



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: January 23, 2007

Comment Deadline: February 22, 2007

Corps Action ID #: SAW-1992-3237, TIP Project No. R-2303

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 Waters of the United States, including wetlands, for the purpose of constructing the proposed improvements to NC 24. The project would begin 2.8 miles east of I-95 at Fayetteville, Cumberland County, traverse west-east through Sampson County, and terminate at I-40 at Warsaw, Duplin County, North Carolina.

Specific information regarding the project is provided 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
N.C. Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Authority

In order to more fully integrate Section 404 of the Clean Water Act (33 U.S.C. 1344) 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 Federal Highway Administration Environmental Assessment (EA). 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 alternatives to select the least environmentally damaging practicable alternative (LEDPA). The District Commander is not authorizing the construction of the proposed roadway at this time. A final Department of the Army permit could be issued, it 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 approximately 38 mile proposed project would begin 2.8 miles east of I-95 at Fayetteville, Cumberland County, traverse west-east through Sampson County, and terminate at I-40 at Warsaw, Duplin County, North Carolina.

The study corridors are located within the Cape Fear River Basin, Hydrologic Unit 03030006; sub-basin 03-06-18 including the South River and Big Swamp and their tributaries, sub-basin 03-06-19 includes Little Coharie Creek, Bearskin Swamp, Moccasin Branch, Great Coharie Creek, Six Runs Creek, and Buckhall Creek and their tributaries. Potentially affected jurisdictional areas include wetlands, streams, and open waters. Mid-point site coordinates are 34.9539N, -78.4882W.

Background

A feasibility study was completed in September 1988 and the project was programmed in the 1988-1996 Transportation Improvement Program (TIP) as a critical connector. The Intrastate Corridor Trust Fund Program and Highway Trust Fund Law of 1989 mandated that NC 24 be improved to a multilane facility. The NC 24 Intrastate Corridor was established in 1991-1997 TIP link to Charlotte, Fayetteville, and Jacksonville with the port in Morehead City, and to provide improved military access between Fort Bragg/Pope Air Force Base and Camp Lejeune.

Following NCDOT environmental studies in 1989, a Draft Environmental Impact Statement (DEIS) was signed in 1994; however, the Federal Highway Administration (FHA) rescinded this DEIS due to a change in the project study concept and a need to update environmental impact data with current environmental laws and regulations.

The new DEIS, which documents the study of the Upgrade Alternative and the No-Build Alternative, was signed by NCDOT and FHWA on May 31, 2006. A copy of this document is available for viewing at the U.S. Army Corps of Engineers Wilmington Regulatory Field Office, 69 Darlington Avenue, Wilmington, North Carolina.

Applicant's Stated Purpose

The stated purpose of the proposed project is to improve highway capacity and safety on NC 24.

Project Description

The proposed project involves a combination of widening, new location segments, bypasses of towns and communities (Stedman, Autryville, Roseboro, Snow Hill, Bonnetsville, Clinton, Moltonville, and Turkey), and improving approximately 40 miles of NC 24 to create a four lane divided facility from 2.8 miles east of I-95 to I-40.

The alternatives under consideration are Upgrade alternatives consisting of combinations of widening and new location sections. Some portions of the project include only one alternative, while other segments include multiple alternative routes. The widening portions would have

partial control of access, while new location segments would have limited control of access. Most intersections would be at-grade. Maps depicting the alternatives being considered for this project and impacts associated with each are attached to this public notice.

Existing Conditions

The study area trends east –west through the center of Cumberland, Sampson and Duplin Counties and existing land use is predominantly rural and agricultural, with some low-density residential development. It is located within the Coastal Plain Physiographic Province and has characteristic flat to gentle topography, with elevations between 75 and 150 feet above mean sea level. The South River, Little Coharie Creek, Bearskin Swamp, Great Coharie Creek, and Six Runs Creek are the primary waterways in the study area and all are part of the tributary system of the Cape Fear River. Jurisdictional wetlands include palustrine and riverine systems. The riverine wetlands are associated with South River, Big Swamp, Little and Great Coharie Creeks, Six Runs Creek, Buckhall Creek, Carltons Mill Run, and Bakers Branch. Beaver activity is also present in some of the riverine systems.

