



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY PERDUE
GOVERNOR

GENE CONTI
SECRETARY

July 27, 2009

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

ATTN: Mr. Steve Lund
NCDOT Coordinator

Subject: **Application for Section 404 Nationwide Permit 13, 23, 33 and Section 401 Water Quality Certification** for the proposed replacement of Bridge No. 177 over Reedy Creek on SR 2804 (Reedy Creek Road) in Mecklenburg County, Federal Aid Project No. BRZ-2804(2); Division 10; TIP No. B-4580
\$240.00 debit WBS 33782.1.1

Dear Sir:

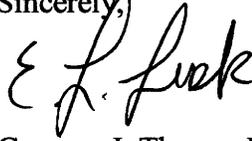
The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 177 over Reedy Creek on SR 2804. There will be 68 feet of permanent surface water impacts, 60 feet of temporary surface water impacts, and <0.01 acres of fill in a wetland.

Please see enclosed copies of the Pre-Construction Notification (PCN), Jurisdictional Determination, Stormwater Management Plan, permit drawings and design plans. The Categorical Exclusion (CE) was completed in August 2007 and the Right-of-Way Consultation was completed in January 2009. Documents were distributed shortly thereafter. Additional copies are available upon request.

This project calls for a letting date of March 21, 2012 and a review date of February 1, 2012.

A copy of this permit application will be posted on the NCDOT Website at:
<http://www.ncdot.org/doh/preconstruct/pe/>. If you have any questions or need additional information, please call Jeremy Leamer at (919) 431-6680.

Sincerely,



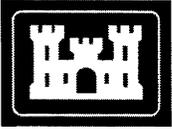
Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA

w/attachment

Mr. Brian Wrenn, NCDWQ (5 copies)
Ms. Marla Chambers, NCWRC
Ms. Marella Buncick, USFWS

w/o attachment (see permit website for attachments)

Dr. David Chang, P.E., Hydraulics
Mr. Mark Staley, Roadside Environmental
Mr. Victor Barbour, P.E., Project Services Unit
Mr. Greg Perfetti, P.E., Structure Design
Mr. Barry Moose, P.E., Division 10 Engineer
Mr. Mark Davis, DEO
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. Pam Williams, PDEA



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: 13 23 33 or General Permit (GP) number:		
1c. Has the NWP or GP number been verified by the Corps?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1d. Type(s) of approval sought from the DWQ (check all that apply):		
<input checked="" type="checkbox"/> 401 Water Quality Certification – Regular <input type="checkbox"/> Non-404 Jurisdictional General Permit <input type="checkbox"/> 401 Water Quality Certification – Express <input type="checkbox"/> Riparian Buffer Authorization		
1e. Is this notification solely for the record because written approval is not required?	For the record only for DWQ 401 Certification: <input type="checkbox"/> Yes <input checked="" 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:	Replacment of Bridge 177 over Reedy Creek on SR 2804 (Reedy Creek Road).	
2b. County:	Mecklenburg	
2c. Nearest municipality / town:	Charlotte	
2d. Subdivision name:	<i>not applicable</i>	
2e. NCDOT only, T.I.P. or state project no:	B-4580	
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) 431-6680	
3g. Fax no.:	(919) 431-2002	
3h. Email address:	jtleamer@ncdot.gov	

4. Applicant Information (if different from owner)	
4a. Applicant is:	<input type="checkbox"/> Agent <input type="checkbox"/> Other, specify:
4b. Name:	<i>not applicable</i>
4c. Business name (if applicable):	
4d. Street address:	
4e. City, state, zip:	
4f. Telephone no.:	
4g. Fax no.:	
4h. Email address:	
5. Agent/Consultant Information (if applicable)	
5a. Name:	<i>not applicable</i>
5b. Business name (if applicable):	
5c. Street address:	
5d. City, state, zip:	
5e. Telephone no.:	
5f. Fax no.:	
5g. Email address:	

B. Project Information and Prior Project History	
1. Property Identification	
1a. Property identification no. (tax PIN or parcel ID):	<i>not applicable</i>
1b. Site coordinates (in decimal degrees):	Latitude: 35.2589 (DD.DDDDDD) Longitude: - 80.6627 (-DD.DDDDDD)
1c. Property size:	1.61 acres
2. Surface Waters	
2a. Name of nearest body of water (stream, river, etc.) to proposed project:	Reedy Creek
2b. Water Quality Classification of nearest receiving water:	C
2c. River basin:	Yadkin-Pee Dee
3. Project Description	
3a. Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application: SR 2804 is a two lane rural local route transecting a semi-rural area with mostly residential development.	
3b. List the total estimated acreage of all existing wetlands on the property: 0.033 acres	
3c. List the total estimated linear feet of all existing streams (intermittent and perennial) on the property: 100	
3d. Explain the purpose of the proposed project: To replace a structurally deficient bridge.	
3e. Describe the overall project in detail, including the type of equipment to be used: The project involves replacing a 70-foot bridge with a 110-foot, cored-slab spanning structure on the existing alignment with an off-site detour. Standard road building equipment, such as trucks, dozers, and cranes will be used, including manual labor.	
4. Jurisdictional Determinations	
4a. Have jurisdictional wetland or stream determinations by the Corps or State been requested or obtained for this property / project (including all prior phases) in the past? Comments:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
4b. If the Corps made the jurisdictional determination, what type of determination was made?	<input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final
4c. If yes, who delineated the jurisdictional areas? Name (if known): Steve Lund	Agency/Consultant Company: USACE Other:
4d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation. November 18, 2005	
5. Project History	
5a. Have permits or certifications been requested or obtained for this project (including all prior phases) in the past?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
5b. If yes, explain in detail according to "help file" instructions.	
6. Future Project Plans	
6a. Is this a phased project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6b. If yes, explain.	

C. Proposed Impacts Inventory

1. Impacts Summary

1a. Which sections were completed below for your project (check all that apply):

- Wetlands Streams - tributaries Buffers
 Open Waters 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	Fill	Vegetated	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	<0.01
Site 2 <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 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	
2g. Total wetland impacts					<0.01 acres Permanent 0 Temporary

2h. Comments:

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 checked="" type="checkbox"/> P <input type="checkbox"/> T	Riprap	Reedy Creek	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	25	8
Site 2 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	Streambank stabilization	Reedy Creek	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	25	60
Site 3 <input type="checkbox"/> P <input checked="" type="checkbox"/> T	Temporary workpad	Reedy Creek	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	25	60
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		
Site 5 <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 6 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
3h. Total stream and tributary impacts						68 Perm 60 Temp

3i. Comments:

4. Open Water Impacts

If there are proposed impacts to lakes, ponds, estuaries, tributaries, sounds, the Atlantic Ocean, or any other open water of the U.S. then individually list all open water impacts below.

