



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PATRICK L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

January 8, 2013

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

Attention: Bill Biddlecome
NCDOT Coordinator

Dear Sir:

Subject: **Revised Application for Section 404 Nationwide Permit 23 and Section 401 Water Quality Certification** for the proposed replacement of Bridge No. 16 over Hardison Mill Creek on NC 171, Martin County. TIP No. B-4185; Federal Aid Project No. BRSTP-171(14); State Project No. 8.1090601; WBS 33532.1.1

Reference: NCDOT Application dated December 18, 2012

Due to additional minimization of impacts, a portion of the area previously proposed as mechanized clearing is now shown as hand clearing. As a result, revised permanent impacts to Waters of the United States associated with this project includes the fill of 0.38 acre, excavation of 0.08 acre, and mechanized clearing of 0.14 acre of riparian wetlands. Please find enclosed the revised; PCN form (pages 4,7,11), permit drawings (sheets 3-7, 11), and EEP acceptance letter and replace those provided with our original application.

The let date for this project is June 18, 2013; however, the let date may advance as additional funds become available.

Regulatory approvals

Section 404 Permit: All aspects of this project are being processed by the Federal Highway Administration as a "Categorical Exclusion" in accordance with 23 CFR 771.115(b). The NCDOT requests that a Nationwide Permit 23 authorize these activities.

Section 401 Water Quality Certification: We anticipate 401 General Certification number 3701 will apply to this project. All general conditions of the Water Quality Certification will

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.GOV

LOCATION:
1020 BIRCH RIDGE DRIVE
RALEIGH NC 27610-4328

be met. NCDOT is providing this revised application to the NCDWQ for their review and approval.

A copy of this revised permit application and its distribution list will be posted on the NCDOT website at <http://connect.ncdot.gov/resources/Environmental/>

Thank you for your assistance with this project. If you have any questions or need additional information, please contact Chris Manley at cdmanley@ncdot.gov or (919) 707-6135.

Sincerely,



for

Gregory J. Thorpe, Ph.D., Manager
Project Development & Environmental Analysis

cc:

NCDOT Permit Application Standard Distribution List

C. Proposed Impacts Inventory

1. Impacts Summary

1a. Which sections were completed below for your project (check all that apply):

- Wetlands Streams - tributaries Buffers
 Open Waters Pond Construction

2. Wetland Impacts

If there are wetland impacts proposed on the site, then complete this question for each wetland area impacted.

2a. Wetland impact number – Permanent (P) or Temporary (T)	2b. Type of impact	2c. Type of wetland (if known)	2d. Forested	2e. Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	2f. Area of impact (acres)
Site 1 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	fill	Cypress-gum Swamp	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	0.38
Site 2 <input checked="" type="checkbox"/> P <input checked="" type="checkbox"/> T	excavation	Cypress-gum Swamp	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	0.08
Site 3 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	mechanized clearing	Cypress-gum Swamp	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	0.14
Site 4 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ	
Site 5 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ	
Site 6 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ	

2g. Total wetland impacts 0.6 Permanent
0 Temporary

2h. Comments: There will be 0.27 acre of hand clearing for the aerial power line and 0.19 acre for bridge construction. Additionally there will be 0.03 acre of temporary fill in the hand clearing areas for erosion control measures.

3. Stream Impacts

If there are perennial or intermittent stream impacts (including temporary impacts) proposed on the site, then complete this question for all stream sites impacted.

