



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

March 12, 2007

NC Division of Water Quality  
1650 Mail Service Center  
Raleigh NC 27699-1650

**ATTENTION:** Mr. John Hennessy

**SUBJECT:** **Application for Individual Section 401 Water Quality Certification** for the replacement of Bridge No. 14 over Town Fork Creek and Bridge No. 44 over Town Fork Creek Overflow on NC 8, Division 9, Stokes County. Federal Aid Project No: BRSTP – 8(2), State Project No: 8.1641001, WBS Element: 33620.1.1, T.I.P. No: B-4280.

\$200.00 Debit from WBS Element 33620.1.1.

**REFERENCE:** Previously submitted materials, which include copies of Nationwide Permits 23 and 33 (September 27, 2005), Categorical Exclusion (March 2005), permit drawings, ½ size design plans, U.S. Fish and Wildlife Service Concurrence Letter (May 2, 2005)

Dear Sir:

Please see the enclosed Pre-Construction Notification (PCN) for the above referenced project. The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 14 over Town Fork Creek and Bridge No. 44 over Town Fork Creek Overflow on NC 8. Bridge No. 14 will be replaced on new alignment with a three span, 220-foot long bridge with two 12-foot lanes and 5-foot offsets on each side. Bridge No. 44 will be replaced on new alignment with a two span, 100-foot long bridge with two 12-foot lanes and 4.5-foot offsets on each side. The approach work will consist of approximately 800 feet to the south of Bridge No. 14 and 1,100 feet to the north of Bridge No. 44. Traffic will be maintained on the existing bridges during construction.

The U.S. Army Corps of Engineers (USACE) has authorized work for this project under Section 404 Nationwide Permit Numbers 23 and 33 on September 27, 2005.

**MAILING ADDRESS:**  
NC DEPARTMENT OF TRANSPORTATION  
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS  
1598 MAIL SERVICE CENTER  
RALEIGH NC 27699-1598

TELEPHONE: 919-715-1334  
FAX: 919-715-1501

**WEBSITE:** [WWW.NCDOT.ORG](http://WWW.NCDOT.ORG)

**LOCATION:**  
2728 CAPITAL BLVD, SUITE 240  
RALEIGH, NC 27604

## IMPACTS TO WATERS OF THE UNITED STATES

**General Description:** The project is located in the Roanoke River Basin (sub-basin 03-02-01) in Stokes County. This area is part of Hydrologic Cataloging Unit 03010103. Water resources within the project study area include Town Fork Creek, two unnamed tributaries (UT1 and UT2) of Town Fork Creek, and one jurisdictional wetland. Best Management Practices for Protection of Surface Waters will be implemented for the above-mentioned water resources associated with this project.

**Wetlands:** There is one jurisdictional wetland within the project study area. The wetland is located approximately 350 feet north of Bridge No. 44, on the west side of the existing road. The wetland is approximately 250 feet long and 20 feet wide, directly adjacent to the shoulder of the road. This wetland is located beyond the cut/fill line and therefore will not be impacted by the proposed project.

**Surface Waters:** Three surface waters, Town Fork Creek and two UTs to Town Fork Creek (UT1 and UT2), are present within the project study boundary. Town Fork Creek is a perennial stream with moderate flow that passes beneath the existing structure of Bridge No. 14. This stream flows in an easterly direction and has an approximate depth of three feet and an average width of 70 feet. The substrate within the stream consists of silt, cobble, and boulders. UT1 is located north of Bridge No. 14, on the west side of the road, and flows south into Town Fork Creek. UT2 is located south of Bridge No. 14 and flows in an easterly direction under the road.

Town Fork Creek and UT1 to Town Fork Creek are considered jurisdictional under Section 404 of the Clean Water Act (33 U.S.C. 1344), however only Town Fork Creek will be impacted because UT1 is outside of the cut/fill line. UT2 is not considered jurisdictional because it is an ephemeral channel. The NCDWQ Index number for these water features is 22-25 (8/1/98) and the Best Usage Classification is Class C.

Neither High Quality Waters (HQW), Water Supplies (WS-I: undeveloped watersheds or WS-II: predominately undeveloped watersheds), 303(d) streams, nor Outstanding Resource Waters (ORW) occur within one mile of the project study area. Although Stokes County is a mountain trout county, Town Fork Creek does not support trout and is therefore not designated as a mountain trout stream.

