



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI
SECRETARY

September 2, 2011

U.S. Army Corps of Engineers
Regulatory Field Office
PO Box 1000
Washington, NC 27889-1000

ATTENTION: Tom Steffens
NCDOT Coordinator

Dear Sir:

Subject: Permit Modification Request for Section 404 Nationwide Permit 23 and Section 401 Water Quality Certification for the proposed construction of the Neuse River Greenway from Wake/Johnston County Line to Sam's Branch Creek in Johnston County, TIP EB-4993. Debit \$240.00 from WBS 40892.1.1

Reference: Original Permit Application requested February 22, 2011.
Section 404 NW 23 Permit issued April 13, 2011; USACE Permit No. SAW- 2011-00602
Section 401 Water Quality Certification issued March 29, 2011; NCDWQ Project No. 20110175

Please see the enclosed revised permit drawings, roadway plan sheet, and revised EEP Acceptance Letter dated July 25, 2011 for the above referenced project. The original wetland boundary provided by NCDOT at Site 5 has been modified since the above referenced permits were issued. The wetland was originally shown to be outside of the slope stakes of the trail and would only require hand clearing for this project. During a field visit, it was determined that the wetland was actually located within the slope stakes of the trail. The wetland has been re-surveyed and has resulted in impacts at Site 5 which now include 0.01 acre of wetland fill. This additional 0.01 acre of wetland fill increases the total permanent wetland impacts on this project to 0.17 acre. Permanent stream impacts will remain unchanged.

Regulatory approvals

Section 404 Permit: NCDOT requests that the U.S. Army Corps of Engineers (USACE) review this permit modification request and issue a modification for the Nationwide Permit 23 issued April 13, 2011, as required for the above-described activities.

Section 401 Permit: NCDOT requests that the NCDWQ review this permit modification request and issue a modification for the General Water Quality Certification No. 3701 issued March 29, 2011, as required for the above-described activities. NCDOT is providing five copies of this application to the NCDWQ for their review and approval. Authorization to debit the \$240 fee from WBS Element 40892.1.1 is hereby given (see subject line).

Neuse River Buffer Authorization: No modifications are requested to the Neuse River Buffer Authorization.

A copy of this permit modification request and its distribution list will be posted on the NCDOT website at <http://www.ncdot.org/doh/preconstruct/pe/neu/permit.html>

Thank you for your assistance with this project. If you have any questions or need additional information, please contact Amy James at aejames@ncdot.gov or (919) 707-6129.

Sincerely,



for

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

cc:

NCDOT Permit Application Standard Distribution List



July 25, 2011

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

Dear Dr. Thorpe:

Subject: EEP Mitigation Acceptance Letter:

EB-4993, Neuse River Greenway from Wake County Line to South of Covered Bridge Road, Johnston County

References: USACE 404 Nationwide Permit Number 23 issued April 13, 2011 (USACE Action ID 2011-00602)

NCDWQ 401 Water Quality Certification issued March 29, 2011 (NCDWQ Project ID 2011-0175)

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) will provide the additional riparian wetland mitigation for the subject project. Based on the information supplied by you on July 25, 2011, the additional impacts are located in CU 03020201 of the Neuse River Basin in the Northern Inner Coastal Plain (NICP) Eco-Region, and are as follows:

Table 1 – Additional Impacts Requiring Mitigation Credits from EEP

Neuse 03020201 NICP	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	0	0.01	0	0	0	0

This mitigation acceptance letter replaces the mitigation acceptance letters issued on January 26, and February 4, 2010 and January 24, 2011. EEP is currently providing riparian wetland mitigation for the impacts associated with this project located in Neuse 03020201 as required by the 404 and 401 permits that were issued April 13, 2011 and March 29, 2011, respectively, as shown in the below table (in mitigation credits):

Table 2 – Total Revised Impacts and Mitigation Credits Provided from EEP

Impact Type	Permitted Impacts	Mitigation Provided from EEP (Credits)	Additional Impact (for approval)	Revised Total Impacts
Riparian	0.16	0.32	0.01	0.17

Dr. Thorpe
July 25, 2011
TIP EB-4993
Page Two

EEP commits to implementing sufficient compensatory riparian wetland mitigation credits to offset the additional impacts associated with this project 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 919-715-1929.

