



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

February 20, 2004

Mr. Eric Alsmeyer, Transportation Project Manager
Department of the Army; Corps of Engineers
Raleigh Regulatory Field Office
6508 Falls of Neuse Road, Suite 120
Raleigh, North Carolina 27615

Dear Mr. Alsmeyer:

SUBJECT: SECTION 404 - N.E.P.A MERGER PROCESS Application for a Department of the Army (DOA) Permit pursuant to Section 404 of the Clean Water Act TO DISCHARGE DREDGED OR FILL MATERIAL INTO WATERS OF THE UNITED STATES TO CONSTRUCT the proposed extension of SR 1537 (Daniel Street) from SR 1518 (Baker Street) to US 258, Edgecombe County.
Federal Project No. STP-1537 (2)
State Project No. 8.2291201
T.I.P. No. U-3826

The following application, including separate attachments for (1) ENG Form 4345 and (2) mailing list (labels) is submitted for your consideration. As you are aware, this project was selected for treatment under the new "merger" process. At this juncture, the Regulatory Division has provided concurrence with Purpose and Need, with the selection of Detailed Study Alternatives and with the bridge locations and lengths. An Environmental Assessment (EA) was prepared and signed on December 8, 2003. The document was circulated on January 6, 2004.

Please issue your public notice at the earliest opportunity so that we can jointly proceed toward selecting the LEDPA (least environmentally damaging, practicable alternative which meets the purpose and need of the project) following analysis of public input. Once the LEDPA is selected and approved, efforts will be undertaken to further minimize impacts to wetlands and riparian buffers in the LEDPA corridor and to propose suitable compensatory mitigation to offset unavoidable impacts.

The following information is a summary of relevant project details and is being provided to assist in the Section 404 regulatory review of the project. Please note that more detailed information is available in the EA.

MAILING ADDRESS:
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LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
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Introduction

The North Carolina Department of Transportation (NCDOT) proposes to extend SR 1537 (Daniel Street) in Tarboro, North Carolina by approximately 1.8 miles from its current terminus at SR 1518 (Baker Street) eastward to US 258 near NC 122 (see Figure 1). The proposed Daniel Street Extension is identified in the 2004-2010 Transportation Improvement Program (T.I.P.) as Project No. U-3826. Six Detailed Study Alternatives are being investigated (see Figure 2).

On the Edgecombe County Thoroughfare Plan (1997), the Daniel Street Extension is shown as a proposed major thoroughfare connecting existing Daniel Street to the US 258/NC 122 intersection. This plan identifies the extension as a “priority project”. Daniel Street is designated as a proposed major thoroughfare on the Tarboro-Princeville Thoroughfare Plan (1980), although the connection with US 258 is north of the US 258/NC 122 intersection.

The proposed Daniel Street Extension is approximately 1.8 miles with a two-lane, 24-foot wide roadway, with 8-foot shoulders, of which 2 feet are paved, on a 100-foot right-of-way (see Figure 3). The proposed roadway has a design speed of 60 miles per hour (mph).

Adverse impacts to the human and natural environments were minimized for the proposed project through corridor selection and design shifts within the corridors for six Detailed Study Alternatives. Two different bridge length scenarios were used to quantify wetland, stream, buffer, and floodplain impacts. One scenario assumes that bridge lengths are controlled by high quality natural systems habitats and is referred to as “natural systems controlled bridge lengths”. The other scenario assumes that bridge lengths are controlled by hydrologic requirements and is referred to as “hydrologic controlled bridge lengths”. Studies to definitively determine hydrologic span requirements will not be completed until after an alternative has been selected for final design. However, the length of bridging on each alternative will not be less than the lengths designated as the natural systems controlled bridge lengths which are reported in this letter.

N.E.P.A. Documentation

A Feasibility Study for the Daniel Street Extension in the project area was completed in February 1998. The project’s environmental studies began in November 2000. A Purpose and Need Statement documenting the need for the project and potential benefits was completed in February 2001. A Preliminary Alternatives Analysis was completed in May 2001, which evaluated eight preliminary alternatives. The Environmental Assessment (EA) which assessed six Detailed Study Alternatives (Alternatives B, C, D, E, F, and H) was completed and signed in December 2003.

Purpose and Need

Construction of the Daniel Street Extension would benefit Tarboro by reducing truck traffic through historic downtown and providing a more efficient travel route from downtown to US 258. This improvement would link Tarboro to nearby regional highways in the eastern portions of Edgecombe County. Secondary benefits of the proposed project include enhancing local economic opportunities and reducing travel distances, road user costs, and the number of traffic-related accidents.

Need to Reduce Truck Traffic in Downtown Tarboro

Currently, trucks travel through historic downtown Tarboro on NC 33 (Main Street) to access the industrial areas on Daniel Street. Year 2005 traffic indicates approximately 15,600 vehicles per day will travel on Main Street in the vicinity of Daniel Street through Tarboro. Of this total, approximately four percent or 624 vehicles are five-axle trucks. Large numbers of trucks and

other commercial vehicles jeopardize the preservation of this historic community. There are several sites along existing Daniel Street that generate large quantities of truck traffic daily, including Kanban Incorporated and General Foam Company.

Need for Improved Route Between Tarboro and Regional Highways in Eastern North Carolina

The Town of Tarboro lacks a reasonably direct link between its developing industrial areas and the major regional highways, US 258 and NC 122, located east of town. US 258, NC 122 and NC 33 are routes that are important on a countywide and statewide scale. US 258 is a north-south arterial that connects Tarboro with Kinston and the Global Transpark area to the south and to the Port of Norfolk, in Norfolk, Virginia to the north. NC 122 connects Edgecombe County eastward to the towns of Speed and Hobgood. NC 33 is the main street through downtown Tarboro and also connects Tarboro south to Greenville.

