



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: May 7, 2008  
Comment Deadline: June 5, 2008  
Corps Action ID #:2008-00905

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 discharge dredged or fill material into waters of the United States associated with the **removal and replacement of an existing deficient circa 1925 glazed tile block/rubble culvert with a 95-inch by 67-inch CMPA structure on SR 2116 (New Salem Road), near Randleman, in Randolph County, North Carolina.**

Specific plans and location information are described below and shown on the attached plans. This Public Notice with all attached plans is also available on the Wilmington District Web Site at [www.saw.usace.army.mil/wetlands](http://www.saw.usace.army.mil/wetlands)

**Applicant:** North Carolina Department of Transportation (NCDOT)  
c/o Timothy Johnson, P.E., Division 8 Engineer  
P.O. Box 1067  
Aberdeen, North Carolina, 28315

## Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures under Section 404 of the Clean Water Act (33 U.S.C. 1344).

## Location

The proposed culvert replacement is located at an unnamed tributary to Polecat Creek on SR 2116 (New Salem Road) in Randolph County, North Carolina.

## Applicant's Stated Purpose

The purpose of the proposed project is to replace an undersized and structurally deficient culvert with a new culvert.

## Existing Site Conditions

The project is located within the Piedmont Physiographic Province and the Cape Fear River subbasin 03-06-09, USGS 8-digit hydrological unit 03030003. The unnamed tributary to Polecat Creek, a perennial stream in the Cape Fear River Basin, is the only jurisdictional

area crossed by the proposed project. This section of Polecat Creek has NC Division of Water Quality (NCDWQ) best usage classification of WS III which refers to those waters protected as waters used as sources of water supply for drinking, culinary, or food processing purposes where a more protective WS-I or II classification is not feasible. These waters are also protected for Class C uses. WS-III waters are generally in low to moderately developed watersheds.

The Biotic communities identified in the project area include maintained lawns, farm fields, roadside shoulder, and mesic mixed hardwood forest. The general topography in the area consists of gentle to steep hills and valleys that drain into small streams and meandering rivers with an average elevation at approximately 700 feet above mean sea level (MSL).

### **Project Description**

The following description of the work is taken from data provided by the applicant. The proposed project would replace the existing deficient circa 1925 "Pomona" glazed tile block/rubble culvert with a 95-inch by 67-inch CMPA structure. The existing 40-foot long, 4-foot wide by 5-foot high tile block/rubble culvert with 9-foot extensions on each end will be replaced with an 80-foot long arch culvert, with kneewalls on a new skew that will better align with the stream channel (See figure 1). The roadway width, including shoulders, will be widened to current roadway standards at the culvert crossing. A temporary fabric lined stream diversion channel will be constructed to divert stream flows around the construction area (See Figure 2). Fabric covered stone berms will be placed in the stream channel at each end of the project to divert stream flow into the temporary diversion structure. The construction area will be dewatered by pumping the water into silt bags located on the existing roadway. The diversion channel will be constructed in accordance with Section 5.2.4 of the Best Management Practices for Construction and Maintenance Activities published by the NCDOT in August 2003. Existing traffic will be detoured onto other area roadways during construction.

### **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, 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), 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260 Attention: Mr. Brian Wrenn by May 29, 2008.

