



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: July 29, 2008
Comment Deadline: August 28, 2008
Corps Action ID #: SAW-2008-02206

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

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 to construct on new location a new US 17 New Bern Bypass (T.I.P. no. R-2301) west of New Bern. The project is approximately 12 to 16 miles in length and has been divided into two sections, A and B. The proposed project involves constructing a four-lane, full control of access freeway with interchanges at locations with major traffic movements, and grade separations at minor crossroads and railroads. The proposed project is located in Neuse River Basin, Hydrologic Units 03020202 and 03020204. Section A is the only section that has detailed permit drawings. Section A is approximately 6 miles in length starting from the intersection of existing US 17 and SR 1330 (Simmons Loop Road) in Jones County south of New Bern and ending with a new interchange with US 70 east of the interchange at Clarks in Craven County.

Existing Site Conditions

The project study area lies in the rural region of Craven and Jones Counties. Land uses in the area consist primarily of agriculture, forestry, and low-density residential and commercial development. Most of the proposed road alignment for R-2301 section A is currently managed pine forest.

Summary of Wetland and Stream Impacts for R-2301

Section	Permanent Wetland Impacts (ac)		Temporary Wetland Impacts (ac)		Permanent Stream Impact (ft)	Temporary Stream Impact (ft)
	Riverine	Non-riverine	Riverine	Non-riverine		
A	11.82	6.68	0.00	0.79	334	0.00
B **	10.90	1.20	0.00	0.00	0.00	0.00
Total	22.72	7.88	0.00	0.79	334	0

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

NCDOT proposes mitigating wetland and stream impacts at a ratio of 1:1 using NCEEP. The following mitigation sites are located within cataloging units 03020202 and 03020204.

MOA Mitigation Assets in Neuse 03020202

Mitigation Site	Status	Stream (ft)	Riparian (ac)	Non-Riparian (ac)	Coastal Marsh (ac)
Bear Creek*	Monitoring Complete	0.0	128.68	0.0	0.0
Casey-King* (Neu-Con MBI)	Monitoring Year 5	0.0	0.0	24.62	0.0
Tull Wooten* (Neu-Con MBI)	Monitoring Complete	0.0	0.0	25.00	0.0
Sleepy Creek	Monitoring Year 3	0.0	186.86	0.0	0.0

MOA Mitigation Assets in Neuse 03020204

Mitigation Site	Status	Stream (ft)	Riparian (ac)	Non-Riparian (ac)	Coastal Marsh (ac)
Brock Mill Pond	Monitoring Complete	0.0	21.80	0.0	0.0
Croatan, Phase I*	Monitoring Complete	0.0	18.40	837.89	0.0

Croatan, Phase II*	Monitoring Year 5	0.0	97.93	1,620.09	0.0
Marston* (Neu-Con MBI)	Monitoring Year 3	6,042	60.00	0.0	0.0

**NOTE: Mitigation site is regulated by a mitigation banking instrument. Amount listed represents total remaining anticipated mitigation credits and not the current released amounts approved by the MBRTs.*

Applicant's Stated Purpose

The purpose of the project is to improve regional mobility; improve access to the emerging commercial, industrial and residential areas in the West New Bern/Washington Forks vicinity; accelerate planned economic growth in the local and regional areas served by US 17; reduce traffic congestion in the downtown New Bern area; facilitate the efficient movement of north-south traffic through the New Bern area; and improve traffic safety.

Project Description

The following description of work is taken from data provided by the applicant. The proposed project is approximately 12 to 16 miles in length and has been divided into two sections, A and B. The proposed project involves constructing a four-lane, full control of access freeway with interchanges at locations with major traffic movements, and grade separations at minor crossroads and railroads. Section A is the only section that has detailed permit drawings. Section A is approximately 6 miles in length starting from the intersection of existing US 17 and SR 1330 (Simmons Loop Road) in Jones County south of New Bern and ending with a new interchange with US 70 east of the interchange at Clarks in Craven County. For Section A the proposed project would permanently impact 18.50 acres of jurisdictional wetlands and 334 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 August 26, 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 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 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

