



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

December 30, 2005

US Army Corps of Engineers
Raleigh Field Office
6508 Falls of Neuse Road, Suite 120
Raleigh, NC 27615-6814

Attn: Mr. Eric Alsmeyer
NCDOT Coordinator, Division 5

Subject: **Application for Modification to Section 404 permit** for NC 54 from SR 1999 (Davis Drive) to SR 1959 (Miami Blvd.) in Durham County, Division 5. State Project No. 8.1352701, Federal Aid Project No. STP-54(2), TIP No. R-2904; WBS Element No. 34512.1.1.

Reference: USACE 404 NW 23 & 33 General Permits, Action ID Nos. 200220393 and 200421561 issued 9/10/04.

Dear Sir:

The North Carolina Department of Transportation (NCDOT) proposes to widen 1.1 miles of NC 54 from a two lane to a four lane divided shoulder facility with a 17.5 foot raised median from Davis Drive (SR 1999) to approximately 200 feet (ft) west of the railroad structure and then from that point a five lane curb and gutter section to Miami Boulevard, south of Durham in Durham County.

NCDOT submitted a Section 404 (of the Clean Water Act) Nationwide 23 and 33 General Permit Application to the U.S. Army Corps of Engineers (USACE) for the subject project on June 25, 2004. On September 10, 2004, the Section 404 Permit was issued by the USACE (Action ID Nos. 200220393 and 200421561). A Section 401 Water Quality General Certification Nos. 3403 and 3366 were issued from the N.C. Division of Water Quality (NCDWQ) with the Section 404 Permit. The project has been let and construction has begun.

The purpose of this submittal is to request a modification to the Section 404 permit, specifically Site 1 at Station No. 47+58 L (site map and permit drawing sheets 3 and 4 of 8). The permit modification is for adding 23 ft on the upstream (Lt.) end of the proposed 30 in. reinforced concrete pipe (RCP). Existing channel impacted will change from 160 ft. to 183 ft (Permit Sheet 8 of 8). The Fill in Surface Waters (SW) will change from 0.011 to 0.012 acre

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

TELEPHONE: 919-715-1500
FAX: 919-715-1501
WEBSITE: WWW.NCDOT.ORG

LOCATION:
2728 CAPITAL BLVD.
PARKER LINCOLN BUILDING, SUITE 168
RALEIGH NC 27604

(Wetland Permit Impact Summary sheet 7 of 8). The change was necessary because curb and gutter has been added which shifted the fill slope. No wetland impacts will occur because of this change. According to the permit application, the stream at site 1 was determined to be intermittent by Mr. Eric Alsmeyer (USACE) and lacking aquatic habitat. No mitigation is required. Adherence to the standard conditions of the General Water Quality Certifications Nos. 3403 and 3366 will be followed as stated in the permit.

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 are in compliance with all previous issues, including the following:

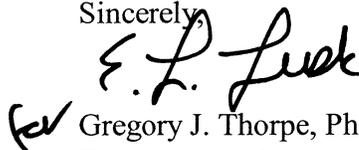
- Protected Species
- Aquatic Life passage
- FEMA compliance
- Cultural Resources.

Regulatory Approvals

Application is hereby made for the modification of the Section 404 Permit from the USACE. We anticipate this project will retain the 401 General Water Quality Certification and are providing two copies of this application to NCDWQ, for their review.

If you have any questions or need additional information, please call Ms. Susan Thebert at (919) 715-1461.

