

**U.S. ARMY CORPS OF ENGINEERS  
Wilmington District  
P.O. Box 1890  
Wilmington, NC 28402-1890**

Action ID No. 200300457

Date: April 23, 2003

**PUBLIC NOTICE**

**Applicant.** Mr. Larrance Rana has applied to the U.S. Army Corps of Engineers for a Department of the Army permit (file No. 200300457) to deposit fill in jurisdictional wetlands. The project site is at lot 17, Section 8, 4514 Marshwood Ct., St. James Plantation. St. James Plantation is a large residential subdivision located in Lockwood Folly Twp., Brunswick County, North Carolina. The subdivision is located on Hwy 211, northwest of the town Southport.

The applicant's mailing address is 10849, Quail Creek Lane, Manassas, VA 20112. The applicant's agent for processing this application is Land Management Group, Inc., c/o Steve Morrison, P.O. Box 2522, Wilmington, NC 28461.

**Note:** The U.S. Army Corps of Engineers authorization for this project may be through the nationwide permit verification process.

**Project Description.** The project consists of the deposition of 4,356 sq. ft. (0.10 acre) of fill in wetlands to construct a fill pad and driveway for a single-family residence. When the subdivision was created, many proposed lots were sited partly or entirely located in wetlands. This lot is 0.56 acres and contains 0.41 acres of wetlands. The wetland portion of the lot has an open canopy from a few scattered pond pine and wax myrtle trees. Ground cover is mainly hydrophytic herbs and grasses such as Sphagnum moss and broom sedge. See the accompanying project drawings to locate the lot and the scope of the proposed fill. The fill is proposed in wetlands hydrologically connected to Beaver Dam Creek, a water of the U.S.

**Mitigation.** To offset adverse environmental impacts from the project, the applicant proposes to contribute money to the North Carolina Wetlands Restoration Program.

**Interagency Coordination.** This proposal will be reviewed by North Carolina regulatory agencies to determine whether state authorizations are needed such as—

- a. Issuance of a Water Quality Certification under Section 401 of the Clean Water Act by the North Carolina Division of Water Quality (NCDWQ).
- b. Issuance of a permit to dredge or fill under North Carolina General Statute 113-229 by the North Carolina Division of Coastal Management (NCDCM).
- c. Issuance of a permit under the North Carolina Coastal Area Management Act (CAMA) by the North Carolina Division of Coastal Management (NCDCM) or their delegates.

- d. Issuance of an easement to fill or otherwise occupy state-owned submerged land under North Carolina General Statute 143-341(4), 146-6, 146-11, and 146-12 by the North Carolina Department of Administration (NCDA) and the North Carolina Council of State.
- e. Approval of an Erosion and Sedimentation control Plan by the Land Quality Section, North Carolina Division of Land Resources (NCDLR), pursuant to the State Sedimentation Pollution Control Act of 1973 (NC G.S. 113 a-50-66).

**Review Criteria.** The Army Corps of Engineers will not issue a permit until a coordinated state review of this project has been performed and until the North Carolina Division of Water Quality has determined the applicability of a Water Quality Certificate as required by PL 92-500.

This application is being considered for approval pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Any person may request that a public hearing be held in connection with this application. Requests for public hearing must be submitted in writing to this office within the comment period specified in this notice and must include an outline of the requester's reasons for why the Corps should hold a public hearing.

The District Engineer has consulted the latest published version of the National Register of Historic Places and has determined that the proposed sites are not registered properties or properties that are eligible for inclusion in the Register.

The District Engineer is not aware whether the proposed activity will affect species designated as endangered or threatened pursuant to the Endangered Species Act of 1973.

The District Engineer has determined that the proposed project would not adversely affect Essential Fish Habitat or associated fisheries managed by the South Atlantic or Mid-Atlantic Fishery Management Councils or by the National Marine Fisheries Service (50 CFR Part 600).

The decision on whether to issue a permit will be based on an evaluation of the project's intended use and its probable direct and cumulative impacts on the public interest. Public interest review requires careful weighing of factors relevant to each case. Benefits that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. A decision on whether to authorize a proposal, and the conditions under which it would occur, is therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. Among the factors considered are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards and flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and quality, conservation, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and the general needs and welfare of the people. For activities involving the placement of dredged or fill materials in waters of the United States, a permit will be denied if the discharge that would be authorized by such permit would not meet the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the criteria outlined in the preceding sentence and to any other applicable guidelines, a permit will be granted unless the District Engineer determines that it would be contrary to the public interest to do so.

