



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

March 17, 2009

U. S. Army Corps of Engineers
Regulatory Field Office
Post Office Box 1000
Washington, NC 27889-1000

Attention: Mr. William Wescott
NCDOT Coordinator

Subject: **Revision to the Applications for Section 404 Individual Permit, Section 401 Water Quality Certification, and Tar-Pamlico Buffer Authorization** for the extension of SR 1537 (Daniel Street) from SR 1518 (Baker Street) to US 258, Tarboro, Edgecombe County. State Project No. 8.2291201, WBS 34983.1.1, TIP No. U-3826.

Reference: Individual Application dated February 4, 2009

Dear Sir:

The purpose of this letter is to revise the referenced application in the following sections.

On page 5, under section 12.1 Avoidance and Minimization, the last bullet reads: *NCDOT proposes to use sheet piles on smaller wetlands to sever the connection to the Tar River in order to avoid impacts to anadromous fish.* To clarify this minimization effort, NCDOT will install sheet piles outside the moratorium to allow work during the moratorium. This was discussed and approved on August 23, 2006 at the 4B meeting with the following conditions as required by the NC Wildlife Commission:

1. It is installed when the conditions are dry, and it is not effected by a moratorium.
2. There are no additional clearing limits due to installing the sheet piling.
3. If there is inundation inside the sheet piling, then BMPs (Best Management Practices) are used for dewatering.

Revisions to the Compensation section (12.2) have also occurred. Changes are noted in bold in the following paragraphs.

12.2 Compensation

The NCDOT has avoided and minimized impacts to jurisdictional resources to the greatest extent possible as described above. The unavoidable impacts to jurisdictional wetlands will be offset by

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compensatory mitigation provided by on-site mitigation and with assets from the NCDOT Onsite Mitigation Debit Ledger. NCDOT will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the unavoidable impacts to 1.48 acres of wetlands resulting from the construction of U-3826. NCDOT is not proposing mitigation for 16 ft. of impacts to a UT to the Tar River as agreed at the 4B field review on Oct. 16, 2006 because it is intermittent.

NCDOT proposes to restore 0.86 acre of riparian wetland for this project (see the wetland drawings and Daniel Street Extension Wetland Restoration Plan for details). The remaining 0.62 acre of wetland will be offset with assets from the Mildred Wood Mitigation Site.

The Mildred Wood Mitigation Site was constructed as onsite mitigation for T.I.P. R-2111/R-2112A US 64 relocation in Edgecombe and Martin Counties. The 418-acre site is located in Edgecombe County southeast of Tarboro and may be accessed from US 64 on its southern boundary. The site has completed its monitoring period and met prescribed hydrologic and vegetative success criteria.

The Site was originally debited for R-2111, R-2112A, and R-509GB and has since been debited for R-2112B, U-2218, U-2720, B-2980, B-4021, and B-4020. To offset the 0.62 acre of unavoidable impacts to riparian wetlands associated with T.I.P. U-3826, the Mildred Wood Mitigation Site will be debited 0.62 acre of riparian wetland restoration. These debits are reflected in the debit ledger below.

Table 5. NCDOT Onsite Mitigation Debit Ledger (Acres)

Site name	Site TIP	HUC	River Basin	Division	County	Mitigation Type	As Built Amount
<u>Mildred Woods</u>	R-2111/ R-2112A	3020103	Tar-Pamlico	4	Edgecombe	Riparian Wetland Restoration	395

Available	Debit	Debit	Debit	Debit	Debit	Debit	Debit	Debit	Debit
	R-509GB, R-2111, & R- 2112A	R-2112B	Alterations	U-2218	U-2720	B-2980	B-4021	B-4020	U-3826
99.67	217	23	23.5	21.5	6	3	0.25	0.46	0.62

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS						SURFACE WATER IMPACTS					
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW Impacts (ac)	Temp. SW Impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)		
1	34+50/36+50	ROADWAY FILL	0.71			0.04								
2	40+15/41+00	ROADWAY FILL	0.04											
3	44+00/46+00	BRIDGE CONSTRUCTION					0.23							
4	57+10/59+65	ROADWAY FILL	0.61	0.23		0.08	0.62		0.01	0.01	16	10		
TOTALS:			1.36	0.23		0.12	0.85		0.01	0.01	16	10		

NOTE: SITE 3 RESTORATION OF WETLAND=0.86 ACRES

NOTE: TEMPORARY WORK BRIDGE=31969 SF=0.73 AC

NOTE: TEMPORARY WORK PAD=15799 SF=0.36 AC

Revised 3/6/09

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

EDGEcombe COUNTY
WBS - 34983.1.1 (U-3826)

Permit Drawing

SHEET 3 of 3 19/2008

A copy of this revised 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 Chris Underwood at csunderwood@ncdot.gov or (919) 431-6662.

Sincerely,

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

cc:

W/attachment

Mr. Brian Wrenn, NCDWQ (5 Copies)
Ms. Kathy Matthews, USEPA

W/o attachment (see website for attachments)

Dr. David Chang, P.E., Hydraulics
Mr. Greg Perfetti, P.E., Structure Design
Mr. Victor Barbour, P.E., Project Services Unit
Mr. Mark Staley, Roadside Environmental
Mr. Richard E. Greene, PE, Div. 4 Engineer
Mr. Chad Coggins, Div. 4 Environmental Officer
Mr. Scott McLendon, USACE, Wilmington
Mr. Gary Jordan, USFWS
Mr. Travis Wilson, NCWRC
Mr. Ron Sechler, NMFS
Ms. Anne Deaton, NCDMF
Mr. Jay Bennett, P.E., Roadway Design
Mr. Majed Alghandour, P. E., Programming and TIP
Mr. Art McMillan, P.E., Highway Design
Mr. Bryan Yamamoto, PE, PDEA
Mr. Drew Joyner, PE, Human Environment Unit Head
Mr. Clarence W. Coleman, P.E., FHWA
Ms. LeiLani Paugh, NEU
Mr. Randy Griffin, NEU