US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: June 15, 2018
Comment Deadline: July 16, 2018
Corps Action ID Number: SAW-2017-02281

The Wilmington District, Corps of Engineers (Corps or USACE) received an application from Mr. Scott Wearren of High Hampton Resort, LLC / High Hampton Land, LLC, (High Hampton LLCs) seeking Department of the Army authorization for 200 linear feet (lf) of temporary stream impacts (utility crossings); 3,293 lf of permanent stream impacts (golf course redesign, stream crossings for roads, stream bank stabilization); 0.76 acres (ac) of permanent wetland impacts (golf course redesign, crossings for roads, and laundry/maintenance facility); and 0.159 ac permanent open water impacts (golf course redesign and 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 maps, figures, and 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:
Mr. Scott Wearren
High Hampton Resort, LLC / High Hampton Land, LLC
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

Directions to Site: 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. High Hampton LLCs are part of Daniel Communities, LLC (Daniel Communities). Daniel Communities has been in business since 1938 and is recognized as a leader in the real estate industry. The proposed project is part of Daniel Communities' proposed master plan for the overall 1,412 acre existing resort and residential community.

It is noted that one of the dominant principles of Daniel Communities intense planning process is the preservation of the natural landscape; it is of the utmost importance in the development of the master plan and is what makes High Hampton a unique place. High Hampton LLCs' project team includes WGLA Engineering; Mountain Soils, Inc.; Fazio Design Company; Hart & Howerton Land Planning; Benchmark Club Management; and ClearWater Environmental Consultants, Inc. (CEC). All have spent many days on the site and in the office to determine the best uses and preservation priorities for all the habitat communities and unique resources within the project boundary. An object of the proposed master 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.

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 by Daniel Communities. 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.

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.

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 Savanah 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 waters of the U.S. (WoUS).

Summary of Jurisdictional Waters

Aquatic Resource	Amount
Stream	37,625 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. 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[1*]	NWP 27						150
2002-30024[2]	NWP 14						50
2005-31948[3]	NWP 13						160
2008-00416[4]	NWP 16 / 33 / 39	0.2					3
2009-01713[5*]	NWP 18					10	
2009-01882[6]	NWP 29						60
	Impact Totals	**0.2**	**0**	**0**	**0**	**10**	**423**

Total Loss of Waters of the U.S. (ac)	**0**	Total Loss of Waters of the U.S. (lf)	**113**
Required Wetland Mitigation (ac)	**0**	Required Stream Mitigation (lf)	**0**

[*]Individual property within High Hampton development, is a cumulative effect, though not cumulative mitigation
[1]Stream bank stabilization
[2]Culvert stream crossing
[3]Stream bank stabilization
[4]Jewell Lake dam repairs and dredging
[5]Stream bank stabilization
[6]Culvert stream crossing

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 (*Clethera 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 (*Pyrularia 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 trifoliate*), 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 artemesiifolia*), mullein (*Verbascum thapsus*), Norway spruce (*Abies pinagene*), sacred bamboo (*Nandina domestica*), and flowering dogwood (*Cornus florida*).

Mountian 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 (*Spireae 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 (*Clethera 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 flowing 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 (*Tamis 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 olivaceous*), 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.

Common Name	***Scientific Name***	**Federal Status**
Carolina Northern Flying Squirrel	*Glaucomys sabrinus coloratus*	E
Indiana Bat	*Myotis sodalis*	E
Northern Long-Eared Bat (NLEB)	*Myotis septentrionalis*	T
Appalachian elktoe	*Alasmidonta raveneliana*	E
Spruce-Fir Moss Spider	*Microhexura montivaga*	E
Small Whorled Pogonia	*Isotria medeoloides*	T
Swamp Pink	*Helonias bullata*	T
Rock Gnome Lichen**	*Gymnoderma lineare*	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 the existing High Hampton resort property and residential community, this includes 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 in Jackson County, North Carolina. The project involves redesigning the current golf course in order to facilitate a Tom Fazio Premier Club. The Premier Club would be central to establishing a residential community and attracting guests to a revamped resort core, which would feature several upscale amenities and services.

