

DEPARTMENT OF THE ARMY
Wilmington District, Corps of Engineers
Post Office Box 1890
Wilmington, North Carolina 28402-1890

Action ID No. 200431291

August 6, 2004

PUBLIC NOTICE

The North Carolina Department of Transportation, ATTN: Dr. Gregory J. Thorpe, Director, Project Development and Environmental Analysis Branch, 1548 Mail Service Center, Raleigh, North Carolina 27699-1548 has applied for a Department of the Army (DA) permit TO DISCHARGE DREDGED OR FILL MATERIAL INTO .14 ACRES OF WETLAND AND 1272 LINEAR FEET OF STREAM CHANNEL IN THE WATERS AND ADJACENT WETLANDS OF LITTLE BEAR CREEK, SCALY BARK CREEK AND UNNAMED TRIBUTARIES TO FACILITATE THE WIDENING OF 5.6 MILES OF NC HIGHWAY 24/27 FROM EAST OF BIG BEAR CREEK TO SR 1963 (OAKBORO ROAD) WEST OF ALBEMARLE, STANLY COUNTY, NORTH CAROLINA (TIP NO. R-0967 CC, STATE PROJECT NO. 6.689004T).

The following description of the work is taken from data provided by the applicant and from observations made during an onsite visit by a representative of the Corps of Engineers. Plans submitted with the application show the proposed construction of a four-lane road with a 46-foot grassed median from a point just east of the bridge over Big Bear Creek to the western city limits of Albemarle near the intersection with SR 1963 (Oakboro Road). The proposed right-of-way width for the project is 200 feet. The proposed roadway crosses Little Bear Creek and two unnamed tributaries as well as Scaly Bark Creek and three unnamed tributary channels. Both of these streams flow into Long Creek. A total of .14 acres of riverine wetland and 1272 linear feet of stream channel would be impacted by culvert extensions, channel realignment and road fill at the nine crossings on Section CC. Streams are both intermittent (Sites 3, 6 and 7) and perennial (Sites 4, 5, 8 and 9), are first to fourth order channels and range from approximately 3 feet to 25 feet in width. Individual channel impacts range from 28 feet at Site 6 on an unnamed tributary to Scaly Bark Creek to 391 feet at Site 3 on an unnamed tributary to Little Bear Creek. The existing triple-cell box culvert at Little Bear Creek would be extended on the upstream end together with excavation to realign the channel affecting approximately 211 feet of stream (Site 4). The existing double-cell box culvert at Scaly Bark Creek (Site 8) would be extended on the downstream end affecting approximately 133 linear feet of the channel. Two small riverine wetlands measuring 0.08 and 0.06 acres in size would be impacted by lateral road encroachment (Sites 1 and 9). These wetlands are vegetated with needlerush, sedges, cattail, red maple and sweet gum.

The project as a whole would impact .14 acres of wetland, 574 linear feet of intermittent stream channel and 698 linear feet of perennial stream channel. There are no channel relocations proposed on the CC Section. The applicant is proposing to mitigate for stream losses and wetland impacts by utilizing the North Carolina Ecosystem Enhancement Program (EEP). All proposed mitigation would occur in the Yadkin River Basin, Hydrologic Unit 03040105. A Federal Environmental Assessment (EA) for the proposed work was approved by the Federal Highway

Administration (FHWA) on January 30, 1998. A Finding of No Significant Impact was signed by the FHWA on December 2, 1998. An Indirect and Cumulative Effects report was completed for this project on May 7, 2003. The purpose of the proposed work is to improve safety and traffic capacity of NC 24/27 and provide an improved transportation corridor between Charlotte and Albemarle. A previous Department of the Army permit, Action ID 200331135, was issued on December 30, 2003 and authorized construction of Sections CA and CB of this project (R-0967). Plans showing the proposed work are included with this public notice.

The State of North Carolina will review this public notice to determine the need for the applicant to obtain any required State authorization. No Department of the Army (DA) permit will be issued until the coordinated State viewpoint on the proposal has been received and reviewed by this agency, nor will a DA permit be issued until the North Carolina Department of Environment and Natural Resources (NCDENR) has determined the applicability of a Water Quality Certificate as required by PL 92-500.

This application is being considered pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344). Any person may request, in writing within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by work under the requested permit.

The District Engineer, based on available information, is not aware that the proposed activity will affect species, or their critical habitat, designated as endangered or threatened pursuant to the Endangered Species Act of 1973. The last survey for the Federally endangered Schweinitz's sunflower was done in September 1996. The applicant states that the project area will be resurveyed for the presence of Schweinitz's sunflower during the fall 2004 flowering season.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards and flood plain values (in accordance with Executive Order 11988), land use,

navigation, shore 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 placement of dredged or fill materials in waters of the United States, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes and other interested parties in order to consider and evaluate the impacts, including secondary and cumulative 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.

Generally, the decision whether to issue this Department of the Army (DA) permit will not be made until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act. The NCDWQ considers whether or not the proposed activity will comply with Sections 301, 302, 306 and 307 of the Clean Water Act. The application and this public notice for the DA permit serves as application to the NCDWQ for certification.

Additional information regarding the Clean Water Act certification may be reviewed at the offices of the 401 Wetlands Certification Unit, North Carolina Division of Water Quality (NCDWQ), 2321 Crabtree Blvd., Raleigh, North Carolina 27604. Copies of such materials will be furnished to any person requesting copies upon payment of reproduction costs.

All persons desiring to make comments regarding the application for Clean Water Act certification should do so in writing delivered to the North Carolina Division of Water Quality Wetlands Section, 1621 Mail Service Center, Raleigh, North Carolina 27626-0621, on or before August 20, 2004, Attention: Mr. John Dorney.

Written comments pertinent to the proposed work, as outlined above, will be received in this office, Attention: Mr. Steven Lund, until 4:15 p.m., September 7, 2004, or telephone (828) 271-7980.