3a. Stream impact number - Permanent (P) or Temporary (T)	3b. Type of impact	3c. Stream name	3d. Perennial (PER) or intermittent (INT)?	3e. Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	3f. Average stream width (feet)	3g. Impact length (linear feet)
Site 1 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 2 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 3 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 4 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
Site 5 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		

3h. Total stream and tributary impacts 0 Perm
0 Temp

3i. Comments:

*revised
1/8/13*

D. Impact Justification and Mitigation		
1. Avoidance and Minimization		
1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing project. The proposed bridge is 50 feet longer than the existing bridge; the proposed bridge will be at approximately the same grade as the existing structure; the existing four-span bridge will be replaced with a three-span with no bents in the stream. 3:1 slopes will be used in jurisdictional areas. Performed scour holes will be utilized. A portion of the previously proposed mechanized clearing is now proposed as hand clearing.		
1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. NCDOT Best Management Practices for Protection of Surface Waters; Bridge Demolition, Removal and Construction; Sedimentation and Erosion Control will be adhered to.		
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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, explain:	
2b. If yes, mitigation is required by (check all that apply):	<input type="checkbox"/> DWQ <input checked="" type="checkbox"/> Corps	
2c. If yes, which mitigation option will be used for this project?	<input type="checkbox"/> Mitigation bank <input checked="" type="checkbox"/> Payment to in-lieu fee program <input checked="" type="checkbox"/> Permittee Responsible Mitigation	
3. Complete if Using a Mitigation Bank		
3a. Name of Mitigation Bank: not applicable		
3b. Credits Purchased (attach receipt and letter)	Type	Quantity
3c. Comments:		
4. Complete if Making a Payment to In-lieu Fee Program		
4a. Approval letter from in-lieu fee program is attached.	<input type="checkbox"/> Yes	
4b. Stream mitigation requested:	linear feet	
4c. If using stream mitigation, stream temperature:	<input type="checkbox"/> warm <input type="checkbox"/> cool <input type="checkbox"/> cold	
4d. Buffer mitigation requested (DWQ only):	square feet	
4e. Riparian wetland mitigation requested:	0.62 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 proposed mitigation plan. See attached mitigation plan.		

revised
1/8/13

5. Endangered Species and Designated Critical Habitat (Corps Requirement)		
5a. Will this project occur in or near an area with federally protected species or habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5b. Have you checked with the USFWS concerning Endangered Species Act impacts?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5c. If yes, indicate the USFWS Field Office you have contacted.	<input type="checkbox"/> Raleigh <input type="checkbox"/> Asheville	
5d. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat? NHP and NCDOT field surveys.		
6. Essential Fish Habitat (Corps Requirement)		
6a. Will this project occur in or near an area designated as essential fish habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6b. What data sources did you use to determine whether your site would impact Essential Fish Habitat? NMFS County Index		
7. Historic or Prehistoric Cultural Resources (Corps Requirement)		
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)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
7b. What data sources did you use to determine whether your site would impact historic or archeological resources? NEPA Documentation		
8. Flood Zone Designation (Corps Requirement)		
8a. Will this project occur in a FEMA-designated 100-year floodplain?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
8b. If yes, explain how project meets FEMA requirements: NCDOT Hydraulics Unit coordination with FEMA		
8c. What source(s) did you use to make the floodplain determination? FEMA Maps		
Dr. Gregory J. Thorpe, Ph D Applicant/Agent's Printed Name	 Applicant/Agent's Signature (Agent's signature is valid only if an authorization letter from the applicant is provided.)	1.8.13 Date



January 8, 2013

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

Dear Dr. Thorpe:

Subject: EEP Mitigation Acceptance Letter:

B-4185, Replace Bridge Number 16 over Hardison Mill Creek on NC 171, Martin County

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) will provide the compensatory riparian wetland mitigation for the subject project. Based on the information supplied by you on January 7, 2013, the impacts are located in CU 03010107 of the Roanoke River basin in the Northern Inner Coastal Plain (SOCP) Eco-Region, and are as follows:

Roanoke 03010107 NICP	Stream			Wetlands			Buffer (Sq. Ft.)	
	Cold	Cool	Warm	Riparian	Non- Riparian	Coastal Marsh	Zone 1	Zone 2
Impacts (feet/acres)	0	0	0	0.31	0	0	0	0

This mitigation acceptance letter replaces the mitigation acceptance letter issued on December 18, 2012. EEP commits to implementing sufficient compensatory riparian wetland mitigation credits to offset the impacts associated with this project as determined by the regulatory agencies 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 919-707-8420.

