



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

December 19, 2007

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

Attn: Mr. David Baker  
NCDOT Coordinator

Subject: **Request for Section 404 Nationwide 33 Permit Modification, Section 401 Water Quality Certification and Nationwide 23 and 33 Permits Renewal** for the replacement of Bridge No. 143 on SR 1304 over the North Toe River, Yancey/Mitchell Counties. Federal Aid Project No. BRZ-1304(4), WBS No. 32728.1.1, TIP Project No. B-2848.

Reference: USACE Nationwide Permit Nos. 23 and 33 Action ID 200641203300, dated December 5, 2006.

Dear Mr. Baker:

The purpose of this letter is to request a modification to the United States Army Corps of Engineers (USACE) Nationwide Permit Number 33 and renewal of Nationwide Permits 23 and 33 issued for the above referenced project. The requested modification addresses changes in the footprint of the causeways and placement of a temporary bent for construction of the new bridge.

A new temporary bent (10ft x 10ft) is required to assemble the beams for the new structure. This will result in the reduction of the temporary workpad. The placement of a temporary bent in the North Toe River for beam splicing will cause <0.01 acre of temporary impacts (Sheet 1). The current design calls for a total of 0.35 acre of temporary impact associated with this project, due to installation of the construction causeways and temporary support structures. It has been determined that the removal of

portions of the causeways will result in a decrease of 0.05 acre of temporary impact. This temporary bent will be constructed out of precast concrete barrier walls and can be placed without equipment entering the water. As such, the total temporary impacts for the project will be 0.30 acre.

These proposed modifications have been discussed with Marella Buncick (USFWS), Roger Bryan (Div. 13 Environmental Officer) and Randy McKinney (Div. 13 Resident Engineer). Changes to the causeways will not conflict with the conditions of the Biological Opinion, or the existing permit conditions.

**Table 1. Temporary Stream Impacts Resulting from TIP No. B-2848**

<b>Impact Site Number</b>	<b>Name of Waterbody</b>	<b>Type of Impact</b>	<b>Type of Waterbody</b>	<b>Area of Impact (acres)</b>
11+97.50 -L-	North Toe River	Temporary Causeway	Stream	0.30
<b>11+97.50 -L-</b>	<b>North Toe River</b>	<b>Temporary Bent</b>	<b>Stream</b>	<b>&lt;0.01</b>
		TOTAL:		<b>0.30</b>

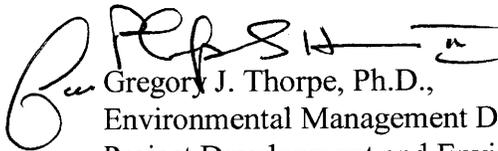
**Bold text denotes new impacts.**

The North Carolina Department of Transportation requests that the referenced Nationwide 33 Permit and Section 401 Water Quality 23 and 33 Certification be modified to reflect the new impacts.

We also request that the referenced Nationwide 23 and 33 Permits and Section 401 Water Quality Certification be renewed. The permanent impacts of <0.01 acre for the construction of bridge piers have not changed from the original permit application.

If you have any questions, concerns, or need any additional information, please contact Jason Dilday at [jldilday@dot.state.nc.us](mailto:jldilday@dot.state.nc.us) or (919) 715-5535.

Sincerely,



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

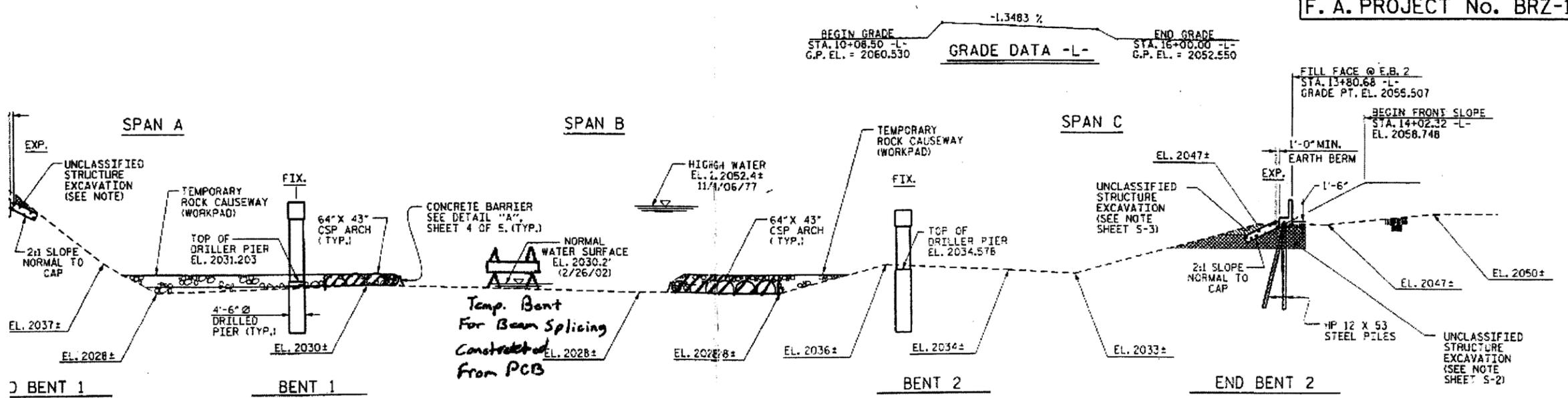
Project Development and Environmental Analysis Branch

