



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

April 3, 2018

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

ATTN: Mr. Steven Kichefski
NCDOT Coordinator

Subject: **Request for Revision to Section 404 Nationwide Permit 14 and Section 401 Water Quality Certification** for the proposed improvements to NC 268 (Elkin Highway) from NC 18 to SR 1966 (Airport Road) in Wilkes County. Federal Project No. STP-0268(15), Division 11, TIP No. R-2603. Debit \$570 from WBS 34518.1.2.

Reference: 404 Nationwide Permit 14, Action ID SAW-2014-02292
401 Water Quality Certification No. 3886, Project No. 20141200
401 Water Quality Certification No. 4088, Project No. 20141200 v3

Dear Sir:

The purpose of this letter is to request a revised United States Army Corps of Engineers (USACE) Section 404 Nationwide Permit 14 and North Carolina Division of Water Resources Section 401 Certification for the above referenced project. The NCDOT is submitting for approval for an additional 60 linear feet of permanent impacts due to stream relocation and an additional 70 linear feet of stream bank stabilization along Stream S3 (Permit Sites 9E and 9F).

There are two locations where stream S3 running parallel to the eastern portion of the project has eaten into the roadway shoulders leading to slides. One of those locations (Permit Site 9E) requires a short section of stream relocation, totaling 60 linear feet of permanent impacts. The other location (Permit Site 9F) requires 70 linear feet of bank stabilization with Class II stone or larger.

The 60 linear feet of stream relocation impacts at Site 9E will require mitigation from the Division of Mitigation Services (DMS). Impacts at Site 9F do not require mitigation as they do not constitute a loss of water. Please see the revised DMS acceptance letter.

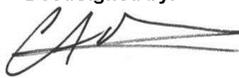
Including the proposed additions of Site 9E and 9F described above, the total impacts for this project will now include 785 linear feet of permanent stream impacts, 278 linear feet of stream bank stabilization, 0.03 acre of temporary stream impacts, and 0.29 acre of permanent wetland impacts. There will also be 0.01 acre of temporary wetland impacts from utility relocation. Temporary stream impacts and all wetland impacts are unchanged from the original permit. Please see the enclosed revised permit drawings with revised impact summary sheet.

No changes have occurred to the special commitments for this project.

NCDOT requests to revise the permit for this project. Application is hereby made for revision of the USACE 404 permit and 401 WQC from NCDWR. We have provided a method of debiting \$570.00 to be submitted to the NCDWR for processing the WQC revision request for R-2603, as noted in the subject line of this application.

A copy of this permit revision application and its distribution list will be posted on the NCDOT Website at: <http://connect.ncdot.gov/resources/Environmental>. If you have any questions or need additional information, please call Erin Cheely at (919) 707-6108.

Sincerely,

DocuSigned by:


for

33883EFFD0F44D3...
Philip S. Harris III, P.E., C.P.M.
Environmental Analysis Unit Head

Cc:
NCDOT Permit Application Standard Distribution List



March 28, 2018

Mr. Philip S. Harris, P.E., CPM
Environmental Analysis Unit
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina 27699-1598

Dear Mr. Harris:

Subject: DMS Mitigation Acceptance Letter:

R-2603, Elkin Highway – NC 268 Improvements from Multi-lanes East of NC 18 to SR 1966, Wilkes County

References: USACE 404 Nationwide Permit 14 issued March 6, 2018 (USACE Action ID 2014-02292)

NCDWR 401 Water Quality Certification issued December 31, 2014 (NCDWR ID 2014-1200)

The purpose of this letter is to notify you that the Division of Mitigation Services (DMS) will provide the additional compensatory stream mitigation for the subject project. Based on the information supplied by you on February 12, 2018 and March 12, 2018, the impacts are located in CU 03040101 of the Yadkin River basin in the Northern Mountains (NM) Eco-Region, and are as follows:

Table 1 – Additional Impacts (feet / acres)

Yadkin 03040101 NM	Stream			Wetlands			Buffer (Sq. Ft.)	
	Cold	Cool	Warm	Riparian	Non-Riparian	Coastal Marsh	Zone 1	Zone 2
Impacts (feet/acres)	0	60.0	0	0	0	0	0	0

*NOTE: Some of the stream impacts may be proposed to be mitigated at a 1:1 mitigation ratio. See permit application for details.

