



**US Army Corps  
Of Engineers**  
Wilmington District

# PUBLIC NOTICE

Issue Date: July 1, 2016  
Comment Deadline: August 1, 2016  
Corps Action ID #: SAW-2016-00865  
TIP Project No. R-5703

The Wilmington District, Corps of Engineers (Corps) has received an application from the North Carolina Department of Transportation (NCDOT) regarding a potential future requirement for Department of the Army (DA) authorization to discharge dredged or fill material into waters of the United States associated with the proposed extension of NC 148 (C.F. Harvey Parkway) on new location as a four-lane, median-divided freeway with full control of access to NC 11 near the City of Kinston, Lenoir County, North Carolina.

Specific alignment alternatives and location information are described below and shown on the attached maps. This Public Notice and attachments are also available on the Wilmington District Web Site at <http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram.aspx>

**Applicant: Ms. Maria A. Rogerson**  
**Division 2 - Bridge Program Manager**  
**North Carolina Department of Transportation**  
**105 Pictolus Hwy. (NC 33)**  
**P.O. Box 1587**  
**Greenville, NC 27835-1587**

## **Authority**

The Corps will evaluate this application to compare alternatives that have been carried forward for detailed study pursuant to applicable procedures of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344).

In order to more fully integrate Section 10 and Section 404 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. 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 construction, to select the least environmentally damaging practicable alternative (LEDPA). The District Commander is not authorizing construction of the proposed project at this time. A final DA permit may be issued 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 project extends from NC 58 at the intersection of C.F. Harvey Parkway east to NC 11 in Lenoir County, north of the City of Kinston. The project vicinity is shown on Figure 1 and the project study are shown on Figure 2 (attached). The proposed action is listed in the NCDOT 2016-2025 State Transportation Improvement Program (STIP) as Project Number R-5703 and is being state funded.

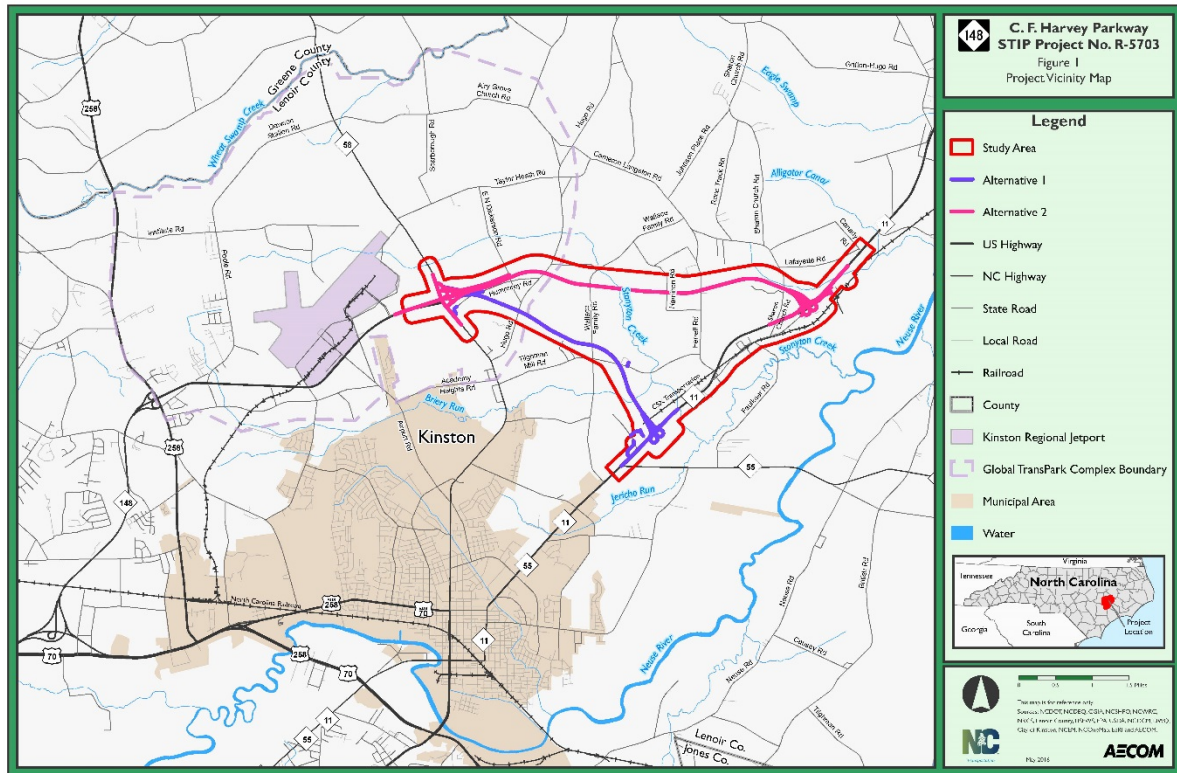


Figure 1.

