

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY ANTHONY J. TATA GOVERNOR SECRETARY

July 14, 2015

U.S. Army Corps of Engineers Regulatory Field Office 2407 West 5th Street Washington, NC 27889

ATTN: Ms. Tracey Wheeler

NCDOT Coordinator

SUBJECT: Application for Section 10 and Section 404 Nationwide Permit 6 for Field Investigations

for a Proposed Bridge for the Phase II B portion of the NC 12 long term improvements in

Dare County; TIP Project B-2500 (Phase II B); Federal Aid Project BRNHF-0012 (56)

Dear Madam,

As part of the NEPA process for the Phase II B section of the project, the North Carolina Department of Transportation (NCDOT) is planning a limited subsurface investigation to gather information for the foundation design of the above-referenced structure. The investigation will take place along the preferred alternatives -2014A- and -2014B- (Sound Alignments), as depicted on the attached figures.

A private engineering firm will be selected to conduct the investigation with up to 25 Standard Penetration Test (SPT) borings and 20 Cone Penetration Tests (CPT) to be performed. These 45 borings will be performed in the corridor shown on the attached site map. Forty borings will be located in Pamlico Sound. The remaining 5 borings are located in uplands. The Department has shifted the boring locations so that no borings will occur in wetlands.

The borings in the sound will be advanced from a jack-up barge, and will consist of turning or driving 3inch to 8-inch diameter steel casing into the sound bottom creating minimal disturbance. Other drilling tools will be used to sample the sediments and advance the hole within the steel casing. The steel casing will be removed upon completing the boring.

Any borings drilled on land or in shallow water in the sound will be performed with a rubber tired drill rig or low ground pressure tracked drill rig, respectively. These borings will also be 3-inch to 8-inch in diameter. Any disturbance from the borings should be limited to within a 2-foot radius of the boring location.

All borings are scheduled to be drilled by October 16, 2015.

Regulatory Approvals:

We are hereby requesting a Nationwide Permit No. 6 for borings occurring in the sound for the above mentioned activities.

The NCDOT has also submitted a modification/renewal of a Special Use Permit from the Pea Island National Wildlife Refuge for these activities.

If you have any questions or would like additional information, please contact Michael Turchy at maturchy@ncdot.gov or (919) 707-6157. A copy of this request will be posted at: https://connect.ncdot.gov/resources/Environmental/Pages

Sincerely,

Richard W. Hancock, P.E., Manager

Project Development and Environmental Analysis Unit

cc:

John L. Pilipchuk, LG, PE, NCDOT-Geotechnical Engineering Unit Greg Daisey, NCDCM-Elizabeth City Garcy Ward, NCDWR-Washington





Office Use Only:
Corps action ID no
DWQ project no
Form Version 1.4 January 2009

	Pre-Construction Notification (PCN) Form							
A.	Applicant Information		-	_				
1.	Processing							
1a.	a. Type(s) of approval sought from the Corps:							
1b.	Specify Nationwide Permit (NWP) number: 6	or General Permit (GP) num	nber:				
1c.	Has the NWP or GP number bee	n verified b	y the Corps?	☐ Yes	⊠ No			
1d.	Type(s) of approval sought from	the DWQ (d	check all that apply):	I.				
	☐ 401 Water Quality Certificatio	n – Regula	Non-404 Jurisdiction	al General Permi	t			
	☐ 401 Water Quality Certificatio	n – Expres	Riparian Buffer Autho	orization				
1e.	Is this notification solely for the rebecause written approval is not r		For the record only for DWQ 401 Certification:	For the record o	only for Corps Permit:			
1f.	Is payment into a mitigation bank of impacts? If so, attach the accepte program.		ee program proposed for mitigation ter from mitigation bank or in-lieu	☐ Yes	⊠ No			
1g.	g. Is the project located in any of NC's twenty coastal counties. If yes, answer 1h Yes No below.							
1h.	Is the project located within a NC	DCM Area	of Environmental Concern (AEC)?	⊠ Yes	□ No			
2.	Project Information							
2a.	Name of project:	B-2500 (P NC 12.	hase II B) - Geotechnical Investigati	ons for the Long	Term Improvements to			
2b.	County:	Dare						
2c.	Nearest municipality / town:	Rodanthe						
2d.	Subdivision name:	n/a						
2e.	NCDOT only, T.I.P. or state project no:	B-2500 (F	hase II B)					
3.	Owner Information							
3a.	Name(s) on Recorded Deed:	North Car	olina Department of Transportation					
3b.	Deed Book and Page No.							
3c.	Responsible Party (for LLC if applicable):							
3d.	Street address:	1598 Mail	Service Center					
3e.	City, state, zip:	Raleigh, N	IC 27699-1598					
3f.	Telephone no.:	919-707-6	3157					
3g.	Fax no.:	919-212-5	5785					
3h.	Email address:	maturchy	@ncdot.gov					

