



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: August 24, 2007
Comment Deadline: September 24, 2007
Corps Action ID #SAW-2007-2323-336

The Wilmington District, Corps of Engineers (Corps) has received an application from the Gaston County Public Works Department seeking Department of the Army authorization to impact 2,897 linear feet of streams in association with the construction of a 11-acre lake at the Poston Park property which is located on a 344-acre tract adjacent to Lowell Spencer Mountain Road, north of Lowell, in Gaston 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

Applicant: Gaston County Public Works
Post Office Box 1578
Gastonia, North Carolina 28053

AGENT (if applicable): S&ME, Incorporated
9751 Southern Pine Boulevard
Charlotte, North Carolina 28273

Authority

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

Location

The proposed project is located at Poston Park adjacent to Lowell Spencer Mountain Road, north of Lowell, in Gaston County, North Carolina (35.2830degrees north, -81.1090 degrees west), Mount Holly USGS Quadrangle. The park includes unnamed tributaries to South Fork, Catawba River.

Existing Site Conditions

The proposed lake site is located within Poston Park in a predominantly wooded area on unnamed tributaries to South Fork, Catawba River which is within a steep section of the

Piedmont physiographic region of the state. The forested corridor through which the tributaries flow is composed of mature and immature hardwood trees and mature pine dominated areas.

Applicant's Stated Purpose

According to the applicant, construction of the lake at Poston Park is needed to: (1) Fulfill the goals of the Master Plan for Poston Park and the stated needs of the citizens of Gaston County; (2) Enhance existing open space and increasing habitat variety within the park; (3) Provide passive recreation through creation of fishing and wildlife viewing opportunities and enhance the existing trail system; (4) Provide a needed water source for irrigation of the existing baseball and soccer fields located at the park; and (5) Provide a fixed water source for area fire protection.

Project Description

Plans submitted with the application show the construction of an 11-acre lake on an unnamed tributary to South Fork, Catawba River. Construction of the dam would require 50,000 cubic yards of clean earthen fill material. Of this material, 844 cubic yards would be placed below the plane of ordinary high water. Approximately 285 linear feet of stream would be impacted directly by dam fill placement. The height of the dam would be approximately 44 feet from the crest to outlet structure. The base of the dam would be 280 feet in width. Approximately 147 linear feet of stream channel downstream of the dam would be impacted by placement of 218 cubic yards of riprap associated with construction of the spillway. Creation of the lake would inundate approximately 2,700 linear feet of three separate streams. Characteristics of the three streams proposed for impact range from intermittent to perennial, have sand/cobble and boulder substrate within somewhat narrow channels, and in places have a strong presence of aquatic life including minnows, crayfish, and salamanders.

The applicant is proposing the following compensatory mitigation for stream losses associated with the project: (1) Appropriate payment into the State Ecosystem Enhancement Program; (2) On-site preservation and buffering of 14,079 linear feet of stream channels; (3) On-site preservation and buffering of all the wetlands at the project site (0.57-acre); and (4) Locating and transplanting big leaf magnolia trees within the footprint of the lake that are suitable for transplanting. Plans showing the work are included with this public notice.

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 24, 2007.

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 is not aware of the presence of species listed as threatened or endangered or their critical habitat formally designated pursuant to the Endangered Species Act of 1973 (ESA) within the project area. A final determination on the effects of the proposed project will be made upon additional review of the project and completion of any necessary biological assessment and/or consultation with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service.

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.

