



**US Army Corps
Of Engineers**
Wilmington District

PUBLIC NOTICE

Issue Date: May 30, 2008
Comment Deadline: June 30, 2008
Corps Action ID #: SAW-2007-1949-313

The Wilmington District, Corps of Engineers (Corps) has received an application from Orleans Homebuilders, Attn: Mr. Jeff Jackson, seeking Department of the Army authorization to impact 0.07 acres of wetland and 600 linear feet of stream channel in and adjacent to unnamed tributaries of the Rocky River to construct subdivision road and sewer line crossings at the existing Wellington Chase Subdivision, located northwest of the intersection of NC Highway 73 and Odell School Road (SR 1442 west of Kannapolis, Cabarrus 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: Orleans Homebuilders
700 Forest Point Circle, Suite 102
Charlotte, North Carolina 28273

AGENT (if applicable): Environmental Services Inc.
Attn: Paul Petitgout
9401-C Southern Pine Blvd.
Charlotte, North Carolina 28273

Authority

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

Location

The proposed project is located adjacent to the site of the existing Wellington Chase Subdivision, west of Kannapolis at the end of Lockwood Road and to the northwest of the intersection of HC Highway 73 and Odell School Road (SR 1442). Jim Johnson Road (SR 1602) is to the west of the project site. The project is in northwest corner of Cabarrus County at approximately 35.4468 degrees north latitude and 80.7417 degree west longitude and is in the Yadkin River Basin, Hydrologic Unit 03040105.

Existing Site Conditions

The Wellington Chase Subdivision occupies a total of approximately 173 acres. A smaller portion of the site, adjacent to Lockwood Road, is currently being developed for residential housing. The remainder of the site consists of a combination of forest land, dominated by sweetgum, black cherry, American beech, loblolly pine and eastern red cedar, and relic pasture that is largely treeless. Aquatic resources of the site include two upper perennial (first/second order) stream channels that flow from east to west across most of the site. These channels are generally 5 to 6 feet wide and are moderately incised. Areas of unstable, eroding stream bank are common. There is a third perennial channel (second/third order) that forms a portion of the western property boundary flowing in a southerly direction. Approximately 7900 linear feet of stream have been delineated on the property. All streams are unnamed tributaries to the Rocky River. Fourteen wetlands have been delineated adjacent to these streams. Most are small ranging in size from .01 to .27 acres. The 3 largest wetlands range from .86 to 2.5 acres. These wetlands are forested with sweetgum, sycamore, red maple and green ash and black willow. Softrush is a common ground cover in the wetlands. A Nationwide Permit No. 39, issued on May 8, 2006 and modified on August 15, 2006, authorized impacts to .01 acres of wetland and 16 linear feet of stream for sewer line crossings and 130 linear feet of stream impacts for construction of an access road into the site off NC Highway 73.

Applicant's Stated Purpose

The purpose of the proposed work is to expand the Wellington Chase development and include additional area for more home sites based on the applicant's identified need for increased housing in Cabarrus County.

Project Description

The applicant proposes to discharge dredged or fill material into a total of 0.07 acres of wetland at 3 locations (Sites 2, 3 and 4) and 600 linear feet of perennial channel at 4 locations (Sites 1, 4, 5 and 6). The purpose of the proposed work is to install additional sewer lines and construction additional road crossings to expand Wellington Chase residential development. New road crossings at Sites 4 and 5 will consist of 5-foot by 8-foot box culverts. A 6-foot by 9-foot box culvert will be constructed at Site 6. Double, 60-inch reinforced concrete pipes have been installed for the existing road crossing at Site 7. Rock riprap will be placed at the inlet and outlet ends of the culverts for scour protection. The lengths of the proposed culverts and riprap are shown in the enclosed Table 3. At Site 1, 95 linear feet of stream channel will be relocated utilizing natural channel design. Cumulative impacts for the entire project will include 0.08 acres of wetland and 746 linear feet of stream channel. The applicant proposes to mitigate for wetland and stream channel impacts through payment to the NC Ecosystem Enhancement Program. Plans showing the proposed 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 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, Raleigh, North Carolina 27604-2260 Attention: Ms Cyndi Karoly by June 30, 2008.

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

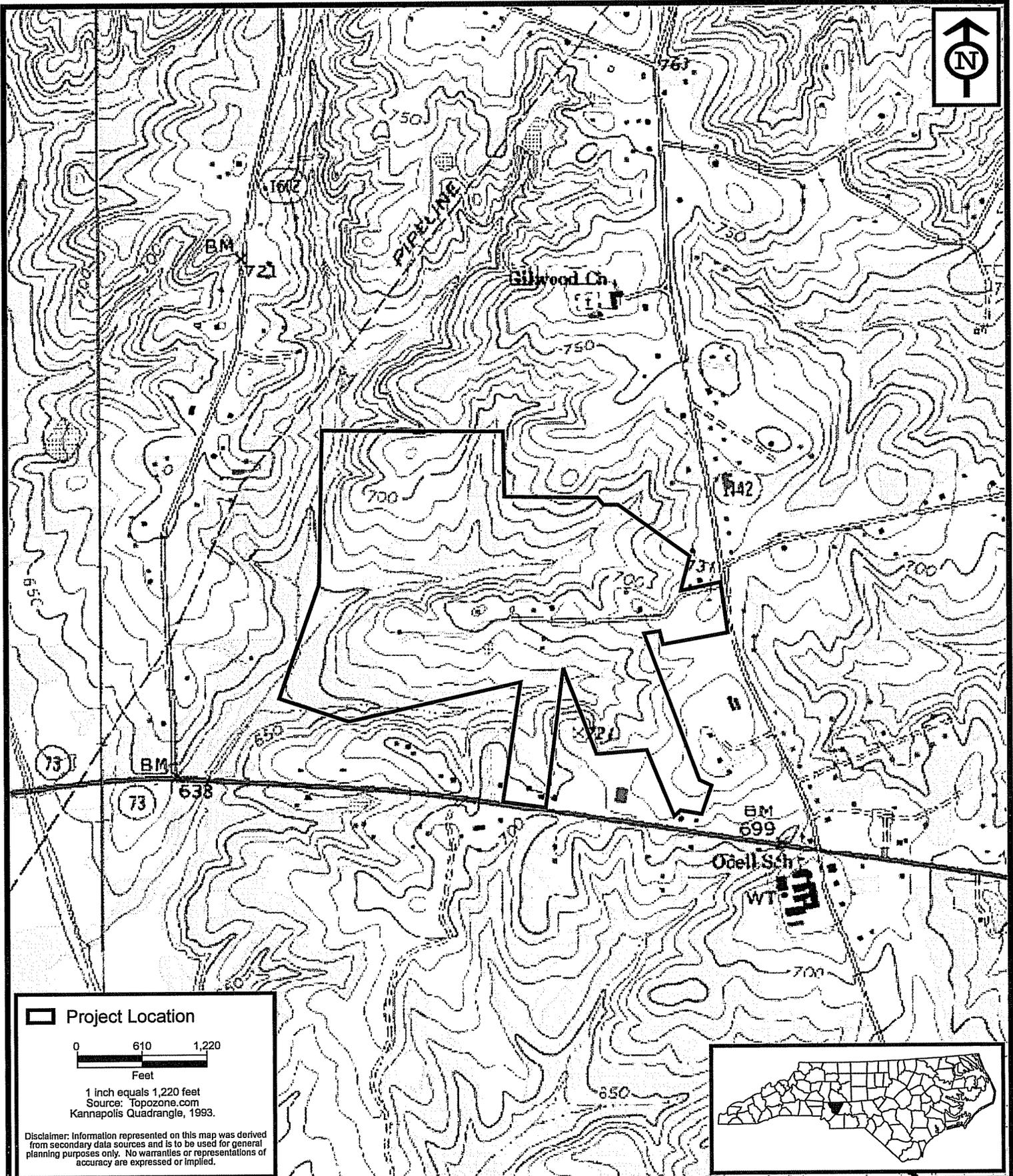
property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 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, June 30, 2008. Comments should be submitted to Mr. Steven Lund, US Army Corps of Engineers, Asheville Regulatory Field Office, 151 Patton Avenue, Room 208, Asheville, NC 28801-5006, telephone 828-271-7980.

