PROJECT SPECIAL PROVISION

(10-18-95)

PERMITS

Z-1

The Contractor's attention is directed to the following permits, which have been issued to the Department of Transportation by the authority granting the permit.

<u>PERMIT</u>	AUTHORITY GRANTING THE PERMIT
Dredge and Fill and/or	U. S. Army Corps of Engineers
Work in Navigable Waters (404)	
Water Quality (401)	Division of Environmental Management, DENR
	State of North Carolina
Buffer Certification	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.

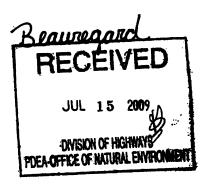
Where construction moratoriums are contained in a permit condition which restricts the Contractor's activities to certain times of the year, those moratoriums will apply only to the portions of the work taking place in the waters or wetlands provided that activities outside those areas is done in such a manner as to not affect the waters or wetlands.



DEPARTMENT OF THE ARMY

WILMINGTON DISTRICT, CORPS OF ENGINEERS 69 DARLINGTON AVENUE WILMINGTON, NORTH CAROLINA 28403-1343

July 14, 2009



Regulatory Division

Action ID SAW-2008-01316; TIP No. R-2814 (US 401 Widening and Rolesville Bypass)

Mr. Gregory Thorpe, PhD
Environmental Manager Director
Project Development and Environmental Analysis Branch
N.C. Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina 27699-1598

Dear Mr. Thorpe:

Enclosed is a Department of the Army permit to authorize placement of fill material impacting 5,036 linear feet of streams, 10.08 acres of ponds, and 7.68 acres of wetlands (including isolated wetlands), for construction of the US 401 Widening and Rolesville Bypass (TIP R-2814), crossing Harris, Cedar Fork, Perry, Brandy, Crooked and Cedar Creeks, Wolfpen Branch, the Little River, and unnamed tributaries. An 18.5 mile corridor along and to the east of existing US 401, from SR 2044 (Ligon Mill Road) southeast of Rolesville, in Wake County, to SR 1700 (Fox Park Road) southeast of Louisburg, in Franklin County, North Carolina.

Any deviation in the authorized work will likely require modification of this permit. If a change in the authorized work is necessary, you should promptly submit revised plans to the Corps showing the proposed changes. You may not undertake the proposed changes until the Corps notifies you that your permit has been modified.

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

- a. You must complete construction before December 31, 2014.
- b. You must allow representatives from this office to make periodic visits to your worksite as deemed necessary to assure compliance with permit plans and conditions.

You must notify this office in advance as to when you intend to commence and complete work.

-2-

You should address all questions regarding this authorization to Eric Alsmeyer of my Raleigh Regulatory Field Office regulatory staff at (919) 554-4844, extension 23.

Sincerely,

Jefferson M. Ryscavage Colonel, U.S. Army District Commander

Enclosures

Copy Furnished (with enclosures):

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

Copies Furnished (with special conditions and plans):

Mr. Ronald J. Mikulak, Chief Wetlands Regulatory Section 61 Forsyth Street Atlanta, Georgia 30303

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

Mr. Ron Sechler National Marine Fisheries Service Pivers Island Beaufort, North Carolina 28516 Mr. Doug Huggett
Division of Coastal Management
N.C. Department of Environment
and Natural Resources
400 Commerce Avenue
Morehead City, North Carolina 28557

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

DEPARTMENT OF THE ARMY PERMIT

Permittee: NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RECEIVED

Permit No: 200801316

Issuing Office: USAED, WILMINGTON

JUL 092009 REGULATORY

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

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

Project Description: Place fill material impacting 5,036 linear feet of streams, 10.08 acres of ponds, and 7.68 acres of wetlands (including isolated wetlands), for construction of the US 401 Widening and Rolesville Bypass (TIP R-2814), crossing Harris, Cedar Fork, Perry, Brandy, Crooked and Cedar Creeks, Wolfpen Branch, the Little River, and unnamed tributaries.

Project Location: An 18.5 mile corridor along and to the east of existing US 401, from SR 2044 (Ligon Mill Road) southeast of Rolesville, in Wake County, to SR 1700 (Fox Park Road) southeast of Louisburg, in Franklin County, North Carolina.

Permit Conditions:

General Conditions:

- 1. The time Limit for completing the work authorized ends on December 31, 2014 ___ If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
 - 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms

and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Conditions 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associate with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

- 5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- 6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

*SEE ATTACHED SPECIAL CONDITIONS

Further Information:

- 1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. C. 403).
 - (X) Section 404 of the clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
- 3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United states in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was mad in reliance on the information you provided.
- 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

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

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

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

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

(Transferee) (DATE)

<u>SPECIAL CONDITIONS - Action ID. 2008-01316; NORTH CAROLINA DEPARTMENT</u> OF TRANSPORTATION/TIP R-2814)

Work Limits

- a) All work authorized by this permit must be performed in strict compliance with the attached plans, which are a part of this permit. Any modification to these plans must be approved by the US Army Corps of Engineers (USACE) prior to implementation.
- b) Except as authorized by this permit or any USACE approved modification to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, within waters or wetlands. This permit does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area. This prohibition applies to all borrow and fill activities connected with this project.
- c) Except as specified in the plans attached to this permit, no excavation, fill or mechanized landclearing activities shall take place at any time in the construction or maintenance of this project, in such a manner as to impair normal flows and circulation patterns within waters or wetlands or to reduce the reach of waters or wetlands.

Related Laws

d) All mechanized equipment will be regularly inspected and maintained to prevent contamination of waters and wetlands from fuels, lubricants, hydraulic fluids, or other toxic materials. In the event of a spill of petroleum products or any other hazardous waste, the permittee shall immediately report it to the N.C. Division of Water Quality at (919) 733-5083, Ext. 526 or (800) 662-7956 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.

Project Maintenance

- e) The permittee shall advise the Corps in writing prior to beginning the work authorized by this permit and again upon completion of the work authorized by this permit.
- f) Unless otherwise authorized by this permit, all fill material placed in waters or wetlands shall be generated from an upland source and will be clean and free of any pollutants except in trace quantities. Metal products, organic materials (including debris from land clearing activities), or unsightly debris will not be used.
- g) The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this permit. A copy of this permit, including all conditions, shall be available at the project site during construction and maintenance of this project

<u>SPECIAL CONDITIONS - Action ID. 2008-01316; NORTH CAROLINA DEPARTMENT OF TRANSPORTATION/TIP R-2814)</u>

- h) The permittee shall employ all sedimentation and erosion control measures necessary to prevent an increase in sedimentation or turbidity within waters and wetlands outside the permit area. This shall include, but is not limited to, the immediate installation of silt fencing or similar appropriate devices around all areas subject to soil disturbance or the movement of earthen fill, and the immediate stabilization of all disturbed areas. Additionally, the project must remain in full compliance with all aspects of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statutes Chapter 113A Article 4).
- i) The permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the work will, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the water or wetland to its pre-project condition.

Enforcement

j)

k) Violations of these conditions or violations of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act must be reported in writing to the Wilmington District U.S. Army Corps of Engineers within 24 hours of the permittee's discovery of the violation.

Mitigation

- NCDOT shall provide compensatory mitigation for the unavoidable impacts to 0.75 acre of wooded wetlands, and 3.64 acres of non-wooded wetlands, associated with Sections A and B of TIP R-2814, by debiting 2.62 acres of riverine and 1.77 acres of non-riverine wetland restoration, and 3.75 acres of riverine wetland preservation, from the Jeffreys Warehouse Mitigation Site (aka JALO), described in the September 17, 2004 "Jeffreys Warehouse Conceptual Mitigation Plan, Wayne County, North Carolina".
- m) NCDOT shall provide compensatory mitigation for the unavoidable impacts to 3,141 linear feet of warm-water streams, associated with Sections A and B of TIP R-2814, as follows:
 - By debiting 3,141 linear feet of stream restoration from the Marks Creek, Phase II, Mitigation Site (AID 2008-02072), described in the September 2001 "Stream and Wetland Mitigation Plan, Marks Creek, Phase II, Wake County, North Carolina".
 - 2. Compensatory mitigation shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated September 20, 2005 from William D. Gilmore, EEP Director; pursuant to the EEP Memorandum of Agreement (MOA) between the State of North Carolina and the US Army Corps of Engineers signed on July 22, 2003, the EEP will provide 3,141 linear feet of warm-water restoration equivalent stream mitigation, in the Upper Neuse River basin (Hydrologic Cataloging Unit 03020201) by one year of the date of this permit. The NCDOT shall, within 30 days of the issue date of this permit, certify that sufficient funds have been provided to EEP to complete the required mitigation, pursuant to Paragraph V. of the MOA.

DECIAL CONDITIONS - Action ID. 2008-01316; NORTH CAROLINA DEPARTMENT OF TRANSPORTATION/TIP R-2814)

*

n) NCDOT shall provide compensatory mitigation for the unavoidable impacts to wetlands and streams, associated with Sections C and D of TIP R-2814, no later than 5 years in advance of the anticipated construction let date for each section. Specific mitigation information for each of these sections will be provided when NCDOT submits their request to modify the existing permit to allow construction of these later phases once final design has been completed, and the District Commander has made a determination that minimization of impacts has been achieved to the maximum extent practicable.

Threatened and Endangered Species

o) NCDOT shall implement the eight conservation measures listed in NCDOT's December 5, 2005 Biological Assessment for this project, and shall reinitiate consultation with the US Fish and Wildlife Service under Section 7 of the Endangered Species Act for Sections C and D when they are scheduled for construction.

Historic Properties

o) NCDOT shall comply with its commitments regarding the following historic properties: Timberlake Historic District, Perry-Fuller House, Jeffreys-Ellington Farm, Rogers-Whitaker-Haywood House, and Cascine Plantation. Specifically, NCDOT shall not acquire any right-of-way or easements from these historic properties, and shall use landscaping measures along the properties' right-of-ways (with the exception of the Cascine Plantation), shall provide reasonable access to the property owners.

Culverts

p) All authorized culverts will be installed to allow the passage of low stream flows and the continued movement of fish and other aquatic life as well as to prevent headcutting of the streambed. For all box culverts and for pipes greater than 48 inches in diameter, the bottom of the pipe will be buried at least one foot below the bed of the stream unless burial would be impractical and the Corps of Engineers has waived this requirement. For culverts 48 inches in diameter or smaller, the bottom of the pipe must be buried below the bed of the stream to a depth equal to or greater than 20 percent of the diameter of the culvert. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in disequilibrium of wetlands or streambeds or banks, adjacent to, upstream or downstream of the structures. In order to allow for the continued movement of bed load and aquatic organisms, existing stream channel widths and depths will be maintained at the inlet and outlet ends of culverts. Riprap armoring of streams at culvert inlets and outlets shall be minimized above the ordinary high water elevation in favor of bioengineering techniques such as bank sloping, erosion control matting and revegetation with deep-rooted, woody plants.

<u>SPECIAL CONDITIONS - Action ID. 2008-01316; NORTH CAROLINA DEPARTMENT OF TRANSPORTATION/TIP R-2814)</u>

Preconstruction Meeting

q) The permittee shall schedule a preconstruction meeting between its representatives, the contractor's representatives, and the Corps of Engineers, Raleigh Regulatory Field Office, Regulatory Project Manager, prior to any work within jurisdictional waters and wetlands to ensure that there is a mutual understanding of all of the terms and conditions contained within this Department of the Army Permit. The permittee shall provide the USACE, Raleigh Regulatory Field Office, with a copy of the final plans at least two weeks prior to the preconstruction meeting along with a description of any changes that have been made to the project's design, construction methodology or construction timeframe. The permittee shall schedule the preconstruction meeting for a time when the USACE and North Carolina Division of Water Quality (NCDWQ) Project Managers can attend. The permittee shall invite the Corps and NCDWQ Project Managers a minimum of thirty (30) days in advance of the scheduled meeting in order to provide those individuals with ample opportunity to schedule and participate in the required meeting.

Borrow And Waste

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

NOTENCATION OF ADVINGUES AND RESOURCE AND	ા વર્ષો સાથક લા (૦૦૦) વિભાગ જોઇ હાથ ૦ (૧૯૭) -	GP284
Applicant: NORTH CAROLINA DEPARTMENT OF TRANSPORTATION/ TIP R-2814	File Number: 2008-01316	Date: June 24, 2009
Attached is:		See Section below
INITIAL PROFFERED PERMIT (Standar	d Permit or Letter of permission)	A
X PROFFERED PERMIT (Standard Permit of	or Letter of permission)	В
PERMIT DENIAL		С
APPROVED JURISDICTIONAL DETER	D	
PRELIMINARY JURISDICTIONAL DET	Е	

SKCTIOR I— The following identifies your rights are opigins regarding at allementing we appeal of the circum teasure. Additional afformation med by Round or <u>him, Announces arm, and Anterlands one evolves you</u> Cours regulations at 13 Clif. Part 331.

- A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.
- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.
- B: PROFFERED PERMIT: You may accept or appeal the permit
- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.
- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINA preliminary JD. The Preliminary JD is not appealable. If you wish contacting the Corps district for further instruction. Also you may reevaluate the JD.	, you may request an approved JD	(which may be appealed), by
SEGULON IN-REGILES INFOR APPEAU OF OBJECTIONS: (Describe initial proffered permit in clear concise statements. You may attack or objections are addressed in the administrative record.)	e your reasons for appealing the de	cision or your objections to an
·		
ADDITIONAL INFORMATION: The appeal is limited to a review record of the appeal conference or meeting, and any supplemental clarify the administrative record. Neither the appellant nor the Conyou may provide additional information to clarify the location of in	information that the review officer rps may add new information or an	has determined is needed to alvses to the record. However
ROMANI OR CONTRACT FOR OURSENES OR BARTOR		
If you have questions regarding this decision and/or the appeal	If you only have questions regard	ling the anneal process you may
process you may contact:	also contact:	appear process you may
Ms. Jean Manuele	Mr. Michael Bell	
U.S. Army Corps of Engineers, Wilmington District	Administrative Appeal Review C	Officer
Raleigh Regulatory Field Office	CESAD-ET-CO-R	
3331 Heritage Trade Drive, Suite 105	U.S. Army Corps of Engineers, S	South Atlantic Division
Wake Forest, North Carolina 27587	60 Forsyth Street, Room 9M15	
	Atlanta, Georgia 30303-8801	
RIGHT OF ENTRY: Your signature below grants the right of entry	y to Corps of Engineers personnel	, and any government
consultants, to conduct investigations of the project site during the notice of any site investigation, and will have the opportunity to pa	course of the appeal process. You	will be provided a 15 day
may are missing-many mas with mare the opposituity to pa	Date:	Talanhana nyesham
	Date.	Telephone number:
Signature of appellant or agent.		

DIVISION ENGINEER:

Commander
U.S. Army Engineer Division, South Atlantic
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-3490





North Carolina Department of Environment and Natural Resources

Division of Water Quality Coleen H. Sullins Director

RECEIVED

June 16, 2009

JUN 18 2009

Dr. Greg Thorpe, PhD., Manager Planning and Environmental Branch North Carolina Department of Transportation 1548 Mail Service Center Raleigh, North Carolina, 27699-1548

RALEIGH REGULATORY FIELD OFFICE

Subject: REVISED 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act,

NEUSE BUFFER RULES, and ISOLATED WETLANDS PERMIT Pursuant to IWGP100000 with ADDITIONAL CONDITIONS for Proposed improvements to US 401 in Wake County, Federal Aid

Project No. STP-401(4), State Project No. 81403001, TIP No. R-2814 (A&B).

NCDWQ Project No. 20090104 ver.1.

Dear Dr. Thorpe:

Beverly Eaves Perdue

Governor

Attached hereto is a copy of the Revised Certification No. 3790 issued to The North Carolina Department of Transportation (NCDOT) dated June 16, 2009

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

Sincerely,

Cor Coleen H. Sullins

Directo

Attachments

cc: Eric Alsmeyer, US Army Corps of Engineers, Raleigh Field Office Chris Murray, Division 5 Environmental Officer Rachelle Beauregard, NCDOT NEU LeiLani Paugh, NCDOT PDEA File Copy

Transportation Permitting Unit 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Location: 2321 Crabtree Blvd., Raleigh, North Carolina 27604 Phone: 919-733-1786 \ FAX: 919-733-6893 Internet: http://h2o.enr.state.nc.us/ncwetlands/



Revised 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act, NEUSE BUFFER RULES, and ISOLATED WETLANDS PERMIT with ADDITIONAL CONDITIONS

THIS CERTIFICATION is issued in conformity with the requirements of Section 401 Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (NCDWQ) Regulations in 15 NCAC 2H .0500, 15A NCAC 2B.0233 and ISOLATED WETLANDS PERMIT Pursuant to IWGP100000. This certification authorizes the NCDOT to impact 2.82 acres of jurisdictional wetlands, 1.58 acres of isolated wetlands, 3,782 linear feet of jurisdictional streams and 488,260 square feet of protected riparian buffers in Wake County. The project shall be constructed pursuant to the application dated received February 2, 2009. The authorized impacts are as described below:

Section A Stream Impacts in the Neuse River Basin

Site	Permanent Fill in Intermittent Stream (linear ft)	Temporary Fill in Intermittent Stream (linear ft)	Bank Stabilization to Intermittent Stream (linear ft)	Permanent Fill in Perennial Stream (linear ft)	Temporary Fill in Perennial Stream (linear ft)	Bank Stabilization to Perennial Stream (linear ft)	Total Stream Impact (linear ft)	Stream Impacts Requiring Mitigation (linear ft)
1	69	0	6	0	0	0	75	0
3	148	0	12	0	0	0	160	0
4	0	0	0	376	32	16	424	376
5	111	0	0	0	0	0	111	0
6	95	31	0	0	0	0	126	0
7	0	0	0	185	13	14	212	185
Total	423	31	18	561	45	30	1108	561

Total Section A Stream Impact for Project: 1,108 linear feet

Preliminary Section B Stream Impacts in the Neuse River Basin*

Site	Permanent Fill in Intermittent Stream (linear ft)	Permanent Fill in Perennial Stream (linear ft)	Total Stream Impact (linear ft)	Stream Impacts Requiring Mitigation (linear ft)
1	281	0	281	0
4	0	115	115	0
6	0	22	22	0
7	0	495	495	495
8	0	518	518	518
9	0	626	626	0
11	0	22	22	0
12	258	0	258	0
16	0	337	337	337
Total	539	2135	2674	1350

Total Preliminary Section B Stream Impact for Project: 2,674 linear feet

Section A Wetland Impacts in the Neuse River Basin

Site	Permanent Fill (ac)	Temporary Fill (ac)	Excavation (ac)	Mechanized Clearing (ac)	Total Wetland Impact (ac)	Mitigation Ratio	Wetland Mitigation Required (ac)
1.	0.01	0.01	0	0	0.02	1:1	0.01
2	< 0.01	0	0.01	< 0.01	0.02	1:1	0.02
 -	0.03	0	0	0	0.03	1:1	0.03
<u></u>	0.01	0	0	0	0.01	1.1	0.01
6	0.08	0	0	0	0.08	2:1	0.16
Total	< 0.14	0.01	0.01	< 0.01	0.16		0.23

Total Section A Wetland Impact for Project: 0.16 acres.

^{*}Phased Project: impacts for this section are preliminary and will be modified (including possible temporary impacts) in future certifications prior to construction of this section.

Preliminary Section B Wetland Impacts in the Neuse River Basin *

Site	Permanent Fill (ac)	Excavation (ac)	Mechanized Clearing (ac)	Total Wetland Impact (ac)	Mitigation Ratio	Wetland Mitigation Required (ac)
2	0.17	0	0.03	0.20	1:1	0.20
	0,21	0	0.05	0.26	1:1	0.26
<u> </u>	0.24	0	0.02	0.26	1:1	0.26
7	0.64	0.10	0.15	0.89	1:1	0.89
13	0.19	0	0	0.19	2:1	0.38
14	0.34	0	0.14	0.48	2:1	0.96
17	0.38	0	0	0.38	1:1	0:38
Total	2.17	0.10	0.39	2.66		3.33

Total Preliminary Section B Wetland Impact for Project: 2.66 acres.

Preliminary Section B Isolated Wetland Impacts in the Neuse River Basin *

Site	Permanent Fill (ac)	Total Wetland Impact (ac)	Mitigation Ratio	Wetland Mitigation Required (ac)
15	1.58	1.58	1:1	1.58
Total	1.58	1.58		1.58

Total Preliminary Section B Isolated Wetland Impact for Project: 1.58 acres.

Open Water (Ponds) Impacts in the Neuse River Basin

Section / Site	Fill in Open Waters (ac)
A/6	0.01
*B/9	1.25
*B/11	7.29
Total	8.55

Total Open Water Impact for Project: 8.55 acres.

Section A Neuse Riparian Buffer Impacts

Site	Zone 1 Impact (sq ft)	minus Wetlands in.Zone 1 (sq ft)	= Zone 1 Buffers (not wetlands) (sq ft)	Zone 1 Buffer Mitigation Required (using 3:1 ratio)	Zone 2 Impact (sq ft)	minus Wetlands in Zone 2 (sq ft)	= Zone 2 Buffers (not wetlands) (sq ft)	Zone 2 Buffer Mitigation Required (using 1.5:1 ratio)
1	23783	174	23609	70827	14893	0	14893	22340
	6809	2918	3891		6357	0	6357	N/A
2	28137	0	28137		10592	0	10592	15888
4	8999	0	8999	26997	5662	0	5662	8493
Totals	67728	3092	64636	182235	37504	0	37504	46721

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

Total Section A Buffer Impact for Project: 105,232 square feet.

^{*}Phased Project: impacts for this section are preliminary and will be modified (including possible temporary impacts) in future certifications prior to construction of this section.

^{*}Phased Project: impacts for this section are preliminary and will be modified (including possible temporary impacts) in future certifications prior to construction of this section.

^{*}Phased Project: impacts for Section B are preliminary and will be modified (including possible temporary impacts) in future certifications prior to construction of this section.

Preliminary Section B Neuse Riparian Buffer Impacts*

Site	Zone 1 Impact (sq ft)	minus Wetlands in Zone 1 (sq ft)	= Zone 1 Buffers (not wetlands) (sq ft)	,		Zone 2 Impact (sq ft)	minus Wetlands in Zone 2 (sq ft)	= Zone 2 Buffers (not wetlands) (sq ft)	Zone 2 Buffer Mitigation Required (using 1.5:1 ratio)
1	16659	0	16659			10795	0	10795	16193
2	0	0 ·	0			308	78	230	345
5	24014	4830	19184	57552	醫	6146	1192	4954	7431
6	506	0	506	N/A		0	0	0	N/A
7	33763	28915	4848	14544		16966	8416	8550	12825
8	28103	0	28103	84309		15151	0	15151	22727
9	54775	0	54775	164325		31813	0	31813	47719
10	3169	0	3169	9507		5385	0	5385	8077
11	23441	0	23441	70323		13334	0	13334	20001
12	18124	0	18124	54372		15041	0	15041	22562
15	19154	16637	2517	7551		15890	8113	7777	11665
16	19130	0	19130	57390		11361	45	11316	16974
Totals	240838	50382	190456	569850		142190	17844	124346	186519

^{*} n/a = Total for road crossing site is less than 1/3 acre and 150 linear feet of impact, no mitigation required Total Preliminary Section B Buffer Impact for Project: 383,028 square feet.

The application provides adequate assurance that the discharge of fill material into the waters of the Neuse River Basm in conjunction with the proposed development will not result in a violation of applicable Water Quality Standards and discharge guidelines. Therefore, the State of North Carolina certifies that this activity will not violate the applicable portions of Sections 301, 302, 303, 306, 307 of PL 92-500 and PL 95-217 if conducted m accordance with the application and conditions hereinafter set forth.

This approval is only valid for the purpose and design that you submitted in your application dated received February 2, 2009. Should your project change, you are required to notify the NCDWQ and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter, and is thereby responsible for complying with all the conditions. If any additional wetland impacts, or stream impacts, for this project (now or in the future) exceed one acre or 150 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). Additional buffer impacts may require compensatory mitigation as described in 15A NCAC 02B.0233(6). For this approval to remain valid, you are required to comply with all the conditions listed below. In addition, you should obtain all other federal, state or local permits before proceeding with your project including (but not limited to) Sediment and Erosion control, Coastal Stormwater, Non-discharge and Water Supply watershed regulations. This Certification shall expire on the same day as the expiration date of the corresponding Corps of Engineers Permit. This certification replaces the one issued on April 23, 2009.



Conditions of Certification:

1. When final design plans are completed for R-2814 Section B, and any future sections, a modification to the 401 Water Quality Certification and the Neuse River Riparian Buffer Certification shall be submitted with five copies and fees to the NC Division of Water Quality. Final designs shall reflect all appropriate avoidance, minimization, and mitigation for impacts to wetlands, streams, and other surface waters, and buffers. No construction activities that impact any wetlands, streams, surface waters, or buffers located in R-2814 Section B, or any future sections, shall begin until after the permittee applies for, and receives a written modification of the 401 Water Quality Certification and the Neuse River Riparian Buffer Authorization from the NC Division of Water Quality.



2. Compensatory mitigation for 1,911 linear feet of impact to perennial streams is required. We understand that you have chosen to debit mitigation from the Marks Creek Mitigation Bank. This certification gives approval to the debiting of 1,911 linear feet of stream mitigation from the Marks Creek Mitigation Site in order to satisfy the stream mitigation requirements of R-2814 A and B.

^{*}Phased Project: impacts for this section are preliminary and will be modified (including possible temporary impacts) in future certifications prior to construction of this section.

*

3. Compensatory mitigation for impacts to jurisdictional and isolated wetlands is required. The mitigation requirement includes 3.56 acres of jurisdictional wetlands and 1.58 acres of isolated wetlands. We understand that you have chosen to debit mitigation from the Jefferey's Warehouse Mitigation Bank. This certification gives approval to debiting following wetland acres from the Jefferey's Warehouse Mitigation Site in order to satisfy the wetland mitigation requirements of R-2814 A and B:

Riverine Wetland Restoration: 2.62 acres
Non-Riverine Wetland Restoration: 1.77 acres

Riverine Wetland Preservation: 3.75 acres (0.75 acres times 5:1 preservation ratio)



4. Compensatory mitigation for impacts to Neuse Riparian Buffers is required. The mitigation requirement includes 752,085 square feet of Zone 1 Buffers and 233,240 square feet of Zone 2 Buffers. We understand that you have chosen to debit mitigation from the Wiggins Mill Mitigation Bank. This certification gives approval to the debiting of 985,325 square feet of Neuse Buffer from the Wiggins Mill Mitigation Site in order to satisfy the wetland mitigation requirements of R-2814 A and B.



- 5. A copy of the final construction drawings shall be furnished to NCDWQ Central Office prior to the preconstruction meeting. The permittee shall provide written verification that the final construction drawings comply with the permit drawings contained in the application dated received February 2, 2009. Any deviations from the approved drawings are not authorized unless approved by the NC Division of Water Quality.
- 6. At locations where ponds will be drained, proper measures will be taken to drain the pond with limited impact to upstream and downstream channel stability as well as to native aquatic species. Proper measures will be taken to avoid sediment release and/or sediment accumulation downstream as a result of pond draining. If typical pond draining techniques will create significant disturbance to native aquatic species, additional measures such as collection and relocation may be necessary to prevent a significant fish kill. NCDOT shall consult with NC Wildlife Resources staff to determine if there are any sensitive species, and the most appropriate measures to limit impacts to these species. The permittee shall observe any natural channel re-establishment, or utilize natural channel construction techniques, to ensure that the jurisdictional stream channel above and below the drained pond remains stable, and that no additional impacts occur within the natural stream channel as a result of draining the pond.
- 7. Placement of culverts and other structures in waters, streams, and wetlands shall 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. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWQ. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWQ for guidance on how to proceed and to determine whether or not a permit modification will be required.
- 8. If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.
- 9. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.
- 10. For all streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and revegetated with appropriate native species.
- 11. For project sites impacting waters classified by the NC Environmental Management Commission as High Quality Waters (HQW), or Water Supply I or II (WSI, WSII), (i.e., Cedar Fork Creek, Perry Creek, and their tributaries in Section B), stormwater shall be directed to vegetated buffer areas, grass-lined ditches or other means appropriate to the site for the purpose of pre-treating storm water runoff prior to discharging directly into streams. Mowing of existing vegetated buffers is strongly discouraged.

12. The permittee shall use /Design Standards in Sensitive Watersheds/ [15A NCAC 4B.0124(a)-(e)] in areas draining to WS-II HQW waters (i.e., Cedar Fork Creek, Perry Creek and their tributaries in Section B). Temporary cover (wheat, millet, or similar annual grain) or permanent herbaceous cover shall be planted on all bare soil within 15 business days of ground disturbing activities to provide erosion control. Coir fiber matting shall be used in conjunction with appropriate seeding on disturbed soils involving steep slopes in riparian areas, and should be secured in place with staples and wherever possible include installation of live stakes of native trees.

Straw mulch and tall fescue shall not be used in the establishment of temporary or permanent groundcover within riparian zones. Coir fiber matting shall be used in conjunction with appropriate seeding for the establishment of permanent herbaceous cover on disturbed soils within the riparian area. Hydro seeding along with wood or cellulose based hydro mulch applied from a fertilizer and limestone free tank is allowable at the appropriate rate for the establishment of temporary groundcover within riparian zones. Discharging hydroseed mixtures and wood or cellulose mulch into surface waters is prohibited. Riparian areas are defined as a distance 25 feet landward from top of stream bank.

- 13. All riparian buffers impacted by the placement of temporary fill or clearing activities shall be restored to the preconstruction contours and revegetated. Maintained buffers shall be permanently revegetated with non-woody species by the end of the growing season following completion of construction. For the purpose of this condition, maintained buffer areas are defined as areas within the transportation corridor that will be subject to regular NCDOT maintenance activities including mowing. The area with non-maintained buffers shall be permanently revegetated with native woody species before the next growing season following completion of construction. However, due to the size of the project, NC DOT shall not be required to meet 15A NCAC 4B .0124(a) regarding the maximum amount of uncovered acres.
- 14. Pursuant to NCAC15A 2B.0233(6), sediment and erosion control devices shall not be placed in Zone 1 of any Neuse Buffer without prior approval by NCDWQ. At this time, NCDWQ has approved no sediment and erosion control devices in Zone 1, outside of the approved project impacts, anywhere on this project. Moreover, sediment and erosion control devices shall be allowed in Zone 2 of the buffers provided that Zone 1 is not compromised and that discharge is released as diffuse flow.
- 15. All stormwater runoff shall be directed as sheetflow through stream buffers at nonerosive velocities, unless otherwise approved by this certification.
- 16. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills.
- 17. 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.
- 18. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions.
- 19. 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.



- 20. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval.
- 21. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.
- 22. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream.
- 23. 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.
- 24. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.

- 25. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
- 26. 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.
- 27. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification..
- 28. A copy of this Water Quality Certification shall be maintained 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.
- 29. 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.
- 30. The issuance of this certification does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (i.e. local, state, and federal) having jurisdiction, including but not limited to applicable buffer rules, stormwater management rules, soil erosion and sedimentation control requirements, etc.
- 31. The Permittee shall report any violations of this certification to the Division of Water Quality within 24 hours of discovery.



- 32. Upon completion of the project (including any impacts at associated borrow or waste sites), 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.
- 33. Native woody riparian vegetation (i.e., trees and shrubs native to your geographic region) must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.
- 34. 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, or access roads to 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.
- 35. 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.
- 36. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification.

4.0 CONSERVATION MEASURES

The potential direct effects that could result from the construction of the US 401 Widening/Rolesville Bypass will likely be averted by NCDOT by implementing several conservation measures. Conservation measures include those measures that are taken to avoid and or minimize effects to the DWM as a result of project construction.

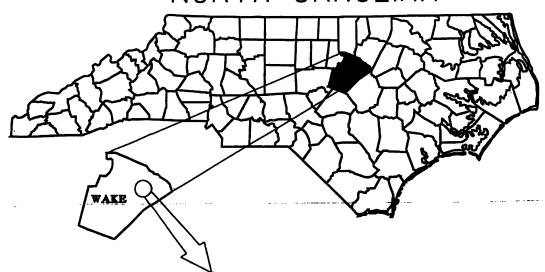
The following measures were discussed and agreed upon by NCDOT and USFWS on May 4, 2005. Construction-related Environmental Commitments that will minimize the likelihood of direct effects to the DWM will be implemented regardless of the conservation option chosen. These include:

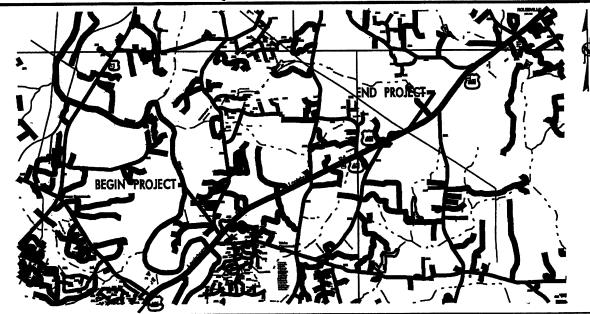
- Clearing of riparian areas will be minimized to the fullest extent practical to reduce direct effects to the species.
- The use of HQW erosion control standards or other erosion control standards approved by USFWS throughout the construction process in all areas within the project right-of-way that are located in the Little River, Crooked Creek and Cedar Creek watersheds.
- As project design information becomes available for Section C and Section D of R-2814,
 NCDOT will provide written notice of this information to the USFWS (Raleigh Field Office) and the NCWRC non-game and protected species program.
- NCDOT will schedule meetings and/or field meetings to discuss these design plans in order to develop specific methods to avoid/minimize direct effects to Little River, Crooked Creek, and Cedar Creek.
- NCDOT will conduct an interim mussel survey/instream habitat evaluation at the Crooked Creek and Little River survey locations (Section C), and at the Cedar Creek survey location (Section D) after Let Dates have been established for each of these sections.
- The final pre-construction mussel surveys/instream habitat evaluations will be conducted in the
 project footprint and immediately downstream for Crooked Creek and Little River (Section C)
 and Cedar Creek (Section D) before these sections are let for construction.