Sincerely,



Michael Ellison
EEP Deputy Director

Cc: Mr. Tom Steffens, USACE – Washington Regulatory Field Office
Mr. Brian Wrenn, NC Division of Water Quality
File: EB-4993 Additional

Restoring... Enhancing... Protecting Our State



WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS							
			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	25+17 L1	42" HDPE	<0.01			<0.01									
2	31+27	N/A					0.02								
3	38+23 L1	30" HDPE								0.01	0.01	33	20		
4	42+55 to 44+40 L1	15" HDPE	0.11				0.07								
5	55+40	N/A	0.01				<0.01								
6	72+50 L1	42" HDPE								0.01	0.01	45	42		
7	93+44 L1	60" HDPE								0.01	0.01	55	40		
8	13+06 to 14+08 L2	1@102' PreFab			0.02		<0.01	0.02			0.02		66		
9	30+71 L2	18" HDPE	0.01				<0.01								
10	38+07 L2	24" HDPE								0.01	<0.01	40	20		
11	47+21 L2	18" HDPE								<0.01	<0.01	32	20		
TOTALS:			0.14		0.02	0.01	0.11	0.04	0.04	0.04	0.04	205	208		

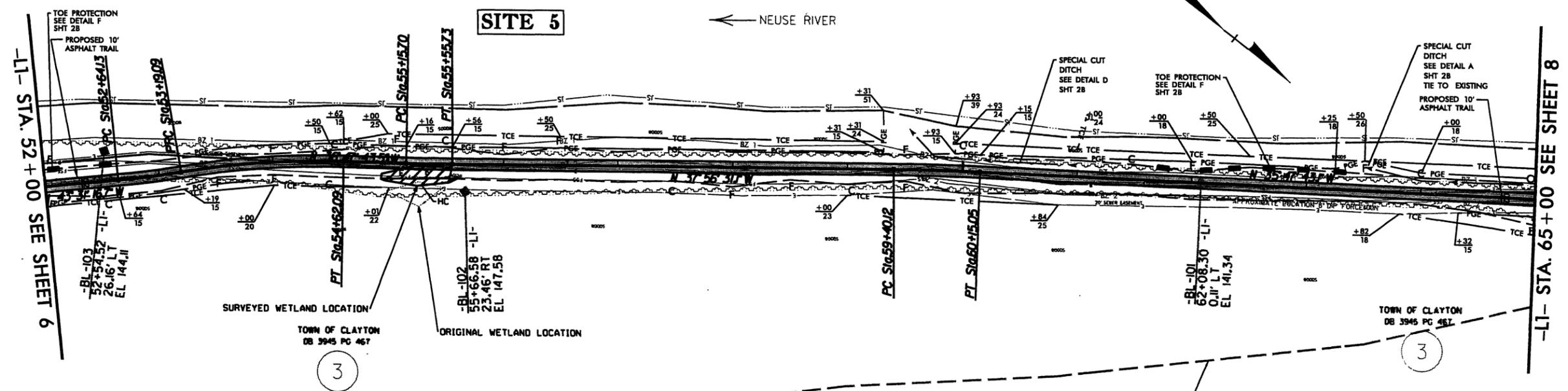
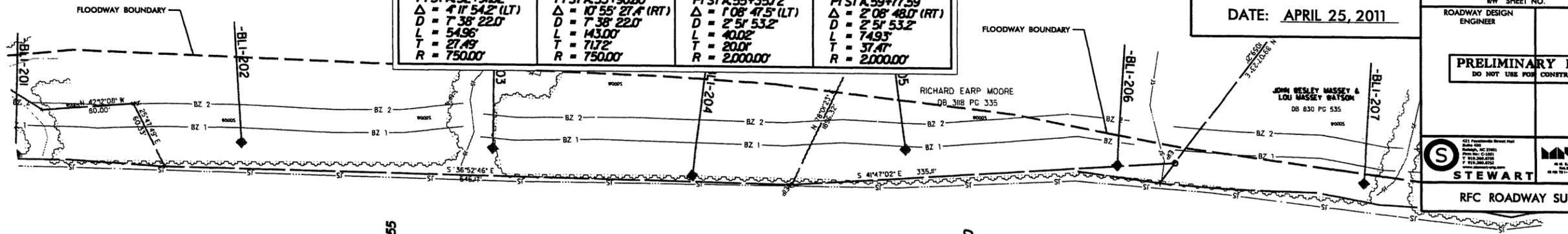
NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 COUNTY
 WBS - 40892.3.ST1 (EB-4993)
 SHEET **4 of 36** *revised 7/19/11*
 7/19/2011

