

PUBLIC NOTICE

Issue Date: October 9, 2015 Comment Deadline: November 10, 2015 Corps Action ID Number: SAW-2005-01340

The Wilmington District, Corps of Engineers (Corps) received an application from Fort Bragg-Directorate of Public Works, seeking Department of the Army authorization to discharge dredged or fill material into waters of the United States, associated with the construction of the 21st Special Tactics Squadron (STS) operations facilities, in Fort Bragg, 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:

http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram.aspx

Applicant: United States of America

Department of the Army Attn: Mr. Gregory Bean Directorate of Public Works 2175 Reilly Road, Stop A

Fort Bragg, North Carolina 28310

AGENT (if applicable): USACE-Wilmington District-ECP-PE

Attn: Ms. Teresa Bullard 69 Darlington Avenue

Wilmington, North Carolina 28403

Authority

The Corps evaluates this application and decides whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of the following Statutory Authorities:

\boxtimes	Section 404 of the Clean Water Act (33 U.S.C. 1344)
	Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)
_	Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972

Location

Directions to Site: The project site is located east of Gena Street, and southwest of Interceptor Road, on Pope Army Airfield, in Fort Bragg, North Carolina.

Project Area (acres): 4.5 acres

Nearest Town: Fort Bragg

Nearest Waterway: Tank Creek River Basin: 03030004 Cape Fear

Latitude and Longitude: 35.167332N, -79.00678W

Existing Site Conditions

The project site is located within the Sandhills physiographic region of North Carolina. The property is located at Fort Bragg, North Carolina on the old Pope Air Force Base which has now transitioned to the Army and been renamed Pope Army Airfield. The project area is approximately 4.5 acres located east of Gena Street and southwest of Interceptor Road. The property is currently undeveloped and contains mixed hardwood and pine forest. The project area is located within the Cape Fear River Basin (USGS Hydrologic Unit 03030004). Water resources within the project area include 1.37 acres of jurisdictional 404 wetlands that directly abut ~500 ft of perennial stream (unnamed tributary to Tank Creek). The site contains distinct elevation breaks between the upland and the wetland. The upland portion of the site, situated along the northern portion of the property, sits at ~240 feet above Mean Sea Level (MSL); while elevations within the wetland area are around 220 feet above MSL. Soils within the project area are mapped by the Soil Survey of Cumberland and Hoke Counties, North Carolina (USDA, 1984) as Wagram (WaB), a loamy sand. The hydrologic regime is predominately driven by groundwater and stormwater runoff being directed onto the site by roadside ditches. Dominant overstory vegetation species present within the riparian wetland area along the perennial stream include: red bay (*Persea borbonia*), red maple (*Acer rubrum*), loblolly pine (*Pinus taeda*), and tag alder (*Alnus serrulata*). The understory riparian vegetation includes: cinnamon fern (Osmunda cinnamomea), netted chain fern (Woodwardia areolata), poison ivy (Toxicodendron radicans), and switchcane (Arundinaria tecta). Upland vegetation within the project area consists of an overstory of chestnut oak (Ouercus montana Willd.), red maple, loblolly pine, and Sweet gum (Liquidambar styraciflua). The upland understory vegetation is dominated by inkberry (*Ilex glabra*), Virginia creeper (*Parthenocissus quinquefolia*) and poison ivy.

Applicant's Stated Purpose

To create a Special Tactics Squadron (STS) operations facilities area on Pope Army Airfield that will satisfy the need for training facilities to the growing Air Force unit.

Project Description

Construction of three Special Tactics Squadron (STS) operations facilities (small arms range, human performance training center with covered scuba rinse/drying area and storage, and special tactics team building) and associated asphalt parking areas, sidewalks, retaining wall and storm water retention areas. Construction of these buildings and associated features will require the site to be cleared of existing vegetation, filled to desired elevation and graded. Discharge of fill dirt into the 0.65 acre of wetland will be to bring the elevation of the project site to a grade that is level so that three buildings, associated parking areas, stormwater features, retaining wall and sidewalks can be constructed.

Avoidance and Minimization

The applicant provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The three buildings and parking layout have been redesigned/reconfigured to reduce the proposed permanent wetland fill impact from 0.91 acre to approximately 0.65 acre. The project avoids wetland impacts where possible by positioning buildings and parking facilities or the northern portion of the parcel, and utilizes the maximum amount of high ground available.

