

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

JOSH STEIN

GOVERNOR

J.R. "JOEY" HOPKINS

SECRETARY

January 23, 2025

MEMORANDUM TO: Division Environmental and Construction Units

FROM: Jason L Dilday, ECAP Eastern Region Team Lead

Environmental Analysis Unit

SUBJECT: Environmental Permits for the Replacement of Bridge 22 on US 701 over

Bill's Swamp in Sampson County, Division 3, TIP BR-0046.

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 (dated 6/02/23)	May 25, 2025	
NC Division of Water Resources Section 401 Water Quality Certification	General Cert. No. 4135 [RGP50] (dated 9/19/24)	May 25, 2025	

Work depicted in this modification did not require revisions to the current issued permits for the project.

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.

Telephone: (919) 707-6000

Customer Service: 1-877-368-4968

Website: www.ncdot.gov

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

S.T.I.P Project No. BR-0046 Bridge No. 22 on US 701 over Bills Swamp Sampson County WBS Element No. 67046.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

EAU-Environmental Coordination & Permitting

Updated surveys for pondberry, wood stork and bald eagle will be conducted in the spring of 2022.

Surveys for the wood stork and bald eagle were performed on June 7, 2022, due to habitat present in the study area. No evidence of wood storks or bald eagles, including nests, was observed. The project will have No Effect of the bald eagle. The Programmatic Biological Evaluation (PBE) will be used for the wood stork due to lack of nests and evidence of wood stork and the project being in Divisions 1-8. The biological conclusion given to the wood stork is May Affect, Not Likely to Adversely Affect. A survey was last done for pondberry on October 12, 2022, due to habitat present in the study area. No pondberry was observed within the study area. The biological conclusion is No Effect for pondberry.

Hydraulics Unit – FEMA 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).

This commitment is still valid.

NCDOT Division Construction – FEMA Coordination

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.

This commitment is still valid.

NCDOT Division 3 – Schools and Emergency Services

NCDOT will coordinate construction activities with Sampson County Schools (Vicki Westbrook, Transportation Director, (910) 592-3191) and Sampson County Emergency Services (Rick Sauer, Emergency Services Director, (910) 592-8996) at least one month prior to construction.

Added due to information from DIST form.

COMMITMENTS FROM PERMITTING

There are no additional commitments from permitting.

U.S. ARMY CORPS OF ENGINEERS

WILMINGTON DISTRICT

Action Id. SAW-2018-01609 County: Sampson County U.S.G.S. Quad: Ingold

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee:	<u>Jason Dilday</u>
	HODOT

<u>NCDOT</u>

Address: <u>1598 Mail Service Center</u>

Raleigh NC, 27699-1598

Telephone Number: *********

Size (acres) <u>5 ac</u> Nearest Town <u>Garland</u>

Nearest Waterway Great Coharie Creek River Basin Cape Fear

USGS HUC 03030006 Coordinates Latitude: 34.8177142398755; Longitude: -

78.3621222639231

Location description: Bridge 22 on US 701 over Bill's Swamp

Description of projects area and activity: <u>Applicant proposes replace structurally deficient and functionally obsolete bridge on existing location utilizing an on-site detour. This verification authorizes 0.20 acres of permanent riparian wetland impacts, 0.53 acres of hand clearing for temporary detour bridge.</u>

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: **GP 50 - NCDOT** - **Bridge**, **Road Widenings and Interchanges**

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 April 25, 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.

SAW-2018-01609

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 <u>Thomas Steffens at (910) 251-4615 or Thomas.A.Steffens@usace.army.mil</u>.

Corps Regulatory Official: _____ Date: June 2, 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/

Copy furnished:

<u>Deanna Riffey</u>
<u>North Carolina Department of Transportation</u>
<u>ECAP, Environmental Coordination and Permitting</u>
<u>Raleigh NC, 27699-1598</u>

SPECIAL CONDITIONS

- **1. CONSTRUCTION PLANS:** All work authorized by this permit must be performed in strict compliance with the attached plans dated originally 04-25-2023, which are a part of this permit. Any modification to these plans must be approved by the US Army Corps of Engineers (USACE) prior to implementation.
- **2.UNAUTHORIZED DREDGE OR FILL:** Except as authorized by this permit or any USACE approved modification to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, within waters or wetlands. This permit does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area. This prohibition applies to all borrow and fill activities connected with this project.
- **3. MAINTAIN CIRCULATION AND FLOW OF WATERS:** Except as specified in the plans attached to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, in such a manner as to impair normal flows and circulation patterns within waters or wetlands or to reduce the reach of waters or wetlands.
- **4. DEVIATION FROM PERMITTED PLANS:** The permittee shall ensure that the construction design plans for this project do not deviate from the permit plans attached to this authorization. Written verification shall be provided that the final construction drawings comply with the attached permit drawings prior to any active construction in waters of the United States, including wetlands. Any deviation in the construction design plans will be brought to the attention of the Corps of Engineers, Mr. Tom Steffens Regulatory Field Office prior to any active construction in waters or wetlands.
- **5. WATER CONTAMINATION:** All mechanized equipment will be regularly inspected and maintained to prevent contamination of waters and wetlands from fuels, lubricants, hydraulic fluids, or other toxic materials. In the event of a spill of petroleum products or any other hazardous waste, the permittee shall immediately report it to the N.C. Division of Water Quality at (919) 733-3300 or (800) 858-0368 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.
- **6. SILT-FENCING:** The permittee shall employ all sedimentation and erosion control measures necessary to prevent an increase in sedimentation or turbidity within waters and wetlands outside the permit area. This shall include, but is not limited to, the immediate installation of silt fencing or similar appropriate devices around all areas subject to soil disturbance or the movement of earthen fill, and the immediate stabilization of all disturbed areas. Additionally, the project must remain in full compliance with all aspects of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statutes Chapter 113A Article 4).

- 7. The U.S. Fish and Wildlife Service's (USFWS's) Programmatic Biological Opinion (PBO) titled, "NCDOT Program Effects on the Northern Long-eared Bat in Divisions 1-8", dated November 6, 2020, contains agreed upon conservation measures for the NLEB. As noted in the PBO, applicability of these conservation measures varies depending on the location of the project. Your authorization under this Department of the Army permit is conditional upon your compliance with all applicable conservation measures in the PBO, which are incorporated by reference in this permit. Failure to comply with the applicable conservation measures would constitute non-compliance with your Department of the Army permit. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its PBO, and with the ESA.
- **8.** The U.S. Fish and Wildlife Service issued a programmatic biological evaluation (PBE) for the wood stork (*Mycteria americana*) for certain transportation projects in Divisions 1-8 with a federal nexus which fall under one of the included categories. Additionally, in Bladen, Brunswick, Columbus, Duplin, Robeson, and Sampson Counties, NCDOT has committed to surveying each individual project site for the presence of wood storks and their foraging and nesting habitat during the reproductive season of April 15-July 15. The PBE will ensure compliance with Section 7 of the Endangered Species Act for nine years (effective through April 30, 2030) for NCDOT projects that fall within the counties and the categories included in the PBE, which includes Sampson County, where STIP BR-0046 is located.

A survey for wood stork was conducted on June 7, 2022, and no wood storks, nests, or roosts were observed. This project falls within the PBE parameters for the wood stork with a biological conclusion of **May Affect**, **Not Likely to Adversely Affect**. However, the NCDOT Division Environmental Unit will resurvey for the wood stork two years prior to construction.

A survey was last done for pondberry on October 12, 2022, due to habitat present. No pondberry was observed within the study area. The biological conclusion is **No Effect** for pondberry

9. 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.

ROY COOPER Governor ELIZABETH S. BISER Secretary RICHARD E. ROGERS, JR. Director



September 19, 2024

DWR # 20230613v.2 Sampson County

Mr. Philip S. Harris, III, P.E., CPM Environmental Analysis Unit Head North Carolina Department of Transportation 1598 Mail Service Center Raleigh, NC 27699-1598

Subject: APPROVAL OF 401 WATER QUALITY CERTIFICATION WITH ADDITIONAL CONDITIONS

NCDOT BR-0046, Replace Bridge No. 22 over Bill's Swamp on US 701 in Sampson County

Bill's Swamp [Cape Fear River Basin, 18-68-1-18, C;Sw] Great Coharie Creek [Cape Fear River Basin, 18-68-1, C;Sw]

Dear Mr. Harris:

You have our approval for the impacts listed below for the purpose described in your modification request received by the Division of Water Resources (Division) August 1, 2024. These impacts are covered by the attached Water Quality General Certification Number 4135 and the conditions listed below. This certification replaces the certification issued on May 16, 2023. This certification is associated with the use of Nationwide Permit Number 201902350 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 itemized below.

