

DEPARTMENT OF THE ARMY
Wilmington District, Corps of Engineers
Post Office Box 1890
Wilmington, North Carolina 28402-1890

Action ID No. 200421182

November 12, 2004

PUBLIC NOTICE

Ford's Colony at Rock Mount, One Ford's Colony Drive, Rocky Mount, NC 27809, has applied for a Department of the Army (DA) permit TO FILL 398 LINEAR FEET OF PERRENIAL STREAM CHANNEL, 1,185 LINEAR FEET OF INTERMITTENT STREAM CHANNEL THAT EXHIBITS IMPORTANT AQUATIC FUNCTION, AND TEMPORARILY IMPACT 60 LINEAR FEET OF PERRENIAL STREAM CHANNEL. THE APPLICANT ALSO PROPOSES TO FILL 2.72 ACRES OF RIPARIAN WETLANDS, 2.21 ACRES OF NON-RIPARIAN WETLANDS, AND 0.19 ACRES OF ISOLATED WETLANDS, ADJACENT TO BEECH BRANCH, FOR THE COSTRUCTION OF A ROAD NETWORK (32 ROAD CROSSINGS), 18 HOLE GOLF COURSE WITH DRIVING RANGE, AND SEWER LINE NETWORK, ASSOCIATED WITH THE CONSTRUCTION OF THE PROPOSED FORD'S COLONY AT ROCKY MOUNT (FCRM) RESIDENTIAL GOLF COMMUNITY. SPECIFICALLY, THE PROJECT IS LOCATED IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF SR 1524 (BATTLEBORO ROAD) AND U.S. HIGHWAY 301, IN ROCKY MOUNT, NASH COUNTY, NORTH CAROLINA. Please reference Action ID 199103070.

The following description of the work is taken from data provided by the applicant. The applicant was previously authorized on September 15, 1993, for a Department of the Army Permit to discharge 1.14 acres of fill into wetlands associated with development of the Belmont Farms subdivision. FCRM proposes to adjoin the existing Belmont Farms subdivision. Plans submitted with the application show the proposed placement of fill material into waters of the United States subject to our regulatory authority pursuant to Section 404 of the Clean Water Act.

The road infrastructure designed for FCRM includes 32 road crossings, impacting jurisdictional waters of the United States, including wetlands. The primary road serves as the main transportation corridor, with the other proposed roads diverging off the main corridor to serve the residential areas, amenities, golf course, and clubhouse as shown on the attached plans. A total of 1.6 acres of riparian wetlands, 1.0 acre of non-riparian wetlands, and 0.19 acre of isolated wetlands would be impacted by road construction. In addition, the transportation infrastructure would impact 348 linear feet of perennial stream and 620 linear feet of intermittent stream channel, which exhibits important aquatic function, would be impacted by the proposed road infrastructure.

Jurisdictional impacts associated with the development of the golf course would involve the filling of a total of 1.12 acres of riparian wetlands and 1.21 acres of non-riparian wetlands for golf course and driving range construction. An additional 0.68 acre of wetlands would be mechanically landcleared, with the stumps removed and another 0.85 acre of wetlands would be cleared of the woody vegetation, yet the stumps would be left undisturbed to allow for play over these impacted wetland areas. Mechanically cleared areas would be allowed to re-vegetate with low-growing wetland vegetation, which would routinely be maintained by either hand or mowing to keep it at the proper height for golfing. Furthermore, a total of 717 linear feet of stream channel would be impacted not only from the construction of the golf course, but also the practice range at FCRM. Of the 717 linear feet of stream channel to be impacted by the proposed project, 50 linear feet of perennial stream and 565 linear feet of intermittent stream channel would facilitate construction of the golf course and driving range, with the remaining 82 linear feet of perennial stream channel and 20 linear feet of intermittent stream channel to be bridged for the construction of cart paths.

Finally, the proposed sewerline installation would impact 0.25 acre of wetland and 60 linear feet of perennial stream channel would be temporarily impacted via mechanized landclearing, excavation, and subsequent backfilling. Plans showing the work are included with the Public Notice. Please note that all intermittent streams have been identified as exhibiting important aquatic function.

Currently, there is no lot fill associated with this proposal. The applicant proposes to place any remaining lots with wetlands into open space for community use.

