

PROJECT SPECIAL PROVISION

(10-18-95)

Z-1

PERMITS

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

| <u>PERMIT</u> | <u>AUTHORITY GRANTING THE PERMIT</u> |
|---|---|
| Dredge and Fill and/or Work in Navigable Waters (404) | U. S. Army Corps of Engineers |
| Water Quality (401) | Division of Environmental Management, DENR State of North Carolina |
| CCPCUA | Division of Water Resources, 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 107-13 of the *2012 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.



REPLY TO
ATTENTION OF:

CESAW-RG (1145-b)

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

P 2

Baker

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001 15 0010 31

14 October 2010

MEMORANDUM FOR Commander, U.S. Marine Corps Base Camp Lejeune, Attn.: Carl Baker, Deputy Public Works Officer, Public Works Division, 1005 Michael Road, Camp Lejeune, N.C. 28542

SUBJECT: Action ID. 2010-00436, Department of the Army permit authorization for the Base Entrance Road on Marine Corps Base, Camp Lejeune (MCB CamLej), North Carolina.

1. In accordance with your written request of 10 March 2010 and the ensuing administrative record, enclosed is a Department of the Army permit to directly discharge dredged and/or fill material into jurisdictional waters of the United States to facilitate the construction of the Base Entrance Road, MCB, Camp Lejeune, Onslow County, North Carolina.
2. If any change in the authorized work is required because of unforeseen or altered conditions or for any other reason, the plans revised to show the change must be sent promptly to this office. Such action is necessary, as revised plans must be reviewed and the permit modified.
3. Carefully read your permit. The general and special conditions are important. Your failure to comply with these conditions could result in a violation of Federal law. Certain significant general conditions require that:
 - a. You must complete construction before 31 December 2015.
 - b. You must notify this office in advance as to when you intend to commence and complete work.
 - c. You must allow representatives from this office to make periodic visits to your worksite as deemed necessary to assure compliance with permit plans and conditions.
4. Should you have questions, please contact Mr. Richard Spencer, Regulatory Project Manager for Military Projects at (910) 251-4172.

Encls

Jefferson M. Ryscavage
JEFFERSON M. RYSCAVAGE
Colonel, EN
Commanding

CESAW-RG (1145b)

14 October 2010

SUBJECT: Action ID. 2010-00436, Department of the Army permit authorization for the Base Entrance Road on Marine Corps Base, Camp Lejeune (MCB CamLej), North Carolina.

CF(with encls):

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

Mr. Bill H. Brazier
U.S. Coast Guard
Fifth Coast Guard District
431 Crawford Street
Portsmouth, Virginia 23704-5004

CF (w/special conditions and plans):

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

Ms. Jennifer Derby, Chief
Wetlands Protection Section - Region IV
Water Management Division
U.S. Environmental Protection Agency
61 Forsyth Street
Atlanta, Georgia 30303

Mr. Doug Huggett
Division of Coastal Management
N.C. Department of Environment
and Natural Resources
400 Commerce Avenue
Morehead City, North Carolina 28557

Pace Wilber, Ph.D., Chief
Charleston (F/SER47)
Southeast Regional Office
NOAA Fisheries
Post Office Box 12559
Charleston, South Carolina 29422-2559

P-4

RECEIVED

OCT 07 2010

REG. WILM. FLD. OFC.

DEPARTMENT OF THE ARMY PERMIT

Permittee US Department of the Navy/Camp Lejeune Base Entrance Base

Permit No. SAW-2010-00436

Issuing Office USAED, WILMINGTON

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

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

Project Description : to directly discharge dredged and/or fill material into tributaries and associated wetlands to facilitate the construction of the Base Entrance Road, MCB Camp Lejeune, in Onslow County, North Carolina.

Project Location: The proposed project is located in adjacent wetlands and tributaries that are hydrologically connected to the New River, Hydrologic Cataloging Unit 03030001.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **December 31, 2015**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

ENG FORM 1721, Nov 86

EDITION OF SEP 82 IS OBSOLETE.

(33 CFR 325 (Appendix A))

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

Special Conditions:

SEE 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.

SPECIAL CONDITIONS

(Action ID Number 2010-00436, USMC – Camp Lejeune Base Entrance Road, Onslow County, North Carolina.)

1. Failure to institute and carry out the details of the following special conditions below will result in a directive to cease all ongoing and permitted work within waters of the United States, including wetlands, associated with the permitted project, or such other remedies and/or fines as the U.S. Army Corps of Engineers District Commander or his authorized representatives may seek.
2. All work authorized by this permit must be performed in strict compliance with the attached plans, which are a part of this permit.
- * 3. The permittee shall schedule a preconstruction meeting between its representatives, the contractor's representatives, and the Corps of Engineers, Mr. Richard Spencer, Wilmington Regulatory Office, 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 notify the Corps of Engineers Project Manager a minimum of thirty (30) days in advance of the scheduled meetings in order to provide that individual with ample opportunity to schedule and participate in the required meetings. One copy of the final half-size construction drawings shall be furnished to the Corps of Engineers, Mr. Richard Spencer, Wilmington Regulatory Division Office prior to the pre-construction meeting.
- * 4. The permittee shall ensure that the construction design plans for this project do not deviate from the permit plans attached to this authorization. Written verification shall be provided that the final construction drawings comply with the attached permit drawings prior to any active construction in waters of the United States, including wetlands. Any deviation in the construction design plans will be brought to the attention of the Corps of Engineers, Mr. Richard Spencer, Wilmington Regulatory Division Office prior to any active construction in waters or wetlands.
5. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this permit and any authorized modifications. Copies of this permit and any modifications authorized by the Corps of Engineers shall be available for review at the construction site at all times. All violations, including non-compliance of these conditions, of the authorized permit shall be reported to the Corps of Engineers, Mr. Richard Spencer, Wilmington Regulatory Division Office within 24 hours of the violation.
- * 6. Compensatory mitigation for the unavoidable impacts to 1.59 acres of riparian wetlands, the conversion of 0.01 acres of riparian wetlands and 1662 linear feet of warm water streams channel associated with Phase A of the proposed project shall be mitigated by payment to the North Carolina Ecosystem Enhancement Program (NCEEP) in the amount determined by the NCEEP, sufficient to perform the restoration of 3.2 acres of riparian wetlands and 1662 linear feet of

warm water stream channel in the White Oak Basin, Cataloging Unit 03030001. Construction within jurisdictional areas on the property shall begin only after the permittee has made full payment to the NCEEP and the NCEEP has provided written confirmation of payment receipt to the Corps of Engineers. Compensatory mitigation for the unavoidable impacts to 0.19 acres of riparian wetlands, the conversion of 1.9 acres of riparian wetlands and 666 linear feet of warm water stream channel associated with Phase B and C of the proposed project shall be mitigated by payment to the North Carolina Ecosystem Enhancement Program (NCEEP) in the amount determined by the NCEEP, sufficient to perform the restoration of 2.28 acres of riparian wetlands and 666 linear feet of warm water stream channel in the White Oak Basin, Cataloging Unit 03030001 or by payment to a private bank in the amount determined by the approved banking agreement sufficient to perform the restoration of 2.28 acres of riparian wetlands and 666 linear feet of warm water stream channel within the White Oak Basin, Cataloging Unit 03030001. Prior to the purchase of credits, the permittee shall identify the specific mitigation bank it wishes to use and receive written confirmation from the Corps of Engineers that such credits are acceptable to meet the compensatory mitigation requirements. Construction within jurisdictional areas within Phases B or C shall begin only after the permittee has made full payment for the required compensatory mitigation and the responsible mitigation party has provided written confirmation of payment receipt to the Corps of Engineers. Compensatory mitigation for the unavoidable impacts to 4.2 acres of non-riparian wetlands and the conversion of 1.32 acres of non-riparian wetlands associated with the proposed project shall be mitigated by debiting 2.54 Pine Flat mitigation credits and 7.18 bottomland hardwood mitigation credits from the Greater Sandy Run Area (GSRA) Wetland Mitigation Bank located on Camp Lejeune.

