



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

April 29, 2009

Andrew Williams  
U. S. Army Corps of Engineers  
Regulatory Field Office  
3331 Heritage Trade Drive Suite 105  
Wake Forest, NC 27587

Subject: **Additional information for Section 404 Individual Permit and Section 401 Individual Water Quality Certification, Improvements to SR 1733 (Weaver Dairy Road), from NC 86 (Martin Luther King, Jr. Boulevard) to SR 1734 (Erwin Road) Chapel Hill, Orange County, Division 7, Federal Aid No. STP-1733(11); State Project 8.2501601, TIP No. U-3306.**

Debit \$570.00 from WBS Element 34913.1.1

Reference: NCDOT permit application (March 25, 2009)

Dear Sir:

The impacts for the stream located at station 42+98 RT (Site 4) were not included in the above-referenced permit application. Amy Euliss of the Division of Water Quality (DWQ) visited the site and informed NCDOT on April 20, 2009 that the stream was perennial and had not been noted on the original permit package. A site visit was conducted by Sara Easterly and Greg Price of the NCDOT on April 23, 2009 to confirm this finding. The stream was evaluated and all appropriate stream forms were filled out. At that time it was confirmed by the NCDOT that the stream was perennial. Enclosed is an updated set of permit drawings for Wetland and Surface Water. The updated permit drawings are labeled 1, 1A, 1B, and 1C. The updated Impact Summary Sheet is labeled sheet 13 of 13 and replaced the original sheet 13 of 13. Also, the ENG4345 form has been updated to reflect the additional impacts.

**Site 4**

Background:

The permanent and temporary impacts to the perennial stream located at station 42+98 RT were not on the permit drawings for the permit application sent on March 25, 2009. The permit drawings have been updated to reflect the impacts both permanent and temporary to this feature. Also, the impacts at this location are now reflected as Site 4.

Jurisdictional Changes:

The construction of a tapered bus stop and a 5-foot sidewalk on the south side of Weaver Dairy Road will result in 83 linear feet of permanent stream impacts and 17 linear feet of temporary impacts at Site 4.

Mitigation:

A revised request letter has been sent to the Ecosystem Enhancement Program (EEP).

**REGULATORY APPROVALS**

Application is hereby made for a Department of the Army Section 404 Individual Permit as required for the above-described activities for the proposed TIP project U-3306. We are also hereby requesting an Individual Section 401 Water Quality Certification from the Division of Water Quality. In compliance with Section 143-215.3D(e) of the NCAC, we will provide \$570 to act as payment for processing the Section 401 permit. We are providing five copies of this application to the North Carolina Department of Environment and Natural Resources, Division of Water Quality, for their review and approval.

A copy of this additional permit application information will be posted on the NCDOT Website at: <http://www.ncdot.org/doh/preconstruct/pe/>. If you have any questions or need additional information, please call Sara Easterly at (919) 431-1605.

Sincerely  
  
for Gregory J. Thorpe, Ph.D.  
Environmental Management Director,

cc:

w/attachment

Mr. Brian Wrenn, NCDWQ (5 Copies)  
Ms. Kathy Matthews, USEPA

W/o attachment (see website for attachments)

Dr. David Chang, P.E., Hydraulics  
Mr. Greg Perfetti, P.E., Structure Design  
Mr. Victor Barbour, P.E., Project Services Unit  
Mr. Mark Staley, Roadside Environmental  
Mr. J. M. Mills, P.E., Division 7 Engineer  
Mr. Jerry Parker, Division 7 Environmental Officer  
Mr. Jay Bennett, P.E., Roadway Design  
Mr. Majed Alghandour, P. E., Programming and TIP  
Mr. Art McMillan, P.E., Highway Design  
Mr. Gene Tarascio, P. E., PDEA Engineer  
Mr. Scott McLendon, USACE, Wilmington  
Mr. Gary Jordan, USFWS  
Mr. Travis Wilson, NCWRC  
Ms. Beth Harmon, EEP  
Mr. Todd Jones, NCDOT External Audit Branch  
Mr. Drew Joyner, PE, Human Environment Unit Head  
Mr. Clarence W. Coleman, P.E., FHWA

**APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT  
(33 CFR 325)**

**OMB APPROVAL NO. 0710-003  
Expires December 31, 2004**

Public reporting burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please **DO NOT RETURN** your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

**PRIVACY ACT STATEMENT**

Authority: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research and Sanctuaries Act, 33 USC 1413, Section 103. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

**(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)**

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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**(ITEMS BELOW TO BE FILLED BY APPLICANT)**

5. APPLICANT'S NAME North Carolina Department of Transportation	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required)
6. APPLICANT'S ADDRESS 1598 Mail Service Center Raleigh, NC 27699-1548	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NOS. W/AREA CODE a. Residence b. Business (919) 733-3141	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business

**11. STATEMENT OF AUTHORIZATION**

I hereby authorize, \_\_\_\_\_ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

**NAME, LOCATION, AND DESCRIPTION OR PROJECT OR ACTIVITY**

12. PROJECT NAME OR TITLE (see instructions) NCDOT TIP No. U-3306, Orange County, NC	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Cedar Fork Creek and unnamed tributaries to Cedar Fork Creek.	14. PROJECT STREET ADDRESS (if applicable)
15. LOCATION OF PROJECT Orange COUNTY NC STATE	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) Section, Township, Range, Lat/Lon, and/or Accessors's Parcel Number, for example.	
17. DIRECTIONS TO THE SITE I-40 to Exit 266 ( Hwy 86). Take Hwy 86 to Weaver Dairy Road, just north of Chapel Hill, NC.	

**18. Nature of Activity (Description of project, include all features)**

The North Carolina Department of Transportation (NCDOT) proposes to improve SR 1733 (Weaver Dairy Road), from NC 86 (Martin Luther King, Jr. Boulevard) to SR 1734 (Erwin Road) in Chapel Hill, Orange County, North Carolina. The proposed 2.7 mile improvements consist of a four-lane median divided, face to face curb and gutter roadway. This section will be divided by 14 foot median, with two north bound lanes and two southbound lanes. The inside lanes will be 11 foot travel lanes and 14 foot outside lanes. The additional 3 feet of

pavement on the outside travel lane will accommodate bicycle traffic. From the western project terminal, NC 86, the project will follow the existing alignment of Weaver Dairy Road for approximately 2.20 miles. The proposed alignment will then be on new location for approximately 0.40 miles to the intersection of Sage Road and Erwin Road, the eastern project terminus.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The purpose of the project is to increase the traffic carrying capacity of the roadway and enhance safety so that Weaver Dairy Road can serve as the northern link in a corridor that will connect residential, commercial, and retail areas to US 15-501 and NC 86, both of which access I-40.

**USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED**

20. Reason(s) for Discharge

Needed in order to install a 60" reinforced concrete pipe, and a 48" reinforced concrete pipe extensions for a wider roadway, provide bank stabilization of effected streams, and construction access.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

See attached permit drawings.

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

470 linear feet of permanent and 87 linear feet of temporary stream impacts

23. Is Any Portion of the Work Already Complete? Yes \_\_\_ No X IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

See Attached List

25. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
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\* Would include but is not restricted to zoning, building, and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant

  
SIGNATURE OF APPLICANT

4-29-09  
DATE

SIGNATURE OF AGENT

DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

09/08/09

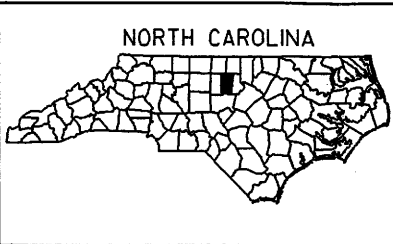
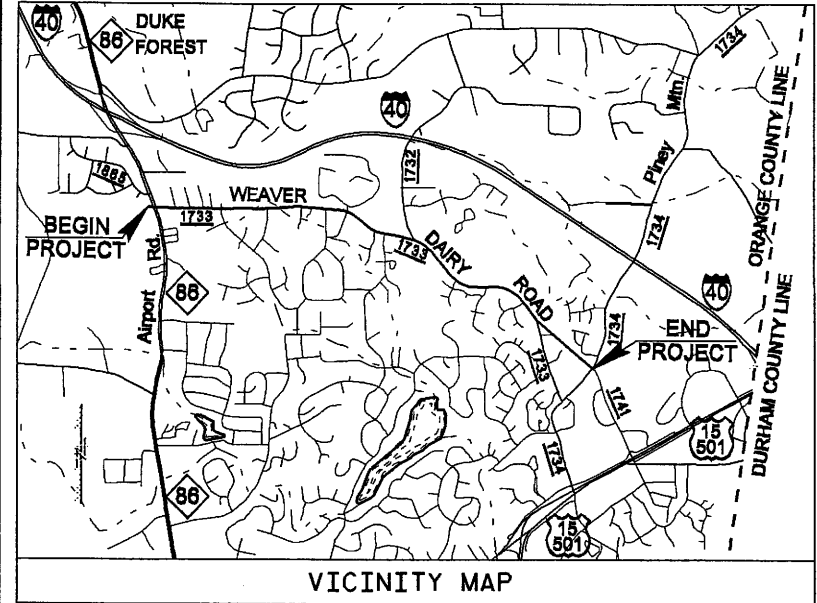
See Sheet 1-A For Index of Sheets

