



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: July 28, 2005
Comment Deadline: August 29, 2005
Corps Action ID #: 200520968

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: Lissara, LLC
Attn: Mr. Lang Wilcox
1210 Forrest Wood Drive
Lewisville, North Carolina 27023

AGENT: Wetland and Natural Resource Consultants, Inc.
Attn: Mr. Christopher Huysman
Post Office Box 224
Newton, NC 28658

Authority

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

Location

The project, Lissara Lake Subdivision, is approximately 132 acres in size and is located north of Shallowford Road (SR 1001) and west of Conrad Road (SR 1305), approximately 2 miles west of Lewisville, in Forsyth County, North Carolina. Coordinates (in decimal degrees) for the site are 36.10690 North, 80.44910 West. The site contains an unnamed tributary of the Yadkin River and adjacent wetlands in the Yadkin River Basin (8-Digit Cataloging Unit 03040101).

Existing Site Conditions

The land use in the area surrounding the project consists of large lot residential dwellings, forested tracts, and agricultural tracts. The area is currently subject to increasing residential development pressure.

The land use on the project itself is primarily in forest cover, which occupies approximately 90% of the total acreage. The remaining acreage is made up by residences and yards. The site contains several small intermittent tributaries that combine to create a perennial stream that runs from south to north through the property. The property is roughly rectangular in shape and the stream essentially bisects the property along its length. The unnamed tributary drains to the Yadkin River approximately 1 mile downstream of the site. The site also contains approximately 0.08 acres of wetlands.

Applicant's Stated Purpose

As stated by the applicant, the purpose of the project is to provide a recreational waterskiing lake, an aesthetics pond, and a stormwater management facility.

Project Description

The project consists of a waterskiing lake, a stormwater management facility, an aesthetics pond and two road crossings within a 132-acre residential development.

Development of the site will require clearing the proposed lakebeds, grading the proposed dam sites, filling necessary to impound the streams, and piping of streams to construct roadways. Heavy equipment, including graders, pan scrapers, excavators, bull dozers, etc. will be used for the construction of the project. Completion of the proposed project would require the construction of 2 dams that impound water and support road crossings and one dam that does not support a road crossing. Rights of ways for roads are proposed to be 60 feet and side slopes for dams are proposed to be 3:1. Two additional road crossings (not located on the dams) are necessary to access high ground. The proposed permanent impacts to stream channels resulting from project total 8,032 linear feet of stream channel, including 1,318 linear feet for the placement of fill material associated with dams and road crossings, and 6,714 linear feet resulting from flooding the lakes. Proposed permanent impacts to wetlands resulting from project total 0.08 acre, 0.04 acre for the discharge of fill and 0.04 acre resulting from flooding the lakes. Plans included with this notice show the overall proposed site layout as well as details of the proposed dam.

The applicant proposes to mitigate for impacts to stream channels by payment into the North Carolina Ecosystem Enhancement Program. The applicant proposes payment for 1038 linear feet of impacts resulting from the construction of dams and payment for 2395 linear feet of impacts for all impacts resulting from flooding.

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 by August 22, 2005.

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 along the project corridor 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 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 has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

