



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

September 12, 2007

U. S. Army Corps of Engineers
Asheville Regulatory Field Office
151 Patton Avenue, Room 208
Asheville, NC 28801-5006

Attn: Mr. David Baker
NCDOT Coordinator

Subject: **Request for Section 404 Nationwide 33 Permit Modification and Nationwide 23 and 33 Permit Renewal** for the replacement of Bridge No. 61 on NC 197 over the North Toe River, Yancey/Mitchell Counties. Federal Aid Project No. BRSTP-197(1), WBS No. 32597.1.1, TIP Project No. B-1443.

Reference: USACE Nationwide Permit Nos. 23 and 33 Action ID 200531446300/361, dated October 17, 2006.

Dear Mr. Baker:

The purpose of this letter is to request a modification to the United States Army Corps of Engineers (USACE) Nationwide Permit Number 33 and renewal of Nationwide Permits 23 and 33 issued for the above referenced project. The requested modification is to address changes in the footprint of the causeways needed to set steel girders for the new bridge. The causeways shown in the original plans did not allow enough width in front of Bents 1 and 2 to set up a crane for placement of the girders. A section of the northern causeway will be removed and additional area added to the east and west sides. The southern causeway will have additional area added to the west side. Furthermore, access to this causeway was not addressed in the plans. These access roads will be placed in non-jurisdictional areas for removal of the existing bridge as well as placing of the girders. The current design calls for a total of 0.22 acre of temporary impact associated

with this project, with 0.12 acre of the total due to installation of the construction causeway. It has been determined that the change to the causeways' footprints will result in a net increase of <0.01 acre of temporary impact (Sheet 1). This net increase is not significant enough to change the reportable impact quantity of 0.12 acre. As such, the total temporary impacts for the project also do not change. The placement of access roads, which are above ordinary high water, will result in no additional impacts (Sheet 2).

These proposed modifications were discussed at an onsite meeting with Marella Buncick (USFWS), Roger Bryan (Div. 13 Environmental Officer) and Randy McKinney (Div. 13 Resident Engineer). Changes to the causeways will not violate the conditions of the Biological Opinion.

Table 1. Temporary Stream Impacts Resulting from TIP No. B-1443 (Revised Table)

Impact Site Number	Name of Waterbody	Type of Impact	Type of Waterbody	Area of Impact (acres)
12+40 – 13+48	North Toe River	Temporary Causeway	Stream	0.12
Old Bridge	North Toe River	Temporary Causeway	Stream	0.09
Old Bridge	North Toe River	Temporary Supports	Stream	0.01
		TOTAL:		0.22

Bold text denotes modification site. Impact number stays the same as original because new impacts only increase by <0.01 ac.

The revised design does not compromise NCDOT's compliance with the existing permit conditions. The revision has been evaluated for compliance with the avoidance/minimization criteria and is in compliance with all previous issues, including the following:

- Protected species
- Aquatic Life passage
- FEMA compliance
- Cultural Resources

The North Carolina Department of Transportation respectfully requests that the referenced Nationwide 33 Permit be modified to reflect the new impacts.

We also request that the referenced Nationwide 23 and 33 Permits be renewed. Permanent impacts with this project have not changed from the original permit application. There will be 100 square feet (<0.01 ac) of permanent impacts associated with the construction of bridge piers. Temporary impacts remain at 0.22 acres due to construction causeways and support structures.

If you have any questions, concerns, or need any additional information, please contact Jason Dilday at jldilday@dot.state.nc.us or (919) 715-5535.

