

**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.

<b><u>PERMIT</u></b>	<b><u>AUTHORITY GRANTING THE PERMIT</u></b>
State Dredge and Fill and/or CAMA	Division of Coastal Management, DENR State of North Carolina
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.**



CAMA /  DREDGE & FILL  
**GENERAL PERMIT**

100

No 51292

New  Modification  Complete Reissue  Partial Reissue

Previous permit # \_\_\_\_\_  
 Date previous permit issued \_\_\_\_\_

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to 15A NCAC

07H.2300

Applicant Name NC DOT  
 Address P.O. Box 1587  
 City Greenville State NC ZIP 27835  
 Phone # (252) 830-3490 Fax # ( )  
 Authorized Agent Jay Johnson

Project Location: County Pamlico  
 Street Address/ State Road/ Lot #(s) NC 304, Bridge No. 31  
 Subdivision -  
 City Bayboro, NC ZIP 28515  
 Phone # ( ) River Basin Newse  
 Adj. Wtr. Body Vandevore Creek (nat/man/unkn)  
 Closest Maj. Wtr. Body Bay River

Affected  CW  EW  PTA  ES  PTS  
 AEC(s):  OEA  HHF  IH  UBA  N/A  
 PWS:  FC:

ORW: yes /  no PNA yes /  no Crit.Hab. yes / no

Type of Project/ Activity Construct a 33' X 120' bridge to replace an existing 28' X 87' bridge. (Scale: N/A)

Pier (dock) length	
Platform(s)	
Finger pier(s)	
Groin length number	
Bulkhead/ Riprap length avg distance offshore	
max distance offshore	
Basin, channel cubic yards	
Boat ramp	
Boathouse/ Boatlift	
Beach Bulldozing	
Other <u>33' X 120' bridge</u>	
Shoreline Length <u>80'</u>	
SAY: not sure yes <input checked="" type="radio"/> no	
Sandbags: not sure yes <input checked="" type="radio"/> no	
Moratorium: n/a <input checked="" type="radio"/> yes <input type="radio"/> no	
Photos: <input checked="" type="radio"/> yes <input type="radio"/> no	
Waiver Attached: yes <input checked="" type="radio"/> no	

Bridge Plans Attached  
and Incorporated into Permit.

A building permit may be required by: Pamlico County  See note on back regarding River Basin rules.

Notes/ Special Conditions 1 No in-water work is allowed between April 1 - September 30 of any year. 2 Turbidity curtains shall be utilized during all in-water work. 3 Measures in place to restrain erosion and sedimentation shall be implemented in accordance with BMPs.

Agent or Applicant Printed Name Jay Johnson  
 Signature Jay Johnson \*\* Please read compliance statement on back of permit \*\*  
 Application Fee(s) \$400.00 WBS # 42287.1.1  
 Check # \_\_\_\_\_

Permit Officer's Signature Stephen Lane  
 Issuing Date 5-29-09  
 Local Planning Jurisdiction Pamlico County  
 Expiration Date No Expiration Date  
 Rover File Name X042816A

**Statement of Compliance and Consistency**

This permit is subject to compliance with this application, site drawing and attached general and specific conditions. Any violation of these terms may subject the permittee to a fine or criminal or civil action; and may cause the permit to become null and void.

This permit must be on the project site and accessible to the permit officer when the project is inspected for compliance. The applicant certifies by signing this permit that 1) prior to undertaking any activities authorized by this permit, the applicant will confer with appropriate local authorities to confirm that this project is consistent with the local land use plan and all local ordinances, and 2) a written statement or certified mail return receipt has been obtained from the adjacent riparian landowner(s).

The State of North Carolina and the Division of Coastal Management, in issuing this permit under the best available information and belief, certify that this project is consistent with the North Carolina Coastal Management Program.

**River Basin Rules Applicable To Your Project:**

- Tar - Pamlico River Basin Buffer Rules
- Neuse River Basin Buffer Rules
- Other: \_\_\_\_\_

If indicated on front of permit, your project is subject to the Environmental Management Commission's Buffer Rules for the River Basin checked above due to its location within that River Basin. These buffer rules are enforced by the NC Division of Water Quality. Contact the Division of Water Quality at the Washington Regional Office (252-946-6481) or the Wilmington Regional Office (910-796-7215) for more information on how to comply with these buffer rules.

**Division of Coastal Management Offices**

**Raleigh Office**

Mailing Address:  
1638 Mail Service Center  
Raleigh, NC 27699-1638

Location:  
2728 Capital Blvd.  
Raleigh, NC 27604  
919-733-2293  
Fax: 919-733-1495

**Morehead City Headquarters**

400 Commerce Ave  
Morehead City, NC 28557  
252-808-2808/ 1-888-4RCOAST  
Fax: 252-247-3330  
(Serves: Carteret, Craven, Onslow -above  
New River Inlet- and Pamlico Counties)

**Elizabeth City District**

1367 U.S. 17 South  
Elizabeth City, NC 27909  
252-264-3901  
Fax: 252-264-3723  
(Serves: Camden, Chowan, Currituck,  
Dare, Gates, Pasquotank and Perquimans  
Counties)

**Washington District**

943 Washington Square Mall  
Washington, NC 27889  
252-946-6481  
Fax: 252-948-0478  
(Serves: Beaufort, Bertie, Hertford, Hyde,  
Tyrrell and Washington Counties)

**Wilmington District**

127 Cardinal Drive Ext.  
Wilmington, NC 28405-3845  
910-796-7215  
Fax: 910-395-3964  
(Serves: Brunswick, New Hanover,  
Onslow -below New River Inlet- and  
Pender Counties)



North Carolina Department of Environment and Natural Resources  
Division of Water Quality

Beverly Eaves Perdue  
Governor

Coleen H. Sullins  
Director

Dee Freeman  
Secretary

June 29, 2009  
Pamlico County  
B-5129B  
DWQ Project No. 20090471

**APPROVAL of 401 WATER QUALITY CERTIFICATION and TAR-PAMLICO RIVER BUFFER AUTHORIZATION with ADDITIONAL CONDITIONS**

Mr. Jay Johnson  
North Carolina Department of Transportation  
P.O. Box 1587  
Greenville, NC 27835

Dear Mr. Johnson:

You have our approval, in accordance with the attached conditions and those listed below, for the following impacts:

Site Number	Stream Fill (acres)	Wetlands Fill (acres)	Buffer Zone 1 (sq ft)	Buffer Zone 2 (sq ft)
Pamlico 31	0.005	0.008	1,461	474
Net Total Impacts			1,935	

The project shall be constructed in accordance with your application dated received April 28, 2009 for the purpose of replacing Bridge Number 31 over Vandemere Creek on NC 304 in Pamlico County. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 3687. This certification corresponds to Nationwide Permit 3 issued by the Corps of Engineers. This approval is also valid for the Tar-Pamlico River Buffer Rules (15A NCAC 2B .0259). 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 will expire with the accompanying 404 permit issued by the US Army Corps of Engineers.

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 total impacts to streams or buffers (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed in the attached certification.

- \* 1.) Upon completion of the project, the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.

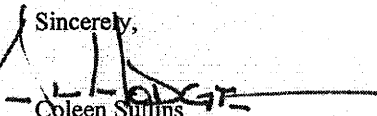


- 2.) The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If NCDWQ determines 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, NCDWQ may reevaluate and modify this certification.
- 3.) 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.
- 4.) 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.
- 5.) 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.
- 6.) 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.
- 7.) The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage.
- 8.) Heavy equipment must be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into the stream.
- 9.) 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.
- 10.) No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
- 11.) Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
- 12.) All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification.

- 13.) 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.
- 14.) Native riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction
- 15.) 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.
- 16.) 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 the 401 Water Quality Certification.
- 17.) Bridge deck drains should not discharge directly into the stream. Stormwater shall 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*.
- 18.) A copy of this Water Quality Certification shall be posted on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager.

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

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 Garcy Ward at (252) 948-3922.

Sincerely,  
  
for Coleen Sullivan  
Director, Division of Water Quality

Attachment

cc: Wilmington District Corps of Engineers  
Mr. William Wescott, US Army Corps of Engineers, Washington Field Office  
Ms. Sonia Gregory, NC DWQ, 401/Wetlands Unit  
Mr. Stephen Lane, DCM, Morehead City  
File copy

# Water Quality Certification N<sup>o</sup>. 3687 105

**GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT NUMBERS: 3 (MAINTENANCE), 4 (FISH AND WILDLIFE HARVESTING, ENHANCEMENT, AND ATTRACTION DEVICES AND ACTIVITIES), 5 (SCIENTIFIC MEASUREMENT DEVICES—25 CUBIC YARDS FOR WEIRS AND FLUMES), 6 (SURVEY ACTIVITIES—25 CUBIC YARDS FOR TEMPORARY PADS), 7 (OUTFALL STRUCTURES AND ASSOCIATED INTAKE STRUCTURES), 19 (MINOR DREDGING), 20 (OIL SPILL CLEANUP), 22 (REMOVAL OF VESSELS), 25 (STRUCTURAL DISCHARGE), 30(MOIST SOIL MANAGEMENT FOR WILDLIFE), 32 (COMPLETED ENFORCEMENT ACTIONS), 36 (BOAT RAMPS (IN NONWETLAND SITES)), AND REGIONAL PERMIT 197800056 (PIERS, DOCKS AND BOATHOUSES), AND REGIONAL PERMIT 197800125 (BOAT RAMPS) AND RIPARIAN AREA PROTECTION RULES (BUFFER RULES)**

Water Quality Certification Number 3687 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 .0200 for the discharge of fill material to waters and wetland areas which are waters of the United States as described in 33 CFR 330 Appendix A (B) (3, 4, 5, 6, 7, 19, 20, 22, 25, 30, 32, and 36) of the Corps of Engineers regulations and Regional Permits 197800056 and 19780125 and for the Riparian Area Protection Rules (Buffer Rules) in 15A NCAC 2B .0200.

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.

**Activities meeting any one (1) of the following thresholds or circumstances require *written approval* for a 401 Water Quality Certification from the Division of Water Quality (the "Division"):**

- a. Impacts equal or greater than 40 linear feet of additional permanent stream impact at an existing stream crossing location, or
- b. Temporary or permanent impacts equal to or exceeding: one-third (1/3) acre of wetlands East of Interstate-95, or one-tenth (1/10) of acre of wetlands West of Interstate-95; or
- c. Any impact associated with a Notice of Violation or an enforcement action initiated by the Division and/or the Division of Land Resources; or
- d. Projects with any impacts to streams, wetlands, and/or waters that have received a Notice of Violation from the Division and/or Division of Land Resources; or
- e. Any impacts to streams and/or buffers in the Neuse, Tar-Pamlico, Randleman and Catawba River Basins (or any other basins with Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) *unless* the activities are listed as "EXEMPT" from these Rules.

**\*** In accordance with North Carolina General Statute Section 143-215.3D(e), written approval for a 401 Water Quality General Certification must include the appropriate fee. If a project also requires a CAMA Permit, then one payment to both agencies shall be submitted and will be the higher of the two fees.

**Activities included in this General Certification and below the thresholds listed above *do not* require written approval from the Division of Water Quality as long as they comply with the Conditions of Certification listed below. If any of these Conditions cannot be met, written approval from the Division is required.**

# Water Quality Certification N<sup>o</sup>. 3687 106

## Conditions of Certification:

### 1. No Impacts Beyond Those Authorized for this General Certification

No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the thresholds established for use of this General Certification, or beyond the footprint of the impacts authorized in the written approval, including incidental impacts. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur.

### 2. Standard Erosion and Sediment Control Practices

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:

- a. 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.
- 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. Reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.
- d. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times, except for publicly funded linear transportation projects when materials can be accessed offsite in a timely manner.
- e. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), Trout (Tr), SA, WS-I, WS-II, High Quality (HQW), or Outstanding Resource (ORW) waters, then the sediment and erosion control requirements contained within *Design Standards in Sensitive Watersheds* (15A NCAC 04B .0124) supercede all other sediment and erosion control requirements.

### 3. No Sediment and Erosion Control Measures in Wetlands or Waters

Sediment and erosion control measures should not be placed in wetlands or waters outside of the permitted impact areas without prior approval from the Division. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then the design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. All sediment and erosion control devices shall be removed and the natural grade restored within two (2) months of the date that the Division of Land Resources or locally delegated program has released the project.

### 4. Construction Stormwater Permit NCG010000

Upon the approval of an Erosion and Sedimentation Control Plan issued by the Division of Land Resources (DLR) or a DLR delegated local erosion and sedimentation control program, an NPDES General stormwater permit (NCG010000) administered by the Division is automatically issued to the project. This General Permit allows stormwater to be discharged during land disturbing construction activities as stipulated by conditions in the permit. If the

# Water Quality Certification N<sup>o</sup>. 3687 **107**

activity is covered by this permit [applicable to construction projects that disturb one (1) or more acres], full compliance with permit conditions including the sedimentation control plan, self-monitoring, record keeping and reporting requirements are required. A copy of this permit and monitoring report forms may be found at [http://h2o.enr.state.nc.us/su/Forms\\_Documents.htm](http://h2o.enr.state.nc.us/su/Forms_Documents.htm).

NCDOT shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) stormwater permit.

## 5. Work in the Dry

All work in or adjacent to stream waters shall be conducted in a dry work area. Approved best management practices from the most current version of the NC Sediment and Erosion Control Manual, or the NC DOT Construction and Maintenance Activities Manual, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require submittal to, and approval by, the Division.

## 6. Construction Moratoriums and Coordination

If activities must occur during periods of high biological activity (i.e. sea turtle or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) to protect trout, anadromous fish, larval/post-larval fishes and crustaceans, or other aquatic species of concern shall be obeyed. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

Work within the twenty-five (25) designated trout counties or identified state or federal endangered or threatened species habitat shall be coordinated with the appropriate WRC, USFWS, NMFS personnel.

## 7. Riparian Area Protection Rules (Buffer Rules)

Activities located in the protected 50-foot wide riparian areas (whether jurisdictional wetlands or not) within the Neuse, Tar-Pamlico, Randleman, Catawba (or any other basin with buffer rules), shall be limited to "uses" identified within and constructed in accordance with 15A NCAC 2B .0233, .0259, .0250, and .0243, and 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. All riparian area protection rule requirements, including diffuse flow requirements, must be met.

## 8. Water Supply Watershed Buffers

The 100-foot wide (high-density development) or the 30-foot wide vegetative buffer (all other development) must be maintained adjacent to all perennial waters except for allowances as provided in the Water Supply Watershed Protection Rules [15A NCAC 2B .0212 through .0215].

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## 9. Placement of Culverts and Other Structures in Waters and Wetlands

The application must include construction plans with cross-sectional details in order to indicate that the current stability of the stream will be maintained or enhanced (i.e., not result in head cuts).

Culverts required for this project shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Placement of culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life, unless otherwise justified and approved by the Division.

Installation of culverts in wetlands must ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. 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 destabilization of streams or wetlands.

Any rip rap required for normal pipe burial and stabilization shall be buried such that the original stream elevation is restored and maintained.

The establishment of native, woody vegetation and other soft stream bank stabilization techniques must be used where practicable instead of rip-rap or other bank hardening methods.

10. If concrete is used during the construction, then 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/fish kills.
11. Applications for riprap groins proposed in accordance with 15A NCAC 07H .1401 (NC Division of Coastal Management General Permit for construction of Wooden and Riprap Groins in Estuarine and Public Trust Waters) must meet all the specific conditions for design and construction specified in 15A NCAC 07H .1405.

## 12. Temporary Fills and/or Access Roads

All temporary fill and culverts shall be removed and the impacted area returned to the original grade, including each stream's original cross sectional dimensions, plan form pattern, and longitudinal bed and bed profile after construction is complete or within two (2) months of the establishment of the crossing, whichever is sooner, and the various sites shall be stabilized with natural woody vegetation (except for the maintenance areas of permanent utility crossings) and restored to prevent erosion. If the crossings are not completely removed and restored as described above within the specified time above, then written approval from the Division must be obtained to modify this condition.



# Water Quality Certification N<sup>o</sup>. 3687 109

13. For activities requiring written approval, additional site-specific conditions may be added to the approval letter in order to ensure compliance with all applicable water quality and effluent standards.

## \* 14. Certificate of Completion

When written authorization is required for use of this certification, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return the certificate of completion attached to the approval. One copy of the certificate shall be sent to the DWQ Central Office in Raleigh at 1650 Mail Service Center, Raleigh, NC, 27699-1650.

## \* 15. If an environmental document is required under NEPA or SEPA, then this General Certification is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse.

16. This General Certification shall expire three (3) years from the date of issuance of the written approval or on the same day as the expiration date of these corresponding Nationwide and Regional General Permits. In accordance with General Statute 136-44.7B, certifications issued to the NCDOT shall expire only upon expiration of the federal 404 Permit. The conditions in effect on the date of issuance of Certification for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Certification. If the construction process for approved activities will overlap the expiration and renewal date of the corresponding 404 Permit and the Corps allows for continued use of the 404 Permit, then the General Certification shall also remain in effect without requiring re-application and re-approval to use this Certification for the specific impacts already approved.

17. The applicant/permittee and their authorized agents shall conduct all 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 and Federal Law. If the Division determines that such standards or laws are not being met, including 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, then the Division may reevaluate and modify this General Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth by a specific fill project shall result in revocation of this General Certification for the project and may result in criminal and/or civil penalties.

The Director of the North Carolina Division of Water Quality may require submission of a formal application for Individual Certification for any project in this category of activity if it is determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or degrade the waters so that existing uses of the wetland or downstream waters are precluded.

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

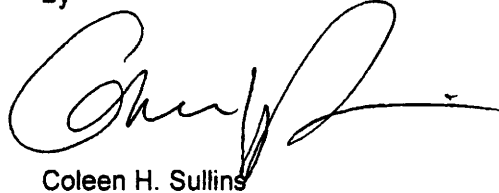
# Water Quality Certification N<sup>o</sup>. 3687

I **110**

Effective date: November 1, 2007

DIVISION OF WATER QUALITY

By



Coleen H. Sullins

Director

*History Note: Water Quality Certification Number 3687 replaces Water Quality Certification Number 3376 issued on March 18, 2002, Water Quality Certification Number 3494 issued December 31, 2004, and Water Quality Certification Number 3624 issued March 2007. This General Certification is rescinded when the Corps of Engineers re-authorizes any of these Nationwide or Regional Permits or when deemed appropriate by the Director of the Division of Water Quality.*



### CERTIFICATE OF COMPLETION

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

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

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 Transportation Permitting 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 \_\_\_\_\_

PROJECT No. B-5129B

WBS No. 42287.11

DATE: 1-19-2009

ROAD: NC 304

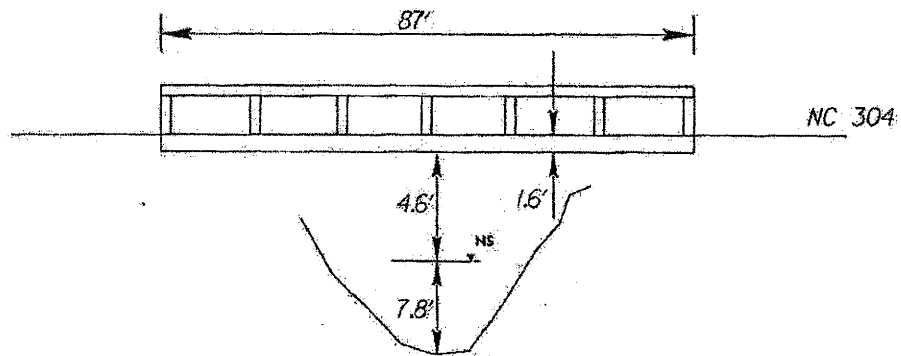
ROAD NAME: NC 304 OVER  
VANDEMERE CREEK

COUNTY: PAMLICO

**CROSS SECTION  
OF BRIDGE No. 31**

**EXISTING BRIDGE**

**SPANS: 1@17'-8"; 1@17'-2"; 1@16'-10";  
1@17'-3"; 1@18'-1"**



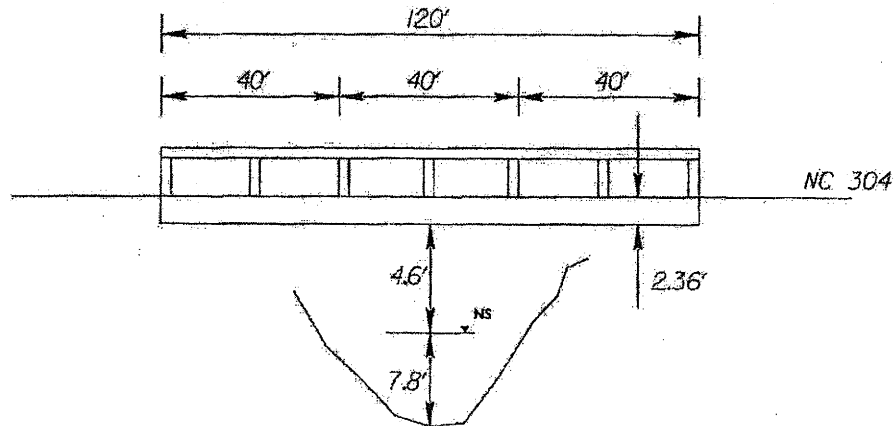
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**PROPOSED 21" CONCRETE CORED SLAB**

**PROPOSED LENGTH: 3 @ 40'**

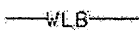
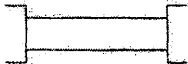
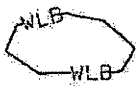
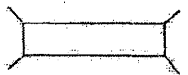
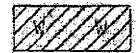


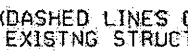
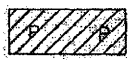

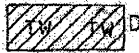
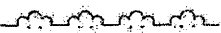


