

PROJECT SPECIAL PROVISION

(10-18-95)

Z-1

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.

<u>PERMIT</u>	<u>AUTHORITY GRANTING THE PERMIT</u>
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.

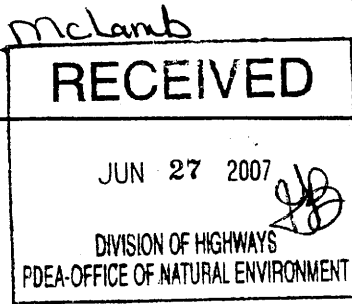
The Contractor's attention is also directed to Articles 107-10 and 107-14 of the *Standard Specifications* and the following:

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.



Michael F. Easley, Governor
William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources
Coleen Sullins, Director
Division of Water Quality



June 19, 2007
Durham County
DWQ Project No. 20071017
Bridge No. 158 on SR 1402
TIP No. B-3169

APPROVAL of NEUSE BUFFER AUTHORIZATION with ADDITIONAL CONDITIONS

Dr. Gregory J. Thorpe, Ph.D., Environmental Management Director
NCDOT PDEA
1598 Mail Service Center
Raleigh, NC 27699-1548

Dear Dr. Thorpe:

You have our approval, in accordance with the conditions listed below, for the following impacts for the purpose of replacing Bridge 158 in Durham County:

Neuse Riparian Buffer Impacts

Site	Zone 1 Impact (sq ft)	minus Wetlands in Zone 1 (sq ft)	= Zone 1 Buffers (not wetlands) (sq ft)	Zone 1 Buffer Mitigation Required (using 3:1 ratio)	Zone 2 Impact (sq ft)	minus Wetlands in Zone 2 (sq ft)	= Zone 2 Buffers (not wetlands) (sq ft)	Zone 2 Buffer Mitigation Required (using 1.5:1 ratio)
1	2,344	0	2,344	N/A	1,013	0	1,013	N/A
Totals	2,344	0	2,344	0	1,013	0	1,013	0

* n/a = Total for Site is less than 1/3 acre and 150 linear feet of impact, no mitigation required

Total Buffer Impact for Project: 3,357 square feet.

The project shall be constructed in accordance with your application dated received June 11, 2007. This approval is valid for the Neuse Riparian Buffer Rules (15A NCAC 2B.0233). In addition, you should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations.

This approval is valid solely for the purpose and design described in your application (unless modified below). Should your project change, you must notify the 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 total wetland fills for this project (now or in the future) exceed one acre, or of total impacts to streams (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed below.

Conditions of Certification:

1. The post-construction removal of any temporary bridge structures must return the project site to its preconstruction contours and elevations. The impacted areas shall be revegetated with appropriate native species.



2. Strict adherence to the most recent version of NCDOT's Best Management Practices For Bridge Demolition and Removal approved by the US Army Corps of Engineers is a condition of this approval.
3. Bridge deck drains should not discharge directly into the stream. Stormwater should be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. Please refer to the most current version of *Stormwater Best Management Practices*.
4. All riparian buffers impacted by the placement of temporary fill or clearing activities shall be restored to the preconstruction contours and revegetated. Maintained buffers shall be permanently revegetated with non-woody species by the end of the growing season following completion of construction. For the purpose of this condition, maintained buffer areas are defined as areas within the transportation corridor that will be subject to regular DOT maintenance activities including mowing. The area with non-maintained buffers shall be permanently revegetated, with native woody species before the next growing season following completion of construction.
5. Pursuant to NCAC15A 2B.0233(6), sediment and erosion control devices shall not be placed in Zone 1 of any Neuse Buffer without prior approval by the NCDWQ. At this time, the NCDWQ has approved no sediment and erosion control devices in Zone 1, outside of the approved project impacts, anywhere on this project. Moreover, sediment and erosion control devices shall be allowed in Zone 2 of the buffers provided that Zone 1 is not compromised and that discharge is released as diffuse flow.
6. All stormwater runoff shall be directed as sheetflow through stream buffers at nonerosive velocities, unless otherwise approved by this certification.
7. If concrete is used during construction, a dry work area should be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete should not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills.
8. 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.
9. The dimension, pattern and profile of the stream above and below the crossing should not be modified. Disturbed floodplains and streams should be restored to natural geomorphic conditions.
10. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.
11. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream.
12. 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.
13. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
14. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.