4a. Open water impact number – Permanent (P) or Temporary (T)	4b. Name of waterbody (if applicable)	4c. Type of impact	4d. Waterbody type	4e. Area of impact (acres)
O1 <input type="checkbox"/> P <input type="checkbox"/> T				
O2 <input type="checkbox"/> P <input type="checkbox"/> T				
O3 <input type="checkbox"/> P <input type="checkbox"/> T				
O4 <input type="checkbox"/> P <input type="checkbox"/> T				
4f. Total open water impacts				0 Permanent 0 Temporary

4g. Comments:

5. Pond or Lake Construction

If pond or lake construction proposed, then complete the chart below.

5a. Pond ID number	5b. Proposed use or purpose of pond	5c. Wetland Impacts (acres)			5d. Stream Impacts (feet)			5e. Upland (acres)
		Flooded	Filled	Excavated	Flooded	Filled	Excavated	Flooded
P1								
P2								
5f. Total								

5g. Comments:

5h. Is a dam high hazard permit required?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, permit ID no:
5i. Expected pond surface area (acres):	
5j. Size of pond watershed (acres):	
5k. Method of construction:	

6. Buffer Impacts (for DWQ)

If project will impact a protected riparian buffer, then complete the chart below. If yes, then individually list all buffer impacts below. If any impacts require mitigation, then you **MUST** fill out Section D of this form.

6a. Project is in which protected basin?			<input type="checkbox"/> Neuse <input type="checkbox"/> Catawba	<input type="checkbox"/> Tar-Pamlico <input type="checkbox"/> Randleman	<input type="checkbox"/> Other:
6b. Buffer impact number – Permanent (P) or Temporary (T)	6c. Reason for impact	6d. Stream name	6e. Buffer mitigation required?	6f. Zone 1 impact (square feet)	6g. Zone 2 impact (square feet)
B1 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No		
B2 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No		
B3 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No		
6h. Total buffer impacts					
6i. Comments:					

D. Impact Justification and Mitigation		
1. Avoidance and Minimization		
1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing project. The proposed bridge is 40 feet longer than the existing bridge. It will be in the same location as the existing structure with an off-site detour. The "do nothing" alternative was not considered due to the resulting elimination of the use of SR 2804 and closing and removing the bridge.		
1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. Impacts will be minimized by constructing a spanning structure and surficial bridge runoff will not be directed into Reedy Creek via deck drains.		
2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State		
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: Replacing with spanning structure resulting in minimal impacts. No ORW or HQW.	
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	
3. Complete if Using a Mitigation Bank		
3a. Name of Mitigation Bank: not applicable		
3b. Credits Purchased (attach receipt and letter)	Type	Quantity
3c. Comments:		
4. Complete if Making a Payment to In-lieu Fee Program		
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:		
5. Complete if Using a Permittee Responsible Mitigation Plan		
5a. If using a permittee responsible mitigation plan, provide a description of the proposed mitigation plan.		

6. Buffer Mitigation (State Regulated Riparian Buffer Rules) – required by DWQ

6a. Will the project result in an impact within a protected riparian buffer that requires buffer mitigation?

Yes No

6b. If yes, then identify the square feet of impact to each zone of the riparian buffer that requires mitigation. Calculate the amount of mitigation required.

Zone	6c. Reason for impact	6d. Total impact (square feet)	Multiplier	6e. Required mitigation (square feet)
Zone 1			3 (2 for Catawba)	
Zone 2			1.5	
6f. Total buffer mitigation required:				

6g. If buffer mitigation is required, discuss what type of mitigation is proposed (e.g., payment to private mitigation bank, permittee responsible riparian buffer restoration, payment into an approved in-lieu fee fund).

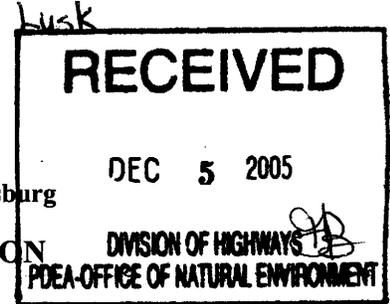
6h. Comments:

E. Stormwater Management and Diffuse Flow Plan (required by DWQ)	
1. Diffuse Flow Plan	
1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1b. If yes, then is a diffuse flow plan included? If no, explain why. Comments: if yes, see attached permit drawings.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Stormwater Management Plan	
2a. What is the overall percent imperviousness of this project?	N/A
2b. Does this project require a Stormwater Management Plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2c. If this project DOES NOT require a Stormwater Management Plan, explain why:	
2d. If this project DOES require a Stormwater Management Plan, then provide a brief, narrative description of the plan: See attached permit drawings.	
2e. Who will be responsible for the review of the Stormwater Management Plan?	<input type="checkbox"/> Certified Local Government <input type="checkbox"/> DWQ Stormwater Program <input type="checkbox"/> DWQ 401 Unit
3. Certified Local Government Stormwater Review	
3a. In which local government's jurisdiction is this project?	not applicable
3b. Which of the following locally-implemented stormwater management programs apply (check all that apply):	<input type="checkbox"/> Phase II <input type="checkbox"/> NSW <input type="checkbox"/> USMP <input type="checkbox"/> Water Supply Watershed <input type="checkbox"/> Other:
3c. Has the approved Stormwater Management Plan with proof of approval been attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. DWQ Stormwater Program Review	
4a. Which of the following state-implemented stormwater management programs apply (check all that apply):	<input type="checkbox"/> Coastal counties <input type="checkbox"/> HQW <input type="checkbox"/> ORW <input type="checkbox"/> Session Law 2006-246 <input type="checkbox"/> Other:
4b. Has the approved Stormwater Management Plan with proof of approval been attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. DWQ 401 Unit Stormwater Review	
5a. Does the Stormwater Management Plan meet the appropriate requirements?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5b. Have all of the 401 Unit submittal requirements been met?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