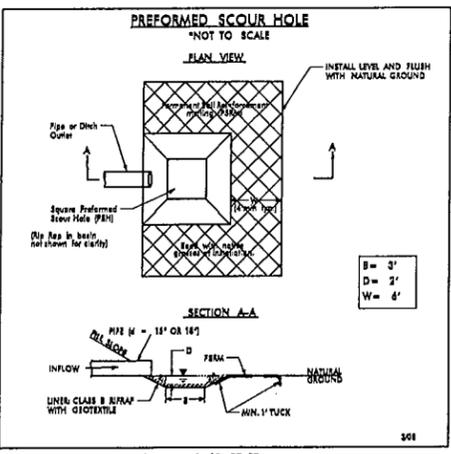
Sincerely,

Suzanne Klimek
EEP Acting Director

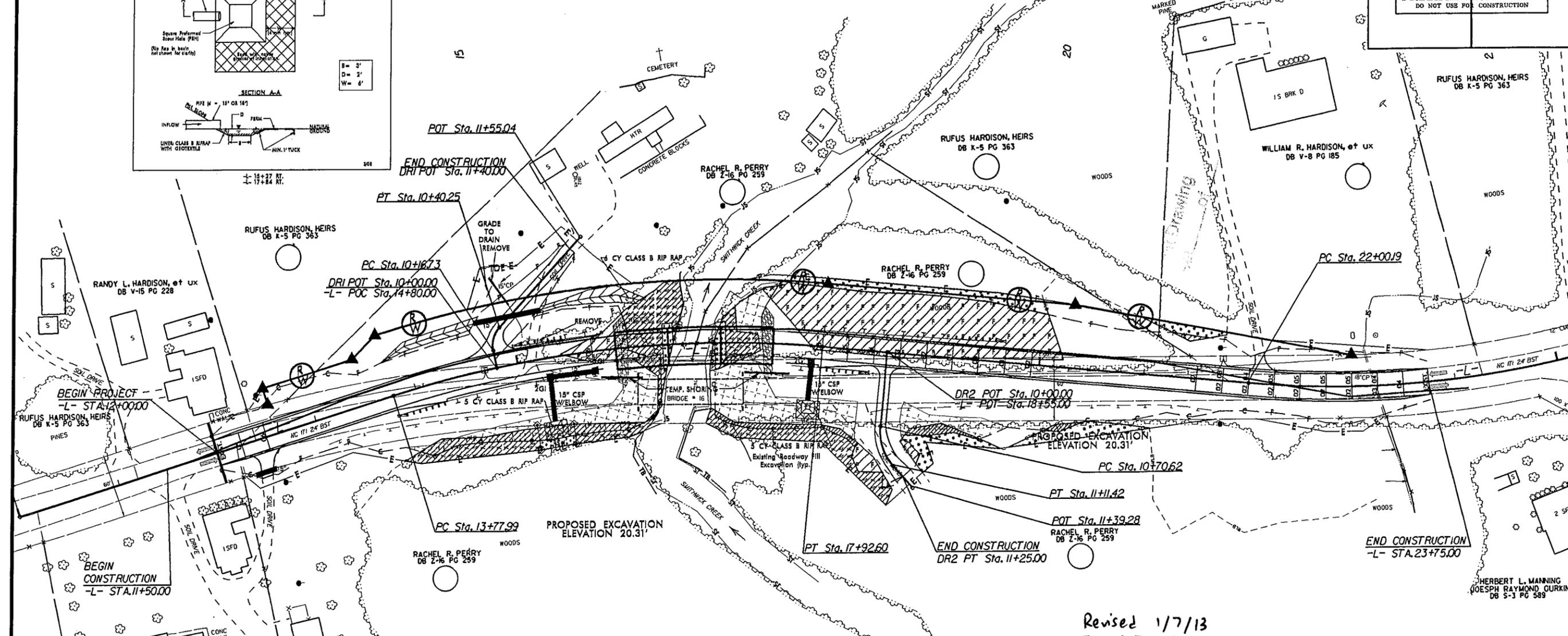
cc: Mr. Bill Biddlecome, USACE – Washington Regulatory Field Office
Ms. Amy Chapman, Division of Water Quality, Wetlands/401 Unit
File: B-4185 Revised

