

# STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT SECRETARY

January 28, 2005

#### Addendum No. 1

RE: Contract ID: C201116 WBS # 34452.3.7 F. A. # STP-55 (33) Pamlico County (R-2539C) NC-55 From SR-1129 (Bennett-Tingle Road) To NC-304 in Bayboro.

#### February 15, 2005 Letting

To Whom It May Concern:

Reference is made to the plans and proposal form recently furnished to you on the abovementioned project.

The following revisions have been made to the plans:

Sheet No. 3-Y of the Roadway plans has been revised to correct the earthwork summary. Please void Sheet No. 3-Y in your plans and staple the revised Sheet No. 3-Y thereto.

Sheet No. 3-D of the Roadway Subsurface plans has been revised to correct the earthwork summary. Please void Sheet No. 3-D in your plans and staple the revised Sheet No. 3-D thereto.

The following revisions have been made to the proposal form:

On Page Nos. 23 and 24, the project special provision entitled "Contractor Borrow Source" has been revised. Please void Page Nos. 23 and 24 in your proposal and staple the revised Page nos. 23 and 24 thereto.

On page No. 44, the first sentence in the first paragraph of the project special provision entitled "Excavation, Hauling and Disposal of Contaminated Soil" has been revised. Please void Page No. 44 in your proposal and staple the revised Page No. 44 thereto.

New Page Nos. 261 thru 305 are being added to include the modifications to the 404, 401 and CAMA permits. Please staple New Page Nos. 261 thru 305 in your proposal after Page No. 260.

### Page 2 (C201116) Pamilco County

The Table of Contents has been revised to reflect the above mentioned change. Please void the first page of the Table of Contents in your proposal and staple the revised Table of Contents thereto.

On page No. 1 of the item sheets, the quantity for line item number "5-0022000000-M-225 Unclassified Excavation" has been revised. By copy of this addendum the pay item quantity is hereby decreased from 57,800 M3 to 29,700 M3. Also on Page No. 1 of the item sheets, the quantity for line item number "8-0106000000-M-230 Borrow Excavation" has been revised. By copy of this addendum the pay item quantity is hereby increased from 68,400 M3 to 98,000 M3. The Contractor's bid price must be based on these revised pay item quantities. The contract will be prepared accordingly.

On Page No. 9 of the item sheets, the value for the working pressure rating for line item Nos. 145, 146 and 147 was inadvertently omitted. The value for the working pressure rating for each of these three items is "1.38 MPA." The contractor will be prepared accordingly.

On Page No. 10 of the item sheets, the unit of measure for line item number "164-5882000000-N-SP 20 MM PE Water Tubing, SDR9, 1.38 MPA" is in error. By copy of this addendum, line item number 164 is hereby deleted. On Page No. 13 of the item sheets, new pay item "223-5888000000-M-SP 20 MM PE Water Tubing, SDR9, 1.38 MPA (Quantity = 2,135.5 **M**" has been added. The contract will be prepared accordingly.

The Expedite file has been updated to reflect these revisions. Please download the Expedite addendum file and follow the instructions for applying the addendum. Bid Express will not accept your bid unless the addendum has been applied.

Sincerely,

R. A. Garris, PE. Contract Officer

#### RAG/jag/pa

cc: Mr. W. S. Varnedoe, PE

Mr. S. D. DeWitt, PE

Mr. E. C. Powell, PE Mr. C. E. Lassiter, PE

Ms. D. M. Barbour, PE

Mr. Art McMillan, PE

Mr. J. V. Barbour, PE

Mr. Mark Staley (2)

Mr. Aydren Flowers

Mr. R. E. Davenport, Jr., PE

Ms. Marsha Byrd

Ms. Taylor Mishoe

Project File (2)

170-305

#### CONTRACT: C201116 (R-2539C)

Pamlico County

#### TABLE OF CONTENTS

PROPOSAL SHEETS PROJECT SPECIAL PROVISIONS (GREEN SHEETS)  PAGE No  Contract Time and Liquidated Damages	O.
Contract Time and Liquidated Damages	O.
Intermediate Contract Time (s)	
Safety Index Rating	
Delay in Right of Entry	
Mentor Protégé Program 4-6	
Major Contract Items	
Specialty Items	
Fuel Price Adjustment	
Schedule of Estimated Completion Progress	
Electronic Bidding 8-10	
Disadvantaged Business Enterprise	0
Retainage and Prompt Payment	1
Certification for Federal-Aid Contracts	2
Domestic Steel and Iron Products	
U.S. Department of Transportation Hotline	
Submission of Records - Federal-Aid Projects	
Compensation and Record Keeping	
Contractor Borrow Source	4
Subsurface Information	
Borrow and Waste Site Reclamation Procedures	
Plant Pest Quarantines. 25	
Cooperation Between Contractors	
Training Requirements	
Safety Vests	
Director of Construction in Lieu of Chief Engineer	
Twelve Month Guarantee 26-2	.7
Outsourcing Outside the USA	
Disqualification of Bidders	.8
Crane Safety	9
Note to Contractor. 29	
Roadway	0
Special Sealed Drainage System	8
Utility Construction	02
Utility Conflicts	104
Erosion Control	118
Traffic Control	
Signals and Traffic Management Systems	
Culverts	

Permits (WHITE SHEETS)....

Contract C201116 (R-2539C) 23

Revised 1-28-05
Pamlico County

#### **U.S. DEPARTMENT OF TRANSPORTATION HOTLINE:**

11-22-94

To report bid rigging activities call:

1-800-424-9071

The U.S. Department of Transportation (DOT) operates the above toll-free "hotline" Monday through Friday, 8:00 a.m. to 5:00 p.m. eastern time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities.

The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

SP1G100

#### SUBMISSION OF RECORDS - FEDERAL-AID PROJECTS: 12-15-98

The Contractor's attention is directed to the Standard Special Provisions entitled "Required Contract provisions - Federal-Aid Construction Contracts" contained elsewhere in this proposal.

This project is NOT located on the National Highway System, therefore, federal form FHWA-47 IS NOT required.

SP1G109

#### **COMPENSATION AND RECORD KEEPING**

03-16-04

Revise the 2002 Standard Specifications as follows:

104-8 Compensation and Record Keeping

Change Article (A), subarticle 1. with the following:

In line 3 and line 6, change \$15,000.00 to \$25,000.00.

SP1G110

#### **CONTRACTOR BORROW SOURCE**

3-15-05

Revise the 2002 Standard Specifications as follows:

Page 2-17, Article 230-4(C) Contractor Furnished Sources, add the following;

If the Contractor proposes a borrow source, the environmental assessment shall include wetland and stream delineation extending 400 feet beyond the proposed borrow source limits.

1. If wetlands or streams are present within 400 feet of the borrow source:

Revised 1-28-05
Pamlico County

Submit a hydrologic analysis (Skaggs Method) or equivalent to determine if lateral effects will permanently impact or cause degradation to wetlands or streams. The analysis shall be performed by an environmental or hydraulics engineer with expertise in this discipline and shall consist of, but not be limited to:

Hydric soil type
Average profile depth to restrictive soil layer
Effective hydraulic conductivity or permeability
Average drainable porosity or available water capacity
Required buffer width, including safety factor

- 2. If wetlands or streams are present within 400 feet and the contractor does not propose to excavate below the seasonal high water table or the water level in the adjacent stream, no documentation will be required.
- 3. If wetlands or streams are not present within 400 feet, no additional documentation will be required

During Department review of the proposed borrow area, the hydrologic analysis will be submitted to the U. S. Army Corps of Engineers for evaluation.

Obtain copy of Skaggs Method for Determining Lateral Effects of a Borrow Pit on Adjacent Wetlands, revised 3/15/05, from Roadside Environmental Unit web site:

<a href="http://www.doh.dot.state.nc.us/preconstruct/highway/dsn\_srvc/contracts/letting.htm">http://www.doh.dot.state.nc.us/preconstruct/highway/dsn\_srvc/contracts/letting.htm</a>
Copies may also be obtained from Room 558, Transportation Building, 1 S. Wilmington Street, Raleigh, NC 27601.

SP1G111

#### **SUBSURFACE INFORMATION:**

7-1-95

Subsurface information is available on the roadway portion of this project only.

SP1G115

## **BORROW AND WASTE SITE RECLAMATION PROCEDURES:**

02-15-05

The Department's Borrow and Waste Site Reclamation Procedures for Contracted Projects have been revised and are available on the website at:

http://www.doh.dot.state.nc.us/preconstruct/highway/dsn\_srvc/contracts/letting.htm
In accordance with Article 230-4 and Section 802 of the *Standard Specifications*, the Contractor shall utilize these revised procedures for all borrow and waste sites on this project.

SP1G120

Parcel #	Stationing (Approximate)	Offset	
196	-L- 234+31 to 234+35	right	
197	-L- 234+46 to 234+52	right	
199	-L- 234+66 to 234+85	right	
200	-L- 234+85 to 235+08	right	
201	-L- 234+97 to 235+15	left	
202	-L- 235+08 to 235+52	right	
	-Y23- 10+76 to 11+16	right	

These areas of contamination, sample locations and laboratory results are available upon-request. Please note that only non-hazardous levels of contaminants were ever detected at these parcels.

Impact to these contaminated areas is expected during installation of the buried utilities and areas of undercut. The Contractor should only excavate those soils which the Engineer designates need to be removed to complete a particular task. The Contractor will need to transport and properly dispose of all contaminated media excavated within the above mentioned limits at a licensed disposal facility. It shall be the Contractor's responsibility to locate such a facility. Departmental approval of the specific facility identified for use by the Contractor shall occur prior to disposal of contaminated media from the project limits. The Contractor is required to present all disposal manifests to the Engineer within twenty (20) days of completion of the excavation. The Contractor must provide certificates of Remediation to the Department within sixty (60) days of completion of the excavation.

The Contractor is responsible for monitoring organic vapors during excavation in known areas of contamination. Qualified personnel must be onsite at all times during excavation of contaminated material in order to monitor organic vapors. The qualified personnel must be knowledgeable with the use of an Organic Vapor Analyzer, Flame Ionization Detector, Photo Ionization Detector, or similar equipment.

The contractor is entirely responsible for compliance with all OSHA, EPA, DOT, DENR and local rules and regulations pertaining to excavation, transportation and treatment/disposal of the contaminated media. Examples of such rules and regulations include, but are not limited to, 29 CFR 1910 and 1926, 40 CFR 260 - 265, 49 CFR 173 and 178, 15A NCAC 13A North Carolina Hazardous Waste Management Rules, NCGS 130A - 310 Inactive Hazardous Sites, the Federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Federal Resource Conservation and Recovery Act (RCRA). It must be noted that inclusion of this paragraph is meant to highlight the Contractor's responsibility for regulatory compliance in all phases of work on this project.

Revised 1-28-05



#### DEPARTMENT O WILMINGTON DISTRICT, CORPS OF ENGINEERS P.O. BOX 1890 WILMINGTON, NORTH CAROLINA 28402-1890

January 18, 2005

RECEIVED

DIVISION OF HIGHWAYS PDEA-OFFICE OF NATURAL ENVIRONMENT

**Regulatory Division** 

Action ID No. 199303531

Dr. Gregory J. Thorpe, Ph.D. Environmental Management Director, PEDA North Carolina Department of Transportation 1548 Mail Service Center Raleigh, North Carolina 27699-1548

Dear Mr. Thorpe:

Reference the Department of the Army (DA) permit issued to you on May 9, 2003, and a modification to this permit issued on September 29, 2003, associated with the widening of approximately 14.2 miles of NC 55 from 0.7 miles east of US 17 in Bridgeton to NC 304 in Bayboro, Craven and Pamlico Counties, North Carolina (TIP R-2539, Federal Aid Project STP-55(1), State Project No. 8.1170901). Also reference your subsequent written request dated October 14, 2004, for a permit modification to:

- 1. Submit the attached final permit drawings and relevant information for R-2539 Section C. The final design revisions resulted in five sites differing from those submitted with the original permit application. These changes resulted in 4.90 additional non-riverine wetland impacts and 145.6 additional feet of stream impacts.
- 2. Mitigate for the additional wetland and stream impacts by utilizing the Ecosystem Enhancement Program to mitigate for 0.52 acres of non-riverine wetlands and 145.6 feet of stream located in Cataloging Unit 03020105 of the Tar-Pamlico River Basin and 4.38 acres of non-riverine wetlands located in Cataloging Unit 03020204 of the Neuse River Basin.

