



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

May 21, 2013

ANTHONY J. TATA
SECRETARY

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

ATTN: Ms. Amanda Fuemmeler
NCDOT Coordinator

Subject: **Application for Section 404 Nationwide Permit 13, 23, 33 and Section 401 Water Quality Certification** for the proposed replacement of Bridge Nos. 140 & 147 over Mallard Creek on US 29 in Mecklenburg County, Federal Aid Project No. BRSTP-29(39), Division 10, TIP No. B-4779, Debit \$570 from WBS 38550.1.1.

Dear Madam:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge Nos. 140 and 147 over Mallard Creek on US 29 with two three-span bridges. Traffic will be phased on a two-lane pattern using the existing bridge, and then shifted to the completed bridge while the other bridge is constructed. There will be 0.28 acre of wetland impacts (by way of <0.01 acre of hand clearing, 0.2 acre of fill, and 0.07 acre of mechanized clearing), 172 linear feet of bank stabilization, and 0.03 acre of temporary stream impacts due to the use of a temporary rock causeway for the removal of the existing concrete piers.

Please see enclosed copies of the Pre-Construction Notification (PCN), EEP acceptance letter, stormwater management plan, permit drawings and design plans for the above-referenced project. The Categorical Exclusion (CE) was completed in May 2012 and distributed shortly thereafter. Additional copies are available upon request.

This project calls for a letting date of December 17, 2013 and a review date of October 29, 2013; however, the let date may advance as additional funding becomes available.

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 Michael Turchy at maturchy@ncdot.gov.

Sincerely,

Gregory J. Thorpe, Ph.D., Manager
Project Development and Environmental Analysis Unit

cc: NCDOT Permit Application Standard Distribution List

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
1598 MAIL SERVICE CENTER
RALEIGH NC 27699-1598

TELEPHONE: 919-707-6100
FAX: 919-212-5785

WEBSITE: WWW.NCDOT.ORG

LOCATION:
1020 BIRCH RIDGE DRIVE
RALEIGH NC 27610-4328



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 checked="" type="checkbox"/> Yes	<input 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:	Replacement of Bridges 140 & 147 over Mallard Creek on US 29.
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-4779

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) 707-6157
3g. Fax no.:	(919) 212-5785
3h. Email address:	maturchy@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: 35.318130 (DD.DDDDDD) Longitude: - 80.737456 (-DD.DDDDDD)
1c. Property size:	5.05 acres
2. Surface Waters	
2a. Name of nearest body of water (stream, river, etc.) to proposed project:	Mallard 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: Dominated by commercial properties with broad floodplain corridor with a greenway.	
3b. List the total estimated acreage of all existing wetlands on the property: 1.128	
3c. List the total estimated linear feet of all existing streams (intermittent and perennial) on the property: 300	
3d. Explain the purpose of the proposed project: Example: To replace a structurally deficient and functionally obsolete bridge.	
3e. Describe the overall project in detail, including the type of equipment to be used: The project involves replacing two, three-span 135-foot bridges with two, 155-foot, 3-span bridges 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? 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 checked="" type="checkbox"/> Preliminary <input type="checkbox"/> Final
4c. If yes, who delineated the jurisdictional areas? Name (if known): Thomas Barrett	Agency/Consultant Company: Mulkey, Inc Other:
4d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation. Field Verification Meeting with Liz Hair held on May 24, 2012	
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):						
<input checked="" type="checkbox"/> Wetlands		<input checked="" type="checkbox"/> Streams - tributaries		<input type="checkbox"/> Buffers		
<input type="checkbox"/> Open Waters		<input type="checkbox"/> Pond Construction				
2. Wetland Impacts						
If there are wetland impacts proposed on the site, then complete this question for each wetland area impacted.						
2a. Wetland impact number – Permanent (P) or Temporary (T)	2b. Type of impact	2c. Type of wetland (if known)	2d. Forested	2e. Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	2f. Area of impact (acres)	
Site 1 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	Hand Clearing	Riparian	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	<0.01	
Site 3 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	Fill	Riparian	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	0.2	
Site 3 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	Mechanized Clearing	Riparian	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	0.07	
<input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
<input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
<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					0.27 Permanent	
2h. Comments: Hand clearing was not totaled in the impacts as it does not constitute permanent fill or discharge in waters of the US.						
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	Bank Stabilization	Mallard Creek	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	40	172
Site 2 <input type="checkbox"/> P <input checked="" type="checkbox"/> T	Temporary Workpads	Mallard Creek	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	40	0.03 acre
Site 3 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 4 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
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					172' Perm 0.03 ac 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				

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"/> Tar-Pamlico <input type="checkbox"/> Other: <input type="checkbox"/> Catawba <input type="checkbox"/> Randleman			
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. -Impacts has been reduced to hand clearing on the southern wetland. -The new structure will have will have a wider opening underneath to accommodate the greenway and a larger hydraulic connectivity. -Used 2:1 slopes to minimize impact to wetland areas.		
1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. -The new bents will be moved farther away from the streambank. -Traffic will be "staged" on the existing structure while the new bridge is being built, then traffic will be shifted onto the new structrue while the other lane is built.		
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, explain:	
2b. If yes, mitigation is required by (check all that apply):	<input checked="" type="checkbox"/> DWQ <input checked="" type="checkbox"/> Corps	
2c. If yes, which mitigation option will be used for this project?	<input type="checkbox"/> Mitigation bank <input checked="" 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 checked="" type="checkbox"/> Yes	
4b. Stream mitigation requested:	linear feet	
4c. If using stream mitigation, stream temperature:	<input checked="" type="checkbox"/> warm <input type="checkbox"/> cool <input type="checkbox"/> cold	
4d. Buffer mitigation requested (DWQ only):	square feet	
4e. Riparian wetland mitigation requested:	0.27 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 not, explain why. Comments: If required from 1a, see attached buffer 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 checked="" 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 type="checkbox"/> Yes <input type="checkbox"/> No N/A
5b. Have all of the 401 Unit submittal requirements been met?	<input type="checkbox"/> Yes <input type="checkbox"/> No N/A

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: CE approved May 2012.	<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):	
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. Due to the minimal transportation impact resulting from this bridge replacement, this project will neither influence nearby land uses nor stimulate growth. Therefore, a detailed indirect or cumulative effects study will not be necessary.	
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. not applicable	

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? USFWS Website and on-site protected species surveys. Habitat for Michaux's sumac and Schewinitz's sunflower exists at the project. Suverys in September of 2011 revealed no individuals present. An additional survey will be conducted in the fall of 2013.		
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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8b. If yes, explain how project meets FEMA requirements: NCDOT Hydraulics Unit 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.)	5-21-13 Date



May 7, 2013

Mr. Gregory J. Thorpe, Ph.D.
 Manager, Project Development and Environmental Analysis Unit
 North Carolina Department of Transportation
 1548 Mail Service Center
 Raleigh, North Carolina 27699-1548

Dear Dr. Thorpe:

Subject: EEP Mitigation Acceptance Letter:

B-4779, Replace Bridge Numbers 140 and 147 over Mallard Creek on US 29,
 Mecklenburg County

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) will provide the compensatory riparian wetland mitigation for the subject project. Based on the information supplied by you on May 2, 2013, the impacts are located in CU 03040105 of the Yadkin River basin in the Southern Piedmont (SP) Eco-Region, and are as follows:

Yadkin 03040105 SP	Stream			Wetlands			Buffer (Sq. Ft.)	
	Cold	Cool	Warm	Riparian	Non-Riparian	Coastal Marsh	Zone 1	Zone 2
Impacts (feet/acres)	0	0	0	0.27	0	0	0	0

*Some of the stream and wetland impacts may be proposed to be mitigated at a 1:1 mitigation ratio. See permit application for details.

This mitigation acceptance letter replaces the mitigation acceptance letter issued on April 23, 2013. This impact and associated mitigation need were under projected by the NCDOT in the 2013 impact data. EEP will commit to implement sufficient compensatory riparian wetland mitigation credits to offset the impacts associated with this project as determined by the regulatory agencies using the delivery timeline listed in Section F.3.c.iii of the N.C. Department of Environment and Natural Resources' Ecosystem Enhancement Program In-Lieu Fee Instrument dated July 28, 2010. If the above referenced impact amounts are revised, then this mitigation acceptance letter will no longer be valid and a new mitigation acceptance letter will be required from EEP. If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-707-8420.

