



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: January 19, 2007
Comment Deadline: February 19, 2007
Corps Action ID #: SAW-2007-154-189

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 impact 0.677 acres of jurisdictional wetlands associated with the proposed road improvements to 0.8 miles of NCSR 1110 (Old Columbia Road) in Tyrrell 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
113 Airport Drive, Suite 100
Edenton, North Carolina 27932

AGENT (if applicable): Mr. Clay Willis
North Carolina Department of Transportation
113 Airport Drive, Suite 100
Edenton, North Carolina 27932

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

Location

The proposed project is located on NCSR 1110 (Old Columbia Road) along a 0.8 mile section of unapproved (gravel) roadway between NCSR's 1111 and 1112, adjacent to jurisdictional wetlands connected to the Scuppernong River, southwest of Columbia, Tyrrell County, North Carolina. The project is located in the Pasquotank River Basin, Hydrologic Unit 03010205. Latitude 35.9027291N, Longitude 76.2898357W

Existing Site Conditions

Land use in the project area is primarily low-density residential, farmland and undeveloped woodland. Land use to the north of the existing road is primarily agricultural while the land south of the roadway is primarily undeveloped forested wetlands. The topography in the study area is characterized as flat. The study area is located in the Coastal Plain physiographic province of North Carolina.

Applicant's Stated Purpose

The purpose of this project is to upgrade an existing gravel secondary road to a roadway design that can function properly with an increase in traffic volume.

Project Description

The project is identified as TIP # R-4452. The following description of work is taken from data provided by the applicant. The applicant has proposed to fill 0.447 acres and excavate 0.23 acres of jurisdictional wetlands to widen a 0.8 mile section of existing gravel road from 16-18 foot wide to a paved surface of 24 feet wide with 5-6 foot shoulders. The fill in wetlands will serve as the roadbed for the road improvement and the excavation in wetlands will be for drainage ditches running parallel with the road. The road has been realigned to the north through much of the project in an effort to reduce impacts to wetlands. The road shoulder in wetland areas on the southern side of the roadway was reduced to 5 feet from 6 feet to reduce wetland impacts. Where feasible roadside ditches in wetlands were eliminated. The road is being improved to handle increased traffic volumes in case traffic on US Highway 64 has to be routed along this road. Overall plans showing the location of the proposed construction and impact sites are included with this public notice. Additional detailed plans and findings for the project, including NCDOT's April 2004, Natural Resources Technical Report, may be reviewed at the U.S. Army Corps of Engineers Regulatory Field Office at 107 Union Drive, Suite 202, Washington, North Carolina 27889.

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 Transportation Permitting 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 February 12, 2007.

The applicant has not provided to the Corps, a certification statement that his/her proposed activity complies with and will be conducted in a manner that is consistent with the approved North Carolina Coastal Zone Management Program. Pursuant to 33 CFR 325.2(b)(2), the Corps can not issue a permit for the proposed work until the applicant submits such a certification to the Corps and the North Carolina Division of Coastal Management (NCDCM), and the NCDCM notifies the Corps that it concurs with the applicant's consistency certification.

