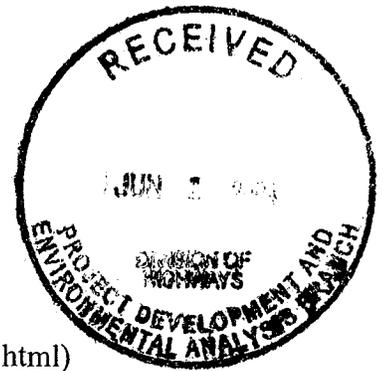
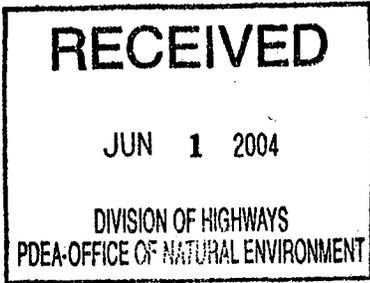


Deawogard



DEPARTMENT OF THE ARMY
Wilmington District, Corps of Engineers
Raleigh Regulatory Field Office
6508 Falls of Neuse Road, Suite 120
Raleigh, North Carolina 27615-6814

(Web page - <http://www.saw.usace.army.mil/wetlands/index.html>)

Action ID. 200020843

May 27, 2004

PUBLIC NOTICE

The North Carolina Department Of Transportation, Division Of Highways, 1548 Mail Service Center, Raleigh, North Carolina 27699-1548, has applied for a DEPARTMENT OF THE ARMY (DA) PERMIT pursuant to SECTION 404 OF THE CLEAN WATER ACT to authorize the proposed discharge of fill material impacting 1,379 linear feet of STREAM, for construction of the REPLACEMENT OF BRIDGE Nos. 74 and 76, and IMPROVEMENT OF the US29-64-70/I-85 Business INTERCHANGE at SR 1242 (West Center Street) (T.I.P. No. B-3157), impacting MICHAEL BRANCH and unnamed tributaries, northwest of LEXINGTON, in DAVIDSON COUNTY, North Carolina.

The following description of the work is taken from data provided by the applicant. Plans submitted with the application show the placement of fill material impacting a total of 1,379 linear feet of stream, in the Yadkin River basin. These impacts are necessary for the replacement of Bridge Nos. 74 and 76, and improvement of the US29-64-70/I-85 Business interchange at SR 1242 (West Center Street) (T.I.P. No. B-3157). The two bridges, which carry US29-64-70/I-85 Business interchange over SR 1242 (West Center Street) and Michael Branch, will be replaced in their existing locations with new bridges. However, the geometry of the bridge replacement necessitates that a double-barrel box culvert be constructed to carry Michael Branch through the vicinity of the bridge crossing, and under SR 1242. Additional work that will be done at this location for improved use of the roadways include the following:

- Adding 12 feet of paved surface to US29-64-70/I-85 Business to allow for an auxiliary lane.
- Widening SR 1242 to a three-lane, curb-and-gutter section from south of SR 1292 to north of SR 1401.
- Relocating the intersection of Swing Dairy Road and SR 1242 to opposite SR 1401.
- Constructing an acceleration lane for the existing southwest ramp onto US29-64-70/I-85 Business northbound.
- Constructing a deceleration lane for US29-64-70/I-85 Business southbound to SR 1401.

In addition, existing utility lines will be re-located, and a portion of Michael Branch will be impacted for stream mitigation.

The bridge replacement and roadway improvement portions of the project will directly impact 876 linear feet of stream, including 404 linear feet of relocation of Michael Branch using natural stream channel design. The utility line relocations will temporarily impact 19 linear feet of Michael Branch and an unnamed tributary. The stream mitigation, which involves changing the plan form and cross-section of the stream to a more stable geometry, using natural channel design, will impact 484 linear feet of Michael Branch, and will result in 546 linear feet of channel. No wetlands will be impacted by the project.