The primary natural plant community occurring in the study area is mixed pine/hardwood forest, with some coastal plain small stream swamp. According to the United States Department of Agriculture Soil Surveys for Cumberland, Sampson and Duplin Counties, the area is underlain by Norfolk-Goldsboro-Rains, Johnston, Waygram-Autryville-Blanton, Aycock-Exum-Grantham, Johnston-Bibb, Goldsboro-Norfolk, Kenansville-Waygram, Rains-Lynchburg-Goldsboro, and Johnston-Bibb-Lumbee soil units. Of those, Johnston, Bibb, Rains, Grantham soils are poorly to very poorly drained, hydric soils.

There are several municipalities within the study area to include the Town of Stedman (Cumberland County), Autryville, Roseboro, Snow Hill, Bonnettsville, Clinton and Turkey (Sampson County).

Other Required Authorizations

Water Quality Certification

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 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.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places, as well as reviewed the information submitted by the applicant, and has determined that registered properties, or properties listed as being eligible for inclusion therein are located within the study area. These properties include the Maxwell House, Autryville School, George Washington Bullard House, J.T. Kennedy House, Stedman Historic District as well as three eligible archaeological sites. Potential impacts to these properties, or any other registered properties, or properties listed as being eligible for inclusion on the latest published version of the National Register of Historic Places, identified during the review of this project, will be coordinated, as appropriate, with the State Historic Preservation Office (SHPO). Consultation of the National Register is the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of any other such resources. 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. There are seven Federally listed species for Cumberland, Sampson and Duplin Counties: red cockaded woodpecker (*Picoides borealis*), American alligator (*Alligator mississippiensis*), Saint Francis' satyr butterfly (*Neonympha mitchellii francisci*), pondberry (*Lindera melissifolia*), rough-leaved loosestrife (*Lysimachia asperulaefolia*), Michaux's sumac (*Rhus michauxii*), and American chaffseed (*Schwalbea Americana*). Pursuant to the Endangered Species Act (ESA) of 1973 and depending on the alternative selected for the proposed project, formal consultation with the United States Fish and Wildlife Service may be required. No permit will be issued until the requirements of Section 7 of the ESA have been satisfied.

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, February 22, 2007. Comments should be submitted to Ms. Jennifer Frye, U.S. Army Corps of Engineers, Wilmington Regulatory Field Office, Post Office Box 1890, Wilmington 28402.

