

US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: August 24, 2007
Comment Deadline: September 10, 2007
Corps Action ID #: SAW-2007-02093

The Wilmington District, Corps of Engineers (Corps) has received an application from the North Carolina Department of Transportation (NCDOT), seeking Department of the Army authorization to impact 576 linear feet of stream channels exhibiting important aquatic functions, and 81 linear feet of stream channels lacking important aquatic functions associated with the construction of a new rest area off US 421 near Wilkesboro, Wilkes 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: North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, NC 27699

Authority

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

Location

The 22-acre site for the proposed rest station is located to the north of US 421 between NC Highway 115 and NC Highway 18, near Wilkesboro, Wilkes County, North Carolina. The proposed project site contains unnamed stream channels that flow into Little Cub Creek, a tributary of the Yadkin River Basin (HUC 03040101). Latitude and Longitude in Decidegrees of the proposed site is 36.1344° N. and 81.1224° W.

Existing Site Conditions

The existing site conditions for the proposed project contain five jurisdictional stream channels, all of which are unnamed tributaries to Little Cub Creek in the Yadkin River Basin. Four of the five streams were determined to exhibit important aquatic functions

and were rated as perennial by the North Carolina Division of Water Quality (DWQ). The fifth stream was found to lack important aquatic functions and was rated intermittent by DWQ. No designated Outstanding Resource Waters, High Quality Waters, Water Supply I, Water Supply II, or 303(d) waters occur within 1.0 mile of the project site. No wetlands were found on site. The site is primarily composed of forested land adjacent to US 421.

A U.S. Army Corps of Engineers (Corps) jurisdictional determination has been completed for the proposed site and has verified the aquatic features listed above.

Applicant's Stated Purpose

The project purpose is to replace the old rest station bypassed by the construction on the new US 421.

Project Description

The proposed activity would involve the construction of a new rest station. This would include the creation of entrance and exit ramps, deceleration and acceleration lanes, associated buildings, and all required utilities.

Impacts to streams rated perennial and exhibiting important aquatic functions occur at Sites I, II, III, and IV on the accompanying maps and are associated with the ramps and deceleration lane. Impacts to the intermittent stream occur on the acceleration lane and are also found on Site I on the attached maps. The proposed impacts are a result of extending the existing culverts under US 421, or the placement of new culverts.

A Programmatic Categorical Exclusion (CE) was approved by the Federal Highway Administration (FHWA) on February 24, 2006. A revised CE has been sent to the FHWA and will be distributed to the regulatory agencies upon approval. No additional impacts to jurisdictional waters are expected from the revised CE than are reflected within this Public Notice.

To mitigate for all unavoidable impacts to jurisdictional features, the applicant has proposed payment into the North Carolina Ecosystem Enhancement Program (NCEEP).

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 combined with appropriate application fee at the North Carolina Division of Water Quality central office in Raleigh will constitute initial receipt of an application for a 401 Water Quality 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: Mr. John Hennessy by September 10, 2007.

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 within the project area 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 of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate 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 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.

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, September 10, 2007. Comments should be submitted to Monte Matthews, Raleigh Regulatory Field Office, 6508 Falls of Neuse Road, Suite 120, Raleigh, North Carolina 27615.

