



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

October 18, 2011

Mr. Brad Shaver
U.S. Army Corps of Engineers
Wilmington Field Office
69 Darlington Ave.
Wilmington, NC 28403

Subject: Additional information for a previously submitted **Permit Modification Request for the Section 404 Individual Permit, Section 401 Individual Water Quality Certification and CAMA Consistency Certification** for proposed improvements US 17 (Western Parkway) from SR 1403 (Country Club Road) to Western Boulevard in Onslow County. Federal Aid. No. STP-NHF-17(63), TIP No. U-4007B, WBS 35008.1.1

References: Original Permit Application dated May 11, 2010
Section 404 Individual Permit issued September 1, 2010; USACE Permit No. SAW- 2001-00919
Section 401 Water Quality Certification issued August 26, 2010; NCDWQ Project No. 20100362
N.C. Division Coastal Management CAMA consistency concurrence issued August 27, 2010; CD10-0530, (DCM#20100076)
Permit Modification Request dated September 12, 2011

Dear Sir:

This additional information is provided at the request of comments from the US Army Corps of Engineers (USACE), the NC Division of Water Quality (NCDWQ), and the NC Division of Coastal Management (NCDCM) in response to NCDOT's recent permit modification request for this project. Previously submitted permit drawings have not changed, however a revised impact summary sheet and updated Ecosystem Enhancement Program (EEP) acceptance letter are included with this letter.

Excavation at Site 2 in non-riparian wetlands has increased by 0.23 acre and mechanized clearing in non-riparian wetlands has increased 0.09 acre. Permanent fill for non-riparian wetland impacts at Site 2 has been reduced by 0.10 acre. This was accomplished by utilizing more of the existing abandoned railroad causeway. The portion of these wetlands originally permitted for impacts was defined as non-riparian. An additional tributary and wetlands at Site 2 (service road for Ramp-IB, PC Sta. 18+94.25) on U-4007B have been identified and were outside of the original study area for the Jurisdictional Determination (dated September 1, 2010).

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

TELEPHONE: 919-707-6100
FAX: 919-212-5785

WEBSITE: WWW.NCDOT.ORG

LOCATION:
1020 BIRCH RIDGE DRIVE
RALEIGH NC 27610

The newly delineated wetland was evaluated utilizing Light Detection and Ranging (LiDAR), NCDOT generated topographic contours, N.C. Wetland Assessment Method (NCWAM) and the Soil Survey of Onslow County. After analyzing this information, the contour intervals from the topographic maps and the soil survey support that these wetlands are non-riparian. LiDAR showed a crenulation that would define these wetlands as riparian under NCWAM. However, a road is parallel to one side of the contour interval and the elevation on either side of the road was the same. With the available references used to evaluate these wetlands, characterizing this system being non-riparian and the uncertainty of the LiDAR interpretation, the wetlands at Site 2 are considered non-riparian.

Net non-riparian wetland impacts have increased by 0.22 acre, which increases total permanent impacts for U-4007B to 2.9 acres. The EEP will provide additional compensatory mitigation for the unavoidable non-riparian wetland impacts due to U-4007B. Due to the additional impacts occurring at non-riparian wetlands, mitigation from the Clay Hill Farm Mitigation Site will not be debited as proposed in the permit modification request dated September 12, 2011.

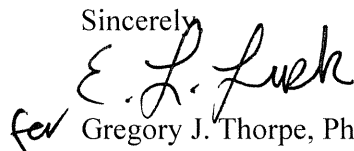
Proposed impacts of 0.02 ac. of fill in surface waters are proposed for the recently added tributary. Compensatory mitigation for this impact is not proposed due to the fact that the feature is considered surface waters and not a stream. Resources

Section 404 Permit: NCDOT requests that the USACE review this information and issue a modification for the Individual 404 Permit issued September 1, 2010, as required for the above-described activities.

Section 401 Permit: NCDOT requests that the NCDWQ review this information and issue a modification for the Individual 401 Certification issued August 26, 2010, as required for the above-described activities. In accordance with 15A NCAC 2H .0501(a) we are providing five copies of this information to the NCDWQ for their approval. The previously submitted permit modification request dated September 12, 2011 authorized \$570 to act as payment for processing the permit modification.

CAMA: The NCDOT certifies that the proposed activity, including this additional information, complies with the enforceable policies of North Carolina's approved management program and will be conducted in a manner consistent with such program. Based on these changes, NCDOT requests that NCDCM issue a revised consistency concurrence letter if necessary.

A copy of this letter and its distribution list will be posted on the NCDOT website at <http://www.ncdot.org/doh/preconstruct/pe/neu/permit.html>. Thank you for your assistance with this project. If you have any questions or need additional information, please contact John S. Merritt at jsmerritt@ncdot.gov or (919) 707-6140.