High Hamptons LLCs noted that this site is uniquely well situated for the re-development and expansion of a master planned community. 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.

Master 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. High Hampton LLCs 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 2018-2020; resort core/amenities, uplands neighborhood (located in northwest portion of the site), and fieldstone neighborhood (west of NC-107) 2019-2021; and remaining residential neighborhoods and associated infrastructure 2021-2028.

The applicant proposes to permanently impact 3,293 lf of stream channel, 0.76 acre of wetlands, 0.159 acre of open water and temporarily impact 200 lf of streams to achieve the previously stated project purpose through the redevelopment of a residential golf club resort community. There are twenty-four permanent stream impacts, ten temporary stream impacts, twenty-eight wetland impacts, and two open water impacts associated with High Hampton redevelopment project. These impacts are summarized in the following table.

Summary of Proposed Impacts to WoUS

GOLF COURSE					
Stream (lf) (all permanent impacts)		**Wetland (ac) (all permanent impacts)**		**Open Water (ac) (all permanent impacts)**	
Stream Impact 1	62	Wetland Impact 1	0.003	Open Water Impact 1 (water intake)	0.009
Stream Impact 2	158	Wetland Impact 2	0.008		
Stream Impact 3	110	Wetland Impact 3	0.002		
Stream Impact 4	106	Wetland Impact 4	0.022		
Stream Impact 6	269	Wetland Impact 5	0.001		
Stream Impact 14	200	Wetland Impact 9	0.05		
Stream Impact 15	142	Wetland Impact 10	0.002		
Stream Impact 16	119	Wetland Impact 11	0.065		
Stream Impact 19	153	Wetland Impact 12	0.076		
Stream Impact 20	74	Wetland Impact 13	0.029		
Stream Impact 22	554	Wetland Impact 14	0.073		
Stream Impact 23	146	Wetland Impact 15	0.011		
Stream Impact 24	36	Wetland Impact 16	0.004		
		Wetland Impact 20	0.098		
		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		
Total Stream Impacts	**2,129**	**Total Wetland Impacts**	**0.528**	**Total Open Water Impacts**	**0.009**

ROADS				
Stream (lf) (all permanent impacts)		**Wetland (ac) (all permanent impacts)**		
Stream Impact 5	46	Wetland Impact 6	0.005	
Stream Impact 7	68	Wetland Impact 7	0.001	
Stream Impact 8	30	Wetland Impact 8	0.044	
Stream Impact 9	11	Wetland Impact 17	0.005	
Stream Impact 10	66	Wetland Impact 18	0.006	
Stream Impact 11	55			
Stream Impact 12	45			
Stream Impact 13	72			
Stream Impact 17	23			
Stream Impact 18	50			
Stream Impact 21	98			
Total Stream Impacts	**564**	**Total Wetland Impacts**	**0.061**	

UTILITIES					
Stream (lf) (all temporary impacts)					
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				
Total Stream Impacts	**200**				
STREAM BANK STABILIZATION					
Stream (lf) (all permanent impacts)					
Golf Course Hole 5	300				
Golf Course Hole 8	150				
Golf Course Hole 18	150				
Total Stream Impacts	**600**				
RESORT CORE					
		Wetland (ac) (all permanent impacts)		**Wetland (ac) (all permanent impacts)**	
		Wetland Impact 19	0.171	Open Water Impact 2 (new beach)	0.15
		Total Wetland Impacts	**0.171**	**Total Open Water Impacts**	**0.15**
IMPACT TOTALS					
Stream (lf)		**Wetland (ac)**		**Open Water (ac)**	
Temporary	**200**	**Temporary**	**0**	**Temporary**	**0**
Permanent	**3,293**	**Permanent**	**0.76**	**Permanent**	**0.159**
Permanent with Loss of WoUS	2,693	Permanent with Loss of WoUS	0.76	Permanent with Loss of WoUS	0

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 2,129 lf of streams and 0.528 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.