Summary of Sediment and Erosion Control Measures used to protect DWM

- The NCDOT recognizes the importance of minimizing the effects to the endangered species located downstream in the streams crossed by this project. The Department will implement BMP's that meet or exceed the current practices and regulations that mandate environmental protection (NCDOT 2003).
- The North Carolina Sedimentation Pollution Control Act of 1973 requires 15 working days or 30 calendar days to stabilize erodible areas once grading has been completed. The Department will strictly adhere to these guidelines.
- Sections of this project are located in the Neuse River Basin and others in the Tar-Pamlico
 River Basin. Both of these river basins have buffer rules that were designed to restrict
 activities occurring in and near riparian areas of the streams within these two basins.
 Adherence to these regulations will further insure sediment and erosion control during the
 construction of this project.

NORTH CAROLINA





WETLAND VICINITY MAP

NCDOT

DIVISION OF HIGHWAYS
WAKE COUNTY
PROJECT: 34506.L1 (R-2814A)
US 401
LOUISBURG ROAD FROM
SR 2044 TO SR 2226

SHEET

OF 15

11/20/06

PROPERTY OWNER

NAME AND ADDRESS

OWNER'S NAME	ADDRESS
WAKE HIGH MEADOWS HOMEOWNERS ASSOCIATION	4948 WINDY HILL DRIVE RALEIGH, NC 27609
ALDRED LEE PERRY	4105 LOUISBURY ROAD WAKE FOREST, NC 27587
BRIGHTON COMMUNITY ASSOCIATION	IIOO NAVAHO DRIVE, SUITE GL3 RALEIGH, NC 27609
VBBSS GROUP, LLC	4960 ROYAL ADELAIDE WAY RALEIGH, NC 27604
PERRY FARM, LLC	404 EMERSON DRIVE RALEIGH, NC 27609
HT FORESTVILLE, LLC	135 SOUTH MAIN STREET, SUITE IC GREENVILLE, SC 29601

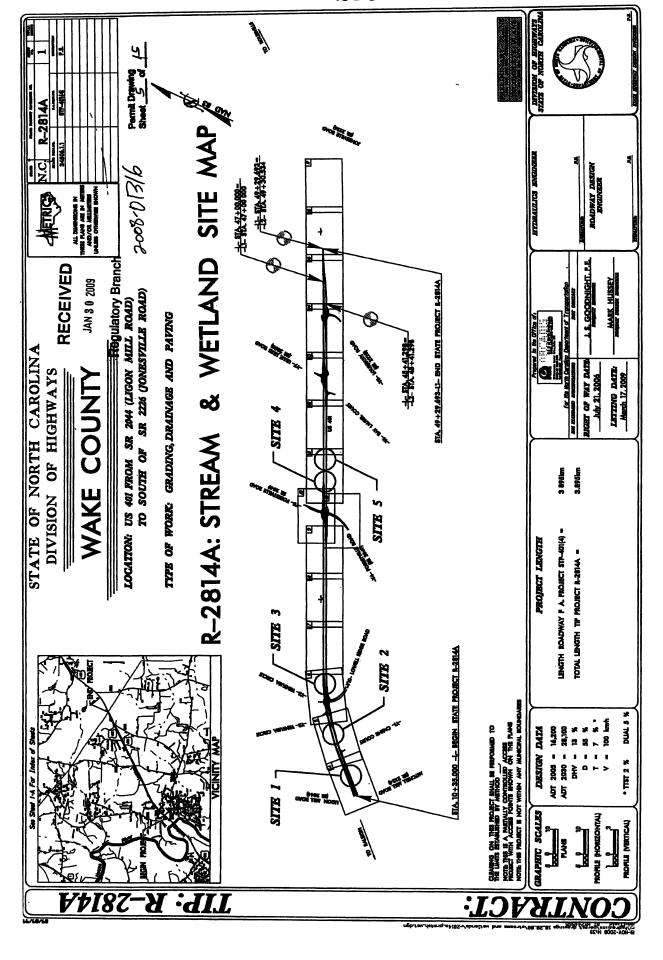
N. C. DEPT.OF TRANSPORTATION
DIVISION OF HIGHWAYS
WAKE COUNTY
PROJECT: 34506.1.1 (R-2814A)
US 401
LOUISBURG ROAD FROM
SR 2044 TO SR 2226

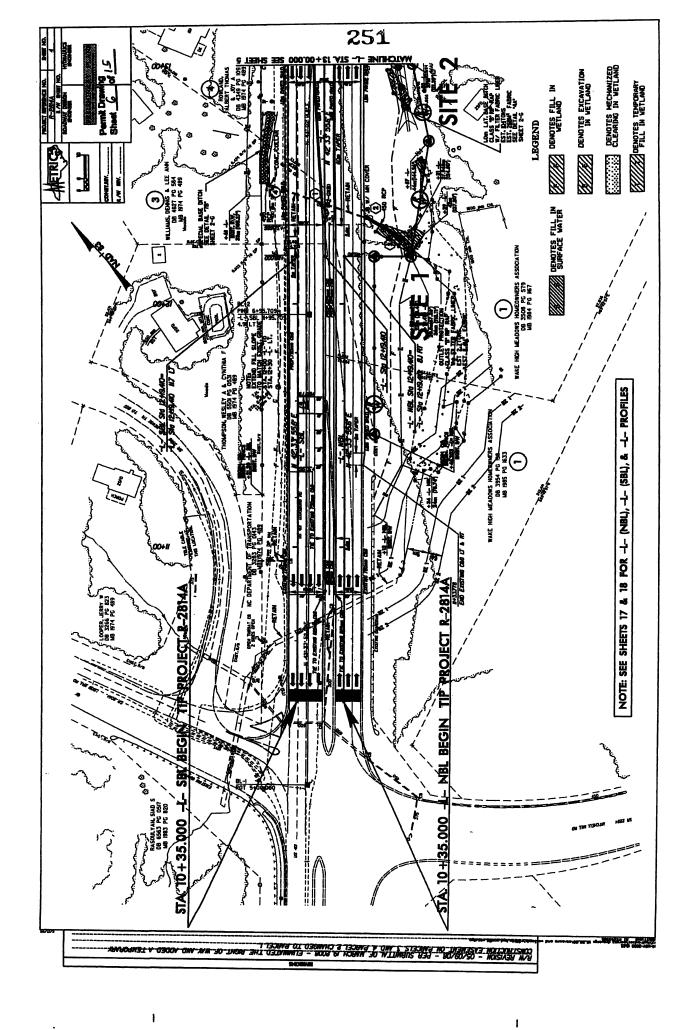
SHEET 2 OF 15

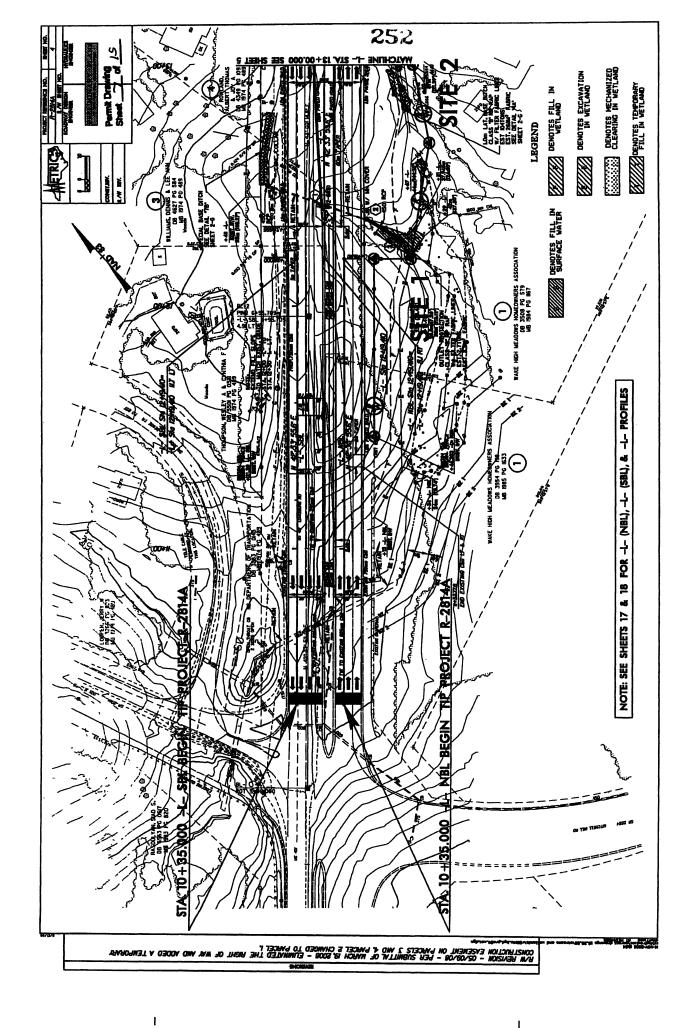
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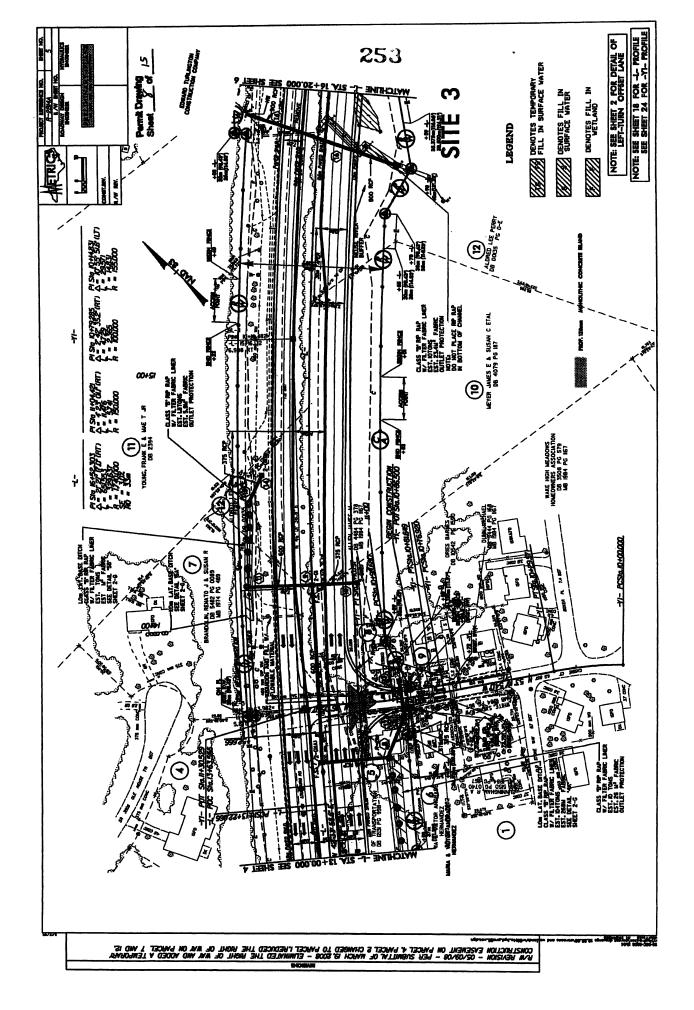
Mechanized Clearing in Clearing (Method III) (ha) (ha) (ha) (ha) (ha) (ha) (ha) (ha	Station Structure Station Size / Type -L- 12+80 RT	WE	WETLAND PERMIT IMPACT SUMMARY WETLAND IMPACTS	IMPACT SUM	MARY		SURFA	SURFACE WATER IMPACTS	APACTS	
Station Structure Fill in Temp Fill Excevation Clearing Clearin	Station Structure Station (From/To) Size / Type Size / Type 112+35 RT 450 mm RCP 112+80 RT 1.0 m Lateral Base Ditch 119+10 RT 1200 mm RCP 119+10 900 mm RCP 132+60 900 mm RCP 10-133+80 and Pond • 10-135+80 10-136+50 10-				7					
(From 70) Star / Type Wedfands (Machand) In Wedfands (Machand) (Machand) (Machand) (Machand)	(From/To) Size / Type -L-12+35 RT 450 mm RCP -L-12+80 RT 1.0 m Lateral Base Ditch -L-16+00 RT 900 mm RCP -L-19+10 900 mm RCP -L-32+60 900 mm RCP outfall pipe to -L-36+50 1050 mm RCP Temporariy Draining Pond to install rock fill	<u>s</u>			Hand Clearing in	FIII In SW	Fill In SW	Temp. Fill	Existing Channel	Natural Stream
1-12-45 RT 450 mm RCP 0.004 0.029 0.017 0.007 0.018 0.007 0.017 0.018 0.017 0.018 0.017 0.018 0.017 0.018 0.018 0.017 0.018 0.	-L-12+36 RT 450 mm RCP -L-12+80 RT 1.0 m Lateral Base Ditch -L-15+90 RT 0 900 mm RCP -L-19+10 B00 mm RCP -L-32+60 900 mm RCP -L-32+60 900 mm RCP -L-35+80 1050 mm RCP -L-35+80 1050 mm RCP -L-36+50 1050 mm RCP -L-36+50 1050 mm RCP -L-36+50 1050 mm RCP	Wedands (ha)			Wetlands (ha)	(Natural) (ha)	(Pond) (ha)	H SW (m)	Impacted (m)	Design (m)
1 12-80 RT 1.0 m Lateral Base Ditch 0.018 0.003 0.017 -1 16+06 RT 2 0.010 0.010 0.018 -1 16+06 RT 2 0.000 mm RCP 0.0002 0.0002 -1 16+10 800 mm RCP 0.003 0.003 -1 16+10 800 mm RCP 0.003 0.003 -1 16+10 800 mm RCP 0.003 -1 16+10 800 mm RCP 0.003 -1 16+10 800 mm RCP 0.003 -1 16+10 0.000 mm RCP 0.003	-L-12+80 RT to 1.0 m Lateral Base Ditch -L-16+90 RT to 900 mm RCP -L-19+10 900 mm RCP -L-32+60 900 mm RCP -L-33+90 and Pond * -L-35+80 1050 mm RCP -L-36+50 to -L-36+50 Temporarly Draining Pond to Install rock fill	0.004	29			0.007			23	
1 15+60 RT b 900 mm RCP 0.000 0.00	1-15+90 RT to 900 mm RCP 1-19+10 LT 1200 mm RCP 1-19+10 900 mm RCP 1-32+60 900 mm RCP and Pond * 1-35+80 1050 mm RCP 1-36+50 1050 mm RCP	+	0 003	0.017						
-L-16+90 RT b 900 mm RCP 0.010 0.016 -L-16+10 LT 1200 mm RCP 0.002 0.002 -L-19+10 900 mm RCP 0.003 0.003 -L-32+60 900 mm RCP 0.0033 0.004 -L-32+60 and Pond ** L-32+60 1050 mm RCP 0.003 0.004 -L-36+60 1050 mm RCP 0.003 0.005 To -L-36+60 1050 mm RCP 0.008 0.003 0.017 0.0234 Temporarly Draining Pond to install rock fill	-L-16+90 RT to 900 mm RCP -L-16+05 RT -L-19+10 LT 1200 mm RCP -L-32+60 900 mm RCP outsil pipe to -L-35+80 1050 mm RCP -L-35+80 1050 mm RCP -L-36+50 1050 mm RCP Temporariy Draining Pond to install rock fill	-								
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C/ of Classics							Sheet 3 of	5/		11/20/2008

		Natural Stream Design																					ORTATIO AYS	2814A	11/20/2008
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SI IREACE WATER IMPACTS	NATION DO	Temp Fill In SW	(11)								32			31		\$	2				78		NC DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS	WAKE COUNTY PROJECT 34506.1.1 R-2814A	S
SIBEA	אלאטפ	Fill in SW (Pond)	(36)											0.01							10.0		NC DEP	PR	VI 7 17 "
		Fill in SW (Natural)	0.02				0.04				0.05		0.01	0.01			90.0				0.16				
MARY		Hand Clearing In Wettands	(38)																		0.00				
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IN PERMIT I	MFACIO	Excavation In Wetlands	(340)			0.01									5.4.00000000000000000000000000000000000						0.01	,			
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		Structure Size / Type	18" RCP	Street Bank Stahlization		3 ft Lateral Base Ditch	36" RCP		Stream Bank Stablization		48" DCD	Streem Bank Stabilization	Pavement	36" mm RCP outfall pipe	and Pond		42" RCP		SUBBIT DRIPK SURDICERON						
		Station (From/To)	-1 - 12+35 RT	1 - 19435 DT	-F-16:001N	-L- 12+80 RT	-L- 15+90 RT to	-L- 18+05 RT	-L- 15+90 RT to	-L- 16+05 RT	J-10+401 T	-1 19+401T	-L- 19+10	-L-32+60	to -L- 33+90		-L-35+80	to -L- 36+50	-L-3570U	to -L- 36+50					
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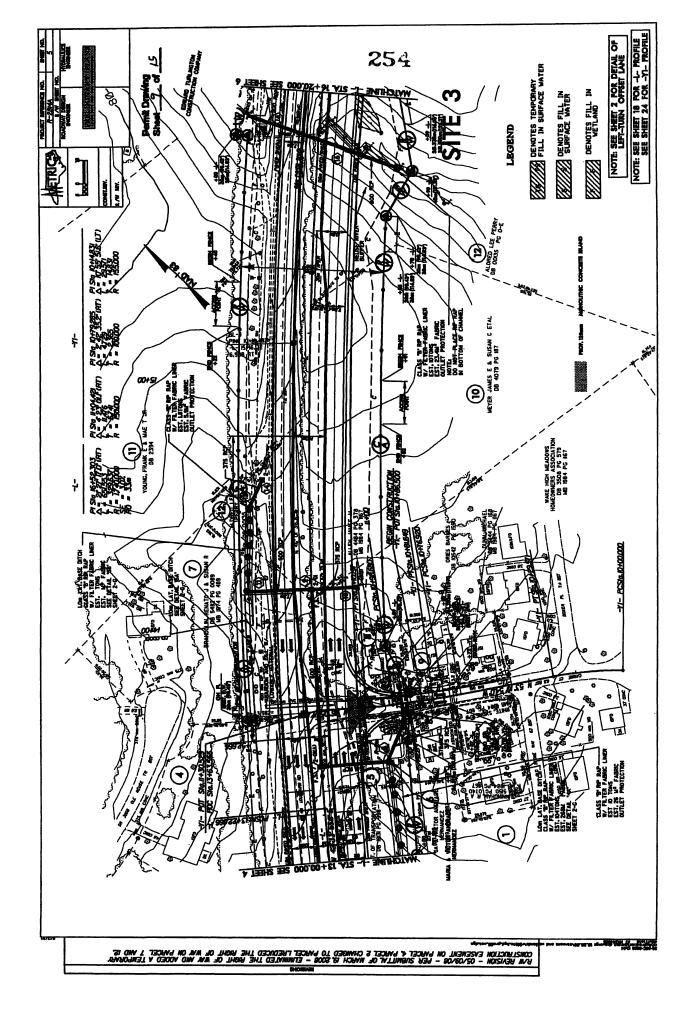


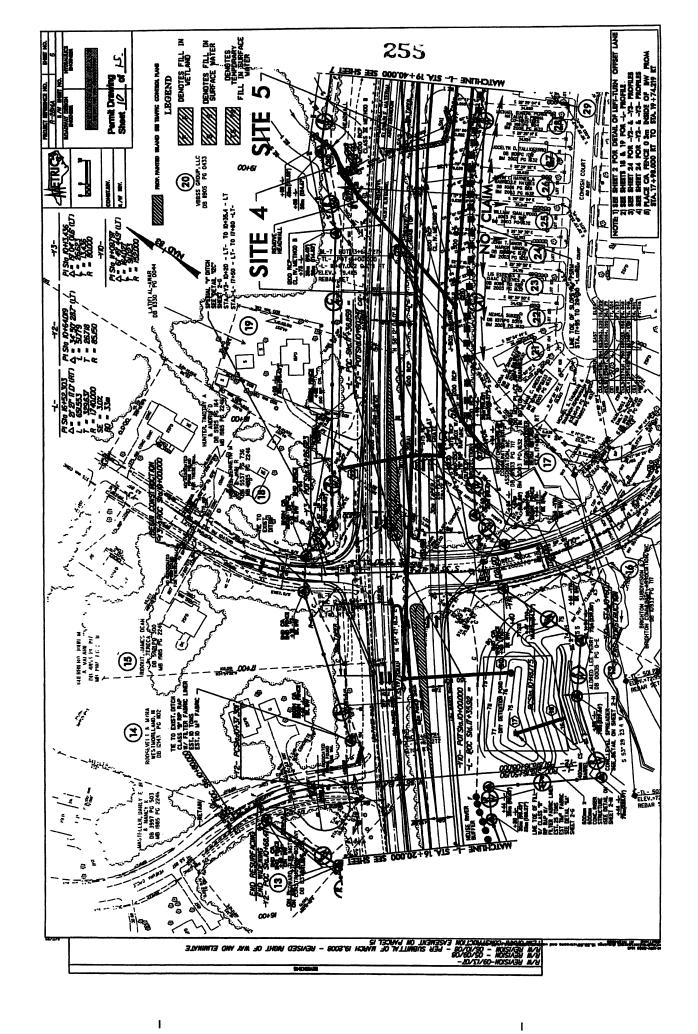


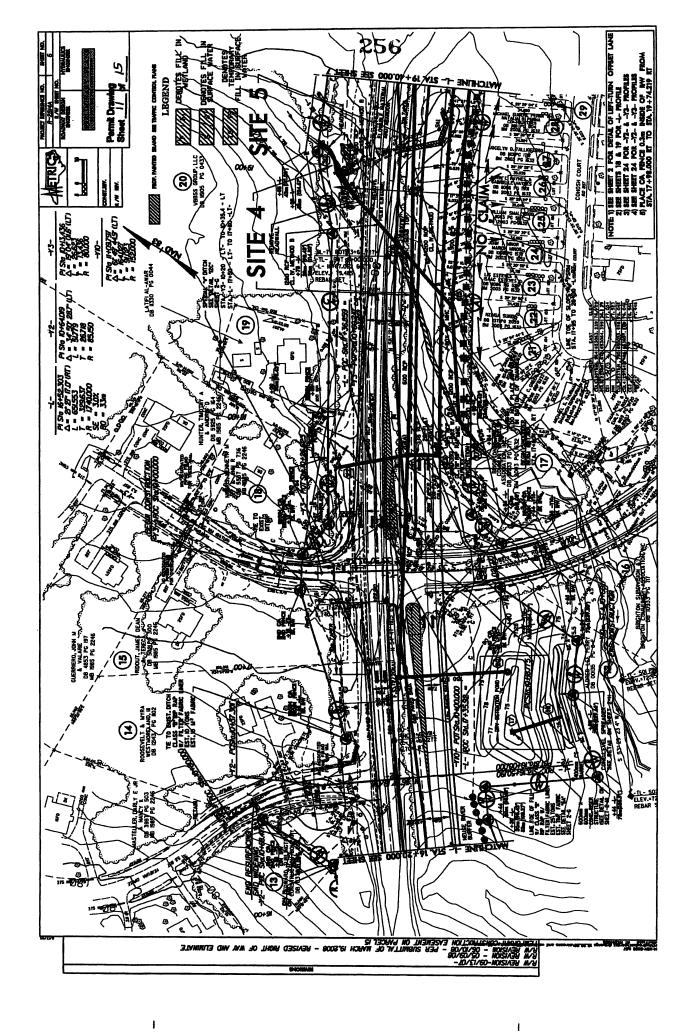


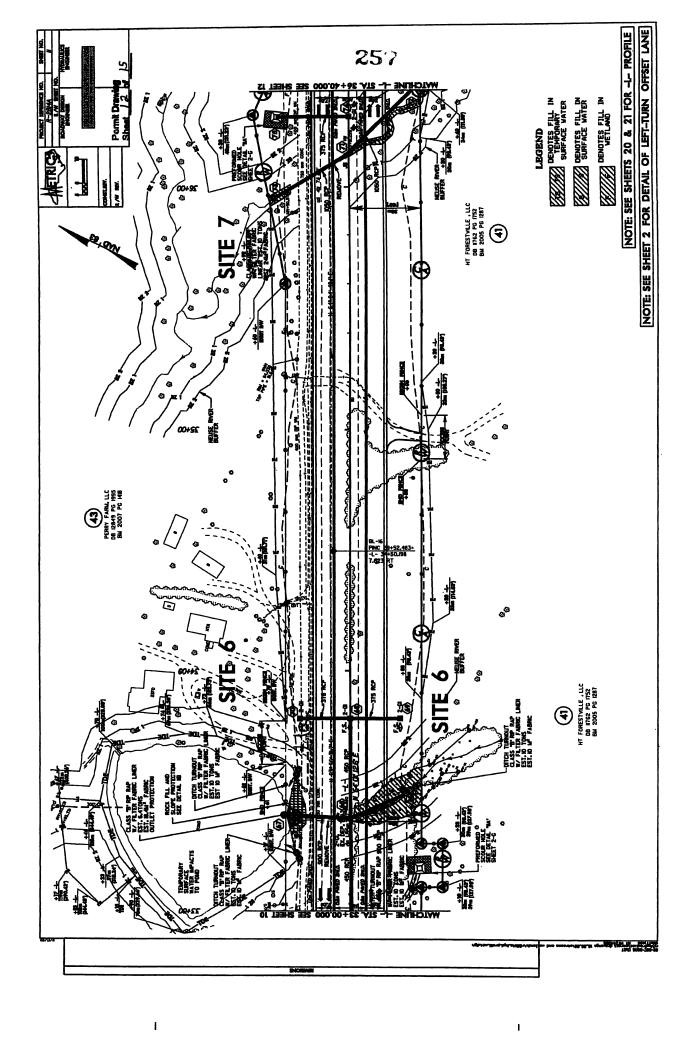


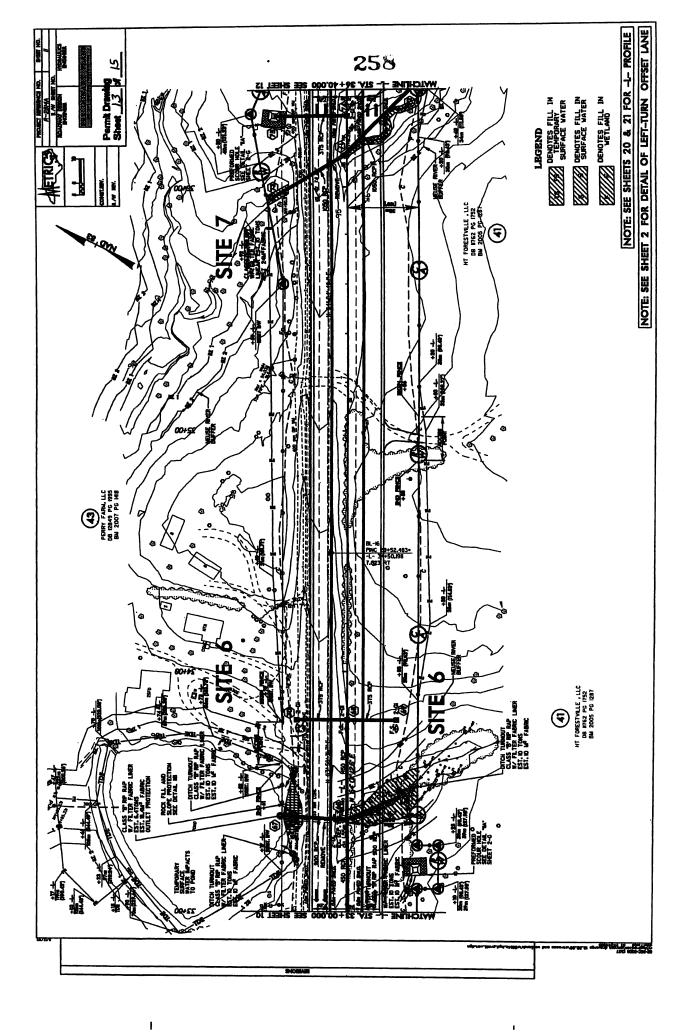
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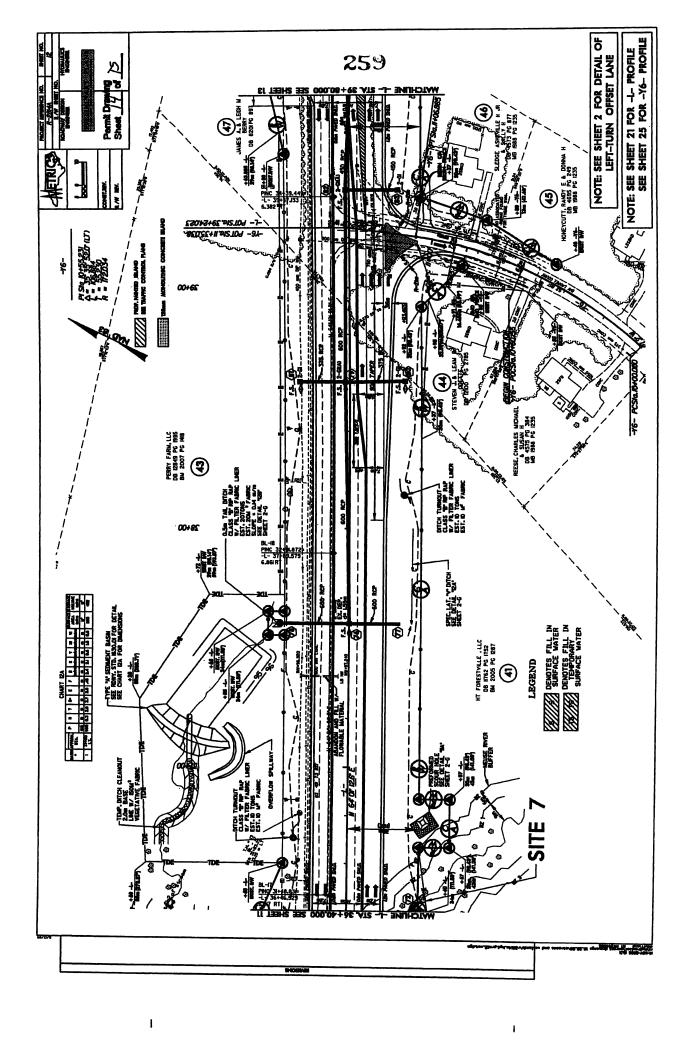


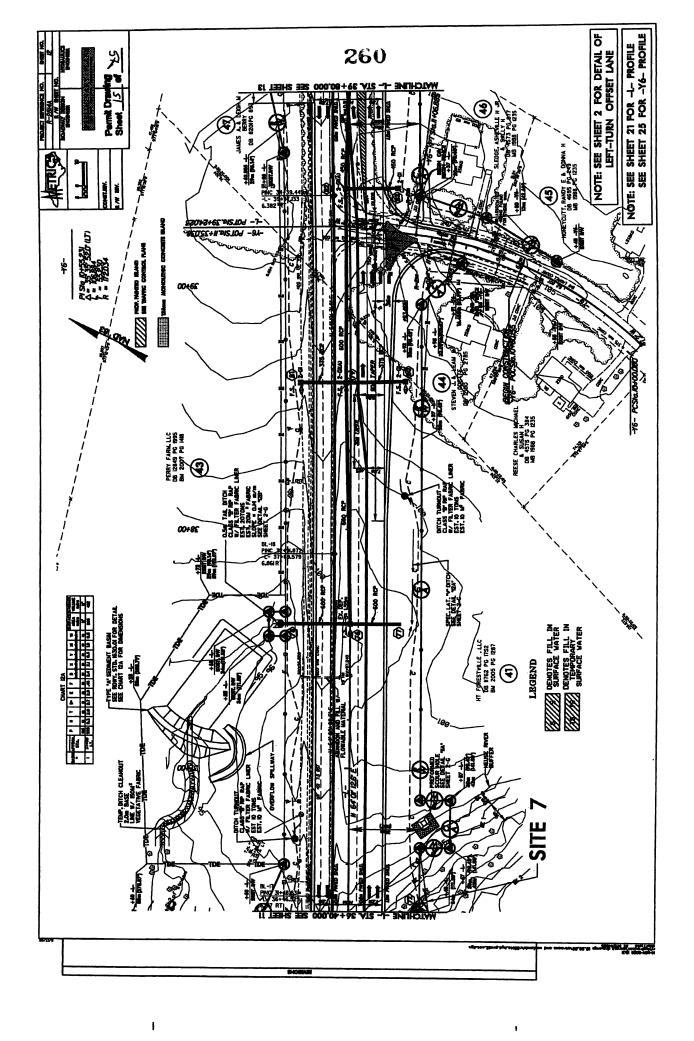


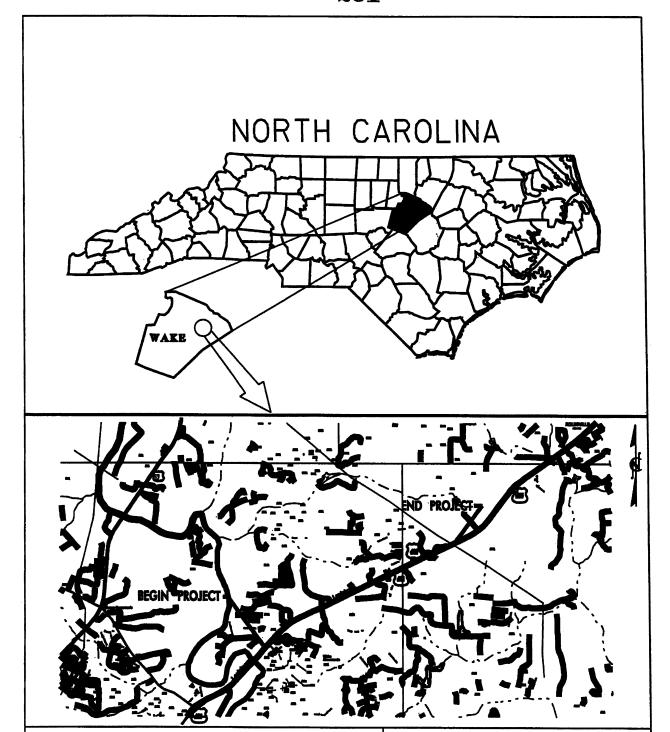












BUFFER VICINITY MAP

NCDOT

DIVISION OF HIGHWAYS
WAKE COUNTY
PROJECT: \$4866.1.1 (R-2814A)
US 401
LOUISBURG ROAD FROM
SR 2044 TO SR 2226

SHEET | OF 9

11/20/00

PROPERTY OWNER

NAME AND ADDRESS

OWNER'S NAME	ADDRESS
WAKE HIGH MEADOWS HOMEOWNERS ASSOCIATION	4948 WINDY HILL DRIVE RALEIGH, NC 27609
ALDRED LEE PERRY	4105 LOUISBURY ROAD WAKE FOREST, NC 27587
BRIGHTON COMMUNITY ASSOCIATION	1100 NAVAHO DRIVE, SUITE GL3 RALEIGH, NC 27609
VBBSS GROUP, LLC	4960 ROYAL ADELAIDE WAY RALEIGH, NC 27604
PERRY FARM, LLC	404 EMERSON DRIVE RALEIGH, NC 27609
HT FORESTVILLE, LLC	135 SOUTH MAIN STREET, SUITE 105 GREENVILLE, SC 29601

