

**PROJECT SPECIAL PROVISIONS**  
**PERMITS**

The Contractor's attention is directed to the following permits, which have been issued to the Department of Transportation by the authority granting the permit.

**PERMIT****AUTHORITY GRANTING THE PERMIT**

Water Quality (401)

Division of Environmental Management, DENR,  
State of North Carolina

The Contractor shall comply with all applicable permit conditions during construction of this project. Those conditions marked by \* are the responsibility of the department and the Contractor has no responsibility in accomplishing those conditions.

Agents of the permitting authority will periodically inspect the project for adherence to the permits.

The Contractor's attention is also directed to Articles 107-10 and 107-14 of the Standard Specifications and the following:

Should the Contractor propose to utilize construction methods (such as temporary structures or fill in waters and/or wetlands for haul roads, work platforms, cofferdams, etc.) not specifically identified in the permit (individual, general, or nationwide) authorizing the project it shall be the Contractor's responsibility to coordinate with the Engineer to determine what, if any, additional permit action is required. The Contractor shall also be responsible for initiating the request for the authorization of such construction method by the permitting agency. The request shall be submitted through the Engineer. The Contractor shall not utilize the construction method until it is approved by the permitting agency. The request normally takes approximately 60 days to process; however, no extensions of time or additional compensation will be granted for delays resulting from the Contractor's request for approval of construction methods not specifically identified in the permit.

**Where construction moratoriums are contained in a permit condition which restricts the Contractor's activities to certain times of the year, those moratoriums will apply only to the portions of the work taking place in the waters or wetlands provided that activities outside those areas is done in such a manner as to not affect the waters or wetlands.**

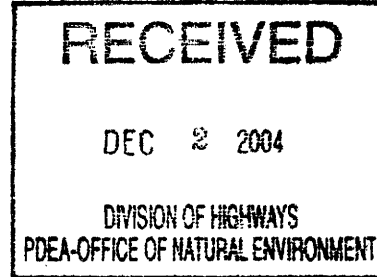


DR

112

November 30, 2004  
Wake County  
DWQ No. 0414720

6-3530



**APPROVAL of 401 Water Quality Certification**

Dr. Gregory J. Thorpe, PhD, Manager  
Planning and Environmental Branch  
North Carolina Department of Transportation  
1548 Mail Service Center  
Raleigh, North Carolina, 27699-1548

Dear Dr. Thorpe:

You have our approval, in accordance with the conditions listed below, to impact 2,613 square feet (1,742 square feet of Zone 1 and 871 square feet of Zone 2) of protected Neuse riparian buffer for the purpose of replacing Bridge No. 174 over Buffalo Creek on SR 2320 (Riley Road) in Wake County. This approval shall act as your Authorization Certificate as required within the Neuse River Riparian Buffer Rules (15A NCAC 2B .0233). In addition, you should get any other required federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control.

This approval is only valid for the purpose and design that you described in your application dated received on October 25, 2004. If you change your project, you must notify us and you may be required to send us a new application. If the property is sold, the new owner must be given a copy of this authorization and approval letter and is thereby responsible for complying with all conditions. For this approval to be valid, you must follow the conditions listed below. If total wetland fills for this project (now or in the future) exceed one acre, or if total impacts to streams (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed in the attached certification.

- 1.) Upon completion of the project, the NCDOT shall complete and return the enclosed "Certification of Completion Form" to notify DWQ when all work included in the 401 Certification has been completed. The responsible party shall complete the attached form and return it to the 401/Wetlands Unit of the Division of Water Quality upon completion of the project.
- 2.) All stormwater runoff shall be directed to sheetflow through stream buffers at nonerosive velocities, unless approved otherwise by this certification.
- 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.
- 4.) When the old bridge is removed, no discharge of bridge material into surface waters is preferred. Strict adherence the Corps of Engineers guidelines for bridge demolition will be a condition of the 401 Water Quality Certification.
- 5.) Riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.