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

**ORANGE COUNTY**

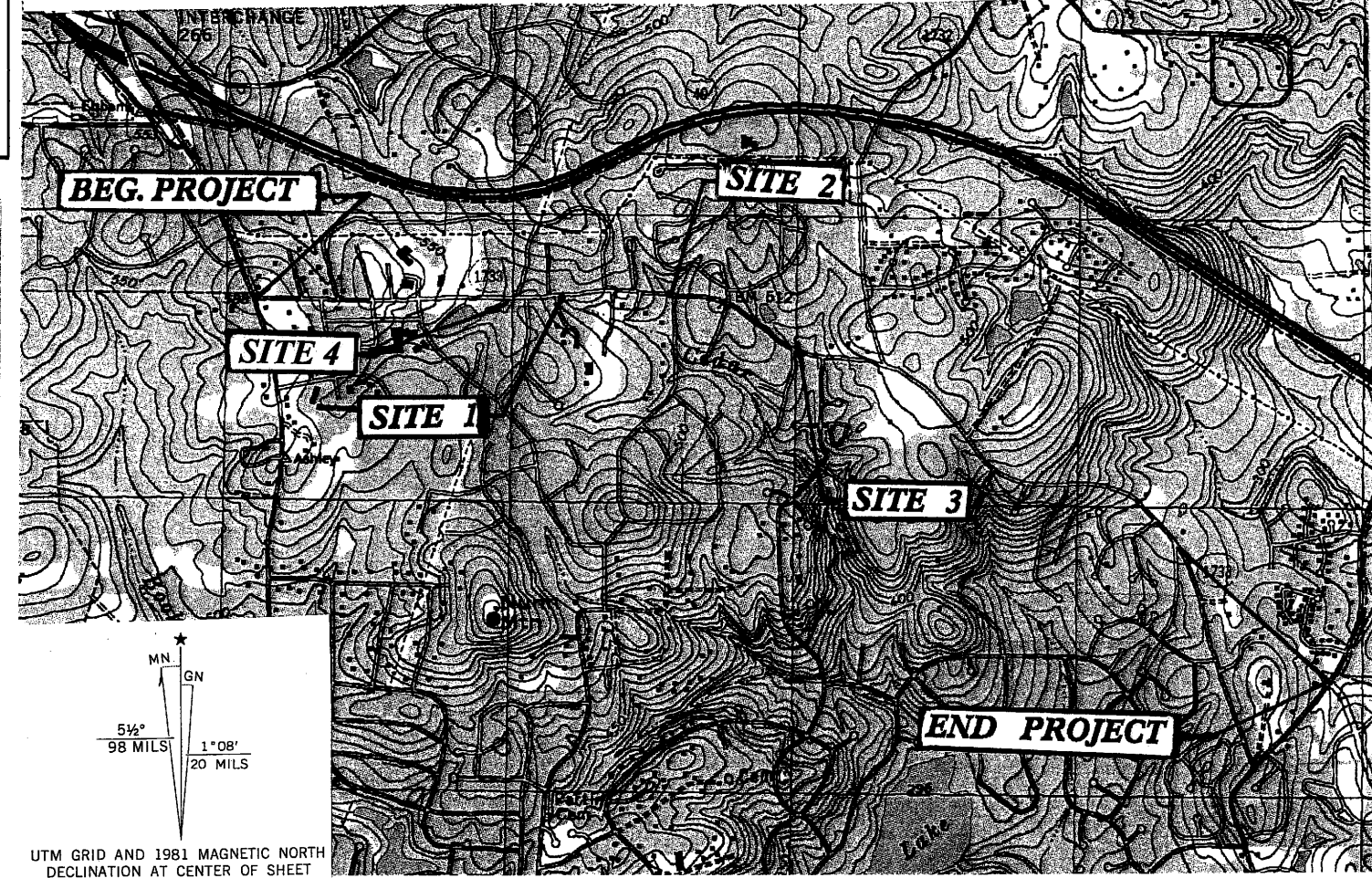
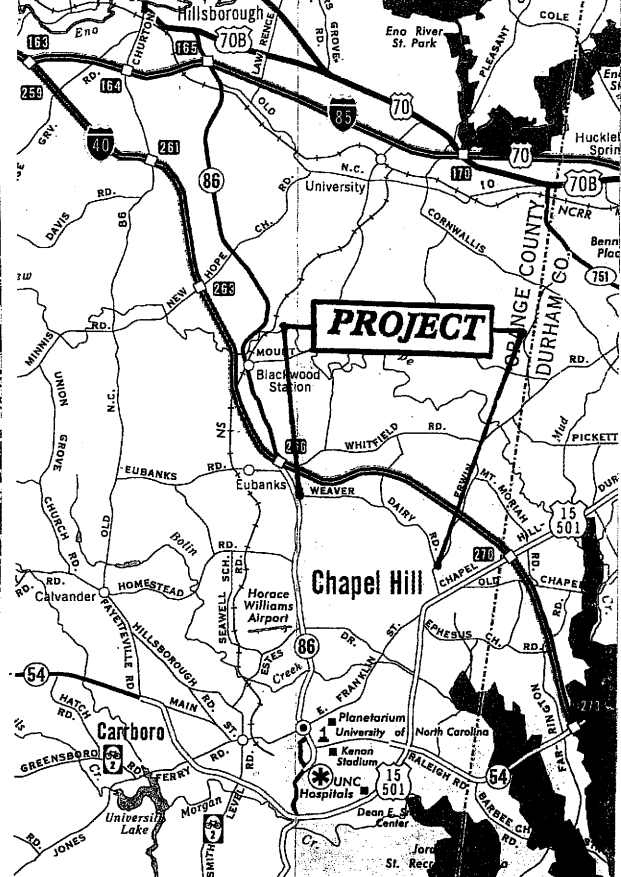
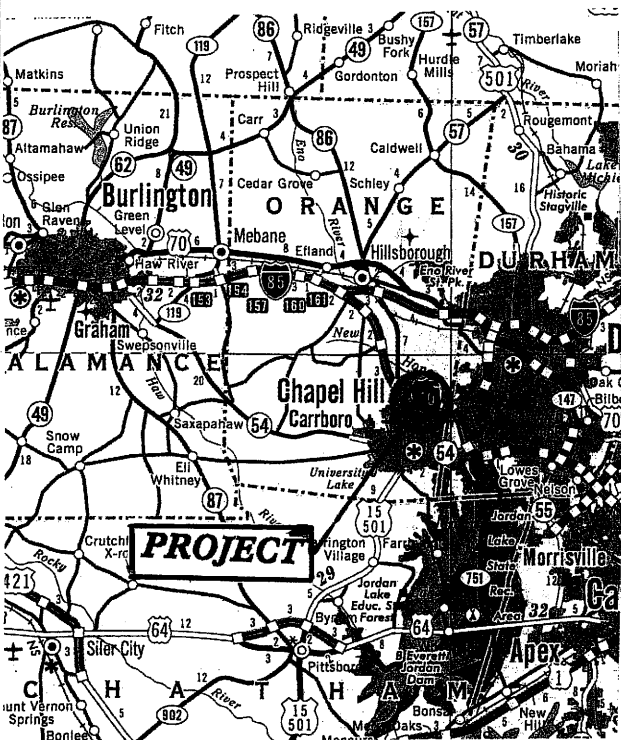
LOCATION: CHAPEL HILL - SR 1733 (WEAVER DAIRY RD.)  
FROM NC 86 TO SR 1734 (ERWIN RD.)

