




STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

October 13, 2023

MEMORANDUM TO: Division Construction Units
Contract Standards and Development Unit

FROM:  Jason L Dilday ECAP Eastern Region Lead
Environmental Analysis Unit

SUBJECT: Environmental Permits for the Replacement of Bridge 50 on NC 210 over
Middle Creek in Johnston County, Division 4, **TIP: BR-0026.**

Please find enclosed the following permits for this project:

Agency	Permit Type	Permit Expiration
US Army Corps of Engineers Section 404 Clean Water Act Permit	Regional General Permit 50	May 25, 2025
NC Division of Water Resources Section 401 Water Quality Certification	General Certification No. 4135 [RGP50]	May 25, 2025
NC Division of Water Resources Buffer Certification	Neuse River Riparian Buffer Certification	September 25, 2028

Work is authorized by the above referenced permit provided it is accomplished in strict accordance with the permitted plans.

The Environmental Coordination and Permitting Group or the Division Environmental Office must be consulted if any deviation from the permit(s) is required.

The General Conditions and Certifications for Nationwide and Regional Permits can be referenced at:
https://xfer.services.ncdot.gov/pdea/PermIssued/_General_Conditions_and_Certifications/

PROJECT COMMITMENTS

T.I.P. Project No BR-0026
Replacement of Bridge No. 50 over Middle Creek
On NC 210
Johnston County
W.B.S. No. 67026.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

NCDOT Division 4 Construction, NCDOT SMU

- **FEMA Floodplains and Floodways** – This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100- year floodplain were built as shown in the construction plans, both horizontally and vertically.

- **Existing Programmatic Biological Opinion Commitments** – If NCDOT and the project’s contractor cannot adhere to all commitments listed in Section 2.5 Conservation Measures of the Revised Programmatic Biological/Conference Opinion for Bridge and Culvert Replacements/Repairs/Rehabilitations in Eastern North Carolina, NCDOT Divisions 1-8, additional coordination with USFWS will be required.

Project was redesigned in order to adhere to commitments.

- **Anticipated Programmatic Biological Opinion Commitments** – It is anticipated that the Neuse River Waterdog will be listed as a Threatened Species under the Endangered Species Act and that the portion of Middle Creek within the project area will be designated as Critical Habitat once construction of the project begins. It is also anticipated that a PBO will be in effect once this species listing occurs. This PBO will also include the proposed Critical Habitat. If NCDOT and the project’s contractor cannot adhere to all commitments listed in this anticipated PBO and provide such Section 7 document in order to acquire a 404 permit from the United States Army Corps of Engineers, additional coordination with USFWS will be required.

Project was redesigned in order to adhere to commitments.

NCDOT Division 4 Construction

- **Construction Moratoria** – The North Carolina Wildlife Resources Commission (NCWRC) identifies Middle Creek as Anadromous Fish Spawning Area (AFSA). NCDOT is committed to an in-stream construction moratorium from February 15 – June 30.

NCDOT Hydraulic Design Unit

- **Floodplain Mapping Coordination** – The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), to determine status of project with regard to

applicability of NCDOT'S Memorandum of Agreement, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

NCDOT Division 4, NCDOT SMU

• **School and EMS Notification** – The Johnston County Schools TIMS Supervisor (919-934-8340), Johnston County Emergency Services (919-989-5050), and Smithfield Fire Department (919-934-2468) will be contacted one month prior to construction and any road closures and detours.

COMMITMENTS FROM PERMITTING

No special conditions developed during permitting.

**U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT**

Action Id. **SAW-2019-00506** County: **Johnston County** U.S.G.S. Quad: **Powhatan**

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: **Jason Dilday**
NC DOT
Address: **1598 Mail Service Center**
Raleigh NC, 27699-1598
Telephone Number: **(919) 212-5785**

Size (acres) **48** Nearest Town **Smithfield**
Nearest Waterway **Middle Creek** River Basin **Neuse**
USGS HUC **03020201** Coordinates Latitude: **35.50775** Longitude: **-78.40152**

Location description: **Bridge No. 50 over Middle Creek, on NC 210, west of the town of Smithfield in Johnston County, North Carolina.**

Description of projects area and activity: **NCDOT proposes to replace a 4-span 136' bridge with a 2-span 160' bridge within the same alignment. The project will permanently impact 0.003 acres of wetlands and 273 linear feet of stream. Of the 273 linear feet of stream impacts 206 linear feet will require mitigation. An off-site detour will be utilized.**

Applicable Law: ☒ Section 404 (Clean Water Act, 33 USC 1344);
☐ Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Regional General Permit Number and/or Nationwide Permit Number: **RGP 50**
SEE ATTACHED RGP or NWP GENERAL, REGIONAL AND/OR SPECIAL CONDITIONS

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted application and attached information dated September 15, 2023. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action.

This verification will remain valid until the expiration date identified below unless the nationwide and/or regional general permit authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide and/or regional general permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide and/or regional general permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide and/or regional general permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide and/or regional general permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Resources (telephone 919-807-6300) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management in Morehead City, NC, at (252) 808-2808.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact **Kyle Barnes at (910) 251-4584 or Kyle.W.Barnes@usace.army.mil.**

*Monte
Matthew* 2023.10.11
16:42:24
-04'00'

Corps Regulatory Official: _____ Date: **October 11, 2023**
Expiration Date of Verification: **May 25, 2025**

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 our Customer Satisfaction Survey, located online at <https://regulatory.ops.usace.army.mil/customer-service-survey/>

U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT

Action Id. **SAW-2019-00506**

County: **Johnston County**

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Property Owner/Applicant: **NC DOT**
Jason Dilday
Address: **1598 Mail Service Center**
Raleigh, North Carolina 27699-1598
Telephone Number: **(919) 212-5785**

Size (acres): **48** Nearest Town: **Smithfield**
Nearest Waterway: **Middle Creek** River Basin: **Neuse**
USGS HUC **03020201** Coordinates Latitude: **35.507754** Longitude: **-78.401527**

Location description: **Bridge No. 50 over Middle Creek, on NC 210, west of the town of Smithfield in Johnston County, North Carolina.**

Indicate Which of the Following Apply:

A. Preliminary Determination

X There appear to be waters, including wetlands, on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The waters, including wetlands, have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.

- There appear to be waters, including wetlands, on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The waters, including wetlands, have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.

- There appear to be waters, including wetlands, on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). However, since the waters, including wetlands, have not been properly delineated, this preliminary jurisdiction determination may not be used in the permit evaluation process. Without a verified wetland delineation, this preliminary determination is merely an effective presumption of CWA/RHA jurisdiction over all of the waters, including wetlands, at the project area, which is not sufficiently accurate and reliable to support an enforceable permit decision. We recommend that you have the waters of the U.S., including wetlands, on your property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

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 (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in 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., including wetlands, on the above described property subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in 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 recommend you have the waters of the U.S., including wetlands, on your property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.
 - The waters of the U.S., including wetlands, on your property 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, unless there is a change in law or our published regulations, may be relied upon for a period not to exceed five years from the date of this notification.
 - The waters of the U.S., including 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 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 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 Morehead City, NC, at (252) 808-2808 to determine their requirements.

Placement of dredged or fill material within waters of the US, including wetlands, without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). Placement of dredged or fill material, construction or placement of structures, or work within navigable waters of the United States without a Department of the Army permit may constitute a violation of Sections 9 and/or 10 of the Rivers and Harbors Act (33 USC § 401 and/or 403). If you have any questions regarding this determination and/or the Corps regulatory program, please contact **Kyle Barnes at (910) 251-4584 or Kyle.W.Barnes@usace.army.mil**.

C. Basis For Determination: N/A. An Approved JD has not been completed.

D. Remarks:

E. Attention USDA Program Participants

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

F. Appeals Information for Approved Jurisdiction Determinations (as indicated in Section B. above)

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:

US Army Corps of Engineers
South Atlantic Division
Attn: Mr. Philip A. Shannin
Administrative Appeal Review Officer
60 Forsyth Street SW, Floor M9
Atlanta, Georgia 30303-8803

AND

PHILIP.A.SHANNIN@USACE.ARMY.MIL

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **N/A**.

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.

Corps Regulatory Official: _____

Monte
Matthews

2023.10.11 16:43:23 -04'00'

Date of JD: **October 11, 2023** Expiration Date: **N/A**

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 our Customer Satisfaction Survey, located online at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

SPECIAL CONDITIONS

1. **“Tri-colored bat** - No tree clearing will occur within 150 feet of a known maternity roost tree May 1 - July 31 in order to protect non-volant young. Winter roost trees are not considered maternity roost trees. NCDOT will cross-reference information given by USFWS on the locations of maternity roosts (as they are discovered) to stay in compliance with this condition.”
2. The Wilmington District, Federal Highway Administration, U.S. Fish and Wildlife Service (USFWS), and the North Carolina Department of Transportation (NCDOT) have conducted programmatic Section 7(a)(2) consultation for the Northern long-eared bat (NLEB) for NCDOT projects located in Divisions 1-8. The result of this programmatic consultation is a Programmatic Biological Opinion (PBO) issued by the USFWS titled, “Programmatic Biological Opinion – Revised, NCDOT Program Effects on the Northern Long-eared Bat in Divisions 1-8”, dated December 15, 2022. This PBO contains agreed upon conservation measures which would minimize take of NLEB. As noted in the PBO, applicability of these conservation measures varies depending on the location of the project. The USFWS has documented that no reasonable and prudent measures, nor terms and conditions, are necessary or appropriate to minimize the amount or extent of incidental take of NLEB caused by the Action; therefore, the incidental take statement does not provide reasonable and prudent measures for this species. Department of the Army (DA) authorization under general permit or standard permit (Individual Permit) is conditional upon the permittee’s compliance with applicable, agreed upon conservations measures of the PBO, which is incorporated by reference in this verification letter. Failure to comply with the applicable conservation measures, where a take of the NLEB occurs, would constitute an unauthorized take by the permittee, and would also constitute permittee non-compliance with this verification letter. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its PBO and the ESA. All PBOs can be found on our website at: <https://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/ESA/>.
3. In order to compensate for impacts associated with this permit, mitigation shall be provided in accordance with the provisions outlined on the most recent version of the attached Compensatory Mitigation Responsibility transfer form. The requirements of this form, including any special conditions listed on this form, are hereby incorporated as special conditions of this permit authorization.
4. The U.S. Fish and Wildlife Service’s (USFWS’s) Programmatic Conference Opinion (PCO) titled "Bridge and Culvert Replacements/Repair/Rehabilitation Effects on Carolina Madtom and Neuse River Waterdog In NCDOT Divisions 2, 4, 5, and 7” dated May 7, 2020, contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with “incidental take” that are specified in the PCO. The USFWS adopted the PCO as the Programmatic Biological Opinion (PBO) for the effects of this action on August 3, 2021. Your authorization under this Corps permit is conditional upon your compliance with all the mandatory

terms and conditions associated with incidental take of the PBO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the PBO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its PBO, and with the ESA.

Action ID Number: SAW-2019-00506

County: Johnston County

Permittee: Jason Dilday
NC DOT

Project Name: NCDOT BR-0026 NC210 BR50 Johnston Div4

Date Verification Issued: October 11, 2023

Project Manager: Kyle Barnes

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT
Attn: Kyle Barnes

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: **NC DOT Div. 4**

File Number: **SAW-2019-00506**

Date: **October 11, 2023**

Attached is:

See Section below

INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)

A

PROFFERED PERMIT (Standard Permit or Letter of permission)

B

PERMIT DENIAL WITHOUT PREJUDICE

C

PERMIT DENIAL WITH PREJUDICE

D

APPROVED JURISDICTIONAL DETERMINATION

E

** PRELIMINARY JURISDICTIONAL DETERMINATION

F

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/> 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. 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 WITHOUT PREJUDICE: Not appealable

You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: You may appeal the 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.

E: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information for reconsideration

- **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.
- **RECONSIDERATION:** You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: Not appealable

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.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:

District Engineer,
Wilmington Regulatory Division,
Attn: **Kyle Barnes**
2407 West 5th Street
Washington, North Carolina 27889

If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:

Philip Shannin
Regulatory Appeals Review Officer
South Atlantic Division
60 Forsyth St SW, Floor M9
Atlanta, Georgia 30303-8803

Philip.A.Shannin2@usace.army.mil
404-562-5136

SECTION II – REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.

<div></div> <div>Signature of appellant or agent.</div>	Date:
Email address of appellant and/or agent:	Telephone number:

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

RICHARD E. ROGERS, JR.

