



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

January 7, 2015

Mr. Brad Shaver
U.S. Army Corps of Engineers
Regulatory Field Office
69 Darlington Ave.
Wilmington, NC 28402-1890

Mr. Stephen Lane
N.C. Dept. of Environment and Natural Resources
Division of Coastal Management
400 Commerce Avenue
Morehead City, NC 28557

Subject: **Modification Request for the Individual Section 404 and Section 10 Permits, Section 401 Water Quality Certification and CAMA Major Development Permit** for the Wilmington Bypass from north of US 74/76 in Brunswick County to US 421 in New Hanover County. Federal Aid Project Nos. NHF-0017 (96) and STM-0017 (97), Division 3, TIP No. R-2633B. Debit \$475 from WBS Element 34491.1.2

References: Section 404 Individual Permit, issued January 13, 2011 and modified July 9 and August 23, 2013, August 28, 2014, USACE Action ID SAW-1994-03352
Section 401 Water Quality Certification No. 003842, issued January 13, 2011 and modified May 31, August 19, 2013, March 26, 2014 and August 15, 2014
CAMA Consistency Concurrence – CD11-003, issued January 14, 2011 and CAMA Major Development Permit, 76-13, issued June 28, 2013 and modified August 22, 2013 and October 3, 2014.

Dear Sirs:

As you are aware, the North Carolina Department of Transportation (NCDOT) is currently constructing a fully controlled access freeway on new alignment from north of US 74/76 in Brunswick County to US 421 in New Hanover County approximately 7.6 miles. The purpose of this letter is to request modifications of the Section 404 Individual Permit, Section 10 Permit, Section 401 Water Quality Certification and CAMA Major Development Permit due to the addition of a service road.

R-2633B

Site 21

The Y8E service road has been included in the project to maintain access of adjoining parcels to the state roadway system. The decision to replace the culverts was a result of the poor condition of the existing pipes. Also, since this will be a state maintained road, improvements were needed to be to NCDOT standards. On the upstream end, the proposed headwall is four feet shorter than the existing headwall, so a longer pipe is needed to extend out to where the shoulder slope meets the top of the new headwall. On the downstream end, the existing 8ft tall endwall is being eliminated and not replaced. The longer pipe is again needed here to extend out to where the shoulder slope meets existing ground. The three 36 inch diameter pipes are being replaced with three 42 inch diameter pipes to maintain hydraulic capacity when the 42 inch pipes are buried one foot. Enclosed are revised permit drawings 68, 69, 70, 70A and 73 of 73.

This will result in an additional 27 feet of permanent stream impact and 59 feet of temporary stream impact.

This will increase the total permanent stream impact for Sections A and B to 536 feet.

Mitigation

The additional 27 linear feet of stream will mitigated at 1:1 by the Ecosystem Enhancement Program. See attached acceptance letter. This stream is intermittent and this ratio was verified by the USACE and DWR on a site visit, dated September 16, 2014. Mitigation is not required by the Division of Water Resources.

REGULATORY APPROVALS

Section 404

Application is hereby made for a modification to the USACE Individual 404 Permit as required for the above-described activities.

Section 401

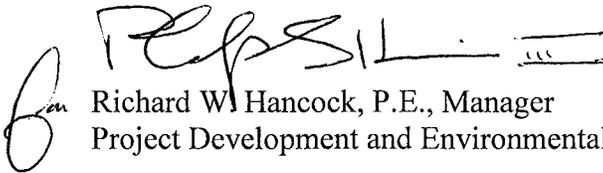
Application is hereby made for a modification to the Section 401 Water Quality Certification from the N. C. Division of Water Quality.

CAMA: Application is hereby made for a modification to the Coastal Area Management Act Major Development Permit. Authorization to debit the \$475 Permit Modification Fee from WBS Element 34491.1.2 is hereby given.