Action ID No. 200431291

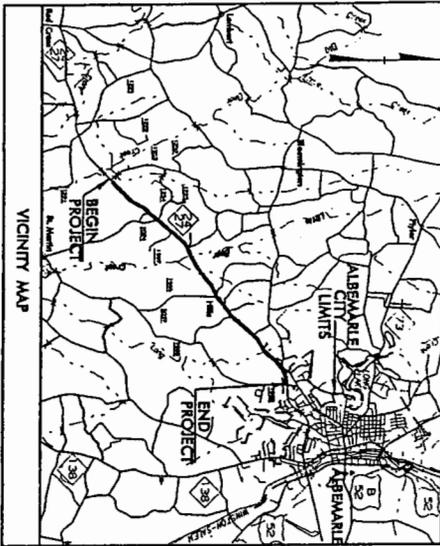
Applicant: North Carolina Department of Transportation, ATTN: Dr. Gregory J. Thorpe, Director, Project Development and Environmental Analysis Branch, 1548 Mail Service Center, Raleigh, North Carolina 27699-1548

Proposed Work: to discharge dredged or fill material into .14 acres of wetland and 1272 linear feet of stream channel in the waters and adjacent wetlands of Little Bear Creek, Scaly Bark Creek and unnamed tributaries to facilitate the widening of approximately 5.6 miles of NC 24/27 from east of Big Bear Creek to SR 1963 (Oakboro Road) west of Albemarle, Stanly County, North Carolina (TIP No. R-0967 CC, State Project No. 6.689004T).

<u>No. Cys.</u>	<u>Mailed To</u>
1	Applicant
53	All NC Public Notices including Asheville Field Office
1	Congressman Robin Hayes
1	Postmaster, Albemarle, NC 28001
15	Mr. Rosalyn Camara, NCDEHNR, 1601 Mail Service Center, Raleigh, NC 27699-1601
2	Mr. Ron Mikulak, EPA, Atlanta, GA
1	Ms. Marella Buncick, US Fish and Wildlife Service, 160 Zillicoa St., Asheville, NC, 28801
1	Ms. Marla Chambers, NC Wildlife Resources Commission, 12275 Swift Road, Oakboro, NC 28129
14	Adjacent Riparian Property Owners: See attached lists
<u>25</u>	EXTRAS
114	TOTAL

R-0967 CC

PROJECT: 6.689002T



See Sheet 1-4 For Index of Sheets

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

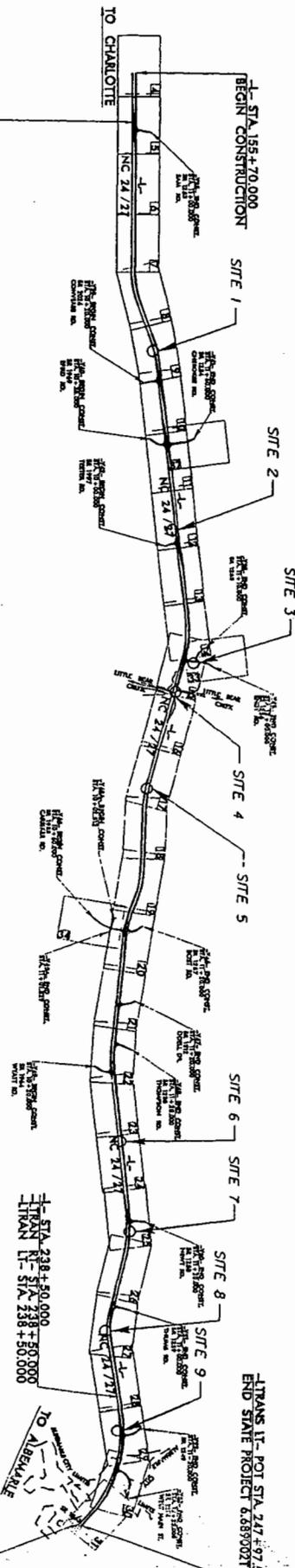
STANLY COUNTY

LOCATION: NC 2427 FROM EAST OF BIG BEAR CREEK
TO SR 1963 (OAKBRO RD. AND SAINT MARTIN RD.)
IN ALBEMARLE.
TYPE OF WORK: GRADING, DRAINAGE, PAVING, SIGNING,
SIGNALS, CULVERTS, AND GUARDRAIL.
ACTION ID 200431291

METRICS		ALL DIMENSIONS IN METERS THESE PLANS ARE IN METERS	
STATE	PROJECT NUMBER	DATE	SCALE
NC	R-0967 CC	1	
PROJECT NUMBER	DATE	BY	CHECKED
6.689002T		JEANIE TYSON	
6.689004T		MW/UTL	

JUN 06 2003

RECEIVED
DIVISION OF HIGHWAYS
HYDRAULICS UNIT



A PORTION OF THIS PROJECT IS WITHIN THE
MUNICIPAL BOUNDARIES OF THE CITY OF ALBEMARLE.

PERMIT DRAWINGS 6/6/03
PUBLIC NOTICE SHEET 1 OF 11
CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