## Existing Site Conditions

The study area lies in the rolling coastal plain physiographic region of North Carolina. Topography in the project vicinity is comprised of gently rolling hills with narrow, level floodplains and moderately steep slopes along streams. Elevations in the study area range from 20 to 25 above mean sea level on the flats and interstream divides and somewhat less within the stream corridors. Land use in the project vicinity consists of primarily active agricultural croplands and managed pine plantations. Light residential development exist along roadways with forested lands occupying stream corridors and other undeveloped areas.

All streams and wetlands in the project study area lie within the Middle Neuse River basin (United States Geological Survey Hydrologic Unit 03020202). Seventeen jurisdictional streams were identified with multiple unnamed tributaries of Stonyton Creek, Beaverdam Branch, Briery Run, and Jericho Run as named streams within the project corridors. All streams, wetlands, and ponds found within the project study area have been classified as Jurisdictional “Waters of the

United States.” No designated anadromous fish waters or primary nursery areas are present in the project study area. No streams within the project study area are designated as trout water by the North Carolina Wildlife Resources Commission. No streams within the project study area are included in the North Carolina 2014 Final 303(d) List of Impaired Waters due to sedimentation or turbidity. The North Carolina Division of Water Resources (NCDWR) Biological Assessment Unit (BAU) database of benthic macroinvertebrate assessment data was accessed in December 2015, and as of this time, there have been no BAU sample points taken within the project study area. No fish monitoring data are available for the project study area.

A wetland identification and preliminary assessment analysis for the study area was performed and wetlands were delineated based on the 1987 U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual with the associated Coastal Plain Supplement. The North Carolina Stream Assessment Method (NCSAM) as well as North Carolina Wetland Assessment Method (NCWAM) wetland rating methods were used to assess all stream and wetland reaches within the project corridors.

### **Applicant’s Stated Purpose**

The applicant’s primary purpose of the proposed action is to improve regional and area connectivity in areas north and west of Kinston among US 70, NC 58, NC 148, and NC 11.

The primary need for the proposed action is a lack of direct connectivity between US 70 west of Kinston east to NC 11 via NC 148 (existing C.F. Harvey Parkway) and NC 58. Connectivity to adjacent regional and area activity centers north and west of Kinston include the Global TransPark (GTP); the Kinston Regional Jetport; industrial facilities along NC 11; East Carolina University (ECU) Medical Center; and the communities of Grifton, Ayden, Winterville, and Greenville.

### **Project Description**

The applicant proposes to construct an extension of NC 148 (C.F. Harvey Parkway) as a four-lane, median-divided freeway with full control of access on new location. The extension would trend in an easterly to southeast direction towards NC 11. A typical cross section of this type of facility is shown in Figure 3 (attached).

### **Detailed Study Alternatives**

Two corridors have been developed and identified as study alternatives in the project area and each alternative has associated service roads to maintain access parcels.

**Alternative 1** begins at the intersection of C.F. Harvey Parkway (NC 148) and NC 58, and extends over to NC 11 on new location trending in a southeasterly direction. Alternative 1 is approximately 4 miles long and intersects with NC 11 slightly north of the NC 55 and NC 11 intersection.

**Alternative 2** begins at the intersection of C.F. Harvey Parkway (NC 148) and NC 58 and extends over to NC 11 on new location trending in a more easterly direction and farther north of Alternative 1. Alternative 2 is approximately 6.5 miles long and intersects with NC 11 near the Grainger Station Road (SR 1835) and NC 11 intersection. Both proposed alternatives may cross, relocate, or close several existing roads within the project study area. A summary of these locations and how they would be crossed is shown in Table 1.

