



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: August 2, 2022
Comment Deadline: September 1, 2022
Corps Action ID Number: SAW-2016-01223

The Wilmington District, Corps of Engineers (Corps) received information from the North Carolina Department of Transportation (NCDOT) regarding a potential future requirement for Department of the Army authorization to discharge dredged or fill material into waters of the United States, associated with improvements to connect US 74 Business in the southeastern part of the City of Rockingham to residential areas northeast of the city along US 1 and SR 1423 (Richmond Road). (STIP Project Number U-5706) in Richmond County, North Carolina.

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/Missions/RegulatoryPermitProgram.aspx>

Applicant: North Carolina Department of Transportation (NCDOT)
Division 8
Attn: Patrick Norman
Division Engineer
121 DOT Drive
Carthage, North Carolina 28327

Authority

The Corps will evaluate this application to compare alternatives that have been carried forward for detailed study pursuant to applicable procedures of the following Statutory Authorities:

- Section 404 of the Clean Water Act (33 U.S.C. 1344)
- Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)
- Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413)

In order to more fully integrate 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 and on the alternatives considered. 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

Location Description:

Project Area (acres): ~528

Nearest Town: Rockingham

Nearest Waterway: Falling Creek

River Basin: Yadkin Pee-Dee

Latitude and Longitude: 34.9153 N, -79.7338

The proposed project would connect US 74 Business in the southeast part of Rockingham to US 1 and SR 1423 (Richmond Road) in the city's northeastern area. The total length of the project is about 3.5 miles. The Study Area boundary for this project encompasses the proposed transportation improvements and consists of approximately 528 acres (Figure 1).

Existing Site Conditions

Residential development characterizes much of the area north of US 1, while commercial development characterizes much of the US 74 Business corridor in southwestern Rockingham. The US 74 Business corridor is the major commercial center for Richmond County. The City of Rockingham and Richmond County are both characterized by minimal population growth, with total populations virtually unchanged over the last thirty years. However, one of the only parts of Richmond County to have experienced population growth in recent years is the area north and east of the project study area. Census data from the American Community Survey's 1-Year Estimates show the population of the Census Tract north of US 1 and east of Ledbetter Road has grown by over 36 percent since 2009, making this area the fastest growing part of Richmond County. Currently, travel between growing residential areas northeast of Rockingham and the commercial centers along US 74 Business corridor typically follows an indirect path along US 1 or the Richmond Road Extension, to Long Drive, to US 74 Business. There are a number of north-south 2-lane road segments between the Richmond Road Extension and US 74 Business, but these segments do not connect to provide a more direct path between these areas.

Long Drive, a three-lane roadway with a continuous two-way center turn lane classified by NCDOT as a major collector, is currently the primary travel route between the

residential areas northeast of central Rockingham and the retail and other commercial centers along US 74 Business. The segment of Long Drive between US 1 and US 74 Business is also a destination itself, with two of the region's major employers located there. The first is a Perdue Farms plant, which is the largest employer in this otherwise economically struggling region. The second is Richmond Memorial Hospital, the area's major healthcare center.

The project Study Area is contained within the Yadkin Pee-Dee River Basin, part of the U.S. Geological Survey (USGS) Hydrologic Unit 03040201. Based on a delineation by NCDOT, there are 19 streams and 47 wetlands within the Study Area; all are potential waters of the United States. The Corps field verified NCDOT's delineation on January 3, 2019, and issued a Preliminary Jurisdictional Determination for the Study Area on January 23, 2019.

Streams identified within the project area, include Falling Creek and unnamed tributaries to Falling Creek (CA/C; WS-III). Water Quality Classifications referenced above are defined as the following:

- Class C (C) refers to waters protected for uses such as secondary recreation, fishing, wildlife, fish consumption, aquatic life including propagation, survival and maintenance of biological integrity, and agriculture. Secondary recreation includes wading, boating, and other uses involving human body contact with water where such activities take place in an infrequent, unorganized, or incidental manner;
- Water Supply III (WS-III) refers to 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;
- Critical Area (CA) is a supplemental classification intended for waters needing additional protection.

