



PUBLIC NOTICE

**US Army Corps
Of Engineers**
Wilmington District

Issue Date: July 10, 2024
Comment Deadline: August 11, 2024
Corps Action ID Number: SAW-2022-02238

The Wilmington District, Corps of Engineers (Corps) received an application on June 25, 2024, from Greater Raleigh Area Christian Education Inc. seeking Department of the Army authorization to discharge dredged or fill material into approximately 0.467 acre of wetlands and 1.205 acres of open waters, associated with the development of a new K-12 school campus and associated infrastructure in Apex, Wake 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: Eric Bradley
Greater Raleigh Area Christian Education Inc.
801 Buck Joens Road
Raleigh, North Carolina 27606

AGENT (if applicable): Rick Trone
WithersRavenel
115 MacKenan Drive
Cary, North Carolina 27511

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: The project area is comprised of two parcels (PINs: 0741019204 and 0741119629) located at the intersection of US Highway 1 and Veridea Parkway in Apex, Wake County, North Carolina. The two parcels are located on the east and west side of Veridea Parkway.

Project Area (acres): 52.88

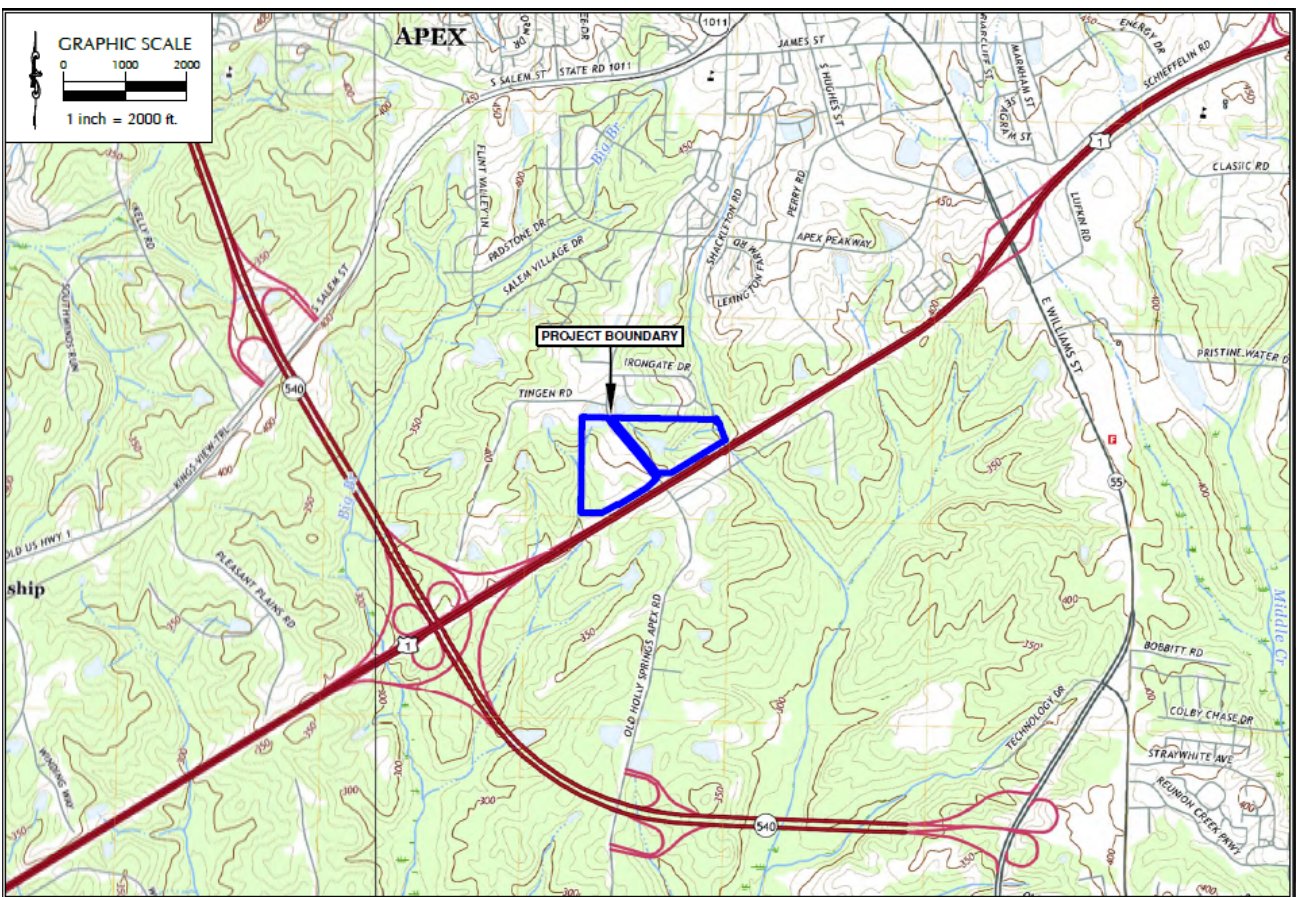
Nearest Town: Apex

Nearest Waterway: Big Branch

River Basin: Cape Fear

Latitude and Longitude: 35.704120 N, -78.861817 W

Figure 1:



Existing Site Conditions

The review area consists of two parcels (PINs: 0741119629 and 0741019204). Based on a review of historic aerials, the entire review area consisted of a mixture of farmland and forest prior to the early 2000's. After that time, areas of loblolly pine were planted on the eastern parcel rendering most of the parcel wooded. In the late 1990's, several agricultural buildings were erected on the western parcel but were removed after 2010.

On the eastern parcel, at least five structures are visible in historic aerials from 1964. These structures all appear to remain to the present day. On the western parcel, two dwellings are visible on the historical aerial image from 1964 that remain to this day. One of these dwellings is the Brown-Tingen House (WA0687), a 1910 triple-A cottage. In 1993, the first of four elongated structures appear on historical aerials on the western parcel just southwest of the Brown-Tingen house, but imagery shows these structures were removed in 2010.

