



**US Army Corps
Of Engineers**
Wilmington District

PUBLIC NOTICE

Issue Date: February 22, 2006

Comment Deadline: March 22, 2006

Corps Action ID #: 200430631, TIP Project No. R-2519B

The Wilmington District, Corps of Engineers (Corps) has received an application from the North Carolina Department of Transportation seeking Department of the Army authorization to discharge dredged or fill material into the waters and adjacent wetlands of Ayles Creek, Little Crabtree Creek, Big Crabtree Creek, Long Branch, Brushy Creek, the South Toe River and unnamed tributaries to facilitate the widening of 7.5 miles of US Highway 19E between Micaville in Yancey County and Spruce Pine in Mitchell County, North Carolina.

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:

Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA
NC Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act (33 U.S.C. 1344). 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 is soliciting public comment on the merits of this proposal and on the alternatives evaluated in the State Environmental Assessment (SEA). At the close of this comment period, the District Commander will evaluate and consider the comments received as well as the expected adverse and beneficial effects of the proposed road construction to select the least environmentally damaging practicable alternative (LEDPA). The District Commander is not authorizing widening of US Highway 19E 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 and a compensatory mitigation plan for unavoidable impacts has been approved.

Location

The proposed project involves the widening of 7.5 miles of US Highway 19E from SR 1186 at Micaville in Yancey County to the existing multilane roadway west of Spruce Pine in Mitchell County. The proposed project would cross Little Crabtree Creek, Ayles Creek, the South Toe River, Long Branch, Big Crabtree Creek and Brushy Creek as well as a number of unnamed tributary channels to these streams. The approximate midpoint of the project, where it crosses the Yancey/Mitchell County Line is at 35.9019 degrees north latitude and 82.1471 degrees west longitude and is in the Nolichucky River Basin, Hydrologic Unit 06010108.

Background

On July 29 2005, the NC Department of Transportation (NCDOT) completed and circulated for public review, a State Environmental Assessment (SEA) for the proposed project, designated as TIP Project Number R-2519B, State Project Number 6.909001T. The SEA describes the social, economic and environmental impacts associated with a No-Build and a Build alternative identified as the Best Fit Alternative. The Best Fit Alternative incorporates asymmetrical widening generally along the existing alignment of US 19E to minimize impacts to the human and natural environments. US 19E is identified as a Rural Principal Arterial in the Functional Classification System. The route is also within North Carolina Strategic Highway Corridor 10 between Asheville and Boone (I-26, US 19/US 19E, NC 105). The proposed improvements to US 19E are state funded. Project Number R-2519B is included in NCDOT's latest approved Transportation Improvement Program (TIP) and is part of a plan by NCDOT to widen US 19 and US 19E from Madison County to Avery County. Right of way acquisition is scheduled to begin in state fiscal year 2010. The estimated cost of right of way acquisition and construction for the proposed action is \$63,040,400.

Applicant's Stated Purpose

The purpose of the proposed project is to increase traffic capacity, improve existing roadway deficiencies and provide system linkage along US 19E. The need is based on future capacity limitations and upgrading US 19E as part of the Strategic Highway Corridor 10 in northwest North Carolina.

Project Description

The following description of the proposed work is taken from data provided by the applicant. Two broad range alternatives are being considered for the proposed project. These alternatives include the No-Build Alternative and the Build Alternative. The No-Build Alternative would not increase capacity or correct existing roadway deficiencies along US 19E. The proposed Build Alternative (Best Fit Alternative) would widen US Highway 19E from the intersection with SR 1320 on the west at Micaville to the intersection with SR 1274 on the east at the existing four-lane roadway west of Spruce Pine, a total distance of 7.5 miles. The proposed widening would be asymmetrical, either to the north or south of the existing roadway depending on engineering considerations as well as human and natural environmental constraints. From the western limits of the project at SR 1320 to the intersection with SR 1307 the proposed widening would be to the

north. Between SR 1307 and SR 1431 the proposed widening would shift to the south. Between SR 1431 and SR 1423 widening would shift back to the north. East of SR 1423 to the intersection with SR 1300 the proposed widening would be to the south. Between SR 1300 and SR 1157 widening would shift to the north. South widening is proposed between SR 1157 and SR 1155. East of SR 1155 widening would generally be to the south except where an existing S-shaped curve would be straightened. 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 20-foot wide, raised median. A four-foot wide paved shoulder would accommodate bicycle travel throughout the project. The existing design along US 19E has 12 design deficiencies according to current NCDOT design practices. Five deficiencies are horizontal curves and 7 are vertical curves. The Best Fit Alternative would improve these deficiencies throughout the length of the project. Additional right-of-way and the relocation of homes and businesses will be required for the proposed widening. Table 1 includes a summary of all impacts from the proposed Best Fit Alternative. A general location map of the proposed project is included with this public notice. A complete set of project plans is available on the Wilmington District Web Site.

