

US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: June 6, 2007  
Comment Deadline: July 9, 2007  
Corps Action ID #: SAW-2007-01798

The Wilmington District, Corps of Engineers (Corps) has received an application from Martin Marietta Materials, Incorporated seeking Department of the Army authorization to impact 2.7 acres of wetlands and 130 linear feet of intermittent stream channel associated with development of a new 503-acre aggregate quarry, southeast of Wilson Mills, in Johnston 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.usacc.army.mil/wetlands](http://www.saw.usacc.army.mil/wetlands).

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

**AGENT:** Mr. Todd Tugwell  
Kimley-Horn and Associates, Inc.  
Post Office Box 33068  
Raleigh, NC 27636-3068

## 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 project site is located on the east and west sides of Bear Farm Road (SR 1914), approximately 0.5 miles north of U.S. Highway 70, adjacent to the Neuse River, approximately 2 miles southeast of Wilson's Mills, Johnston County, North Carolina. The site Coordinates are 35.5686° N, 78.3197° W.

## **Existing Site Conditions**

The project site is currently comprised of agricultural fields separated by several mixed-hardwood forested areas, which are generally located along streams and in the adjacent low areas. The site contains several unnamed tributaries that flow directly into the Neuse River, which borders the north, east, and south property boundaries.

## **Applicant's Stated Purpose**

The applicant's project purpose is to develop a new mine for supplying aggregate to the regional market. The applicant is developing this new quarry in order to keep up with the growing regional demand for high-quality granite. Although the product may be shipped by rail up and down the eastern seaboard, the primary market served by the quarry includes the entire eastern portion of North Carolina.

## **Project Description**

The project is a 503-acre aggregate quarry site, which would include the construction of all required infrastructure, including the processing facilities, transportation network, screening berm, and the mine pit. The lifespan of the project as shown is expected to be approximately 50 years. Construction of the project would result in the unavoidable loss of 2.7 acres of wetland, and 130 linear feet of an intermittent unnamed tributary to the Neuse River that did not exhibit important aquatic function. No Neuse River buffer impacts would result from this project.

The applicant proposes to mitigate for impacts to 2.7 acres of wetlands associated with the project at a 2:1 ratio by providing payment into the North Carolina Ecosystem Enhancement Program (NCEEP) sufficient for the restoration of 5.4 acres of wetland within the Neuse River Basin (HUC 03020201).