PRELIMINARY PLANS
NO GUARANTEE IS MADE BY THE STATE OF NORTH CAROLINA

GRAPHIC SCALES



PLANS



PROFILE HORIZONTAL



PROFILE VERTICAL

DESIGN DATA

ADT 2004 - 14,400
ADT 2020 - 28,200
DHY - 10 %
D - 55 %
T - 7 %
V - 100 km/h
* TST 4 %
DUAL 3 %

PROJECT LENGTH

LENGTH ROADWAY STATE PROJECT 6.689002T = 8,900KA
TOTAL LENGTH STATE PROJECT 6.689002T = 8,900KA

NOTE: 1- AND -TRANS RT- USED TO DETERMINE
PROJECT LENGTH

Proposed in the Office of

DIVISION OF HIGHWAYS
1000 Bloor Bldg. Raleigh, NC 27618

THE ESTABLISHED APPROPRIATIONS

RIGHT OF WAY DATE: APRIL 30, 2003

LETTING DATE: JUNE 21, 2005

RONALD D. ALLEN, P.E.
PROJECT ENGINEER

JEANIE TYSON
PROJECT SAFETY ENGINEER

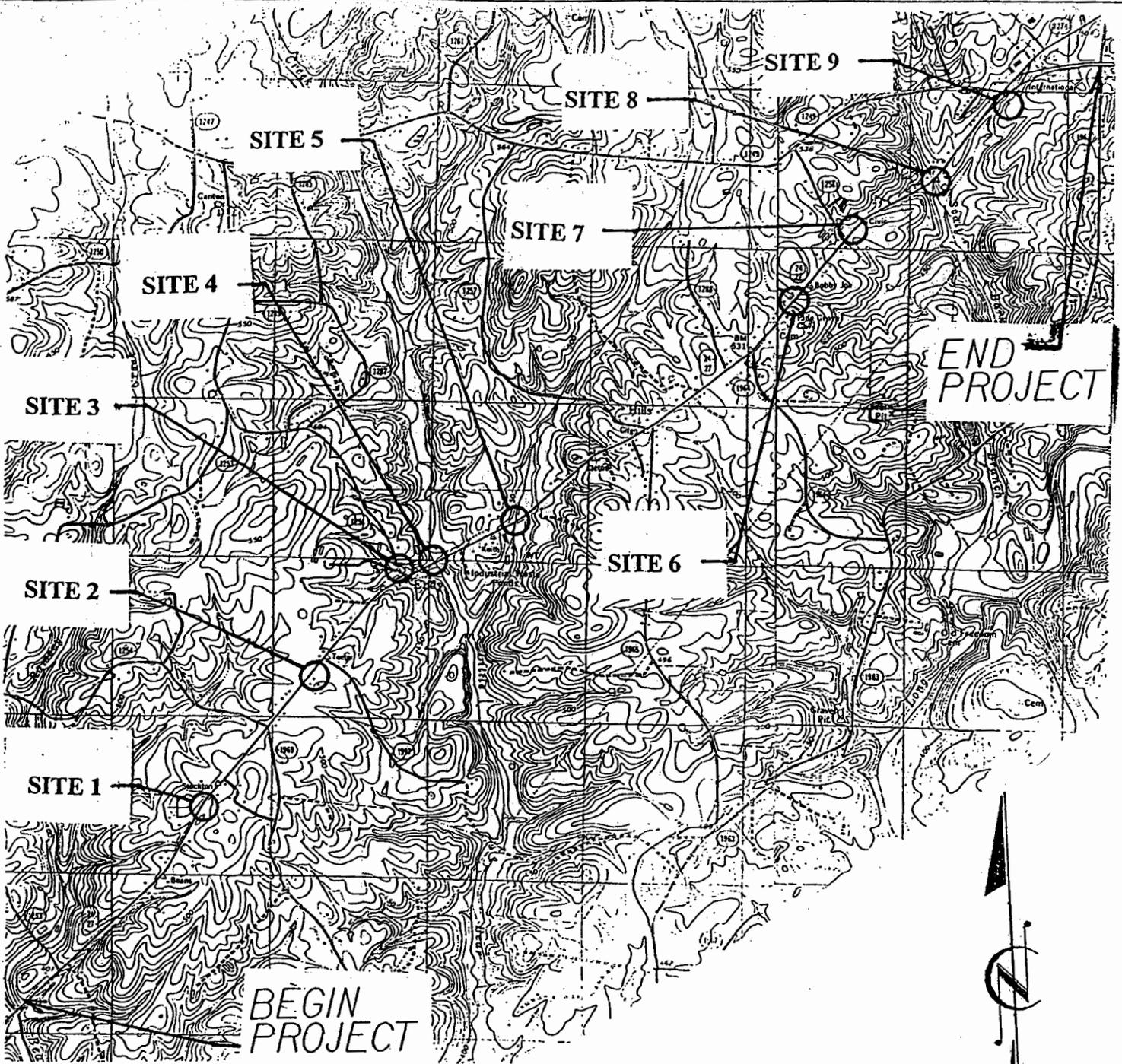
HYDRAULICS ENGINEER

DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA

ROADWAY DESIGN
ENGINEER

DATE: 06/06/03

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



NOT TO SCALE

ACTION ID 200431291

SITE MAPS
(SITES 1 - 9)

PUBLIC NOTICE SHEET 2 OF 11

NCDOT

DIVISION OF HIGHWAYS
STANLY COUNTY

PROJECT: 6.689004T (R-0967CC)
NC 24/27 FROM EAST OF BIG
BEAR CREEK TO SR 1963
IN ALBEMARLE

SHEET 2 OF 5

6/6/03

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS				SURFACE WATER IMPACTS							
			Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation In Wetlands (ac)	Mechanized Clearing (Method III) (ac)	Fill In SW (Natural) (ac)	Fill In SW (Pond) (ac)	Temp. Fill In SW (ac)	Existing Channel Impacted (ft)	Natural Stream Design (ft)			
1	172+00 to 172+70 -L- Rt.	Lateral Encroachment (Roadway Cut and Fill)	0.04		0.04									
2	184+00 to 184+20 -L- Rt.	Lateral Encroachment (Roadway Fill)	0.04											
3	192+40 to 193+45 -L- Lt & Rt	1 @ 1350 mm RCP and 2 @ 1050 mm RCP				0.002							391	
4	194+50 to 194+80 -L- Lt.	Channel Change and 3 @ 3.0m x 3.4m RCBC				0.09							211	
5	200+10 to 200+60 -L- Lt & Rt	Extension of 2 @ 2.4m x 1.8m RCBC				0.04							162	
6	222+88 -L- Lt.	Extension of 1350 mm RCP				0.002							28	
7	228+30 to 228+60 -L- Rt & Lt	1 @ 900 mm RCP and 1 @ 1350 mm RCP				0.02							155	
8	234+60 to 234+70 -L- Rt.	Extension of 2 @ 2.4m x 1.8m RCBC				0.02							133	
9	240+95 to 242+20 -L-TRAN Rt.	Lateral Encroachment (Roadway Fill)	0.03			0.03							192	
TOTALS:			0.11	0	0.04	0.03	0.194	0	0	0	0	1272	0	0