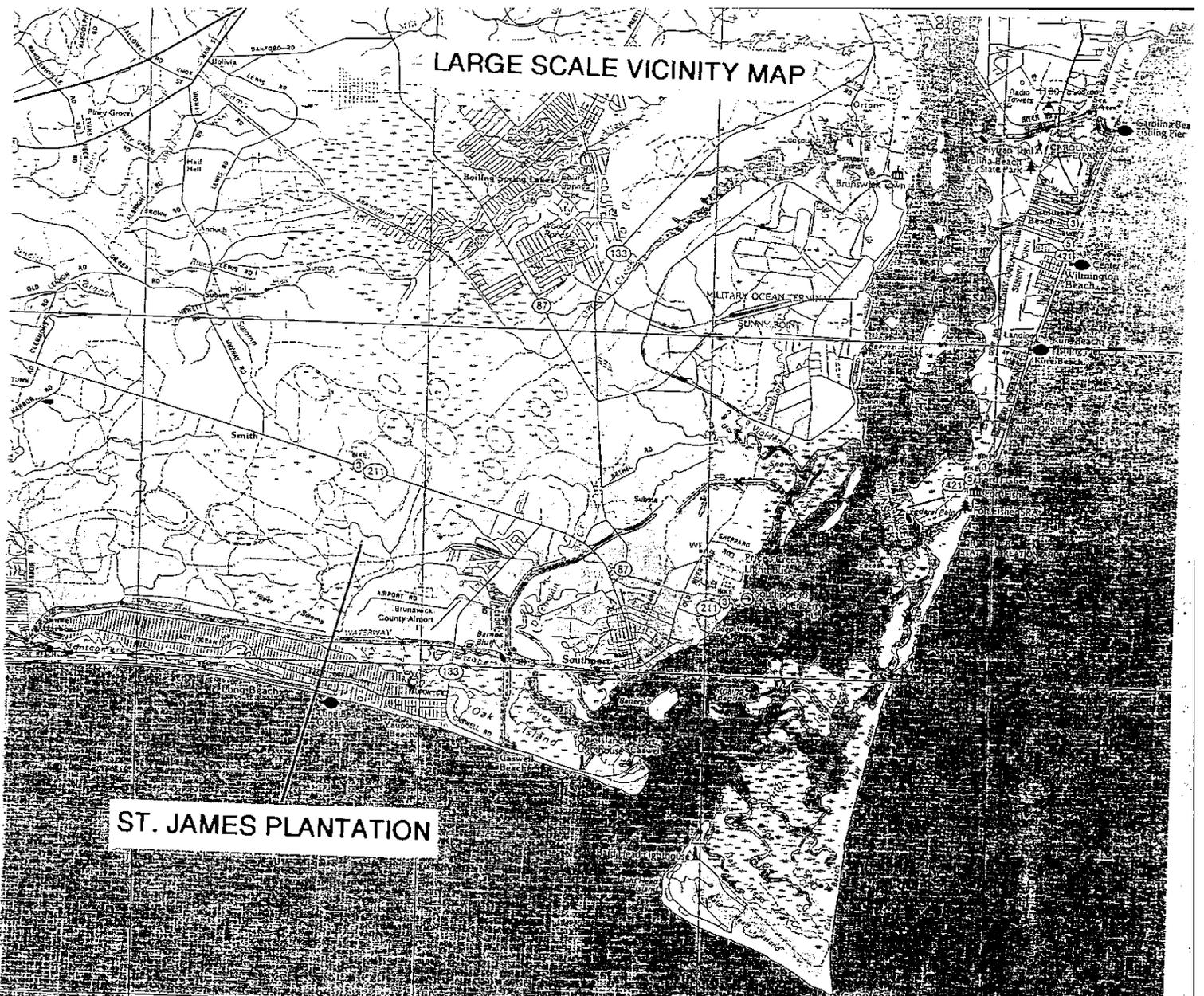
To evaluate the impacts of this proposed project, the Corps of Engineers is soliciting comments from the general public, from Indian tribes, and from officials from Federal, state, and local agencies. Any comments received will be considered by the Corps of Engineers in order to determine whether to issue, modify, condition, or deny a permit for this proposal. Comments are used in the preparation of an Environmental Assessment or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing or to determine whether the overall public interest would be served by the proposed activity.