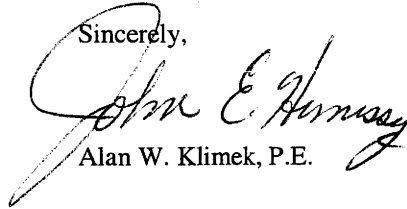
- 6.) The dimension, pattern and profile of the stream above and below the crossing should not be modified by widening the stream channel or reducing the depth of the stream. Disturbed floodplains and streams should be restored to natural geomorphic conditions.
- 7.) Any riprap used must not interfere with thalweg performance and aquatic life passage during low flow conditions.
- 8.) 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.
- 9.) Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
- 10.) 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.
- 11.) There shall be no excavation from or waste disposal into jurisdictional wetlands or waters associated with this permit without appropriate modification of this permit. Should waste or borrow sites be located in wetlands or streams, compensatory mitigation will be required since it is a direct impact from road construction activities.
- 12.) Pursuant to NCAC15A 2B.0233(6), sediment and erosion control devices shall not be placed in Zone 1 of any Neuse Buffer without prior approval by the NCDWQ. At this time, the NCDWQ 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.
- 13.) Heavy equipment must be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into the stream.
- 14.) No live or fresh concrete shall come into contact with waters of the state until the concrete has hardened.
- 15.) The presence of equipment in the channels must be minimized. Under no circumstances must rock, sand or other materials be dredged from the wetted stream channel under authorization of this permit, except in the immediate vicinity of the culverts.
- 16.) All work shall be performed during low or normal flow conditions.
- 17.) All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1.
- 18.) A copy of this Water Quality Certification shall be posted 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.
- 19.) All protected riparian buffers impacted by the placement of temporary fill or clearing activities shall be restored to the preconstruction contours and revegetated with native woody species upon completion of the project construction. A post-construction as-built with the restoration activities included shall be submitted to the DWQ no later than 60 days after the project is closed out by the Department of Transportation.

If you do not accept any of the conditions of this certification, you may ask for an adjudicatory hearing. You must act within 60 days of the date that you receive this letter. To ask for a hearing, send a written petition that conforms to Chapter 150B of the North Carolina General Statutes to the Office of Administrative Hearings, P.O. Box 27447, Raleigh, N.C. 27611-7447. This certification and its conditions are final and binding unless you ask for a hearing.

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This letter completes the review of the Division of Water Quality under Section 401 of the Clean Water Act. If you have any questions, please contact Nicole Thomson at 919-715-3415.

Sincerely,



Alan W. Klimek, P.E.

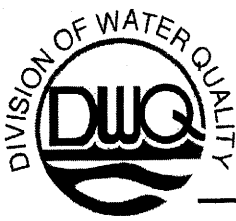
JEH/njt

Attachment

cc:

Wilmington District, US Army Corps of Engineers  
Mr. Eric Alsmeyer, US Army Corps of Engineers, Raleigh Field Office  
Mr. Jon G. Nance, P.E., Division 5 Engineer, 2612 North Duke Street, Durham, NC 27704  
Mr. Chris Murray, Division 5 Environmental Officer, 2612 North Duke Street, Durham, NC 27704  
NC DWQ Raleigh Regional Office  
Central Files  
File Copy

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DWQ Project No.: \_\_\_\_\_ County: \_\_\_\_\_

Applicant: \_\_\_\_\_

Project Name: \_\_\_\_\_

Date of Issuance of 401 Water Quality Certification: \_\_\_\_\_

**Certificate of Completion**

X 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/Wetlands Unit, North Carolina Division of Water Quality, 1621 Mail Service Center, Raleigh, NC, 27699-1621. This form may be returned to DWQ 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