Sincerely,

James B. Stanfill
 EEP Asset Management Supervisor

cc: Ms. Amanda Jones, USACE – Asheville Regulatory Field Office
 Ms. Amy Chapman, Division of Water Quality, Wetlands/401 Unit
 File: B-4779 Revised

Restoring... Enhancing... Protecting Our State





North Carolina Department of Transportation
Highway Stormwater Program
STORMWATER MANAGEMENT PLAN
 FOR LINEAR ROADWAY PROJECTS



(Version 1.2; Released September 2011)

Project/TIP No.: B-4779 **County(ies):** Mecklenburg **Page** 1 of 1

General Project Information

Project No.:	B-4779	Project Type:	Bridge Replacement	Date:	2/18/2013
NCDOT Contact:	Marshall W. Clawson, PE	Contractor / Designer:	HNTB North Carolina, P.C		
Address:	1020 Birch Ridge Rd. Raleigh, NC 27610	Address:	343 E. Six Forks Road, Suite 200 Raleigh, NC 27609		
	Phone: 919-707-6713		Phone:	919-424-0437	
	Email: mclawson@ncdot.gov		Email:	jabyrd@hntb.com	
City/Town:	Charlotte	County(ies):			
River Basin(s):	Yadkin-Pee Dee	CAMA County?			
Primary Receiving Water:	Mallard Creek	NCDWQ Stream Index No.:	13-17-5		
NCDWQ Surface Water Classification for Primary Receiving Water	Primary:	Class C			
	Supplemental:	None			
Other Stream Classification:	None				
303(d) Impairments:	None				
Buffer Rules in Effect	N/A				

Project Description

Project Length (lin. Miles or feet):	0.206 miles	Surrounding Land Use:	US (LT) - Undeveloped; US (RT) Shopping Center;		
	Proposed Project		Existing Site		
Project Built-Upon Area (ac.)	2.49 ac.		1.59 ac.		
Typical Cross Section Description:	Multi-Lane Divided with grassed median.		Multi-Lane Divided with grassed median.		
Average Daily Traffic (veh/hr/day):	Design/Future: 49200		Existing: 35200		
General Project Narrative:	Replacement of Bridge No. 147 (SBL) and Bridge No. 140 (NBL) over Mallard Creek on US 29 (N. Tryon St.)				

09/28/11

See Sheet 1-A For Index of Sheets
See Sheet 1-B For Conventional Symbols
See Sheet 1-C For Survey Control

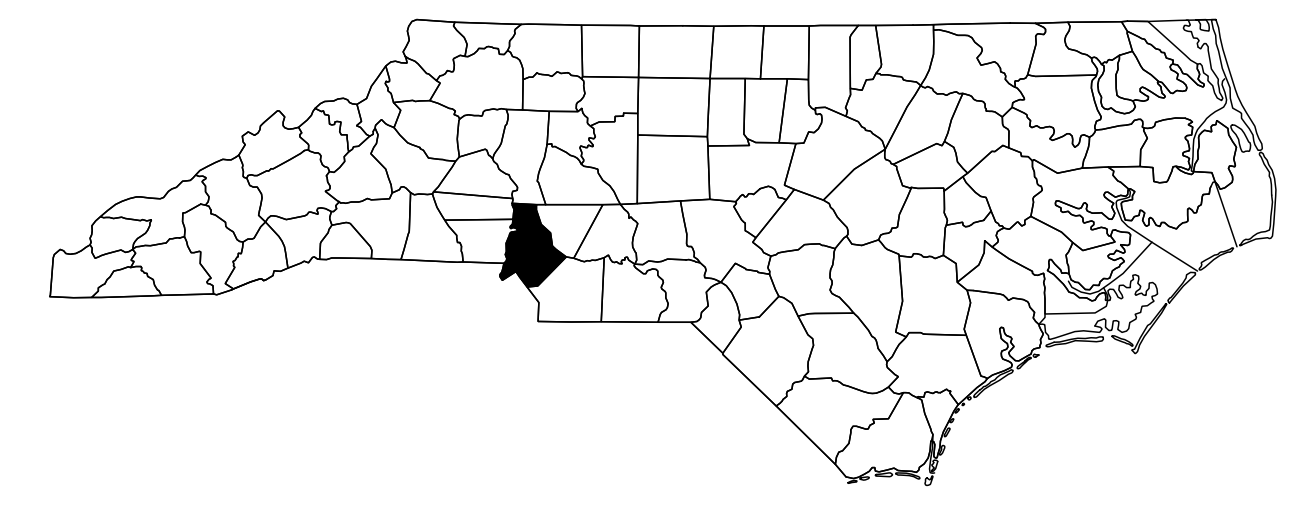
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-4779	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
38550.1.1	BRSTP-29(39)	PE	
38550.2.1	BRSTP-29(39)	RW & UTIL	

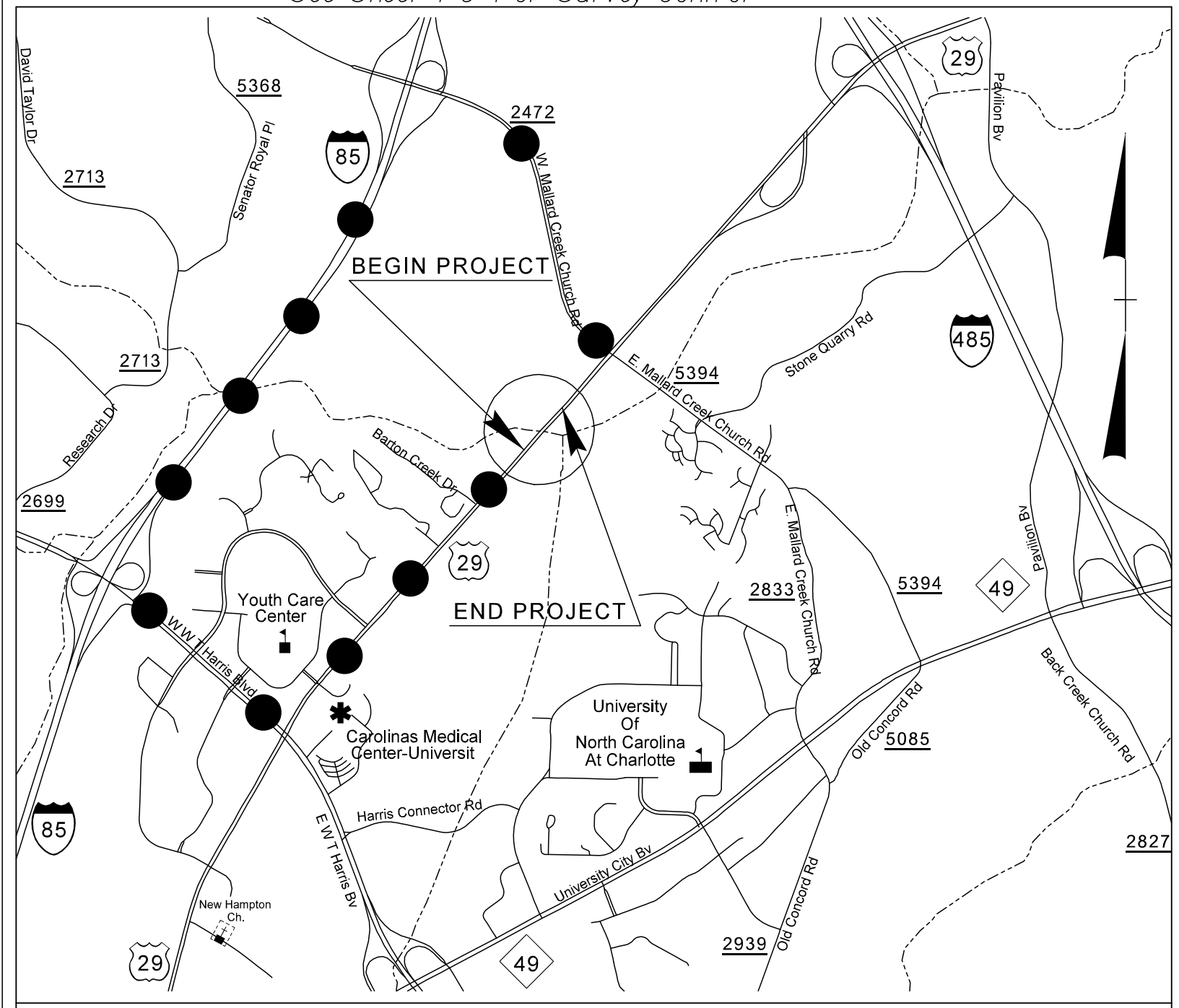
MECKLENBURG COUNTY

LOCATION: BRIDGE No. 147 (SBL) AND BRIDGE No. 140 (NBL) OVER MALLARD CREEK ON US 29 (N. TRYON ST.)

