

US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: January 24, 2006  
Comment Deadline: February 23, 2006  
Corps Action ID #: 200610392

The Wilmington District, Corps of Engineers (Corps) has received an application from **Town of Murfreesboro** seeking Department of the Army authorization to impact **1.969 acres of jurisdictional wetlands** adjacent to the Meherrin River associated with **improvements to the existing wastewater treatment plant in Murfreesboro, Hertford 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:** Town of Murfreesboro  
Attention: Lynn Johnson, Mayor  
Post Office Box 6  
Murfreesboro, NC 27855

**AGENT (if applicable):** N/A

## Authority

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

## Location

The project area is a 1.74 acre portion of a 291 acre tract located on the northwest side of the Meherrin River on the east side of North Carolina Highway 258 north of Murfreesboro in Hertford County, North Carolina (36.451375 -77.077341)

## Existing Site Conditions

The property is the site of the existing wastewater treatment plant for the Town of Murfreesboro. It currently houses two treatment lagoons, spray fields and a small mechanical building.

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

The purpose of the project is to provide wastewater treatment capacity to meet requirements and regulations of the North Carolina Division of Water Quality. The existing facility is permitted as a nondischarge facility and existing storage lagoons and irrigation fields are not adequate to process the Town's wastewater.

### **Project Description**

The applicant proposes to place fill in 1.969 acres of U.S. Army Corps of Engineers jurisdictional wetlands to construct an additional 15 acre storage lagoon.

### **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 (for NCDOT projects, the Transportation Permitting 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: Mr. John Hennessy (NC Department of Transportation projects) or Ms Cyndi Karoly (all other projects) by February 23, 2006.

The applicant has not provided to the Corps, a certification statement that his/her 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 can not 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 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**

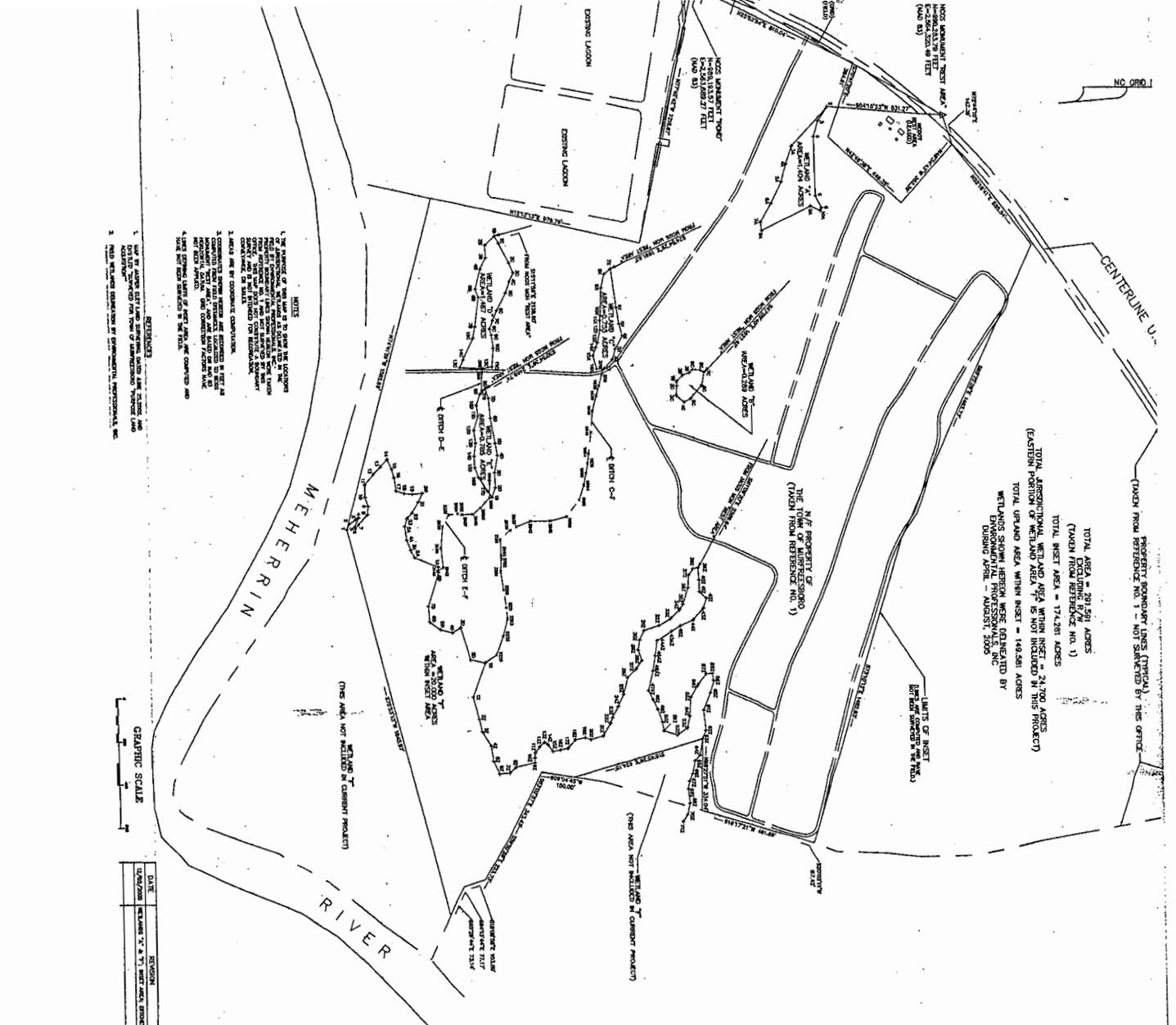
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably 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, February 23, 2006. Comments should be submitted to Ms. Tracey L. Wheeler, Post Office Box 1000, Washington, North Carolina, 27889, or telephone (919) 975-1616, extension 24.



