

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

Action ID No. 200530393

December 13, 2004

PUBLIC NOTICE

The North Carolina Department of Transportation (NCDOT), 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 pursuant to Section 404 of the Clean Water Act TO DISCHARGE DREDGED OR FILL MATERIAL INTO THE WATERS AND ADJACENT WETLANDS OF WICKER BRANCH, COWPENS BRANCH, LANES CREEK, MILL CREEK AND UNNAMED TRIBUTARIES, TO WIDEN 10.9 MILES OF US HIGHWAY 601 FROM JUST NORTH OF THE SOUTH CAROLINA STATE LINE TO NORTH OF SR 2105 (MARION LEE ROAD) SOUTHEAST OF MONROE, UNION COUNTY, NORTH CAROLINA, TIP NO. R-2616 A & B, STATE PROJECT NO. 8.1690303.

BACKGROUND:

The social, economic, and environmental impacts associated with a No-Build and a Best Fit Alternative considering asymmetrical widening have been described in a Federal Highway Administration/NCDOT Reevaluation of Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) dated August 31, 2004. The Reevaluation compares a No Build Alternative with a Build Alternative that incorporates asymmetrical widening. Tables included with this public notice also compare environmental impacts from asymmetrical widening to symmetrical widening for this project. The proposed improvements are included in the Union County Thoroughfare Plan (2001), the City of Monroe Thoroughfare Plan (1997) and the NCDOT's 2004 - 2010 Transportation Improvement Plan (TIP).

In May of 1994 the NCDOT completed an Environmental Assessment (EA) for the US Highway 601 widening (TIP Project Number R-2616 A, B & C). The purpose of the action was to improve traffic safety and increase traffic capacity for the facility. The proposed improvements included widening 12.4 miles of US 601 from the South Carolina State Line to US 74 in the City of Monroe from a two-lane facility to a four-lane and five-lane section. The EA was approved by the Federal Highway Administration on May 24, 1994 and circulated to local, state and Federal agencies. Comments were addressed in the FONSI that was approved by the FHWA on September 29, 1994. Construction of the northern section of the project, TIP R-2616 C, was completed in 1998.

The remaining two sections, Sections A and B, were not constructed and are the subject of this proposed action.

PROJECT DESCRIPTION:

The following description of the proposed work is taken from data provided by the applicant. The proposed work would widen US Highway 601 from approximately 500 feet north of the South Carolina State Line to approximately 2200 feet north of SR 2105 (Marion Lee Road), a total distance of 10.9 miles. The existing two-lane road would be widened to a four-lane, median divided roadway with shoulders. Travel lanes would be 12 feet wide and would be separated by a 46-foot wide, grassed median. Shoulders would be 10 feet wide, 4 feet of which would be paved. Directional crossovers with median u-turns would be placed at major intersections along the project. Several hills would be graded to improve site distances. Partial control of access would also be included to further improve roadway safety. Additional right-of-way and the relocation of homes and businesses would be required for the proposed widening.

Wetland types potentially impacted by the project include palustrine forested, deciduous systems that are seasonally flooded. There are also small areas of palustrine scrub shrub and palustrine emergent marsh that are the result of recent disturbance and are dominated by early-successional vegetation. These wetlands are generally found within floodplains and on the riparian margins of streams. Wetland vegetation includes sweet gum, green ash, red maple, willow oak, black willow, tag alder, Chinese privet, cattail, wool-grass and soft rush. A total of 9 wetland sites have been identified along the project corridor ranging in size from 0.01 to 0.14 acres. Potential wetland impacts from the proposed work range from 0.21 acres for asymmetrical widening to 0.42 acres for symmetrical widening. Potentially impacted streams are both intermittent and perennial, range in size from 1 to 36 feet wide and vary from rock/gravel bed channels with riffle-pool structure to low-gradient, silt and sand bed channels. Approximately 28 channels would potentially be impacted by the proposed roadway from culvert installation, pipe extension or channel relocation. As part of this proposal, the existing multiple box culverts at Lanes Creek would be removed and replaced with dual bridge spans. Impacts to jurisdictional streams would total 3810 linear feet with symmetrical widening and 3380 linear feet with asymmetrical widening. Impacts by alternative are listed in the attached tables. All streams affected by this project are in the Lower Yadkin River Basin. Three small, man-made ponds are also located within the project corridor and would potentially be impacted by the proposed widening. Pond impacts would range from 0.1 acres to 0.22.

