



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: February 3, 2005  
Comment Deadline: March 7, 2005  
Corps Action ID: 200400289

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 attached plans are also available on the Wilmington District Web Site at [www.saw.usace.army.mil/wetlands](http://www.saw.usace.army.mil/wetlands)

**Applicant:** North Carolina Recycling, LLC  
and  
Carolina Resource Conservation, LLC

**Agent:** Soil & Environmental Consultants  
c/o Mike Ortosky  
11010 Raven Ridge Road  
Raleigh, North Carolina 27614

**Authority:**

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures. 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.

**Location:**

The property is a 750-acre wooded tract in an outlying, incorporated area of the Town of Navassa, Brunswick County, North Carolina. The site is located off Mt. Misery Road (S.R. 1426), approximately 3 miles northwest of its junction with U.S. 74/76 and approximately 12 miles west of Wilmington, NC. *Latitude: 33.2917°N; Longitude: 78.0833°W*. The application includes a table that lists alternative sites that have been considered by the applicant. The applicant originally considered 35 sites in the eastern United States but the criteria for selection ultimately included availability of both rail and barge access to the site, costs of relevant transportation, land use restrictions, and potential environmental impacts. The applicant narrowed the search sites to the following five alternatives in southeastern North Carolina: (1) Monks Corner site (South

Carolina), (2) Strawberry Hill site (North Carolina), (3) Sneed Tract (North Carolina), (4) Leland Industrial Park (North Carolina), and (5) the Klutz Tract (North Carolina). The applicant chose the Klutz Tract, the property described in this notice, as the best available site for the project purpose. The Corps will review the all alternatives for the least environmentally damaging project that can practicably achieve the project purpose.

**Existing Site Conditions:**

The project area is adjacent to Indian Creek and is in the Cape Fear River Basin. Waters of the U.S. on site include the following habitat types: Indian Creek, a channelized coastal plain stream; pond pine-dominated woodlands (with pond pine, loblolly pine, black gum, sweet and red bay trees); shrub-dominated pocosins (ericaceous shrubs such as fetterbush, blueberry and gall berry); bottomland hardwood wetland (red maple, sweet and black gum trees); and emergent marshes (broom sedge, meadow beauty, and other wetland grasses and herbs).

Most of the uplands on site are managed pine stands and many areas have been recently cut over. The site exhibits an array of environmental degradation related to past land use practices. Wetland impacts such as stream channelization and sidecasting; wetland crossings, ditching and filling; trenching for utility lines, and land rutting are evident throughout much of the site.

**Applicant's Stated Purpose:**

The purpose of the project is to construct a recycling plant for the extraction of nonferrous metals from shredded automobiles and appliances. In addition, the applicants propose to construct a landfill for the storage of unmarketable materials such as foam, rubber, glass, plastic, cloth, leather, and other by-products.

**Project Description:**

The applicants propose a total of 30.31 acres of wetland impacts associated the construction of a 152-acre landfill, a recycling plant, and internal roads. Of the 30.31 acres of wetland impacts, 25.72 acres are in federally regulated wetlands and 4.59 acres are in isolated wetlands. Based on activity type, proposed wetland impacts are allocated as follows: *Landfill*: 17.01 acres (including isolated). *Recycling plant*: 3.31 acres, *Roads*: 5.40 acres. In addition, the landfill footprint would cover 5,320 linear feet of a stream. Most if not all of the stream has been degraded from past dredging and channelization. Sidecasting of dredge spoil has also degraded the stream's historical riparian floodplain.

The applicant has submitted a conceptual plan for several different types of on-site compensatory mitigation to offset the proposed stream and wetland impacts. *Stream mitigation*: Stream mitigation would be achieved through the relocation and restoration of the existing stream. The relocated and restored stream would be 5,803 liner feet and would include such features as braided channels, riffle pool complexes, bank stabilization

(e.g., log vanes, live plantings), and restoration of a floodplain. *Wetland mitigation:* The applicant has proposed to offset the adverse loss of wetlands through a mix of wetland creation, restoration, and enhancement. Acreages for wetland work are as follows: creation: 40.4 acres, restoration: 23.6 acres, enhancement: 17.9 acres. *Other mitigation:* The applicant also has proposed to preserve in perpetuity the stream and wetland mitigation areas as well as the other wetlands remaining on site. Total preservation amounts to 192.1 acres.

