

PROJECT SPECIAL PROVISION

(10-18-95)

Z-1

PERMITS

The Contractor's attention is directed to the following permits, which have been issued to the Department of Transportation by the authority granting the permit.

<u>PERMIT</u>	<u>AUTHORITY GRANTING THE PERMIT</u>
Dredge and Fill and/or Work in Navigable Waters (404)	U. S. Army Corps of Engineers
State Dredge and Fill and/or CAMA	Division of Coastal Management, DENR State of North Carolina
Water Quality (401)	Division of Environmental Management, DENR State of North Carolina
CCPCUA	Division of Water Resources, DENR State of North Carolina

The Contractor shall comply with all applicable permit conditions during construction of this project. Those conditions marked by * are the responsibility of the department and the Contractor has no responsibility in accomplishing those conditions.

Agents of the permitting authority will periodically inspect the project for adherence to the permits.

The Contractor's attention is also directed to Articles 107-10 and 107-14 of the *Standard Specifications* and the following:

Should the Contractor propose to utilize construction methods (such as temporary structures or fill in waters and/or wetlands for haul roads, work platforms, cofferdams, etc.) not specifically identified in the permit (individual, general, or nationwide) authorizing the project it shall be the Contractor's responsibility to coordinate with the Engineer to determine what, if any, additional permit action is required. The Contractor shall also be responsible for initiating the request for the authorization of such construction method by the permitting agency. The request shall be submitted through the Engineer. The Contractor shall not utilize the construction method until it is approved by the permitting agency. The request normally takes approximately 60 days to process; however, no extensions of time or additional compensation will be granted for delays resulting from the Contractor's request for approval of construction methods not specifically identified in the permit.

Where construction moratoriums are contained in a permit condition which restricts the Contractor's activities to certain times of the year, those moratoriums will apply only to the portions of the work taking place in the waters or wetlands provided that activities outside those areas is done in such a manner as to not affect the waters or wetlands.



REPLY TO
ATTENTION OF:

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

274

September 1, 2010

Regulatory Division

Action ID 200100919; TIP Project No. U-4007 A, B, C, D, Onslow County, North Carolina.

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

Dear Dr. Thorpe:

In accordance with your written request of May 28, 2010 and the ensuing administrative record, enclosed are two copies of a Department of the Army permit to directly discharge fill material into multiple tributaries of the New River inside the City limits of Jacksonville for road improvements from the Jacksonville Bypass to Drummer Kellum Road northeast of the City, Onslow County, North Carolina. The proposed roadway improvements are approximately 2.9 miles in length.

You should acknowledge that you accept the terms and conditions of the enclosed permit by signing and dating each copy in the spaces provided ("Permittee" on page 3). Your signature, as permittee, indicates that, as consideration for the issuance of this permit, you voluntarily accept and agree to comply with all of the terms and conditions of this permit. All pages of both copies of the signed permit with drawings should then be returned to this office for final authorization. A self-addressed envelope is enclosed for your convenience.

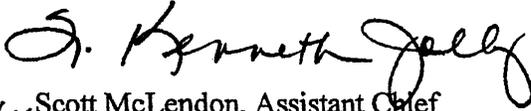
This correspondence contains a proffered permit for the above described site. If you object to this decision, you may request an administrative appeal under Corps regulations at 33 CFR part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this decision you must submit a completed RFA form to the South Atlantic Division, Division Office at the following address:

Administrative Appeal Review Officer
CESAD-ET-CO-R
U.S. Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-8801

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP.

After the permit is authorized in this office, the original copy will be returned to you; the duplicate copy will be permanently retained in this office. Should you have questions, contact Mr. Brad Shaver of my Wilmington Field Office regulatory staff at telephone (910) 251-4611.

Sincerely,



for Scott McLendon, Assistant Chief
Regulatory Division

Enclosures

DEPARTMENT OF THE ARMY PERMIT

Permittee North Carolina Department of Transportation

Permit No. SAW-2001-00919

Issuing Office USAED, WILMINGTON

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description : to directly discharge fill material into multiple tributaries of the New River inside the City limits of Jacksonville for road improvements from the Jacksonville Bypass to Drummer Kellum Road northeast of the City, Onslow County, North Carolina. The proposed roadway improvements are approximately 2.9 miles in length.

Project Location: multiple tributaries of the New River inside the City limits of Jacksonville for road improvements from the Jacksonville Bypass to Drummer Kellum Road northeast of the City, Onslow County, North Carolina.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **December 31, 2015**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit,

Special Conditions:

SEE ATTACHED SPECIAL CONDITIONS

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.

- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
- 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit, Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

E. P. Lupton for Gregory J. Thorpe, PhD 9-3-10
 (PERMITTEE) NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

 (DISTRICT ENGINEER) JEFFERSON M. RYSCAVAGE, COLONEL (DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

 (TRANSFEEE) (DATE)

SPECIAL CONDITIONS

TIP Project No. U-4007 A, B, C and D Action ID 200100919

Work Limits

1. All work authorized by this permit must be performed in strict compliance with the plans stamped received May 13, 2010 sheets 1-35 of 35, revised sheets 2&3 of 35 dated June 3, 2010 (U-4007A) and plans stamped received May 13, 2010 sheets 1-56 of 56 , which are a part of this permit. Any modification to these plans must be approved by the US Army Corps of Engineers (USACE) prior to implementation.

2. This permit only authorizes work on Sections A and B of U-4007. Construction on sections C and D of U-4007 shall not commence until final design has been completed, the permittee has minimized impacts to waters and wetlands to the maximum extent practicable and a compensatory mitigation plan has been reviewed and approved by the District Engineer.

3. Except as authorized by this permit or any USACE approved modification to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, within waters or wetlands. This permit does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area. This prohibition applies to all borrow and fill activities connected with this project.

4. Except as specified in the plans attached to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, in such a manner as to impair normal flows and circulation patterns within waters or wetlands or to reduce the reach of waters or wetlands.

Related Laws

5. The North Carolina Division of Water Quality has issued a conditioned Water Quality Certification 003835 for your project; the conditions of that certification are hereby incorporated as special conditions of this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. All mechanized equipment will be regularly inspected and maintained to prevent contamination of waters and wetlands from fuels, lubricants, hydraulic fluids, or other toxic materials. In the event of a spill of petroleum products or any other hazardous waste, the permittee shall immediately report it to the N.C. Division of Water Quality at (919) 733-5083, Ext. 526 or (800) 662-7956 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.

Project Construction and Maintenance

7. The permittee shall schedule a pre-construction meeting between its representatives, the contractor's representatives, and the Corps of Engineers, Wilmington Regulatory Field Office, NCDOT Regulatory Project Manager, prior to any work within jurisdictional waters and

wetlands to ensure that there is a mutual understanding of all of the terms and conditions contained within this Department of the Army Permit. The permittee shall notify the Corps of Engineers Project Manager a minimum of thirty (30) days in advance of the scheduled meeting in order to provide that individual with ample opportunity to schedule and participate in the required meeting.

8. Prior to commencing construction within jurisdictional waters of the United States, the permittee shall forward the latest version of project construction drawings to the USACE, Wilmington Regulatory Field Office NCDOT Regulatory Project Manager. Half-size drawings are acceptable.

9. The permittee shall advise the Corps in writing or email at least two weeks prior to beginning the work authorized by this permit and again upon completion of the work authorized by this permit.

10. Unless otherwise authorized by this permit, all fill material placed in waters or wetlands shall be generated from an upland source and will be clean and free of any pollutants except in trace quantities. Metal products, organic materials (including debris from land clearing activities), or unsightly debris will not be used.

11. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this permit. A copy of this permit, including all conditions, shall be available at the project site during construction and maintenance of this project.

12. The permittee shall employ all sedimentation and erosion control measures necessary to prevent an increase in sedimentation or turbidity within waters and wetlands outside the permit area. This shall include, but is not limited to, the immediate installation of silt fencing or similar appropriate devices around all areas subject to soil disturbance or the movement of earthen fill, and the immediate stabilization of all disturbed areas. Additionally, the project must remain in full compliance with all aspects of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statutes Chapter 113A Article 4).

13. The permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the work will, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the water or wetland to its pre-project condition.

Enforcement

14. Violations of these conditions or violations of Section 404 of the Clean Water Act must be reported in writing to the Wilmington District U.S. Army Corps of Engineers within 24 hours of the permittee's discovery of the violation.

Borrow and Waste

15. To ensure that all borrow and waste activities occur on high ground and do not result in the degradation of adjacent wetlands and streams, except as authorized by this permit, the permittee shall require its contractors and/or agents to identify all areas to be used to borrow material, or to dispose of dredged, fill, or waste material. The permittee shall provide the USACE with appropriate maps indicating the locations of proposed borrow or waste sites as soon as the permittee has that information. The permittee will coordinate with the USACE before approving any borrow or waste sites that are within 400 feet of any streams or wetlands. All jurisdictional wetland lines on borrow and waste sites shall be verified by the Corps of Engineers and be shown on the approved reclamation plans. The permittee shall ensure that all such areas comply with this condition, and shall require and maintain documentation of the location and characteristics of all borrow and disposal sites associated with this project. This information will include data regarding soils, vegetation and hydrology sufficient to clearly demonstrate compliance with the preceding condition. All information will be available to the USACE upon request. NCDOT shall require its contractors to complete and execute reclamation plans for each waste and borrow site and provide written documentation that the reclamation plans have been implemented and all work is completed. This documentation will be provided to the Corps of Engineers within 30 days of the completion of the reclamation work.

Compensatory Mitigation

* 16. Compensatory mitigation for the unavoidable impacts to 5.76 acres of non riparian wetlands and 3,039 linear feet of stream associated with the proposed project shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated January 12, 2007 from William D. Gilmore, EEP Director. Pursuant to the In-Lieu-Fee Instrument signed July 28, 2010 between the between the State of North Carolina, Ecosystem Enhancement Program and the US Army Corps of Engineers the EEP will provide 11.52 acres of restoration equivalent non-riparian wetlands and 6,078 linear feet of restoration equivalent warm water stream channel in the White Oak River Basin (Hydrologic Cataloging Unit 03030001 in accordance with Section F of the instrument. . For wetlands, a minimum of 1:1 (impact to mitigation) must be in the form of wetland restoration.”

* 17. In order to compensate for impacts to 2.5 acres of Riparian wetlands, NCDOT shall debit 5.0 acres of riparian wetlands from the Clayhill Farms Stream and Wetland Restoration Site, NCDOT shall provide the USACE with its current ledger of available credits and all debits from this site to the US Army Corps of Engineers, Wilmington Regulatory Field Office, no later than 30-days from the date of this permit authorization. Construction within jurisdictional areas authorized by the permit shall begin only after the permittee has provided the credit and debit information, as described above, to the Wilmington Regulatory Field Office.



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

August 26, 2010

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

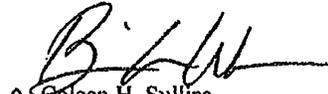
Subject: 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act with
ADDITIONAL CONDITIONS for the proposed improvements to US 17 from the Jacksonville Bypass to
Drummer Kellum Road in Onslow County, Federal Aid Project No. STP-NHF-17(31), State Project No.
8.1261901, TIP U-4007.
NCDWQ Project No. 20100362 v.1

Dear Dr. Thorpe:

Attached hereto is a copy of Certification No. 003835 issued to The North Carolina Department of Transportation
(NCDOT) dated August 26, 2010.

If we can be of further assistance, do not hesitate to contact us.

Sincerely,



Coleen H. Sullins
Director

Attachments

cc: Brad Shaver, US Army Corps of Engineers, Wilmington Field Office
H. Allen Pope, PE, Division 3 Engineer
Anneliese Westphal, Division 3 Environmental Officer
Chris Militscher, Environmental Protection Agency (electronic copy only)
Travis Wilson, NC Wildlife Resources Commission
Steve Sollod, Division of Coastal Management
Mason Herndon, NCDWQ Fayetteville Regional Office
File Copy

401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act with ADDITIONAL CONDITIONS

THIS CERTIFICATION is issued in conformity with the requirements of Section 401 Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (NCDWQ) Regulations in 15 NCAC 2H .0500. This certification authorizes the NCDOT to impact 8.26 acres of jurisdictional wetlands and 3,154 linear feet of jurisdictional streams in Onslow County associated with Sections A and B. The project shall be constructed pursuant to the application dated received May 11, 2010 (revised May 28, 2010). No impacts to Sections C or D are being authorized at this time. The authorized impacts are as described below:

Stream Impacts in the White Oak River Basin

Site	Location	Permanent Fill in Perennial Stream (linear ft)	Temporary Fill in Perennial Stream (linear ft)	Permanent Fill in Intermittent Stream (linear ft)	Temporary Fill in Intermittent Stream (linear ft)	Total Stream Impact (linear ft)	Stream Impacts Requiring Mitigation
U-4007A							
1	1+70 Ramp A-RT	0	0	0	0	0	0
2	6+00-10+70-Ramp A-	680	0	0	0	680	680
2	23+62-L-	640	80	0	0	720	640
2	24+00-L-LT	0	0	0	0	0	0
3	6+00-14+95-Ramp B-	0	0	0	0	0	0
4	17+88-19+15 -L-LT	0	0	0	0	0	0
5	28+13-32+61-L-LT	0	0	0	0	0	0
6	32+57-35+26-L-	420	0	0	0	420	420
7	39+00-45+00-L-	0	0	0	0	0	0
8	55+83-58+00-L-RT	0	0	0	0	0	0
9	58+50-L-LT	0	0	0	0	0	0
10	66+00-L-LT	0	0	0	35	35	0
TOTAL:		1,740	80	0	35	1,855	1,740
U-4007B							
1	29+25-Y2-	290	0	0	0	290	290
2	23+60-27+59-Ramp 1B-LT	0	0	0	0	0	0
2	16+30-19+76-Ser-1	0	0	0	0	0	0
3	52+58-53+32-Y1A SBL-LT	0	0	0	0	0	0
3	23+85-25+70 -Ramp 1A-	0	0	0	0	0	0
3	14+00-15+50-Loop 1A-	0	0	0	0	0	0
3	47+73-48+82-SBL Ramp-	0	0	0	0	0	0
4	14+72-18+45-L-	301	0	0	0	301	301
5	12+43-Y4-LT	0	0	0	0	0	0
6	39+14-41+39-L-	260	0	0	0	260	260
7	57-11-62+05-L-	326	0	0	0	326	326
8	69+71-70+78-Y1A SBL-LT	0	0	0	0	0	0
9	23+00-24+41-Y4-	0	0	122	0	122	0
TOTAL:		1,177	0	122	0	1,299	1,177
U-4007C*							
TOTAL:		0	0	197	0	197	0
U-4007D*							
TOTAL:		613	0	129	0	742	0
PROJECT TOTAL							
PROJECT TOTAL:		3,530	80	448	35	4,093	2,917

* Impacts for Sections C and D are based on preliminary projections of impacts; design work has not been completed

Total Stream Impact for Project: 4,093 linear feet (3,154 linear feet for Sections A and B)