**Permanent Impacts:** There are no permanent impacts associated with this project because the bridge will be spanning the creek.

**Temporary Impacts:** Two work-pads will be used, one on each side of the creek, to construct the new bridge. These will be located east of the existing bridge. Two work bridges and a cofferdam will be used, west of the existing bridge, to dismantle the old bridge. Using only work pads or only work bridges is not feasible due to the fact that the new bridge will be built on new alignment.

There will be 0.007 acres of temporary surface water impacts to Site No. 1 due to the installation of a work pad. There will be 0.004 acres of temporary surface water impacts to Site No. 2, also due to the installation of a work pad. Impacts total 0.01 acres of temporary fill in surface waters (Town Fork Creek only).

## BRIDGE DEMOLITION

In order to protect the water quality and aquatic life in the area affected by this project, the NCDOT and all potential contractors will follow appropriate guidelines for bridge demolition and removal. These guidelines are presented in the NCDOT document *Pre-Construction Guidelines for Bridge Demolition and Removal*. Guidelines followed for bridge demolition and removal are in addition to those implemented for Best Management Practices for the Protection of Surface Waters.

The existing Bridge No. 14 has an asphalt wearing surface, with a reinforced concrete deck on steel I-beams. The substructure is composed of reinforced concrete caps on timber piles. Thus, there is potential for components of the bridge to be dropped into Waters of the United States during construction. The asphalt wearing surface will be removed prior to demolition without dropping it into the water. The resulting temporary fill associated with the reinforced concrete components of the bridge may be as much as 10 cubic yards. One work-pad will be used to effectively remove the existing bent.

The existing Bridge No. 44 has an asphalt wearing surface, with a reinforced concrete deck on steel I-beams. The substructure is composed of reinforced concrete caps on timber piles. Since there are no jurisdictional surface waters associated with this bridge, no impacts will occur due to demolition.

## UTILITY IMPACTS

Within the project area there is an existing 8-inch PVC waterline, however the line ends before it reaches any of the surface waters. As a result, there will be no impacts to surface waters. There are also aerial power lines and telephone lines, however they will not be affected by construction within the vicinity of the two bridges.

## FEDERALLY-PROTECTED SPECIES

Plants and animals with federal classifications of Endangered, Threatened, Proposed Endangered, and Proposed Threatened are protected under provisions of Section 7 and Section 9 of the Endangered Species Act of 1973, as amended. As of January 29, 2007, the U.S. Fish and Wildlife Service (USFWS) lists three federally protected species for Stokes County: James spiny mussel (*Pleurobema collina*), small-anthered bittercress (*Cardamine micranthera*), and Schweinitz's sunflower (*Helianthus schweinitzii*) (Table 1).

**Table 1. Federally Protected Species for Stokes County**

Common Name	Scientific Name	Status	Biological Conclusion
James spiny mussel	<i>Pleurobema collina</i>	E	No Effect
Small-anthered bittercress	<i>Cardamine micranthera</i>	E	No Effect
Schweinitz's sunflower	<i>Helianthus schweinitzii</i>	E	No Effect

E ("Endangered"): A species that is threatened with extinction throughout all or a significant portion of its range.

A survey for James spiny mussel was conducted on August 1, 2002 by NCDOT biologists Jared Gray, Neil Medlin, and Jeff Burlison. During the survey, no freshwater mussels were found. Although Town Fork Creek has potential habitat for mussels, the fact that no live freshwater

mussels of any kind have been found there means that something (either historically or recent) is affecting the water chemistry of the creek. This issue may therefore be limiting mussels from inhabiting the creek. In the past, NCDOT, USFWS, and NCWRC have performed surveys at different crossings of Town Fork Creek. These past surveys were done in April 1992, November 2000, and October 2001 and the only evidence of mussels that was found was a shell of an eastern floater (*Pyganodon cataracta*). Given the most recent survey results and the results of all previous surveys, it is apparent that James spiny mussel does not occur in the project footprint. Additionally, the North Carolina Natural Heritage Program (NCNHP) does not list any known populations of this species, up- or downstream, within 1.0 miles of the project (last checked March 5, 2007). Therefore, this project will have **no effect** on the James spiny mussel.