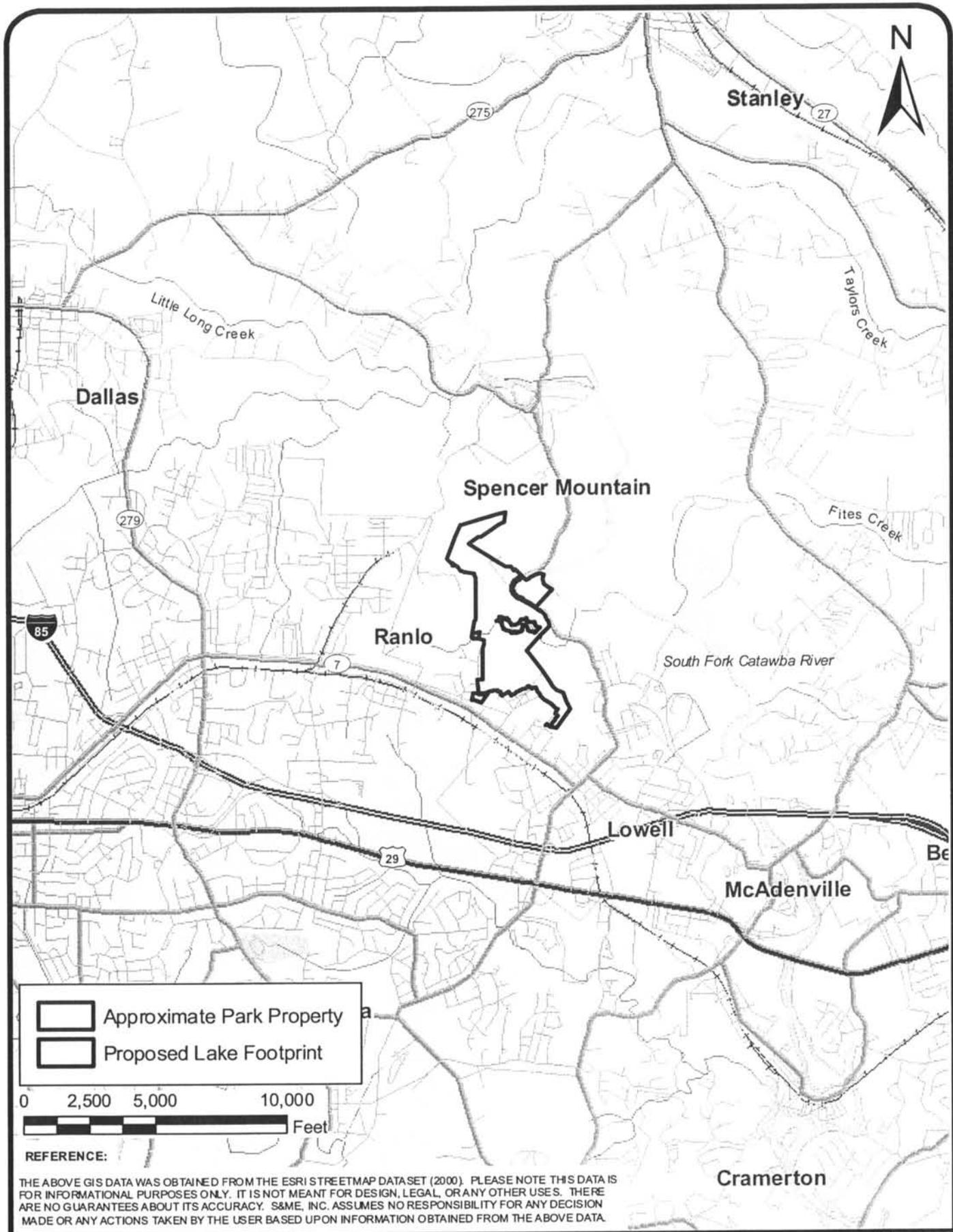
Commenting Information

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,

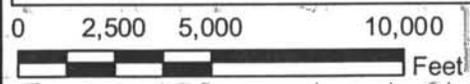
comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant 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 Commander 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 24, 2007. Comments should be submitted to Mr. Steve Chapin, U.S. Army Corps of Engineers, 151 Patton Avenue, Room 208, Asheville, North Carolina 28801-5006.



