



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: October 6, 2015
Comment Deadline: November 5, 2015
Corps Action ID Number: SAW-2015-02083

The Wilmington District, Corps of Engineers (Corps) received an application from Vulcan Materials Company-Rockingham Quarry seeking Department of the Army authorization to discharge dredged or fill material into waters of the U.S., associated with the expansion of an existing mining operation in Richmond 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: Vulcan Lands, Inc.
Attn: Mr. Tony Johnson, Jr.
Mr. Richard W. Roper
1200 Urban Center Drive
Birmingham, Alabama 35242

AGENT (if applicable): A Fine Line Design
Attn: Mr. Craig R. Wyant
Post Office Box 163
High Shoals, North Carolina 28077

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 project site is located at the existing Vulcan Materials Quarry and is southwest of the City of Rockingham, in the northeast corner of U.S. 74 Bypass and SR 117 (Galestown Road). From US 14 Bypass south of Rockingham, take the Cordova exit (Highway 1117/1109) and turn left. Cross over the bridge and take the first right into the Vulcan Materials Company Rockingham Quarry.

Project Area (acres): ~1,500 acres
Nearest Waterway: Hitchcock Creek

Nearest Town: Rockingham
River Basin: Yadkin-Pee Dee

Latitude and Longitude: 34.9368 N, -78.8162 W

Existing Site Conditions

The proposed project site is situated on approximately 1,500 acres, to the north of US Highway 74 to east, southeast of the Galestown Road, located to the southwest of Rockingham, in Richmond County, North Carolina.

Existing land use in the project corridor consists primarily of rural residential, forested, and agricultural lands. The entire site is an ongoing hard rock quarry operation. Portions of the operation include quarry pit, crushed stone processing areas, stockpile, overburden storage areas, fresh water ponds for dust control and processing, roads, parking buildings, railway spur, forested areas used for timber harvest, and natural areas that serve as buffers to surrounding land.

This project lies within Richmond County, which is situated on the physiographic boundary of the Coastal Plain and the Piedmont, in the Pee Dee River Basin (Hydrologic Unit Code 03040201). Terrestrial upland communities in the project study area are represented by four major community types: maintained/disturbed, mesic mixed hardwood forest, dry mesic oak-hickory forest, and pine plantation. The delineated wetland community types located within the project study area include: headwater forests, wet seeps, and bottomland hardwood forests.

Stream channels within the project study area are classified by the NC Division of Water Resources (DWR) as Class C waters. Jurisdictional features within the Vulcan Mine Rockingham Quarry project study area that will be impacted include two unnamed tributaries (UT's) to Hitchcock Creek, one pond, and two riparian wetlands.

There are no designated Outstanding Resource Waters (ORW), Water Supply (I or II) waters, or waters listed on the 2012 303(d) Final List of Impaired Waters within the project study area.

Applicant's Stated Purpose

This project is necessary to expand the quarry pit and associated improvements for ongoing and continued operation. In order to extract the underlying hard rock, an amount of overburden material must be removed and stockpiled to a designated area on site. To accomplish this on-site, an existing undersized crossing will be replaced with a new crossing designed to allow the safe passing of vehicles hauling the overburden. The storage area for overburden is at its maximum capacity and must be increased in size to accommodate the new overburden being generated by the pit expansion.

Project Description

The proposed quarry expansion consists of pit expansion, internal haul road improvement (i.e., replacing an outdated and undersized crossing with a new crossing in the same approximate location), and expanding the existing overburden storage area to accommodate new overburden generated by the pit expansion. Proposed impacts to jurisdictional waters of the U.S. include 2,557 linear feet of stream channel, 0.88 acre of wetland (2,422 linear feet of stream and 0.85 acre wetland for the overburden expansion area, and 135 linear feet of stream channel and 0.03 acre wetland impacted for roadway expansion which leads to the overburden storage area), and 0.71 acre of open water associated with expanding the haul road and replacing the existing crossing with twin 200-foot by 84-inch diameter culverts.

Avoidance and Minimization

The applicant provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant proposes to avoid and minimize impacts to the greatest extent practicable in Phase One by replacing an existing road crossing on the upstream side so that open waters of an incidental man-made pond will be impacted rather than on the downstream side which would impact the forested wetland portion of a beaver pond. The best available and practicable methods will be utilized for erosion and sedimentation control for pit expansion, road crossing construction, and overburden storage area expansion to protect downstream aquatic resources. Impacts to streams and wetlands will be avoided with the exception of those specifically authorized. Future proposed phases will be designed to avoid and minimize impacts to the maximum extent practicable.

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 permanent impacts to 2,557 linear feet of stream channel and 0.88 acre riparian wetland at a 2:1 ratio and 0.71 acre of non-riparian

wetland at a 1:1 ratio through payment into the North Carolina Division of Mitigation Services (DMS) in lieu fee program.

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 NC DWR 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 October 30, 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, November 5, 2015. Comments should be submitted to Ms. Liz Hair, Wilmington Regulatory Field Office, 69 Darlington Avenue, Wilmington, North Carolina 28403, phone number: (910) 251-4049.