The eastern parcel is dominated by mixed hardwood/pine forest consisting of primary hardwoods. The forest vegetative composition consists of loblolly pine (*Pinus taeda*), sweetgum (*Liquidambar styraciflua*), red maple (*Acer rubrum*), Chinese privet (*Ligustrum sinense*), oaks and other common tree species and various grasses and herbs. Various derelict structures such as old barns are located on the eastern parcel along with mowed/maintained areas. A former agricultural vegetative community comprised most of the review area within the western parcel. This area has been left fallow and is dominated by dog fennel (*Eupatorium capillifolium*) and broomsedge (*Andropogon virginicus*). The remainder of the western parcel consists of mixed hardwood/pine forest, a small stand of longleaf pine (*Pinus palustris*) and multiple vacant structures.

The property is located within the Piedmont physiographic province. It is located within the Cape Fear River basin and onsite waters drain to Big Branch (HUC 030300040102).

Based on information obtained from the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey for Wake County, the soils within the Site are comprised of 5 soil series summarized in Table 1 below.

Table 1: Onsite soils

Map Unit Symbol	Map Unit Name
ChA	Chewacla and Wehadkee soils, 0 to 2 percent slopes
CrB	Creedmore-Green Level complex, 2 to 6 percent slopes
CrC	Creedmore-Green Level complex, 6 to 10 percent slopes
CrD	Creedmore-Green Level complex, 10 to 15 percent slopes
W	Water

The Site was delineated by WithersRavenel for potential Waters of the United States (WOUS) September 2022. There are 0.551 acre of federally jurisdictional wetlands, 2.24 acres of open waters, and 1,540 linear feet of streams within the project area.

Applicant's Stated Purpose

The project purpose, as stated by the applicant is the construction of a new GRACE K-12 school (TK-12th grade) to consolidate the existing two campuses into a single larger campus to accommodate the existing and growing demand for additional students.

The current Greater Raleigh Area Christian Education (GRACE) student population is approximately 825 students and current anticipated growth is such that the proposed project would accommodate approximately 1,200 students (Pre-K: 40 students; K-4th: 360 students; 5th & 6th: 200; 7th-12th: 600). The GRACE Christian School Apex K-12 Campus project will provide new educational facilities for the entire student population of ~1,200 students. Planned core capacity for the school (gathering spaces such as the cafeteria, gymnasium, chapel) is anticipated to accommodate 460 persons. The proposed GRACE Christian School Apex campus will help address the inadequate numbers of schools, and overcrowding issues being experienced in the local area as well as addressing the needs of its own student growth.

