



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: November 18, 2015  
Comment Deadline: December 18, 2015  
Corps Action ID Number: SAW-2012-01547

The Wilmington District, Corps of Engineers (Corps) received an application from Piedmont Triad Airport Authority (PTAA) seeking Department of the Army authorization to discharge fill material into waters of the United States, associated with constructing access and infrastructure for Phase I of the Piedmont Triad International Airport (PTIA) Northwest Site Development, in Greensboro, Guilford 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:** Piedmont Triad Airport Authority  
Mr. J. Alex Rosser  
1000-A Ted Johnson Parkway  
Greensboro, North Carolina 27409

**Agent:** Michael Baker Engineering, Inc.  
Mr. Richard B. Darling  
8000 Regency Parkway, Suite 600  
Cary, North Carolina 27518

## 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:

- 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 (33 U.S.C. 1413)

## Location

Directions to Site: The proposed project area is located between the north side of PTIA/Bryan Boulevard and Pleasant Ridge Road, approximately 0.25 mile east of NC Highway 68, in Greensboro, Guilford County, North Carolina.

Project Area (acres): 153 acres (Phase I only)                      Nearest Town: Greensboro  
Nearest Waterway: UT to Brush Creek                      River Basin: 03030002  
Latitude and Longitude: 36.118619°N, -79.945644°W

## Existing Site Conditions

The proposed project area is located within the Charlotte Belt of the Piedmont Physiographic Province. This region's geology is dominated by plutonic rocks with some large areas of metavolcanic rocks. The site geomorphology generally includes broad uplands dissected by occasional narrow drainages, a few of which include small unnamed tributaries (UTs) to Brush Creek. The northern extent of the project area includes several manmade ponds within natural drainage ways. Elevation across the site ranges from approximately 957 feet above mean sea level (MSL) in the northwest extent of the property, to 828 feet MSL in a stream valley along the existing runway. Soils are mapped as Clifford sandy loam (CkB) and sandy clay loam (C1B2), Poplar Forest sandy loam (PoC, PoD, PoE) and clay loam (PpC2, PpD2), Tomlin clay loam (ToB), and Nathalie sandy loam (NaB). The Clifford, Poplar Forest, Tomlin, and Nathalie series all consists of well drained, moderately permeable soils occurring on slopes of varying steepness in Piedmont uplands. None of these series are included on the 2014 National Hydric Soils List for Guilford County, North Carolina. Average annual precipitation for Guilford County is 43.1 inches.

Historically, the site was used primarily for farming, with forested areas on the steeper slopes and bottomlands. Currently the northwestern portion of the property is managed as a golf course, including several manmade ponds. The northeastern section is primarily forested. There are light industrial or manufacturing businesses in the central portion of the project area along Cainsdale Drive. The project area is bisected from east to west by both Bryan Boulevard, a median divided facility, and an interstate-grade highway (I-73 connector) under construction immediately to its north. The southern portion of the project area includes existing PTIA facilities, including a runway, proposed runway, stormwater facilities, and radar installation. Forested uplands of the project area consist of canopy species such as red maple (*Acer rubrum*), sweetgum (*Liquidambar styraciflua*), and Virginia pine (*Pinus virginiana*), understory species including red maple, southern red oak (*Quercus falcata*), Chinese privet (*Ligustrum sinense*), and herbaceous species such as greenbriar (*Smilax rotundifolia*), Chinese privet, Japanese stilt grass (*Microstegium vimineum*), and poison ivy (*Toxicodendron radicans*).

The project area is bordered to the north by Pleasant Grove Road, to the south by PTIA runway 5L-23R, to the east by undeveloped forested land, and to the west by a golf course, industrial/manufacturing facilities, and forested land. General area land use includes PTIA and associated development, commercial and industrial development to the south of the airport, and residential land to the north.

