

Project Submittal Interim Form



Updated September 4, 2020

*Please note: fields marked with a red asterisk * below are required. You will not be able to submit the form until all mandatory questions are answered.*

Project Type: *

- ☐ For the Record Only (Courtesy Copy)
- ☐ New Project
- ☒ Modification/New Project with Existing ID
- ☐ More Information Response
- ☐ Other Agency Comments
- ☐ Pre-Application Submittal
- ☐ Re-Issuance/Renewal Request
- ☐ Stream or Buffer Appeal

Pre-Filing Meeting Date Request was submitted on:

5/7/2019

Project Contact Information

Name:

Chris Rivenbark

Who is submitting the information?

Email Address: *

crivenbark@ncdot.gov

Project Information

Existing ID #: *

20190593

20170001 (no dashes)

Existing Version: *

6

1

Project Name: *

Interstate 40 Widening & Improvements (I-4739 I-5111)

Is this a public transportation project? *

- ☒ Yes
- ☐ No

Is this a DOT project? *

- ☒ Yes
- ☐ No

Is the project located within a NC DCM Area of Environmental Concern (AEC)? *

- ☐ Yes
- ☒ No
- ☐ Unknown

TIP#:

I-5111 I-4739

WBS#:

42346.3.1

(Applies to DOT projects only)

County (ies) *

Johnston

Wake

Please upload all files that need to be submitted.

[Click the upload button or drag and drop files here to attach document](#)

I-5111_I-4739 Individual Modification Wake_Johnston 3.72MB
June 21 2022.pdf

[Only pdf or kmz files are accepted.](#)

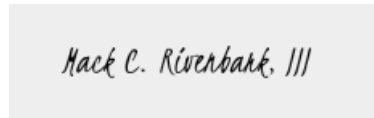
Describe the attachments or add comments:

Cover letter and revised permit drawings for changes to impacts at permit site 55

* ☒ By checking the box and signing box below, I certify that:

- I, the project proponent, hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief.
- I, the project proponent, hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.
- I agree that submission of this online form is a "transaction" subject to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I agree to conduct this transaction by electronic means pursuant to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I understand that an electronic signature has the same legal effect and can be enforced in the same way as a written signature; AND
- I intend to electronically sign and submit the online form.

Signature: *

A rectangular box containing a handwritten signature in black ink that reads "Mack C. Riverbank, III".

Submittal Date: 6/21/2022

[Is filled in automatically once submitted.](#)



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

June 21, 2022

U.S. Army Corps of Engineers
Raleigh Regulatory Field Office
3331 Heritage Trade Drive, Suite 105
Wake Forest, NC 27587

N.C. Division of Water Resources
1617 Mail Service Center
Raleigh, NC 27699

Attn: Mr. Andrew Williams
NCDOT Coordinator

Mr. Rob Ridings
NCDOT Coordinator

Subject: **Modification Request for Section 404 Individual Permit, Section 401 Water Quality Certification and Neuse Riparian Buffer Authorization** for Interstate 40 Widening and Improvements from I-440/US 64 (Exit 301) to just north of SR 1525 (Cornwallis Road), including improvements to NC 42 and SR 1010 (Cleveland Road) in Wake and Johnston Counties, Federal Aid Project No. IMNHF-040-4(139)301; TIP Numbers I-5111 and I-4739, Division 5. Debit \$570 from WBS Element 42346.3.1.

Dear Sirs:

As you are aware, the North Carolina Department of Transportation (NCDOT) applied for permits for the subject project on May 7, 2019, and modifications on December 20, 2019, May 28, 2020, August 31, 2020, and January 21, 2022. The Corps of Engineers issued the Section 404 permit for the project on September 6, 2019, and modifications on February 11, June 11, October 1, 2020, and March 22, 2022, respectively. The North Carolina Division of Water Resources issued the 401 Water Quality Certification for the project on July 10, 2019 (NCDWR Project No. 20190593) and modifications on January 22, June 3, September 16, 2020, and January 26, 2022, respectively. This correspondence is to request modification to Site 55.

