



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

May 11, 2021

MEMORANDUM TO: Mr. Sterling Baker, P.E.  
Division 1 Engineer

DocuSigned by:  
*Mack C. Rivenbark III*  
AAAD1248B309416...

FROM: for Philip S. Harris, III, P.E., Unit Head  
Environmental Analysis Unit

SUBJECT: Dare County; SR 1217 (Colington Road) from end of road to US 158;  
Federal Aid Proj. No. STP-1217(6)  
WBS 41162.1.1; **STIP R-5014.**

Attached are the Reissued: U.S. Army Corps of Engineers General Permit, N.C. Division of Water Resources Water Quality Certification, and N.C. Division Coastal Management CAMA Major Development Permit and Minor Modification. The permit package replaces the package dated December 10, 2018. All environmental permits have been received for the construction of this project.

A copy of this permit package will be posted on the NCDOT website at:  
<https://xfer.services.ncdot.gov/pdea/Permlssued/>

cc: w/o attachment (see website for attachments)

Mr. Ron Davenport, P.E. Contracts Management  
Mr. Paul Williams, Division 1 Environmental Officer  
Dr. Majed Al-Ghandour, P.E., Programming and TIP  
Mrs. Jennifer A. Evans, P.E., Project Management  
Mr. Byron Sanders, P.E., Utilities  
Mr. Stephen Morgan, P.E., Hydraulics  
Mr. Brian Hanks, P.E., Structure Design  
Mr. Mark Staley, Roadside Environmental  
Mr. Lamar Sylvester, P.E., State Roadway Construction Engineer

# PROJECT COMMITMENTS

T.I.P Project No. R-5014  
SR 1217 (Colington Road) from End of Road to US 158  
Dare County  
Federal Aid Project No. STP-1217(6)  
WBS Element 41162.1.1

## COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

### Roadway Design Unit/Division 1 Construction

In accordance with Section 106 of the National Historic Preservation Act, the original gateposts on Colington Road for the Wright Brothers National Memorial, a National Historic Landmark, will not be affected by construction of the proposed project.

### Roadway Design Unit

The steepest side slopes practical and safe will be utilized along the length of the project.

During final design, the use of reduced shoulder widths on the approaches to the existing bridge structures to further reduce wetlands impacts will be investigated.

### Division 1 Construction

An in-water construction moratorium will be implemented from April 1 to September 30 in order to protect SAV and juvenile fishes.

### **Project Development and Environmental Analysis Unit**

NCDOT will obtain concurrence from the NEPA/404 merger team regarding avoidance and minimization measures for the project (Concurrence Point 4A) prior to beginning final design.

## COMMITMENTS FROM PERMITTING

### Division 1 Construction

404 Special Condition E: PRECONSTRUCTION MEETING: The Permittee shall schedule an onsite preconstruction meeting between its representatives, the contractor's representatives and the appropriate Corps of Engineers Project Manager prior to undertaking any work within jurisdictional waters and wetlands to ensure that there is a mutual understanding of all terms and conditions contained within the 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

CAMA Major Permit Condition #6: If the permittee proposes to impact the bulkhead located at Wetland Site 1, at approximately STA 55+00 in the future, then the permittee shall initiate coordination with DCM to determine if additional authorization is required.

CAMA Major Permit Condition #23: In accordance with commitments made by the permittee, fill slopes within and adjacent to areas with sub-aquatic vegetation shall be 2:1 or steeper.

CAMA Major Permit Condition #30: During construction, the permittee shall attempt to keep the parking area and access path adjacent to the Colington Creek bridge open for public use as much as practicable.

**U.S. ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT**

Action Id. SAW-2018-01570 County: DareCounty U.S.G.S. Quad: Kitty Hawk

**GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION**

Permittee: Chris Rivenbark  
NCDOT-NEU  
Address: 1548 Mail Service Center  
Raleigh NC, 27699  
Telephone Number: (919) 707-6152

Size (acres)	<u>4.2 miles of SR 1217</u>	Nearest Town	<u>Kill Devil Hills</u>
Nearest Waterway	<u>Albemarle Sound</u>	River Basin	<u>Albemarle-Chowan</u>
USGS HUC	<u>03010205</u>	Coordinates	Latitude: <u>36.009155</u> Longitude: <u>-75.700069</u>

Location description: The project area is a 4.2 mile reach of SR 1217 beginning at US 158 in the town of Kill Devil Hills and ending at the road terminus 0.09 miles north of Island Drive in the Colington community in Dare County, North Carolina.

Description of projects area and activity: The project involves the widening of SR1217 to accommodate bike lanes and to raise the grade in sections that are subject to flooding. The project will permanently fill 0.8 acres of wetlands, permanently fill 181 linear feet of stream, temporarily fill 61 linear feet of stream, permanently fill 0.06 acres of open waters and temporarily fill 0.08 acres of open waters as identified on project impact summary table dated March 11, 2021 and revised March 12, 2021.

Applicable Law:  Section 404 (Clean Water Act, 33 USC 1344)  
 Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Regional General Permit Number and/or Nationwide Permit Number: RGP 201902350

***SEE ATTACHED RGP or NWP GENERAL, REGIONAL AND/OR SPECIAL CONDITIONS***

**Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted application and attached information dated March 17, 2021. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action.**

This verification will remain valid until the expiration date identified below unless the nationwide and/or regional general permit authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide and/or regional general permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide and/or regional general permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide and/or regional general permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide and/or regional general permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Resources (telephone 919-807-6300) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management in Elizabeth City, NC, at (252) 264-3901.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Kyle Barnes at (910) 251-4584 or Kyle.W.Barnes@usace.army.mil.

Corps Regulatory Official: Kyle Barnes  
Date: May 3, 2021 Expiration Date of Verification: May 25, 2025

**A. Determination of Jurisdiction:**

- 1.  There are waters, including wetlands, on the above described project area that may be subject to Section 404 of the Clean Water Act (CWA) (33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction. Please note, if work is authorized by either a general or nationwide permit, and you wish to request an appeal of an approved JD, the appeal must be received by the Corps and the appeal process concluded prior to the commencement of any work in waters of the United States and prior to any work that could alter the hydrology of waters of the United States.
- 2.  There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- 3.  There are waters, including wetlands, within the above described project area that are subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- 4.  A jurisdiction determination was not completed with this request. Therefore, this is not an appealable action. However, you may request an approved JD, which is an appealable action, by contacting the Corps for further instruction.
- 5.  The aquatic resources within the above described project area have been identified under a previous action. Please reference the approved jurisdictional determination issued. Action ID:

**B. Basis For Jurisdictional Determination: The Water within the project area are subject to the ebb and flow of tides.**

**C. Remarks:**

**D. Attention USDA Program Participants**

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

**E. Appeals Information for Approved Jurisdiction Determinations (as indicated in A2 and A3 above).**

If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers  
South Atlantic Division  
Attn: Jason Steele, Review Officer  
60 Forsyth Street SW, Room 10M15  
Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for an appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by N/A.

**It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.**

Corps Regulatory Official: \_\_\_\_\_

  
Kyle Barnes

Date of JD: May 3, 2021

Expiration Date of JD: N/A

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=136:4:0](http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0).

SAW-2018-01570

Copy furnished:

Jason Dilday  
NCDOT  
1598 Mail Service Center  
Raleigh, North Carolina 27699-1598

Paul Williams  
NCDOT Division 1  
113 Airport Drive  
Suite 100  
Edenton, North Carolina 27932

## SPECIAL CONDITIONS

**A. CONSTRUCTION PLANS:** All work authorized by this permit must be performed in strict compliance with the attached plans revised March 12, 2021 and modified Permit Drawing Sheet 4, 16, 17, 18, 27, 31, 32, 35, and 36 of 41 and Impacts Summary 41 of 41 dated March 11, 2021 and revised March 12, 2021, 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. UNAUTHORIZED DREDGE OR FILL:** 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. MAINTAIN CIRCULATION AND FLOW OF WATERS:** 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 waters or wetlands or to reduce the reach of waters or wetlands.

**D. DEVIATION FROM PERMITTED PLANS:** 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. Kyle Barnes, Washington Regulatory Field Office, 2407 West 5<sup>th</sup> Street, Washington, North Carolina 27889 or (910) 251-4584 prior to any active construction in waters or wetlands.

**E. PRECONSTRUCTION MEETING:** The Permittee shall schedule an onsite preconstruction meeting between its representatives, the contractor's representatives and the appropriate Corps of Engineers Project Manager prior to undertaking any work within jurisdictional waters and wetlands to ensure that there is a mutual understanding of all terms and conditions contained within the 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 meeting in order to provide that individual with ample opportunity to schedule and participate in the required meeting.

**F. WATER CONTAMINATION:** 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) 733-3300 or (800) 858-0368 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.

**G. CAMA PERMIT:** The Permittee shall fully abide by all conditions of the CAMA Major Development Permit No. 125-18, dated April 30, 2021, issued by the North Carolina Division of Coastal Management, which are incorporated herein by reference.

**H. NOTIFICATION OF CONSTRUCTION COMMENCEMENT AND COMPLETION:** 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.

**I. CLEAN FILL:** 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. Soils used for fill shall not be contaminated with any toxic substance in concentrations governed by Section 307 of the Clean Water Act.

**J. TEMPORARY FILL:** 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.

**K. PERMIT DISTRIBUTION:** 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.

**L. SILT-FENCING:** 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).

**M. PERMIT REVOCATION:** 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.

**N. EROSION CONTROL MEASURES IN WETLANDS:** 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.

**O. REPORTING ADDRESS:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Washington Regulatory Field Office, c/o Mr. Kyle Barnes, at: 2470 West 5<sup>th</sup> Street Washington, North Carolina 27889 or by phone at (910) 251-4584. The Permittee shall reference the following permit number, SAW-2018-01570, on all submittals.

**P. REPORTING VIOLATIONS OF THE CLEAN WATER ACT AND RIVERS AND HARBORS ACT:** Violation of these conditions or violation of Section 404 of the Clean Water Act of 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.

**Q. COMPLIANCE INSPECTION:** A representative of the Corps of Engineers will periodically and randomly inspect the work for compliance with these conditions. Deviations from these procedures may result in an administrative financial penalty and/or directive to cease work until the problem is resolved to the satisfaction of the Corps.

**R. WORK MORATORIUM:** In order to protect anadromous fish, no excavation or filling activities will be permitted between the dates of April 1 to September 30 of any year without the prior approval of the Corps of Engineers.

**S. PROHIBITIONS ON CONCRETE:** The permittee shall take measures to prevent live or fresh concrete, including bags of uncured concrete, from coming into contact with any water in or entering into waters of the United States. Water inside coffer dams or casings that has been in contact with concrete shall only be returned to waters of the United States when it no longer poses a threat to aquatic organisms (concrete is set and cured).

**T. INSTALLATION OF CULVERTS:** For construction of culverts, measures will be included in the construction that will promote the safe passage of fish and other aquatic organisms. For all culvert construction activities, the dimension, pattern, and profile of the stream, (above and below a pipe or culvert), should not be modified by widening the stream channel or by reducing the depth of the stream. Culvert inverts will be buried at least one foot below the bed of the stream for culverts greater than 48 inches in diameter. For culverts 48 inches in diameter or smaller, culverts 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.

**U. MITIGATION:** In order to compensate for impacts associated with this permit, mitigation shall be provided in accordance with the provisions outlined on the most recent version of the attached Compensatory Mitigation Responsibility Transfer Form. The requirements of this form, including any special conditions listed on this form, are hereby incorporated as special conditions of this permit authorization.

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Permittee: Chris Rivenbark  
NCDOT-NEU

Project Name: R-5014 Widening of SR1217

Date Verification Issued: May 3, 2021

Project Manager: Kyle Barnes

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT  
Attn: Kyle Barnes  
2407 WEST 5<sup>TH</sup> STREET  
WASHINGTON, NORTH CAROLINA 27889

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

**U.S. ARMY CORPS OF ENGINEERS**  
**Wilmington District**  
**Compensatory Mitigation Responsibility Transfer Form**

**Permittee:** NCDOT  
**Project Name:** NCDOT R-5014 Colington Road

**Action ID:** SAW-2018-01570  
**County:** Dare

**Instructions to Permittee:** The Permittee must provide a copy of this form to the Mitigation Sponsor, either an approved Mitigation Bank or the North Carolina Division of Mitigation Services (NCDMS), who will then sign the form to verify the transfer of the mitigation responsibility. Once the Sponsor has signed this form, it is the Permittee's responsibility to ensure that to the U.S. Army Corps of Engineers (USACE) Project Manager identified on page two is in receipt of a signed copy of this form before conducting authorized impacts, unless otherwise specified below. If more than one mitigation Sponsor will be used to provide the mitigation associated with the permit, or if the impacts and/or the mitigation will occur in more than one 8-digit Hydrologic Unit Code (HUC), multiple forms will be attached to the permit, and the separate forms for each Sponsor and/or HUC must be provided to the appropriate mitigation Sponsors.

**Instructions to Sponsor:** The Sponsor must verify that the mitigation requirements (credits) shown below are available at the identified site. By signing below, the Sponsor is accepting full responsibility for the identified mitigation, regardless of whether or not they have received payment from the Permittee. Once the form is signed, the Sponsor must update the bank ledger and provide a copy of the signed form and the updated bank ledger to the Permittee, the USACE Project Manager, and the Wilmington District Mitigation Office (see contact information on page 2). The Sponsor must also comply with all reporting requirements established in their authorizing instrument.

**Permitted Impacts and Compensatory Mitigation Requirements**

**Permitted Impacts Requiring Mitigation\*:** **8-digit HUC and Basin:** 03010205, Chowan River Basin

Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
			0.67			0.13

\*If more than one mitigation sponsor will be used for the permit, only include impacts to be mitigated by this sponsor.

**Compensatory Mitigation Requirements:** **8-digit HUC and Basin:** 03010205, Chowan River Basin

Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
			1.34			0.26

**Mitigation Site Debited:** \_\_\_\_\_

(List the name of the bank to be debited. For umbrella banks, also list the specific site. For NCDMS, list NCDMS. If the NCDMS acceptance letter identifies a specific site, also list the specific site to be debited).

**Section to be completed by the Mitigation Sponsor**

**Statement of Mitigation Liability Acceptance:** I, the undersigned, verify that I am authorized to approve mitigation transactions for the Mitigation Sponsor shown below, and I certify that the Sponsor agrees to accept full responsibility for providing the mitigation identified in this document (see the table above), associated with the USACE Permittee and Action ID number shown. I also verify that released credits (and/or advance credits for NCDMS), as approved by the USACE, are currently available at the mitigation site identified above. Further, I understand that if the Sponsor fails to provide the required compensatory mitigation, the USACE Wilmington District Engineer may pursue measures against the Sponsor to ensure compliance associated with the mitigation requirements.

