



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343

March 31, 2020

Regulatory Division/1145b

Action ID No. SAW-2009-00640

North Carolina Department of Transportation (NCDOT)
Environmental Analysis Unit
Attn: James W. Hauser
1598 Mail Service Center
Raleigh, NC 27699-1598

Dear Mr. Hauser,

On March 27, 2020, you submitted a request to modify the conservation easement (CE) boundaries of a permittee responsible onsite stream mitigation site, known as UT to Turkey Creek, on the north and south side of Middlesex Corporate Parkway (MCP), in Middlesex, Nash County, North Carolina. This mitigation site is associated with the permit for the Middlesex Corporate Center (MCC; DA No. SAW-2009-00640).

According to your request, the CE revision is necessary due to encroachments for the paving and drainage of the existing gravel portion of MCP, as well as utilities for the MCC. The original CE had allowed an easement for MCP and the utilities, but a road design change required a 20-foot shift to the north, which now encroaches upon the CE. The Corps verified use of nationwide general permits for current design of the road improvements and utility impacts on November 7, 2019.

Based on the information you have provided: 1) the majority of the unforeseen road and utility impacts are just shifted from one side of the CE to the other; 2) the permanent utility impacts are more than 50 feet from the top of bank of the affected stream preservation, and; 3) the overall integrity of the CE and the stream preservation is not compromised. Therefore, the Corps has determined that the proposed CE easement change will have only very minimal impacts on the UT to Turkey Creek Stream Mitigation site, and that no additional mitigation or other compensation will be required for the proposed CE boundary revisions.

The proposed CE boundary revisions are hereby authorized, subject to the following requirements:

1. Within 60 days of the Corps authorization, NCDOT will record the proposed plat (attached) showing the new CE boundaries within the Nash County Register of Deeds and the CE boundaries will be revised on the NCDOT Mitigation Site Geodatabase.
2. Within 75 days of Corps authorization, NCDOT will provide the Corps with electronic documentation that the proposed plat has been recorded.

Eric Alsmeyer is available to assist you at telephone (919) 554-4884, extension 23, if you have any questions or comments.

Sincerely,

Monte Matthews
Lead Project Manager
Wilmington District

Enclosure

Copy furnished (by email):

Rob Ridings
1617 Mail Service Center
Raleigh NC,
27699-1617