In order to more fully integrate Section 404 permit requirements with the National Environmental Policy Act of 1969 and to give careful consideration to our required public interest review and 404 (b)(1) compliance determination, the Corps of Engineers is soliciting public comment on the merits of this proposal and on the alternatives evaluated in the Reevaluation Document. At the close of this comment period, the District Engineer will evaluate and consider the comments received as well as the expected adverse and beneficial impacts of the proposed road construction to select the least environmentally damaging, practicable alternative (LEDPA). The District Engineer is not authorizing construction of the road at this time. A final Department of the Army permit could be issued, if at all, only after our review process is complete, impacts to the aquatic environment have been minimized to the maximum extent practicable, a compensatory mitigation plan has been approved and final design has been completed. At this time the NCDOT has proposed utilizing the North Carolina Ecosystem Enhancement Program to mitigate for

unavoidable impacts to waters and wetlands. No areas in the vicinity of the project have been identified as potential mitigation sites.

According to the Reevaluation, the purpose of the proposed work is to improve highway safety and increase the capacity on US 601. This section of highway has a history of severe crashes and a fatal crash rate that is 70 percent higher than the statewide average for similar roads. Future traffic projections indicate that in the absence of improvements to the subject section of US 601, traffic conditions of this highway would become unacceptably congested and increasingly unsafe.

The Reevaluation document including preliminary design drawings for the Build Alternative is available for review at the Corps of Engineers, Asheville Regulatory Field Office, 151 Patton Avenue, Room 208, Asheville, North Carolina.

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.

According to the Reevaluation, both architectural and archaeological surveys were conducted for this project and documented in the 1994 EA. No archaeological sites evaluated were determined to be eligible for the National Register of Historic Places. An updated architectural survey was conducted in 2002. This survey concluded that no structures were listed or were eligible for listing on the National Register. Presently unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by work under the requested permit.

Based on information in the Reevaluation, 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.

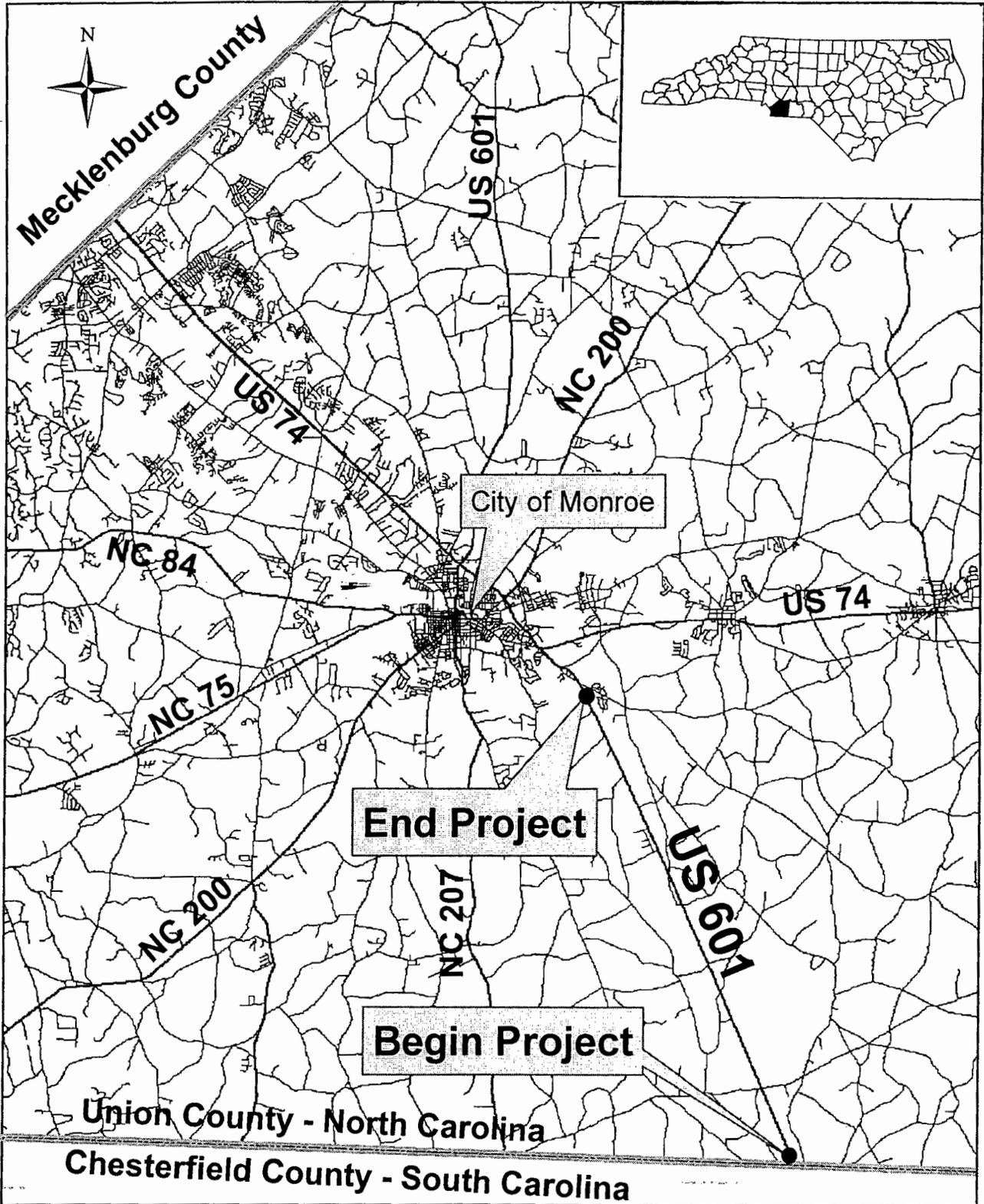
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors 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 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 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 for a Section 401 certification will be submitted to the NCDWQ after the Least Environmentally Damaging Practicable Alternative (LEDPA) has been chosen and the final design plans are available.

