



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

November 21, 2003

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

ATTENTION: Mr. Steve Lund
NCDOT Coordinator

SUBJECT: **Nationwide Permit Application 23** for the proposed replacement of Bridge No. 148 on SR 1547 (Gardiol Avenue) over Micol Creek, Burke County. Federal Aid Project No. BRZ-1547(3), State Project No. 8.2852301, TIP No. B-3621.

Dear Sir:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 148 over Micol Creek (DWQ Index # 11-45-1), a Division of Water Quality Class "WS-IV" Waters of the State. The project involves replacing Bridge No. 148 at its existing location on tangent alignment. During construction, traffic will be maintained with an off-site detour using US 70 W, SR 1547 (Refour Road), SR 1545 (Laurel Street), and Eldred Street. The roadway approach work will extend from approximately 230 feet (70.1 meters) west to 230 feet (70.1 meters) east of the existing bridge.

Please find enclosed copies of the Categorical Exclusion (CE) Report for the above referenced project, along with a project site map, and permit drawings.

IMPACTS TO WATERS OF THE UNITED STATES

No impacts to Waters of the United States, in the form of wetlands or surface waters, are anticipated as a result of project construction.

BRIDGE DEMOLITION

The existing bridge no. 148 includes one span totaling 36 feet in length. The depth from crown to streambed is approximately ten feet. The superstructure is composed of a timber deck and rails on steel I-beams. The substructure is timber posts and sills. The bridge will be removed without dropping any components into the water; neither the superstructure nor the substructure will create any temporary fill in the creek. However, the removal of the substructure may cause some disturbance in the streambed. North Carolina Wildlife Resources Commission comments that bridge demolition and removal activities are prohibited during the fish spawning season of May 1 through July 15 to limit direct impacts and prevent off-site sedimentation from impacting fish eggs and fry.

BRIDGE CONSTRUCTION

The new structure will consist of a 105 foot cored slab bridge. A temporary causeway will not be necessary to complete this structure.

FEDERALLY PROTECTED SPECIES

Plants and animals with federal classifications of Endangered, Threatened, Proposed Endangered, and Proposed Threatened are protected under provisions of Section 7 and Section 9 of the Endangered Species Act of 1973, as amended. As of 29 January 2003, the Fish and Wildlife Service (FWS) lists six federally protected species for Johnston County.

Biological Conclusions of “No Effect” were reached for all listed species as of the last surveys. But due to the time since the last survey and the potential for habitat, two of the species are listed as unresolved. *Hexastylis naniflora* and *Isotria medeoloides* are considered unresolved at this point, but new surveys are scheduled for the spring of 2004 to resolve this issue. These surveys will be conducted before the project goes to construction.

Federally-Protected Species for Burke County

Common Name	Scientific Name	Status
Bald eagle	<i>Haliaeetus leucocephalus</i>	Threatened (proposed for delisting)
Spreading avens	<i>Geum radiatum</i>	Endangered
Dwarf-flowered heartleaf	<i>Hexastylis naniflora</i>	Threatened
Mountain golden heather	<i>Hudsonia montana</i>	Threatened
Small whorled pogonia	<i>Isotria medeoloides</i>	Threatened
Heller's blazing star	<i>Liatris helleri</i>	Threatened

KEY: Endangered (a species that is in danger of extinction throughout all or a significant portion of its range).

PROJECT COMMITMENTS

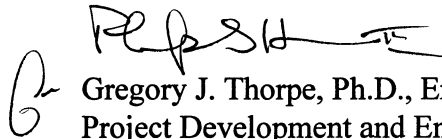
- No deck drains will be used in the proposed structure.
- Bridge demolition and removal activities are prohibited during the fish spawning season of May 1 through July 15 to limit direct impacts and prevent off-site sedimentation from impacting fish eggs and fry.

SUMMARY

This project is being processed by the Federal Highway Administration as a "Categorical Exclusion" in accordance with 23 CFR § 771.115(b). The NCDOT requests that these activities be authorized by a Nationwide Permit 23 (ER number 10, pages 2020-2095; January 15, 2002). We anticipate 401 General Certification number 3403 will apply to this project. In accordance with 15A NCAC 2H .0501(a) we are providing two copies of this application to the North Carolina Department of Environment and Natural Resources, Division of Water Quality, for their records.

Thank you for your assistance with this project. If you have any questions or need additional information please call Chris Manley at (919) 715-1487 or cdmanley@dot.state.nc.us

Sincerely,



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

cc:

w/attachment

Mr. John Dorney, Division of Water Quality (2 copies)
Ms. Marella Buncick, USFWS
Ms. Marla Chambers, NCWRC
Mr. Greg Perfetti, P.E., Structure Design
Mr. Harold Draper, TVA

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. John Sullivan, FHWA
Mr. Ron Watson Division 13 Engineer
Mr. Mark Davis, DEO
Ms. Missy Dickens