

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

Action ID No. 200510094

December 15, 2004

PUBLIC NOTICE

United States Coast Guard (USCG), Attention: Mr. A.P. Kimos, Commander, United States Coast Guard, Civil Engineering Unit, Cleveland, 1240 East Ninth Street, Room 2179, Cleveland, Ohio, 44199-260, has applied for a Department of the Army (DA) permit TO INSTALL 3,200 LINEAR FEET OF RIPRAP, REMOVE 800 CUBIC YARDS OF EXISTING RIPRAP, DEMOLISH TWO EXISTING SEAPLANE RAMPS, REPLACE TWO EXISTING RIPRAP JETTIES, REPLACE AN EXISTING BOAT RAMP AND CONSTRUCT RETURN WALLS AT THE END OF AN EXISTING BULKHEAD within the navigable waters of the Pasquotank River. The proposed project is located on property owned by the USCG, located off N.C. Highway 34, adjacent to the Pasquotank River, in Elizabeth City, Pasquotank County, North Carolina. Mr. Tom Langley, Langley and McDonald, 309 Lynnhaven Parkway, Virginia Beach, Virginia, 23452, is acting as agent for the USCG in the processing of this application.

The following description of this project is taken from data provided by the applicant and from observations made during onsite inspections by representatives of the Corps of Engineers. The USCG owns approximately 800 acres on the Pasquotank River adjacent to Highway 34, four miles south of Elizabeth City. The USCG has used the property as an air station since 1940 when it opened as a seaplane base. The property has approximately 7,000 linear feet of shoreline used for various recreational and training purposes. A recreation area is located near the center of the property with a sand beach, pier and two boat ramps with an associated launch pier. There are two concrete seaplane ramps near the western property line and an associated concrete bulkhead all of which are in disrepair. In an attempt to slow erosion from storm events and wind tides, concrete rubble has been placed along a majority of the shoreline over the years. In 2003, Hurricane Isabel caused waters to rise above the existing material and erode the shoreline landward of the riprap. The area landward of the riprap has been impacted by past activities at the facility and is covered in concrete or maintained in a mowed condition. There are three small areas of wetlands in the project area that are vegetated with a mix of high marsh species including Spartina patens, Scirpus sp. and Baccharis halimifolia. This project may result in temporary impacts to approximately 1,500 square feet (0.03 AC) of these wetlands. In 1993, the

USCG obtained a permit from the U.S. Army Corps of Engineers to remove a portion of the concrete riprap and stabilize approximately 4,000 linear feet of shoreline. At this time, the USCG proposes to remove the existing concrete material from the remainder of the shoreline, grade and install riprap material along 3,200 linear feet of shoreline. The proposed riprap would be placed an average of 10 feet waterward of the normal water level. The existing seaplane ramps and concrete bulkhead are to be removed. The applicant also proposes to replace the two existing concrete boat ramps on the property and to add riprap to two existing jetties adjacent to the ramps. The removal of the seaplane ramps would result in the excavation of 4,400 cubic yards of material from the Pasquotank River. The applicant proposes to utilize typical marine construction techniques. Equipment will include trackhoes, bulldozers, dump trucks, and other grading machines. All fill material will be obtained from an approved upland source.

The applicant proposes the following conceptual compensatory mitigation for the proposed impacts: Creation of 0.97 acres of wetlands within high ground adjacent to the Pasquotank River. This represents a compensation ratio of 13:1.

Plans showing the work are included with this public notice. The plans and additional information provided by the applicant detailing avoidance and minimization efforts may also be reviewed at the Washington Regulatory Field Office, U. S. Army Corps of Engineers Wilmington District, 107 Union Drive Suite 200, Washington, North Carolina 27889.

The applicant has determined that the proposed work is consistent with the North Carolina Coastal Zone Management Plan and has submitted this determination to the North Carolina Division of Coastal Management (NCDCM) for their review and concurrence. This proposal shall be reviewed for the applicability of other actions by North Carolina agencies such as:

- a. The issuance of a Water Quality Certification under Section 401 of the Clean Water Act by the North Carolina Division of Water Quality (NCDWQ).
- b. The issuance of a permit to dredge and/or fill under North Carolina General Statute 113-229 by the North Carolina Division of Coastal Management (NCDCM).
- c. The 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. The 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. The 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).

The requested Department of the Army (DA) permit will be denied if any required State or local authorization and/or certification is denied. No DA permit will be issued until a State coordinated viewpoint is received and reviewed by this agency. Recipients of this notice are encouraged to furnish comments on factors of concern represented by the above agencies directly to the respective agency, with a copy furnished to the Corps of Engineers.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The District Engineer's 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.

This application is being considered pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344). Any person may request, in writing within the comment period specified in this 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, and this site is not registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of 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,