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



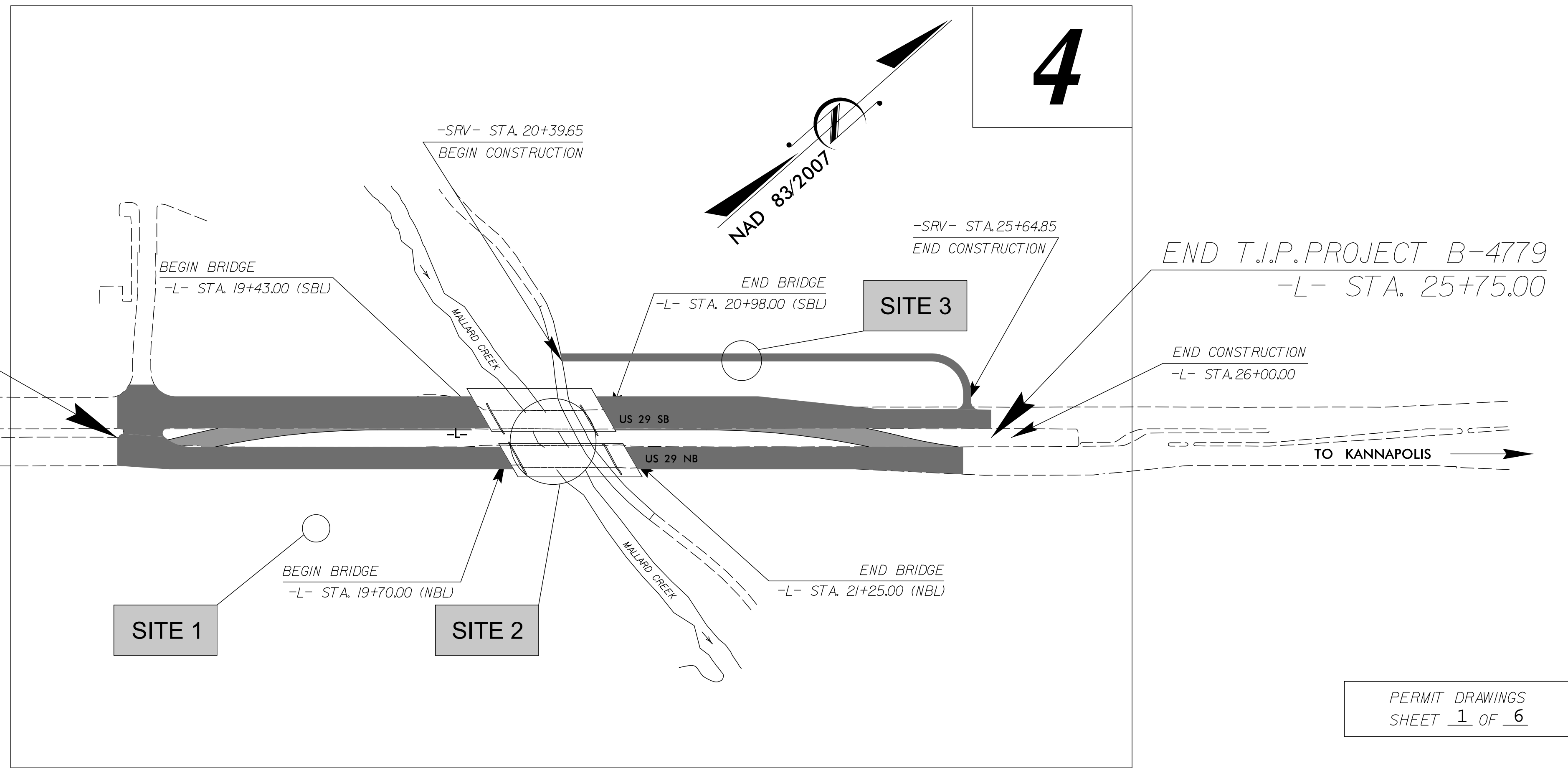
TIP PROJECT: B-4779



VICINITY MAP

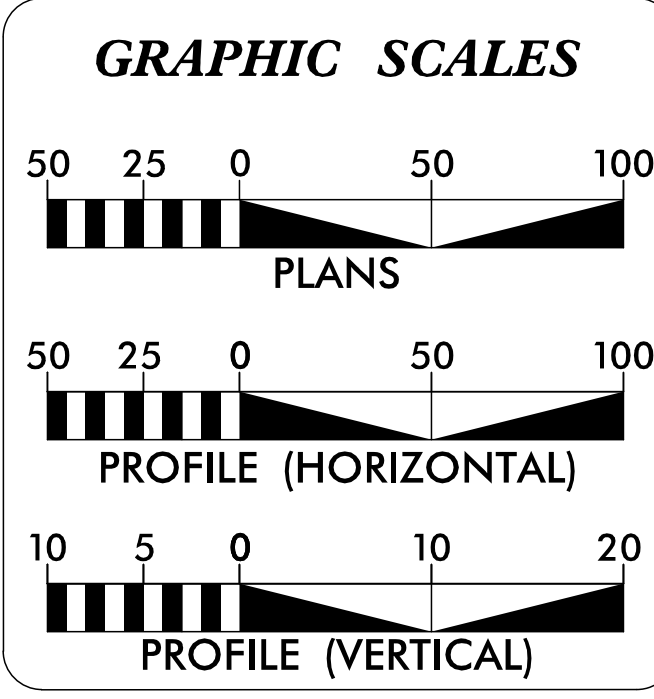
● ● ● **OFFSITE DETOUR (SBL)**

BEGIN T.I.P. PROJECT B-4779
-L- STA. 14+85.00



CONTRACT: C203284

I:\4:13 PM
D:\Drawings\B-4779_prm_tsh.dgn
\$\$\$\$\$USERNAME\$\$\$\$\$



DESIGN DATA

ADT 2008 =	35,200
ADT 2035 =	49,200
DHV =	10 %
D =	65 %
T =	4 % *
V =	50 MPH
* TTST 1%	DUAL 3%
FUNC. CLASS = MAJ. ARTERIAL STATEWIDE TIER	

PROJECT LENGTH

LENGTH ROADWAY T.I.P. PROJECT B-4779 =	0.177 MI
LENGTH STRUCTURE T.I.P. PROJECT B-4779 =	0.029 MI
TOTAL LENGTH OF T.I.P. PROJECT B-4779 =	0.206 MI

Prepared In the Office of:
DIVISION OF HIGHWAYS
1000 Birch Ridge Dr., Raleigh NC, 27610

2012 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
NOVEMBER 19, 2012

LETTING DATE:
DECEMBER 17, 2013

JASON MOORE, PE
PROJECT ENGINEER

NYA K. BOAYUE, PE
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

SIGNATURE: _____ P.E.

ROADWAY DESIGN ENGINEER

SIGNATURE: _____ P.E.

DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA

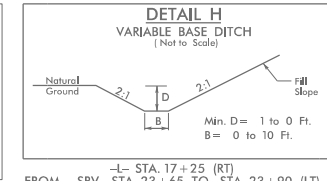
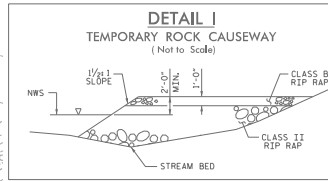
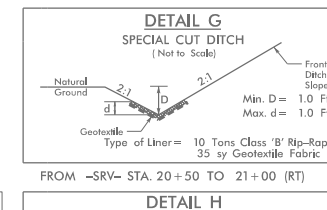
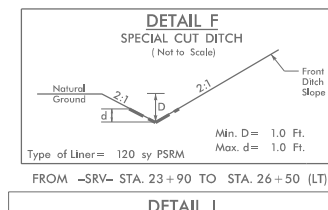
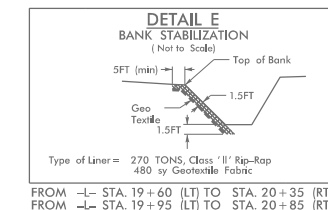
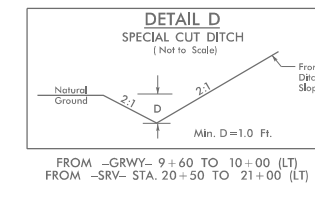
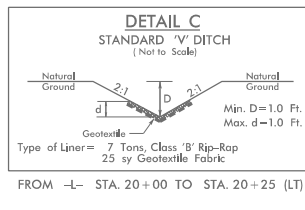
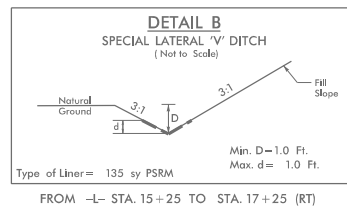
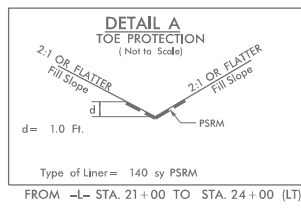
STATE HIGHWAY DESIGN ENGINEER P.E.