Permit Area O-1

Galestown Rd

Site Aerial Photo - Area O-1
(2013 - Google Images)
VMC Rockingham Quarry
Richmond County, NC



NORTH

Scale: 1"=400'



Site Aerial Photo - Area S-1 & W-1

(2014 - Google Images)

VMC Rockingham Quarry
Richmond County, NC



NORTH

Scale: 1"=400'



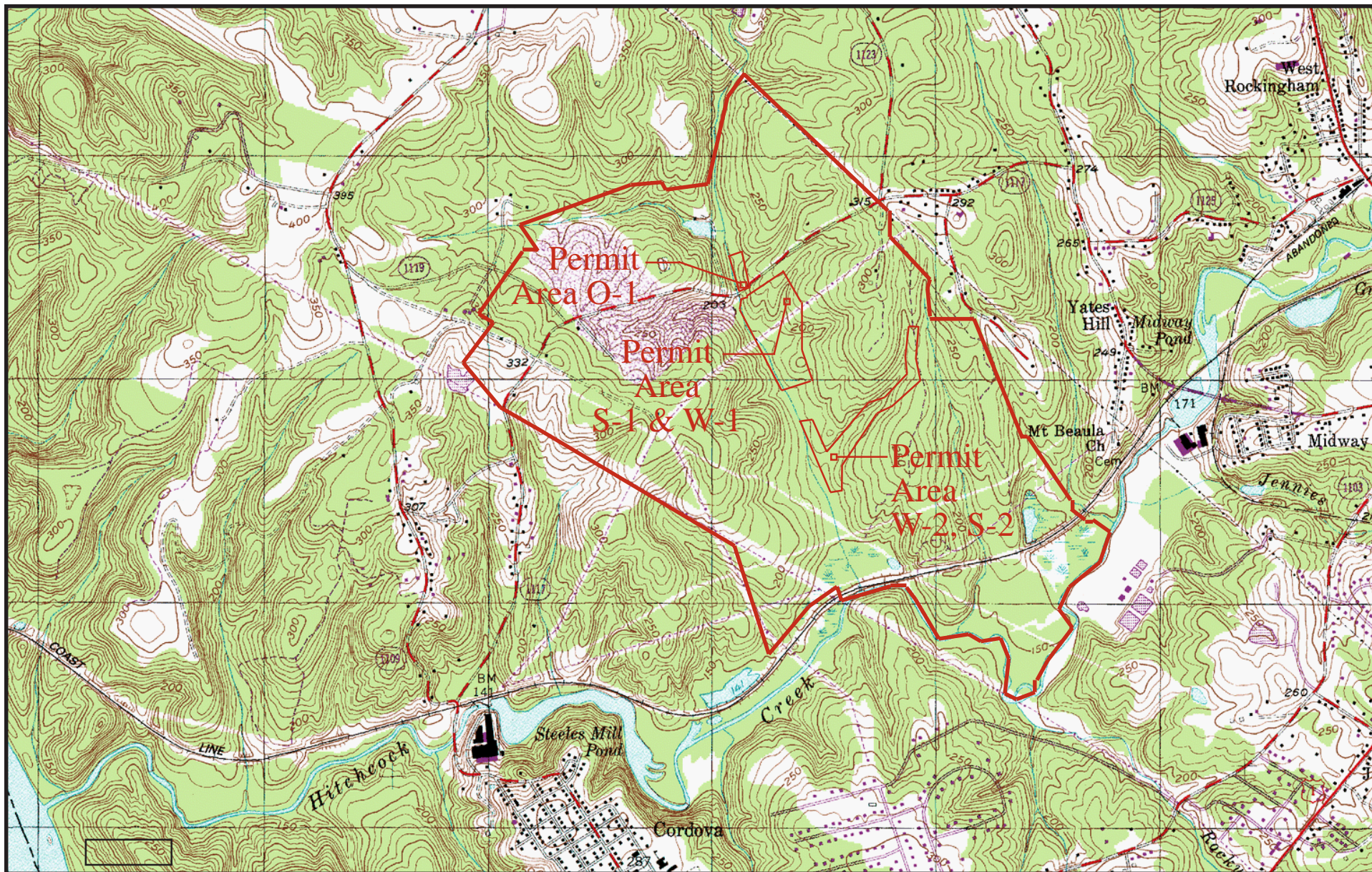
Permit
Area
S-2 & W-2

Site Aerial Photo
Area S-2 & W-2
(2013 - Google Images)
VMC Rockingham Quarry
Richmond County, NC



NORTH

Scale: 1"=600'



