



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: November 28, 2006  
Comment Deadline: December 28, 2006  
Corps Action ID #: SAW-2005-21057-201

The Wilmington District, Corps of Engineers (Corps) has received an application from Martin Marietta Materials, Inc. seeking Department of the Army authorization to impact 0.44-acre of jurisdictional wetlands, 985 linear feet of stream channels exhibiting important aquatic functions (of which 98 linear feet were considered perennial), and 1,230 linear feet of stream channels lacking important aquatic functions associated with the expansion of the East Alamance Quarry in Alamance County, North Carolina.

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:** Mr. Steve Whitt  
Martin Marietta Materials, Inc.  
Post Office Box 30013  
Raleigh, NC 27622-0013

**AGENT:** Mr. Chad Evenhouse  
Kimley-Horn and Associates, Inc.  
3001 Weston Parkway  
Cary, NC 27513

## Authority

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

## Location

The East Alamance Quarry is a 610-acre tract of land, of which the site for the proposed expansion would encompass approximately 73-acres. The expansion site is located south of Sandy Cross Road (SR1752) and west of NC State Highway 49, approximately 4 miles north of U.S. Interstate 40/85, exit 150 in Alamance County, North Carolina. The proposed project site contains unnamed stream channels and adjacent wetlands that flow

into Boyd's Creek at the southern boundary of the site. Boyd's Creek is a tributary of the Haw River in the Cape Fear River Basin. Latitude and Longitude in Decidegrees of the proposed site is 36.13006 N. and 79.37084 W.

### **Existing Site Conditions**

The existing site conditions for the quarry expansion contains four stream channels with a total length of 5,326 linear feet, and two wetland areas with a total of 0.70-acre. The site is primarily composed of forested land adjacent to the active mining pit, perimeter berm, and overburden stockpile areas. A power line crosses east-west with some cleared agricultural fields and pastures within this portion of the proposed expansion site. The private land adjacent to the site is primarily agricultural with a few residences along NC 49 and Sandy Cross Road.

A U.S. Army Corps of Engineers (Corps) jurisdictional determination has been completed for the proposed site and has verified the aquatic features listed above.

### **Applicant's Stated Purpose**

The project purpose is to expand the existing mine in order to continue operations and meet the local demand of aggregate material.

### **Project Description**

The proposed activity would involve the expansion of an existing mine pit. This would include the creation of a perimeter berm around the expanded pit and a proposed overburden stockpile south of the power line. Impacts to the wetlands and intermittent important and unimportant streams would result from the expanding pit area and construction of the berm. The entrance into this site would be via a proposed culvert impacting 98 linear feet of Boyd's Creek.

A plan to minimize secondary impacts to the avoided streams is being considered. This may be necessary where considerable portions of the watershed would be altered or removed through excavation. This minimization effort would include rerouting of stormwater, pumping, and management of discharge locations to provide supplemental hydrology to downstream areas to support aquatic functions.

To mitigate for all unavoidable impacts to jurisdictional features, the applicant has proposed payment into the North Carolina Ecosystem Enhancement Program (NCEEP).

### **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 combined with appropriate application fee at the North Carolina Division of Water Quality central office in Raleigh will constitute initial receipt of an application for a 401 Water Quality 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 December 18, 2006.

