing distribution warehouse/manufacturing facility. An intermodal yard which includes the addition of approximately one mile of railroad and storage areas for 200 intermodal containers are needed because of increasing transportation/fuel costs. The intermodal yard and addition of one mile of railroad track will be completed in a fifth phase of construction.

Inadequate parking areas are currently located in the vicinity of existing structures. To reduce time and fuel expenses, 830 trailer spots and 1,939 automobile spaces are required in the immediate vicinity of the manufacturing/distribution center and/or the intermodal yard. Another 1,370 trailer spots are proposed to be located east of the completed manufacturing and distribution facility.

The undeveloped portion of the 667.63 acre tract is located to the south and west of the existing facilities. The undeveloped portion is characterized by rolling topography consisting of open pasture ridges and wooded valleys typical of the North Carolina Piedmont. Land use in the area around the Ashley Furniture property is mostly open

pasture and forest with a few rural residential properties throughout this area in Davie County.

ECS Carolinas, consultants for Ashley Furniture, conducted a jurisdictional delineation of the proposed project property between April and May of 2012. Mr. John Thomas of the Raleigh Regulatory Field Office, Wilmington District Corps of Engineers conducted site inspections with ECS Carolinas consultants to verify these jurisdictional delineations on June 5, 2012. These jurisdictional boundaries are referenced by *Figure 5 – stream and wetland delineation map*.

Applicant's Stated Purpose

The applicants stated purpose is to expand their existing facilities to develop a state-of-the-art mid-Atlantic furniture manufacturing and distribution facility to meet present and future business model needs.

Project Description

The proposed expansion site is currently developed with approximately 1.7 million square feet of industrial structures that include a maintenance garage with fuel storage area, thirty-two warehouse/storage buildings and an approximate 418,078 square foot warehouse/manufacturing facility. The existing maintenance garage will be utilized as is with minimal updates. The existing thirty-two warehouse storage units, approximately 37,200+/- square feet in size, will be utilized for lumber drying activities, raw material storage and serve as storage areas for over-flow of finished goods.

To compete with growing demands for goods in today's market and in order for the property to be developed for its intended use, Ashley Furniture requires an additional 2,304,100 new building square footage that will connect to the existing warehouse/manufacturing facility. The warehouse/manufacturing facility will be expanded in four phases of construction: 1) 620,075 feet and 115 trailer docks; 2) 902,079 square feet and 181 trailer docks; 3) 509,871 square feet and 98 trailer docks; and, 4) 272,075 square feet and 51 trailer docks. The completed manufacturing and distribution center will provide a total of 438 docks to load/unload materials.

A railroad spur is located on the southeastern portion of the site. The railroad spur forks on the central portion of the site to the north and south of the existing distribution warehouse/manufacturing facility. An intermodal yard which includes the addition of approximately one mile of railroad and storage areas for 200 intermodal containers are needed because of increasing transportation/fuel costs. The intermodal yard and addition of one mile of railroad track will be completed in a fifth phase of construction.

Inadequate parking areas are currently located in the vicinity of existing structures. To reduce time and fuel expenses, 830 trailer spots and 1,939 automobile spaces are required in the immediate vicinity of the manufacturing/distribution center and/or the intermodal yard. Another 1,370 trailer spots are proposed to be located east of the completed manufacturing and distribution facility.

Proposed impacts resulting from the manufacturing and distribution facility project are summarized in *Table 1 & 2* which denotes the total jurisdictional features to be impacted as “fill placement impacts”. *Figure 6 & 7* are maps locating the proposed stream and wetland impacts. The proposed project would permanently impact 316 linear feet of stream channel and 4.089 forested wetland.

