



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY  
GOVERNOR

May 8, 2013

ANTHONY J. TATA  
SECRETARY

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

ATTN: Ms. Amanda Jones  
NCDOT Coordinator

Dear Madam:

Subject: **Application for Section 404 Nationwide 23 and 33 Permits, and Section 401 Water Quality Certification** for the proposed replacement of Bridge No. 138 over Island Creek on SR 1109 in Stanly County, Federal Aid Project No. BRZ-1109(7); Division 10; TIP No. B-4818; Debit \$240 from WBS 38588.1.1.

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 138 over Island Creek on SR 1109. There will be 93 linear feet of permanent stream impact and 0.01 acre of temporary stream impact associated with the replacement of this structurally deficient and functionally obsolete structure.

Please see enclosed copies of the Pre-Construction Notification (PCN), EEP mitigation acceptance, permit drawings, stormwater management plan, design plans, and jurisdictional determination for the above referenced project. The Programmatic Categorical Exclusion (PCE) was completed in July 2012. Documents were distributed shortly thereafter. Additional copies are available upon request.

This project calls for a letting date of December 17, 2013 and a review date of October 29, 2013.

A copy of this permit application and its distribution list will be posted on the NCDOT Website at: <https://connect.ncdot.gov/resources/Environmental/Pages/default.aspx>. If you have any questions or need additional information, please contact Michael Turchy at [maturchy@ncdot.gov](mailto:maturchy@ncdot.gov) or (919) 707-6157.

Sincerely,

for Gregory J. Thorpe, Ph.D., Manager

Project Development and Environmental Analysis Unit

"cc" List: NCDOT Permit Application Standard Distribution List.

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](http://WWW.NCDOT.ORG)

LOCATION:  
1020 BIRCH RIDGE DRIVE  
RALEIGH NC 27610-4328



Office Use Only:  
 Corps action ID no. \_\_\_\_\_  
 DWQ project no. \_\_\_\_\_  
 Form Version 1.3 Dec 10 2008

## Pre-Construction Notification (PCN) Form

### A. Applicant Information

#### 1. Processing

1a. Type(s) of approval sought from the Corps:  Section 404 Permit     Section 10 Permit

1b. Specify Nationwide Permit (NWP) number: 23 33    or General Permit (GP) number:

1c. Has the NWP or GP number been verified by the Corps?     Yes     No

1d. Type(s) of approval sought from the DWQ (check all that apply):  
 401 Water Quality Certification – Regular     Non-404 Jurisdictional General Permit  
 401 Water Quality Certification – Express     Riparian Buffer Authorization

1e. Is this notification solely for the record because written approval is not required?	For the record only for DWQ 401 Certification: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	For the record only for Corps Permit: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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1f. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts? If so, attach the acceptance letter from mitigation bank or in-lieu fee program.     Yes     No

1g. Is the project located in any of NC's twenty coastal counties. If yes, answer 1h below.     Yes     No

1h. Is the project located within a NC DCM Area of Environmental Concern (AEC)?     Yes     No

#### 2. Project Information

2a. Name of project:	Replacement of Bridge No. 138 over Island Creek on SR 1109.
2b. County:	Stanly
2c. Nearest municipality / town:	Oakboro
2d. Subdivision name:	not applicable
2e. NCDOT only, T.I.P. or state project no.:	B-4818

#### 3. Owner Information

3a. Name(s) on Recorded Deed:	North Carolina Department of Transportation
3b. Deed Book and Page No.	not applicable
3c. Responsible Party (for LLC if applicable):	not applicable
3d. Street address:	1 South Wilmington Street
3e. City, state, zip:	Raleigh, NC 27601
3f. Telephone no.:	(919) 707-6157
3g. Fax no.:	(919) 431-2002
3h. Email address:	maturchy@ncdot.gov

<b>4. Applicant Information (if different from owner)</b>	
4a. Applicant is:	<input type="checkbox"/> Agent <input type="checkbox"/> Other, specify:
4b. Name:	not applicable
4c. Business name (if applicable):	
4d. Street address:	
4e. City, state, zip:	
4f. Telephone no.:	
4g. Fax no.:	
4h. Email address:	
<b>5. Agent/Consultant Information (if applicable)</b>	
5a. Name:	not applicable
5b. Business name (if applicable):	
5c. Street address:	
5d. City, state, zip:	
5e. Telephone no.:	
5f. Fax no.:	
5g. Email address:	

<b>B. Project Information and Prior Project History</b>	
<b>1. Property Identification</b>	
1a. Property identification no. (tax PIN or parcel ID):	not applicable
1b. Site coordinates (in decimal degrees):	Latitude: 35.204453 (DD.DDDDDD) Longitude: - 80.381840 (-DD.DDDDDD)
1c. Property size:	1 acre
<b>2. Surface Waters</b>	
2a. Name of nearest body of water (stream, river, etc.) to proposed project:	Island Creek
2b. Water Quality Classification of nearest receiving water:	C
2c. River basin:	Yadkin-Pee Dee
<b>3. Project Description</b>	
3a. Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application: Mixed use of agricultural, forested & rural low density residential.	
3b. List the total estimated acreage of all existing wetlands on the property: 0.06	
3c. List the total estimated linear feet of all existing streams (intermittent and perennial) on the property: 335	
3d. Explain the purpose of the proposed project: To replace a structurally deficient and functionally obsolete bridge.	
3e. Describe the overall project in detail, including the type of equipment to be used: Replacement of bridge number 138, a two span, 61' structure, with a two span 80' structure, over Island Creek on SR 1109. Cranes, backhoes, excavators will be used.	
<b>4. Jurisdictional Determinations</b>	
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:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
4b. If the Corps made the jurisdictional determination, what type of determination was made?	<input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final
4c. If yes, who delineated the jurisdictional areas? Name (if known): Steven W. Lund	Agency/Consultant Company: Mulkey, Inc Other:
4d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation. December 8, 2009.	
<b>5. Project History</b>	
5a. Have permits or certifications been requested or obtained for this project (including all prior phases) in the past?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
5b. If yes, explain in detail according to "help file" instructions.	
<b>6. Future Project Plans</b>	
6a. Is this a phased project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6b. If yes, explain.	

<b>C. Proposed Impacts Inventory</b>						
<b>1. Impacts Summary</b>						
1a. Which sections were completed below for your project (check all that apply):						
<input type="checkbox"/> Wetlands		<input checked="" type="checkbox"/> Streams - tributaries		<input type="checkbox"/> Buffers		
<input type="checkbox"/> Open Waters		<input type="checkbox"/> Pond Construction				
<b>2. Wetland Impacts</b>						
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)	
W1 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
W2 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
W3 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
W4 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
W5 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
<b>2g. Total wetland impacts</b>						
2h. Comments:						
<b>3. Stream Impacts</b>						
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)
S1 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	Fill	Northern UT to Island Creek	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	4	47
S1 <input type="checkbox"/> P <input checked="" type="checkbox"/> T	Temporary Causeway & Workpad	Island Creek	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	25	<0.01 acre
S2 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	Fill	Southern UT to Island Creek	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	2	46
S2 <input type="checkbox"/> P <input checked="" type="checkbox"/> T	Temporary Workpad	Island Creek	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input checked="" type="checkbox"/> Corps <input type="checkbox"/> DWQ	25	<0.01 acre
<b>3h. Total stream and tributary impacts</b>						Permanent: 93 linear feet Temporary: 0.01 acre
3i. Comments: Explanation of Impacts:						
Site 1 - The Northern UT to Island Creek currently empties into Island Creek under the bridge. To accommodate the workpad required for the removal of the current bent and installation of the new bent, this UT will be re-routed to empty into Island Creek just upstream of the bridge.						
This impact will result in 47 linear feet of permanent stream impact by way of "drying"/ rerouting the UT.						
There will also be 0.005 acre of temporary impact to Island Creek by way of a temporary work pad to construct the 4' base						

ditch, which will carry the new reach of the Northern UT to Island Creek, as well as temporary causeway impact to Island Creek for the removal/ installation of the new bent.

Site 2- the Southern UT to Island Creek, two impacts:

1. The extension of a 30" RCP to accommodate the wider shoulders leading up to the wider bridge.

2. The UT will be re-routed away from the bridge end bent/ rip rap and emptying downstream of the bridge.

Both of these impacts total 46 linear feet of permanent stream impact. There will also be <0.01 acre of temporary impact to Island Creek by way of a temporary work pad to construct the 2' base ditch to carry the new reach of the Southern UT to Island Creek.

**4. Open Water Impacts**

If there are proposed impacts to lakes, ponds, estuaries, tributaries, sounds, the Atlantic Ocean, or any other open water of the U.S. then individually list all open water impacts below.