ECS Carolinas, LLP conducted a jurisdictional delineation for the site in 2012. The jurisdictional boundaries were verified by the Corps, and a Preliminary Jurisdictional Determination (PJD) was approved on July 10, 2013 (Corps Action ID: SAW-2012-01547). All streams on site are considered Relatively Permanent Waters, which flow via Brush Creek and Reedy Branch to the Haw River, a Traditionally Navigable Water. These streams all carry the NC Division of Water Resources (NCDWR) best usage classification of “WS-III”; this classification refers to those waters used as water supply for drinking, culinary, or food processing purposes where a WS-I or II classification is not feasible. WS-III waters are generally in low to moderately developed watersheds. There are no designated Outstanding Resource Waters (ORW), High Quality Waters (HQW), Water Supply I (WS-I), or Water Supply (WS-II) waters within 1.0 mile of the project area. The wetlands within or adjacent to the project area are all of the Headwater Forest wetland type, according to the North Carolina Wetland Assessment Method (NCWAM). These features are individually small and variable, but generally have plant assemblages containing sweetgum, tulip poplar (*Liriodendron tulipifera*), sycamore (*Platanus occidentalis*), red maple, Japanese stilt grass, spice bush (*Lindera benzoin*), and poison ivy. Soils within this feature are primarily loamy with a low chroma (10YR 5/2) matrix and bright (5YR 5/6) redoximorphic concentrations. Typical of wetlands in small stream valleys, these wetlands display hydrology indicators such as high water tables during periods of soil saturation and drainage patterns.

### **Applicant’s Stated Purpose**

The purpose of the project, as stated by the applicant, is to provide suitable sites with airfield access for new aviation-related development, achieve highest and best use of idle land, expand the capabilities of the Airport, and meet schedule needs of potential tenants.

### **Project Description**

The applicant has proposed to permanently discharge fill material into 391 linear feet of stream channel and 5.96 acres of open water habitat (impoundments), to construct Phase I of the Northwest Site Development. The proposed stream impacts are the direct result of culvert and fill installation associated with the construction of a cross-field taxiway to access the Northwest Site. The applicant proposes to dewater the relevant section of UT to Brush Creek for installation of the cross-field taxiway culvert via pump-around for construction access, install a 36-inch, 320-foot long culvert, and backfill to taxiway grade using clean fill material. The side slopes would be stabilized at an approximately 3:1 gradient. Impacts to open water impoundments result from fill for building pads for two conceptual campuses for aviation industry-related businesses yet to be determined.

The applicant submitted an Alternatives Analysis for taxiway alignment that includes four On-site Alternatives. This information has been included with this Public Notice as well. Supplemental documentation including project plans and a narrative can be found on the District Website at

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

### **Avoidance and Minimization**

The applicant provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

- Construction of the taxiway stream crossing will minimize smothering of organisms by utilizing pump-around methods, minimize construction time, controlling turbidity through adherence to the Erosion and Sedimentation Control Plan, preventing creation of standing water, and preventing drainage of wet areas;
- During construction, surface water physiochemical conditions will be maintained and potency and availability of pollutants will be reduced via limiting material to be discharged, adding treatment substances if necessary including chemical flocculants to enhance the deposition of suspended particulates in appropriate disposal areas, if required;
- The effects of dredged or fill material may be controlled by selecting discharge methods and disposal sites where the potential for erosion, slumping or leaching of materials into the surrounding aquatic ecosystem will be reduced. These methods include using containment levees, sediment basins, and cover crops to reduce erosion;
- Discharge effects will also be controlled by containing discharged material properly to prevent point and nonpoint sources of pollution, and timing the discharge to minimize impact;
- The effects of discharge will be minimized by orienting dredged/fill material to minimize undesirable obstruction to the surface water or natural flow, utilizing natural contours to minimize the size of the fill, using silt screens or other appropriate methods to confine suspended particulates/turbidity to a small area where settling or removal can occur, confining and minimizing the release of suspended particulates to decrease turbidity levels and maintain light penetration for organisms, and setting limitations on the amount of material to be discharged per unit of time or volume of receiving water;
- The applicant will employ appropriate maintenance and operation on equipment or machinery, ensure adequate training, staffing, and working procedures, use machinery and techniques that are especially designed to reduce damage to streams, design access roads using culverts, open channels, and diversions that will pass both low and high water flows, accommodate fluctuating water levels, and maintain circulation and faunal movement, and employ appropriate machinery and methods of transport of the material for discharge.