Generally, the decision on whether to issue a Department of the Army permit will not be made until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives state certification required by section 401 of the Clean Water Act. The NCDWQ considers whether a proposed activity will comply with sections 301, 302, 306, and 307 of the Clean Water Act. The application and this public notice for a Department of the Army permit serve as application to the NCDWQ for certification.

Additional information regarding water quality certification may be reviewed at the offices of the NCDWQ, Water Quality Section, 1617 Mail Service Center, Raleigh, NC 27699-1617. Copies of such materials will be furnished to anyone requesting copies and upon payment of reproduction costs.

Comments regarding this application should be submitted in writing to the District Engineer at the above address within 15 days from the date of this notice. If you have questions concerning this application, contact **Thomas Farrell** of this office, telephone (910) 251-4466.

LARGE SCALE VICINITY MAP



ST. JAMES PLANTATION

*LA PRANCE ROAD*

*SEE FILE # 20030045*

1" = 2.4 MILES

*Sheet 1 of 4*

Section C  
37 Lots

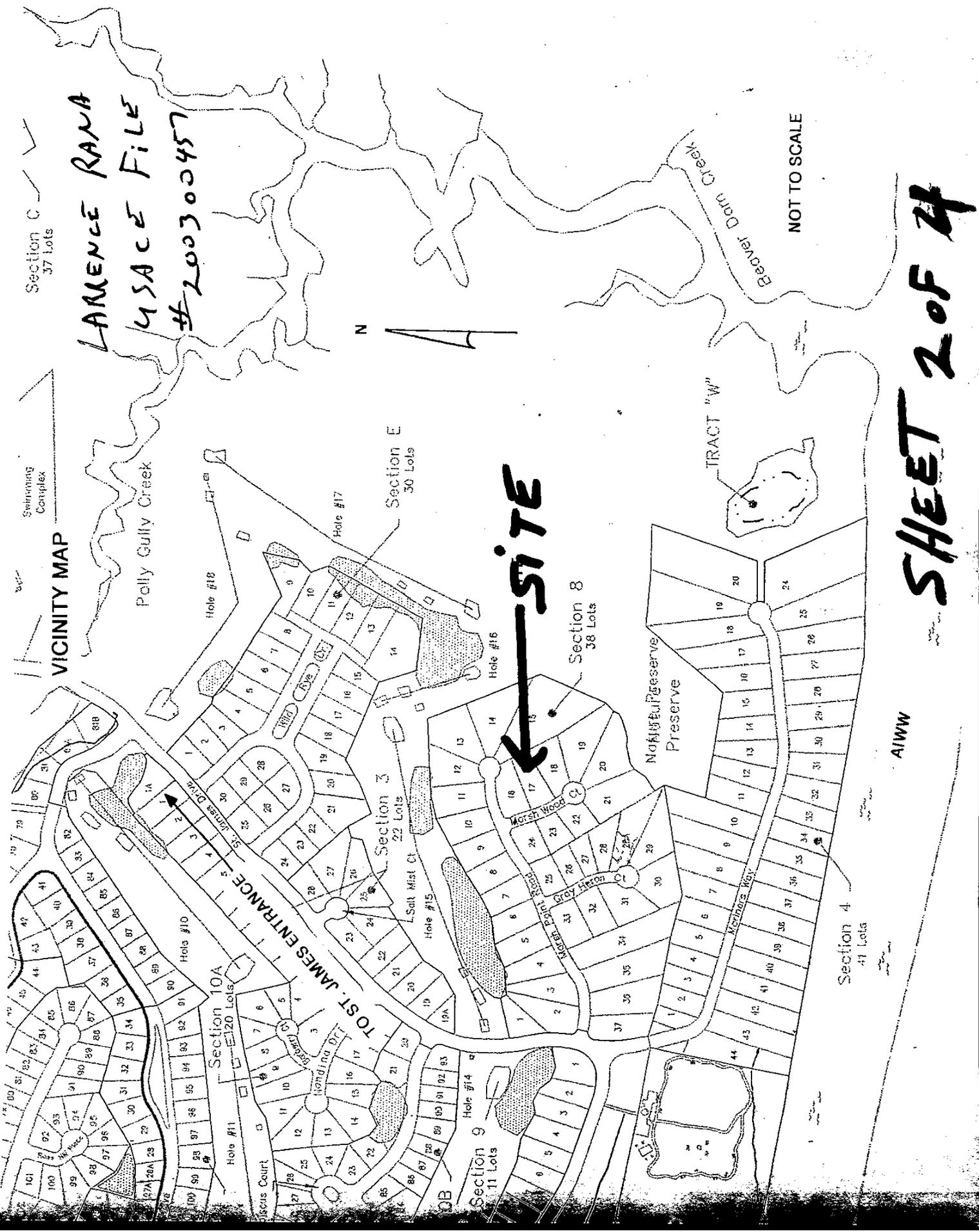
Swimming  
Complex

VICINITY MAP

LAMENCE RAMA  
45ACE FILE  
# 200300457



NOT TO SCALE



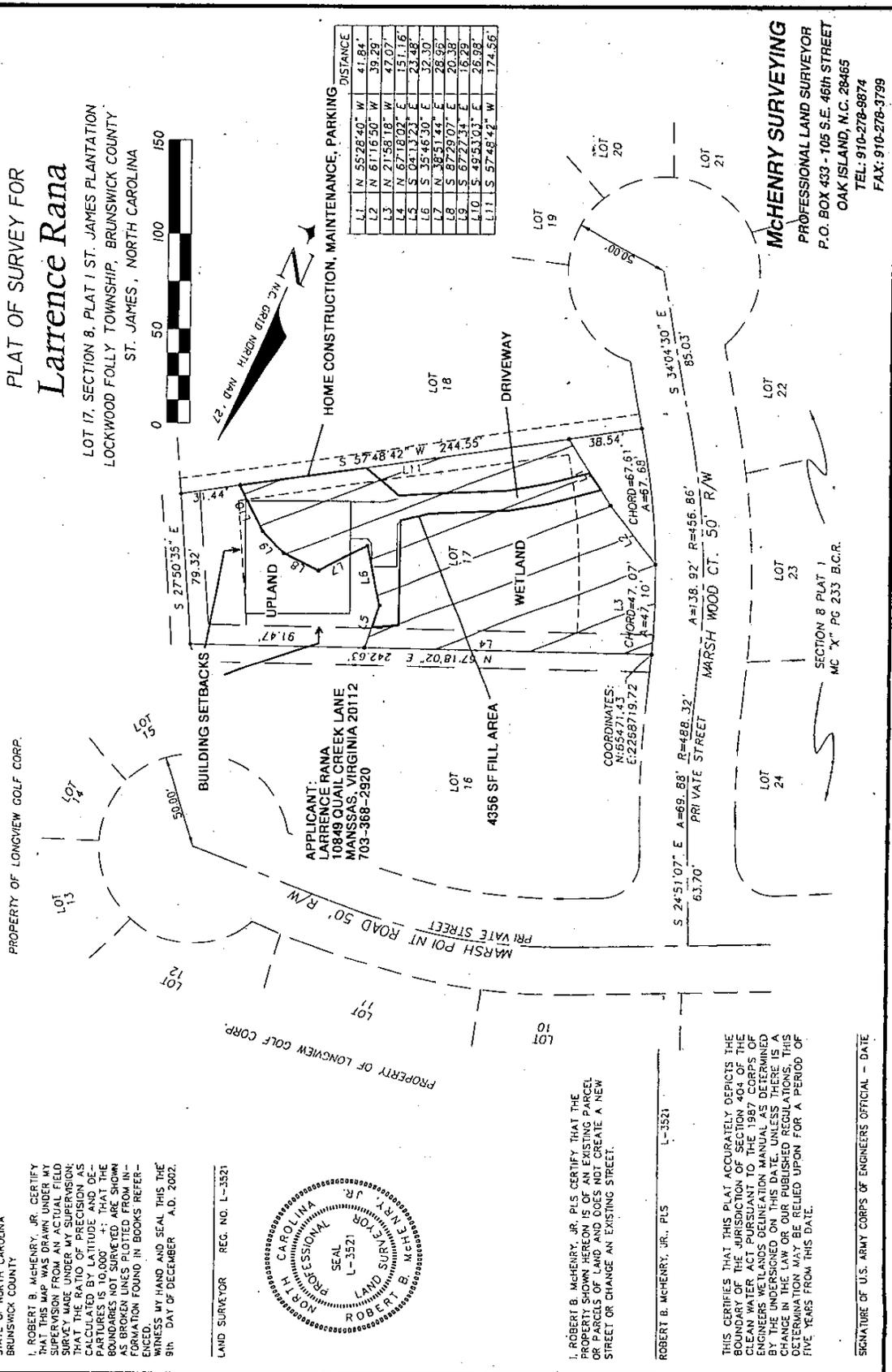
**← SITE**

**SHEET 2 of 4**

AIWW

USACE FILE  
#200300457

NATIONWIDE 18/401 CERTIFICATION REQUEST



STATE OF NORTH CAROLINA  
BRUNSWICK COUNTY

I, ROBERT B. MCHENRY, JR., CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION; THAT THE RATIO OF PRECISION AS PARTURSED BY LATITUDE AND DE-BOUNDARIES NOT SINKED; THAT THE AS BROKEN LINKS PLOTTED FROM IN-FORMATION FOUND IN BOOKS REFER-ENCED.

WITNESS MY HAND AND SEAL THIS THE 9th DAY OF DECEMBER A.D. 2002.

LAND SURVEYOR REG. NO. L-3521

ROBERT B. MCHENRY, JR.  
L-3521  
PROFESSIONAL  
SEAL  
NORTH CAROLINA  
LAND SURVEYOR