**Table 1: Intersecting Roadways with each proposed alternative.**

Roadway	Type of Facility	Alternative 1	Alternative 2
<b>NC 58</b>	2-lane, highway	Interchange	Interchange
<b>Humphrey Road</b>	2-lane, local road	Existing intersection with NC 58 will be shifted south to only provide access to parcels south of alternative; realignment at NC 58, with new NC 58 intersection north of alternative	Existing intersection with NC 58 will be closed with a cul-de-sac; realignment at NC 58, with new NC 58 intersection north of alternative
<b>Dickerson Road</b>	2-lane, local road	No changes	Road will be closed with cul-de-sac; and access to NC 58 provided via Humphrey Road realignment
<b>Hugo Road</b>	2-lane, local road	Grade separated	Grade separated
<b>Wallace Family Road</b>	2-lane, local road	Grade separated	Grade separated
<b>Tilghman Mill Road</b>	2-lane, local road	Grade separated	No changes
<b>Hamilton Road</b>	2-lane, local road	No changes	Road will be closed with cul-de-sacs
<b>Ferrell Road</b>	2-lane, local road	No changes	Grade separated
<b>Sharon Church Road</b>	2-lane, local road	No changes	Grade separated
<b>NC 11</b>	4-lane, divided highway	Interchange	Interchange

**Service Roads:** As a part of the project, several service roads will be required to maintain access to parcels. The service roads proposed for Alternative 1 are described in Table 2 and service roads proposed for Alternative 2 are described in Table 3 shown below.

**Table 2: Proposed service roads for Alternative 1**

<b>Roadway</b>	<b>Location</b>	<b>Description</b>
<b>Humphrey Road</b>	Inset 1: South of Alternative 1 near NC 58	Realigned at NC 58 to avoid the turn lane to the ramp onto Alternative 1; cul-de-sac at Alternative 1 crossing
<b>Humphrey Road</b>	Inset 1: North of Alternative 1 near NC 58	New intersection with NC 58 extending east, parallel to Alternative 1, tying into existing Humphrey Road
<b>Stonyton Lane</b>	Inset 3: South end of Stonyton Lane off of Tilghman Mill Road	Closure of Planters Drive intersection with Tilghman Mill Road; Stonyton Lane to be extended to Tilghman Mill Road to maintain access
<b>Arnold Family Road</b>	Inset 4: North end of Arnold Family Road off of Lemuel Dawson Road	Extend Arnold Family Road over to Bill Herring Road
<b>Lemuel Dawson Road</b>	Inset 4: West of NC 11, south of Alternative 1	Realign Lemuel Dawson Road to connect to NC 11 south of the existing intersection with NC 11 in order to avoid the acceleration lane from the ramp from Alternative 1

**Table 3: Proposed service roads for Alternative 2**

<b>Roadway</b>	<b>Location</b>	<b>Description</b>
<b>Humphrey Road</b>	Inset 1: North of Alternative 2 near NC 58	Realign Humphrey Road, parallel to Alternative 2, to connect into NC 58 while avoiding the turn lane to the ramp onto Alternative 2
<b>Morris Drive</b>	Inset 2: East of NC 11 and north of Alternative 2	Extend service road from Morris Drive southwest to provide access to properties that will lose direct access to NC 11

At this stage of the project, Alternatives 1 and 2 are still under consideration. Public and local official input will be considered prior to NCDOT selecting a preferred alternative.

**Detailed study alternatives – Environmental Impacts**

Summary of the environmental consequences for each build alternative is detailed in Table 4 shown below.

**Table 4: Summary of environmental consequences.**

<b>Environmental Resource</b>	<b>Alternative 1</b>	<b>Alternative 2</b>
<b>Terrestrial communities - wetland</b>	31.2 acres	21.0 acres
<b>Terrestrial communities – forested</b>	59.5 acres	46.3 acres
<b>Invasive species</b>	○	○
<b>Jurisdictional streams</b>	2,724 linear feet	3,938 linear feet
<b>Jurisdictional wetlands</b>	31.16 acres	20.97 acres
<b>Jurisdictional ponds</b>	0.41 acres	○
<b>Neuse River buffers – zone 1</b>	184,694 square feet	131,116 square feet
<b>Neuse River buffers – zone 2</b>	240,451 square feet	182,952 square feet
<b>Rare and protected species</b>	○	○
<b>Soils</b>	○	○
<b>Historic architecture properties</b>	○	○
<b>Archaeological sites</b>	○	○
<b>Agricultural operations</b>	●	●
<b>Neighborhoods/communities</b>	●	●
<b>Relocations</b>	●	●
<b>Environmental justice</b>	○	○
<b>Bicycle and pedestrian facilities</b>	○	○
<b>Public facilities and services</b>	○	○
<b>Economic</b>	+	+
<b>Land use, zoning, and development</b>	+	+
<b>Indirect and cumulative effects</b>	○	○
<b>Flood hazards</b>	○	○
<b>Traffic noise</b>	●	●
<b>Air quality</b>	○	○
<b>Hazardous materials</b>	●	●