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

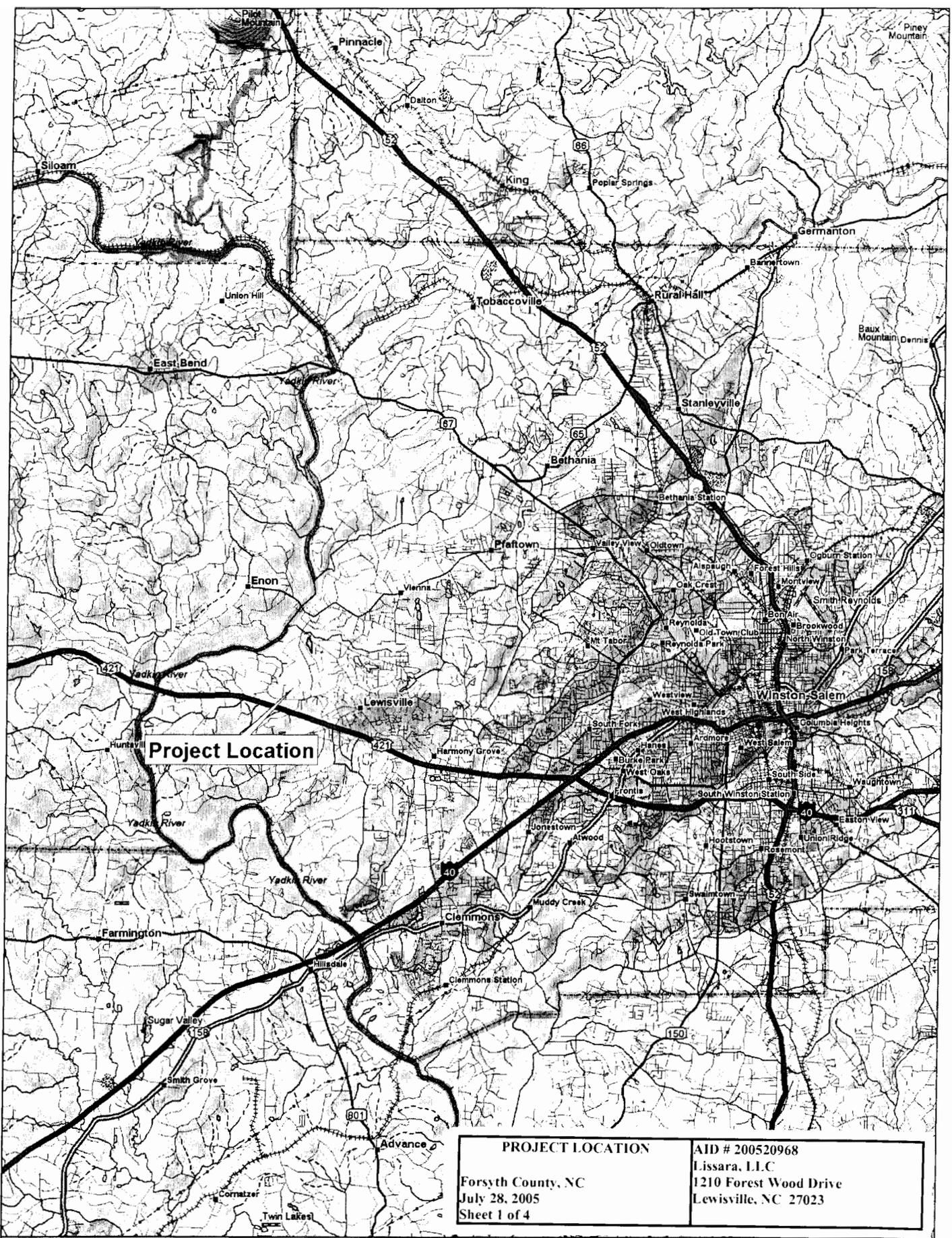
concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, 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, including any consolidate State Viewpoint or written position of the Governor; 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, until 5pm, August 29, 2005. Comments should be submitted to Todd Tugwell, Raleigh Regulatory Field Office, 6508 Falls of the Neuse Road, Suite 120, Raleigh, NC 27615.



