



**US Army Corps  
Of Engineers**  
Wilmington District

# PUBLIC NOTICE

Issue Date: July 19, 2019  
Comment Deadline: August 19, 2019  
Corps Action ID Number: SAW-2017-02281

The Wilmington District, Corps of Engineers (Corps or USACE) received an application from Owen Schultz of Daniel Communities, LLC, seeking Department of the Army (DA) authorization for 200 linear feet (lf) of temporary stream impacts (utility crossings); 1,509 lf of permanent stream impacts (golf course redesign, stream crossings for roads, stream bank stabilization); 0.395 acres (ac) of permanent wetland impacts (golf course redesign and crossings for roads); and 0.15 ac permanent open water impacts (beach relocation/construction), associated with the High Hampton Redevelopment Project in Cashiers, Jackson 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>

**NOTE:** A public notice for this project was originally published in June 2018. During an inspection in December 2018 of the activities associated with the golf course redesign the Corps observed impacts to waters of the U.S. (WoUS). This impacts were conducted without authorization and were a violation of federal law under the Clean Water Act, Section 301 (33 USC 1311). The Corps issued a notification of unauthorized activity in January 2019. At that time, the applicant's request for a DA permit was administratively withdrawn. The applicant completed the Corps required remedial and corrective measures and the violation has been resolved.

**Applicant:** Mr. Owen Schultz  
Daniels Communities, LLC  
Post Office Box 2489  
Cashiers, North Carolina 28717

OR

3104 Blue Lake Drive, Suite 200  
Vestavia Hills, Alabama 35243

**AGENT (if applicable):** Mr. Clement Riddle  
ClearWater Environmental Consultants, Inc.  
32 Clayton Street  
Asheville, North Carolina 28801

## 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

Location Description: From the intersection of NC Highway 107 and U.S. Highway 64 in Cashiers, go south on NC Highway 107. After 1.5 miles turn left into the High Hampton resort/development. In general the project site is within the Cashiers Valley and is bisected by Highway 107, bordered to the north by Chattooga Ridge with Rocky Mountain and Chimney Top Mountain and to south by a small ridgeline above Fowler Creek.

Project Area (acres): 684  
Nearest Town: Cashiers  
Nearest Waterway: Unnamed Tributaries (UTs) Fowler Creek, Fowler Creek, UTs Horsepasture River, UTs Rochester Creek, Hampton Lake, and Jewel Lake  
River Basin: Tugaloo (03060102) and Seneca (03060101)  
Latitude and Longitude: 35.09949 N, -83.08381 W

## Existing Site Conditions

The High Hampton Redevelopment project site is 684 acres consisting of an existing residential subdivision, existing resort core with a hotel, 16-acre lake, pool, tennis, spa, golf course and driving range, residential rental cottages, and approximately 400 acres of undeveloped land. The site is within the 1,412 acre existing High Hampton Resort and High Hampton residential development. The High Hampton resort and High Hampton residential development are part of Daniel Communities, LLC (Daniel Communities). Daniel Communities has been in business since 1938. The proposed project is part of Daniel Communities' proposed master plan for the overall 1,412 acre existing resort and residential community.

Daniel Communities acquired the property in the fall of 2017. The natural features of the land along with the existing golf course, resort core, and residential community were evaluated by Daniel Communities to determine the type of development plan that would best fit the property. An object of the proposed project plan recognizes the existing development infrastructure and how to complete the resort while using natural features of the land and minimizes development activity in the most environmentally sensitive portions of the site. Daniel Communities' project

team includes WGLA Engineering; Mountain Soils, Inc.; Fazio Design Company; Hart & Howerton Land Planning; Benchmark Club Management; and ClearWater Environmental Consultants, Inc. (CEC).

The 684-acre project site is mostly comprised of the original High Hampton Inn and Country Club that was founded in 1922 by Mr. E.L. Mckee. The resort has been owned by the Mckee family until the fall of 2017 when it was purchased by Daniel Communities. Several small parcels have also been recently acquired and added to the development. The historic High Hampton Inn offers mountain golf, tennis, spa services, hiking, and a 16-acre private mountain lake for swimming, boating, and fishing. Approximately 326 acres of the High Hampton property were placed into a conservation easement, which includes the summits of Chimney Top Mountain and Rocky Mountain.

The project area is situated in the Blue Ridge physiographic province and in the Southern Crystalline Ridges and Mountains Ecoregion of North Carolina. Blue Ridge province is a mountainous zone that extends northeast-southwest from southern Pennsylvania to central Alabama. The physiography of Jackson County consists of high, intermediate, and low mountains; floodplains; and low stream terraces. Elevations at the site range from approximately 3,600 feet above mean sea level (MSL) within the central portion of the property along Fowler Creek, to 4,618 feet above MSL at the top of Chimney Top Mountain in the eastern portion of the property. The project site is surrounded by commercial development, developed rural residential, public open space, and forested undeveloped lands.

Waters at the project site are part of the Savannah River system and are mostly within the Tugaloo River watershed (HUC 03060102), with some waters in the northern portion of the project site within the Seneca River watershed (HUC 03060101). UTs Fowler Creek, Fowler Creek, UTs Horsepasture River, UTs Rochester Creek, Hampton Lake and Jewel Lake are located at the project site. Both lakes are impoundments of UTs to Fowler Creek. Streams at the site within the Tugaloo River watershed flow generally south into Fowler Creek, which exits the project site along the southern project boundary. Fowler Creek flows into the Chattooga River approximately 3.8 miles downstream of the project area. Streams within the Seneca River watershed at the site generally flow north and eventually empty into the Horsepasture River.

