

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI SECRETARY

December 1, 2009

U.S. Army Corps of Engineers Regulatory Field Office PO Box 1000 Washington, NC 27889-1000

ATTENTION:

Thomas Steffens

NCDOT Coordinator

Dear Sir:

Subject:

Application for Section 404 Nationwide Permit 23, Section 401 Water Quality Certification, and Tar-Pamlico Riparian Buffer Authorization for the proposed replacement of Bridge No. 219 on SR 1726 (Portertown Rd.) over Hardee Creek, Pitt County. TIP No. B-4238; Federal Aid Project No. BRSTP-1726(1); State Project No. 8.2222301; Debit \$240.00 from WBS 33581.1.1.

Please find enclosed the PCN form, permit drawings, and half-size plan sheets for the above referenced project. A Programmatic Categorical Exclusion (PCE) was completed for this project in August 2008, and distributed shortly thereafter. Additional copies will be made available upon request. The North Carolina Department of Transportation (NCDOT) proposes to replace existing Bridge No. 219 on SR 1726 over Hardee Creek in Pitt County. The project involves replacement of the existing 52-foot structure with a 135-foot bridge in approximately the same location. There will be 0.09 acre of permanent impacts to riparian wetlands resulting from fill and excavation on this project, as well as 8,997 sq. ft. of riparian hardened.

The let date for this project is April 20, 2010; however, the let date may advance as additional funds become available.

Regulatory approvals

<u>Section 404 Permit</u>: All aspects of this project are being processed by the Federal Highway Administration as a "Categorical Exclusion" in accordance with 23 CFR 771.115(b). The NCDOT requests that these activities be authorized by a Nationwide Permit 23 (72 CFR; 11092-11198, March 12, 2007).

Section 401 Water Quality Certification: We anticipate 401 General Certification number 3701 will apply to this project. All general conditions of the Water Quality Certification will be met. NCDOT is providing five copies of this application to the NCDWQ for their review and approval. Authorization to debit the \$240 Permit Application Fee from WBS Element 33581.1.1 is hereby given.

<u>Tar-Pamlico Riparian Buffer Authorization:</u> NCDOT requests that the NC Division of Water Quality review this application and issue a written approval for a Tar-Pamlico Riparian Buffer Authorization.

A copy of this application will be posted on the NCDOT website at: http://www.ncdot.org/doh/preconstruct/pe/neu/permit.html

Thank you for your time and assistance with this project. Please contact Amy James at aejames@ncdot.gov or (919) 431-6756 if you have any questions or need additional information.

Sincerely,

fuel

for

Gregory J. Thorpe, Ph.D.

Environmental Management Director, PDEA

CC:

W/attachment

Mr. Brian Wrenn, NCDWQ (5 copies)

W/o attachment (see website for attachments)

Dr. David Chang, P.E., Hydraulics

Mr. Jay Bennett, P.E., Roadway Design

Mr. Majed Alghandour, P. E., Programming and TIP

Mr. Art McMillan, P.E., Highway Design

Mr. Sooti McLendon, USACE, Wilmington

Mr. Travis Wilson, NCWRC

Mr. Gary Jordan, USFWS

Mr. Ron Sechler, NMFS

Ms. Anne Deaton, NCDMF

Ms. Natalie Lockhart, PDEA

Mr. Mark Staley, Roadside Environmental

Mr. Greg Perfetti, P.E., Structure Design

Mr. Victor Barbour, P.E., Project Services Unit

Mr. C. E. Lassiter, P.E., Div. 2 Engineer

Mr. Jay Johnson, Div. 2 Environmental Officer

NCDOT TIP B-4238 Page 2 of 2





Office Use Only:	
Corps action ID no.	_
DWQ project no	_
Form Version 1.3 Dec 10 2008	

	Pre-Construction Notification (PCN) Form					
A.	Applicant Information					
1.	Processing					-
1a.	Type(s) of approval sought from t	he	Section 404 Permit	☐ Secti	on 10 Permit	
1b.	Specify Nationwide Permit (NWP)	number: 2	3 or General P	Permit (G	P) number:	
1c.	Has the NWP or GP number bee	n verified b	y the Corps?		Yes	⊠ No
1d.	Type(s) of approval sought from t	the DWQ (check all that apply):			***************************************
		n – Regula	r Non-404 Juri	isdictiona	al General Permi	t
	☐ 401 Water Quality Certification	n – Expres	s 🛚 🖾 Riparian Buf	fer Autho	orization	
1e.	•	this notification solely for the record cause written approval is not required? For the record only for DWQ 401 Certification:				only for Corps Permit:
1f.	Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts? If so, attach the acceptance letter from mitigation bank or in-lieu fee program.				☐ Yes	⊠ No ⊠ No
1g.	g. Is the project located in any of NC's twenty coastal counties. If yes, answer 1h below.			swer 1h	Yes	⊠ No
1h.	1h. Is the project located within a NC DCM Area of Environmental Concern (AEC)?			(AEC)?	☐ Yes	⊠ No
2.	Project Information				<u> </u>	
2a.	Name of project:	Replacen	nent of Bridge no. 219 over I	Hardee C	reek on SR 172	6 (Portertown Rd.)
2b.	County:	Pitt				
2c.	Nearest municipality / town:	Greenville	9			
2d.	Subdivision name:	not applic	cable			
2e.	NCDOT only, T.I.P. or state project no:	B-4238				
3.	3. Owner Information					
3a.	Name(s) on Recorded Deed:	eed: North Carolina Department of Transportation				
	Deed Book and Page No.	not applicable				
3c.	Responsible Party (for LLC if applicable):	C if not applicable				
3d	Street address:	1598 Mail Service Center				
3e	City, state, zip:	Raleigh, NC 27699-1598				
3f.	Telephone no.:	(919) 431	I-6756			
3g	. Fax no.:	(919) 431	1-2002			
3h	8h. Email address: aejames@ncdot.gov					

4.	Applicant Information (if diffe	rent from owner	·)
4a.	Applicant is:	☐ Agent	Other, specify:
4b.	Name:	not applicable	
4c.	Business name (if applicable):		
4d.	Street address:		
4e.	City, state, zip:		
4f.	Telephone no.:		
4g.	Fax no.:		
4h.	Email address:		
5.	Agent/Consultant Information	n (if applicable)	
5a.	Name:	not applicable	
5b.	Business name (if applicable):		
5c.	Street address:		
5d.	City, state, zip:		
5e.	Telephone no.:		
5f.	Fax no.:		
5g.	Email address:		

В.	3. Project Information and Prior Project History					
1.	Property Identification					
1a.	Property identification no. (tax PIN or parcel ID):	not applicable				
1b.	Site coordinates (in decimal degrees):	Latitude: 35.57 (DD.DDD)		Longitude: - 77.323389 (-DD.DDDDDD)		
1c.	Property size:	1.2 acres (est	imated from pla	ns)		
2.	Surface Waters					
2a.	Name of nearest body of water (stream, river, etc.) to proposed project:	Hardee Creek				
2b.	Water Quality Classification of nearest receiving water:	C NSW				
2c.	River basin:	Tar Pamlico				
3.	Project Description					
За.	Describe the existing conditions on the site and the general lar application:	nd use in the vic	inity of the proje	ect at the time of this		
	Residential and urban development, with forestland along stream	am corridors.				
3b.	List the total estimated acreage of all existing wetlands on the	property:				
	2.5 acres (using NRTR study area)					
3c.	c. List the total estimated linear feet of all existing streams (intermittent and perennial) on the property: 550 linear feet (using NRTR study area)					
3d.	d. Explain the purpose of the proposed project: To replace a structurally deficient bridge.					
3e.	Be. Describe the overall project in detail, including the type of equipment to be used: The project involves replacing a 52-foot bridge with a 135-foot, 3-span, 21" cored slab bridge on the existing alignment with an off-site detour. In addition, 8" water, 4" water, and 4" gas lines will be relocated from under the roadway to the southeast side via directional bore and power poles/lines will need to be relocated to 30' from bridge. Standard road building equipment, such as trucks, dozers, and cranes will be used.					
4.	Jurisdictional Determinations	,				
4a.	Have jurisdictional wetland or stream determinations by the Corps or State been requested or obtained for this property / project (including all prior phases) in the past? Comments: Action ID SAW 200310732	⊠ Yes	□No	Unknown		
4b.	If the Corps made the jurisdictional determination, what type of determination was made?	☐ Preliminary	/ ⊠ Final			
4c.	If yes, who delineated the jurisdictional areas? Name (if known): Phil May	Agency/Const Other:	ultant Company:	HDR		
4d.	d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation. The JD verification was issued on 7/3/03; NCDOT has no reason to believe that the wetland boundary has changed.					
5.	Project History					
5a.	. Have permits or certifications been requested or obtained for this project (including all prior phases) in the past?	☐ Yes	⊠ No	Unknown		
5b.	. If yes, explain in detail according to "help file" instructions.					
6.	Future Project Plans					
6a	. Is this a phased project?	☐ Yes	⊠ No			
6b	. If yes, explain.					

