

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

Dredge and Fill and/or
Work in Navigable Waters (404)

U. S. Army Corps of Engineers

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.



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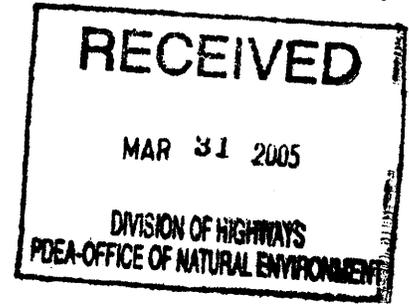
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Michael F. Easley, Governor

William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources

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

March 15, 2005



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

**RE: Certification Pursuant to Section 401 of the Federal Clean Water Act,
Modification to the Improvements to NC 24/27 from East of Big Bear Creek to SR 1963
TIP No. R-967CC, State Project No. 6.689004T, WQC Project No. 04-1056, Stanly County**

Dear Dr. Thorpe:

Attached is a modification to Certification No. 04-1056 issued to the North Carolina Department of Transportation (NCDOT) on September 24, 2004. The attached modification authorizes **an increase of 0.04 acres of temporary surface water impacts and a decrease of 68 linear feet of permanent surface water impacts**. This modification is applicable only to the additional proposed activities. All of the authorized activities and conditions of certification associated with the original Water Quality Certification dated September 24, 2005, still apply except where superceded by this certification.

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 telephone Polly Lespinasse in the Mooresville Regional Office at 704-663-1699.**

Sincerely,

for Alan W. Klimek, P.E.

Attachments

cc: Steve Lund, USACE Asheville Field Office
Rob Ridings, DWQ Wetlands Unit
Bill Gilmore, NC Ecosystem Enhancement Program
Central Files
File Copy

One
North Carolina
Naturally

NORTH CAROLINA 401 WATER QUALITY CERTIFICATION

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. The attached modification authorizes an increase of 0.04 acres of temporary surface water impacts and a decrease of 68 linear feet of permanent surface water impacts. This modification is applicable only to the additional proposed activities. All the authorized activities and conditions of certification associated with the original Water Quality Certification dated September 24, 2004, still apply except where superceded by this certification.

This certification is issued based on the design submitted in your modification dated February 15, 2005. The authorized **modified** impacts are described in Table 1 below:

Table 1: Surface Water Impacts for the Yadkin-Pee Dee River Basin

Section	Previously Authorized Permanent Stream Impacts (lf)	Proposed (02/15/05) Permanent Stream Impacts (lf)	Proposed (02/15/05) Temporary Stream Impacts (acres)	Stream Type	Mitigation Required (lf)
Site 3 (Station 192+40 to 193+45-L-It. & rt.)	391	328	None	Perennial	328
Site 4 (Station 194+50 to 194+80-L-It.)	211	206	0.02	Perennial	206
Site 5 (Station 200+10 to 200+60-L-It. & rt.)	162	161	0.01	Perennial	161
Site 8 (Station 234+60 to 234+70-L-rt.)	133	134	0.01	Perennial	134

This approval is only valid for the purpose and design that you submitted in your original application authorized by DWQ on September 24, 2004, and the modification submitted on February 15, 2005. 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) those required by Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This Certification shall expire three (3) years from the date of the cover letter from DWQ or on the same day as the expiration date of the corresponding US Army Corps of Engineers (USACE) Permit, whichever is sooner.

Conditions of Certification:

1. 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.
2. Erosion and sediment control practices must utilize Best Management Practices (BMP) and be in full compliance with all specifications governing the proper design, installation, and operation and maintenance of such BMP in order to protect surface water standards:
 - a. 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 pit 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 be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - c. The reclamation measures and implementation of these measures must be in accordance with the requirements of the Sedimentation Pollution Control Act.
3. For projects impacting waters classified by the NC Environmental Management Commission as Trout (Tr) or High Quality Waters (HQW), the NCDOT shall strictly adhere to sediment and erosion control Best Management Practices as described for High Quality Waters entitled "Design Standards in Sensitive Watersheds" (15A NCAC 04B.0124) throughout design and construction of the project.
4. 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 within 30 days after the Division of Land Resources has released the project.
5. Upon completion of the project, the NCDOT shall complete and return the enclosed "Certification of Completion Form" to notify the 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.
6. All other conditions written into the previous Water Quality Certification, dated September 24, 2004, for the project still apply.
7. Continuing Compliance. NCDOT shall conduct its activities in a manner consistent with state water quality standards [including any requirements for compliance with section 303(d) of the Clean Water Act] and any other appropriate requirements of state 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 15 A NCAC 2H.0507(d). Before codifying the certification, DWQ shall notify NCDOT and the USACE, provide public notice in accordance with 15A NCAC 2H.0503, and provide opportunity for public hearing in accordance with 15A NCAC 2H.0504. Any new or revised conditions shall be provided to NCDOT in writing, shall be provided to the USACE 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.

Violations of any condition herein set forth shall result in revocation of this Certification and may result in criminal and/or civil penalties. 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, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. This certification and its conditions are final and binding unless you ask for a hearing.

This, the 15th day of March 2005

DIVISION OF WATER QUALITY



Alan W. Klimek, P.E.
Director

*** Certificate of Completion**

DWQ Project No. _____ County: _____

Applicant: _____

Project Name: _____

Date of Issuance of 401 Water Quality Certification: _____

Upon completion of all work approved within the 401 Water Quality Certification and 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 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 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: _____

If this project was designed by a Certified Professional

I, _____, as a duly registered Professional _____ (i.e., Engineer, Landscape Architect, Surveyor, etc.) 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 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: _____

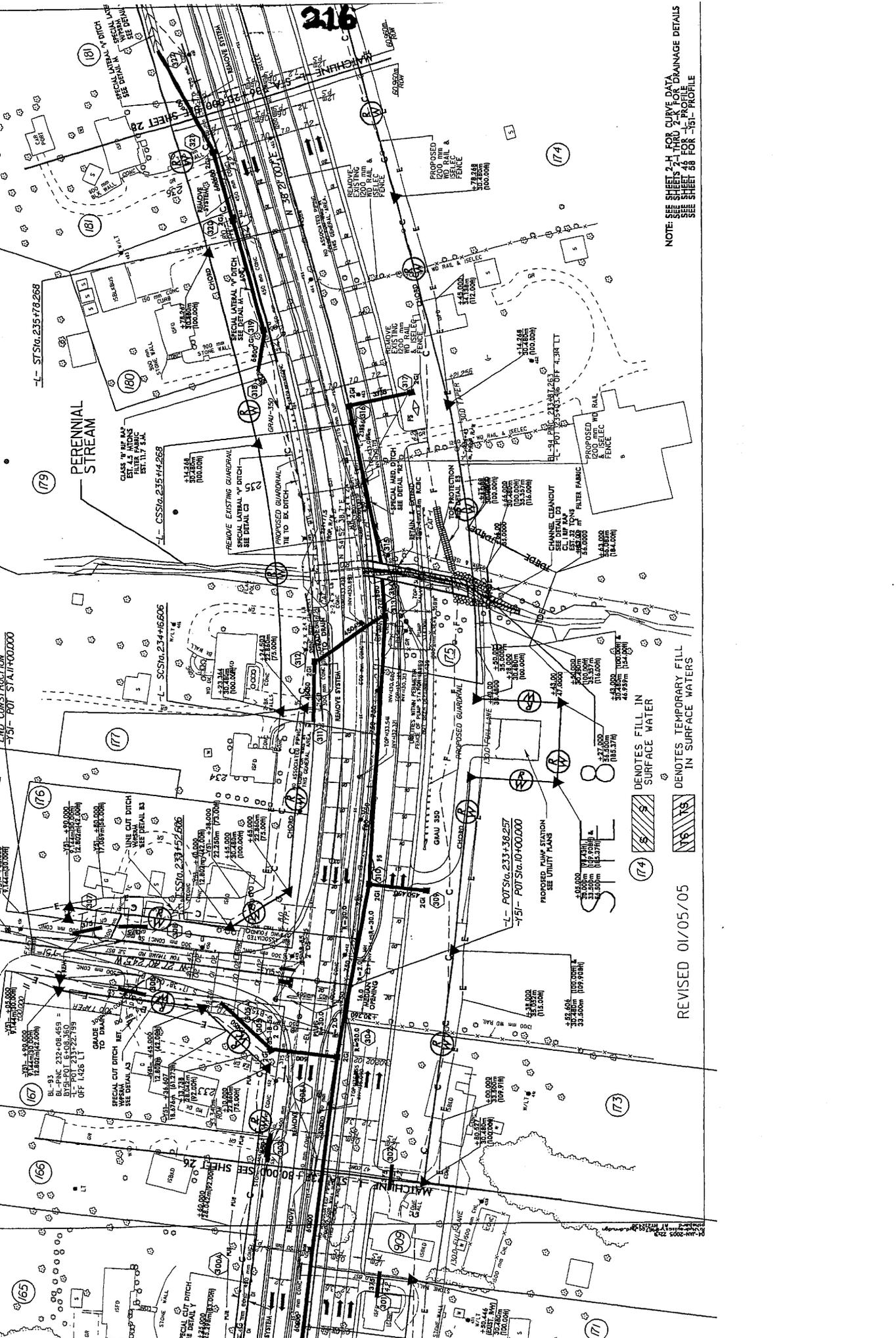
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 -L- STA. 0+235+78.268
 -L- STA. 0+234+66.606
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NOTE: SEE SHEET 2-1 FOR CURVE DATA
 SEE SHEET 2-1 FOR PROFILE
 SEE SHEET 45 FOR PROFILE
 SEE SHEET 58 FOR 361- PROFILE

DENOTES FILL IN SURFACE WATER
 DENOTES TEMPORARY FILL IN SURFACE WATERS
 REVISED 01/05/05



217

North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor
William G. Ross Jr., Secretary

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

September 24, 2004

RECEIVED

OCT 04 2004

CESAW-CO-RA

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

Dear Dr. Thorpe:

Re: 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act and State General Permit For Impacts to Isolated Wetlands and Isolated Waters, for the Proposed Widening of NC 24/27, TIP No. R-0967CC
Individual WQC No. 3477
Stanly County

Attached hereto is a copy of Certification No. 3477 issued to The North Carolina Department of Transportation dated September 24, 2004.

If we can be of further assistance, do not hesitate to contact us.