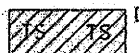
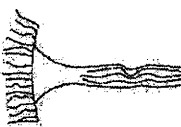


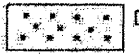

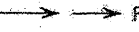

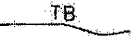
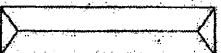
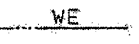



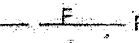


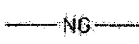
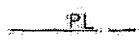
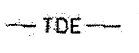
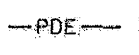
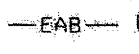
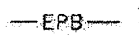
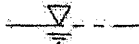
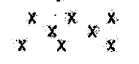



**33' CLEAR ROADWAY**

**NO DECK DRAINS ALLOWED**



NOT TO SCALE

# LEGEND

 WLB	WETLAND BOUNDARY		PROPOSED BRIDGE
	WETLAND		PROPOSED BOX CULVERT
	DENOTES FILL IN WETLAND		PROPOSED PIPE CULVERT
	DENOTES FILL IN SURFACE WATER		(DASHED LINES DENOTE EXISTING STRUCTURES)
	DENOTES FILL IN SURFACE WATER (POND)		SINGLE TREE
	DENOTES TEMPORARY FILL IN WETLAND		WOODS LINE
	DENOTES EXCAVATION IN WETLAND		DRAINAGE INLET
	DENOTES TEMPORARY FILL IN SURFACE WATER		ROOTWAD
	DENOTES HAND CLEARING		RIP RAP
	DENOTES MECHANIZED CLEARING		ADJACENT PROPERTY OWNER OR PARCEL NUMBER IF AVAILABLE
	FLOW DIRECTION		PREFORMED SCOUR HOLE
	TOP OF BANK		LEVEL SPREADER (LS)
	EDGE OF WATER		DITCH / GRASS SWALE
	PROP. LIMIT OF CUT		DENOTES IMPACTS TO BUFFER ZONE 1
	PROP. LIMIT OF FILL		DENOTES IMPACTS TO BUFFER ZONE 2
	PROP. RIGHT OF WAY		
	NATURAL GROUND		
	PROPERTY LINE		
	TEMP. DRAINAGE EASEMENT		
	PERMANENT DRAINAGE EASEMENT		
	EXIST. ENDANGERED ANIMAL BOUNDARY		
	EXIST. ENDANGERED PLANT BOUNDARY		
	WATER SURFACE		
	LIVE STAKES		
	Boulder		
	CORE FIBER ROLLS		
	DENOTES AREA TO BE EXCAVATED		

**NCDOT**  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-5129B  
 WBS NUMBER: 42287.1.1  
 REPLACE BRIDGE #31  
 ON NC 304 OVER  
 VANDEMERE CREEK  
 SHEET 5 OF 8 1/19/09











CAMA /  DREDGE & FILL  
**GENERAL PERMIT**

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No 51293

New  Modification  Complete Reissue  Partial Reissue

Previous permit # \_\_\_\_\_  
Date previous permit issued \_\_\_\_\_

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to 15A NCAC

07H. 2300

Applicant Name NC DOT  
Address P.O. Box 1587  
City Greenville State NC ZIP 27835  
Phone # (252) 830-3490 Fax # \_\_\_\_\_  
Authorized Agent Jay Johnson

Project Location: County Pamlico  
Street Address/ State Road/ Lot #(s) NC 304  
Bridge 35  
Subdivision \_\_\_\_\_  
City Bayboro, NC ZIP 28515  
Phone # (\_\_\_\_) \_\_\_\_\_ River Basin Neuse  
Adj. Wtr. Body Little Vandemere Creek (nat/man/unkn)  
Closest Maj. Wtr. Body Bay River

Affected  CW  EW  PTA  ES  PTS  
AEC(s):  OEA  HHF  IH  UBA  N/A  
 PWS: \_\_\_\_\_  IFC: \_\_\_\_\_

ORW: yes /  no PNA  yes / no Crit.Hab. yes / no

Type of Project/ Activity Construct a 33' X 85' bridge to replace an existing 28' X 53' bridge. (Scale: N/A)

- Pier (dock) length \_\_\_\_\_
- Platform(s) \_\_\_\_\_
- Finger pier(s) \_\_\_\_\_
- Groin length \_\_\_\_\_  
number \_\_\_\_\_
- Bulkhead/ Riprap length \_\_\_\_\_  
avg distance offshore \_\_\_\_\_  
max distance offshore \_\_\_\_\_
- Basin, channel \_\_\_\_\_  
cubic yards \_\_\_\_\_
- Boat ramp \_\_\_\_\_
- Boathouse/ Boatlift \_\_\_\_\_
- Beach Bulldozing \_\_\_\_\_
- Other 33' X 85' bridge

Bridge Plans Attached  
and Incorporated into Permit.

Shoreline Length 100'  
SAY: not sure yes  no   
Sandbags: not sure yes  no   
Moratorium: n/a  no   
Photos:  no   
Waiver Attached: yes  no

A building permit may be required by: Pamlico County  See note on back regarding River Basin rules.  
Notes/ Special Conditions 1 No in-water work is allowed between April 1-September 30 of any year. 2 Turbidity curtains shall be utilized during all in-waterwork. 3 Measures sufficient to restrain erosion and sedimentation shall be implemented in accordance with BMPs.

Agent or Applicant Printed Name Jay Johnson  
Signature Jay Johnson Please read compliance statement on back of permit \*\*  
Application Fee(s) \$400.00 WBS # 42287.1.1  
Check # \_\_\_\_\_

Permit Officer's Signature Stephen Lane  
Issuing Date 5-29-09 No Expiration Date  
Local Planning Jurisdiction Pamlico County Expiration Date X042816B  
Rover File Name \_\_\_\_\_

**Statement of Compliance and Consistency**

This permit is subject to compliance with this application, site drawing and attached general and specific conditions. Any violation of these terms may subject the permittee to a fine or criminal or civil action; and may cause the permit to become null and void.

This permit must be on the project site and accessible to the permit officer when the project is inspected for compliance. The applicant certifies by signing this permit that 1) prior to undertaking any activities authorized by this permit, the applicant will confer with appropriate local authorities to confirm that this project is consistent with the local land use plan and all local ordinances, and 2) a written statement or certified mail return receipt has been obtained from the adjacent riparian landowner(s).

The State of North Carolina and the Division of Coastal Management, in issuing this permit under the best available information and belief, certify that this project is consistent with the North Carolina Coastal Management Program.

**River Basin Rules Applicable To Your Project:**

Tar - Pamlico River Basin Buffer Rules

Other: \_\_\_\_\_

Neuse River Basin Buffer Rules

If indicated on front of permit, your project is subject to the Environmental Management Commission's Buffer Rules for the River Basin checked above due to its location within that River Basin. These buffer rules are enforced by the NC Division of Water Quality. Contact the Division of Water Quality at the Washington Regional Office (252-946-6481) or the Wilmington Regional Office (910-796-7215) for more information on how to comply with these buffer rules.

**Division of Coastal Management Offices****Raleigh Office**

Mailing Address:  
1638 Mail Service Center  
Raleigh, NC 27699-1638

Location:  
2728 Capital Blvd.  
Raleigh, NC 27604  
919-733-2293  
Fax: 919-733-1495

**Morehead City Headquarters**

400 Commerce Ave  
Morehead City, NC 28557  
252-808-2808/ 1-888-4RCOAST  
Fax: 252-247-3330  
(Serves: Carteret, Craven, Onslow -above  
New River Inlet- and Pamlico Counties)

**Elizabeth City District**

1367 U.S. 17 South  
Elizabeth City, NC 27909  
252-264-3901  
Fax: 252-264-3723  
(Serves: Camden, Chowan, Currituck,  
Dare, Gates, Pasquotank and Perquimans  
Counties)

**Washington District**

943 Washington Square Mall  
Washington, NC 27889  
252-946-6481  
Fax: 252-948-0478  
(Serves: Beaufort, Bertie, Hertford, Hyde,  
Tyrrell and Washington Counties)

**Wilmington District**

127 Cardinal Drive Ext.  
Wilmington, NC 28405-3845  
910-796-7215  
Fax: 910-395-3964  
(Serves: Brunswick, New Hanover,  
Onslow -below New River Inlet- and  
Pender Counties)



North Carolina Department of Environment and Natural Resources  
Division of Water Quality

Beverly Eaves Perdue  
Governor

Coleen H. Sullins  
Director

Dee Freeman  
Secretary

June 18, 2009  
Pamlico County  
B-5129C  
DWQ Project No. 20090472

**APPROVAL of 401 WATER QUALITY CERTIFICATION and TAR-PAMLICO RIVER BUFFER AUTHORIZATION with ADDITIONAL CONDITIONS**

Mr. Jay Johnson  
North Carolina Department of Transportation  
P.O. Box 1587  
Greenville, NC 27835

Dear Mr. Johnson:

You have our approval, in accordance with the attached conditions and those listed below, for the following impacts:

Site Number	Stream Fill (acres)	Wetlands Fill (acres)	Buffer Zone 1 (sq ft)	Buffer Zone 2 (sq ft)
Pamlico 35	0.006	0.001	1,898	1,093
Net Total Impacts			2,991	

The project shall be constructed in accordance with your application dated received April 28, 2009 for the purpose of replacing Bridge Number 35 over Little Vandemere Creek on NC 304 in Pamlico County. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 3687. This certification corresponds to Nationwide Permit 3 issued by the Corps of Engineers. This approval is also valid for the Tar-Pamlico River Buffer Rules (15A NCAC 2B .0259). 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 will expire with the accompanying 404 permit issued by the US Army Corps of Engineers.

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 total impacts to streams or buffers (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed in the attached certification.

- \* 1.) Upon completion of the project, the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.

- 2.) The permittee 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 and Federal law. If NCDWQ 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, NCDWQ may reevaluate and modify this certification.
- 3.) 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.
- 4.) 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.
- 5.) 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.
- 6.) 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.
- 7.) The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage.
- 8.) Heavy equipment must be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into the stream.
- 9.) 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.
- 10.) No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
- 11.) Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
- 12.) All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification.

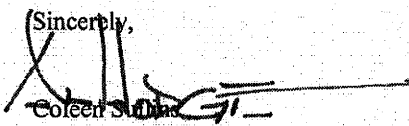


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- 13.) The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization shall be clearly marked by highly visible fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.
- 14.) Native riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction
- 15.) 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.
- 16.) 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 the 401 Water Quality Certification.
- 17.) Bridge deck drains should not discharge directly into the stream. Stormwater shall 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*.
- 18.) A copy of this Water Quality Certification shall be posted on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager.

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

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 Garcy Ward at (252) 948-3922.

Sincerely,  
  
for Colleen Sullivan  
Director, Division of Water Quality

Attachment

cc: Wilmington District Corps of Engineers  
Mr. William Wescott, US Army Corps of Engineers, Washington Field Office  
Ms. Sonia Gregory, NC DWQ, 401/Wetlands Unit  
Mr. Stephen Lane, DCM, Morehead City  
File copy

# Water Quality Certification N<sup>o</sup>. 3687 122

**GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT NUMBERS: 3 (MAINTENANCE), 4 (FISH AND WILDLIFE HARVESTING, ENHANCEMENT, AND ATTRACTION DEVICES AND ACTIVITIES), 5 (SCIENTIFIC MEASUREMENT DEVICES—25 CUBIC YARDS FOR WEIRS AND FLUMES), 6 (SURVEY ACTIVITIES—25 CUBIC YARDS FOR TEMPORARY PADS), 7 (OUTFALL STRUCTURES AND ASSOCIATED INTAKE STRUCTURES), 19 (MINOR DREDGING), 20 (OIL SPILL CLEANUP), 22 (REMOVAL OF VESSELS), 25 (STRUCTURAL DISCHARGE), 30(MOIST SOIL MANAGEMENT FOR WILDLIFE), 32 (COMPLETED ENFORCEMENT ACTIONS), 36 (BOAT RAMPS [IN NONWETLAND SITES]), AND REGIONAL PERMIT 197800056 (PIERS, DOCKS AND BOATHOUSES), AND REGIONAL PERMIT 197800125 (BOAT RAMPS) AND RIPARIAN AREA PROTECTION RULES (BUFFER RULES)**

Water Quality Certification Number 3687 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 .0200 for the discharge of fill material to waters and wetland areas which are waters of the United States as described in 33 CFR 330 Appendix A (B) (3, 4, 5, 6, 7, 19, 20, 22, 25, 30, 32, and 36) of the Corps of Engineers regulations and Regional Permits 197800056 and 19780125 and for the Riparian Area Protection Rules (Buffer Rules) in 15A NCAC 2B .0200.

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.

**Activities meeting any one (1) of the following thresholds or circumstances require *written approval* for a 401 Water Quality Certification from the Division of Water Quality (the "Division"):**

- a. Impacts equal or greater than 40 linear feet of additional permanent stream impact at an existing stream crossing location, or
- b. Temporary or permanent impacts equal to or exceeding: one-third (1/3) acre of wetlands East of Interstate-95, or one-tenth (1/10) of acre of wetlands West of Interstate-95; or
- c. Any impact associated with a Notice of Violation or an enforcement action initiated by the Division and/or the Division of Land Resources; or
- d. Projects with any impacts to streams, wetlands, and/or waters that have received a Notice of Violation from the Division and/or Division of Land Resources; or
- e. Any impacts to streams and/or buffers in the Neuse, Tar-Pamlico, Randleman and Catawba River Basins (or any other basins with Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) *unless* the activities are listed as "EXEMPT" from these Rules.

\* In accordance with North Carolina General Statute Section 143-215.3D(e), written approval for a 401 Water Quality General Certification must include the appropriate fee. If a project also requires a CAMA Permit, then one payment to both agencies shall be submitted and will be the higher of the two fees.

**Activities included in this General Certification and below the thresholds listed above *do not* require written approval from the Division of Water Quality as long as they comply with the Conditions of Certification listed below. If any of these Conditions cannot be met, written approval from the Division is required.**

Conditions of Certification:

1. No Impacts Beyond Those Authorized for this General Certification

No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the thresholds established for use of this General Certification, or beyond the footprint of the impacts authorized in the written approval, including incidental impacts. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur.

2. Standard Erosion and Sediment Control Practices

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:

- a. 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.
- 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. Reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.
- d. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times, except for publicly funded linear transportation projects when materials can be accessed offsite in a timely manner.
- e. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), Trout (Tr), SA, WS-I, WS-II, High Quality (HQW), or Outstanding Resource (ORW) waters, then the sediment and erosion control requirements contained within *Design Standards in Sensitive Watersheds* (15A NCAC 04B .0124) supercede all other sediment and erosion control requirements.

3. No Sediment and Erosion Control Measures in Wetlands or Waters

Sediment and erosion control measures should not be placed in wetlands or waters outside of the permitted impact areas without prior approval from the Division. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then the design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. All sediment and erosion control devices shall be removed and the natural grade restored within two (2) months of the date that the Division of Land Resources or locally delegated program has released the project.

4. Construction Stormwater Permit NCG010000

Upon the approval of an Erosion and Sedimentation Control Plan issued by the Division of Land Resources (DLR) or a DLR delegated local erosion and sedimentation control program, an NPDES General stormwater permit (NCG010000) administered by the Division is automatically issued to the project. This General Permit allows stormwater to be discharged during land disturbing construction activities as stipulated by conditions in the permit. If the

activity is covered by this permit [applicable to construction projects that disturb one (1) or more acres], full compliance with permit conditions including the sedimentation control plan, self-monitoring, record keeping and reporting requirements are required. A copy of this permit and monitoring report forms may be found at [http://h2o.enr.state.nc.us/su/Forms\\_Documents.htm](http://h2o.enr.state.nc.us/su/Forms_Documents.htm).

NCDOT shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) stormwater permit.

## 5. Work in the Dry

All work in or adjacent to stream waters shall be conducted in a dry work area. Approved best management practices from the most current version of the NC Sediment and Erosion Control Manual, or the NC DOT Construction and Maintenance Activities Manual, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require submittal to, and approval by, the Division.

## 6. Construction Moratoriums and Coordination

If activities must occur during periods of high biological activity (i.e. sea turtle or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) to protect trout, anadromous fish, larval/post-larval fishes and crustaceans, or other aquatic species of concern shall be obeyed. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

Work within the twenty-five (25) designated trout counties or identified state or federal endangered or threatened species habitat shall be coordinated with the appropriate WRC, USFWS, NMFS personnel.

## 7. Riparian Area Protection Rules (Buffer Rules)

Activities located in the protected 50-foot wide riparian areas (whether jurisdictional wetlands or not) within the Neuse, Tar-Pamlico, Randleman, Catawba (or any other basin with buffer rules), shall be limited to "uses" identified within and constructed in accordance with 15A NCAC 2B .0233, .0259, .0250, and .0243, and 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. All riparian area protection rule requirements, including diffuse flow requirements, must be met.

## 8. Water Supply Watershed Buffers

The 100-foot wide (high-density development) or the 30-foot wide vegetative buffer (all other development) must be maintained adjacent to all perennial waters except for allowances as provided in the Water Supply Watershed Protection Rules [15A NCAC 2B .0212 through .0215].

**9. Placement of Culverts and Other Structures in Waters and Wetlands**

The application must include construction plans with cross-sectional details in order to indicate that the current stability of the stream will be maintained or enhanced (i.e., not result in head cuts).

Culverts required for this project shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Placement of culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life, unless otherwise justified and approved by the Division.

Installation of culverts in wetlands must ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. 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 destabilization of streams or wetlands.

Any rip rap required for normal pipe burial and stabilization shall be buried such that the original stream elevation is restored and maintained.

The establishment of native, woody vegetation and other soft stream bank stabilization techniques must be used where practicable instead of rip-rap or other bank hardening methods.

10. If concrete is used during the construction, then 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/fish kills.
11. Applications for riprap groins proposed in accordance with 15A NCAC 07H .1401 (NC Division of Coastal Management General Permit for construction of Wooden and Riprap Groins in Estuarine and Public Trust Waters) must meet all the specific conditions for design and construction specified in 15A NCAC 07H .1405.

**12. Temporary Fills and/or Access Roads**

All temporary fill and culverts shall be removed and the impacted area returned to the original grade, including each stream's original cross sectional dimensions, plan form pattern, and longitudinal bed and bed profile after construction is complete or within two (2) months of the establishment of the crossing, whichever is sooner, and the various sites shall be stabilized with natural woody vegetation (except for the maintenance areas of permanent utility crossings) and restored to prevent erosion. If the crossings are not completely removed and restored as described above within the specified time above, then written approval from the Division must be obtained to modify this condition.

# Water Quality Certification N<sup>o</sup>. 3687- 126

13. For activities requiring written approval, additional site-specific conditions may be added to the approval letter in order to ensure compliance with all applicable water quality and effluent standards.

## \* 14. Certificate of Completion

When written authorization is required for use of this certification, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return the certificate of completion attached to the approval. One copy of the certificate shall be sent to the DWQ Central Office in Raleigh at 1650 Mail Service Center, Raleigh, NC, 27699-1650.

## \* 15. If an environmental document is required under NEPA or SEPA, then this General Certification is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse.

16. This General Certification shall expire three (3) years from the date of issuance of the written approval or on the same day as the expiration date of these corresponding Nationwide and Regional General Permits. In accordance with General Statute 136-44.7B, certifications issued to the NCDOT shall expire only upon expiration of the federal 404 Permit. The conditions in effect on the date of issuance of Certification for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Certification. If the construction process for approved activities will overlap the expiration and renewal date of the corresponding 404 Permit and the Corps allows for continued use of the 404 Permit, then the General Certification shall also remain in effect without requiring re-application and re-approval to use this Certification for the specific impacts already approved.

17. The applicant/permittee and their authorized agents shall conduct all 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 and Federal Law. If the Division determines that such standards or laws are not being met, including 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, then the Division may reevaluate and modify this General Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth by a specific fill project shall result in revocation of this General Certification for the project and may result in criminal and/or civil penalties.

The Director of the North Carolina Division of Water Quality may require submission of a formal application for Individual Certification for any project in this category of activity if it is determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or degrade the waters so that existing uses of the wetland or downstream waters are precluded.