Director

NORTH CAROLINA
Environmental Quality

September 25, 2023

DWR # 20231287

Johnston County

Mr. Jamie J. Lancaster, PE
 Environmental Analysis Unit
 North Carolina Department of Transportation
 1598 Mail Service Center
 Raleigh, North Carolina, 27699-1598

Subject: APPROVAL OF 401 WATER QUALITY CERTIFICATION WITH ADDITIONAL CONDITIONS

NCDOT Project TIP# BR-0026: Bridge 50 over Middle Creek on NC Hwy 210; Johnston County

Dear Mr. Lancaster:

You have our approval for the impacts listed below for the purpose described in your application received by the Division of Water Resources (Division) on September 15, 2023. These impacts are covered by the Water Quality General Certification Number 4135 and the conditions listed below. This certification is associated with the use of Regional General Permit Number 50 once it is issued to you by the U.S. Army Corps of Engineers. Please note that you should get any other federal, state or local permits before proceeding with your project, including those required by (but not limited to) Sediment and Erosion Control, Non-Discharge, and Water Supply Watershed regulations.

The Division has determined that the proposed project will comply with water quality requirements provided that you adhere to the conditions listed in the enclosed certification and to the additional conditions below.

The following proposed impacts are hereby approved. No other impacts are approved, including incidental impacts. [15A NCAC 02H .0506(b)]

Wetland Impacts in the Neuse River Basin

Site 2/3	Permanent Fill (ac)	Hand Clearing (ac)	Total Wetland Impact (ac)
Total	0.003	0.036	0.039

Total Wetland Impact for Project: 0.039 acres.

North Carolina Department of Environmental Quality | Division of Water Resources

512 North Salisbury Street | 1611 Mail Service Center | Raleigh, North Carolina 27699-1611

919.707.9000

Stream Impacts in the Neuse River Basin

Site	Permanent Fill in Intermittent Stream (linear ft)	Temporary Dewatering to Intermittent Stream (linear ft)	Permanent Fill in Perennial Stream (linear ft)	Riprap Stabilization in Perennial Stream (linear ft)	Temporary Dewatering to Perennial Stream (linear ft)	Total Stream Impact (linear ft)
1	0	0	0	67	0	67
4	0	0	57	0	64	121
5	0	0	0	0	83	83
6	149	14	0	0	0	163
Total	149	14	57	67	147	434

Total Stream Impact for Project: 434 linear feet.

Open Water (Stream) Impacts in the Neuse River Basin

Site 1	Temporary Fill in Open Waters (ac)
Total	0.03

Total Open Water Impact for Project: 0.03 acres.

This approval is for the purpose and design described in your application. The plans and specifications for this project are incorporated by reference as part of this Certification. If you change your project, you must notify the Division and you may be required to submit a new application package with the appropriate fee. If the property is sold, the new owner must be given a copy of this Certification and is responsible for complying with all conditions. [15A NCAC 02H .0507(d)(2)].

If you are unable to comply with any of the conditions of the Water Quality General Certification 4135 or the additional conditions below, you must notify the NCDWR Transportation Permitting Branch within 24 hours (or the next business day if a weekend or holiday) from the time the permittee becomes aware of the circumstances.

The permittee shall report to the NC Division of Water Resources any noncompliance with, and/or any violation of, stream or wetland standards [15A NCAC 02B .0200] including but not limited to sediment impacts to streams or wetlands. Information shall be provided orally within 24 hours (or the next business day if a weekend or holiday) from the time the permittee became aware of the non-compliance circumstances.

Additional Conditions:

1. The post-construction removal of any temporary bridge structures must return the project site to its preconstruction contours and elevations. The impacted areas shall be revegetated with appropriate native species. [15A NCAC 02H .0506(b)(2)]
2. As a condition of this 401 Water Quality Certification, the bridge demolition and construction must be accomplished in strict compliance with the most recent version of NCDOT's Best Management Practices for Construction and Maintenance Activities. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]



3. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. To meet the requirements of NCDOT's NPDES permit NCS0000250, please refer to the most recent version of the *North Carolina Department of Transportation Stormwater Best Management Practices Toolbox* manual for approved measures. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]
4. Bridge piles and bents shall be constructed using driven piles (hammer or vibratory) or drilled shaft construction methods. More specifically, jetting or other methods of pile driving are prohibited without prior written approval from the NCDWR first. [15A NCAC 02H.0506(b)(2)]
5. No drill slurry or water that has been in contact with uncured concrete shall be allowed to enter surface waters. This water shall be captured, treated, and disposed of properly. [15A NCAC 02H .0506(b)(3)]
6. A turbidity curtain will be installed in the stream if driving or drilling activities occur within the stream channel, on the stream bank, or within 5 feet of the top of bank, or during the removal of bents from an old bridge. This condition can be waived with prior approval from the NCDWR. [15A NCAC 02H .0506(b)(3)]
7. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills. [15A NCAC 02B.0200]
8. For all streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and revegetated with appropriate native species. [15A NCAC 02H.0506(b)(2)]
9. During the construction of the project, no staging of equipment of any kind is permitted in waters of the U.S., or protected riparian buffers. [15A NCAC 02H.0506(b)(2)]
10. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions. [15A NCAC 02H.0506(b)(2)]
11. The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage. [15A NCAC 02H.0506(b)(2)]
12. DWR approves the stormwater drainage design as shown in the 401 application, under the assumption that it meets the requirements of the NCDOT NPDES permit #NCS000250. These plans are enforceable by DWR. Changes to the approved plans are prohibited without prior approval from DWR. If sediment or other pollutants are found to be discharged from the stormwater outfalls, DWR may take enforcement action. NCDOT and DWR shall assess the damage to water quality standards and implement an appropriate action plan to address the impacts. The action plan shall provide an appropriate timeline for implementation as agreed upon by both DWR and NCDOT.



13. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507 (c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]

14. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water. [15A NCAC 02H.0506(b)(3) and (c)(3)]

15. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream. [15A NCAC 02H.0506(b)(3)]

16. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials. [15A NCAC 02H.0506(b)(3)]

17. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]

18. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]

19. The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If the NCDWR determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]

20. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]

21. A copy of this Water Quality Certification shall be maintained on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]

22. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization, including all non-commercial borrow and waste sites associated with the project, shall be clearly marked by highly visible fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification. [15A NCAC 02H.0501 and .0502]

23. The issuance of this certification does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (i.e. local, state, and federal) having jurisdiction, including but not limited to applicable buffer rules, stormwater management rules, soil erosion and sedimentation control requirements, etc.



24. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]

25. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]

26. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities. [15A NCAC 02H.0506(b)(3) and (c)(3)]

27. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards [15A NCAC 02H.0506(b)(3) and (c)(3)]:

- a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
- b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
- c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
- d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.

28. Sediment and erosion control measures shall not be placed in wetlands or surface waters, or within 5 feet of the top of bank, without prior approval from DWR. [15A NCAC 02H.0506(b)(3) and (c)(3)]

29. When applicable, all construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sediment and Pollution Control Act of 1973). Regardless of applicability of the Sediment and Pollution Control Act, all projects shall incorporate appropriate Best Management Practices for the control of sediment and erosion so that no violations of state water quality standards, statutes, or rules occur. [15A NCAC 02H .0506(b)(3) and (c)(3) and 15A NCAC 02B .0200]



30. Design, installation, operation, and maintenance of all sediment and erosion control measures shall be equal to or exceed the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*, or for linear transportation projects, the *NCDOT Sediment and Erosion Control Manual*.

All devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) sites, including contractor-owned or leased borrow pits associated with the project. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times.

For borrow pit sites, the erosion and sediment control measures shall be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*. Reclamation measures and implementation shall comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.

[15A NCAC 02H.0506(b)(3) and (c)(3); GC 4135]

This approval and its conditions are final and binding unless contested [G.S. 143-215.5]. Please be aware that impacting waters without first applying for and securing the issuance of a 401 Water Quality Certification violates Title 15A of the North Carolina Administrative Code (NCAC) 2H .0500. Title 15A NCAC 2H .0500 requires certifications pursuant to Section 401 of the Clean Water Act whenever construction or operation of facilities will result in a discharge into navigable waters, including wetlands, as described in 33 Code of Federal Regulations (CFR) Part 323. It also states any person desiring issuance of the State certification or coverage under a general certification required by Section 401 of the Federal Water Pollution Control Act shall file with the Director of the North Carolina Division of Water Quality. Pursuant to G.S. 143-215.6A, these violations and any future violations are subject to a civil penalty assessment of up to a maximum of \$25,000.00 per day for each violation.

This Certification can be contested as provided in Chapter 150B of the North Carolina General Statutes by filing a Petition for a Contested Case Hearing (Petition) with the North Carolina Office of Administrative Hearings (OAH) within sixty (60) calendar days. Requirements for filing a Petition are set forth in Chapter 150B of the North Carolina General Statutes and Title 26 of the North Carolina Administrative Code. Additional information regarding requirements for filing a Petition and Petition forms may be accessed at <http://www.ncoah.com/> or by calling the OAH Clerk's Office at (919) 431-3000.

A party filing a Petition must serve a copy of the Petition on:

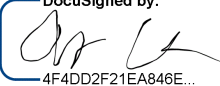
William F. Lane, General Counsel
Department of Environmental Quality
1601 Mail Service Center
Raleigh, NC 27699-1601

If the party filing the Petition is not the permittee, then the party must also serve the recipient of the Certification in accordance with N.C.G.S 150B-23(a).



This letter completes the review of the Division under section 401 of the Clean Water Act and 15A NCAC 02H .0500. Please contact Rob Ridings at rob.ridings@deq.nc.gov or 919-707-8786 if you have any questions or concerns.

Sincerely,

DocuSigned by:

4F4DD2F21EA846E...

Richard E. Rogers Jr, Director
Division of Water Resources

CC:

Kyle Barnes, USACE Washington Regulatory Field Office (Kyle.W.Barnes@usace.army.mil)

Garry Wright, NCDOT Division 4 Environmental Officer (glwright@ncdot.gov)

Jason Dilday, NCDOT Environmental Coordination & Permitting (jdilday1@ncdot.gov)

File Copy



North Carolina Department of Environmental Quality | Division of Water Resources
512 North Salisbury Street | 1611 Mail Service Center | Raleigh, North Carolina 27699-1611
919.707.9000

NCDWR Project No.: _____ County: _____

Applicant: _____

Project Name: _____

Date of Issuance of 401 Water Quality Certification: _____

Certificate of Completion

Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return this certificate to the 401 Transportation Permitting Unit, North Carolina Division of Water Resources, 1617 Mail Service Center, Raleigh, NC, 27699-1617. This form may be returned to NCDWR by the applicant, the applicant's authorized agent, **or** the project engineer. It is not necessary to send certificates from all of these.

Applicant's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

Agent's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

Engineer's Certification

_____ Partial _____ Final

I, _____, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the project for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature _____ Registration No. _____

Date _____





NORTH CAROLINA
Environmental Quality

September 25, 2023

DWR # 20231287
Johnston County

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

RICHARD E. ROGERS, JR.
Director

Mr. Jamie J. Lancaster, PE
Environmental Analysis Unit
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina, 27699-1598

Subject: APPROVAL of NEUSE RIPARIAN BUFFER IMPACTS WITH ADDITIONAL CONDITIONS
NCDOT Project TIP# BR-0026: Bridge 50 over Middle Creek on NC Hwy 210; Johnston County

Dear Mr. Lancaster:

You have our approval for the impacts listed below for the purpose described in your application dated received by the Division of Water Resources (Division) on September 15, 2023. These impacts are covered by the Neuse Buffer Rules and the conditions listed below. Please note that you should get any other federal, state or local permits before proceeding with your project, including those required by (but not limited to) Sediment and Erosion Control, Non-Discharge, and Water Supply Watershed regulations.

The following impacts are hereby approved, provided that all of the Conditions listed below and all of the conditions of the Neuse Buffer Rules are met. No other impacts are approved, including incidental impacts. [15A NCAC 02B.0611(b)(2)]

Neuse Riparian Buffer Impacts

Site	Zone 1 Impact (sq ft)	Zone 1 Buffer Mitigation Required (using 3:1 ratio)		Zone 2 Impact (sq ft)	Zone 2 Buffer Mitigation Required (using 1.5:1 ratio)
Totals	7401	N/A		4244	N/A

* n/a = Total for Site is less than 1/3 acre and 150 linear feet of impact, no mitigation required
Total Buffer Impact for Project: 11645 square feet.

