

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY GOVERNOR

NICHOLAS J. TENNYSON SECRETARY

September 14, 2015

Wilmington Regulatory Field Office US Army Corp. of Engineers 69 Darlington Avenue Wilmington, NC 28403

ATTN: Mr. Brad Shaver

NCDOT Coordinator

SUBJECT: **Application for Section 10 and Section 404 Nationwide Permit 6** for Field

> Investigations for a Proposed Replacement of Bridge No. 16 over the Intracoastal Waterway on NC 210/50, TIP B-4929, in Pender County, BRSTP-50(10), WBS No.

40233.1.1

Dear Sir,

The NCDOT is planning a limited subsurface investigation to gather information for the foundation design of the above-referenced structure. The investigation will take place along the preferred alternative alignment (see attached).

A private engineering firm has been selected to conduct the investigation with up to 58 Standard Penetration Test (SPT) borings. The majority of the borings will be located in the Intracoastal Waterway and surrounding wetlands. These 58 borings will be performed in the approximate locations shown on the attached site map.

The borings in the Intracoastal Waterway will be advanced from a floating barge, and will consist of turning or driving 3-inch to 8-inch diameter steel casings into the bottom creating minimal disturbance. Other drilling tools will be used to sample the sediments and advance the hole within the steel casing. The steel casing will be removed upon completion of the boring.

Any borings drilled on land or wetlands will be performed with a rubber tired drill rig or low ground pressure tracked drill rig. These borings will also be 3-inch to 8-inch in diameter. Any disturbance from the borings should be limited to within a 2-foot radius of the boring location.

All borings will be drilled between the dates of October 1, 2015 and January 30, 2016.

LOCATION:

Regulatory Approvals:

We are hereby requesting a Nationwide Permit No. 6 for the above mentioned activities.

If you have any questions or would like additional information, please contact Tyler Stanton at tstanton@ncdot.gov or (919) 707-6156. A copy of this request will be posted at: https://connect.ncdot.gov/resources/Environmental/Pages

Sincerely,

Richard W. Hancock, P.E., Manager

Project Development and Environmental Analysis Unit

cc:

Muhammad A. Mulla, PE, CPM, NCDOT-Geotechnical Engineering Unit Stephen Lane, NCDCM-Morehead City Mason Herndon, NCDWR-Wilmington





Office Use Only:
Corps action ID no
DWQ project no
Form Version 1.4 January 2009

	Pre-Construction Notification (PCN) Form					
A.	Applicant Information			•		
1.	Processing					
1a.	1a. Type(s) of approval sought from the Corps: ☐ Section 404 Permit ☐ Section 10 Permit					
1b.	Specify Nationwide Permit (NWP) number: 6	or General Permit (GP) num	nber:		
1c.	Has the NWP or GP number bee	n verified b	y the Corps?	Yes	⊠ No	
1d.	Type(s) of approval sought from	the DWQ (d	check all that apply):			
	☐ 401 Water Quality Certificatio	n – Regula	r Non-404 Jurisdictions	al General Permi	it	
	☐ 401 Water Quality Certificatio	n – Expres	s Riparian Buffer Autho	orization		
1e.	Is this notification solely for the rebecause written approval is not re	For the record only for DWQ 401 Certification: ☑ Yes ☐ No	For the record	only for Corps Permit: ☑ No		
1f.	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. ☐ Yes ☐ No					
1g.	Is the project located in any of Nobelow.	coastal counties. If yes, answer 1h	⊠ Yes	□ No		
1h.	Is the project located within a NC	DCM Area	of Environmental Concern (AEC)?	⊠ Yes	☐ No	
2.	Project Information					
2a.	Name of project:	B-4929 - 0	Geotechnical Investigations			
2b.	County:	Pender				
2c.	Nearest municipality / town:	Surf City				
2d.	Subdivision name:	n/a				
2e.	NCDOT only, T.I.P. or state project no:	B-4929				
3.	Owner Information					
3а.	Name(s) on Recorded Deed:	North Car	olina Department of Transportation			
3b.	Deed Book and Page No.					
3c.	Responsible Party (for LLC if applicable):					
3d.	Street address:	1598 Mail	Service Center			
3e.	City, state, zip:	Raleigh, N	NC 27699-1598			
3f.	Telephone no.:	919-707-6	6156			
3g.	Fax no.:	919-212-5	5785			
3h.	Email address:	tstanton@	ncdot.gov			