- * 7. Impacts to Frenchman's Creek, an identified Primary Nursery Area, associated with the proposed project shall be mitigated by implementing the eight mitigation measures identified in the conceptual mitigation strategy dated 21 July 2010. A final mitigation plan shall be prepared by the permittee and submitted to the Corps of Engineers, National Marine Fisheries Service, and North Carolina Division of Marine Fisheries for review and comment no later than 3 January 2011. The final plans shall also include a monitoring plan for mitigation items 02, 03, and 07. Following coordination with the above referenced agencies, the Corps of Engineers will provide the permittee with a notice to proceed with the accepted final plan. The permittee shall complete all eight mitigation measures prior to the completion of Phase A construction. The permittee shall schedule with the resource agencies a field verification of completion of the mitigation measures within 30 days following completion. The permittee shall monitor stream bank stability at the two culvert removal sites for a period of two years (at least two bank full events) following completion of the work. If two bank full events do not occur within the first two years, the permittee shall continue monitoring until the second bankfull event is documented. The bankfull events must occur during separate monitoring years. In the event that the required bankfull events do not occur within a five-year period, the Corps of Engineers, in consultation with the resource agencies, may determine that further monitoring is not required. It is suggested that all bankfull occurrences be monitored and reported through the required monitoring period. The permittee shall perform and submit photo documentation twice each year (summer and winter) for the 2-year monitoring period, and for any subsequently required monitoring period. The permittee shall include the following information in the monitoring report for the site: reference longitudinal and lateral photos; aggradation and degradation notes and any remedial recommendations, as appropriate; and any additional visual inspection notes of channel stability.

* The permittee shall monitor vegetation recruitment at the restoration site for a period of two normal rainfall years following completion of the work. The permittee shall perform and submit photo documentation of the restoration site twice each year (summer and winter) for the 2-year monitoring period. Success or failure of the mitigation sites shall be based on the evaluation criteria identified for level 3 monitoring. If two normal rainfall years do not occur consecutively, the permittee shall continue monitoring until the second normal rainfall year is documented. In the event that the required two normal rainfall years do not occur within a five-year period, the Corps of Engineers, in consultation with the resource agencies, may determine that further monitoring is not required. It is suggested that all rainfall events be monitored and reported through the required monitoring period.

* 8. No construction work shall be done within waters of the United States between April 1 through September 30 of any year.

9. Except as authorized by this permit or any Corps of Engineers approved modification to this permit, no excavation, fill, or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, within waters or wetlands, or shall any activities take place that cause the degradation of waters or wetlands. There shall be no excavation from, waste disposal into, or degradation of, jurisdictional wetlands or waters associated with this permit without appropriate modification of this permit, including appropriate compensatory mitigation. This prohibition applies to all borrow and fill activities connected with this project. In addition, except as specified in the plans attached to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, in such a manner as to impair normal flows and circulation patterns within, into, or out of waters or wetlands or to reduce the reach of waters or wetlands.

10. This permit does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area.

11. All in-stream work shall be conducted in the "Dry". Work shall not be done while there is active flow within the stream channel.

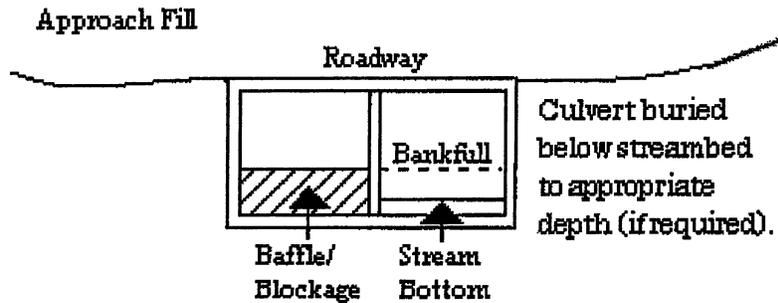
12. All stream diversions shall be accomplished in accordance with NCDOT BMP 5.2 and 5.3 (Best Management Practices for Construction and Maintenance Activities, NCDOT, August 2003)

13. All temporary fill is to be placed on filter fabric. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

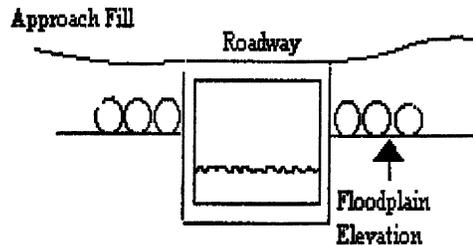
14. The permittee shall comply with the conditions specified in the water quality certification, No. 3836, issued by the North Carolina Division of Water Quality on 13 September 2010.

15. 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. Culverts shall be placed so that the openings match the natural stream channel wherever possible. Bank-full flows (or less) shall be accommodated through maintenance of the existing bank-full channel cross sectional area. Additional culverts at such crossings shall be allowed only to receive flows exceeding bank-full.



Where adjacent floodplain is available, flows exceeding bank-full should be accommodated by installing culverts at the floodplain elevation.



Riprap armoring of streams at culvert outlets shall be minimized, including riprap placed 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.

16. The permittee shall use appropriate sediment and erosion control practices to assure compliance with the appropriate turbidity water quality standard. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to assure compliance with the appropriate turbidity water quality standards. 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). Adequate sedimentation and erosion control measures must be implemented

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

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

18. Dewatering of the construction site, if required, shall be accomplished by pumping to a maintained silt bag or approved silting basin. All connections and hose lines shall be inspected for proper coupling fit and leaks before the commencement of the daily work. Used silt bags shall be changed out in accordance with manufacture's specifications and not allowed to overcharge and release sediment to the surface waters and/or wetlands. Silt bags will not be located within any wetland or surface water.

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

20. The permittee shall install barrier fencing or other acceptable forms of barrier around all wetlands that are not to be disturbed to make them readily visible and prevent construction equipment from inadvertently entering and disturbing the wetland areas that are to remain undisturbed.

21. 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. No equipment staging or storage of construction material will occur in wetlands. Hydro-seeding equipment will not be discharged or washed out into any surface waters or wetlands. In the event of a spill of petroleum products or any other hazardous waste, the permittee shall immediately report it to the N.C. Division of Water Quality at (919) 733-5083 or (800) 662-7956 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.

22. If the permittee discovers any previously unknown historic or archeological sites while accomplishing the authorized work, he shall immediately stop work and notify the Wilmington District Engineer.

23. The permittee shall maintain the authorized work in good condition and in conformance with the terms and conditions of this permit. The permittee is not relieved of this requirement if he abandons the permitted activity without transferring it to a third party.

24. 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.

25. This Department of the Army permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

26. In issuing this permit, the Federal Government does not assume any liability for:

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 Federal activities initiated on behalf of the general public.

c. Damages to other permitted or un-permitted activities or structures caused by the authorized activity.

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

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



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North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Beverly Eaves Perdue
Governor

2010 SEP 30 AM 11: 07

Dee Freeman
Secretary

September 28, 2010

US Marine Corps, Camp Lejeune
Attn: Carl Baker, Deputy Public Works Officer
Public Works Division
1005 Michael Road
Camp Lejeune, NC 28542

Re: MCON Project P1382/1383/1384, New Base Entry Point and Road,
Camp Lejeune, Onslow County
DWQ Project # 2010 0197; USACE Action ID. No. 2010-00436
Bearhead Creek [030502, 19-20-1, SB, NSW]
Wallace Creek [030502, 19-20, SB, NSW]
Northeast Creek [030502, 19-16-(4.5), SC, NSW]
APPROVAL of 401 Water Quality Certification with Additional Conditions – REVISED2

Dear Mr. Baker:

Attached hereto is a copy of Certification No. 3836 issued to Mr. Carl Baker of the US Marine Corps, Camp Lejeune, dated September 28, 2010. **This Certification replaces the Certification issued to you on September 13, 2010.** In addition, you should get any other federal, state or local permits before you go ahead with your project including (but not limited to) Solid Waste, Sediment and Erosion Control, Stormwater, Dam Safety, Non-discharge and Water Supply Watershed regulations.

