



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

December 5, 2003

U.S. Army Corps of Engineers
Raleigh Regulatory Field Office
6508 Falls of Neuse Road
Suite 120
Raleigh, NC 27615

ATTN: Mr. Eric Alsmeyer
NCDOT Coordinator

Dear Sir:

SUBJECT: **Permit Modification Request for TIP No. R-2906C**, Wake County,
Federal Aid No. HPSTP-55(12), State Project No. 8.1403901, \$200 Debit
WBS Element 34514.1.1

REFERENCE: USACE Permit, Action ID: 200120353, dated June 19, 2001
USACE Permit modification, dated January 22, 2003
DWQ WQC 010120, dated March 13, 2001
DWQ WQC 010120mod, dated January 6, 2003
DWQ WQC 010120mod, dated July 8, 2003
DWQ WQC 010120mod, dated November 21, 2003

The North Carolina Department of Transportation (NCDOT) proposes to modify the construction plans for the abovementioned project. NCDOT proposes to construct a temporary diversion channel to the north of Martin Luther King Boulevard.

The purpose of this letter is to request modifications to the CWA Section 404 Permit issued by the USACE and the 401 Water Quality Certification issued by the NC Division of Water Quality. This change addresses temporary diversion channel construction. Revised construction plans (Sheet 22) are attached.

The revised design does not compromise NCDOT's compliance with the existing permit conditions. No additional mitigation is proposed. The new impact sites have been evaluated for compliance with the avoidance/minimization criteria and are in compliance with all previous Individual Permit factors, including the following:

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
1548 MAIL SERVICE CENTER
RALEIGH NC 27699-1548

TELEPHONE: 919-733-3141
FAX: 919-733-9794

WEBSITE: WWW.DOH.DOT.STATE.NC.US

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

- Protected Species,
- Cultural Resources,
- Aquatic Life passage,
- FEMA compliance, and
- Utilities.

R-2906C, permit drawing sheets 45 and 46 of 52, Sites AF, AH, AI, and AJ, Station Y47
17+65 to 22+19 left

The construction of this temporary channel will allow for the proposed channel relocation (approximate station 17+65 to 22+19 right of Y47) as well as the proposed culvert extensions (approximate station 17+65 right and left of Y47) to be constructed while in the dry. The diversion will be lined with fabric and rock and the far side of the creek at the outlet end will be stabilized with rock or coir fiber. A stilling basin on the left side of the road will be used to pump around while the culverts are extended. The diversion channel will be in use for approximately 5 months.

The dimensions of the proposed temporary channel are as follows:

| | |
|--------------------------|--------|
| Length: | 440 ft |
| Top of channel width: | 15 ft |
| Bottom of channel width: | 3 ft |
| Side slopes: | 2:1 |

The area disturbed will be approximately 733 yd². The total excavation will be approximately 440 yd³. The amount of fabric that will line the temporary channel will be approximately 803 yd². Approximately 0.01 ac of wetlands will be impacted as a result of this action.

Phase I

1. Relocate unnamed tributary to Northeast Creek, North Prong from the existing outlet of the 3 @ 12ft x 8ft RCBC to the confluence of Northeast Creek, North Prong. Divert water from the existing channel into the proposed channel using impervious dikes 1, 2, 3, and 4.
2. Utilize existing (old) channel as stilling basin 1 (325 yd³) and construct stilling basin 3 (425 yd³).
3. Construct impervious dikes 5, 6, 7, 8, 9, and 10.
4. Construct impervious dikes 11 and 13, and 30in temporary pipe A. Construct impervious dikes 12 and 14, and 30in temporary pipe B.
5. Construct downstream culvert extensions and outlet channel improvements for both culverts.
6. Remove impervious dikes 1-4 and 11-14, 30in temporary pipes A and B, and stilling basins 1 and 3.