15. A copy of this Neuse Buffer Approval shall be posted on the construction site at all times. In addition, the Neuse Buffer Approval and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager.
16. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization shall be clearly marked by highly visible fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.
- *17. Upon completion of the project, the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify DWQ when all work included in the approval has been completed.
18. Native riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.
19. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities.
20. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards:
 - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
 - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
 - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
21. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, they shall be removed and the natural grade restored upon completion of the project.



89

Michael F. Easley, Governor
William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources

Coleen Sullins, Director
Division of Water Quality

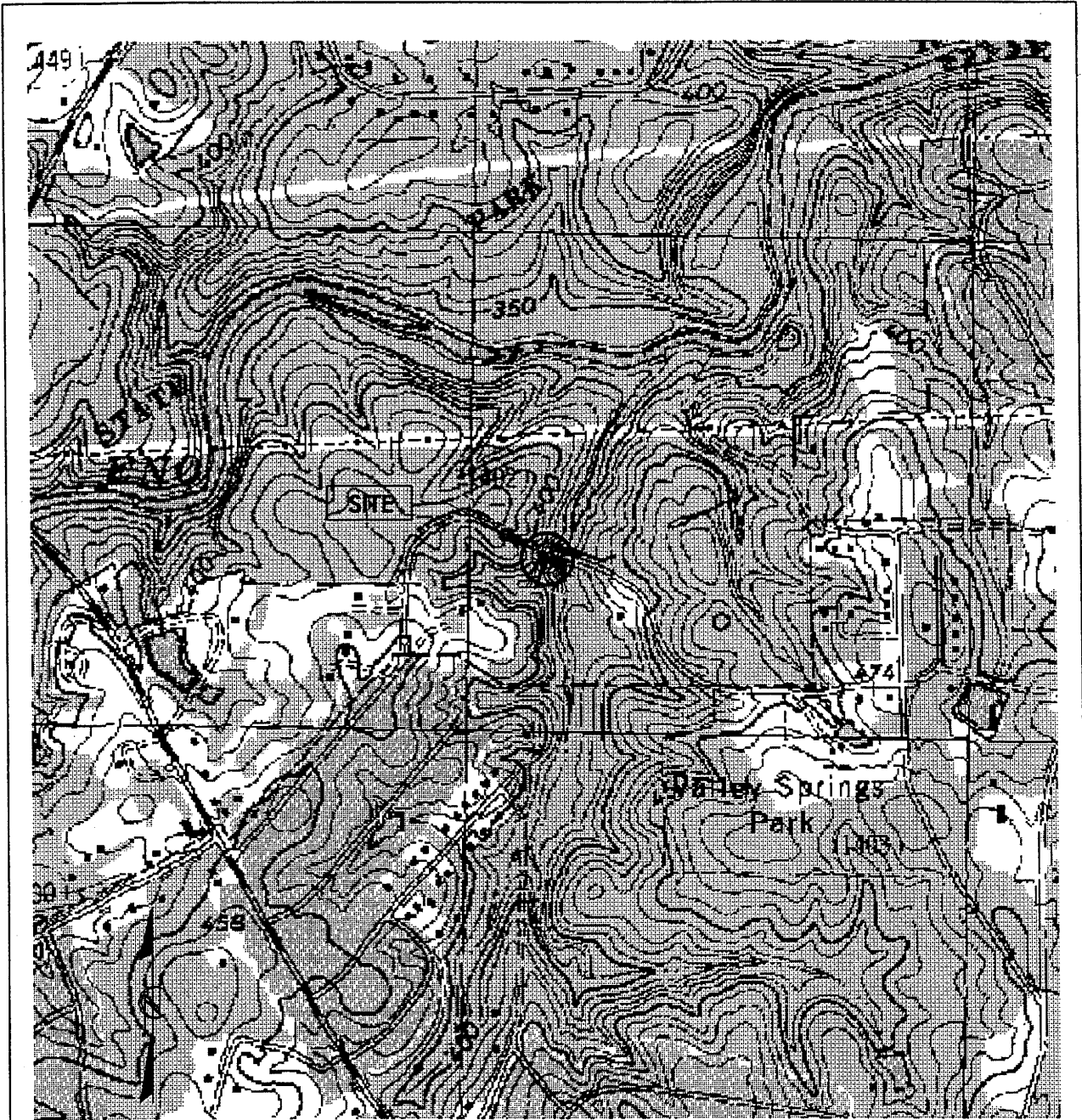
If you do not accept any of the conditions of this certification, you may ask for an adjudicatory hearing. You must act within 60 days of the date that you receive this letter. To ask for a hearing, send a written petition that conforms to Chapter 150B of the North Carolina General Statutes to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699. This certification and its conditions are final and binding unless you ask for a hearing. This letter completes the review of the Division of Water Quality under Section 401 of the Clean Water Act. If you have any questions, please contact Rob Ridings at (919) 733-9817.