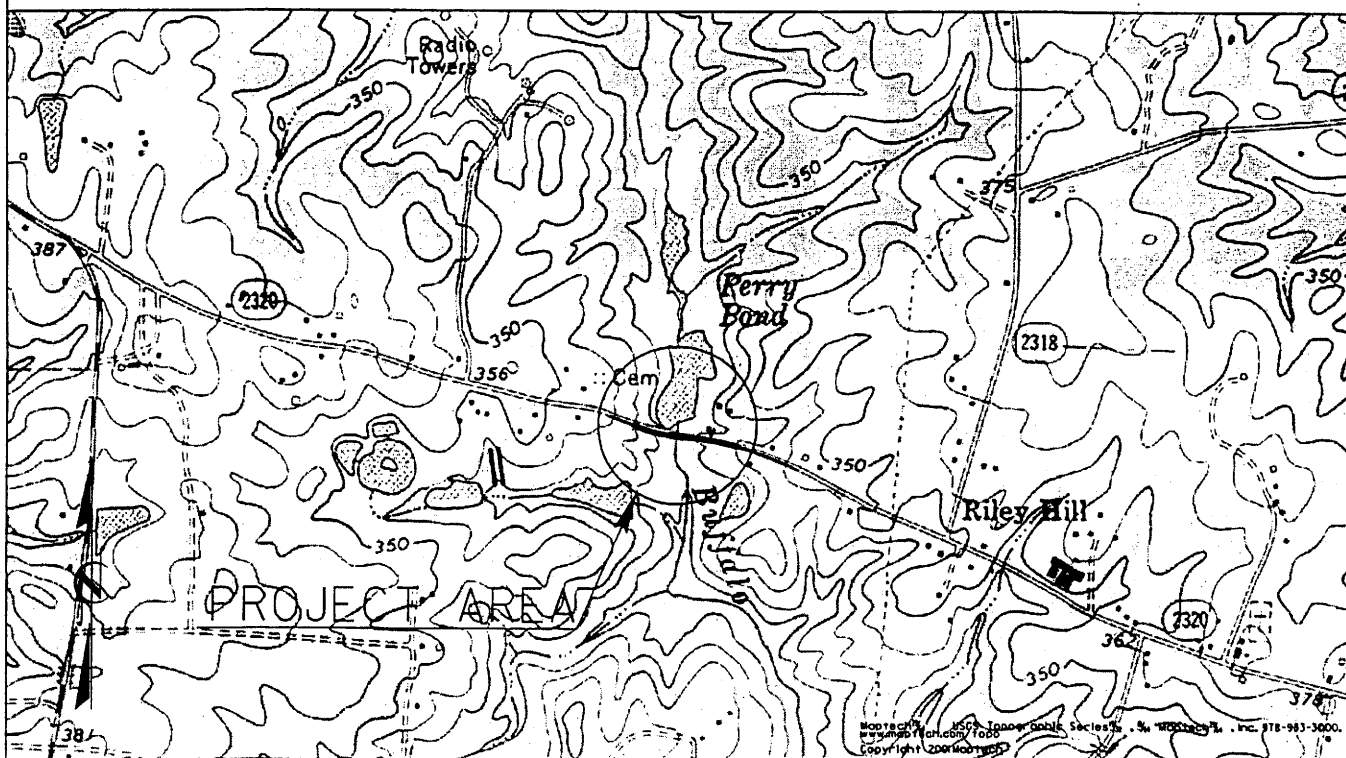
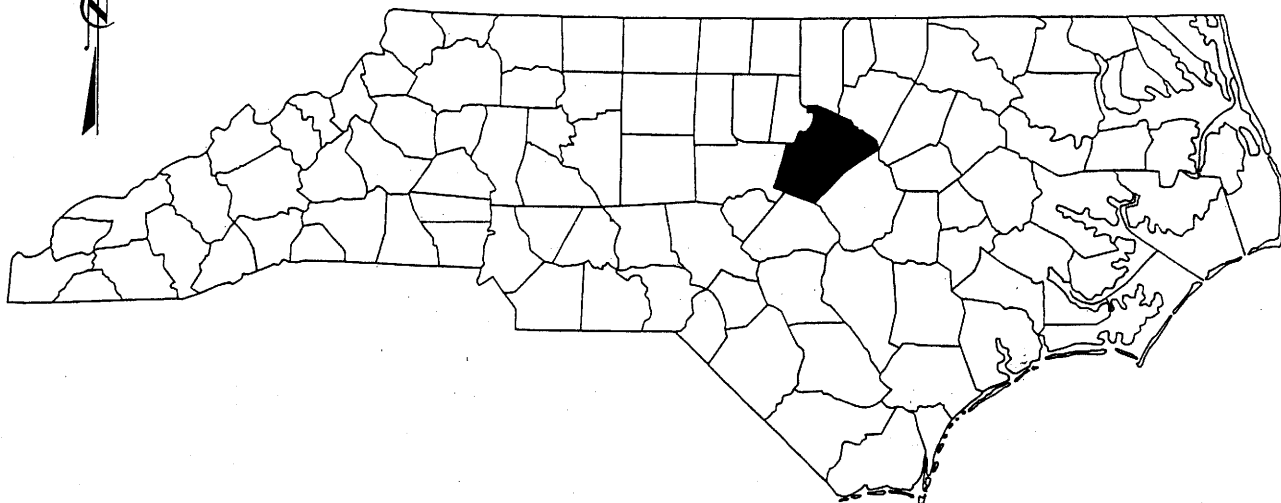
I, \_\_\_\_\_, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the project, for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation 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 \_\_\_\_\_

