



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

August 3, 2005

ADDENDUM #1

RE: Contract ID: C200967
WBS# 33566.3.1
F.A. # BRZ-1140 (6)
Pasquotank County (B-4222)
Bridge over Hall's Creek and
Approaches on SR-1140.

August 16, 2005 Letting

To Whom It May Concern:

Reference is made to the proposal form recently furnished to you on this project.

The following revision has been made to the proposal form:

Page Nos. 88 thru 93 are being replaced to include the amended "CAMA" permit. Please void Page Nos. 88 thru 93 in your proposal and staple the revised Page Nos. 88 thru 93 thereto. The contract will be prepared accordingly.

Sincerely,

R. A. Garris, PE.
Contract Officer

RAG/jag/pa

cc: Mr. W. S. Varnedoe, PE	Mr. Mark Staley (2)
Mr. S. D. DeWitt, PE	Mr. Robert Memory
Mr. E. C. Powell, PE	Mr. R. E. Davenport, Jr., PE
Mr. A. W. Roper, PE	Ms. Marsha Byrd
Ms. D. M. Barbour, PE	Ms. Taylor Mishoe
Mr. Art McMillan, PE	Project File (2)
Mr. J. V. Barbour, PE	

Revised 8-3-05

Permit Class
AMENDED

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Permit Number
108-05

STATE OF NORTH CAROLINA
Department of Environment and Natural Resources
and
Coastal Resources Commission

Permit

for

Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118

Excavation and/or filling pursuant to NCGS 113-229

Issued to **N.C. Department of Transportation, 1548 Mail Service Center, Raleigh, NC 27699-1548**

Authorizing development in Pasquotank County at Halls Creek, Bridge No. 24 on SR 1140, Nixonton, as requested in the permittee's application dated 3/2/05 (MP-1) and 4/8/05 (MP-5), including the attached workplan drawings (4), dated as received on 5/6/05

This permit, issued on 7/28/05, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

TIP No. B-4222, Bridge Replacement

- 1) In order to protect anadromous fish in Halls Creek, no in-water work shall be conducted between February 15th and June 30th of any year without prior approval of the N.C. Division of Coastal Management, in consultation with the N.C. Wildlife Resources Commission and the U.S. Army Corps of Engineers. For the purposes of this moratorium, in-water is defined as those areas that are inundated at any time during construction, including the waters or contiguous inundated wetlands of Halls Creek.

(See attached sheets for Additional Conditions)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date. An appeal requires resolution prior to work initiation or continuance as the case may be.

This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

No expiration date, pursuant to GS 136-44.7B

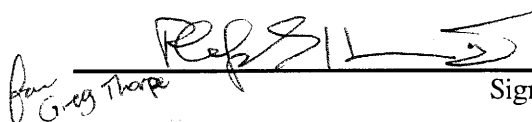
In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signed by the authority of the Secretary of DENR and the Chairman of the Coastal Resources Commission.



Charles S. Jones, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.