NCDOT is proposing to use the onsite stream relocation and mitigation at a 1:1 ratio to provide the necessary compensatory mitigation for the unavoidable stream impacts associated with this project.

The purpose of the work is to replace structurally deficient bridges, and to provide for safer traffic operations in the immediate area of the bridges and interchange. The applicant has considered alternatives to the proposed project, including the no-build alternative. In addition, the applicant has committed to measures to minimize stream impacts, including natural stream design for relocated stream channels, using specific stormwater measures to minimize impacts to water quality, and using depressed culverts with a low-flow channel.

Overall plans showing the location of the proposed construction and impact sites are included with this public notice. Additional detailed plans may be reviewed at the U.S. Army Corps of Engineers Regulatory Field Office at 6508 Falls of Neuse Road, Suite 120, Raleigh, North Carolina 27615-6846, or at the offices of the North Carolina Division of Water Quality at the address shown below.

The State of North Carolina will review this public notice to determine the need for the applicant to obtain any required State authorization. No Department of the Army permit will be issued until the coordinated State viewpoint on the proposal has been received and reviewed by this agency, nor will a Department of the Army permit be issued until the North Carolina Division of Water Quality has determined the applicability of a Water Quality Certificate as required by PL 92-500.

This application is being considered pursuant to Section 404(b) of the Clean Water Act (33 U.S.C. 1344). Any person may request, in writing within the comment period specified in the notice, that a public hearing be held to consider this application. Requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and the project does not impact any registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer. NCDOT has

conducted a survey for architectural resources, and has coordinated with the North Carolina State Historic Preservation Officer (SHPO) regarding architectural and archaeological resources. SHPO has concurred that the project will not have any effect on architectural or archaeological resource properties eligible for inclusion in the Register. The District Engineer is otherwise unaware of the presence of such resources. Presently, unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by work under the requested permit.

The District Engineer is not aware, based on available information, that the activity will affect species, or their critical habitat, designated as endangered or threatened pursuant to the Endangered Species Act of 1973.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore 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 placement of dredged or fill materials in waters of the United States, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; 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 preparation of an Environmental Assessment and/or Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

