



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: August 10, 2005  
Comment Deadline: September 9, 2005  
Corps Action ID #: 200532568

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](http://www.saw.usace.army.mil/wetlands)

**Applicant:** Long Branch Partners, LLC  
Attention: Mr. Steve Whitmier  
315 Red Oak Flats Road  
Dahlonega, GA 30533

**AGENT:** Mr. Chris Huysman  
Wetland and Natural Resource Consultants, Inc.  
P.O. Box 224  
Newton, NC 28658

## Authority

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

## Location

The proposed project is located on a 230-acre tract, southwest of Henrietta, south of SR 2125, and east and north of SR 2117, in Rutherford County, North Carolina (35.2455°N-81.8129°W). The site contains Hogpen Branch, unnamed tributaries to Hogpen Branch, and adjacent wetlands in the Broad River Basin (8-Digit Cataloging Unit 03050105). The Broad River reaches the Atlantic Ocean through the Cooper River in South Carolina.

## **Existing Site Conditions**

The tract is approximately 230 acres and is composed of pasture and forestland that occupies approximately 90% of the total acreage. The remaining acreage is made up of residences and yards. The project site is depicted on the U.S. Geologic Survey (USGS) 7.5-minute topographic quadrangle (Chesnee, SC) (Sheet 1).

Existing soils mapping provided by the Natural Resource Conservation Service indicates the proposed project area contains four soil series: Chewacla, Pacolet-Bethlehem complex, Rock Outcrop-Ashlar complex, and Pacolet-Saw complex. The Chewacla mapping unit is an occasionally flooded soil with hydric inclusions, generally found on long, narrow flood plains adjacent to upland side slopes (USDA, 1989).

The project area is located within a sub-basin of the Broad River Basin. There are four streams within the project area, Hogpen Branch and three unnamed tributaries to Hogpen Branch. Their receiving water, the Second Broad River, is located approximately 1.5 miles downstream of the site. The NC Division of Water Quality has classified Hogpen Branch as Class WS IV Waters.

The majority of the proposed project area is composed of fallow pastureland and forestland. The forestland consists of mixed hardwood and pine species. Canopy composition is dominated by white oak (*Quercus alba*), northern red oak (*Quercus rubra*), mockernut hickory (*Carya tomentosa*), pignut hickory (*Carya glabra*), sweet gum (*Liquidambar styraciflua*), tulip poplar (*Liriodendron tulipifera*), and Virginia pine (*Pinus virginiana*). In addition, there are areas of rock outcrop scattered throughout the site.

## **Applicant's Stated Purpose and Need**

The purpose of the proposed work is to develop a hard rock (granite) quarry to serve Rutherford, Polk, and Cleveland Counties in North Carolina and Cherokee and Spartanburg Counties in South Carolina. The project will also support an asphalt plant and a cement plant.

## **Project Description**

The applicant has provided the following description of the proposed work. The proposed project consists of relocating streams to excavate a quarry pit and construct necessary infrastructure, constructing four water reservoirs for processing rock products, and piping streams to construct circulation roads within a 230-acre tract.

Development of the site will require clearing the proposed pit area, removing topsoil, building a safety berm, grading and filling at the proposed dam sites, relocating streams away from the pit and production areas, and piping of streams to construct haul roads. Heavy equipment, including graders, pan scrapers, excavators, and bull dozers will be used for the construction of the project.

Completion of the proposed project would require construction of four dams that impound water. One pond will be used to divert a stream through a bioengineered stream channel, two ponds will provide production water, and one pond will provide make-up water. Three dams will also support roads. Three additional road crossings are necessary to circulate quarry traffic through the property and to access state roads. Stream relocation will be used to divert streams around the quarry pit and production area. The proposed permanent impacts to stream channels resulting from the placement of fill material associated with dams totals 848 linear feet. The proposed impacts resulting from flooding streams totals 769 linear feet. The ponds will also impact 0.036 acre of wetlands. Road crossings will impact a total of 1,264 linear feet of streams and 0.03 acre of wetlands. Proposed permanent impacts to wetlands resulting from the excavation of the pit total 0.33 acre. The proposed permanent loss of streams from the excavation of the pit totals 2,615 linear feet. Total impact to stream channels on the site will be 5,496 linear feet. To offset some of the impact, the applicant proposes to relocate 1,730 linear feet of stream channel into a newly constructed, bioengineered channels. Plans included with this notice show the overall proposed site layout as well as cross-sections of the stream relocation.

