STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

November 10, 2003

U.S. Army Corps of Engineers
Regulatory Field Office
6508 Falls of the Neuse Road
Suite 120
Raleigh, NC 27615

ATTN: Mr. John Thomas
NCDOT Coordinator

Subject: **Request for Modification to the existing 404 and 401 Permits.** Alamance County, Replacement of Bridge No. 94 Over Haw River on SR 2158, Federal Aid Project No. BRSTP-2158(1), State Project No. 8.2472701, TIP Project No. B-3601. $200 to Work Order 8.2472701 (WBS Element 33155.1.1).

The U.S. Army Corps of Engineers (USACE) issued Nationwide Permits 23 and 33 for the above referenced project on July 1, 2003 (Action ID 200321026 and 200321027). The N.C. Division of Water Quality (NCDWQ) issued a Water Quality Certification (WQC) and Isolated Wetlands Permit for this project on September 15, 2003 (WQC No. 3432). One of the conditions of the WQC states "At no time, shall more than one fill causeway be permitted within the Haw River. At no time, shall a fill causeway obstruct greater than 50 percent of the cross-section of the Haw River."

Since the original application, we have revised our design to reflect the above condition.

Temporary Causeways

There will be 0.89 ac temporary impacts from the construction of temporary rock causeways in Haw River for the construction of Bridge No. 94. Temporary rock causeways will be required for construction of the interior bents in order to provide for construction access and to remove the old bridge. The causeways will facilitate the construction of drilled shafts. The causeways will consist of plain Class II rip rap topped with a layer of Class A rip rap.

Restoration Plan: No permanent fill will result from the subject activity. The materials used as temporary fill in the construction of the causeways will be removed.

Schedule for Construction of Causeways: It is assumed that the Contractor will begin construction of the proposed causeways shortly after the date of permit issuance. This project was let on September 16, 2003 with a date of availability of October 19, 2003.

Phase I- Install causeway "A" first and do as much work on it as possible. Remove causeway "A."
Phase II- Install causeway "B" and complete structure. Remove causeway "B." At no time shall there be more than one causeway in the water.
Phase III- Install causeway "C" and remove as much of the old bridge as possible. Remove causeway "C."
Phase IV- Install causeway "D" and finish removing the old bridge. Remove causeway "D."
Note: Phase III and IV can be switched if Contractor wishes as long as only one causeway is in at a time.

Removal and Disposal: The causeways will be removed within 90 days of the completion of the deck slab for the structure. The temporary rock causeways will be removed by the Contractor using excavating equipment. All materials placed in the stream by the Contractor will be removed. The Class II rip rap that is removed may be used on end slopes where Class II rip rap is required at the discretion of the Engineer. All other materials removed by the Contractor will be disposed of at an off-site upland location.

Regulatory Approvals

Application is hereby made for a modification of USACE Nationwide Permits 23 and 33. We are also hereby requesting a modification of the 401 Water Quality Certification and Isolated Wetlands Permit from the DWQ. We have provided a method of debiting $200 to be submitted to the DWQ for processing the WQC modification request, as noted in the subject line of this application, as payment for processing the Section 401 permit modification request.

