

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE GOVERNOR EUGENE A. CONTI, JR. SECRETARY

June 8, 2012

North Carolina Department of Water Quality 585 Waughtown Street Winston-Salem, NC 27107

ATTN:

Ms. Amy Euliss NCDOT Coordinator

Subject:

Application for Section 401 Water Quality Certifications with Notification for the use of Section 404 Nationwide Permits 3 and 12 for the Replacement of Bridge No. 221 on SR 1308 (Moose Road) over Lake Fisher in Rowan County, North Carolina, TIP No. B-4809, Federal Aid Project No. BRZ-1308 (9).

Debit \$240.00 from WBS Element 38579.1.1

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 221 on SR 1308 (Moose Road) over Lake Fisher in Rowan County. This involves replacement of the existing 3 span 140-foot long bridge with a 3 span 182.5-foot long bridge on existing location. An offsite detour will be used. There will be 0.006 acres of stream impacts due to placement of piers in the water to support the 182.5 foot section of new 8 inch water line parallel to the bridge. There will be 0.001 acre of stream impact due to the placement of two bridge bents in the water. There will also be 0.001 acre of temporary stream impacts for the temporary work bridge bents in the water.

Please find enclosed the Pre-Construction Notification (PCN) form, final jurisdictional determination, stormwater management plan, permit drawings, utility construction plans, and design plans for the above referenced project. A Programmatic Categorical Exclusion (PCE) was completed for this project on December 20, 2010 and distributed shortly thereafter. Additional copies are available upon request.

The proposed let date for the project is January 15, 2013 with a review date of November 27, 2012. However, the let date may advance as additional funds become available.

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

Thank you for your assistance with this project. If you have any questions or need additional information, please contact Deanna Riffey at driffey@ncdot.gov or (919) 707-6151.

Sincerely,

E.L.Lush

Gregory J. Thorpe, Ph.D., Manager Project Development and Environmental Analysis Unit

cc:

NCDOT Permit Application Standard Distribution List John Thomas, USACE





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

	Pre-Construction Notification (PCN) Form					
A.	A. Applicant Information					
1.	Processing					
1a	. Type(s) of approval sought from Corps:	the	☐ Section 404	Permit	ion 10 Permit	
1b	. Specify Nationwide Permit (NWI	P) numbers:	3 & 12 or Genera	al Permit (GP) numb	oer:	
1c.	Has the NWP or GP number be	en verified b	by the Corps?		☐ Yes	⊠ No
1d.	Type(s) of approval sought from	the DWQ (check all that app	oly):	•	
		on – Regula	r 🔲 N	lon-404 Jurisdictiona	al General Permi	t
	☐ 401 Water Quality Certification	on – Expres	s □R	iparian Buffer Autho	orization	
1e.	Is this notification solely for the is because written approval is not		For the record of Certification:	only for DWQ 401	For the record	only for Corps Permit:
			☐ Yes	⊠ No	⊠ Yes	□ No
1f.	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
1g.	1g. Is the project located in any of NC's twenty coastal counties. If yes, answer 1h below.				☐ Yes	⊠ No
1h.	Is the project located within a NC	DCM Area	of Environmenta	l Concern (AEC)?	☐ Yes	⊠ No
2.	Project Information					
2a.	Name of project:	Replacem	ent of Bridge No.	. 221 on SR 1308 (N	Moose Rd) over l	_ake Fisher
2b.	County:	Rowan				
2c.	Nearest municipality / town:	Kannapoli	s			
2d.	Subdivision name:	not applica	able			
2e.	NCDOT only, T.I.P. or state project no:	B-4809				
3.	Owner Information	•				
3a.	Name(s) on Recorded Deed:	North Carolina Department of Transportation				
	Deed Book and Page No.	not applicable				
3c.	Responsible Party (for LLC if applicable):	not applicable				
3d.	Street address:	1598 Mail Service Center				
3e.	City, state, zip:	Raleigh, N	C 27699-1598			
3f.	Telephone no.:	(919) 707-	6151	444		
3g.	Fax no.:	(919) 212-	5785			
3h	Email address:	driffev@no	dot gov			

4.	. Applicant Information (if different 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	ı (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.	B. Project Information and Prior Project History					
1.	Property Identification					
1a.	Property identification no. (tax PIN or parcel ID):	not applicable	Э			
1b.	Site coordinates (in decimal degrees):	Latitude: 35.5 (DD.DDI	-	itude: - 80.570174 (-DD.DDDDD)		
1c.	Property size:	0.170 mile				
2.	Surface Waters					
2a.	Name of nearest body of water (stream, river, etc.) to proposed project:	Lake Fisher				
2b.	Water Quality Classification of nearest receiving water:	WSIV; CA				
2c.	River basin:	Yadkin Pee-E)ee			
3.	Project Description					
3a.	Describe the existing conditions on the site and the general la application:					
	Land use in the project vicinity consists of agricultural, pasture		land, interspe	ersed with residential parcels.		
3b.	List the total estimated acreage of all existing wetlands on the	property:				
	0.16 acres					
3c.	List the total estimated linear feet of all existing streams (intern 770 feet	nittent and pere	nnial) on the p	property:		
3d.	Explain the purpose of the proposed project: To replace a structurally deficient and obsolete bridge.					
3e.	Describe the overall project in detail, including the type of equi	pment to be use	ed:			
	The project involves replacing a 140-foot bridge with a 182.5-f and a workbridge and placement of piers in the water to support the bridge. Standard road building equipment, such as trucks,	ort the 182.5 foo	t section of n	ew 8 inch water line parallel to		
4.	Jurisdictional Determinations					
	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?	⊠ Yes	□No	Unknown		
	Comments: open water					
4b.	If the Corps made the jurisdictional determination, what type of determination was made?	☐ Preliminar	y ⊠ Final			
4c.	If yes, who delineated the jurisdictional areas? Name (if known): D. Riffey, S. Easterly, J. Mason, A. Cox	Agency/Const Other:	ultant Compa	ny: NCDOT		
	If yes, list the dates of the Corps jurisdictional determinations of July 17, 2008	or State determi	nations and a	ttach documentation.		
5.	Project History					
	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 Impacts Inventory								
1. Impacts Summ	1. Impacts Summary							
1a. Which sections	were completed b	elow for your project	(check all that a	apply):				
☐ Wetlands		Streams - tributaries	□В	uffers				
☑ Open Water								
2. Wetland Impac		on the site, then com	nolete this ques	tion for each wetland	area impacted			
2a.	2b.	2c.	2d.	2e.		2f.		
Wetland impact number – Permanent (P) or Temporary (T)	Type of impact	Type of wetland (if known)	Forested	Type of jurisd (Corps - 404 DWQ – non-404	l, 10	Area of impact (acres)		
□Р□Т			☐ Yes ☐ No	☐ Corps ☐ DWQ				
□Р□Т			☐ Yes ☐ No	☐ Corps ☐ DWQ				
□Р□Т			☐ Yes ☐ No	☐ Corps ☐ DWQ				
				2g. Total wetlar	nd impacts			
2h. Comments:								
3. Stream Impacts If there are perennia question for all strea	l or intermittent str	ream impacts (includi	ng temporary in	npacts) proposed on t	the site, then o	omplete 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 1 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
Site 2 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
Site 2 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
3h. Total stream and tributary impacts						Perm Temp		
3i. Comments:								

