



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: May 12, 2005

Comment Deadline: June 13, 2005

Corps Action ID #: 200220344

All interested parties are hereby advised that the Wilmington District, Corps of Engineers (Corps) has received an application for work within jurisdictional waters of the United States. Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: **Triangle Transit Authority**
Attn: Mr. John Roberson
Post Office Box 13787
Research Triangle Park, North Carolina 27709

AGENT (if applicable): **Parsons Brinckerhoff**
Attn: Mr. Douglas Smith
909 Aviation Parkway, Suite 1500
Morrisville, North Carolina 27560

EcoScience Corporation
Attn: Gerald McCrain
1101 Haynes Street, Suite 101
Raleigh, North Carolina 27604

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to the applicable procedures of Section 404 of the Clean Water Act.

Location

The project is a regional rail project with a 28.1-mile corridor located in Durham and Wake Counties, in North Carolina. The corridor follows existing CSX and Norfolk-Southern rail lines and extends from downtown Durham through Research Triangle Park, Morrisville, Cary, and terminates in downtown Raleigh. Coordinates (in decimal degrees) for the project start (Durham) and end (Raleigh) are 36.0060 ° N, 78.9226 ° W,

and 35.7846 ° N, 78.6444 ° W, respectively. The project will also include an operation and maintenance facility, located along Ellis Road, east of the existing railroad, at coordinates 35.9373 ° N, 78.8482 ° W.

Existing Site Conditions

The work will occur along existing railroads that are currently used by passenger and cargo transportation trains. The corridor runs through several urban areas, including downtown Durham and Raleigh, and through suburban and rural areas between the two. Existing land uses along the alignment consist of approximately 65% urban or industrial land, 15% forestland, 10% residential land, and 10% suburban/rural land. The project corridor contains tributaries and adjacent wetlands to Lick Creek, Stirrup Iron Creek, Crabtree Creek, Coles Branch, Walnut Creek, Simmons Branch, and Rocky Branch in the Neuse River Basin (HUC 03020201), and Northeast Creek in the Cape Fear River Basin (HUC 03030002).

Applicant's Stated Purpose

As stated by the applicant, the purpose of the project is to provide for public transportation. The project is a result of prior transportation planning activities in the Triangle Region, intended to provide the capacity and mobility options necessary to accommodate future growth. The system will connect residential areas, major employment areas, including downtown business districts and the Research Triangle Park, RDU International Airport via shuttle, three major universities, and sports and entertainment destinations.

Project Description

The project, known as the Triangle Transit Authority Regional Rail Project, will involve the construction of 28.1 miles of new rail tracks along exiting tracks. The rail lines will be a dedicated system for regional rail use only. The diesel-powered rail cars will measure approximately 170 feet in length by 10 feet in width, and will operate in pairs (two-car trainsets) at maximum speeds of 60 to 65 miles per hour. Twelve stations and an operation and maintenance facility will be constructed along the corridor. The rail service is projected to carry approximately 22,000 riders per day by the year 2025.

Impacts associated with the project will include the placement of fill material, including earthen fill, culverts, riprap, etc., into jurisdictional streams and wetlands necessary for the construction of the tracks and supporting infrastructure. Heavy equipment, including graders, pan scrapers, excavators, bull dozers, etc. will be used for the construction of the project. The work is expected to result in impacts to 2.37 acres of wetlands resulting from clearing and the placement of fill material. Additionally, impacts to 6,712 linear feet of stream channel are expected to occur in 33 separate stream systems, primarily resulting from the extension of existing culverts. Of the total stream impact, 4,705 linear feet have been determined to be perennial or support important aquatic function.

The applicant proposed mitigation for impacts to stream channels and wetlands associated with the project by utilizing 2,720 linear feet of stream restoration generated from the Morrisville Community Park Stream Restoration Project, which has already been constructed. The applicant also proposed to provide payment to the North Carolina Ecosystem Enhancement Program for an additional 4,670 linear feet of stream restoration and 4.74 acres of wetland restoration. Proposed mitigation associated with the project totals 7,390 linear feet of stream restoration and 4.74 acres of wetland restoration.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by June 6, 2005.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located along the project corridor or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has 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 has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

Evaluation

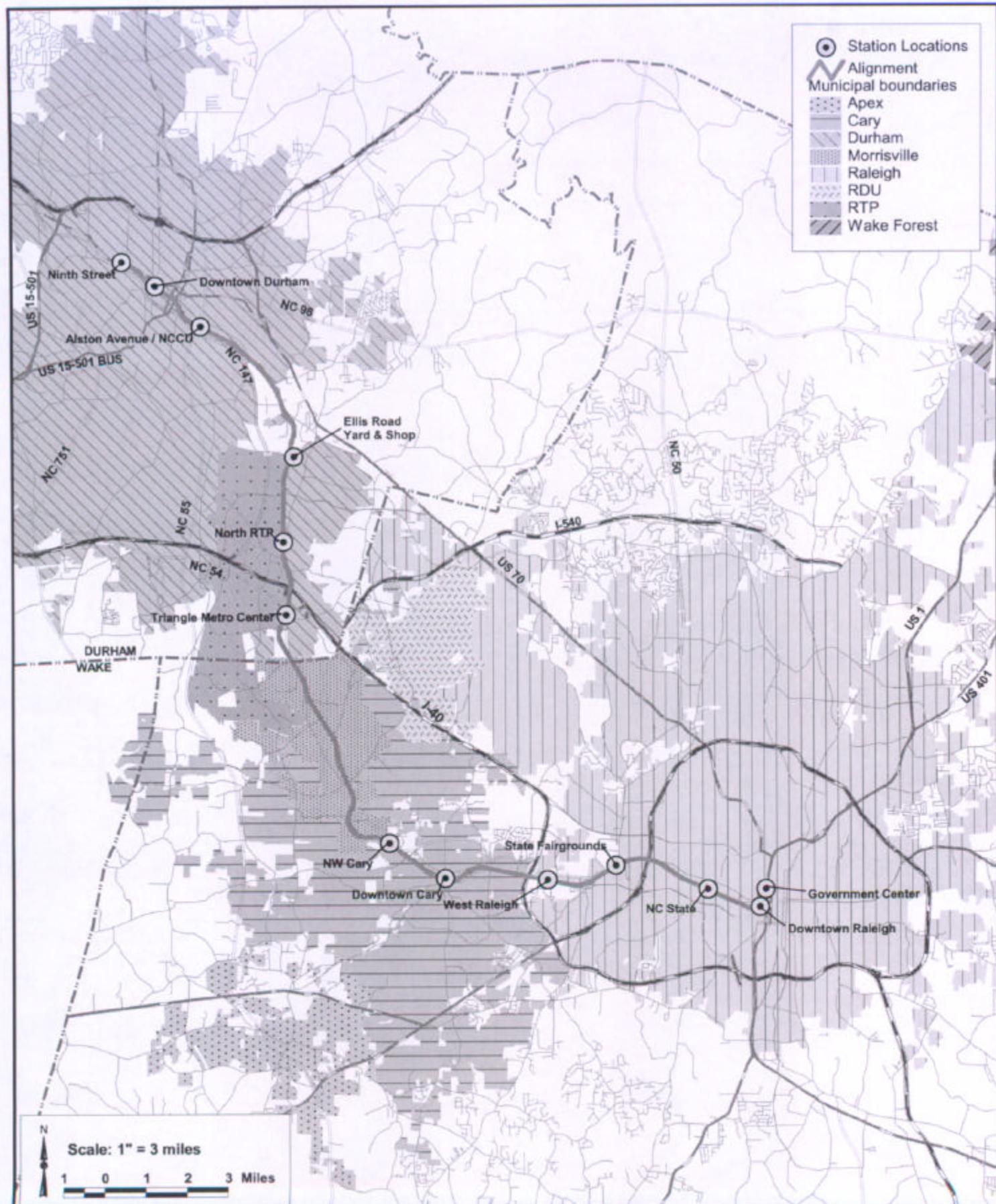
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably 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 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 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.

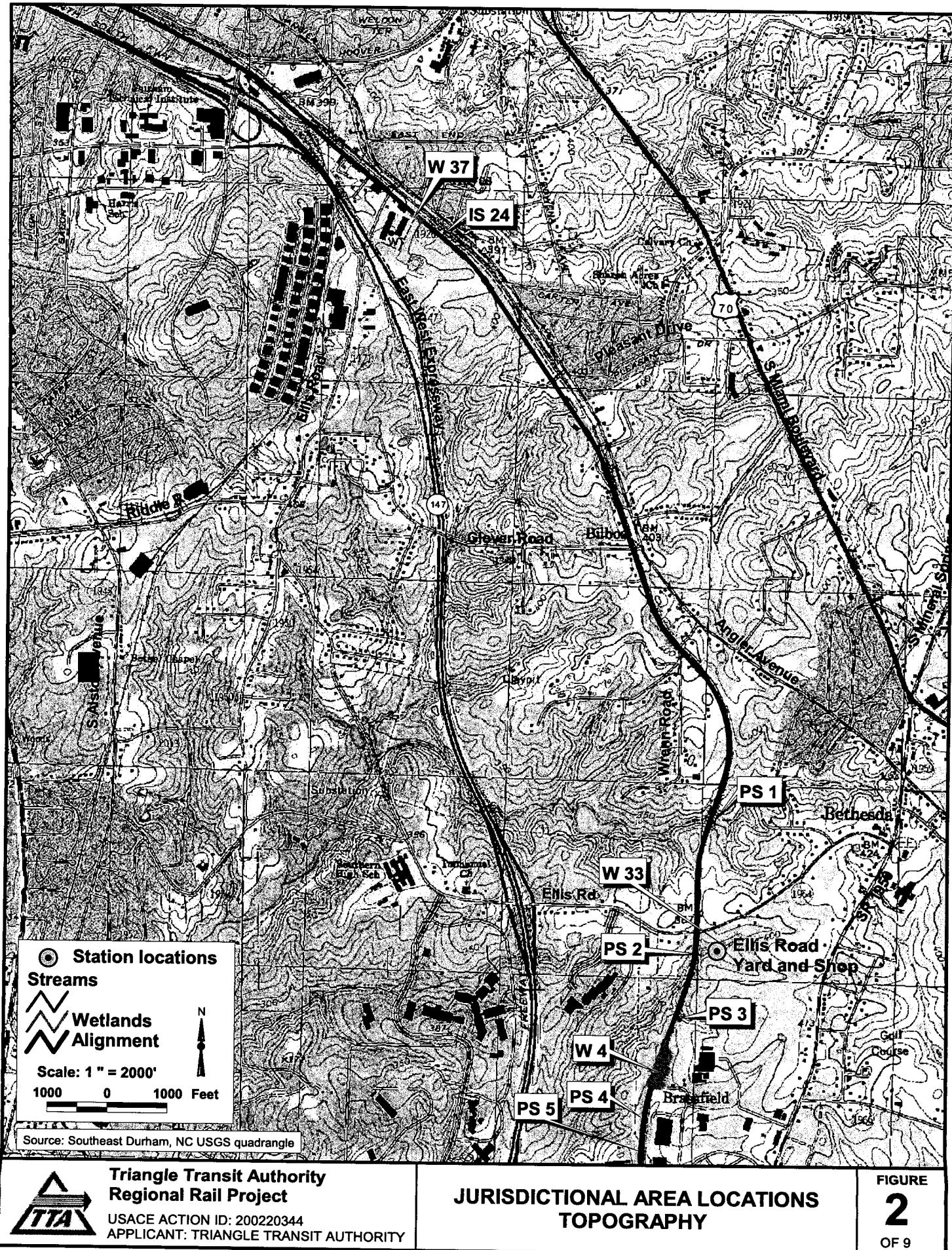
Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, June 13, 2005. Comments should be submitted to Todd Tugwell, Raleigh Regulatory Field Office, 6508 Falls of the Neuse Road, Suite 120, Raleigh, NC 27615.

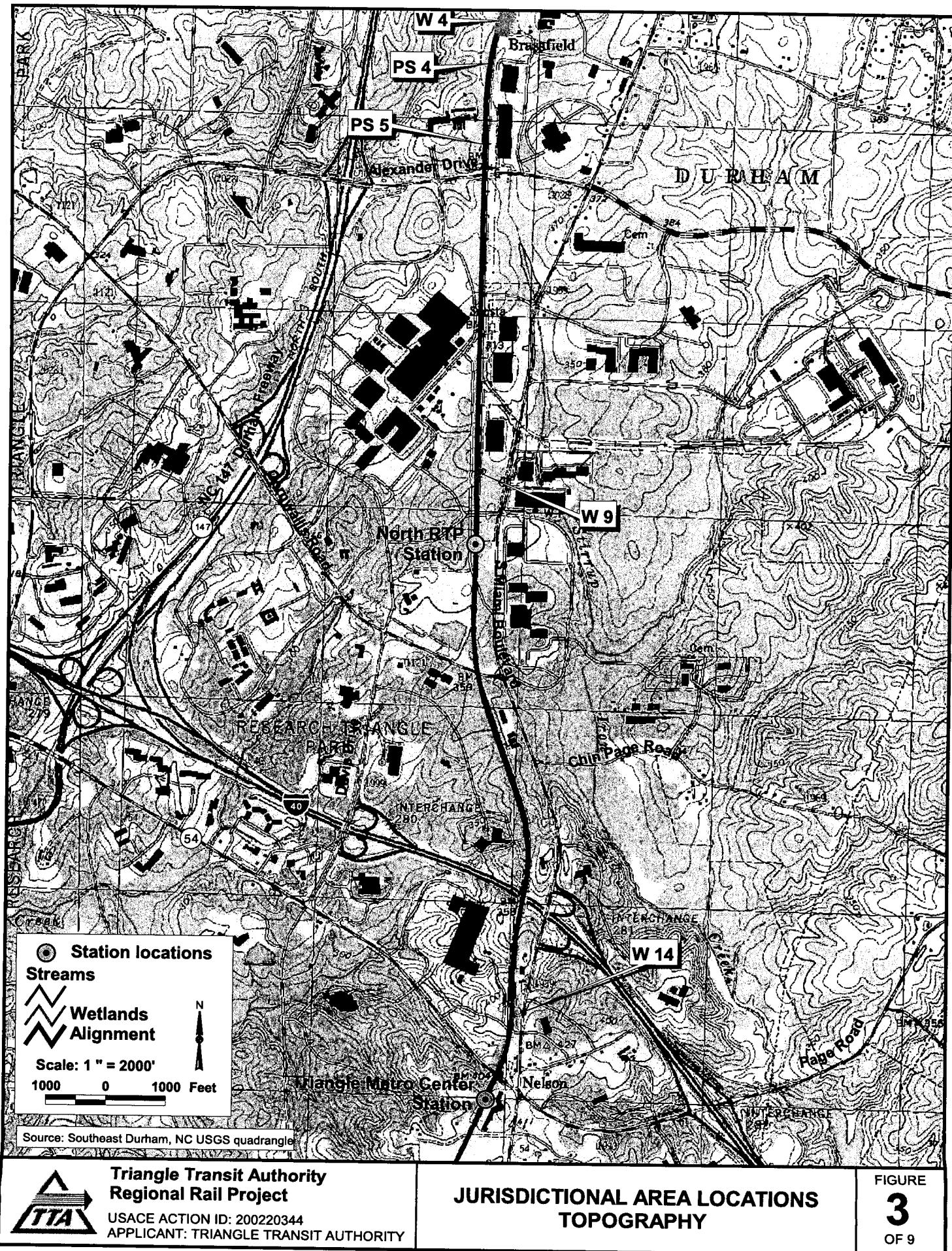


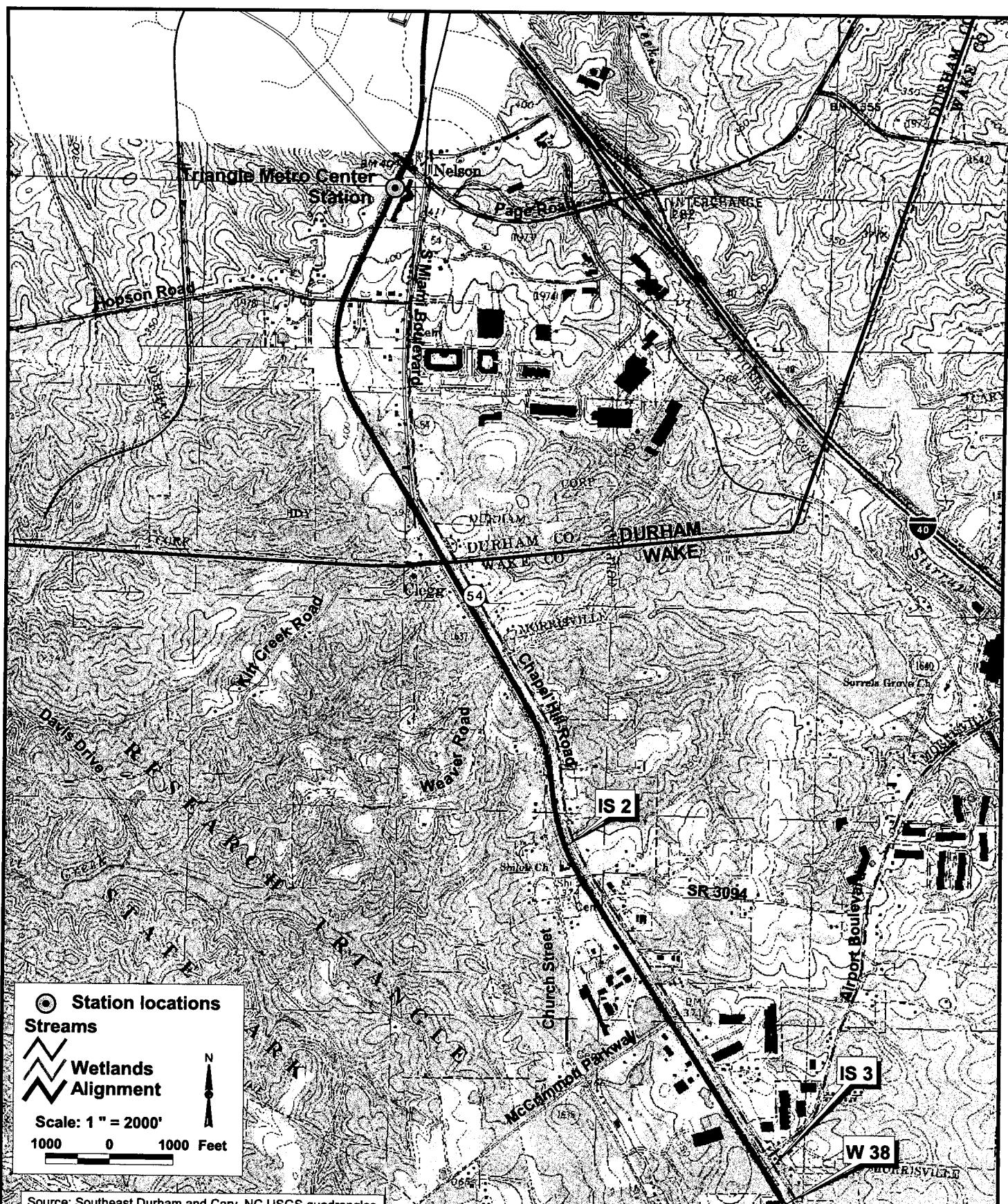
Triangle Transit Authority
Regional Rail Project
USACE ACTION ID: 200220344
APPLICANT: TRIANGLE TRANSIT AUTHORITY