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

Sincerely,

Coleen Sullins

CHS/ijm

Attachments: Certificate of Completion
NC DWQ 401 WQC Summary of Permitted Impacts and Mitigation Requirements

cc: Richard Harmon, MACTEC Engineering and Consulting
Richard Spencer, Wilmington District, USACOE
Joanne Steenhuis, DWQ, Wilmington Regional Office
Karl Hammers, DLR, Wilmington Regional Office
Steve Sollod, DCM
File Copy

Filename: 100197NewBaseEntryPoint(Onslow)401_IC_Revised2

NORTH CAROLINA 401 WATER QUALITY CERTIFICATION

THIS CERTIFICATION is issued in conformity with the requirements of Section 401 Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (DWQ) Regulations in 15 NCAC 2H, Section .0500 to Mr. Carl Baker of the US Marine Corps, Camp Lejeune to permanently impact 5.98 acres and temporarily impact of 3.23 acres of jurisdictional wetlands and permanently impact 2,325 linear feet of jurisdictional stream and temporarily impact 610 linear feet of jurisdictional stream in the White Oak River Basin, associated with the construction of a 6.5 mile roadway on Camp Lejeune in Onslow County, North Carolina, pursuant to an application filed on the 12th day of March of 2010, and in additional correspondences received on April 14, 2010, May 13, 2010, July 20, 2010, August 16, 2010, August 31, 2010, and September 2, 2010.

The application and supporting documentation provides adequate assurance that the proposed work 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, the supporting documentation, and conditions hereinafter set forth.

This approval is for the purpose and design submitted in the application materials and as described in the Public Notice. If the project is changed, prior to notification a new application for a new Certification is required. (If the property is sold, the new owner is responsible for complying with all conditions of this Certification and thereby must be given a copy of the Certification and approval letter.) Any new owner must notify the Division and request the Certification be issued in their name. Should wetland or stream fill be requested in the future, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). If any plan revisions from the approved site plan result in a change in stream or wetland impact or an increase in impervious surfaces, the DWQ shall be notified in writing and a new application for 401 Certification may be required. Compliance with the conditions listed below is required.

Conditions of Certification:

1. Impacts Approved

The following impacts are hereby approved as long as all of the other specific and general conditions of this Certification (or Isolated Wetland Permit) are met. No other impacts are approved including incidental impacts:

| Type of Impact | Amount Approved (Units) | | Plan Location or Reference |
|----------------|-----------------------------|--------------|----------------------------|
| Stream Impacts | Phase A | | Phase A |
| | Impact # | Perm Temp | Permit Drawing # |
| | 1 | 302 lf 10 lf | 4 of 89 |
| | 2 | 303 lf 52 lf | 4 of 89 |
| | 3 | 233 lf 35 lf | 13 of 89 |
| | 5 | 39 lf 10 lf | 21 of 89 |
| | 7 | 88 lf 22 lf | 30 of 89 |
| | 16 | 29 lf 49 lf | 30 of 89 |
| | 17 | 373 lf 68 lf | 23 of 89 |
| | 18 | 142 lf 75 lf | 78 of 89 |
| | 19 | 153 lf 64 lf | 78 of 89 |
| | 21 | 125 lf | 21 of 89 |
| | TOTAL 1662 lf 510 lf | | |

| | | |
|------------------|--|--|
| | Phase B Impact # Perm Temp 20 116 lf 40 lf TOTAL 116 lf 40 lf Phase C & D Impact # Perm Temp 9 289 lf 30 lf 12 261 lf 30 lf TOTAL 550 lf 60 lf | Phase B Permit Drawing # 85 of 89 Phase C & D Permit Drawing # 41 of 89 46 of 89 |
| 404/401 Wetlands | Phase A Impact # Perm Temp 1 1.27 ac 3 0.21 ac 4 0.28 ac 0.24 ac 6 0.13 ac 7 0.01 ac 8 0.09 ac 16 0.02 ac 18 0.01 ac 19 0.09 ac 22 0.04 ac TOTAL 2.15 ac 0.24 ac Phase B Impact # Perm Temp 15 1.69 ac 20 0.15 ac TOTAL 0.15 ac 1.69 ac Phase C & D Impact # Perm Temp 10 0.18 ac 11 1.15 ac 13 0.75 ac 1.3 ac 14 1.60 ac TOTAL 3.68 ac 1.3 ac | Phase A Permit Drawing # 4 of 89 13 of 89 16 & 17 of 89 23 of 89 30 of 89 37 of 89 73 of 89 78 of 89 78 of 89 30 of 89 Phase B Permit Drawing # 69 of 89 85 of 89 Phase C & D Permit Drawing # 41 of 89 46 of 89 52 & 53 of 89 53 & 54 of 89 |
| Waters | N/A | |
| Buffers | N/A | |

2. Sediment and Erosion Control:

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.
3. No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the footprint of the impacts depicted in the 404/401 Permit Application. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed by Carl Baker, Deputy Public Works Officer for US Marine Corps (USMC), Camp Lejeune and its authorized agents /contractors so that no violations of state water quality standards, statutes, or rules occur;
 4. Sediment and erosion control measures shall not be placed in wetlands or waters to the maximum extent practicable. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, they shall be removed and the natural grade restored within six months of the date that the Division of Land Resources has released the project;
 5. Construction Stormwater Permit NCG010000

Upon the approval of an Erosion and Sedimentation Control Plan issued by the Division of Land Resources (DLR) or a DLR delegated local erosion and sedimentation control program, an NPDES General stormwater permit (NCG010000) administered by DWQ is automatically issued to the project. This General Permit allows stormwater to be discharged during land disturbing construction activities as stipulated by conditions in the permit. If your project is covered by this permit [applicable to construction projects that disturb one (1) or more acres], full compliance with permit conditions including the sedimentation control plan, self-monitoring, record keeping and reporting requirements are required. A copy of this permit and monitoring report forms may be found at http://h2o.enr.state.nc.us/su/Forms_Documents.htm. **Please contact this Office prior to construction for an on-site meeting with a representative of DWQ to explain this general permit and DWQs' expectations.**

6. Continuing Compliance:

Carl Baker, Deputy Public Works Officer for US Marine Corps (USMC), Camp Lejeune and its authorized agents/contractors shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with section 303(d) of the Clean Water Act) and any other appropriate requirements of State law and federal law. **Carl Baker, Deputy Public Works Officer for USMC, Camp Lejeune shall require its contractors (and/or agents) to comply with all of the terms of this Certification, and shall provide each of its contractors (and/or agents) a copy of this Certification. A copy of this Certification shall be included in the construction contract and available on the job site at all times.** If DWQ determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, DWQ may reevaluate and modify this certification to include conditions appropriate to assure compliance with such standards and requirements in accordance with 15A NCAC 2H.0507(d). Before modifying the certification, DWQ shall notify Carl Baker, Deputy Public Works Officer for USMC, Camp Lejeune and the US Army Corps of Engineers, provide public notice in accordance with 15A NCAC 2H.0503 and provide opportunity for public hearing in accordance with 15A NCAC 2H.0504. Any new or revised conditions shall be provided to Carl Baker, Deputy Public Works Officer for USMC, Camp Lejeune in writing, shall be provided to the United States Army Corps of Engineers for reference

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in any permit issued pursuant to Section 404 of the Clean Water Act, and shall also become conditions of the 404 Permit for the project.

7. Mitigation:

Compensatory Mitigation Using the Greater Sandy Run Area Mitigation Bank (GSRA), a Local Approved Mitigation Bank and the Ecosystem Enhancement Program (EEP)

Mitigation must be provided for the proposed impacts as specified in the table below. It is our understanding that you will be debiting mitigation credits for non-riparian wetlands from GSRA. We also understand that you have been accepted for approval by the Wetlands Restoration Fund administered by the NC Ecosystem Enhancement Program (EEP) to meet a portion of this mitigation requirement. In addition, there is a potential option to mitigate within the hydrologic cataloging unit (HUC), when a new approved mitigation bank comes on-line next year. This has been determined by the DWQ to be a suitable method to meet the mitigation requirement. Mitigation shall be fulfilled for each Phase prior to construction: Phase A shall require 3.18 acres of riparian wetlands within the HUC and 4.77 acres out of the HUC, Non-riparian impacts required shall be 1.1 acres in HUC and 1.65 acres out of HUC. The stream mitigation required would be 1,662 linear feet in HUC and 2,493 linear feet out of HUC. Phases B and C would require 0.38 acres of riparian wetlands in HUC and 0.57 acres out of HUC, 7.28 acres of non-riparian in HUC and 10.92 acres out of HUC and the remaining 666 linear feet of stream in HUC and 999 linear feet of stream out of HUC. For the mitigation dealing with EEP, until the EEP receives and clears your check (made payable to: DENR – Ecosystem Enhancement Program Office), no impacts specified in this Authorization Certificate for that Phase shall occur. The EEP should be contacted at (919) 733-5205 if you have any questions concerning payment into a restoration fund. For accounting purposes, this Authorization Certificate authorizes payment into the Wetlands Restoration Fund to meet the following compensatory mitigation requirement:

| Type of Impact | Compensatory Mitigation Required | River and Sub-basin Number |
|----------------------|--|--|
| Stream | 2,328 linear feet in HUC 3,492 linear feet out of HUC | WOK 02 19-16-(4.5) WOK 02 19-20-1 WOK 02 19-20 |
| Wetlands Riparian | 3.56 acres within HUC 5.34 acres for out of HUC | WOK 02 19-16-(4.5) WOK 02 19-20-1 |
| Non Riparian | 8.38 acres within HUC 12.54 acres for out of HUC | WOK 02 19-20 |