This project was let in September 2013 and is currently under construction. We respectfully request that this modification be processed as soon as possible.

A copy of this permit modification request will be posted on the DOT website at: <https://connect.ncdot.gov/resources/Environmental/Pages>. If you have any questions or need additional information, please contact Rachelle Beauregard at rbeauregard@ncdot.gov or (919) 707-6105.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard W. Hancock". The signature is stylized with a large initial "R" and "H".

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

cc:
NCDOT Permit Application Standard Distribution List.



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Michael Ellison, Director
Ecosystem Enhancement Program

John E. Skvarla, III
Secretary

October 14, 2014

Mr. Richard W. Hancock, P.E.
Manager, Project Development & Environmental Analysis Unit
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Dear Mr. Hancock:

Subject: EEP Mitigation Acceptance Letter:

R-2633A and B, US 17 (Wilmington Bypass) from NC 87 South of Bishop to West of US 421 North of Wilmington, Brunswick and New Hanover Counties

References: USACE 404 Individual Permit issued February 28, 2011 (USACE Action ID 1994-03552) and 404 Individual Permit Modifications issued on July 9, 2013 and August 28, 2014

NCDWR 401 Water Quality Certification issued January 13, 2011 (NCDWQ Project ID 2010-0867) and 401 Water Quality Certification modification issued on May 31, 2013

NCDCM Permit issued on June 28, 2013 (NCDCM Project ID 76-13)

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) will provide the additional stream mitigation for the subject project. Based on the information supplied by you on October 8, 2014, the additional stream impacts are located in CU 03030005 of the Cape Fear River Basin in the Southern Outer Coastal Plain (SOCP) Eco-Region, and are as follows:

Table 1 – Additional Impacts (feet / acres)

Cape Fear 03030005 SOCP	Stream			Wetlands			Buffer (Sq. Ft.)	
	Cold	Cool	Warm	Riparian	Non-Riparian	Coastal Marsh	Zone 1 (3:1)	Zone 2 (1.5:1)
Impacts (feet/acres)	0	0	27.0	0	0	0	0	0

These impacts and associated mitigation needs were not projected by the NCDOT in the 2014 impact data. EEP is currently providing stream and wetland (riparian and non-riparian) mitigation for the impacts associated with this project located in cataloging unit 03030005 of the Cape Fear River basin as required by the 404 and 401 permits that were issued in 2011, 2013 and 2014 and NCDCM CAMA Major permit issued in 2013, as shown in the below table (in mitigation credits):

Mr. Hancock
TIP R-2633A and B Additional
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Page Two

Table 2 – Current Permitted Impacts and Mitigation Requirements (based on 2011, 2013 and 2014 permits) and Revised Anticipated Impacts (based on mitigation request)

Impact Type	Total Permitted Impacts (feet / acre)	Mitigation Provided by EEP per Issued Permits (Credits)	Additional Impact (for approval)	Revised Total Impacts*
Stream	509.0	1,018.0	27.0	536.0
Riparian Wetland	7.28	14.56	0	7.28
Non-Rip Wetland	56.25	112.50	0	56.25

*Some of the stream and wetland impacts may be proposed to be mitigated at a 1:1 mitigation ratio. See permit application for details. EEP will provide the amount of mitigation as determined by the regulatory agencies.

This mitigation acceptance letter replaces the mitigation acceptance letters issued on October 20, 2009, October 12, 2010, January 21, 2011, April 23, 2013, May 30, 2013 and July 30, 2014. EEP has previously made debits for the stream and wetland mitigation requirements to mitigation sites available in the cataloging unit based on the amounts required in the 404 and 401 permits issued in 2011, 2013 and 2014 and CAMA Major permit issued in 2013. Upon issuance of the permit modifications for the project, EEP will make appropriate adjustments to the existing mitigation debits. At this time, no additional stream or riparian wetland mitigation is anticipated to be needed.

If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-707-8420.