**Mitigation Sponsor Name:** NCDMS

**Name of Sponsor's Authorized Representative:** Beth Harmon

Beth Harmon  
**Signature of Sponsor's Authorized Representative**

12/19/2018  
**Date of Signature**

**USACE Wilmington District  
Compensatory Mitigation Responsibility Transfer Form, Page 2**

**Conditions for Transfer of Compensatory Mitigation Credit:**

- Once this document has been signed by the Mitigation Sponsor and the USACE is in receipt of the signed form, the Permittee is no longer responsible for providing the mitigation identified in this form, though the Permittee remains responsible for any other mitigation requirements stated in the permit conditions.
- Construction within jurisdictional areas authorized by the permit identified on page one of this form can begin only after the USACE is in receipt of a copy of this document signed by the Sponsor, confirming that the Sponsor has accepted responsibility for providing the mitigation requirements listed herein. For authorized impacts conducted by the North Carolina Department of Transportation (NCDOT), construction within jurisdictional areas may proceed upon permit issuance; however, a copy of this form signed by the Sponsor must be provided to the USACE within 30 days of permit issuance. NCDOT remains fully responsible for the mitigation until the USACE has received this form, confirming that the Sponsor has accepted responsibility for providing the mitigation requirements listed herein.
- Signed copies of this document must be retained by the Permittee, Mitigation Sponsor, and in the USACE administrative records for both the permit and the Bank/ILF Instrument. It is the Permittee's responsibility to ensure that the USACE Project Manager (address below) is provided with a signed copy of this form.
- If changes are proposed to the type, amount, or location of mitigation after this form has been signed and returned to the USACE, the Sponsor must obtain case-by-case approval from the USACE Project Manager and/or North Carolina Interagency Review Team (NCIRT). If approved, higher mitigation ratios may be applied, as per current District guidance and a new version of this form must be completed and included in the USACE administrative records for both the permit and the Bank/ILF Instrument.

**Comments/Additional Conditions:**

This form is not valid unless signed below by the USACE Project Manager and by the Mitigation Sponsor on Page 1. **Once signed, the Sponsor should provide copies of this form along with an updated bank ledger to: 1) the Permittee, 2) the USACE Project Manager at the address below, and 3) the Wilmington District Mitigation Office, Attn: Todd Tugwell, 3331 Heritage Trade Drive, Suite 105, Wake Forest, NC 27587 (email: [todd.tugwell@usace.army.mil](mailto:todd.tugwell@usace.army.mil)).** Questions regarding this form or any of the permit conditions may be directed to the USACE Project Manager below.

**USACE Project Manager:** Kyle Barnes  
**USACE Field Office:** Washington Regulatory Field Office  
US Army Corps of Engineers  
2407 West Fifth Street  
Washington, NC 27889  
**Email:** [kyle.w.barnes@usace.army.mil](mailto:kyle.w.barnes@usace.army.mil)

**BARNES.KYLE.WILLIAM  
M.1388035397**

Digitally signed by BARNES.KYLE.WILLIAM.1388035397  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=USA, cn=BARNES.KYLE.WILLIAM.1388035397  
Date: 2018.11.30 15:33:07 -05'00'

**USACE Project Manager Signature**

**November 30, 2018  
Date of Signature**

Current Wilmington District mitigation guidance, including information on mitigation ratios, functional assessments, and mitigation bank location and availability, and credit classifications (including stream temperature and wetland groupings) is available at <http://ribits.usace.army.mil>.

Page 2 of 2

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the Customer Satisfaction Survey located at our website at <http://regulatory.usacesurvey.com/> to complete the survey online.

DEPARTMENT OF THE ARMY  
Wilmington District, Corps of Engineers  
69 Darlington Avenue  
Wilmington, North Carolina 28403-1343

Regional General Permit No. SAW-2019-02350 (RGP 50)  
Name of Permittee: North Carolina Department of Transportation  
Effective Date: May 26, 2020  
Expiration Date: May 25, 2025

**DEPARTMENT OF THE ARMY  
REGIONAL GENERAL PERMIT**

A regional general permit (RGP) to perform work in or affecting navigable waters of the United States and waters of the United States, upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344), is hereby issued by authority of the Secretary of the Army by the

District Commander  
U.S. Army Engineer District, Wilmington  
Corps of Engineers  
69 Darlington Avenue  
Wilmington, North Carolina 28403-1343

**TO AUTHORIZE THE DISCHARGE OF DREDGED OR FILL MATERIAL IN WATERS OF THE UNITED STATES (U.S.), INCLUDING WETLANDS, ASSOCIATED WITH MAINTENANCE, REPAIR, AND CONSTRUCTION PROJECTS CONDUCTED BY THE VARIOUS DIVISIONS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT), INCLUDING THE NCDOT DIVISION OF HIGHWAYS, RAIL, BICYCLE/PEDESTRIAN, ETC.**

Activities authorized by this RGP:

- a. (1) Road widening, and/or (2) construction, maintenance, and/or repair of bridges. For bridge projects, work can include the approaches.
- b. (1) Improvement of interchanges or intersections, or (2) construction of interchanges or intersections over, or on, existing roads.

**Full descriptions/terms of “a” and “b”:**

**a. (1) Road widening, and/or (2) construction, maintenance, and/or repair of bridges. For bridge projects, work can include the approaches.**

Permanent impacts that result in a loss of waters of the U.S., excluding stream relocation(s), must be less than or equal to 500 linear feet (lf) of stream and/or one (1) acre of wetland/open water for each single and complete linear project.

Single and complete linear project. As noted in 33 CFR 330.2(i), for linear projects, the “single and complete project” (i.e., single and complete crossing) will apply to each crossing of a separate water of the U.S. (i.e., single waterbody) at that location; except that for linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project. However, individual channels in a braided stream or river, or individual arms of a large, irregularly-shaped wetland or lake, etc., are not separate waterbodies and crossing of such features cannot be considered separately.

Also authorized under “a”: (1) stream relocation(s) and (2) temporary impacts, such as those from temporary structures, fills, dewatering, and other work necessary to conduct the activities listed under “a”. Stream relocation(s) and temporary impacts will be evaluated independently and are not limited to the permanent loss limits of 500 lf of stream and/or 1 acre of wetland/open water (i.e., stream relocations and/or temporary impacts do not factor into these limits) for each single and complete linear project; however, if the Corps determines that the proposed stream relocation(s) and/or temporary impacts are of such magnitude that they cannot be authorized under this section (“a”) of RGP 50, even if the permanent losses from road widening, and/or construction, maintenance, and repair of bridges do not exceed the impact limits for this section (“a”) of RGP 50, an Individual Permit will be required.

If the Corps determines, on a case-by-case basis, that the concerns for the aquatic environment so indicate, he/she may exercise discretionary authority to override this RGP and require an Individual Permit.

**b. (1) Improvement of interchanges or intersections, or (2) construction of interchanges or intersections, over or, on existing roads.**

For activities authorized under “b”, the limits for permanent impacts that result in a loss of waters of the U.S. depend on the location of the impacts, as described below:

- In the coastal plain of North Carolina (both inner coastal plain and outer coastal plain) - permanent impacts that result in a loss of waters of the U.S., excluding stream relocation(s), must be less than or equal to 1,000 lf of stream and/or 3 acres of wetland/open water for the entire interchange or intersection project.

- All other areas of North Carolina - permanent impacts that result in a loss of waters of the U.S., excluding stream relocation(s), must be less than or equal to 1,000 lf of stream and/or 2 acres of wetland/open water for the entire interchange or intersection project.

Coastal plain – See [http://saw-reg.usace.army.mil/JD/LRRs\\_PandT.pdf](http://saw-reg.usace.army.mil/JD/LRRs_PandT.pdf) for Land Resource Areas LRRP (inner coastal plain) and LRRT (outer coastal plain).

When proposed impacts to waters of the U.S. are located both inside AND outside of the coastal plain, the Corps will determine, based on the location(s) of proposed impacts to waters of the U.S., if a project is a “coastal plain project”.

Single and complete project. For permitting purposes, each interchange or intersection is considered to be one single and complete project. For example, an interchange project cannot result in a permanent loss (excluding stream relocation), of (1) greater than 1,000 lf of stream and/or 3 acres of wetland/open water in the coastal plain OR (2) greater than 1,000 lf of stream and/or 2 acres of wetland/open water in all other areas of North Carolina.

Approach fills may be considered to be part of an interchange or intersection project if the Corps determines that inclusion of these areas meet the terms of this section (“b”) of RGP 50. Early coordination with the Corps is encouraged.

Intersections, regardless of the mode of transportation (e.g., railroad, other roadways, etc.), may be at grade or grade separated if the Corps determines that the project would meet the terms of this section (“b”) of RGP 50. Early coordination with the Corps is encouraged.

Also authorized under “b”: (1) stream relocation(s) and (2) temporary impacts, such as those from temporary structures, fills, dewatering, and other work necessary to conduct the activities listed under “b”. Stream relocation(s) and temporary impacts will be evaluated independently and are not limited to the permanent loss limits of (1) 1,000 lf of stream and/or 3 acres of wetland/open water in the coastal plain OR (2) 1,000 lf of stream and/or 2 acres of wetland/open water in all other areas of North Carolina (i.e., stream relocations and/or temporary impacts do not factor into these limits) for each interchange or intersection project; however, if the Corps determines that the proposed stream relocation(s) and/or temporary impacts are of such magnitude that they cannot be authorized under this section (“b”) of RGP 50, even if the permanent losses from improvement of interchanges or intersections, or construction of interchanges or intersections over, or on, existing roads do not exceed the impact limits for this section (“b”) of RGP 50, an Individual Permit will be required.

If the Corps determines, on a case-by-case basis, that the concerns for the aquatic environment so indicate, he/she may exercise discretionary authority to override this RGP and require an Individual Permit.

1. Special Conditions.

a. The prospective permittee must submit a pre-construction notification (PCN) and applicable supporting information to the District Engineer and receive written verification from the Corps that the proposed work complies with this RGP prior to commencing any activity authorized by this RGP.

b. If the project will not impact a designated “Area of Environmental Concern” (AEC) in the twenty\* (20) counties of North Carolina covered by the North Carolina Coastal Area Management Act (CAMA) (“CAMA counties”), a consistency submission is not required. If the project will impact a designated AEC and meets the definition of “development”, the prospective permittee must obtain the required CAMA permit. Development activities shall not commence until a copy of the approved CAMA permit is furnished to the appropriate Corps Regulatory Field Office (Wilmington Field Office – 69 Darlington Avenue, Wilmington, NC 28403 or Washington Field Office – 2407 West 5th Street, Washington, NC 27889).

**\*The 20 CAMA counties in North Carolina include Beaufort, Bertie, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell, and Washington.**

c. No work shall be authorized by this RGP within the 20\* CAMA counties without prior consultation with the National Oceanic and Atmospheric Administration’s (NOAA) Habitat Conservation Division. For each activity reviewed by the Corps where it is determined that the activity may affect Essential Fish Habitat (EFH) for federally managed species, an EFH Assessment shall be prepared by the prospective permittee and forwarded to the Corps and NOAA Fisheries for review and comment prior to authorization of work.

d. Culverts and pipes. The following conditions [(1)-(8)] apply to the construction of culverts/pipes, and work on existing culverts/pipes.

Additionally, if the proposed work would affect an existing culvert/pipe (e.g., culvert/pipe extensions), the prospective permittee must include actions (in the PCN) to correct any existing deficiencies that are located:

- At the inlet and/or outlet of the existing culvert/pipe, IF these deficiencies are/were caused by the existing culvert/pipe, or
- Near the inlet or outlet of the existing culvert/pipe, IF these deficiencies are/were caused by the existing culvert/pipe.

These deficiencies may include, but are not limited to, stream over-widening, bank erosion, streambed scour, perched culvert/pipes, and inadequate water depth in culvert(s). Also note if the proposed work would address the existing deficiency or eliminate it – e.g., bank erosion on left bank, but the culvert extension will be placed in this eroded area. If the prospective permittee is unable to correct the deficiencies caused by the existing culvert/pipe, they must document the reasons in the PCN for Corps consideration.

(1) No activity may result in substantial, permanent disruption of the movement of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area. Measures will be included that will promote the safe passage of fish and other aquatic organisms.

(2) The dimension, pattern, and profile of the stream above and below a culvert/pipe shall not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. It is acceptable to use rock vanes at culvert/pipe outlets to ensure, enhance, or maintain aquatic passage. Pre-formed scour holes are acceptable when designed for velocity reduction. The width, height, and gradient of a proposed opening shall be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. Spring flow will be determined from gauge data, if available. In the absence of such data, bankfull flow will be used as a comparable level.

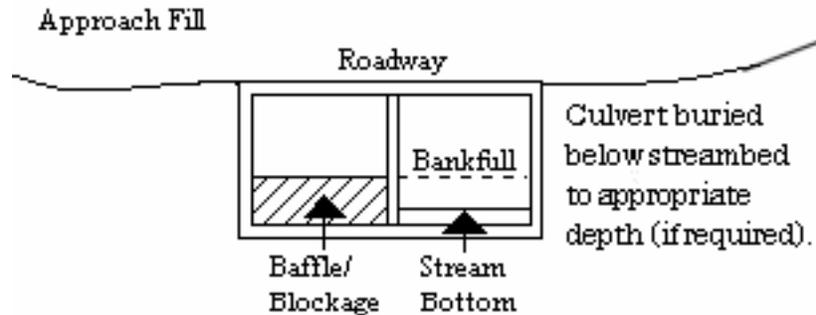
(3) Burial/depth specifications: If the project is located within any of the 20\* CAMA counties, culvert/pipe inverts will be buried at least one foot below normal bed elevation when they are placed within the Public Trust AEC and/or the Estuarine Waters AEC as designated by CAMA. If the project is located outside of the 20\* CAMA counties, culvert/pipe inverts will be buried at least one foot below the bed of the stream for culverts/pipes that are greater than 48 inches in diameter. Culverts/pipes that are 48 inches in diameter or less shall be buried or placed on the stream bed as practicable and appropriate to maintain aquatic passage, to include passage during drought or low flow conditions. Every effort shall be made to maintain the existing channel slope. A waiver from the burial/depth specifications in this condition may be requested in writing. The prospective permittee is encouraged to request agency input about waiver requests as early as possible, and prior to submitting the PCN for a specific project; this will allow the agencies time to conduct a site visit, if necessary, and will prevent time delays and potential project revisions for the prospective permittee. The waiver will only be issued by the Corps if it can be demonstrated that the impacts of complying with burial requirements would result in more adverse impacts to the aquatic environment.

(4) Appropriate actions to prevent destabilization of the channel and head cutting upstream shall be incorporated in the design and placement of culverts/pipes.

(5) Culverts/pipes placed within riparian and/or riverine wetlands must be installed in a manner that does not restrict the flow and circulation patterns of waters of the U.S. Culverts/pipes placed across wetland fills purely for the purposes of equalizing surface

water do not have to be buried, but must be of adequate size and/or number to ensure unrestricted transmission of water.

(6) Bankfull flows (or less) shall be accommodated through maintenance of the existing bankfull channel cross sectional area in no more than one culvert/pipe or culvert/pipe barrel. Additional culverts/pipes or barrels at such crossings shall be allowed only to receive flows exceeding the bankfull flow. A waiver from this condition may be requested in writing; this request must be specific as to the reason(s) for the request. The waiver will be issued if it can be demonstrated that it is not practicable to comply with this condition.



(7) Where adjacent floodplain is available, flows exceeding bankfull will be accommodated by installing culverts/pipes at the floodplain elevation. When multiple culverts/pipes are used, baseflow must be maintained at the appropriate width and depth by the construction of floodplain benches, sills, and/or construction methods to ensure that the overflow culvert(s)/pipe(s) is elevated above the baseflow culvert(s)/pipe(s).

(8) The width of the baseflow culvert/pipe shall be comparable to the width of the bankfull width of the stream channel. If the width of the baseflow culvert/pipe is wider than the stream channel, the culvert/pipe shall include baffles, benches and/or sills to maintain the width of the stream channel. A waiver from this condition may be requested in writing; this request must be specific as to the reason(s) for the request. The waiver will be issued if it can be demonstrated that it is not practicable or necessary to include baffles, benches or sills.

