

**R-2514C: Widen US 17 between the Maysville Bypass and the Pollocksville Bypass**

**Right of Way Consultation Memo to File**

by Mark Pierce, Project Planning Engineer

*BPY*

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*6/3/13*

The following changes to the proposed action have occurred since the State Record of Decision was approved on June 25, 2012.

**Roadway, Drainage, and Utility Design Changes in Chadwick Community:** A Final Design Field Inspection was conducted on March 12, 2013. Since the September 2012 Design Public Hearings, drainage design and utilities design have been completed, and the associated easements have been recommended. The plans now include a lateral ditch on the west side of existing US 17 through the Chadwick Community. In addition, a 15-foot permanent utilities easement is also planned for that same side of the highway. This will add thirteen relocations in the Chadwick Community. It should be noted that those thirteen additional relocations might include ruins or unoccupied structures, which will need to be confirmed or refuted as true relocations during the right of way acquisition process.

**Water Resources Update:** Although this consultation memo is for R-2514C (widen existing US 17 between Maysville and Pollocksville), it should be noted that the Section 404 / Interagency Merger Process Team reached final concurrence on the Avoidance & Minimization Measures (CP4A) for the entire project on February 6, 2013 by reviewing and accepting the design revisions requested by the U.S. Army Corps of Engineers at the southern terminus of the Maysville Bypass (R-2514B).

**Paved Service Road:** NCDOT will purchase and maintain a paved drive located just northeast of Maysville that extends from existing US 17 to the abandoned railroad on property owned by the U.S. Forest Service. This paved drive will replace access to National Forest System lands currently provided by Fire Suppression Road #204 at STA 115+00, which will be blocked in the future by the embankment of the proposed Wildlife Underpass Bridges from STA 76+00 to STA 128+00. The U.S. Forest Service will make a recommendation on the extent of the closure of Fire Suppression Road #204 based upon the footprint of the bridge embankment.

**Project Commitments:** The project commitments included in the State Record of Decision have been reviewed, updated, and attached to this right of way consultation memorandum.

END

**PROJECT COMMITMENTS**  
**US 17 IMPROVEMENTS**  
**FROM SR 1330/1439 SOUTH OF BELGRADE**  
**TO THE NEW BERN BYPASS AT THE JONES/CRAVEN COUNTY LINE**  
**Onslow and Jones Counties**  
**TIP No. R-2514 B, C & D**

**Project Development and Environmental Analysis Unit, and Right of Way Branch**

1. After consultation with the North Carolina State Historic Preservation Office, it was determined that the project will have an adverse effect on Archaeological Site 31JN128\*\*, which has been recommended as eligible for the National Register of Historic Places per Criterion D. The site falls partially within the corridor and should be avoided by construction activities if possible. At this time, the site will not be avoided by construction activities and data recovery excavations will be required once right-of-way has been acquired, prior to construction. A Memorandum of Agreement between the U.S. Army Corps of Engineers, the State Historic Preservation Office and the North Carolina Department of Transportation has been prepared and signed to describe and implement data recovery for the site.

**Division 2, Division 3, Roadside Environmental Unit, and Construction Unit**

1. The Trent River is a designated anadromous fish spawning area. An in-stream work moratorium will be in place from February 15th to June 15th.
2. The White Oak River is a designated inland primary nursery area. An in-stream work moratorium will be in place from February 15th to September 30th.

**Hydraulics Unit, Structures Management Unit, Natural Environment Section, Human Environment Section, Roadway Design Unit, Roadside Environmental Unit, Division 2, Division 3, and Construction Unit**

1. Neuse River Basin Buffer rules apply to the northern two-thirds of the project from north of Maysville to the New Bern Bypass. Features within the Neuse River Drainage Basin portion of the project study corridors that are mapped as either a blue-line stream channel or open water feature on the most recent version of either the USGS topographic quadrangle or the county soil survey are subject to the Neuse Riparian Buffer Rules.
2. The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program, for approval of a Conditional Letter of Map Revision (CLOMR) and subsequent Final Letter of Map Revision

(LOMR) for each new crossing of a FEMA-regulated stream.

3. The project involves construction activities on or adjacent to FEMA-regulated streams. Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that drainage structures and roadway embankments that are located within the 100-year floodplain were built as shown in the construction plans both horizontally and vertically.
4. NCDOT will construct a wildlife underpass between Maysville and the Community of Chadwick to provide wildlife passage under US 17 from the Hofmann Forest to the Croatan National Forest. Dual bridges, 120 feet long, with a 10-foot vertical clearance are proposed, coupled with fencing parallel to US 17 to help channel animals to the underpass. With the condition that the Department reserves the right to withdraw this commitment, if prior to the start of bridge construction, there is a change or planned change in use on the private property near the bridge that will serve as a deterrent to wildlife movement in the area. The US Fish and Wildlife Service requested that the fencing associated with the Wildlife Underpass include a wire mesh at the bottom of the fence to prevent smaller species from passing through the chain link fencing. The wildlife underpass is depicted in Figure 6 in the State Record of Decision (June 25, 2012).
5. NCDOT will purchase and maintain a paved drive located just northeast of Maysville that extends from existing US 17 to the abandoned railroad on USFS Property. USFS will make a recommendation on the extent of the closure of FSR 204.
6. NCDOT will communicate with the USFS Croatan Wildlife Biologist prior to the start of any activities on USFS land within the planned RCW Territory 134 to ensure that the area has not become an active RCW area.
7. NCDOT will harvest and preserve seeds from Spring-flowering Goldenrod prior to construction and will make plantings within the Croatan National Forest at locations designated by the U.S. Forest Service.
8. Based upon the preliminary designs prepared for R-2514, noise barrier NW1 meets applicable feasibility and reasonableness criteria, and is recommended for detailed traffic noise analysis for the benefit of five residential receptors on Deerfield Trail. The potential barrier location is located parallel to the proposed US 17 Bypass along the shoulder in the southwest quadrant of the US 17 Maysville Bypass / White Oak River Road grade-separated intersection.
9. Preferred Alternative section 4D will pass through a conservation easement held by the NC Coastal Land Trust, consultation will be undertaken regarding easement impacts within the North Carolina Coastal Land Trust property.

**Utilities Unit, Right of Way Branch, Division 2, and Construction Unit**

1. All relocation of utilities including but not limited to power lines, water and sewer lines, and communication lines located on National Forest Systems (NFS) lands must be coordinated with the US Forest Service.
2. The NCDOT Highway Easement on the Croatan National Forest is not for use by utility companies. Utility companies need to coordinate easements with the US Forest Service.