### **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, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

## **Evaluation**

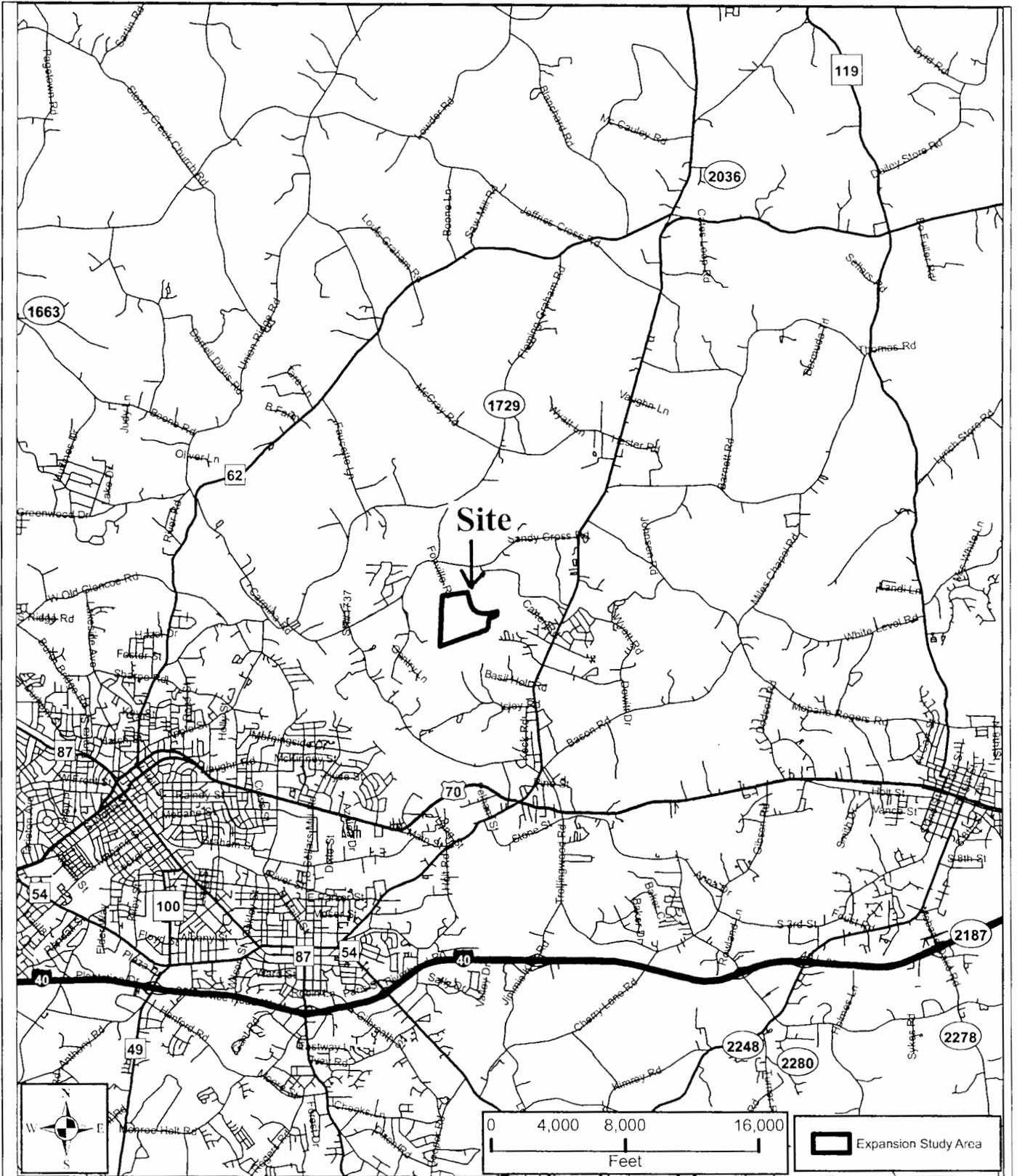
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably 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**

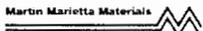
The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps 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.