See Sheet 1-A For Index of Sheets
See Sheet 1-B For Conventional Symbols

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

WILKES COUNTY

LOCATION: NEW REST AREA - NORTHBOUND US 421
WEST OF NC 115

TYPE OF WORK: GRADING, PAVING, AND DRAINAGE

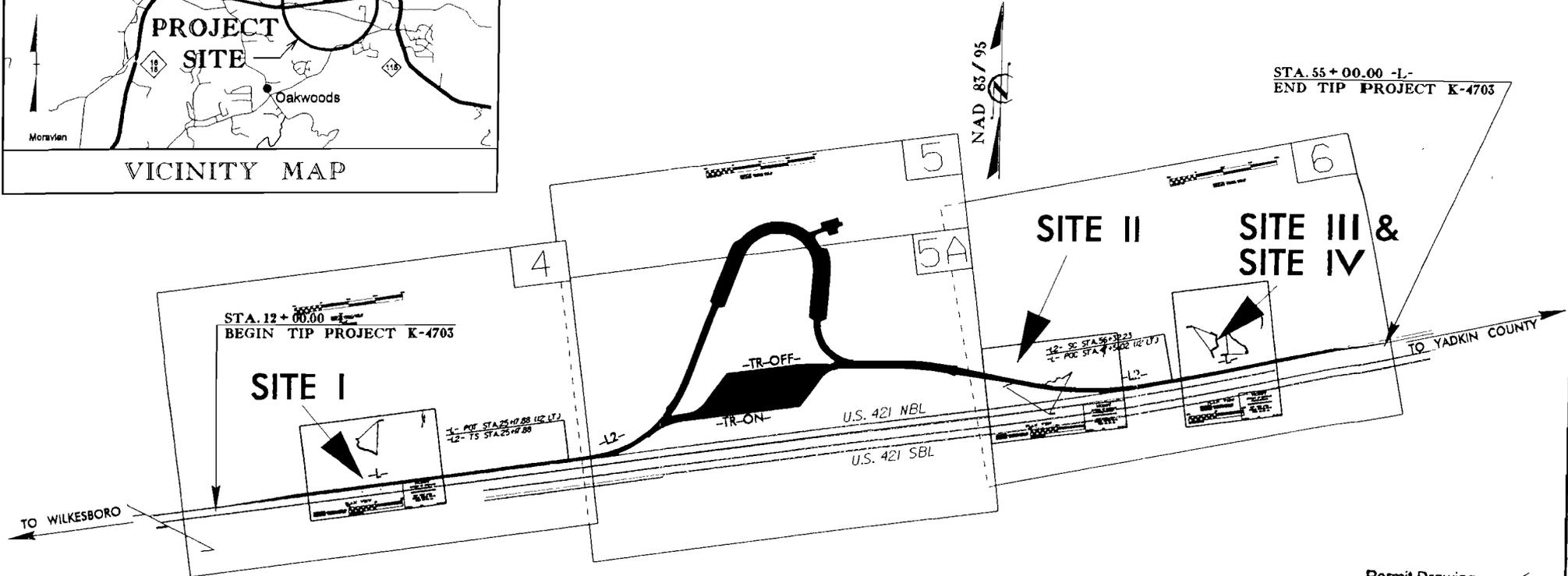
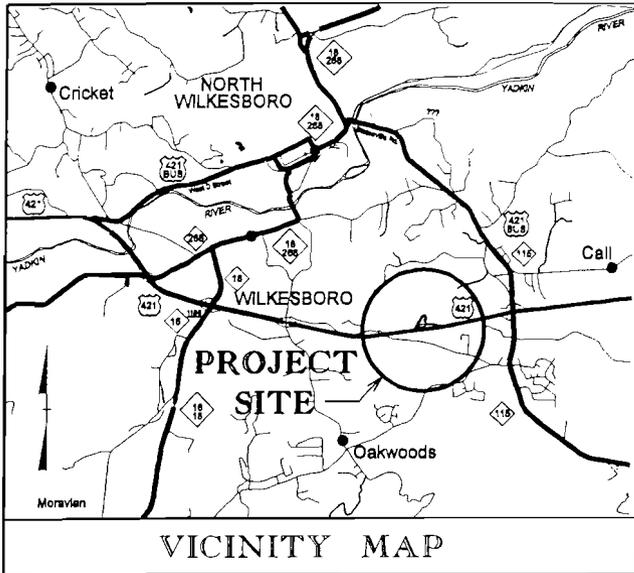
STATE	PROJECT INFORMATION NO.	SHEET NO.	TOTAL SHEETS
N.C.	K-4703	1	
STATE PROJECT NO.	F.A. NUMBER	DESCRIPTION	
36401.1.1	NHS-421(32)	PE	