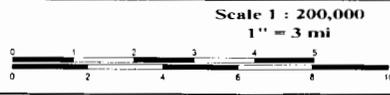
Project Location

PROJECT LOCATION
 Forsyth County, NC
 July 28, 2005
 Sheet 1 of 4

AID # 200520968
 Lissara, LLC
 1210 Forest Wood Drive
 Lewisville, NC 27023



© 2001 DeLorme. Map Print Pack
 Zoom Level: 10-0 Datum: NAD27

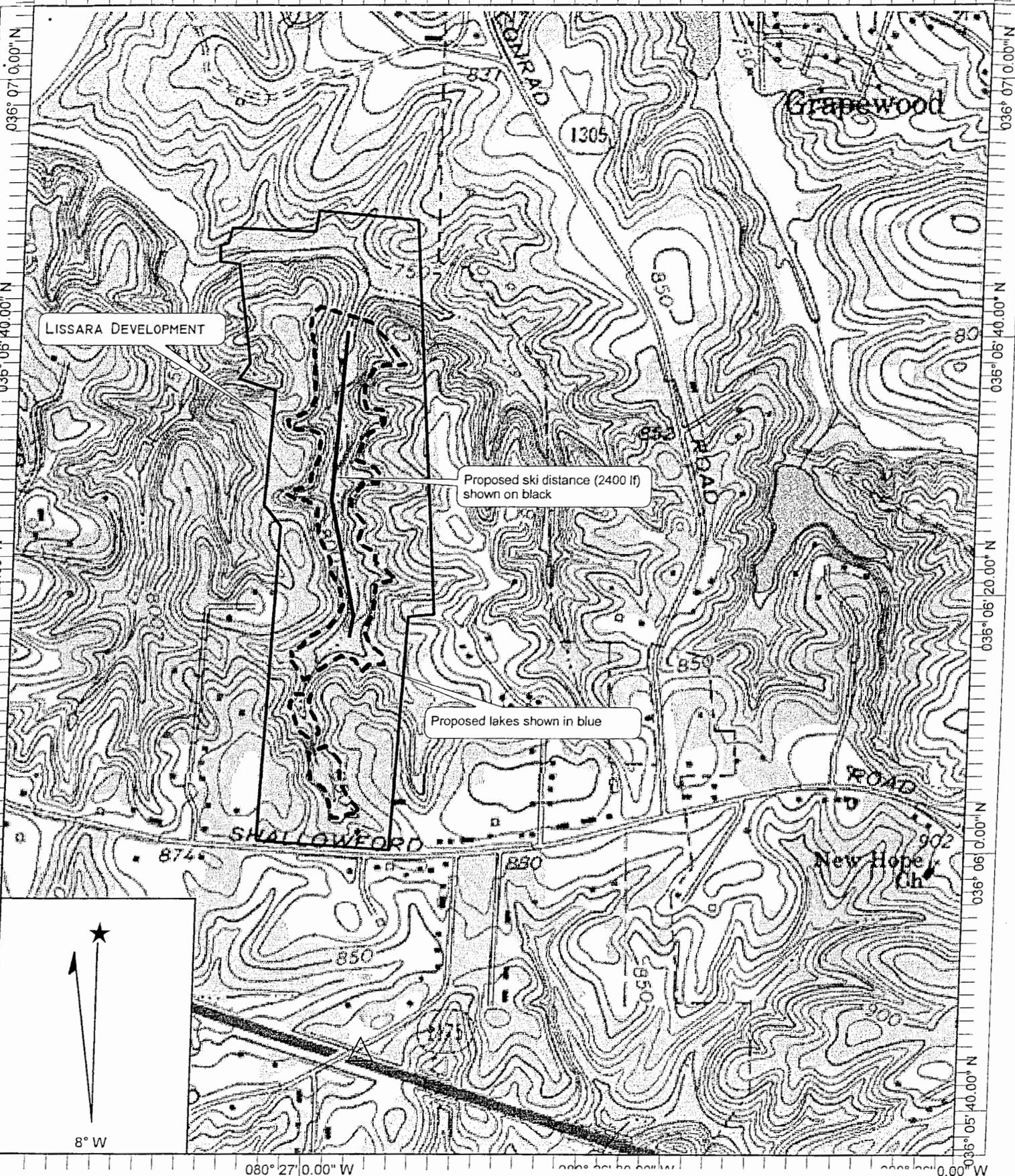


TN
 ★
 MS
 ▲
 7.3°W

080° 27' 0.00" W