Associated with the golf course, the applicant proposes to impact approximately 400 square feet (0.009 acres) of open water (Lake Hampton) for the purposes of installing a water withdrawal pipe and wet well to provide irrigation water for the golf course. The withdraw rate will be less than 0.5 feet per second.

The applicant will use approximately 74,000-90,000 gallons per day, when needed, during the summer months. Hampton Lake is approximately 16 acres. Based on the size of the lake and irrigation needs, this lake will provide 45 days of irrigation during a drought.

Anchor QEA calculated the 7Q10 flow for the outlet of Hampton Lake. The total area that drains into the lake was estimated to be 0.757 square miles. Anchor QEA calculated the mean annual flow to be approximately 3.028 cubic feet per (cfs) second. Based on this information the 7Q10 for Hampton Lake is estimated to be 0.475 cfs. The dam at High Hampton will be operated to allow a minimum of 61,400 GPD (80% of 7Q10) through the lake during drought conditions.

The applicant will conduct limited hand-clearing maintenance activities in three 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 eleven stream impacts and five wetland impacts associated with road crossings and related road crossing infrastructure, resulting in 546 lf of permanent impacts to streams and 0.061 acres of permanent impacts to wetlands. Six 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, 8, and 18. The purpose stabilization activities is to stop existing erosion and prevent further sedimentation into Fowler Creek, UTs Fowler Creek, and Hampton Lake. Stream bank stabilization activities within the golf course boundary will total approximately 600 lf, with bank treatments occurring on the left and right banks of the channel.

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." Approximately 0.171 acre of permanent wetland impacts would be associated with 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 master 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 master 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 personal 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 six bridges. All streams associated with cart path crossings will be avoided through the utilization of bridges. In addition to the restoration and stream enhancement proposals, the proposed master plan will preserve streams at a preservation ratio of 7.5:1 and wetlands at a ratio of 30:1, thereby demonstrating that the applicant has designed the proposed project to avoid jurisdictional impacts to the greatest extent practicable. 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 project as proposed avoids approximately 34,572 linear feet of stream (90%) and 26.81 acres (97%) of wetlands. A summary of the avoidance and minimization is as follows.

Aquatic Resources	On-Site Totals	Proposed Impacts	Percent Avoided and Minimized
Stream	35,572 lf	3,493 lf	90%
Open Water	16.29 ac	0.159 ac	99%
Wetland	26.81 ac	0.76 ac	97%

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 all practical avoidance and minimization efforts, 2,693 lf of stream channel, 0.76 acre of wetlands, and 0.159 acre of open water impacts associated with the High Hampton Redevelopment project are unavoidable. A conceptual mitigation plan was provided by the applicant in the permit application and the proposed mitigation measures are described below.

The applicant proposes to mitigate for 2,693 lf of proposed stream impacts, as well as 113 lf of cumulative stream impacts from previous projects at the site, at a 1:1 ratio through NC Division of Mitigation Services (DMS). By letter dated May 21, 2018, DMS has indicated they are willing to accept payment for impacts associated with this project. In addition to the noted stream mitigation through DMS, the applicant proposes to mitigate stream impacts at a 7.5:1 ratio through preservation of 23,355 lf of on-site stream channels with approximately 31 acres of designated 30-foot upland buffers on each side of the stream.

The applicant proposes to mitigate wetland impacts at a 30:1 ratio through preservation of 21.645 acres of wetlands, including high quality mountain bogs. The streams, wetlands, and upland buffer within the mitigated areas are all proposed to be preserved using a conservation easement held by the Highlands Conservancy. A final draft of the conservation easement will be sent to the Corps for review and approval.

In summary, High Hampton LLCs proposes to mitigate for 2,806 lf of unavoidable stream impacts and 0.76 acres of wetland impact. Compensatory mitigation will be in the form of preservation and payment into the DMS. The following table summarizes the proposed stream and wetland mitigation.

Method	Type	Amount	Ratio
DMS	Restoration	2,806 lf	1:1
On-Site Streams	Preservation	23,355 lf	7.5:1
On-Site Wetlands	Preservation	21.645 ac	30:1

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, but not likely to adversely 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 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 July 16, 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 shall 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, July 16, 2018. 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