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., January 12, 2005, or telephone (828) 271-7980.



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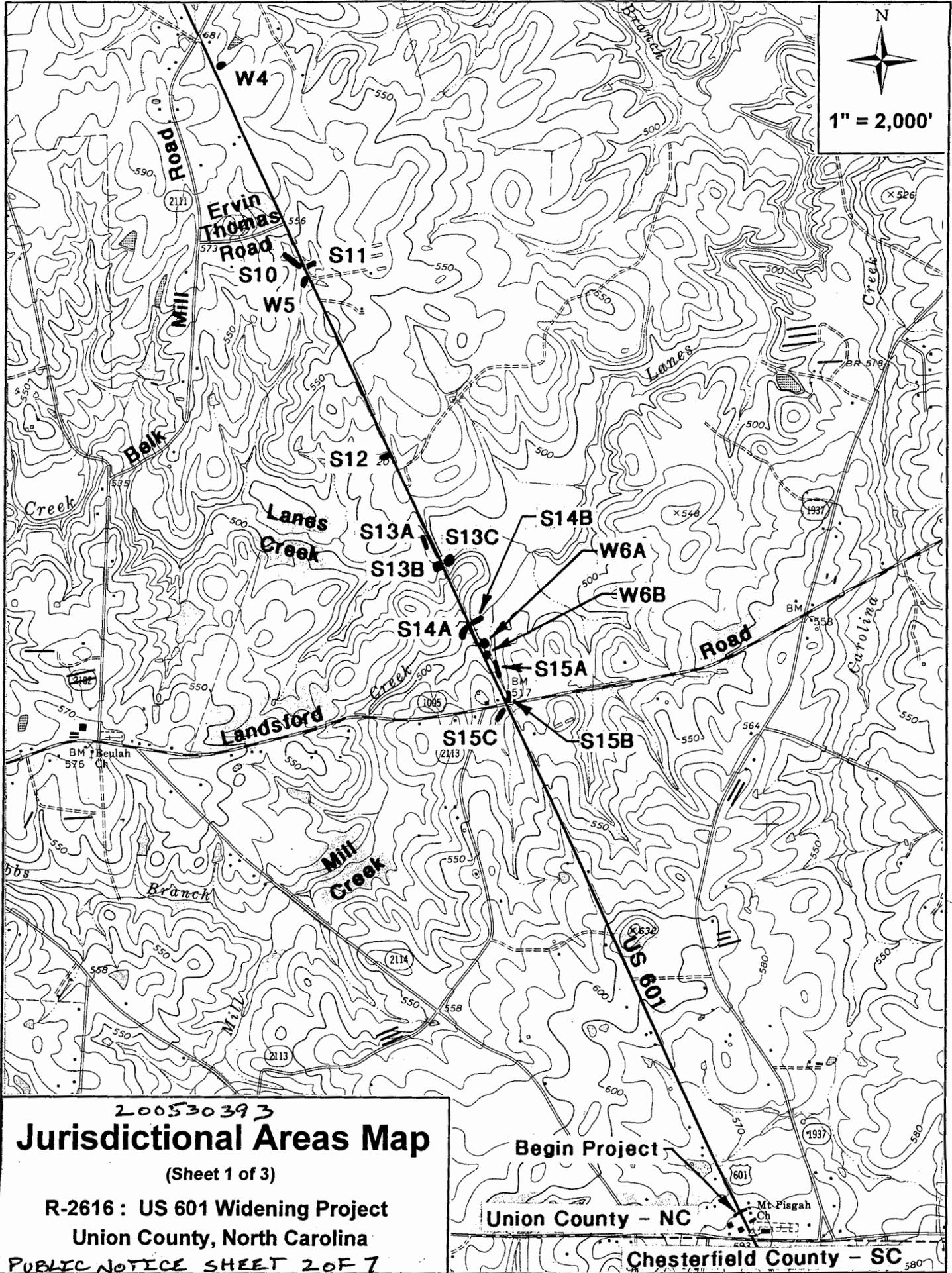
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Project Vicinity Map