C. Proposed Impa	acts Inventory					
1. Impacts Summ	ary					
1a. Which sections	were completed be	elow for your project (check all that a	ipply):		
Wetlands ■	⊠ \$	Streams - tributaries	⊠ Bu	ffers		
Open Waters	. □ F	ond Construction				
2. Wetland Impac						
				tion for each wetland a	area impacte	
2a. Wetland impact number – Permanent (P) or Temporary (T)	2b. Type of impact	2c. Type of wetland (if known)	2d. Forested	Ze. Type of jurisdi (Corps - 404 DWQ – non-404	, 10	2f. Area of impact (acres)
Site 1 ⊠ P □ T	Fill		√⊠ Yes □ No	☐ Corps☐ DWQ		0.03
Site 2 ⊠ P □ T	Excavation		⊠ Yes □ No	☐ Corps☐ DWQ		0.06
Site 3 P T			☐ Yes ☐ No	☐ Corps ☐ DWQ		
Site 4 P T			☐ Yes ☐ No	☐ Corps		
				2g. Total wetlar	nd impacts	0.09 Permanent 0.0 Temporary
of temporary fill in w	etlands for erosior	n control measures in	these areas. T	bridge construction, v There will also be 0.04 impacts are anticipate	acre of hand	I clearing in
3. Stream Impact	S					
If there are perennia question for all stream		ream impacts (includi	ing temporary ir	mpacts) proposed on t	he site, then	complete this
3a.	3b.	3c.	3d.	3e.	3f.	3g.
Stream impact number - Permanent (P) or Temporary (T)	Type of impact	Stream name	Perennial (PER) or intermittent (INT)?	Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	Average stream width (feet)	Impact length (linear feet)
Site 1 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ		
Site 2 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ		
Site 3 P T	1.		☐ PER ☐ INT	☐ Corps ☐ DWG		·
Site 4 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ		
3h. Total stream and tributary impacts						
3i. Comments: The	3i. Comments: There will be <0.01 acre of surface water impacts due to interior bent #1.					

4. Open	Water In	npacts								
	f there are proposed impacts to lakes, ponds, estuaries, tributaries, sounds, the Atlantic Ocean, or any other open water of the U.S. then individually list all open water impacts below.									
4a.		4b.	4c.				4d.		4e.	
Open water Name of impact number waterbody			Type	e of impact		Waterbody	, type	Area of im	pact (acres)	
Permanent (P) or (if applicable)			Type	or impact		Waterbody	ytype	Alea of iiii	pact (acres)	
	emporary (T)			i	***		 			
01 🗌 P										
02 🔲 P	' 🗆 Т									
03 🔲 P	' 🗆 T									
04 🗌 P	Т									
	4f. Total open water impacts X Permanent X Temporary									
4g. Comm	ents:									
5. Pond	5. Pond or Lake Construction									
		struction proposed,		plete	the chart b	elow.		_		
5a.	5b.		5c.	المصما	lman a ata /a		5d.	l	to (foot)	5e. Upland
Pond ID	Pro	posed use or	vve	Wetland Impacts (acres)		Stream Impac		(acres)		
number	pui	pose of pond	Floode	ed	Filled	Excavat ed	Flooded	Filled	Excavated	Flooded
P1										
P2										·
		5f. Total								:
5g. Comm	ents:							•		1
5h. Is a dam high hazard permit required?			ed?	ΠY	es	□No	If yes, perr	nit ID no		
5i. Expected pond surface area (acres):										
5j. Size o	of pond w	vatershed (acres):								
5k. Metho	5k. Method of construction:						,		, , , , , , , , , , , , , , , , , , , ,	

6. Buffer Impacts (for DWQ)						
If project will impact a protected riparian buffer, then complete the chart below. If yes, then individually list all buffer impacts below. If any impacts require mitigation, then you MUST fill out Section D of this form.						
6a.			□ Neuse	⊠ Tar-Pamlico	☐ Other:	
Project is in which	protected basin?		Catawba	Randleman		
6b.	6c.	6d.	6e.	6f.	6g.	
Buffer impact number – Permanent (P) or Temporary (T)	Reason for impact	Stream name	Buffer mitigation required?	Zone 1 impact (square feet)	Zone 2 impact (square feet)	
B1 ⊠P□T	Bridge	Hardee Creek	☐ Yes ☑ No	5,245	1,634	
B2 ⊠ P □ T	Road Crossing	Hardee Creek	☐ Yes ☑ No	367	1,751	
ВЗ □Р□Т			☐ Yes ☐ No			
6h. Total buffer impacts 5,612 3,385						
6i. Comments: There will be 356 sq. ft. of hand-clearing in buffers for utility work (relocation of overhead power lines), which is exempt from the buffer rules.						

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D.	Impact Justification and Mitigation				
1.	Avoidance and Minimization				
1a.	Specifically describe measures taken to avoid or minimize t	the proposed impacts	in designing project.		
	The proposed bridge is 83 feet longer than the existing bridge; the proposed bridge will be at approximately the same grade as the existing structure; 3:1 fill slopes where practicable; and the implementation of Design Standards in Sensitive Watersheds.				
1b.	. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques.				
	NCDOT Best Management Practices for Bridge Demolition, Removal and Construction will be followed, as well as those for Sedimentation and Erosion Control; the implementation of an anadromous fish moratorium from February 15 through June 15; and the utilization of an off-site detour.				
2.	Compensatory Mitigation for Impacts to Waters of the	J.S. or Waters of the	State		
2a.	Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?				
2b.	If yes, mitigation is required by (check all that apply):	ck all that apply):			
2c.	If yes, which mitigation option will be used for this project?	☐ Mitigation bank☐ Payment to in-lieu fee program☐ Permittee Responsible Mitigation			
3.	Complete if Using a Mitigation Bank				
3a.	Name of Mitigation Bank: not applicable				
3b.	Credits Purchased (attach receipt and letter)	Туре	Quantity		
3c.	Comments:				
4.	Complete if Making a Payment to In-lieu Fee Program				
4a.	Approval letter from in-lieu fee program is attached.	Yes			
4b.	Stream mitigation requested:	linear feet			
4c.	If using stream mitigation, stream temperature:	☐ warm ☐ co	ool		
4d	Buffer mitigation requested (DWQ only):	square feet			
4e	Riparian wetland mitigation requested:	acres			
4f.	Non-riparian wetland mitigation requested:	acres			
4g	. Coastal (tidal) wetland mitigation requested:	acres			
4h	. Comments:				
5.	Complete if Using a Permittee Responsible Mitigation I	Plan			
5а	5a. If using a permittee responsible mitigation plan, provide a description of the proposed mitigation plan.				

6. Buffer	Buffer Mitigation (State Regulated Riparian Buffer Rules) – required by DWQ						
	project result in an impact wi itigation?	n buffer that requires	☐ Yes				
6b. If yes, then identify the square feet of impact to each zone of the riparian buffer that requires mitigation. Calculate the amount of mitigation required.							
Zone	6c. Reason for impact	6d. Total impact (square feet)	Multiplier	6e. Required mitigation (square feet)			
Zone 1			3 (2 for Catawba)				
Zone 2			1.5				
		6f. Total buffer	mitigation required:				
6g. If buffer mitigation is required, discuss what type of mitigation is proposed (e.g., payment to private mitigation bank, permittee responsible riparian buffer restoration, payment into an approved in-lieu fee fund).							
6h. Comments:							

E. Stormwater Management and Diffuse Flow Plan (required by DWQ)					
1. Diffuse Flow Plan					
1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?	⊠ Yes □ No				
1b. If yes, then is a diffuse flow plan included? If no, explain why. Comments: see attached permit drawings.	⊠ Yes □ No				
2. Stormwater Management Plan					
2a. What is the overall percent imperviousness of this project?	N/A				
2b. Does this project require a Stormwater Management Plan?	⊠ Yes □ No				
2c. If this project DOES NOT require a Stormwater Management Plan, explain why:					
2d. If this project DOES require a Stormwater Management Plan, then provide a brief, narrative description of the plan: See attached permit drawings.					
2e. Who will be responsible for the review of the Stormwater Management Plan?	☐ Certified Local Government ☐ DWQ Stormwater Program ☐ DWQ 401 Unit				
3. Certified Local Government Stormwater Review					
3a. In which local government's jurisdiction is this project?	not applicable				
3b. Which of the following locally-implemented stormwater management programs apply (check all that apply):	☐ Phase II ☐ NSW ☐ USMP ☐ Water Supply Watershed ☐ Other:				
3c. Has the approved Stormwater Management Plan with proof of approval been attached?	☐ Yes ☐ No				
4. DWQ Stormwater Program Review					
4a. Which of the following state-implemented stormwater management programs apply (check all that apply):	☐ Coastal counties ☐ HQW ☐ ORW ☐ Session Law 2006-246 ☐ Other:				
4b. Has the approved Stormwater Management Plan with proof of approval been attached?	☐ Yes ☐ No				
5. DWQ 401 Unit Stormwater Review					
5a. Does the Stormwater Management Plan meet the appropriate requirements?	⊠ Yes □ No				
5b. Have all of the 401 Unit submittal requirements been met?	⊠ Yes □ No				

