



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

December 3, 2009

Ms. Kimberly Garvey  
U. S. Army Corps of Engineers  
Regulatory Field Office  
Post Office Box 1890  
Wilmington, NC 28402-1890

Dear Madame:

Subject: **Revised Application for Section 404 Nationwide Permit 23 and 33** for the replacement of Bridge No. 48 over Big Creek on SR 1851 in Cumberland County. State Project No. 8.2444201. Federal Aid Project Number BRZ-1851(1). TIP No. B-4493.

The North Carolina Department of Transportation (NCDOT), Division of Highways, recently submitted an application for a Section 404 Nationwide Permit 23 for TIP No. B-4493 (dated November 6, 2009). Subsequent to the submittal of this permit application inaccuracies were identified in the supplied Pre-Construction Notification (PCN) form and on the wetland permit impact summary sheet. Provided with this memo are replacement sheets 1, 4 and 7 from the PCN and the wetland permit impact summary sheet.

Additionally, we are requesting the issuance of a Nationwide Permit 33 for temporary fill due to the installation of erosion control measures (72 CFR; 11092-11198, March 12, 2007).

The following changes were made to these pages:

PCN – Pg. 1 § A. 1b. – Addition of Nationwide Permit 33

PCN – Pg. 4 § C. 2h. – Add statement:

Proposed temporary impacts to wetlands of 0.01 acres of temporary fill in wetlands in the Hand Clearing areas for the installation of erosion control measures, including Temporary Silt Fence and/or Special Sediment Control Fence.

PCN – Pg. 7 § D. 1b. – Remove:

Design Standards in Sensitive Watersheds and Sedimentation and erosion control measures.

PCN – Pg. 7 § D. 1b. – Add:

Best Management Practices for the Protection of Surface Waters will be implemented.

Wetland Impact Summary Sheet 3 of 5 – Note – Add statement:

0.01 acres of Temporary Fill in Wetlands in the Hand Clearing areas for erosion control measures.

If you have any questions or need additional information, please call or email:

Dr. Lance P. Fontaine at 919-431-6667 or [lpfontaine@ncdot.gov](mailto:lpfontaine@ncdot.gov).

Sincerely,



Gregory J. Thorpe, Ph.D. Environmental Management Director  
Project Development and Environmental Analysis Branch

w/attachment

Mr. Brian Wrenn, NCDWQ (2 Copies)

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. Terry Gibson, P.E, Division 6 Engineer  
Mr. Jim Rerko, Division 6 Environmental Officer  
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. Travis Wilson, NCWRC  
Mr. Gary Jordan, USFWS  
Ms. Anne Deaton, NCDMF  
Mr. Ron Sechler, NMFS  
Mr. Tracy Walter, PDEA, Project Planning Engineer



Office Use Only:  
 Corps action ID no. \_\_\_\_\_  
 DWQ project no. \_\_\_\_\_  
 Form Version 1.3 Dec 10 2008

## Pre-Construction Notification (PCN) Form

### A. Applicant Information

#### 1. Processing

1a. Type(s) of approval sought from the Corps:	<input checked="" type="checkbox"/> Section 404 Permit	<input type="checkbox"/> Section 10 Permit
1b. Specify Nationwide Permit (NWP) number: 23 33 or General Permit (GP) number:		
1c. Has the NWP or GP number been verified by the Corps?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
1d. Type(s) or approval sought from the DWQ (check all that apply):		
<input type="checkbox"/> 401 Water Quality Certification – Regular <span style="margin-left: 100px;"><input type="checkbox"/> Non-404 Jurisdictional General Permit</span> <input type="checkbox"/> 401 Water Quality Certification – Express <span style="margin-left: 100px;"><input type="checkbox"/> Riparian Buffer Authorization</span>		
1e. Is this notification solely for the record because written approval is not required?	For the record only for DWQ 401 Certification: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	For the record only for Corps Permit: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1f. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts? If so, attach the acceptance letter from mitigation bank or in-lieu fee program.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1g. Is the project located in any of NC's twenty coastal counties. If yes, answer 1h below.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1h. Is the project located within a NC DCM Area of Environmental Concern (AEC)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

#### 2. Project Information

2a. Name of project:	B-4493 Replacement of Bridge No. 48 over Big Creek on SR 1851
2b. County:	Cumberland
2c. Nearest municipality / town:	Stedman
2d. Subdivision name:	<i>not applicable</i>
2e. NCDOT only, T.I.P. or state project no:	B-4493

#### 3. Owner Information

3a. Name(s) on Recorded Deed:	North Carolina Department of Transportation
3b. Deed Book and Page No.	<i>not applicable</i>
3c. Responsible Party (for LLC if applicable):	<i>not applicable</i>
3d. Street address:	1598 Mail Service Center
3e. City, state, zip:	Raleigh, NC 27699-1598
3f. Telephone no.:	(919) 431-6667
3g. Fax no.:	(919) 431-2002
3h. Email address:	lpfontaine@ncdot.gov