Table 4
Summary of Impacts to Jurisdictional Areas

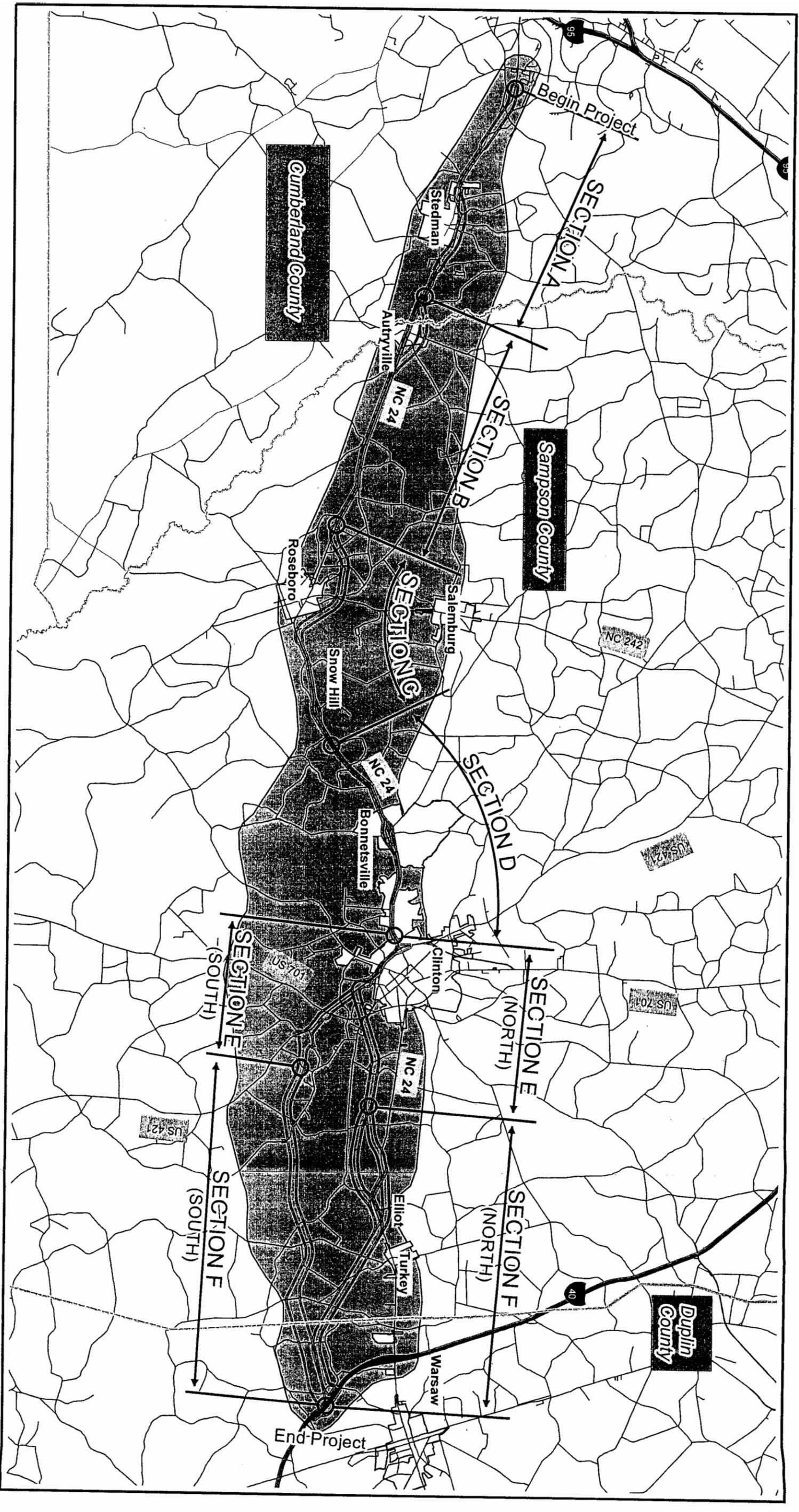
Segment	WETLANDS (ACRES)			STREAMS (LF)			Ponds (acres)
	Mitigable	Bridged	Total	Perennial	Intermittent	Total	
A1	5.221	0.000	5.221	0	0	0	1.150
A2	0.519	0.000	0.519	0	0	0	2.100
A3	0.123	0.000	0.123	0	489	489	0.274
A4	0.401	0.000	0.401	0	271	271	0.000
B1A	1.195	3.471	4.666	0	147	147	4.400
B1B	2.796	2.475	5.271	0	248	248	7.450
B2	3.353	0.308	3.661	0	74	74	0.000
B3	0.712	0.000	0.712	169	87	256	2.550
C1	3.715	0.000	3.715	225	535	760	22.038
C2	1.679	0.161	1.840	0	0	0	0.000
C3 ¹	0.733	0.000	0.733	43	0	43	3.523
C4A	0.968	0.000	0.968	236	37	273	0.000
C4B	0.903	0.000	0.903	256	164	420	0.000
C4C	0.670	0.000	0.670	144	166	310	0.000
C5	0.821	0.051	0.872	0	150	150	0.000
D1	2.942	0.000	2.942	0	253	253	0.000
D2	0.880	0.000	0.880	266	251	517	0.000
D3A	2.660	0.000	2.660	0	230	230	0.000
D3B	1.113	0.000	1.113	179	360	539	0.000
D3C	1.692	0.000	1.692	26	224	250	0.209
D4	1.295	1.065	2.360	0	0	0	0.000
D5	0.028	0.000	0.028	0	32	32	0.000
E1	1.663	0.000	1.663	68	217	285	0.000
E2	8.094	0.000	8.094	407	1,261	1,668	5.060
E3	1.903	0.000	1.903	305	1,472	1,777	0.000
F1A	7.109	2.369	9.478	411	0	411	0.000
F1B	15.418	0.584	16.002	292	267	559	0.000
F1C	7.109	2.369	9.478	411	0	411	0.000
F2	13.091	0.000	13.091	252	533	785	0.000
F3	4.432	0.615	5.047	0	307	307	0.000
F4	4.651	1.718	6.369	417	1,393	1,810	0.600
F5	16.865	0.000	16.865	884	791	1,675	0.000
Range of Impacts ^{1,2}	50.482 - 71.544	5.259 - 8.040	57.256 - 76.803	1,866 - 2,812	4,868 - 6,789	6,951 - 9,599	36.635 - 44.354

¹ Wetland total for Segment C3 has decreased slightly from the total included in the DEIS, due to exclusion of a pond from the wetland total. DEIS impact values are therefore slightly conservative. Since Segment C3 is a sole alternate, use of the higher DEIS values would not skew decision-making for the LEDPA. Nevertheless, the value is corrected herein.

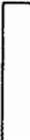
² Minimum or maximum in each category, so individual categories do not add up to total minimum or maximum values.

