

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

ACTION ID 200410517

November 12, 2003

PUBLIC NOTICE

Eastern North Carolina Natural Gas (ENCNG), c/o Mr. John M. Monaghan, Jr., 5625 Dillard Drive, Cary, North Carolina 27511, and the Albemarle-Pamlico Economic Development Corporation (APEC), c/o Mr. Luther Clifton Copeland, 115 E. King Street, Edenton, NC 27932, have applied for a Department of the Army (DA) individual permit TO TEMPORARILY IMPACT APPROXIMATELY 0.729 ACRES OF DA JURISDICTIONAL WETLANDS AND APPROXIMATELY 170 LINEAR FEET OF STREAM CHANNELS TO FACILITATE THE INSTALLATION OF 34.5 MILES OF NATURAL GAS TRANSMISSION LINE AND FIBER OPTIC CABLE CONDUIT WITHIN THE NEUSE AND WHITE OAK RIVER BASINS, IN NORTH CAROLINA. The proposed project is located within existing Progress Energy powerline easements and within maintained North Carolina Department of Transportation (NCDOT) right-of-ways in several eastern North Carolina counties including Carteret, Craven, and Jones. Mr. Jeff Harbour, Environmental Services Inc., 524 New Hope Road, Raleigh, North Carolina 27610, is acting as agent for ENCNG and APEC in the processing of this application.

This project represents Phase3B of a multiphased project that began in 2001. Previous Phases (Phases 1, 2 and 7) were authorized under the authority of Nationwide Permit 12. The authorized wetland impacts for those phases total 2.63 acres, of which 1.43 acres resulted in a change in plant community (forest to herbaceous) and compensatory mitigation was required and completed. Phase 3A and 4A were authorized via United States Army Corps of Engineers Individual Permits. No permanent impacts were associated with these phases; however, temporary impacts included 30 acres of wetlands and 580 linear feet of stream channels. Phase 4B is presently being reviewed through the individual permit process. Proposed impacts for Phase 4B include temporary impacts to approximately 24.3 acres of herbaceous wetlands, 2.5 acres of forested wetlands, and 408 linear feet of stream channels.

The following description of this project is taken from data provided by the applicant and from observations made during onsite inspections by representatives of the Corps of Engineers. ENCNG proposes to install an additional 34.5 miles of natural gas transmission line utilizing horizontal directional drilling (HDD) and excavated trench methodologies (Phase 3B). The

Phase 3B project will begin in an existing Progress Energy powerline easement located off U. S. Highway 17 south of New Bern in Craven County and will terminate along U. S. Highway 70 right-of-way west of Morehead City in Carteret County. The transmission system will consist of an 8-inch diameter pipe. The gas line is being installed primarily to service residential, commercial, and industrial customers. APEC will install the fiber optic cable concurrently with the natural gas pipeline construction. The construction corridor ranges from 10 to 20 feet wide.

The project crosses a total of 29 waterbodies. Eighteen streams and/or rivers will be directionally bored. Smaller streams will be crossed using open-cut techniques if field conditions allow.

The project will cross 39 separate wetland areas located within NCDOT right-of-ways and Progress Energy powerline easements. Wetland types to be crossed include Coastal Plain small stream swamp, cypress-gum swamp, Coastal Plain bottomland hardwood forest and successional shrub/scrub and herbaceous wetlands. Larger, wetter wetland areas will be directionally bored. Open trench methodology will be utilized in smaller, drier wetland crossings.

The applicant proposes to utilize HDD methods to avoid impacts to Areas of Environmental Concern as designated by the North Carolina Division of Coastal Management. Forested wetlands will not be impacted by this project. Conversion of wetland community types is not proposed. The applicant also agrees to avoid or minimize impacts to streams containing anadromous fish spawning and rearing habitat. The applicant does not propose compensatory mitigation for this project.

Plans showing the work are included with this public notice. The plans and additional information provided by the applicant detailing avoidance and minimization efforts can also be reviewed at the Washington Regulatory Field Office, U. S. Army Corps of Engineers Wilmington District, 107 Union Drive Suite 200, Washington, North Carolina 27889.

This proposal shall be reviewed for the applicability of other actions by North Carolina agencies such as:

- a. The issuance of a Water Quality Certification under Section 401 of the Clean Water Act by the North Carolina Division of Water Quality (NCDWQ).
- b. The issuance of a permit to dredge and/or fill under North Carolina General Statute 113-229 by the North Carolina Division of Coastal Management (NCDCM).

- c. The issuance of a permit under the North Carolina Coastal Area Management Act (CAMA) by the North Carolina Division of Coastal Management (NCDCM) or their delegates.
- d. The issuance of an easement to fill or otherwise occupy State-Owned submerged land under North Carolina General Statute 143-341(4), 146-6, 146-11, and 146-12 by the North Carolina Department of Administration (NCDA) and the North Carolina Council of State.
- e. The approval of an Erosion and Sedimentation control Plan by the Land Quality Section, North Carolina Division of Land Resources (NCDLR), pursuant to the State Sedimentation Pollution Control Act of 1973 (NC G.S. 113 a-50-66).

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 Division of Water Quality (NCDWQ) 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) and Section 10 of the Rivers and Harbors Act of 1899. Any person may request, in writing within the comment period specified in the 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 site 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, prehistoric, or historical data may be lost or destroyed by work under the requested permit.

Based upon available information, the District Engineer 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 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.