4.	Applicant Information (if different from owner)					
4a.	Applicant is:	☐ Agent ☐ Other, specify:				
4b.	Name:					
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	ı (if applicable)				
5a.	Name:					
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):							
1b.	Site coordinates (in decimal degrees):	Latitude: 34.4 (DD.DDD		Longitude: - 77.5510 (-DD.DDDDDD)				
1c.	Property size:	Approximately	/ 30 acres					
2.	Surface Waters							
2a.	Name of nearest body of water (stream, river, etc.) to proposed project:	Intracoastal W	/aterway					
2b.	Water Quality Classification of nearest receiving water:	SA HQW						
2c.	River basin:	Cape Fear						
3.	Project Description							
3a.	Describe the existing conditions on the site and the general lar application: Land use is generally retail/commercial development near Brid development in the vicinity.							
3b.	List the total estimated acreage of all existing wetlands on the	property:						
_	Approximately 101 acre							
3c.	List the total estimated linear feet of all existing streams (interm 1500'	nittent and perer	nnial) on the pr	operty:				
3d.	Explain the purpose of the proposed project: To perform subsurface investigations to determine for foundati	on design for th	e ahove menti	oned project				
36	Describe the overall project in detail, including the type of equi			onea project.				
00.	Equipment to be used will include floating barge, rubber tired of	•		e tracked rigs.				
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:	⊠ Yes	□ No	Unknown				
4b.	If the Corps made the jurisdictional determination, what type of determination was made?	⊠ Preliminar	y 🗌 Final					
4c.	If yes, who delineated the jurisdictional areas? Name (if known): NCDOT	Agency/Cons Other:	ultant Company	y:				
4d.	If yes, list the dates of the Corps jurisdictional determinations of June 20, 2011, Action ID SAW-2007-3646	or State determi	nations and att	ach 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				
	If yes, explain in detail according to "help file" instructions. ase see attached cover letter.							
6.	Future Project Plans							
6a.	Is this a phased project?	☐ Yes	⊠ No					
6b.	If yes, explain.							

C. Proposed Ir	C. Proposed Impacts Inventory							
1. Impacts Summa	ary							
1a. Which sections □ Wetlands Open Waters	-							
Wetland Impacts If there are wetland in		the site, then comple	te this guestion	for each wetland area in	mpacte	ed.		
2a.	2b.	2c.	2d.	2e.	npaore	2f.		
Wetland impact number – Permanent (P) or Temporary (T)	Type of impact	Type of wetland (if known)	Forested	Type of jurisdictio (Corps - 404, 10 DWQ – non-404, oth		Area	a of impact (acres)	
W1 □P⊠T	8" maximum borings x 36 borings	coastal marsh	☐ Yes ☑ No	⊠ Corps □ DWQ			< 0.01	
W2 □ P ⊠ T	8" maximum borings x 2 borings	riparian	⊠ Yes □ No	⊠ Corps □ DWQ			< 0.01	
W3 □ P □ T			☐ Yes ☐ No	☐ Corps ☐ DWQ				
W4 □ P □ T			☐ Yes ☐ No	☐ Corps ☐ DWQ				
W5 □ P □ T			☐ Yes ☐ No	☐ Corps ☐ DWQ				
W6 □ P □ T			☐ Yes ☐ No	☐ Corps ☐ DWQ				
2g. Total wetland in	npacts						< 0.01 emporary)	
2h. Comments: Actu	ual amount per boring	g is 50.27 square inch	es.					
3. Stream Impacts If there are perennia question for all strea	l or intermittent strea	m impacts (including	temporary impa	cts) proposed on the sit	e, then	comp	lete this	
3a.	3b.	3c.	3d.	3e.	3f.		3g.	
Stream impact number - Permanent (P) or Temporary (T)	Type of impact	Stream name	Perennial (PER) or intermittent (INT)?	Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	wic	rage eam dth et)	Impact length (linear feet)	
S1 🗆 P 🗆 T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
S2 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
S3 🗆 P 🗆 T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
S4 □ P □ T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
S5 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
S6 □ P □ T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
3h. Total stream and	d tributary impacts							
3i. Comments:								

