STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

September 18, 2013

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

ATTN: Mr. Steven Kichefski
NCDOT Coordinator

Subject: **Modification of Section 404 Nationwide Permits 23 & 33, and Section 401 Water Quality Certification** for the proposed replacement of Bridge Nos. 140 & 147 over Mallard Creek on US 29 in Mecklenburg County, Federal Aid Project No. BRSTP-29(39), Division 10, TIP No. B-4779, Debit $570 from WBS 38550.1.1.

Reference: Section 404 Nationwide 13, 23 and 33 Permit, Action ID 2012-00782 issued June 6, 2013.
Section 401 Water Quality Certification, DWQ No. 13-0553, issued June 11, 2013.

Dear Sir:

Since the issuance of the above referenced permit, two design changes have occurred changing the impacts to Waters of the US.

Request to Modify the Nationwide 23:

Due to safety concerns with the previous design in regard to pedestrian traffic from the multi-use greenway path under the bridge, the design has been modified to allow pedestrians to safely detour around the work area. The revised design places pedestrians on the service/ emergency access road and away from construction activities. This reduces the construction staging area and removes the construction equipment/ pedestrian conflict. However, this shift will result in a net increase in permanent wetland impact of 0.04 acre at Site 3, by way of an additional of 0.06 acre of permanent fill and a reduction of 0.02 acre of mechanized clearing.

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 27610-4328

Request to Modify the Nationwide 33:

A temporary work pad has been eliminated. This change reduces temporary impacts to Mallard Creek from 0.03 acre to 0.02 acre.

All other impacts remain as stated in the May 21, 2013 application, and subsequent permits.

Please see enclosed revised permit drawings and EEP acceptance.

A copy of this permit modification request and its distribution list will be posted on the NCDOT Website at: https://connect.ncdot.gov/resources/Environmental/Pages. If you have any questions or need additional information, please call Michael Turchy at maturchy@ncdot.gov.

Sincerely,

Richard W. Hancock, P.E., Manager
Project Development and Environmental Analysis Unit

cc: NCDOT Permit Application Standard Distribution List

Ecosystem Enhancement PROGRAM

September 10, 2013

Mr. Philip S. Harris, III, P.E., CPM
Project Development and Environmental Analysis Unit
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina 27699-1598

Dear Mr. Harris:

Subject: EEP Mitigation Acceptance Letter:

B-4779, Replace Bridge Numbers 140 and 147 over Mallard Creek on US 29, Mecklenburg 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 May 2, 2013, the impacts are located in CU 03040105 of the Yadkin River basin in the Southern Piedmont (SP) Eco-Region, and are as follows:

Yadkin 03040105 SP	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

*Some of the stream and wetland impacts may be proposed to be mitigated at a 1:1 mitigation ratio. See permit application for details.

This mitigation acceptance letter replaces the mitigation acceptance letters issued on April 23 and May 7, 2013. This impact and associated mitigation need were under projected by the NCDOT in the 2013 impact data. EEP will commit to implement sufficient compensatory riparian wetland mitigation credits to offset the impacts associated with this project as determined by the regulatory agencies using the delivery timeline listed in Section F.3.c.iii of 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,