F.	Supplementary Information			
1.	Environmental Documentation (DWQ Requirement)			
1a.	Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land?	⊠ Yes	□No	
1b.	If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)?	⊠ Yes	□No	
1c.	If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.)	⊠ Yes	□No	
	Comments:			
2.	Violations (DWQ Requirement)			
2a.	Is the site in violation of DWQ Wetland Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), DWQ Surface Water or Wetland Standards, or Riparian Buffer Rules (15A NCAC 2B .0200)?	☐ Yes	⊠ No	
2b.	Is this an after-the-fact permit application?	☐ Yes	⊠ No	
2c.	If you answered "yes" to one or both of the above questions, provide an explanation of	of the violation(s):		
3.	Cumulative Impacts (DWQ Requirement)			
3a.	Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality?	☐ Yes ☑ No		
3b	. If you answered "yes" to the above, submit a qualitative or quantitative cumulative im most recent DWQ policy. If you answered "no," provide a short narrative description.	pact analysis in a	ccordance with the	
	Due to the minimal transportation impact resulting from this bridge replacement, this project will neither influence nearby land uses nor stimulate growth. Therefore, a detailed indirect or cumulative effects study will not be necessary.			
4.	Sewage Disposal (DWQ Requirement)			
4a	. Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge the proposed project, or available capacity of the subject facility. not applicable	arge) of wastewa	ter generated from	

5.	Endangered Species and Designated Critical Habitat (Corps Requirement)						
5a.	Will this project occur in or near an are habitat?	a with federally protected species or	☐ Yes [⊠ No			
5b.	Have you checked with the USFWS coimpacts?	⊠ Yes I	□ No				
5c.	If yes, indicate the USFWS Field Office	☐ Raleigh☐ Asheville					
5d.	What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat?						
	NHP, USFWS, NCDOT field surveys						
6.	Essential Fish Habitat (Corps Requirement)						
6a.	Will this project occur in or near an are	a designated as essential fish habitat?	☐Yes	⊠ No			
6b.	6b. What data sources did you use to determine whether your site would impact Essential Fish Habitat?						
	NMFS County Index						
7.	Historic or Prehistoric Cultural Res	ources (Corps Requirement)					
7a.	 Ya. Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)? 						
7b	What data sources did you use to dete	ermine whether your site would impact h	storic or archeological re	esources?			
8.	Flood Zone Designation (Corps Requ	irement)		naminining gandigitalish disina dibir tirabil 1994 ganil 1866 bi 1998 ganil			
8a	Will this project occur in a FEMA-desig	nated 100-year floodplain?	⊠ Yes [□ No			
8b	8b. If yes, explain how project meets FEMA requirements: NCDOT Hydraulics Unit coordination with FEMA						
8c	8c. What source(s) did you use to make the floodplain determination? FEMA Maps						
	11-30-09 Date						

U.S. ARMY CORPS OF ENGINEERS

Wilmington District

Action ID: 20310732 County: PH
Notification of Jurisdictional Determination
Property owner/Authorized Agent Nr. Philip Ntey, Envisor Mental
Address Secretist 1285 Tryon Street Soite 1400
Charlotte, UC 28202-5004
Telephone Number (704) 338-6700
Size and Location of Property (waterbody, Highway name/number, town, etc.) We thereof A located to Bridge Site B- 4238 out How dee Cust on SR 1726
Indicate which of the following apply: UTU N 35:576347 W-77.323387
 There are wetlands on the above described property which we strongly suggest should be delineated and surveyed. The surveyed wetland lines must be verified by our staff before the Corps will make a final jurisdictional determination on your property.
• Decause of the size of your property and our present workload, our identification and delineation of your wetlands cannot be accomplished in a timely manner. You may wish to employ a consultant to obtain a more timely delineation of the wetlands. Once your consultant has flagged a wetland line on the property, Corps staff will review it, and if it is accurate, we strongly recommend that you have the line surveyed for final approval by the Corps. The Corps will not make a final jurisdictional determination on your property without an approved survey.
The wetlands on your lot have been delineated, and the limits of Corps jurisdiction have been explained to you. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed three years from the date of this notification.
• There are no wetlands present on the above described property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed three years from the date of this notification.
• The project is located in one of the 20 Coastal Counties. You should contact the nearest State Office of Coastal Management to determine their requirements.
Placement of dredged or fill material in wetlands on this property without a Department of the Army permit is in most cases a violation of Section 301 of the Clean Water Act (33 USC 1311). A permit is not required for work on the property restricted entirely to existing high ground. If you have any questions regarding the Corps of Engineers regulatory program, please contact at (252) 975-16/6 x26
Property owner/Authorized Agent Signature
Project Manager Signature
Date $7-3-03$ Expiration Date $7-3-08$
SURVEY PLAT OR FIELD SKETCH OF DESCRIBED PROPERTY AND THE WETLAND DELINEATION FORM MUST BE ATTACHED TO THE YELLOW (FILE) COPY OF THIS FORM.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

			77.7	
Applicar	at: NCDOT	File Number: 200310732	Date: 1/3	103
Attached	is:		See Section	below
	NITIAL PROFFERED PERMIT (Standard Perm	it or Letter of permission)	A	
P	ROFFERED PERMIT (Standard Permit or Lette	er of permission)	В	
F	PERMIT DENIAL		C	
VA	APPROVED JURISDICTIONAL DETERMINA	TION	D	
F	RELIMINARY JURISDICTIONAL DETERMI	NATION	Е	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

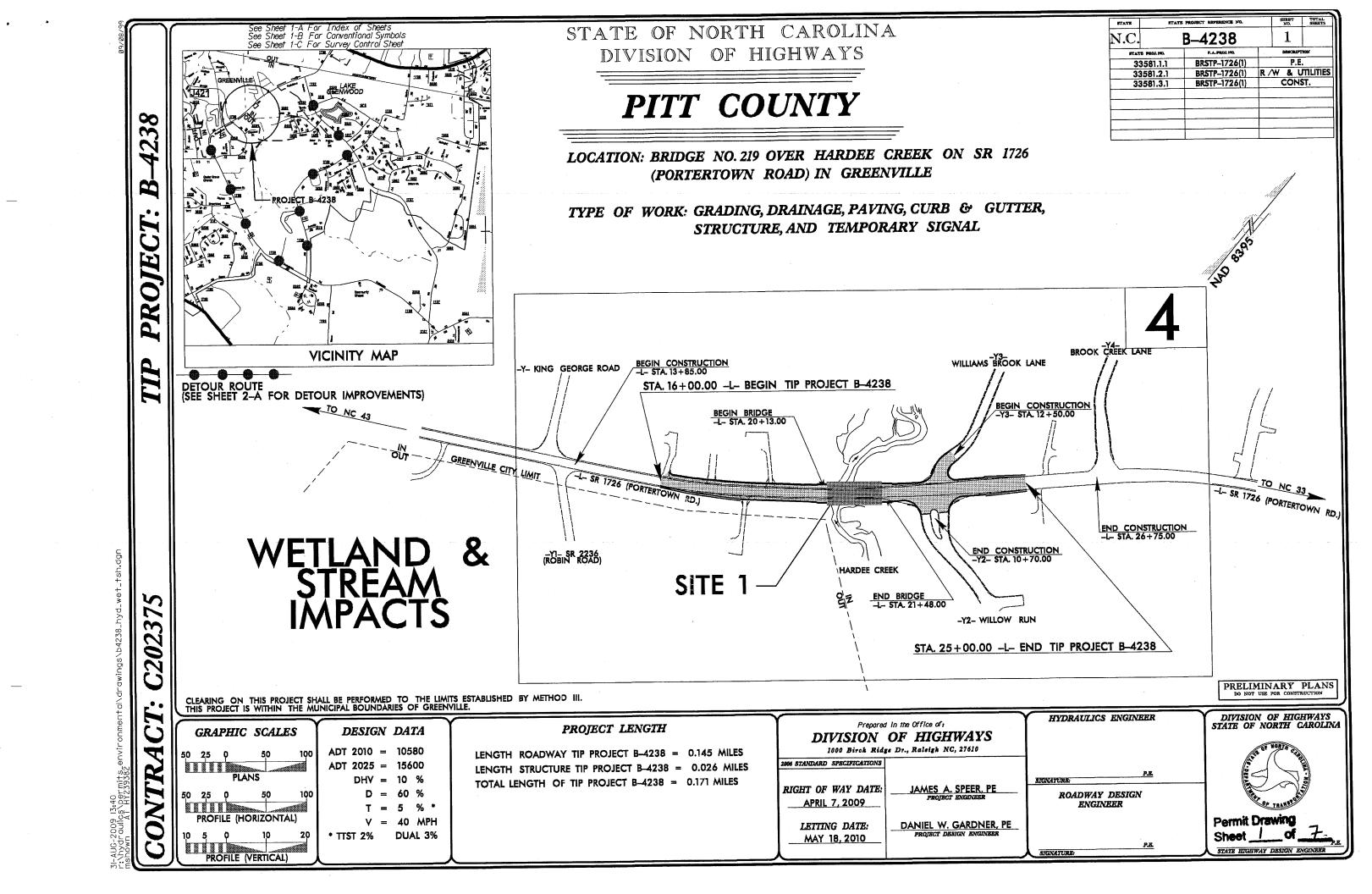
- A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.
- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final
 authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your
 signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights
 to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.
- B: PROFFERED PERMIT: You may accept or appeal the permit
- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.
- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