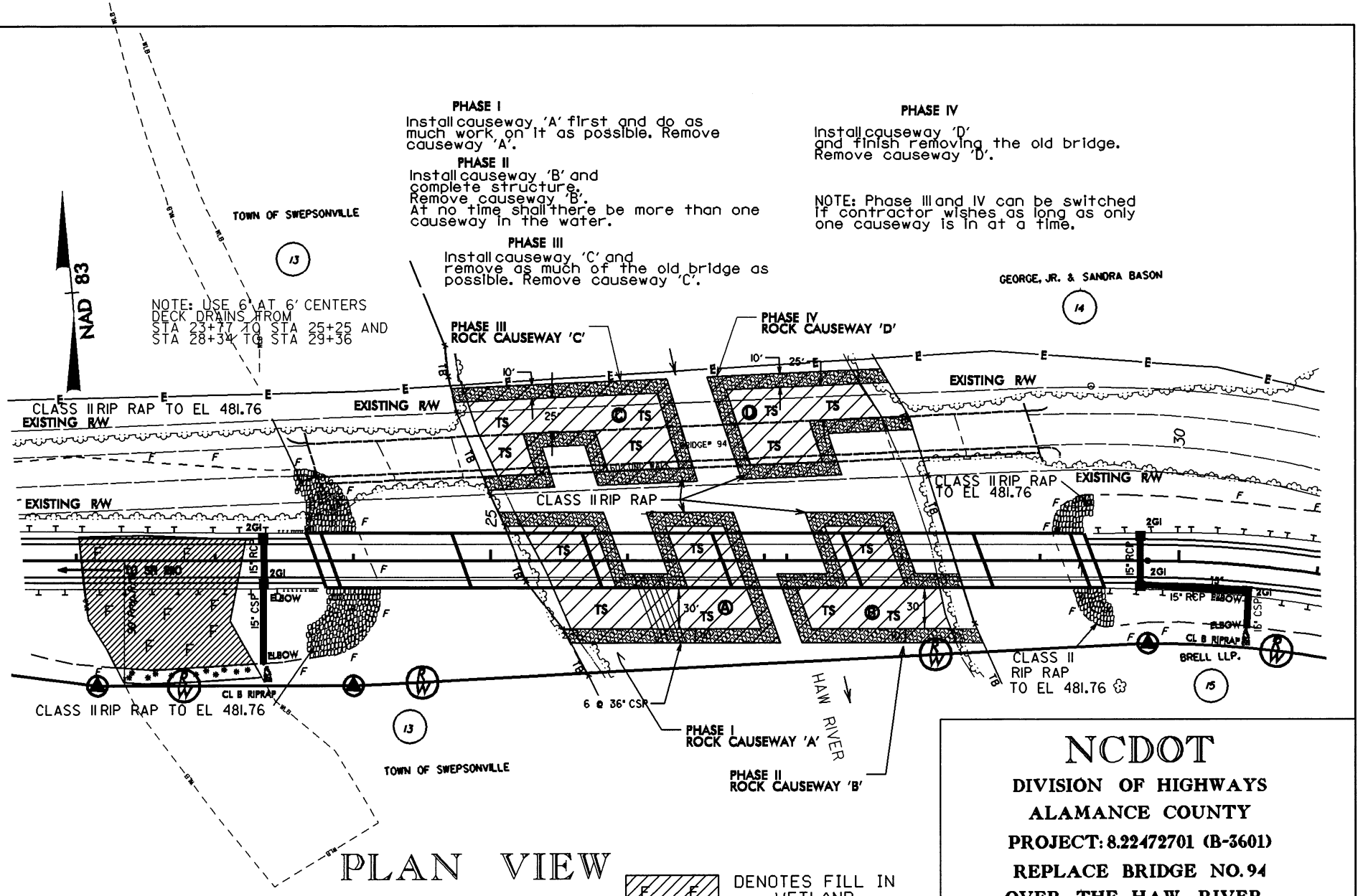
If you have any questions or need additional information, please contact Matt Haney at (919) 715-1428.

Sincerely,

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

w/attachment

Mr. John Dorney, Division of Water Quality (2 copies)
Mr. Travis Wilson, NCWRC
Mr. Gary Jordan, USFWS
Mr. Greg Perfetti, P.E., Structure Design
w/o attachment
Mr. David Franklin, USACE, Wilmington
Mr. Jay Bennett, P.E., Roadway Design
Mr. Omar Sultan, Programming and TIP
Ms. Debbie Barbour, P.E., Highway Design
Mr. David Chang, P.E., Hydraulics
Mr. Mark Staley, Roadside Environmental
Mr. J.M. Mills, P.E., Division 7 Engineer
Mr. Jerry Parker, Division 7 Environmental Officer
Ms. Karen Capps, Planning Engineer



NCDOT

DIVISION OF HIGHWAYS

ALAMANCE COUNTY

PROJECT: 8.22472701 (B-3601)

REPLACE BRIDGE NO. 94

OVER THE HAW RIVER

ON SR 2158

WETLAND PERMIT IMPACT SUMMARY

			WETLAND IMPACTS				SURFACE WATER IMPACTS				
Site No.	Station (From/To)	Structure Size / Type	Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation In Wetlands (ac)	Mechanized Clearing (Method III) (ac)	Fill In SW (Natural) (ac)	Fill In SW (Pond) (ac)	Temp. Fill In SW (ac)	Existing Channel Impacted (ft)	Natural Stream Design (ft)
1	26+56.50 -L-	5 @ 95', 1@ 70'	0.24			0.02			0.89		
		54" PRESTRESSED									
		GIRDER BRIDGE									
TOTALS:			0.24	0	0	0.02	0	0	0.89	0	0