The current use of the 1,150-acre project area consists of woodland, agricultural land, a 9-acre pond and an 83-acre lake. The periphery of the property is existing agricultural land, with little evidence of any prior converted cropland. A large portion of the interior of the property consists of a mature upper coastal plain hardwood/pine forest along the inter-stream divides between the first and second order tributaries of Beech Branch. The remainder of the property is pond, lake, and alluvial forest found along the headwaters and flood plains associated with Beech Branch. Belmont Farms subdivision lies adjacent to the proposed 1,150-acre residential and golf course development 1,150-acre tract.

The applicant is currently creating a mitigation proposal to offset impacts associated with the proposed FCRM development. The mitigation proposal will be placed on public notice, upon submittal.

The State of North Carolina will review this public notice to determine the need for the applicant to obtain any required State authorization. No Department of the Army (DA) permit will be issued until the coordinated State viewpoint on the proposal has been received and reviewed by this agency, nor will a DA permit be issued until the North Carolina Division of Water Quality (NCDWQ) has determined the applicability of a Water Quality Certificate as required by PL 92-500.

This application is being considered pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Any person may request, in writing within the comment period specified in the notice, that a public hearing be held to consider this application. Requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein. Based on the best available evidence, it has been determined that no sites within the vicinity of the project are registered or listed as being eligible for inclusion in the Register. Examination of the National Register of Historic Places constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of other such resources. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by work under the requested permit.

The District Engineer, 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.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all those factors, which become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are 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. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those 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, shore 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 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 comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers 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 of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal.

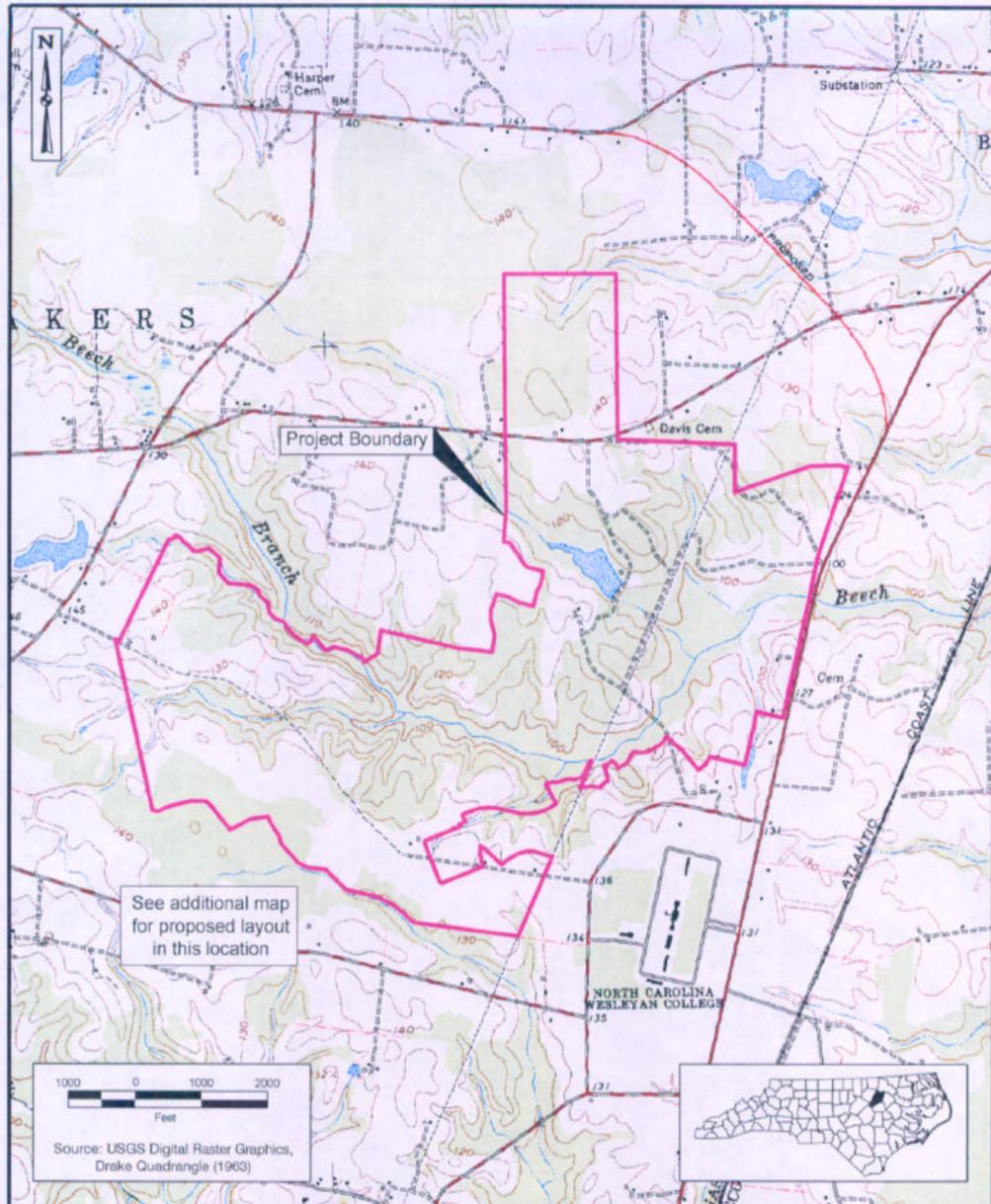
To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact 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.