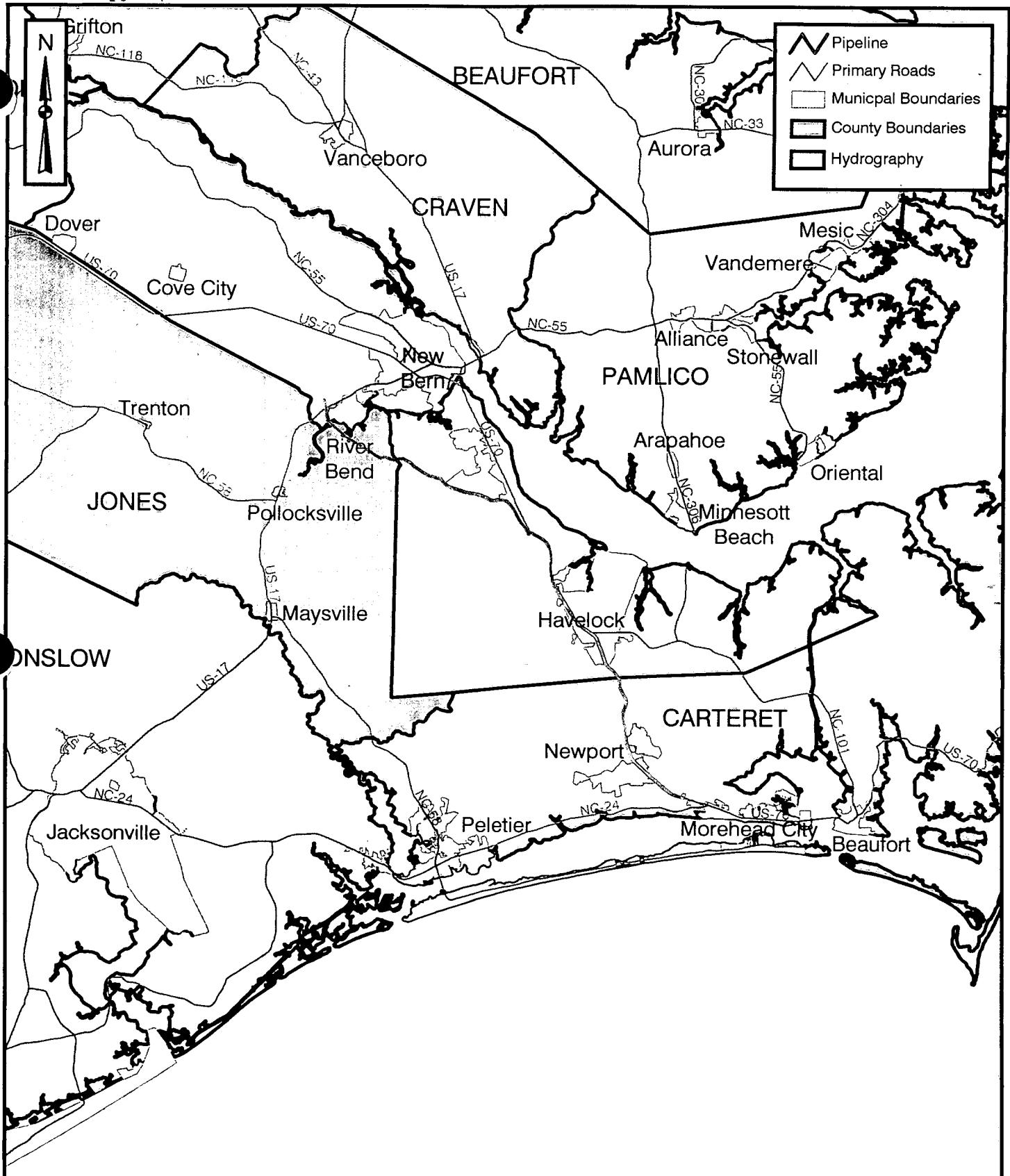
Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors that become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably 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 Agencies' 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 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 Department of the Army (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 Wetlands/401 Unit, NCDWQ, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. Copies of such materials will be furnished to any person requesting copies upon payment of reproduction cost.

Written comments pertinent to the proposed work, as outlined above, will be received in the Corps of Engineers, Wilmington District, Washington Regulatory Field Office, Attn: Mr. Scott Jones, Post Office Box 1000, Washington, North Carolina, 27889, until 4:15 p.m., December 12, 2003, at telephone (252) 975-1616, extension 24.



Environmental
Services, Inc.



Source: Basin Pro, NC Center for
Geographic Information & Analysis

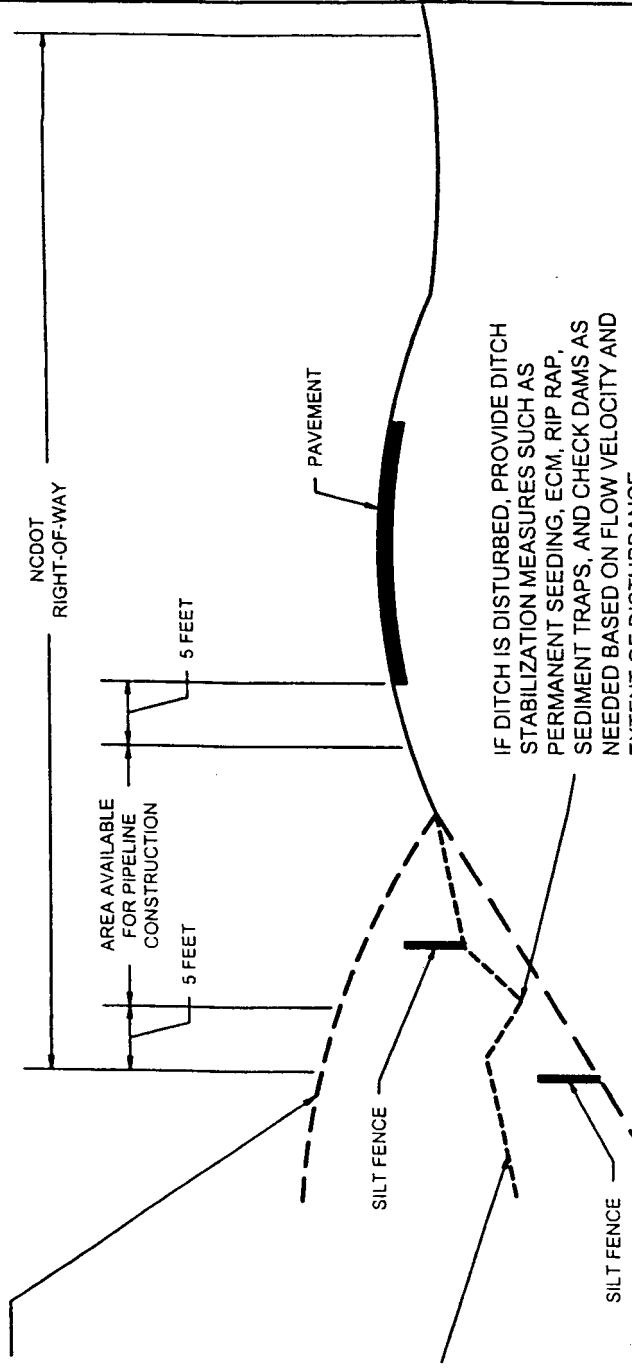
Project Location Map
EasternNC Natural Gas
Pipeline- Phase IIIB

Figure: 1

ER01-150.04

August 2003

IF GROUND SLOPES TOWARD ROADSIDE DITCH OR IS LEVEL, NO SILT FENCE IS NEEDED UNLESS ADJACENT TO A.E.C. PROVIDE CHECK DAMS OR SEDIMENT TRAPS IN DITCH. APPLY PERMANENT SEEDING TO ALL DISTURBED AREAS. IF SLOPE IS STEEPER THAN 2H:1V, PROVIDE ECM ON DISTURBED PORTION OF SLOPE.