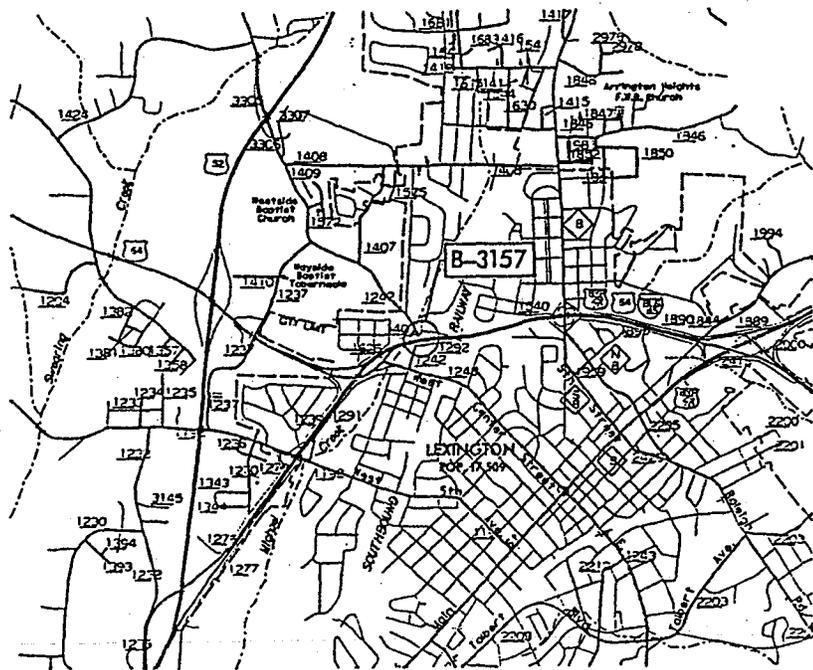
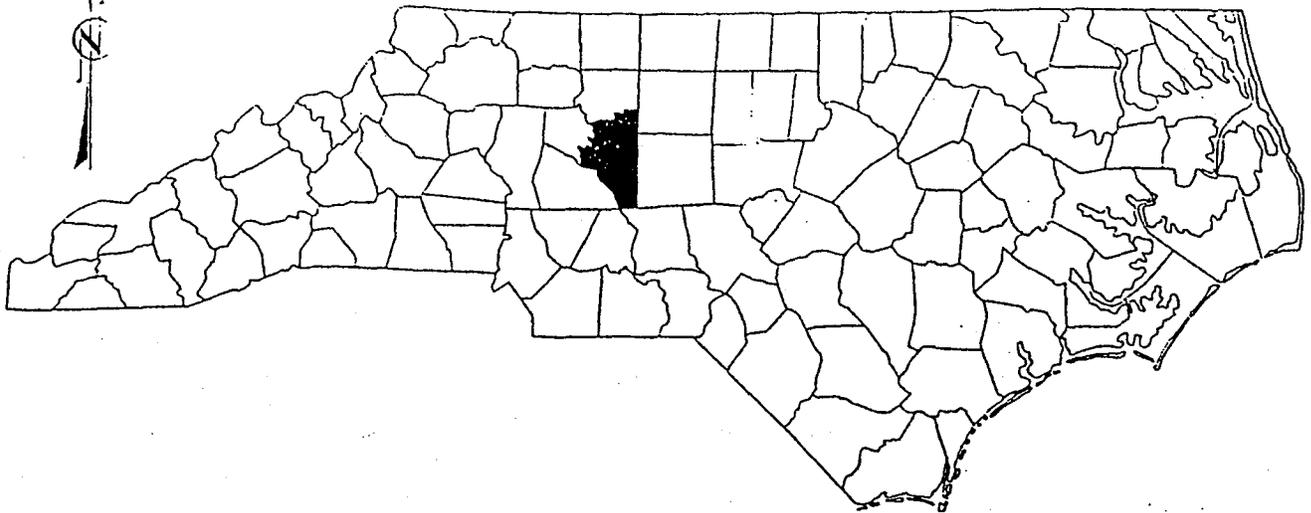
Generally, the decision whether to issue this DA permit will not be made until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act. The NCDWQ considers whether or not the proposed activity will comply with Sections 301, 302, 306, and 307 of the Clean Water Act. The application and this public notice for the DA permit serves as application to the NCDWQ for certification.

Additional information regarding the Clean Water Act certification may be reviewed at the offices of the Wetlands /401 Unit, North Carolina DENR, Division of Water Quality, 2321 Crabtree Boulevard, Raleigh, North Carolina. Copies of such materials will be furnished to any person requesting copies upon payment of reproduction costs.

All persons desiring to make comments regarding the application for Clean Water Act certification should do so in writing delivered to the North Carolina Department of Environment and Natural Resources, Division of Water Quality, 1650 Mail Service Center, Raleigh, NC 27699-1650, on or before June 21, 2004, Attention: Mr. John Dorney.

Written comments pertinent to the proposed work, as outlined above, will be received in this office, Attention: Eric Alsmeyer, until 4:15 p.m., June 28, 2004, or telephone 919-876-8441, extension 23.