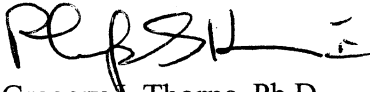
Phase II

1. Construct stilling basin 2 (80 yd³) and stilling basin 4 (150 yd³).

2. Construct impervious dikes 15 and 17, and 30in temporary pipe C. Construct impervious dikes 16 and 18, and 30in temporary pipe D.
3. Construct upstream culvert extensions and inlet channel improvements for both culverts.
4. Complete roadway.

The NCDOT respectfully requests that the referenced 404 USACE Permit and 401 Water Quality Certification be modified to reflect the revisions outlined in this letter. In compliance with Section 143-215.3D(e) of the NCAC we will provide \$200 to act as payment for processing the Section 401 permit modification application previously noted in this application (see Subject line). We are providing seven copies of this application to the North Carolina Department of Environment and Natural Resources, Division of Water Quality, for their review. If you have any questions or need additional information, please contact Matt Haney at (919) 715-1428.

Respectfully,


Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA

Cc: Mr. David Franklin, COE, Wilmington (Cover Letter only)
Mr. John Dorney, DWQ Raleigh (7 copies)
Mr. Travis Wilson, NCWRC
Ms. Kathy Matthews, EPA
Mr. Gary Jordan, USFWS
Mr. John F. Sullivan, III, FHWA
Mr. Jay Bennett, P.E., Roadway Design
Mr. Omar Sultan, Programming and TIP
Ms. Debbie Barbour, P.E., Design Services
Mr. David Chang, P.E., Hydraulics
Mr. Greg Perfetti, P.E., Structure Design
Mr. Ron Wilkins, P.E., Design Services ROW
Mr. Mark Staley, Roadside Environmental
Mr. J.G. Nance, P.E., Division 5 Engineer
Mr. Wiley Jones, III, P.E., Division 5 Resident Engineer
Mr. Chris Murray, Division 5 Environmental Officer

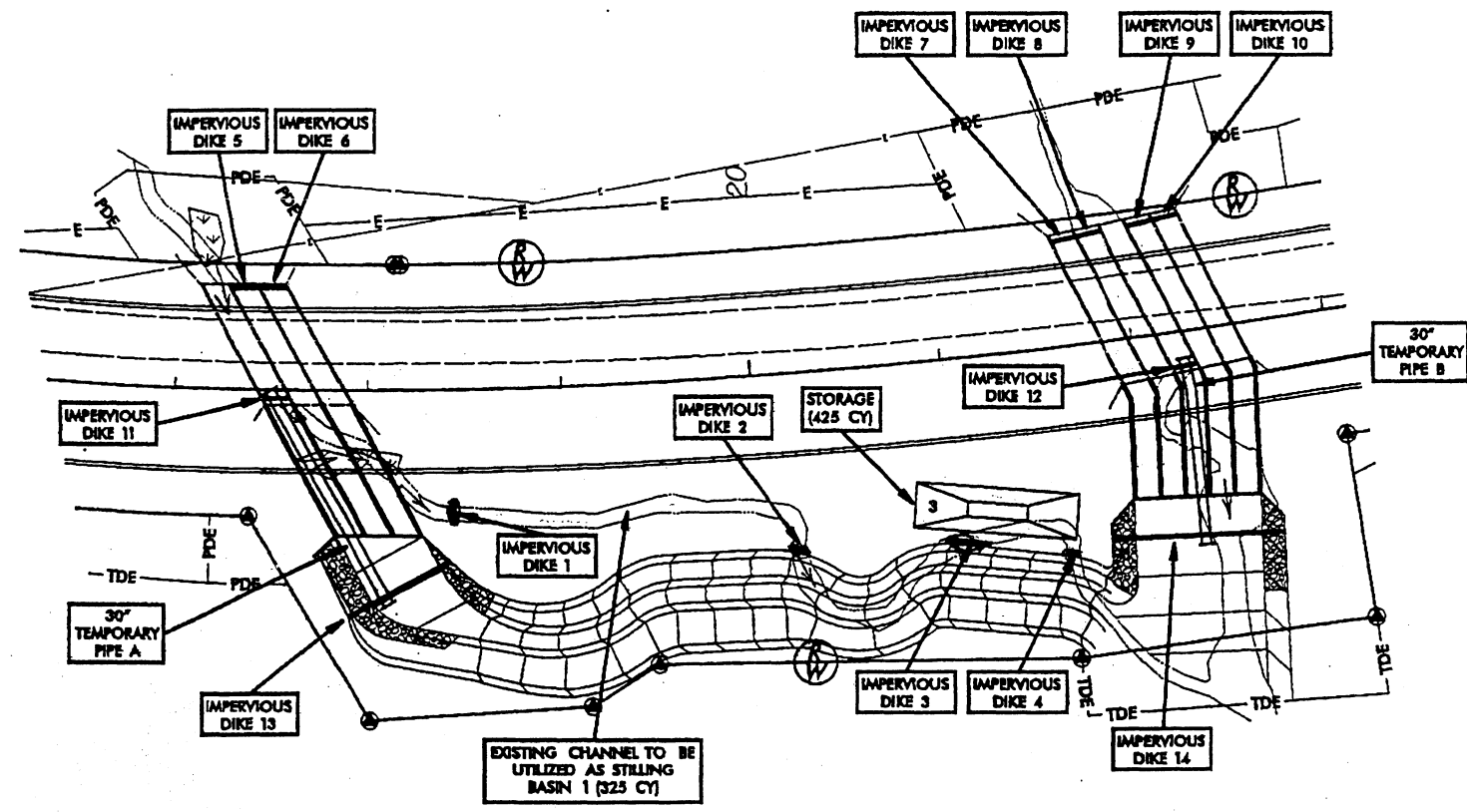
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Attachments:
Revised construction plans

