



**US Army Corps
Of Engineers**
Wilmington District

PUBLIC NOTICE

Issue Date: February 21, 2023
Comment Deadline: March 21, 2023
Corps Action ID Number: SAW-2018-02113
TIP No R-2577 A, B & C

The Wilmington District, Corps of Engineers (Corps) received an application from the North Carolina Department of Transportation (NCDOT) seeking Department of the Army authorization to discharge dredged or fill material, associated with the proposal to elevate vertical grade and widen existing US 158 (Reidsville Road) to a multi-lane, median divided facility for approximately 18.8 miles from a location near its intersection with Old Greensboro Road in Forsyth County near Winston-Salem to its interchange with US 220/I-73 in Guilford County near Stokesdale, North Carolina (TIP R-2577 A, B & C). Impacts from this proposal total 1.74 acres of permanent wetland impacts and 8,022 linear feet of permanent stream impact.

Due to the large number of permit drawing plans associated with this proposal, they are not included with this Public Notice. This Public Notice and the plans are available on the Wilmington District Web site at:

<https://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Public-Notices/>

If you wish to obtain or view a paper copy of this Public Notice and/or the plans, please contact the individual identified at the end of this Notice.

Applicant: North Carolina Department of Transportation, Division 9
Attn: Amy Euliss
375 Silas Creek Parkway
Winston-Salem, NC 27127-7167

Authority

The Corps evaluates this application and decides whether to issue, conditionally issue, or deny the proposed work 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)

Location

Location Description: US 158 (Reidsville Road) to a multi-lane, median divided facility for approximately 18.8 miles from north of Interstate 40/US 421 Business in Forsyth County near Winston-Salem to US 220 in Guilford County near Stokesdale, North Carolina.

Nearest Towns: Winston-Salem and Stokesdale, NC

Nearest Waterways: Troublesome Creek, Kings Creek, Belews Creek, Left Fork Belews Creek, Martin Mill Creek and Lowery Mill Creek

River Basins: Cape Fear River HUC 03030002, Roanoke River HUC 03010103 & Yadkin River HUC 03040101

Latitude and Longitude: 36.115829N, -80.186578W (start of project- Phase A)

Latitude and Longitude: 36.249250N, -79.913443W (end of project-Phase C)

Existing Site Conditions

This project follows an approximately 18.8-mile-long segment of existing US 158 near its intersection with Old Greensboro Road in Winston-Salem to the northeast through Stokesdale to an interchange with US 220/I-73, North Carolina. This project travels through areas that are urban with residences, businesses and industrial/commercial developments in Winston-Salem and Stokesdale, but also includes areas of undeveloped forested lands and agricultural areas in the rural sections of this project. The waters within the project area are located in the Cape Fear River Basin (HUC 03030002), Roanoke River Basin (HUC 03010103) and Yadkin River Basin (HUC 03040101).

Applicant's Stated Purpose

The application indicates that the purpose of the project is to improve the traffic carrying capacity and level of service (LOS) along US 158 within the project limits. The project is needed to correct existing transportation deficiencies along this section of US 158 that cause additional travel delays, increase the potential for accidents, and contribute to the inefficient operation of motor vehicles.

Project Description

NCDOT has identified this project as TIP R-2577 A, B & C. Phase A will include construction of a 5.6-mile-long segment of US 158 from its intersection with Old Greensboro Road to its intersection with Belews Creek Road (SR 1965) in Forsyth County (anticipated contract let December 2023). Phase B will include construction of a 7.1-mile-long segment of US 158 from its intersection with Belews Creek Road in

Forsyth County to its intersection with Anthony Road (SR 2034) in Guilford County. Phase C will include construction of a 6.1-mile-long segment of US 158 from its intersection with Anthony Road to the junction of US 158 and US 220 (I-73) in Stockdale. Phase C will include construction of new roadway on new alignment that will create a bypass section of existing US 158 through Stockdale. Project sections R-2577B and R-2577C are not due to let within the next 5 years.

