



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: October 15, 2015
Comment Deadline: November 16, 2015
Corps Action ID Number: SAW-2014-01338

The Wilmington District, Corps of Engineers (Corps) received an application from CRP-Gateway Marketplace, LLC seeking Department of the Army authorization to impact 10.1 acres of 404 wetlands and 25 linear feet of intermittent stream associated with the construction of commercial/retail space including six outparcels in Onslow 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: CRP-Gateway Marketplace, LLC
Attn: W. Jenkins Williamson Jr.
1845 St. Julian Place
Columbia, South Carolina 29204

AGENT (if applicable): Land Management Group, Inc.
Attn: Kim Williams
3805 Wrightsville Avenue, Suite 15
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:

- 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)

Surrounding land uses consist of a mix of commercial, retail, office and institutional uses, and some undeveloped land. Areas to the east and southeast off of Gateway North and Commons Drive consist of City-owned facilities including elementary, middle and high schools, a senior citizens recreation center, tennis courts, ball fields, biking and walking trails, parks, and some forested land. Residential development in the areas surrounding Jacksonville Commons has been intensive. Adjacent areas primarily to the north of the Site are still undeveloped and wooded. Existing commercial uses adjacent to the Site to its west include a Longhorn Steakhouse restaurant and a Marriott-flagged hotel that is currently under construction. Both of those uses have frontage on Henderson Drive Extension, and the Longhorn Steakhouse also fronts Western Blvd.

Applicant's Stated Purpose

The applicant's purpose and need for the Project is to develop an economically viable regional shopping destination anchored by the City of Jacksonville's first and only premium grocery retailer, which has chosen the Site as its only viable option in the market.

Project Description

The Project consists of constructing a total of 362,800 sf of leasable space within multiple buildings located on both sides of Marlin Drive Extension, which will run through the center of the Site. This congruity is necessary in order to facilitate patron cross shopping. The building configuration also satisfies sight line and accessibility requirements of the applicant's retail clients. Additionally, six two-acre outparcels will be situated adjacent to Western Boulevard. Of the leasable space, there will be an approximate 62,000-sf anchor tenant directly behind the outparcels in the southern part of the Site. An additional storm water BMP area that is approximately 4.7 acres will be located in the eastern part of the Site and will handle storm water for the entire Project.

At the request of one of the anchor tenants, and with full support of the City of Jacksonville, a connector road will be constructed from Gateway North to Henderson Drive in order to alleviate heavy traffic on Western Boulevard and to accommodate the anticipated traffic at the main internal intersection at Western Boulevard and Marlin Drive. The applicant will also add connections to the traffic signal at Henderson Drive and Western Blvd and access to the traffic signal at Gateway North and Western Boulevard to relieve traffic congestion. One intermittent stream crossing is needed within the City-owned parcel to accomplish this connection. (see **Figure 5, Site Plan**)

Avoidance and Minimization

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

considered with some resulting in much greater impact to the aquatic system while others impacted much less. The preferred alternative design includes a bridge crossing of Hammond Creek as an avoidance measure.

Compensatory Mitigation

The applicant has proposed to mitigate for the unavoidable wetland and stream impacts through the purchase of 15.2 non-riparian wetland credits (1.5 to 1 ratio) and 25 linear feet of stream credits (1 to 1 ratio) from an approved mitigation bank in the White Oak River Basin.

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 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 _____ to:

NCDWR Central Office
Attn: 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, NC 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