Site 55: Due to repeating erosion events and the general instability of the channel below the outlet of Site 55, the Design Build Team proposes rip rap be added to the flow line to match the length of the previously permitted bank stabilization. This will result in the following changes:

- 40 linear feet decrease in bank stabilization impacts
- 40 linear feet increase in permanent stream impacts
- No changes in buffer impacts

Attached are the following revised permit drawings depicting the affected area, all of which have a revision date of June 1, 2022:

- Permit Drawing 7: Ditch detail sheet
- Permit Drawing 111: plan sheet 49 without contours
- Permit Drawing 112: plan sheet 49 with contours
- Permit Drawing 125: summary table
- Buffer Drawing 41: buffer plan sheet 49

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

TELEPHONE: 919-707-6000
FAX: 919-212-5785
WEBSITE: NCDOT.GOV

LOCATION:
CENTURY CENTER, BUILDING A
1000 BIRCH RIDGE DRIVE
RALEIGH NC, 27610-4328

Compensatory Mitigation

Compensatory mitigation for the additional jurisdictional stream impacts has been debited from the Marks Creek Mitigation Site. The revised debit ledger is included with this modification request.

REGULATORY APPROVALS

Section 404: NCDOT requests modification to the USACE Individual 404 Permit for the project as required for the above described activities.

Section 401: We are also requesting modification of the Section 401 Individual Water Quality Certification. We are providing this request to NCDWR, for their approval. Authorization to debit the \$570.00 Permit Modification Fee from TIP No. I-5111/I-4739/WBS 42346.3.1 is hereby given.

A copy of the permit modification request and its distribution list will be posted at <https://xfer.services.ncdot.gov/pdea/PermApps/>.

If you have any questions or need additional information, please contact Chris Rivenbark at crivenbark@ncdot.gov or 919-707-6152.

Sincerely,

DocuSigned by:

Mack C. Rivenbark III

AAAD1248B309416...

for Philip S. Harris, III, P.E., C.P.M.
Environment Analysis Unit Head

cc: NCDOT Permit Application Standard Distribution List

Marks Creek Mitigation Site
ONEID 092-011

The Marks Creek Mitigation Site is located in Wake County within the USGS hydrologic unit 03020201 of the Neuse River. NCDOT acquired the 66 acre site to mitigate for unavoidable, jurisdictional impacts associated with TIP R-2547. Monitoring requirements were performed from 2004 to 2008 and the site was closed out in 2009. Table 1 shows the final mitigation quantities approved for the site. The site has been placed on the NCDOT On-site Debit Ledger for use within HUC 03020201. Tables 2-5 indicate all mitigation debits that have occurred per regulatory agency approval.

To offset unavoidable stream impacts associated with T.I.P. I-5111, the Marks Creek Mitigation Site will be debited 80 linear feet of credit to offset 40 linear feet of stream impacts associated with this project. This debit is reflected in the debit ledger below.

Table 1. Mitigation Quantities Approved

HUC	Mitigation Type	Starting Amount	Additional Notes
3020201	Stream Preservation	3247 (Ln.Ft.)	
3020201	Riparian Wetland Restoration	3.33 (Ac.)	
3020201	Riparian Wetland Preservation	11 (Ac.)	No Debit as of 8/18/2014
3020201	Riparian Wetland Enhancement	13 (Ac)	
3020201	Buffer Restoration	324700 (Sq.Ft.)	

Table 2. Mitigation Debits – Stream Restoration

Mitigation Type	Debit Amount (Ln.Ft.)	Status	Site TIP	Action ID#	NOTES
Stream Restoration	2873	Close Out	R-2814A&B Mod (Sep 21, 2010)	2008-01316	Modification decreased impacts by 268 lf.
Stream Restoration	80	Close Out	I-5338 (Areas 1, 2A, and 2b)	Permit By Default	Impacts were 40 lin. Ft. @ 2:1 ratio
Stream Restoration	25	Closeout	I-5338		NW18 being permitted separately for stream impacts
Stream Restoration	80	Close Out	I-5111		40 lf of impacts at 2:1 ratio