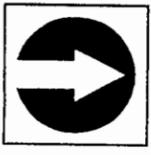
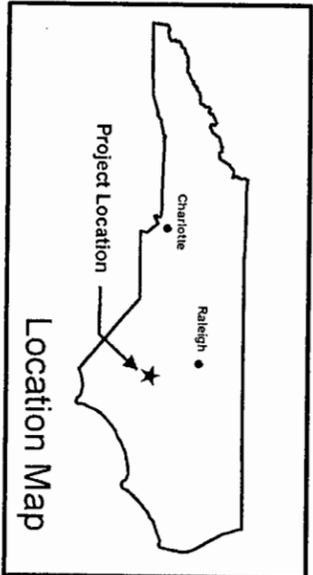
Note:

This project includes proposed improvements to NC 24 on existing location, shallow bypasses of particular towns and communities, and other portions on new location. Therefore, this table presents a low-to-high range of estimated impacts for each type of jurisdictional area to account for the various corridor combinations.

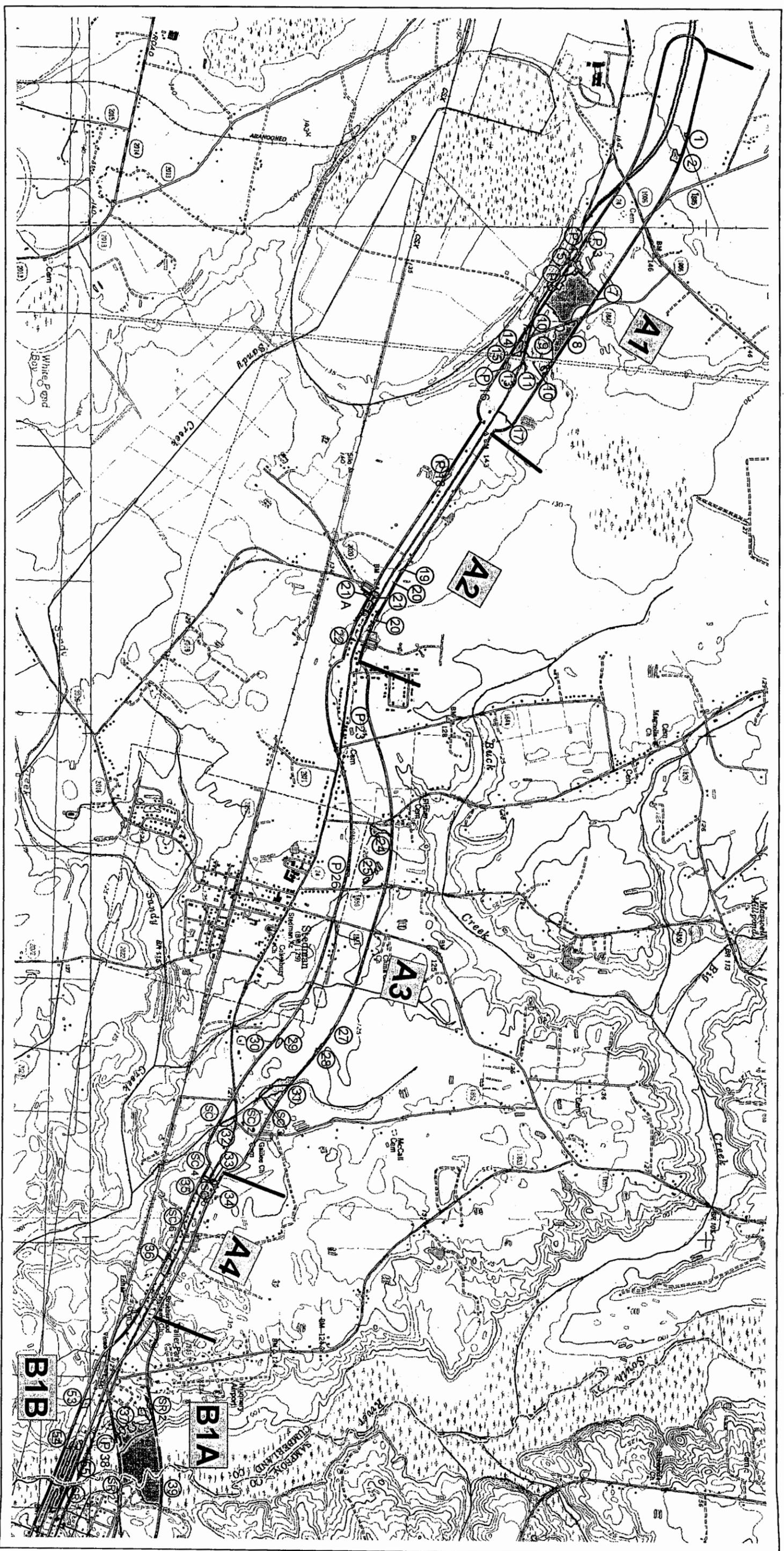