R-2616 : US 601 Widening Project
 Union County, North Carolina



1" = 2,000'



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Jurisdictional Areas Map

(Sheet 1 of 3)

R-2616 : US 601 Widening Project
Union County, North Carolina

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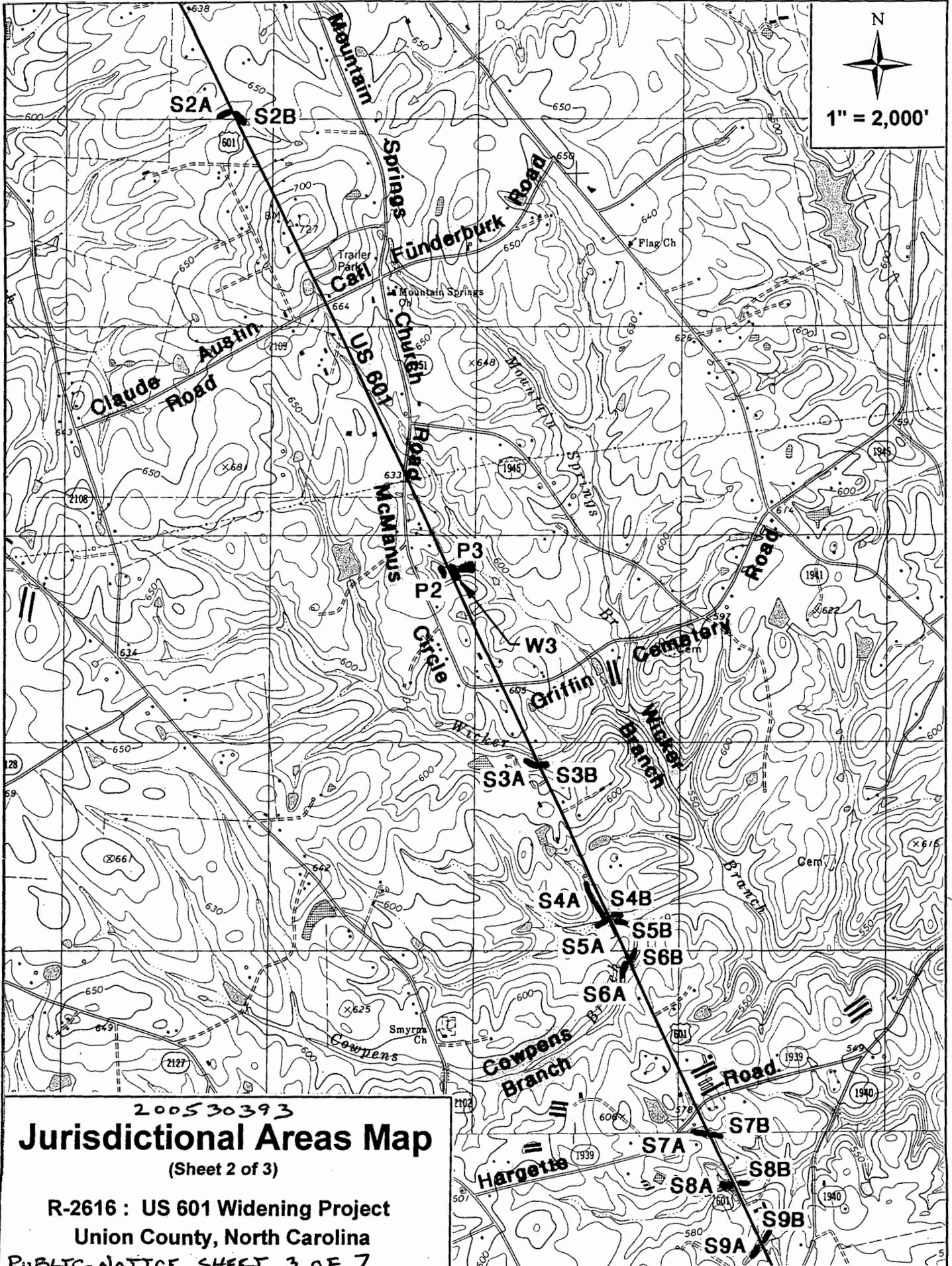
Begin Project