IF GROUND SLOPES AWAY FROM ROAD, THERE IS A DITCH, AND CONSTRUCTION WILL TAKE PLACE BETWEEN ROAD AND DITCH, PROVIDE SILT FENCE AT EDGE OF DITCH OR AREA OF DISTURBANCE. IF IT IS NOT POSSIBLE TO INSTALL A SILT FENCE, PROVIDE CHECK DAMS OR SEDIMENT TRAPS IN DITCH. APPLY PERMANENT SEEDING TO ALL DISTURBED AREAS. IF SLOPE IS STEEPER THAN 2H:1V, PROVIDE ECM ON DISTURBED PORTION OF SLOPE.

IF GROUND SLOPES AWAY FROM ROAD AND THERE IS NO DITCH, PROVIDE SILT FENCE AT EDGE OF RIGHT-OF-WAY OR AREA OF DISTURBANCE. APPLY PERMANENT SEEDING TO ALL DISTURBED AREAS. IF SLOPE IS STEEPER THAN 2H:1V, PROVIDE ECM ON DISTURBED PORTION OF SLOPE.

REFER TO DETAIL SHEETS FOR INDIVIDUAL PRACTICES:

- | DETAIL | DESCRIPTION |
|--------|--|
| 1. | TEMPORARY GRAVEL CONSTRUCTION ENTRANCE |
| 2. | TEMPORARY DIVISION |
| 3. | RIP RAP LINED CHANNEL |
| 4. | EROSION CONTROL MATTING |
| 5. | BLOCK AND GRAVEL CURB INLET PROTECTION |
| 6. | TEMPORARY SEDIMENT TRAP |
| 7. | SILT FENCE |
| 8. | CHECK DAM |

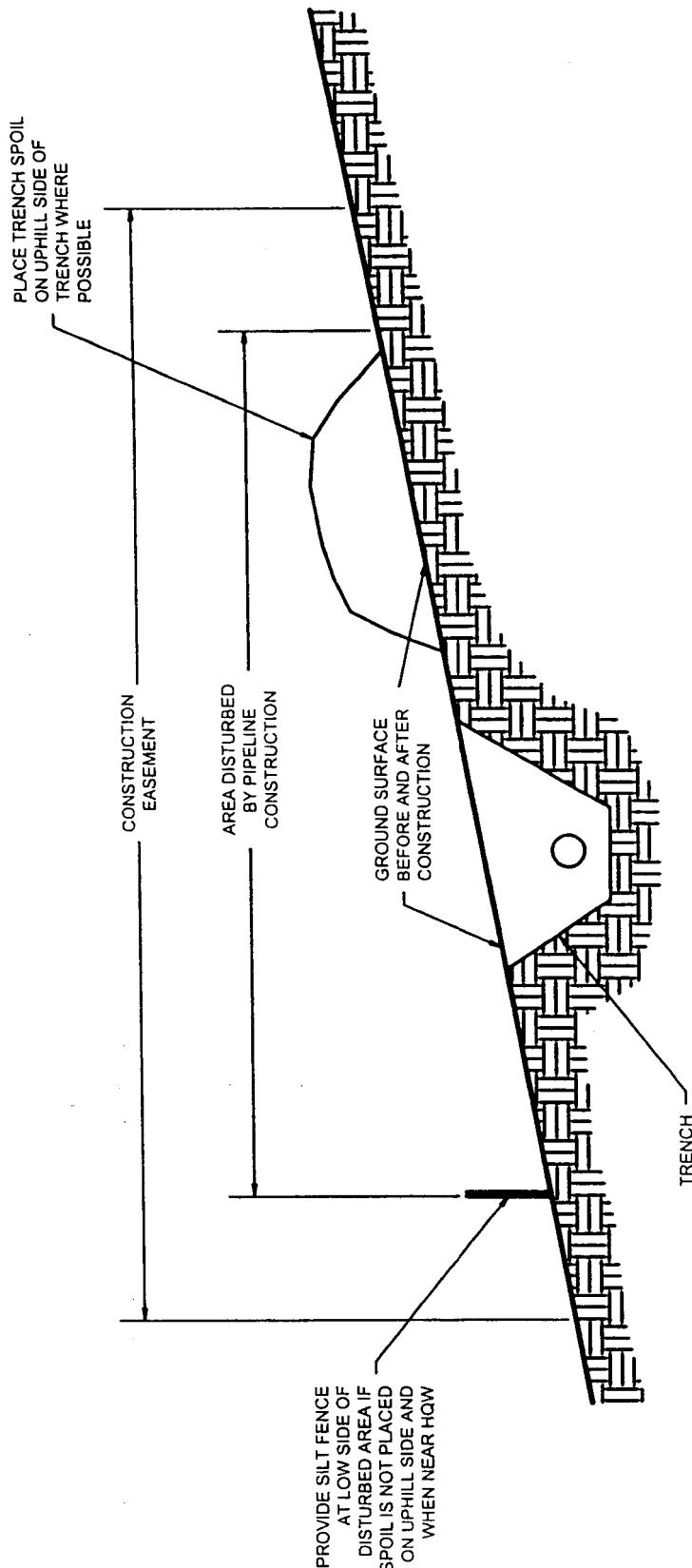
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Eastern North Carolina Natural Gas
EDDY ENGINEERING, P.C.
102 N. PLANTATION LANE, SWANSBORO, NC 28584 (910) 325-1888

NATURAL GAS SYSTEM
PROJECT PHASE IIIB

TYPICAL RIGHT-OF-WAY
CROSS SECTION

AUG. 2003 FIGURE 1

NOT TO SCALE



REFER TO DETAIL SHEETS FOR INDIVIDUAL PRACTICES.