English Equivalence for All Impacts

Sites 1 and 9 are riparian wetlands
 Site 2 is an isolated wetland

ACTION ID 200431291
 PUBLIC NOTICE SHEET 3 OF 11

NCDOT

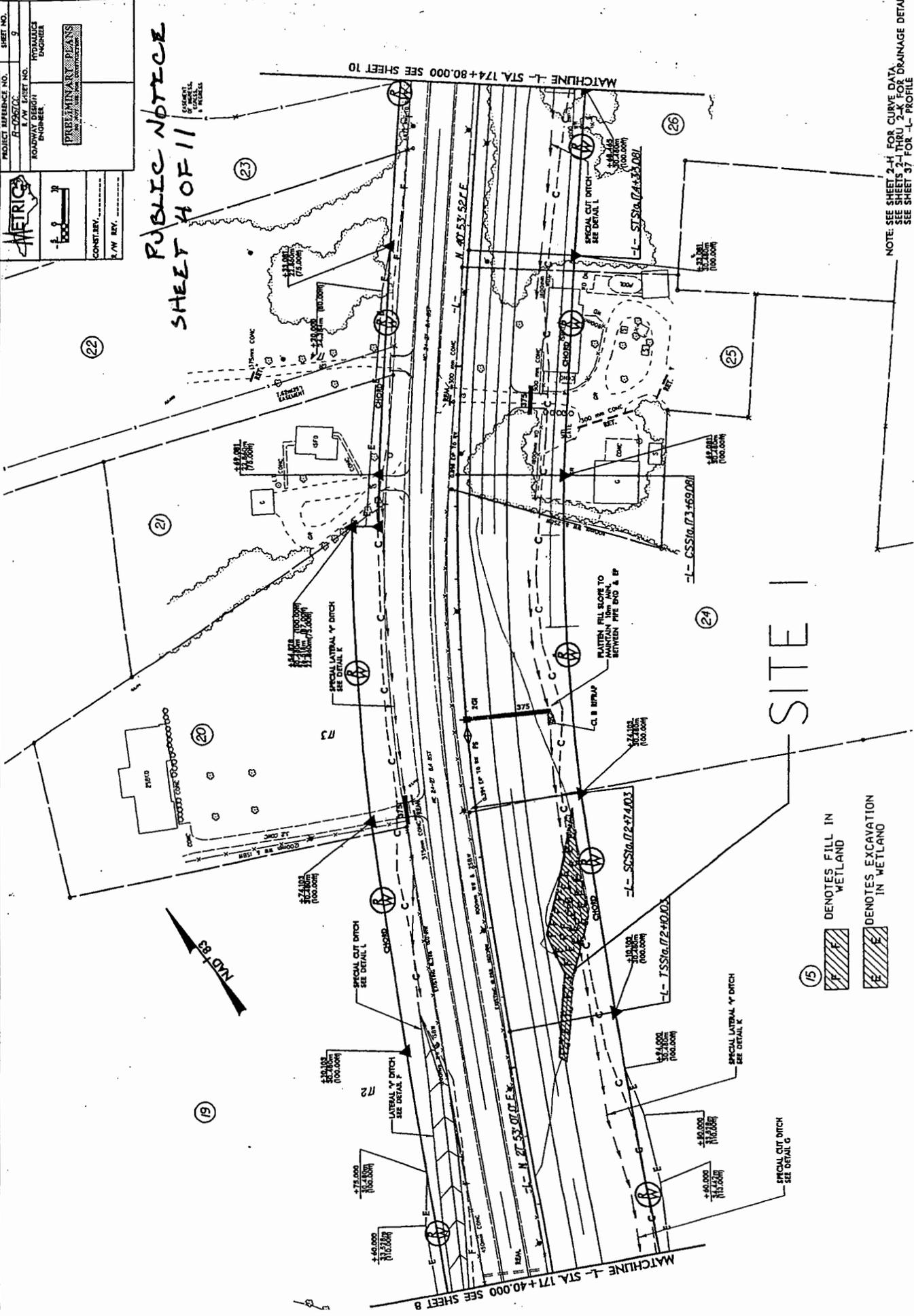
DIVISION OF HIGHWAYS
 STANLY COUNTY
 PROJECT 6.689004T (R-0967CC)

NC 24/27 FROM EAST OF BIG BEAR CREEK TO SR 1963 IN ALBEMARLE

200431291

	PROJECT REFERENCE NO.	SHEET NO.
	R-090100	9
	REGISTERED PROFESSIONAL ENGINEER	HYDRAULICS ENGINEER
	ROADWAY DESIGN	
PRELIMINARY PLANS <small>NOT TO BE USED FOR CONSTRUCTION</small>		
CONST. REV.		
P.W. REV.		