NORTH CAROLINA



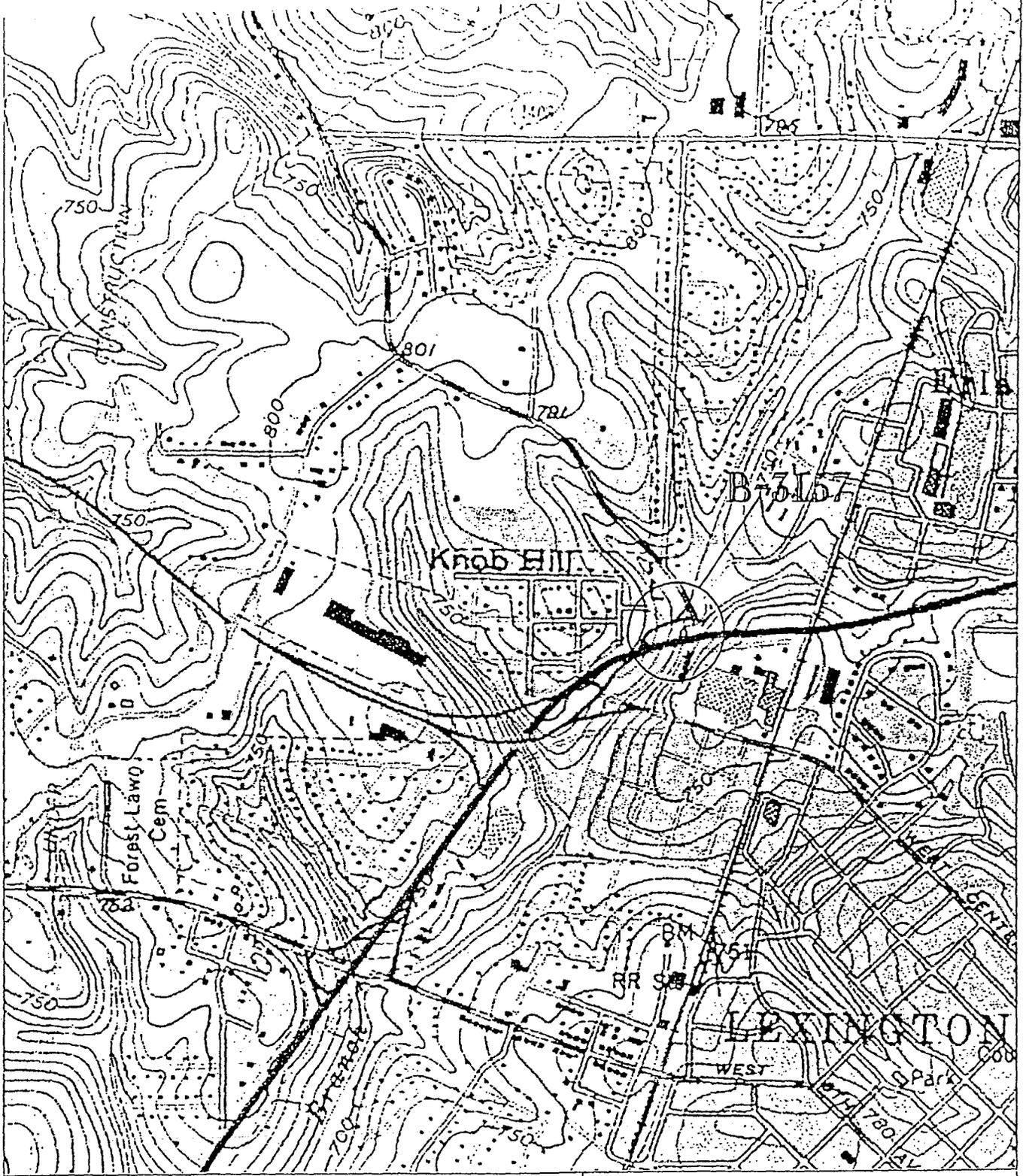
VICINITY MAPS

NCDOT
DIVISION OF HIGHWAYS
DAVIDSON COUNTY
PROJECT: 8.1631403 (B-3157)

BRIDGE NOS. 74 & 76 OVER SR1242 AND
MICHAEL CREEK AND APPROACHES
ON US 29 / 64 / 70 AND I-85 BUSINESS

SHEET 1 OF 4

5 / 27 / 05



TOPO
MAP

SCALE 1" = 2000'

NCDOT

DIVISION OF HIGHWAYS
DAVIDSON COUNTY

PROJECT: 8.1631403 (B-3157)

