



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

June 3, 2005

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

Attention: Mr. Steve Lund
NCDOT Coordinator

Subject: **Request for Permit Modification** for TIP No. U-2307 AB, Catawba County, Hickory East Side Thoroughfare; State Project No. 8.2790906; Federal Aid Project No. STP-5621(6), Division 12.

Reference: Individual Permit, USACE Action ID No. 200031274, issued on October 26, 2001. Major Certification, DWQ Project No. 000914 & 001587, issued on January 2, 2001.

Dear Sir:

The U.S. Army Corps of Engineers (USACE) issued a Section 404 Individual Permit (IP) to the North Carolina Department of Transportation (NCDOT) on October 26, 2001 for construction of the Hickory East Side Thoroughfare, from north of interchange at I-40 to SR 1453 (Springs Road). The purpose of this letter is to request a modification of Permit Site Nos. 11 & 12.

At Permit Site Nos. 11 & 12, it is proposed that two rock cross vanes be constructed in a series, at each site, to provide better grade control and better accommodate aquatic passage. The use of two rock cross vanes at each site has been chosen because of the severity of the head-cuts (2.28 feet @ site no. 11 and 2.86 feet @ site no. 12) and the small nature of the streams.

The revised design does not compromise NCDOT's compliance with the existing permit conditions. The new impact site has been evaluated for compliance with the avoidance/minimization criteria and is in compliance with all previous Individual Permit conditions, including:

- Protected Species
- Cultural Resources
- Aquatic Life passage
- FEMA compliance
- Utilities

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

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

WEBSITE: WWW.DOT.ORG

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

Mitigation Strategy

Based upon the agreements stipulated in the "Memorandum of Agreement among the North Carolina Department of Environment and Natural Resources, the North Carolina Department of Transportation, and the U.S. Army Corps of Engineers, it is understood that the North Carolina Department of Environment and Natural Resources Ecosystem Enhancement Program (EEP), will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for NCDOT projects that are listed in Exhibit 1 of the subject MOA during the EEP transition period which ends on June 30, 2005.

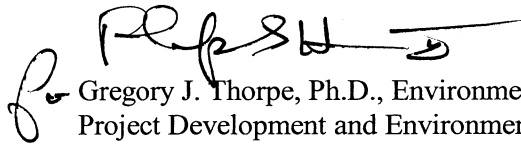
Since the subject project is listed in Exhibit 1, the necessary compensatory mitigation to offset unavoidable impacts to waters that are jurisdictional under the federal Clean Water Act will be provided by the EEP. The offsetting mitigation will derive from an inventory of assets already in existence within the same 8-digit cataloguing unit. The Department of Transportation has avoided and minimized impacts to jurisdictional resources to the greatest extent possible as described above. Mitigation for this project was provided for when the original Individual Permit was issued.

Regulatory Approval

The NCDOT respectfully requests that the referenced 404 Individual Permit and 401 Major Water Quality Certification be modified to reflect the revisions outlined in this letter. In compliance with Section 143-215.3 of the NCAC, we will provide \$475.00 to act as payment for processing the Section 401 permit modification previously noted in the application (see Subject line).

If you have any questions about this request, please contact Megan Willis of my staff at (919) 715-1341.

Sincerely,



Gregory J. Thorpe, Ph.D., Environmental Management Director
Project Development and Environmental Analysis Branch