Source: US Geologic Survey, Rockingham, NC Quad

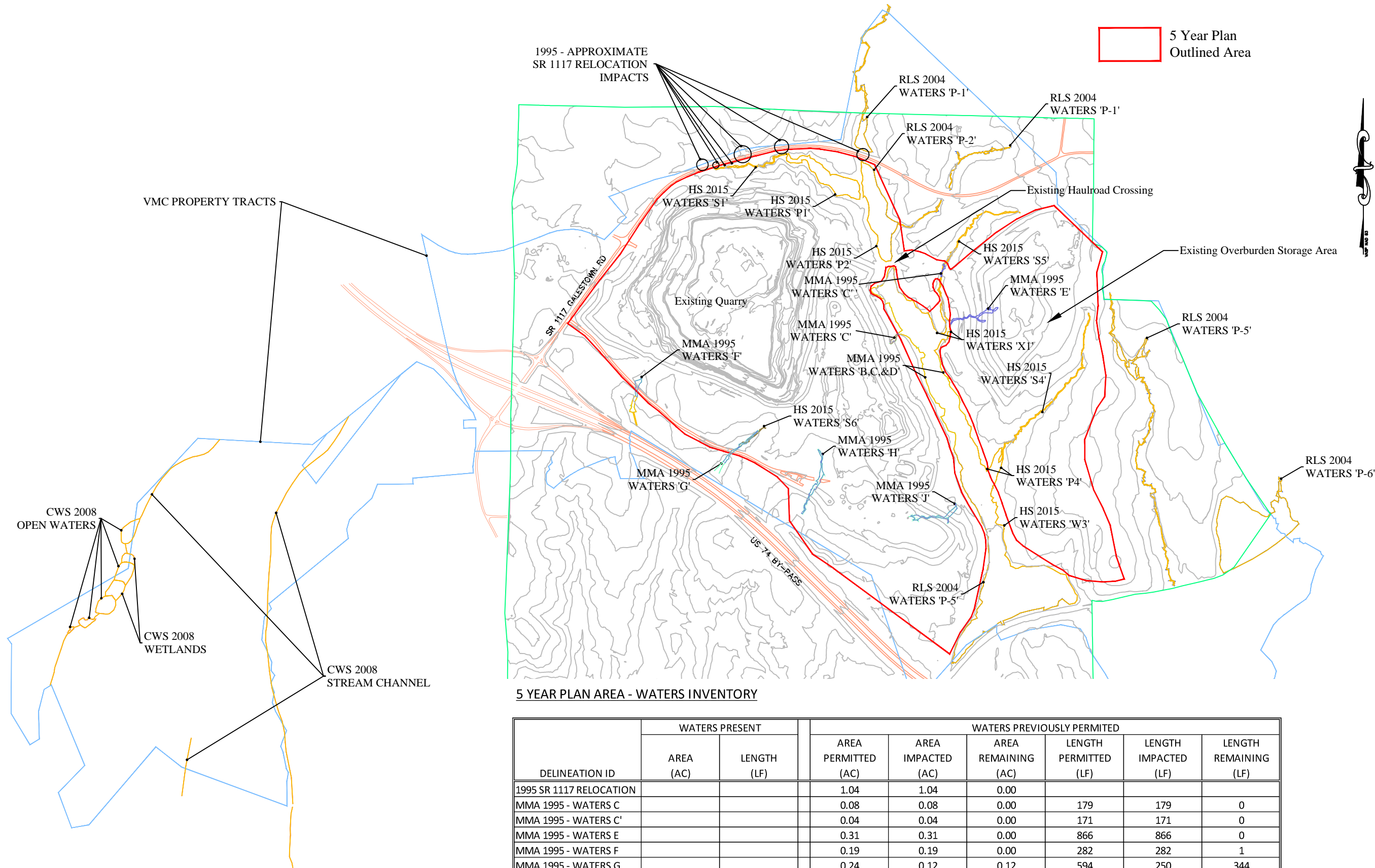
VMC Rockingham Expansion 2015
Vulcan Materials Company
Mideast Division



NORTH

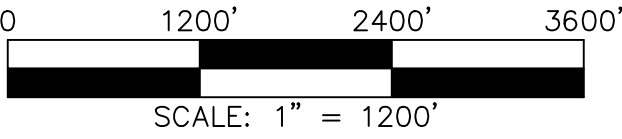
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USGS Project Location Map



5 YEAR PLAN AREA - WATERS INVENTORY

DELINEATION ID	WATERS PRESENT		WATERS PREVIOUSLY PERMITTED					
	AREA (AC)	LENGTH (LF)	AREA PERMITTED (AC)	AREA IMPACTED (AC)	AREA REMAINING (AC)	LENGTH PERMITTED (LF)	LENGTH IMPACTED (LF)	LENGTH REMAINING (LF)
1995 SR 1117 RELOCATION			1.04	1.04	0.00			
MMA 1995 - WATERS C			0.08	0.08	0.00	179	179	0
MMA 1995 - WATERS C'			0.04	0.04	0.00	171	171	0
MMA 1995 - WATERS E			0.31	0.31	0.00	866	866	0
MMA 1995 - WATERS F			0.19	0.19	0.00	282	282	1
MMA 1995 - WATERS G			0.24	0.12	0.12	594	250	344
MMA 1995 - WATERS H			0.41	0.41	0.00	943	943	0
MMA 1995 - WATERS J			0.28	0.28	0.00	797	797	0
HS 2015 - WATERS S1		1061						
HS 2015 - WATERS P1	3.32							
HS 2015 - WATERS P2	5.52							
HS 2015 - WATERS S4		2422						
HS 2015 - WATERS P4	0.85							
HS 2015 - WATERS S6		0						



5 Year Plan Outlined Area



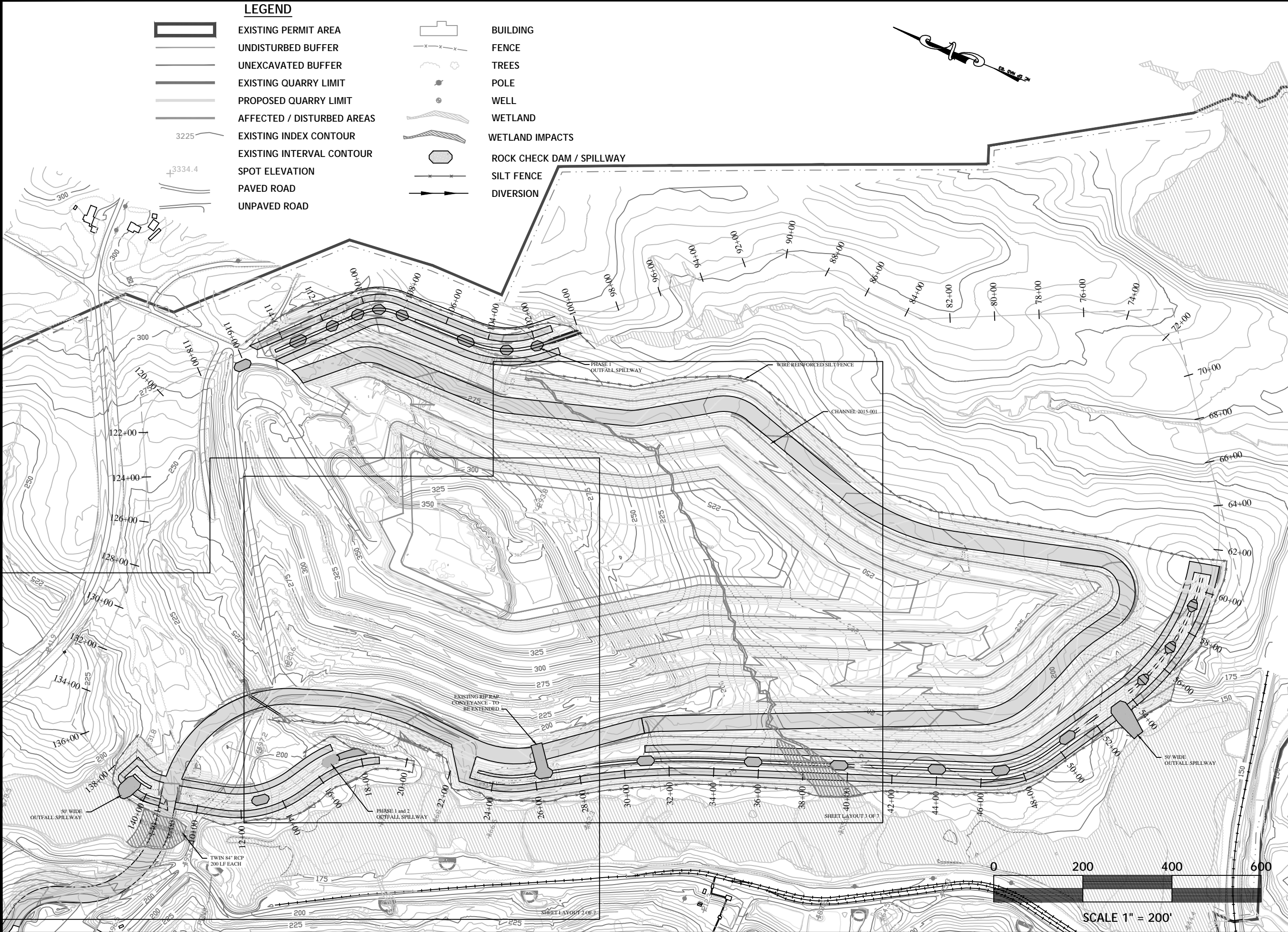
Prepared For:



DESIGNED: PB,CW
DRAWN: PB,VCM
CHECKED: VCM
DATE: 9-9-2015
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ROCKINGHAM QUARRY
RICHMOND COUNTY, NORTH CAROLINA

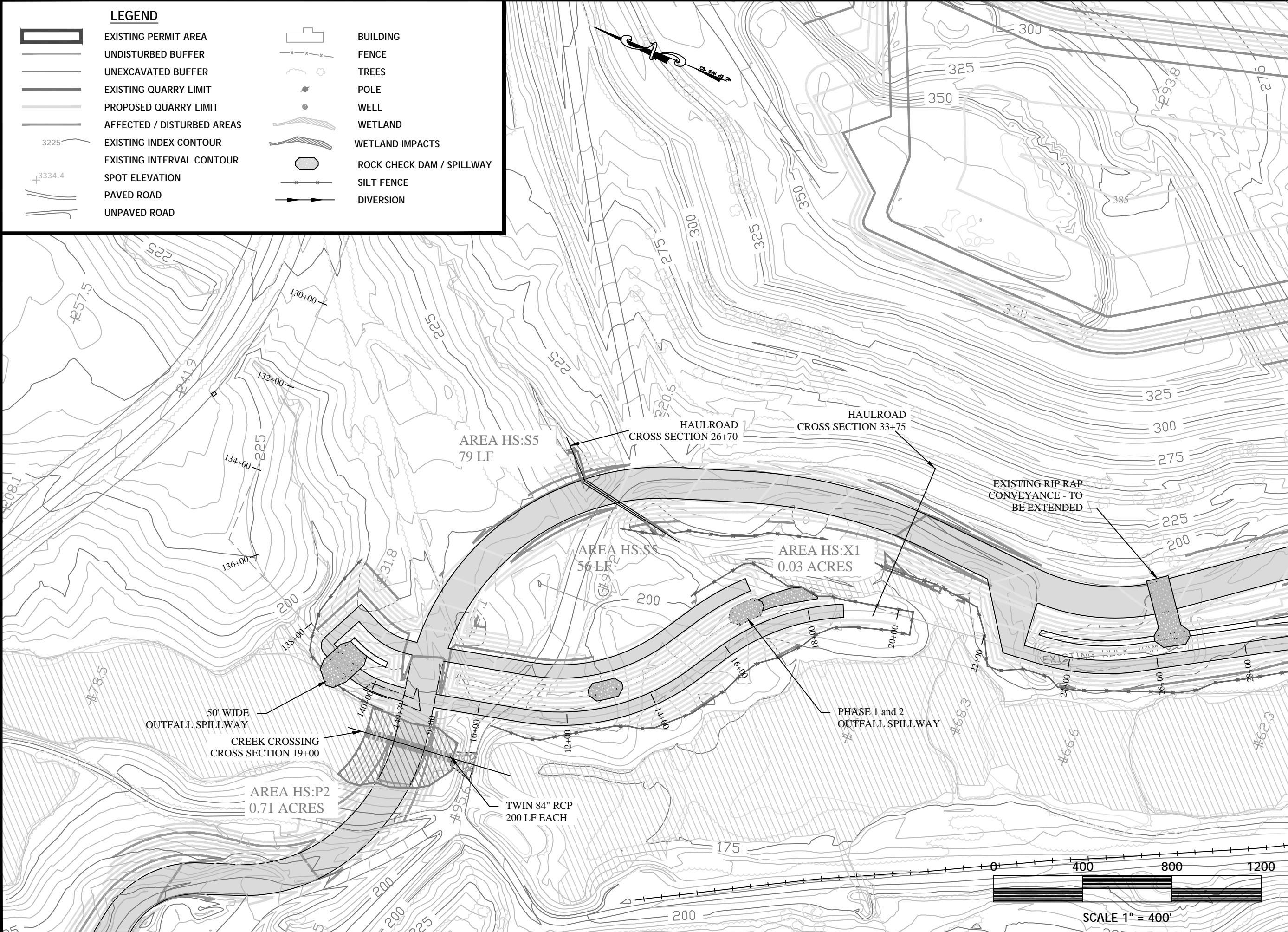
5 YEAR PLAN



Prepared For:

Vulcan
Materials Company

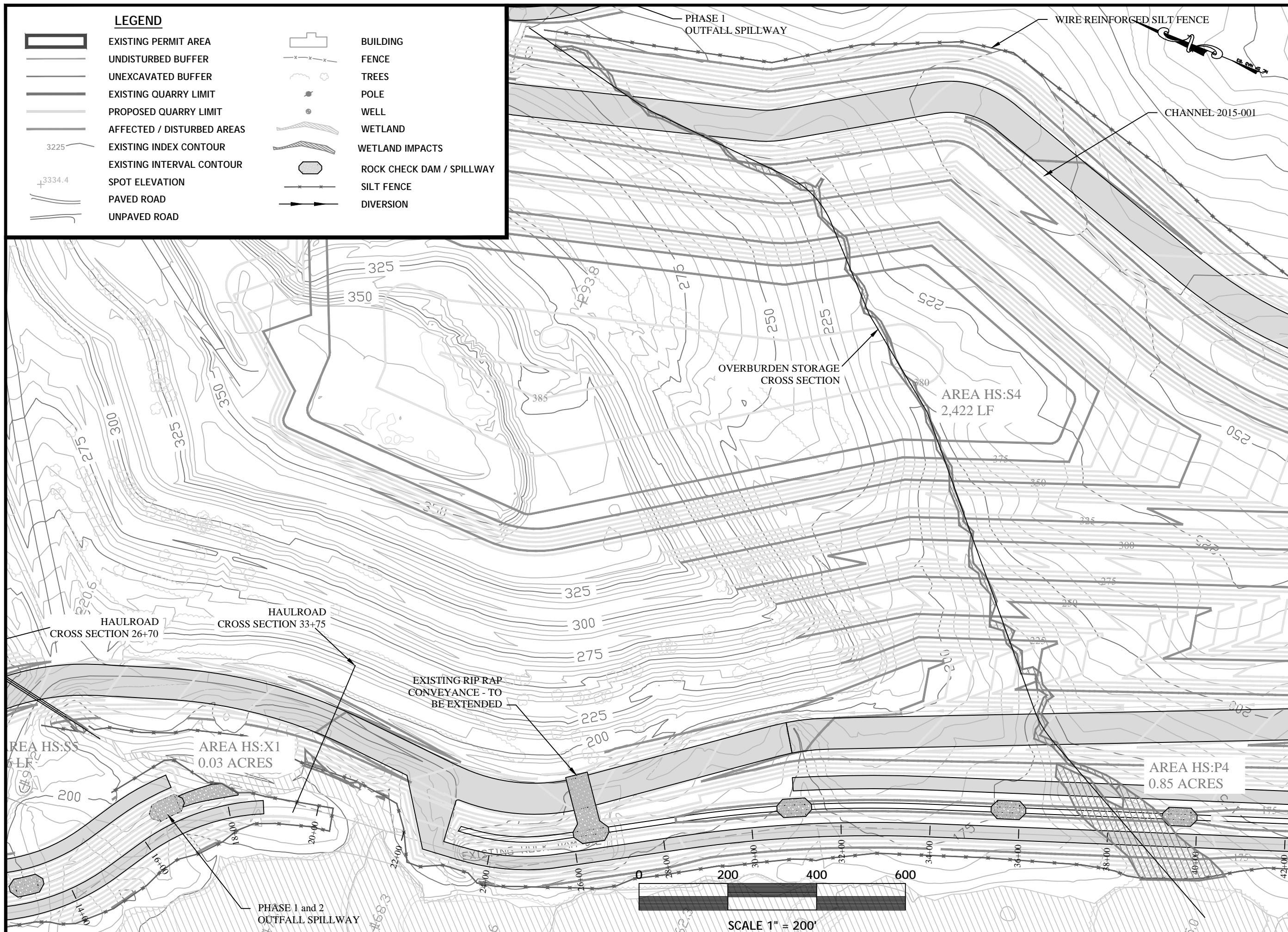
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SHEET #: 1 OF 7	
FILE NAME: Rockingham 5 Year Plan.dwg	



Prepared For:

Vulcan
Materials Company

DESIGNED: PB	ROCKINGHAM QUARRY
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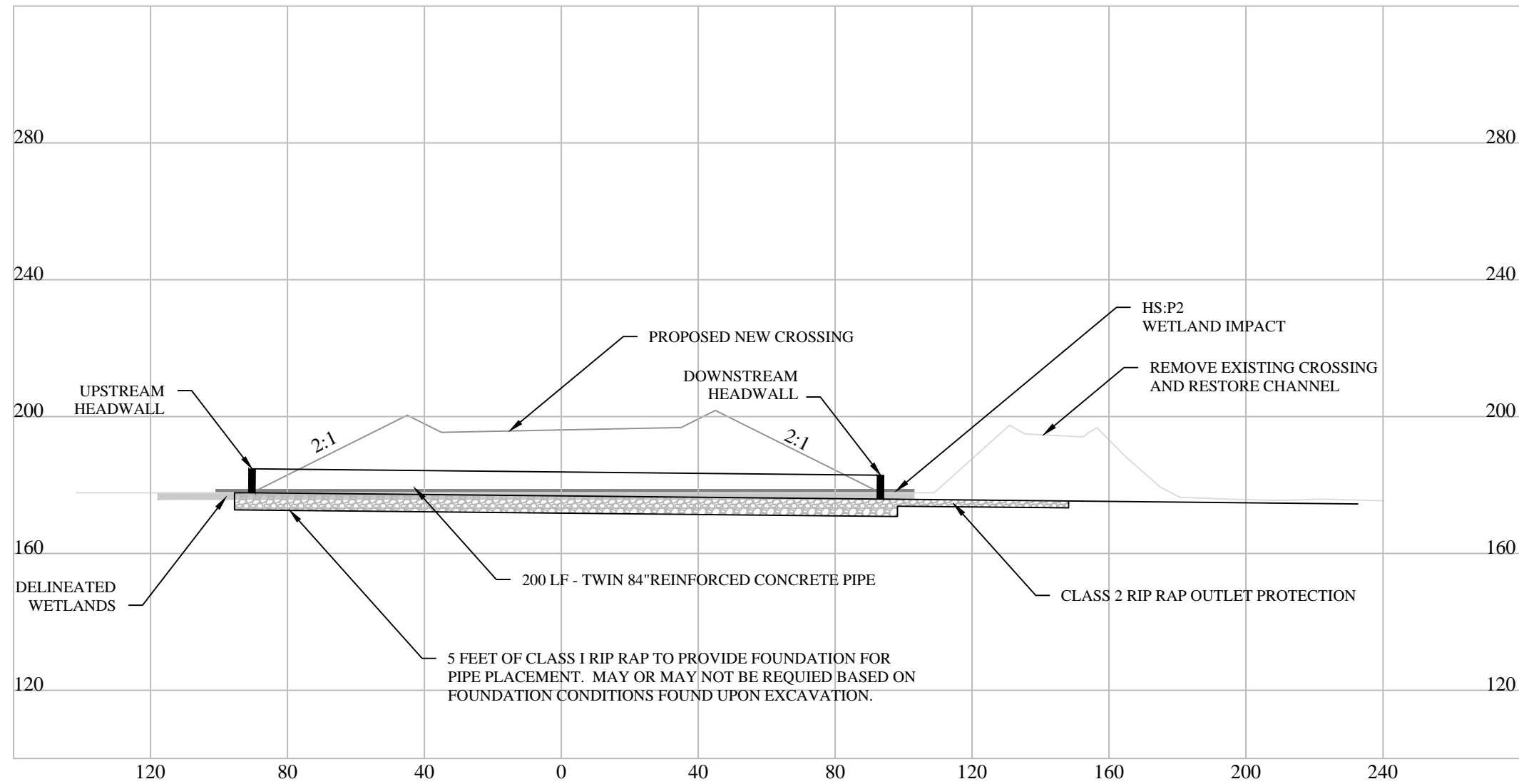
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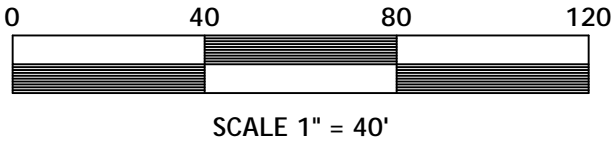
ROCKINGHAM QUARRY
RICHMOND COUNTY, NORTH CAROLINA

5 YEAR PLAN
PLAN VIEW

Vulcan
Materials Company



SECTION THROUGH CREEK CROSSING
AT STA 19+00



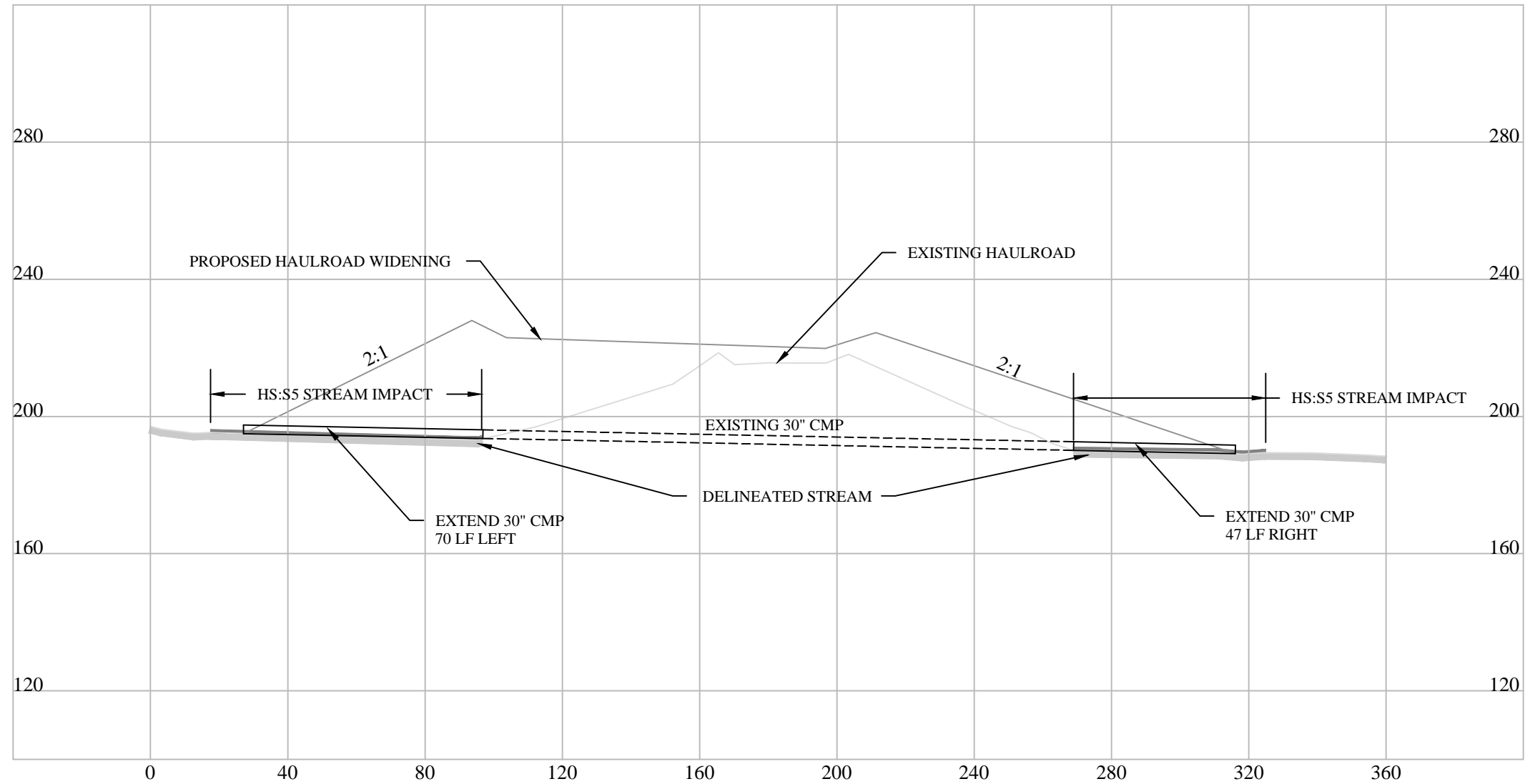
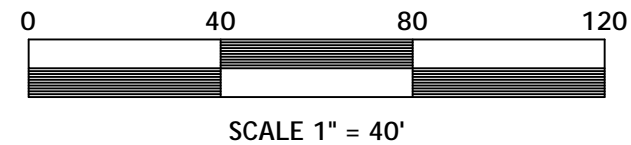
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FILE NAME:	Rockingham 5 Year Plan.dwg