Sincerely,



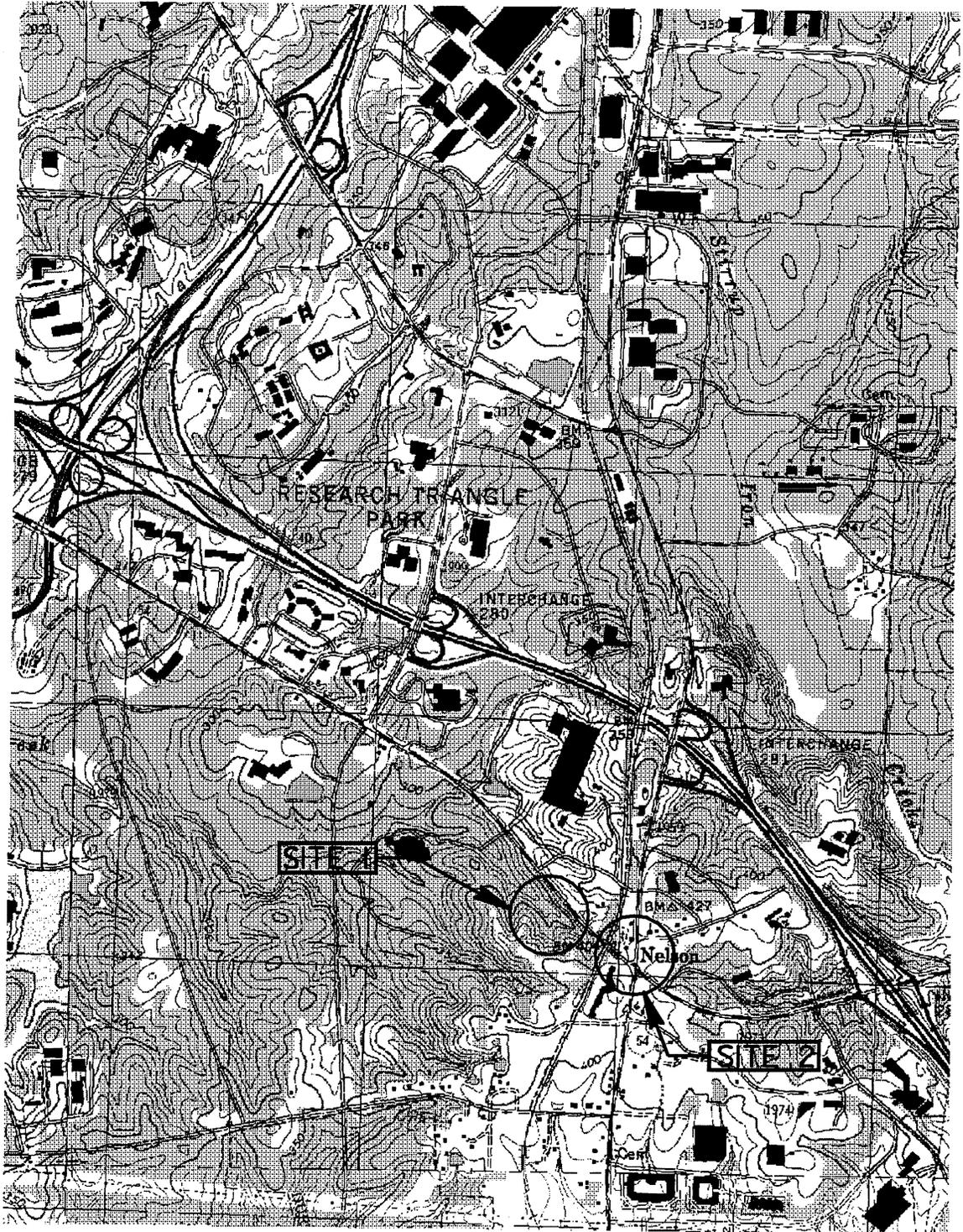
Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA

w/attachment

Mr. John Hennessy, NCDWQ (2 Copies)
Mr. Travis Wilson, NCWRC
Mr. Gary Jordan, USFWS
Dr. David Chang, P.E., Hydraulics
Mr. Mark Staley, Roadside Environmental
Mr. Greg Perfetti, P.E., Structure Design
Mr. Jon Nance, P.E., Division Engineer
Mr. Chris Murray, 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. Eric Midkiff, PDEA Planning Engineer



SITE MAP

DIVISION OF HIGHWAYS
DURHAM COUNTY

PROJECT: 8.1352701 (R-2904)

