



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: July 13, 2007
Comment Deadline: August 13, 2007
Corps Action ID: 2000-671-026

The Wilmington District, Corps of Engineers (Corps) has received an application from Kings Grant Club seeking Department of the Army authorization to impact 0.17 acres of wetlands associated with the construction of an access road, parking areas and four multifamily buildings to facilitate the development of Lionshead Condominiums in Kings Grant Subdivision, in Fayetteville, Cumberland 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: Kings Grant Club
Attn: Sol Rose
104 Gillespie Street
Fayetteville, North Carolina 28301

AGENT (if applicable): Charlie Hollis
138 Green Forest Drive
Wilmington, North Carolina 28409

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 (CWA).

Location

The project is located in Kings Grant subdivision, at the end of Lionshead Road, east of US Highway 401 (Ramsey Street), in Fayetteville, Cumberland County, North Carolina. (latitude 35.13917 and longitude -78.89041).

Existing Site Conditions

The property is approximately 5 acres in size and is gently sloping. The site is completely wooded with pine trees and contains approximately 2.5 acres of palustrine, broad-leaved forested wetlands. The soils present at the site are Gilead loamy sand and Johnston loam. The surrounding properties are a mix of residential and wooded land.

Applicant's Stated Purpose

The purpose of the project is to provide residential housing.

Project Description

The proposed project, known as Lionshead Condominiums, will consist of the construction of an access road and the cutting of hillsides for the construction of the four multifamily buildings and residential parking. The construction of the access road will result in impacts to 0.079 acres of wetlands and the construction of the buildings will result in impacts to 0.086 acres of wetlands.

This project and two other projects located in Kings Grant subdivision were permitted in December 17, 2001. This project was not completed and the permit expired on December 17, 2007.

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), 2321 Crabtree Boulevard, Suite 250, Raleigh, North Carolina 27604-2260, Attention: Ms. Cyndi Karoly by August 6, 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. 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

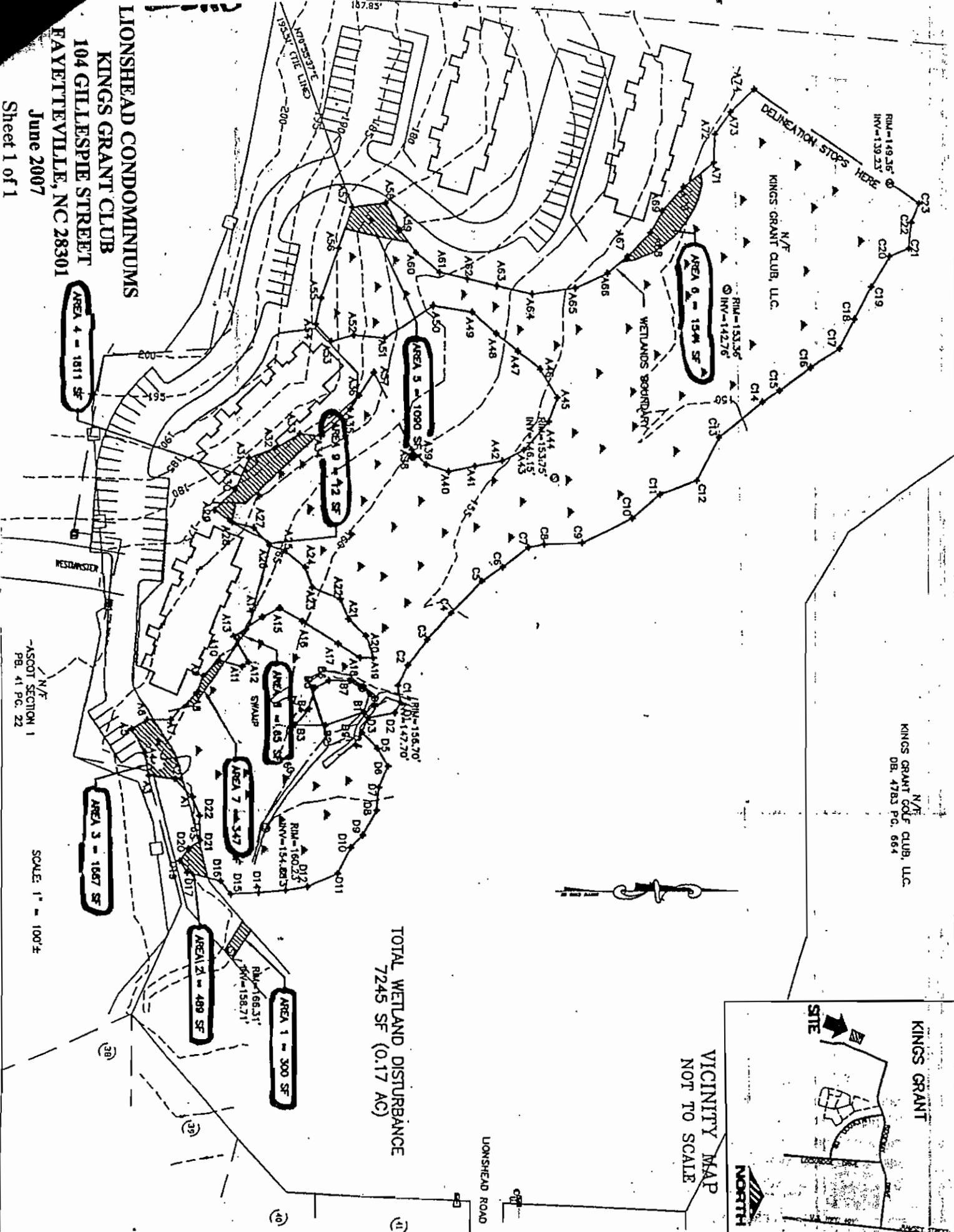
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably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

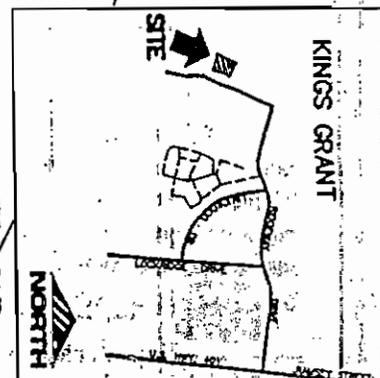
The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. 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, August 13, 2007. Comments should be submitted to Ronnie Smith at P.O. Box 1890, Wilmington, NC 28402.