									······································	
4. Oper	4. Open Water Impacts									
	If there are proposed impacts to lakes, ponds, estuaries, tributaries, sounds, the Atlantic Ocean, or any other open water of									
the U.S. t	then indivi	dually list all open	water im	pacts	below.		4d.		4e.	
Open	water	Name of	40.				4u.		46.	
impact n	umber –	waterbody		Тур	oe of impac	ct	Waterbo	dy type	Area of ir	mpact (acres)
Permane Tempor		(if applicable)								
01 🔲		Lake Fisher		Work	Bridge Be	nts	Lak	e	0).001
O2 🛛	РПТ	Lake Fisher		Utili	ty Line Pie	rs	Lak	e	C	0.006
O3 🔯	РПТ	Lake Fisher		Br	idge Bents	i	Lak	e	C	0.001
04 🔲 I	РПТ									
	4f. Total open water impacts 0.007 Permanent 0.001 Temporary									
piers of a The existi at the con	4g. Comments: The existing 8" water line that is both underground and on the existing piers with a new 8" water line on new piers of a similar design will be replaced. After the new water line is in service the old water line and piers will be removed. The existing water line that is underground in the causeway will be removed with the excavation for the retaining wall or filled at the contractor's discretion. There are four old piers and we are proposing thirteen new piers. Placement of thirteen piers creates 0.006 acres of impacts.									
		truction proposed,	then co	mnlete	the chart h	nelow				
5a.	5b.	arabitori propossa,	5c.	npioto	tilo oriait i	30.011.	5d.			5e.
Pond ID	Pro	oosed use or	W	Vetland Impacts (acres)			Strea	am Impac	ts (feet)	Upland (acres)
number	purp	oose of pond	Floo	ded	Filled	Excavat ed	Flooded	Filled	Excavated	Flooded
P1										
P2										
		5f. Total								
5g. Comm	5g. Comments:									
5h. Is a dam high hazard permit required?			□Y	es	□No	If yes, perr	nit ID no:			
5i. Expected pond surface area (acres):										
5j. Size of pond watershed (acres):										
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. Project is in which	protected basin?	☐ Neuse ☐ Catawba	☐ Tar-Pamlico ☐ Randleman	Other:				
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			☐ Yes ☐ No					
B2 🗆 P 🗆 T			☐ Yes ☐ No					
В3 □Р□Т			☐ Yes ☐ No					
6h. Total buffer impacts								
6i. Comments:	6i. Comments:							

D.	D. Impact Justification and Mitigation						
1.	1. Avoidance and Minimization						
1a.	Specifically describe measures taken to avoid or minimize	the proposed im	pacts	in designing project.			
	The proposed bridge replacement will take place on existin from a temporary work bridge and two bridge bents in water	ng alignment and er, which is one l	is lon	nger. Impacts were minimized and stem an existing bridge.			
1b.	Specifically describe measures taken to avoid or minimize	the proposed im	pacts	through construction techniques.			
	NCDOT will use best management for Sedimentation and I	Erosion Control.	An off	f-site detour will also be utilized.			
2.	Compensatory Mitigation for Impacts to Waters of the	U.S. or Waters	of the	State			
	Does the project require Compensatory Mitigation for	☐ Yes	⊠ No)			
	impacts to Waters of the U.S. or Waters of the State?	If no, explain:	Open	water impacts			
2b.	If yes, mitigation is required by (check all that apply):	☐ DWQ	□С₀	prps			
		☐ Mitigation bank					
	If yes, which mitigation option will be used for this	☐ Payment to in-lieu fee program					
	project?	☐ Permittee Responsible Mitigation					
3.	Complete if Using a Mitigation Bank	<u> </u>					
3a. 1	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. <i>P</i>	Approval letter from in-lieu fee program is attached.	☐ Yes					
4b. S	Stream mitigation requested:						
4c. I	If using stream mitigation, stream temperature:	☐ warm	Coc	ol			
4d. E	Buffer mitigation requested (DWQ only):	square fe	et				
4e. F	Riparian wetland mitigation requested:	acres					
4f. N	Non-riparian wetland mitigation requested:	acres					
4g. C	Coastal (tidal) wetland mitigation requested:	acres					
4h. C	Comments:						
5. (Complete if Using a Permittee Responsible Mitigation Pl	lan					
5a. If	If using a permittee responsible mitigation plan, provide a de	escription of the	propos	sed mitigation plan.			

6. Buffer	6. Buffer Mitigation (State Regulated Riparian Buffer Rules) – required by DWQ								
l .	6a. Will the project result in an impact within a protected riparian buffer that requires buffer mitigation? ☐ Yes ☐ No								
	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.								
	6c.	6d.		6e.					
Zone	Reason for impact	Total impact (square feet)	Multiplier	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. Comme	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 not, explain why. Comments: Not in protected buffer basin.	☐ 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.	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?		ocal Government nwater Program Jnit			
3.	Certified Local Government Stormwater Review					
3a.	In which local government's jurisdiction is this project?	not applicable				
	Which of the following locally-implemented stormwater management programs apply (check all that apply):	☐ Phase II ☐ NSW ☐ USMP ☐ Water Supp	oly Watershed			
	Has the approved Stormwater Management Plan with proof of approval been attached?	☐ Yes	□No			
4. C	DWQ Stormwater Program Review	4				
	Which of the following state-implemented stormwater management programs apply (check all that apply):	Coastal col HQW ORW Session La Other:	unties aw 2006-246			
	Has the approved Stormwater Management Plan with proof of approval been attached?	☐ Yes	⊠ No			
5. D	WQ 401 Unit Stormwater Review					
a. C	Does the Stormwater Management Plan meet the appropriate requirements?	☐ Yes	□ No N/A			
b. F	lave all of the 401 Unit submittal requirements been met?	☐ Yes	□ No N/A			

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	f 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 improst recent DWQ policy. If you answered "no," provide a short narrative description.	pact analysis in	accordance 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)						
	Clearly detail the ultimate treatment methods and disposition (non-discharge or discha the proposed project, or available capacity of the subject facility. not applicable	rge) of wastewa	iter generated from				

5.	Endangered Species and Designat	ed Critical Habitat (Corps Requiremen	t)			
5a.	Will this project occur in or near an an habitat? Habitat for Helianthus schwe		⊠ Yes	□No		
5b.	Have you checked with the USFWS of impacts? No effect: Recent surveys		☐ Yes	⊠ No		
5c.	If yes, indicate the USFWS Field Office	☐ Raleigh ☐ Asheville				
5d.	I. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat?					
	USFWS county list and NCNHP data	base along with field surveys.				
6.	Essential Fish Habitat (Corps Requ	irement)				
6a.	Will this project occur in or near an are	ea designated as essential fish habitat?	☐ Yes	⊠ No		
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	cources (Corps Requirement)				
7a.	7a. 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)? ☐ Yes ☐ Yes ☐ No					
7b.	What data sources did you use to det	ermine whether your site would impact hi	storic or archeological re	esources?		
	NEPA Documentation					
8. F	lood Zone Designation (Corps Requ	uirement)				
8a.	Will this project occur in a FEMA-desig	gnated 100-year floodplain?	☐ Yes	⊠ No		
8b.	Bb. If yes, explain how project meets FEMA requirements: NCDOT Hydraulics Unit coordination with FEMA					
8c.	What source(s) did you use to make th	ne floodplain determination? FEMA Maps				
	Dr. Gregory J. Thorpe, Ph D Applicant/Agent's Printed Name	Applicant/Agent's Signature is valid only if an authorizati is provided.)	nature ion letter from the applicant	June 8, 701		