No waters within the Study Area have been identified by the North Carolina Wildlife Resource Commission (NCWRC) as trout waters; therefore, no moratoria are anticipated for the proposed project. The National Marine Fisheries Service (NMFS) has not identified any streams within the Study Area as an Essential Fish Habitat. There are no streams within the Study Area determined by the USACE as Navigable Waters under Section 10 of the Rivers and Harbors Act.



North Carolina
Department of Transportation
Division of Highways

**FIGURE 1
PROJECT VICINITY**

Eastern Rockingham Corridor Study
From US 74 Business, to
SR 1426 (Old Aberdeen RD)
Richmond County
STIP Project U-5706



Applicant's Stated Purpose

The purpose of the proposed project is to provide direct connectivity between commercial areas along US 74 Business and residential areas northeast of central Rockingham and improve safety by reducing conflicts between through traffic and local traffic on Long Drive.

The needs to be addressed by the proposed project include:

- Lack of direct connectivity between commercial areas along US 74 Business and residential areas northeast of central Rockingham, which limits north-south mobility between these areas. Currently, the trip between these two areas requires out-of-the-way travel along Long Drive, where high traffic volumes and the presence of employment and activity centers lead to stop-and-go travel conditions at peak times.
- Traffic congestion on Long Drive and conflicts between local and through traffic on Long Drive. Both of these issues are evidenced by the notably high crash rates on Long Drive and the types of crashes that typically occur on this roadway.

Project Description

In order to meet the applicants stated purpose, the proposed project would include the combination of part on new location, and part upgrade of existing roadway segments.

The Build Alternatives under consideration for U-5706 consist of three alternative route configurations. Each configuration would meet the project's purpose and need.

Detailed Study Alternatives (DSA)

Build Alternative 1(upgrade existing): The Upgrade Existing Roadways option, would widen SR 1646 (Long Drive) and SR 1423 (Richmond Road) from US 74 Business to US 1 to a four-lane, median-divided facility and SR 1423 (Richmond Road) from US 1 to SR 1424 (Roberdel Road) to a three-lane facility. Access management techniques would be used to increase traffic safety along the corridor. Long Drive is currently a three-lane roadway with a center turn lane and Richmond Road is a two-lane, undivided roadway.

Build Alternative 4: Alternative 4 would provide a direct route for through traffic from the commercial areas along US 74 Business to residential areas in northeast Rockingham. It would include a combination of existing roadway segments and new location segments and would be constructed as a two-lane median-divided roadway for the new location segment and two lanes with continuous center turn lane for the existing roadway segments. It generally follows SR 1641 (Clemmer Road) until it crosses SR 1624 (County Home Road.) It then continues on new location, turning northeastward before crossing Falling Creek. It then turns toward the northwest, roughly following SR 1645

(Mt. Olive Church Road) to US 1. From that point, the alternative continues northward on new location, where it would then intersect and follow existing SR 1626 (Old Aberdeen Road) until its intersection with Richmond Road. Between US 74 Business and SR 1624 (County Home Road), Alternative 4 is proposed to be three lanes with two 12-foot through lanes and a 16-foot center turn lane. Between County Home Road and US 1, it will be two lanes separated by a 23-foot raised median. Between US 1 and Richmond Road, it will be three lanes with two 12-foot through lanes and a 16-foot center turn lane. Between US 74 Business and Old Aberdeen Road, a 50 mph design speed is proposed, and between Old Aberdeen Road and Richmond Road, a 40 mph design speed is proposed.