See the remaining special conditions for additional information about culverts/pipes in specific areas.

e. Discharges into waters of the U.S. designated by either the North Carolina Division of Marine Fisheries (NCDMF) or the North Carolina Wildlife Resources Commission (NCWRC) as anadromous fish spawning areas are prohibited during the period between February 15th and June 30th, without prior written approval from the Corps and the appropriate wildlife agencies (NCDMF, NCWRC, and/or the National Marine Fisheries Service (NMFS)). Discharges into waters of the U.S. designated by NCWRC as primary nursery areas in inland waters are prohibited during the period between February 15th and September 30th, without prior written approval from the Corps and the appropriate wildlife agencies. Discharges into waters of the U.S. designated by NCDMF as primary nursery areas shall be coordinated with NCDMF prior to being authorized by

this RGP. Coordination with NCDMF may result in a required construction moratorium during periods of significant biological productivity or critical life stages.

The prospective permittee should contact:

**NC Division of Marine Fisheries**  
**3441 Arendell Street**  
**Morehead City, NC 28557**  
**Telephone 252-726-7021**  
**or 800-682-2632**

**North Carolina Wildlife Resources Commission**  
**Habitat Conservation Division**  
**1721 Mail Service Center**  
**Raleigh, NC 27699-1721**  
**Telephone (919) 707-0220**

f. This permit does not authorize the use of culverts in areas designated as anadromous fish spawning areas by the NCDMF or the NCWRC.

g. No in-water work shall be conducted in Waters of the U.S. designated as Atlantic sturgeon critical habitat during the periods between February 1st and June 30th. No in-water work shall be conducted in Waters of the U.S. in the Roanoke River designated as Atlantic sturgeon critical habitat during the periods between February 1st and June 30th, and between August 1st to October 31st, without prior written approval from NMFS.

h. Before discharging dredged or fill material into waters of the U.S. in designated trout watersheds in North Carolina, the PCN will be sent to the NCWRC and the Corps concurrently. See <https://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/Trout.aspx> for the designated trout watersheds. The PCN shall summarize alternatives to conducting work in waters of the U.S. in trout watersheds that were considered during the planning process and detail why alternatives were or were not selected. For proposals where (1) a bridge in a trout stream will be replaced with a culvert, or (2) a culvert will be placed in a trout stream, the PCN must also include a compensatory mitigation plan for all loss of stream bed, and details of any on-site evaluations that were conducted to determine that installation of a culvert will not adversely affect passage of fish or other aquatic biota at the project site. The evaluation information must include factors such as the proposed slope of the culvert and determinations of how the slope will be expected to allow or impede passage, the necessity of baffles and/or sills to ensure passage, design considerations to ensure that expected baseflow will be maintained for passage and that post-construction velocities will not prevent passage, site conditions that will or will not allow proper burial of the culvert, existing structures (e.g., perched culverts, waterfalls, etc.) and/or stream patterns up and downstream of the culvert site that could affect passage and bank stability, and any other considerations regarding passage. The level of detail for this information shall be based on site conditions (i.e., culverts on a slope over 3% will most likely require more information than culverts on a slope that is less than 1%, etc.). Also, in order to evaluate potential impacts, the prospective permittee will describe bedforms that will be impacted by the proposed culvert – e.g., pools, glides, riffles, etc. The NCWRC will respond to both the prospective permittee and the Corps.

i. For all activities authorized by this RGP that involve the use of riprap material for bank stabilization, the following measures shall be applied:

(1) Where bank stabilization is conducted as part of an activity, natural design, bioengineering, and/or geoen지니어ing methods that incorporate natural durable materials, native seed mixes, and native plants and shrubs are to be utilized, as appropriate to site conditions, to the maximum extent practicable.

(2) Filter cloth must be placed underneath the riprap as an additional requirement of its use in North Carolina waters; however, the prospective permittee may request a waiver from this requirement. The waiver request must be in writing. The Corps will only issue a waiver if the prospective permittee demonstrates that the impacts of complying with this requirement would result in greater adverse impacts to the aquatic environment. Note that filter fabric is not required if the riprap will be pushed or “keyed” into the bank of the waterbody.

(3) The placement of riprap shall be limited to the areas depicted on submitted work plan drawings.

(4) Riprap shall not be placed in a manner that prevents or impedes fish passage.

(5) Riprap shall be clean and free from loose dirt or any pollutant except in trace quantities that will not have an adverse environmental effect.

(6) Riprap shall be of a size sufficient to prevent its movement from the authorized alignment by natural forces under normal conditions.

(7) Riprap material shall consist of clean rock or masonry material such as, but not limited to, granite, marl, or broken concrete.

j. Discharges of dredged or fill material into waters of the U.S., including wetlands, must be minimized or avoided to the maximum extent practicable.

k. Generally, off-site detours are preferred to avoid and minimize impacts to the human and natural environment; however, if an off-site detour is considered impracticable, then an on-site detour may be considered as a necessary component of the actions authorized by this RGP. Impacts from the detour may be considered temporary and may not require compensatory mitigation if the impacted area is restored to pre-construction elevations and contours after construction is complete. The permittee shall also restore natural hydrology and stream corridors (if applicable), and reestablish native vegetation/riparian corridors. If the construction of a detour (on-site or off-site) includes standard undercutting methods, removal of all material and backfilling with suitable material is required. See special condition “s” for additional information.

l. All activities authorized by this RGP shall, to the maximum extent practicable, be

conducted "in the dry", with barriers installed between work areas and aquatic habitat to protect that habitat from sediment, concrete, and other pollutants. Where concrete is utilized, measures will be taken to prevent live or fresh concrete, including bags of uncured concrete, from coming into contact with waters of the U.S. until the concrete has set and cured. All water in the work area that has been in contact with concrete shall only be returned to waters of the U.S. when it no longer poses a threat to aquatic organisms (concrete is set and cured).

m. In cases where new alignment approaches are to be constructed and the existing approach fill in waters of the U.S. is to be abandoned and no longer maintained as a roadway, the abandoned fill shall be removed and the area will be restored to pre-construction elevations and contours. The permittee shall also restore natural hydrology and stream corridors (if applicable), and reestablish native vegetation/riparian corridors, to the extent practicable. This activity may qualify as compensatory mitigation credit for the project and will be assessed on a case-by-case basis in accordance with Special Conditions "q" and "r" in this document. Any proposed on-site wetland restoration area must be void of utility conflicts and/or utility maintenance areas. A restoration plan detailing this activity will be required with the submittal of the PCN.

n. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

o. The project must be implemented and/or conducted so that all reasonable and practicable measures to ensure that equipment, structures, fill pads, and work associated with the project do not adversely affect upstream and/or downstream reaches. Adverse effects include, but are not limited to, channel instability, scour, flooding, and/or shoreline/streambank erosion. During construction, the permittee shall routinely monitor for these effects, cease all work if/when detected, take initial corrective measures to correct actively eroding areas, and notify the Corps immediately. Permanent corrective measures may require additional authorization from the Corps.

p. All PCNs will describe sedimentation and erosion control structures and measures proposed for placement in waters of the U.S. To the maximum extent practicable, structures and measures will be depicted on maps, surveys or drawings showing location and impacts to jurisdictional wetlands and streams. In addition, appropriate soil and erosion control measures must be established and maintained during construction. All fills, temporary and permanent, must be adequately stabilized at the earliest practicable date to prevent erosion of fill material into adjacent waters or wetlands.

q. Compensatory mitigation will be required for permanent impacts resulting in a loss of waters of the U.S. due to culvert/pipe installation and other similar activities. Mitigation may be required for stream relocation projects (see Special Condition “r” below). When compensatory mitigation is required, the prospective permittee will attach a proposed mitigation plan to the PCN. Compensatory mitigation proposals will be written in accordance with currently approved Wilmington District guidance and Corps mitigation regulations, unless the purchase of mitigation credits from an approved mitigation bank or the North Carolina Division of Mitigation Services (NCDMS) is proposed to address all compensatory mitigation requirements. The Corps Project Manager will make the final determination concerning the appropriate amount and type of mitigation.

r. Stream Relocations (non-tidal only) - for the purposes of permitting, stream relocations are considered a loss of waters of the U.S. Depending on the condition and location of (1) the existing stream, and (2) the relocated channel, stream relocation(s) may provide a functional uplift. The Corps will determine if an uplift is possible based on the information submitted with the PCN. If the anticipated uplift(s) occurs, it may offset, either partially or fully, the loss associated with a stream relocation(s) - (i.e., due to the uplift, either no compensatory mitigation would be required for the stream relocation itself, or compensatory mitigation would be required at a reduced ratio).

Because the amount of potential uplift is dependent upon the condition (or quality) of the channel to be relocated, there is no pre-determined amount of uplift needed to satisfy the requirements for a successful relocation project. After performing the evaluation(s) noted in this document, the prospective permittee will propose a certain amount of uplift potential and the Corps project manager will make the final determination. Baseline conditions and subsequent monitoring must show that the relocated channel is providing/will provide aquatic function at, or above, the level provided by the baseline (pre-project) condition. If the required uplift is not achieved, the work will not be in compliance with this special condition of RGP 50 and remediation will be required through repair (and continued monitoring), or by the permittee providing compensatory mitigation (e.g., mitigation credit through an approved bank, mitigation credit through NCDMS, etc.).

Compensatory mitigation, in addition to the stream relocation activity, may be required if the Corps determines that (a) no uplift in stream function is achievable, (b) the proposed uplift in stream function is not sufficient, by itself, (c) the risks associated with achieving potential uplifts in stream function are excessive, and/or (d) the time period for achieving the potential uplifts/functional success is too great.

On-site compensatory mitigation is not the same as stream relocation. While stream relocation simply moves a stream to a nearby, geographically similar area, it does not generate mitigation credits. If NCDOT proposes to generate compensatory mitigation on a project site, NCDOT must submit a mitigation plan that complies with 33 CFR 332.4.

**The prospective permittee is required to submit the following information for any proposed project that involves stream relocation, regardless of the size/length of the stream relocation** (note that 1-5 below only apply to stream relocations and not to compensatory mitigation):

- (1) A statement detailing why relocating the stream is unavoidable. In order to ensure that this action is separate from a compensatory mitigation project, the need for the fill must be related to road/interchange/intersection construction or improvement, and the project must meet the requirements set forth in the full descriptions/terms of “a” and “b” on pages 2 and 3 of this permit.
- (2) An evaluation of effects on the relocated stream and buffer from utilities, or potential for impact from utility placement in the future.
- (3) An evaluation of the baseline condition of the stream to be relocated. In order to demonstrate a potential uplift, the prospective permittee must provide the baseline (pre-impact) condition of the stream that is proposed for relocation. The prospective permittee will document the baseline condition of the stream by using the Corps’ (Wilmington District’s) current functional assessment method - e.g., the North Carolina Stream Assessment Method (NCSAM). The functional assessment must be used to identify specific areas where an uplift would reasonably be expected to occur, and also show important baseline functions that will remain after the relocation.
- (4) An evaluation of the potential uplifts to stream function for the relocated channel. The amount of detail required in the plan will be commensurate with the functional capacity of the original stream and proposed uplift(s). Low functional capacity will warrant less monitoring and less detail in the plan in order to ensure that the relocated channel provides the same, or better/increased, suite of aquatic functions as the existing channel.
- (5) A proposed monitoring plan for the relocated channel (and buffer, if applicable), will be prepared in accordance with current District guidance. The level of detail needed in the plan will be directly related to the quality of baseline functions and the anticipated uplift, therefore it is recommended that a pre-application discussion occur with the Corps Project Manager as early as possible. For example, if the risk for achieving the anticipated functional uplift is moderate or low, or if there is a low amount of proposed uplift, less information and monitoring will be required in the proposed relocation plan; similar to the requirements found in the "2003 Stream Mitigation Guidelines". If the risk for uplift is higher, or if there is a high amount of proposed uplift, additional monitoring and information will be required, trending toward the prescriptions found in the most recent Wilmington District Compensatory Mitigation Guidance – e.g., the 2016 Wilmington District Stream and Wetland Compensatory Mitigation Update. All monitoring will be for at least 5 years unless the Corps project manager determines that (a) a specific project requires less than 5 years due to site conditions or limited risk/uplift potential, and/or complexity (or simplicity) of the existing channel and/or the

relocation work, or (b) the Corps project manager determines (during the monitoring period) that the 5 years of monitoring may be reduced (or that no further monitoring is required) based on monitoring information received once the stream relocation has been completed.

s. Upon completion of any work authorized by this RGP, all temporary fills (to include culverts, pipes, causeways, etc.) will be completely removed from waters of the U.S. and the areas will be restored to pre-construction elevations and contours. The permittee shall also restore natural hydrology and stream corridors (if applicable), and reestablish native vegetation/riparian corridors. This work will be completed within 60 days of completion of project construction. If this timeframe occurs while a required moratorium of this permit is in effect, the temporary fill shall be removed in its entirety within 60 days of the moratorium end date. If vegetation cannot be planted due to the time of the year, all disturbed areas will be seeded with a native mix appropriate for the impacted area, and vegetation will be planted during the next appropriate time frame. A native seed mix may contain non-invasive small grain annuals (e.g. millet and rye grain) to ensure adequate cover while native vegetation becomes established. The PCN must include a restoration plan showing how all temporary fills and structures will be removed and how the area will be restored to pre-project elevations and contours.

t. Once the authorized work in waters of the U.S. is complete, the permittee shall sign and return the compliance certificate that is attached to the RGP verification letter.

u. The District Engineer will consider any comments from Federal and/or State agencies concerning the proposed activity's compliance with the terms and conditions of this RGP.

v. The Corps may place additional special conditions, limitations, or restrictions on any verification of the use of RGP 50 on a project-by-project basis.

## 2. General Conditions.

a. Except as authorized by this RGP or any Corps approved modification to this RGP, no excavation, fill or mechanized land-clearing activities shall take place within waters or wetlands, at any time during construction or maintenance of the project. 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 the project.

b. Authorization under this RGP does not obviate the need to obtain other federal, state, or local authorizations.

c. All work authorized by this RGP must comply with the terms and conditions of the applicable CWA Section 401 Water Quality Certification for this RGP issued by the North Carolina Division of Water Resources (NCDWR).

d. The permittee shall employ all sedimentation and erosion control measures necessary to prevent an increase in sedimentation or turbidity within waters and wetlands outside of 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).

e. The activities authorized by this RGP must not interfere with the public's right to free navigation on all navigable waters of the U.S. No attempt will be made by the permittee to prevent the full and free use by the public of all navigable waters at, or adjacent to, the authorized work for a reason other than safety.

f. The permittee understands and agrees that if future operations by the U.S. require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

g. The permittee, upon receipt of a notice of revocation of this RGP for the verified individual activity, may apply for an individual permit, or will, without expense to the U.S. and in such time and manner as the Secretary of the Army or his/her authorized representative may direct, restore the affected water of the U.S. to its former conditions.

h. This RGP does not authorize any activity that would conflict with a federal project's congressionally authorized purposes, established limitations or restrictions, or limit an agency's ability to conduct necessary operation and maintenance functions. Per Section 14 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. 408), no project that has the potential to take possession of or make use of for any purpose, or build upon, alter, deface, destroy, move, injure, or obstruct a federally constructed work or project, including, but not limited to, levees, dams, jetties, navigation channels, borrow areas, dredged material disposal sites, flood control projects, etc., shall be permitted unless the project has been reviewed and approved by the appropriate Corps approval authority. Permittees shall not begin the activity authorized by this RGP until notified by the Corps that the activity may proceed.

i. The permittee shall obtain a Consent to Cross Government Easement from the appropriate Corps District's Land Use Coordinator prior to any crossing of a Corps easement and/or prior to commencing construction of any structures, authorized dredging, or other work within the right-of-way of, or in proximity to, a federally designated disposal area.

j. The permittee will allow the Wilmington District Engineer or his/her representative to inspect the authorized activity at any time deemed necessary to ensure that the activity is being performed or maintained in strict accordance with the Special and General Conditions of this permit.

k. This RGP does not grant any property rights or exclusive privileges.

l. This RGP does not authorize any injury to the property or rights of others.

m. This RGP does not authorize the interference with any existing or proposed federal project.