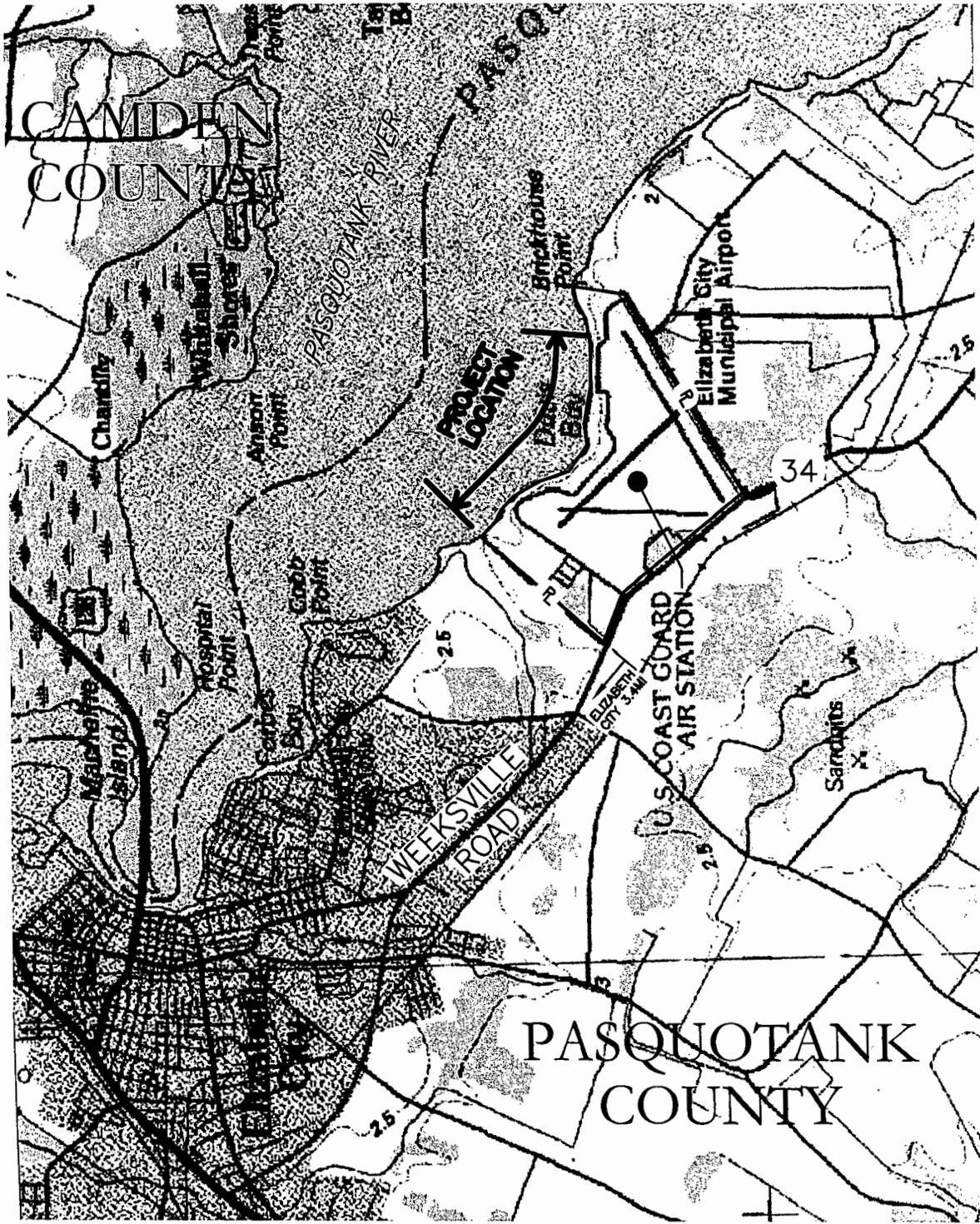
fish and wildlife values, flood hazards and flood plain values (in accordance with Executive Order 11988), land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property 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 Agencies' 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 DA 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 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 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 Environmental Operations Section, North Carolina Division of Water Quality (NCDWQ), Salisbury Street, Archdale Building, Raleigh, North Carolina. Copies of such materials will be furnished to any person requesting copies upon payment of reproduction costs.

Written comments pertinent to the proposed work, as outlined above, will be received in this office, Attention: Ms. Tracey L. Wheeler, Post Office Box 1000, Washington, North Carolina, 27889, until 4:15 p.m., January 15, 2005, or telephone (919) 975-1616, extension 24.



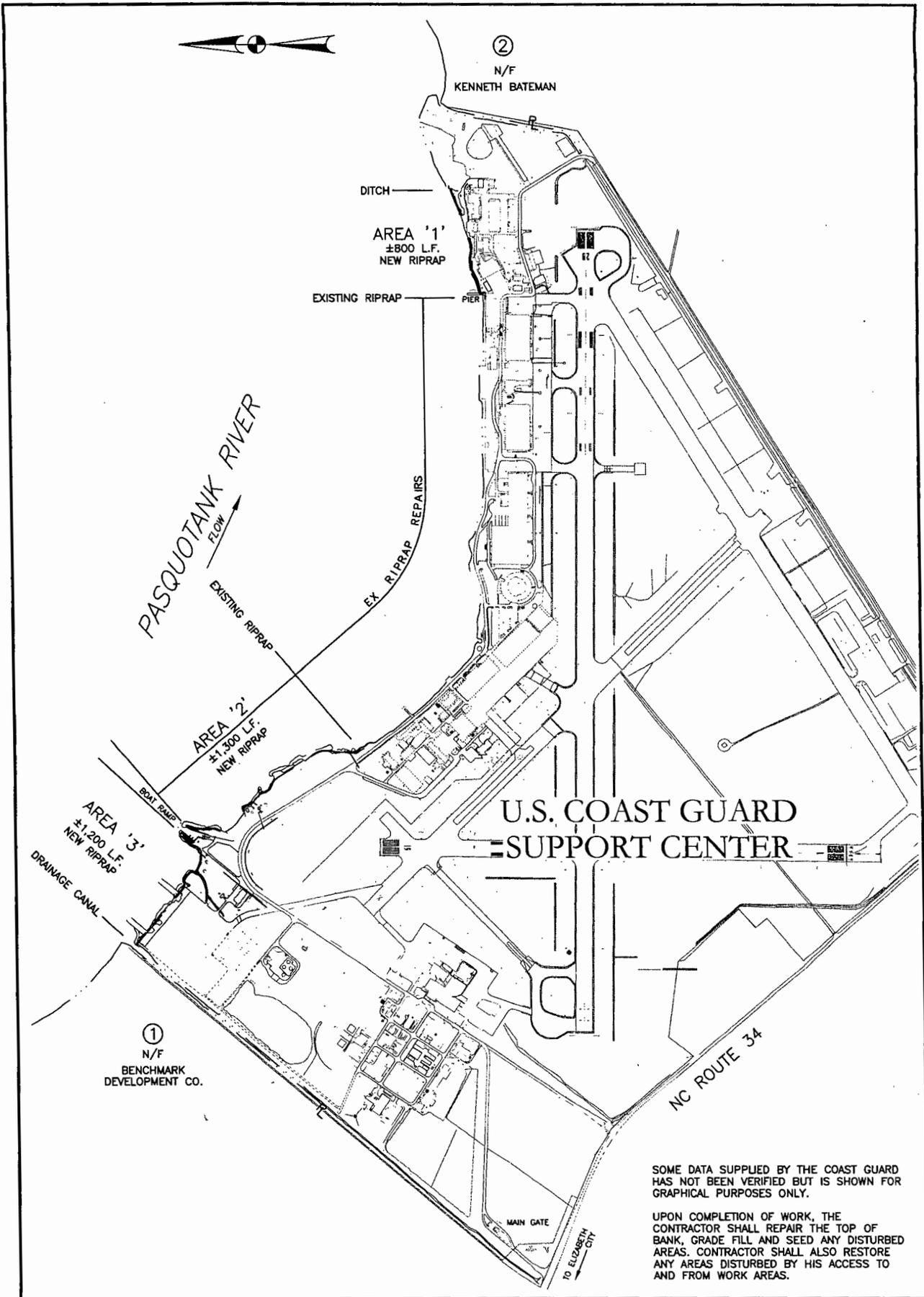
PURPOSE : SHORELINE STABILIZATION
 NEW & REPAIR RIPRAP
 DATUM : NGVD29 = 0.0
 ADJACENT PROPERTY OWNERS
 BENCHMARK DEVELOPMENT CO.
 KENNETH BATEMAN

IN : PASQUOTANK RIVER
 AT : PERIMETER ROAD
 CITY/COUNTY : ELIZABETH CITY, NC
 APPLICATION BY :
 U.S.C.G.S.C. - E.C.
 DATE : AUGUST 26, 2004
 SCALE : 1" = 3000'
 SHT. 10F 11

PERMIT APPLICATION

VICINITY MAP

Langley and McDonald, Inc
 Engineers Planners Surveyors
 309 LYNNHAVEN PARKWAY
 VIRGINIA BEACH, VIRGINIA 23452
 757-463-4306 (FAX) 757-463-5565



**U.S. COAST GUARD
SUPPORT CENTER**

SOME DATA SUPPLIED BY THE COAST GUARD HAS NOT BEEN VERIFIED BUT IS SHOWN FOR GRAPHICAL PURPOSES ONLY.