PUBLIC NOTICE
SHEET HOF 11



- (15) DENOTES FILL IN WETLAND
- DENOTES EXCAVATION IN WETLAND

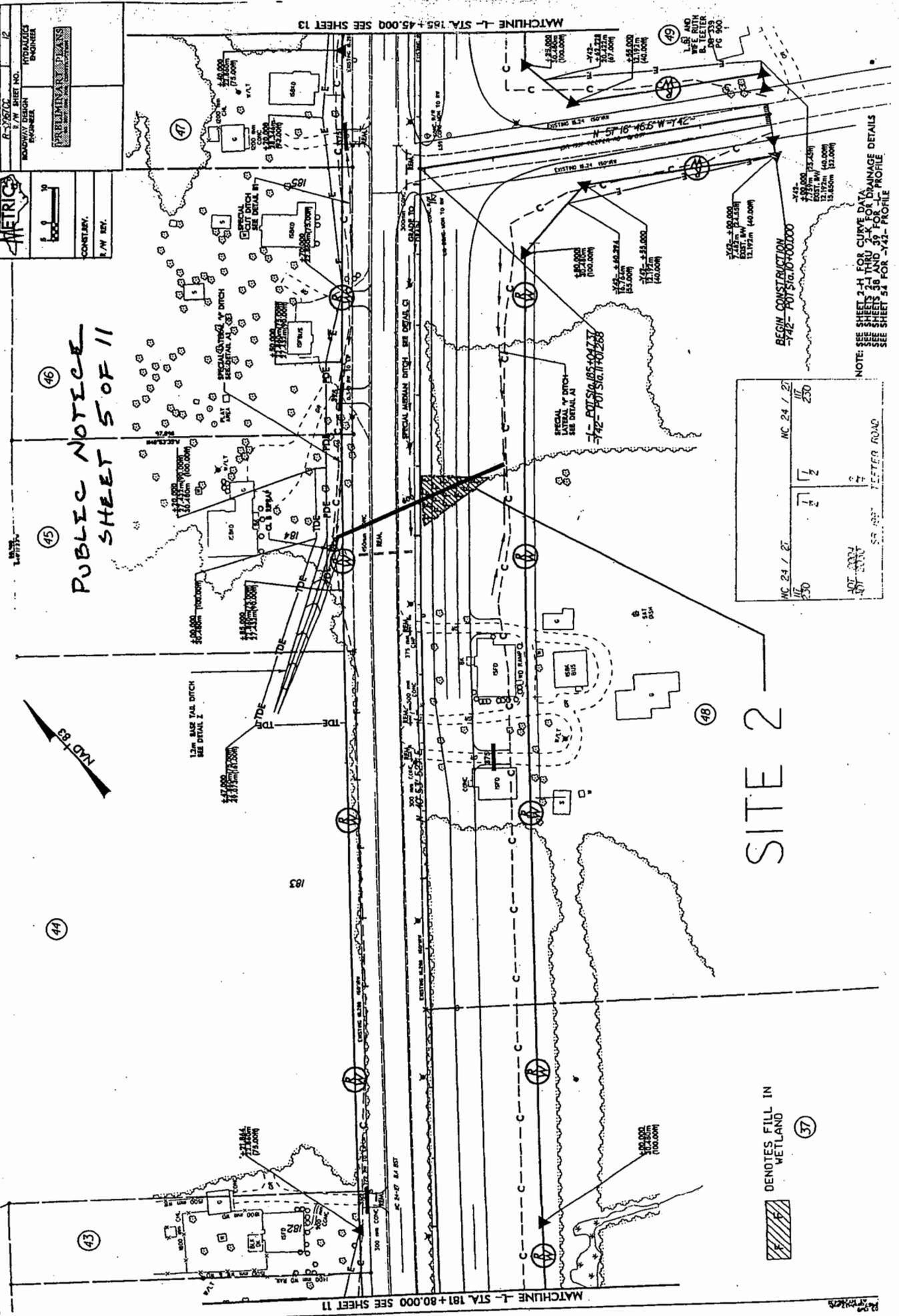
NOTE: SEE SHEET 2-H FOR CURVE DATA.
SEE SHEETS 2-I THRU 2-K FOR DRAINAGE DETAILS
SEE SHEET 37 FOR -L- PROFILE

200431291

PROJECT REFERENCE NO. R-175702
 SHEET NO. 12
 REVISIONS / BY SHEET NO. / DATE / REVISIONS / BY SHEET NO. / DATE

PRELIMINARY PLANS
 CONTRACTOR'S REVIEW
 P.W. REV.

PUBLIC NOTICE
SHEET 5 OF 11



MC 24 / 27 117			
117	117	117	117

7
DENOTES FILL IN WETLAND

NOTE: SEE SHEET 2-H FOR CURVE DATA
SEE SHEET 2-K FOR DRAINAGE DETAILS
SEE SHEET 3B AND 39 FOR L-PHILE
SEE SHEET 3A FOR -141- PROFILE