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

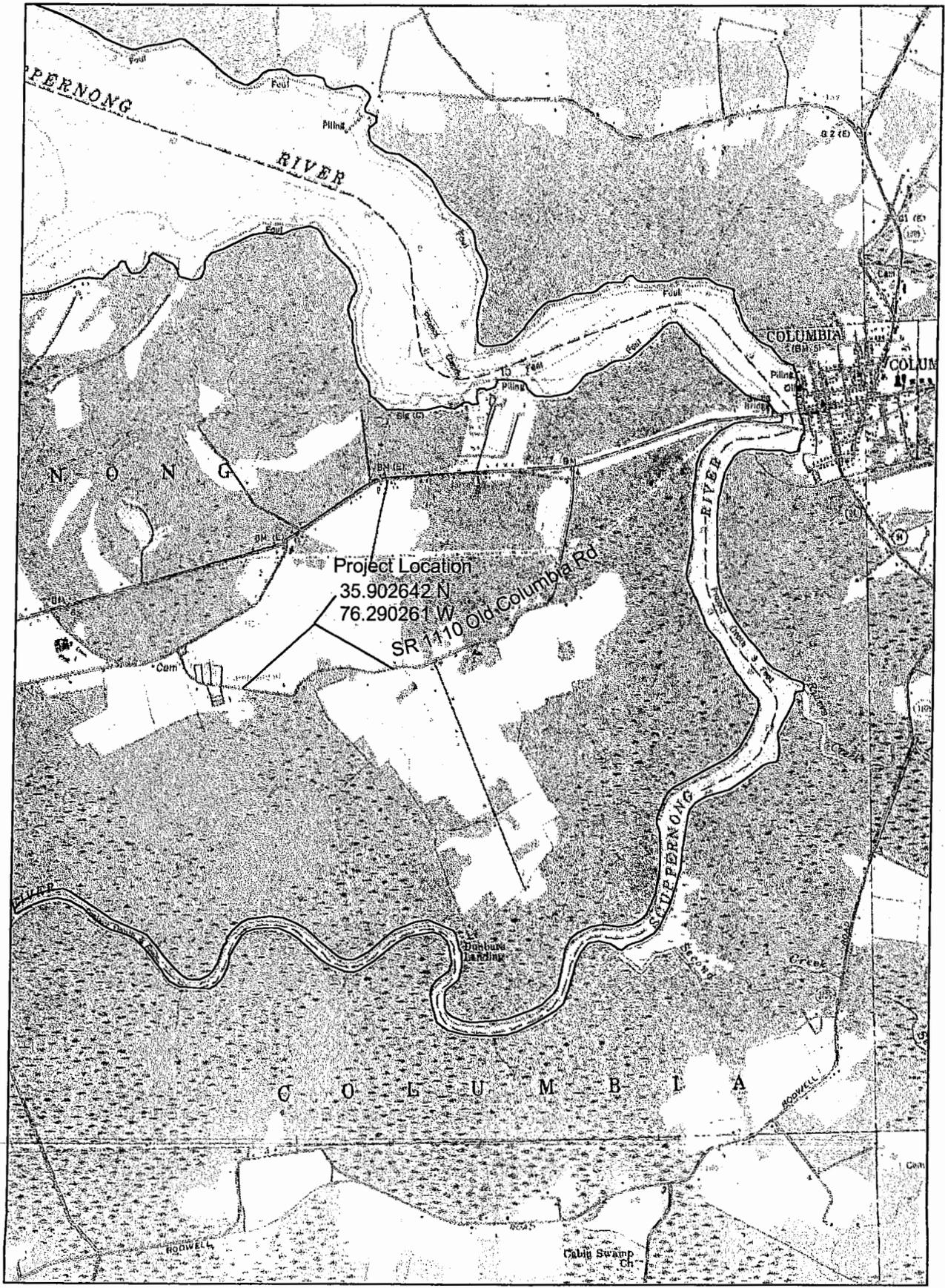
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably 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, February 19, 2007. Comments should be submitted to:



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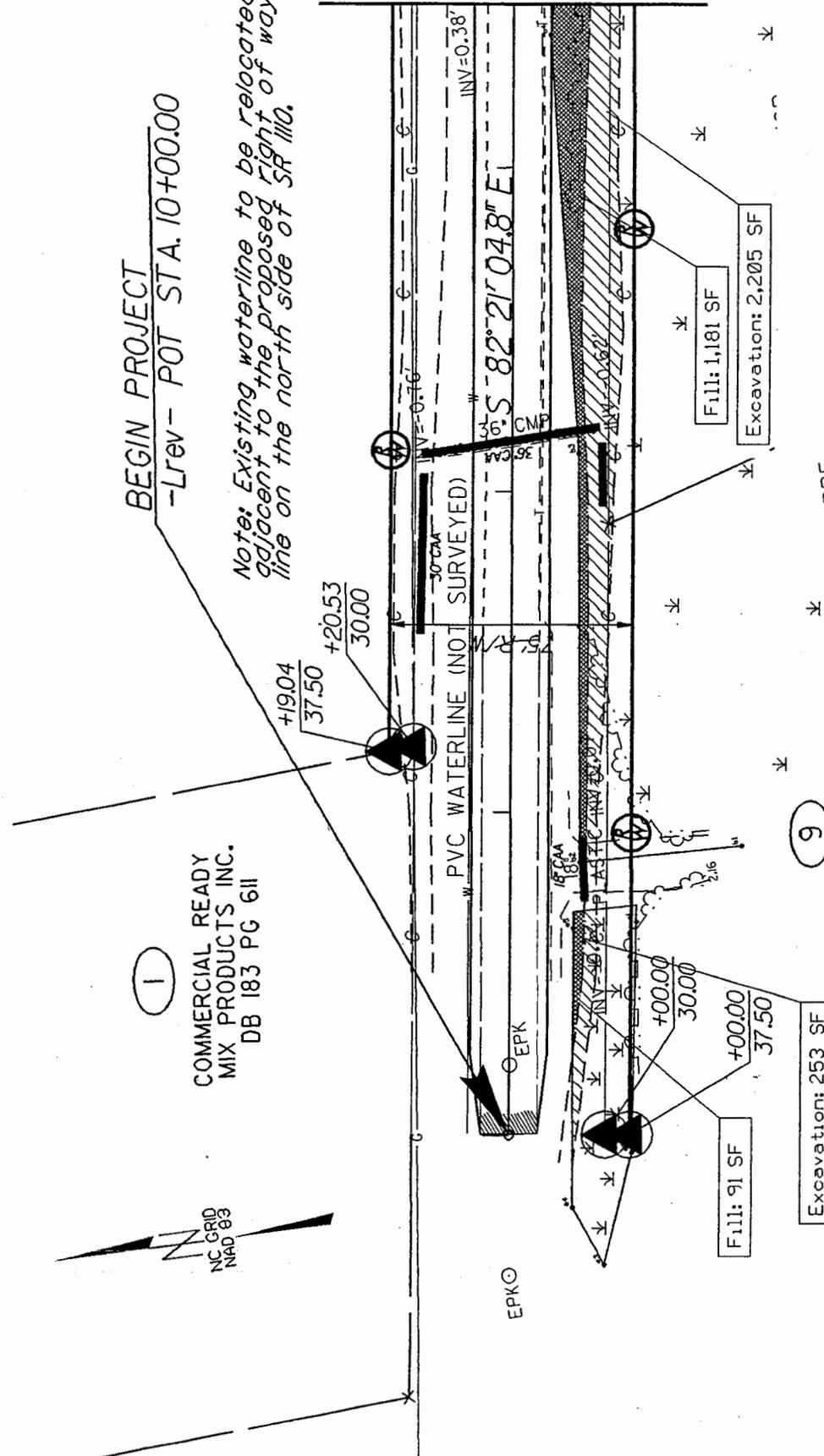


COMMERCIAL READY
MIX PRODUCTS INC.
DB 183 PG 611

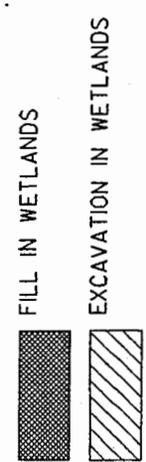
BEGIN PROJECT
-Lrev- POT STA. 10+00.00

Note: Existing waterline to be relocated
adjacent to the proposed right of way
line on the north side of SR 1110.