Existing Conditions

Aquatic resources to be impacted by the project include perennial streams, intermittent channels and wetlands. For the Build Alternative, a total of 0.869 acres of wetlands would be impacted by filling and mechanized clearing activities at seven sites ranging in size from 0.006 to 0.743 acres. These potential impacts are listed in Table 2. Wetland types include seasonally flooded areas of palustrine scrub shrub and emergent marsh dominated by early-successional vegetation. These wetlands are generally found within floodplains and on the riparian margins of streams. Wetland vegetation includes red maple, black willow, tag alder, blackberry, smartweed, sedges, jewelweed and soft rush. An estimated 9365 linear feet of stream channel could be impacted by culvert installation, pipe extension or channel relocation at 32 sites. Individual channel impacts range from a potential low of 6 linear feet to a potential high of 3448 linear feet. Streams are both intermittent and perennial and range in size from 2 feet to over 100 feet wide at the South Toe River. Potential stream impacts from the Best Fit Alternative are listed in Table 3. The existing bridge at the South Toe River would be replaced with a new spanning bridge to the south. All wetlands and surface waters on this project are in the Nolichucky River Basin. The applicant proposes to utilize the North Carolina Ecosystem Enhancement Program (NCEEP) to mitigate for unavoidable impacts to waters and wetlands.

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 application for A Section 401 certification will be submitted to the NCDWQ after the LEDPA has been chosen and the final

design plans are available. Additional information regarding the Clean Water Act certification process may be obtained from the NCDWQ Central Office, Transportation Permitting Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260, Attn: Mr. John Hennessy by March 15, 2006.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and has determined that registered properties or properties listed as being eligible of inclusion therein are located within the project area and/or will be affected by the proposed work. The Micaville Historic District is located in the center of the Town of Micaville in Yancey County at the intersection of SR 1186 and NC 80, south of US 19E. Proposed roadway improvements in the Best Fit Alternative are at least 60 feet from the District boundary. The E.W. and Dollie Huskins House is located on US 19E in Yancey County near the Yancey/Mitchell County Line. This site encompasses less than 2 acres of the south side of US 19E containing the house, original storage shed, the non-contributing cinder block garage and lawn area. Improvements to US 19E in the Best Fit Alternative would take place within the existing right of way along the north boundary of the property but would move the fill slope closer to the house. The applicant is proposing landscaping measures to mitigate this effect. Two listed archaeological sites (31YC31 and 31ML80) would also be impacted by the proposed action. The applicant is reviewing avoidance measures as well as potential data recovery excavations for these sites.

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 (ESA), that the proposed project may effect the Federally endangered Appalachian elktoe mussel or its formally designated critical habitat in the South Toe River. Consultation under Section 7 of the ESA will be initiated and no permit will be issued until the consultation process is complete.

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

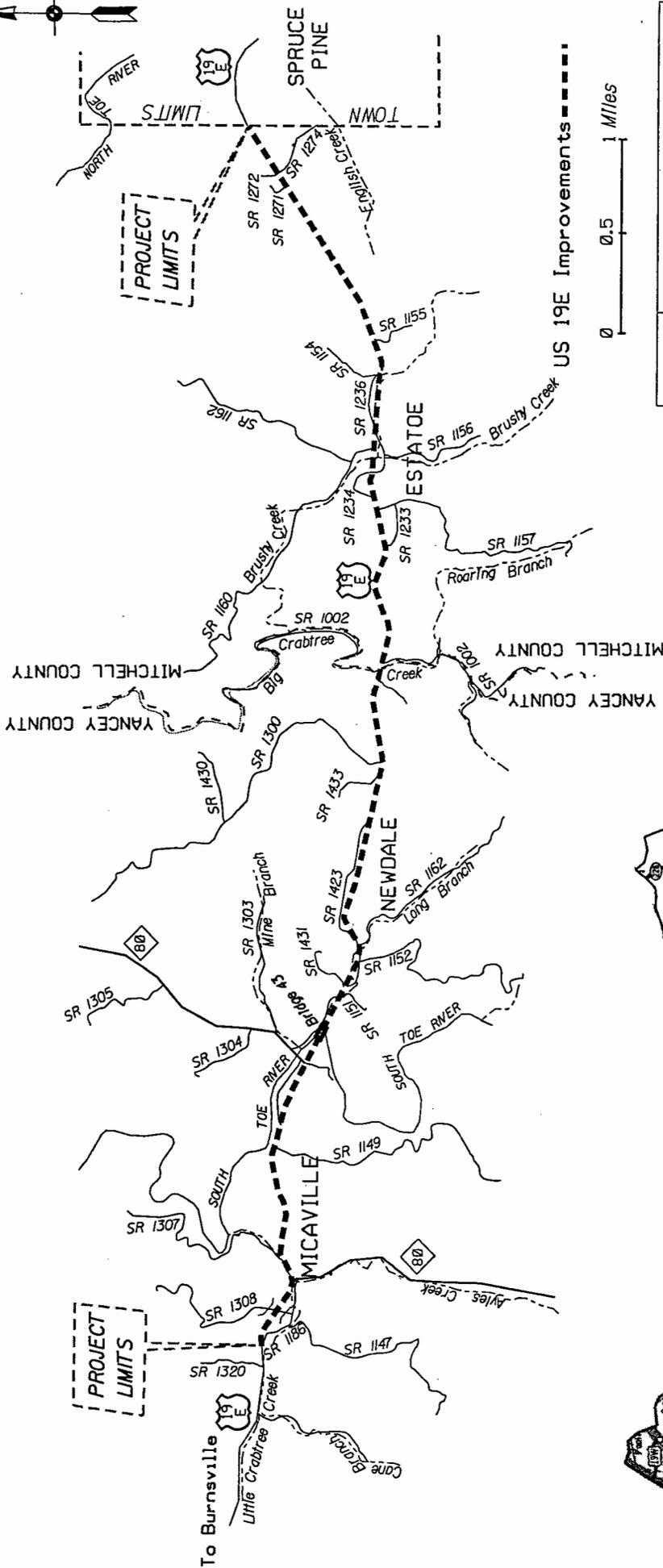
The discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