Sincerely,

Alan W. Klimek, P.E.
Director

Attachments

cc: Steve Lund, Army Corps of Engineers Asheville Regulatory Field Office
Polly Lespinasse, DWQ Mooresville Regional Office
Central Files
File Copy

APPROVAL OF 401 Water Quality Certification and Additional Conditions

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 to place fill material in, drain, excavate, and mechanically clear 0.14 acres of jurisdictional wetlands and to place fill material, culverts, and piping in 1,272 linear feet of streams in Stanly County. The project shall be constructed pursuant to the application dated June 25, 2004, to widen NC 24/27 from east of Big Bear Creek to SR 1963. The approved design is that submitted in your application dated June 25, 2004. The authorized impacts are as described below:

Table 1. Wetland Impacts in the Yadkin-Pee Dee River Basin

Section	Riverine (acres)	Total (acres)
Site 1 - Station No. -L- 172+00 Rt to 172+70 Rt	0.08	0.08
Site 9 - Station No. -L- 240+95 Rt to 242+20 Rt	0.06	0.06
Total	0.14	0.14

Table 2. Surface Water Impacts for the Yadkin-Pee Dee River Basin

Section	Stream Impacts (linear feet)	Stream Type	Mitigation Required
Site 3 - Station No. -L- 192+40 Lt to 193+45 Rt	391	Perennial	391 lf
Site 4 - Station No. -L- 194+50 Lt to 194+50 Lt	211	Perennial	211 lf
Site 5 - Station No. -L- 200+10 Lt to 200+60 Rt	162	Perennial	162 lf
Site 6 - Station No. -L- 222+88 Lt	28	Intermittent	0 lf
Site 7 - Station No. -L- 228+30 Rt to 228+60 Lt	155	Intermittent	0 lf
Site 8 - Station No. -L- 234+60 Rt to 234+70 Rt	133	Perennial	0 lf
Site 9 - Station No. -L- 240+95 Rt to 242+20 rt	192	Perennial	192 lf
Total	1,272		956

The application provides adequate assurance that the discharge of fill material into the waters of the Yadkin-Pee Dee 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:

Project Specific Conditions of Certification:

1. Alternating baffles shall be installed in the reinforced concrete box culvert at Site 8 in accordance with the North Carolina Wildlife Resource Commission's recommendations included in the permit application.
2. We understand that you have chosen to perform compensatory mitigation for impacts to wetlands and streams through an in-lieu payment to the North Carolina Ecosystem Enhancement Program (NCEEP), and that the NCEEP has agreed to implement the mitigation for the project. The Division of Water Quality requires mitigation for wetland impacts of 1 acres or greater and for stream impacts of 150 linear feet or more. For the referenced project, Division of Water Quality requires mitigation for 956 linear feet of stream impact as shown above in Table 2. NCEEP has indicated in a letter dated August 5, 2004 that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above-referenced project as detailed in the table below.

Type of Impact	Amount of Impact
Riverine Wetlands	0.14 ac
Streams	1,272 lf

General Conditions of Certification:

3. 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. All stream relocation and restoration activities shall comply with the final natural channel design plans approved by the NC Division of Water Quality.

4. 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.
3. 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.
4. 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.
5. No live or fresh concrete shall come into contact with waters of the state until the concrete has hardened.
6. 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.
7. Excavation of the stream crossings should be conducted in the dry. Sandbags, cofferdams, flexible pipe, or other diversion structures should be used to minimize excavation in flowing water.
8. All channel relocations will be constructed in a dry work area, and stabilized before stream flows are diverted. Channel relocations will be completed and stabilized prior to diverting water into the new channel. Whenever possible, channel relocations shall be allowed to stabilize for an entire growing season. Vegetation used for bank stabilization shall be limited to native woody species, and should include establishment of a 30 foot wide wooded and an adjacent 20 foot wide vegetated buffer on both sides of the relocated channel to the maximum extent practical. A transitional phase incorporating coir fiber and seedling establishment is allowable. Also, rip-rap may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any calculations used to determine the extent of rip-rap coverage requested.

- *9. 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.
10. 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 dis-equilibrium 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.
 11. 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.
 12. 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.
 13. Riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.
 14. Any riprap used must not interfere with thalweg performance and aquatic life passage during low flow conditions.
 15. Heavy equipment should be operated from the bank rather than in the stream channel whenever possible in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into the stream. 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.
 16. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
 17. Two copies of the final construction drawings shall be furnished to NCDWQ prior to the pre-construction meeting. Written verification shall be provided that the final construction drawings comply with the attached permit drawings contained in the application dated May 11, 2004.
 18. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization shall be clearly marked by orange fabric fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.
 19. 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.0503 and provide opportunity for public hearing 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.

20. 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.
21. 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.

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 permit.

**State General Permit For Impacts to Isolated Wetlands and Isolated Waters
For Projects Impacting Less Than One (1) Acre of Isolated Wetlands, Less Than Two Hundred
Fifty Feet (250) of Isolated Streams and/or Less Than One-Third Acre (1/3) of Other Isolated
Surface Waters**

In accordance with the provision of Article 21 of Chapter 143, General Statutes of North Carolina as amended and other lawful standards and regulations, including 15A NCAC 2H .1300 and 15A NCAC 2B .0200, promulgated and adopted by the North Carolina Environmental Management Commission. Permission is hereby granted to all owners or operators of activities which impact isolated wetlands, isolated streams or other isolated waters in accordance with the conditions set forth in Parts I, II, III, IV, V, VI and VII of this General Permit Number One.

This General Permit 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.

This General Permit is issued in conformity with the requirements of North Carolina Division of Water Quality (DWQ) Regulations in 15A NCAC 2H, Section .1300 for the discharge of fill material into 0.04 acres of isolated wetlands in Stanly County in the Yadkin-Pee Dee River Basin. This Permit may be rescinded when deemed appropriate by the Director of DWQ after appropriate public notice.

The State of North Carolina certifies that the specified category of activity will not violate applicable portions of Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions hereinafter set forth.

General Conditions of Permit:

- I. **Totaling Impacts and Application Requirements:**
 - A. **Application Thresholds – Impacts to isolated, classified streams, wetlands and water that exceed any of the thresholds below require a complete application and written concurrence which may include site-specific conditions in order to use this Permit. These thresholds apply for the entire project regardless of the number of Nationwide or Individual Permits (if any) applicable to the project that are issued by the US Army Corps of Engineers for the project:**
 1. Impacts to isolated streams of greater or equal to 150 cumulative feet of stream length for the entire project require written notification to and approval by the Division of Water Quality, and/or;
 2. Impacts to isolated lakes and ponds of equal to or greater than 1/3 of an acre require written notification to and approval by the Division of Water Quality, and/or;
 3. Impacts to isolated wetlands of greater or equal to 1/3 of an acre east of I-95 and 1/10 of an acre west of I-95 require written notification to and approval by the Division of Water Quality;

4. Proposed fill or substantial modification of any amount of isolated wetlands classified in accordance with 15A NCAC 2B .0101(e)(7) as Unique Wetlands (UWL) shall require written concurrence from the Division of Water Quality.
- B. Activities which are Deemed Permitted: Impacts to less than i) 150 linear feet of isolated stream, ii) 1/3 acre of isolated surface waters, iii) 1/3 acre of isolated wetlands east of Interstate-95 or iv) 1/10 acre of isolated wetland west of Interstate-95 are deemed permitted in accordance with 15A NCAC 2H .1305 (b) and do not require application to or written approval from DWQ as long as all the conditions of 15A NCAC 2H .1305 (b) are followed.
- C. Totaling and Reporting of Impacts:
1. Isolated Streams - Impacts to isolated streams as determined by the Division of Water Quality shall be measured as the length of the centerline of the normal flow channel. Permanent and/or temporary stream impacts shall be enumerated on the entire project for all impacts regardless of which 404 Nationwide Permits are used (if any). Stream relocations and streambed and/or bank hardening are considered to be permanent stream impacts. Any activity that results in a loss of use of stream functions including but not limited to filling, relocating, flooding, excavation, dredging and complete shading shall be considered stream impacts. Impacts to streams shall include streams enclosed by bottomless culverts, bottomless arches or other spanning structures unless the entire structure (including construction impacts) spans the entire bed and both banks of the stream, is only used for a road, driveway or path crossing, and is not mitered to follow the stream pattern. Impacts for dam footprints and flooding will count toward the threshold for stream impacts, but flooding upstream of the dam will not count towards mitigation requirements as long as no filling, excavation, relocation or other modification of the existing stream dimension, pattern or profile occurs. Any filling, excavation, relocation or other modification of the existing stream (other than flooding) must re-establish the same dimensions, patterns and profiles of the existing channel (or those of a stable reference reach if the existing channel is unstable).
 2. Isolated Lakes and Ponds – Impacts to isolated waters other than streams and wetlands as determined by the Division of Water Quality shall be measured as area. Permanent and/or temporary water impacts shall be enumerated on the entire project for all impacts proposed regardless of which 404 Nationwide Permits are used (if any). Any activity that results in a loss of use of aquatic functions including but not limited to filling, draining, and dredging shall be considered waters impacts.
 3. Isolated Wetlands - Impacts to isolated wetlands as determined by the Division of Water Quality shall be measured as area. Permanent and/or temporary wetland impacts shall be enumerated on the entire project for all impacts regardless of which 404 Nationwide Permits are used (if any). Any activity that results in a loss of use of wetland functions including but not limited to filling, excavating, draining, and flooding shall be considered wetland impacts. Impacts to wetlands shall include activities that change the hydrology of a wetland.
- D. Public Notice requirement – A separate Public Notice and Individual Permit will be required for all projects which propose to impact more than 250 linear feet of isolated streams or more than one (1) acre of isolated wetlands or other waters in accordance with 15A NCAC 2H .1303. For impacts less than these thresholds, this General Permit is applicable without additional Public Notice.

- E. In accordance with North Carolina General Statute Section 143-215.3D(e), any application for an Isolated Wetland General or Individual Permit must include the appropriate fee. If a project also requires a CAMA Permit, one payment to both agencies shall be submitted. This payment shall be the higher of the two fees.
- F. Impacts to any stream length for streams regulated by the respective riparian buffer rules in the Neuse, Tar-Pamlico, Catawba or Randleman River Basins (or any other major river basins with Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) also requires written concurrence for this Permit from DWQ in accordance with 15A NCAC 2B.0200 except for "exempt activities" as noted below. Activities listed as "exempt" from these rules do not need to apply for written concurrence under this Permit as long as they meet the impact thresholds provided in the rules. New development activities located in the protected riparian areas (whether jurisdictional streams, wetlands, waters or not) within river basins with riparian buffer protection rules shall be limited to "uses" identified within and constructed in accordance with 15A NCAC 2B .0200. All new development shall be located, designed, constructed, and maintained to have minimal disturbance to protect water quality to the maximum extent practicable through the use of best management practices.
- G. Irrespective of other application thresholds in this General Permit, all impacts to perennial waters and their associated buffers in water supply watersheds require written approval from DWQ since such impacts are allowable as provided in 15A NCAC 2B. 0212 (WS-I), 2B .0213 (WS-II), 2B .0214 (WS-III) and 2B .0215 (WSIV). Only water dependent activities, public projects and structures with diminimus increases in impervious surfaces will be allowed as outlined in those rules. All other activities require a variance from the delegated local government and/or the NC Environmental Management Commission before the Isolated Wetland General Permit can be processed. In addition, a 30 foot wide vegetative buffer for low density development or a 100 foot wide vegetative buffer for high density development must be maintained adjacent to all perennial waters in water supply watersheds except for allowances as provided under the Water Supply Watershed Protection Rules. For the purposes of this condition, perennial waters are defined as those shown as perennial waters on the most recent USGS 1:24,000 topographic map or as otherwise determined by local government studies.

