

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER GOVERNOR JAMES H. TROGDON, III Secretary

July 28, 2017

MEMORANDUM TO:		Mr. Mike Mills, P.E. Division 7 Engineer	
FROM:	for	Philip S. Harris, III, P.E., Manager Environmental Analysis Unit	CAT
SUBJECT:		Alamance County; Replacement of Brid Mill Road) over Jordan Creek; Federal Aid No. BRZ-1768(3); WBS 46	

Attached is the N.C. Division of Water Resources Jordan Lake Watershed Buffer Authorization. All environmental permits have been received for the construction of this project.

A copy of this permit package will be posted on the NCDOT website at: <u>https://connect.ncdot.gov/resources/Environmental/Pages/default.aspx</u> **Quick Links>Permit Documents> Issued Permits.**

cc: w/o attachment (see website for attachments)

Mr. Ron Davenport, P.E. Contracts Management
Ms. Jerry Parker, Division 7 Environmental Officer
Dr. Majed Al-Ghandour, P.E., Programming and TIP
Ms. Brenda Moore, P.E., Roadway Design
Mr. Carl Barclay, P.E., Utilities Unit
Mr. Stephen Morgan, P.E., Hydraulics
Mr. Brian Hanks, P.E., Structure Design
Mr. Mark Staley, Roadside Environmental
Mr. Ron Hancock, P.E., State Roadway Construction Engineer
Mr. Brian Yamamoto, P.E., Project Development

Location: 1020 Birch Ridge Drive Raleigh NC 27610

Website: www.ncdot.gov

PROJECT COMMITMENTS

T.I.P. Project No. B-5350 Replacement of Bridge No. 44 over Jordan Creek on SR 1768 (Hughes Mill Road) Alamance County Federal Aid Project No. BRZ – 1768 (3) WBS Element No. 46064.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Division 7 Construction, Resident Engineer's Office – Offsite Detour

In order to have time to adequately reroute school buses and address school bus stop concerns, Alamance-Burlington School System will be contacted at (336) 570-6480 at least one month prior to road closure.

Alamance County Emergency Medical Services (336) 570-6796, Fire Marshal (336) 227-1365, and Sheriff (336) 570-6300; Village of Alamance (336) 226-0033; and City of Burlington Office of Emergency Management (336) 229-3122 will be contacted at least one month prior to road closure to make the necessary temporary reassignments to primary response units.

In order to have time to adequately reroute and notify transit riders, the Alamance County Transportation Authority will be contacted at (336) 222-0565 at least one month prior to road closure.

Hydraulics Unit – FEMA Coordination

The Hydraulics Unit will coordinate with the N.C. Floodplain Mapping Program to determine the status of the 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).

Hydraulics Unit/ Division 7 Construction – FEMA

This project involves construction on or adjacent to a FEMA-regulated stream. Therefore, the Division Resident Engineer shall submit sealed as-built construction plans to the Hydraulics Unit upon project completion certifying the project was built as shown on the construction plans.

Division Construction/ Natural Environment Section/ Roadside Environmental Unit – High Quality Waters

Jordan Creek is Class WS-II; HQW; NSW waters of the State. NCDWR recommends that the most protective sediment and erosion control BMPs be implemented to reduce the risk of nutrient runoff to Jordan Creek. Design Standards in Sensitive Watersheds will be implemented during construction. NCDOT will be required to obtain a State Stormwater Permit prior to construction.

B-5350 Permit Greensheet July 2017 Page 1 of 2

Hydraulics Unit, Natural Environment Section – Buffer Rules

The Jordan Lake Watershed Riparian Buffer Rules apply to this project. A buffer mitigation plan must be provided to NCDWR prior to approval of the Water Quality Certification.

Right of Way Branch, PDEA – Human Environment Section, Geotechnical Engineering Unit – Archaeological Site

The proposed project is located adjacent to one known archaeological site that was recommended eligible for the National Register of Historic Places. Any ground disturbing activities within the environmentally sensitive area denoted on the design plans should be avoided. The PDEA – Archaeology Group Leader, Matt Wilkerson, should be contacted at (919) 707-6089 for any questions regarding the environmentally sensitive area.

COMMITMENTS FROM PERMITTING

No additional project commitments were added during permitting.