James B. Stanfill

James B. Stanfill
EEP Asset Management Supervisor

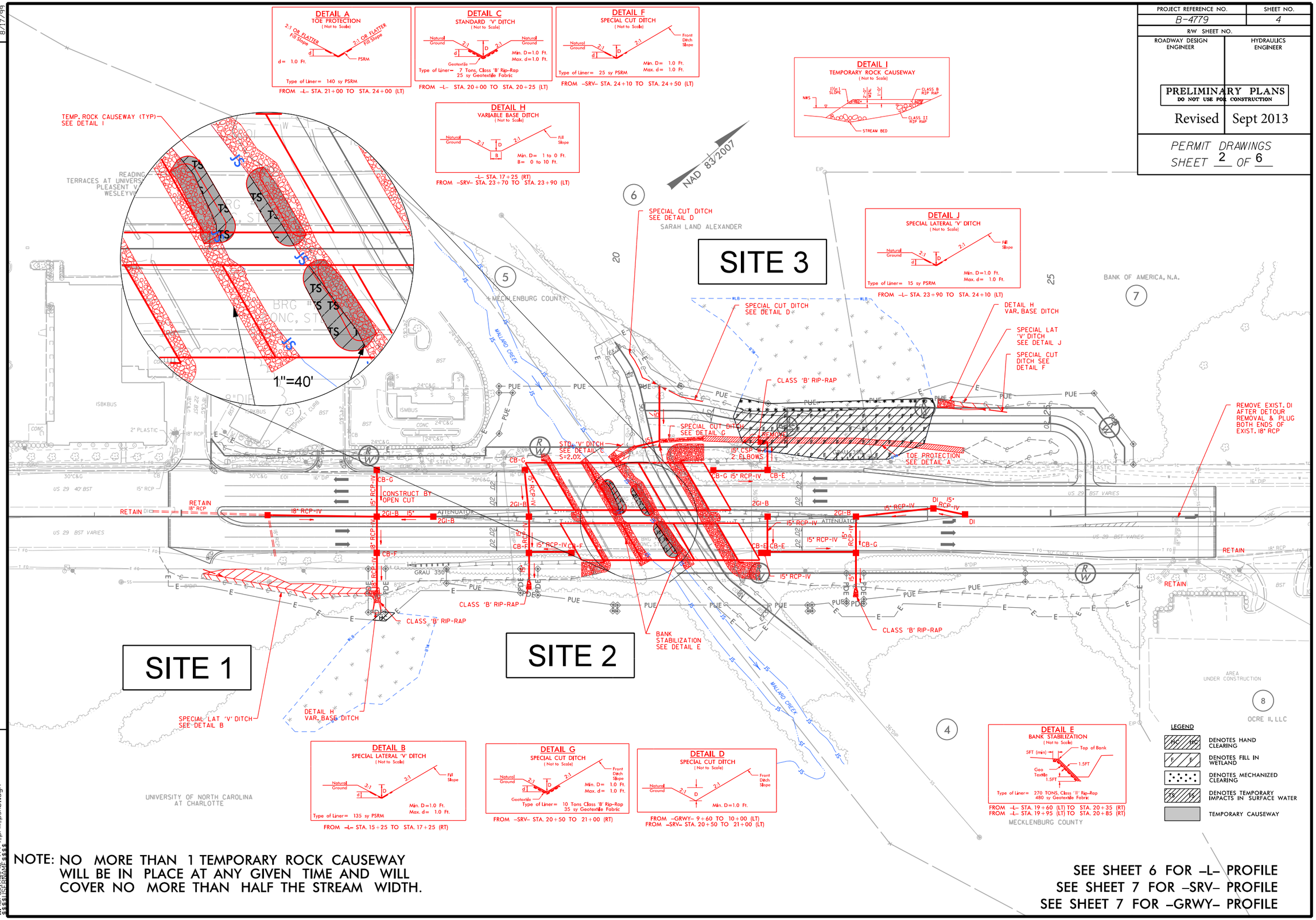
cc: Ms. Amanda Jones, USACE – Asheville Regulatory Field Office
Mr. Alan Johnson, Division of Water Quality, Mooresville Office
File: B-4779 Revised 2

PROJECT REFERENCE NO.	SHEET NO.
B-4779	4
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

Revised Sept 2013

PERMIT DRAWINGS
SHEET 2 OF 6



NOTE: NO MORE THAN 1 TEMPORARY ROCK CAUSEWAY WILL BE IN PLACE AT ANY GIVEN TIME AND WILL COVER NO MORE THAN HALF THE STREAM WIDTH.