The only crossings of the Tar River in the Tarboro area are located near the municipal limits north and south of the center of town. Because of this, vehicle and truck traffic entering Tarboro from the east must travel circuitous routes to cross the Tar River and eventually reach the business and industrial areas of northeast Tarboro.

Traffic Volumes and Levels of Service

Currently, Daniel Street is functionally classified on the North Carolina Statewide Functional Classification System as a rural major collector from SR 1518 (Baker Street) to 0.3 mile east at the Tarboro jurisdictional limits and from the Tar River/urban boundary to US 258/NC 122. The portion of Daniel Street from 0.3 mile east of Baker Street at the jurisdictional limits to the Tar River is functionally classified as an urban collector. For construction year 2005, the No Build projected levels of service range from LOS A on Baker Street north of Daniel Street to LOS B on US 258 south of NC 122 and on NC 122 east of US 258. The average daily traffic volume (ADT) along existing Daniel Street at the Baker Street intersection will be 1,200 vehicles per day (VPD). In the design year of 2025, the projected levels of service found on existing Daniel Street and other various roadway segments in the project area operate at LOS A to C and the ADT along Daniel Street at the Baker Street intersection is projected to increase to 1,800 VPD.

Accident Rates

Traffic accident reports for the period of January 1, 1997 through May 31, 2000 listed eight total accidents, none involving fatalities. The accident rate is 11.9 percent lower than the statewide average for similar rural, two-lane secondary routes. The greatest number of accidents involved left turns (37.5%) and rear-end, slow or stopped vehicles (25.0%).

Mobility

Increasing traffic volumes, congestion and delays along existing Daniel Street and Baker Street in Tarboro typically have been associated with turning movements to and from NC 33 and the numerous signalized and unsignalized intersecting roadways, and the private accesses to homes and businesses lining these roads. These delays are expected to increase in the future. Even though the existing accident rate along Daniel Street is slightly below the statewide average for similar facilities, a two-lane corridor from the current terminus of Daniel Street at Baker Street to US 258 near NC 122 would improve the traffic safety in the Tarboro area by reducing the truck traffic using NC 33 (Main Street), SR 1530 (St. Andrews Street), and other substandard, narrow and congested streets in Tarboro. Left-turn lanes would also be provided at the Daniel Street Extension intersection with US 258.

Costs

Preliminary cost estimates for each Detailed Study Alternative are presented in Table 1. These figures include cost estimates for construction, right-of-way and compensatory mitigation. The overall costs range from \$5,940,341 for Alternative B to \$7,799,098 for Alternative H including the natural systems controlled bridge lengths. Preliminary cost estimates for each of the Detailed Study Alternatives including the hydrologic controlled bridge lengths are in Table S.1.B in the EA.

	Alternatives					
	B	C	D	E	F	H
Right-of-Way Cost	85,000	93,000	124,000	118,000	218,500	130,000
Construction Cost	5,800,000	5,700,000	7,200,000	6,100,000	6,000,000	7,500,000
Riparian Wetland Mitigation Cost*	52,656	164,400	113,712	141,936	112,320	77,520
Stream Mitigation Cost**	0	0	0	0	0	44,000
Buffer Mitigation Cost***	2,685	125	0	0	0	47,578
Total Cost	5,940,341	5,957,525	7,437,712	6,359,936	6,330,820	7,799,098

*Riparian Wetland Mitigation Cost (\$) [\$24,000 per impacted acre (2:1 ratio for restoration)]

**Stream Mitigation Cost (\$) [\$200 per impacted linear foot (2:1 ratio for restoration)]

***Buffer Mitigation Cost (\$) [\$41,625 per impacted acre, based on 3:1 ratio in Zone 1 and 1.5:1 ratio in Zone 2]

Alternatives

No-Build Alternative

The No Build Alternative assumes that existing Daniel Street in Tarboro will not be extended from its current terminus at Baker Street. This alternative would not reduce truck traffic in historic downtown Tarboro nor provide a more efficient travel route from downtown to US 258. Therefore, the No-Build Alternative has been eliminated from further consideration.

Mass Transportation Alternative

The Mass Transportation Alternative includes the expansion of bus and/or introduction of rail service in place of extending Daniel Street. This alternative would not reduce truck traffic in historic downtown Tarboro nor provide a more efficient travel route from downtown to US 258. The Mass Transportation Alternative does not meet the purpose and need of this project and was therefore eliminated from further study.

Detailed Study Alternatives

Six alternatives (Alternatives A, B, C, D, E and F) were suggested in the initial planning phases and by environmental regulatory personnel during the November 2, 2000 Scoping Meeting and the January 17, 2001 Section 404/NEPA Merger Team Meeting. Alternative G was added to reflect the alignment shown in the Edgecombe County Thoroughfare Plan Study (1997) and to provide another alternative located downstream of the Town of Tarboro's water supply intake. Alternative H was added in response to environmental regulatory personnel comments

concerning the lack of a second alternative located downstream of the water intake (see Figure 2 for the Detailed Study Alternative locations). Preliminary Alternatives A and G were later discarded due to anticipated impacts to numerous natural resource communities and an abandoned county landfill, respectively. Below is a description of the Detailed Study Alternatives; additional information is described further in the EA, including wetland and stream locations and descriptions.

- **Alternative B**

Alternative B begins at the Daniel Street/Baker Street intersection and extends eastward on new location to US 258 approximately 0.5 mile north of the US 258/NC 122 intersection. The length of this alternative is approximately 1.4 miles. There are two bridges proposed along this alternative. Bridge No. 1 is a 640-foot bridge proposed to cross the Tar River approximately 650 feet north of the existing historic CSX Railroad Bridge. A portion of this alternative is located approximately 100 feet north of the abandoned CSX Railroad and would run parallel to the abandoned railbed for approximately 1,500 feet. Bridge No. 2 is a 310-foot bridge proposed to cross wetland area B9 east of the Tar River.