RECEIVED

AUG 8 2007

RALEIGH REGULATORY FIELD OFFICE

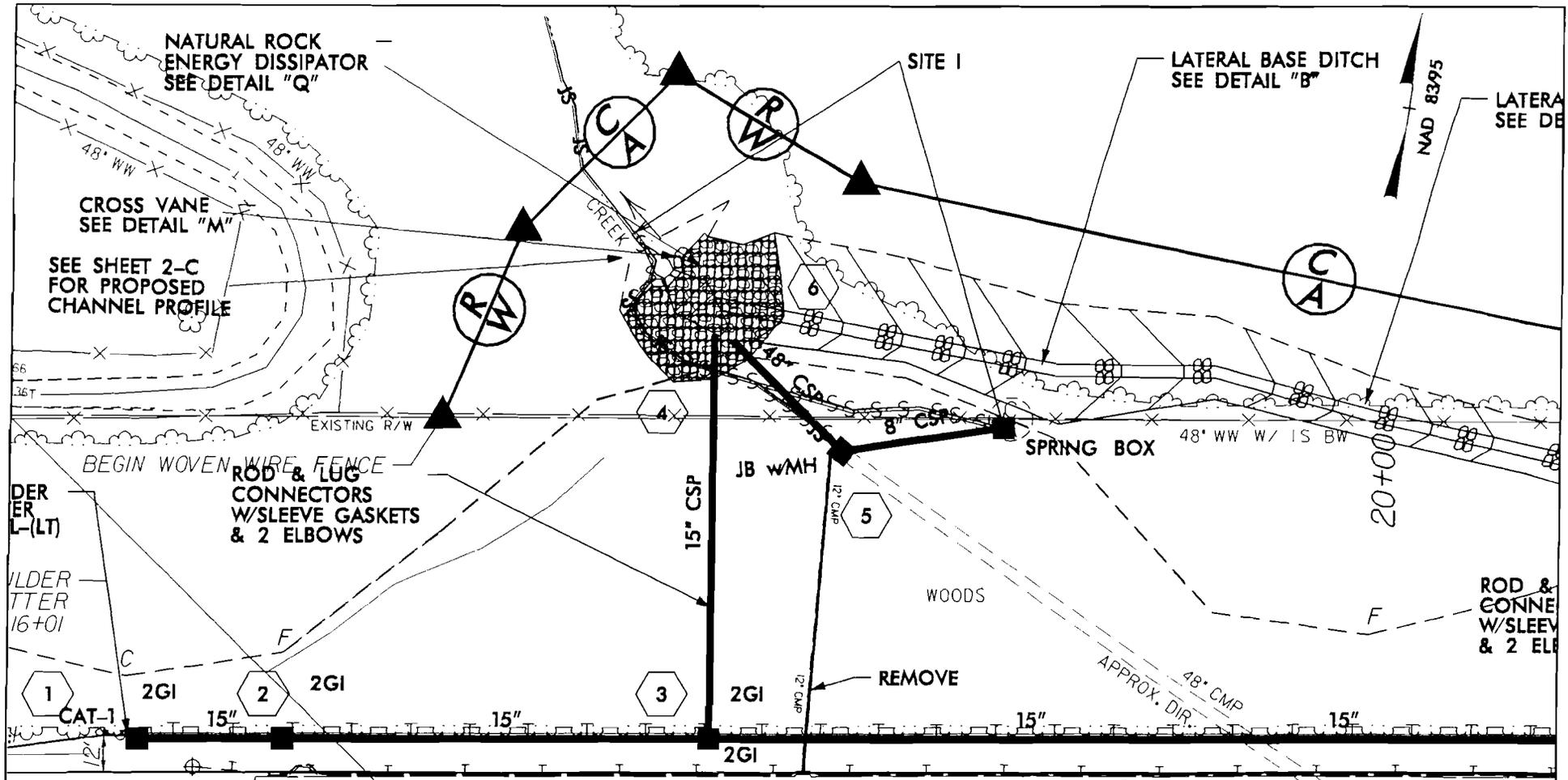
WETLAND PERMIT
DRAWINGS 01/09/07



THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES
NOTE: CLEARING ON THIS PROJECT SHOULD BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD _____