4.	Applicant Information (if different from owner)						
4a.	Applicant is:	Agent Other, specify:					
4b.	Name:						
4c.	Business name (if applicable):						
4d.	Street address:						
4e.	City, state, zip:						
4f.	Telephone no.:						
4g.	Fax no.:						
4h.	Email address:						
5.	Agent/Consultant Information	ı (if applicable)					
5a.	Name:						
5b.	Business name (if applicable):						
5c.	Street address:						
5d.	City, state, zip:						
5e.	Telephone no.:						
5f.	Fax no.:						
5g.	Email address:						

В.	B. Project Information and Prior Project History						
1.	Property Identification						
1a.	Property identification no. (tax PIN or parcel ID):						
1b.	Site coordinates (in decimal degrees):	Latitude: 35.61171 Longitude: - 75.46664 (DD.DDDDDD) (-DD.DDDDDD)					
1c.	Property size:	Approximately 30 acres					
2.	Surface Waters						
2a.	Name of nearest body of water (stream, river, etc.) to proposed project:	Pamlico Sound					
2b.	Water Quality Classification of nearest receiving water:	SA HQW					
2c.	River basin:	Pasquotank					
3.	Project Description						
За.	Describe the existing conditions on the site and the general lar application: Natural barrier island system, with recreation in Pea Island Na						
	Seashore.						
3b.	List the total estimated acreage of all existing wetlands on the	property:					
	Approximately 0.52 acre						
3c.	List the total estimated linear feet of all existing streams (interm n/a	ittent and perennial) on the property:					
3d.	Explain the purpose of the proposed project:						
	To perform subsurface investigations to determine for foundati						
3e.	Describe the overall project in detail, including the type of equi						
4	Equipment to be used will include rubber tired drill rigs or low quisdictional Determinations	ground pressure tracked rigs.					
4.							
4a.	Have jurisdictional wetland or stream determinations by the Corps or State been requested or obtained for this property / project (including all prior phases) in the past? Comments:	⊠ Yes ☐ No ☐ Unknown					
4b.	If the Corps made the jurisdictional determination, what type of determination was made?	☐ Preliminary ⊠ Final					
4c.	If yes, who delineated the jurisdictional areas? Name (if known): Sam Cooper	Agency/Consultant Company: CZR Inc. Other:					
4d.	4d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation. May 4, 2012, Action ID SAW-2012-00715. The Division of Coastal Management concurred with CAMA mapping on May 30, 2012						
5.	Project History						
5a.	Have permits or certifications been requested or obtained for this project (including all prior phases) in the past?	⊠ Yes ☐ No ☐ Unknown					
	If yes, explain in detail according to "help file" instructions.						
Ple 6.	Please see attached cover letter. A NWP 6 (Action ID: SAW-2013-02353) on 12/10/2013.						
	Future Project Plans Is this a phased project?	☐ Yes ☐ No See Attached Cover Letter					
	Is this a phased project?	☐ Yes ☐ No See Attached Cover Letter					
ου.	If yes, explain.						