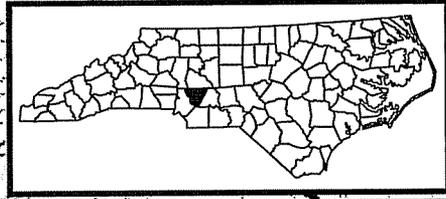


Project Location

0 610 1,220
Feet

1 inch equals 1,220 feet
Source: Topozone.com
Kannapolis Quadrange, 1993.

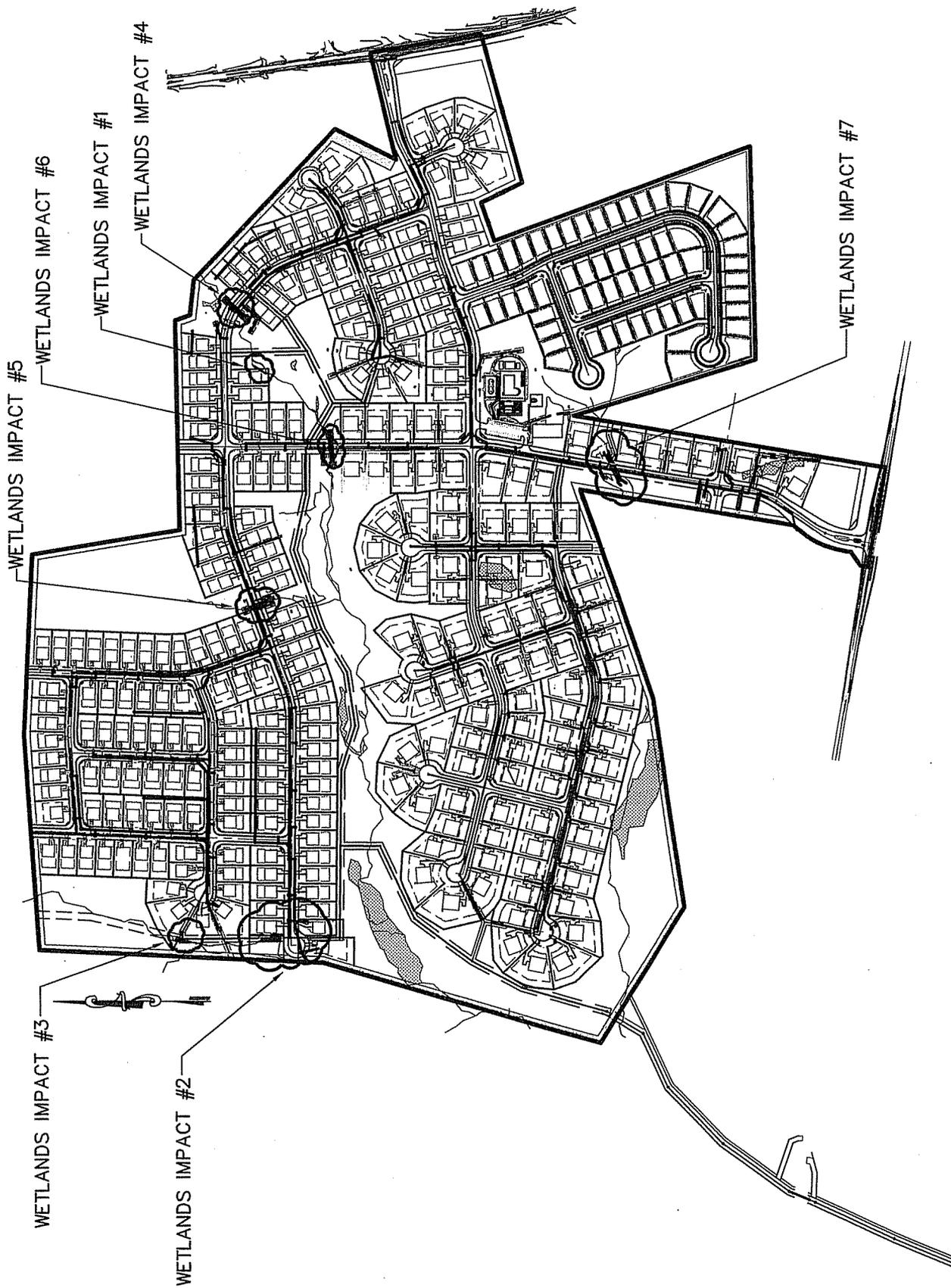
Disclaimer: Information represented on this map was derived from secondary data sources and is to be used for general planning purposes only. No warranties or representations of accuracy are expressed or implied.