PROJECT LOCATION

FIGURE
1
OF 9





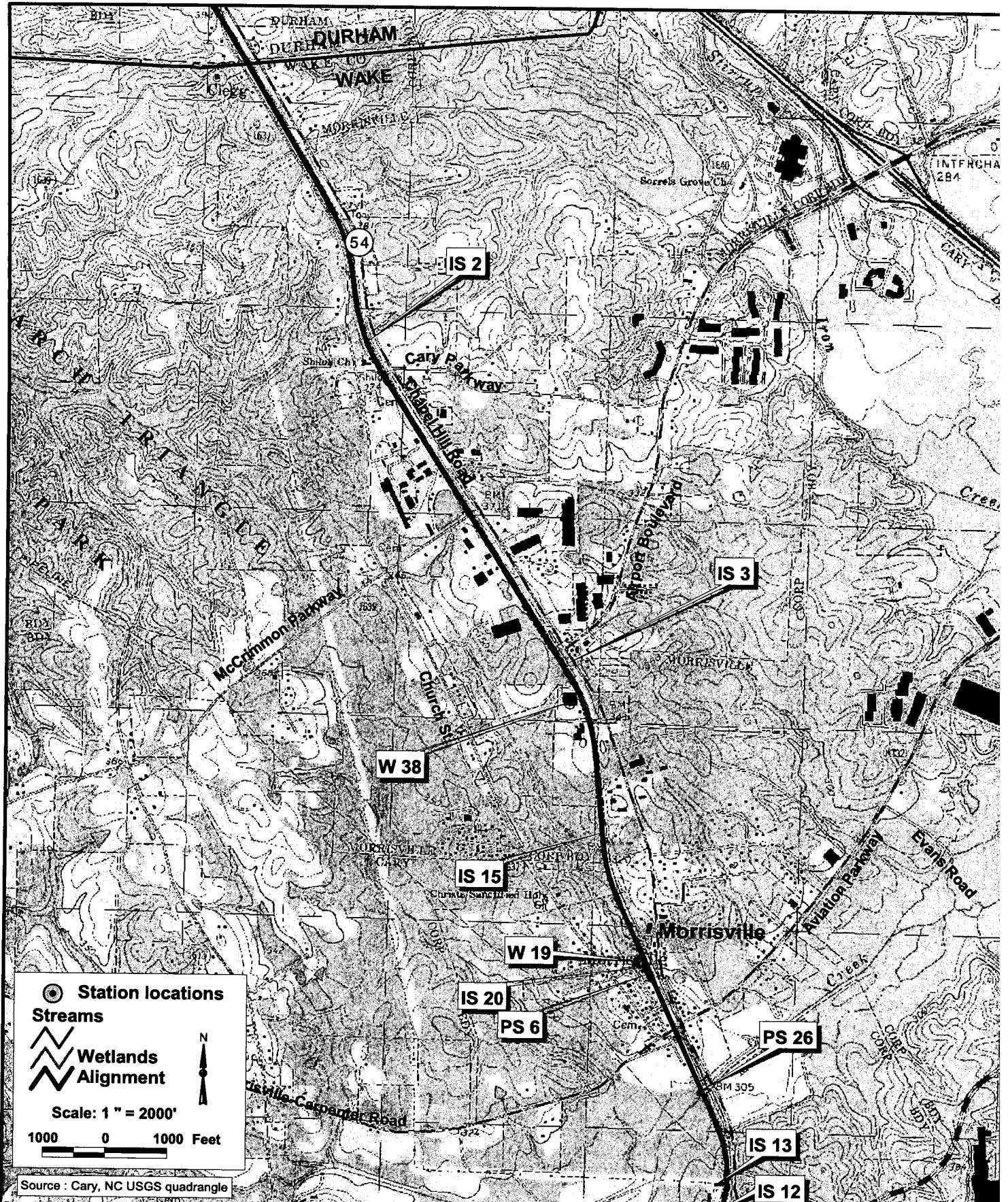


**Triangle Transit Authority
Regional Rail Project**

USACE ACTION ID: 200220344
APPLICANT: TRIANGLE TRANSIT AUTHORITY

JURISDICTIONAL AREA LOCATIONS TOPOGRAPHY

FIGURE
4
OF 9



Triangle Transit Authority

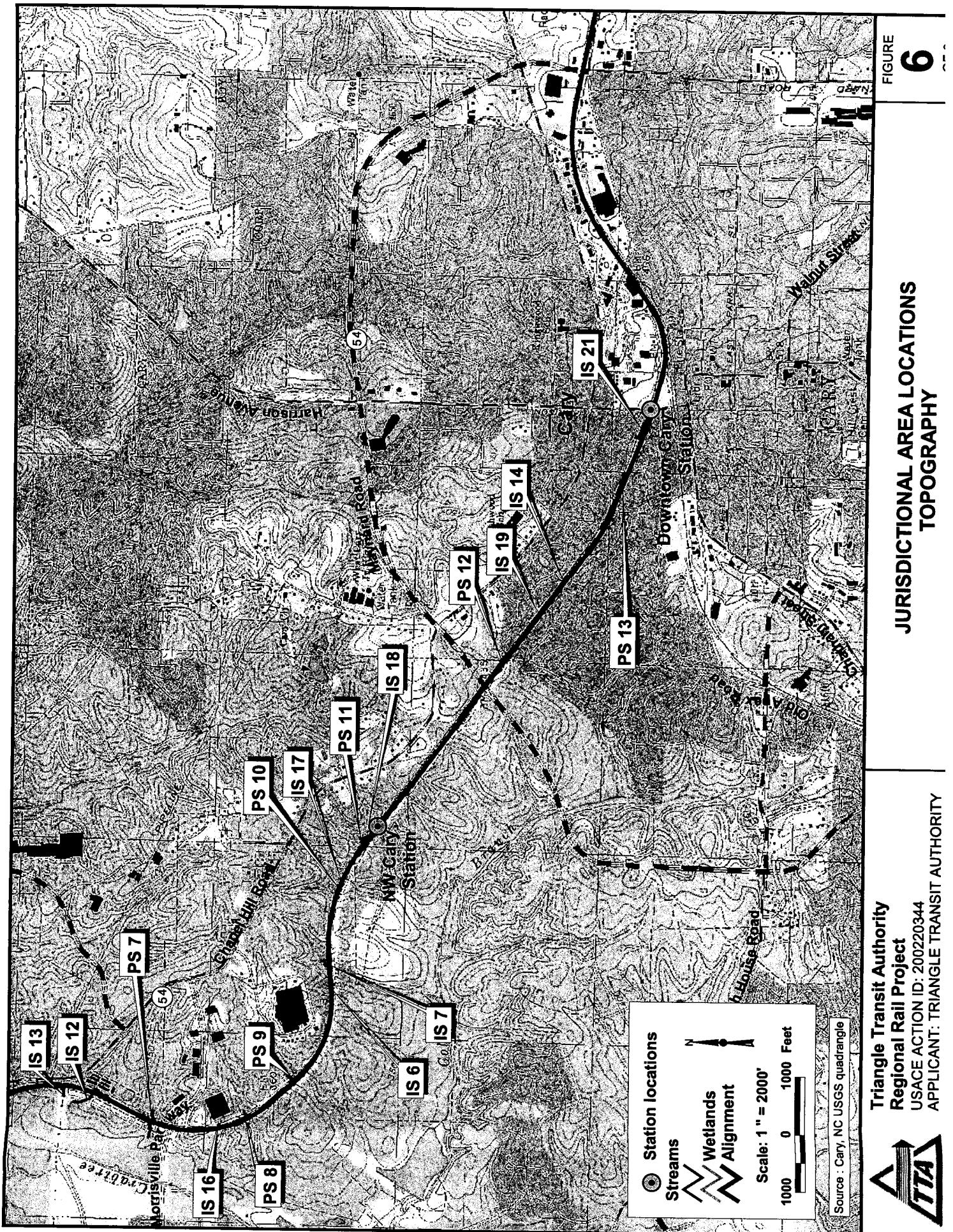
Regional Rail Project

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APPLICANT: TRIANGLE TRANSIT AUTHORITY

JURISDICTIONAL AREA LOCATIONS TOPOGRAPHY

FIGURE
5
OF 9



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JURISDICTIONAL AREA LOCATIONS
TOPOGRAPHY

Triangle Transit Authority
Regional Rail Project
USACE ACTION ID: 200220344
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FIGURE
6

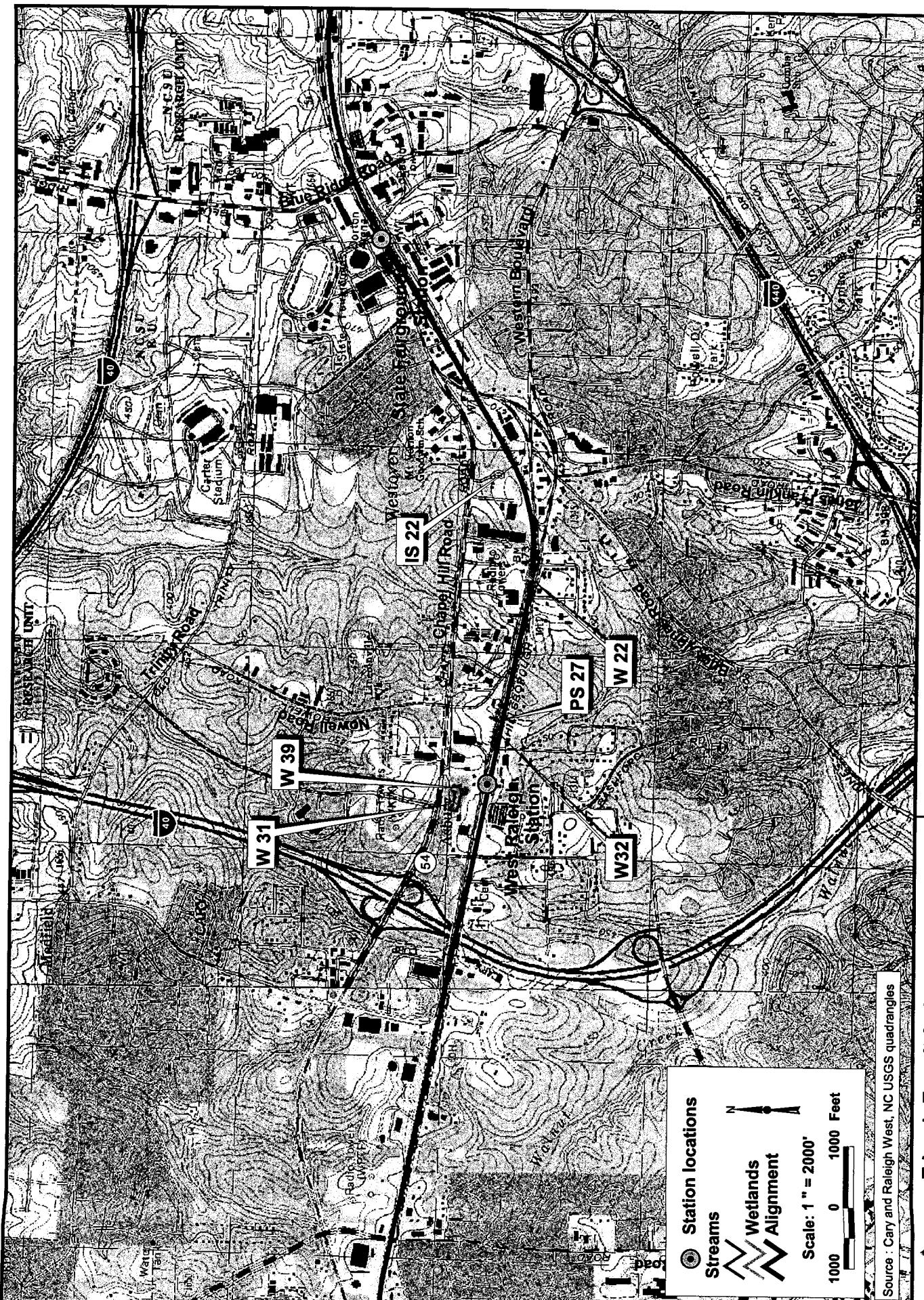


FIGURE
7

**JURISDICTIONAL AREA LOCATIONS
 TOPOGRAPHY**

FIGURE
8

**JURISDICTIONAL AREA LOCATIONS
TOPOGRAPHY**

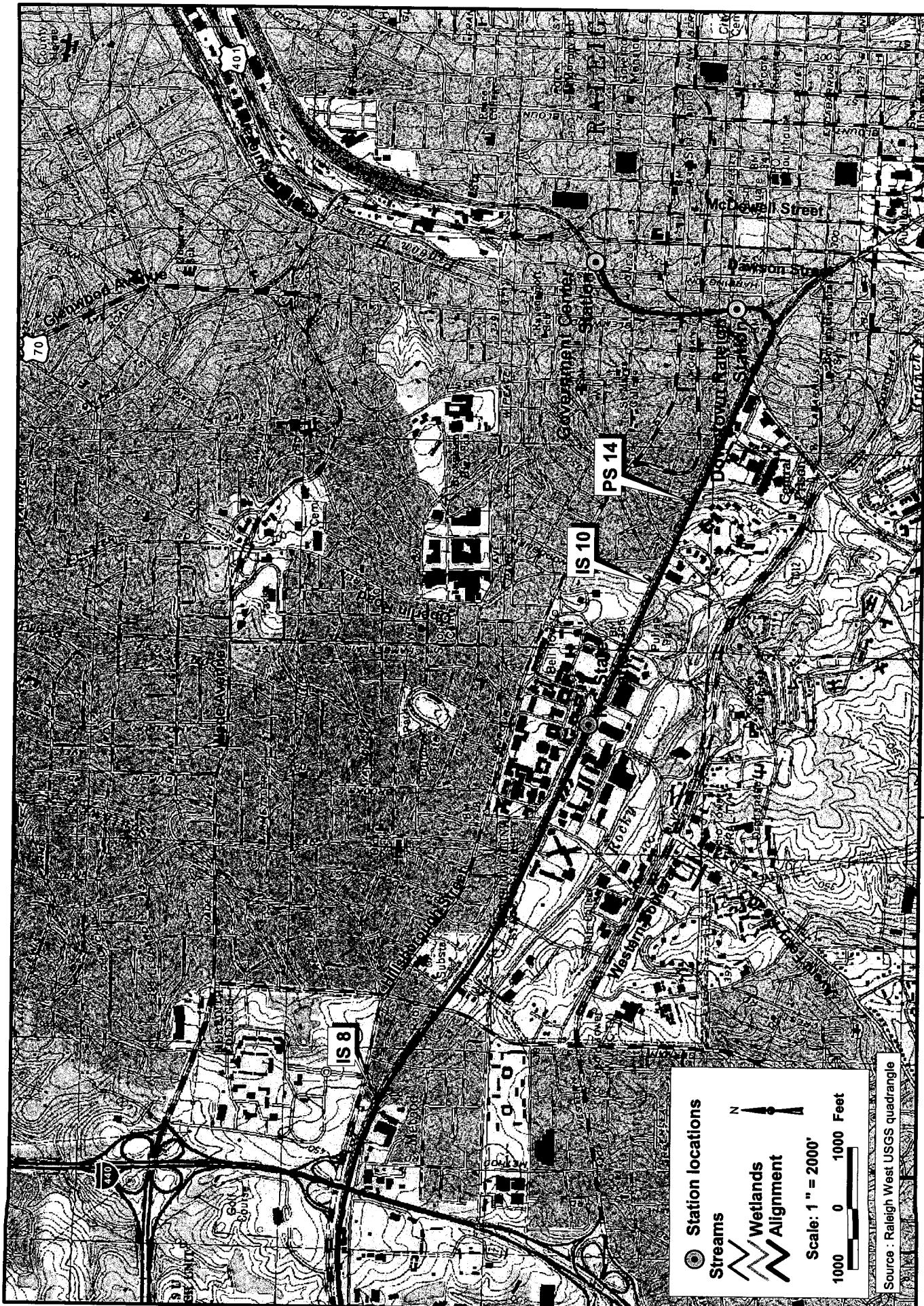
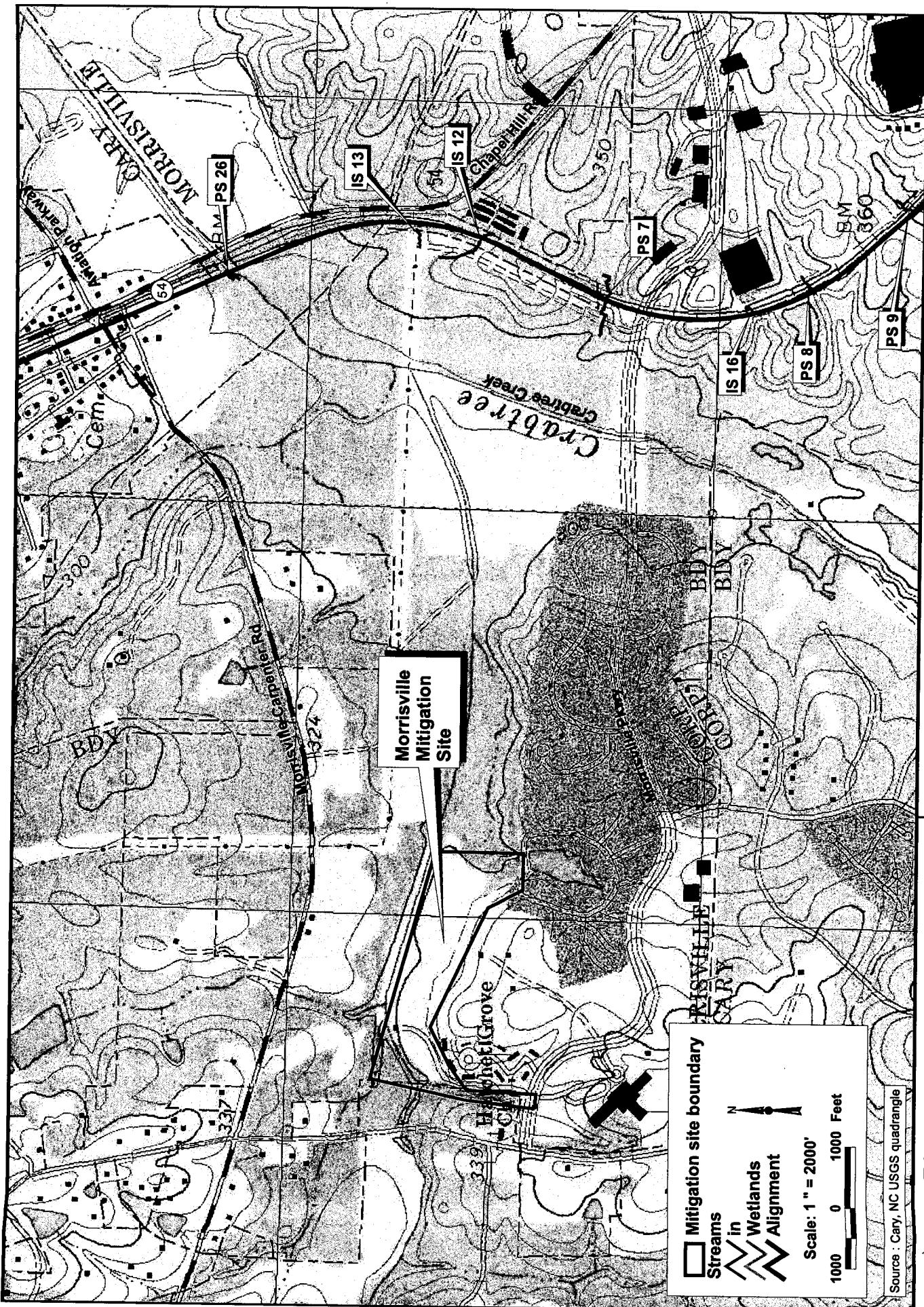