Restoring... Enhancing... Protecting Our State





NAD 83 / 95

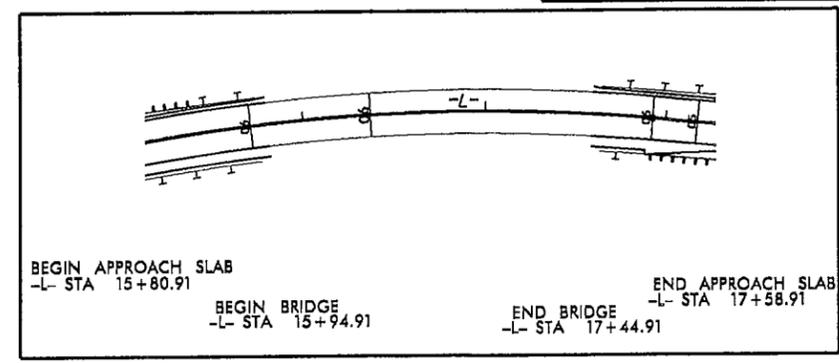
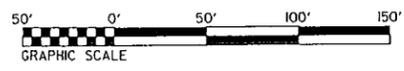
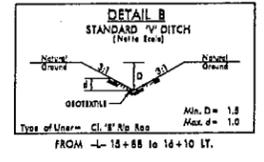
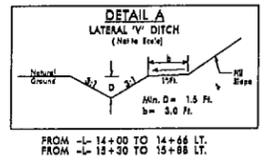


REVISIONS

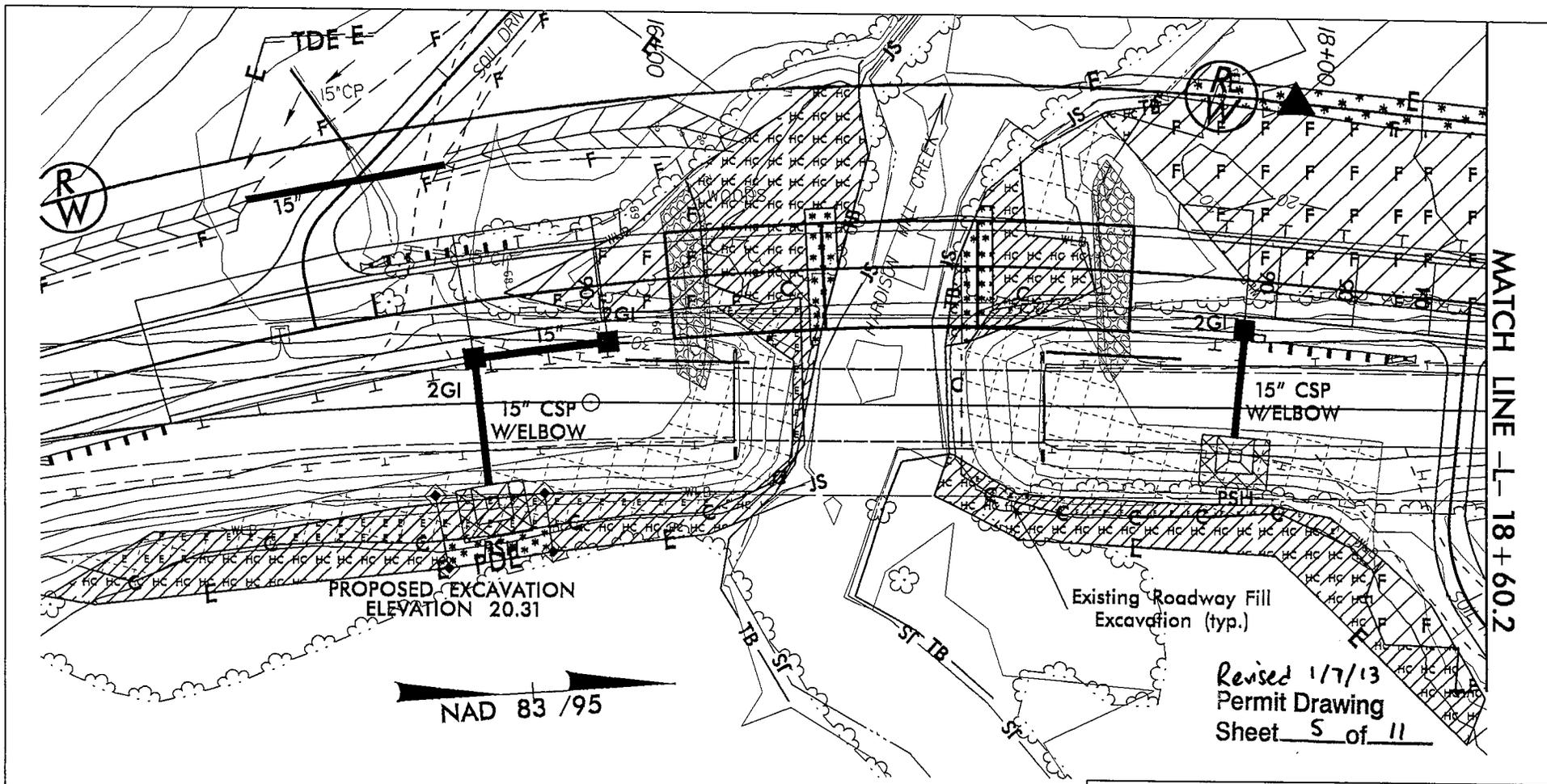
Revised 1/7/13
Permit Drawing
Sheet 3 of 11