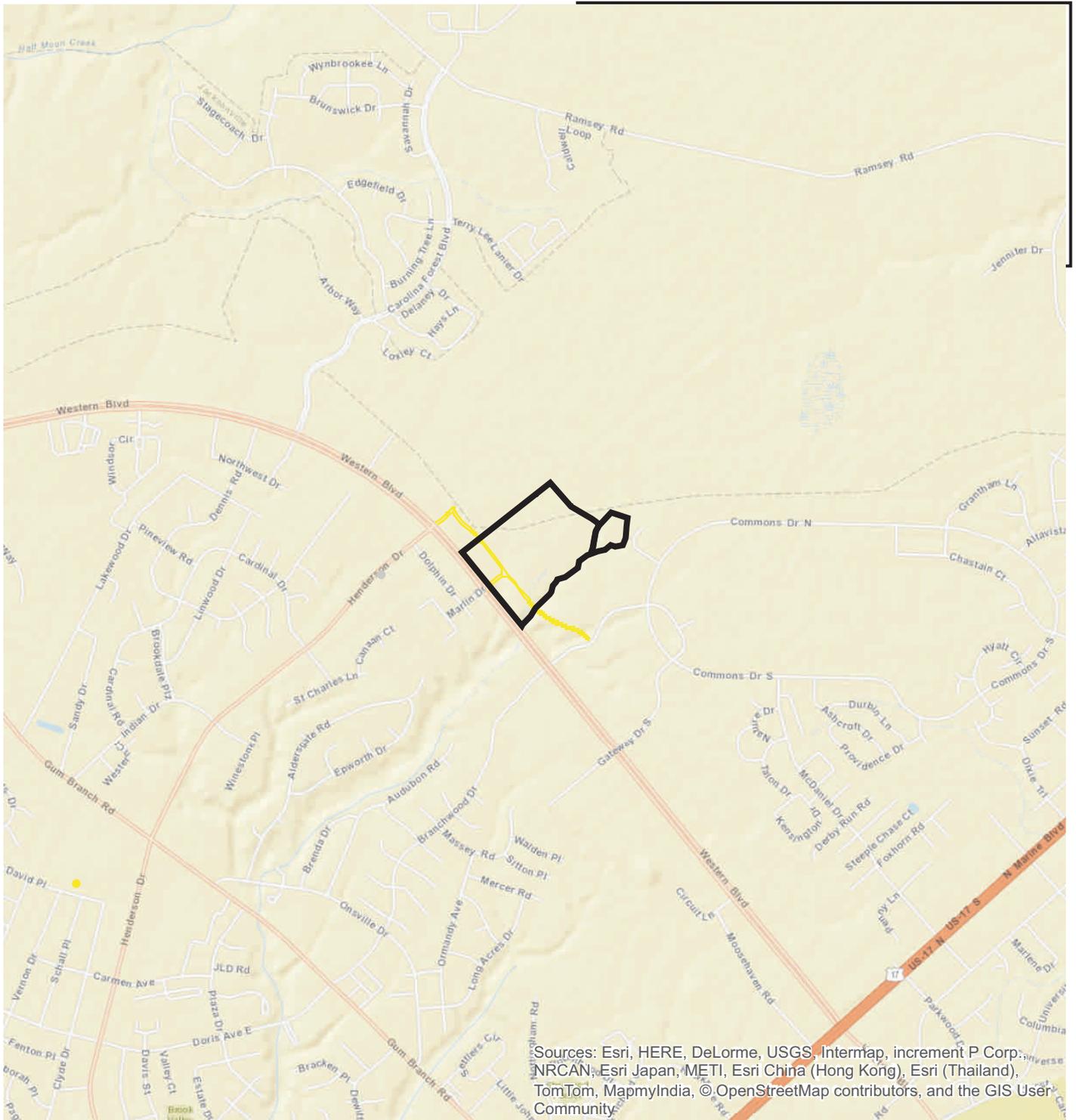
The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably 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, November 16, 2015. Comments should be submitted to Brad Shaver, Wilmington Regulatory Field Office, 69 Darlington Avenue, Wilmington, North Carolina 28403-1343, at (910) 251-4611.



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*Boundaries are approximate and are not meant to be absolute.

Map Source: ArcGIS World Street Map



SCALE 1" = 2,000'