This modification request was coordinated with the North Carolina Division of Water Quality, and other appropriate State and Federal agencies. The coordination revealed no objections to this modification request. Therefore, the permit is hereby modified in accordance with the specific work activities described above and in the enclosed plans. It is understood that all conditions of the original permit remain applicable and that the expiration date is unchanged. In addition, the permittee will comply with the following special permit condition:

- a. Compensatory mitigation for the unavoidable impacts within the Tar-Pamlico River Basin to 0.52 acres of non-riverine wetlands and 145.6 linear feet of stream associated with the proposed project shall be provided by the Ecosystem Enhancement Program (EEP). The EEP will provide 5.2 acres of preservation of non-riverine wetlands and 1,456 linear feet of stream preservation in the Southern Outer Coastal Plain Eco-Region at the Wallace Deer Club Tracts 1-5 in Pender County that has been acquired and protected by the EEP. Pursuant to the EEP Memorandum of Agreement (MOA) between the State of North Carolina and the US Army Corps of Engineers signed on July 22, 2003, the EEP will provide a minimum of 0.52 acres of restoration of non-riverine wetlands and 145.6 feet of stream restoration in the Tar-Pamlico River Basin (Hydrologic Cataloging Unit 03020105) by July 22, 2005, and half of the proposed preservation mitigation would be available at that time for mitigation for other project impacts. The NCDOT shall, within 30 days of the issue date of this permit, certify that sufficient funds have been provided to EEP to complete the required mitigation, pursuant to Paragraph V. of the MOA.
- b. Compensatory mitigation for the remaining unavoidable impacts within the Neuse River Basin to 4.38 acres of non-riverine wetlands associated with the proposed project shall be provided by the Ecosystem Enhancement Program (EEP). Pursuant to the EEP Memorandum of Agreement (MOA) between the State of North Carolina and the US Army Corps of Engineers signed on July 22, 2003, the EEP will provide a minimum of 8.76 acres of existing restoration equivalents of non-riverine wetlands, Neuse River Basin (Hydrologic Cataloging Unit 03020204). At least half of the 8.76 acre requirement must be in the form of restoration. The NCDOT shall, within 30 days of the issue date of this permit, certify that sufficient funds have been provided to EEP to complete the required mitigation, pursuant to Paragraph V. of the MOA.

Any questions regarding this correspondence may be directed to Mr. William Biddlecome, NCDOT Coordinator/Regulatory Project Manager at the Washington Regulatory Field Office, telephone (252) 975-1616, extension 31.

Sincerely,

Charles R. Alexander, Jr.

Colonel, U.S. Army District Engineer

Enclosure

Copies Furnished (without enclosure):

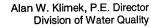
Ms. Cathey Brittingham
Division of Coastal Management
1638 Mail Service Center
Raleigh, North Carolina 27699-16387

Mr. John Hennessy NCDENR-DWQ Wetlands Section 1650 Mail Service Center Raleigh, North Carolina 27699-1650

Mr. Ron Sechler National Marine Fisheries Service Pivers Island Beaufort, North Carolina 28516

Mr. Pete Benjamin U.S. Fish and Wildlife Service Fish and Wildlife Enhancement Post Office Box 33726 Raleigh, North Carolina 27636-3726

Mr. Ronald Mikulak, Chief Wetlands Regulatory Section - Region IV Environmental Protection Agency Atlanta Federal Center 100 Alabama Street, SW Atlanta, Georgia 30365





264

December 10, 2004

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:

RECEIVED

DIVISION OF HIGHWAYS
PDEA-OFFICE OF NATURAL ENVIRONMENT

Re: Modification to the 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act, Widening of NC 55 from US 17 in Bridgeton to NC 304 in Bayboro, Craven and Pamilico Counties. WQC Project No. 021232, TIP No. R-2539C.

Attached hereto is a copy of a modification to Certification No. 3415 issued to The North Carolina Department of Transportation dated March 17, 2003. This certification authorizes the NCDOT for the following impacts:

Wetland, Surface Water and Protected Riparian Buffer Impacts

Section	Fill in Wetlands (acres)	Excavation & Drainage (acres)	Mechanized Clearing (acres)	Streams (Linear Feet)	Other surface waters (acres)	Buffer Zone 1 (acres)	Buffer Zone 2 (acres)
R-2539C (Original 401 WOC)	1.52	1.96	1.50	209	0.07	0.37	0.21
R-2539C (Additional Impacts with this Modification)	+0.95	+4.32	-0.37	+146	0	+0.33	+0.23
Total	2.47	6.28	1.13	355	0.07	0.70	0.44
Net Total for Wetland Impacts		9.88					
Net Total for Buffer Impacts						1.1	4

This certification modifies only segment C of the widening of NC 55 from Bridgeton to Bayboro and shall be constructed pursuant to the application dated received on October 19, 2004 and all subsequent submittals and revisions. All the authorized activities and conditions of the certification associated with the original Water Quality Certification dated March 17, 2003 and all subsequent modifications still apply except where superceded by this certification.



If we can be of further assistance, do not hesitate to contact Nicole Thomson at 919-715-3415.

Sincerely,

Alan W. Klimek, P.E.

Director

#### Attachments

cc: Wilmington District US Army Corps of Engineers

Mr. Mike Bell, Corps of Engineers Washington Field Office

Mr. Mike Thomas, NC DWQ Washington Regional Office

Mr. Christopher Militscher, US Environmental Protection Agency - Region IV

Mr. William Gilmore, P.E. Transition Manager, NC DENR Ecosystem Enhancement Program

Mr. C.E. Lassiter, Jr., P.E. Division 2 Engineer, PO Box 1587, Greenville, NC 27835

Mr. Jay Johnson, Division 2 Environmental Officer, PO Box 1587, Greenville, NC 27835

Central Files

File Copy

### Modification of APPROVAL OF 401 Water Quality Certification and ADDITIONAL CONDITIONS and Tar-Pamlico River Buffer Authorization

THIS CERTIFICATION is issued in conformity with the requirements of Section 401 Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (DWQ) Regulations in 15 NCAC 2H, Section .0500, and 15 NCAC 2B .0259. This certification authorizes the NCDOT for the following impacts:

Wetland, Surface Water and Protected Riparian Buffer Impacts

Section	Fill in Wetlands (acres)	Excavation & Drainage (acres)	Mechanized Clearing (acres)	Streams (Linear Feet)	Other surface waters (acres)	Buffer Zone 1 (acres)	Buffer Zone 2 (acres)
R-2539C (Original 401 WQC)	1.52	1.96	1.50	209	0.07	0.37	0.21
R-2539C (Additional Impacts with this Modification)	+0.95	+4.32	-0.37	+146	0	+0.33	+0.23
Total	2.47	6.28	1.13	355	0.07	0.70	0.44
Net Total for Wetland Impacts		9.88					
Net Total for Buffer Impacts						1.1	4

#### **Impacts to Tar-Pamlico Riparian Buffers**

Section	Zone 1 (Sq. Ft.)	Zone 2 (Sq. Ft.)
Site 3 (STA 196+00 –L)	10,793	6,495
Site 3 (STA 199+77 –L)	10,440	6,373
Site 3A (STA 12+10 -Y7)	750	1,064
Site 5 (STA 206+00)	8,442	5,039
Total	30,425	18,971
Impacts Requiring Mitigation	21,233	12,868
Onsite Buffer Replacement	1,186	0
Total Remaining Impacts Requiring Mitigation	20,047	12,868

This certification modifies only segment C of the widening of NC 55 from Bridgeton to Bayboro and shall be constructed pursuant to the application dated received on October 19, 2004 and all subsequent submittals and revisions. All the authorized activities and conditions of the certification associated with the original Water Quality Certification dated March 17, 2003 and all subsequent modifications still apply except where superceded by this certification.

The application provides adequate assurance that the discharge of fill material into the waters of the Tar-Pamlico and Neuse River Basin in conjunction with the proposed development will not result in a violation of applicable Water Quality Standards and discharge guidelines. Therefore, the State of North Carolina certifies that this activity

will not violate the applicable portions of Sections 301, 302, 303, 306, 307 of PL 92-500 and PL 95-217 if conducted in accordance with the application and conditions hereinafter set forth.

This approval is only valid for the purpose and design that you submitted in your application, as described in the Public Notice. Should your project change, you are required to notify the DWQ 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 any additional wetland impacts, or stream impacts, for this project (now or in the future) exceed one acre or 150 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you are required to comply with all the conditions listed below. In addition, you should obtain all other federal, state or local permits before proceeding with your project including (but not limited to) Sediment and Erosion control, Coastal Stormwater, Non-discharge and Water Supply watershed regulations. This Certification shall expire three years from the date of the cover letter from DWQ or on the same day as the expiration date of the corresponding Corps of Engineers Permit, whichever is sooner.

#### Condition(s) of Certification:

- 1. Construction will be conducted in such a manner as to prevent a significant increase in turbidity outside the area of construction or construction-related discharge. 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 assure compliance with the appropriate turbidity water quality standard.
  - a. The erosion and sediment control measures for the project must equal or exceed the proper design, installation, operation and maintenance outlined in the most recent version of the North Carolina Sediment and Erosion Control Planning and Design Manual. These 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.
  - b. For borrow pit sites, the erosion and sediment control measures must equal or exceed the proper design, installation, operation and maintenance outlined in the most recent version of the North Carolina Surface Mining Manual. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
- 2. All sediment and erosion control measures shall not be placed in wetlands or waters to the maximum extent practicable. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, they shall be removed and the natural grade restored after the Division of Land Resources has released the project.
- 3. Pursuant to NCAC15A 2B.0233(6) and NCAC15A 2B.0259(6), sediment and erosion control devices shall not be placed in Zone 1 of any Neuse or Tar-Pamlico 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.
- 4. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1.
- 5. If an environmental document is required, this Certification is not valid until a FONSI or ROD is issued by the State Clearinghouse. All water quality-related conditions of the FONSI or ROD shall become conditions of this Certification.
- 6. No live or fresh concrete shall come into contact with waters of the state until the concrete has hardened.
- 7. 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 stream, compensatory mitigation will be required since it is a direct impact from road construction activities.

- √ 8. 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.
  - 9. Placement of culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed to allow low flow passage of water and aquatic life unless it can be shown to DWQ that providing passage would be impractical. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in disequilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium shall be maintained if requested in writing by DWQ.
  - 10. The Ecosystem Enhancement Program (EEP) previously provided wetland mitigation for Sections A and B and a portion of the mitigation required for Section C at the initial 404 and 401 permit issuance. The additional amounts of impact requiring mitigation are as follows:

Wetlands Impacted	Impacts	Replacement	Mitigation Site	Acres of Mitigation
	(Ac)	Ratio		Credited
Non-Riverine Wetland			Wallace Club Deer	
Impacts			Tract 1 and 2,	() **
Tar-Pamlico River Basin	0.63	10:1	Pender County	6.30
Non-Riverine Wetland			Cataloging Unit	
Impacts			03020204 of the	
Neuse River Basin)	4.4	2:1	Neuse River Basin	8.8

- √11. We understand that you have chosen to perform compensatory mitigation for impacts to 145.6 linear feet o streams through the North Carolina Ecosystem Enhancement Program (NCEEP), and that the EEP has agreed to implement the mitigation for the project
- 12. Compensatory mitigation for the additional impacts to 0.76 acres (20,047 square feet in Zone 1 and 12,868 square feet in Zone 2) of Tar-Pamlico Riparian Buffers shall be provided for as described below.