MATCHLINE
- Lrev - Sta 13+50.00



9
NOTE: PVC WATERLINE SHOWN PER JOHNNIE SPENCER- TYRRE



SCALE

N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS

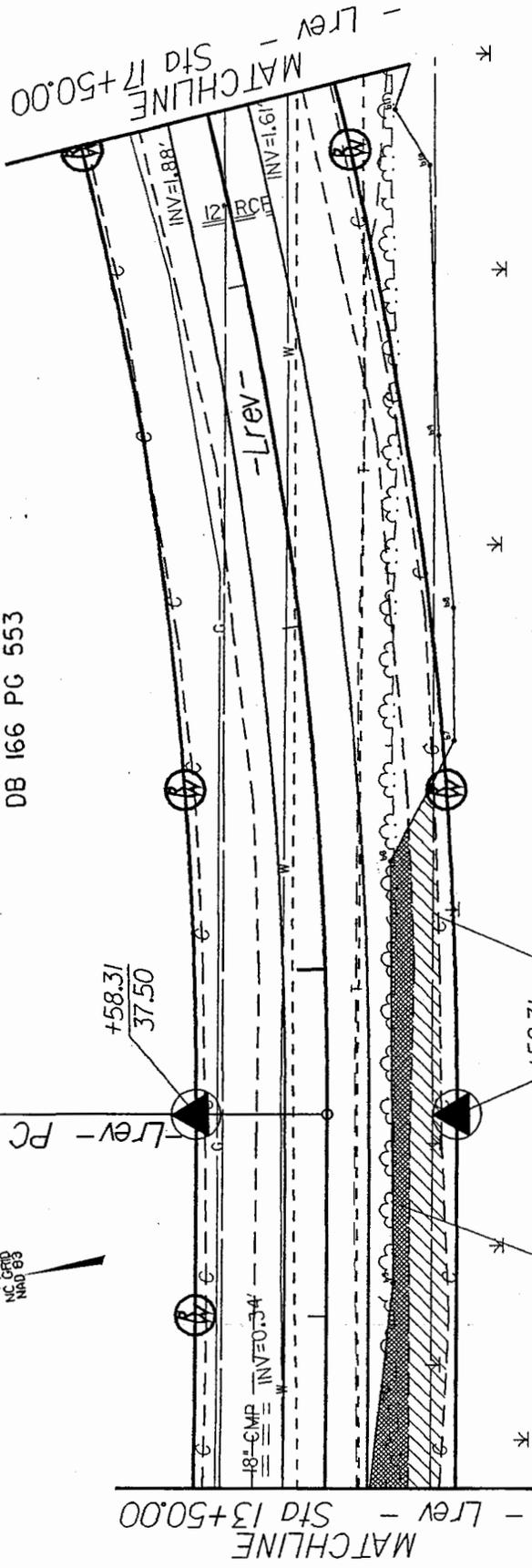
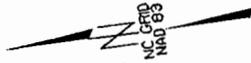
TYRRELL COUNTY
PROJECT: R-4452
SR 1110 - OLD COLUMBIA RD.

Note: Existing waterline to be relocated adjacent to the proposed right of way line on the north side of SR 1110.

2

THOMAS W. &
PATRICIA H. SPRUILL
DB 166 PG 553

Lrev - PC STA. 14+58.2



Excavation: 1,820 SF

Fill: 1,139 SF

+58.31
37.50

+58.31
37.50

FILL IN WETLANDS

EXCAVATION IN WETLANDS



SCALE

10

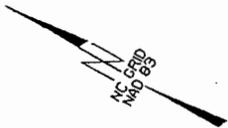
N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS

TYRRELL COUNTY

PROJECT: R-4452

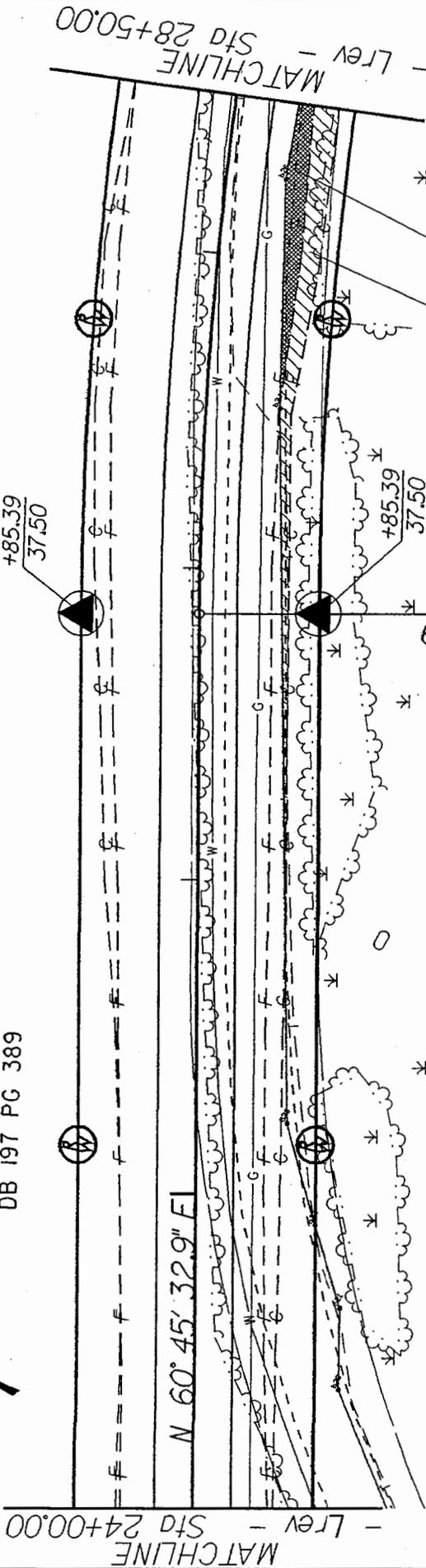
SR 1110 - OLD COLUMBIA RD.