Permit Drawing
Sheet 1 of 4

<p>GRAPHIC SCALES</p> <p>50' 25' 0' 50' 100'</p> <p>PLANS</p> <p>50' 25' 0' 50' 100'</p> <p>PROFILE (HORIZONTAL)</p> <p>10' 5' 0' 10' 20'</p> <p>PROFILE (VERTICAL)</p>	<p>DESIGN DATA</p> <p>ADT 2007 = 1000 ADT 2030 = 1500 DHV = 11 % D = 100 % T = 32 % V = 20MPH FUNC. CLASS. = REST AREA * TTST 28% DUAL 4%</p>	<p>PROJECT LENGTH</p> <p>LENGTH ROADWAY TIP PROJECT K-4703 = 0.981 MILES TOTAL LENGTH OF TIP PROJECT K-4703 = 0.981 MILES</p>	<p>Prepared in the Office of: DIVISION OF HIGHWAYS 1000 Birch Ridge Dr. Raleigh, NC 27610</p> <p>2006 STANDARD SPECIFICATIONS</p> <p>RIGHT OF WAY DATE: N/A</p> <p>LETTING DATE: SEPTEMBER 18, 2007</p> <p>ROGER D. THOMAS, P.E. PROJECT ENGINEER</p> <p>MICHAEL W. LITTLE, P.E. PROJECT DESIGN ENGINEER</p>	<p>HYDRAULICS ENGINEER</p> <p>ROADWAY DESIGN ENGINEER</p> <p>PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION</p> <p>INCOMPLETE PLANS DO NOT USE FOR STATE APPROPRIATION</p>	<p>DIVISION OF HIGHWAYS STATE OF NORTH CAROLINA</p>  <p>STATE HIGHWAY DESIGN ENGINEER</p>
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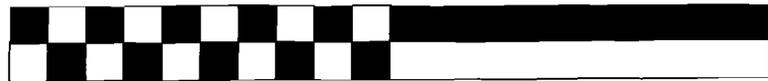


PLAN VIEW

50' 0' 50'