This approval is for the purpose and design described in your application. The plans and specifications for this project are incorporated by reference as part of this Authorization Certificate. If you change your project, you must notify the Division and you may be required to submit a new application package. If the property is sold, the new owner must be given a copy of this Authorization Certificate and is responsible for complying with all conditions. [15A NCAC 02B.0611(b)(2)]



North Carolina Department of Environmental Quality | Division of Water Resources
512 North Salisbury Street | 1611 Mail Service Center | Raleigh, North Carolina 27699-1611
919.707.9000

If you are unable to comply with any of the conditions below, you must notify the NCDWR Transportation Permitting Branch within 24 hours (or the next business day if a weekend or holiday) from the time the permittee becomes aware of the circumstances.

The permittee shall report to the NC Division of Water Resources any noncompliance with the conditions of this Authorization Certificate and/or any violation of state regulated riparian buffer rules [15A NCAC 02B.0714]. Information shall be provided orally within 24 hours (or the next business day if a weekend or holiday) from the time the applicant became aware of the circumstances.

Conditions of Approval:

1. All riparian buffers impacted by the placement of temporary fill or clearing activities shall be restored to the preconstruction contours and revegetated. Maintained buffers shall be permanently revegetated with non-woody species by the end of the growing season following completion of construction. For the purpose of this condition, maintained buffer areas are defined as areas within the transportation corridor that will be subject to regular NCDOT maintenance activities including mowing. The area with non-maintained buffers shall be permanently revegetated with native woody species before the next growing season following completion of construction. [15A NCAC 02B.0714]
2. Pursuant to 15A NCAC 2B.0714, sediment and erosion control devices shall not be placed in Zone 1 of any Neuse Buffer without prior approval by the NCDWR. At this time, the NCDWR has approved no sediment and erosion control devices in Zone 1, outside of the approved project impacts, anywhere on this project. Moreover, sediment and erosion control devices shall be allowed in Zone 2 of the buffers provided that Zone 1 is not compromised and that discharge is released as diffuse flow.
3. All stormwater runoff shall be directed as sheetflow through stream buffers at non-erosive velocities, unless otherwise approved by this certification. [15A NCAC 02B.0714]
4. Native riparian vegetation (i.e., trees and shrubs native to your geographic region) must be reestablished in the riparian areas within the construction limits of the project by the end of the growing season following completion of construction. [15A NCAC 02B.0714] & [15A NCAC 02B.0506(b)(2)]

This approval and its conditions are final and binding unless contested. [G.S. 143-215.5]

This Authorization Certificate can be contested as provided in Chapter 150B of the North Carolina General Statutes by filing a Petition for a Contested Case Hearing (Petition) with the North Carolina Office of Administrative Hearings (OAH) **within sixty (60) calendar days**. Requirements for filing a Petition are set forth in Chapter 150B of the North Carolina General Statutes and Title 26 of the North Carolina Administrative Code. Additional information regarding requirements for filing a Petition and Petition forms may be accessed at <http://www.ncoah.com/> or by calling the OAH Clerk's Office at (919) 431-3000. One (1) copy of the Petition must also be served to the North Carolina Department of Environmental Quality:

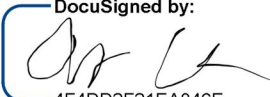
William F. Lane, General Counsel
Department of Environmental Quality
1601 Mail Service Center
Raleigh, NC 27699-1601



This Authorization shall expire five (5) years from the date of this letter.

This letter completes the review of the Division under the Neuse Riparian Buffer Rules as described in 15A NCAC 02B.0714. Please contact Rob Ridings at rob.ridings@deq.nc.gov or 919-707-8786 if you have any questions or concerns.

Sincerely,

DocuSigned by:

4F4DD2F21EA846E...

Richard E. Rogers, Jr., Director
Division of Water Resources

cc:

Kyle Barnes, USACE Washington Regulatory Field Office (Kyle.W.Barnes@usace.army.mil)

Garry Wright, NCDOT Division 4 Environmental Officer (glwright@ncdot.gov)

Jason Dilday, NCDOT Environmental Coordination & Permitting (jdilday1@ncdot.gov)

File Copy



North Carolina Department of Environmental Quality | Division of Water Resources
512 North Salisbury Street | 1611 Mail Service Center | Raleigh, North Carolina 27699-1611
919.707.9000



North Carolina Department of Transportation

Highway Stormwater Program
STORMWATER MANAGEMENT PLAN
FOR NCDOT PROJECTS

(Version 3.00; Released August 2021)

WBS Element: 67026.1.1

TIP/Proj No: BR-0026

County(ies): Johnston

Page 1 of 2

General Project Information

WBS Element:	67026.1.1	TIP Number:	BR-0026	Project Type:	Bridge Replacement	Date:	6/28/2023
NCDOT Contact:	Tierre R Peterson			Contractor / Designer:	Bradley Ridnour		
	Address:	1000 Birch Ridge Drive Raleigh, NC 27610			Address:	4700 Falls of Neuse Road Suite 100 Raleigh, NC 27609	
	Phone:	(919)707-6488			Phone:	(606)302-2872	
	Email:	trpeterson@ncdot.gov			Email:	bsridnour@imt.com	
City/Town:	Smithfield, NC			County(ies):	Johnston		
River Basin(s):	Neuse			CAMA County?	No		
Wetlands within Project Limits?	Yes						

Project Description

Project Length (lin. miles or feet):	865 Feet	Surrounding Land Use:	Residential/Agricultural			
	Proposed Project		Existing Site			
Project Built-Up Area (ac.)	0.8	ac.	0.5	ac.		
Typical Cross Section Description:	2 - 12' Travel Lanes @ 2% NC, 4' Paved and 4' Grass Shoulders			Average Lane Width 9', 2 - 9' Lanes. Grass Shoulders.		
Annual Avg Daily Traffic (veh/hr/day):	Design/Future:	14000	Year:	2045	Existing:	8900
					Year:	2020

General Project Narrative:
(Description of Minimization of Water
Quality Impacts)

The purpose of this project is to replace bridge no. 500050 located on NC 210 over Middle Creek. The existing bridge is a four span (34'-0", 33'-11", 33'-11", 34'-0") concrete and steel bridge with 2 - 9' paved lanes. The replacement bridge will be a two span (60'-0", 100'-0" 54" prestressed girder bridge set on 4' caps with 1.5:1 spill-through abutments with 2 - 12' paved lanes.

There will be no deck drains on the replacement bridge. Runoff from the bridge will be routed into grate inlets placed at the downstream end of the bridge, beyond the approach slab. These grated inlets will be placed at either end of the bridge and stormwater will be discharged outside of buffer zone 2.

During construction, NCDOT and NCDENR best management practices shall be adhered to in order to minimize erosion and sedimentation to the adjacent property and the stream. Construction runoff will be filtered through silt fences and check dams placed between the construction site and Middle Creek and other runoff areas.

There should be no stormwater impacts to the project area as a result of this project.



North Carolina Department of Transportation

Highway Stormwater Program
STORMWATER MANAGEMENT PLAN
FOR NCDOT PROJECTS

(Version 3.00; Released August 2021)

WBS Element: 67026.1.1 TIP/Proj No.: BR-0026 County(ies): Johnston Page 2 of 2

General Project Information

Waterbody Information

Surface Water Body (1):	Middle Creek	NCDWR Stream Index No.:	27-43-15-(4)
NCDWR Surface Water Classification for Water Body	Primary Classification:	Class C	
	Supplemental Classification:	Nutrient Sensitive Waters (NSW)	
Other Stream Classification:	None		
Impairments:	None		
Aquatic T&E Species?	No	Comments:	
NRTR Stream ID:	n/a	Buffer Rules in Effect:	Neuse
Project Includes Bridge Spanning Water Body?	Yes	Deck Drains Discharge Over Buffer?	No
Deck Drains Discharge Over Water Body?	No	Dissipator Pads Provided in Buffer?	No
(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)	

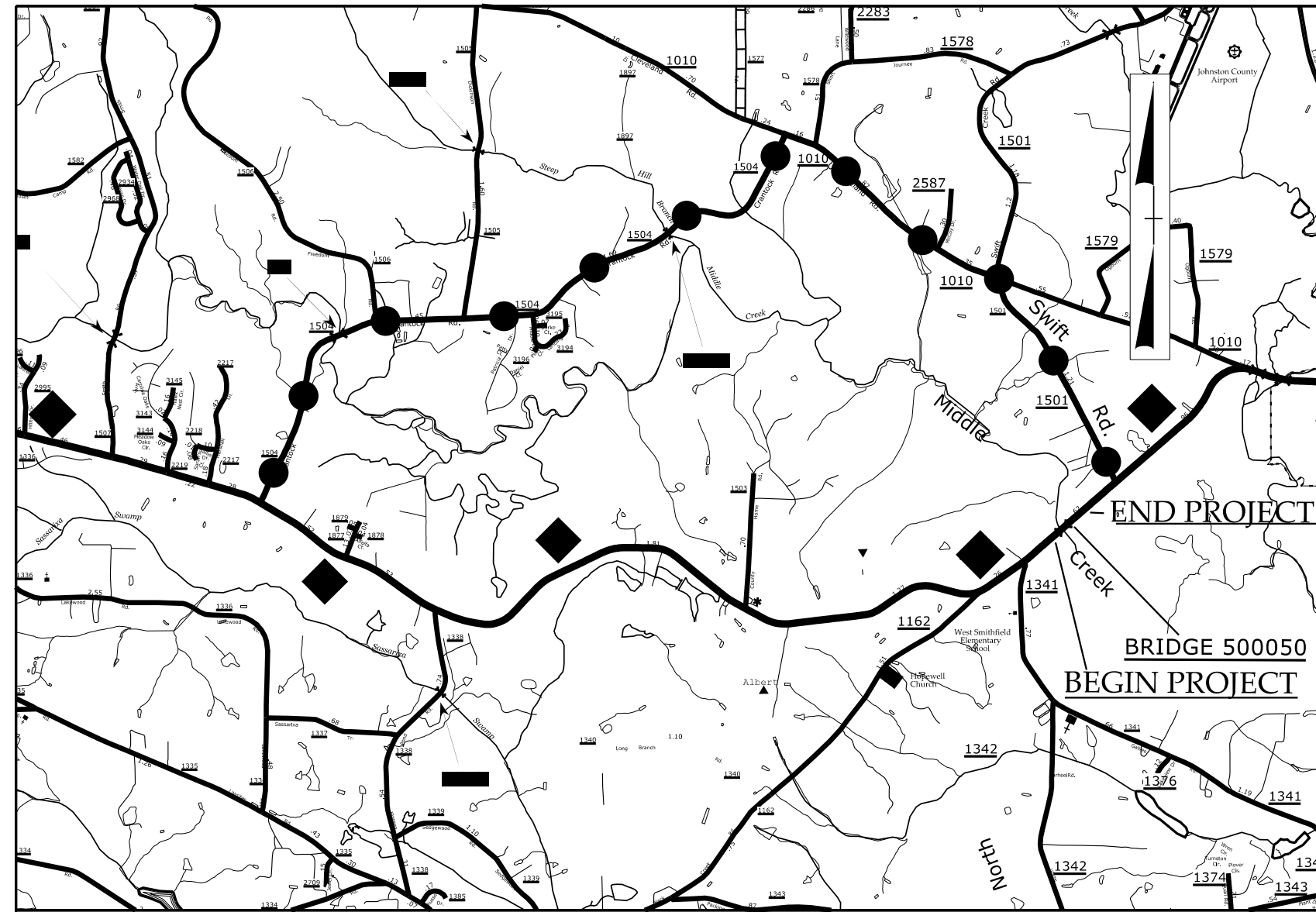
Surface Water Body (2):		NCDWR Stream Index No.:	
NCDWR Surface Water Classification for Water Body	Primary Classification:		
	Supplemental Classification:		
Other Stream Classification:			
Impairments:			
Aquatic T&E Species?		Comments:	
NRTR Stream ID:		Buffer Rules in Effect:	
Project Includes Bridge Spanning Water Body?		Deck Drains Discharge Over Buffer?	
Deck Drains Discharge Over Water Body?		Dissipator Pads Provided in Buffer?	
(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)	

Surface Water Body (3):		NCDWR Stream Index No.:	
NCDWR Surface Water Classification for Water Body	Primary Classification:		
	Supplemental Classification:		
Other Stream Classification:			
Impairments:			
Aquatic T&E Species?		Comments:	
NRTR Stream ID:		Buffer Rules in Effect:	
Project Includes Bridge Spanning Water Body?		Deck Drains Discharge Over Buffer?	
Deck Drains Discharge Over Water Body?		Dissipator Pads Provided in Buffer?	
(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)	