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

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

(2) Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the U.S. in the public interest.

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

(4) Design or construction deficiencies associated with the permitted work.

(5) Damage claims associated with any future modification, suspension, or revocation of this permit.

o. Authorization provided by this RGP may be modified, suspended or revoked in whole, or in part, if the Wilmington District Engineer, acting for the Secretary of the Army, determines that such action would be in the best public interest. The term of this RGP shall be five (5) years unless subject to modification, suspension, or revocation. Any modification, suspension, or revocation of this authorization will not be the basis for any claim for damages against the U.S. Government.

p. No activity may occur in a component of the National Wild and Scenic Rivers System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or "study river" (e.g., National Park Service, U.S. Forest Service, etc.).

q. Endangered Species.

(1) No activity is authorized under this RGP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under this RGP which “may affect” a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(2) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal prospective permittees (and when FHWA is the lead federal agency) must provide the District Engineer with the appropriate documentation to demonstrate compliance with those requirements. The District Engineer will review the documentation and determine whether it is sufficient to address ESA compliance for the RGP activity, or whether additional ESA consultation is necessary.

(3) Non-federal prospective permittees - for activities that might affect federally-listed endangered or threatened species or designated critical habitat, the PCN must include the name(s) of the endangered or threatened species that might be affected by the proposed work or that utilize the designated critical habitat that might be affected by the proposed work. The District Engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat. In cases where the non-federal prospective permittee has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the prospective permittee shall not begin work until the Corps has provided notification that the proposed activities will have “no effect” on listed species or critical habitat, or until Section 7 consultation has been completed.

(4) As a result of formal or informal consultation with the U.S. Fish and Wildlife Service (USFWS) or NMFS, the District Engineer may add species-specific endangered species conditions to the RGP verification letter for a project.

(5) Authorization of an activity by a RGP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the USFWS or the NMFS, the ESA prohibits any person subject to the jurisdiction of the U.S. to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(6) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS in North Carolina at the addresses provided below, or from the USFWS and NMFS via their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.noaa.gov/fisheries.html> respectively.

USFWS offices in North Carolina:

The Asheville USFWS Office covers all NC counties west of, and including, Anson, Stanly, Davidson, Forsyth and Stokes Counties.

US Fish and Wildlife Service  
Asheville Field Office  
160 Zillicoa Street  
Asheville, NC 28801  
Telephone: (828) 258-3939

The Raleigh USFWS Office covers all NC counties east of, and including, Richmond, Montgomery, Randolph, Guilford, and Rockingham Counties.

US Fish and Wildlife Service  
Raleigh Field Office  
Post Office Box 33726  
Raleigh, NC 27636-3726  
Telephone: (919) 856-4520

r. The Wilmington District, USFWS, NCDOT, and the FHWA have conducted programmatic Section 7(a)(2) consultation for a number of federally listed species and habitat, and programmatic consultation concerning other federally listed species and/or habitat may occur in the future. The result of completed programmatic consultation is a Programmatic Biological Opinion (PBO) issued by the USFWS. These PBOs contain mandatory terms and conditions to implement the reasonable and prudent measures that are associated with “incidental take” of whichever species or critical habitat is covered by a specific PBO. Authorization under RGP 50 is conditional upon the permittee’s compliance with all the mandatory terms and conditions associated with incidental take of the applicable PBO (or PBOs), which are incorporated by reference in RGP 50. Failure to comply with the terms and conditions associated with incidental take of an applicable PBO, where a take of the federally listed species occurs, would constitute an unauthorized take by the permittee, and would also constitute permittee non-compliance with the authorization under RGP 50. If the terms and conditions of a specific PBO (or PBOs) apply to a project, the Corps will include this/these requirements in any RGP 50 verification that may be issued for a project. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its PBO, and with the ESA.

s. Northern long-eared bat (NLEB) (*Myotis septentrionalis*). Standard Local Operating Procedures for Endangered Species (SLOPES) for the NLEB have been approved by the Corps and the U.S. Fish and Wildlife Service. See <http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/ESA/>. This SLOPES details how the Corps will make determinations of effect to the NLEB when the Corps is the lead federal agency for an NCDOT project that is located in the western 41 counties of North Carolina. This SLOPES does not address NCDOT projects (either federal or state funded) in the eastern 59 counties in North Carolina. Note that if another federal agency is the lead federal agency for a project in the western 41 counties, procedures for satisfying the requirements of Section 7(a)(2) of the ESA will be dictated by that agency and will not be applicable for consideration under the SLOPES; however, information that demonstrates the lead federal agency's (if other than the Corps) compliance with Section 7(a)(2) / 4(d) Rule for the NLEB, will be required in the PCN. Note that at the time of issuance of RGP 50, the federal listing status of the NLEB as "Threatened" is being litigated at the National level. If, as a result of litigation, the NLEB is federally listed as "Endangered", this general condition ("s") will no longer be applicable because the 4(d) Rule, and this NLEB SLOPES, will no longer apply/be valid.

t. For proposed activities the sixteen (16) counties listed below, prospective permittees must provide a copy of the PCN to the USFWS, 160 Zillicoa Street, Asheville, North Carolina 28801. This PCN must be sent concurrently to the USFWS and the Corps Project Manager for that specific county.

The 16 counties with tributaries that drain to designated critical habitat that require notification to the Asheville USFWS are: Avery, Cherokee, Forsyth, Graham, Haywood, Henderson, Jackson, Macon Mecklenburg, Mitchell, Stokes, Surry, Swain, Transylvania, Union and Yancey.

u. If the permittee discovers or observes any live, damaged, injured or dead individual of an endangered or threatened species during construction, the permittee shall immediately notify the Wilmington District Engineer so that required coordination can be initiated with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service.

v. Historic Properties.

(1) In cases where the District Engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places (NRHP), the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(2) Federal prospective permittees (or when FHWA is the lead federal agency) should follow their own procedures for complying with the requirements of Section 106 of the NHPA. Federal prospective permittees must provide the District Engineer with the appropriate documentation to demonstrate compliance with those requirements; this includes copies of correspondence sent to all interested, federally recognized tribes and a summary statement about

tribal consultation efforts or, if the Corps enters into a Programmatic Agreement (PA) with the FHWA/NCDOT, documentation that the FHWA/NCDOT has complied with PA requirements. The District Engineer will review the documentation and determine whether it is sufficient to address Section 106 compliance for this RGP activity, or whether additional Section 106 consultation is necessary.

(3) Non-federal prospective permittees - the PCN must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO), as appropriate, and the NRHP (see 33 CFR 330.4(g)). When reviewing PCNs, the District Engineer will comply with the current procedures for addressing the requirements of Section 106 of the NHPA. The District Engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the District Engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties.

(4) Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR §800.3(a)).

(5) Section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to a prospective permittee who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit will relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the prospective permittee. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the prospective permittee, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

w. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this general 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.

x. Permittees are advised that development activities in or near a floodway may be subject to the National Flood Insurance Program that prohibits any development, including fill, within a floodway that results in any increase in base flood elevations. This general permit does not authorize any activity prohibited by the National Flood Insurance Program.

y. The permittee must install and maintain, at his/her expense, any signal lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on authorized facilities. For further information, the permittee should contact Coast Guard Sector North Carolina at (910) 772-2191 or email Coast Guard Fifth District at [cgd5waterways@uscg.mil](mailto:cgd5waterways@uscg.mil).

z. The permittee must maintain any structure or work authorized by this general permit in good condition and in conformance with the terms and conditions of this general permit. The permittee is not relieved of this requirement if the permittee abandons the structure or work. Transfer in fee simple of the work authorized by this general permit will automatically transfer this general permit to the property's new owner, with all of the rights and responsibilities enumerated herein. The permittee must inform any subsequent owner of all activities undertaken under the authority of this general permit and provide the subsequent owner with a copy of the terms and conditions of this general permit.

aa. At his or her sole discretion, any time during the processing cycle, the Wilmington District Engineer may determine that this general permit will not be applicable to a specific proposal. In such case, the procedures for processing an individual permit in accordance with 33 CFR 325 will be available.

bb. Except as authorized by this general permit or any Corps approved modification to this general 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.

cc. Except as authorized by this general permit or any Corps approved modification to this general permit, all excavated material will be disposed of in approved upland disposal areas.

dd. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon this general permit will remain authorized provided the activity is completed within twelve months of the date of the general permit's expiration, modification, or revocation. Activities completed under the authorization of this general permit that were in effect at the time the activity was completed continue to be authorized by the general permit.

ee. The permittee is responsible for obtaining any "take" permits required under the USFWS's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the USFWS to determine if such "take" permits are required for a particular activity.

ff. The activity must comply with applicable FEMA approved state or local floodplain management requirements.

gg. There will be no unreasonable interference with navigation or the right of the public to riparian access by the existence or use of activities authorized by this RGP.

hh. Unless authorization to fill those specific wetlands or mudflats has been issued by the Corps, heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

ii. This RGP will not be applicable to proposed construction when the Wilmington District Engineer determines that the proposed activity will significantly affect the quality of the human environment and determines that an EIS must be prepared.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Robert J. Clark  
Colonel, U. S. Army  
District Commander

ROY COOPER

*Governor*

DIONNE DELLI-GATTI

*Secretary*

S. DANIEL SMITH

*Director*

NORTH CAROLINA  
Environmental Quality

April 26, 2021  
Dare County  
NCDWR Project No. 20180839 v.2  
TIP R-5014

**REISSUANCE of APPROVAL of 401 WATER QUALITY CERTIFICATION with ADDITIONAL CONDITIONS**

Mr. Philip S. Harris, III, P.E., CPM  
Environmental Analysis Unit  
1598 Mail Service Center  
Raleigh, NC 27688-1598

Dear Mr. Harris:

You have our approval, in accordance with the conditions listed below, for the following impacts for the purpose of making improvements to SR 1217 (Colington Road) in Dare County:

**Wetland Impacts in the Pasquotank River Basin**

Site	Wetland Fill Permanent (ac)	Wetland Excavation (ac)	Wetland Hand Clearing (ac)
1	0.04	--	0.02
2	<0.01	<0.01	<0.01
3	<0.01	--	<0.01
4	0.22	--	0.05
5	0.28	--	0.03
6	0.02	--	0.03
7	0.04	--	0.02
8	0.04	--	0.02
9	<0.01	--	<0.01
10	--	--	0.02
11	--	<0.01	<0.01
12	<0.01	--	<0.01
13	<0.01	--	<0.01
14	<0.01	--	<0.01
15	<0.01	--	<0.01
16	0.02	--	--
17	<0.01	--	0.03
18	0.07	--	0.03
19	0.05	--	0.03
20	<0.01	--	0.01
21	<0.01	--	<0.01
Total	0.80	<0.01	0.32
Net Total	1.13 ac		

\*Total includes 0.21 ac of coastal wetlands



North Carolina Department of Environmental Quality | Division of Water Resources  
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617  
919.707.9000

**Stream and Open Water Impacts in the Pasquotank River Basin**

Site	Stream Permanent (lf)	Stream Temporary (lf)	Open Water Permanent (ac)	Open Water Temporary (ac)
2 - culvert	32	16	<0.01	0.02
9 - culvert	23	18	<0.01	0.03
9 – bank stabilization	55	--	0.01	--
12 – culvert	--	27	<0.01	0.02
12 – bank stabilization	71	--	0.02	--
16	--	--	<0.01	--
Total	181	61	0.06	0.08
Net Total	242 lf		0.14	

The project shall be constructed in accordance with your application dated received March 17, 2021. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 4135. This certification corresponds to the Regional General Permit 201902350 issued by the Corps of Engineers. In addition, you should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This approval will expire with the accompanying 404 permit. This approval is valid solely for the purpose and design described in your application (unless modified below). Should your project change, you must notify the NCDWR and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter, and is thereby responsible for complying with all the conditions. If total wetland fills for this project (now or in the future) exceed one acre, or of total impacts to streams (now or in the future) exceed 300 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed in the attached certification(s) and any additional conditions listed below.

**Condition(s) of Certification:**

1. 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.
2. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
3. The permittee will need to adhere to all appropriate in-water work moratoria (including the use of pile driving or vibration techniques) prescribed by DCM Fisheries and/or the North Carolina Wildlife Resources Commission. No in-water work is permitted between April 1 and September 30 of any year, without prior approval from the NC Division of Water Resources and the North Carolina Division of Marine Fisheries. In addition, the permittee shall conform to the NCDOT policy entitled "Stream Crossing Guidelines for Anadromous Fish Passage (May 12, 1997) at all times.
4. 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. [15A NCAC 02H.0501 and .0502]
5. During the construction of the project, no staging of equipment of any kind is permitted in waters of the U.S., or protected riparian buffers. [15A NCAC 02H.0506(b)(2)]
6. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]



7. Unless 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 disequilibrium 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 NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]
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. [15A NCAC 02H.0506(b)(2)]
9. 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. [15A NCAC 02H.0506(b)(2)]
10. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water. [15A NCAC 02H.0506(b)(3) and (c)(3)]
11. 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. [15A NCAC 02B.0200]
12. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials. [15A NCAC 02H.0506(b)(3)]
13. When applicable, all construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sediment and Pollution Control Act of 1973). Regardless of applicability of the Sediment and Pollution Control Act, all projects shall incorporate appropriate Best Management Practices for the control of sediment and erosion so that no violations of state water quality standards, statutes, or rules occur. [15A NCAC 02H .0506{b)(3) and (c)(3) and 15A NCAC 02B .0200]
  - a. Design, installation, operation, and maintenance of all sediment and erosion control measures shall be equal to or exceed the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*, or for linear transportation projects, the *NCDOT Sediment and Erosion Control Manual*.
  - b. All devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) sites, including contractor-owned or leased borrow pits associated with the project. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times.
  - c. For borrow pit sites, the erosion and sediment control measures shall be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*. Reclamation measures and implementation shall comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.
  - d. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), SA, WS-1, WS-11, High Quality Waters (HQW), or Outstanding Resource Waters (ORW), then the sedimentation and erosion control designs shall comply with the requirements set forth in 15A NCAC 04B .0124, *Design Standards in Sensitive Watershed*. [15A NCAC 02H.0506(b)(3) and (c)(3); GC 4135]



14. Erosion control matting in riparian areas shall not contain a plastic or nylon mesh grid which can impinge and entrap small animals. Matting should be secured in place by staples, stakes, or wherever possible live stakes of native trees. Riparian areas are defined as a distance 25 feet from top of stream bank. [15A NCAC 02B.0201]
15. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then design and placement of temporary erosion control measures shall not be conducted in a manner that may result in disequilibrium of wetlands, stream beds, or banks, adjacent to or upstream and downstream of the above structures. All sediment and erosion control devices shall be removed from wetlands and waters and the natural grade restored within two (2) months of the date that the Division of Energy, Mining and Land Resources (DEMLR) or locally delegated program has released the specific area within the project. [15A NCAC 02H.0506(b)(3) and (c)(3)]
16. 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. [15A NCAC 02H.0506(b)(2)]
17. NCDOT shall be in compliance with the NCS00250 issued to the NCDOT, including the applicable requirements of the NCG01000.
18. Native riparian vegetation must be reestablished in the riparian areas within the construction limits of the project by the end of the growing season following completion of construction. [15A NCAC 02B.0506(b)(2)]
19. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
20. 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 the NCDWR 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, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]
21. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]
22. The NCDOT will conduct a pre-construction meeting with all appropriate staff to ensure that the project supervisor and essential staff understand the permit conditions and any potential issues at the permitted site. NCDWR staff shall be invited to the pre-construction meeting. [15A NCAC 02H.0506(b)(2) and (b)(3)]
23. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete the "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
24. 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. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]

If you wish to contest any statement in the attached Certification you must file a petition for an administrative hearing. You may obtain the petition form from the office of Administrative hearings. You must file the petition with the office of Administrative Hearings within sixty (60) days of receipt of this notice. A petition is considered filed when it is received in the office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official state holidays. The original and one (1) copy of the petition must be filed with the Office of Administrative Hearings.