Note: Existing waterline to be relocated adjacent to the proposed right of way line on the north side of SR 1110.



3

ASHLEY E. SPRUILL
DB 197 PG 389



-L'ev - PC STA. 26+85.39

Excavation: 865 SF

Fill: 402 SF

BOBBY M. PHELPS
DB 193 PG 2

FILL IN WETLANDS
EXCAVATION IN WETLANDS



SCALE

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DIVISION OF HIGHWAYS

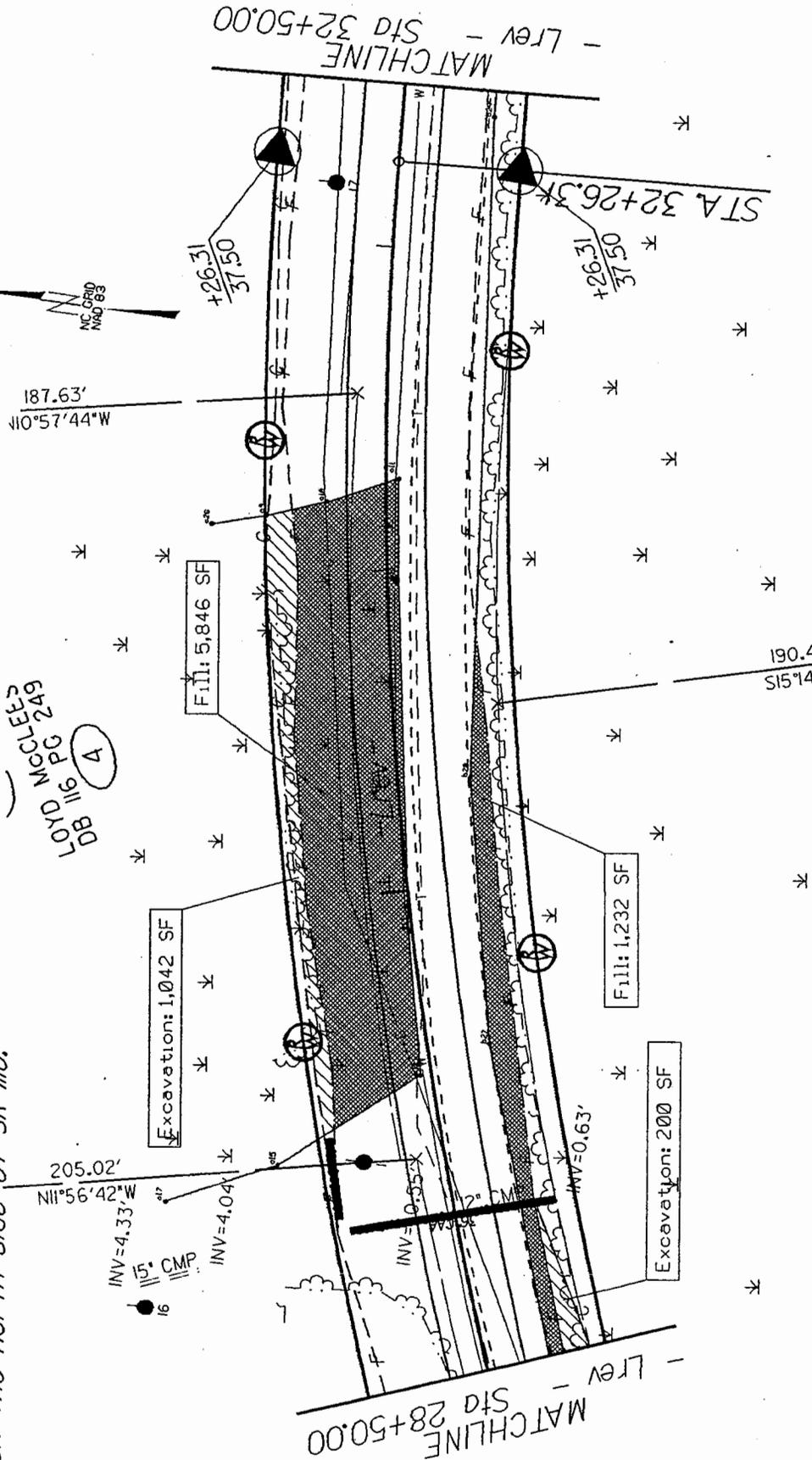
TYRRELL COUNTY

PROJECT: R-4452

SR 1110 - OLD COLUMBIA RD.