The Chattooga River, Horsepasture River, and their tributaries contain some of the most pristine and high-quality waters in the North Carolina, South Carolina, and Georgia. As designated by the North Carolina Department of Environmental Quality (NCDEQ) – Division of Water Resources (DWR), streams at the site are classified as fresh water secondary recreation-aquatic life class C and special designated trout waters.

There are wetlands located within the High Hampton Redevelopment project boundary. The majority of these wetlands have been identified as wetland seeps or headwater wetlands and are abutting associated stream channels. Two of the wetlands are classified as wetland bogs and are adjacent to streams. The project boundary contains the following amounts of jurisdictional WoUS.

### Summary of Jurisdictional Waters

Aquatic Resource	Amount
Stream	37,265 lf
Wetland	27.57 ac
Open Water	16.45 ac

The Corps issued a jurisdictional determination (JD) for 674 acres of the High Hampton Redevelopment project site in January 2018 and June 2019. A request for JD on 10 additional acres in the project site was submitted to the Corps in May 2018. This request is pending field verification of the submitted data. Previous USACE permitted regulatory projects within the High Hampton resort and residential development is summarized in the following table.

Action ID Number	NWP Number	Open Water (ac)		Wetland (ac)		Stream (lf)	
		Temporary	Permanent	Temporary	Permanent	Temporary	Permanent
2001-30660 <sup>1*</sup>	NWP 27						150
2002-30024 <sup>2</sup>	NWP 14						50
2005-31948 <sup>3</sup>	NWP 13						160
2008-00416 <sup>4</sup>	NWP 16 / 33 / 39	0.2					3
2009-01713 <sup>5*</sup>	NWP 18					10	
2009-01882 <sup>6</sup>	NWP 29						60
2017-02281 <sup>7</sup>	NWP 27						880
<b>Impact Totals</b>		<b>0.2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>1,303</b>
Total Loss of Waters of the U.S. (ac)			<b>0</b>		Total Loss of Waters of the U.S. (lf)		<b>113</b>
Required Wetland Mitigation (ac)			<b>0</b>		Required Stream Mitigation (lf)		<b>0</b>

\*Individual property within High Hampton development, is a cumulative effect, though not cumulative mitigation

<sup>1</sup>Stream bank stabilization

<sup>2</sup>Culvert stream crossing

<sup>3</sup>Stream bank stabilization

<sup>4</sup>Jewell Lake dam repairs and dredging

<sup>5</sup>Stream bank stabilization

<sup>6</sup>Culvert stream crossing

<sup>7</sup>After-the-fact permit for unauthorized impacts associated with removal of a culvert and stream restoration activities during redesign of golf course holes 7 and 8

Twelve mapped soil series are present on the project site. They are the Chestnut-Edneyville complex, Cleveland-Chestnut-Rock Outcrop complex, Cullasaja-Tuckasegee complex, Edneyville-Chestnut complex, Nikwasi fine sandy loam, Rock Outcrop-Cleveland complex, Sylva-Whiteside complex, Tuckasegee-Whiteside complex, Udorthents, Udorthents-Urban Land complex, and Whiteside-Tuckasegee complex.

During site visits in 2017 and 2018, CEC identified several habitat types at the High Hampton Redevelopment project site. The following is a summary of each of the habitat types identified on-site.

Acidic cove forest habitat occurs in narrow, steep slopes. It has a dense forest canopy and a dense shrub layer. The herbaceous layer is sparse. Species observed include tulip poplar (*Liriodendron tulipifera*), black birch (*Betula lenta*), eastern hemlock (*Tsuga canadensis*), red maple (*Acer rubrum*), northern red oak (*Quercus rubra*), Eastern white pine (*Pinus strobus*), pepperbush (*Clethra alnifolia*), Fraser magnolia (*Magnolia fraseri*), great rhododendron (*Rhododendron maximum*), galax (*Galax aphylla*), heartleaf (*Hexastylis* spp.), and autumn clematis (*Clematis virginiana*).

Mixed hardwood-pine forest habitat has a closed canopy of pine and mixed hardwood trees. Overstory species observed within this forest include scarlet oak (*Quercus coccinea*), white pine, shortleaf pine (*Pinus echinata*), red maple, tulip poplar, black cherry (*Prunus serotina*), cucumber magnolia (*Magnolia acuminata*), chinkapin oak (*Quercus muehlenbergii*), shagbark hickory (*Carya ovata*), and black oak (*Quercus velutina*). Shrub and sapling species include bear huckleberry (*Gaylussacia ursina*), high bush blueberry (*Vaccinium corymbosum*), sparkleberry (*Vaccinium arboreum*), mountain laurel (*Kalmia latifolia*), great rhododendron, white ash (*Fraxinus americana*), viburnum (*Viburnum* sp.), American holly (*Ilex opaca*), buffalo nut (*Pyralaria pubera*), alternate-leaved dogwood (*Cornus alternifolia*), sugar maple (*Acer saccharum*), service berry (*Amelanchier arborea*), and sweet shrub (*Calycanthus floridus*). The herbaceous species observed include Catesby's trillium (*Trillium catesbaei*), painted trillium (*Trillium undulatum*), dew berry (*Rubus* sp.), raspberry (*Rubus* sp.), wild strawberry, bellwort (*Uvularia sessilifolia*), rattlesnake plantain (*Goodyera pubescens*), English ivy (*Hedera helix*), firmoss (*Huperzia* sp.), pink lady slipper (*Cypripedium acaule*), Solomon's seal (*Poligonatum biflorum*), meadow parsnip (*Zizia trifoliata*), clubmoss (*Lycopodium clavatum*), running cedar (*Lycopodium digitatum*), cranefly orchid (*Tipularia discolor*), Christmas fern (*Polystichum acrostichoides*), rattlesnake root (*Prenanthes altissima*), fairy-wand (*Chamaelirium luteum*), sedge, rosette grass, bowman's root (*Gaillenia trifoliata*), wild violet (*Viola* spp.), halberd-leaved violet (*Viola hastata*), sassafras (*Sassafras albidum*), green and gold (*Chrysogonum virginianum*), and goldenrod (*Solidago* sp.).