Zone of	Impacts	Replacement	Total Square Feet of
Impact	(Square Feet)	Ratio	Mitigation Required
Zone 1	20,047	3:1	60,141
Zone 2	12,868	1.5:1	19,302
Total	32,915		79,443

We understand that you have chosen to perform compensatory mitigation for impacts to protected buffers through an in lieu payment to the North Carolina Ecosystem Enhancement Program (NCEEP), and that the EEP has agreed to implement the mitigation for the project. Mitigation for unavoidable impacts to Tar-Pamlico Riparian Buffers shall be provided through an in-lieu payment to the North Carolina Ecosystem Enhancement Program (NCEEP) at a rate of \$0.96 per square foot. Therefore, a total payment of \$76,265.28 shall be submitted to the NCEEP to offset the impacts. No construction activities in Tar-Pamlico River Riparian buffers shall begin until payment for buffer mitigation is made and the Ecosystem Enhancement Program receives and clears your check (made payable to DENR – Ecosystem Enhancement Program).

- 13. All stormwater runoff shall be directed to sheetflow through stream buffers at nonerosive velocities, unless approved otherwise by this certification.
- 14. 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.
- 15. All temporary fills in wetlands and surface waters shall be removed upon completion of the project. In addition, the post-construction removal of any temporary bridge structures or fill will need to return the project site to its preconstruction contours and elevations. The revegetation of the impacted areas with appropriate native species will be required.
- 16. Riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.
- 17. 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.
- 18. Any riprap used must not interfere with thalweg performance and aquatic life passage during low flow conditions.
- 19. 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.
- 20. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
- 21. 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.
- 22. 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.
- 23. NCDOT, 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 law and Federal law. If DWQ 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, DWQ may reevaluate and modify this certification to include conditions appropriate to assure compliance with such standards and requirements in accordance with 15A NCAC 2H.0507(d). Before modifying the certification, DWQ shall notify NCDOT and the US Army Corps of Engineers, provide public notice in accordance with 15A NCAC 2H.0504. Any new or revised conditions shall be provided to NCDOT in writing, shall be provided to the United States Army Corps of Engineers for reference in any permit issued pursuant to Section 404 of the Clean Water Act, and shall also become conditions of the 404 Permit for the project.
- 24. Culverts that are less than 48-inch in diameter should be buried to a depth equal to or greater than 20% of their size to allow for aquatic life passage. Culverts that are 48-inch in diameter or larger should be buried at least 12 inches below the stream bottom to allow natural stream bottom material to become established

- in the culvert following installation and to provide aquatic life passage during periods of low flow. These measurements must be based on natural thalweg depths.
- 25. 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.

Violations of any condition herein set forth may result in revocation of this Certification and may result in criminal and/or civil penalties. This Certification shall become null and void unless the above conditions are made conditions of the Federal 404 and/or Coastal Area Management Act Permit. This Certification shall expire upon the expiration of the 404 or CAMA permit.

If this Certification is unacceptable to you have the right to an adjudicatory hearing upon written request within sixty (60) days following receipt of this Certification. This request must be in the form of a written petition conforming to Chapter 150B of the North Carolina General Statutes and filed with the Office of Administrative Hearings, P.O. Box 27447, Raleigh, N.C. 27611-7447. If modifications are made to an original Certification, you have the right to an adjudicatory hearing on the modifications upon written request within sixty (60) days following receipt of the Certification. Unless such demands are made, this Certification shall be final and binding.

This the 10<sup>th</sup> day of December 2004

DIVISION OF WATER QUALITY

Alan W. Klimek, P.E.

Director

WOC No. 3415





271

Alan W. Klimek, P.E. Director Division of Water Quality

DWQ Project No.:	County:
Applicant:	
Project Name:	
Date of Issuance of 401 Water	Quality Certification:
any subsequent modifications, the Carolina Division of Water Qual	proved within the 401 Water Quality Certification or applicable Buffer Rules, and ne applicant is required to return this certificate to the 401/Wetlands Unit, North lity, 1621 Mail Service Center, Raleigh, NC, 27699-1621. This form may be nt, the applicant's authorized agent, or the project engineer. It is not necessary to
was used in the observation of th	hereby state that, to the best of my abilities, due care and diligence ne 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 I, was used in the observation of the compliance and intent of the 401 specifications, and other support	, hereby state that, to the best of my abilities, due care and diligence ne construction such that the construction was observed to be built within substantial. Water Quality Certification and Buffer Rules, the approved plans and ing materials.
Signature:	Date:
Engineer's Certification Partial I, Carolina, having been authorized Permittee hereby state that, to the construction such that the construction	
Signature	Registration No.
Date	



Colista treeman



North Carolina Department of Environment and Natural Resources

Division of Coastal Management Charles S. Jones, Director

Michael F. Easley, Governor

November 8, 2004

Gregory J Thorpe, PhD, Environmental Management Director Project Development & Environmental Analysis Branch N.C. Department of Transportation 1548 Mail Service Center Raleigh, NC 27699-1548 NOV 10 200

DIVISION OF HIGHWAYS

OF VELOPHES BETT

RE: Request for a Modification to authorize the C Section of the widening project for NC 55 in Paintice County, TIP No. R-2539. NCDOT Letter dated 10/14/04 with accompanying drawings and revised drawing 13 of 24 dated 11/1/04 requesting a Modification of the existing CAMA Permit No. 55-03.

Dear Dr. Thorpe:

This letter is in response to the N.C. Department of Transportation's (NCDOT's) request dated October 14, 2004 requesting a Modification for CAMA Major Permit No. 55-03. The NCDOT letter requests authorization for construction of the C Section of the widening project for NC 55 in Pamlico County, TIP No. R-2539.

Please be advised that through this **Letter of Refinement**, DCM conveys its determination that this request as described in the October 14, 2004 NCDOT correspondence to Bill Arrington, is consistent with existing State rules and regulations and is in keeping with the original purpose and intent of the CAMA permit, with the following conditions.

- 1. This letter does not eliminate the need to obtain any additional state, federal or local permits, approvals or authorizations that may be required.
- 2. This Letter of Refinement must be attached to the original of CAMA Permit No. 55-03, which was issued on April 22, 2003 and both documents must be readily available on site when a DCM representative inspects the project for compliance.
- 3. All conditions and stipulations of the active permit remain in force unless altered herein.

Please contact Bill Arrington at (252) 528-0019 if you have any questions or concerns.

Sincerely,

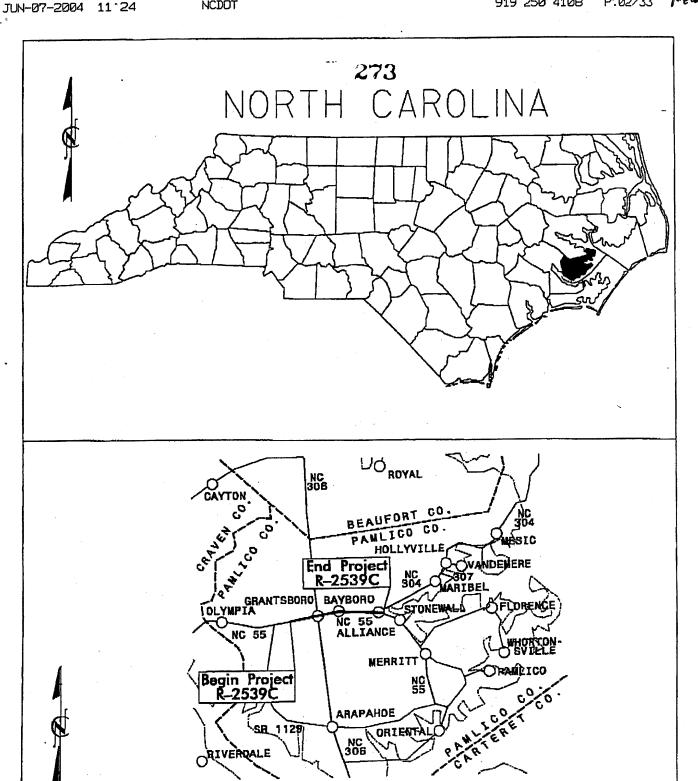
Tere Barrett, MHC District Manager NC Division of Coastal Management.

Cc: Ted Tyndall, DCM
Doug Huggett, DCM
Steve Sollod, DCM
Bill Arrington, DCM
Mike Bell, USACE
Nicole Thomson, DWQ