Generally, the decision whether to issue this Department of the Army (DA) permit modification 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 or not the proposed activity will comply with Sections 301, 302, 306, and 307 of the Clean Water Act. The application and this public notice for the Department of the Army (DA) permit 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, North Carolina DENR, Division of Water Quality, 2321 Crabtree Boulevard, Raleigh, North Carolina. Copies of such materials will be furnished to any person requesting copies upon payment of reproduction costs.

All persons desiring to make comments regarding the application for Clean Water Act certification should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), Wetlands/401 Unit, 1650 Mail Service Center, Raleigh, North Carolina, 27699-1650, on or before January 12, 2005, Attention: Ms. Cyndi Karoly.

Written comments pertinent to the proposed work, as outlined above, will be received in this office, Attention: Mr. Kevin Yates, until 4:15 p.m., December 13, 2004, or telephone (919) 876-8441, extension 30.



See additional map for proposed layout in this location

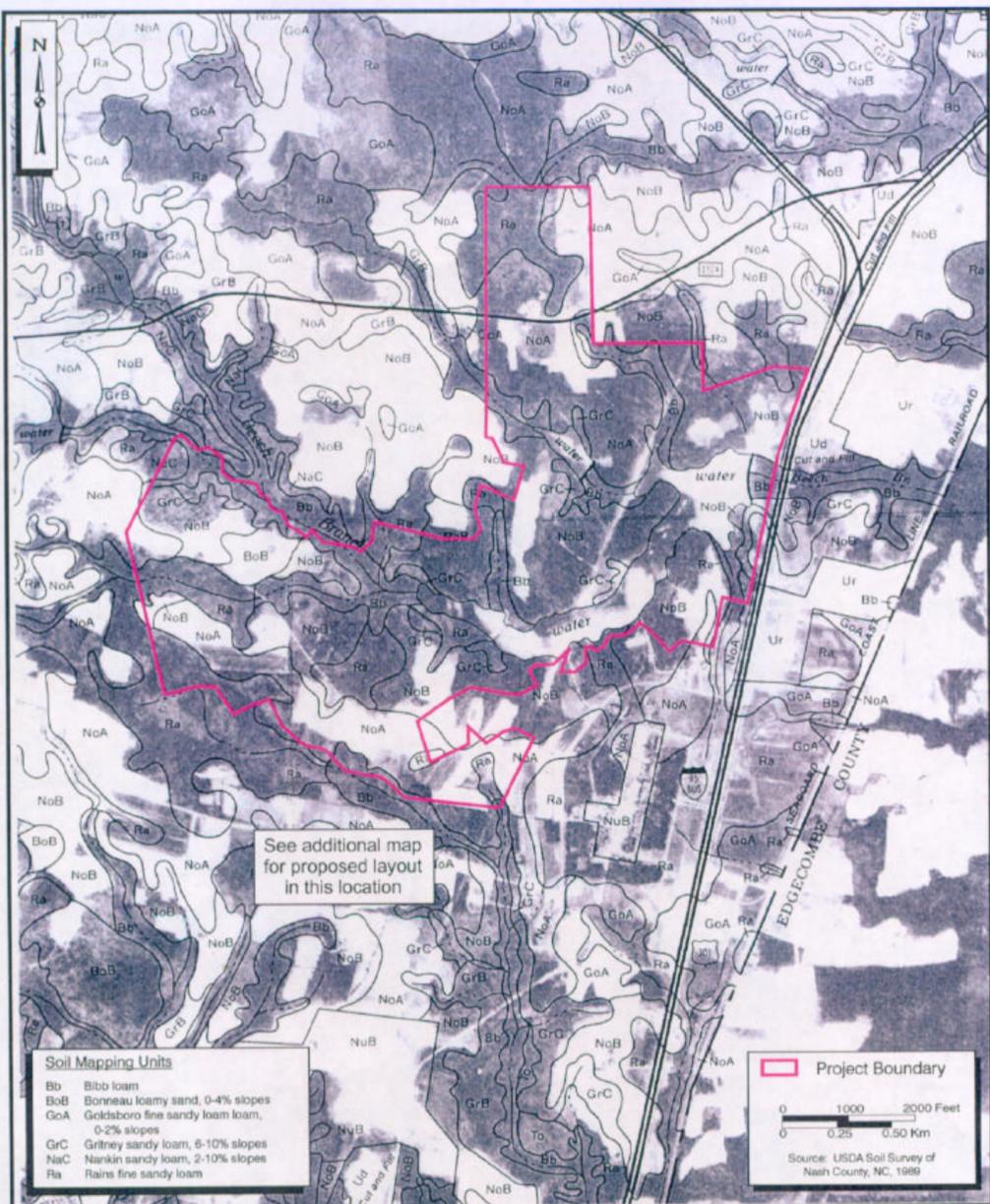
1000 0 1000 2000
Feet

Source: USGS Digital Raster Graphics, Drake Quadrangle (1963)



Project Location Map
Ford's Colony at Rocky Mount
Drake, Nash County, North Carolina

Figure:	1
Project:	ER04094
Date:	October 2004

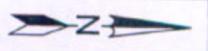


Environmental Services, Inc.

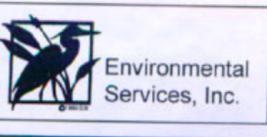
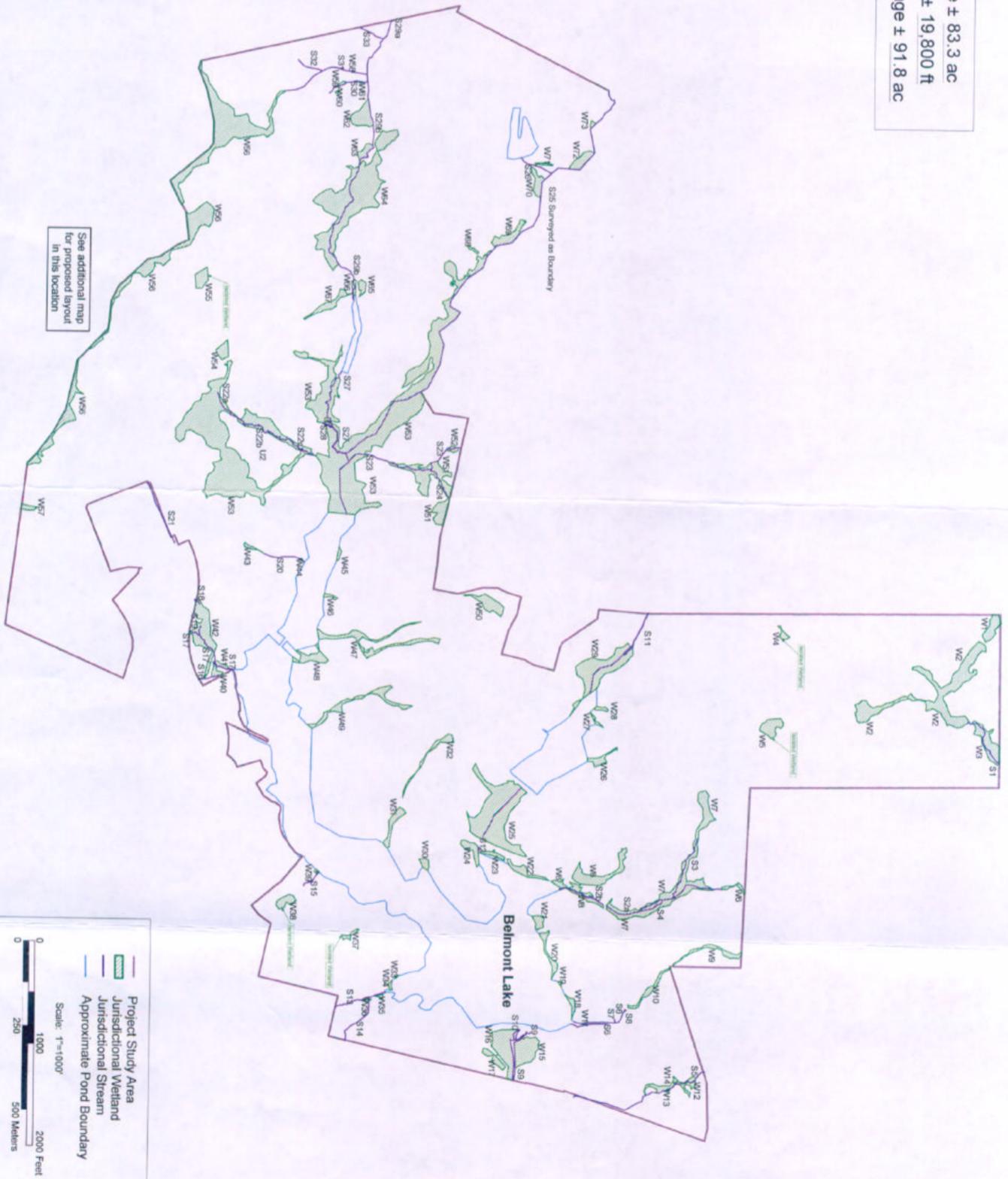
Soils Map
Ford's Colony at Rocky Mount
 Drake, Nash County, North Carolina