II. On-Site Stormwater Management:

- A. Additional site-specific stormwater management requirements may be added to this Permit at DWQ's discretion on a case by case basis for projects that have or are anticipated to have impervious cover of greater than 30 percent for either the entire site or portions of the site that exceed 30% imperviousness. Site-specific stormwater management shall be designed to remove at least 85% TSS according to the latest version of DWQ's Stormwater Best Management Practices manual at a minimum. Other stormwater management requirements (such as [but not limited to] providing diffuse flow through protected buffers) may also be added on a case-by-case basis. Additionally, in watersheds within one mile and draining to 303(d) listed waters, as well as watersheds that are classified as nutrient sensitive waters (NSW), water supply waters (WS), trout waters (Tr), high quality waters (HQW), and outstanding resource waters (ORW), the Division shall require that extended detention wetlands, bio-retention areas, and ponds followed by forested filter strips (designed according to latest version of the NC DENR Stormwater Best Management Practices Manual) be constructed as part of the stormwater

management plan when a site-specific stormwater management plan is required. For streams classified as Water Supply, High Quality Waters and Outstanding Resource Waters, post-construction, on-site stormwater management shall be required as appropriate and as outlined in 15A NCAC 2B .0104(m) and 2H .1000 to .1007, respectively, in addition to that required in this General Permit. Alternative designs may be requested by the applicant and will be reviewed on a case-by-case basis by the Division of Water Quality. Approval of stormwater management plans by the Division of Water Quality's other existing state stormwater programs including appropriate local programs are sufficient to satisfy this Condition as long as the stormwater management plans meet or exceed the design requirements specified in this condition. This condition applies unless more stringent requirements are in effect from other state water quality programs.

1. Unless specified otherwise in the approval letter, the final, written stormwater management plan shall be approved in writing by the Division of Water Quality's Wetlands Unit before the impacts specified in this Permit occur.
2. The facilities must be designed to treat the runoff from the entire project, unless otherwise explicitly approved by the Division of Water Quality.
3. Also, before any permanent building or other structure is occupied at the subject site, the facilities (as approved by the Wetlands Unit) shall be constructed and operational, and the stormwater management plan (as approved by the Wetlands Unit) shall be implemented.
4. All structural stormwater practices as approved by the Wetlands Unit as well as drainage patterns must be maintained in perpetuity.
5. No changes to the structural stormwater practices shall be made without written authorization from the Division of Water Quality.

III. Compensatory Mitigation:

- A. Compensatory stream mitigation shall be required at a 1:1 ratio for not only perennial but also intermittent stream impacts that require application to DWQ in watersheds with streams classified as ORW, HQW, Tr, WS-I and WS-II unless the project is a linear, publicly-funded transportation project, which has a 150-foot per-stream impact allowance.
- B. In accordance with 15A NCAC 2H .1300, compensatory mitigation may be required for impacts to 150 linear feet or more of streams and/or one acre or more of wetlands for an entire project. For linear public transportation projects, impacts equal to or exceeding 150 feet per stream may require mitigation. In addition, buffer mitigation may be required for any project with Riparian Area Protection Rules (Buffer Rules) in effect at the time of application for buffer impacts resulting from activities classified as "allowable with mitigation" within the "Table of Uses" section of the Buffer Rules or require a variance under the Buffer Rules. A determination of buffer, wetland and stream mitigation requirements shall be made for any use of this General Permit. The most current design and monitoring protocols from DWQ shall be followed and written plans submitted for DWQ approval as required in those protocols. When compensatory mitigation is required for a project, the mitigation plans must be approved by

DWQ in writing before the impacts approved by the Permit occur, unless otherwise specified in the approval letter. The mitigation plan must be implemented and/or constructed before any permanent building or structure on site is occupied. In the case of public road projects; the mitigation plan must be implemented before the road is opened to the travelling public. Please note that if a stream relocation is conducted as a stream restoration as defined in *The Internal Technical Guide for Stream Work in North Carolina* (April 2001 or its successor), the restored length can be used as compensatory mitigation for the impacts resulting from the relocation.

- C. For any project involving re-alignment of streams, a stream relocation plan must be included with the General Permit application for written DWQ approval. Relocated stream designs should include the same dimensions, patterns and profiles as the existing channel (or a stable reference reach if the existing channel is unstable). The new channel should be constructed in the dry and water shall not be turned into the new channel until the banks are stabilized. Vegetation used for bank stabilization shall be limited to native woody species, and should include establishment of a 30 foot wide wooded and an adjacent 20 foot wide vegetated buffer on both sides of the relocated channel. A smaller buffer may be allowed on a site-specific basis by DWQ. A transitional phase incorporating coir fiber and seedling establishment is allowable. Also, rip-rap, A-Jacks, concrete, gabions or other hard structures may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any hydraulic calculations used to determine the extent of rip-rap coverage requested. If suitable stream mitigation is not practical onsite, then stream impact will need to be mitigated elsewhere. If stream relocation is conducted as a stream restoration as defined in *The Internal Technical Guide for Stream Work in North Carolina*, (April 2001 or its successor), 2001, the restored length can be used as compensatory mitigation for the impacts resulting from the relocation.
- D. Culverts and other structures installed 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 including open bottom or bottomless arch culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in aggradation, degradation or significant changes in hydrology of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide written evidence that the equilibrium shall be maintained if requested to do so in writing by DWQ. Additionally, when roadways, causeways or other fill projects are constructed across FEMA-designated floodways or wetlands, openings such as culverts or bridges must be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in aggradation, degradation or significant changes in hydrology of streams or wetlands.

IV. Sedimentation and Erosion Control:

- A. All erosion and sediment control practices (for land uses that include construction/development, mining, agricultural and forestry practices) must be in full compliance with all specifications governing the proper design, installation, operation and maintenance of such Best Management Practices (BMPs).
-
1. For construction/development and land disturbance activities, erosion and sediment control measures and maintenance must be installed and 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". If land disturbance amounts are below the thresholds where a Division of Land Resource (DLR) or a DLR delegated program require a Erosion and Sedimentation Control Plan, then measures and control practices must be installed such that sedimentation to waters is prevented.

2. For mining activities, erosion and sediment control measures and maintenance must be installed and equal or exceed the proper design, installation, operation and maintenance outlined in the most recent version of the "North Carolina Surface Mining Manual".
 3. For projects located on agricultural sites, Best Management measures must be installed and equal or exceed the proper design, installation, operations and maintenance outlined in Section 4 of the Natural Resources Conservation Services (NRCS) Technical Guide. If erosion and sediment control measures are not specifically addressed by NRCS Technical Guide for an activity being conducted, then sediment control measures, control practices, and maintenance must be installed and implemented such that sedimentation to waters is prevented.
 4. For project located on forestry sites, Best Management Practices must be installed that equal or exceed the proper design, installation, operation and maintenance as outlined in the most recent version of the "Best Management Practice Manual" developed by the North Carolina Division of Forest Management. If the Best Management Practices, developed by the Division of Forest Resources, do not specifically address the activity being conducted, then measures, control practices, and maintenance must be installed and implemented such that sedimentation to waters is prevented.
- B. All sediment and erosion control measures placed in wetlands and waters shall be removed and the original grade restored within two months after the Division of Land Resources or DLR delegated program has released the project.
- V. Compliance with Water Quality Standards:
- A. Additional site-specific conditions may be added to projects proposed under this Permit in order to ensure compliance with all applicable water quality and effluent standards.
 - B. Measures shall be taken to prevent live or fresh concrete from coming into contact with waters of the state until the concrete has hardened.
 - C. If this Permit is used to access building sites, all lots owned by the applicant must be buildable without additional fill beyond that explicitly allowed under other General or Individual 401 Water Quality Certifications. The applicant is required to provide evidence that the lots are buildable without requiring additional impacts to wetlands, waters or buffers if required to do so in writing by DWQ. For road construction purposes, this Permit shall only be utilized from natural high ground to natural high ground.

VI. Possible requirement for an Individual Permit and Public Meetings:

- A. The Director of the North Carolina Division of Water Quality may require submission of a

formal application for Individual Permit for any project in this category of activity that requires written concurrence under this Permit, if it is determined that the project is likely to 1) have a significant adverse effect upon water quality, 2) impact state or federally listed threatened or endangered species, or 3) degrade the waters so that existing uses of the wetland or downstream waters are precluded.

- B. Public meetings may be held for specific applications or group of applications prior to a Permit decision if deemed in the public's best interest by the Director of the North Carolina Division of Water Quality.

VII. Compliance and Reporting:

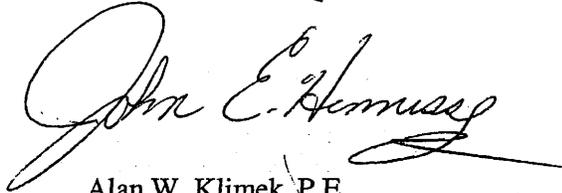
- A. If an environmental document is required, this Permit is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse.
- B. Deed notifications or similar mechanisms shall be placed on all lots with remaining wetlands and waters or on areas within 50 feet of all streams and ponds if riparian buffer protection rules are applicable. These mechanisms shall be put in place within 30 days of the date of issuance of the General Permit letter or the issuance of the 404 Permit (whichever is later). A sample deed notification format can be downloaded from the 401/Wetlands Unit web site at <http://h2o.enr.state.nc.us/ncwetlands>. DWQ shall be sent copies of all deed restrictions applied to these lots.
- C. When written concurrence is required, the applicant is required to use the most recent version of the Certificate of Completion to inform DWQ that work authorized by this General Permit has been completed.
- D. Concurrence from DWQ that this Permit applies to an individual project shall expire five years from the date of the cover letter from DWQ or on the same day as the expiration date of the corresponding US Army Corps of Engineers 404 Permit (if any), whichever is sooner unless otherwise explicitly allowed in the approval letter from DWQ.
- E. Non-compliance with or violation of the conditions herein set forth by a specific fill project may result in revocation of this Permit for the project and may also result in criminal and/or civil penalties.
- F. Failure to abide by the conditions and limitations contained in this permit may subject the Permittee to an enforcement action by the Division of Water Quality in accordance with 143-215.6A to 143-215.6C.
- G. This permit may be modified, revoked and reissued or terminated for cause. The filing of a request for a permit modification, revocation and reissuance, or termination does not stay any permit condition.
- H. The issuance of this Permit does not prohibit the Director from reopening and modifying the Permit, revoking and reissuing the Permit, or terminating the Permit as allowed by the laws, rules, and regulations contained in Title 15A of the North Carolina Administrative Code 3, Subchapter 02H. 1300, and North Carolina General Statute 143-215.1 et. al.

- I. The Permit is not transferable to any person or entity except after notice to and written approval by the Director. The Director may require modification or revocation and reissuance of the Permit to change the name and incorporate such other requirements as may be necessary. A formal permit request must be submitted to the Division of Water Quality accompanied by the appropriate fee, documentation from both parties involved, and other supporting materials as may be appropriate. The approval of this request will be considered on its merits, and may or may not be approved.

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 24th day of September 2004

DIVISION OF WATER QUALITY

A handwritten signature in black ink, appearing to read "Alan W. Klimek, P.E.", written over a horizontal line.

Alan W. Klimek, P.E.
Director

WQC No. 3477

DWQ Project No.: 3477

County: Stanly

Applicant: NC Department of Transportation

Project Name: _____

Date of Issuance of 401 Water Quality Certification: _____

*** Certificate of Completion**

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, 1650 Mail Service Center, Raleigh, NC, 27699-1650. 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 _____



RECEIVED

☒ North Carolina Wildlife Resources Commission

SEP 07 2004
☒

Charles R. Fullwood, Executive Director

CESAW-CO-RA

TO: Steve Lund, DOT Coordinator
Asheville Regulatory Field Office, USACE

FROM: Marla Chambers, Western NCDOT Permit Coordinator *Marla Chambers*
Habitat Conservation Program, NCWRC

DATE: September 3, 2004

SUBJECT: Review of a Section 404 Individual Permit application by NCDOT for the proposed widening of NC 24/27 to a multi-lane facility from east of Big Bear Creek to SR 1963 (Saint Martin Road) in Albemarle, Stanly County. TIP No. R-0967 CC.