Wetland Impacts in the White Oak River Basin

Site	Location	Wetland Type*	Fill (permanent) (ac)	Fill (temporary) (ac)	Excavation (ac)	Mechanized Clearing (ac)	Hand Clearing (ac)	Total Wetland Impact (ac)	Impacts Requiring Mitigation (ac)
U-4007A									
1	1+70 Ramp A-RT	R	<0.01	0	0	<0.01	0	0.00	0.00
2	6+00-10+70-Ramp A-	R	0.28	0	0.08	0.16	0	0.52	0.52
2	23+62-L-	R	0	0	0	0.00	0	0.00	0.00
2	24+00-L-LT	R	0.01	0	0	<0.01	0	0.01	0.01
3	6+00-14+95-Ramp B-	NR	2.43	0	0	0.29	0	2.72	2.72
4	17+88-19+15 -L-LT	NR	0.07	0	0	0.03	0	0.10	0.10
5	28+13-32+61-L-LT	R	0.28	0	0	0.11	0	0.39	0.39
6	32+57-35+26-L-	R	0.15	0	0	0.01	0	0.16	0.16
7	39+00-45+00-L-	NR	1.32	0	0.01	0.19	0	1.52	1.52
8	55+83-58+00-L-RT	NR	0.07	0	0	0.05	0	0.12	0.12
9	58+50-L-LT	NR	0.01	0	0	0	0	0.01	0.01
10	66+00-L-LT	N/A	0	0	0	0	0	0	0
TOTAL:			4.62	0.00	0.09	0.84	0.00	5.55	5.55
U-4007B									
1	29+25-Y2-	N/A	0	0	0	0	0	0	0
2	23+60-27+59-Ramp 1B-LT	NR	0.11	0	0	0	0	0.11	0.11
2	16+30-19+76-Ser-1	NR	0.24	0	0	0	0	0.24	0.24
3	52+58-53+32-Y1A SBL-LT	R	0.02	0	0	0.01	0	0.03	0.03
3	23+85-25+70 -Ramp 1A-	R	0.14	0	0	0.02	0	0.16	0.16
3	14+00-15+50-Loop 1A-	R	0.30	0	0	0.03	0	0.33	0.33
3	47+73-48+82-SBL Ramp-	R	0.24	0	0	0.02	0	0.26	0.26
4	14+72-18+45-L-	R	0.57	0	0	0.08	0	0.65	0.65
5	12+43-Y4-LT	R	<0.01	0	0	<0.01	0	0	0
6	39+14-41+39-L-	R	0.26	0	0	0.03	0	0.29	0.29
7	57-11-62+05-L-	R	0.33	0	0	0.04	0	0.37	0.37
8	69+71-70+78-Y1A SBL-LT	NR	0.16	0	0	0	0	0.16	0.16
9	23+00-24+41-Y4-	R	0.09	0	0	0.02	0	0.11	0.11
TOTAL:			2.46	0.00	0.00	0.25	0.00	2.71	2.71
U-4007C **									
TOTAL:			0.24	0.00	0.00	0.00	0.00	0.24	0.00
U-4007D **									
TOTAL:			0.44	0.00	0.00	0.00	0.00	0.44	0.00
PROJECT TOTAL									
PROJECT TOTAL:			7.76	0.00	0.09	1.09	0.00	8.94	8.26

* Wetland Type: R = Riparian; NR = Non-Riparian; N/A = Non-Applicable (no wetland impacts at site)

** Sections C and D impacts are based on projected impacts; design work has not been completed

Total Wetland Impact for Project: 8.94 acres (8.26 acres for Sections A and B)

The application provides adequate assurance that the discharge of fill material into the waters of the White Oak River Basin in conjunction with the proposed development will not result in a violation of applicable Water Quality Standards and discharge guidelines. Therefore, the State of North Carolina certifies that this activity will not violate the applicable portions of Sections 301, 302, 303, 306, 307 of PL 92-500 and PL 95-217 if conducted in accordance with the application and conditions hereinafter set forth.

This approval is only valid for the purpose and design that you submitted in your application dated received May 11, 2010 (revised May 28, 2010). Should your project change, you are required to notify the NCDWQ and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval

the applicant and the property owner, and the applicant shall be responsible for all conditions of the permit. The applicant is hereby responsible for complying with all the conditions. If any additional wetland impact or stream impacts, for this project (now or in the future) exceed one acre or 150 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you are required to comply with all the conditions listed below. In addition, you should obtain all other federal, state or local permits before proceeding with your project including (but not limited to) Sediment and Erosion control, Coastal Stormwater, Non-discharge and Water Supply watershed regulations. This Certification shall expire on the same day as the expiration date of the corresponding Corps of Engineers Permit.

Conditions of Certification:

Project Specific Conditions

- * 1. The NCDOT Division Environmental Officer or Environmental Assistant will conduct a pre-construction meeting with all appropriate staff and applicable contractor representatives to ensure that the project supervisor, essential staff, and contractors understand the potential issues with stream and pipe alignment at permitted sites. NCDWQ staff shall be invited to the pre-construction meeting.
2. With exception of Site 1 on U-4007B, placement of culverts and other structures in waters, streams, and wetlands shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWQ. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWQ for guidance on how to proceed and to determine whether or not a permit modification will be required.
3. If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.
4. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.
5. For streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and revegetated with appropriate native species.
6. The stream channel shall be excavated no deeper than the natural bed material of the stream, to the maximum extent practicable. Efforts must be made to minimize impacts to the stream banks, as well as to vegetation responsible for maintaining the stream bank stability. Any applicable riparian buffer impact for access to stream channel shall be temporary and be revegetated with native riparian species.
- * 7. Compensatory mitigation for 2,917 linear feet of impact to streams is required at a 1:1 ratio. We understand that you have chosen to perform compensatory mitigation for impacts to streams through the North Carolina Ecosystem Enhancement Program (EEP) and that the EEP has agreed to implement the mitigation for the project. EEP has indicated in a letter dated August 16, 2010 that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above-referenced project, in accordance with the Tri-Party MOA signed on July 22, 2003 and the Dual-Party MOA signed on April 12, 2004.
- * 8. Compensatory mitigation for impacts to 8.26 acres wetlands (2.50 acres riparian; 5.76 acres non-riparian) is required. Since Sections C and D are to be constructed post-year, the DWQ is not requiring mitigation for potential impacts for these sections at this time. However, mitigation for these sections will need to be provided in the application for modification.

agreed to implement the mitigation for the project. EEP has indicated in a letter dated August 16, 2010 that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above-referenced project, in accordance with the Tri-Party MOA signed on July 22, 2003 and the Dual-Party MOA signed on April 12, 2004.

Impacts to 2.50 acres of riparian wetlands will be debited from the NCDOT's Clayhill Mitigation Site. The site is located in Jones County in HUC 03020106, adjacent to the project HUC (03030001). Since no riparian credits are available within HUC 03030001, it is DWQ policy to debit adjacent HUCs at a 3:1 ratio.

Mitigation for unavoidable impacts to wetlands for this project is summarized below:

Wetland Type	Impact (acres)	Ratio	Credits Required	Mitigation Source
Non-Riparian	5.76	2:1	11.52	EEP
Riparian	2.50	3:1	7.5	Clayhill Mitigation Site
TOTAL:	8.26		19.02	

9. Channel relocations shall be completed and stabilized, and approved on site by DWQ staff prior to diverting water into the new channel. Stream banks shall be matted with coir-fiber matting. Vegetation used for bank stabilization shall be limited to native riparian vegetation, and should include establishment of a vegetated buffer on both sides of the relocated channel to the maximum extent practical. Also, rip-rap may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any calculations used to determine the extent of rip-rap coverage requested. Once the stream has been turned into the new channel, it may be necessary to relocate stranded fish to the new channel to prevent fish kills.
10. For projects impacting waters classified by the NC Environmental Management Commission as High Quality Waters (HQW), stormwater shall be directed to vegetated buffer areas, grass-lined ditches or other means appropriate to the site for the purpose of pre-treating storm water runoff prior to discharging directly into streams. Mowing of existing vegetated buffers is strongly discouraged.
11. The permittees shall use Design Standards in Sensitive Watersheds [15A NCAC 4B.0124(a)-(e)] in areas draining to HQW waters. However, due to the size of the project, the NCDOT shall not be required to meet 15A NCAC 4B.0124(a) regarding the maximum amount of uncovered acres. Temporary cover (wheat, millet, or similar annual grain) or permanent herbaceous cover shall be planted on all bare soil within 15 business days of ground disturbing activities to provide erosion control.
12. Tall fescue shall not be used in the establishment of temporary or permanent groundcover within riparian areas. For the establishment of permanent herbaceous cover, erosion control matting shall be used in conjunction with appropriate seeding on disturbed soils within the riparian area and on disturbed steep slopes with the following exception. Erosion control matting is not necessary if the area is contained by perimeter erosion control devices such as silt fence, temporary sediment ditches, basins, etc. Matting should be secured in place with staples, stakes, or wherever possible, live stakes of native trees. Erosion control matting placed in riparian areas shall not contain a nylon mesh grid, which can impinge and entrap small animals. For the establishment of temporary groundcover within riparian areas, hydroseeding along with wood or cellulose based hydro mulch applied from a fertilizer and limestone-free tank is allowable at the appropriate rate in conjunction with the erosion control measures. Discharging hydroseed mixtures and wood or cellulose mulch into surface waters is prohibited. Riparian areas are defined as a distance 25 feet landward from top of stream bank.
- * 13. When final design plans are completed for U-4007 Sections C and D, a modification to the 401 Water Quality Certification shall be submitted with five copies and fees to the NC Division of Water Quality. Final designs shall reflect all appropriate avoidance, minimization, and mitigation for impacts to wetlands, streams, and other surface waters, and buffers. No construction activities that impact any wetlands, streams, surface waters, or buffers located in U-4007 Sections C and D shall begin until after the permittee applies for, and receives a written modification of the 401 Water Quality Certification from the NC Division of Water Quality.

14. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills.
15. During the construction of the project, no staging of equipment of any kind is permitted in waters of the U.S., or protected riparian buffers.
16. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream.
17. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.
18. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials.
19. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions.
20. The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage.
21. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
- * 22. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval.
23. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
24. The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If NCDWQ determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, NCDWQ may reevaluate and modify this certification.
25. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification.
26. Native riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.
27. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization shall be clearly marked by highly visible fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.
28. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities.
29. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards:

- a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
 - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
 - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
30. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification.
31. The issuance of this certification does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (i.e. local, state, and federal) having jurisdiction, including but not limited to applicable buffer rules, stormwater management rules, soil erosion and sedimentation control requirements, etc.
32. The Permittee shall report any violations of this certification to the Division of Water Quality within 24 hours of discovery.
33. A copy of this Water Quality Certification shall be maintained on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager.
- * 34. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.

Violations of any condition herein set forth may result in revocation of this Certification and may result in criminal and/or civil penalties. This Certification shall become null and void unless the above conditions are made conditions of the Federal 404 and/or Coastal Area Management Act Permit. This Certification shall expire upon the expiration of the 404 or CAMA permit.

If you wish to contest any statement in the attached Certification you must file a petition for an administrative hearing. You may obtain the petition form from the office of Administrative hearings. You must file the petition with the office of Administrative Hearings within sixty (60) days of receipt of this notice. A petition is considered filed when it is received in the office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official state holidays. The original and one (1) copy of the petition must be filed with the Office of Administrative Hearings.

The petition may be faxed—provided the original and one copy of the document is received by the Office of Administrative Hearings within five (5) business days following the faxed transmission.
The mailing address for the Office of Administrative Hearings is:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714
Telephone: (919)-733-2698, Facsimile: (919)-733-3478

A copy of the petition must also be served on DENk as follows:

Ms. Mary Penny Thompson, General Counsel
Department of Environment and Natural Resources
1601 Mail Service Center
Raleigh, NC 27699-1601

This the 26th day of August 2010

DIVISION OF WATER QUALITY

A handwritten signature in black ink, appearing to read 'B. L. W.', written over a horizontal line.

for Coleen H. Sullins
Director

WQC No. 003835



290

North Carolina Department of Environment and Natural Resources

Division of Coastal Management

Beverly Eaves Perdue
Governor

James H. Gregson
Director

Dee Freeman
Secretary

August 27, 2010

Gregory J. Thorpe, Ph.D.
Environmental Manager Director
Project Development and Environmental Analysis Branch
NC Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina 27699-1598

SUBJECT: Conditional Consistency Concurrence - CD10-0530
Proposed US17 Improvements from the Jacksonville Bypass to Drummer Kellum Road,
Jacksonville, Onslow County, U-4007 (DCM#20100076)

Dear Dr. Thorpe:

The Division of Coastal Management (DCM) received NC Department of Transportation's (NCDOT) Consistency Determination certifying that the subject project is consistent with the NC Coastal Management Program on May 27, 2010, with subsequent information received on June 17, 2010 to complete the necessary documentation.

DCM printed a public notice in the "Jacksonville Daily News" on June 24, 2010. NCDOT's Consistency Certification documentation was distributed to State agencies with a regulatory interest for review and to provide DCM with comments on the potential impacts of the project on each agency's resources.

The proposed project, which was taken through the merger process, redesigned US17 to an expressway design and includes other road construction on new location, including; Western Parkway, White Street extension and interchange, the extension of Commerce Drive, and the realignment of Piney Green Road and Drummer Kellum Road.

Due to insufficient funding, Section C, the US17 expressway, and Section D, the Piney Green Road interchange which includes the extension of Commerce Drive, have been delayed beyond fiscal year 2020. Section A, the White Street extension, and Section B, Western Parkway, are funded and planned for construction in the near future.

The impacts resulting from the construction of U-4007 A and B are 5.76 acres of non-riparian wetlands, 2.50 acres of riparian wetlands, and 2,917 linear feet of stream. Section C (US 17 Expressway) is in the preliminary plan phase and the Environmental Assessment (EA) states estimated impacts to 0.24 acre of

wetlands and 197 linear feet of stream. Also in the preliminary plan phase is Section D (Piney Green Road Interchange) which has estimated wetland impacts of 0.44 acre and stream impacts estimated to be 742 linear feet.

DCM reviewed the Federal Consistency Certification document and the supplementary supporting documentation. The comments received from the interested State agencies we're also reviewed to determine whether the proposed project is consistent with the NC Coastal Management Program.

DCM concurs, as conditioned below, that the proposed project is consistent, to the maximum extent practicable, with North Carolina's certified coastal management program provided that the following conditions are implemented.

- The Applicant shall comply with the Section 401 Water Quality Certification No. 003835, issued to the NCDOT by the NC Division of Water Quality (DWQ) on August 26, 2010.
- This project shall conform to all requirements of the NC Sedimentation Pollution Control Act and NCDOT's Memorandum of Agreement with the Division of Land Resources.
- In accordance with project commitments, NCDOT's Best Management Practices for the Protection of Surface Waters shall be enforced during project construction and Design Standards in Sensitive Watersheds shall be applied in the project area that drains to Scales Creek.
- *• The NC Ecosystem Enhancement Program (EEP) accepted responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements in the Mitigation Acceptance Letter dated August 16, 2010, for the impacts resulting from the construction of U-4007 A and B. Mitigation for an additional 2.50 acres of riparian wetland impacts shall be provided by NCDOT by credits from the Clayhill Mitigation Site at a ratio of 3:1, or 7.50 acres, in accordance with conditions of the 401 certification. NCDOT shall adhere to their compensatory mitigation commitments for impacts to jurisdictional wetlands and streams. Any additional mitigation necessary for the remaining portions of this project shall be provided as required by the DWQ. Substantial increases in these estimated impacts may require NCDOT to a revise the Consistency Certification for this project. Upon determination of the ultimate final impacts on the remaining sections, NCDOT shall contact DCM to determine if any additional actions are necessary to ensure the project remains consistent with the NC Coastal Management Program.
- The environmental commitments made within the EA, signed by NCDOT on October 25, 2006, and the FONSI, signed by NCDOT on January 30, 2008, shall be met unless otherwise negotiated with state regulatory agencies. DCM shall be notified of any deviation from the stated commitments and a revised Consistency Determination may be necessary.

These conditions allow DCM to concur with the proposed action. It should be noted, that in accordance with 15 CFR 930.4, if the conditions of concurrence are not met, then this conditional concurrence shall be considered an objection to the action. Should there be disagreement or an stated conditions of concurrence; a response to this correspondence is requested, as soon as possible, to resolve any disagreement with the conditions.