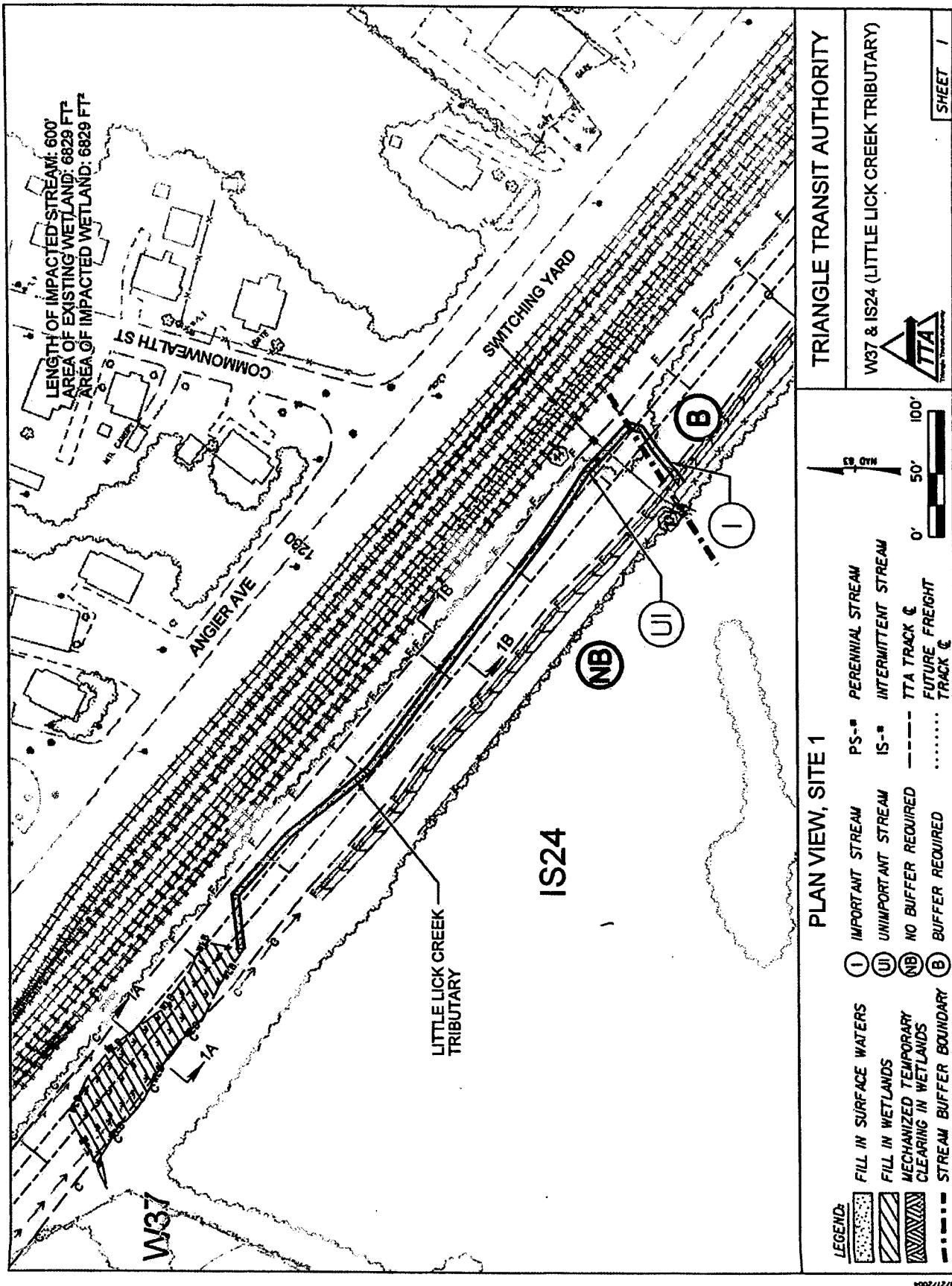
FIGURE
9

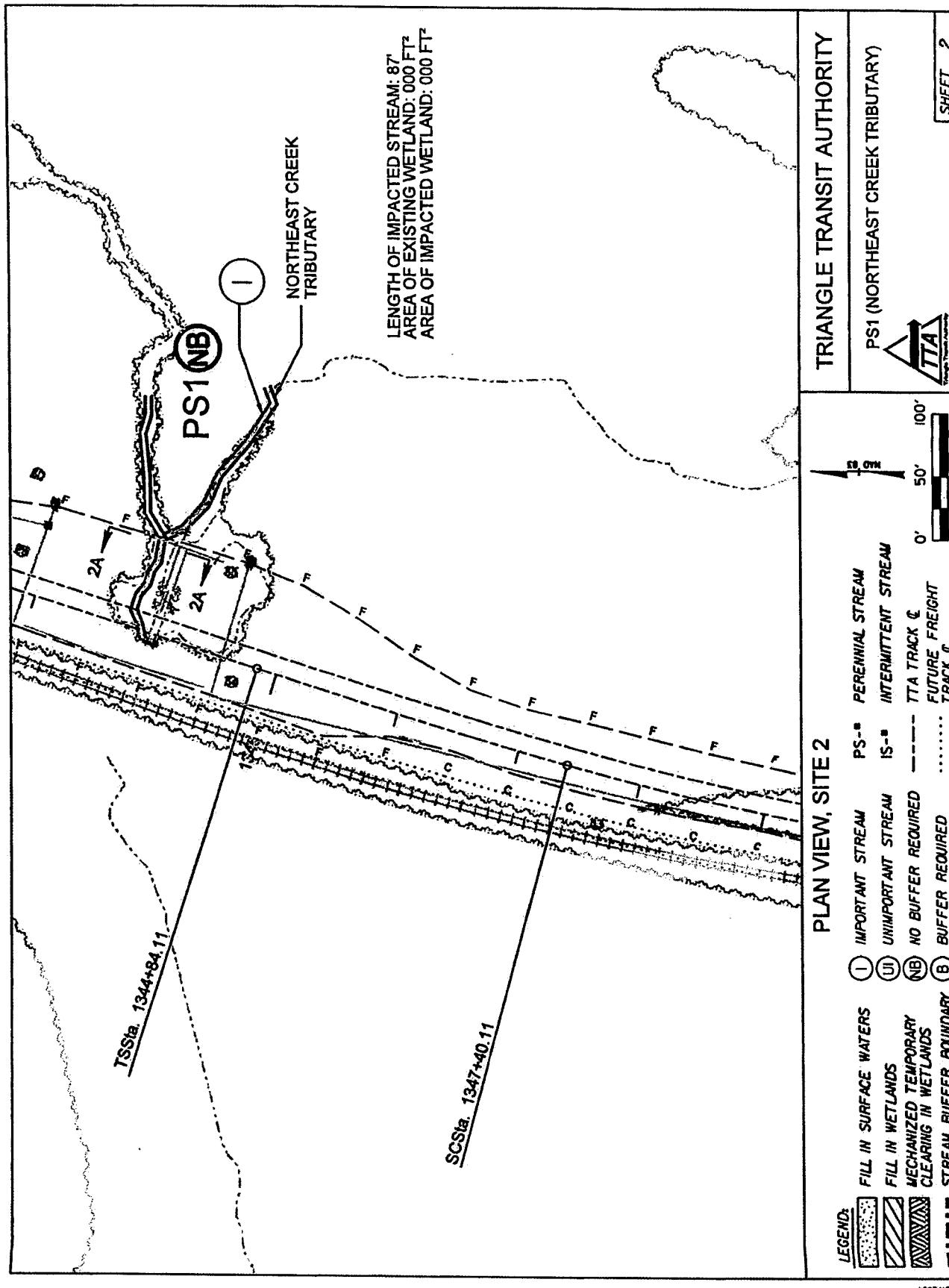
**MORRISVILLE MITIGATION SITE
LOCATION**

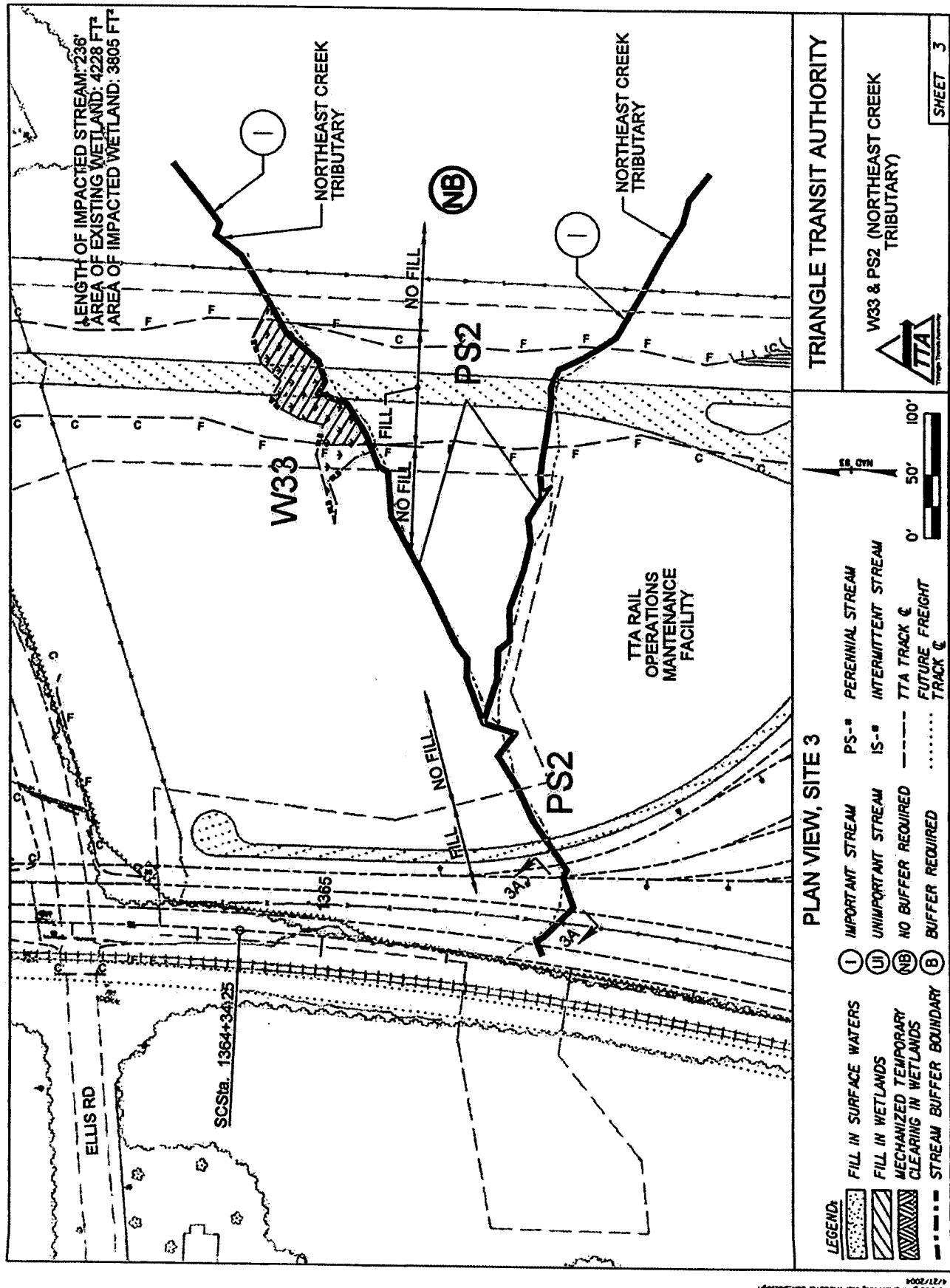


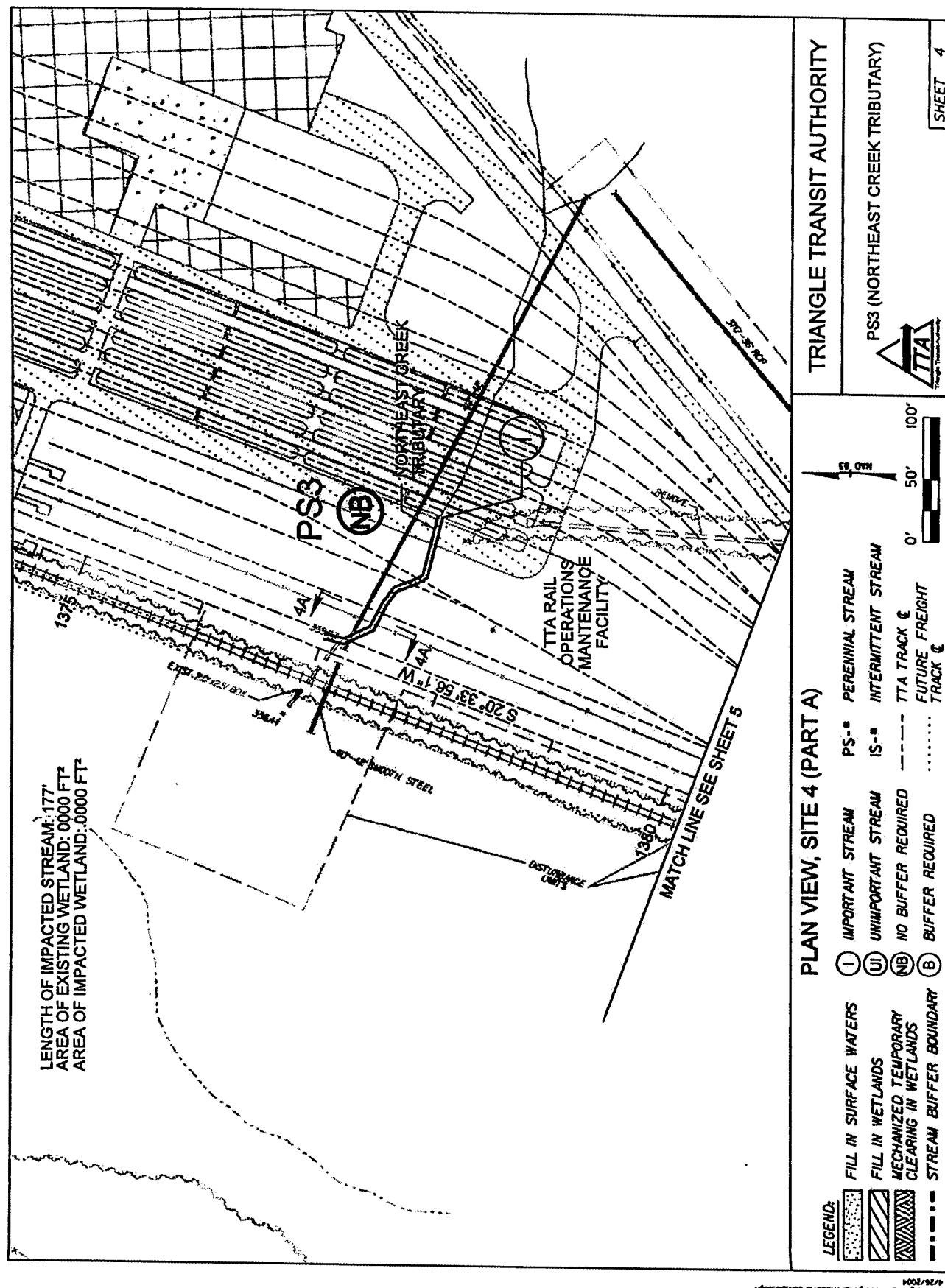
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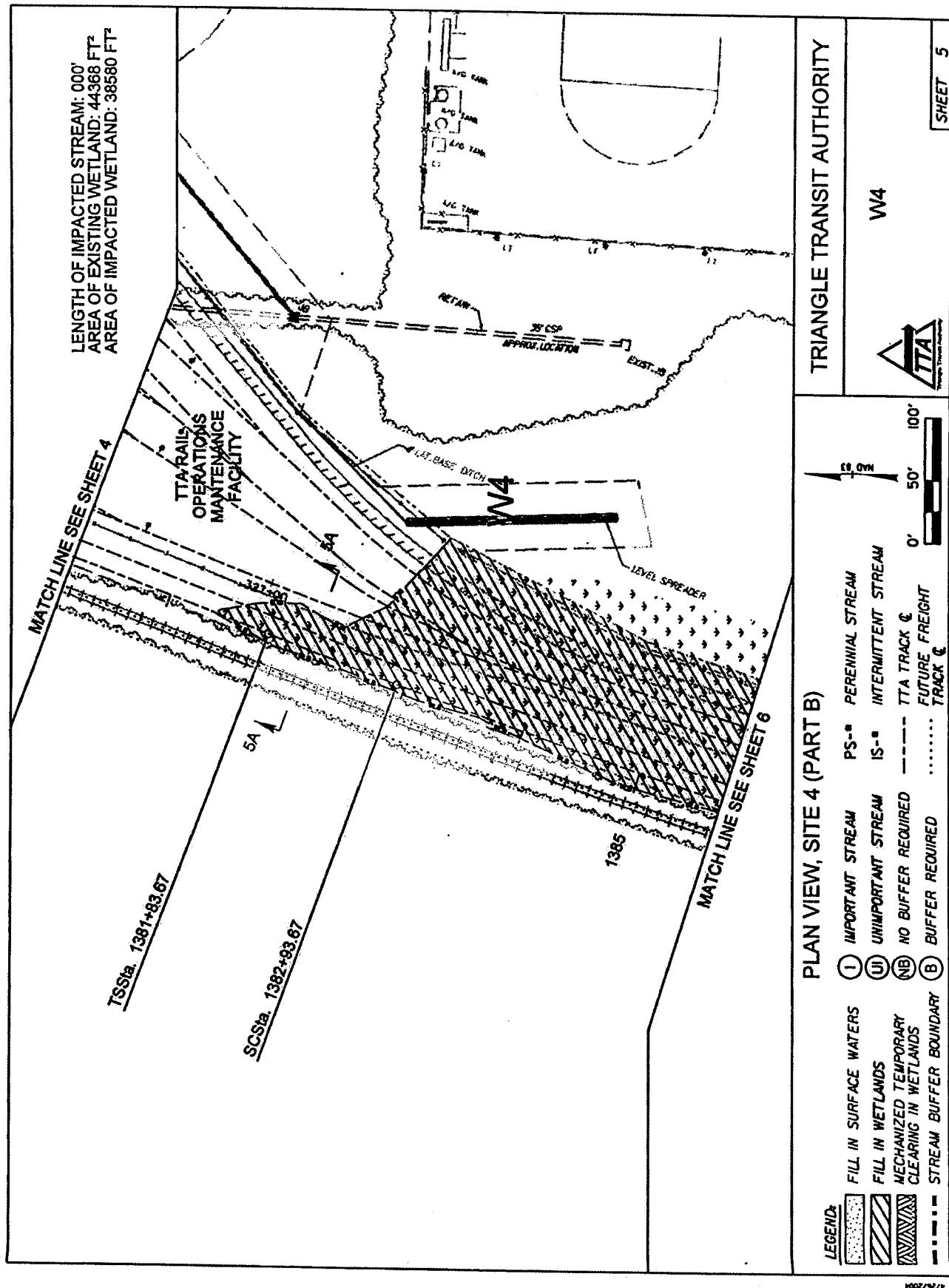