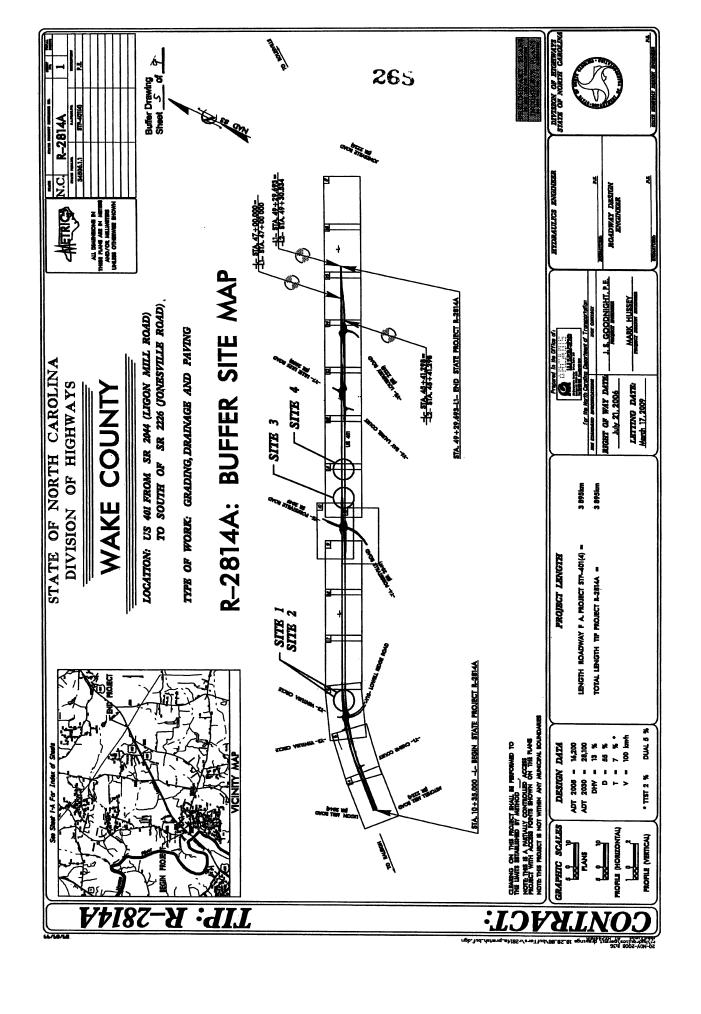
N. C. DEPT.OF TRANSPORTATION DIVISION OF HIGHWAYS WAKE COUNTY PROJECT: 34506.1.1 (R-2814A) US 401

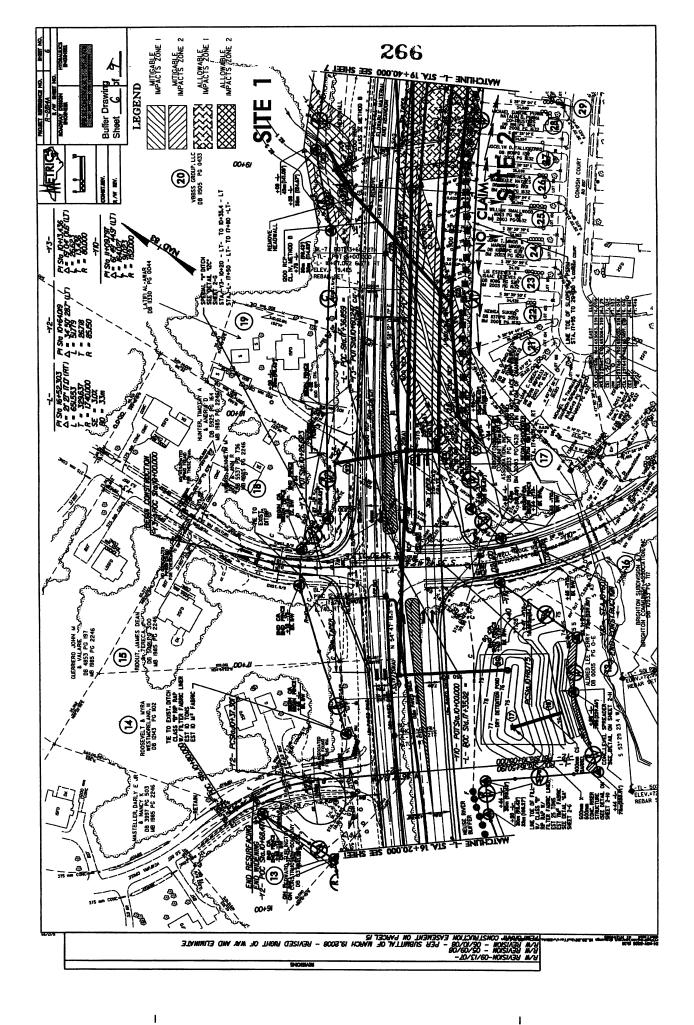
LOUISBURG ROAD FROM SR 2044 TO SR 2226

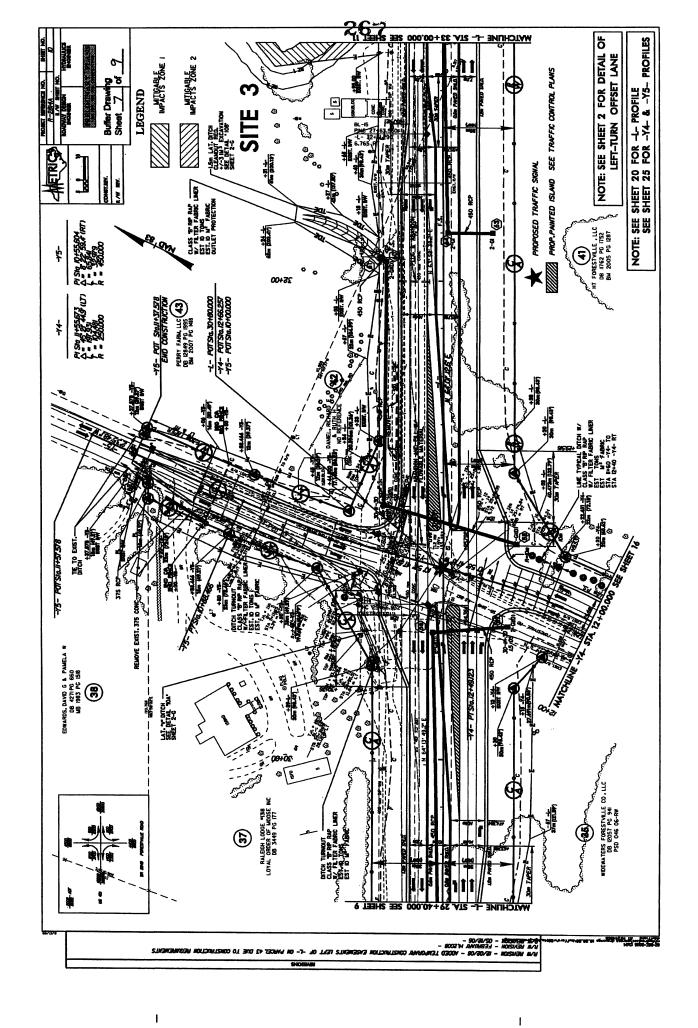
SHEET 2 OF 9 04/07/08

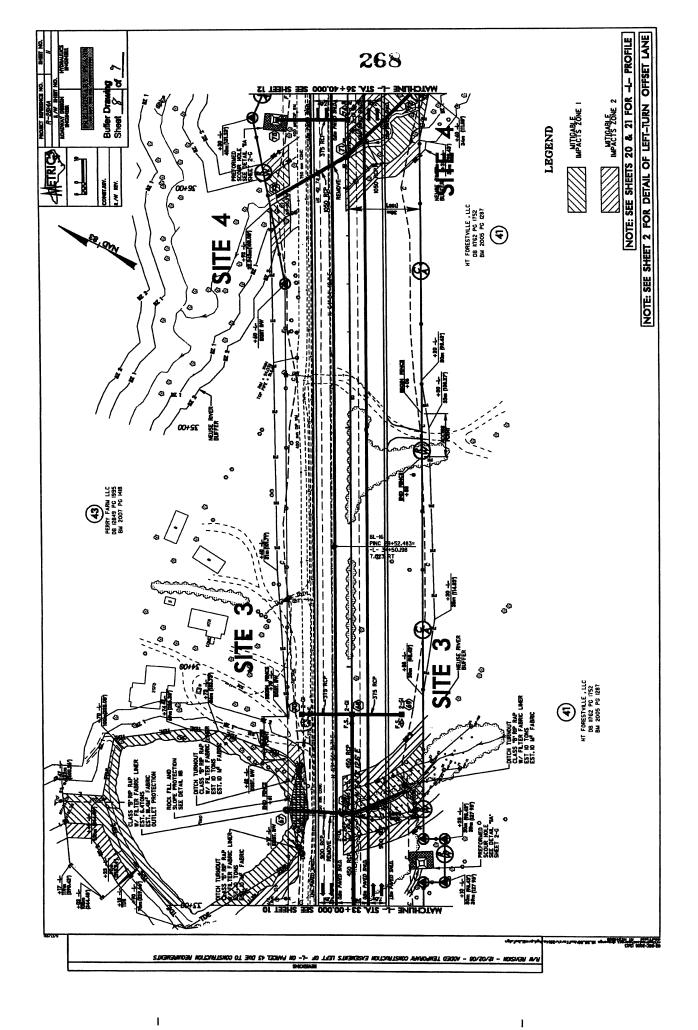
			BUF	BUFFER IMPACTS SUMMARY	PACT	30S S	IMAR	>				
						IMPACT	<u> </u>				1	0115550
			TYPE	<u> </u>	₹	ALLOWABLE	Щ		MITIGABLE	Щ	REPLA(REPLACEMENT
SITE NO.	STRUCTURE SIZE / TYPE	STATION (FROM/TO)	ROAD	PARALLEL IMPACT	ZONE 1	ZONE 2 (ft)	TOTAL (ff)	ZONE 1 (ff)	ZONE 2 (ft²)	TOTAL (ff)	ZONE 1 (ft²)	ZONE 2 (ft²)
1	Outfall Pipe	-L- Sta 17+70	×		1			23783	13504	37287		
		to 19+25		×					1389	1389		
2	Roadway Fill	-L- Sta 19+00 Rt	×		6809	6357	13166					
		to 19+45 Rt										
3	Outfall Pipe	-L- Sta 32+60	×					28137	10592	38729		
	and Pond	to 33+90										
		•										
4	Cross Pipe	-L- Sta 35+80	×					8999	5862	14660		
		to 36+50										
		(impacts > 150')										
										•		
								1				
TOTAL:					6809	6357	13166	60919	31146	92065		
									N N	DEPT OF	N.C. DEPT OF TRANSPORTATION DIVISION OF HIGHWAYS	ATION
									<u>a.</u>	WAKE ROJEČT: 34	WAKE COUNTY PROJECT: 34506 1 1 (R-2814A)	14A)
										11/4	11/17/2008	

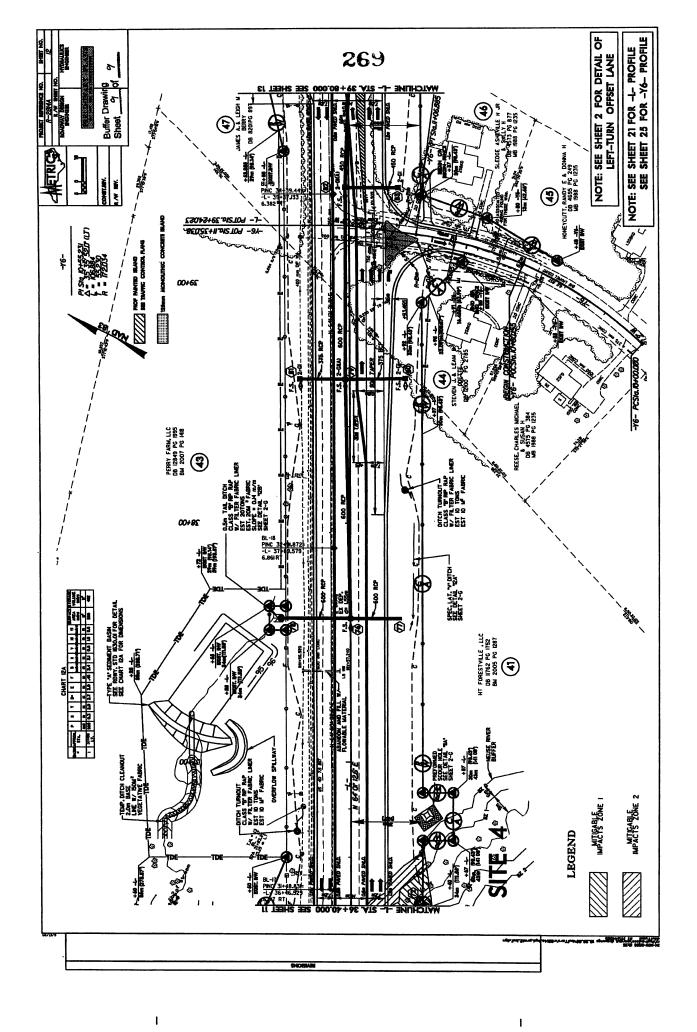
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4RY	,	COMMENTS													N.C DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS	WAKE COUNTY	PROJECT: 34508 1 1 (R-2814A)	9/15/2008 SHEET YOF ?
BUFFER IMPACTS SUMMARY	N BUFFERS	ZONE 2 (sq ft)												0.0	ل ىسى			
UFFER IMP	WETLANDS IN BUFFERS	ZONE 1 (sq.:ft)	174		2918									3082				
		STATION (FROM/TO)	-L-Sta 17+70	to 19+25	-L-Sta 33+40 Rt													
		STRUCTURE SIZE / TYPE	48" RCP		Outfall pipe													
		SITE NO.	1		2									TOTAL:				









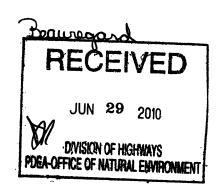




DEPARTMENT OF THE ARMY

WILMINGTON DISTRICT, CORPS OF ENGINEERS 69 DARLINGTON AVENUE WILMINGTON, NORTH CAROLINA 28403-1343

June 25, 2010



Regulatory Division

SUBJECT: Action ID 2008-01316; TIP No. R-2814

Gregory J. Thorpe, Ph.D North Carolina Department of Transportation Division of Highways 1598 Mail Service Center Raleigh, North Carolina 27699-1598

Dear Dr. Thorpe:

Reference the Department of the Army permit issued to the North Carolina Department of Transportation on July 14, 2009, to authorize the discharge of fill material into waters of the United States, for construction of the Sections A, B, C and D of the US 401 Widening and Rolesville Bypass (TIP R-2814). The project location is an 18.5 mile corridor along and to the east of existing US 401, from SR 2044 (Ligon Mill Road) southeast of Rolesville, in Wake County, to SR 1700 (Fox Park Road) southeast of Louisburg, in Franklin County, North Carolina. Authorization for Section B was based on preliminary design. Also, please reference your May 14, 2010 letter, requesting modification of the permit to reflect the final design for Section B of this project.

The final design results in relatively minor changes in permanent impacts to streams and wetlands, some decreases and some increases, with a net decrease of 0.14 acres of wetlands, and 268 linear feet of stream. The increased impacts are necessary because of several factors related to the final design, including required bank stabilization, and a required sewer line relocation.

We have reviewed the requested modification, and determined that it is appropriate and reasonable, and that no public notice is required for this modification. Therefore, the permit is hereby modified to include the changes listed and shown in the modified drawings in the May 14, 2010 modification request, for a net decrease in permanent wetland impacts of 0.14 acres, and net decrease in permanent stream impacts of 268 linear feet in Section B. Total impacts for all four sections will now be 5.96 acres of permanent impacts to 404 wetlands, 4,768 linear feet of permanent impact to streams, 0.03 acre of temporary impact to wetlands, and 204 linear feet of temporary impact to streams. There is a net reduction of 0.12 acres of mitigable impacts to 404 wetlands, and a net decrease of 268 linear feet of impacts to streams requiring mitigation; therefore, special conditions (1) and (2) are modified as follows:

NCDOT shall provide compensatory mitigation for the unavoidable impacts to 4.25 acres of wetlands, associated with Sections A and B of TIP R-2814, by debiting 2.48 acres of riverine and 1.77 acres of non-riverine wetland restoration, and 3.05 acres of riverine wetland

preservation, from the Jeffreys Warehouse Mitigation Site (aka JALO), described in the September 17, 2004 "Jeffreys Warehouse Conceptual Mitigation Plan, Wayne County, North Carolina".

- m 1) NCDOT shall provide compensatory mitigation for the unavoidable impacts to 2,873 linear feet of warm-water streams with more than minimal aquatic function, associated with Sections A and B of TIP R-2814, as follows:
- 1. By debiting 2,873 linear feet of stream restoration from the Marks Creek, Phase II, Mitigation Site (AID 2008-02072), described in the September 2001 "Stream and Wetland Mitigation Plan, Marks Creek, Phase II, Wake County, North Carolina".
- 2. Compensatory mitigation shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated May 27, 2009 from William D. Gilmore, EEP Manager. Pursuant to the EEP Memorandum of Agreement (MOA) between the State of North Carolina and the US Army Corps of Engineers signed on July 22, 2003, the EEP will provide 2,538 linear feet of restoration equivalent warm water stream channel in the Upper Neuse River basin (Hydrologic Cataloging Unit 03020201) in accordance with Section X of the MOA. The NCDOT shall, within 30 days of the issue date of this permit, certify that sufficient funds have been provided to EEP to complete the required mitigation, pursuant to Paragraph V. of the MOA.

All other conditions of the permit, including the permit expiration date of December 31, 2014, remain applicable.

Should you have any questions, please call Mr. Eric Alsmeyer at (919) 554-4884, extension 23.

Jefferson M. Ryscavage Colonel, U.S. Army District Commander

Copies Furnished:

Mr. Brian Wrenn
Division of Water Quality
North Carolina Department of
Environment and Natural Resources
1650 Mail Service Center
Raleigh, NC 27699-1650

Mr. Clarence Coleman Federal Highway Administration 310 New Bern Ave., Rm 410 Raleigh, North Carolina 27601-1442

NC-EEP 1652 Mail Service Center Raleigh, NC 27699-1652



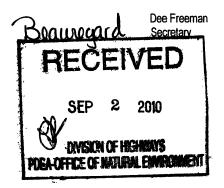
North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue Governor

Division of Water Quality Coleen H. Sullins Director

August 30, 2010

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



Subject: CORRECTION to Modification to the 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act, NEUSE BUFFER RULES, and ISOLATED WETLANDS PERMIT Pursuant to IWGP100000 with ADDITIONAL CONDITIONS for Proposed improvements to US 401m Wake County, Federal Aid Project No. STP-401(4), State Project No. 81403001, TIP No. R-2814 (B). NCDWQ Project No. 20090104 ver.2.

Dear Dr. Thorpe:

Attached hereto is a modification of Certification No. 3790 issued to The North Carolina Department of Transportation (NCDOT) originally dated June 16, 2009.

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

Sincerely,

Coleen H. Sullins

Attachments

cc: Eric Alsmeyer, US Army Corps of Engineers, Raleigh Field Office Chris Murray, Division 5 Environmental Officer **Ecosystem Enhancement Program** Rachelle Beauregard, NCDOT NEU File Copy

Modification to the 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act, NEUSE BUFFER RULES, and ISOLATED WETLANDS PERMIT Pursuant to IWGP100000 with ADDITIONAL CONDITIONS

THIS CERTIFICATION is issued in conformity with the requirements of Section 401 Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (NCDWQ) Regulations in 15 NCAC 2H .0500 and 15A NCAC 2B.0233 and ISOLATED WETLANDS PERMIT Pursuant to IWGP100000 This certification authorized the NCDOT to impact 2.68 acres of jurisdictional wetlands, 1.58 acres of isolated wetlands, 3,824 linear feet of jurisdictional streams and 496,980 square feet of protected riparian buffers in Wake County. The project shall be constructed pursuant to the modification dated received May 19, 2010. The corrected revised authorized impacts are as described below:

Revised Final Section B Stream Impacts in the Neuse River Basin

Site	Permanent Fill in Intermittent Stream (linear ft)	Temporary Impacts to Intermittent Stream (linear ft)	Bank Stabilization to Intermittent Stream (linear ft)	Permanent Fill in Perennial Stream (linear ft)	Temporary Impacts to Perennial Stream (linear ft)	Bank Stabilization to Perennial Stream (linear ft)	Total Stream Impact (linear ft)	Stream Impacts Requiring Mitigation (linear ft)
1	243	18	0	0	0	0	261	0
4	. 0	0	0	95	10	20	125	0
6	0	0	0	0	25	14	39	0
7	0	0	0	321	66	47	434	368
7- Utiliy	0	0	0	0	3	0	3	0
8	0	0	0	355	18	153	526	508
9	0	0	0	610	20	0	630	610
11	0	0	0	0	10	0	10	0
12	258	0	0	0	0	0	258	0
16	0	0	0	189	23	135	347	324
18	36	14	33	0	0	0	83	0
Total	537	32	33	1570	175	369	2716	1810

Total Revised Section B Stream Impact: 2716 linear feet.

Revised Final Section R Wetland Impacts in the Neuse River Basin

Site	Permanent Fill (ac)	Excavation (ac)	Mechanized Clearing (ac)	Total Wetland Impact (ac)	Mitigation Ratio	Wetland Mitigation Required (ac)
2	0.17	<0.01	0.02	0.19	1.1	0.19
3	0.22	0	<0.01	0.22	1.1	0.22
4	0.24	<0.01	0.01	0.25	1.1	0.25
5	0	0.01	0	0.01	2:1	0.02
7	0.65	0.10	0.09	0.84	1:1	0.84
7-	<0.01	0	0.02	0.02	1.1	0.02
Utility						
13	0.19	0	0	0.19	2:1	0.38
14	0.36	<0.01	0.06	0.42	2:1	0.84
17	0.38	0	0	0.38	1.1	0.38
Total	2.21	0.11	0.20	2.52		3.14

Total Revised Section B Wetland Impact: 2.52 acres.

Final Section B Isolated Wetland Impacts in the Neuse River Basin

Site	Permanent Fill (ac)	Total Wetland Impact (ac)	Mitigation Ratio	Wetland Mitigation Required (ac)
15	1.58	1.58	1.1	1.58
Total	1.58	1.58		1.58

Total Section B Isolated Wetland Impact: 1.58 acres.

Final Section B Open Water (Ponds) Impacts in the Neuse River Basin

Site	Fill in Open Waters (ac)
5	1.53
9	1.31
11	7.29
Total	10.13

Total Revised Section B Open Water Impact: 10.13 acres.

Final Section B Neuse Riparian Buffer Impacts

Site	Zone 1 Impact (sq ft)	minus Wetlands in Zone 1 (sq ft)	= Zone 1 Buffers (not wetlands) (sq ft)	Zone 1 Buffer Mitigation Required (using 3:1 ratio)	Zone 2 Impact (sq ft)	minus Wetlands in Zone 2 (sq ft)	= Zone 2 Buffers (not wetlands) (sq ft)	Zone 2 Buffer Mitigation Required (using 1.5:1 ratio)
1	13743	.0	13743	41229	9262	0	9262	13893
2	0	. 0	0	0	6	6	0	0.
5	24086	3937	20149	60447	16852	1399	15453	286 23180
6	856	. 0	856	N/A	0	0 .	0	0 N/A
7	31468	26830	4638	13914	16685	8158	8527	12790
7-	208	0	208	N/A	835	0	835	N/A
Utility								
8	28702	0	28702	86106	15200	0	15200	22800
9	53503	0	53503	160509	31621	0	31621	(a)* 47432
10	2133	0	2133	6399	4772	0	··4772	7158
11	25288	0	25288	75864	14205	0	14205	21307
12	17088	0	17088	51264	15041	0	15041	22562
15	19154	16637	2517	7551	15890	8113	7777	: 11665
16	19724	0	19724	59172	10366	0	10366	. 15549
18	3475	0	3475	N/A	1585	0	1585	N/A
Totals	239428	47404	192024	562455	152320	17676	134644	198336

^{*} n/a = Total for road crossing site is less than 1/3 acre and 150 linear feet of impact, no mitigation required Total Revised Section B Buffer Impact: 391,748 square feet.

Note: Revised impact tables for Section B replace the preliminary section B impacts in the original Water Quality Certification. No changes have been made for Section A in this modification.

The application provides adequate assurance that the discharge of fill material into the waters of the Neuse River Basin in conjunction with the proposed development will not result in a violation of applicable Water Quality Standards and discharge guidelines. Therefore, the State of North Carolina certifies that this activity will not violate the applicable portions of Sections 301, 302, 303, 306, 307 of PL 92-500 and PL 95-217 if conducted in accordance with the application and conditions hereinafter set forth.

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This approval is only valid for the purpose and design that you submitted in your modified application dated received May 19, 2010. All the authorized activities and conditions of certification associated with the original Water Quality Certification dated June 16, 2009 still apply except where superceded by this certification. Should your project change, you are required to notify NCDWQ and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter, and is thereby responsible for complying with all the conditions. If any additional wetland impacts, or stream impacts, for this project (now or in the future) exceed one acre or 150 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). Additional buffer impacts may require compensatory mitigation as described in 15A NCAC.0242. For this approval to remain valid, you are required to comply with all the conditions listed below. In addition, you should obtain all other federal, state or local permits before proceeding with your project including (but not limited to) Sediment and Erosion control, Coastal Stormwater, Non-discharge and Water Supply watershed regulations. This Certification shall expire on the same day as the expiration date of the corresponding Corps of Engineers Permit. This corrected approval replaces the one issued May 26, 2010.

Conditions of Certification:

*

- 1. When final design plans are completed for R-2814 Sections C & D, a modification to the 401 Water Quality Certification and the Neuse River Riparian Buffer Certification shall be submitted with five copies and fees to the NC Division of Water Quality. Final designs shall reflect all appropriate avoidance, minimization, and mitigation for impacts to wetlands, streams, and other surface waters, and buffers. No construction activities that impact any wetlands, streams, surface waters, or buffers located in R-2814 Section C and D shall begin until after the permittee applies for, and receives a written modification of the 401 Water Quality Certification and the Neuse River Riparian Buffer Authorization from the NC Division of Water Quality.
- 2. Compensatory mitigation for 2,371 linear feet of impact to perennial streams is required. We understand that you have chosen to debit mitigation from the Marks Creek Mitigation Bank. This certification gives approval to the debiting of 2,371 linear feet of stream mitigation from the Marks Creek Mitigation Site in order to satisfy the stream mitigation requirements of R-2814 A and B.
- 3. Compensatory mugation for impacts to jurisdictional and isolated wetlands is required. The mitigation requirement includes 3.37 acres of jurisdictional wetlands and 1.58 acres of isolated wetlands. We understand that you have chosen to debit mitigation from the Jefferey's Warehouse Mitigation Bank. This certification gives approval to debiting following wetland acres from the Jefferey's Warehouse Mitigation Site in order to satisfy the wetland mitigation requirements of R-2814 A and B:

Riverine Wetland Restoration: 2.49 acres
Non-Riverine Wetland Restoration: 1.96 acres
Riverine Wetland Preservation: 3.05 acres

- Compensatory mitigation for impacts to Neuse Riparian Buffers is required. The mitigation requirement includes 744,690 square feet of Zone 1 Buffers and 245,057square feet of Zone 2 Buffers.
 (a) We understand that you have chosen to debit mitigation from the Wiggins Mill Mitigation Bank. This
 - certification gives approval to the debiting of 985,325 square feet of Neuse Buffer from the Wiggins Mill Mitigation Site in order to partially satisfy the riparian buffer mitigation requirements of R-2814 A and B. (b) We understand that you have chosen to perform the 4,422 square feet of remaining compensatory mitigation for impacts to protected buffers through use of the North Carolina Ecosystem Enhancement Program (EEP). Mitigation for unavoidable impacts to Neuse Riparian Buffers shall be provided in the Neuse River Basin and done in accordance with 15A NCAC 2B.0233. EEP has indicated in a letter dated May 11, 2010 that they will assume responsibility for satisfying the remaining compensatory mitigation requirements of 4,422 square feet for the above-referenced project, in accordance with the Tri-Party MOA signed on July 22, 2003 and the Dual-Party MOA signed on April 12, 2004.
- 5. At locations where ponds will be drained, proper measures will be taken to drain the pond with limited impact to upstream and downstream channel stability as well as to native aquatic species. Proper measures will be taken to avoid sediment release and/or sediment accumulation downstream as a result of pond draining. If typical pond draining techniques will create significant disturbance to native aquatic species, additional measures such as collection and relocation may be necessary to prevent a significant fish kill. NCDOT shall consult with NC Wildlife Resources staff to determine if there are any sensitive species, and the most appropriate measures to limit impacts to these species. The permittee shall observe any natural channel re-establishment, or utilize natural channel construction techniques, to ensure that the jurisdictional stream channel above and below the drained pond remains stable, and that no additional impacts occur within the natural stream channel as a result of draining the pond.

- *
- 6. Prior to the pre-construction meeting, the permittee shall provide written verification that the final construction drawings comply with the permit drawings contained in the application dated received May 19, 2010. Any deviations from the approved drawings are not authorized unless approved by the NC Division of Water Quality
- Tunless otherwise approved in this certification, placement of culverts and other structures in open waters and streams shall 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. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWQ. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWQ for guidance on how to proceed and to determine whether or not a permit modification will be required.
- 8. If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.
- 9. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.
- 10. For all streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and revegetated with appropriate native species.
- 11. For project sites impacting waters classified by the NC Environmental Management Commission as High Quality Waters (HQW), or Water Supply I or II (WSI, WSII), (i.e., Cedar Fork Creek, Perry Creek, and their tributaries in Section B), stormwater shall be directed to vegetated buffer areas, grass-lined ditches or other means appropriate to the site for the purpose of pre-treating storm water runoff prior to discharging directly into streams. Mowing of existing vegetated buffers is strongly discouraged.

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- 12. The permittee shall use /Design Standards in Sensitive Watersheds/[15A NCAC 4B.0124(a)-(e)] in areas draining to WS-II, HQW waters (i.e., Cedar Fork Creek, Perry Creek and their tributaries). However, due to the size of the project, NC DOT shall not be required to meet 15A NCAC 4B.0124(a) regarding the maximum amount of uncovered acres. Temporary cover (wheat, millet, or similar annual grain) or permanent herbaceous cover shall be planted on all bare soil within 15 business days of ground disturbing activities to provide erosion control.
- 13. Tall fescue shall not be used in the establishment of temporary or permanent groundcover within riparian areas. For the establishment of permanent herbaceous cover, erosion control matting shall be used in conjunction with appropriate seeding on disturbed soils within the riparian area and on disturbed steep slopes with the following exception. Erosion control matting is not necessary if the area is contained by perimeter erosion control devices such as silt fence, temporary sediment ditches, basins, etc. Matting should be secured in place with staples, stakes, or wherever possible, live stakes of native trees. Erosion control matting placed in riparian areas shall not contain a nylon mesh grid, which can impinge and entrap small animals. For the establishment of temporary groundcover within riparian areas, hydroseeding along with wood or cellulose based hydro mulch applied from a fertilizer- and limestone-free tank is allowable at the appropriate rate in conjunction with the erosion control measures. Discharging hydroseed mixtures and wood or cellulose mulch into surface waters in prohibited. Riparian areas are defined as a distance 25 feet landward from top of stream bank.
- 14. All riparian buffers impacted by the placement of temporary fill or clearing activities shall be restored to the preconstruction contours and revegetated. Maintained buffers shall be permanently revegetated with non-woody species by the end of the growing season following completion of construction. For the purpose of this condition, maintained buffer areas are defined as areas within the transportation corridor that will be subject to regular NCDOT maintenance activities including mowing. The area with non-maintained buffers shall be permanently revegetated with native woody species before the next growing season following completion of construction. However, due to the size of the project, NC DOT shall not be required to meet 15A NCAC 4B .0124(a) regarding the maximum amount of uncovered acres.
- 15. All stormwater runoff shall be directed as sheetflow through stream buffers at nonerosive velocities, unless otherwise approved by this certification.