CULVERT CONSTRUCTION SEQUENCE (STA. 22+18.58 & 17+05.02 -Y4/-)

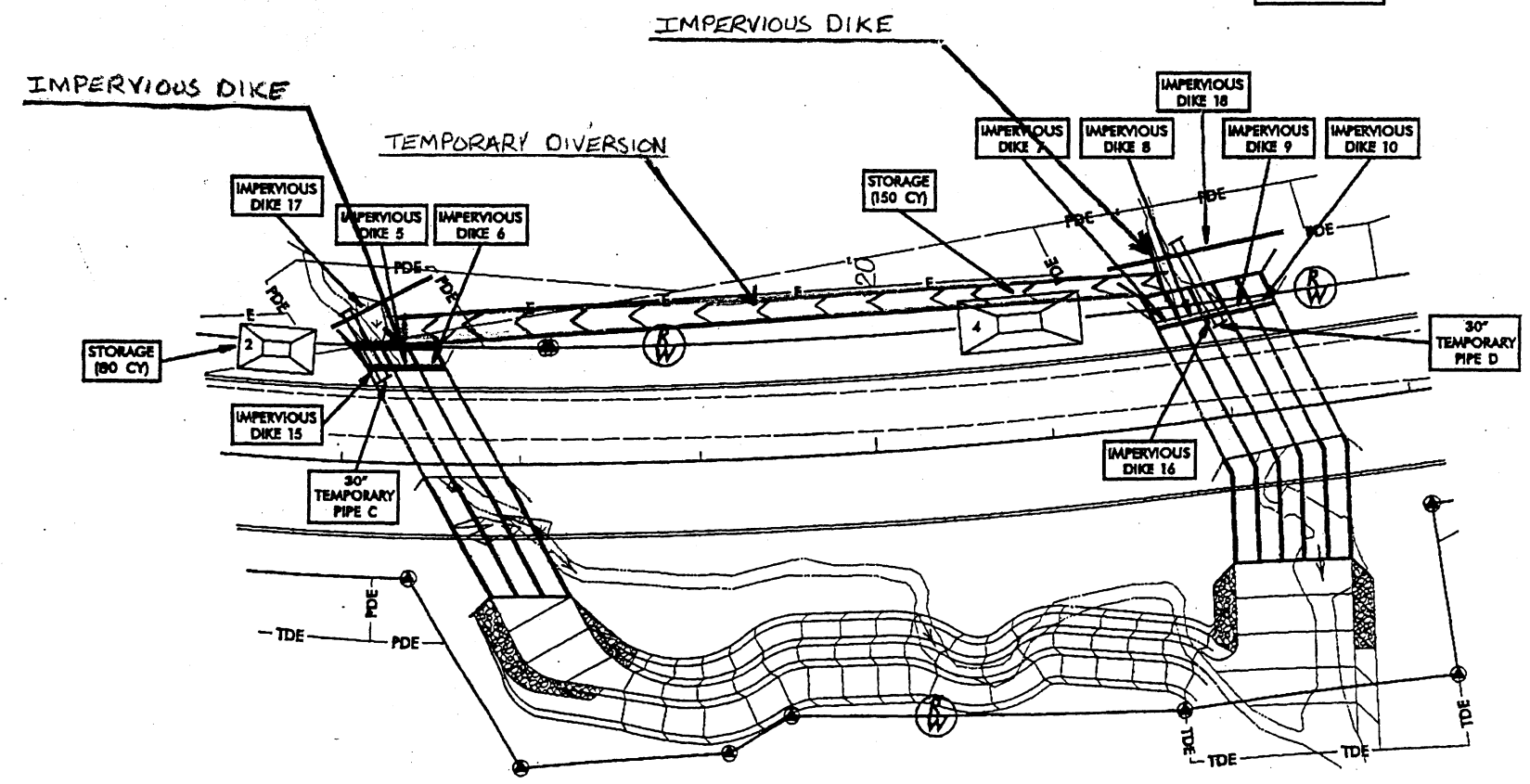
| | |
|-----------------------------------|------------------------------|
| RDW ROADWAY DESIGN ENGINEER | AS HYDRAULICS ENGINEER |
|-----------------------------------|------------------------------|