The project study area has been surveyed for Schweinitz's sunflower on three separate occasions. The first survey was performed for the Natural Resources Technical Report (October 23, 2001) and the second survey was performed on October 28, 2003. The most recent survey occurred on October 4, 2006 and was performed by NCDOT Biologists Sara Easterly, Amy James, and Jim Mason. On all occasions, suitable habitat in the form of roadsides existed; however, no Schweinitz's sunflowers were ever observed during any site visit. Additionally, a review of the NCNHP database (most recently on March 5, 2007) indicated that no known occurrences of this species exist within 1.0 miles of the project area. Therefore, this project will have **no effect** on this species.

The project study area has been surveyed for small-anthered bittercress on two occasions. The first survey was performed on May 23, 2002 by NCDOT biologists Chris Rivenbark and Lindsey Riddick. The second survey was performed by NCDOT biologists Brett Feulner, Chris Underwood, and Eric Adrignola on April 6, 2005. On both occasions, potential habitat was found along the streambanks of Town Fork Creek near Bridge No. 14. However, habitat did not exist in the vicinity of Bridge No. 44. No individuals of this species were found on either survey, although specimens of Pennsylvania bittercress (*Cardamine pensylvanica*) were found during the April 2005 survey. Additionally, a review of the NCNHP records (most recently on March 5, 2007) shows no known occurrences of this species within 1.0 miles of the project study area. Therefore, with no individuals found and no known occurrences nearby, it is concluded that this project will have **no effect** on this species. A re-survey is planned for small-anthered bittercress for some time in April or May 2007 to insure that surveys are up-to-date through the Let date.

Since potential habitat existed within the project study area for all three species, concurrence was requested from the USFWS. On May 2, 2005, concurrence was received. The concurrence letter was included with the Nationwide 23 and 33 permit application.

## **RESTORATION PLAN**

The material used for installation of the temporary work pad will be removed after its purpose has been served. The temporary fill areas will be restored to their original contours. After the temporary work pads are no longer needed, the contractor will use excavating equipment to remove all material within jurisdictional areas. All material will become the property of the contractor who will be required to submit a reclamation plan for removal and disposal of all materials off-site.

Schedule: It is assumed that the contractor will begin construction shortly after the date of availability for the project. The Let date is July 17, 2007, with a date of availability of August 28, 2007.

Removal and Disposal: The work bridge will be removed within 90 days after it is no longer needed. All materials placed in the stream by the contractor will be removed. All other materials removed by the contractor will be disposed of at an off site, non-jurisdictional, upland location.

### **AVOIDANCE, MINIMIZATION AND COMPENSATORY MITIGATION**

Avoidance examines all appropriate and practicable possibilities of averting impacts to “Waters of the United States.” The NCDOT is committed to incorporating all reasonable and practicable design features to avoid and minimize jurisdictional stages; minimization measures were incorporated as part of the project design. The impacts to Town Fork Creek have been minimized by extending the length of the original bridges. Bridge No. 14 was extended from 206 feet to 220 feet, and Bridge No. 44 was extended from 90 feet to 100 feet. Also, the new bridges will span the entire water bodies; therefore, no impacts will result from bents in the water. The use of best management practices for construction should reduce impacts to plant communities.

The North Carolina Wildlife Resource Commission (NCWRC) has requested a moratorium for Town Fork Creek from May 1 to July 15 because of the presence of the bigeye jumprock (*Scartomyzon ariommus*), a state-listed (Threatened) fish species. However, NCDOT’s work will not have a significant adverse effect upon water quality or degrade the waters of Town Fork Creek so that existing uses of the stream, associated wetlands, or downstream waters would be precluded. Therefore, NCDOT does not believe that this moratorium is warranted.

**Mitigation**: Since this project contains only temporary impacts, no mitigation is proposed.

### **REGULATORY APPROVALS**

Section 401 Permit: Application is hereby made for an Individual Section 401 Water Quality Certification from the NCDWQ. In compliance with Section 143-215.3D(e) of the NCAC, we will provide \$200.00 to act as payment for processing the Section 401 permit application previously noted in this application (see Subject line). We are providing five copies of this application to the North Carolina Department of Environment and Natural Resources, NCDWQ, for review.

A copy of this permit application will be posted on the DOT website at: <http://www.ncdot.org/doh/preconstruct/pe/neu/permit.html>.