RECEIVED

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DIVISION OF HIGHWAYS
PDEA-OFFICE OF NATURAL ENVIRONMENT



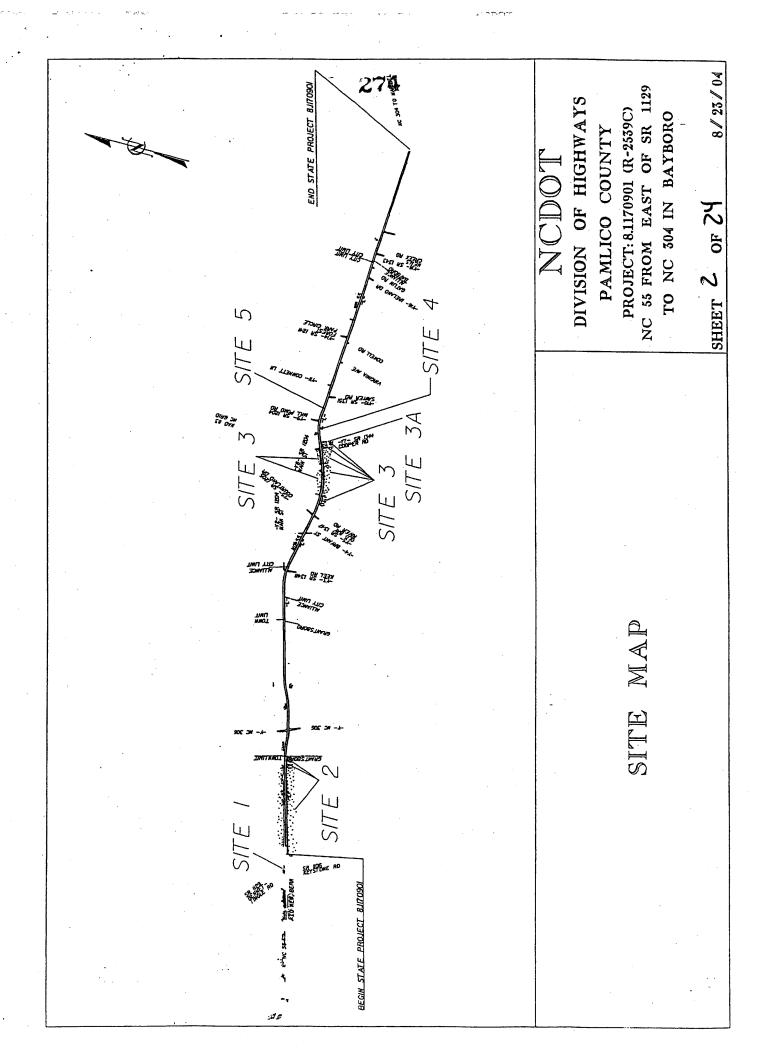
## VICINITY MAPS

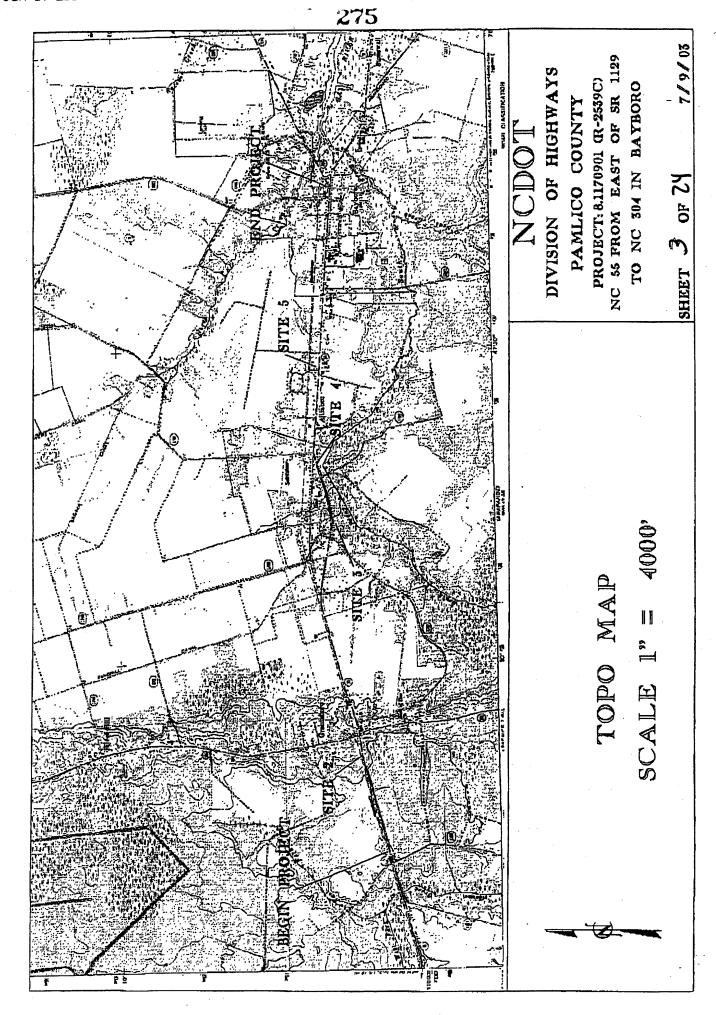
### NCDOT

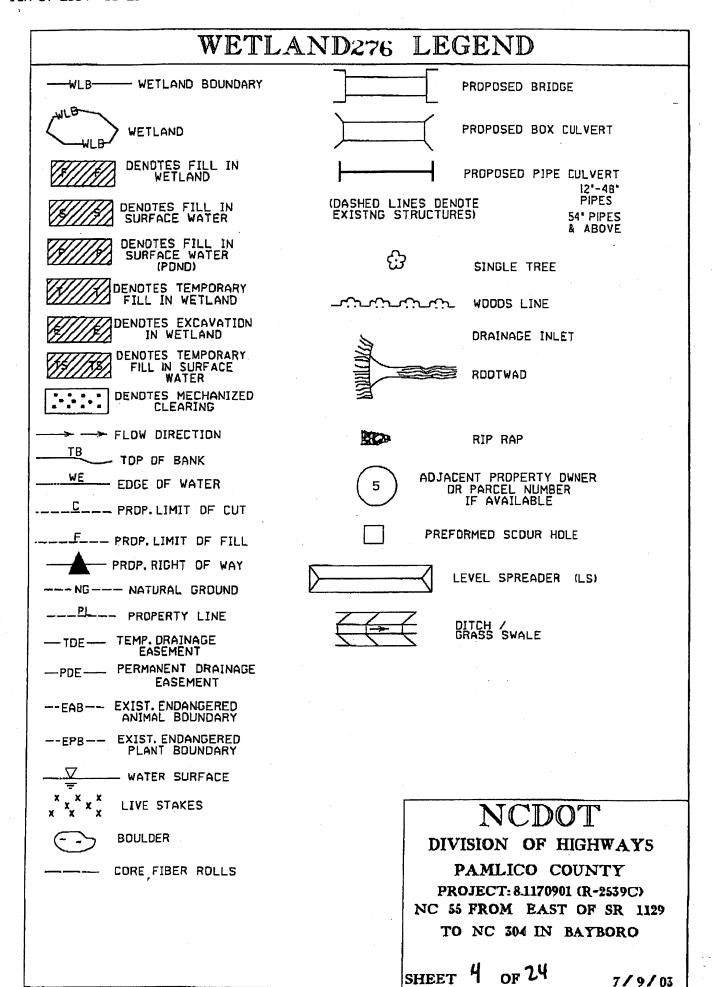
DIVISION OF HIGHWAYS PAMLICO COUNTY PROJECT: 8.1170901 (R-2539C) NC 55 FROM EAST OF SR 1129 TO NC 304 IN BAYBORD

