STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

February 17, 2009

Mr. William Wescott
U. S. Army Corps of Engineers
Regulatory Field Office
Post Office Box 1000
Washington, NC 27889-1000

Mr. Stephen Lane
N. C. Dept. of Environment and Natural Resources
Division of Coastal Management
400 Commerce Avenue
Morehead City, NC 28557

Dear Sirs:

Subject: **Nationwide Permit 14 Application and CAMA Major Development Permit Minor Modification Request** for the intersection improvements to SR 1303 at US 264, part of the detour associated with the replacement of Bridge No. 103 on NC 32 over Runyon Creek in Beaufort County. Federal Aid Project No. BRSTP-0032(7), State Project No. 8.1151501, TIP No. B-4019. Debit $240 for Water Quality Certification from WBS 33386.3.1

References: Nationwide Permits 23, 33, and 12 issued September 18, 2008; USACE Action ID – 2008-02697
Section 401 Water Quality Certification and Tar-Pamlico River Buffer Authorization issued October 13, 2008; DWQ Project No. 20081271
CAMA Major Development Permit issued October 27, 2008; Permit Number 172-08

Please see the enclosed USACE Routine Wetland Determination Data Forms, Approved Jurisdictional Determination Form, Pre-Construction Notification Form (PCN), and permit drawings for the above referenced project. The aforementioned 404/401 permits address only the bridge replacement. NCDOT is requesting a Nationwide Permit 14 for the intersection improvements on the off-site detour only. In addition we are requesting a minor modification to the referenced CAMA permit. A recent change in the design for this project includes the addition of a turn lane along the eastern terminus of the off-site detour, at the intersection of US 264 and SR 1303 (Brick Kiln Rd.), to account for increased traffic in that area once the existing bridge is closed to traffic. There will be an additional 0.14 acre of permanent wetland impacts due to roadway fill from these intersection improvements.

Impacts to Waters of the United States

General Description: The project is located in the Tar-Pamlico River Basin (HUC 03020104). No surface waters are located in the project area of the intersection improvements. Neither High Quality Waters (HQW), Water Supplies (WS-I: undeveloped watersheds or WS-II: predominately undeveloped watersheds), nor Outstanding Resource Waters (ORW) occur within 1.0 mi. of the project area of the intersection improvements.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
1548 MAIL SERVICE CENTER
RALEIGH NC 27699-1548

TELEPHONE: 919-733-3141
FAX: 919-733-9794

WEBSITE:
WWW.DOH.DOT.STATE.NC.US

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

Permanent Impacts: Riparian wetlands will be impacted by the proposed intersection improvements. Construction of the proposed project will result in a permanent impact of 0.14 ac. to riparian wetlands from roadway fill (see permit drawings).

Tar-Pamlico River Basin Buffer Rules

This project is located in the Tar-Pamlico River Basin; therefore, the regulations pertaining to the buffer rules apply. No impacts to riparian buffers will result from construction of this project.

Federal Protected Species

As of January 31, 2008 the USFWS lists six federally protected species for Beaufort County (see Table 1).

Table 1. Federally protected species of Beaufort County.

Scientific Name	Common Name	Federal Status	Habitat	Biological Conclusion
Lepidochelys kempii	Kemp's ridley sea turtle	E	No	No Effect
Trichechus manatus	West Indian Manatee	E	No	No Effect
Picoides borealis	Red-cockaded woodpecker	E	No	No Effect
Canis rufus	Red wolf	E(XN)	No	N/A
Lysimachia asperulaefolia	Rough-leaved loosestrife	E	No	No Effect
Aeschynomene virginica	Sensitive jointvetch	T	No	No Effect

Bald Eagle

The bald eagle (*Haliaeetus leucocephalus*) was delisted from the Endangered Species Act as of August 8, 2007. However, it is still protected under the Bald and Golden Eagle Protection Act. Suitable habitat in the form of nesting-size trees does not exist within 660 ft. of the project area of the intersection improvements.

Avoidance and Minimization

Avoidance examines all appropriate and practicable possibilities of averting impacts to "Waters of the United States". Due to the presence of wetlands within the project area of the intersection improvements, avoidance of all impacts is not possible. The NCDOT is committed to incorporating all reasonable and practicable design features to avoid and minimize jurisdictional impacts. Minimization measures were incorporated as part of the project design these included use of 3:1 fill slopes in jurisdictional areas.

Mitigation

NCDOT has transfered credits from EEP and the Grimesland site will be debited one acre of riparian creation to mitigate for the impacts associated with the improvements to the intersection. The Grimesland site is located near the community of Grimesland in Pitt County and lies within the Middle Atlantic Coastal Plain Level III ecoregion, HU 03020103, of the Tar-Pamlico River Basin. NCDOT began constructing the site in 1999 in two separate phases and hydrologic and vegetative monitoring began in 2001. The site was transferred to EEP in 2004 and monitoring was successfully completed in 2007.

Project Schedule

The review date for this project is March 31, 2009 and the Let Date is May 19, 2009.

Regulatory Approvals

CAMA: It is anticipated that the additional permanent impacts relating to roadway fill in wetlands will be authorized under Coastal Area Management Act Major Development Permit. We are, therefore, requesting a minor modification of the Coastal Area Management Act Major Development Permit issued October 27, 2008.

Section 404 Permit: At the request of the USACE, NCDOT anticipates that the additional permanent impacts relating to roadway fill in wetland associated with the offsite detour will be authorized under Section 404 Nationwide Permit 14 (Linear Transportation Projects) propose to proceed under a Nationwide Permit 14 (72 CFR; 11092-11198, March 12, 2007).

Section 401 Certification: We anticipate 401 General Certification number 3704 will apply to this project. In compliance with Section 143-215.3D(e) of the NCAC, we will provide $240 to act as payment for processing the Section 401 certification application (debit WBS element 33386.3.1). We are providing five copies of this application to the North Carolina Department of Environment and Natural Resources, Division of Water Quality for their approval.

Thank you for your assistance with this project. If you have any questions or need additional information, please contact Tyler Stanton at tstanton@ncdot.gov or (919) 431-6748.

Sincerely,

E. L. Luck

for Gregory J. Thorpe, Ph.D., Environmental Management Director
Project Development and Environmental Analysis Branch

cc:

W/attachment:
- Mr. Brian Wrenn, NCDWQ (5 Copies)
- Mr. Steve Sollod, NCDCM

W/o attachment:
- Dr. David Chang, P.E., Hydraulics
- Mr. Greg Perfetti, P.E., Structure Design
- Mr. Victor Barbour, P.E., Project Services Unit
- Mr. Mark Staley, Roadside Environmental
- Mr. C. E. Lassiter, P.E., Div. 2 Engineer
- Mr. Jay Johnson, Div. 2 Environmental Officer
- Mr. Scott McLendon, USACE, Wilmington
- Mr. Gary Jordan, USFWS
- Mr. Travis Wilson, NCWRC
- Mr. Ron Sechler, NMFS
- Ms. Anne Deaton, NCDMF
- Mr. Jay Bennett, P.E., Roadway Design
- Mr. Majed Alghandour, P. E., Programming and TIP
- Mr. Art McMillan, P.E., Highway Design
- Ms. Beth Smyre, P.E., PDEA
- Ms. LeiLani Paugh, NEU

Office Use Only: Form Version March 05

USACE Action ID No. _____ **DWQ No.** _____

(If any particular item is not applicable to this project, please enter "Not Applicable" or "N/A".)