W/attachment

- Mr. Brian Wrenn, NCDWQ (2 Copies)
- Ms. Marella Buncick, USFWS
- Ms. Marla Chambers, NCWRC
- Mr. Harold Draper, TVA

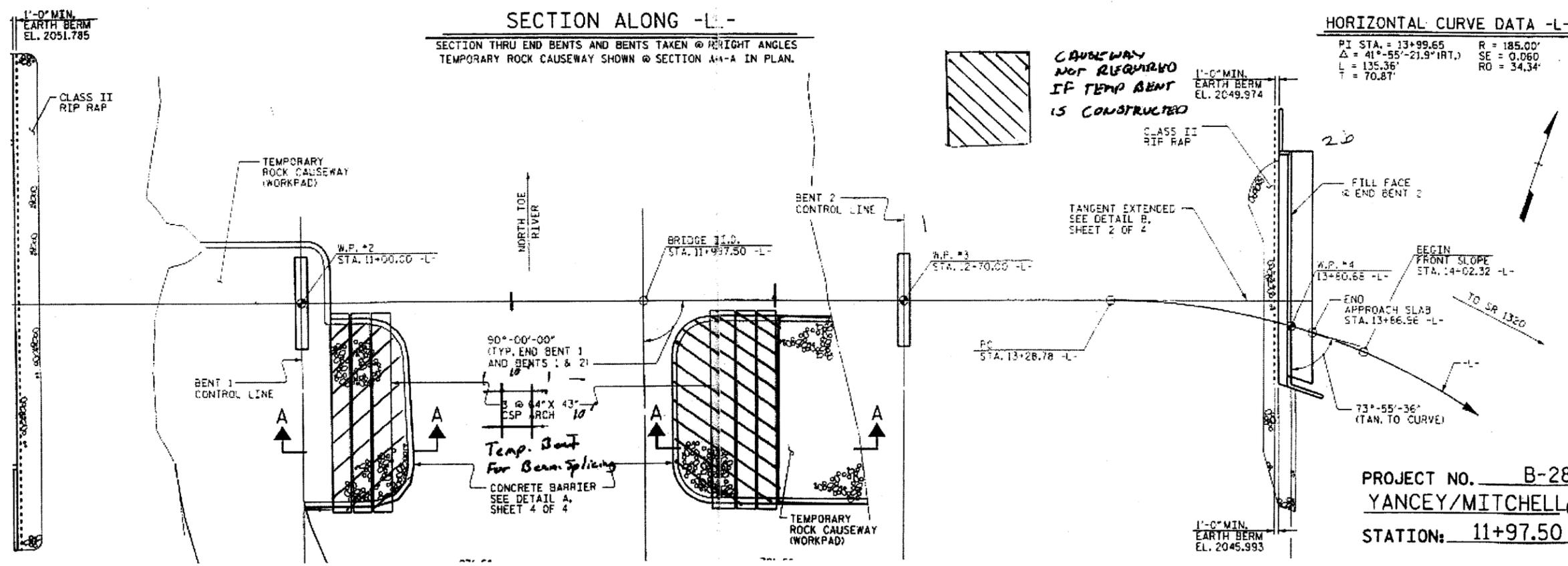
W/o attachment

- Dr. David Chang, P.E., Hydraulics
- Mr. Victor Barbour, P.E., Project Services Unit
- Mr. Greg Perfetti, P.E., Structure Design
- Mr. Mark Staley, Roadside Environmental
- Mr. J.J. Swain, P.E. (Div. 13) Division Engineer
- Mr. Majed Alghandour, P. E., Programming and TIP
- Mr. John L. Williams, P.E., PDEA
- Mr. Roger Bryan (Div. 13), DEO
- Mr. Art McMillan, P.E., Highway Design
- Mr. Scott McLendon, USACE, Wilmington



**SECTION ALONG -L-**

SECTION THRU END BENTS AND BENTS TAKEN @ RIGHT ANGLES  
 TEMPORARY ROCK CAUSEWAY SHOWN @ SECTION A-A IN PLAN.



PROJECT NO. B-2848  
 YANCEY/MITCHELL COUNTY  
 STATION: 11+97.50 -L-