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7/9/03

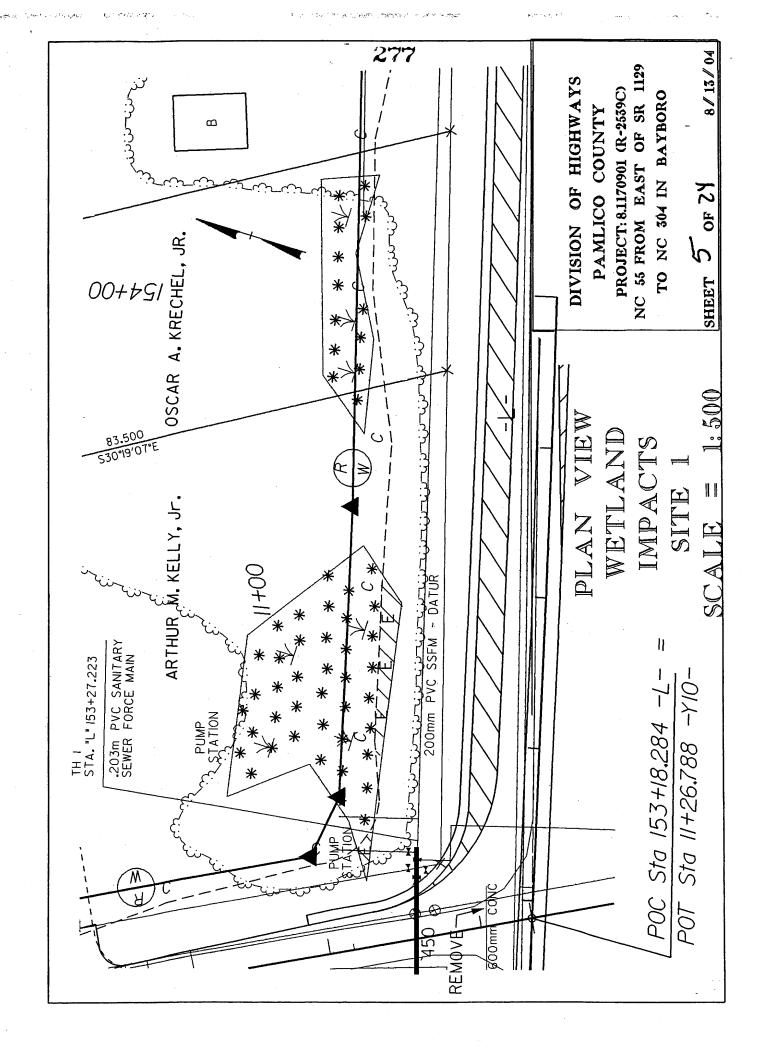


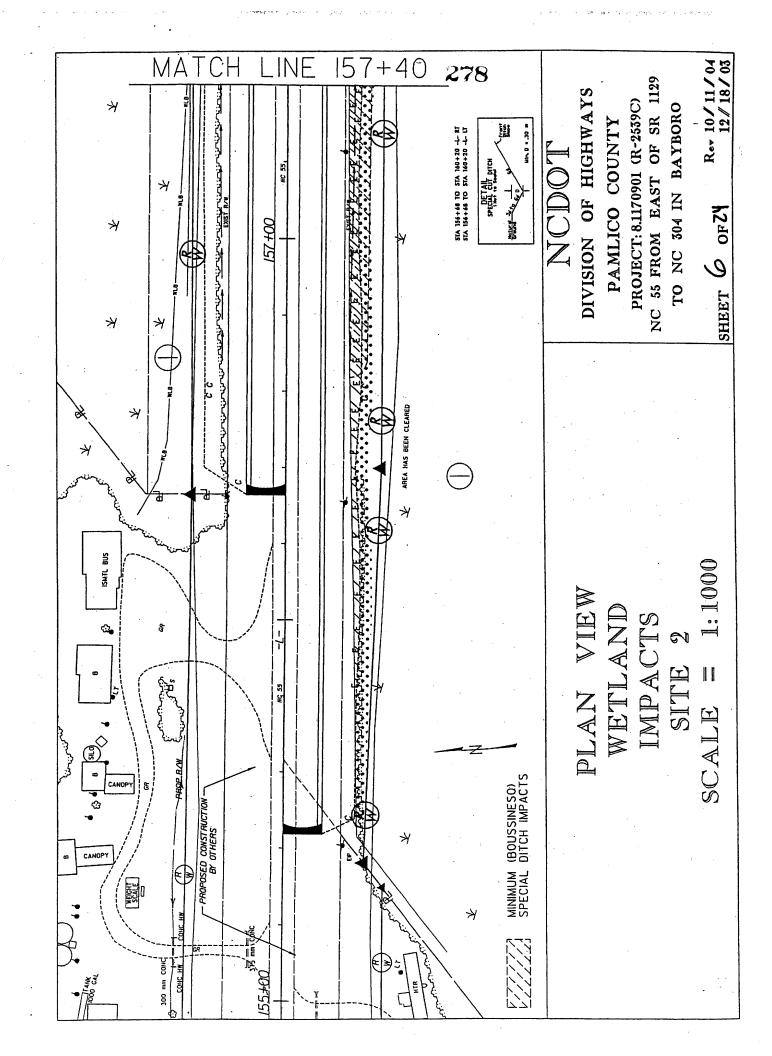


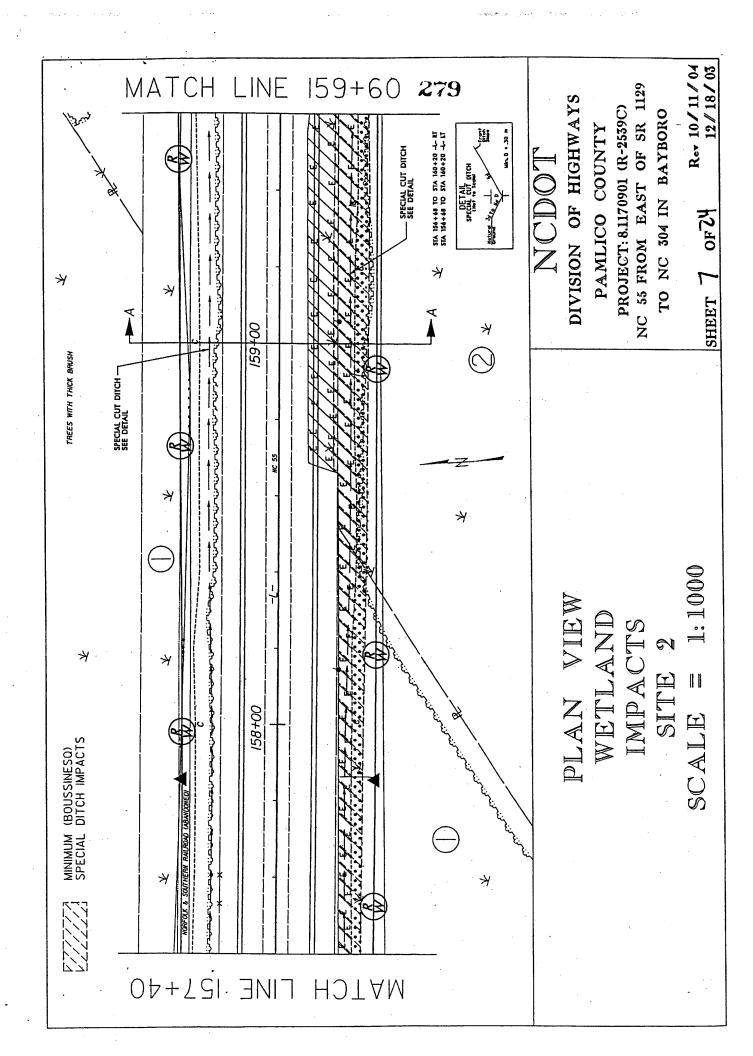


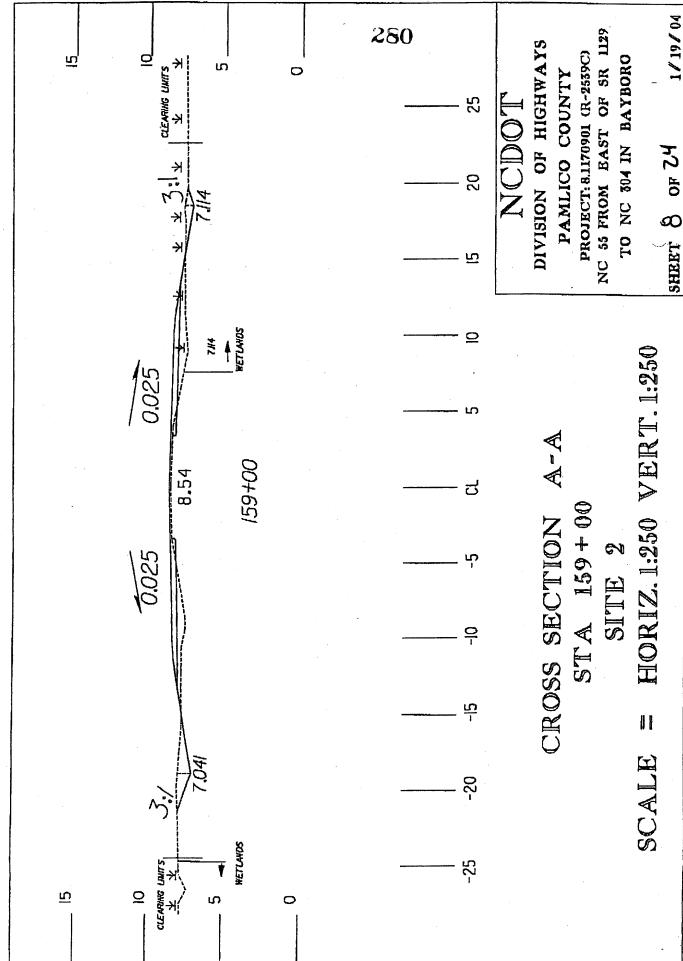
SHEET

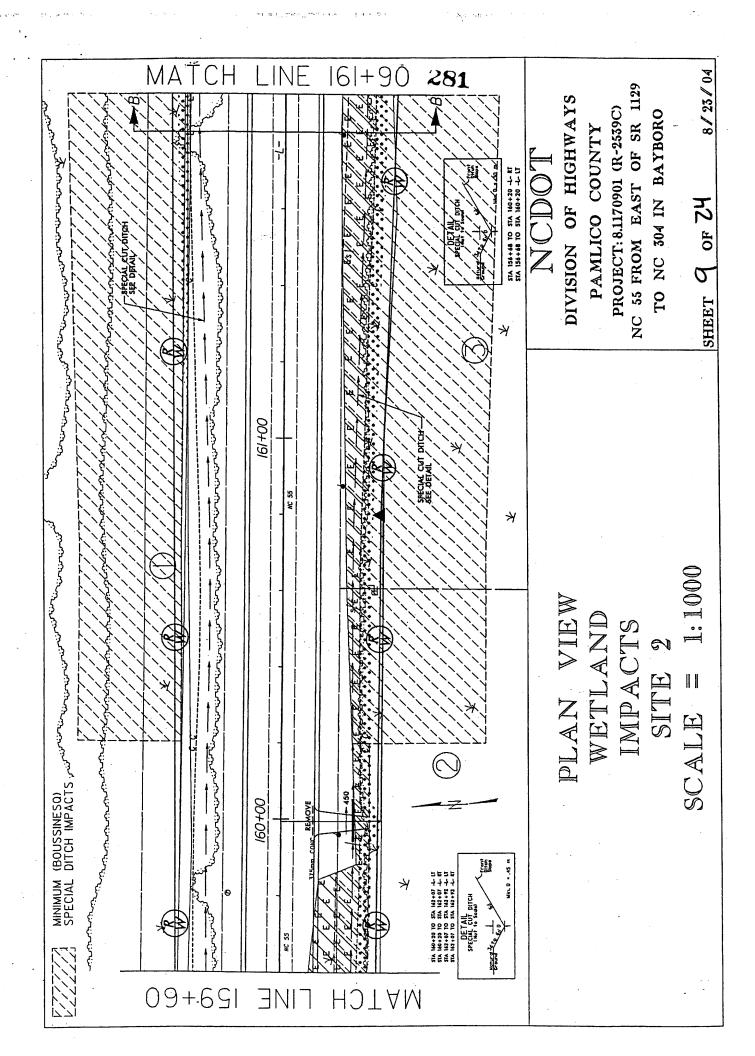
7/9/03

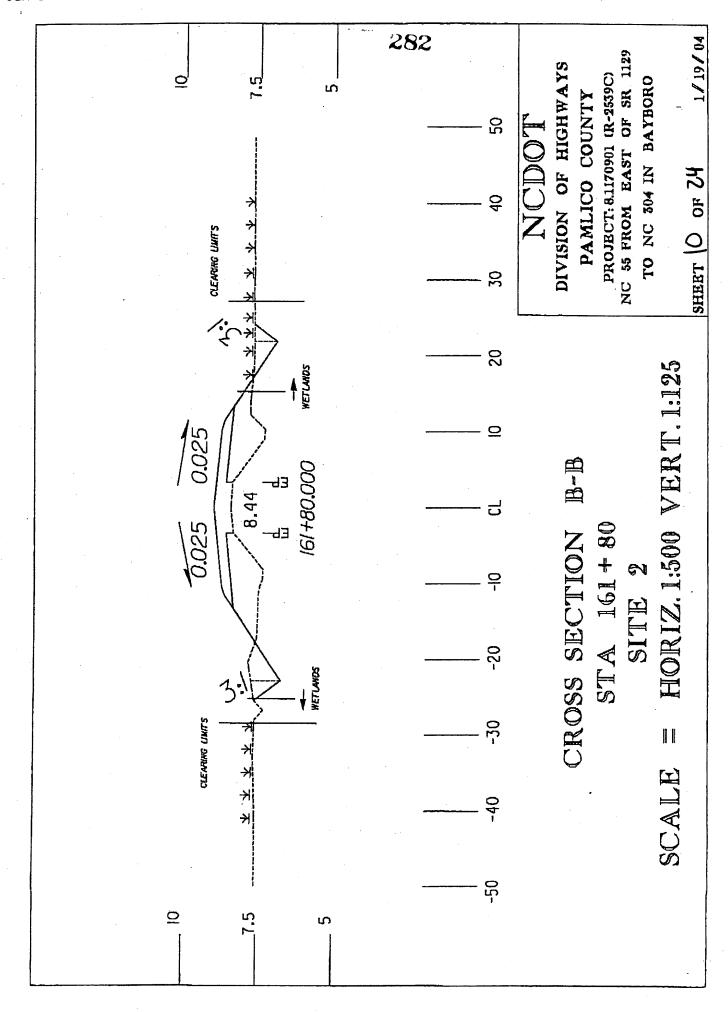


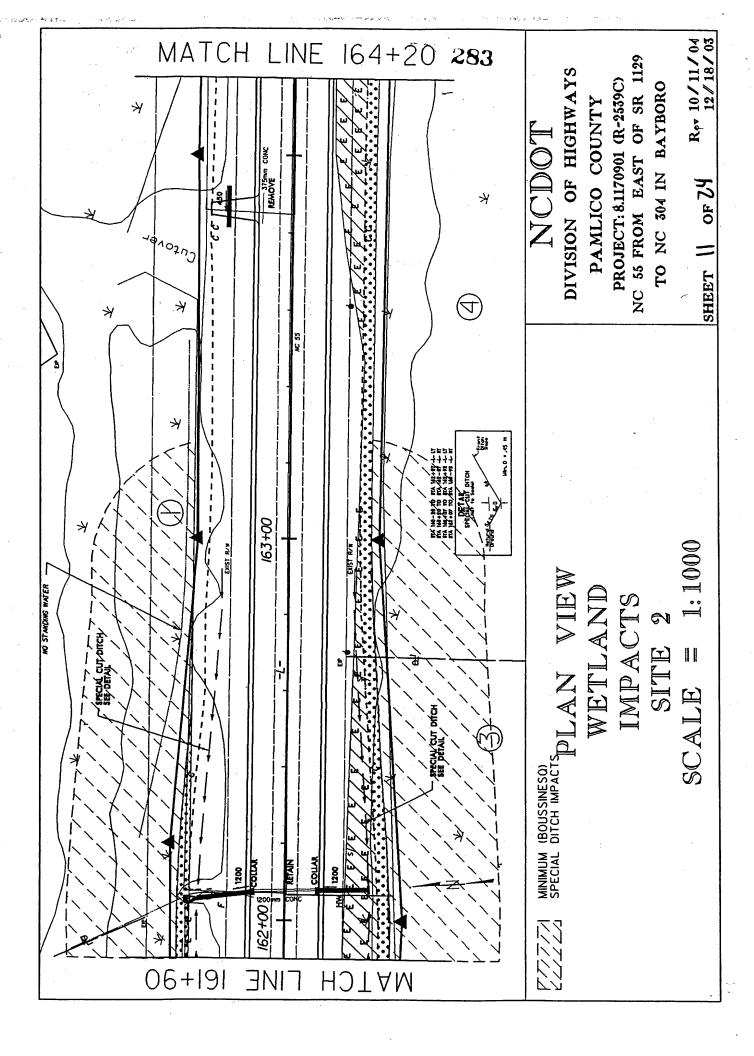


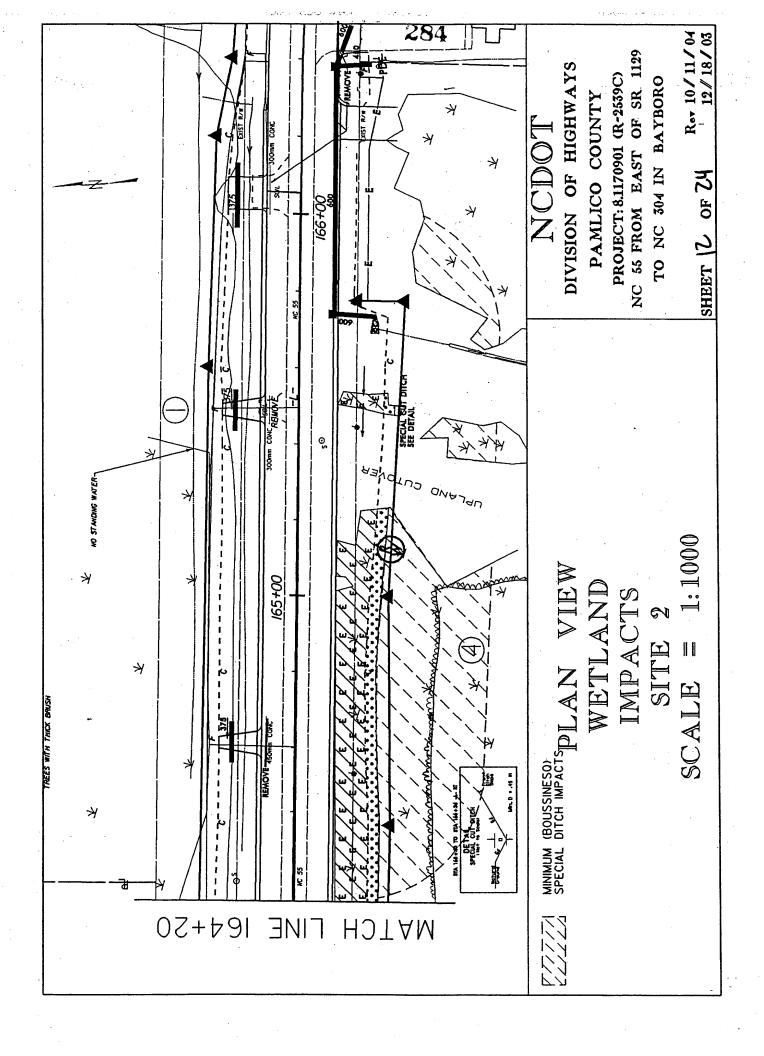


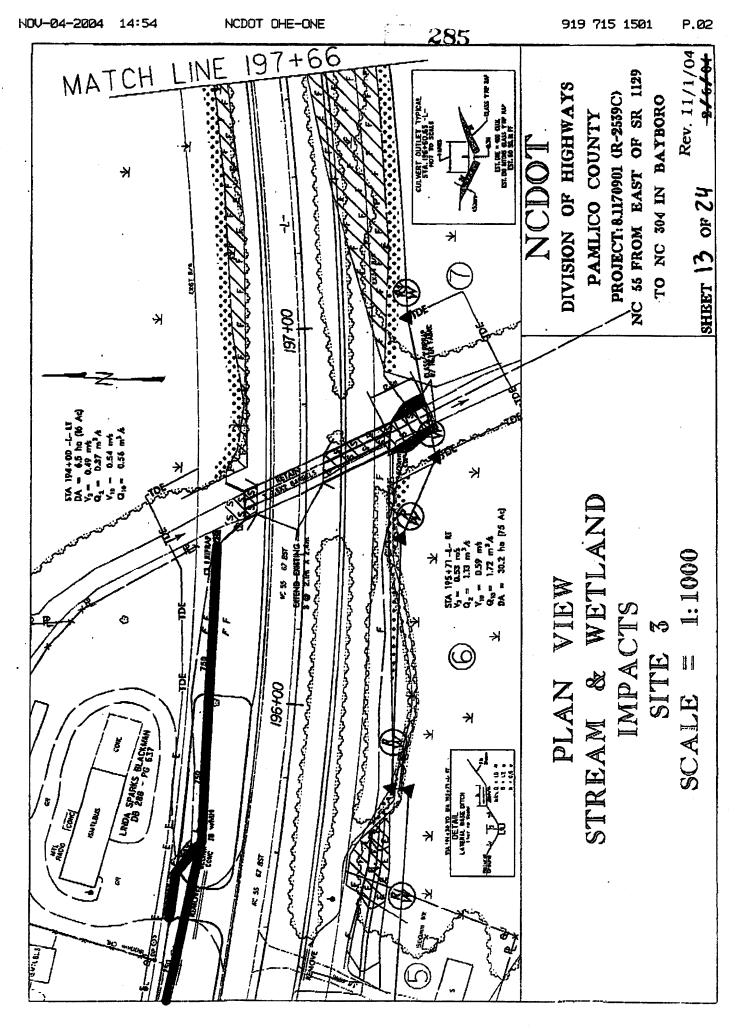


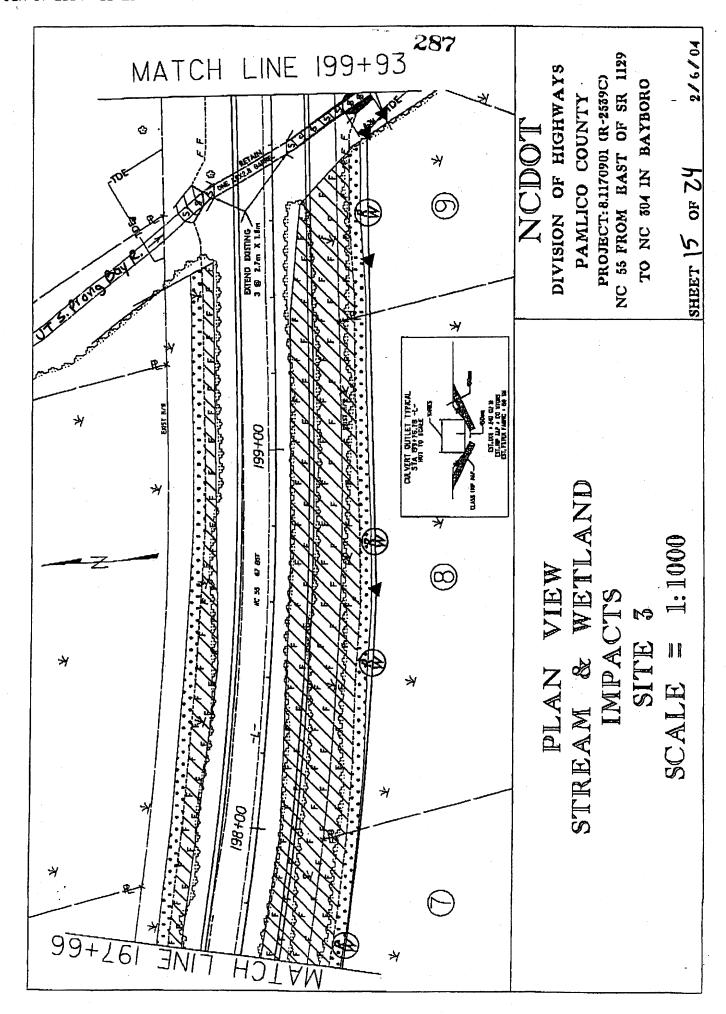


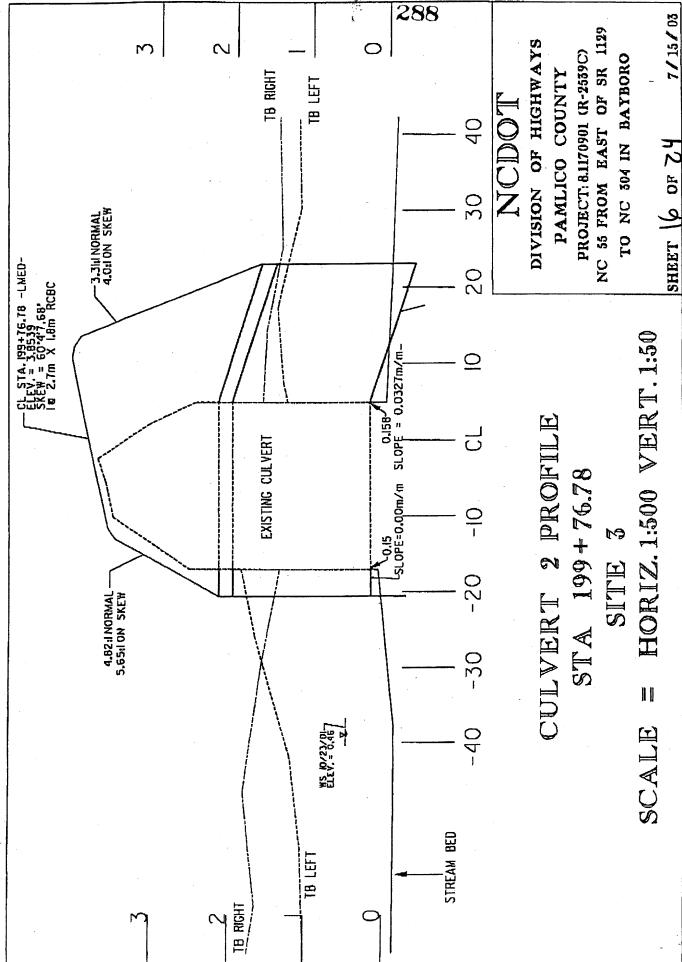


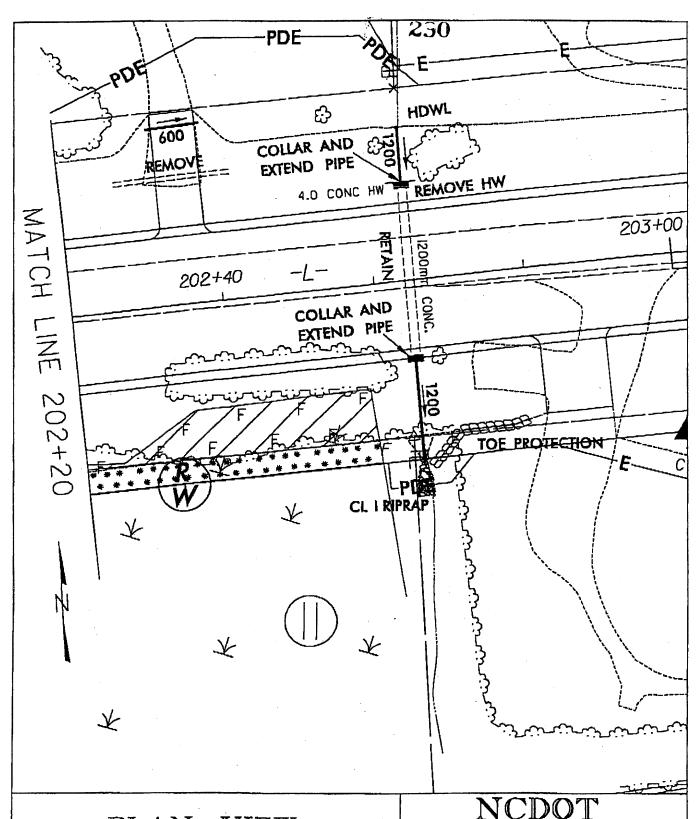










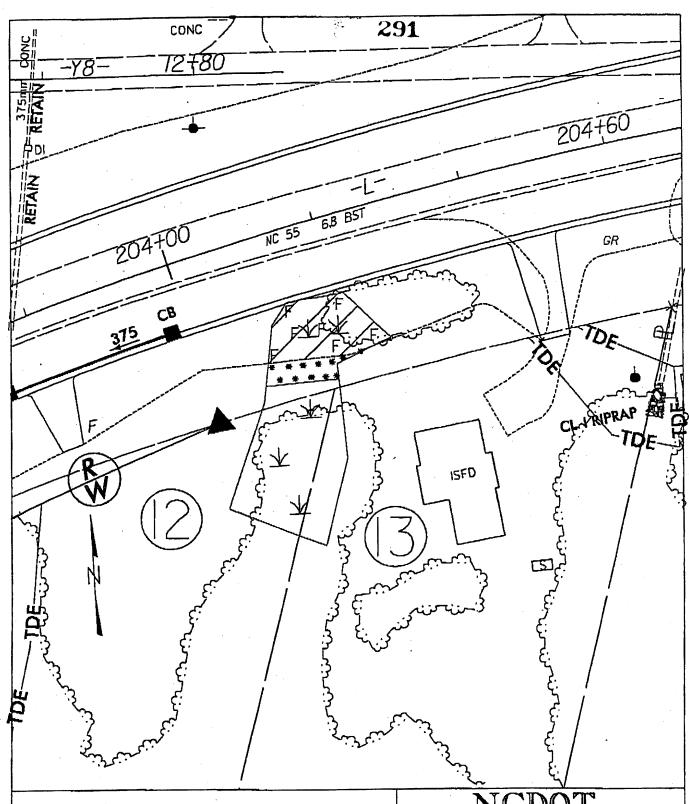


PLAN VIEW WETLAND **IMPACTS** SITE 3 SCALE = 1:500

DIVISION OF HIGHWAYS PAMLICO COUNTY PROJECT: 8.1170901 (R-2539C) NC 55 FROM EAST OF SR 1129 TO NC 304 IN BAYBORO

SHEET 18 OF 24

2/6/04

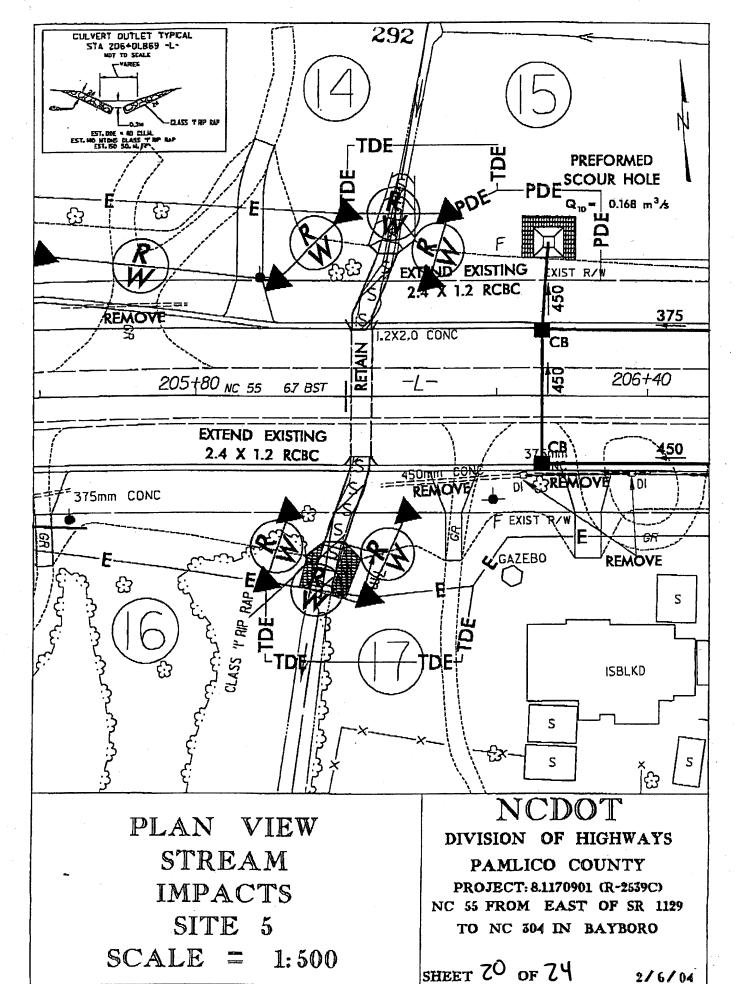


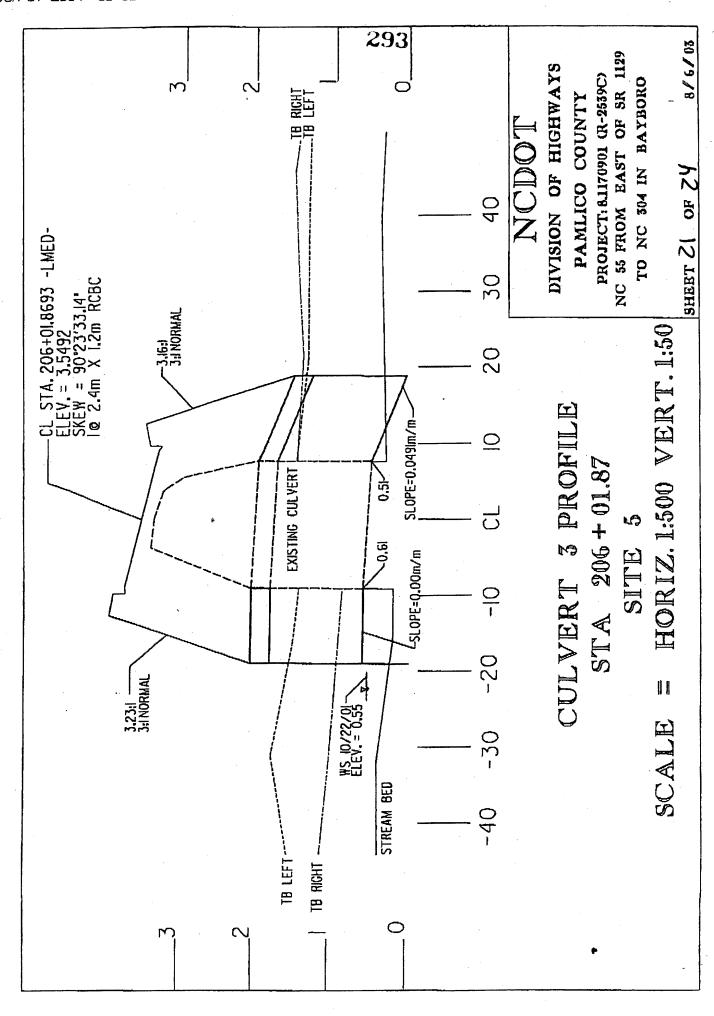
PLAN VIEW WETLAND IMPACTS SITE 4 SCALE = 1:500

DIVISION OF HIGHWAYS PAMLICO COUNTY PROJECT: 8.1170901 (R-2539C) NC 55 FROM EAST OF SR 1129 TO NC 304 IN BAYBORO

SHEET 19 OF ZY

2/6/04





# PROPERTY OWNERS

NAMES AND ADDRESSES

REFERENCE 1	NO. NAMES	ADDRESSES
1	WEYERHAEUSER CO.	PO BOX 1391 NEW BERN, NC 28563