Union County - NC

Chesterfield County - SC



1" = 2,000'

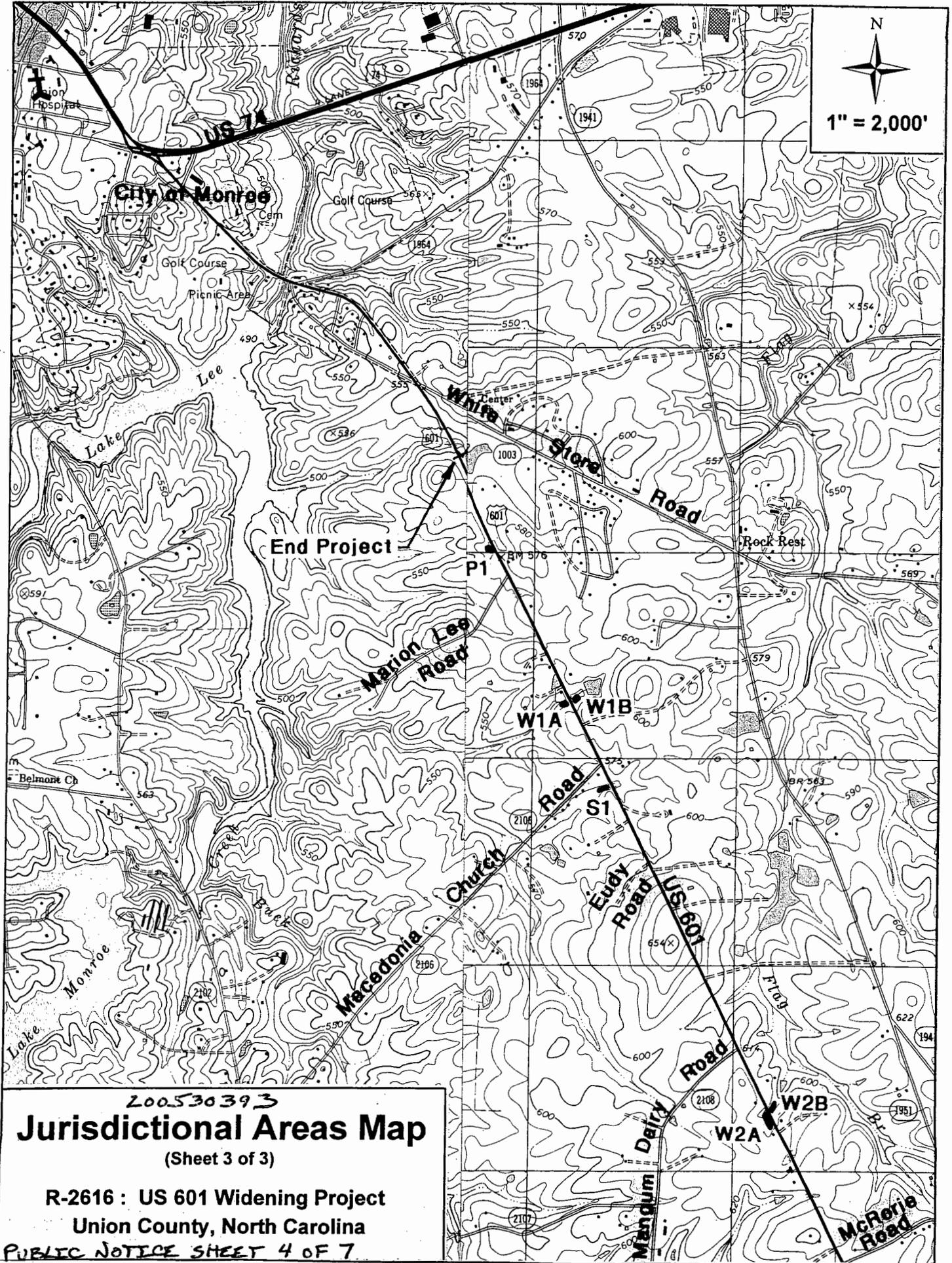


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Jurisdictional Areas Map
(Sheet 2 of 3)

R-2616 : US 601 Widening Project
Union County, North Carolina
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1" = 2,000'



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Jurisdictional Areas Map

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R-2616 : US 601 Widening Project
Union County, North Carolina

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TABLE 1: IMPACTS TO JURISDICTIONAL WETLANDS

Wetland No.	Cowardin Classification *	Riparian (R) or Non-Riparian (NR)	NRTR "Symmetrical Widening" (200-ft Window) Area (ac)	Roadway Plans using "Best-Fit Widening" with Avoidance & Minimization		
				Avoidance (ac)	Minimization (ac)	Net Area (ac)
W1A	PEM	NR	0.02	-	-	0.02
W1B	PEM	NR	0.02	-	-	0.02
W2A	PSS	NR	0.09	-	-	0.09
W2B	PSS	NR	0.04	-	0.02	0.02
W3	PEM	NR	0.04	-	-	0.04
W4	PSS	NR	0.01	-	-	0.01
W5	PEM	NR	0.04	-	0.03	0.01
W6A	PFO	NR	0.14	0.14	-	0
W6B	PFO	NR	0.02	0.02	-	0
Σ			0.42	0.16	0.05	0.21

* Wetland Types: PEM (palustrine emergent) PFO (palustrine, forested, broad-leaved deciduous) PSS (palustrine, scrub-shrub)

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TABLE 2: IMPACTS TO JURISDICTIONAL STREAMS

