



**US Army Corps  
Of Engineers**  
Wilmington District

# PUBLIC NOTICE

Issue Date: March 12, 2014  
Comment Deadline: April 11, 2014  
Corps Action ID: SAW-2013-00753

The District Engineer has received a prospectus describing the establishment of a compensatory umbrella mitigation bank to offset future state and federal permits. Also received is a mitigation plan for the first site, Hoosier Dam, proposed for inclusion into the bank.

## Bank Sponsor

130 of Chatham, LLC  
3409 Birk Bluff Court  
Cary, North Carolina 27518

This public notice does not imply, on the parts of the U. S. Army Corps of Engineers (Corps) or other agencies, either favorable or unfavorable opinion of the work to be performed, but it is issued to solicit comments regarding the factors on which final decisions will be based.

LOCATION OF THE PROPOSED WORK: The proposed bank site is located along NC Highway 87, approximately 6 miles south of Pittsboro, Chatham County, North Carolina. The approximate geographic coordinates are 35.800228° north latitude and -77.53935° west longitude. It is located along the Rocky River, approximately 5.5 miles upstream of its confluence with the Deep River, in the Cape Fear River Basin, Hydrologic Unit Code (HUC) 03030003.

PROPOSED WORK AND PURPOSE: The Sponsor proposes to remove Hoosier Dam and a remnant rock dam, located within the impoundment of Hoosier Dam, to restore upstream ecosystems within the Rocky River. A monitoring program will be implemented for at least seven years following the dam's removal to evaluate whether the Bank's goals and objectives are met. The Sponsor states that the ecological objectives of the dam removal are to: 1) improve local water quality; 2) restore appropriate flow regime and aquatic community; 3) restore habitat for federally protected aquatic species; 4) restore passage for aquatic species; 5) preservation and restoration of wooded buffers; and 6) benefits downstream water bodies.

**GEOGRAPHIC SERVICE AREA:** The proposed Primary Geographic Service Area for this bank includes the Bank's native 8-digit hydrological unit code (HUC) 03030003. The Sponsor has also proposed a Secondary Geographic Service Area, which includes a portion of the adjacent HUC, 03030004, within the Cape Fear River basin.

**PROSPECTUS:** The full prospectus and mitigation plan is available for review at:

[http://www.saw.usace.army.mil/WETLANDS/Notices/Current\\_notices.html](http://www.saw.usace.army.mil/WETLANDS/Notices/Current_notices.html)

This umbrella mitigation bank may be considered one of a number of practicable alternatives available to applicants to compensate for unavoidable stream impacts associated with permits issued under the authority of Sections 404 and 401 of the Clean Water Act for projects located within the prescribed geographic service area.

Oversight of this stream mitigation bank will be by a group of federal and state agency representatives collectively referred to as the Interagency Review Team (IRT). The IRT shall be chaired by the Wilmington District, U.S. Army Corps of Engineers and is comprised of representatives from the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, N.C. Division of Water Quality, and the N.C. Wildlife Resources Commission.

The actual approval of the use of this mitigation bank for a specific project is the decision of the Corps pursuant to Section 404 of the Clean Water Act. The Corps provides no guarantee that any particular individual or general permit will be granted authorization to use this stream compensatory mitigation bank to compensate for unavoidable stream impacts associated with a proposed permit, even though mitigation from this bank may be available.

**AUTHORITY:** This public notice is required pursuant to 33 CFR Part 332, *Compensatory Mitigation for Losses of Aquatic Resources*.

**FEDERAL EVALUATION OF PROPOSAL:** 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 this proposed mitigation bank. Any comments received will be considered by the Corps in evaluating this proposal. Comments are used to assess impacts on endangered species, historic properties, conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards and flood plain values (in accordance with Executive Order 11988), land use, navigation, shore 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.

Preliminary review indicates that:

1. An environmental impact statement (EIS) will not be required.
2. There are species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) that may be affected. We will coordinate with the US Fish and Wildlife Service to determine the impacts upon the listed species within the area. These species include Cape Fear shiner (*Notropis mekistocholas*), Red-Cockaded woodpecker (*Picoides borealis*), American chaffseed (*Schwalbea americana*) and Michaux's sumac (*Rhus michauxii*).
3. A preliminary search of the North Carolina State Historic Preservation Office indicated that there are no known National Register Properties or previous archaeological survey sites within the Bank site. It is anticipated that a Phase I Cultural Survey may be required to ensure no impact to cultural or historic resources.

Additional information may change any of these preliminary findings.

Written comments pertinent to the proposed work, as outlined above, will be received in this office, Wilmington District, Corps of Engineers, Attention: Mr. Thomas Brown, Raleigh Regulatory Field Office, 3331 Heritage Trade Drive, Suite 105, Wake Forest, North Carolina 27587, until 5:00 p.m., April 12, 2014.