I. Processing

1. Check all of the approval(s) requested for this project:
   - ☒ Section 404 Permit
   - ☐ Section 10 Permit
   - ☒ 401 Water Quality Certification
   - ☐ Riparian or Watershed Buffer Rules
   - ☐ Isolated Wetland Permit from DWQ
   - ☐ Express 401 Water Quality Certification

2. Nationwide, Regional or General Permit Number(s) Requested: NWP 14

3. If this notification is solely a courtesy copy because written approval for the 401 Certification is not required, check here: ☐

4. If payment into the North Carolina Ecosystem Enhancement Program (NCEEP) is proposed for mitigation of impacts, attach the acceptance letter from NCEEP, complete section VIII, and check here: ☐

5. If your project is located in any of North Carolina's twenty coastal counties (listed on page 4), and the project is within a North Carolina Division of Coastal Management Area of Environmental Concern (see the top of page 2 for further details), check here: ☒

II. Applicant Information

1. Owner/Applicant Information
   Name: Gregory J. Thorpe, Ph.D., Environmental Management Director
   Mailing Address: 1598 Mail Service Center
   _____
   _____
   _____
   Telephone Number: (919) 733-3141 Fax Number: (919) 733-9794
   E-mail Address: _____

2. Agent/Consultant Information (A signed and dated copy of the Agent Authorization letter must be attached if the Agent has signatory authority for the owner/applicant.)
   Name: _____
   Company Affiliation: _____
   Mailing Address: _____
   _____
   _____
   _____
   Telephone Number: _____ Fax Number: _____
   E-mail Address: _____

III. Project Information

Attach a **vicinity map** clearly showing the location of the property with respect to local landmarks such as towns, rivers, and roads. Also provide a detailed **site plan** showing property boundaries and development plans in relation to surrounding properties. Both the vicinity map and site plan must include a scale and north arrow. The specific footprints of all buildings, impervious surfaces, or other facilities must be included. If possible, the maps and plans should include the appropriate USGS Topographic Quad Map and NRCS Soil Survey with the property boundaries outlined. Plan drawings, or other maps may be included at the applicant's discretion, so long as the property is clearly defined. For administrative and distribution purposes, the USACE requires information to be submitted on sheets no larger than 11 by 17-inch format; however, DWQ may accept paperwork of any size. DWQ prefers full-size construction drawings rather than a sequential sheet version of the full-size plans. If full-size plans are reduced to a small scale such that the final version is illegible, the applicant will be informed that the project has been placed on hold until decipherable maps are provided.

1. Name of project: Improvements at the intersection of US 264 and SR 1303 (Brick Kiln Rd).

2. T.I.P. Project Number or State Project Number (NCDOT Only): B-4019

3. Property Identification Number (Tax PIN): N/A

4. Location
   County: Beaufort Nearest Town: Washington
   Subdivision name (include phase/lot number): N/A
   Directions to site (include road numbers/names, landmarks, etc.): Take US 264 to US 17S; turn left onto NC 32E. You will come to Bridge No. 103 after approximately 1.5 miles.

5. Site coordinates (For linear projects, such as a road or utility line, attach a sheet that separately lists the coordinates for each crossing of a distinct waterbody.)
   Decimal Degrees (6 digits minimum): 35.5447° °N -77.0239 °W

6. Property size (acres): N/A

7. Name of nearest receiving body of water: Runyon Creek [29-3-(2), SC;NSW]

8. River Basin: Tar-Pamlico
   (Note – this must be one of North Carolina's seventeen designated major river basins. The River Basin map is available at http://h2o.enr.state.nc.us/admin/maps/.)

9. Describe the existing conditions on the site and general land use in the vicinity of the project at the time of this application: The project is located near an urban/residential area of Beaufort County. Land around the site is mostly forested with light residential development.

10. Describe the overall project in detail, including the type of equipment to be used:

The addition of a turn lane along the eastern terminus of the off-site detour, at the intersection of US 264 and SR 1303 (Brick Kiln Rd.), to account for increased traffic in that area once the existing bridge is closed to traffic. Standard NCDOT construction equipment will be used.

11. Explain the purpose of the proposed work: The purpose of the project is to enhance service and improve safety due to the increased traffic on the off-site detour.

IV. Prior Project History

If jurisdictional determinations and/or permits have been requested and/or obtained for this project (including all prior phases of the same subdivision) in the past, please explain. Include the USACE Action ID Number, DWQ Project Number, application date, and date permits and certifications were issued or withdrawn. Provide photocopies of previously issued permits, certifications or other useful information. Describe previously approved wetland, stream and buffer impacts, along with associated mitigation (where applicable). If this is a NCDOT project, list and describe permits issued for prior segments of the same T.I.P. project, along with construction schedules. Nationwide Permits 23, 33, and 12 issued September 18, 2008; USACE Action ID –2008-02697 and Section 401 Water Quality Certification and Tar-Pamlico River Buffer Authorization issued October 13, 2008; DWQ Project No. 20081271
The review date for this project is March 31, 2009 and the Let Date is May 19, 2009

V. Future Project Plans

Are any future permit requests anticipated for this project? If so, describe the anticipated work, and provide justification for the exclusion of this work from the current application.
No future permit requests are anticipated for this project.

VI. Proposed Impacts to Waters of the United States/Waters of the State

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to wetlands, open water, and stream channels associated with the project. Each impact must be listed separately in the tables below (e.g., culvert installation should be listed separately from riprap dissipater pads). Be sure to indicate if an impact is temporary. All proposed impacts, permanent and temporary, must be listed, and must be labeled and clearly identifiable on an accompanying site plan. All wetlands and waters, and all streams (intermittent and perennial) should be shown on a delineation map, whether or not impacts are proposed to these systems. Wetland and stream evaluation and delineation forms should be included as appropriate. Photographs may be included at the applicant's discretion. If this proposed impact is strictly for wetland or stream mitigation, list and describe the impact in Section VIII below. If additional space is needed for listing or description, please attach a separate sheet.

1. Provide a written description of the proposed impacts: Construction of the proposed project will result in permanent impacts of 0.14 acre to riparian wetlands due to fill material.

2. Individually list wetland impacts. Types of impacts include, but are not limited to mechanized clearing, grading, fill, excavation, flooding, ditching/drainage, etc. For dams, separately list impacts due to both structure and flooding.

Wetland Impact Site Number (indicate on map)	Type of Impact	Type of Wetland (e.g., forested, marsh, herbaceous, bog, etc.)	Located within 100-year Floodplain (yes/no)	Distance to Nearest Stream (linear feet)	Area of Impact (acres)
2A	Permanent Fill	forested	yes	adjacent	0.12
2B	Permanent Fill	forested	yes	adjacent	0.02
Total Wetland Impact (acres)					0.14

3. List the total acreage (estimated) of all existing wetlands on the property: 1.0 acre

4. Individually list all intermittent and perennial stream impacts. Be sure to identify temporary impacts. Stream impacts include, but are not limited to placement of fill or culverts, dam construction, flooding, relocation, stabilization activities (e.g., cement walls, rip-rap, crib walls, gabions, etc.), excavation, ditching/straightening, etc. If stream relocation is proposed, plans and profiles showing the linear footprint for both the original and relocated streams must be included. To calculate acreage, multiply length X width, then divide by 43,560.

Stream Impact Number (indicate on map)	Stream Name	Type of Impact	Perennial or Intermittent?	Average Stream Width Before Impact	Impact Length (linear feet)	Area of Impact (acres)
N/A						
Total Stream Impact (by length and acreage)						

5. Individually list all open water impacts (including lakes, ponds, estuaries, sounds, Atlantic Ocean and any other water of the U.S.). Open water impacts include, but are not limited to fill, excavation, dredging, flooding, drainage, bulkheads, etc.

Open Water Impact Site Number (indicate on map)	Name of Waterbody (if applicable)	Type of Impact	Type of Waterbody (lake, pond, estuary, sound, bay, ocean, etc.)	Area of Impact (acres)
N/A				
Total Open Water Impact (acres)				0.0

6. List the cumulative impact to all Waters of the U.S. resulting from the project:

Stream Impact (acres):	0.0
Wetland Impact (acres):	0.14
Open Water Impact (acres):	0.0
Total Impact to Waters of the U.S. (acres)	0.0
Total Stream Impact (linear feet):	0.0

7. Isolated Waters
   Do any isolated waters exist on the property? ☐ Yes ☒ No
   Describe all impacts to isolated waters, and include the type of water (wetland or stream) and the size of the proposed impact (acres or linear feet). Please note that this section only applies to waters that have specifically been determined to be isolated by the USACE.
   N/A

8. Pond Creation
   If construction of a pond is proposed, associated wetland and stream impacts should be included above in the wetland and stream impact sections. Also, the proposed pond should be described here and illustrated on any maps included with this application.
   Pond to be created in (check all that apply): ☐ uplands ☐ stream ☐ wetlands
   Describe the method of construction (e.g., dam/embankment, excavation, installation of draw-down valve or spillway, etc.): N/A
   Proposed use or purpose of pond (e.g., livestock watering, irrigation, aesthetic, trout pond, local stormwater requirement, etc.): N/A
   Current land use in the vicinity of the pond: N/A
   Size of watershed draining to pond: N/A Expected pond surface area: N/A

VII. Impact Justification (Avoidance and Minimization)

Specifically describe measures taken to avoid the proposed impacts. It may be useful to provide information related to site constraints such as topography, building ordinances, accessibility, and financial viability of the project. The applicant may attach drawings of alternative, lower-impact site layouts, and explain why these design options were not feasible. Also discuss how impacts were minimized once the desired site plan was developed. If applicable, discuss construction techniques to be followed during construction to reduce impacts. The NCDOT is committed to incorporating all reasonable and practicable design features to avoid and minimize jurisdictional impacts. Minimization measures incorporated as part of the project design included fill slopes in jurisdictional areas will be at a 3:1 ratio.