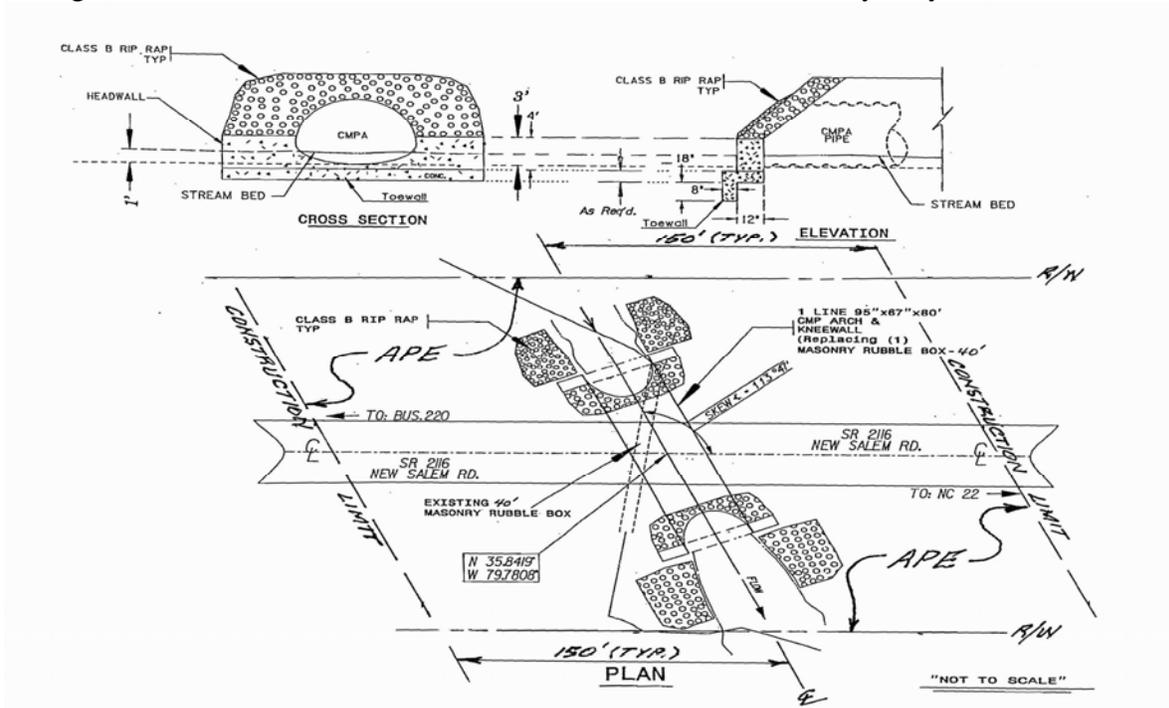
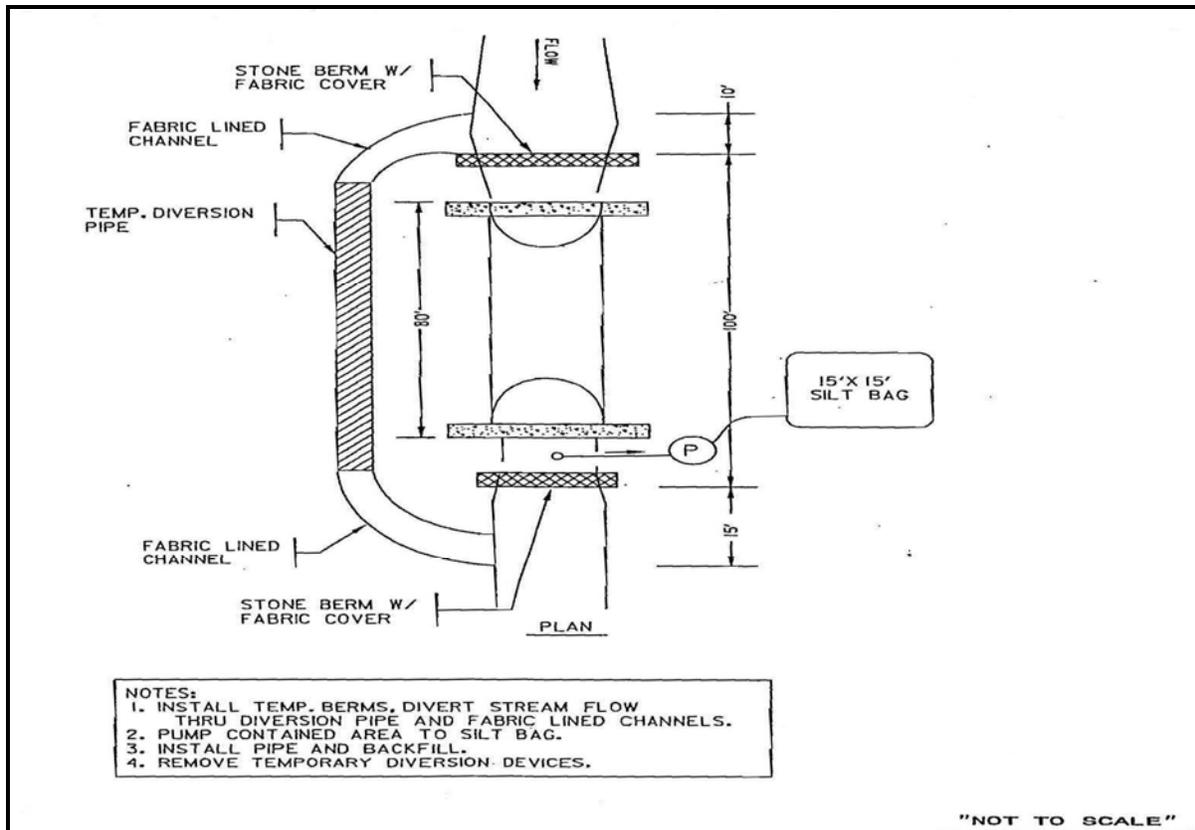


Figure 1. Plan view of culvert replacement.



**Figure 2.** Proposed stream diversion plan.

### **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. However, the existing circa 1925 tile block/rubble culvert that will be removed and replaced by the new culvert has been determined as eligible, under National Register Criteria C and D, for listing in the National Register of Historic Places. The culvert built by African American and White stone and brick masons was constructed with an arch of glazed terracotta tongue and groove tile blocks, manufactured by the now defunct Pomona Tile Company of Greensboro, North Carolina, laid atop a rock and mortar base (See figures 3 and 4). In applying the criteria of adverse effect, the proposed undertaking will result in an adverse effect on the eligible structure. Therefore, the Corps has initiated consultation with the North Carolina State Historic Preservation Office to develop a Memorandum of Agreement to address the undertaking's adverse effect on the eligible structure.



**Figure 3.** Circa 1925 tile block/rubble culvert.



**Figure 4.** Pomona Glazed Tile.

### **Endangered Species**

Based on information provided by NCDOT, the Corps has determined that the proposed project activities requiring DA authorization would have no effect on the listed species know to occur within Randolph County. These species are the Cape Fear Shiner, *Notropis mekistocholas*; and Schweinitz's Sunflower, *Helianthus schweinitzii*. The District Engineer, based on available information, is not aware that the proposed activities requiring DA authorization will affect any other species not listed above, or their critical habitat, designated as endangered or threatened pursuant to the Endangered Species Act of 1973

### **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, June 5, 2008. Comments should be submitted to Mr. Richard K. Spencer, Wilmington Regulatory Field Office, P.O. Box 1890, Wilmington, North Carolina 28402-1890.