- **Alternative C**

Alternative C begins at the Daniel Street/Baker Street intersection and extends eastward on new location to US 258 approximately 0.3 mile north of the US 258/NC 122 intersection. The length of this alternative is approximately 1.5 miles. There is one bridge proposed along this alternative. Bridge No. 1 is a 702-foot bridge proposed to cross the Tar River and adjacent wetland areas C6 and C9. A portion of this alternative is located approximately 100 feet north of the abandoned CSX Railroad and would run parallel to the abandoned railbed for approximately 2,600 feet.

- **Alternative D**

Alternative D begins at the Daniel Street/Baker Street intersection and extends eastward on new location to US 258 at NC 122. The length of this alternative is approximately 1.7 miles. Alternative D would run parallel to the abandoned CSX Railroad railbed for approximately 3,200 feet, east and west of the existing historic CSX Railroad Bridge and is located approximately 2,800 feet upstream of the Tarboro water supply intake. There are three bridges proposed along this alternative. Bridge No. 1 is a 175-foot bridge proposed to cross wetland area D3 west of the Tar River. Bridge No. 2 is a 655-foot bridge proposed to cross the Tar River and adjacent wetland area D8. It is located approximately 100 feet south of the abandoned CSX Railroad. Bridge No. 3 is a 320-foot bridge proposed to cross wetland area D10 east of the Tar River.

- **Alternative E**

Alternative E begins at the Daniel Street/Baker Street intersection and extends eastward on new location to US 258 at NC 122. The length of the alternative is approximately 1.6 miles. Alternative E is approximately 2,200 feet upstream of the Tarboro water supply intake and approximately 700 feet south of the existing historic CSX Railroad Bridge. There are three bridges proposed along this alternative. Bridge No. 1 is a 140-foot bridge proposed to cross wetland area E2 west of the Tar River. Bridge No. 2 is a 650-foot long bridge proposed across the Tar River and wetland E4. Bridge No. 3 is a 250-foot bridge proposed to cross wetland area E6 east of the Tar River.

- **Alternative F**

Alternative F begins at Baker Street approximately 1.0 mile south of the Daniel Street/Baker Street intersection and extends southeastward on new location to US 258 at SR 1523 (Shiloh Farm Road) near Shiloh Mills. The length of this alternative is approximately 1.5 miles.

Alternative F is approximately 2.1 miles downstream of the Tarboro water supply intake. There is one bridge proposed along this alternative. Bridge No. 1 over the Tar River is located approximately 2.7 miles south of the existing historic CSX Railroad Bridge and approximately 4.5 miles northeast of the existing NC 33 bridge over the Tar River. This bridge is a 550-foot long bridge over the Tar River.

- **Alternative H**

Alternative H begins at Baker Street approximately 1.0 mile south of the Daniel Street/Baker Street intersection and extends southeastward on new location to US 258 approximately 0.6 mile south of the US 258/NC 122 intersection. The length of this alternative is approximately 1.8 miles. There is one bridge proposed along this alternative. Bridge No. 1 over the Tar River is located approximately 1.9 miles south of the existing historic CSX Railroad Bridge and approximately 1.4 miles south of the existing Tarboro water supply intake. The bridge is a 1,155-foot long bridge over the Tar River and adjacent wetland areas H8 and H9 and Stream D.

Waters of the United States

All of the Detailed Study Alternatives have the potential to cause adverse impacts on local water quality. Any of the alternatives would increase the amount of impervious surfaces in Edgecombe County as well as the accumulation of contaminants normally associated with such facilities. The following surface waters, wetlands, buffers and floodplain impacts are separated into “not bridged” areas and “bridged” areas. “Not bridged” areas will be disturbed within the slope stakes plus a 10-foot clear zone. “Bridged” areas lie beneath the 30-foot wide bridge and are not included in the mitigation costs.

Surface Water Impacts

The streams crossed and water resource impacts for each of the Detailed Study Alternatives are calculated per the natural systems controlled bridge lengths. These minimum bridge lengths could increase and if so, the associated impacts would decrease. Although all listed streams are jurisdictional in nature, only the Tar River, Stream D and Stream F are considered to require mitigation according to the DWQ field meeting on September 11, 2002. Surface water impacts for each of the Detailed Study Alternatives including the hydrologic controlled bridge lengths are in Table S.1.B in the EA.

Impacts ⁽¹⁾	Alternativ e B	Alternativ e C	Alternativ e D	Alternativ e E	Alternativ e F	Alternativ e H
Stream Crossing in feet:						
Tar River (bridged)	144	232	162	158	140	212
Stream A (bridged)	0	0	0	0	0	0
Stream A ⁽²⁾ (not bridged)	0	0	320	0	0	0
Stream B (bridged)	0	0	0	0	0	0
Stream B (not bridged)	0	0	0	0	97	86
Stream C (bridged)	0	0	0	0	0	0

Stream C (not bridged)	0	0	0	0	125	108
Stream D (bridged)	0	0	0	0	0	40
Stream D (not bridged)	0	0	0	0	0	0
Stream F (bridged)	0	0	0	0	0	0
Stream F (not bridged)	0	0	0	0	0	110
Total Stream Impacts	144	232	482	158	362	556
Open Waters ⁽³⁾ – acres	0.10	0.16	0.11	0.11	0.10	0.15

⁽¹⁾ For streams that are bridged, impacts include areas that lie under the 30-foot wide proposed bridge. For streams not bridged, impacts are based on preliminary designs and slope stakes plus 10-foot clear zone width.

⁽²⁾ Stream A runs parallel to Alternative D and, therefore, increases the linear footage of impacts. Other streams intersect the Detailed Study Alternatives almost perpendicularly and impacts are not as great.