Legend

-  Study Area
-  Municipalities
-  Study Corridor
-  County Boundary



North Carolina Department of Transportation
 NC 24 Environmental Impact Study (R-2303)
 Cumberland, Sampson & Duplin Counties, N.C.
 Figure 1: PROJECT VICINITY MAP



Legend

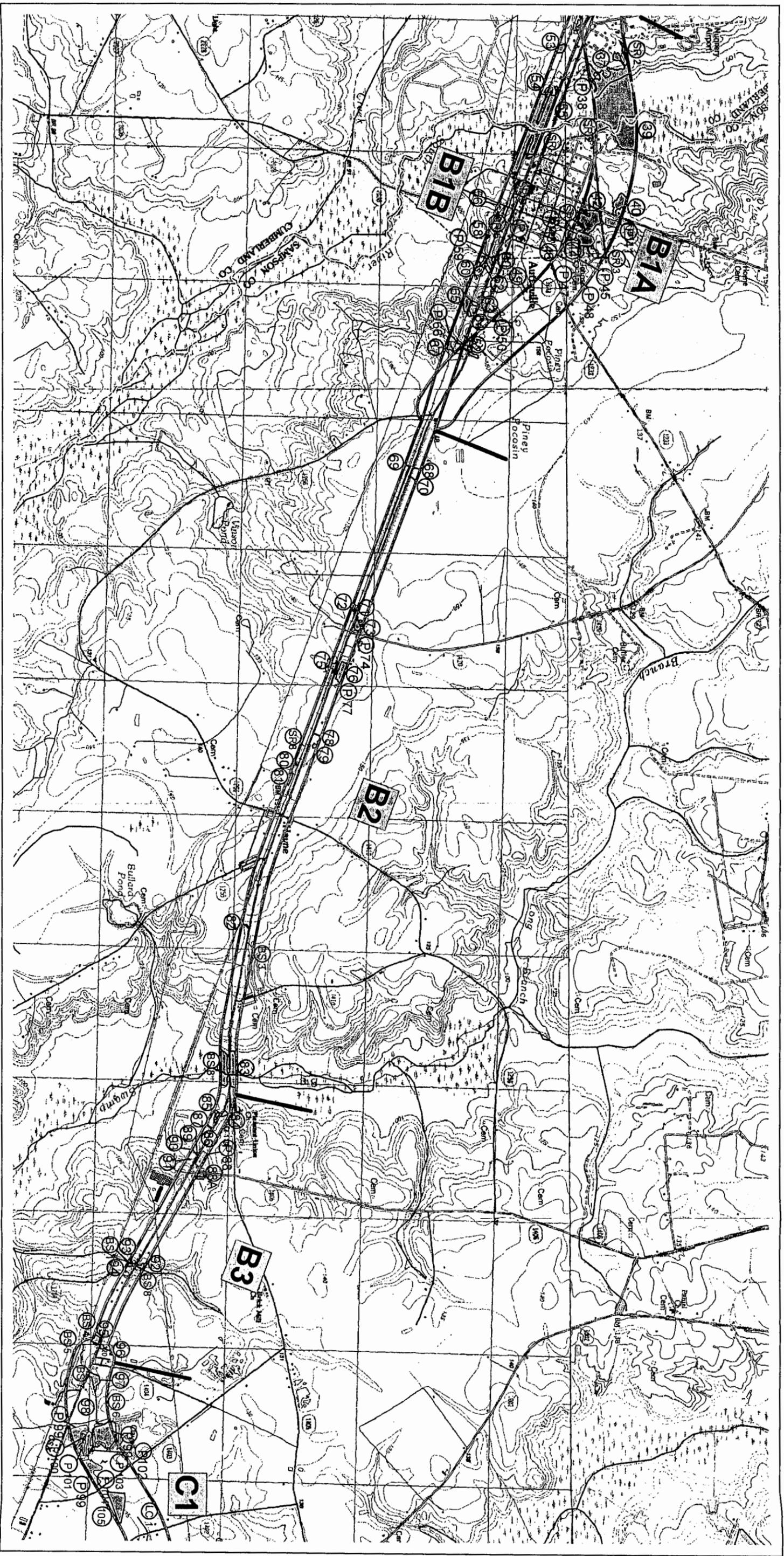
- TIP Segment Number
- Study Corridor
- County Boundary
- Rivers & Streams
- Pond
- Wetland
- Pond Designation
- Jurisdictional Wetlands