- | DETAIL | DESCRIPTION |
|--------|---|
| 1. | TEMPORARY GRAVEL CONSTRUCTION ENTRANCE |
| 2. | TEMPORARY DIVERSION |
| 3. | RIP RAP LINED CHANNEL |
| 4. | GRASS AND EROSION CONTROL MATTING LINED CHANNEL |
| 5. | EROSION CONTROL MATTING |
| 6. | BLOCK AND GRAVEL DROP INLET PROTECTION |
| 7. | TEMPORARY SEDIMENT TRAP |
| 8. | SILT FENCE |
| 9. | CHEK DAM |
| 10. | |

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Eastern North Carolina Natural Gas

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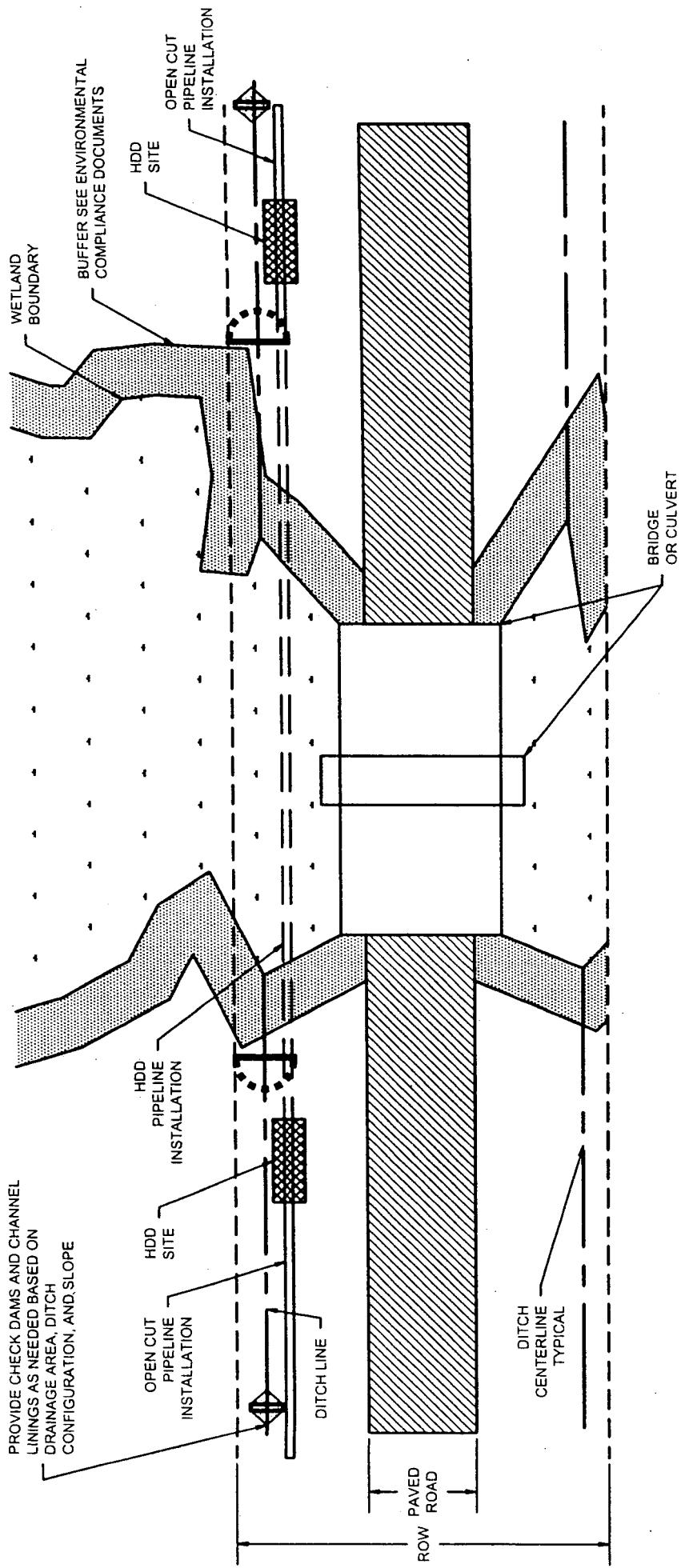
NATURAL GAS SYSTEM
PROJECT PHASE IIIB

TYPICAL CROSS COUNTRY
CROSS SECTION

EEPC PROJ. 2001-028-3B AUG. 2003 FIGURE 2

NOT TO SCALE

PROVIDE CHECK DAMS AND CHANNEL LININGS AS NEEDED BASED ON DRAINAGE AREA, DITCH CONFIGURATION, AND SLOPE



REFER TO DETAIL SHEETS FOR INDIVIDUAL PRACTICES:

DESCRIPTION	DETAIL
1. TEMPORARY DIVERSION	CONSTRUCTION ENTRANCE
2. RIP RAP LINED CHANNEL	GRASS AND EROSION CONTROL MATTING LINED CHANNEL
3. EROSION CONTROL MATTING	BLOCK AND GRAVEL DROP INLET PROTECTION
4. BLOCK AND GRAVEL CURB	BLOCK AND GRAVEL CURB INLET PROTECTION
5. TEMPORARY SEDIMENT TRAP	SILT FENCE
6. CHECK DAM	