⁽³⁾ Open water impact areas are calculated by multiplying the distance across the Tar River at the proposed bridge and the 30-foot width of the proposed bridge. Lengths across the Tar River are 144 feet, 232 feet, 162 feet, 158 feet, 140 feet, and 212 feet for Detailed Study Alternatives B, C, D, E, F and H, respectively.

Edgecombe County established land use controls in the water supply watershed. The “critical area” is the land within 0.5 mile and draining to the water supply intake. The “protected” area is the land within 10.0 miles and draining to the intake. Detailed Study Alternatives D and E fall within the designated critical area of the Tarboro water supply intake. Detailed Study Alternatives B and C fall within the designated protected area. Therefore, applicable state regulations for WS-IV Watersheds will be required during final design if Detailed Study Alternative B, C, D or E is selected as the Least Environmentally Damaging Practicable Alternative.

Wetland Impacts

Jurisdictional wetlands determined and verified within the project study area are shown on Exhibit 3.4 and described in detail in Section 3.5.3 in the EA. Due to the nature and location of the project, construction of the Daniel Street Extension would infringe upon jurisdictional wetlands. There is a great potential for impact to wetlands along the Tar River and associated floodplain with all six Detailed Study Alternatives. Wetland impacts for each Detailed Study Alternative are shown in Table 3 based on the slope stakes plus a 10-foot clear zone of the preliminary design for non-bridged areas and under the 30-foot bridge widths for bridged areas. These impacts are based on the natural systems controlled bridge lengths, which represent the minimum bridge lengths. Wetland impacts for each of the Detailed Study Alternatives including the hydrologic controlled bridge lengths are in Table S.1.B in the EA.

Wetland Impacts in acres*	B	C	D	E	F	H
Mitigatable Wetland Impacts (not bridged)	1.097	3.425	2.369	2.957	2.340	1.615
Non-mitigatable Wetland Impacts (bridged)**	0.404	0.034	0.275	0.137	0	0.489
Total Wetland Impacts	1.501	3.459	2.644	3.094	2.340	2.104

* Wetland impacts not bridged are based on slope stakes plus 10-foot clear zones. Wetland impacts bridged are based on 30-foot widths under the bridge.

** Bridged wetland areas are not used to calculate mitigation costs.

Floodplains

The potential for longitudinal floodplain encroachments was evaluated in compliance with Executive Order 11988. Additionally, significant floodplain encroachment was evaluated in compliance with 23 CFR part 650.105(q). The Daniel Street Extension will involve crossing the Tar River, including tributaries and headwaters, and their associated floodways and floodplains. The 100-year flood zones are shown on Exhibit 3.7 in the EA. The floodplain impacts associated with the natural systems controlled bridge lengths, which represent the minimum bridge lengths, for each Detailed Study Alternative based on bridged and not bridged (slope stake plus 10 feet clear zone) areas are shown in Table 4. Floodplain impacts for each of the Detailed Study Alternatives including the hydrologic controlled bridge lengths are in Table S.1.B in the EA.

Impacts in acres*	Alternative B	Alternative C	Alternative D	Alternative E	Alternative F	Alternative H
Floodplain (bridged)	0.40	0.23	0.24	0.40	0.18	0.55
Floodplain (not bridged)	10.93	8.99	5.13	9.70	17.56	16.18
Total Floodplain	11.33	9.22	5.37	10.10	17.74	16.73

* For floodplain that is bridged, impacts include areas that lie under the 30-foot wide proposed bridge. For floodplain that is not bridged, impacts are based on preliminary designs and slope stakes plus 10-foot clear zone width.

Detailed hydrology and hydraulic analyses will be conducted for each stream crossing and floodplain involvement during final design. Construction will be undertaken with full consideration of flood hazards and floodplain management.

Mitigation Evaluation

Mitigation has been defined in the National Environmental Policy Act (NEPA) regulations to include efforts that: a) avoid; b) minimize; c) rectify; d) reduce or eliminate; or e) compensate for

adverse impacts to the environment [40 CFR 1508.20 (a-e)]. Practicable alternative analysis must be fully evaluated before compensatory mitigation can be discussed.

Avoidance – Due to the extent of wetlands and surface waters within the project study area, avoidance of impacts is not possible. Each alternative contains jurisdictional wetlands and surface water areas that would be subject to impact. The wetlands and streams located within the alternative corridors were delineated and surveyed by GPS methods in 2001. This data was accurately added to the preliminary design mapping, and where possible, impacts to individual aquatic resources including wetlands were avoided and minimized during preliminary design. Avoidance of stream systems that are generally perpendicular to the alternative corridors was not possible.

Minimization - Preliminary planning of alignments within the corridors for the six Detailed Study Alternatives was performed to minimize wetland and stream impacts. Alternative A was discarded from further study at the February 21, 2001 in-field Merger Team Meeting due to potential high impacts to natural resource communities. Alternative G was later removed from further study due to potential impacts to an abandoned county landfill. Detailed Study Alternatives F and H were developed to avoid impacts to the critical watershed area and to minimize impacts to wetlands. Detailed Study Alternatives B, C and D minimize wetland impacts by building next to or on as much of the abandoned CSX Railroad railbed as practicable. Furthermore, Detailed Study Alternatives B and C were adjusted to minimize wetland impacts to wetland B1/C1/D1/E1. Sensitive placement of drainage structures will minimize further degradation of water quality and reduce adverse impacts on aquatic habitat viability in streams and tributaries.

The implementation of NCDOT's "Best Management Practices for Protection of Surface Waters" will further minimize unavoidable secondary wetland impacts. Several of the practices that will be employed include the elimination of staging areas in lowland sites, careful containment of oil, gasoline and other hazardous materials near streams and tributaries, reducing vegetation removal near streams, revegetating with local flora, and the implementation of strict erosion and sedimentation control procedures.