North Carolina Department of Transportation (NCDOT) has submitted an application to obtain a Section 404 Individual Permit from the U.S. Army Corps of Engineers (USACE) and a 401 Water Quality Certification from the Division of Water Quality (NCDWQ). Staff biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the information provided. These comments are provided in accordance with the provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c)) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

The NCDOT proposes to widen NC 24/27 from east of Big Bear Creek to SR 1963 (Saint Martin Road) in Albemarle for a project length of approximately 5.6 miles. The proposed project consists of widening the existing two-lane roadway to a four-lane divided facility. Approximately 1,272 linear feet (lf) of permanent stream impacts and 0.18 acres of permanent wetland impacts are anticipated. Mitigation for the proposed impacts will be handled through the Ecosystem Enhancement Program (EEP). Although not mentioned in the request letter to EEP, the application letter indicated that a 2:1 ratio is required for mitigating stream impacts. The ratio for wetland mitigation was not provided. Stream impacts will occur to Little Bear Creek, Scaly Bark Creek and several of their unnamed tributaries in the lower Rocky River drainage, all Class C waters. Carolina creekshell (*V. vaughaniana*), Federal Species of Concern and state Endangered; notched rainbow (*Villosa constricta*), state Special Concern; eastern creekshell (*V. delumbis*), state Significantly Rare; and Carolina darter (*Etheostoma collis*), Federal Species of Concern and state Special Concern, are found within or in adjacent drainages

(14 digit HUC's) to the project. Recent survey information is not available for the waters to be impacted; therefore we recommend a mussel survey be conducted at the Little Bear Creek and Scaly Bark Creek crossings and immediately downstream. If state or federally listed species are found, NCDOT should consult with the appropriate resource agencies.

NCWRC is concerned with cumulative and secondary impacts associated with the widening of NC 24/27 in Stanly County project, which are addressed in the Indirect and Cumulative Effects (ICE) Report. NC 24/27 is the main east-west route through Stanly County and runs from Charlotte to Albemarle and beyond, crossing I-485 (Charlotte Outer Loop) about 12 miles from the R-0967 C project. Several projects to widen NC 24/27 between Charlotte and Albemarle have been constructed or are under construction to provide a multi-lane facility between the two cities. Other widening projects of NC 24/27 east of Albemarle are in the early planning stages. The western portion of Stanly County had growth rates higher than the state's rate and roughly doubles that of the county, as a whole, due to its proximity to Charlotte.

The project is expected to stimulate land development along and near the roadway. Agricultural and low-density residential uses dominate the land use within the Potential Growth Impact Area (PGIA), with some areas of commercial development along the roadway and within the cities and towns. Stanly County's Land Use Plan shows mostly growth areas planned for the PGIA, however some Agriculture Conservation Areas are included in the Long-Range Plan. Stanly County should implement regulations to protect agricultural lands, open space, wildlife habitat and the rural nature of the area and to limit sprawl type development that can lead to road congestion and environmental degradation in growing areas.

We strongly encourage NCDOT and local authorities to use low impact development techniques (see www.lowimpactdevelopment.org for information) to manage stormwater quantity and quality in developed and developing areas. Numerous studies have shown that when 10–15% of a watershed is converted to impervious surfaces, there is a serious decline in the health of receiving waters (Schueler 1994) and the quality of fish habitat and wetlands are negatively impacted (Booth 1991, Taylor 1993). Measures to mitigate secondary and cumulative impacts can be found in the Guidance Memorandum to Address and Mitigate Secondary and Cumulative Impacts to Aquatic and Terrestrial Wildlife Resources and Water Quality (NCWRC 2002).

We can concur with the permit issuance if the following conditions are implemented:

1. Conduct a mussel survey at the Little Bear Creek and Scaly Bark Creek crossings and immediately downstream. If state or federally listed species are found, consult with the appropriate resource agencies.
2. Stringent sedimentation and erosion control measures must be implemented and maintained on the project site until project completion to avoid impacts to downstream aquatic resources. Temporary or permanent herbaceous vegetation should be planted on all bare soil as soon as possible and within 15 days of ground disturbing activities to provide long-term erosion control. Tall fescue should not be used in riparian areas. We encourage NCDOT to utilize onsite vegetation and materials for streambank stabilization

when practicable. Erosion control matting should be used in riparian areas, instead of straw mulch.

3. Culverts that are less than 48-inch diameter should have the floor of the barrel installed 20% of the diameter of the culvert below the level of the stream bottom. Culverts that are 48-inch diameter or larger should be placed with the floor of the barrel approximately 12 inches below the stream bottom to allow natural stream bottom materials to become established in the culvert following installation and to provide aquatic life passage during periods of low flow. This may require increasing the size of the culvert to meet flow conveyance requirements. These measurements must be based on natural thalweg depths. Any perched outlets should be corrected during construction.
4. The natural dimension, pattern, and profile of the stream above and below the crossings should not be modified by widening the stream channel or changing the depth of the stream.
5. Removal of vegetation in riparian areas should be minimized. Native trees and shrubs should be planted along the stream banks to reestablish the riparian zone and to provide long-term erosion control.
6. Grading and backfilling should be minimized, and tree and shrub growth should be retained if possible to ensure long term availability of shoreline cover for fish and wildlife. Backfill materials should be obtained from upland sites.
7. Riprap should be minimized and installed in a manner so as not to interfere with aquatic life passage during low flow conditions. Riprap placed for bank stabilization should be limited to the stream bank below the high water mark, and vegetation should be used for stabilization above the high water elevation.
8. Excavation of the stream crossings should be conducted in the dry, if possible. Sandbags, cofferdams, flexible pipe, or other diversion structures should be used to minimize excavation in flowing water.
9. Rock check dams at culvert outlets should be removed at project completion. These structures could impede movement of aquatic life.
10. Stormwater, should be directed to buffer areas or retention basins and should not be routed directly into streams.
11. If concrete will be used during construction, work must be accomplished so that wet (uncured) concrete does not contact surface waters. This will lessen the chance of altering the water chemistry and causing a fish kill.
12. Discharging hydroseeding mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is strictly prohibited.

13. Heavy equipment should be operated from the bank rather than in the stream channel whenever possible in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into the stream. All mechanized equipment operated near surface waters should be inspected and maintained regularly to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids or other toxic materials.

Thank you for the opportunity to review and comment on this project. If you have any questions regarding these comments, please contact me at (704) 485-2384.

Literature Cited:

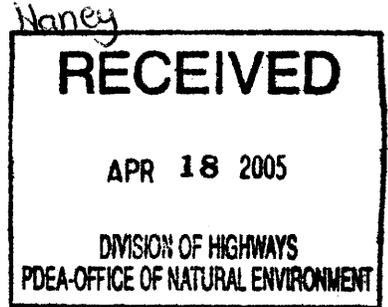
- Booth, D. 1991. Urbanization and the natural drainage system-impacts, solutions, and prognoses. Northwest Environmental Journal. 7(1):93-118.
- NCWRC (North Carolina Wildlife Resources Commission). 2002. Guidance Memorandum to Address and Mitigate Secondary and Cumulative Impacts to Aquatic and Terrestrial Wildlife Resources and Water Quality. NCWRC, Raleigh. Available: http://www.ncwildlife.org/pg07_WildlifeSpeciesCon/pg7c3_impacts.pdf. (February 2003).
- Schueler, Tom. 1994. The Importance of Imperviousness. Watershed Protection Techniques. 1:3 (pp100-111).
- Taylor, B.L. 1993. The influences of wetland and watershed morphological characteristics and relationships to wetland vegetation communities. Masters thesis. Dept. of Civil Engineering. University of Washington. Seattle, WA.
- cc: Marella Buncick, USFWS
Brian Wrenn, NCDWQ
Sarah McRae, NCNHP

237



REPLY TO
ATTENTION OF:

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



April 13, 2005

Regulatory Division

Action ID No. 200431291, TIP R-0967 CC

Dr. Gregory J. Thorpe, Ph.D., Director
Project Development and Environmental Analysis Branch
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

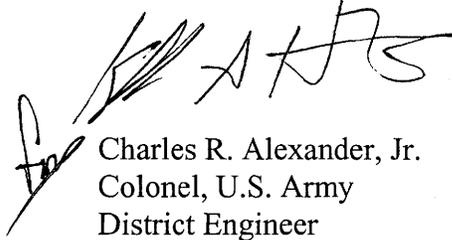
Dear Dr. Thorpe:

Reference the Department of the Army permit issued on January 28, 2005 to the North Carolina Department of Transportation to discharge dredged or fill material into .14 acres of wetland and 1272 linear feet of stream channel in and adjacent to the waters of Little Bear Creek, Scaly Bark Creek and unnamed tributaries to facilitate the widening of 5.6 miles of NC Highway 24/27 from east of Big Bear Creek to SR 1963 (Oakboro Road) west of Albemarle, Stanly County, North Carolina (TIP No. R-0967 CC). Also reference your written request of February 4, 2005, to modify this permit to increase the amount of temporary construction fill in surface waters by 0.04 acres and decrease the length of stream channel impacts by 68 linear feet as a result of design changes.

The permit is hereby modified to include the work as shown on the enclosed plans. The authorized amount of temporary fill in surface waters has been increased from 0.0 to 0.04 acres and the amount of permanent stream channel impacts has been decreased from 1272 to 1204 linear feet. In addition, Special Condition No. 15 of the permit is hereby modified, in part, to reflect a revised stream channel preservation requirement of 12,040 provided by the Ecosystem Enhancement Program (EEP). It is understood that all other conditions of the original permit remain applicable and that the expiration date is unchanged.

If you have any questions, please contact Mr. Steven Lund, Asheville Regulatory Field Office at telephone (828) 271-7980, extension 223.

Sincerely,



Charles R. Alexander, Jr.
Colonel, U.S. Army
District Engineer

Enclosures

Copies furnished w/enclosures:

Director, Atlantic Marine Center
National Ocean Survey, NOAA
Attention: CAM04
439 West York Street
Norfolk, Virginia 23510

Copies furnished wo/enclosure:

Mr. William D. Gilmore, P.E.
EEP Transition Manager
NC Ecosystem Enhancement Program
1652 Mail Service Center
Raleigh, NC 27699-1652

Mr. John Hennessey
NC Division of Water Quality
Wetlands/401 Unit
1650 Mail Service Center
Raleigh, NC 27699-1650

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS				SURFACE WATER IMPACTS								
			Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation In Wetlands (ac)	Mechanized Clearing (Method III) (ac)	Fill In SW (Natural) (ac)	Fill In SW (Pond) (ac)	Temp. Fill In SW (ac)	Existing Channel Impacted (ft)	Natural Stream Design (ft)				
1	172+00 to 172+70 -L- Rt.	Lateral Encroachment (Roadway Cut and Fill)	0.04		0.04										
2	184+00 to 184+20 -L- Rt.	Lateral Encroachment (Roadway Fill)	0.04												
3	192+40 to 193+45 -L- Lt & Rt	1 @ 1350 mm RCP and 2 @ 1050 mm RCP					0.025 -						328 -		
4	194+50 to 194+80 -L- Lt.	Channel Change and 3 @ 3.0m x 3.4m RCBC					0.09			0.02 -			206 -		
5	200+10 to 200+60 -L- Lt & Rt	Extension of 2 @ 2.4m x 1.8m RCBC					0.042 -			0.01 -			161 -		
6	222+88 -L- Lt.	Extension of 1350 mm RCP					0.002						28		
7	228+30 to 228+60 -L- Rt & Lt	1 @ 900 mm RCP and 1 @ 1350 mm RCP					0.02						155		
8	234+60 to 234+70 -L- Rt.	Extension of 2 @ 2.4m x 1.8m RCBC					0.02			0.007 -			134 -		
9	240+95 to 242+20 -L-TRAN Rt.	Lateral Encroachment (Roadway Fill)	0.03			0.03	0.02						192		
TOTALS:			0.11	0	0.04	0.03	0.219	0	0.037	1204	0				

English Equivalence for All Impacts

NCDOT

DIVISION OF HIGHWAYS
STANLY COUNTY
PROJECT 6.689004T (R-0967CC)

NC 24/27 FROM EAST OF BIG BEAR CREEK TO SR 1963 IN ALBEMARLE

REV. 01/05/05
6/6/2003

SHEET 3B OF 5

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



REPLY TO
ATTENTION OF:

January 28, 2005

Regulatory Division

Action ID: 200431291; Tip No. R-0967 CC

Dr. Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA
N.C. Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Dear Dr. Thorpe:

In accordance with the written request of June 25, 2004, and the ensuing administrative record, enclosed is a permit to discharge dredged or fill material into 0.14 acres of wetland and 1272 linear feet of stream channel in and adjacent to the waters of Little Bear Creek, Scaly Bark Creek and unnamed tributaries to facilitate the widening of 5.6 miles of NC Highway 24/27 from east of Big Bear Creek to SR 1963 (Oakboro Road) west of Albemarle, Stanly County, North Carolina (TIP No. R-0967 CC, State Project No. 6.689004T).