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



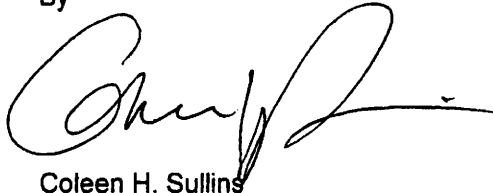
# Water Quality Certification N°. 3687

**I 127**

Effective date: November 1, 2007

DIVISION OF WATER QUALITY

By



Coleen H. Sullins

Director

*History Note: Water Quality Certification Number 3687 replaces Water Quality Certification Number 3376 issued on March 18, 2002, Water Quality Certification Number 3494 issued December 31, 2004, and Water Quality Certification Number 3624 issued March 2007. This General Certification is rescinded when the Corps of Engineers re-authorizes any of these Nationwide or Regional Permits or when deemed appropriate by the Director of the Division of Water Quality.*



### \* CERTIFICATE OF COMPLETION

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

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

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 Transportation Permitting 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 \_\_\_\_\_

PROJECT No. MA-2004

DATE: 7-21-2005

ROAD: NC 304

ROAD NAME: NC 304 OVER  
LITTLE VANDEMERE CREEK

COUNTY: PAMLICO

CROSS SECTION  
OF BRIDGE NO. 35

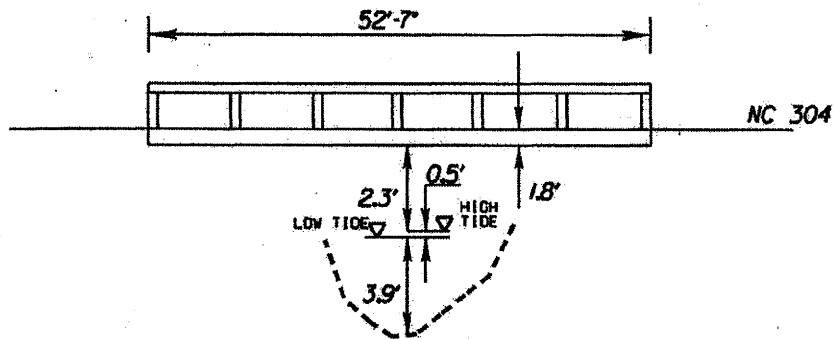
EXISTING BRIDGE

1 @ 17' - 10"

1 @ 16' - 10"

1 @ 17' - 11"

28.1' CLEAR ROADWAY

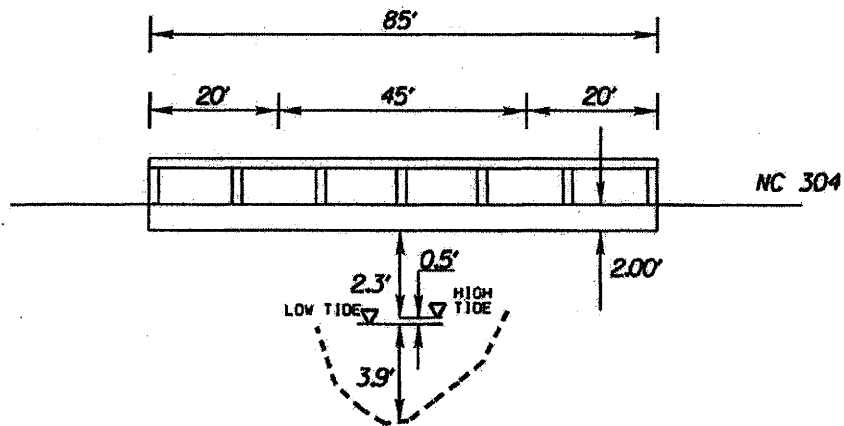


NOT TO SCALE

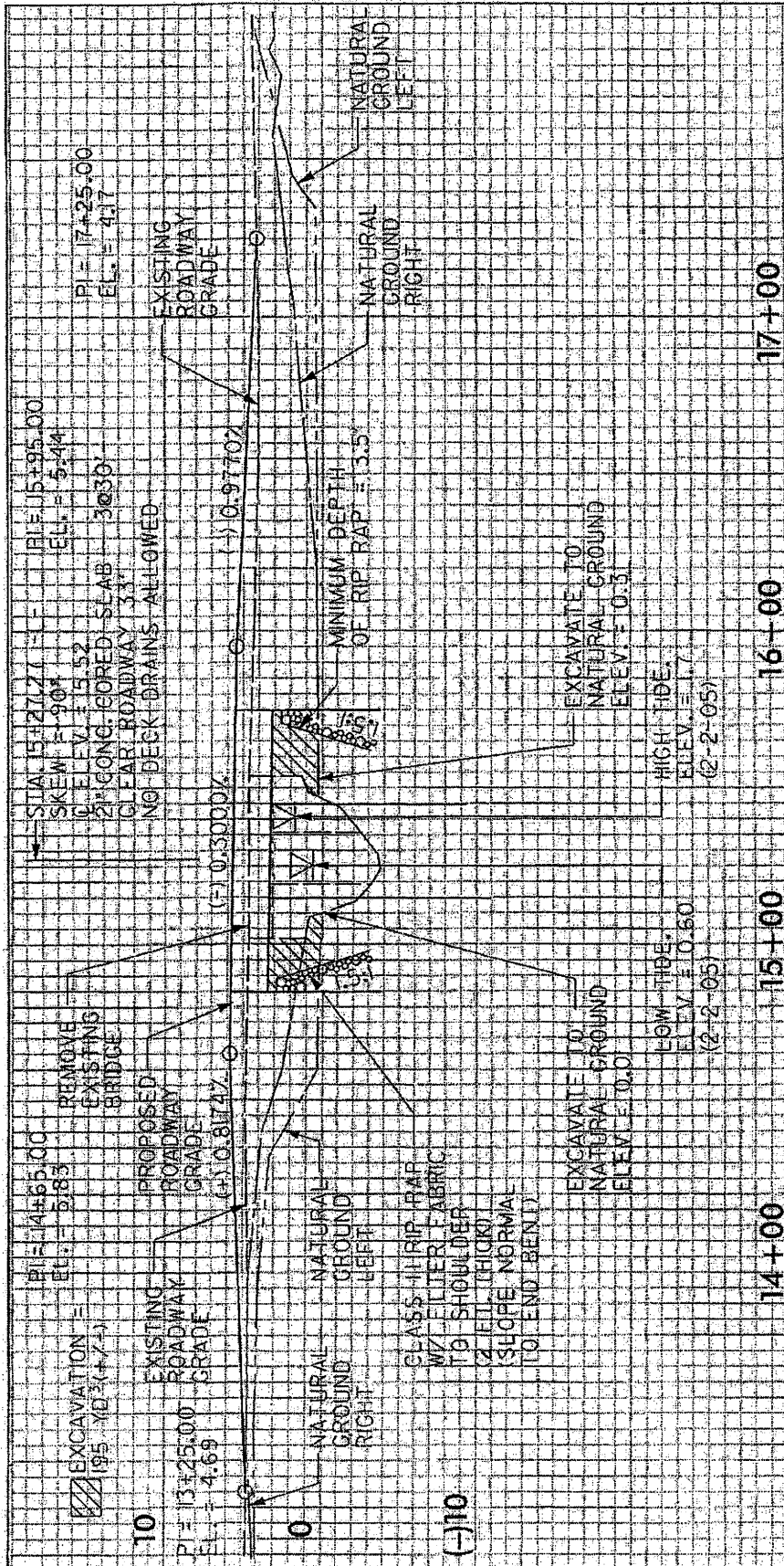
PROPOSED 21" CONCRETE CORED SLAB

PROPOSED LENGTH: 3 SPANS 1 @ 20'; 1 @ 45'; 1 @ 20'

33' CLEAR ROADWAY  
NO DECK DRAINS ALLOWED



NOT TO SCALE

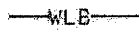
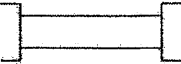
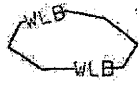
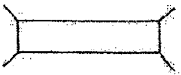



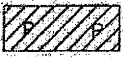


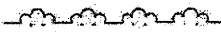

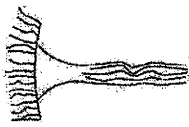
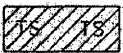
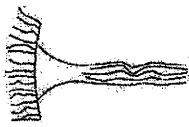


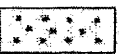



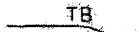
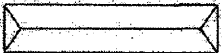

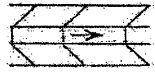

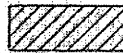
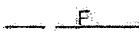



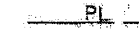
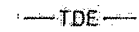
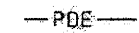

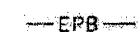
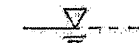


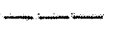



NCDOT  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-6129C  
 REPLACE BRIDGE #35  
 ON NC 304 OVER  
 LITTLE VANDEMERE CREEK  
 SHEET 4 OF 9 A/15/05

PROFILE

SCALE: 1" = 50' (HORIZONTAL)  
 1" = 10' (VERTICAL)

# LEGEND

	WETLAND BOUNDARY		PROPOSED BRIDGE
	WETLAND		PROPOSED BOX CULVERT
	DENOTES FILL IN WETLAND		PROPOSED PIPE CULVERT
	DENOTES FILL IN SURFACE WATER	(DASHED LINES DENOTE EXISTING STRUCTURES)	12"-48" PIPES 54" PIPES & ABOVE
	DENOTES FILL IN SURFACE WATER (POND)		SINGLE TREE
	DENOTES TEMPORARY FILL IN WETLAND		WOODS LINE
	DENOTES EXCAVATION IN WETLAND		DRAINAGE INLET
	DENOTES TEMPORARY FILL IN SURFACE WATER		ROOTWAD
	DENOTES HAND CLEARING		RIP RAP
	DENOTES MECHANIZED CLEARING		ADJACENT PROPERTY OWNER OR PARCEL NUMBER IF AVAILABLE
	FLOW DIRECTION		PREFORMED SCOUR HOLE
	TOP OF BANK		LEVEL SPREADER (LS)
	EDGE OF WATER		DITCH / GRASS SWALE
	PROP. LIMIT OF CUT		DENOTES IMPACTS TO BUFFER ZONE 1
	PROP. LIMIT OF FILL		DENOTES IMPACTS TO BUFFER ZONE 2
	PROP. RIGHT OF WAY		
	NATURAL GROUND		
	PROPERTY LINE		
	TEMP. DRAINAGE EASEMENT		
	PERMANENT DRAINAGE EASEMENT		
	EXIST. ENDANGERED ANIMAL BOUNDARY		
	EXIST. ENDANGERED PLANT BOUNDARY		
	WATER SURFACE		
	LIVE STAKES		
	BOULDER		
	CORE FIBER ROLLS		
	DENOTES AREA TO BE EXCAVATED		

**NCDOT**  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-5129C  
 REPLACE BRIDGE #35  
 ON NC 304 OVER  
 LITTLE VANDEMERE CREEK  
 SHEET 5 OF 9 4/15/05

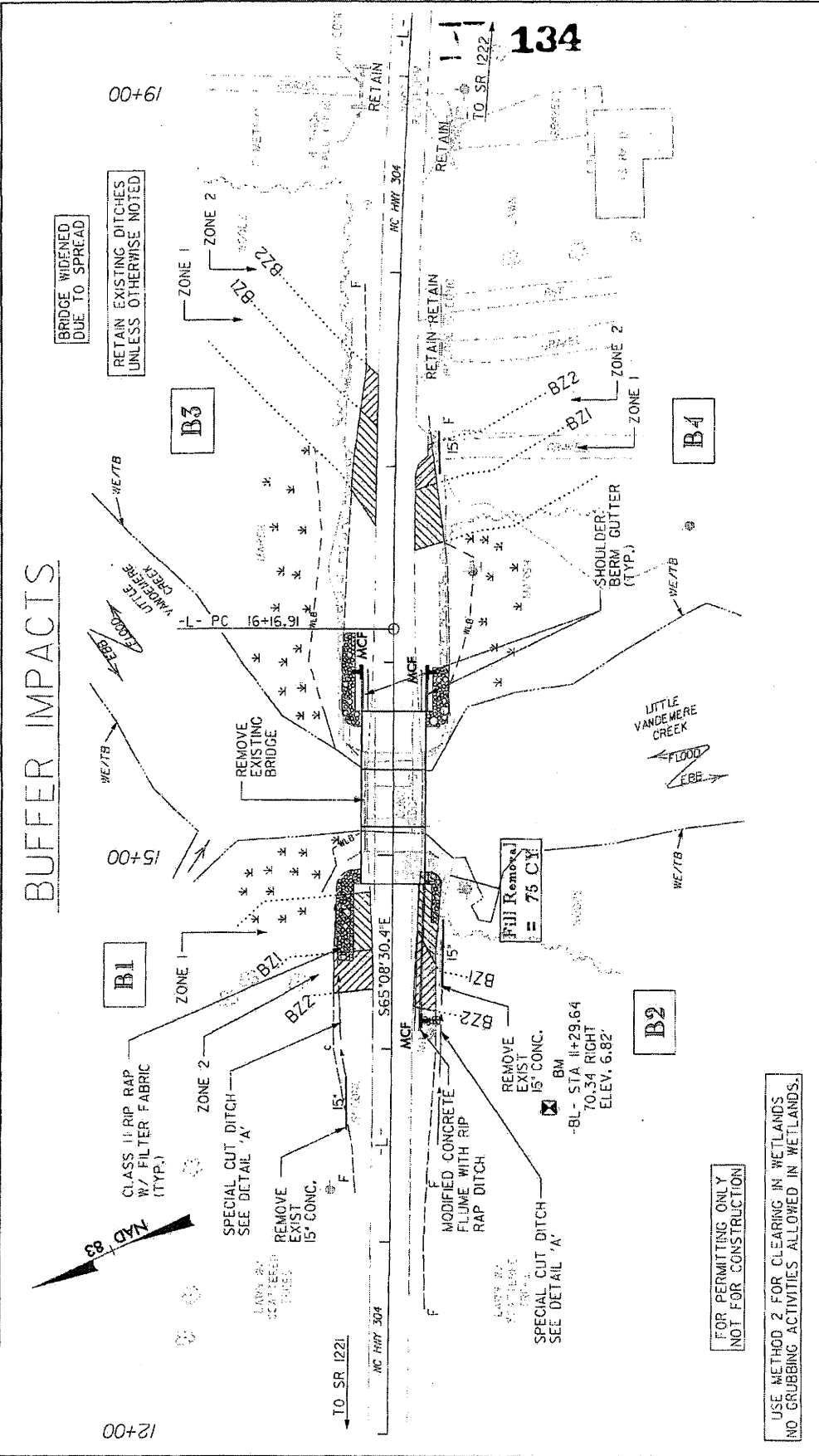
IMPACT SUMMARY

STRUCTURE	404 WETLANDS				CAMA WETLANDS				SURFACE WATERS				BUFFERS			
	FILL	TEMP. FILL	EXCAVATION	HAND CLEARING	FILL	TEMP. FILL	EXCAVATION	HAND CLEARING	FILL	TEMP. FILL	ZONE 1	ZONE 2	TOTAL	ZONE 1 FILL REMOVAL	ZONE 2 FILL REMOVAL	
	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	(ft <sup>2</sup> )	
1 @ 20'																
1 @ 45'																
1 @ 20'																
CORED SLAB																
B1																
B2											556	403	959			
B3											403	388	741			
B4											538	202	735			
											406	150	556			
O1																
O2										100						
W1										100						
Fill Removal					7											
TOTAL	0	0	0	0	7	0	0	0	200	0	1898	1093	2991	430	0	

N.C. DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 PITT COUNTY  
 PROJECT: B-5129C  
 REPLACE BRIDGE #35 ON NC 304  
 OVER LITTLE VANDEMERE CREEK  
 SHEET 6 OF 9 4/15/04



# BUFFER IMPACTS



BRIDGE WIDENED  
DUE TO SPREAD

RETAIN EXISTING DITCHES  
UNLESS OTHERWISE NOTED

REMOVE EXISTING BRIDGE

REMOVE EXIST. 15' CONC.

MODIFIED CONCRETE FLUME WITH RIP RAP DITCH

SPECIAL CUT DITCH SEE DETAIL 'A'

REMOVE EXIST. 15' CONC.

REMOVE EXIST. 15' CONC.

REMOVE EXIST. 15' CONC.

SPECIAL CUT DITCH SEE DETAIL 'A'

REMOVE EXIST. 15' CONC.

REMOVE EXIST. 15' CONC.

SPECIAL CUT DITCH SEE DETAIL 'A'

REMOVE EXIST. 15' CONC.

REMOVE EXIST. 15' CONC.

SPECIAL CUT DITCH SEE DETAIL 'A'

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REMOVE EXIST. 15' CONC.

REMOVE EXIST. 15' CONC.

SPECIAL CUT DITCH SEE DETAIL 'A'

REMOVE EXIST. 15' CONC.

REMOVE EXIST. 15' CONC.

SPECIAL CUT DITCH SEE DETAIL 'A'

FOR PERMITTING ONLY  
NOT FOR CONSTRUCTION

USE METHOD 2 FOR CLEARING IN WETLANDS  
NO GRUBBING ACTIVITIES ALLOWED IN WETLANDS.

## PLAN VIEW

SCALE: 1" = 50'

**NCDOT**  
DIVISION OF HIGHWAYS  
PAMLICO COUNTY  
PROJECT: B-5129C  
REPLACE BRIDGE #35  
ON NC 304 OVER  
LITTLE VANDEMERE CREEK







CAMA /  DREDGE & FILL  
**GENERAL PERMIT**

136

No 51294

New  Modification  Complete Reissue  Partial Reissue

Previous permit # \_\_\_\_\_  
Date previous permit issued \_\_\_\_\_

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to 15A NCAC \_\_\_\_\_

07H.2300

Applicant Name NC DOT  
Address P.O. Box 1587  
City Greenville State NC ZIP 27835  
Phone # (252) 830-3490 Fax # ( )  
Authorized Agent Jay Johnson

Project Location: County Pamlico  
Street Address/ State Road/ Lot #(s) NC 304  
Bridge 40  
Subdivision \_\_\_\_\_  
City Wayboro, NC ZIP 28515  
Phone # ( ) \_\_\_\_\_ River Basin Neuse  
Adj. Wtr. Body Bear Creek (nat/man/unkn)  
Closest Maj. Wtr. Body Bay River

Affected  CW  EW  PTA  YES  PTS  
AEC(s):  OEA  HHF  IH  UBA  N/A  
 PWS: \_\_\_\_\_  FC: \_\_\_\_\_  
ORW: yes /  no PNA  yes / no Crit.Hab. yes / no

Type of Project/ Activity Construct a 33' X 90' bridge to replace an existing 28' X 52' bridge. (Scale: N/A )

Pier (dock) length	-
Platform(s)	-
Finger pier(s)	-
Groin length number	-
Bulkhead/ Riprap length	-
avg distance offshore	-
max distance offshore	-
Basin, channel	-
cubic yards	-
Boat ramp	-
Boathouse/ Boatlift	-
Beach Bulldozing	-
Other	<u>33' X 90'</u>
Shoreline Length	<u>100'</u>
SAV: not sure	yes <input checked="" type="radio"/> no <input type="radio"/>
Sandbags: not sure	yes <input checked="" type="radio"/> no <input type="radio"/>
Moratorium: n/a	yes <input checked="" type="radio"/> no <input type="radio"/>
Photos:	yes <input checked="" type="radio"/> no <input type="radio"/>
Waiver Attached:	yes <input checked="" type="radio"/> no <input type="radio"/>

Bridge Plans Attached and Incorporated into Permit.

A building permit may be required by: Pamlico County  See note on back regarding River Basin rules.  
Notes/ Special Conditions 1 No in-water work is allowed between April 1 - September 30 of any year. 2 Turbidity curtains shall be utilized during all in-water work. 3 Measures sufficient to restrain erosion and sedimentation shall be implemented in accordance with BMPs.

Agent or Applicant Printed Name Jay Johnson  
Signature Jay Johnson \*\* Please read compliance statement on back of permit \*\*  
Application Fee(s) \$400.00 Check # W05# 42287.1.1  
Permit Officer's Signature Stephen Sore  
Issuing Date 5-29-09 Local Planning Jurisdiction Pamlico County  
Expiration Date No Expiration Date Rover File Name X042816C

**Statement of Compliance and Consistency**

This permit is subject to compliance with this application, site drawing and attached general and specific conditions. Any violation of these terms may subject the permittee to a fine or criminal or civil action; and may cause the permit to become null and void.

This permit must be on the project site and accessible to the permit officer when the project is inspected for compliance. The applicant certifies by signing this permit that 1) prior to undertaking any activities authorized by this permit, the applicant will confer with appropriate local authorities to confirm that this project is consistent with the local land use plan and all local ordinances, and 2) a written statement or certified mail return receipt has been obtained from the adjacent riparian landowner(s).

The State of North Carolina and the Division of Coastal Management, in issuing this permit under the best available information and belief, certify that this project is consistent with the North Carolina Coastal Management Program.

**River Basin Rules Applicable To Your Project:**

Tar - Pamlico River Basin Buffer Rules

Other: \_\_\_\_\_

Neuse River Basin Buffer Rules

If indicated on front of permit, your project is subject to the Environmental Management Commission's Buffer Rules for the River Basin checked above due to its location within that River Basin. These buffer rules are enforced by the NC Division of Water Quality. Contact the Division of Water Quality at the Washington Regional Office (252-946-6481) or the Wilmington Regional Office (910-796-7215) for more information on how to comply with these buffer rules.

**Division of Coastal Management Offices****Raleigh Office**

Mailing Address:  
1638 Mail Service Center  
Raleigh, NC 27699-1638

**Location:**

2728 Capital Blvd.  
Raleigh, NC 27604  
919-733-2293  
Fax: 919-733-1495

**Morehead City Headquarters**

400 Commerce Ave  
Morehead City, NC 28557  
252-808-2808/ 1-888-4RCOAST  
Fax: 252-247-3330

(Serves: Carteret, Craven, Onslow -above  
New River Inlet- and Pamlico Counties)

**Elizabeth City District**

1367 U.S. 17 South  
Elizabeth City, NC 27909  
252-264-3901  
Fax: 252-264-3723

(Serves: Camden, Chowan, Currituck,  
Dare, Gates, Pasquotank and Perquimans  
Counties)

**Washington District**

943 Washington Square Mall  
Washington, NC 27889  
252-946-6481  
Fax: 252-948-0478

(Serves: Beaufort, Bertie, Hertford, Hyde,  
Tyrrell and Washington Counties)

**Wilmington District**

127 Cardinal Drive Ext.  
Wilmington, NC 28405-3845  
910-796-7215  
Fax: 910-395-3964

(Serves: Brunswick, New Hanover,  
Onslow -below New River Inlet- and  
Pender Counties)



North Carolina Department of Environment and Natural Resources  
Division of Water Quality

Beverly Eaves Perdue  
Governor

Coleen H. Sullins  
Director

Dee Freeman  
Secretary

June 18, 2009  
Pamlico County  
B-5129D  
DWQ Project No. 20090473

**APPROVAL of 401 WATER QUALITY CERTIFICATION and TAR-PAMLICO RIVER BUFFER AUTHORIZATION with ADDITIONAL CONDITIONS**

Mr. Jay Johnson  
North Carolina Department of Transportation  
P.O. Box 1587  
Greenville, NC 27835

Dear Mr. Johnson:

You have our approval, in accordance with the attached conditions and those listed below, for the following impacts:

Site Number	Stream Fill (acres)	Wetlands Fill (acres)	Buffer Zone 1 (sq ft)	Buffer Zone 2 (sq ft)
Pamlico 40	0.006	0.006	1,387	950
Net Total Impacts			2,337	

The project shall be constructed in accordance with your application dated received April 28, 2009 for the purpose of replacing Bridge Number 40 over Bear Creek on NC 304 in Pamlico County. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 3687. This certification corresponds to Nationwide Permit 3 issued by the Corps of Engineers. This approval is also valid for the Tar-Pamlico River Buffer Rules (15A NCAC 2B .0259). 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 will expire with the accompanying 404 permit issued by the US Army Corps of Engineers.