Sincerely,

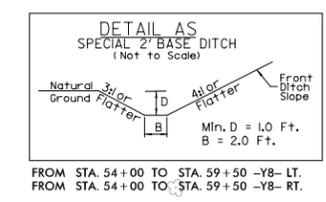
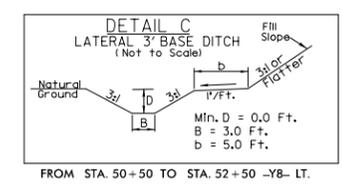
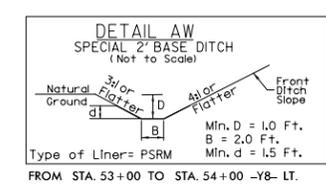
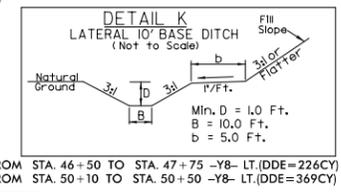
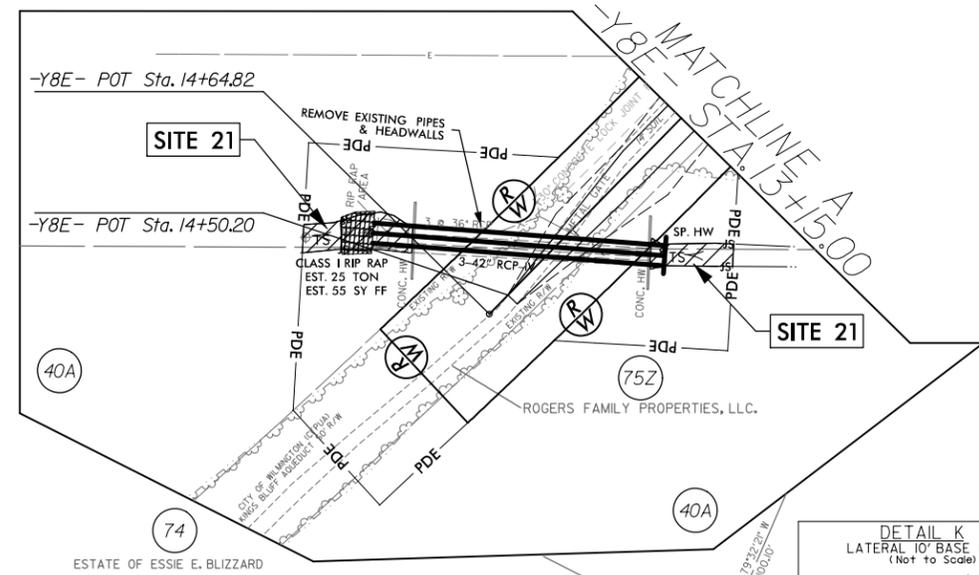
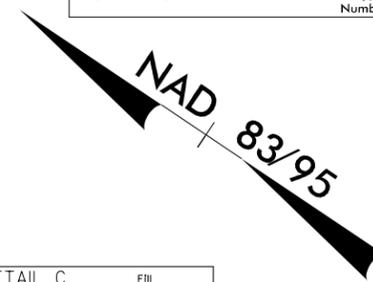