4a. Open water impact number – Permanent (P) or Temporary (T)	4b. Name of waterbody (if applicable)	4c. Type of impact	4d. Waterbody type	4e. Area of impact (acres)
O1 <input type="checkbox"/> P <input type="checkbox"/> T				
O2 <input type="checkbox"/> P <input type="checkbox"/> T				
O3 <input type="checkbox"/> P <input type="checkbox"/> T				
O4 <input type="checkbox"/> P <input type="checkbox"/> T				
<b>4f. Total open water impacts</b>				

4g. Comments:

**5. Pond or Lake Construction**

If pond or lake construction proposed, then complete the chart below.

5a. Pond ID number	5b. Proposed use or purpose of pond	5c. Wetland Impacts (acres)			5d. Stream Impacts (feet)			5e. Upland (acres)
		Flooded	Filled	Excavated	Flooded	Filled	Excavated	Flooded
P1								
P2								
<b>5f. Total</b>								

5g. Comments:

5h. Is a dam high hazard permit required?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, permit ID no:
5i. Expected pond surface area (acres):			
5j. Size of pond watershed (acres):			
5k. Method of construction:			

**6. Buffer Impacts (for DWQ)**

If project will impact a protected riparian buffer, then complete the chart below. If yes, then individually list all buffer impacts below. If any impacts require mitigation, then you **MUST** fill out Section D of this form.

6a. Project is in which protected basin?		<input type="checkbox"/> Neuse <input type="checkbox"/> Tar-Pamlico <input type="checkbox"/> Other: <input type="checkbox"/> Catawba <input type="checkbox"/> Randleman			
6b. Buffer impact number – Permanent (P) or Temporary (T)	6c. Reason for impact	6d. Stream name	6e. Buffer mitigation required?	6f. Zone 1 impact (square feet)	6g. Zone 2 impact (square feet)
B1 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No		
B2 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No		
B3 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>6h. Total buffer impacts</b>					
6i. Comments:					

<b>D. Impact Justification and Mitigation</b>		
<b>1. Avoidance and Minimization</b>		
1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing project. Bridge deck drains will be used on the eastern most side of the proposed bridge and will not be allowed to directly discharge into the water. An off-site detour will be used to allow the bridge to be replaced in-place		
1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. Best Management Practices (BMPs) and measures used in the project are non-structural and are an attempt to reduce the storm water impacts to the receiving stream due to erosion and runoff as well as attenuate and disperse storm water before entering the receiving waters.		
<b>2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State</b>		
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	
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 type="checkbox"/> Permittee Responsible Mitigation	
<b>3. Complete if Using a Mitigation Bank</b>		
3a. Name of Mitigation Bank: not applicable		
3b. Credits Purchased (attach receipt and letter)	Type	Quantity
3c. Comments:		
<b>4. Complete if Making a Payment to In-lieu Fee Program</b>		
4a. Approval letter from in-lieu fee program is attached.	<input checked="" type="checkbox"/> Yes	
4b. Stream mitigation requested:	93 linear feet	
4c. If using stream mitigation, stream temperature:	<input checked="" type="checkbox"/> warm <input type="checkbox"/> cool <input type="checkbox"/> cold	
4d. Buffer mitigation requested (DWQ only):	n/a square feet	
4e. Riparian wetland mitigation requested:	0 acres	
4f. Non-riparian wetland mitigation requested:	0 acres	
4g. Coastal (tidal) wetland mitigation requested:	0 acres	
4h. Comments:		
<b>5. Complete if Using a Permittee Responsible Mitigation Plan</b>		
5a. If using a permittee responsible mitigation plan, provide a description of the proposed mitigation plan.		

**6. 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?

Yes       No

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.

Zone	6c. Reason for impact	6d. Total impact (square feet)	Multiplier	6e. Required mitigation (square feet)
Zone 1			3 (2 for Catawba)	
Zone 2			1.5	
<b>6f. Total buffer mitigation required:</b>				

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. Comments:

<b>E. Stormwater Management and Diffuse Flow Plan (required by DWQ)</b>	
<b>1. Diffuse Flow Plan</b>	
1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1b. If yes, then is a diffuse flow plan included? If no, explain why. Comments:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. Stormwater Management Plan</b>	
2a. What is the overall percent imperviousness of this project?	n/a
2b. Does this project require a Stormwater Management Plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2c. If this project DOES NOT require a Stormwater Management Plan, explain why:	
2d. If this project DOES require a Stormwater Management Plan, then provide a brief, narrative description of the plan: See attached Stormwater Management Plan.	
2e. Who will be responsible for the review of the Stormwater Management Plan?	<input type="checkbox"/> Certified Local Government <input type="checkbox"/> DWQ Stormwater Program <input checked="" type="checkbox"/> DWQ 401 Unit
<b>3. Certified Local Government Stormwater Review</b>	
3a. In which local government's jurisdiction is this project?	not applicable
3b. Which of the following locally-implemented stormwater management programs apply (check all that apply):	<input type="checkbox"/> Phase II <input type="checkbox"/> NSW <input type="checkbox"/> USMP <input type="checkbox"/> Water Supply Watershed <input type="checkbox"/> Other:
3c. Has the approved Stormwater Management Plan with proof of approval been attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>4. DWQ Stormwater Program Review</b>	
4a. Which of the following state-implemented stormwater management programs apply (check all that apply):	<input type="checkbox"/> Coastal counties <input type="checkbox"/> HQW <input type="checkbox"/> ORW <input type="checkbox"/> Session Law 2006-246 <input type="checkbox"/> Other:
4b. Has the approved Stormwater Management Plan with proof of approval been attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No    N/A
<b>5. DWQ 401 Unit Stormwater Review</b>	
5a. Does the Stormwater Management Plan meet the appropriate requirements?	<input type="checkbox"/> Yes <input type="checkbox"/> No    N/A
5b. Have all of the 401 Unit submittal requirements been met?	<input type="checkbox"/> Yes <input type="checkbox"/> No    N/A

<b>F. Supplementary Information</b>	
<b>1. Environmental Documentation (DWQ Requirement)</b>	
1a. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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.)  Comments: PCE Signed July 2012.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. Violations (DWQ Requirement)</b>	
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)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2b. Is this an after-the-fact permit application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2c. If you answered "yes" to one or both of the above questions, provide an explanation of the violation(s):	
<b>3. Cumulative Impacts (DWQ Requirement)</b>	
3a. Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3b. If you answered "yes" to the above, submit a qualitative or quantitative cumulative impact analysis in accordance with the most recent DWQ policy. If you answered "no," provide a short narrative description.  Due to the minimal transportation impact resulting from this bridge replacement, this project will neither influence nearby land uses nor stimulate growth. Therefore, a detailed indirect or cumulative effects study will not be necessary.	
<b>4. Sewage Disposal (DWQ Requirement)</b>	
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	

<b>5. Endangered Species and Designated Critical Habitat (Corps Requirement)</b>		
5a. Will this project occur in or near an area with federally protected species or habitat?	<input checked="" type="checkbox"/> Yes	<input 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? Habitat is present for Schweinitz's sunflower which was last surveyed for by NCDOT biologists on October 3, 2012. No specimens were located and a biological conclusion of No Effect was rendered.		
<b>6. Essential Fish Habitat (Corps Requirement)</b>		
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?		
<b>7. Historic or Prehistoric Cultural Resources (Corps Requirement)</b>		
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?		
<b>8. Flood Zone Designation (Corps Requirement)</b>		
8a. Will this project occur in a FEMA-designated 100-year floodplain?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8b. If yes, explain how project meets FEMA requirements: NCDOT Hydraulics coordination with FEMA		
8c. What source(s) did you use to make the floodplain determination? FEMA Maps		
Gregory J. Thorpe, PhD Applicant/Agent's Printed Name	 Applicant/Agent's Signature (Agent's signature is valid only if an authorization letter from the applicant is provided.)	5-7-13 Date



April 23, 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-4818**, Replace Bridge Number 138 over Island Creek on SR 1109, Stanly County

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) will provide the compensatory stream mitigation for the subject project. Based on the information supplied by you on April 22, 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	93.0	0	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 impact and associated mitigation need were under projected by the NCDOT in the 2013 impact data. EEP will commit to implement sufficient compensatory stream 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,