## **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 July 2, 2007.

### **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

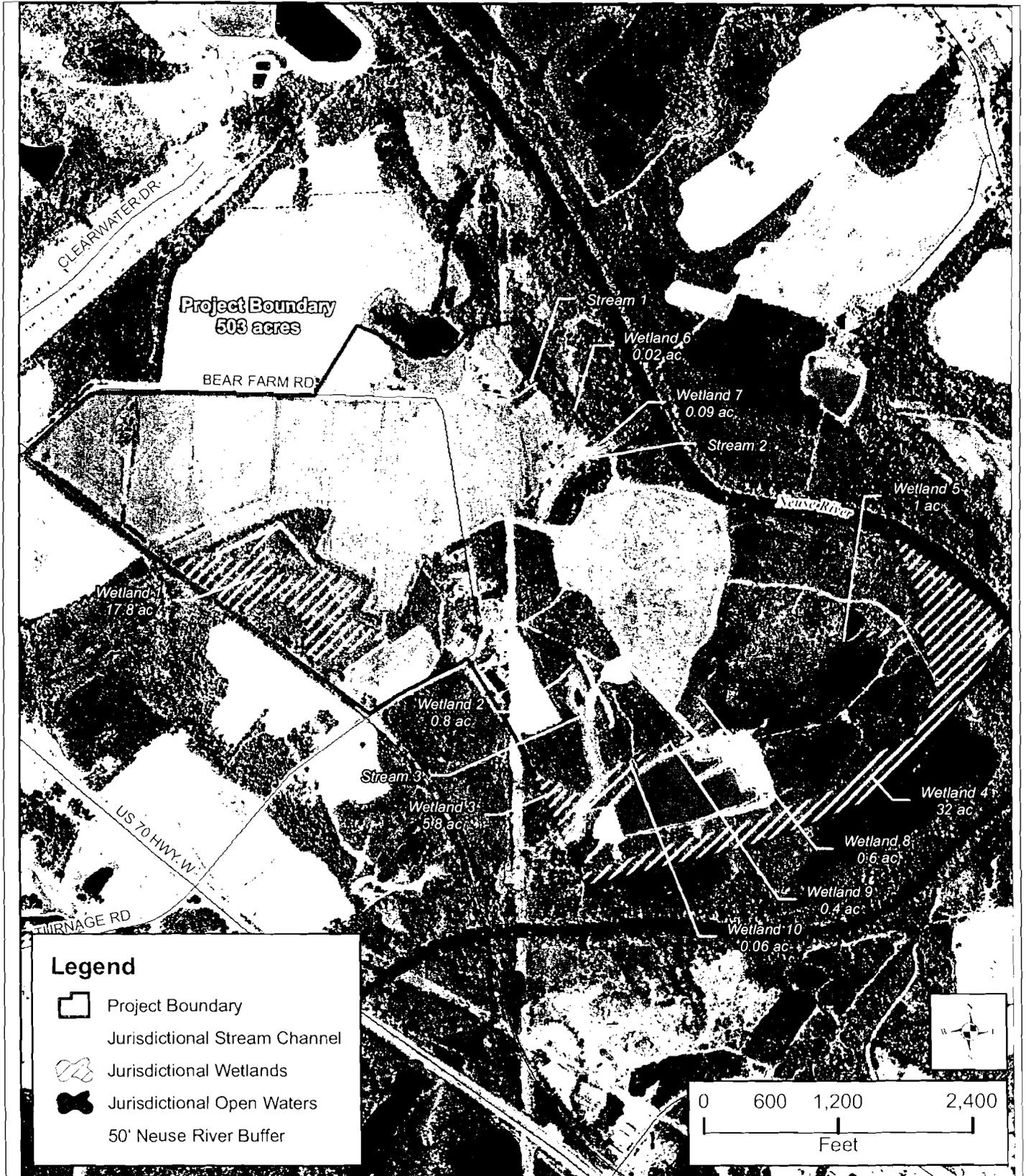
concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, 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.