Stream No.	Stream Name	Rosgen	Ave. Depth (ft)	Ave. Width (ft)	Substrate	R3 or R4	P or I ⁽¹⁾	I or U ⁽²⁾	NRTR "Symmetrical Widening" (200-ft Window)		Roadway Plans using "Best-Fit Widening" with Avoidance & Minimization		
									Linear Feet	Area (ac)	Avoidance (ft) / (ac)	Minimization (ac)	Net Impact (ft) / (ac)
S1	UT1 to Buck Branch	B	1.2	9.8	Mud/gravel	R4	I	I	74	0.01	-	-	0.01
S2A	UT2 to Buck Branch	G	0.5	1.0	Mud	R4	I	I	83	0.01	-	-	0.01
S2B	UT2 to Buck Branch	G	1.0	5.0	Mud/gravel	R4	I	U	267	0.02	-	-	0.02
S3A	Wicker Branch	G	3.2	20.5	Rocks/gravel	R3	P	I	173	0.05	-	-	0.05
S3B	Wicker Branch	G	3.2	20.5	Rocks/gravel	R3	P	I	49	0.02	-	-	0.02
S4A	UT1 to Cowpens Branch	E	2.7	8.0	Mud/gravel	R4	I	U	446	0.03	-	-	0.03
S4B	UT1 to Cowpens Branch	E	2.7	8.0	Mud/gravel	R4	I	U	185	0.01	-	-	0.01
S5A	UT2 to Cowpens Branch	G	2.1	10.0	Rocks/gravel	R3	P	I	98	0.03	-	-	0.03
S5B	UT2 to Cowpens Branch	G	2.1	10.0	Rocks/gravel	R3	P	I	87	0.03	-	-	0.03
S6A	Cowpens Branch	G	2.9	13.4	Rocks/gravel	R3	P	I	78	0.01	-	-	0.01
S6B	Cowpens Branch	G	2.9	13.4	Rocks/gravel	R3	P	I	76	0.02	-	-	0.02
S7A	UT1 to Wicker Branch	G	2.5	6.7	Mud/gravel	R4	I	U	136	0.01	-	-	0.01
S7B	UT1 to Wicker Branch	G	2.5	6.7	Mud/gravel	R4	I	U	129	0.01	-	-	0.01
S8A	UT2 to Wicker Branch	G	1.7	8.5	Rocks/gravel/Sand	R3	P	I	100	0.02	-	-	0.02
S8B	UT2 to Wicker Branch	G	1.7	8.5	Rocks/gravel/Sand	R3	P	I	65	0.02	-	-	0.02
S9A	UT3 to Wicker Branch	G	3.6	10	Rocks/gravel/Sand	R4	I	I	104	0.01	-	-	0.01
S9B	UT3 to Wicker Branch	G	3.6	10	Rocks/gravel/Sand	R4	I	I	59	0.01	-	-	0.01
S10	UT1 to Gum Log Branch	G	1.4	6.5	Rocks/mud	R3	P	I	456	0.02	-	-	0.02
S11	UT2 to Gum Log Branch	E	1.6	8.0	Mud	R4	I	I	41	<0.01	-	-	<0.01
S12	UT to Lanes Creek	G	1.4	7.5	Sand/mud/gravel	R4	I	U	74	0.01	-	-	0.01