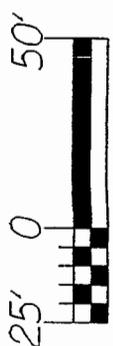
Note: Existing waterline to be relocated adjacent to the proposed right of way line on the north side of SR 1110.

LOUIS MCCLEES
DB 11 9 PG 249
A

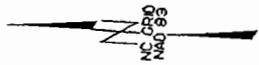


N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
TYRRELL COUNTY
PROJECT: R-4452
SR 1110 - OLD COLUMBIA RD.
SHEET 4 OF 6 09/07/06

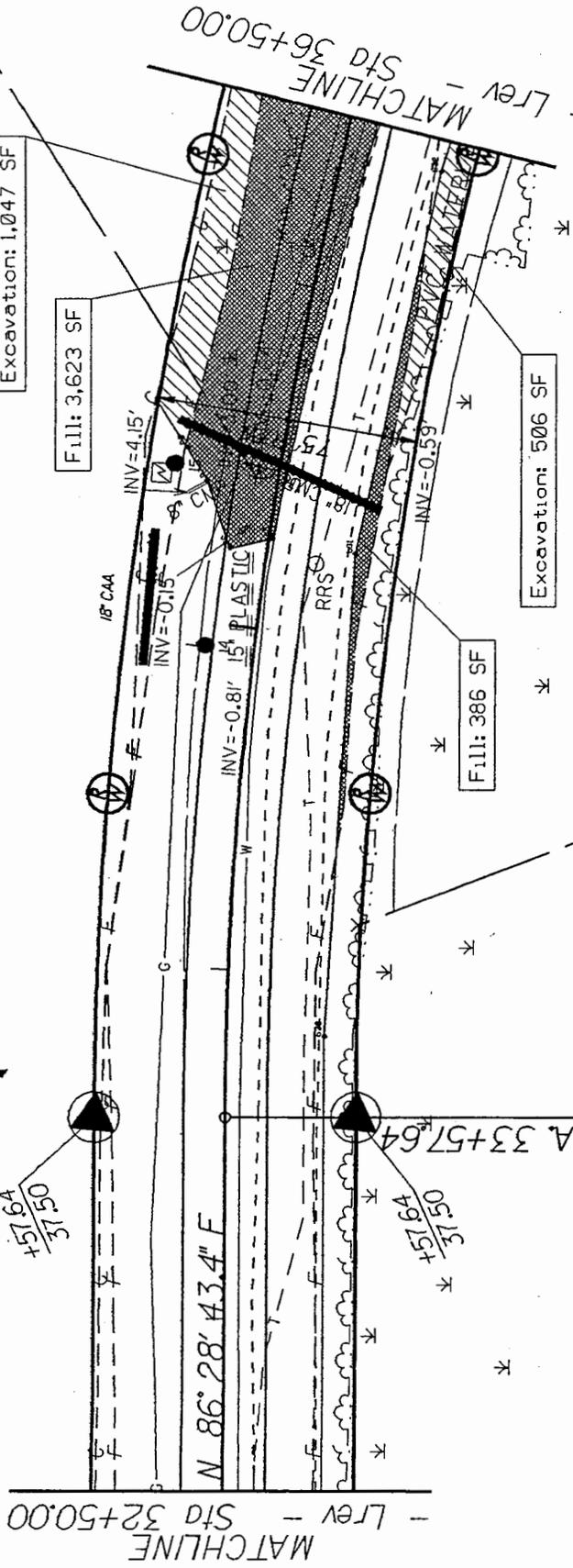
FILL IN WETLANDS
EXCAVATION IN WETLANDS



SCALE



Note: Existing waterline to be relocated adjacent to the proposed right of way line on the north side of SR 1110.