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

ALAMANCE COUNTY
PROJECT 8.22472701 B3601

Form Revised 3/22/01

10/29/2003

Office Use Only: Form Version May 2002

USACE Action ID No. _____ **DWQ No.** _____

(If any particular item is not applicable to this project, please enter "Not Applicable" or "N/A".)

I. Processing

1. Check all of the approval(s) requested for this project:
   - ☒ Section 404 Permit
   - ☐ Section 10 Permit
   - ☒ 401 Water Quality Certification
   - ☐ Riparian or Watershed Buffer Rules
   - ☒ Isolated Wetland Permit from DWQ

2. Nationwide, Regional or General Permit Number(s) Requested: NWP 23 & 33

3. If this notification is solely a courtesy copy because written approval for the 401 Certification is not required, check here: ☐

4. If payment into the North Carolina Wetlands Restoration Program (NCWRP) is proposed for mitigation of impacts (verify availability with NCWRP prior to submittal of PCN), complete section VIII and check here: ☐

5. If your project is located in any of North Carolina's twenty coastal counties (listed on page 4), and the project is within a North Carolina Division of Coastal Management Area of Environmental Concern (see the top of page 2 for further details), check here: ☐

II. Applicant Information

1. Owner/Applicant Information
   Name: NC Department of Transportation
   Mailing Address: 1548 Mail Service Center
   Raleigh, NC 27699-1548
   Telephone Number: 919-733-3141 Fax Number: 919-715-1501
   E-mail Address: _____

2. Agent/Consultant Information (A signed and dated copy of the Agent Authorization letter must be attached if the Agent has signatory authority for the owner/applicant.)
   Name: N/A
   Company Affiliation: _____
   Mailing Address: _____
   Telephone Number: _____ Fax Number: _____
   E-mail Address: _____

III. Project Information

Attach a **vicinity map** clearly showing the location of the property with respect to local landmarks such as towns, rivers, and roads. Also provide a detailed **site plan** showing property boundaries and development plans in relation to surrounding properties. Both the vicinity map

and site plan must include a scale and north arrow. The specific footprints of all buildings, impervious surfaces, or other facilities must be included. If possible, the maps and plans should include the appropriate USGS Topographic Quad Map and NRCS Soil Survey with the property boundaries outlined. Plan drawings, or other maps may be included at the applicant's discretion, so long as the property is clearly defined. For administrative and distribution purposes, the USACE requires information to be submitted on sheets no larger than 11 by 17-inch format; however, DWQ may accept paperwork of any size. DWQ prefers full-size construction drawings rather than a sequential sheet version of the full-size plans. If full-size plans are reduced to a small scale such that the final version is illegible, the applicant will be informed that the project has been placed on hold until decipherable maps are provided.

1. Name of project: Replacement of Bridge No. 94 on SR 2158 over Haw River

2. T.I.P. Project Number or State Project Number (NCDOT Only): B-3601

3. Property Identification Number (Tax PIN): N/A

4. Location
   County: Alamance Nearest Town: Graham
   Subdivision name (include phase/lot number): N/A
   Directions to site (include road numbers, landmarks, etc.): Approximately 3.5 miles south and east of Graham. Take NC 87 south out of Graham. Turn left onto SR 2158. Go approximately 1.75 miles. The project site is the bridge over Haw River.

5. Site coordinates, if available (UTM or Lat/Long): 36°05'/79°25' (approx.)
   (Note – If project is linear, such as a road or utility line, attach a sheet that separately lists the coordinates for each crossing of a distinct waterbody.)

6. Property size (acres): N/A

7. Nearest body of water (stream/river/sound/ocean/lake): Haw River

8. River Basin: Cape Fear
   (Note – this must be one of North Carolina's seventeen designated major river basins. The River Basin map is available at http://h2o.enr.state.nc.us/admin/maps/.)