US17 Improvements, U-4007
Conditional Consistency Concurrence

Page 3

Should the project be modified, a revised Consistency Certification could be necessary. This might take the form of either a supplemental Consistency Determination pursuant to 15 CFR 930.46, or a new Consistency Determination pursuant to 15 CFR 930.36.

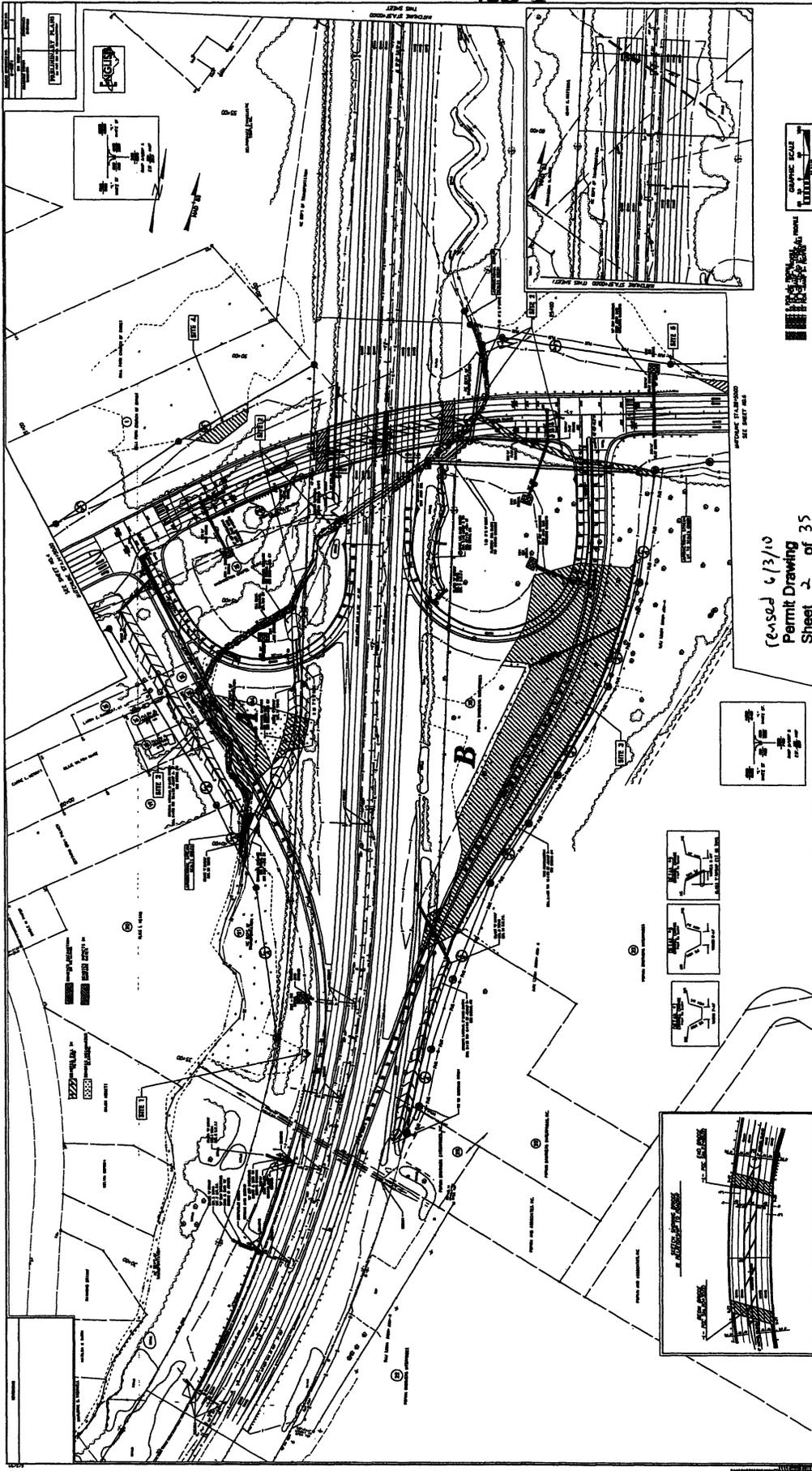
If you have any questions on this Conditional Consistency Concurrence, please contact Steve Sollod at (919) 733-2293 x230 or via e-mail at steve.sollod@ncdenr.gov. Thank you for your consideration of the North Carolina Coastal Management Program.

Sincerely,

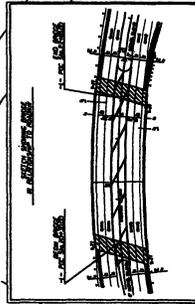
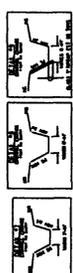
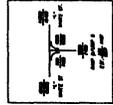


Doug Huggett
Manager, Major Permits and Consistency Unit

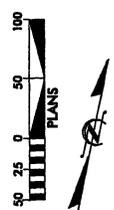
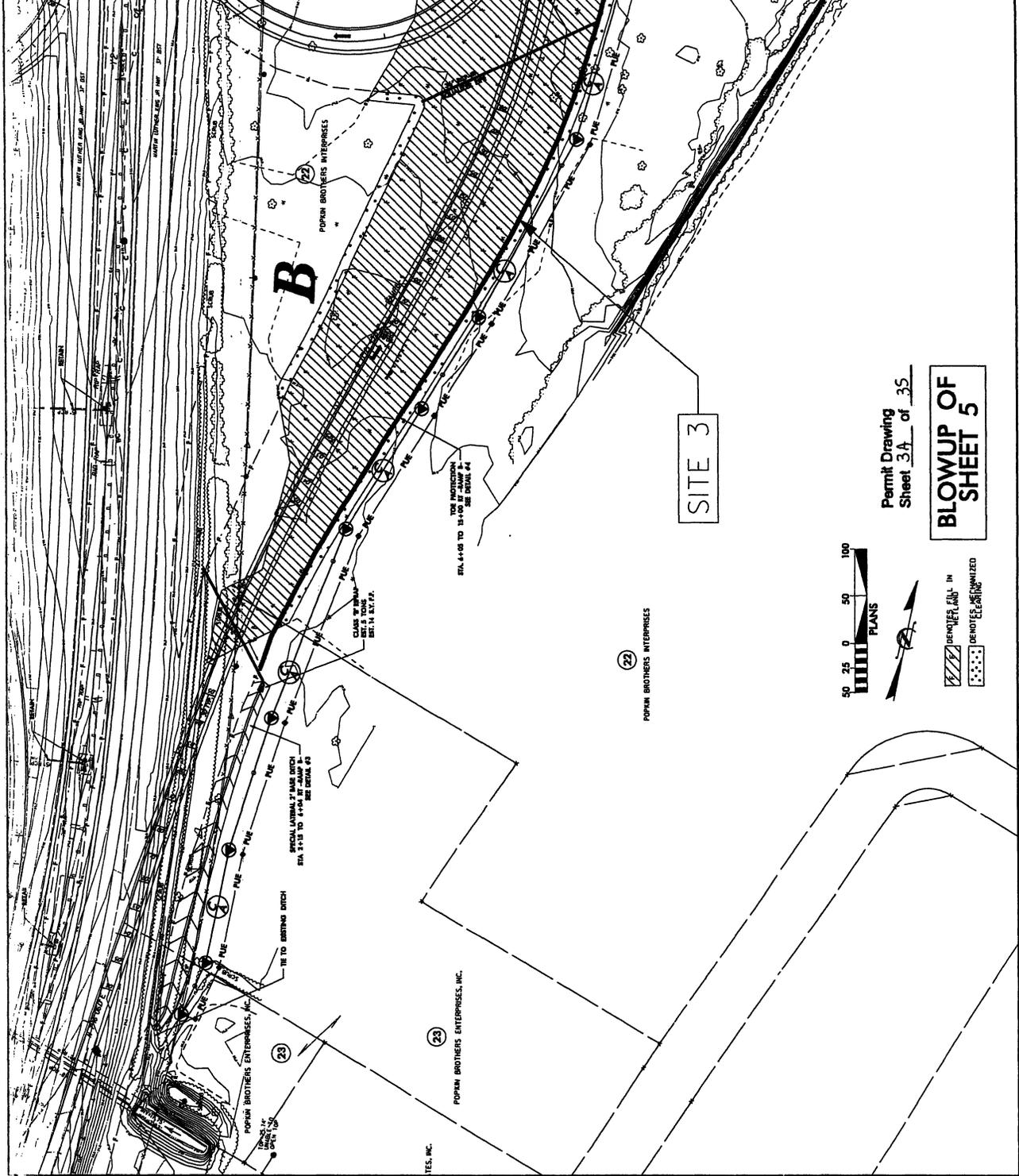
cc: Stephen Lane, DCM
Stephen Rynas, DCM
Brad Shaver, USACE
Steve Sollod, DCM



Revised 6/13/10
Permit Drawing
Sheet 2 of 35



PROJECT: BARRANCE, INC.
 SHEET NO. FS-102
 DWG. SHEET NO. U-1007A
 HYDRAULICS ENGINEER
 ROADWAY DESIGN ENGINEER



Permit Drawing
 Sheet 3A of 35

**BLOWUP OF
 SHEET 5**

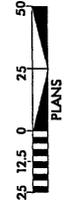
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- DRAINAGE DITCH IN PROPOSED PLAN

ROADWAY DESIGN ENGINEER
HYDRAULICS ENGINEER



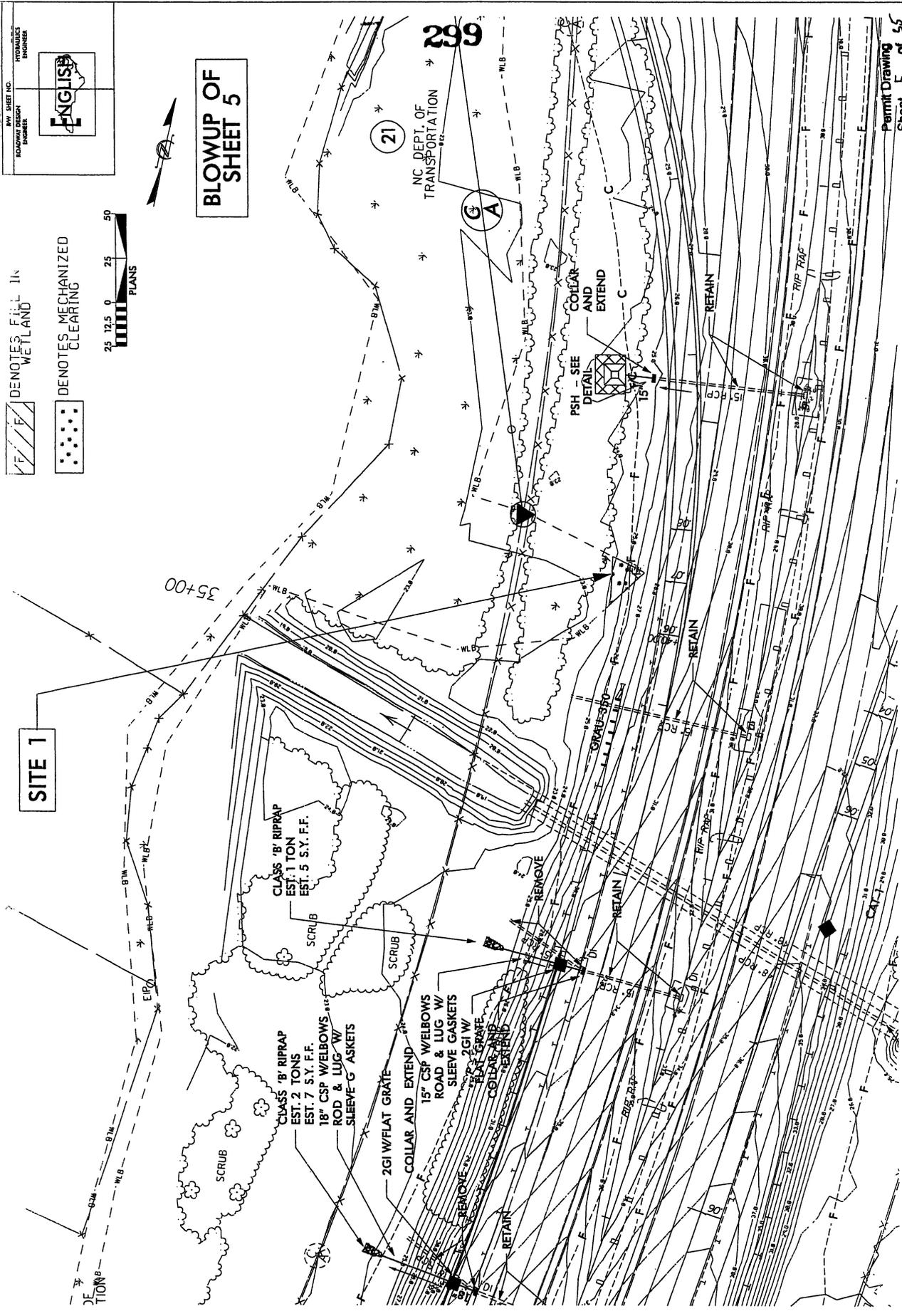
/// DENOTES FILL
WETLAND

••••• DENOTES MECHANIZED
CLEARING



BLOWUP OF SHEET 5

SITE 1

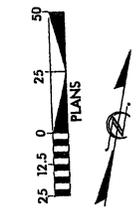


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NC. DEPT. OF
TRANSPORTATION

ENGLISH

BLOWUP OF SHEET 5



DENOTES EXCAVATION IN WETLAND
 DENOTES IMPACTS IN SURFACE WATER

SITE 2

SPECIAL LATERAL 2' BASE DITCH - RAMP A - BIT
 STA. 6+90 TO 12+20 - RAMP A - BIT
 SEE DETAIL #3

DENOTES FILL IN WETLAND

DENOTES MECHANIZED CLEARING

JURISDICTIONAL STREAM
 SCALES CREEK

CLASS 1' RIPRAP
 EST. 98 TONS

CHANNEL CHANGE
 SEE DETAIL #5
 EST. DDE = 215 CY

CHANNEL CHANGE
 SEE DETAIL #8
 EST. DDE = 1472 CY

CHANNEL CHANGE
 SEE DETAIL #7
 EST. DDE = 458 CY

16 ALLEN R. GOODSON, et ux

18 ALLEN R. GOODSON, et ux

17 WILHELM M. LON WHITE

15

13

14

24

2

2 @ 7' X 8' RCBC

2 @ 7' X 8' RCBC

CB 15"

CB

15'