Compensatory mitigation – Compensatory mitigation is recommended for all unavoidable jurisdictional impacts. Limited opportunities are available for compensatory mitigation within the project vicinity. According to the Natural Resources Conservation Service in Edgecombe County, there is little available prior-converted farmland within the project study area. These small areas and other areas adjacent to the project study area can be considered as restoration sites. However, due to very limited on-site opportunities, compensatory wetland mitigation for this project will likely be accomplished through utilization of either existing or planned NCDOT mitigation sites or through the Ecosystem Enhancement Program.

Federally Threatened and Endangered Species

An analysis of federally-protected species and their respective habitats is required under the provisions of Section 7 of the Endangered Species Act of 1973, as amended. Consultation with the United States Fish and Wildlife Service (USFWS) and the North Carolina Natural Heritage Program (NHP) identified the protected species and surveys were performed for species and habitat. Table 5 lists the federally threatened and endangered species for Edgecombe County. Although not currently listed on the USFWS list, the Bald eagle was added to this list because one was sited in the project study area along the Tar River. The results from a bald eagle survey conducted on August 21, 2002 were that no bald eagle nests were noted in or within one mile of

the project study area. Concurrence has been received from USFWS that the proposed project “May Affect - Not Likely to Adversely Affect” the Bald eagle in a letter dated November 25, 2003. Following the selection of the Least Environmental Damaging Practicable Alternative, the NCDOT will continue Section 7 consultation with the USFWS for the Tar spiny mussel.

Common Name	Scientific Name	Federal Status	Determination
Red-cockaded woodpecker	<i>Picoides borealis</i>	E	No Effect
Tar spiny mussel	<i>Elliptio steinstansana</i>	E	Unresolved
Bald eagle	<i>Haliaeetus leucocephalus</i>	T	May Affect - Not Likely to Adversely Affect

Essential Fish Habitat

The National Marine Fisheries Service (NMFS) has developed fisheries management plans for Essential Fish Habitats (EFH) in various waters of the United States. There are no designated primary or secondary nurseries located within the project study area. Edgecombe County is not listed as a county with waterbodies in which EFH species are found.

Anadromous Species

Resident aquatic species may be temporarily displaced during construction activities; however, anticipated impacts are expected to be minor and temporary. The bridge crossing the Tar River and Stream D will be designed to avoid or minimize placement of structure foundations within these waters. Measures to minimize sedimentation and erosion into project study area streams and adjacent floodplain wetlands will be implemented to protect water quality for aquatic organisms. There is a potential for impacts to anadromous fish spawning areas. Since the project lies within the Coastal Plain physiographic province, NCDOT’s Stream Crossing Guidelines for Anadromous Fish Passage (1998) will be utilized to ensure that the construction of new hydraulic structures will not impede anadromous fish passage. Further coordination with the North Carolina Wildlife Resources Commission will be required to determine the length of any moratorium on construction time in these areas.

Cultural Resources

The potential of the Daniel Street Extension to impact cultural resources was evaluated in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended. Potential effects were determined using Criteria for Effect and Adverse Effect (36 CFR 800.9) developed by the Advisory Council on Historic Preservation.

Historical Resources

Two properties, the Atlantic Coast Line Railroad Bridge and the Shiloh Graveyard, are located within the area of potential effect and were determined by the State Historic Preservation Office (SHPO) as eligible for listing in the National Register of Historic Places. Copies of all SHPO correspondence and concurrence forms are found in Appendix B of the EA.

The Atlantic Coast Line Railroad Bridge circa 1913 is located just east of Tarboro. The bridge spans the Tar River approximately 0.7 mile east of the intersection of Daniel Street and Baker Street and 0.8 mile west of the intersection of NC 122 and US 258. Because the bridge is

directly associated with a pattern of historic events and trends that made a significant contribution to the development of its environs, it qualifies for eligibility under Criterion A (events). The bridge displays the distinctive characteristics of the deck plate girder railroad bridge, plus the perhaps less typical addition of a swing span. The bridge, therefore, also qualifies for eligibility under Criterion C (design/construction).

A letter from the SHPO dated July 24, 2000 stated that they concur that the Atlantic Coast Line Railroad Bridge is eligible for the National Register of Historic Places. On November 16, 2000, a SHPO concurrence form was signed stating that there is an effect on the eligible property by the proposed alternatives. Following that determination, Detailed Study Alternatives C and D were shifted slightly to the north or south of the abandoned Atlantic Coast Line Railroad Bridge to avoid any impacts to the bridge. On July 16, 2002, a SHPO concurrence form was signed stating that there is no effect on the Atlantic Coast Line Railroad Bridge.

The 18th century Shiloh Graveyard is located 2.7 miles east of Tarboro at Shiloh Mills, near the intersection of US 258 and Shiloh Farm Road. It is situated approximately 300 feet northwest of US 258, behind a cluster of buildings identified as Tip Top Roofing and immediately south of the Tar River. This site is eligible under Criteria A, B, C, and D, and Criteria Considerations C and D as significant both locally and regionally in the areas of art and social history.

