

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE GOVERNOR EUGENE A. CONTI, JR.

June 1, 2012

U. S. Army Corps of EngineersRegulatory Field Office69 Darlington AvenueWilmington NC 28402-1890

ATTN:

Mr. Ronnie Smith

NCDOT Coordinator

Subject:

Revised Information to the Application for Section 404 Nationwide Permits 23 and Section 401 Water Quality Certification for the proposed replacement of Bridge No. 47 over the Lumber River on US 401 in Scotland and Hoke Counties, Federal Aid Project No. BRNHS-401(14); Division 8;

TIP No. B-4273

Reference: Permit Application dated May 24, 2012

Dear Sir:

The purpose of this letter is to include revised information for the application for Section 404 Nationwide 23 and Section 401 Water Quality Certification. An additional 0.04 acres of temporary fill in wetlands will occur in the hand clearing areas. This additional temporary fill is to accommodate erosion control measures. Please see the enclosed, revised copies of the Pre-Construction Notification (PCN) and Wetland Impact Summary (Permit Drawing Sheet 14 of 14). These replace the corresponding pages in the previously submitted permit application.

This project calls for a letting date of November 20, 2012 and a review date of October 2, 2012; however, the let date may advance as additional funding becomes available.

WEBSITE: WWW.NCDOT.ORG

A copy of this permit application and its distribution list will be posted on the NCDOT website at http://www.ncdot.org/doh/preconstruct/pe/neu/permit.html. If you have any questions or need additional information, please call Jason Dilday at (919) 707-6111.

Sincerely

Gregory J. Thorpe, Ph.D., Manager

Project Development and Environmental Analysis Branch

The "cc" List:

NCDOT Permit Application Standard Distribution List





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

	Pre-	Constr	uction Notification (PCI	N) Form	
A.	Applicant Information				
1.	Processing				
1a.	Type(s) of approval sought from Corps:	the	⊠ Section 404 Permit ☐ Sect	ion 10 Permit	
1b.	Specify Nationwide Permit (NWP) number: 2	3 or General Permit (G	SP) number:	
1c.	Has the NWP or GP number bee	en verified b	y the Corps?	⊠ Yes	□ No
1d.	Type(s) of approval sought from	the DWQ (d	check all that apply):		
		n – Regula	Non-404 Jurisdiction	al General Permi	t
	☐ 401 Water Quality Certification	n – Express	Riparian Buffer Autho	orization	
1e.	e. Is this notification solely for the record because written approval is not required? For the record only for DWQ 40° Certification:			For the record of	only for Corps Permit:
	booddoc whiteh approval is not i	equileu:	☐ Yes	☐ Yes	⊠ No
1f.			ee program proposed for mitigation er from mitigation bank or in-lieu	⊠ Yes	□ No
1g.	Is the project located in any of N below.	C's twenty of	coastal counties. If yes, answer 1h	☐ Yes	⊠ No
1h.	h. Is the project located within a NC DCM Area of Environmental Concern (AEC			☐ Yes	⊠ No
2.	Project Information				
2a.	Name of project:	Replacem	ent of Bridge 47 over the Lumber Ri	ver on US 401	
2b.	County:	Scotland/l	Hoke		
2c.	Nearest municipality / town:	Wagram			
2d.	Subdivision name:	not applica	able		
2e.	NCDOT only, T.I.P. or state project no:	B-4273			
3.	Owner Information				
3a.	Name(s) on Recorded Deed:	North Card	olina Department of Transportation		
3b.	Deed Book and Page No.	not applica	able		
3c.	Responsible Party (for LLC if applicable):	not applica	able		
3d.	Street address:	1598 Mail	Service Center		
3e.	City, state, zip:	Raleigh, N	C 27699-1598		
3f.	Telephone no.:	(919) 707-	6111		
3g.	Fax no.:	(919) 212-	5785		
3h.	Email address:	jldilday@n	cdot.gov		

4.	Applicant Information (if diffe	erent from owner	r)	
4a.	Applicant is:	☐ Agent	☐ Other, specify:	
4b.	Name:	not applicable		
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:	not applicable		
5b.	Business name (if applicable):			
5c.	Street address:			
5d.	City, state, zip:			
5e.	Telephone no.:			
5f.	Fax no.:		,	
5g.	Email address:			