 Approximate Park Property
 Proposed Lake Footprint

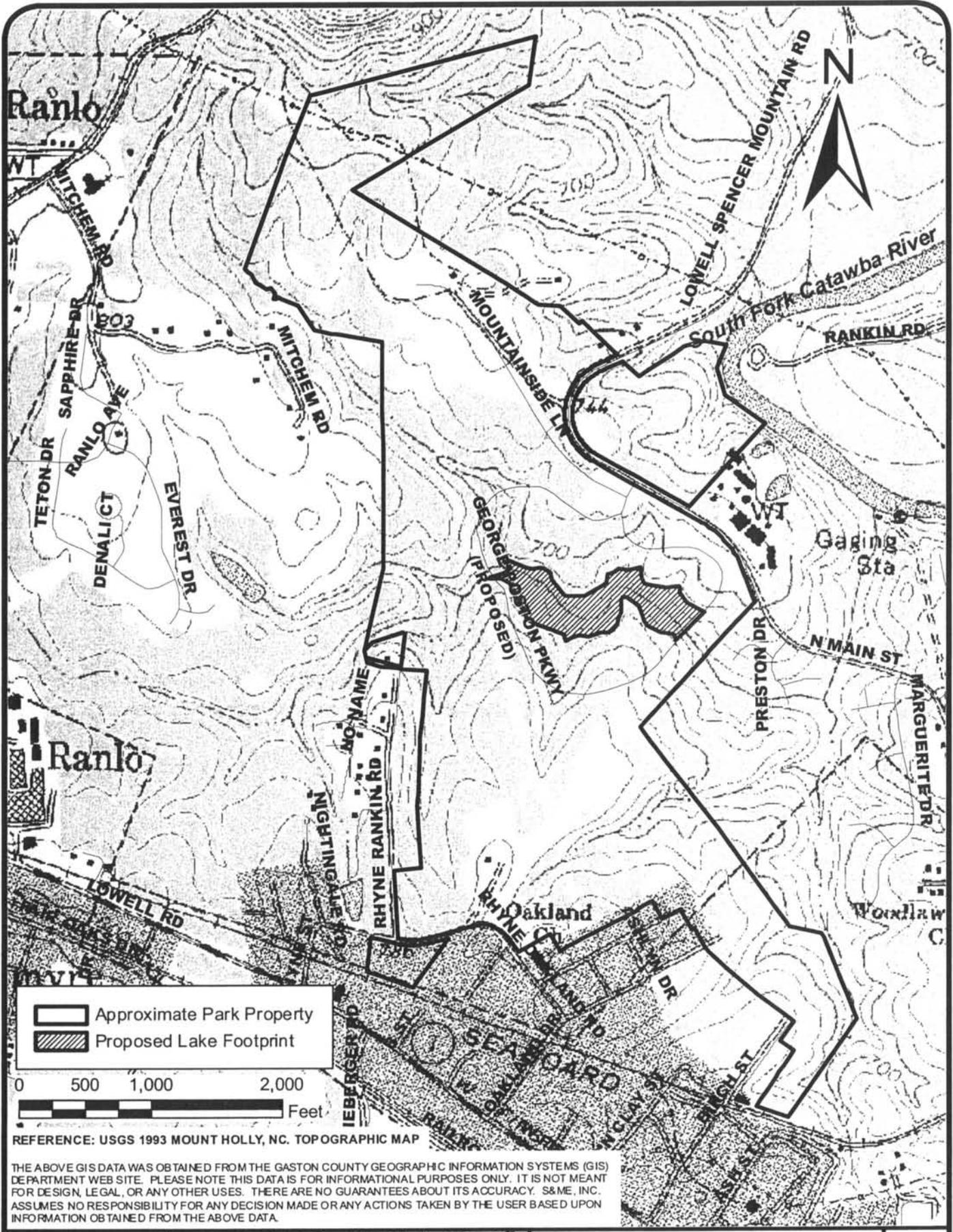


REFERENCE:
 THE ABOVE GIS DATA WAS OBTAINED FROM THE ESRI STREETMAP DATASET (2000). PLEASE NOTE THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT MEANT FOR DESIGN, LEGAL, OR ANY OTHER USES. THERE ARE NO GUARANTEES ABOUT ITS ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON INFORMATION OBTAINED FROM THE ABOVE DATA.

SCALE: AS SHOWN
 DATE: 06.27.07
 DRAWN BY: CJF/DDH
 PROJECT NO: 1356-07-007

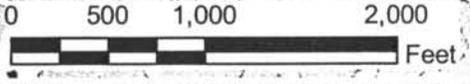


ACTION ID: SAW-2007-02323-336 Sheet 1 of 8
SITE VICINITY MAP
 Proposed Poston Park Dam
 Lowell, North Carolina
 FIGURE NO. **1**



Approximate Park Property

 Proposed Lake Footprint



REFERENCE: USGS 1993 MOUNT HOLLY, NC. TOPOGRAPHIC MAP

THE ABOVE GIS DATA WAS OBTAINED FROM THE GASTON COUNTY GEOGRAPHIC INFORMATION SYSTEMS (GIS) DEPARTMENT WEB SITE. PLEASE NOTE THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT MEANT FOR DESIGN, LEGAL, OR ANY OTHER USES. THERE ARE NO GUARANTEES ABOUT ITS ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON INFORMATION OBTAINED FROM THE ABOVE DATA.

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ACTION ID: SAW-2007-02323-336 Sheet 2 of 8

S&ME
WWW.SMEINC.COM

USGS TOPOGRAPHIC MAP

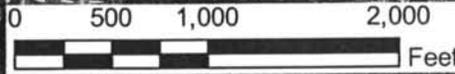
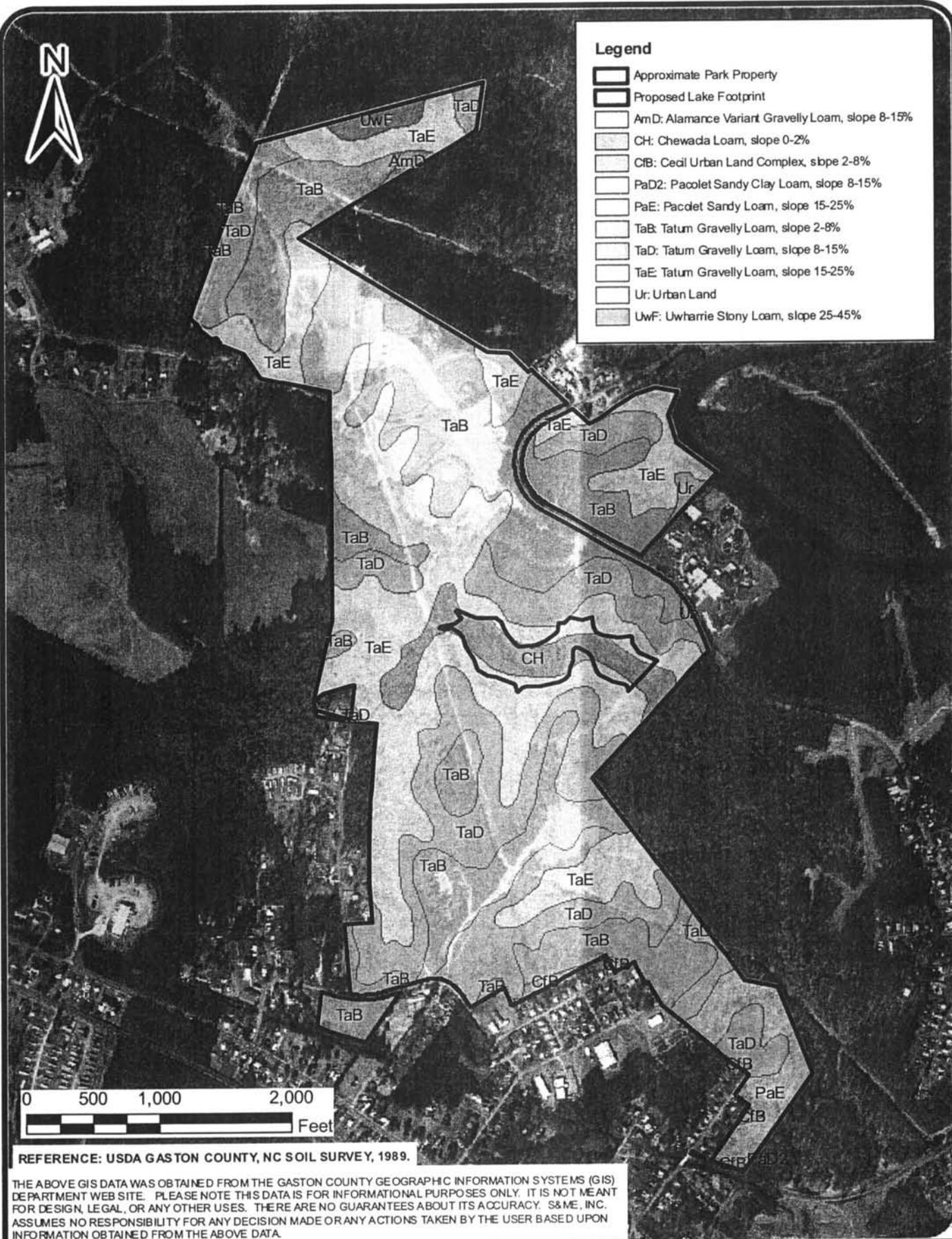
Proposed Poston Park Dam
Lowell, North Carolina

