

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

August 6, 2013

U.S. Army Corps of Engineers
69 Darlington Avenue
Wilmington, NC 28403

ATTN: Ms. Sarah Elizabeth Hair
NCDOT Coordinator

Subject: **Modification Request for Individual Section 404 Permit and Section 401 Certification for Section R-2707B** of the US 74 Shelby Bypass in Cleveland County. Federal Aid Project No. NHF-74(14), State Project No. 8.1801001, WBS Number 34497.1.2, Division 12, TIP R-2707. Debit \$570 from WBS Number 34497.1.2

Reference:

- Application for Individual Section 404 and 401 permits for TIP R-2707 A-E submitted July 9, 2012
- Individual 401 Water Quality Certification NCDWQ Project No. 20120673 ver. 1., issued September 18, 2012.
- Individual Section 404 Permit SAW 2009 -01449 issued April 12, 2013.

Dear Madam:

This letter addresses modifications to Section R-2707B of the proposed US 74 Shelby Bypass that extends from west of SR 1314 (Artee Road) to west of NC 226 in Cleveland County. The North Carolina Department of Transportation (NCDOT) requests approval for revisions to the above referenced permits. NCDOT proposes to extend a culvert to construct a driveway to provide a landowner access to property that was proposed to be cut off in the original permit application (R-2707B Permit Site 1). When the project was originally sent out for Right of Way acquisition, NCDOT believed the north side of Artee Road at Permit Site 1 was owned by one property owner. During the acquisition process, it was discovered that there were three parcels with three property owners and one (Parcel 30) would be cut off by the proposed dead ending of Artee Road to the west of Permit Site 1. In order to provide access to parcel 30, NCDOT had to maintain more of the existing Artee Road alignment and extend the culvert at Permit Site 1 to provide the driveway connection.

The original impacts for R-2707B Permit Site 1 from the July 9, 2012 permit application were 397 linear feet of permanent impacts to surface waters with 11 linear feet of bank stabilization. This modification changes the impacts at R-2707B Permit Site 1 to 388 linear feet of permanent impacts to surface waters with 80 linear feet of bank stabilization. The permanent impacts to surface water are roughly the same because the culvert extension is an area that was already being impacted by the relocation of the stream (UT to Beaverdam Creek) into a new channel upstream of the originally proposed culvert. The bank stabilization has increased to transition the angle of the stream alignment into the floodplain bench on the right barrel of the culvert inlet. The

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RALEIGH NC 27699-1598

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FAX: 919-212-5785

WEBSITE: NCDOT.GOV

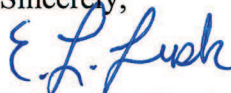
LOCATION:
CENTURY CENTER, BUILDING B
1020 BIRCH RIDGE DRIVE
RALEIGH NC 27610

additional **60** linear feet of bank stabilization will not need mitigation as it is covered in the 3,535 feet of mitigation secured at a 2:1 rate for the Army Corps of Engineers from the NCEEP on July 3, 2013. The revised total stream impacts for R-2707B are 3,680 linear feet. Wetland impacts on this section will not change.

Application is hereby made for a USACE Individual 404 Permit as required for the above-described activities. Application is hereby made for a Section 401 Water Quality Certification from the N.C. Division of Water Quality. In compliance with Section 143-215.3DC of the NCAC we have provided a method of debiting \$570, as noted in the subject line of this application, as payment for processing the Section 401 Water Quality Certification application. We are providing five copies of this application to DWQ, for their use.

A copy of this permit application will be posted to the DOT website at: <http://www.ncdot.org/doh/preconstruct/pe/neu/permit.html>. If you have any questions or need additional information, please contact Jeff Hemphill at jhemphill@ncdot.gov or (919) 707-6126.

Sincerely,



for

Deborah M. Barbour, PE.
Director of Preconstruction

Cc: NCDOT Permit Application Standard Distribution

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS							SURFACE WATER IMPACTS						
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)				
1	-L- 220+98 - 223+67	2@10'X10' RCBC Bank Stabilization						0.10	<0.01	388	20					
2	-L- 255+64 - 255+79	Roadway Fill 66" RCP						0.02		80						
3	-L- 265+48 - 266+92	Bank Stabilization 60" RCP						<0.01	<0.01	386	18					
4	-L- 278+37 - 280+52	Bank Stabilization 66" RCP / 54" RCP						0.04	<0.01	330	20					
5	-L- 292+39 - 294+80	Bank Stabilization 54" RCP						<0.01	<0.01	585	31					
6	-L- 306+98 - 307+84	Bank Stabilization Roadway Fill	<0.01					0.02	<0.01	245	21					
7	-L- 325+19 - 333+18	Bank Stabilization Bridge	3.29					<0.01	<0.01	5	10					
8	-L- 340+33 - 341+49	66" RCP Bank Stabilization	0.05					<0.01	<0.01	17	23					
9	-L- 347+38 - 350+10							0.05	<0.01	568						
10	REMOVED							<0.01		11						
11	-RPD1- 8+52		0.01					0.05	<0.01	440	10					
12	-Y17- 17+57 - 19+72	Roadway Fill	0.01					0.03	<0.01	547	61					
TOTALS:			3.37					0.25		3680	214					