PROPERTY BOUNDARY LINES (TYPICAL) (TAKEN FROM REFERENCE NO. 1 - NOT SURVEYED BY THIS OFFICE)

TOTAL AREA = 30,531 ACRES  
 (TAKEN FROM REFERENCE NO. 1)

TOTAL WETLAND AREA = 17,426 ACRES  
 (EASTERN PORTION OF WETLAND AREA "F" IS NOT INCLUDED IN THIS PROJECT)

TOTAL UPLAND AREA WITHIN INSET = 14,105 ACRES  
 WETLANDS SHOWN HEREON WERE Delineated BY ENVIRONMENTAL PROFESSIONALS USING SURVEY DATA FROM JANUARY 1998

NOTES

1. THE PURPOSE OF THIS MAP IS TO SHOW THE LOCATION OF WETLANDS AND UPLANDS WITHIN THE 1/4 SECTION OF THE 1/4 SECTION OF TOWNSHIP 10 NORTH, RANGE 10 WEST, MERIDIAN 8 WEST (TOWN FROM REFERENCE NO. 1) AND TO IDENTIFY THE WETLANDS AND UPLANDS THAT ARE SUBJECT TO FEDERAL REGULATION UNDER THE CLEAN WATER ACT AND THE BIRD HATCH ACT.
2. THE WETLANDS AND UPLANDS SHOWN ON THIS MAP WERE IDENTIFIED BY ENVIRONMENTAL PROFESSIONALS USING SURVEY DATA FROM JANUARY 1998.
3. WETLANDS SHOWN HEREON WERE Delineated BY ENVIRONMENTAL PROFESSIONALS USING SURVEY DATA FROM JANUARY 1998.
4. THE WETLANDS AND UPLANDS SHOWN ON THIS MAP WERE IDENTIFIED BY ENVIRONMENTAL PROFESSIONALS USING SURVEY DATA FROM JANUARY 1998.

REVISIONS

DATE	REVISION
1/10/2006	WETLANDS "T", "C" & "F" WETLAND AREA STUDY

GRAPHIC SCALE

DATE

1/10/2006	WETLANDS "T", "C" & "F" WETLAND AREA STUDY
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GEORGE FINCH/BOHNEY & ASSOCIATES, P.A.  
 509 NORTH BOTAN AVENUE

WETLANDS Delineation Map For  
 TOWN OF MURRESFORD

DATE 1/10/2006  
 DRAWN BY GCS/2006

WETLAND TYPE	ACRES	PERCENT OF TOTAL WETLAND AREA
WETLAND T	14,105	81%
WETLAND C	1,200	7%
WETLAND F	2,121	12%
<b>TOTAL</b>	<b>17,426</b>	<b>100%</b>