The Corps is soliciting comments from the public; Federal, State and local agencies and officials; 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.

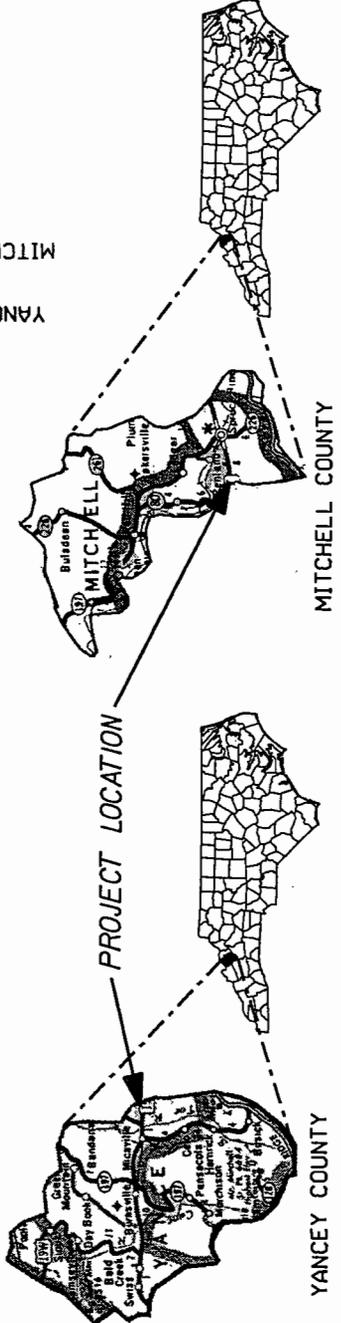
Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, March 22, 2006. Comments should be submitted to Mr. Steven Lund, US Army Corps of Engineers, Asheville Regulatory Field Office, 151 Patton Avenue, Room 208, Asheville, NC 28801-5006.



NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROJECT DEVELOPMENT AND
ENVIRONMENTAL ANALYSIS BRANCH

US 19E IMPROVEMENTS
FROM SR 1186 TO SPRUCE PINE
YANCEY AND MITCHELL COUNTIES
STATE PROJECT NUMBER 690900IT
TIP PROJECT R-2519B

Figure 1 Project Vicinity



PUBLIC NOTICE SHEET 1 OF 4

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REGULATORY
WILM. FLD. OFC.