The Shiloh Graveyard is most directly associated with the social development of Tarboro and Edgecombe County and the evolving belief system and funerary tradition of the American South. Therefore, the Shiloh Graveyard is eligible under Criterion A. This site contains the grave of Lawrence Toole (d. 1760), one of the five founders and first commissioners of the Town of Tarboro. The graveyard is the only surviving, above-ground component of his plantation and, besides the town itself, the only property that exists to represent his achievement and importance in the history of the locality and state. Therefore, the Shiloh Graveyard is eligible under Criterion B. This site contains good examples of the major types of American funerary art, including a colonial death's headstone, as well as early-nineteenth-century "urn-and-willow" and later monumental stones. The graveyard as a landscaped feature is typical of those created on southern plantations, and its internal arrangement and surviving plantings are representative of late-colonial and nineteenth-century custom and practice. Therefore, the Shiloh Graveyard is eligible under Criterion C. This site contains the potential to yield information about additional graves and perhaps markers, as well as other physical evidence of Anglo-American and possibly African-American burial practices. Therefore, the Shiloh Graveyard is eligible under Criterion D. This site contains the grave of an individual of significant local importance, Lawrence Toole, one of the founders of Tarboro. Therefore, the Shiloh Graveyard is eligible for both Criteria Considerations C and D.

A letter from the SHPO dated January 2, 2003 stated that they concur that the Shiloh Graveyard is eligible for the National Register of Historic Places. On January 21, 2003 a SHPO concurrence form was signed stating that there is an effect on the eligible property for Alternative F. Alternative F crosses the Tar River and travels adjacent to the Shiloh Graveyard. Although the verified boundaries of the graveyard are not known, the proposed right-of-way of Alternative F does not encroach on any graves and is believed to be outside the boundaries. The effect on the graveyard may be considered as no adverse effect if mitigation efforts are undertaken to mark the graveyard boundaries and post interpretive signage.

Archaeological Resources

The study area was inspected to identify areas that were of particularly high or low probability for cultural resources. Though plowing activity has negatively impacted the integrity of many archaeological deposits elsewhere in Edgecombe County, intact, significant sites may have survived at protected locations. A detailed cultural resources survey consisting of a pedestrian survey and/or subsurface testing should be conducted once a preferred alternative is formally selected, and each recorded site evaluated for eligibility for listing on the National Register of Historic Places.

Hazardous Materials

Hazardous waste is defined by the U.S. Environmental Protection Agency (EPA) as any waste material, or combination of waste materials that pose a hazard to human health, welfare, or the environment. When roadway construction disrupts hazardous waste sites, the surrounding environment can incur detrimental effects; therefore, during roadway development, hazardous waste sites are identified and avoided if possible. A field reconnaissance survey and GIS search found one underground storage tank site (Reliable Roofing and Gutter Company), one former regulated landfill (Tarboro Landfill), and one potential Resource Conservation and Recovery Act/Comprehensive Environmental Response, Compensation and Liability Act site (Tarboro Landfill) within the project study area. If any of these areas are to be impacted by the proposed project, further investigation would be necessary.

The Town of Tarboro Landfill is also known as the Baker Street Extension Landfill and was in operation from 1951 to 1975. The Superfund files indicate that an 88-acre tract of property owned by the Town of Tarboro on the east side of Baker Street was probably the landfill. There is no exact street address for the site nor are the exact limits of the landfill known, although it is believed to extend almost to the Tar River. Town officials have indicated that the landfill begins just south (downstream) of the town's water intake. The waste transported there was reportedly regular municipal waste from households and local industry. There is no evidence that hazardous waste was ever disposed at the site. Information on the landfill is very limited and no sampling of the landfill has been conducted. The contents of the landfill are essentially unknown and the landfill remains on the Inactive Hazardous Waste Priority List. If this area is impacted by the proposed project, further investigation will be necessary.

Wild and Scenic Rivers

Wild and Scenic Rivers are defined by the Wild and Scenic Rivers Act as "rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive, and unpolluted." No federally designated or state designated Wild and Scenic Rivers occur within the project study area.

Logical Termini

The FHWA regulations [23 CFR 771.111(f)] outline three general principals to determine project limits. The regulations state:

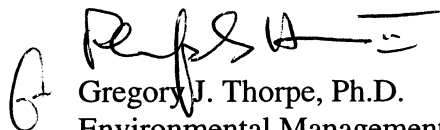
In order to ensure meaningful evaluation of alternatives and to avoid commitments to transportation improvements before they are fully evaluated, the action evaluated in each EIS or FONSI shall: connect logical termini and be of sufficient length to address environmental matters on a broad scope; have independent utility or interdependent significance, i.e.; be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made; and not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

The proposed project has logical termini. The project's western terminus would connect to existing Baker Street, just east of the Town of Tarboro. The project's eastern terminus would connect to the existing US 258 north of the Town of Princeville. In addition, the project is of sufficient length, ranging from 1.4 miles to 1.8 miles, to address environmental matters on a broad scope. It has independent utility and significance, and it would be a reasonable expenditure of capital even if additional transportation improvements in the area were not made. The proposed project would not restrict consideration of other foreseeable transportation improvements within the study area.

Enclosed you will find a completed ENG form 4345 and mailing labels. This submittal is in accordance with step four of the guidelines for integrating project review under the National Environmental Policy Act and Section 404 of the Clean Water Act. This letter, along with the previously distributed EA, should provide sufficient information for the issuance of a Public Notice for the project. The hearing is scheduled for March 22, 2004.

If you have any questions, or need additional information, please contact Ms. Jennifer Harris, P.E. at (919) 733-7844 extension 268 or Mr. Michael Turchy at (919) 715-1468.