The existing GRACE schools consist of two separate campuses located at 801 Buck Jones Road (PIN: 0773851913) and 1101 Buck Jones Road (PIN: 07737427160), which are located on opposite sides of I-40. There was no opportunity for expansion on either existing school site to create larger facilities to accommodate additional students. Both existing sites are surrounded by existing development, and there was no opportunity to purchase additional property to accommodate expansion of the existing facilities. Therefore, GRACE sold both of those facilities in order to generate the necessary capital to purchase the new school site and construction of the new GRACE Apex K-12 school campus.

Project Description

The Applicant provided the following project description: The GRACE School is poised to transform its student experience by relocating its existing schools to a new campus. Located in Apex, North Carolina, at the corner of Veridea Parkway and US Highway 1, the project will unify the GRACE community by creating a campus centered around communal shared experiences, which will comfortably transition students during their time at GRACE by offering distinct experiences for each division: Lower, Middle, and Upper School. The new campus provides new opportunities to strengthen community, grow programs, and provide a one-campus home for the GRACE students, staff, faculty, and parents.

The project will occupy the east side of the approximately 53-acre site, which is split over two parcels across Veridea Parkway. The west parcel is tabulated at 29.20 acres and the east parcel at 23.68 acres. The project comprises of planned academic buildings, parking, carpool stacking, emergency access, primary football/soccer athletic field, open space, and designated play spaces within the east parcel. The design of the

school campus on the eastern tract will be the initial phase of construction. The design of the athletic fields on the western tract is still conceptual, but will not require impacts to wetlands, streams or riparian buffers to construct.

Utilities not available at the project site include domestic water, which will need to be brought in from the north along Veridea Parkway and sanitary sewer, which is available at the eastern property line from adjacent development. Additional roadway improvements include adding a signalized intersection and turning lanes both into and out of the main entrance of the site.

The new facility will contain multiple buildings. The combined Lower and Middle School is a two-story facility. The three-story Upper School building will house the main business office, arts facilities, and academic classrooms. The athletics and assembly areas will include a multipurpose auxiliary gym and cafeteria, along with a full-size competition gym, and support spaces including a kitchen, restroom and locker facilities, stage, and weight room.

The proposed project will result in the following impacts:

- Permanent Wetland Impacts - 0.467 acre
- Permanent Open Water Impacts - 1.2 acres

The proposed project will result in 0.467 acre of permanent wetland impacts for the main campus (Wetlands C, D, E) (Impacts W1-W3). Proposed wetland impacts are for grading necessary to construct buildings, the northern access road, parking, and athletic facilities. Pond 2 (1.2 ac) will be drained and filled to construct the campus (Impact OW1). No impacts are proposed on the western parcel for the future athletic facilities.

Impacts to Wetland C (Impact W1) are necessary for site grading, construction of parking areas and roads (including required queuing space) and the Lower School building. Impacts to Wetland D are proposed for construction of the Middle School building. Further wetland impacts to Wetland E are necessary for site grading, the main athletic field, and parking areas.

Jurisdictional Pond 2 will be permanently drained and filled to allow for construction of the main campus including the Middle and Upper Schools, and the Athletic building (Impact OW1).

No stream impacts are proposed.

Avoidance and Minimization

The applicant provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

Proposed permanent wetland and open water impacts for the proposed campus and infrastructure are necessary to accommodate the new consolidated campus.

Reconfiguring the two halves of the campus complex would not reduce impacts. The main campus was chosen to be located on the eastern parcel primarily because the Town of Apex is constructing a new gravity sanitary sewer which will be available on the eastern parcel (See attached Sheet G impact map). Gravity sewer will not work on the western parcel and locating the main campus on that parcel would have required a lift station due to a ridge feature separating the two parcels. Constructing a lift station to serve the campus would result in an additional cost burden for the private GRACE Christian School and for these reasons the main campus will be located on the eastern parcel. The need for sewer facilities on the western parcel will be minimal and can be met using small septic systems.

Onsite wetlands follow the drainage from an offsite pond to the north through the site to Stream 4 placing these resources within the center of the site making avoidance impossible. In order to construct the necessary campus buildings, parking, and other infrastructure, wetland impacts are unavoidable.

Impacts to Pond 2 are unavoidable due to the geographic position of the pond within the project area and the need to create enough graded land area to accommodate construction of the proposed campus.

On the eastern parcel that is proposed to house the main campus, all impacts to Stream 4 have been avoided by designing the site around the stream. A previous plan was explored that would have resulted in a culverted stream crossing of Stream 4. This plan was abandoned to avoid impacts to Stream 4, lower construction costs, and provide space for required Resource Conservation Areas which will also be utilized as natural environment areas.