9/14/2023 1:50:37 PM
...\\01-BR-0026-PD-01.dgn
User:PBUTLER2

TIP PROJECT: BR-0026

CONTRACT: C204792



VICINITY MAP
OFF-SITE DETOUR

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

PERMIT DRAWING
SHEET 1 OF 7

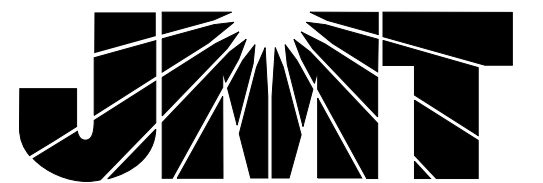
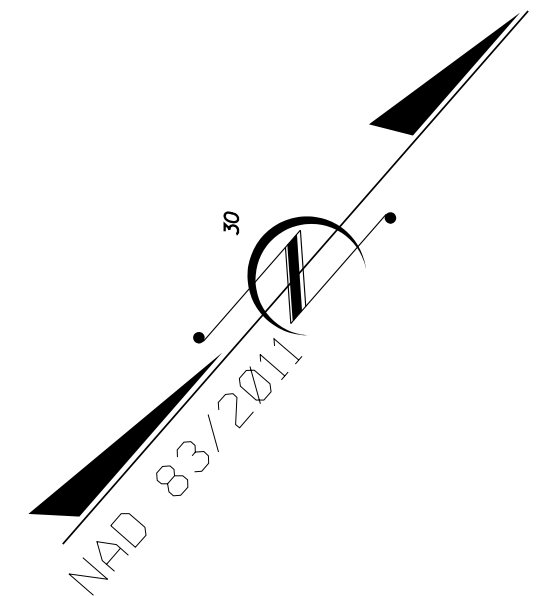
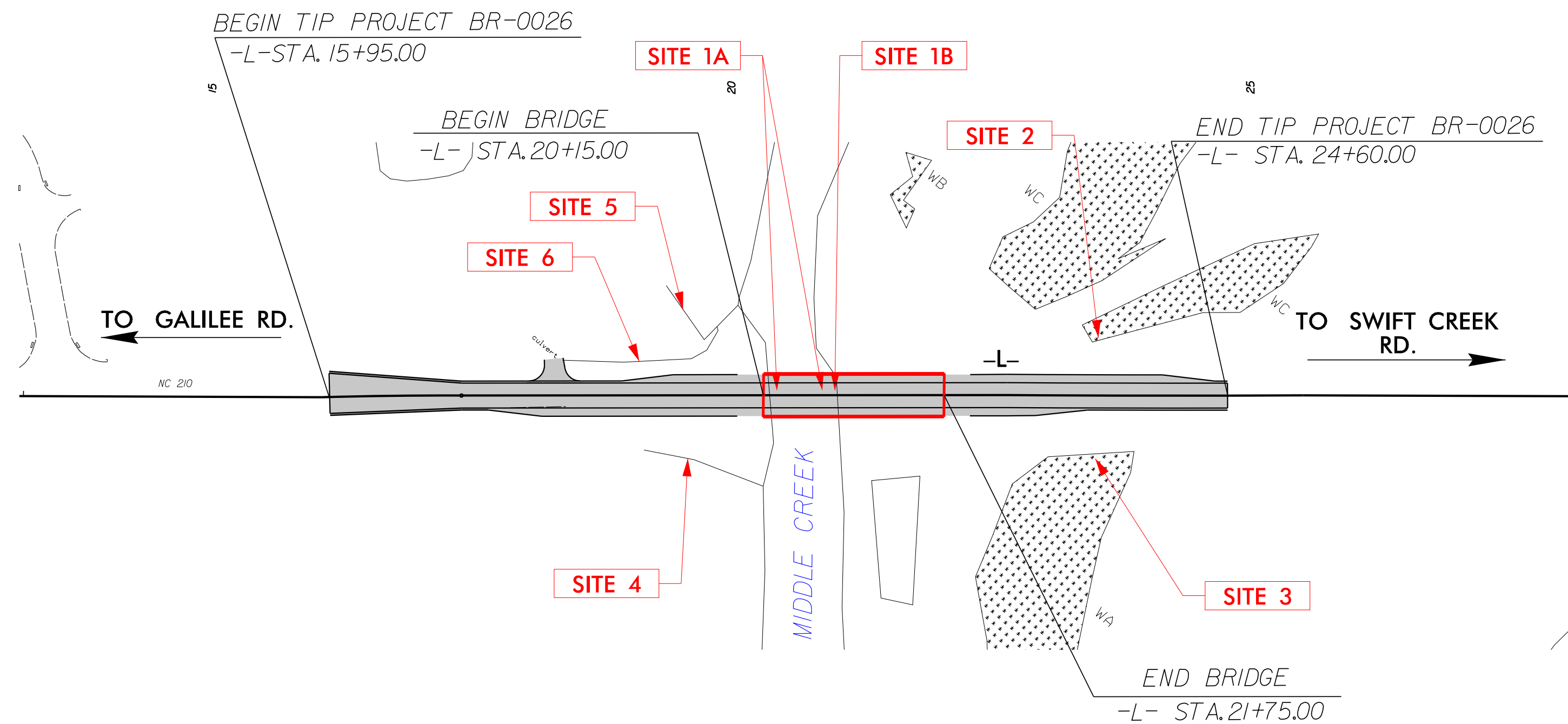
STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	BR-0026	1	8
STATE PROJ. NO.	P. A. PROJ. NO.	DESCRIPTION	
67026.1.1		P.E.	
67026.2.1		R/W & UTIL	
67026.3.1		CONSTRUCTION	

JOHNSTON COUNTY

LOCATION: REPLACE BRIDGE (500050) ON NC-210 OVER MIDDLE CREEK
TYPE OF WORK: GRADING, DRAINAGE, PAVING AND STRUCTURE

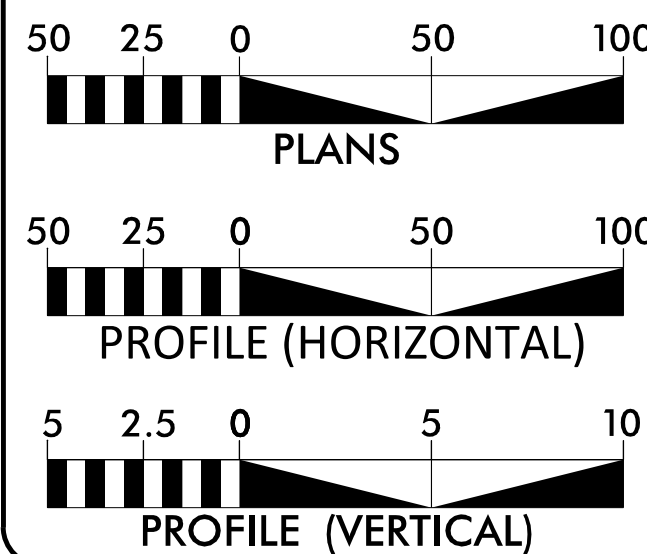
WETLAND AND SURFACE WATER IMPACTS

Clearing and Grubbing: Method III
Utility Design Included



DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALES



DESIGN DATA

ADT 2020 = 8,900
ADT 2045 = 14,000
K = 10%
D = 65%
T = 4%
V = 45 MPH
* TTST = 1% DUAL = 3%
FUNC CLASS = MINOR ARTERIAL
REGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY PROJECT = 0.134 MI
LENGTH STRUCTURE PROJECT = 0.030 MI
TOTAL LENGTH OF PROJECT = 0.164 MI

NCDOT CONTACT: DAVID STUTTS, P.E.
PROJECT ENGINEER, PEF/PRG MGT.

Prepared in the Office of:
JOHNSON, MIRMIRAN, & THOMPSON
4700 Falls of Neuse Road, Suite 100, Raleigh, NC 27609

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
APRIL 26, 2022

LETTING DATE:
JANUARY 16, 2024

JOHN LANSFORD, P.E.
PROJECT ENGINEER

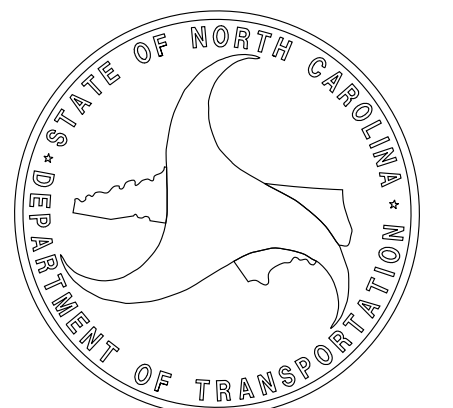
KEITH BRIDGERS
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

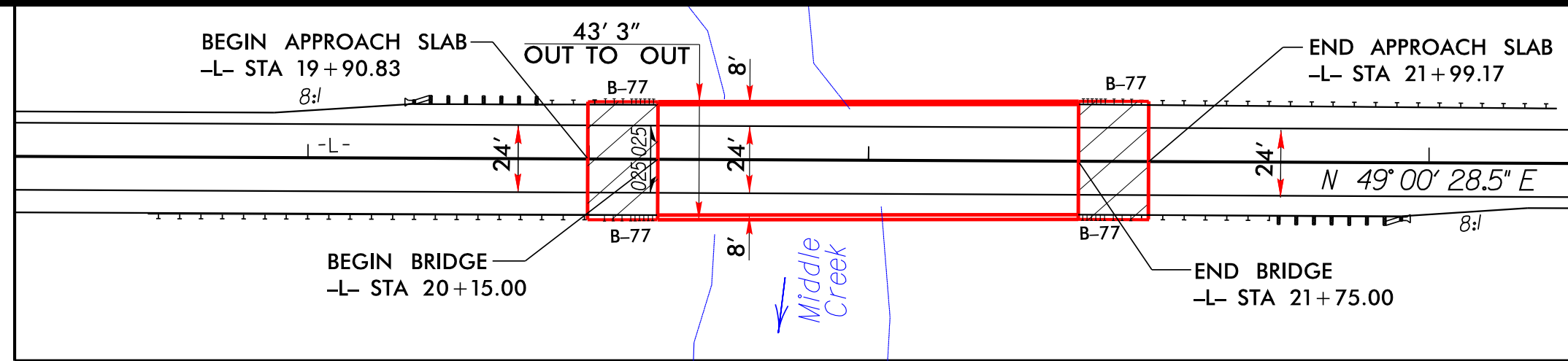
SIGNATURE: P.E.

ROADWAY DESIGN
ENGINEER

SIGNATURE: P.E.



1" = 50 feet



Relationship Between Approaches and Structure

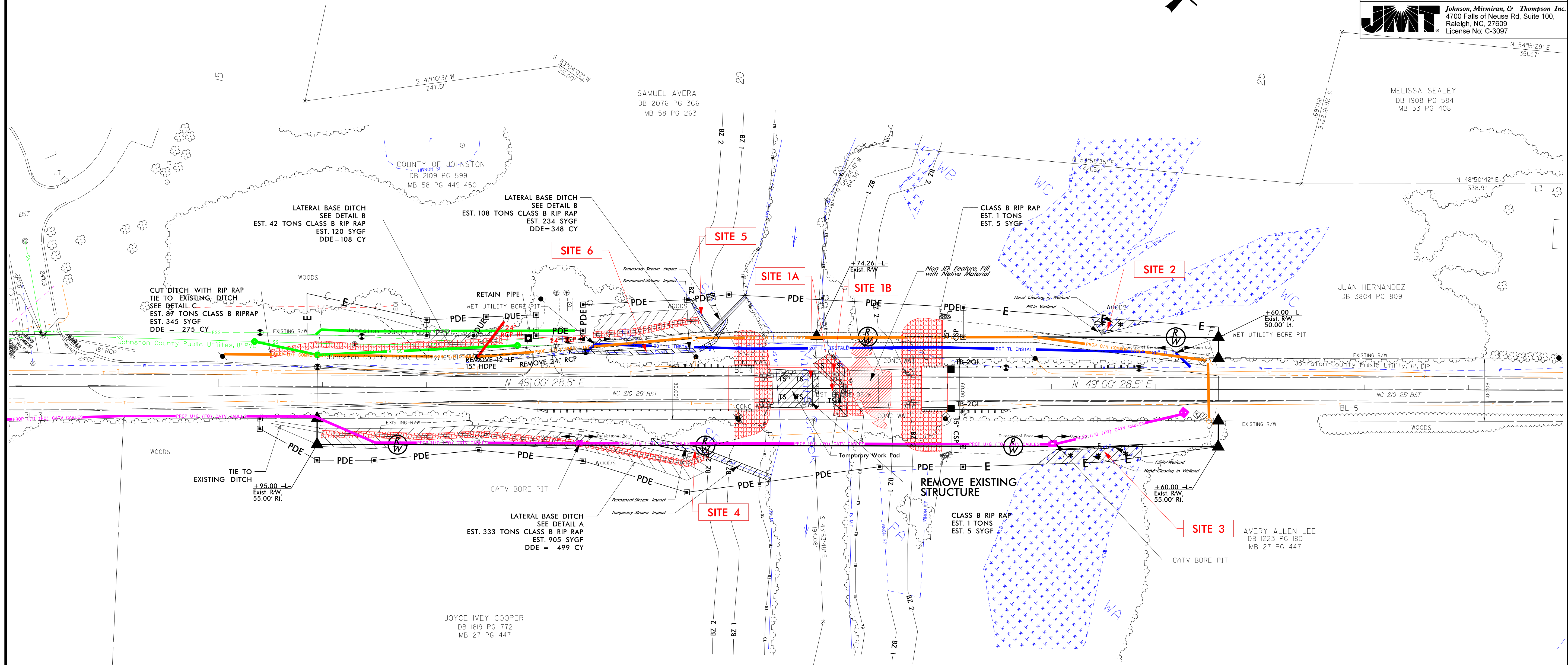
NAD 83/2011

PROJECT REFERENCE NO. BR-0026	SHEET NO. 4
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	ENGINEER