FIGURE NO. **2**



Legend

-  Approximate Park Property
-  Proposed Lake Footprint
-  AmD: Alamance Variant Gravelly Loam, slope 8-15%
-  CH: Chewada Loam, slope 0-2%
-  CFB: Cecil Urban Land Complex, slope 2-8%
-  PaD2: Pacolet Sandy Clay Loam, slope 8-15%
-  PaE: Pacolet Sandy Loam, slope 15-25%
-  TaB: Tatum Gravelly Loam, slope 2-8%
-  TaD: Tatum Gravelly Loam, slope 8-15%
-  TaE: Tatum Gravelly Loam, slope 15-25%
-  Ur: Urban Land
-  UwF: Uwharrie Stony Loam, slope 25-45%



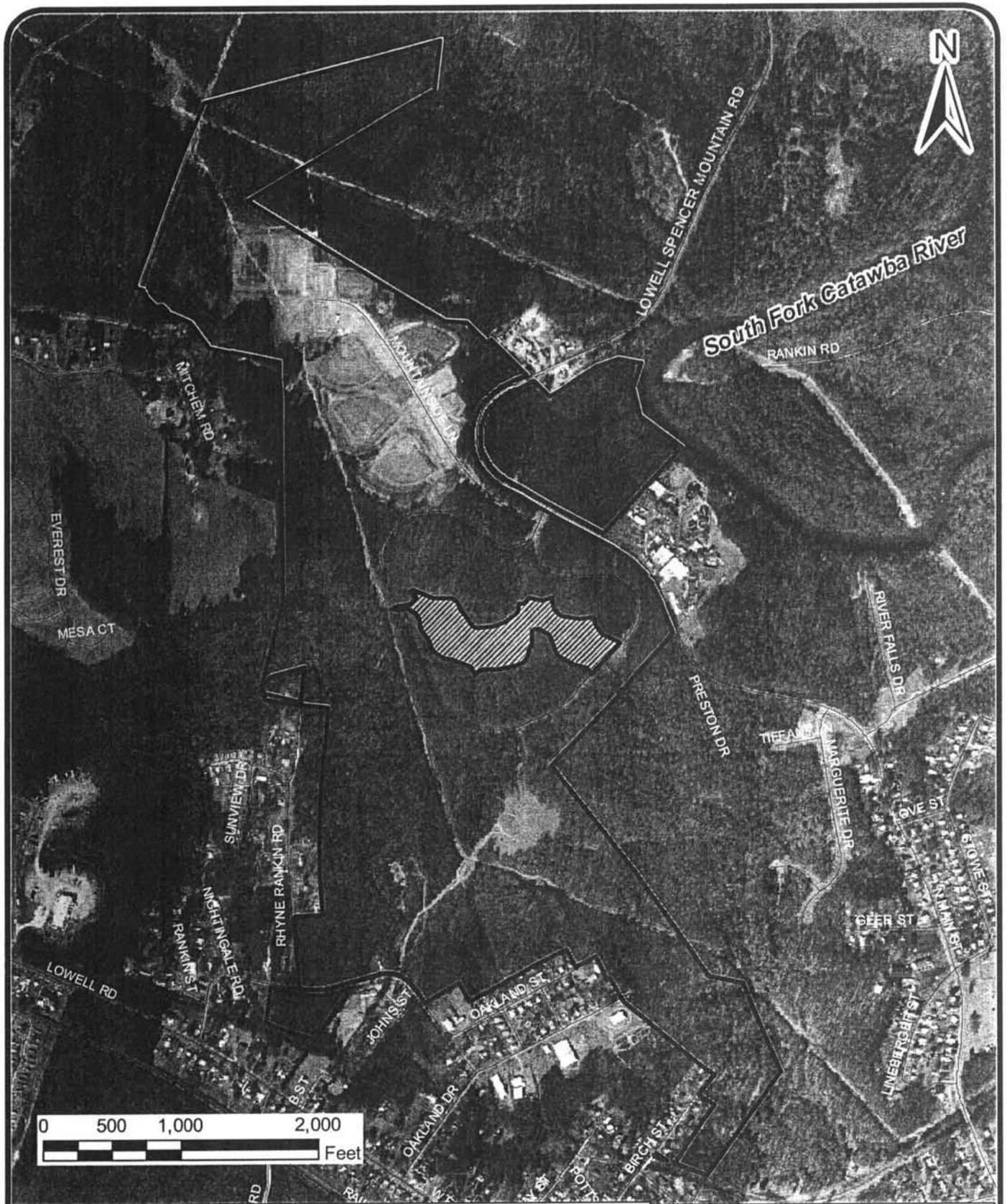
REFERENCE: USDA GASTON COUNTY, NC SOIL SURVEY, 1989.