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# NORTH CAROLINA



## VICINITY MAP

### NCDOT

DIVISION OF HIGHWAYS  
WAKE COUNTY

PROJECT: 8.2407701 (B-3530)

BRIDGE #174 ON  
SR 2320 (RILEY HILL ROAD)  
OVER BUFFALO CREEK



PROJECT REFERENCE NO. **E-3530** SHEET NO. **4**

BY: **HW** DATE: **10/15/00**

ROADWAY DESIGN

PRELIMINARY PLANS

FOR THE **STATE OF NORTH CAROLINA**

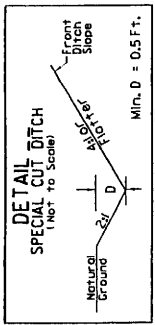
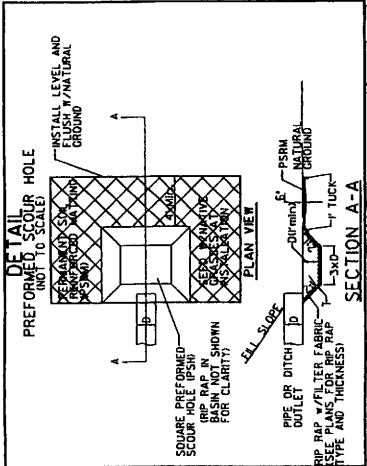
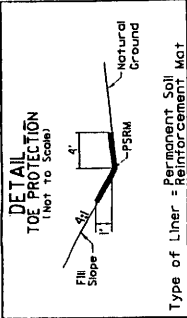
DESIGNED BY: **W. A. B. & S. L. ENGINEERS, INC.**

10000 W. HARRIS ROAD, SUITE 400  
 RAYLEIGH, NC 27604

GRAPHIC SCALE

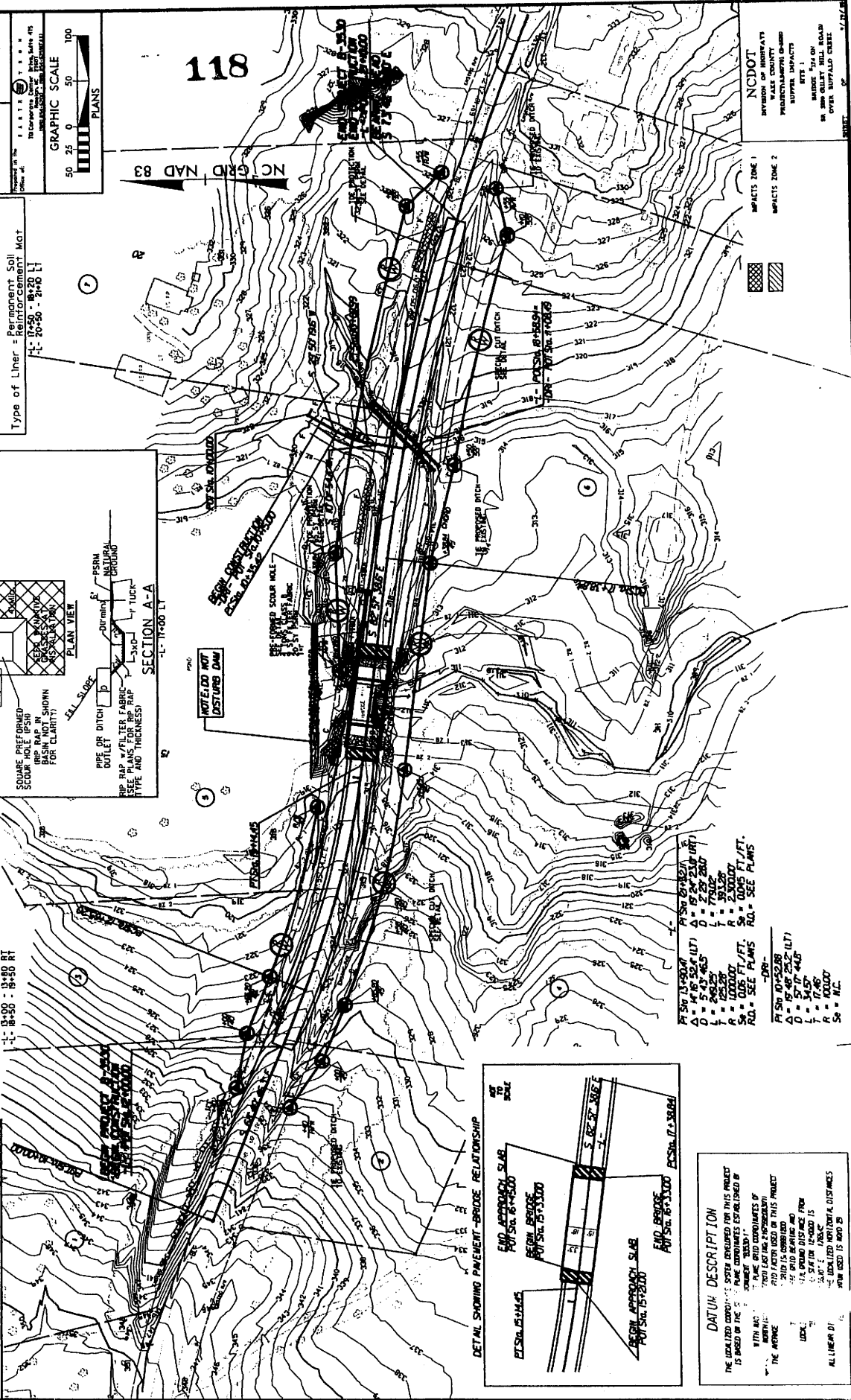
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PLANS