Compensatory Mitigation

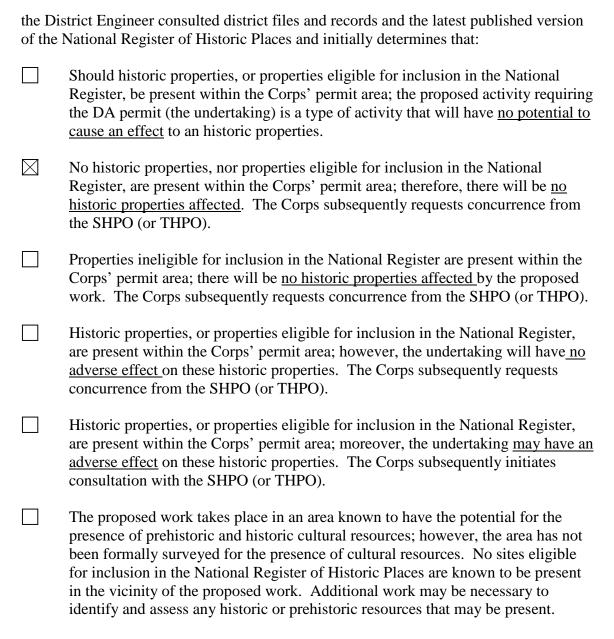
The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant proposes to provide compensatory mitigation for unavoidable impacts through payment into the state In-Lieu Fee Program managed by the North Carolina Division of Mitigation Services (NC DMS) at a 2:1 ratio.

Essential Fish Habitat

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, this Public Notice initiates the Essential Fish Habitat (EFH) consultation requirements. The Corps' initial determination is that the proposed project would not effect EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

Pursuant to Section 106 of the National Historic Preservation Act of 1966, Appendix C of 33 CFR Part 325, and the 2005 Revised Interim Guidance for Implementing Appendix C,



The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-indentified permit area.

Endangered Species

Pursuant to the Endangered Species Act of 1973, the Corps 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 determines that the proposed project would not affect federally listed endangered or threatened species or their formally designated critical habitat.
The Corps determines that the proposed project may affect federally listed endangered or threatened species or their formally designated critical habitat. The Corps initiates consultation under Section 7 of the ESA and will not make a permit decision until the consultation process is complete.
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. The Corps will make a final determination on the effects of the proposed project 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.

Other Required Authorizations

The Corps forwards this notice and all applicable application materials to the appropriate State agencies for review.

North Carolina Division of Water Resources (NCDWR): The Corps will generally not make a final permit decision until the NCDWR issues, denies, or waives the state Certification as required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice, combined with the appropriate application fee, at the NCDWR Central Office in Raleigh constitutes initial receipt of an application for a 401 Certification. A waiver will be deemed to occur if the NCDWR fails to act on this request for certification within sixty days of receipt of a complete application. Additional information regarding the 401 Certification may be reviewed at the NCDWR Central Office, 401 and Buffer Permitting Unit, 512 North Salisbury Street, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for a 401 Certification should do so, in writing, by November 10, 2015 to:

NCDWR-Central Office
Attention: Ms. Karen Higgins, 401 and Buffer Permitting Unit
(USPS mailing address): 1617 Mail Service Center, Raleigh, NC 27699-1617

Or,

(physical address): 512 North Salisbury Street, Raleigh, North Carolina 27604

North Carolina Division of Coastal Management (NCDCM):

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The application did not include a certification that the proposed work complies with and would 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 cannot issue a Department of Army (DA) permit for the proposed work until the applicant submits such a certification to the Corps and the NCDCM, and the NCDCM notifies the Corps that it concurs with the applicant's consistency certification. As the application did not include the consistency certification, the Corps will request, upon receipt,, concurrence or objection from the NCDCM.

Based upon all available information, the Corps determines that this application for a Department of Army (DA) permit does not involve an activity which would affect the coastal zone, which is defined by the Coastal Zone Management (CZM) Act (16 U.S.C. § 1453).

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 consolidated 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.

The Corps of Engineers, Wilmington District will receive written comments pertinent to the proposed work, as outlined above, until 5pm, November 10, 2015. Comments should be submitted to Ms. Liz Hair, Wilmington Regulatory Field Office, 69 Darlington Avenue, Wilmington, North Carolina, at (910) 251-4049.