		20 · · · · · · · · · · · · · · · · · · ·
SECTION II - REQUEST FOR APPEAL or OBJECTIO	ONS TO AN INITIAL PROP	FFERED PERMIT
REASONS FOR APPEAL OR OBJECTIONS: (Describe		
initial proffered permit in clear concise statements. You may attach		
or objections are addressed in the administrative record.)		te
,		
		1
		· · ·
ADDITIONAL INFORMATION: The appeal is limited to a review	y of the administrative record, the	Corns memorandum for the
record of the appeal conference or meeting, and any supplemental i		
clarify the administrative record. Neither the appellant nor the Cor		
you may provide additional information to clarify the location of in		
POINT OF CONTACT FOR QUESTIONS OR INFOR		
		1' the served enough you may
If you have questions regarding this decision and/or the appeal	If you only have questions regard also contact:	ding the appear process you may
process you may contact: Mr. Michael Bell, Pagulatory Specialist		Annual Payiay Officer
Mr. Michael Bell, Regulatory Specialist	Mr. Arthur Middleton, Administ CESAD-ET-CO-R	rative Appear Review Officer
Washington Regulatory Field Office Post Office Box 1000		South Atlantia Division
Washington, North Carolina 27889-1000	U.S. Army Corps of Engineers, S 60 Forsyth Street, Room 9M15	South Atlanuc Division
(252) 975-1616 X26	Atlanta, Georgia 30303-8801	
RIGHT OF ENTRY: Your signature below grants the right of entr		Land any government
consultants, to conduct investigations of the project site during the		
notice of any site investigation, and will have the opportunity to pa		a will be provided a 13 day
notice of any site investigation, and will have the opportunity to pa	<u> </u>	T 1 1 1
	Date:	Telephone number:

DIVISION ENGINEER:

Signature of appellant or agent.

Commander U.S. Army Engineer Division, South Atlantic 60 Forsyth Street, Room 9M15 Atlanta, Georgia 30303-3490



					W	WETLAND PERMIT IMPACT SUMMARY	RMIT IMPA	CT SUMMA	ΙRΥ			
				WET	WETLAND IMPACTS	cTs			SURFACE	SURFACE WATER IMPACTS	PACTS	
			Permanent	Temp.	Excavation	Excavation Mechanized	Hand Clearing	Permanent	Temp.	Existing Channel	Existing Channel	Natural
Site	Station (Erom/To)	Structure Size / Type	Fill In	Fill In Wetlands	in	Clearing in Wetlands	in Wetlands	SW	SW	Impacts	Impacts	Stream
<u>.</u>	(01,1101)	9461 7970	(ac)	(ac)	(ac)	(ac)		(ac)	(ac)	(ft)	(#)	(#)
		10001										
		1@55, 1@35										
_	20+80.5 -L-	<u>1@45'</u>	0.03		90.0		0.12					
		21" CORED								:	-	
		SLAB BRIDGE										
-												
		•										
											٠	
				2 2 2								
			,									
		-										
TOTALS:			0.03		90.0		0.12					

NC DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS

PITT COUNTY WBS - 33581.1.1 (B-4238)

8/31/2009

Permit Drawing Sheet 2 of

NOTE: 0.01 ACRES OF TEMPORARY FILL IN WETLANDS IN THE HAND CLEARING AREAS FOR EROSION CONTROL MEASURES

NOTE: INTERIOR BENT #1 CONSISTS OF 9 STEEL PILES WITH A TOTAL AREA OF 1.34 SQ. FT.

PROPERTY OWNERS

NAMES AND ADDRESSES

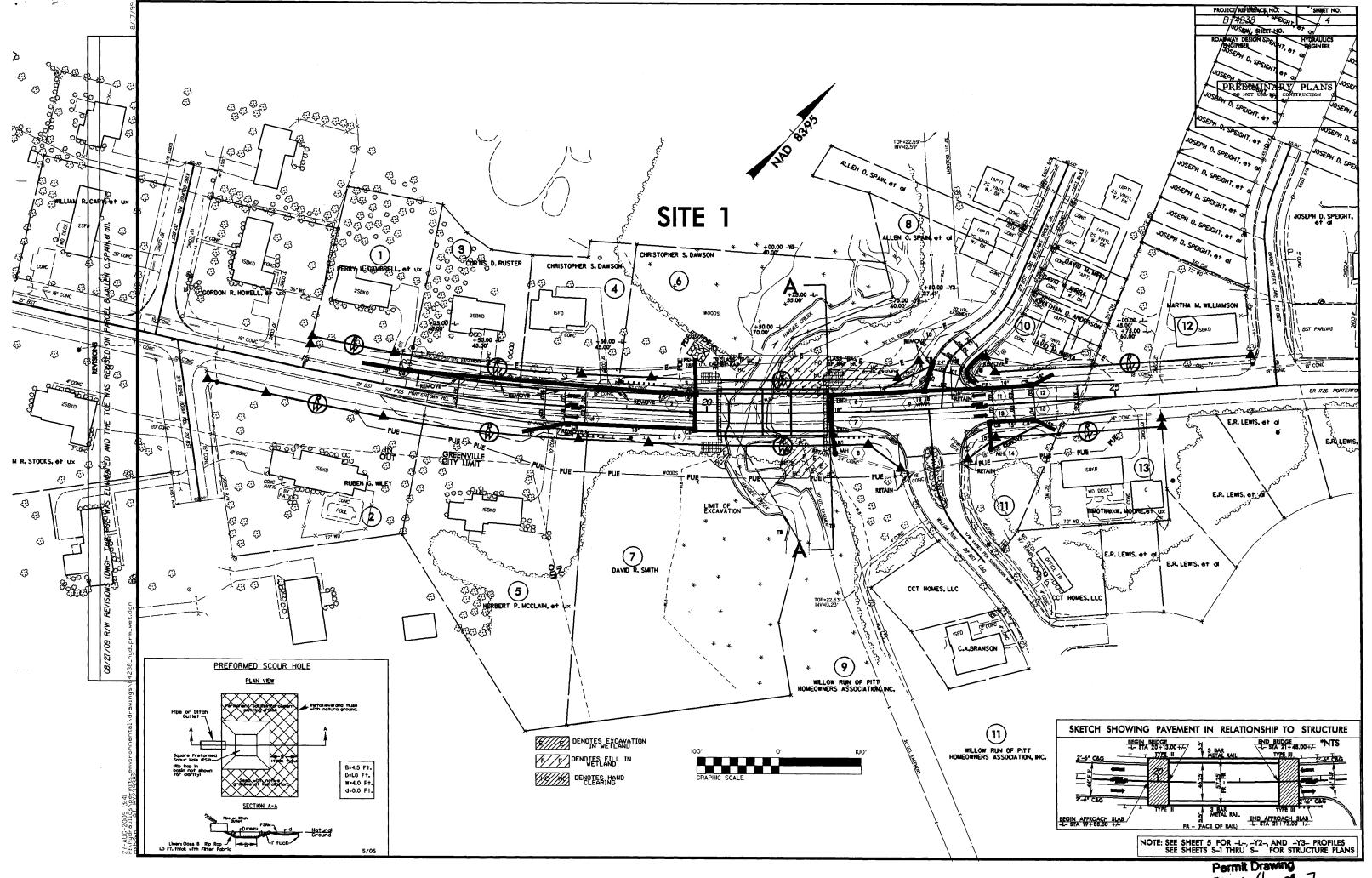
PARCEL NO.	NAMES	ADDRESSES
6	CHRISTOPHER S. DAWSON	1850 PORTERTOWN RD. GREENVILLE, NC 27858
7	DAVID R. SMITH	3603 WILLOW RUN DR. GREENVILLE, NC 27858
8	ALLEN O. SPAIN, et al	1083 BRILEY RD. GREENVILLE, NC 27834
9	WILLOW RUN OF PITT HOMEOWNERS ASSOC.	P.O. BOX 5064 GREENVILLE, NC 27835