ROCKINGHAM QUARRY
RICHMOND COUNTY, NORTH CAROLINA

5 YEAR PLAN
CROSS SECTION



SECTION THROUGH HAULROAD
AT STA 26+70

Prepared For:

Vulcan
Materials Company

DESIGNED: PB
DRAWN: PB,VCM
CHECKED: VCM
DATE: 09/08/2015
SCALE: AS SHOWN
SHEET #: 5 OF 7
FILE NAME: Rockingham 5 Year Plan.dwg

ROCKINGHAM QUARRY
RICHMOND COUNTY, NORTH CAROLINA

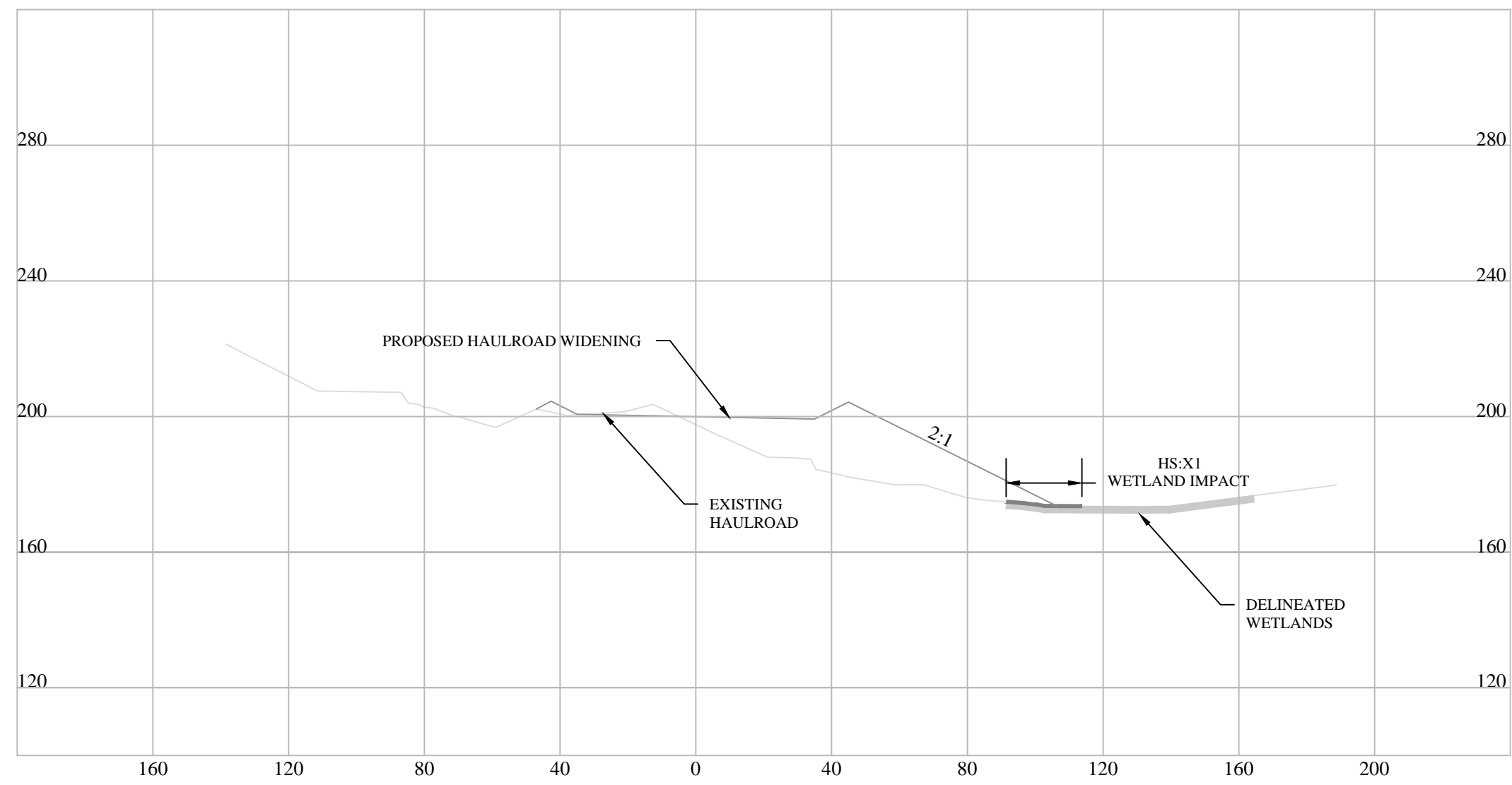
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CROSS SECTION

