



**US Army Corps
Of Engineers**
Wilmington District

PUBLIC NOTICE

Issue Date: June 21, 2024
Comment Deadline: July 21, 2024
Corps Action ID Number: SAW-2017-01312

The Wilmington District, Corps of Engineers (Corps) received an application from Smith Reynolds Airport (INT), seeking Department of the Army authorization to permanently impact 2,509 linear feet (LF) of stream channel and 0.87 acre of wetland, and temporarily impact 26 LF of stream channel for the extension of Runway 4-22 Safety Area and construction of Maintenance, Repair, and Overhaul Facilities (Project), in Winston-Salem, Forsyth 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:

<https://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Public-Notices/>

Applicant: Mark Davidson
Airport Director
Smith Reynolds Airport
3801 N. Liberty Street
Winston-Salem, North Carolina 27105

AGENT (if applicable): Anna Reusche
TranSystems
One Glenwood Avenue
Raleigh, North Carolina 27603

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

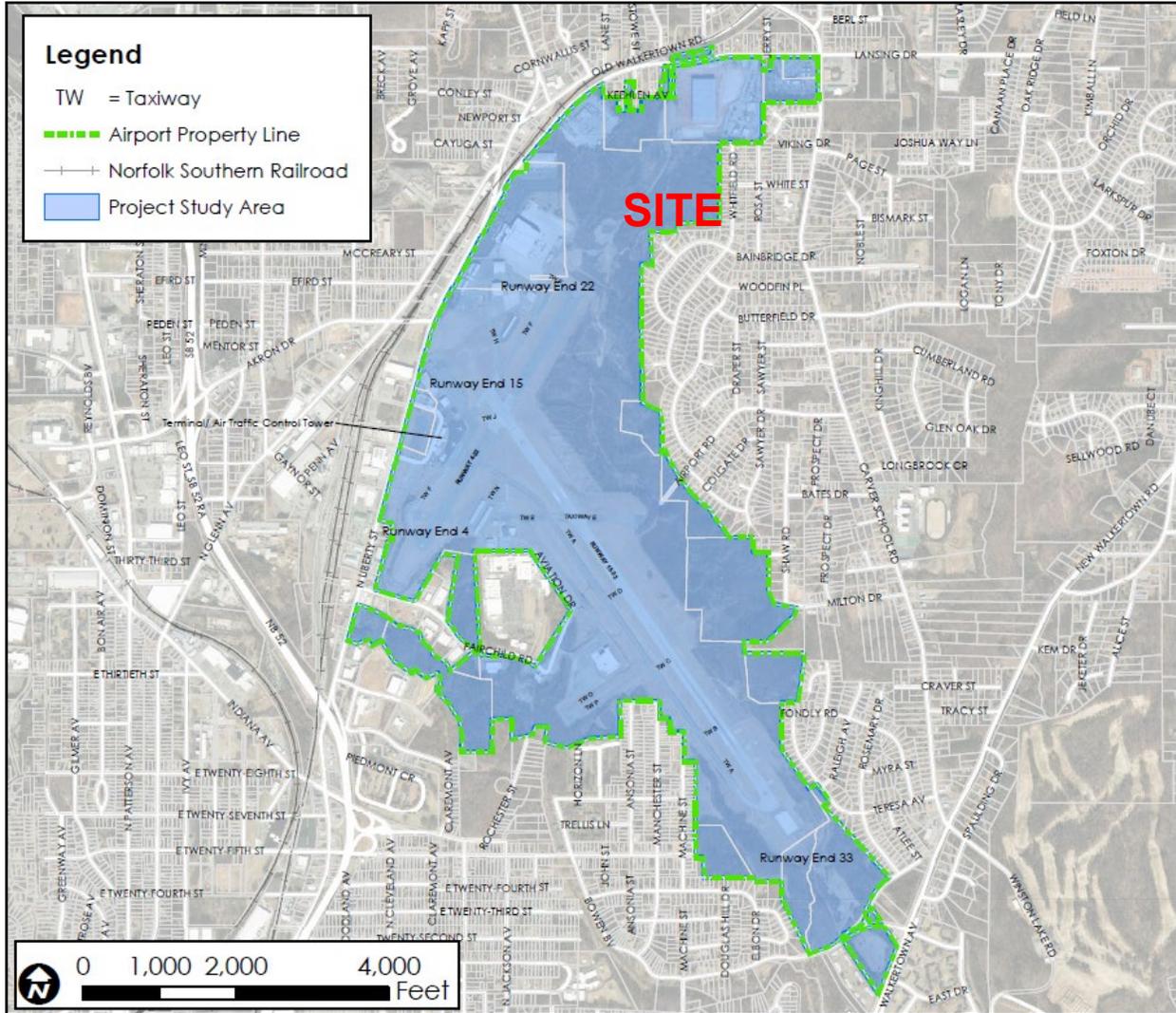


Figure 1. Location of Project Lima: Smith Reynolds Airport

Location Description: The 775-acre airport campus is located along 3801 North Liberty Street, in Winston-Salem, Forsyth County, North Carolina.