If you have any questions or need additional information, please contact Jim Mason at (919) 715-5531 or [jasmason@dot.state.nc.us](mailto:jasmason@dot.state.nc.us).

Sincerely,

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

w/attachment

NC DWQ Central Office – Raleigh (5 Copies)  
Ms. Sue Homewood, NCDWQ, NCDOT Contact, Division 9  
Mr. John Thomas, USFWS, Regulatory Specialist, Division 9  
Ms. Marla Chambers, NCWRC  
Ms. Kathy Matthews, USEPA  
Mr. Ronald Mikulak, USEPA – Atlanta, GA  
Mr. Clarence W. Coleman, P.E., FHWA  
Ms. Marella Buncick, USFWS  
Dr. David Chang, P.E., Hydraulics  
Mr. Mark Staley, Roadside Environmental  
Mr. Victor Barbour, P.E., Project Services Unit  
Mr. Greg Perfetti, P.E., Structure Design  
Mr. S. P. Ivey, P.E., Division Engineer  
Ms. Diane Hampton, P.E., 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. Bryan Kluchar, P.E., Bridge Project Development Unit  
Mr. Carl Goode, PE, Human Environment Unit Head

USACE Action ID No. \_\_\_\_\_ DWQ No. \_\_\_\_\_

(If any particular item is not applicable to this project, please enter "Not Applicable" or "N/A".)

**I. Processing**

- 1. Check all of the approval(s) requested for this project:
 

<input type="checkbox"/> Section 404 Permit	<input type="checkbox"/> Riparian or Watershed Buffer Rules
<input type="checkbox"/> Section 10 Permit	<input type="checkbox"/> Isolated Wetland Permit from DWQ
<input checked="" type="checkbox"/> 401 Water Quality Certification	<input type="checkbox"/> Express 401 Water Quality Certification
- 2. Nationwide, Regional or General Permit Number(s) Requested: \_\_\_\_\_
- 3. If this notification is solely a courtesy copy because written approval for the 401 Certification is not required, check here:
- 4. If payment into the North Carolina Ecosystem Enhancement Program (NCEEP) is proposed for mitigation of impacts, attach the acceptance letter from NCEEP, complete section VIII, and check here:
- 5. If your project is located in any of North Carolina's twenty coastal counties (listed on page 4), and the project is within a North Carolina Division of Coastal Management Area of Environmental Concern (see the top of page 2 for further details), check here:

**II. Applicant Information**

- 1. Owner/Applicant Information
 

Name: Gregory J. Thorpe, Ph.D., Environmental Management Director

Mailing Address: 1598 Mail Service Center  
Raleigh, North Carolina 27699-1598

Telephone Number: 919-733-3141 Fax Number: 919-733-9794

E-mail Address: gthorpe@dot.state.nc.us
- 2. Agent/Consultant Information (A signed and dated copy of the Agent Authorization letter must be attached if the Agent has signatory authority for the owner/applicant.)
 

Name: \_\_\_\_\_

Company Affiliation: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

### III. Project Information

Attach a **vicinity map** clearly showing the location of the property with respect to local landmarks such as towns, rivers, and roads. Also provide a detailed **site plan** showing property boundaries and development plans in relation to surrounding properties. Both the vicinity map and site plan must include a scale and north arrow. The specific footprints of all buildings, impervious surfaces, or other facilities must be included. If possible, the maps and plans should include the appropriate USGS Topographic Quad Map and NRCS Soil Survey with the property boundaries outlined. Plan drawings, or other maps may be included at the applicant's discretion, so long as the property is clearly defined. For administrative and distribution purposes, the USACE requires information to be submitted on sheets no larger than 11 by 17-inch format; however, DWQ may accept paperwork of any size. DWQ prefers full-size construction drawings rather than a sequential sheet version of the full-size plans. If full-size plans are reduced to a small scale such that the final version is illegible, the applicant will be informed that the project has been placed on hold until decipherable maps are provided.