Key: + Positive Impact; ○ None or Negligible; ● Negative Impact

**Summary of Anticipated Impacts to Waters of the U.S.**

The impacts to waters of the U.S. for each of the two (2) alternatives that were studied in detail are listed below in Tables 4 and 5. These impact estimates were calculated on preliminary design slope stake limits plus a 40-foot buffer.

**Table 4: Anticipated Stream Impacts by Alternative**

Map ID/ Stream Name	Classification	Alternative 1 (linear feet)	Alternative 2 (linear feet)
<b>23 - UT <sup>a</sup> to Stonyton Creek</b>	Intermittent	-	209
<b>33 - UT to Neuse River</b>	Intermittent	-	84
<b>40 - UT to Briery Run</b>	Perennial	384	-
<b>71 - UT to Jericho Run</b>	Intermittent	140	-
<b>72 - UT to Jericho Run</b>	Perennial	74	-
<b>72-trib - UT to Jericho Run</b>	Intermittent	11	-
<b>SAA - UT to Stonyton Creek</b>	Perennial	165	161
<b>SAB - UT to Stonyton Creek</b>	Intermittent	401	401
<b>SAB - UT to Stonyton Creek</b>	Perennial	654	650
<b>SAI - UT to Stonyton Creek</b>	Perennial	895	-
<b>SAC - UT to Stonyton Creek</b>	Intermittent	-	176
<b>SAC – UT to Stonyton Creek</b>	Perennial	-	445
<b>SAG - UT to Stonyton Creek</b>	Perennial	-	289
<b>SB - Beaverdam Branch</b>	Perennial	-	549
<b>SBA - UT to Beaverdam Branch</b>	Perennial	-	123
<b>SBC - UT to Beaverdam Branch</b>	Intermittent	-	261
<b>SBC - UT to Beaverdam Branch</b>	Perennial	-	590
<b>Total stream impacts</b>		2,724	3,938

UT means unnamed tributary

Note 1: Impacts reported based upon preliminary design slope stakes limits plus 40 foot buffer.

Note 2: Alternative 1 would impact two ponds: map ID: PC (0.29 acre) and map ID: PD (0.12 acre). Alternative 2 would not impact any ponds.

**Table 5: Anticipated Wetland Impacts by Alternative**

Map ID	Type	Subtype	Alternative 1 (acres)	Alternative 2 (acres)
<b>WA</b>	Pine Flat	-	0.02	0.02
<b>WA</b>	Non-tidal Freshwater Marsh	-	0.83	0.82
<b>WA</b>	Hardwood Flat	-	0.00	0.00
<b>WC</b>	Pine Flat	Clearcut	0.79	0.79