U.S. ARMY CORPS OF ENGINEERS

WILMINGTON DISTRICT

Action Id. 200802145 County: Rowan U.S.G.S. Quad: China Grove

NOTIFICATION OF JURISDICTIONAL DETERMINATIO

Property Owner/Agent: **Deanna Riffey**

Address:

NC DOT

1598 Mail Service Center Raleigh, NC 27699-1598

Telephone No.: 919 715-7217

Property description:

Size (acres)

Nearest Waterway

Cold Water Creek

River Basin

Nearest Town Kannapolis

Pee Dee N 35.5091496 W -80.5702206

USGS HUC 03040104 Coordinates Location description Bridge 221 on SR 1308 adjacent to Lake Fisher (Cold Water Creek), east of Kannapolis, in

Rowan County, North Carolina. TIP B-4809

Indicate Which of the Following Apply:

A. Preliminary Determination

Based on preliminary information, there may be wetlands on the above described property. We strongly suggest you have this property inspected to determine the extent of Department of the Army (DA) jurisdiction. To be considered final, a jurisdictional determination must be verified by the Corps. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).

B. Approved Determination

- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are waters of the U.S. on the above described project area subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(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 five years from the date of this notification.

We strongly suggest you have the wetlands on your property delineated. Due to the size of your property and/or our present workload, the Corps may not be able to accomplish this wetland delineation in a timely manner. For a more timely delineation, you may wish to obtain a consultant. To be considered final, any delineation must be verified by the Corps.

X The waters of the U.S. on your project area have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.

The wetlands have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on _____. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- There are no waters of the U.S., to include 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 five years from the date of this notification.
- The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Washington, NC, at (252) 946-6481 to determine their requirements.

Page 1 of 2

DAVISION OF HIGHWAYS PDEA-OFFICE OF NATURAL ENVIRONMENT

Action ID:
Placement of dredged or fill material within waters of the US and/or wetlands without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). If you have any questions regarding this determination and/or the Corps regulatory program, please contact <u>John Thomas</u> at <u>919 554-4884 ext. 25</u> .
C. Basis For Determination Lake Fisher and stream channels within your project site which are tributaries of Cold Water Creek which flows into the Pee Dee River and the Atlantic Ocean. The small wetland located in the horse pasture in the southwest corner of the study is isolated not having a hydrologically connection to the jurisdictional waters of Lake Fisher.
D. Remarks
E. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B. above)
This correspondence constitutes an approved jurisdictional determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:
District Engineer, Wilmington Regulatory Division Attn:Jean Manuele, Project Manager, Raleigh Regulatory Field Office 3331 Heritage Trade Drive, Suite 105 Wake Forest, North Carolina 27587
In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by September 17, 2008 .
It is not necessary to submit an RFA form to the District Office if you do not object to the determination in this correspondence.
Corps Regulatory Official:
Date <u>07/17/2008</u> Expiration Date <u>07/17/2013</u>
The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the Customer Satisfaction Survey located at our website at http://regulatory.usacesurvey.com/ to complete the survey online.

Copy furnished:

NOTIFICATION OF ADMINIS	NS AND PROCESS AND	
Applicant: NC DOT / Deanna Riffey / B-	File Number: SAW 2008	Date: July 17, 2008
4809	02145	
Attached is:	See Section below	
INITIAL PROFFERED PERMIT (Stand	ard Permit or Letter of	A
permission)		
PROFFERED PERMIT (Standard Permi	t or Letter of permission)	В
PERMIT DENIAL		C
APPROVED JURISDICTIONAL DETE	RMINATION	D
		E
PRELIMINARY JURISDICTIONAL D	ELEKMINALION	1.5

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.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 district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERM regarding the preliminary JD. The Preliminary JD is JD (which may be appealed), by contacting the Corp information for further consideration by the Corps to	s not appealable. If you wish s district for further instructi	n, you may request an approved
SECTION II - REQUEST FOR APPEAL or OBJEC	TIONS TO AN INITIAL PF	ROFFERED PERMIT
REASONS FOR APPEAL OR OBJECTIONS: (De objections to an initial proffered permit in clear concernit this form to clarify where your reasons or objections	scribe your reasons for appearise statements. You may att	aling the decision or your ach additional information to
ADDITIONAL INFORMATION: The appeal is limit	ited to a review of the admin	istrative record the Corns
memorandum for the record of the appeal conference	e or meeting, and any supple	mental information that the
review officer has determined is needed to clarify the	e administrative record. Nei	ther the appellant nor the Corps
may add new information or analyses to the record. the location of information that is already in the adm	However, you may provide a	additional information to clarify
POINT OF CONTACT FOR QUESTIONS OR INF		
If you have questions regarding this decision	If you only have questions	regarding the appeal process you
and/or the appeal process you may contact:	may also contact:	
John Thomas @ 919 554-4884 ext. 25		ative Appeal Review Officer
	CESAD-ET-CO-R	eers, South Atlantic Division
	60 Forsyth Street, Room 91	
	Atlanta, Georgia 30303-88	
RIGHT OF ENTRY: Your signature below grants the		
government consultants, to conduct investigations of	the project site during the co	ourse of the appeal process. You
will be provided a 15 day notice of any site investiga	tion, and will have the oppor	rtunity to participate in all site
investigations.		
	Date:	Telephone number:

For appeals on Initial Proffered Permits and approved Jurisdictional Determinations send this form to:

District Engineer, Wilmington Regulatory Division, Attn:Jean Manuele, Project Manager, Raleigh Regulatory Field Office, 3331 Heritage Trade Drive, Suite 105, Raleigh, North Carolina 27587

For Permit denials and Proffered Permits send this form to:

Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Mike Bell, Administrative Appeal Officer, CESAD-ET-CO-R, 60 Forsyth Street, Room 9M15, Atlanta, Georgia 30303-8801