Table 3. Mitigation Debits – Riparian Wetland Enhancement

Mitigation Type	Debit Amount (Ac)	Status	Site TIP	Action ID#	NOTES
Riparian Wetland Enhancement	10.9	Close Out	R-2000F&G	199920387	Unable to confirm in permits. From old DOT ledger
Riparian Wetland Enhancement	0.98	Close Out	R-3825A	201101695	0.49 @2:1
Riparian Wetland Enhancement	1.08	Close Out	U-5748		0.36 acres of impacts at 3:1 ratio

Table 4. Mitigation Debits – Buffer Restoration

Mitigation Type	Debit Amount (Sq.Ft.)	Status	Site TIP	Action ID#	NOTES
Buffer Restoration	114659	Close Out	U-3804	200421647	
Buffer Restoration	114	Close Out	R-2814-B Mod	2008-01316	
Buffer Restoration	75581	Close Out	B-3528	2008-00153	
Buffer Restoration	1655	Close Out	B-4944	2009-00207	
Buffer Restoration	34683	Close Out	I-5338 (Areas 1, 2A, and 2b)	Permit By Default	6,915 sq ft of impacts for zone 1 and 9292 sq ft of zone 2 totaling 34,683 sq ft with 3:1 ratio for zone 1 and 1.5:1 for zone 2
Buffer Restoration	12,914	Close Out	B-4659		NCDOT was required to use a 3:1 ratio for zone 1 and a 1.5:1 ratio for zone 2.

Mitigation Type	Debit Amount (Sq.Ft.)	Status	Site TIP	Action ID#	NOTES
Buffer Restoration	4,947	Close Out	B-5121		NCDOT was required to use a 3:1 ratio for zone 1 and a 1.5:1 ratio for zone 2.
Buffer Restoration	5322	Close Out	B-5656		Impacts of 1699 sq ft zone 1 @3:1 and 150 sq ft zone 2 @1.5:1
Buffer Restoration	54,672	Close Out	I-5700		zone 1 (14,723 @3:1 = 44,169) zone 2 (7,002 @1.5:1 = 10,503)

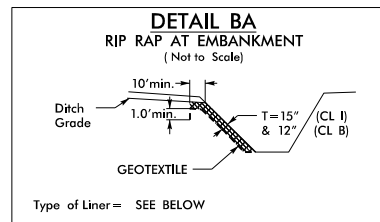
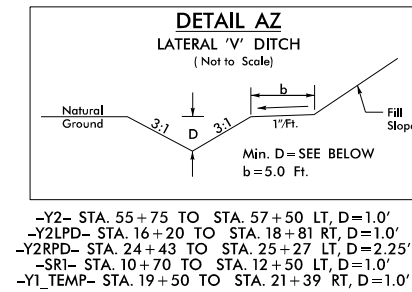
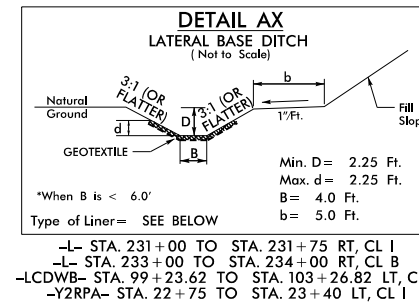
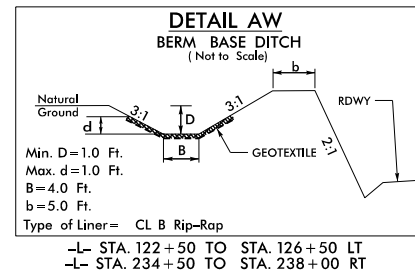
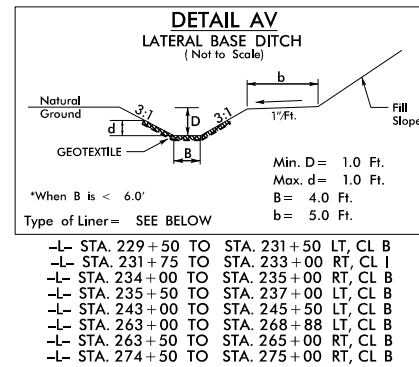
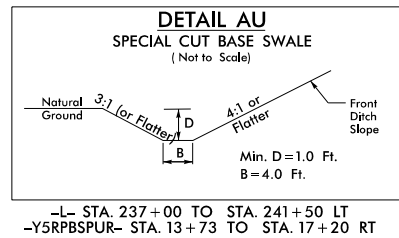
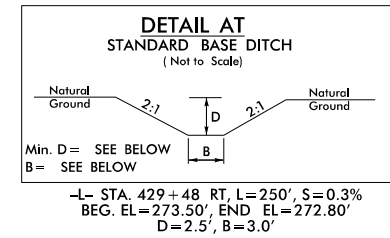
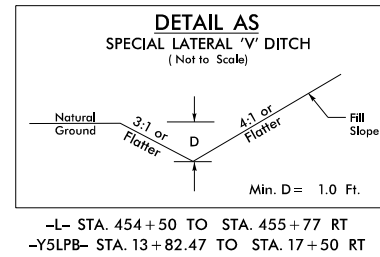
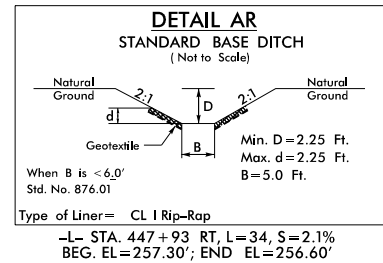
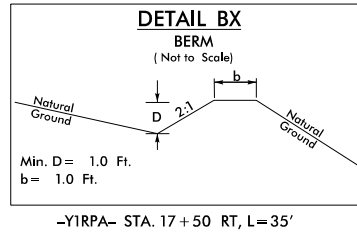
Table 5. Mitigation Debits – Riparian Wetland Restoration