Pine-oak heath habitat is a mixed woodland with exposed montane areas and sharp ridges and dry slopes. It is naturally dominated by pines and has a dense shrub layer. Species observed include white pine, northern red oak, sourwood (*Oxydendrum arboreum*), Fraser magnolia, Solomon's seal, alternate-leaved dogwood, bloodroot (*Sanguinaria canadensis*), trillium (*Trillium* spp.), violet, hickory (*Carya* spp.), witch hazel, fairy-wand (*Chamaelirium luteum*), sedge, red maple, scarlet oak, tulip poplar, compass plant (*Sylphium* sp.), pink lady slipper (*Cypripedium acaule*), great rhododendron, black oak, cleavers (*Gallium aparine*), bellwort, and mountain mint (*Pycnanthemum* sp.).

Turf-landscaped maintained habitat was observed in intervals throughout the project area including mowed paths, power line corridors, a recreational golf course, landscaped parking lot, and commercial/residential lawns. Species that were observed within this habitat include fescue (*Festuca* sp.), crabgrass (*Digitaria* sp.), common plantain (*Plantago major*), white clover (*Trifolium repens*), common dandelion (*Taraxacum officinale*), black locust (*Robinia pseudoacacia*), heartleaf, raspberry, pink lady slippers, bluegrass (*Poa* sp.), creeping bentgrass (*Agrostis palustris*), English ivy, American box wood (*Buxus sempervirens*), river birch (*Betula nigra*), eastern arborvitae (*Thuja occidentalis*), hosta (*Hosta* spp.), Fraser-fir (*Abies fraseri*),

Japanese maple (*Acer palmatum*), white pine, bald cypress (*Taxodium distichum*), goldenrod, yarrow (*Achillea millefolium*), ragweed (*Ambrosia artemisiifolia*), mullein (*Verbascum thapsus*), Norway spruce (*Abies pinagene*), sacred bamboo (*Nandina domestica*), and flowering dogwood (*Cornus florida*).

Mountain bog habitat is primarily comprised of an herbaceous layer with some shrubs and is lacking a canopy. These wetlands appeared to be semi-permanently saturated. Shrub and sapling species observed within these wetlands include pussy willow (*Salix discolor*), great rhododendron, possumhaw viburnum (*Viburnum nudum*), pinxterbloom azalea (*Rhododendron periclymenoides*), steeplebush (*Spirea tomentosa*), elderberry (*Sambucus canadensis*), swamp rose (*Rosa palustris*), Japanese barberry (*Berberis thunbergii*), witch hazel (*Hamamelis virginiana*), and chokeberry (*Aronia arbutifolia*). The herbaceous species observed include sphagnum mosses (*Sphagnum spp.*), Joe Pye weed (*Eutrochium fistulosum*), jewelweed (*Impatiens capensis*), sedge sp. (*Carex spp.*), woolgrass (*Scirpus cyperinus*), Japanese siltgrass (*Microstegium vimineum*), green bullrush (*Juncus effusus*), mountain bluets (*Houstonia caerulea*), buttercup (*Rununculus spp.*), sedge (*Carex spp.*), water hemlock (*Cicuta maculata*), raspberry (*Rubus sp.*) sensitive fern (*Onoclea sensibilis*), wild strawberry (*Fragaria virginia*), bushy bluestem (*Andropogon glomeratus*), golden ragwort (*Packera aurea*), pond-lily (*Nuphar sp.*), yellow dock (*Rumex crispus*), rosette grass (*Dicanthelium sp.*), cottongrass (*Eriophorum virginicum*), and yellowroot (*Xanthorhiza simplicissima*). Also, a community of the at-risk species, Southern Appalachian purple pitcherplant (*Sarracenia purpurea*), was observed in the bog adjacent and connected to Hampton Lake.

Multiple headwater forest wetland habitat areas were observed within the project site. The main factor contributing to hydrology in these wetlands were adjacent streams and groundwater seeps. Species observed within these wetlands include pepperbush (*Clethra alnifolia*), red maple, great rhododendron, sphagnum moss, New York fern (*Thelypteris noveboracensis*), common blue violet (*Viola sororia*), Joe Pye weed, autumn clematis, jewelweed, possumhaw viburnum, mountain bluets, and raspberry.