9. Describe the existing conditions on the site and general land use in the vicinity of the project at the time of this application: rural

10. Describe the overall project in detail, including the type of equipment to be used: This project proposes to replace Bridge No. 94 on SR 2158 over Haw River in Alamance County. The bridge will be replaced with a new 535-foot long bridge on new location to the south of the existing bridge. The roadway cross section of the new bridge will consist of two 12-foot lanes with a 3-foot offset on the north side. There will be approximately 1300 ft of new approach work to the west and 800 ft of new approach work to the east of the new bridge. Traffic will be maintained on the existing alignment during construction.

11. Explain the purpose of the proposed work: Replace substandard bridge over Haw River resulting in safer and more efficient traffic operations.

IV. Prior Project History

If jurisdictional determinations and/or permits have been requested and/or obtained for this project (including all prior phases of the same subdivision) in the past, please explain. Include the USACE Action ID Number, DWQ Project Number, application date, and date permits and certifications were issued or withdrawn. Provide photocopies of previously issued permits, certifications or other useful information. Describe previously approved wetland, stream and buffer impacts, along with associated mitigation (where applicable). If this is a NCDOT project, list and describe permits issued for prior segments of the same T.I.P. project, along with construction schedules.

Nationwide Permits 23 and 33 were issued for this project on July 1, 2003 (Action ID 200321026 & 200321027). A Water Quality Certification and Isolated Wetlands Permit were issued for this project on September 15, 2003 (WQC No. 3432).

V. Future Project Plans

Are any future permit requests anticipated for this project? If so, describe the anticipated work, and provide justification for the exclusion of this work from the current application.

No

VI. Proposed Impacts to Waters of the United States/Waters of the State

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to wetlands, open water, and stream channels associated with the project. The applicant must also provide justification for these impacts in Section VII below. All proposed impacts, permanent and temporary, must be listed herein, and must be clearly identifiable on an accompanying site plan. All wetlands and waters, and all streams (intermittent and perennial) must be shown on a delineation map, whether or not impacts are proposed to these systems. Wetland and stream evaluation and delineation forms should be included as appropriate. Photographs may be included at the applicant's discretion. If this proposed impact is strictly for wetland or stream mitigation, list and describe the impact in Section VIII below. If additional space is needed for listing or description, please attach a separate sheet.

1. Provide a written description of the proposed impacts: Approximately 0.26 ac isolated wetland impacts due to realignment of the road. Approximately 0.85 ac temporary fill in surface waters due to rock workpads.

2. Individually list wetland impacts below:

Wetland Impact Site Number (indicate on map)	Type of Impact*	Area of Impact (acres)	Located within 100-year Floodplain** (yes/no)	Distance to Nearest Stream (linear feet)	Type of Wetland***
1	Permanent fill	0.24	Yes	250	Isolated alluvial forest

1	Mechanized clearing	0.02	Yes	250	Isolated alluvial forest

* List each impact separately and identify temporary impacts. Impacts include, but are not limited to: mechanized clearing, grading, fill, excavation, flooding, ditching/drainage, etc. For dams, separately list impacts due to both structure and flooding.

** 100-Year floodplains are identified through the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM), or FEMA-approved local floodplain maps. Maps are available through the FEMA Map Service Center at 1-800-358-9616, or online at http://www.fema.gov.

*** List a wetland type that best describes wetland to be impacted (e.g., freshwater/saltwater marsh, forested wetland, beaver pond, Carolina Bay, bog, etc.) Indicate if wetland is isolated (determination of isolation to be made by USACE only).

List the total acreage (estimated) of all existing wetlands on the property: approximately 1 ac

Total area of wetland impact proposed: 0.26 ac

2. Individually list all intermittent and perennial stream impacts below:

Stream Impact Site Number (indicate on map)	Type of Impact*	Length of Impact (linear feet)	Stream Name**	Average Width of Stream Before Impact	Perennial or Intermittent? (please specify)
N/A					

* List each impact separately and identify temporary impacts. Impacts include, but are not limited to: culverts and associated rip-rap, dams (separately list impacts due to both structure and flooding), relocation (include linear feet before and after, and net loss/gain), stabilization activities (cement wall, rip-rap, crib wall, gabions, etc.), excavation, ditching/straightening, etc. If stream relocation is proposed, plans and profiles showing the linear footprint for both the original and relocated streams must be included.