### **Mitigation Proposal**

In addition to constructing new channels for relocating streams, the applicant proposes to mitigate for impacts to stream channels by restoring 1,684 linear feet of stream channel and enhancing 2,636 linear feet of stream channel on the site. All stream restoration areas will be replete with 50-foot buffers and stream enhancement areas will include 100-foot buffers. A final mitigation plan will be submitted for the project and will be available for review prior to permit issuance.

### **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 September 9, 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 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 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 (ESA), that the proposed project may affect Dwarf-Flowered Heartleaf (*Hexastylis naniflora*), a federally listed (Threatened) species. Consultation under Section 7 of the ESA will be initiated and no permit will be issued until the consultation process is complete.

## **Evaluation**

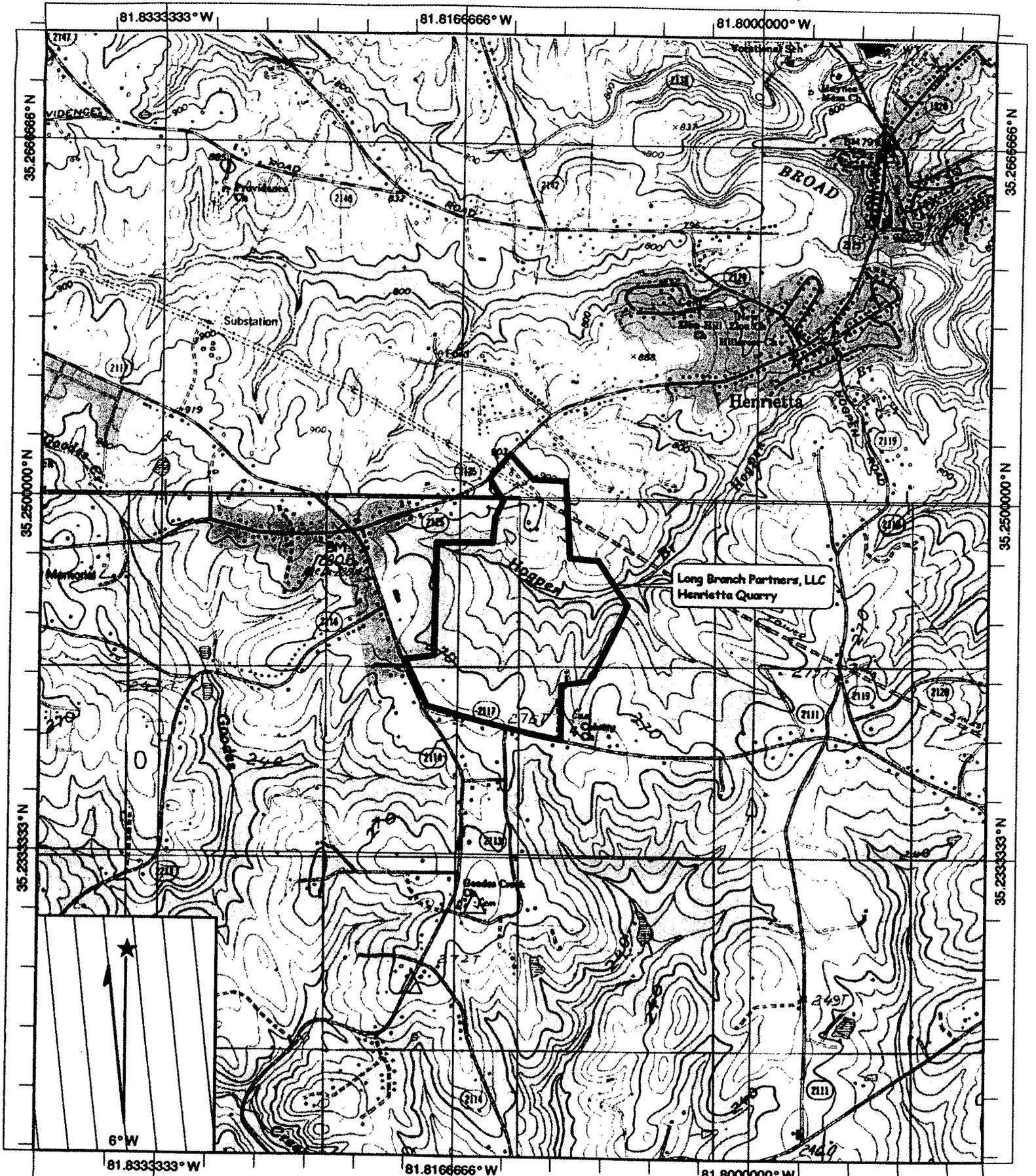
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably 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, until 5pm, September 9, 2005. Comments should be submitted to Mr. Steve Chapin, 151 Patton Avenue, Room 208, Asheville, NC 28801-5006.