<b>Map ID</b>	<b>Type</b>	<b>Subtype</b>	<b>Alternative 1 (acres)</b>	<b>Alternative 2 (acres)</b>
<b>WC</b>	Pine Flat	Loblolly Pine Plantation	0.16	0.16
<b>WD</b>	Pine Flat	Clearcut	1.29	0.43
<b>WE</b>	Pine Flat	Loblolly Pine Plantation	6.16	-
<b>WE</b>	Pine Flat	Clearcut	0.92	-
<b>WE</b>	Hardwood Flat	-	0.02	-
<b>WI</b>	Riverine Swamp Forest	-	-	0.02
<b>WI</b>	Pine Flat	Loblolly Pine Plantation	-	0.43
<b>WK</b>	Hardwood Flat	Clearcut	-	0.46
<b>WK</b>	Hardwood Flat	-	-	14.16
<b>WM</b>	Non-tidal Freshwater Marsh	-	-	0.13
<b>WP</b>	Headwater Forest	-	-	0.81
<b>WQ</b>	Headwater Forest	-	-	0.18
<b>WR</b>	Headwater Forest	-	-	0.71
<b>WS</b>	Hardwood Flat	-	-	1.38
<b>WS</b>	Non-tidal Freshwater Marsh	-	-	0.47
<b>WV</b>	Pine Flat	Loblolly Pine Plantation	0.40	-
<b>WY</b>	Hardwood Flat	-	0.37	-
<b>WZ</b>	Pine Flat	Loblolly Pine Plantation	8.19	-
<b>WAA</b>	Hardwood Flat	-	10.28	-
<b>WBB</b>	Bottomland Hardwood Forest	-	0.17	-
<b>WBB</b>	Non-tidal Freshwater Marsh	-	0.05	-
<b>WCC</b>	Seep	-	0.63	-
<b>WGG</b>	Pine Flat	Loblolly Pine Plantation	0.88	-
<b>Total acreage</b>			<b>31.16</b>	<b>20.97</b>



## **Cultural Resources**

The proposed project is subject to North Carolina General Statute 121-12(a), and Section 106 of the National Historic Preservation Act of 1966, as amended.

### **Historic Architectural Resources**

Four historic architectural resources eligible for the National Register of Historic Places were identified in the as being within the project study area:

Rountree-Askew-Moseley Farm (LR0797)  
Contentnea School (LR0800)  
Charles A. Broadway House (LR0802)  
Kinston DuPont Dacron Plant (LR1560)

A determination of effects meeting was held with the State Historic Preservation Office on April 26, 2016, to determine potential impacts to the four historic architectural resources that have been determined eligible for the National Register of Historic Places in the project study area. At this meeting it was decided that the project would have no effect on any of these properties.

### **Archeological Resources**

Two previously identified archeological sites (LR103 and LR318), which have been identified as potentially being eligible for the National Register of Historic Places, are located within the project study area.

No direct impacts are expected to the two archaeological sites located within the project study area during the construction of this project. NCDOT has requested that an intensive archeological survey be performed prior to construction. No properties located along either alternative are owned by the State of North Carolina; therefore, a State Archaeological Resources Protection Act permit is not required

## **Endangered Species**

Species with the federal status of endangered, threatened, proposed endangered, and proposed threatened are protected under provisions of the Endangered Species Act of 1973, as amended (16 USC 1531 et seq.). Any action likely to adversely affect a species classified as federally protected will be subject to review by the United States Fish and Wildlife Service.

Two endangered species are listed for Lenoir County: *Picodes borealis* (red-cockaded woodpecker) and *Aeschynomene virginiana* (sensitive joint-vetch). However, since no habitat for either species is present in the project study area, neither alternative will have an impact on rare and federally protected species.

The US Fish and Wildlife Service has developed a programmatic biological opinion (PBO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the northern long-eared bat (NLEB) (*Myotis*

*septentrionalis*) in eastern North Carolina. The PBO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. The programmatic determination for NLEB for the NCDOT program is "May Affect, Likely to Adversely Affect." The PBO provides incidental take coverage for NLEB and will ensure compliance with Section 7 of the Endangered Species Act for five years for all NCDOT projects with federal nexus in Divisions 1-8, which includes Lenoir County, where TIP R-5703 is located.

## **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.

## **Compensatory Mitigation**

The purpose of compensatory mitigation is to offset unavoidable functional losses to the aquatic environment resulting from project impacts to waters of the United States. NCDOT will investigate potential on-site stream and wetland mitigation opportunities once a preferred alternative has been chosen. If on-site mitigation is not feasible, or a sufficient amount of mitigation is not available on-site, mitigation will be provided by the NC Division of Mitigation Services (NCDMS).

## **Commenting Information**

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidated 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 select the least environmentally damaging practicable alternative (LEDPA) 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 a Corps of Engineers 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.

Written comments pertinent to the selection of the LEDPA, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, August 1, 2016. Written comments should be submitted to Mr. Thomas Steffens, US Army Corps of Engineers, Washington Regulatory Field Office, 2407 West 5<sup>th</sup> Street, Washington, NC 27889 or by email to [thomas.a.steffens@usace.army.mil](mailto:thomas.a.steffens@usace.army.mil).