** Stream names can be found on USGS topographic maps. If a stream has no name, list as UT (unnamed tributary) to the nearest downstream named stream into which it flows. USGS maps are available through the USGS at 1-800-358-9616, or online at www.usgs.gov. Several internet sites also allow direct download and printing of USGS maps (e.g., www.topozone.com, www.mapquest.com, etc.).

Cumulative impacts (linear distance in feet) to all streams on site: _____

3. Individually list all open water impacts (including lakes, ponds, estuaries, sounds, Atlantic Ocean and any other water of the U.S.) below:

Open Water Impact Site Number (indicate on map)	Type of Impact*	Area of Impact (acres)	Name of Waterbody (if applicable)	Type of Waterbody (lake, pond, estuary, sound, bay, ocean, etc.)
1	Temporary fill	0.89	Haw River	river

* List each impact separately and identify temporary impacts. Impacts include, but are not limited to: fill, excavation, dredging, flooding, drainage, bulkheads, etc.

5. Pond Creation

If construction of a pond is proposed, associated wetland and stream impacts should be included above in the wetland and stream impact sections. Also, the proposed pond should be described here and illustrated on any maps included with this application.

Pond to be created in (check all that apply): ☐ uplands ☐ stream ☐ wetlands

Describe the method of construction (e.g., dam/embankment, excavation, installation of draw-down valve or spillway, etc.): N/A

Proposed use or purpose of pond (e.g., livestock watering, irrigation, aesthetic, trout pond, local stormwater requirement, etc.): N/A

Size of watershed draining to pond: N/A Expected pond surface area: N/A

VII. Impact Justification (Avoidance and Minimization)

Specifically describe measures taken to avoid the proposed impacts. It may be useful to provide information related to site constraints such as topography, building ordinances, accessibility, and financial viability of the project. The applicant may attach drawings of alternative, lower-impact site layouts, and explain why these design options were not feasible. Also discuss how impacts were minimized once the desired site plan was developed. If applicable, discuss construction techniques to be followed during construction to reduce impacts.

Two alternates were evaluated for this project. Alternate 1 (Recommended) involves replacing the existing bridge on new location to the south of the existing bridge and maintaining traffic on the existing alignment. Alternate 2 involves replacing the existing bridge at the same location and maintaining traffic on a temporary on-site detour structure located south of the existing bridge. An off-site detour is not feasible due to the high volume of traffic. Minimal isolated wetland impacts and temporary stream impacts will occur.

VIII. Mitigation

DWQ - In accordance with 15A NCAC 2H .0500, mitigation may be required by the NC Division of Water Quality for projects involving greater than or equal to one acre of impacts to freshwater wetlands or greater than or equal to 150 linear feet of total impacts to perennial streams.

USACE – In accordance with the Final Notice of Issuance and Modification of Nationwide Permits, published in the Federal Register on March 9, 2000, mitigation will be required when necessary to ensure that adverse effects to the aquatic environment are minimal. Factors including size and type of proposed impact and function and relative value of the impacted aquatic resource will be considered in determining acceptability of appropriate and practicable mitigation as proposed. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland and/or upland vegetated buffers to protect open waters such as streams; and replacing losses of

aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferable in the same watershed.

If mitigation is required for this project, a copy of the mitigation plan must be attached in order for USACE or DWQ to consider the application complete for processing. Any application lacking a required mitigation plan or NCWRP concurrence shall be placed on hold as incomplete. An applicant may also choose to review the current guidelines for stream restoration in DWQ's Draft Technical Guide for Stream Work in North Carolina, available at http://h2o.enr.state.nc.us/ncwetlands/strmgide.html.

1. Provide a brief description of the proposed mitigation plan. The description should provide as much information as possible, including, but not limited to: site location (attach directions and/or map, if offsite), affected stream and river basin, type and amount (acreage/linear feet) of mitigation proposed (restoration, enhancement, creation, or preservation), a plan view, preservation mechanism (e.g., deed restrictions, conservation easement, etc.), and a description of the current site conditions and proposed method of construction. Please attach a separate sheet if more space is needed.
   No mitigation is required for this project. Although, we propose to remove existing roadway fill to restore a wetland area on the north side of the proposed alignment. The area of restored wetland will be approximately 0.3 ac.