ON SITE DETOUR NECESSARY
THIS PROJECT IS WITHIN CHARLOTTE CITY LIMITS
CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

PERMIT DRAWINGS
SHEET 1 OF 6

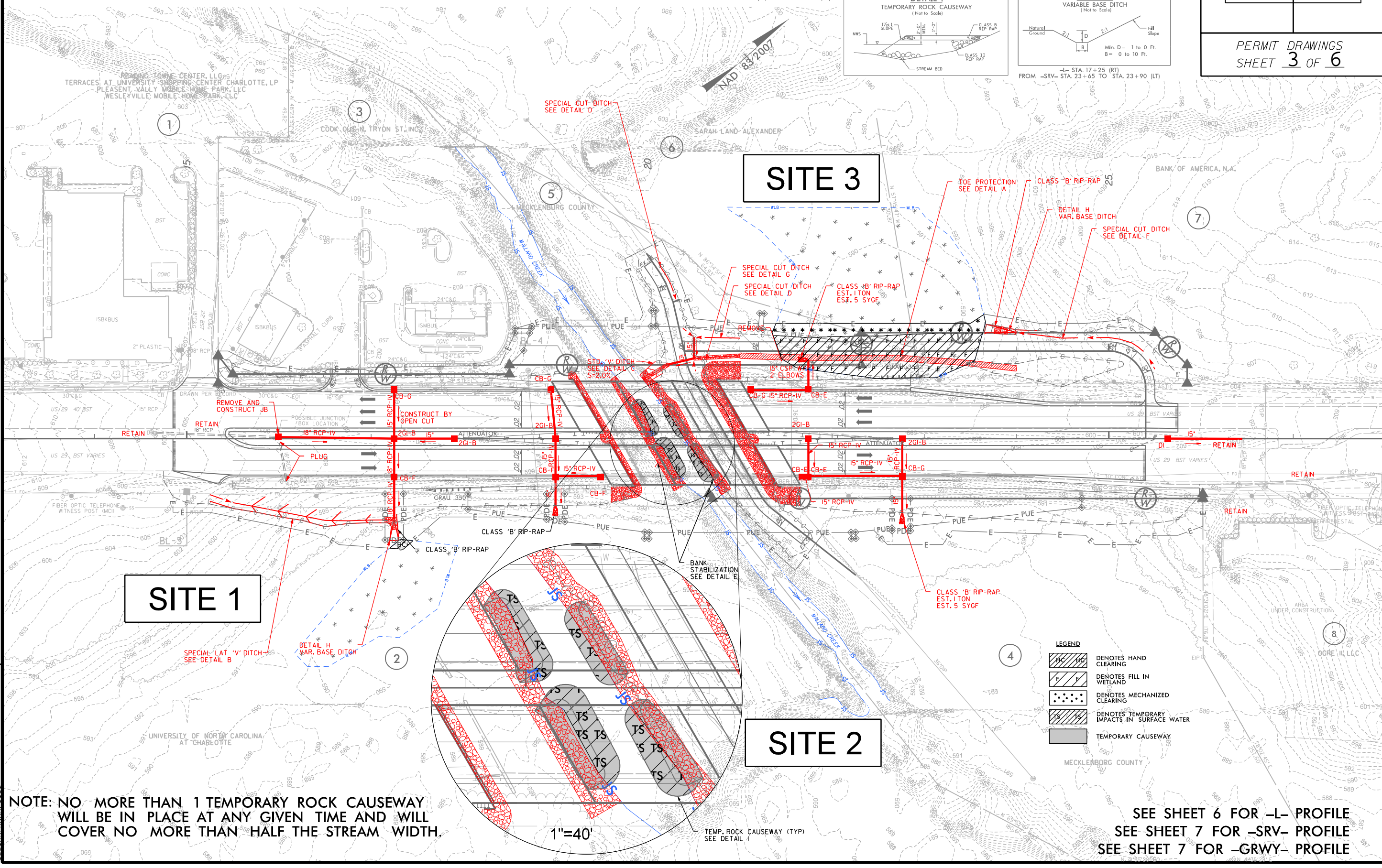
PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

8/17/99



PROJECT REFERENCE NO. B-4779		SHEET NO. 4	
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION			
PERMIT DRAWINGS SHEET 3 OF 6			

REVISIONS



NOTE: NO MORE THAN 1 TEMPORARY ROCK CAUSEWAY WILL BE IN PLACE AT ANY GIVEN TIME AND WILL COVER NO MORE THAN HALF THE STREAM WIDTH.

LEGEND

	DENOTES HAND CLEARING
	DENOTES FILL IN WETLAND
	DENOTES MECHANIZED CLEARING
	DENOTES TEMPORARY IMPACTS IN SURFACE WATER
	TEMPORARY CAUSEWAY

SEE SHEET 6 FOR -L- PROFILE
SEE SHEET 7 FOR -SRV- PROFILE
SEE SHEET 7 FOR -GRWY- PROFILE

11:54:47 AM
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P:\SERNAME

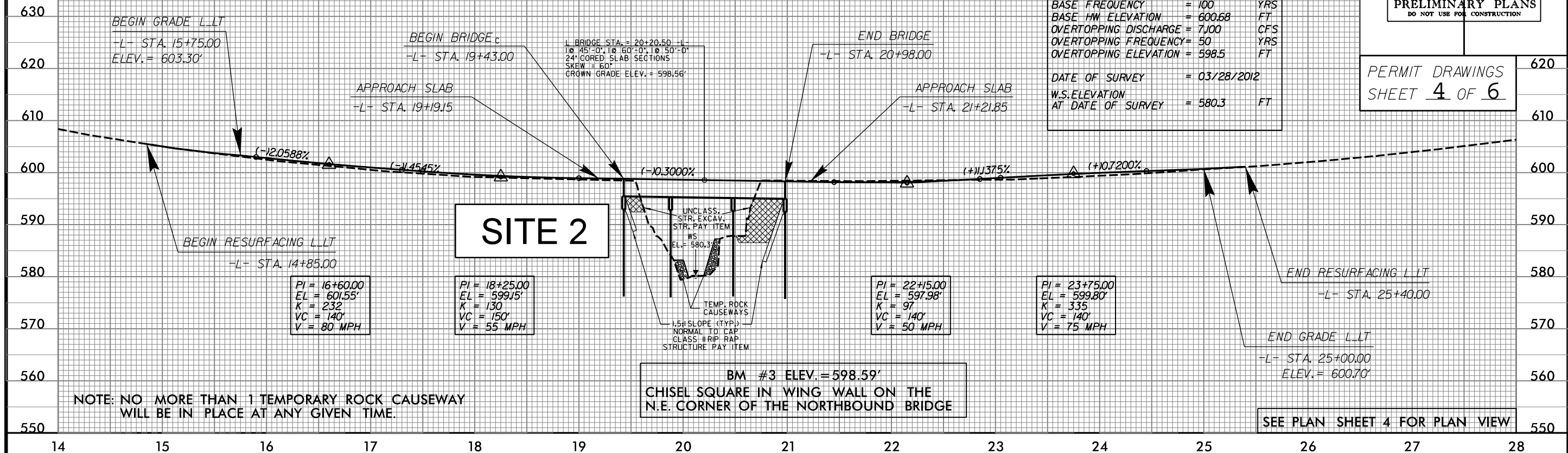
5/28/99

-L- (US 29 SB)

BM #2 ELEV.=592.71'
RR SPIKE IN 24" POPLAR TREE

BRIDGE HYDRAULIC DATA	
DESIGN DISCHARGE	= 8,857 CFS
DESIGN FREQUENCY	= 50 YRS
DESIGN HW ELEVATION	= 599.7 FT
BASE DISCHARGE	= 9,871 CFS
BASE FREQUENCY	= 100 YRS
BASE HW ELEVATION	= 600.68 FT
OVERTOPPING DISCHARGE	= 7,100 CFS
OVERTOPPING FREQUENCY	= 50 YRS
OVERTOPPING ELEVATION	= 598.5 FT
DATE OF SURVEY	= 03/28/2012
W.S.ELEVATION AT DATE OF SURVEY	= 580.3 FT

PROJECT REFERENCE NO. B-4779	SHEET NO. 6
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
INCOMPLETE PLANS DO NOT USE FOR ACQUISITION	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	
PERMIT DRAWINGS SHEET 4 OF 6	