Figure: 2
 Project: ER04094
 Date: October 2004

ER04094-01-1a-31a.cir



Total Wetland Acreage ± 83.3 ac
Total Stream Footage ± 19,800 ft
Total Pond/Lake Acreage ± 91.8 ac



Environmental Services, Inc.

Wetland and Stream Location
Ford's Colony at Rocky Mount
Nash County, North Carolina

Figure:	3
Project:	ER04094
Date:	October 2004



Environmental
Services, Inc.

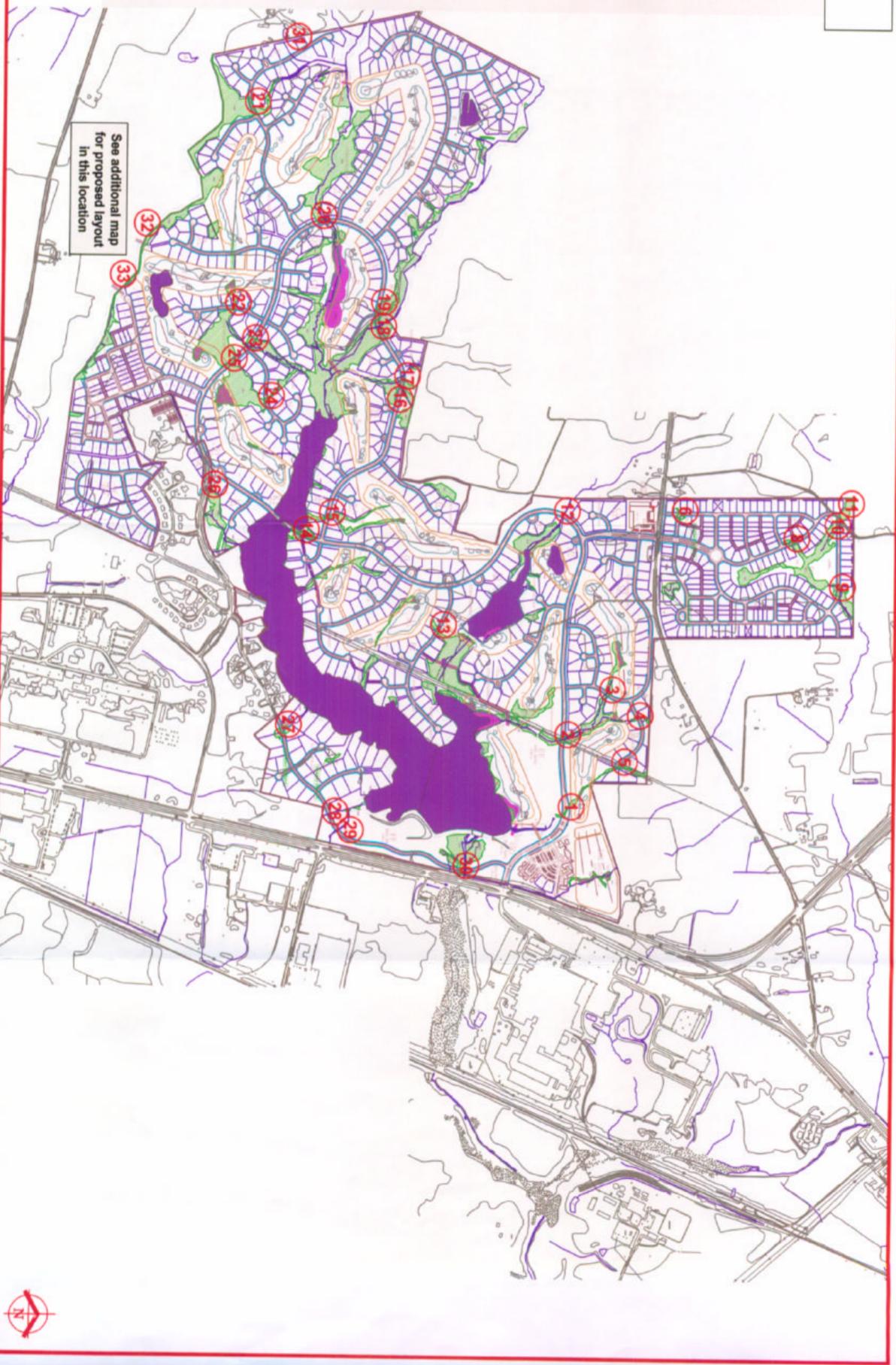
Figure: 4
Project: ER04094
Date: October 2004