-	Water Ir	-	to lakes no	nds e	estuari	es tributa	ries, sounds, th	ne Atlantic C	ocean or a	ny other open	water of
			all open wate				rico, courido, ti	io / tilantio C	oouii, oi u	my outlot open	water or
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)					
	y ⊠ T		tal Coastal erway	8" m	naximu	ım borings	x 18 borings	Open \	Nater	< 0.01	
02 🗌 F) <u>П</u> Т		•								
O3 🗌 F	, <u>П</u> Т										
04 🗌 F	р <u>П</u> Т										
4f. Total o	4f. Total open water impacts < 0.01 (temporary)										
4g. Comm	4g. Comments: Actual amount per boring is 50.27 square inches.										
5. Pond	or Lake	Construct	ion								
			oposed, the	n con	nolete	the chart b	nelow.				
5a.	5b.	<u></u>	<u> </u>	5c.	1			5d.			5e.
Pond ID	Propo	pposed use or purpose of pond			Wetla	nd Impact	s (acres)	Stre	am Impact	s (feet)	Upland (acres)
number				Flooded Filled		Excavated	Flooded	Filled	Excavated	Flooded	
P1											
P2											
5f. Total											
5g. Comm	ents:										
5h. Is a da	ım high h	azard perr	nit required?)	☐ Y	es	☐ No If	yes, permit	ID no:		
5i. Exped	ted pond	d surface a	rea (acres):								
5j. Size o	f pond w	atershed (a	acres):								
5k. Metho	d of cons	struction:									
6. Buffer I	mpacts	(for DWQ)	ı								
If project v	vill impac	t a protecte	ed riparian b				ne chart below. I out Section D			ly list all buffer	impacts
6a.							☐ Neuse	☐ Tar-F	Pamlico	Other:	
Project is i	n which	protected b	pasin?				Catawba	Ranc	lleman		
6b. Buffer in	npact	6c.	6d.				6e.	6f.		6g.	
number – Rea		Reason	0.				Buffer		1 impact Zone 2 im		
Permanent (P) or Temporary (T)		for impact) St	ream	name		mitigation required?	(square	e reet)	(square	e reet)
	·	•					☐ Yes ☐ No				
B2 □ P	Т						☐ Yes ☐ No				
B3 □ P	B3 □ P □ T □ Yes □ No										
	6h. Total buffer impacts										
6i. Comments:											

D. Impact Justification and Mitig	D. Impact Justification and Mitigation						
1. Avoidance and Minimization							
1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing project. Any borings drilled on land, wetland, or in shallow water in the sound will be performed with a rubber tired drill rig or low ground pressure tracked drill rig respectively. All borings will be 3-inch to 8-inch in diameter. Borings were originally located in wetlands, but accommodations were made to shift borings outside of wetlands. 1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. NCDOT will implement "Guidelines for Avoiding Impacts to the West Indian Manatee, Precautionary Measures for Construction Activities in North Carolina Waters," during work for this project.							
	a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State? ☐ Yes ☐ No						
2b. If yes, mitigation is required	by (check all that apply):	☐ DWQ ☐ Co	rps				
c. If yes, which mitigation option will be used for this project? Mitigation bank Payment to in-lieu fee program Permittee Responsible Mitigation							
3. Complete if Using a Mitigation	on Bank						
3a. Name of Mitigation Bank:							
3b. Credits Purchased (attach rece	ipt and letter)	Туре	Quantity				
3c. Comments:							
4. Complete if Making a Payme	nt to In-lieu Fee Program						
4a. Approval letter from in-lieu fee p	program is attached.	Yes					
4b. Stream mitigation requested:		linear feet					
4c. If using stream mitigation, strea	ım temperature:	☐ warm ☐ co	ol				
4d. Buffer mitigation requested (DV	VQ only):	square feet					
4e. Riparian wetland mitigation req	uested:	acres					
4f. Non-riparian wetland mitigation	requested:	acres					
4g. Coastal (tidal) wetland mitigation	on requested:	acres					
4h. Comments:							
5. Complete if Using a Permitte	e Responsible Mitigation F	Plan					
5a. If using a permittee responsible	e mitigation plan, provide a d	lescription of the propo	osed mitigation plan.				