UPON COMPLETION OF WORK, THE CONTRACTOR SHALL REPAIR THE TOP OF BANK, GRADE FILL AND SEED ANY DISTURBED AREAS. CONTRACTOR SHALL ALSO RESTORE ANY AREAS DISTURBED BY HIS ACCESS TO AND FROM WORK AREAS.

PURPOSE : SHORELINE STABILIZATION
NEW & REPAIR RIPRAP
DATUM : NGVD29 = 0.0
ADJACENT PROPERTY OWNERS
① BENCHMARK DEVELOPMENT CO.
② KENNETH BATEMAN

IN : PASQUOTANK RIVER
AT : PERIMETER ROAD
CITY/COUNTY : ELIZABETH CITY, NC

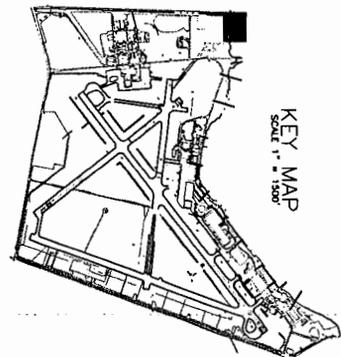
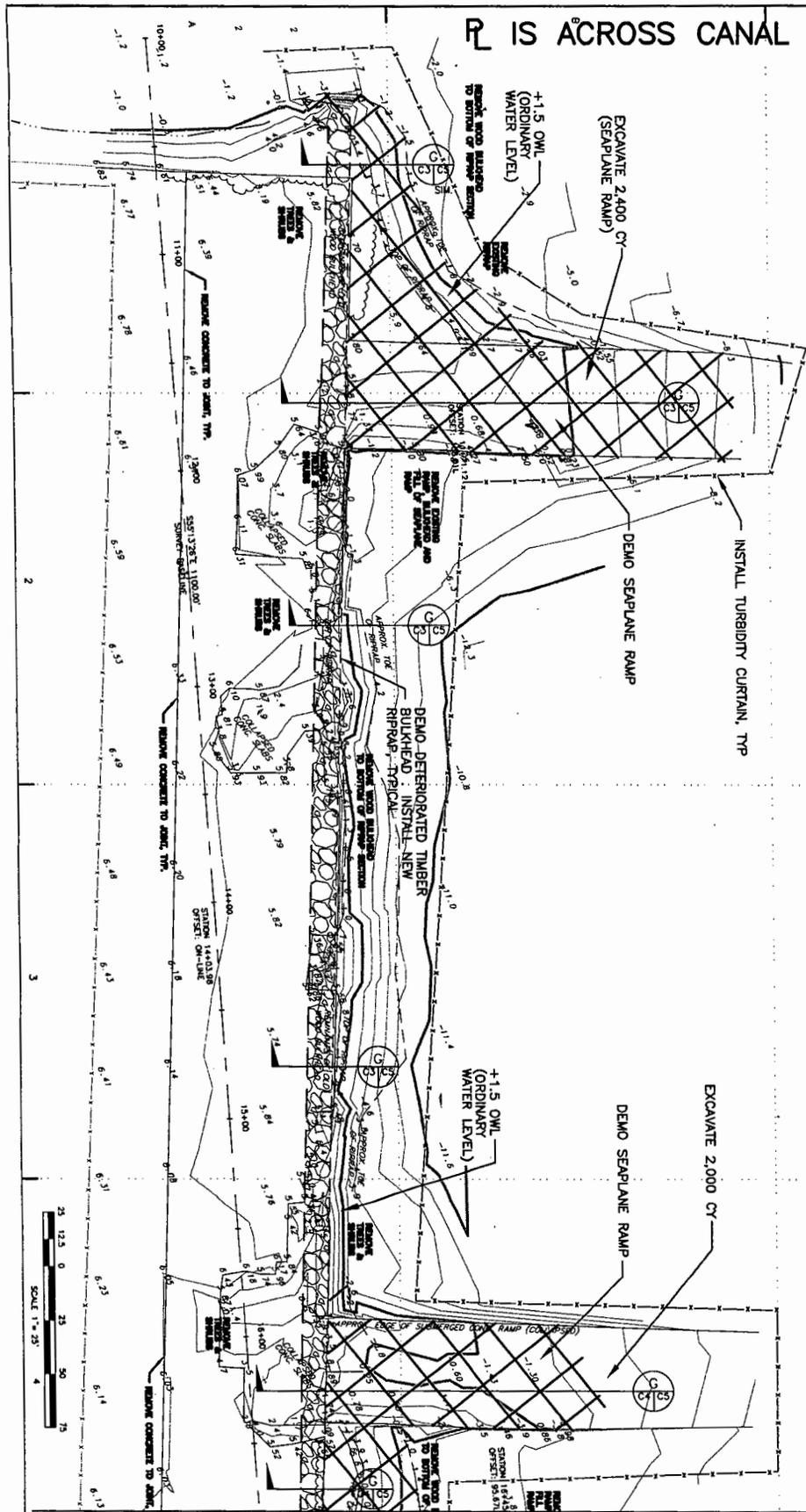
APPLICATION BY :
U.S.C.G.S.C. - E.C.
DATE: AUGUST 26, 2004
SCALE : 1" = 750'
SHT. 2 OF 11