Mitigation Type	Debit Amount (Ln.Ft.)	Status	Site TIP	Action ID#	NOTES
Riparian Wetland Restoration	3.33	Close Out	R-2547/R-2641	200220819	The permit states that R-2547 will debit 4.4 ac of wetland restoration from Mark's Creek. The remaining 1.07 acres was debited from Wiggins Mill at 2:1

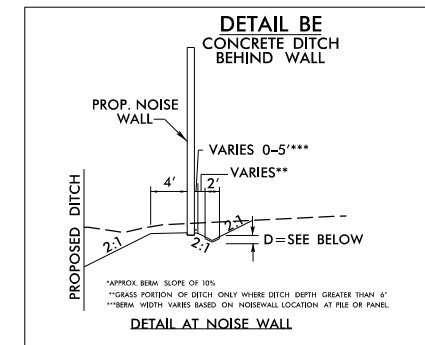
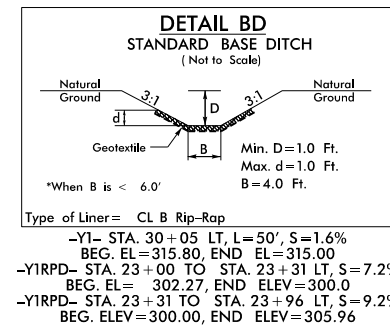
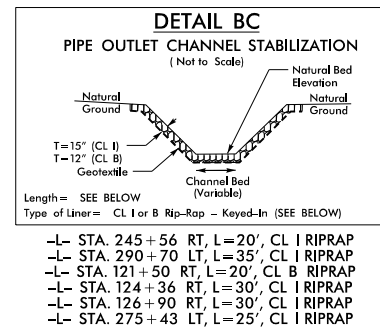
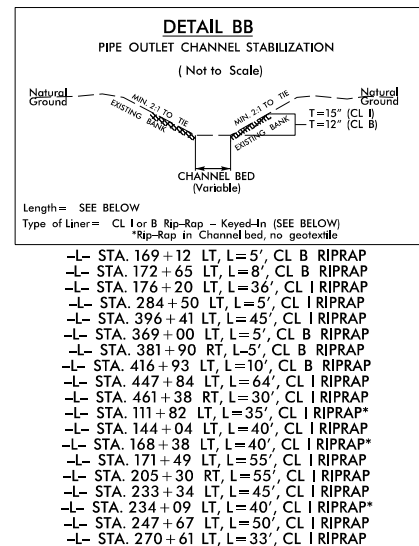
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1-5111/1-4739	2D-6
ROADWAY DESIGN ENGINEER	PAVEMENT DESIGN ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	