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	U-3306	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
34913.1.1	MASTP-1733(11)	PE	
34913.2.2	MASTP-1733(11)	RW & UTILITIES	
		Permit Drawing	
		Sheet <u>1</u> of <u>13</u>	
		REV 4/09	



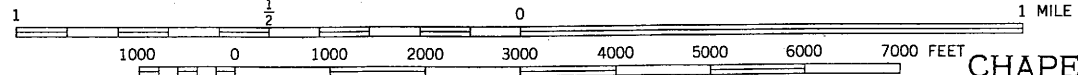
**PERMIT DRAWINGS**

TIP PROJECT: U-3306



5 1/2° 58' 00" GN  
1" = 20 MILS  
UTM GRID AND 1981 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

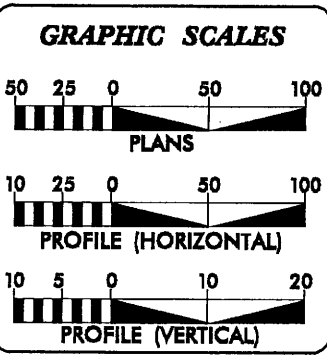
SCALE 1:24 000



CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929

CHAPEL HILL QUADRANGLE  
NORTH CAROLINA  
7.5 MINUTE SERIES (TOPOGRAPHIC)

CONTRACT:



**DESIGN DATA**

ADT 2004 =	13400 VPD
ADT 2030 =	20300 VPD
DHV =	10 %
D =	55 %
T =	4 % *
V =	40 MPH
* TTST 3%	DUAL 1%

**PROJECT LENGTH**

LENGTH ROADWAY TIP PROJECT U-3306 =	2.739 mi
TOTAL LENGTH TIP PROJECT U-3306 =	2.739 mi

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

2002 STANDARD SPECIFICATIONS	
<b>RIGHT OF WAY DATE:</b> OCTOBER 20, 2006	<b>JAMES A. SPEER, PE</b> PROJECT ENGINEER
<b>LETTING DATE:</b> FEBRUARY 17, 2009	<b>JOHN C. LANSFORD, PE</b> 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

31-OCT-2008 11:51 AM C:\mydrive\quills\permi\1's\environmental\drawings\U3306\hyd-prm-1.sh.dgn blp:scmb A HY24556

PROJECT REFERENCE NO.	SHEET NO.
U-3306	6
RAW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	
Permit Drawing Sheet <b>A</b> of 13	
rev. 4/09	