The petition may be faxed-provided the original and one copy of the document is received by the Office of Administrative Hearings within five (5) business days following the faxed transmission. The mailing address for the Office of Administrative Hearings is:

Office of Administrative Hearings  
6714 Mail Service Center  
Raleigh, NC 27699-6714  
Telephone: (919) 431-3000, Facsimile: (919) 431-3100

A copy of the petition must also be served on DEQ as follows:

Mr. Bill F. Lane, General Counsel  
Department of Environmental Quality  
1601 Mail Service Center

This letter completes the review of the Division of Water Resources under Section 401 of the Clean Water Act. If you have any questions, please contact Garcy Ward at (252)948-3917 or [garcy.ward@ncdenr.gov](mailto:garcy.ward@ncdenr.gov).

Sincerely,

DocuSigned by:

*Amy Chapman*

9C9886312DCD474...

S. Daniel Smith, Director

Division of Water Resources

Electronic copy only distribution:

Chris Rivenbark, NCDOT  
Paul Williams, NCDOT, Division 1  
Kyle Barnes, US Army Corps of Engineers, Washington Field Office  
Cathy Brittingham, NC Division of Coastal Mangement  
Greg Daisey, NC Division of Coastal Management  
Garcy Ward, NC Division of Water Resources Washington Regional Office  
File Copy



**STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER RESOURCES**

**WATER QUALITY GENERAL CERTIFICATION NO. 4135**

**GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR US ARMY CORPS OF ENGINEERS**

- **NATIONWIDE PERMIT NUMBER 14 (LINEAR TRANSPORTATION PROJECTS), AND**
- **REGIONAL GENERAL PERMIT 198200031 (NCDOT BRIDGES, WIDENING PROJECTS, INTERCHANGE IMPROVEMENTS)**

Water Quality Certification Number 4135 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 Regulations in 15A NCAC 02H .0500 and 15A NCAC 02B .0200 for the discharge of fill material to surface waters and wetland areas as described in 33 CFR 330 Appendix A (B) (14) of the US Army Corps of Engineers regulations and Regional General Permit 198200031.

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

Effective date: December 1, 2017

Signed this day: December 1, 2017

By

A handwritten signature in black ink, appearing to read 'Linda Culpepper', is written over a solid horizontal line.

*for* Linda Culpepper  
Interim Director

## GC4135

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

- a) If any of the conditions of this Certification (listed below) cannot be met; or
- b) Any temporary or permanent impacts to wetlands, open waters and/or streams, except for construction of a driveway to a single family residential lot that is determined to not be part of a larger common plan of development, as long as the driveway involves a travel lane of less than 25 feet and total stream impacts of less than 60 feet, including any topographic/slope stabilization or in-stream stabilization needed for the crossing; or
- c) Any stream relocation or stream restoration; or
- d) Any high-density project, as defined in 15A NCAC 02H .1003(2)(a) and by the density thresholds specified in 15A NCAC 02H .1017, which:
  - i. Disturbs one acre or more of land (including a project that disturbs less than one acre of land that is part of a larger common plan of development or sale); and
  - ii. Has permanent wetland, stream or open water impacts; and
  - iii. Is proposing new built-upon area; and
  - iv. Does not have a stormwater management plan reviewed and approved under a state stormwater program<sup>1</sup> or a state-approved local government stormwater program<sup>2</sup>.

Projects that have vested rights, exemptions, or grandfathering from state or locally-implemented stormwater programs and projects that satisfy state or locally-implemented stormwater programs through use of community in-lieu programs **require written approval**; or

- e) Any permanent impacts to waters, or to wetlands adjacent to waters, designated as: ORW (including SAV), HQW (including PNA), SA, WS-I, WS-II, or North Carolina or National Wild and Scenic River.
- f) Any permanent impacts to waters, or to wetlands adjacent to waters, designated as Trout except for driveway projects that are below threshold (b) above provided that:
  - i. The impacts are not adjacent to any existing structures
  - ii. All conditions of this General Certification can be met, including adherence to any moratoriums as stated in Condition #10; and
  - iii. A *Notification of Work in Trout Watersheds Form* is submitted to the Division at least 60 days prior to commencement of work; or
- g) Any permanent impacts to coastal wetlands [15A NCAC 07H .0205], or Unique Wetlands (UWL); or
- h) Any impact associated with a Notice of Violation or an enforcement action for violation(s) of NC Wetland Rules (15A NCAC 02H .0500), NC Isolated Wetland Rules (15A NCAC 02H .1300), NC Surface Water or Wetland Standards (15A NCAC 02B .0200), or State Regulated Riparian Buffer Rules (15A NCAC 02B .0200); or

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<sup>1</sup> e.g. Coastal Counties, HQW, ORW, or state-implemented Phase II NPDES

<sup>2</sup> e.g. Delegated Phase II NPDES, Water Supply Watershed, Nutrient-Sensitive Waters, or Universal Stormwater Management Program

## GC4135

- i) Any impacts to subject water bodies and/or state regulated riparian buffers along subject water bodies in the Neuse, Tar-Pamlico, or Catawba River Basins or in the Randleman Lake, Jordan Lake or Goose Creek Watersheds (or any other basin or watershed with State Regulated Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) *unless*:
  - i. The activities are listed as “EXEMPT” from these rules; or
  - ii. A Buffer Authorization Certificate is issued by the NC Division of Coastal Management (DCM); or
  - iii. A Buffer Authorization Certificate or a Minor Variance is issued by a delegated or designated local government implementing a state riparian buffer program pursuant to 143-215.23

**Activities included in this General Certification that do not meet one of the thresholds listed above do not require written approval.**

### **I. ACTIVITY SPECIFIC CONDITIONS:**

1. If this Water Quality Certification is used to access residential, commercial or industrial building sites, then all parcels owned by the applicant that are part of the single and complete project authorized by this Certification must be buildable without additional impacts to streams or wetlands. If required in writing by DWR, the applicant shall provide evidence that the parcels are buildable without requiring additional impacts to wetlands, waters, or state regulated riparian buffers. [15A NCAC 02H .0506(b)(4) and (c)(4)]
2. For road and driveway construction purposes, this Certification shall only be utilized from natural high ground to natural high ground. [15A NCAC 02H .0506(b)(2) and (c)(2)]
3. Deed notifications or similar mechanisms shall be placed on all lots with retained jurisdictional wetlands, waters, and state regulated riparian buffers within the project boundaries in order to assure compliance with NC Wetland Rules (15A NCAC 02H .0500), NC Isolated Wetland Rules (15A NCAC 02H .1300), and/or State Regulated Riparian Buffer Rules (15A NCAC 02B .0200). These mechanisms shall be put in place at the time of recording of the property or individual parcels, whichever is appropriate. [15A NCAC 02H .0506(b)(4) and (c)(4)]
4. For the North Carolina Department of Transportation, compliance with the NCDOT’s individual NPDES permit NCS000250 shall serve to satisfy this condition. All other high-density projects that trigger threshold item (d) above shall comply with one of the following requirements: [15A NCAC 02H .0506(b)(5) and (c)(5)]

## GC4135

- a. Provide a completed Stormwater Management Plan (SMP) for review and approval, including all appropriate stormwater control measure (SCM) supplemental forms and associated items, that complies with the high-density development requirements of 15A NCAC 02H .1003. Stormwater management shall be provided throughout the entire project area in accordance with 15A NCAC 02H .1003. For the purposes of 15A NCAC 02H .1003(2)(a), density thresholds shall be determined in accordance with 15A NCAC 02H .1017.
- b. Provide documentation (including calculations, photos, etc.) that the project will not cause degradation of downstream surface waters. Documentation shall include a detailed analysis of the hydrological impacts from stormwater runoff when considering the volume and velocity of stormwater runoff from the project built upon area and the size and existing condition of the receiving stream(s).

Exceptions to this condition require application to and written approval from DWR.

### **II. GENERAL CONDITIONS:**

1. When written authorization is required, the plans and specifications for the project are incorporated into the authorization by reference and are an enforceable part of the Certification. Any modifications to the project require notification to DWR and may require an application submittal to DWR with the appropriate fee. [15A NCAC 02H .0501 and .0502]
2. No waste, spoil, solids, or fill of any kind shall occur in wetlands or waters beyond the footprint of the impacts (including temporary impacts) as authorized in the written approval from DWR; or beyond the thresholds established for use of this Certification without written authorization. [15A NCAC 02H .0501 and .0502]

No removal of vegetation or other impacts of any kind shall occur to state regulated riparian buffers beyond the footprint of impacts approved in a Buffer Authorization or Variance or as listed as an exempt activity in the applicable riparian buffer rules. [15A NCAC 02B .0200]

3. In accordance with 15A NCAC 02H .0506(h) and Session Law 2017-10, compensatory mitigation may be required for losses of greater than 300 linear feet of perennial streams and/or greater than one (1) acre of wetlands. Impacts associated with the removal of a dam shall not require mitigation when the removal complies with the requirements of Part 3 of Article 21 in Chapter 143 of the North Carolina General Statutes. Impacts to isolated and other non-404 jurisdictional wetlands shall not be combined with 404 jurisdictional wetlands for the purpose of determining when impact thresholds trigger a mitigation requirement. For linear publicly owned and maintained transportation projects that are not determined to be part of a larger common plan of development by the US Army Corps of Engineers, compensatory mitigation may be required for losses of greater than 300 linear feet per perennial stream.

## GC4135

Compensatory stream and/or wetland mitigation shall be proposed and completed in compliance with G.S. 143-214.11. For applicants proposing to conduct mitigation within a project site, a complete mitigation proposal developed in accordance with the most recent guidance issued by the US Army Corps of Engineers Wilmington District shall be submitted for review and approval with the application for impacts.

4. All activities shall be in compliance with any applicable State Regulated Riparian Buffer Rules in Chapter 2 of Title 15A.
5. When applicable, all construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sediment and Pollution Control Act of 1973). Regardless of applicability of the Sediment and Pollution Control Act, all projects shall incorporate appropriate Best Management Practices for the control of sediment and erosion so that no violations of state water quality standards, statutes, or rules occur. [15A NCAC 02H .0506(b)(3) and (c)(3) and 15A NCAC 02B .0200]

Design, installation, operation, and maintenance of all sediment and erosion control measures shall be equal to or exceed the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*, or for linear transportation projects, the *NCDOT Sediment and Erosion Control Manual*.

All devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) sites, including contractor-owned or leased borrow pits associated with the project. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times.

For borrow pit sites, the erosion and sediment control measures shall be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*. Reclamation measures and implementation shall comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.

If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), SA, WS-I, WS-II, High Quality Waters (HQW), or Outstanding Resource Waters (ORW), then the sedimentation and erosion control designs shall comply with the requirements set forth in 15A NCAC 04B .0124, *Design Standards in Sensitive Watersheds*.

6. Sediment and erosion control measures shall not be placed in wetlands or waters except within the footprint of temporary or permanent impacts authorized under this Certification. Exceptions to this condition require application to and written approval from DWR. [15A NCAC 02H .0501 and .0502]
7. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within wetlands. Exceptions to this condition require application to and written approval from DWR. [15A NCAC 02B .0201]

## GC4135

8. An NPDES Construction Stormwater Permit (NCG010000) is required for construction projects that disturb one (1) or more acres of land. The NCG010000 Permit allows stormwater to be discharged during land disturbing construction activities as stipulated in the conditions of the permit. If the project is covered by this permit, full compliance with permit conditions including the erosion & sedimentation control plan, inspections and maintenance, self-monitoring, record keeping and reporting requirements is required. [15A NCAC 02H .0506(b)(5) and (c)(5)]

The North Carolina Department of Transportation (NCDOT) shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) stormwater permit. [15A NCAC 02H .0506(b)(5) and (c)(5)]

9. All work in or adjacent to streams shall be conducted so that the flowing stream does not come in contact with the disturbed area. Approved best management practices from the most current version of the *NC Sediment and Erosion Control Manual*, or the *NC DOT Construction and Maintenance Activities Manual*, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require application to and written approval from DWR. [15A NCAC 02H .0506(b)(3) and (c)(3)]
10. If activities must occur during periods of high biological activity (e.g. sea turtle nesting, fish spawning, or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities. [15A NCAC 02H .0506 (b)(2) and 15A NCAC 04B .0125]

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) shall be implemented. Exceptions to this condition require written approval by the resource agency responsible for the given moratorium. A copy of the approval from the resource agency shall be forwarded to DWR.

Work within a designated trout watershed of North Carolina (as identified by the Wilmington District of the US Army Corps of Engineers), or identified state or federal endangered or threatened species habitat, shall be coordinated with the appropriate WRC, USFWS, NMFS, and/or DMF personnel.

11. Culverts shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. The dimension, pattern, and profile of the stream above and below a pipe or culvert shall not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. The width, height, and gradient of a proposed culvert shall be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. [15A NCAC 02H .0506(b)(2) and (c)(2)]

## GC4135

Placement of culverts and other structures in streams shall be below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20% of the culvert diameter for culverts having a diameter less than or equal to 48 inches, to allow low flow passage of water and aquatic life.

If multiple pipes or barrels are required, they shall be designed to mimic the existing stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel shall be avoided.

When topographic constraints indicate culvert slopes of greater than 5%, culvert burial is not required, provided that all alternative options for flattening the slope have been investigated and aquatic life movement/connectivity has been provided when possible (e.g. rock ladders, cross vanes, etc.). Notification, including supporting documentation to include a location map of the culvert, culvert profile drawings, and slope calculations, shall be provided to DWR 60 calendar days prior to the installation of the culvert.

When bedrock is present in culvert locations, culvert burial is not required provided that there is sufficient documentation of the presence of bedrock. Notification, including supporting documentation such as, a location map of the culvert, geotechnical reports, photographs, etc. shall be provided to DWR a minimum of 60 calendar days prior to the installation of the culvert. If bedrock is discovered during construction, then DWR shall be notified by phone or email within 24 hours of discovery.

If other site-specific topographic constraints preclude the ability to bury the culverts as described above and/or it can be demonstrated that burying the culvert would result in destabilization of the channel, then exceptions to this condition require application to and written approval from DWR.

Installation of culverts in wetlands shall ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. When roadways, causeways, or other fill projects are constructed across FEMA-designated floodways or wetlands, openings such as culverts or bridges shall be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in destabilization of streams or wetlands.