В.	Project Information and Prior Project History				
1.	Property Identification				
1a.	Property identification no. (tax PIN or parcel ID):	not applicable	?		
1b.	Site coordinates (in decimal degrees):	Latitude: 34.9 (DD.DDD		Longitude: -79.349092 (-DD.DDDDDD)	
1c.	Property size:	10.0 acres			
2.	Surface Waters				
2a.	Name of nearest body of water (stream, river, etc.) to proposed project:	Lumber River			
2b.	Water Quality Classification of nearest receiving water:	WS-IV, B, Sw	, HQW		
2c.	River basin:	Lumber			
3.	Project Description	1			
3a.	Describe the existing conditions on the site and the general la application: US 401 is a major highway route serving overweight traffic. I			•	
	wetlands. Also included is the vicinity is are lands owned by Commission boat ramp.				
3b.	List the total estimated acreage of all existing wetlands on the	e property:			
	8				
3c.	List the total estimated linear feet of all existing streams (inter- 200	mittent and pere	ennial) on the p	roperty:	
3d.	Explain the purpose of the proposed project: To replace a structurally deficient and functionally obsolete br	ridge.			
3e.	Describe the overall project in detail, including the type of equ	ipment to be us	sed:		
	The project involves replacing a six-span, 240-foot bridge with a four-span, 260-foot bridge on the existing alignment with an on-site detour. Standard road building equipment, such as trucks, dozers, and cranes will be used.				
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?	☐ Yes	⊠ No	Unknown	
	Comments: A final JD is anticipated to be issued at permitting.				
4b.	If the Corps made the jurisdictional determination, what type of determination was made?	☐ Preliminary	∕		
4c.	If yes, who delineated the jurisdictional areas?		ıltant Company	:	
	Name (if known):	Other:		 	
4d.	If yes, list the dates of the Corps jurisdictional determinations	or State determ	inations and at	tach documentation.	
5.	Project History				
5a.	Have permits or certifications been requested or obtained for this project (including all prior phases) in the past?	☐ Yes	⊠ No	Unknown	
5b.	If yes, explain in detail according to "help file" instructions.				
6.	Future Project Plans				
6a.	Is this a phased project?	☐ Yes	⊠ No		
	If yes, explain.				

C. Proposed Im	pacts Inventory						
1. Impacts Sum	mary						
1a. Which sections	s were completed	below for your projec	ct (check all that a	apply):			
Wetlands ■ Wetlands ■ Wetlands ■ Netlands ■ Netlands ■ Netlands ■ Netlands ■ Netlands Netlan	\boxtimes	Streams - tributaries	s 🔲 Bu	iffers			
☐ Open Wate	ers 🔲	Pond Construction					
2. Wetland Impa		d on the site, then co	omplete this ques	tion for each wetland	area impacte	d	
2a.	2b.	2c.	2d.	2e.		2f.	
Wetland impact number – Permanent (P) or Temporary (T)	Type of impact	Type of wetland (if known)	Forested	Type of juris (Corps - 40 DWQ – non-40	4, 10	Area of impact (acres)	
Site 1 ⊠ P □ T	Proposed bridge/Fill	Riverine Swamp Forest	⊠ Yes □ No	☐ Corps☐ DWQ		0.64	
Site 1 ⊠ P □ T	Proposed bridge/Mech. Clearing	Riverine Swamp Forest	⊠ Yes □ No	⊠ Corps □ DWQ		0.37	
Site 1 ☐ P ☑ T	Detour/Temp. Fill	Riverine Swamp Forest	⊠ Yes □ No	☑ Corps ☐ DWQ		0.50	
Site 1 ☐ P ☑ T	Work Bridge/Temp. Fill	Riverine Swamp Forest	⊠ Yes □ No	⊠ Corps □ DWQ		0.15	
Site 1 P T			☐ Yes ☐ No	☐ Corps ☐ DWQ			
Site 1 P T			☐ Yes ☐ No	☐ Corps ☐ DWQ			
1.01 ac. 2g. Total wetland impacts 0.65 ac. Temporary							
		impact will occur du clearing areas for er		g in the vicinity of the sures.	on-site detou	r. 0.04 acres of	
3. Stream Impact If there are perennia question for all stream	al or intermittent st am sites impacted			npacts) proposed on t			
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 🛛 P 🗌 T	Bridge bents		⊠ PER □ INT	☐ Corps ☐ DWQ		<0.01 ac.	
Site 2 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ			
Site 3 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ			
Site 4 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ			
Site 5 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ			
Site 6 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ			