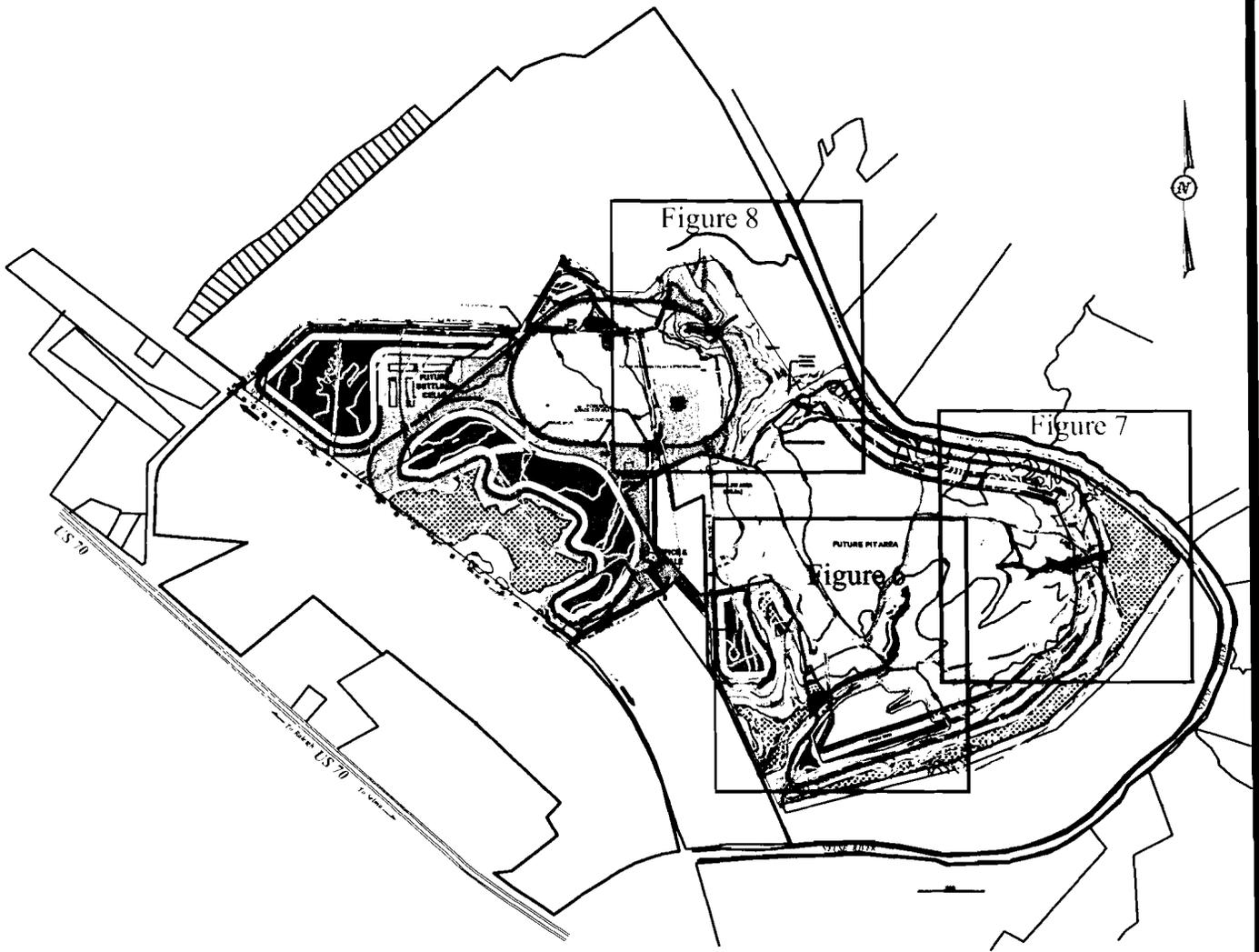
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless 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, July 9, 2007. Comments should be submitted to Mr. Thomas Brown, (919) 876-8441, Ext. 22.