ROY COOPER Governor

MICHAEL S. REGAN Secretary

S. JAY ZIMMERMAN Director

May 22, 2017 Alamance County NCDWR Project No. 20170564 Bridge 44 on SR 1768 BRZ-1768(3); TIP B-5350 WBS 46064.1.1

APPROVAL of JORDAN LAKE WATERSHED BUFFER AUTHORIZATION with ADDITIONAL CONDITIONS

Mr. Philip S. Harris III NCDOT, Natural Environment Section Head 1598 MSC Raleigh, NC 27699

Dear Mr. Harris:

You have our approval, in accordance with the conditions listed below, for the following impacts for replacing Bridge 44 with a new bridge over Jordan Creek on Hughes Mill Road (SR 1768) in Alamance County:

Site	Temporary Fill in Perennial Stream (linear ft)	Permanent Fill in Perennial Stream (linear ft)	Permanent Fill in Intermittent Stream (linear ft)	Temporary Fill in Intermittent Stream (linear ft)	Total Stream Impact	Stream Impacts Requiring Mitigation	
	-	-	-		(linear ft)	(linear ft)	
-	-	1	-	-	- 19 P	-	
Totals			100 0 S - 2 S - 10	104 0	1 - <u>1</u> - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -		

Stream Impacts in the Cape Fear River Basin

Total Stream Impact for Project: 0 linear feet.

Jordan Lake Watershed Riparian Buffer Impacts

Site	Zone 1 Impact (sq ft)	<i>minus</i> Wetlands in Zone 1 (sq ft)	= Zone 1 Buffers (not wetlands) (sq ft)	Zone 1 Buffer Mitigation Required (using 3:1 ratio)	Zone 2 Impact (sq ft)	<i>minus</i> Wetlands in Zone 2 (sq ft)	= Zone 2 Buffers (not wetlands) (sq ft)	Zone 2 Buffer Mitigation Required (using 1.5:1 ratio)
1	2,440	- 10	1 V 33	12 - 14 - 14 - 14 - 14 - 14 - 14 - 14 -	1,232	Section - Sector		-
Totals	2,440	_		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1,232		- ac a	-

Total Buffer Impact for Project: 3,672 square feet.

State of North Carolina | Environmental Quality 1617 Mail Service Center | Raleigh, North Carolina 27699-1617 The project shall be constructed in accordance with your application dated received May 5, 2017. This approval is also valid for the Jordan Lake Watershed Riparian Buffer Rules (15A NCAC 2B.0267). In addition, you should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations.

This approval is valid solely for the purpose and design described in your application (unless modified below). Should your project change, you must notify the NCDWR and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter, and is thereby responsible for complying with all the conditions. If total wetland fills for this project (now or in the future) exceed one acre, or of total impacts to streams (now or in the future) exceed 300 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). Additional buffer impacts may require compensatory mitigation as described in 15A NCAC 2B .0267. For this approval to remain valid, you must adhere to the conditions listed in the attached certification(s) and any additional conditions listed below.

Condition(s) of Certification:

Project Specific Conditions

- 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)]
- 2. 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)
- 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 NCS000250 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. All stormwater runoff shall be directed as sheetflow through stream buffers at non-erosive velocities, unless otherwise approved by this certification. (15A NCAC 2B.0267)
- 5. The permittee shall use Design Standards in Sensitive Watersheds (15A NCAC 4B.0124[a]-[e]) in areas draining to WS-II and HQW waters. NCDOT shall be in compliance with NCS0000250 issued to NCDOT, including the applicable requirements of NCG010000.
- 6. 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 2B.0267)
- 7. Pursuant to 15A NCAC 2B .0267, sediment and erosion control devices shall not be placed in Zone 1 of any Jordan Lake 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.

General Conditions

- 1. Unless otherwise approved in this certification, placement of culverts and other structures in open waters and streams shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]
- 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]
- 3. 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)]
- 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)]
- 5. 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)]
- 6. 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)]
- 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)]
- 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)]
- 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. 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)]
- 11. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
- 12. 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]
- 13. 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)]

- 14. A copy of this Certification shall be maintained on the construction site always. In addition, the 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)]
- 15. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization 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]
- 16. The issuance of this certification does not exempt the Permittee from complying with 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.
- 17. 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)]
- 18. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer (or appointee) shall complete and return the enclosed "Certification of Completion Form" to notify the NCDWR when all work included in the Certification has been completed. [15A NCAC 02H.0502(f)]
- 19. 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 02B.0267(10)]
- 20. 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)]
- 21. 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.
- 22. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification. [15A NCAC 02H.0506(b)(3) and (c)(3)]

If you wish to contest any statement in the attached Certification you must file a petition for an administrative hearing. You may obtain the petition form from the office of Administrative hearings. You must file the petition with the office of Administrative Hearings within sixty (60) days of receipt of this notice. A petition is considered filed when it is received in the office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official state holidays. The original and one (1) copy of the petition must be filed with the Office of Administrative Hearings.