Jacksonville Commercial
Onslow County, NC

September 2015
LMG # 01-15-119



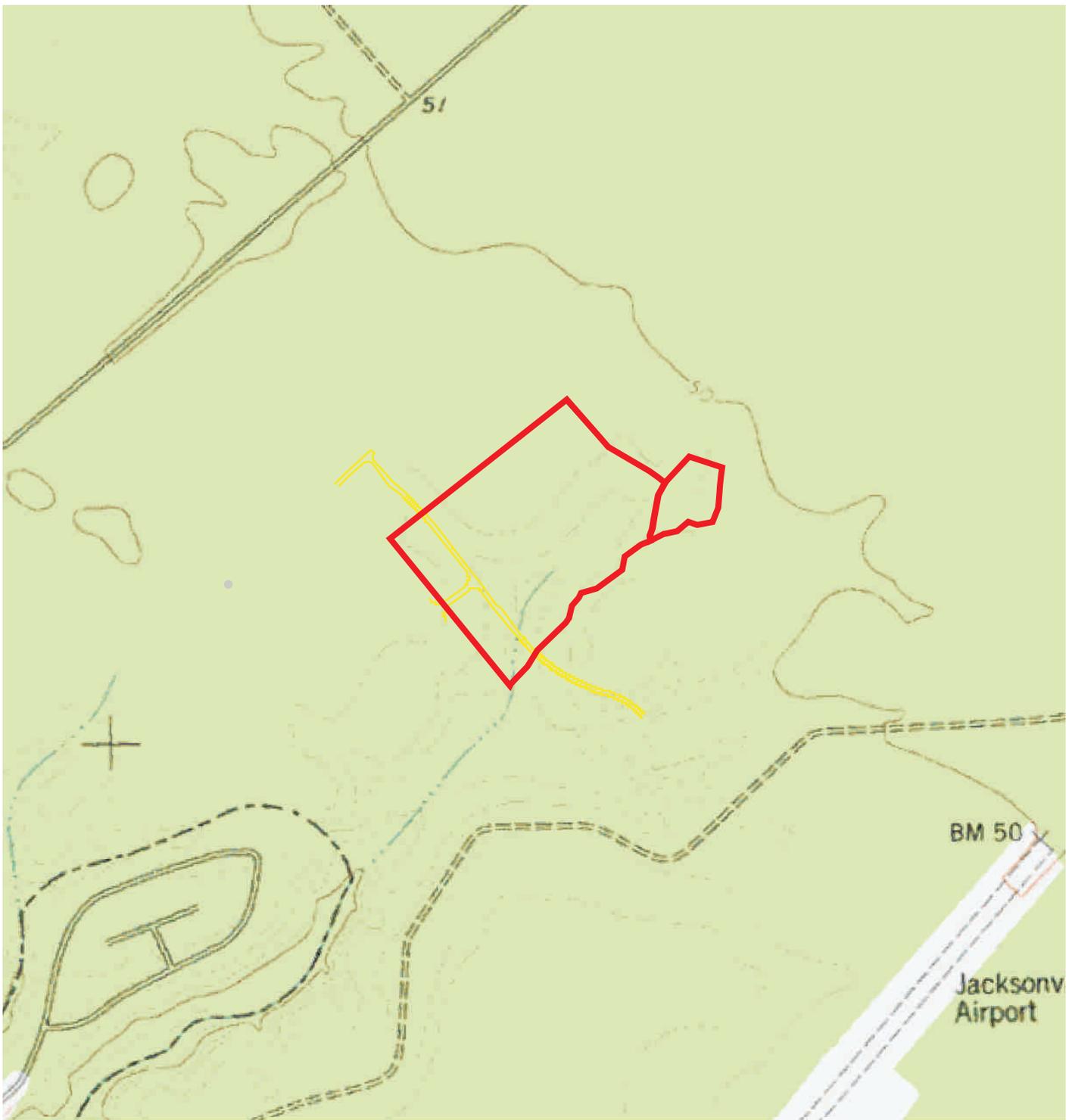
LMG
LAND MANAGEMENT GROUP INC.
Environmental Consultants

www.lmggroup.net

3805 Wrightsville Avenue
Wilmington, NC 28403

Phone: 910.452.0001 Fax: 910.452.0060

Figure 1
Vicinity Map



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*Boundaries are approximate and are not meant to be absolute.

Map Source: USGS Jacksonville North Quadrangle 7.5 minute



SCALE 1" = 1,000'