James B. Stanfill
EEP Asset Management Supervisor

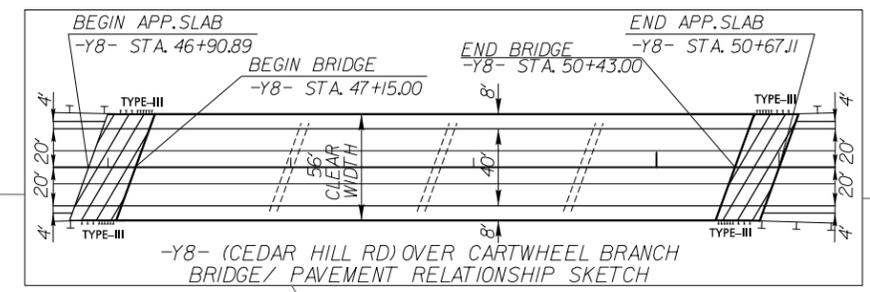
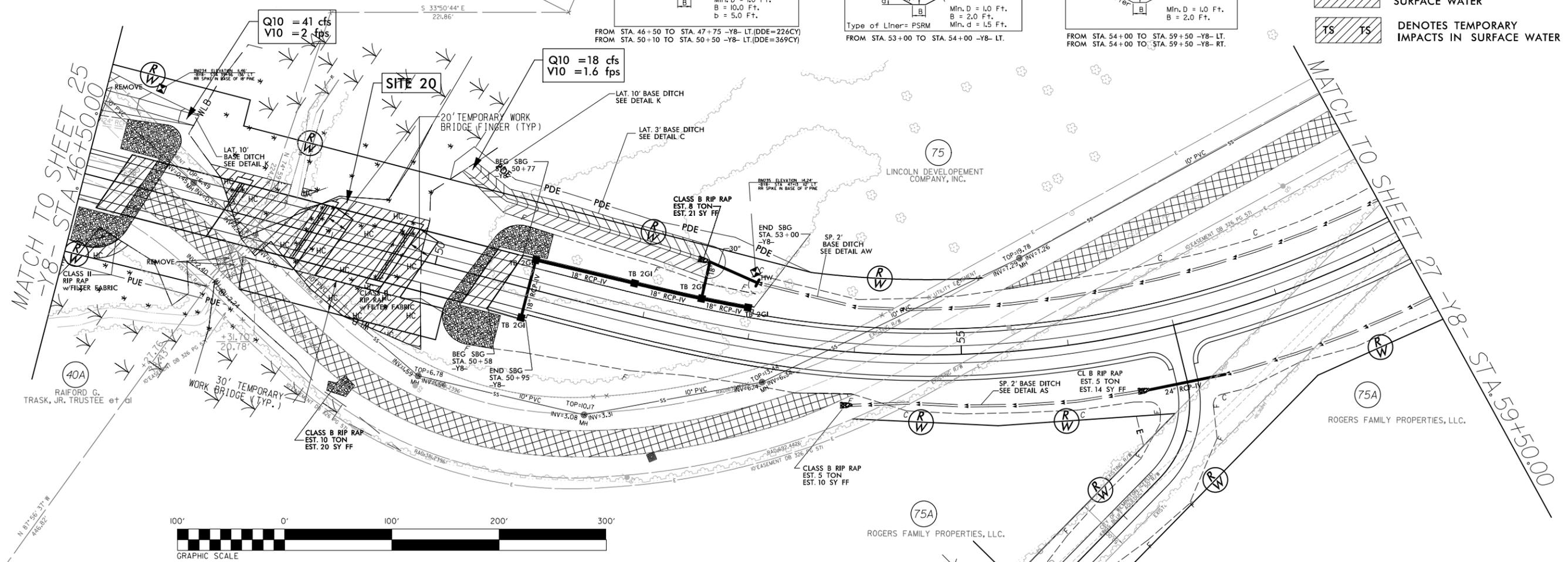
Cc: Mr. Brad Shaver, USACE – Wilmington Regulatory Field Office
Mr. Mason Herndon, NC Division of Water Quality
Mr. Steve Sollod, NC Division of Coastal Management
File: R-2633A and B Revised 4

PROJECT REFERENCE NO. R-2633B	SHEET NO. 40
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

Permit Drawing 68 of 73
Revised 9/3/14



- DENOTES MECHANIZED CLEARING
- DENOTES FILL IN WETLAND
- DENOTES HAND CLEARING
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER



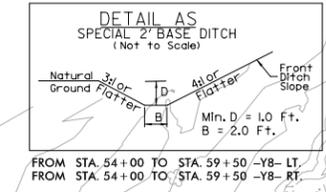
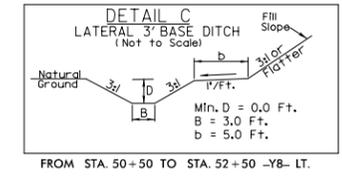
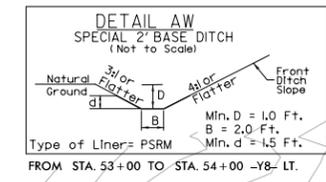
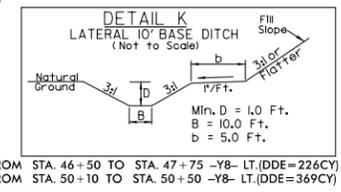
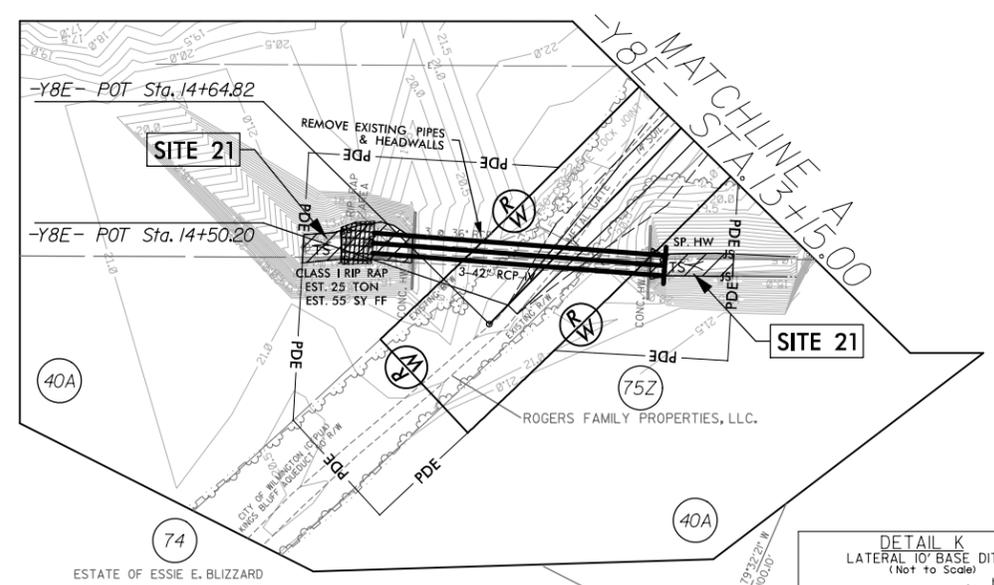
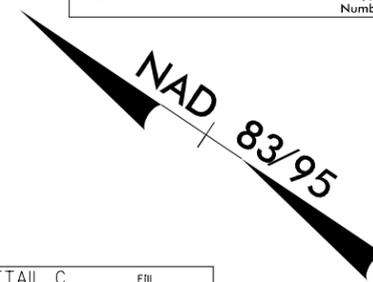
SEE SHEETS S-314 TO S-348 FOR STRUCTURE PLANS
 SEE SHEET 56 FOR -Y8E- PROFILE
 SEE SHEETS 47 & 48 FOR -Y8- PROFILE