VIII. Mitigation

DWQ - In accordance with 15A NCAC 2H .0500, mitigation may be required by the NC Division of Water Quality for projects involving greater than or equal to one acre of impacts to freshwater wetlands or greater than or equal to 150 linear feet of total impacts to perennial streams.

USACE – In accordance with the Final Notice of Issuance and Modification of Nationwide Permits, published in the Federal Register on January 15, 2002, mitigation will be required when necessary to ensure that adverse effects to the aquatic environment are minimal. Factors including size and type of proposed impact and function and relative value of the impacted aquatic resource will be considered in determining acceptability of appropriate and practicable mitigation as proposed. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland

and/or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferable in the same watershed.

If mitigation is required for this project, a copy of the mitigation plan must be attached in order for USACE or DWQ to consider the application complete for processing. Any application lacking a required mitigation plan or NCEEP concurrence shall be placed on hold as incomplete. An applicant may also choose to review the current guidelines for stream restoration in DWQ's Draft Technical Guide for Stream Work in North Carolina, available at http://h2o.enr.state.nc.us/ncwetlands/strmgide.html.

1. Provide a brief description of the proposed mitigation plan. The description should provide as much information as possible, including, but not limited to: site location (attach directions and/or map, if offsite), affected stream and river basin, type and amount (acreage/linear feet) of mitigation proposed (restoration, enhancement, creation, or preservation), a plan view, preservation mechanism (e.g., deed restrictions, conservation easement, etc.), and a description of the current site conditions and proposed method of construction. Please attach a separate sheet if more space is needed.

   NCDOT will transfer credits from EEP and the Grimesland site will be debited 0.14 acres of riparian creation to mitigate for the impacts associated with the improvements to the intersection. The Grimesland site is located near the community of Grimesland in Pitt County and lies within the Middle Atlantic Coastal Plain Level III ecoregion, HU 03020103, of the Tar-Pamlico River Basin. NCDOT began constructing the site in 1999 in two separate phases and hydrologic and vegetative monitoring began in 2001. The site was transferred to EEP in 2004 and monitoring was successfully completed in 2007.

2. Mitigation may also be made by payment into the North Carolina Ecosystem Enhancement Program (NCEEP). Please note it is the applicant's responsibility to contact the NCEEP at (919) 715-0476 to determine availability, and written approval from the NCEEP indicating that they are will to accept payment for the mitigation must be attached to this form. For additional information regarding the application process for the NCEEP, check the NCEEP website at http://h2o.enr.state.nc.us/wrp/index.htm. If use of the NCEEP is proposed, please check the appropriate box on page five and provide the following information:

   Amount of stream mitigation requested (linear feet): N/A
   Amount of buffer mitigation requested (square feet): N/A
   Amount of Riparian wetland mitigation requested (acres): N/A
   Amount of Non-riparian wetland mitigation requested (acres): N/A
   Amount of Coastal wetland mitigation requested (acres): N/A

IX. Environmental Documentation (required by DWQ)

1. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land? Yes ☒ No ☐

2. If yes, does the project require preparation of an environmental document pursuant to the requirements of the National or North Carolina Environmental Policy Act (NEPA/SEPA)? Note: If you are not sure whether a NEPA/SEPA document is required, call the SEPA coordinator at (919) 733-5083 to review current thresholds for environmental documentation. Yes ☒ No ☐

3. If yes, has the document review been finalized by the State Clearinghouse? If so, please attach a copy of the NEPA or SEPA final approval letter. Yes ☒ No ☐

X. Proposed Impacts on Riparian and Watershed Buffers (required by DWQ)

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to required state and local buffers associated with the project. The applicant must also provide justification for these impacts in Section VII above. All proposed impacts must be listed herein, and must be clearly identifiable on the accompanying site plan. All buffers must be shown on a map, whether or not impacts are proposed to the buffers. Correspondence from the DWQ Regional Office may be included as appropriate. Photographs may also be included at the applicant's discretion.

1. Will the project impact protected riparian buffers identified within 15A NCAC 2B .0233 (Neuse), 15A NCAC 2B .0259 (Tar-Pamlico), 15A NCAC 02B .0243 (Catawba) 15A NCAC 2B .0250 (Randleman Rules and Water Supply Buffer Requirements), or other (please identify Tar-Pamlico)? Yes ☐ No ☒

2. If "yes", identify the square feet and acreage of impact to each zone of the riparian buffers. If buffer mitigation is required calculate the required amount of mitigation by applying the buffer multipliers.

Zone*	Impact (square feet)	Multiplier	Required Mitigation
1	0.0	3 (2 for Catawba)	0
2	0.0	1.5	0
Total	0.0		0

* Zone 1 extends out 30 feet perpendicular from the top of the near bank of channel; Zone 2 extends an additional 20 feet from the edge of Zone 1.

3. If buffer mitigation is required, please discuss what type of mitigation is proposed (i.e., Donation of Property, Riparian Buffer Restoration / Enhancement, or Payment into the Riparian Buffer Restoration Fund). Please attach all appropriate information as identified within 15A NCAC 2B .0242 or .0244, or .0260. N/A

XI. Stormwater (required by DWQ)

Describe impervious acreage (existing and proposed) versus total acreage on the site. Discuss stormwater controls proposed in order to protect surface waters and wetlands downstream from

the property. If percent impervious surface exceeds 20%, please provide calculations demonstrating total proposed impervious level. N/A

XII. Sewage Disposal (required by DWQ)

Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility.
N/A

XIII. Violations (required by DWQ)

Is this site in violation of DWQ Wetland Rules (15A NCAC 2H .0500) or any Buffer Rules?
Yes ☐ No ☒

Is this an after-the-fact permit application? Yes ☐ No ☒

XIV. Cumulative Impacts (required by DWQ)

Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality? Yes ☐ No ☒
If yes, please submit a qualitative or quantitative cumulative impact analysis in accordance with the most recent North Carolina Division of Water Quality policy posted on our website at http://h2o.enr.state.nc.us/ncwetlands. If no, please provide a short narrative description:
N/A

XV. Other Circumstances (Optional):

It is the applicant's responsibility to submit the application sufficiently in advance of desired construction dates to allow processing time for these permits. However, an applicant may choose to list constraints associated with construction or sequencing that may impose limits on work schedules (e.g., draw-down schedules for lakes, dates associated with Endangered and Threatened Species, accessibility problems, or other issues outside of the applicant's control).
N/A

E. L. Lupk — Feb 16, 2009

Applicant/Agent's Signature **Date**
(Agent's signature is valid only if an authorization letter from the applicant is provided.)

upland

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Determination Manual)

Project / Site: B4019 Int of 264 & Brick Kiln Rd Applicant / Owner: NCDOT Investigator: Jay Johnson	Date: 12/15/08 County: Beaufort State: N.C.
Do normal circumstances exist on the site? Yes X No ____ Is the site significantly disturbed (Atypical situation)? Yes ____ No X Is the area a potential problem area? Yes ____ No X (explain on reverse if needed)	Community ID: ____ Transect ID: ____ Plot ID: ____

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Quercus alba	Ov 10%	FACU	9.		
2. Fagus grandifolia	Ov 10%	FACU	10.		
3. Ligustrum vulgare	S/S 40%	FAC	11.		
4. Magnolia virginiana	S/S 20%	FACW	12.		
5. Lonicera japonica	V 20%	FAC	13.		
6. Vitus rotundifolia	V 10%	FAC	14.		
7. Smilax glauca	V 10%	FAC	15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW, or FAC excluding FAC-). > 50%

Remarks: Wetland vegetation is present

HYDROLOGY

___ Recorded Data (Describe In Remarks):
- ___ Stream, Lake, or Tide Gauge
- ___ Aerial Photographs
- ___ Other

___ No Recorded Data Available

Field Observations:

Depth of Surface Water: N/A (in.)