F. Supplementary Information	
1. Environmental Documentation (DWQ Requirement)	
1a. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1b. If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1c. If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.) Comments:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Violations (DWQ Requirement)	
2a. Is the site in violation of DWQ Wetland Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), DWQ Surface Water or Wetland Standards, or Riparian Buffer Rules (15A NCAC 2B .0200)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2b. Is this an after-the-fact permit application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2c. If you answered "yes" to one or both of the above questions, provide an explanation of the violation(s): N/A	
3. Cumulative Impacts (DWQ Requirement)	
3a. Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3b. If you answered "yes" to the above, submit a qualitative or quantitative cumulative impact analysis in accordance with the most recent DWQ policy. If you answered "no," provide a short narrative description. N/A	
4. Sewage Disposal (DWQ Requirement)	
4a. Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility. N/A	

5. Endangered Species and Designated Critical Habitat (Corps Requirement)		
5a. Will this project occur in or near an area with federally protected species or habitat?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
5b. Have you checked with the USFWS concerning Endangered Species Act impacts?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5c. If yes, indicate the USFWS Field Office you have contacted.	<input type="checkbox"/> Raleigh <input type="checkbox"/> Asheville	
5d. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat? NHP and NCDOT field surveys.		
6. Essential Fish Habitat (Corps Requirement)		
6a. Will this project occur in or near an area designated as essential fish habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6b. What data sources did you use to determine whether your site would impact Essential Fish Habitat? NMFS County Index		
7. Historic or Prehistoric Cultural Resources (Corps Requirement)		
7a. Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
7b. What data sources did you use to determine whether your site would impact historic or archeological resources? NEPA Documentation		
8. Flood Zone Designation (Corps Requirement)		
8a. Will this project occur in a FEMA-designated 100-year floodplain?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
8b. If yes, explain how project meets FEMA requirements: NCDOT Hydraulics coordination with FEMA		
8c. What source(s) did you use to make the floodplain determination? FEMA Maps		
Dr. Gregory J. Thorpe, Ph D Applicant/Agent's Printed Name	 Applicant/Agent's Signature (Agent's signature is valid only if an authorization letter from the applicant is provided.)	7-27-09 Date

U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT



Action Id. 200630056

County: Mecklenburg

U.S.G.S. Quad: Harrisburg

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Property Owner/Agent: Gregory J. Thorpe, Director
Address: Project Development and Environmental Analysis Branch
North Carolina Department of Transportation
1548 Mail Service Center, Raleigh, NC 27699-1548
Telephone No.: 919-733-3141

Property description:

Size (acres)	1 approx.	Nearest Town	Charlotte
Nearest Waterway	Reedy Creek	River Basin	Yakdin
USGS HUC	03040105	Coordinates	N 35.2589 W 80.6627
Location description	Bridge No. 117 on SR 2804 east of Charlotte, TIP B-4580		

Indicate Which of the Following Apply:

- Based on preliminary information, there may be wetlands on the above described property. We strongly suggest you have this property inspected to determine the extent of Department of the Army (DA) jurisdiction. To be considered final, a jurisdictional determination must be verified by the Corps. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).
- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are wetlands and surface waters on the above described property subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
 - We strongly suggest you have the wetlands on your property delineated. Due to the size of your property and/or our present workload, the Corps may not be able to accomplish this wetland delineation in a timely manner. For a more timely delineation, you may wish to obtain a consultant. To be considered final, any delineation must be verified by the Corps.
 - The wetland on your property have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.
 - The wetlands and surface waters have been delineated and surveyed and are accurately depicted on the GPS plat provided by EcoScience Corporation and dated 29 August 2005. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are no waters of the U.S., to include wetlands, present on the above described property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Washington, NC, at (252) 946-6481 to determine their requirements.

Action ID: _____
200630056

Placement of dredged or fill material within waters of the US and/or wetlands without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). If you have any questions regarding this determination and/or the Corps regulatory program, please contact Steven Lund at 828-271-7980.

Basis For Determination: Reedy Creek exhibits a distinct ordinary high water mark and flows directly to Rocky River that is a tributary to the Yadkin River that is a navigable water. Delineated wetlands are subject to the regular and unimpeded exchange of water flow with Reedy Creek, are dominated by hydrophytic vegetation and exhibit wetland hydrology and hydric soil.

Remarks: Consultant's report dated 29 August 2005 identifies 2 wetlands (SC and SD) and Reedy Creek in the project area consisting of an approximate 350-foot long by 300-foot wide corridor centered on the existing bridge site.

Corps Regulatory Official: Steven W. Lund, Project Manager, Asheville Regulatory Field Office

Date: November 18, 2005

Expiration Date: November 18, 2010

Corps Regulatory Official (Initial): SWL

FOR OFFICE USE ONLY:

- A plat or sketch of the property and the wetland data form must be attached to the file copy of this form.
- A copy of the "Notification Of Administrative Appeal Options And Process And Request For Appeal" form must be transmitted with the property owner/agent copy of this form.
- If the property contains isolated wetlands/waters, please indicate in "Remarks" section and attach the "Isolated Determination Information Sheet" to the file copy of this form.

Copy Furnished: Ms. Heather Jean Saunders, EcoScience Corporation, 1101 Haynes Street, Suite 101, Raleigh, NC 27604

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: NC Dept. of Transportation		File Number: 200630056	Date: Nov. 18, 2005
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
Mr. Steven W. Lund, Regulatory Project Manager
CESAW-RG-A
Asheville Regulatory Field Office
151 Patton Avenue, Room 208
Asheville, North Carolina 28801-5006

If you only have questions regarding the appeal process you may also contact:
Mr. Michael F. Bell, Administrative Appeal Review Officer
CESAD-ET-CO-R
U.S. Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-8801