North Carolina Department of Transportation

Highway Stormwater Program STORMWATER MANAGEMENT PLAN



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		General Project Information	formation			
Project No.:	B-4809		Date:		11-Aug-11	
City/Town:	Kannapolis		Designer:		DDC/PA	
County(ies):	Rowan County		Project Manager:		JWT	
River Basin(s):	Yadkin-Pee Dee		CAMA County?	ou	TVA County?	ou
Primary Receiving Water:	LAKE FI	FISHER	NCDWQ Stream Index:		13-17-9-4-(1)	
NCDWQ Surface Water Classification for Primary Receiving Water		Primary:	Water Supply IV (WS-IV), CA			
		Supplemental:				
Other Stream Classification:						
303(d) Stream?	01	Type(s) of Impairment:				
State Stormwater Permit Required?	20	If yes, why?	G			-
Could the Project Impact Threatened or Endangered Species?	red Species?		ou			
Description:						
Anadromous Fish Present?	no	environmente esperante de transferente de transferente de transferente de la secuent des transferente de trans			statute esta desperar santa constituta de la constituta della constituta della constituta 	
Description:						
Buffer Rules in Effect?	no		Buffer Rules:		ODDOOD OOD OOD OOD OOD OOD OOD OOD OOD	
		Existing Site	ite			
Description of Existing Project Area:	BRIDGE No. 221 OVER L	LAKE FISHER ON SR 1308 (MOOSE ROAD)	(MOOSE ROAD)			
Average Daily Traffic (existing):	ADT 2007 = 1500					
Existing Cross Section:	19' WIDE BST ROAD SE	ECTION. EXISTING BRIDG	19' WIDE BST ROAD SECTION. EXISTING BRIDGE: PAVED SURFACE, 2 LANE, 20.0 FT. CURB-TO-CURB	T. CURB-TO-C	JRB	
Surrounding Land Use:	WOODED or FIELD/CROPLAND	OPLAND				
General Comments:						
		Project Description	ription			
		מדיימיד דאיא י מדייל אינה גוא דסמימים דסא ימדים				
Average Daily Traffic (aronoged):	ADT 2035 = 3400	ZZ I OVEN EANE I ISI IEN.	01 - 01 - 01 - 01 - 01 - 01 - 01 - 01 -			
Proposed Cross-Section:	(2) 12 FT ANES 14/ 4 O	ET DAVED SHOLLI DERS	(2) 12 ET I ANES W/ 4 DET DAV/ED SHOLLI DERS/EOR BIKE BOLLTENMITH ADDITIONAL 3 5 ET SHOLLI DER ON LI - ALIGNMENT	1 3 5 ET SHOI	DER ON . L ALIGNME	IN
Interchange Modification:			Modian Type.			
West Terminus:	APPROX 390' WEST OF	F EXISTING BRIDGE END TOWARD SR 1238.			NANCH KOORAN WOOT TEE KINDER OOF OF OTTO OF ORDER TO THE VOTA WE NOT AND COLLEGE OF THE PARTY.	PARVETET PROTOCO COMPENSOR MOTORITIES EST EMPONION COMPENSOR DE CONTRACTOR DE CONTRACTOR DE COMPENSOR DE CONTRACTOR DE COMPENSOR DE CONTRACTOR
	APPROX. 160' EAST OF		TOWARD SR 3149.	(storeternis) in transcentrates and transcentrates	аментикаты жалы бай кай кай кай какентары жай кай кай кай кай кай кай кай кай кай к	and the property of the second
Project Length (lin. miles/feet):	0.109 MI.		Added Impervious Area (ac.):	0.18+/-	AND	GARON DONOS CONCENTRANTANTOS NATURANTOS NATURANT
General Comments:						
nod proprieta (**)	***************************************					



North Carolina Department of Transportation Highway Stormwater Program STORMWATER MANAGEMENT PLAN

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Page

Version 1.1

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	WQv°.								44						Market and a second		
	Q ₁₀ (ft ³ /s)									***************************************							
2 4 4 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	Q ₂ (ft²/s)																
	DA (ac.)	14.4 SQ. MI.			graphic construction in the	***************************************											
			######################################		***************************************		o <u>i</u> seconnus verren			madaga kapitan da Privincia ka							
	<u>ပ် ဒို</u>			was a second	<u></u>									<u></u>			
	Checklist SCM Type Complete?	N _O							auto ruccio accionista	#2211111111111111111111111111111111111		M0006441020000	2002-1111111111111111111111111111111111				
Environmental Summary Rinarian Buffer and Jurisdictional Stream Impacts and Associated SCMs	Proposed Structure	1@55', 1@70', 1@55', 24" CORED SLAB															
Environmental Summary isdictional Stream Impact	Classific- ation?	Water Supply IV (WS-IV)				at ministration of the Control		oossaaconnends de videa			auramani internas	330000000000000000000000000000000000000					
	Buffer?	S															
arian Buffer	Jurisdict. Stream	RPW		***************************************					en constitution								
Rigid	Stream Type																
	Stream Name	LAKE FISHER															
	Station	-L- 19+72.50															General Comments:

See Sheet 1-A For Index of Sheets

| See Sheet 1-A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sheet 1 - A For Index of Sheets | See Sh

TO KANNAPOLIS

STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

TYPE OF WORK: GRADING, DRAINAGE, PAVING,

AND STRUCTURE

ROWAN COUNTY

LOCATION: BRIDGE 221 OVER LAKE FISHER ON SR 1308

MGLIS

STATE	STATE	PROJECT REPERENCE NO.		SHEET NO.	TOTAL SHEETS		
N.C.	B-4	809		1	-		
#TAT	TE PROJ.NO.	F. A. PROL NO.		DESCRIPT	IDN		
38	579.1.1	BRZ-1308 (9)		P.E.			
385	579.2.1	BRZ-1308 (9)		RW, UTL			
	Peri	nit Drawing					
	She		•				
	One	01_4					

WETLAND/SURFACE WATER PERMIT DWG.

BEGIN BRIDGE
-L- STA. 18 + 81.25

-L- STA. 18 + 81.25

-L- STA. 20 + 63.75

-L- STA. 19 - FROJECT B-4809

-L- STA 15 + 00.00

-L- STA 24 + 00.00

THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUDARIES.

THERE IS NO CONTROL OF ACCESS ON THIS PROJECT.

CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION



PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT B-4809 = 0.135 MILE LENGTH STRUCTURE TIP PROJECT B-4809 = 0.035 MILE TOTAL LENGTH TIP PROJECT B-4809 = 0.170 MILE

Prepared in the Office of: DIVISION OF HIGHWAYS 1000 Birch Ridge Dr., Releigh NC, 27610 2012 STANDARD SPECIFICATIONS