LEGEND



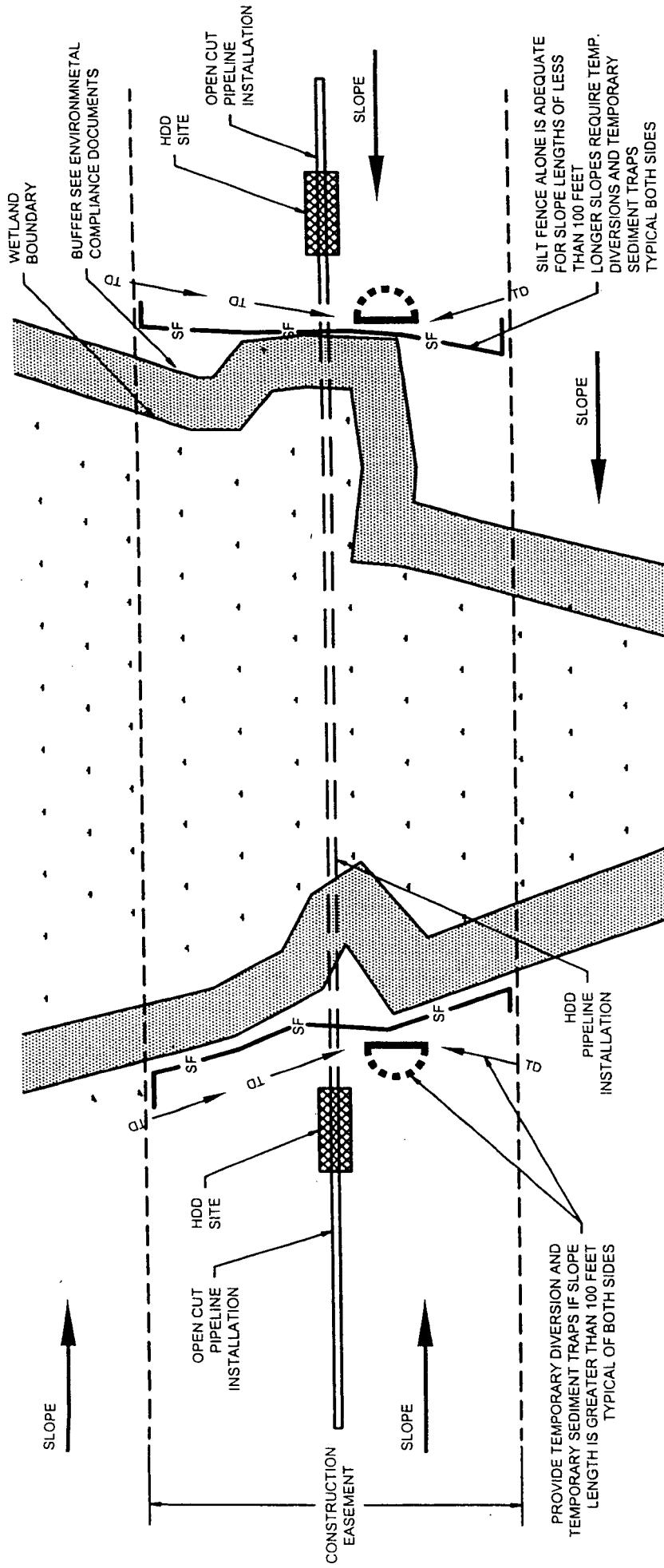
TEMPORARY SEDIMENT TRAP

**ROW STREAM OR
WETLAND CROSSING**

EEPC PROJ. 2001-028-3B AUG. 2003 FIGURE 3
PROJECT PHASE III BY HDD

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REFER TO DETAIL SHEETS FOR INDIVIDUAL PRACTICES:

- DETAIL DESCRIPTION
1. TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
2. TEMPORARY DIVERSION
3. RIP RAP LINED CHANNEL
4. GRASS AND EROSION CONTROL MATTING LINED CHANNEL
5. EROSION CONTROL MATTING
6. BLOCK AND GRAVEL CURB INLET PROTECTION
7. TEMPORARY SEDIMENT TRAP
8. SILT FENCE
9. CHECK DAM

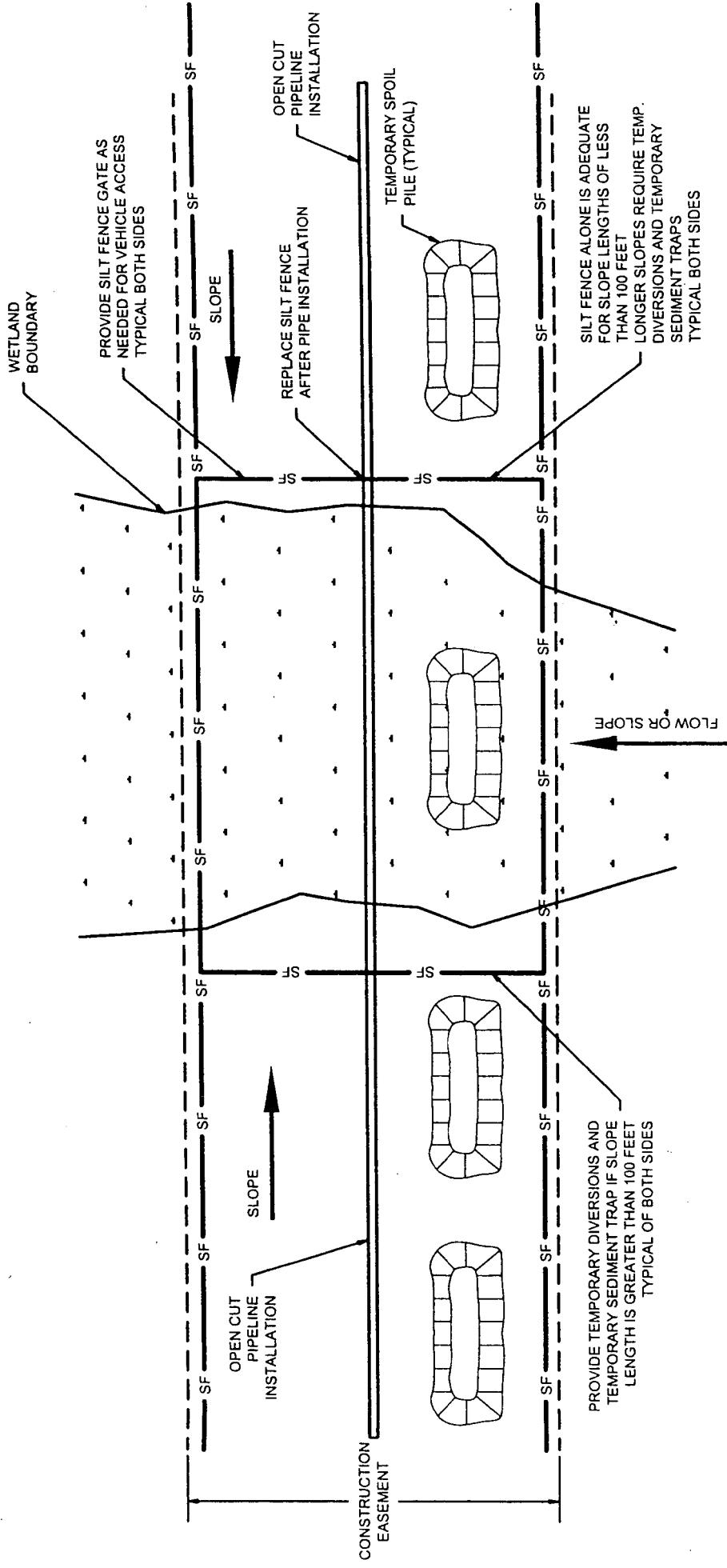
CROSS COUNTY STREAM
OR WETLAND CROSSING
BY HDD

NATURAL GAS SYSTEM
PROJECT PHASE IIIB

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EEPC PROJ. 2001-028-3B
AUG. 2003 FIGURE 4

NOT TO SCALE



REFER TO DETAIL SHEETS FOR INDIVIDUAL PRACTICES.