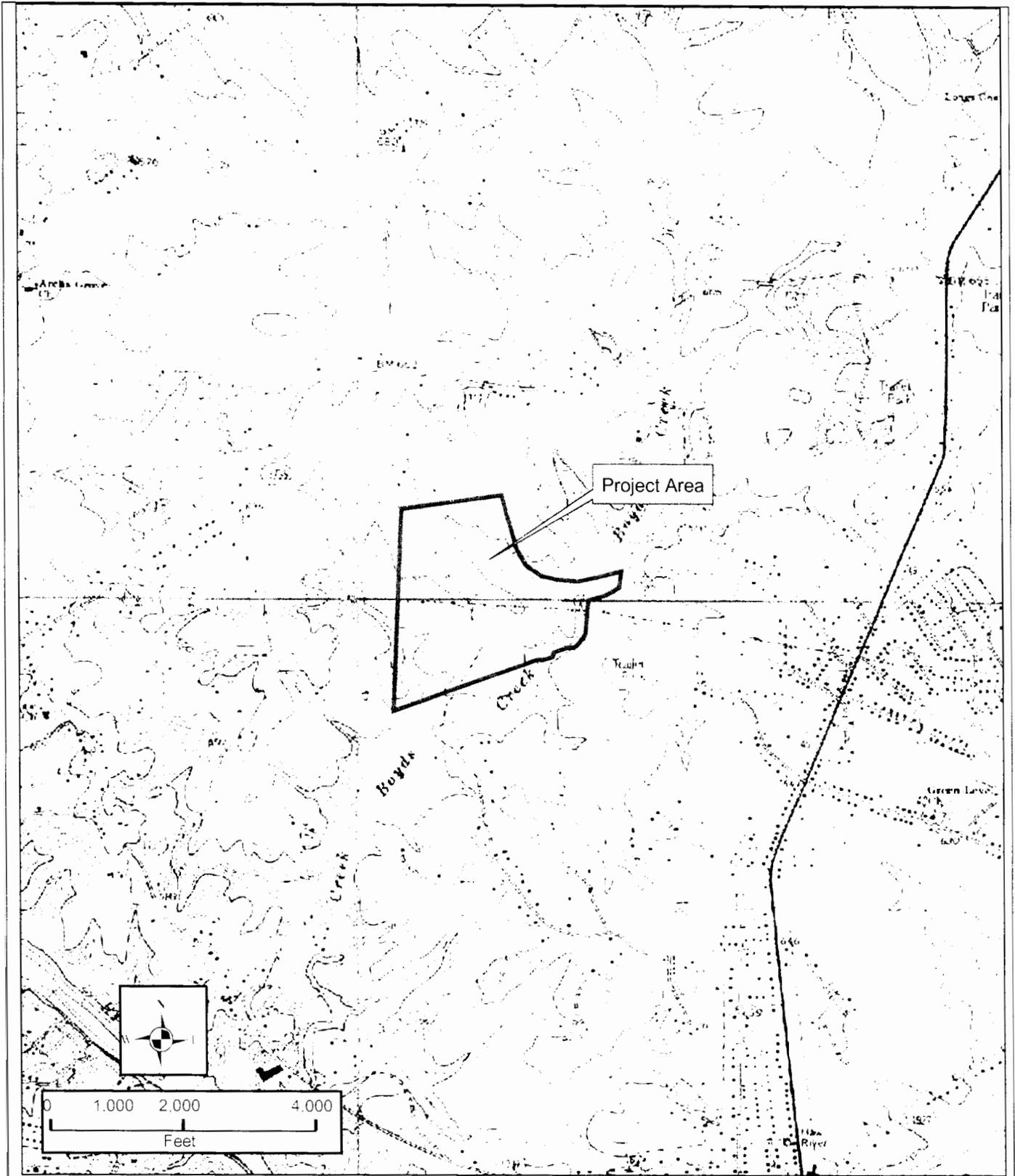
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless 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, December 28, 2006. Comments should be submitted to Monte Matthews, Raleigh Regulatory Field Office, 6508 Falls of Neuse Road, Suite 120, Raleigh, North Carolina 27615.