Sincerely,



Gregory J. Thorpe, Ph.D.
Environmental Management Director
Project Development and Environmental Analysis

- CC:
- Mr. David Franklin, USACE, Wilmington (Cover Letter Only)
 - Mr. John Hennessy, NCDWQ (7 copies)
 - Mr. Travis Wilson, NCWRC
 - Ms. Rebecca Fox, USEPA
 - Mr. Gary Jordan, USFWS
 - Mr. Ron Sechler, NMFS
 - Mr. Sean McKenna, NCDMF
 - Mr. John F. Sullivan III, FHWA
 - Ms. Jennifer Harris, P.E., PD&EA
 - Mr. Jay Bennett, P.E., Roadway Design
 - Mr. Omar Sultan, Programming and TIP
 - Mr. Art McMillian, P.E., Highway Design
 - Mr. David Chang, P.E., Hydraulics
 - Mr. Greg Perfetti, P.E., Structure Design
 - Mr. Mark Staley, Roadside Environmental
 - Mr. J.H. Trogen, P.E., Division Engineer
 - Mr. Jamie Shern, DEO

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)

OMB APPROVAL NO. 0710-003
Expires December 31, 2004

Public reporting burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research and Sanctuaries Act, 33 USC 1413, Section 103. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME North Carolina Department of Transportation Project Development & Environmental Analysis	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required)
6. APPLICANT'S ADDRESS 1548 Mail Service Center Raleigh, NC 27699-1548	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NOs. W/AREA CODE a. Residence b. Business 919-733-3141	10. AGENT'S PHONE NOs. W/AREA CODE a. Residence b. Business

11. STATEMENT OF AUTHORIZATION

I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION, AND DESCRIPTION OR PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)
Daniel Street Extension (SR 1537) from SR 1518 (Baker Street) to US 258, Edgecombe County, NC

13. NAME OF WATERBODY, IF KNOWN (if applicable)
Tar River & Vicinity

14. PROJECT STREET ADDRESS (if applicable)

15. LOCATION OF PROJECT
Edgecombe County NC

COUNTY

STATE

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) Section, Township, Range, Lat/Lon, and/or Accessors's Parcel Number, for example.
US 25 in Henderson County

17. DIRECTIONS TO THE SITE
Please see attached vicinity map and cover letter.

18. Nature of Activity (Description of project, include all features)

Extend Daniel Street (SR 1357) by construction of a two-lane facility on a new location in Edgecombe County, east of Tarboro. It will cross several wetlands, stream, and the Tar River.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The extension will reduce truck traffic in historic downtown Tarboro and provide a more efficient route from downtown to US 258 and other regional highways.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

Construction of the Daniel Street Extension will result in roadway fill in wetlands and surface waters.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

Fill from roadway.

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

See Merger Permit Application Letter

23. Is Any Portion of the Work Already Complete? Yes ___ No X IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list).

See attached mailing labels.

25. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
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* Would include but is not restricted to zoning, building, and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.


SIGNATURE OF APPLICANT

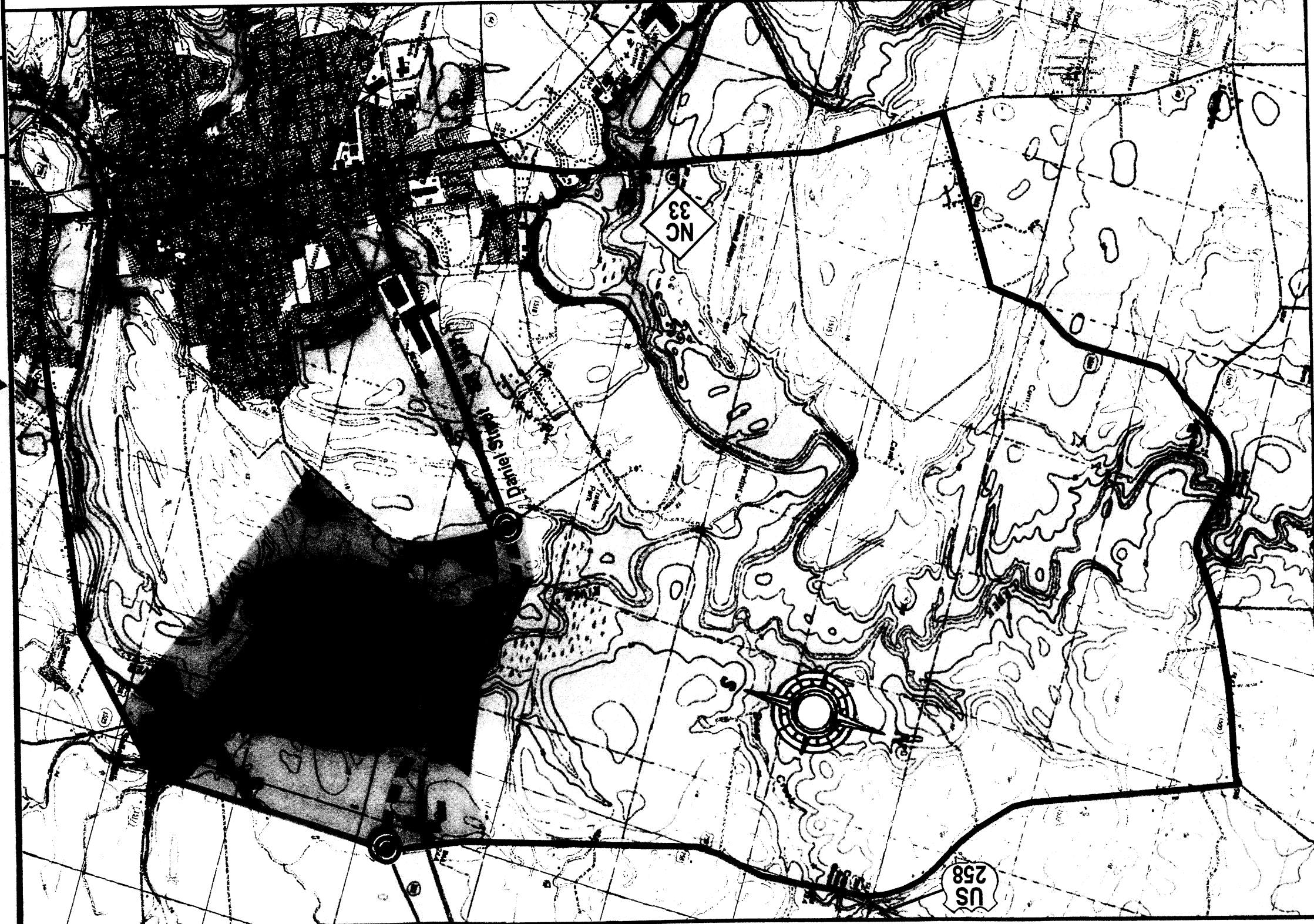
2/19/04
DATE

SIGNATURE OF AGENT

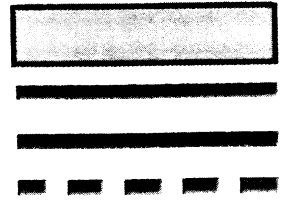
DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.