PERMIT APPLICATION

INDEX MAP

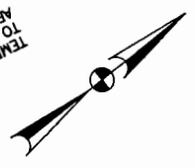
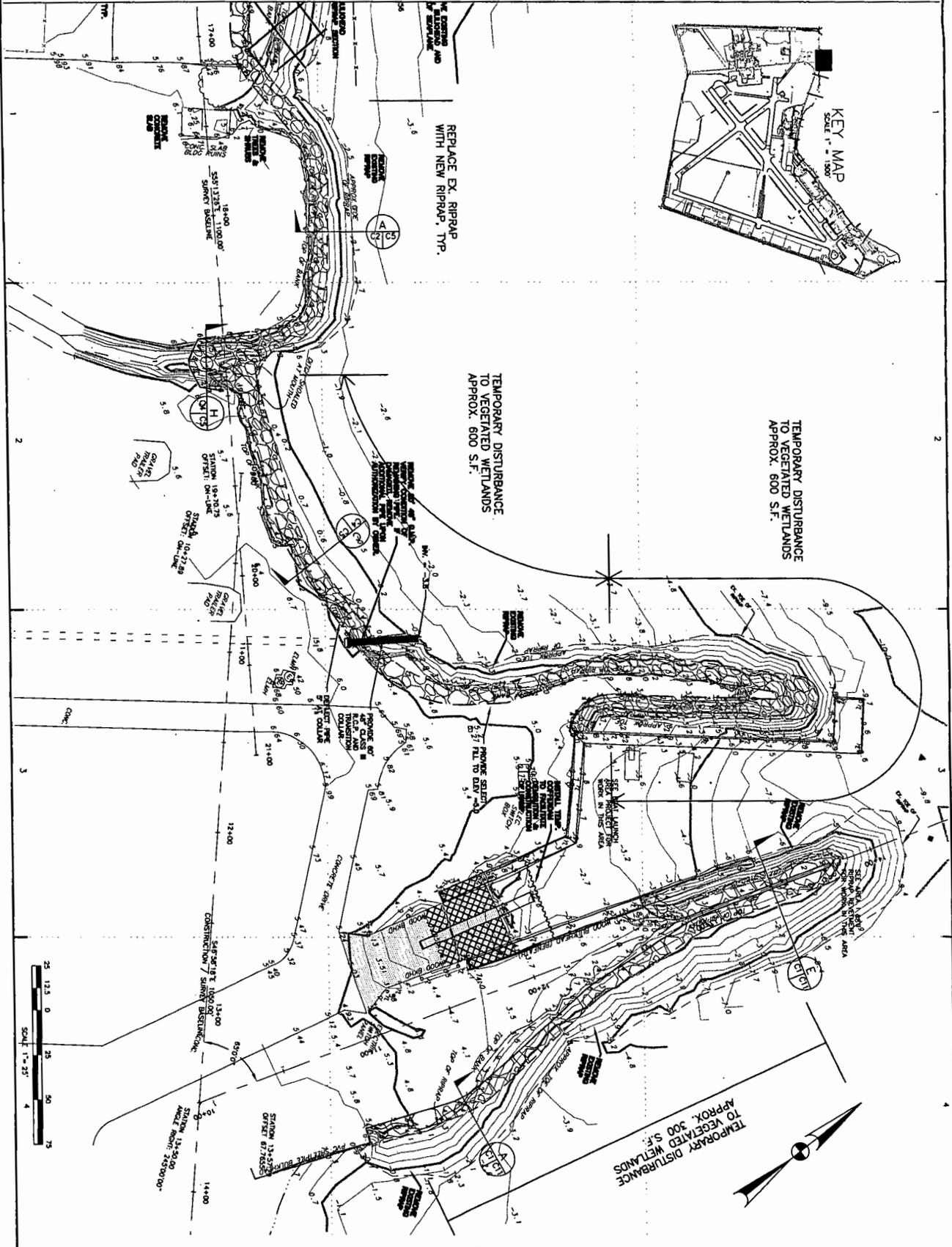
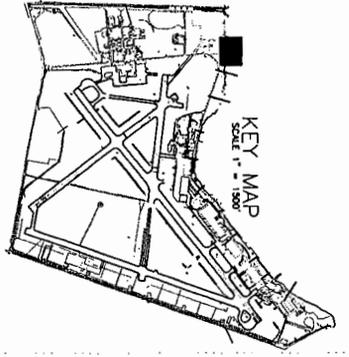
Langley and McDonald, Inc
Engineers Planners Surveyors
309 LYNNHAVEN PARKWAY
VIRGINIA BEACH, VIRGINIA 23452
757-463-4306 (FAX) 757-463-3563

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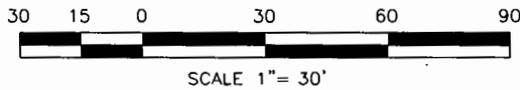
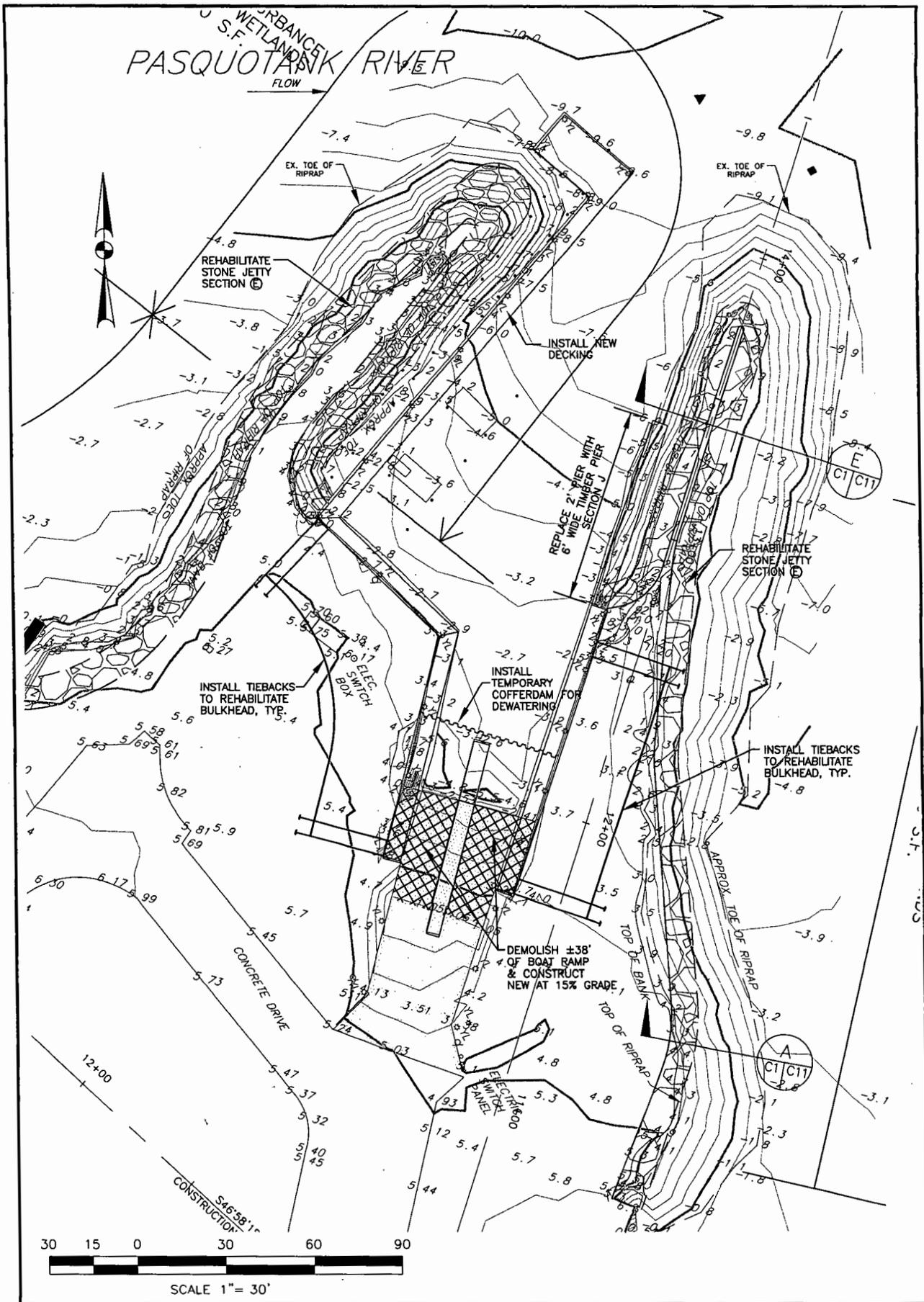


