



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: October 12, 2016
Comment Deadline: November 11, 2016
Corps Action ID #: SAW-2016-02026

The Wilmington District, Corps of Engineers (Corps) has received a prospectus proposing to establish a wetland and stream mitigation bank, known as Rough Horn Swamp Mitigation Bank (Bank), within a 31.7-acre tract (with 22.57 acres owned by KCI Technologies Inc. and 9.17 acres owned by Mr. George Sanderson). The tract is located at the intersection of SR 1506 (Old Boardman Road) and SR 1508, adjacent to a tributary of the Lumber River, near the community of Boardman, Columbus County, North Carolina.

Specific plans and location information are described below and shown on the attached plans. The Public Notice and the prospectus are available on the Wilmington District Web Site at

<http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram/PublicNotices.aspx> .

Sponsor: KCI Technologies Inc.
Attn: Mr. Joe Pfeiffer
4601 Six Forks Road, Suite 220
Raleigh, North Carolina 27609

Authority

The Corps will evaluate this prospectus and the establishment of the mitigation bank in accordance with the procedures outlined in 33 CFR Part 332. Additionally, this proposal will also be reviewed pursuant to the permitting authority under Section 404 of the Clean Water Act if construction work involves the discharge of fill material in waters and/or wetlands of the United States.

Location

The proposed Bank is positioned downslope of two Carolina bays (Long Bay and Big Bay) and drains into a tributary that empties into the Lumber River approximately 0.5 from the project site. The Bank site is located at 34.448056 N, 78.935094 W, at #2076 Old Boardman Road just northeast of Boardman Community. The tract is situated within the 8-digit Hydrologic Unit Code (HUC) 03040203 (Lumber 03) of the NC Lumber River Watershed Basin.

Existing Site Conditions

The surrounding area of the Bank is rural and comprised mostly of silviculture and agricultural lands with scattered residential development. The Bank proposal encompasses approximately 31.7 acres of land divided into (2) separate tracts, a 9.17 acre tract (Tract 1) and a 22.57 acre tract (Tract 2). The overall project site contains a mixture of agricultural cropland and forested areas. A network of ditches is present within the majority of the property and drainage flow is in a northerly direction and turning east where it empties into the Lumber River via channelized tributary. Tract 1 contains mostly agricultural croplands with a ditch bisecting it in a northeast to southwest directional flow. The larger Tract 2 is a combination of agricultural and forested lands. This tract possesses two areas of existing wetlands totaling approximately 3.96 acres, which were determined to be jurisdictional by our office in January 22, 2016 and subject to Section 404 permitting authority. A larger drainage ditch, which originates at Long Bay, transects along the northern boundary of this tract and intersects with the drainage ditch on Tract 1 before exiting the Bank site.

The prospectus states that the majority of the forested section of the site contains a mixture of mature canopy trees which includes black gum (*Nyssa sylvatica*), red maple (*Acer rubrum*), sweet gum (*Liquidambar styraciflua*), green ash (*Fraxinus Pennsylvania*), red bay (*Persea palustris*), American holly (*Ilex opaca*), and tulip poplar (*Liriodendron tulipifera*). The listed hydric soil types encompassing the majority of Tract 1 consists of Torhunta fine sandy loam, a very poorly drained soil on broad stream terraces, and Johnston loam, a very poorly drained soil found along floodplains and drainage ways. For Tract 2, the hydric soil types also include Torhunta fine sandy loam and Johnston loam but also contain the non-hydric soil type of Stallings sandy loam, a somewhat poorly drained soil in uplands.

Project Purpose

The purpose of the proposal is to establish a private commercial wetland and stream mitigation bank in order to provide compensatory mitigation for non-riparian wetlands, riparian (non-riverine) wetlands, and stream impacts associated with Department of the Army authorizations pursuant to Section 404 of the Clean Water Act. Project objectives focus on re-establishing and rehabilitating wetland and stream functions, which is expected to improve water quality as well as restoring aquatic and terrestrial habitat throughout the property. This is anticipated to benefit the receiving waters of the unnamed tributary and of the Lumber River.

Project Description

The Sponsor proposes to accomplish the following within the 31.7 acres of the Bank: 1) Restore ~2,642 linear feet of valley stream; 2) Restore (Re-establish) ~11.2 acres of riparian (non-riverine) wetlands; 3) Restore (Rehabilitate) ~1.5 acres of riparian (non-riverine) wetlands, and 4) Restore (Re-establish) ~11.3 acres of non-riparian wetlands.

Overall restoration consist of the following: 1) plugging and/or backfilling existing ditches, 2) recreating stream channels, and 3) planting appropriate wetland-type trees within the croplands and along the created stream channels. The mitigation bank is projected to generate 2,642 linear feet of stream credits, 12.2 riparian (non-riverine) wetland credits, and 11.3 non-riparian wetland credits

The proposed Geographical Service Area (GSA) encompasses the entire boundary of the 8-Digit HUC 03040203- Lumber watershed. Additionally, the Sponsor would like consideration to include 03040201- Little Pee Dee of the Lumber Basin and 03040201- Lower Pee Dee of the Yadkin Basin as a secondary GSA at a reduced credit ratio. The sponsor plans to have Atlantic Coast Conservancy (ACC) as a third party entity to handle the long-term management of the bank via conservation easement.

It should be noted that the proposed bank adjoins property where the Sponsor is developing a mitigation site pursuant to the North Carolina Division of Mitigation Services (NC DMS) procedures. The bank site is located to the south and to the east of the DMS project and the proposed stream channels will link with that sites planned stream channel. Construction of the DMS project is not known at this time.

Evaluation and Commenting Information

The Corps is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidated State viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the establishment of the Rough Horn Swamp Mitigation Bank. Any comments received will be considered by the Corps of Engineers in evaluating the approval of this bank. To make this decision, 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.

The Corps has reviewed the prospectus and has examined all information provided by the sponsor. Our preliminary review indicates the following: 1) An Environmental Impact Statement will not be required; 2) No listed species of fish, wildlife, and/or plant species (or Critical Habitat) under the Endangered Species Act of 1973 is expected to be impacted within the proposed 31.7-acre area of the bank; 3) There are no cultural or historic resources located within the proposed project site; and 4) There are no Essential Fish Habitat (EFH) areas within the property. A “no effect” determination for threatened and endangered species and for cultural and/or historic resources has been made at this time; and it has been determined that no additional EFH evaluation will be conducted. Any additional or new information may change any of these preliminary findings.

Written comments pertinent to the proposed work, as outlined above and as described in the prospectus, will be received by the Corps of Engineers, Wilmington District, until 5pm, November 8, 2016. Comments should be submitted to Mr. Mickey Sugg, 69 Darlington Avenue, Wilmington, North Carolina 28403, or via internet at mickey.t.sugg@usace.army.mil. If you have any questions or in need of a copy of the bank prospectus, please contact Mr. Sugg at (910) 251-4811.