Table 1
Summary of Impacts

NC DOT
TIP R-2519B

Category	Units	Best Fit Alternate
Length	miles	7.5
Residential Relocations	Total	75
	minority	3
Business Relocations	Total	26
	minority	0
Farm Relocations	Each	0
Total Relocations	Total	101
Non-Profit Relocations	Total	5
Potential Hazardous Mat. Sites	Each	20
Wetlands	acres	0.869
Stream Impacts	linear feet	9365.90
Natural Communities	acres	162.47
Noise	impacted receptors (residence and business)	100
Protected Species	Each	Appalachian elktoe mussel
Historic Architecture	properties	1 (No Adverse Effect)
Archaeology	Sites	2
Air Quality 1-Hour	carbon monoxide (parts per million)	2.0
Construction Cost	Dollars	\$51,200,000
Right of Way Cost	Dollars	\$11,840,400
Total Cost	Dollars	\$63,040,400

National Ambient 1-hour Air Quality Standards: 35 ppm

PUBLIC NOTICE SHEET 2 OF 4

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REGULATORY
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**Table 2
Jurisdictional Wetland Impacts**

NCDOT
TIP R-2519B

Wetland Identification and Map Code	Cowardin Classification	NCDWQ Wetland Rating Score	Overall Wetland Quality	Impact (acres)
5UT2D	PEM1E	35	Medium	0.007
6UT2D	PSS1E	37	Medium	0.743
2DN	PSS1E	33	Medium	0.03
2DM	PEM1E	43	Medium	0.04
1I and 2-II	PEM1E	46	Medium	0.023
UT2BC	PEM1E	28	Low	0.02
1GD	PEM1E	30	Low	0.006
TOTAL				0.869

**Table 3
Jurisdictional Stream Impacts**

Stream Identification	NCDWQ stream Index Number (SIN)	Stream Impact (linear feet)
2A	7-2-52-33	236.20
2UT2A	7-2-52-33	187.54
2B	7-2-52-33	308.34
UT2B	7-2-52-33	14.6
2C	7-2-52-(30.5)	154.49
STR	7-2-52-(30.5)	303.73
3UT STR	7-2-52-(30.5)	345.29
2D	7-2-52-33	3448.77
UT2D	7-2-52-33	153.65
2UT2D	7-2-52-33	95.44
3UT2D	7-2-52-33	232.79
7UT2D	7-2-52-33	101.87
10UT2D	7-2-52-33	12.65
11UT2D	7-2-52-33	5.75
12UT2D	7-2-52-33	119.66
13UT2D	7-2-52-33	95.86
1H	7-2-48	50.73
UT1H	7-2-48	28.91
2UT1H	7-2-48	54.59
1I	7-2-48	700.09
UT1I	7-2-48	78.13
1CC (Crabtree Creek)	7-2-48	230.39
2E	7-2-48-4	228.82
2BC	7-2-48-4	96.41

NCDOT TIP R-2519 B

Stream Identification	NCDWQ stream Index Number (SIN)	Stream Impact (linear feet)
1G and 2-1G	7-2-48-4	1382.95
5UT1G	7-2-48-4	222.58
7UT1G	7-2-48-4	55.99
8UT1G	7-2-48-4	45.77
1B	7-2-42	85.54
1D	7-2-42	82.96
1C	7-2-42	134.36
1Z	7-2-42	71.05
Total Stream Impact		9,365.90