SEE SHEET 6 FOR -L- PROFILE
SEE SHEET 7 FOR -SRV- PROFILE
SEE SHEET 7 FOR -GRWY- PROFILE

REVISIONS

8/17/99

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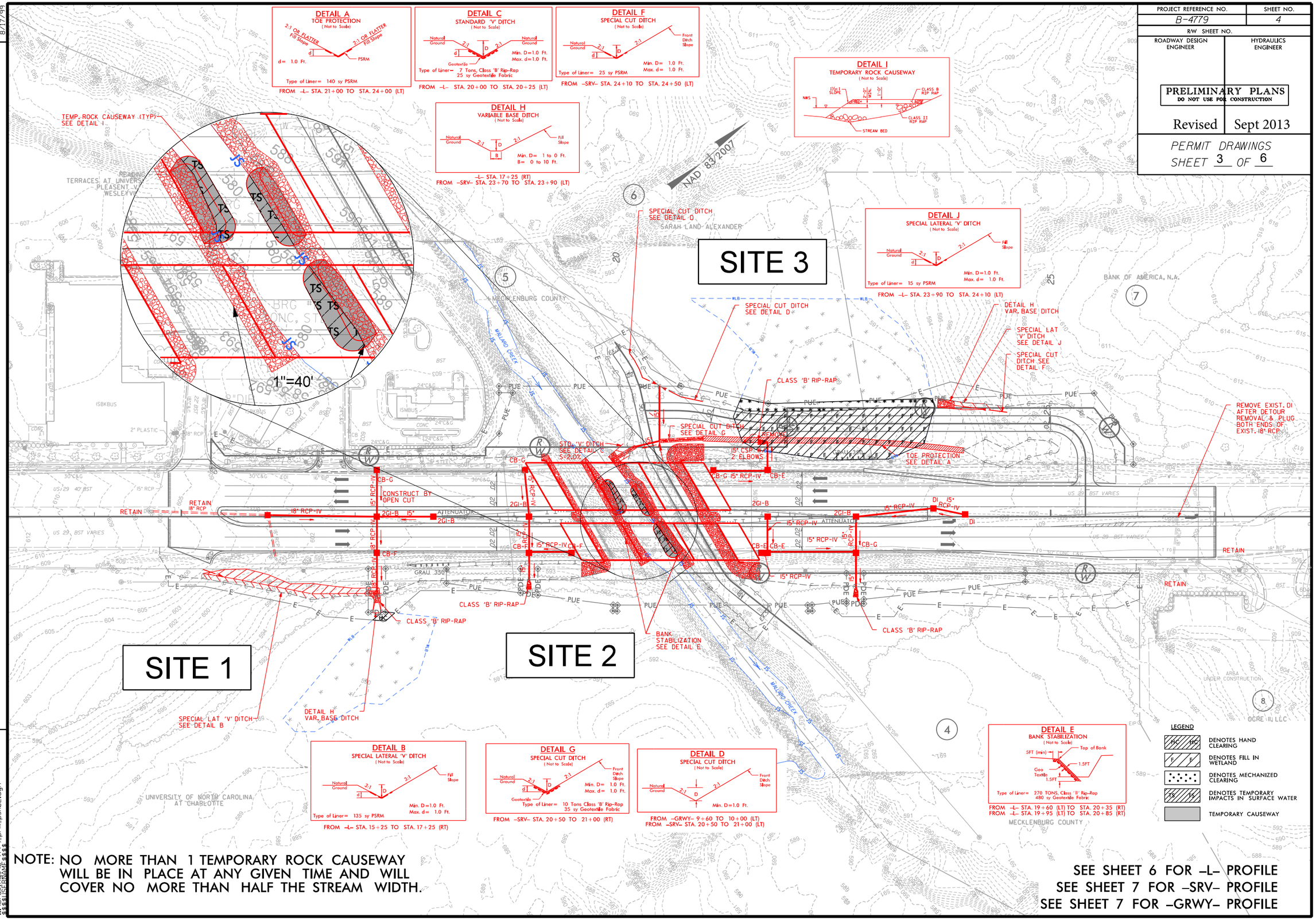
PROJECT REFERENCE NO.	SHEET NO.
B-4779	4
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

Revised Sept 2013

PERMIT DRAWINGS
SHEET 3 OF 6

REVISIONS 8/17/99



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SEE SHEET 6 FOR -L- PROFILE
SEE SHEET 7 FOR -SRV- PROFILE
SEE SHEET 7 FOR -GRWY- PROFILE