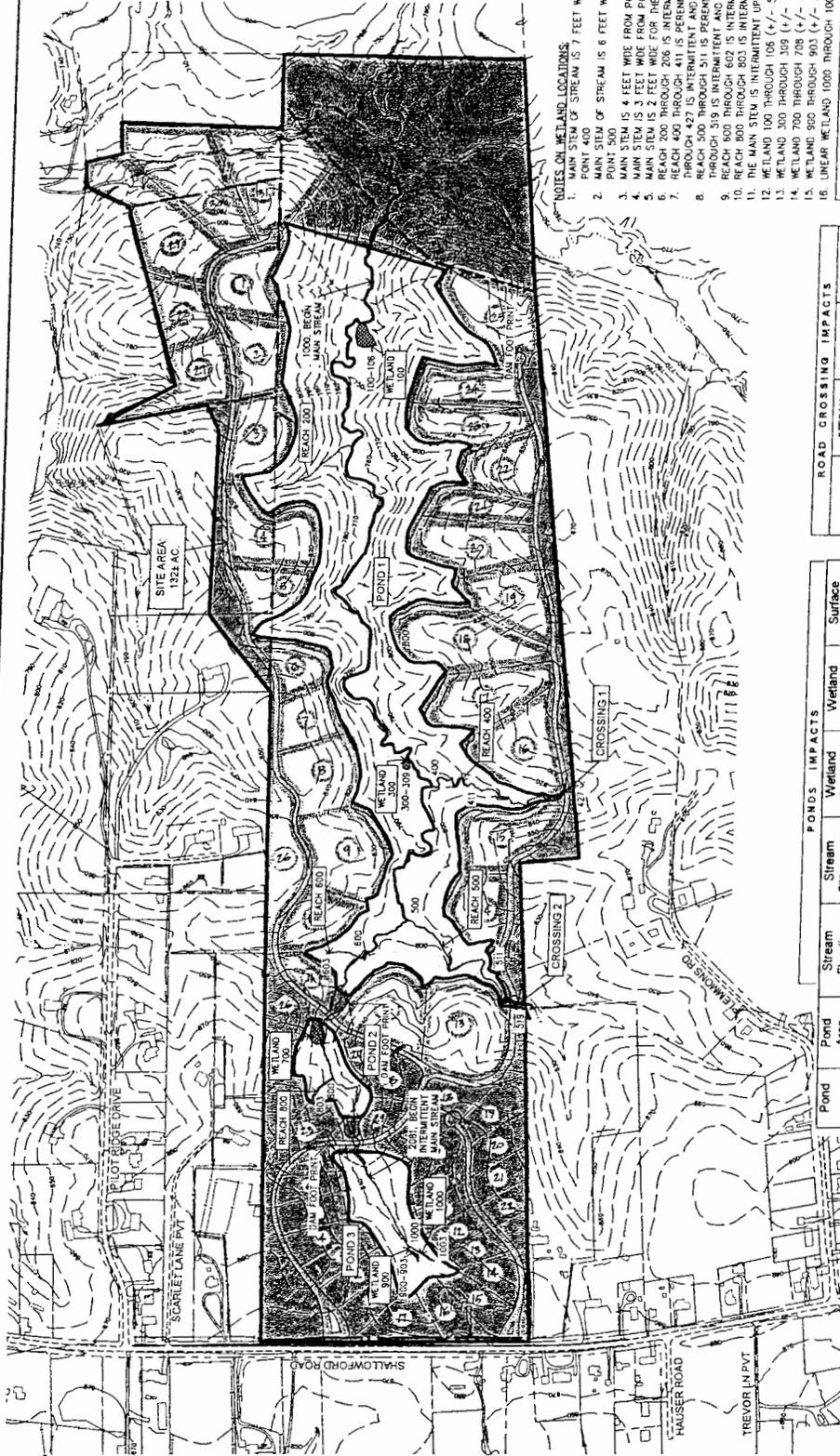
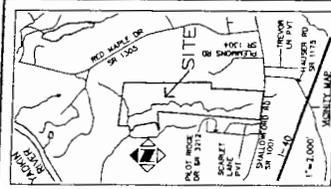
080° 26' 30.00" W

080° 26' 0.00" W



Name: CLEMMONS
 Date: 6/13/2005
 Scale: 1 inch equals 1000 feet

<p>USGS TOPOGRAPHIC MAP Forsyth County, NC July 28, 2005 Sheet 2 of 4</p>	<p>AID # 200520968 Lissara, I.L.C 1210 Forest Wood Drive Lewisville, NC 27023</p>
--	--