PERMIT DRAWING
SHEET 2 OF 7

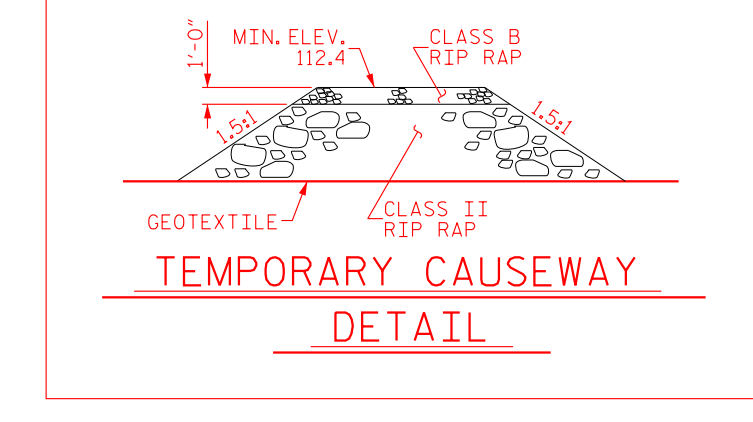
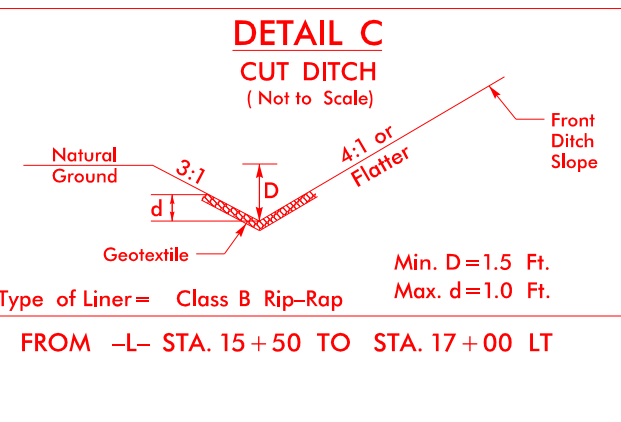
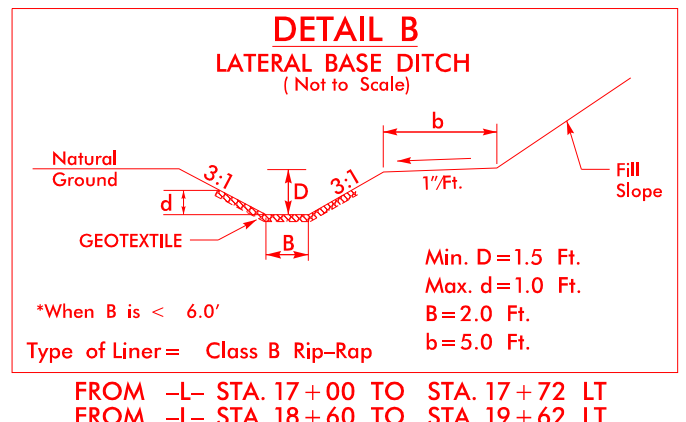
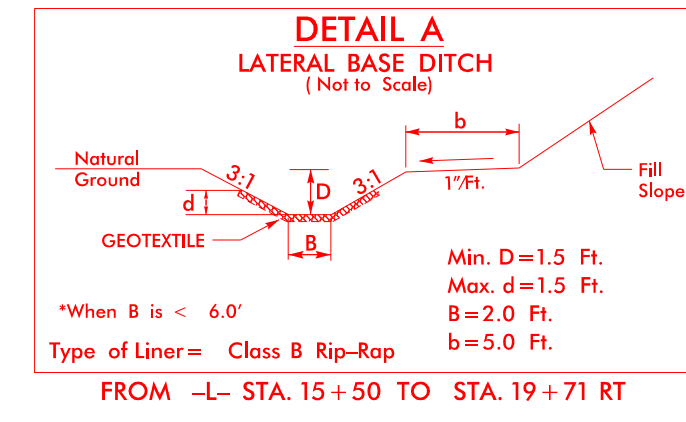
DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

JMT Johnson, Mirmiran, & Thompson Inc.
4700 Falls of Neuse Rd, Suite 100,
Raleigh, NC 27609
License No: G-3097



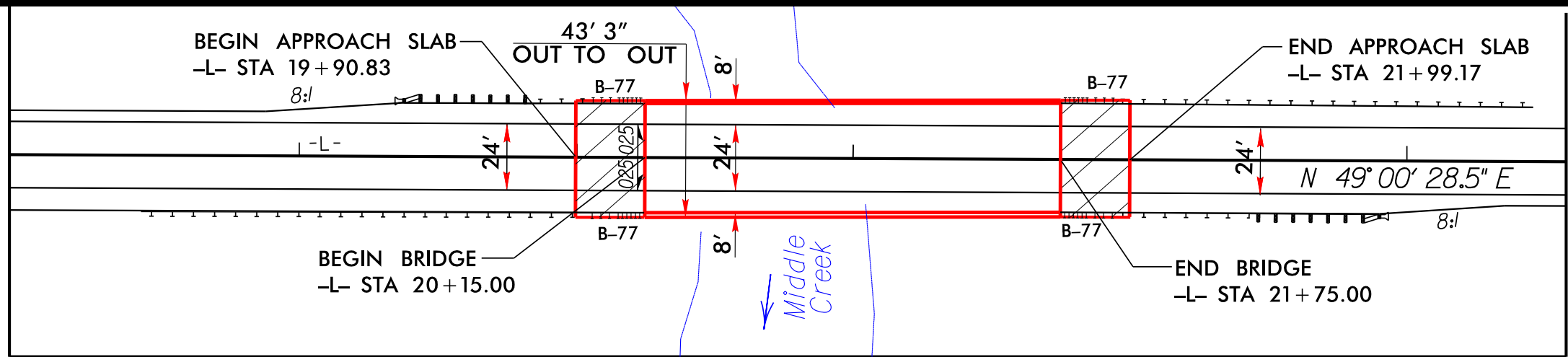
NO MORE THAN ONE TEMPORARY CAUSEWAY WILL BE IN PLACE AT ANY GIVEN TIME AND NO MORE THAN 50% OF RIVER CHANNEL CAN BE IMPACTED AT ANY GIVEN TIME WITH A CAUSEWAY.

- FILL IN WETLAND
- HAND CLEARING IN WETLAND
- PERMANENT SURFACE WATER IMPACTS
- TEMPORARY SURFACE WATER IMPACTS




9/14/2023 15:55:04 PM
BR-0026-PD-02.dgn
User: BR-0026

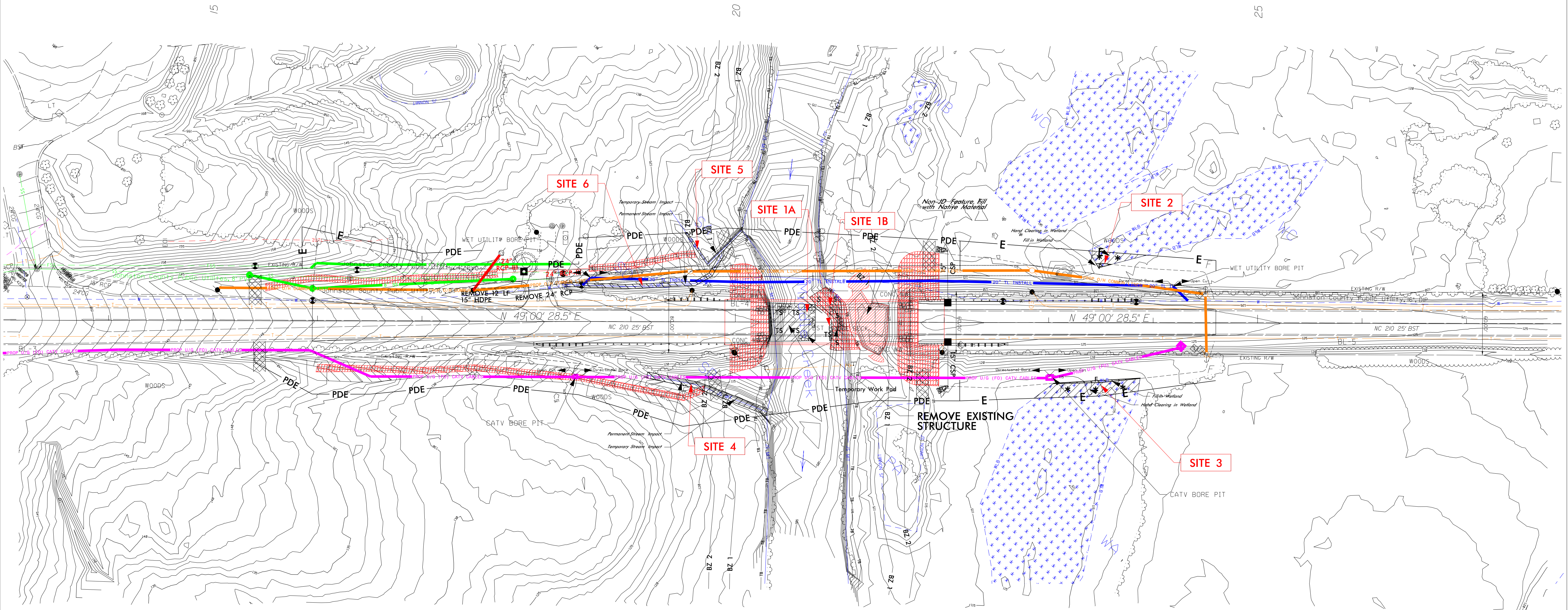
1" = 50 feet



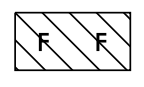
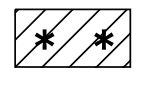
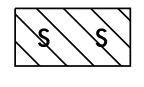
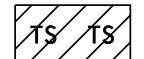
Relationship Between
Approaches and Structure