ENVIRONMENTAL SERVICES, INC.
9600-G Southern Pine Boulevard
Charlotte, North Carolina 28273
(704) 523-7225
(704) 523-7226 Fax
www.environmentalservicesinc.com

Project Location/Topographic Map
Wellington Chase Development
 Cabarrus County, North Carolina

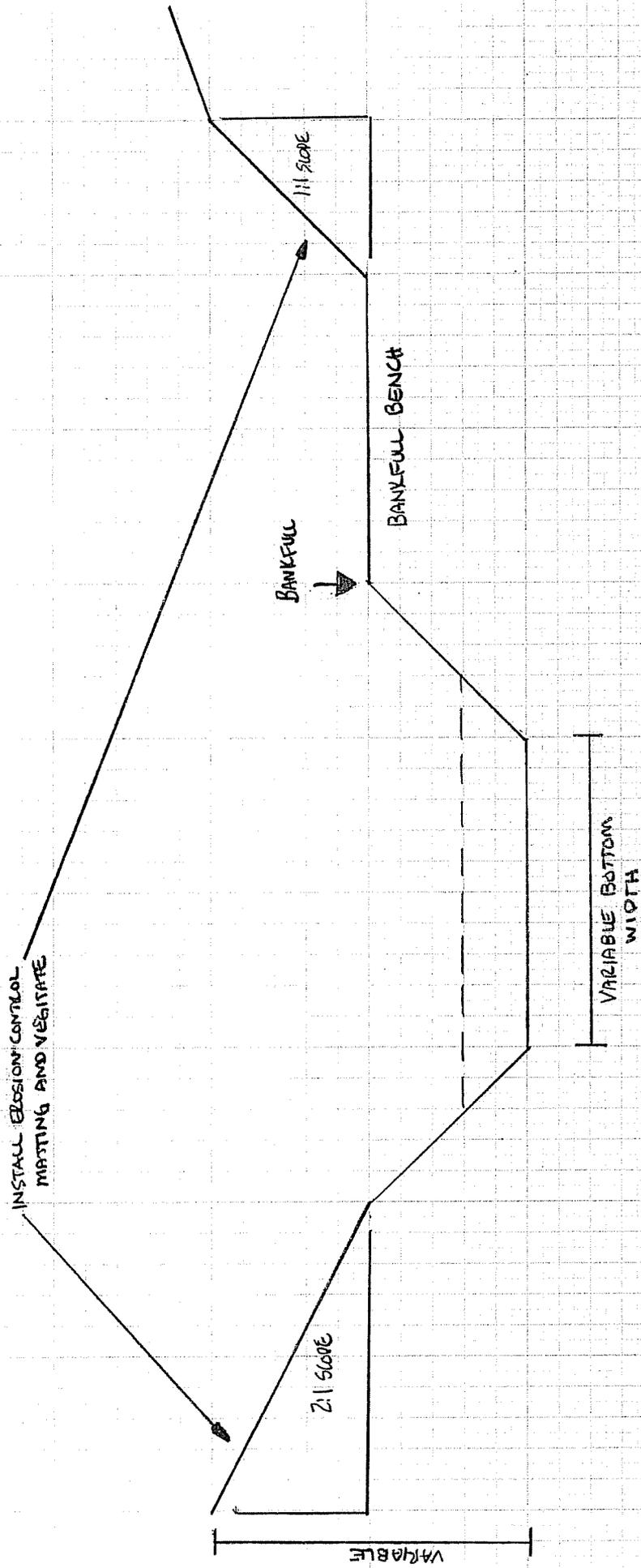
Project:	ET05004.00
Date:	May 2006
Drwn/Chkd:	JMB/SPP
Figure:	1 OF 15



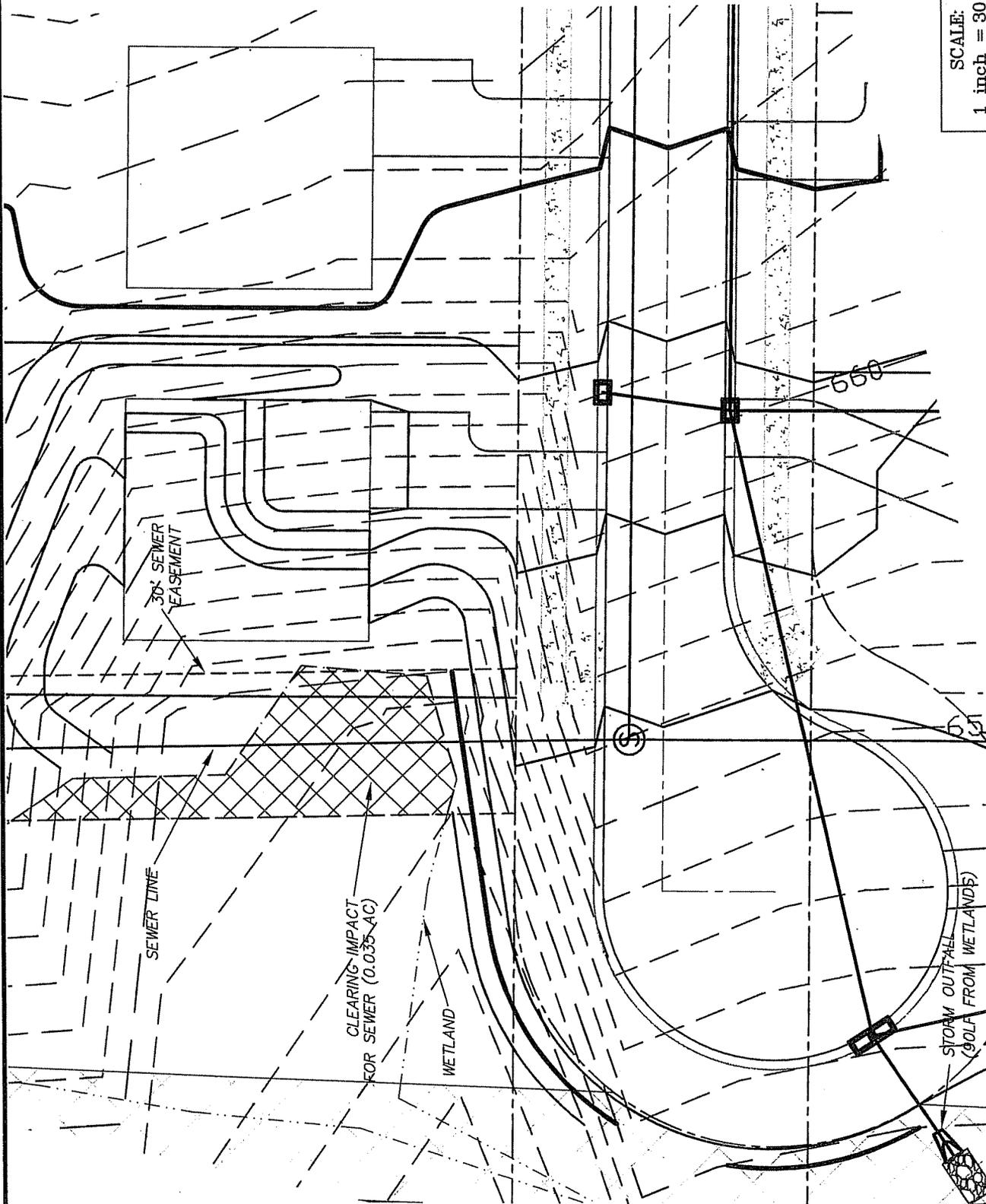
PROJECT: WELLINGTON CHASE SUBDIVISION
 ORLEANS HOMEBUILDERS
 WETLANDS IMPACTS
 OVERALL VIEW
RE: CITY OF KANNAPOLIS, NORTH CAROLINA
DATE: March 26, 2008

