



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT CORPS OF ENGINEERS
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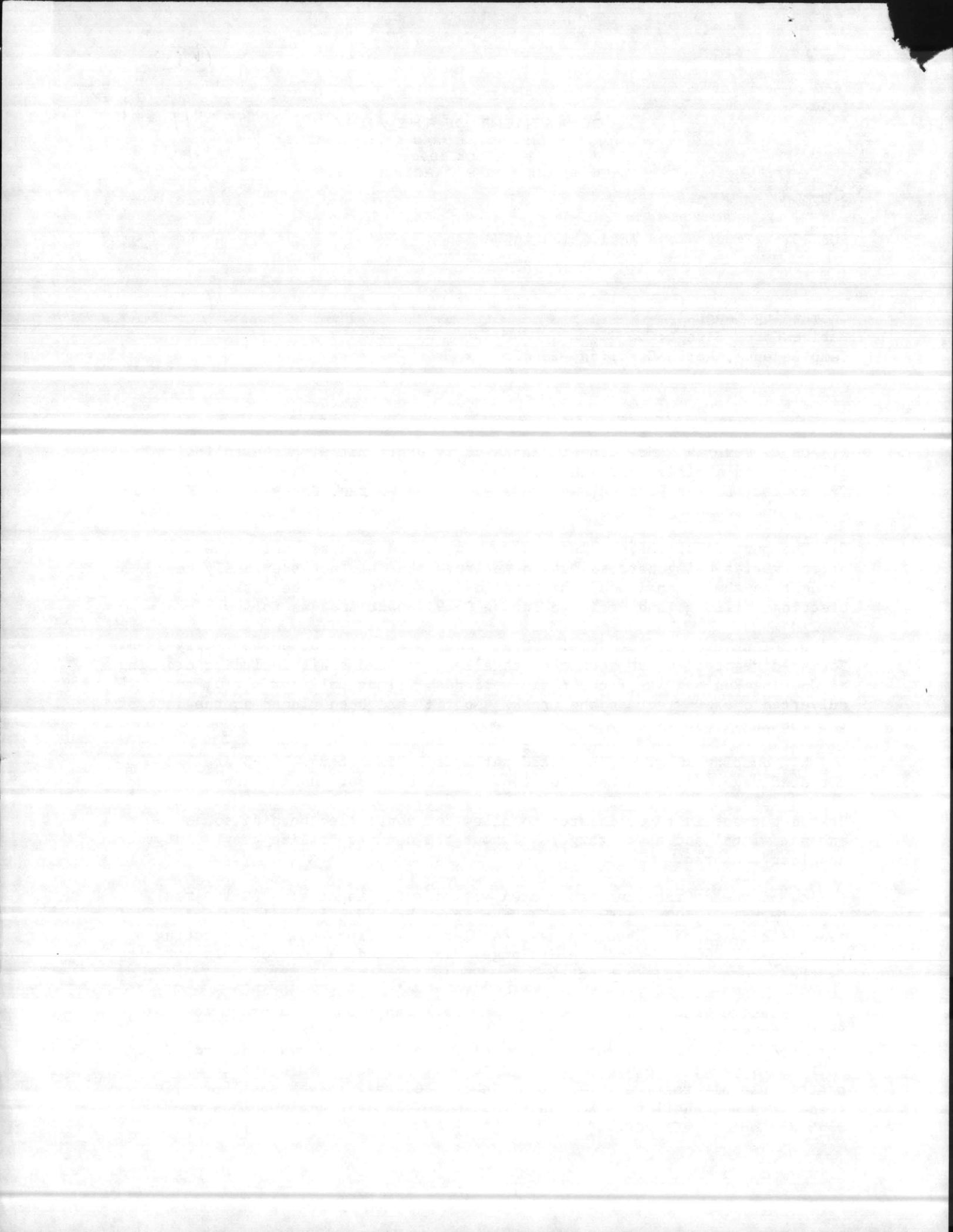
21 June 1984