Riparian buffer and fresh water stream habitats include the streambeds, banks, and stream corridor of the streams at the site. Streams at the project site vary from 1 to 10 feet wide. Permanently rooted aquatic plants are practically non-existent in the streams at the site. The stream bed substrate is predominantly sand, with some gravel and cobble and bedrock exposures. Hampton and Jewel lakes have approximately 16.45 acres of open freshwater habitat. Stream and lake banks can be dominated by dense thickets of rhododendron. Overstory species observed include tulip poplar, shagbark hickory, white pine, Fraser magnolia, red maple, red oak, eastern hemlock, sourwood, black birch, and yellow birch (*Betula alleghensis*). Shrub and sapling species observed include pinxterbloom azalea, service berry, American holly, buffalo nut, great rhododendron, witch hazel, pepperbush, alternate-leaved dogwood, and striped maple (*Acer pensylvanicum*). Herbaceous species observed include devil's walking stick (*Aralia spinosa*), rattlesnake plantain, trillium, yellowroot, Joe Pye weed, mountain mint, buttercup, annual bluegrass (*Poa annua*), mountain bluets, raspberry, wild lettuce (*Lactuca spp.*), pink lady slipper, meadow parsnip, mouse-ear hawkweed (*Hieracium pilosella*), dog hobble, sphagnum moss, cucumber root (*Medeola virginiana*), bellwort, New York fern, Cateby's trillium, painted trillium, compass plant, striped wintergreen (*Chimaphila maculata*), and partridge berry (*Mitchella repens*).

Terrestrial communities at the project site are comprised of forested lands with some open habitats that may support a diverse number of wildlife species. Representative mammal, bird, reptile, and amphibian species commonly occurring in the habitats noted above is listed in the following paragraph. Information on these species that typically use the habitats at the project site was obtained from relevant literature, mainly the Biodiversity of the Southeastern United States, Upland Terrestrial Communities (Martin et al. 1993).

Mammal species that commonly occur in these habitats include eastern cottontail (*Sylvilagus floridanus*); gray squirrel (*Sciurus carolinensis*); eastern chipmunk (*Tamias striatus*), southern flying squirrel (*Glaucomys volans*), various vole, rat, and mice species; raccoon (*Procyon lotor*); Virginia opossum (*Didelphis virginiana*); white-tailed deer (*Odocoileus virginiana*), and black bear (*Ursus americanus*). Bird species that commonly use these habitats include indigo bunting (*Passerina cyanea*), prairie warbler (*Dendroica discolor*), northern cardinal (*Cardinalis cardinalis*), field sparrow (*Spizella pusilla*), rufous-sided towhee (*Pipilo erythrophthalmus*), red-eyed vireo (*Vireo olivaceus*), scarlet tanager (*Piranga olivacea*), blue jay (*Cyanocitta cristata*), and Carolina chickadee (*Poecile carolinensis*). Predatory birds may include several hawk and owl species and turkey vulture (*Cathartes aura*). Reptile and amphibian species that may use the terrestrial community include copperhead (*Agkistrodon contortrix*), eastern corn snake (*Pantherophis guttatus*), eastern box turtle (*Terrapene carolina carolina*), eastern fence lizard (*Sceloporus undulatus*), five-lined skink (*Plestiodon fasciatus*), spring peeper (*Pseudacris crucifer*), timber rattlesnake (*Crotalus horridus*), and American bull frog (*Rana catesbeiana*). The dominant species of salamander in these habitats are dusky salamanders (*Desmognathus* spp.).

CEC conducted a file review of records maintained by the U.S. Fish and Wildlife Service (FWS) and the North Carolina Natural Heritage Program (NHP). The desktop literature review involved a review of the FWS list of protected species in Jackson County and the NHP Element Occurrence Data on which NHP identifies current and historic occurrences of listed species for a specific locale. The FWS lists 8 species as occurring in Jackson County that are subject to Endangered Species Act (ESA) Section 7 consultation (see table below). The NHP database identifies 35 element occurrences (EO) within a 1-mile radius of the project site; 1 EO species holds a Federal status and is subject to Section 7 consultation. The NHP database also identifies 7 EOs within the project area, none of which are subject to Section 7 consultation.

<b>Common Name</b>	<b>Scientific Name</b>	<b>Federal Status</b>
Carolina Northern Flying Squirrel	<i>Glaucomys sabrinus coloratus</i>	E
Indiana Bat	<i>Myotis sodalis</i>	E
Northern Long-Eared Bat (NLEB)	<i>Myotis septentrionalis</i>	T
Appalachian elktoe	<i>Alasmidonta raveneliana</i>	E
Spruce-Fir Moss Spider	<i>Microhexura montivaga</i>	E
Small Whorled Pogonia	<i>Isotria medeoloides</i>	T
Swamp Pink	<i>Helonias bullata</i>	T
Rock Gnome Lichen**	<i>Gymnoderma lineare</i>	E

\*\*Species with a Federal status subject to Section 7 Consultation and within 1 mile of the project site.

E - Endangered. A taxon “in danger of extinction throughout all or a significant portion of its range.”

T - Threatened. A taxon “likely to become endangered within the foreseeable future throughout all or a significant portion of its range.”

CEC consulted the FWS “Northern Long-Eared Bat Consultation Areas” map for Jackson County. The proposed project site is not in a hydrologic unit code (HUC) identified as having known occurrences of hibernation or maternity sites.

CEC conducted an office review of topographic maps and aerial photography, as well as, a pedestrian survey of the project site concurrent with the wetland delineation (August-September 2017) and again on May 3-4, 2018, to identify potential habitat for several of the above noted listed species. Based on the results the pedestrian surveys no federally listed threatened or endangered species were observed.

Approximately 50 occurrences of the Southern Appalachian purple pitcher plant were documented in a wetland by CEC during the May 2018 survey. This vascular plant is listed as a federal species of concern (FSC) and has been previously documented on-site by the Southern Appalachian Highlands Conservatory (Highlands Conservatory). Project planning would eliminate potential threats to this species from construction and site redevelopment activities. The applicant is avoiding direct impacts where this species occurs and has proposed this wetland to be preserved via a conservation easement with Highlands Conservatory.