R. Joe Harris & Associates, P.L.L.C.
 Engineering • Planning • Management
1608 W. Hwy 160, Suite 210, Fort Mill, S.C. 29708 (803) 802-1799 Fax: (803) 802-0386





ORLEANS HOME BUILDERS
 FIGURE 4 OF 15
 WELINGTON CHASE S/D
 TYPICAL CROSS-SECTION



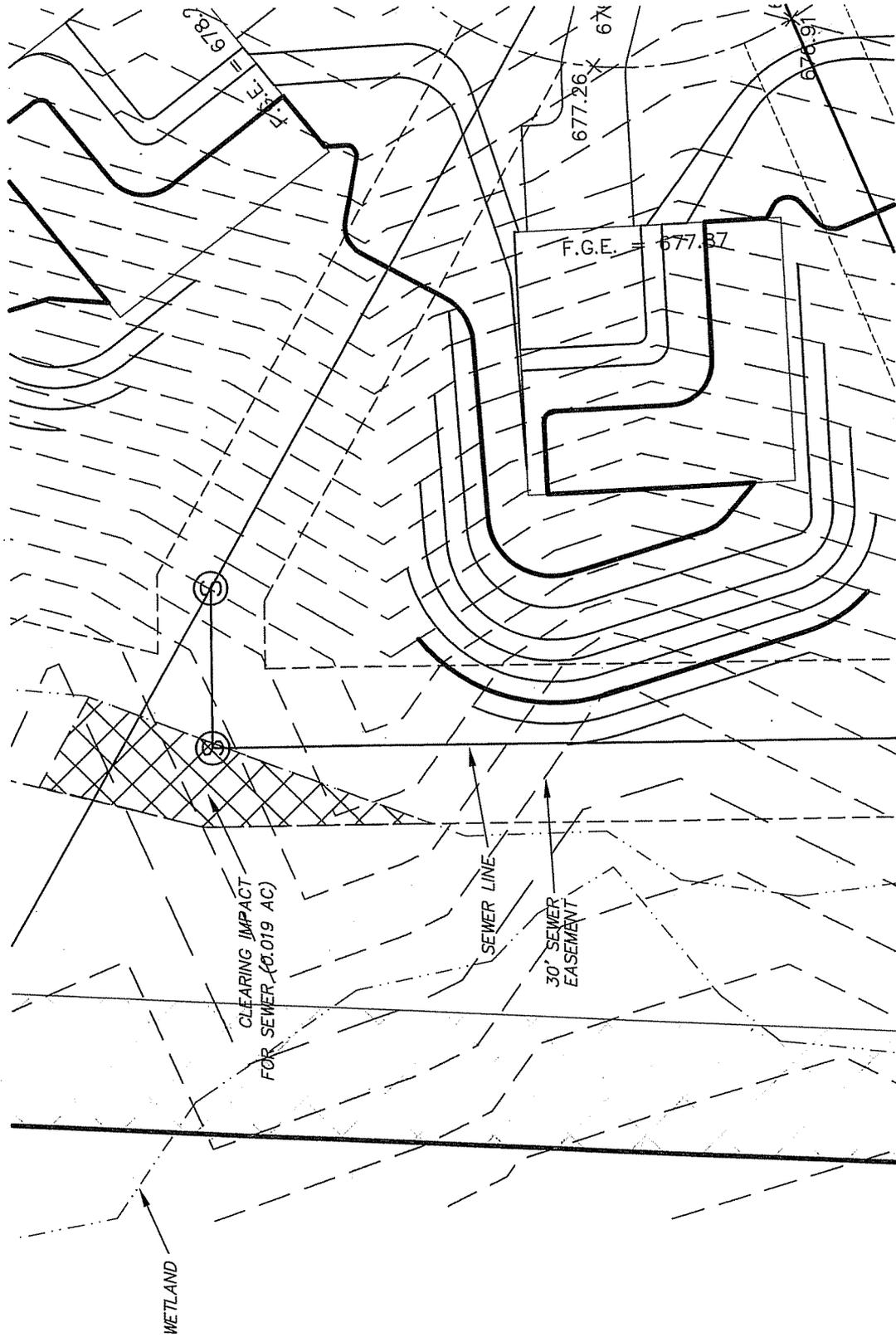
18" PVC (SDR 35) SEWER PIPE
 3' BELOW WETLAND (MIN)
 WETLAND SEWER CROSSING
 CROSS SECTION VIEW

SCALE:
 1 inch = 30 ft.