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

12. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means to the maximum extent practicable (e.g. grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. Exceptions to this condition require application to and written approval from DWR. [15A NCAC 02H .0506(b)(5)]

## GC4135

13. Application of fertilizer to establish planted/seeded vegetation within disturbed riparian areas and/or wetlands shall be conducted at agronomic rates and shall comply with all other Federal, State and Local regulations. Fertilizer application shall be accomplished in a manner that minimizes the risk of contact between the fertilizer and surface waters. [15A NCAC 02B .0200 and 15A NCAC 02B .0231]
14. If concrete is used during construction, then all necessary measures shall be taken to prevent direct contact between uncured or curing concrete and waters of the state. Water that inadvertently contacts uncured concrete shall not be discharged to waters of the state. [15A NCAC 02B .0200]
15. All proposed and approved temporary fill and culverts shall be removed and the impacted area shall be returned to natural conditions within 60 calendar days after the temporary impact is no longer necessary. The impacted areas shall be restored to original grade, including each stream's original cross sectional dimensions, planform pattern, and longitudinal bed profile. For projects that receive written approval, no temporary impacts are allowed beyond those included in the application and authorization. All temporarily impacted sites shall be restored and stabilized with native vegetation. [15A NCAC 02H .0506(b)(2) and (c)(2)]
16. All proposed and approved temporary pipes/culverts/rip-rap pads etc. in streams shall be installed as outlined in the most recent edition of the *North Carolina Sediment and Erosion Control Planning and Design Manual* or the *North Carolina Surface Mining Manual* or the *North Carolina Department of Transportation Best Management Practices for Construction and Maintenance Activities* so as not to restrict stream flow or cause dis-equilibrium during use of this Certification. [15A NCAC 02H .0506(b)(2) and (c)(2)]
17. Any rip-rap required for proper culvert placement, stream stabilization, or restoration of temporarily disturbed areas shall be restricted to the area directly impacted by the approved construction activity. All rip-rap shall be placed such that the original stream elevation and streambank contours are restored and maintained. Placement of rip-rap or other approved materials shall not result in de-stabilization of the stream bed or banks upstream or downstream of the area or in a manner that precludes aquatic life passage. [15A NCAC 02H .0506(b)(2)]
18. Any rip-rap used for stream or shoreline stabilization shall be of a size and density to prevent movement by wave, current action, or stream flows and shall consist of clean rock or masonry material free of debris or toxic pollutants. Rip-rap shall not be installed in the streambed except in specific areas required for velocity control and to ensure structural integrity of bank stabilization measures. [15A NCAC 02H .0506(b)(2)]
19. Applications for rip-rap groins proposed in accordance with 15A NCAC 07H .1401 (NC Division of Coastal Management General Permit for construction of Wooden and Rip-rap Groins in Estuarine and Public Trust Waters) shall meet all the specific conditions for design and construction specified in 15A NCAC 07H .1405.

## GC4135

20. All mechanized equipment operated near surface waters shall be inspected and maintained regularly to prevent contamination of surface waters from fuels, lubricants, hydraulic fluids, or other toxic materials. Construction shall be staged in order to minimize the exposure of equipment to surface waters to the maximum extent practicable. Fueling, lubrication and general equipment maintenance shall be performed in a manner to prevent, to the maximum extent practicable, contamination of surface waters by fuels and oils. [15A NCAC 02H .0506(b)(3) and (c)(3) and 15A NCAC 02B .0211 (12)]
21. Heavy equipment working in wetlands shall be placed on mats or other measures shall be taken to minimize soil disturbance. [15A NCAC 02H .0506(b)(3) and (c)(3)]
22. In accordance with 143-215.85(b), the applicant shall report any petroleum spill of 25 gallons or more; any spill regardless of amount that causes a sheen on surface waters; any petroleum spill regardless of amount occurring within 100 feet of surface waters; and any petroleum spill less than 25 gallons that cannot be cleaned up within 24 hours.
23. If an environmental document is required under the State Environmental Policy Act (SEPA), then this General Certification is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse. If an environmental document is required under the National Environmental Policy Act (NEPA), then this General Certification is not valid until a Categorical Exclusion, the Final Environmental Assessment, or Final Environmental Impact Statement is published by the lead agency. [15A NCAC 01C .0107(a)]
24. This General Certification does not relieve the applicant of the responsibility to obtain all other required Federal, State, or Local approvals before proceeding with the project, including those required by, but not limited to, Sediment and Erosion Control, Non-Discharge, Water Supply Watershed, and Trout Buffer regulations.
25. The applicant and their authorized agents shall conduct all activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act), and any other appropriate requirements of State and Federal Law. If DWR determines that such standards or laws are not being met, including failure to sustain a designated or achieved use, or that State or Federal law is being violated, or that further conditions are necessary to assure compliance, then DWR may revoke or modify a written authorization associated with this General Water Quality Certification. [15A NCAC 02H .0507(d)]
26. 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 Certification. A copy of this Certification, including all conditions shall be available at the project site during the construction and maintenance of this project. [15A NCAC 02H .0507 (c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]

## GC4135

27. When written authorization is required for use of this Certification, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return a certificate of completion (available on the DWR website <https://edocs.deq.nc.gov/Forms/Certificate-of-Completion>). [15A NCAC 02H .0502(f)]
28. Additional site-specific conditions, including monitoring and/or modeling requirements, may be added to the written approval letter for projects proposed under this Water Quality Certification in order to ensure compliance with all applicable water quality and effluent standards. [15A NCAC 02H .0507(c)]
29. If the property or project is sold or transferred, the new permittee shall be given a copy of this Certification (and written authorization if applicable) and is responsible for complying with all conditions. [15A NCAC 02H .0501 and .0502]

### III. GENERAL CERTIFICATION ADMINISTRATION:

1. In accordance with North Carolina General Statute 143-215.3D(e), written approval for a 401 Water Quality General Certification must include the appropriate fee. An applicant for a CAMA permit under Article 7 of Chapter 113A of the General Statutes for which a Water Quality Certification is required shall only make one payment to satisfy both agencies; the fee shall be as established by the Secretary in accordance with 143-215.3D(e)(7).
2. This Certification neither grants nor affirms any property right, license, or privilege in any waters, or any right of use in any waters. This Certification does not authorize any person to interfere with the riparian rights, littoral rights, or water use rights of any other person and this Certification does not create any prescriptive right or any right of priority regarding any usage of water. This Certification shall not be interposed as a defense in any action respecting the determination of riparian or littoral rights or other rights to water use. No consumptive user is deemed by virtue of this Certification to possess any prescriptive or other right of priority with respect to any other consumptive user regardless of the quantity of the withdrawal or the date on which the withdrawal was initiated or expanded.
3. This Certification grants permission to the Director, an authorized representative of the Director, or DWR staff, upon the presentation of proper credentials, to enter the property during normal business hours. [15A NCAC 02H .0502(e)]
4. This General Certification shall expire on the same day as the expiration date of the corresponding Nationwide Permit and/or Regional General Permit. The conditions in effect on the date of issuance of Certification for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Certification. This General Certification is rescinded when the US Army Corps of Engineers reauthorizes any of the corresponding Nationwide Permits and/or Regional General Permits or when deemed appropriate by the Director of the Division of Water Resources.

## GC4135

5. Non-compliance with or violation of the conditions herein set forth by a specific project may result in revocation of this General Certification for the project and may also result in criminal and/or civil penalties.
6. The Director of the North Carolina Division of Water Resources may require submission of a formal application for Individual Certification for any project in this category of activity if it is deemed in the public's best interest or determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or degrade the waters so that existing uses of the water or downstream waters are precluded.

*History Note: Water Quality Certification (WQC) Number 4135 issued December 1, 2017 replaces WQC Number 4088 issued March 3, 2017; WQC 3886 issued March 12, 2012; WQC Number 3820 issued April 6, 2010; WQC Number 3627 issued March 2007; WQC Number 3404 issued March 2003; WQC Number 3375 issued March 18, 2002; WQC Number 3289 issued June 1, 2000; WQC Number 3103 issued February 11, 1997; WQC Number 2732 issued May 1, 1992; WQC Number 2666 issued January 21, 1992; WQC Number 2177 issued November 5, 1987.*



NORTH CAROLINA  
*Environmental Quality*

ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

BRAXTON C. DAVIS  
*Director*

November 5, 2018

N.C. Department of Transportation  
1598 Mail Service Center  
Raleigh, NC 27699-1598

Dear Sir or Madam:

The enclosed permit constitutes authorization under the Coastal Area Management Act, and where applicable, the State Dredge and Fill Law, for you to proceed with your project proposal. The original (buff-colored form) is retained by you and it must be available on site when the project is inspected for compliance. Please sign both the original and the copy and return the copy to this office in the enclosed envelope. Signing the permit and proceeding means you have waived your right of appeal described below.

If you object to the permit or any of the conditions, you may request a hearing pursuant to NCGS 113A-121.1 or 113-229. Your petition for a hearing must be filed in accordance with NCGS Chapter 150B with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27611-6714, (919) 733-2698 within twenty (20) days of this decision on your permit. You should also be aware that another qualified party may submit an objection to the issuance of this permit within twenty (20) days.

The project plan is subject to those conditions appearing on the permit form. Otherwise, all work must be carried out in accordance with your application. Modifications, time extensions, and future maintenance requires additional approval. Please read your permit carefully prior to starting work and review all project plans, as approved. If you are having the work done by a contractor, it would be to your benefit to be sure that he fully understands all permit requirements.

From time to time, Department personnel will visit the project site. To facilitate this review, we request that you complete and mail the enclosed Notice Card just prior to work initiation. However, if questions arise concerning permit conditions, environmental safeguards, or problem areas, you may contact Department personnel at any time for assistance. By working in accordance with the permit, you will be helping to protect our vitally important coastal resources.

Sincerely,

A handwritten signature in cursive script that reads "Douglas V. Huggett".

Douglas V. Huggett  
Major Permits Manager  
N.C. Division of Coastal Management

Enclosure



Permit Class  
NEW

Permit Number  
125-18

STATE OF NORTH CAROLINA  
Department of Environmental Quality  
and  
Coastal Resources Commission

# Permit

for

Major Development in an Area of Environmental Concern  
pursuant to NCGS 113A-118

Excavation and/or filling pursuant to NCGS 113-229

Issued to N.C. Department of Transportation, 1598 Mail Service Center, Raleigh, NC 27699-1598

Authorizing development in Dare County at Blount Bay, Kitty Hawk Bay, & contiguous waters, SR 1217 (Colington Rd), as requested in the permittee's application dated 10/5/18 and 6/19/18, including the attached workplan drawings (89), as referenced in Condition No. 1 of this permit.

This permit, issued on 11/5/18, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

**TIP No. R-5014, Colington Road Improvements, including extension of three culverts**

- 1) All work authorized by this permit shall be carried out in accordance with the following attached workplan drawings, unless altered herein:

Wetland and Surface Water Impact drawings (39): 3 dated 9/19/18, 17 dated 10/24/17, 14 dated 1/8/18, 4 dated 10/26/17, and 1 dated 10/30/17.

Utility Impact drawings (10): 3 dated 3/23/18, 2 dated 3/29/18, 2 dated 4/5/18, 2 dated 7/10/18, and 1 dated 5/30/18;

Roadway Design drawings (40): 4 dated 9/12/18, 20 dated 9/11/17, 6 dated 9/18/17, 5 dated 5/30/18, 3 dated 6/19/18, 1 dated 2/5/18, and 1 dated 2/16/18.

**(See attached sheets for Additional Conditions)**

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date.

This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

**No expiration date, pursuant to GS 136-44.7B**

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signed by the authority of the Secretary of DEQ and the Chairman of the Coastal Resources Commission.

*Douglas V. Huggatt for*

Braxton C. Davis, Director  
Division of Coastal Management

This permit and its conditions are hereby accepted.

*Mark C. R. III*

*for Philip S. Harris, III, P.E.*

Signature of Permittee

**ADDITIONAL CONDITIONS**

- 2) In accordance with commitments made by the permittee to protect juvenile fish, no in-water work shall be conducted from April 1 to September 30 of any year without prior approval of the N.C. Division of Coastal Management (DCM), in consultation with the appropriate resource agencies.
- 3) Unless specifically altered herein, any mitigative measures or environmental commitments specifically made by the permittee in the CAMA permit application, or within the project's approved environmental documents, shall be implemented, regardless of whether or not such commitments are addressed by individual conditions of this permit.
- 4) Should construction of the authorized culvert extensions result in impacts that were not included in the permit application, the permittee shall consult with DCM to determine if additional authorization is required.
- 5) All pipe and culvert inverts shall be buried at least one foot below normal bed elevation to allow for passage of water and aquatic life when they are placed within the Public Trust Area of Environmental Concern (AEC) as designated by the Coastal Area Management Act (CAMA).
- 6) If the permittee proposes to impact the bulkhead located at Wetland Site 1, at approximately STA 55 + 00 in the future, then the permittee shall initiate coordination with DCM to determine if additional authorization is required.
- 7) All construction access shall be through use of existing high ground areas. Use of mats for construction access across wetlands shall require additional authorization from DCM.
- 8) No excavation or filling shall take place at any time in any vegetated wetlands or surrounding waters outside of the alignment of the areas indicated on the attached workplan drawings, without permit modification.
- 9) All fill material shall be clean and free of any pollutants except in trace quantities.
- 10) With the exception of any material that may be used in fill areas associated with this project, all excavated materials shall be confined above normal high water and landward of regularly or irregularly flooded wetlands behind adequate dikes or other retaining structures to prevent spillover of solids or seepage of effluent into any wetlands or surrounding waters.
- 11) Material excavated at the project site may be used in fill areas associated with the project once properly dewatered or shall be removed from the site and taken to a high ground location.
- 12) The temporary placement and double handling of any excavated or fill material within wetlands or waters of the State is not authorized. This condition also applies to the removal of the culverts, roadway asphalt and associated materials.
- 13) The placement of riprap shall be limited to the areas as depicted on the attached workplan drawings. The riprap material shall be clean and free from loose dirt or any pollutant. The riprap material shall consist of clean rock or masonry materials, such as but not limited to, granite, marl, or broken concrete.

**ADDITIONAL CONDITIONS**

- 14) Any waste materials or debris associated with the authorized project shall not enter wetlands or waters of the State, even temporarily. Any such material shall be disposed of at an approved upland site or shall be recycled in an environmentally appropriate manner provided appropriate authorizations are obtained from any relevant state, federal, or local authorities.
- 15) Uncured concrete shall not be allowed to contact waters of the State, or water that will enter waters of the State.
- 16) Construction staging areas shall be located only in upland areas, and not in wetlands or waters of the State.

**Retaining Walls**

- 17) The retaining walls shall be structurally tight so as to prevent seepage of fill materials through the structure.
- 18) The retaining walls shall be solid and constructed of treated wood, concrete slabs, metal or vinyl sheet piles or other suitable materials approved by DCM.
- 19) The retaining walls shall be in place prior to any backfilling activities.
- 20) All backfill material shall be obtained from a high ground source and confined behind the permitted retaining walls. No unconfined backfill shall be discharged into waters of the State.

**Utility Impacts**

**NOTE:** The construction of the project will also require the relocation of water, communication, and electric utilities.

- 21) Any utility work associated with this project that is not depicted on the attached workplan drawings, or described within the attached permit application, shall require approval from DCM, either under the authority of this permit, or by the utility company obtaining separate authorization.

**NOTE:** Engineered plans for all water system modifications and additions must be submitted to the N.C. Division of Water Resources, Public Water Supply Plan Review Section, for approval prior to construction.

**Impacts to Wetlands and Waters of the State and Compensatory Mitigation**

**NOTE:** This project will permanently impact approximately 5,650 square feet (0.13 acres) of Coastal Wetlands (5,643 square feet due to fill and 7 square feet due to excavation) and will temporarily impact approximately 3,420 square feet (0.08 acres) of Coastal Wetlands due to hand clearing. This project will permanently impact approximately 0.67 acres of 404 Wetlands due to fill and will temporarily impact approximately 0.24 acres of 404 Wetlands due to hand clearing.

**ADDITIONAL CONDITIONS**

**NOTE:** This project will permanently impact approximately 4 linear feet of streams and will temporarily impact approximately 8 linear feet of streams. This project will permanently impact approximately 0.08 acres of surface waters due to fill, will temporarily impact approximately 0.05 acres of surface waters. This project will permanently impact approximately 188 square feet of submerged aquatic vegetation (SAV).