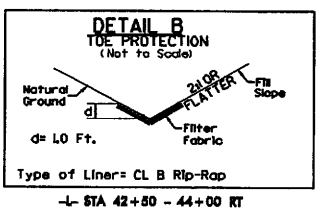
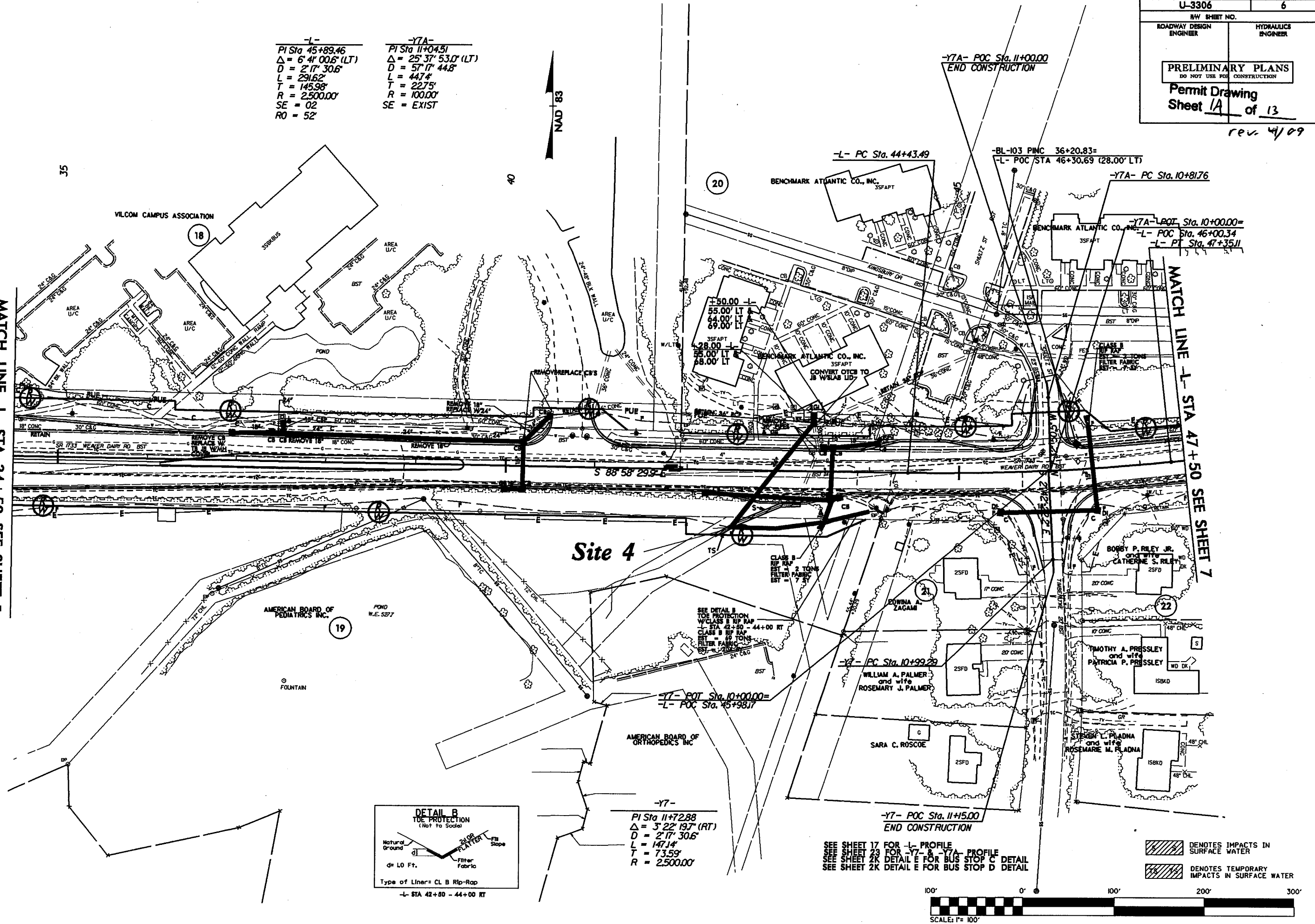
**-L-**  
 PI Sta 45+89.46  
 $\Delta = 6' 41'' 00.6''$  (LT)  
 $D = 2' 17'' 30.6''$   
 $L = 291.62'$   
 $T = 145.98'$   
 $R = 2,500.00'$   
 $SE = 02'$   
 $RO = 52'$