This additional impact and associated mitigation needs were not projected by the NCDOT in the 2018 impact data. DMS is currently providing stream and wetland mitigation for the impacts associated with this project located in cataloging unit 03040101 of the Yadkin River basin as required by the 404 and 401 permits issued in March 2018 and December 2014, as shown in the below table (in mitigation credits)



Table 2 – Current Permitted Impacts and Associated Mitigation Requirements provided by DMS (based on issued permits) and Revised Anticipated Impacts (based on mitigation request)

Impact Type	Total Permitted Impacts (feet / acre / sq ft)	Mitigation Provided by DMS per Issued Permits (Credits)	Additional Impact (for approval)	Revised Total Impacts*
Stream (cool)	725.0	1,450.0	60.0	785.0
Riparian Wetland	0.29	0.58	0	0.29

*Some of the additional stream impacts may be proposed to be mitigated at a 1:1 mitigation ratio. See permit application for details. DMS will provide the amount of mitigation as determined by the regulatory agencies.

DMS commits to implementing additional sufficient compensatory stream mitigation credits to offset the impacts associated with this project as determined by the regulatory agencies using the delivery timeline listed in Section F.3.c.iii of the In-Lieu Fee Instrument dated July 28, 2010. If the above referenced impact amounts are revised, then this mitigation acceptance letter will no longer be valid and a new mitigation acceptance letter will be required from DMS.

If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-707-8420.

Sincerely,



James B. Stanfill
Asset Management Supervisor

cc: Mr. Steve Kichefski, USACE – Asheville Regulatory Field Office
Ms. Amy Chapman, Division of Water Resources, Wetlands/401 Unit
File: R-2603 Additional



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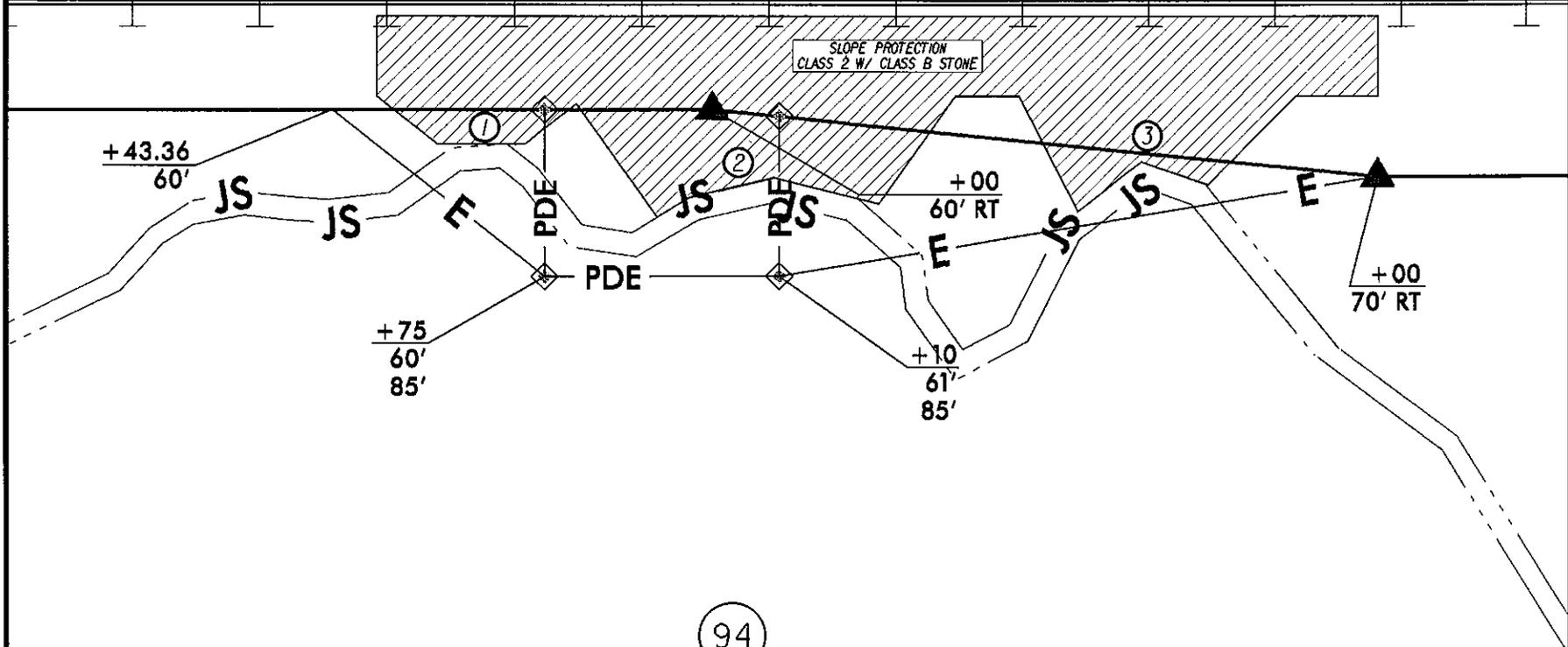
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NC HWY 268
EAST BOUND LANE

