



PUBLIC NOTICE

Issue Date: 21 March 2016
Comment Deadline: 19 April 2016
Corps Action ID Number: SAW-2016-00507

The Wilmington District, Corps of Engineers (Corps) received an application from Pender County Schools seeking Department of the Army authorization to impact waters of the US, associated with the construction of a K-8 school with associated recreational fields, access roads, parking, and stormwater facilities in Surf City, Pender 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: Pender County Schools
c/o Mr. Kenneth Fuller
925 Penderlea Highway
Burgaw, North Carolina 28425

AGENT (if applicable): Land Management Group, Inc.
c/o Ms. Kim Williams
3805 Wrightsville 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:

- 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: From Wilmington, take Highway 17 North to Pender County. Turn right onto Shepards Road, then, turn right onto Perkins Drive. The site is located on the left, as shown in the attached Vicinity Map.

Project Area (acres): 87.47 Nearest Town: Surf City
Nearest Waterway: Becky's Creek River Basin: White Oak River Basin
Latitude and Longitude: 34.462N, -77.574W

Existing Site Conditions

The 87.47-acre site is currently forested with dirt access roads throughout and contains 56.9 acres of forested wetlands and 0.041 acres of isolated wetlands. The site was cleared in 2002 so young saplings dominate the upper canopy, which consists of longleaf (*Pinus palustris*) and loblolly (*Pinus taeda*) pine trees, turkey oak (*Quercus laevis*), and live oak (*Quercus virgininana*). In the mid-canopy, red maple (*Acer rubrum*), titi (*Cyrilla racemiflora*), live oak, loblolly bay (*Gordonia lasianthus*), and wax myrtle (*Morella cerifera*) are the dominate species. A sparse herbaceous layer consisting primarily of wiregrass (*Aristida stricta*) exists. Wetlands identified in the southwest portion of the site appear the drain south to Becky's Creek and the northern wetlands flow northeast toward County Line Branch. Both of the receiving waters are classified as High Quality Waters and shell fishing and recreational tidal salt waters classification as defined by the North Carolina Division of Water Resources.

Applicant's Stated Purpose

The purpose of the new school is to provide educational opportunities to a growing community.

Project Description

The proposed project entails the construction of a 162,838 gross square foot K-8 school building, with an initial footprint supporting 1,140 students and a future expansion that will accommodate a total of 1,500 students, recreational fields (baseball, softball, soccer, and football), parking, access roads, and stormwater facilities. The project proposes to impact 8.16 acres of freshwater, forested wetlands and 0.041 acre of isolated wetland.

Avoidance and Minimization

The applicant provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The building would be situated in the largest upland area on the property in order to use all uplands to the maximum extent practicable. The chosen configuration of the building was not the preferred configuration; however, it would reduce wetland impacts compared to other configurations. By combining the elementary school (Grades K-3) and the middle school (Grades 4-8)

impervious surfaces as well as wetland impacts would be reduced compared to constructing separate schools on different sites.

Compensatory Mitigation

The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: At this time, the applicant proposes preservation of the remaining 48.77 acres of onsite wetlands to offset impacts to 4.877 acres of wetlands at a 10:1 ratio and offsetting the remaining 6.5 acres of impact through purchasing credits at a 2:1 ratio (6.5 acres x 2) for restoration of non-riparian wetlands from the Northeast Cape Fear Mitigation Bank located in the Cape Fear 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 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.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO 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 is not aware of the presence of any 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 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 to,

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

North Carolina Division of Coastal Management (NCDWM):

Based upon all available information, the Corps determines that this application for a Department of Army (DA) permit does not involve an activity that 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.