Depth to Free Water in Pit: >12" (in.)

Depth to Saturated Soil: > 12" (in.)

Wetland Hydrology Indicators

Primary Indicators:
- ___ Inundated
- ___ Saturated in Upper 12"
- ___ Water Marks
- ___ Drift Lines
- ___ Sediment Deposits
- ___ Drainage Patterns in Wetlands

Secondary Indicators:
- ___ Oxidized Roots Channels in Upper 12"
- ___ Water-Stained Leaves
- ___ Local Soil Survey Data
- ___ FAC-Neutral Test
- ___ Other (Explain in Remarks)

Remarks: Wetland Hydrology is not present

SOILS

Map Unit Name
(Series and Phase): Mapped as craven clay loam **Drainage Class:** _____

Taxonomy (Subgroup): Aquic hapludults **Confirm Mapped Type? Yes** _____ **No** X

Profile Description:

Depth (inches)	Horizon	Matrix Colors (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc.
0-7		10YR5/3			fine sandy loam
7-14		10YR6/4			clay loam

Hydric Soil Indicators:

- ____ Histosol
- ____ Histic Epipedon
- ____ Sulfidic Odor
- ____ Aquic Moisture Regime
- ____ Reducing Conditions
- ____ Gleyed or Low-Chroma Colors
- ____ Concretions
- ____ High Organic Content in Surface Layer in Sandy Soils
- ____ Organic Streaking in Sandy Soils
- ____ Listed On Local Hydric Soils List
- ____ Listed on National Hydric Soils List
- ____ Other (Explain in Remarks)

Remarks: Wetland soils are not present

WETLAND DETERMINATION

Hydrophytic Vegetation Present? Yes x No ____
Wetland Hydrology Present? Yes ____ No x
Hydric Soils Present? Yes ____ No x

Is the Sampling Point Within a Wetland? Yes ____ No x

Remarks: Non wetland = all parameters are not present

Low grd

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Determination Manual)

Project / Site: B4019 Int of 264 & Brick Kiln Rd Applicant / Owner: NCDOT Investigator: Jay Johnson	Date: 12/15/08 County: Beaufort State: N.C.
Do normal circumstances exist on the site? Yes X No Is the site significantly disturbed (Atypical situation)? Yes ___ No X Is the area a potential problem area? Yes ___ No X (explain on reverse if needed)	Community ID: ___ Transect ID: ___ Plot ID: ___

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
1. Taxodium distichum	Ov 40%	OBL	9.		
2. Magnolia virginiana	S/S 20%	FACW	10.		
3. Smilax glauca	V 25%	FAC	11.		
4. Lonicera japonica	V 25%	FAC	12.		
5.			13.		
6.			14.		
7.			15.		
8.			16.		

Percent of Dominant Species that are OBL, FACW, or FAC excluding FAC-). >50%

Remarks:
Wetland vegetation is present

HYDROLOGY

___ Recorded Data (Describe In Remarks):
- ___ Stream, Lake, or Tide Gauge
- ___ Aerial Photographs
- ___ Other

x No Recorded Data Available

Field Observations:

Depth of Surface Water: n/a (in.)

Depth to Free Water in Pit: 6 (in.)

Depth to Saturated Soil: 3 (in.)

Wetland Hydrology Indicators

Primary Indicators:
- ___ Inundated
- x Saturated in Upper 12"
- ___ Water Marks
- ___ Drift Lines
- x Sediment Deposits
- x Drainage Patterns in Wetlands

Secondary Indicators:
- ___ Oxidized Roots Channels in Upper 12"
- x Water-Stained Leaves
- ___ Local Soil Survey Data
- ___ FAC-Neutral Test
- ___ Other (Explain in Remarks)

Remarks:
Wetland hydrology is present

SOILS

Map Unit Name
(Series and Phase): Mapped as craven clay loam **Drainage Class:** _____

Taxonomy (Subgroup): Aquic hapludults **Confirm Mapped Type? Yes** ____ **No** x

Profile Description:

Depth (inches)	Horizon	Matrix Colors (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc.
0-12		10YR2/1			loam

Hydric Soil Indicators:

____ Histosol	____ Concretions
____ Histic Epipedon	x High Organic Content in Surface Layer in Sandy Soils
____ Sulfidic Odor	x Organic Streaking in Sandy Soils
x Aquic Moisture Regime	____ Listed On Local Hydric Soils List
x Reducing Conditions	____ Listed on National Hydric Soils List
x Gleyed or Low-Chroma Colors	____ Other (Explain in Remarks)

Remarks: Wetland soils are present

WETLAND DETERMINATION

Hydrophytic Vegetation Present?	**Yes** x	**No** ____	**Is the Sampling Point**	
Wetland Hydrology Present?	**Yes** x	**No** ____	**Within a Wetland?**	**Yes** x **No** ____
Hydric Soils Present?	**Yes** x	**No** ____		

Remarks:
Wetland = All parameters are present

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 12/15/08

B. DISTRICT OFFICE, FILE NAME, AND NUMBER:

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State:NC County/parish/borough: Beaufort City: Washington
Center coordinates of site (lat/long in degree decimal format): Lat. 35.54469° N, Long. 77.02394° W.
Universal Transverse Mercator: 18 31316531E 3935334
Name of nearest waterbody: Runyon Creek
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Pamlico River
Name of watershed or Hydrologic Unit Code (HUC): Tar/Pam

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☐ Office (Desk) Determination. Date:
☒ Field Determination. Date(s): 12/15/08

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There Pick List *"navigable waters of the U.S."* within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [*Required*]

☐ Waters subject to the ebb and flow of the tide.
☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There Pick List *"waters of the U.S."* within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [*Required*]

1. **Waters of the U.S.**
   a. **Indicate presence of waters of U.S. in review area (check all that apply):** [1]
      ☐ TNWs, including territorial seas
      ☒ Wetlands adjacent to TNWs
      ☐ Relatively permanent waters[2] (RPWs) that flow directly or indirectly into TNWs
      ☐ Non-RPWs that flow directly or indirectly into TNWs
      ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
      ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
      ☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
      ☐ Impoundments of jurisdictional waters
      ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

   b. **Identify (estimate) size of waters of the U.S. in the review area:**
      Non-wetland waters: linear feet: width (ft) and/or acres.
      Wetlands: .18 acres.

   c. **Limits (boundaries) of jurisdiction** based on: Pick List
      Elevation of established OHWM (if known):Field Delineation.

2. **Non-regulated waters/wetlands (check if applicable):**[3]
   ☐ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
   Explain: .

---

[1] Boxes checked below shall be supported by completing the appropriate sections in Section III below.
[2] For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).
[3] Supporting documentation is presented in Section III.F.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. **TNW**
   Identify TNW: **Runyon creek.**

   Summarize rationale supporting determination: .

2. **Wetland adjacent to TNW**
   Summarize rationale supporting conclusion that wetland is "adjacent": Meets 87 manual criteria, contiguous to Pamlico river.

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody[4] is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. **Characteristics of non-TNWs that flow directly or indirectly into TNW**

   (i) General Area Conditions:
   Watershed size: Pick List
   Drainage area: Pick List
   Average annual rainfall: inches
   Average annual snowfall: inches

   (ii) Physical Characteristics:
   (a) Relationship with TNW:
   ☒ Tributary flows directly into TNW.
   ☐ Tributary flows through Pick List tributaries before entering TNW.

   Project waters are 1 (or less) river miles from TNW.
   Project waters are Pick List river miles from RPW.
   Project waters are 1 (or less) aerial (straight) miles from TNW.
   Project waters are Pick List aerial (straight) miles from RPW.
   Project waters cross or serve as state boundaries. Explain: .

   Identify flow route to TNW[5]: .
   Tributary stream order, if known: .

[4] Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.
[5] Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is: ☒ Natural
☐ Artificial (man-made). Explain: .
☐ Manipulated (man-altered). Explain: .

Tributary properties with respect to top of bank (estimate):
Average width: 10 feet
Average depth: 3 feet
Average side slopes: 3:1.

Primary tributary substrate composition (check all that apply):

☒ Silts	☒ Sands	☐ Concrete
☐ Cobbles	☐ Gravel	☒ Muck
☐ Bedrock	☒ Vegetation. Type/% cover: 50	
☐ Other. Explain: .		