- 16. Pursuant to NCAC15A 2B.0233(6), sediment and erosion control devices shall not be placed in Zone 1 of any Neuse Buffer without prior approval by NCDWQ. At this time, NCDWQ has approved no sediment and erosion control devices in Zone 1, outside of the approved project impacts, anywhere on this project. Moreover, sediment and erosion control devices shall be allowed in Zone 2 of the buffers provided that Zone 1 is not compromised and that discharge is released as diffuse flow.
- 17 If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills.
- 18. 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.
- 19 The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions.
- 20. 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.
- 21. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.
- 22. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream.
- 23. 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.
- 24. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
- 25. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
- 26. 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.
- 27 All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification..
- 28. A copy of this Water Quality Certification shall be maintained 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.
- 29. 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.
- 30. The issuance of this certification does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (i.e. local, state, and federal) having jurisdiction, including but not limited to applicable buffer rules, stormwater management rules, soil erosion and sedimentation control requirements, etc.
- 31. The Permittee shall report any violations of this certification to the Division of Water Quality within 24 hours of discovery.

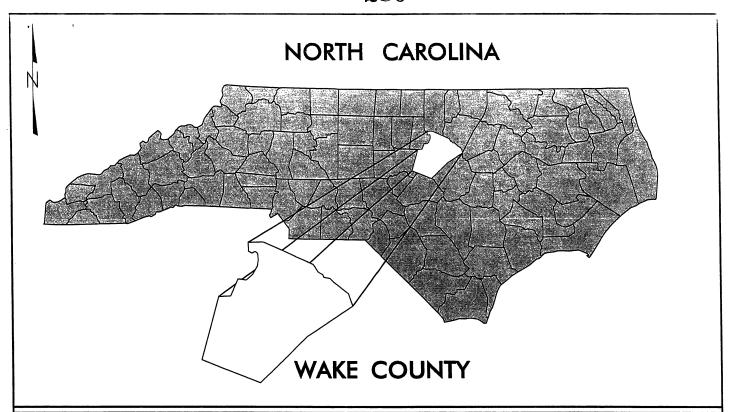
- - 32. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.
 - 33. Native woody riparian vegetation (i.e., trees and shrubs native to your geographic region) must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.
 - 34. 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, or access roads to 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.
 - 35. 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:
 - 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.
 - 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.
 - 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.
 - The reclamation measures and implementation must comply with the reclamation in accordance with d. the requirements of the Sedimentation Pollution Control Act.
 - 36. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification.

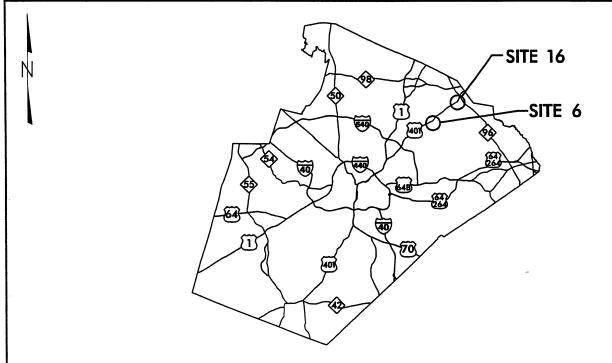
Violations of any condition herein set forth may result in revocation of this Certification and may result in criminal and/or civil penalties. This Certification shall become null and void unless the above conditions are made conditions of the Federal 404 and/or Coastal Area Management Act Permit. This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

If this Certification is unacceptable to you have the right to an adjudicatory hearing upon written request within sixty (60) days following receipt of this Certification. This request must be in the form of a written petition conforming to Chapter 150B of the North Carolina General Statutes and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. If modifications are made to an original Certification, you have the right to an adjudicatory hearing on the modifications upon written request within sixty (60) days following receipt of the Certification. Unless such demands are made, this Certification shall be final and binding.

This the 30th day of August 2010

DIVISION OF WATER QUALITY





POWER BUFFER VICINITY MAP

Buffer Drawing Sheet _____ of &

NCDOT

DIVISION OF HIGHWAYS
WAKE COUNTY
PROJECT: 34506.1.1 (R-2814B)
US 401 ROLESVILLE BYPASS
FROM SR 2225, LOUISBURY ROAD
TO NC 96, ZEBULON ROAD

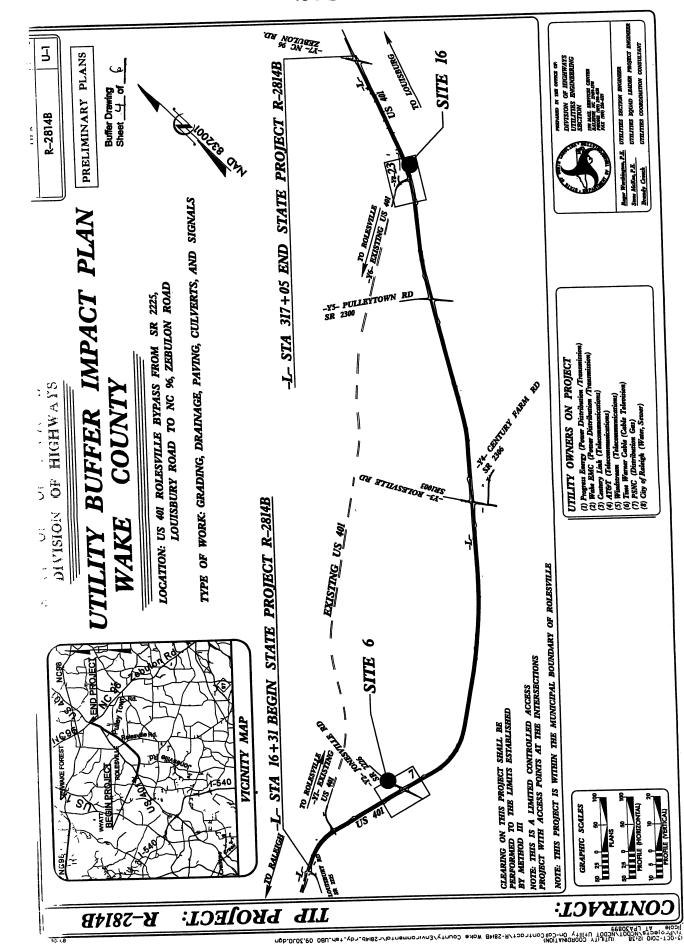
Power and Communication Utility Buffer Impacts

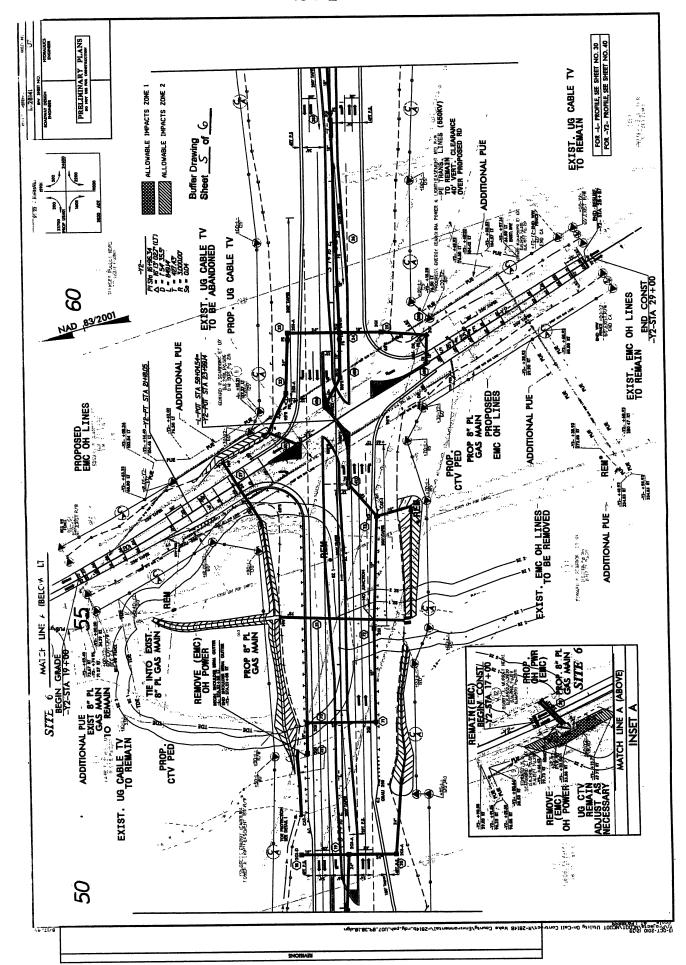
Buffer Drawing Sheet 2 of

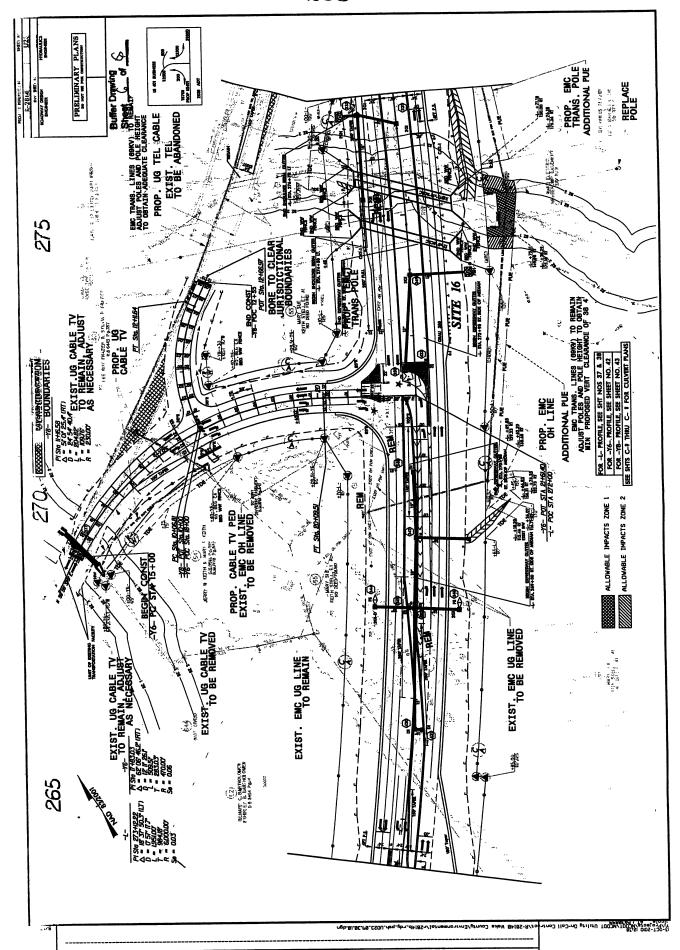
UTILITY BUFFER IMPACTS SUMMARY POWER	IMPACT	TYPE ALLOWABLE MITIGABLE REPLACEMENT	ROAD PARALLEL ZONE CROSSING BRIDGE IMPACT (#²)		275+56 X 2447 1887 4334				3627 3306 6933	
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ER IMPAC Power			ZONE (ff²)	1180	2447				3627	
ſY BUFF		TYPE								
			ROAD CROSSIN	×						
			STATION (FROMTO)	Y2: 16+66 - 18+28	L: 274+36 - 275+56					
			STRUCTURE SIZE / TYPE	Aerial Power	Aerial Power					
			SITE NO.	9	16				TOTAL	H

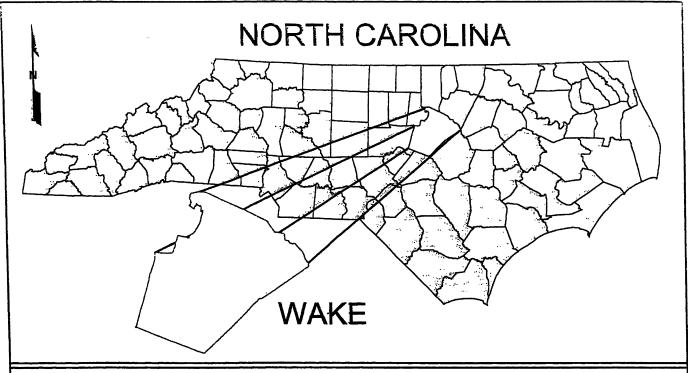
Buffer Drawing Sheet 3 of 6

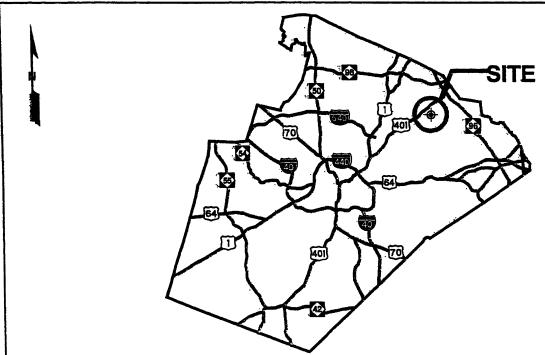
Rev May 2006











WETLAND AND STREAM UTILITY

VICINITY MAP

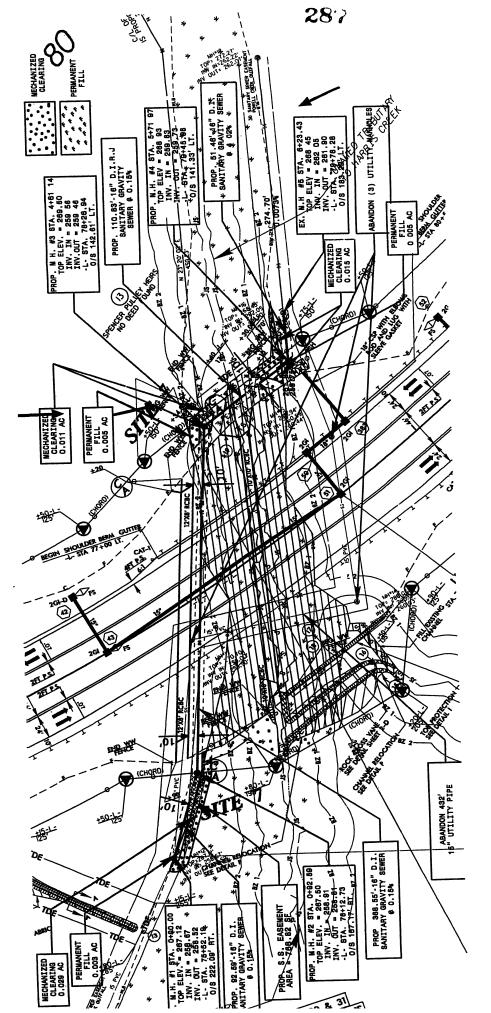
NCDOT

DIVISION OF HIGHWAYS
WAKE COUNTY
PROJECT: 34506.1.1 (R-2814B)

US 401 ROLESVILLE BYPASS FROM SR 2225, LOUISBURY ROAD TO NC 96, ZEBULON ROAD

NOVEMBER 2009

Permit Drawing Sheet 1 of 6.

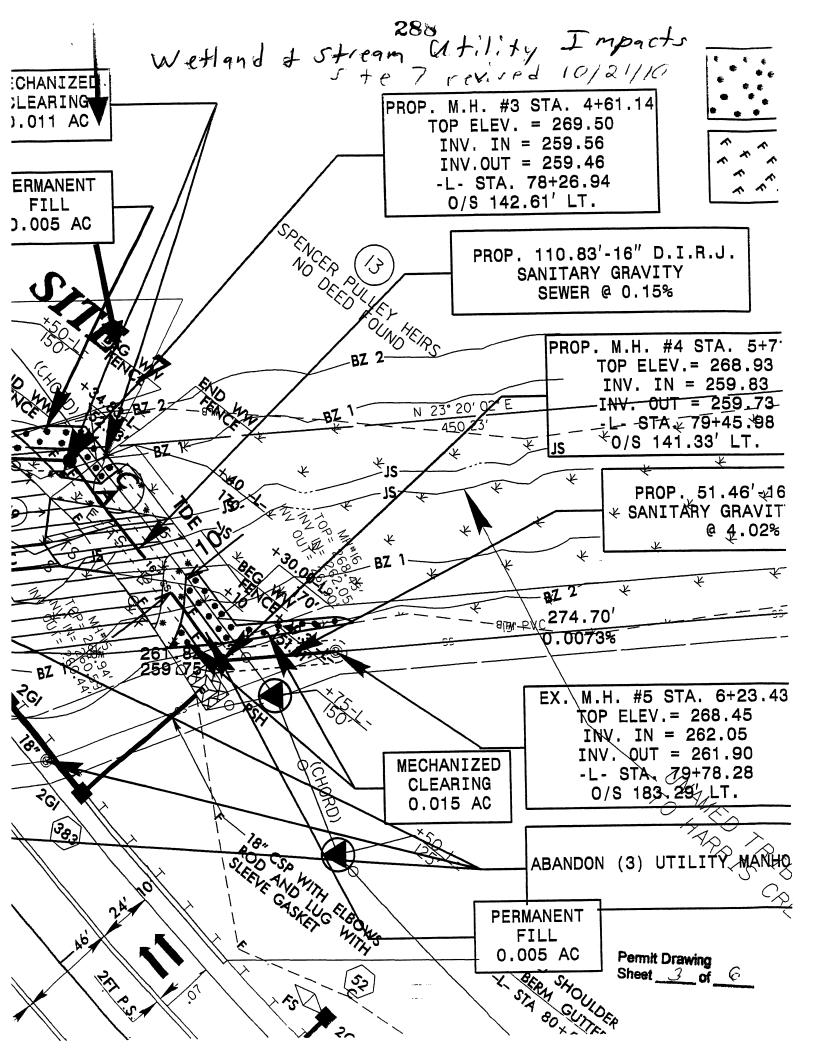


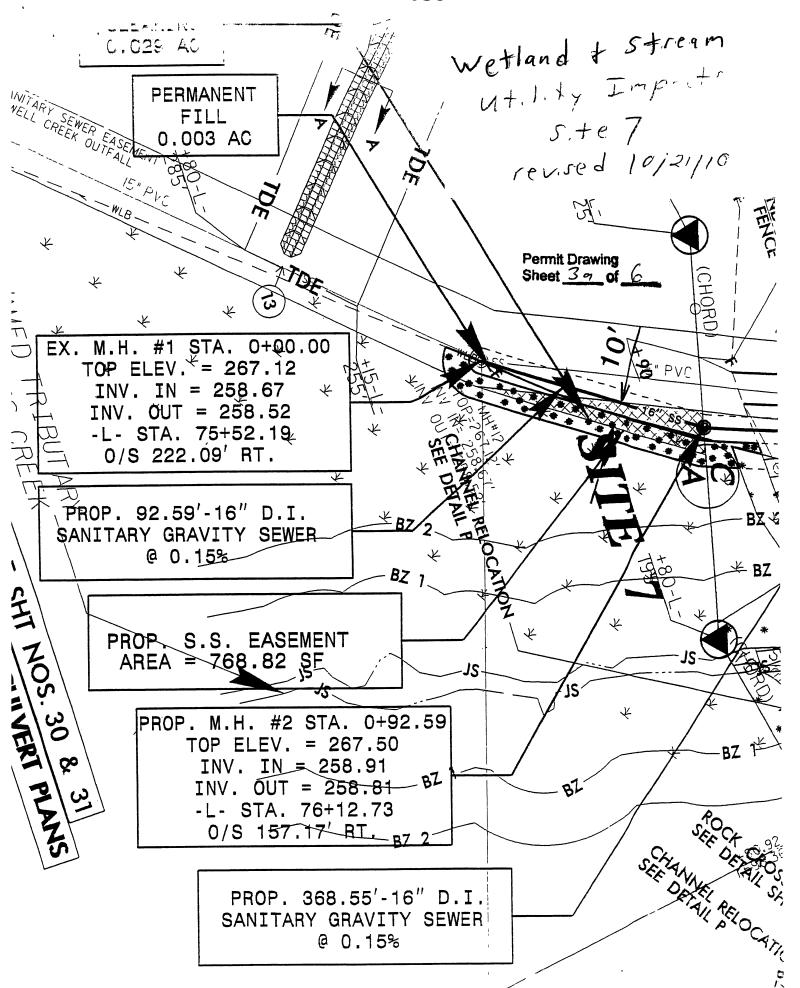
4+11 ty Imports
Revised 10/21/10

2 te 7

Stream

Permit Drawing Sheet 2 of G

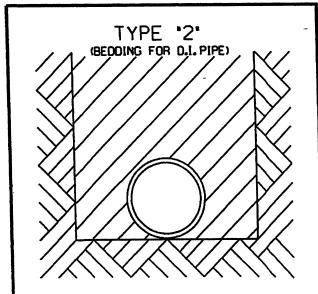




411. . .

MAXIMUM TRENCH WIDTH AT TOP OF PIPE

NOMINAL PIPE SIZE (INCHES)	TRENCH WIDTH	NOMINAL PIPE SIZE (INCHES)	TRENCH WIDTH
4	28	20	44
6	36	24	48
8	32	36	54
10	34	36	60
12	36	42	66
14	38	48	72
16	40	54	78
18	42		



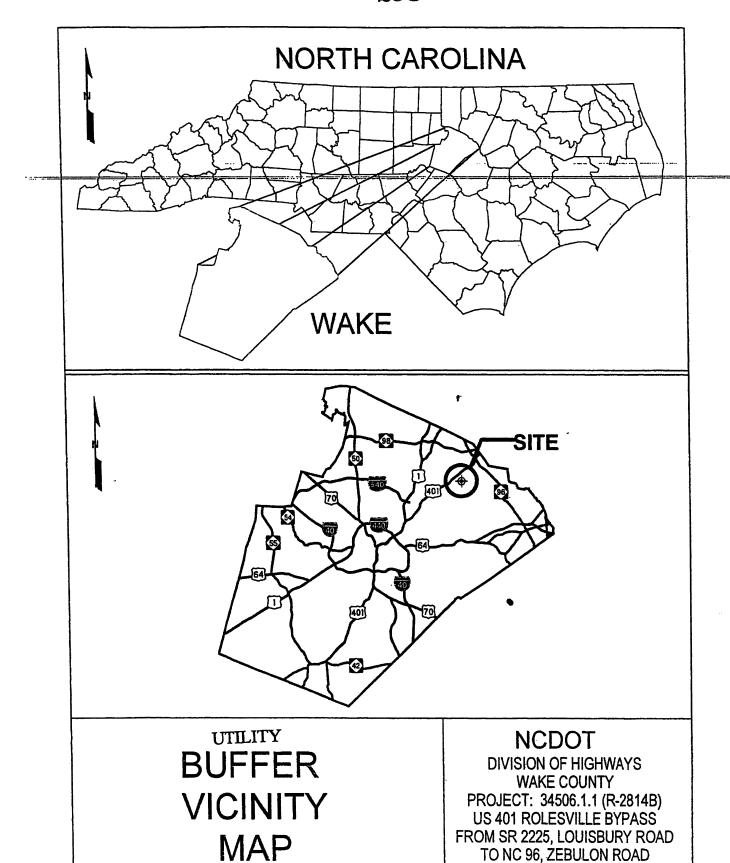
PIPE BEDDED IN FLAT-BOTTOM TRENCH, TRENCH BACKFILLED IN LODGE 6"LAYERS COMPACTED TO TOP OF TRENCH USING LOCAL EXCAVATED MATERIAL, ALL MATERIAL, SHALL BE FREE OF ROCKS, FOREIGN MATERIAL, AND FROZEN EARTH, COMPACTION SHALL BE TO APPROX, 952 DENSITY IN ACCORDANCE WITH AASHTO T-99 AS MODIFIED BY THE DEPARTMENT OF TRANSPORTATION.

PROP. OWNER ADDRESS	9412 Louisburg Rd , Wake Forest, NC 27587 9412 Louisburg Rd , Wake Forest, NC 27587	N.C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS WAKE COUNTY PROJECT: 34506.1.1 (R-2814B)	Permit Drawing 6 Sheet 5 of 6
PROPERTY OWNER NAME	Scarboro , E. Walter and Claire P.		
PROP. NO.	6 4		

Property Owners - Wetland

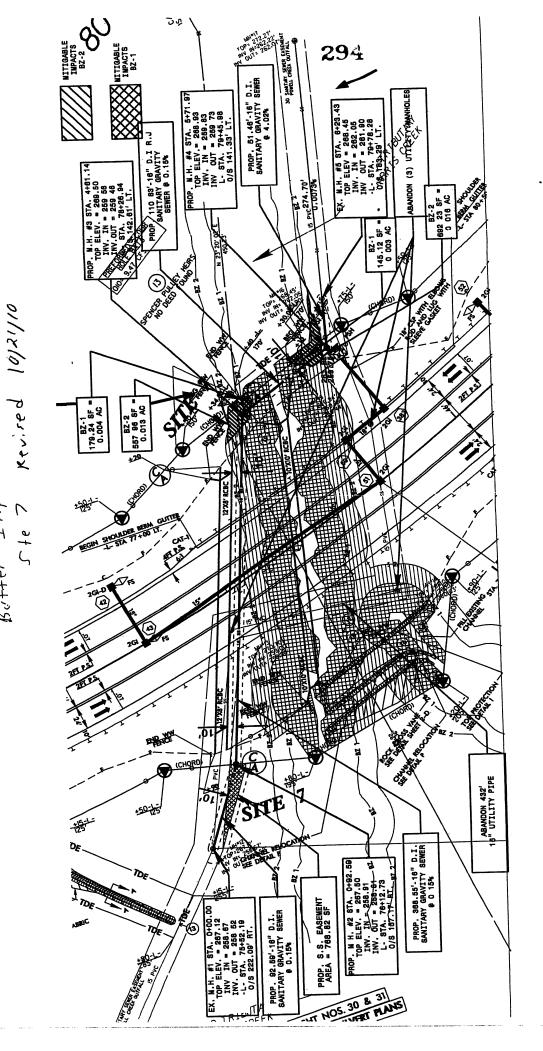
C.\Documents and Settings\dproper\Desktor\R-2814B\04052010 R-2814 Permit Summary.xls

	Natural Stream Design (ft)										ORTATION	YS	۲ ۱۳.20814Bl	10/21/2010	
ACTS	Channel Impacts Temp (ft)										day and and	DIVISION OF HIGHWAYS	N	- 1	
WATER IMI Existing	Channel Impacts Permanent (ft)	ח							c	5	NOET TO A NSPORTATION	DIVISION	WAKE	WBS - 34508 5 GV5	
SURFACE	Temp SW impacts (ac)			-								Z Z		W SHT 1 OF 1	
MPACT SUI	Permanent SW impacts (ac)														
PERMIT	Hand Clearing in Wetlands (ac)														
UTILITY WETLAND PERMIT IMPACT SUMMARY SURFACE WATER IMPACTS ID IMPACTS SURFACE WATER IMPACTS SURFACE WATER IMPACTS	Excavation Mechanized in Clearing Wetlands in Wetlands (ac)	0.055								0.055					
UTILITY WE WETLAND IMPACTS	Excavation I in Wetlands (ac)														
WET	Temp Fill In Wetlands (ac)														
	Permanent Fill In Wetlands (ac)	0.013								0.013					
	Structure Size / Type	Sanitary Sewer													
	Station (From/To)	See Drawing													
	Site	7	+					+		TOTALS					



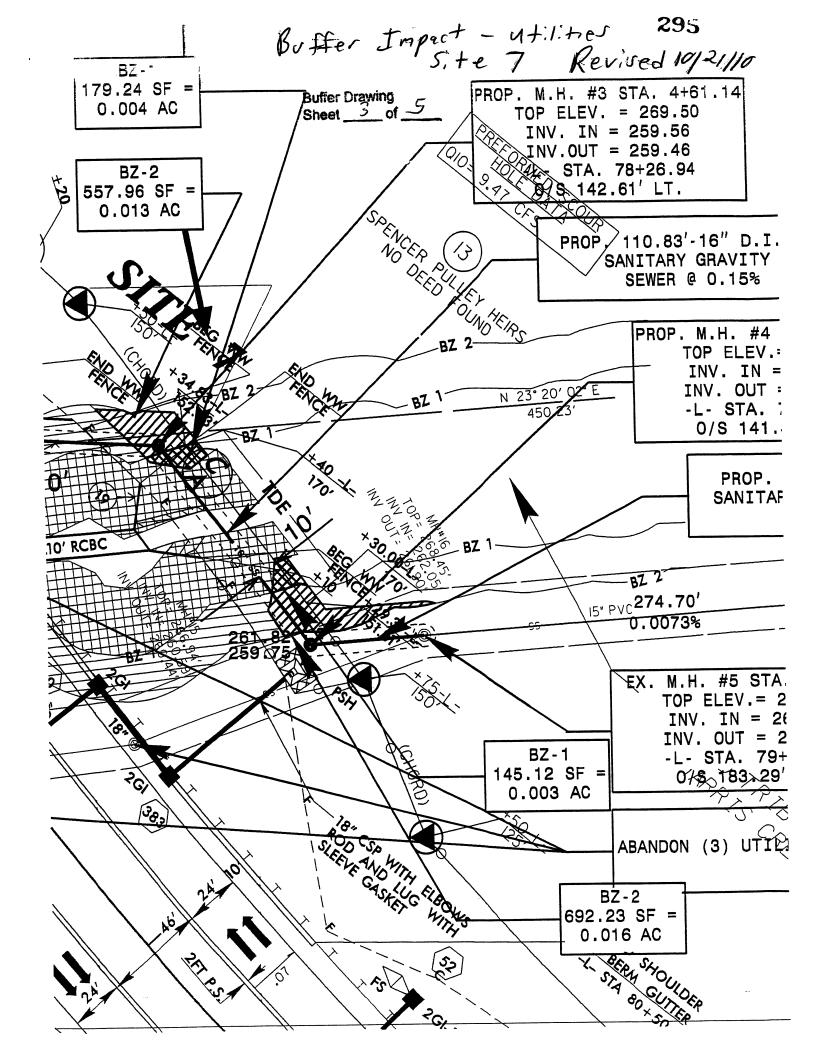
Buffer Drawing
Sheet _____ of ____

4 5 2010



Buffer Impacts - Utilite

Buffer Drawing Sheet 2 of 5

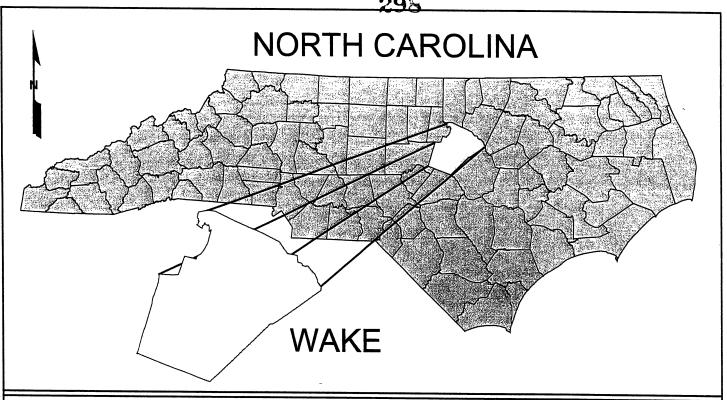


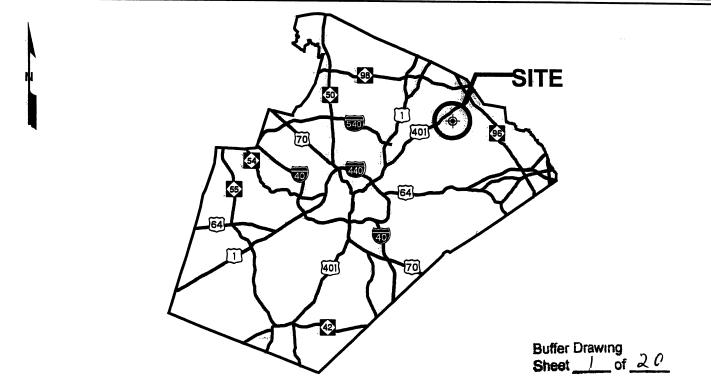
ON GOAG	PROPERTY OWNER NAME	PROP. OWNER ADDRESS
t 4	Spencer, Pulley Heirs Scarboro , E Walter a	9412 Louisburg Rd , Wake Forest, NC 27587 9412 Louisburg Rd., Wake Forest, NC 27587
FROM THAT AND THE PROPERTY AND		
		N C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS
gget engles e		WAKE COUNTY PROJECT 34506.1 1 (R-2814B)
riffeesti van een		4/5/2010

