



**U.S. Army Corps
Of Engineers
Wilmington District**

PUBLIC NOTICE

Issue Date: December 20, 2004
Comment Deadline: January 20, 2005
Corps Action ID #: 200401197

All interested parties are hereby advised that the Wilmington District, Corps of Engineers (Corps) has received an application for work within jurisdictional waters of the United States. 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

Applicant: Town of Swansboro
Larry Faison – Town Manager
502 Church Street
Swansboro, North Carolina 28584

AGENT (if applicable): Green Engineering, P.L.L.C.
W. Landon Younce, P.E.
Post Office Box 609
Wilson, North Carolina 27893

Authority

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

Location

The proposed work is adjacent to Pasture Branch and Queen Creek, off Parkertown Road northeast of Hubert, Onslow County, North Carolina. The project can be located at 34 43.85 N 77 12.59 W.

Existing Site Conditions

The proposed disposal site, which is located 5 miles west of the wastewater plant, currently is vegetated by 5-7 year old pine trees on a fairly consistent topography. The wetland areas, proposed to be impacted, are headwater wetlands of Pasture Branch and are currently surrounded by the aforementioned young growth pine forest. The depression wetlands are inhabited by a mixture of wetland species including but not limited to *Liquidambar Styraciflua*, *Acer Rubrum*, *Lyonia Lucida*, and *Cyrilla*

Racemiflora and are underlain by muckalee loam and torhunta fine sandy loam, both mapped as hydric soils.

Applicant's Stated Purpose

The stated purpose of the project is to provide an alternative disposal site for treated effluent from the existing discharge into Foster's Creek as well as upgrading plant capacity. The change in effluent disposal from point source discharge to a non-discharge alternative is expected to improve water quality to Queen Creek.

Project Description

The proposed reclaimed water sprayfield, to be located just north of the intersection of SR 1744 and NC Hwy 24, will be comprised of approximately 68,141 LF (2-12" diameter) irrigation piping, one 10.0 acre irrigation storage pond, one irrigation pumping station and associated sprinklers, valves, fittings, etc. to serve the proposed sprayfield. The project expansion would impact 1.01 acres of jurisdictional wetlands for the creation of the storage pond, which is estimated to require 9000 cubic yards of sandy fill material. The pond's construction would also impact 1.65 acres of isolated wetlands, which does not require Department of the Army authorization. The positioning of the sprinklers and pumping station would be in non-wetland areas. The balance of the project would include improvements to the existing wastewater treatment plant to accomplish the reclaimed water quality. These improvements of the plant would include the addition of a new aeration basin, clarifier, UV Disinfection, sludge holding tank, sludge pumping station, effluent pumping station, 3.0 acre 5-day holding lagoon, and associated plumbing.

The applicant has proposed to compensate for the stated unavoidable impacts to the 1.01-acre jurisdictional area associated with this proposed project through payment to the North Carolina Ecosystem Enhancement Program (NCEEP). The NCEEP has notified the applicant that they are willing to accept payment for the project if deemed appropriate.

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 application and this public notice serves as application to the NCDWQ for certification. Additional information regarding the Clean Water Act certification may be reviewed at the offices of the Wetlands/401 Unit, NCDWQ, 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 Cyndi Karoly.

Coastal Zone Consistency

The applicant has received a CAMA General Permit # 38323-C for the proposed work which infers that the work will be conducted in a manner that is consistent with the approved North Carolina Coastal Zone Management Program. By this notice, the Corps is forwarding this certification to the North Carolina Division of Coastal Management (NCDCM) and requesting its concurrence or objection. Generally, the Corps will not issue a Department of the Army (DA) permit until 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 would 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, based on available information, is not aware that the proposed activity will affect species, or their critical habitat, designated as endangered or threatened pursuant to the Endangered Species Act of 1973.

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 is soliciting comments from the public; Federal, State and local agencies and officials; 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 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, Wilmington Regulatory Field Office, Attn: Brad Shaver, Regulatory Specialist, Post Office Box 1890 Wilmington, North Carolina 28402-1890