C. Proposed In	npacts Inventory						
Impacts Summa	·						
	-	w for your project (che	ack all that anni				
☐ Wetlands	Streams - tri		Buffers	у).			
☐ Open Waters		d Construction					
Wetland Impacts							
		the site, then comple	te this auestion	for each wetland area in	npacte	d.	
2a.	2b.	2c.	2d.	2e.		2f.	
Wetland impact				Type of jurisdiction	n		
number –	Type of impact	Type of wetland	Forested	(Corps - 404, 10			a of impact
Permanent (P) or Temporary (T)		(if known)		DWQ – non-404, oth	ner)		(acres)
			☐ Yes	Corps			
W1 □ P □ T			∏ No	DWQ			
14/2 C D C T			☐ Yes	Corps			
W2 □ P □ T			☐ No	□ DWQ			
wa 🗆 b 🗆 t			☐ Yes	☐ Corps			
W3 □ P □ T			☐ No	☐ DWQ			
W4 □ P □ T			☐ Yes	☐ Corps			
VV4 [] 1 [] 1			☐ No	☐ DWQ			
W5			Yes	Corps			
			□ No	DWQ			
W6 □ P □ T			Yes	Corps			
			☐ No	DWQ			
2g. Total wetland im	pacts						
2h. Comments:							
3. Stream Impacts	5						
		m impacts (including t	emporary impa	cts) proposed on the sit	e, then	comp	lete this
question for all strea	-	T	,	T			Τ _
3a.	3b.	3c.	3d.	3e.	3f.		3g.
Stream impact number -	Type of impact	Stream name	Perennial (PER) or	Type of jurisdiction	Aver stre	-	Impact length
Permanent (P) or			intermittent	(Corps - 404, 10 DWQ – non-404,	wid		(linear
Temporary (T)			(INT)?	other)	(fee		feet)
a. D-D-			☐ PER	Corps	,		
S1 P T				☐ DWQ			
S2 □ P □ T			☐ PER	Corps			
32 P 1			☐ INT	☐ DWQ			
S3 □ P □ T			☐ PER	☐ Corps			
05 [] 1			☐ INT	☐ DWQ			
S4 □ P □ T			PER	Corps			
			☐ INT	DWQ			
S5			PER	Corps			
			☐ INT	DWQ			
S6 □P□T			☐ PER☐ INT	│			
2h Total atwasses and	l tuibutour in		L IIVI				
3h. Total stream and	i tributary impacts						
3i. Comments:							

If there are		ed impacts	to lakes, po				ries, sounds, th	ne Atlantic C	cean, or a	any other open	water of
4a.	ien inaivi	4b.	an open wate	4c.	acis D	CIOW.		4d.		4e.	
Open water impact number –		Name of	waterbody licable)	Type of impact			pact	Waterbody type		Area of impact (acres)	
Permaner											
Tempora O1 🗌 F	ary (1) P⊠T	Pamlic	o Sound	8" m	naximu	ım borings	x 40 borings	Open Water		0.05	
O2 🗌 F	P □ T										
O3 🗌 F	P 🗌 T										
04 🗌 F	Р 🗌 Т										
4f. Total o	pen wate	er impacts								0.05 (tem	nporary)
4g. Commacre.	ents: Act	tual amoun	t per boring	is 50	square	e inches.	50 square inch	es x 40 bori	ngs = 2,00	00 square inche	es or 0.046
5. Pond	or Lake	Construct	tion								
If pond or	lake cons	struction pr	oposed, the	n con	nolete	the chart b	nelow.				
5a.	5b.	он ионон р.	 	5c.	.p.010			5d.			5e.
Pond ID	Propo	osed use or purpose of pond			Wetla	ind Impact	s (acres)	Stre	am Impact	ts (feet)	Upland (acres)
number				Flooded Filled I		Excavated	Flooded	Filled	Excavated	Flooded	
P1											
P2											
5f. Total											
5g. Comm	ents:							•			
5h. Is a da	ım high h	azard perr	nit required?)	☐ Y	es	□ No If	yes, permit	ID no:		
5i. Exped	ted pond	surface a	rea (acres):								
5j. Size c	of pond w	atershed (a	acres):								
5k. Metho	d of con	struction:									
6. Buffer I	mpacts	(for DWQ)									
If project v	· vill impac	t a protecte	ed riparian b				ne chart below. I out Section D			ly list all buffer	impacts
6a.	•		<u> </u>				☐ Neuse	□ Tar-E	Pamlico	Other:	
Project is	in which	protected b	pasin?				Catawba	Ranc	lleman	Other.	
6b. 6c. 6d. Buffer impact					6e.	6f.		6g.			
number – Permanent (P) or		Reason for	St	ream	name		Buffer mitigation	Zone 1 (square		Zone 2 impact (square feet)	
Temporary (T)		impact		icaiii	Harric		required?	(Square	o icct)	(Square	, icci)
B1	Р Т	•					☐ Yes ☐ No				
B2	Т						☐ Yes ☐ No				
B3 ☐ F	Т						☐ Yes ☐ No				
	6h. Total buffer impacts										
6i. Comme	ents:							•		•	