						3h. T o	otal stream	and tribu	itary impacts	<0.01 ac. Permanent
3i. Commo	ents: Bei	nt 1 impact=8.4 sq.	ft., Bent	2 impa	act=11.2 s	q.ft., Bent 3 in	npact=11.2 s	q.ft. Tot	al impact=30.8	sq. ft.
4. Open	Water i	mpacts								
		ed impacts to lakes idually list all open				aries, sounds	, the Atlantic	Ocean,	or any other op	en water of
4a.		4b. Name of	4c.				4d.		4e.	
Open water impact number – Permanent (P) or Temporary (T)		waterbody (if applicable)		Type of impact		Waterbody type		Area of impact (acres)		
01 🗆 P	ТП									
02 🗆 P										
03 🗆 P	~==									
04 🗆 P) T					· · · · · · · · · · · · · · · · · · ·				
						4f. Total o	pen water i	mpacts		nanent porary
4g. Comm	4g. Comments:									
5. Pond	or Lake	Construction								
		struction proposed		mplet	e the chart	below.				
5a.	5b.		5c.	/otlone	d Immonto ((aaraa)	5d.	m Immaa	to (foot)	5e.
Pond ID		posed use or	V	Wetland Impacts (acres) Stream			ım impac	n Impacts (feet) Upland (acres)		
number	pur	pose of pond	Flood	ded	Filled	Excavated	Flooded	Filled	Excavated	Flooded
P1										
P2										
 		5f. Total								
5g. Comm	ents:									
5h. Is a da	ım high h	nazard permit requi	red?	□Y	es	□No	If yes, permi	t ID no:		
5i. Exped	ted pond	d surface area (acre	es):							
5j. Size o	of pond w	vatershed (acres):								
5k. Metho	d of con	struction:								

6. Buffer Impa	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 wh	ich protected basin?		☐ Neuse ☐ Catawba	☐ Tar-Pamlico ☐ Randleman	Other:		
6b.	6c.	6d.	6e.	6f.	6g.		
Buffer impact number – Permanent (P) Temporary (T	Reason for impact or	Stream nar	Buffer mitigation required?	Zone 1 impact (square feet)	Zone 2 impact (square feet)		
B1 🗆 P 🗆 1	-		☐ Yes ☐ No				
B2 P 1	-		☐ Yes ☐ No				
B3 🗆 P 🔲 1	-		☐ Yes				
		6h. 7	Fotal buffer impacts	 			
6i. Comments:				· -	<u> </u>		
							
D. Impact Justi	D. Impact Justification and Mitigation						
1. Avoidance a	nd Minimization						
1a. Specifically d	escribe measures taken to avo	oid or minimize t	the proposed impacts	in designing project			
The proposed bridge replaces a 6-span bridge with a 4-span bridge, meaning less bents in the water. The bridge will be replaced at its existing location. The bridge will be replaced at approximately the same grade and footprint as the original bridge. Replacement of the bridge will use a temporary work bridge. Design was modified to minimize impact to NC Department of Parks and Recreation land and the NCWRC boat ramp. No impacts causing "loss of Waters of the US" will occur to the Lumber River. In areas where temporary fill will occur in wetlands, fiber coir matting will be placed between wetland materials and fill materials. After construction, fill material and fiber coir matting will be removed.							
1b. Specifically d	escribe measures taken to avo	id or minimize t	he proposed impacts	through construction	n techniques.		
existing bridg	Management Practices for Brice; Best Management Practices Bersheds will be employed.	dge Demolition for the Protecti	and Removal will be ion of Surface Waters	mplemented during will be employed; D	the removal of the resign Standards in		
2. Compensato	ry Mitigation for Impacts to V	Naters of the U	J.S. or Waters of the	State			
	ect require Compensatory Mitigaters of the U.S. or Waters of the		⊠ Yes □ No)			
2b. If yes, mitigati	on is required by (check all tha	at apply):	☐ DWQ ☐ Co	orps			
2c. If yes, which r project?	nitigation option will be used fo	or this	☐ Mitigation bank ☐ Payment to in-lie ☐ Permittee Respo				