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: stabil.
Presence of run/riffle/pool complexes. Explain: .
Tributary geometry: Pick List
Tributary gradient (approximate average slope): 01 %

(c) Flow:
Tributary provides for: Seasonal flow
Estimate average number of flow events in review area/year: 20 (or greater)
Describe flow regime: .
Other information on duration and volume: .

Surface flow is: Overland sheetflow. Characteristics: .

Subsurface flow: Pick List. Explain findings: .
☐ Dye (or other) test performed: .

Tributary has (check all that apply):
☒ Bed and banks
☒ OHWM[6] (check all indicators that apply):

☒ clear, natural line impressed on the bank	☒ the presence of litter and debris
☐ changes in the character of soil	☐ destruction of terrestrial vegetation
☐ shelving	☐ the presence of wrack line
☒ vegetation matted down, bent, or absent	☐ sediment sorting
☒ leaf litter disturbed or washed away	☒ scour
☒ sediment deposition	☐ multiple observed or predicted flow events
☐ water staining	☐ abrupt change in plant community
☐ other (list):	

☐ Discontinuous OHWM.[7] Explain: .

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

☒ High Tide Line indicated by:	☒ Mean High Water Mark indicated by:
☐ oil or scum line along shore objects	☐ survey to available datum;
☐ fine shell or debris deposits (foreshore)	☐ physical markings;
☐ physical markings/characteristics	☐ vegetation lines/changes in vegetation types.
☐ tidal gauges	
☐ other (list):	

(iii) Chemical Characteristics:
Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Explain: .
Identify specific pollutants, if known: .

[6]A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.
[7]Ibid.

(iv) **Biological Characteristics. Channel supports (check all that apply):**
- ☐ Riparian corridor. Characteristics (type, average width): .
- ☐ Wetland fringe. Characteristics: .
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings: .
  - ☐ Fish/spawn areas. Explain findings: .
  - ☐ Other environmentally-sensitive species. Explain findings: .
  - ☐ Aquatic/wildlife diversity. Explain findings: .

2. **Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**

(i) **Physical Characteristics:**

(a) General Wetland Characteristics:
Properties:
Wetland size: acres
Wetland type. Explain: .
Wetland quality. Explain: .
Project wetlands cross or serve as state boundaries. Explain: .

(b) General Flow Relationship with Non-TNW:
Flow is: Pick List. Explain: .

Surface flow is: Pick List
Characteristics: .

Subsurface flow: Pick List. Explain findings: .
- ☐ Dye (or other) test performed: .

(c) Wetland Adjacency Determination with Non-TNW:
- ☐ Directly abutting
- ☐ Not directly abutting
  - ☐ Discrete wetland hydrologic connection. Explain: .
  - ☐ Ecological connection. Explain: .
  - ☐ Separated by berm/barrier. Explain: .

(d) Proximity (Relationship) to TNW
Project wetlands are Pick List river miles from TNW.
Project waters are Pick List aerial (straight) miles from TNW.
Flow is from: Pick List.
Estimate approximate location of wetland as within the Pick List floodplain.

(ii) **Chemical Characteristics:**
Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: .
Identify specific pollutants, if known: .

(iii) **Biological Characteristics. Wetland supports (check all that apply):**
- ☐ Riparian buffer. Characteristics (type, average width): .
- ☐ Vegetation type/percent cover. Explain: .
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings: .
  - ☐ Fish/spawn areas. Explain findings: .
  - ☐ Other environmentally-sensitive species. Explain findings: .
  - ☐ Aquatic/wildlife diversity. Explain findings: .

3. **Characteristics of all wetlands adjacent to the tributary (if any)**
All wetland(s) being considered in the cumulative analysis: Pick List
Approximately ( ) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)

Summarize overall biological, chemical and physical functions being performed: .

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D: .

2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
   - ☒ TNWs: linear feet width (ft), Or, acres.
   - ☒ Wetlands adjacent to TNWs: .18acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   - ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: .
   - ☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

Provide estimates for jurisdictional waters in the review area (check all that apply):
- ☐ Tributary waters: linear feet width (ft).
- ☐ Other non-wetland waters: acres.
  Identify type(s) of waters: .

3. **Non-RPWs[8] that flow directly or indirectly into TNWs.**
   - ☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional waters within the review area (check all that apply):
   - ☐ Tributary waters: linear feet width (ft).
   - ☐ Other non-wetland waters: acres.
     Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
   - ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
     - ☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
     - ☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**
   - ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**
   - ☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.[9]**
   As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.
   - ☐ Demonstrate that impoundment was created from "waters of the U.S.," or
   - ☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
   - ☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):[10]
- ☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
- ☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- ☐ which are or could be used for industrial purposes by industries in interstate commerce.
- ☐ Interstate isolated waters. Explain: .
- ☐ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

---

[8] See Footnote # 3.
[9] To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.
[10] **Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA *Memorandum Regarding CWA Act Jurisdiction Following Rapanos.***

Provide estimates for jurisdictional waters in the review area (check all that apply):
- ☒ Tributary waters: linear feet width (ft).
- ☒ Other non-wetland waters: acres.
  - Identify type(s) of waters: .
- ☒ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
- ☒ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☒ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
  - ☐ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- ☒ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
- ☒ Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):
- ☒ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- ☒ Lakes/ponds: acres.
- ☒ Other non-wetland waters: acres. List type of aquatic resource: .
- ☒ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):
- ☒ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- ☒ Lakes/ponds: acres.
- ☒ Other non-wetland waters: acres. List type of aquatic resource: .
- ☒ Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: .
- ☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - ☐ Office concurs with data sheets/delineation report.
  - ☐ Office does not concur with data sheets/delineation report.
- ☒ Data sheets prepared by the Corps: .
- ☒ Corps navigable waters' study: .
- ☒ U.S. Geological Survey Hydrologic Atlas: .
  - ☐ USGS NHD data.
  - ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name:1:24000 Washington Quad.
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation:Beaufort County Plate #6.
- ☒ National wetlands inventory map(s). Cite name: .
- ☒ State/Local wetland inventory map(s): .
- ☒ FEMA/FIRM maps: .
- ☒ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- ☒ Photographs: ☐ Aerial (Name & Date): .
  - or ☐ Other (Name & Date): .
- ☒ Previous determination(s). File no. and date of response letter: .
- ☒ Applicable/supporting case law: .
- ☒ Applicable/supporting scientific literature: .
- ☒ Other information (please specify):Site visit on 12/15/08.

B. ADDITIONAL COMMENTS TO SUPPORT JD: .

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

US 264 /SR 1303 (BRICK KILN ROAD)

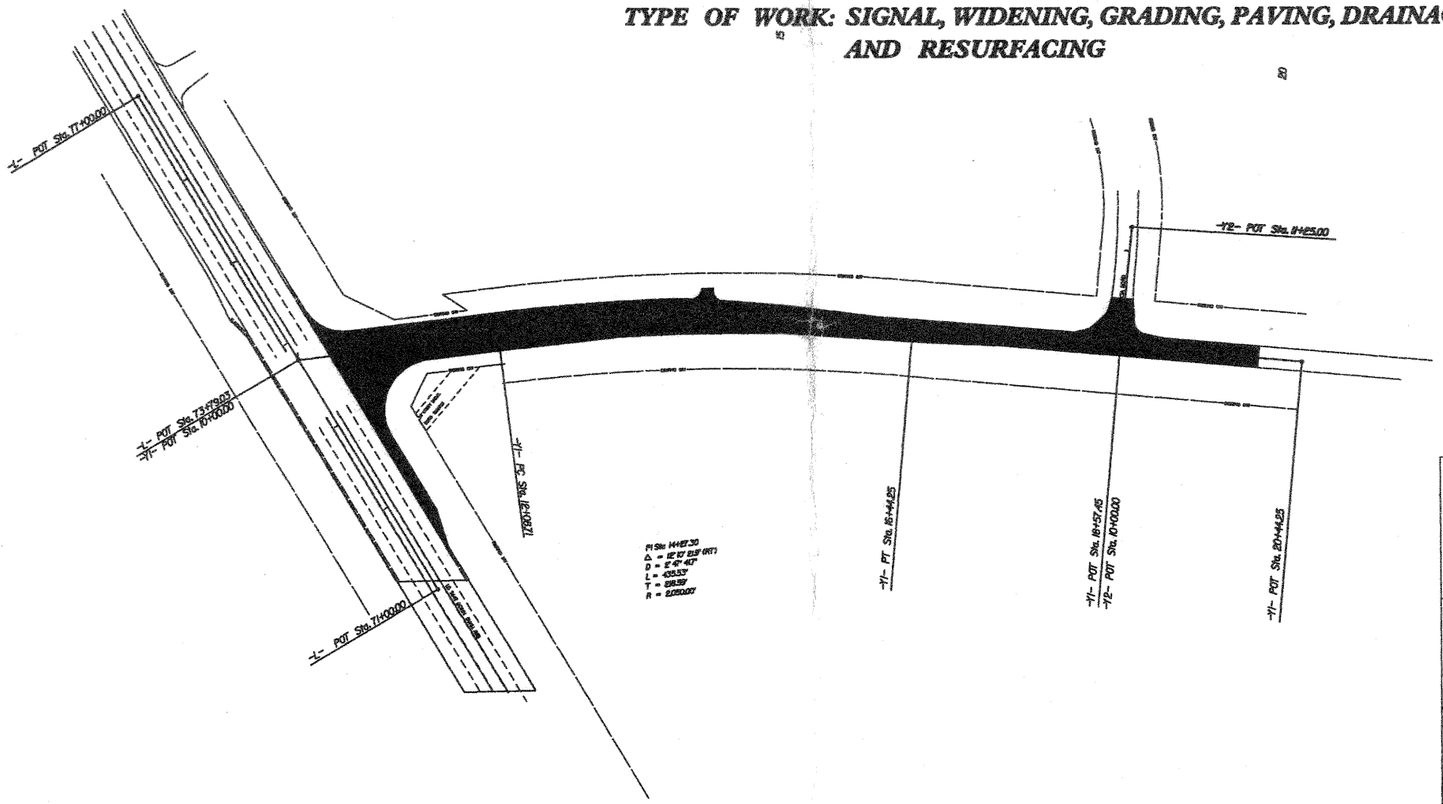
STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.		1	