IN REPLY REFER TO

SUBJECT: Impact Zone Activities in Wetlands

Commanding General
Marine Corps Base
Camp Lejeune, North Carolina 28542

1. On 12 June 1984 Mr. Ernest Jahnke of my staff met with the following military and civilian personnel of Camp Lejeune: COL Melton Lilley, CPT Howard, LT Ben Redmond, and Messrs. Julian Wooten, Danny Sharp, Ken Jolly, and Don Gurganus.
2. The purpose of the meeting was to review and discuss onsite the nature of activities being carried out in wetlands that had not previously been brought to the attention of this office. Specifically, the work involves clearing, filling, and drainage in the G-10 Impact Area as follows:
 - a. Tank crossing at Jumping Run, immediately east of Sneads Ferry Road. Forested vegetation has been cleared along proposed trail including crossing at Jumping Run and its flood plain wetlands. Plans call for a fill and culverted causeway across the creek. No fill had been placed on the date of the meeting.
 - b. Jumping Run and associated wetlands in impact zone (G-3 Area). Forested vegetation has been leveled. Plans call for channelizing creek to approximate dimensions of 4 feet deep by 7 feet wide by 1,700 feet long. Stated purpose is to drain area to allow for controlled burning so as to enhance visual access to targets without the need to utilize heavy equipment to clear the area.
 - c. Cowhead Creek and associated wetlands in impact zone (G-10 Area). Approximately 1,800 linear feet of the creek has been channelized and associated wetland vegetation has been leveled. Plans call for ditching an additional 3,000+ feet of the drainage. The stated purpose of this activity is the same as cited in b. above.
3. Executive Order 11990 issued 24 May 1977 was issued "in order to avoid to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative." As such, "each (Federal) agency shall provide leadership and shall take action to minimize the destruction, loss or degradation of wetlands..."



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4. Section 330.4 of the Code of Federal Regulations provides a nationwide permit for the discharge of dredged or fill materials into waters and wetlands above the headwaters of a given drainage basin. However, this activity was contingent upon compliance with certain conditions in order for the permit to be valid. These conditions included, among others, that the discharge would not adversely destroy threatened or endangered species or their critical habitat.

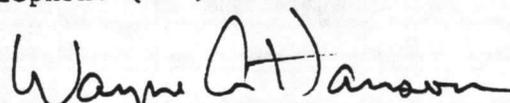
5. To insure that the terms and conditions of the nationwide permit are applicable to a specific project in a specific area, it has been the policy of this office to conduct field reviews of the proposed work before it commences where possible. It is my understanding that the new tank trail passes relatively close to the habitat that is designated suitable for the endangered red-cockaded woodpecker (Picoides borealis). Adverse impacts to such areas (if within our regulatory jurisdiction) might not allow dredge or fill activities to take place under authority of the nationwide permit.

6. Recently, a suit brought against the Corps of Engineers resulted in significantly modifying the nationwide permit authority in our regulations. When effective, the new regulations will likely require individual permits for work of the nature and extent that has been undertaken in the Cowhead Creek and Jumping Run areas. Issuance of such permits will depend upon a weighing of the benefits of the work against the environmental and other losses and a determination that the work is not contrary to the public interest.

7. On 14 June 1984 Mr. Robert Alexander of your base maintenance office was advised that all work, either undertaken or proposed, at Jumping Run and Cowhead Creek in the G-10 Impact Area can proceed under the current provisions of the nationwide permit. ~~If work is not completed~~ by the effective date of the new regulations, however, work may be required to cease until a determination of applicability of the nationwide permit is made by this office.

8. Future plans involving alteration of water or wetland areas at any location should be provided to this office in advance of project commencement so as to allow us to determine if, when, and where a permit is needed. Such advance contact will insure a minimum of delay in carrying out such activities in the future.

9. Mr. Jahnke of my Regulatory Branch is responsible for activities at Camp Lejeune. He can be contacted at telephone (919) 343-4467.


WAYNE A. HANSON
COL, Corps of Engineers
Commanding