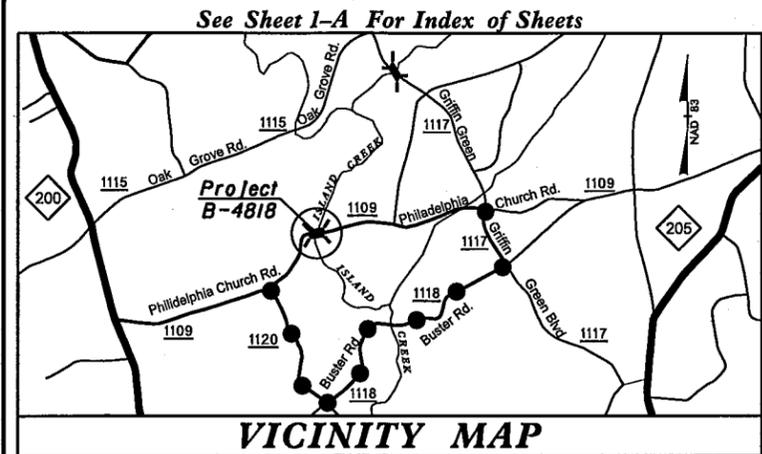
James B. Stanfill  
EEP Asset Management Supervisor

cc: Ms. Liz Hair, USACE – Asheville Regulatory Field Office  
Ms. Amy Chapman, Division of Water Quality, Wetlands/401 Unit  
File: B-4818

*Restoring... Enhancing... Protecting Our State*



09/05/09  
 CONTRACT: TIP PROJECT: B-4818  
 \$\$\$SYTIME\$\$\$  
 \$\$\$DCNS\$\$\$  
 \$\$\$SERNAME\$\$\$  
 \$\$\$\$\$\$



**VICINITY MAP**

THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARY

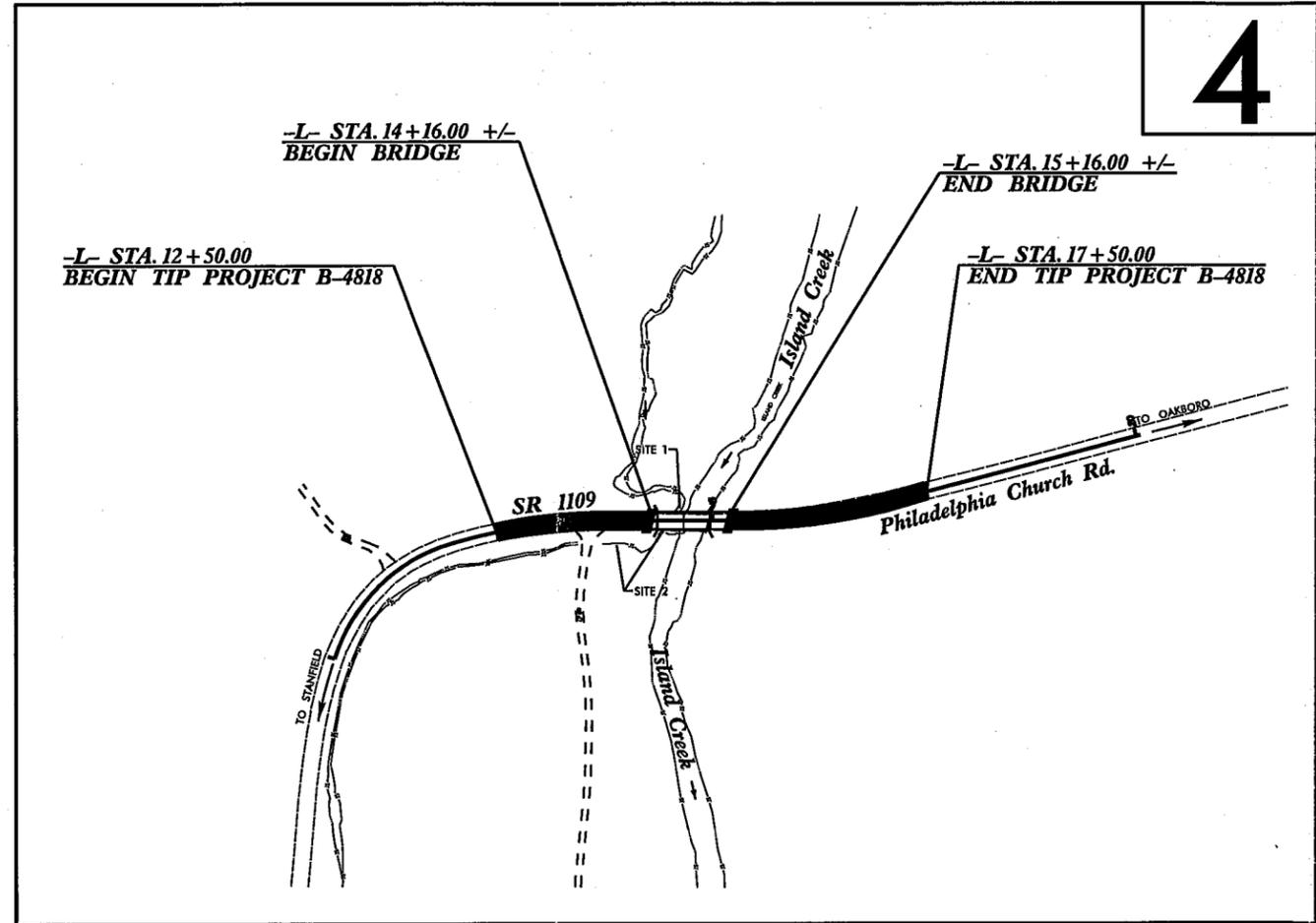
●●●● DETOUR ROUTE

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

**STANLY COUNTY**

LOCATION: Bridge No. 138 on SR 1109 (Philadelphia Church Road) over Island Creek

**SURFACE WATER IMPACTS**



**4**

NAD 83/  
NSRS 2007

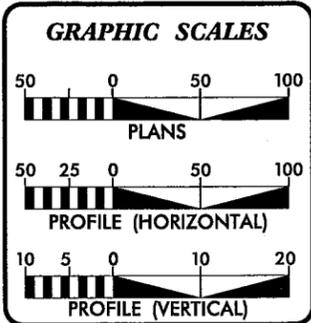
STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-4818	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
38588.1.1	BRZ-1109(7)	P.E.	
38588.2.1	BRZ-1109(7)	RW & UTIL	

Permit Drawing  
Sheet 1 of 6



PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION

CLEARING METHOD ON PROJECT SHALL BE PERFORMED BY THE LIMITS ESTABLISHED BY METHOD III



**DESIGN DATA**

ADT 2013 =	473
ADT 2035 =	600
DHV =	10%
D =	60%
*T =	5%
V =	55 MPH
SUB REGIONAL TIER	
LOCAL CLASSIFICATION	
* TTST 2% + DUAL 3%	

**PROJECT LENGTH**

LENGTH ROADWAY TIP PROJECT B-4818	=	.079 MILES
LENGTH STRUCTURE TIP PROJECT B-4818	=	.016 MILES
TOTAL LENGTH ROADWAY TIP PROJECT B-4818	=	.095 MILES