LETTING DATE: JANUARY 15, 2013 TONY A. HOUSER, PE
PROJECT ENGINEER

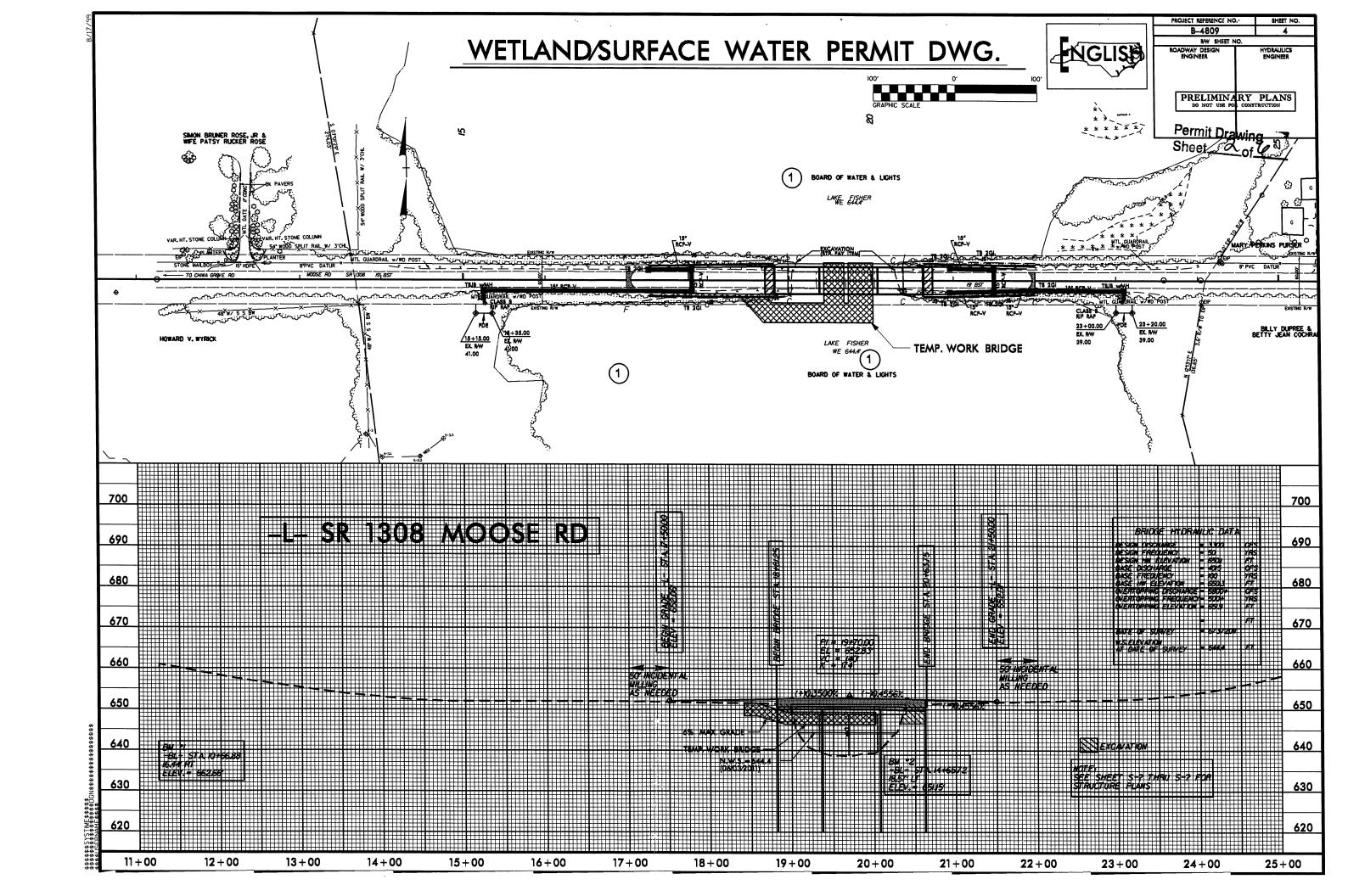
BRUCE B. PAYNE, PE

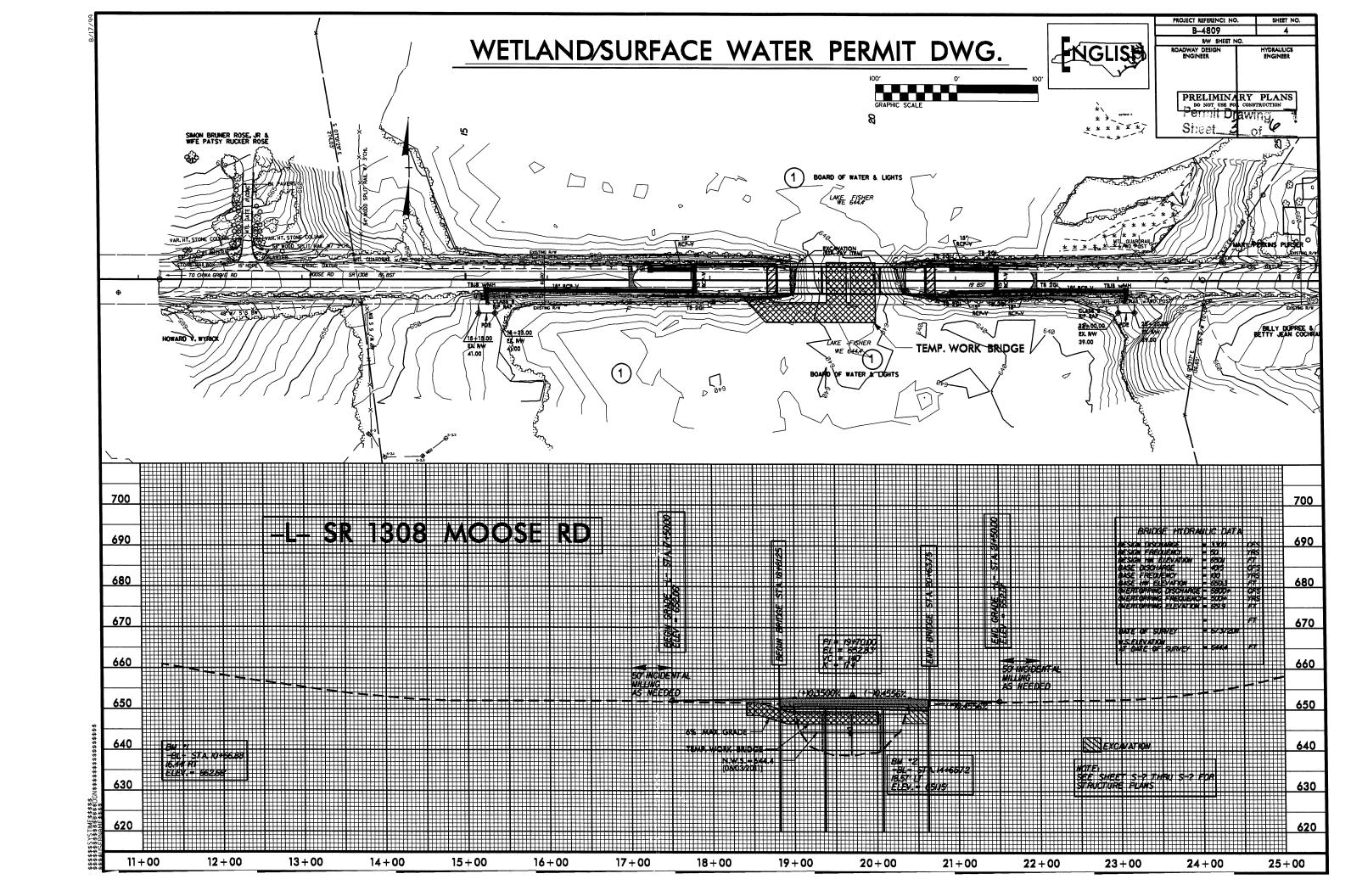
SIGNATURE:

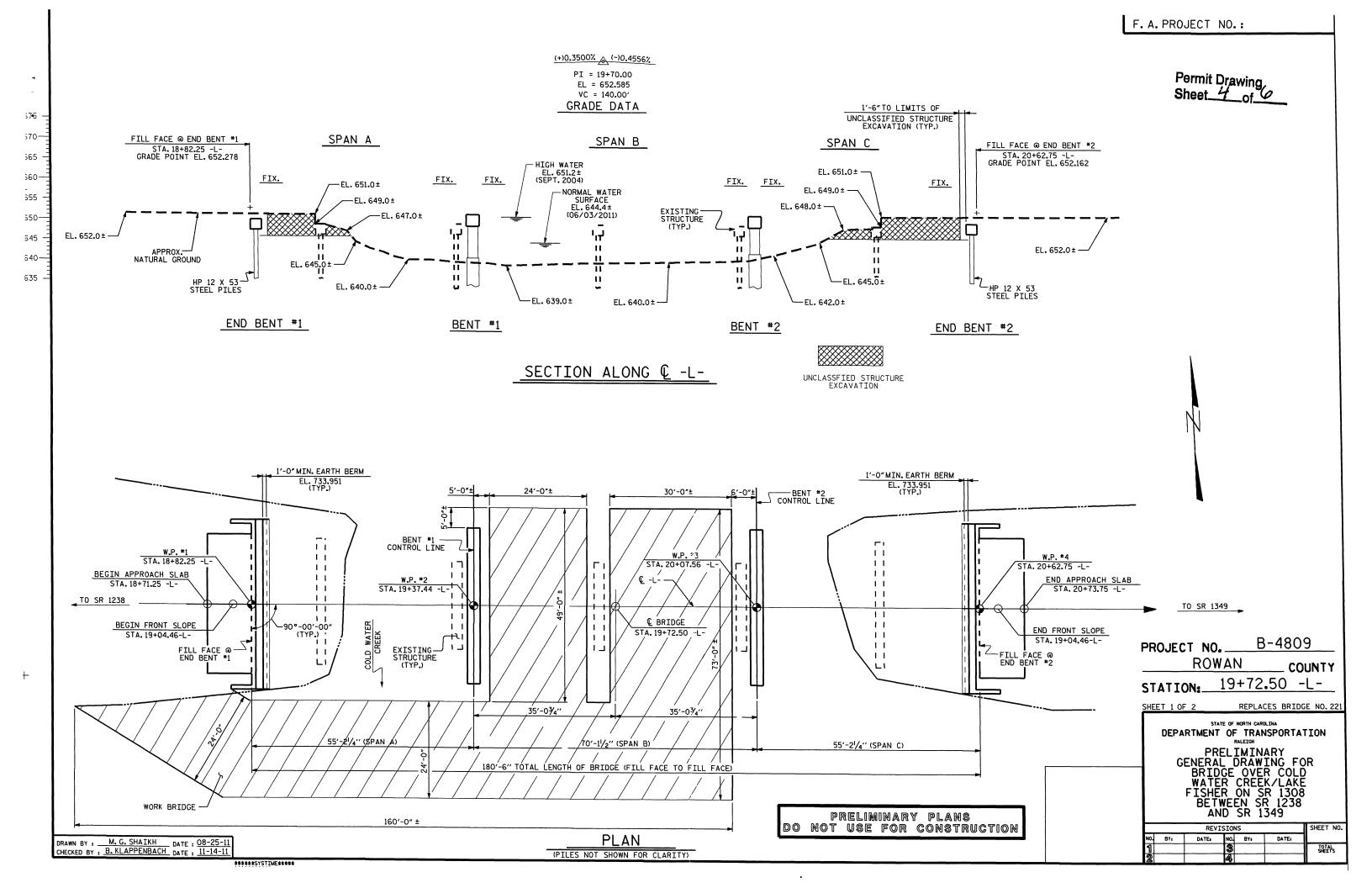
ROADWAY DESIGN
ENGINEER

HYDRAULICS ENGINEER

TAMELER .







PROPERTY OWNERS

NAMES AND ADDRESSES

PARCEL NO. NAMES ADDRESSES

1 Board of Water & Lights

NCDOT

DIVISION OF HIGHWAYS
ROWAN COUNTY
PROJECT: 38579.1.1 (B-4809)
BRIDGE NO. 221 OVER
LAKE FISHER ON
SR 1308 (MOOSE ROAD)

SHEET 5 OF 6

02 / 22 / 12

							ACI SON	MAKY				
				WET	LAND IMPA	WETLAND IMPACTS			SURFACE	SURFACE WATER IMPACTS	ACTS	
		CAMA Permanent	404 Permanent	Temp.	Excavation	Excavation Mechanized	Hand Clearing	Permanent	Temp.		Existing Channel	Natural
No. (From/To)	Size / Type	Wetlands (ac)	Wetlands (ac)	Wetlands (ac)	Wetlands (ac)	in Wetlands (ac)	Wetlands (ac)	sw impacts (ac)	sw impacts (ac)	Permanent (ft)	Temp.	Design (ft)
1 -L- STA 18+40 TO	TO TEMP. BRIDGE	0.00	00.0	00.0	000	00.00	0.00	00.00	*	0	0	0
-L- STA 20+02	-											
TOTALS:		0.00	0.00	0.00	0.00	0.00	0.00	00:0	0.00	0.00	0.00	0.00

NOTE:

* TEMPORARY IMPACTS DUE TO TEMPORARY WORK BRIDGE BENTS IN WATER : 75 SQ. FT. (0.001 ACRE) <0.01 ACRE.

PERMANENT IMPACTS DUE TO DRILLED PIERS IN WATER : 42.42 SQ. FT. (0.0009 ACRE) <0.01 ACRE.

N.C.D.O.T.
DIVISION OF HIGHWAYS
ROWAN COUNTY
PROJECT: 38579.1.1 (B-4809)
BRDGE NO. 221 OVER
LAKE FISHER ON
SR 1308 (MOOSE ROAD)

9 io 9

(02/22/2012)

Revised 3/31/05

4809 Ŕ OJEC PR

BEGIN PROJECT ROWAN CO. CABARRUS CO DETOUR ROUTE -VICINITY MAP

- TO KANNAPOLIS

STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

B-4809

T.I.P. NO.