NOTES ON WETLAND LOCATIONS

1. MAIN STEM OF STREAM IS 7 FEET WIDE FROM BELOW DAM TO POINT 500
2. MAIN STEM OF STREAM IS 6 FEET WIDE FROM POINT 410 TO POINT 500
3. MAIN STEM IS 4 FEET WIDE FROM POINT 500 TO POINT 600
4. MAIN STEM IS 3 FEET WIDE FROM POINT 600 TO POINT 700
5. MAIN STEM IS 2 FEET WIDE FOR THE REMAINDER OF THE STREAM
6. REACH 200 THROUGH 208 IS INTERMITTENT AND 2 FEET WIDE
7. REACH 300 THROUGH 411 IS PERENNIAL AND 3 FEET WIDE, 411 THROUGH 500 THROUGH 511 IS INTERMITTENT AND 2 FEET WIDE
8. REACH 500 THROUGH 511 IS PERENNIAL AND 3 FEET WIDE, 511 THROUGH 600 THROUGH 602 IS INTERMITTENT AND 2 FEET WIDE
9. REACH 600 THROUGH 602 IS INTERMITTENT AND 2 FEET WIDE
10. REACH 800 THROUGH 803 IS INTERMITTENT AND 4 FEET WIDE
11. THE MAIN STEM IS INTERMITTENT UPSTREAM OF POINT 2081
12. WETLAND 100 THROUGH 108 (+/- 500 SF)
13. WETLAND 300 THROUGH 708 (+/- 500 SF)
14. WETLAND 700 THROUGH 903 (+/- 500 SF)
15. WETLAND 900 THROUGH 1000 (+/- 500 SF)
16. LINEAR WETLAND 1000 THROUGH 1003 (+/- 200 SF)

THIS MAP APPROXIMATES THE EXTENT OF AGRICULTURAL WATERS OF THE U.S. WITHIN EVALUATED AREAS. THE U.S. WITHIN EVALUATED AREAS IS BASED ON THE WETLAND AND NATURAL RESOURCE CONSULTANTS, INC. FOR THE PURPOSE OF PRELIMINARY PLANNING AND FIELD LOCATION OF DELINEATED AREAS. DETERMINATIONS REQUIRE VERIFICATION AND ADEQUATE IMPORTANCE REGULATORY AGENCIES, DEPENDING ON CERTAIN WEATHER PATTERNS. AGRICULTURAL EVENTS THAT ARE ASSESSED AS NON-AGRICULTURAL CHANNELS MAY BE CAPTURED BY THE CORPS DURING A FIELD VERIFICATION OPERATION. PERMITS MAY BE REQUIRED PRIOR TO IMPACTS ON SITE.

LOCATION	ROAD CROSSING IMPACTS		WETLAND FILLING	
	STREAM PIPING	LINEAR FEET	LINEAR FEET	AC
1	140	20	20	0.01
2	140	20	40	0.02
TOTALS	280	40	40	0.02

Pond	POND IMPACTS			ROAD CROSSING IMPACTS		
	Area (acres)	Filling Lake Footprint (linear ft)	Wetland Flooding Impact (acres)	Stream Piping	Wetland Filling	Wetland Area Impact to Waters of the US (acres)
1	32	5880	0.02	140	20	0.83
2	1.5	482	0.01	140	20	0.07
3	2.7	352	0.01	280	40	0.04
TOTALS	36.2	6714	0.04	280	40	0.94

WETLAND DELINEATION, INC.
WNR
 Wetland and Nature Resources Consultants, Inc.
 P.O. Box 224
 Newton, NC 28658-0224
 Phone: (833) 665-3335
 Fax: (833) 665-3300
 Email: wnrinfo@aol.com

E. Collins & Associates, P.A.
 CIVIL ENGINEERS
 P.O. Box 6784
 Greensboro, NC 27419
 Phone: (336) 855-3667 Fax: (336) 857-0943
 www.ecollins.com



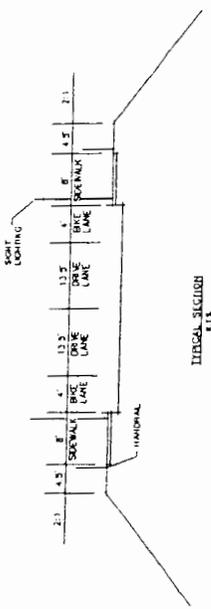
PRELIMINARY DRAWING
 NOT APPROVED FOR CONSTRUCTION
 PRELIMINARY - NOT APPROVED
 FOR CONVEYANCE OR SALE

LISSARA
 LISSARA, LLC
 REGULATORY ENGINEERING
 1000 W. WILSON ST. SUITE 100
 WILSON, NC 27597
 PHONE: (919) 233-1100
 FAX: (919) 233-1101
 WWW: LISSARA.COM

