



**US Army Corps
of Engineers** ®
Wilmington District

PM-D-2023-S408-0001

PUBLIC NOTICE
REQUEST FOR PERMISSION
TO MODIFY A
U.S. ARMY CORPS OF ENGINEERS PROJECT UNDER SECTION 408

TITLE: Granite City Greenway Extension, Mount Airy, North Carolina

PUBLIC NOTICE COMMENT PERIOD:

Begins: January 6, 2023
Expires: January 20, 2023

Interested parties are hereby notified that an application has been received for Department of the Army Section 408 (Section 14 of the Rivers and Harbors Act of 1899; 33 U.S.C. 408; hereinafter Section 408) permission to conduct proposed work adjacent to the Ararat River Flood Damage Reduction Project (Figure 1), as described below. Written comments are being solicited from anyone having an interest in the requested alteration. Comments received will become part of the U.S. Army Corps of Engineers' (USACE) administrative record and will be considered in determining whether to permit the request. Comments supporting, opposing, or identifying concerns that should be considered by the USACE in its decision process are welcome. Comments providing substantive information and/or a rationale for the commenter's position are the most helpful. Comments regarding the proposed work should reference the USACE public notice number (PM-D-2023-S408-0001) and must reach the USACE via email no later than **January 20, 2023** to become part of the public record and be considered in the USACE's decision. Please send comments to the Wilmington District Section 408 Coordinator at: kent.tranter@usace.army.mil.

REQUESTER: In compliance with Section 408, the City of Mount Airy, North Carolina has requested permission to alter the existing Federal project. The city desires to extend the existing Granite City Greenway 1.3 miles along the existing earthen levee and acquired easements along the Ararat River.

LOCATION: The portion of the existing project impacted by the proposed modification begins in Riverside Park extending along the existing levee adjacent to the Ararat River to Riverside Drive (NC 104) just south of Old Springs Road in the City of Mount Airy, NC (Figure 2). Specifically, the proposed action will impact the Riverside/Linville Roads Levee (System ID: 6105005001) and the Quality Mills Levee (System ID: 6105005002).

PROPOSED ACTION: The proposed project includes extending the existing Granite City Greenway 1.3 miles along the existing earthen levee and acquired easements along the Ararat River. The path will be a 10 foot wide, paved, ADA compliant trail. The purpose of the project is to improve recreational opportunities and provide a safe ADA compliant trail for cyclists and pedestrians along the river.

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REGULATORY AUTHORITY: This request will be reviewed according to the provisions of Section 408. A requester has the responsibility to acquire all other permissions or authorizations required by federal, state, and local laws or regulations. An approval under Section 408 does not grant any property rights or exclusive privileges, nor does it authorize any injury to the property or rights of others.

EVALUATION: The decision whether to grant the requested permission for federal project modification under Section 408 will be based on several factors and 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. Review of the request for modification will be reviewed by a USACE technical review team and will consider, but not necessarily be limited to, the following factors:

1. Impair the Usefulness of the Project Determination. The review team will determine if the proposed alteration would limit the ability of the projects to function as authorized, or would compromise or change any authorized project's conditions, purposes, or outputs. The decision whether to approve a request for modification would be based on a determination of no impairments.
2. Injurious to the Public Interest Determination. Proposed alterations will be reviewed to determine the probable impacts, including cumulative impacts, on the public interest.

SUMMARY: It should be noted that materials submitted as part of Section 408 requests become part of the public record and will be available to the general public under the provisions of the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under the FOIA or make an appointment to view the project file at the USACE Wilmington District's Office of Counsel.

Interested parties wishing to comment on the proposed action must do so in writing no later than **January 20, 2023**. Comments may be submitted to the Wilmington District Section 408 Coordinator at: kent.tranter@usace.army.mil. It is presumed that all parties viewing this notice will wish to respond; therefore, a lack of response will be interpreted as meaning there is no objection to the proposed action as described.