Sheet of of Sheet Property Owners - Buffer

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	BUFFER	REPLACEMENT	ZONE 1 ZONE 2 (ft²)													NSPORTATION	STAWES	UNTY GV3 (R-2814B)	·		Rev May 2006
			TOTAL Z(-							0.0	N C DEPT OF TRANSPORTATION	DIVISION OF R	WAKE COUNTY PROJECT: 34506 3 GV3 (R-2814B)	Lev.	10/21/2010 SHEET OF	
		MITIGABLE	ZONE 2 (ff ²)												0.0	Z		Ā			
RY			ZONE 1 (ff²)												0.0						
MMA		E.	TOTAL (ft²)	1575											1575						
TS SI	IMPACT	ALLOWABLE	ZONE 2 (ft²)	1250											1250						
MPAC		AL	ZONE 1 (ft²)	324											324						
ILITY BUFFER IMPACTS SUMMARY			PARALLEL IMPACT				-														
Y BUF		TYPE	BRIDGE																		
1115			ROAD CROSSING																		
			STATION (FROMTO)	See Drawing																	
			STRUCTURE SIZE	Sanitary Sewer																	
			SITE	7											TOTAL:						

Buffer Drawing Sheet of Sheet



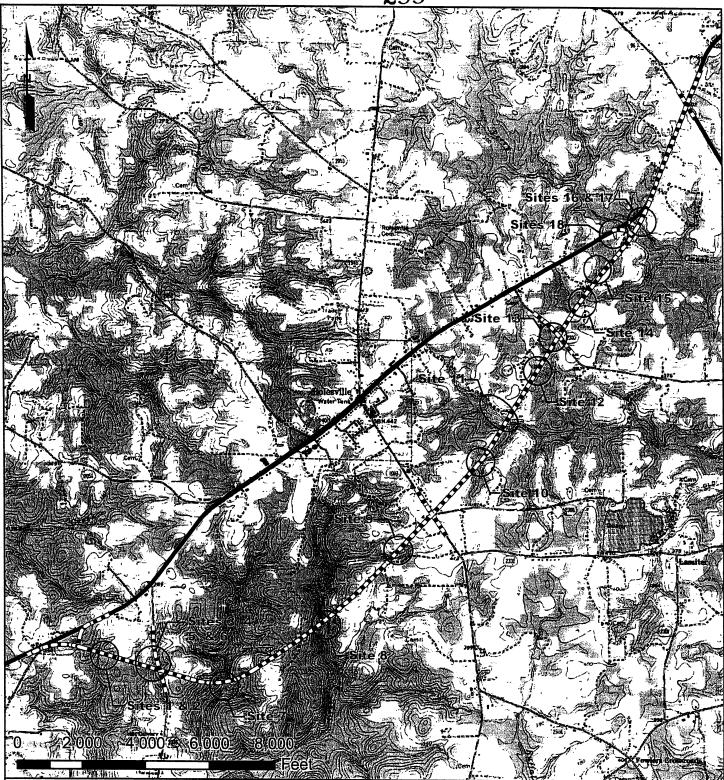


BUFFER VICINITY MAP

NCDOT

DIVISION OF HIGHWAYS WAKE COUNTY PROJECT: 34506.1.1 (R-2814B) US 401 ROLESVILLE BYPASS FROM SR 2225, LOUISBURY ROAD TO NC 96, ZEBULON ROAD

NOVEMBER 2009



1 inch = 3,000 feet

BUFFER LOCATION MAP

NCDOT

DIVISION OF HIGHWAYS
WAKE COUNTY
PROJECT: 34506.1.1 (R-2814B)
US 401 ROLESVILLE BYPASS
FROM SR 2225, LOUISBURY ROAD
TO NC 96, ZEBULON ROAD

NOVEMBER 2009

Source: USGS 7.5 Minute Quadrangle, Rolesville, NC

Buffer Drawing
Sheet 2 of 20

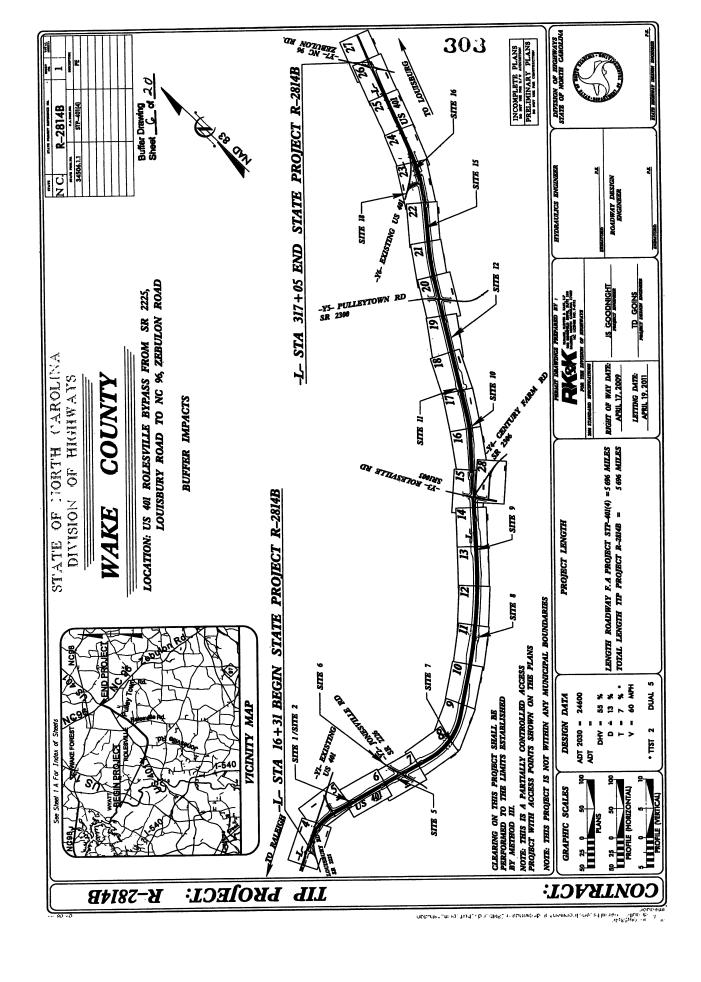
PROP. NO.	PROPERTY OWNER NAME	PROP. OWNER ADDRESS
7	Neuse Baptist Church	8700 Capital Blvd , Raleigh, NC 27587
80	Alexander Family investments, LLC	906 Washington St , Cary, NC 27511
6	Scarboro, E Walter and Claire P	9412 Louisburg Rd , Wake Forest, NC 27587
12	Bobby L Murray Heirs (J Brent King Exec)	PO Box 40639, Raleigh, NC 27629
13	Spencer, Pulley Heirs	9412 Louisburg Rd , Wake Forest, NC 27587
14	Scarboro , E Walter and Claire P	9412 Louisburg Rd , Wake Forest, NC 27587
20	Shearon, Cameron E & Beverly W	4325 Galax Dr , Raleigh, NC 27612
21	Mitchell F Rabil Family Irrevocable Trust	3321 Gondola Dr , Lexington KY, 40513
22	Shearon, Cameron E & Beverly W	4325 Galax Dr , Raleigh, NC 27612
34	Scarboro Family Limited Partnership	PO Box 84, Rolesville, NC 27571
35	Wall, Joe	7317 Pulley Town Rd , Wake Forest, NC 27587
36	Wall, Joe	7318 Pulley Town Rd , Wake Forest, NC 27587
38	Bobie Joe Wall & Vickie D Wall	7309 Pulley Town Rd Wake Forest, NC 27587
39	The SBJ Growth, L P	PO Box 19067, Raleigh, NC
51	Bartholomew, Michael	PO BOX 573, Rolesville, NC 27571
52	Bartholomew, Richard C & Shirley B	PO BOX 6, Rolesville, NC 27571
54	Keith. Jerry W and Mary P	1124 Louisburg Rd , Wake Forest, NC 27587
54A	Bartholomew Richard C & Shirlev B	PO BOX 6, Rolesville, NC 27571
52	Stell, Meith & Mary Sue Et Al	1132 Louisburg Rd , Wake Forest, NC 27587
22	Sylvania Frazier & Lula Barnes McGhee	2725 Wait Ave , Wake Forest, NC 27857
		N C DEPT OF TRANSPORTATION DIVISION OF HIGHWAYS
		WAKE COUNTY
		PKUJECI 34506 1 (K-2814B)
		2/22/2010

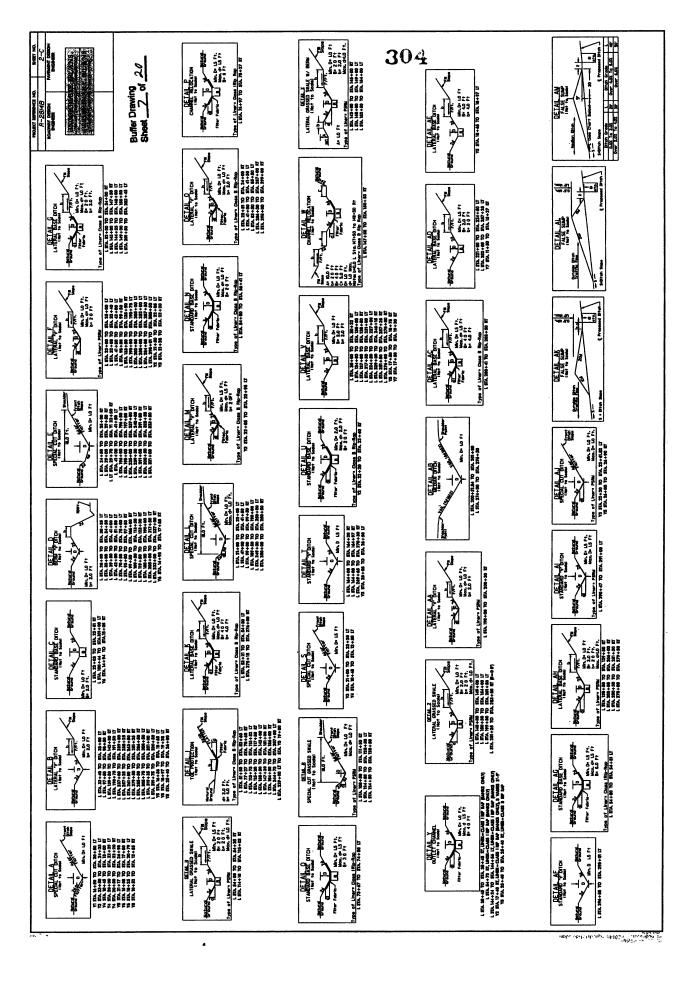
Buffer Drawing $\frac{1}{3}$ of $\frac{1}{3}$

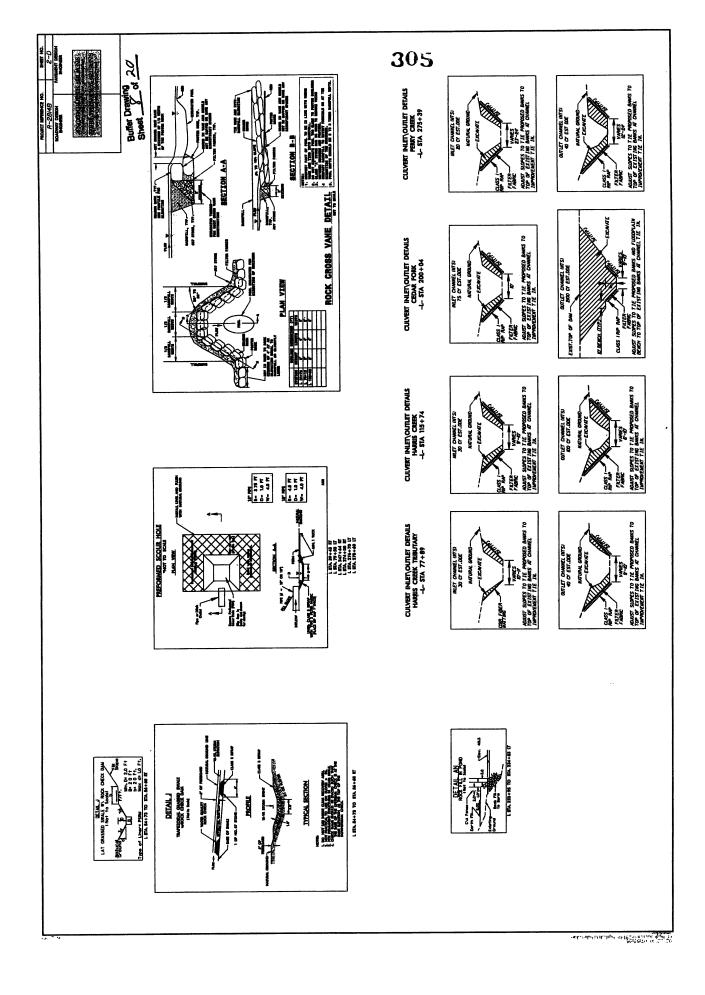
		WET	LAND	S IN B(WETLANDS IN BUFFER IMPACTS SUMMARY
·		S	WETLANDS IN	VIDS IN	
			BUFFERS	ERS	
SITE NO	STATION (FROM/TO)) OZ	ZONE 1 (ft²)	ZONE 2 (ft²)	
2	-L- 41+07 RT			9	
5	-L- 55+00	ñ	3937	1399	
7	-L- 77+89	26	26830	8158	
15 1	-L- 255+00	16	16637	8113	
TOTAL		47.	47404	17676	
, ALL IN ISOL	' ALL IN ISOLATED WETLANDS				N C DEPT OF TRANSPORTATION DIVISION OF HIGHWAYS
					WAKE COUNTY PROJECT: 34506 11 (R-2814B)
					2/22/2010 SHEET OF
					Rev Jan 2009

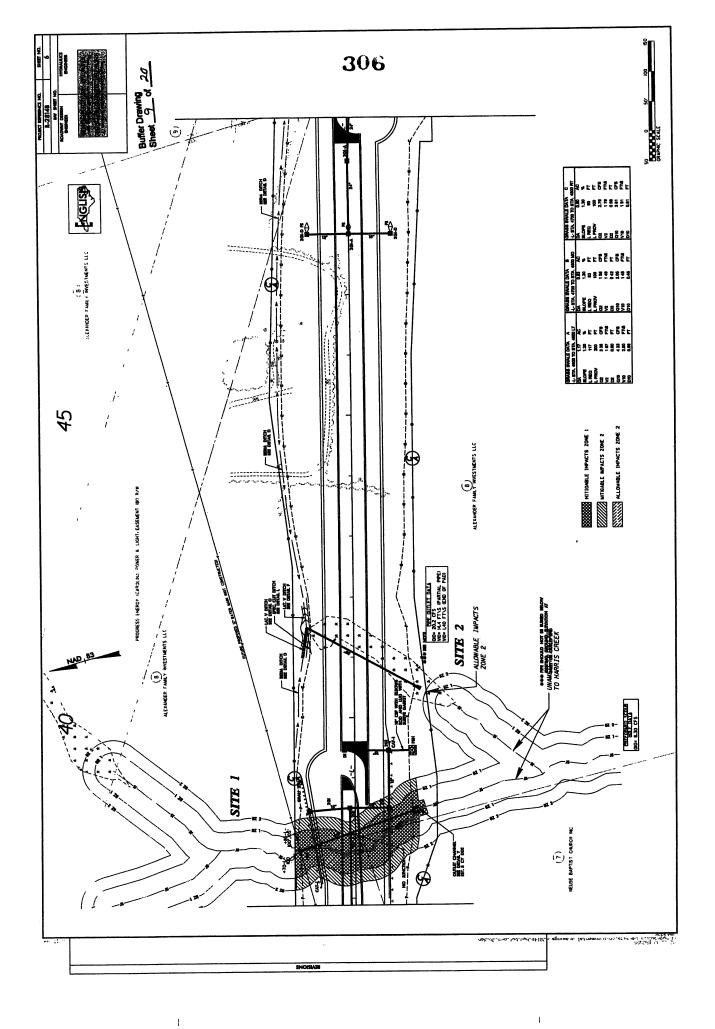
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	BUFFER	밝	(ft²)																			ORTATION	HWAYS	Ł	(R-2814B)		OF Box May 2006	
	ш	REP	ZONE 1																			TRANS	DIVISION OF HIGHWAYS	F COUN	34506 1 1	Ac 10/14/2010		,
			TOTAL (ff²)	23005	9	41517		48153	43902	85124	6905	39493	32129	35044	30090						385368	N C DEDT OF TRANSPORTATION	DIVISION	WAK	PROJECT: 34506 1 1 (R-2814B)	7-	SHEE	rawing
		MITIGABLE	ZONE 2 (ff²)	9262	9	16852		16685	15200	31621	4772	14205	15041	15890	10366						149900		Z					Buffer Drawing
			ZONE 1 (ft²)	13743		24665		31468	28702	53503	2133	25288	17088	19154	19724						235468							
۱R۲		Ē	TOTAL (ff²)				856									5060					5916							
	IMPACT	ALLOWABLE	ZONE 2 (ff²)													1585					1585							
TS S		₩ V	ZONE (f²)				856									3475					4331							
BUFFER IMPACTS SUMMARY			PARALLEL IMPACT		×						×																	
FER		TYPE																										
BU			ROAD BRIDGE	×		×	×	×	×	×		×	×	×	×	×												
			STATION	-L- 38+11	-I - 41+07 RT	-L- 55+00	-Y2- 17+31	-L- 77+89	-L- 115+74	-L- 147+00	-L- 187+00 RT	-1 - 200+04	-1 - 219+03	1 255+00	-L-203+00	-L-213+39 Ve 45+47	1.61-61-											
			STRUCTURE SIZE /	eo" RCP	00 a 10 a	78" RCP	2@42" RCP	10'X10' RCBC	10'X10' RCBC	72" RCP	ĄN	10'Ya' BCBC	42" BCP	24	NA STATE OF THE ST	2@12X12 RCBC	2@36 RUP											
			Ç.	SITE NO.	-	7 (ဖ	7	60	σ	-	2 7	5	71	15	16	18				TOTAI .	i 5 5 1						