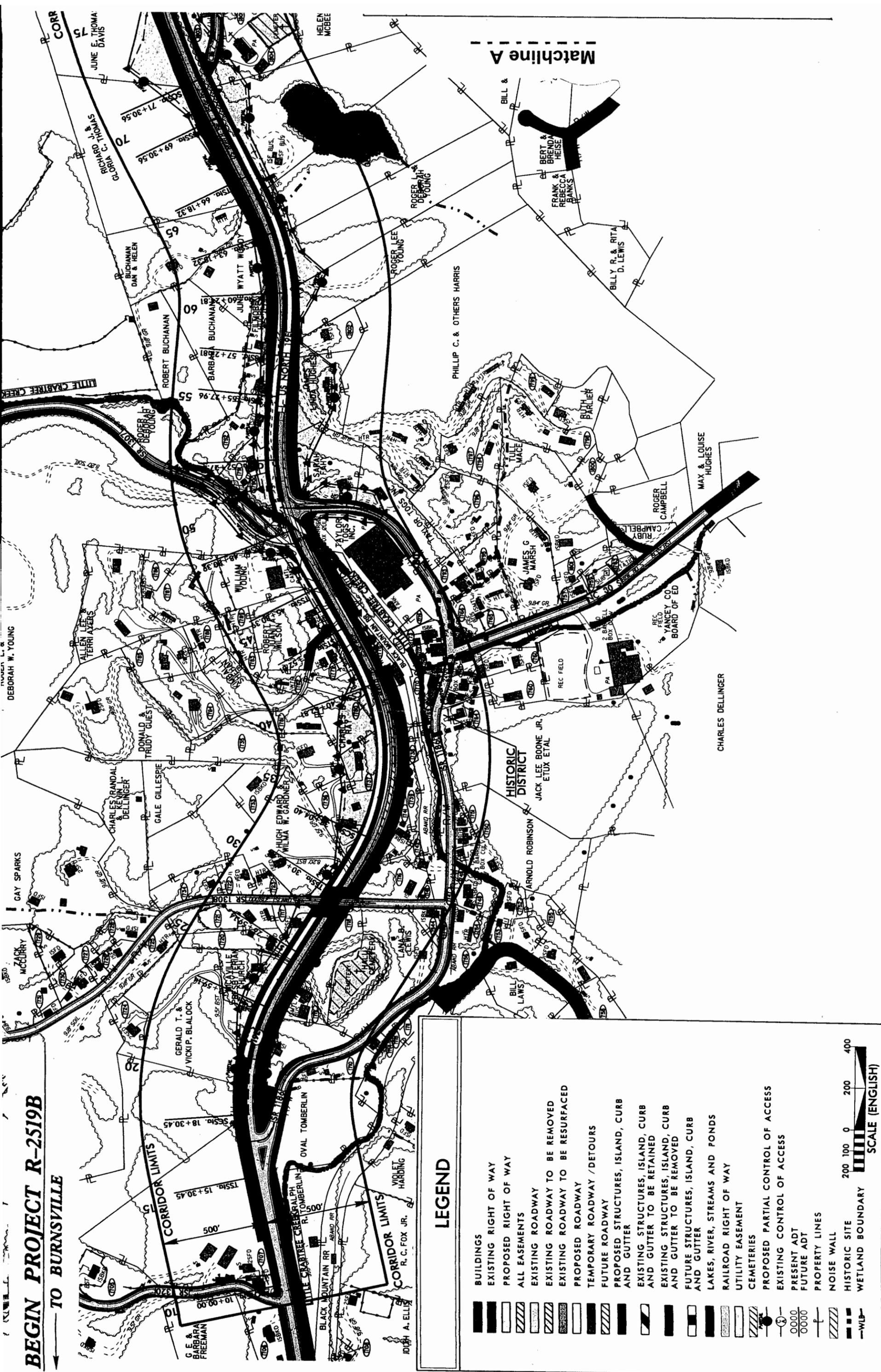
**Table 4
Federally Protected Species Listed for Yancey and Mitchell Counties**

Common Name	Scientific Name	Federal Status*	Biological Conclusion	County
Vertebrates				
Bog turtle	<i>Clemmys muhlenbergii</i>	T(S/A)	Not Applicable	Yancey
Carolina northern flying squirrel	<i>Glaucomys sabrinus coloratus</i>	E	No Effect	Mitchell and Yancey
Eastern cougar	<i>Puma concolor cougar</i>	E	No Effect	Yancey
Indiana bat	<i>Myotis sodalis</i>	E	Not Likely to Adversely Affect	Mitchell
Virginia big-eared bat	<i>Corynorhinus (=Plecotus) townsendii virginianus</i>	E	No Effect	Yancey
Invertebrates				
Appalachian elktoe	<i>Alasmidonta raveneliana</i>	E	Will Adversely Affect	Mitchell and Yancey
Spruce-fir moss spider	<i>Microhexura montivaga</i>	E	No Effect	Mitchell
Vascular Plants				
Blue Ridge goldenrod	<i>Solidago spithamea</i>	T	No Effect	Mitchell
Heller's blazing star	<i>Liatris helleri</i>	T	No Effect	Mitchell
Roan Mountain bluet	<i>Houstonia montana</i> (= <i>Hedyotis purpurea</i> var. <i>montana</i>)	E	No Effect	Yancey
Spreading avens	<i>Geum radiatum</i>	E	No Effect	Yancey
Virginia spiraea	<i>Spiraea virginiana</i>	T	Not Likely to Adversely Affect/ Unresolved	Mitchell and Yancey
Nonvascular Plants				
Rock gnome lichen	<i>Gymnoderma lineare</i>	E	No Effect	Mitchell and Yancey

*E - Endangered, T - Threatened, T(S/A) - Threatened due to similarity of appearance.