**NOTE:** Utility relocations associated with this project will result in additional wetland impacts of approximately 436 square feet of temporary fill in 404 Wetlands, 1,307 square feet (0.03 acres) of hand clearing in Coastal Wetlands, and approximately 0.16 acres of hand clearing in 404 Wetlands.

- 22) In accordance with commitments made by the permittee, there shall be no impacts to the Colington Cut and Colington Creek mitigation sites.

**NOTE:** In accordance with the N.C. Division of Mitigation Services (DMS) letter dated 9/28/18, compensatory mitigation for permanent impacts of 0.13 acres of Coastal Wetlands and 0.67 acres of Riparian Wetlands associated with the authorized project shall be provided by the DMS in accordance with the DMS In-Lieu Fee Instrument dated 7/28/10.

- 23) In accordance with commitments made by the permittee, fill slopes within and adjacent to areas with sub-aquatic vegetation shall be 2:1 or steeper.
- 24) There shall be no clearing of wetlands outside of the areas indicated on the attached workplan drawings without prior approval from DCM.
- 25) Wetland areas to be temporarily impacted by clearing shall not be grubbed.
- 26) Due to the possibility that hand clearing and/or other site alterations might prevent the temporary Coastal Wetland impact areas from re-attaining pre-project wetland functions, the permittee shall provide an annual update on the Coastal Wetland areas temporarily impacted by this project. This annual update shall consist of photographs and a brief written report on the progress of these temporarily impacted areas in re-attaining their pre-project wetland functions. Within three years after project completion, the permittee shall hold an agency field meeting with DCM to determine if the Coastal Wetland areas temporarily impacted by this project have re-attained pre-project wetland functions. If at the end of three years DCM determines that the Coastal Wetland areas temporarily impacted by the project have not re-attained pre-project wetland functions, DCM will determine whether compensatory wetland mitigation shall be required.

**Sedimentation and Erosion Control**

- 27) This project shall conform to all requirements of the N.C. Sedimentation Pollution Control Act and the N.C. Department of Transportation's (NCDOT's) Memorandum of Agreement with the N.C. Division of Energy, Mineral and Land Resources.

**ADDITIONAL CONDITIONS**

**General**

- 28) Nothing in this permit authorizes any activity that has not received approval from the National Park Service (NPS) for work within the Wright Brothers National Memorial.
- 29) In accordance with commitments made by the permittee, the parking area and access path that are within the NCDOT Right-of-Way adjacent to the Colington Creek bridge shall be retained and shall remain open for public use after the project is complete. The number of existing parking spaces at the time of construction shall not be reduced.
- 30) During construction, the permittee shall attempt to keep the parking area and access path adjacent to the Colington Creek bridge open for public use as much as practicable.
- 31) No attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the authorized work following completion of construction.
- 32) The permittee shall exercise all available precautions in the day-to-day operation of the facility to prevent waste from entering the adjacent waters and wetlands.
- 33) If it is determined that additional permanent and/or temporary impacts are necessary that are not shown on the attached workplan drawings or described in the authorized permit application, a permit modification and/or additional authorization from DCM may be required. In addition, any changes in the approved plan may also require a permit modification and/or additional authorization from DCM. The permittee shall contact a representative of DCM prior to commencement of any such activity for this determination and any permit modification.
- 34) Development authorized by this permit shall only be conducted on lands owned by NCDOT and/or its Right-of-Ways and/or easements.
- 35) The permittee and/or its contractor shall contact the DCM Transportation Project Field Representative in Elizabeth City at (252) 264-3901 to request a preconstruction conference prior to initiation of construction.
- 36) The N.C. Division of Water Resources (DWR) authorized the proposed project on 10/31/18 (DWR Project No. 20180839) under General Water Quality Certification No. 4135. Any violation of the Certifications approved by DWR shall be considered a violation of this CAMA permit.

**NOTE:** The U.S. Army Corps of Engineers is reviewing this project a Regional General Permit Number 198200031 (Action ID No. SAW-2018-01570).

**NOTE:** This permit does not eliminate the need to obtain any additional permits, approvals or authorizations that may be required.

**NOTE:** An application processing fee of \$475 was received by DCM for this project. This fee also satisfied the Section 401 application processing fee requirements of DWR.

Permit Class  
**MODIFICATION/MINOR**

Permit Number  
**125-18**

STATE OF NORTH CAROLINA  
Department of Environmental Quality  
and  
Coastal Resources Commission

# Permit

for

Major Development in an Area of Environmental Concern  
pursuant to NCGS 113A-118

Excavation and/or filling pursuant to NCGS 113-229

Issued to N.C. Department of Transportation, 1598 Mail Service Center, Raleigh, NC 27699-1598

Authorizing development in Dare County at Blount Bay, Kitty Hawk Bay, & contiguous waters, SR 1217 (Colington Rd) as requested in the permittee's application dated 3/17/21, including the attached workplan drawings (9) dated 3/12/21.

This permit, issued on April 30, 2021, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

- 1) Unless specifically altered herein, this Minor Modification authorizes the following: a change from pipe extension to pipe replacement at Site 2, Site 9, and Site 12; and a change from Class I to Class II Rock at Sites 2, 8, 9, 12, 16 and 18, all as depicted on the attached workplan drawings.
- 2) In accordance with commitments made by the permittee to protect juvenile fish, no in-water work shall be conducted from April 1 to September 30 of any year without prior approval of the N.C. Division of Coastal Management (DCM), in consultation with the appropriate resource agencies.
- 3) All pipe and culvert inverts shall be buried at least one foot below normal bed elevation to allow for passage of water and aquatic life when they are placed within the Public Trust Area of Environmental Concern (AEC) as designated by the Coastal Area Management Act (CAMA).

**(See attached sheet for Additional Conditions)**

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date.

This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

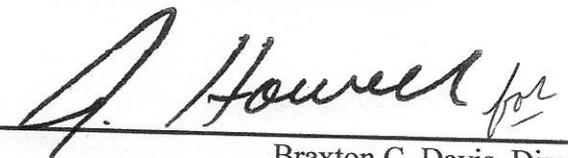
Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

**No expiration date, pursuant to GS 136-44.7B**

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signed by the authority of the Secretary of DEQ and the Chairman of the Coastal Resources Commission.

  
\_\_\_\_\_  
Braxton C. Davis, Director  
Division of Coastal Management

This permit and its conditions are hereby accepted.

\_\_\_\_\_  
Signature of Permittee

**ADDITIONAL CONDITIONS**

- 4) No excavation or filling shall take place at any time in any vegetated wetlands or surrounding waters outside of the alignment of the areas indicated on the attached workplan drawings, without permit modification.
- 5) All fill material shall be clean and free of any pollutants except in trace quantities.
- 6) The temporary placement and double handling of any excavated or fill material within wetlands or waters of the State is not authorized. This condition also applies to the removal of the culverts, roadway asphalt and associated materials.

**NOTE:** Engineered plans for any water system modifications and/or additions must be submitted to and approved by the N.C. Division of Water Resources, Public Water Supply Plan Review Section prior to the work taking place.

- 7) If it is determined that additional permanent and/or temporary impacts are necessary that are not shown on the attached workplan drawings or described in the authorized permit application, a permit modification and/or additional authorization from DCM may be required. In addition, any changes in the approved plan may also require a permit modification and/or additional authorization from DCM. The permittee shall contact a representative of DCM prior to commencement of any such activity for this determination and any permit modification.
- 8) Development authorized by this permit shall only be conducted on lands owned by NCDOT and/or its Right-of-Ways and/or easements.
- 9) The permittee and/or its contractor shall contact the DCM Transportation Project Field Representative in Elizabeth City at (252) 264-3901 to request a preconstruction conference prior to initiation of construction.
- 10) The N.C. Division of Water Resources (DWR) authorized the proposed project on 4/26/21 (DWR Project No. 20180839 v.2) under General Water Quality Certification No. 4135. Any violation of the Certifications approved by DWR shall be considered a violation of this CAMA permit.
- 11) This Minor Modification shall be attached to the original of Permit No. 125-18, which was issued on 11/5/18, and copies of both documents shall be readily available on site when a Division representative inspects the project for compliance.

**NOTE:** The U.S. Army Corps of Engineers has assigned the project USACE Action ID SAW-2018-01570.

**NOTE:** This permit does not eliminate the need to obtain any additional permits, approvals or authorizations that may be required.

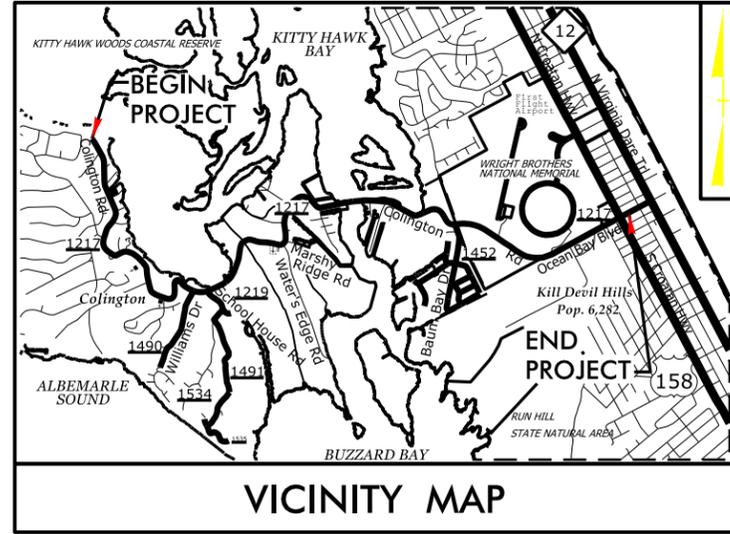
**NOTE:** All conditions and stipulations of the active permit remain in force under this Minor Modification unless altered herein.

**NOTE:** A minor modification application processing fee of \$100 was received by DCM for this project.

05/08/19

**TIP PROJECT: R-5014**

See Sheet 1A For Index of Sheets



**VICINITY MAP**

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS  
**DARE COUNTY**

**ROW PLANS**

**LOCATION: SR 1217 (COLINGTON RD.) FROM DEAD END TO US 158 CROATAN HIGHWAY IN KILL DEVIL HILLS**

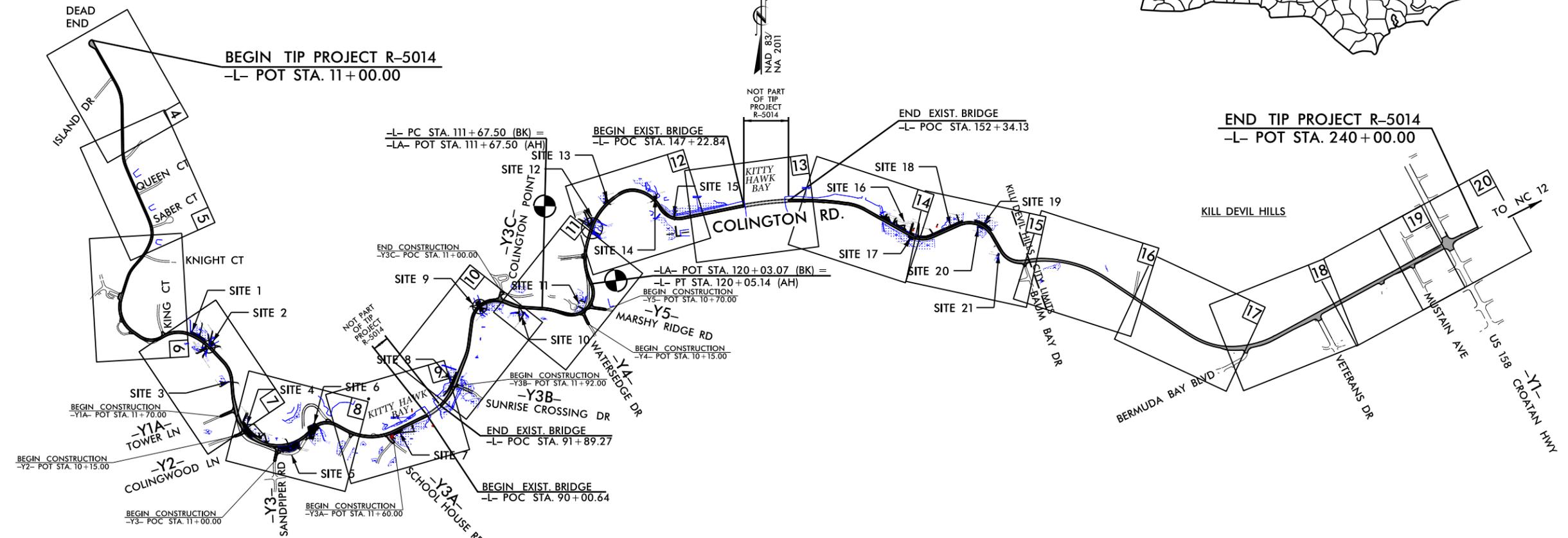
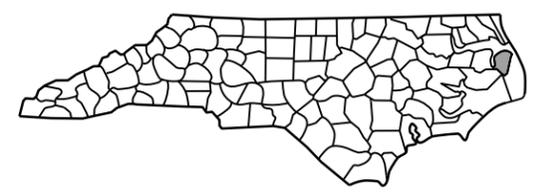
**TYPE OF WORK: GRADING, DRAINAGE, PAVING & RESURFACING**

**WETLAND AND SURFACE WATER IMPACTS**

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	R-5014	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
41162.1.1	STP-1217(6)	PE	
41162.2.1	STP-1217(6)	RW & UTIL	

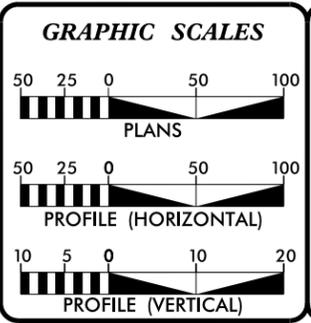
**PERMIT DRAWING  
SHEET 1 OF 41**

**DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED**



THERE IS A DESIGN EXCEPTION FOR HORIZONTAL CURVE RADIUS AND ASSOCIATED HORIZONTAL STOPPING SIGHT DISTANCE.  
THERE IS NO CONTROL OF ACCESS ON THIS PROJECT.  
A PORTION OF THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARIES OF KILL DEVIL HILLS.  
CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD II.

**CONTRACT:**



**DESIGN DATA**

ADT 2018 =	13,970
ADT 2038 =	19,300
DHV =	11 %
D =	65 %
T =	3 % *
V =	40 MPH
* TTST = 1% DUAL 2%	
FUNC CLASS = LOCAL STATEWIDE TIER	

**PROJECT LENGTH**

TOTAL LENGTH ROADWAY TIP PROJECT R-5014 = 4.204 MILES

Prepared in the Office of:  
**CALYX**  
ENGINEERS & CONSULTANTS  
FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
2018 STANDARD SPECIFICATIONS

**RIGHT OF WAY DATE:**  
SEPTEMBER 18, 2017

**LETTING DATE:**  
NOVEMBER 20, 2018

**NCDOT CONTACT:** GARY LOVERING, PE  
ROADWAY DESIGN - PROJECT ENGINEER

**JOHNNY BANKS**  
CALYX E & C  
PROJECT MANAGER

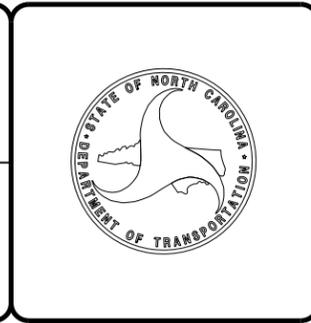
**STEPHEN C. BROWDE, PE**  
CALYX E & C  
PROJECT DESIGN ENGINEER

**HYDRAULICS ENGINEER**

SIGNATURE: \_\_\_\_\_ P.E.