2. Mitigation may also be made by payment into the North Carolina Wetlands Restoration Program (NCWRP). Please note it is the applicant's responsibility to contact the NCWRP at (919) 733-5208 to determine availability and to request written approval of mitigation prior to submittal of a PCN. For additional information regarding the application process for the NCWRP, check the NCWRP website at http://h2o.enr.state.nc.us/wrp/index.htm. If use of the NCWRP is proposed, please check the appropriate box on page three and provide the following information:

   Amount of stream mitigation requested (linear feet): N/A
   Amount of buffer mitigation requested (square feet): N/A
   Amount of Riparian wetland mitigation requested (acres): N/A
   Amount of Non-riparian wetland mitigation requested (acres): N/A
   Amount of Coastal wetland mitigation requested (acres): N/A

IX. Environmental Documentation (required by DWQ)

Does the project involve an expenditure of public (federal/state) funds or the use of public (federal/state) land?

Yes ☒ No ☐

If yes, does the project require preparation of an environmental document pursuant to the requirements of the National or North Carolina Environmental Policy Act (NEPA/SEPA)? Note: If you are not sure whether a NEPA/SEPA document is required, call the SEPA coordinator at (919) 733-5083 to review current thresholds for environmental documentation.

Yes ☒ No ☐

If yes, has the document review been finalized by the State Clearinghouse? If so, please attach a copy of the NEPA or SEPA final approval letter.

Yes ☒ No ☐

X. Proposed Impacts on Riparian and Watershed Buffers (required by DWQ)

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to required state and local buffers associated with the project. The applicant must also provide justification for these impacts in Section VII above. All proposed impacts must be listed herein, and must be clearly identifiable on the accompanying site plan. All buffers must be shown on a map, whether or not impacts are proposed to the buffers. Correspondence from the DWQ Regional Office may be included as appropriate. Photographs may also be included at the applicant's discretion.

Will the project impact protected riparian buffers identified within 15A NCAC 2B .0233 (Neuse), 15A NCAC 2B .0259 (Tar-Pamlico), 15A NCAC 2B .0250 (Randleman Rules and Water Supply Buffer Requirements), or other (please identify_____)?

Yes ☐ No ☒ If you answered "yes", provide the following information:

Identify the square feet and acreage of impact to each zone of the riparian buffers. If buffer mitigation is required calculate the required amount of mitigation by applying the buffer multipliers.

Zone*	Impact (square feet)	Multiplier	Required Mitigation
1		3	
2		1.5	
Total			

* Zone 1 extends out 30 feet perpendicular from near bank of channel; Zone 2 extends an additional 20 feet from the edge of Zone 1.

If buffer mitigation is required, please discuss what type of mitigation is proposed (i.e., Donation of Property, Conservation Easement, Riparian Buffer Restoration / Enhancement, Preservation or Payment into the Riparian Buffer Restoration Fund). Please attach all appropriate information as identified within 15A NCAC 2B .0242 or .0260.

No mitigation required.

XI. Stormwater (required by DWQ)

Describe impervious acreage (both existing and proposed) versus total acreage on the site. Discuss stormwater controls proposed in order to protect surface waters and wetlands downstream from the property.

N/A

XII. Sewage Disposal (required by DWQ)

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

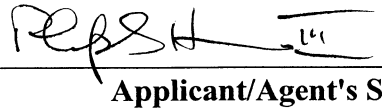
XIII. Violations (required by DWQ)

Is this site in violation of DWQ Wetland Rules (15A NCAC 2H .0500) or any Buffer Rules?
Yes ☐ No ☒

Is this an after-the-fact permit application?
Yes ☒ No ☐

XIV. Other Circumstances (Optional):

It is the applicant's responsibility to submit the application sufficiently in advance of desired construction dates to allow processing time for these permits. However, an applicant may choose to list constraints associated with construction or sequencing that may impose limits on work schedules (e.g., draw-down schedules for lakes, dates associated with Endangered and Threatened Species, accessibility problems, or other issues outside of the applicant's control).
N/A



11/17/03

Applicant/Agent's Signature **Date**
(Agent's signature is valid only if an authorization letter from the applicant is provided.)