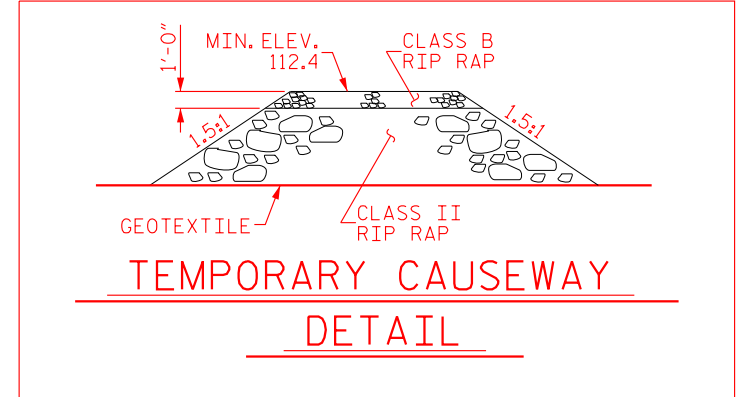
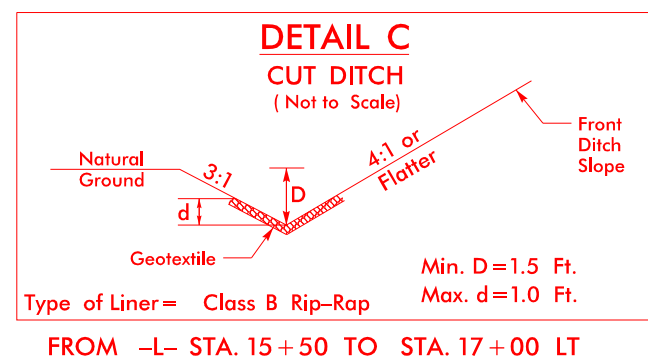
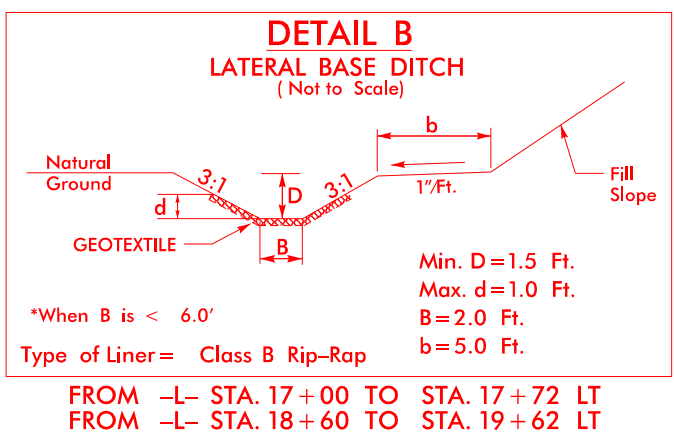
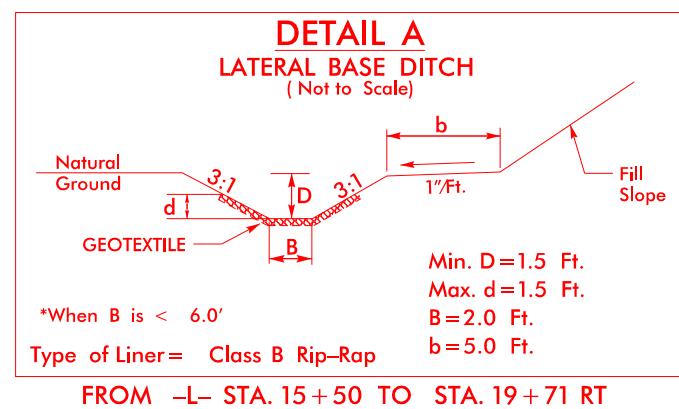
NAD 83 2011

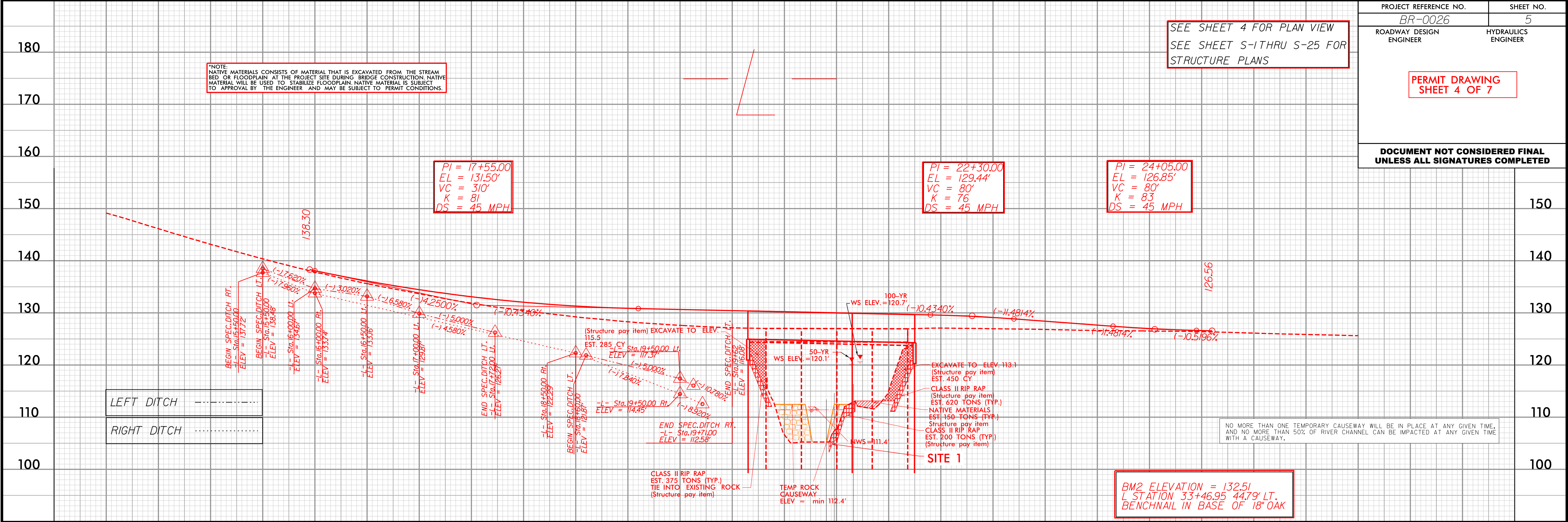
PROJECT REFERENCE NO.	SHEET NO.
BR-0026	4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PERMIT DRAWING SHEET 3 OF 7	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
 Johnson, Mirmiran, & Thompson Inc. 4700 Falls of Neuse Rd, Suite 100, Raleigh, NC 27609 License No: G-3097	



NO MORE THAN ONE TEMPORARY CAUSEWAY WILL BE IN PLACE AT ANY GIVEN TIME
AND NO MORE THAN 50% OF RIVER CHANNEL CAN BE IMPACTED AT ANY GIVEN TIME
WITH A CAUSEWAY.

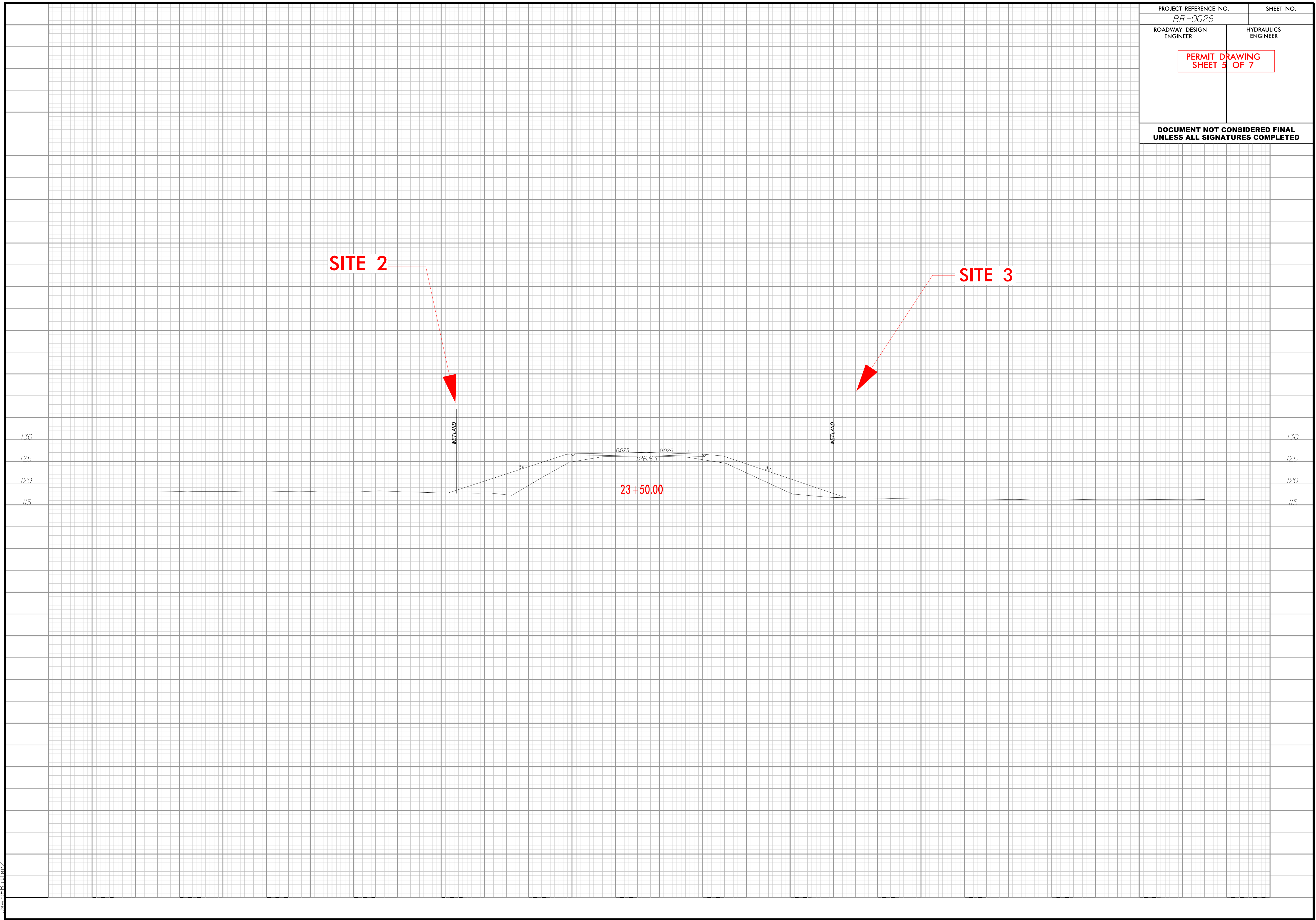
-  F F FILL IN WETLAND
-  * * * HAND CLEARING IN WETLAND
-  S S PERMANENT SURFACE WATER IMPACTS
-  TS TS TEMPORARY SURFACE WATER IMPACTS

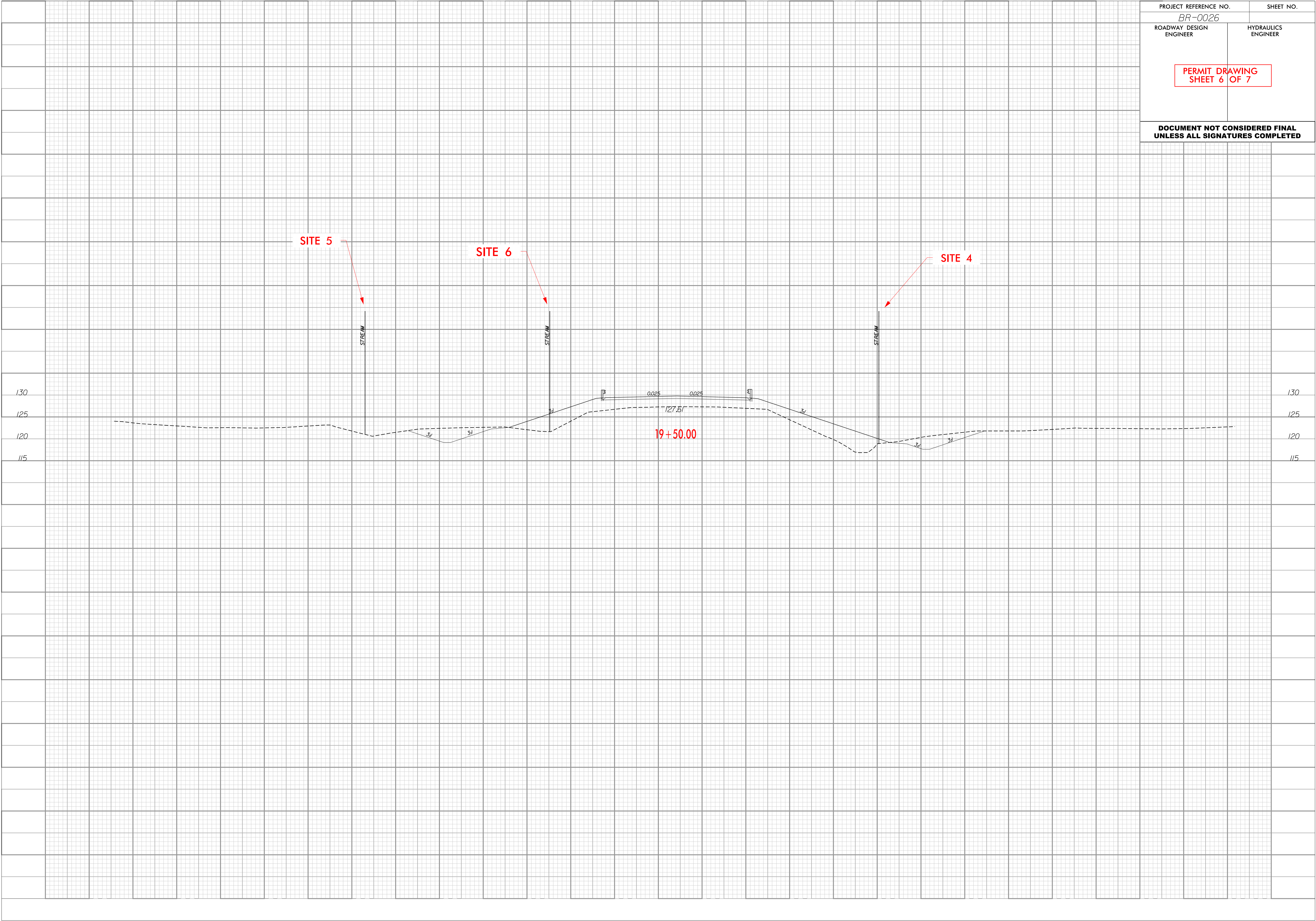




BRIDGE HYDRAULIC DATA		
DESIGN DISCHARGE	= 7500	CFS
DESIGN FREQUENCY	= 50	YRS
DESIGN HW ELEVATION	= 120.1	FT
BASE DISCHARGE	= 8900	CFS
BASE FREQUENCY	= 100	YRS
BASE HW ELEVATION	= 120.7	FT
OVERTOPPING DISCHARGE	= 14219	CFS
OVERTOPPING FREQUENCY	= 500+	YRS
OVERTOPPING ELEVATION	= 124.6	FT
DATE OF SURVEY	= (3/16/2021)	
W.S. ELEVATION AT DATE OF SURVEY	= 111.4'	FT