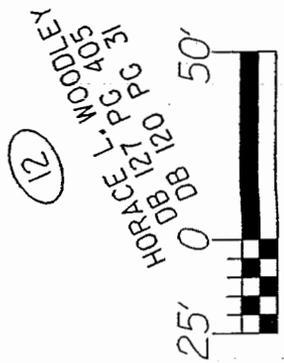


Excavation: 1,047 SF

Fill: 3,623 SF

Excavation: 506 SF

Fill: 386 SF



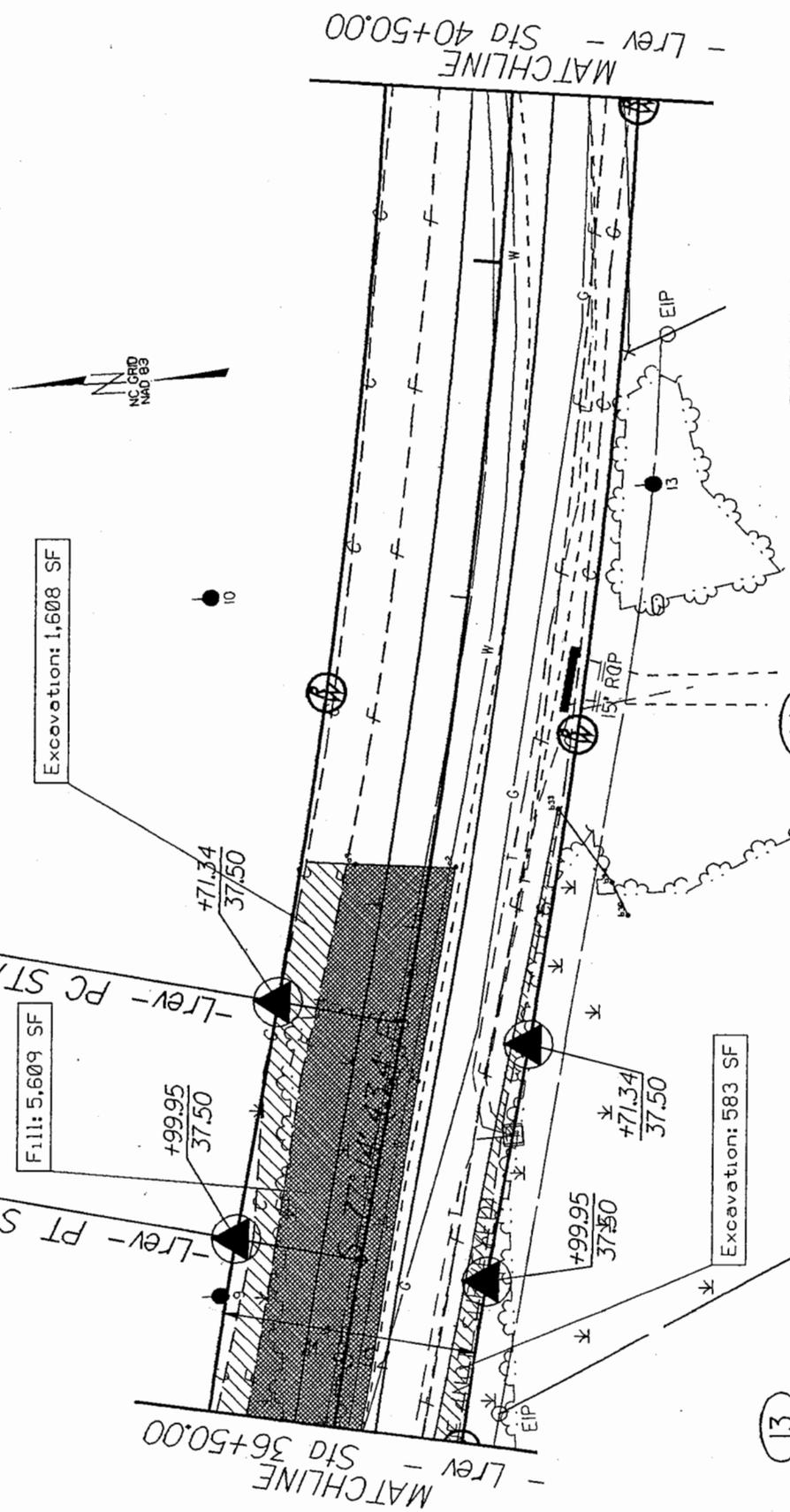
N. C. DEPT. OF TRANSPORTATION
 DIVISION OF HIGHWAYS

TYRRELL COUNTY

PROJECT: R-4452

SR 1110 - OLD COLUMBIA RD.

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Excavation: 1,608 SF

Fill: 5,609 SF

Excavation: 583 SF

THOMAS A. JR. &
SANDIE L. KILIAN
DB 194 PG 119
PB C PG 20

LISA MCCUISTON
3 180 PG 925
PB C PG 20



N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS

TYRRELL COUNTY

PROJECT: R-4452

SR 1110 - OLD COLUMBIA RD.