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 total impacts to streams or buffers (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed in the attached certification.

- \* 1.) Upon completion of the project, the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.

- 2.) The permittee 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 and Federal law. If NCDWQ 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, NCDWQ may reevaluate and modify this certification.
- 3.) 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.
- 4.) 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.
- 5.) 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.
- 6.) 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.
- 7.) The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage.
- 8.) Heavy equipment must be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into the stream.
- 9.) 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.
- 10.) No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
- 11.) Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
- 12.) All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification.

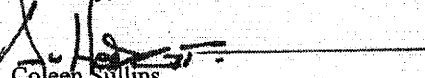
- 13.) The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization shall be clearly marked by highly visible fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.
- 14.) Native riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction
- 15.) 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.
- 16.) 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 the 401 Water Quality Certification.
- 17.) Bridge deck drains should not discharge directly into the stream. Stormwater shall 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*.
- 18.) A copy of this Water Quality Certification shall be posted on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager.

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

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 Garcy Ward at (252) 948-3922.

Sincerely,

for



Coleen Sullins

Director, Division of Water Quality

Attachment

cc: Wilmington District Corps of Engineers  
Mr. William Wescott, US Army Corps of Engineers, Washington Field Office  
Ms. Sonia Gregory, NC DWQ, 401/Wetlands Unit  
Mr. Stephen Lane, DCM, Morehead City  
File copy

**GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT NUMBERS: 3 (MAINTENANCE), 4 (FISH AND WILDLIFE HARVESTING, ENHANCEMENT, AND ATTRACTION DEVICES AND ACTIVITIES), 5 (SCIENTIFIC MEASUREMENT DEVICES—25 CUBIC YARDS FOR WEIRS AND FLUMES), 6 (SURVEY ACTIVITIES—25 CUBIC YARDS FOR TEMPORARY PADS), 7 (OUTFALL STRUCTURES AND ASSOCIATED INTAKE STRUCTURES), 19 (MINOR DREDGING), 20 (OIL SPILL CLEANUP), 22 (REMOVAL OF VESSELS), 25 (STRUCTURAL DISCHARGE), 30(MOIST SOIL MANAGEMENT FOR WILDLIFE), 32 (COMPLETED ENFORCEMENT ACTIONS), 36 (BOAT RAMPS [IN NONWETLAND SITES]), AND REGIONAL PERMIT 197800056 (PIERS, DOCKS AND BOATHOUSES), AND REGIONAL PERMIT 197800125 (BOAT RAMPS) AND RIPARIAN AREA PROTECTION RULES (BUFFER RULES)**

Water Quality Certification Number 3687 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 .0200 for the discharge of fill material to waters and wetland areas which are waters of the United States as described in 33 CFR 330 Appendix A (B) (3, 4, 5, 6, 7, 19, 20, 22, 25, 30, 32, and 36) of the Corps of Engineers regulations and Regional Permits 197800056 and 19780125 and for the Riparian Area Protection Rules (Buffer Rules) in 15A NCAC 2B .0200.

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.

**Activities meeting any one (1) of the following thresholds or circumstances require *written approval* for a 401 Water Quality Certification from the Division of Water Quality (the "Division"):**

- a. Impacts equal or greater than 40 linear feet of additional permanent stream impact at an existing stream crossing location, or
- b. Temporary or permanent impacts equal to or exceeding: one-third (1/3) acre of wetlands East of Interstate-95, or one-tenth (1/10) of acre of wetlands West of Interstate-95; or
- c. Any impact associated with a Notice of Violation or an enforcement action initiated by the Division and/or the Division of Land Resources; or
- d. Projects with any impacts to streams, wetlands, and/or waters that have received a Notice of Violation from the Division and/or Division of Land Resources; or
- e. Any impacts to streams and/or buffers in the Neuse, Tar-Pamlico, Randleman and Catawba River Basins (or any other basins with Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) *unless* the activities are listed as "EXEMPT" from these Rules.

\* In accordance with North Carolina General Statute Section 143-215.3D(e), written approval for a 401 Water Quality General Certification must include the appropriate fee. If a project also requires a CAMA Permit, then one payment to both agencies shall be submitted and will be the higher of the two fees.

**Activities included in this General Certification and below the thresholds listed above *do not* require written approval from the Division of Water Quality as long as they comply with the Conditions of Certification listed below. If any of these Conditions cannot be met, written approval from the Division is required.**



Conditions of Certification:

1. No Impacts Beyond Those Authorized for this General Certification

No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the thresholds established for use of this General Certification, or beyond the footprint of the impacts authorized in the written approval, including incidental impacts. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur.

2. Standard Erosion and Sediment Control Practices

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:

- a. 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.
- 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. Reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.
- d. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times, except for publicly funded linear transportation projects when materials can be accessed offsite in a timely manner.
- e. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), Trout (Tr), SA, WS-I, WS-II, High Quality (HQW), or Outstanding Resource (ORW) waters, then the sediment and erosion control requirements contained within *Design Standards in Sensitive Watersheds* (15A NCAC 04B .0124) supercede all other sediment and erosion control requirements.

3. No Sediment and Erosion Control Measures in Wetlands or Waters

Sediment and erosion control measures should not be placed in wetlands or waters outside of the permitted impact areas without prior approval from the Division. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then the design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. All sediment and erosion control devices shall be removed and the natural grade restored within two (2) months of the date that the Division of Land Resources or locally delegated program has released the project.

4. Construction Stormwater Permit NCG010000

Upon the approval of an Erosion and Sedimentation Control Plan issued by the Division of Land Resources (DLR) or a DLR delegated local erosion and sedimentation control program, an NPDES General stormwater permit (NCG010000) administered by the Division is automatically issued to the project. This General Permit allows stormwater to be discharged during land disturbing construction activities as stipulated by conditions in the permit. If the



activity is covered by this permit [applicable to construction projects that disturb one (1) or more acres], full compliance with permit conditions including the sedimentation control plan, self-monitoring, record keeping and reporting requirements are required. A copy of this permit and monitoring report forms may be found at [http://h2o.enr.state.nc.us/su/Forms\\_Documents.htm](http://h2o.enr.state.nc.us/su/Forms_Documents.htm).

NCDOT shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) stormwater permit.

5. Work in the Dry

All work in or adjacent to stream waters shall be conducted in a dry work area. Approved best management practices from the most current version of the NC Sediment and Erosion Control Manual, or the NC DOT Construction and Maintenance Activities Manual, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require submittal to, and approval by, the Division.

6. Construction Moratoriums and Coordination

If activities must occur during periods of high biological activity (i.e. sea turtle or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) to protect trout, anadromous fish, larval/post-larval fishes and crustaceans, or other aquatic species of concern shall be obeyed. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

Work within the twenty-five (25) designated trout counties or identified state or federal endangered or threatened species habitat shall be coordinated with the appropriate WRC, USFWS, NMFS personnel.

7. Riparian Area Protection Rules (Buffer Rules)

Activities located in the protected 50-foot wide riparian areas (whether jurisdictional wetlands or not) within the Neuse, Tar-Pamlico, Randleman, Catawba (or any other basin with buffer rules), shall be limited to "uses" identified within and constructed in accordance with 15A NCAC 2B .0233, .0259, .0250, and .0243, and 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. All riparian area protection rule requirements, including diffuse flow requirements, must be met.

8. Water Supply Watershed Buffers

The 100-foot wide (high-density development) or the 30-foot wide vegetative buffer (all other development) must be maintained adjacent to all perennial waters except for allowances as provided in the Water Supply Watershed Protection Rules [15A NCAC 2B .0212 through .0215].

9. Placement of Culverts and Other Structures in Waters and Wetlands

The application must include construction plans with cross-sectional details in order to indicate that the current stability of the stream will be maintained or enhanced (i.e., not result in head cuts).

Culverts required for this project shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Placement of culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life, unless otherwise justified and approved by the Division.

Installation of culverts in wetlands must ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. 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 destabilization of streams or wetlands.

Any rip rap required for normal pipe burial and stabilization shall be buried such that the original stream elevation is restored and maintained.

The establishment of native, woody vegetation and other soft stream bank stabilization techniques must be used where practicable instead of rip-rap or other bank hardening methods.

10. If concrete is used during the construction, then 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/fish kills.
11. Applications for riprap groins proposed in accordance with 15A NCAC 07H .1401 (NC Division of Coastal Management General Permit for construction of Wooden and Riprap Groins in Estuarine and Public Trust Waters) must meet all the specific conditions for design and construction specified in 15A NCAC 07H .1405.

12. Temporary Fills and/or Access Roads

All temporary fill and culverts shall be removed and the impacted area returned to the original grade, including each stream's original cross sectional dimensions, plan form pattern, and longitudinal bed and bed profile after construction is complete or within two (2) months of the establishment of the crossing, whichever is sooner, and the various sites shall be stabilized with natural woody vegetation (except for the maintenance areas of permanent utility crossings) and restored to prevent erosion. If the crossings are not completely removed and restored as described above within the specified time above, then written approval from the Division must be obtained to modify this condition.

# Water Quality Certification N<sup>o</sup>. 3687 145

13. For activities requiring written approval, additional site-specific conditions may be added to the approval letter in order to ensure compliance with all applicable water quality and effluent standards.

## \* 14. Certificate of Completion

When written authorization is required for use of this certification, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return the certificate of completion attached to the approval. One copy of the certificate shall be sent to the DWQ Central Office in Raleigh at 1650 Mail Service Center, Raleigh, NC, 27699-1650.

## \* 15. If an environmental document is required under NEPA or SEPA, then this General Certification is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse.

16. This General Certification shall expire three (3) years from the date of issuance of the written approval or on the same day as the expiration date of these corresponding Nationwide and Regional General Permits. In accordance with General Statute 136-44.7B, certifications issued to the NCDOT shall expire only upon expiration of the federal 404 Permit. The conditions in effect on the date of issuance of Certification for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Certification. If the construction process for approved activities will overlap the expiration and renewal date of the corresponding 404 Permit and the Corps allows for continued use of the 404 Permit, then the General Certification shall also remain in effect without requiring re-application and re-approval to use this Certification for the specific impacts already approved.

17. The applicant/permittee and their authorized agents shall conduct all 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 and Federal Law. If the Division determines that such standards or laws are not being met, including 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, then the Division may reevaluate and modify this General Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth by a specific fill project shall result in revocation of this General Certification for the project and may result in criminal and/or civil penalties.

The Director of the North Carolina Division of Water Quality may require submission of a formal application for Individual Certification for any project in this category of activity if it is determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or degrade the waters so that existing uses of the wetland or downstream waters are precluded.

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

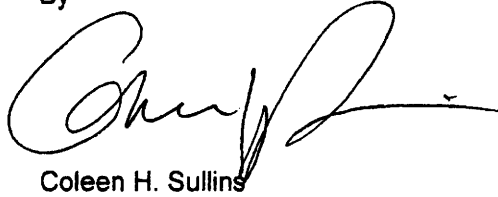
# Water Quality Certification N°. 3687

I **146**

Effective date: November 1, 2007

DIVISION OF WATER QUALITY

By



Coleen H. Sullins

Director

*History Note: Water Quality Certification Number 3687 replaces Water Quality Certification Number 3376 issued on March 18, 2002, Water Quality Certification Number 3494 issued December 31, 2004, and Water Quality Certification Number 3624 issued March 2007. This General Certification is rescinded when the Corps of Engineers re-authorizes any of these Nationwide or Regional Permits or when deemed appropriate by the Director of the Division of Water Quality.*



### \*CERTIFICATE OF COMPLETION

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

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

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 Transportation Permitting 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

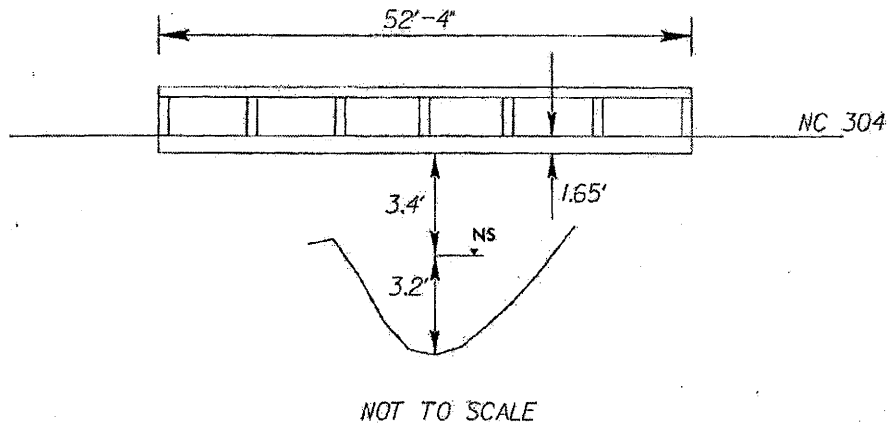
I, \_\_\_\_\_, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the project, for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation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

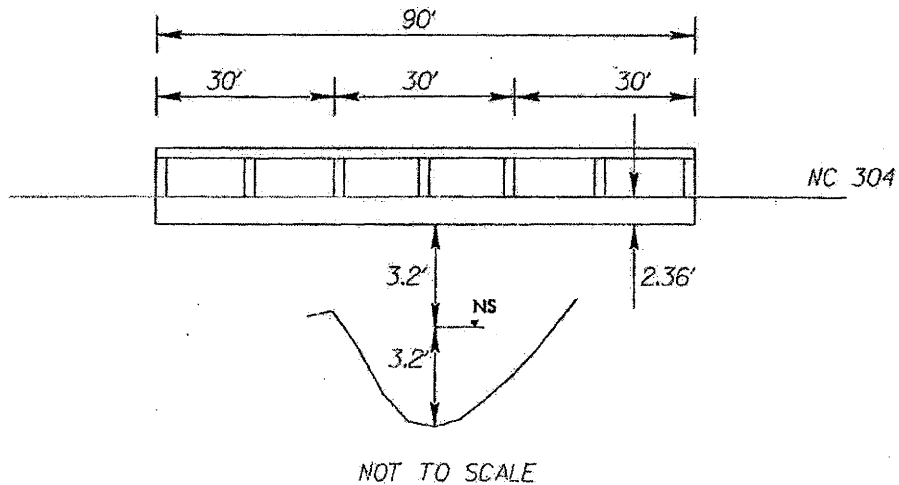
Date \_\_\_\_\_

PROJECT No. B-5129D
WBS No. 42287JJ
DATE: 1-19-2009
ROAD: NC 304
ROAD NAME: NC 304 OVER BEAR CREEK
COUNTY: PAMLICO

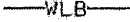
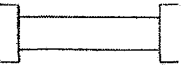
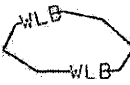
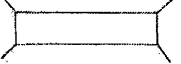


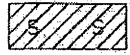
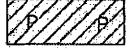

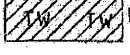
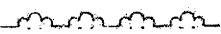


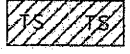







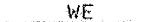


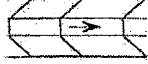

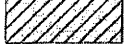


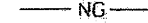


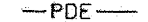

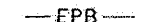

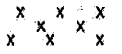



**CROSS SECTION  
OF BRIDGE No. 40  
EXISTING BRIDGE**  
 1 @ 17'-8"  
 1 @ 16'-11"  
 1 @ 17'-9"  
**28'-1" CLEAR ROADWAY**



**PROPOSED 21" CONCRETE CORED SLAB**  
**PROPOSED LENGTH: 3 SPANS @ 30'**  
**33' CLEAR ROADWAY**  
**NO DECK DRAINS ALLOWED**



# LEGEND

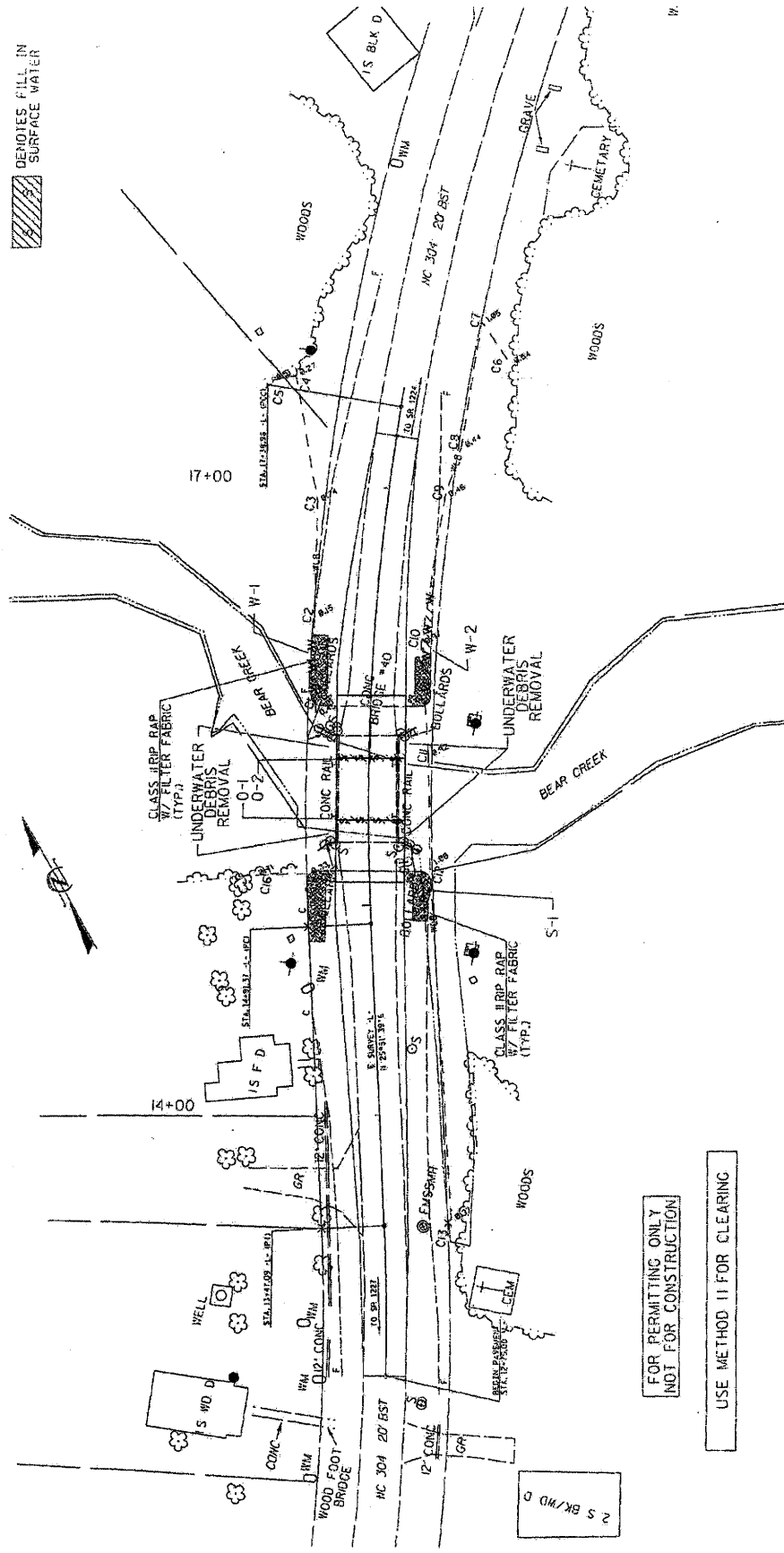
	WETLAND BOUNDARY		PROPOSED BRIDGE
	WETLAND		PROPOSED BOX CULVERT
	DENOTES FILL IN WETLAND		PROPOSED PIPE CULVERT 12"-48" PIPES 54" PIPES & ABOVE
	DENOTES FILL IN SURFACE WATER	(DASHED LINES DENOTE EXISTING STRUCTURES)	
	DENOTES FILL IN SURFACE WATER (POND)		SINGLE TREE
	DENOTES TEMPORARY FILL IN WETLAND		WOODS LINE
	DENOTES EXCAVATION IN WETLAND		DRAINAGE INLET
	DENOTES TEMPORARY FILL IN SURFACE WATER		ROOTWAD
	DENOTES MECHANIZED CLEARING		RIP RAP
	FLOW DIRECTION		ADJACENT PROPERTY OWNER OR PARCEL NUMBER IF AVAILABLE
	TOP OF BANK		PREFORMED SCOUR HOLE
	EDGE OF WATER		LEVEL SPREADER (LS)
	PROP. LIMIT OF CUT		DITCH / GRASS SWALE
	PROP. LIMIT OF FILL		DENOTES IMPACTS TO BUFFER ZONE 1
	PROP. RIGHT OF WAY		DENOTES IMPACTS TO BUFFER ZONE 2
	NATURAL GROUND		
	PROPERTY LINE		
	TEMP. DRAINAGE EASEMENT		
	PERMANENT DRAINAGE EASEMENT		
	EXIST. ENDANGERED ANIMAL BOUNDARY		
	EXIST. ENDANGERED PLANT BOUNDARY		
	WATER SURFACE		
	LIVE STAKES		
	BOULDER		
	CORE FIBER ROLLS		
	DENOTES AREA TO BE EXCAVATED		

**NCDOT**  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-5129D  
 WBS NUMBER: 42287.1.1  
 REPLACE BRIDGE #40  
 ON NC 304 OVER  
 BEAR CREEK