MATCH LINE SHEET C-04

 <p>U. S. COAST GUARD X CLEVELAND</p>		<p>Engineering & Planning & Surveying 399 Lumberton Parkway Virginia Beach, VA 23462 PH: (757) 463-0066 FAX: (757) 463-3300</p>	
<p>USCG, CEU CLEVELAND 1240 EAST 9TH STREET CLEVELAND, OH 44199-2000</p>		<p>AREA - III NEW RIPRAP AND BANK STABILIZATION PLAN SUPPORT CENTER - CLEVELAND CITY SHORELINE STABILIZATION</p>	
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<p>PROJECT NUMBER: 04-C-2007 DESIGN/EST. NO.: C-03</p>		<p>DESIGN/EST. NO.: C-03 SHEET 3 OF 11</p>	



 <p>U. S. COAST GUARD CLEVELAND</p>		 <p>L&M Langley & McDonald, Inc. Engineering & Planning & Surveying 3901 Lyndhurst Parkway Virginia Beach, VA 23462 PH (757) 683-9200 FAX (757) 683-9201</p>	
<p>USCG, CEU CLEVELAND 1240 EAST 9TH STREET CLEVELAND, OH 44199-2080</p>			
<p>DATE: _____ DESCRIPTION: _____</p>			
<p>SCALE: 1" = 25' PLOT SCALE: 1:1</p>			
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<p>BANK RIPRAP AND SUPPORT CENTER - EUZABETH CITY SHORELINE STABILIZATION</p>			
<p>DESIGNED BY: _____</p>		<p>REVIEWED BY: _____</p>	
<p>DRAWN BY: _____</p>		<p>REVISIONS:</p>	
<p>CHECKED BY: _____</p>		<p>DATE: _____</p>	
<p>PROJECT CHIEF: _____</p>		<p>TESTING OFFICER: _____</p>	
<p>CONTRACT NUMBER: _____</p>		<p>DRAWING NUMBER: _____</p>	
<p>DESIGN/SHEET NO: C-04</p>		<p>SHEET 4 OF 11</p>	

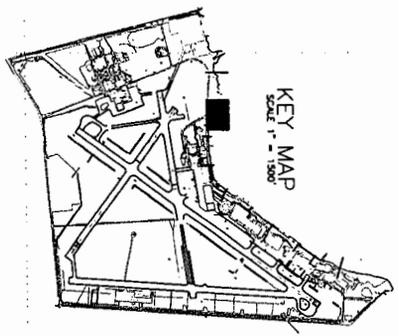
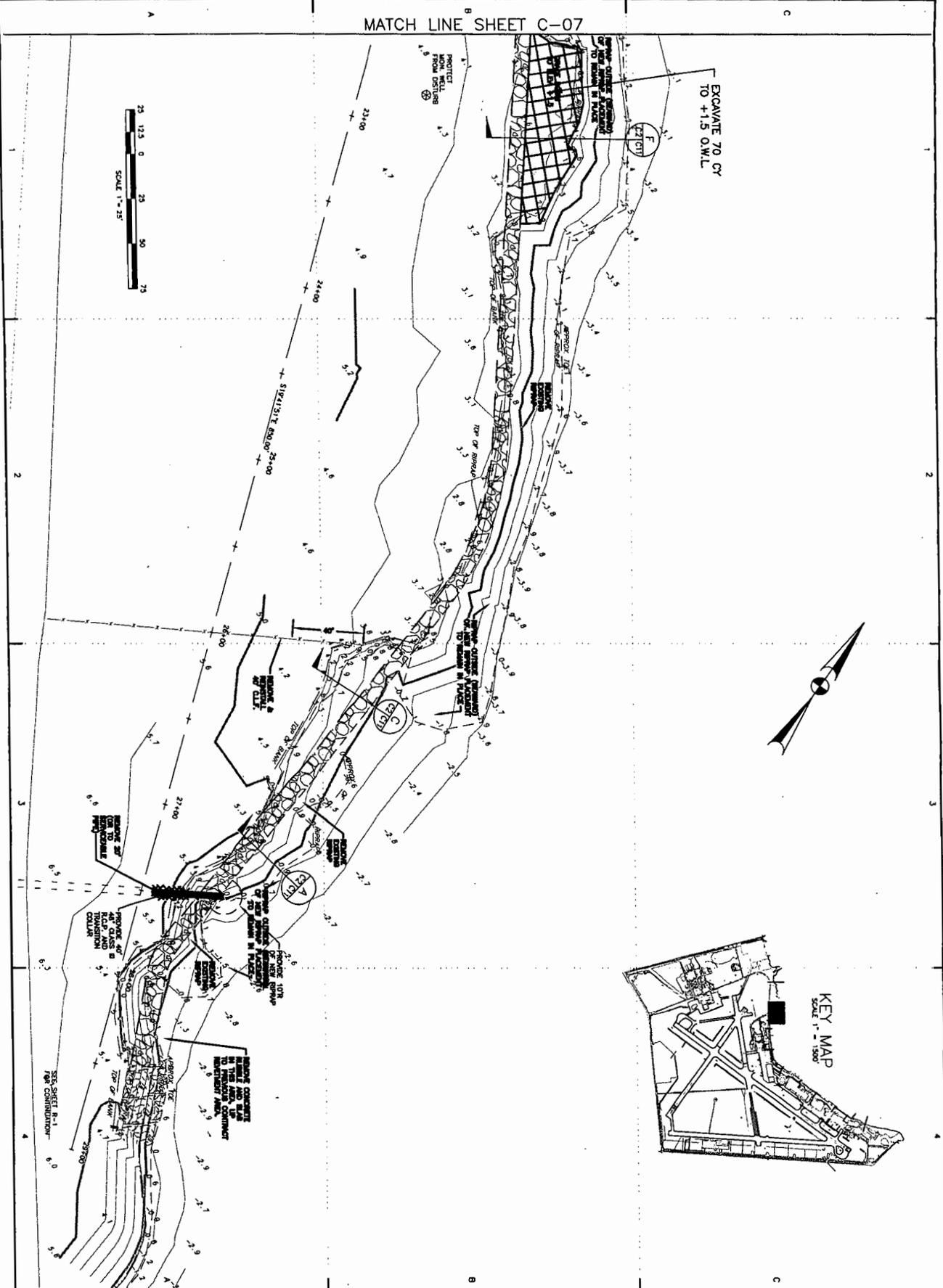