STATE PROJ. NO.	F. A. PROJ. NO.	DESCRIPTION

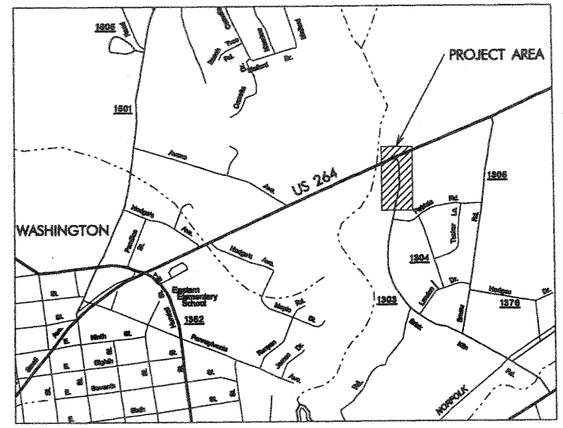
Permit Drawing
Sheet 1 of 8

LOCATION: BEAUFORT COUNTY
SR 1303 FROM US 264 TO 1000' SOUTH OF US 264

TYPE OF WORK: SIGNAL, WIDENING, GRADING, PAVING, DRAINAGE, AND RESURFACING



VICINITY MAP



NOTES:

1) THIS PROJECT IS IN THE LONG ACRE TWP.
2) THIS PROJECT IS IN THE TAR-PAMLICO RIVER BASIN
3) A PORTION OF THIS PROJECT FALLS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WASHINGTON
4) PROJECT R/W IS 100'
5) PROJECT LENGTH IS 0.19 MILES
6) NO KNOWN NCGS MONUMENTS ON PROJECT

DRAWN BY: DRB		12/8/08	

Prepared In the Office of:
DIVISION OF HIGHWAYS
1701 W. 5th Street, Washington, NC 27889

2006 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:

LETTING DATE:

PROJECT ENGINEER

PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

SIGNATURE: *P.E.*

ROADWAY DESIGN ENGINEER

SIGNATURE: *P.E.*

DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA

P.E.
STATE HIGHWAY DESIGN ENGINEER

3/15/96

PROJECT REFERENCE NO.	SHEET NO.

Note: Not to Scale

****S.U.E. = Subsurface Utility Engineering***

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

CONVENTIONAL PLAN SHEET SYMBOLS

Permit Drawing
Sheet 2 of 8

BOUNDARIES AND PROPERTY:

- State Line
- County Line
- Township Line
- City Line
- Reservation Line
- Property Line
- Existing Iron Pin — IP
- Property Corner
- Property Monument — CM
- Parcel/Sequence Number — 123
- Existing Fence Line
- Proposed Woven Wire Fence
- Proposed Chain Link Fence
- Proposed Barbed Wire Fence
- Existing Wetland Boundary — WLB
- Proposed Wetland Boundary — WLB
- Existing Endangered Animal Boundary — EAB
- Existing Endangered Plant Boundary — EPB

BUILDINGS AND OTHER CULTURE:

- Gas Pump Vent or U/G Tank Cap
- Sign — S
- Well — W
- Small Mine
- Foundation
- Area Outline
- Cemetery
- Building
- School
- Church
- Dam

HYDROLOGY:

- Stream or Body of Water
- Hydro, Pool or Reservoir
- Jurisdictional Stream — JS
- Buffer Zone 1 — BZ 1
- Buffer Zone 2 — BZ 2
- Flow Arrow
- Disappearing Stream
- Spring
- Wetland
- Proposed Lateral, Tail, Head Ditch — FLOW
- False Sump

RAILROADS:

- Standard Gauge — CSX TRANSPORTATION
- RR Signal Milepost — MILEPOST 35
- Switch — SWITCH
- RR Abandoned
- RR Dismantled

RIGHT OF WAY:

- Baseline Control Point
- Existing Right of Way Marker
- Existing Right of Way Line
- Proposed Right of Way Line
- Proposed Right of Way Line with Iron Pin and Cap Marker
- Proposed Right of Way Line with Concrete or Granite Marker
- Existing Control of Access
- Proposed Control of Access
- Existing Easement Line — E
- Proposed Temporary Construction Easement — E
- Proposed Temporary Drainage Easement — TDE
- Proposed Permanent Drainage Easement — PDE
- Proposed Permanent Utility Easement — PUE

ROADS AND RELATED FEATURES:

- Existing Edge of Pavement
- Existing Curb
- Proposed Slope Stakes Cut — C
- Proposed Slope Stakes Fill — F
- Proposed Wheel Chair Ramp — WCR
- Existing Metal Guardrail
- Proposed Guardrail
- Existing Cable Guiderail
- Proposed Cable Guiderail
- Equality Symbol
- Pavement Removal

VEGETATION:

- Single Tree
- Single Shrub
- Hedge
- Woods Line
- Orchard
- Vineyard — Vineyard

EXISTING STRUCTURES:

MAJOR:

- Bridge, Tunnel or Box Culvert — CONC
- Bridge Wing Wall, Head Wall and End Wall — CONC WW

MINOR:

- Head and End Wall — CONC HW
- Pipe Culvert
- Footbridge
- Drainage Box: Catch Basin, DI or JB — CB
- Paved Ditch Gutter
- Storm Sewer Manhole — S
- Storm Sewer — S

UTILITIES:

POWER:

- Existing Power Pole
- Proposed Power Pole
- Existing Joint Use Pole
- Proposed Joint Use Pole
- Power Manhole — P
- Power Line Tower
- Power Transformer
- U/G Power Cable Hand Hole — HH
- H-Frame Pole
- Recorded U/G Power Line — P
- Designated U/G Power Line (S.U.E.*) — P

TELEPHONE:

- Existing Telephone Pole
- Proposed Telephone Pole
- Telephone Manhole — T
- Telephone Booth
- Telephone Pedestal — T
- Telephone Cell Tower
- U/G Telephone Cable Hand Hole — HH
- Recorded U/G Telephone Cable — T
- Designated U/G Telephone Cable (S.U.E.*) — T
- Recorded U/G Telephone Conduit — TC
- Designated U/G Telephone Conduit (S.U.E.*) — TC
- Recorded U/G Fiber Optics Cable — T FO
- Designated U/G Fiber Optics Cable (S.U.E.*) — T FO

WATER:

- Water Manhole — W
- Water Meter
- Water Valve
- Water Hydrant
- Recorded U/G Water Line — W
- Designated U/G Water Line (S.U.E.*) — W
- Above Ground Water Line — A/G Water

TV:

- TV Satellite Dish
- TV Pedestal — C
- TV Tower
- U/G TV Cable Hand Hole — HH
- Recorded U/G TV Cable — TV
- Designated U/G TV Cable (S.U.E.*) — TV
- Recorded U/G Fiber Optic Cable — TV FO
- Designated U/G Fiber Optic Cable (S.U.E.*) — TV FO

GAS:

- Gas Valve
- Gas Meter
- Recorded U/G Gas Line — G
- Designated U/G Gas Line (S.U.E.*) — G
- Above Ground Gas Line — A/G Gas

SANITARY SEWER:

- Sanitary Sewer Manhole
- Sanitary Sewer Cleanout
- U/G Sanitary Sewer Line — SS
- Above Ground Sanitary Sewer — A/G Sanitary Sewer
- Recorded SS Forced Main Line — FSS
- Designated SS Forced Main Line (S.U.E.*) — FSS

MISCELLANEOUS:

- Utility Pole
- Utility Pole with Base
- Utility Located Object
- Utility Traffic Signal Box — S
- Utility Unknown U/G Line — ?UTL?
- U/G Tank; Water, Gas, Oil
- A/G Tank; Water, Gas, Oil
- U/G Test Hole (S.U.E.*)
- Wetlands To Be Filled

PROJECT REFERENCE NO.	SHEET NO.
	3
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

Permit Drawing
Sheet 3 of 8

8/17/99

REVISIONS

-L- POT Sta. 77+00.00

PARADIGM DEVELOPMENT GROUP
PO BOX 2247
WASHINGTON, NC 27889
DBPG 1219446
GPIN 5685-86-3870

MOHAMED & SONYA SHAMSELDIN
5063 FREE UNION CHURCH ROAD
PINETOWN, NC 27865
DBPG 1039475
GPIN 5685-78-8731

BARN

EXISTING R/W

EXISTING R/W

-L- POT Sta. 73+79.03
-Y1- POT Sta. 10+00.00

-L- POT Sta. 71+00.00

-Y1- PC Sta. 12+08.71

MATCHLINE 14+40

PROP. 12"-18" RCP

396' FULL

350' FULL

10' T.C.E.

PROP. R/W

EXTEND

EXISTING R/W

FILL LINE

"A" 5094 sq. ft.

PROP. 24"-24" RCP

FILL LINE

REMOVE

RETAIN
REMOVE
EXTEND

RR SPIKE

PROP. 12"-24" RCP

EXISTING R/W

FILL LINE

"B" 774 sq. ft. (RETAIN)

PROP. R/W

EXISTING R/W

10' T.C.E.

20' UTILITY EASMT.
DBPG 1066/725

PARADIGM DEVELOPMENT GROUP
PO BOX 2247
WASHINGTON, NC 27889
DBPG 1219446
GPIN 5685-88-3870

FILL LINE

EXISTING R/W

WAYNE WRIGHT WOOLARD
MARK STEPHEN MCCOY
2948 JOHN SMALL AVE
WASHINGTON, NC 27889
DBPG 1095628
GPIN 5685-78-4905

US 264E (JOHN SMALL AVE)

BZ 1

BZ 2

BZ 2

BZ 1

EIP

EIP

PI Sta 14+27.30
Δ = 12° 10' 21.9" (RT)
D = 2° 47' 41.7"
L = 435.53'
T = 218.59'
R = 2,050.00'

Wetlands To Be Filled

50' 0 100' 200'

10-DEC-2008 14:00
D:\Projects\Design\Sr\US 264\Turn_Lane_SR_1301\RC_US_264_SR_1303_1.dgn
rpeterson

PROJECT REFERENCE NO.	SHEET NO.
	4
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

Permit Drawing
Sheet 4 of 8

8/17/99

REVISIONS

15

20

MOHAMED & SONYA SHAMSELDIN
5063 FREE UNION CHURCH ROAD
PINETOWN, NC 27865
DB/PG 1573-311
GPIN 5685-78-6596

MOHAMED & SONYA SHAMSELDIN
5063 FREE UNION CHURCH ROAD
PINETOWN, NC 27865
DB/PG 1573-311
GPIN 5685-78-6596

EXISTING R/W

EXISTING R/W

-Y2- POT Sta. 11+25.00

60'

PATRICIA ROAD

EXISTING R/W

18" RCP

PROP. 28'-15' RCP

REMOVE

R I.C.

Y1 14+56
12.0'

Y1 14+06
9.3'

6" SDR 21 PVC

6" SDR 21 PVC

SR 1303
BRICK KILN ROAD

MATCHLINE 14+40

18" RCP

6" SDR 21 PVC

16+76

EXISTING R/W

BZ 2

ROMICO INC
412 BRICK KILN RD
WASHINGTON, NC 27889
DB/PG 484/616
GPIN 5685-78-1606

-Y1- PT Sta. 16+44.25

-Y1- POT Sta. 18+57.45

-Y2- POT Sta. 10+00.00

-Y1- POT Sta. 20+44.25

50' 0 100' 200'

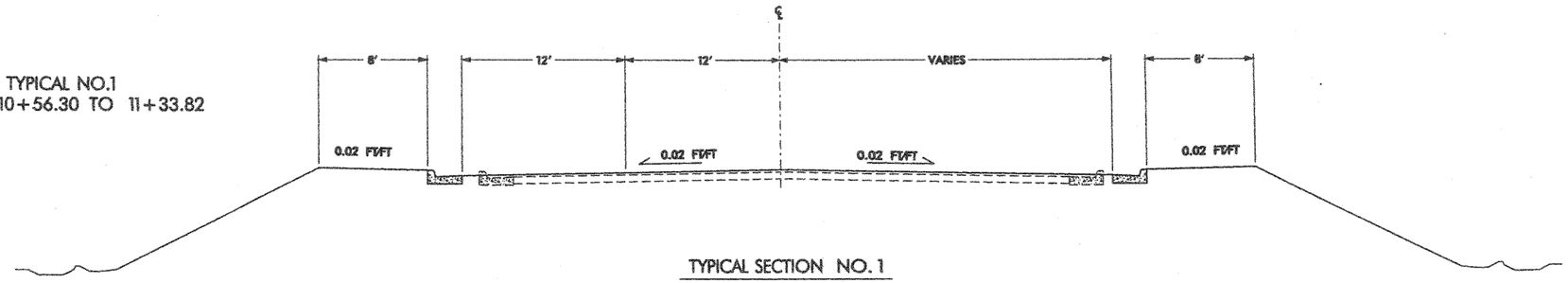
10-DEC-2008 14:00
U:\Projects\Proj_for\US_264\Turn_Lane_SR_1303\RDC_US_264_SR_1303_2.dgn

5/14/99

PROJECT REFERENCE NO.	SHEET NO.
	005
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