SHEET 5 OF 7 1/19/09

STREAM & WETLAND IMPACTS

 DENOTES FILL IN WETLAND  
 DENOTES FILL IN SURFACE WATER



FOR PERMITTING ONLY  
NOT FOR CONSTRUCTION

USE METHOD 11 FOR CLEARING

SURFACE WATERS FILL (OPEN WATERS)		FILL IN WETLANDS	
0-1	99 SQUARE FEET	W-1	63 SQUARE FEET
0-2	99 SQUARE FEET	W-2	204 SQUARE FEET
SURFACE WATERS FILL (STREAM)			
S-1	61 SQUARE FEET	TOTAL	267 SQUARE FEET
TOTAL	259 SQUARE FEET 0.0059 ACRES		0.0061 ACRES

EXISTING BRIDGE:  
 SPANS: 107'-8"; 106'-11"; 107'-9"  
 WIDTH: 28'-1" CLEAR ROADWAY  
 RC FLOOR ON TIMBER JOISTS  
 END BENTS AND INTERIOR BENTS  
 TIMBER CAPS / TIMBER PILES

PROPOSED BRIDGE:  
 2" CONCRETE CORED SLAB  
 WIDTH: 33' CLEAR ROADWAY  
 LENGTH: 3 @ 30'

PLAN VIEW

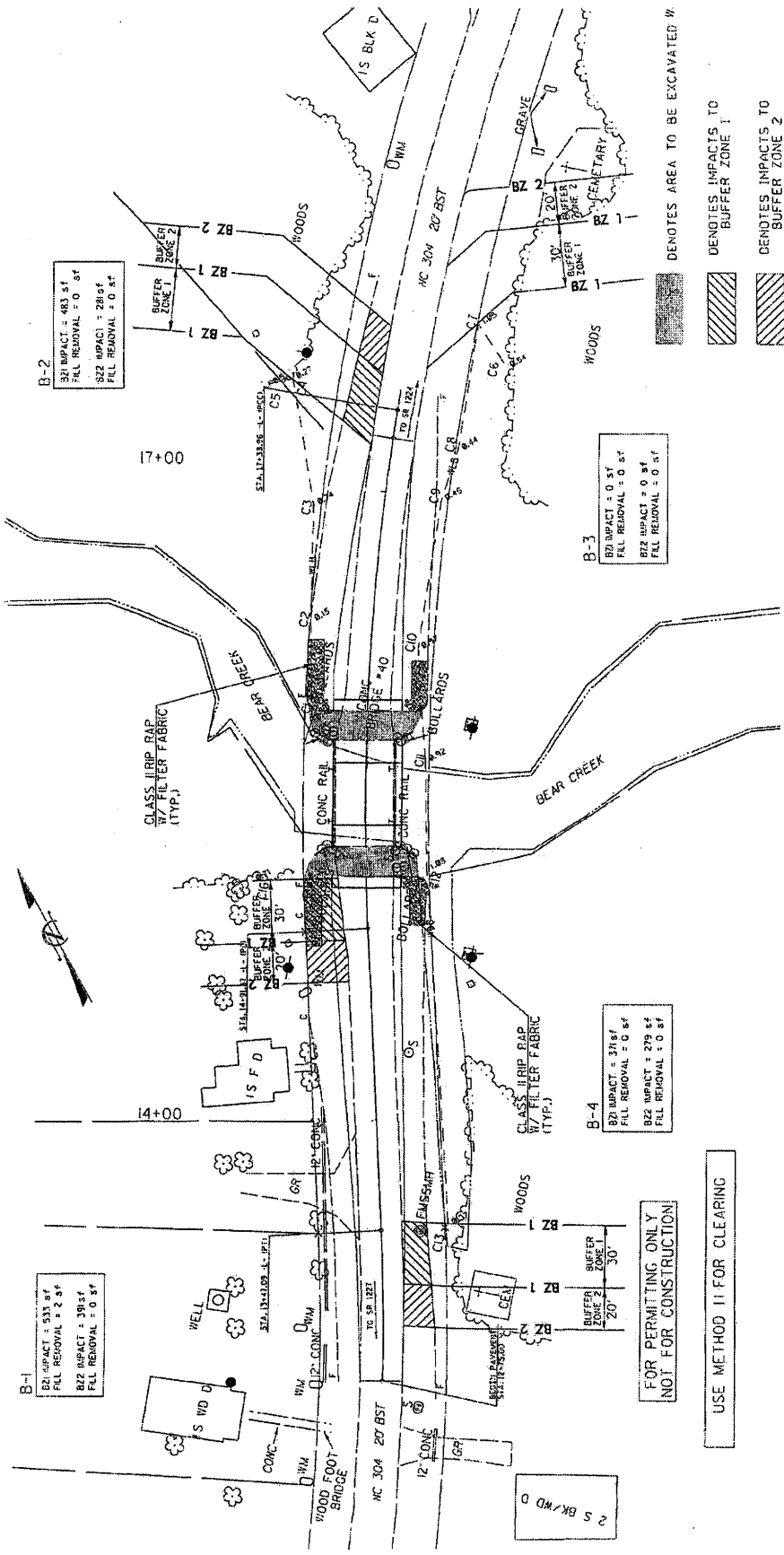
SCALE: 1" = 50'

NCDOT  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-6129D  
 WBS NUMBER: 4238711  
 REPLACE BRIDGE #40  
 ON NC 304 OYER  
 BEAR CREEK

SHIRBY



# BUFFER IMPACTS



**B-2**  
 BZ1 IMPACT = 483 sf  
 FILL REMOVAL = 0 sf  
 BZ2 IMPACT = 281 sf  
 FILL REMOVAL = 0 sf

**B-3**  
 BZ1 IMPACT = 0 sf  
 FILL REMOVAL = 0 sf  
 BZ2 IMPACT = 0 sf  
 FILL REMOVAL = 0 sf

**B-4**  
 BZ1 IMPACT = 371 sf  
 FILL REMOVAL = 0 sf  
 BZ2 IMPACT = 279 sf  
 FILL REMOVAL = 0 sf

**B-1**  
 BZ1 IMPACT = 531 sf  
 FILL REMOVAL = 2 sf  
 BZ2 IMPACT = 391 sf  
 FILL REMOVAL = 0 sf

FOR PERMITTING ONLY  
 NOT FOR CONSTRUCTION

USE METHOD 11 FOR CLEARING

**NCDOT**  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-5129D  
 WBS NUMBER: 42287.11  
 REPLACE BRIDGE #40  
 ON NC 804 OYER  
 BEAR CREEK

## PLAN VIEW

SCALE: 1" = 50'

SHEET 7 OF 8  
 1/19/09

**EXISTING BRIDGE:**  
 SPANS: 16'7"-8'; 16'6"-11'; 16'7"-9'  
 WIDTH: 28'-1" CLEAR ROADWAY  
 RC FLOOR ON TIMBER JOISTS  
 END BENTS AND INTERIOR BENTS  
 TIMBER CAPS / TIMBER PILES

**PROPOSED BRIDGE:**  
 21' CONCRETE CORED SLAB  
 WIDTH: 33' CLEAR ROADWAY  
 LENGTH: 3 @ 30'

ZONE 1 BUFFER IMPACTS	ZONE 2 BUFFER IMPACTS
B-1	B-1
533 SQUARE FEET	391 SQUARE FEET
B-2	B-2
483 SQUARE FEET	281 SQUARE FEET
B-3	B-3
0 SQUARE FEET	0 SQUARE FEET
B-4	B-4
371 SQUARE FEET	279 SQUARE FEET
<b>TOTAL</b>	<b>TOTAL</b>
1387 SQUARE FEET	950 SQUARE FEET
0.032 ACRES	0.022





CAMA / DREDGE & FILL

# GENERAL PERMIT

New  Modification  Complete Reissue  Partial Reissue

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Nº 51295

Previous permit # \_\_\_\_\_  
Date previous permit issued \_\_\_\_\_

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to 15A NCAC

07H. 2300

Rules attached.

Applicant Name NC DOT  
Address P.O. Box 1587  
City Greenville, State NC ZIP 27835  
Phone # (252) 830-3490 Fax # ( )  
Authorized Agent Jay Johnson

Project Location: County Pamlico  
Street Address/ State Road/ Lot #(s) NC 304  
Bridge 42  
Subdivision \_\_\_\_\_  
City Bayboro, NC ZIP 28515  
Phone # ( ) \_\_\_\_\_ River Basin Newse  
Adj. Wtr. Body Gale Creek (nat/man/unkn)  
Closest Maj. Wtr. Body Bay River

Affected AEC(s):  CW  EW  PTA  YES  PTS  
 OEA  HHF  IH  UBA  N/A  
 PWS: \_\_\_\_\_  FC: \_\_\_\_\_  
ORW: yes /  no PNA  yes / no Crit.Hab. yes / no

Type of Project/ Activity Construct a 33' X 110' bridge to replace an existing 28' X 101' bridge. (Scale: N/A )

- Pier (dock) length \_\_\_\_\_
- Platform(s) \_\_\_\_\_
- Finger pier(s) \_\_\_\_\_
- Groin length \_\_\_\_\_  
number \_\_\_\_\_
- Bulkhead/ Riprap length \_\_\_\_\_  
avg distance offshore \_\_\_\_\_  
max distance offshore \_\_\_\_\_
- Basin, channel \_\_\_\_\_  
cubic yards \_\_\_\_\_
- Boat ramp \_\_\_\_\_
- Boathouse/ Boatlift \_\_\_\_\_
- Beach Bulldozing \_\_\_\_\_
- Other 33' X 110' bridge

Bridge Plans Attached  
and Incorporated into Permit.

Shoreline Length 120'  
 SAV: not sure yes  no   
 Sandbags: not sure yes  no   
 Moratorium: n/a  yes  no   
 Photos:  yes  no   
 Waiver Attached:  yes  no

A building permit may be required by: Pamlico County  See note on back regarding River Basin rules.  
 Notes/ Special Conditions 1) No in-water work is allowed between April 1 - September 30 of any year. 2) Turbidity curtains shall be utilized during all in-water work. 3) Measures sufficient to restrain erosion and sedimentation shall be implemented in accordance with BMPs.

Agent or Applicant Printed Name Jay Johnson  
 Signature Jay Johnson \*\*Please read compliance statement on back of permit\*\*  
 Application Fee(s) \$400.00 WBS # 42287.1.1 Check # \_\_\_\_\_

Permit Officer's Signature Stephen Sore  
 Issuing Date 5-29-09 Expiration Date No Expiration Rate  
 Local Planning Jurisdiction Pamlico County Rover File Name X042817A

**Statement of Compliance and Consistency**

This permit is subject to compliance with this application, site drawing and attached general and specific conditions. Any violation of these terms may subject the permittee to a fine or criminal or civil action; and may cause the permit to become null and void.

This permit must be on the project site and accessible to the permit officer when the project is inspected for compliance. The applicant certifies by signing this permit that 1) prior to undertaking any activities authorized by this permit, the applicant will confer with appropriate local authorities to confirm that this project is consistent with the local land use plan and all local ordinances, and 2) a written statement or certified mail return receipt has been obtained from the adjacent riparian landowner(s).

The State of North Carolina and the Division of Coastal Management, in issuing this permit under the best available information and belief, certify that this project is consistent with the North Carolina Coastal Management Program.

**River Basin Rules Applicable To Your Project:**

Tar - Pamlico River Basin Buffer Rules

Other: \_\_\_\_\_

Neuse River Basin Buffer Rules

If indicated on front of permit, your project is subject to the Environmental Management Commission's Buffer Rules for the River Basin checked above due to its location within that River Basin. These buffer rules are enforced by the NC Division of Water Quality. Contact the Division of Water Quality at the Washington Regional Office (252-946-6481) or the Wilmington Regional Office (910-796-7215) for more information on how to comply with these buffer rules.

**Division of Coastal Management Offices****Raleigh Office**

Mailing Address:  
1638 Mail Service Center  
Raleigh, NC 27699-1638

Location:  
2728 Capital Blvd.  
Raleigh, NC 27604  
919-733-2293  
Fax: 919-733-1495

**Morehead City Headquarters**

400 Commerce Ave  
Morehead City, NC 28557  
252-808-2808/ 1-888-4RCOAST  
Fax: 252-247-3330

(Serves: Carteret, Craven, Onslow -above  
New River Inlet- and Pamlico Counties)

**Elizabeth City District**

1367 U.S. 17 South  
Elizabeth City, NC 27909  
252-264-3901  
Fax: 252-264-3723

(Serves: Camden, Chowan, Currituck,  
Dare, Gates, Pasquotank and Perquimans  
Counties)

**Washington District**

943 Washington Square Mall  
Washington, NC 27889  
252-946-6481  
Fax: 252-948-0478

(Serves: Beaufort, Bertie, Hertford, Hyde,  
Tyrrell and Washington Counties)

**Wilmington District**

127 Cardinal Drive Ext.  
Wilmington, NC 28405-3845  
910-796-7215  
Fax: 910-395-3964

(Serves: Brunswick, New Hanover,  
Onslow -below New River Inlet- and  
Pender Counties)



North Carolina Department of Environment and Natural Resources  
Division of Water Quality

Beverly Eaves Perdue  
Governor

Coleen H. Sullins  
Director

Dee Freeman  
Secretary

June 29, 2009  
Pamlico County  
B-5129E  
DWQ Project No. 20090454

**APPROVAL of 401 WATER QUALITY CERTIFICATION and TAR-PAMLICO RIVER BUFFER AUTHORIZATION with ADDITIONAL CONDITIONS**

Mr. Jay Johnson  
North Carolina Department of Transportation  
P.O. Box 1587  
Greenville, NC 27835

Dear Mr. Johnson:

You have our approval, in accordance with the attached conditions and those listed below, for the following impacts:

Site Number	Stream Fill (acres)	Wetlands Fill (acres)	Buffer Zone 1 (sq ft)	Buffer Zone 2 (sq ft)
Pamlico 42	0.006	0.005	501	428
Net Total Impacts			929	

The project shall be constructed in accordance with your application dated received April 28, 2009 for the purpose of replacing Bridge Number 42 over Gale Creek on NC 304 in Pamlico County. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 3687. This certification corresponds to Nationwide Permit 3 issued by the Corps of Engineers. This approval is also valid for the Tar-Pamlico River Buffer Rules (15A NCAC 2B .0259). 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 will expire with the accompanying 404 permit issued by the US Army Corps of Engineers.

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 total impacts to streams or buffers (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed in the attached certification.

- 1.) Upon completion of the project, the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.

- 2.) The permittee 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 and Federal law. If NCDWQ 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, NCDWQ may reevaluate and modify this certification.
- 3.) 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.
- 4.) 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.
- 5.) 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.
- 6.) 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.
- 7.) The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage.
- 8.) Heavy equipment must be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into the stream.
- 9.) 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.
- 10.) No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
- 11.) Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
- 12.) All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification.

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- 13.) 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.
- 14.) Native riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction
- 15.) 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.
- 16.) 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 the 401 Water Quality Certification.
- 17.) Bridge deck drains should not discharge directly into the stream. Stormwater shall 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*.
- 18.) A copy of this Water Quality Certification shall be posted on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager.

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

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 Garcy Ward at (252) 948-3922.

Sincerely,

for

  
Coleen Smith

Director, Division of Water Quality

**Attachment**

cc: Wilmington District Corps of Engineers  
Mr. William Wescott, US Army Corps of Engineers, Washington Field Office  
Ms. Sonia Gregory, NC DWQ, 401/Wetlands Unit  
Mr. Stephen Lane, DCM, Morehead City  
File copy

# Water Quality Certification N<sup>o</sup>. 3687 158

**GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT NUMBERS: 3 (MAINTENANCE), 4 (FISH AND WILDLIFE HARVESTING, ENHANCEMENT, AND ATTRACTION DEVICES AND ACTIVITIES), 5 (SCIENTIFIC MEASUREMENT DEVICES—25 CUBIC YARDS FOR WEIRS AND FLUMES), 6 (SURVEY ACTIVITIES—25 CUBIC YARDS FOR TEMPORARY PADS), 7 (OUTFALL STRUCTURES AND ASSOCIATED INTAKE STRUCTURES), 19 (MINOR DREDGING), 20 (OIL SPILL CLEANUP), 22 (REMOVAL OF VESSELS), 25 (STRUCTURAL DISCHARGE), 30(MOIST SOIL MANAGEMENT FOR WILDLIFE), 32 (COMPLETED ENFORCEMENT ACTIONS), 36 (BOAT RAMPS [IN NONWETLAND SITES]), AND REGIONAL PERMIT 197800056 (PIERS, DOCKS AND BOATHOUSES), AND REGIONAL PERMIT 197800125 (BOAT RAMPS) AND RIPARIAN AREA PROTECTION RULES (BUFFER RULES)**

Water Quality Certification Number 3687 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 .0200 for the discharge of fill material to waters and wetland areas which are waters of the United States as described in 33 CFR 330 Appendix A (B) (3, 4, 5, 6, 7, 19, 20, 22, 25, 30, 32, and 36) of the Corps of Engineers regulations and Regional Permits 197800056 and 19780125 and for the Riparian Area Protection Rules (Buffer Rules) in 15A NCAC 2B .0200.

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.

**Activities meeting any one (1) of the following thresholds or circumstances require *written approval* for a 401 Water Quality Certification from the Division of Water Quality (the "Division"):**

- a. Impacts equal or greater than 40 linear feet of additional permanent stream impact at an existing stream crossing location, or
- b. Temporary or permanent impacts equal to or exceeding: one-third (1/3) acre of wetlands East of Interstate-95, or one-tenth (1/10) of acre of wetlands West of Interstate-95; or
- c. Any impact associated with a Notice of Violation or an enforcement action initiated by the Division and/or the Division of Land Resources; or
- d. Projects with any impacts to streams, wetlands, and/or waters that have received a Notice of Violation from the Division and/or Division of Land Resources; or
- e. Any impacts to streams and/or buffers in the Neuse, Tar-Pamlico, Randleman and Catawba River Basins (or any other basins with Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) *unless* the activities are listed as "EXEMPT" from these Rules.

\* In accordance with North Carolina General Statute Section 143-215.3D(e), written approval for a 401 Water Quality General Certification must include the appropriate fee. If a project also requires a CAMA Permit, then one payment to both agencies shall be submitted and will be the higher of the two fees.

**Activities included in this General Certification and below the thresholds listed above *do not* require written approval from the Division of Water Quality as long as they comply with the Conditions of Certification listed below. If any of these Conditions cannot be met, written approval from the Division is required.**



## Conditions of Certification:

## 1. No Impacts Beyond Those Authorized for this General Certification

No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the thresholds established for use of this General Certification, or beyond the footprint of the impacts authorized in the written approval, including incidental impacts. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur.

## 2. Standard Erosion and Sediment Control Practices

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:

- a. 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.
- 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. Reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.
- d. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times, except for publicly funded linear transportation projects when materials can be accessed offsite in a timely manner.
- e. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), Trout (Tr), SA, WS-I, WS-II, High Quality (HQW), or Outstanding Resource (ORW) waters, then the sediment and erosion control requirements contained within *Design Standards in Sensitive Watersheds* (15A NCAC 04B .0124) supercede all other sediment and erosion control requirements.

## 3. No Sediment and Erosion Control Measures in Wetlands or Waters

Sediment and erosion control measures should not be placed in wetlands or waters outside of the permitted impact areas without prior approval from the Division. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then the design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. All sediment and erosion control devices shall be removed and the natural grade restored within two (2) months of the date that the Division of Land Resources or locally delegated program has released the project.

## 4. Construction Stormwater Permit NCG010000

Upon the approval of an Erosion and Sedimentation Control Plan issued by the Division of Land Resources (DLR) or a DLR delegated local erosion and sedimentation control program, an NPDES General stormwater permit (NCG010000) administered by the Division is automatically issued to the project. This General Permit allows stormwater to be discharged during land disturbing construction activities as stipulated by conditions in the permit. If the

activity is covered by this permit [applicable to construction projects that disturb one (1) or more acres], full compliance with permit conditions including the sedimentation control plan, self-monitoring, record keeping and reporting requirements are required. A copy of this permit and monitoring report forms may be found at [http://h2o.enr.state.nc.us/su/Forms\\_Documents.htm](http://h2o.enr.state.nc.us/su/Forms_Documents.htm).

NCDOT shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) stormwater permit.

## 5. Work in the Dry

All work in or adjacent to stream waters shall be conducted in a dry work area. Approved best management practices from the most current version of the NC Sediment and Erosion Control Manual, or the NC DOT Construction and Maintenance Activities Manual, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require submittal to, and approval by, the Division.

## 6. Construction Moratoriums and Coordination

If activities must occur during periods of high biological activity (i.e. sea turtle or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) to protect trout, anadromous fish, larval/post-larval fishes and crustaceans, or other aquatic species of concern shall be obeyed. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

Work within the twenty-five (25) designated trout counties or identified state or federal endangered or threatened species habitat shall be coordinated with the appropriate WRC, USFWS, NMFS personnel.

## 7. Riparian Area Protection Rules (Buffer Rules)

Activities located in the protected 50-foot wide riparian areas (whether jurisdictional wetlands or not) within the Neuse, Tar-Pamlico, Randleman, Catawba (or any other basin with buffer rules), shall be limited to "uses" identified within and constructed in accordance with 15A NCAC 2B .0233, .0259, .0250, and .0243, and 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. All riparian area protection rule requirements, including diffuse flow requirements, must be met.

## 8. Water Supply Watershed Buffers

The 100-foot wide (high-density development) or the 30-foot wide vegetative buffer (all other development) must be maintained adjacent to all perennial waters except for allowances as provided in the Water Supply Watershed Protection Rules [15A NCAC 2B .0212 through .0215].

9. Placement of Culverts and Other Structures in Waters and Wetlands

The application must include construction plans with cross-sectional details in order to indicate that the current stability of the stream will be maintained or enhanced (i.e., not result in head cuts).