NC 54 FROM SR 1999(DAVIS DR)TO SR 1959
MIAMI BLVD. AND SR 1973 (PAGE RD) FROM
NC 54 TO I-40 IN DURHAM

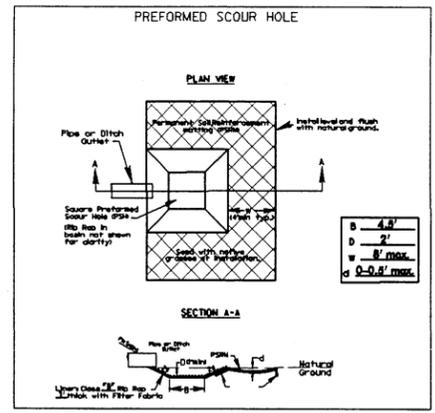
8/17/99

ENGLISH

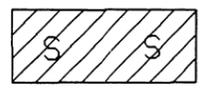
PROJECT REFERENCE NO. R-2904	SHEET NO.
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	
REV'D 10/18/05	



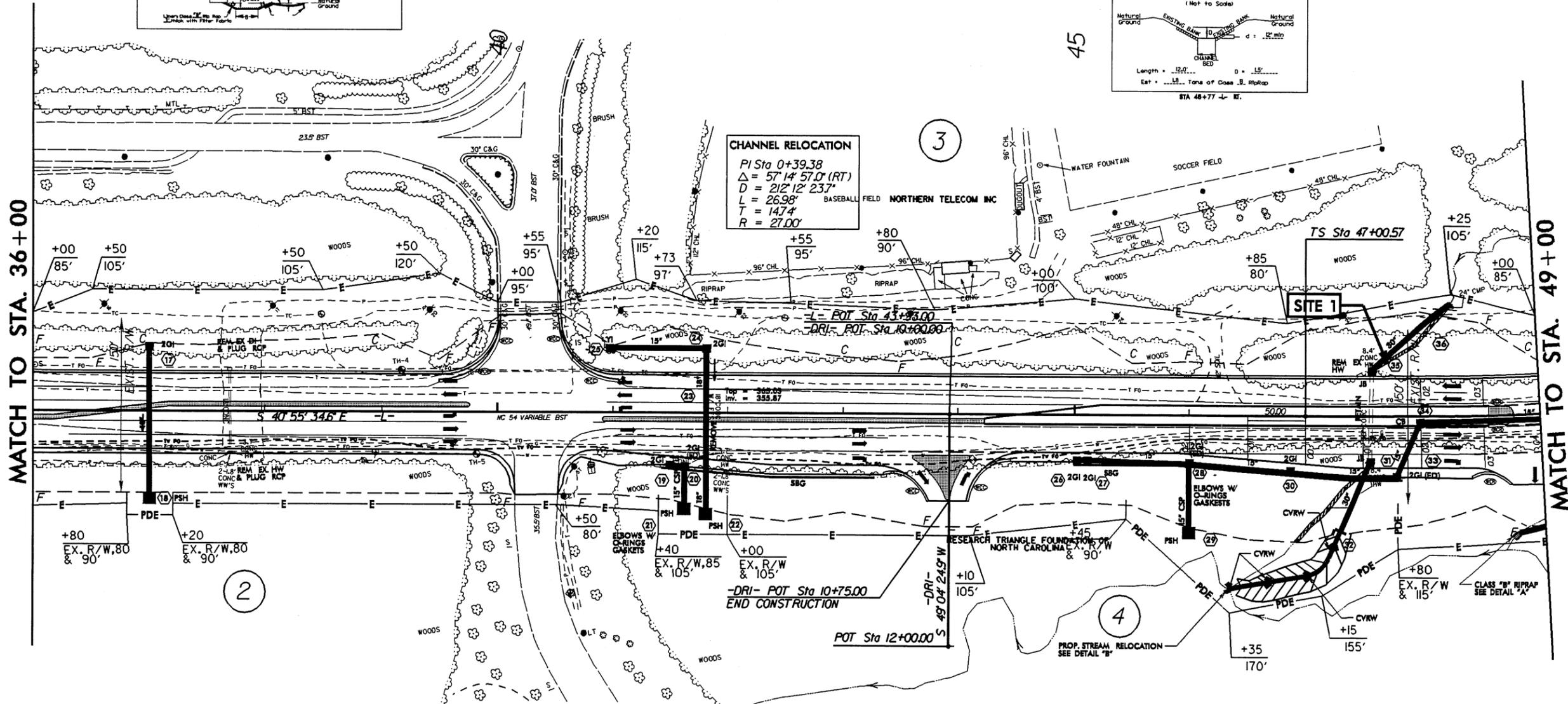
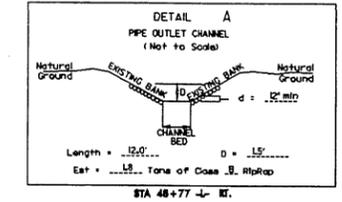
Sheet 3 of 8