BEGIN CONSTRUCTION
-142- PVI STA. 160+00.00

PVI STA. 165+00.00
-142- PVI STA. 160+288

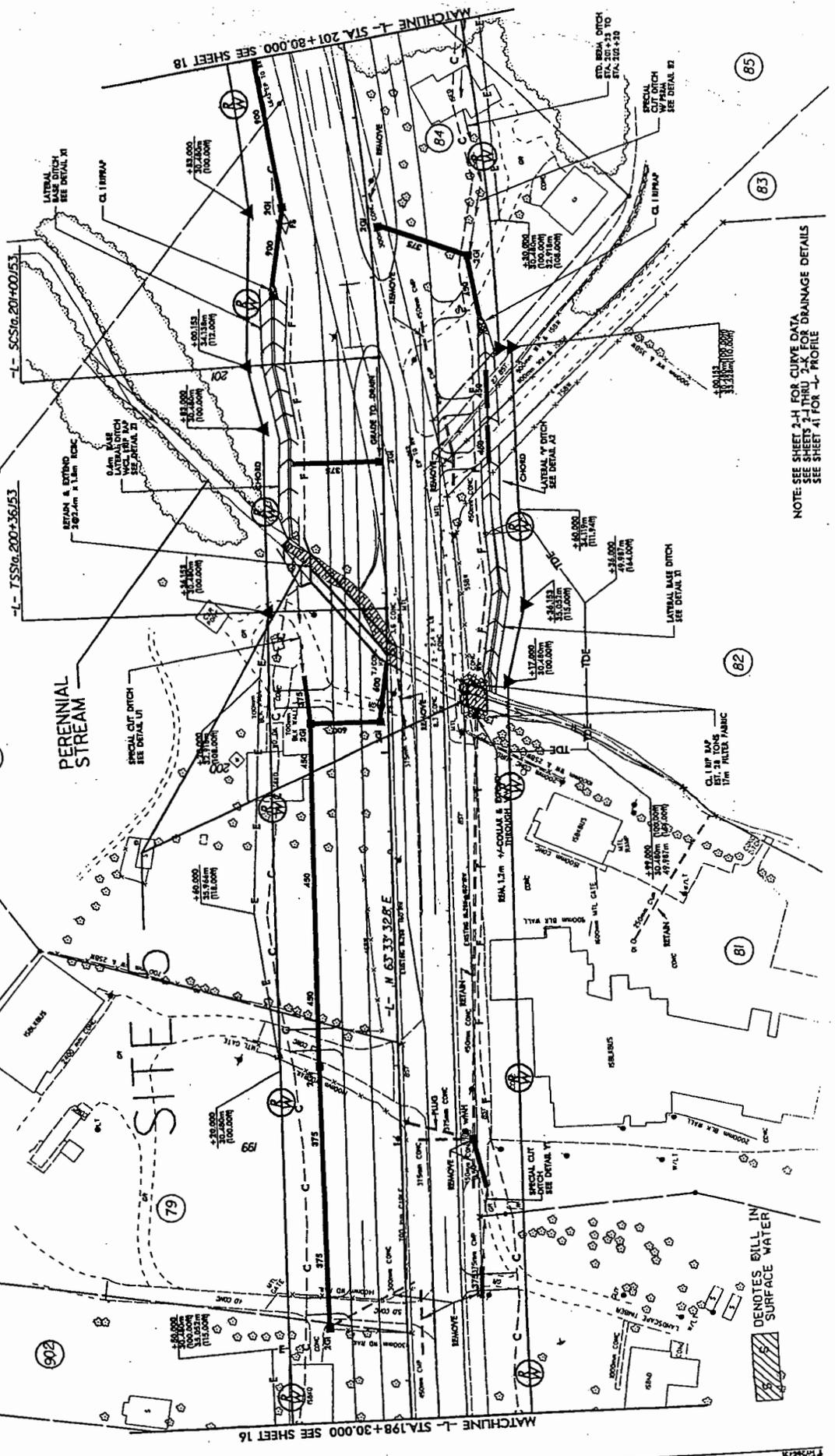
MATCHLINE L- STA. 181+80.00 SEE SHEET 11

MATCHLINE L- STA. 165+45.00 SEE SHEET 13

PROJECT REFERENCE NO. 1 SHEET NO. 7
 6-095700 E/W SHEET NO. 7
 ROADWAY DESIGN ENGINEER
 METRIC
 PRELIMINARY PLANS
 CONVENTION
 E/W REV.

