

US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: May 5, 2008
Comment Deadline: June 5, 2008
Corps Action ID #: SAW-2008-01437

The Wilmington District, Corps of Engineers (Corps) has received an application from the North Carolina Department of Transportation Ferry Division seeking Department of the Army authorization to impact 0.14 acres of jurisdictional wetlands associated with the expansion and construction of a 24 crew-member dormitory in Hatteras, Dare 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: North Carolina Department of Transportation Ferry Division
8550 Shipyard Road
Manns Harbor, North Carolina 27953

AGENT (if applicable): Mr. Lance Winslow
NCDOT Ferry Division
8550 Shipyard Road
Manns Harbor, North Carolina 27953

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 on the northeast side of NCSR 1276 (Woodall Way) approximately 0.1 miles east of the intersection of NC Highway 12 and Woodall Way, adjacent to jurisdictional wetlands adjacent to The Slash in Hatteras, Dare County, North Carolina. The project is located adjacent to the Pamlico Sound, Hydrologic Unit 03020105. Latitude 35.211006N, Longitude 75.69286W

Existing Site Conditions

Land use in the project area is primarily residential, undeveloped woodland, wetlands, and open water ponds. The topography in the study area is characterized as nearly level and gently sloping land draining into the Pamlico Sound and Atlantic Ocean. The study area is located in the lower Atlantic Coastal Plain physiographic region of North Carolina.

The primary water body adjacent to the project area is the Pamlico Sound. Also present within the project area are wetlands which are adjacent to and drain to a tidal creek, "The Slash," which drains into Sandy Bay (Pamlico Sound).

Based on the US Natural Resource Conservation Service (NRCS) survey of Dare County, the soils found on the Atlantic Ocean side of the Outer banks are mostly well-drained sand beaches with sparse vegetation, while soils found on the Pamlico Sound side are sandy but poorly drained and heavily vegetated. The soil associations present in the project area is the Newhan-Duckston-Corolla associations. Soils within the study area are mapped as Duckston fine sand and Corolla-Duckston complex. The Duckston sand unit is characterized as nearly level, with 0 to 2 % slopes, and can be found on flats and slight depressions. It is occasionally flooded by storm tides for brief periods and the seasonal high water table is at or near the surface and fluctuates somewhat in relation to the tides. NRCS lists Duckston as hydric in the county. The Corolla-Duckston complex are commonly directly inland from the frontal dunes and have 0 to 6 % slopes. The Corolla soil is on flats and small hummocks and the Duckston is in the wetter, slightly lower, depressional areas. Descriptions of these soil series associations can be found in the Dare County Soil Survey.

Applicant's Stated Purpose

The purpose of this proposed project is to expand the existing dormitory capacity at the Hatteras facility which is used to house licensed personnel needed to run the Hatteras-Ocracoke Ferry operations.

Background

An existing dormitory for 24 ferry personnel was constructed on-site in 2004. The construction of the existing dormitory, driveway, and parking spaces was permitted under nationwide permits 14 and 18 (action I.D. # 200411601 and CAMA Major Permit # 157-04). The project originally impacted 0.029 acres of coastal wetlands and 0.10 acres of freshwater wetlands and the impacts were mitigated by the North Carolina Ecosystem Enhancement Program (EEP). New requirements by the United States Coast Guard require the Ferry Division to have all licensed Captains, Engineers, Mates, Oilers, and Deckhands onboard the ferries while underway. According to the Ferry Division, there

are not enough local licensed employees to fill both shifts and run all the ferries necessary to maintain normal operations at the Hatteras-Ocracoke Ferry Operation. Therefore, the Ferry Division has to hire nonlocal licensed personnel to keep compliant with United States Coast Guard requirements. The Ferry Division hopes to expand their dormitory capacity by 24 to provide local accommodations for their staff. The proposed new dormitory would be constructed adjacent to the existing dormitory and would require a new septic system be installed. Because the existing high ground on site must be used for the septic system and repair area, the new 24 person dormitory would require that 0.14 acres of wetlands be filled. The Ferry Division intends to minimize impacts by not providing additional parking spaces at the dormitory. Ferry personnel will be required to park at the Hatteras Ferry Operations and carpool over to the dormitory.