1. Name of project: Replacement of Bridge Nos. 14 & 44 over Town Fork Creek and overflow
2. T.I.P. Project Number or State Project Number (NCDOT Only): B-4280
3. Property Identification Number (Tax PIN): \_\_\_\_\_
4. Location  
County: Stokes Nearest Town: Germanton  
Subdivision name (include phase/lot number): \_\_\_\_\_  
Directions to site (include road numbers/names, landmarks, etc.): Highway 8, off Highway 65, just north of Winston-Salem  
\_\_\_\_\_  
\_\_\_\_\_
5. Site coordinates (For linear projects, such as a road or utility line, attach a sheet that separately lists the coordinates for each crossing of a distinct waterbody.)  
Decimal Degrees (6 digits minimum): 36, 15.85' °N 80, 13.96' °W
6. Property size (acres): approximately 2.75 acres
7. Name of nearest receiving body of water: Town Fork Creek
8. River Basin: Roanoke  
(Note – this must be one of North Carolina's seventeen designated major river basins. The River Basin map is available at <http://h2o.enr.state.nc.us/admin/maps/>.)
9. Describe the existing conditions on the site and general land use in the vicinity of the project at the time of this application: The majority of the project area is composed of agricultural fields.

10. Describe the overall project in detail, including the type of equipment to be used: Both bridges will be replaced on new alignment with a two span and three span cored slab bridge. Standard bridge construction equipment will be used.

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11. Explain the purpose of the proposed work: To increase the safety of travelers along NC 8 by replacing the old deficient bridges with new ones.

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**IV. Prior Project History**

If jurisdictional determinations and/or permits have been requested and/or obtained for this project (including all prior phases of the same subdivision) in the past, please explain. Include the USACE Action ID Number, DWQ Project Number, application date, and date permits and certifications were issued or withdrawn. Provide photocopies of previously issued permits, certifications or other useful information. Describe previously approved wetland, stream and buffer impacts, along with associated mitigation (where applicable). If this is a NCDOT project, list and describe permits issued for prior segments of the same T.I.P. project, along with construction schedules.

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**V. Future Project Plans**

Are any future permit requests anticipated for this project? If so, describe the anticipated work, and provide justification for the exclusion of this work from the current application.

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**VI. Proposed Impacts to Waters of the United States/Waters of the State**

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to wetlands, open water, and stream channels associated with the project. Each impact must be listed separately in the tables below (e.g., culvert installation should be listed separately from riprap dissipater pads). Be sure to indicate if an impact is temporary. All proposed impacts, permanent and temporary, must be listed, and must be labeled and clearly identifiable on an accompanying site plan. All wetlands and waters, and all streams (intermittent and perennial) should be shown on a delineation map, whether or not impacts are proposed to these systems. Wetland and stream evaluation and delineation forms should be included as appropriate. Photographs may be included at the applicant's discretion. If this proposed impact is strictly for wetland or stream mitigation, list and describe the impact in Section VIII below. If additional space is needed for listing or description, please attach a separate sheet.

1. Provide a written description of the proposed impacts: There will be no permanent impacts associated with this bridge replacement project. There will be 0.011 acres of temporary impacts associated with this project due to the use of two work pads.

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2. Individually list wetland impacts. Types of impacts include, but are not limited to mechanized clearing, grading, fill, excavation, flooding, ditching/drainage, etc. For dams, separately list impacts due to both structure and flooding.

Wetland Impact Site Number (indicate on map)	Type of Impact	Type of Wetland (e.g., forested, marsh, herbaceous, bog, etc.)	Located within 100-year Floodplain (yes/no)	Distance to Nearest Stream (linear feet)	Area of Impact (acres)
Total Wetland Impact (acres)					

3. List the total acreage (estimated) of all existing wetlands on the property: \_\_\_\_\_

4. Individually list all intermittent and perennial stream impacts. Be sure to identify temporary impacts. Stream impacts include, but are not limited to placement of fill or culverts, dam construction, flooding, relocation, stabilization activities (e.g., cement walls, rip-rap, crib walls, gabions, etc.), excavation, ditching/straightening, etc. If stream relocation is proposed, plans and profiles showing the linear footprint for both the original and relocated streams must be included. To calculate acreage, multiply length X width, then divide by 43,560.

Stream Impact Number (indicate on map)	Stream Name	Type of Impact	Perennial or Intermittent?	Average Stream Width Before Impact	Impact Length (linear feet)	Area of Impact (acres)
1	Town Fork Creek	Temp. Fill	Perennial	25 ft.		0.007
2	Town Fork Creek	Temp. Fill	Perennial	25 ft.		0.004
Total Stream Impact (by length and acreage)						0.011

5. Individually list all open water impacts (including lakes, ponds, estuaries, sounds, Atlantic Ocean and any other water of the U.S.). Open water impacts include, but are not limited to fill, excavation, dredging, flooding, drainage, bulkheads, etc.