D. Impact Justification and Mitigation						
1. Avoidance and Minimization						
 Specifically describe measures taken to avoid or minimize the proposed impacts in designing project. Any borings drilled on land or in shallow water in the sound will be performed with a rubber tired drill rig or low ground pressure tracked drill rig respectively. All borings will be 3-inch to 8-inch in diameter. Borings were originally located in wetlands, but accommodations were made to shift borings outside of wetlands. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. 						
NCDOT will implement "Guidelines for Avoiding Impacts to the Construction Activities in North Carolina Waters," during work f		Precautionary Measures for				
2. Compensatory Mitigation for Impacts to Waters of the	U.S. or Waters of the	State				
2a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?	☐ Yes					
2b. If yes, mitigation is required by (check all that apply):	☐ DWQ ☐ C	orps				
2c. If yes, which mitigation option will be used for this project?	☐ Mitigation bank ☐ Payment to in-lie ☐ Permittee Respo	eu fee program onsible Mitigation				
3. Complete if Using a Mitigation Bank						
3a. Name of Mitigation Bank:						
3b. Credits Purchased (attach receipt and letter)	Туре	Quantity				
3c. Comments:						
4. Complete if Making a Payment to In-lieu Fee Program						
4a. Approval letter from in-lieu fee program is attached.	Yes					
4b. Stream mitigation requested:	linear feet					
4c. If using stream mitigation, stream temperature:	☐ warm ☐ c	ool				
4d. Buffer mitigation requested (DWQ only):	square feet					
4e. Riparian wetland mitigation requested:	acres					
4f. Non-riparian wetland mitigation requested:	acres					
4g. Coastal (tidal) wetland mitigation requested:	acres					
4h. Comments:						
5. Complete if Using a Permittee Responsible Mitigation	Plan					
5a. If using a permittee responsible mitigation plan, provide a	description of the prop	osed mitigation plan.				

6. Buffer l	5. Buffer Mitigation (State Regulated Riparian Buffer Rules) – required by DWQ								
	6a. Will the project result in an impact within a protected riparian buffer that requires buffer mitigation?								
	6b. If yes, then identify the square feet of impact to each zone of the riparian buffer that requires mitigation. Calculate the amount of mitigation required.								
	6c.	6d.		6e.					
Zone	Reason for impact	Total impact (square feet)	Multiplier	Required mitigation (square feet)					
		(Square reet)		(Square reet)					
Zone 1			3 (2 for Catawba)						
Zone 2			1.5						
		6f. Total buffer	mitigation required:						
6g. If buffer mitigation is required, discuss what type of mitigation is proposed (e.g., payment to private mitigation bank, permittee responsible riparian buffer restoration, payment into an approved in-lieu fee fund).									
6h. Comme	nts:								

E.	E. Stormwater Management and Diffuse Flow Plan (required by DWQ)					
1.	Diffuse Flow Plan					
1a.	Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?	Yes	⊠ No			
1b.	If yes, then is a diffuse flow plan included? If no, explain why. Comments: Temporary subsurface activity only.	☐ Yes	□No			
2.	Stormwater Management Plan					
2a.	What is the overall percent imperviousness of this project?	n/a %				
2b.	Does this project require a Stormwater Management Plan?	☐ Yes	⊠ No			
2c.	If this project DOES NOT require a Stormwater Management Plan, explain why: subs	urface exploratio	n only			
2d.	If this project DOES require a Stormwater Management Plan, then provide a brief, nan/a	rrative descriptio	n of the plan:			
2e.	Who will be responsible for the review of the Stormwater Management Plan?		cal Government water Program nit			
3.	Certified Local Government Stormwater Review					
3a.	In which local government's jurisdiction is this project?	n/a				
3b.	Which of the following locally-implemented stormwater management programs apply (check all that apply):	Phase II NSW USMP Water Supp Other:	y Watershed			
3c.	Has the approved Stormwater Management Plan with proof of approval been attached?	Yes	□ No			
4.	DWQ Stormwater Program Review					
4a.	Which of the following state-implemented stormwater management programs apply (check all that apply):	Coastal could HQW ORW Session La	unties w 2006-246			
4b.	Has the approved Stormwater Management Plan with proof of approval been attached?	☐ Yes	□ No n/a			
5.	DWQ 401 Unit Stormwater Review					
5a.	Does the Stormwater Management Plan meet the appropriate requirements?	☐ Yes	□No			
5b.	Have all of the 401 Unit submittal requirements been met?	☐ Yes	□No			