Project Area (acres): 775

Nearest Town: Winston-Salem

Nearest Waterway: Brushy Fork

River Basin: Upper Pee Dee River Basin (8-digit HUC: 03040101)

Latitude and Longitude: 36.131656 N, -80.221165 W

Existing Site Conditions

The proposed Project is located at the Forsyth County Smith Reynolds Airport. The Project site consists of the airport facilities (terminal, runway and several other associated infrastructure), forested areas and clear-cut areas. Geologist Survey (USGS) 7.5-minute topographic quadrangle of Walkertown NC, and the Winston-Salem East quadrangle.

The Project is located within the Upper Yadkin Basin, USGS hydrologic unit 03040101, which is part of the Yadkin-Pee Dee River Basin. A Best Usage Classification (BUC) is assigned to waters of North Carolina based on the existing or contemplated best usage of various bodies of water.

The streams on-site have a BUC of C: which is a source for aquatic life, Secondary contact recreation and Fresh water. Classification of C water are for protected uses such as aquatic life propagation, survival and maintenance of biological integrity (including fishing and fish), wildlife, secondary contact recreation, and agriculture. Secondary contact recreation means wading, boating, other uses not involving human body contact with water, and activities involving human body contact with water where such activities take place on an infrequent, unorganized, or incidental basis. The streams on site are generally characterize by a medium score. Wetlands on-site are generally classified as a bottomland hardwood forest according to the North Carolina Wetland Assessment Method (NCWAM).

On January 3, 2022, the Corps provided a Delineation Concurrence for waters of the United States (WOTUS) identified within the Project. The entire airport site has approximately 20,610 LF of stream channel and 2.2 acres of 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 project has avoided and minimized impacts to the maximum extent practical. Aside from internal roadway construction (culvert installation) and sewer/utility infrastructure, all impacts associated with the Site have and would continue to occur in upland areas, outside of waters of the United States.

Compensatory Mitigation

The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant has chosen to purchase 5,018 stream mitigation units (SMU) from the WLS Yadkin 01 UMB Grassy Creek Mitigation Site and RES Yadkin 01 UMB Twinman Mitigation Site and 1.74 wetland mitigation units (WMU) from the North Carolina Division of Mitigation Services in order to offset the unavoidable loss of 2,509 LF of stream channel and 0.87 acre of wetland.

Essential Fish Habitat

The Corps' 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 (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) are present within the Corps' permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO and/or THPO.

Please note, through letter dated April 11, 2024 (Re: 24-E-0000-0243, CH 15-2872), the NC SHPO provided the following comments regarding the proposed project:

“Based on the information provided in the EA, we concur with the recommendations and avoidance measures to avoid impacts to the cemeteries as well as report unanticipated discoveries of unknown historic properties and/or unanticipated effects to known historic properties. Our office finds that the proposed undertaking will have no effect on any historic properties eligible for

listing in the NRHP and concurs that no additional archaeological surveys are required for this undertaking.

We do, however, request that in addition to North Carolina General Statute (NCGS) 65 and NCGS 70 mentioned in the NC-HPO Project Scoping Comments section, NCGS 14-148 (Defacing or desecrating graves sites) and NCGS 14-149 (Desecrating, plowing over or covering up graves; desecrating human remains) be included as state laws pertaining to the protection of cemeteries and unmarked human burials.”

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 may affect federally listed endangered or threatened species or their formally designated critical habitat.

By copy of this public notice, the Corps initiates consultation under Section 7 of the ESA and will not make a permit decision until the consultation process is complete.

According to the Information for Planning and Consultation (IPAC) website, the following species are listed:

Schweinitz’s sunflower (*Helianthus schweinitzii*); endangered
Tricolored Bat (*perimyotis subflavus*); proposed endangered
Monarch Butterfly (*Danaus plexippus*); candidate species

Based on information provided in the application, there is potentially suitable habitat present for Schweinitz’s sunflower, Tricolored bat, and Monarch butterfly. The applicant conducted targeted botanical surveys for Schweinitz’s sunflower within the appropriate survey window (October 20, 2023); no occurrences were observed. The applicant has also agreed to a tree clearing moratorium in the event the Tricolored bat is uplisted prior to construction. Further, through email dated April 11, 2024, the USFWS provided an email to the applicant indicating they would concur with an agency determination of may affect, not likely to adversely affect determination. Therefore, the Corps has determined the proposed project may affect, but is not likely to adversely affect the above referenced species.