Jurisdictional Streams Designations:

- SC1 Sandy Creek
- SR1 South River
- BS1 Big Swamp
- LC1 Little Coharie Creek
- BR1 Bearskin Swamp
- MB1 Moccasin Branch
- GC1 Great Coharie Creek
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- RB1 Rowan Branch
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- TC1 Turkey Creek
- MR1 Mill Run
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North Carolina Department of Transportation
 NC 24 (R-2303)
 Cumberland, Sampson & Duplin Counties, N.C.
 Figure 2: JURISDICTIONAL AREAS MAP



Legend

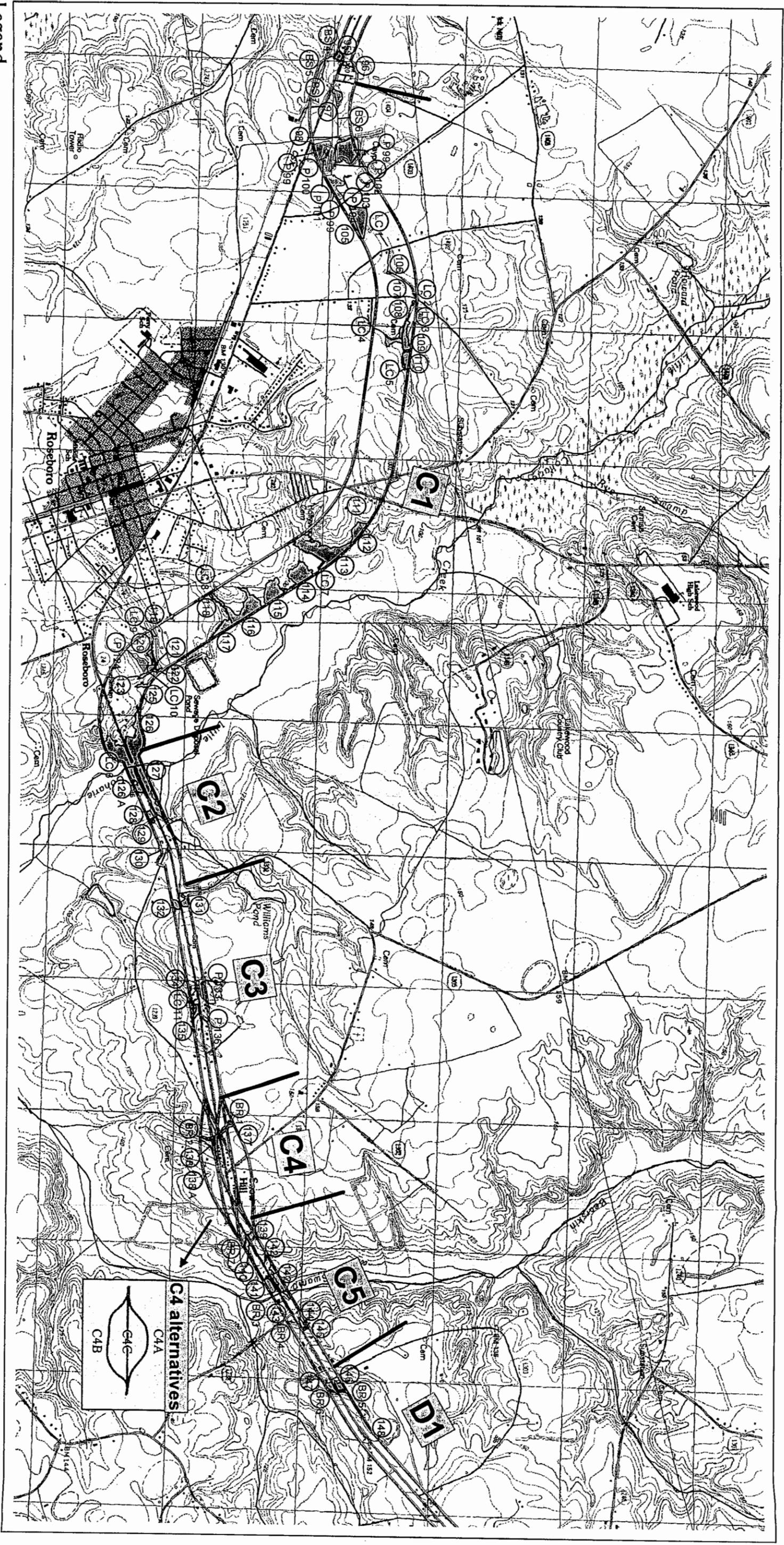
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 Cumberland, Sampson & Duplin Counties, N.C.
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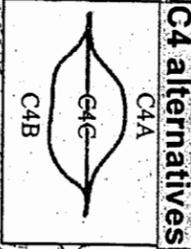