Road Crossing Key Map

McBride
Hess
Design
Group, P.A.
Landscape Architecture
Campus Planning
Land Planning

Road Crossing -
Wetland, Stream
and Buffer Impact No.

- 1 R - W1
- 2 R - W2, R - S1, R - BF1
- 3 R - W3, R - S2, R - BF2
- 4 R - W4
- 5 R - W5
- 6 R - W6
- 8 R - W8
- 9 R - W9, R - S3, R - BF3
- 10 R - W10
- 11 R - W11
- 12 R - S4, R - BF4
- 13 R - W12
- 14 R - W13, R - BF5
- 15 R - W14
- 16 R - W15
- 17 R - W16, R - S5, R - BF6
- 18 R - W17, R - S6, R - BF7
- 19 R - W18
- 20 R - W19, R - S7, R - BF8
- 21 R - W20
- 22 R - W21
- 23 R - W22, R - S8,
- 24 R - W23
- 25 R - W24
- 26 R - W25, R - S9, R - BF9
- 27 R - W26
- 28 R - S10, R - BF10
- 29 R - S11
- 30 R - W27, R - S12, R - BF11
- 31 R - S13, R - BF12
- 32 R - W28, R - S14, R - BF13
- 33 R - W28, R - S15, R - BF14

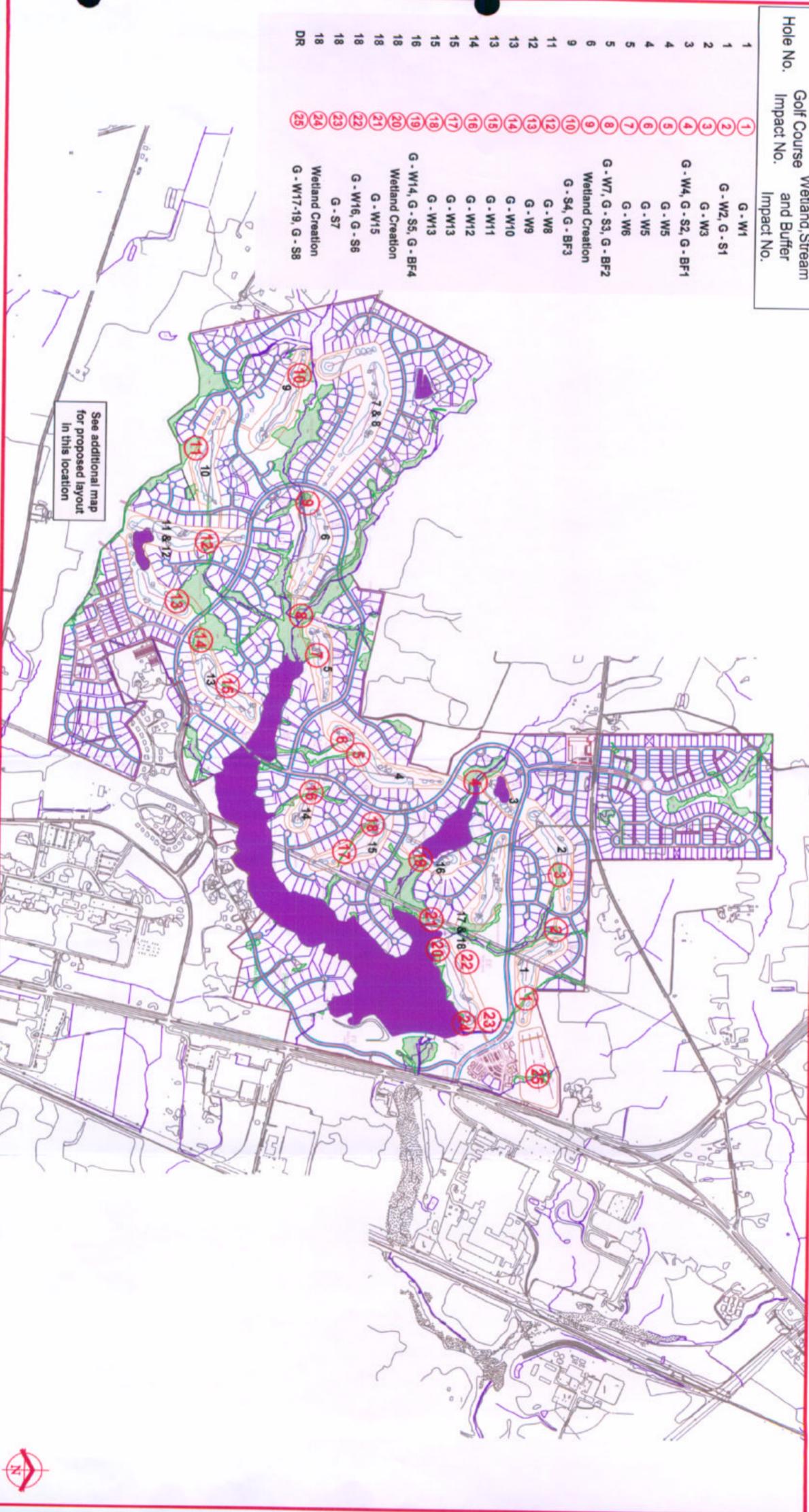


See additional map
for proposed layout
in this location

Golf Course Impact Key Map

David Johnson
Golf Design, LLC
694 Coolidge Avenue
Atlanta, Georgia 30306
404.873.3558 (o)
404.873.3559 (f)