200431291

PUBLIC NOTICE
 SHEET 7 OF 11



NOTE: SEE SHEET 2-H FOR CURVE DATA
 SEE SHEETS 7-I THRU 7-K FOR DRAINAGE DETAILS
 SEE SHEET 4-I FOR -L- PROFILE

85

83

82

81

79

902

86

908

88

MATCHLINE -L- STA. 198+30.000 SEE SHEET 16

MATCHLINE -L- STA. 201+80.000 SEE SHEET 18

200431291

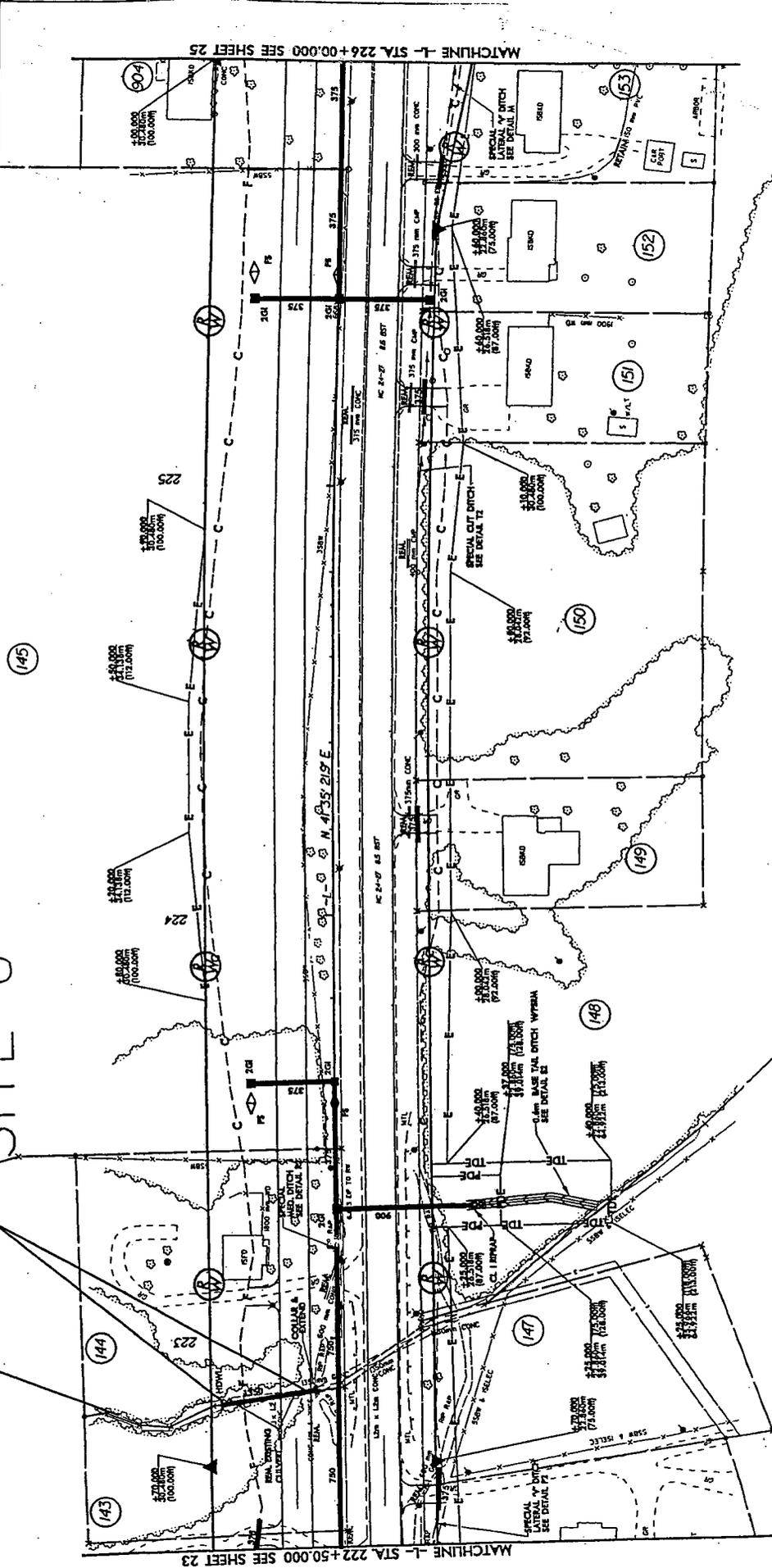
PUBLIC NOTICE SHEET 8 OF 11

SITE 6

PROJECT REFERENCE NO. A-000700	SHEET NO. 24
R/W DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS	
CONTRACT NO. _____	
R/W REV. _____	



INTERMITTENT STREAM



5/5
DENOTES FILL IN SURFACE WATER

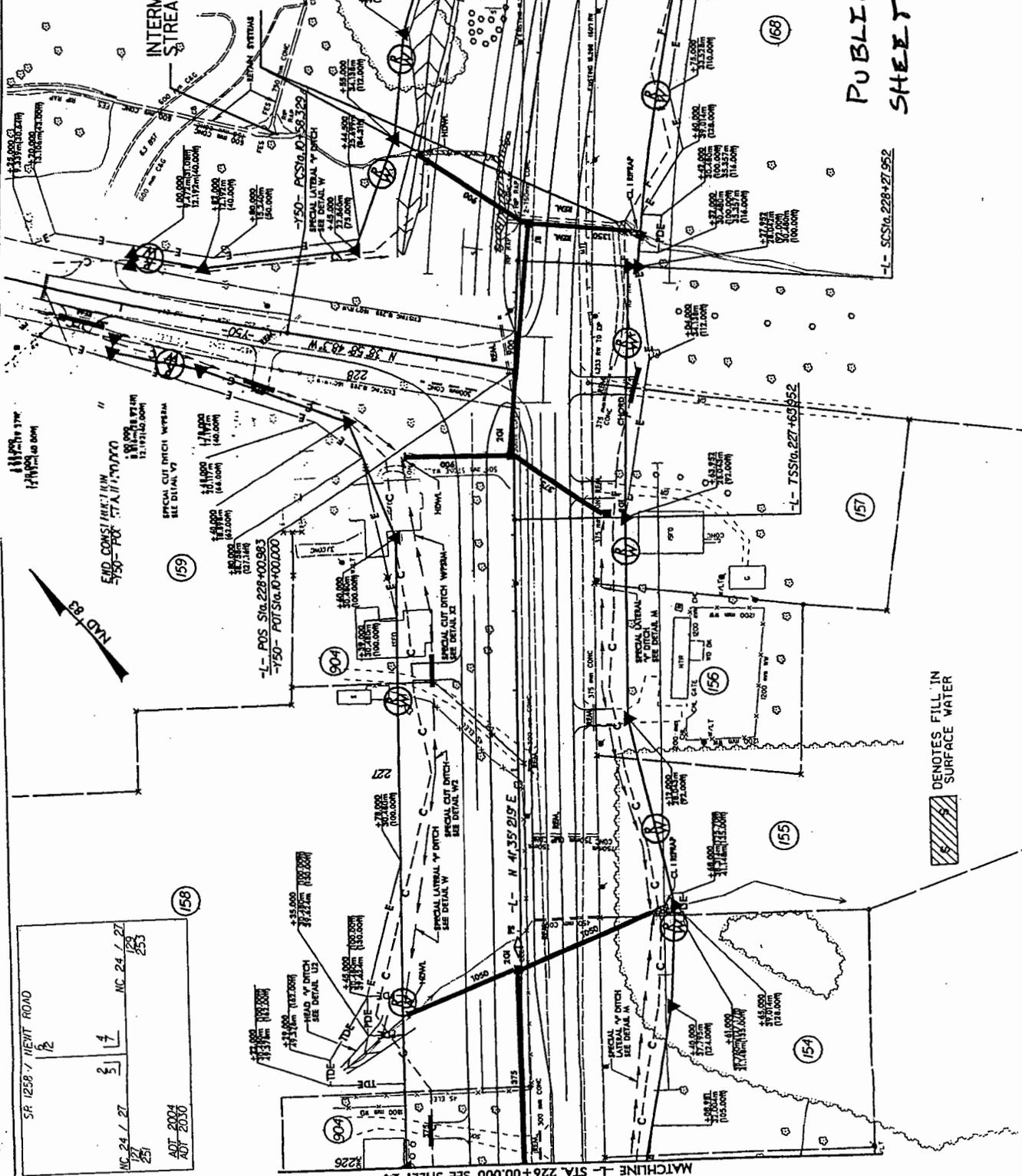
NOTE: SEE SHEET 3-H FOR CURVE DATA
SEE SHEETS 2-1 THRU 2-4 FOR DRAINAGE DETAILS
SEE SHEETS 4-1 AND 4-5 FOR "L" PROFILE