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

2012 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:  
DECEMBER 17, 2012

LETTING DATE:  
DECEMBER 17, 2013

G. E. BREW, P.E.  
PROJECT ENGINEER

W. T. BEST  
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

ROADWAY DESIGN ENGINEER

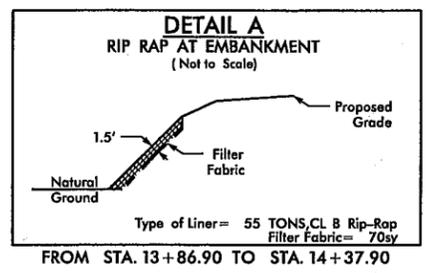
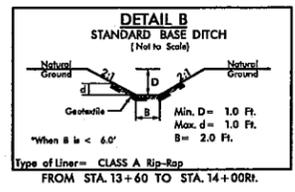
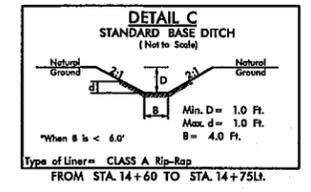
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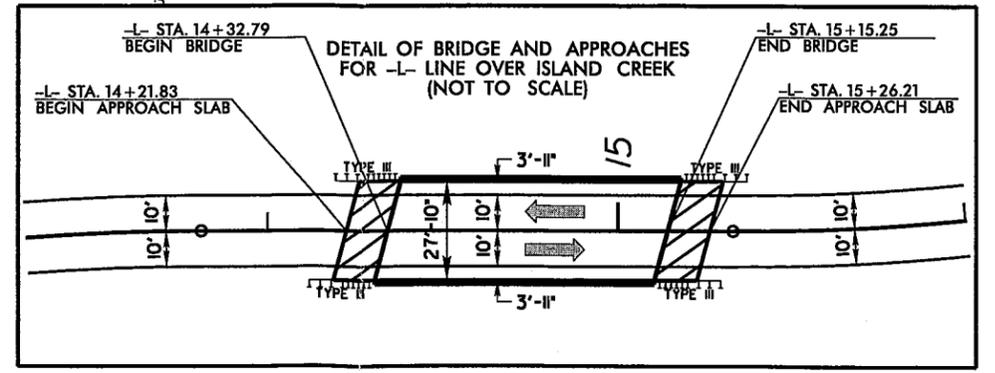
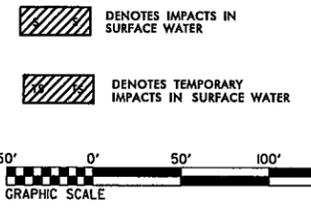
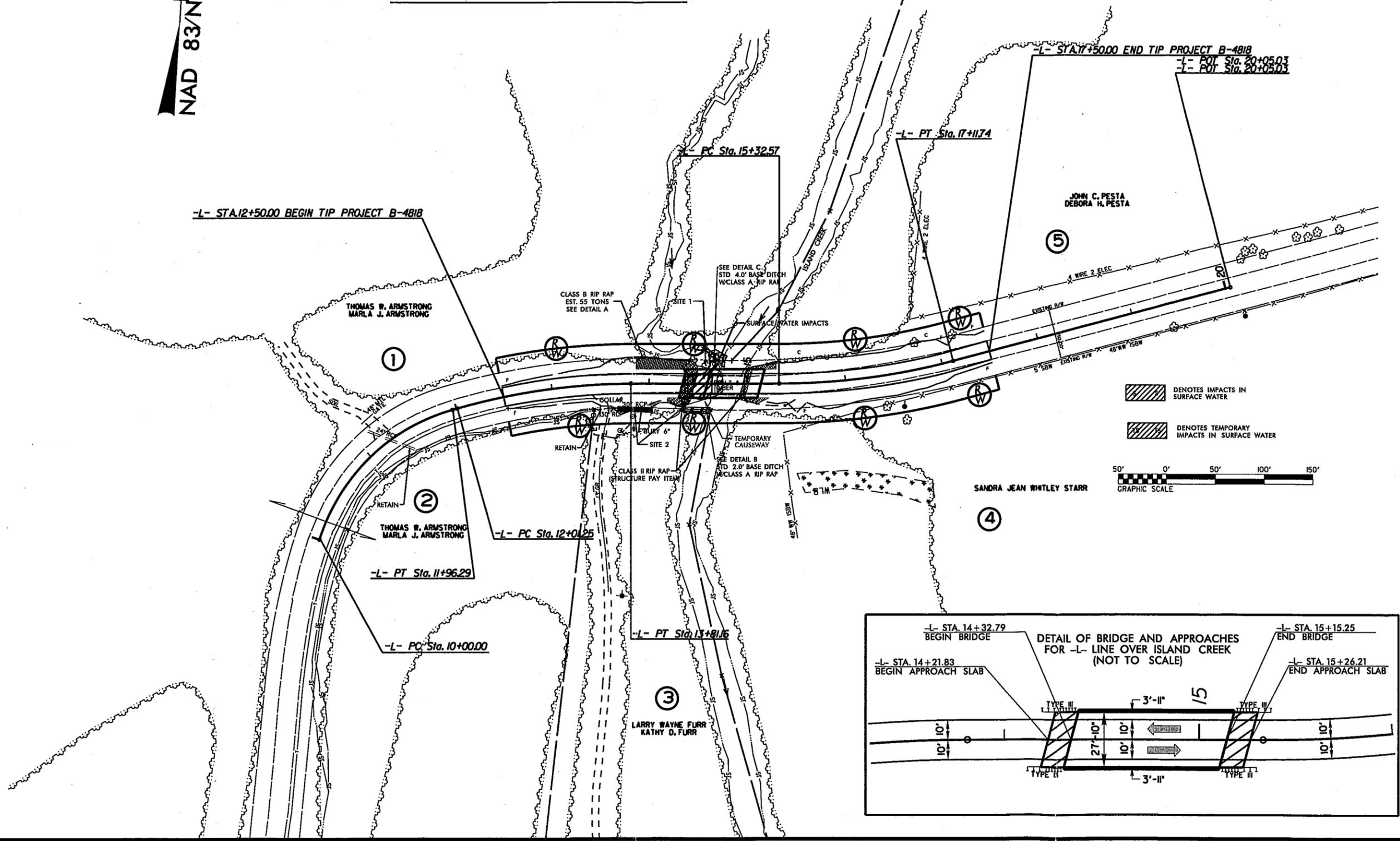
DIVISION OF HIGHWAYS  
STATE OF NORTH CAROLINA

**Permit Drawing**  
**Sheet 2 of 6**

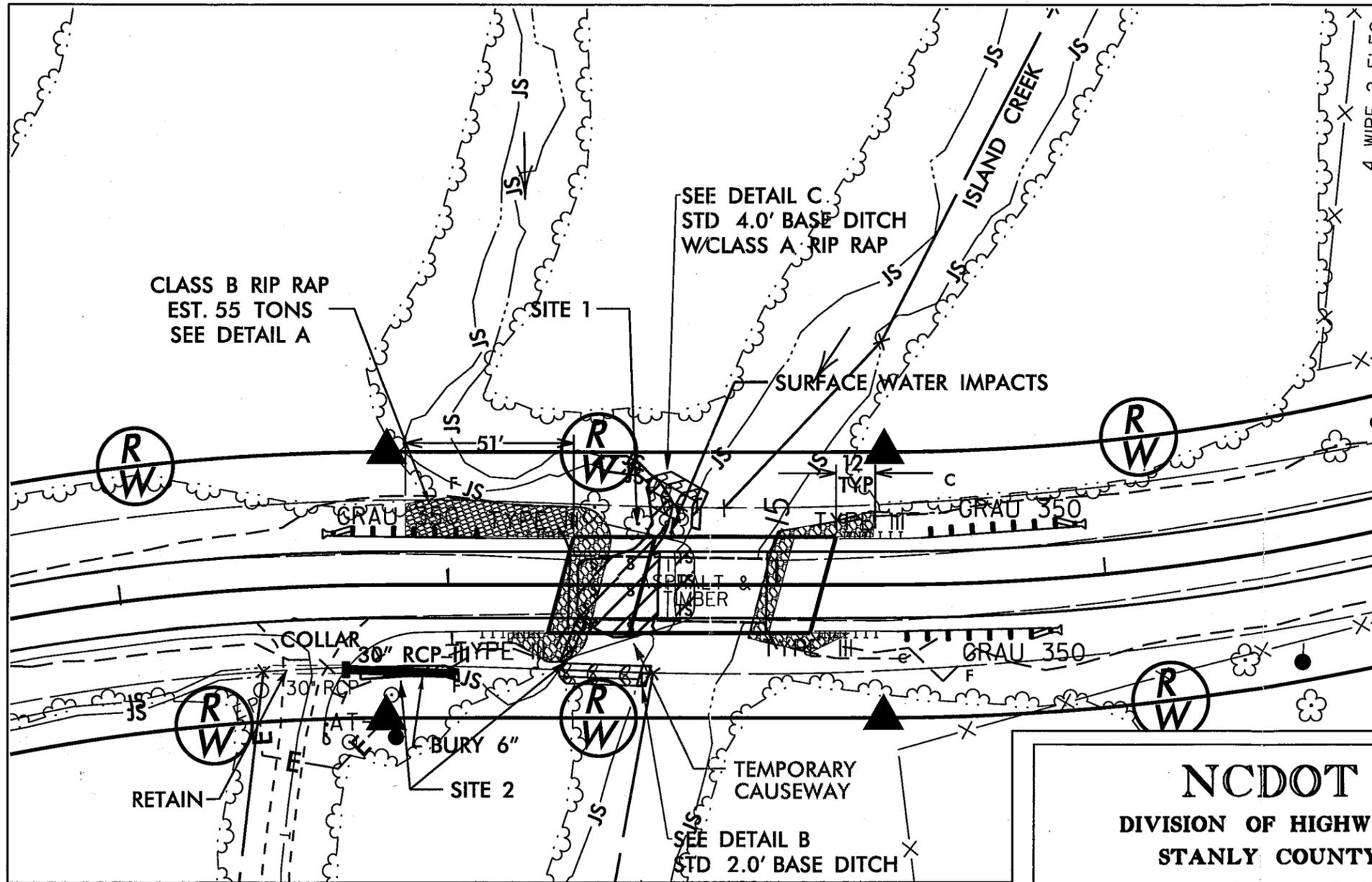
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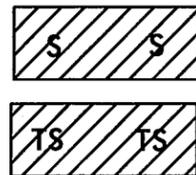
REVISIONS