CEC reviewed the National Park Service National Register of Historic Places (NRHP) GIS Public Dataset and the North Carolina State Historic Preservation Office (SHPO) HPOWEB GIS Web Service. This review indicated indicates five historic properties located within an approximate 1-mile radius of the High Hampton Redevelopment project site, High Hampton Inn Historic District (JK0006), Church of the Good Shepherd (JK0008), George M. Cole House (JK0269), Evan Pell Store (JK0270), and the Mordecai Zachary House (JK0024). The High Hampton Inn Historic District, consisting of approximately 30 acres, was listed in the NRHP in 1991 and is centrally located at the project site and includes the area proposed for resort core redevelopment. The inn is the predominant structure within this area, however, the historic district also includes several smaller structures including cottages, the Smokehouse, and Noah’s Ark (formerly the Supply Building). The Inn, Smokehouse, Noah’s Ark, and some of the cottage structures are being maintained and/or renovated as part of the final design.



## Applicant's Stated Purpose

The project purpose is to redevelop an existing resort property, including the expansion of the current residential community, redesigning and enlarging the existing golf course, and upgrading the resort core and associated amenities.

## Project Description

The applicant proposes redevelopment of the High Hampton property. The project will revamp the resort core, include a hotel, multi-family and single-family home sites, new tennis center, and a Tom Fazio re-designed golf course, along with an improved golf practice and teaching facility.

The proposed redevelopment property will contain a variety of land uses, generally consistent with other successful projects in the Cashiers-Highlands area of Western North Carolina. These uses include additional single family and multi-family residential homes, redesigned golf course, upland, wetland, and stream buffers under conservation easements, hiking trails, renovated resort core centered on the existing historic inn, and updated associated amenities and infrastructure.

Planning and permitting of this large and long-term redevelopment project depends upon having flexibility to implement sound land planning and engineering design principles which are often conceptual at the time of permitting. These designs must include enough land for the project to be economically justified, reasonable site access, construction of utilities and storm water systems, and appropriate locations of various land use amenities. Daniel Communities is anticipating the proposed redevelopment activities and construction projects to take 10 years to complete. Because of this, the applicant has requested the length of the permit to be valid for 10 years. An estimated timeline for the site work is, golf course expansion and reconfiguration 2018-2021; resort core/amenities, uplands neighborhood (located in northwest portion of the site), and fieldstone neighborhood (west of NC-107) 2019-2022; and remaining residential neighborhoods and associated infrastructure 2022-2029.

The applicant proposes to permanently impact 1,509 lf of stream channel, 0.395 acre of wetlands, 0.15 acre of open water and temporarily impact 200 lf of streams to achieve the previously stated project purpose. There are seventeen permanent stream impacts, ten temporary stream impacts, twenty-two wetland impacts, and one open water impact associated with High Hampton redevelopment project. These impacts are summarized in the following table.

### Summary of Proposed Impacts to WoUS

<b>GOLF COURSE</b>			
<b>Stream (lf) (all permanent impacts)</b>		<b>Wetland (ac) (all permanent impacts)</b>	
Stream Impact 3	55	Wetland Impact 1	0.003
Stream Impact 4	53	Wetland Impact 2	0.008
Stream Impact 14*	60	Wetland Impact 9*	0.007
Stream Impact 19	75	Wetland Impact 11	0.065
Stream Impact 20	74	Wetland Impact 14*	0.046
Stream Impact 22	382	Wetland Impact 15	0.011

Stream Impact 23	146	Wetland Impact 20	0.098
Stream Impact 24	36	Wetland Impact 21	0.039
		Wetland Impact 22	0.004
		Wetland Impact 23	0.001
		Wetland Impact 24	0.006
		Wetland Impact 25	0.014
		Wetland Impact 26	0.006
		Wetland Impact 27	0.002
		Wetland Impact 28	0.012
		Wetland Impact 29*	0.008
Wetland Impact 30*	0.004		
<b>Total Stream Impacts</b>	<b>881</b>	<b>Total Wetland Impacts</b>	<b>0.334</b>

**ROADS**

<b>Stream (lf) (all permanent impacts)</b>		<b>Wetland (ac) (all permanent impacts)</b>	
Stream Impact 7	68	Wetland Impact 6	0.005
Stream Impact 8	30	Wetland Impact 7	0.001
Stream Impact 9	11	Wetland Impact 8	0.044
Stream Impact 10	66	Wetland Impact 17	0.005
Stream Impact 11	55	Wetland Impact 18	0.006
Stream Impact 17	23		
Stream Impact 21	75		
<b>Total Stream Impacts</b>	<b>328</b>	<b>Total Wetland Impacts</b>	<b>0.061</b>

**UTILITIES**

<b>Stream (lf) (all temporary impacts)</b>			
UC Impact 1	20		
UC Impact 2	20		
UC Impact 3	20		
UC Impact 4	20		
UC Impact 5	20		
UC Impact 6	20		
UC Impact 7	20		
UC Impact 8	20		
UC Impact 9	20		
UC Impact 10	20		
<b>Total Stream Impacts</b>	<b>200</b>		

**STREAM BANK STABILIZATION**

<b>Stream (lf) (all permanent impacts)</b>			
Golf Course Hole 5	150		
Golf Course Hole 18	150		
<b>Total Stream Impacts</b>	<b>300</b>		

