



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

December 14, 2020

U. S. Army Corps of Engineers
Raleigh Regulatory Field Office
3331 Heritage Trade Drive, Suite 105
Wake Forest, NC 27587

ATTN: Mr. Monte Matthews
NCDOT Coordinator

Subject: Request for Renewal for Section 404 and 401 Individual Permit and Certification for the Shelby Bypass, Cleveland County, Division 12, Debit \$570 from WBS 34497.1.FS6, TIP R-2707.

Dear Sir:

The purpose of this letter is to request renewal of the United States Army Corps of Engineers (USACE) Section 404 Individual Permit and NC Division of Water Quality (NCDWR) Certification for the above referenced project.

The original Phased Individual Permit indicates that construction must be completed before December 31, 2020. The subsequent March 31, 2017 Phased Individual Permit Modification also indicates the original permit expiration of December 21, 2020 remains applicable.

Major Permitting History

Section	404 Permit SAW-2009-01449	401 Certification 20120673
R-2707 (overall project), and Sections A & B	April 12, 2013	September 18, 2012
R-2707 C	March 31, 2017	April 4, 2017

continued

Project Status:

Sect.	Location	Length	Status	Details*
AA	West of Peachtree Rd to east of Kimbrell Rd near Mooresboro	2 miles	Complete	Construction began in July 2013 and opened to traffic in September 2016.
AB	East of Kimbrell Rd to east of Plato Lee Rd near Lattimore	1.9 miles	Complete	Construction began in July 2014 and was completed in April 2018.
B	East of Plato Lee Rd to east of NC 226 north of Shelby	2.6 miles	Complete	Construction began in July 2014 and was completed in April 2018.
C	East of NC 226 to west of NC 150 heading northeast of Shelby	5.3 miles	Under Construction	Construction began in 2017 and should be completed in the Winter 2023.
D*	West of NC 150 to US 74 west of Long Branch Rd, east of Shelby	4.1 miles	Design*	Final designs are underway. Right of way purchasing is underway with construction beginning in 2024.
E*	US 74 west of Long Branch Rd to west to Stony Point Rd at US 74 Business in Kings Mountain	2.6 miles	Design*	Final designs are underway. Right of way purchasing is underway with construction beginning in 2024.

*Future dates are preliminary and subject to change

Remaining Impacts:

Sub-Tip	Location	Design Level	Wetlands	Streams Permanent Fill	Streams Permanent Bank Stabilization
C	East of NC 226 to west of NC 150 heading northeast of Shelby	Final	0.94	7,644	
D	West of NC 150 to US 74 west of Long Branch Rd, east of Shelby	Preliminary	0.4	5,840	76
E	US 74 west of Long Branch Rd to west to Stony Point Rd at US 74 Business in Kings Mountain	Preliminary	0.66	2,805	39
			2.0	16,289	


The C section of this project is scheduled for completion in 2023. The remaining two sections, D and E, are currently in project design, and in the merger process. Both sections are scheduled for construction beginning in 2024.

Renewal is hereby requested for the USACE 404 permit and the 401 WQC from NCDWR for the C, D and E Sections with a requested expiration of December 31, 2029. Please debit \$570.00 for processing of the WQC renewal for R-2707, as noted in the subject line of this application.

A copy of this permit application and its distribution list will be posted in 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 Jeff Hemphill jhemphill@ncdot.gov or (919) 707-6126.

Sincerely,


 for Philip S. Harris III, P.E., C.P.M.
 Environmental Analysis Unit Head

cc:
 NCDOT Permit Application Standard Distribution List

Project Submittal Interim Form



Updated September 4, 2020

*Please note: fields marked with a red asterisk * below are required. You will not be able to submit the form until all mandatory questions are answered.*

- Project Type:***
- For the Record Only (Courtesy Copy)
 - New Project
 - Modification/New Project with Existing ID
 - More Information Response
 - Other Agency Comments
 - Pre-Application Submittal
 - Re-Issuance/Renewal Request
 - Stream or Buffer Appeal

Pre-Filing Meeting Information

Before submitting this form please ensure you have submitted the Pre-Filing Meeting Request Form as we will not be able to accept your application without this important first step. The Pre-Filing Meeting Request Form is used in accordance with 40 C.F.R. Section 121.4(a) "At least 30 days prior to submitting a certification request, the project proponent shall request a pre-filing meeting with the certifying agency" and in accordance with 40 C.F.R. Section 121.5(b)(7), and (c)(5) all certification requests shall include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request. Click [here](#) to read more information on when this form is needed prior to application submission or [here](#) to view the form.

Attach documentation of Pre-Filing Meeting Request here:* R-2707
Phased
Renewal 359.7..
Cleveland
December
14 2020.pdf

Date for Meeting Request* 12/14/2020

ID# 20120673

Version

Project Contact Information

Name: Michael Turchy
Who is submitting the information?

Email Address:* maturchy@ncdot.gov

Project Information

Existing ID #:*

20120673

20170001 (no dashes)

Existing Version:*

3

1

Project Name:* R-2707 Shelby Bypass

Is this a public transportation project?*

- Yes
 No

Is this a DOT project?*

- Yes
 No

Is the project located within a NC DCM Area of Environmental Concern (AEC)?*

- Yes No Unknown

TIP#:

R-2707

WBS#:

34497.1.FS6

(Applies to DOT projects only)

County (ies) *

Cleveland

Please upload all files that need to be submitted.

[Click the upload button or drag and drop files here to attach document](#)

R-2707 Phased Renewal Cleveland December 14

2020.pdf

359.77KB

Only pdf or kmz files are accepted.

Describe the attachments or add comments:

Cover Letter.

No Pre-Filing Notification is being provided for this project, as it has (and continues to be) in the Merger process.

* By checking the box and signing box below, I certify that:

- I, the project proponent, hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief.
- I, the project proponent, hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.
- I agree that submission of this online form is a "transaction" subject to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I agree to conduct this transaction by electronic means pursuant to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I understand that an electronic signature has the same legal effect and can be enforced in the same way as a written signature; AND
- I intend to electronically sign and submit the online form.

Signature: *



Submission Date: Is filled in automatically once submitted.