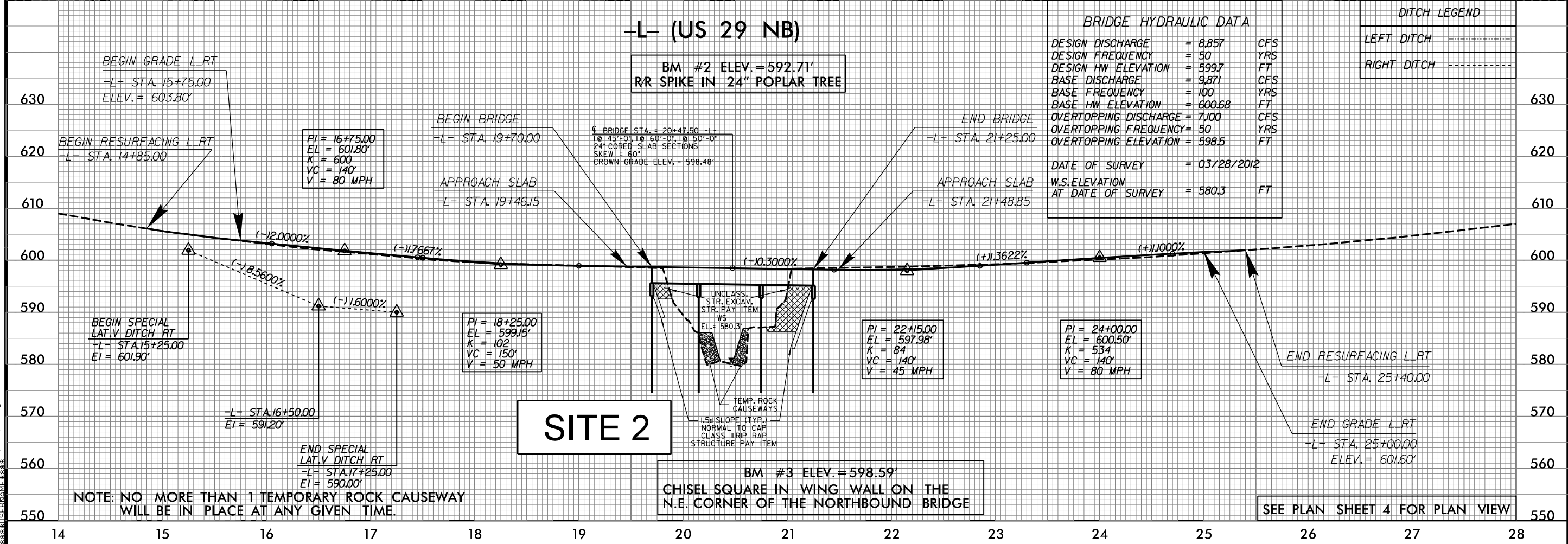


-L- (US 29 NB)

BM #2 ELEV.=592.71'
RR SPIKE IN 24" POPLAR TREE

BRIDGE HYDRAULIC DATA	
DESIGN DISCHARGE	= 8,857 CFS
DESIGN FREQUENCY	= 50 YRS
DESIGN HW ELEVATION	= 599.7 FT
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OVERTOPPING ELEVATION	= 598.5 FT
DATE OF SURVEY	= 03/28/2012
W.S.ELEVATION AT DATE OF SURVEY	= 580.3 FT

DITCH LEGEND	
LEFT DITCH	-----
RIGHT DITCH	-----

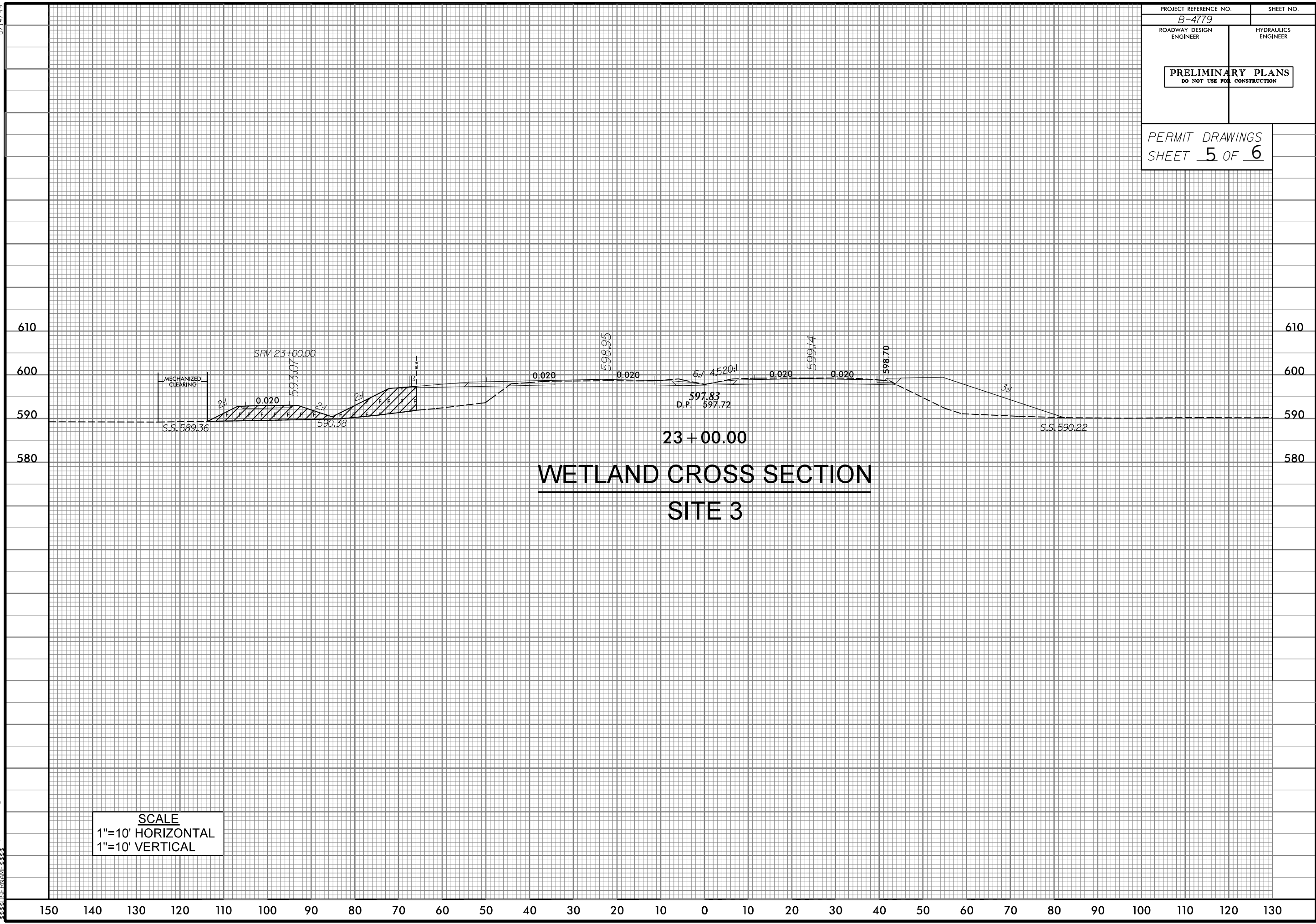


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5/14/99

PROJECT REFERENCE NO. <i>B-4779</i>	SHEET NO.
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWINGS
SHEET 5 OF 6



WETLAND CROSS SECTION
SITE 3

SCALE
1"=10' HORIZONTAL
1"=10' VERTICAL

10/17/20 AM AB-4779-prm-xsc.dgn

09/08/99

See Sheet 1-A For Index of Sheets
See Sheet 1-B For Conventional Symbols
See Sheet 1-C For Survey Control

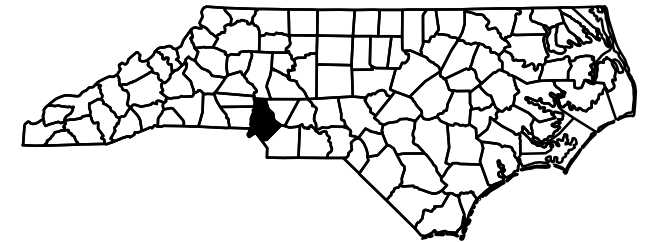
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

MECKLENBURG COUNTY

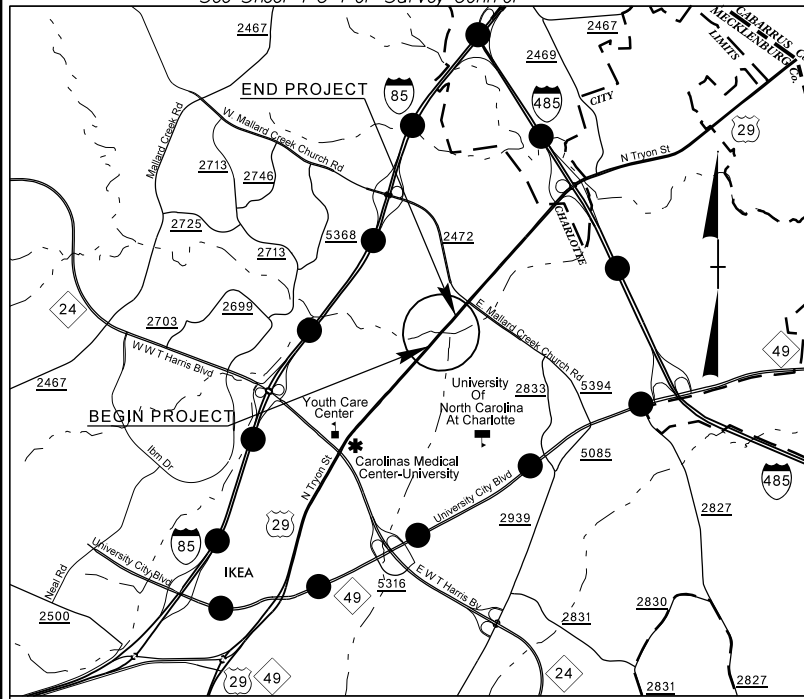
LOCATION: BRIDGE No. 147 (SBL) AND BRIDGE No. 140 (NBL) OVER
MALLARD CREEK ON US 29 (N. TRYON ST.)

