



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: 08/24/2018  
Comment Deadline: 09/24/2018  
Corps Action ID Number: SAW-2017-01312

The Wilmington District, Corps of Engineers (Corps) received an application from the Airport Commission of Forsyth County seeking Department of the Army authorization to impact approximately 1.13 acres of wetland and 4,079 linear feet of jurisdictional stream channel associated with the following: 1) Extension of Taxilane L and new maintenance, repair, and overhaul (MRO) facilities; 2) MRO auto parking and apron expansion; 3) Runway 15-33 obstruction removal; 4) Runway 22 safety area extension; 5) New haul road; and 6) Construction of an erosion control/stormwater basin for the Smith Reynolds Airport in 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:

<http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram.aspx>

**APPLICANT:** Airport Commission of Forsyth County  
Mr. Mark Davidson  
3801 N. Liberty Street  
Winston-Salem, NC 27105  
[Mark.davidson@smithreynolds.org](mailto:Mark.davidson@smithreynolds.org)  
336-767-6361

**AGENT:** Clear Water Environmental Consultants, Inc.  
Mr. R. Clement Riddle  
32 Clayton Street  
Asheville, NC 28801  
[clement@cwenv.com](mailto:clement@cwenv.com)  
828-698-9800

## 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 site is located within Smith Reynolds Airport property, which is located at 3801 N. Liberty Street, #204, Winston-Salem (Forsyth County), North Carolina.

Project Area (acres):	~94	Nearest Town: Winston-Salem
Nearest Waterway:	Brushy Fork	River Basin: Yadkin
Latitude and Longitude:	36.143600 N, -80.221970 W	

## **Existing Site Conditions**

The Proposed Project area occurs within the Smith Reynolds Airport property boundary. The airport property is mostly developed with aprons, taxiways, parking, hangars, buildings, other airfield structures, and maintained in-field grassed lawns. Elevations on-site range from approximately 952 above mean sea level (MSL) to 1,030 feet above MSL. Seven community types were identified on the airport property: 1) Virginia Pine (*Pinus virginiana*) Monoculture; 2) Virginia Pine Dominated Forest; 3) Mixed Hardwood/Virginia Pine Forest; 4) Stream Bank and Riparian Forest; 5) Wetlands; 6) Maintained Grass Fields; and 7) Abandoned Field/Early Successional Scrub Community.

## **Applicant's Stated Purpose**

As stated by the applicant, the purpose of the Proposed Project is to enact several development recommendations provided within the 2012 Master Plan Update and Associated Layout Plant and those requested by the Federal Aviation Administration (FAA). These recommendations include satisfying FAA standards and improving overall efficiency and safety at Smith Reynolds Airport.

## **Project Description**

The Proposed Project will consist of the following developments/improvements: 1) Extension of Taxilane L and new MRO facilities; 2) MRO auto parking and apron expansion; 3) Runway 15-33 obstruction removal; 4) Runway 22 safety area extension; 5) New haul road; and 6). Construction of an erosion control/stormwater basin.

Descriptions of the various Proposed Project developments/improvements are as follows:

1. Taxilane L and new MRO facilities – Construction of a 1,650-foot Taxilane extension and three aircraft hangars for use as future MRO facilities. Taxilane L will be a new taxilane located on an existing concrete ramp and will provide access to the proposed MRO facilities. Each MRO hanger would contain

- approximately 50,000 square feet of space (totaling 150,000 square feet). These hangers may be utilized in the future for air cargo and corporate aircraft.
2. MRO Auto Parking and Apron Expansion – In support of the three planned MRO facilities, an 85,000 square foot parking lot is proposed north and adjacent to the hanger facilities. The proposed lot would provide up to 170 spaces or approximately 56 spaces per hanger. In addition, a 242,000 square foot concrete apron would provide aircraft space and mobility from the Taxiway L extension to the MRO hanger facilities.
  3. Runway 15-33 Obstruction Removal – Obstructions in the form of trees and excess terrain currently penetrate the runway Object Free Area and imaginary surface planes east of Runway 15-33. In total, approximately 24.2 acres of property would be regarded to resolve this deficiency.
  4. Runway 22 Safety Area Expansion – The existing runway safety area for Runway 22 does not meet current FAA requirements for the length of the runway safety area, which extends past the end of the runway. The runway safety area would be extended to a total of 300 feet from the end of Runway 22 using material from the Runway 15-33 obstruction removal project.
  5. Haul Road – The proposed construction of the haul road would occur entirely on airport property and would utilize a portion of an existing gravel road network.
  6. Erosion Control/Stormwater Basin – The construction of a new erosion control/stormwater basin would be utilized for the Taxiway L Extension and new MRO facilities with auto parking and apron expansion. This basin would be converted to a stormwater retention basin upon completion of previously mentioned Projects 1-5.