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PROJECT REFERENCE NO.	SHEET NO.
B-4779	6
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

Revised Sept 2013

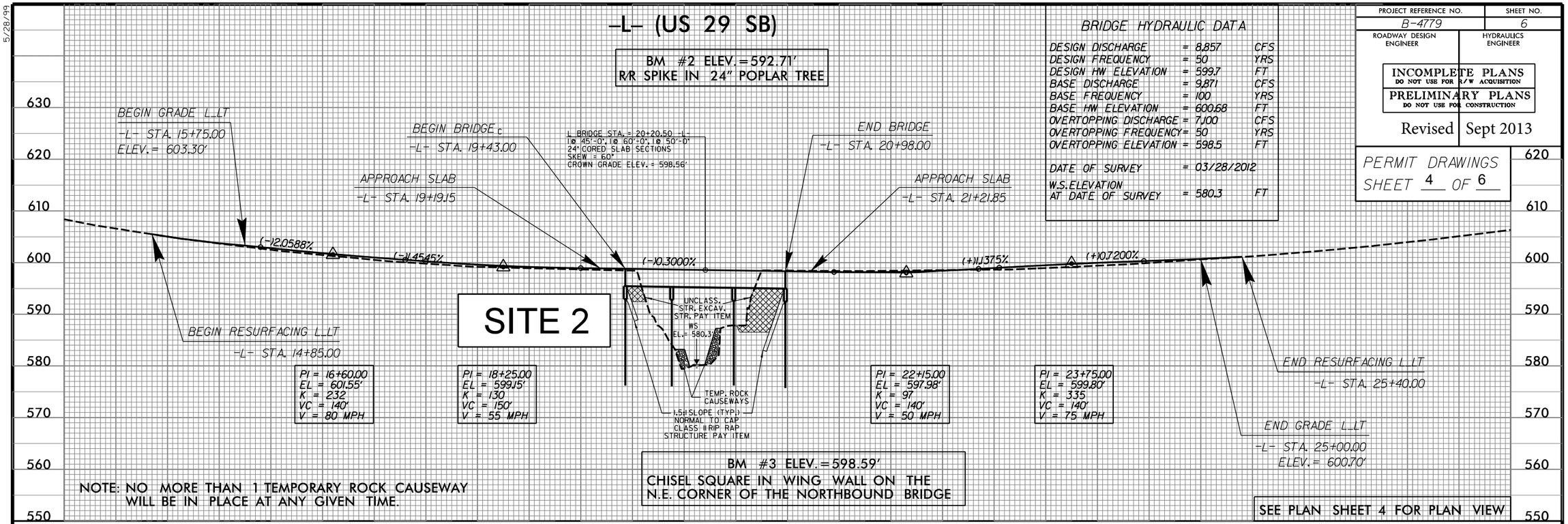
PERMIT DRAWINGS
SHEET 4 OF 6

-L- (US 29 SB)

BM #2 ELEV. = 592.71'
R/R SPIKE IN 24" POPLAR TREE

BRIDGE HYDRAULIC DATA

DESIGN DISCHARGE	= 8,857	CFS
DESIGN FREQUENCY	= 50	YRS
DESIGN HW ELEVATION	= 599.7	FT
BASE DISCHARGE	= 9,871	CFS
BASE FREQUENCY	= 100	YRS
BASE HW ELEVATION	= 600.68	FT
OVERTOPPING DISCHARGE	= 7,100	CFS
OVERTOPPING FREQUENCY	= 50	YRS
OVERTOPPING ELEVATION	= 598.5	FT
DATE OF SURVEY	= 03/28/2012	
W.S. ELEVATION AT DATE OF SURVEY	= 580.3	FT