PROJECT REFERENCE NO.		SHEET NO.
BR-0026		
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER	
PERMIT DRAWING SHEET 5 OF 7		
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED		





WETLAND AND SURFACE WATER IMPACTS SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1A	Sta.20+36 to Sta.20+92	Temporary Causeway							0.03			
1B	Sta.20+71 to Sta.21+02	Rip Rap Stabilization						0.02		67		
2	Sta.23+38 to Sta.23+91	Fill / Erosion Control	< 0.01				< 0.01					
3	Sta.22+88 to Sta.23+86	Fill / Erosion Control	< 0.01				0.03					
4	Sta.19+14 to Sta.19+92	Drainage Ditch / Construction						< 0.01	< 0.01	57	64	
5	Sta.19+56 to Sta.19+98	Construction Access							< 0.01		83	
6	Sta.18+36 to Sta.19+88	Fill/ Construction Access						0.01	< 0.01	149	14	
TOTALS*:			< 0.01				0.04	0.04	0.05	273	161	0

*Rounded totals are sum of actual impacts

NOTES:

Johnston County Public Utilities (Water) will have an temporary stream impact (Sta. 18+50) within Site 6 of 6 linear feet (29 29 square feet). This portion of the stream will be subsequently filled, and therefore is reported as a permanent surface water impact.

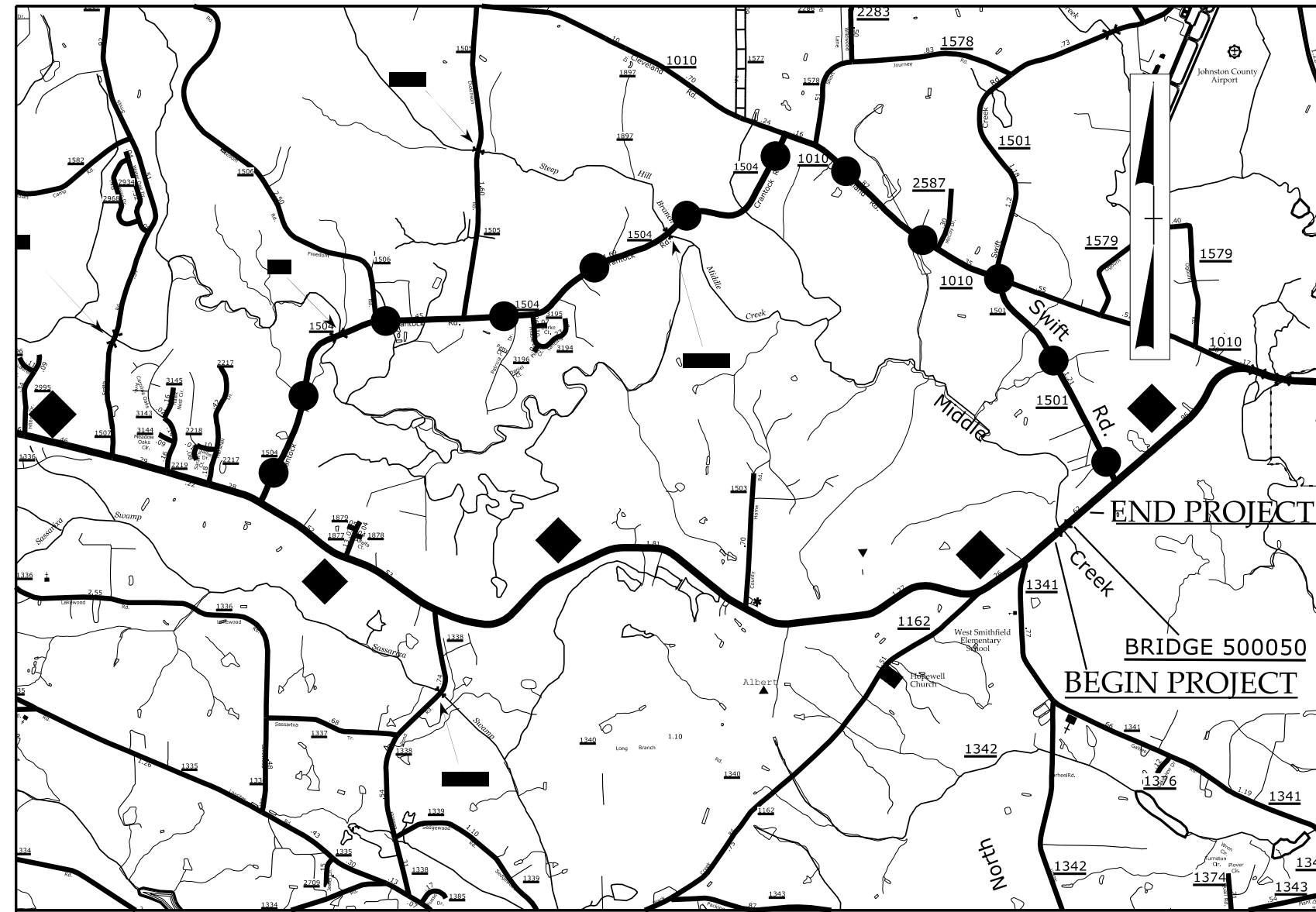
Site 1B is permanent stablization and is therefore not considered a loss of waters of the US.

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
September 2023
Johnston County
STIP BR-0026
WBS Element No. 67026.1.1

8/16/2023 10:00:10 PM
...\\01-BR-0026-BPD_01.dgn
User:PBUTLER2

TIP PROJECT: BR-0026

CONTRACT: C204792



VICINITY MAP
OFF-SITE DETOUR

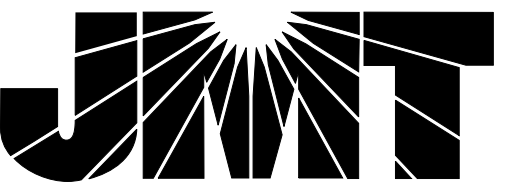
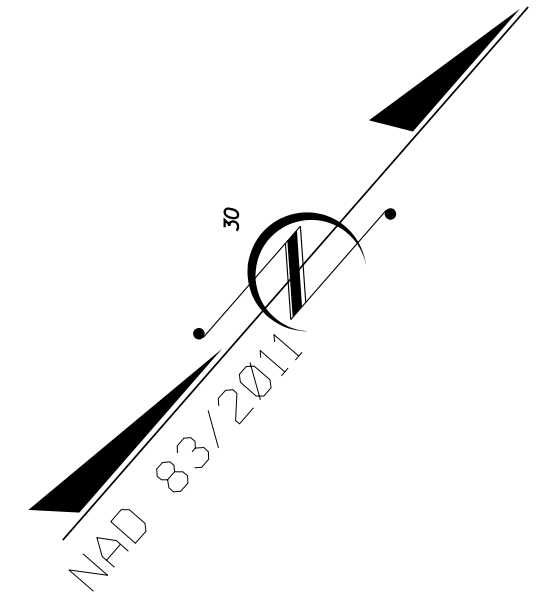
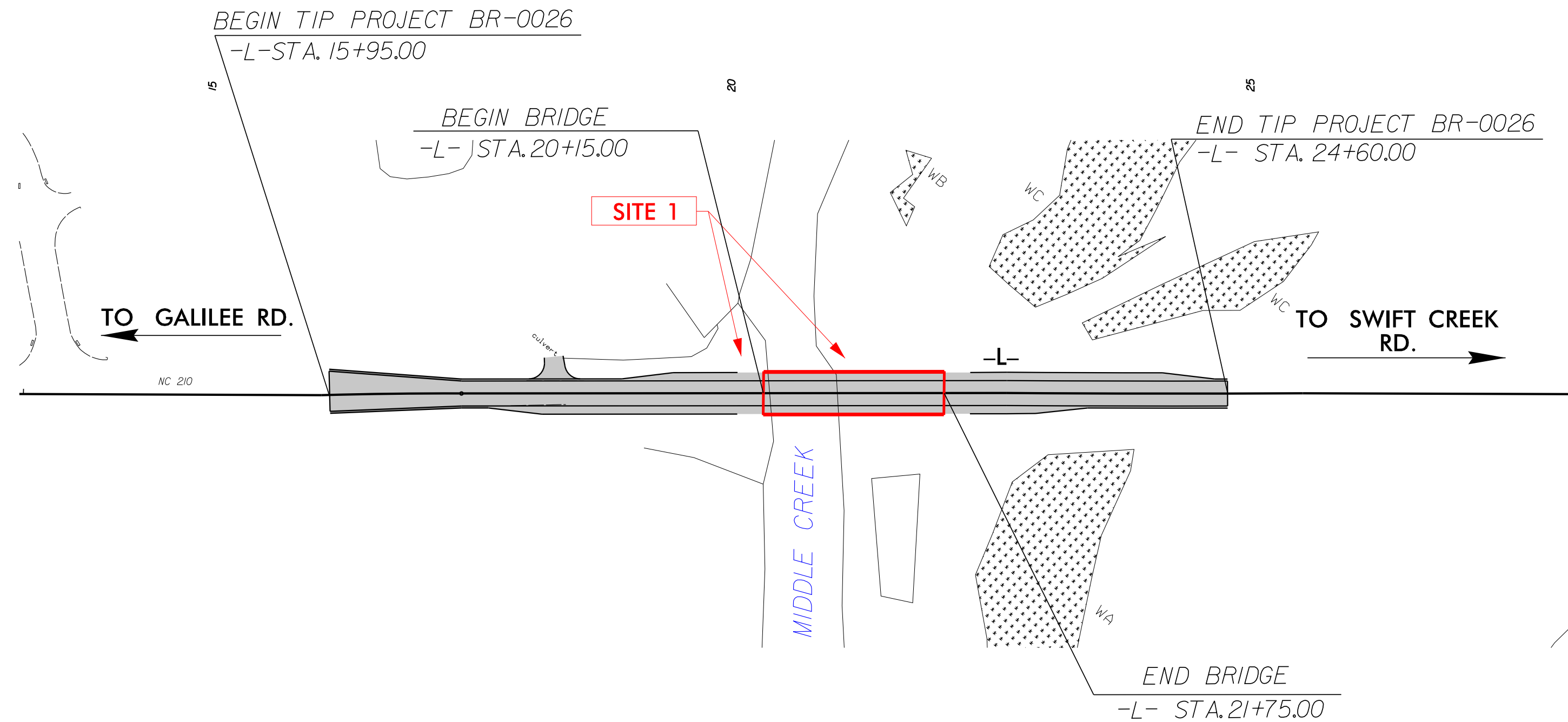
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

JOHNSTON COUNTY

LOCATION: REPLACE BRIDGE (500050) ON NC-210 OVER MIDDLE CREEK
TYPE OF WORK: GRADING, DRAINAGE, PAVING AND STRUCTURE

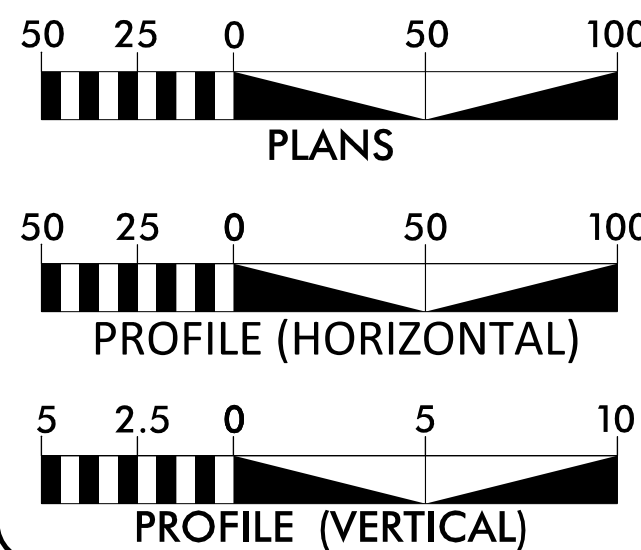
RIPARIAN BUFFER IMPACTS

Clearing and Grubbing: Method III



DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALES



DESIGN DATA

ADT 2020 = 8,900
ADT 2045 = 14,000
K = 10%
D = 65%
T = 4%
V = 45 MPH
* TTST = 1% DUAL = 3%
FUNC CLASS = MINOR ARTERIAL
REGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY PROJECT = 0.134 MI
LENGTH STRUCTURE PROJECT = 0.030 MI
TOTAL LENGTH OF PROJECT = 0.164 MI

NCDOT CONTACT: DAVID STUTTS, P.E.
PROJECT ENGINEER, PEF/PRG MGT.