THE ABOVE GIS DATA WAS OBTAINED FROM THE GASTON COUNTY GEOGRAPHIC INFORMATION SYSTEMS (GIS) DEPARTMENT WEB SITE. PLEASE NOTE THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT MEANT FOR DESIGN, LEGAL, OR ANY OTHER USES. THERE ARE NO GUARANTEES ABOUT ITS ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON INFORMATION OBTAINED FROM THE ABOVE DATA.

SCALE: AS SHOWN
 DATE: 06.07.07
 DRAWN BY: CJF/DDH
 PROJECT NO: 1356-07-007



ACTION ID. SAW-2007-02323-336 Sheet 3 of 8
SOIL SURVEY MAP
 Proposed Poston Park Dam
 Lowell, North Carolina
 FIGURE NO. **3**



REFERENCE:

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-  Approximate Park Property
-  Proposed Lake Footprint

SCALE: AS SHOWN
 DATE: 06.27.07
 DRAWN BY: DDH
 PROJECT NO: 1356-07-007

ATTION ID. SAU-2007-02323-336 Sheet 4 of 8

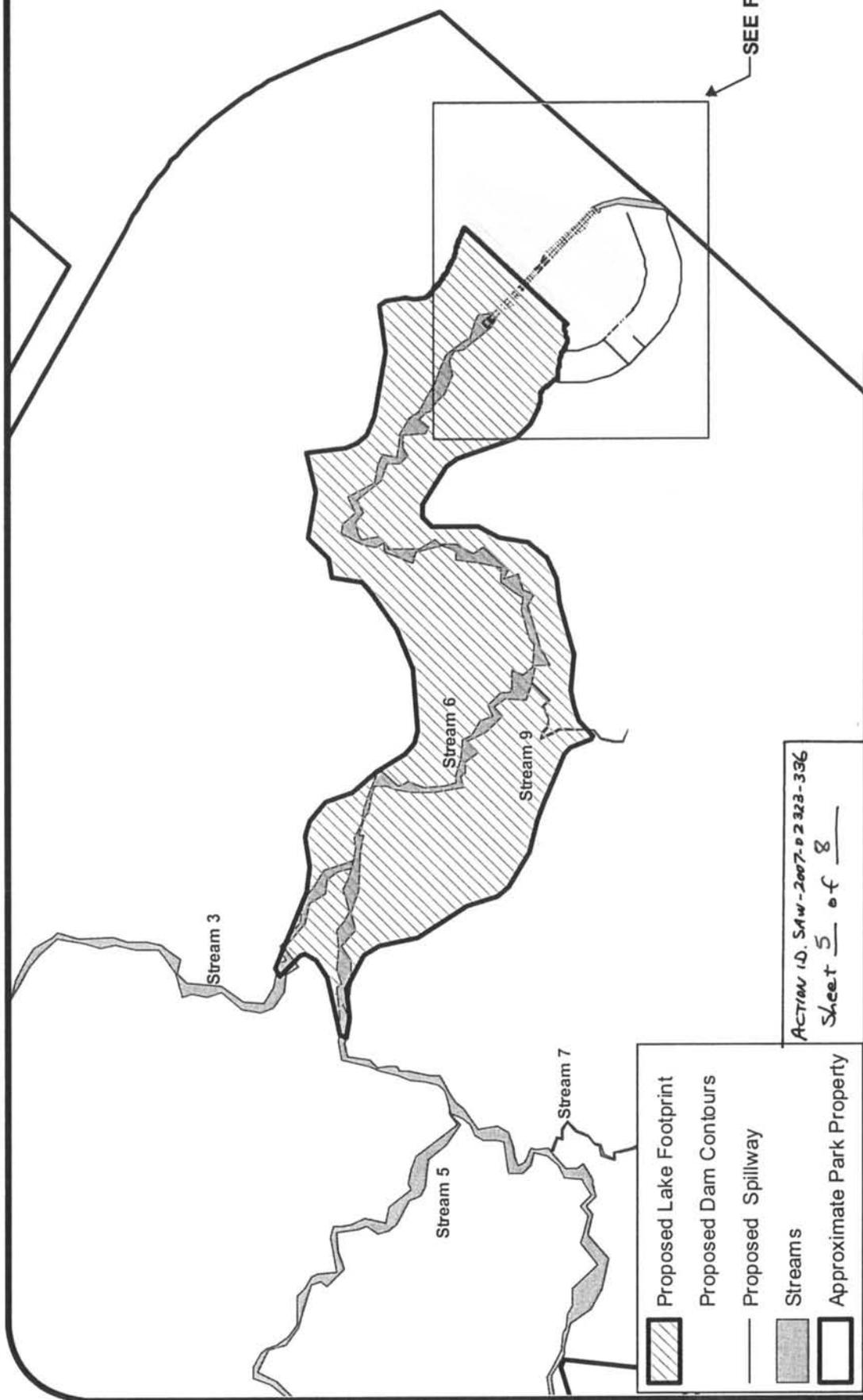


**2000
 AERIAL PHOTOGRAPH**

Proposed Poston Park Dam
 Lowell, North Carolina

FIGURE NO.

4



SEE FIGURE 7

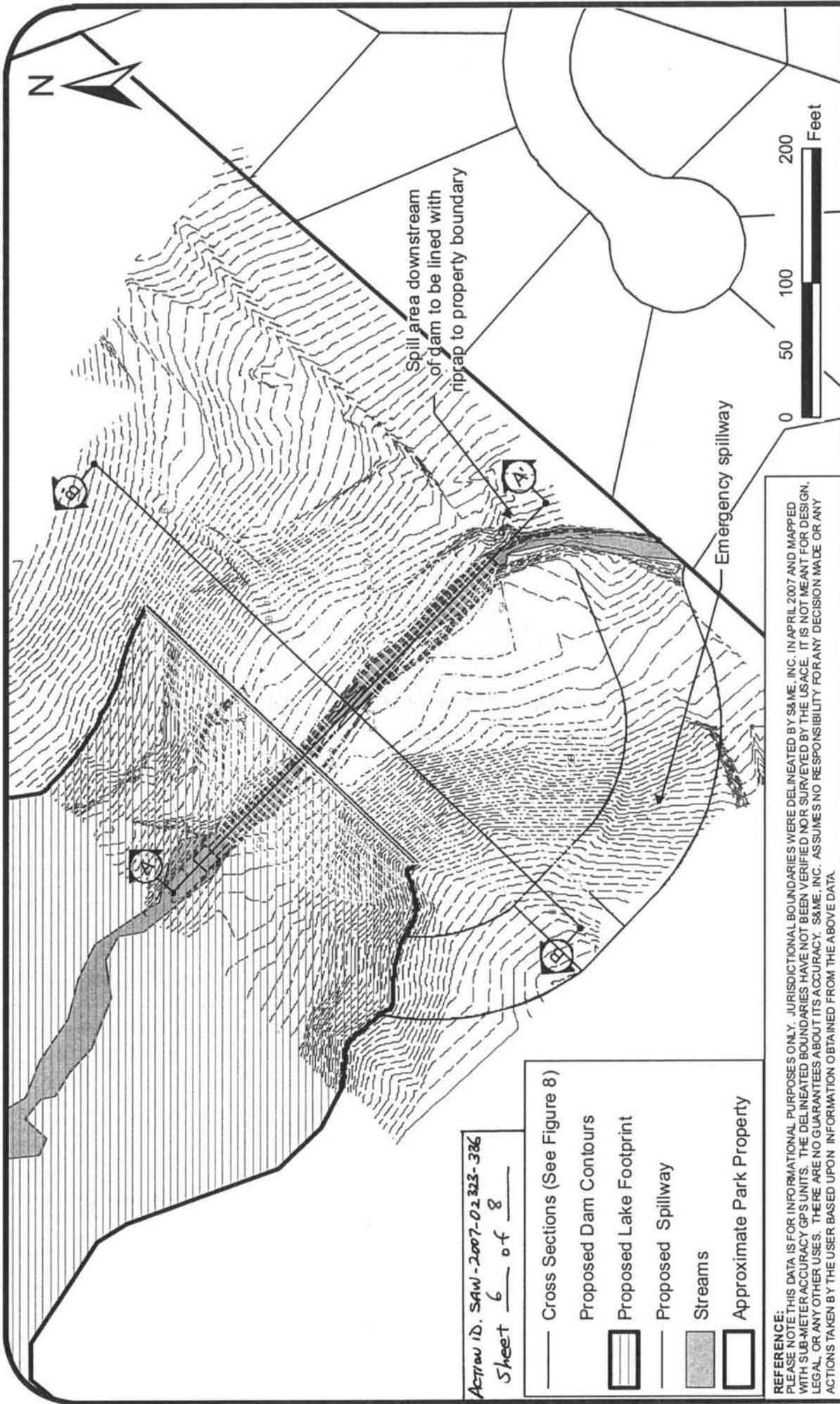


ACTON I.D. SAU-2007-02323-336
 Sheet 5 of 8

-  Proposed Lake Footprint
-  Proposed Dam Contours
-  Proposed Spillway
-  Streams
-  Approximate Park Property

REFERENCE: THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY. JURISDICTIONAL BOUNDARIES WERE DELINEATED BY S&ME, INC. IN APRIL 2007 AND MAPPED WITH SUB-METER ACCURACY GPS UNITS. THE DELINEATED BOUNDARIES HAVE NOT BEEN VERIFIED NOR SURVEYED BY THE USACE. IT IS NOT MEANT FOR DESIGN, LEGAL, OR ANY OTHER USES. THERE ARE NO GUARANTEES ABOUT ITS ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON INFORMATION OBTAINED FROM THE ABOVE DATA.