8/17/09  
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PLAN VIEW



DENOTES IMPACTS IN SURFACE WATER

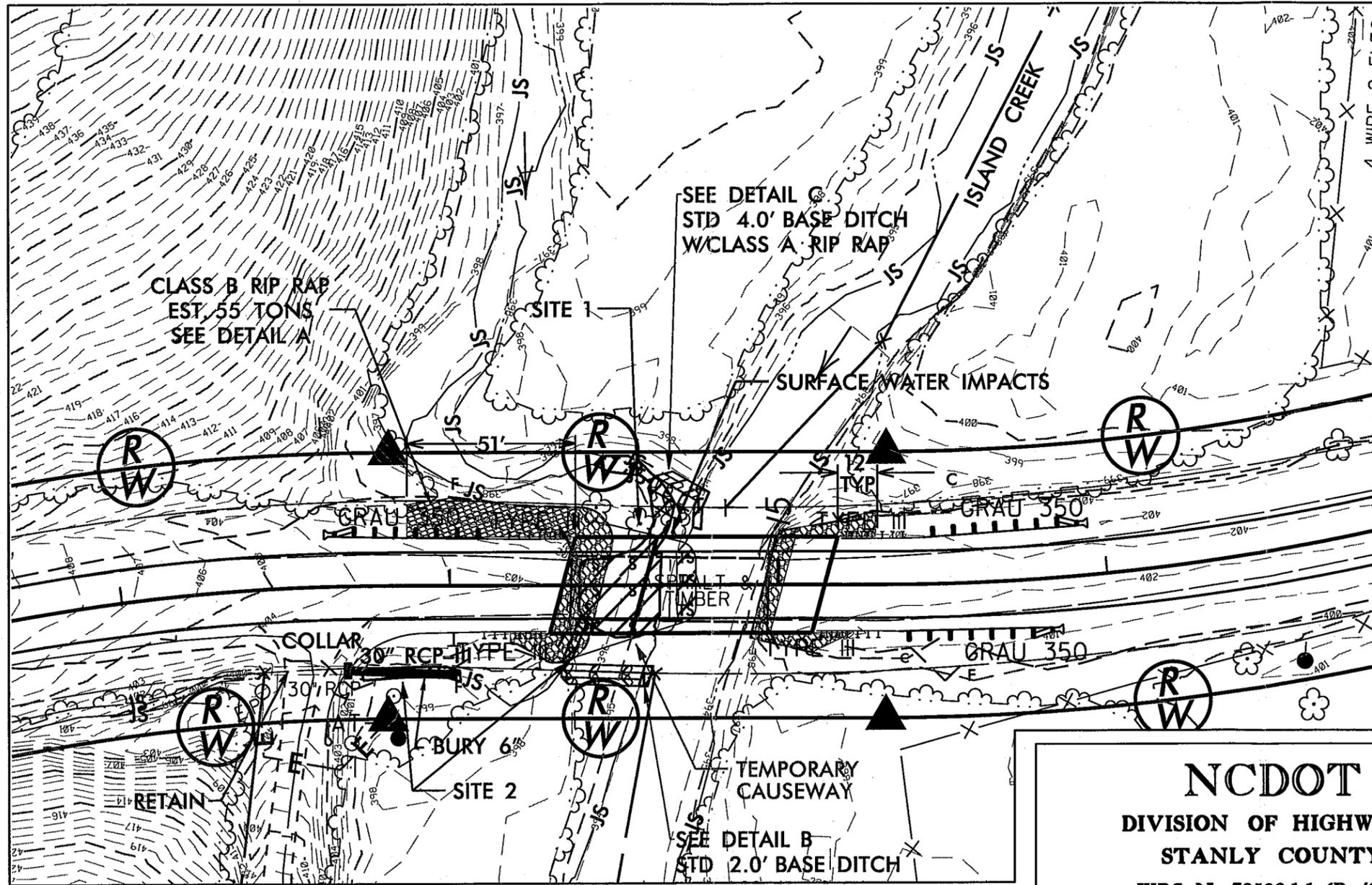
DENOTES TEMPORARY IMPACTS IN SURFACE WATER



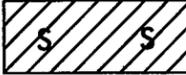
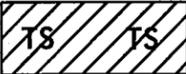
**NCDOT**  
**DIVISION OF HIGHWAYS**  
**STANLY COUNTY**  
**WBS No. 38588.1.1 (B-4818)**  
**REPLACEMENT OF BRIDGE No. 138**  
**ON SR 1109 (PHILADELPHIA CH. RD.)**  
**OVER ISLAND CREEK**

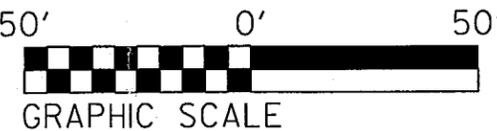
SHEET OF

REV. 05 / 25 / 2013  
01 / 09 / 13



PLAN VIEW

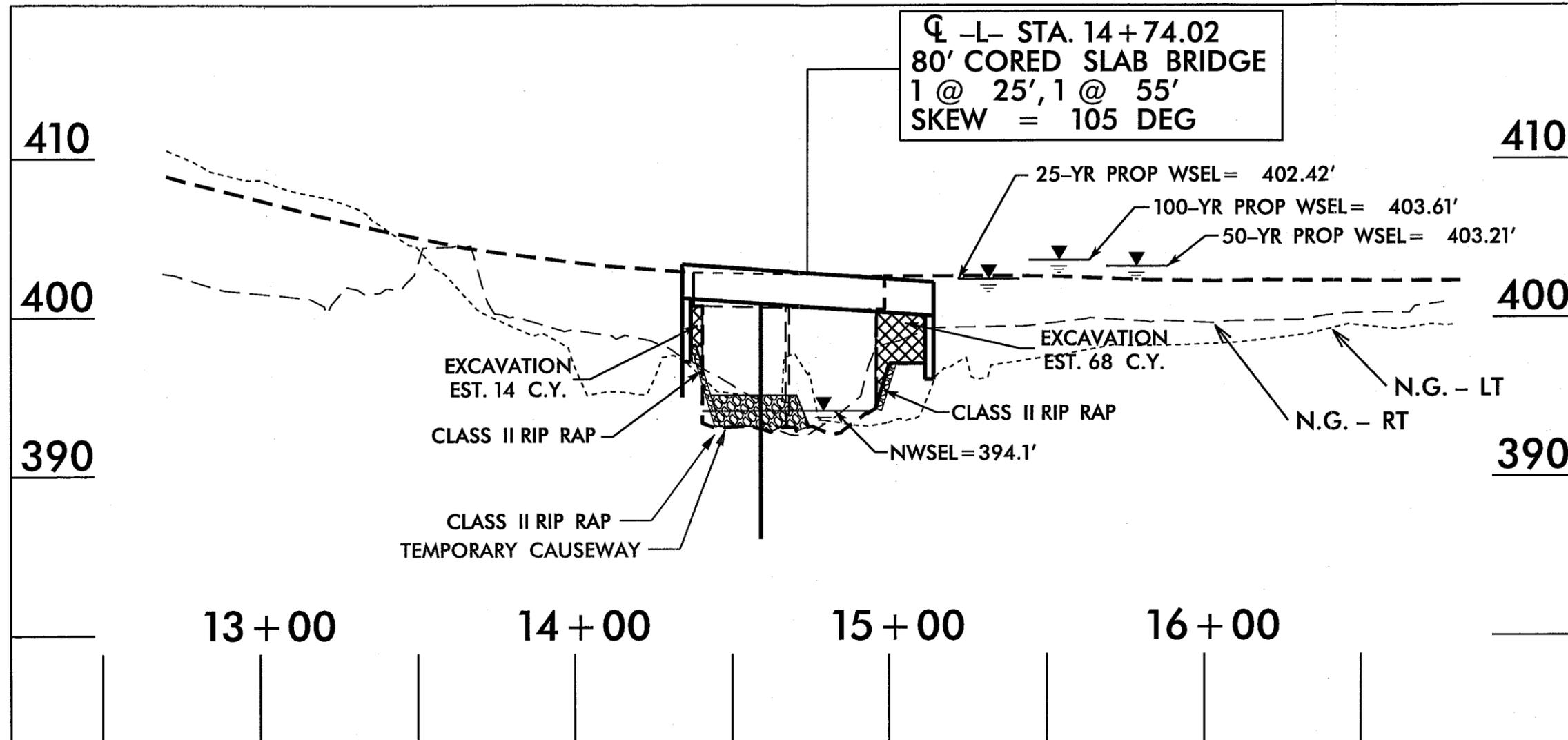
-  DENOTES IMPACTS IN SURFACE WATER
-  DENOTES TEMPORARY IMPACTS IN SURFACE WATER



**NCDOT**  
**DIVISION OF HIGHWAYS**  
**STANLY COUNTY**  
**WBS No. 38588.1.1 (B-4818)**  
**REPLACEMENT OF BRIDGE No. 138**  
**ON SR 1109 (PHILADELPHIA CH. RD.)**  
**OVER ISLAND CREEK**

SHEET OF

REV. 05 / 26 / 2013  
01 / 09 / 13



PROFILE VIEW

TEMPORARY CAUSEWAY

**NCDOT**  
DIVISION OF HIGHWAYS  
STANLY COUNTY  
WBS No. 38588.1.1 (B-4818)  
REPLACEMENT OF BRIDGE No. 138  
ON SR 1109 (PHILADELPHIA CH. RD.)  
OVER ISLAND CREKK



# **STORMWATER MANAGEMENT PLAN**

B-4818, WBS No. 38588.1.1

STANLY COUNTY

Hydraulics Project Manager: Stephen R. Morgan, PE

Date: 02/20/2013

## **ROADWAY DESCRIPTION**

The project involves the replacement of bridge number 138 over Island Creek on SR 1109 (Philadelphia Church Rd.) in Stanly County. The overall length of the project is 0.095 mile. The project will replace an existing 60 foot length bridge with a new 80 foot two-span 21" cored slab bridge. An off-site detour will be required.

