U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT, COMMENTS ON:

"Federal Environmental Assessment for US 70, Havelock Bypass, Craven County, State Project No. 8.T170701, Federal Aid Project No. STP-NHF-F-56-4(34), TIP ID No. R-1015" (Regulatory Branch Action I.D. 199302466).

2. **WATERS AND WETLANDS: (Continued)**

d. Page 4-38. **"Aquatic."** This paragraph states, "The bridges proposed for the Southwest Prong of Slocum Creek and the East Prong of Slocum Creek, and the three barrel at 3-meter by 1.8-meter (10-foot by 6-foot) reinforced box culvert proposed for Tucker Creek will allow for continuation of present flow at these major stream crossings, thereby protecting stream integrity and maintaining access for aquatic wildlife." As mentioned above, our concurrence of the preferred alternative is contingent on bridging these streams and all adjacent wetlands. Bridging these wetland systems will protect stream integrity and maintain access for aquatic life.

e. Page 4-51. **"4.11 CONSTRUCTION IMPACTS."** This paragraph does not discuss the issues of waste disposal and borrow and fill activities with regard to regulated wetlands. The contractors are not responsible for these activities, NCDOT is the applicant and has sole responsibility. The following paragraph is our policy concerning responsibility for borrow and waste activities and should be reflected in the document.

"NCDOT and its contractors and/or agents shall not excavate, fill, or perform landclearing at any time in the construction or maintenance of this project within waters and/or wetlands, except as authorized by the Department of the Army (DA) permit or any modification to the permit. There shall be no excavation from or waste disposal into jurisdictional wetlands or waters associated with this project without appropriate modification of the individual permit. To ensure that all borrow and waste activities occur on high ground, except as authorized by individual DA permit, the permittee shall require its contractors and/or agents to identify all areas to be used to borrow material, or to dispose of dredged, fill, or waste material. Documentation of the location and characteristics of all borrow and disposal sites associated with this project will be available to the Corps on request."

As a cooperating agency, we appreciate the opportunity to coordinate with your staff prior to the finalization of the DEIS. As stated above, our main concern with this project is the avoidance of impacts to riverine wetland systems associated with the proposed project. Also, as agreed to in our recent interagency agreement, please notify us as soon as you schedule a public hearing concerning this project.

If you have any questions regarding our comments, please do not hesitate to contact Mr. Bell.