UC-1

SHEET NO

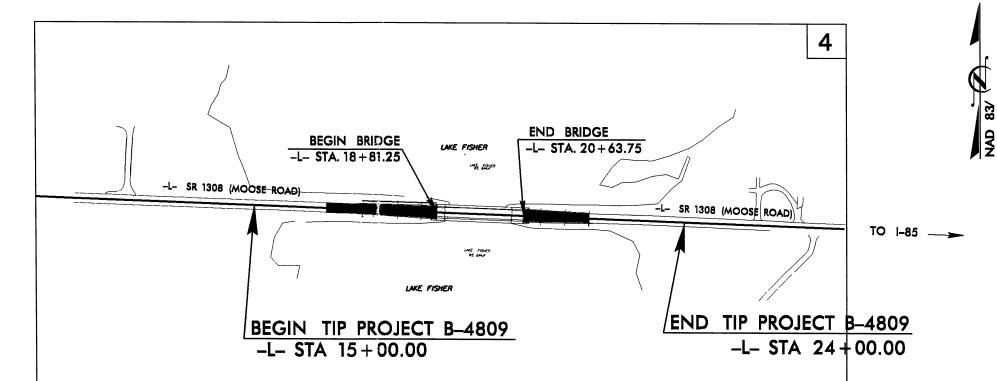
Utility Permit Drawing Sheet_/_of 2

UTILITY CONSTRUCTION PLANS ROWAN COUNTY

LOCATION: BRIDGE 221 OVER LAKE FISHER ON SR 1308

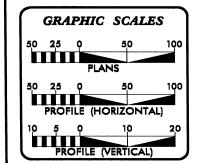
TYPE OF WORK: UTILITY WORK - WATER





PERMIT DRAWNINGS

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION



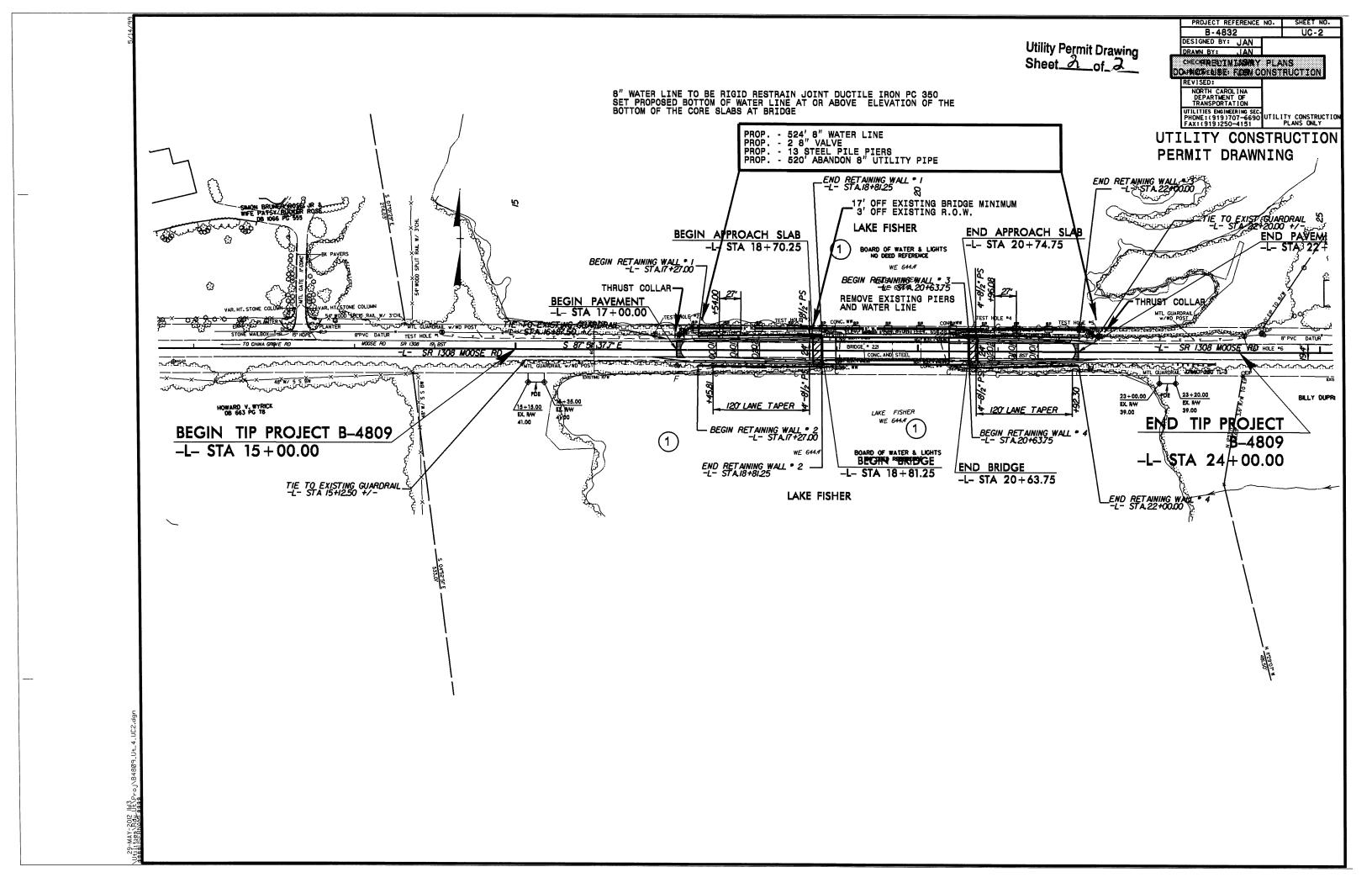
INDEX OF SHEETS SHEET NO. **DESCRIPTION** UC-1 TITLE SHEET UC-2 UTILITY CONSTRUCTION PLAN WATER AND SEWER OWNERS ON PROJECT (A) WATER CITY OF KANNAPOLIS PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTIO

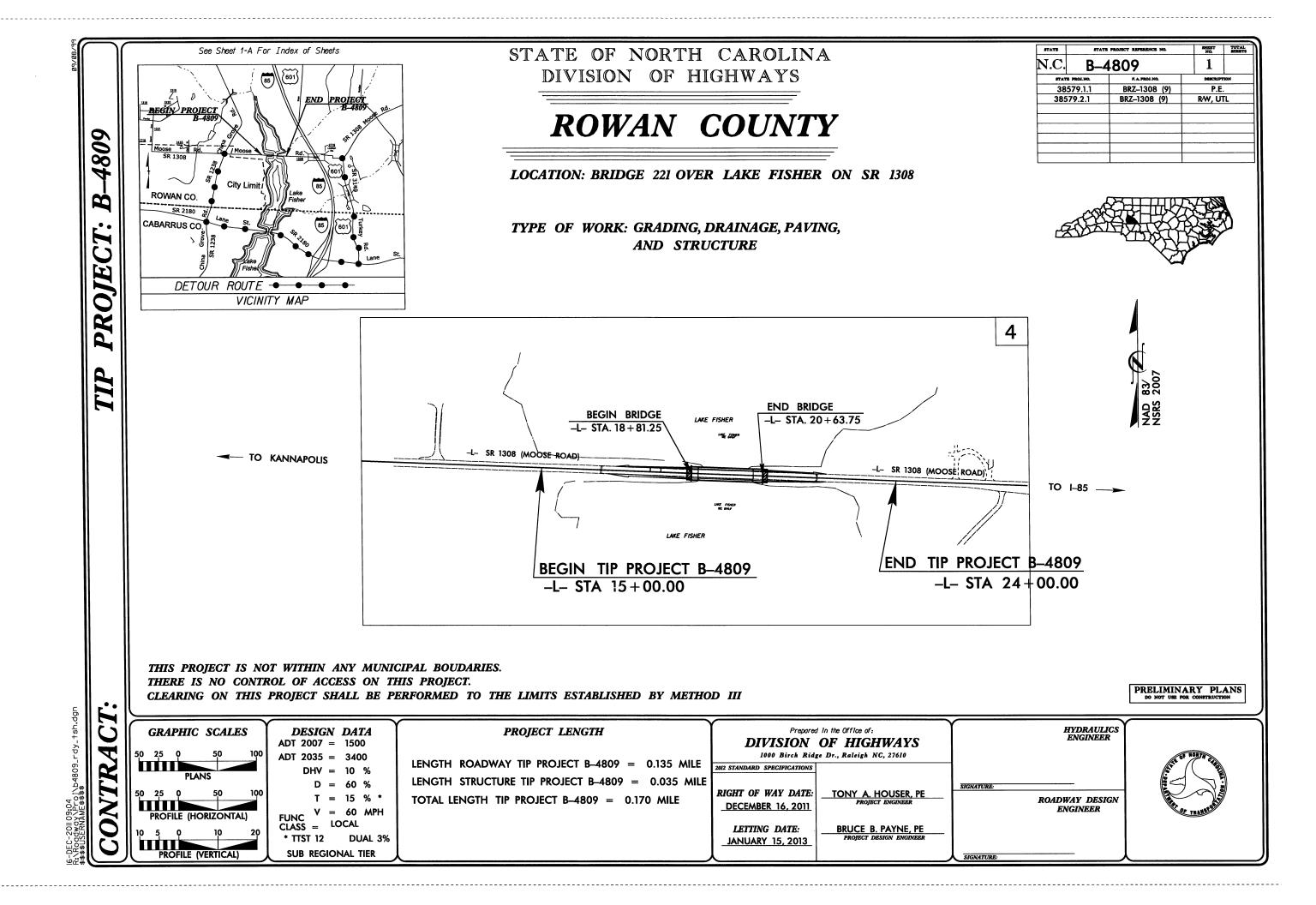


PREPARED IN THE OFFICE OF: DIVISION OF HIGHWAYS UTILITIES UNIT ENGINEERING SECTION 1555 MAIL SERVICES CENTER RALEIGH NC 27699-1591 PHONE (919) 707-6690 FAX (919) 250-4151

Steve McKee, P.E. John A. Nigro, P.E.