Sincerely,

Coleen Sullins
Director

Attachment (Certificate of Completion form)

- cc: Chris Murray, Division 5 Environmental Officer
- Eric Alsmeyer, US Army Corps of Engineers, Raleigh Field Office
- Travis Wilson, NC Wildlife Resources Commission
- Erica McLamb, NCDOT NEU
- DWQ Raleigh Regional Office copy
- File Copy



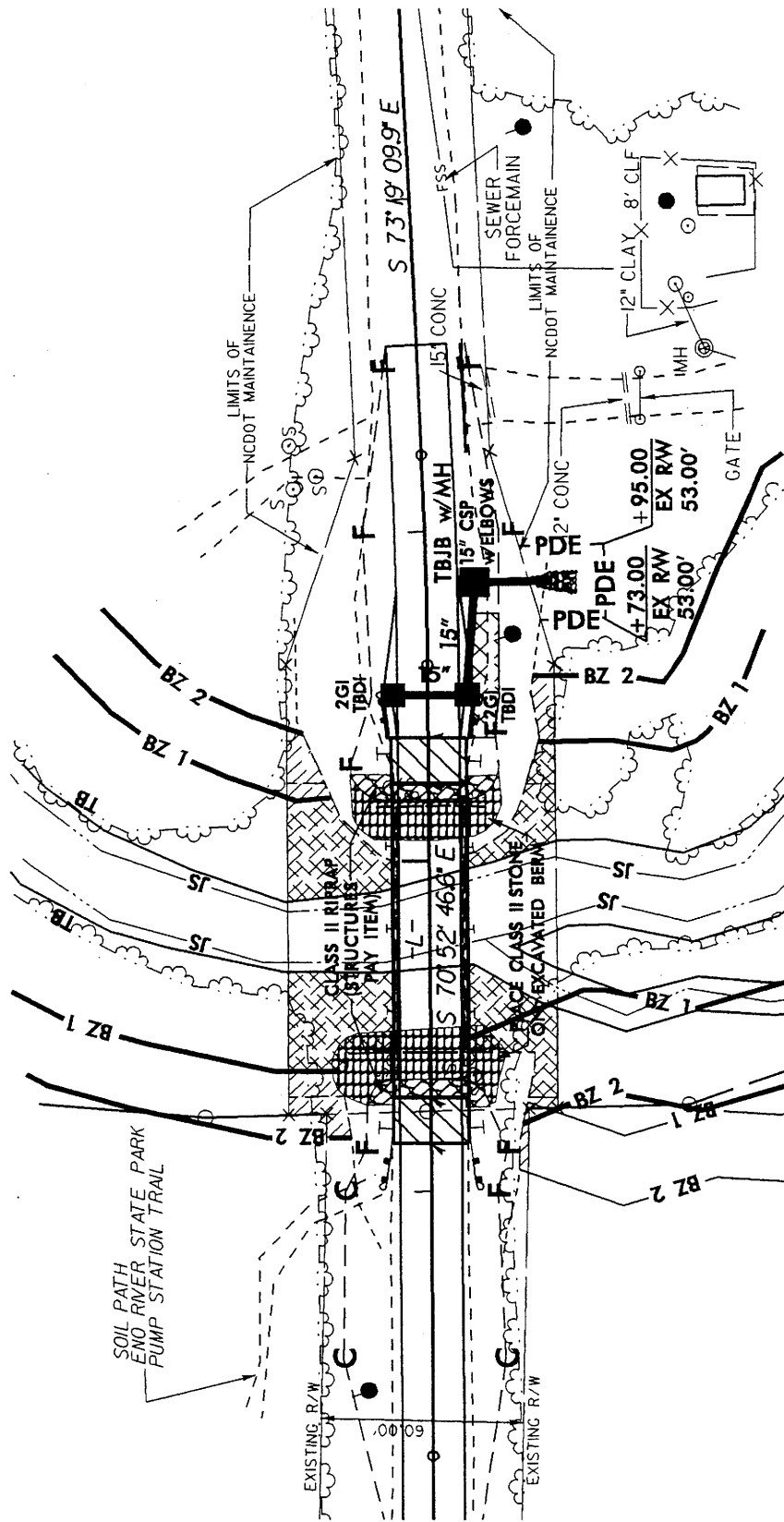
NOT TO SCALE

NEUSE RIVER BUFFER LOCATION MAPS

N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
DURHAM COUNTY

PROJECT: 32906.L1 (B-3169)



BRIDGE NO. 156 ON SR 1402
OVER UT TO ENO RIVER
Buffer Drawing
Sheet 1 of 6



NCDDOT
 DIVISION OF HIGHWAYS
 DURHAM COUNTY
 PROJECT: WBS 52906.1.1 (B-3169)
 BRIDGE NO. 158
 OVER UT TO ENO RIVER

Buffer Drawing
 Sheet 6 of 6

REVISED 03/16/07 08/11/06

-  ALLOWABLE IMPACTS ZONE 1
-  ALLOWABLE IMPACTS ZONE 2

PLAN VIEW

BUFFER IMPACTS SUMMARY

SITE NO.	STRUCTURE SIZE / TYPE	STATION (FROM/TO)	IMPACT						BUFFER REPLACEMENT			
			TYPE		ALLOWABLE		MITIGABLE		ZONE 1 (ft ²)	ZONE 2 (ft ²)		
			ROAD CROSSING	BRIDGE	PARALLEL IMPACT	ZONE 1 (ft ²)	ZONE 2 (ft ²)	TOTAL (ft ²)			ZONE 1 (ft ²)	ZONE 2 (ft ²)
1	Bridge	14+28.50 / 15+23.50		X		2255	549	2804				