8. French's Creek Stream Enhancement (Final Plan Needed)

A final plan shall be prepared by the permittee and submitted to the Division of Water Quality (DWQ) Central Office and the Wilmington Regional Office (WiRO) and North Carolina Division of Marine Fisheries (DMF) by January 3, 2011 for our review and approval. The plan must include designs and specifications that meet the definition of enhancement according to the latest version of the Internal Technical Guide for Stream Work in North Carolina (available at <http://h2o.enr.state.nc.us/ncwetlands/documents/streamgd-1.pdf>). Final plans must also include a monitoring component that meets the DWQ and the US Army Corps of Engineers (USACE) requirements.

The stream enhancement project must be constructed, maintained, and monitored according to the plans approved by this Office. Any repairs or adjustments to the site must be made according to

the approved plans or must receive written approval from this Office to make the repairs or adjustments. This enhancement project must be finished by the completion of Phase A.

9. Culvert Installation

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 (http://www.ncdot.org/doh/operations/BMP_manual/download/BMP_Manual.pdf) such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.

Culverts required for this project shall be installed in such a manner that the original stream profiles are not altered. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Culverts shall be designed and installed to allow for aquatic life movement as well as to prevent head cutting of the streams. If any of the existing pipes are or become perched, the appropriate stream grade shall be re-established or, if the pipes are installed in a perched manner, the pipes shall be removed and re-installed correctly.

All authorized culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. 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 shall be maintained if requested in writing by DWQ. Culverts shall be placed so that the opening(s) match the natural stream channel wherever possible. Bank-full flows (or less) shall be accommodated through maintenance of the existing bank-full channel. Additional culverts shall be allowed only to receive flows exceeding bank-full. Field adjustments of the culvert placements may be necessary to correctly install the culverts.

The establishment of native, woody vegetation and other soft stream bank stabilization techniques must be used where practicable instead of rip rap or other bank hardening methods. If rip-rap is necessary, it shall not be placed in the stream bed, unless specifically approved by the Division of Water Quality.

10. Construction Plans

Any final construction plans for this project must include or reference the application and plans approved by the DWQ under this authorization letter and certification.

11. Wetland Boundary Identification

The wetland boundary must be clearly identified on the remaining jurisdictional wetlands present as depicted on the jurisdictional determination map signed by the US Army Corps of Engineers. The wetland boundary identification (flagging, fencing, etc.) must be maintained on the property until the project phase is completed.

12. Protective Fencing

The outside wetland or water boundary and along the construction corridor within these boundaries approved under this authorization shall be clearly marked with orange warning fencing (or similar high visibility material) for the areas that have been approved to infringe within the buffer, wetland or water prior to any land disturbing activities.

13. Temporary Fills/Impacts

All temporary fill and culverts shall be removed and the impacted area returned to the original grade, including each stream's original cross sectional dimensions, planform pattern, and longitudinal bed and bed profile after construction is complete or within 6 months of the establishment of the crossing or the completion of the phase of the project the impact occurred, whichever is sooner, and the various sites shall be stabilized with natural woody vegetation (except for the maintenance areas of permanent utility crossings) and restored to prevent erosion. If the temporary impacts/crossings are not completely removed and restored as described above within the specified time above, additional written approval from this Office must be obtained to modify this condition.

These sites will need to be monitored quarterly for at least two years with photo documentation and any remediation that may be necessary. The monitoring may be extended up to another 3 years, if the restoration sites have not adequately recovered.

14. Sewer Systems

The project shall comply with 15A NCAC 2H .0219(i)(2)(G) and all other State, Federal and local sewer system regulations.

15. NC DOT Sensitive Watershed Erosion and Sediment Control Practices

Sediment and erosion control measures shall adhere to the design standards for sensitive watersheds [15A NCAC 4B .0124] throughout the life of this project. See NCDOT publication, Best Management Practices for the Protection of Surface Waters (March 1997).

16. Project Compliance

At the completion of the project, the DWQ will require a determination of the area impacted which is to encompass the location and acreage of the impact (it can be shown on an aerial or done as a survey). This is to be included with the Certification of Completion and sent to the Wilmington Regional Office and to the Central Office in Raleigh.

17. Stormwater Sheet Flow Requirement

All constructed stormwater conveyance outlets shall be directed and maintained as sheet flow at non-erosive velocities through the stream riparian areas such that it will not re-concentrate before discharging into a stream.

18. Turbidity Standard

The turbidity standard of 25 NTUs (Nephelometric Turbidity Units) shall not be exceeded as described in 15 A NCAC 2B. .0200. Appropriate sediment and erosion control practices must be

used to meet this standard. Any violations to the turbidity standard need to be reported to the Wilmington Regional Office at 910.796.7215.

19. "Re-opener" Clause

Mr. Carl Baker of the US Marine Corps, Camp Lejeune and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with section 303(d) of the Clean Water Act) and any other appropriate requirements of State law and federal law. Mr. Carl Baker of the US Marine Corps, Camp Lejeune shall require its contractors (and/or agents) to comply with all of the terms of this Certification, and shall provide each of its contractors (and/or agents) a copy of this Certification. A copy of this Certification shall be included in the construction contract and available on the job site at all times. If DWQ determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, DWQ may reevaluate and modify this certification to include conditions appropriate to assure compliance with such standards and requirements in accordance with 15A NCAC 2H.0507(d). Before modifying the certification, DWQ shall notify Mr. Carl Baker of the US Marine Corps, Camp Lejeune and the US Army Corps of Engineers, provide public notice in accordance with 15A NCAC 2H.0503 and provide opportunity for public hearing in accordance with 15A NCAC 2H.0504. Any new or revised conditions shall be provided to Mr. Carl Baker of the US Marine Corps, Camp Lejeune in writing, shall be provided to the United States Army Corps of Engineers for reference in any permit issued pursuant to Section 404 of the Clean Water Act, and shall also become conditions of the 404 Permit for the project.

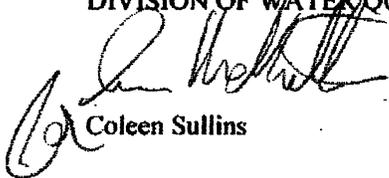
*20. Certificate of Completion

Upon completion of the project, the Applicant shall complete and return the enclosed "Certificate of Completion" form to notify NCDWQ when all work included in the §401 Certification has been completed. The responsible party shall complete the attached form and return it to the 401/Wetlands Unit of the NC Division of Water Quality 1650 Mail Service Center, Raleigh, NC, 27699-1650 upon completion of the project. Please send photographs upstream and downstream of each culvert site to document correct installation along with the Certificate of Completion form.

Also, this approval to proceed with your proposed impacts or to conduct impacts to waters as depicted in your application shall expire upon expiration of the 404 or CAMA Permit.