REVISIONS
CONSTRUCTION REVISION: 8/20/2014, ADDED SERVICE ROAD -Y8E-

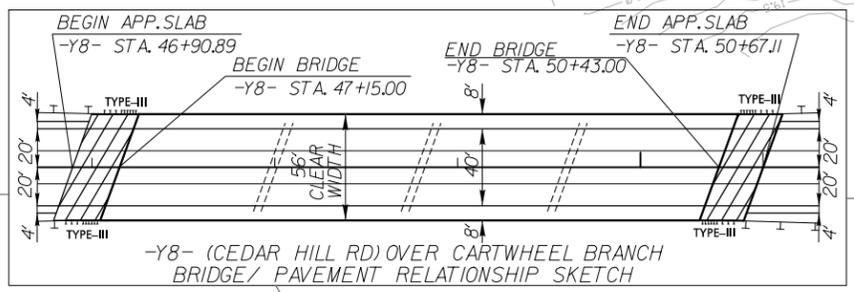
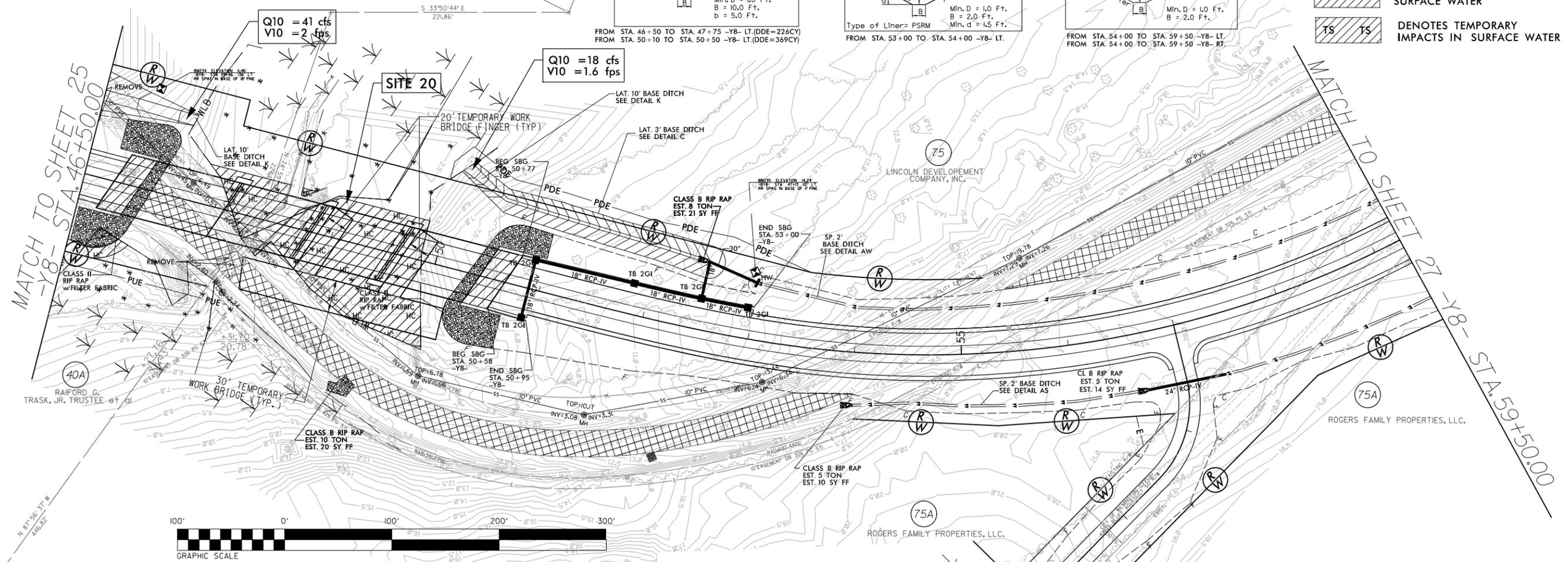
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PROJECT REFERENCE NO. R-2633B	SHEET NO. 40
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	

Permit Drawing 69 of 73
Revised 9/3/14



- DENOTES MECHANIZED CLEARING
- DENOTES FILL IN WETLAND
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8/17/99
 8/29/2014
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SITE 21
JURISDICTIONAL STREAM PROFILE
-Y8E- 14+14