#### **Project Drawings:**

This notice is accompanied by 10 sheets consisting of a vicinity map, USGS quad map, an aerial photo, a facility plan, impact tables, cross-sections, and a mitigation site plan.

#### **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 receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 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. Written comments must be received by close of business February 28, 2005.

The applicant has not provided to the Corps a certification statement that the proposed activity complies with and will be conducted in a manner that is consistent with the approved North Carolina Coastal Zone Management Program. Pursuant to 33 CFR 325.2(b)(2), the Corps cannot issue a permit for the proposed work until the applicant submits such a certification to the Corps and the North Carolina Division of Coastal Management (NCDCM), and 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 will 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 or could be affected by the proposed work. The applicants state that the North Carolina Historic Preservation Office (SHPO) has reviewed this proposed project and is aware of no historic resources that would be affected by the project.

**Endangered Species:**

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps is not aware of the presence of species listed as threatened or endangered or their critical habitat formally designated pursuant to the Endangered Species Act of 1973 (ESA) within the project area. A final determination on the effects of the proposed project will be made upon additional review of the project and completion of any necessary biological assessment or consultation with the U.S. Fish and Wildlife Service or National Marine Fisheries Service. The applicants' environmental consultant, Soil & Environmental Consultants, conducted a survey of listed species on site. The applicants claim that their consultants have not observed federally listed threatened or endangered species on site.

**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 that 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:**

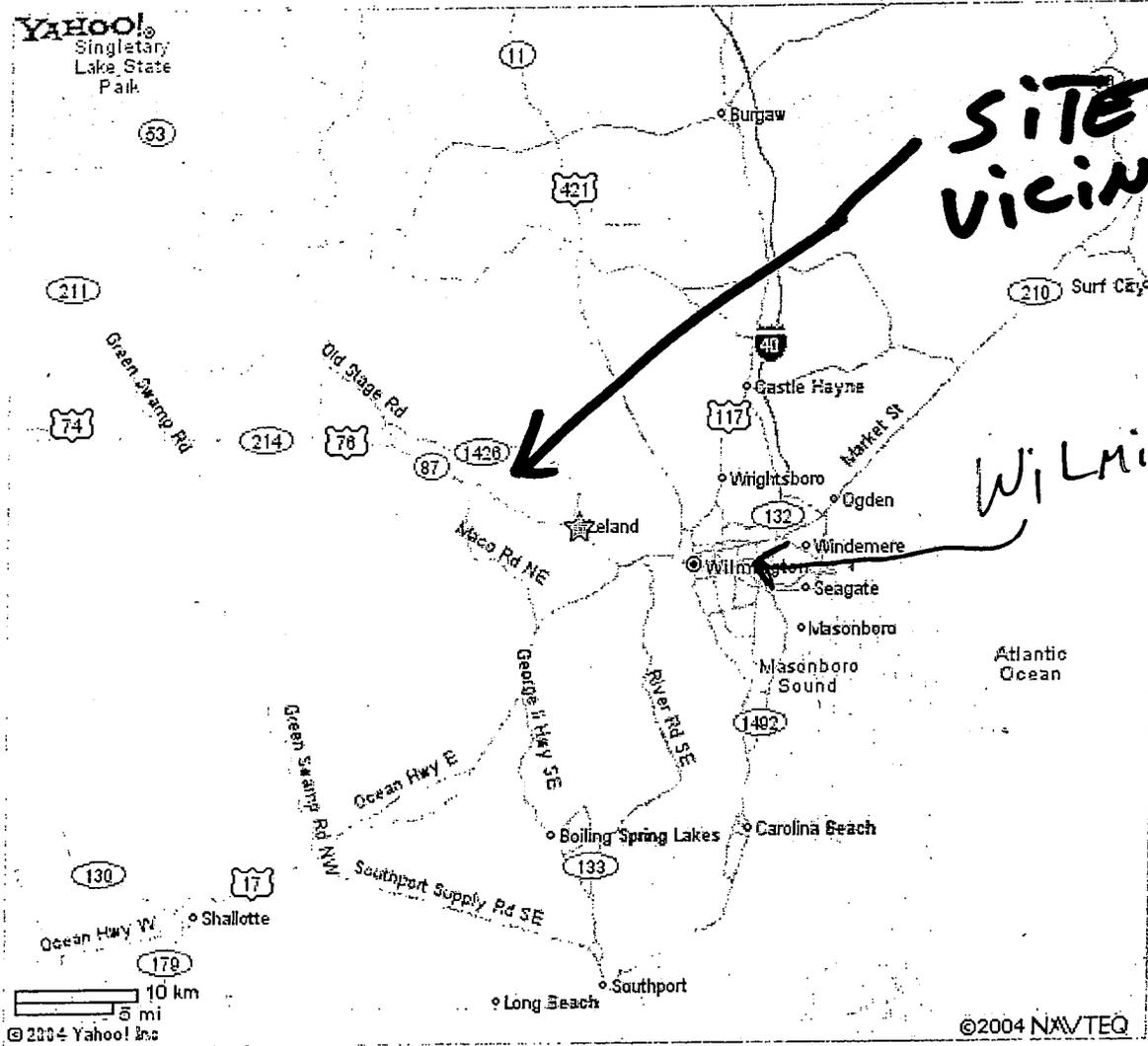
The Corps is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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 this project will be received by the Corps of Engineers, Wilmington District until 5 p.m, March 7, 2005. Comments should be addressed to **Thomas Farrell** of this office, at (910) 251-4466.