PROJECT: WELLINGTON CHASE SUBDIVISION
 ORLEANS HOMEBUILDERS
RE: WETLAND IMPACT #2
 Plan View
DATE: March 26, 2008

R. Joe Harris & Associates, P.L.L.C.
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SCALE:
1 inch = 30 ft.

PROJECT: WELLINGTON CHASE SUBDIVISION
ORLEANS HOMEBUILDERS

RE: WETLAND IMPACT #3
Plan View

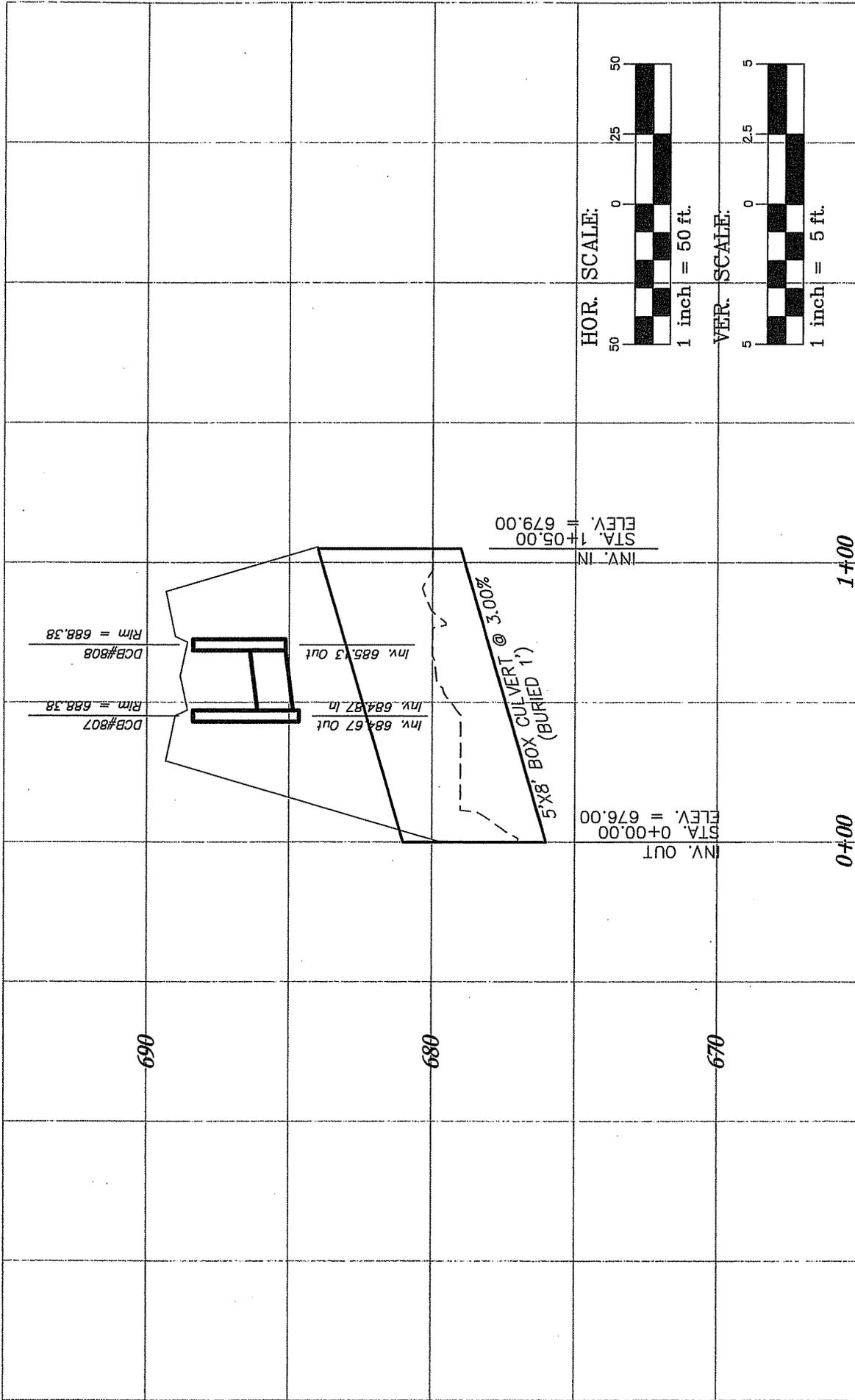
DATE: March 26, 2008
CITY OF KANNAPOLIS, NORTH CAROLINA

FIGURE 6 OF 15

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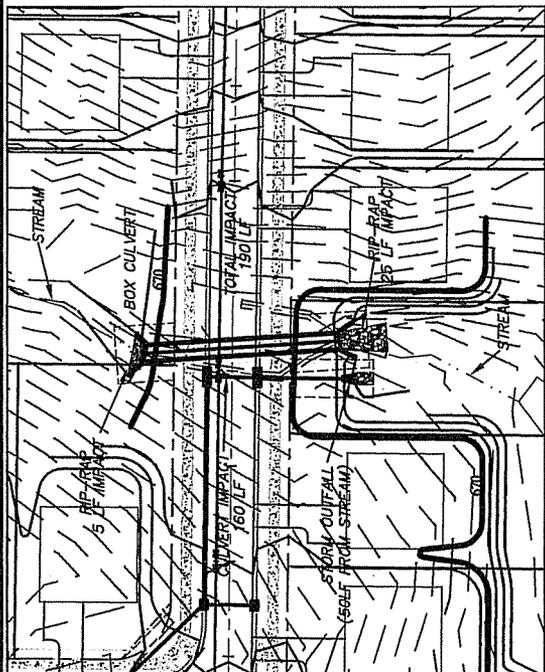
PROJECT: WELLINGTON CHASE SUBDIVISION
 ORLEANS HOMEBUILDERS
 WETLAND IMPACT #4
 Cross Section View
 Treeline Drive #2
 CITY OF KANNAPOLIS, NORTH CAROLINA
 March 26, 2008

RE:

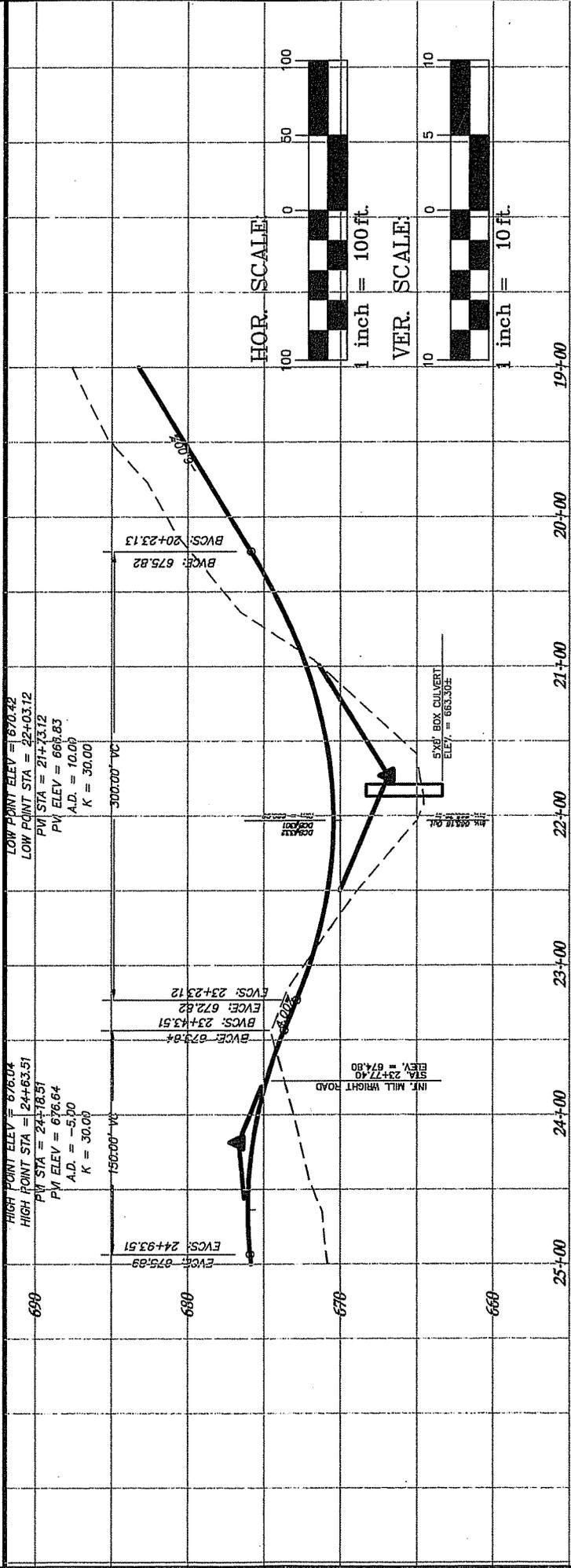
DATE:

R. Joe Harris & Associates, P.L.L.C.
 Engineering • Planning • Management
 1698 W. Hwy 160, Suite 210, Fort Mill, S.C. 29708 (803) 502-1799 Fax: (803) 502-0586





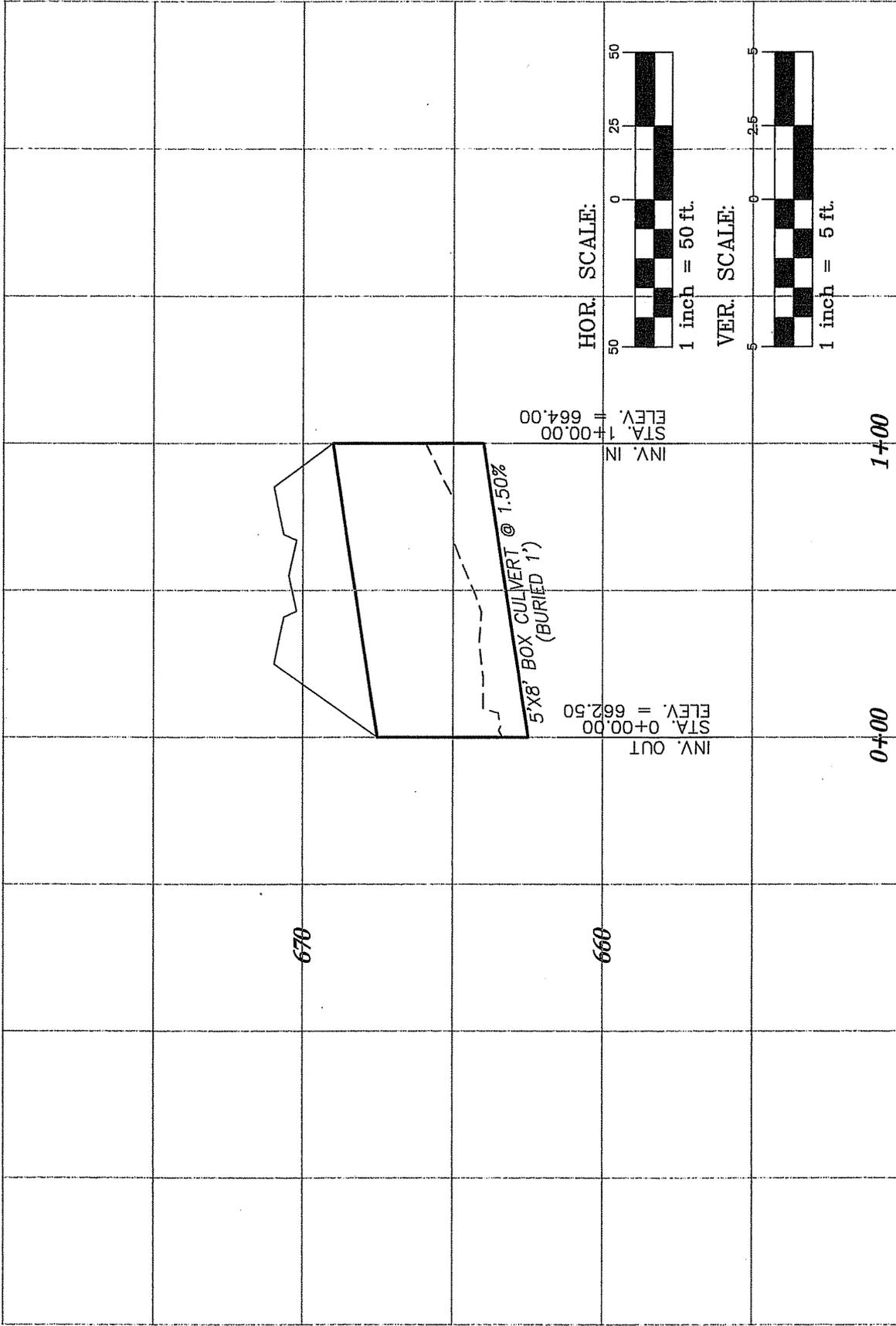
SCALE:
1 inch = 100ft.



PROJECT: WELLINGTON CHASE SUBDIVISION
ORLEANS HOMEBUILDERS
WETLAND IMPACT #5
RE: Plan & Profile
Treeline Drive culvert #1
DATE: March 26, 2008

R. Joe Harris & Associates, P.L.L.C.
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1688 W. Hwy 160, Suite 210, Fort Mill, S.C. 29708 (803) 502-1799 Fax (803) 502-6866