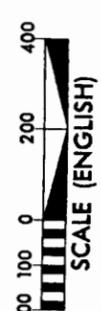
PUBLIC NOTICE SHEET 4 OF 4

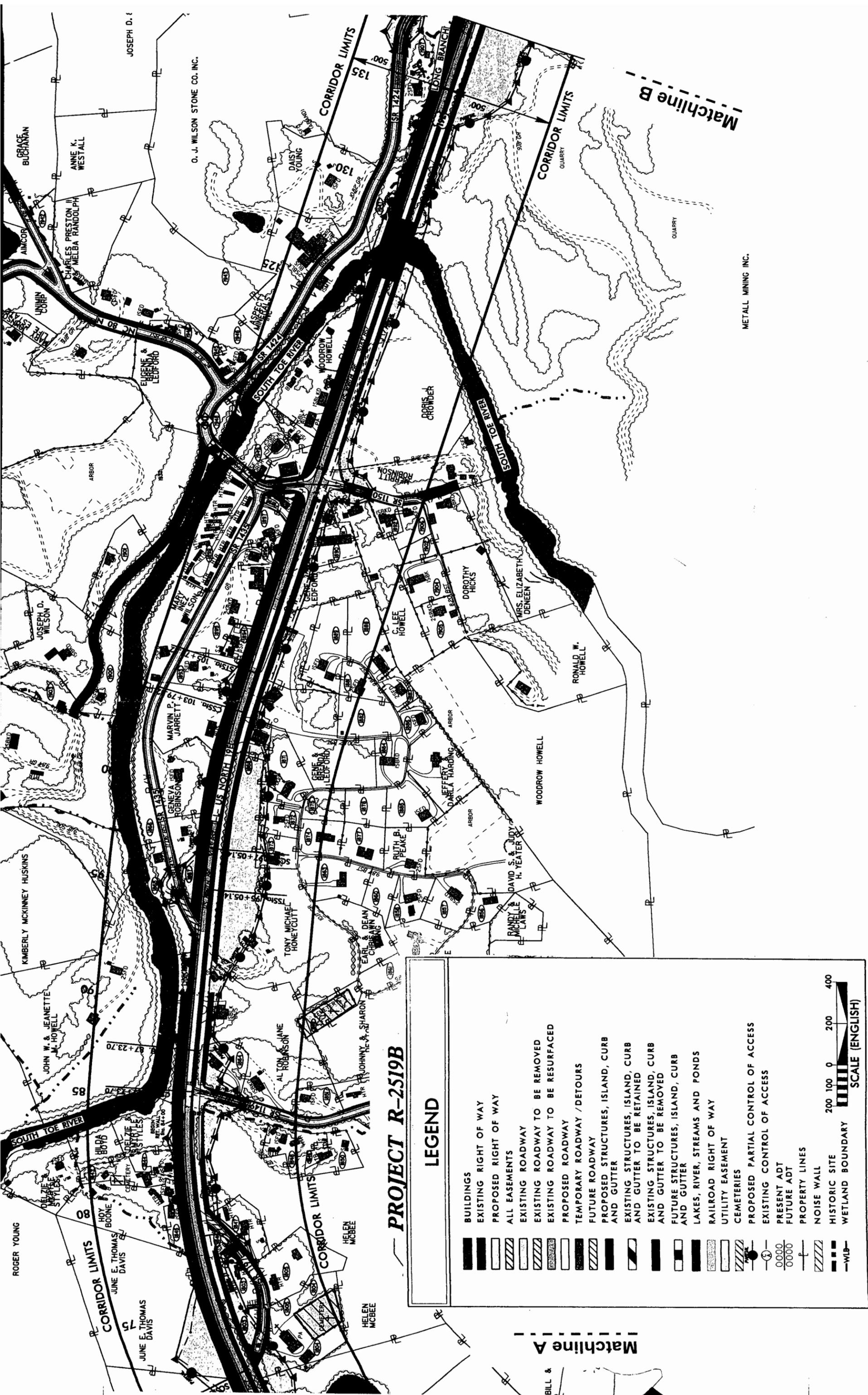
BEGIN PROJECT R-2519B
TO BURNSVILLE



LEGEND

- BUILDINGS
- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- ALL EASEMENTS
- EXISTING ROADWAY
- EXISTING ROADWAY TO BE REMOVED
- EXISTING ROADWAY TO BE RESURFACED
- PROPOSED ROADWAY
- TEMPORARY ROADWAY / DETOURS
- FUTURE ROADWAY
- PROPOSED STRUCTURES, ISLAND, CURB AND GUTTER
- EXISTING STRUCTURES, ISLAND, CURB AND GUTTER TO BE RETAINED
- EXISTING STRUCTURES, ISLAND, CURB AND GUTTER TO BE REMOVED
- FUTURE STRUCTURES, ISLAND, CURB AND GUTTER
- LAKES, RIVER, STREAMS AND PONDS
- RAILROAD RIGHT OF WAY
- UTILITY EASEMENT
- CEMETERIES
- PROPOSED PARTIAL CONTROL OF ACCESS
- EXISTING CONTROL OF ACCESS
- PRESENT ADT
- FUTURE ADT
- PROPERTY LINES
- NOISE WALL
- HISTORIC SITE
- WETLAND BOUNDARY
- W-LP





PROJECT R-2519B

LEGEND

	BUILDINGS
	EXISTING RIGHT OF WAY
	PROPOSED RIGHT OF WAY
	ALL EASEMENTS
	EXISTING ROADWAY
	EXISTING ROADWAY TO BE REMOVED
	EXISTING ROADWAY TO BE RESURFACED
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	FUTURE STRUCTURES, ISLAND, CURB AND GUTTER
	LAKES, RIVER, STREAMS AND PONDS
	RAILROAD RIGHT OF WAY
	UTILITY EASEMENT
	CEMETERIES
	PROPOSED PARTIAL CONTROL OF ACCESS
	EXISTING PARTIAL CONTROL OF ACCESS
	PRESENT ADT
	FUTURE ADT
	PROPERTY LINES
	NOISE WALL
	HISTORIC SITE
	WETLAND BOUNDARY

Matchline A

BILL &

METALL MINING INC.