1	Roadway Fill	14+15 to 14+28.5										
	UT #1 to Eno River	15+23.5 to 15+56	X			89	427	516				
1	Roadway Fill											
	UT #2 to Eno River	14+07 to 14+20	X				36	36				
TOTAL:									2344	1013	3357	

N.C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS

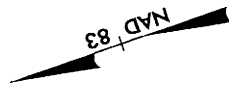
DURHAM COUNTY
PROJECT: 32906.1.1 (B-3169)
BRIDGE NO. 158 OVER UT TO ENO RIVER

4/26/2007

Buffer Drawing
Sheet 3 of 6

PROJECT REFERENCE NO.	B-3169	SHEET NO.	4
ROADWAY DESIGN ENGINEER	INTEGRAL ENGINEER		
INCOMPLETE PLANS DO NOT USE FOR PERMITS PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION			

Buffer Drawing
 Sheet 5 of 6



-L- CURVE DATA

PI STA	PI STA	PI STA	PI STA	PI STA	PI STA
12+040	15+944	18+345	19+823	19+823	19+823
$\Delta = 37.34^\circ$	$\Delta = 25.23^\circ$	$\Delta = 6.49^\circ$	$\Delta = 16.55^\circ$	$\Delta = 16.55^\circ$	$\Delta = 16.55^\circ$
$L = 73.45'$	$L = 39.46'$	$L = 81.37'$	$L = 14.57'$	$L = 14.57'$	$L = 14.57'$
$R = 162.25'$	$R = 146.68'$	$R = 594.07'$	$R = 594.07'$	$R = 594.07'$	$R = 594.07'$
SE = EXIST.	SE = EXIST.	SE = EXIST.	SE = EXIST.	SE = EXIST.	SE = EXIST.
VO = EXIST.	VO = EXIST.	VO = EXIST.	VO = EXIST.	VO = EXIST.	VO = EXIST.