Permit Drawing 70A of 73
 9/3/14

30

30

20

20

10

10

0

0

3:1 Typical; Varies along skew

EX. RW
NG ALONG EXISTING
CULVERT

3:1 Typical; 4:1 along skew

30" AQUEDUCT

3@36" RCP

EXISTING SCOUR HOLE
CL"1" RR w/FF

EXISTING STREAM BED

EXISTING STREAM BED

PROP INV. = 10.10

INV. = 11.40

PROP 3@42" RCP

PROP INV. = 7.25

INV. = 10.76

PROFILE ALONG STRUCTURE

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS						SURFACE WATER IMPACTS					
			404 Permanent Fill In Wetlands (ac)	CAMA Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	404 Hand Clearing in Wetlands (ac)	CAMA 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- 24+75 Lt.	Roadway Fill												
2***	-L- 37+96 Rt.	Bridge												
3****	-LREV- 339+73 to 358+92	Roadway Fill	7.51			0.03			0.58					
4	-RP D1- 22+60	Deleted due to new JS delineation												
5*	-LREV- 372+74 to -L-85+08	Roadway Fill	1.04						0.12					
6*	-L- 109+28 to 134+54	Roadway Fill	9.72						1.13					
6A**	-L- 138+11 to 140+70	Roadway Fill	0.68											
6B**	-L- 141+20 to 144+29	Roadway Fill	0.41						0.02					
7*	-L- 146+78 to 165+66	Roadway Fill	10.57						0.84					
8	-L 166+60	Deleted due to new JS delineation												
9*	-L- 186+97 to 191+88	Roadway Fill	1.04						0.09					
10	-RP D2- 19+20 Lt.	Deleted due to new JS delineation												
11*	-L- 194+75 to 216+13	Roadway Fill; 3@42"	8.72						0.93	0.07	<0.01	205	20	
12	-L- 230+39 to 242+11	Deleted due to new JS delineation												
13	-L- 256+36 to 265+87	Deleted due to new JS delineation												
14*	-L- 264+32 to 266+94	Bridge					0.03		0.20	<0.01				
		Temp. Work Bridge							0.10					
15*	319+46 to 387+92	Bridge	0.05			*****0.93			10.48	7.79	0.13	0.03		
		Temp. Work Bridge							6.43	4.70				
16*	-L- 399+43 to 400+51	Roadway Fill	0.22											
17***	-Y5-16+25 Rt	48" RCP												
18***	-Y5-16+25 Lt	48" RCP												
19*	-Y7- 52+09	Culvert								<0.01	<0.01	5	39	
		Detour Culvert			0.06				0.03		0.61		90	
20*	-Y8- 47+74 to 49+88	Bridge	<0.01				0.04		0.17					
		Temp. Work Bridge							0.14					
21	-Y8E-	3@42" RCP-IV								0.02	0.02	27	59	
TOTALS:			39.96		0.06	0.96	0.07	21.25	12.49	0.22	0.65	237	208	0.00

Site 14 See Structures sheet for Bridge Impacts on Cartwheel Branch
 Site 15 Impacts for Permanent Dual Bridges CAMA=0.07 Ac, 404=0.07 Ac, Surface Water=0.0 1Ac; Total=0.15 Ac.
 Site 15 Impacts for Temporary Work Bridge CAMA=0.16 Ac, 404=0.21 Ac, Surface Water=0.0 1 Ac; Total=0.38 Ac.
 * Revised due to new JS Delineation
 ** New Site due to new JS Delineation
 *** Sites 1, 2, 17, and 18 are now permitted with R-2633AA & AB and the impacts are included with that project.
 **** A portion of Site 3 is now permitted with R-2633AA & AB and the impacts are included with that project.
 ***** Temporary Excavation. CAMA=0.41Ac, 404 =0.52 Ac.; Total=0.91 Ac.
 0.75 acres of Temp. Fill in 404 Wetlnads in the Hand Clearing areas for Erosion Control Measures