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Onslow County, NC

September 2015
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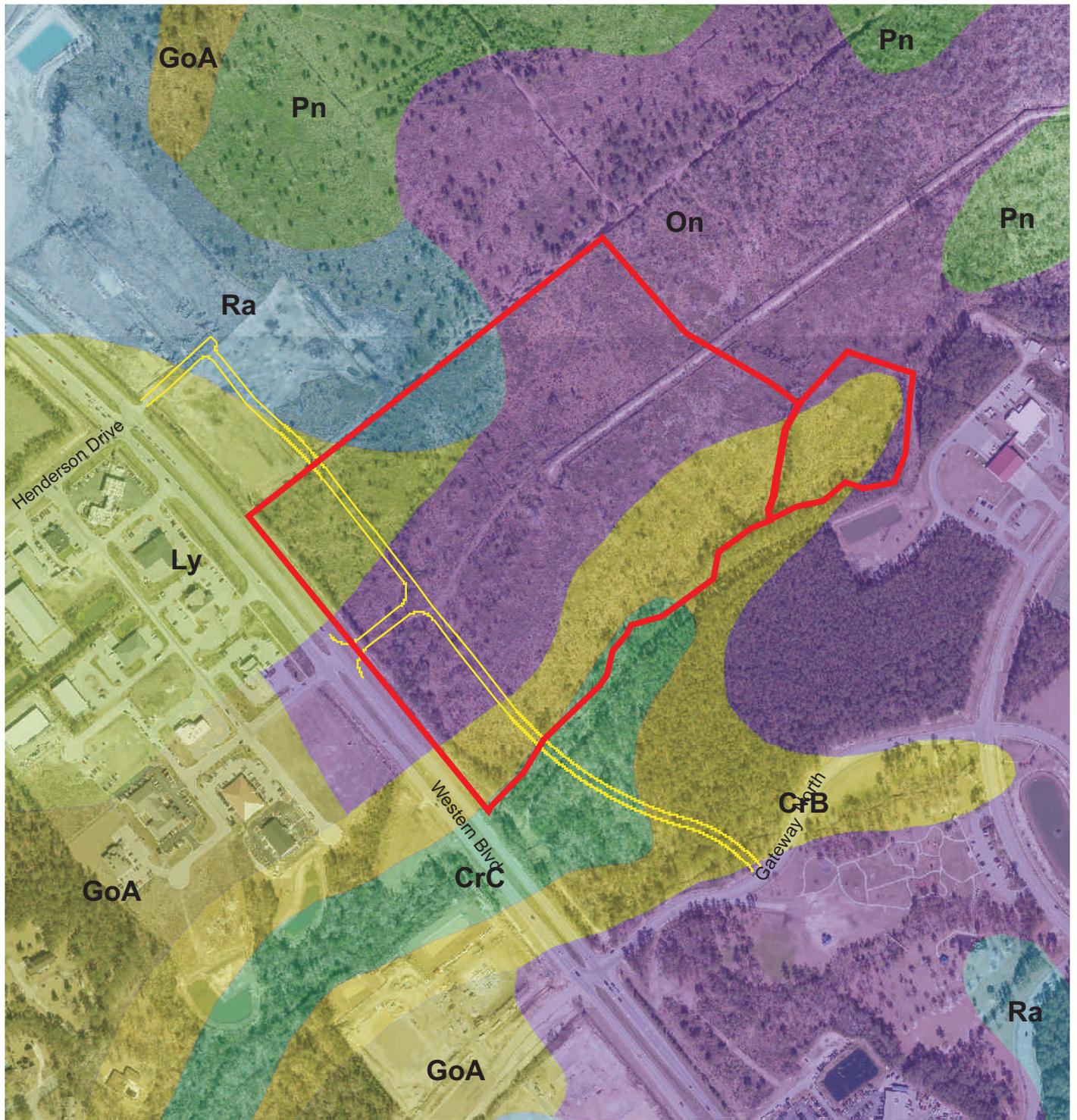
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Figure 2
USGS Topographic Map



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Legend	
On:	Onslow
Ra:	Rains
Ly:	Lynchburg
CrC:	
CrB:	Wando fine sand



SCALE 1" = 500'

*Boundaries are approximate and are not meant to be absolute.
 Map Source: NRCS Soil Survey

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Figure 3
Soils Map



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*Boundaries are approximate and are not meant to be absolute.

Map Source: 2012 NC OneMap Aerial Photography



SCALE 1" = 500'

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Figure 4
Aerial Photograph



PROPOSED WETLAND IMPACT #1:
9.0 acres

PROPOSED WETLAND IMPACT #4:
0.13 acre

PROPOSED WETLAND IMPACT #2:
0.23 acre

PROPOSED WETLAND IMPACT #3:
0.71 acre

**PROPOSED INTERMITTENT
STREAM IMPACT: 25 LF**

JURISDICTIONAL WETLANDS DATA		
	SF	AC
JURISDICTIONAL WETLANDS #1	457,115	10.49 AC
IMPACTED WETLANDS #1	391,830	9.00 AC
JURISDICTIONAL WETLANDS #2	62,515	1.44 AC
IMPACTED WETLANDS #2	9,775	0.23 AC
JURISDICTIONAL WETLANDS #3	30,875	0.71 AC
IMPACTED WETLANDS #3	30,875	0.71 AC
JURISDICTIONAL WETLANDS #4	90,280	2.07 AC
IMPACTED WETLANDS #4	5,835	0.13 AC
JURISDICTIONAL WETLANDS #5	8,960	0.21 AC
IMPACTED WETLANDS #5	0	0.00 AC
TOTAL JURISDICTIONAL WETLANDS	649,745	14.92 AC
TOTAL IMPACTED WETLANDS	440,065	10.10 AC