Culverts required for this project shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Placement of culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life, unless otherwise justified and approved by the Division.

Installation of culverts in wetlands must ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. 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 destabilization of streams or wetlands.

Any rip rap required for normal pipe burial and stabilization shall be buried such that the original stream elevation is restored and maintained.

The establishment of native, woody vegetation and other soft stream bank stabilization techniques must be used where practicable instead of rip-rap or other bank hardening methods.

10. If concrete is used during the construction, then 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/fish kills.
11. Applications for riprap groins proposed in accordance with 15A NCAC 07H .1401 (NC Division of Coastal Management General Permit for construction of Wooden and Riprap Groins in Estuarine and Public Trust Waters) must meet all the specific conditions for design and construction specified in 15A NCAC 07H .1405.

12. Temporary Fills and/or Access Roads

All temporary fill and culverts shall be removed and the impacted area returned to the original grade, including each stream's original cross sectional dimensions, plan form pattern, and longitudinal bed and bed profile after construction is complete or within two (2) months of the establishment of the crossing, whichever is sooner, and the various sites shall be stabilized with natural woody vegetation (except for the maintenance areas of permanent utility crossings) and restored to prevent erosion. If the crossings are not completely removed and restored as described above within the specified time above, then written approval from the Division must be obtained to modify this condition.

13. For activities requiring written approval, additional site-specific conditions may be added to the approval letter in order to ensure compliance with all applicable water quality and effluent standards.

\* 14. Certificate of Completion

When written authorization is required for use of this certification, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return the certificate of completion attached to the approval. One copy of the certificate shall be sent to the DWQ Central Office in Raleigh at 1650 Mail Service Center, Raleigh, NC, 27699-1650.

\* 15. If an environmental document is required under NEPA or SEPA, then this General Certification is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse.

16. This General Certification shall expire three (3) years from the date of issuance of the written approval or on the same day as the expiration date of these corresponding Nationwide and Regional General Permits. In accordance with General Statute 136-44.7B, certifications issued to the NCDOT shall expire only upon expiration of the federal 404 Permit. The conditions in effect on the date of issuance of Certification for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Certification. If the construction process for approved activities will overlap the expiration and renewal date of the corresponding 404 Permit and the Corps allows for continued use of the 404 Permit, then the General Certification shall also remain in effect without requiring re-application and re-approval to use this Certification for the specific impacts already approved.

17. The applicant/permittee and their authorized agents shall conduct all 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 and Federal Law. If the Division determines that such standards or laws are not being met, including 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, then the Division may reevaluate and modify this General Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth by a specific fill project shall result in revocation of this General Certification for the project and may result in criminal and/or civil penalties.

The Director of the North Carolina Division of Water Quality may require submission of a formal application for Individual Certification for any project in this category of activity if it is determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or degrade the waters so that existing uses of the wetland or downstream waters are precluded.

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

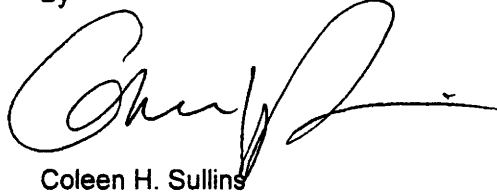
# Water Quality Certification N<sup>o</sup>. 3687

**163**

Effective date: November 1, 2007

DIVISION OF WATER QUALITY

By



Coleen H. Sullins

Director

*History Note: Water Quality Certification Number 3687 replaces Water Quality Certification Number 3376 issued on March 18, 2002, Water Quality Certification Number 3494 issued December 31, 2004, and Water Quality Certification Number 3624 issued March 2007. This General Certification is rescinded when the Corps of Engineers re-authorizes any of these Nationwide or Regional Permits or when deemed appropriate by the Director of the Division of Water Quality.*



# \* CERTIFICATE OF COMPLETION

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

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

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 Transportation Permitting 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: \_\_\_\_\_

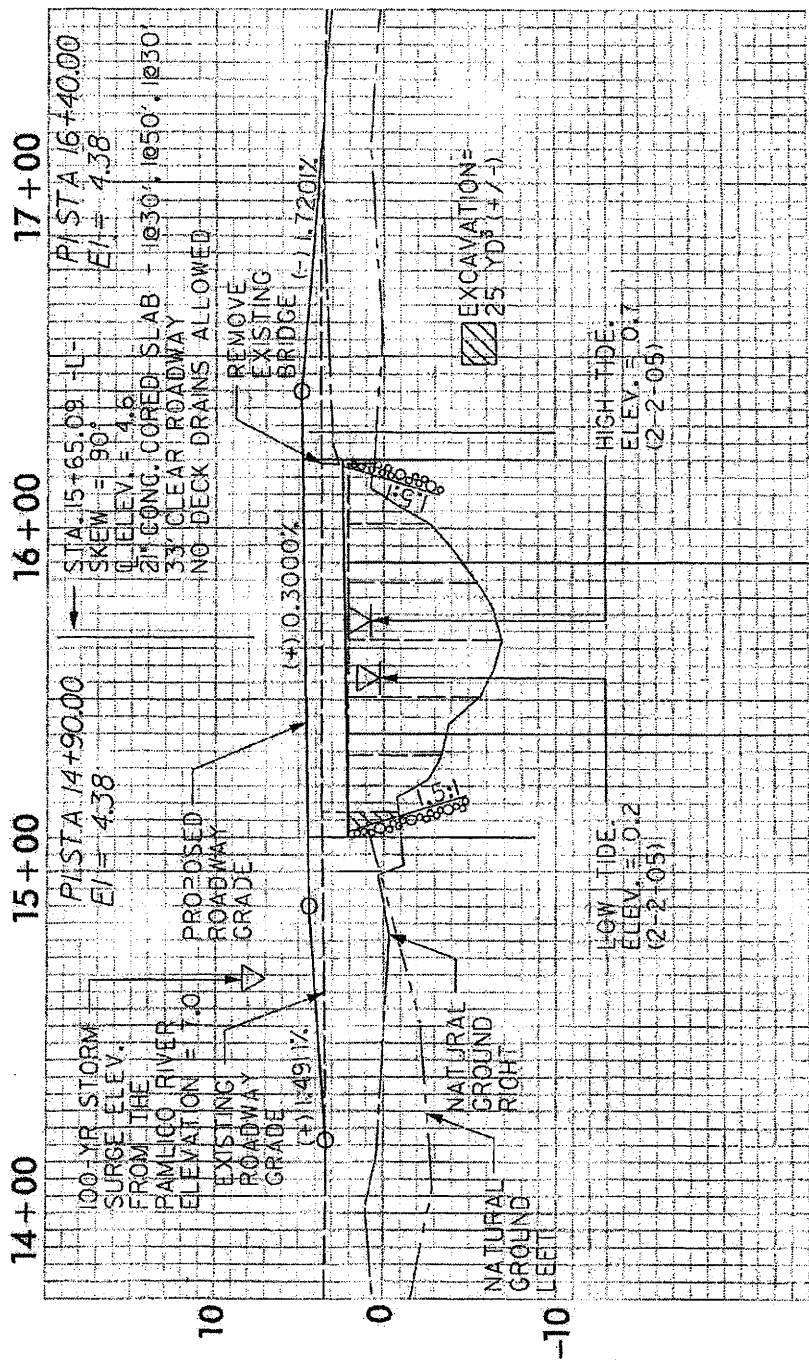
### Engineer's Certification

\_\_\_\_\_ 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 \_\_\_\_\_



PROFILE

SCALE: 1" : 50' (HORIZONTAL)  
1" : 10' (VERTICAL)

NCDOT  
DIVISION OF HIGHWAYS  
PAMLICO COUNTY  
PROJECT: B-5129E  
REPLACE BRIDGE #42  
ON NC 504 OVER  
GALE CREEK

PROJECT No. B-5/29E

DATE: 7-21-2005

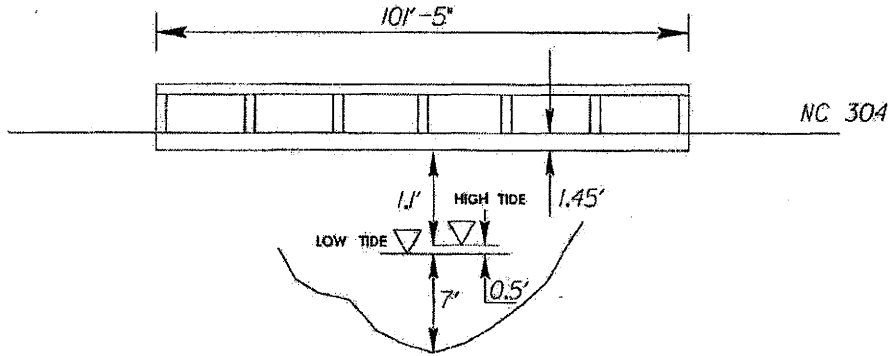
ROAD: NC 304

ROAD NAME: NC 304 OVER  
GALE CREEK

COUNTY: PAMLICO

**CROSS SECTION  
OF BRIDGE No. 42  
EXISTING BRIDGE**

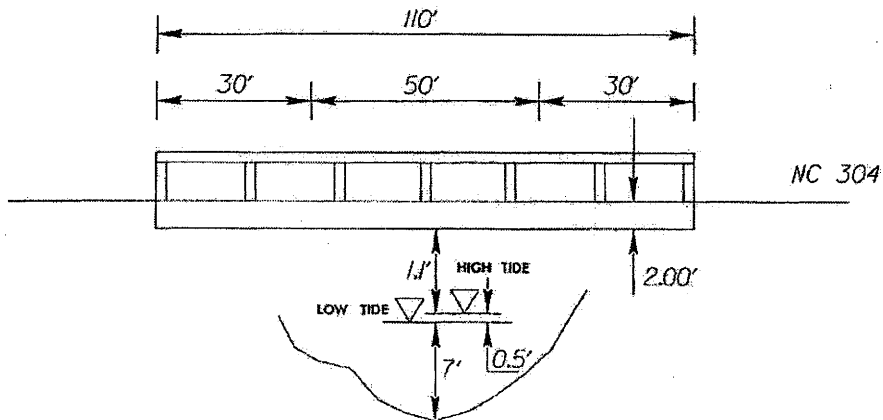
- 1 @ 16'-6"
  - 1 @ 16'-11"
  - 1 @ 16'-8"
  - 1 @ 16'-9"
  - 1 @ 17'-2"
  - 1 @ 17'-6"
- 28' CLEAR ROADWAY**



NOT TO SCALE

**PROPOSED 21" CONCRETE CORED SLAB**

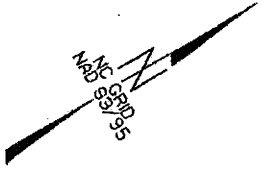
**PROPOSED LENGTH: 3 SPANS 1 @ 30'; 1 @ 50'; 1 @ 30'**  
**33' CLEAR ROADWAY**  
**NO DECK DRAINS ALLOWED**



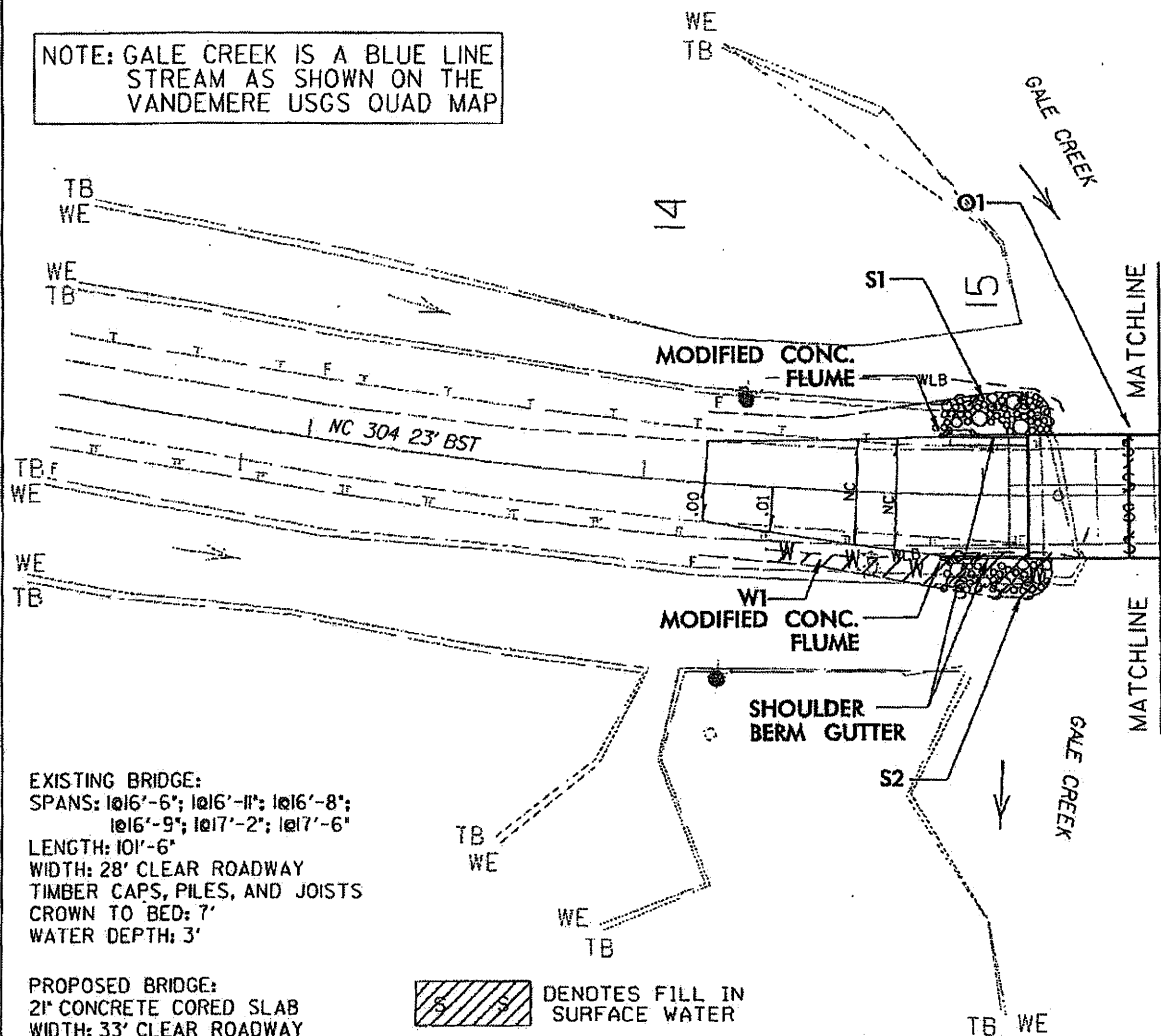
NOT TO SCALE



# METHOD II CLEARING





NOTE: GALE CREEK IS A BLUE LINE STREAM AS SHOWN ON THE VANDEMERE USGS QUAD MAP



EXISTING BRIDGE:  
 SPANS: 1016'-6"; 1016'-11"; 1016'-8";  
 1016'-9"; 1017'-2"; 1017'-6"  
 LENGTH: 101'-6"  
 WIDTH: 28' CLEAR ROADWAY  
 TIMBER CAPS, PILES, AND JOISTS  
 CROWN TO BED: 7'  
 WATER DEPTH: 3'

PROPOSED BRIDGE:  
 21" CONCRETE CORED SLAB  
 WIDTH: 33' CLEAR ROADWAY  
 LENGTH: 1030'; 1050'; 1030'  
 NO DECK DRAINS ALLOWED

 DENOTES FILL IN SURFACE WATER  
 DENOTES FILL IN WETLAND

FOR PERMITTING ONLY  
 NOT FOR CONSTRUCTION

SURFACE WATERS FILL			FILL IN WETLANDS	
S1	118 SQ.FT.	11 FT.	W1	660 SQ.FT.
S2	92 SQ.FT.	3 FT.	TOTAL	0.015 ACRES
S3	17 SQ.FT.	4 FT.		
TOTAL	0.005 ACRES	18 FT.	O1	110 SQ.FT.
<b>PLAN VIEW</b> SCALE: 1" : 50'			O2	110 SQ.FT.
			TOTAL	0.005 ACRES

**NCDOT**  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-5129E  
 REPLACE BRIDGE #42  
 ON NC 304 OVER  
 GALE CREEK

SHEET 7 OF 10 3-27-09

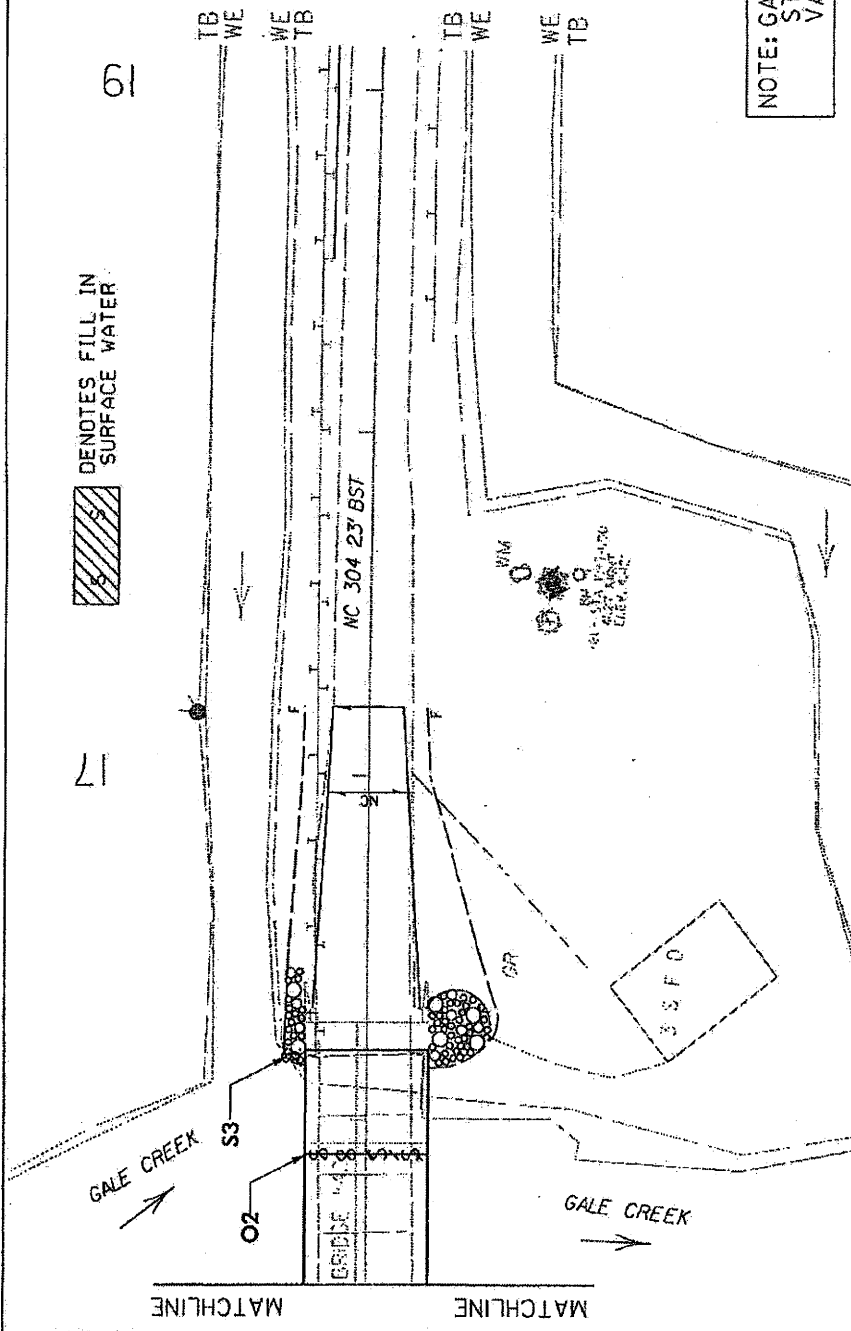
**FOR PERMITTING ONLY  
NOT FOR CONSTRUCTION**

EXISTING BRIDGE:  
SPANS: 1016'-6"; 1016'-11"; 1016'-8";  
1016'-9"; 1017'-2"; 1017'-6"  
LENGTH: 101'-6"  
WIDTH: 28' CLEAR ROADWAY  
TIMBER CAPS, PILES, AND JOISTS  
CROWN TO BED: 7'  
WATER DEPTH: 3'

PROPOSED BRIDGE:  
2" CONCRETE CORED SLAB  
WIDTH: 33' CLEAR ROADWAY  
LENGTH: 1030'; 1050'; 1030'  
NO DECK DRAINS ALLOWED



NOTE: GALE CREEK IS A BLUE LINE  
STREAM AS SHOWN ON THE  
VANDEMERE USGS QUAD MAP



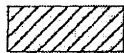
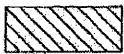