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

Site	Fill (ac)	Fill (temporary) (ac)				Total Impacts (ac)	
Site 1							
	0.020		0.100	0.050	0.510	0.710	



Site 2						
	0.040	0.030			0.010	0.050
Totals	0.060	0.030	0.100	0.050	0.520	0.760

Total Wetland Impact for Project: 0.760 acres (permanent wetland impacts: 0.210 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 attached Water Quality General Certification or with the additional conditions itemized below, you must notify the DWR 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 Wilmington Regional Office 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 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.
- 2. 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)]
- 3. Compensatory mitigation for impacts to 0.210 acres of wetlands is required. We understand that you have chosen to perform compensatory mitigation for impacts to wetlands through the North Carolina Division of Mitigation Services (DMS) (formerly NCEEP), and that the OMS has agreed to implement the mitigation for the project. DMS has indicated in a letter dated July 31, 2024 that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above-referenced project, in accordance with DMS's Mitigation Banking Instrument signed July 31, 2024.
- 4. 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]
- 5. 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)]
- 6. 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]
- 7. 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}]
- 8. 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}]
- 9. 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)]
- 10. 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)]
- 11. 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]
 - a. 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.
 - b. 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.
- c. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), SA, WS-1, WS-11, High Quality Waters (HQW), or Outstanding Resource Waters (ORW), then the sedimentation and erosion control designs shall comply with the requirements set forth in ISA NCAC 04B .0124, *Design Standards in Sensitive Watershed*. [15A NCAC 02H.0506(b)(3) and (c)(3); GC 4135]
- 12. 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)]
- 13. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within wetlands. Exceptions to this condition require application to and written approval from DWR. [15A NCAC 02B .0201]
- 14. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands, stream beds, or banks, adjacent to or upstream and downstream of the above structures. All sediment and erosion control devices shall be removed from wetlands and waters and the natural grade restored within two (2) months of the date that the Division of Energy, Mining and Land Resources (DEMLR) or locally delegated program has released the specific area within the project. [15A NCAC 02H.0506{b)(3) and (c)(3)]
- 15. 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)(S)]
- 16. 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, preformed scour holes, vegetated buffers, etc.) where possible 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)(S)]
- 17. All bridge construction shall be performed from the existing bridge, temporary work bridges, temporary causeways, or floating or sunken barges. If work conditions require barges, they shall be floated into position and then sunk. The barges shall not be sunk and then dragged into position. Under no circumstances should barges be dragged along the bottom of the

surface water. [15A NCAC 02H .0506(b)(3)]

18. 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)]

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)]

- 19. 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)]
- 20. Any rip-rap required for proper culvert placement, stream stabilization, or restoration of temporarily disturbed areas shall be restricted to the area directly impacted by the approved construction activity. All rip-rap shall be placed such that the original streambed elevation and streambank contours are restored and maintained and shall consist of clean rock or masonry material free of debris or toxic pollutants. Placement of rip-rap or other approved materials shall not result in de-stabilization of the stream bed or banks upstream or downstream of the area or be installed in a manner that precludes aquatic life passage. [15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)]
- 21. Any rip-rap used for stream or shoreline stabilization shall be of a size and density to prevent movement by wave, current action, or stream flows, and shall consist of clean rock or masonry material free of debris or toxic pollutants. Rip-rap shall not be installed in the streambed except in specific areas required for velocity control and to ensure structural integrity of bank stabilization measures. [15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0201]
- 22. 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)]
- 23. Native riparian vegetation 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 02H.0506(b)(2)]
- 24. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]

- 25. NCDOT shall be in compliance with the NCS00250 issued to the NCDOT, including the applicable requirements of the NCG0I000.
- 26. 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]
- 27. 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)]
- 28. The NCDOTwill conduct a pre-construction meeting with all appropriate staff to ensure that the project supervisor and essential staff understand the permit conditions and any potential issues at the permitted site. NCDWR staff shall be invited to the pre-construction meeting. [15A NCAC 02H.0506(b)(2) and (b)(3)]
- 29. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete the "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
- 30. 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)].

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 Holley Snider at 910-796-7303 or holley.snider@deq.nc.gov if you have any questions or concerns.

Sincerely,

—signed by: Susan Locklear

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

cc: Tom Steffans, USACE Washington Regulatory Field Office (via email)
Chris Underwood, Division 6

Keith Jackson, NCDOT EPU

Gary Jordan, US Fish and Wildlife Service

Travis Wilson, NC Wildlife Resources Commission

Beth Harmon, Division of Mitigation Services

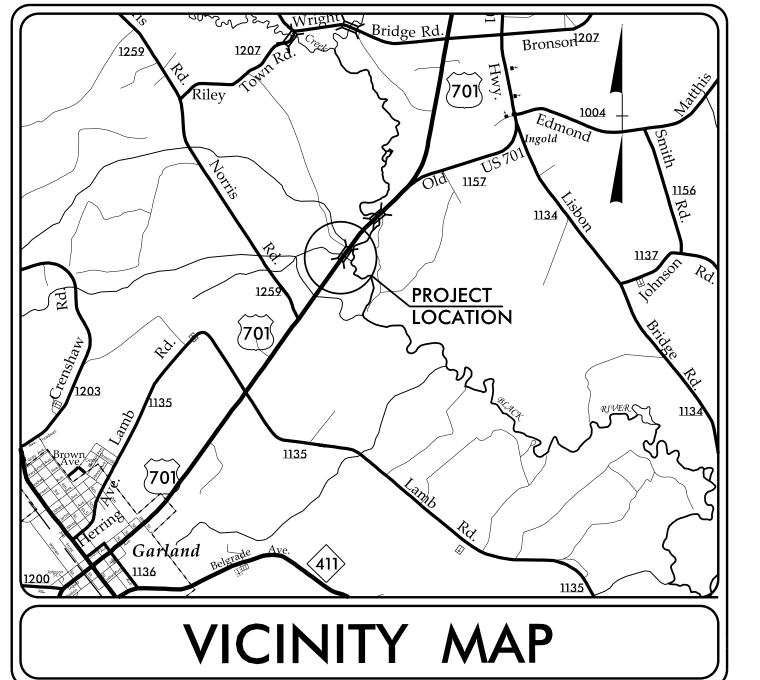
Holley Snider, NC Division of Water Resources, Wilmington Regional Office

File Copy

NCDWR Project No.:	County:
Applica	ant:
Projec	t Name:
Applicant:	
Upon completion of all work any subsequent modifications Unit, North Carolina Division may be returned to NCDWR b	, the applicant is required to return this certificate to the 401 Transportation Permitting of Water Resources, 1617 Mail Service Center, Raleigh, NC, 27699-1617. This form by the applicant, the applicant's authorized agent, or the project engineer. It is not
Applicant's Certification	
was used in the observation of compliance and intent of the 4	f the construction such that the construction was observed to be built within substantial Water Quality Certification and Buffer Rules, the approved plans and
Signature:	Date:
Agent's Certification	
was used in the observation of compliance and intent of the 4	f the construction such that the construction was observed to be built within substantial Water Quality Certification and Buffer Rules, the approved plans and
Signature:	Date:
Engineer's Certification	
Partial	Final
Permittee hereby state that, to construction such that the con	the best of my abilities, due care and diligence was used in the observation of the struction was observed to be built within substantial compliance and intent of the 401
Signature	Registration No
Date	