★ Leland, NC

Yahoo!  
Singletary  
Lake State  
Park



SITE  
VICINITY

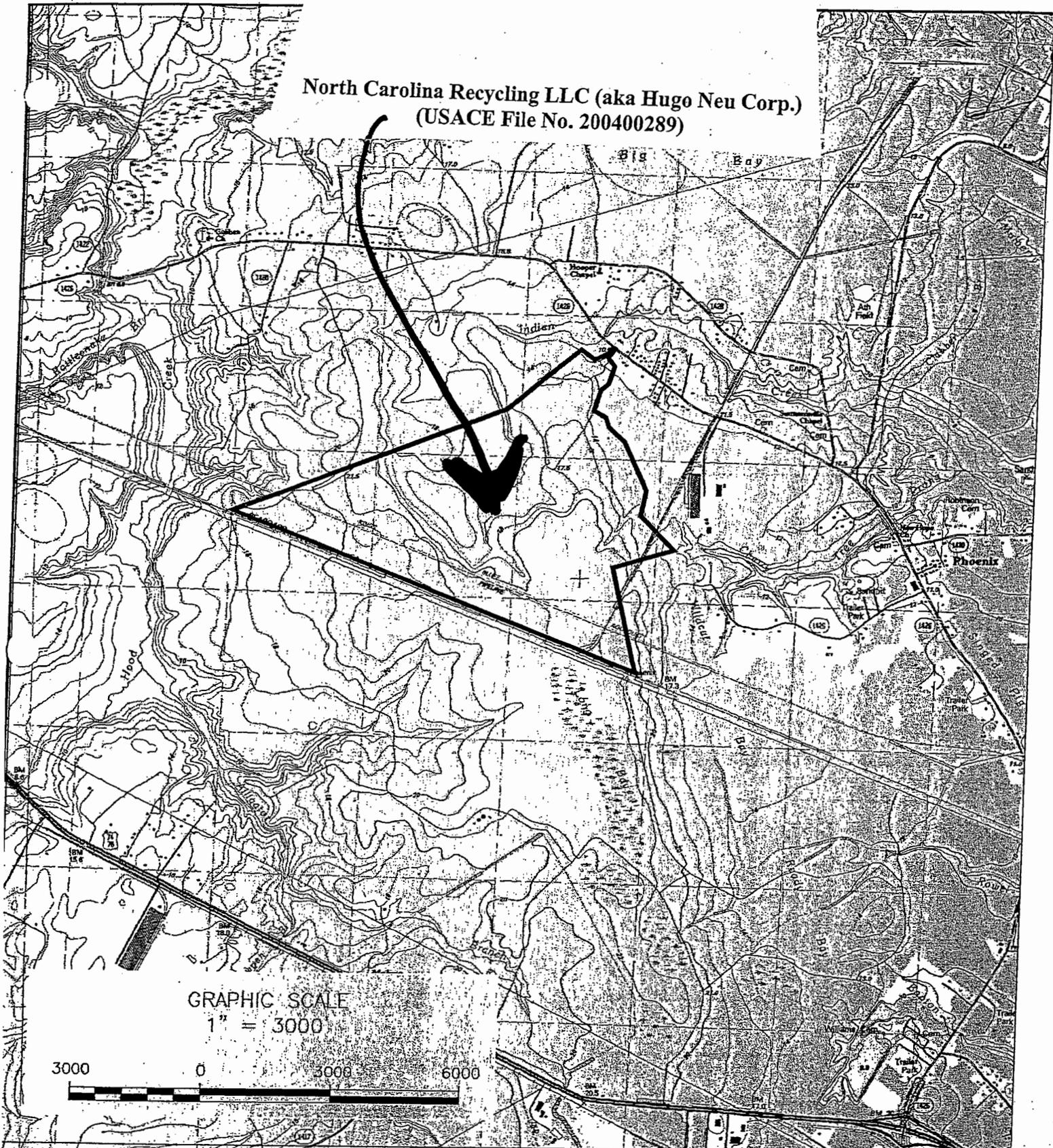
WILMINGTON, NC

North Carolina Recycling LLC (aka Hugo Neu Corp.)  
(USACE File No. 200400289)

VICINITY MAP

SHEET #1

North Carolina Recycling LLC (aka Hugo Neu Corp.)  
(USACE File No. 200400289)



GRAPHIC SCALE  
1" = 3000'



ATTACHMENT 1	SCALE: 1" = 3000'	VICINITY MAP	OCTOBER 2004	<b>S&amp;EC</b> Soil & Environmental Consultants, PA 229 South Valley Road, Raleigh, North Carolina 27601-1200, Tel: 919 852 8800 www.sandec.com
DATE: OCT 1, 2004	DRAWN BY: JMB	HUGO NEU CORPORATION NAVASSA SITE BRUNSWICK COUNTY, NORTH CAROLINA		
PROJECT NO. 023401				

SHEET #2

**North Carolina Recycling LLC (Hugo Neu Corp)**

**SHEET # 3**

**North Carolina Recycling LLC (aka Hugo Neu Corp.)  
(USACE File No. 200400289)**





SHEET # 6

RECEIVED

JAN 14 2005

ATTACHMENT 6B  
DESCRIPTION OF PROPOSED WETLAND IMPACTS

REGULATORY  
WILM. F.L.D. O.F.C.

LANDFILL FOOTPRINT IMPACTS

AREA	IMPACT (AC.)	TYPICAL SECTION	CATEGORY	DESCRIPTION