**NC DOT**  
DIVISION OF HIGHWAYS  
PAMLICO COUNTY  
PROJECT: B-5129E  
REPLACE BRIDGE #42  
ON NC 304 OVER  
GALE CREEK

**PLAN VIEW**  
SCALE: 1" = 50'

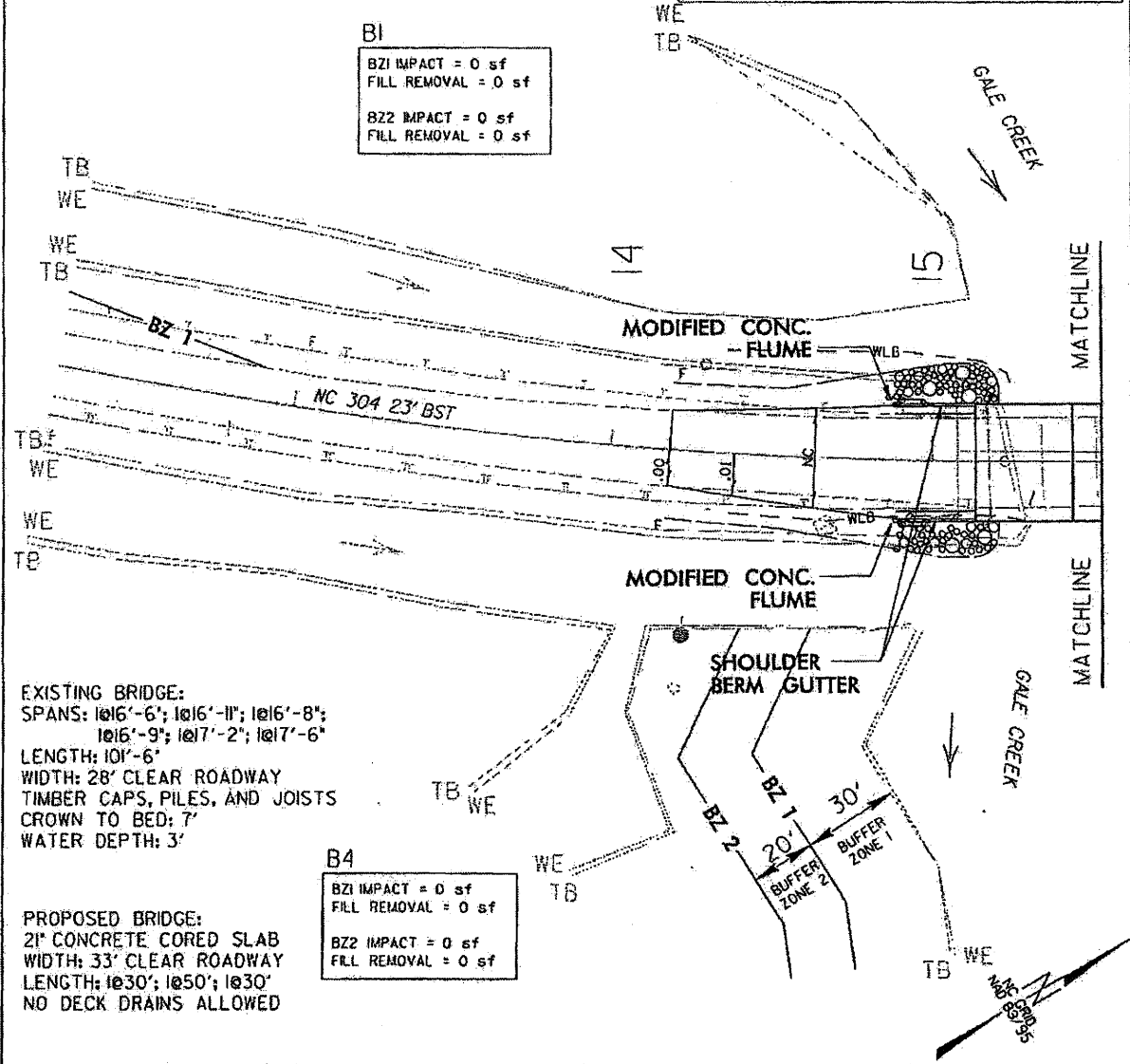
**METHOD II CLEARING**

SURFACE WATERS FILL		FILL IN WETLANDS	
SI	118 SQ.FT.	WI	660 SQ.FT.
S2	92 SQ.FT.	TOTAL	0.015 ACRES
S3	17 SQ.FT.		
TOTAL	0.005 ACRES	O1	110 SQ.FT.
		O2	110 SQ.FT.
		TOTAL	0.005 ACRES

# METHOD II CLEARING

-  DENOTES IMPACTS TO BUFFER ZONE 1
-  DENOTES IMPACTS TO BUFFER ZONE 2
-  FILL REMOVAL

NOTE: GALE CREEK IS A BLUE LINE STREAM AS SHOWN ON THE VANDEMERE USGS QUAD MAP






PLAN VIEW SCALE: 1" = 50'		FOR PERMITTING ONLY NOT FOR CONSTRUCTION	
ZONE 1 BUFFER IMPACTS		ZONE 2 BUFFER IMPACTS	
B1	0 SQUARE FEET	AREA 1	0 SQUARE FEET
B2	0 SQUARE FEET	AREA 2	0 SQUARE FEET
B3	501 SQUARE FEET	AREA 3	428 SQUARE FEET
B4	0 SQUARE FEET	AREA 4	0 SQUARE FEET
TOTAL	501 SQUARE FEET 0.012 ACRES	TOTAL	428 SQUARE FEET 0.010 ACRES

**NCDOT**  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-5129E  
 REPLACE BRIDGE #42  
 ON NC 304 OVER  
 GALE CREEK

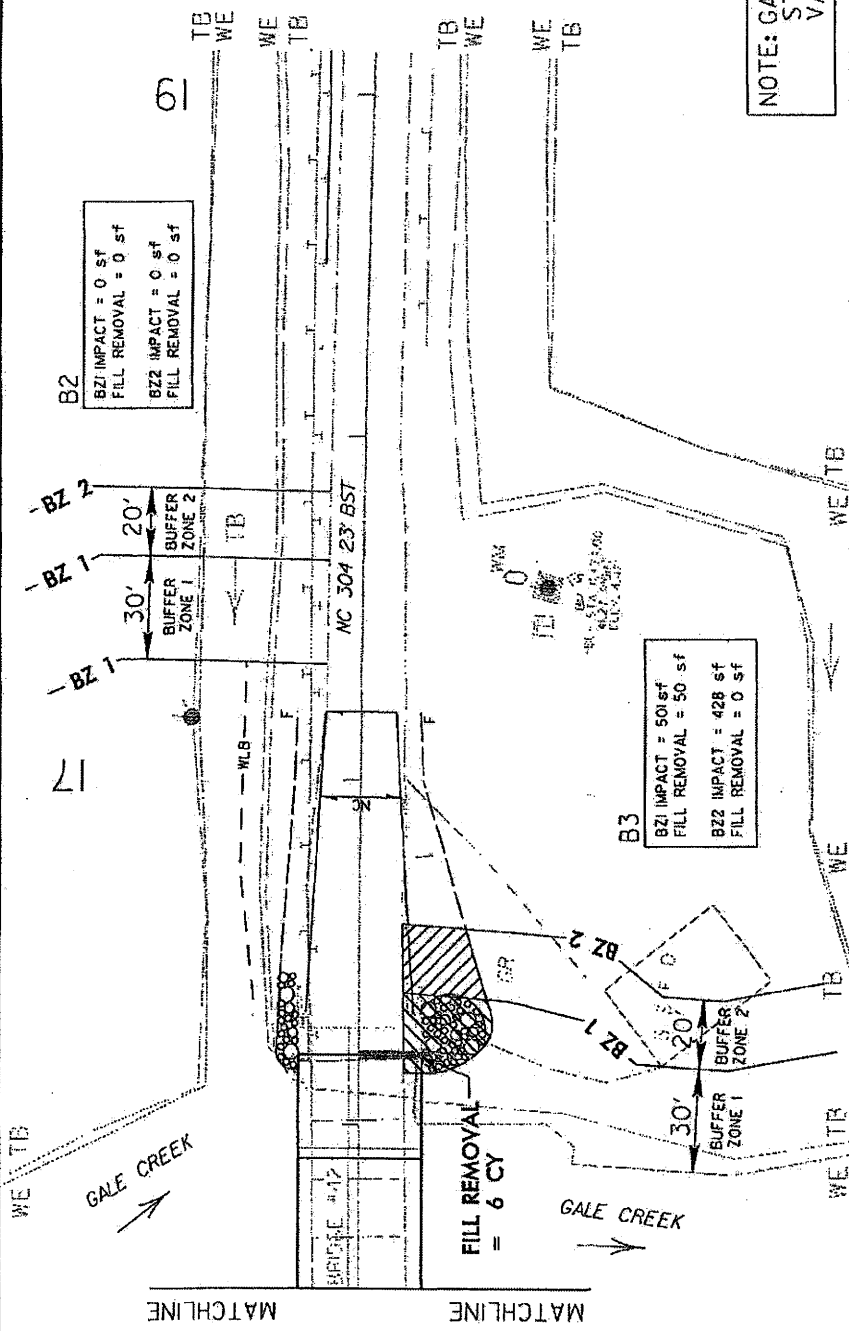
SHEET 9 OF 10 3-3-09

EXISTING BRIDGE:  
 SPANS: 16'-6"; 16'-11"; 16'-8";  
 16'-9"; 17'-2"; 17'-6";  
 LENGTH: 101'-6"  
 WIDTH: 28' CLEAR ROADWAY  
 TIMBER CAPS, PILES, AND JOISTS  
 CROWN TO BED: 7'  
 WATER DEPTH: 3'

PROPOSED BRIDGE:  
 21" CONCRETE CORED SLAB  
 WIDTH: 33' CLEAR ROADWAY  
 LENGTH: 130'; 150'; 130'  
 NO DECK DRAINS ALLOWED

 DENOTES IMPACTS TO BUFFER ZONE 1  
 DENOTES IMPACTS TO BUFFER ZONE 2  
 FILL REMOVAL

NOTE: GALE CREEK IS A BLUE LINE STREAM AS SHOWN ON THE VANDEMERE USGS QUAD MAP



**NCDOT**  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-5129E  
 REPLACE BRIDGE # 42  
 ON NC 304 OVER  
 GALE CREEK

**PLAN VIEW**  
 SCALE: 1" = 50'  
 FOR PERMITTING ONLY  
 NOT FOR CONSTRUCTION

SHEET 10 OF 10 3-3-09

**METHOD II CLEARING**

ZONE 1 BUFFER IMPACTS	ZONE 2 BUFFER IMPACTS			
	AREA 1	AREA 2	AREA 3	AREA 4
B1	0 SQUARE FEET	0 SQUARE FEET	0 SQUARE FEET	0 SQUARE FEET
B2	0 SQUARE FEET	0 SQUARE FEET	428 SQUARE FEET	0 SQUARE FEET
B3	501 SQUARE FEET	0 SQUARE FEET	0 SQUARE FEET	0 SQUARE FEET
B4	0 SQUARE FEET	0 SQUARE FEET	0 SQUARE FEET	0 SQUARE FEET
TOTAL	501 SQUARE FEET	0 SQUARE FEET	428 SQUARE FEET	0 SQUARE FEET
	0.012 ACRES		0.010 ACRES	



CAMA /  DREDGE & FILL  
**GENERAL PERMIT**

**171**

No 51296

New  Modification  Complete Reissue  Partial Reissue

Previous permit # \_\_\_\_\_  
 Date previous permit issued \_\_\_\_\_

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to 15A NCAC

07H.2300

Rules attached.

Applicant Name NC DOT  
 Address PO Box 1587  
 City Greenville State NC ZIP 27835  
 Phone # (252) 830-3400 Fax # \_\_\_\_\_  
 Authorized Agent Jay Johnson

Project Location: County Pamlico  
 Street Address/ State Road/ Lot #(s) NC 304  
Bridge 44  
 Subdivision \_\_\_\_\_  
 City Bayboro, NC ZIP 28515  
 Phone # (\_\_\_\_) \_\_\_\_\_ River Basin Nenase  
 Adj. Wtr. Body UT to Jones Bay (nat /man /unkn)  
 Closest Maj. Wtr. Body Nenase River

Affected  CW  EW  PTA  ES  PTS  
 OEA  HHF  IH  UBA  N/A  
 AEC(s):  PWS: \_\_\_\_\_  FC: \_\_\_\_\_

ORW: yes /  no  PNA  yes / no  Crit.Hab. yes / no

Type of Project/ Activity Construct a 33' X 80' bridge to replace an existing 22' X 53' bridge. (Scale: N/A)

Pier (dock) length	_____
Platform(s)	_____
Finger pier(s)	_____
Groin length	_____
number	_____
Bulkhead/ Riprap length	_____
avg distance offshore	_____
max distance offshore	_____
Basin, channel	_____
cubic yards	_____
Boat ramp	_____
Boathouse/ Boatlift	_____
Beach Bulldozing	_____
Other	<u>33' X 80' bridge</u>

Bridge Plans Attached  
and Incorporated into Permit.

Shoreline Length 129  
 SAV: not sure yes  no   
 Sandbags: not sure yes  no   
 Moratorium: n/a  yes  no   
 Photos:  yes  no   
 Waiver Attached: yes  no

A building permit may be required by: Pamlico County  See note on back regarding River Basin rules.

Notes/ Special Conditions 1 No in-water work is allowed between April 1-September 30 of any year. 2 Turbidity curtains shall be utilized during all in-water work. 3 Measures sufficient to restrain erosion and sedimentation shall be implemented in accordance with BMPs.

Agent or Applicant Printed Name Jay Johnson  
 Signature Jay Johnson  
 Application Fee(s) \$400.00 Check # \_\_\_\_\_  
 WBS # 42207.1.1

Permit Officer's Signature Stephen Lane  
 Issuing Date 5-29-01  
 Local Planning Jurisdiction Pamlico County  
 Expiration Date No Expiration Date  
 Rover File Name X0428176

**Statement of Compliance and Consistency**

This permit is subject to compliance with this application, site drawing and attached general and specific conditions. Any violation of these terms may subject the permittee to a fine or criminal or civil action; and may cause the permit to become null and void.

This permit must be on the project site and accessible to the permit officer when the project is inspected for compliance. The applicant certifies by signing this permit that 1) prior to undertaking any activities authorized by this permit, the applicant will confer with appropriate local authorities to confirm that this project is consistent with the local land use plan and all local ordinances, and 2) a written statement or certified mail return receipt has been obtained from the adjacent riparian landowner(s).

The State of North Carolina and the Division of Coastal Management, in issuing this permit under the best available information and belief, certify that this project is consistent with the North Carolina Coastal Management Program.

**River Basin Rules Applicable To Your Project:**

Tar - Pamlico River Basin Buffer Rules

Other: \_\_\_\_\_

Neuse River Basin Buffer Rules

If indicated on front of permit, your project is subject to the Environmental Management Commission's Buffer Rules for the River Basin checked above due to its location within that River Basin. These buffer rules are enforced by the NC Division of Water Quality. Contact the Division of Water Quality at the Washington Regional Office (252-946-6481) or the Wilmington Regional Office (910-796-7215) for more information on how to comply with these buffer rules.

**Division of Coastal Management Offices****Raleigh Office**

Mailing Address:  
1638 Mail Service Center  
Raleigh, NC 27699-1638

Location:  
2728 Capital Blvd.  
Raleigh, NC 27604  
919-733-2293  
Fax: 919-733-1495

**Morehead City Headquarters**

400 Commerce Ave  
Morehead City, NC 28557  
252-808-2808/ 1-888-4RCOAST  
Fax: 252-247-3330

(Serves: Carteret, Craven, Onslow -above  
New River Inlet- and Pamlico Counties)

**Elizabeth City District**

1367 U.S. 17 South  
Elizabeth City, NC 27909  
252-264-3901  
Fax: 252-264-3723

(Serves: Camden, Chowan, Currituck,  
Dare, Gates, Pasquotank and Perquimans  
Counties)

**Washington District**

943 Washington Square Mall  
Washington, NC 27889  
252-946-6481  
Fax: 252-948-0478

(Serves: Beaufort, Bertie, Hertford, Hyde,  
Tyrrell and Washington Counties)

**Wilmington District**

127 Cardinal Drive Ext.  
Wilmington, NC 28405-3845  
910-796-7215  
Fax: 910-395-3964

(Serves: Brunswick, New Hanover,  
Onslow -below New River Inlet- and  
Pender Counties)



North Carolina Department of Environment and Natural Resources  
Division of Water Quality

Beverly Eaves Perdue  
Governor

Coleen H. Sullins  
Director

Dee Freeman  
Secretary

June 29, 2009  
Pamlico County  
B-4594  
DWQ Project No. 20090474

**APPROVAL of 401 WATER QUALITY CERTIFICATION and TAR-PAMLICO RIVER BUFFER AUTHORIZATION with ADDITIONAL CONDITIONS**

Mr. Jay Johnson  
North Carolina Department of Transportation  
P.O. Box 1587  
Greenville, NC 27835

Dear Mr. Johnson:

You have our approval, in accordance with the attached conditions and those listed below, for the following impacts:

Site Number	Stream (acres)	Coastal Wetlands (acres)
Pamlico 44	0.003	0.008

The project shall be constructed in accordance with your application dated received April 28, 2009 for the purpose of replacing Bridge Number 44 over an unnamed tributary to Jones Bay on NC 304 in Pamlico County. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 3687. This certification corresponds to Nationwide Permit 3 issued by the Corps of Engineers. This approval is also valid for the Tar-Pamlico River Buffer Rules (15A NCAC 2B .0259). 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 will expire with the accompanying 404 permit issued by the US Army Corps of Engineers.

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 total impacts to streams or buffers (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed in the attached certification.

- \* 1.) Upon completion of the project, the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.
- 2.) The permittee 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 and Federal law. If NCDWQ 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, NCDWQ may reevaluate and modify this certification.



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- 3.) 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.
- 4.) 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.
- 5.) 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.
- 6.) 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.
- 7.) The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage.
- 8.) Heavy equipment must be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into the stream.
- 9.) 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.
- 10.) No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
- 11.) Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
- 12.) All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification.
- 13.) 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.
- 14.) Native riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction

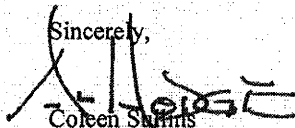


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- 15.) There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities.
- 16.) 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 the 401 Water Quality Certification.
- 17.) Bridge deck drains should not discharge directly into the stream. Stormwater shall 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*.
- 18.) A copy of this Water Quality Certification shall be posted on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager.

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

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 Garcy Ward at (252) 948-3922.

Sincerely,  
  
for Coreen Shinn  
Director, Division of Water Quality

#### Attachment

cc: Wilmington District Corps of Engineers  
Mr. William Wescott, US Army Corps of Engineers, Washington Field Office  
Ms. Sonia Gregory, NC DWQ, 401/Wetlands Unit  
Mr. Stephen Lane, DCM, Morehead City  
File copy

# Water Quality Certification N<sup>o</sup>. 3687 176

**GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT NUMBERS: 3 (MAINTENANCE), 4 (FISH AND WILDLIFE HARVESTING, ENHANCEMENT, AND ATTRACTION DEVICES AND ACTIVITIES), 5 (SCIENTIFIC MEASUREMENT DEVICES—25 CUBIC YARDS FOR WEIRS AND FLUMES), 6 (SURVEY ACTIVITIES—25 CUBIC YARDS FOR TEMPORARY PADS), 7 (OUTFALL STRUCTURES AND ASSOCIATED INTAKE STRUCTURES), 19 (MINOR DREDGING), 20 (OIL SPILL CLEANUP), 22 (REMOVAL OF VESSELS), 25 (STRUCTURAL DISCHARGE), 30(MOIST SOIL MANAGEMENT FOR WILDLIFE), 32 (COMPLETED ENFORCEMENT ACTIONS), 36 (BOAT RAMPS [IN NONWETLAND SITES]), AND REGIONAL PERMIT 197800056 (PIERS, DOCKS AND BOATHOUSES), AND REGIONAL PERMIT 197800125 (BOAT RAMPS) AND RIPARIAN AREA PROTECTION RULES (BUFFER RULES)**

Water Quality Certification Number 3687 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 .0200 for the discharge of fill material to waters and wetland areas which are waters of the United States as described in 33 CFR 330 Appendix A (B) (3, 4, 5, 6, 7, 19, 20, 22, 25, 30, 32, and 36) of the Corps of Engineers regulations and Regional Permits 197800056 and 19780125 and for the Riparian Area Protection Rules (Buffer Rules) in 15A NCAC 2B .0200.

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.

**Activities meeting any one (1) of the following thresholds or circumstances require *written approval* for a 401 Water Quality Certification from the Division of Water Quality (the "Division"):**

- a. Impacts equal or greater than 40 linear feet of additional permanent stream impact at an existing stream crossing location, or
- b. Temporary or permanent impacts equal to or exceeding: one-third (1/3) acre of wetlands East of Interstate-95, or one-tenth (1/10) of acre of wetlands West of Interstate-95; or
- c. Any impact associated with a Notice of Violation or an enforcement action initiated by the Division and/or the Division of Land Resources; or
- d. Projects with any impacts to streams, wetlands, and/or waters that have received a Notice of Violation from the Division and/or Division of Land Resources; or
- e. Any impacts to streams and/or buffers in the Neuse, Tar-Pamlico, Randleman and Catawba River Basins (or any other basins with Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) *unless* the activities are listed as "EXEMPT" from these Rules.

\* In accordance with North Carolina General Statute Section 143-215.3D(e), written approval for a 401 Water Quality General Certification must include the appropriate fee. If a project also requires a CAMA Permit, then one payment to both agencies shall be submitted and will be the higher of the two fees.

**Activities included in this General Certification and below the thresholds listed above *do not* require written approval from the Division of Water Quality as long as they comply with the Conditions of Certification listed below. If any of these Conditions cannot be met, written approval from the Division is required.**

## Conditions of Certification:

### 1. No Impacts Beyond Those Authorized for this General Certification

No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the thresholds established for use of this General Certification, or beyond the footprint of the impacts authorized in the written approval, including incidental impacts. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur.

### 2. Standard Erosion and Sediment Control Practices

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:

- a. 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.
- 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. Reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.
- d. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times, except for publicly funded linear transportation projects when materials can be accessed offsite in a timely manner.
- e. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), Trout (Tr), SA, WS-I, WS-II, High Quality (HQW), or Outstanding Resource (ORW) waters, then the sediment and erosion control requirements contained within *Design Standards in Sensitive Watersheds* (15A NCAC 04B .0124) supercede all other sediment and erosion control requirements.

### 3. No Sediment and Erosion Control Measures in Wetlands or Waters

Sediment and erosion control measures should not be placed in wetlands or waters outside of the permitted impact areas without prior approval from the Division. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then the design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. All sediment and erosion control devices shall be removed and the natural grade restored within two (2) months of the date that the Division of Land Resources or locally delegated program has released the project.