Table 1: Proposed Stream Impacts		
Stream	Classification	Type of impact: fill / linear feet
8	Perennial	222
14	Intermittent	94
Total Mitigable Impacts		316

Table 2: Proposed Wetland Impacts			
Wetland	Classification	Type of impact: Fill/acres	NCWAM Rating
H	Headwater Forest	0.437	High
J	Headwater Forest	2.595	High
N	Non-tidal Freshwater Marsh	0.232	Low
O	Basin Wetland	0.531	Low
P	Headwater Forest	0.294	Low
Total Mitigable Impacts		4.089	

Ashley Furniture has completed an extensive alternatives analysis in the attempt to determine the most plausible preferred alternative with a minimal impact to the environment. The alternatives analysis is included in the permit package submitted by Ashley Furniture and is available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands. The alternatives analysis identifies their needs, how alternatives to the proposed action affect those needs, any major direct environmental consequences and discussion of the practicality for each alternative.

Ashley Furniture began its search for a potential site in early 2006. Seven potential sites in North Carolina were considered. The sites were analyzed for a number of criteria including but not limited to, impacts to the environment, cost of development, existing

facility conditions, availability to rail service, available infrastructure and fulfillment of Ashley Furniture's needs. For other projects, ECS has previously performed wetland determinations/delineations at many of the seven potential sites, including the facilities located at 3200 Temple School Road in Kernersville (Dell) and 6550 Judge Adams Road in Whitsett. The alternative locations have facilities that are positioned in a manner such that the proposed project would result in far greater amount of stream/wetland impacts, and thus, a greater negative impact to the environment than the preferred alternative. The Advance, North Carolina site was selected due to a number of reasons including: the ability to purchase the entire site from one owner; the size of the site provided enough area for expansion; and, existing structures/infrastructure including a truck maintenance facility, thirty-two free span storage units that could be used for lumber drying, raw material storage and overflow storage of finished goods, an existing building that could be used in the short term to re-coup operating losses as the facility is expanded, and railroad access.

Following the selection of the Advance, North Carolina location, Ashley Furniture conducted an exhaustive analysis of potential alternatives to meet its production, storage, distribution and management needs. The on-site alternatives that were analyzed include the following:

1. Maintain existing facility in current condition (No-Build)
2. Addition of second story to existing facility
3. Movement of some operations to alternative location off-Site
4. Demolish the existing facility and rebuild on an upland site on the property
5. Addition to the area south of the existing facility
6. Expansion directly to the south of the existing facility
7. Expansion east-west rectangle parallel to existing facility
8. Addition to the area north of the existing facility
9. Expansion east-west rectangle to existing facility
10. Expansion directly to the north of the existing facility
11. Addition to the east of the existing facility
12. L-shaped expansion to the southeast of the existing facility
13. T-shaped expansion directly to the east of the existing facility
14. Addition to the west of the existing facility

15. L-shaped expansion to the west and north

16. Linear expansion directly to the west (**preferred alternative**)

Following Ashley Furniture's extensive alternatives analysis, the preferred alternative was selected due to limited impacts on the environment and the costs of development, production and operation. The preferred alternative, when compared to other possible alternatives has a total cost differential that ranges from 48.9 to 138.2 million dollars.

Ashley Furniture proposes to compensate for fill impacts for the construction of the proposed project by offering payment into the Ecosystem Enhancement Program (EEP) and/or private mitigation banks. Private mitigation banks, in the watershed (8-Digit Cataloging Unit 03040101) of the proposed project, do not have credits available at this time. According to a September 18, 2012 letter issued by the EEP, the required mitigation credits are available. **Table 3** shows the proposed impacts, proposed mitigation ratio for the impacts, and total credits being proposed for compensatory mitigation for the project.

Impact Fill	Linear Feet / Acreage	Proposed Mitigation Ratio	Required Credits	
Streams	316 ft	2:1	632 ft	
Wetland-High	3.032 ac	2:1	6.064 ac	
Wetland-Low	1.057 ac	1:1	1.057 ac	
Total:			Stream	Wetlands
			632 ft	7.121 ac

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 and this public notice combined with 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, 2321 Crabtree Boulevard,

Raleigh, North Carolina 27604-2260. 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: Ms. Karen Higgins by December 27, 2013.

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 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, January 07, 2013. Comments should be submitted to John Thomas, Raleigh Regulatory Field Office, 3331 Heritage Trade Drive, Suite 105, Wake Forest, North Carolina 27587.