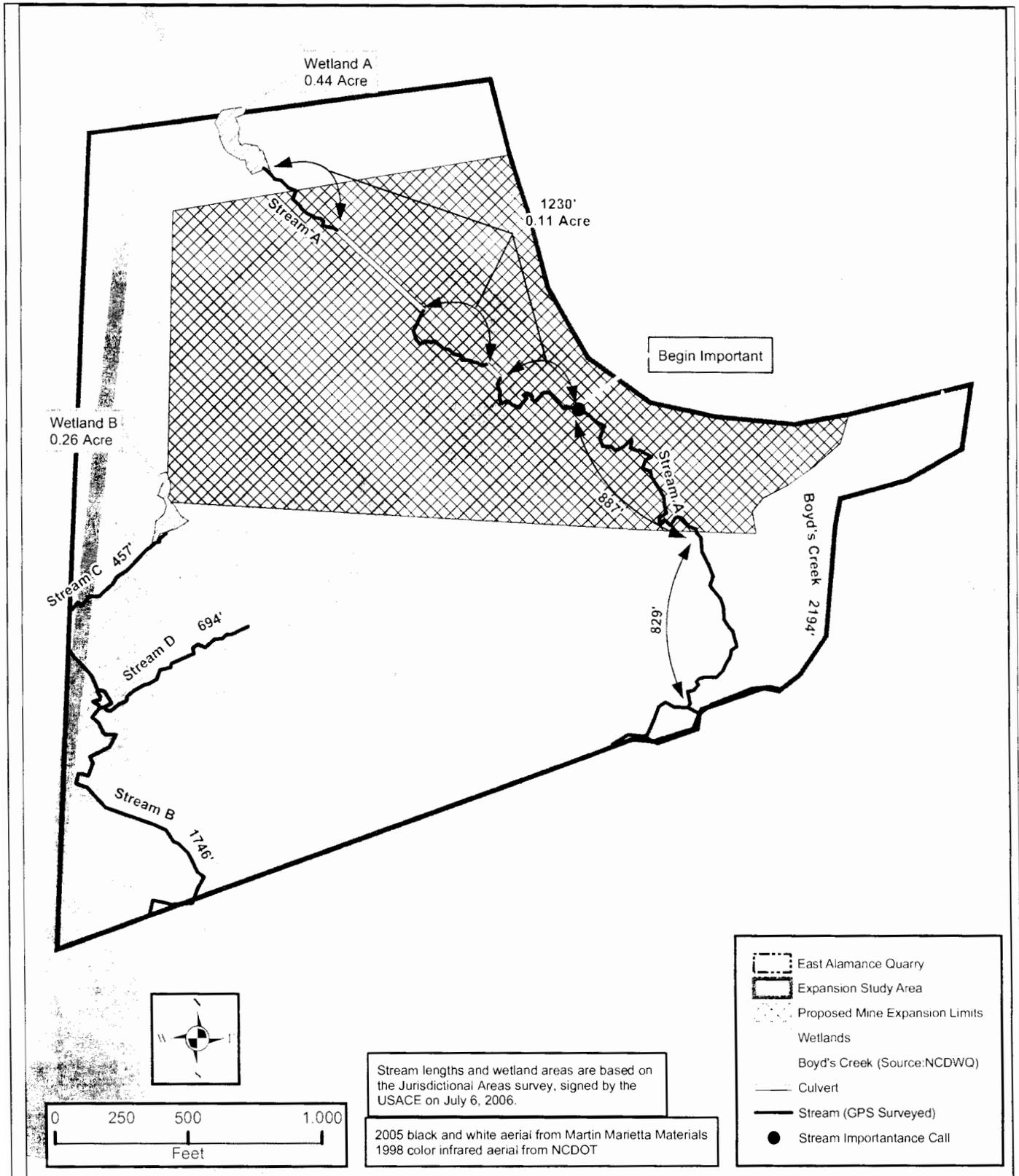


Title Vicinity Map

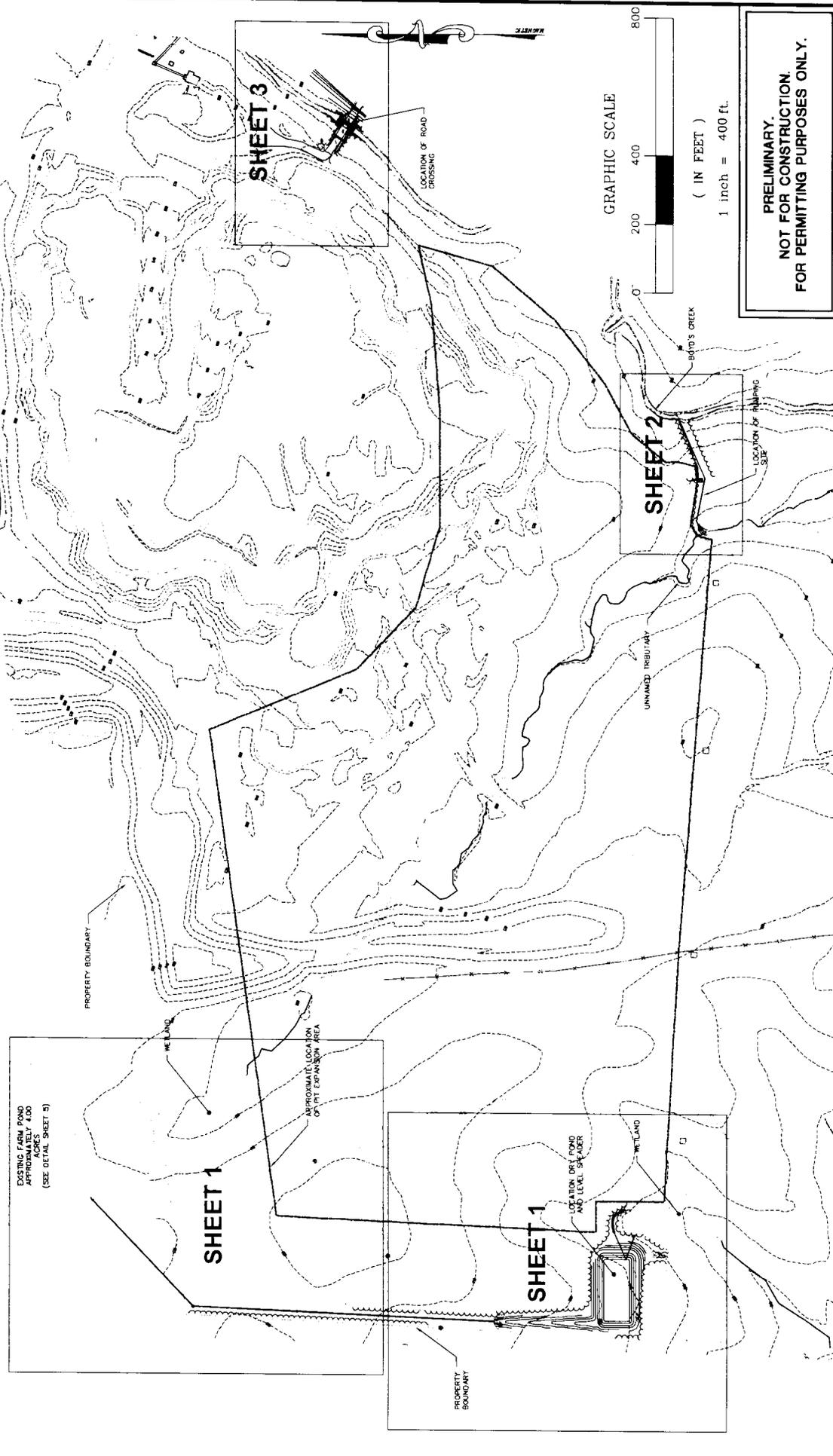
	<b>Project</b> East Alamance Quarry Alamance County, North Carolina		
	<b>Date</b> 11/20/2006	<b>Project Number</b> 011185024	<b>Figure</b> 1



<b>Title</b> USGS Quad Map			
	<b>Project</b> East Alamance Quarry Alamance County, North Carolina		
	<table border="1"> <tr> <td><b>Date</b> 11/20/2006</td> <td><b>Project Number</b> 011185024</td> <td><b>Figure</b> 2</td> </tr> </table>	<b>Date</b> 11/20/2006	<b>Project Number</b> 011185024
<b>Date</b> 11/20/2006	<b>Project Number</b> 011185024	<b>Figure</b> 2	



<b>Title</b> Aerial Photograph and Jurisdictional Features Map			
	<b>Project</b>	East Alamance Quarry	
	<b>Date</b>	11/20/2006	<b>Project Number</b> 011185024
		<b>Figure</b> 3	



**PRELIMINARY.  
NOT FOR CONSTRUCTION  
FOR PERMITTING PURPOSES ONLY.**

PROJECT: EAST ALAMANCE QUARRY  
ALAMANCE COUNTY, NORTH CAROLINA

CLIENT: MARTIN MARIETTA MATERIALS  
TITLE: OVERALL SITE PLAN

PREPARED IN THE OFFICE OF:  
**Kimley-Horn and Associates, Inc.**  
P.O. BOX 5008 - RALEIGH, NORTH CAROLINA 27608-0008  
PHONE: (919) 877-2000 FAX: (919) 877-2020

REVISIONS FOR FIELD OF COMMENTS  
DATE: 11/20/08  
SCALE: 1" = 400'