### 4. Construction Stormwater Permit NCG010000

Upon the approval of an Erosion and Sedimentation Control Plan issued by the Division of Land Resources (DLR) or a DLR delegated local erosion and sedimentation control program, an NPDES General stormwater permit (NCG010000) administered by the Division is automatically issued to the project. This General Permit allows stormwater to be discharged during land disturbing construction activities as stipulated by conditions in the permit. If the

activity is covered by this permit [applicable to construction projects that disturb one (1) or more acres], full compliance with permit conditions including the sedimentation control plan, self-monitoring, record keeping and reporting requirements are required. A copy of this permit and monitoring report forms may be found at [http://h2o.enr.state.nc.us/su/Forms\\_Documents.htm](http://h2o.enr.state.nc.us/su/Forms_Documents.htm).

NCDOT shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) stormwater permit.

## 5. Work in the Dry

All work in or adjacent to stream waters shall be conducted in a dry work area. Approved best management practices from the most current version of the NC Sediment and Erosion Control Manual, or the NC DOT Construction and Maintenance Activities Manual, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require submittal to, and approval by, the Division.

## 6. Construction Moratoriums and Coordination

If activities must occur during periods of high biological activity (i.e. sea turtle or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) to protect trout, anadromous fish, larval/post-larval fishes and crustaceans, or other aquatic species of concern shall be obeyed. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

Work within the twenty-five (25) designated trout counties or identified state or federal endangered or threatened species habitat shall be coordinated with the appropriate WRC, USFWS, NMFS personnel.

## 7. Riparian Area Protection Rules (Buffer Rules)

Activities located in the protected 50-foot wide riparian areas (whether jurisdictional wetlands or not) within the Neuse, Tar-Pamlico, Randleman, Catawba (or any other basin with buffer rules), shall be limited to "uses" identified within and constructed in accordance with 15A NCAC 2B .0233, .0259, .0250, and .0243, and 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. All riparian area protection rule requirements, including diffuse flow requirements, must be met.

## 8. Water Supply Watershed Buffers

The 100-foot wide (high-density development) or the 30-foot wide vegetative buffer (all other development) must be maintained adjacent to all perennial waters except for allowances as provided in the Water Supply Watershed Protection Rules [15A NCAC 2B .0212 through .0215].

9. Placement of Culverts and Other Structures in Waters and Wetlands

The application must include construction plans with cross-sectional details in order to indicate that the current stability of the stream will be maintained or enhanced (i.e., not result in head cuts).

Culverts required for this project shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Placement of culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life, unless otherwise justified and approved by the Division.

Installation of culverts in wetlands must ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. 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 destabilization of streams or wetlands.

Any rip rap required for normal pipe burial and stabilization shall be buried such that the original stream elevation is restored and maintained.

The establishment of native, woody vegetation and other soft stream bank stabilization techniques must be used where practicable instead of rip-rap or other bank hardening methods.

10. If concrete is used during the construction, then 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/fish kills.
11. Applications for riprap groins proposed in accordance with 15A NCAC 07H .1401 (NC Division of Coastal Management General Permit for construction of Wooden and Riprap Groins in Estuarine and Public Trust Waters) must meet all the specific conditions for design and construction specified in 15A NCAC 07H .1405.

12. Temporary Fills and/or Access Roads

All temporary fill and culverts shall be removed and the impacted area returned to the original grade, including each stream's original cross sectional dimensions, plan form pattern, and longitudinal bed and bed profile after construction is complete or within two (2) months of the establishment of the crossing, whichever is sooner, and the various sites shall be stabilized with natural woody vegetation (except for the maintenance areas of permanent utility crossings) and restored to prevent erosion. If the crossings are not completely removed and restored as described above within the specified time above, then written approval from the Division must be obtained to modify this condition.

13. For activities requiring written approval, additional site-specific conditions may be added to the approval letter in order to ensure compliance with all applicable water quality and effluent standards.

\* 14. Certificate of Completion

When written authorization is required for use of this certification, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return the certificate of completion attached to the approval. One copy of the certificate shall be sent to the DWQ Central Office in Raleigh at 1650 Mail Service Center, Raleigh, NC, 27699-1650.

\* 15. If an environmental document is required under NEPA or SEPA, then this General Certification is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse.

16. This General Certification shall expire three (3) years from the date of issuance of the written approval or on the same day as the expiration date of these corresponding Nationwide and Regional General Permits. In accordance with General Statute 136-44.7B, certifications issued to the NCDOT shall expire only upon expiration of the federal 404 Permit. The conditions in effect on the date of issuance of Certification for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Certification. If the construction process for approved activities will overlap the expiration and renewal date of the corresponding 404 Permit and the Corps allows for continued use of the 404 Permit, then the General Certification shall also remain in effect without requiring re-application and re-approval to use this Certification for the specific impacts already approved.

17. The applicant/permittee and their authorized agents shall conduct all 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 and Federal Law. If the Division determines that such standards or laws are not being met, including 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, then the Division may reevaluate and modify this General Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth by a specific fill project shall result in revocation of this General Certification for the project and may result in criminal and/or civil penalties.

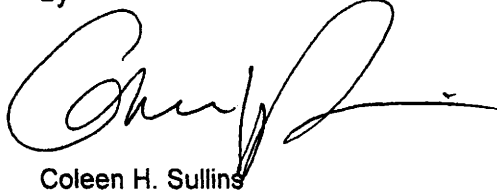
The Director of the North Carolina Division of Water Quality may require submission of a formal application for Individual Certification for any project in this category of activity if it is determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or degrade the waters so that existing uses of the wetland or downstream waters are precluded.

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

Effective date: November 1, 2007

DIVISION OF WATER QUALITY

By

A handwritten signature in black ink, appearing to read 'Coleen H. Sullins', written over a horizontal line.

Coleen H. Sullins

Director

*History Note: Water Quality Certification Number 3687 replaces Water Quality Certification Number 3376 issued on March 18, 2002, Water Quality Certification Number 3494 issued December 31, 2004, and Water Quality Certification Number 3624 issued March 2007. This General Certification is rescinded when the Corps of Engineers re-authorizes any of these Nationwide or Regional Permits or when deemed appropriate by the Director of the Division of Water Quality.*



# \* CERTIFICATE OF COMPLETION

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

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

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 Transportation Permitting 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




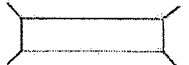


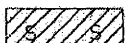
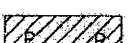

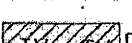
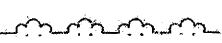
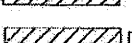

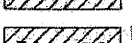

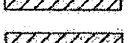

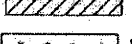

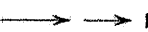


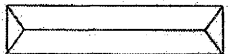
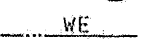


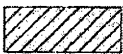




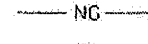
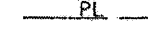

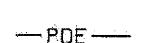

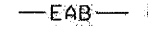


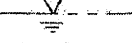
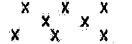
I, \_\_\_\_\_, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the project, for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation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



# LEGEND

 WLB	WETLAND BOUNDARY		PROPOSED BRIDGE
	WETLAND		PROPOSED BOX CULVERT
	DENOTES FILL IN WETLAND		PROPOSED PIPE CULVERT
	DENOTES FILL IN SURFACE WATER	(DASHED LINES DENOTE EXISTING STRUCTURES)	12'-48' PIPES 54' PIPES & ABOVE
	DENOTES FILL IN SURFACE WATER (POND)		SINGLE TREE
	DENOTES TEMPORARY FILL IN WETLAND		WOODS LINE
	DENOTES EXCAVATION IN WETLAND		DRAINAGE INLET
	DENOTES TEMPORARY FILL IN SURFACE WATER		ROOTWAD
	DENOTES HAND CLEARING		RIP RAP
	DENOTES MECHANIZED CLEARING		ADJACENT PROPERTY OWNER OR PARCEL NUMBER IF AVAILABLE
	FLOW DIRECTION		PREFORMED SCOUR HOLE
	TOP OF BANK		LEVEL SPREADER (LS)
	EDGE OF WATER		DITCH / GRASS SWALE
	PROP. LIMIT OF CUT		DENOTES IMPACTS TO BUFFER ZONE 1
	PROP. LIMIT OF FILL		DENOTES IMPACTS TO BUFFER ZONE 2
	PROP. RIGHT OF WAY		
	NATURAL GROUND		
	PROPERTY LINE		
	TEMP. DRAINAGE EASEMENT		
	PERMANENT DRAINAGE EASEMENT		
	EXIST. ENDANGERED ANIMAL BOUNDARY		
	EXIST. ENDANGERED PLANT BOUNDARY		
	WATER SURFACE		
	LIVE STAKES		
	BOULDER		
	CORE FIBER ROLLS		
	DENOTES AREA TO BE EXCAVATED		

**NCDOT**  
 DIVISION OF HIGHWAYS  
 PAMLICO COUNTY  
 PROJECT: B-4594  
 WBS NUMBER: 42287.11  
 REPLACE BRIDGE #44  
 ON NC 304 OVER  
 JONES BAY  
 SHEET 4 OF 7 1/19/09

PROJECT No. B-4594

WBS No. 42287.11

DATE: 1-19-2009

ROAD: NC 304

ROAD NAME: NC 304 OVER  
JONES BAY

COUNTY: PAMLICO

**CROSS SECTION  
OF BRIDGE No. 44**

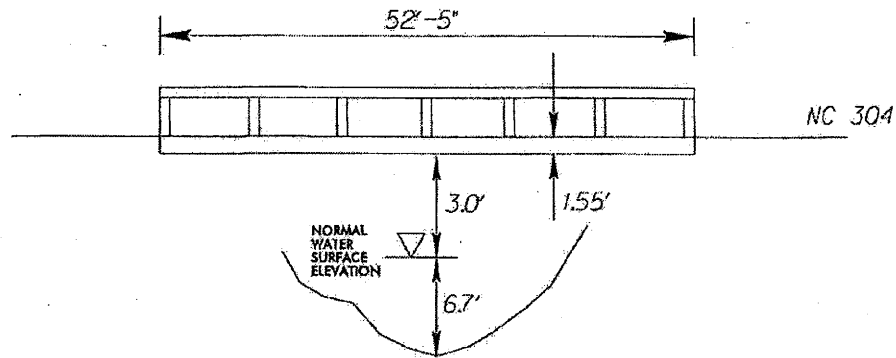
**EXISTING BRIDGE**

1 @ 17'-11"

1 @ 16'-10"

1 @ 17'-8"

**22' CLEAR ROADWAY**



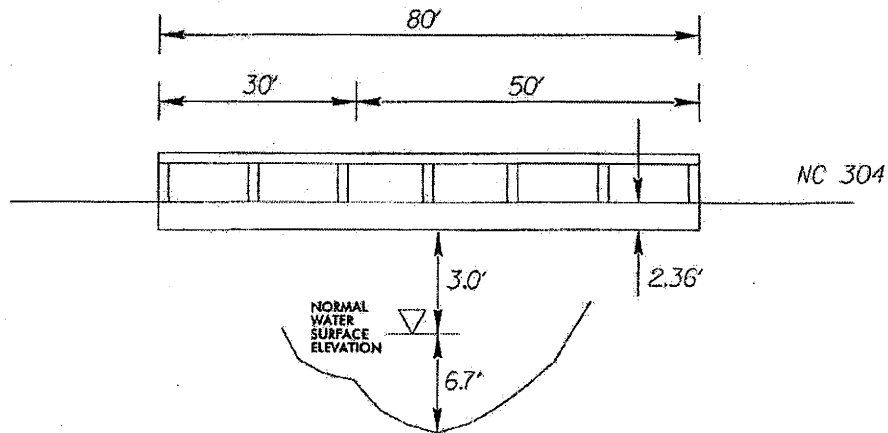
NOT TO SCALE

**PROPOSED 21" CONCRETE CORED SLAB**

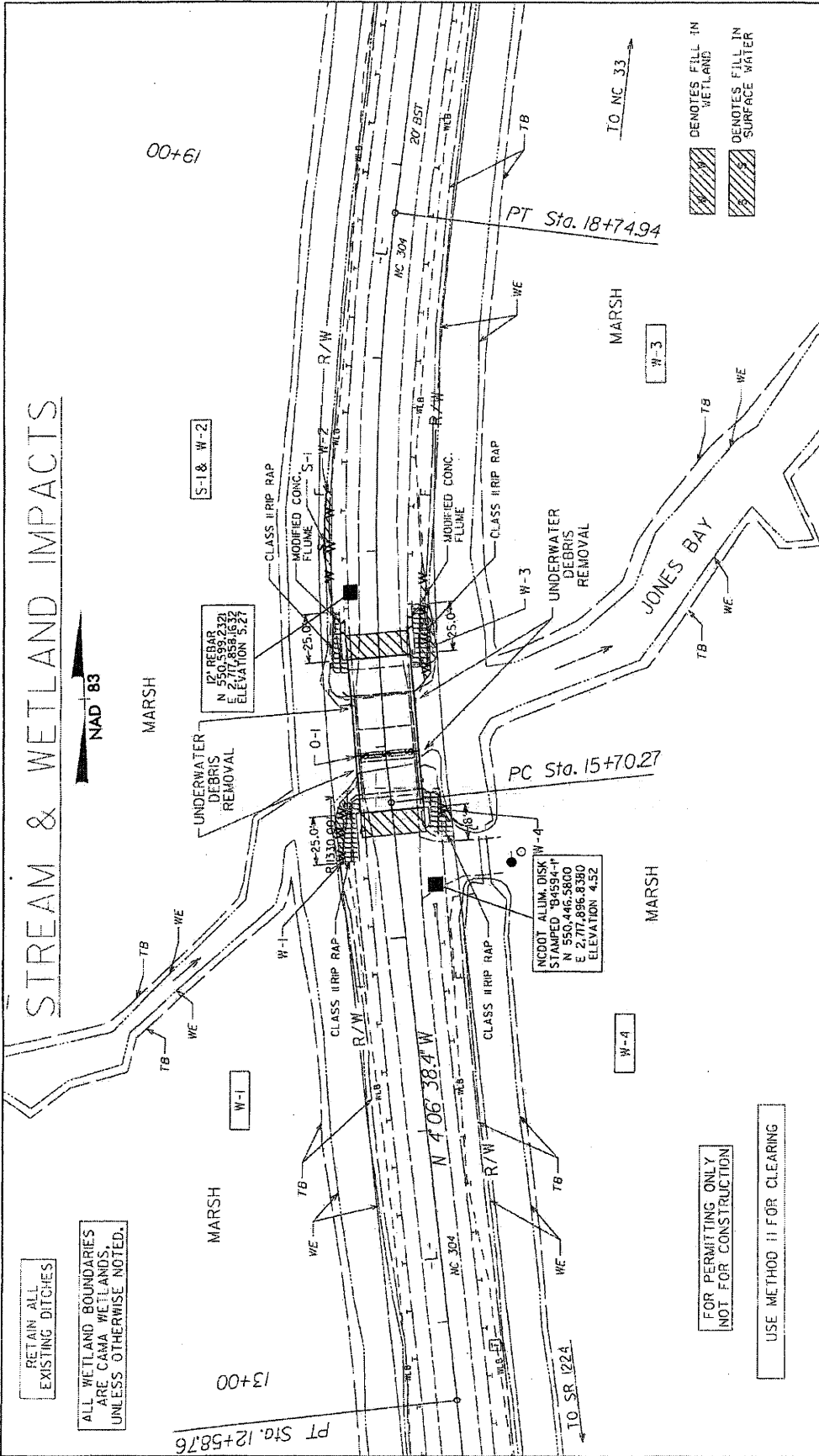
**PROPOSED LENGTH: 2 SPANS 1 @ 30'; 1 @ 50'**

**33' CLEAR ROADWAY**

**NO DECK DRAINS ALLOWED**



NOT TO SCALE



STREAM & WETLAND IMPACTS

RETAIN ALL EXISTING DITCHES

ALL WETLAND BOUNDARIES ARE CAMA WETLANDS, UNLESS OTHERWISE NOTED.

00+61

13+00

S-1 & W-2

W-1

W-1

PT Sta. 12+58.76

TO SR 1224

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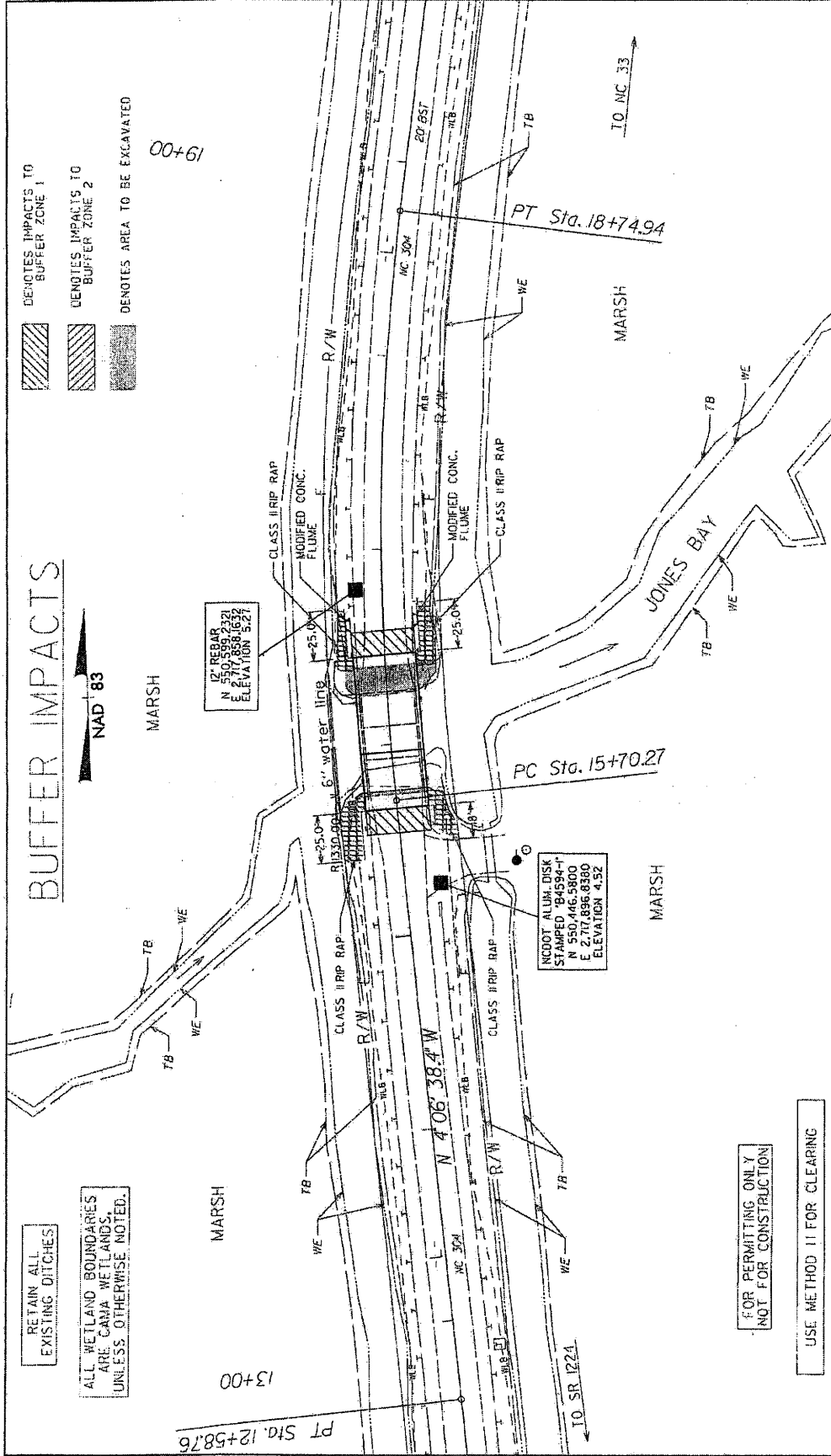
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- DENOTES IMPACTS TO BUFFER ZONE 1
- DENOTES IMPACTS TO BUFFER ZONE 2
- DENOTES AREA TO BE EXCAVATED

**BUFFER IMPACTS**

RETAIN ALL EXISTING DITCHES

ALL WETLAND BOUNDARIES ARE CANA WETLANDS, UNLESS OTHERWISE NOTED.

NAD '83

00+61

PT Sta. 12+58.76

N 4 06' 38.4" W

TO SR 1224

TO NC 33

NCDOT ALUM. DISK  
STAMPED 42 4504  
E 554 416 4300  
E 2 717 896 8300  
ELEVATION 4.52

12" REBAR  
N 530 595 722  
ELEVATION 5.27

FOR PERMITTING ONLY  
NOT FOR CONSTRUCTION

USE METHOD 11 FOR CLEARING

NCDOT		DIVISION OF HIGHWAYS	
PAMLICO COUNTY		PROJECT: B-4594	
WBS NUMBER: 42297.11		REPLACE BRIDGE #44	
ON NC 304 OVER		JONES BAY	
SHEET 7 OF 7		1/19/09	
<b>PLAN VIEW</b>			
SCALE: 1" = 50'			
EXISTING BRIDGE: SPANS: 167'-11"; 166'-10"; 167'-8" LENGTH: 52'-5" WIDTH: 22' CLEAR ROADWAY		PROPOSED BRIDGE: 2" CONCRETE CORED SLAB WIDTH: 33' CLEAR ROADWAY LENGTH: 1630' 1850'	
ZONE 1 BUFFER IMPACTS	NO BUFFERS	ZONE 2 BUFFER IMPACTS	NO BUFFERS
TOTAL	0 SQUARE FEET 0.00 ACRES	TOTAL	0 SQUARE FEET 0.00 ACRES