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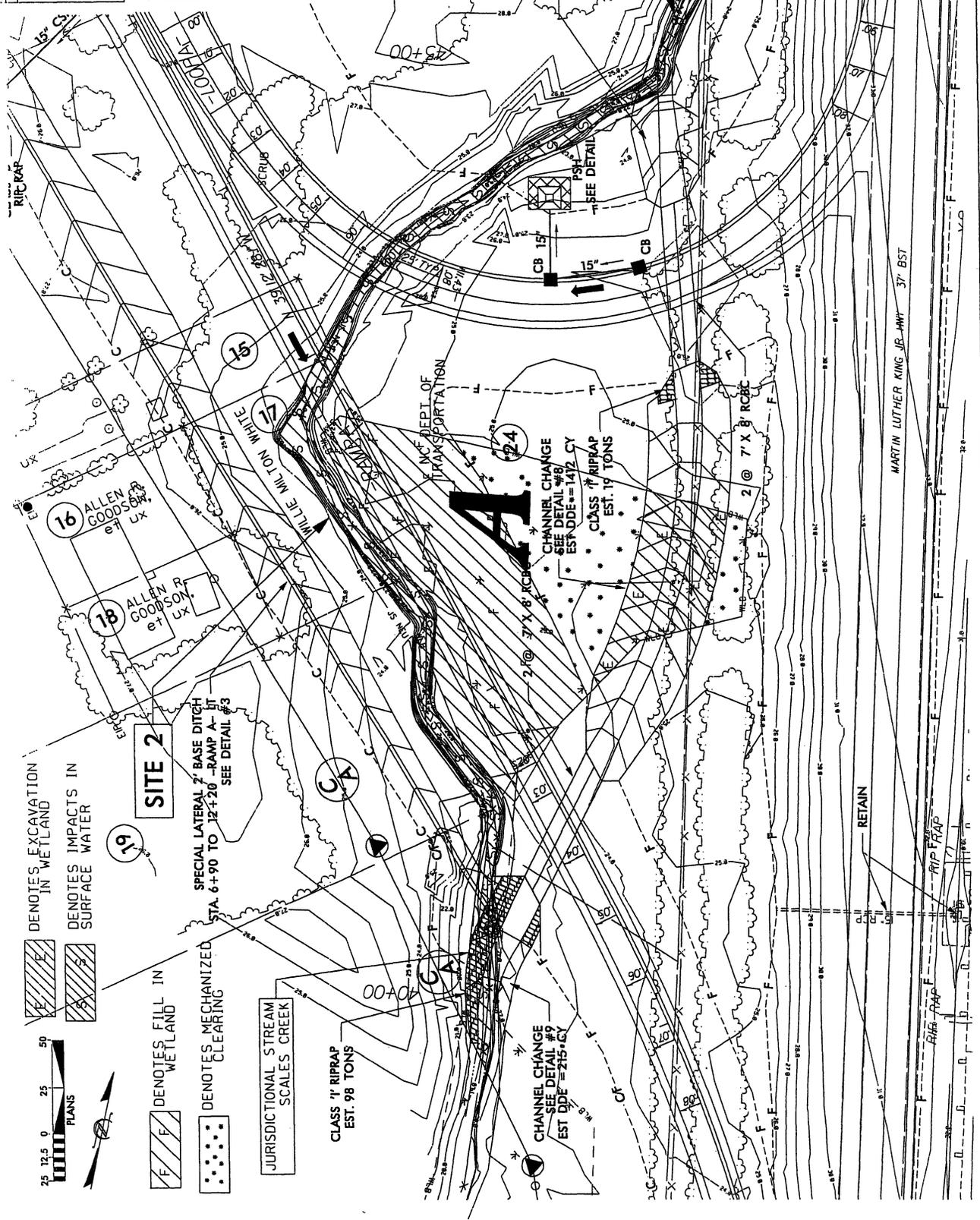
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PROJECT REFERENCE NO. U-4007
SHEET NO. 5
HYDRAULICS ENGINEER

ROADWAY DESIGN ENGINEER



BLOWUP OF SHEET 5



DENOTES EXCAVATION IN WETLAND
DENOTES IMPACTS IN SURFACE WATER

SITE 2

SPECIAL LATERAL 2' BASE DITCH STA. 6+90 TO 12+20 -RAMP A-117 SEE DETAIL #3

DENOTES FILL IN WETLAND

DENOTES MECHANIZED CLEARING

JURISDICTIONAL STREAM SCALES CREEK

CLASS #1 RIPRAP EST. 98 TONS

CHANNEL CHANGE SEE DETAIL #9 EST DDE = 715 CY

CHANNEL CHANGE SEE DETAIL #8 EST DDE = 147 CY

CHANNEL CHANGE SEE DETAIL #7 EST DDE = 458 CY

MD DEPT. OF TRANSPORTATION

WASHINGTON CHAPEL CHURCH

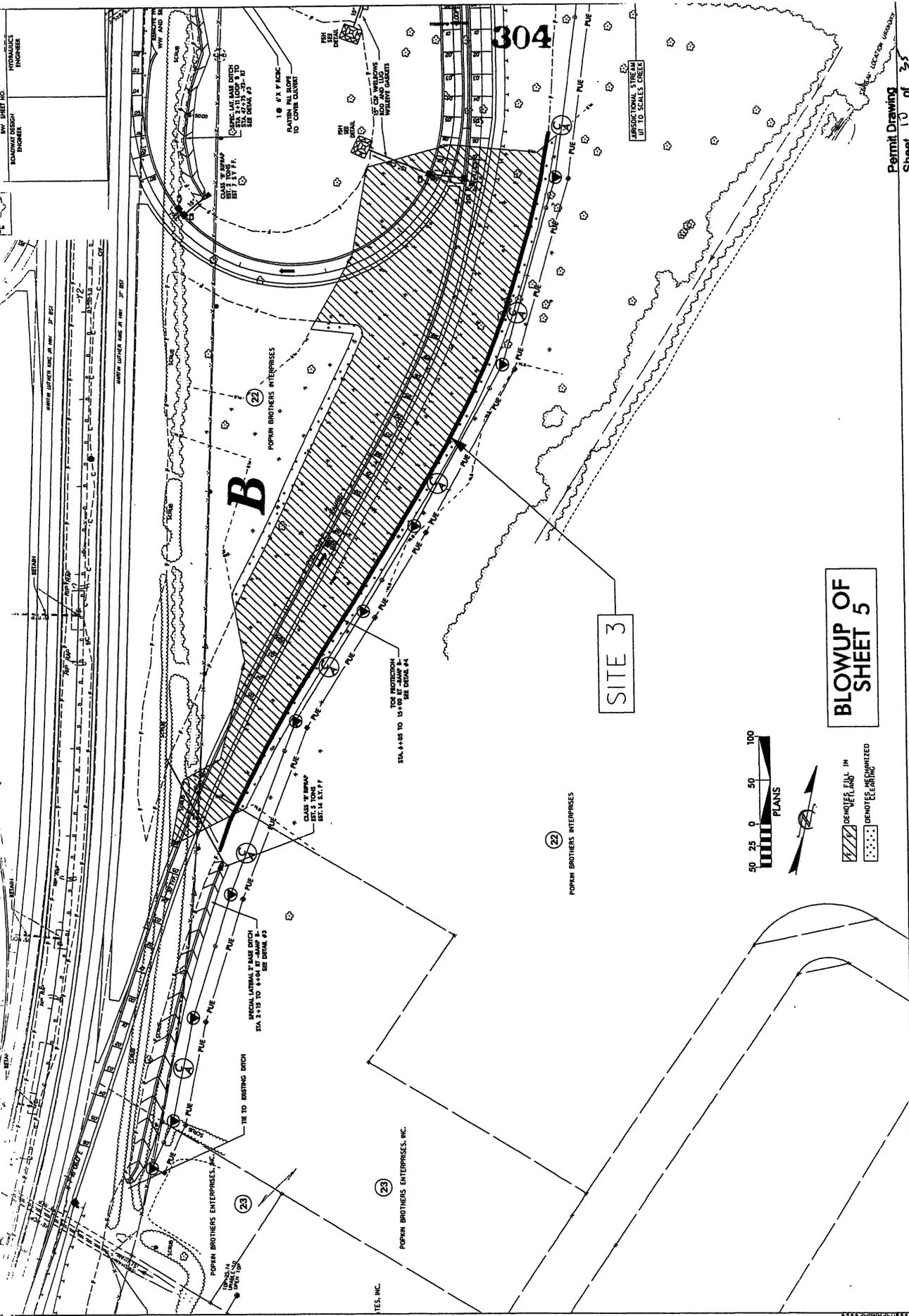
MARTIN LUTHER KING JR. HWY 37' BST



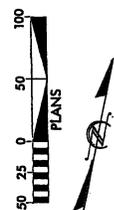
PLANS

1730 51

LANGRISH



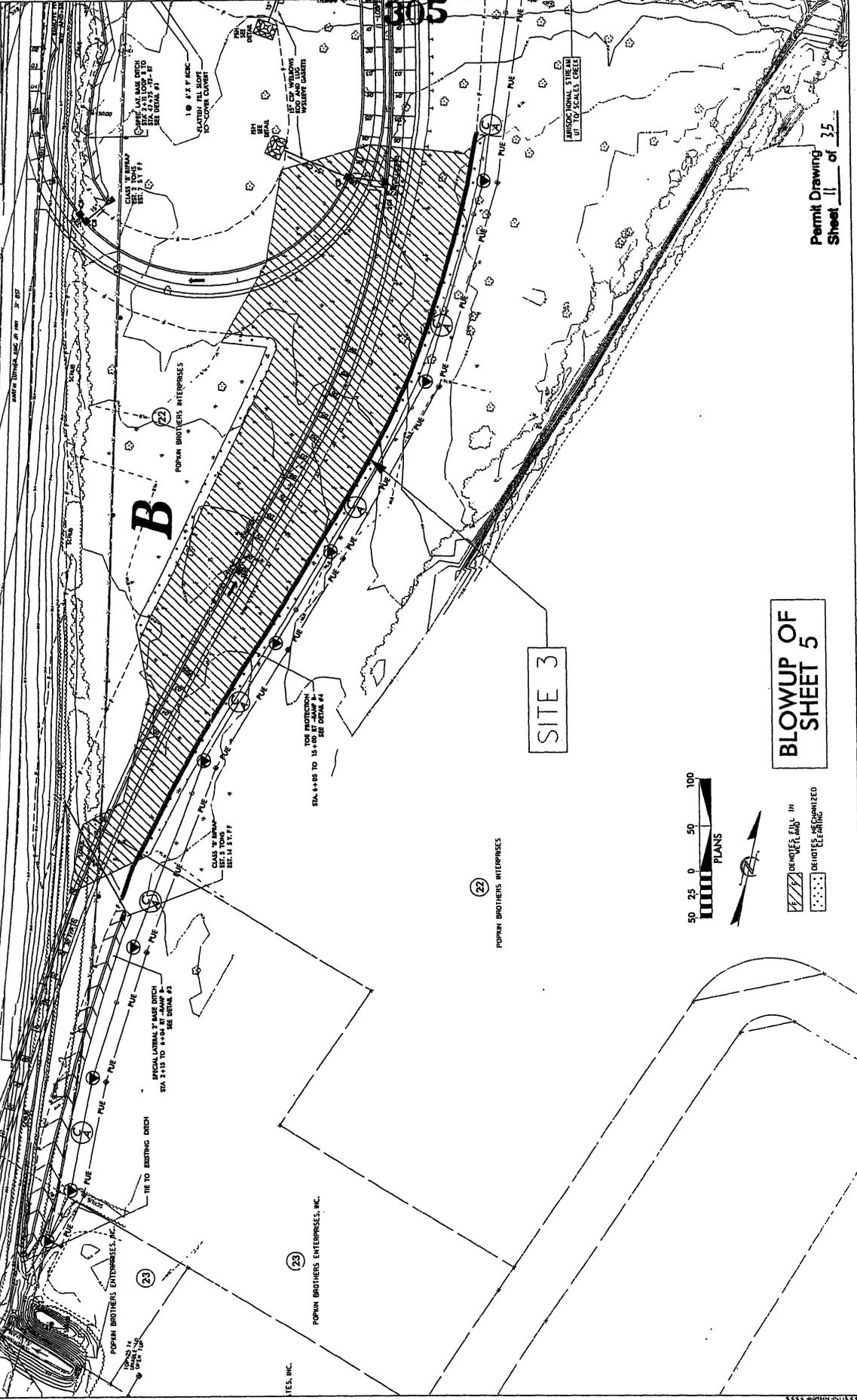
BLOWUP OF SHEET 5



- DEMO/REPLACE ELECTRICAL
- DEMOLITION
- DEMOLITION

PROJECT REFERENCE NO. 11-10074
 SHEET NO. 5 OF 15
 ROADWAY DESIGN ENGINEER
 HYDRAULICS ENGINEER

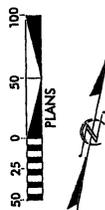
HAUGEN
 ENGINEERS



Permit Drawing
 Sheet 11 of 15

SITE 3

BLOWUP OF
 SHEET 5



DEMOLISHED ELS IN
 PLANS
 DEMOLISHED & SCRAPED
 CLEARING

POPPIK BROTHERS ENTERPRISES

POPPIK BROTHERS ENTERPRISES, INC.

POPPIK BROTHERS ENTERPRISES, INC.



-  DENOTES FILL IN WETLAND
-  DENOTES MECHANIZED CLEARING
-  DENOTES TEMPORARY IMPACTS IN SURFACE WATER
-  DENOTES IMPACTS IN SURFACE WATER

SITE 4

306

BELL FORK CHURCH OF CHRIST

SITE 2

LONG ISLAND

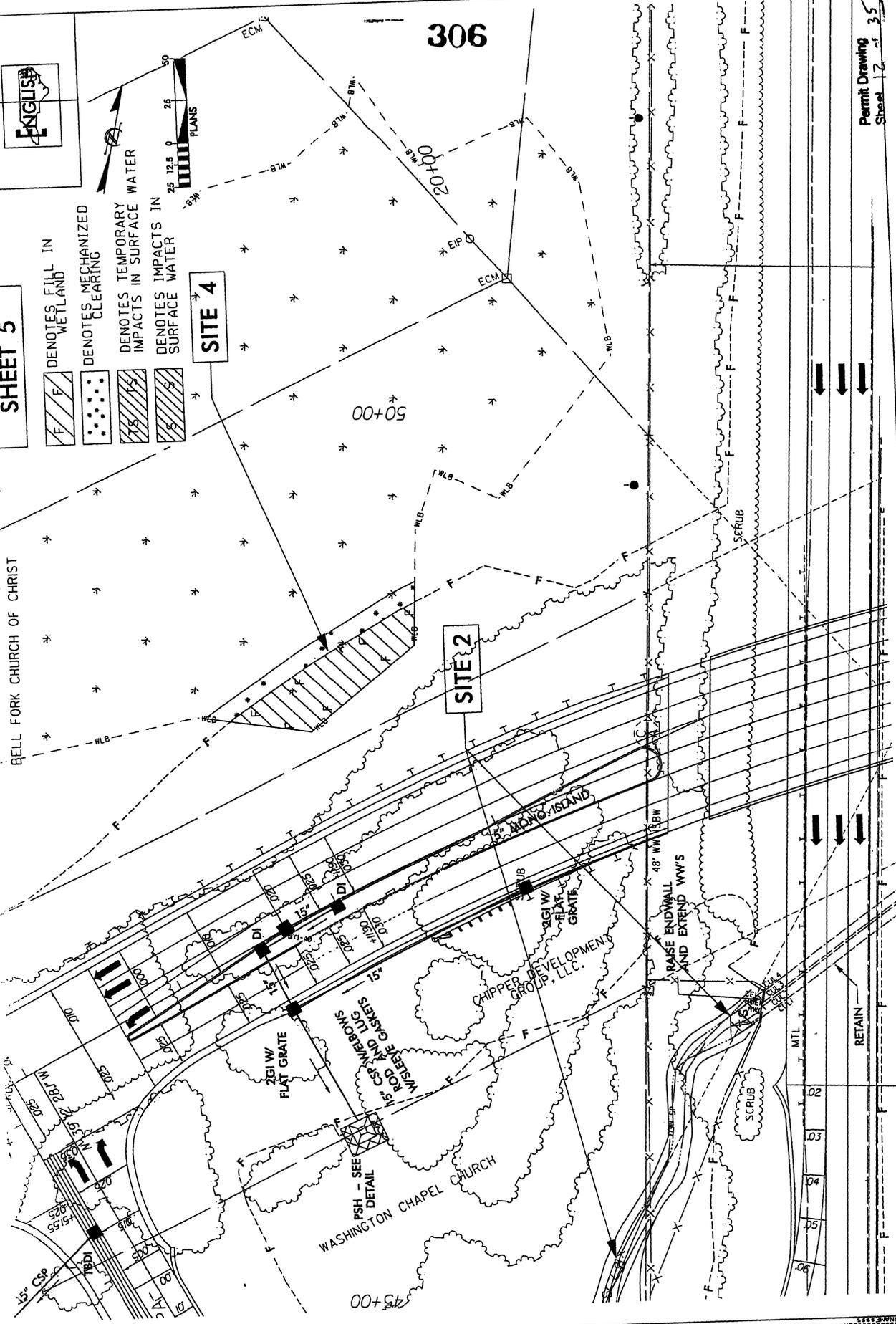
CHIPPER DEVELOPMENT GROUP, LLC.