The proposed project includes the widening of the existing US 158 from a typical cross section of a two-lane highway with 12-foot-wide lanes with 2-foot-wide open shoulders to a typical cross section of US 158 will be a four-lane divided highway with two, 12-foot-wide lanes for each direction and 2.5-foot-wide curb and gutter on the outside lanes. This widening project will utilize either an approximately 30-foot-wide raised grass median with 1.5-foot-high curb and gutter or a depressed 34-foot-wide grass median with two 6-foot-wide shoulder with protected turn lanes constructed within the median at roadway intersections.

NCDOT is requesting authorization for the impacts for all three phases of construction to include a total of 1.74 acres of permanent wetland impacts and 8,022 linear feet of permanent stream impact. For Phase A, NCDOT has completed final design and is requesting authorization to include 0.06 acre of permanent impacts to wetlands and 1,633 linear feet of permanent impacts to streams. For Phase B NCDOT has completed preliminary design and this phase will include 2,210 linear feet of stream impacts and 0.32-acre wetland impacts. In addition, for Phase C NCDOT has completed preliminary design and this phase will include 4,179 linear feet of stream impacts and 1.36-acre wetland impacts. Once final design is complete for Phase B and Phase C, NCDOT will be preparing and submitting a permit modification request (with mitigation) for these phases.

Avoidance and Minimization

The applicant provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

- Best Management Practices (BMPs) will be utilized during construction to attempt to reduce the stormwater impacts to receiving streams and wetlands due to erosion and runoff.
- Drainage outfalls along the project have been analyzed to verify stability and outlet protection has been incorporated into the design for all proposed drainage improvements.
- Multiple proposed culverts utilize junction boxes to dissipate energy, reduce the slope of the pipe and provide reduced outlet velocity to the stream bed and bank.
- Additionally, rip rap channel stabilization has been provided at the outlets of large culverts where appropriate to reduce the threat of erosion.
- Rip rap bank stabilization has been provided where appropriate to promote bank stability.
- Storm drainage systems were discharged outside of jurisdictional features where

practicable.

- Existing culverts at the following locations will be replaced with dual bridges:
 - Lowery Mill Creek. proposed bridge lengths of 85 lf
 - Belews Creek. proposed bridge lengths of 110 lf
- Bridge 164 over Belews Lake will be replaced with dual bridges (100 lf) and the vertical alignment has been adjusted at Belews Lake crossing (raised 4 lf).
- Side slopes will be reduced from 6:1 to 2:1, where possible and without requiring the installation of guardrail, to further minimize stream and wetland impacts:
 - R-2577 A&B an estimated reduction of 96 LF of overall stream impacts
 - R-2577 A&B segment 3 transitional widening an estimated reduction of 101 LF of stream impacts
 - R-2577C an estimated reduction of 21 LF of stream impacts
- Additional minimization measures for non-jurisdictional resources have been incorporated into the preliminary design plans
- Edgewood Baptist Church (eligible for National Register of Historic Places [NRHP]- minimized impacts to church and residences across the street:
 - shifted alignment slightly to the south
 - reduced median width to 23 lf
 - tightened side slopes to 2:1
 - proposed retaining wall in front of church parking lot
- Drive-In Movie Theater (eligible for NRHP) tightened side slopes to reduce Impacts
- North of NC-66 the project incorporates the Design Standards for Sensitive Watersheds (DSSW) [15A NCAC 04B .0124(a)-(e). As an effort to avoid impacts to the Roanoke log perch.

