



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

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GOVERNOR

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E. NORRIS TOLSON
SECRETARY

March 23, 1999

U.S. Army Corps of Engineers
Raleigh Regulatory Field Office
6508 Falls of the Neuse Road
Suite 120
Raleigh, North Carolina 27615

Attention: Mr. Eric Alsmeyer
NCDOT Coordinator

Subject: Permit Modification request for TIP No. I-2402D/ U2525A, I-2201 E and I-2201 F; USACE Action ID 199300243 and 199820490.

Dear Sir:

The U. S. Army Corps of Engineers (USACE) has issued three Section 404 Individual Permits for road construction projects in Guilford County. The North Carolina Department of Transportation (NCDOT) requests that the special condition regarding the completion of stream mitigation work be modified on three existing Section 404 permits. The NCDOT requests these permit modifications in order to allow the NCDOT time to complete the implementation of the stream mitigation projects and not be in violation of the Section 404 permits. The NCDOT also requests that the permit expiration dates for TIP No. I-2402 D/U-2525 A and for TIP No. I-2201 F be extended.

Submission of Mitigation Planning Documents

Special condition (n) of the permit for TIP No. I-2402 D/U-2525 A (USACE Action Id 199300243) and special condition (n) of the permit for TIP No. I-2201 F (USACE Action Id 199820490) requires that the NCDOT submit a completed, final stream mitigation planning document for sites at Starmount Park and Sussman's Park in Greensboro. The NCDOT proposes to submit sealed, 100 % design plan sheets in place of a stream mitigation planning document for each site. The NCDOT continues to refine these plans based on its learning from the stream mitigation work at Starmount Forest

Country Club. The USACE and resource agencies have been involved in each step of mitigation planning and design for these two sites. These sealed, 100 % design plan sheets for each site will be submitted to the USACE prior to implementation of the stream mitigation project.

Extension of Planting Deadlines for Stream Mitigation Projects

Special condition (n) of the permit for TIP No. I-2402 D/U-2525 A (USACE Action Id 199300243) and special condition (n) of the permit for TIP No. I-2201 F (USACE Action Id 199820490) requires that the stream mitigation sites (Starmount Park and Sussman's Park in Greensboro) be planted by May 31, 1999. The NCDOT cannot meet this deadline for planting.

These stream mitigation projects were one of the first projects to be implemented by the NCDOT, and have been a learning experience in how to successfully implement stream mitigation. The NCDOT has experienced difficulty in formulating design plans for bidding the project so all contractors can bid on the project, as well as placing the projects out for bid. There is also the learning curve that contractors will experience with stream mitigation projects. The NCDOT did not want to rush the implementation of these projects and risk not having a successful mitigation site.

The NCDOT requests that the time deadline to complete the plantings be extended to December 15, 1999. The NCDOT plans to begin implementation of these two stream mitigation projects in late summer of 1999. Plantings will occur during the fall, prior to the onset of winter. The NCDOT believes that this date will allow ample time to complete the stream mitigation projects at Starmount Park and Sussman's Park.

In addition, special condition (u) of the permit for TIP No. I-2201 E (USACE Action Id 199820490) requires that the stream mitigation at Starmount Forest County Club site in Greensboro be planted by April 16, 1999. The NCDOT cannot meet this deadline for completing the planting and the stream mitigation implementation. The NCDOT has experienced difficulties in implementing the stream mitigation work at this site. First, the NCDOT had difficulties as discussed earlier in getting the stream design and bid package together and place the project out to bid. Second, the supplier of some of the required materials to implement the stream mitigation project successfully has not been able to deliver the materials as promised. Third, there is the learning curve for the prime contractor associated with this new type of mitigation implementation. This contractor continues to learn about efficiency on how to implement the stream restoration techniques and is working hard to complete the project. Fourth, the NCDOT has continued to coordinate with the golf course on some issues, and this has delayed the contractor's work.

With these difficulties resolved, the NCDOT anticipates no other conflicts with the stream project. The NCDOT requests that the time deadline to complete the plantings at Starmount Forest County Club be extended to May 15, 1999. The NCDOT believes that this date will allow ample time to complete the stream mitigation project at this site.

Extension of Existing Section 404 Permits

The NCDOT has also reviewed the expiration dates for two of its Section 404 permits, and believes that more time will be necessary to complete the road construction projects. The Section 404 permit for TIP No. I-2402 D/U-2525 A has an expiration date of December 31, 2000. The NCDOT asks that this expiration date be extended to December 31, 2001.

The Section 404 permit for TIP No. I-2201 F expires on December 31, 2001. The NCDOT request that the expiration date of the permit be extended to December 31, 2002.

Thank you for your continued assistance on these projects. If you have any questions regarding this request, please contact Mr. Phillip Todd or Ed Lewis of my staff at (919) 733-3141.

Sincerely,



Mr. William D. Gilmore, P. E., Manager
Project Planning and Environmental Analysis Branch

WDG/pct

cc: Mr. David Franklin, USACE, Wilmington
Mr. J.W. Watkins, P. E., Division 7 Engineer
Mr. Ed Lewis, PDEA
Mr. Mike Wood, PDEA
Mr. Tanner Holland, PDEA