6. Buffer I	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 U Yes No buffer mitigation?							
•	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 i	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. Commer	nts:							

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?	Yes	⊠ No			
1b.	If yes, then is a diffuse flow plan included? If no, explain why. Comments: Temporary subsurface activity only.	☐ Yes	⊠ 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?	☐ Yes	⊠ No			
2c.	If this project DOES NOT require a Stormwater Management Plan, explain why: subs	urface exploratio	n only			
2d.	2d. If this project DOES require a Stormwater Management Plan, then provide a brief, narrative description of the plan: n/a					
2e.	Who will be responsible for the review of the Stormwater Management Plan?	_	cal Government water Program nit			
3.	Certified Local Government Stormwater Review					
3a.	In which local government's jurisdiction is this project?	n/a				
3b.	Which of the following locally-implemented stormwater management programs apply (check all that apply):	Phase II NSW USMP Water Supp Other:	y Watershed			
3c.	Has the approved Stormwater Management Plan with proof of approval been attached?	Yes	□No			
4.	DWQ Stormwater Program Review					
4a.	Which of the following state-implemented stormwater management programs apply (check all that apply):	Coastal could HQW ORW Session La	unties w 2006-246			
4b.	Has the approved Stormwater Management Plan with proof of approval been attached?	☐ Yes	□ No n/a			
5.	DWQ 401 Unit Stormwater Review					
5a.	Does the Stormwater Management Plan meet the appropriate requirements?	☐ Yes	□No			
5b.	Have all of the 401 Unit submittal requirements been met?	☐ Yes	□No			

F.	Supplementary Information				
1.	Environmental Documentation (DWQ Requirement)				
1a.	Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land?	⊠ 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: NEPA EA/FONSI for TIP B-4929				
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	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?	Yes	⊠ No		
3b.	Bb. 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.				
	This is a temporary subsurface geotechnical and design investigation. Cumulative effects of the overall project (B-4929) were thoroughly addressed in the EA/FONSI				
4.	Sewage Disposal (DWQ Requirement)				
4a.	Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge the proposed project, or available capacity of the subject facility.	arge) of wastewat	er generated from		
	Not applicable.				

5.	Endangered Species and Designate	d Critical Habitat (Corps Requirement	t)	Surface conclusion (Supplemental)			
5a.	Will this project occur in or near an are habitat?	a with federally protected species or	⊠ Yes	□No			
5b.	Have you checked with the USFWS compacts?	⊠ Yes	□ No				
5c.	5c. If yes, indicate the USFWS Field Office you have contacted. ☐ Raleigh ☐ Asheville						
5d.	What data sources did you use to dete Habitat?	ermine whether your site would impact E	ndangered Species or	Designated Critical			
	USFWS website and agency consultat	ion; EA/FONSI					
doi inc turi	Pursuant to communication with Eric Hawk from NOAA Fisheries from the previous NW 6 verification for this project, "I don't foresee any route of potential adverse effects from the driving of approximately twenty small-diameter (3-inch to 8-inch) steel casings into Pamlico Sound during the February 1-July 31 sturgeon moratorium. The noise disturbance and turbidity effects should be very minimal and the possibility of driving a casing onto a mobile listed species is implausible." Due to the above statement, no moratorium is anticipated for this project.						
6.	6. Essential Fish Habitat (Corps Requirement)						
6a.	Will this project occur in or near an are	a designated as essential fish habitat?	⊠ Yes	□No			
6b.	What data sources did you use to dete	ermine whether your site would impact E	ssential Fish Habitat?				
7.	Historic or Prehistoric Cultural Reso	ources (Corps Requirement)					
7a.	Will this project occur in or near an are governments have designated as havi status (e.g., National Historic Trust des North Carolina history and archaeolog	ng historic or cultural preservation signation or properties significant in	☐ Yes	⊠ No			
7b.	7b. What data sources did you use to determine whether your site would impact historic or archeological resources? NEPA documentation; EA/FONSI						
8. F	Flood Zone Designation (Corps Requ	irement)					
8a.	Will this project occur in a FEMA-desig	nated 100-year floodplain?	⊠ Yes	□ No			
8b.	8b. If yes, explain how project meets FEMA requirements: This temporary activity will not result in changes in permanent flood elevations.						
8c.	What source(s) did you use to make th	e floodplain determination? approved NI	EPA documents				
J.	Richard W. Hancock, P.E. Applicant/Agent's Printed Name	Applicant/Agent's Sig (Agent's signature is valid only if an authoriza is provided.)	gnature tion letter from the applicar	9-14- 2 015 Date			