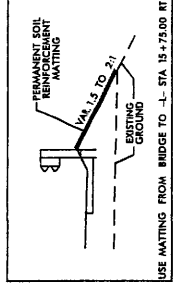
(5)
 O.B. 107' PC 84'
 P.B. 19' PC 84'

(3)
 O.B. 134' PC 319'
 O.B. 7' PC 157'

-L- PC STA 18+54.06
 -L- PT STA 16+23.15
 END TIP PROJECT B-3169
 -L- STA 16+56.30

-L- PC STA 15+50.72
 -L- PT STA 13+21.14
 BEGIN TIP PROJECT B-3169
 -L- STA 13+00.00

(1)
 O.B. 115' PC 319'
 O.B. 15' PC 319'

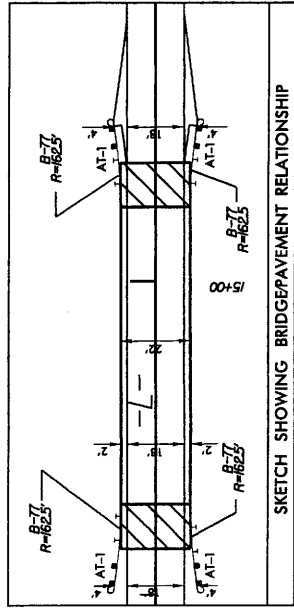


(6)
 O.B. 174' PC 315'
 O.B. 19' PC 315'

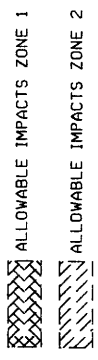
(7)
 O.B. 174' PC 315'
 P.B. 65' PC 315'

(4)
 O.B. 430' PC 319'
 O.B. 7' PC 28'

(2)
 O.B. 81' PC 230'
 O.B. 315' PC 230'
 P.B. 65' PC 230'



-L- PC STA 10+86.64
 -L- PT STA 13+21.14
 -L- PC STA 13+00.00



94

SEE SHEET 5 FOR -L- PROFILE
 SEE SHEET 5-1 THRU 5-4 FOR STRUCTURE TOWNS

PROJECT REFERENCE NO. **B-369** SHEET NO. **4**

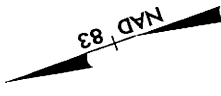
DESIGNED BY **W. W. WILSON** ENGINEER

CHECKED BY **W. W. WILSON** ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR CONSTRUCTION

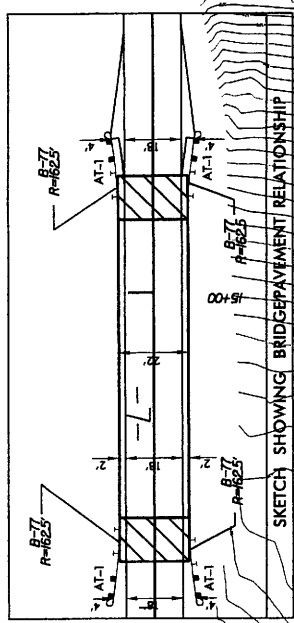
PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