Project Description

The project is identified as the Hatteras Village Ferry Quarters/Dormitory. The following description of work is taken from data provided by the applicant. The applicant has proposed to fill 0.14 acres of jurisdictional shrub-scrub wetlands to construct a 24 crew member 6,800 square feet dormitory to house licensed Captains, Engineers, Mates, Oilers, and Deckhands needed to run all the ferries necessary to maintain normal operations at the Hatteras-Ocracoke Ferry Operation. The Ecosystem Enhancement Program (EEP) has accepted and will provide compensatory non-riparian wetland mitigation for the unavoidable impacts associated with the proposed project. Overall plans showing the location of the proposed construction and impact sites are included with this public notice. Additional detailed plans and findings for the project may be reviewed at the U.S. Army Corps of Engineers Regulatory Field Office at 107 Union Drive, Suite 202, Washington, North Carolina 27889.

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 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. Brian Wrenn by June 5, 2008.

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. The applicant applied on April 1, 2008 for renewal of CAMA Major Permit 157-04.

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

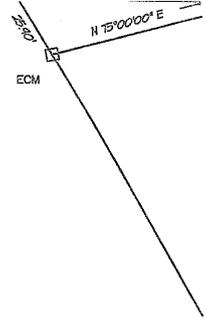
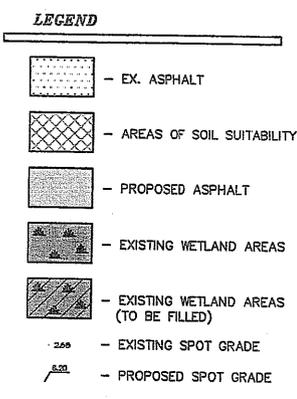
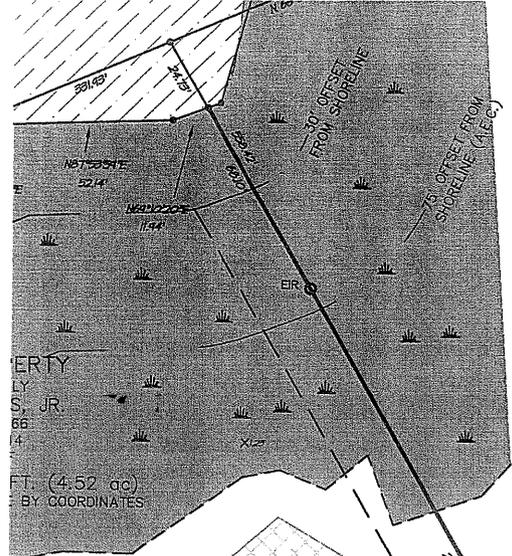
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably 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, June 5, 2008. Comments should be submitted to: Mr. William Biddlecome, P.O. Box 1000, Washington, North Carolina 27889, Telephone (252) 975-1616, extension 26.



AREA FOUND TO BE SUITABLE AS DETAILED IN THE SOIL/SITE EVALUATION AND MOUNDING ANALYSIS REPORT ENTITLED "SUBJECT: SOILS INFORMATION FOR A 1440 GPD WASTEWATER SYSTEM PROPOSED TO SERVE A 12-BEDROOM DORMITORY FOR THE CAPE HATTERAS FERRY TERMINAL" AS PREPARED BY ENVIRONMENTAL AND SOIL SERVICES, INC., SCOTT STONE, AND DATED DECEMBER 31, 2001

NOW OR FORMERLY
**JACQUELYN O. ROSS and
 MOLLOY REALTY ASSOCIATES, INC.**

- NOTES:**
1. OWP
 2. APF
 3. ENG
 4. SOIL
 5. PAF
 6. F.I.F. SUE
 7. REC
 8. PIN
 9. SUR FER FAC ANE
 10. TOP COL. 3.5'
 11. ARE WAE FGA CAF INF BY
 12. SEP

PERMITTED WASTEWATER SYSTEM
 ONE (1) 1500 G. GREASE TRAP
 ONE (1) 3000 GALLON SEPTIC TANK
 ONE (1) ENCLOSED RAISED TREATMENT UNIT
 ONE (1) 24" DIA. CLARIFIER / METRELL
 ONE (1) 1500 GALL. TRAP TANK
 AN ACTIVE LPP DRAINFIELD WITH 10 LINES @ 36" EACH, LOCATED 5' O.C. LTAR = 0.8 GVFDF