Build Alternative 5: Alternative 5 would provide a direct route for through traffic from the commercial areas along US 74 Business to residential areas in northeast Rockingham. It would include a combination of existing roadway segments and new location segments and would be constructed as a two-lane median-divided roadway for the new location segment and two lanes with continuous center turn lane for the existing roadway segments. Like Alternative 4, Alternative 5 generally follows SR 1641 (Clemmer Road) until it crosses SR 1624 (County Home Road.) Alternative 5 then continues on new location, turning northeastward before crossing Falling Creek. It then follows a straighter path to US 1 than Alternative 4 and follows the same path as Alternative 4 along Old Aberdeen Road. Between US 74 Business and SR 1624 (County Home Road), Alternative 5, like Alternative 4, is proposed to be three lanes with two 12-foot through lanes and a 16-foot center turn lane. Between County Home Road and US 1, it will be two lanes separated by a 23-foot raised median. Between US 1 and Richmond Road, it will be three lanes with two 12-foot through lanes and a 16-foot center turn lane. Between US 74 Business and Old Aberdeen Road, a 50-mph design speed is proposed, and between Old Aberdeen Road and Richmond Road, a 40 mph design speed is proposed.

In addition to the three Build Alternatives (i.e., Detailed Study Alternatives), a No-Build Alternative was also retained as a baseline against which the benefits, costs, and impacts of the Build Alternatives could be compared. The No-Build Alternative assumed that the transportation network in the PSA will continue to develop as called for in the 2040 Long Range Transportation Plan (LRTP), but without U-5706 included.

For construction, right of way, and utilities, the project is estimated to cost a total of \$43 million to \$49.6 million. Depending on the DSA, construction costs range from \$25.9 million to \$34.5 million, right-of-way costs range from \$8.5 million to \$18.14 million, and utility relocation costs range from \$1.3 million to \$5.5 million.

Impacts to streams and wetlands are shown in Table 1, below.

Table 1. Summary of Permanent and Temporary Stream and Wetland Impacts

Build Alternative	Stream Impacts* (linear feet)	Wetland Impacts (Acres)
Alternative 1	1,750	0.7
Alternative 4	1,200	8.3
Alternative 5	440	7.1

*Based on functional roadway design slope stakes plus 25 feet

Avoidance, Minimization and Compensatory Mitigation

Through development of the preliminary functional designs within the DSAs, NCDOT has attempted to avoid impacts to streams and wetlands to the greatest practicable extent. This included developing alignments and interchange configurations for the DSAs that avoided these resources as much as possible, while also minimizing impacts to other resources. To this point, those efforts include:

- Minimizing “in-stream” activities;
- Strictly enforcing the sedimentation and erosion control recommended in NCDOT’s BMPs for the protection of streams and wetlands; and
- Decreasing the footprint of the proposed project through the reduction of right-of-way widths and steepening of fill slopes where possible.

Specific minimization efforts performed thus far include:

- Elimination of alternatives that would result in higher stream and/or wetland impacts, when similar alternatives would perform the same function with fewer impacts
- Incorporated bridging into Alternatives 4 and 5 at a hydraulic crossing of North Prong Falling Creek.
- Incorporated steeper fill slopes through wetlands.

NCDOT will continue to seek ways to avoid and minimize impacts in further design efforts for the selected Alternative.

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 compensatory mitigation opportunities for the selected alternative. If on-site mitigation is not feasible, NCDOT intends to coordinate with the North Carolina Division of Mitigation Services to provide the required compensatory mitigation.

Essential Fish Habitat

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, this Public Notice initiates the Essential Fish Habitat (EFH) consultation requirements. The Corps’ initial determination is that the proposed project would not effect EFH or

associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

Pursuant to Section 106 of the National Historic Preservation Act of 1966 (NHPA), Appendix C of 33 CFR Part 325, and the 2005 Revised Interim Guidance for Implementing Appendix C, the District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

- ☒ No historic properties, nor properties eligible for inclusion in the National Register, are present within the Corps' permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO (or THPO). See below for more information:

Four historic architectural resources either currently listed on the National Register of Historic Places (NRHP) or determined to be eligible for the NRHP are located within the project study area. These properties are the Rockingham National Guard Armory, the Glenwood Rest Home, Elliot-Terry-Mossor Farm, and an Expansion of the Rockingham National Register Historic District. Alternative 1 would require small temporary construction easements from the Rockingham National Guard Armory and Glenwood Rest Home sites, but the HPO concurred on a determination of No Effect for Alternative 1 on each of these sites. The SHPO determined that Alternatives 4 and 5 would not affect any of the four sites.