NCDOT

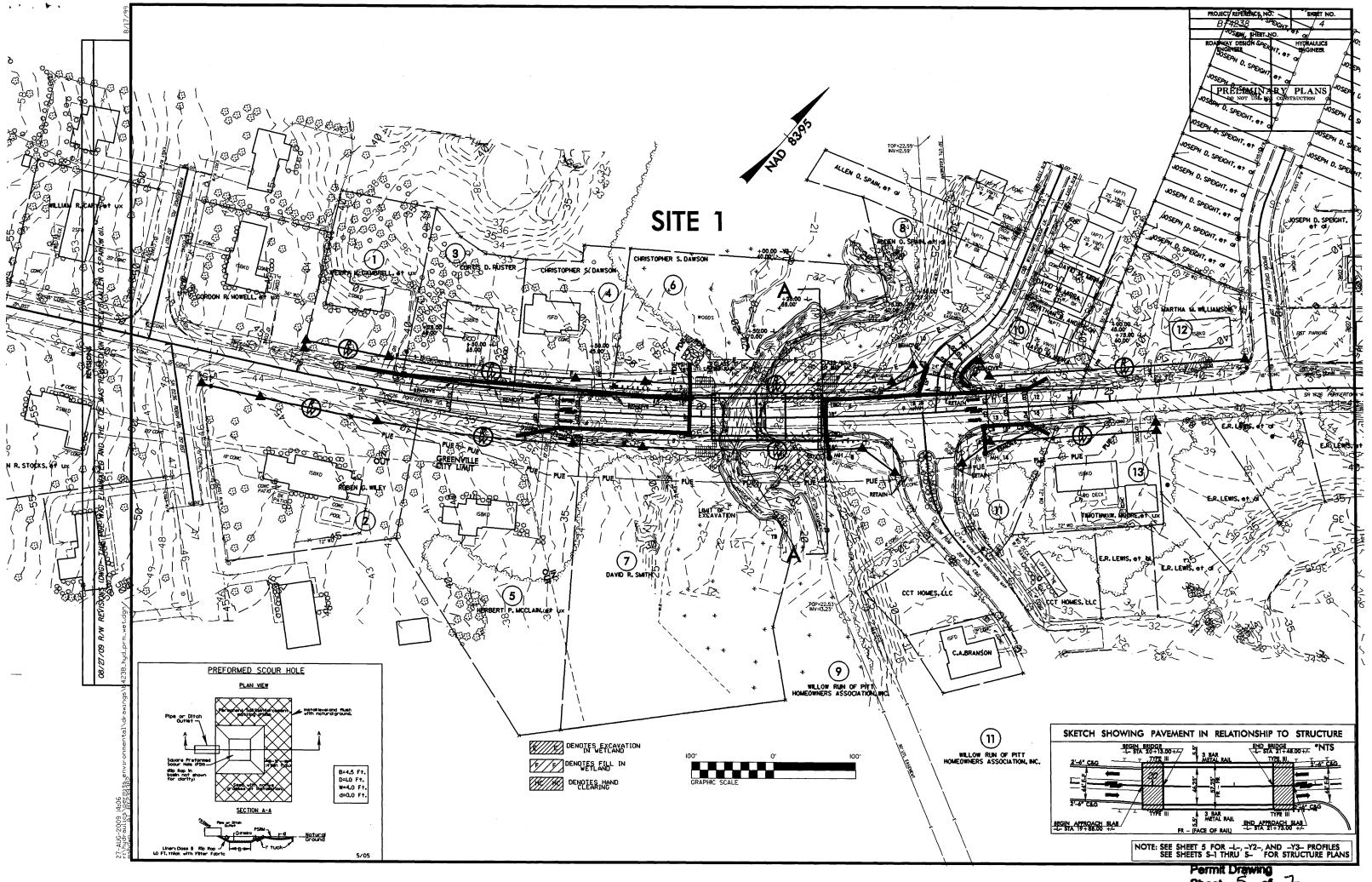
DIVISION OF HIGHWAYS
PITT COUNTY
PROJECT: 33581.1.1 (B-4238)
BRIDGE NO. 219 OVER
HARDEE CREEK ON SR 1726
(PORTERTOWN RD.) IN GREENVILLE