WASHINGTON CHAPEL CHURCH

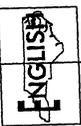
RAISE ENDWALL AND EXTEND WWS

SCRUB

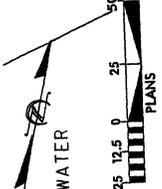
RETAIN



DATE PLOTTED: 11/15/2011 10:53:11 AM
 PLOTTER: HP DesignJet 2450

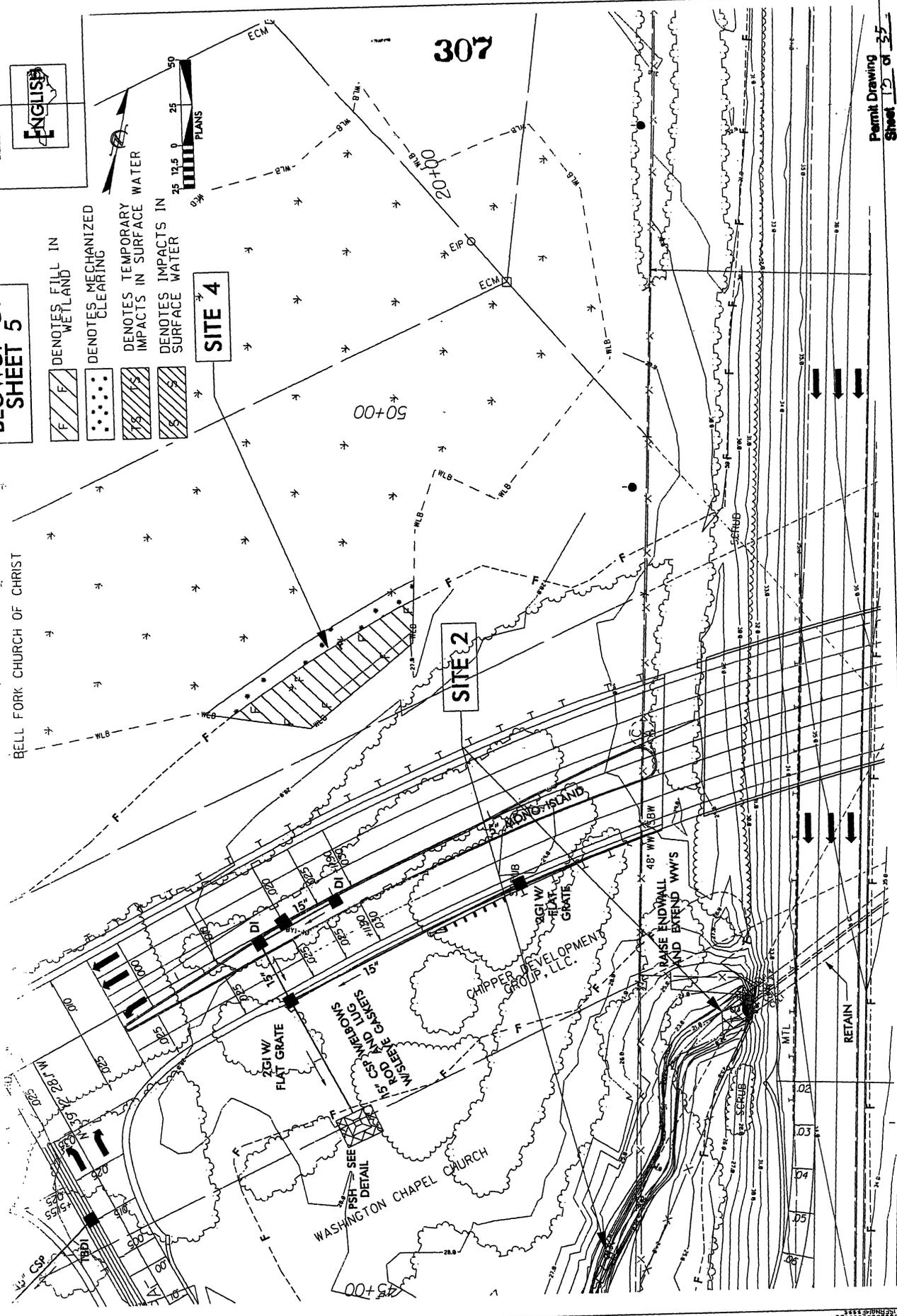


- BLOWUP OF SHEET 5**
- DENOTES FILL IN WETLAND
 - DENOTES MECHANIZED CLEARING
 - DENOTES TEMPORARY IMPACTS IN SURFACE WATER
 - DENOTES IMPACTS IN SURFACE WATER

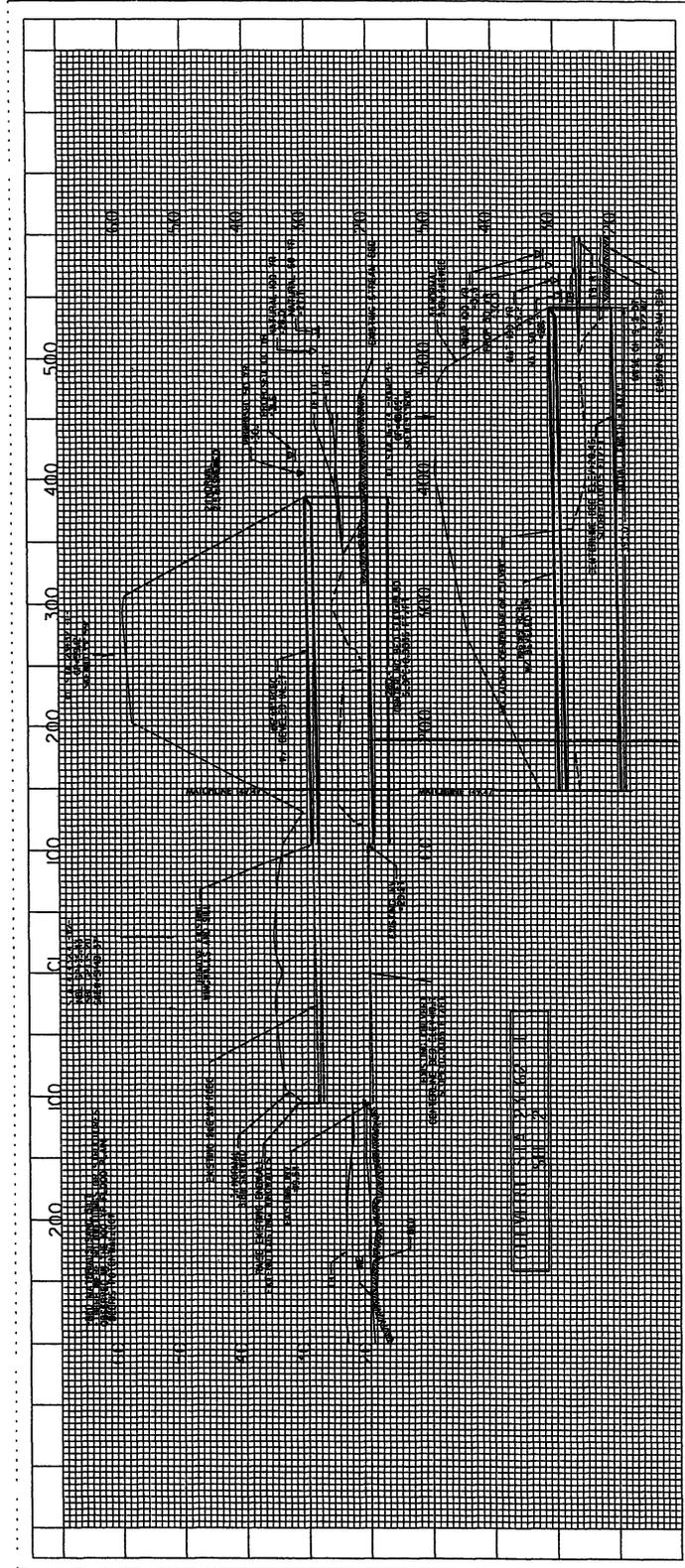


307

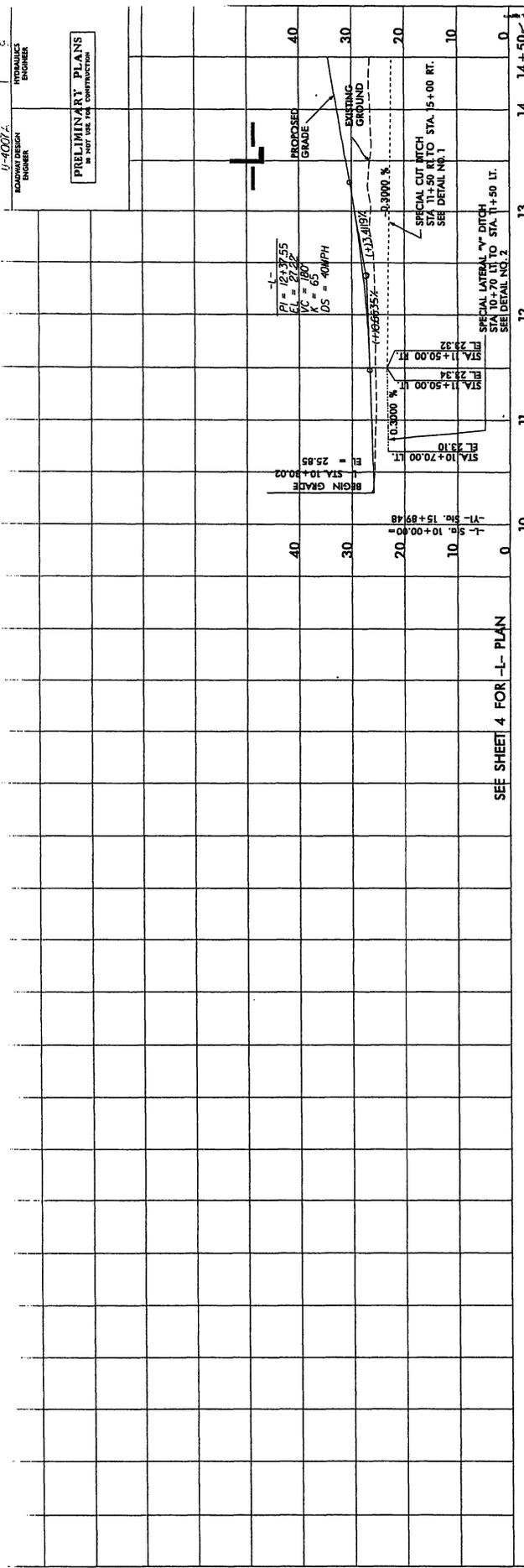
BELL FORK CHURCH OF CHRIST



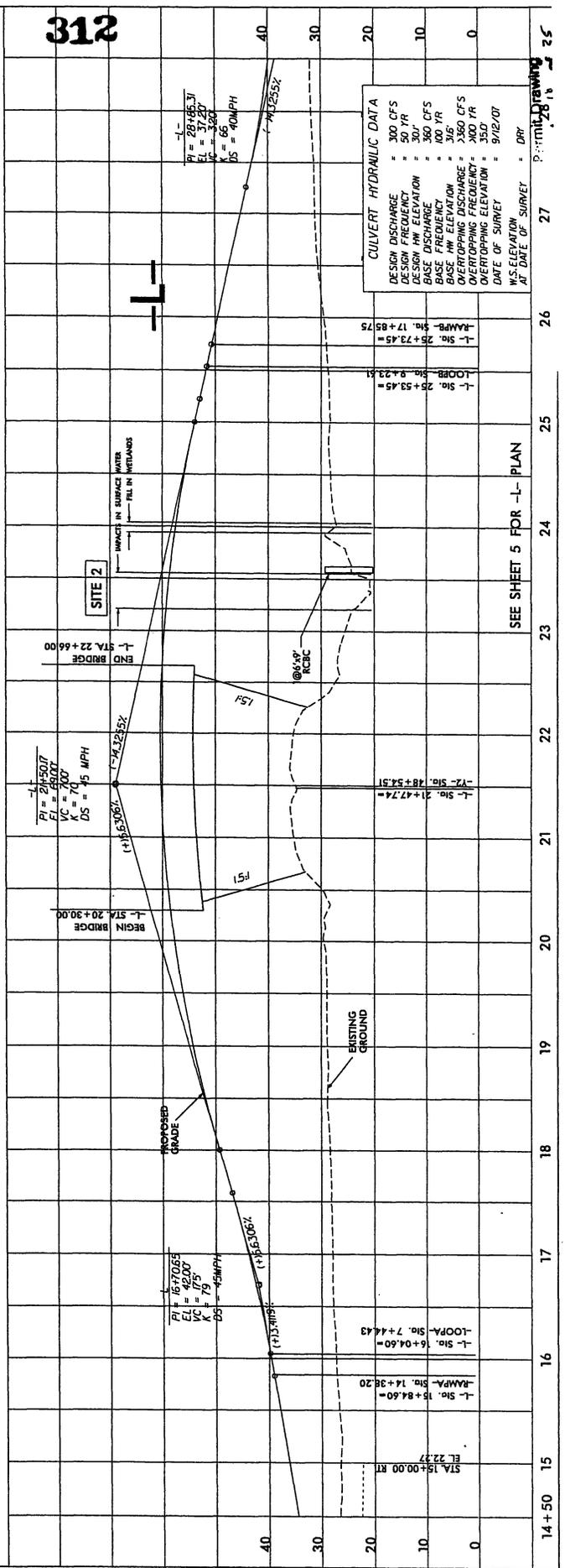
17-400 P.307 17-400 11/15/17



PRELIMINARY PLANS
 NOT FOR USE FOR CONSTRUCTION



SEE SHEET 4 FOR -L- PLAN



SEE SHEET 5 FOR -L- PLAN

CULVERT HYDRAULIC DATA

DESIGN DISCHARGE	= 300 CFS
DESIGN FREQUENCY	= 50 YR
BASE DISCHARGE	= 300 CFS
BASE FREQUENCY	= 100 YR
BASE HW ELEVATION	= 31.6'
OVERTOPPING DISCHARGE	= >350 CFS
OVERTOPPING FREQUENCY	= >100 YR
OVERTOPPING ELEVATION	= 35.0'
DATE OF SURVEY	= 9/12/07
W.S. ELEVATION	= 35.0'
AT DATE OF SURVEY	= DRY