Sincerely

for Gregory J. Thorpe, Ph.D., Manager
Project Development and Environmental Analysis Branch

cc:
NCDOT Permit Application Standard Distribution List



October 6, 2011

Mr. Gregory J. Thorpe, Ph.D.
 Environmental Management Director
 Project Development and Environmental Analysis Branch
 North Carolina Department of Transportation
 1548 Mail Service Center
 Raleigh, North Carolina 27699-1548

Dear Dr. Thorpe:

Subject: EEP Mitigation Acceptance Letter:

U-4007, US 17 Improvements from Jacksonville Bypass to Drummer Kellum Road, Onslow County

References: USACE 404 Individual Permit issued on September 1, 2010 (USACE Action ID 2001-00919)

NCDWQ 401 Water Quality Certification issued on August 26, 2010 (NCDWQ Project ID 2001-0362)

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) will provide the additional non-riparian wetland mitigation for the subject project. Based on the information supplied by you on October 6, 2011, the additional impacts are located in CU 03030001 of the White Oak River Basin in the Southern Outer Coastal Plain (SOCP) Eco-Region, and are as follows:

Table 1 – Additional Impacts and Associated Anticipated Mitigation Credits from EEP

White Oak 03030001 SOCP	Stream			Wetlands			Buffer (Sq. Ft.)	
	Cold	Cool	Warm	Riparian	Non-Riparian	Coastal Marsh	Zone 1 (3:1)	Zone 2 (1.5:1)
Impacts (feet/acres)	0	0	0	0	0.22	0	0	0

The additional non-riparian wetland impact is associated with Section B of this TIP project. EEP is currently providing stream and non-riparian wetland mitigation for the impacts associated with this project located in White Oak 03030001 as required by the 404 and 401 permits that were issued September 1, 2010 and August 26, 2010, respectively, as shown in the below table (in mitigation credits):

Table 2 – Total Revised Impacts and Mitigation Credits Provided from EEP

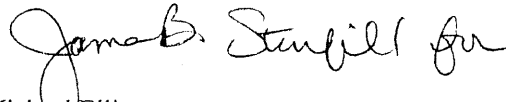
Impact Type	Permitted Impacts	Mitigation Provided by EEP per Issued Permits (Credits)	Additional Impact (for approval)	Revised Total Impacts
Stream	3,039.0	6,078.0	0	3,039.0
Riparian Wetland	0	0	0	0
Non-riparian Wetland	5.76	11.52	0.22	5.98

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EEP commits to providing the sufficient amount compensatory non-riparian wetland mitigation credits to offset the additional impacts associated with this project in accordance with the N.C. Department of Environment and Natural Resources' Ecosystem Enhancement Program In-Lieu Fee Instrument dated July 28, 2010. If the above referenced impact amounts are revised, then this mitigation acceptance letter will no longer be valid and a new mitigation acceptance letter will be required from EEP.

If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-715-1929.

Sincerely,



Michael Ellison
EEP Deputy Director

Cc: Mr. Brad Shaver, USACE – Wilmington Regulatory Field Office
Mr. Brian Wrenn, NC Division of Water Quality
File: U-4007 Additional

Restoring... Enhancing... Protecting Our State



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	29+25 -Y2-	2 AT 6'x7' RCBC								0.05			290		
2	23+60-26+92 -RAMP1B- LT 12+00-19+91 -SER-1	ROADWAY FILL ROADWAY FILL	0.09 0.16		0.14 0.09					0.02					
3	52+58-53+32 -Y1A SBL- LT 23+85-25+70 -RAMP 1A- 14+00-15+50 -LOOP 1A- 47+73-48+82 -SBL RAMP-	48" RCP 2 AT 42" RCP 2 AT 42" RCP 2 AT 42" RCP	0.02 0.14 0.30 0.24				0.01 0.02 0.03 0.02								
4	14+72-18+45 -L-	60" RCP	0.57				0.08			0.04			301		
5	12+43 -Y4- LT	ROADWAY FILL	<.01				<.01								
6	39+14-41+39 -L-	72" RCP	0.26				0.03			0.03			260		
7	57+11-62+05 -L-	42" RCP ROADWAY FILL	0.33				0.04			0.09			326		
8	69+71-70+78 -Y1A SBL- LT	DITCH EFFECT	0.16												
9	23+00-24+41 -Y4-	2 AT 36" RCP	0.09				0.02			0.01			122		
TOTALS:			2.35	0.00	0.22	0.33	0.00	0.00	0.24	0	0	1,299			

REMARKS: SITE 1) THE EXISTING SILLS TO BE REMOVED TO SATISFY FEMA REGULATIONS FOR THE CULVERT EXTENSION. ATN Revised 5/26/11

SITE 2) SITE 2 IS A TOTAL TAKE.

SITE 3) THE AREA BETWEEN -L- AND LOOP 1A WILL BE A TOTAL TAKE. ADDITIONAL TOTAL TAKE (NO IMPACT) = 0.09 AC

SITE 6) THE SLIVER WETLAND TO THE RIGHT OF -L- WILL BE A TOTAL TAKE. ADDITIONAL TOTAL TAKE (NO IMPACT) SW = <0.01AC CHANNEL = 45 ft. WETLANDS = 0.02AC

Note: FILL IN STORMWATER PONDS STA. 45+00 TO 52+23 -L- RT (PSH 09)* AND 25+68 TO 26+27 -Y4- LT (PSH 13)** HAVE BEEN COORDINATED WITH DWQ-STORMWATER SECTION.

* THE FILL IN THE STORMWATER POND ON PLAN SHEET (PSH) #9 IS 0.51 AC. AND THE VOL. REDUCTION IS 0.59 AC-FT

** THE FILL IN THE STORMWATER POND ON PLAN SHEET (PSH) #13 IS 0.03 AC. AND THE VOL. REDUCTION IS 0.1 AC-FT

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

ONSLOW COUNTY
WBS - 35008.1.1 (U-4007B)

SHEET 1 REV 10/13/11