2	GEORGE BRINSON	7960 NEUSE RD. GRANTSBORO, NC 28529
3	JAY BARRINGTON	904 LYNN ST. NEW BERN, NC 28562
4	SARAH HARRIS	420 NC HWY. 306 SOUTH GRANTSBORO, NC 28529
5	DORIS WILLIAMS	PO BOX 294 ALLIANCE, NC 28509
6	TSUNEKO TYNDALL	233 KEEL RD. GRANTSBORO, NC 28529
7	DAVID HARRIS	188 DEER RD. HUBERT, NC 28539
8	ROBERT COURTENAY SMARIDGE	2994 WILMA EDWARDS RD. ELLABELL, GA 31508
9	ROBERT COURTENAY SMARIDGE	189 FACTORY RD. HAMSTEAD, NC 28443
10	ARTHUR KELLY, JR.	PO BOX 243 GRANTSBORO, NC 28529
11	PHOEBE CAMPEN C/O GEORGIE THOMPSON	689 LICHFIELD RD. WINSTON-SALEM, NC 27104
12	JESSE BRAXTON CAHOON	52 BRINSON DR. GRANTSBORO, NC 28529
13	PAUL LEE PEGRAM	PO BOX 274 ALLIANCE, NC 28509
14	DUDLEY PAUL, JR.	PO BOX 345 ALLIANCE, NC 28509

#### NCDOT

DIVISION OF HIGHWAYS

PAMLICO COUNTY

PROJECT: 8.1170901 (R-2539C)

NC 55 FROM EAST OF SR 1129

TO NC 304 IN BAYBORO

SHEET ZZ OF ZY

7/31/03

~~ YUN-07-2004 11:32

## PROPERTY OWNERS

NAMES AND ADDRESSES

REFERENCE	NO.	NAMES	ADDRESSES	
15		HERMAN IRELAND	PO BOX 125 ALLIANCE, NC 28509	
16		PEGGY WOOSTER	PO BOX 152 ALLIANCE, NC 28509	
17		C. W. PHILLIPS	PO BOX 73 ALLIANCE, NC 28509	

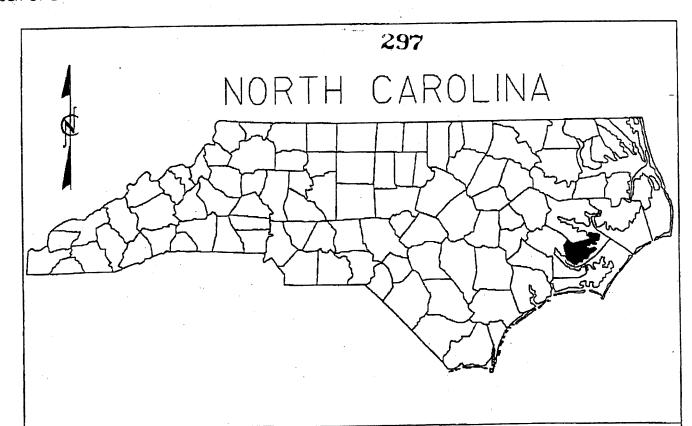
#### NCDOT

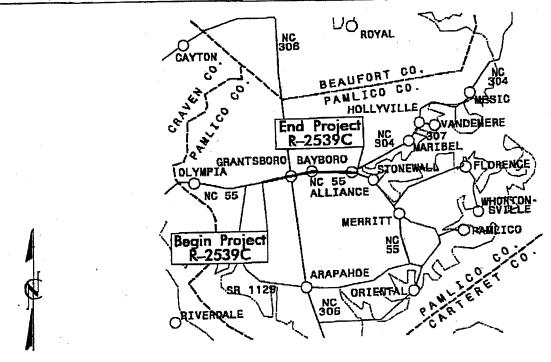
PAMLICO COUNTY
PROJECT: 8.1170901 (R-2539C)