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

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-4779	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
38550.1.1	BRSTP-29(39)	PE	
38550.2.1	BRSTP-29(39)	RW & UTIL	



TIP PROJECT: B-4779

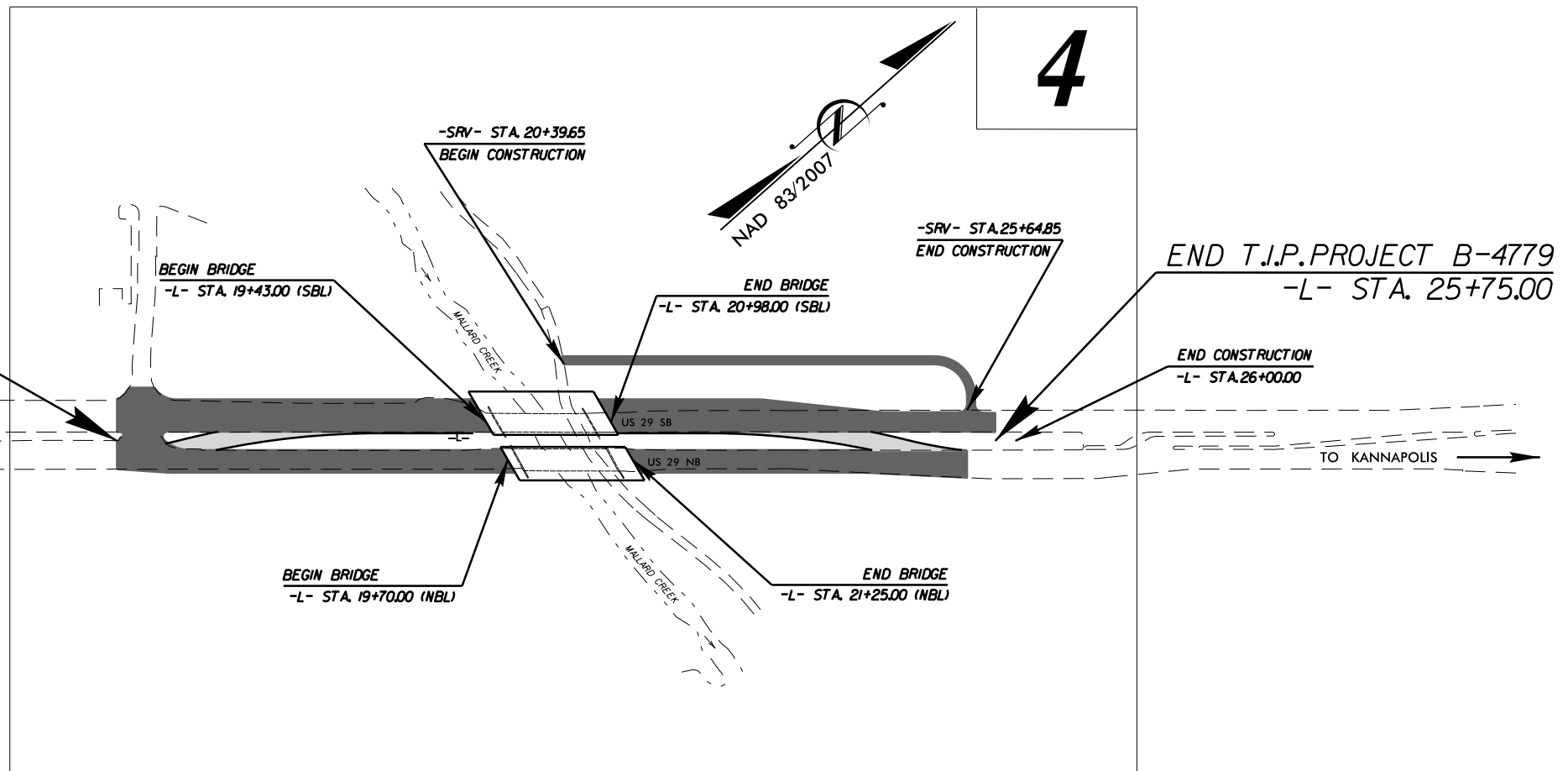


VICINITY MAP

● ● ● OFFSITE DETOUR (SBL)

BEGIN T.I.P. PROJECT B-4779
-L- STA. 14+85.00

← TO DOWNTOWN CHARLOTTE



END T.I.P. PROJECT B-4779
-L- STA. 25+75.00

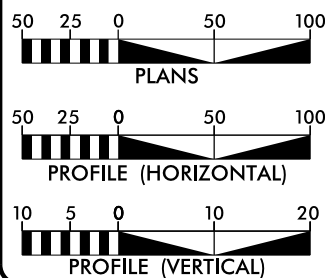
END CONSTRUCTION
-L- STA. 26+00.00

→ TO KANNAPOLIS

ON SITE DETOUR NECESSARY
THIS PROJECT IS WITHIN CHARLOTTE CITY LIMITS
CLEARING ON THIS PROJECT SHALL BE PREFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

GRAPHIC SCALES



DESIGN DATA

ADT 2008 = 35,200
ADT 2035 = 49,200
DHV = 10 %
D = 65 %
T = 4 % *
V = 50 MPH
* TTST 1% DUAL 3%
FUNC. CLASS=MAJ. ARTERIAL
STATEWIDE TIER

PROJECT LENGTH

LENGTH ROADWAY T.I.P. PROJECT B-4779 = 0.177 MI
LENGTH STRUCTURE T.I.P. PROJECT B-4779 = 0.029 MI
TOTAL LENGTH OF T.I.P. PROJECT B-4779 = 0.206 MI

Prepared in the Office of:
DIVISION OF HIGHWAYS
1000 Birch Ridge Dr., Raleigh NC, 27610

2012 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
NOVEMBER 19, 2012

LETTING DATE:
DECEMBER 17, 2013

JASON MOORE, PE
PROJECT ENGINEER

NYA K. BOAYUE, PE
PROJECT DESIGN ENGINEER

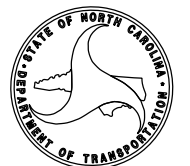
HYDRAULICS ENGINEER

SIGNATURE: _____ P.E.

ROADWAY DESIGN
ENGINEER

SIGNATURE: _____ P.E.

DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA



STATE HIGHWAY DESIGN ENGINEER

19-NOV-2012 10:56
R:\Roadway\Proj\B-4779_rdy_rsh.dgn
\$\$\$\$\$USERNAME\$\$\$\$\$

CONTRACT:

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

CONVENTIONAL PLAN SHEET SYMBOLS

Note: Not to Scale

*S.U.E. = *Subsurface Utility Engineering*

04/16/11

BOUNDARIES AND PROPERTY:

State Line	-----
County Line	-----
Township Line	-----
City Line	-----
Reservation Line	-----
Property Line	-----
Existing Iron Pin	○ EP
Property Corner	-----
Property Monument	□ ECU
Parcel/Sequence Number	②③
Existing Fence Line	-x-x-x-
Proposed Woven Wire Fence	○
Proposed Chain Link Fence	□
Proposed Barbed Wire Fence	◇
Existing Wetland Boundary	--- WLB
Proposed Wetland Boundary	WLB
Existing Endangered Animal Boundary	--- EAB
Existing Endangered Plant Boundary	--- EPB
Known Soil Contamination: Area or Site	☠ ☠
Potential Soil Contamination: Area or Site	☠ ☠

BUILDINGS AND OTHER CULTURE:

Gas Pump Vent or U/G Tank Cap	○
Sign	○ S
Well	○ W
Small Mine	✕
Foundation	□
Area Outline	□
Cemetery	□ †
Building	□
School	□
Church	□
Dam	□

HYDROLOGY:

Stream or Body of Water	-----
Hydro, Pool or Reservoir	□
Jurisdictional Stream	--- JS
Buffer Zone 1	--- BZ 1
Buffer Zone 2	--- BZ 2
Flow Arrow	←
Disappearing Stream	→
Spring	○
Wetland	✕
Proposed Lateral, Tail, Head Ditch	-----
False Sump	▽

RAILROADS:

Standard Gauge	-----
RR Signal Milepost	○ MILEPOST 35
Switch	□ SWITCH
RR Abandoned	-----
RR Dismantled	-----