SCALE: AS SHOWN PROJECT NO: 1356-07-007	DATE: 06.28.07 DRAWN BY: CHR/DDH CHECKED BY: LJB	 <p>PROPOSED LAKE FOOTPRINT Proposed Poston Park Dam Lowell, North Carolina</p>
		FIGURE NO: 6



Spill area downstream of dam to be lined with riprap to property boundary

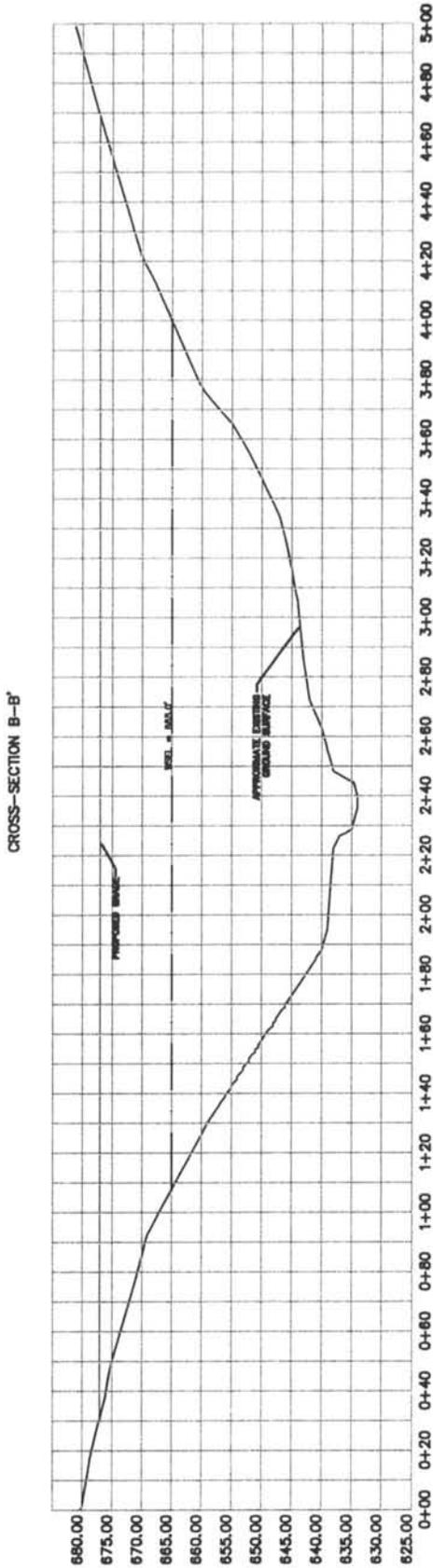
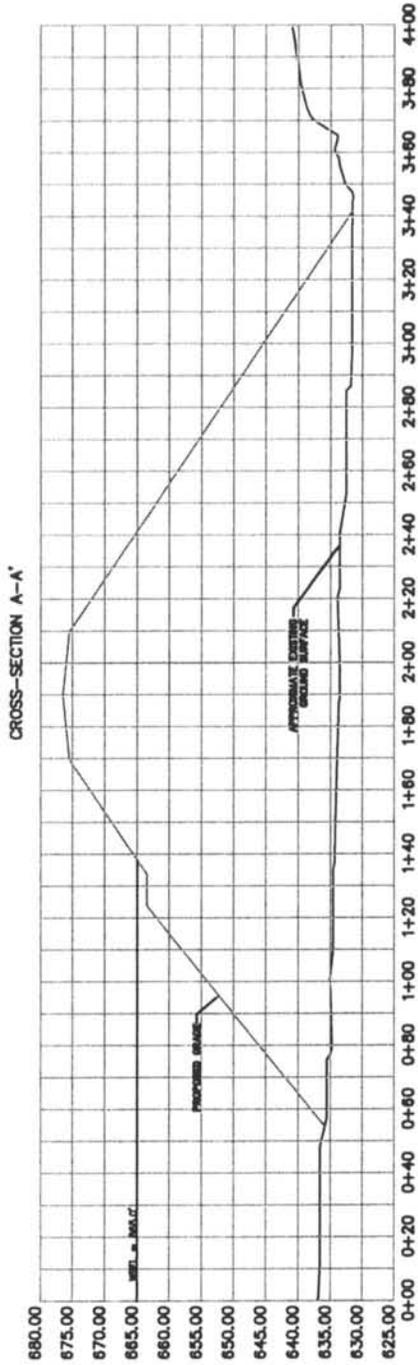
Emergency spillway

Action ID: SAW-2007-02 323-386
 Sheet 6 of 8

- Cross Sections (See Figure 8)
- Proposed Dam Contours
- ▬ Proposed Lake Footprint
- Proposed Spillway
- ▬ Streams
- ▭ Approximate Park Property

REFERENCE: SCALE: AS SHOWN DATE: 06.28.07
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<p>PROPOSED DAM FOOTPRINT Proposed Poston Park Dam Lowell, North Carolina</p>		<p>FIGURE NO: 7</p>
 <p>S&ME WWW.SMEINC.COM</p>		
<p>SCALE: AS SHOWN</p>	<p>DATE: 06.28.07</p>	
<p>PROJECT NO: 1356-07-007</p>	<p>DRAWN BY: CHR/DDH</p>	<p>CHECKED BY: LJB</p>



ACTION I.D. SAW-2007-02323-336
Sheet 7 of 8

FIGURE NO.