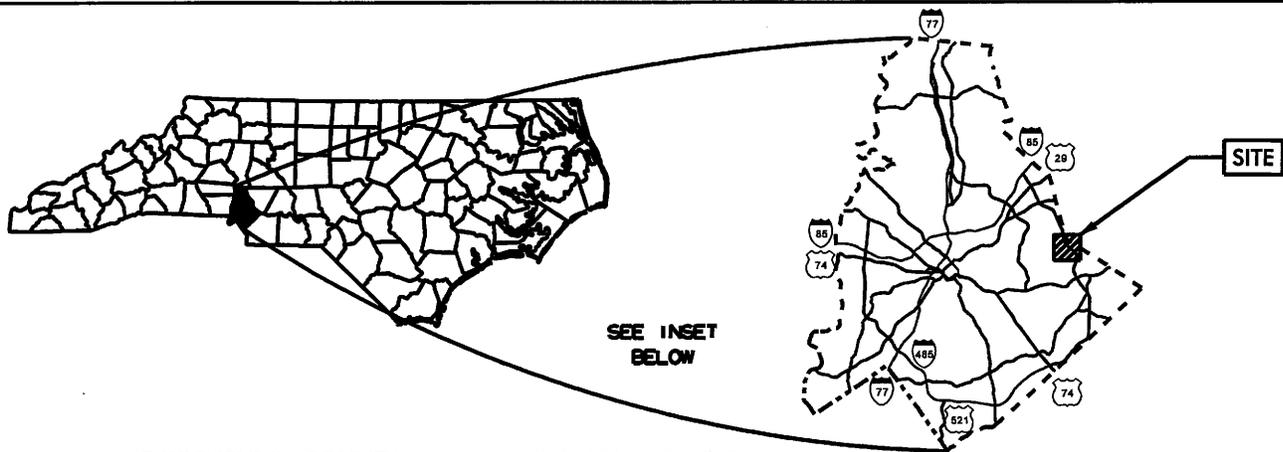
RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

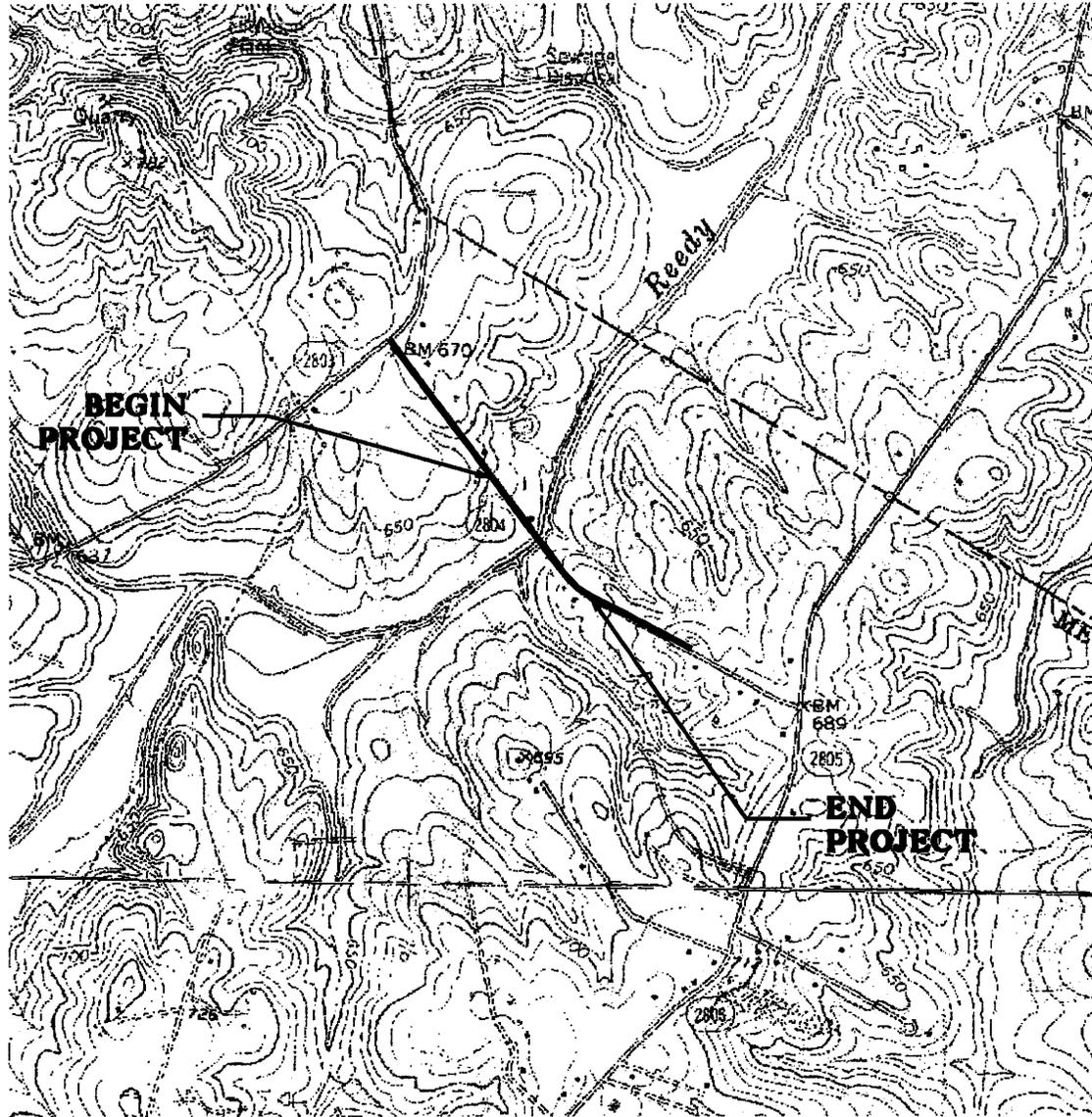
Telephone number:

DIVISION ENGINEER:
Commander
U.S. Army Engineer Division, South Atlantic
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-3490