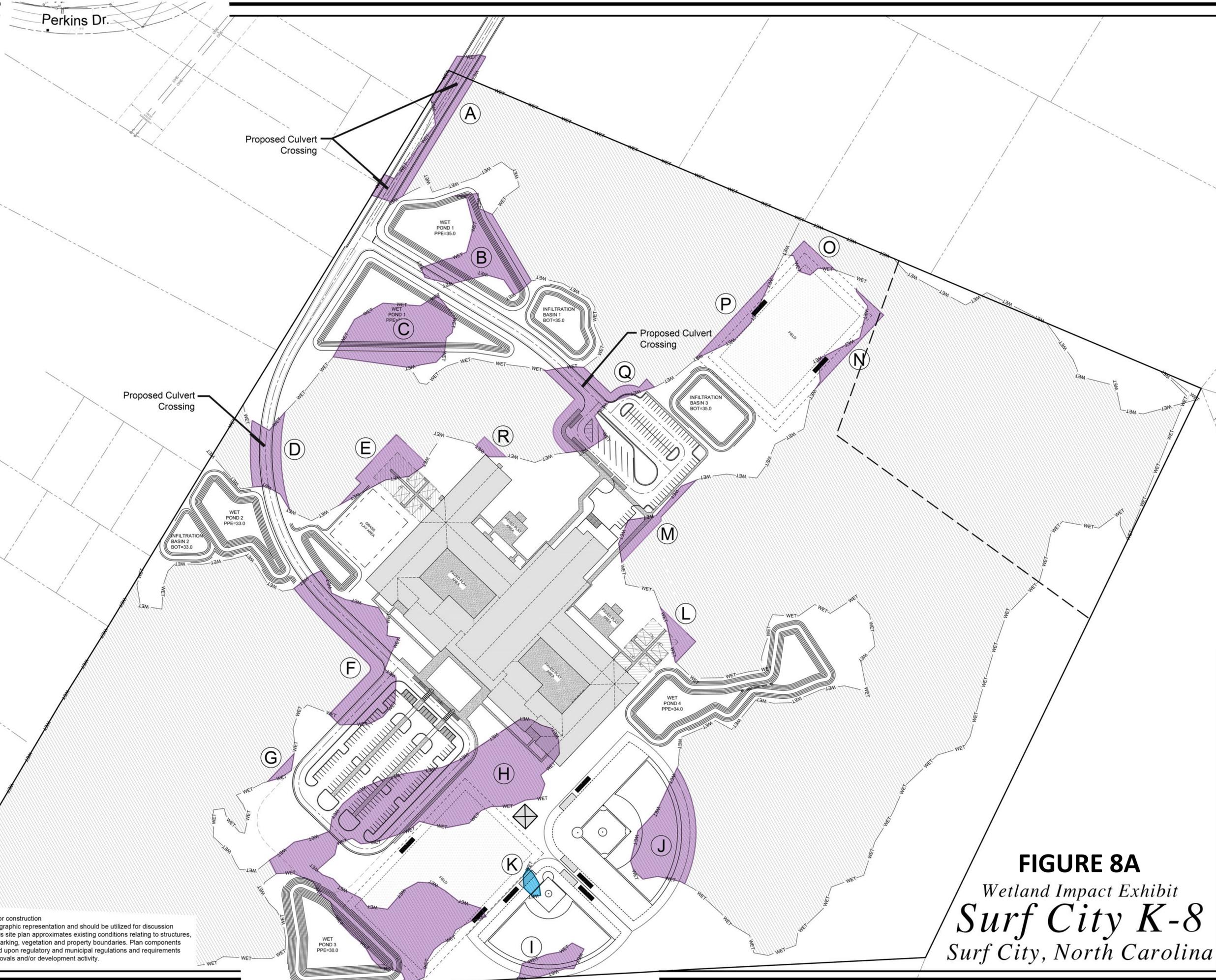
The Corps of Engineers, Wilmington District will receive written comments pertinent to the proposed work, as outlined above, until 5pm, 19 April 2016. Comments should be submitted to Ms. Emily Greer, Wilmington Regulatory Field Office,, 69 Darlington Avenue, Wilmington, North Carolina 28403 , or by email at emily.c.greer@usace.army.mil.

Site Data

Total Overall Site Acreage:	87.47 Ac.
Total Wetland Impacts:	8.159 Ac.
Impact A:	0.424 Ac.
Impact B:	0.537 Ac.
Impact C:	0.772 Ac.
Impact D:	0.272 Ac.
Impact E:	0.255 Ac.
Impact F:	0.846 Ac.
Impact G:	0.028 Ac.
Impact H:	3.123 Ac.
Impact I:	0.153 Ac.
Impact J:	0.611 Ac.
Impact L:	0.085 Ac.
Impact M:	0.153 Ac.
Impact N:	0.130 Ac.
Impact O:	0.090 Ac.
Impact P:	0.151 Ac.
Impact Q:	0.494 Ac.
Impact R:	0.036 Ac.

Total On-Site Wetlands:	56.930 Ac.
Total Preserved Wetlands:	48.771 Ac.

Total Non-Jurisdictional Wetlands Impacts:	0.041 Ac.
Impact K:	0.041 Ac.

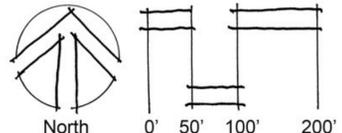


Legend

- Jurisdictional Wetland Impacts
- Non-Jurisdictional Wetland Impacts

PARAMOUNTE
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WILMINGTON, NC
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Wilmington, North Carolina 28403
(910) 791-6707 (O) (910) 791-6760 (F)
NC License #: C-2846

SCALE: 1" = 250' at 11" x 17"
SCALE: 1" = 100' At 24" x 36"



Preliminary - not for construction
This site plan is a graphic representation and should be utilized for discussion purposes only. This site plan approximates existing conditions relating to structures, wetlands, roads, parking, vegetation and property boundaries. Plan components may change based upon regulatory and municipal regulations and requirements at the time of approvals and/or development activity.

FIGURE 8A
Wetland Impact Exhibit
Surf City K-8
Surf City, North Carolina