Signature of Permittee

ADDITIONAL CONDITIONS

- 2) In accordance with environmental commitments made within the Categorical Exclusion document dated 2/28/03, the permittee shall implement the N.C. Department of Transportation's (NCDOT's) Stream Crossing Guidelines for Anadromous Fish Passage. Furthermore, any additional mitigative measures or environmental commitments specifically made by the applicant in the CAMA permit application and the Categorical Exclusion document shall be implemented, regardless of whether or not such commitments are addressed by individual conditions of this permit.
- 3) Fill slopes in wetlands shall be 3:1 or steeper.
- 4) All excavated materials shall be confined above normal water level and landward of regularly or irregularly flooded wetlands behind adequate dikes or other retaining structures to prevent spillover of solids into any wetlands or surrounding waters.
- 5) The temporary placement or double handling of any excavated or fill material within waters or vegetated wetlands is not authorized. This condition also applies to the removal of the existing bridge, bulkhead, roadway asphalt and associated materials.
- 6) No excavation shall take place at any time in any vegetated wetlands or surrounding waters outside of the alignment of the areas indicated on the attached workplan drawing(s).
- 7) No excavated or fill material shall be placed at any time in any vegetated wetlands or surrounding waters outside of the alignment of the fill areas as indicated on the workplan drawing(s).
- 8) All fill material shall be clean and free of any pollutants except in trace quantities.
- 9) Live concrete shall not be allowed to contact the water in or entering into Halls Creek. Water inside coffer dams or casings that has been in contact with wet concrete shall only be returned to the wetlands and waters of Halls Creek when it no longer poses a threat to aquatic organisms.
- 10) All fill material shall be obtained from an upland source.
- 11) Material excavated may be used in fill areas associated with the project or shall be removed from the site and taken to an approved high ground location.
- 12) Construction staging areas shall be located only in uplands and not in wetlands or waters of the State.
- 13) There shall be no clearing of wetlands outside of the area indicated on the workplan drawing(s) without prior approval from the N.C. Division of Coastal Management.
- 14) The placement of riprap shall be limited to the areas as depicted on the attached workplan drawing(s). The riprap material shall be clean and free from loose dirt or any pollutant except in trace quantities. It shall be of a size sufficient to prevent its movement from the site by wave or current action. The riprap material shall consist of clean rock or masonry materials such as, but not limited to, granite, marl or broken concrete.

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ADDITIONAL CONDITIONS

- 15) If the existing bulkhead is replaced, then the new bulkhead shall be installed along the same alignment as the existing bulkhead, and prior notification of the bulkhead replacement shall be given to the N.C. Division of Coastal Management.
- 16) If the existing bulkhead is replaced, then it shall be solid and constructed of treated wood, concrete slabs, metal sheet piles or other suitable materials approved by the N.C. Division of Coastal Management. The bulkhead shall be structurally tight so as to prevent seepage of fill materials through the structure.
- 17) A temporary cofferdam (approximately 7' x 40') shall be used to construct the center bent for the new bridge. Temporary dewatering may occur. The cofferdam shall be removed only after, and as soon as possible after, the concrete is fully cured.
- 18) The bridge shall be constructed using top down construction methodologies. All construction access shall be through the existing bridge and adjacent upland areas. Use of mats for construction access across wetlands is not authorized. Dredging in any manner, including "kicking" with boat propellers is not authorized.
- 19) The N.C. Department of Transportation's (NCDOT's) document "Best Management Practices for Bridge Demolition and Removal" (final 9/20/99) shall be followed during both demolition and construction activities.
- 20) Pilings from the existing bridge, as well as any remnant pilings from previous bridges, shall be removed in their entirety. In the event that a piling breaks during removal and cannot be removed in its entirety, the piling may be cut off flush with the bed of the water body only if prior approval is received from the N.C. Division of Coastal Management.
- 21) The pile installation practice shall be conducted with a vibratory hammer. Any other type of pile installation, such as jetting or drilled shaft construction, shall require additional review and authorization from the N.C. Division of Coastal Management.
- 22) Debris from the existing bridge, including deck components, bulkhead, roadway asphalt and associated materials, shall not enter wetlands or waters of the State, even temporarily.
- 23) All materials and debris associated with the removal and/or construction of the existing and/or new bridge, bulkhead, roadway asphalt and associated materials shall be disposed of on an approved upland site.

Utility Impacts

- 24) The telephone, electric and water utilities shall be relocated using a horizontal directional bore drilling method. Entry and exit points of this activity, including disposal of material from the drilling activity, shall be outside of all wetlands and waters of the State.
- 25) The telephone, electric and water utility relocations shall not result in any permanent or temporary impacts to wetlands or waters of the State with the exception of a small amount of wetland vegetation cut or compressed. Cuts through wetlands shall be minimized.

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- 26) Any relocation of utility lines that is not already depicted on the attached workplan drawing(s), or described within the attached permit application, shall require approval from the N.C. Division of Coastal Management, either under the authority of this permit, or by the utility company obtaining separate authorization.
- 27) Subaqueous lines shall be placed a minimum of two feet below the bottom contour. There shall be no resultant change in preconstruction bottom contours.