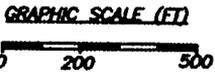
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 Date: 7/21/2005  
 Scale: 1 inch equals 2000 feet

Location: 035.2455322° N 081.8134738° W

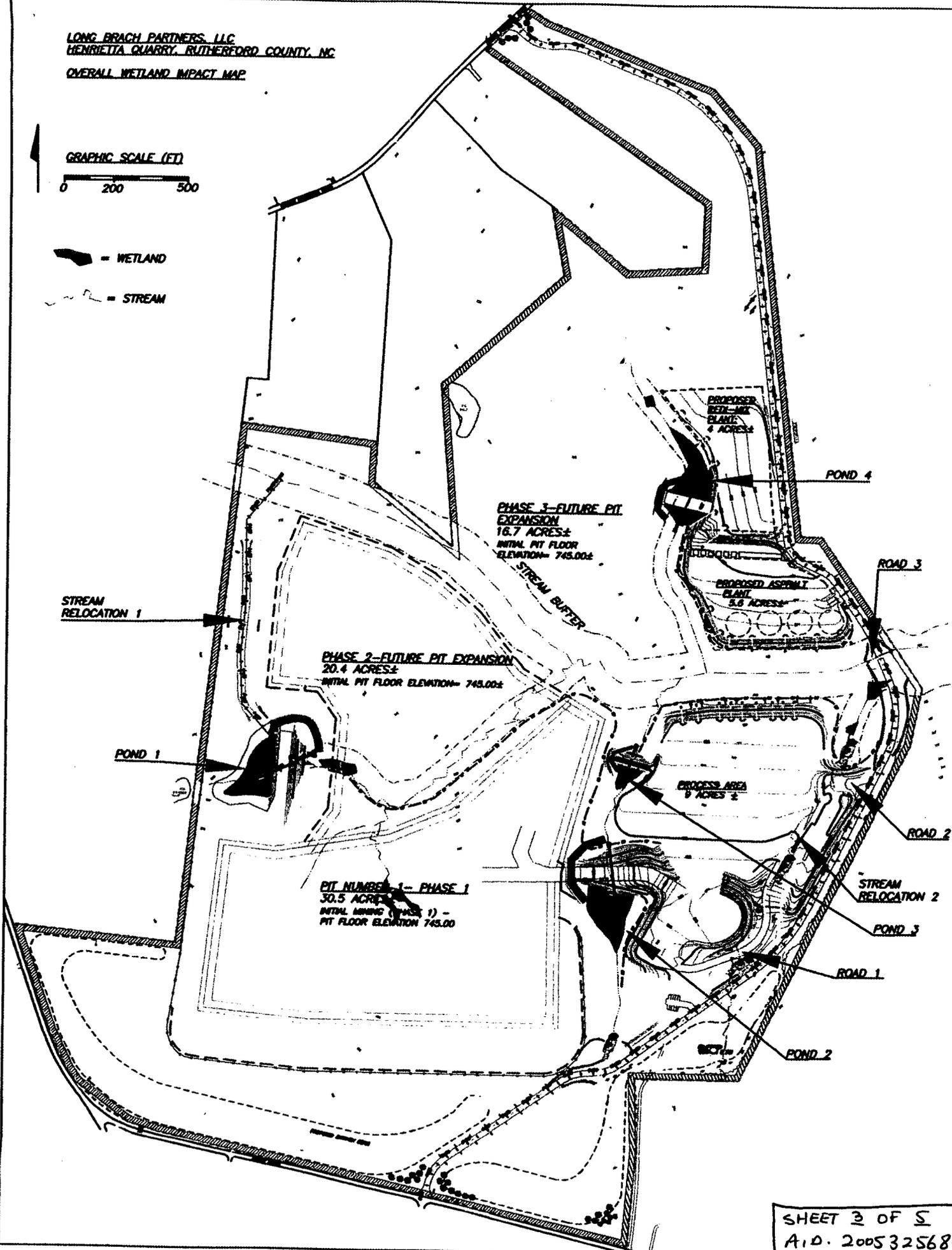
SHEET 1 OF 5  
 AID. 200532568



LONG BRACH PARTNERS, LLC  