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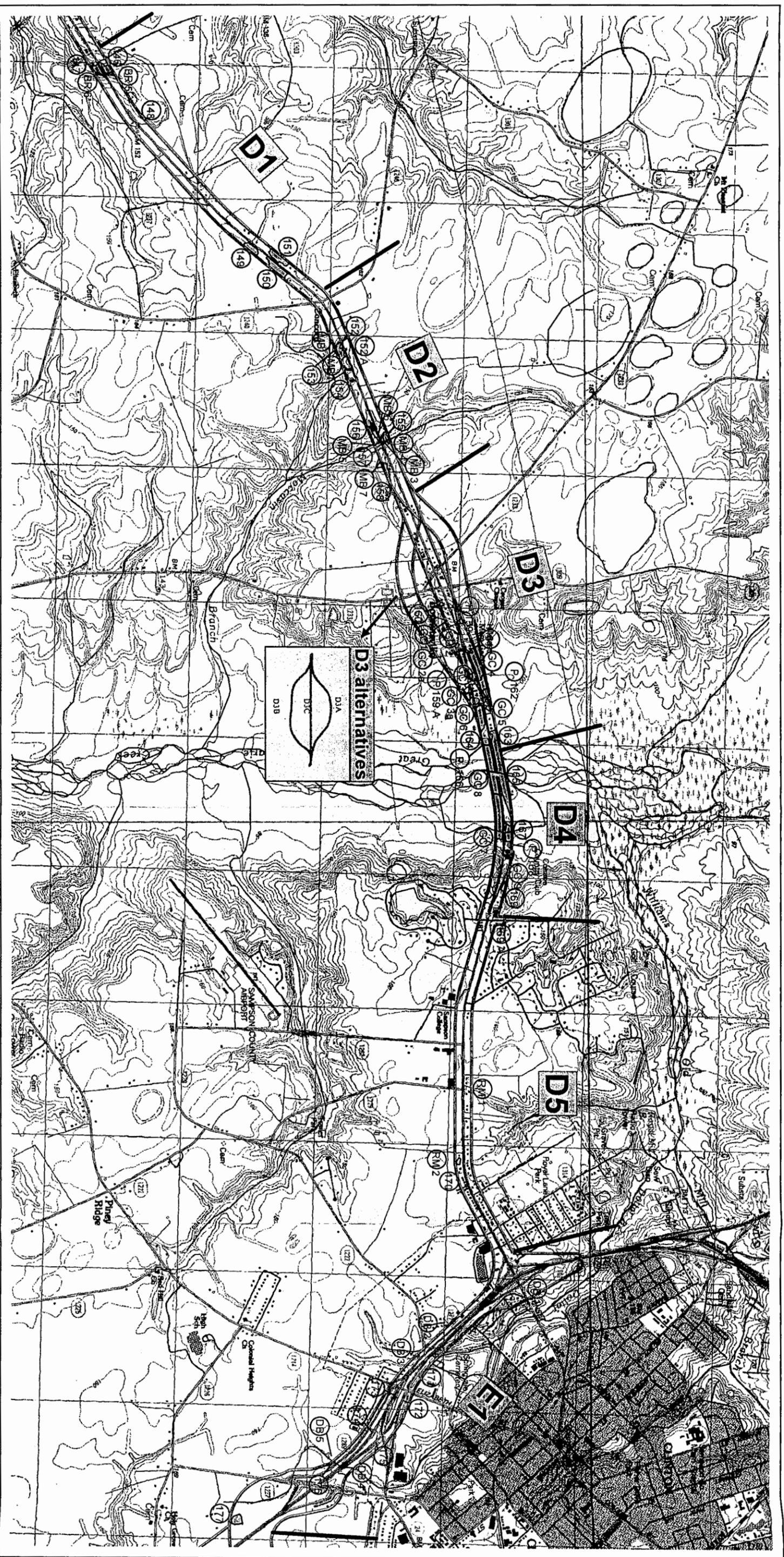
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 NC 24 (R-2303)
 Cumberland, Sampson & Duplin Counties, N.C.
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Legend