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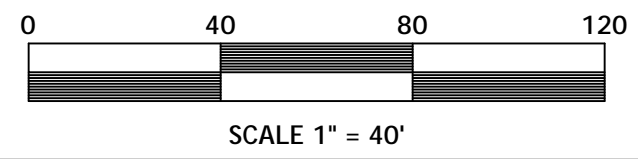
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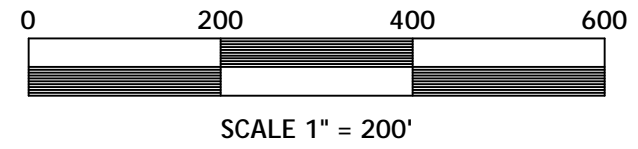
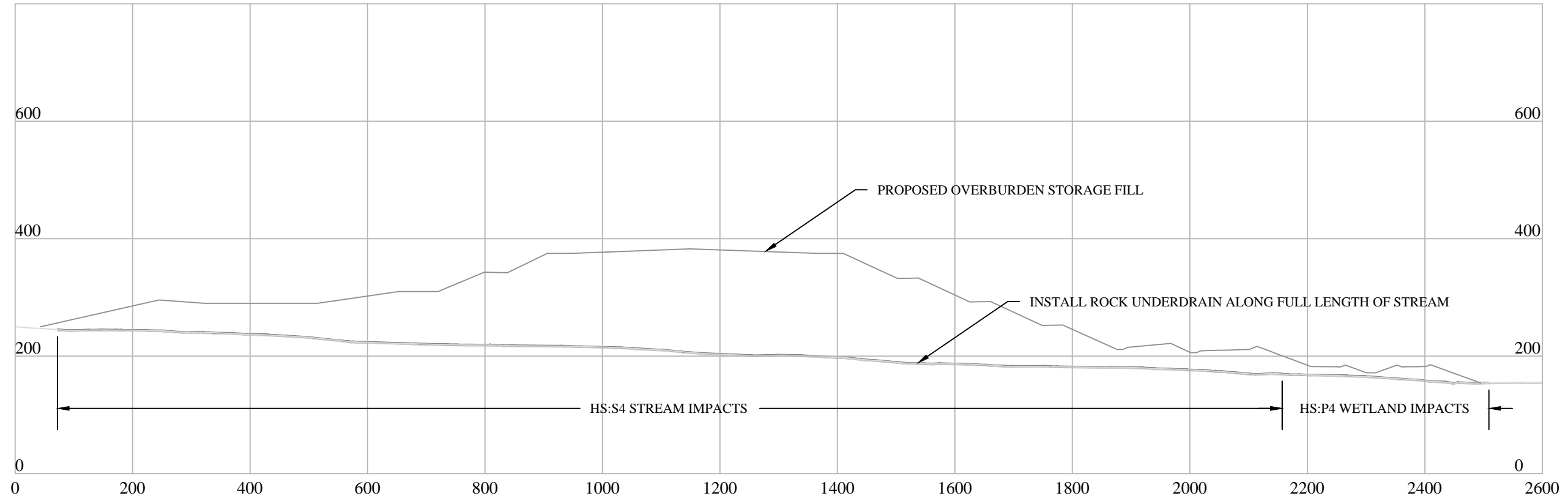
ROCKINGHAM QUARRY
RICHMOND COUNTY, NORTH CAROLINA

5 YEAR PLAN
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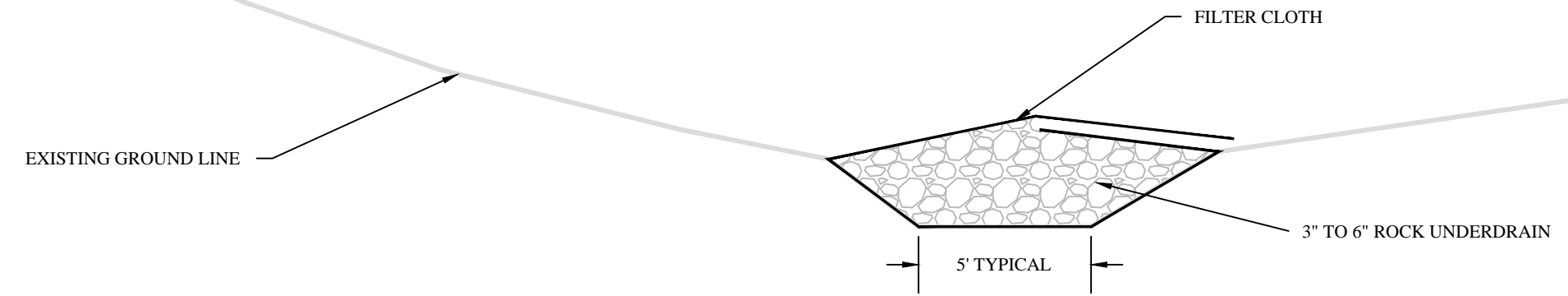


SECTION THROUGH HAULROAD
AT STA 33+75





OVERBURDEN STORAGE
CROSS SECTION



ROCK UNDERDRAIN
CROSS SECTION



Prepared For:

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CHECKED:	VCM
DATE:	09/08/2015
SCALE:	AS SHOWN
SHEET #:	7 OF 7
FILE NAME:	Rockingham 5 Year Plan.dwg

ROCKINGHAM QUARRY
RICHMOND COUNTY, NORTH CAROLINA

5 YEAR PLAN
CROSS SECTION