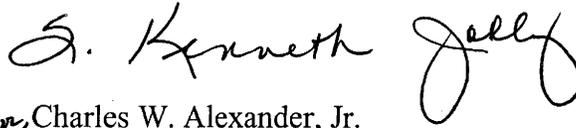
If any change in the authorized work is required because of unforeseen or altered conditions or for any other reason, the plans revised to show the change must be sent promptly to this office. Such action is necessary, as revised plans must be reviewed and the permit modified.

Carefully read your permit. The general and special conditions are important. Your failure to comply with these conditions could result in a violation of Federal law. Certain significant general conditions require that:

- a. You must complete construction before December 31, 2008.
- b. You must notify this office in advance as to when you intend to commence and complete work.
- c. You must allow representatives from this office to make periodic visits to your worksite as deemed necessary to assure compliance with permit plans and conditions.

Should you have questions, contact Mr. Steven Lund, Regulatory Division, Asheville
Regulatory Field Office, telephone (828) 271-7980 extension 223.

Sincerely,



for Charles W. Alexander, Jr.
Colonel, U.S. Army
District Engineer

Enclosures

Copy Furnished with enclosures:

Chief, Source Data Unit
NOAA/National Ocean Service
ATTN: Sharon Tear N/CS261
1315 East-West Hwy., Rm 7316
Silver Spring, MD 20910-3282

Copies Furnished with special conditions and plans:

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

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

Mr. David Rackley
National Marine Fisheries
Service, NOAA
219 Fort Johnson Road
Charleston, South Carolina 29412-9110

Mr. Ronald Milkulak, Chief
Wetlands Section - Region IV
Water Management Division
U.S. Environmental Protection Agency
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303

Mr. Doug Huggett
NC Division of Coastal Management
Division of Coastal Management
151-B, NC Hwy 24
Morehead City, NC 28557

Mr. William D. Gilmore, P.E.
EEP Transition Manager
Ecosystem Enhancement Center
1652 Mail Service Center
Raleigh, NC 27699-1652

DEPARTMENT OF THE ARMY PERMIT

NC Department of Transportation

Permittee _____

200431291

Permit No. _____

USAED, Wilmington

Issuing Office _____

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

To discharge dredged or fill material into 0.14 acres of wetland and 1272 linear feet of stream channel in and adjacent to the waters of Little Bear Creek, Scaly Bark Creek and unnamed tributaries to facilitate the widening of 5.6 miles of NC Highway 24/27 from east of Big Bear Creek to SR 1963 (Oakboro Road) west of Albemarle, Stanly County, North Carolina (TIP No. R-0967 CC, State Project No. 6.689004T).

Project Location:

From east of Big Bear Creek to SR 1963 (Oakboro Road) west of Albemarle, Stanly County, North Carolina (TIP No. R-0967 CC, State Project No. 6.689004T).

Permit Conditions:**General Conditions:**

1. The time limit for completing the work authorized ends on December 31, 2008. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

See enclosed sheet.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

[Handwritten Signature]
(PERMITTEE)

1/26/05
(DATE)

NC DEPARTMENT OF TRANSPORTATION

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

[Handwritten Signature]
(DISTRICT ENGINEER)

1/28/05
(DATE)

[Handwritten Signature]
CHARLES R. ALEXANDER, JR. COLONEL

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE)

(DATE)

SPECIAL CONDITIONS (Action ID: 200431291; NCDOT TIP No. R-0967 CC)

1. All work must be performed in strict compliance with the attached plans, which are a part of this permit. Any modifications to the permit plans must be approved by the Corps of Engineers prior to implementation.
2. Failure to institute and carry out the details of the following special conditions will result in a directive to cease all ongoing and permitted work within waters and/or wetlands associated with the permitted project or such other remedies and/or fines as the District Engineer or his authorized representatives may seek.
3. The permittee will ensure that the construction design plans for this project do not deviate from the permit plans attached to this authorization. Written verification shall be provided that the final construction drawings comply with the attached permit drawings prior to any active construction in waters of the United States, including wetlands. Any deviation in the construction design plans will be brought to the attention of the Corps of Engineers, Asheville Regulatory Field Office prior to any active construction in waters and wetlands.
4. The permittee shall schedule a preconstruction meeting between their representatives, the contractor and the Corps of Engineers, Asheville Regulatory Field Office, NCDOT Regulatory Project Manager prior to any work in jurisdictional waters and wetlands to ensure that there is a mutual understanding of all terms and conditions contained in this DA permit. The permittee shall provide the Corps of Engineers, Regulatory Project Manager with a copy of the final plans at least two weeks prior to the pre-construction meeting along with a description of any changes that have been made to the project's design, construction methodology or construction timeframe. The permittee shall schedule the pre-construction meeting for a time when the Corps of Engineers and North Carolina Division of Water Quality (NCDWQ) Project Managers can attend. The permittee shall notify the Corps of Engineers and NCDWQ Project Managers a minimum of thirty (30) days in advance of the meeting.
5. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this permit, and any authorized modifications. A copy of this permit and any authorized modifications, including all conditions, shall be available at the project site during construction and maintenance of this project.
6. Except as authorized by this permit or any Corps of Engineers approved modification to this permit, no excavation, fill or mechanized land clearing activities shall take place at any time in the construction or maintenance of this project within waters or wetlands nor shall any activities take place that cause the degradation of waters or wetlands. In addition, except as specified in the plans attached to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project in such a

manner as to impair normal flows and circulation patterns within, into or out of waters and wetlands or to reduce the reach of waters or wetlands.

7. To ensure that all borrow and waste activities occur on uplands and do not result in the degradation of adjacent waters and wetlands, except as authorized by this permit, the permittee shall require its contractors and/or agents to identify all areas to be used to borrow material or to dispose of dredged, fill or waste material. The permittee shall provide the Corps of Engineers with appropriate maps indicating the locations of proposed borrow or waste sites as soon as such information is available. The permittee will coordinate with the Corps of Engineers before approving any borrow or waste sites that are within 400 feet of any stream or wetland. All jurisdictional wetland delineations on borrow and waste areas shall be verified by the Corps of Engineers and shown on the approved reclamation plans. The permittee shall ensure that all such areas comply with the **preceding condition** of this permit and shall require and maintain documentation of the location and characteristics of all borrow and disposal sites associated with this project. This documentation will include data regarding soils, vegetation and hydrology sufficient to clearly demonstrate compliance with the **preceding condition**. All information will be available to the Corps of Engineers upon request. The permittee shall require its contractors to complete and execute reclamation plans for each waste and borrow site and provide written documentation that the reclamation plans have been implemented and all work is completed. This documentation will be provided to the Corps of Engineers within 30 days of the completion of the reclamation work.

8. Adequate sedimentation and erosion control measures must be implemented prior to any ground disturbing activities to minimize impacts to downstream aquatic resources. These measures must be inspected and maintained regularly, especially following rainfall events. All fill material must be adequately stabilized at the earliest practicable date to prevent sediment from entering into adjacent waters or wetlands.

9. The permittee shall remove all sediment and erosion control measures placed in waters or wetlands, and shall restore natural grades in those areas prior to project completion.

10. During the clearing phase of the project, heavy equipment must not be operated in surface waters or stream channels. Temporary stream crossings will be used to access the opposite sides of stream channels. All temporary diversion channels and stream crossings will be constructed of nonerodable materials. Grubbing of riparian vegetation will not occur until immediately before construction begins on a given segment of stream channel.

11. The permittee shall take measures to prevent live or fresh concrete from coming into contact with any surface waters until the concrete has hardened.

12. All authorized culverts will be installed to allow the passage of low stream flows and the continued movement of fish and other aquatic life as well as to prevent head-cutting of the streambed. For all box culverts and for pipes greater than 48 inches in diameter, the bottom of the pipe will be buried at least one foot below the bed of the stream unless such burial would be impractical and the Corps of Engineers has waived this requirement. For culverts 48 inches in

diameter or smaller, the bottom of the pipe must be buried below the bed of the stream to a depth equal to or greater than 20 percent of the diameter of the culvert. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in the disequilibrium of wetlands, streambeds or stream banks adjacent to, upstream of or downstream of the structures. In order to allow for the continued movement of bed load and aquatic organisms, existing stream channel widths and depths will be maintained at the inlet and outlet ends of culverts. Riprap armoring of streams at culvert inlets and outlets shall be minimized above ordinary high water elevation in favor of bioengineering techniques such as bank sloping, erosion control matting and revegetation with deep-rooted woody plants.

13. Unless authorized by this permit, all fill material placed in waters or wetlands shall be generated from an upland source and will be clean and free of any pollutants except in trace quantities. Metal products, organic materials (including debris from land clearing activities) or unsightly debris will not be used.

14. All mechanized equipment operating near surface waters shall be regularly inspected and maintained to prevent contamination of streams and wetlands from leakage of fuels, lubricants, hydraulic fluids or other toxic materials. No equipment staging or storage of construction material will occur in wetlands. Hydroseeding equipment will not be discharged or washed out into any surface waters or wetlands. In the event of a spill of petroleum products or any other hazardous waste, the permittee shall immediately report it to the NC Division of Water Quality at (919) 733-5083 or (800) 662-7956 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.

*15. Compensatory mitigation for unavoidable impacts to .14 acres of riverine wetland and 1272 linear feet of warm-water stream channel associated with the proposed project shall be provided by the Ecosystem Enhancement Program (EEP) as outlined in the letter dated May 20, 2004 from William D. Gilmore, EEP Transition Manager. The EEP will provide 1.4 acres of preservation of riverine wetlands and 12,720 linear feet of stream preservation in the Southern Piedmont Eco-Region at the Drowning Creek/Camp McCall Site in Moore and Richmond Counties 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 .14 acres of restoration of riverine wetlands and 1272 linear feet of restoration of warm-water stream channel in the Yadkin River Basin (Hydrologic Cataloging Unit 03040105) by July 22, 2005 and half of the proposed preservation mitigation would be available at that time for mitigation for other projects. 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 of Paragraph V. of the MOA.