HENRIETTA QUARRY, RUTHERFORD COUNTY, NC  
OVERALL WETLAND IMPACT MAP



= WETLAND  
 = STREAM

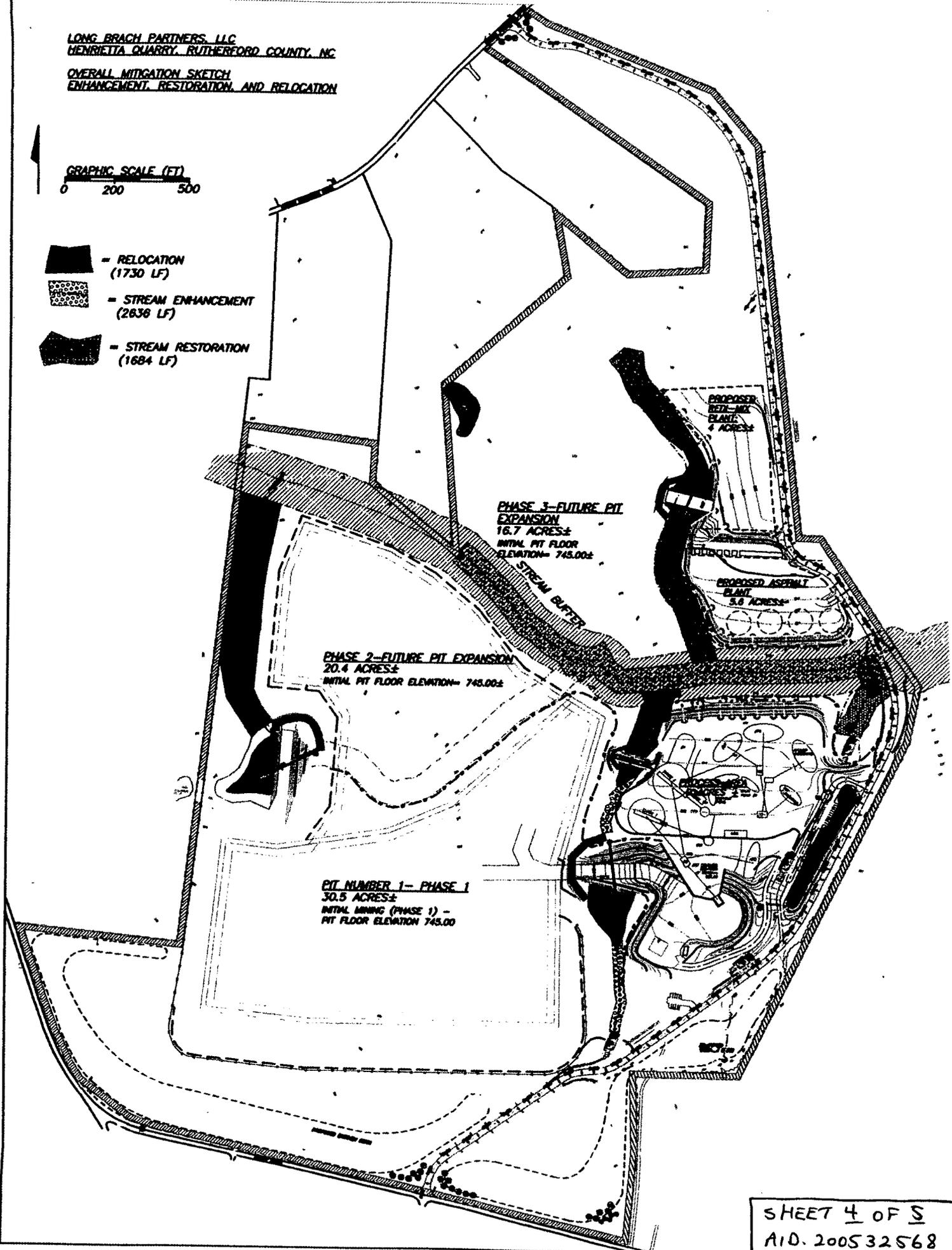


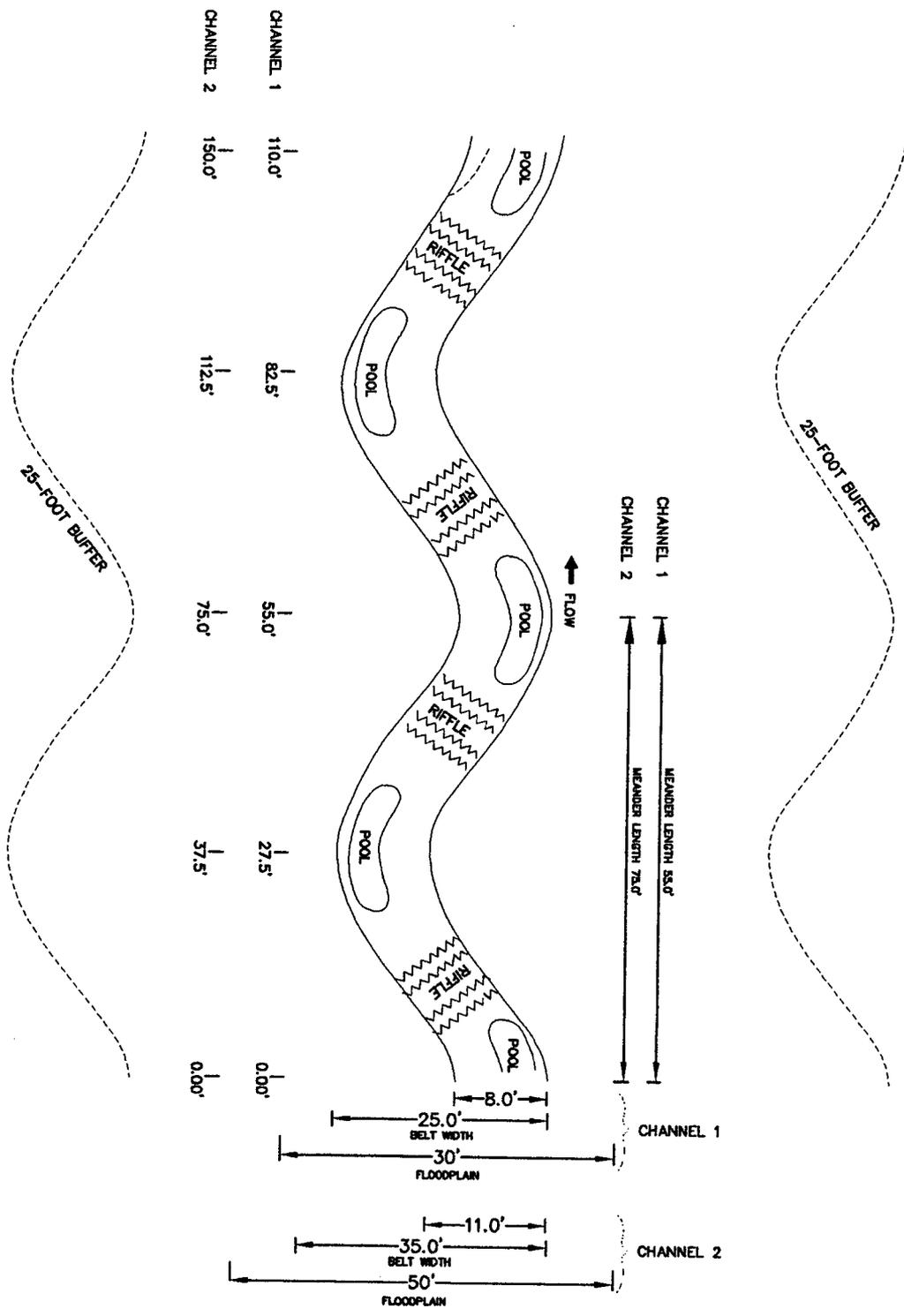
LONG BRACH PARTNERS, LLC  
HENRIETTA QUARRY, RUTHERFORD COUNTY, NC

OVERALL MITIGATION SKETCH  
ENHANCEMENT, RESTORATION, AND RELOCATION

GRAPHIC SCALE (FT)  
0 200 500

-  = RELOCATION (1730 LF)
-  = STREAM ENHANCEMENT (2636 LF)
-  = STREAM RESTORATION (1684 LF)





SHEET 5 OF 5  
A10.200532568

NO. 1	DATE	BY	DESCRIPTION

STREAM MITIGATION DETAILS

TYPICAL PROFILE  
STREAM MITIGATION  
HENRIETTA, NC