PURPOSE : SHORELINE STABILIZATION
 NEW & REPAIR RIPRAP
 DATUM : NGVD29 = 0.0
 ADJACENT PROPERTY OWNERS
 BENCHMARK DEVELOPMENT CO.
 KENNETH BATEMAN

IN : PASQUOTANK RIVER
 AT : PERIMETER ROAD
 CITY/COUNTY : ELIZABETH CITY, NC
 APPLICATION BY :
 U.S.C.G.S.C. - E.C.
 DATE: AUGUST 26, 2004
 SCALE : 1" = 30'
 SHT. 5 OF 11

PERMIT APPLICATION
BOAT RAMP AREA
PR. IMPROVEMENTS

Langley and McDonald, Inc
 Engineers Planners Surveyors
 309 LYNNHAVEN PARKWAY
 VIRGINIA BEACH, VIRGINIA 23452
 757-463-4306 (FAX) 757-463-3565



U. S. COAST GUARD
X
CLEVELAND

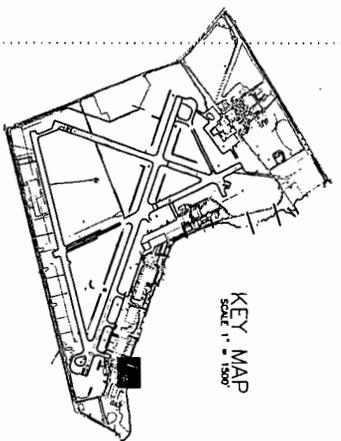
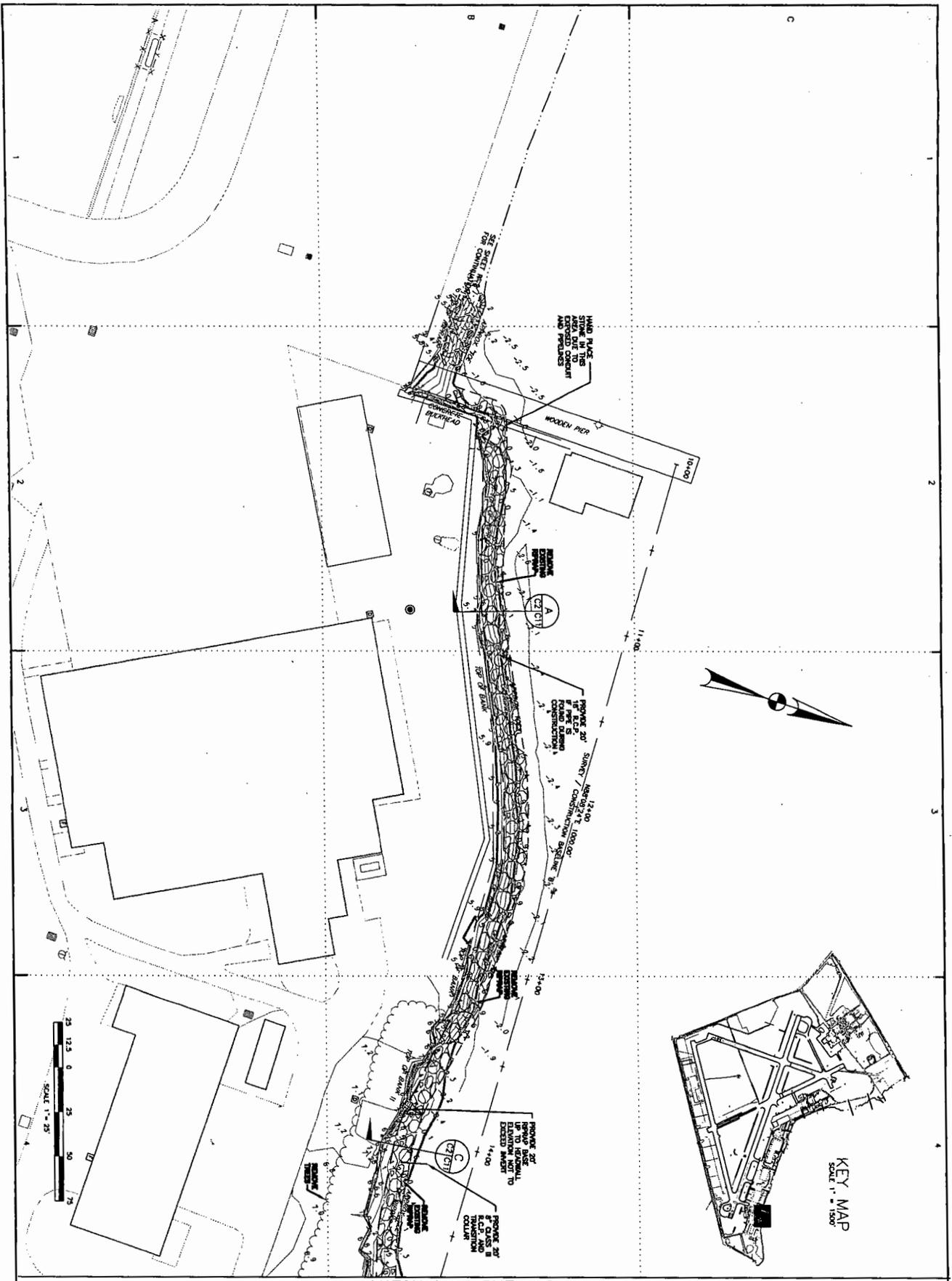