- ☒ Historic properties, or properties eligible for inclusion in the National Register, are present within the Corps' permit area; moreover, the undertaking may have an adverse effect on these historic properties. See below for more information:

Four historic architectural resources either currently listed on the National Register of Historic Places (NRHP) or determined to be eligible for the NRHP are located within the project study area. These properties are the Rockingham National Guard Armory, the Glenwood Rest Home, Elliot-Terry-Mossor Farm, and an Expansion of the Rockingham National Register Historic District. The NC State Historic Preservation Office (HPO) concurred that Alternative 1, which would require the taking of houses within the Expansion of the Rockingham National Register Historic District, would result in an Adverse Effect on this site.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

Endangered Species

Pursuant to the Endangered Species Act of 1973, the Corps 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 U.S. Fish and Wildlife Service (USFWS) lists four federally protected species within the study area including the Red-cockaded Woodpecker (*Picoides borealis*), Michaux's sumac (*Rhus michauxii*), Rough-leaved loosestrife (*Lysimachia asperulaefolia*), and Northern long-eared bat.

The applicant has indicated that suitable nesting and foraging habitat for the red-cockaded woodpecker (RCW) exists within the study area. The study area primarily comprises maintained/disturbed areas with patches of forest that support pines 30 years or older, suitable for foraging, and pines greater than 60 years old, suitable for nesting. Similar patches of forest occur within 0.5 mile of the study area. Investigations conducted in July and August 2018 of pines in the study area and within 0.5 mile of the study area found no evidence of RCW nesting or roosting. In addition, a review of North Carolina Natural Heritage Program (NCNHP) records dated November 22, 2021, indicated no occurrences of this species within one mile of the study area. Use of the approved Standard Local Operating Procedures for Endangered Species (SLOPES) indicates that each alternative would have No Effect to RCW.

The applicant has indicated that suitable habitat for Michaux's sumac occurs within the study area along the margins of roadways, woodland edges, and cleared areas such as residential and commercial yards. Systematic surveys conducted in areas of suitable habitat in July 2018 identified no occurrences of this species. In addition, a review of NCNHP records dated November 22, 2021, indicated no known occurrences within one mile of the study area. Therefore, the alternatives would have No Effect to Michaux's sumac.

The applicant has indicated that suitable habitat for rough-leaved loosestrife occurs within the study area along the edges of longleaf pine uplands, in pocosin wetlands, and along the margins of streams that have abundant sunlight and little herbaceous competition. Systematic surveys of suitable habitat conducted in July 2018 identified no individuals. In addition, a review of NCNHP records dated November 22, 2021, indicated no known occurrences within one mile of the study area. Therefore, the alternatives would have No Effect to this species.

The Northern Long-Eared Bat. The US Fish and Wildlife Service has developed a programmatic biological opinion (PBO) in conjunction with FHWA, USACE, and NCDOT for the northern long-eared bat in eastern North Carolina (which includes Wake County). The PBO went into effect in 2016 and covers all NCDOT projects and activities in NCDOT Divisions 1 to 8. The programmatic determination for the bat is "May Affect, Likely to Adversely Affect".

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 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 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.

NCDOT held a Public Meeting on September 26, 2017, at Richmond County College in Hamlet to update the public on the project studies, present the design alternatives, and request public comments on the project in general. A total of approximately 100 citizens signed in at the meeting, and NCDOT received 40 comments sheets by the end of the advertised comment period.

The Corps of Engineers, Wilmington District will receive written comments pertinent to the proposed work, as outlined above, until 5pm, September 1, 2022. Comments should be submitted to James C. Lastinger, Raleigh Regulatory Field Office, 3331 Heritage Trade Drive, Suite 105 , Wake Forest, North Carolina 27587, at (919) 634-2364, or by email to James.C.Lastinger@usace.army.mil