Sincerely,



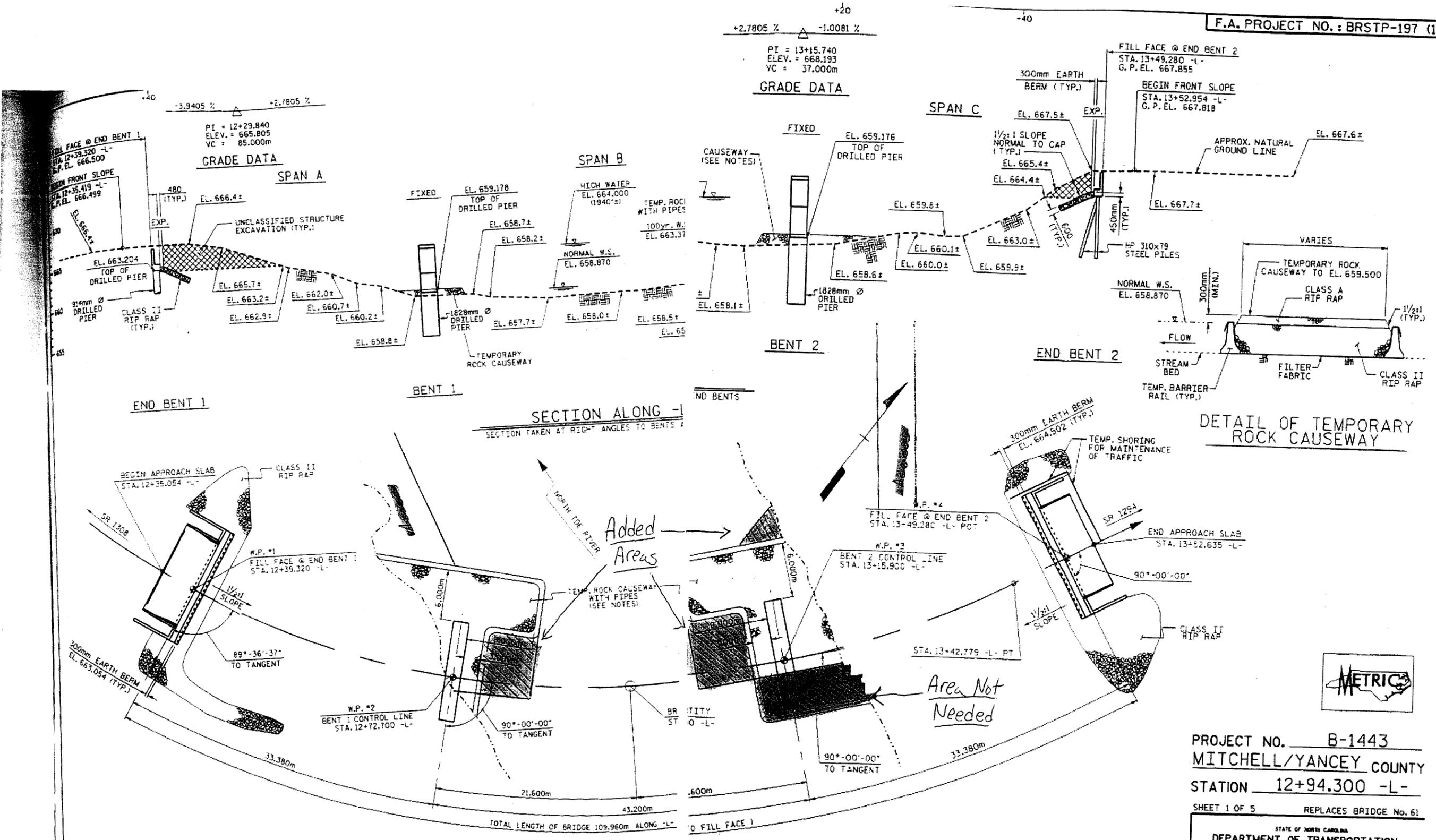
for Gregory J. Thorpe, Ph.D.,
Environmental Management Director
Project Development and Environmental Analysis Branch

W/attachment

Mr. John Hennessy, NCDWQ (2 Copies)
Ms. Marella Buncick, USFWS
Ms. Marla Chambers, NCWRC
Mr. Harold Draper, TVA
Dr. David Chang, P.E., Hydraulics
Mr. Victor Barbour, P.E., Project Services Unit
Mr. Greg Perfetti, P.E., Structure Design
Mr. Mark Staley, Roadside Environmental
Mr. J.J. Swain, P.E. (Div. 13), Division Engineer
Mr. Roger Bryan (Div. 13), DEO

W/o attachment

Mr. Jay Bennett, P.E., Roadway Design
Mr. Majed Alghandour, P. E., Programming and TIP
Mr. Art McMillan, P.E., Highway Design
Mr. Scott McLendon, USACE, Wilmington
Mr. John L. Williams, P.E., PDEA Project Planning Engineer



GRADE DATA
 +20
 +2.7805 % -1.0081 %
 PI = 13+15.740
 ELEV. = 668.193
 VC = 37.000m

GRADE DATA
 -3.9405 % +2.1805 %
 PI = 12+29.840
 ELEV. = 665.805
 VC = 85.000m

SECTION ALONG -1
 SECTION TAKEN AT RIGHT ANGLES TO BENTS

DETAIL OF TEMPORARY ROCK CAUSEWAY

HORIZONTAL CURVE DATA
 PI STA 12+85.885 -L-
 Δ = 93°-25'-10.7" (LT)
 L = 163.048m
 T = 106.154m
 R = 100.000m

PROJECT NO. B-1443
 MITCHELL/YANCEY COUNTY
 STATION 12+94.300 -L-
 SHEET 1 OF 5 REPLACES BRIDGE No. 61

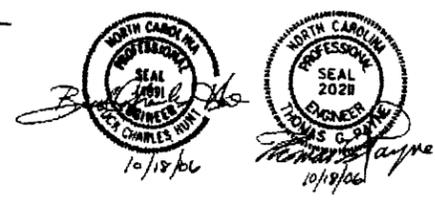
STATE OF NORTH CAROLINA
 DEPARTMENT OF TRANSPORTATION
 Raleigh