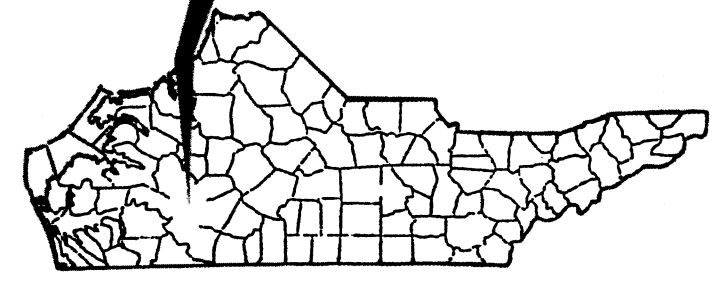
Project Study Area
 Current Southern Travel Route
 Current Northern Travel Route
 Conceptual Alignment



LEGEND



Edgemcombe County



North Carolina

PROJECT STUDY AREA WITH NORTHERN & SOUTHERN TRAVEL ROUTES

EDGECOMBE COUNTY
 SR 1537 (Daniel Street) Extension
 In Tarboro From SR 1518 (Baker Street)
 To US 258/NC 122
 T.I.P. No. U-3826

Figure 1



North Carolina Department of Transportation
 Project Development and
 Environmental Analysis Branch



Legend:

- Cemetery
- Historic Bridge
- Natural Heritage Occurrence
- Surface Water Intake (SWI)
- 1/2 Mile SWI Buffer
- Municipal Boundaries

Alternatives

- B
- C
- D
- E
- F
- H

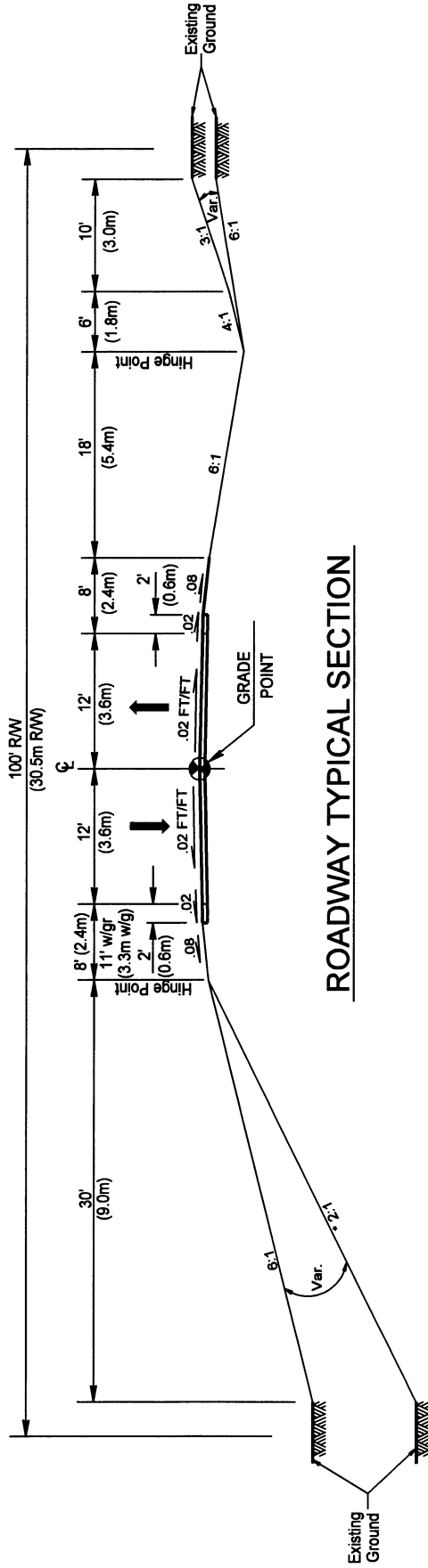
SR 1537 (Daniel Street) Extension
 in Tarboro from SR1518 (Baker Street) to US 258/NC 122
 T.I.P. No. U-3826

Detailed Study Alternatives

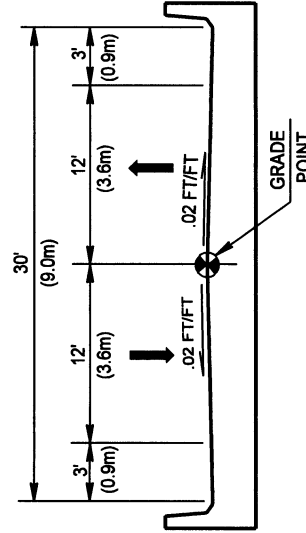
Scale: 1" = 1000'

0 500 1,000 2,000 3,000 4,000 Feet

Figure 2



ROADWAY TYPICAL SECTION



BRIDGE TYPICAL SECTION



North Carolina Department of Transportation
Project Development and
Environmental Analysis Branch

TYPICAL SECTIONS

SR 1537 (Daniel Street) Extension
In Tarboro From SR 1518 (Baker Street)
To US 258 /NC 122

T.I.P. No. U-3826

Figure 3