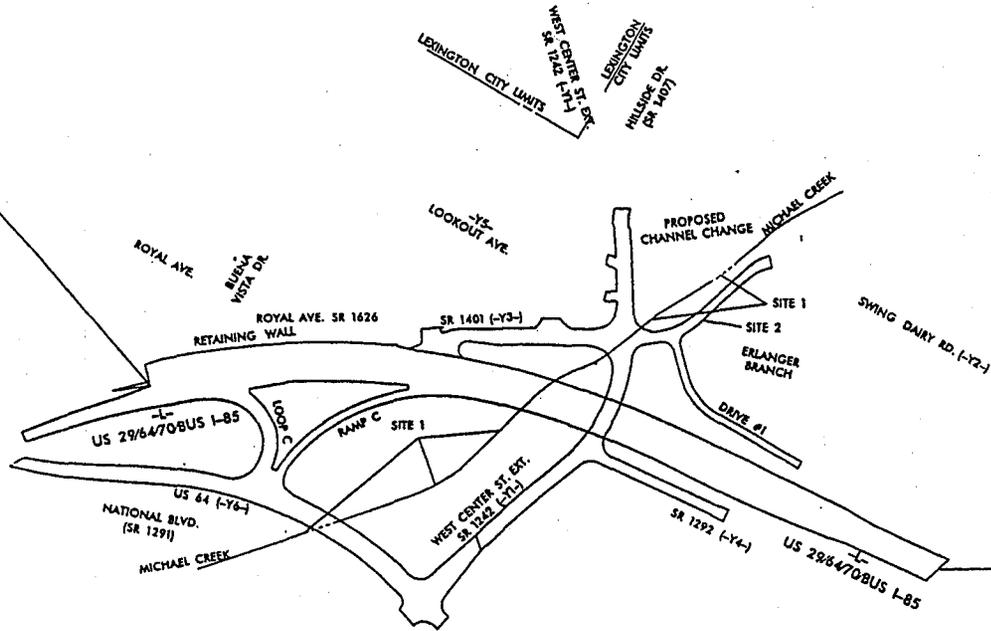
BRIDGE NOS. 74 & 76 OVER SR1242 AND
MICHAEL CREEK AND APPROACHES
ON US 29/64/70 AND I-85 BUSINESS

SHEET 2 OF 4

3/27/05

BEGIN STATE PROJECT 8.1601402

TO SALISBURY



END STATE PROJECT 8.1601402
TO THOMASVILLE

SITE MAP

NCDOT
DIVISION OF HIGHWAYS
DAVIDSON COUNTY
PROJECT: 8.1631403 (B-3157)

BRIDGE NOS. 74 & 76 OVER SR1242 AND
MICHAEL CREEK AND APPROACHES
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SHEET 3 OF 4

10/28/03

WETLANDS IMPACT PERMIT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation In Wetlands (ac)	Mechanized Clearing (Method III) (ac)	Fill In SW (Natural) (ac)	Fill In SW (Pond) (ac)	Impact Due To Mitigation (ft)	Existing Channel Impacted (ft)	Natural Stream Design (ft)
1	20+81.5 -Y6-	1 @ 10' X 10' RCBC, & 72" SMOOTH STEEL					0.02		484 ✓	114 ✓	546 ✓
1	17+48 -Y1-	2 @ 12'x 9' RCBC					0.17			743 ✓	404 ✓
2	12+05 -Y2-	60" RCP					<.01			19 ✓	
TOTALS:			0	0	0	0	0.19	0	484	876	950

*10 feet of stream restoration deleted for utility easement

NCDOT
 DIVISION OF HIGHWAYS
 DAVIDSON COUNTY
 PROJECT 8.1631403 (B-3157)
 BRIDGE NOS. 74 & 76 OVER SR1242 AND
 MICHAEL CREEK AND APPROACHES
 ON US 29/64/70 AND I-85 BUSINESS

SHEET **4** OF **4** 10/28/2003