MATCHLINE 1- STA. 226+00.000 SEE SHEET 25

MATCHLINE 1- STA. 222+50.000 SEE SHEET 23

200431291

PROJECT REFERENCE NO.	R-05700
SHEET NO.	25
DATE	11/11/04
DESIGNED BY	HYDRAULICS ENGINEER
CHECKED BY	ENGINEER
DATE	
PREPARED BY	PLANS
DATE	



PUBLIC NOTICE
SHEET 9 OF 11

NOTE: SEE SHEET 24 FOR CURVE DATA
SEE SHEET 24 FOR DRAINAGE DETAILS
SEE SHEET 24 FOR DRAINAGE DETAILS

PUBLIC NOTICE SHEET 10 OF 11 2004 31291

PROJECT REFERENCE NO.	R-025700
SHEET NO.	27
ROADWAY DESIGN ENGINEER	HYDRAULIC ENGINEER
PRELIMINARY PLANS	
CONTRACT NO. 2004 ANL 2030	
DATE 01/27/04	

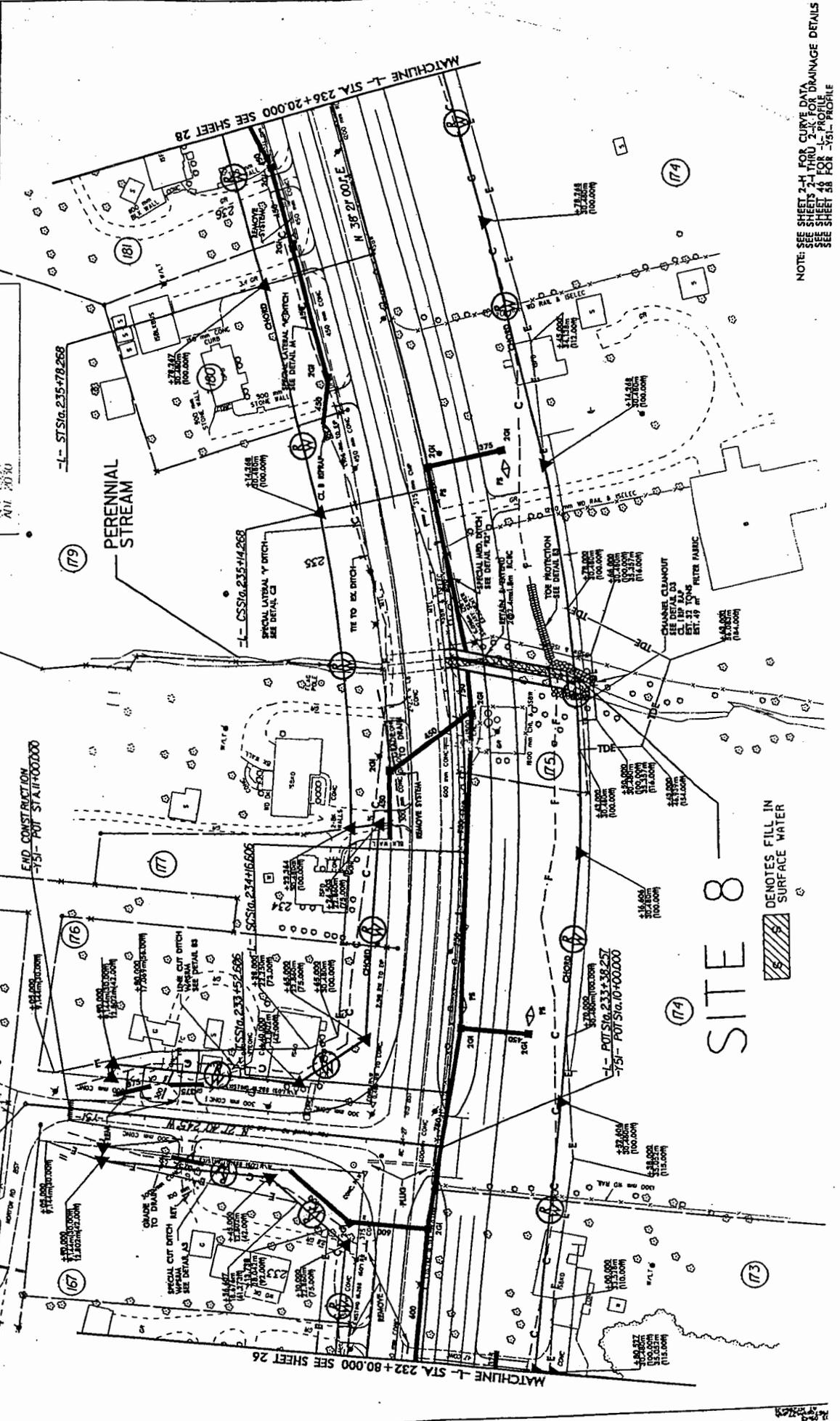
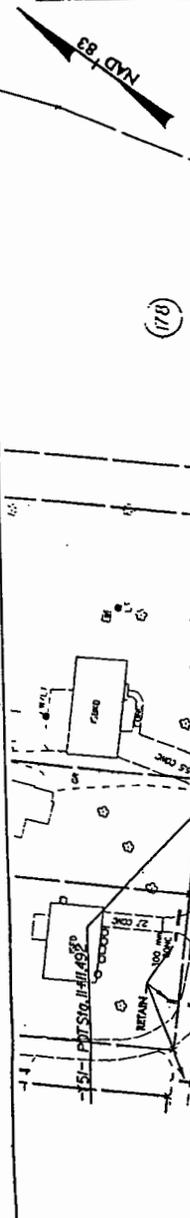
1-1/2 THIND ROAD

MC 24 / 27

MC 24 / 27

MC 24 / 27

MC 24 / 27



NOTE: SEE SHEET 24 FOR CURVE DATA
 SEE SHEET 24 FOR CURVE DATA
 SEE SHEET 45 FOR PROFILE
 SEE SHEET 58 FOR -1% PROFILE