16. The permittee shall implement the recommendations (1-13) in the attached September 3, 2004 letter from the North Carolina Wildlife Resources Commission.

17. A low flow sill will be constructed at the inlet of one cell of the double-cell box culvert extension at Permit Site 8 on Scaly Bark Creek. Low-elevation, alternating baffles will be constructed within the opposite cell of this same culvert at intervals sufficient to retain bed material and provide aquatic life passage at low flow conditions.

18. The permittee will report any violation of the above conditions and any violation of Section 404 of the Clean Water Act from unauthorized work in writing to the Wilmington District, US Army Corps of Engineers within 24 hours of the permittee's discovery of the violation.

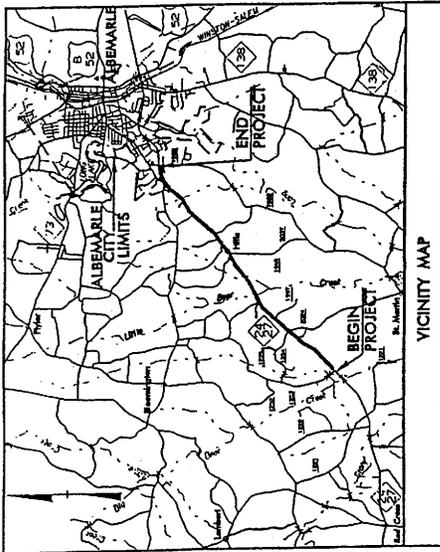
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

STANLY COUNTY

LOCATION: NC 2427 FROM EAST OF BIG BEAR CREEK
TO SR 1963 (OAKBORO RD. AND SAINT MARTIN RD.)
IN ALBEMARLE.

TYPE OF WORK: GRADING, DRAINAGE, PAVING, SIGNING,
SIGNALS, CULVERTS, AND GUARDRAIL.

ACTION ID 200431291



See Sheet I-A For Index of Sheets

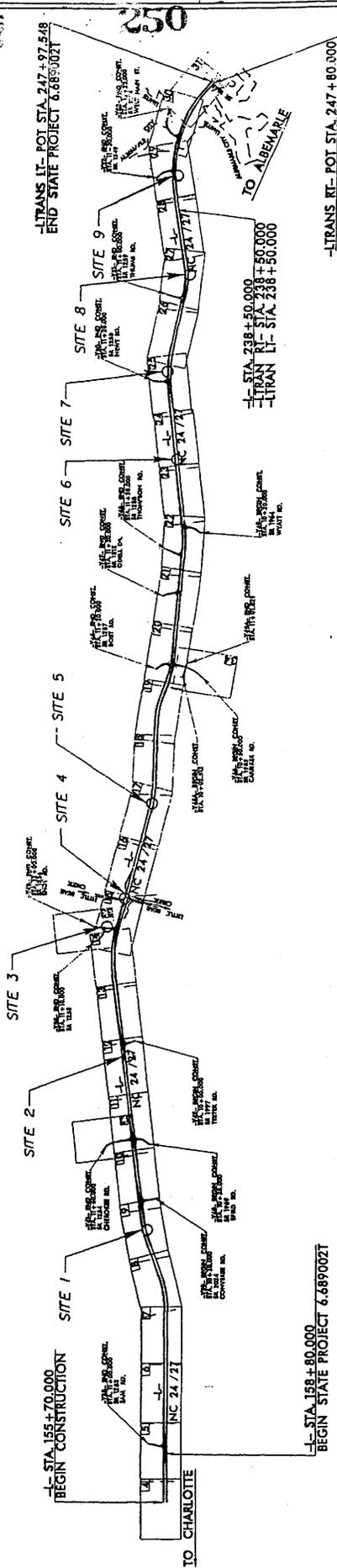
STATE	N.C.	PROJECT NUMBER	R-0967 CC	DATE	1
PROJECT NUMBER	6.689002T	DATE	PE	DATE	
PROJECT NUMBER	6.689004T	DATE	HW, UT	DATE	



ALL DIMENSIONS IN METERS
THESE PLANS ARE IN METERS

RECEIVED
JUN 06 2003

DIVISION OF HIGHWAYS
HYDRAULICS UNIT



PERMIT DRAWINGS 6/6/03

A PORTION OF THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF ALBEMARLE.

PUBLIC NOTICE SHEET 1 OF 11

CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

PRELIMINARY PLANS
FOR THE STATE OF NORTH CAROLINA

GRAPHIC SCALES

PLANS	0 10 20
PROFILE (HORIZONTAL)	0 10 20
PROFILE (VERTICAL)	0 2 4

DESIGN DATA

ADT 2004	= 14,400
ADT 2030	= 28,200
DHY	= 10 %
D	= 55 %
T	= 7 %
V	= 100 km/h
* TTST 4 % DUAL 3 %	

PROJECT LENGTH

LENGTH ROADWAY STATE PROJECT 6.689002T	= 8,900M
TOTAL LENGTH STATE PROJECT 6.689002T	= 8,900M

NOTE: -L AND -LTRANS RT- USED TO DETERMINE PROJECT LENGTH

Proposed in the Office of:
DIVISION OF HIGHWAYS
1008 Birch Ridge Dr., Raleigh, NC 27615

RIGHT OF WAY DATE:
APRIL 30, 2003

LETTING DATE:
JUNE 21, 2003

PROJECT MANAGER: RONALD D. ALLEN, P.E.
PROJECT MANAGER: JEANIE TYSON

HYDRAULICS ENGINEER

STATE ENGINEER: ROADWAY DESIGN ENGINEER

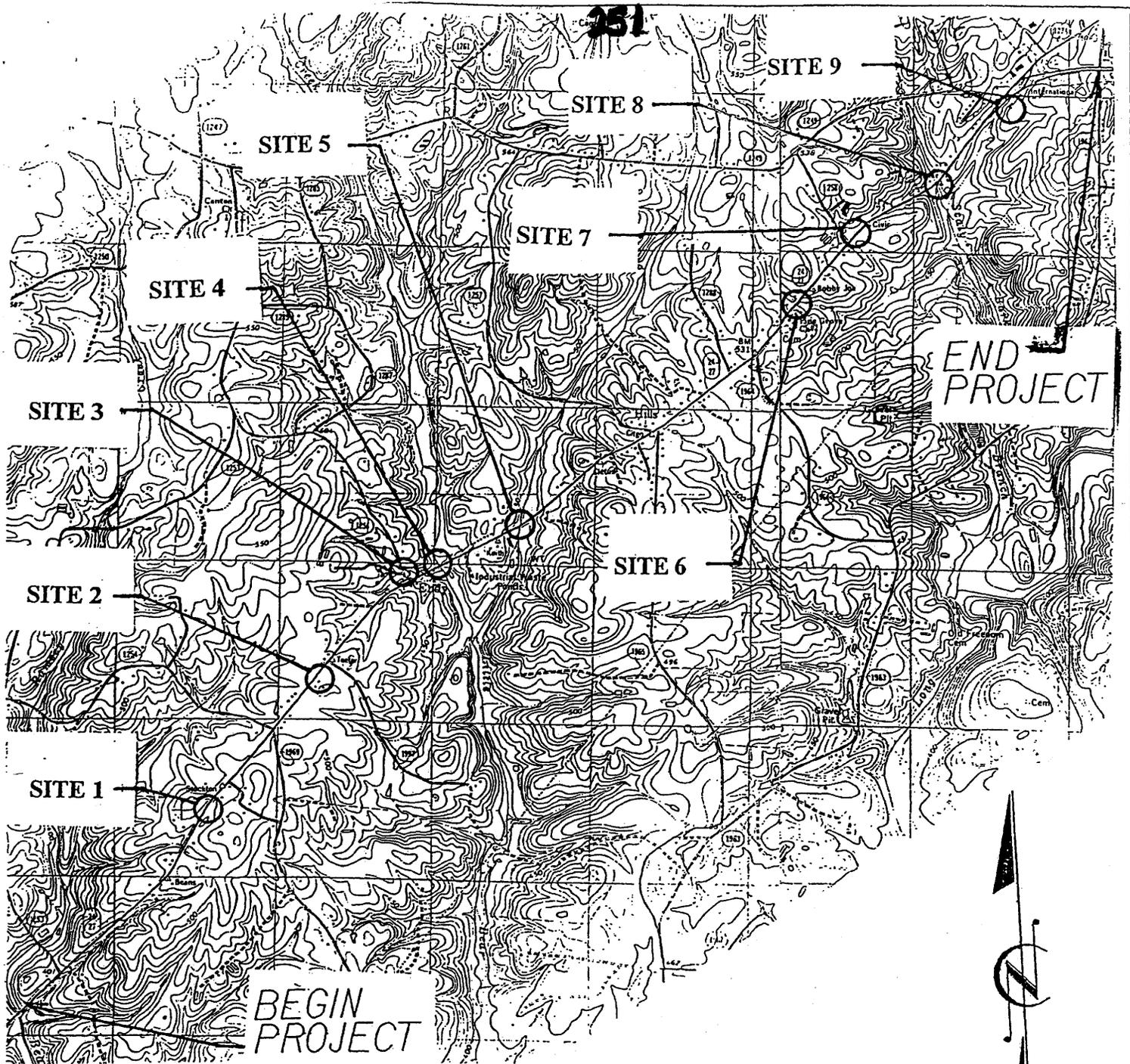
DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA

STATE ENGINEER: ROADWAY DESIGN ENGINEER

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

R-0967 CC

PROJECT: 6.689002T



NOT TO SCALE

ACTION ID 260431291

SITE MAPS
(SITES 1 - 9)

PUBLIC NOTICE SHEET 2 OF 11

NCDOT
DIVISION OF HIGHWAYS
STANLY COUNTY
PROJECT: 6.689004T (R-0967CC)
NC 24/27 FROM EAST OF BIG
BEAR CREEK TO SR 1963
IN ALBEMARLE
SHEET 2 OF 5 6/6/05

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS				SURFACE WATER IMPACTS								
			Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation In Wetlands (ac)	Mechanized Clearing (Method III) (ac)	Fill In SW (Natural) (ac)	Fill In SW (Pond) (ac)	Temp. Fill In SW (ac)	Existing Channel Impacted (ft)	Natural Stream Design (ft)				
1	172+00 to 172+70 -L- Rt.	Lateral Encroachment (Roadway Cut and Fill)	0.04		0.04										
2	184+00 to 184+20 -L- Rt.	Lateral Encroachment (Roadway Fill)	0.04												
3	192+40 to 193+45 -L- Lt. & Rt.	1 @ 1350 mm RCP and 2 @ 1050 mm RCP							0.002					391	
4	194+50 to 194+80 -L- Lt.	Channel Change and 3 @ 3.0m x 3.4m RCBC							0.09					211	
5	200+10 to 200+60 -L- Lt. & Rt.	Extension of 2 @ 2.4m x 1.8m RCBC							0.04					162	
6	222+88 -L- Lt.	Extension of 1350 mm RCP							0.002					28	
7	228+30 to 228+60 -L- Rt. & Lt.	1 @ 900 mm RCP and 1 @ 1350 mm RCP							0.02					155	
8	234+60 to 234+70 -L- Rt.	Extension of 2 @ 2.4m x 1.8m RCBC							0.02					133	
9	240+95 to 242+20 -L-TRAN RI-	Lateral Encroachment (Roadway Fill)	0.03						0.03					192	
TOTALS:			0.11	0	0.04	0.03	0.194	0	0	0	0	1272	0		