1	2.73	Section A-A	FILL	Within landfill/berm footprint.
2	2.29	Section A-A	FILL	
3	2.52	Section A-A	FILL	
4	0.46	Section A-A	FILL	
5	0.06	Section A-A	FILL	
6	0.02	Section A-A	FILL	
7	0.2	Section A-A	FILL	
8	6.14	Section A-A	FILL	
9	2.1	Section A-A	FILL	
10	<0.01	Section A-A	FILL	
11	<0.01	Section A-A	FILL	
12	0.03	Section A-A	FILL	
13	0.37	Section A-A	CUT/FILL	
27	0.09	Section A-A	ROAD CROSSING	Within corridor for road relocation.
	17.01			

PROCESSING AREA IMPACTS

AREA	IMPACT (AC.)	TYPICAL SECTION	CATEGORY	DESCRIPTION
14	0.19	None <sup>1</sup>	Within LOC <sup>2</sup>	Potential Operations/Traffic Areas (minor grading, potential paving).
15	0.16	None <sup>1</sup>	Within LOC <sup>2</sup>	
16	0.63	Section D-D	ROAD CROSSING	Potential elevated conveyor on piers with parallel road. Culverts will be installed at regular intervals.
17	2.19	None <sup>1</sup>	Within LOC <sup>2</sup>	Operations/Traffic Areas (minor grading, potential paving).
28	0.14	None <sup>1</sup>	Within LOC <sup>2</sup>	
	3.31			