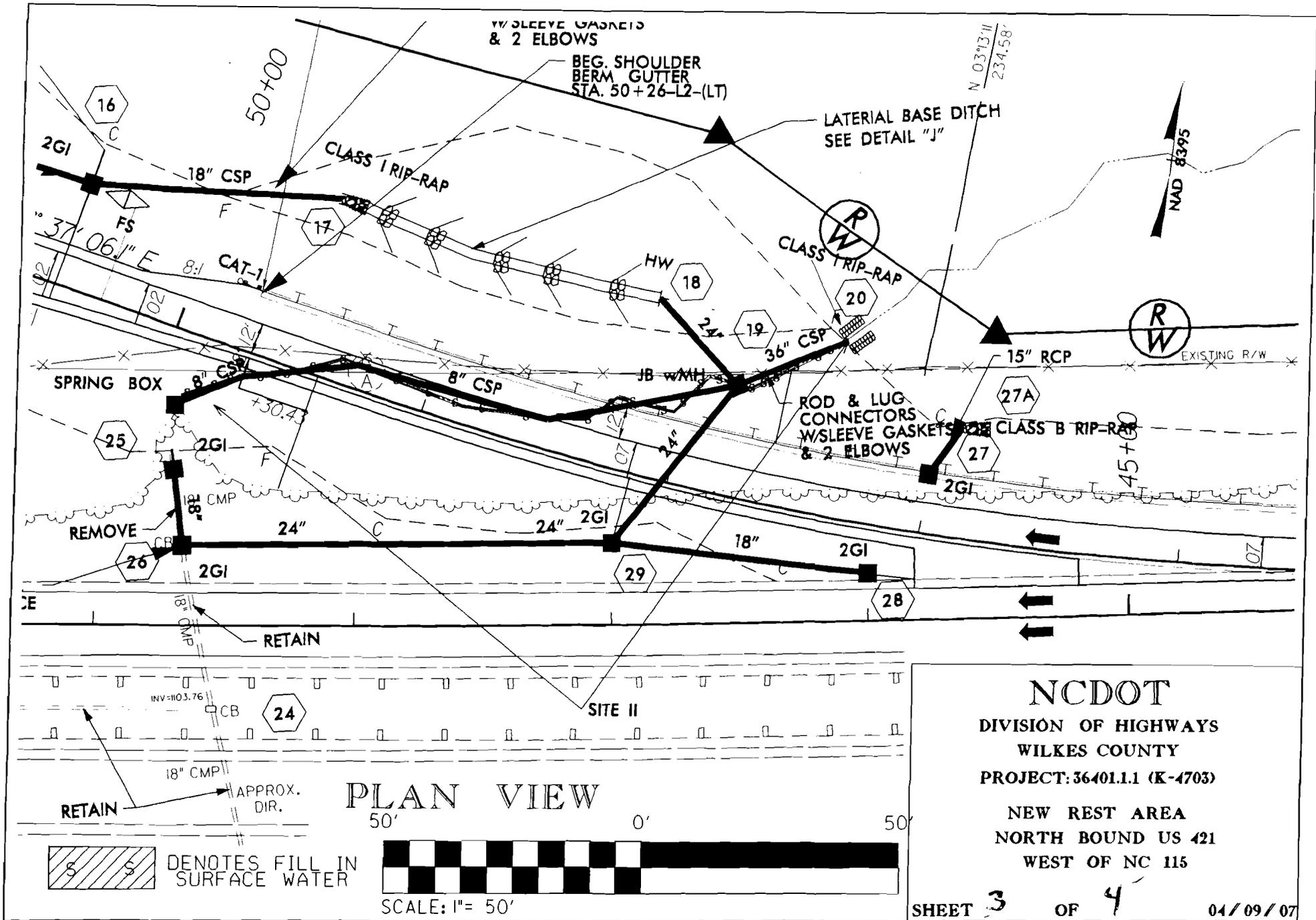
DENOTES FILL IN SURFACE WATER



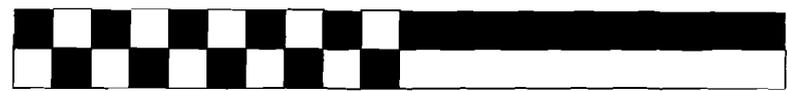
SCALE: 1" = 50'

NCDOT
 DIVISION OF HIGHWAYS
 WILKES COUNTY
 PROJECT: 36401.1.1 (K-4703)
 NEW REST AREA
 NORTH BOUND US 421
 WEST OF NC 115

SHEET **2** OF **4** REV. 05 / 21 / 07
 04 / 09 / 07



PLAN VIEW



SCALE: 1" = 50'

 DENOTES FILL IN SURFACE WATER

NCDOT
 DIVISION OF HIGHWAYS
 WILKES COUNTY
 PROJECT: 36401.1.1 (K-4703)
 NEW REST AREA
 NORTH BOUND US 421
 WEST OF NC 115

SEE SHEET 2-C
FOR PROPOSED
CHANNEL PROFILE

CROSS VANE
SEE DETAIL "M"

SITE III

CONSTRUCTED RIFFLE
SEE DETAIL "N"

ROCK SEAL
SEE DETAIL "N"

NATURAL ROCK
ENERGY DISSIPATOR
SEE DETAIL "Q"

15" CSP

REMOVE 12' OF
EXIST. PIPE

SITE IV
COLLAR AND EXTEND

CLASS 1 RIP RAP

ED
JB w/MH

REMOVE

REMOVE

U.S. 421 NBL

60" CMP

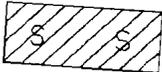
RETAIN

U.S. 421 SBL

15" RCP
APPROX.
DIR.

42" CMP
APPROX.
DIR.

PLAN VIEW



DENOTES FILL IN
SURFACE WATER

50'

0'

50'



SCALE: 1" = 50'

NCDOT

DIVISION OF HIGHWAYS
WILKES COUNTY

PROJECT: 364011.1 (K-4703)

NEW REST AREA
NORTH BOUND US 421
WEST OF NC 115

SHEET 4

OF 4

REV 7/16/07

04/09/07

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