



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: August 28, 2008  
Comment Deadline: September 29, 2008  
Corps Action ID #: SAW-2008-02482

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: [http://www.saw.usace.army.mil/WETLANDS/Notices/Current\\_notices.html](http://www.saw.usace.army.mil/WETLANDS/Notices/Current_notices.html)

*Applicant:* Gregory J. Thorpe, Ph.D.  
N. C. Department of Transportation  
1598 Mail Service Center  
Raleigh, North Carolina 27699-1598

## 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 and Section 10 of the River and Harbor Act of 1899.

## Location

The North Carolina Department of Transportation (NCDOT) proposes the construction of the SR 1923 Extension (Booker Dairy Road, TIP no. U-3334) from US 70 Business to US 301 in Johnston County. The project is approximately 4.1 miles in total length and has been divided into two sections, A and B. Section A is the only section that has detailed permit drawings. Section A is approximately 2.3 miles in length starting from US 70 Business and ending at the intersection of Booker Dairy Road and Buffalo Road. The proposed project involves constructing on new location a two lane 24-foot roadway with 8-foot shoulders, 4 feet of which will be paved for bicycle accommodations. This project also includes a new 2,990-foot bridge over Poplar Creek and the Neuse River. The proposed project is located in Neuse River Basin, Hydrologic Unit 03020201.

## Existing Site Conditions

The project study area lies northwest of Smithfield in Johnston County. Land uses in the area consist primarily of agriculture, forestry, and low-density residential and commercial development. Most of the proposed road alignment for U-3334 section A is currently forested.

### Summary of Wetland and Stream Impacts for U-3334

Section	Permanent Wetland Impacts (ac)		Temporary Wetland Impacts (ac)	Permanent Stream Impact (ft)	Temporary Stream Impact (ft)
	Riparian	Non-riparian			
A	0.33	1.99	0.20	69	0.0
B **	0.0	5.3	NA	176	NA
<b>Total</b>	<b>0.33</b>	<b>7.29</b>	<b>0.20</b>	<b>245</b>	<b>0.0</b>

*\*\* NOTE: Impacts are based on preliminary design; therefore, these sections are expected to decrease once the final design is completed.*

NCDOT proposes mitigating wetland impacts using NCEEP.

## Applicant's Stated Purpose

The purpose of the project is to provide another flood-free crossing of the Neuse River; provide another east-west thoroughfare in Smithfield; and improve access to north and west Smithfield.

## Project Description

The following description of work is taken from data provided by the applicant. The proposed project is approximately 4.1 miles in length and has been divided into two sections, A and B. Section A is the only section that has detailed permit drawings. Section A is approximately 2.3 miles in length starting from US 70 Business and ending at the intersection of Booker Dairy Road and Buffalo Road. The proposed project involves constructing on new location a two lane 24-foot roadway with 8-foot shoulders, 4 feet of which will be paved for bicycle accommodations. This project also includes a new 2,990-foot bridge span over Poplar Creek and the Neuse River. For Section A the proposed project would permanently impact 2.32 acres of jurisdictional wetlands and 69 feet of streams.

## 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 the 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. Brian Wrenn by September 29, 2008.

### **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.

### **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 for inclusion therein are not located within the project area and/or will 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.