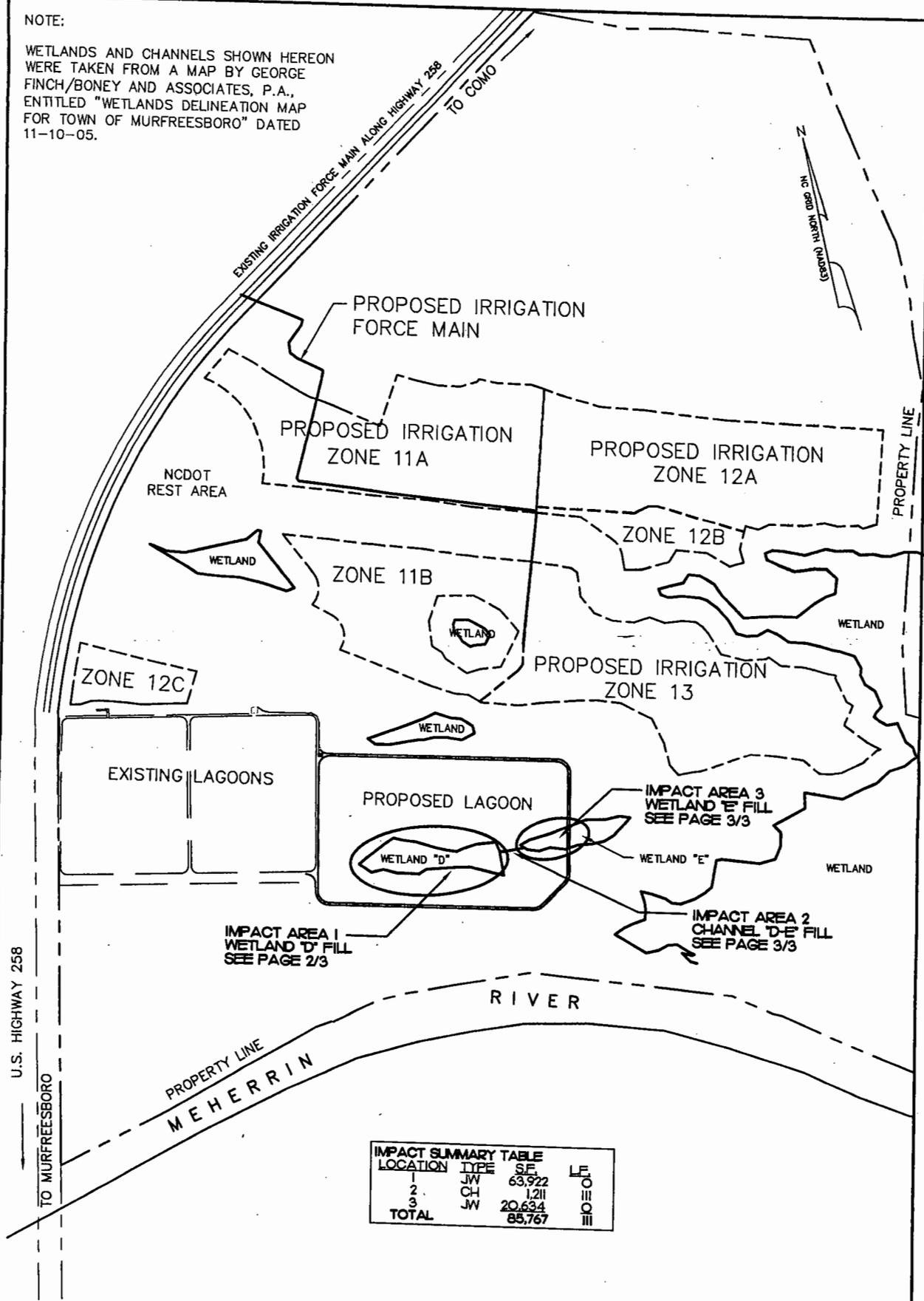


THE DRAWING AND THE COPY OF THE DATA APPROPRIATE TO THE PROJECT ARE THE PROPERTY OF THE SURVEYOR. THE SURVEYOR'S OFFICE SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE DRAWING. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE DRAWING IF THE DATA IS FOUND TO BE INACCURATE OR INCOMPLETE. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE DRAWING IF THE DATA IS FOUND TO BE INACCURATE OR INCOMPLETE.

*George Finch/Bohney & Associates, P.A.*  
 Environmental Professionals

NOTE:

WETLANDS AND CHANNELS SHOWN HEREON WERE TAKEN FROM A MAP BY GEORGE FINCH/BONEY AND ASSOCIATES, P.A., ENTITLED "WETLANDS DELINEATION MAP FOR TOWN OF MURFREESBORO" DATED 11-10-05.