**Title** Delineation of Waters of the U.S.

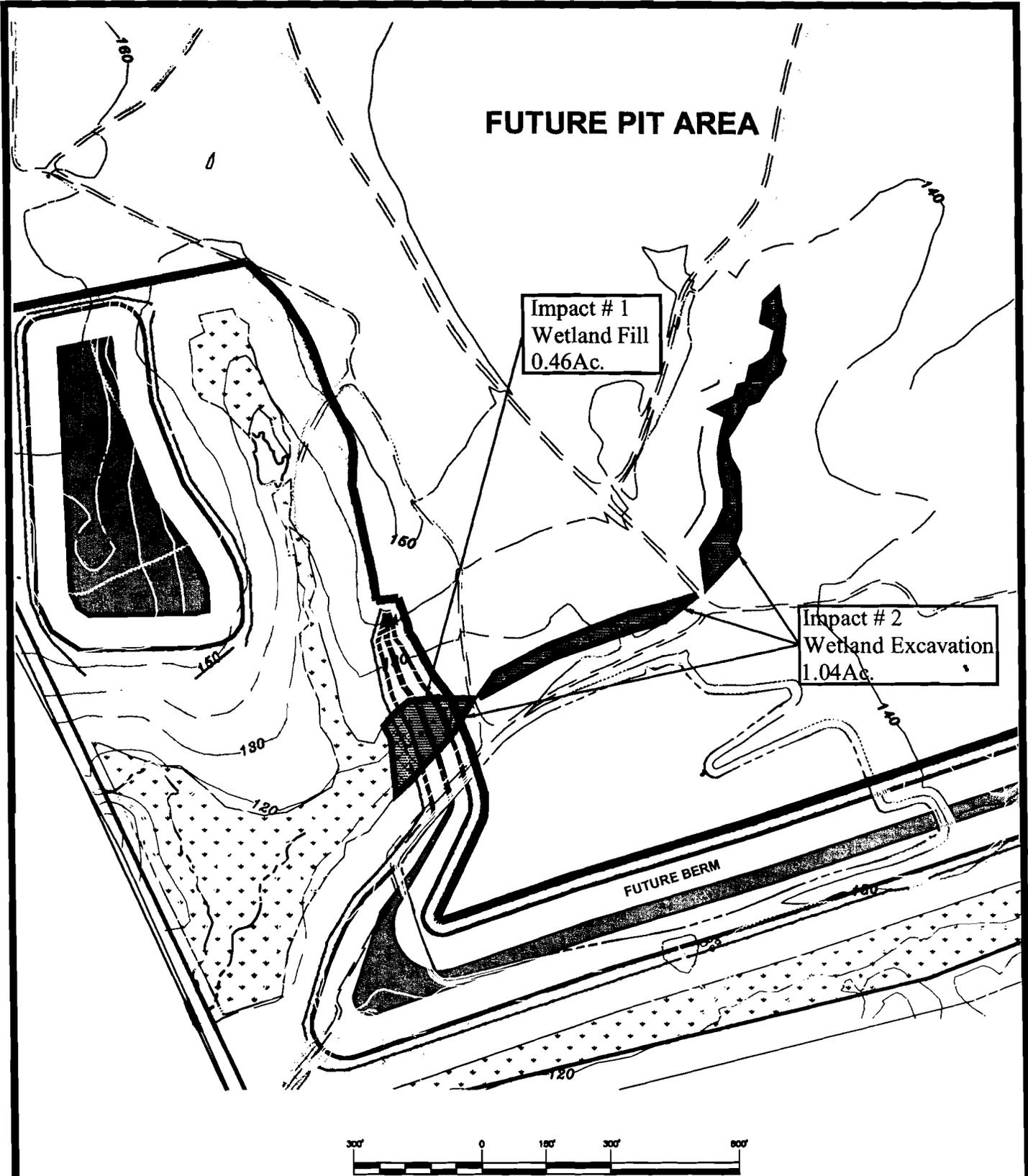
Prepared For 	<b>Project</b> MMM – Selma Site Johnston County, North Carolina	<b>Date</b> 5/17/07	<b>Project Number</b> 011185026	Action Id: 200701798 Sheet 1 of 6