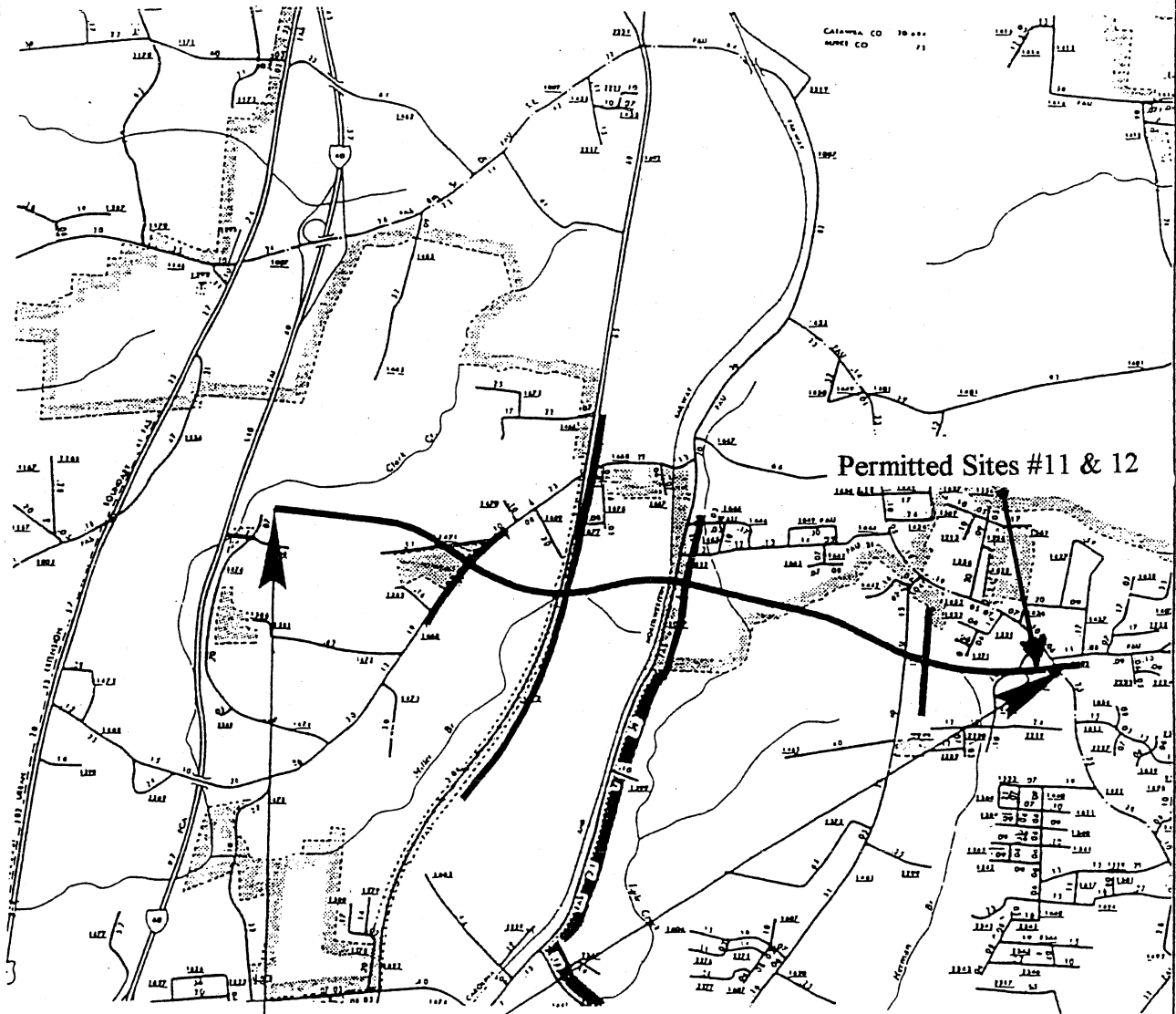
cc: w/attachment

- ✓ Mr. John Hennessy, NCDWQ (7 copies)
- ✓ Ms. Marla Chambers, NCWRC
- ✓ Ms. Becky Fox, USEPA
- Mr. Ronald Mikulak, USEPA
- Ms. Marella Buncick, USFWS
- ✓ Dr. David Chang, P.E., Hydraulics
- ✓ Mr. Greg Perfetti, P.E., Structure Design
- ✓ Mr. M.L. Holder, P.E. Division Engineer
- ✓ Ms. Trish Simon, DEO
- ✓ Mr. Mark Staley, Roadside Environmental

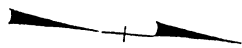
w/o attachment

- Mr. Jay Bennett, P.E., Roadway Design
- Mr. Omar Sultan, Programming and TIP
- Mr. Art McMillan, P.E., Highway Design
- Mr. David Franklin, USACE
- Ms. Beth Harmon, EEP
- Ms. Jennifer Harris, PDEA Engineer