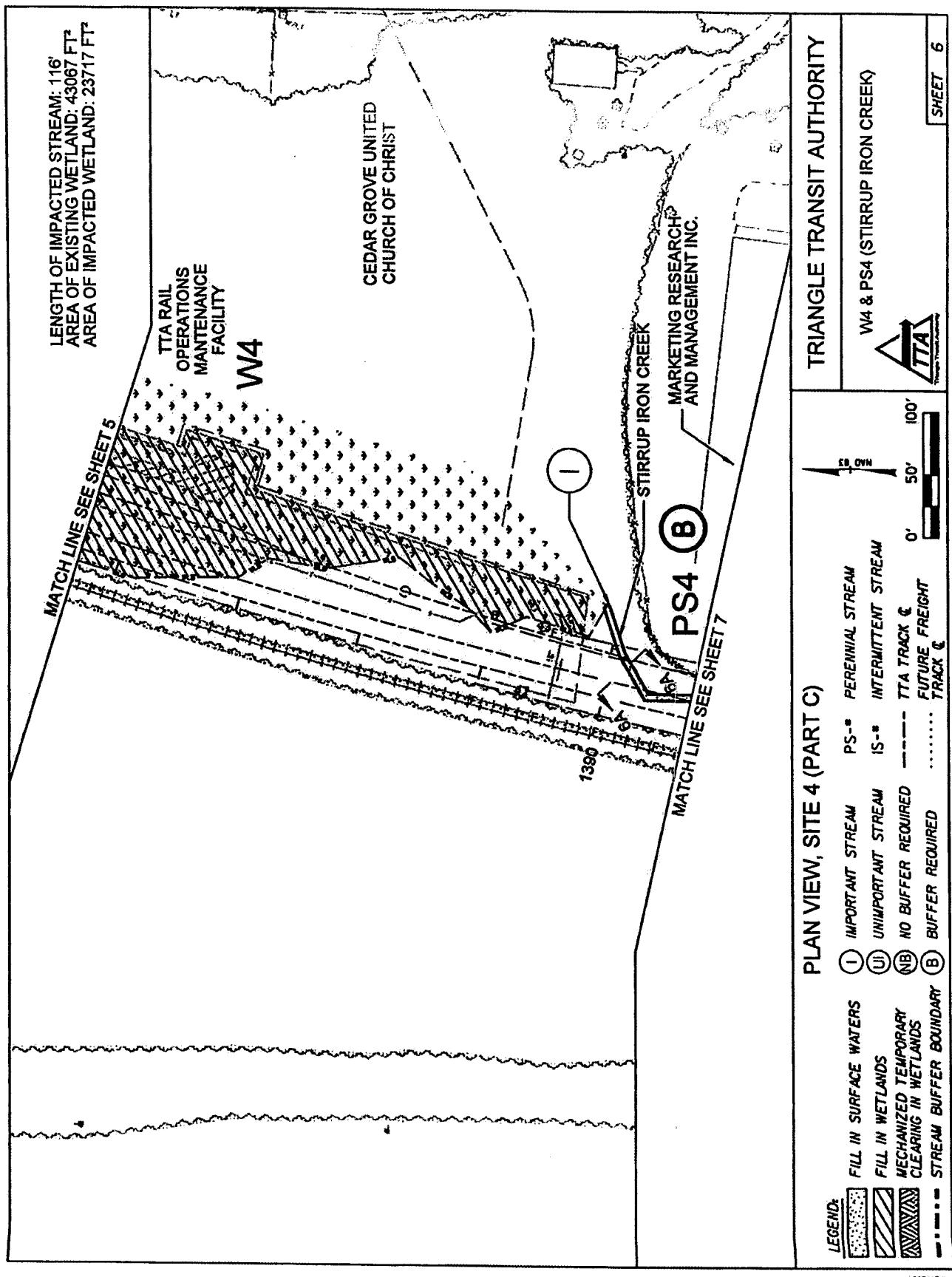


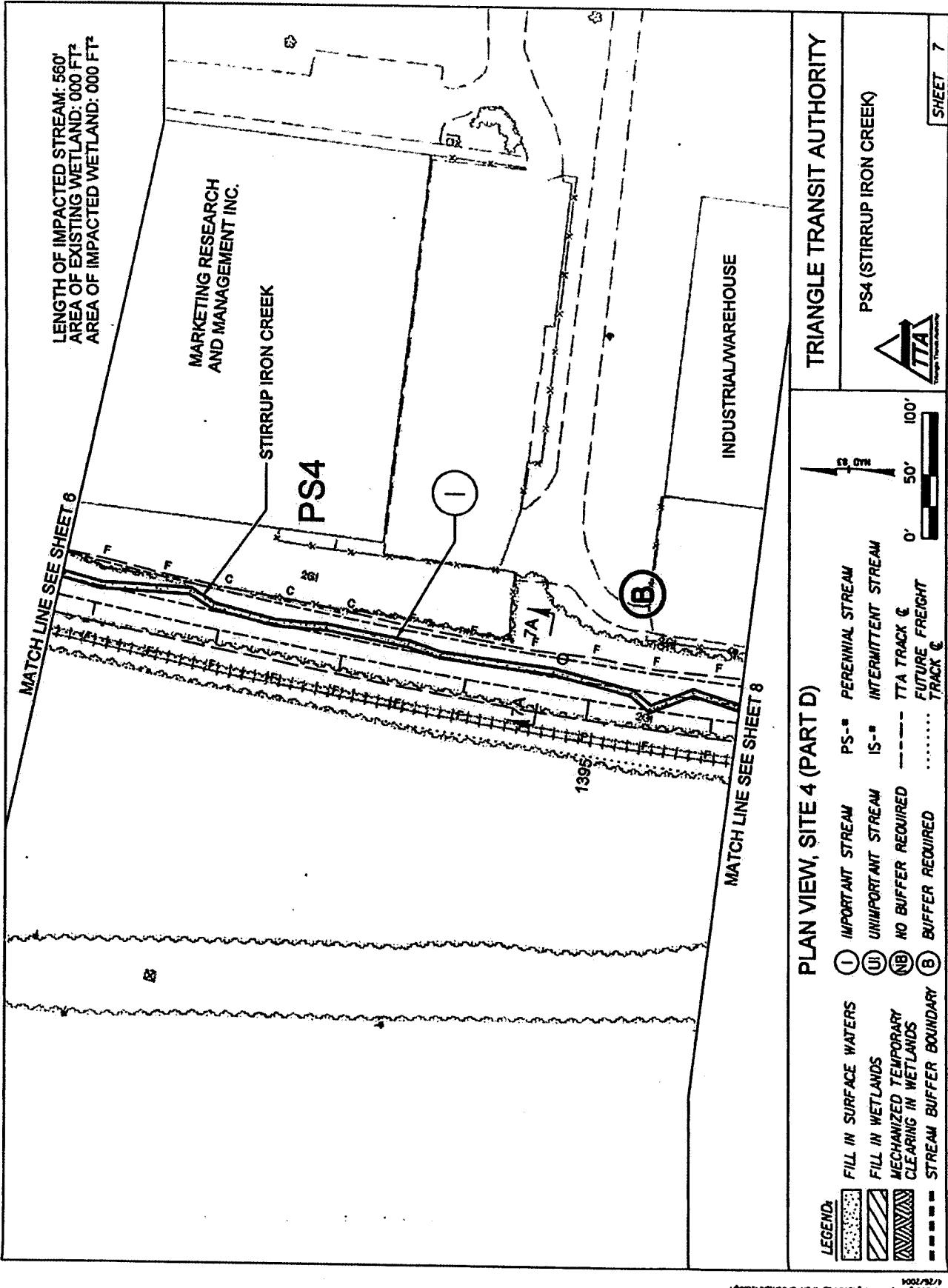


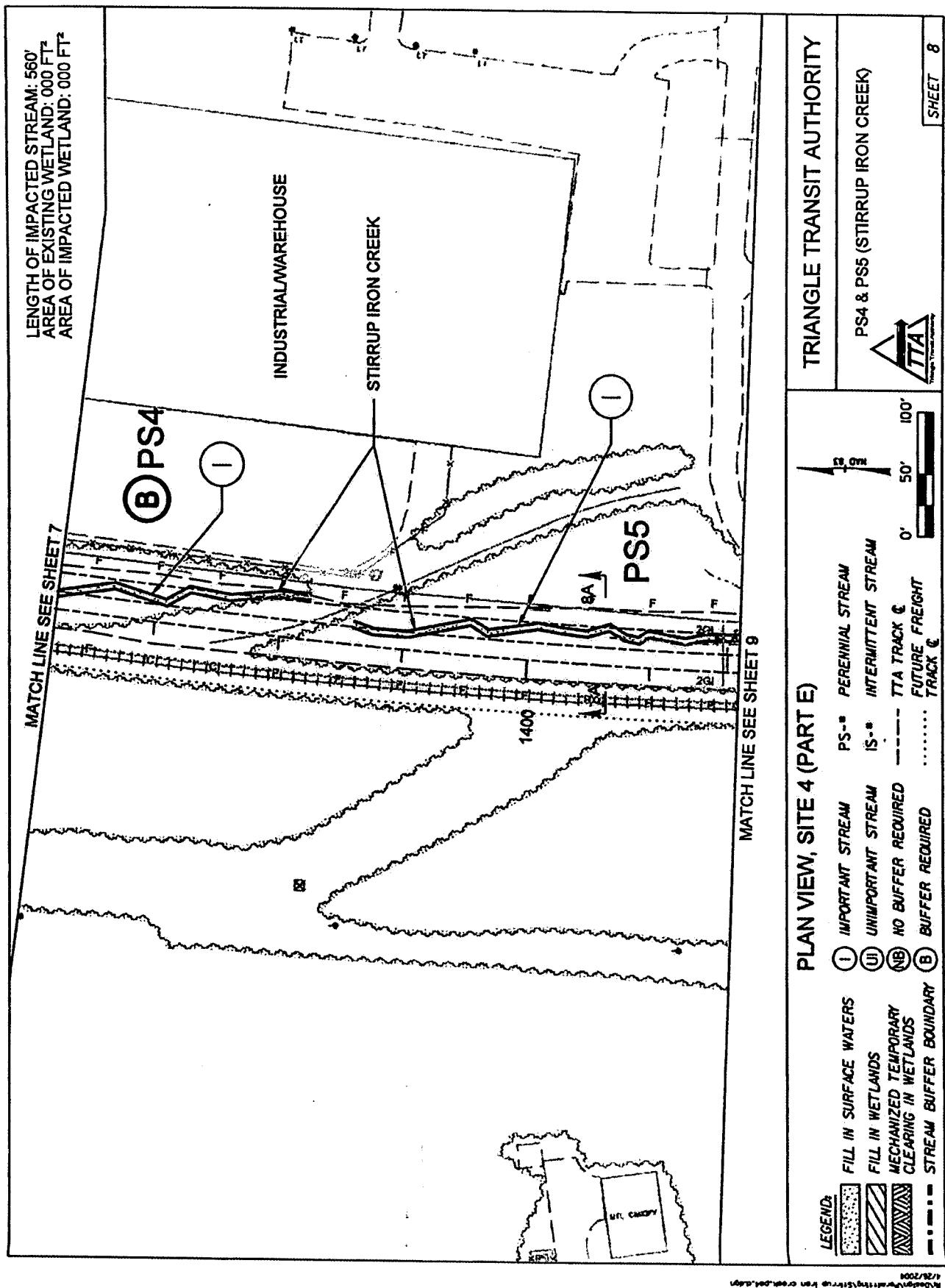


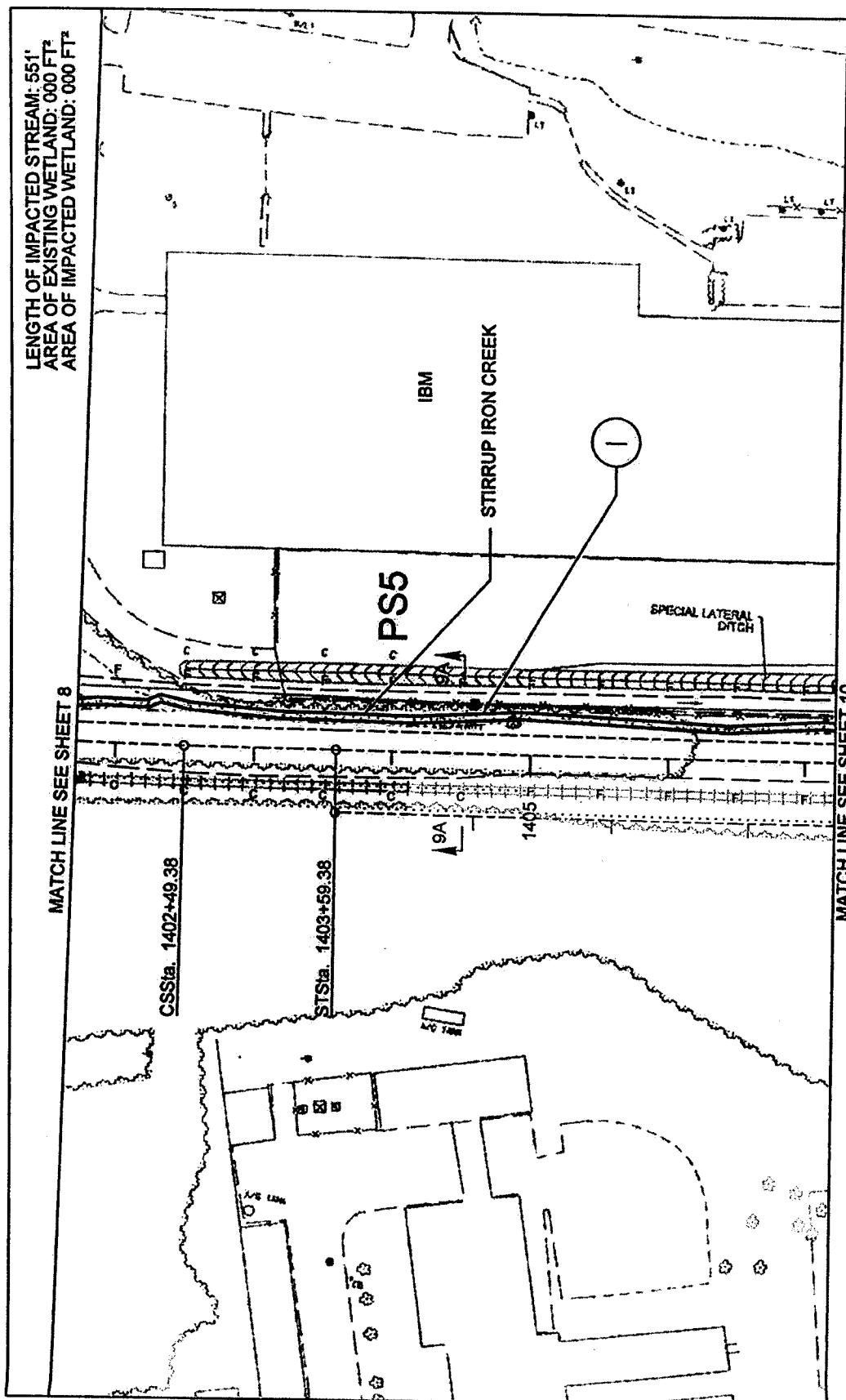
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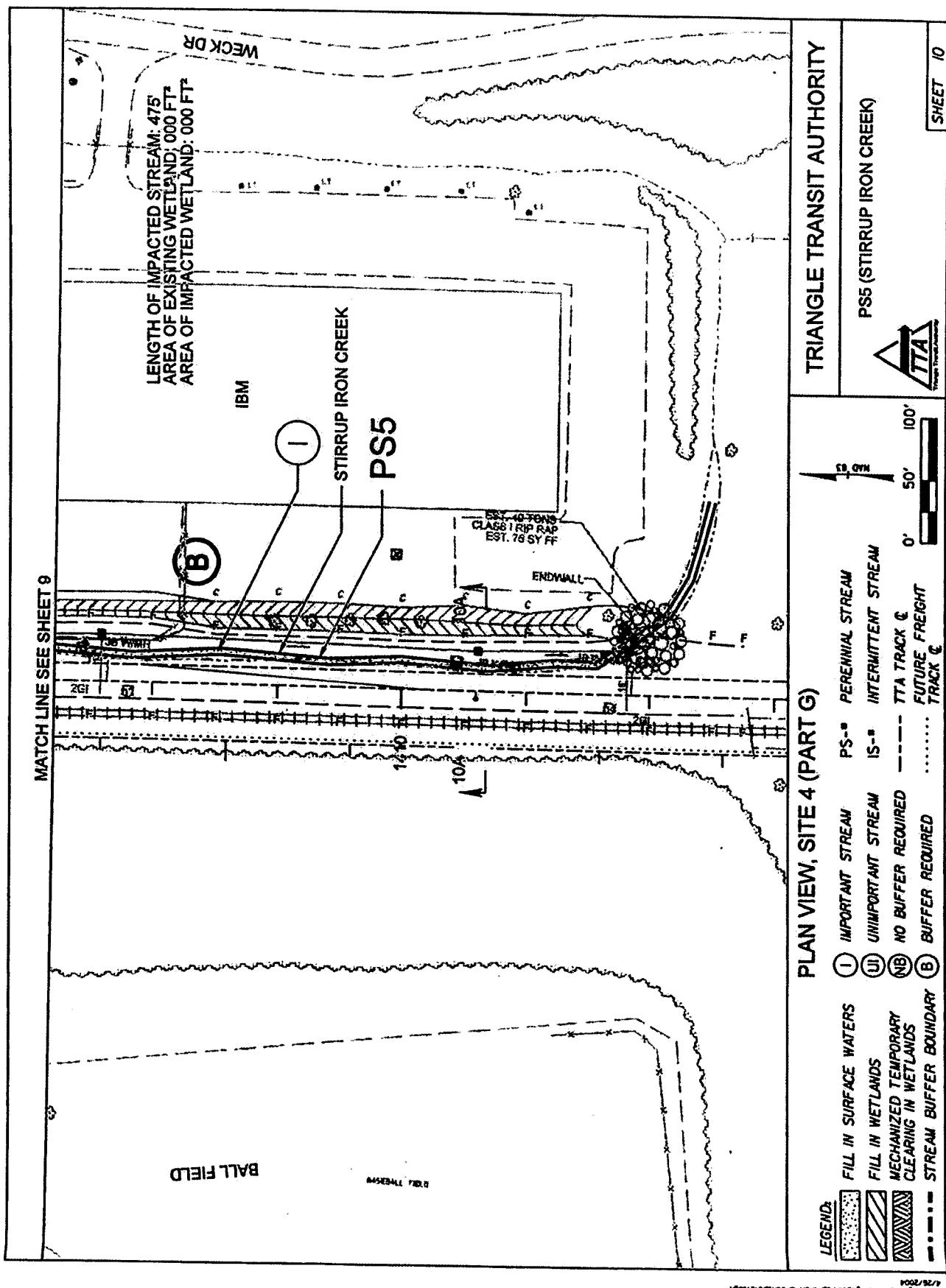