Matchline B

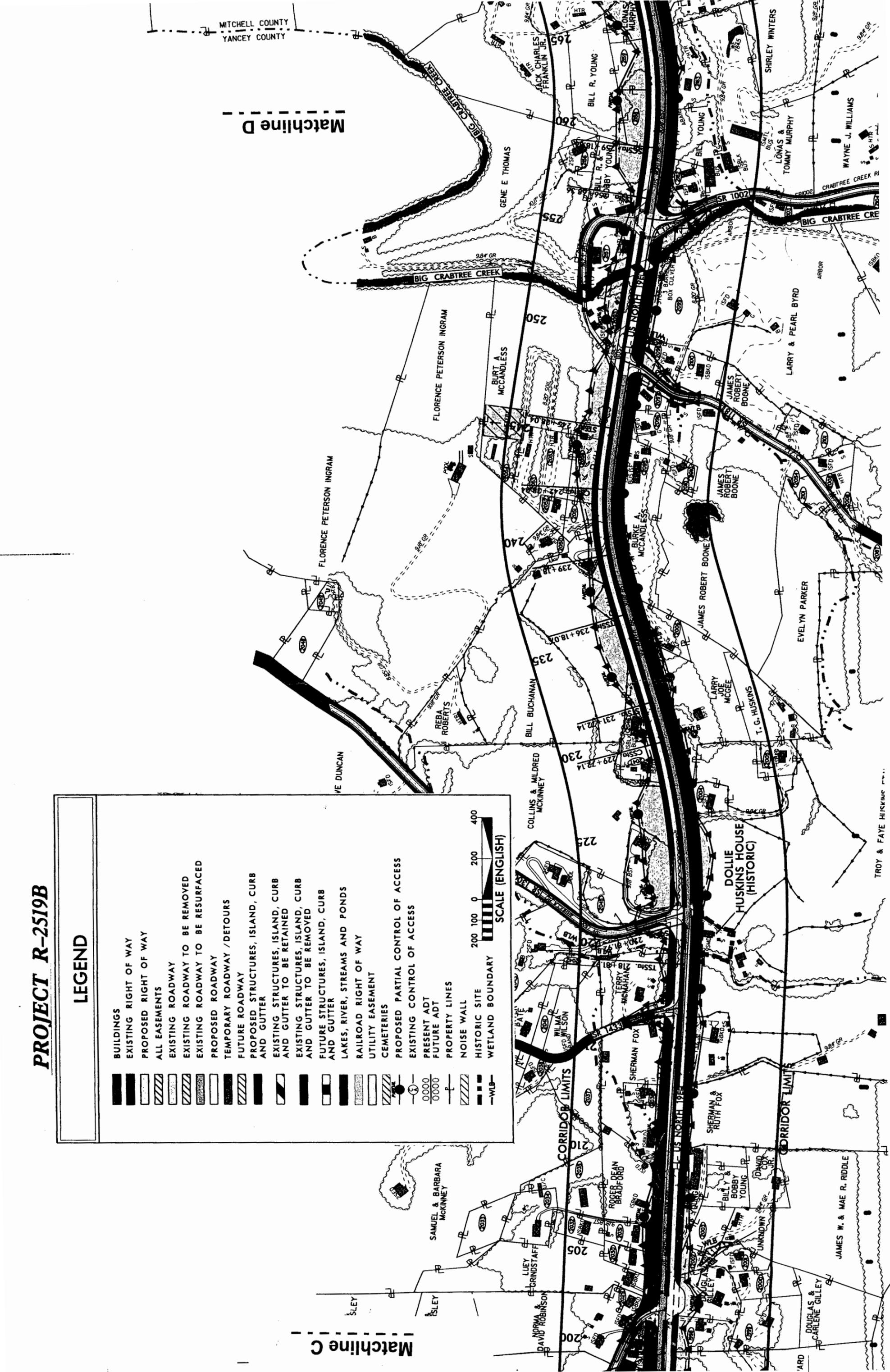


SCALE (ENGLISH)