Roger Worthington, P.E. UTILITIES SECTION ENGINEER UTILITIES SQUAD LEADER PROJECT ENGINEER UTILITIES PROJECT DESIGNER





*S.U.E. = Subsurface Utility Engineering

STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

CONVENTIONAL PLAN SHEET SYMBOLS

BOUNDARIES AND PROPERTY:	CONVENTIONAL PL	AN SHEET STMBOLS	WATER:
State Line			Water Manhole
County Line	RAILROADS:		Water Meter — O
Township Line ————————————————————————————————————	Standard Gauge CST TRANSPORTATION	_ , ,	Water Valve ———— ⊗
City Line	RR Signal Milepost _	Orchard 💮 🕹 🌣 🕹	Water Hydrant — •
Reservation Line	Switch Switch	Vineyard Vineyard	Recorded U/G Water Line
Property Line ————————————————————————————————————	RR Abandoned	EXISTING STRUCTURES:	Designated U/G Water Line (S.U.E.*)
Existing Iron Pin	RR Dismantled		Above Ground Water Line
Property Corner ———————————————————————————————————	RIGHT OF WAY:	MAJOR:	
Property Monument	Baseline Control Point	Bridge, Tunnel or Box Culvert	TV:
Parcel/Sequence Number — @3	Existing Right of Way Marker — \triangle	Bridge Wing Wall, Head Wall and End Wall -) CONC WW (TV Satellite Dish ————————————————————————————————————
Existing Fence Line ————————————————————————————————————	Existing Right of Way Line	MINOR: Head and End Wall — CONC HW	TV Pedestal — C
Proposed Woven Wire Fence ———————————————————————————————————	Proposed Right of Way Line	Pipe Culvert	TV Tower — ⊗
Proposed Chain Link Fence	Proposed Right of Way Line with	Footbridge	UG TV Cable Hand Hole
Proposed Barbed Wire Fence	Iron rin and Cap Marker	•	Recorded U/G TV Cable ————————————————————————————————————
Existing Wetland Boundary	Proposed Right of Way Line with Concrete or Granite Marker	Drainage Box: Catch Basin, DI or JB ———	Designated U/G TV Cable (S.U.E.*)
Proposed Wetland Boundary	Existing Control of Access ——————————————————————————————————	Paved Ditch Gutter —————	Recorded U/G Fiber Optic Cable ————————————————————————————————————
Existing Endangered Animal Boundary ————————————————————————————————————		Storm Sewer Manhole ——— §	Designated U/G Fiber Optic Cable (S.U.E.*)—
Existing Endangered Plant Boundary	Proposed Control of Access ——————————————————————————————————	Storm Sewer	Doughaida a Fibol Opiic Cable (0.0.E.)
Known Soil Contamination: Area or Site ————————————————————————————————————	Existing Easement LineE		GAS:
Potential Soil Contamination: Area or Site ————————————————————————————————————	Proposed Temporary Construction Easement		Gas Valve
	Proposed Temporary Drainage Easement — TDE — TDE	1 OWER.	Gas Meter 💮 💠
BUILDINGS AND OTHER CULTURE:	Proposed Permanent Drainage EasementPDE	and the second s	Recorded U/G Gas Line ————————————————————————————————————
Gas Pump Vent or U/G Tank Cap — O	Proposed Permanent Drainage / Utility Easement	Proposed Power Pole	Designated U/G Gas Line (S.U.E.*)
Sign	Proposed Permanent Utility Easement — PUE — PUE	Existing Joint Use Pole	Above Ground Gas Line (S.U.E.*)
	Proposed Temporary Utility Easement	Proposed Joint Use Pole ————————————————————————————————————	Above Ground Gas Line
Small Mine 💮 🛠	Proposed Aerial Utility Easement ————————————————————————————————————	Power Manhole ®	SANITARY SEWER:
Foundation	Proposed Permanent Easement with	Power Line Tower — 🖂	
Area Outline		Power Transformer —	Sanitary Sewer Manhole ————————————————————————————————————
Cemetery †	ROADS AND RELATED FEATURES:	U/G Power Cable Hand Hole	U/G Sanitary Sewer Line ==============================
Building —	Existing Edge of Pavement — — — — — — — — — — — — — — — — — — —	H–Frame Pole ———	Above Ground Sanitary Sewer A/G Sanitary Sewer
School	Existing Curb —————	Recorded U/G Power Line	Recorded SS Forced Main Line
Church ————————————————————————————————————	Proposed Slope Stakes Cut — — — — — — — — — — — — — — — — — — —	Designated U/G Power Line (S.U.E.*)	
Dam —	Proposed Slope Stakes Fill — — — F — — — — — — — — — — — — — — —		Designated SS Forced Main Line (S.U.E.*) — — — — rss— — —
HYDROLOGY:	Proposed Curb Ramp CR	TELEPHONE:	Mediuminalia
Stream or Body of Water — — — — — — — — — — — — — — — — — — —	Existing Metal Guardrail ————————————————————————————————————		MISCELLANEOUS: Utility Pole —————
Hydro, Pool or Reservoir	Proposed Guardrail	Troposed relephone Tole	
Jurisdictional Stream	Existing Cable Guiderail	Telephone Manhole	Utility Pole with Base
Buffer Zone 1	Proposed Cable Guiderail	Telephone Booth ————	Utility Located Object
Buffer Zone 2 Bz 2	Equality Symbol ——————	Telephone Pedestal	Utility Traffic Signal Box 5
Flow Arrow	Pavement Removal	Telephone Cell Tower ————————————————————————————————————	Utility Unknown U/G Line
Disappearing Stream ————————————————————————————————————	VEGETATION:	U/G Telephone Cable Hand Hole	U/G Tank; Water, Gas, Oil
Spring —	Single Tree	Recorded U/G Telephone Cable	Underground Storage Tank, Approx. Loc. — usf
Wetland \undersity	Single Shrub	Designated U/G Telephone Cable (S.U.E.*)	AG Tank; Water, Gas, Oil
Proposed Lateral, Tail, Head Ditch	Hedge	Recorded U/G Telephone Conduit ————————————————————————————————————	Geoenvironmental Boring —————
False Sump ———	Woods Line		U/G Test Hole (S.U.E.*)
~		Recorded U/G Fiber Optics Cable — Tro	Abandoned According to Utility Records — AATUR
		Designated U/G Fiber Optics Cable (S.U.E.*)	End of Information ———— E.O.I.