PAVED SHOULDER

SHOULDER BERM GUTTER

SLOPE PROTECTION
CLASS 2 W/ CLASS B STONE



94

ROBERT WYATT
DB 836 PG 210
DB 761 PG 585
DB 658 PG 17

Permit Drawing Sheet 21B of 28
added 2/19/18

SLOPE PROTECTION TO BE ADDED
FROM STA. 159+50 TO STA. 161+00

SLOPE PROTECTION STREAM IMPACT	
①	13 FEET
②	34.5 FEET
③	22.7 FEET

HORIZONTAL SCALE 1" = 25'

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	Y1 28+73 to 29+30	72" RCP						<0.01			37	
2	L 59+55 to 59+86	8' x 8' RCBC						0.02	0.01	106	54	
		BANK STABILIZATION						< 0.01		20		
3	L 78+78 to 78+95	48" RCP						< 0.01	<0.01	80	30	
		BANK STABILIZATION						< 0.01		10		
4	L 96+13 to 96+82	36" RCP						0.01	<0.01	123	20	
5(T)	L 122+48 to 124+10	Fill	0.13									
6	L 122+42 to 124+54	Fill	0.17									
7	L 126+89 to 127+23	2 @ 30" RCP						0.01	<0.01	120	35	
		Rip Rap in channel						< 0.01		38		
		BANK STABILIZATION						< 0.01		10		
8	L 129+60	15" RCP						0.01	<0.01	70	20	
		BANK STABILIZATION								12		
9A	L 149+90 to 150+18	30" RCP-III							<0.01		30	
9B	L 157+36 to 157+63	15" RCP							<0.01		20	
9C	L 158+60 to 158+71	15" RCP							<0.01		12	
9D	L 159+75 to 160+10	24" RCP							<0.01		38	
9E	L 157+00	Stream Relocation						<0.01		60		
9F	L 160+00	Bank Stabilization						<0.01		70		
10	L 170+73 to 172+41	48" RCP						0.01	0.01	123	68	
11	L 179+79 to 180+87	60" Pipe						< 0.01	0.01	47	59	
12	Y1A 25+25 to 25+68	30" Pipe						< 0.01	<0.01	18	27	
		Bank Stabilization						< 0.01	<0.01	18		
13	L 117+58	Bank Stabilization						< 0.01		138		
		Causeway							<0.01		29	
TOTALS:			0.29					0.06	0.03	1063	479	

NOTES:

(T) Indicates Total Take

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

WILKES COUNTY
WBS - 36001.1.2 (R-2603)

Revised 2/19/18