PERMIT DRAWING
SHEET 7 OF 125

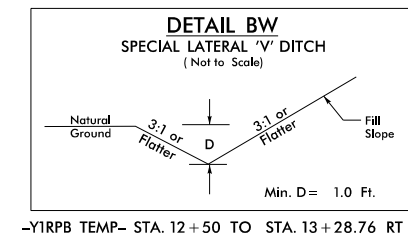
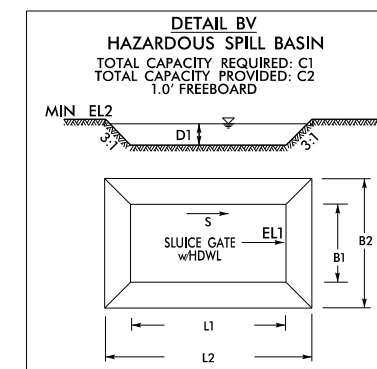
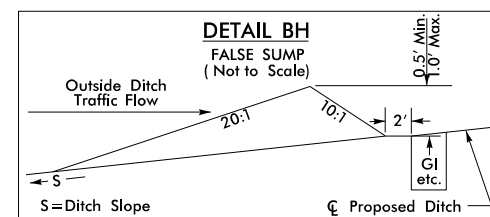
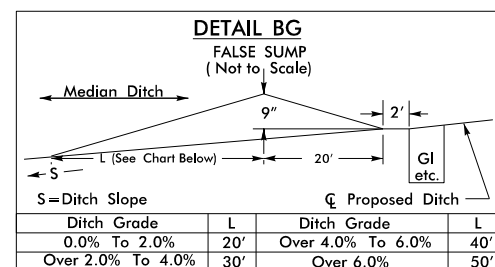
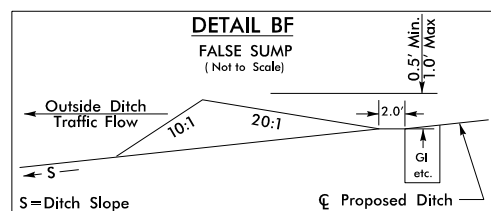
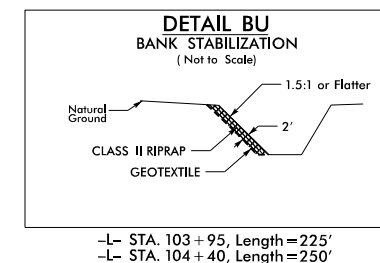
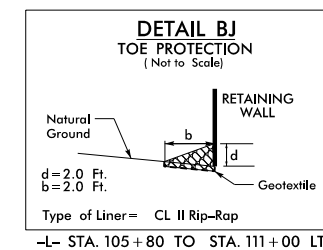
REVISED 08/1/2020
REVISED 07/13/2021
REVISED 11/19/2021
REVISED 6/1/2022



-L- STA. 257+25 RT, CL I RIPRAP
-L- STA. 272+82 RT, CL B RIPRAP
-L- STA. 272+87 RT, CL B RIPRAP
-L- STA. 273+27 RT, CL B RIPRAP
-L- STA. 274+95 LT, CL B RIPRAP
-L- STA. 322+48 LT, CL B RIPRAP
-L- STA. 322+88 LT, CL B RIPRAP
-L- STA. 323+13 RT, CL I RIPRAP
-L- STA. 386+30 RT, CL I RIPRAP
-L- STA. 395+82 RT, CL I RIPRAP
-L- STA. 405+84 RT, CL I RIPRAP
-L- STA. 406+05 RT, CL B RIPRAP
-L- STA. 447+72 LT, CL I RIPRAP
-L- STA. 447+93 LT, CL I RIPRAP
-L- STA. 174+80 RT, CL B RIPRAP
-L- STA. 210+62 RT, CL I RIPRAP
-L- STA. 215+34 LT, CL I RIPRAP
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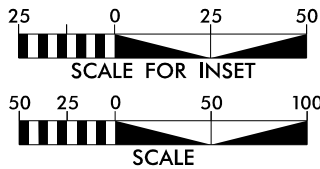