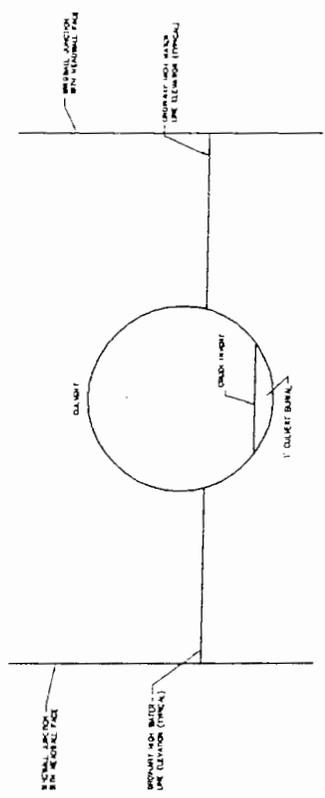
RECEIVED
 JUL 13 2005

PLAN VIEW
 AID # 200520968
 Lissara, I.L.C.
 1210 Forest Wood Drive
 Lewisville, NC 27023

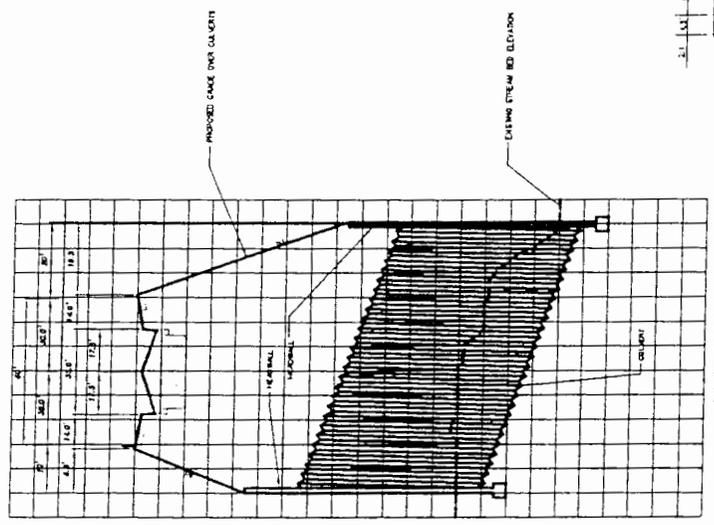
Forsyth County, NC
 July 28, 2005
 Sheet 3 of 4



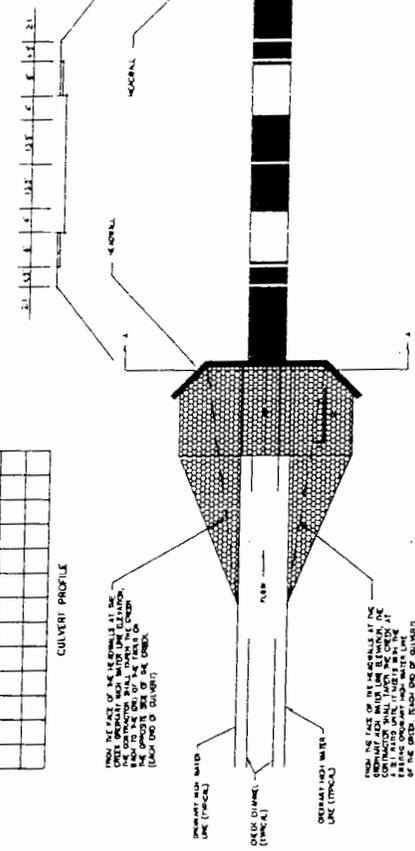
INTERNAL SECTION
1/4" = 1'



CULVERT SECTION A-B
1/4" = 1'



CULVERT PROFILE



- NOTES:
- 1) MAINTAIN EXISTING CHANNEL THROUGH CULVERT AS INDICATED
 - 2) BURY CULVERT A MINIMUM OF ONE (1) FOOT BELOW THE EXISTING CREEK INVERT AT BOTH ENDS
 - 3) HEADWALLS TO BE CONSTRUCTED TO MINIMIZE CREEK DISTURBANCE

TYPICAL ROAD CROSSING	AID # 200520968
Forsyth County, NC	Lissara, LLC
July 28, 2005	1210 Forest Wood Drive
Sheet 4 of 4	Lewisville, NC 27023

JUL 13 2005