SEE SHEET 5 FOR -L- PROFILE
SEE SHEET 5 FOR -DR1- PROFILE
SEE SHEET 5 FOR -DR2- PROFILE
SEE SHEETS S-1 THRU S-
FOR STRUCTURE PLANS

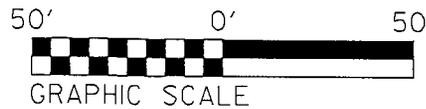
- DENOTES EXCAVATION IN WETLAND
- DENOTES FILL IN WETLAND
- DENOTES HAND CLEARING
- DENOTES MECHANIZED CLEARING
- EXCAVATION TO WETLAND ELEVATION 20.31'



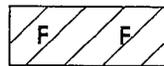
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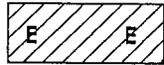
PLAN VIEW
(for Enlargement Only)



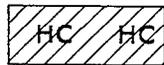
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Permit Drawing
Sheet 5 of 11



DENOTES FILL IN WETLAND



DENOTES EXCAVATION IN WETLAND



DENOTES HAND CLEARING



DENOTES MECHANIZED CLEARING



EXCAVATION TO WETLAND ELEVATION 20.31'

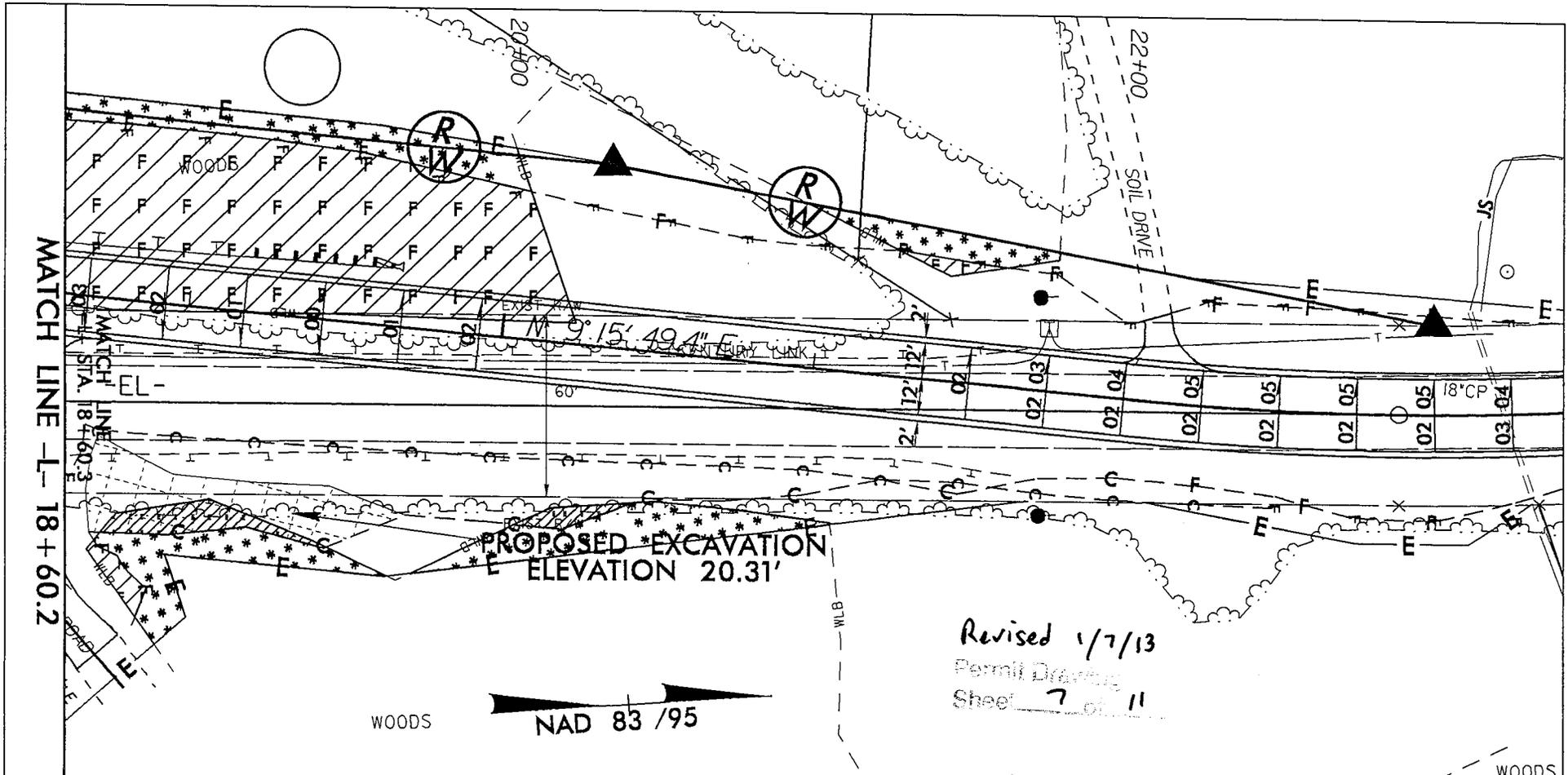
NCDOT

DIVISION OF HIGHWAYS
MARTIN COUNTY

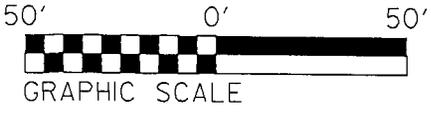
PROJECT: 33532.L1 (B-4185)
REPLACE BRIDGE #16
OVER HARDISON MILL CRK.
ON NC 171

SHEET OF

REV. 12/18/12
9/14/12



PLAN VIEW
 (for Enlargement Only)



- DENOTES FILL IN WETLAND
- DENOTES EXCAVATION IN WETLAND
- DENOTES MECHANIZED CLEARING
- EXCAVATION TO WETLAND ELEVATION 20.31'

NCDOT
 DIVISION OF HIGHWAYS
 MARTIN COUNTY
 PROJECT: 33532.1.1 (B-4185)
 REPLACE BRIDGE #16
 OVER HARDISON MILL CRK.
 ON NC 171

SHEET OF 9 / 14 / 12