Indirect impacts to Stream 4 have been avoided by designing a clean water bypass diversion from the north to provide a hydrologic connection to Stream 4 following development in the upper area of the drainage. Additionally, SCM outfalls will provide additional hydrologic input to Stream 4.

No impacts are proposed for construction of the athletic facilities on the western parcel. No impacts are required for improvements to Veridea Road.

Construction techniques used to avoid or minimize impacts include installation of erosion and sediment control devices prior to construction. Silt fencing will be installed around all disturbed areas to prevent sediment from escaping into undisturbed areas or offsite.

Compensatory Mitigation

The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: WithersRavenel coordinated with mitigation banks servicing this HUC to inquire on the availability of mitigation credits. No mitigation credits were available in this HUC from private mitigation banks; therefore, mitigation

will be achieved through payment into the North Carolina Division of Mitigation Services (NCDMS) in-lieu fee program. Applicant received a conditional acceptance letter from NCDMS June 24, 2024.

The applicant proposes to mitigate 0.467 acre of permanent wetland impacts at a 2:1 mitigation ratio. No mitigation is proposed for the 1.205 acres of open waters impacts.

Essential Fish Habitat (EFH)

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.

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.

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 (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 5pm, August 11, 2024. Comments should be submitted to Rachel Capito, Raleigh Regulatory Field Office, 3331 Heritage Trade Drive, Suite 105, Wake Forest, North Carolina 27587, or via email at Rachel.A.Capito@usace.army.mil. The Corps Project Manager can be contacted at (919) 440-1823. Comments may also be submitted to RaleighNCREG@usace.army.mil.

*****NOTE: PLEASE REMOVE THIS HIGHLIGHTED SECTION BEFORE SENDING PN***

As stated in 33 CFR 325.3(d), public notices will be distributed as follows:

-For ALL PNs, send PNs to the following:

- *Applicant,*
- *Post offices or other appropriate public places in the vicinity of the site of the proposed work,*
- *Appropriate city and county officials,*
- *Adjoining property owners,*
- *Appropriate state agencies,*
- *Appropriate Indian Tribes or tribal representatives,*
- *Appropriate affected Environmental Justice communities*
- *Concerned Federal agencies,*
- *Local, regional, and national shipping organizations and other concerned business and conservation organizations,*
- *Appropriate River Basin Commissions,*
- *Appropriate state and areawide clearing houses as prescribed by OMB Circular A-95,*
- *Local news media (press release),*
- *Any other interested party.*
- *U.S. Senators and Representatives for the area where the work is to be performed,*
- *Field representative of the Secretary of the Interior,*
- *Regional Director of the Fish and Wildlife Service,*
- *Regional Director of the National Park Service,*
- *Regional Administrator of the Environmental Protection Agency (EPA),*
- *Regional Director of the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration (NOAA),*
- *NCDWR,*
- *NCDMF,*
- *NC State Historic Preservation Officer,*
- *and the District Commander, U.S. Coast Guard.*

-If the activity would involve structures or dredging along the shores of the seas, send the PN to:

- *Coastal Engineering Research Center, Washington, DC 20016.*

-If the activity would involve construction of fixed structures or artificial islands on the outer continental shelf or in the territorial seas, send the PN to the following agencies:

- *Assistant Secretary of Defense (Manpower, Installations, and Logistics (ASD(MI&L))), Washington, DC 20310,*
- *Director, Defense Mapping Agency (Hydrographic Center) Washington, DC 20390, Attention, Code NS12,*
- *National Ocean Service, Office of Coast Survey, N/CS261, 1315 East West Highway, Silver Spring, Maryland 20910–3282, and*
- *Affected military installations and activities.*

-If the activity involves the construction of structures to enhance fish propagation (e.g., fishing reefs) along the coasts of the United States, send the PN to:

- *Director, Office of Marine Recreational Fisheries, National Marine Fisheries Service, Washington, DC 20235.*

-If the activity involves the construction of structures which may affect aircraft operations or for purposes associated with seaplane operations, send the PN to:

- *Regional Director of the Federal Aviation Administration*

-If the activity would be in connection with a foreign-trade zone, send the PN to:

- *Executive Secretary, Foreign-Trade Zones Board, Department of Commerce, Washington, DC 20230, and*
District Director of Customs as Resident Representative,