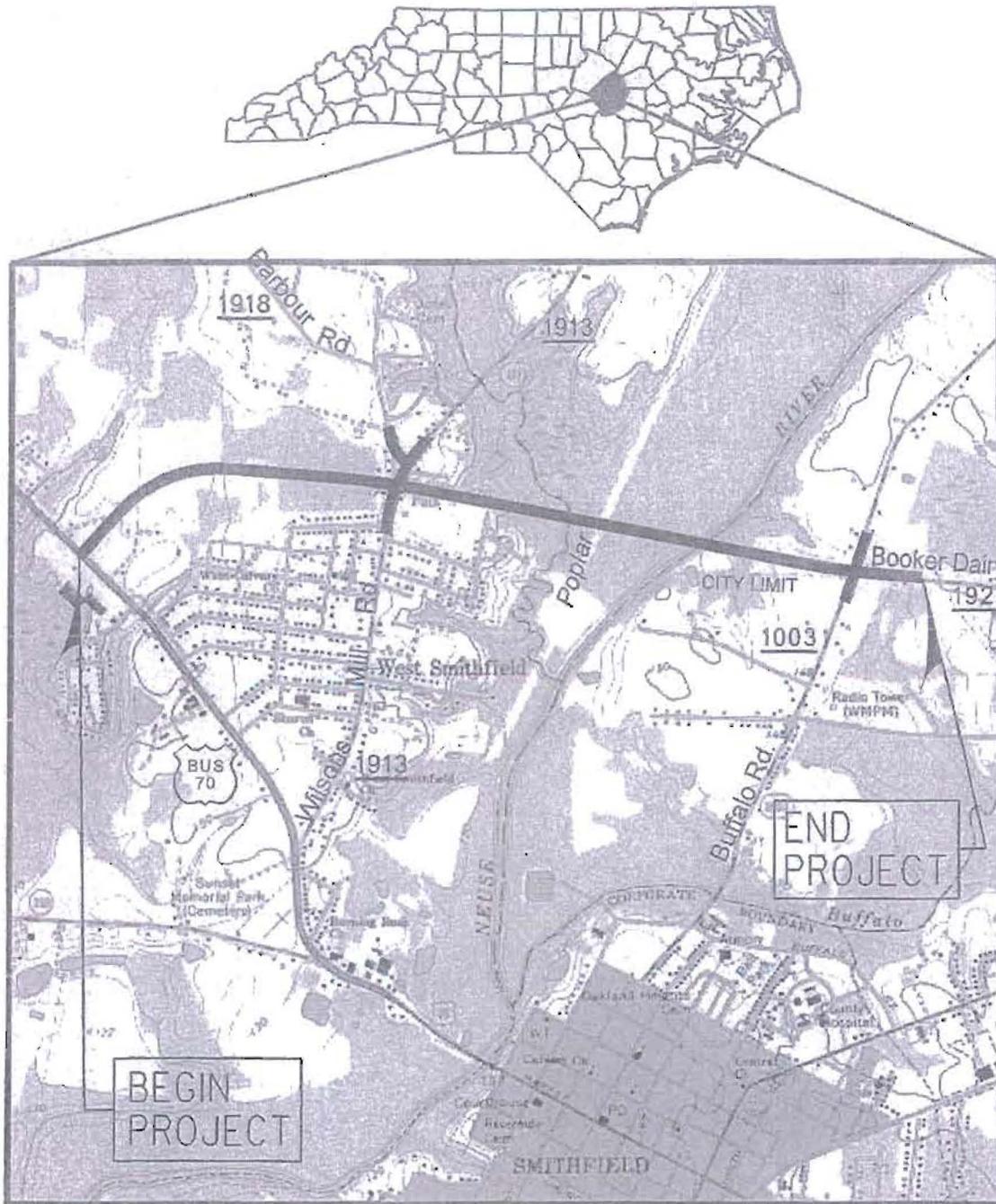
### **Commenting Information**

The Corps is soliciting comments from the public; Federal, State and local agencies and officials, including any 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 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 29, 2008. Comments should be submitted to US Army Corps of Engineer, attn: William Wescott Post Office Box 1000, Washington, NC 27889.

# VICINITY MAP



N. C. DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
JOHNSTON COUNTY

PROJECT: 8.2312101 (U-3334A)  
SR 1923 EXTENSION (BOOKER  
DAIRY RD) FROM US 70 BUSINESS  
WEST TO SR 1003 (BUFFALO RD)

Permit Drawing  
Sheet 1 of 26

SHEET 1 OF 15

12/19/07

