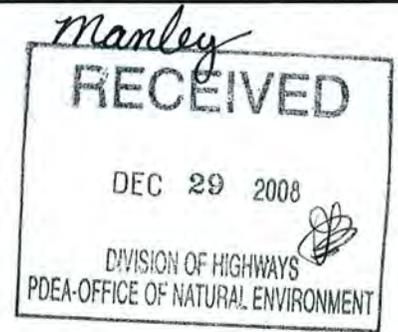




December 18, 2008



Dr. Greg Thorpe, PhD., Branch Manager  
Project Development and Environmental Analysis Branch  
North Carolina Department of Transportation  
1598 Mail Service Center  
Raleigh, North Carolina, 27699-1548

Subject: Correction to 401 Water Quality Certification for R-2719A (Crescent Road) in Lenoir County,  
DWQ Project No. 20080314.  
WQC No. 003763

Dear Dr. Thorpe:

This letter is in regards to the 401 Water Quality Certification (WQC) issued on October 28, 2008 for Crescent Road in Lenoir County (DWQ Project No. 20080314; WQC No. 003763). Condition No. 2 of the WQC issued on October 28, 2008 contains the following language:

“Compensatory mitigation for impacts to 1,118 linear feet of streams at a replacement ratio of 1:1 is required. Compensatory mitigation for impacts to jurisdictional streams shall be provided by on-site stream restoration of 2,077 linear feet at Banks School Road Mitigation Site 1 (an unnamed tributary to Falling Creek) and 268 linear feet of restoration at the Banks School Road Mitigation Site 2. On-site mitigation at these sites will be provided as follows:

Mitigation Type	Location	Stream length (lf)	Ratio	Credits
Restoration	Banks School Rd. Site 1 (on-site)	2,077	1:1	2,077
Restoration	Banks School Rd. Site 2 (on-site)	268	1:1	268
<b>TOTAL:</b>				<b>2,345</b>

Monitoring of the both stream restoration areas shall consist of Level 1 monitoring requirements. Monitoring shall be performed twice annually (summer and winter) for each year of a five year period following completion of the work. Monitoring activities shall consist of reference photos, plant survival determinations, and visual inspection of stream stability. The sites shall be monitored for five years, provided at least two bankfull events have occurred during this monitoring period. If two bankfull events have not occurred by the end of the five year monitoring period, the NCDOT may, at the DWQ’s discretion, cease further monitoring of the site. The two bankfull events should occur within different monitoring years.

On-site stream restoration shall be constructed in accordance with the design submitted in your February 15, 2008 application. Please be reminded that as-builts for the completed streams shall be submitted to the North Carolina Division of Water Quality 401 Wetlands Unit with the as-builts for the rest of the project. If the parameters of this condition are not met, then the permittee shall supply additional stream mitigation for the 1,118 linear feet of impacts. All channel work will be constructed in a dry work area, will be completed and stabilized, and must be approved on site by DWQ staff, prior to diverting water into the new channel. Whenever possible, channel

relocations shall be allowed to stabilize for an entire growing season. All enhanced stream segments shall have a 50-foot wide native wooded buffer planted on both sides of the stream unless otherwise authorized by this Certification. A transitional phase incorporating rolled erosion control product (RECP) and appropriate temporary ground cover is allowable.”

Subsequent to the issuance of the initial 401 WQC on October 28, 2008, the NCDOT contacted the DWQ regarding the stream monitoring at the School Banks Road Site 2. The stream mitigation associated with the School Banks Road Site 2 is to replace impacts associated with Site 6. The stream associated with Site 6 is intermittent, and therefore the DWQ does not require mitigation for impacts to Site 6. Since mitigation is not required, no stream monitoring is required for the School Banks Road Site 2. Therefore, Condition 2 should read:

“Compensatory mitigation for impacts to 1,118 linear feet of streams at a replacement ratio of 1:1 is required. Compensatory mitigation for impacts to jurisdictional streams shall be provided by on-site stream restoration of 2,077 linear feet at Banks School Road Mitigation Site 1 (an unnamed tributary to Falling Creek). On-site mitigation at this site will be provided as follows:

Mitigation Type	Location	Stream length (lf)	Ratio	Credits
Restoration	Banks School Rd. Site 1 (on-site)	2,077	1:1	2,077
			<b>TOTAL:</b>	<b>2,077</b>

Monitoring of the stream restoration area shall consist of Level 1 monitoring requirements. Monitoring shall be performed twice annually (summer and winter) for each year of a five year period following completion of the work. Monitoring activities shall consist of reference photos, plant survival determinations, and visual inspection of stream stability. The site shall be monitored for five years, provided at least two bankfull events have occurred during this monitoring period. If two bankfull events have not occurred by the end of the five year monitoring period, the NCDOT may, at the DWQ’s discretion, cease further monitoring of the site. The two bankfull events should occur within different monitoring years.

On-site stream restoration shall be constructed in accordance with the design submitted in your February 15, 2008 application. Please be reminded that as-builts for the completed stream shall be submitted to the North Carolina Division of Water Quality 401 Wetlands Unit with the as-builts for the rest of the project. If the parameters of this condition are not met, then the permittee shall supply additional stream mitigation for the 1,118 linear feet of impacts. All channel work will be constructed in a dry work area, will be completed and stabilized, and must be approved on site by DWQ staff, prior to diverting water into the new channel. Whenever possible, channel relocations shall be allowed to stabilize for an entire growing season. All enhanced stream segments shall have a 50-foot wide native wooded buffer planted on both sides of the stream unless otherwise authorized by this Certification. A transitional phase incorporating rolled erosion control product (RECP) and appropriate temporary ground cover is allowable.”

Please attach a copy of this letter with any copies of the original Water Quality Certification. All other conditions written into the previous Water Quality Certification for this project dated October 28, 2008 still apply except where superceded by this correction. We are sorry for any inconvenience this may have caused. If you have any questions please contact David Wainwright at (919) 715-3415.

Sincerely,



Coleen H. Sullins,  
Director

cc: William Wescott, US Army Corps of Engineers, Washington Field Office  
Kathy Matthews, Environmental Protection Agency  
Chris Militscher, Environmental Protection Agency  
Travis Wilson, NC Wildlife Resources Commission (electronic)  
Gary Jordan, US Fish and Wildlife Service (electronic)  
Gary Ward, DWQ Washington Regional Office  
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