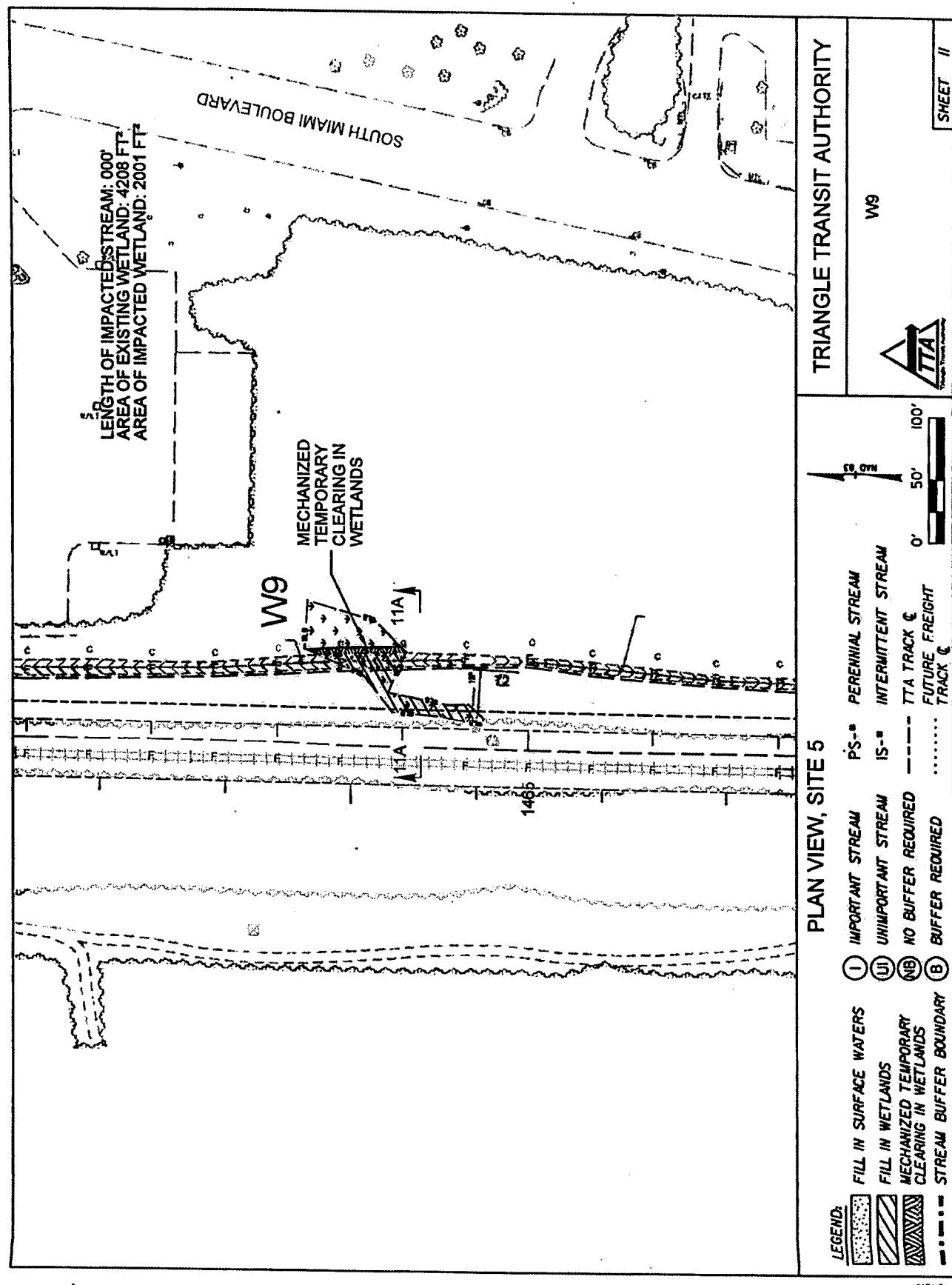


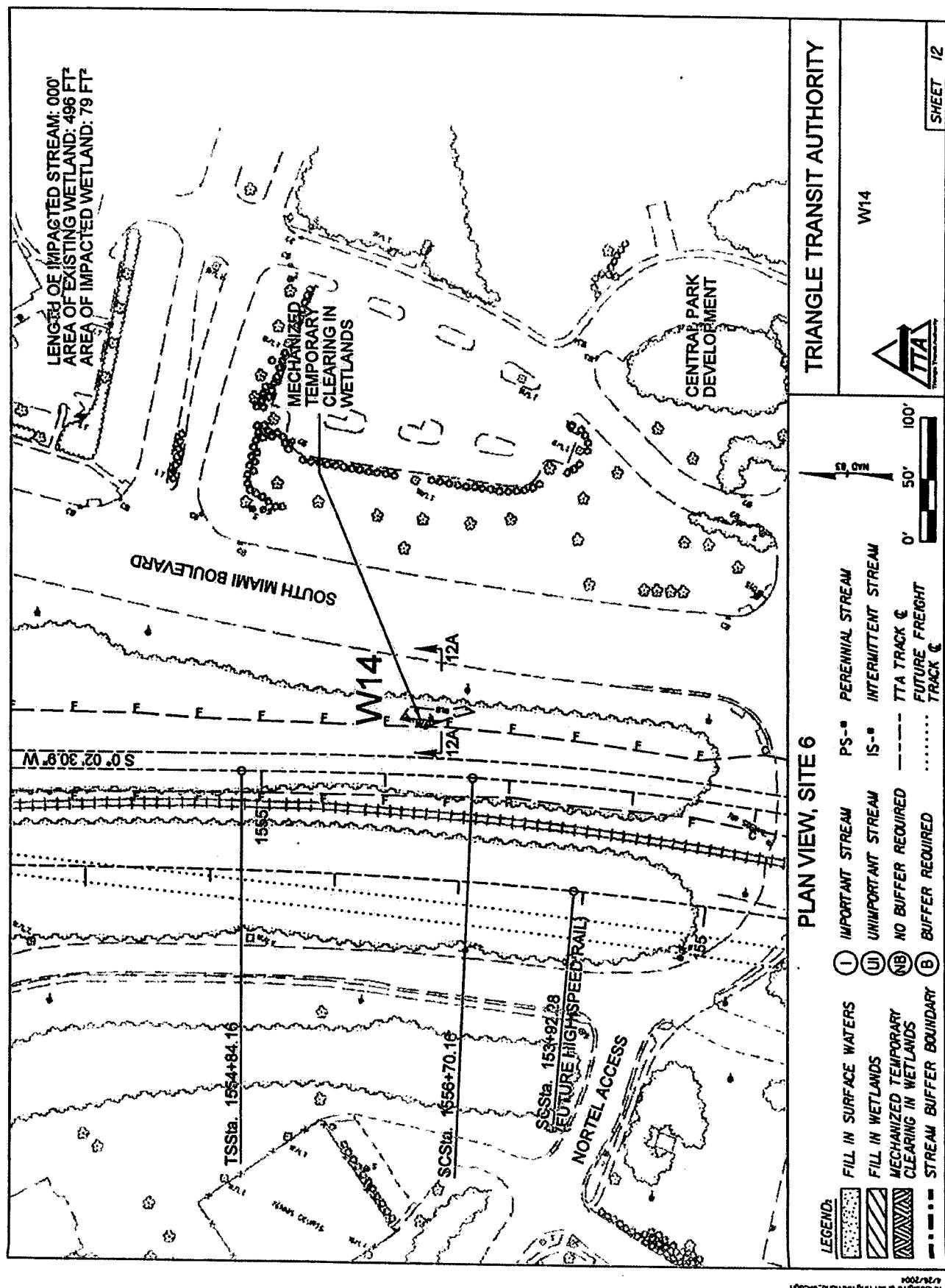


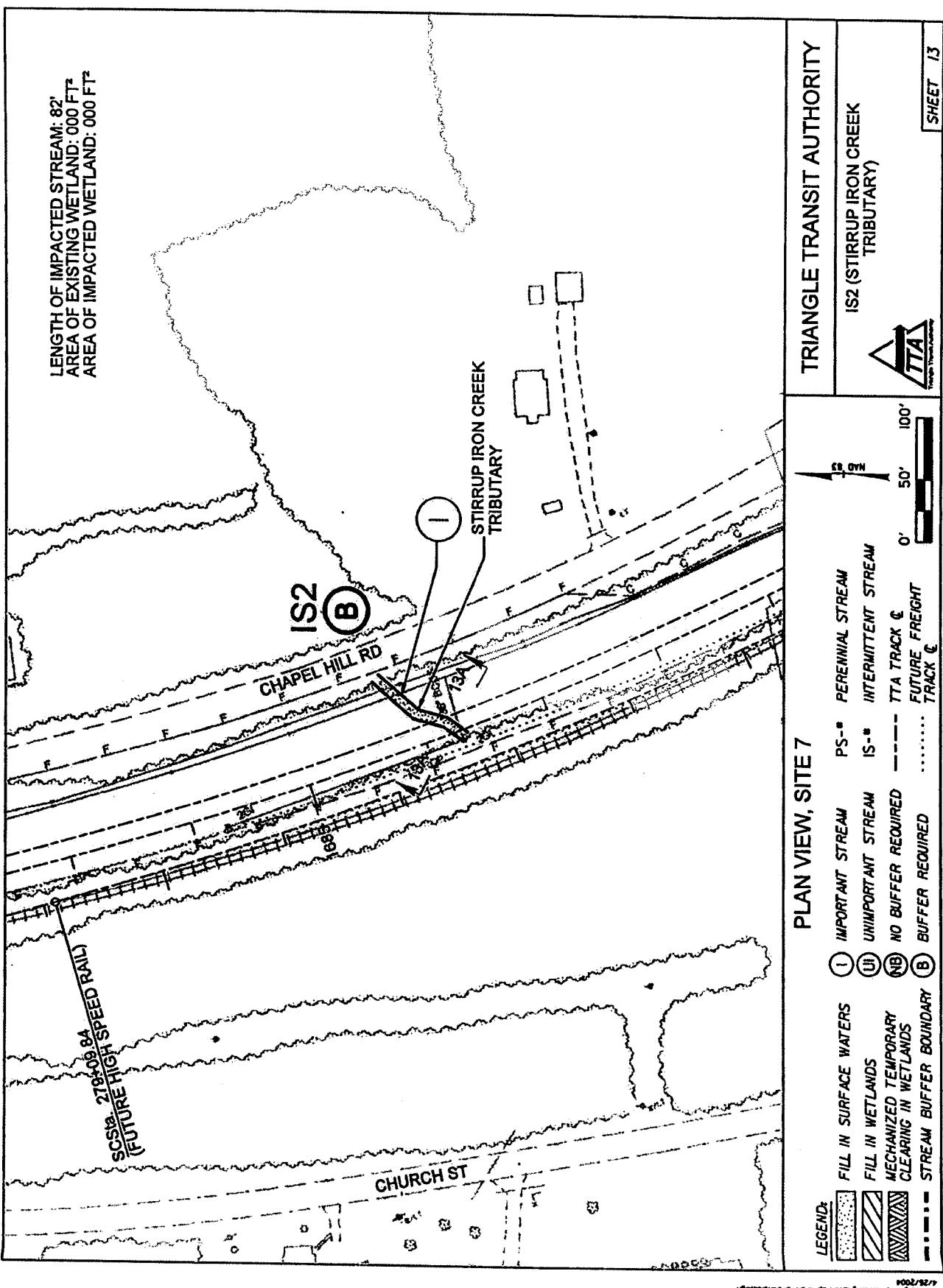


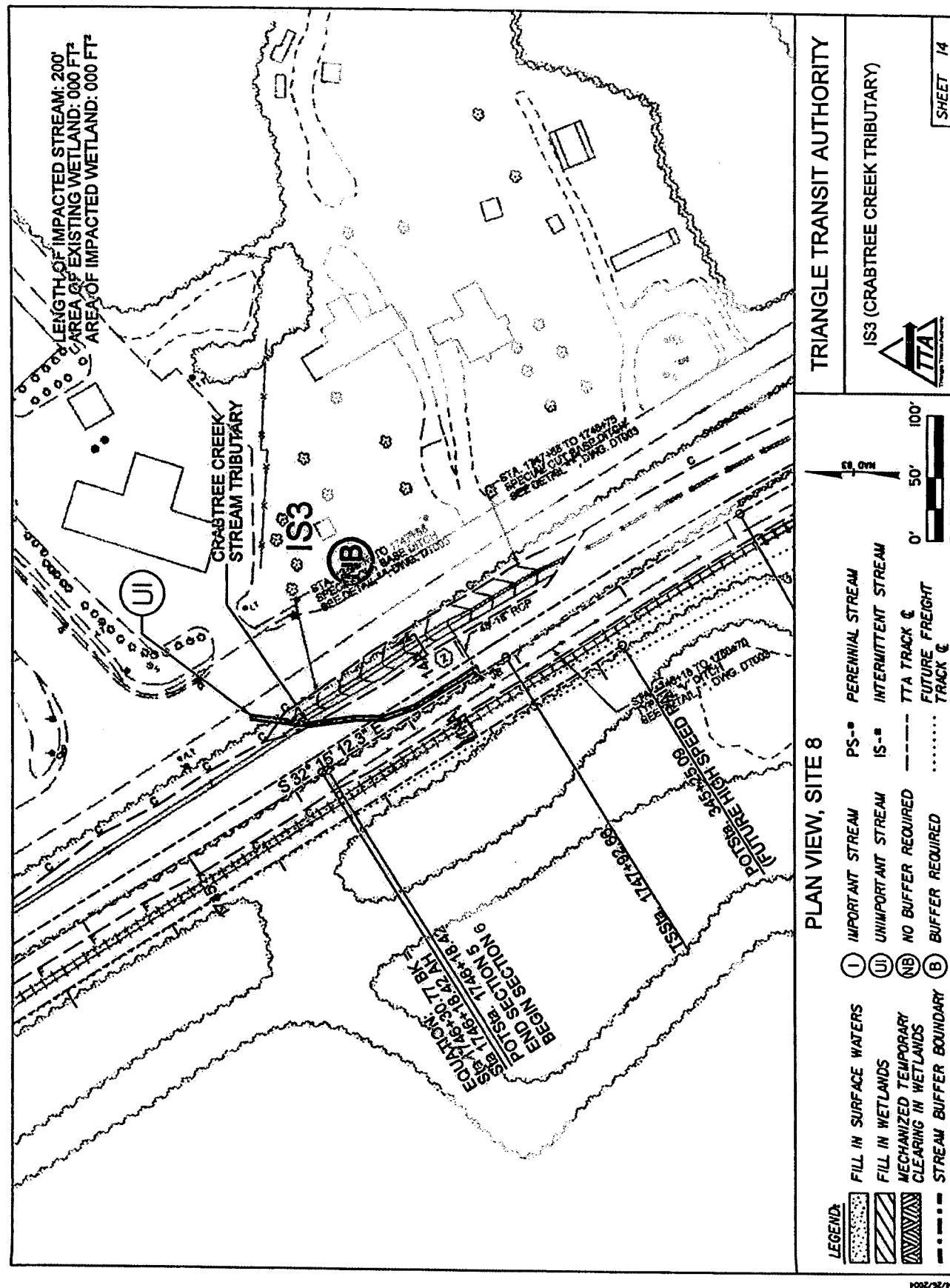
PLAN VIEW, SITE 4 (PART F)		TRIANGLE TRANSIT AUTHORITY	
 PS5 (STIRRUP IRON CREEK)		 TTA	
100'	50'	50'	ES DWN