SITE PLAN PREPARED BY NCDOT GENERAL SERVICES DIVISION

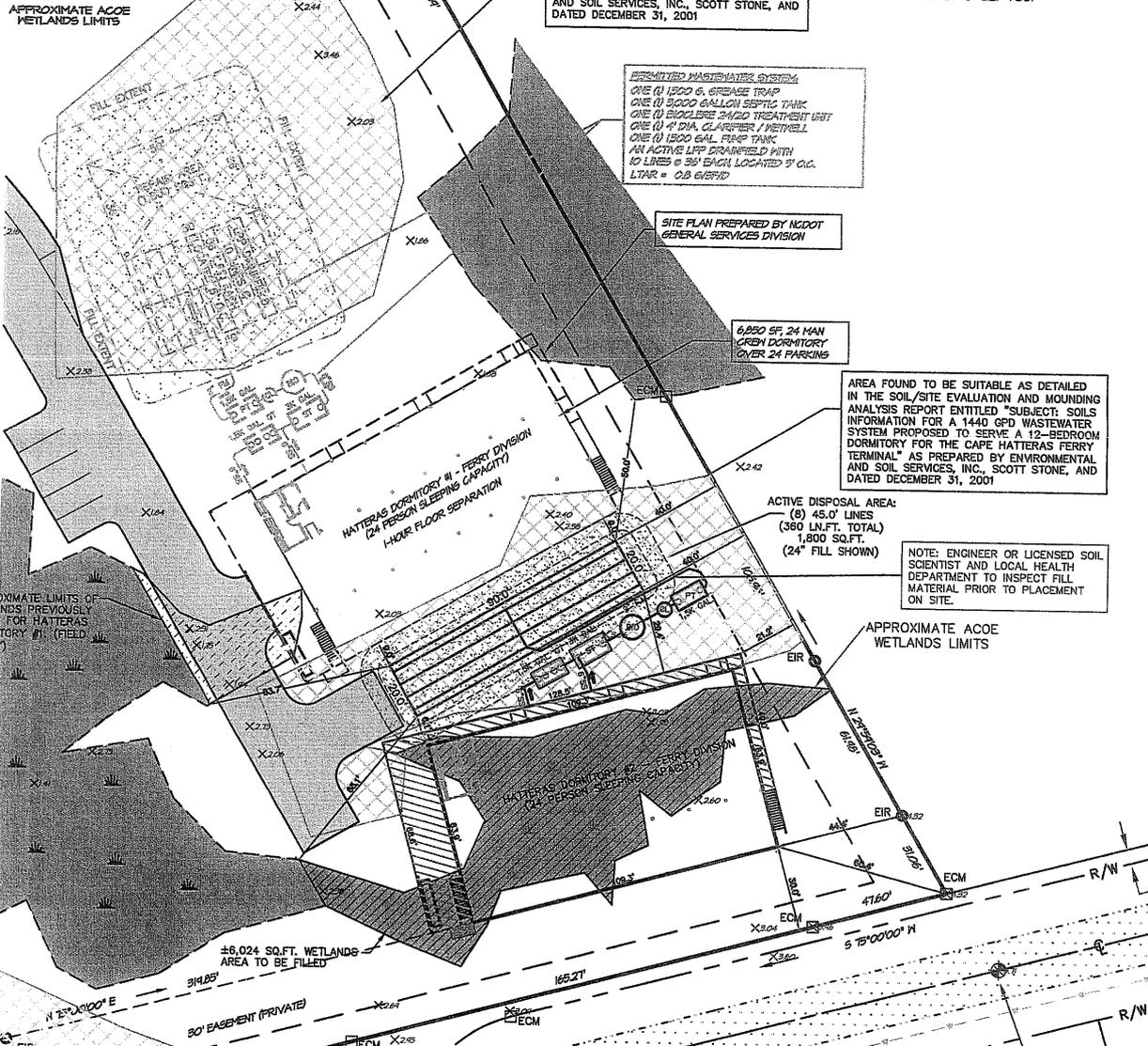
6,850 SF, 24 MAN GREEN DORMITORY OVER 24 PARKING

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ACTIVE DISPOSAL AREA:
 (8) 45.0' LINES (360 LN.FT. TOTAL)
 1,800 SQ.FT. (24" FILL SHOWN)

NOTE: ENGINEER OR LICENSED SOIL SCIENTIST AND LOCAL HEALTH DEPARTMENT TO INSPECT FILL MATERIAL PRIOR TO PLACEMENT ON SITE.

- WASTEWATER**
1. CON PRC
 2. REM OF
 3. NEW



APPROXIMATE LIMITS OF WETLANDS PREVIOUSLY IDENTIFIED FOR HATTERAS DORMITORY #1 (FIELD)

APPROXIMATE ACOE WETLANDS LIMITS

30' EASEMENT (PRIVATE)

EXIST. 6\"/>

TEMPORARY BENCH & P.K. NAIL IN CL. OF ROADWAY
 ELEV. = 4.79' NGVD 1929
 ELEV. = 3.71' NAVD 1988
 REFERENCE NCGS "A193, 1E

BEFORE YOU DIG!

CALL TOLL FREE
 1-800-632-4949
 NORTH CAROLINA
 ONE CALL