VICINITY MAP



SITE



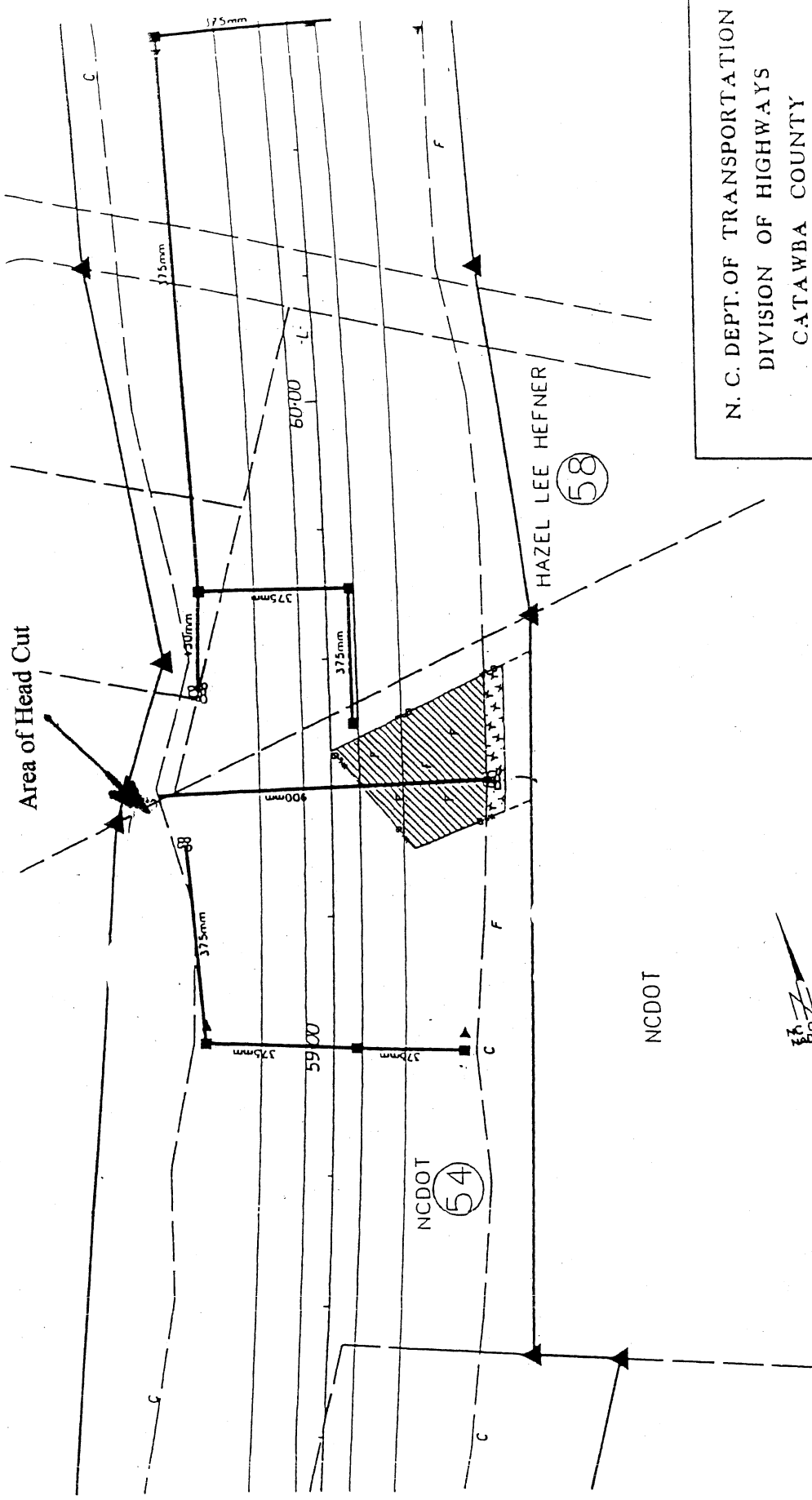
N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
CATAWBA COUNTY

PROJECT: 8.2790901 (U-2307AB)

HICKORY EAST
SIDE THOROUGHFARE

SHEET 1 OF 19



12/7/04



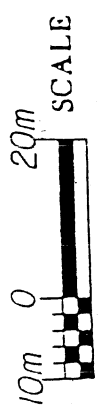
N. C. DEPT. OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 CATAWBA COUNTY