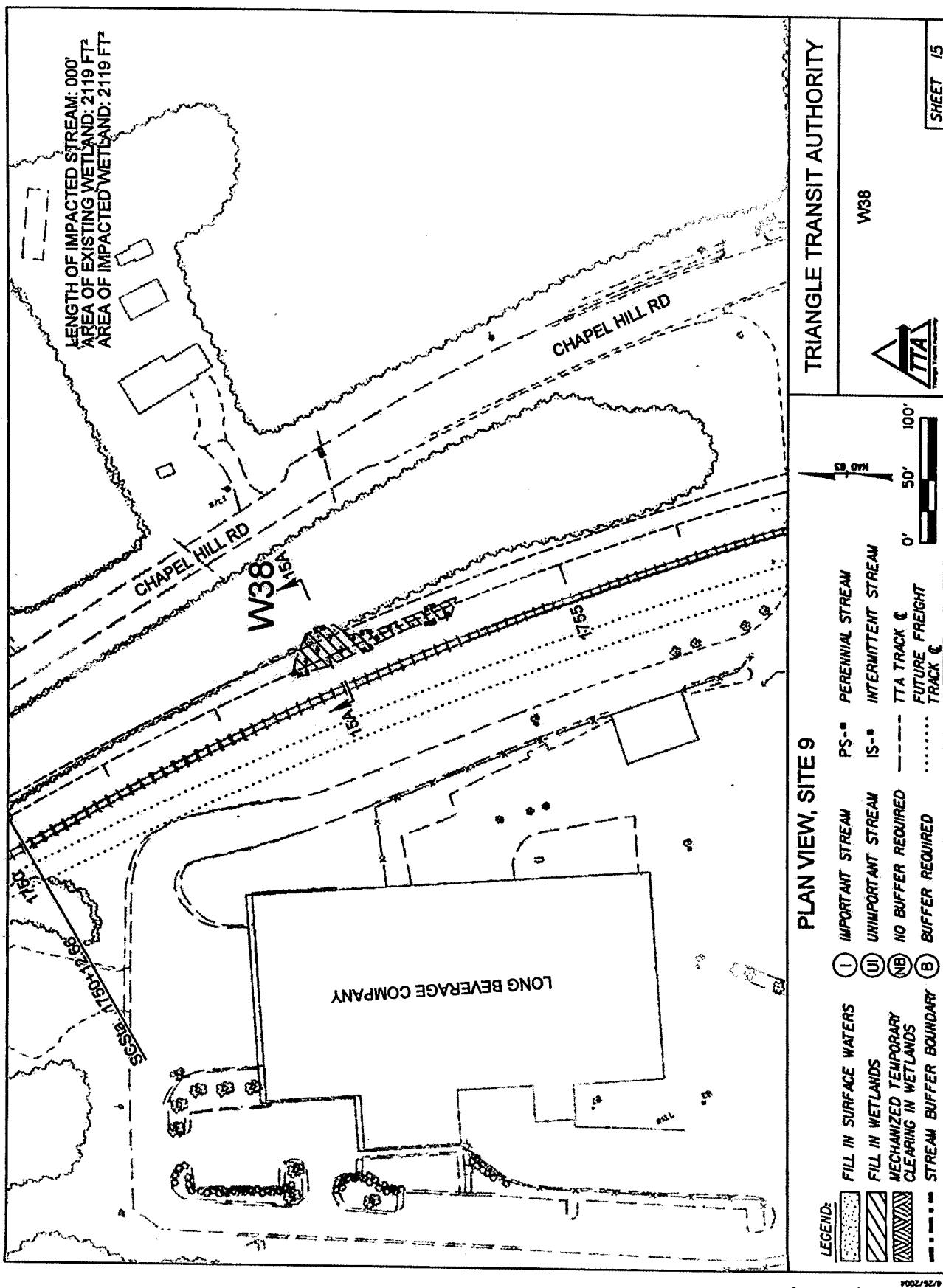




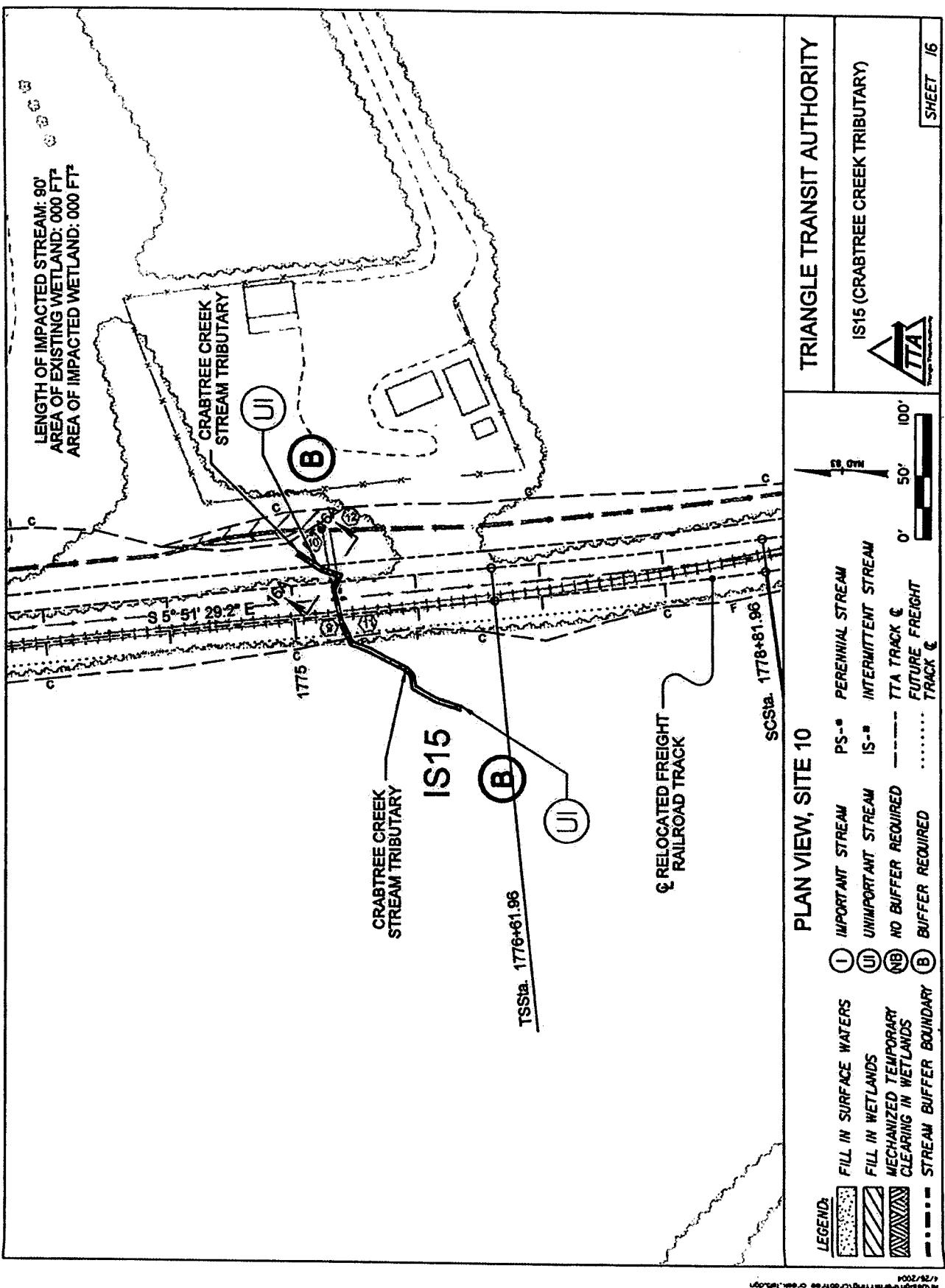


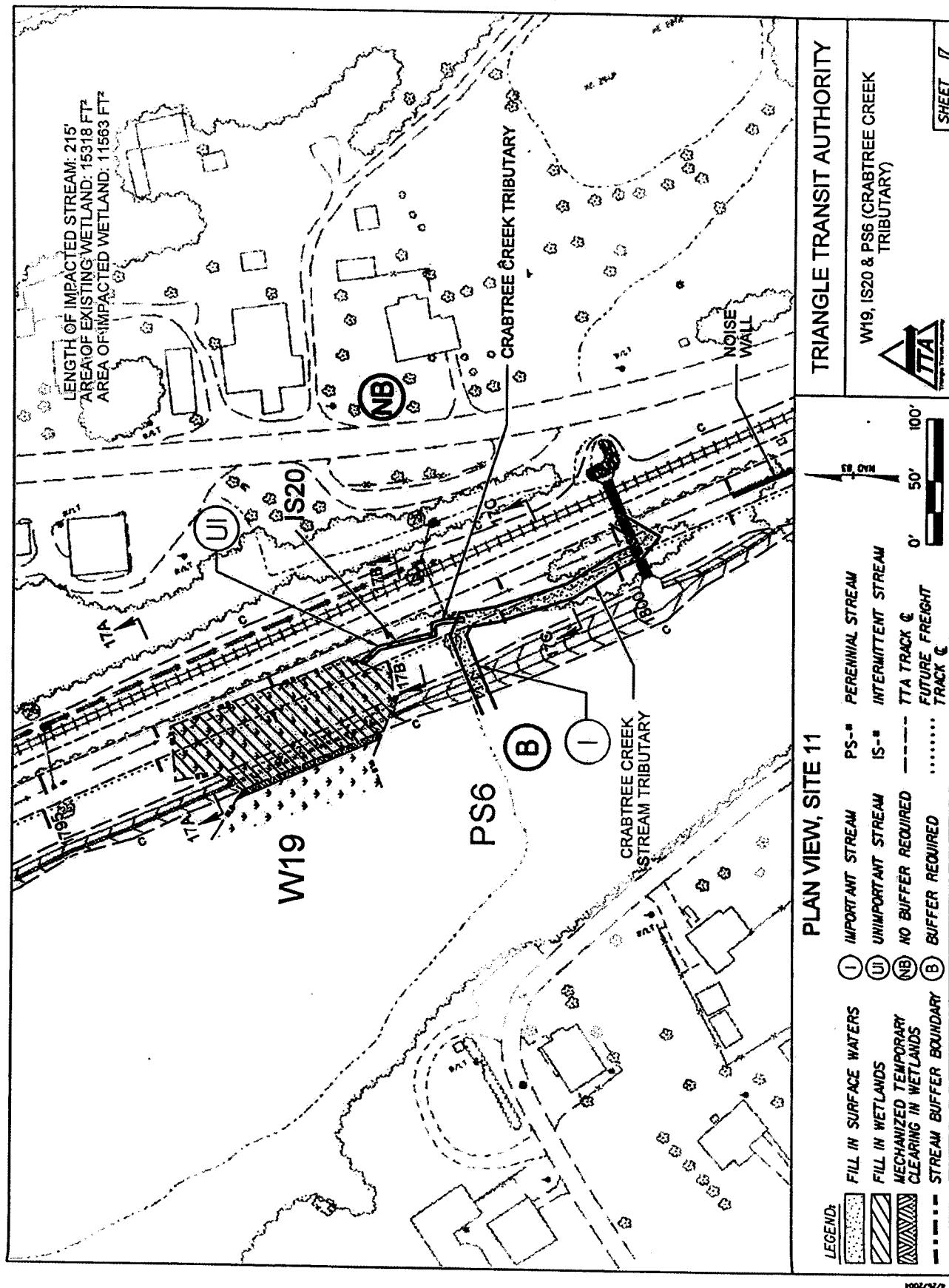


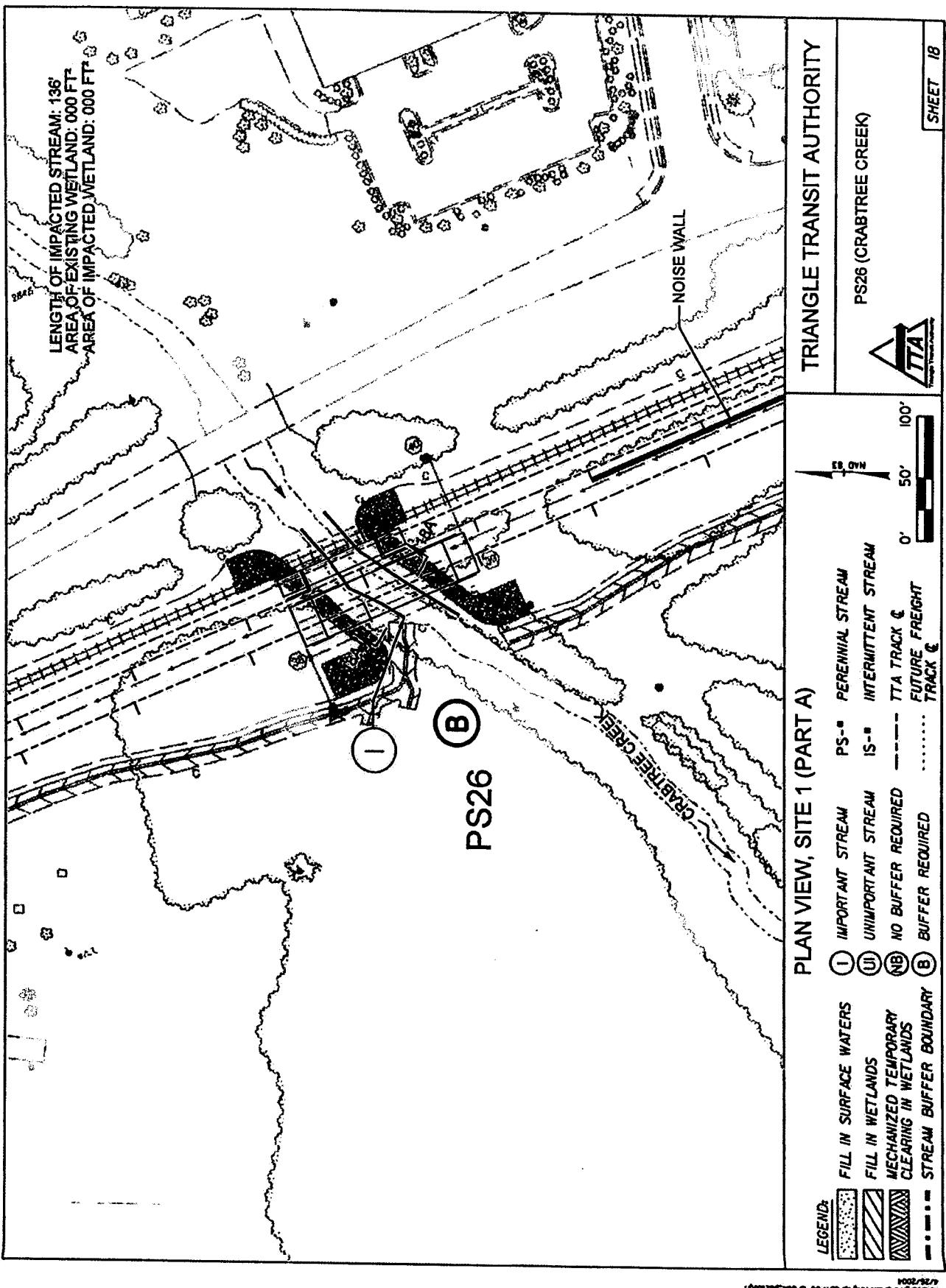


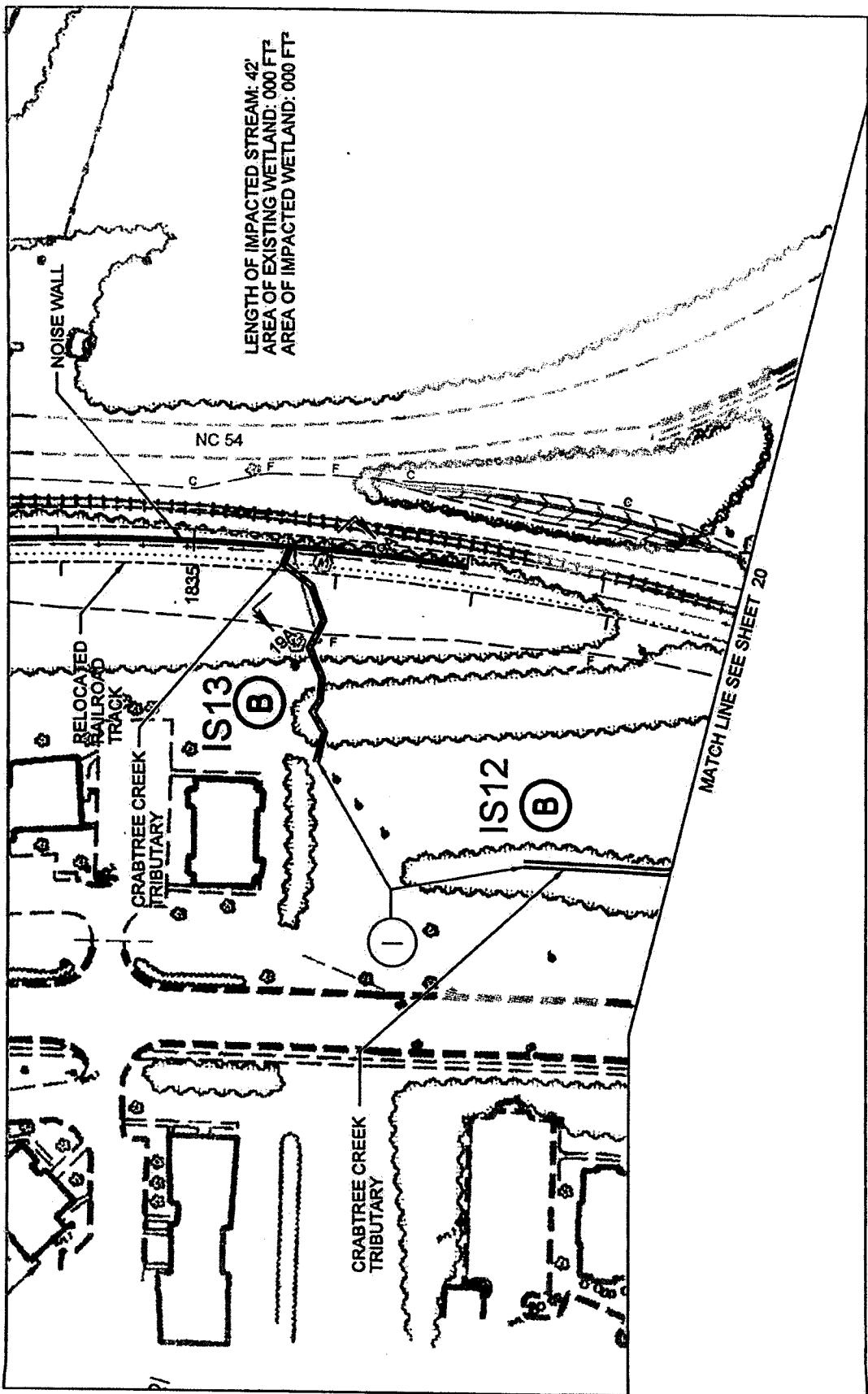


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PLAN VIEW, SITE 13 (PART A)

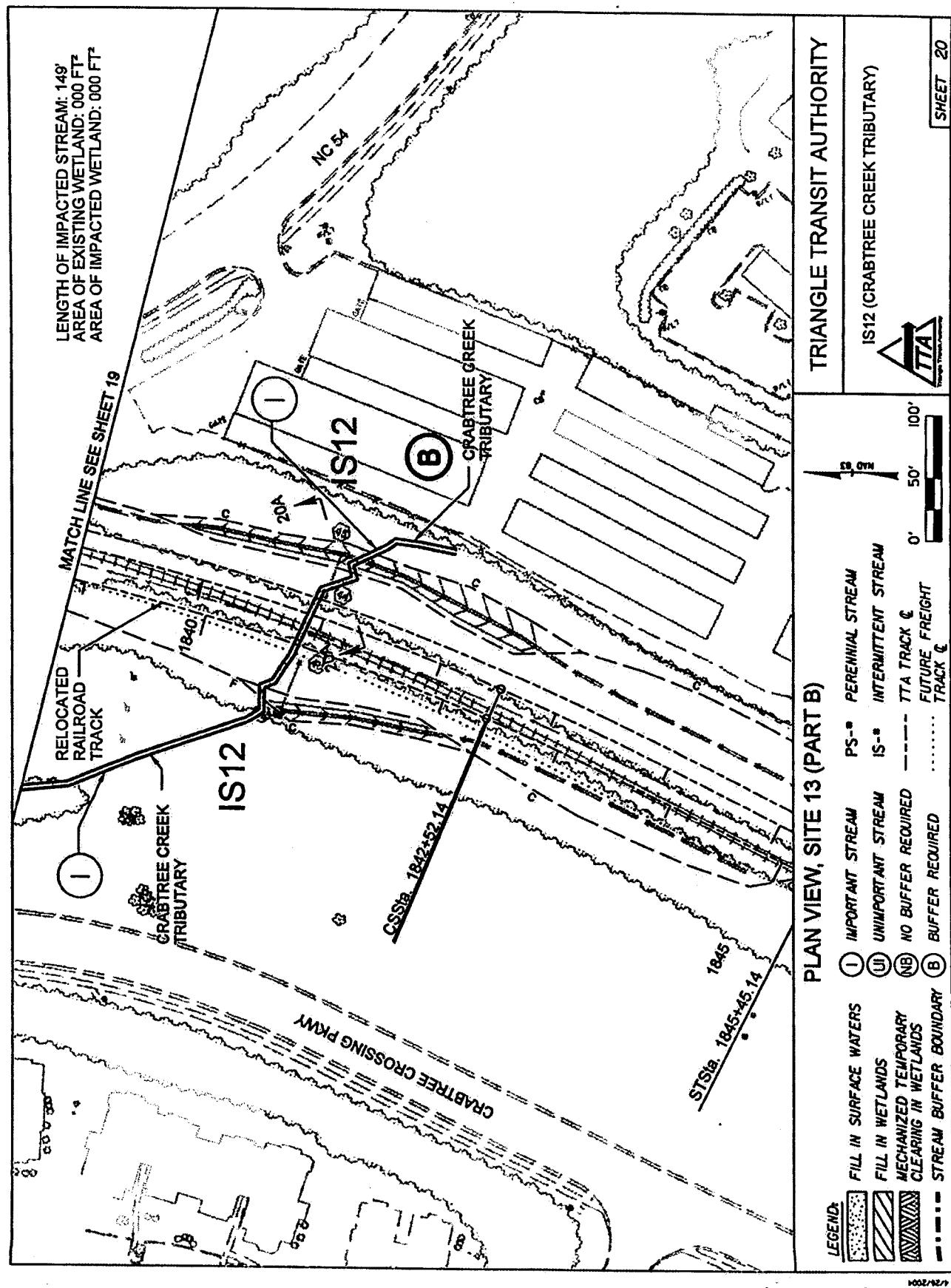
LEGEND:	FILL IN SURFACE WATERS	PS-# PERENNIAL STREAM
	FILL IN WETLANDS	IS-# INTERMITTENT STREAM
	MECHANIZED TEMPORARY CLEARING IN WETLANDS	— TTA TRACK & NO BUFFER REQUIRED
	STREAM BUFFER BOUNDARY FUTURE FREIGHT B BUFFER REQUIRED
	— STREAM BUFFER	— 50' 100'

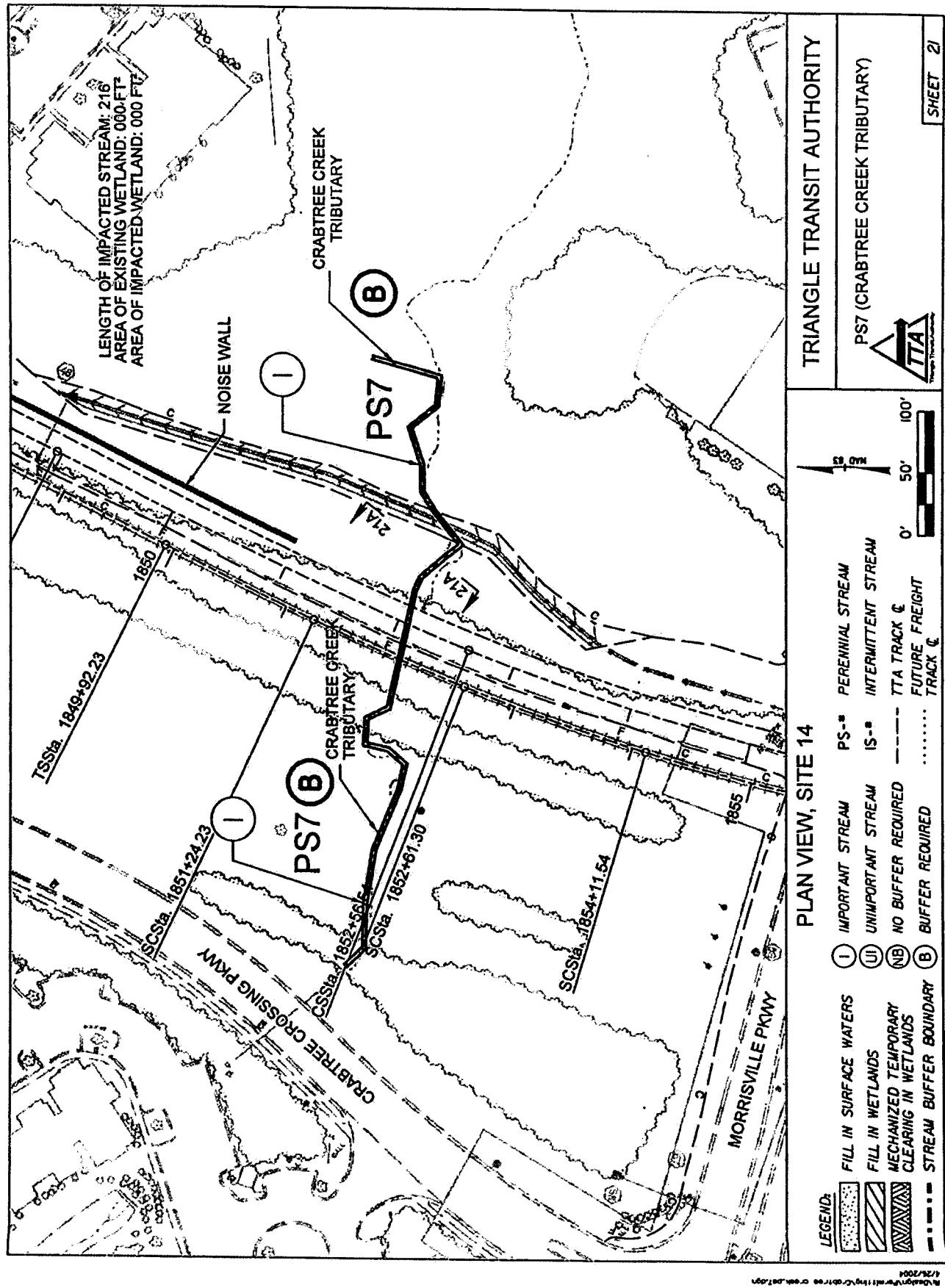
TRIANGLE TRANSIT AUTHORITY

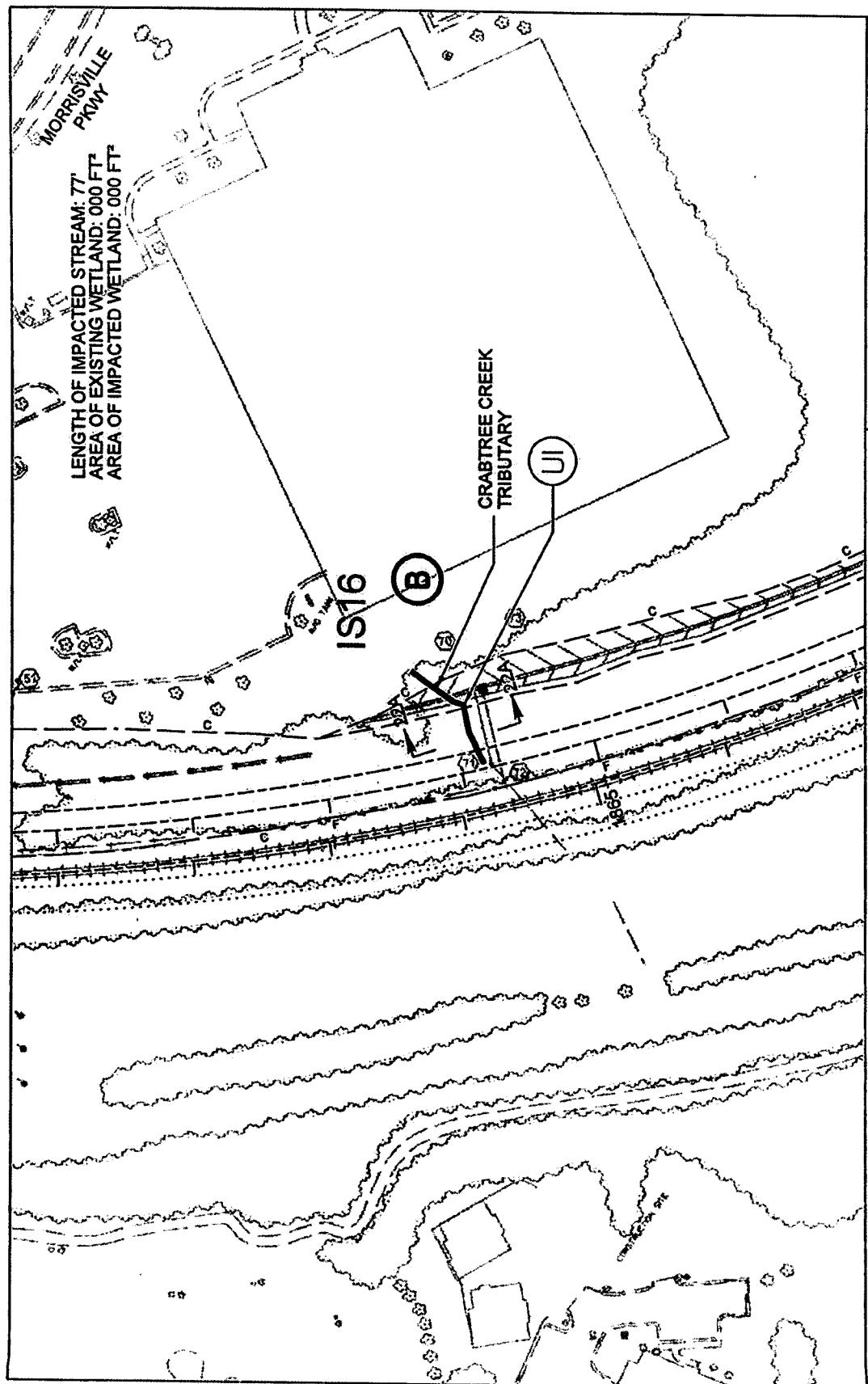
IS13 & IS12 (CRABTREE CREEK TRIBUTARY)