**IMPACT SUMMARY TABLE**

LOCATION	TYPE	SE	LF
1	JW	63,922	0
2	CH	1,211	III
3	JW	20,634	0
<b>TOTAL</b>		<b>85,767</b>	<b>III</b>

**WETLANDS IMPACT LOCATION MAP  
WASTEWATER TREATMENT FACILITIES EXPANSION  
TOWN OF MURFREESBORO  
DECEMBER 22, 2005  
SCALE: 1" = 400'**

MAP PREPARED BY:  
G. ROBERT GRAHAM, P.E.  
GEORGE FINCH/BONEY AND ASSOCIATES, P.A.  
309 NORTH BOYLAN AVENUE  
RALEIGH NC 27608  
919-833-1212

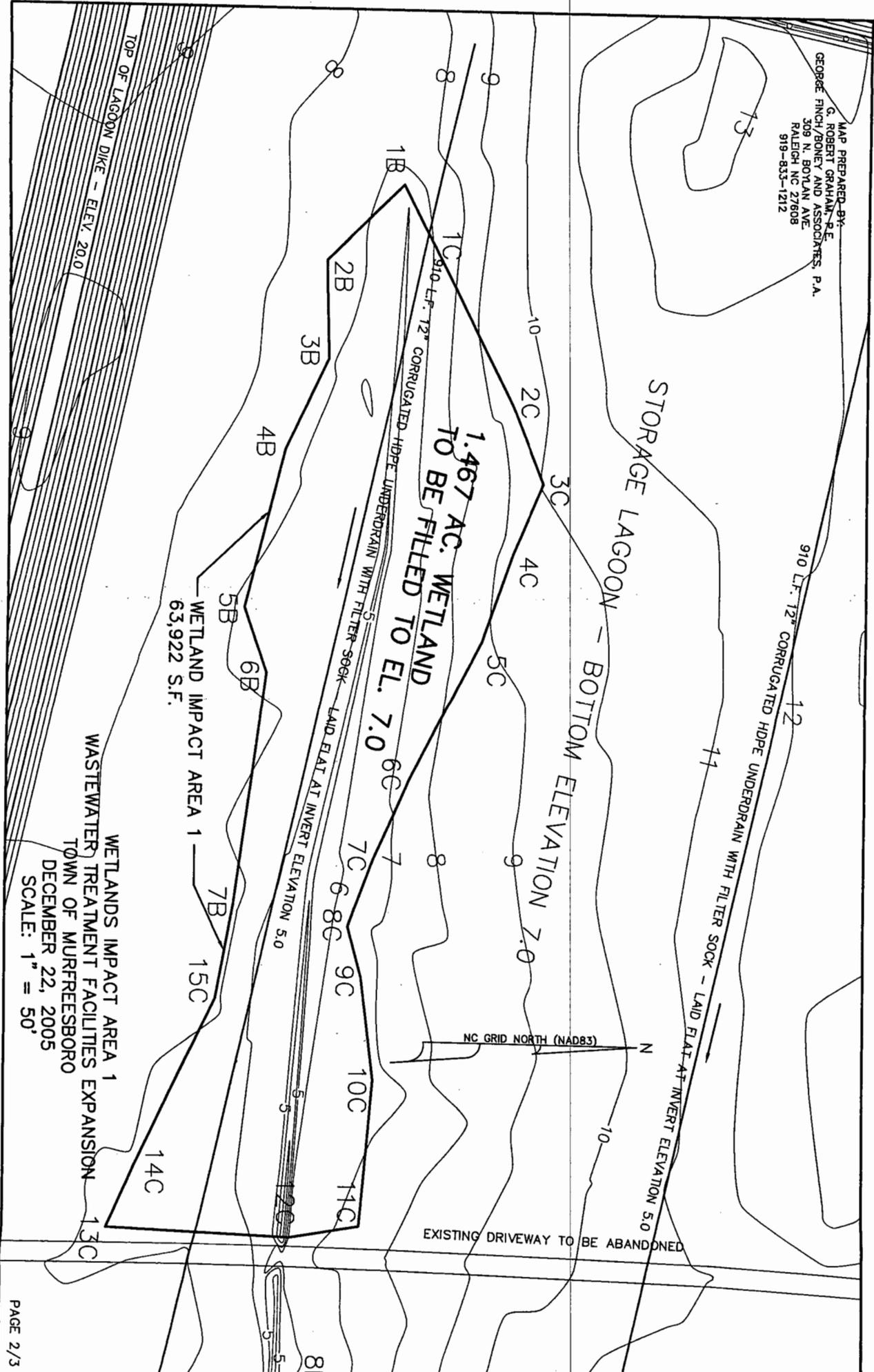
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309 N. BOYLAN AVE.  
RALEIGH, NC 27608  
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STORAGE LAGOON - BOTTOM ELEVATION 7.0