PROJECT R-2519B

LEGEND

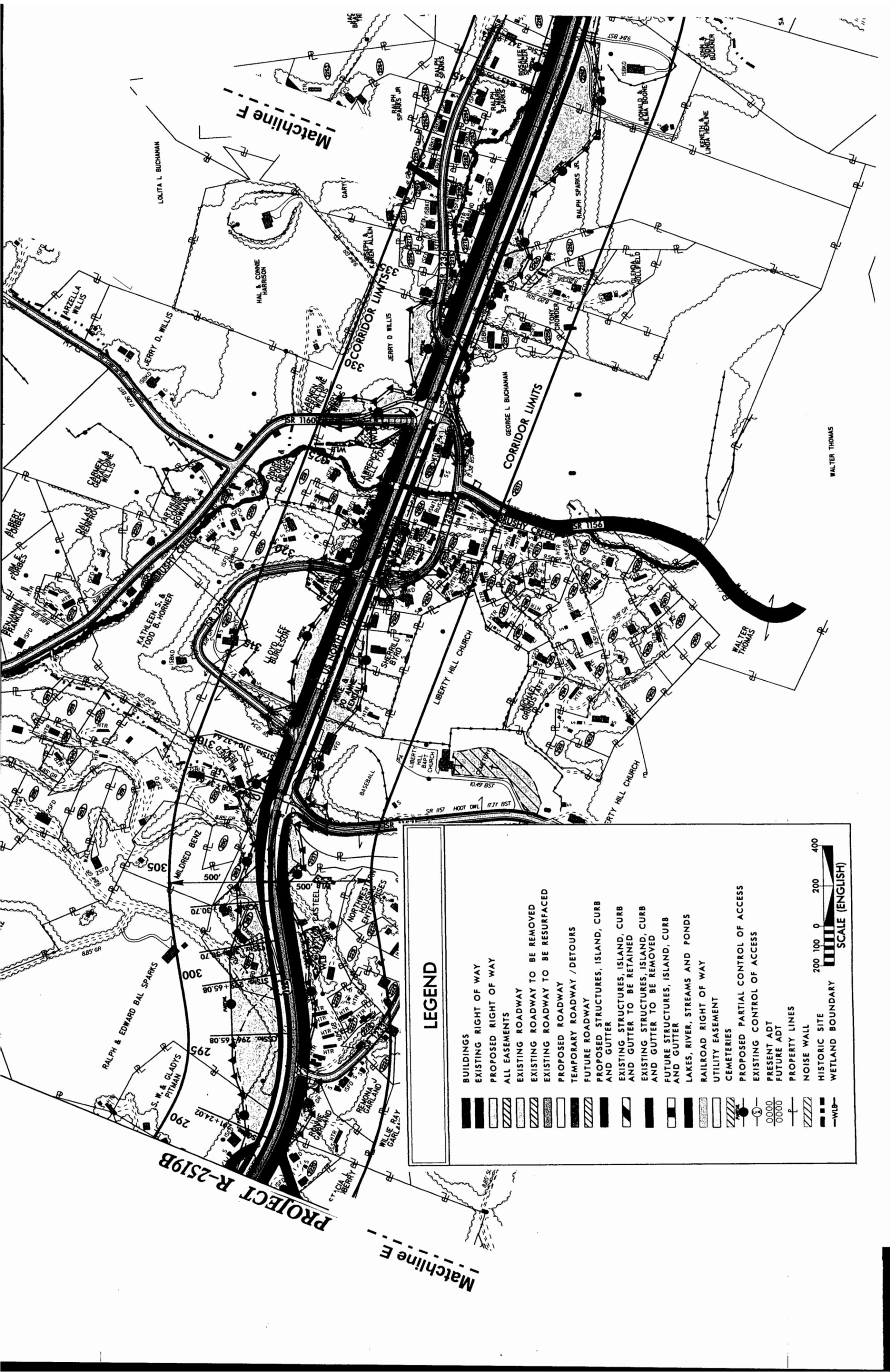
-  BUILDINGS
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-  PRESENT ADT
-  FUTURE ADT
-  PROPERTY LINES
-  NOISE WALL
-  HISTORIC SITE
-  WETLAND BOUNDARY



Matchline D

Matchline C

MITCHELL COUNTY
YANCEY COUNTY



LEGEND

	BUILDINGS
	EXISTING RIGHT OF WAY
	PROPOSED RIGHT OF WAY
	ALL EASEMENTS
	EXISTING ROADWAY
	EXISTING ROADWAY TO BE REMOVED
	EXISTING ROADWAY TO BE RESURFACED
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	WETLAND BOUNDARY
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SCALE (ENGLISH)

WALTER THOMAS

PROJECT R-2519B

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