KINGS GRANT N/F
 KING'S GRANT CLUB, LLC
 DB. 4783 PG. 664



TOTAL WETLAND DISTURBANCE
 7245 SF (0.17 AC)

LIONSHEAD CONDOMINIUMS
 KINGS GRANT CLUB

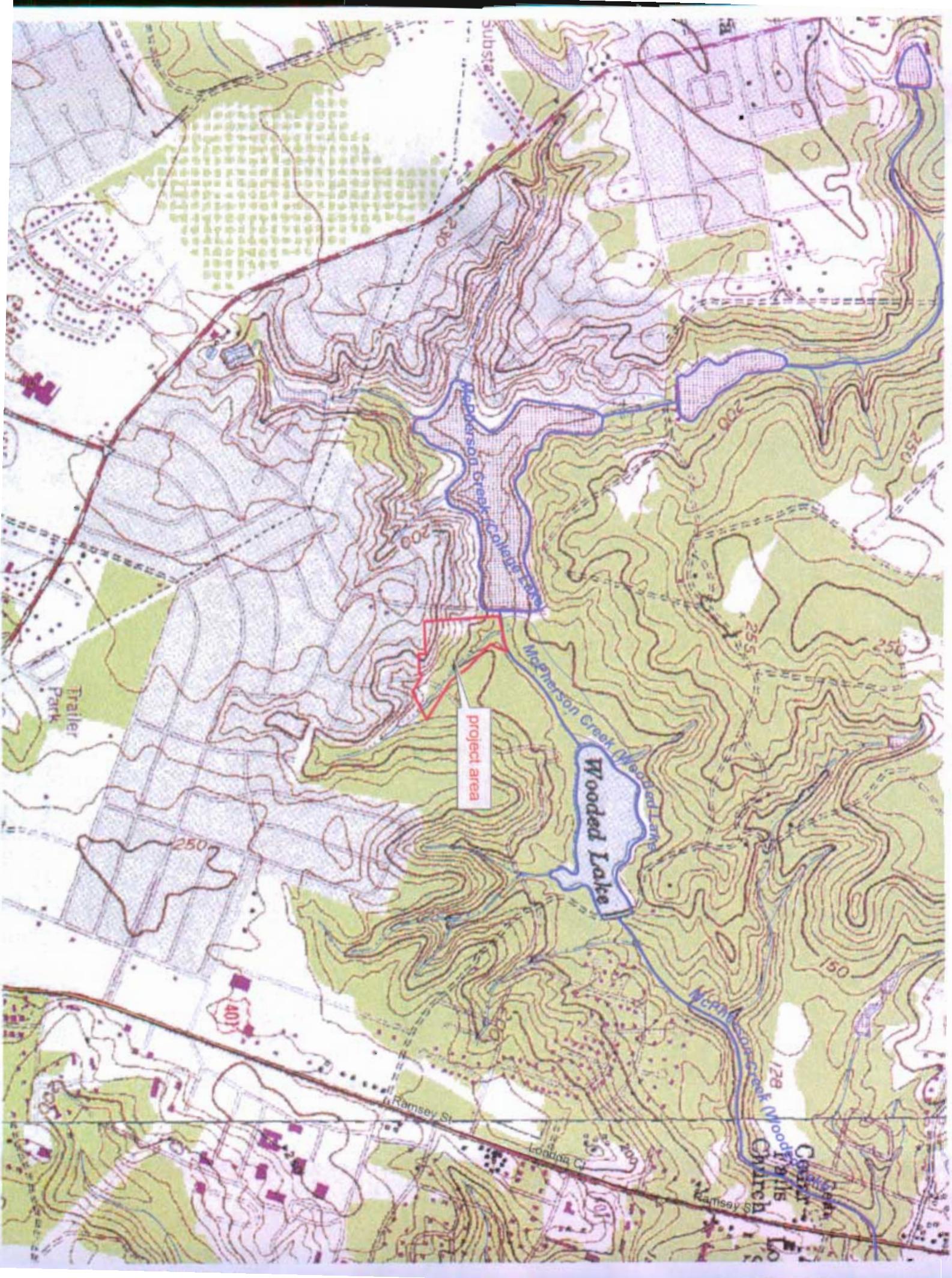
104 GILLESPIE STREET
 FAYETTEVILLE, NC 28301

June 2007
 Sheet 1 of 1

N/F
 -ASCOT SECTION 1
 PG. 41 PG. 22

SCALE: 1" = 100'

LIONSHEAD ROAD



project area

Substation

Trailer Park

Wooded Lake

McPherson Creek (Woods and Lake)

North

128 Wooded Falls Church

Ramsey St

London Ct

Ramsey St

101



Southport Rd

Hidden Valley Dr

Chesapeake Rd

Flat Rock Dr

Waterbury Dr

Rockingham Rd

Washington Creek (College Lake)

Remington Rd

Nottingham Dr

Nottingham Dr

Westminister Dr

Westminister Dr

Nottingham Dr

Norfolk Ct

Washington Creek (Natural Lake)

project area

Cooper Rd

Lonshead Rd

Rodwell Dr

Maryland Dr