PROJECT: 8.2790901 (U-2307 AB)
 HICKORY EAST
 SIDE THOROUGHFARE

SHEET 13 OF 19 12/7/04

 DENOTES FILL IN WETLAND
 DENOTES MECHANIZED CLEARING

PLAN VIEW
 SITE 11



NCDOT 54

58

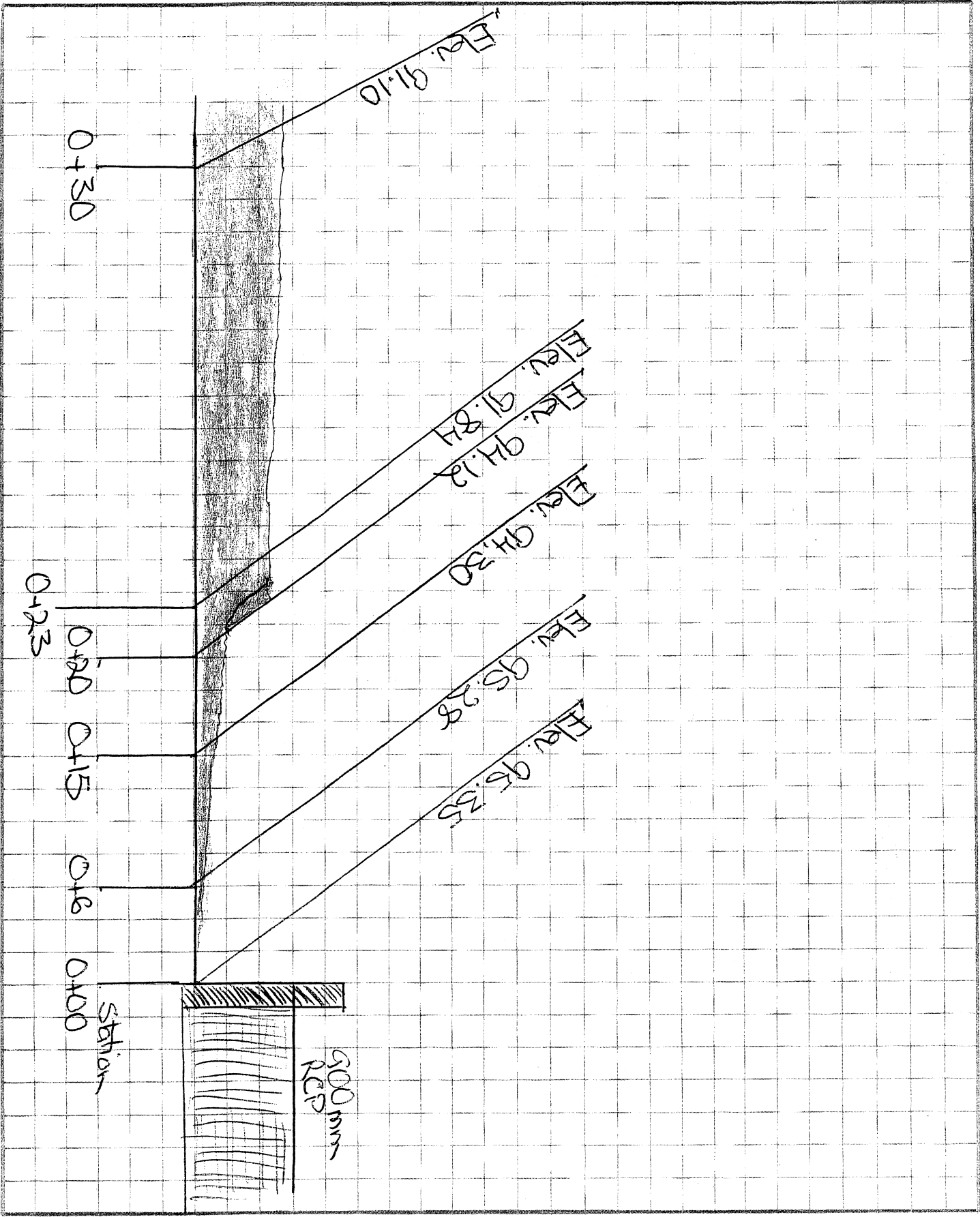
NCDOT

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
HIGHWAY BUILDING
P. O. BOX 25201
RALEIGH, NORTH CAROLINA 27611

SUBJECT Permit Site # 11
Action 10 # 2000.31274

TIP PROJECT U-2307ADAE