PHASE I



1. RELOCATE THE NORTHEAST CREEK, NORTH PRONG, TRIBUTARY A CHANNEL FROM THE EXISTING OUTLET OF THE 3 @ 12' X 8' RCBC TO THE CONFLUENCE OF NORTHEAST CREEK, NORTH PRONG. DIVERT WATER FROM THE EXISTING CHANNEL INTO THE PROPOSED CHANNEL USING IMPERVIOUS DIKES 1, 2, 3, AND 4.
2. UTILIZE EXISTING (OLD) CHANNEL AS STILLING BASIN 1 (325 CY) AND CONSTRUCT STILLING BASIN 3 (425 CY).
3. CONSTRUCT IMPERVIOUS DIKES 5, 6, 7, 8, 9, AND 10.
4. CONSTRUCT IMPERVIOUS DIKES 11 AND 13, AND 30" TEMPORARY PIPE A. CONSTRUCT IMPERVIOUS DIKES 12 AND 14, AND 30" TEMPORARY PIPE B.
5. CONSTRUCT DOWNSTREAM CULVERT EXTENSIONS AND OUTLET CHANNEL IMPROVEMENTS FOR BOTH CULVERTS.
6. REMOVE IMPERVIOUS DIKES 1 - 4 AND 11 - 14, 30" TEMPORARY PIPES A AND B, AND STILLING BASINS 1 AND 3.

PHASE II



— BY CONSTRUCTION OF TEMPORARY DIVERSION
— CHANNEL RELOCATION AND CULVERT EXTENSION CAN BE CONSTRUCTED IN DRY.

7. CONSTRUCT STILLING BASIN 2 (80 CY) AND STILLING BASIN 4 (150 CY).
8. CONSTRUCT IMPERVIOUS DIKES 15 AND 17, AND 30" TEMPORARY PIPE C. CONSTRUCT IMPERVIOUS DIKES 16 AND 18, AND 30" TEMPORARY PIPE D.
9. CONSTRUCT UPSTREAM CULVERT EXTENSIONS AND INLET CHANNEL IMPROVEMENTS FOR BOTH CULVERTS.
10. COMPLETE ROADWAY.

TEMPORARY DIVERSION DETAIL