Compensatory Mitigation

The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

For the construction of Phase, A which includes permanent impacts to 0.06 acres of wetlands (0.04 acres of permanent fill and 0.02 acres of mechanized clearing), and 1,633 linear feet of streams (1,486 linear feet of from permanent placement of fill/structures/channel fill & relocation/channel armoring/bank stabilization and 147 linear feet of temporary channel armor/bank stabilization. For the impacts related to Phase A construction, NCDOT has proposed to utilize a combination of North Carolina Division of Mitigation Services (DMS) and commercial mitigation banks. Specifically, NCDOT has proposed to utilize DMS to provide 0.12-acre compensatory mitigation for wetlands in R-2577A. For stream mitigation, NCDOT has proposed to provide a total of 2,298 stream credits from Brushy Mountain Mitigation Site, Little Peters Creek Mitigation Site and DMS. The Brushy Mountain Mitigation Site is located in western North Carolina, within the Yadkin River Basin (03040101) and will be used to offset impacts by debiting 1,942 linear feet. The Little Peters Creek Mitigation Site is located in Stokes County, within the Roanoke River Basin (03010103) and will be used to offset impacts by

debiting 261 linear feet. Also, DMS will be utilized to provide 95 linear feet of stream mitigation.

Essential Fish Habitat

The Corps' 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, 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:

- Historic properties, or properties eligible for inclusion in the National Register, are present within the Corps' permit area; however, the undertaking will have no adverse effect on these historic properties. The Corps subsequently requests concurrence from the SHPO (or THPO).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, 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 Corps determines that the proposed project may affect, not likely to adversely affect federally listed endangered or threatened species or their formally designated critical habitat.

Within the project area the following listed species were identified as potentially occurring in or near it. This includes Bog turtle (*Glyptemys muhlenbergii*), Roanoke logperch (*Percina rex*), Schweinitz's sunflower (*Helianthus schweinitzii*) and Small whorled pogonia (*Isotria medeoloides*). In addition, the Tricolored bat (*Perimyotis subflavus*), proposed endangered, may also occur in the project area.

Based on the Corps informal consultation with the US Fish and Wildlife Service (USFWS) and correspondence dated October 11, 2022, the USFWS concurred with the Corps determination of May Affect, Not Likely to Adversely Affect the

Roanoke Logperch Small, whorled pogonia and Schweinitz's sunflower. In addition, although not currently listed, the USFWS recommended that conferencing procedures be under take for the Tricolored bat to ensure that the project does not jeopardize the existence of this species or adversely modify critical habitat.

Other Required Authorizations

The Corps forwards this notice and all applicable application materials to the appropriate State agencies for review.

North Carolina Division of Water Resources (NCDWR):

- The Corps will generally not make a final permit decision until the NCDWR issues, denies, or waives the state Certification as required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice at the NCDWR Central Office in Raleigh constitutes initial receipt of an application for a 401 Certification. Unless NCDWR is granted a time review extension, a waiver will be deemed to occur if the NCDWR fails to act on this request for certification within 120 days of the date of this public notice. Additional information regarding the 401 Certification may be reviewed at the NCDWR Central Office, Transportation Permitting Unit, 512 North Salisbury Street, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for a 401 Certification should do so, in writing, by March 13, 2023, to Ms. Amy Chapman, Transportation Permitting Unit to:
- (USPS mailing address): 1617 Mail Service Center, Raleigh, NC 27699-1617
or,
(physical address): 512 North Salisbury Street, Raleigh, North Carolina 27604

North Carolina Division of Coastal Management (NCDCM):

- Based upon all available information, the Corps determines that this application for a Department of Army (DA) permit does not involve an activity which would affect the coastal zone, which is defined by the Coastal Zone Management (CZM) Act (16 U.S.C. § 1453).

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 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 will 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.

The Corps of Engineers, Wilmington District will receive written comments pertinent to the proposed work, as outlined above, until 5pm, March 21, 2023. Comments should be submitted to Stephen A. Brumagin, Charlotte Field Office, 8430 University Executive Park Drive, Suite 615, Charlotte, North Carolina 28262, at (704) 510-0162. Comments may also be submitted to stephen.a.brumagin@usace.army.mil