3. Complete if l	Jsing a Mitigation Bai	ık					
3a. Name of Mitiga	3a. Name of Mitigation Bank: not applicable						
3b. Credits Purcha	ased (attach receipt and	d letter)	Туре	Quantity			
3c. Comments:	Bc. Comments:						
4. Complete if I	laking a Payment to I	n-lieu Fee Program					
4a. Approval letter	from in-lieu fee progra	m is attached.	⊠ Yes				
4b. Stream mitigat	tion requested:		0 linear feet				
4c. If using stream	n mitigation, stream ten	nperature:	☐ warm ☐ co	ol			
4d. Buffer mitigation	on requested (DWQ on	ly):	square feet				
4e. Riparian wetla	nd mitigation requested	d:	2.02 acres				
4f. Non-riparian w	etland mitigation reque	ested:	acres				
4g. Coastal (tidal)	wetland mitigation requ	uested:	acres				
4h. Comments:	4h. Comments:						
5. Complete if U	5. Complete if Using a Permittee Responsible Mitigation Plan						
5a. If using a perr	5a. If using a permittee responsible mitigation plan, provide a description of the proposed mitigation plan.						
6. Buffer Mitiga	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 ☐ Yes ☐ No buffer mitigation?						
	entify the square feet of gation required.	impact to each zone	of the riparian buffer th	at requires mitigation. Calculate the			
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:	0			
	tion is required, discus onsible riparian buffer			ayment to private mitigation bank, fee fund).			
6h. Comments:							

E. Stormy	rater Management and Diffuse Flow Plan (required by DWQ)		
1. Diffuse	Flow Plan		
	e project include or is it adjacent to protected riparian buffers identified ne of the NC Riparian Buffer Protection Rules?	☐ Yes	⊠ No
-	nen is a diffuse flow plan included? If no, explain why. nts: See attached permit drawings.	⊠ Yes	□No
2. Stormy	ater Management Plan		
2a. What is	the overall percent imperviousness of this project?	N/A	
2b. Does th	is project require a Stormwater Management Plan?	⊠ Yes	□No
2c. If this pr	oject DOES NOT require a Stormwater Management Plan, explain why:		
	oject DOES require a Stormwater Management Plan, then provide a brief, na ached permit drawings.	arrative descriptio	n of the plan:
2e. Who wil	be responsible for the review of the Stormwater Management Plan?		cal Government water Program nit
3. Certifie	d Local Government Stormwater Review		
3a. In which	local government's jurisdiction is this project?	not applicable	
	f the following locally-implemented stormwater management programs neck all that apply):	☐ Phase II ☐ NSW ☐ USMP ☐ Water Supp ☐ Other:	ly Watershed
3c. Has the a	pproved Stormwater Management Plan with proof of approval been ?	☐ Yes	□No
4. DWQ Sto	rmwater Program Review	,	<u> </u>
	f the following state-implemented stormwater management programs apply ll that apply):	Coastal cou HQW ORW Session La Other:	nties w 2006-246
4b. Has the a	approved Stormwater Management Plan with proof of approval been ?	☐ Yes	⊠ No
5. DWQ 401	Unit Stormwater Review		
5a. Does the	Stormwater Management Plan meet the appropriate requirements?	☐ Yes	□ No NA
5b. Have all	of the 401 Unit submittal requirements been met?	☐ Yes	☐ No NA

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?	⊠ Yes	□ 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)?	⊠ Yes	□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.)	⊠ Yes	□No	
	Comments:			
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)?	☐ Yes	⊠ No	
2b.	Is this an after-the-fact permit application?	☐ Yes	⊠ No	
2c.	If you answered "yes" to one or both of the above questions, provide an explanation of	f the violation(s):		
3.	3. Cumulative Impacts (DWQ Requirement)			
3а.	Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality?	☐ Yes ☑ No		
3b.	If you answered "yes" to the above, submit a qualitative or quantitative cumulative imp most recent DWQ policy. If you answered "no," provide a short narrative description.	act analysis in ac	ccordance with the	
	Due to the minimal transportation impact resulting from this bridge replacement, this pland uses nor stimulate growth. Therefore, a detailed indirect or cumulative effects str			
4.	Sewage Disposal (DWQ Requirement)			
	Clearly detail the ultimate treatment methods and disposition (non-discharge or dischathe proposed project, or available capacity of the subject facility. not applicable	rge) of wastewate	er generated from	