REVISIONS

NO.	DESCRIPTION



NC GRID NAD 83

118

IMPACTS ZONE 1  
 IMPACTS ZONE 2



**NC DOT**

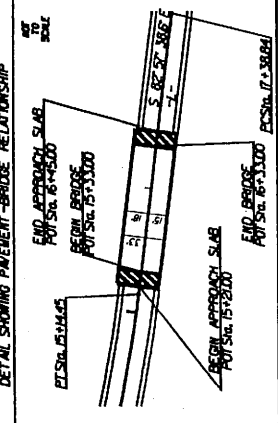
IMPACTS ZONE 1  
 IMPACTS ZONE 2

IMPACTS ZONE 1  
 IMPACTS ZONE 2

IMPACTS ZONE 1  
 IMPACTS ZONE 2

ADJ. SEE PLUMS ADJ. SEE PLUMS

STATION	PI	SI	RI	SI	RI	SI	RI
13+00.00	16	16	16	16	16	16	16
16+50.00	16	16	16	16	16	16	16
18+50.00	16	16	16	16	16	16	16
20+00.00	16	16	16	16	16	16	16
22+00.00	16	16	16	16	16	16	16
24+00.00	16	16	16	16	16	16	16
26+00.00	16	16	16	16	16	16	16
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44+00.00	16	16	16	16	16	16	16
46+00.00	16	16	16	16	16	16	16
48+00.00	16	16	16	16	16	16	16
50+00.00	16	16	16	16	16	16	16



**DATUM DESCRIPTION**

THE DATA USED FOR THIS PROJECT IS BASED ON THE FOLLOWING DATUMS:

- VERTICAL: NAVD 83
- HORIZONTAL: NAD 83
- PLAN: 118
- SCALE: AS SHOWN
- UNIT: FEET
- ROUNDING: TO NEAREST 0.01
- DATE: 10/15/00
- BY: HW
- CHECKED: [Signature]
- APPROVED: [Signature]





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## PROPERTY OWNERS

NAMES AND ADDRESSES

PARCEL NO.	NAMES	ADDRESSES
4	ROBERT A. PERRY	(Mailing Address) 5404 Riley Hill Road Wendell, NC 27591  (Property Address) 5501 Riley Hill Road Wendell, NC 27591
5	TWIN ACRES COUNTRY CLUB INC.	101 Blalock Court Knightsdale, NC 27545
6	BENJAMIN FRANKLIN PERRY JR.	(Mailing Address) 5608 Riley Hill Road Wendell, NC 27591  (Property Address) 5632 Riley Hill Road Wendell, NC 27591

NCDOT

DIVISION OF HIGHWAYS

WAKE COUNTY

PROJECT: 8.2407701 (B-3530)

BRIDGE #174 ON

SR 2320 (RILEY HILL ROAD)

OVER BUFFALO CREEK

SHEET 5 OF 7

9/19/03