LEGEND	
	PROPERTY LINE
	DEVELOPMENT LIMITS
	WETLANDS
	IMPACTED WETLANDS

REVISIONS			
REV	DATE	COMMENT	BY

811
KNOW WHAT'S BELOW
ALWAYS CALL 811
BEFORE YOU DIG
It's fast. It's free. It's the law.

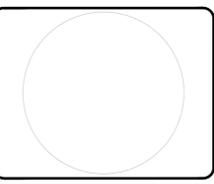
**NOT APPROVED FOR
CONSTRUCTION**

PROJECT No: NCC142037
DRAWN BY: SRP
CHECKED BY: CRC
DATE: 8/21/15
SCALE: 1" = 100'
CAD I.D.: WET EX

**COMMERCIAL
DEVELOPMENT**
FOR
**COLUMBIA
DEVELOPMENT**

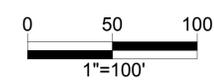
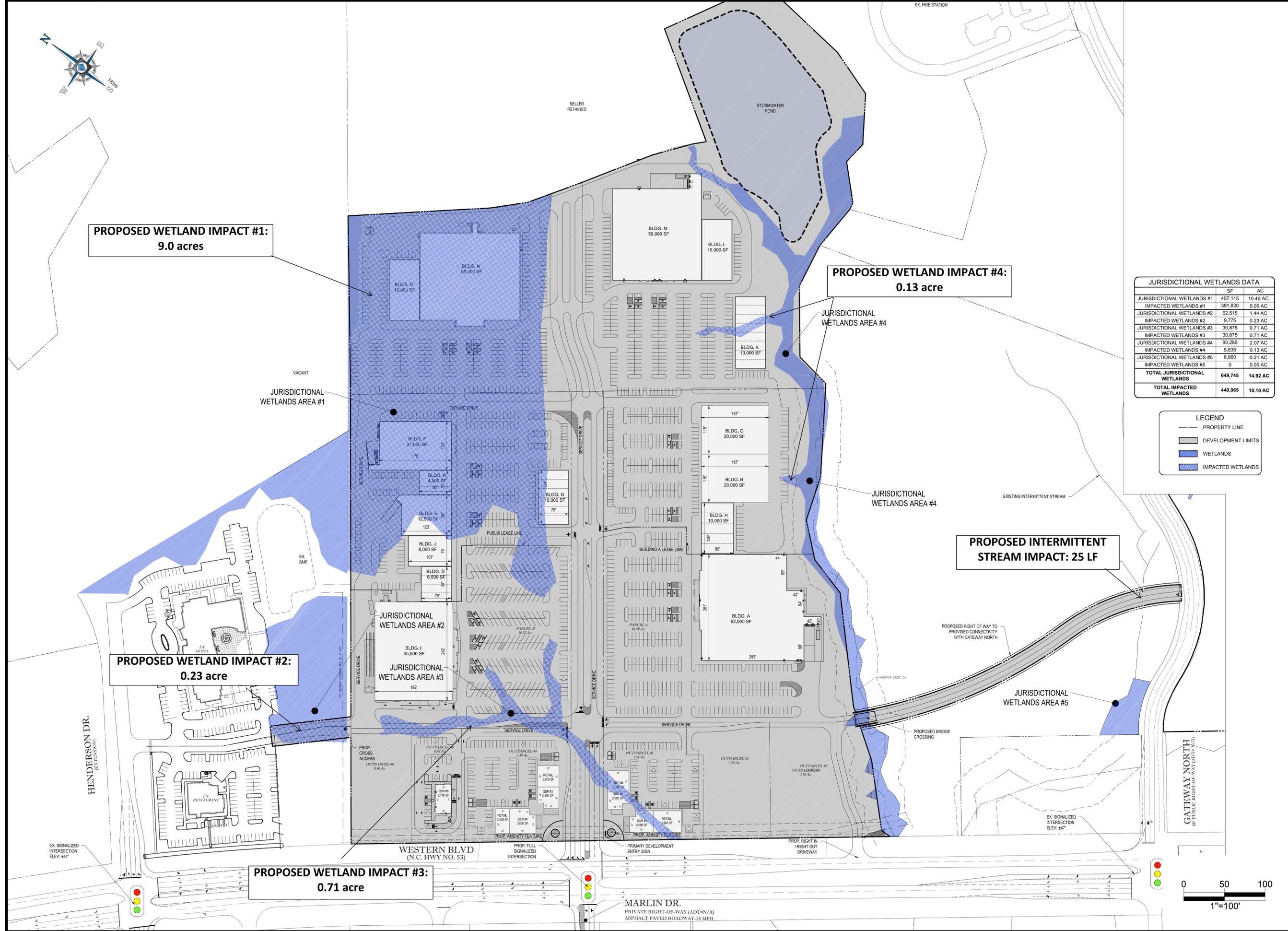
LOCATION OF SITE
JACKSONVILLE, NC

**BOHLER
ENGINEERING
NC, PLLC**
800 WEST HILL STREET, SUITE 101
CHARLOTTE, NC 28208
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com



SHEET TITLE:
**FIGURE 5.
SITE PLAN**

SHEET NUMBER:
EX-W



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