312

PROJECT NUMBER NO.	7-2007
SHEET NO.	6
DATE	10/20/07
DESIGNED BY	MEMORABLE
CHECKED BY	MEMORABLE
APPROVED BY	MEMORABLE

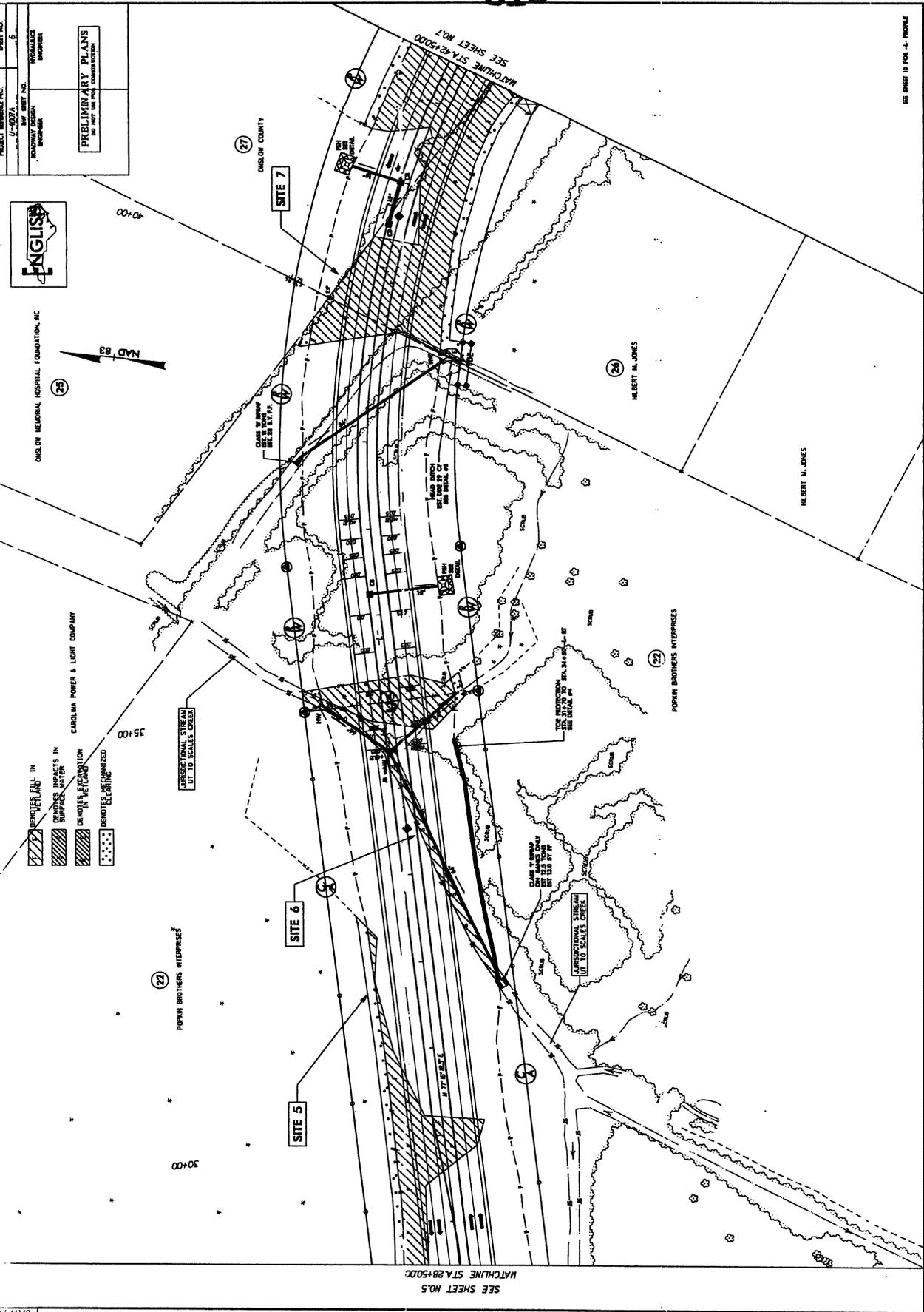
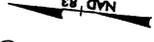
PRELIMINARY PLANS
FOR THE PROPOSED
CONSTRUCTION



OSLER MEMORIAL HOSPITAL FOUNDATION, INC.

CAROLINA POWER & LIGHT COMPANY

- DENOTES FILL IN BRIDGE IMPACTS IN SURFACE WATER
- DENOTES FILL IN VEGETATION
- DENOTES MECHANIZED



SEE SHEET 18 FOR J. MONROE

B/17/09

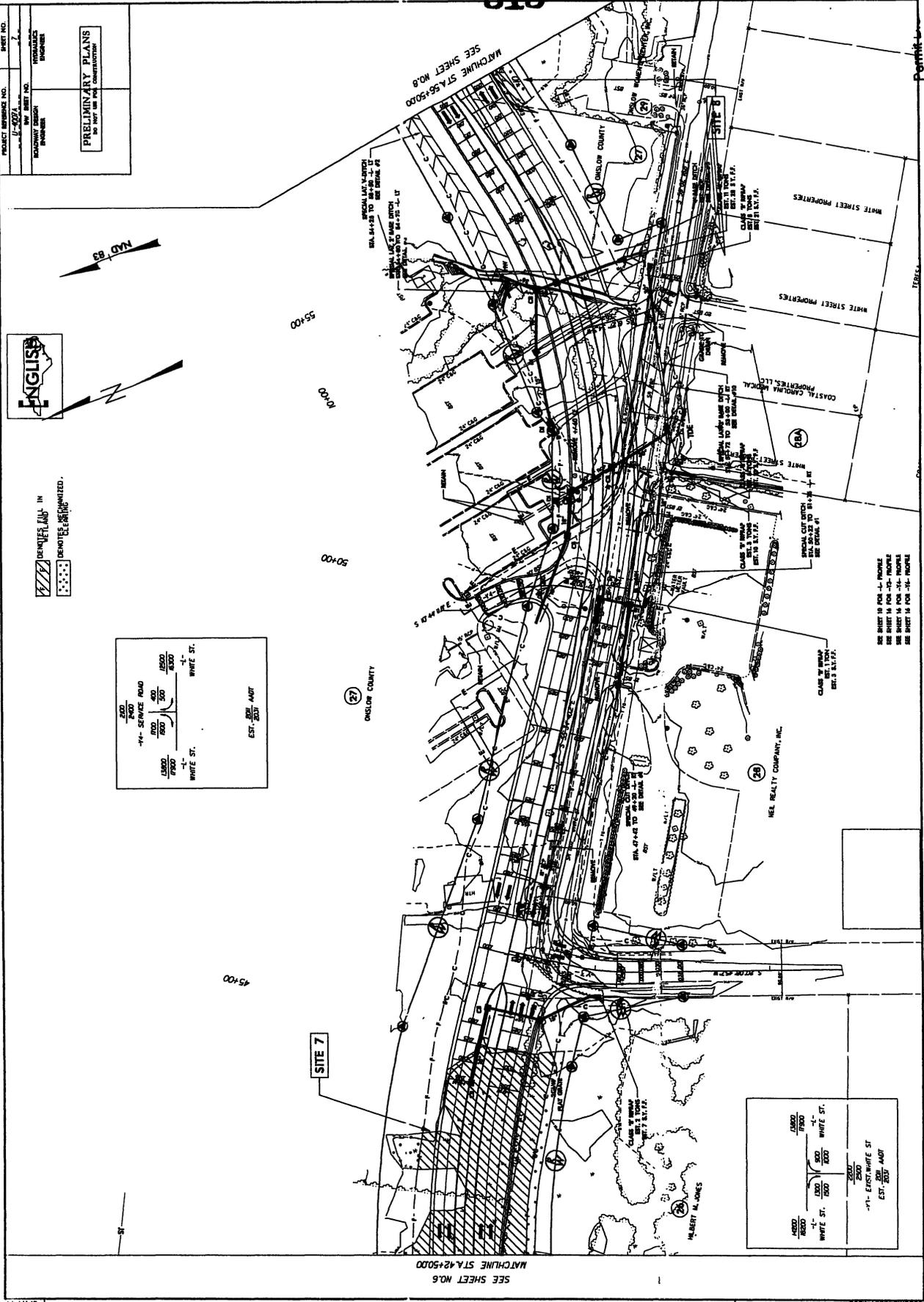
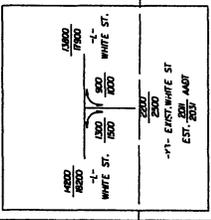
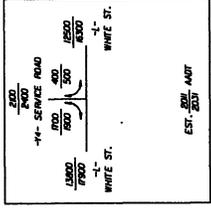
REVISIONS	

PROJECT REFERENCE NO.	1-4074
SHEET NO.	7
DATE	11/20/74
BY	W. J. BROWN
CHECKED BY	W. J. BROWN
DESIGNED BY	W. J. BROWN
CONSTRUCTION	W. J. BROWN

PRELIMINARY PLANS
 DO NOT BE USED FOR CONSTRUCTION



RENDERED IN
 DEMONSTRATION
 DEMONSTRATION



REVISIONS

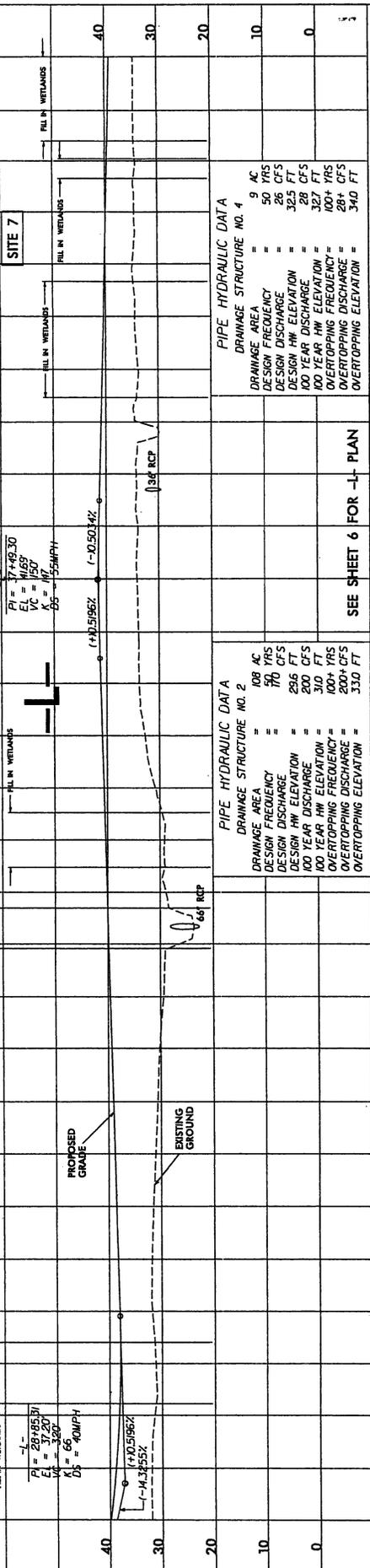
B/17/99

PRELIMINARY PLANS
 DO NOT USE FOR CONSTRUCTION

SITE 5

SITE 6

SITE 7



PIPE HYDRAULIC DATA
 DRAINAGE STRUCTURE NO. 2

DRAINAGE AREA	= 108 AC
DESIGN FREQUENCY	= 50 YRS
DESIGN DISCHARGE	= 770 CFS
DESIGN HW ELEVATION	= 296 FT
100 YEAR DISCHARGE	= 200 CFS
100 YEAR HW ELEVATION	= 310 FT
OVERTOPPING FREQUENCY	= 100+ YRS
OVERTOPPING DISCHARGE	= 200+ CFS
OVERTOPPING ELEVATION	= 330 FT

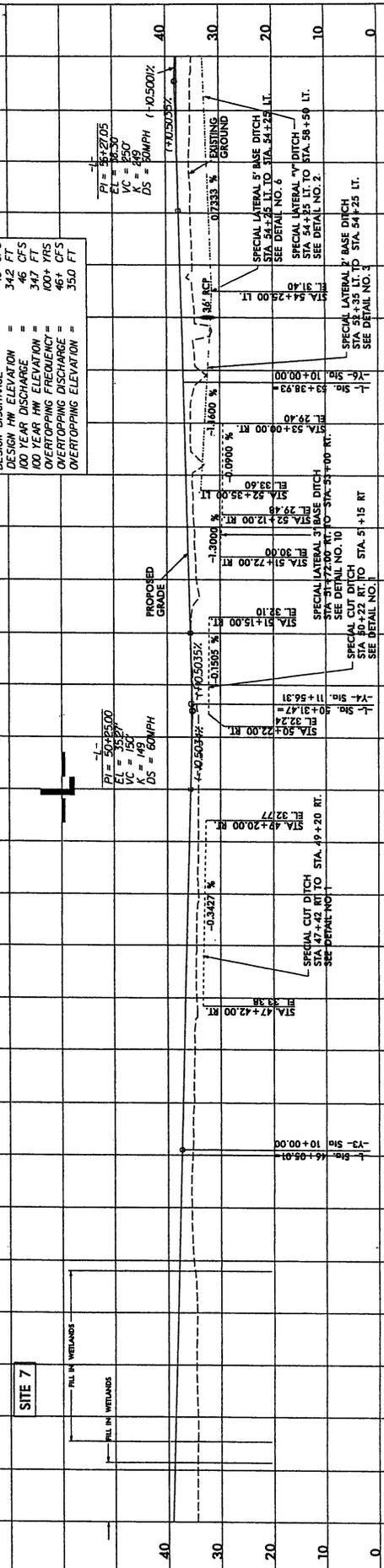
PIPE HYDRAULIC DATA
 DRAINAGE STRUCTURE NO. 4

DRAINAGE AREA	= 9 AC
DESIGN FREQUENCY	= 50 YRS
DESIGN DISCHARGE	= 26 CFS
DESIGN HW ELEVATION	= 325 FT
100 YEAR DISCHARGE	= 28 CFS
100 YEAR HW ELEVATION	= 327 FT
OVERTOPPING FREQUENCY	= 100+ YRS
OVERTOPPING DISCHARGE	= 28+ CFS
OVERTOPPING ELEVATION	= 340 FT

SEE SHEET 6 FOR -L- PLAN

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SITE 7



PIPE HYDRAULIC DATA
 DRAINAGE STRUCTURE NO. 3

DRAINAGE AREA	= 77.5 AC
DESIGN FREQUENCY	= 50 YRS
DESIGN DISCHARGE	= 40 CFS
DESIGN HW ELEVATION	= 342 FT
100 YEAR DISCHARGE	= 46 CFS
100 YEAR HW ELEVATION	= 347 FT
OVERTOPPING FREQUENCY	= 100+ CFS
OVERTOPPING DISCHARGE	= 46+ CFS
OVERTOPPING ELEVATION	= 350 FT

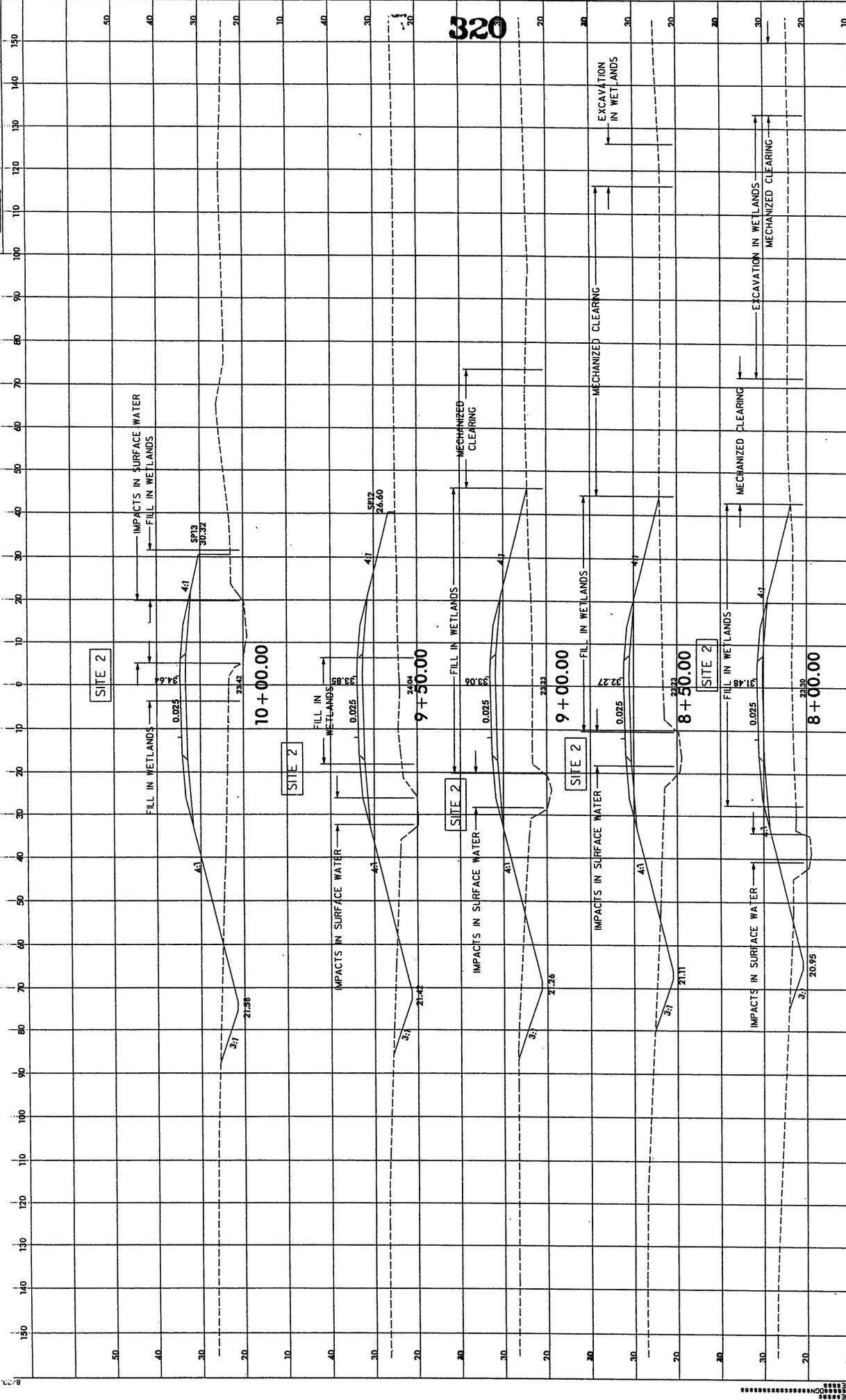
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 L=35.27
 VC=150
 DS=60MPH