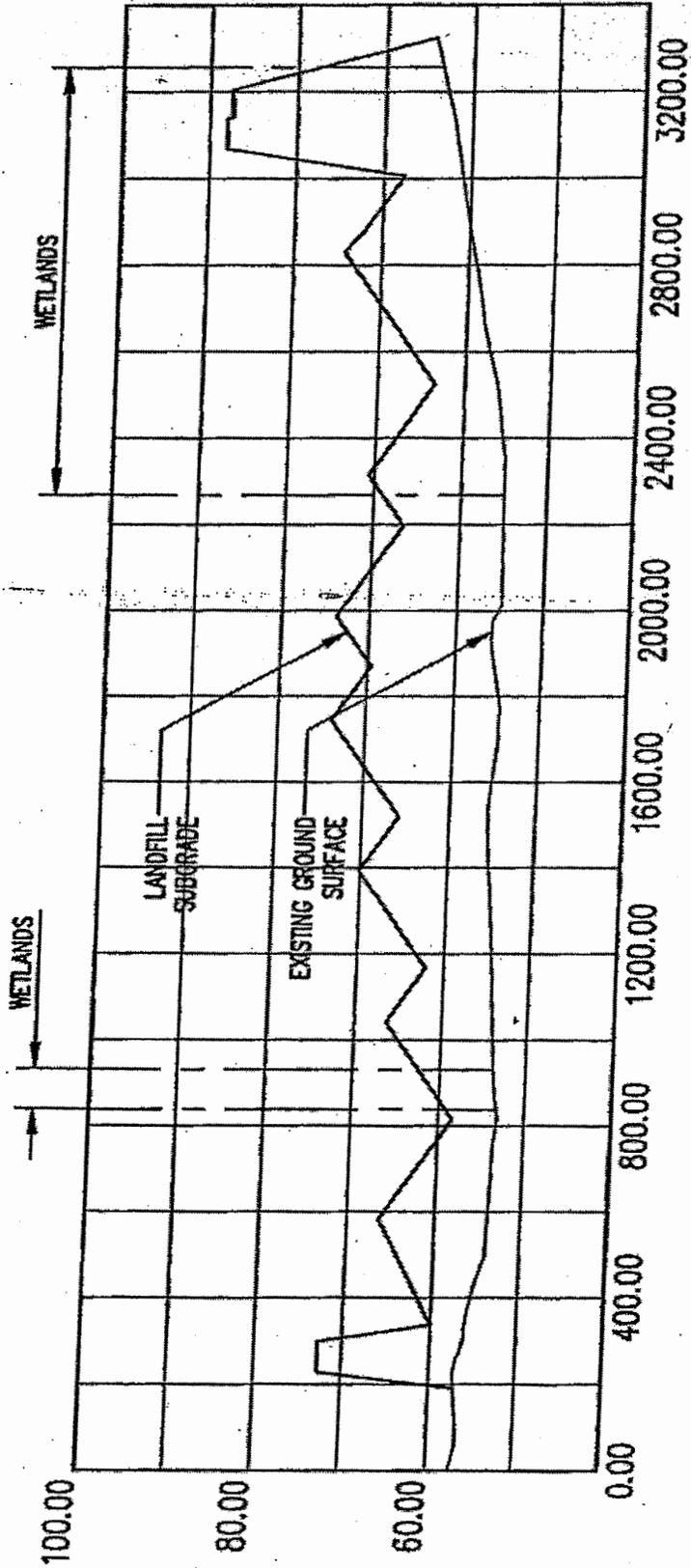
TRANSPORTATION CORRIDOR IMPACTS

AREA	IMPACT (AC.)	TYPICAL SECTION	CATEGORY	DESCRIPTION
18	3.27	Section B-B	ROAD CROSSING	Impact area calculated for a maximum 100-ft wide disturbance for 25-ft wide rail siding, 52-ft wide roadbed plus utility installation. No culverts are needed; existing flow parallels proposed road.
19	1.32	Section C-C	RAIL CROSSING	
20	0.29	Section C-C	RAIL CROSSING	Impact area calculated for a 35-ft wide railbed. Culverts will be installed where existing flow crosses rail alignment.
21	0.06	Section C-C	RAIL CROSSING	
22	0.12	Section C-C	RAIL CROSSING	
23	0.11	Section C-C	RAIL CROSSING	
24	0.05	Section C-C	RAIL CROSSING	
25	<0.01	Section C-C	RAIL CROSSING	
26	0.18	Section C-C	RAIL CROSSING	
	5.40			

Notes:

- For Areas 14, 15, 17, and 28, where no stream channels are present and grade changes will be minimal, no typical section is applicable. Fill will be minimal, with gravel or other surfacing in traffic areas.
- LOC = Limit of Construction

North Carolina Recycling LLC (aka/Hugo Neu Corp.)  
 (USACE File No. 200400289)



SECTION A-A  
 LANDFILL

NOTES

1. REFER TO ATTACHMENT 8 FOR LOCATION OF CROSS SECTION.
2. REFER TO ATTACHMENT 8 FOR LOCATIONS OF PROPOSED WETLANDS AND STREAM IMPACTS.