<b>RESORT CORE</b>					
				<b>Open Water (ac) (all permanent impacts)</b>	
				Open Water Impact 2 (new beach)	0.15
				<b>Total Open Water Impacts</b>	<b>0.15</b>
<b>IMPACT TOTALS</b>					
<b>Stream (lf)</b>		<b>Wetland (ac)</b>		<b>Open Water (ac)</b>	
<b>Temporary</b>	<b>200</b>	<b>Temporary</b>	<b>0</b>	<b>Temporary</b>	<b>0</b>
<b>Permanent</b>	<b>1,509</b>	<b>Permanent</b>	<b>0.395</b>	<b>Permanent</b>	<b>0.15</b>
Permanent with Loss of WoUS	1,209	Permanent with Loss of WoUS	0.395	Permanent with Loss of WoUS	0

\*After-the-fact authorization

The applicant is proposing the redevelopment of an existing golf course of 5,740 yards to a new 18-hole Fazio Design Golf Club of approximately 6,748 yards. After avoidance and minimization, the layout of the golf course will permanently 881 lf of streams and 0.334 acres for wetlands. Renovation of the existing practice area will include a driving range, putting, and chipping greens. There are no stream or wetland impacts associated with renovating the existing practice facility.

The applicant will conduct limited hand-clearing maintenance activities in a several wetland locations located within the golf course. Hand clearing may be conducted once or twice per year and will limit vegetation to less than six feet in height for playing golf over these wetland areas. The applicant also proposes a pile driven elevated cart bridge over the wetlands to allow access from tee to green for golfers and maintenance vehicles.

The project would include the construction of seven stream impacts and five wetland impacts associated with road crossings and related road crossing infrastructure, resulting in 328 lf of permanent impacts to streams and 0.061 acres of permanent impacts to wetlands. Nine proposed stream crossings avoided impacts by utilizing bridges.

There are ten proposed utility crossings for the project that would result in 200 lf of temporary impacts to stream channels. These utility lines would be installed using the “trench-cut” method and upon completion, stream beds and banks would be returned to original contours and stabilized with matting and appropriate seed. Work within the stream utility crossing areas would occur in the dry via a pump around system/apparatus. Sediment and erosion control devices and best management practices would be utilized during utility line installation as well.

High Hampton owns their on-site waste water collection system and currently sends waste water to the Tuckasegee Water and Sewer Authority (TWSA) for 46 residential lots. The remaining existing residential lots are served by on-lot individual systems.

The future 243 residential lots in the project area will have 75 lots served by on-lot individual sewer systems permitted one at a time by the developer prior to being sold. The remaining 168 proposed residential lots will generate 24,864 gallons per day (GPD) that will either be provided with sewer capacity by the developers' on-site wastewater treatment system (WWTS) currently being designed (Burgin Engineering) and permitted for 50,000 GPD or by future capacity which TWSA's new wastewater facility with plans to have on-line within the next 36 months.

The resort core will generate a future sewer need of 19,605 GPD. In addition, future employee housing will have a demand of 10,000 GPD. The proposed laundry and back of housing will generate approximately 20,000 GPD of additional sewer usage daily. Therefore, the future development needs from either the new WWTS and/or new TWSA plant (scheduled completion 2021) will be 74,469 GPD not including on-lot sewer systems. The new WWTS and disposal system will be permitted under NC G.S. 130A-336- .1(e) (6). The permit will be administered by NC Division of Public Health.

The proposed on-site WWTS has an associated treatment drip irrigation system. The location of the proposed drip irrigation sites include the primary system and designated repair area. Additional acreage was added to the system as a safety factor. This safety factor, which includes two and a half times (2.5x) the required space, or a total of eleven and one-quarter acres (11.25 ac) will comprise the system. The additional acreage will act as a site buffer and will provide protection for the entire system. Additionally, the areas reserved for subsurface disposal are distributed throughout sections of the development to allow optimum percolation and evapotranspiration of the treated wastewater effluent as well as to not hydraulically overload one section of the property. There are no direct stream or wetland impacts associated with the construction and operation of the on-site WWTS and drip irrigation areas.

Stream bank stabilization is proposed at golf holes 5 and 18. The purpose stabilization activities is to stop existing erosion and prevent further sedimentation into a UT Fowler Creek and Hampton Lake. Stream bank stabilization activities within the golf course boundary will total approximately 300 lf.

The High Hampton Inn would be expanded to accommodate additional guests, and amenities associated with the resort would be renovated as well. Emphasis on preserving the historic integrity of the High Hampton Inn would also be prioritized, and any structural additions would be designed to appropriately match the site's established aesthetic. Proposed inn expansion would increase potential available room occupancy from 115 rooms to 170 rooms on-site. Impacts to jurisdictional features would not occur from the expansion of the current inn.

The applicant also proposes the development of a laundry and maintenance facility associated with the inn and resort amenities. This area is referred to as the "back of house." Impacts to jurisdictional features would not occur for the back of house construction.

Additional roads, cart paths, and walking trails would be incorporated within the resort core's current infrastructure. An event lawn, swimming pool, yoga pavilion, restaurant, and playground area would also be included within the redeveloped resort core area. Impacts to jurisdictional features would not occur from the inclusion of these amenities.

The current beach area would also be relocated to meet greater occupancy demand. The beach would be constructed/relocated along the western edge of Hampton Lake, with access to the resort core, and the beach would be expanded from 3,375 square feet, to approximately 6,750 square feet (approximately 270 linear feet in length and 25 linear feet wide into the lake). Sand would be added above the natural pool elevation and into the lake for about 25 feet resulting in 0.15 acres of permanent impacts to open waters. Native shrubs and mature trees would also be planted along the old beach area. The existing trail network along the eastern portion of the lake would be preserved as well.