PROJECT: WELLINGTON CHASE SUBDIVISION
ORLEANS HOMEBUILDERS
WETLAND IMPACT #5
Cross Section View

RE: Treeline Drive culvert #1

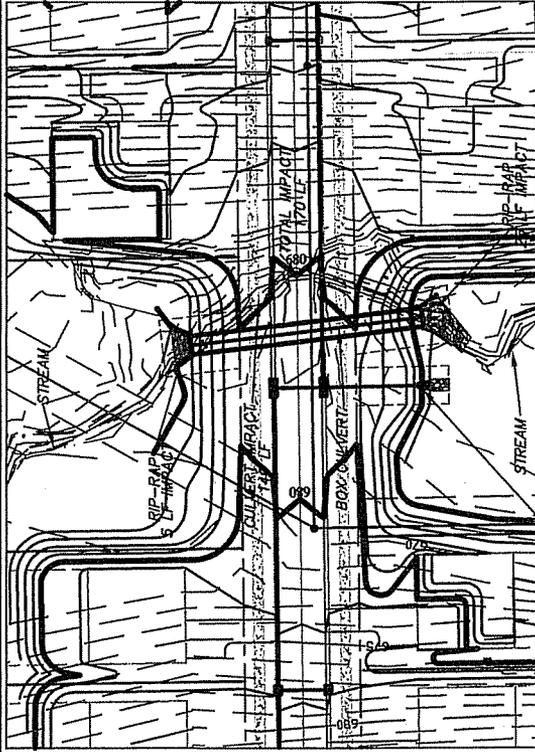
DATE: March 26, 2008

CITY OF KANNAPOLIS, NORTH CAROLINA

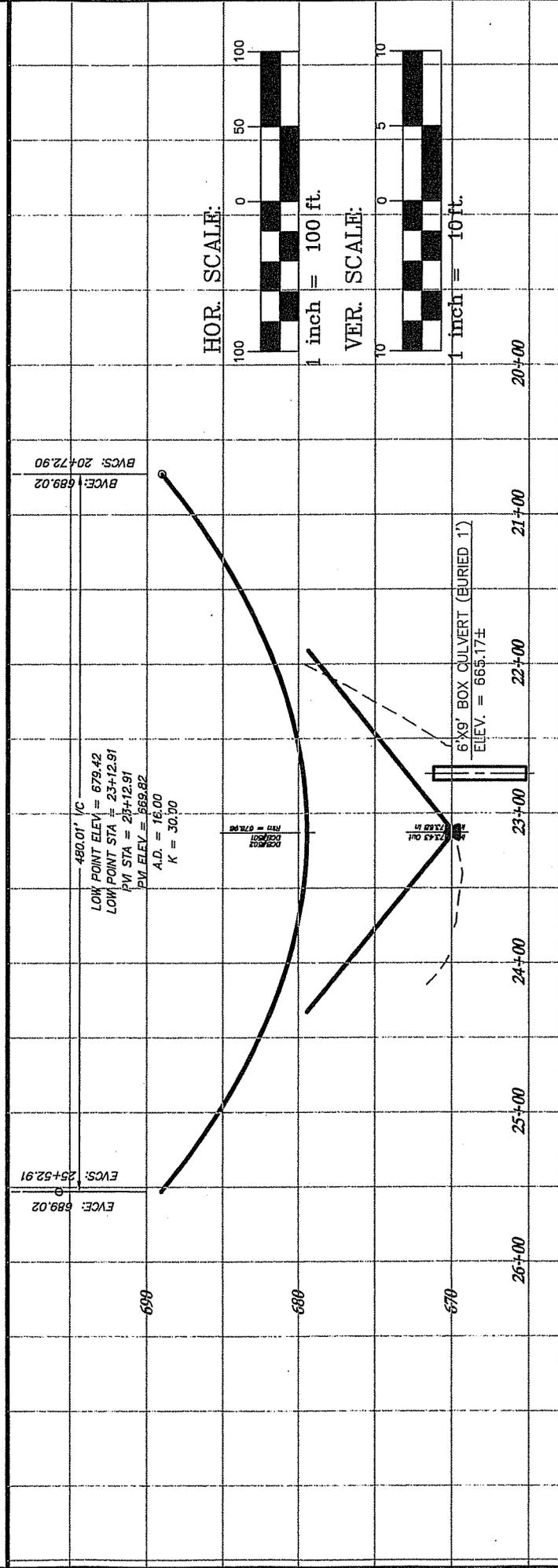
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SCALE:
1 inch = 100ft.



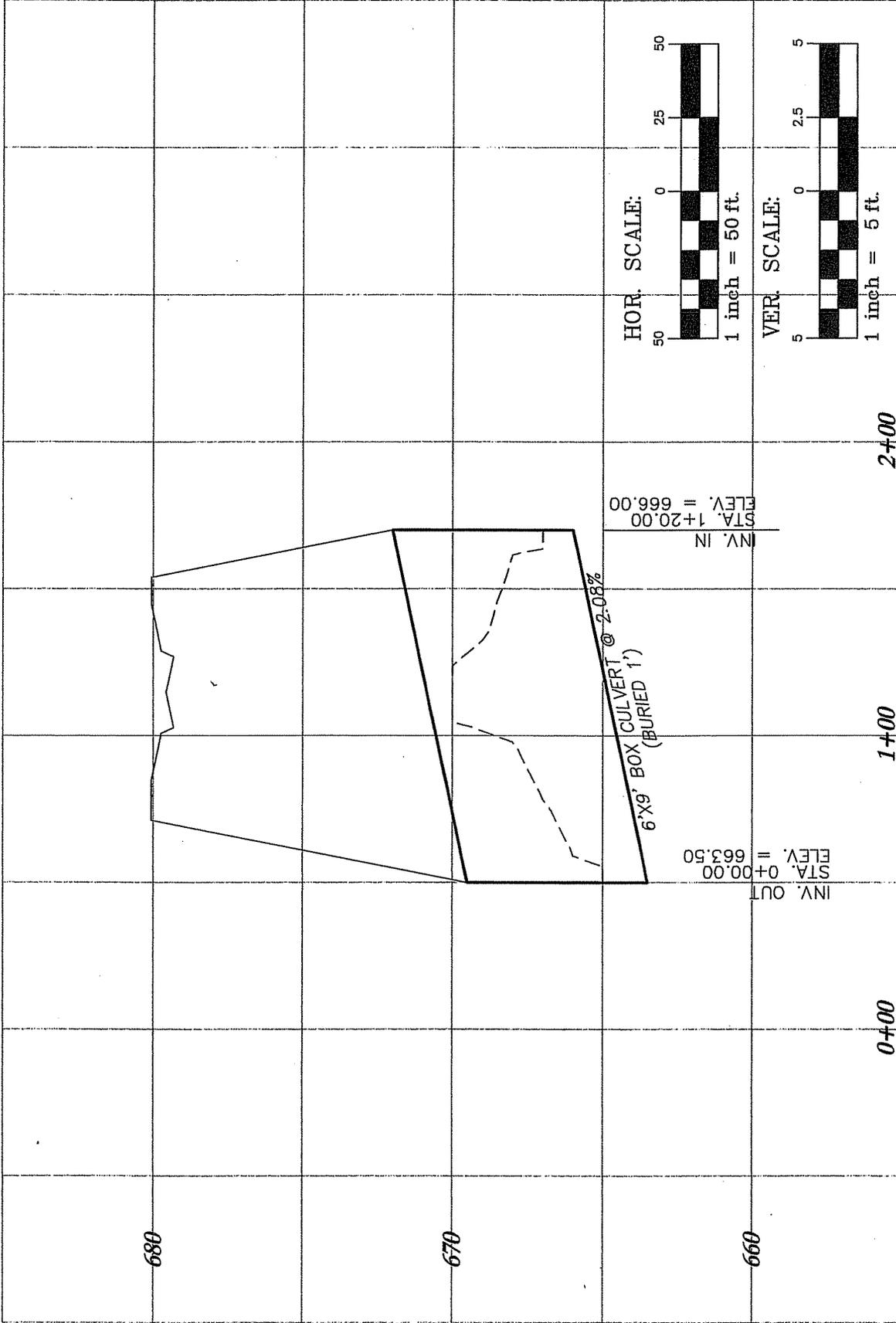
HOR. SCALE:
1 inch = 100 ft.