-L-
 PIs Sta 48+33.92
 Fs = 3'00' 56.0"
 Ls = 20000
 LT = 133.35
 ST = 66.68

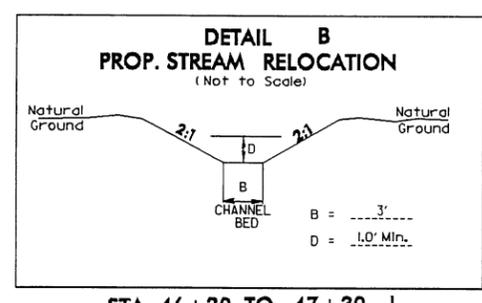


DENOTES FILL IN SURFACE WATER

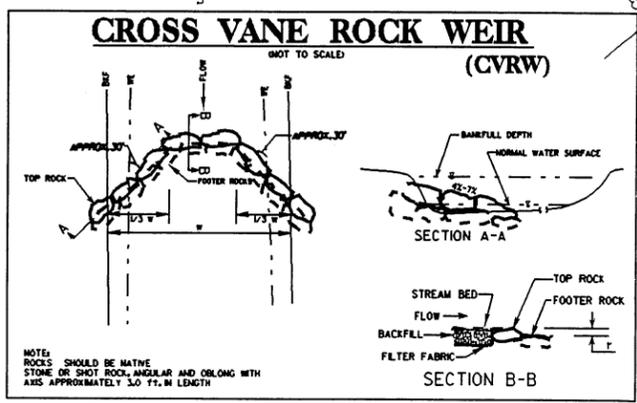


MATCH TO STA. 36+00

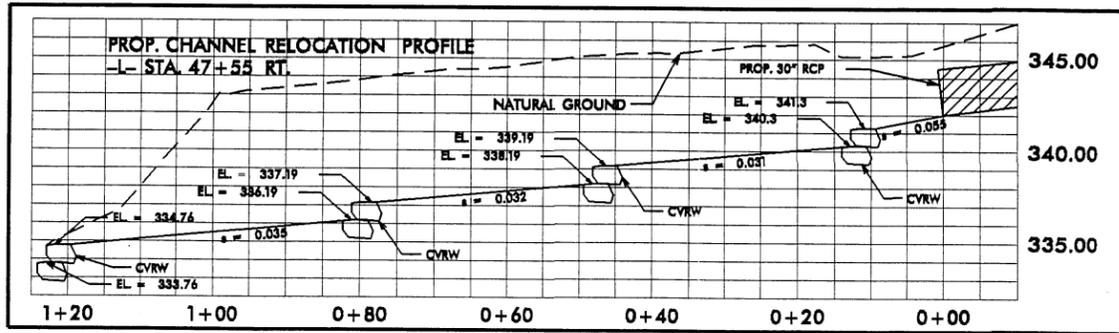
MATCH TO STA. 49+00



STA 46+30 TO 47+30 -L-



NOTE:
 ROCKS SHOULD BE NATIVE
 STONE OR SHOT ROCK, ANGULAR AND OBLONG WITH
 AXIS APPROXIMATELY 3.0 FT. IN LENGTH



FOR -L- PROFILE SEE SHEET 9

REVISIONS

* REVISED EXISTING CHANNEL IMPACTED FROM 236' TO 160' AT SITE 1. 05/27/04 sh
 * REVISED TDE TO PDE IN THE VICINITY OF THE CHANNEL RELOCATION AND ADJUST THE ALIGNMENT OF THE CHANNEL RELOCATION. 06/28/04 sh

18-OCT-2005 14:15:09 496496.dgn
 18-OCT-2005 14:15:09 496496.dgn
 18-OCT-2005 14:15:09 496496.dgn