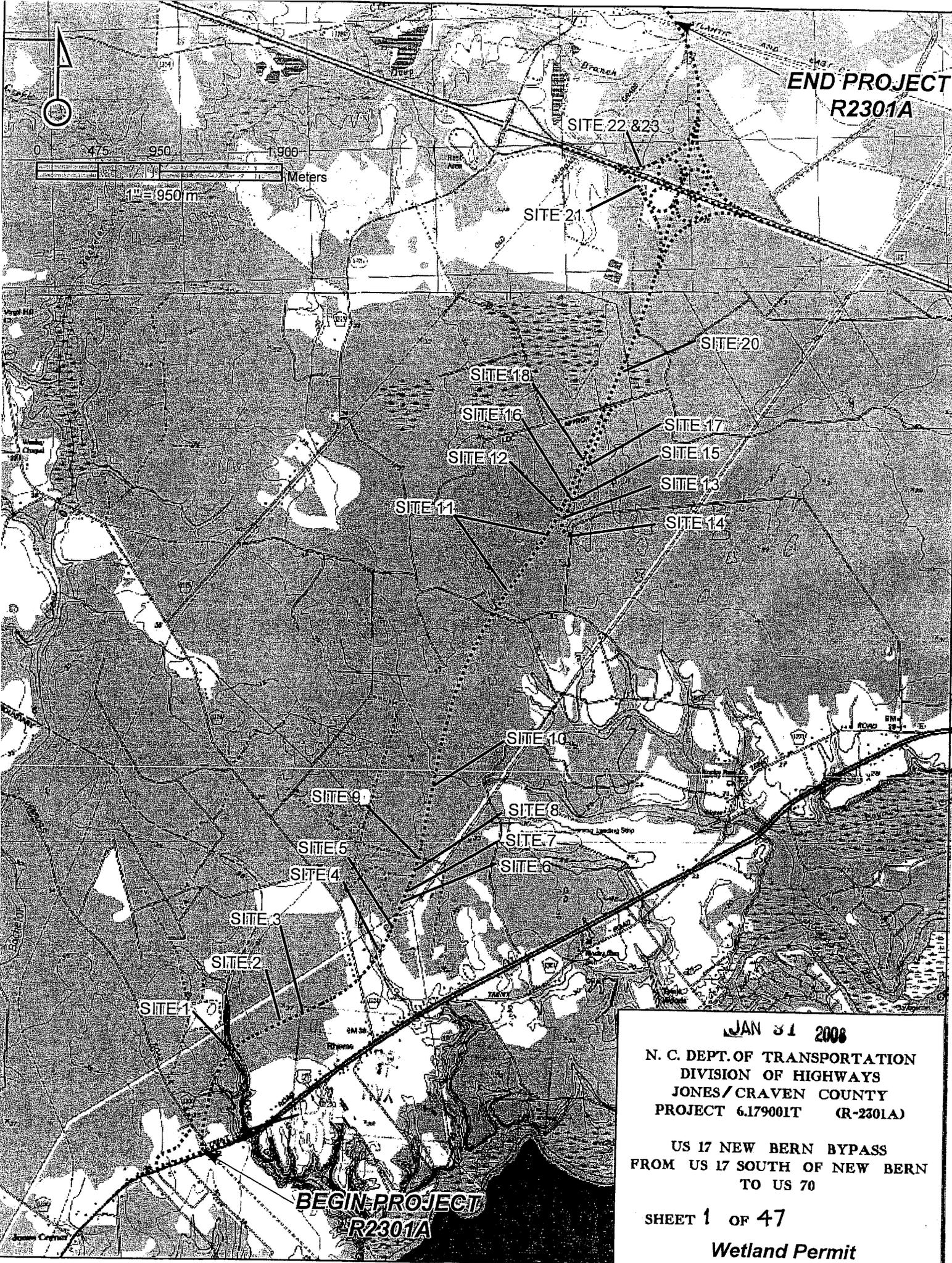
United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

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, August 28, 2008. Comments should be submitted to US Army Corps of Engineer, attn: William Wescott Post Office Box 1000, Washington, NC 27889.