0046 BR

See Sheet 1A For Index of Sheets See Sheet 1B For Conventional Symbols

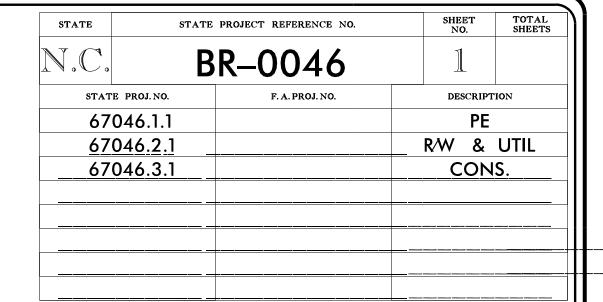


OF NORTH CAROLINA DIVISION OF HIGHWAYS

SAMPSON COUNTY

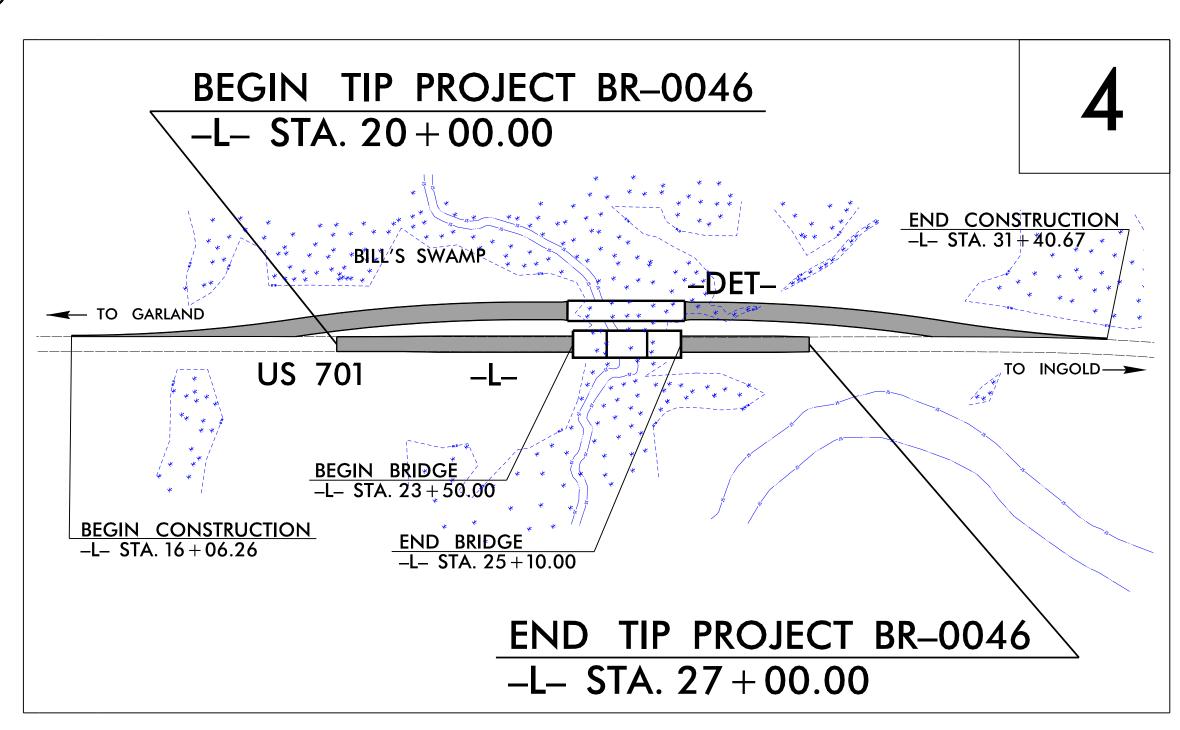
LOCATION: BRIDGE 810022 ON US 701 OVER BILL'S SWAMP

TYPE OF WORK: GRADING, PAVING, DRAINAGE AND STRUCTURES



PERMIT DRAWING SHEET 1 OF 18

WETLAND AND SURFACE WATER IMPACTS PERMIT





DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALES PLANS PROFILE (HORIZONTAL) PROFILE (VERTICAL)

DESIGN DATA

ADT 2023 = 5,535ADT 2043 = 6,165

> K = 9 %D = 55 %

T = 12 % * V = 60 MPH* (TTST 8% + DUAL 4%)

FUNC CLASS = MINOR ARTERIAL **REGIONAL TIER**

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT BR-0046 = 0.103 MI LENGTH STRUCTURE TIP PROJECT BR-0046 = 0.030 MI TOTAL LENGTH OF TIP PROJECT BR-0046 = 0.133 MI

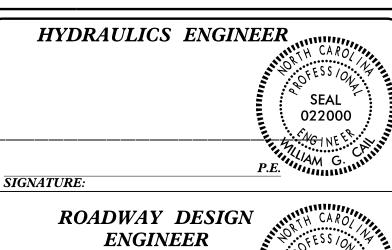
Prepared in the Office of: **DIVISION OF HIGHWAYS** 1000 Birch Ridge Dr., Raleigh NC, 27610