The applicant proposes to rebuild and extend a dock currently located at Lake Highland. The proposed dock would be rebuilt in a manner that would not cause impacts to open water (driven or jetted piles). Floating boat storage would be constructed similarly and would increase boat stowing capacity from 885 square feet to 1,000 square feet within Hampton Lake.

### **Avoidance and Minimization**

The applicant provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment. Pre-project site planning was conducted to delineate and field verify jurisdictional WoUS within the proposed project area. These features were used to select a viable alternative to avoid and minimize impacts to aquatic resources.

In preparing the project plan, the applicant considered a variety of constraints, including impacts to wetlands and other WoUS. The applicant has avoided and minimized impacts to wetlands to the greatest extent practicable and feasible while still accomplishing the overall project purpose. It has been determined that large mountain properties in Western North Carolina contain similar streams, springs, and seeps as those found on the project site.

During design of the proposed project plan, the applicant considered development alternatives, which included impacts to more streams than the proposed plan depicts. Prior to the submittal of this application, the applicant conducted meetings with regulatory agency personnel including the USACE, DWR, and NC Wildlife Resources Commission (WRC). Many of these changes were in response to consultant and agency input. Specifically, other development plans required more impacts to streams and wetlands from golf course routing. Additional avoidance and minimization efforts were completed by avoiding road crossing impacts by utilizing nine bridges. All streams associated with cart path crossings will be avoided through the utilization of bridges. Because the site is covered in long linear stream segments, it would be impossible to avoid all streams while continuing to maintain a rational project design and the flexibility needed to construct a large-scale master planned golf course and residential community with a lengthy build out period.

The applicant's application of June 2018 proposed permanent stream, wetland, and open water impacts as follows:

Proposed stream	2,693 lf.
Proposed wetland	0.760 ac.
Proposed open water	0.159 ac.

During the process of agency review and request for additional information the applicant submitted a revised plan in October 2018. The applicant demonstrated additional avoidance and minimization by reducing proposed stream impacts 40 percent. Proposed permanent impacts from this process were:

Proposed stream 1,613 lf  
 Proposed wetland 0.754 ac  
 Proposed open water 0.159

The applicant continued to evaluate proposed stream and wetland impacts based on discussions from a December 2018 meeting with representatives of the Corps, DWR, and WRC. The applicant has further reduced proposed permanent impacts to those proposed with this application.

Proposed stream 1,509 lf  
 Proposed wetland 0.395 ac  
 Proposed open water 0.15

The following tables provide a summary of changes to proposed stream, wetland, and open water impacts for the project from those proposed in June 2018 to those proposed in this application.

<b>Proposed Stream Impacts</b>			
<b>Impact</b>	<b>Area</b>	<b>Proposed June 2018 Impact (lf)</b>	<b>Proposed July 2019 Impact (lf)</b>
Stream Impact #1	Golf	62	Eliminated - Redesign
Stream Impact #2	Golf	158	Eliminated - Redesign
Stream Impact #3	Golf	110	55
Stream Impact #4	Golf	106	53
Stream Impact #5	Road	46	Eliminated - Bridge
Stream Impact #6	Golf	269	Eliminated - Arch Culvert
Stream Impact #7	Road	68	68
Stream Impact #8	Road	30	30
Stream Impact #9	Road	11	11
Stream Impact #10	Road	66	66
Stream Impact #11	Road	55	55
Stream Impact #12	Road	45	Eliminated - Bridge
Stream Impact #13	Road	72	Eliminated - Redesign
Stream Impact #14	Golf	200	60*
Stream Impact #15	Golf	142	Eliminated - Redesign
Stream Impact #16	Golf	119	Eliminated - Redesign
Stream Impact #17	Road	23	23
Stream Impact #18	Road	50	Eliminated Bridge
Stream Impact #19	Golf	153	75
Stream Impact #20	Golf	74	74
Stream Impact #21	Road	98	75

Stream Impact #22	Golf	554	382
Stream Impact #23	Golf	146	146
Stream Impact #24	Golf	36	36
Hole 5 Stream Bank Stabilization	Golf	300	150
Hole 8 Stream Bank Stabilization	Golf	150	Eliminated-Redesign
Hole 18 Stream Bank Stabilization	Golf	150	150
<b>Total Stream Impacts-Golf:</b>			
		2,729 LF	881 LF
<b>Total Stream Impacts-Road:</b>			
		564 LF	328 LF
<b>Total Stream Impacts</b>		<b>3,293 LF</b>	<b>1,209 LF</b>

\*After-the-fact impact

<b>Proposed Wetland Impacts</b>			
<b>Impact</b>	<b>Area</b>	<b>Proposed Total Impact June 2018 (ac)</b>	<b>Proposed Total Impact July 2019 (ac)</b>
Wetland Impact #1	Golf	0.003	0.003
Wetland Impact #2	Golf	0.008	0.008
Wetland Impact #3	Golf	0.002	Eliminated - Redesign
Wetland Impact #4	Golf	0.022	Eliminated - Redesign
Wetland Impact #5	Golf	0.001	Eliminated - Redesign
Wetland Impact #6	Road	0.005	0.005
Wetland Impact #7	Road	0.001	0.001
Wetland Impact #8	Road	0.044	0.044
Wetland Impact #9	Golf	0.05	0.007*
Wetland Impact #10	Golf	0.002	Eliminated - Redesign
Wetland Impact #11	Golf	0.065	0.065
Wetland Impact #12	Golf	0.076	Eliminated - Redesign
Wetland Impact #13	Golf	0.029	Eliminated - Redesign
Wetland Impact #14	Golf	0.073	0.046*
Wetland Impact #15	Golf	0.011	0.011*
Wetland Impact #16	Golf	0.004	Eliminated - Redesign
Wetland Impact #17	Road	0.005	0.005
Wetland Impact #18	Road	0.006	0.006
Wetland Impact #19	Road	0.171	Eliminated - Redesign
Wetland Impact #20	Golf	0.098	0.098
Wetland Impact #21	Golf	0.039	0.039
Wetland Impact #22	Golf	0.004	0.004
Wetland Impact #23	Golf	0.001	0.001
Wetland Impact #24	Golf	0.006	0.006
Wetland Impact #25	Golf	0.014	0.014
Wetland Impact #26	Golf	0.006	0.006
Wetland Impact #27	Golf	0.002	0.002