Kent Tranter
Wilmington District
U.S. Army Corps of Engineers

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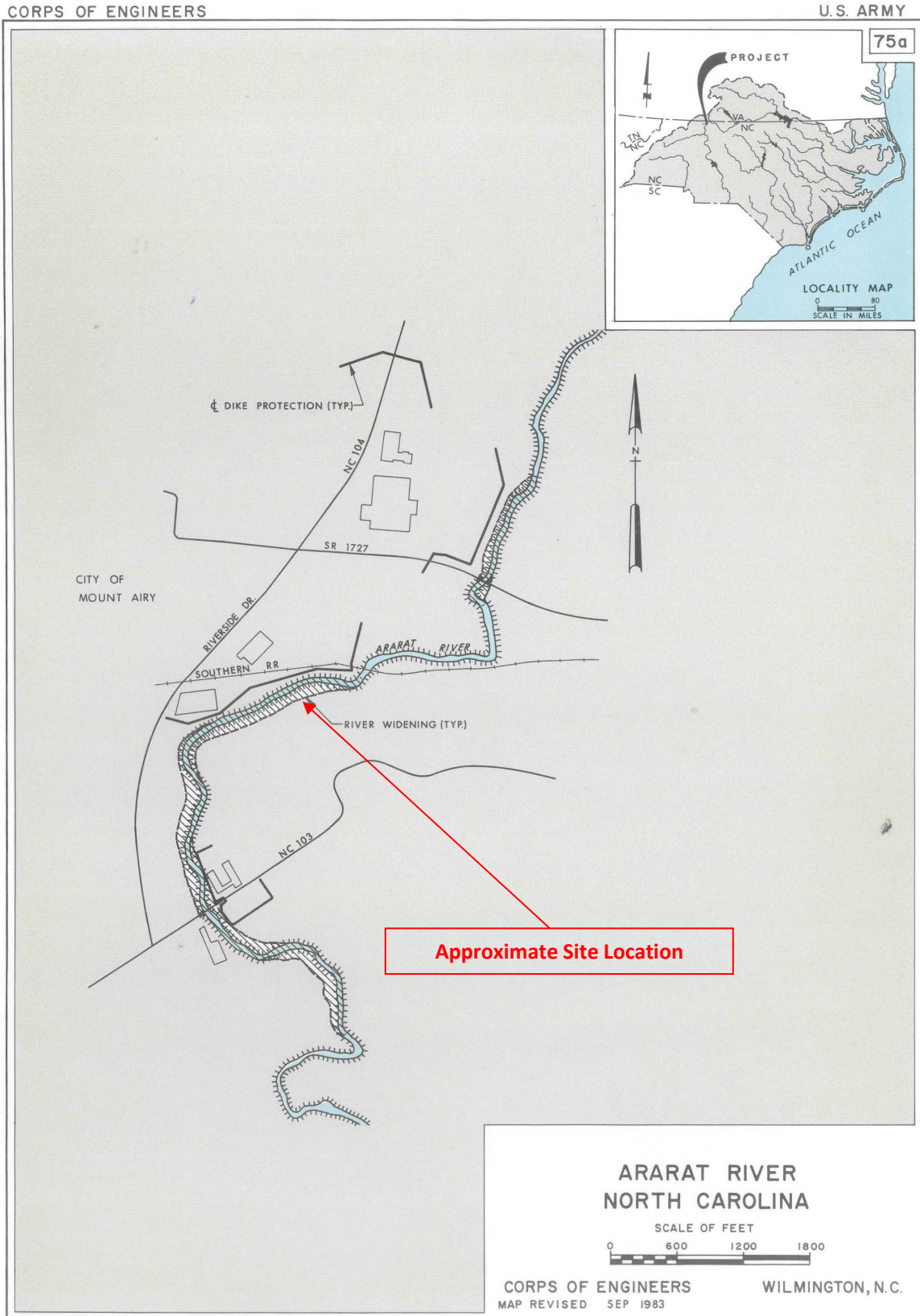


Figure 1. Ararat River, North Carolina Federal Project Map