Permit Drawing Sheet 3 of 7

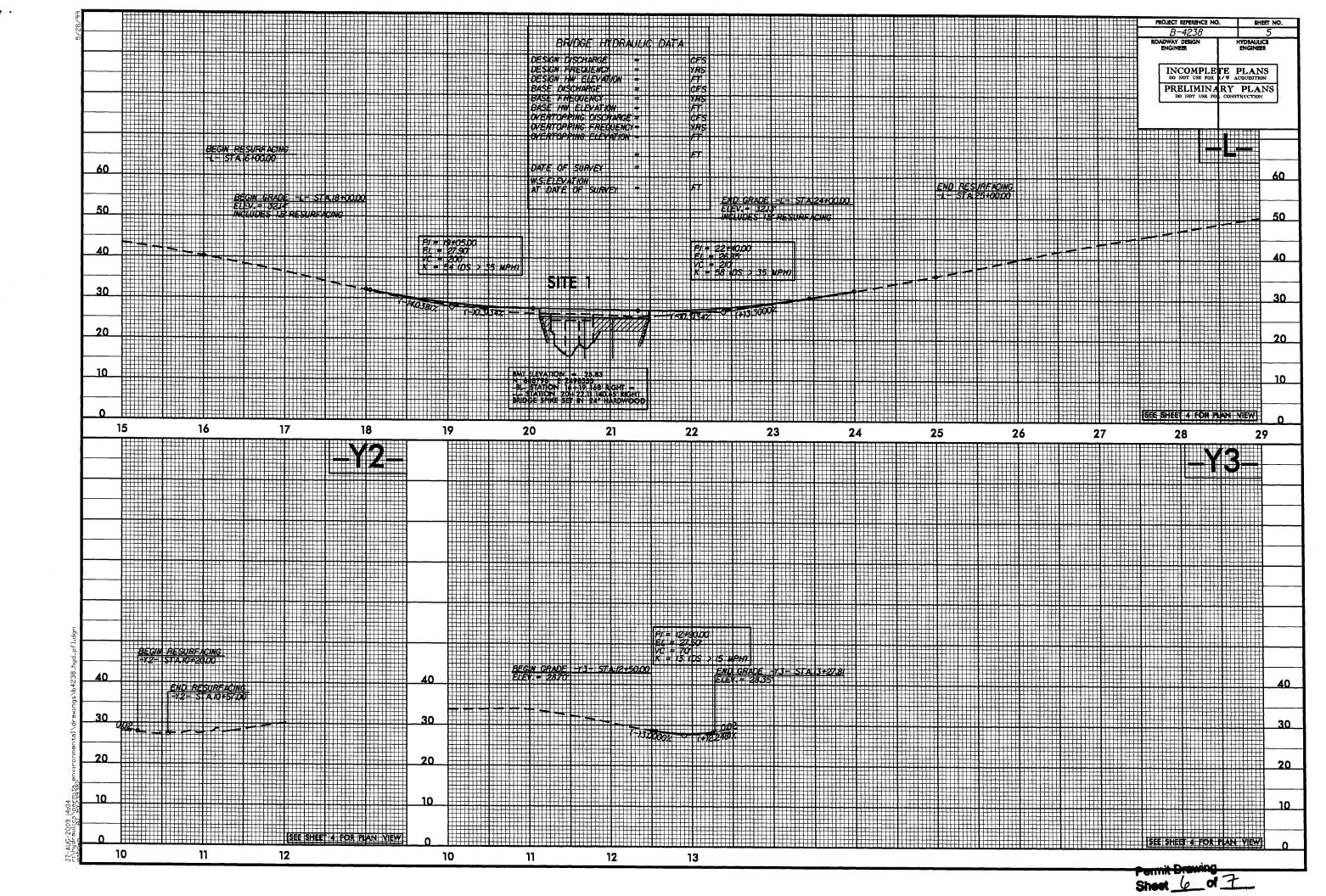
SHEET OF 8/27/09

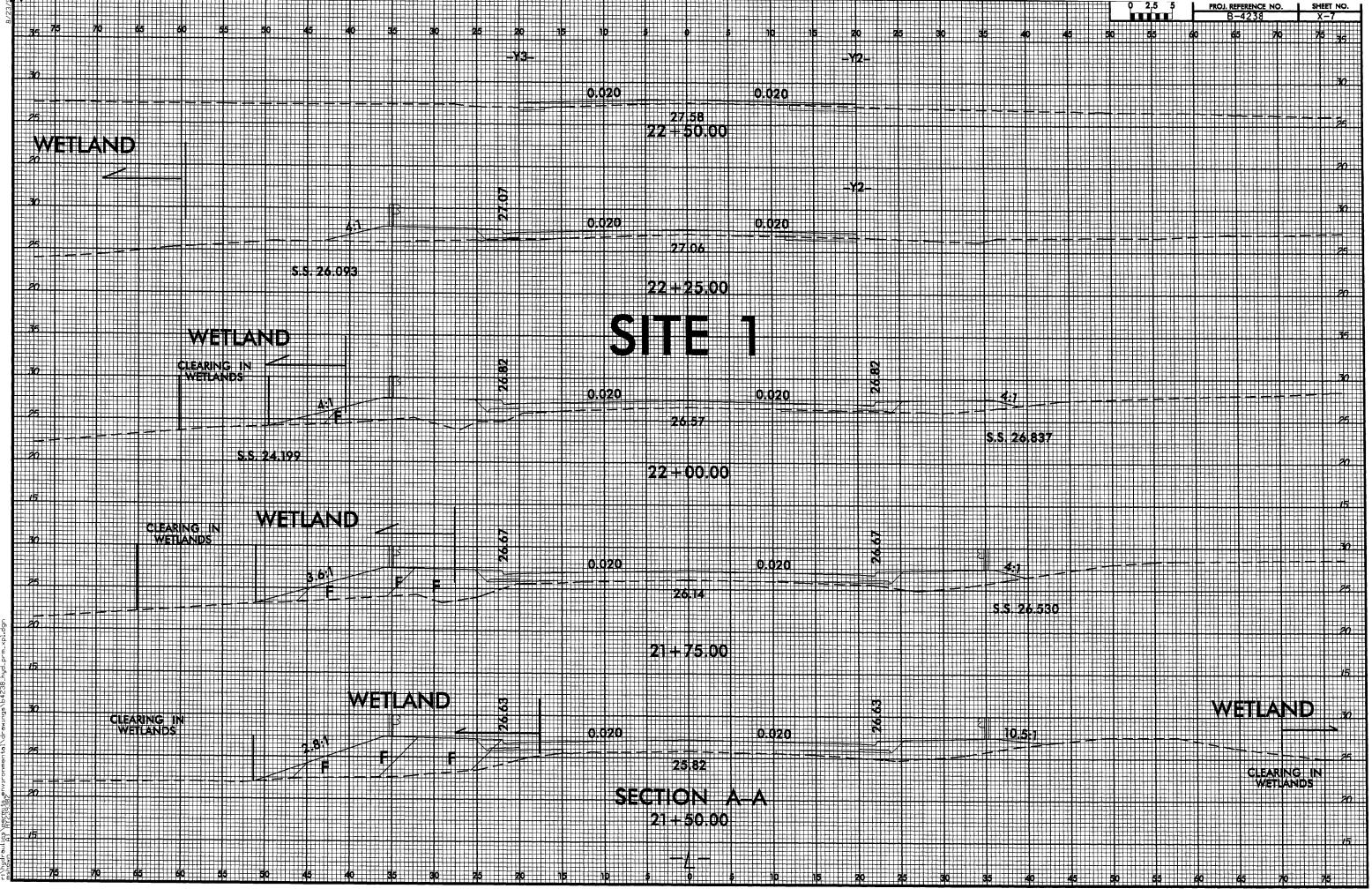


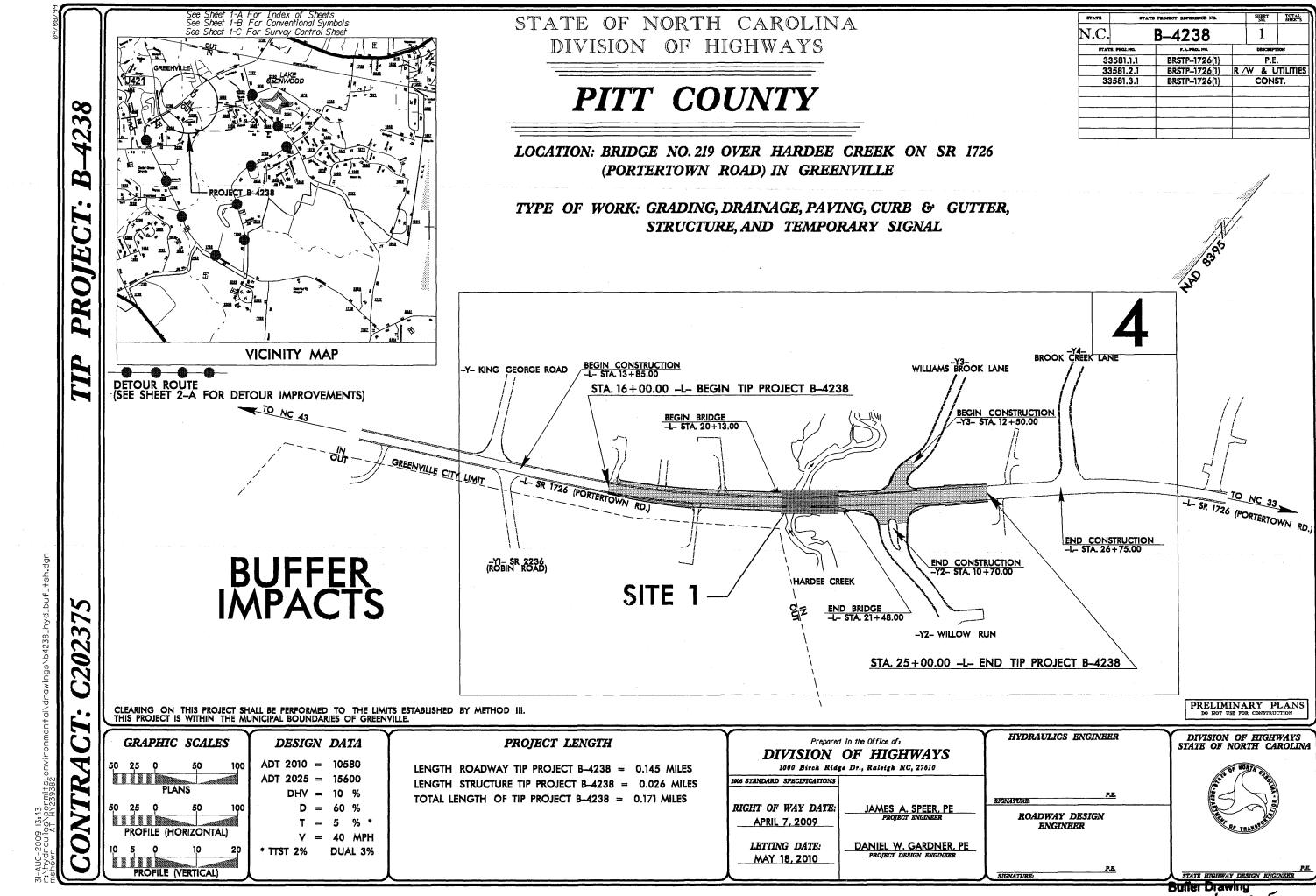
Permit Drawing
Chaef 4 of 7



Permit Drawing Sheet 5 of







of <u>5</u> Sheet ____

N.C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS

For the road crossing, there will be 70' of buffer impacts upstream and 57' downstream (127 linear feet total)

PROJECT: 33581.1.1 (B-4238)

8/28/2009 SHEET OF

Buffer Brawing Sheet 2 of

Rev. May 2006

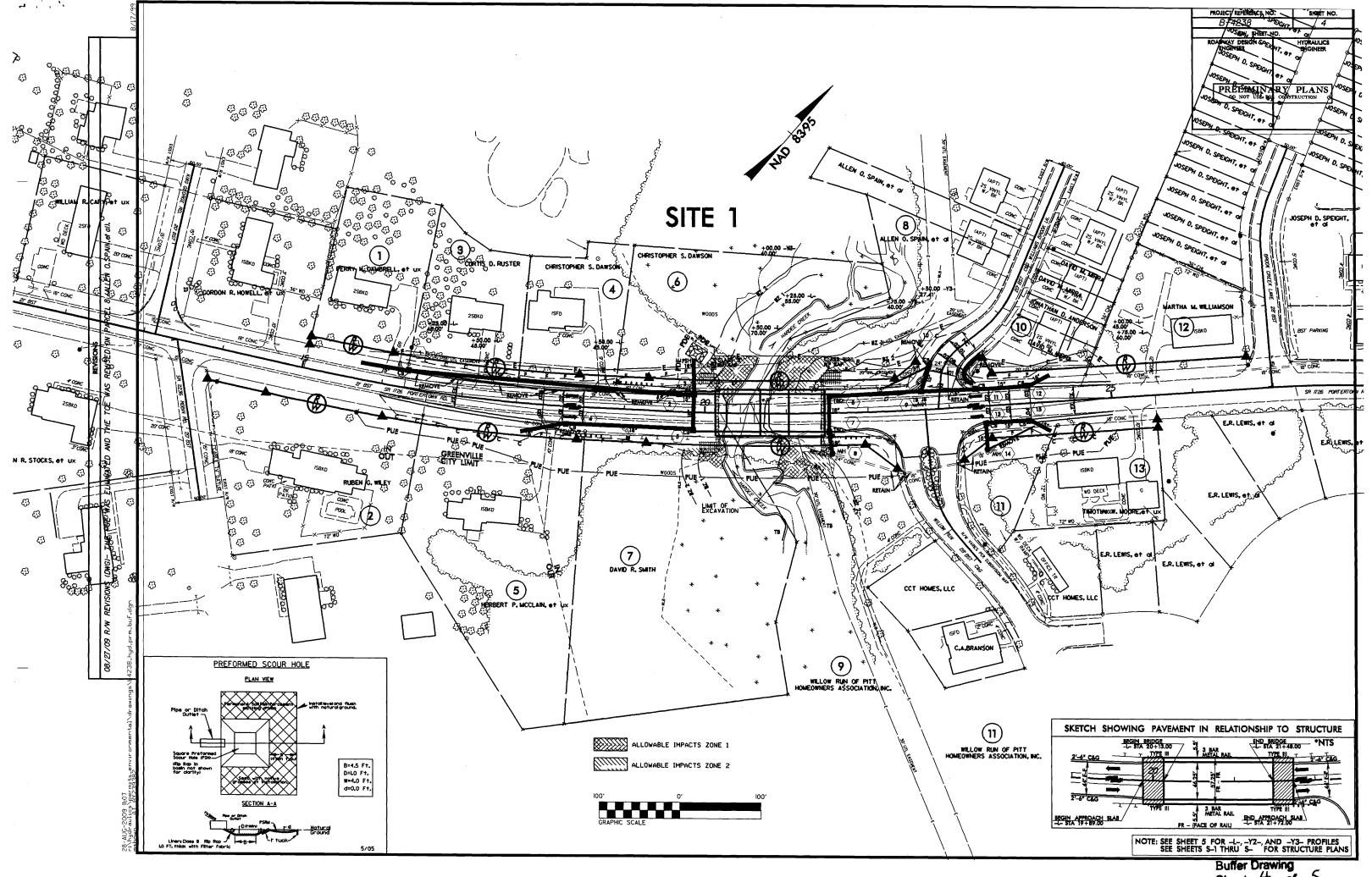
WETLANDS IN BUFFER IMPACTS SUMMARY															
S IN BUF	NDS IN	ERS ZONE 2	(ft²)	1950										1950	
/ETLAND	WETLANDS IN	BUFF ZONE 1	(ft²)	4464										4464	
S	·														
		STATION	(FROM/TO)	20+80.5 -L-											
			SITE NO.	1										TOTAL:	