RIGHT OF WAY:

Baseline Control Point	◆
Existing Right of Way Marker	△
Existing Right of Way Line	-----
Proposed Right of Way Line	-----
Proposed Right of Way Line with Iron Pin and Cap Marker	-----
Proposed Right of Way Line with Concrete or Granite RW Marker	-----
Proposed Control of Access Line with Concrete C/A Marker	-----
Existing Control of Access	-----
Proposed Control of Access	-----
Existing Easement Line	--- E
Proposed Temporary Construction Easement	--- E
Proposed Temporary Drainage Easement	--- TDE
Proposed Permanent Drainage Easement	--- PDE
Proposed Permanent Drainage / Utility Easement	--- DUE
Proposed Permanent Utility Easement	--- PUE
Proposed Temporary Utility Easement	--- TUE
Proposed Aerial Utility Easement	--- AUE
Proposed Permanent Easement with Iron Pin and Cap Marker	-----

ROADS AND RELATED FEATURES:

Existing Edge of Pavement	-----
Existing Curb	-----
Proposed Slope Stakes Cut	--- C
Proposed Slope Stakes Fill	--- F
Proposed Curb Ramp	○ CR
Existing Metal Guardrail	-----
Proposed Guardrail	-----
Existing Cable Guiderail	-----
Proposed Cable Guiderail	-----
Equality Symbol	⊕
Pavement Removal	⊗
VEGETATION:	
Single Tree	✿
Single Shrub	✿
Hedge	-----
Woods Line	-----

Orchard	-----
Vineyard	-----

EXISTING STRUCTURES:

MAJOR:	
Bridge, Tunnel or Box Culvert	-----
Bridge Wing Wall, Head Wall and End Wall	--- CONC WW ---
MINOR:	
Head and End Wall	--- CONC HW ---
Pipe Culvert	-----
Footbridge	-----
Drainage Box: Catch Basin, DI or JB	□ CB
Paved Ditch Gutter	-----
Storm Sewer Manhole	⊕
Storm Sewer	-----

UTILITIES:

POWER:	
Existing Power Pole	●
Proposed Power Pole	○
Existing Joint Use Pole	●
Proposed Joint Use Pole	○
Power Manhole	⊕
Power Line Tower	⊗
Power Transformer	⊗
U/G Power Cable Hand Hole	□
H-Frame Pole	●
Recorded U/G Power Line	-----
Designated U/G Power Line (S.U.E.*)	-----

TELEPHONE:

Existing Telephone Pole	●
Proposed Telephone Pole	○
Telephone Manhole	⊕
Telephone Booth	□
Telephone Pedestal	□
Telephone Cell Tower	⊕
U/G Telephone Cable Hand Hole	□
Recorded U/G Telephone Cable	-----
Designated U/G Telephone Cable (S.U.E.*)	-----
Recorded U/G Telephone Conduit	-----
Designated U/G Telephone Conduit (S.U.E.*)	-----
Recorded U/G Fiber Optics Cable	-----
Designated U/G Fiber Optics Cable (S.U.E.*)	-----

WATER:

Water Manhole	⊕
Water Meter	○
Water Valve	⊗
Water Hydrant	⊕
Recorded U/G Water Line	-----
Designated U/G Water Line (S.U.E.*)	-----
Above Ground Water Line	-----

TV:

TV Satellite Dish	⊕
TV Pedestal	□
TV Tower	⊗
U/G TV Cable Hand Hole	□
Recorded U/G TV Cable	-----
Designated U/G TV Cable (S.U.E.*)	-----
Recorded U/G Fiber Optic Cable	-----
Designated U/G Fiber Optic Cable (S.U.E.*)	-----

GAS:

Gas Valve	◇
Gas Meter	⊕
Recorded U/G Gas Line	-----
Designated U/G Gas Line (S.U.E.*)	-----
Above Ground Gas Line	-----

SANITARY SEWER:

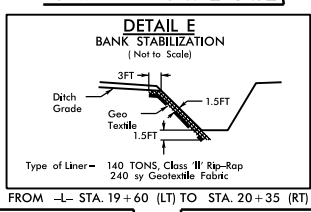
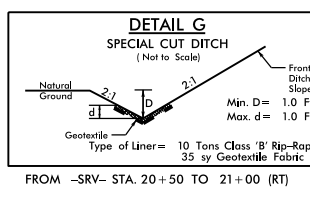
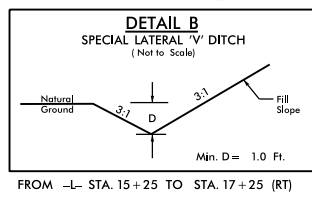
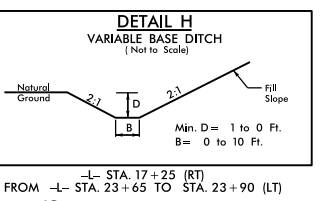
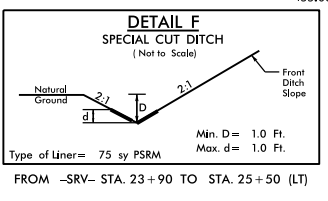
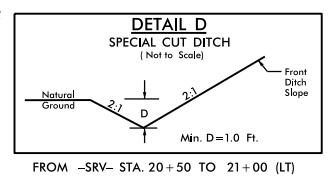
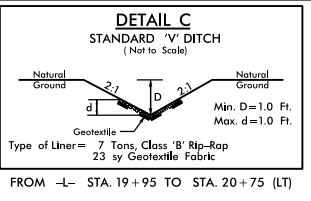
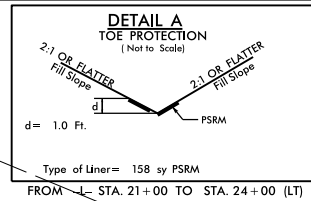
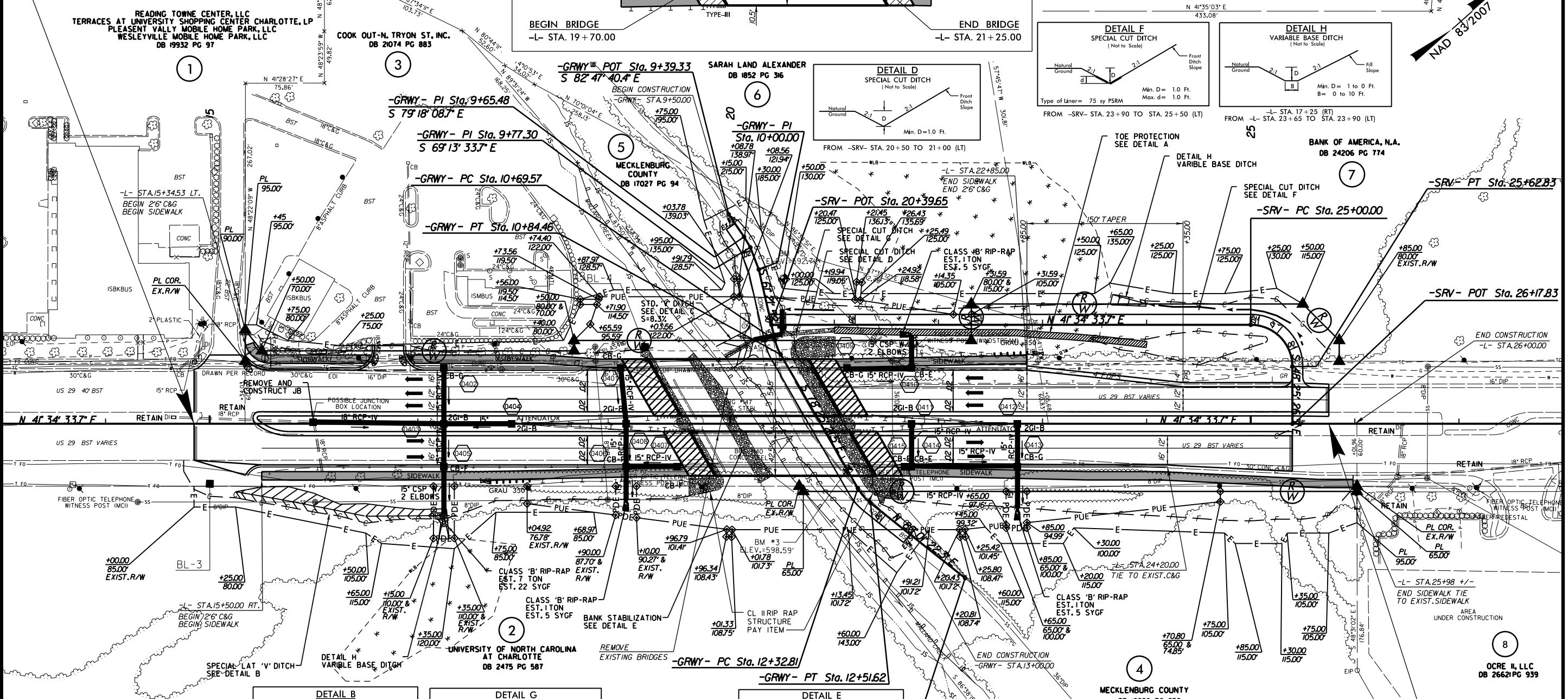
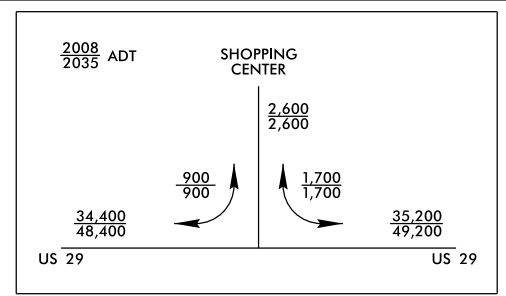
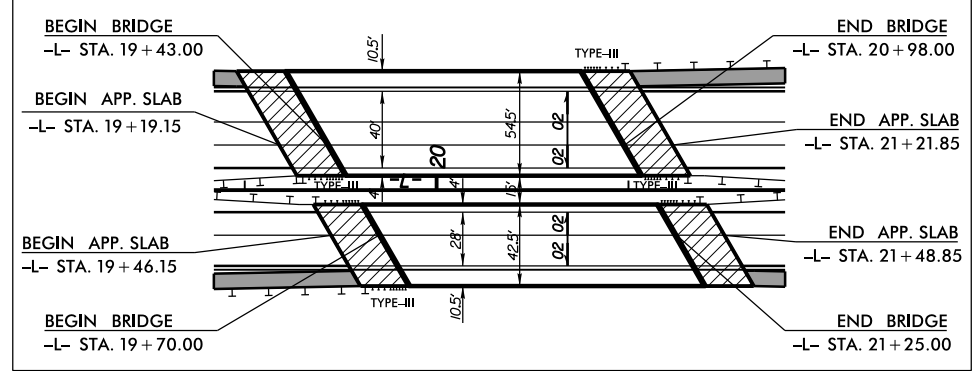
Sanitary Sewer Manhole	⊕
Sanitary Sewer Cleanout	⊕
U/G Sanitary Sewer Line	-----
Above Ground Sanitary Sewer	-----
Recorded SS Forced Main Line	-----
Designated SS Forced Main Line (S.U.E.*)	-----