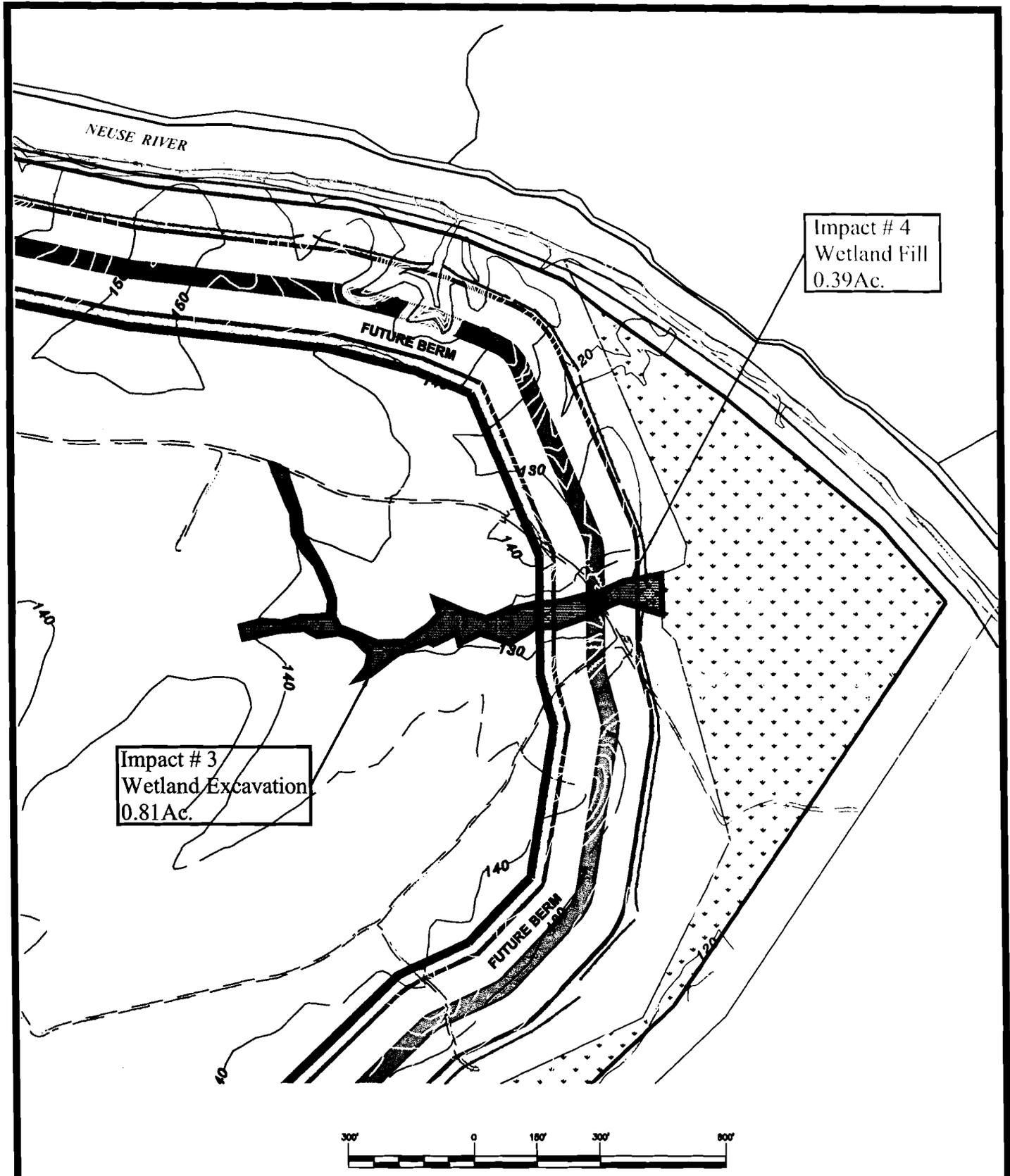
<b>Title</b>	<b>Site Overview</b>
<b>Project</b>	<b>Selma Quarry</b>
<b>Applicant:</b>	
Martin Marietta Materials, Inc. P.O.B. 30013 Raleigh, NV 27622-0013	

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**Date of Public Notice:**  
**County:** Johnston  
**Waterway:** UT to the Neuse River  
**River Basin:** Neuse



<b>Title</b>	Impacts 1 and 2	Action Id: 200701798
<b>Project</b>	Selma Quarry	Sheet 3 of 6
<b>Applicant:</b> Martin Marietta Materials, Inc. P.O.B. 30013 Raleigh, NV 27622-0013		<b>Date of Public Notice:</b> County: Johnston Waterway: UT to the Neuse River River Basin: Neuse



Impact # 3  
Wetland Excavation  
0.81Ac.