If this Certification is unacceptable to you, 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 28th day of September 2010
DIVISION OF WATER QUALITY



Coleen Sullins

CHS/ijm
3836



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North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Beverly Eaves Perdue
Governor

James H. Gregson
Director

Dee Freeman
Secretary

September 16, 2010

John R. Townson
Director, Environmental Management
Marine Corps Base
PSC Box 20004
Camp Lejeune, NC 28542-0004

SUBJECT: Conditional Consistency Concurrence - CD10-055
U.S. Marine Corps' (USMC) Proposed Camp Lejeune Entry Point, Base Road, and
NCDOT's Interchange with NC 24, Jacksonville, Onslow County, North Carolina
(DCM#20100038) U-5132

Dear Mr. Townson:

The Division of Coastal Management (DCM) received the Consistency Determination provided by the U.S. Marine Corps (USMC) Base Camp Lejeune on March 11, 2010 for the proposed construction of a new base road on new location, other base road improvements, and a new base entry point with a NC 24 interchange and service road coordinated with the NC Department of Transportation (NCDOT). The project is referred to as the new Base Entry point and Road (BER). The Consistency Determination for the BER is considered supplemental to the initial Consistency Determination for the conceptual "Grow the Force" initiative dated, September 18, 2009.

DCM distributed the BER Consistency Determination submittal to State agencies with a regulatory interest for review and to provide DCM with comments on the potential impacts of the project on each agency's resources.

The proposed 6.5-mile four lane base road on new location is planned to begin at a new intersection with NC 24, which includes a service road connecting Ellis Boulevard with Bell Fork Road at White Street, and proceeds to the southeast, over Northeast Creek, Wallace Creek, and Bearhead Creek and ties into Holcomb Boulevard at Sneads Ferry Road. Additional improvements are planned, including the widening of Brewster Boulevard, additional 1.2 miles of new roads (Ring Road) in the vicinity of the Naval Hospital, and the improvements at the intersection with Holcomb Boulevard at Sneads Ferry Road. Camp Knox Road will be connected with Bougainville Road creating a 0.75-mile connector with an intersection on the northern portion of the project, just south of the intersection of the BER and NC 24.

The BER project will permanently impact 5.98 acres and temporarily impact 3.23 acres of Section 404 (non-CAMA Coastal) wetlands and permanently impact 2,328 linear feet and temporarily impact 610 linear feet of jurisdictional streams, based on values in 401 Water Quality Certification No. 3836. The BER Consistency Determination indicates (on Page 2-3) that CAMA Coastal Wetlands shall be spanned by bridges.

DCM reviewed the BER Federal Consistency document submittal along with supplementary supporting documentation, including: the USACE Section 404 Individual Permit Application and Wetland Master Plan dated February 2010, the NC 24 Access – New Base Entry Road Categorical Exclusion (Final), the Camp Lejeune's Greater Sandy Run Area Wetland Mitigation Bank Monitoring Summary 2006 Growing Season report, and the supplemental Consistency Determination for NCDOT's construction of the BER intersection with NC 24 dated May 2010 (received 6/9/10). The comments received from the interested State agencies were also reviewed to determine whether the proposed project is consistent with the NC Coastal Management Program.

DCM concurs, as conditioned below, that the proposed project is consistent, to the maximum extent practicable, with North Carolina's certified coastal management program provided that the following conditions are implemented.

- Site No. 1 in the USACE Individual Permit application drawing Sheet No. 1, located in an unnamed tributary to Northeast Creek shows the proposed installation of two 7 ft. by 8 ft. reinforced concrete box culverts located at approximately Station 49 + 00. The location of this crossing is classified as Estuarine Waters, Coastal Shorelines, and Public Trust Areas of Environmental Concern (AECs). This crossing is also designated a Primary Nursery Area (PNA) by the NC Marine Fisheries Commission. Primary Nursery Areas are those areas in the estuarine and ocean system where initial post larval development of finfish and crustaceans takes place. The NC Division of Marine Fisheries (DMF) expressed concern in their project review comments regarding the direct impacts to the PNA and the obstruction to fish and other aquatic life passage through the proposed culverts. DMF expressed an objection to the installation of the culverts in their consistency review comments on the project. The NC Wildlife Resources Commission (WRC) concurred with DMF's comments.

The National Marine Fisheries Service (NMFS) expressed concern with the installation of the culverts at Site #1 in a letter to the USACE on May 14, 2010 (sent via electronic mail). The NMFS considers this creek a Habit Area of Particular Concern (HAPC). The USACE forwarded NMFS' letter to Camp Lejeune. The NMFS requested a response with a description of measures to avoid, mitigate, or offset the adverse impacts to the HAPC located at Site #1. Camp Lejeune responded with a proposed mitigation plan (stream enhancement plan) dated July 21, 2010.

In accordance with conditions of 401 Water Quality Certification No. 3836, issued by the NC Division of Water Quality (DWQ) on September 13, 2010, a Final Stream Enhancement Plan shall be submitted to DWQ and DMF by January 3, 2011 for review and approval. The stream enhancement project shall be finished by completion of Phase A. A copy of DWQ's and DMF's written concurrence and an approved copy of the plan shall be provided to DCM.

- The USMC shall comply with the Section 401 Water Quality Certification No. 3836 (DWQ Project No. 20100197) issued by the NC Division of Water Quality on September 13, 2010.
- An in-water work moratorium shall be observed during the time period of April 1st through September 30th for all estuarine waters on the entire project.
- The USMC shall comply with the requirements of the Stormwater Management Permit No. SW8090630, issued on February 8, 2010 by the NC Division of Water Quality for the BER project.
- The USMC shall comply with the requirements of the Stormwater Management Permit No. SW8090812, issued on February 16, 2010 by the NC Division of Water Quality for the Brewster Boulevard Widening project.
- The USMC shall comply with the Erosion and Sedimentation Control Plan approved by the NC Division Land Resources.
- Culverts proposed at road crossings shall be appropriately sized as to allow burial at depths providing for a minimum of 20% of the diameter of the pipe or at least one foot below the natural stream bed to allow for aquatic life passage, in accordance with WRC recommendations.
- The USMC shall adhere to compensatory mitigation as outlined in the Section 401 Water Quality Certification No. 3836.
- The environmental commitments made within the USMC BER Consistency Determination, the NCDOT Final Categorical Exclusion for the proposed interchange with NC24, dated April 22, 2010, and the supplemental Consistency Determination for the BER/NC 24 interchange, shall be met unless otherwise negotiated with State regulatory agencies. DCM shall be notified of any deviation from the stated commitments and a revised Consistency Determination may be necessary.

These conditions allow DCM to concur with the proposed action. It should be noted, that in accordance with 15 CFR 930.4, if the conditions of concurrence are not met, then this conditional concurrence shall be considered an objection to the action. Should there be disagreement or an inability to comply with the stated conditions of concurrence; a response to this correspondence is requested, as soon as possible, to resolve any disagreement with the conditions or to describe the Federal agency's exigent circumstance or inability to accomplish full consistency within the required 90-day period pursuant to 15 CFR 930.35.

Should the project be modified, a revised Consistency Determination could be necessary. This might take the form of either a supplemental Consistency Determination pursuant to 15 CFR 930.46, or a new Consistency Determination pursuant to 15 CFR 930.36.

If you have any questions on the BER Conditional Consistency Concurrence, please contact Steve Sollod at (919) 733-2293 x230 or via e-mail at steve.sollod@ncdenr.gov. Thank you for your consideration of the North Carolina Coastal Management Program.

Sincerely,



Doug Huggett
Manager, Major Permits and Consistency Unit

cc: Molly Ellwood, WRC
Martin Korenek, USMC
Stephen Lane, DCM
Kristine O'Connor, NCDOT
Jessi O'Neal, DMF
Stephen Rynas, DCM
Steve Sollod, DCM
Richard Spencer, USACE
Joanne Steenhuis, DWQ
Emily Sylvester, USMC
Gregory Thorpe, NCDOT



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

North Carolina Division of Water Quality
401 Water Quality Certification
Summary of Permitted Impacts and Mitigation Requirements

In accordance with 15A NCAC 2H.0500, Mr. Carl Baker of the US Marine Corps, Camp Lejeune, has permission to fill or otherwise impact permanently impact 5.98 acres and temporarily impact 3.23 acres of jurisdictional wetlands and permanently impact 2,328 linear feet of jurisdictional stream and temporarily impact 610 linear feet of jurisdictional stream in the White Oak River Basin, associated with the construction of a 6.5 mile roadway on Camp Lejeune in Onslow County, North Carolina. All activities associated with these authorized impacts must be conducted with the conditions listed in the attached Permit transmittal letter. THIS CERTIFICATION IS NOT VALID WITHOUT THE ATTACHMENTS.