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

CLEVELAND COUNTY
(R-2707B)

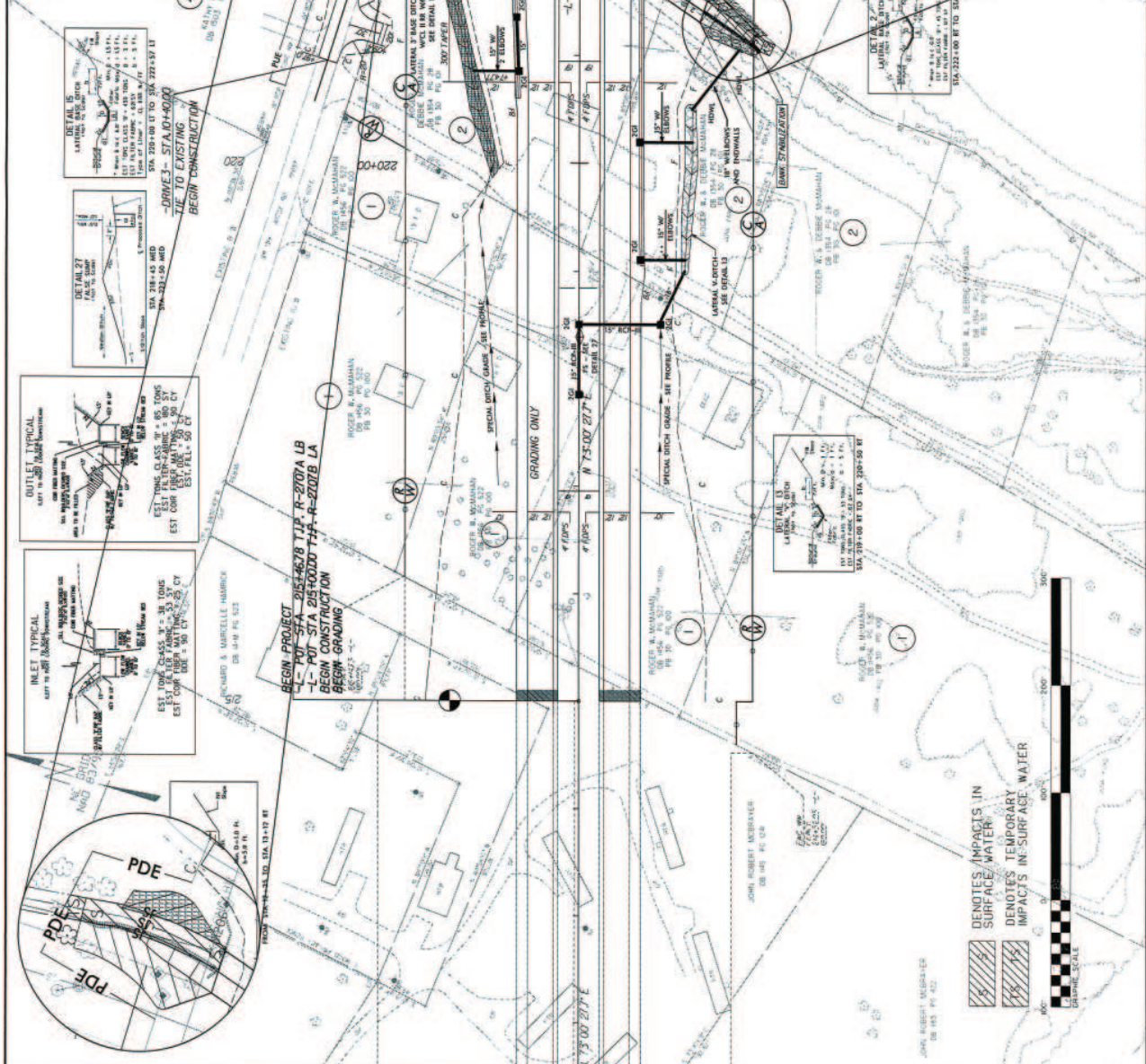
SHEET

Replaces Permit Drawing Sheet 2 of 30
Revised June 27, 2013

ATN Revised 3/31/05

HNTB
 HINES NORTH CAROLINA, P.C.
 1111 WEST 10TH STREET, SUITE 200
 RALEIGH, NORTH CAROLINA 27609
 PROJECT NUMBER: 11-2707B
 SHEET NO. 4
 ROADWAY DESIGN ENGINEER
 HYDRAULICS ENGINEER
 PRELIMINARY PLANS
 FOR THE PROJECT

REPLACES PERMIT DRAWING SHEET 4 OF 30
 REVISED JUNE 27, 2013
 -DRIVE 3 - STA 13+75.0
 NOTE: TIE TO EXISTING
 FOR -END POINT FROM SHEET NO. 16



LEGEND

- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER

SCALE
 1" = 40'

NOTES

1. BEGIN CONSTRUCTION 215+46.78 TYP. R-2707A LB
 2. END CONSTRUCTION 215+40.00 TYP. R-2707B LA
 3. BEGIN CONSTRUCTION 215+40.00 TYP. R-2707B LA
 4. END CONSTRUCTION 215+46.78 TYP. R-2707A LB