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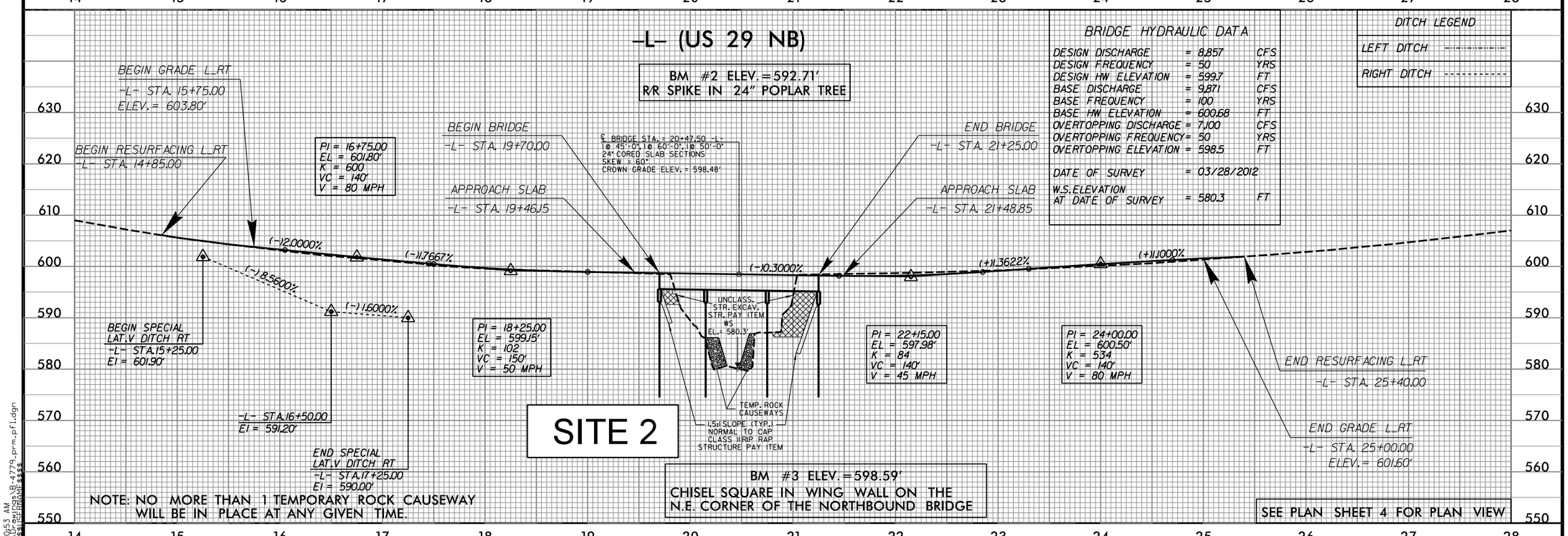
DATE OF SURVEY	= 03/28/2012	
W.S. ELEVATION AT DATE OF SURVEY	= 580.3	FT