## **ENVIRONMENTAL DESCRIPTION**

The project is located within the Yadkin – Pee Dee River Basin. The proposed bridge is over Island Creek which is classified as Class C waters.

Approximately 0.01 acre of surface water will be permanently impacted and 0.012 acre will be temporarily impacted.

## **BEST MANAGEMENT PRACTICES AND MAJOR STRUCTURES**

Best Management Practices (BMPs) and measures used in the project are non-structural and are an attempt to reduce the storm water impacts to the receiving stream due to erosion and runoff as well as attenuate and disperse storm water before entering the receiving waters. Bridge deck drains will be used on the eastern most side of the proposed bridge and will not be allowed to directly discharge into the water.

## **BRIDGE**

-L- STA 14+74.02

Replace existing bridge over Island Creek. This includes a temporary rock causeway.



Note: Not to Scale

\*S.U.E. = Subsurface Utility Engineering

# CONVENTIONAL PLAN SHEET SYMBOLS

## BOUNDARIES AND PROPERTY:

State Line	-----
County Line	-----
Township Line	-----
City Line	-----
Reservation Line	-----
Property Line	-----
Existing Iron Pin	○ EP
Property Corner	-----
Property Monument	□ ECM
Parcel/Sequence Number	②③
Existing Fence Line	-x-x-x-
Proposed Woven Wire Fence	○
Proposed Chain Link Fence	□
Proposed Barbed Wire Fence	◇
Existing Wetland Boundary	MLB
Proposed Wetland Boundary	MLB
Existing Endangered Animal Boundary	EAB
Existing Endangered Plant Boundary	EPB
Known Soil Contamination: Area or Site	☠ ☠
Potential Soil Contamination: Area or Site	☠ ?

## BUILDINGS AND OTHER CULTURE:

Gas Pump Vent or U/G Tank Cap	○
Sign	○
Well	○
Small Mine	✕
Foundation	□
Area Outline	□
Cemetery	⊕
Building	□
School	□
Church	□
Dam	▬

## HYDROLOGY:

Stream or Body of Water	-----
Hydro, Pool or Reservoir	□
Jurisdictional Stream	JS
Buffer Zone 1	BZ 1
Buffer Zone 2	BZ 2
Flow Arrow	←
Disappearing Stream	→
Spring	○
Wetland	⚡
Proposed Lateral, Tail, Head Ditch	▬
False Sump	▽

## RAILROADS:

Standard Gauge	-----
RR Signal Milepost	○
Switch	□
RR Abandoned	-----
RR Dismantled	-----

## RIGHT OF WAY:

Baseline Control Point	◇
Existing Right of Way Marker	△
Existing Right of Way Line	-----
Proposed Right of Way Line	-----
Proposed Right of Way Line with Iron Pin and Cap Marker	○
Proposed Right of Way Line with Concrete or Granite R/W Marker	○
Proposed Control of Access Line with Concrete C/A Marker	○
Existing Control of Access	○
Proposed Control of Access	○
Existing Easement Line	-----
Proposed Temporary Construction Easement	-----
Proposed Temporary Drainage Easement	-----
Proposed Permanent Drainage Easement	-----
Proposed Permanent Drainage / Utility Easement	-----
Proposed Permanent Utility Easement	-----
Proposed Temporary Utility Easement	-----
Proposed Aerial Utility Easement	-----
Proposed Permanent Easement with Iron Pin and Cap Marker	◇

## ROADS AND RELATED FEATURES:

Existing Edge of Pavement	-----
Existing Curb	-----
Proposed Slope Stakes Cut	-----
Proposed Slope Stakes Fill	-----
Proposed Curb Ramp	-----
Existing Metal Guardrail	-----
Proposed Guardrail	-----
Existing Cable Guiderail	-----
Proposed Cable Guiderail	-----
Equality Symbol	⊕
Pavement Removal	▬
VEGETATION:	
Single Tree	☼
Single Shrub	☼
Hedge	-----
Woods Line	-----

Orchard	-----
Vineyard	-----

## EXISTING STRUCTURES:

MAJOR:	
Bridge, Tunnel or Box Culvert	-----
Bridge Wing Wall, Head Wall and End Wall	-----
MINOR:	
Head and End Wall	-----
Pipe Culvert	-----
Footbridge	-----
Drainage Box: Catch Basin, DI or JB	□ CB
Paved Ditch Gutter	-----
Storm Sewer Manhole	⊕
Storm Sewer	-----

## UTILITIES:

POWER:	
Existing Power Pole	●
Proposed Power Pole	○
Existing Joint Use Pole	●
Proposed Joint Use Pole	○
Power Manhole	⊕
Power Line Tower	⊗
Power Transformer	⊗
H-Frame Pole	●
Recorded U/G Power Line	-----
Designated U/G Power Line (S.U.E.*)	-----

## TELEPHONE:

Existing Telephone Pole	●
Proposed Telephone Pole	○
Telephone Manhole	⊕
Telephone Booth	□
Telephone Pedestal	□
Telephone Cell Tower	⊗
U/G Telephone Cable Hand Hole	⊕
Recorded U/G Telephone Cable	-----
Designated U/G Telephone Cable (S.U.E.*)	-----
Recorded U/G Telephone Conduit	-----
Designated U/G Telephone Conduit (S.U.E.*)	-----
Recorded U/G Fiber Optics Cable	-----
Designated U/G Fiber Optics Cable (S.U.E.*)	-----

## WATER:

Water Manhole	⊕
Water Meter	○
Water Valve	⊗
Water Hydrant	⊕
Recorded U/G Water Line	-----
Designated U/G Water Line (S.U.E.*)	-----
Above Ground Water Line	-----

## TV:

TV Satellite Dish	☼
TV Pedestal	□
TV Tower	⊗
U/G TV Cable Hand Hole	⊕
Recorded U/G TV Cable	-----
Designated U/G TV Cable (S.U.E.*)	-----
Recorded U/G Fiber Optic Cable	-----
Designated U/G Fiber Optic Cable (S.U.E.*)	-----

## GAS:

Gas Valve	◇
Gas Meter	⊕
Recorded U/G Gas Line	-----
Designated U/G Gas Line (S.U.E.*)	-----
Above Ground Gas Line	-----

## SANITARY SEWER:

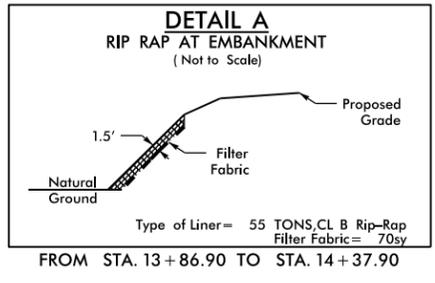
Sanitary Sewer Manhole	⊕
Sanitary Sewer Cleanout	⊕
U/G Sanitary Sewer Line	-----
Above Ground Sanitary Sewer	-----
Recorded SS Forced Main Line	-----
Designated SS Forced Main Line (S.U.E.*)	-----

## MISCELLANEOUS:

Utility Pole	●
Utility Pole with Base	□
Utility Located Object	○
Utility Traffic Signal Box	□
Utility Unknown U/G Line	-----
U/G Tank; Water, Gas, Oil	□
Underground Storage Tank, Approx. Loc.	⊕
A/G Tank; Water, Gas, Oil	□
Geoenvironmental Boring	⊕
U/G Test Hole (S.U.E.*)	⊕
Abandoned According to Utility Records	AATUR
End of Information	E.O.I.