N.C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS

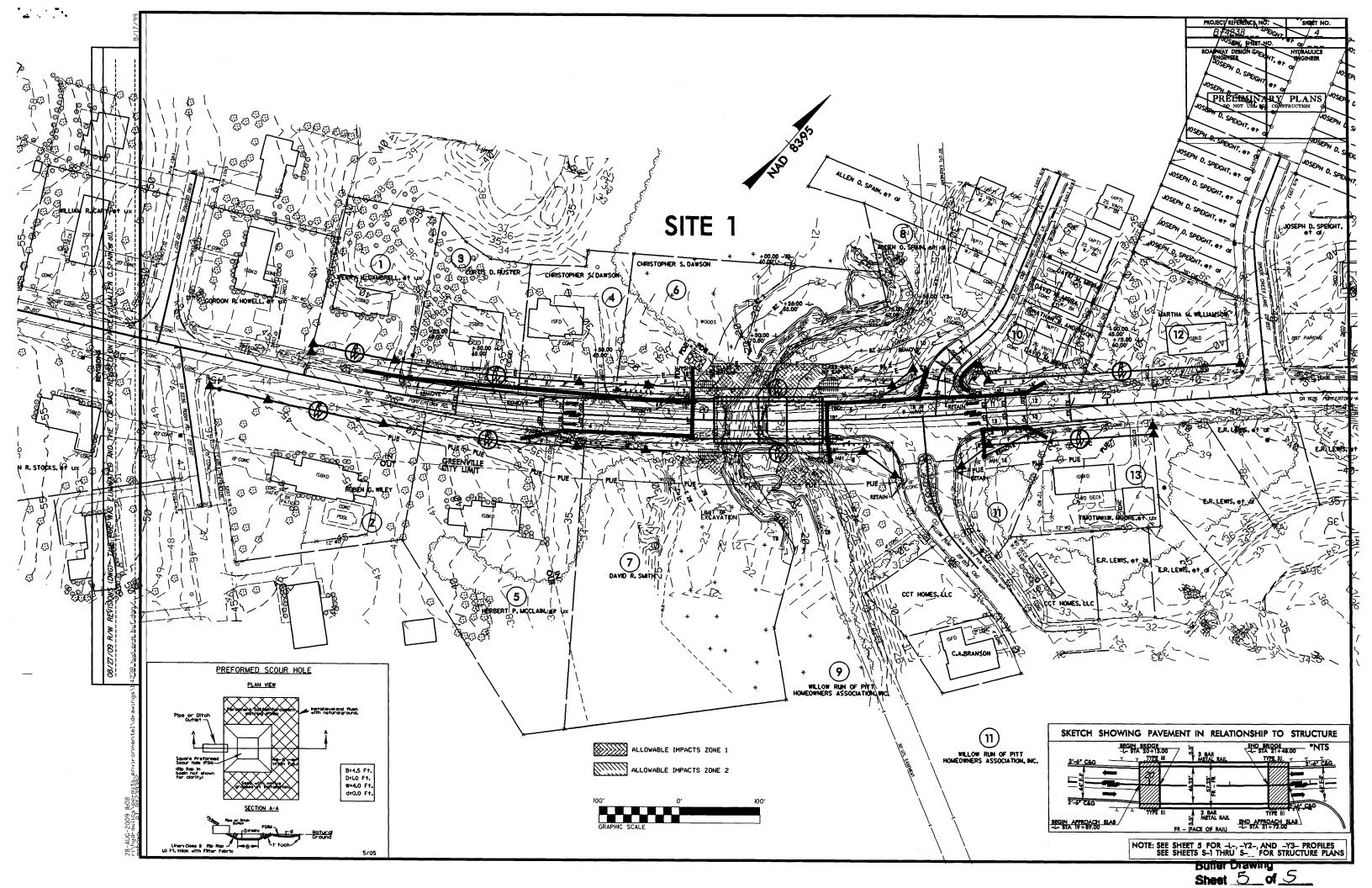
PROJECT: 33581.1.1 (B-4238)