SHEET 19







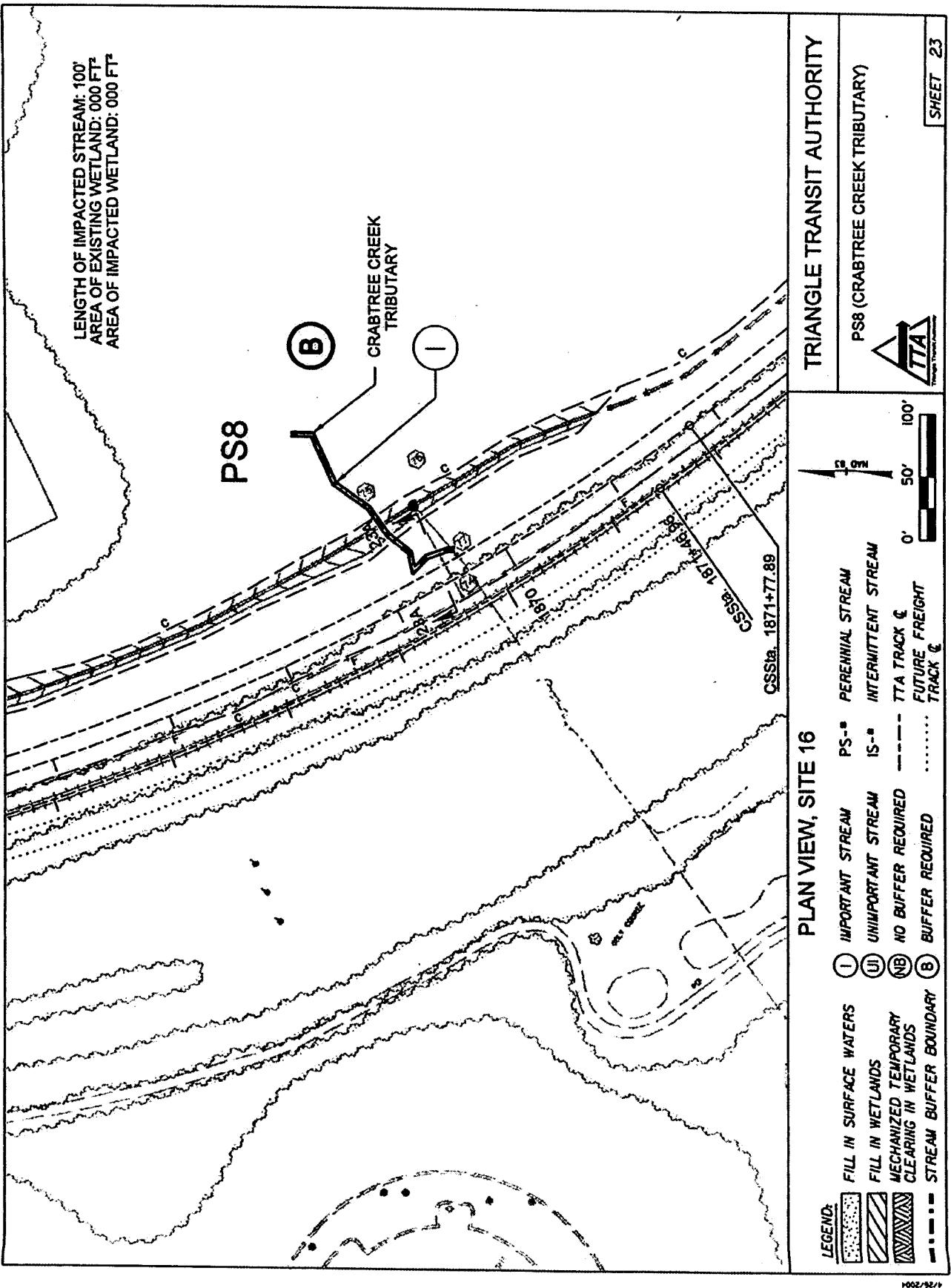
TRIANGLE TRANSIT AUTHORITY

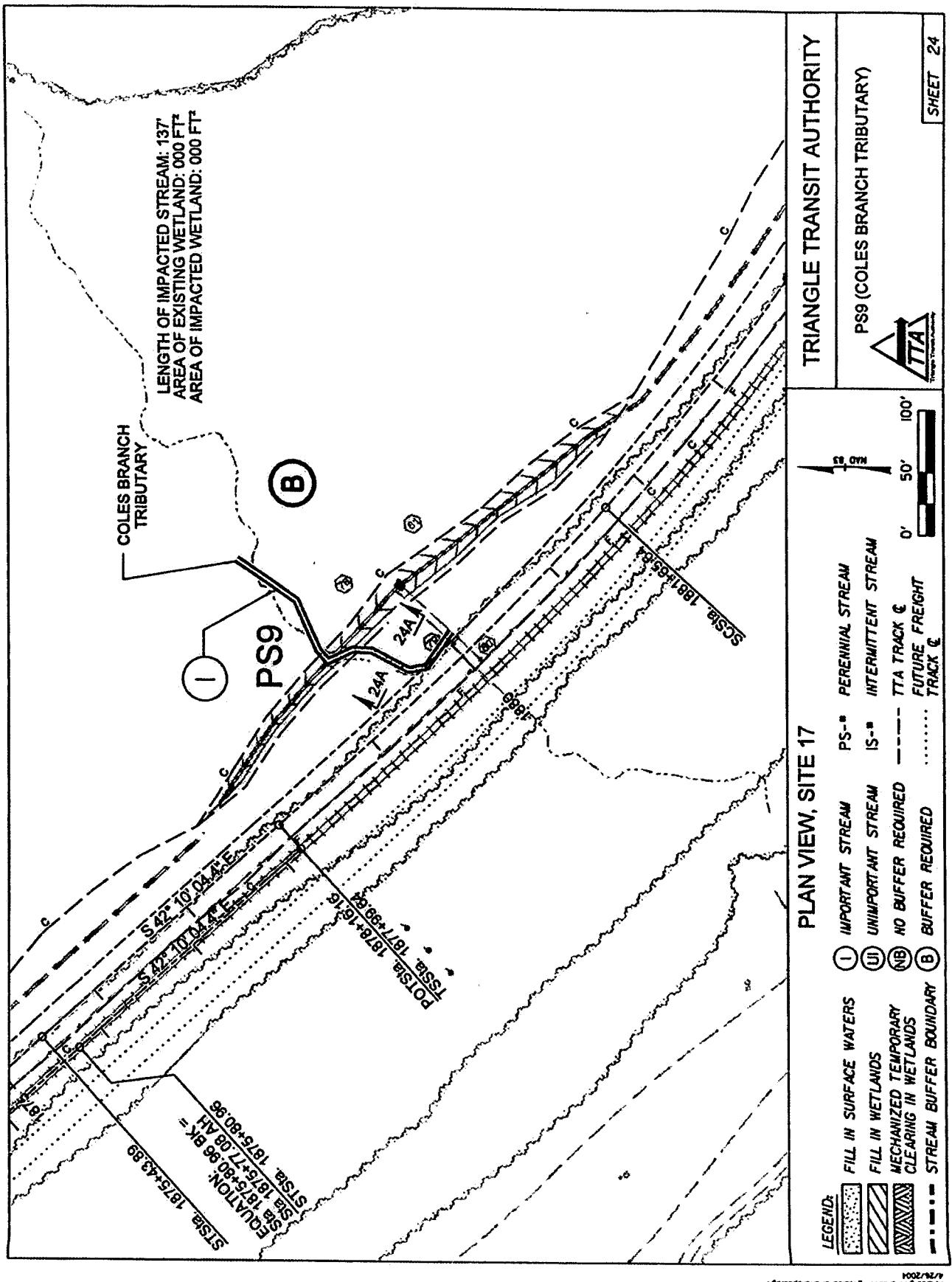
IS16 (CRABTREE CREEK TRIBUTARY)

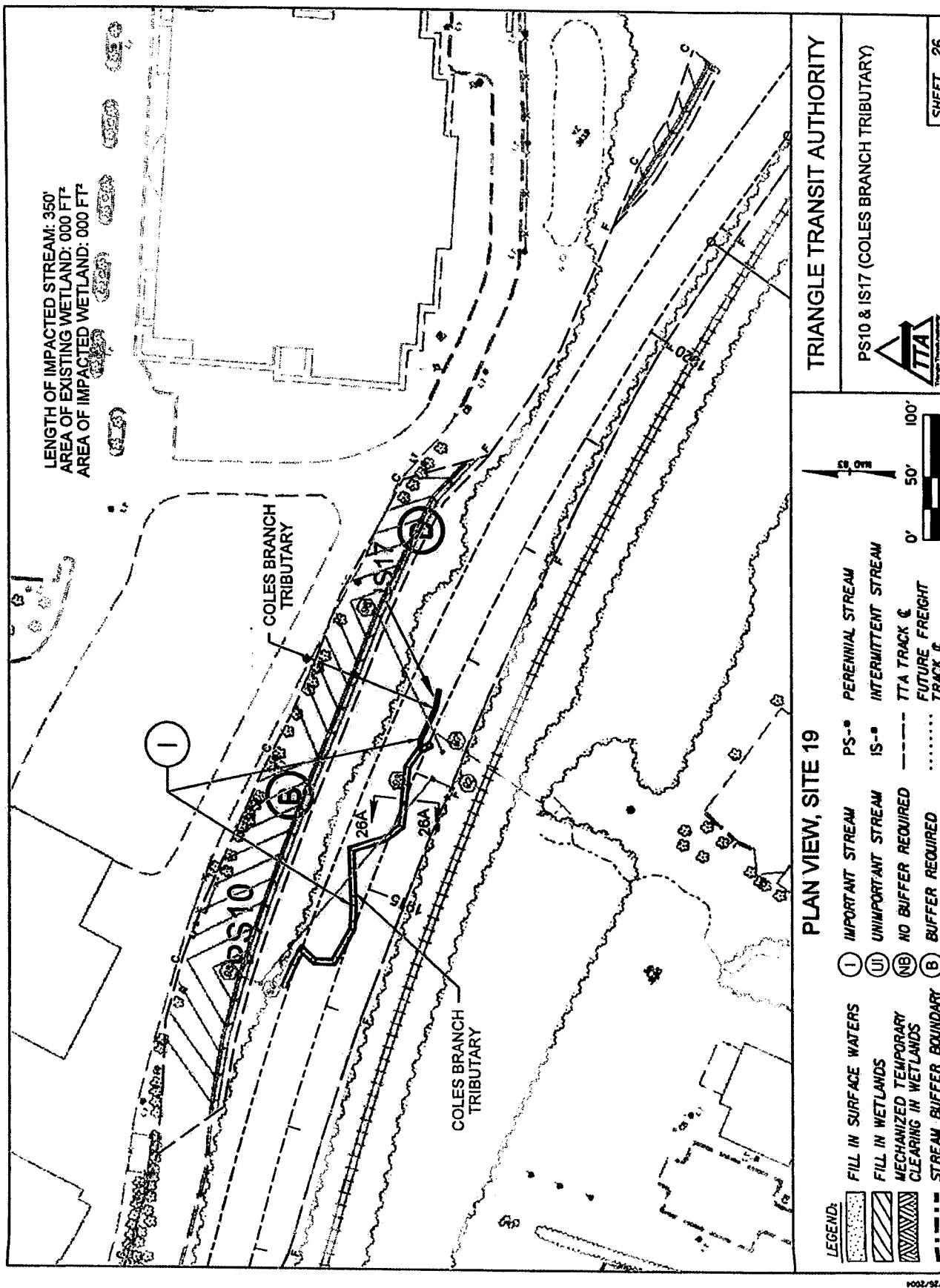


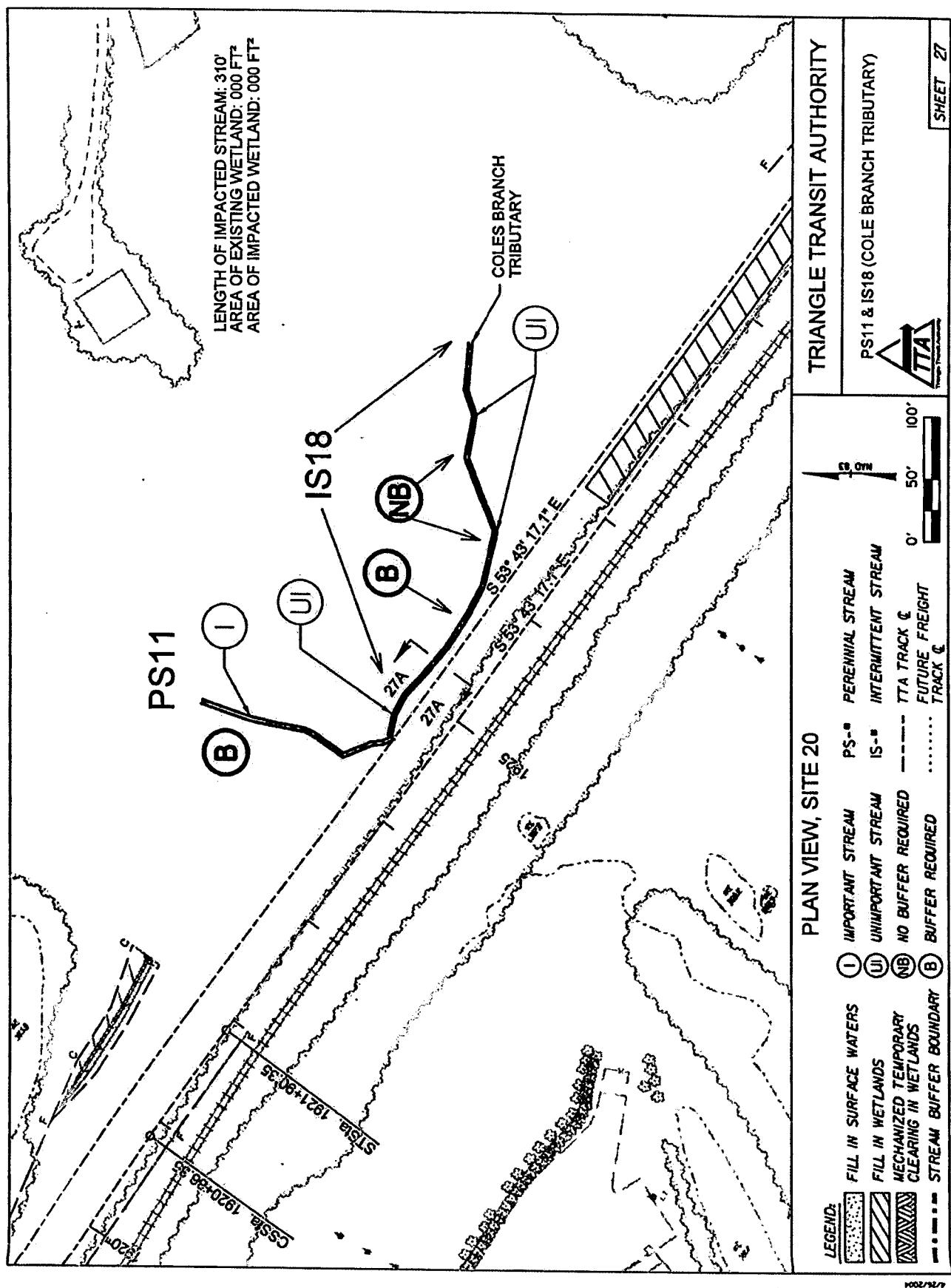
SHEET 22

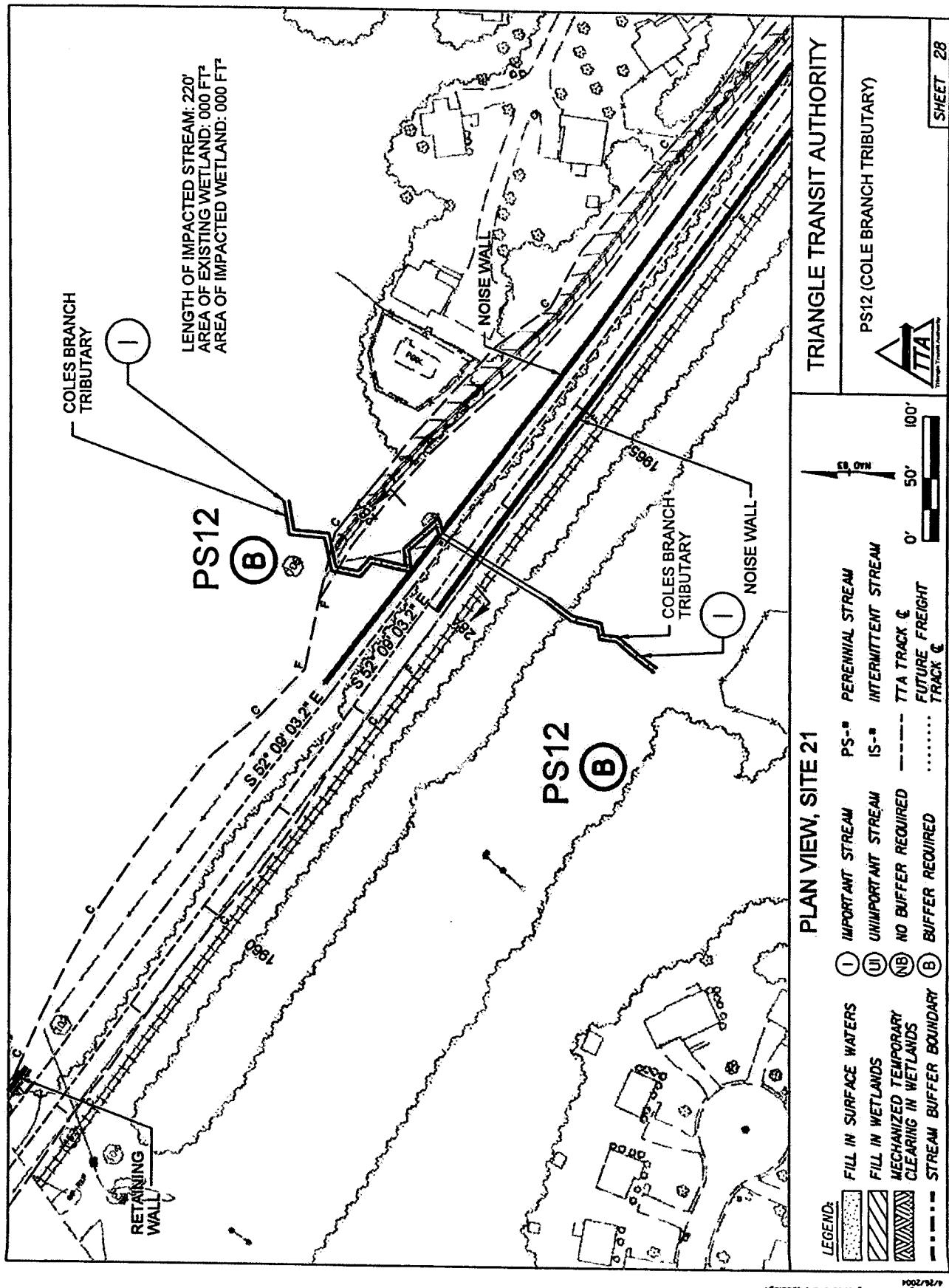
USACE ACTION ID: 200220344
APPLICANT: Triangle Transit Authority
PROJECT: Regional Rail Project