VER. SCALE:
1 inch = 10 ft.

PROJECT: WELLINGTON CHASE SUBDIVISION
ORLEANS HOMEBUILDERS
WETLAND IMPACT #6
Plan & Profile
Wellington Chase Drive culvert #2
CITY OF KANNAPOLIS, NORTH CAROLINA
March 26, 2008

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PROJECT: WELLINGTON CHASE SUBDIVISION
ORLEANS HOMEBUILDERS
WETLAND IMPACT #6
Cross Section View

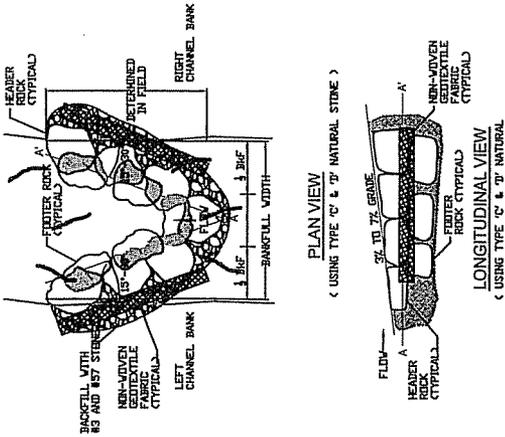
RE: Wellington Chase Drive culvert #2
CITY OF KANNAPOLIS, NORTH CAROLINA

DATE: March 26, 2008

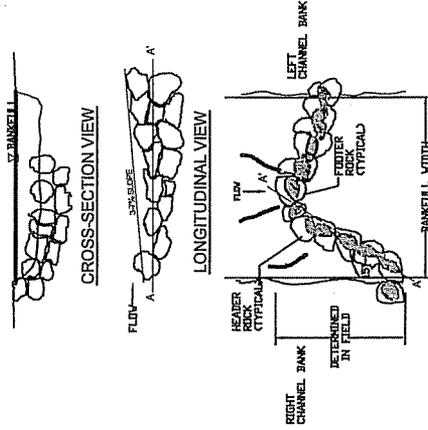
R. Joe Harris & Associates, P.L.L.C.
Engineering • Planning • Management

1698 W. Hwy 166, Suite 210, Fort Mill, S.C. 29715 (803) 802-1799 Fax: (803) 802-0886





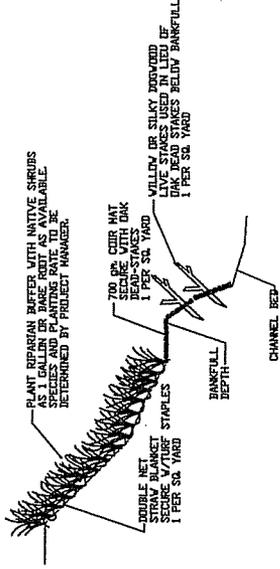
TYPICAL ROCK CROSS VANE DETAIL



PLAN VIEW

BASED ON ROSGEN'S APPLIED FLUVIAL GEOMORPHOLOGY FIELD MANUAL, 2001

TYPICAL ROSGEN ROCK J-HOOK DETAIL



TYPICAL RIPARIAN BUFFER VEGETATION

PROJECT: WELLINGTON CHASE SUBDIVISION
 ORLEANS HOMEBUILDERS
 WETLAND IMPACTS
 DETAILS

RE:

CITY OF KANNAPOLIS, NORTH CAROLINA

March 26, 2008

DATE:

FIGURE 13 OF 15

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Table 2. REVISED Wetlands Impact Summary

Wetland Impact Site Number	Type of Impact	Area of Impact (acres)	Located within 100-year Floodplain	Distance to Nearest Stream (linear feet)	Type of Wetland
Wetland Impacts Authorized in Nationwide Permit #39 (Action ID 2006-32781-313)					
1	Install sewer line	0.005	No	±50 lf	Forested
2	Install sewer line	0.007	No	±50 lf	Forested
Total NW #39 Impacts = 0.01 acre					
Additional Proposed Wetland Impacts					
Impact #2	Install sewer line	0.035	No	±200 lf	Forested
Impact #3	Install sewer line	0.019	No	±200 lf	Forested
Impact #4	Install culvert/ associated fill	0.016	No	±20 lf	Forested
Total Additional Impacts = 0.07 acre					
Total Proposed Wetland Impacts for Wellington Chase Development = 0.08 acre					

ORLEANS HOME BUILDERS

WELLINGTON CHASE SUBDIVISION

FIGURE 14 OF 15 MARCH 26, 2008

Table 3. REVISED Stream Impacts Summary

Stream Impacts Authorized in Nationwide Permit #39 (Action ID 2006-32781-313)					
Stream Impact Site Number	Type of Impact	Length of Impact (lf)	Stream Name	Average Width of Stream Before Impact (lf)	Perennial or Intermittent
1a	Install sewer line	4 lf	UT to Rocky River	±5 lf	Perennial
2a	Install sewer line	4 lf	UT to Rocky River	±5lf	Perennial
3a	Install sewer line	4 lf	UT to Rocky River	±5 lf	Perennial
4a	Install sewer line	4 lf	UT to Rocky River	±5 lf	Perennial
Impact #7	Install Culvert	121 lf	UT to Rocky River	±5 lf	Perennial
Impact #7	Install rip rap	10 lf	UT to Rocky River	±5 lf	Perennial
Total NW #39 Impacts = 146 lf					
Additional Proposed Stream Impacts					
Impact #4	Install culvert	115 lf	UT to Rocky River	±5 lf	Perennial
Impact #4	Install rip-rap	30 lf	UT to Rocky River	±5 lf	Perennial
Impact #5	Install culvert	160 lf	UT to Rocky River	±5 lf	Perennial
Impact #5	Install rip rap	30 lf	UT to Rocky River	±5 lf	Perennial
Impact #6	Install culvert	140 lf	UT to Rocky River	±5 lf	Perennial
Impact #6	Install rip rap	30 lf	UT to Rocky River	±5 lf	Perennial
Impact #1	Stream Relocation	*95 lf	UT to Rocky River	±5 lf	Perennial
*Note: The 95 lf of stream relocation is being done through natural channel design and will be replaced with 95 lf of restored stream channel. Therefore there is no impact.					
Total Additional Impacts = 505 lf					
Total Proposed Stream Impacts for Wellington Chase Development = 651 lf (MITIGABLE)					

ORLEANS HOME BUILDERS WELLINGTON CHASE SUBDV.
 FIGURE 15 OF 15 MARCH 26, 2008