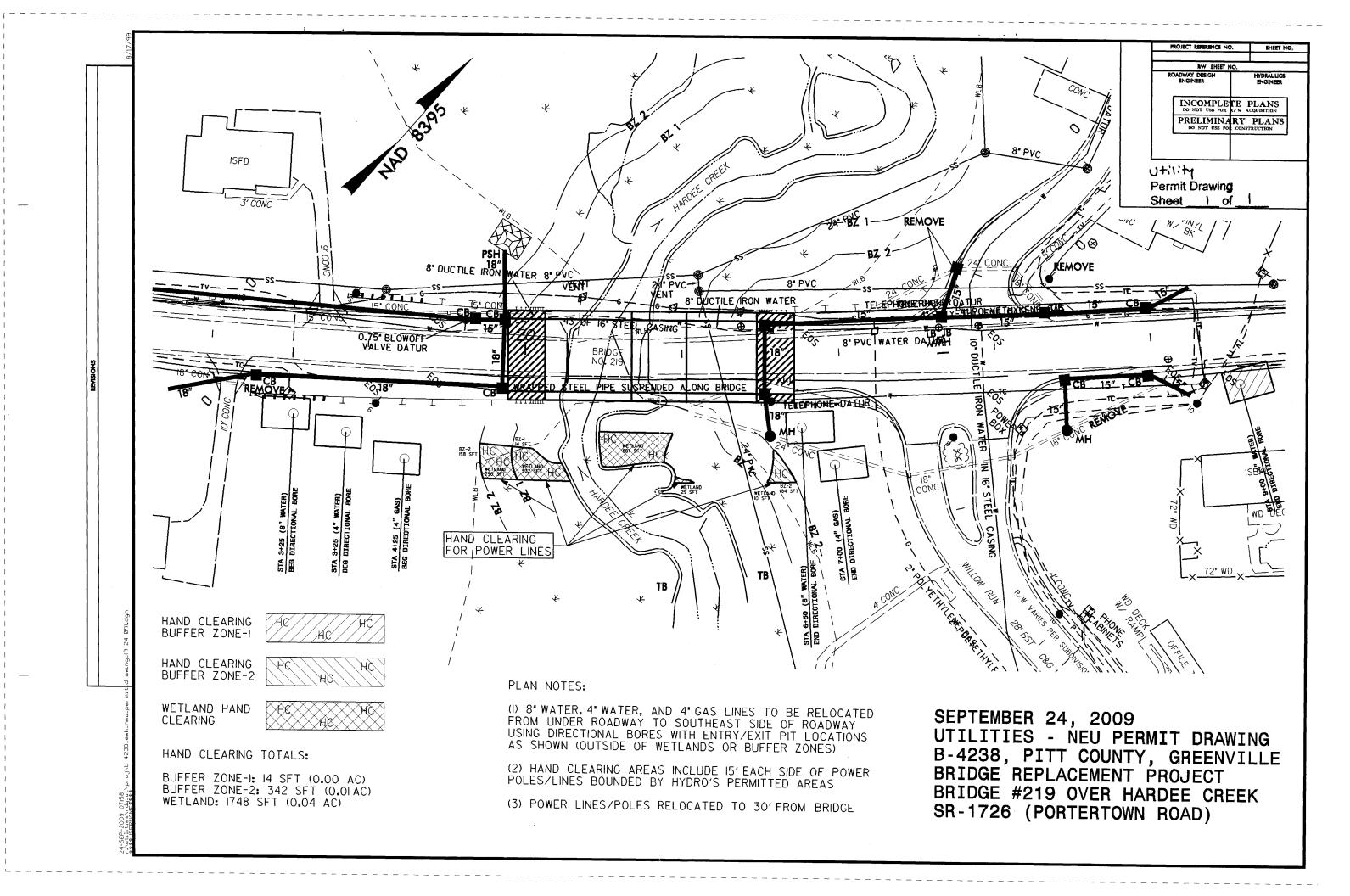
8/28/2009 SHEET OF

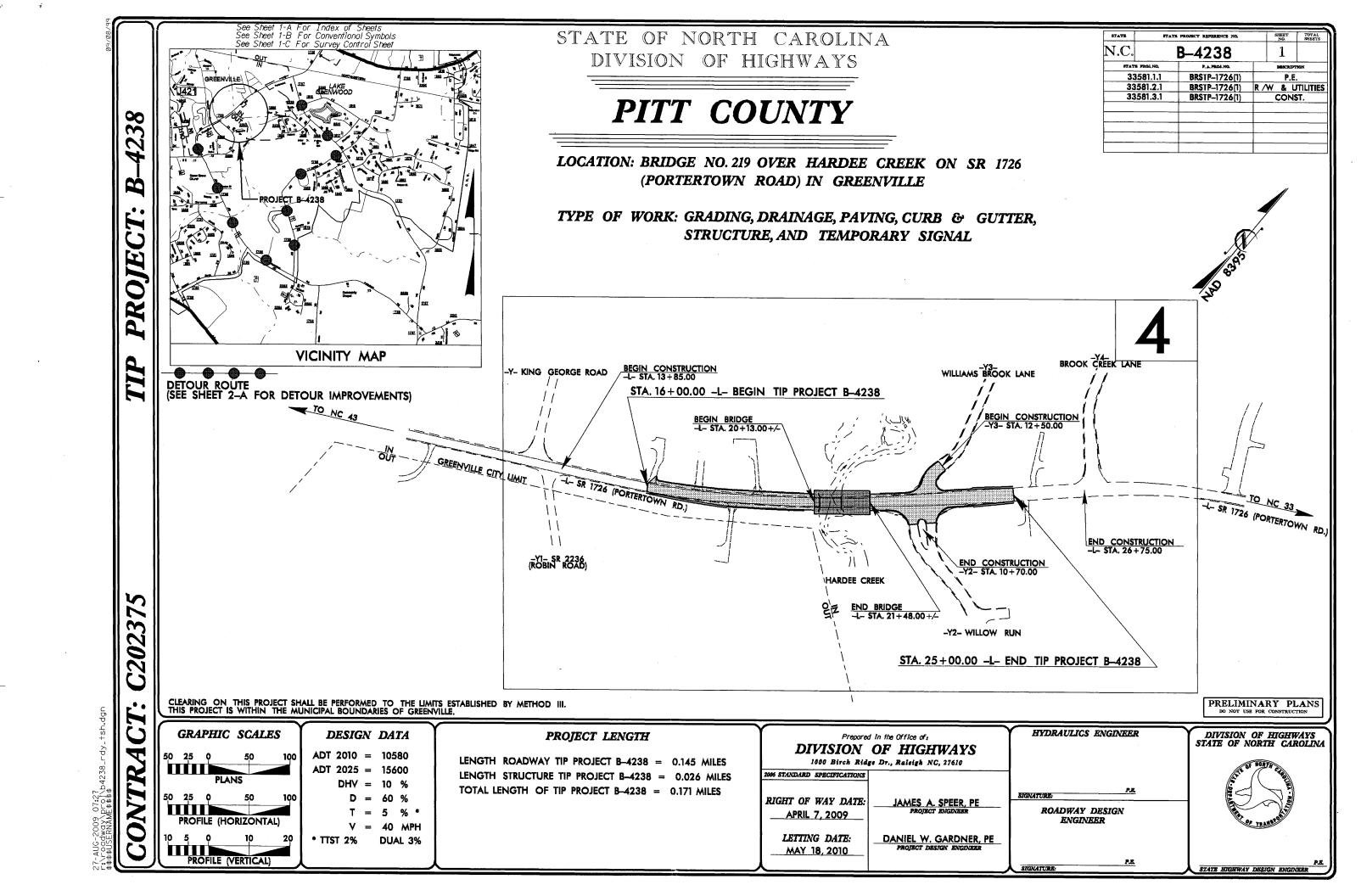
Buffer Drawing Sheet 3 of 5



Buffer Drawing Sheet 4 of 5







STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

DIVISION OF HIGHWAYS CONVENTIONAL PLAN SHEET SYMBOLS

BOUNDARIES AND PROPERTY:					Water Manhole	₩
State Line	RAILROADS:				Water Meter	
County Line	Standard Gauge				Water Valve	
Township Line	RR Signal Milepost		EXISTING STRUCTURES:		Water Hydrant	
City Line	Switch		MAJOR:		Recorded U/G Water Line	
Reservation Line	RR Abandoned		Bridge, Tunnel or Box Culvert		Designated U/G Water Line (S.U.E.*)	
Property Line ————————————————————————————————————	RR Dismantled		Bridge Wing Wall, Head Wall and End Wall -	CONC WW	Above Ground Water Line	A/C Water
Existing Iron Pin	RIGHT OF WAY:		MINOR:			
Property Corner ———————	Baseline Control Point	- •	Head and End Wall	CONC HW	TV:	
Property Monument Ecu	Existing Right of Way Marker	_	Pipe Culvert		TV Satellite Dish	
Parcel/Sequence Number @3	Existing Right of Way Line		Footbridge >		TV Pedestal	
Existing Fence Line ————————————————————————————————————	Proposed Right of Way Line	— (1)	Drainage Box: Catch Basin, DI or JB		TV Tower	_
Proposed Woven Wire Fence	Proposed Right of Way Line with		Paved Ditch Gutter		U/G TV Cable Hand Hole	
Proposed Chain Link Fence	Iron Pin and Cap Marker	_	Storm Sewer Manhole ——————		Recorded U/G TV Cable -	
Proposed Barbed Wire Fence	Proposed Right of Way Line with Concrete or Granite Marker	— 	Storm Sewer	ss	Designated U/G TV Cable (S.U.E.*)	
Existing Wetland Boundary	Existing Control of Access				Recorded U/G Fiber Optic Cable ———	TV F0
Proposed Wetland Boundary ————————————————————————————————————	Proposed Control of Access	10°	UTILITIES:		Designated U/G Fiber Optic Cable (S.U.E.*)—	TV FO
Existing Endangered Animal Boundary	Existing Easement Line	•	POWER:			
Existing Endangered Plant Boundary	Proposed Temporary Construction Easement		Existing Power Pole	•	GAS:	
•	Proposed Temporary Drainage Easement —		Proposed Power Pole	o	Gas Valve	
BUILDINGS AND OTHER CULTURE:	• • • •		Existing Joint Use Pole		Gas Meter	�
Gas Pump Vent or U/G Tank Cap	Proposed Permanent Drainage Easement —		Proposed Joint Use Pole	- ბ-	Recorded U/G Gas Line	
Sign	Proposed Permanent Utility Easement		Power Manhole	(P)	Designated U/G Gas Line (S.U.E.*)	
Well ·	Proposed Temporary Utility Easement ——— Proposed Permanent Easement with	— TUE——	Power Line Tower	\boxtimes	Above Ground Gas Line	
Small Mine 💮	Iron Pin and Cap Marker	- ◆	Power Transformer	\square		
Foundation	ROADS AND RELATED FEATU		U/G Power Cable Hand Hole	₩ .	SANITARY SEWER:	
Area Outline	Existing Edge of Pavement		H-Frame Pole	•	Sanitary Sewer Manhole	(b)
Cemetery	Existing Curb	 _	Recorded U/G Power Line		Sanitary Sewer Cleanout —————	(
Building	Proposed Slope Stakes Cut	<u>c</u>	Designated U/G Power Line (S.U.E.*)		U/G Sanitary Sewer Line —————	22
School	Proposed Slope Stakes Fill	<u>_</u>			Above Ground Sanitary Sewer ————	A/G Sanitary Sewer
Church	Proposed Wheel Chair Ramp	— WCB	TELEPHONE:		Recorded SS Forced Main Line	FSS
Dam	Existing Metal Guardrail		Existing Telephone Pole	-	Designated SS. Forced Main Line (S.U.E.*) —	FSS
HYDROLOGY:	Proposed Guardrail		Proposed Telephone Pole	-0-		
Stream or Body of Water ————————————————————————————————————	Existing Cable Guiderail	<u> </u>	Telephone Manhole	•	MISCELLANEOUS:	
Hydro, Pool or Reservoir —	Proposed Cable Guiderail		Telephone Booth	[3]	Utility Pole ——————	•
Jurisdictional Stream	Equality Symbol	- •	Telephone Pedestal		Utility Pole with Base	⊡
Buffer Zone 1 Bz 1	Payement Removal	−	Telephone Cell Tower		Utility Located Object -	⊙
Buffer Zone 2 az 2	VEGETATION:		U/G Telephone Cable Hand Hole		Utility Traffic Signal Box —	[5]
Flow Arrow	Single Tree	&	Recorded U/G Telephone Cable		Utility Unknown U/G Line -	
Disappearing Stream ————————————————————————————————————	Single Shrub		Designated U/G Telephone Cable (S.U.E.*)—		U/G Tank; Water, Gas, Oil —————	
Spring —	Hedge		Recorded U/G Telephone Conduit		A/G Tank; Water, Gas, Oil ——————	
Wetland	Woods Line		Designated U/G Telephone Conduit (S.U.E.*)		U/G Test Hole (S.U.E.*)	L
Proposed Lateral, Tail, Head Ditch	Orchard -		Recorded U/G Fiber Optics Cable		Abandoned According to Utility Records	•
False Sump ———————	Vineyard		Designated U/G Fiber Optics Cable (S.U.E.*)		End of Information ——————	E.O.I.
·	•					

PROJECT REFERENCE NO. SHEET NO.

8-4238 I-B