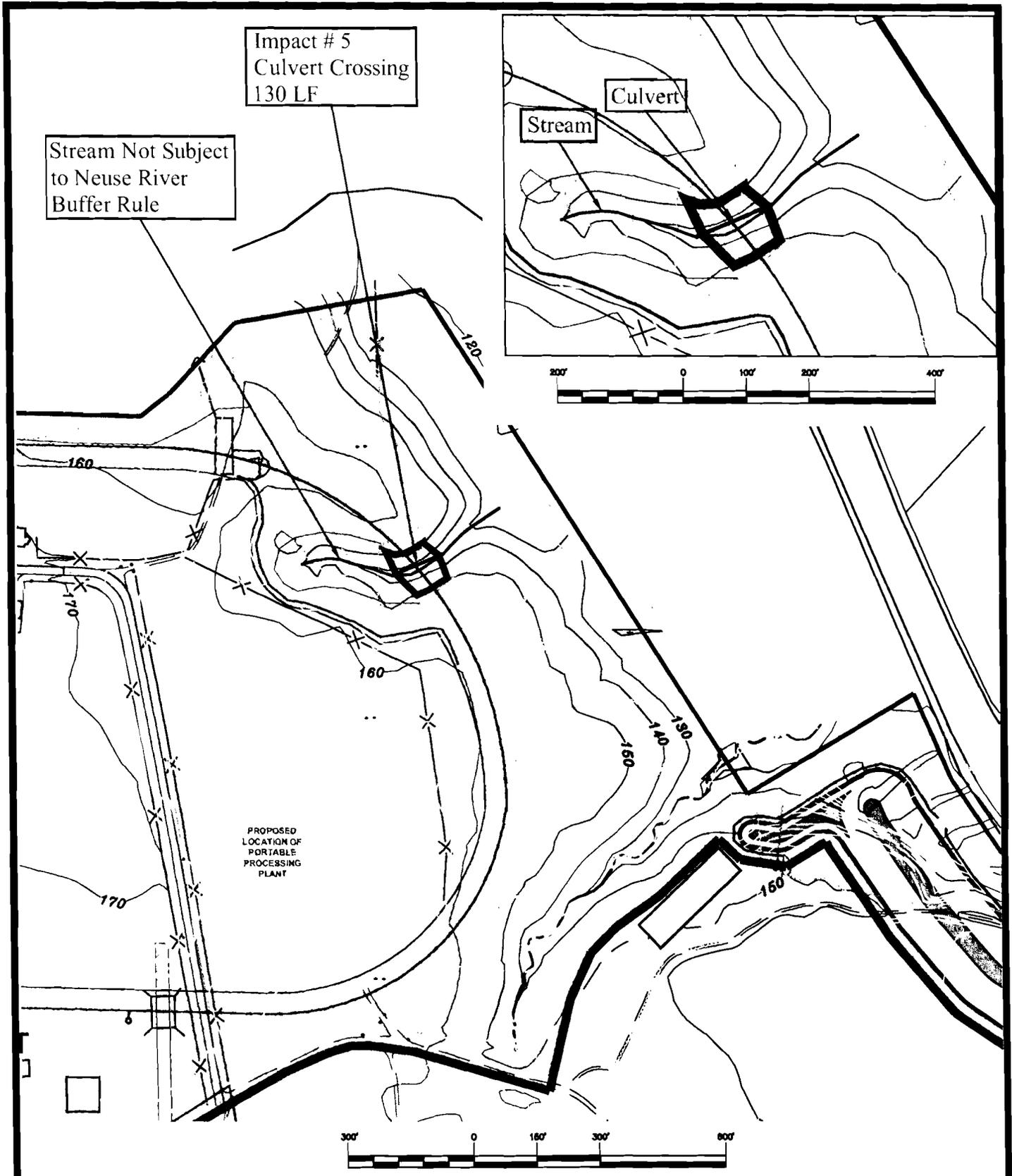
Impact # 4  
Wetland Fill  
0.39Ac.