SEE INSET
BELOW

MECKLENBURG COUNTY CABARRUS COUNTY

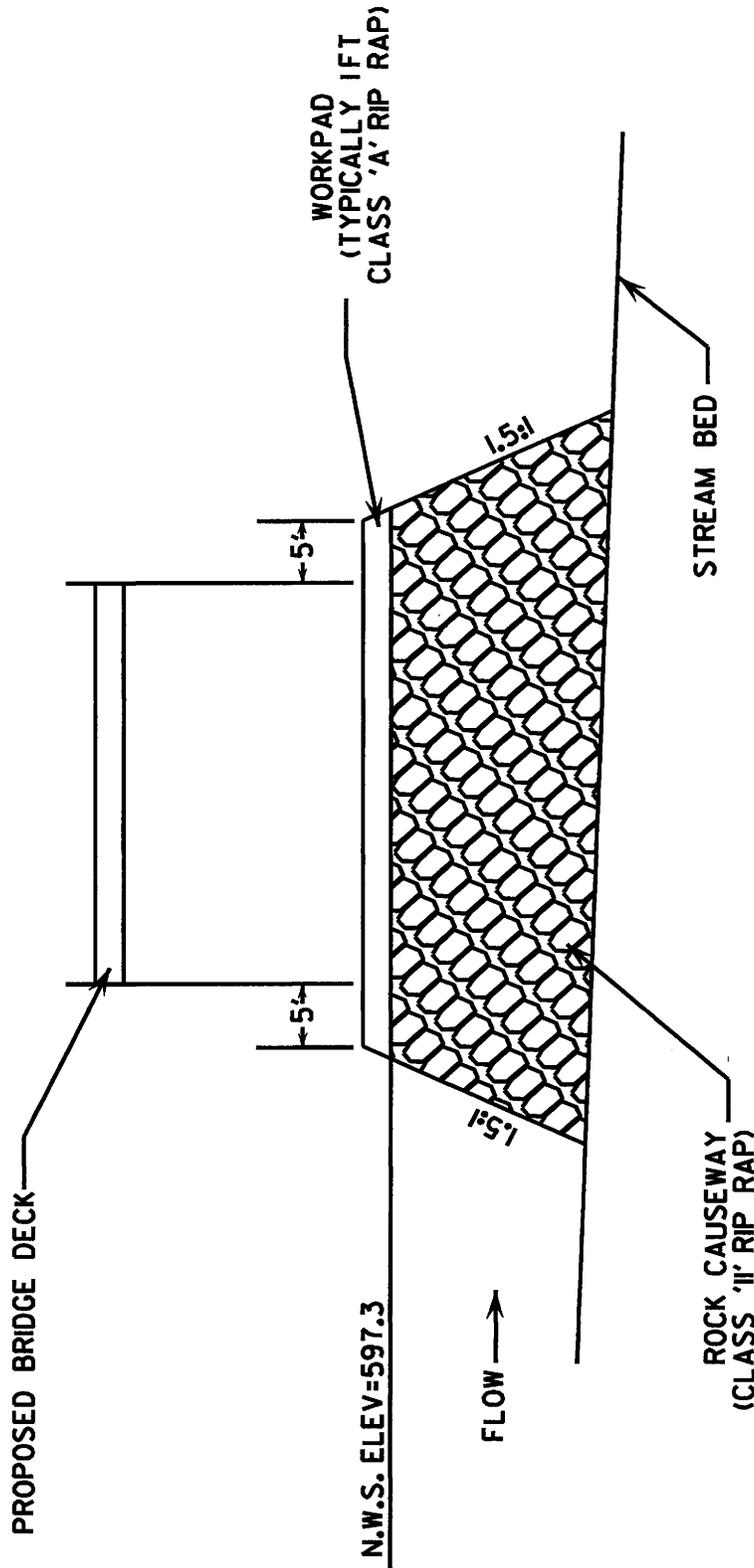


Permit Drawing
Sheet 1 of 8

WETLAND/STREAM
IMPACTS

**N.C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS**
MECKLENBURG COUNTY
PROJECT: 33782.1.1 (B-4580)
BRIDGE NO. 177
OVER REEDY CREEK
ON SR 2804 (REEDY CREEK ROAD)
SHEET 1 OF 8 05/08/09

WORKPAD DETAIL (NOT TO SCALE)



N.C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
MECKLENBURG COUNTY

PROJECT: 33782.1.1 (B-4580)
BRIDGE NO. 177
OVER REEDY CREEK
ON SR 2804 (REEDY CREEK ROAD)

SHEET ___ OF ___ 5/8/09

QUANTITIES OF ESTIMATES

VOLUME OF CLASS II RIP RAP = 60 yds³
 AREA OF CLASS II RIP RAP = 0.017 ac
 Estimate 90 Tons Class 'II' Rip Rap
 Estimate 40 Tons Class 'A' Rip Rap

PROPERTY OWNERS
NAMES AND ADDRESSES

PARCEL NO.	NAMES	ADDRESSES
3	JOHN W. AND JOYCE McCOLLUM TEMPLETON	8400 REEDY CREEK RD CHARLOTTE, NC 28215
	NCDOT	716 WEST MAIN STREET ALBEMARLE, NC 28001

Permit Drawing
Sheet 4 of 8

NCDOT
DIVISION OF HIGHWAYS
MECKLENBURG COUNTY
PROJECT: 33782.1.1 (B-4580)

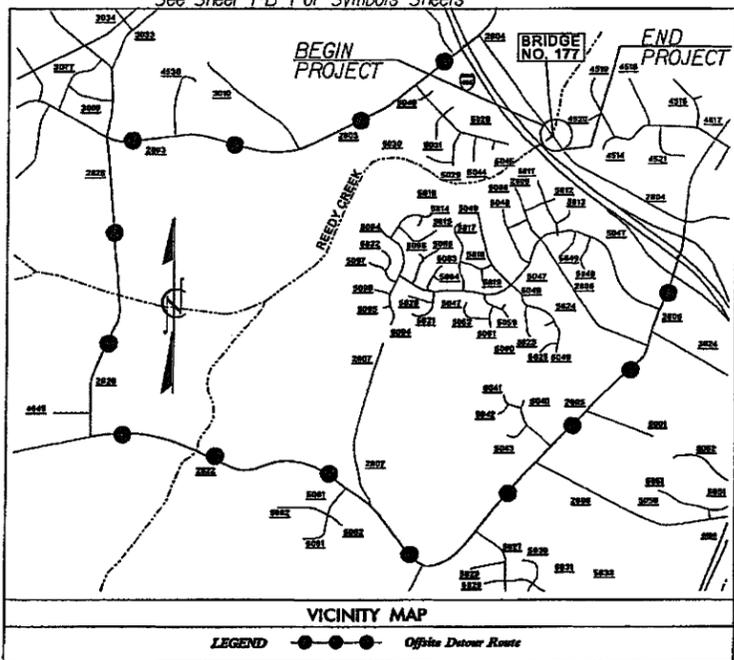
BRIDGE NO. 177
OVER REEDY CREEK
ON SR 2804
(REEDY CREEK ROAD)