GENERAL DRAWING
 FOR BRIDGE ON NC 197
 OVER NORTH TOE RIVER
 BETWEEN SR 1308 AND SR 1294

REVISIONS						SHEET NO.	
NO.	BY	DATE	NO.	BY	DATE	S-52	
1			3			TOTAL SHEETS 01	

Permit Drawing
 Sheet 1 of 2
 7/30/2007

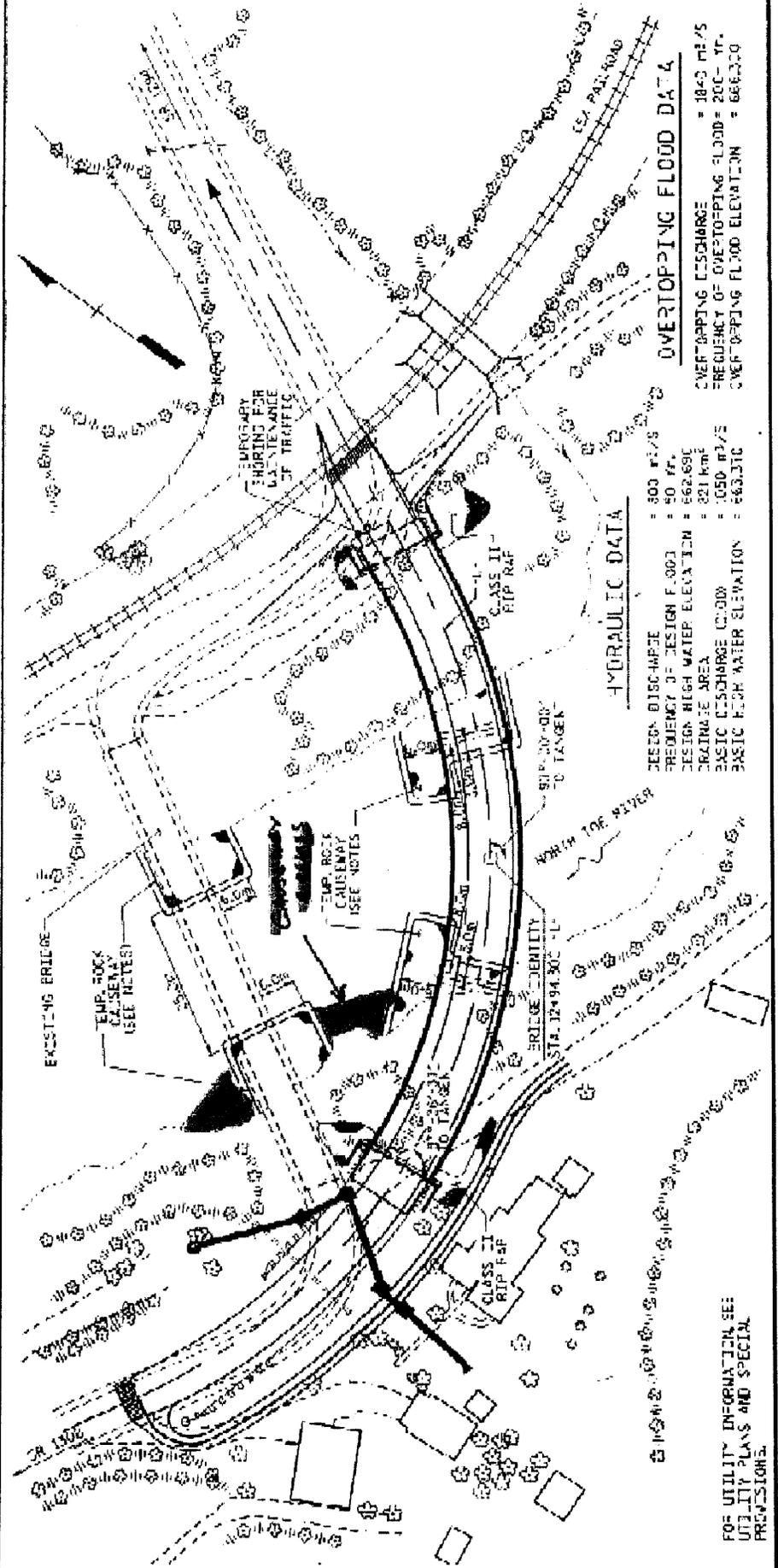
DRAWN BY: S.H. SOCKWELL DATE: 7/27/04
 CHECKED BY: J.P. ADAMS DATE: 9/01/04



Permit Drawing
 Sheet 2 of 2

7/30/2007

BL-6 12+50.957 -BL- IRON PIN WITH CAP ELEV. 666.982 NGVD 29



HYDRAULIC DATA

DESIGN DISCHARGE	= 300 CFS
FREQUENCY OF DESIGN FLOOD	= 50 YR.
DESIGN HIGH WATER ELEVATION	= 662.690
DRAINAGE AREA	= 221 KM ²
BASIC DISCHARGE COEFF	= 1.050 M ³ /S
BASIC FLOW WATER ELEVATION	= 663.310

OVERTOPPING FLOOD DATA

OVERTOPPING DISCHARGE	= 1845 M ³ /S
FREQUENCY OF OVERTOPPING FLOOD	= 200- YR.
OVERTOPPING FLOOD ELEVATION	= 666.320

FOR UTILITY INFORMATION, SEE UTILITY PLANS AND SPECIAL PROVISIONS.

LOCATION SKETCH