Open Water Impact Site Number (indicate on map)	Name of Waterbody (if applicable)	Type of Impact	Type of Waterbody (lake, pond, estuary, sound, bay, ocean, etc.)	Area of Impact (acres)
Total Open Water Impact (acres)				

6. List the cumulative impact to all Waters of the U.S. resulting from the project:

Stream Impact (acres):	0.011
Wetland Impact (acres):	0
Open Water Impact (acres):	0
Total Impact to Waters of the U.S. (acres)	0.011
Total Stream Impact (linear feet):	

7. Isolated Waters

Do any isolated waters exist on the property?  Yes  No

Describe all impacts to isolated waters, and include the type of water (wetland or stream) and the size of the proposed impact (acres or linear feet). Please note that this section only applies to waters that have specifically been determined to be isolated by the USACE.

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8. Pond Creation

If construction of a pond is proposed, associated wetland and stream impacts should be included above in the wetland and stream impact sections. Also, the proposed pond should be described here and illustrated on any maps included with this application.

Pond to be created in (check all that apply):  uplands  stream  wetlands

Describe the method of construction (e.g., dam/embankment, excavation, installation of draw-down valve or spillway, etc.): \_\_\_\_\_

Proposed use or purpose of pond (e.g., livestock watering, irrigation, aesthetic, trout pond, local stormwater requirement, etc.): \_\_\_\_\_

Current land use in the vicinity of the pond: \_\_\_\_\_

Size of watershed draining to pond: \_\_\_\_\_ Expected pond surface area: \_\_\_\_\_

**VII. Impact Justification (Avoidance and Minimization)**

Specifically describe measures taken to avoid the proposed impacts. It may be useful to provide information related to site constraints such as topography, building ordinances, accessibility, and financial viability of the project. The applicant may attach drawings of alternative, lower-impact site layouts, and explain why these design options were not feasible. Also discuss how impacts were minimized once the desired site plan was developed. If applicable, discuss construction techniques to be followed during construction to reduce impacts. \_\_\_\_\_

The impacts to Town Fork Creek have been minimized by taking out the existing bents and replacing the existing bridges with ones that will span the entire water body.

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**VIII. Mitigation**

DWQ - In accordance with 15A NCAC 2H .0500, mitigation may be required by the NC Division of Water Quality for projects involving greater than or equal to one acre of impacts to

freshwater wetlands or greater than or equal to 150 linear feet of total impacts to perennial streams.

USACE – In accordance with the Final Notice of Issuance and Modification of Nationwide Permits, published in the Federal Register on January 15, 2002, mitigation will be required when necessary to ensure that adverse effects to the aquatic environment are minimal. Factors including size and type of proposed impact and function and relative value of the impacted aquatic resource will be considered in determining acceptability of appropriate and practicable mitigation as proposed. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland and/or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferable in the same watershed.

If mitigation is required for this project, a copy of the mitigation plan must be attached in order for USACE or DWQ to consider the application complete for processing. Any application lacking a required mitigation plan or NCEEP concurrence shall be placed on hold as incomplete. An applicant may also choose to review the current guidelines for stream restoration in DWQ's Draft Technical Guide for Stream Work in North Carolina, available at <http://h2o.enr.state.nc.us/ncwetlands/strmgide.html>.

1. Provide a brief description of the proposed mitigation plan. The description should provide as much information as possible, including, but not limited to: site location (attach directions and/or map, if offsite), affected stream and river basin, type and amount (acreage/linear feet) of mitigation proposed (restoration, enhancement, creation, or preservation), a plan view, preservation mechanism (e.g., deed restrictions, conservation easement, etc.), and a description of the current site conditions and proposed method of construction. Please attach a separate sheet if more space is needed.