NC 55 FROM EAST OF SR 1129
TO NC 504 IN BAYBORO

SHEET 23 OF 74

7/31/03

		SURFACE WATER IMPACTS	Fill In SW Temp. Fill Cr (Pond) In SW Im	-			135.5			96,1											0 0 354.6 0	NCDOT	DIVISION OF HIGHWAYS	PROJECT 8,1170901 (R-2539C)	NC 55 FROM EAST OF SR 1129 TO NC 304 IN BAYBORO	Rev 11/2/04
			Fill In SW	(40)			0.05	0.02	000	0.02	-		-		-					-	80.0					
MARY		Machanizad		0.17	0.12	0.83		200	000							1 0				4 40	21:1	٠	vi.			
IPACT SUI	WETI AND INDACTO	MINACIO	Excavation In Wetlands (ac)	0.01	6.25*	0.02														A 28	0.50					
WETLAND PERMIT IMPACT SUMMARY	WETIAN		Temp. Fill In Wetlands (ac)																	0		•				
WETLAN			Fill In Wetlands (ac)		27.0	2.40		0.05												2.47						
		100	Size / Type			3 @ 2.1 X 2.4 RCBC	2 @ 2.7 X 1.8 RCBC		1 @ 2.4 x 1.2 RCBC													* - There are 4.95 acres of Boussinesq impacts at Site No. 2.				
		Station	(From/To) 153+20 to 154+20 -1-	155+40 to 166+08 -L-	195+45 to 202+60 -L-		1 007-006	206+00-1-												9.		e are 4.95 acres of Boussi		-		Form Revised 3/22/01
		Site	V	2		2 6	2 4	22											TOT	1		* - Ther				





BUFFER VICINITY MAPS

### NCDOT

DIVISION OF HIGHWAYS

PAMLICO COUNTY

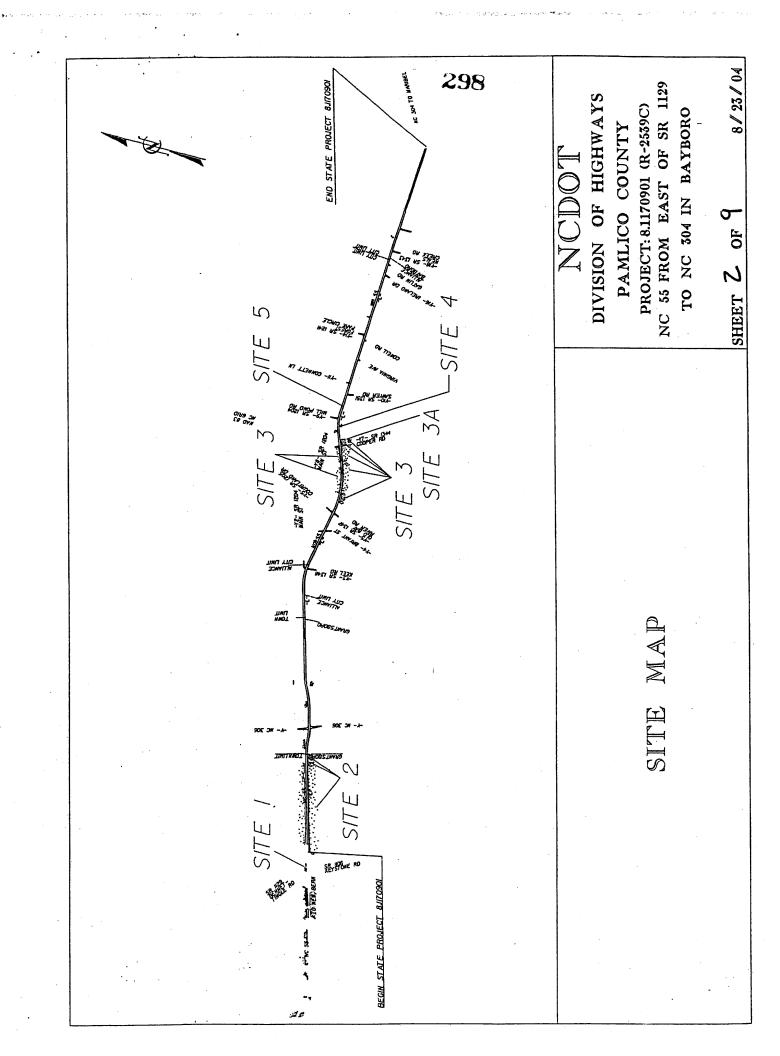
PROJECT: 8.1170901 (R-2559C)