SHEET OF 05/08/09

09/08/09

TIP PROJECT: B-4580

See Sheet 1-A For Index of Sheets
See Sheet 1-B For Symbols Sheets



R/W PLANS

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

MECKLENBURG COUNTY

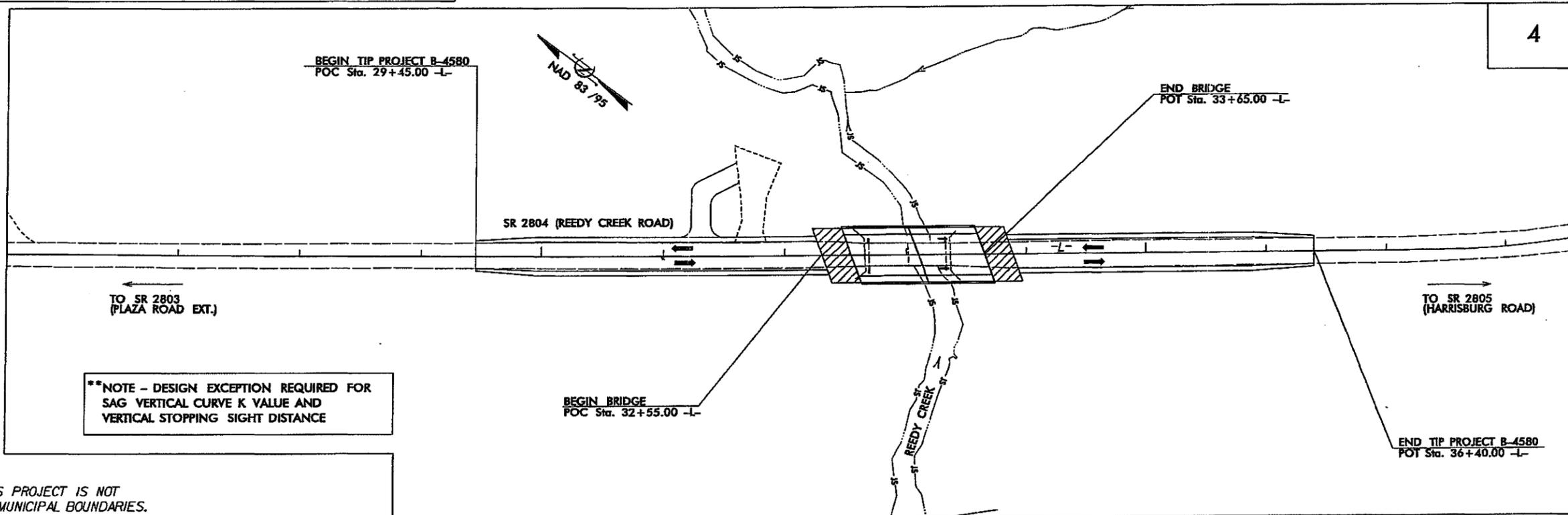
LOCATION: BRIDGE NO.177 OVER REEDY CREEK ON SR 2804 (REEDY CREEK ROAD)

TYPE OF WORK: GRADING, DRAINAGE, STRUCTURE, AND PAVING

WETLAND/STREAM
IMPACTS

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-4580	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
33782.1.1	BRSTP-2804(2)	PE	
33782.2.1	BRZ-2804(2)	R/W, UTIL.	

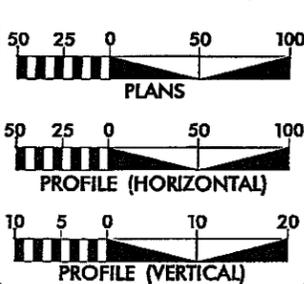


THIS PROJECT IS NOT WITHIN MUNICIPAL BOUNDARIES.

NCDOT CONTACT: DOUG TAYLOR, P.E., PROJECT ENGINEER - ROADWAY DESIGN

CLEARING ON THIS PROJECT SHALL BE ESTABLISHED BY METHOD III.

GRAPHIC SCALES



DESIGN DATA

ADT 2010 = 6,300
ADT 2030 = 10,000
DHV = 12 %
D = 55 %
T = 3 % *
* * V = 50 MPH
FUNC. CLASS =
RURAL LOCAL
* TTST 1 % DUAL 2 %

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT B-4580 = 0.111 mi.
LENGTH STRUCTURE TIP PROJECT B-4580 = 0.021 mi.
TOTAL LENGTH TIP PROJECT B-4580 = 0.132 mi.

Prepared in the Office of:
WANG ENGINEERING COMPANY, INC.
CARY, N.C.

FOR NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

2006 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
APRIL 17, 2009

LETTING DATE:
APRIL 20, 2010

CLIFTON T. REGISTER, P.E.
PROJECT ENGINEER

SCOTT L. KENNEDY
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER
SUNGATE DESIGN GROUP, PA