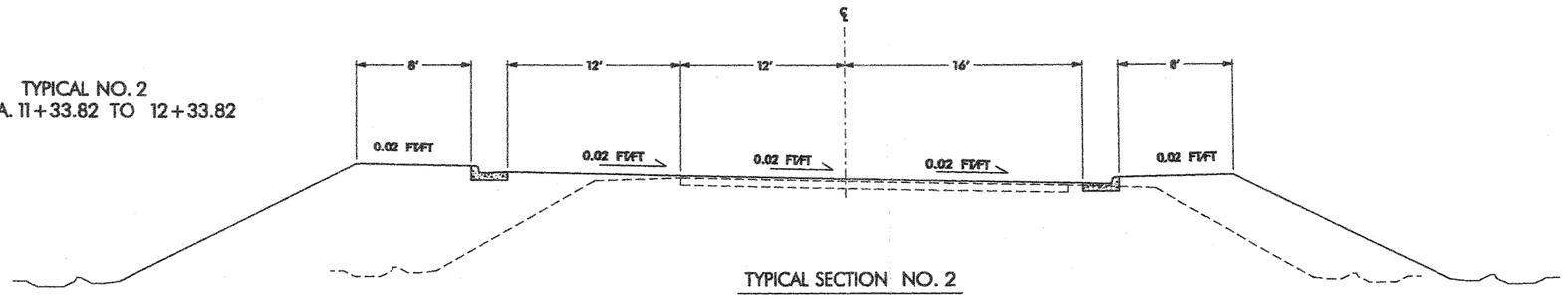
Permit Drawing
Sheet 5 of 8

TYPICAL NO.1
–Y1– STA. 10+56.30 TO 11+33.82



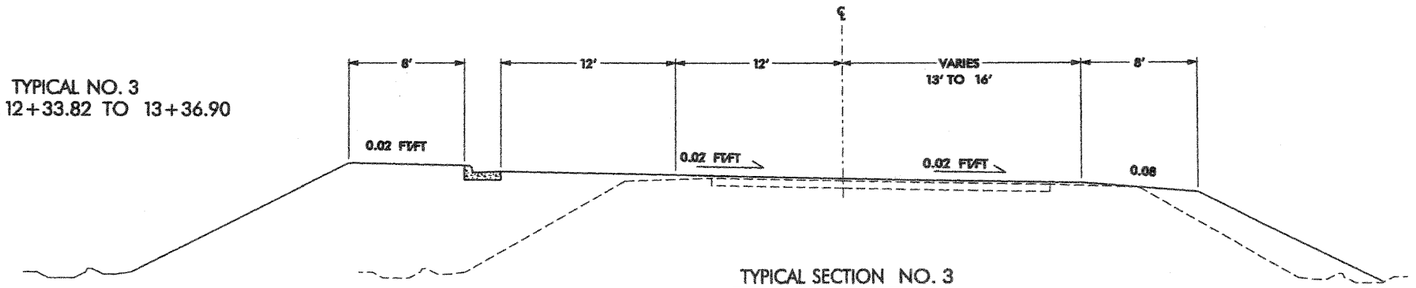
TYPICAL SECTION NO. 1

TYPICAL NO. 2
–Y1– STA. 11+33.82 TO 12+33.82



TYPICAL SECTION NO. 2

TYPICAL NO. 3
–Y1– STA. 12+33.82 TO 13+36.90



TYPICAL SECTION NO. 3

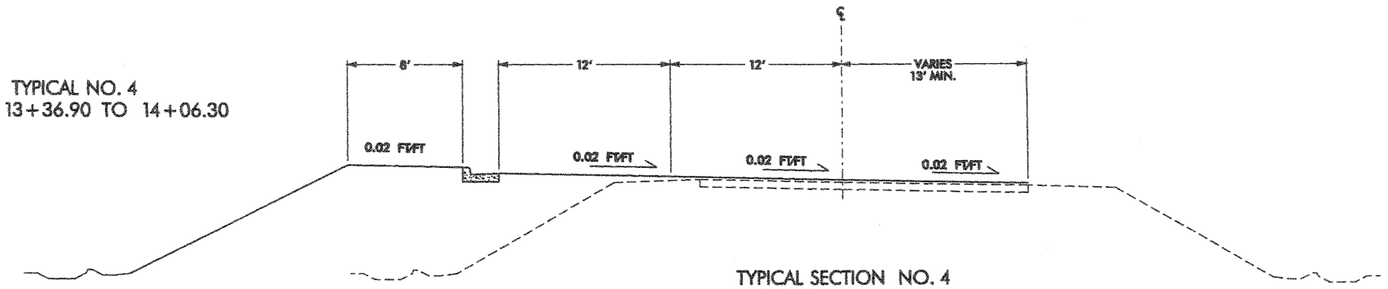
10-DEC-2008 14:00
Beaufort County
brepham
P:\projects\SR-1303\BC_US-264_SR-1303_TYP.dgn
AT 18"=1'-0"

5/14/99

PROJECT REFERENCE NO.	SHEET NO.
	006
BW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

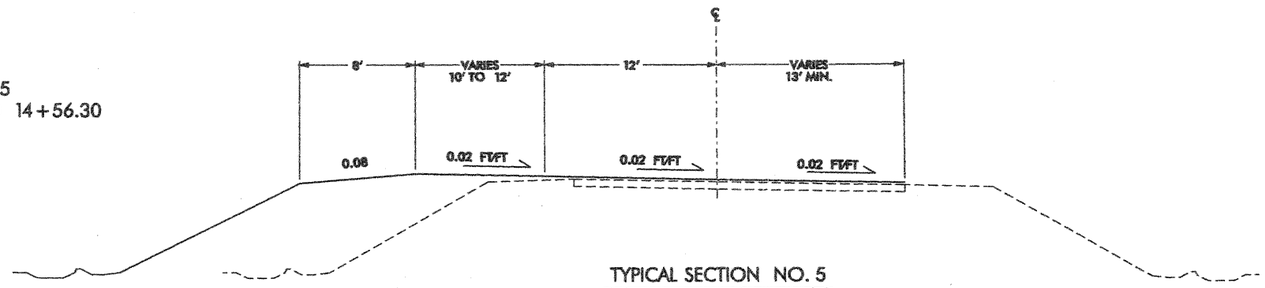
Permit Drawing
Sheet 6 of 8

TYPICAL NO. 4
-Y1- STA. 13+36.90 TO 14+06.30



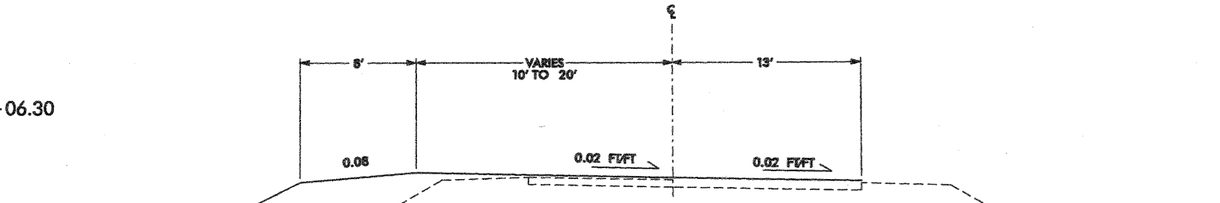
TYPICAL SECTION NO. 4

TYPICAL NO. 5
-Y1- STA. 14+06.30 TO 14+56.30



TYPICAL SECTION NO. 5

TYPICAL NO. 6
-Y1- STA. 14+56.30 TO 16+06.30



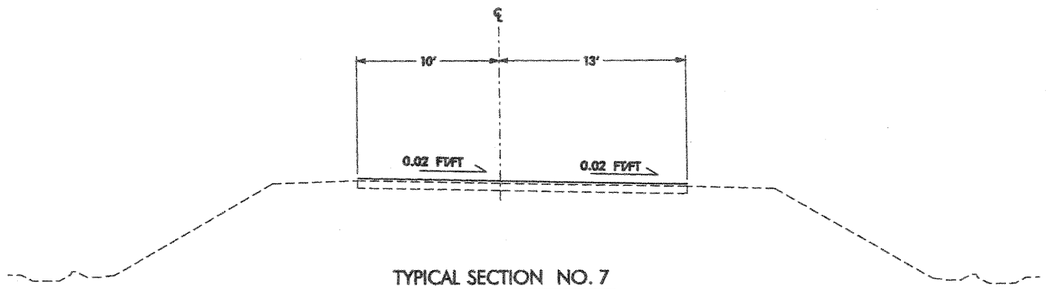
TYPICAL SECTION NO. 6

5/14/99

PROJECT REFERENCE NO.	SHEET NO.
	007
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

Permit Drawing
Sheet 7 of 8

TYPICAL NO. 7
-Y1- STA. 16+06.30 TO 17+06.30



TYPICAL SECTION NO. 7

10-DEC-2008 14:00
Required: US-264 Alt. Eng. SR.1303\BC_US_264_SR_1303_TYP.dgn
rbenham AT 02-23436

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS: Permanent Fill In Wetlands (ac)	WETLAND IMPACTS: Temp. Fill In Wetlands (ac)	WETLAND IMPACTS: Excavation in Wetlands (ac)	WETLAND IMPACTS: Mechanized Clearing in Wetlands (ac)	WETLAND IMPACTS: Hand Clearing in Wetlands (ac)	SURFACE WATER IMPACTS: Permanent SW impacts (ac)	SURFACE WATER IMPACTS: Temp. SW impacts (ac)	SURFACE WATER IMPACTS: Existing Channel Impacts Permanent (ft)	SURFACE WATER IMPACTS: Existing Channel Impacts Temp. (ft)	SURFACE WATER IMPACTS: Natural Stream Design (ft)
2 "A"	10+96/13+50 -Y1-	LEFT	0.12									
2 "B"	11+89/12+56 -Y1-	RIGHT	0.02									
TOTALS:			0.14	0.00			0.00	0.00	0.00		0.00	0.00

Permit Drawing
Sheet 8 of 8

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

BEAUFORT COUNTY
PROJECT: 33386.1.1 (B-4019)

SHEET REV 4/08

ATN Revised 3/31/05