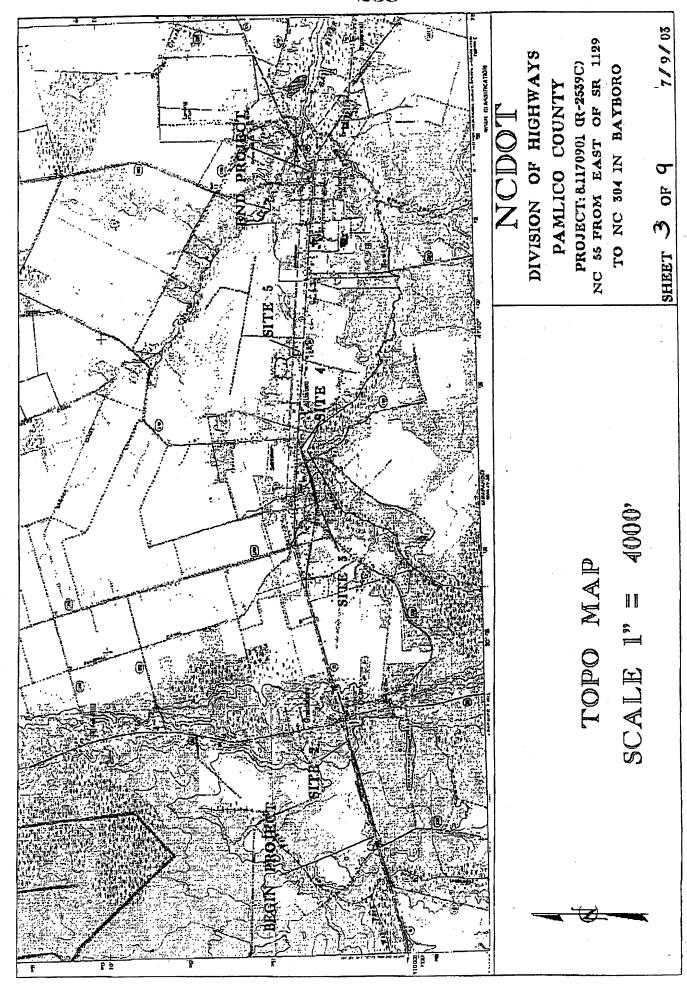
NC 55 FROM EAST OF SR 1129

TO NC 304 IN BAYBORO

SHEET OF 9

7 1 9 1 08



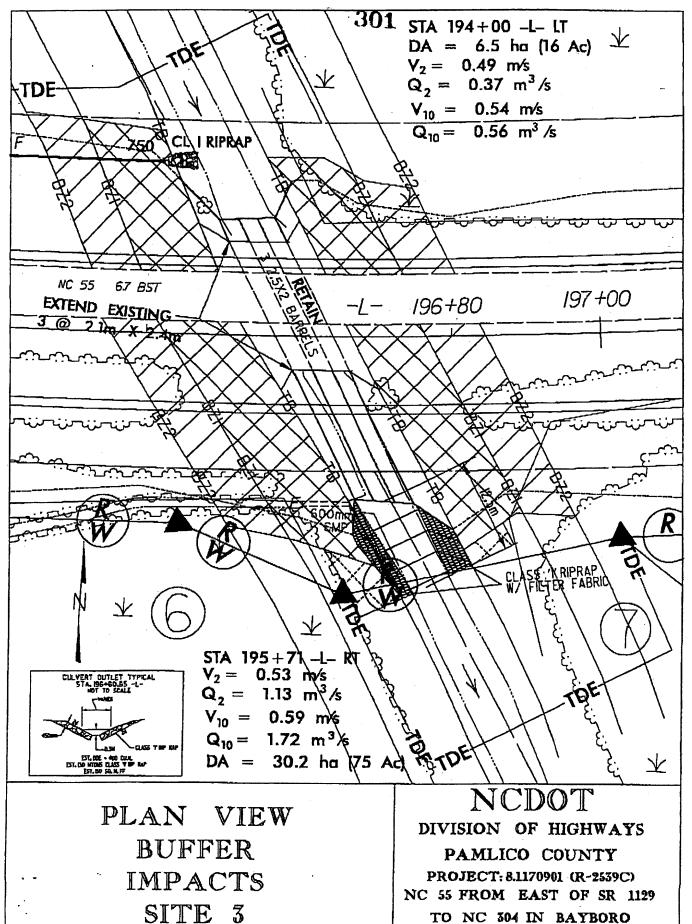


#### BUFFER 330 LEGEND WLB- WETLAND BOUNDARY PROPOSED BRIDGE WETLAND PROPOSED BOX CULVERT PROPOSED PIPE CULVERT ALLOWABLE IMPACTS ZONE I 12"-48" (DASHED LINES DENDTE EXISTNG STRUCTURES) PIPES ALLOWABLE IMPACTS ZONE 2 54" PIPES & ABOVE SINGLE TREE MITIGABLE IMPACTS ZONE I MITIGABLE IMPACTS ZONE 2 *™نىسىنى*تىن WOODS LINE DRAINAGE INLET -BZ - RIPARIAN BUFFER ZONE -BZI - RIPARIAN BUFFER ZONE 1 ROOTWAD 30 ft (9.2m) -BZ2- RIPARIAN BUFFER ZONE 2 100 RIP RAP 20 ft (6.1m) FLOW DIRECTION ADJACENT PROPERTY DWNER TB 5 OR PARCEL NUMBER IF AVAILABLE - TOP DE BANK WE -EDGE OF WATER C\_\_\_ PROP. LIMIT OF CUT PREFORMED SCOUR HOLE (PSH) \_F\_\_\_ PROP.LIMIT OF FILL - PRDP RIGHT OF WAY LEVEL SPREADER (LS) --- NG --- NATURAL GROUND ---PL-- PROPERTY LINE GRASS SWALE TDE TEMP. DRAINAGE PERMANENT DRAINAGE -PDE-**EASEMENT** -- EAB-- EXIST. ENDANGERED ANIMAL BOUNDARY --EPB-- EXIST. ENDANGERED PLANT BOUNDARY NCDOT WATER SURFACE DIVISION OF HIGHWAYS LIVE STAKES PAMLICO COUNTY BOULDER PROJECT: 8.1170901 (R-2539C) CORE FIBER ROLLS NC 55 FROM EAST OF SR 1129 TO NC 304 IN BAYBORO

of 9

7/9/03

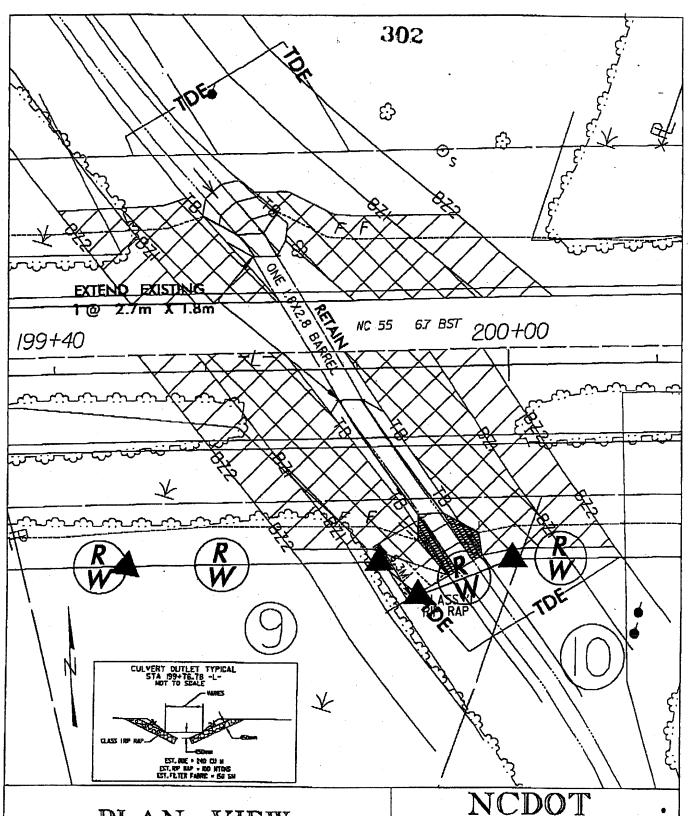
SHEET



SCALE = 1:500

SHEET 5 OF 9

2/6/04



PLAN VIEW BUFFER **IMPACTS** SITE 3 SCALE = 1:500

PAMLICO COUNTY PROJECT: 8.1170901 (R-2539C) NC 55 FROM EAST OF SR 1129 TO NC 304 IN BAYBORO

DIVISION OF HIGHWAYS

SHEET 6 OF 9

2/6/04

PLAN VIEW
BUFFER
IMPACTS
SITE 3A

SCALE = 1:500

NCDOT

X

DIVISION OF HIGHWAYS

PAMLICO COUNTY

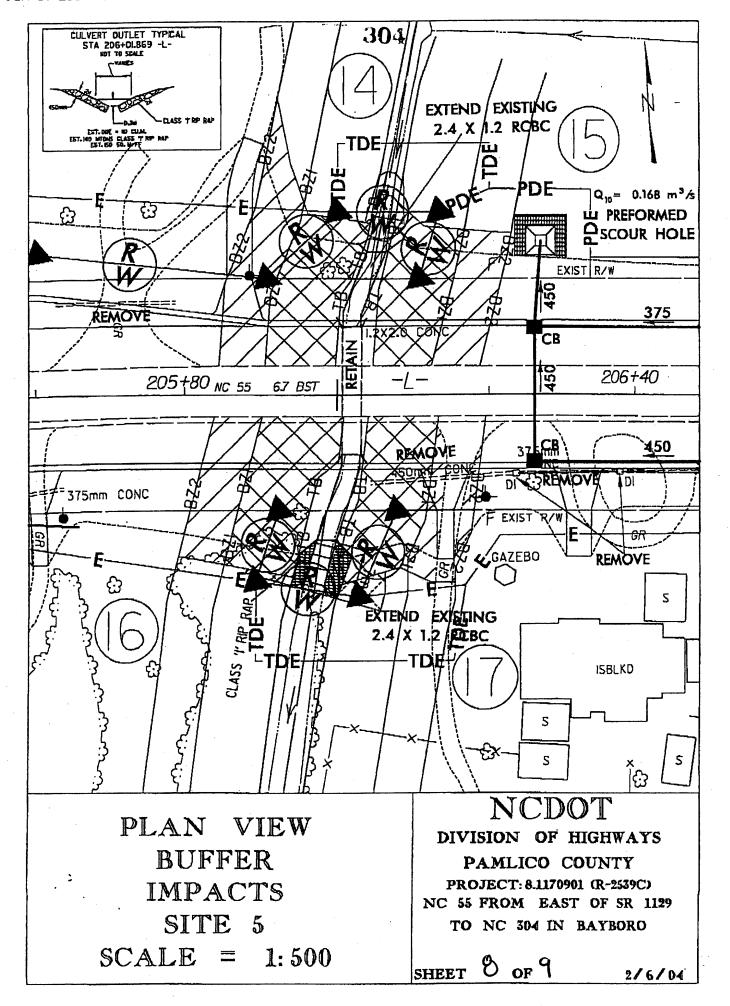
PROJECT: 8.1170901 (R-2539C)

NC 55 FROM EAST OF SR 1129

TO NC 304 IN BAYBORO

SHEET 7 OF 9

7/1/04



									 	 	 	 	٩	30	5	 			
		ËR	EMENT	ZONE 2 (sqft)														0	
	BUFFER REPLACEMENT		ZONE 1 (sqft)	651	252		283										1,186		
		ш	TOTAL (sqft)	17,288	16,813												34,101		
			MITIGABLE	ZONE 2 (sqft)	6,495	6,373												12,868	
				ZONE 1 (sqft)	10,793	10,440												21,233	
RY		T.	щ	TOTAL (sqft)			1,814	13,481										15,295	
MM		IMPACT	ALLOWABLE	ZONE 2 (sqft)			1,064	5,039										6,103	
BUFFER IMPACTS SUMMARY			AL	ZONE 1 (sqft)			750	8,442										9,192	
			ЬE	PARALLEL IMPACT															
			TYPE	ROAD CROSSING	×	×	×	×											
				STATION (FROM/TO)	196+60 -L-	199+77 -L-	12+10 -Y7-	206+00 -L-											
				STRUCTURE SIZE / TYPE	3 @ 2.1 X 2.4 RCBC	2 @ 2.7 X 1.8 RCBC	BRIDGE	1 @ 2.4 X 1.2 RCBC	-										
				SITE NO.	3	8	3A	5										TOTAL:	

N.C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS PAMLICO COUNTY PROJECT: 8.1170901 (R-2539C) NC 55 FROM EAST OF SR 1129 TO NC 304 IN BAYBORO

SHEET OF 9

9/30/04