English Equivalence for All Impacts

Sites 1 and 9 are riverine wetlands
 Site 2 is an isolated wetland
 ACTION ID 200431291
 PUBLIC NOTICE SHEET 3 OF 11

NCDOT

DIVISION OF HIGHWAYS
 STANLY COUNTY
 PROJECT 6.689004T (R-0967CC)

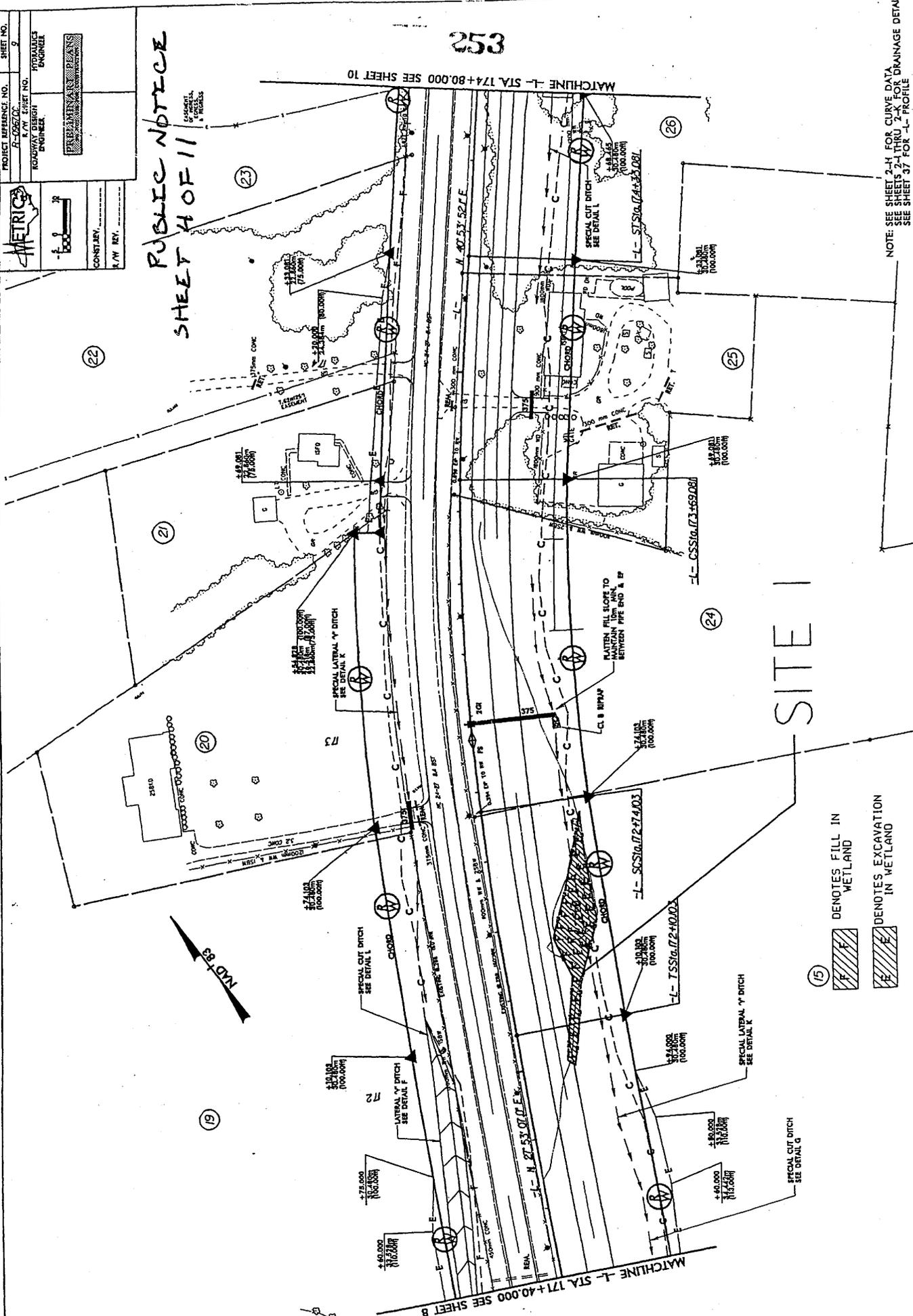
NC 24/27 FROM EAST OF BIG BEAR CREEK TO SR 1963 IN ALBEMARLE

200431291

METRIC	PROJECT REFERENCE NO.	SHEET NO.
	R-05700	9
CONST. DIV.	HYDRAULICS ENGINEER	
	ROADWAY DESIGN ENGINEER	
PREPARED BY: [Signature]		
DATE: [Blank]		

PUBLIC NOTICE
SHEET 4 OF 11

253



SITE I

- (5) [Hatched pattern] DENOTES FILL IN WETLAND
- [Hatched pattern] DENOTES EXCAVATION IN WETLAND

NOTE: SEE SHEET 2-H FOR CURVE DATA
SEE SHEETS 2-K THRU 2-X FOR DRAINAGE DETAILS
SEE SHEET 37 FOR L-L PROFILE

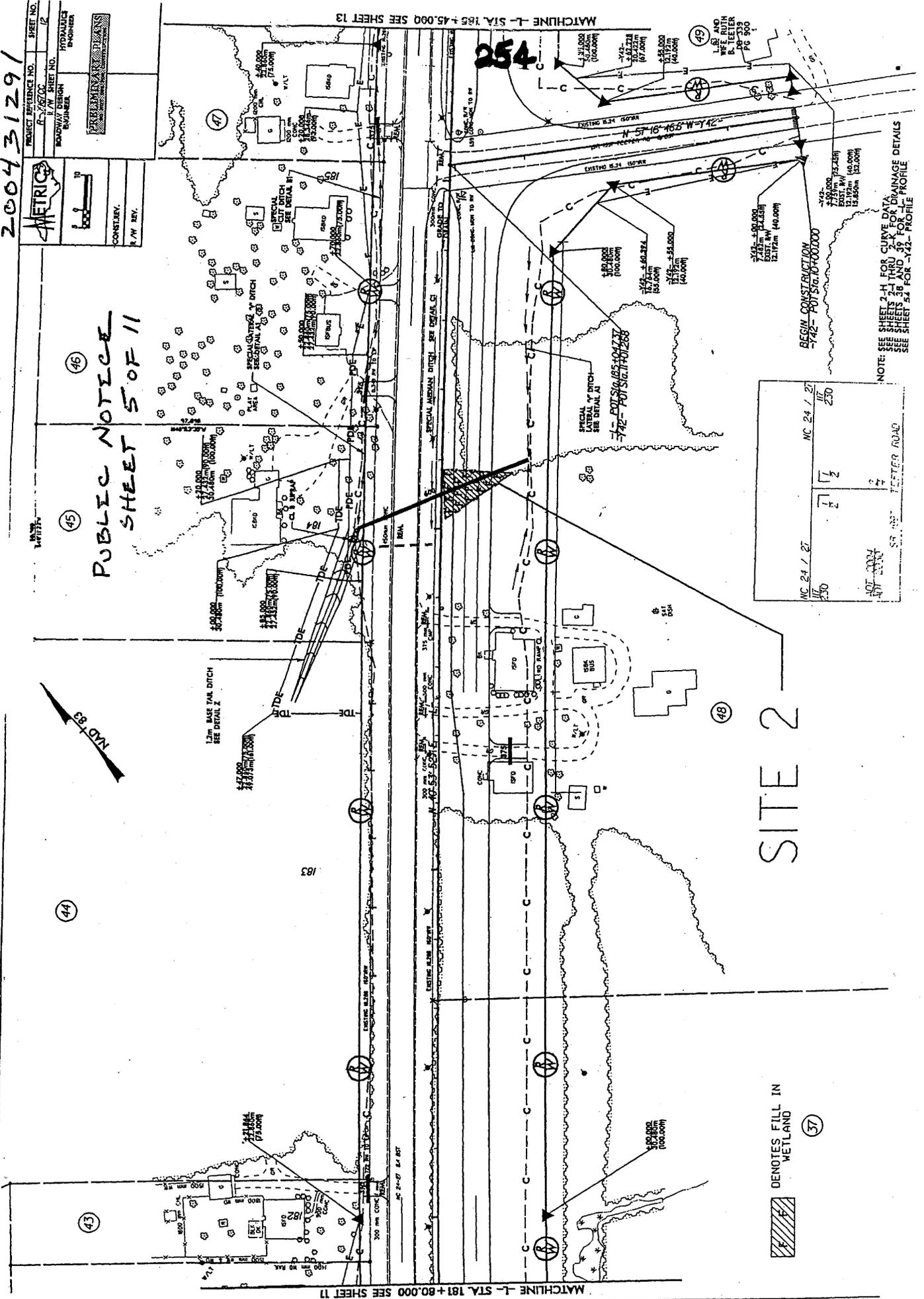
MATCHLINE L- STA. 174+80.000 SEE SHEET 10

MATCHLINE L- STA. 171+40.000 SEE SHEET B

200431291

PROJECT REFERENCE NO. SHEET NO. 12
 ROADWAY DESIGN HYDRAULIC ENGINEER
 METRICS
 CONSULTING ENGINEERS
 CONSULTING ENGINEERS
 S/W REV.

PUBLIC NOTICE SHEET 5 OF 11



NC 24 / 27	NC 24 / 27
250	250
2	2
2	2

STATION LETTER ROAD

 DENOTES FILL IN WETLAND
 (37)

NOTE: SEE SHEET 2-H FOR CURVE DATA. SEE SHEETS 2-I THRU 2-K FOR DRAINAGE DETAILS. SEE SHEET 3-B AND 3-C FOR L-2 PROFILE. SEE SHEET 5-A FOR -142- PROFILE.