2018 STANDARD SPECIFICATIONS RIGHT OF WAY DATE: JULY 14, 2022 DAVID J. CLODGO, PE

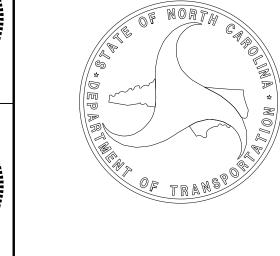
LETTING DATE: **DECEMBER 19, 2023** KIM L. GILLESPIE, PE PROJECT MANAGER

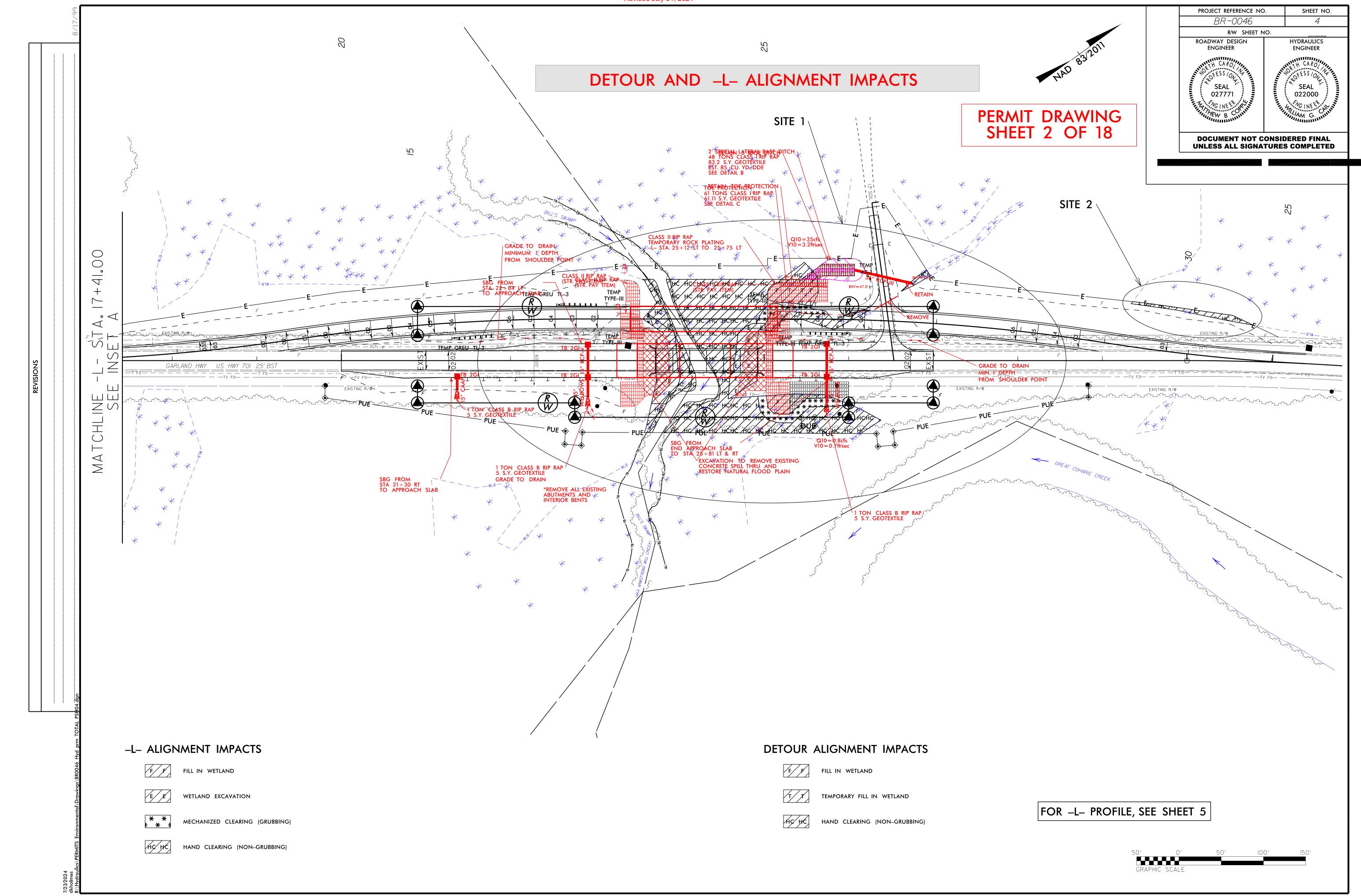
MATTHEW B. COPPLE, PE

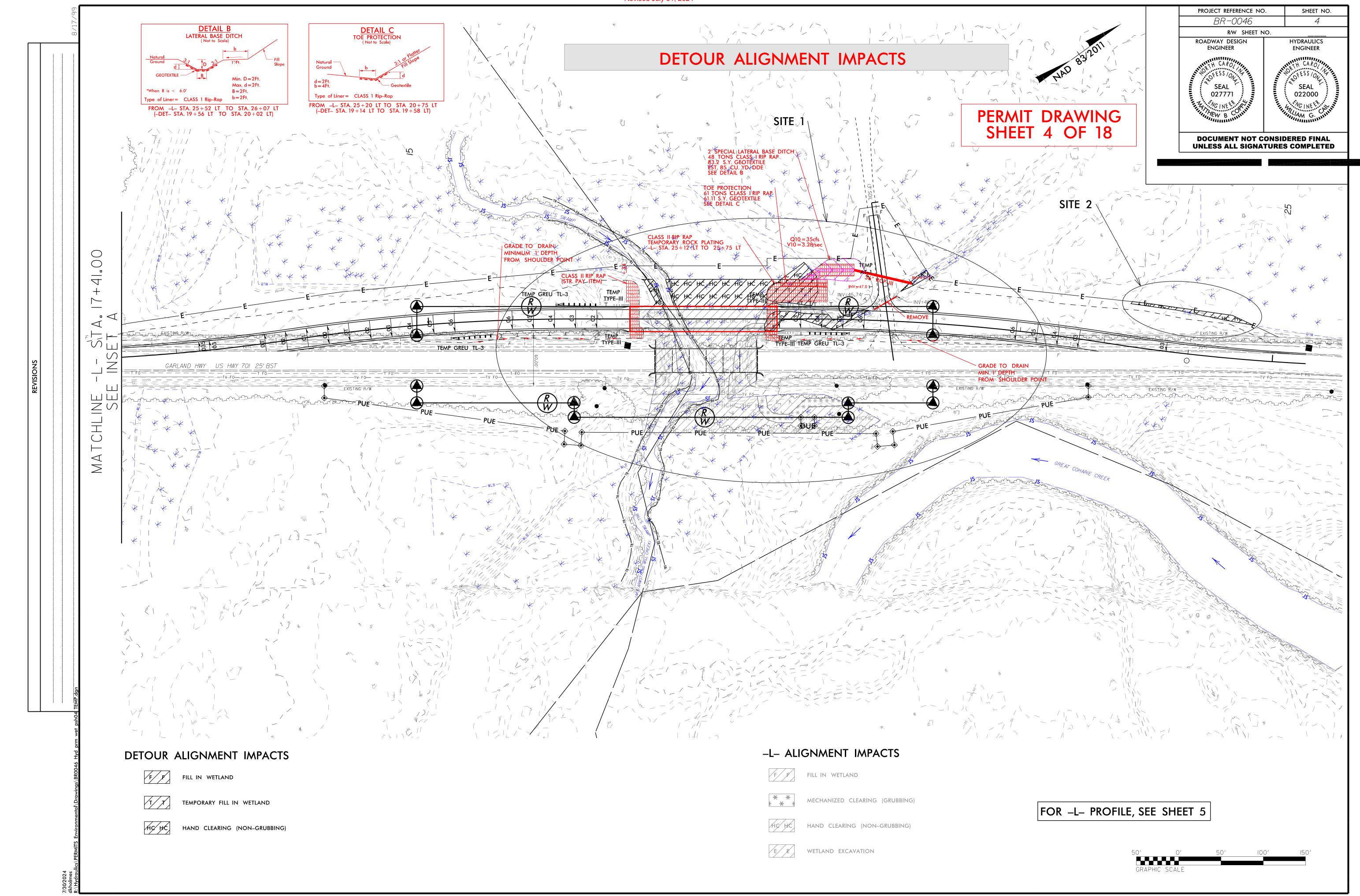
PROJECT TEAM LEAD

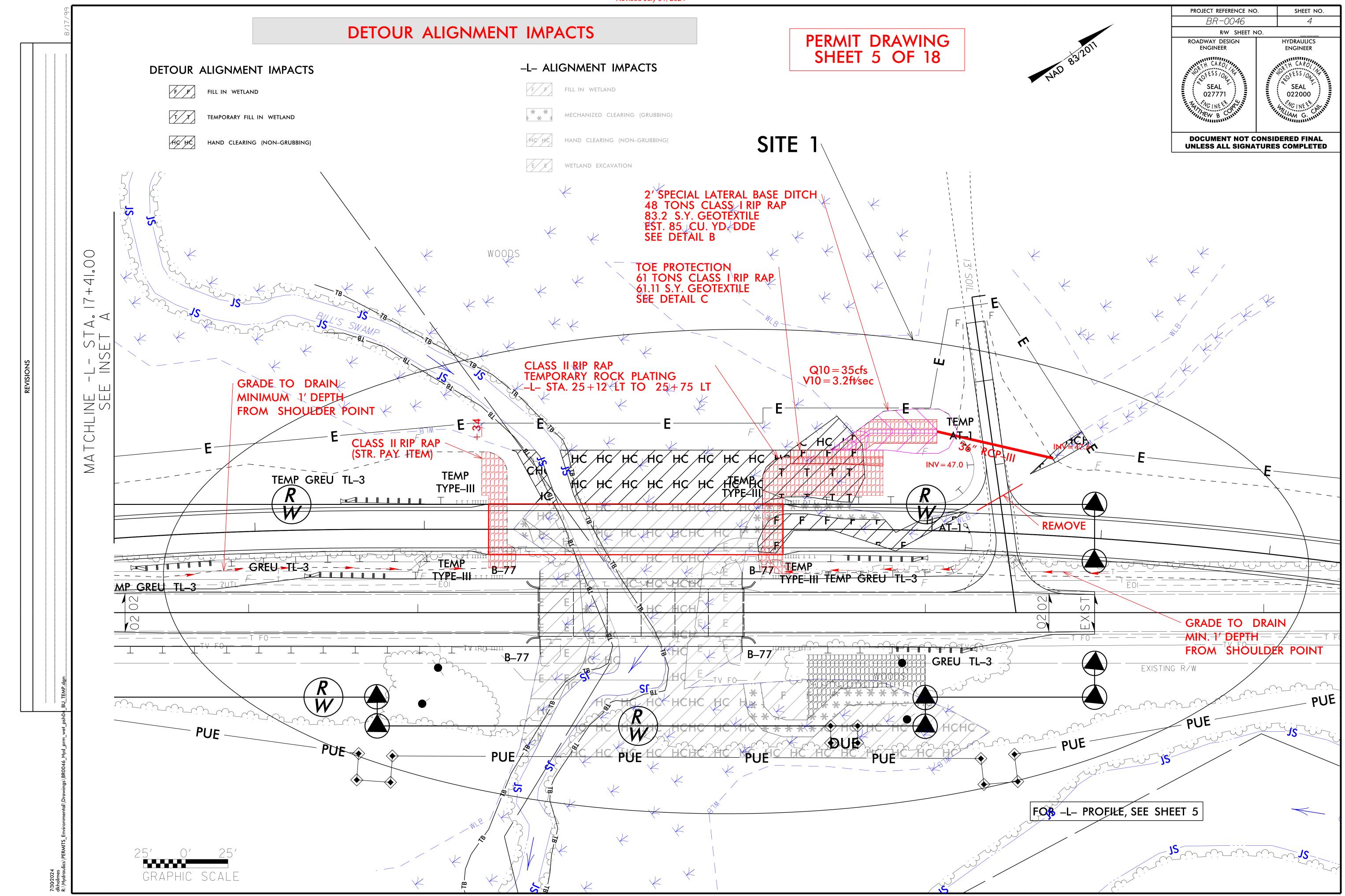


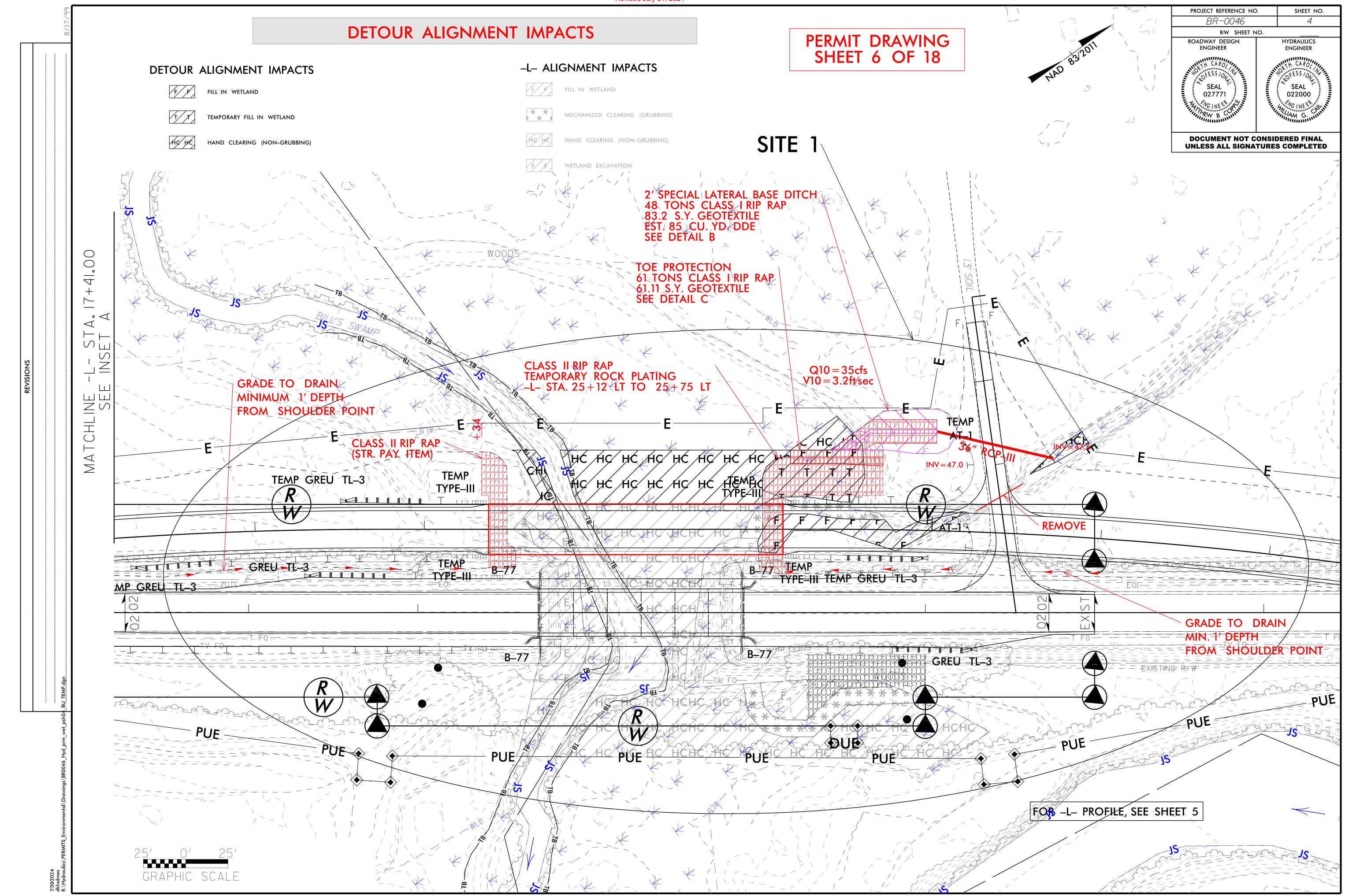
SIGNATURE:

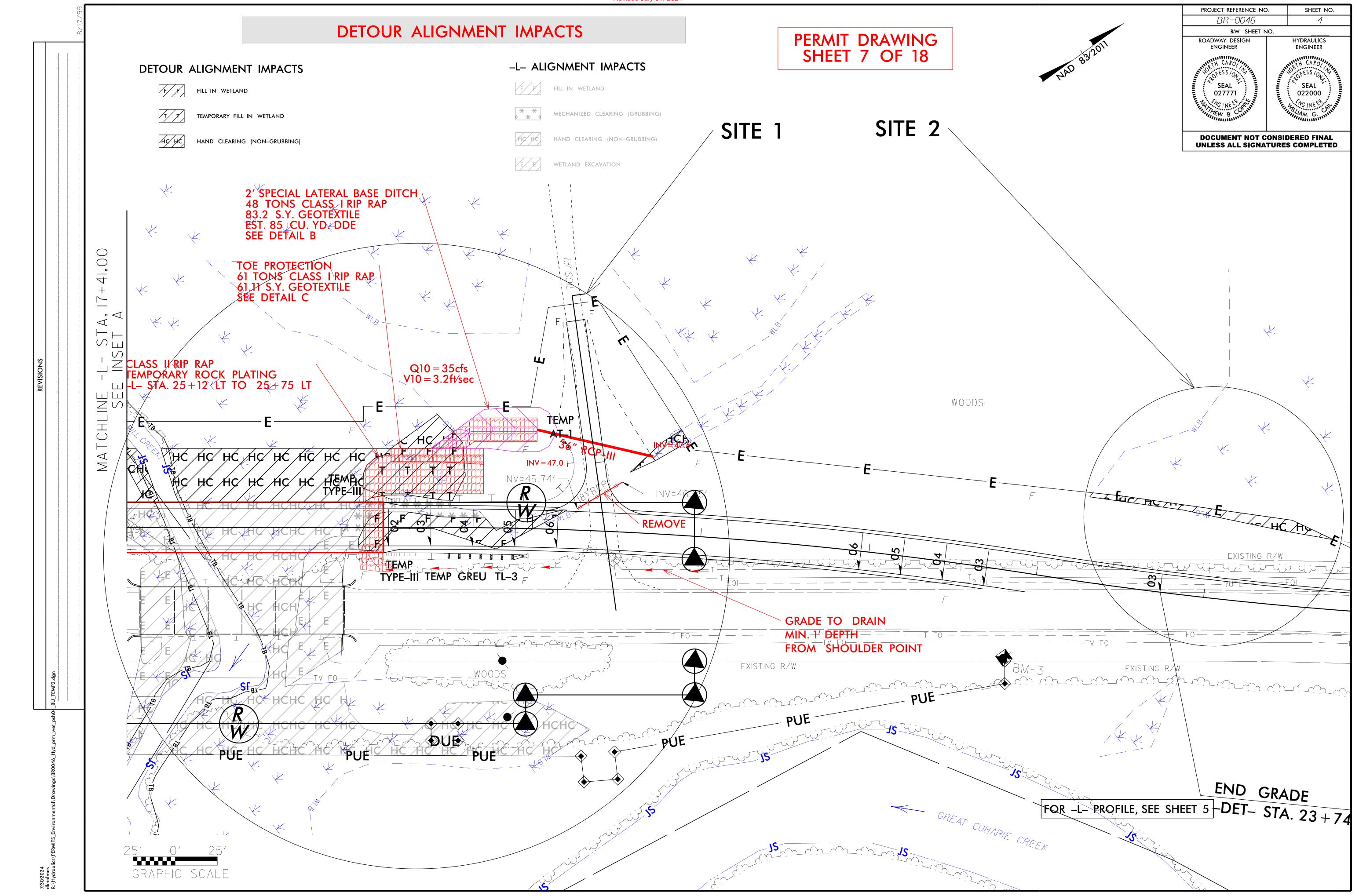


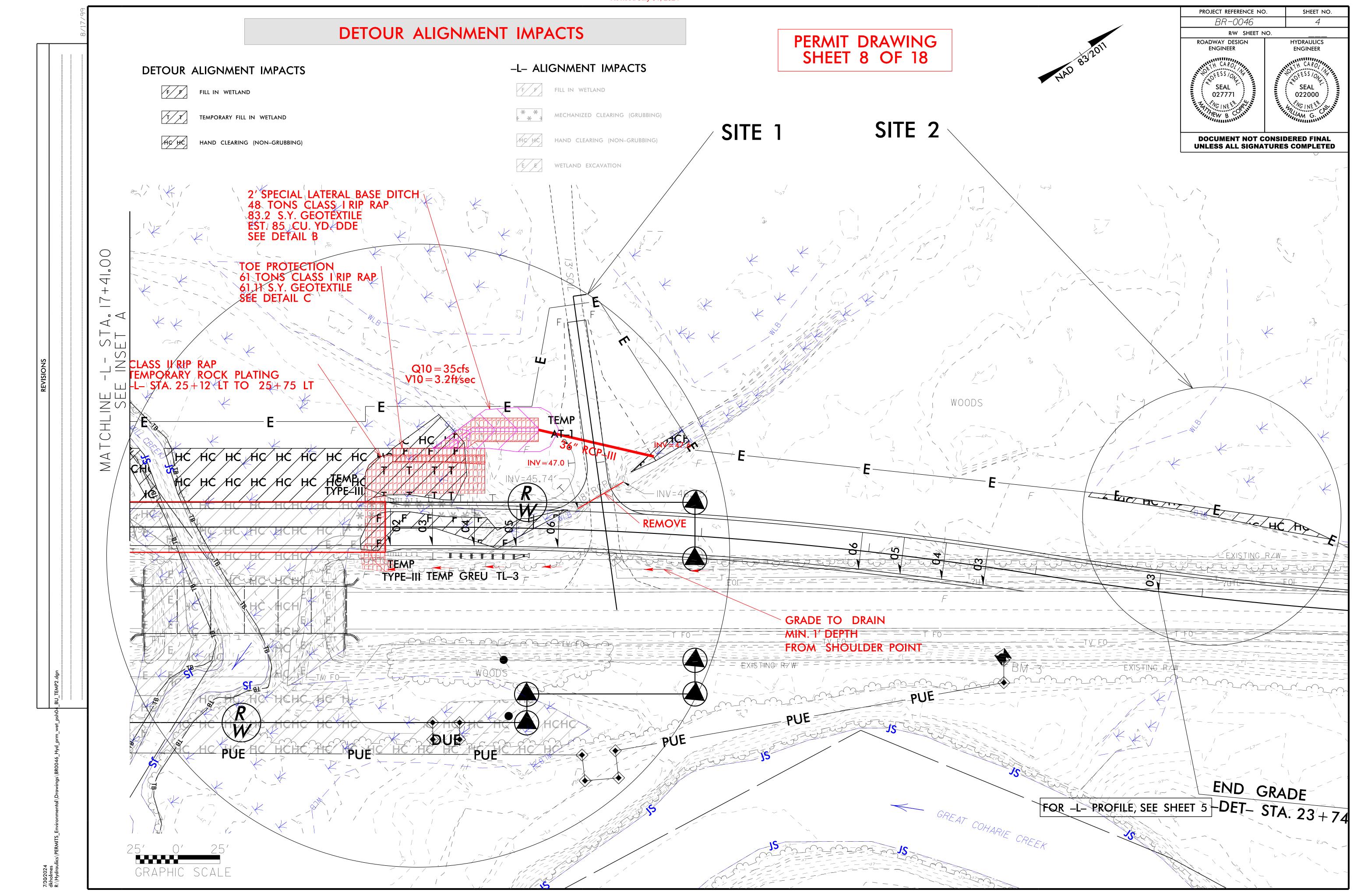


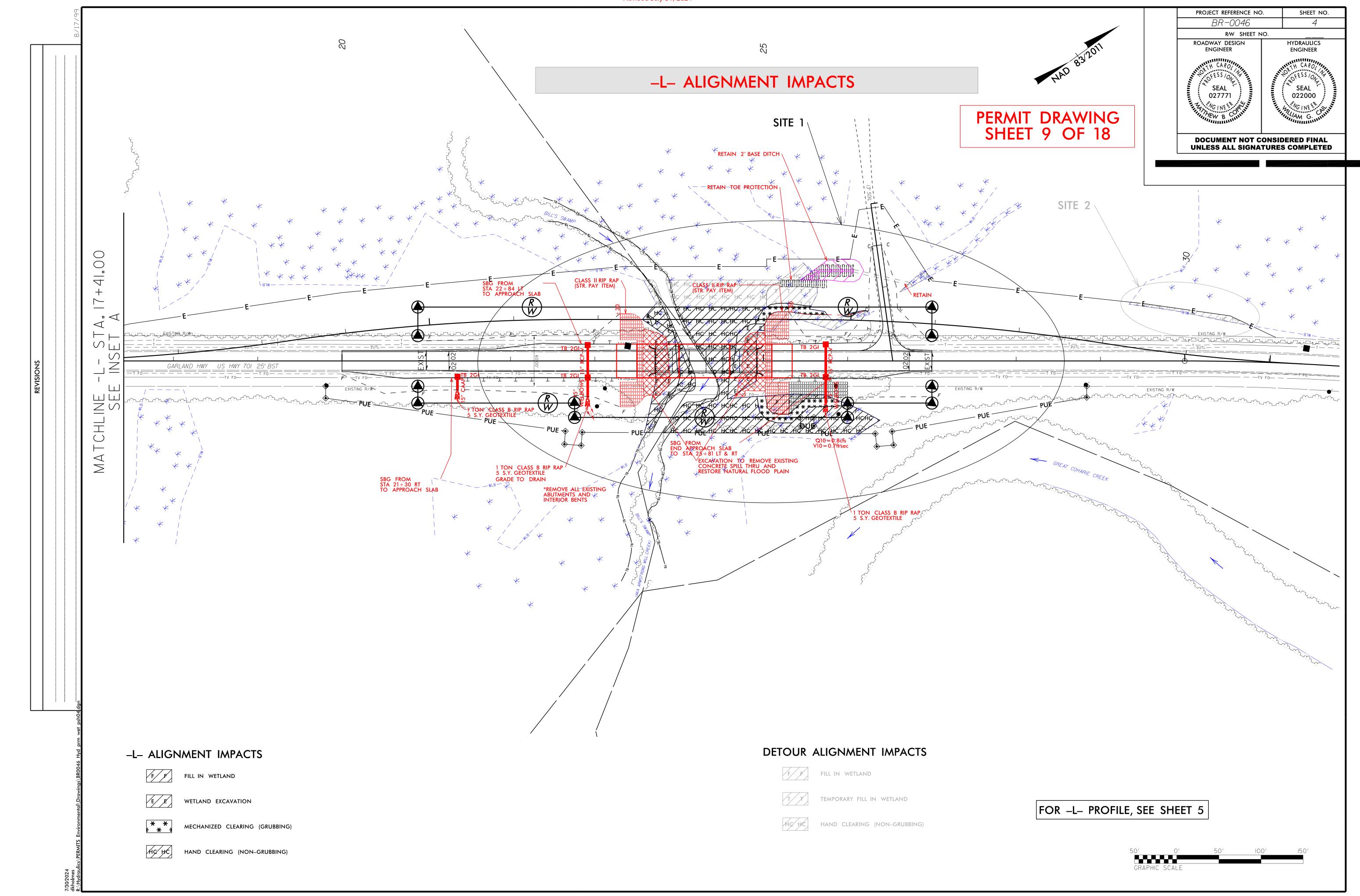


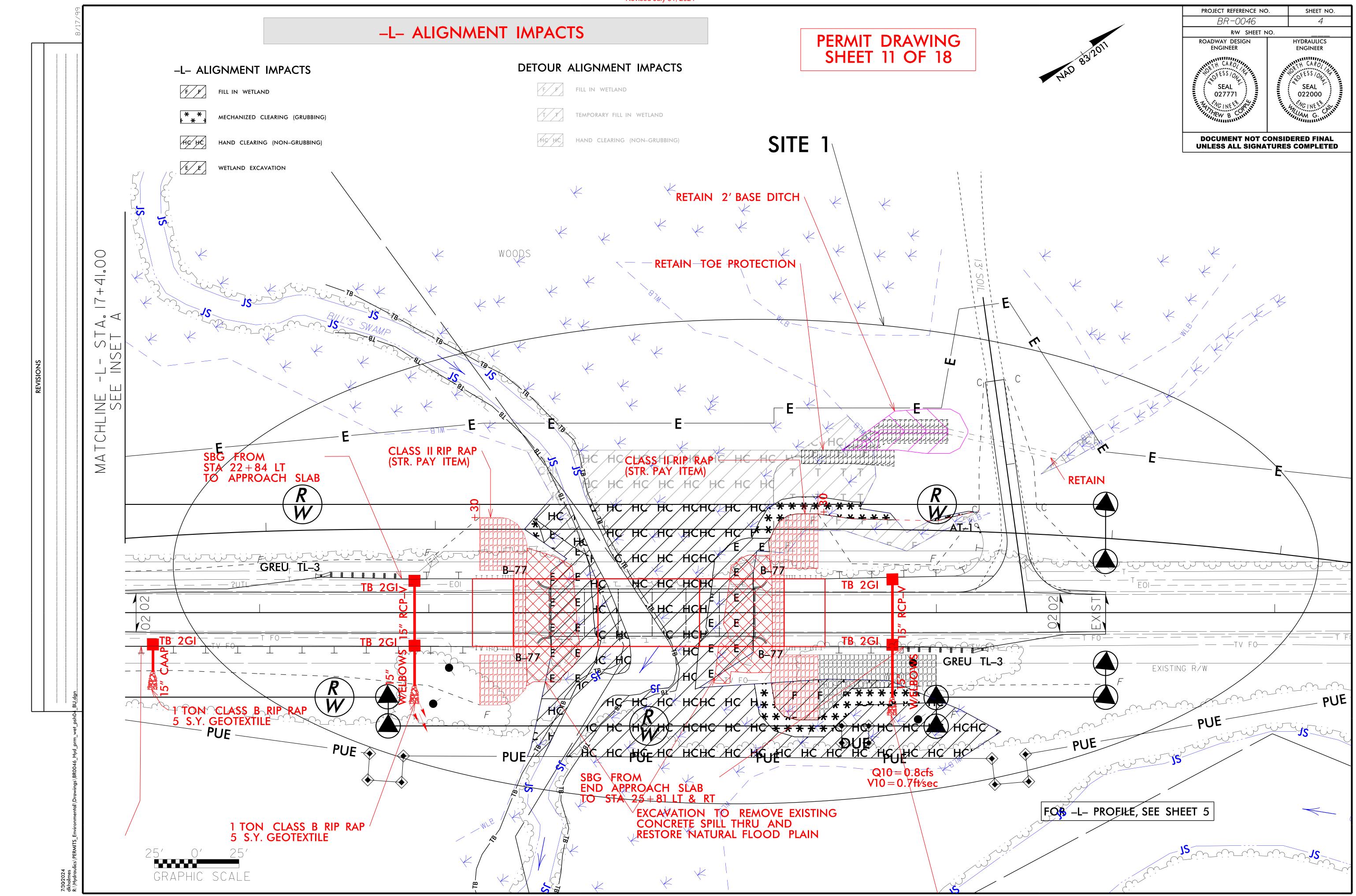


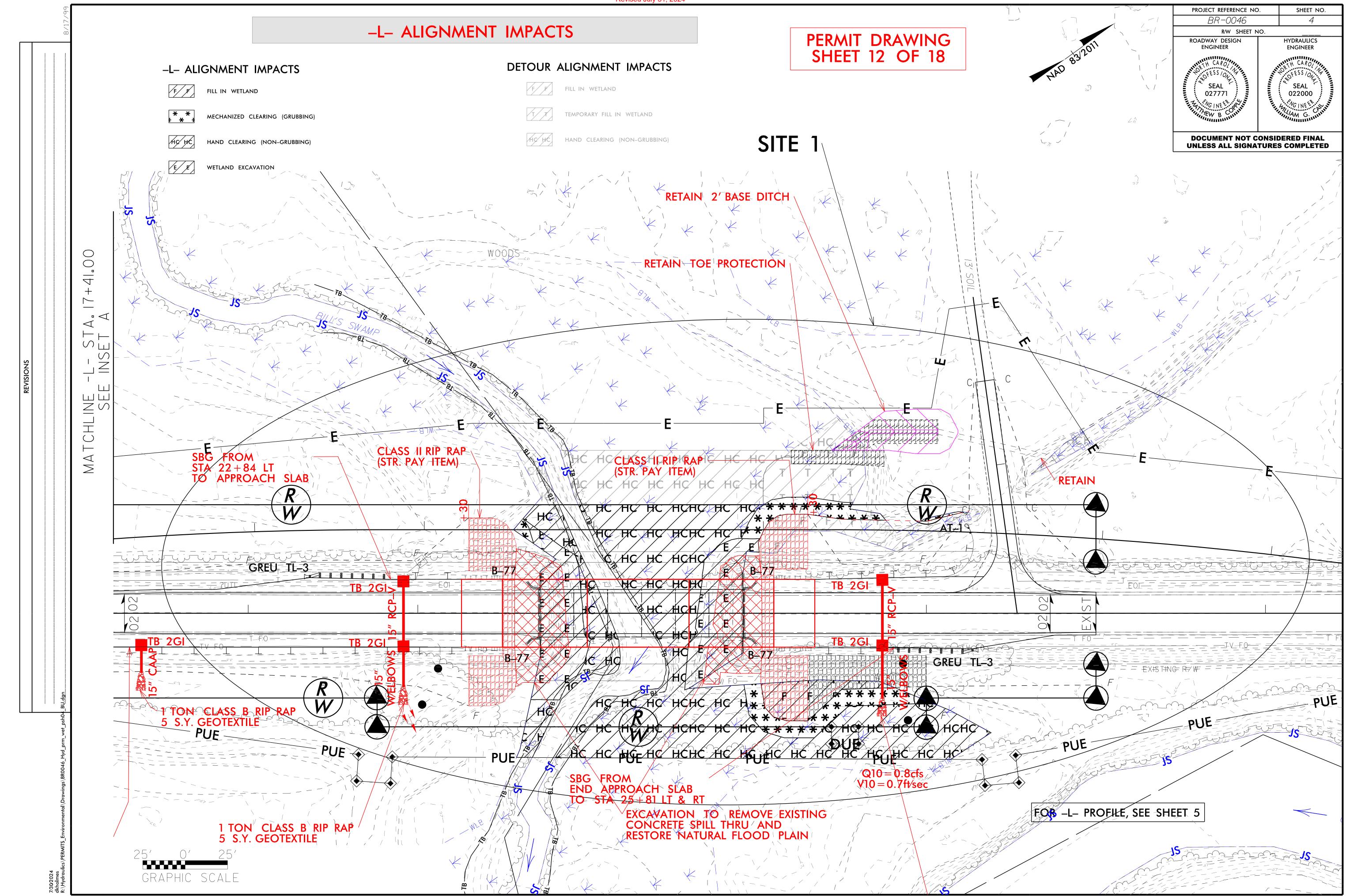


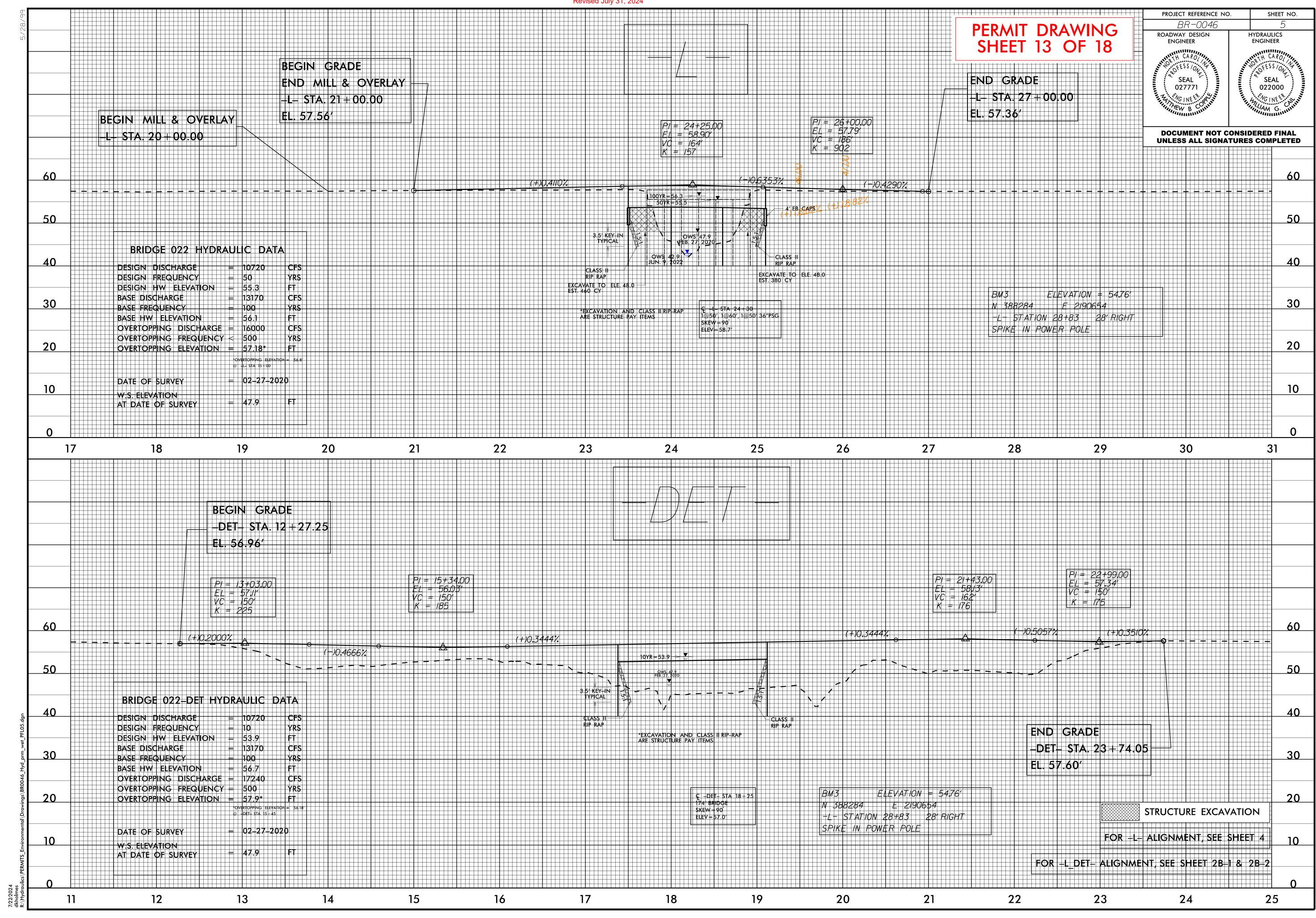


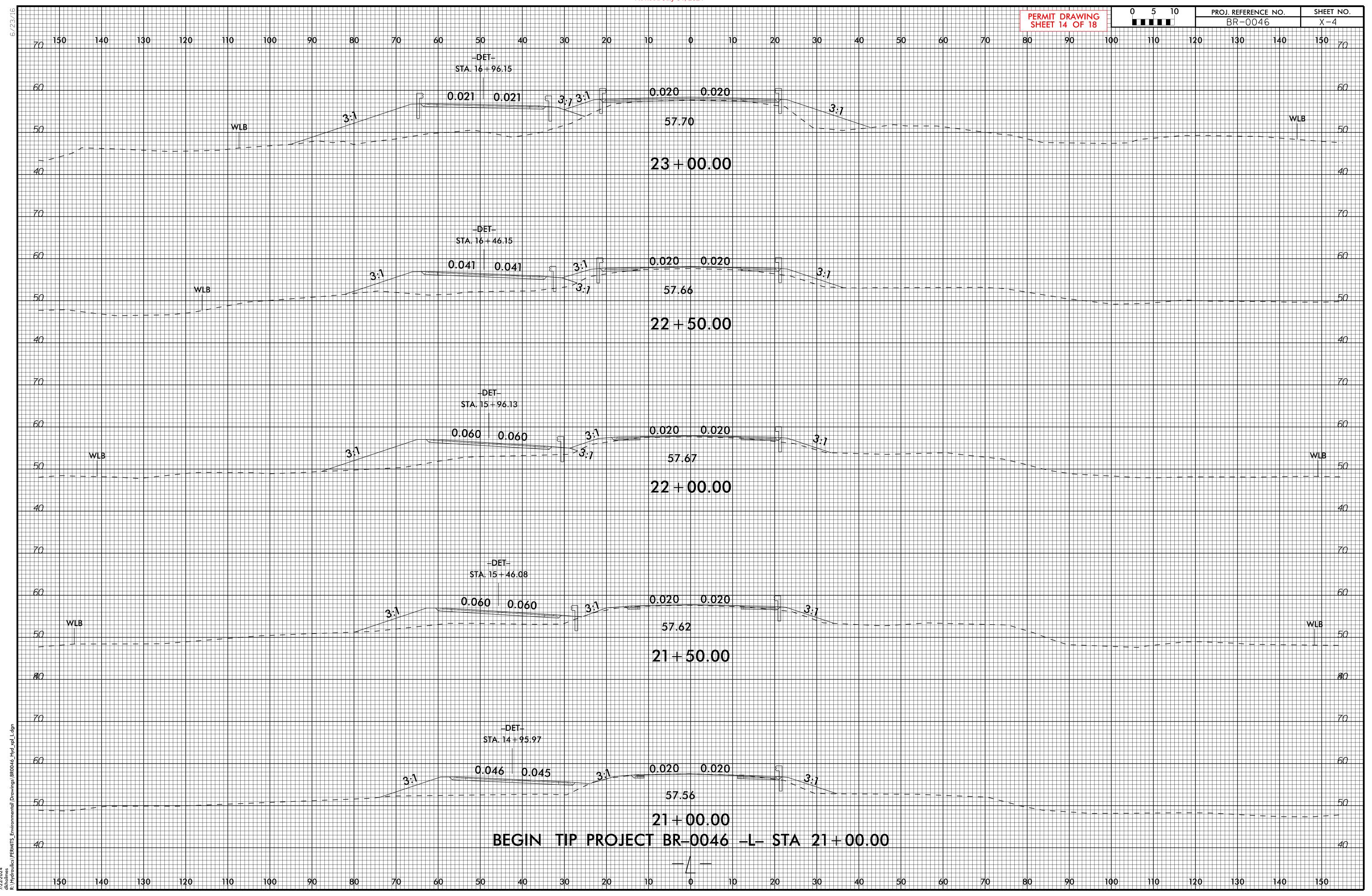


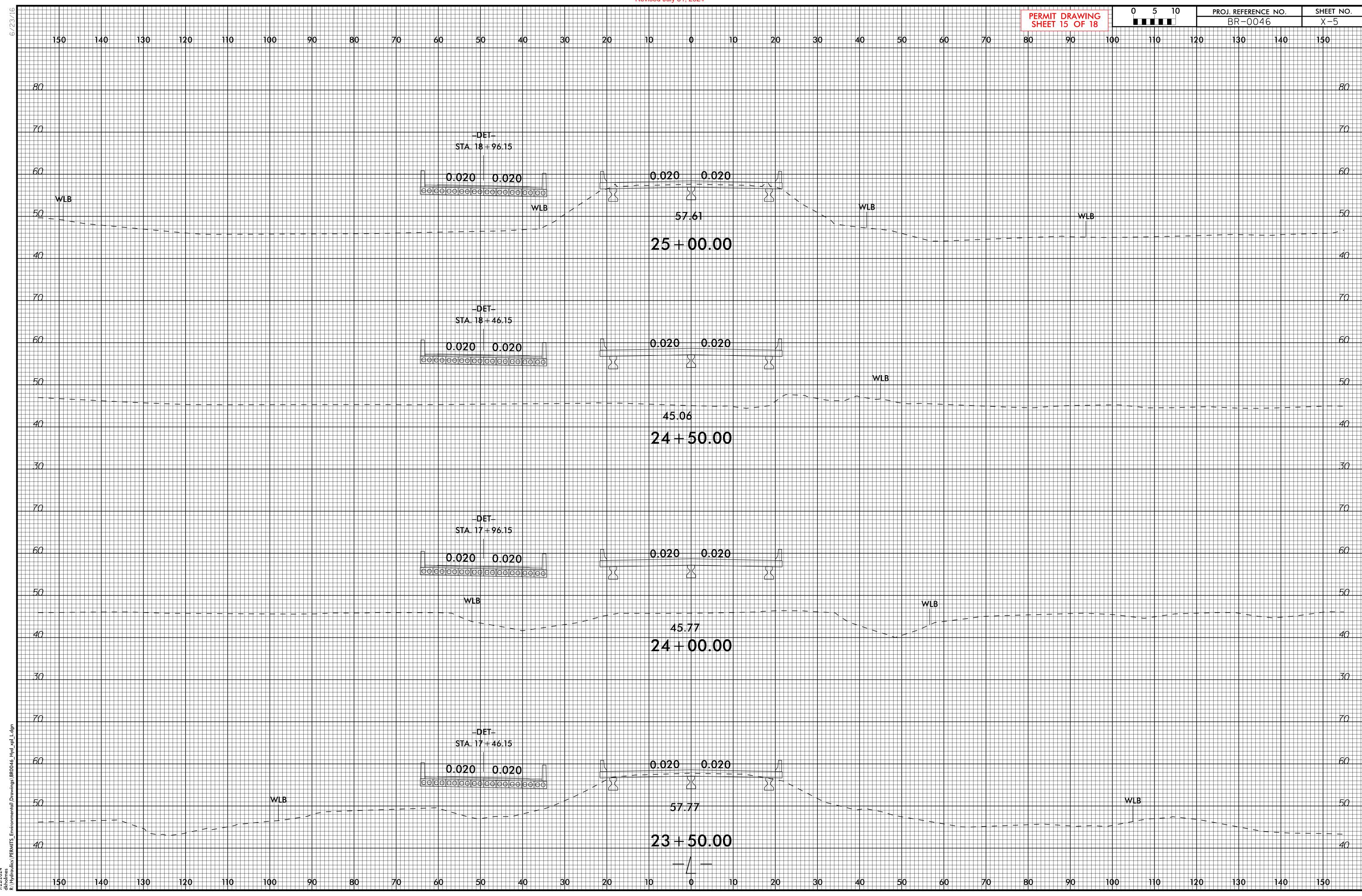