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 NC 24 (R-2303)
 Cumberland, Sampson & Duplin Counties, N.C.
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Legend

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- County Boundary
- Rivers & Streams
- Pond
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- Jurisdictional Wetlands
- Designation

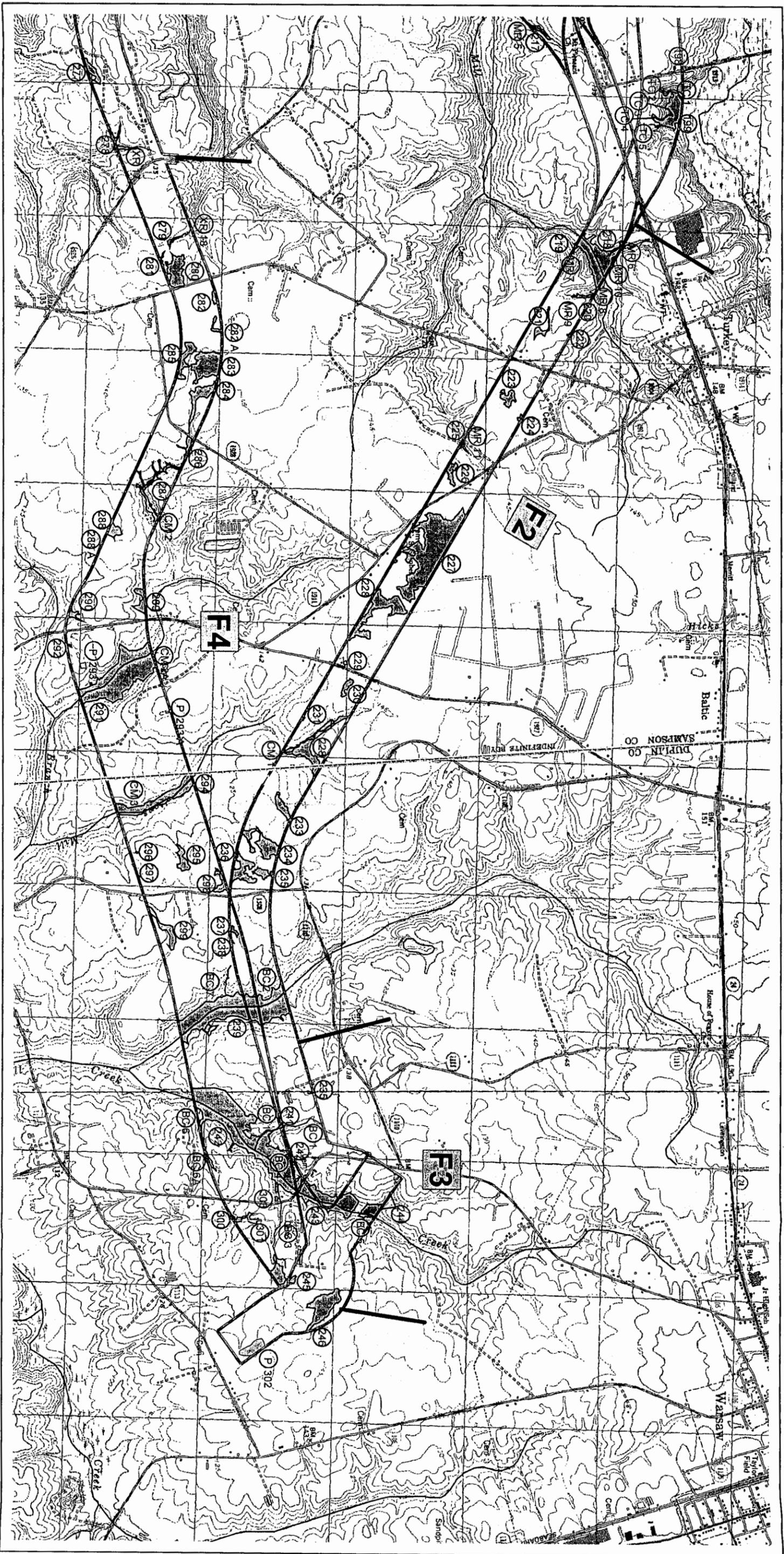
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North Carolina Department of Transportation
 NC 24 (R-2303)
 Cumberland, Sampson & Duplin Counties, N.C.

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