ROADWAY DESIGN ENGINEER
WANG ENGINEERING

SIGNATURE

DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA

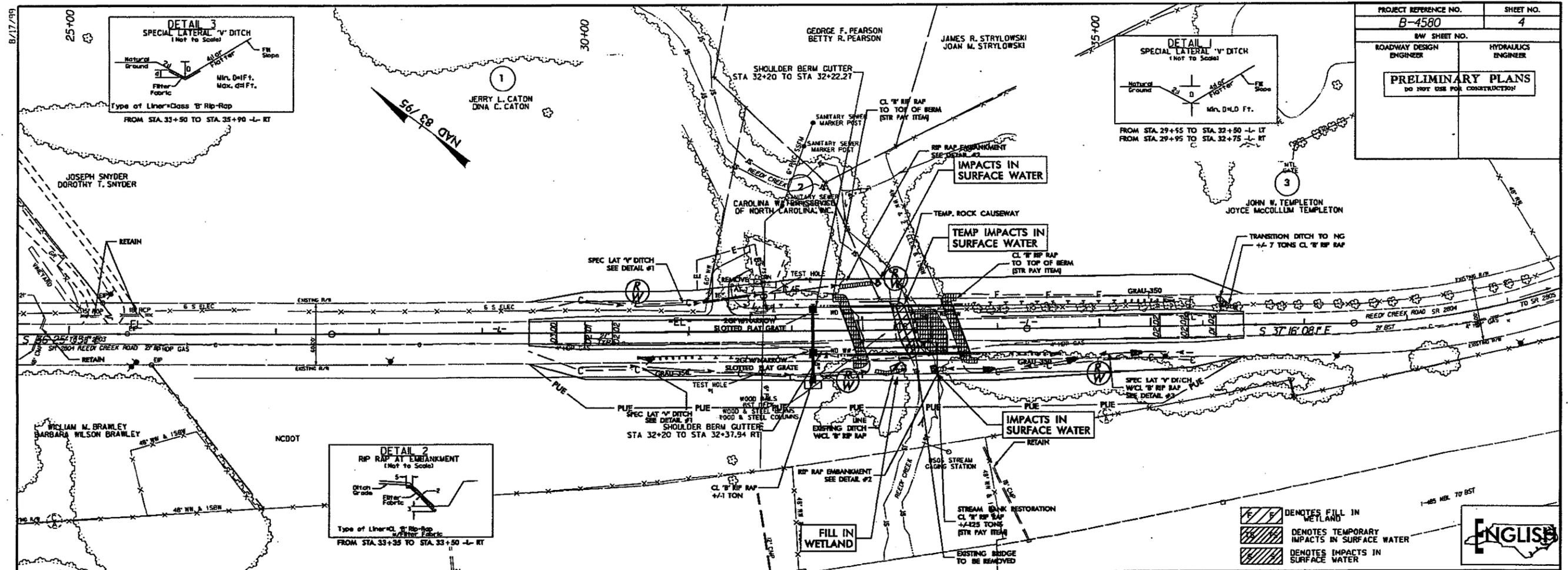


STATE HIGHWAY DESIGN ENGINEER

Permit Drawing
Sheet 5 of 8

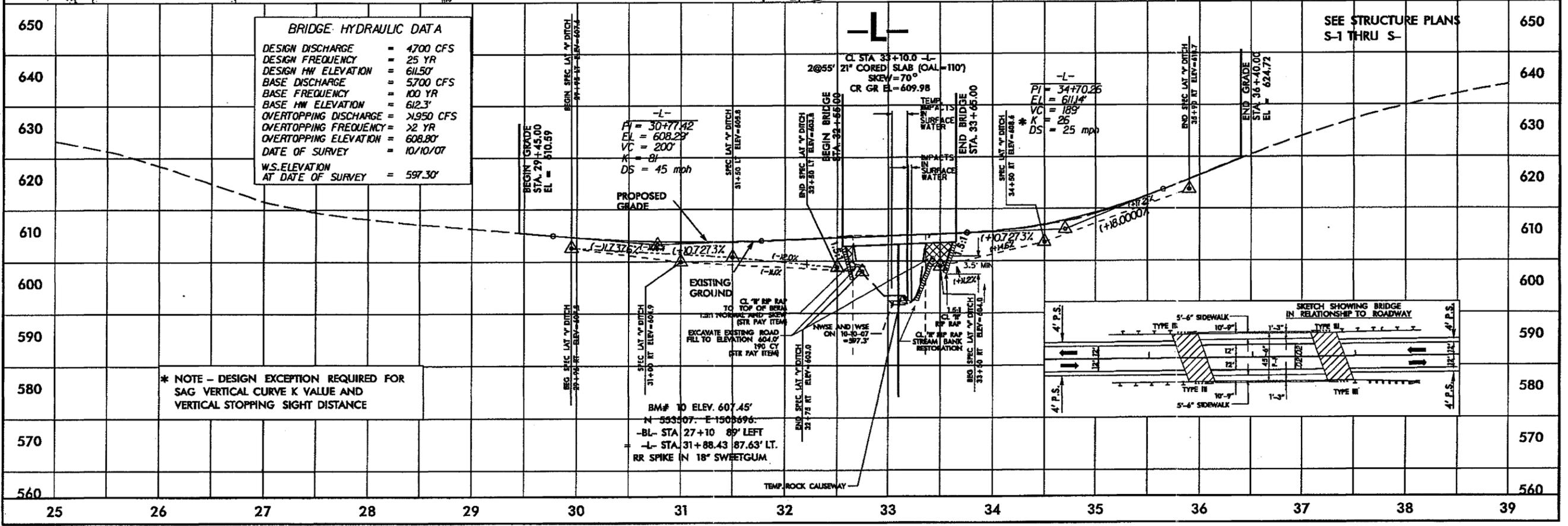
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\$\$\$\$\$DGN\$\$\$\$\$
\$\$\$\$\$USERNAME\$\$\$\$\$

CONTRACT:

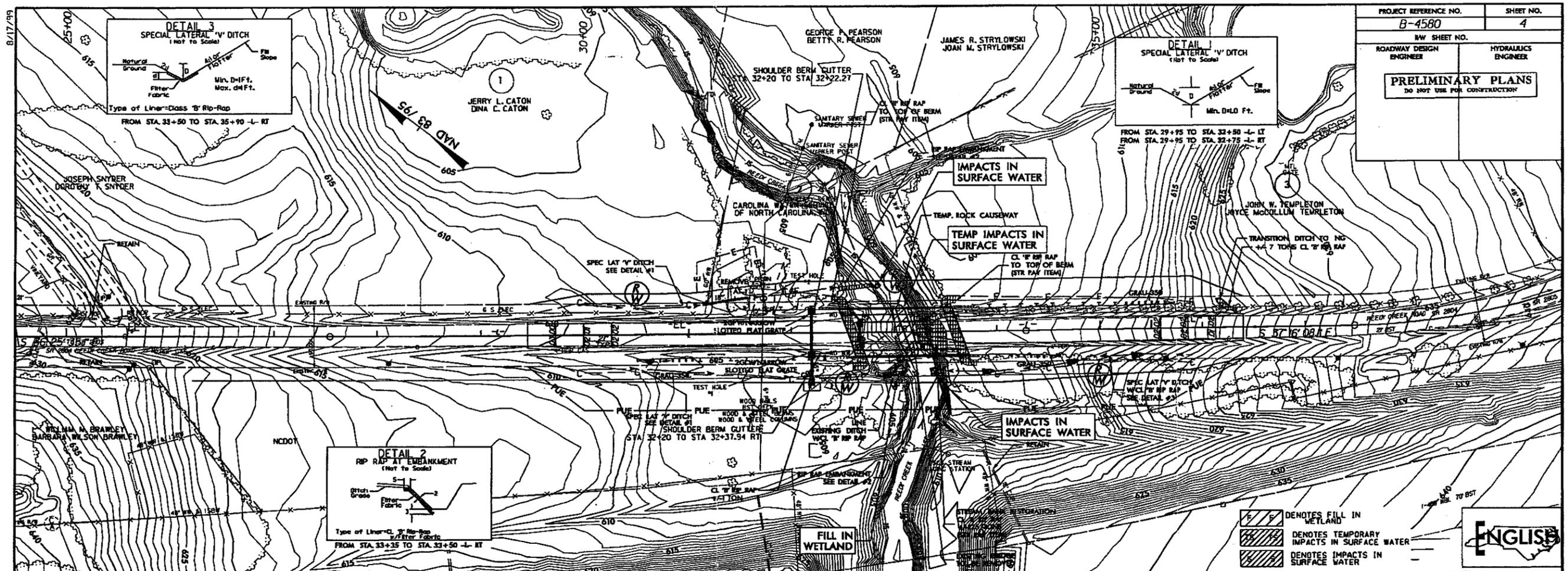


PROJECT REFERENCE NO. B-4580	SHEET NO. 4
RDW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