DRAWN BY: J.A.L.	CHECKED BY:	SCALE: AS SHOWN	ATTACHMENT: 8A
DATE: NOV. 2004	PROJECT NO. HUGONEU-3	FILE NAME: HUGO-A0078	

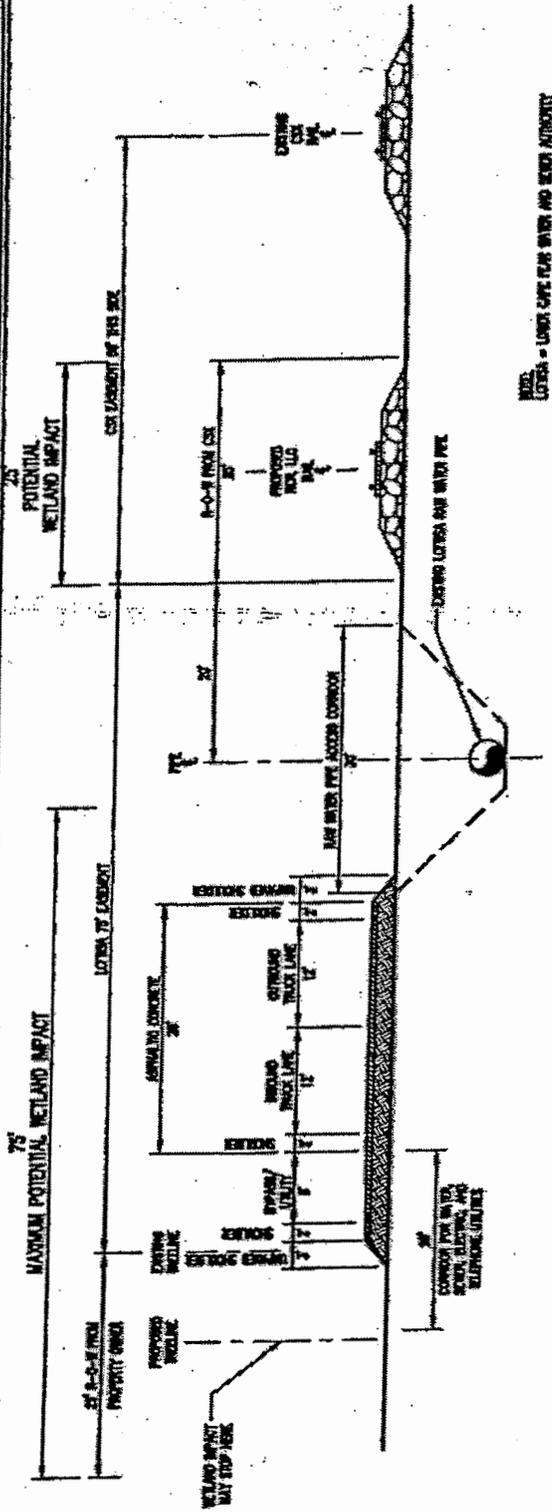
IWP APPLICATION  
 NCR AND NCRC

SHEET # 7

G. N. RICHARDSON & ASSOCIATES, INC.  
 14 N. Boylett Ave.  
 Raleigh, N.C. 27603  
 www.gnrta.com  
 PH: 919-428-0577  
 FAX: 919-428-3999