F.	F. Supplementary Information					
1.	Environmental Documentation (DWQ Requirement)					
1a.	Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land?	⊠ Yes	□No			
1b.	If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)?	⊠ Yes	□No			
1c.	If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.)	⊠ Yes	□No			
	Comments: NEPA FEIS/EA/ROD for TIP B-2500					
2.	Violations (DWQ Requirement)					
2a.	Is the site in violation of DWQ Wetland Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), DWQ Surface Water or Wetland Standards, or Riparian Buffer Rules (15A NCAC 2B .0200)?	☐ Yes	⊠ No			
2b.	Is this an after-the-fact permit application?	☐ Yes	⊠ No			
2c.	If you answered "yes" to one or both of the above questions, provide an explanation of	of the violation(s):				
3.	Cumulative Impacts (DWQ Requirement)					
3a.	Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality?	Yes	⊠ No			
3b.	If you answered "yes" to the above, submit a qualitative or quantitative cumulative impost recent DWQ policy. If you answered "no," provide a short narrative description.	oact analysis in a	ccordance with the			
	This is a temporary subsurface geotechnical and design investigation. Cumulative eff were thoroughly addressed in the EIS/EA/ROD.	fects of the overa	Il project (B-2500)			
4.	Sewage Disposal (DWQ Requirement)					
4a.	4a. Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility.					
	Not applicable.					

5.	. Endangered Species and Designated Critical Habitat (Corps Requirement)					
5a.	a. Will this project occur in or near an area with federally protected species or habitat?					
5b.	Have you checked with the USFWS co impacts?	oncerning Endangered Species Act	⊠ Yes	□No		
5c.	If yes, indicate the USFWS Field Office	e you have contacted.	☑ Raleigh☐ Asheville			
5d.	What data sources did you use to dete Habitat?	ermine whether your site would impact Er	ndangered Species or	Designated Critical		
	USFWS website and agency consultat	tion; FEIS/ROD				
dor inci turl	Pursuant to communication with Eric Hawk from NOAA Fisheries from the previous NW 6 verification for this project, "I don't foresee any route of potential adverse effects from the driving of approximately twenty small-diameter (3-inch to 8-inch) steel casings into Pamlico Sound during the February 1-July 31 sturgeon moratorium. The noise disturbance and turbidity effects should be very minimal and the possibility of driving a casing onto a mobile listed species is implausible." Due to the above statement, no moratorium is anticipated for this project.					
6.	Essential Fish Habitat (Corps Requi	rement)				
6a.	□ No					
6b.	What data sources did you use to dete	ermine whether your site would impact Es	ssential Fish Habitat?			
7.	Historic or Prehistoric Cultural Reso	ources (Corps Requirement)				
7a.	7a. Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)? ✓ Yes ✓ No					
7b.	What data sources did you use to dete	ermine whether your site would impact his	storic or archeological	resources?		
8. F	Flood Zone Designation (Corps Requ	irement)				
8a.	Will this project occur in a FEMA-desig	nated 100-year floodplain?	⊠ Yes	□No		
8b.	8b. If yes, explain how project meets FEMA requirements: This temporary activity will not result in changes in permanent flood elevations.					
8c.	8c. What source(s) did you use to make the floodplain determination? approved NEPA documents					
A	Richard W. Hancock, P.E.	PAN		07-14-2015		
Applicant/Agent's Printed Name Applicant/Agent's Signature (Agent's signature is valid only if an authorization letter from the applicant is provided.)				Date		