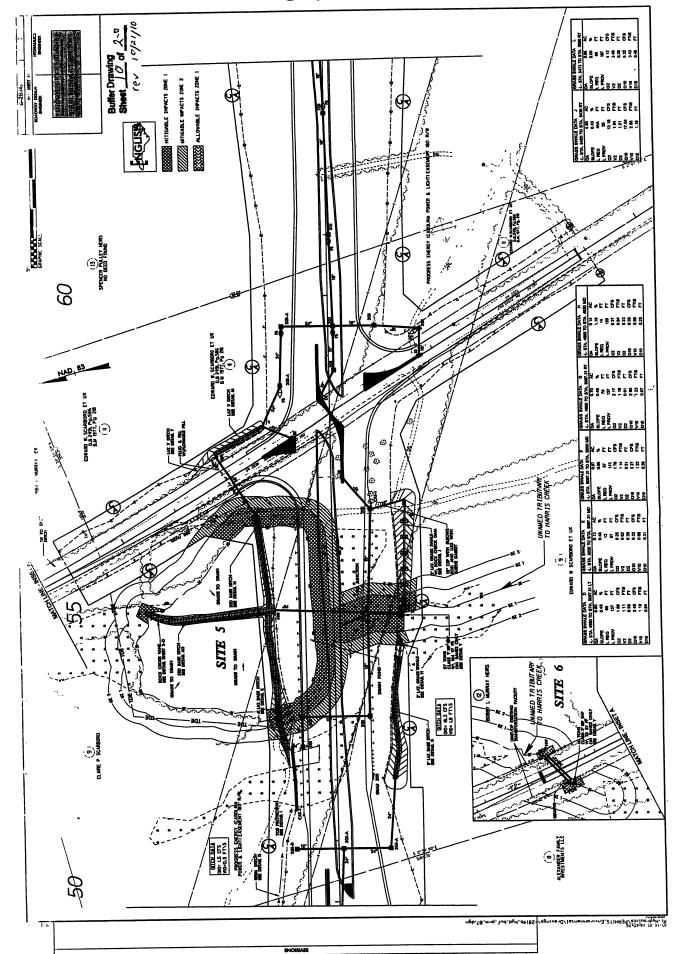
Buffer Drawing 20

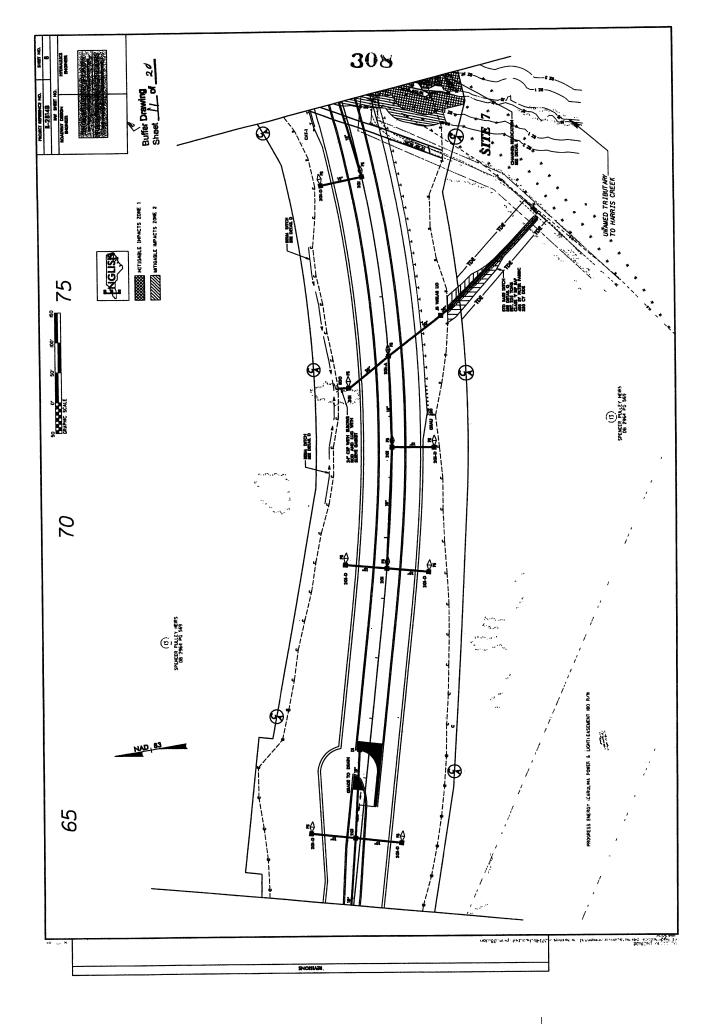


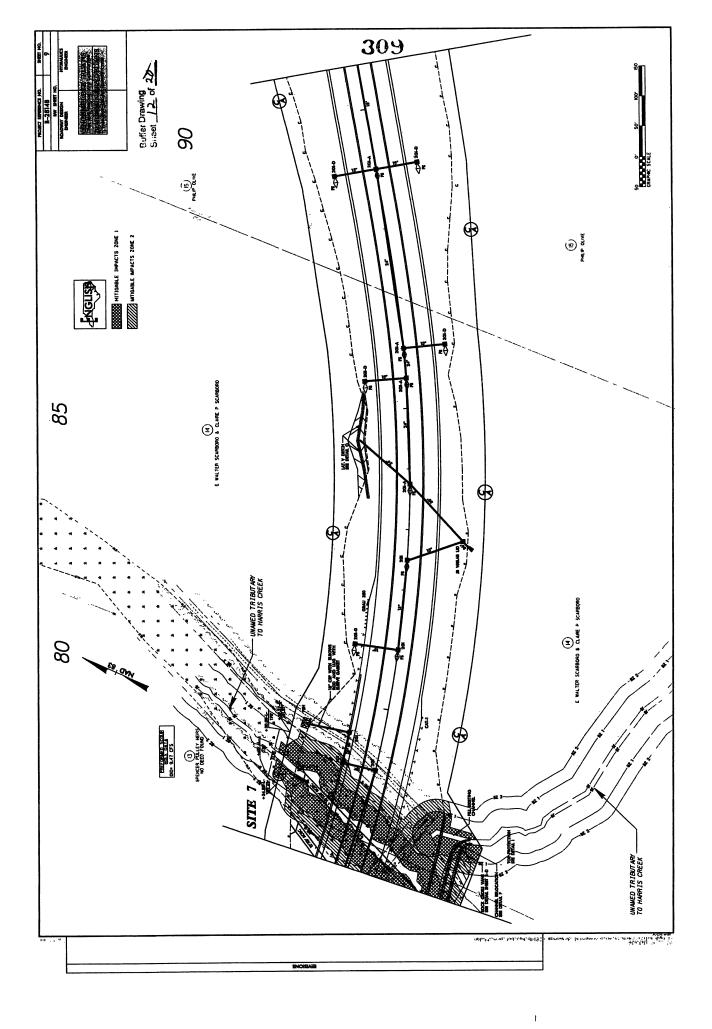


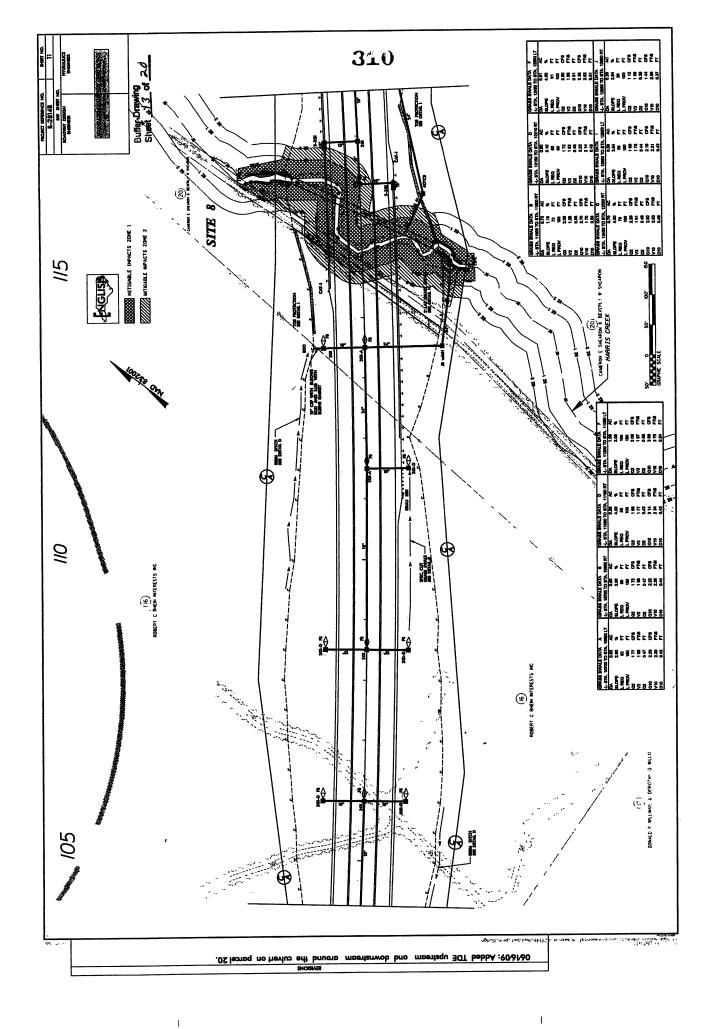


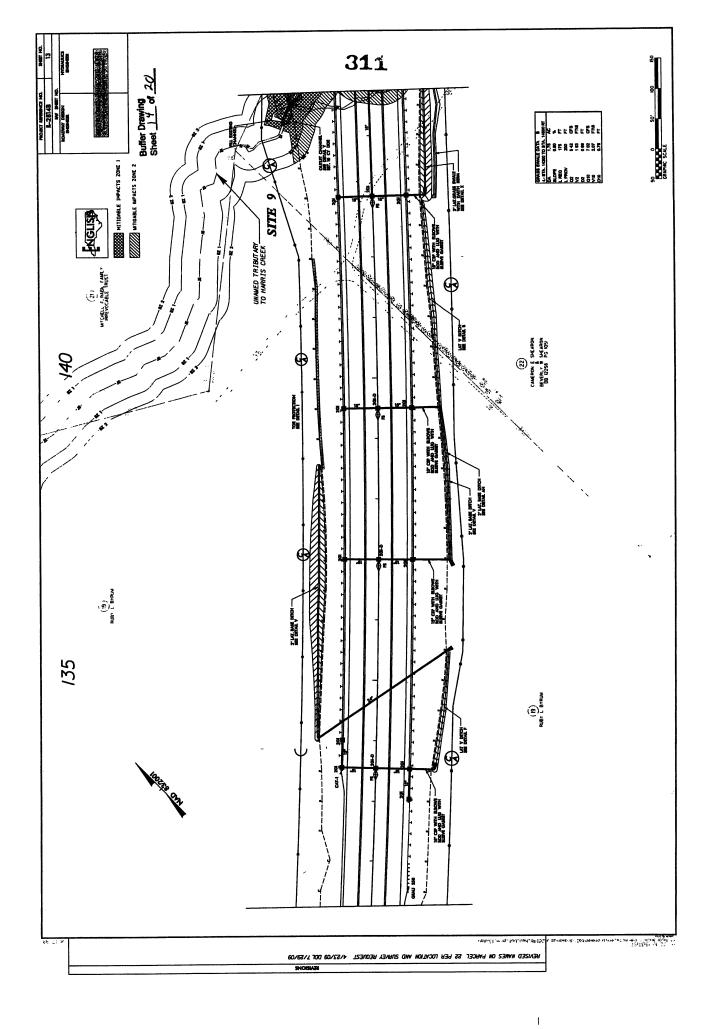


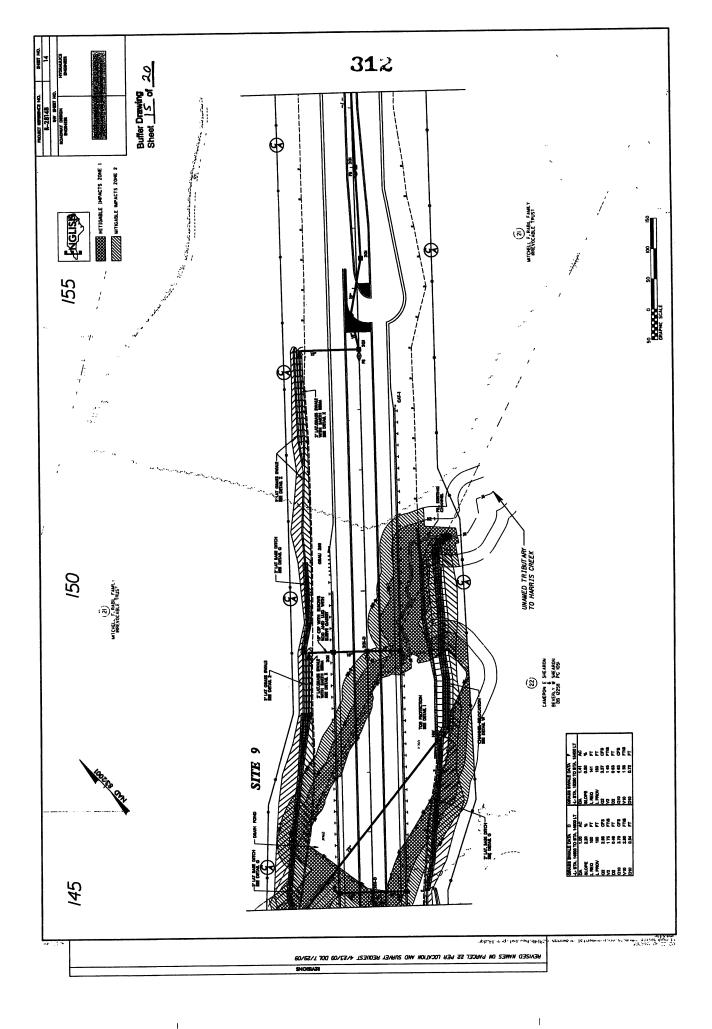


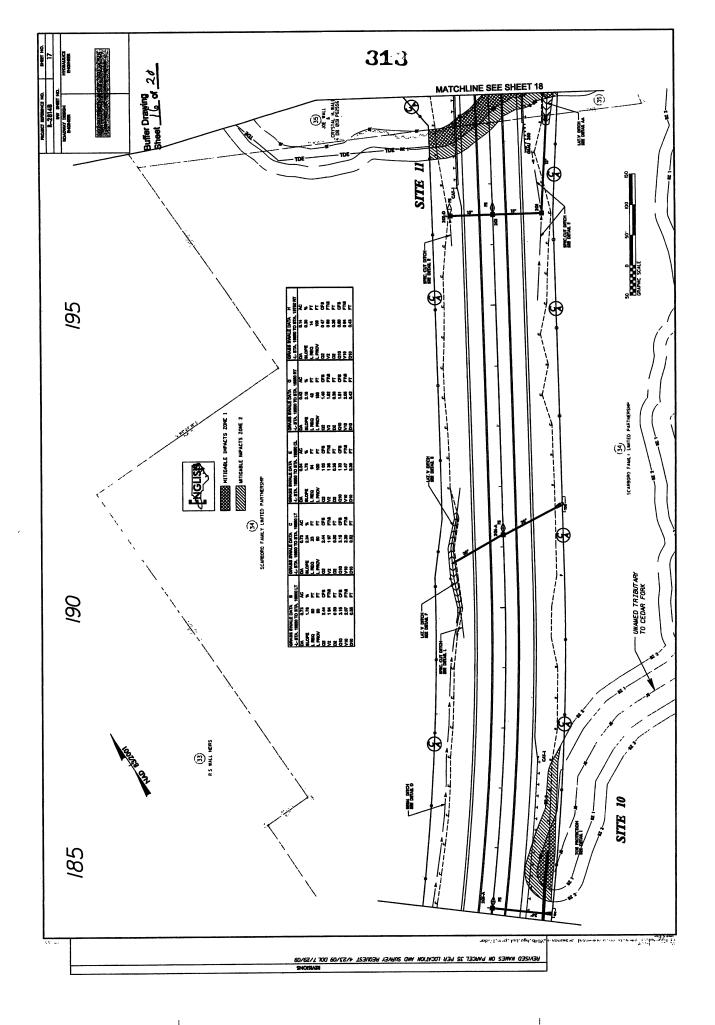


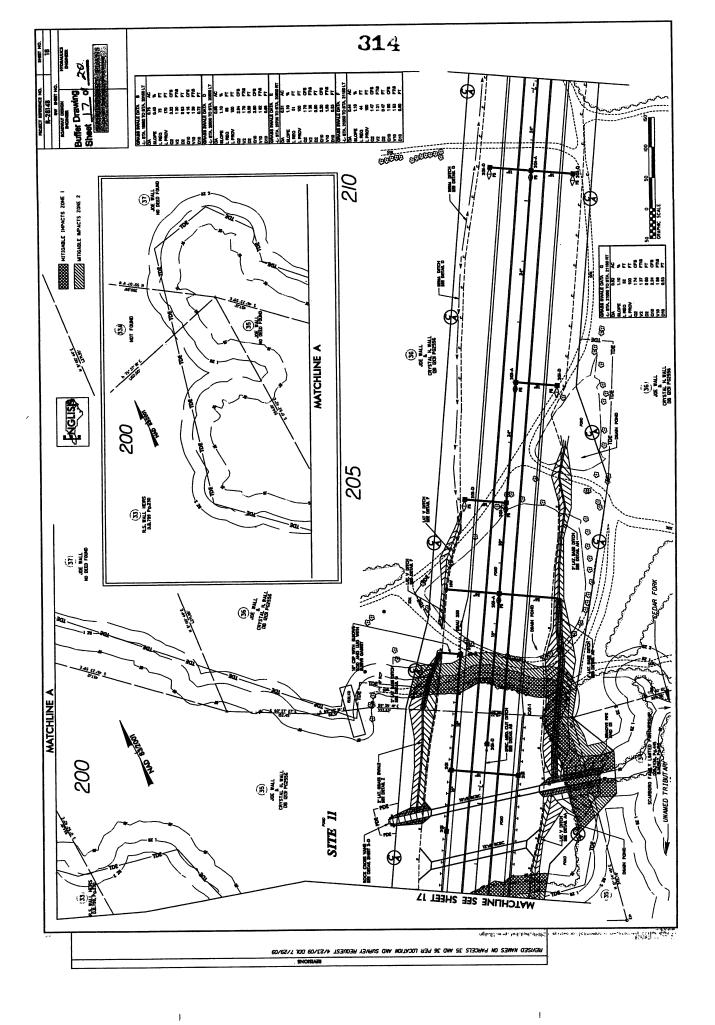


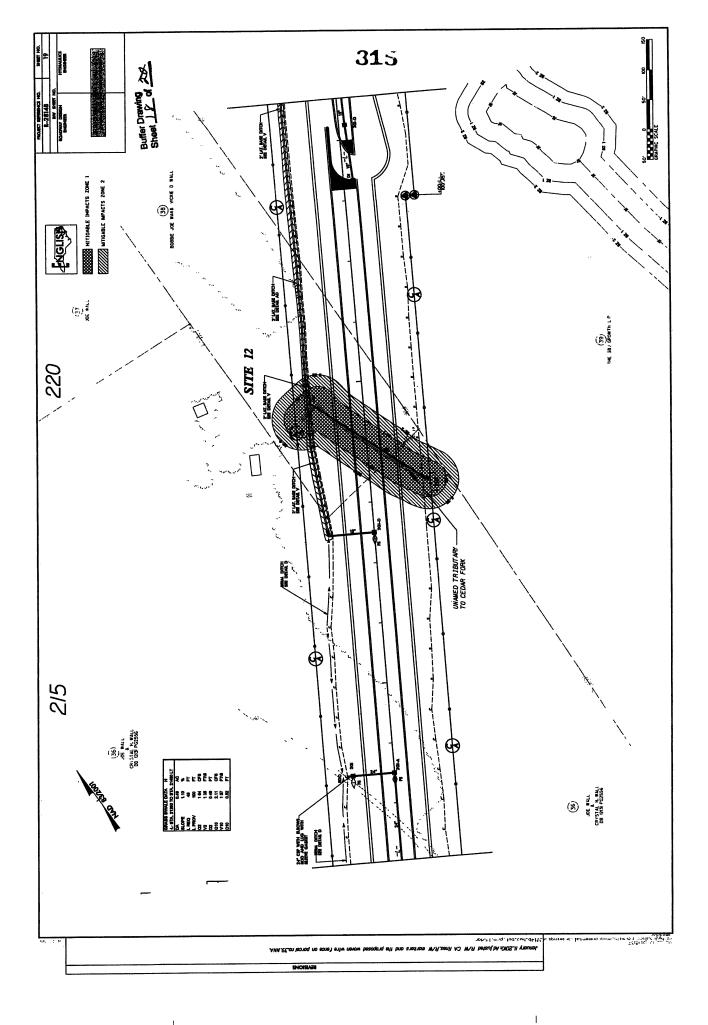


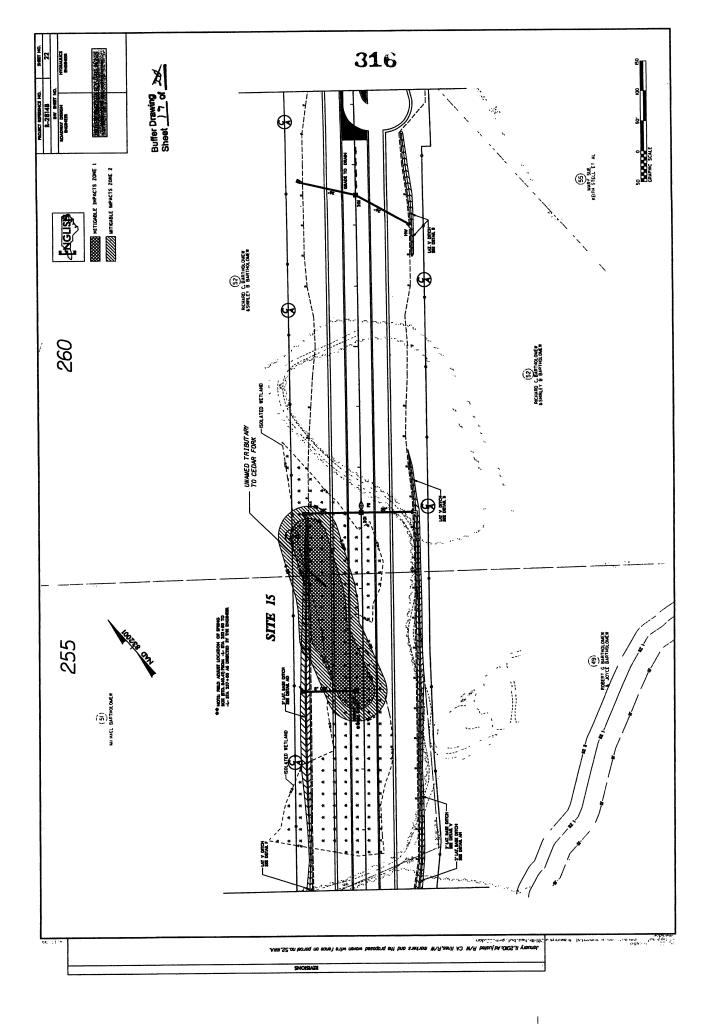


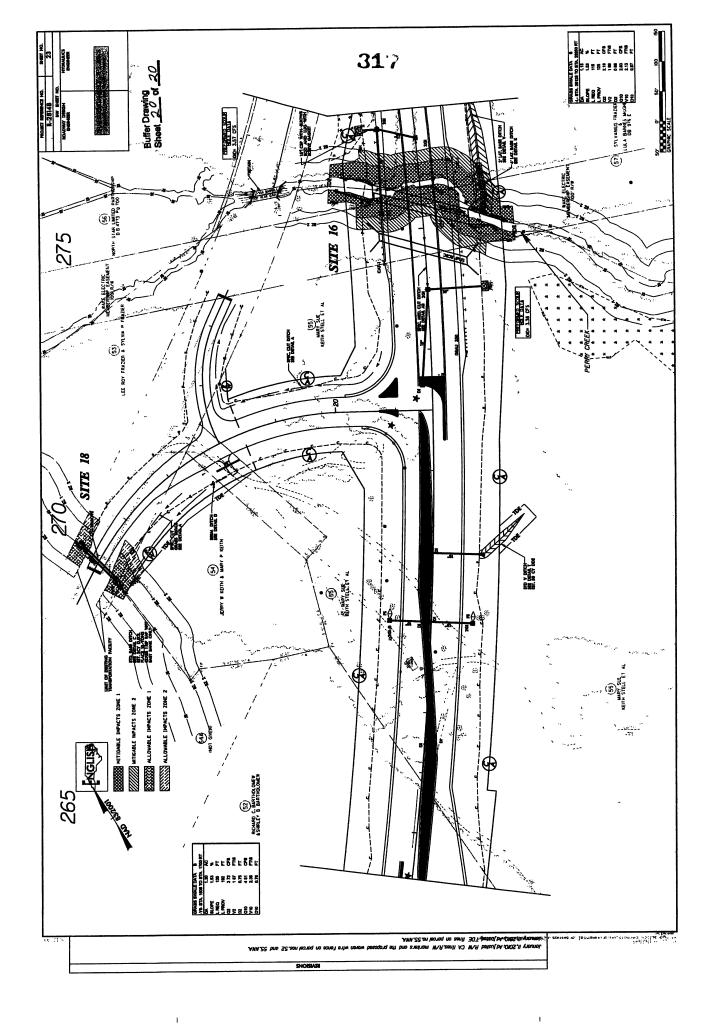


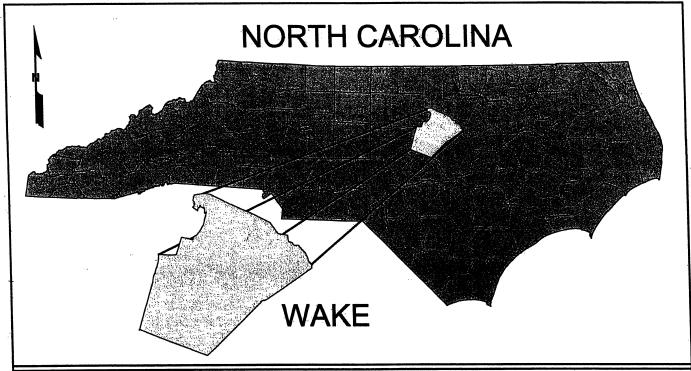


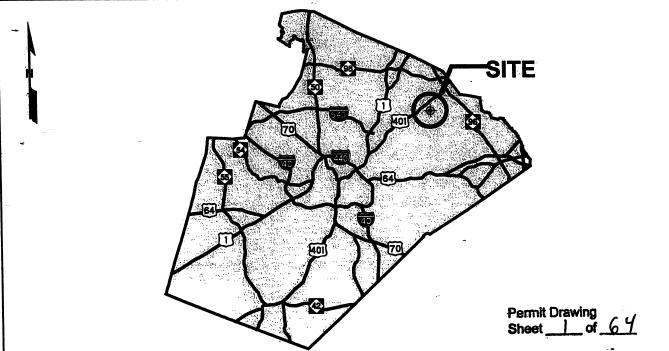










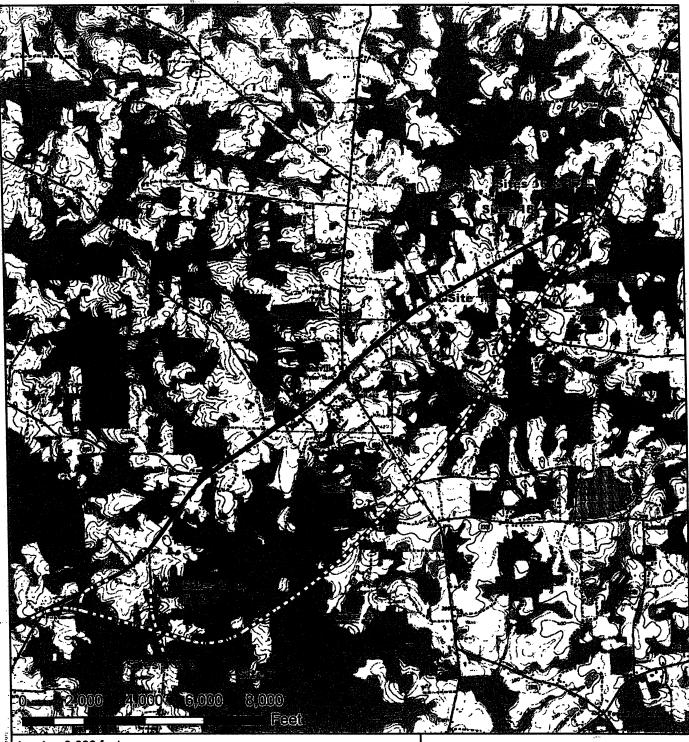


STREAM AND WETLAND VICINITY MAP

NCDOT

DIVISION OF HIGHWAYS
WAKE COUNTY
PROJECT: 34506.1.1 (R-2814B)
US 401 ROLESVILLE BYPASS
FROM SR 2225, LOUISBURY ROAD
TO NC 96, ZEBULON ROAD

NOVEMBER 2009



1 inch = 3,000 feet

STREAM AND WETLAND LOCATION MAP

Source: USGS 7.5 Minute Quadrangle, Rolesville, NC

NCDOT

DIVISION OF HIGHWAYS
WAKE COUNTY
PROJECT: 34506.1.1 (R-2814B)
US 401 ROLESVILLE BYPASS
FROM SR 2225, LOUISBURY ROAD
TO NC 96, ZEBULON ROAD

NOVEMBER 2009

Permit Drawing Sheet 2 of 64

ON GOOD	DECEEPTY OWNER NAME	PROP. OWNER ADDRESS
LING. NO.		8700 Canital Blvd . Raleigh. NC 27587
_	Neuse Baptist Church	or od depictal pixel, the party of the party
80	Alexander Family investments, LLC	906 Washington St., Cary, NC 27311
6	Scarboro, E Walter and Claire P	9412 Louisburg Rd , Wake Forest, NC 2/ 30/
12	Bobby L Murray Heirs (J Brent King Exec)	PO Box 40639, Raleigh, NC 27629
. 4	Spancer Pulley Heirs	9412 Louisburg Rd., Wake Forest, NC 27587
	Scarboro E Walter and Claire P.	9412 Louisburg Rd , Wake Forest, NC 27587
· 6	Shearon Cameron E & Beverly W	4325 Galax Dr , Raleigh, NC 27612
25 6		3321 Gondola Dr , Lexington KY, 40513
7	MICHELLY NADIL FAILING HIGGORANG HIGGS	4325 Galax Dr. Raleigh, NC 27612
22	Shearon, Cameron E & Beverly vv	1608 Falls Ct. Raleigh NC 27615
33	RS Wall Heirs	TOOO Talls Of Training III 2757
33A	Wall, Alice W	405 N Main St, Kolesville, NC 2737
34	Scarboro Family Limited Partnership	PO Box 84, Rolesville, NC 2/5/1
35	Wall, Joe & Crystal H	7317 Pulley Town Rd , Wake Forest, NC 2/38/
36	Wall, Joe & Crystal H	7318 Pulley Town Rd , Wake Forest, NC 2758/
37	Wall	7318 Pulley Town Rd , Wake Forest, NC 27587
	Robie Ioe Wall & Vickie D Wall	7309 Pulley Town Rd Wake Forest, NC 27587
9		PO Box 19067 Raleigh, NC
6£	line SBJ Growm, L.P.	Maria Address
49	Bartholomew, Robert G & Joyce C	NO KNOWN Address
50	Bartholomew, Richard C & Shirley B.	PO BOX 6, Rolesville, NC 2/3/1
57	Bartholomew, Michael	PO BOX 573, Rolesville, NC 275/1
. Cr	Bartholomew Richard C & Shirlev B	PO BOX 6, Rolesville, NC 27571
7 7	Note form, W. and Mary D	1124 Louisburg Rd , Wake Forest, NC 27587
4 0	Neith, Jelly Wallu Maly	DO BOY & Rolesville NC 27571
54A	Bartholomew, Richard C & Shirley B	TO BOX 0, NOISONIII () TO 27587
55	Stell, Meith & Mary Sue Et Al	1132 Louisburg Ka , Wake Furest, NO 27 307
22	Sylvania Frazier & Lula Barnes McGhee	2725 Wait Ave., Wake Forest, NC 2/85/
		N.C. DEPT. OF TRANSPORTATION
		DIVISION OF HIGHWAYS
		5
		WBS - 34506.1.1 (R-2014B)
		2/22/2010

Permit Drawing Sheet 3 of 6 4

Property Owners - Wetland

SURFACE WATER IMPACTS		Impacts	Permanent Temp Design (ft) (ft) (ft)	243 18			95 10	20		47	20	+	321 66	+	355 18	1	610 20	0 10	258				189 23	135		36 14	
WETLAND PERMIT IMPACT SUMMAN I			impacts impacts (ac)	0.02 <0.01			<0.01 <0.01	<0.01	1.51	<0.01	<0.01	<0.01	0.12 0.02	<0.01	0.05 <0.01	0.03	1.31 <0.01	7.29 <0.01	0.02				0.05 <0.01	0.06		<0.01 <0.01	
MII IMPAC	-	Clearing P	Wetlands																								
TLAND PER CTS		Excavation Mechanized in Clearing	in Wetlands	(25)	000	20.0	500						0.09								800	8.0					
WETLAND IMPACTS		Excavation	Wetlands	(ac)	5	000	500	0.0	000				0.10								5	20.01					
WE		Temp	Wetlands	(ac)																							
		Permanent	Wetlands	(ac)	17.0	0.17	0.22	0.24					0.65	200						١	0.19	0.36	1.58			0.38	
			Size / Type		60" RCP	30" RCP	AN	78" RCP	BANK STABILIZATION	/8" RCP	2@42 RCF	NOITATI IIIATA VIANA	ANYAN' BOBO	IUAIU RABII IZATIONI	DAIN STABILIZATION	DESK DIVOI	BANK STABILIZATION	72" RCP	10'X9' RCBC	42" RCP	36" RCP	48" RCP	30" RCP	2@12'X12' RCBC	BANK STABILIZATION	AN	2@36" RCP
		: .i	Station (From/To)		-L-38+11	-L- 41+07	-L- 52+50 LT	-L- 55+00 RT	-L-55+00 RT	-1-92+00 F1	-Y2- 1/+31 L1	-72-1/+31 RI	-Y2-1/+31 KI	-1-1/+89	-1-1/+09	-L- 115+/4	-L- 115+74	-L- 147+00 ²	-L- 200+04 ³	-L- 219+03	-L- 229+75	-L- 246+87	-L- 255+00 ⁴	-L- 275+39	-L- 275+39	-L- 277+50 LT	VE. 15±17
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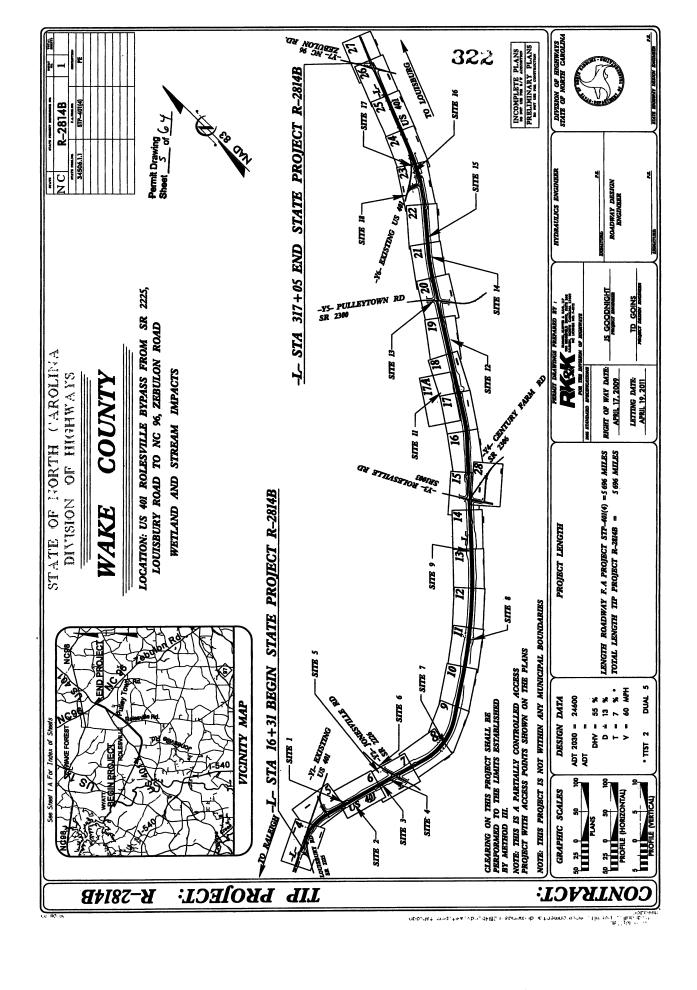
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

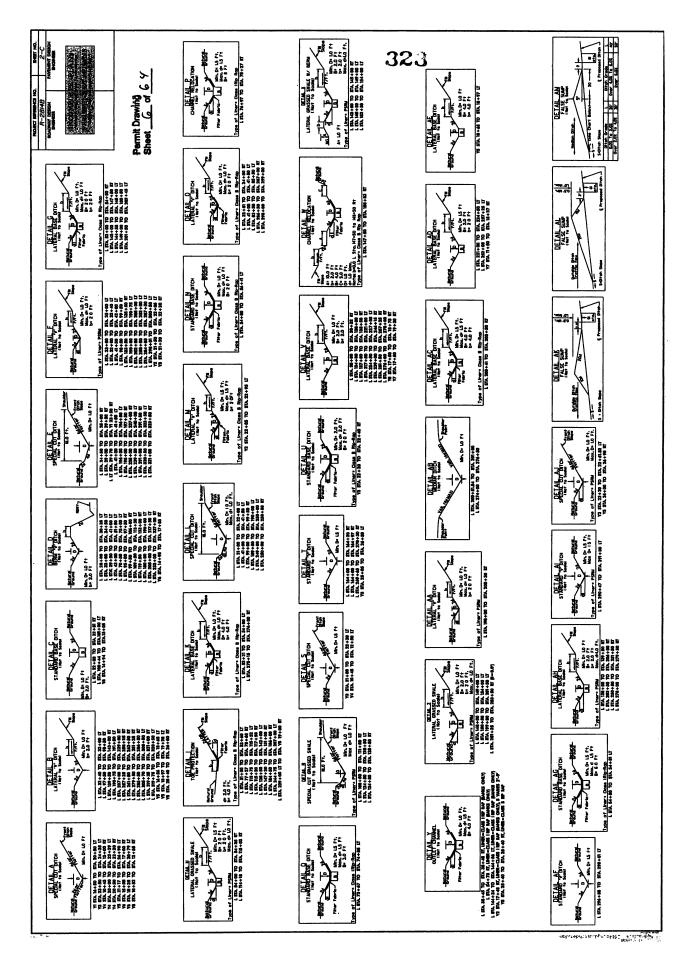
WAKE COUNTY WBS - 34506 1 1 (R-2814B) 2/22/2010

Permit Drawing Sheet 2 of 62

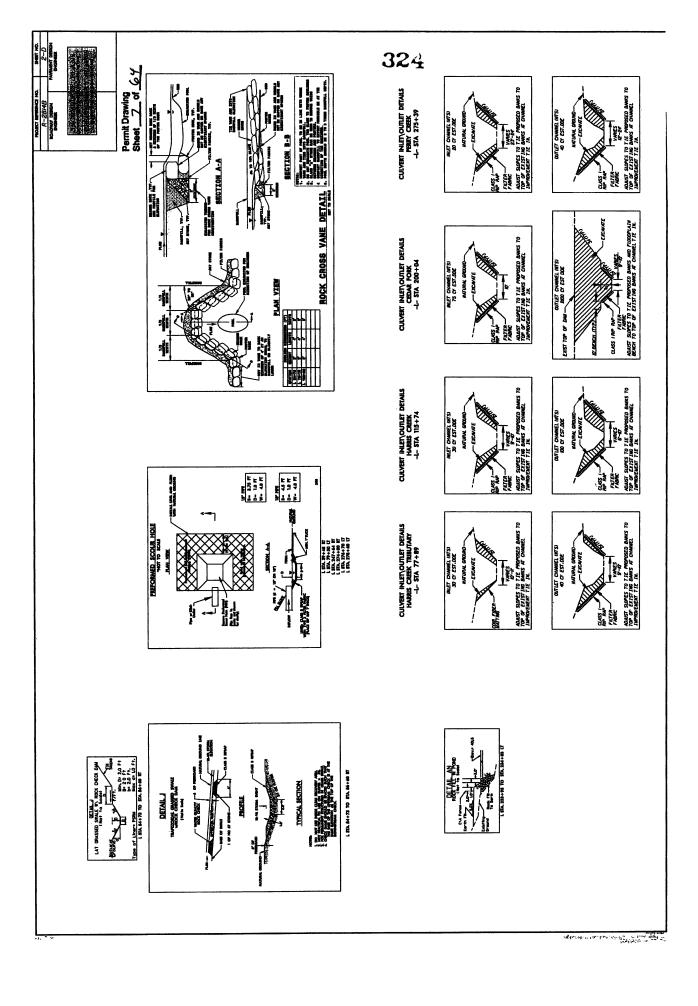
' ENTIRE AREA IS IMPACT IN SURFACE WATER (POND)
2 IMPACT IN SURFACE WATER (POND) IS 1 25 AC
3 ENTIRE PERMANENT IMPACT AREA IS SURFACE WATER (POND)
4 ISOLATED WETLAND TOTAL TAKE (1 58 AC)

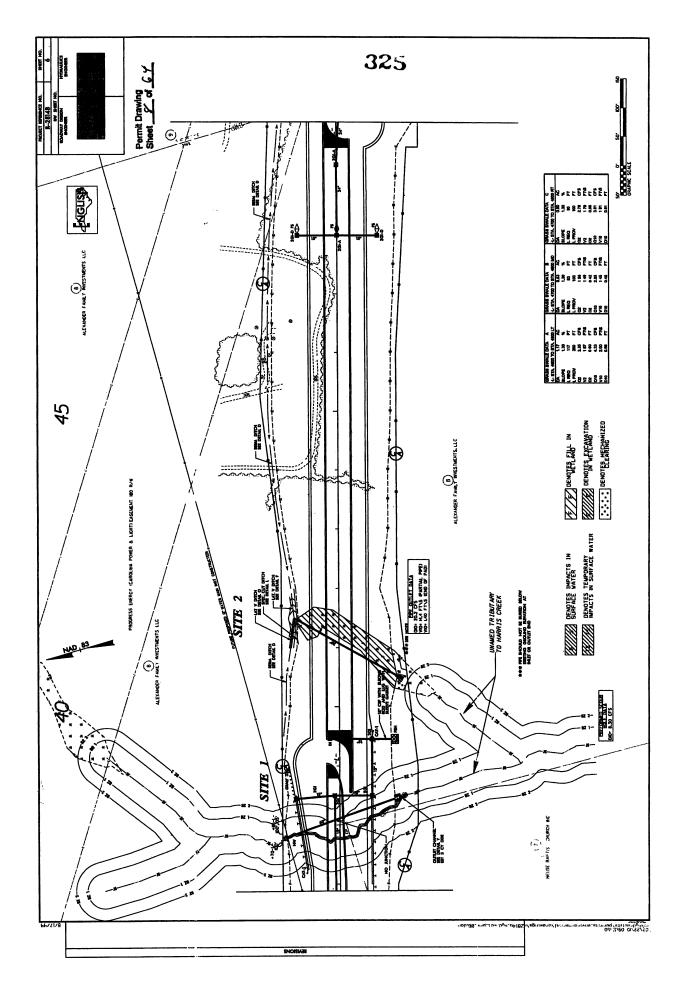
ATN Revised 3/31/05





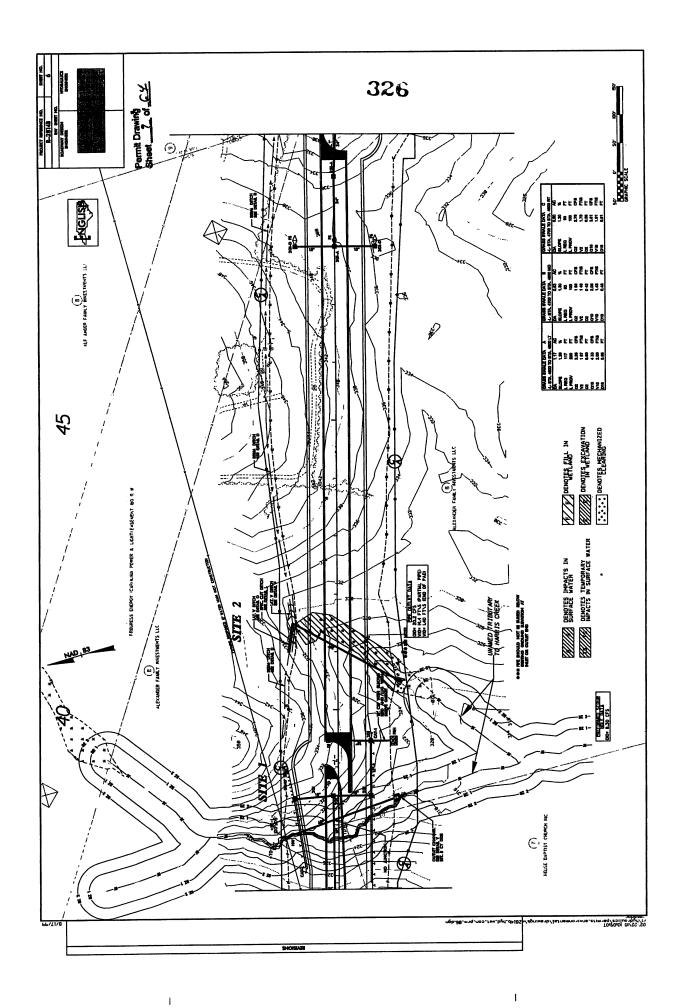
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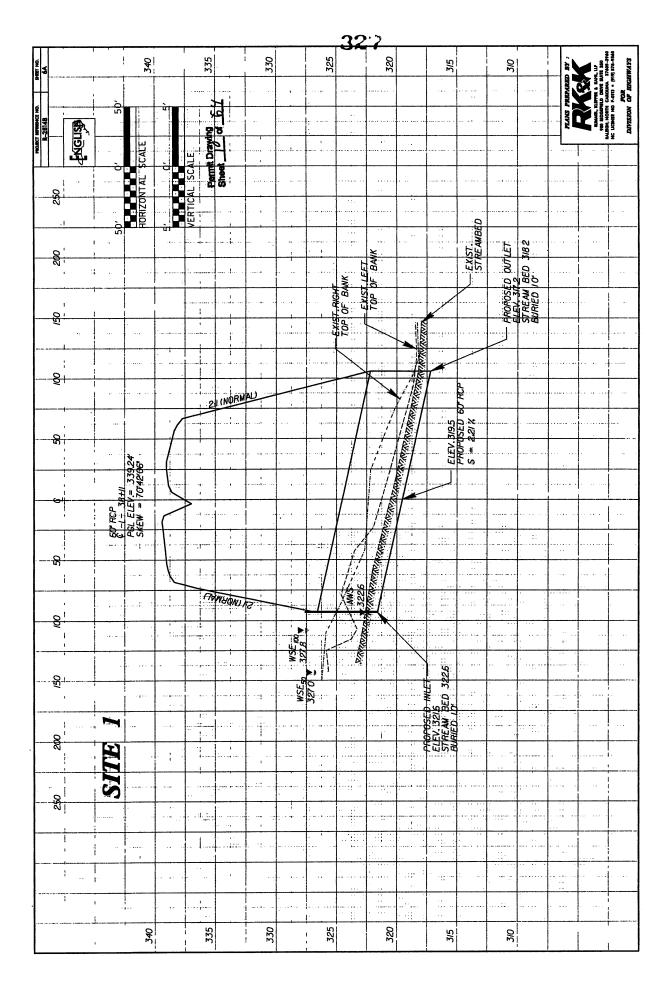