<b>Title</b>	Impacts 3 and 4	
<b>Project</b>	Selma Quarry	
	<b>Applicant</b>	
	Martin Marietta Materials, Inc. P.O.B. 30013 Raleigh, NV 27622-0013	

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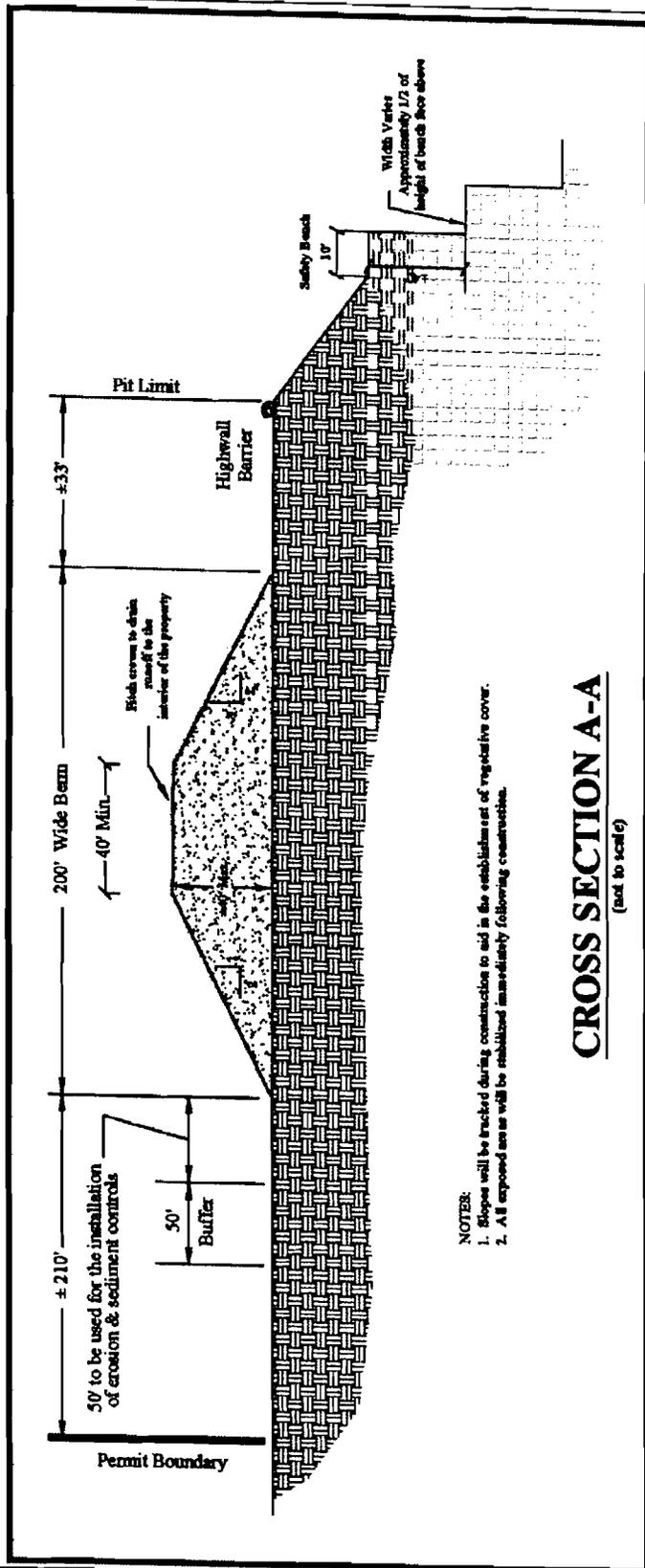
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<b>Title</b>	
<b>Project</b>	<b>Selma Quarry</b>
<b>Applicant</b>	<b>Martin Marietta Materials, Inc.</b> P.O.B. 30013 Raleigh, NV 27622-0013

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NOTE:  
 1. Slopes will be tracked during construction to aid in the establishment of vegetative cover.  
 2. All exposed areas will be stabilized immediately following construction.

<b>Title</b> Typical Cross-Section of the Screening Berm	
Prepared For: 	<b>Project</b> MMM – Selma Site Johnston County, North Carolina
<b>Date</b> 5/7/07	<b>Project Number</b> 011185026
<b>Action Id:</b> 200701798 Sheet 6 of 6	