COMPENSATORY MITIGATION REQUIREMENTS, ECOSYSTEM ENHANCEMENT PROGRAM

NC EEP NAME MCB Camp Lejeune Base Entry Road
DWQ PROJECT #: 20100197
LOCATION: Camp Lejeune
COUNTY Onslow
BASIN/ SUB BASIN White Oak/03030001

As required by 15A NCAC 2H.0500, and the conditions of this Certification, you are required to compensate for the above mitigable impacts through the restoration, creation, enhancement or preservation of wetlands, surface waters and riparian buffers as outlined below prior to conducting any activities that impact or degrade the waters of the state.

Note: Acreage requirements proposed to be mitigated through the Ecosystem Enhancement Program must be rounded to one-quarter acre increments and linear foot requirements must be rounded up to the nearest foot according to 15 2R.0503(b).

| Impacts | Mitigation |
|---------------------------------------|--|
| 5.98 Acres of 404/Wetlands | 15.5 Acres of 404/Wetlands within HUC (7.12 ac riparian, 8.38 ac non-riparian) |
| 2,328 Linear Feet Of Perennial Stream | 1,662 Linear Feet of Perennial Stream within HUC or 2,493 Linear Feet Out of HUC |

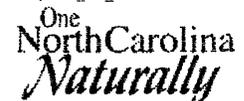
One of the options you have available to satisfy the compensatory mitigation requirement is through the payment of a fee to the Wetlands Restoration Fund per NCAC 2R.0503. If you choose this option, please sign this form and mail the form along with a copy of your 401 Certification or Buffer Approval to the Ecosystem Enhancement Program at the address below. An invoice for the appropriate amount of payment will be sent to you upon receipt of this form. PLEASE NOTE, THE ABOVE IMPACTS ARE NOT AUTHORIZED UNTIL YOU RECEIVE NOTIFICATION THAT YOUR PAYMENT HAS BEEN PROCESSED BY THE ECOSYSTEM ENHANCEMENT PROGRAM.

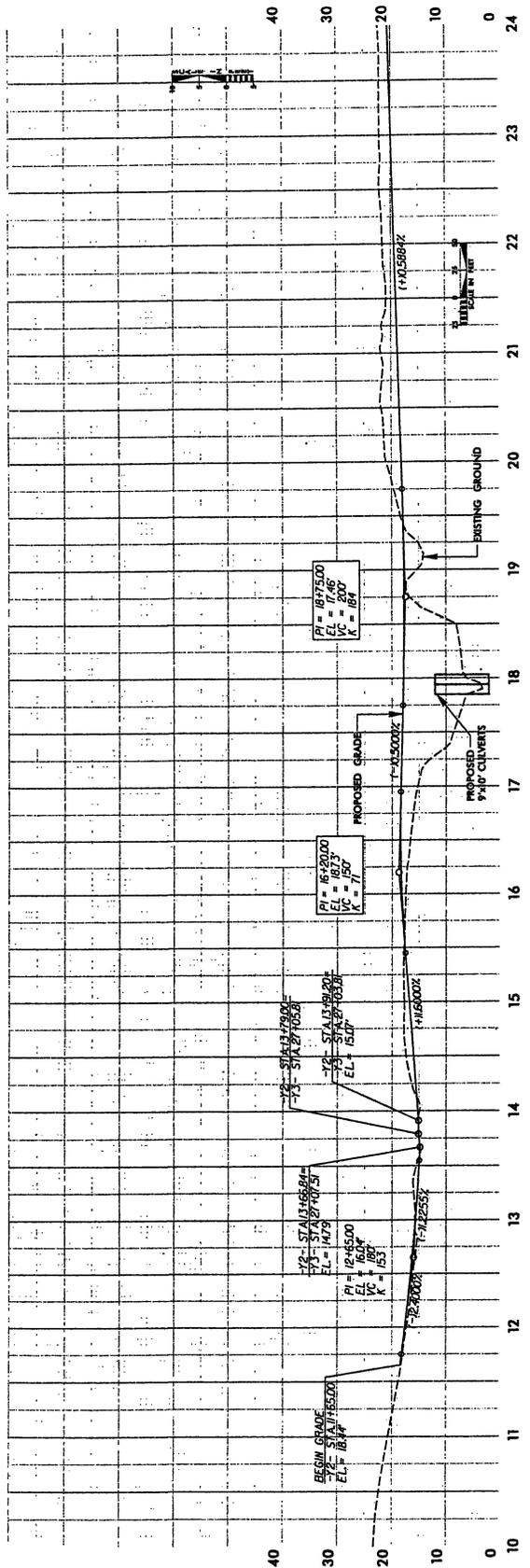
Signature _____ Date _____

ECOSYSTEM ENHANCEMENT PROGRAM
1652 Mail Service Center
RALEIGH, N.C. 27699-1652
(919) 716-1921

Filename: 100197NewBaseEntryPoint(Onslow)401_IC_EEP

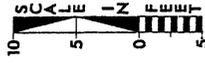
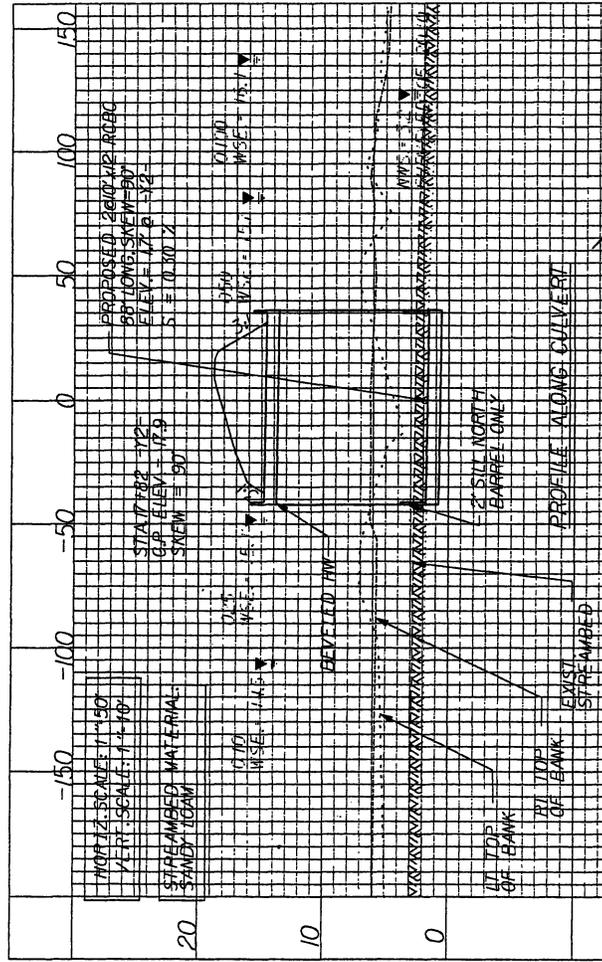
401 Oversight/Express Review Permitting Unit
1650 Mail Service Center Raleigh, North Carolina 27699-1650
Location: 2121 Crabtree Blvd. Raleigh, North Carolina 27604
Phone: 919-733-1786 FAX: 919-733-6893
Internet: <http://h2o.enr.state.nc.us/ncwetlands/>





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SITE 20: STA 17 + 82.00 2@9'x10' RCBC