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 at the NCDWR Central Office in Raleigh constitutes initial receipt of an application for a 401 Certification. Unless NCDWR is granted a time review extension, a waiver will be deemed to occur if the NCDWR fails to act on this request for certification within 180 days of the date of this public notice. 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 should do so in writing, within 30 days of the issue date of the notice by emailing comments to publiccomments@deq.nc.gov with the subject line of "401 Water Quality Certification" or by mail to:

NCDWR Central Office
Attention: Stephanie Goss, 401 and Buffer Permitting Branch
(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 (NCDWM):

- 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 will 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, July 21, 2024. Comments should be submitted to Ms. Krysta Stygar, Charlotte Regulatory Field Office, 8430 University Executive Park Drive, Suite 615, Charlotte, North Carolina 28262, by email at Krystynka.B.Stygar@usace.army.mil, or by phone at (252) 545-0507. Comments may also be submitted to CharlotteNCREG1@usace.army.mil.

Draft Environmental Assessment
Project Lima - Smith Reynolds Airport (INT)

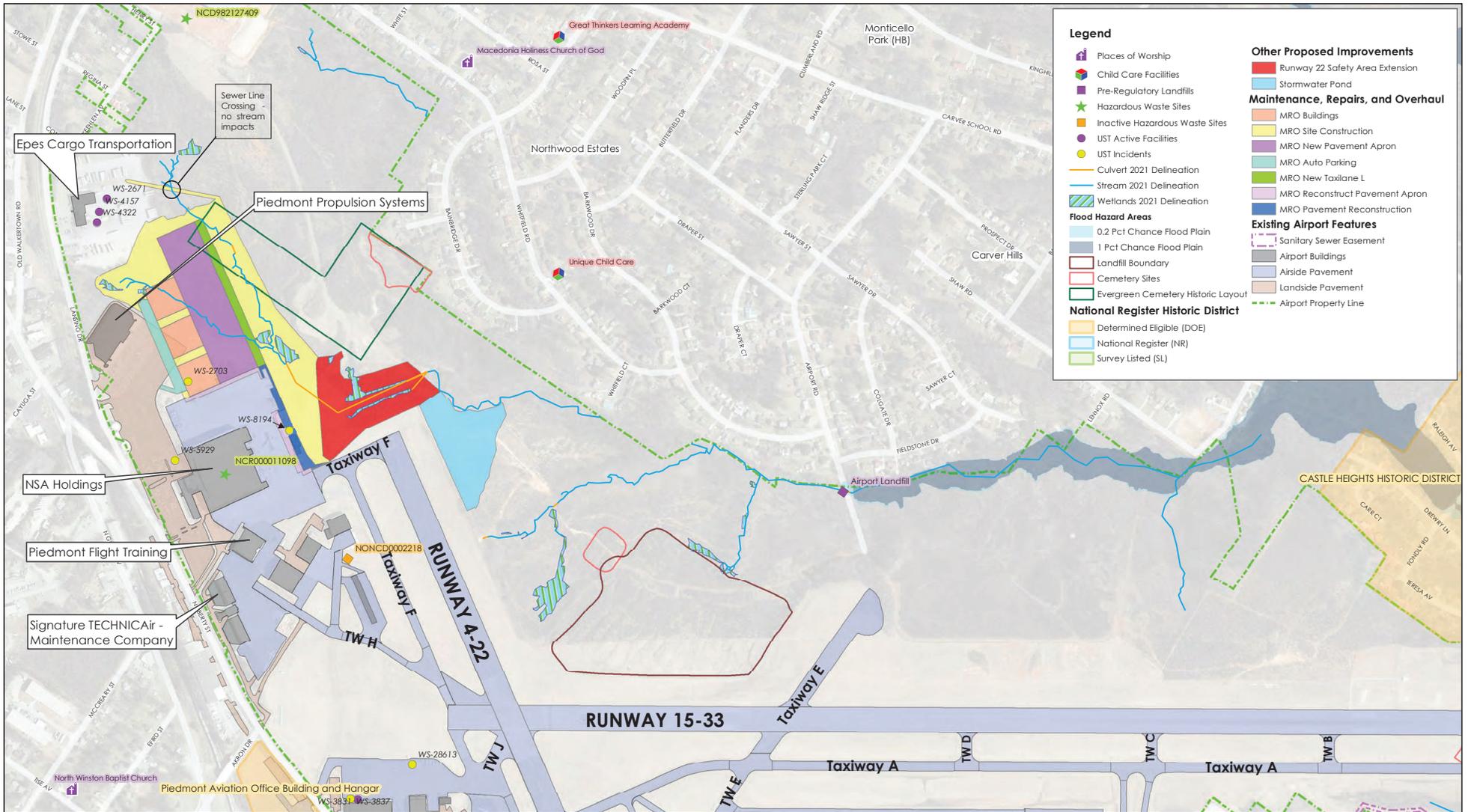


Figure 3A - Proposed Improvements with Delineated Environmental and Community Resources
Project Lima
City of Winston-Salem, Forsyth County, NC
August 2023

This Exhibit is for planning purposes only and shown herein does not meet NC 47-30 Requirements and therefore is not for design, construction, or recording or transfer of title. The Exhibit was compiled from available information obtained from the sources listed below.
Sources:
NCDOT, NC OneMap, ESRI, USGS, Forsyth County, AVCON (11-24-2021)

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