MATCHLINE L- STA. 181+80.00 SEE SHEET 11

MATCHLINE L- STA. 185+45.00 SEE SHEET 13

PROJECT REFERENCE NO. R-0870
 ROUTEWAY & CIV. SHEET NO. 7
 HYDRAULIC DESIGN
 ENGINEER

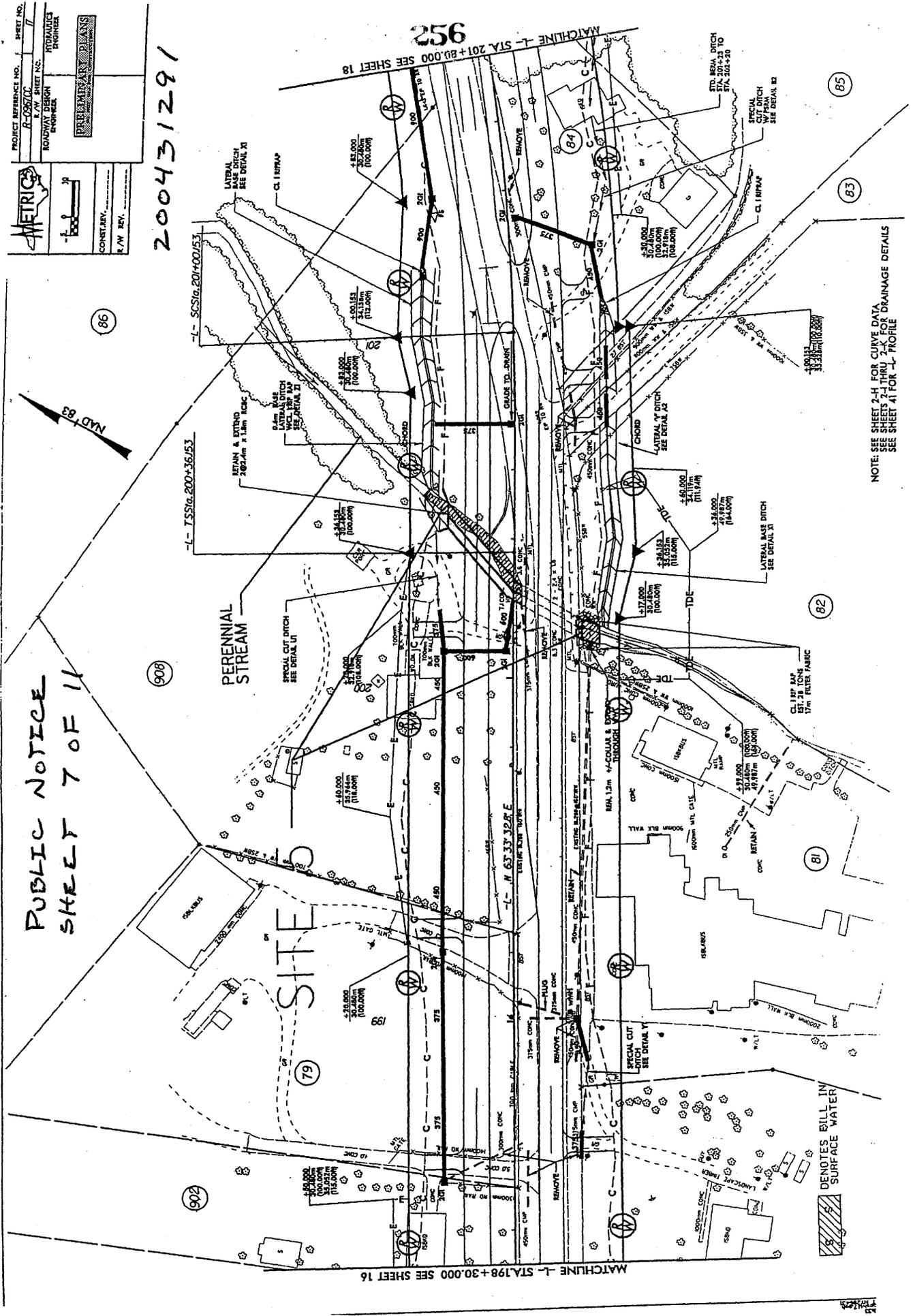
METRIC

CONST. DIV.
 E/W BR.

PRELIMINARY PLANS

200431291

PUBLIC NOTICE
 SHEET 7 OF 11



DENOTES BILL IN SURFACE WATER

200431291

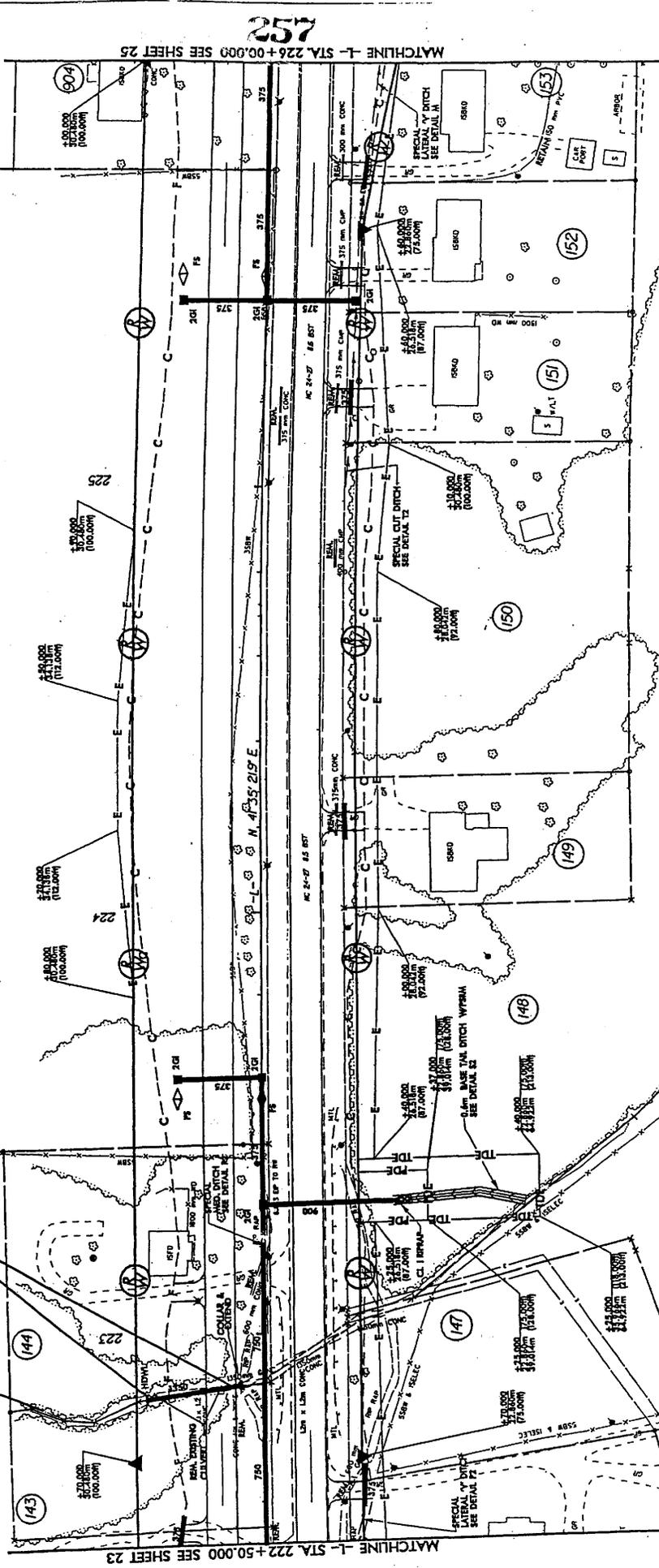
PUBLIC NOTICE SHEET 8 OF 11

SITE 6

INTERMITTENT STREAM



PROJECT REFERENCE NO.	200431291
SHEET NO.	24
DESIGNER	TRC
PROJ. NO.	050700
PROJ. NAME	ROADWAY IMPROVEMENTS
ENGINEER	TRC
DATE	11/11/05
SCALE	AS SHOWN
CONTR. NO.	
R/W REV.	



FILL IN SURFACE WATER

NOTE: SEE SHEETS 2-H FOR CURVE DATA
SEE SHEETS 2-K THRU 2-L FOR DRAINAGE DETAILS
SEE SHEETS 44 AND 45 FOR L-PROFILE

257

MATCHLINE L- STA. 226+00.000 SEE SHEET 25

MATCHLINE L- STA. 222+50.000 SEE SHEET 23

200431291

PROJECT REFERENCE NO.	SHEET NO.
R-052700	25
DATE	BY
10/11/04	JW
DESIGNED BY	CHECKED BY
JW	JW
APPROVED BY	DATE
JW	10/11/04

METRICS

CONTRACT NO. _____

F.Y. REV. _____

DATE _____

BY _____

CHECKED _____

APPROVED _____

SR 1258 - NEWITT ROAD

NC 24 / 27

25

253

ADT 2004

ADT 2000

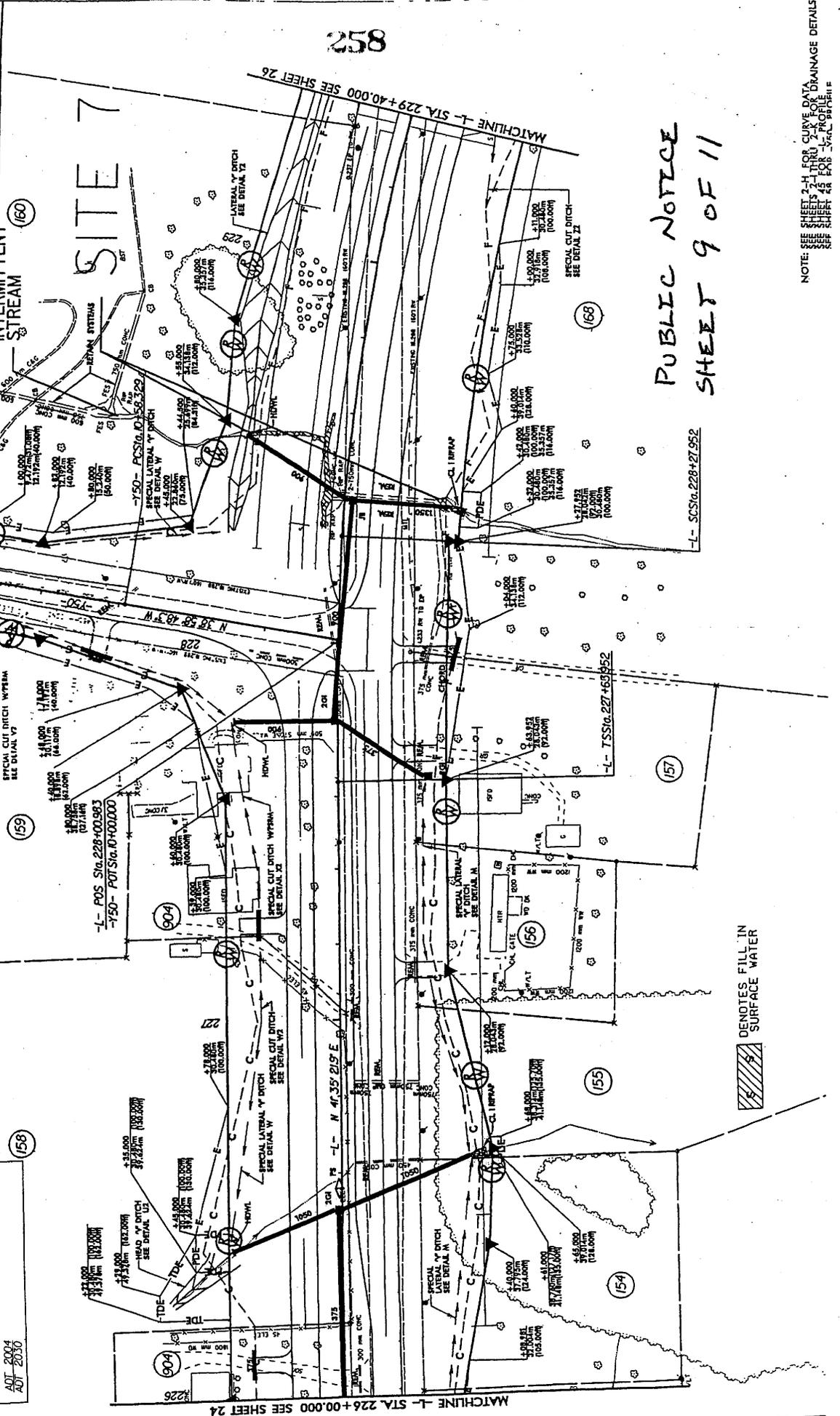
NC 24 / 27

25

253

ADT 2004

ADT 2000



258

PUBLIC NOTICE
SHEET 9 OF 11

NOTE: SEE SHEET 2-H FOR CURVE DATA
SEE SHEETS 2-K THRU 2-L FOR DRAINAGE DETAILS
SEE SHEET 4-G FOR 1/2" PROFILE