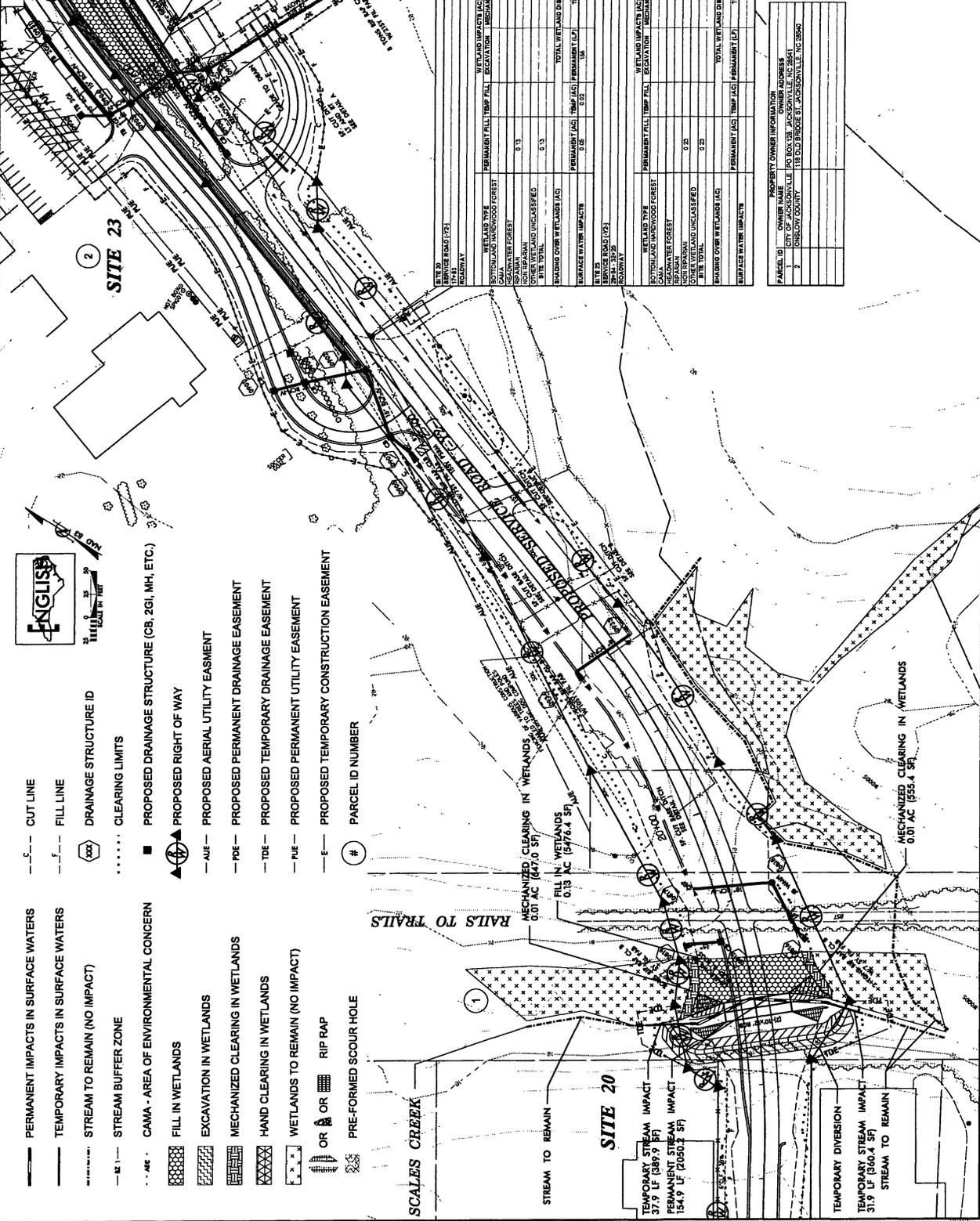


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 8066
 This drawing is a permit drawing and is not to be used for any other purpose without the written consent of the engineer of record.



MACTEC / RK&K JV

PERMIT DRAWING 85 OF 89



- PERMANENT IMPACTS IN SURFACE WATERS
- TEMPORARY IMPACTS IN SURFACE WATERS
- STREAM TO REMAIN (NO IMPACT)
- STREAM BUFFER ZONE
- CAMA - AREA OF ENVIRONMENTAL CONCERN
- FILL IN WETLANDS
- EXCAVATION IN WETLANDS
- MECHANIZED CLEARING IN WETLANDS
- HAND CLEARING IN WETLANDS
- WETLANDS TO REMAIN (NO IMPACT)
- RIP RAP
- PRE-FORMED SCOUR HOLE
- CUT LINE
- FILL LINE
- DRAINAGE STRUCTURE ID
- CLEARING LIMITS
- PROPOSED DRAINAGE STRUCTURE (CB, CGI, MH, ETC.)
- PROPOSED RIGHT OF WAY
- PROPOSED AERIAL UTILITY EASMENT
- PROPOSED PERMANENT DRAINAGE EASEMENT
- PROPOSED TEMPORARY DRAINAGE EASEMENT
- PROPOSED PERMANENT UTILITY EASEMENT
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT
- PARCEL ID NUMBER

| WETLAND TYPE | WETLANDS TO REMAIN | | WETLANDS TO BE CLEARED | | TOTAL WETLANDS TO REMAIN | TOTAL WETLANDS TO BE CLEARED |
|----------------------------|--------------------|-----------|------------------------|-----------|--------------------------|------------------------------|
| | PERMANENT (AC) | TEMP (AC) | PERMANENT (AC) | TEMP (AC) | | |
| SOFTWOOD/MIDWOOD FOREST | 0.13 | 0.02 | 0.13 | 0.02 | 0.13 | 0.02 |
| WATERBURY FOREST | 0.13 | 0.02 | 0.13 | 0.02 | 0.13 | 0.02 |
| OTHER WETLAND UNCLASSIFIED | 0.13 | 0.02 | 0.13 | 0.02 | 0.13 | 0.02 |
| WETLAND TOTAL | 0.29 | 0.06 | 0.29 | 0.06 | 0.29 | 0.06 |
| MECHANIZED CLEARING IMPACT | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 |
| FILL IMPACT | 0.13 | 0.02 | 0.13 | 0.02 | 0.13 | 0.02 |
| WETLANDS TO REMAIN | 0.13 | 0.02 | 0.13 | 0.02 | 0.13 | 0.02 |
| WETLANDS TO BE CLEARED | 0.13 | 0.06 | 0.13 | 0.06 | 0.13 | 0.06 |

| PROPERTY OWNER INFORMATION | |
|----------------------------|---|
| PARCEL ID | OWNER NAME |
| 2 | 180 BOX 108, J.V. #1 |
| 3 | 118 OLD BRIDGE ST., WASSONVILLE, NC 28640 |
| 4 | 118 OLD BRIDGE ST., WASSONVILLE, NC 28640 |

8/27/12

8/27/12

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New 4-12-12

North Carolina
Environmental Management Commission
Department of Environment and Natural Resources

**Permit For The Withdrawal And Use Of Water
In The Central Coastal Plain Capacity Use Area**

In accordance with the provisions of Part 2, Article 21 of Chapter 143, General Statutes of North Carolina as amended, and any other applicable Laws, Rules and Regulations,

Permission Is Hereby Granted To

NC Department of Transportation

Project No. U-5132

New NC 24 access and new base entry road for Camp Lejeune Marine Corps Base

FOR THE

Withdrawal and Use of Water in Onslow County, North Carolina in accordance with the grantee's application dated February 3, 2012, and any supporting data submitted with the application, all of which are filed with the Department of Environment and Natural Resources and are considered part of this Permit.

This Permit shall be effective from the date of its issuance until March 31, 2017, and shall be subject to the specified conditions and/or limitations contained in Sections I - X of this Permit.

Permit issued this the 21 day of MARCH, 2012.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

BY 

Thomas A. Reeder
Director, Division of Water Resources

By Authority of the Secretary of the Department of Environment and Natural Resources

PERMIT #CU4029

I. WITHDRAWALS**A. USE**

This Permit allows the withdrawal of water for the purpose of dewatering borrow pits to extract material for road construction.

B. RATES OF WITHDRAWALS

The maximum quantity of water that may be withdrawn shall not exceed what is established in the Reclamation Plan as specified in NCDOT's CCPCUA Special Provisions document.

C. SOURCE(s) OF WITHDRAWALS

Ground Water Source(s): Withdrawals shall be made from sumps in borrow pits in the surficial aquifer.

D. MONITORING OF WITHDRAWALS

Withdrawals from each source, whether well or sump, shall be measured by an approved metering device equipped with a totalizing indicator, and having an accuracy within plus or minus five percent.

II. WATER LEVELS**A. MAXIMUM DRAWDOWN LEVELS**

1. Pump intakes for the well(s) shall not be set below the depth specified in the permit application or associated documentation without prior approval of the Division of Water Resources.
2. In the event that data from the permitted wells or other wells within the zone influenced by pumping of the permitted wells indicates a deterioration of quality or quantity in surrounding aquifers or the source aquifer, an alternate maximum pumping level may be established by the Division of Water Resources.