Catawba COUNTY

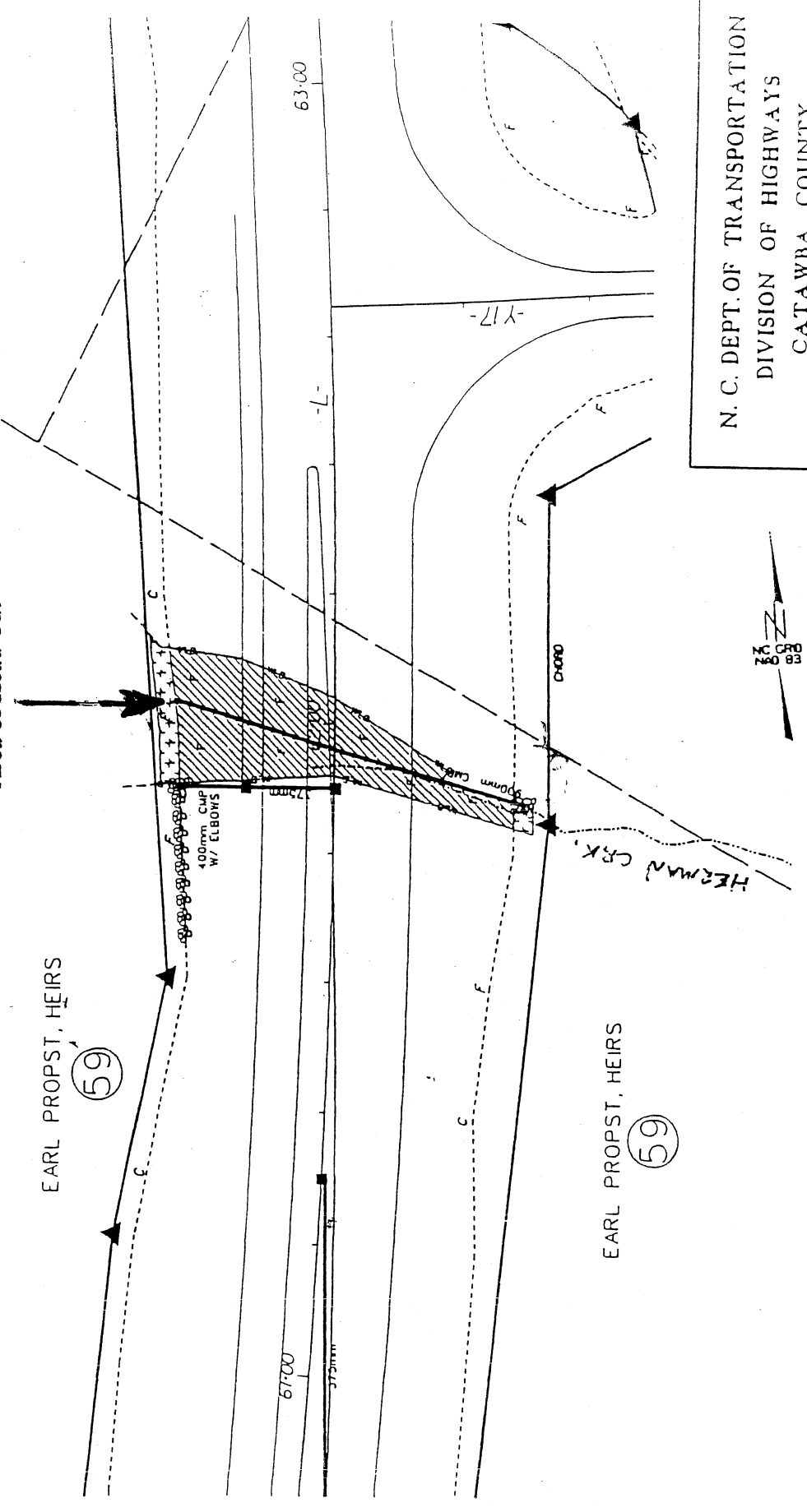
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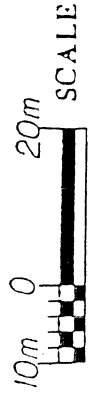
Area of Head Cut



EARL PROPST, HEIRS (59)

EARL PROPST, HEIRS (59)



PLAN VIEW SITE 12



-  DENOTES FILL IN WETLAND
-  DENOTES MECHANIZED CLEARING

N. C. DEPT. OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 CATAWBA COUNTY

PROJECT: 8:2790901 (U-2307A.B)