Ditches

- 28) Adequate measures shall be taken to prevent short-term and long-term erosion of the side slopes of the ditch(es).
- 29) Excavation of the new ditch(es) as depicted on the attached workplan drawing(s) shall not exceed a depth of 2 feet and a width of 7 feet.

Mitigation

- 30) In accordance with the special conditions of the U.S. Army Corps of Engineers Nationwide Permits issued for this project on 5/9/05, compensatory mitigation for the unavoidable impacts to 0.036 acres of riverine wetlands associated with the proposed project shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated October 26, 2004, from William D. Gilmore, EEP Transition Manager. The EEP will provide 0.36 acres of preservation of riverine wetlands in the Northern Outer Coastal Plain Eco-Region at the Cashie Site in Bertie 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 1:1 acres of restoration of riverine wetlands in the Pasquotank River basin (Hydrologic Cataloging Unit 03010205) 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.

Sedimentation and Erosion Control

- 31) Turbidity curtains and silt fences shall be used to isolate all work areas from Halls Creek, including pile or casement installation, placement of riprap, excavation and filling. The turbidity curtains shall be installed parallel to the banks on each side of the stream. The turbidity curtains shall extend past the construction limits and be attached to the silt fences containing the work site. The turbidity curtains shall not fully encircle the work area or extend across Halls Creek. The turbidity curtains shall be properly maintained and retained in the water until construction is complete and all of the work area contained by the turbidity curtains has been stabilized by vegetation or other means. The turbidity curtains shall be removed when turbidity within the curtains reaches ambient levels.
- 32) This project shall conform to all requirements of the N.C. Sedimentation Pollution Control Act and the N.C. Department of Transportation's (NCDOT's) Memorandum of Agreement with the Division of Land Resources.

ADDITIONAL CONDITIONS

- 33) The permittee shall follow "Best Management Practices for the Protection of Surface Waters" and shall also implement sedimentation and erosion control measures sufficient to protect aquatic resources.
- 34) This project shall comply with the Design Standards in Sensitive Watersheds, 15A NCAC 4B .0124.
- 35) In order to protect water quality, runoff from construction shall not visibly increase the amount of suspended sediments in adjacent waters.

General

- 36) No attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the authorized work.
- 37) The authorized activity shall not cause an unacceptable interference with navigation.
- 38) The permittee shall exercise all available precautions in the day-to-day operation of the facility to prevent waste from entering the adjacent waters.
- 39) If it is determined that additional permanent and/or temporary impacts (such as but not limited to temporary access roads, detours, or matting to transport equipment across wetlands) are necessary that are not shown on the attached workplan drawing(s), additional authorization from N.C. Division of Coastal Management (DCM) shall be required.
- 40) Any changes in the approved plan may require additional authorization from the N.C. Division of Coastal Management (DCM). The permittee shall contact a representative of DCM prior to commencement of any such activity for this determination.
- 41) Development authorized by this permit shall only be conducted within N.C. Department of Transportation Right-of-Ways and easements.
- 42) The N.C. Division of Water Quality (DWQ) authorized the proposed project on 3/9/05 (DWQ Project No. 05-0423) under a General Water Quality Certification. Any violation of the Certification approved by DWQ shall be considered a violation of this CAMA permit.
- 43) The N.C. Division of Water Quality (DWQ) approved this project under stormwater management rules of the Environmental Management Commission under Stormwater Permit No. SW7040406 on 4/22/04. Any violation of the permit approved by the DWQ shall be considered a violation of this CAMA permit.

NOTE: The U.S. Army Corps of Engineers authorized the proposed project under Nationwide Permit Number 23 (COE Action ID No. 200510770) and Nationwide Permit Number 33 (COE Action ID No. 200510903), which were both issued on 5/9/05.

NOTE: This permit does not eliminate the need to obtain any additional permits, approvals or authorizations that may be required.

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