8/17/99

-L- CURVE DATA			
PI STA. 52+91.62 Δ = 41° 54.2' (LT) D = 7' 38" 22.0" L = 54.96' T = 27.49' R = 750.00'	PI STA. 53+90.80 Δ = 10° 55' 27.4" (RT) D = 7' 38" 22.0" L = 143.00' T = 71.72' R = 750.00'	PI STA. 55+35.72 Δ = 1° 08' 47.5" (LT) D = 2' 51" 53.2" L = 40.02' T = 20.00' R = 2,000.00'	PI STA. 59+77.59 Δ = 2° 08' 48.0" (RT) D = 2' 51" 53.2" L = 74.93' T = 37.47' R = 2,000.00'

RELEASE FOR CONSTRUCTION
DATE: APRIL 25, 2011

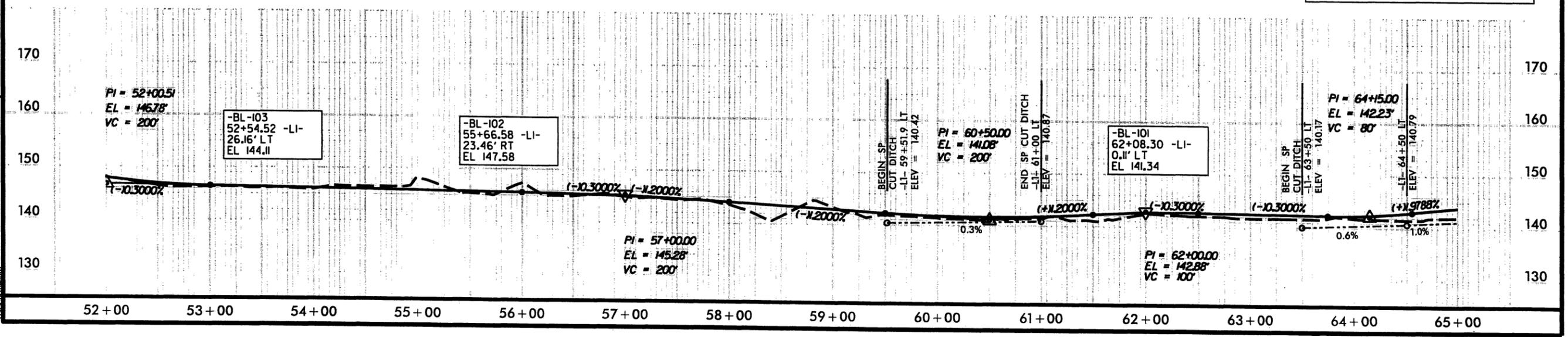
PROJECT REFERENCE NO. EB-4993	SHEET NO. 7
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	
 	
RFC ROADWAY SUBMITTAL	



 DENOTES FILL IN WETLAND
 DENOTES HAND CLEARING

Permit Drawing
Sheet 10 of 36
revised 7/18/11

STREAM & WETLAND IMPACTS



REVISIONS

7/18/2011 EB-4993 FROM Wet_PSH_07.dgn

8/17/2011

REVISIONS
AUGUST 17, 2011 - WETLAND BOUNDARY AT STA. 55+00 UPDATED

8/17/2011
11:20:11
C:\WORK\EB4993\RDY_PSH_07.dgn
L:\K\collins

-LI- CURVE DATA			
PI STA. 52+91.62 Δ = 4° 11' 54.2" (LT) D = 7° 38' 22.0" L = 54.96' T = 27.49' R = 750.00'	PI STA. 53+90.80 Δ = 10° 55' 27.4" (RT) D = 7° 38' 22.0" L = 143.00' T = 71.72' R = 750.00'	PI STA. 55+35.72 Δ = 1° 08' 47.5" (LT) D = 2° 51' 53.2" L = 40.02' T = 20.01' R = 2,000.00'	PI STA. 59+77.59 Δ = 2° 08' 48.0" (RT) D = 2° 51' 53.2" L = 74.93' T = 37.47' R = 2,000.00'

RELEASE FOR CONSTRUCTION
DATE: AUGUST 17, 2011

PROJECT REFERENCE NO. EB-4993	SHEET NO. 7.1
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
RFC ROADWAY SUBMITTAL	