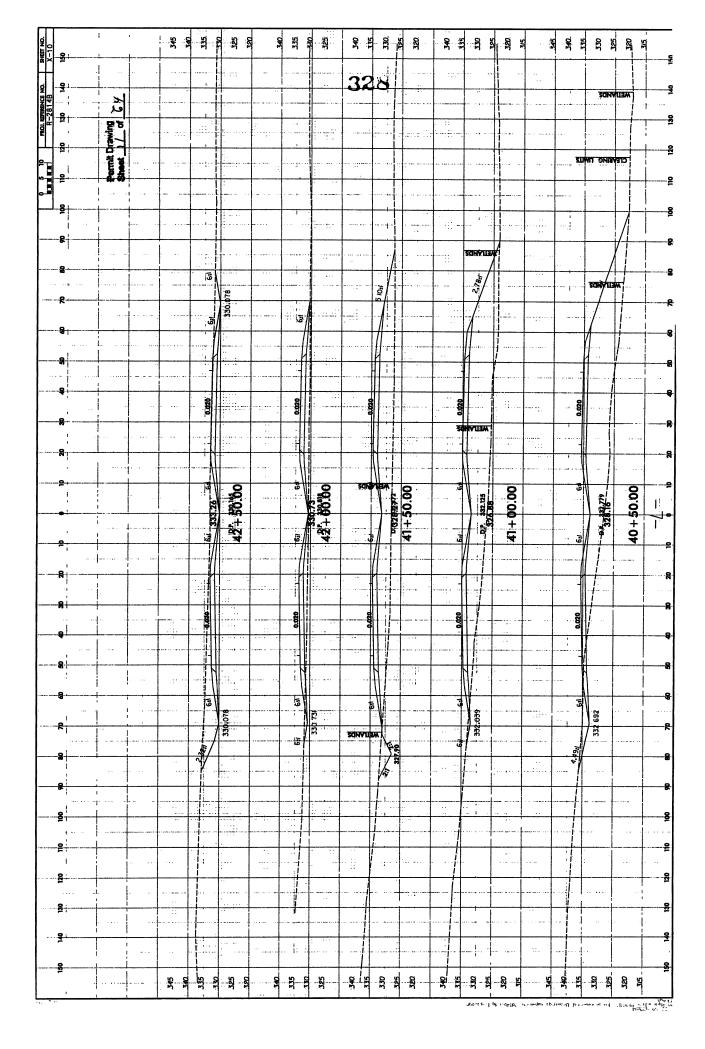


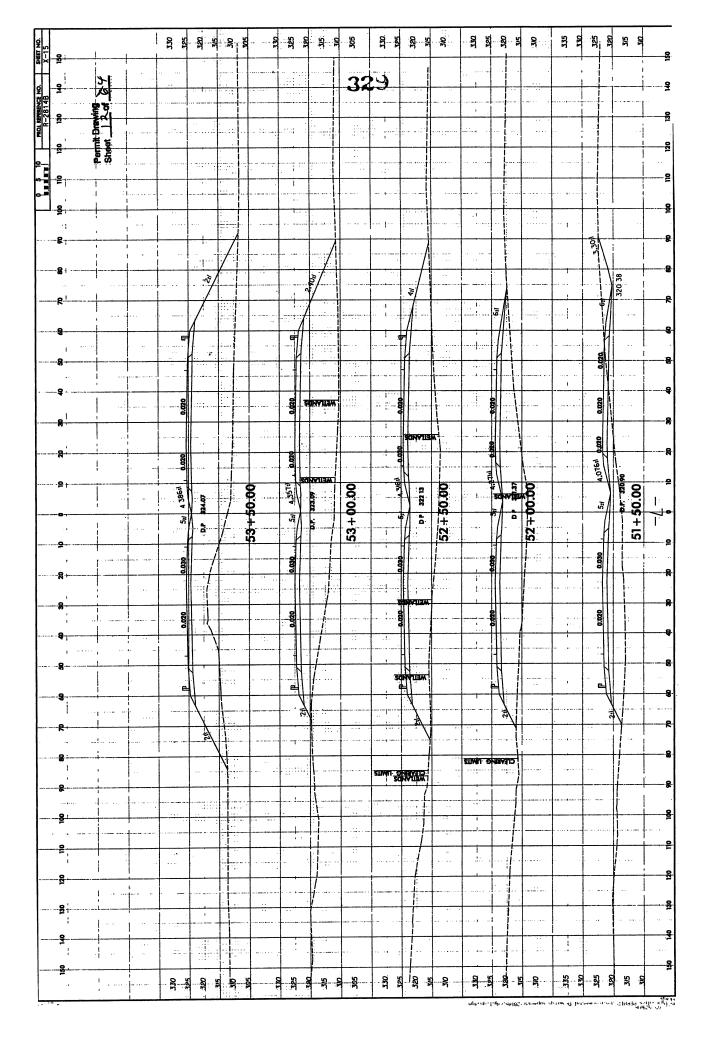
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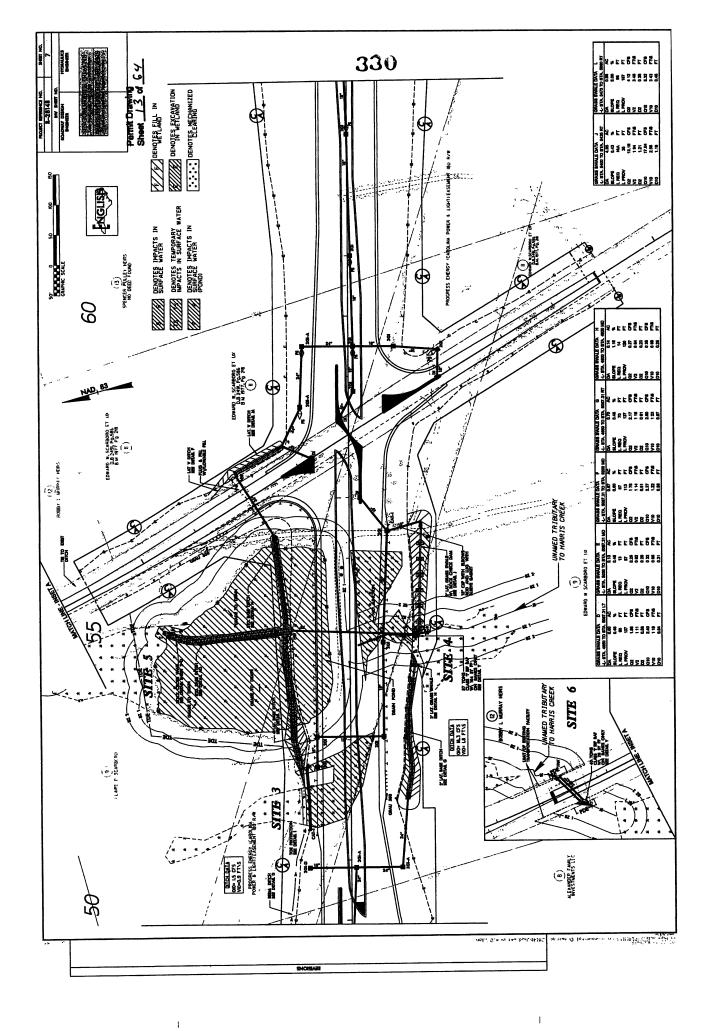
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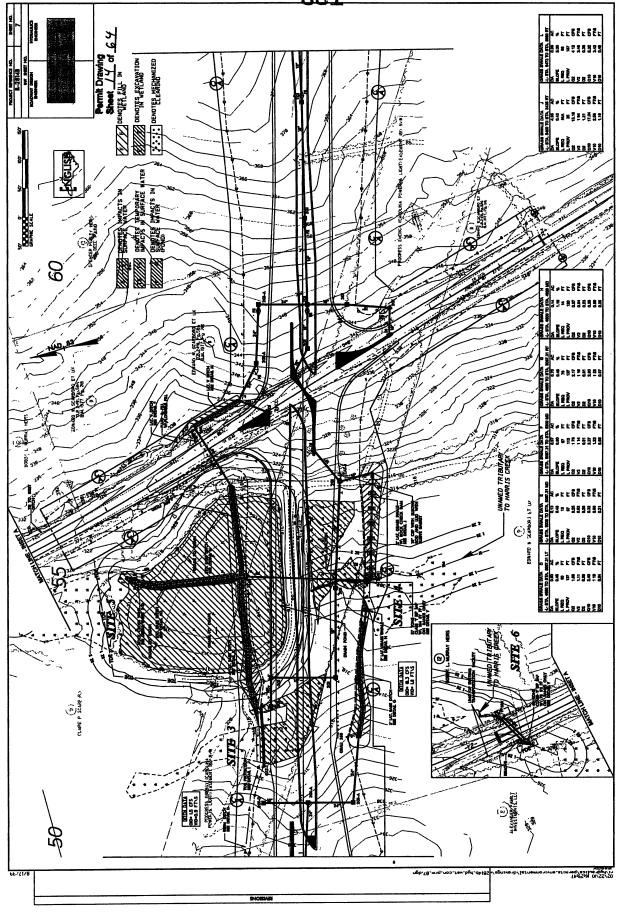




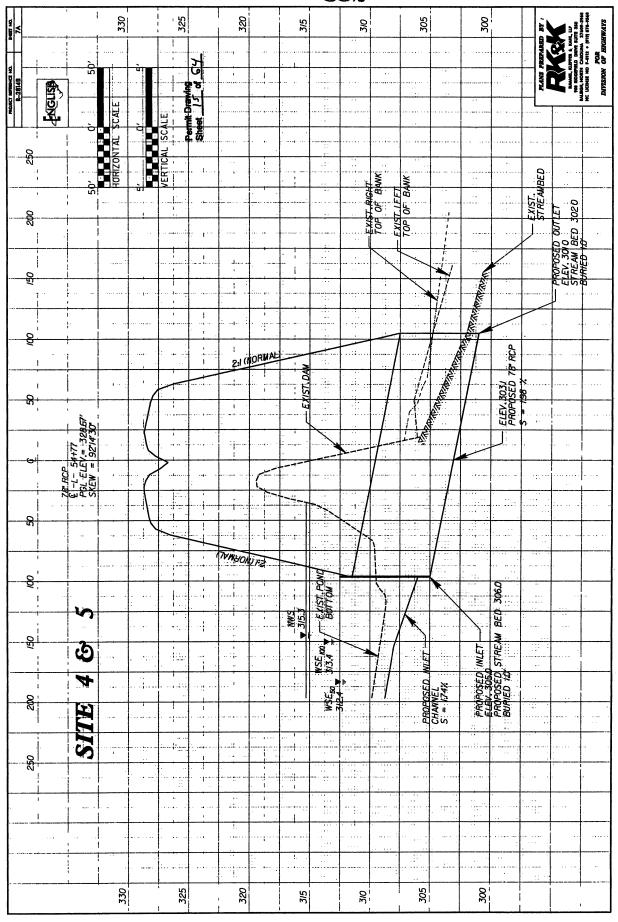


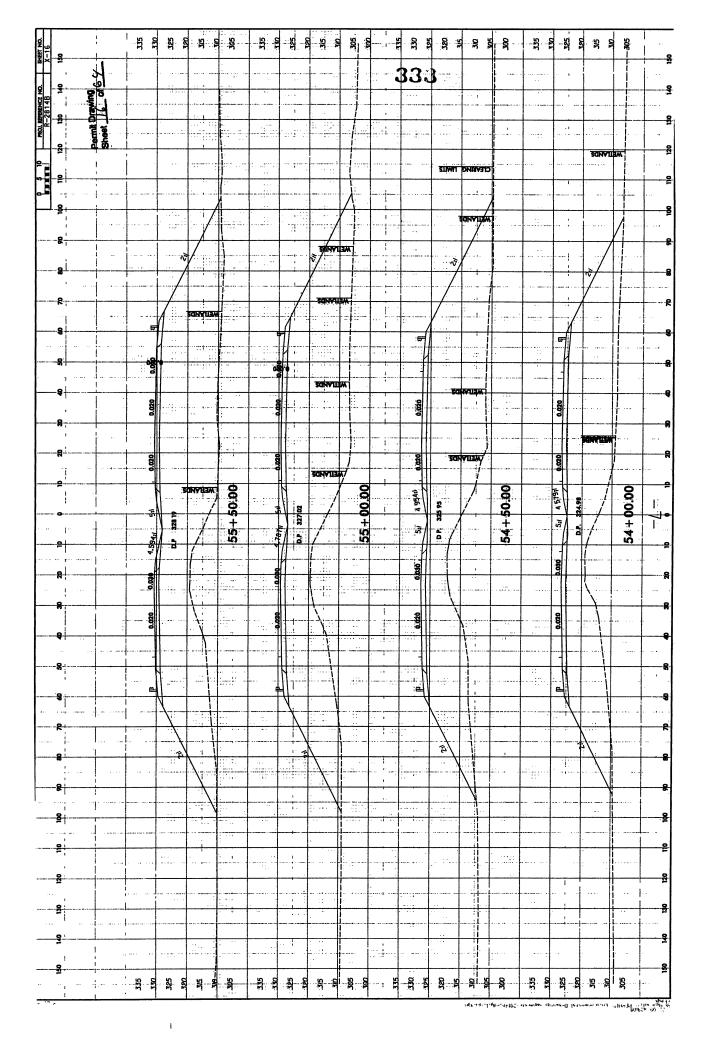


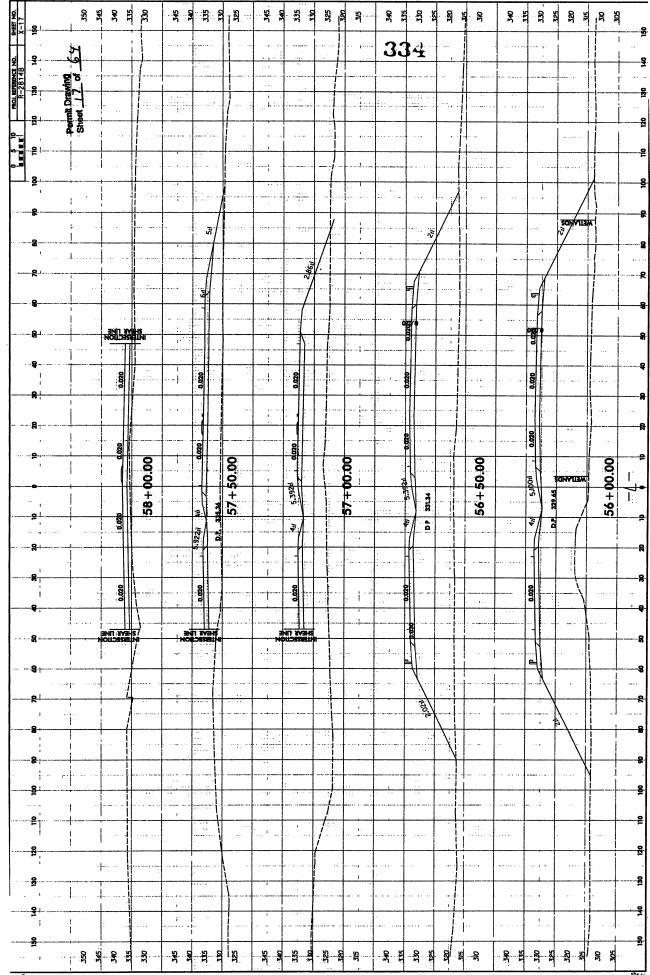


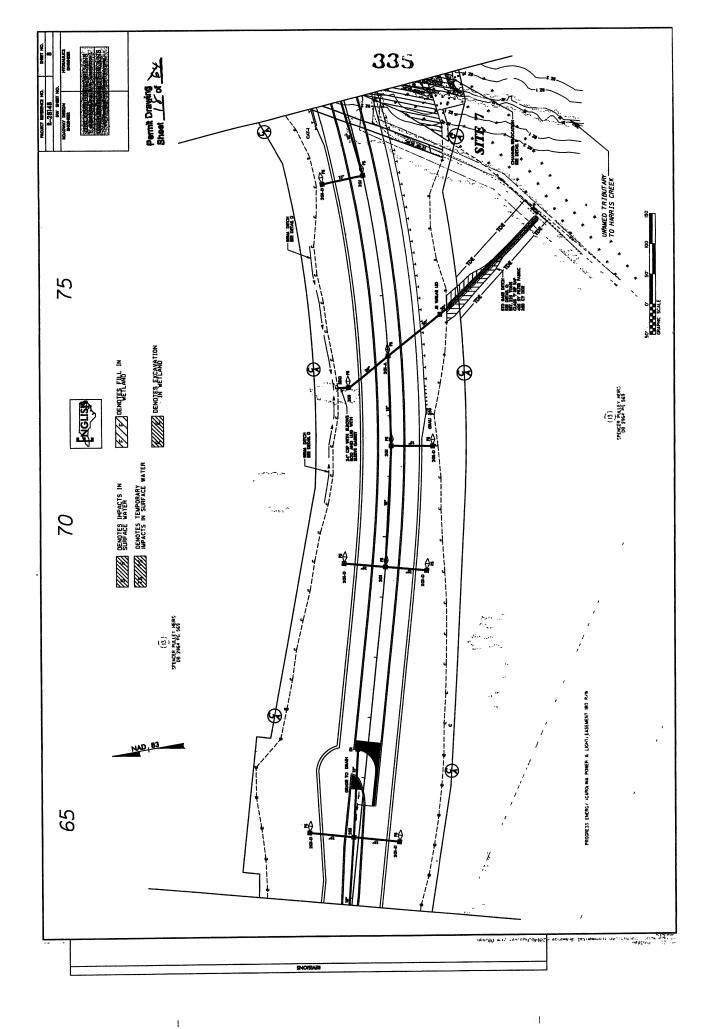


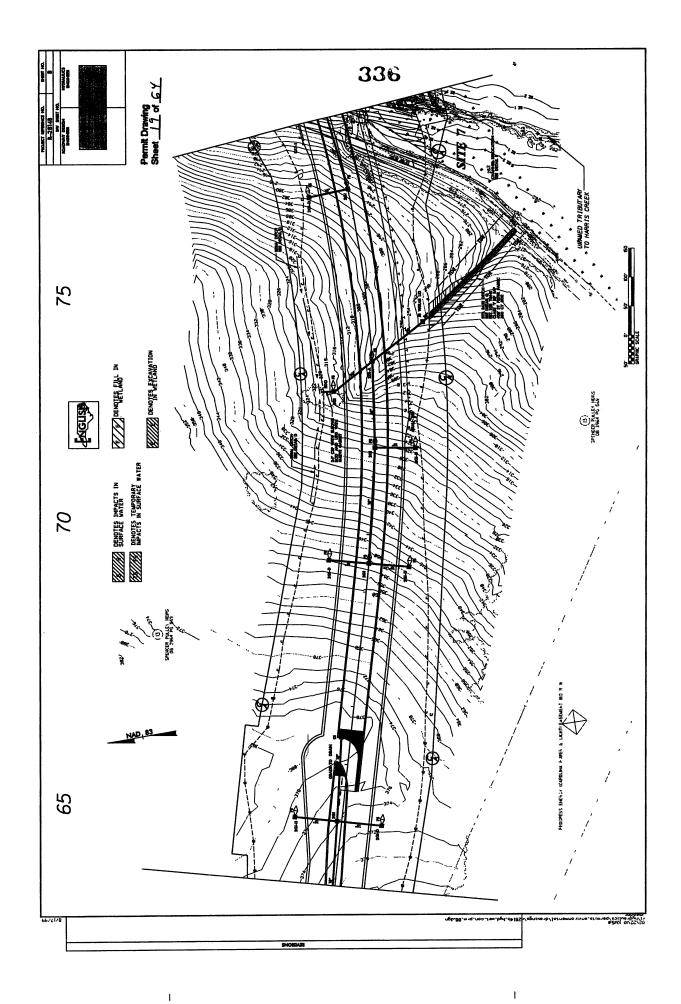
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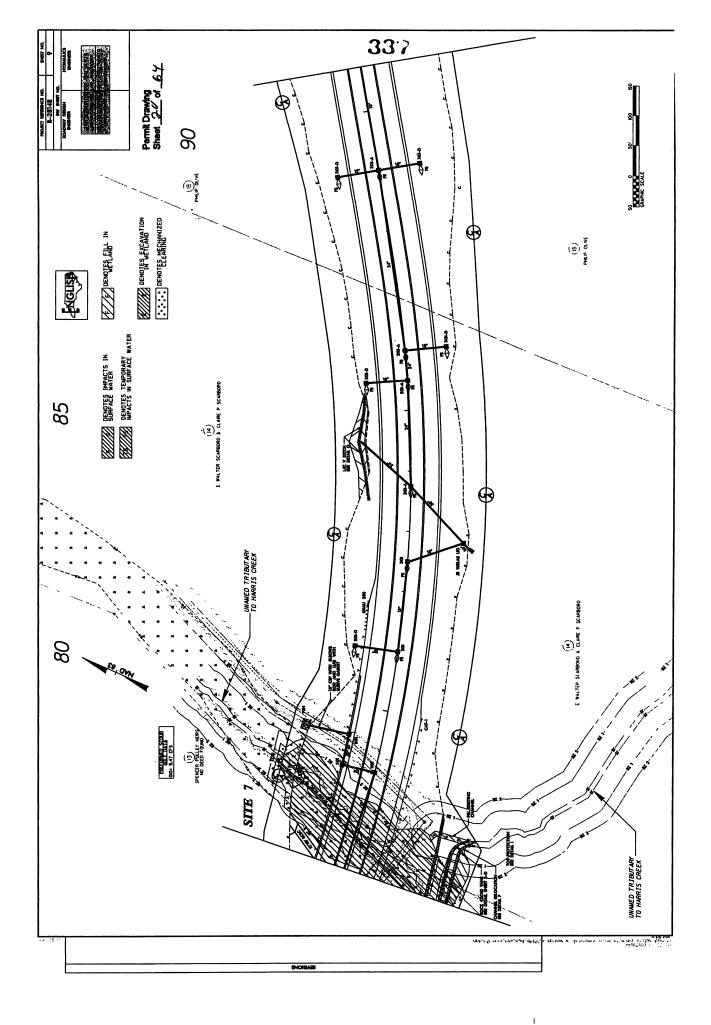