The petition may be faxed-provided the original and one copy of the document is received by the Office of Administrative Hearings within five (5) business days following the faxed transmission. The mailing address for the Office of Administrative Hearings is:

Office of Administrative Hearings 6714 Mail Service Center Raleigh, NC 27699-6714 Telephone: (919) 431-3000, Facsimile: (919) 431-3100

A copy of the petition must also be served on DEQ as follows:

Mr. Bill Lane, General Counsel Department of Environmental Quality 1601 Mail Service Center

This letter completes the review of the Division of Water Resources under Section 401 of the Clean Water Act. If you have any questions, please contact April Norton at (919)707-9111 or April.Norton@ncdenr.gov.

Sincerely,

S. Jay Zimmerman, Director **Division of Water Resources**

Electronic copy only distribution:

Dave Bailey, US Army Corps of Engineers, Raleigh Field Office Jerry Parker, Division 7 Environmental Officer Nicole Thomson, Division 7 Environmental Assistant Travis Wilson, NC Wildlife Resources Commission James Mason, NCDOT April Norton, NCDWR File Copy

	ROY COOP
	Gover
	MICHAEL S. REGA
ronmental	S. JAY ZIMMERMA
Quality	Direct
NCDWR Project No.:	County:
Applicant:	
Project Name:	
Date of Issuance of Buffer Certification:	
subsequent modifications, the applicant is requ Unit, North Carolina Division of Water Resou	the Buffer Certification and applicable Buffer Rules, and any uired to return this certificate to the 401 Transportation Permitti urces, 1617 Mail Service Center, Raleigh, NC, 27699-1617. Th the applicant's authorized agent, or the project engineer. It is b.
Applicant's Certification	
L	, hereby state that, to the best of my abilities, due care and di
	n such that the construction was observed to be built within sub Buffer Rules, the approved plans and specifications, and other
Signature:	Date:
Agent's Certification	
I	hereby state that to the best of my abilities due care and di
was used in the observation of the construction compliance and intent of the Certification and supporting materials.	, hereby state that, to the best of my abilities, due care and di n such that the construction was observed to be built within sub Buffer Rules, the approved plans and specifications, and other
Signature:	Date:
Engineer's Certification	
PartialFinal	
Ι,	, as a duly registered Professional Engineer in the State of
Carolina, having been authorized to observe (permittee hereby state that, to the best of my a	, as a duly registered Professional Engineer in the State of periodically, weekly, full time) the construction of the project f abilities, due care and diligence was used in the observation of the periodical period of the pull within substantial compliance and intent of the
construction such that the construction was ob	plans and specifications, and other supporting materials.
construction such that the construction was ob	plans and specifications, and other supporting materials.

State of North Carolina | Environmental Quality 1617 Mail Service Center | Raleigh, North Carolina 27699-1617















LEGEND

— BZ 1—

— BZ 2—







RIPARIAN BUFFER ZONE 1 (30')

RIPARIAN BUFFER ZONE 2 (20')

ALLOWABLE IMPACTS ZONE 1 (BRIDGE)

ALLOWABLE IMPACTS ZONE 1 (ROAD CROSSING)

ALLOWABLE IMPACTS ZONE 2 (ROAD CROSSING)









LEGEND



— BZ 2—







RIPARIAN BUFFER ZONE 1 (30')

RIPARIAN BUFFER ZONE 2 (20')

ALLOWABLE IMPACTS ZONE 1 (BRIDGE)

ALLOWABLE IMPACTS ZONE 1 (ROAD CROSSING)

ALLOWABLE IMPACTS ZONE 2 (ROAD CROSSING)

	IMPACT							BUFFER					
				TYPE			ALLOWABLE		MITIGABLE			REPLACEMENT	
			ROAD		PARALLEL	ZONE 1		TOTAL	ZONE 1	ZONE 2		ZONE 1	ZONE
SITE NO.	STRUCTURE SIZE / TYPE SINGLE SPAN 24" CORED	STATION (FROM/TO	CRUSSING	BRIDGE	IMPACT	(ft ²)							
1	SLAB W/ 4.0' DEEP CAPS, 1@65'	-L- 14+97 to 16+25		х		2038		2038					
			х			402	1232	1633					
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OTAL:						2440	1232	3671					

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GUILFORD COUNTY PROJECT: B-5350

IVISION OF HIGHWAYS