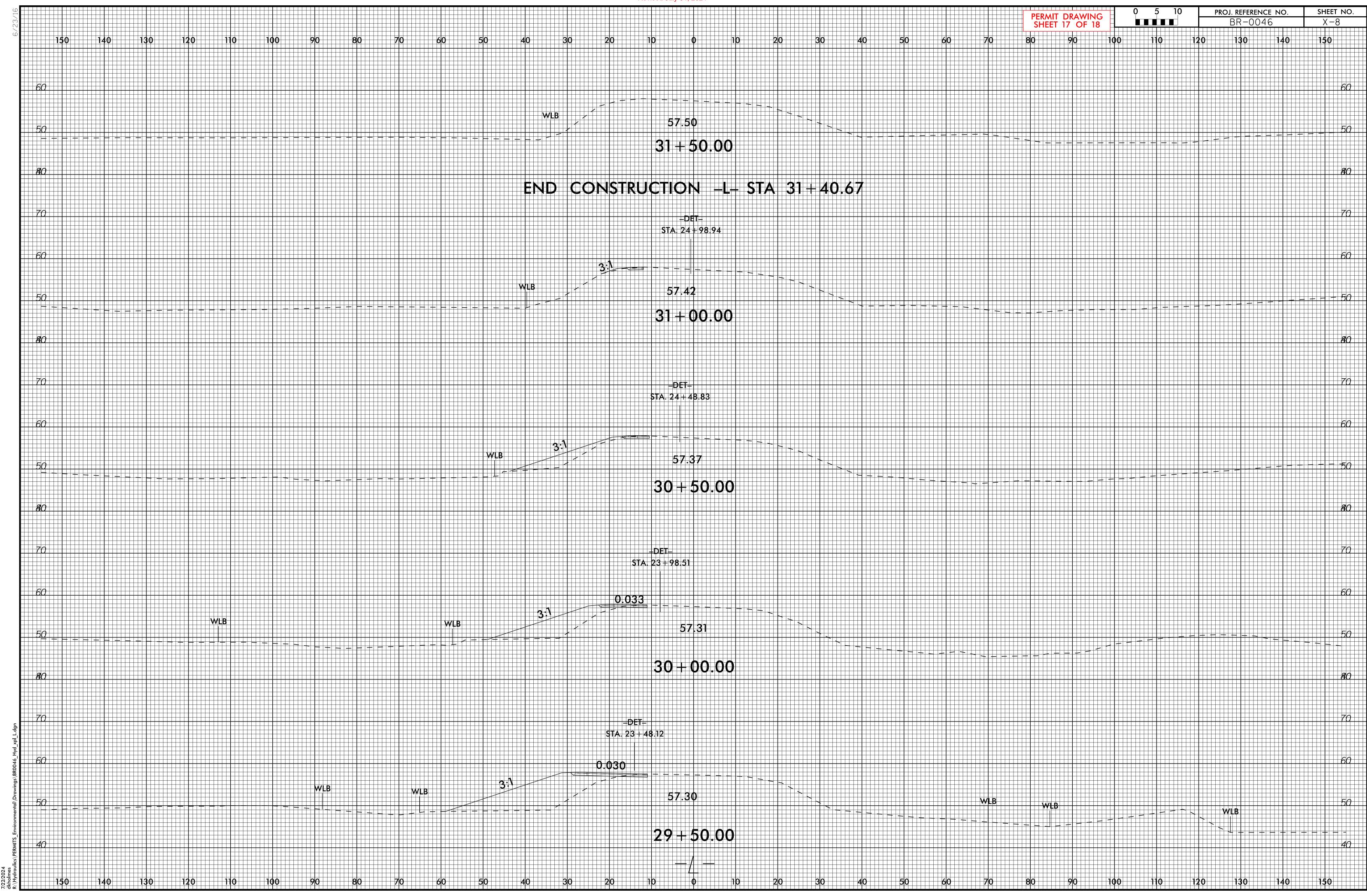












				WETLAND PERMIT IMPACT SUM WETLAND IMPACTS				IVIAIX I	SURFA	CE WATER IN	/PACTS	
									SURFACE WATER IMPACTS Existing Existing			
	Station (From/To)	Structure Size / Type	Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	in	Mechanized Clearing in Wetlands (ac)	(ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Channel Impacts Permanent (ft)	Channel Impacts Temp. (ft)	Natura Stream Desig (ft)
1	23+56 / 26+38	Bridge	0.02	, ,	0.10	0.05	0.33	` ′	` ′	` '	` '	` ` `
1	22+70 / 26+96 LT	Detour Bridge	0.04	0.03			0.18					
2	29+34 / 30+77 LT	Detour Bridge					0.01					
												_
												_
												_

^{*}Rounded totals are sum of actual impacts

NOTES:

Approximately 1350sqft of temporary excavation will be preformed to remove stumps to install the piles for the temporary detour bridge.

NC DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS 7/23/2024

> Sampson County BR-0046

SHEET 18 OF 18

Revised 2013 10 24