-L- STA. 259+50 TO STA. 271+00 RT, D=0.5'
-L- STA. 276+00 TO STA. 280+25 RT, D=0.5'
-L- STA. 355+00 TO STA. 366+50 RT, D=0.5'
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Submitted 6/21/2022

8/17/99

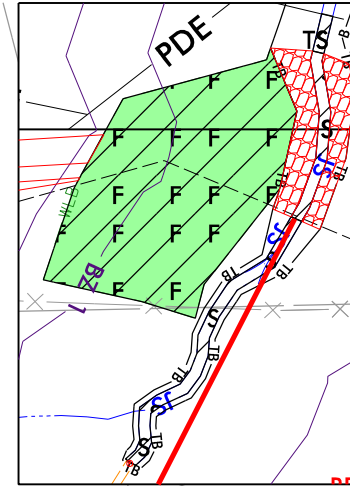


PERMIT DRAWING
SHEET 111 OF 125

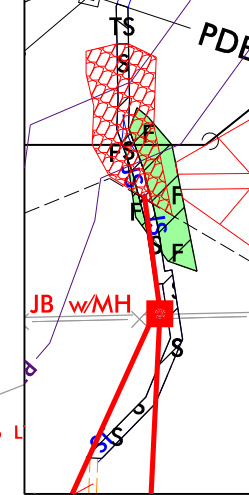


- DENOTES FILL IN WETLAND
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER

INSET A



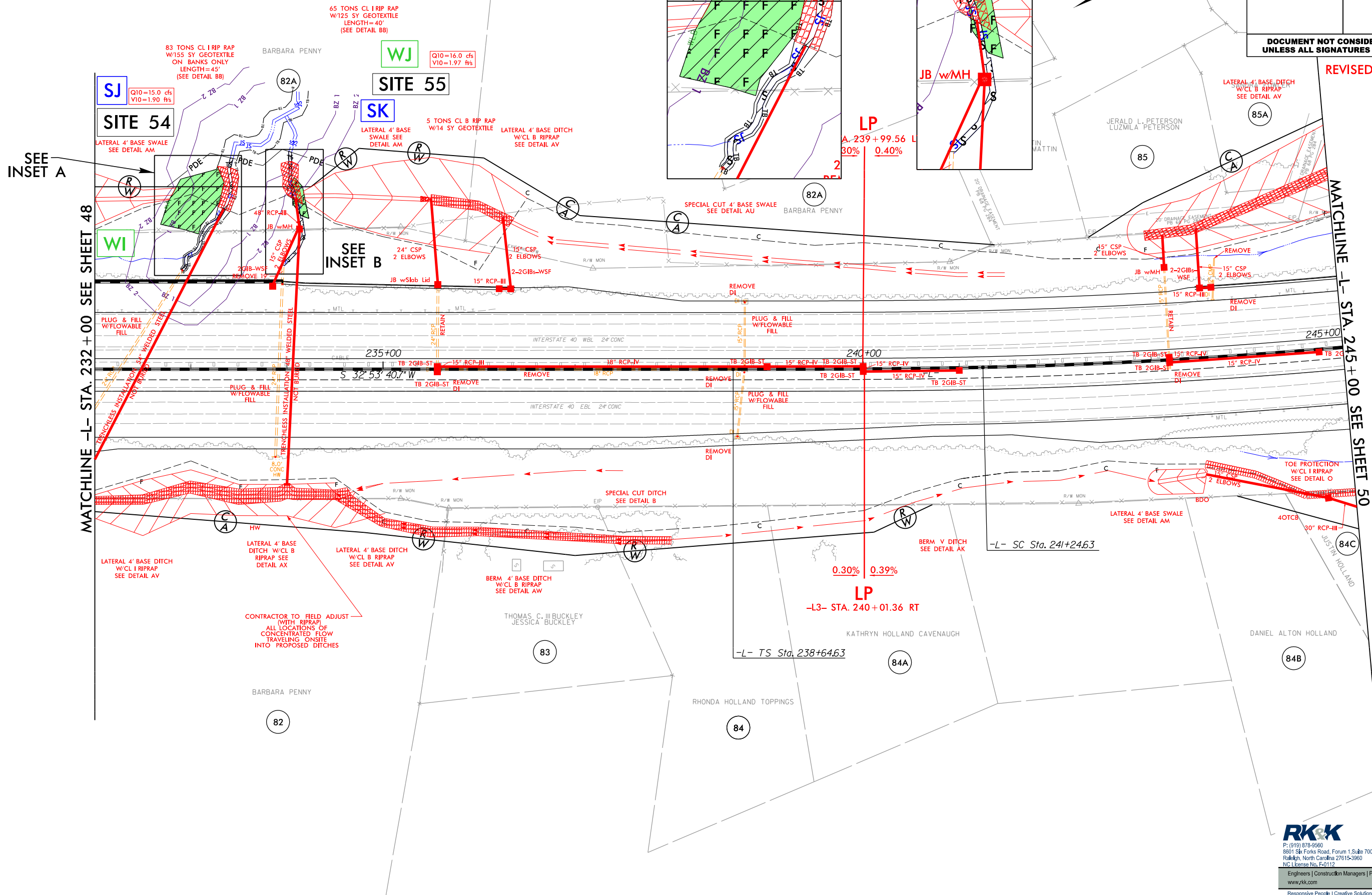
INSET B



NAD 83

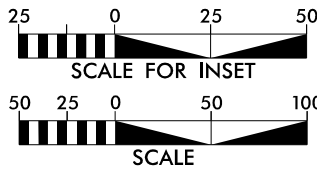
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1-5111/1-4739	49
RW SHEET NO.	
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INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	

REVISED 6/1/2022



Submitted 6/21/2022

8/17/99



PERMIT DRAWING
SHEET 112 OF 125



- DENOTES FILL IN WETLAND
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER

INSET A

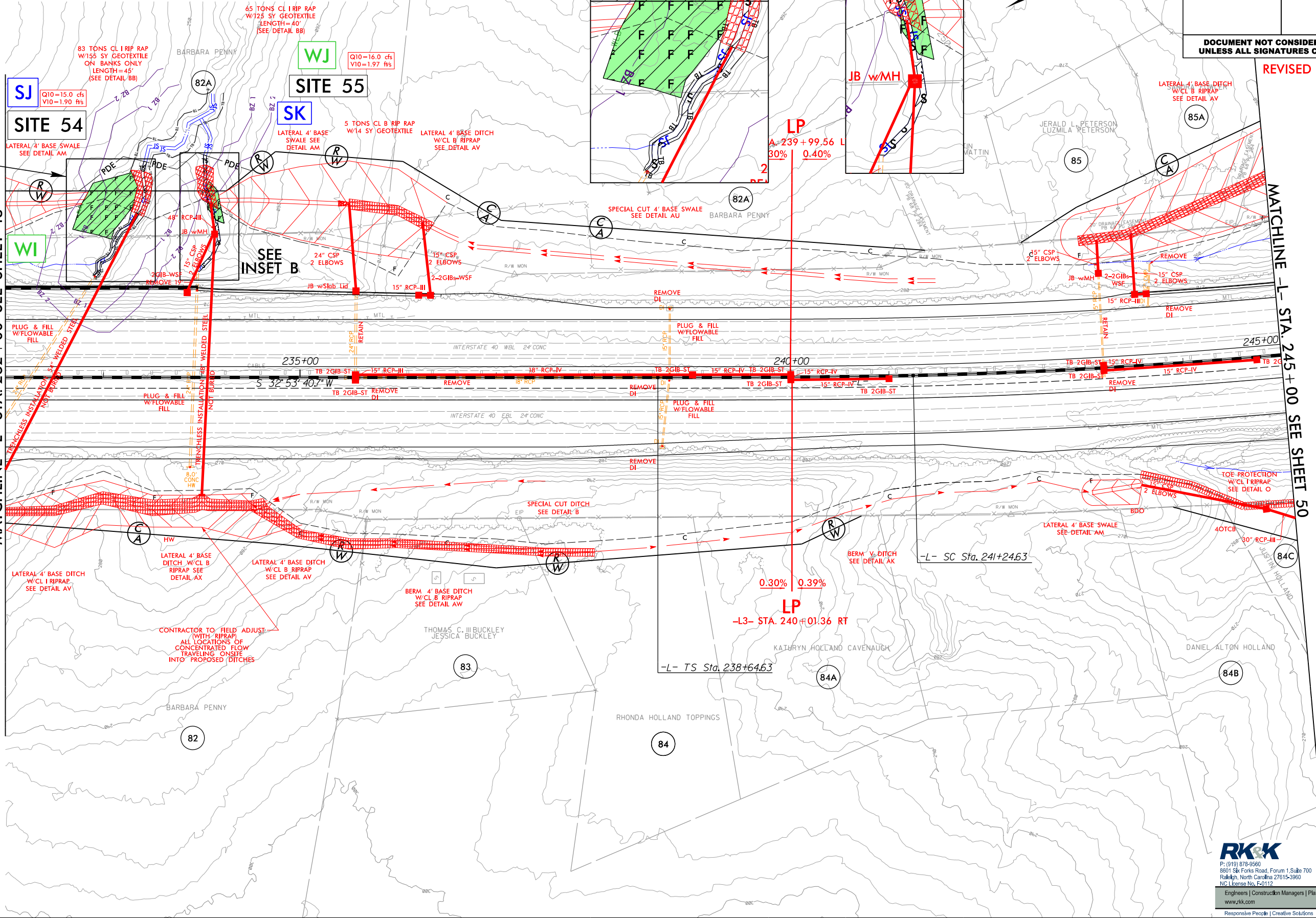
INSET B

PROJECT REFERENCE NO.	SHEET NO.
1-5111/1-4739	49
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION	
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REVISED 6/1/2022

SEE
INSET A

MATCHLINE -L- STA. 232+00 SEE SHEET 48



MATCHLINE -L- STA. 245+00 SEE SHEET 50

WETLAND AND SURFACE WATER IMPACTS 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)
54	-L- 232+69-233+35 LT	54" WSP - SJ, WI	0.06					< 0.01		82		
	-L- 233+33-233+44 LT	BANK STABILIZATION - SJ						< 0.01	< 0.01	45	10	
55	-L- 233+94-234+19 LT	48" RCP - SK, WJ	< 0.01					< 0.01	< 0.01	118	10	
56	-L- 246+22-246+77 RT	CHANNEL CHANGE - SEE						< 0.01	< 0.01	102	10	
57	-L- 246+73-247+65	60" WSP - SDD, WFF	0.01					0.02	< 0.01	238	10	
	-L- 247+59-247+78 LT	BANK STABILIZATION - SDD						< 0.01	< 0.01	55	9	
58	-L- 269+75-270+63 LT	36" WSP - SQ						< 0.01		100		
	-L- 270+58-270+85 LT	BANK STABILIZATION - SQ						< 0.01	< 0.01	33	27	
TOTALS*:			0.09					0.06	< 0.01	773	76	0
PROJECT TOTALS*:			0.78	0.17	0.11	0.17		1.55	0.21	7744	1495	

NOTES:
*Rounded totals are sum of actual impacts

REVISED 08/28/2019, 12/12/19, 4/22/20, 7/2/20, 8/11/20, 7/13/21, 8/27/21, 11/19/21, 12/6/21, 6/1/22

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
DECEMBER 2021
WAKE AND JOHNSTON
I-5111_I-4739

SHEET 125 OF 125