8

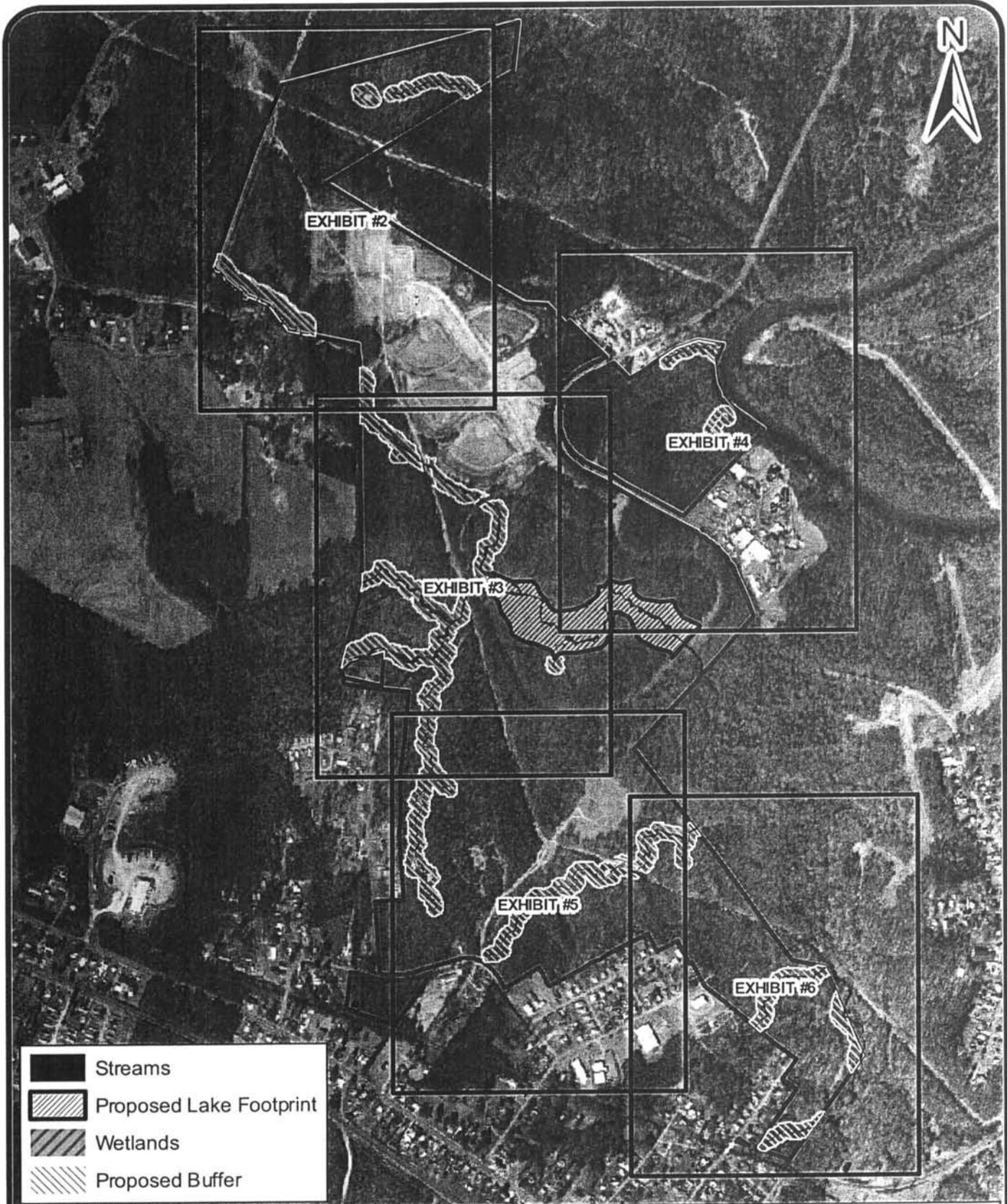
**CROSS-SECTIONS
A-A' AND B-B'**
PROPOSED POSTON PARK DAM
LOWELL, NORTH CAROLINA



SCALE: AS SHOWN
DATE: 06.22.07

PROJECT NO. 1356-07-007
DRAWN BY: CHR

CHECKED BY: LJB



	Streams
	Proposed Lake Footprint
	Wetlands
	Proposed Buffer

REFERENCE:
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SCALE: 1"=1000'
 DATE: 06-26-07
 DRAWN BY: DDH
 PROJECT NO: 1356-07-007

ACTION ID: SAU-2007-02323-336 Sheet 8 of 8



**PROPOSED MITIGATION
 BUFFERS: INDEX**

Proposed Poston Park Dam
 Lowell, North Carolina

EXHIBIT NO.
1
 OF 6