PROJECT REFERENCE NO.	SHEET NO.
B-4818	4
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

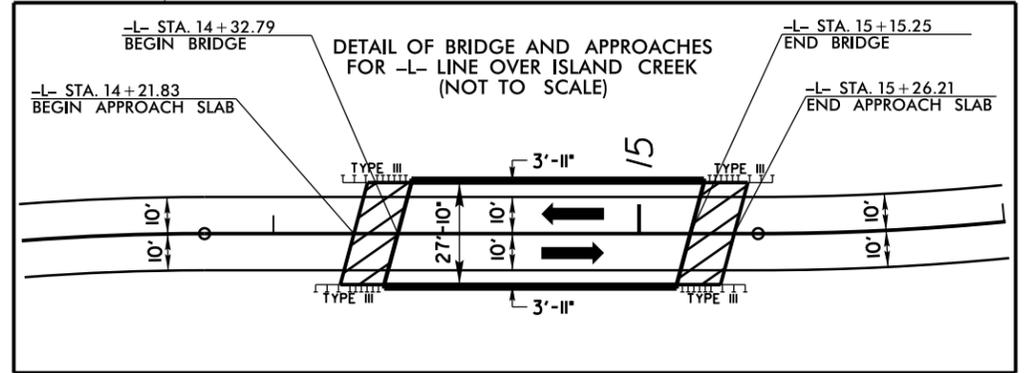
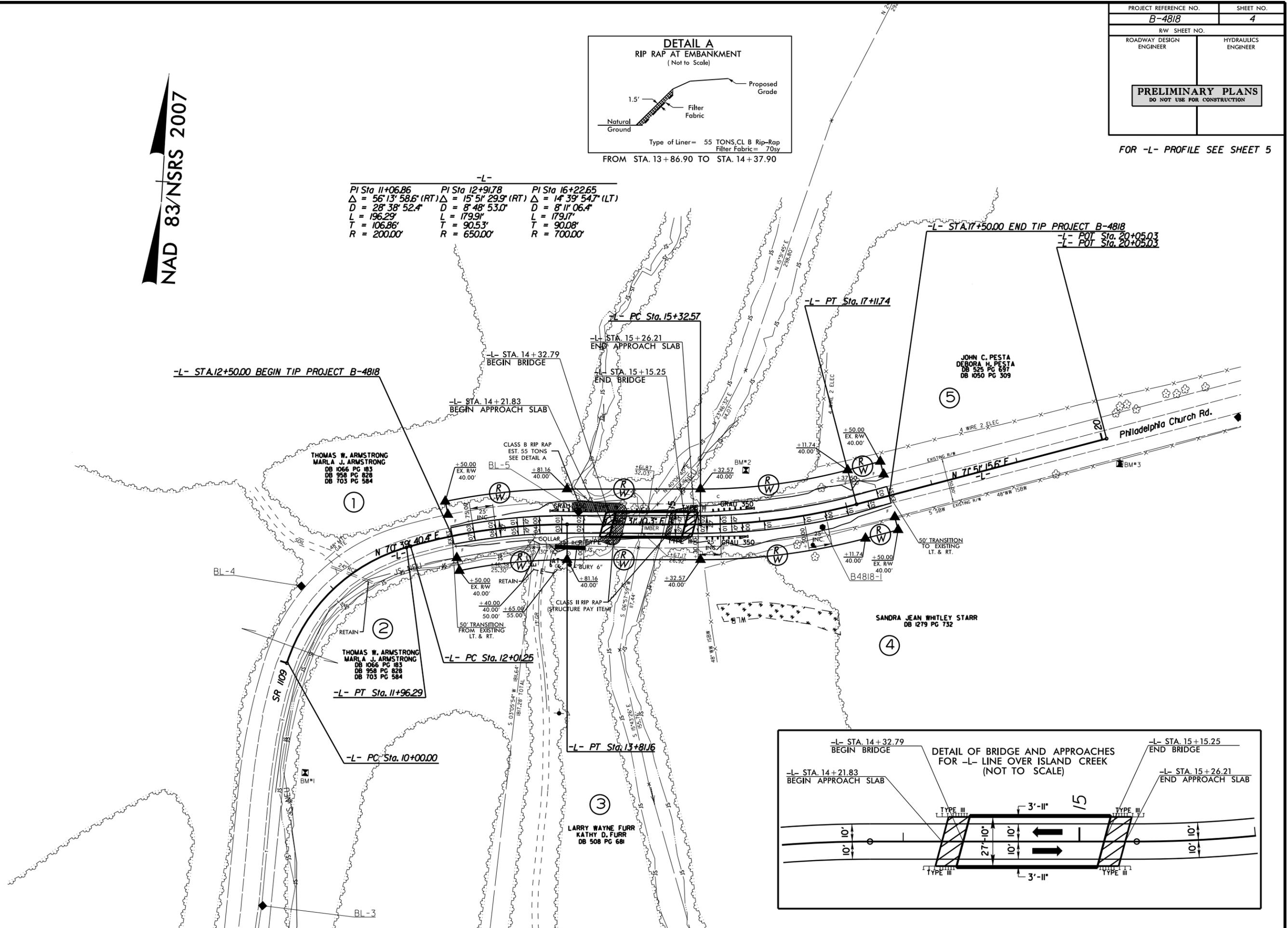
FOR -L- PROFILE SEE SHEET 5



-L-		
PI Sta 11+06.86	PI Sta 12+91.78	PI Sta 16+22.65
$\Delta = 56^{\circ}13'58.6"$ (RT)	$\Delta = 15^{\circ}5'29.9"$ (RT)	$\Delta = 14^{\circ}39'54.7"$ (LT)
D = 28' 38" 52.4"	D = 8' 48" 53.0"	D = 8' 11" 06.4"
L = 196.29'	L = 179.91'	L = 179.17'
T = 106.86'	T = 90.53'	T = 90.08'
R = 200.00'	R = 650.00'	R = 700.00'

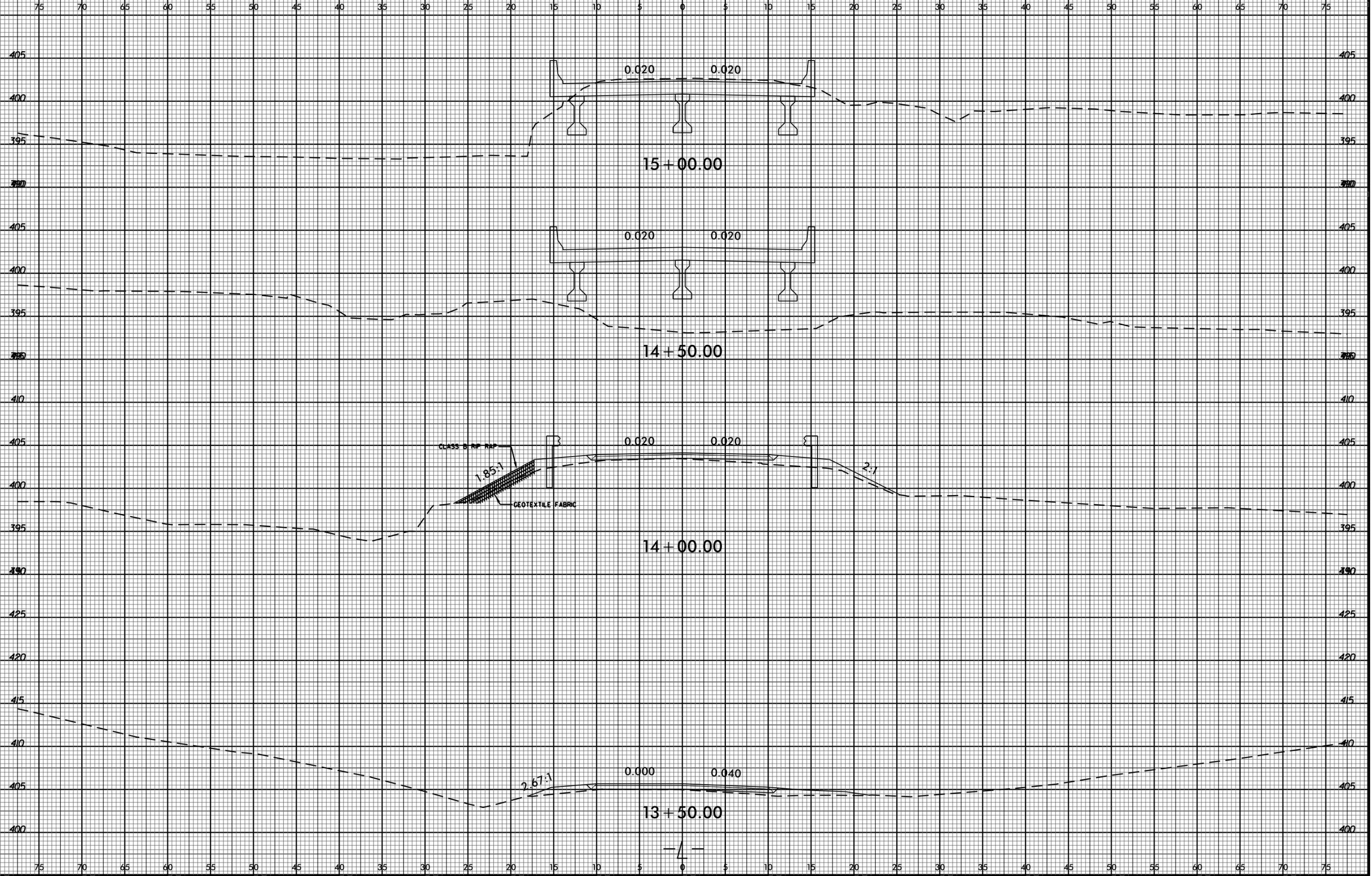
NAD 83/NSRS 2007

REVISIONS



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\$\$\$\$ STARBUCK \$\$\$

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18-DEC-2012 14:59  
R:\Project\130\B-4818\_Fdy\_xp1\_cnd.dgn  
\$\$\$\$\$USERNAME\$\$\$\$



**U.S. ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT**

Action Id. SAW-2009-1149

County: Stanly

U.S.G.S. Quad: Stanfield

**NOTIFICATION OF JURISDICTIONAL DETERMINATION**

Property Owner/Agent: NC Department of Transportation, Attn: Gregory J. Thorpe

Address: Project Development and Environmental Analysis

1598 Mail Service Center

Raleigh, NC 27699-1548

Telephone No.: 919-715-1334

Property description:

Size (acres) 4 approx.