**END PROJECT
R2301A**

SITE 22 & 23

SITE 21

SITE 20

SITE 18

SITE 16

SITE 17

SITE 12

SITE 15

SITE 13

SITE 11

SITE 14

SITE 10

SITE 9

SITE 8

SITE 5

SITE 7

SITE 4

SITE 6

SITE 3

SITE 2

SITE 1

**BEGIN PROJECT
R2301A**

JAN 31 2008

**N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
JONES / CRAVEN COUNTY
PROJECT 6.179001T (R-2301A)**

**US 17 NEW BERN BYPASS
FROM US 17 SOUTH OF NEW BERN
TO US 70**

SHEET 1 OF 47

Wetland Permit

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS						
			Permanent Fill In Wetlands (acres)	Temp. Fill In Wetlands (acres)	Excavation in Wetlands (acres)	Mechanized Clearing in Wetlands (acres)	Hand Clearing in Wetlands (acres)	Permanent SW impacts (acres)	Temp. SW impacts (acres)	Existing Channel Impacts Permanent (ft)	Natural Stream Design (ft)			
1A	L 13+66 to 14+40	1650mm (64") RCP	0.071					0.007			0.047	0.003	333.99	
1B	L 17+82 to 18+60	Bridge	0.128					0.514						
1C	Y1 20+98 to 21+30	Fill	0.009					0.013						
2	L 22+64 to 22+84		0.037					0.008						
3	L 24+52 to 24+98		0.221					0.031						
4	L 32+36 to 33+12		0.404					0.053						
5	L 34+27 to 35+08		1.062					0.118						
6	L 36+81 to 37+60		0.422					0.057						
7	L 37+84 to 38+07		0.043					0.003						
8	L 39+31 to 40+13		0.092					0.049						
9	L 39+30 to 41+29		0.470					0.069						
10	L 45+66 to 47+32		1.165		0.058			0.119						
11	L 61+78 to 69+22		9.172					1.102						
12	L 69+69 to 70+52		0.715					0.097						
16	L 71+13 to 71+60		0.116					0.033						
18	L 72+64 to 75+50		1.939					0.302						
19	L 80+66 to 80+89		0.087											
20	L 81+45 to 82+55		1.043											
21	RPA 5+58 to 7+28		0.614		0.562			0.141						
22	RPA 6+01 to 6+21		0.025					0.135						
23	RPA 6+59 to 6+69				0.039			0.015						
10A	L 55+70							0.001						
TOTALS:			17.83		0.66		0.00	2.33		0.05		0.00	334.0	0.0

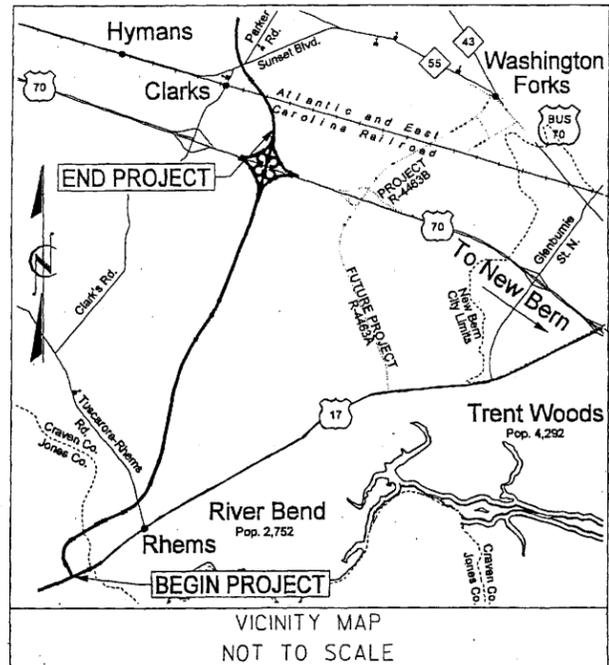
0.79 acre of temporary fill in wetland in the hand clearing areas for erosion control measures

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
CRAVEN COUNTY
WBS - 34414.1.1 (R-2301A)
SHEET 6/13/2008

Permit Drawing
Sheet 3 of 47

9/09/99

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



VICINITY MAP
NOT TO SCALE

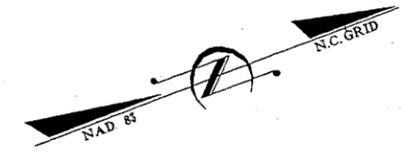
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