USCG, CEU CLEVELAND
1240 EAST 9TH STREET
CLEVELAND, OH 44199-2050

NO.	DATE	DESCRIPTION

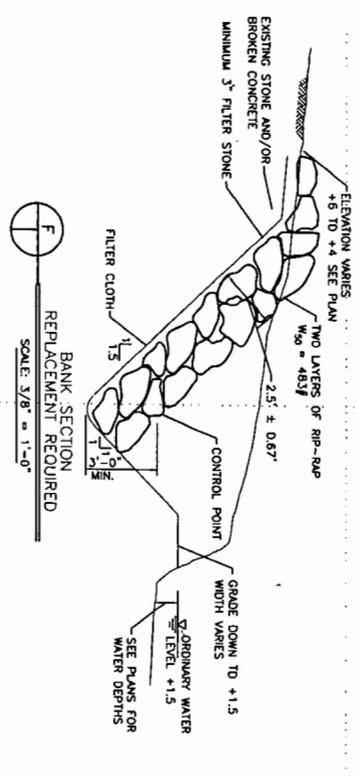
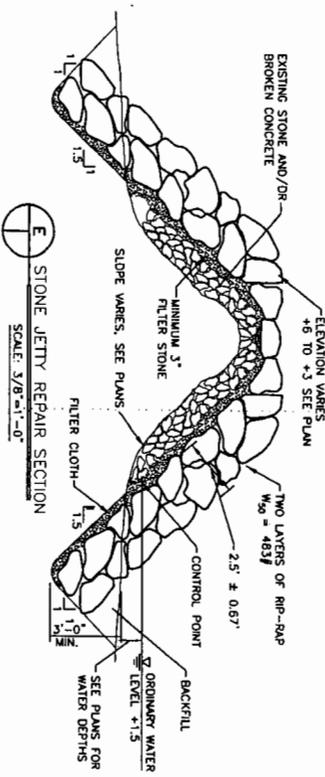
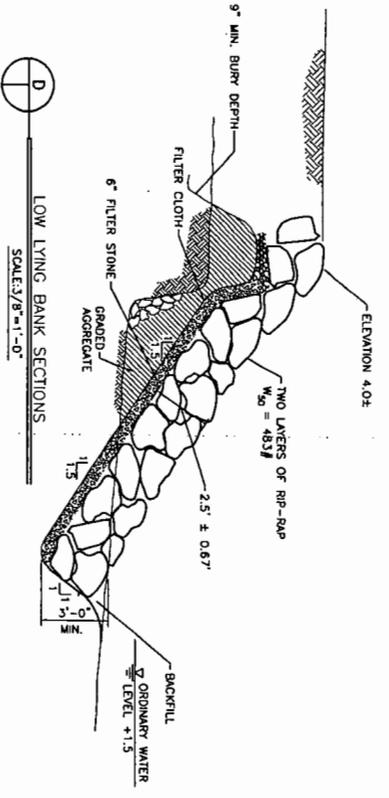
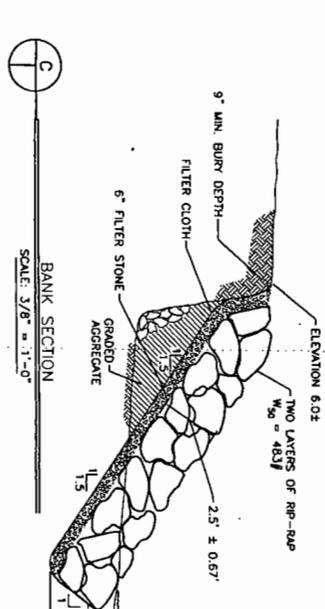
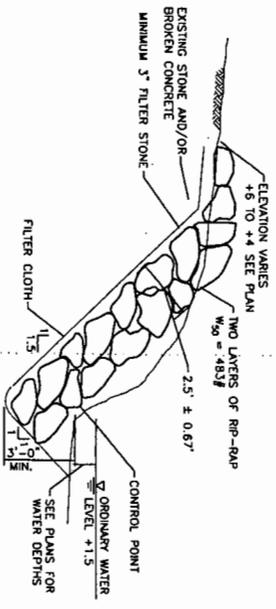
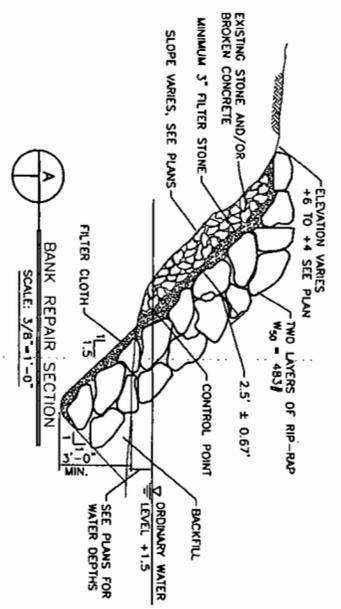
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 DRAWN BY: WJK
 CHECKED BY: THE
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 SHEET TITLE:

AREA - II
 NEW RIPRAP AND
 BANK STABILIZATION PLAN
 SUPPORT CENTER - ELIZABETH CITY
 SHORELINE STABILIZATION
 PREPARED BY: [REDACTED] REVIEWED BY:
 PROJECT ENG. I. BRANCH CHIEF / TECH. DIRECTOR
 APPROVING OFFICERS: [REDACTED] DATE:
 PROJECT NUMBER: [REDACTED] DRAWING NUMBER:
 CONTRACT NUMBER: [REDACTED]
 ORDER/REV. NO. C-08 SHEET 7 OF 11



MATCH LINE @ SHEET C-10

 <p>U. S. COAST GUARD X CLEVELAND</p>		<p>LANDING & McDONALD, INC. Engineering & Planning & Surveying 309 Lamberton Parkway Virginia Beach, VA 23462 PH: (757) 483-0400 FAX: (757) 483-0400</p>	
<p>USCG CEU CLEVELAND 1240 EAST 9TH STREET CLEVELAND, OH 44119-2080</p>		<p>AREA - 1 NEW RIPRAP AND BANK STABILIZATION PLAN SUPPORT CENTER - ELIZABETH CITY SHOULDER STABILIZATION</p>	
<p>SCALE: 1" = 20' NOT SCALE 1:1:1 SHEET TITLE</p>		<p>APPROVING OFFICER: _____ DATE: _____ PROJECT NUMBER: _____ DRAWING NUMBER: _____ CONTRACT NUMBER: _____ ISSUE: _____ DESIGNER: _____ CHECKED BY: _____ DRAWN BY: _____ EDITOR BY: _____ SCALE: 1" = 20' NOT SCALE 1:1:1</p>	
<p>PROJECT NO. 2000-013 C&D TITLE NAME: AREA-1-AMSD-01 DATE: _____ DRAWN BY: WML CHECKED BY: TML</p>		<p>PROJECT NO. 2000-013 SHEET 8 OF 11</p>	