BRIDGE HYDRAULIC DATA	
DESIGN DISCHARGE	= 4700 CFS
DESIGN FREQUENCY	= 25 YR
DESIGN HW ELEVATION	= 615.0'
BASE DISCHARGE	= 5700 CFS
BASE FREQUENCY	= 100 YR
BASE HW ELEVATION	= 612.3'
OVERTOPPING DISCHARGE	= 21,950 CFS
OVERTOPPING FREQUENCY	= 22 YR
OVERTOPPING ELEVATION	= 608.80'
DATE OF SURVEY	= 10/10/07
W.S. ELEVATION AT DATE OF SURVEY	= 597.30'

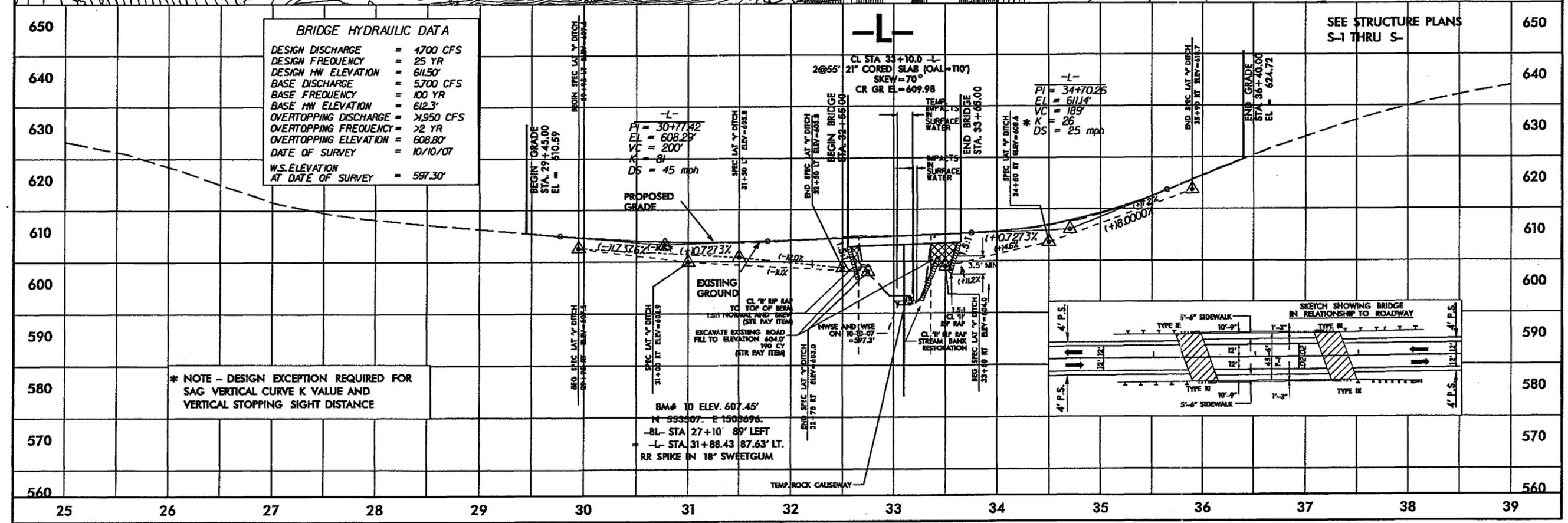


Permit Drawing Sheet 6 of 8



PROJECT REFERENCE NO. B-4580	SHEET NO. 4
RAW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION

BRIDGE HYDRAULIC DATA	
DESIGN DISCHARGE	= 4700 CFS
DESIGN FREQUENCY	= 25 YR
DESIGN HW ELEVATION	= 615.0'
BASE DISCHARGE	= 5700 CFS
BASE FREQUENCY	= 100 YR
BASE HW ELEVATION	= 612.3'
OVERTOPPING DISCHARGE	= 21950 CFS
OVERTOPPING FREQUENCY	= 2 YR
OVERTOPPING ELEVATION	= 608.80'
DATE OF SURVEY	= 10/10/07
W.S. ELEVATION AT DATE OF SURVEY	= 597.30'



Permit Drawing Sheet 1 of 8



STORMWATER MANAGEMENT PLAN

Project: 33782.1.1
TIP: B-4580
County: Mecklenburg

Hydraulics Project Engineers: Henry Wells, P.E. (Sungate Design Group);
Bill Zerman, P.E. (NCDOT Hydraulics Unit)

ROADWAY DESCRIPTION

The project involves the replacement of Bridge No. 177 on SR 2804 over Reedy Creek. The overall length of the project with approach work is approximately 697 feet. The proposed bridge will consist of 2 @ 55' cored slab. The project drainage systems consist of the bridge and associated bridge end drains as lateral ditches.

ENVIRONMENTAL DESCRIPTION

The project is located in the Yadkin River Basin. Currently, there are no buffer rules for this river basin. The project will have one (1) crossing of a jurisdictional stream that will impact Reedy Creek. Reedy Creek is classified as a Class 'C' stream. Reedy Creek in the project area is not listed on NCDWQ's 303d list. One small wetland area is impacted by the proposed project.

BEST MANAGEMENT PRACTICES AND MAJOR STRUCTURES

The primary goal of Best Management Practices (BMPs) is to prevent degradation of the states surface waters as a result of the location, construction and operation of the highway system. BMPs are activities, practices and procedures taken to prevent or reduce stormwater pollution. There are no BMPs used on this project.

At all the sites, stormwater will be treated and non-erosive velocities will be achieved where practicable.

MINIMIZATION OF IMPACTS

Several design elements provided for minimization of wetland and stream impacts.

- Bridge end drains are located outside wetland areas.
- Streambank restoration is specified under the proposed bridge on the east bank of Reedy Creek.
- Riprap embankments have been specified where lateral ditches intersect Reedy Creek to provide bank stabilization and prevent erosion.