**-Y7A-**  
 PI Sta 11+04.51  
 $\Delta = 25' 37'' 53.0''$  (LT)  
 $D = 57' 17'' 44.8''$   
 $L = 447.4'$   
 $T = 227.5'$   
 $R = 100.00'$   
 $SE = EXIST$



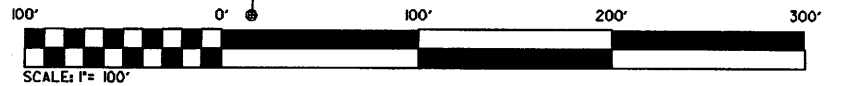
MATCH LINE -L- STA 34+50 SEE SHEET 5

MATCH LINE -L- STA 47+50 SEE SHEET 7



SEE SHEET 17 FOR -L- PROFILE  
 SEE SHEET 23 FOR -Y7- & -Y7A- PROFILE  
 SEE SHEET 2K DETAIL E FOR BUS STOP C DETAIL  
 SEE SHEET 2K DETAIL E FOR BUS STOP D DETAIL

DENOTES IMPACTS IN SURFACE WATER  
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER



REVISIONS  
 ROW REVISION: 7/30/08 JCL ADDED PUE'S TO PARCELS 18, 19 & 20. REMOVED TCE FROM PARCEL 18. REVISED TCE ON PARCEL 19, AND REVISED PDE & TCE ON PARCEL 20.

24-APR-2008 11:17  
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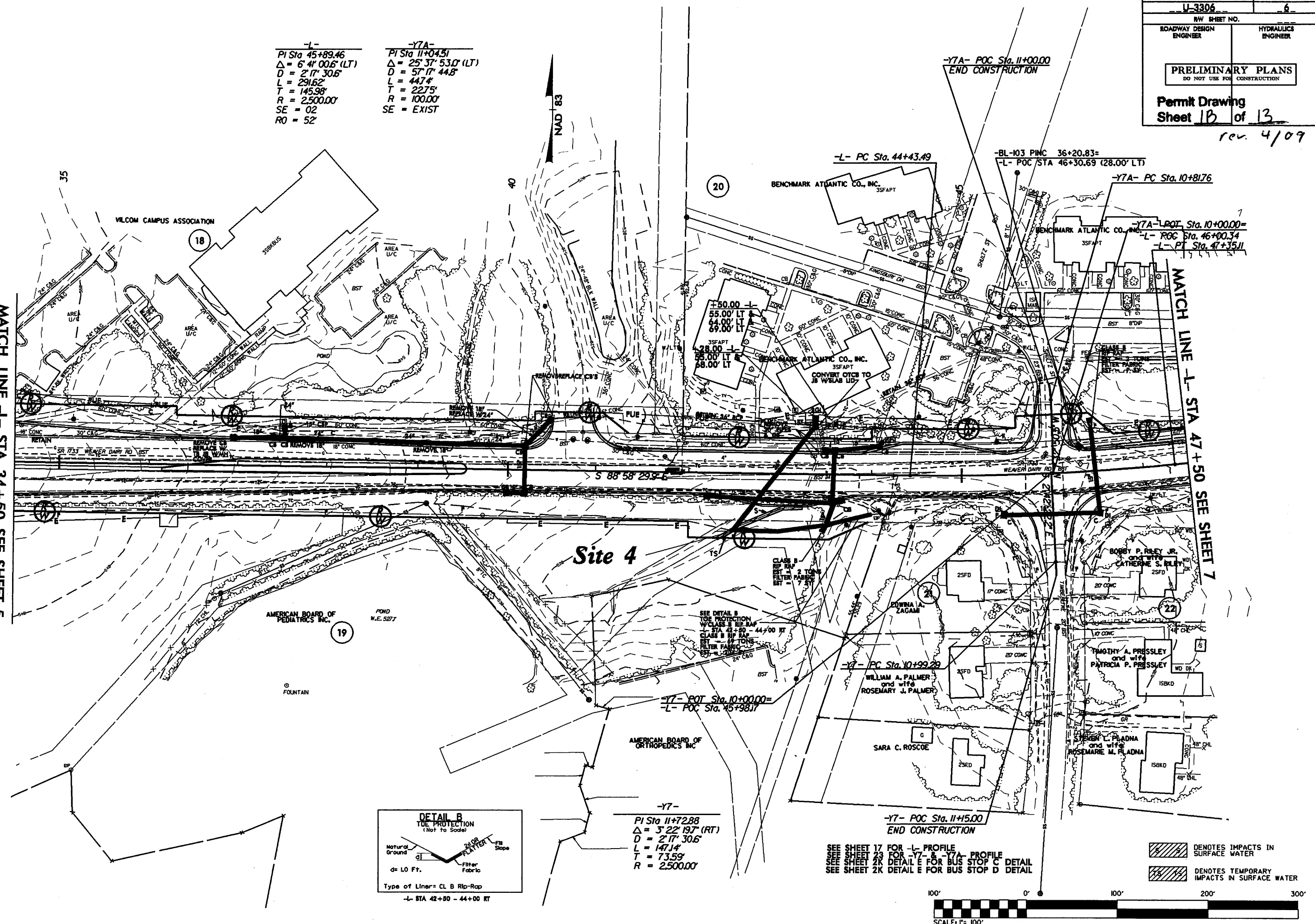
8/17/07