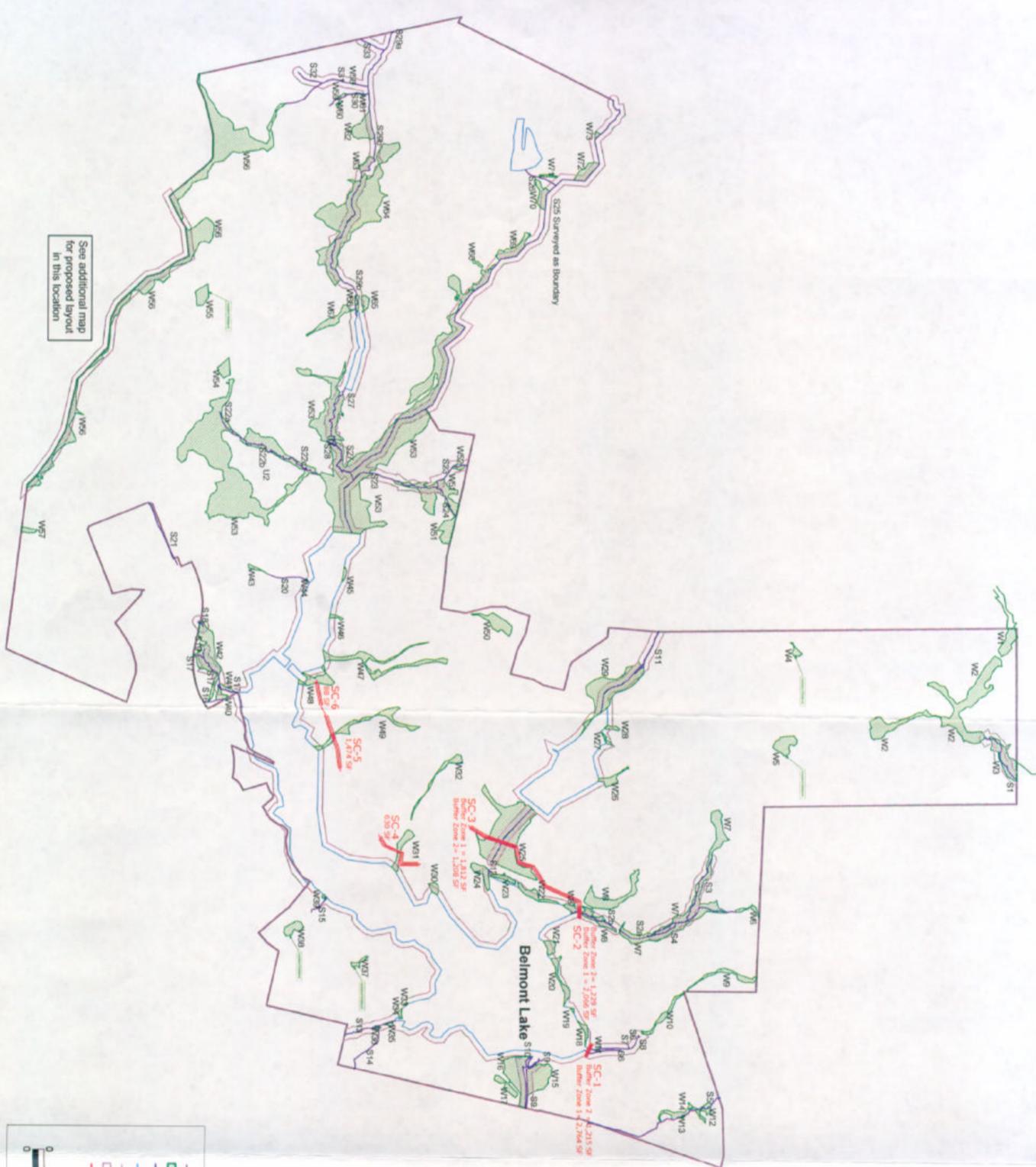
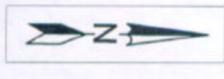
Hole No.	Golf Course Impact No.	Wetland, Stream and Buffer Impact No.
1	(1)	G - W1
1	(2)	G - W2, G - S1
2	(3)	G - W3
3	(4)	G - W4, G - S2, G - BF1
4	(5)	G - W5
4	(6)	G - W5
5	(7)	G - W6
5	(8)	G - W7, G - S3, G - BF2
6	(9)	Wetland Creation
9	(10)	G - S4, G - BF3
11	(12)	G - W8
12	(13)	G - W9
13	(14)	G - W10
13	(15)	G - W11
14	(16)	G - W12
15	(17)	G - W13
15	(18)	G - W13
16	(19)	G - W14, G - S5, G - BF4
18	(20)	Wetland Creation
18	(21)	G - W15
18	(22)	G - W16, G - S6
18	(23)	G - S7
18	(24)	Wetland Creation
18	(25)	G - W17-19, G - S8
DR		



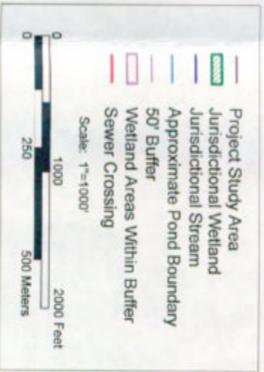
See additional map
for proposed layout
in this location



Scale 1" = 125'-0"



See additional map
for proposed layout
in this location



Environmental
Services, Inc.

Proposed Sewer Crossings
Ford's Colony at Rocky Mount
 Nash County, North Carolina

Figure:	6
Project:	ER04094
Date:	October 2004