CONSULTANT

L&M
Engineering & Planning, Inc.
309 Poplarwood Parkway
Virginia Beach, VA 23462
Tel: (757) 461-1000 FAX: (757) 461-1000

**U. S. COAST GUARD
CLEVELAND**

USCG, CEU CLEVELAND
1240 EAST 9TH STREET
CLEVELAND, OH 44199-2050

ISSUE

NO.	DATE	DESCRIPTION

SCALE: 1" = 20' ROAD SCALE: 1:1

SECTIONS

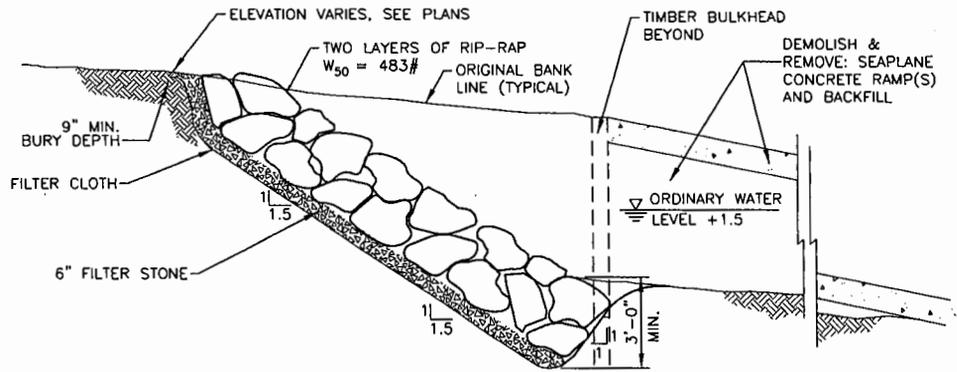
SUPPORT CENTER - ELIZABETH CITY
SHORELINE STABILIZATION

DESIGNED BY: [Name]
CHECKED BY: [Name]
DATE: [Date]

PROJECT NUMBER: [Number]
DRAWING NUMBER: [Number]

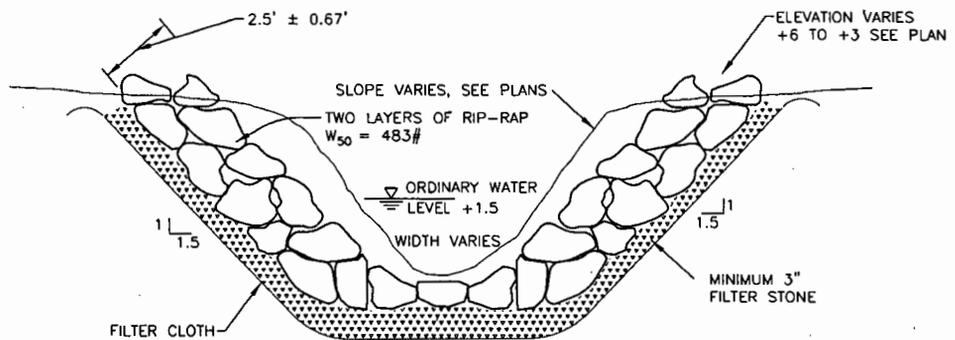
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PROJECT NO. D-01 SHEET 10 OF 11



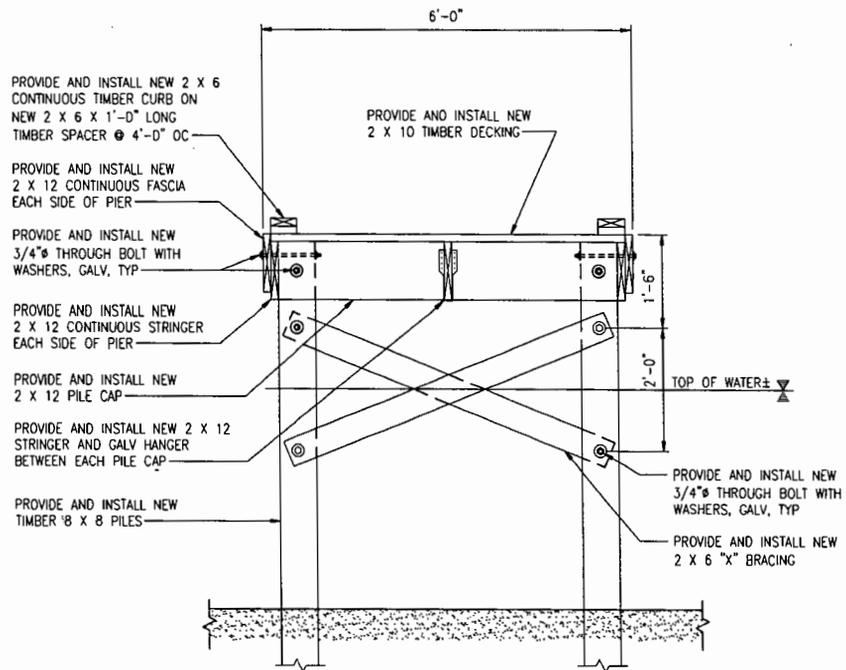
BANK SECTION AT SEAPLANE RAMPS

SCALE: 1/4" = 1'-0"



TYPICAL DITCH REPAIR SECTION

SCALE: 3/8" = 1'-0"



PIER REPLACEMENT

SCALE: 1/4" = 1'-0"

PURPOSE : SHORELINE STABILIZATION
 NEW & REPAIR RIPRAP
 DATUM : NGVD29 = 0.0
 ADJACENT PROPERTY OWNERS
 ① BENCHMARK DEVELOPMENT CO.
 ② KENNETH BATEMAN

IN : PASQUOTANK RIVER
 AT : PERIMETER ROAD
 CITY/COUNTY : ELIZABETH CITY, NC
 APPLICATION BY :
 U.S.C.G.S.C. - E.C.
 DATE : AUGUST 26, 2004
 SCALE : 1" = AS NOTED
 SHT. 110F 11

PERMIT APPLICATION

SECTIONS

Langley and McDonald, Inc
 Engineers Planners Surveyors
 309 LYNNHAVEN PARKWAY
 VIRGINIA BEACH, VIRGINIA 23452
 757-463-4306 (FAX) 757-463-3563