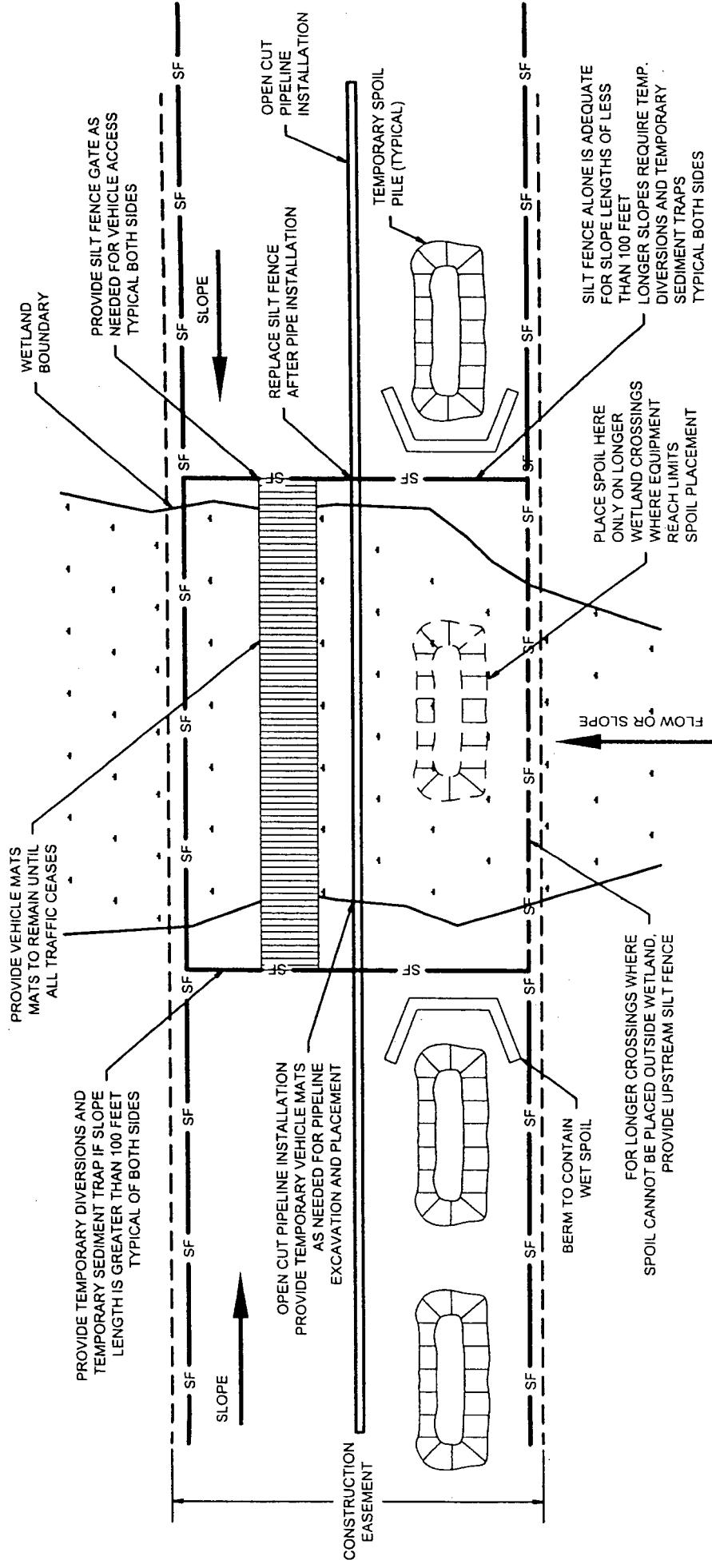
DETAIL	DESCRIPTION
1.	TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
2.	TEMPORARY DIVERSION
3.	RIP RAP LINED CHANNEL
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5.	EROSION CONTROL MATTING
6.	BLOCK AND GRAVEL DROP INLET PROTECTION
7.	BLOCK AND GRAVEL CURB INLET PROTECTION
8.	TEMPORARY SEDIMENT TRAP
9.	SILT FENCE
10.	CHECK DAM

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CROSS COUNTY
DRY WETLAND CROSSING
BY OPEN CUT

NATURAL GAS SYSTEM
PROJECT PHASE IIIB
EEPC PROJ. 2001-028-3B
AUG. 2003 FIGURE 6

NOT TO SCALE



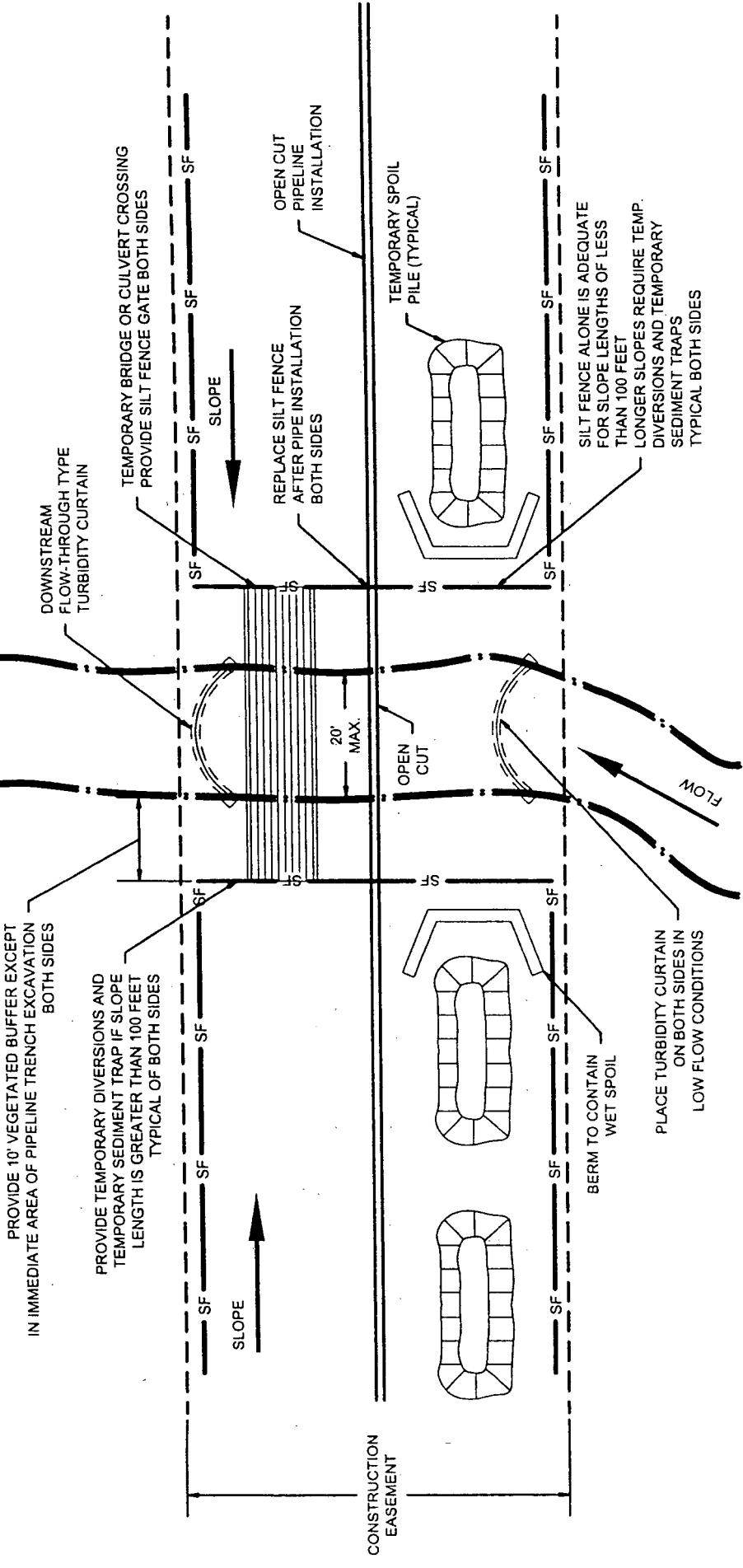
REFER TO DETAIL SHEETS FOR INDIVIDUAL PRACTICES:

- DETAIL DESCRIPTION
1. TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
 2. TEMPORARY DIVERSION
 3. RIP RAP LINED CHANNEL
 4. GRASS AND EROSION CONTROL MATTING LINED CHANNEL
 5. EROSION CONTROL MATTING
 6. BLOCK AND GRAVEL DROP INLET PROTECTION
 7. SILT FENCE
 8. TEMPORARY SEDIMENT TRAP
 9. CHECK DAM
 10. SILT FENCE

CROSS COUNTY
WET WETLAND CROSSING
BY OPEN CUT

EasterNC <small>Eastern North Carolina Natural Gas</small>	NATURAL GAS SYSTEM PROJECT PHASE IIIB	EEPC PROJ. 2001-028-3B	AUG. 2003	FIGURE 7
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NOT TO SCALE



REFER TO DETAIL SHEETS FOR INDIVIDUAL PRACTICES:

- DETAIL DESCRIPTION
1. TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
2. TEMPORARY DIVERSION
3. RIP RAP LINED CHANNEL
4. GRASS AND EROSION CONTROL MATTING LINED CHANNEL
5. EROSION CONTROL MATTING
6. BLOCK AND GRAVEL DROP INLET PROTECTION
7. BLOCK AND GRAVEL CURB INLET PROTECTION
8. TEMPORARY SEDIMENT TRAP
9. SILT FENCE
10. CHECK DAM

EasterNC
Eastern North Carolina Natural Gas

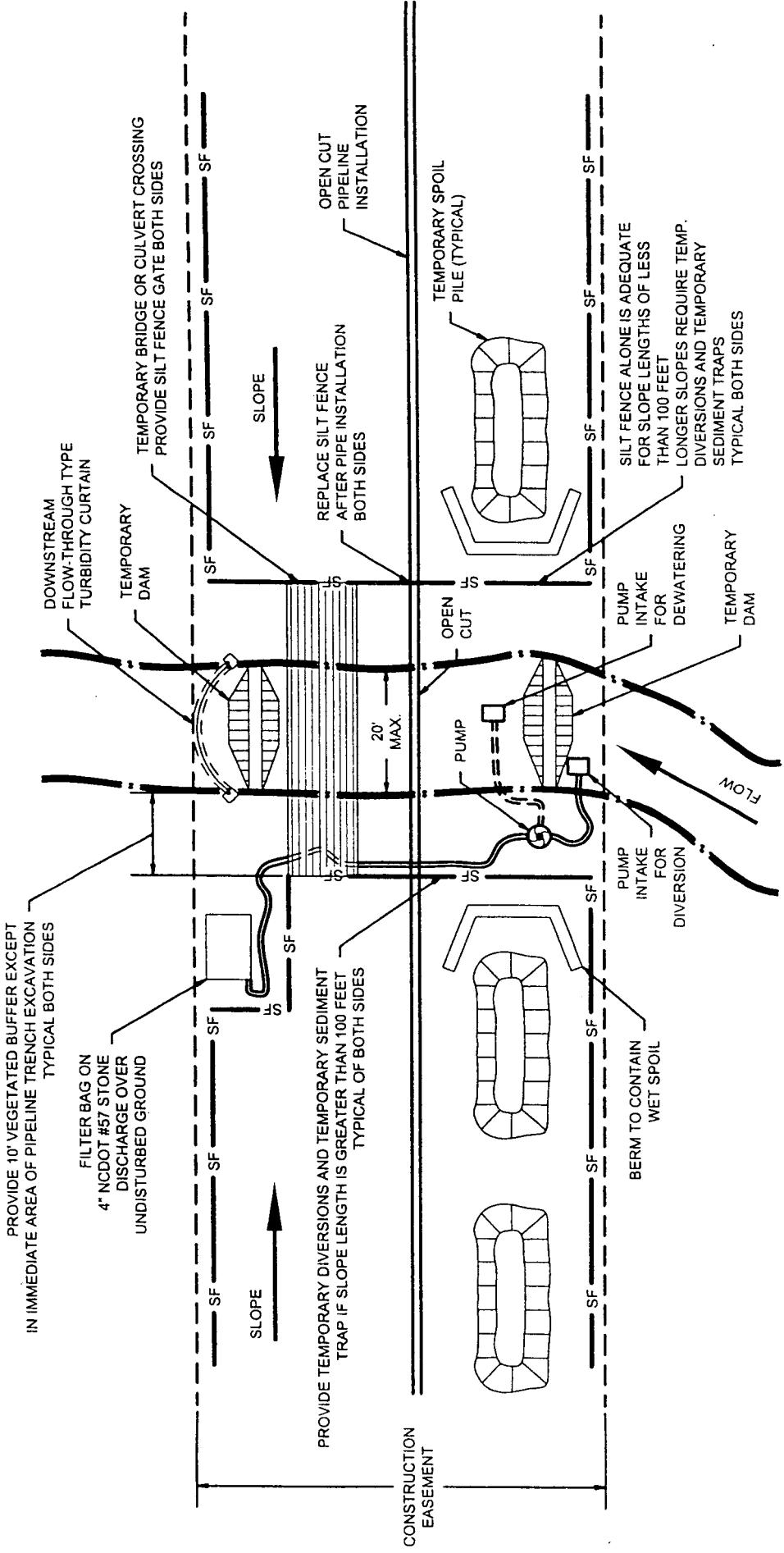
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NATURAL GAS SYSTEM
PROJECT PHASE IIIB