Prepared in the Office of:
JOHNSON, MIRMIRAN, & THOMPSON
4700 Falls of Neuse Road, Suite 100, Raleigh, NC 27609

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
APRIL 26, 2022

LETTING DATE:
JANUARY 16, 2024

JOHN LANSFORD, P.E.
PROJECT ENGINEER

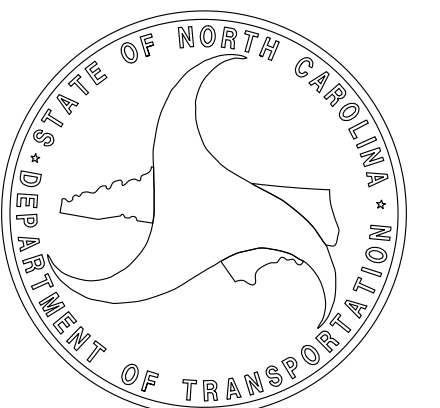
KEITH BRIDGERS
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

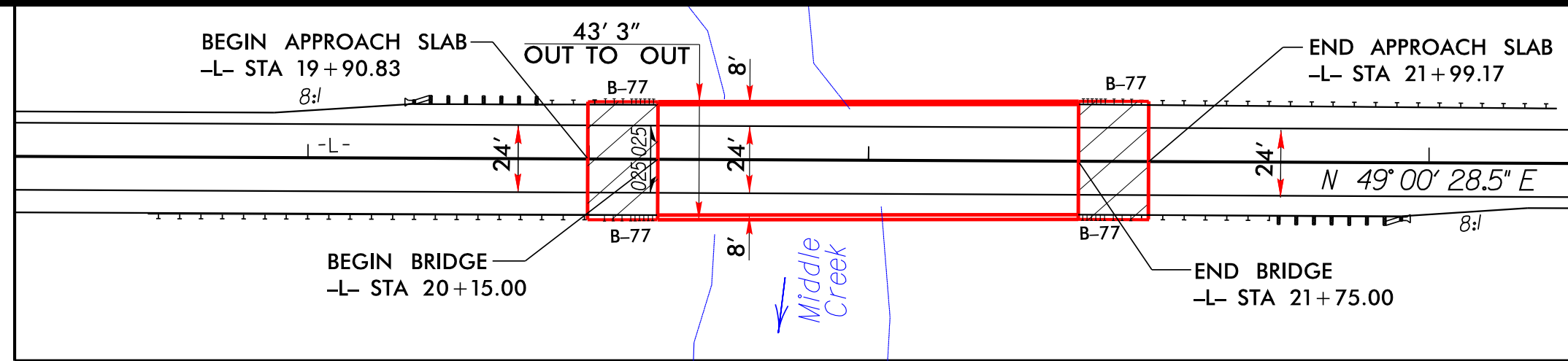
SIGNATURE: P.E.

ROADWAY DESIGN
ENGINEER

SIGNATURE: P.E.




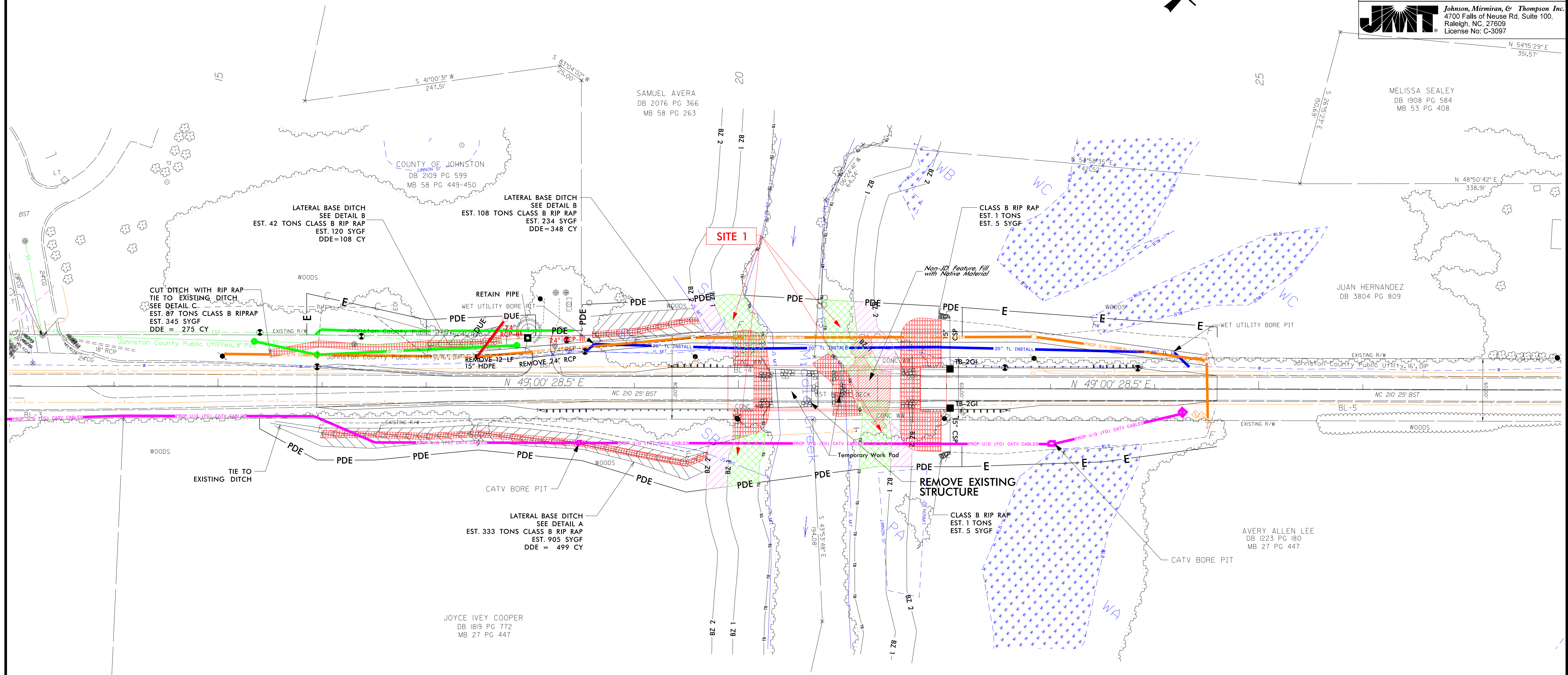
1" = 50 feet

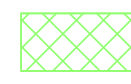



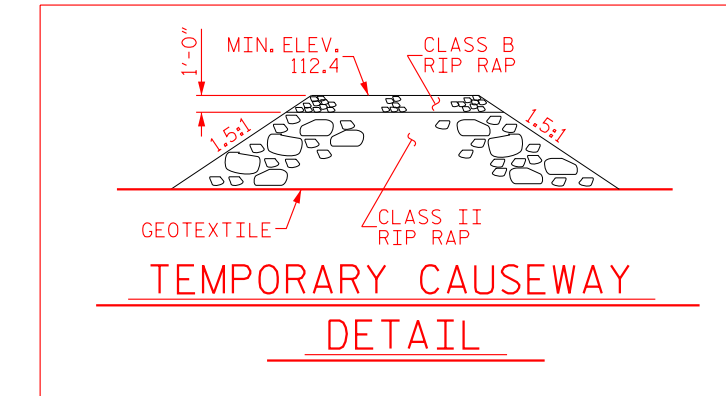
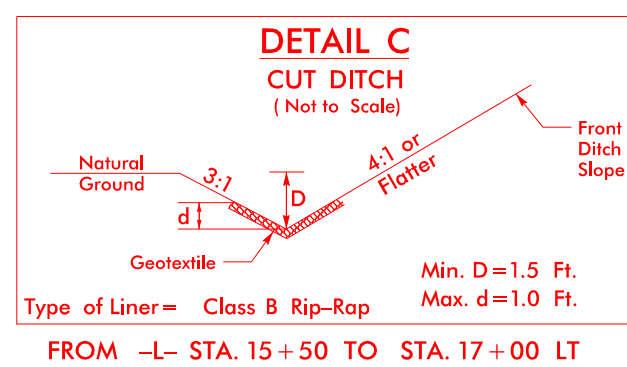
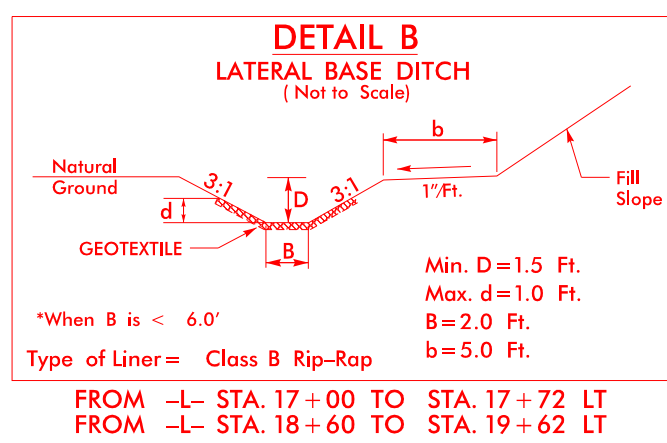
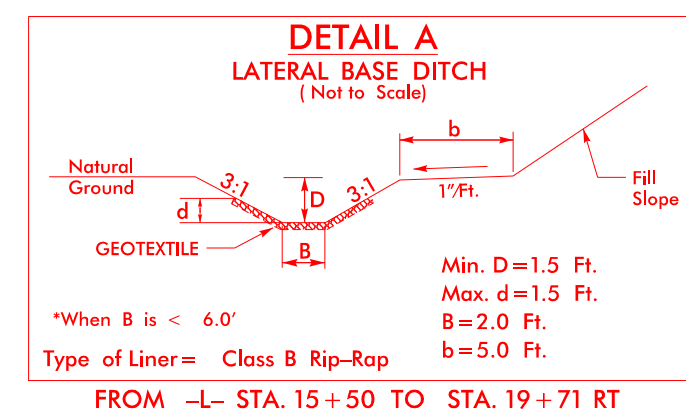
Relationship Between Approaches and Structure

NAD 83/2011

PROJECT REFERENCE NO.	SHEET NO.
BR-0026	4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
BUFFER DRAWING SHEET 2 OF 3	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
 Johnson, Mirmiran, & Thompson Inc. 4700 Falls of Neuse Rd, Suite 100, Raleigh, NC 27609 License No: G-3097	



-  ALLOWABLE IMPACTS ZONE 1
-  ALLOWABLE IMPACTS ZONE 2



RIPARIAN BUFFER IMPACTS SUMMARY

			IMPACTS									BUFFER REPLACEMENT	
Site No.	Station (From/To)	Structure Size / Type	TYPE			ALLOWABLE			MITIGABLE				
			ROAD CROSSING	BRIDGE	PARALLEL IMPACT	ZONE 1 (ft ²)	ZONE 2 (ft ²)	TOTAL (ft ²)	ZONE 1 (ft ²)	ZONE 2 (ft ²)	TOTAL (ft ²)	ZONE 1 (ft ²)	ZONE 2 (ft ²)
1	Sta.19+85 to Sta.21+65	Grading and Construction		X		7401	4244	11645					
					</								

NOTES:
 Zone 1 Impact: 0.17 Acre
 Zone 2 Impact: 0.10 Acre
 Total Riparian Buffer Impact: 0.27 Acre

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 SEPTEMBER 2023
 JOHNSTON COUNTY
 STIP BR-0026
 WBS Element No. 67026.1.1
 SHEET 3 OF 3