5. EST. CONSTRUCTION QUANTITY: 35 CY
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HNTB
 HNTB NORTH CAROLINA, P.C.
 1000 SOUTH CAROLINA STREET
 RALEIGH, NORTH CAROLINA 27609
 PROJECT REFERENCE NO. **R-2707B**
 SHEET NO. **4**
 ROADWAY DESIGN ENGINEER
 HYDRAULICS ENGINEER

PRELIMINARY PLANS
 ALL METERS ARE FOR CONSTRUCTION

Replaces Permit Drawing Sheet 5 of 30
 REVISED June 27, 2013
 -DRIVES - STA 1375+00
 NOTE: TIE TO EXISTING ENDORSEMENT SHEET No. 16

DETAIL 15
 LATERAL SLOPE
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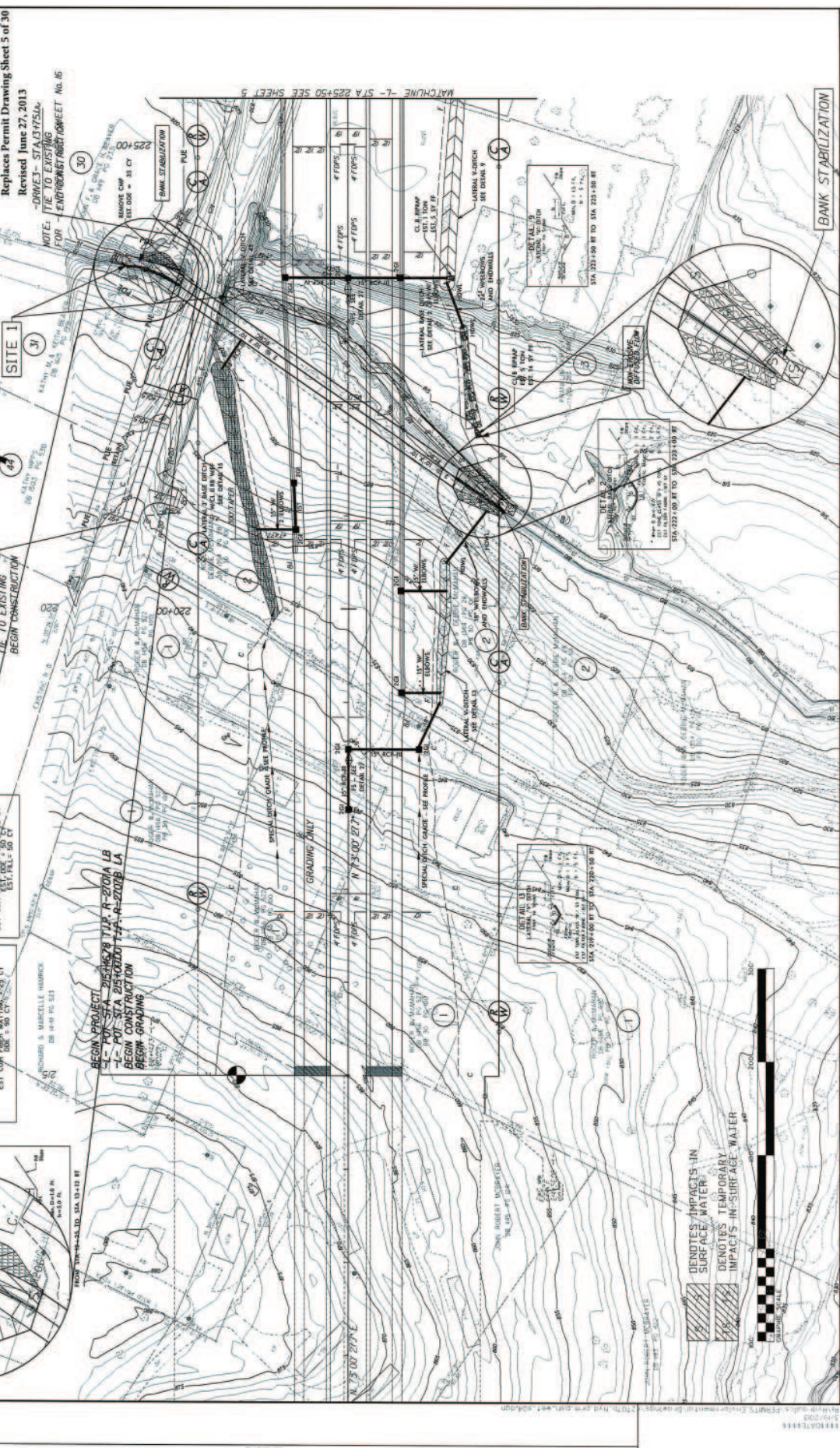
DETAIL 27
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DETAIL 16
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PROJECT REFERENCE NO. **R-2707B**
 SHEET NO. **4**
 ROADWAY DESIGN ENGINEER
 HYDRAULICS ENGINEER

11/15/2013 11:11 AM
 11/15/2013 11:11 AM