DITCH LEGEND

LEFT DITCH
RIGHT DITCH



5/28/99

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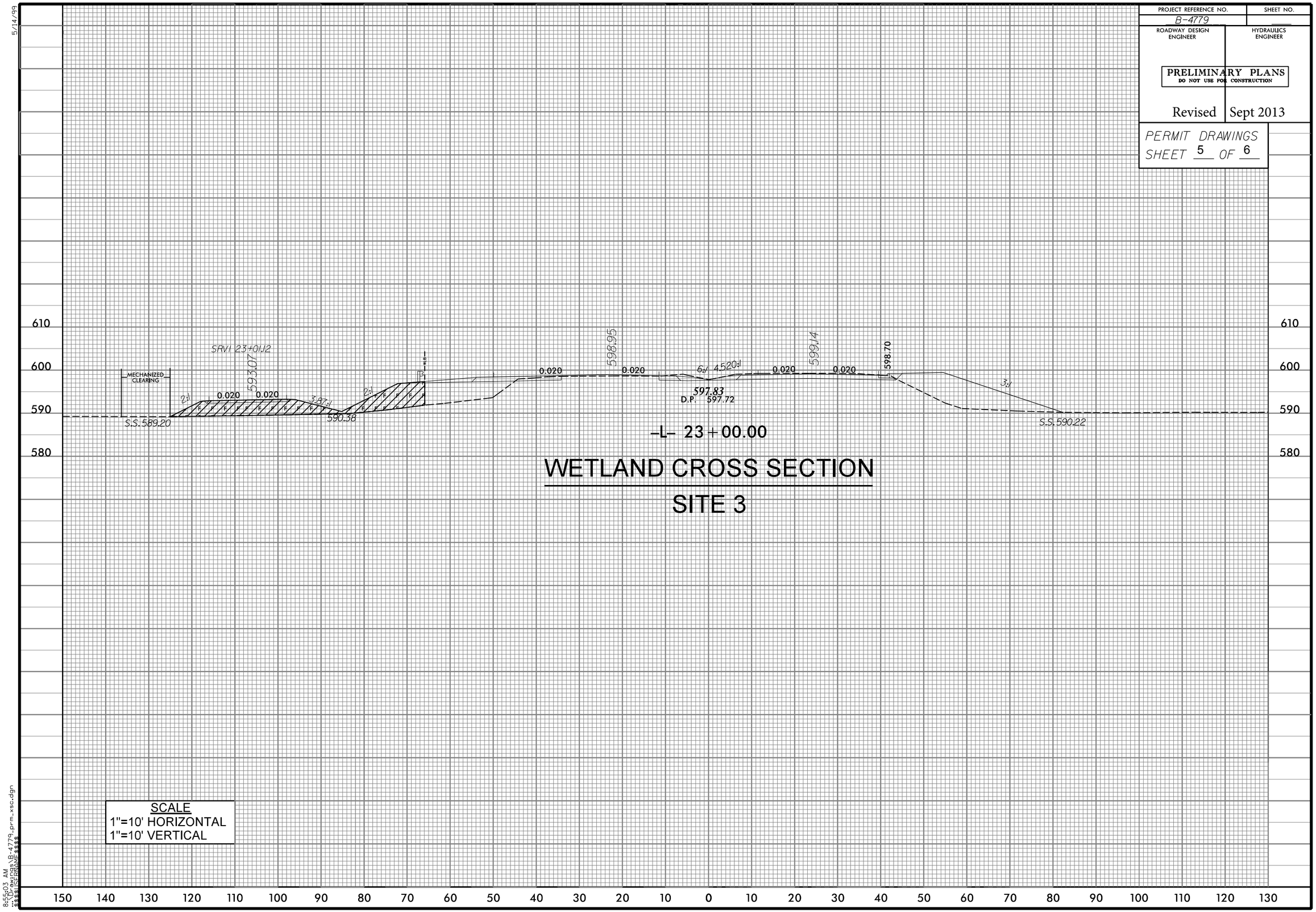
PROJECT REFERENCE NO.	SHEET NO.
B-4779	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

Revised Sept 2013

PERMIT DRAWINGS
SHEET 5 OF 6



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WETLAND PERMIT IMPACT SUMMARY

			WETLAND IMPACTS					SURFACE WATER IMPACTS				
Site No.	Station (From/To)	Structure Size / Type	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	-L- 17+20 TO 17+46	Roadway	-	-	-	-	0.01	-	-	-	-	-
2	-L- 19+65 TO 20+80	Bank Stabilization	-	-	-	-	-	-	-	172	-	-
	-L- 19+87 TO 20+72	Temporary Rock Causeway	-	-	-	-	-	-	0.02	-	-	-
3	-L- 21+35 TO 23+67	Roadway	0.26	-	-	0.05	-	-	-	-	-	-
TOTALS:			0.26	0.00	0.00	0.05	0.01	0	0.02	172	0	0

Notes: "Actual" Hand Clearing in Wetlands = 0.0035 acres (150.4 sf).

Temporary Rock Causeways are for removal of existing bridge piers.

No more than 1 Temporary Rock Causeway will be in place at any given time and will cover no more than half the stream width.

No "Channel Impacts - Temp." were computed since these impacts are already accounted for in "Existing Channel Impacts - Permanent".

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

Mecklenburg
B-4779

SHEET 6 OF 6 Revised Sept 2013
9/12/2013