P=1+0.5035X
 L=10.5035X

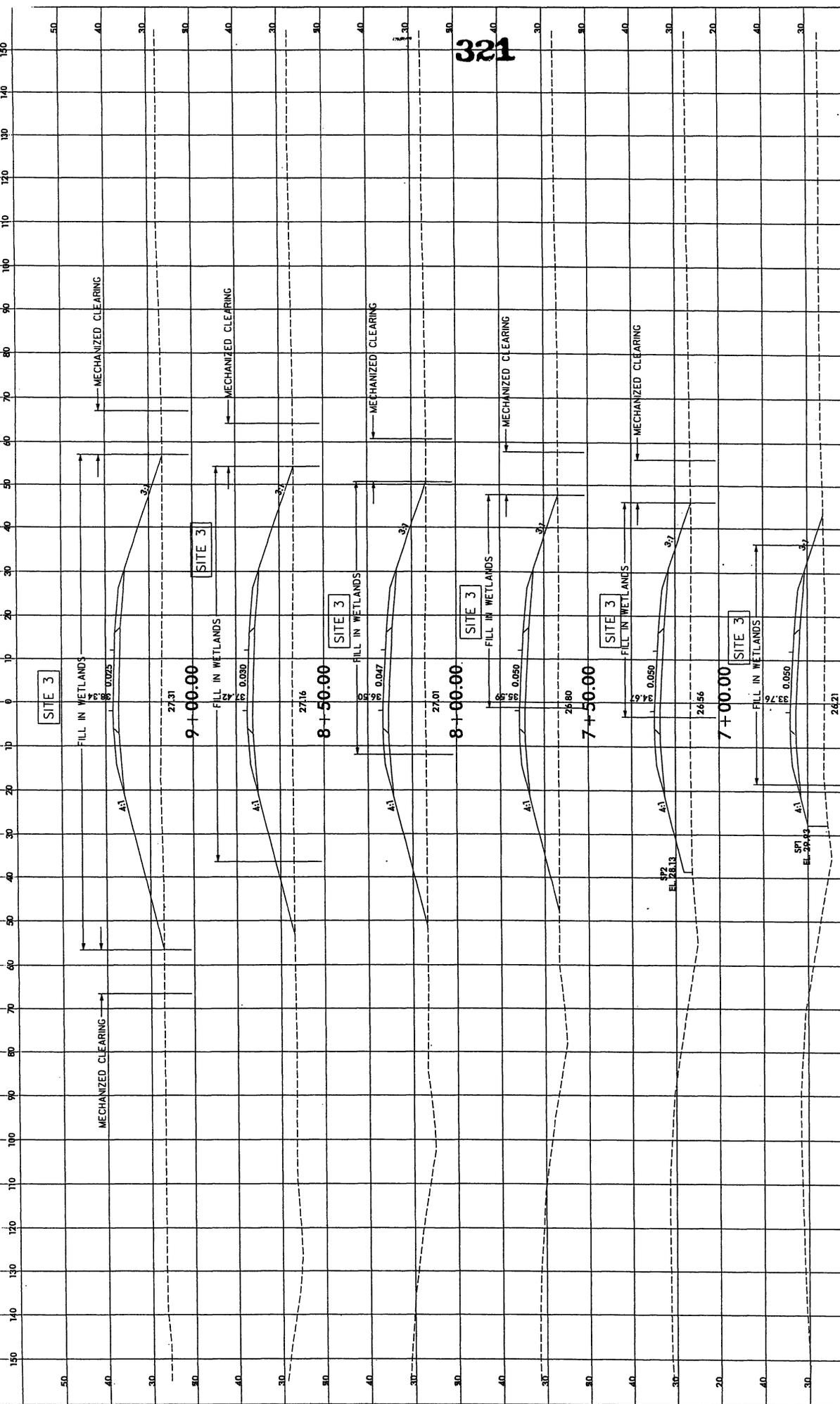
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SEE SHEET 7 FOR -L- PLAN

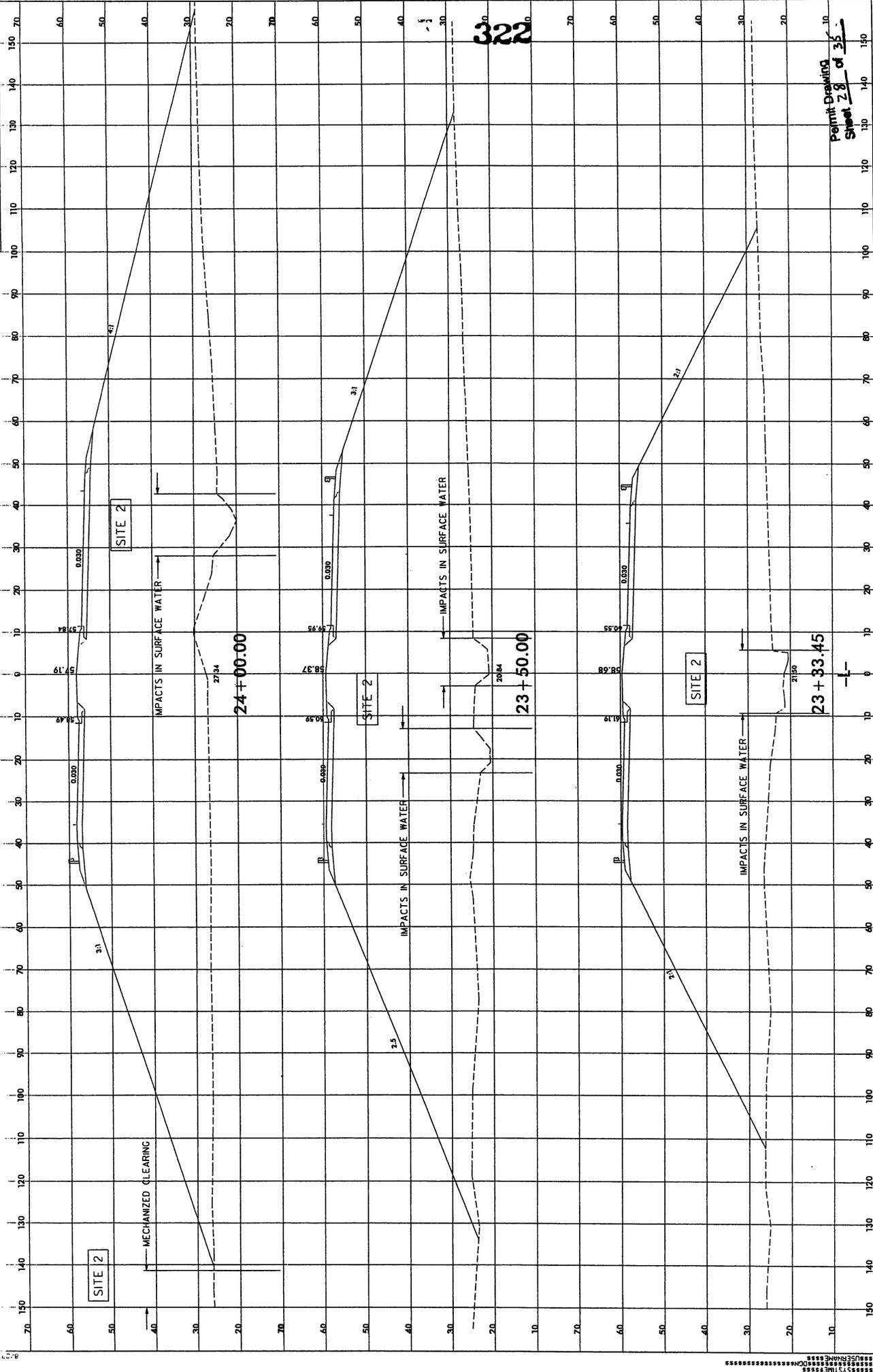
Permit Drawing of



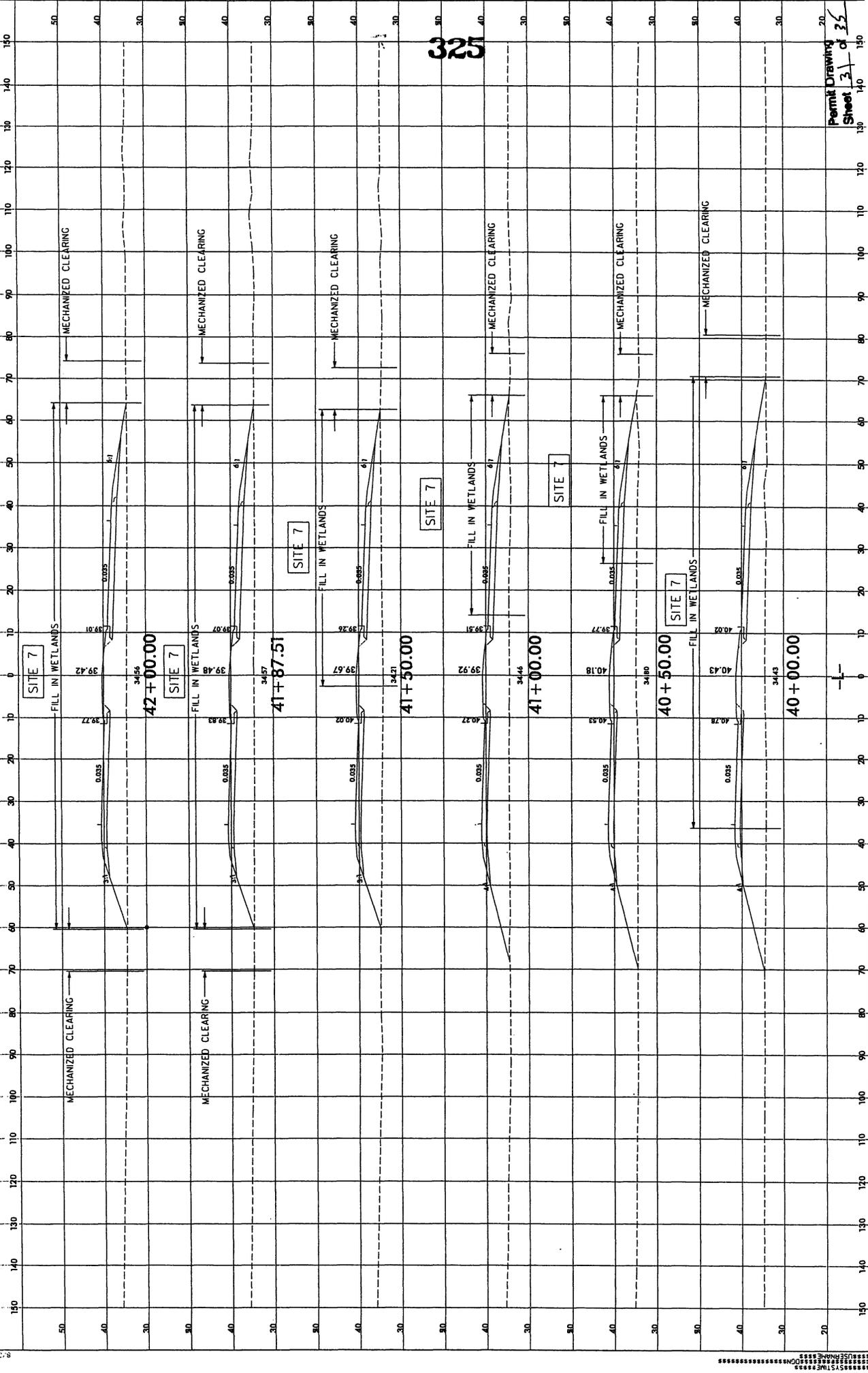
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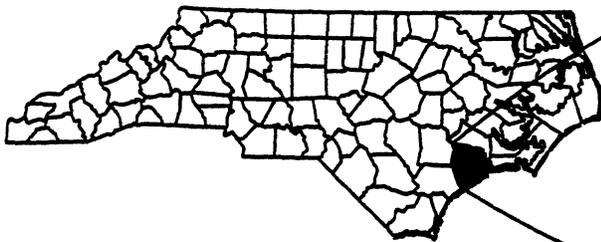
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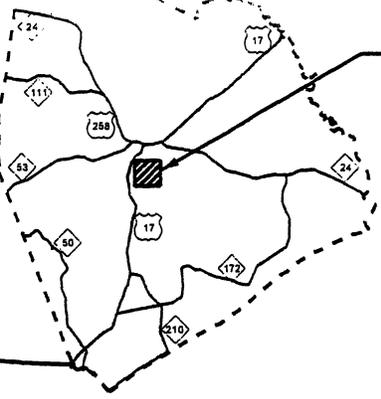
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 *****ON*****