5.	Endangered Species and Designate	ed Critical Habitat (Corps Requiremen	t)			
5a.	Will this project occur in or near an archabitat?	ea with federally protected species or	⊠ Yes	□No		
5b.	Have you checked with the USFWS c impacts?	oncerning Endangered Species Act	⊠ Yes	□No		
5c.	If yes, indicate the USFWS Field Office	e you have contacted.	☑ Raleigh☐ Asheville			
5d.	What data sources did you use to deto Habitat?	ermine whether your site would impact E	ndangered Species or	Designated Critical		
	N.C. Natural Heritage Heritage Program database; USFWS-Raleigh Field Office website; biological surveys for protected species listed for Scotland/Hoke Counties, which include American alligator, red-cockaded woodpecker, Michaux's sumac, Saint Francis' satyr, rough-leaved loosestrife, Canby's dropwort and American chaffseed. All species received a Biological Conclusion of "No Effect". No habitat is present in the study area for Saint Francis' satyr, rough-leaved loosestrife, American chaffseed or red-cockaded woodpecker. Habitat is present for Michaux's sumac and Canby's dropwort, but surveys conducted of the study area resulted in no specimens being found. American alligator does not require surveys.					
6.	Essential Fish Habitat (Corps Requi	irement)				
6a.	Will this project occur in or near an are	a designated as essential fish habitat?	☐ Yes	⊠ No		
	What data sources did you use to dete	ermine whether your site would impact Es	ssential Fish Habitat?			
7.	Historic or Prehistoric Cultural Resources (Corps Requirement)					
7a.	a. 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)?					
7b.	What data sources did you use to dete	rmine whether your site would impact his	storic or archeological	resources?		
8. F	lood Zone Designation (Corps Requ	irement)				
8a. '	Will this project occur in a FEMA-design	nated 100-year floodplain?	⊠ Yes	□ No		
8b.	f yes, explain how project meets FEMA	A requirements: NCDOT Hydraulics Unit	coordination with FEM	A		
8c. \	What source(s) did you use to make the	e floodplain determination? FEMA Maps				
	Dr. Gregory J. Thorpe, Ph D Applicant/Agent's Printed Name	Applicant/Agent's Sign (Agent's signature is valid only if an authorization is provided.)		5.31.12 Date		

11+20 to 25+76 -L- 15+95 to 24+74 -DET- 20+92 to 23+45 -L- RT	Site Station No. (From/To)	
11+20 to 25+76 -L- 15+95 to 24+74 -DET- 20+92 to 23+45 -L- RT	Station (From/To)	
Proposed Bridge Detour Bridge Work Bridge	Structure	
0.64 0.64	Permanent Fill In	
0.50 0.15 0.15	Temp. Fill In	WET
(ac)	Excavation in	WETLANI WETLAND IMPACTS
0.37 0.37	Excavation Mechanized in Clearing) PERN
0.26 0.26 0.26	Hand Clearing in	IIT IMPACT
(ac) <0.01 *	Permanent SW	SUMMAR
(ac)	Temp.	Y SURFACE
(ft)	Existing Channel Impacts	Y SURFACE WATER IMPACTS
(ft)	Existing Channel Impacts	PACTS
(#)	Natural Stream	

NOTE: 0.04 acres of Temporary Fill in Wetlands in the Hand Clearing areas for erosion control measures

Permit Drawing

Sheet 14 1 * Impacts: Bent 1 impact = 8.4 sq. ft. Bent 2 impact =11.2 sq. ft. Bent 3 impact = 11.2 sq. ft. Total impact = 30.8 sq. ft.

ATN Revised 3/31/05

NC DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS

SCOTLAND/ HOKE COUNTY WBS - 33614.1.1 (B-4273)