Nearest Waterway Island Creek

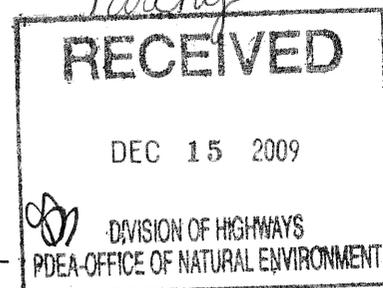
USGS HUC 03040105

Location description Bridge No. 138, SR 1109, TIP B-4818

Nearest Town Oakboro

River Basin Yadkin

Coordinates N 35.0793 W 80.8854



**Indicate Which of the Following Apply:**

**A. Preliminary Determination**

- Based on preliminary information, there may be wetlands on the above described property. We strongly suggest you have this property inspected to determine the extent of Department of the Army (DA) jurisdiction. To be considered final, a jurisdictional determination must be verified by the Corps. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).

**B. Approved Determination**

- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- There are waters on the above described property subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

We strongly suggest you have the wetlands on your property delineated. Due to the size of your property and/or our present workload, the Corps may not be able to accomplish this wetland delineation in a timely manner. For a more timely delineation, you may wish to obtain a consultant. To be considered final, any delineation must be verified by the Corps.

The waters and wetlands on your property have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed (GPS). Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.

The surface waters and/or wetlands have been delineated and surveyed and are accurately depicted on the maps and GPS surveys from Mulkey, Inc. dated 9 February 2009. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- There are no waters of the U.S., to include wetlands, present on the above described property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Washington, NC, at (252) 946-6481 to determine their requirements.

Action ID: \_\_\_\_\_  
SAW-2009-1149

Placement of dredged or fill material within waters of the US and/or wetlands without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). If you have any questions regarding this determination and/or the Corps regulatory program, please contact Steven Lund at 828-271-7980.

### **C. Basis For Determination**

Stream Quality Assessment/Identification Forms, Wetland Determination Forms and Jurisdictional Determination Forms included with the submittal of 9 February 2009 from Mulkey Inc.

### **D. Remarks**

Island Creek and unnamed tributaries are relatively permanent waters (RPWs) flowing to the Yadkin River, a traditionally navigable water (NW).

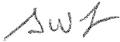
### **E. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B. above)**

This correspondence constitutes an approved jurisdictional determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

District Engineer, Wilmington Regulatory Division  
Attn: Steven Lund, Project Manager,  
Asheville Regulatory Field Office  
151 Patton Avenue, Room 208  
Asheville, North Carolina 28801-5006

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address within 60 days of the date of this verification.

\*\*It is not necessary to submit an RFA form to the District Office if you do not object to the determination in this correspondence.\*\*

Corps Regulatory Official: Steven W. Lund 

Date: December 8, 2009

Expiration Date: December 8, 2014

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the attached customer Satisfaction Survey or visit <http://www.saw.usace.army.mil/WETLANDS/index.html> to complete the survey online.

Copy furnished: Cindy Carr, Mulkey Engineers & Consultants, Inc., PO Box 33127, Raleigh, NC 27636

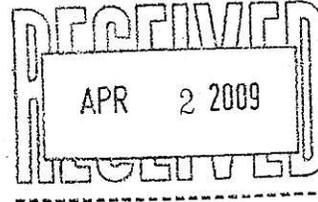


North Carolina Department of Environment and Natural Resources  
Division of Water Quality

Beverly Eaves Perdue  
Governor

Coleen H. Sullins  
Director

Dee Freeman  
Secretary



April 1, 2009

Ms. Cindy Carr  
Mulkey Engineers & Consultants  
P.O. Box 33127  
Raleigh, NC 27636

**SUBJECT: On-Site Determination for Applicability to the Mitigation Rules [15A NCAC 2H .0506(h)],  
B-4818, Bridge No. 138 Replacement over Island Creek, SR 1109, Stanly County**

Dear Ms. Carr:

Polly Lespinasse of the Division of Water Quality (DWQ) visited the site on March 31, 2009, in order to provide verification of potential jurisdictional streams previously identified by your consulting firm for the above referenced project. These streams were evaluated for applicability to the mitigation rules set forth in [15A NCAC 2H .0506(h)]. The maps containing the project corridor were provided in the jurisdictional verification package received by this office on February 11, 2009. The jurisdictional features (streams and wetlands) are approximated on these maps.

Based on the field verification of the **streams** located within the project boundaries, a change was made to one (1) determination and is outlined below:

- Stream S1 (Unnamed tributary to Island Creek): This stream was originally classified as ephemeral for the entire reach within the project boundaries (DWQ Stream Identification Form score of 16.5). Based on the site visit, this stream will be classified as **intermittent** from the origin to Flag S17. DWQ staff re-evaluated the reach using the DWQ Stream Identification Form and the stream received a score of 20.5 (additional points received from hydrology and biology). Please note that isopods and amphipods were identified throughout the reach and crayfish were observed in the stream from Flag S16 downstream. Additionally, the stream will be classified as **perennial** from Flag S17 to the tributary's confluence with Island Creek. Perennial stream characteristics were observed in addition to the presence of biology (salamanders and crayfish).

Based on the site reviews of the jurisdictional determinations made by your consulting firm, DWQ will consider the **stream** sites identified in the jurisdictional verification package, **and revisions identified above**, as accurate. **Please note that the DWQ staff did not conduct a verification of wetland boundaries on this project.**

This letter only addresses the applicability to the mitigation rules and does not approve any activity within buffers, Waters of the United States, or Waters of the State. Any impacts to wetlands, streams and buffers must comply with 404/401 regulations, water supply regulations (15A NCAC 2B .0216), applicable buffer rules, and any other required federal, state and local regulations. Please be aware that even if no direct impacts are proposed to any protected buffers, sheet flow of all new stormwater runoff as per 15A NCAC 2B .0250 is required.

Landowners or affected parties that dispute a determination made by the DWQ or Delegated Local Authority that a surface water exists and that it is subject to the mitigation rules may request a determination by the Director. A request for a determination by the Director shall be referred to the Director in writing c/o Brian Wrenn, DWQ 401 Transportation Permitting Unit, 1650 Mail Service Center, Raleigh, NC 27699-1650.

Mooreville Regional Office  
Location: 610 East Center Ave., Suite 301 Mooreville, NC 28115  
Phone: (704) 663-1699 \ Fax: (704) 663-6040 \ Customer Service: 1-877-623-6748  
Internet: www.ncwaterquality.org

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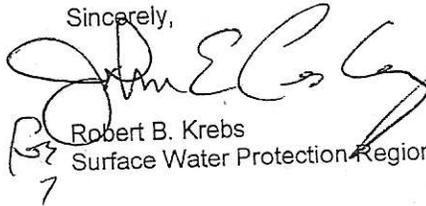
One  
North Carolina  
*Naturally*

Individuals that dispute a determination by the DWQ or Delegated Local Authority that "exempts" a surface water from the mitigation rules may ask for an adjudicatory hearing. You must act within 60 days of the date that you receive this letter. Applicants are hereby notified that the 60-day statutory appeal time does not start until the affected parties (including downstream and adjacent landowners) are notified of this decision. DWQ recommends that the applicant conduct this notification in order to be certain that third party appeals are made in a timely manner.

To ask for a hearing, send a written petition, which conforms to Chapter 150B of the North Carolina General Statutes to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. This determination is final and binding unless you ask for a hearing within 60 days.

If you have any additional questions or require additional information please contact Polly Lespinasse at (704) 663-1699.

Sincerely,



Robert B. Krebs  
Surface Water Protection Regional Supervisor

cc: Steve Lund, USACE Asheville Field Office  
Sonia Gregory, DWQ Transportation Permitting Unit  
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