S13A	Lanes Creek	G	3.5	30.0	Rocks/gravel	R3	P	I	172	0.03	172 / 0.03	-	0
S13B	Lanes Creek	G	3.5	30.0	Rocks/gravel	R3	P	I	97	0.05	-	-	0.05
S13C	Lanes Creek	G	3.5	30.0	Rocks/gravel	R3	P	I	118	0.12	-	-	0.12
S14A	Mill Creek	G	5.5	35.7	Rocks/gravel	R3	P	I	90	0.04	-	-	0.04
S14B	Mill Creek	G	5.5	35.7	Rocks/gravel	R3	P	I	84	0.04	-	-	0.04
S15A	UT to Mill Creek	E	1.4	14	Mud/gravel	R4	I	I	258	0.01	258 / 0.01	-	0
S15B	UT to Mill Creek	E	1.4	14	Mud/gravel	R4	I	I	115	0.01	-	-	0.01
S15C	UT to Mill Creek	E	1.4	14	Mud/gravel	R4	I	I	96	0.01	-	-	0.01
Σ									3,810 ft	0.67 ac	430 ft / 0.04 ac	-	3,380 ft / 0.63 ac

NOTES: 1. Perennial (P) or Intermittent (I) 2. Important (I) or Unimportant (U)

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TABLE 3: IMPACTS TO JURISDICTIONAL PONDS

Pond No.	Cowardin Classification	NRTR "Symmetrical Widening" (200-ft window)	Roadway Plans using "Best-Fit Widening" with Avoidance & Minimization		
		Area (ac)	Avoidance (ac)	Minimization (ac)	Net Area (ac)
P1	PUB	0.03	+ 0.02 *	-	0.05
P2	PUB	0.14	- 0.14	-	0
P3	PUB	0.05	-	-	0.05
Σ		0.22	- 0.12	-	0.10

(*) Additional impact of 0.02 acres to P1 with best-fit widening.

**TABLE 4: SUMMARY OF IMPACTS TO JURISDICTIONAL AREAS
 USING BEST-FIT WIDENING WITH AVOIDANCE & MINIMIZATION**

WETLANDS	Wetland Type	Area (ac)	Percentage of Wetlands	Percentage of Project Study Area
	PFO	0	0	0
	PSS	0.12	57	0.05 %
	PEM	0.09	43	0.03 %
	Σ	0.21	100	0.08 %

SURFACE WATERS	Open Water			Streams			
	PUB (ac)	R3 (ac)	R4 (ac)	Flow Characteristics		Importance	
	0.10	0.47	0.16	Perennial R3 (linear ft)	Intermittent R4 (linear ft)	Important (linear ft)	Unimportant (linear ft)
	Σ = 0.73 ac			1,571	1,809	2,143	1,237
				Σ = 3,380 LF		Σ = 3,380 LF	