326

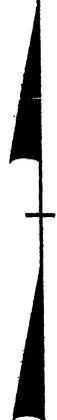
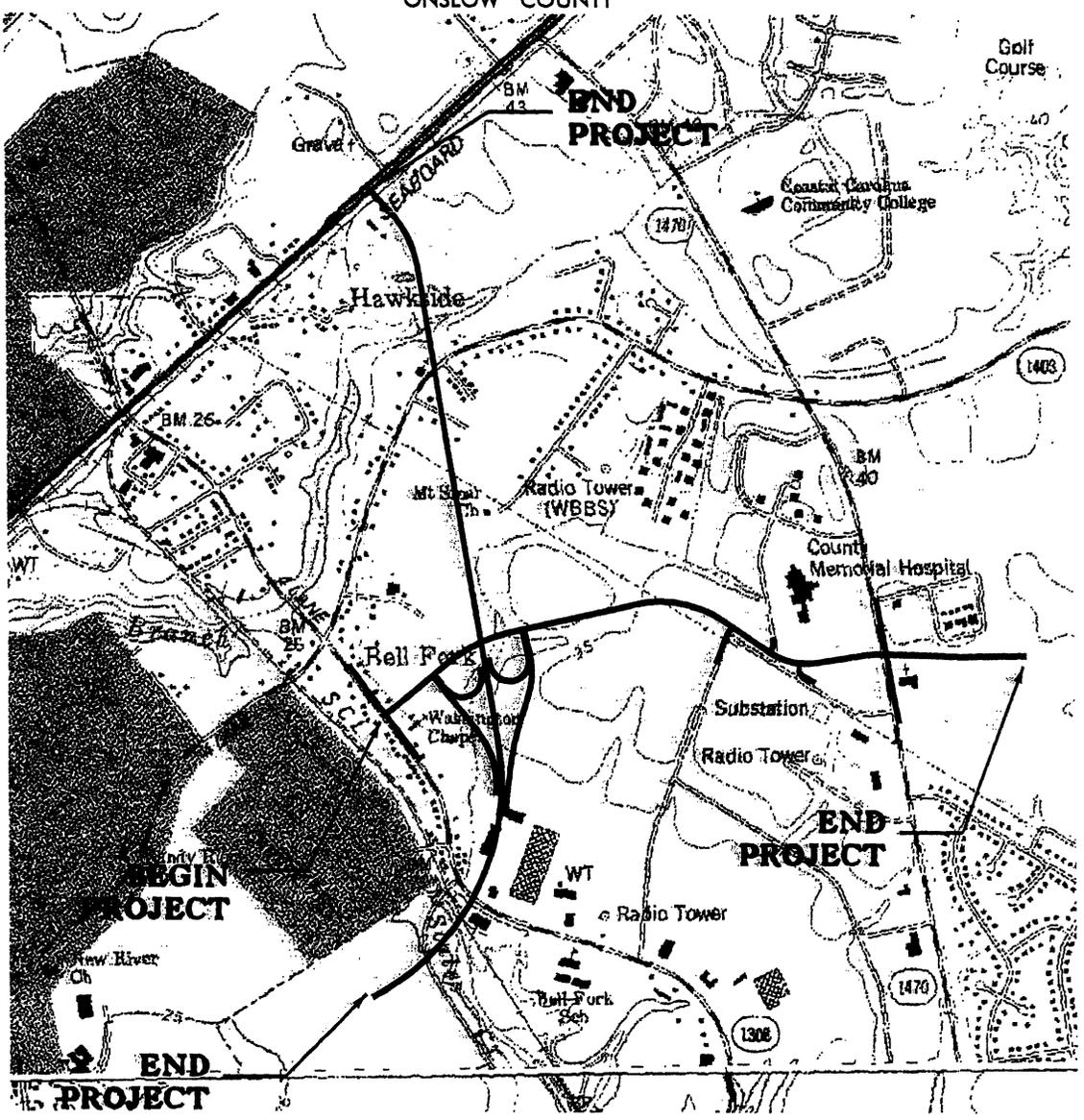


SEE INSET BELOW



SITE

ONslow COUNTY



WETLAND/STREAM
IMPACTS

**N.C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS**
ONslow COUNTY
PROJECT: 35008.1.1 (U-4007A)
SR 1702 (WHITE STREET EXTENSION)
FROM SR 1808 (BELL FORK ROAD) TO
SR 1470 (WESTERN BOULEVARD)

SHEET ___ OF ___ 3-17-09

Permit Drawing

327
PROPERTY OWNERS
NAMES AND ADDRESSES

PARCEL NO.	NAMES	ADDRESSES
21	N.C.DEPT OF TRANSPORTATION	306 DIVISION DR. WILMINGTON NC 28401
20	ALICE L. HEARD	312 GREENBRIAR DRIVE JACKSONVILLE NC 28540
19	BERTHINA GRAY PALMER	355 BELL FORK RD. JACKSONVILLE NC 28540
24	N.C.DEPT OF TRANSPORTATION	306 DIVISION DR. WILMINGTON NC 28401
27	WILLIE MILTON WHITE	700 WINCHESTER RD. JACKSONVILLE NC 28546
28	LARRY E. RAMBERT, ET UX	128 A ARNOLD RD. JACKSONVILLE NC 28546
5	WASHINGTON CHAPEL CHURCH	347 BELL FORK RD, JACKSONVILLE NC 28540
22	POPKIN BROTHERS INTERPRISES	625 NEW BRIDGE STREET JACKSONVILLE NC 28540

NCDOT
DIVISION OF HIGHWAYS
ONSLow COUNTY
PROJECT: 35008.1.1 (U-4007A)
SR 1702 (WHITE STREET EXTENSION)
FROM SR 1808 TO SR 1470

SHEET 1 OF 2

6/10/09

Permit Drawing
Sheet 33 of 35

328
PROPERTY OWNERS
 NAMES AND ADDRESSES

PARCEL NO.	NAMES	ADDRESSES
32	HILBERT M. JONES	1409 E. HOUSTON RIVER RD. SULPHUR, LA 70663
31	ONSLOW MEMORIAL HOSPITAL FOUNDATION, INC	317 WESTERN BLVD. JACKSONVILLE NC 28546
33	ONSLOW COUNTY	ADDRESS
37	ONSLOW WOMENS CENTER, INC	PO BOX 1622 JACKSONVILLE NC 28541
38	S.B.R.E., LLC	2225 MARINE BLVD. N JACKSONVILLE NC 28540
41	DWNR, LLC	PO BOX 706 JACKSONVILLE NC 28540
?	WESTERN BLVD., LLC	4940 HILL BROOK LANE NW WASHINGTON DC 20016

NCDOT
 DIVISION OF HIGHWAYS
 ONSLOW COUNTY
 PROJECT: 35008.1.1 (U-4007A)
 SR 1702 (WHITE STREET EXTENSION)
 FROM SR 1808 TO SR 1470

SHEET 2 OF 2 6/10/09

Permit Drawing
 Sheet 34 of 35.

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	1+70-RAMP A- RT	ROADWAY FILL	<0.01			<0.01									
2	6+00-10+70 -RAMP A- 23+62 -L- 24+00 -L- LT	ROADWAY FILL CULVERT EXT ROADWAY FILL	0.28		0.08	0.16			0.11	0.14	0.02	680	80		
3	6+00-14+95 -RAMP B-	ROADWAY FILL	2.43			0.29									
4	17+88-19+15 -L- LT	ROADWAY FILL	0.07			0.03									
5	28+13-32+61 -L- LT	ROADWAY FILL	0.28			0.11									
6	32+57-35+26 -L-	66" RCP	0.15			0.01			0.11			420			
7	39+00-45+00 -L-	ROADWAY FILL	1.32		0.01	0.19									
8	55+83-58+00 -L- RT	ROADWAY FILL	0.07			0.05									
9	58+50 -L- LT	ROADWAY FILL	0.01												
10	66+00 -L- LT	BASE DITCH	4.62		0.09	0.84			0.36		<.01	1740	35		
TOTALS:															

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 ONSLOW COUNTY
 WBS - 35008.1.1 (U-4007A)
 SHEET 1
 4/8/2010



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North Carolina Department of Environment and Natural Resources
Division of Water Resources

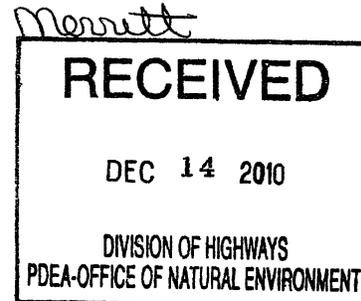
Beverly Eaves Perdue
Governor

Thomas A. Reeder
Director

Dee Freeman
Secretary

December 10, 2010

Mr. Chris Rivenbark
NCDOT
1598 MSC
Raleigh, NC 27699-1598



Subject: CCPCUA Permit # CU4025 for
NCDOT's Project U-4007A in
Onslow County

Dear Mr. Rivenbark:

In accordance with your application dated October 5, 2010, and associated documentation, we are forwarding Permit No. CU4025 for water use in the Central Coastal Plain Capacity Use Area in Onslow County. This permit allows for the withdrawal of water for the purpose of dewatering borrow pits in Onslow County to supply material for a road project.

Enclosed with this package is a form DWR CCPCUA-4. Form DWR CCPCUA-4 is for reporting water withdrawals, in accordance with Sections I. D. and IV. A. of your permit. Please make as many copies as necessary and send forms on a monthly basis to the address on the top of the forms. If you have Internet capabilities, we are requesting that you submit water use and water level information online at

<http://www.ncwater.org/CCPCUAreportonline>.

This permit is effective from the date of issuance until December 31, 2015, and is subject to the conditions and/or limitations contained therein. In order for this permit to continue uninterrupted, please apply for permit renewal at least three (3) months before the expiration date.

Sincerely,

Nathaniel C. Wilson, Chief
Ground Water Management Section

North Carolina
Environmental Management Commission
Department of Environment and Natural Resources

**Permit For The Withdrawal And Use Of Water
In The Central Coastal Plain Capacity Use Area**

In accordance with the provisions of Part 2, Article 21 of Chapter 143, General Statutes of North Carolina as amended, and any other applicable Laws, Rules and Regulations,

Permission Is Hereby Granted To

NC Department of Transportation

Project No. U-4007A
White Street Extension from Bell Fork Rd. to Western Blvd.

FOR THE

Withdrawal and Use of Water in Onslow County, North Carolina in accordance with the grantee's application dated October 5, 2010, and any supporting data submitted with the application, all of which are filed with the Department of Environment and Natural Resources and are considered part of this Permit.

This Permit shall be effective from the date of its issuance until December 31, 2015, and shall be subject to the specified conditions and/or limitations contained in Sections I - X of this Permit.

Permit issued this the 10 day of DECEMBER, 2010.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

BY _____



Thomas A. Reeder
Director, Division of Water Resources

By Authority of the Secretary of the Department of Environment and Natural Resources

PERMIT #CU4025

I. WITHDRAWALS**A. USE**

This Permit allows the withdrawal of water for the purpose of dewatering borrow pits to extract material for road construction.

B. RATES OF WITHDRAWALS

The maximum quantity of water that may be withdrawn shall not exceed what is established in the Reclamation Plan as specified in NCDOT's CCPCUA Special Provisions document.

C. SOURCE(S) OF WITHDRAWALS

Ground Water Source(s): Withdrawals shall be made from sumps in borrow pits in the surficial aquifer.

D. MONITORING OF WITHDRAWALS

Withdrawals from each source, whether well or sump, shall be measured by an approved metering device equipped with a totalizing indicator, and having an accuracy within plus or minus five percent.

II. WATER LEVELS**A. MAXIMUM DRAWDOWN LEVELS**

1. Pump intakes for the well(s) shall not be set below the depth specified in the permit application or associated documentation without prior approval of the Division of Water Resources.
2. In the event that data from the permitted wells or other wells within the zone influenced by pumping of the permitted wells indicates a deterioration of quality or quantity in surrounding aquifers or the source aquifer, an alternate maximum pumping level may be established by the Division of Water Resources.

B. MONITORING OF WATER LEVELS

1. The pumping water level in each supply well shall be measured once a month:
 - a. by a steel or electric tape from a fixed reference point, or by using the air-line method
 - b. within accuracy limits of plus or minus one percent,
 - c. just prior to shutting off the pump, or after sufficient time of pumping, so that a maximum drawdown may be obtained, and
 - d. during the last planned pumping day of the month, or within the last five days of the month.

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2. The static water level in each supply well shall be measured once a month:
 - a. by a steel or electric tape from a fixed reference point, or by using the air-line method
 - b. within accuracy limits of plus or minus one percent,
 - c. after the pump is shut off for approximately 12 hours, and
 - d. within the last five days of the month.

3. Unused supply wells or other suitable wells that may be available shall be monitored when such monitoring is specified by the Division of Water Resources and when pertinent to observation or evaluation of the effects of withdrawals made under this permit.

III. OTHER PROVISIONS

A. WELL CONSTRUCTION APPROVAL

A Well Construction Permit shall be required prior to the construction of any well that will be used to withdraw any portion of the water regulated under this Permit. Application for these permits must be submitted to the Washington Regional Office, Division of Water Quality, P.O. Box 2188, Washington, NC 27889.

B. ACCESS TO FACILITIES

The Environmental Management Commission and employees of the Department of Environment and Natural Resources shall have reasonable access to areas owned and under control of the permittee for observation and inspection of water use and related facilities pertinent to the provisions of this permit and other regulations.

IV. REPORTS REQUIRED

A. WITHDRAWALS

Monthly reports of daily withdrawal totals from each well or sump shall be furnished to the Division on a quarterly basis, within 30 days after the end of March, June, September and December.

B. WATER LEVELS

Water level measurements for each supply well shall be measured in accordance with Condition II. B. 1. of this permit and submitted to the Division not later than 30 days after the end of the calendar month in which the measurement was taken.

V. MODIFICATION OR REVOCATION

A. MODIFICATION

1. The Permittee must notify the Director of any proposed major changes in usage and apply for a modification of the permit for such changes or for any revisions of the terms of this permit.
2. The Director may modify the terms of the permit, after 60 days written notice to the permittee, if he finds that the terms of the permit and/or the resulting water use are found to be contrary to the purposes of the Water Use Act of 1967 or contrary to public interest or having an unreasonably adverse effect upon other water uses in the capacity use area. Modifications may include, but are not limited to, requirements for alternate pumping levels or the collection, analysis, and reporting of ground or surface water quality samples.

B. REVOCATION

The Director may revoke the permit if he finds that:

1. the Permittee has violated the terms of the permit; or
2. the terms of the Permit and/or the resulting water use are contrary to the purpose of the Water Use Act of 1967 or contrary to the public interest or having an unreasonably adverse effect upon other water uses in the capacity use area and cannot be cured by modification; or
3. the Permittee made false or fraudulent statements in the application for the water use permit; or
4. water withdrawn under the terms of the permit is used for purposes other than those set forth in the permit.

VI. CONSTRUCTION OF PERMIT

- A. The terms and conditions shall not be construed to relieve the Permittee of any legal obligation or liability, which it owes or may incur to third parties as the result of the conduct of its operations in conformity with this Permit.
- B. When under the terms hereof, any provision of this Permit requires approval of the Department or becomes effective at the discretion of the Department, the notice of approval or the exercise of such discretion shall be evidenced by written instrument issued by the Department.
- C. The terms and conditions of this Permit shall not be construed as a limitation of the powers, duties, and authority vested in the Environmental Management Commission or any other State, Federal, or local agency, or any applicable laws hereafter enacted.

VII. ADDITIONAL CONDITIONS

- A. This Permit shall be subject to any limitations or conditions in other State permits, including but not limited to permits required pursuant to North Carolina General Statutes §143-215.1.
- B. Issuance of this Permit shall have no bearing on subsequent State decision(s) regarding any other water use or other permit application(s) submitted or which may be submitted by the Permittee, its successors or assigns.
- C. Compliance with the terms and conditions in this permit does not relieve the permittee of compliance with any provision, now in force or hereafter enacted or promulgated, of the Water Use Act of 1967, the regulations promulgated thereunder, or any other provision of State law.

VIII. PENALTIES

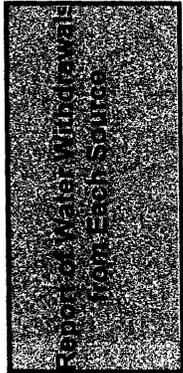
Violations of the terms and conditions of this Permit are subject to penalties as set forth in North Carolina General Statutes §143-215.17.

IX. PERMIT NONTRANSFERABLE

Water Use Permits shall not be transferred except with approval of the Environmental Management Commission.

X. RENEWAL OF PERMIT

The Permittee, at least three (3) months prior to the expiration of this permit, shall request its extension. Upon receipt of the request, the Commission will review the adequacy of the facilities described therein, and if warranted, will extend the permit for such period of time and under such conditions and limitations as it may deem appropriate.



North Carolina Department of Environment and Natural Resources

Mail To: Division of Water Resources - NC DENR
1611 Mail Service Center
Raleigh, North Carolina 27699-1611
Attention : Capacity Use Administration

Check Box If No Use This Month

For month of: Year: Permit #: CU4025 Facility: NCDOT - U-4007A Sheet of

Table with columns: Borrow Pit Name, meter readings, gallons per day, meter readings, gallons per day, meter readings, gallons per day, Total Withdrawn. Rows include Beginning reading and Day 1 through Day 31.