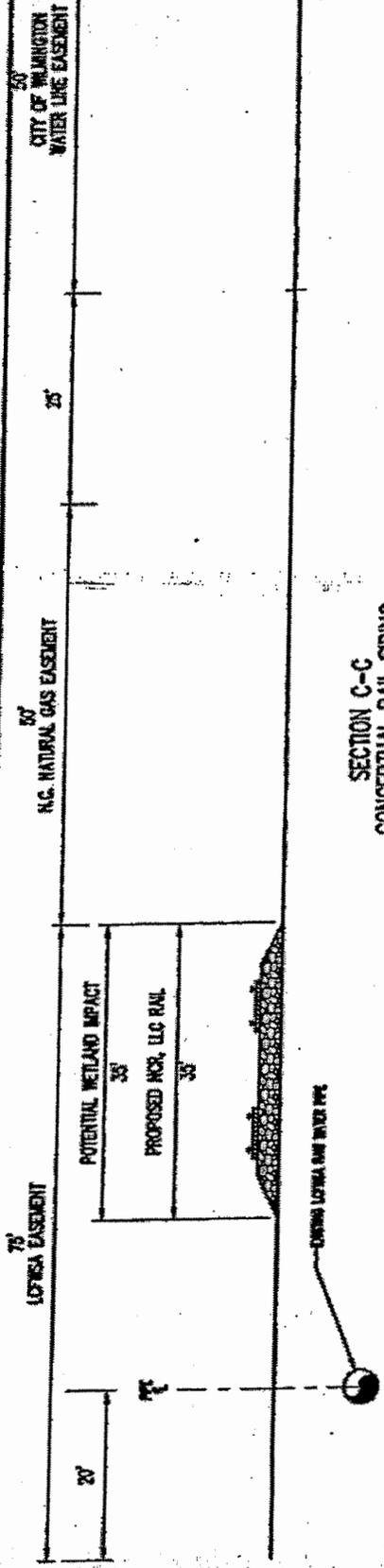
SHEET #8

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SECTION B-B  
CONCEPTUAL ROAD ENTRANCE  
SCALE 1" = 20'

NOTE:  
LOTUSA = UNDER CARE OF WATER AND SEWER AUTHORITY



SECTION C-C  
CONCEPTUAL RAIL SIDING  
SCALE 1" = 20'

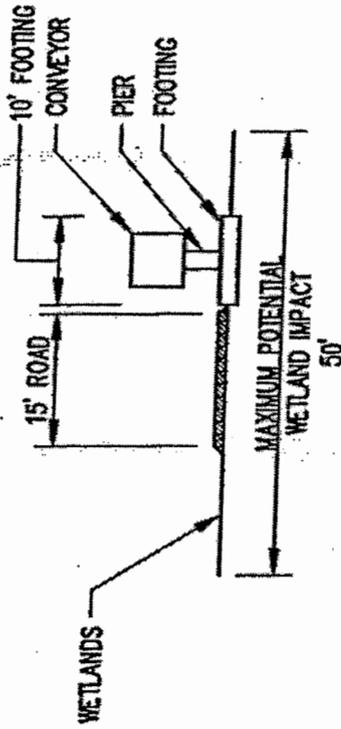
IWP APPLICATION  
NCR AND NCR

DRAWN BY: C.T.J.	CHECKED BY: T.B.M.	SCALE: AS SHOWN	ATTACHMENT: 88
DATE: NOV. 2004	PROJECT NO. HUGONEU-3	FILE NAME: HUGO-A0077	

**G.N. RICHARDSON & ASSOCIATES, INC.**  
14 N. Boyrin Ave.  
Raleigh, N.C. 27603  
www.gnra.com  
ph: 919-828-0377  
fax: 919-828-3569

North Carolina Recycling LLC (aka Hugo Neu Corp.)  
(USACE File No. 20040289)

North Carolina Recycling LLC (aka Hugo Neu Corp.)  
 (USACE File No. 200400289)



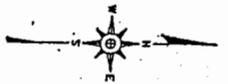
SECTION D-D  
 CONCEPTUAL CONVEYOR/ROAD CORRIDOR  
 SCALE 1" = 20'

IWP APPLICATION  
 NCR AND NCRC

DRAWN BY: C.T.J.	CHECKED BY:	SCALE: AS SHOWN	ATTACHMENT: 8C
DATE: NOV. 2004	PROJECT NO. HUGONEU-3	FILE NAME: HUGO-A0078	

**G. N. RICHARDSON & ASSOCIATES, INC.**  
 ENGINEERS ARCHITECTS  
 14 N. Boylan Ave.  
 Raleigh, N.C. 27603  
 www.gnra.com  
 ph: 919-828-0677  
 fax: 919-828-3598

SHEET #9



	RESTORED WETLAND:	23.6 AC.
	CREATED WETLAND:	40.4 AC.
	ENHANCED WETLAND:	17.9 AC.
	PRESERVED WETLAND:	110.2 AC.
	RELOCATED/RESTORED CHANNEL A-B:	5803 L.F.