B. MONITORING OF WATER LEVELS

1. The pumping water level in each supply well shall be measured once a month:
 - a. by a steel or electric tape from a fixed reference point, or by using the air-line method
 - b. within accuracy limits of plus or minus one percent,
 - c. just prior to shutting off the pump, or after sufficient time of pumping, so that a maximum drawdown may be obtained, and
 - d. during the last planned pumping day of the month, or within the last five days of the month.

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2. The static water level in each supply well shall be measured once a month:
 - a. by a steel or electric tape from a fixed reference point, or by using the air-line method
 - b. within accuracy limits of plus or minus one percent,
 - c. after the pump is shut off for approximately 12 hours, and
 - d. within the last five days of the month.
3. Unused supply wells or other suitable wells that may be available shall be monitored when such monitoring is specified by the Division of Water Resources and when pertinent to observation or evaluation of the effects of withdrawals made under this permit.

III. OTHER PROVISIONS

A. WELL CONSTRUCTION APPROVAL

A Well Construction Permit shall be required prior to the construction of any well that will be used to withdraw any portion of the water regulated under this Permit. Application for these permits must be submitted to the Washington Regional Office, Division of Water Quality, P.O. Box 2188, Washington, NC 27889.

B. ACCESS TO FACILITIES

The Environmental Management Commission and employees of the Department of Environment and Natural Resources shall have reasonable access to areas owned and under control of the permittee for observation and inspection of water use and related facilities pertinent to the provisions of this permit and other regulations.

IV. REPORTS REQUIRED

A. WITHDRAWALS

Monthly reports of daily withdrawal totals from each well or sump shall be furnished to the Division on a quarterly basis, within 30 days after the end of March, June, September and December.

B. WATER LEVELS

Water level measurements for each supply well shall be measured in accordance with Condition II. B. 1. of this permit and submitted to the Division not later than 30 days after the end of the calendar month in which the measurement was taken.

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V. MODIFICATION OR REVOCATION

A. MODIFICATION

1. The Permittee must notify the Director of any proposed major changes in usage and apply for a modification of the permit for such changes or for any revisions of the terms of this permit.
2. The Director may modify the terms of the permit, after 60 days written notice to the permittee, if he finds that the terms of the permit and/or the resulting water use are found to be contrary to the purposes of the Water Use Act of 1967 or contrary to public interest or having an unreasonably adverse effect upon other water uses in the capacity use area. Modifications may include, but are not limited to, requirements for alternate pumping levels or the collection, analysis, and reporting of ground or surface water quality samples.

B. REVOCATION

The Director may revoke the permit if he finds that:

1. the Permittee has violated the terms of the permit; or
2. the terms of the Permit and/or the resulting water use are contrary to the purpose of the Water Use Act of 1967 or contrary to the public interest or having an unreasonably adverse effect upon other water uses in the capacity use area and cannot be cured by modification; or
3. the Permittee made false or fraudulent statements in the application for the water use permit; or
4. water withdrawn under the terms of the permit is used for purposes other than those set forth in the permit.

VI. CONSTRUCTION OF PERMIT

- A. The terms and conditions shall not be construed to relieve the Permittee of any legal obligation or liability, which it owes or may incur to third parties as the result of the conduct of its operations in conformity with this Permit.
- B. When under the terms hereof, any provision of this Permit requires approval of the Department or becomes effective at the discretion of the Department, the notice of approval or the exercise of such discretion shall be evidenced by written instrument issued by the Department.
- C. The terms and conditions of this Permit shall not be construed as a limitation of the powers, duties, and authority vested in the Environmental Management Commission or any other State, Federal, or local agency, or any applicable laws hereafter enacted.

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VII. ADDITIONAL CONDITIONS

- A. This Permit shall be subject to any limitations or conditions in other State permits, including but not limited to permits required pursuant to North Carolina General Statutes §143-215.1.
- B. Issuance of this Permit shall have no bearing on subsequent State decision(s) regarding any other water use or other permit application(s) submitted or which may be submitted by the Permittee, its successors or assigns.
- C. Compliance with the terms and conditions in this permit does not relieve the permittee of compliance with any provision, now in force or hereafter enacted or promulgated, of the Water Use Act of 1967, the regulations promulgated thereunder, or any other provision of State law.

VIII. PENALTIES

Violations of the terms and conditions of this Permit are subject to penalties as set forth in North Carolina General Statutes §143-215.17.

IX. PERMIT NONTRANSFERABLE

Water Use Permits shall not be transferred except with approval of the Environmental Management Commission.

X. RENEWAL OF PERMIT

The Permittee, at least three (3) months prior to the expiration of this permit, shall request its extension. Upon receipt of the request, the Commission will review the adequacy of the facilities described therein, and if warranted, will extend the permit for such period of time and under such conditions and limitations as it may deem appropriate.

North Carolina Department of Environment and Natural Resources

Mail To: Division of Water Resources - NC DENR
 1611 Mail Service Center
 Raleigh, North Carolina 27699-1611
 Attention : Capacity Use Administration

Check Box If No Use This Month

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**Report of Water Withdrawals
from Each Source**

| Well/Sump ID ↑ | meter readings | | gallons per day | meter readings | | gallons per day | meter readings | | gallons per day | Total Withdrawn |
|-------------------|----------------|---|-----------------|----------------|---|-----------------|----------------|---|-----------------|-----------------|
| | → | ↓ | | → | ↓ | | → | ↓ | | |
| Beginning reading | | | | | | | | | | |
| Day 1 | | | | | | | | | | |
| Day 2 | | | | | | | | | | |
| Day 3 | | | | | | | | | | |
| Day 4 | | | | | | | | | | |
| Day 5 | | | | | | | | | | |
| Day 6 | | | | | | | | | | |
| Day 7 | | | | | | | | | | |
| Day 8 | | | | | | | | | | |
| Day 9 | | | | | | | | | | |
| Day 10 | | | | | | | | | | |
| Day 11 | | | | | | | | | | |
| Day 12 | | | | | | | | | | |
| Day 13 | | | | | | | | | | |
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| Day 15 | | | | | | | | | | |
| Day 16 | | | | | | | | | | |
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| Day 18 | | | | | | | | | | |
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| Day 27 | | | | | | | | | | |
| Day 28 | | | | | | | | | | |
| Day 29 | | | | | | | | | | |
| Day 30 | | | | | | | | | | |
| Day 31 | | | | | | | | | | |

For month of: _____ Year: _____ Facility: **NC DOT (U-5132)** Permit #: **CJ4029** Sheet ___ of ___

DWR CCPCUA-4

Name: _____ Signature: _____ Date: _____

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North Carolina Department Of Environmental and Natural Resources

Report of Weekly or Monthly Water Levels Pumping (P) and (S)

Mail to: Division of Water Resources- NC DENR
1611 Mail Service Center
Raleigh, NC 27699-1611
Attention: Capacity Use Administration

Name: _____
Signature: _____
Date: _____

Month _____ Year _____ Facility Name: NCDOT (U-5132) Permit #: CU4029 Sheet # _____ of _____

| Well ID _____ Land Surface Elev. (ft) _____ | | Well ID _____ Land Surface Elev. (ft) _____ | | Well ID _____ Land Surface Elev. (ft) _____ | | | | | | | |
|---|------|---|--------|---|------|-------------------------|--------|------|------|-------------------------|--------|
| Date | Time | Feet Below Land Surface | P or S | Date | Time | Feet Below Land Surface | P or S | Date | Time | Feet Below Land Surface | P or S |
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| Well ID _____ Land Surface Elev. (ft) _____ | | Well ID _____ Land Surface Elev. (ft) _____ | | Well ID _____ Land Surface Elev. (ft) _____ | | | |
|---|------|---|--------|---|------|-------------------------|--------|
| Date | Time | Feet Below Land Surface | P or S | Date | Time | Feet Below Land Surface | P or S |
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| Well ID _____ Land Surface Elev. (ft) _____ | | Well ID _____ Land Surface Elev. (ft) _____ | | Well ID _____ Land Surface Elev. (ft) _____ | | | |
|---|------|---|--------|---|------|-------------------------|--------|
| Date | Time | Feet Below Land Surface | P or S | Date | Time | Feet Below Land Surface | P or S |
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State land surface elevations and depths below land surface to the nearest 0.1 feet.