Buffer Drawing
Sheet 0 of 0



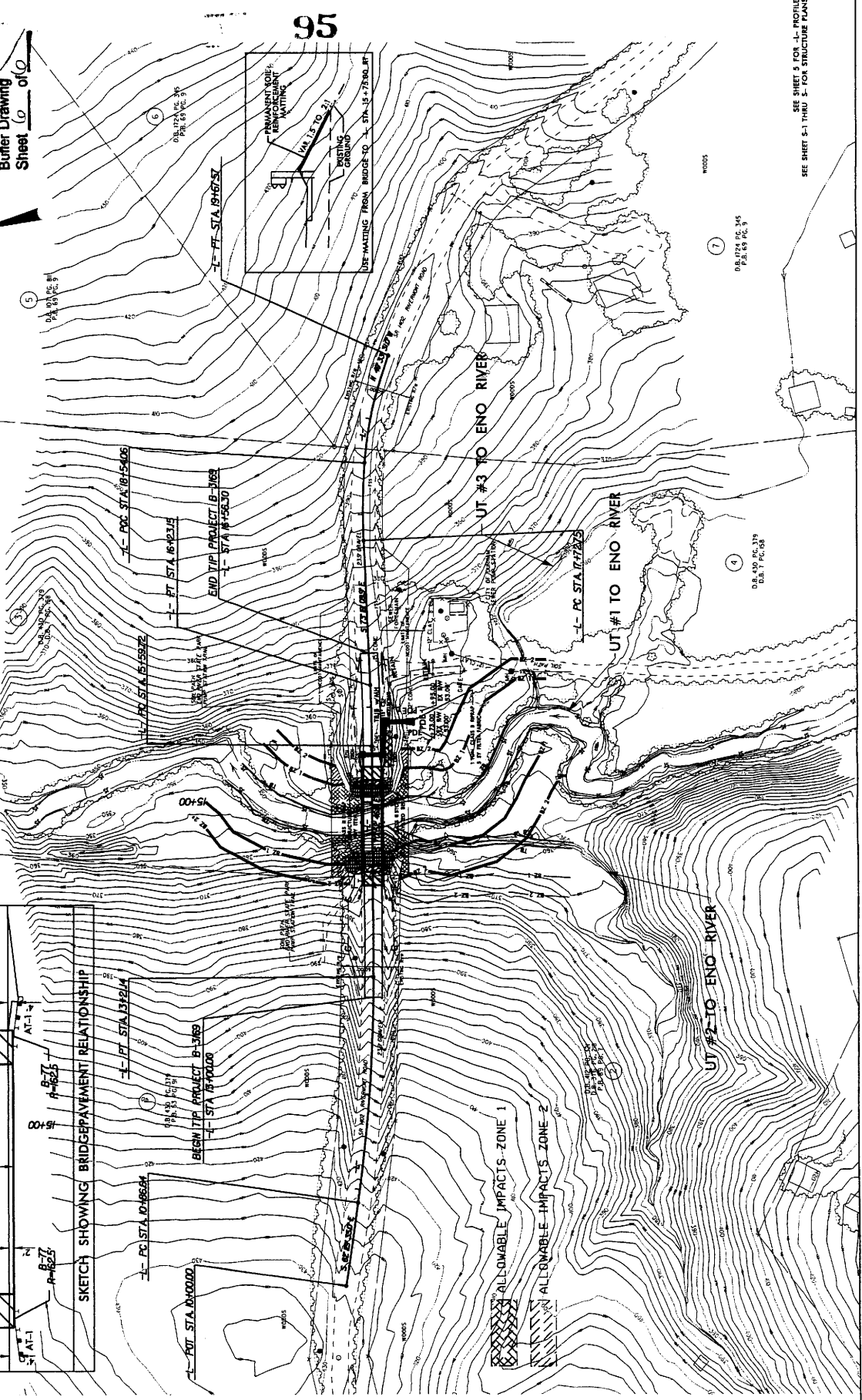
-L- CURVE DATA

PI SH	EA	IA	EA	IA	EA	IA	EA	IA	EA	IA	EA	IA
6234.50	117.60	234.50	3.34	35.1	6234.50	117.60	234.50	3.34	35.1	6234.50	117.60	234.50
117.60	3.34	35.1	6234.50	117.60	3.34	35.1	6234.50	117.60	3.34	35.1	6234.50	117.60
3.34	35.1	6234.50	117.60	3.34	35.1	6234.50	117.60	3.34	35.1	6234.50	117.60	3.34
35.1	6234.50	117.60	3.34	35.1	6234.50	117.60	3.34	35.1	6234.50	117.60	3.34	35.1
6234.50	117.60	3.34	35.1	6234.50	117.60	3.34	35.1	6234.50	117.60	3.34	35.1	6234.50



REVISIONS

NO.	DESCRIPTION



SEE SHEET 5 FOR -L- PROFILE
SEE SHEET 5-1 THRU 5-4 FOR STRUCTURE PLANS