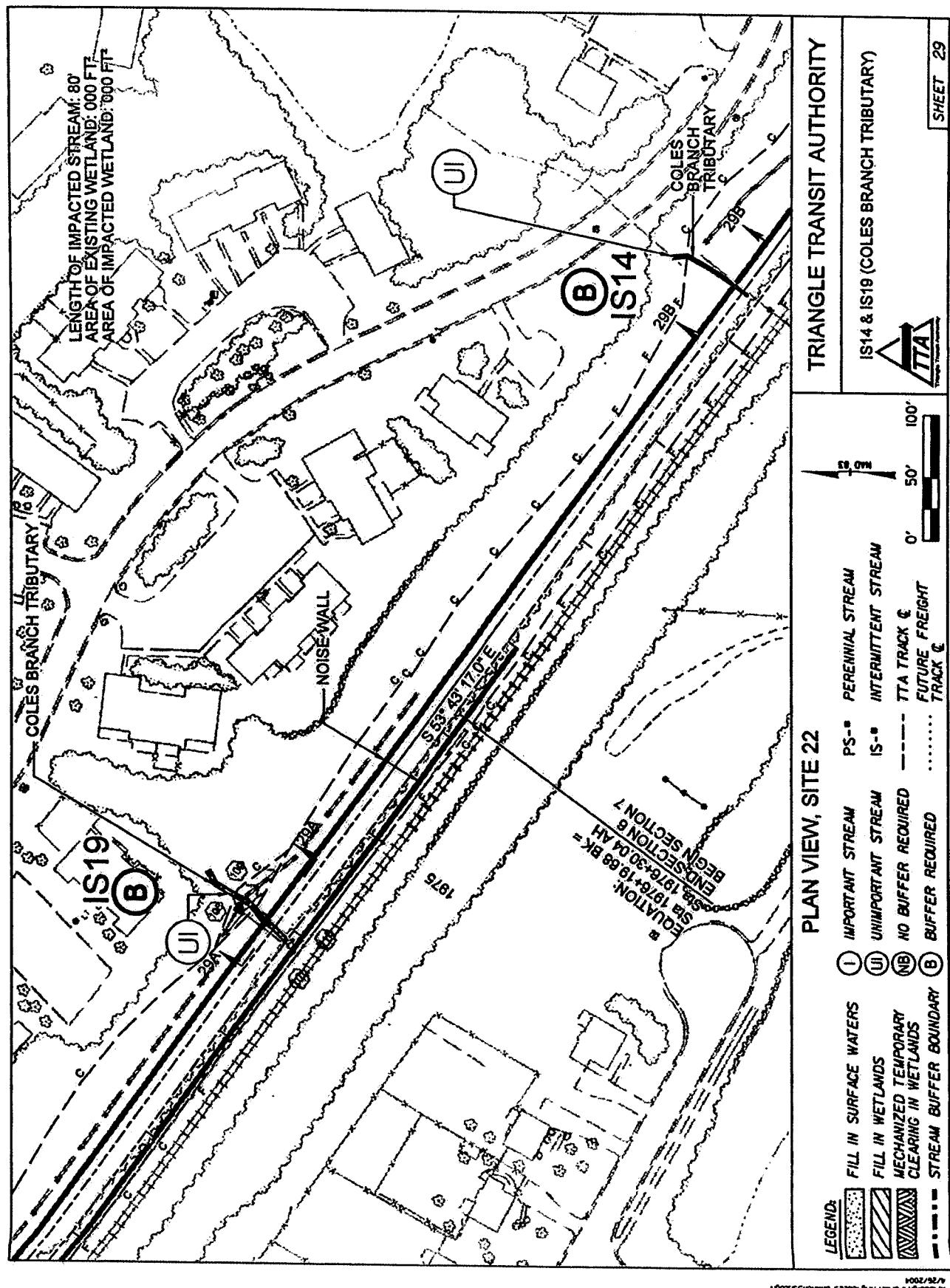


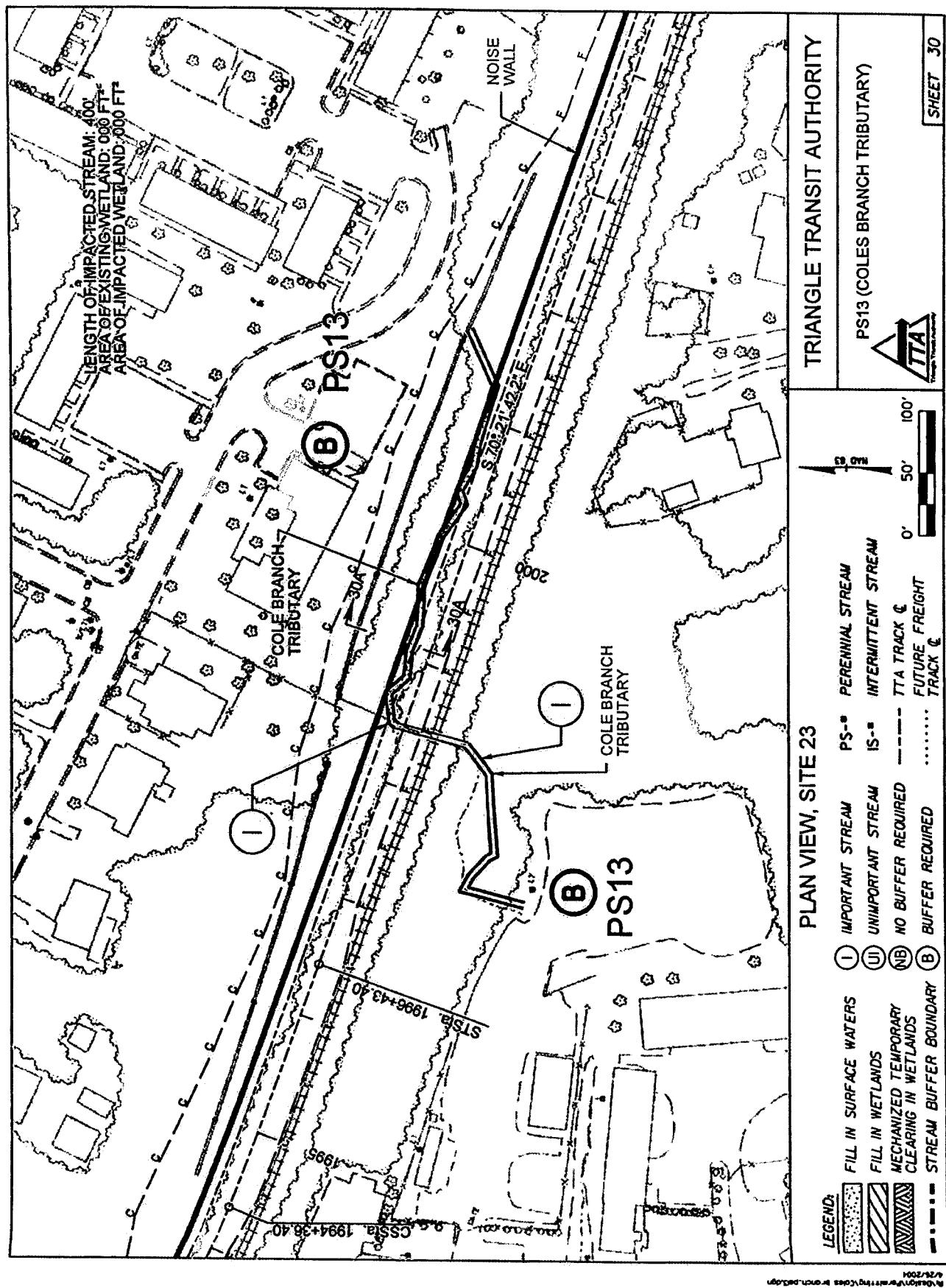




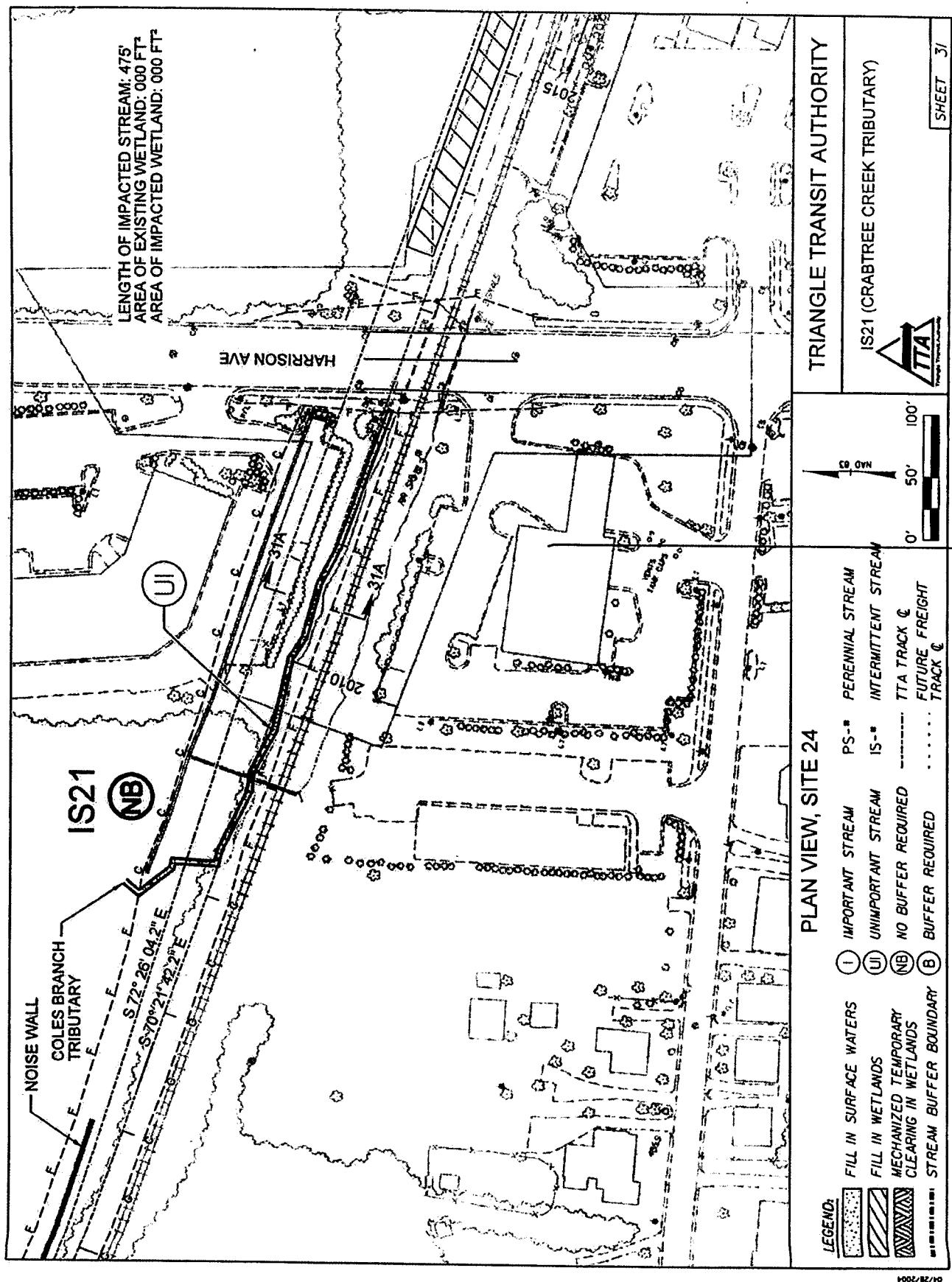


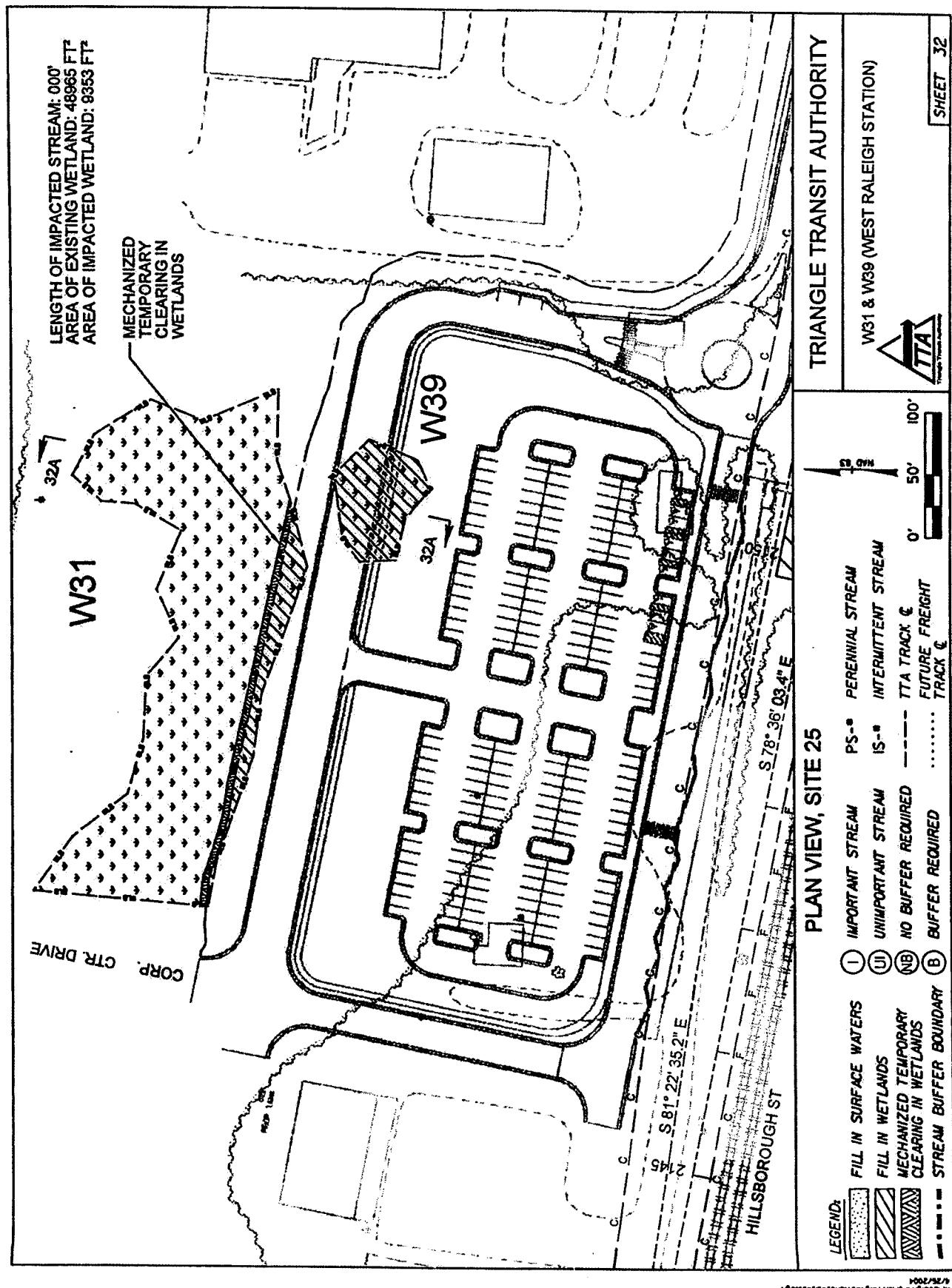


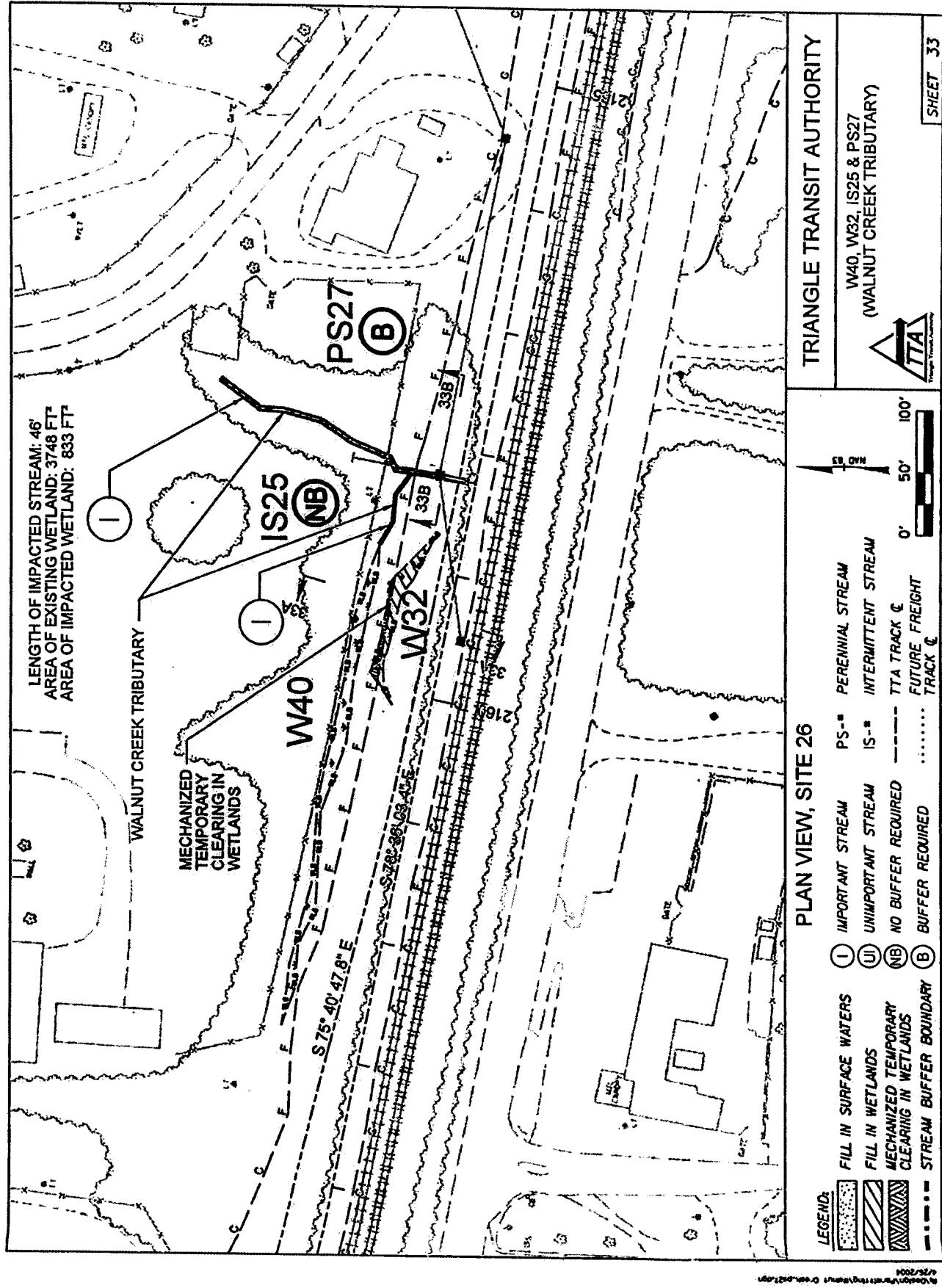


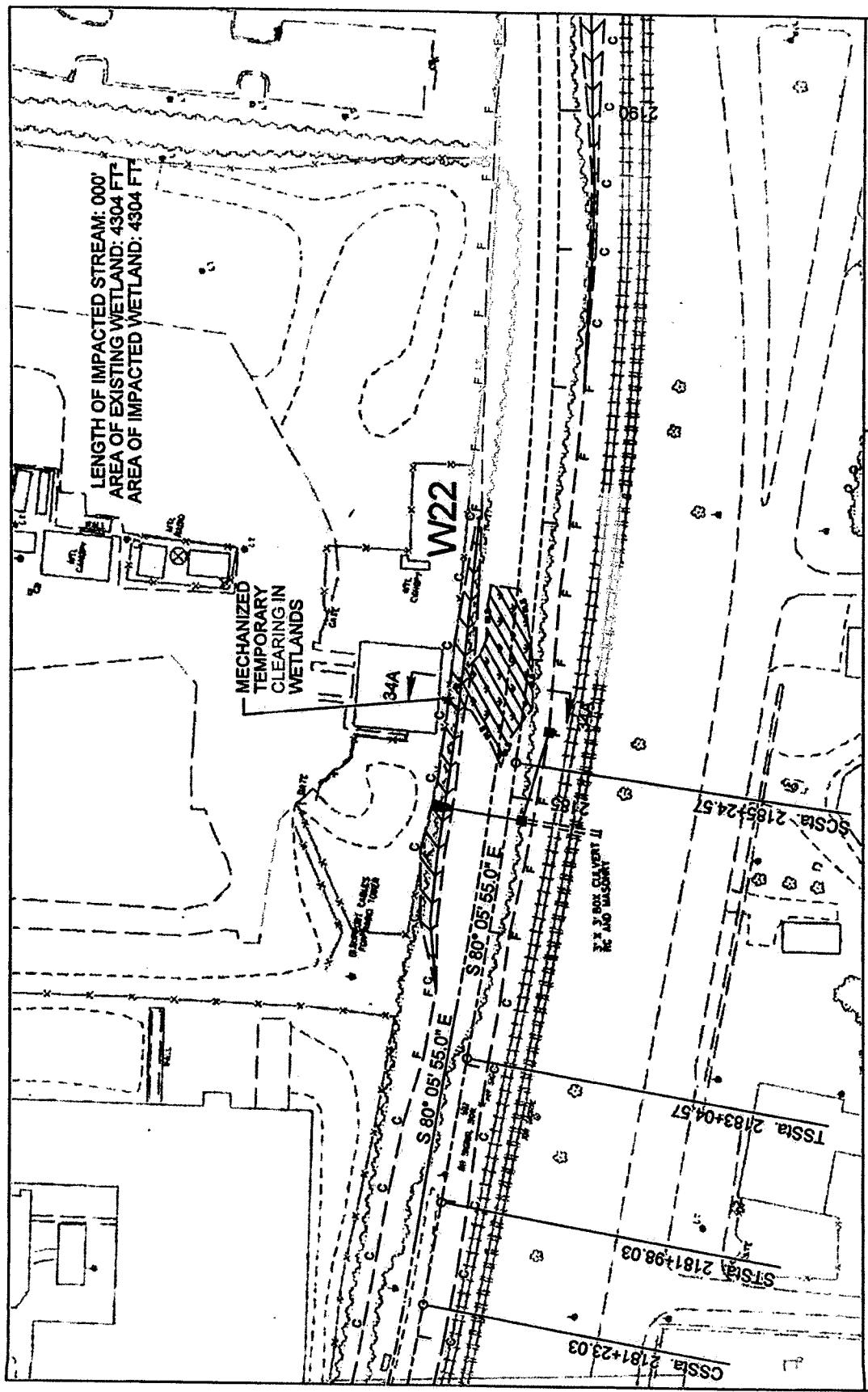


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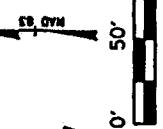








TRIANGLE TRANSIT AUTHORITY



PLAN VIEW, SITE 27

W22 (WALNUT CREEK)

SHEET 34