I, ROBERT B. MCHENRY, JR., PLS CERTIFY THAT THE PROPERTY SHOWN HEREON IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

ROBERT B. MCHENRY, JR., PLS L-3521

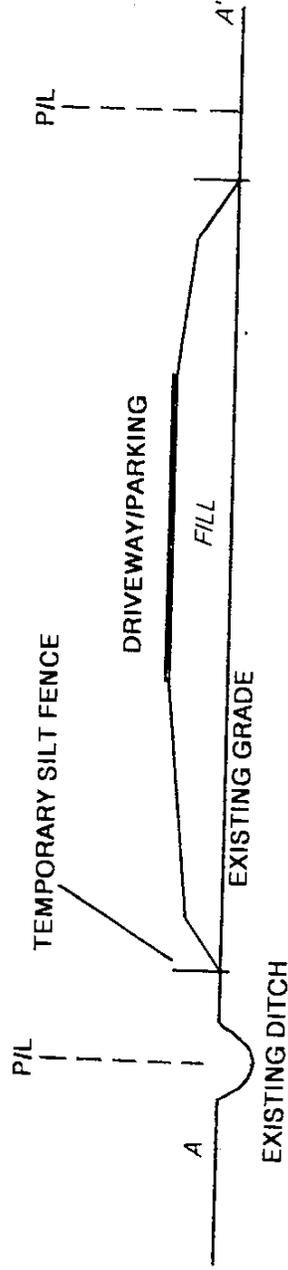
THIS CERTIFIES THAT THIS PLAT ACCURATELY DEPICTS THE BOUNDARY OF THE JURISDICTION OF SECTION 404 OF THE CLEAN WATER ACT PURSUANT TO THE 1987 CORPS OF ENGINEERS AND DELINEATION MANUAL AS DETERMINED BY THE SURVEYING ENGINEER HEREON. THERE IS A CHANGE IN THE LAW OR OUR PUBLISHED REGULATIONS. THIS DETERMINATION MAY BE RELIED UPON FOR A PERIOD OF FIVE YEARS FROM THIS DATE.

SIGNATURE OF U.S. ARMY CORPS OF ENGINEERS OFFICIAL - DATE

SHEET 3 OF 4

**MCHENRY SURVEYING**  
PROFESSIONAL LAND SURVEYOR  
P.O. BOX 433 - 105 S.E. 46th STREET  
OAK ISLAND, N.C. 28465  
TEL: 910-278-9874  
FAX: 910-278-3799

FILL AREA CROSS SECTION  
VIEWED FROM FRONT OF LOT



SLOPES NOT TO EXCEED 3:1

ALL DISTURBED AREAS TO BE GRASSED

LARRANCE RANA  
MSACE File # 200300457

SCALE HOR. 1" = 20'  
VERT. 1" = 10'

Sheet 4 of 4

SCALE EXAGGERATED FOR CLARITY