Wetland Impact #28	Golf	0.012	0.012
Wetland Impact #29	Golf	0	0.008*
Wetland Impact #30	Golf	0	0.004*
Total Wetland Impacts-Golf:		0.528 AC	0.334 AC
Total Wetland Impacts-Road:		0.232 AC	0.061 AC
<b>Total Wetland Impacts:</b>		<b>0.76 AC</b>	<b>0.395 AC</b>

\*After-the-fact impact

The project as proposed avoids approximately 35,556 linear feet of stream (95%) and 27.18 acres (99%) of wetlands. A summary of the avoidance and minimization is as follows.

<b>Aquatic Resources</b>	<b>On-Site Totals</b>	<b>Proposed Impacts</b>	<b>Percent Avoided and Minimized</b>
Stream	37,265 lf	1,709 lf	95%
Open Water	16.45 ac	0.15 ac	99%
Wetland	27.57 ac	0.395 ac	99%

### **Compensatory Mitigation**

The proposed project does involve temporary and permanent impacts to jurisdictional WoUS. The temporary impacts to streams for utility crossing, permanent impacts to streams for stream bank stabilization activities, and permanent impacts to open waters will not result in functional losses to the aquatic environment within these jurisdictional resources and will not result in a permanent loss of jurisdictional WoUS.

Upon completion and implementation of practical avoidance and minimization efforts, 1,709 lf of stream channel, 0.395 acres of wetlands, and 0.15 acre of open water impacts associated with the High Hampton Redevelopment project are unavoidable. These impacts result in the permanent loss of 1,209 lf of streams and 0.395 acres of wetlands.

The applicant proposes to mitigate for 1,209 lf of proposed stream impacts, as well as 113 lf of cumulative stream impacts from previous projects at the site, and 0.395 acres of proposed wetland impacts through NC Division of Mitigation Services (DMS). By letter dated March 22, 2019, DMS has indicated they are willing to accept payment for impacts associated with this project. Based upon review of submitted stream and wetland assessment data, the Corps has set a 2:1 ratio for the mitigation.

### **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 affect 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.

SHPO and applicable tribal historic preservation offices (THPO) will be notified via Public Notice about the project and will be given the opportunity to comment on the project and its potential effects on cultural resources. The District Engineer's final effect determination will be based upon submitted comments to this public notices from SHPO and/or THPO; and further 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' 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 will consult under Section 7 of the ESA and will not make a permit decision until the consultation process is complete.
- The Corps has initiated consultation under Section 7 of the ESA and will not make a permit decision until the consultation process is complete.
- The Corps determines that the proposed project may affect federally listed endangered or threatened species or their formally designated critical habitat. Consultation has been completed for this type of activity and the effects of the proposed activity have been evaluated and/or authorized by the National Marine Fisheries Service (NMFS) in the South Atlantic Regional Biological Opinion or its associated documents, including 7(a)(2) & 7(d) analyses and Critical Habitat assessments. A copy of this public notice will be sent to the NMFS.
- 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.

The FWS will be notified via Public Notice about the project and will be given the opportunity to comment on the project and its potential effects on threatened and endangered species. The District Engineer's final effect determination will be based upon submitted comments to this public notices from FWS; and further coordination with the FWS, as appropriate and required; and with full consideration given to the proposed undertaking's potential direct and indirect effects on federally threatened or endangered listed species and/or their formally designated critical habitat within the Corps' permit area.

## **Wild and Scenic Rivers**

Pursuant to the Wild and Scenic Act of 1968, the Corps will review the proposed project activities for potential impacts to designated Wild and Scenic Rivers. The project area is not located in a component of the National Wild and Scenic River system or in a river officially designated by Congress as a “study river” for possible inclusion in the system.

The Chattooga River located 3.8 miles downstream and to the southwest, via Fowler Creek, of the project area is a designated Wild and Scenic River. The U.S. Forest Service (USFS) is the federal agency which has the direct management responsibilities of the Wild and Scenic River portion of this river.

The USFS will be notified via Public Notice about the project and will be given the opportunity to comment on the project and its potential effects on designated Wild and Scenic Rivers. The District Engineer’s final effect determination will be based upon submitted comments to this public notices from USFS; and further coordination with the USFS, as appropriate and required; and with full consideration given to the proposed undertaking’s potential direct and indirect effects on Wild and Scenic River portion of the Chattooga River within the Corps’ permit area.

## **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 August 8, 2019, 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 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 5 PM, August 19, 2019. Comments should be submitted to:

Mr. David Brown  
USACE Wilmington District  
Asheville Regulatory Field Office  
151 Patton Avenue, Room 208  
Asheville, North Carolina, 28801-5006