MISCELLANEOUS:

Utility Pole	●
Utility Pole with Base	□
Utility Located Object	○
Utility Traffic Signal Box	⊕
Utility Unknown U/G Line	-----
U/G Tank; Water, Gas, Oil	□
Underground Storage Tank, Approx. Loc.	⊕
A/G Tank; Water, Gas, Oil	□
Geoenvironmental Boring	⊕
U/G Test Hole (S.U.E.*)	⊕
Abandoned According to Utility Records	AATUR
End of Information	E.O.I.

BEGIN T.I.P. PROJECT B-4779
-L- POT STA. 14+85.00

SKETCH SHOWING BRIDGEROADWAY RELATIONSHIP



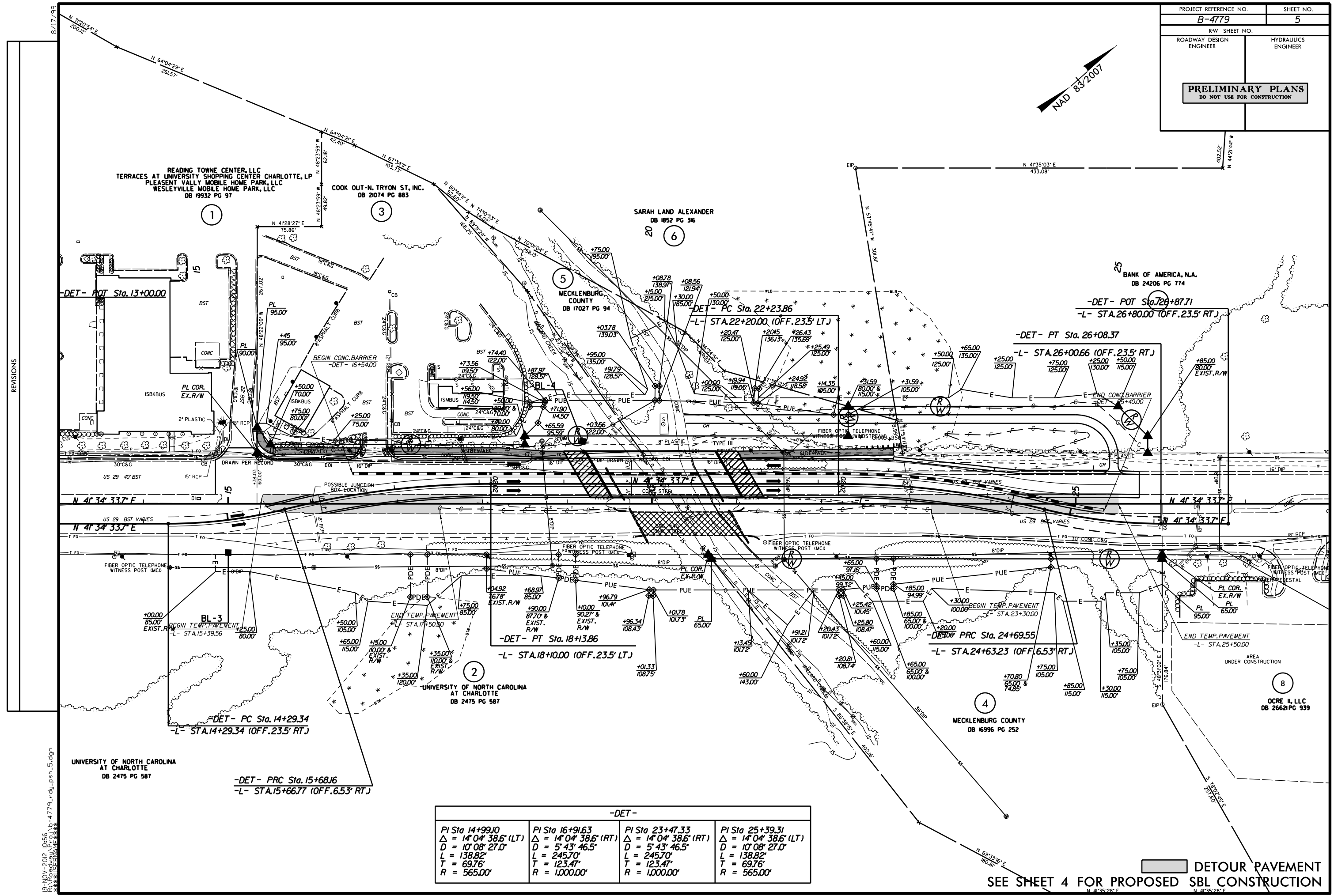
-SRV-
PI Sta 25+40.00
$\Delta = 90^{\circ} 00' 00.0''$ (RT)
D = 143' 14' 22.0"
L = 62.83'
T = 40.00'
R = 40.00'

-GRWY-	
PI Sta 10+77.07	PI Sta 12+42.33
$\Delta = 17^{\circ} 03' 29.4''$ (LT)	$\Delta = 21^{\circ} 33' 16.1''$ (LT)
D = 114' 35' 29.6"	D = 114' 35' 29.6"
L = 14.89'	L = 18.81'
T = 7.50'	T = 9.52'
R = 50.00'	R = 50.00'

END T.I.P. PROJECT B-4779
-L- POT STA. 25+75.00

SEE SHEET 6 FOR -L- PROFILE
 SEE SHEET 7 FOR -SRV- PROFILE
 SEE SHEET 7 FOR -GRWY- PROFILE

19-NOV-2012 10:56 R:\Roadway\Projects\B-4779_rdy_psh_4.dgn



REVISIONS

8/17/99
19-NOV-2012 10:56
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R:\Roadway\Projects\B-4779_rdy_psh_5.dgn

-DET-			
PI Sta 14+99.10 Δ = 14° 04' 38.6" (LT) D = 10' 08" 27.0" L = 138.82' T = 69.76' R = 565.00'	PI Sta 16+91.63 Δ = 14° 04' 38.6" (RT) D = 5' 43" 46.5" L = 245.70' T = 123.47' R = 1,000.00'	PI Sta 23+47.33 Δ = 14° 04' 38.6" (RT) D = 5' 43" 46.5" L = 245.70' T = 123.47' R = 1,000.00'	PI Sta 25+39.31 Δ = 14° 04' 38.6" (LT) D = 10' 08" 27.0" L = 138.82' T = 69.76' R = 565.00'

DETOUR PAVEMENT
 SEE SHEET 4 FOR PROPOSED SBL CONSTRUCTION