WATER BODY CROSSING
WITH NO DIVERSION
BY OPEN CUT

EEPC PROJ. 2001-028-3B
AUG. 2003 FIGURE 8

NOT TO SCALE

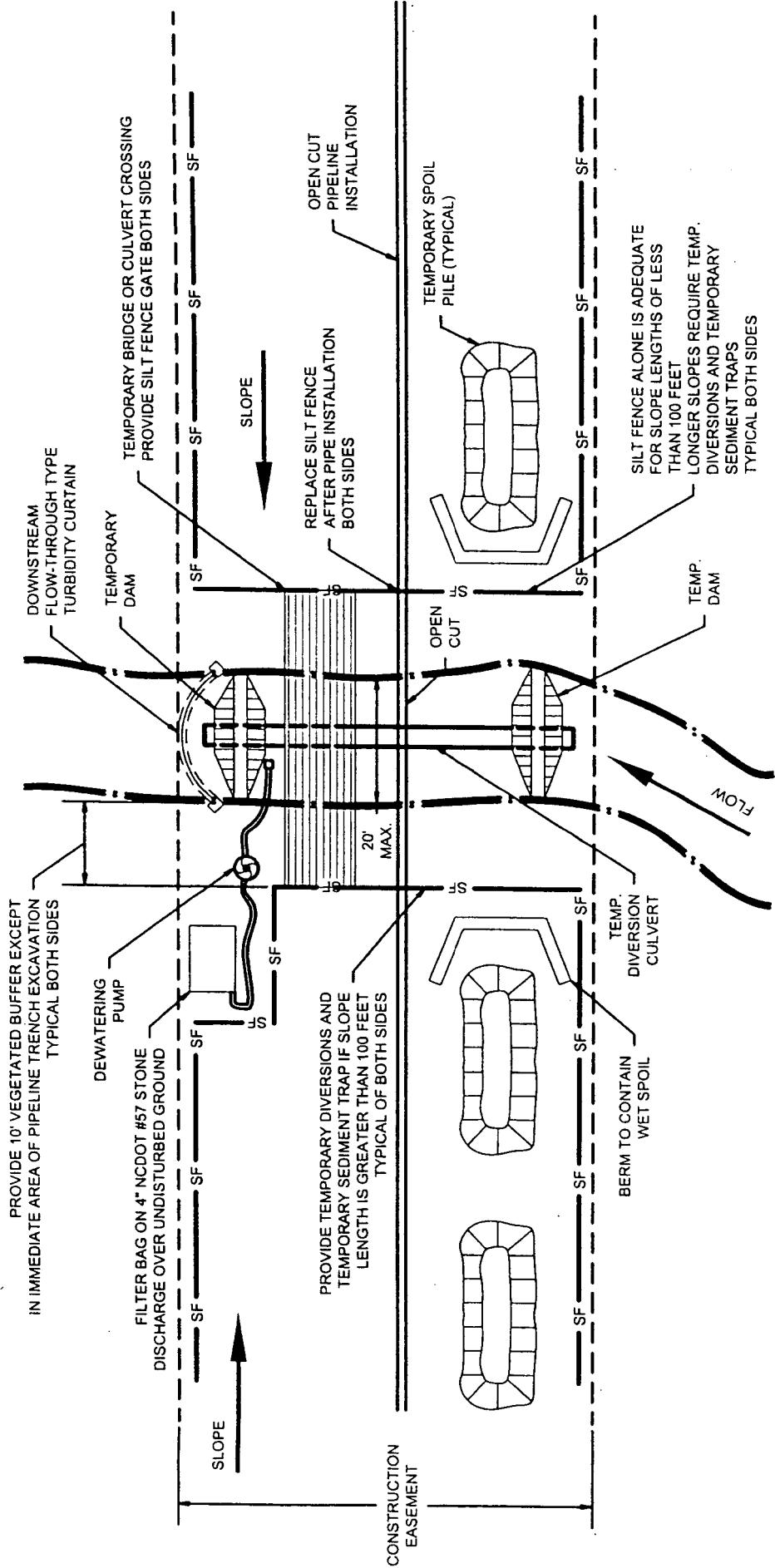


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- | DETAIL | DESCRIPTION |
|--------|---|
| 1. | TEMPORARY GRAVEL CONSTRUCTION ENTRANCE |
| 2. | TEMPORARY DIVERSION |
| 3. | RIP RAP LINED CHANNEL |
| 4. | GRASS AND EROSION CONTROL MATTING LINED CHANNEL |
| 5. | EROSION CONTROL MATTING |
| 6. | BLOCK AND GRAVEL DROP INLET PROTECTION |
| 7. | BLOCK AND GRAVEL CURB INLET PROTECTION |
| 8. | TEMPORARY SEDIMENT TRAP |
| 9. | SILT FENCE |
| 10. | CHECK DAM |

EasternNC Eastern North Carolina Natural Gas 302 N. PLANTATION LANE, SWANSBORO, NC 28584 (910) 325-1888	NATURAL GAS SYSTEM PROJECT PHASE IIIB EEPC PROJ. 2001-028-3B	WATER BODY CROSSING WITH PUMP DIVERSION BY OPEN CUT	FIGURE 9
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NOT TO SCALE



REFER TO DETAIL SHEETS FOR INDIVIDUAL PRACTICES:

- DETAIL DESCRIPTION
1. TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
 2. TEMPORARY DIVERSION
 3. RIP RAP LINED CHANNEL
 4. GRASS AND EROSION CONTROL MATTING LINED CHANNEL
 5. EROSION CONTROL MATTING
 6. BLOCK AND GRAVEL DROP INLET PROTECTION
 7. BLOCK AND GRAVEL CURB INLET PROTECTION
 8. TEMPORARY SEDIMENT TRAP
 9. SILT FENCE
 10. CHECK DAM

EasternNC
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Eastern North Carolina Natural Gas
302 N. PLANTATION LANE, SWANSBORO, NC 28584 (910) 325-1888

WATER BODY CROSSING
W/ CULVERT DIVERSION
BY OPEN CUT

NATURAL GAS SYSTEM PROJECT PHASE IIIB	EEPC PROJ. 2001-028-3B	AUG. 2003	FIGURE 10
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