JONES & CRAVEN COUNTIES

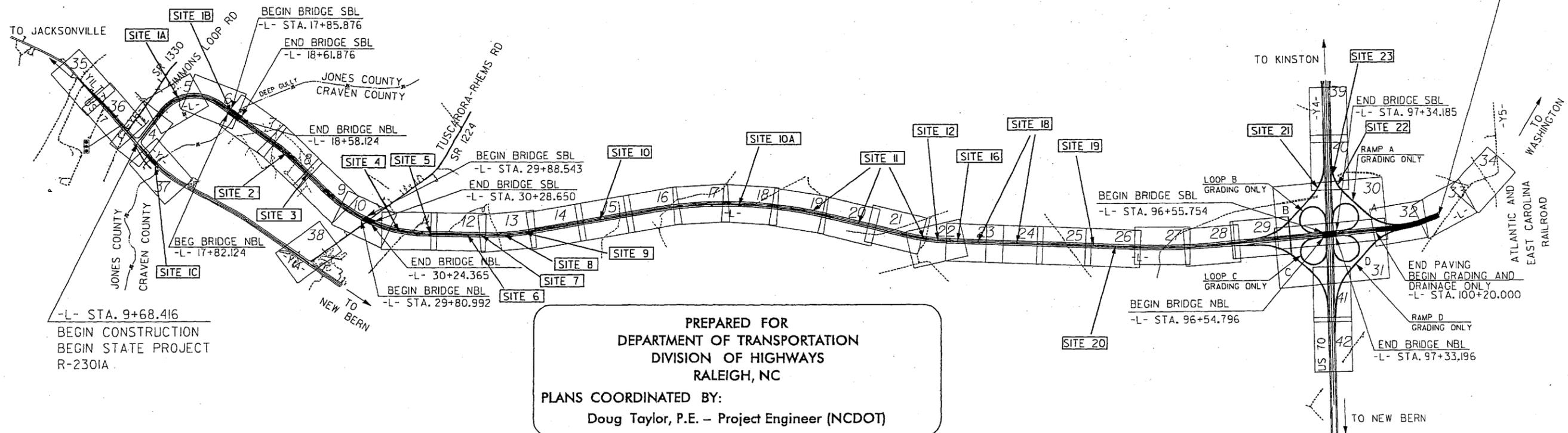
LOCATION: US 17 NEW BERN BYPASS
FROM US 17 SOUTH OF NEW BERN TO US 70

TYPE OF WORK: DRAINAGE, GRADING, PAVING,
STRUCTURES, SIGNALS, AND SIGNING

STATE N.C.	STATE PROJECT REFERENCE NO. R-2301A	SHEET NO. 1	TOTAL SHEETS
	STATE PROJ. NO. 34414.1.1 34414.2.3	F.A. PROJ. NO.	DESCRIPTION P.E. R/W, UTIL
ALL DIMENSIONS IN THESE PLANS ARE IN METERS OR MILLIMETERS UNLESS OTHERWISE NOTED			
Permit Drawing Sheet 6 of 47			



WETLAND PERMIT



PREPARED FOR
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
RALEIGH, NC

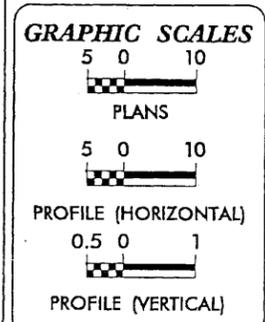
PLANS COORDINATED BY:
Doug Taylor, P.E. - Project Engineer (NCDOT)

CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

CONTRACT: R-2301A

FEBRUARY 14, 2008 REVIEW PLANS FOR PRE-LET FIELD INSPECTION



DESIGN DATA

ADT 2008 =	23,300
ADT 2028 =	40,300
DHV =	10 %
D =	60 %
T =	12 %
(6% TTST + 6% DUAL)	
V =	110 km/h
FUNCTIONAL CLASSIFICATION:	FREEWAY

PROJECT LENGTH

LENGTH ROADWAY STATE PROJECT 34414.2.3 =	9.331 KILOMETERS
LENGTH STRUCTURE STATE PROJECT 34414.2.3 =	0.198 KILOMETERS
TOTAL LENGTH STATE PROJECT 34414.2.3 =	9.529 KILOMETERS
(NBL USED FOR LENGTH CALCULATION)	

THIS IS A CONTROLLED ACCESS PROJECT WITH ACCESS BEING LIMITED TO THE INTERCHANGES

Prepared in the Office of:

URS
URS Corporation - North Carolina
1600 Perimeter Park Drive, Suite 400
Morrisville, North Carolina 27560
TELEPHONE (919) 461-1100 FAX (919) 461-1415

2006 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE: JUNE 30, 2006	TIMOTHY H. KEENER, P.E. PROJECT ENGINEER
LETTING DATE: NOVEMBER 18, 2008	JEFFREY A. KOONTZ, P.E. PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

SIGNATURE: _____ P.E.

ROADWAY DESIGN ENGINEER

SIGNATURE: _____ P.E.

**DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA**

STATE HIGHWAY DESIGN ENGINEER