- The applicant will minimize adverse effects on plant and animals populations by minimizing changes in water flow patterns, avoiding the creation of airport wildlife hazards, timing discharges to avoid spawning or migration seasons and other biologically critical time periods, and avoiding the destruction of remnant natural sites within areas already affected by development.

### **Compensatory Mitigation**

The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

Compensation for unavoidable, minimized impacts to jurisdictional stream channel is provided by dedication of appropriate components of the successfully completed 1,123 linear feet of restored stream channel at the Causey Farm mitigation site currently not applied to any specific impacts at PTIA. This mitigation credit was originally purchased to compensate for impacts anticipated for construction of the Runway SR Safety Area and related improvements (Corps Action ID SAW-2006-41354). This project, however, has been put on indefinite hold and, rather than extend the Section 404 and 401 permits, PTAA has elected to abandon them. The mitigation specified in these permits has been constructed and deemed successful by USACE and DWR. Applicable linear footage of the completed stream restoration component of this mitigation are proposed to compensate for the current Phase I Northwest Site Development and Cross-Field Taxiway project impacts as follows:

- 646 Stream Mitigation Units (SMU) mitigation requirement is anticipated based on 136 linear feet of intermittent channel at 1:1 impact ratio plus 255 linear feet of perennial channel at 2:1 impact ratio;
- There are 702 Stream Mitigation Units (SMU) available at the Causey Farm mitigation site based on the 1.6: 1 ratio for off-site restoration applied to the 1,123 linear feet of perennial channel specified in Corps Action ID SAW-2006-41354 (the Causey Farm restoration site was originally described in Corps Action ID SAW-2000-21655).

### **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 consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

- Should historic properties, or properties eligible for inclusion in the National Register, be present within the Corps' permit area; the proposed activity requiring the DA permit (the undertaking) is a type of activity that will have no potential to cause an effect to an historic properties.
- No historic properties, nor properties eligible for inclusion in the National Register, are present within the Corps' permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO (or THPO).
- Properties ineligible for inclusion in the National Register are present within the Corps' permit area; there will be no historic properties affected by the proposed work. The Corps subsequently requests concurrence from the SHPO (or THPO).
- Historic properties, or properties eligible for inclusion in the National Register, are present within the Corps' permit area; however, the undertaking will have no adverse effect on these historic properties. The Corps subsequently requests concurrence from the SHPO (or THPO).
- Historic properties, or properties eligible for inclusion in the National Register, are present within the Corps' permit area; moreover, the undertaking may have an adverse effect on these historic properties. The Corps subsequently initiates consultation with the SHPO (or THPO).
- The proposed work takes place in an area known to have the potential for the presence of prehistoric and historic cultural resources; however, the area has not been formally surveyed for the presence of cultural resources. No sites eligible for inclusion in the National Register of Historic Places are known to be present in the vicinity of the proposed work. Additional work may be necessary to identify and assess any historic or prehistoric resources that may be present.

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-identified 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, not likely to adversely 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.

The applicant submitted additional site-specific information on federally protected threatened and endangered species, which can be found on the District Website at <http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram/PublicNotices.aspx>.

## 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 December 9, 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):**

- 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, December 18, 2015. Comments should be submitted to David E. Bailey, Raleigh Regulatory Field Office, 3331 Heritage Trade Drive, Suite 105, Wake Forest, North Carolina 27587, at (919) 554-4884 extension 30.