rev. 4/09

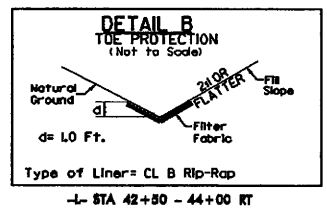
<p><b>-L-</b>          PI Sta 45+89.46  <math>\Delta = 6' 41'' 00.6''</math> (LT)  <math>D = 2' 17'' 30.6''</math>  <math>L = 291.62'</math>  <math>T = 145.98'</math>  <math>R = 2,500.00'</math>  <math>SE = 02'</math>  <math>RO = 52'</math></p>	<p><b>-Y7A-</b>          PI Sta 11+04.51  <math>\Delta = 25' 37'' 53.0''</math> (LT)  <math>D = 57' 17'' 44.8''</math>  <math>L = 447.4'</math>  <math>T = 227.5'</math>  <math>R = 100.00'</math>  <math>SE = EXIST</math></p>
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MATCH LINE -L- STA 34+50 SEE SHEET 5

MATCH LINE -L- STA 47+50 SEE SHEET 7



**Site 4**



**-Y7-**  
 PI Sta 11+72.88  
 $\Delta = 3' 22'' 19.7''$  (RT)  
 $D = 2' 17'' 30.6''$   
 $L = 147.14'$   
 $T = 73.59'$   
 $R = 2,500.00'$

SEE SHEET 17 FOR -L- PROFILE  
 SEE SHEET 23 FOR -Y7- & -Y7A- PROFILE  
 SEE SHEET 2X DETAIL E FOR BUS STOP C DETAIL  
 SEE SHEET 2K DETAIL E FOR BUS STOP D DETAIL

DENOTES IMPACTS IN SURFACE WATER  
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER



FROM REVISION 7/30/08, JCI ADDED PUE'S TO PARCELS 18, 19 & 20. REMOVED ICE FROM PARCEL 18. REVISED PDE & ICE ON PARCEL 20.

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