HICKORY EAST

SIDE THOROUGHFARE

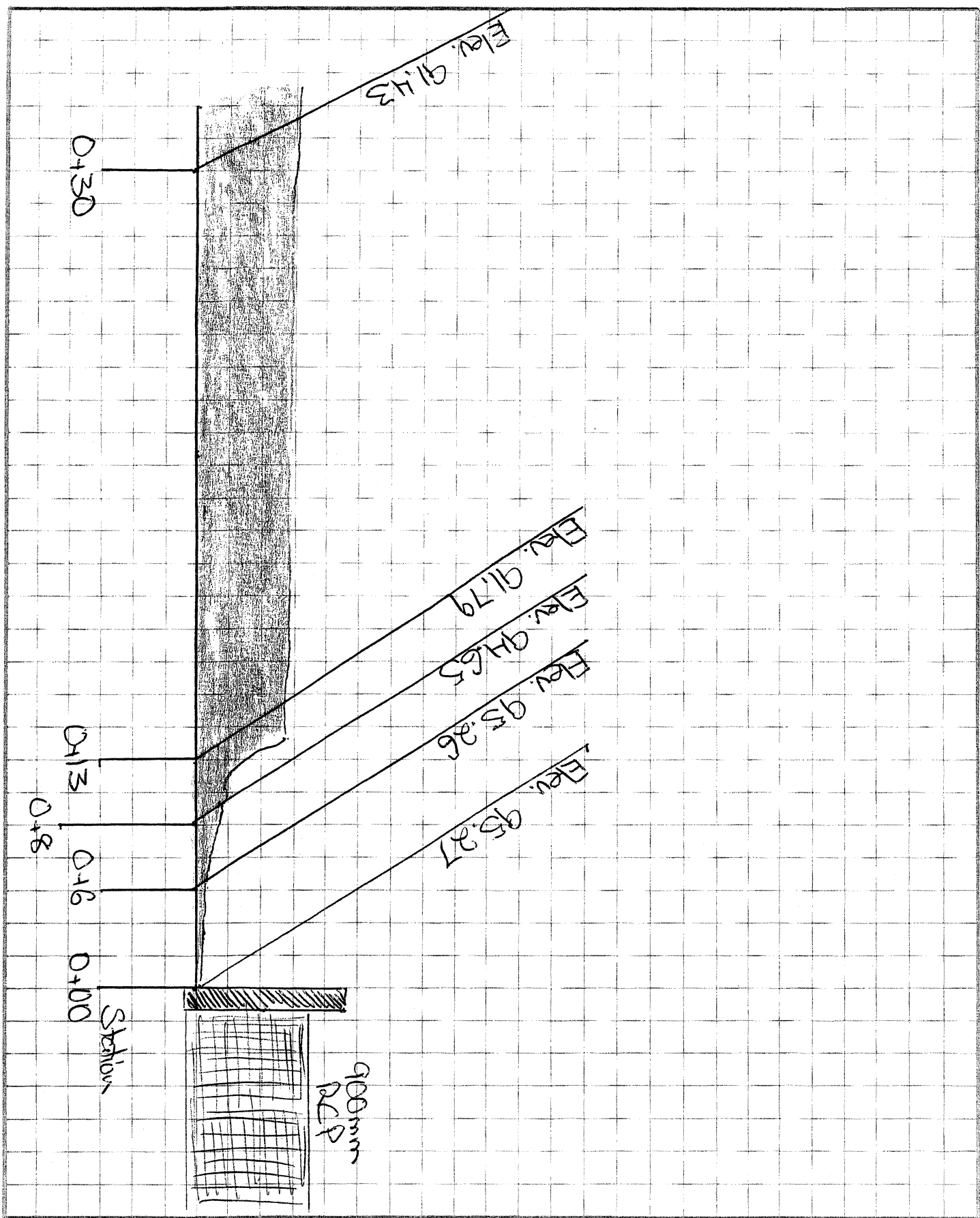
SHEET 14 OF 19

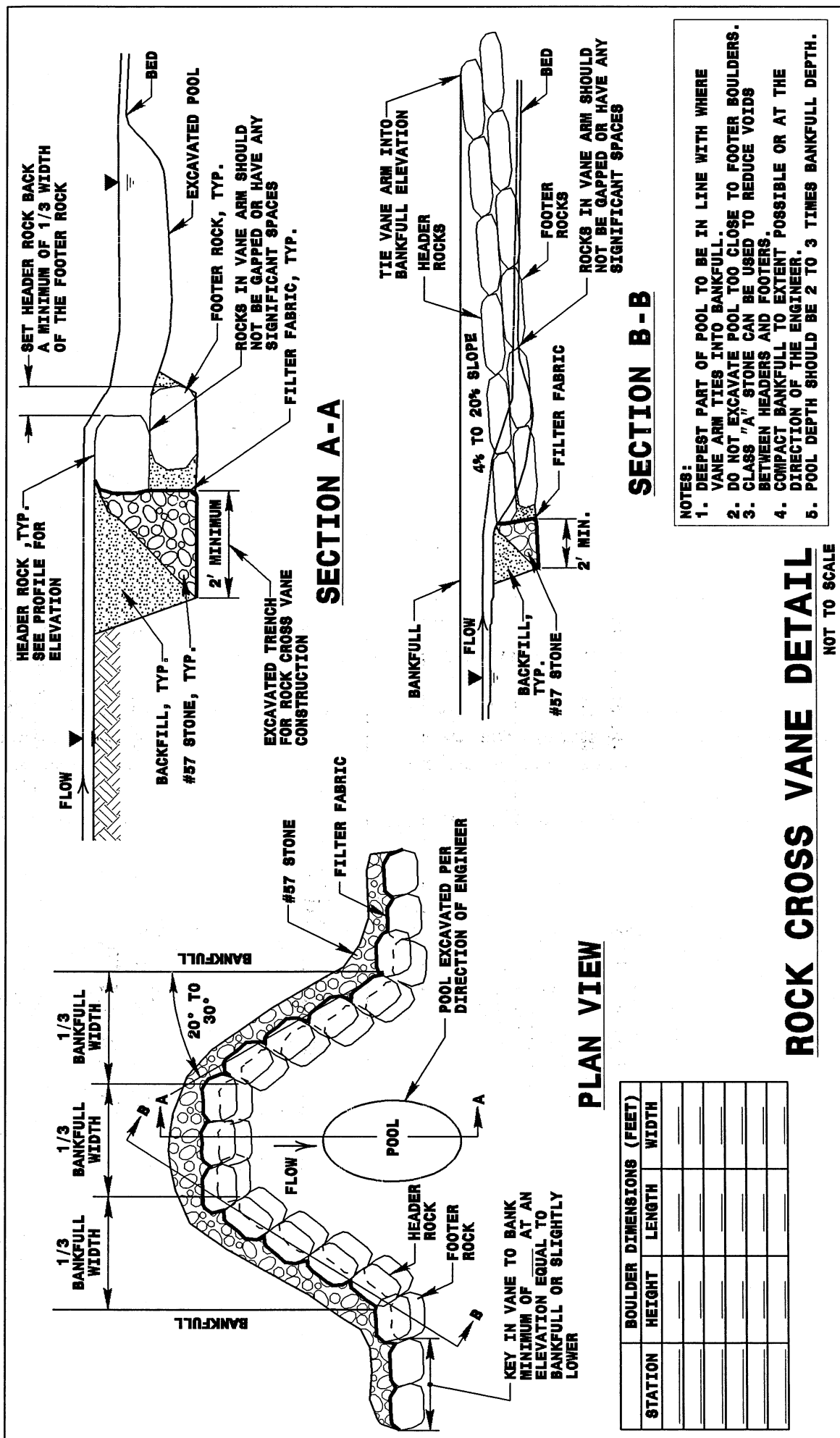
12/7/04

SUBJECT Permit Site # 12
Action ID # 200031274

TIP PROJECT U-2307AD/AF
Catawba COUNTY

PREPARED BY _____ DATE _____ STATION _____
CHECKED BY _____ DATE _____ STR NO. _____ SHEET _____ OF _____





SECTION A-A

SECTION B-B

PLAN VIEW

ROCK CROSS VANE DETAIL

NOT TO SCALE

- NOTES:**
1. DEEPEST PART OF POOL TO BE IN LINE WITH WHERE VANE ARM TIES INTO BANKFULL.
 2. DO NOT EXCAVATE POOL TOO CLOSE TO FOOTER BOULDERS.
 3. CLASS "A" STONE CAN BE USED TO REDUCE VOIDS BETWEEN HEADERS AND FOOTERS.
 4. COMPACT BANKFULL TO EXTENT POSSIBLE OR AT THE DIRECTION OF THE ENGINEER.
 5. POOL DEPTH SHOULD BE 2 TO 3 TIMES BANKFULL DEPTH.

STATION	BOULDER DIMENSIONS (FEET)	
	HEIGHT	WIDTH

KEY IN VANE TO BANK MINIMUM OF ELEVATION EQUAL TO BANKFULL OR SLIGHTLY LOWER