# Proposed Mitigation

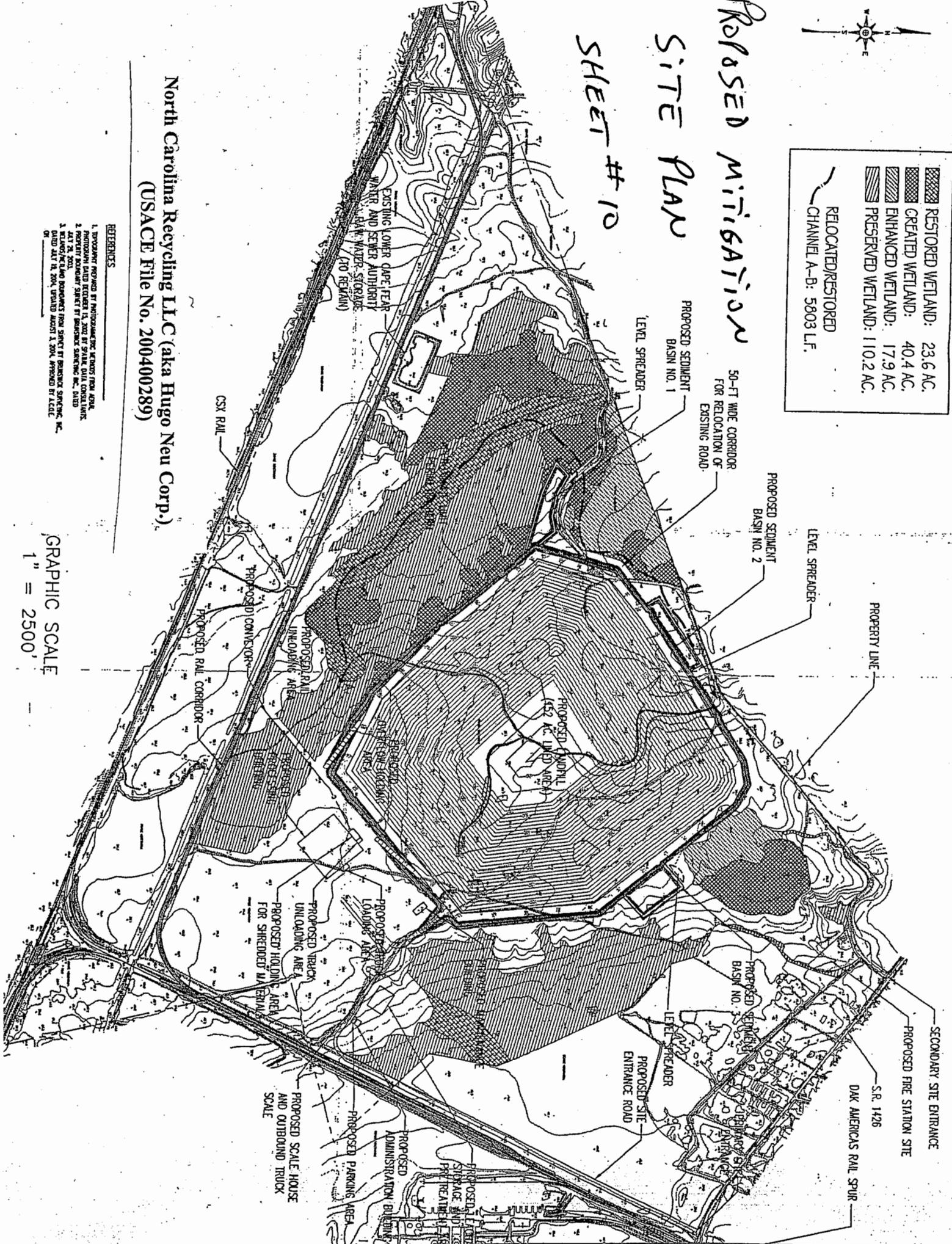
## SITE PLAN

SHEET # 10

North Carolina Recycling LLC (aka Hugo Neu Corp.)  
(USACE File No. 200400289)

**REFERENCES**

1. TOPOGRAPHY PROVIDED BY PHOTOGRAMMETRIC METHODS FROM NAIP.
2. PROPOSED PLAN DATED DECEMBER 13, 2002 BY STARK OJA CONSULTANTS, INC., DATED MAY 24, 2004.
3. RELIANCE PLAN DATED DECEMBER 13, 2002 BY STARK OJA CONSULTANTS, INC., DATED MAY 18, 2004, UPDATED MARCH 1, 2004, APPROVED BY AECOM.



GRAPHIC SCALE  
1" = 2500'