No compensatory mitigation is needed.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Mitigation may also be made by payment into the North Carolina Ecosystem Enhancement Program (NCEEP). Please note it is the applicant's responsibility to contact the NCEEP at (919) 715-0476 to determine availability, and written approval from the NCEEP indicating that they are will to accept payment for the mitigation must be attached to this form. For additional information regarding the application process for the NCEEP, check the NCEEP website at <http://h2o.enr.state.nc.us/wrp/index.htm>. If use of the NCEEP is proposed, please check the appropriate box on page five and provide the following information:

Amount of stream mitigation requested (linear feet): \_\_\_\_\_  
Amount of buffer mitigation requested (square feet): \_\_\_\_\_  
Amount of Riparian wetland mitigation requested (acres): \_\_\_\_\_  
Amount of Non-riparian wetland mitigation requested (acres): \_\_\_\_\_  
Amount of Coastal wetland mitigation requested (acres): \_\_\_\_\_

**IX. Environmental Documentation (required by DWQ)**

1. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land? Yes  No
2. If yes, does the project require preparation of an environmental document pursuant to the requirements of the National or North Carolina Environmental Policy Act (NEPA/SEPA)?  
Note: If you are not sure whether a NEPA/SEPA document is required, call the SEPA coordinator at (919) 733-5083 to review current thresholds for environmental documentation.  
Yes  No
3. If yes, has the document review been finalized by the State Clearinghouse? If so, please attach a copy of the NEPA or SEPA final approval letter. Yes  No

**X. Proposed Impacts on Riparian and Watershed Buffers (required by DWQ)**

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to required state and local buffers associated with the project. The applicant must also provide justification for these impacts in Section VII above. All proposed impacts must be listed herein, and must be clearly identifiable on the accompanying site plan. All buffers must be shown on a map, whether or not impacts are proposed to the buffers. Correspondence from the DWQ Regional Office may be included as appropriate. Photographs may also be included at the applicant's discretion.

1. Will the project impact protected riparian buffers identified within 15A NCAC 2B .0233 (Neuse), 15A NCAC 2B .0259 (Tar-Pamlico), 15A NCAC 02B .0243 (Catawba) 15A NCAC 2B .0250 (Randleman Rules and Water Supply Buffer Requirements), or other (please identify \_\_\_\_\_)? Yes  No
2. If "yes", identify the square feet and acreage of impact to each zone of the riparian buffers. If buffer mitigation is required calculate the required amount of mitigation by applying the buffer multipliers.

Zone*	Impact (square feet)	Multiplier	Required Mitigation
1		3 (2 for Catawba)	
2		1.5	
Total			

\* Zone 1 extends out 30 feet perpendicular from the top of the near bank of channel; Zone 2 extends an additional 20 feet from the edge of Zone 1.

3. If buffer mitigation is required, please discuss what type of mitigation is proposed (i.e., Donation of Property, Riparian Buffer Restoration / Enhancement, or Payment into the Riparian Buffer Restoration Fund). Please attach all appropriate information as identified within 15A NCAC 2B .0242 or .0244, or .0260. \_\_\_\_\_

**XI. Stormwater (required by DWQ)**

Describe impervious acreage (existing and proposed) versus total acreage on the site. Discuss stormwater controls proposed in order to protect surface waters and wetlands downstream from the property. If percent impervious surface exceeds 20%, please provide calculations demonstrating total proposed impervious level. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**XII. Sewage Disposal (required by DWQ)**

Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility.  
\_\_\_\_\_  
\_\_\_\_\_

**XIII. Violations (required by DWQ)**

Is this site in violation of DWQ Wetland Rules (15A NCAC 2H .0500) or any Buffer Rules?  
Yes  No

Is this an after-the-fact permit application? Yes  No

**XIV. Cumulative Impacts (required by DWQ)**

Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality? Yes  No   
If yes, please submit a qualitative or quantitative cumulative impact analysis in accordance with the most recent North Carolina Division of Water Quality policy posted on our website at <http://h2o.enr.state.nc.us/ncwetlands>. If no, please provide a short narrative description: \_\_\_\_\_  
\_\_\_\_\_

**XV. Other Circumstances (Optional):**

It is the applicant's responsibility to submit the application sufficiently in advance of desired construction dates to allow processing time for these permits. However, an applicant may choose to list constraints associated with construction or sequencing that may impose limits on work schedules (e.g., draw-down schedules for lakes, dates associated with Endangered and Threatened Species, accessibility problems, or other issues outside of the applicant's control). \_\_\_\_\_  
\_\_\_\_\_

*E. L. Fisher*

3-12-07

**Applicant/Agent's Signature**

**Date**

(Agent's signature is valid only if an authorization letter from the applicant is provided.)