### **Avoidance and Minimization**

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

“Smith Reynolds Airport considered a variety of constraints, including impacts to wetlands and waters of the U.S. The applicant has avoided and minimized impacts to wetlands to the greatest extent practicable and feasible while still accomplishing the overall project purpose. The project as proposed avoids approximately 5,391 linear feet of stream (57%) and 0.653 acre (37%) of wetlands.”

### **Compensatory Mitigation**

The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

The applicant has attempted to avoid and minimize impacts where possible and will compensate to the extent practicable, for the remaining unavoidable losses with mitigation. The applicant proposes the following mitigation for the unavoidable impacts to water of the U.S. (Table 1):

**Table 1. Applicant's Mitigation Proposal**

<b>Impact Feature</b>	<b>Type of Impact</b>	<b>Proposed Mitigation Ratio</b>	<b>Impact Amount</b>	<b>Required Credits</b>
<i>Stream Impacts</i>				
Impact #3	Fill	1:1	1,888 linear feet	4,079 linear feet
Impact #7	Fill	1:1	1,363 linear feet	
Impact #11	Fill	1:1	70 linear feet	
Impact #12	Fill	1:1	98 linear feet	
Impact #14	Fill	1:1	67 linear feet	
Impact #15	Fill	1:1	526 linear feet	
Impact #16	Fill	1:1	67 linear feet	
<i>Wetland Impacts</i>				
Impact #1	Fill	1:1	0.01 acre	1.13 acres
Impact #2	Fill	1:1	0.003 acre	
Impact #4	Fill	1:1	0.23 acre	
Impact #5	Fill	1:1	0.07 acre	
Impact #6	Fill	1:1	0.03 acre	
Impact #8	Fill	1:1	0.02 acre	
Impact #9	Fill	1:1	0.27 acre	
Impact #10	Fill	1:1	0.12 acre	
Impact #13	Fill	1:1	0.38 acre	

The Applicant has rated/classified streams and wetlands within the Proposed Project area using the North Carolina methodology for streams and wetlands (i.e., North Carolina Stream Assessment Methodology and North Carolina Wetland Assessment Methodology) and their findings are listed below in Table 2. It is the opinion of the Applicant that the mitigation ratio for all stream and wetland impacts should not exceed a 1:1 ratio. The applicant proposes to compensate for impacts associated with the Proposed Project by offering payment into the NCDEQ-Division of Mitigation Services (DMS). Private mitigation banks, within the watershed of the Proposed Project, did not have credits available at the time of the Applicant's request.

**Table 2. Applicant's Stream and Wetland Ratings/Classifications**

<b>Impact Feature</b>	<b>Stream or Wetland Type</b>	<b>Rating/Classification</b>
Impact #1	Headwater Forest Wetland	Medium
Impact #2	Headwater Forest Wetland	Medium
Impact #3	Perennial Stream	Medium
Impact #4	Bottomland Hardwood Forest Wetland	Low
Impact #5	Headwater Forest Wetland	Medium
Impact #6	Headwater Forest Wetland	Low
Impact #7	Perennial Stream	High
Impact #8	Headwater Forest Wetland	Low
Impact #9	Headwater Forest Wetland	Low
Impact #10	Headwater Forest Wetland	Low

Impact Feature	Stream or Wetland Type	Rating/Classification
Impact #11	Perennial Stream	Medium
Impact #12	Perennial Stream	Medium
Impact #13	Headwater Forest Wetland	Low
Impact #14	Perennial Stream	Medium
Impact #15	Perennial Stream	Did not complete a NCSAM Form
Impact #16	Perennial Stream	Did not complete a NCSAM Form

### 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.

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.
- 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.

### **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 September 28, 2018, 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 Project, as outlined above, until 5pm, September 24, 2018. Comments should be submitted to Bryan Roden-Reynolds, Regulatory Project Manager, Asheville



Regulatory Field Office, 151 Patton Avenue, ROOM 208, at (704) 510-1440 or [bryan.roden-reynolds@usace.army.mil](mailto:bryan.roden-reynolds@usace.army.mil).