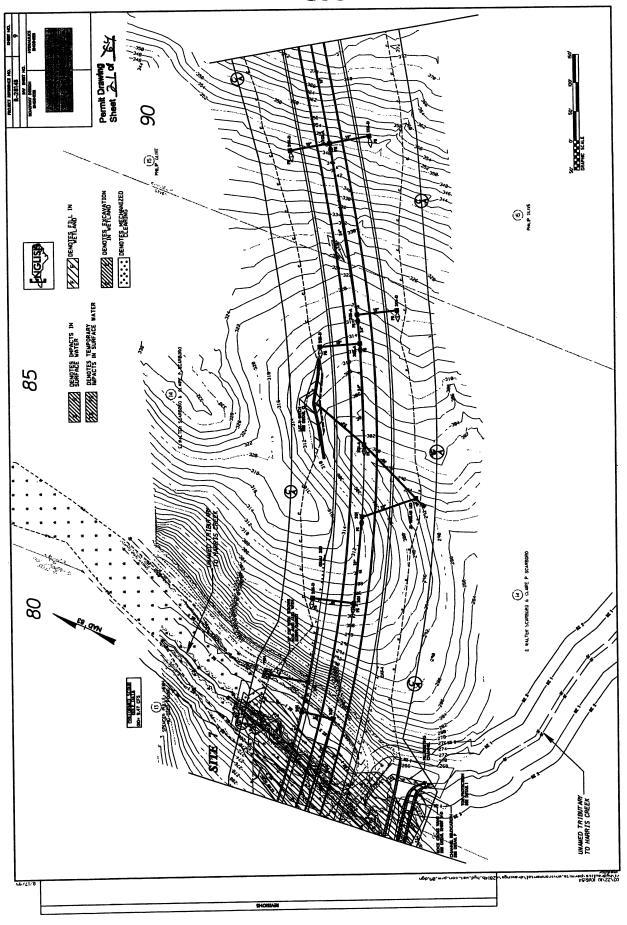


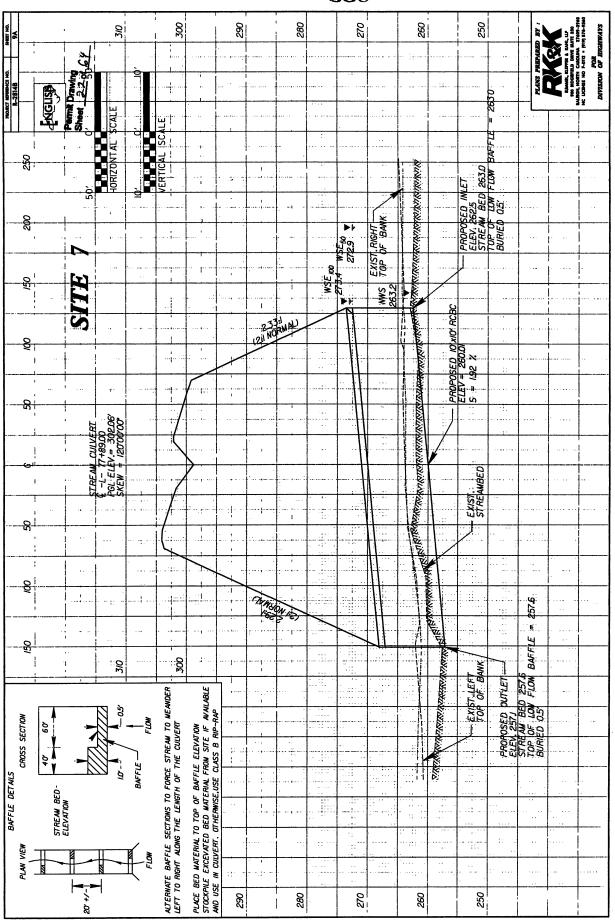


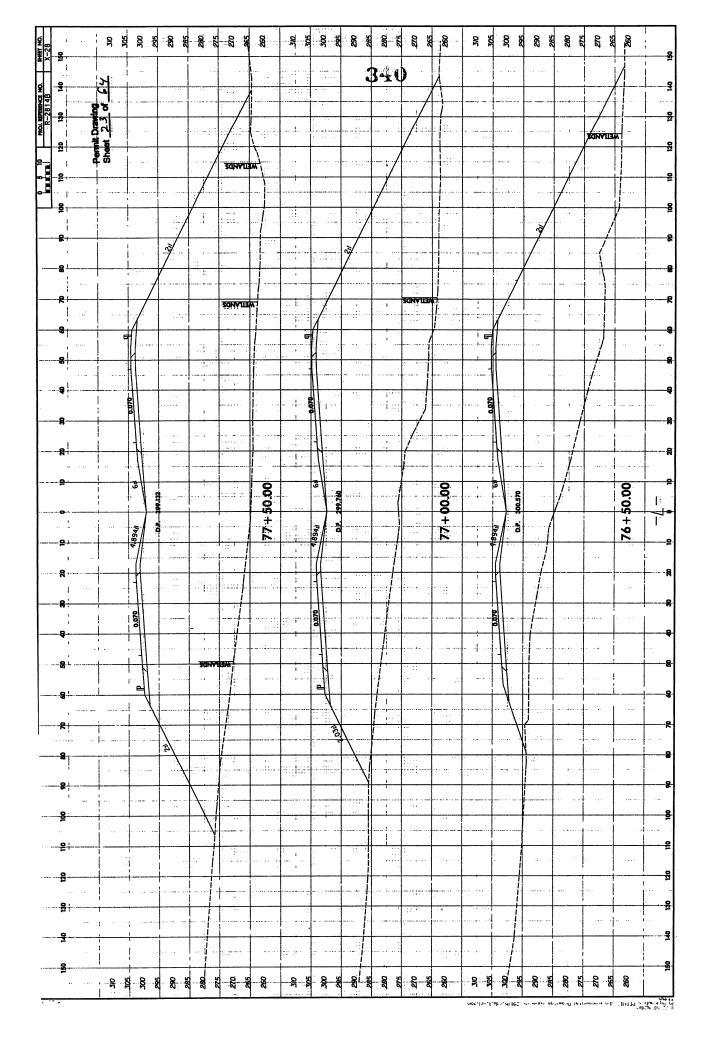


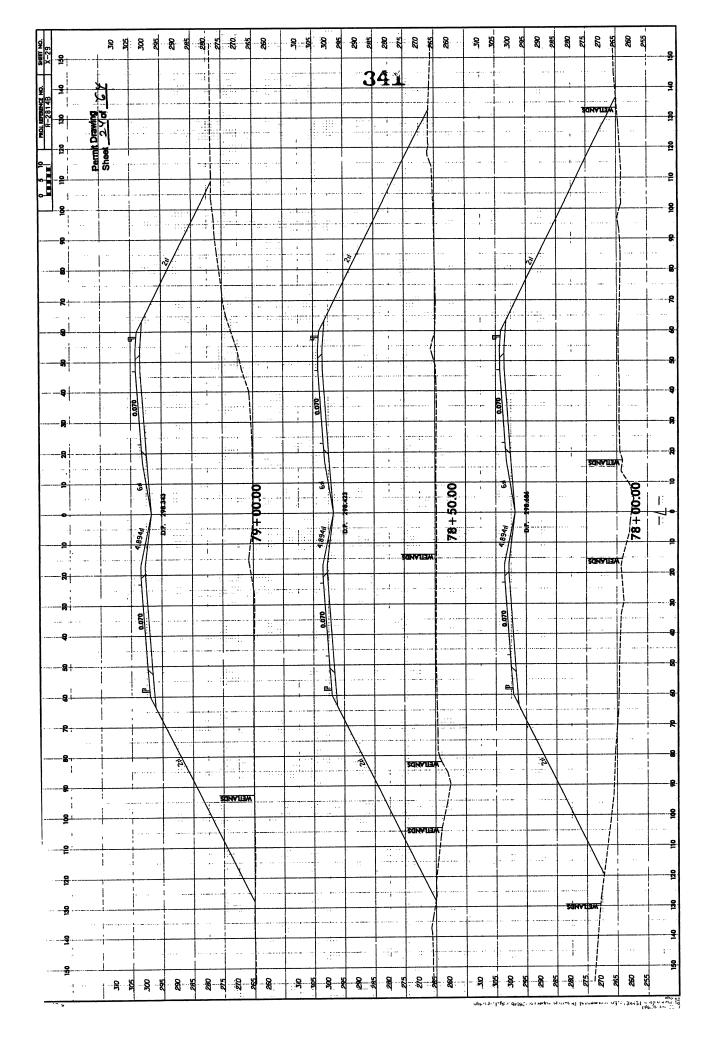


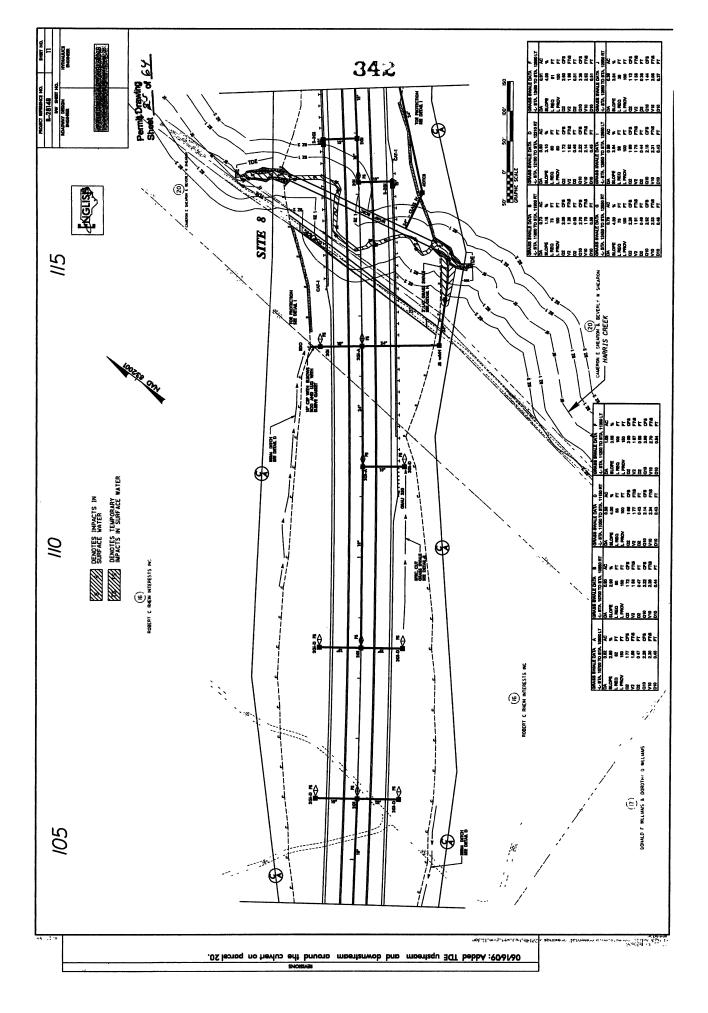






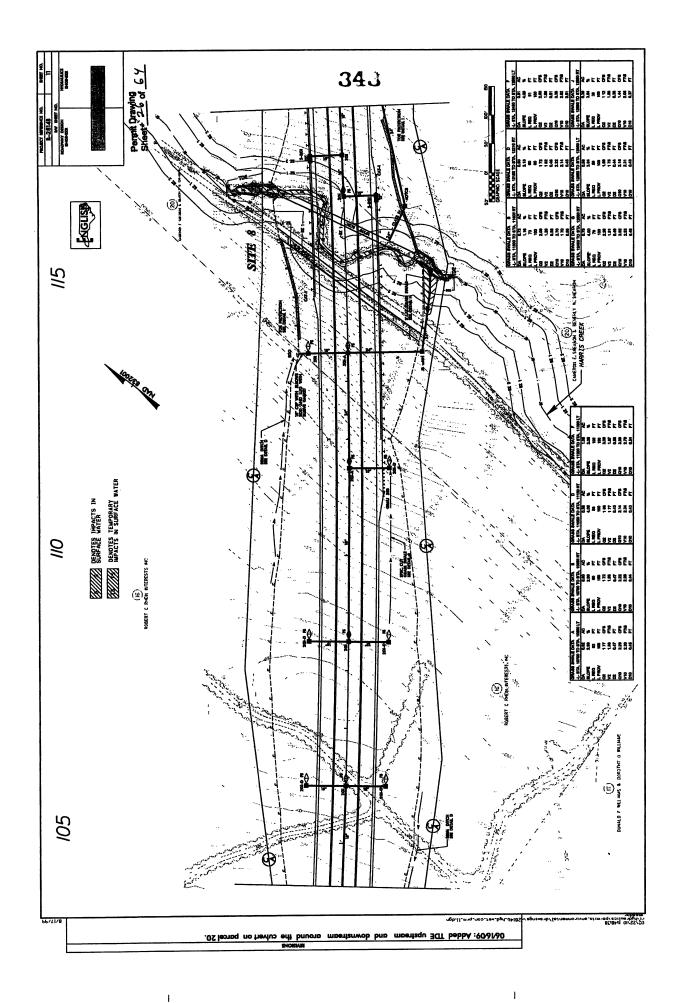


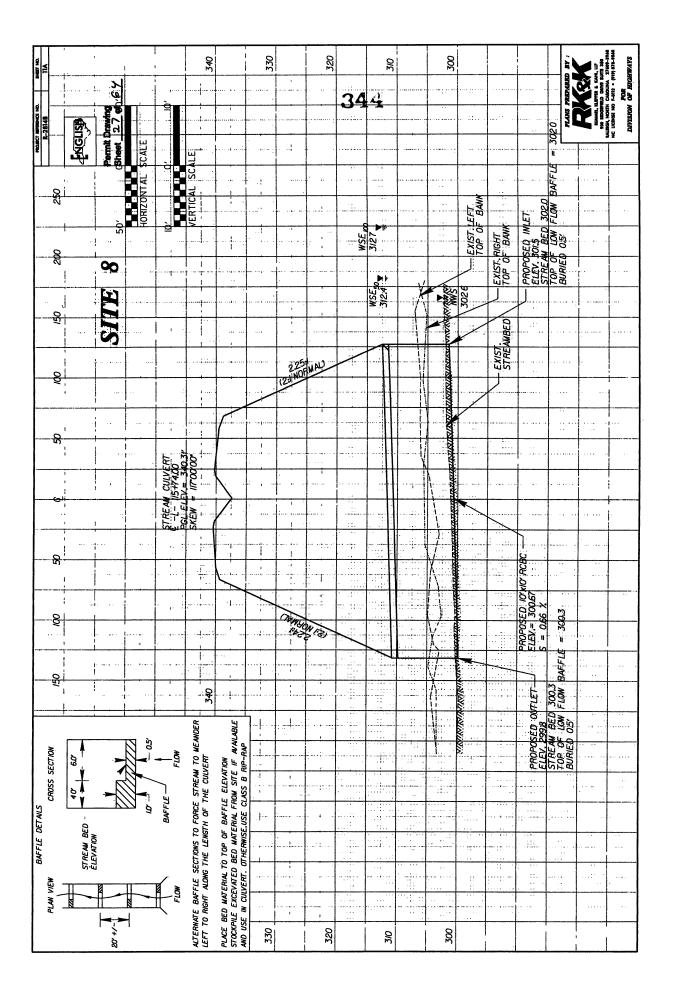


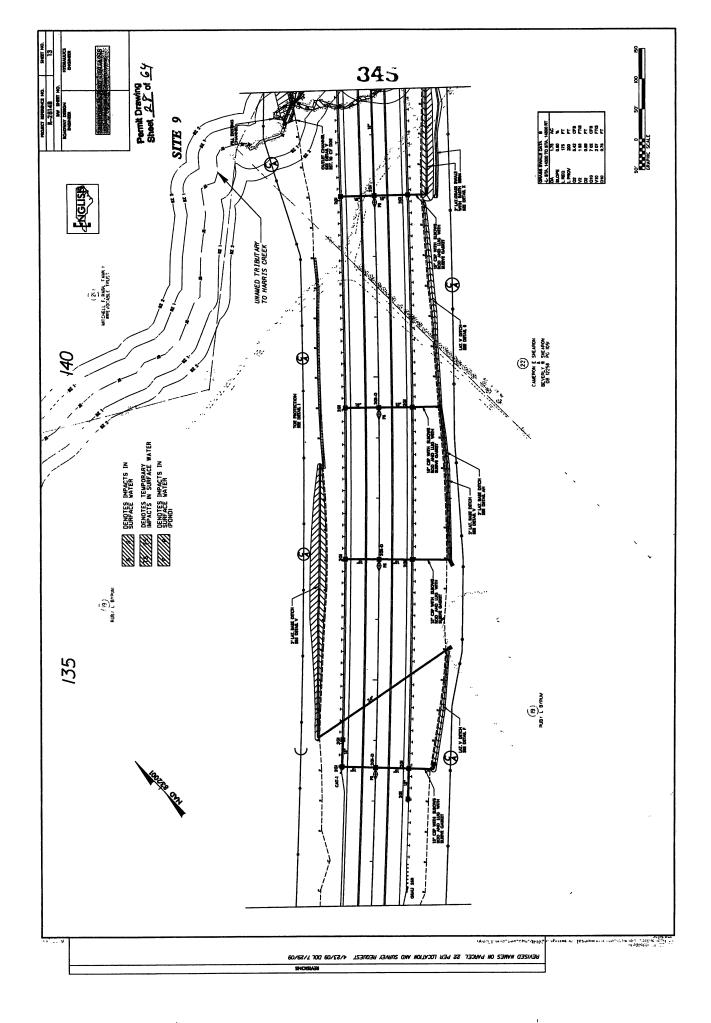


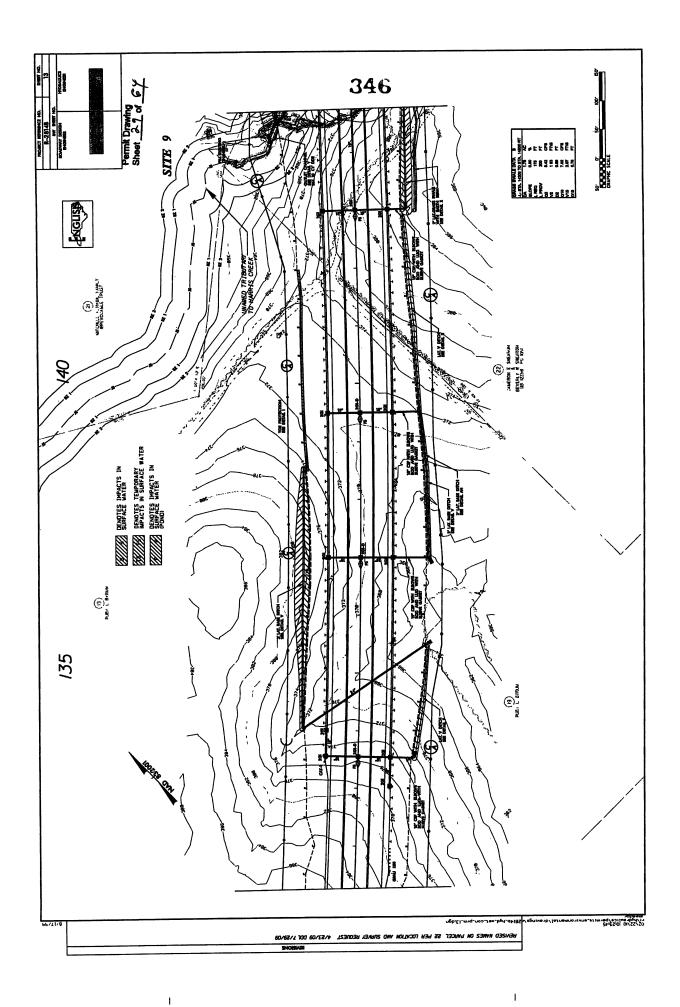
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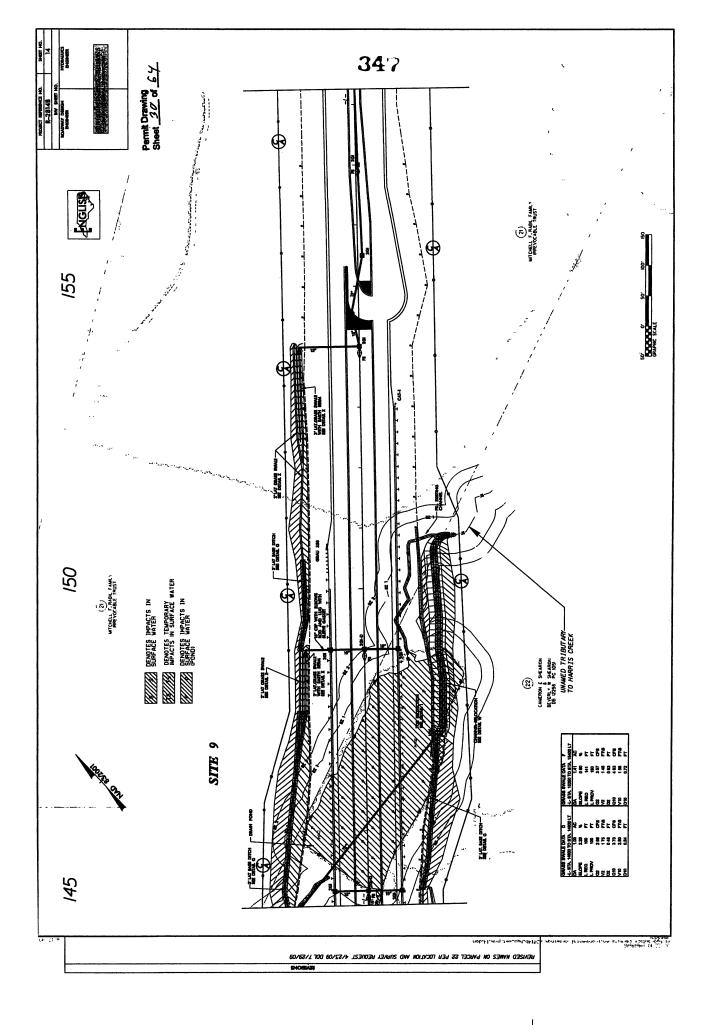
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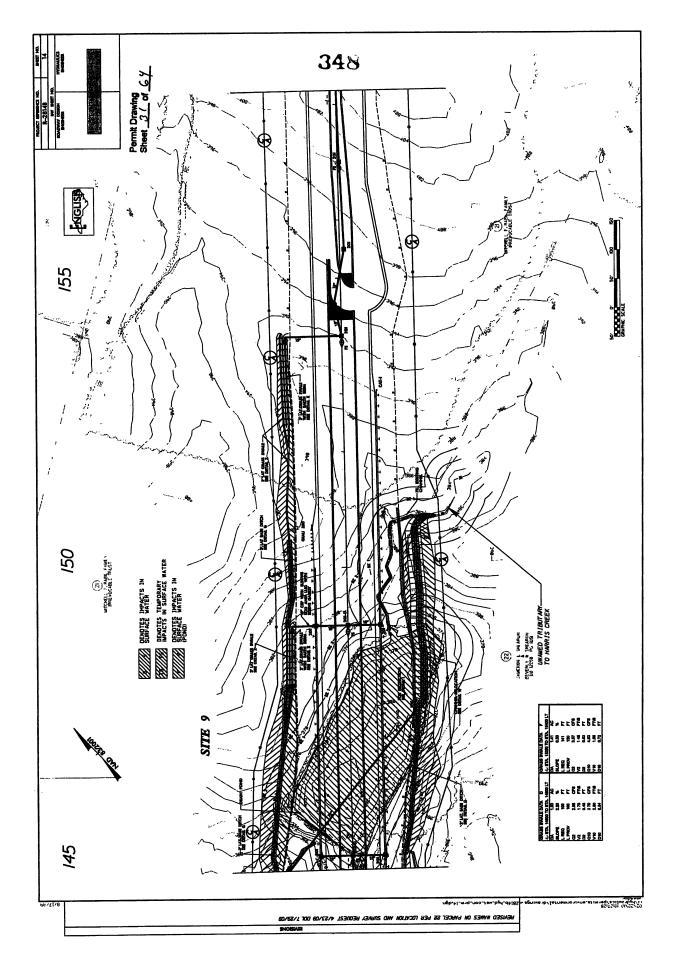




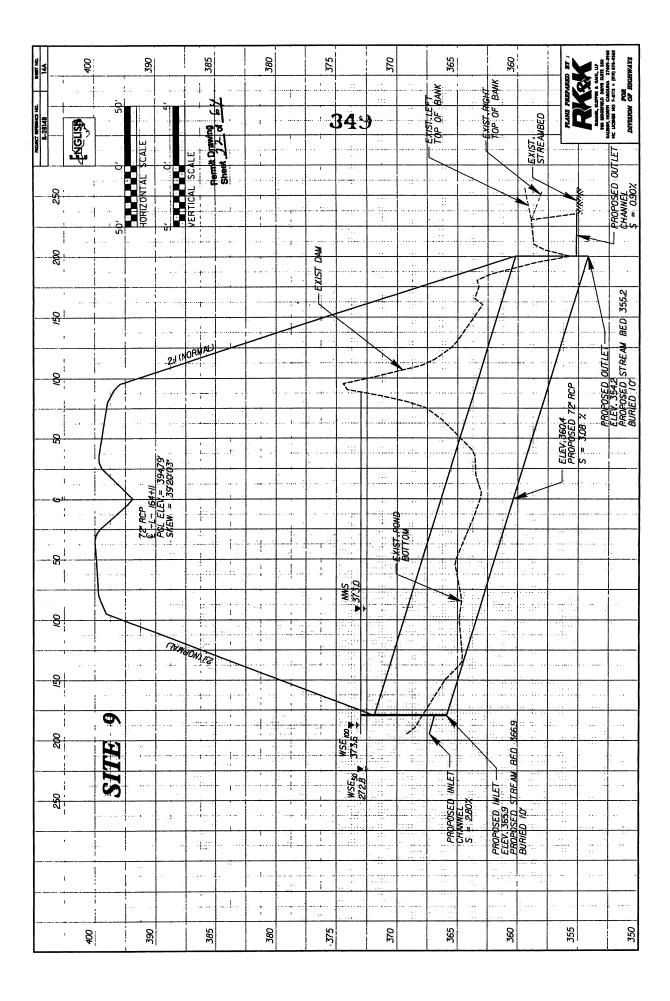


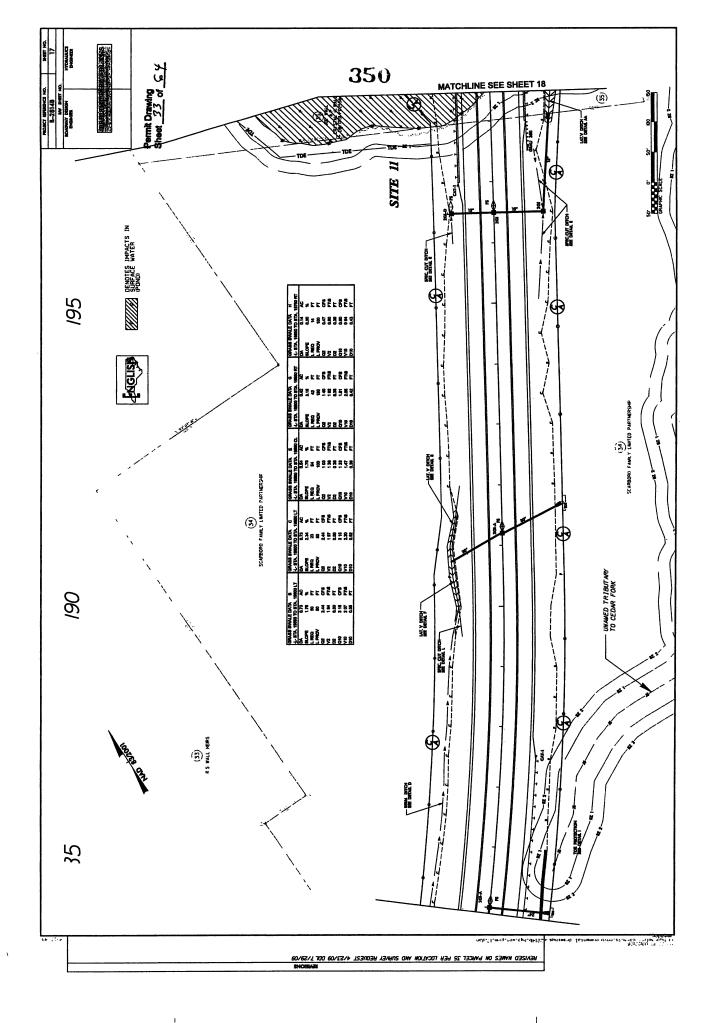


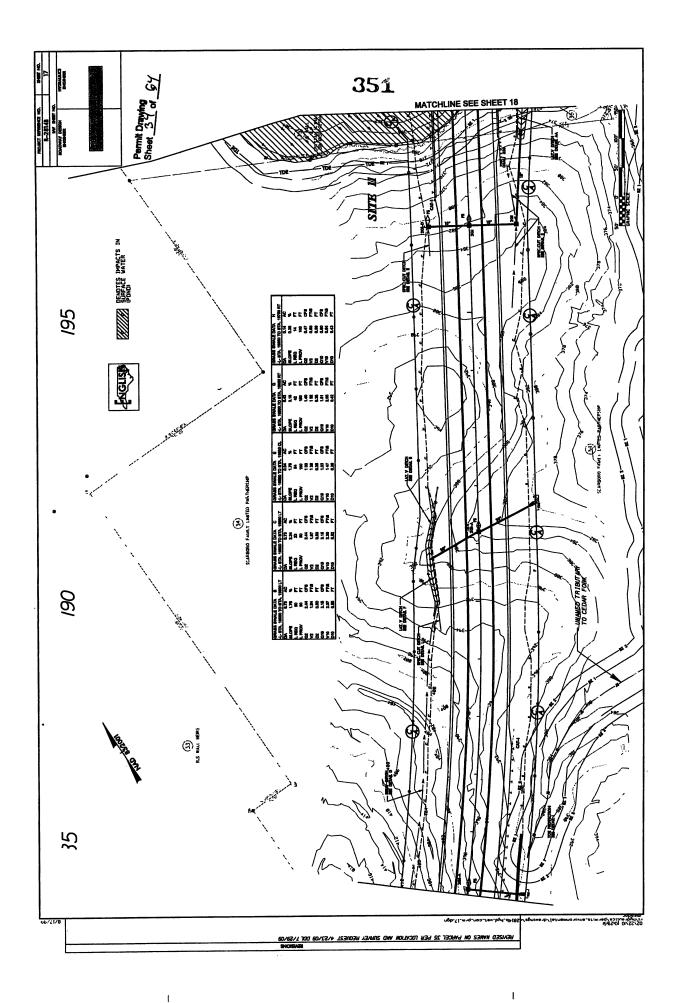


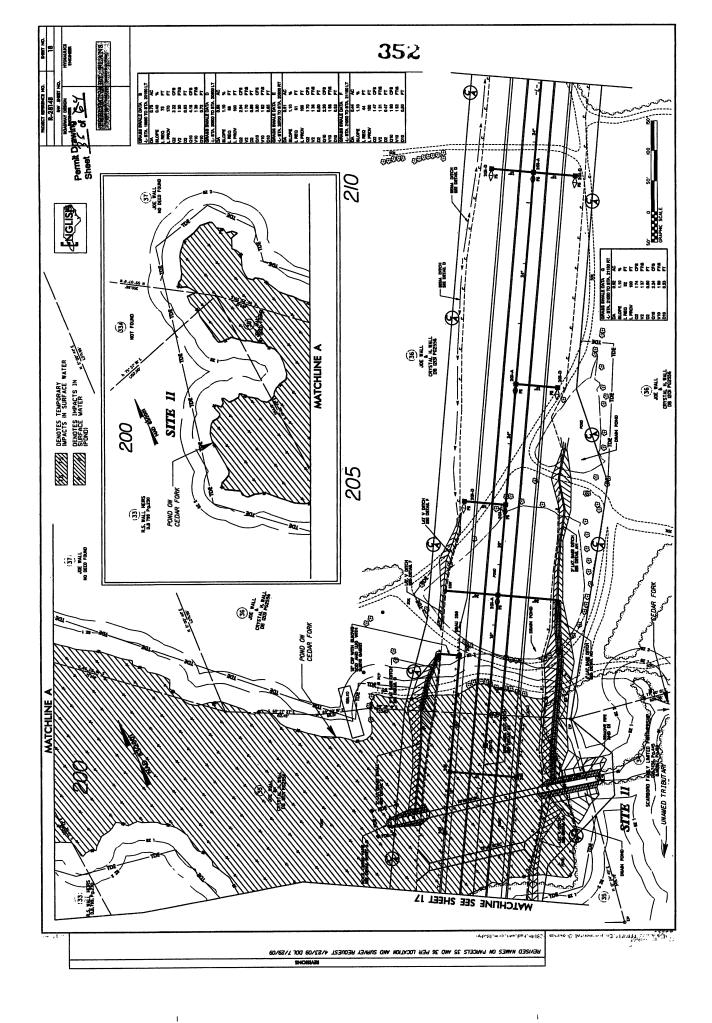


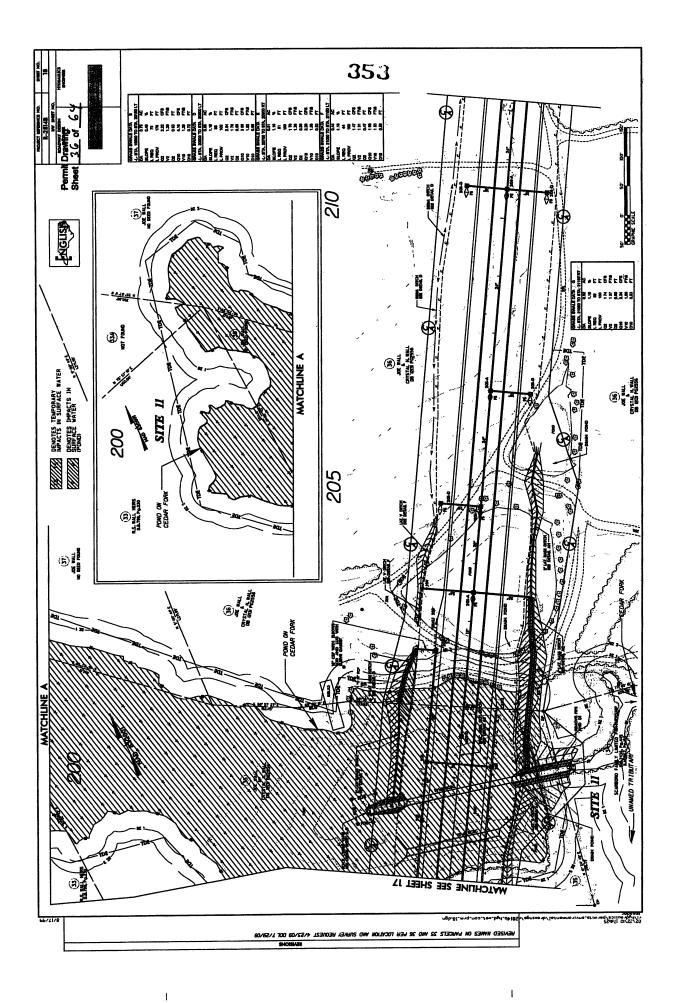
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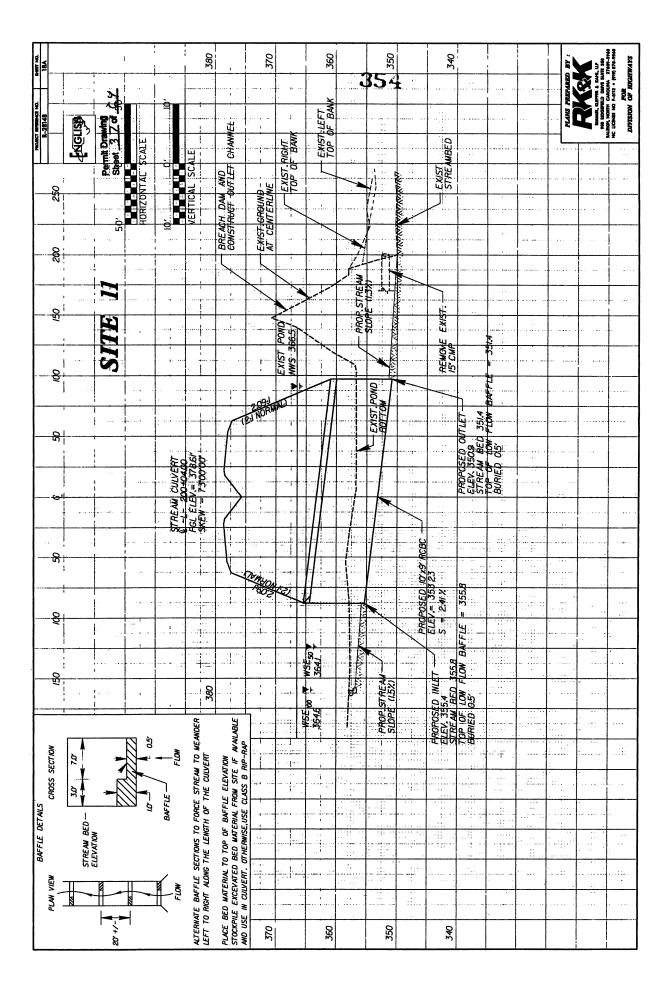


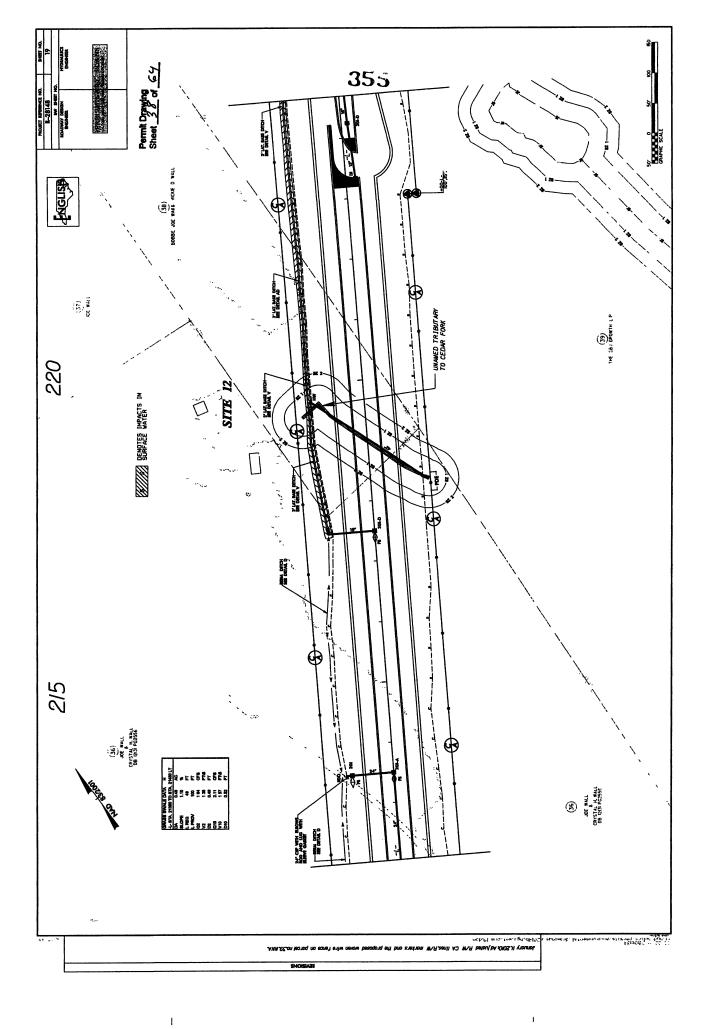


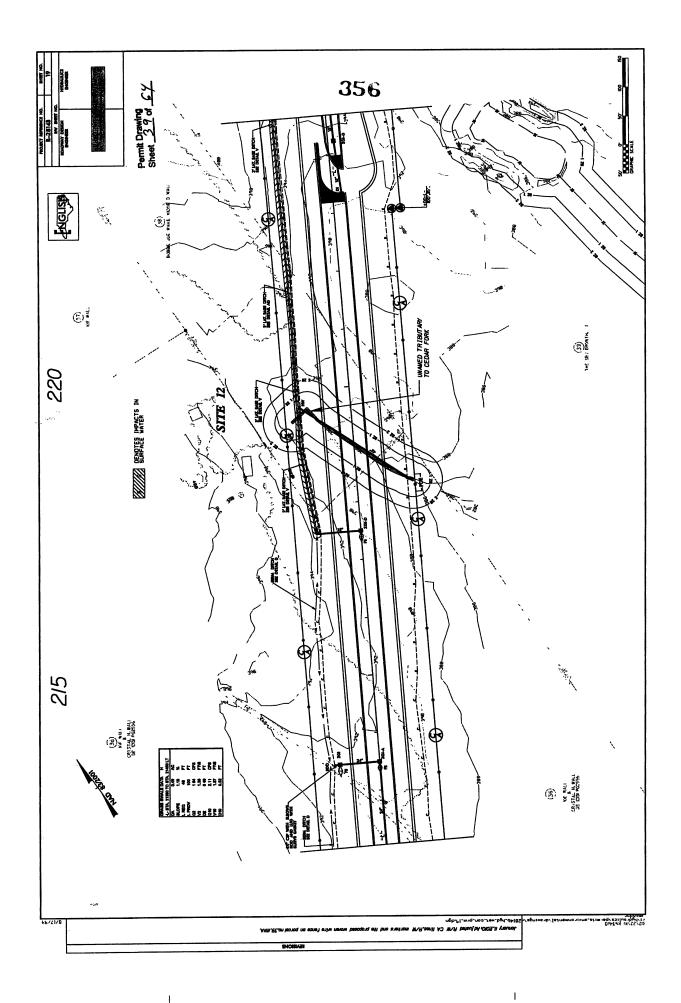


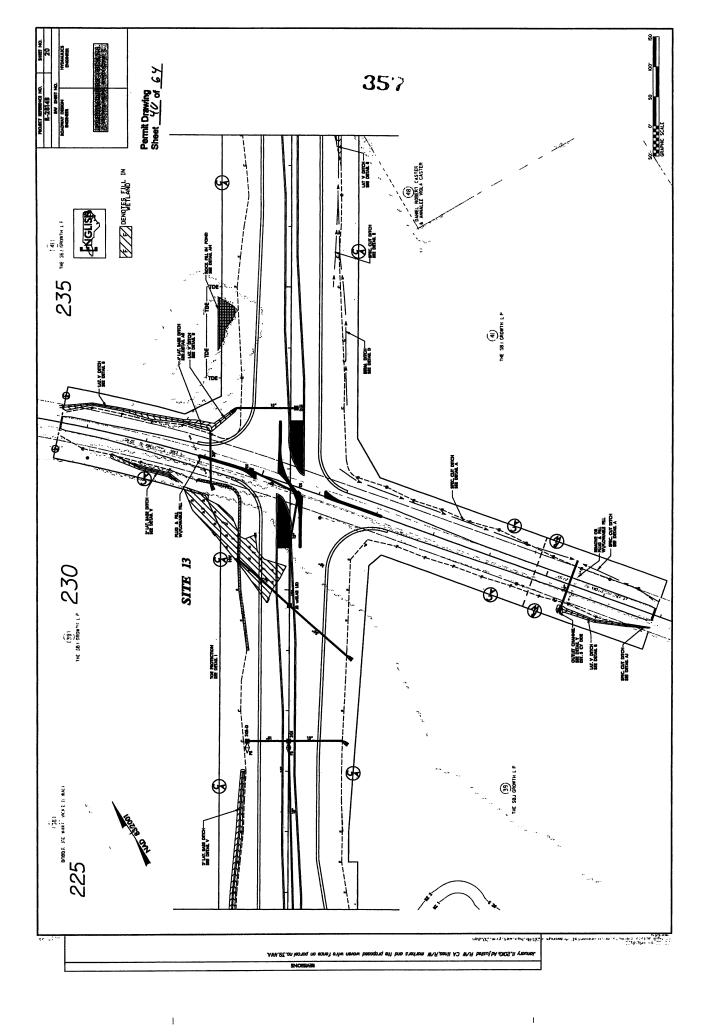


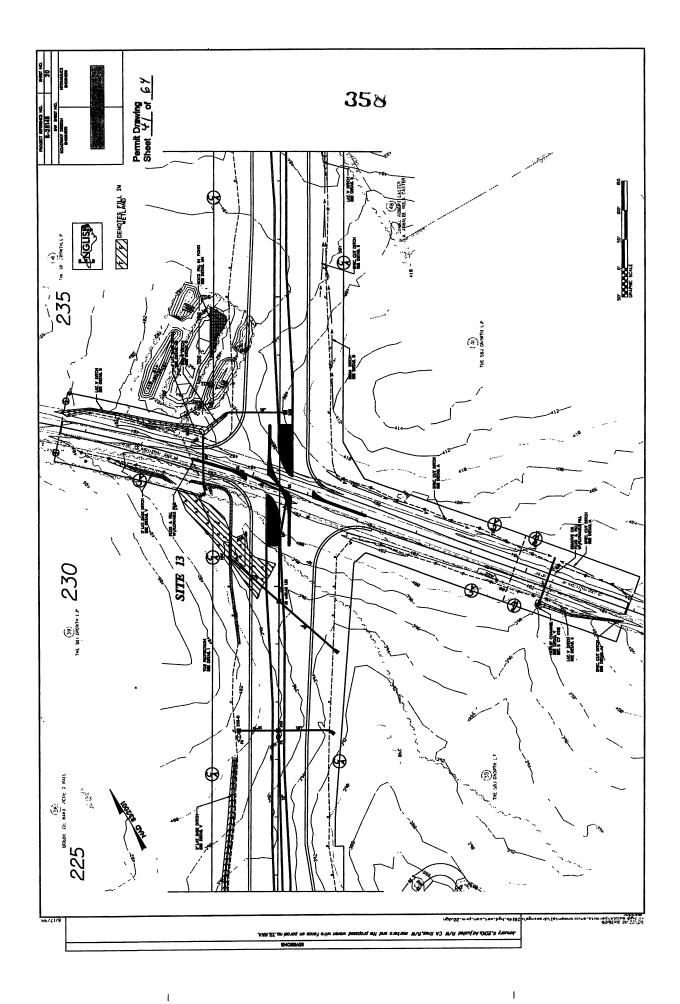












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