C. Proposed Impacts Inventory						
1. Impacts Summary						
1a. Which sections were completed below for your project (check all that apply):						
<input checked="" type="checkbox"/> Wetlands <input type="checkbox"/> Streams - tributaries <input type="checkbox"/> Buffers <input type="checkbox"/> Open Waters <input type="checkbox"/> Pond Construction						
2. Wetland Impacts						
If there are wetland impacts proposed on the site, then complete this question for each wetland area impacted.						
2a. Wetland impact number – Permanent (P) or Temporary (T)	2b. Type of impact	2c. Type of wetland (if known)	2d. Forested	2e. Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	2f. Area of impact (acres)	
Site 1 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	Permanent Fill	Riparian	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	0.02	
Site 2 <input type="checkbox"/> P <input checked="" type="checkbox"/> T	Temporary Fill	Riparian	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	<0.01	
Site 3 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 4 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 5 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 6 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
<b>2g. Total wetland impacts</b>					0.02 Permanent 0.00 Temporary	
2h. Comments: There will be 0.67 ac of hand clearing. Specifically, 0.59 ac of this work will be performed to allow for aerial line clearance through wetland areas on the east side of the project. The hand clearing impacts will result in the cutting down of trees and brush; however, grubbing will not occur. These hand clearing impacts will not result in the permanent conversion of the currently forested wetland to a persistent emergent herbaceous wetland. Proposed temporary impacts to wetlands of 0.01 acres of Temporary Fill in Wetlands in the Hand Clearing areas for the installation of erosion control measures, including Temporary Silt Fence and/or Special Sediment Control Fence.						
3. Stream Impacts						
If there are perennial or intermittent stream impacts (including temporary impacts) proposed on the site, then complete this question for all stream sites impacted.						
3a. Stream impact number - Permanent (P) or Temporary (T)	3b. Type of impact	3c. Stream name	3d. Perennial (PER) or intermittent (INT)?	3e. Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	3f. Average stream width (feet)	3g. Impact length (linear feet)
Site 1 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 2 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 3 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 4 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
<b>3h. Total stream and tributary impacts</b>						X Perm X Temp
3i. Comments: Impacts due to the proposed bents is 14.4 square feet (<0.01 ac.)						

<b>D. Impact Justification and Mitigation</b>		
<b>1. Avoidance and Minimization</b>		
1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing project. The proposed bridge is 38 feet longer than the existing bridge; the proposed bridge will be at approximately the same grade as the existing structure; an off site detour will be used, 3:1 fill slopes where practicable.		
1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. Best management practices for the protection of surface waters will be implemented; top-down construction; off-site detour will be used.		
<b>2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State</b>		
2a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, explain: Due to the minimal amount of permanent impacts, NCDOT is not proposing compensatory mitigation.	
2b. If yes, mitigation is required by (check all that apply):	<input type="checkbox"/> DWQ <input type="checkbox"/> Corps	
2c. If yes, which mitigation option will be used for this project?	<input type="checkbox"/> Mitigation bank <input type="checkbox"/> Payment to in-lieu fee program <input type="checkbox"/> Permittee Responsible Mitigation	
<b>3. Complete if Using a Mitigation Bank</b>		
3a. Name of Mitigation Bank: not applicable		
3b. Credits Purchased (attach receipt and letter)	Type	Quantity
3c. Comments:		
<b>4. Complete if Making a Payment to In-lieu Fee Program</b>		
4a. Approval letter from in-lieu fee program is attached.	<input type="checkbox"/> Yes	
4b. Stream mitigation requested:	linear feet	
4c. If using stream mitigation, stream temperature:	<input type="checkbox"/> warm <input type="checkbox"/> cool <input type="checkbox"/> cold	
4d. Buffer mitigation requested (DWQ only):	square feet	
4e. Riparian wetland mitigation requested:	acres	
4f. Non-riparian wetland mitigation requested:	acres	
4g. Coastal (tidal) wetland mitigation requested:	acres	
4h. Comments:		
<b>5. Complete if Using a Permittee Responsible Mitigation Plan</b>		
5a. If using a permittee responsible mitigation plan, provide a description of the proposed mitigation plan.		

**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)				
	-L- Sta. 16+65 to 22+12	Bridge	0.02					0.08								
<b>TOTALS:</b>			0.02					0.08								

NOTE: Permanent SW Impacts due to the proposed bents is 14.4 square feet (<0.01 acres).  
0.01 acres of Temporary Fill in Wetlands in the Hand Clearing areas for erosion control measures.

Revised 12/3/09  
Permit Drawing  
Sheet 3 of 5

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS

CUMBERLAND COUNTY  
WBS - 33729.1.1 (B-4493)

SHEET

12/2/2009