1.467 AC. WETLAND  
TO BE FILLED TO EL. 7.0

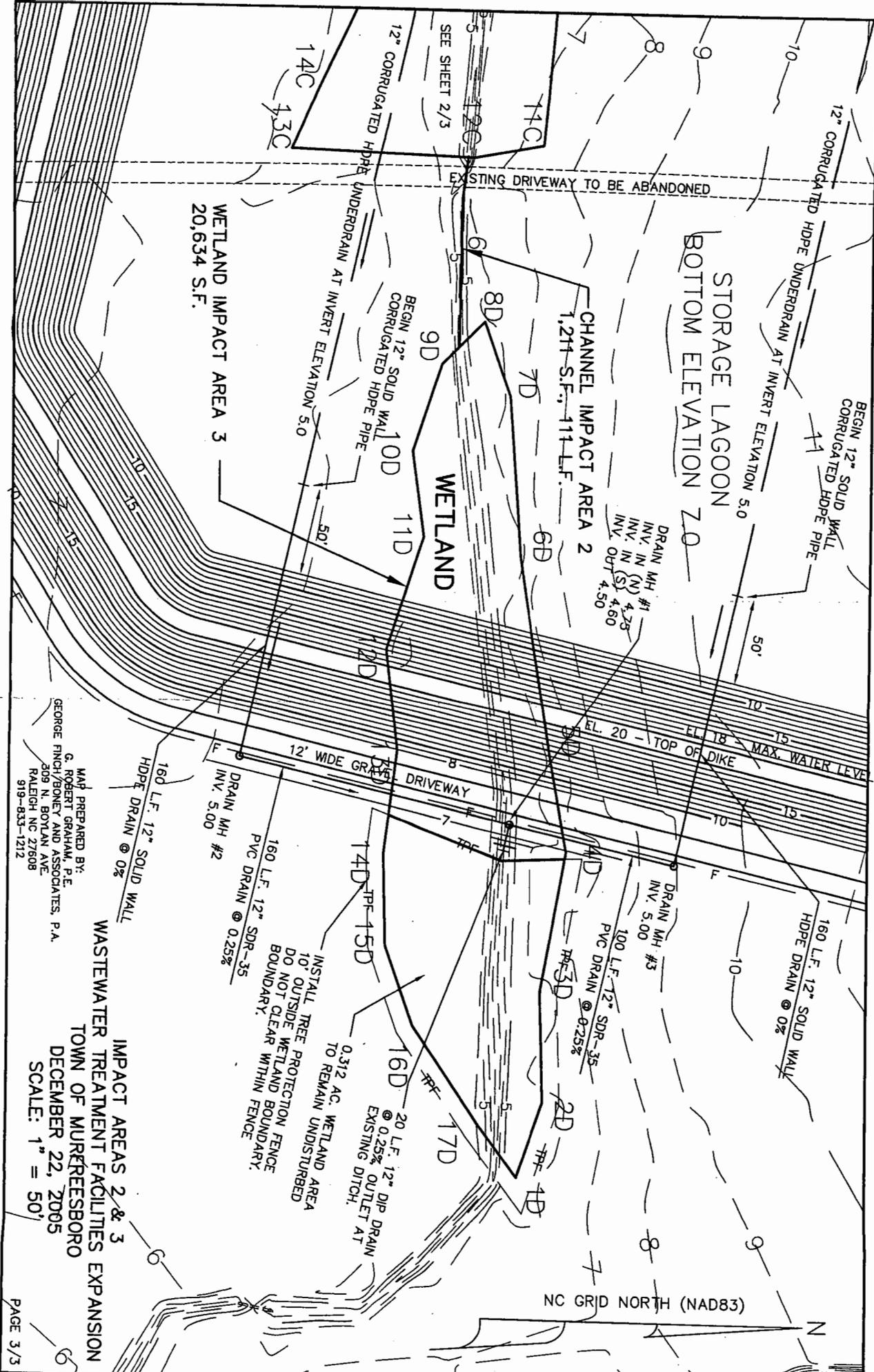
WETLAND IMPACT AREA 1  
63,922 S.F.

WETLANDS IMPACT AREA 1  
WASTEWATER TREATMENT FACILITIES EXPANSION  
TOWN OF MURFREESBORO  
DECEMBER 22, 2005  
SCALE: 1" = 50'



NC GRID NORTH (NAD83)

EXISTING DRIVEWAY TO BE ABANDONED



MAP PREPARED BY:  
 G. ROBERT GRAHAM, P.E.  
 GEORGE FINCH/BONNEY AND ASSOCIATES, P.A.  
 209 N. BOYLAN AVE  
 RALEIGH NC 27608  
 919-853-1212

IMPACT AREAS 2 & 3  
 WASTEWATER TREATMENT FACILITIES EXPANSION  
 TOWN OF MURFREESBORO  
 DECEMBER 22, 2005  
 SCALE: 1" = 50'