**ROADWAY DESIGN ENGINEER**

SIGNATURE: \_\_\_\_\_ P.E.



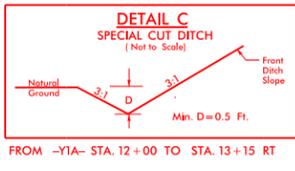
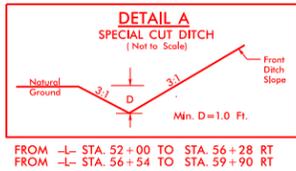
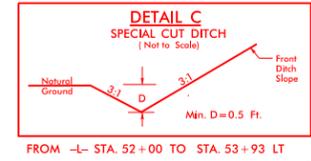
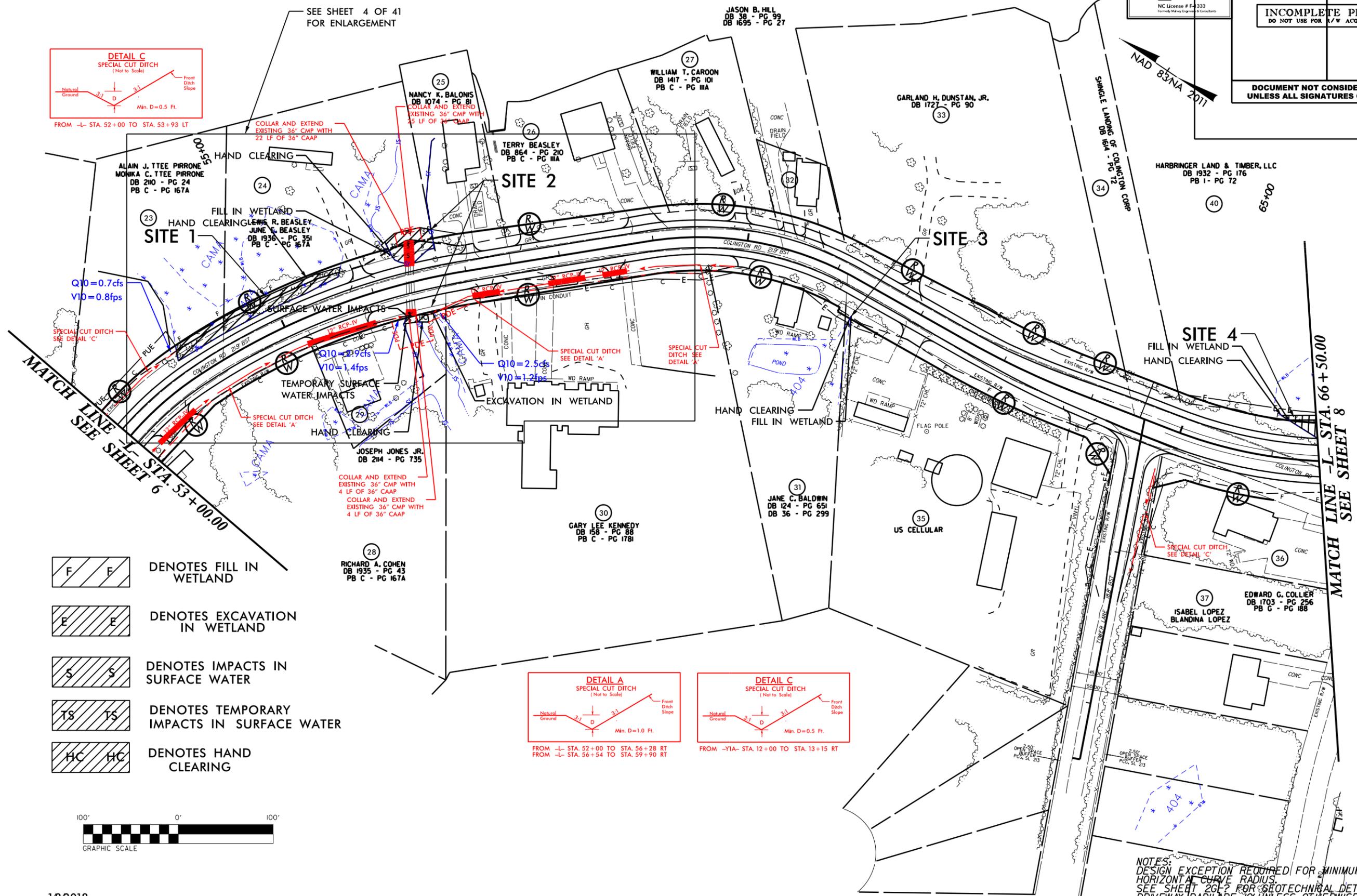
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**PERMIT DRAWING  
SHEET 2 OF 41**

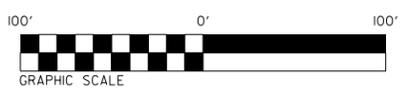
**CALYX**  
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6750 TRYON ROAD  
CARY, NC 27513  
phone: 919.851.7112  
CALYXengineers.com  
NC License # F-3333  
Professional Engineer & Consultant

PROJECT REFERENCE NO. R-5014	SHEET NO. 7
R/W SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION	
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED	

RIGHT OF WAY REVISION - 9/28/2017 - ADJUSTED RIGHT OF WAY AND TEMPORARY CONSTRUCTION EASEMENT ON PARCEL 30 AND 31.

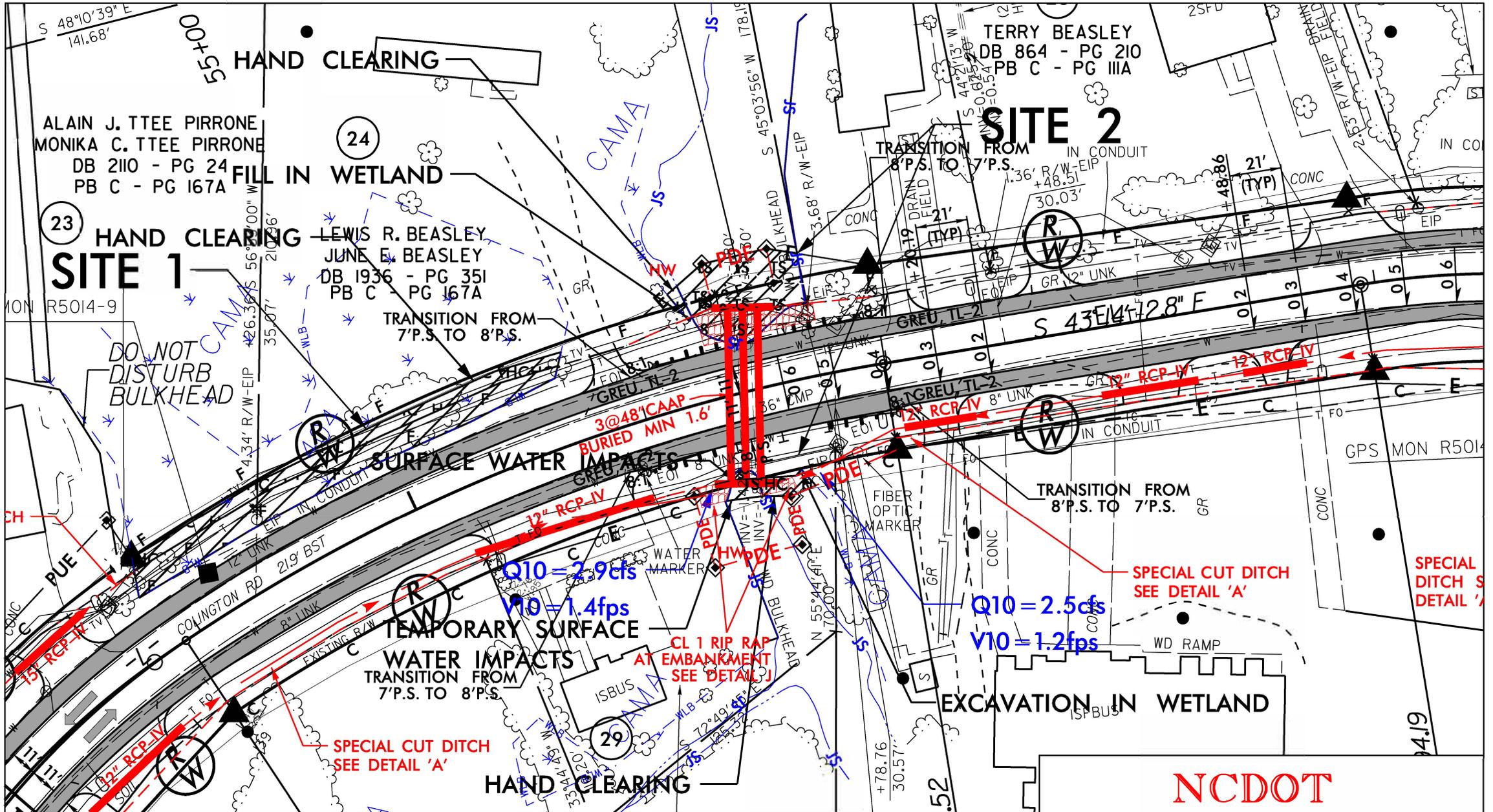


- DENOTES FILL IN WETLAND
- DENOTES EXCAVATION IN WETLAND
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES HAND CLEARING



**NOTES:**  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS.  
SEE SHEET 2G-2 FOR GEOTECHNICAL DETAILS.  
DRIVEWAY RADII ARE 10' UNLESS OTHERWISE NOTED.  
SEE SHEET 2G AND 23 FOR -L- PROFILE.  
SEE SHEET 31 FOR -YIA- PROFILE.





	DENOTES FILL IN WETLAND		DENOTES HAND CLEARING
	DENOTES EXCAVATION IN WETLAND		
	DENOTES IMPACTS IN SURFACE WATER		
	DENOTES TEMPORARY IMPACTS IN SURFACE WATER		

PLAN VIEW

100' 0' 100'



GRAPHIC SCALE

**NCDOT**  
 DIVISION OF HIGHWAYS  
 DARE COUNTY  
 PROJECT: R-5014 (41162.1.1)











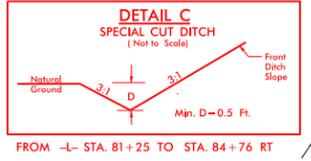
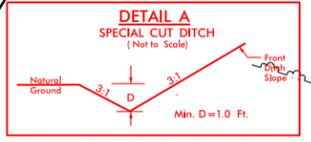
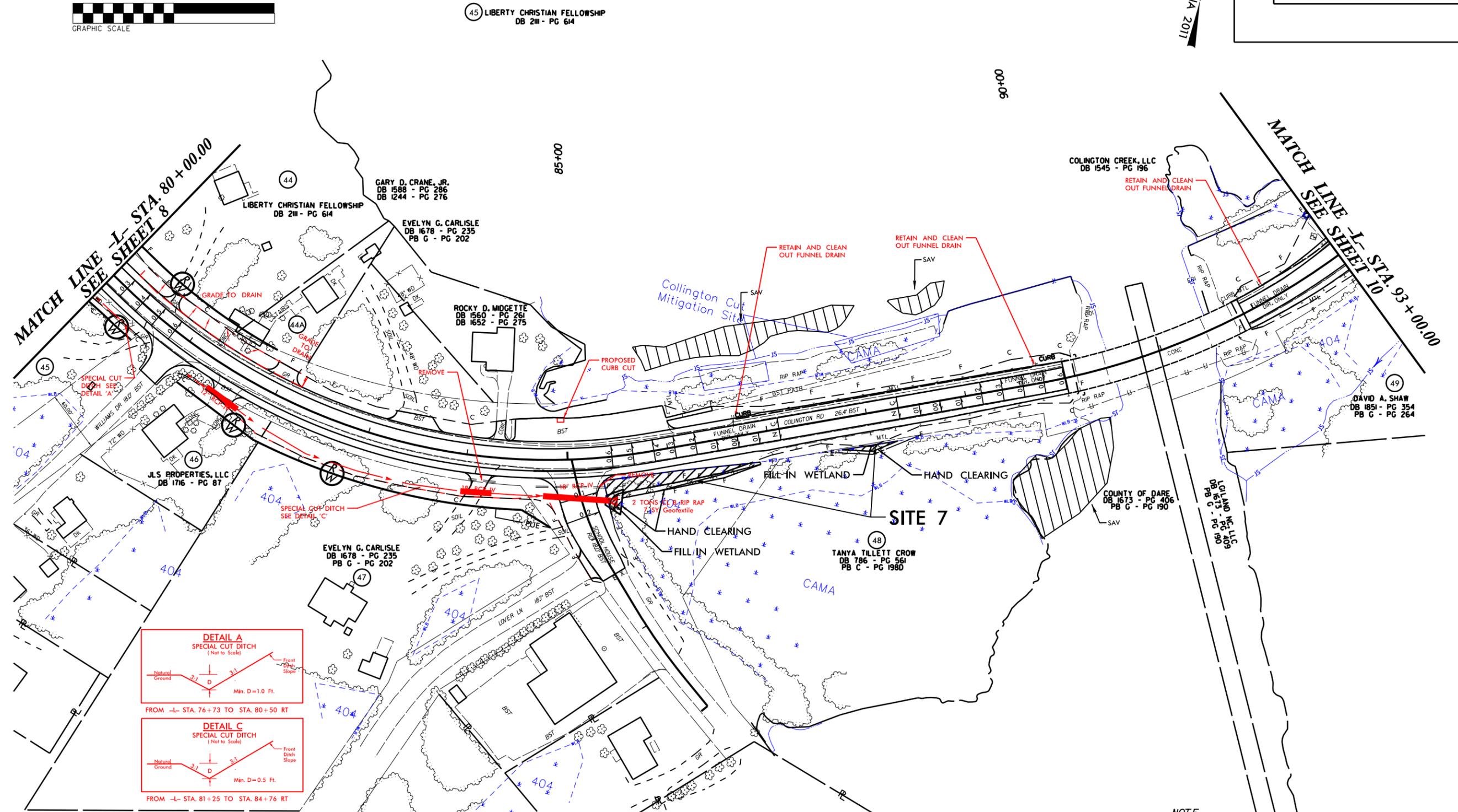






**PERMIT DRAWING  
SHEET 13 OF 41**

PROJECT REFERENCE NO. R-5014		SHEET NO. 9	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION			
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED			



REVISIONS

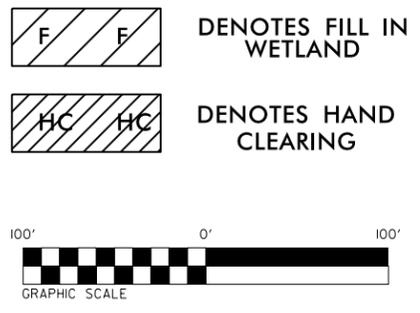
8/17/99  
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PROJECT: COLINGTON RD  
DRAWING: HYDRAULICS PERMITS ENVIRONMENTAL  
DRAWINGS  
R-5014\_Hyd\_prm\_wet\_psh09.dgn

NOTE:  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADII.  
HORIZONTAL CURVE RADII ARE 10' UNLESS OTHERWISE NOTED.  
SEE SHEET 23 FOR -L- PROFILE  
SEE SHEET 31 FOR -Y3A- PROFILE

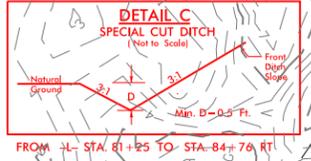
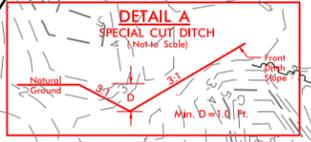
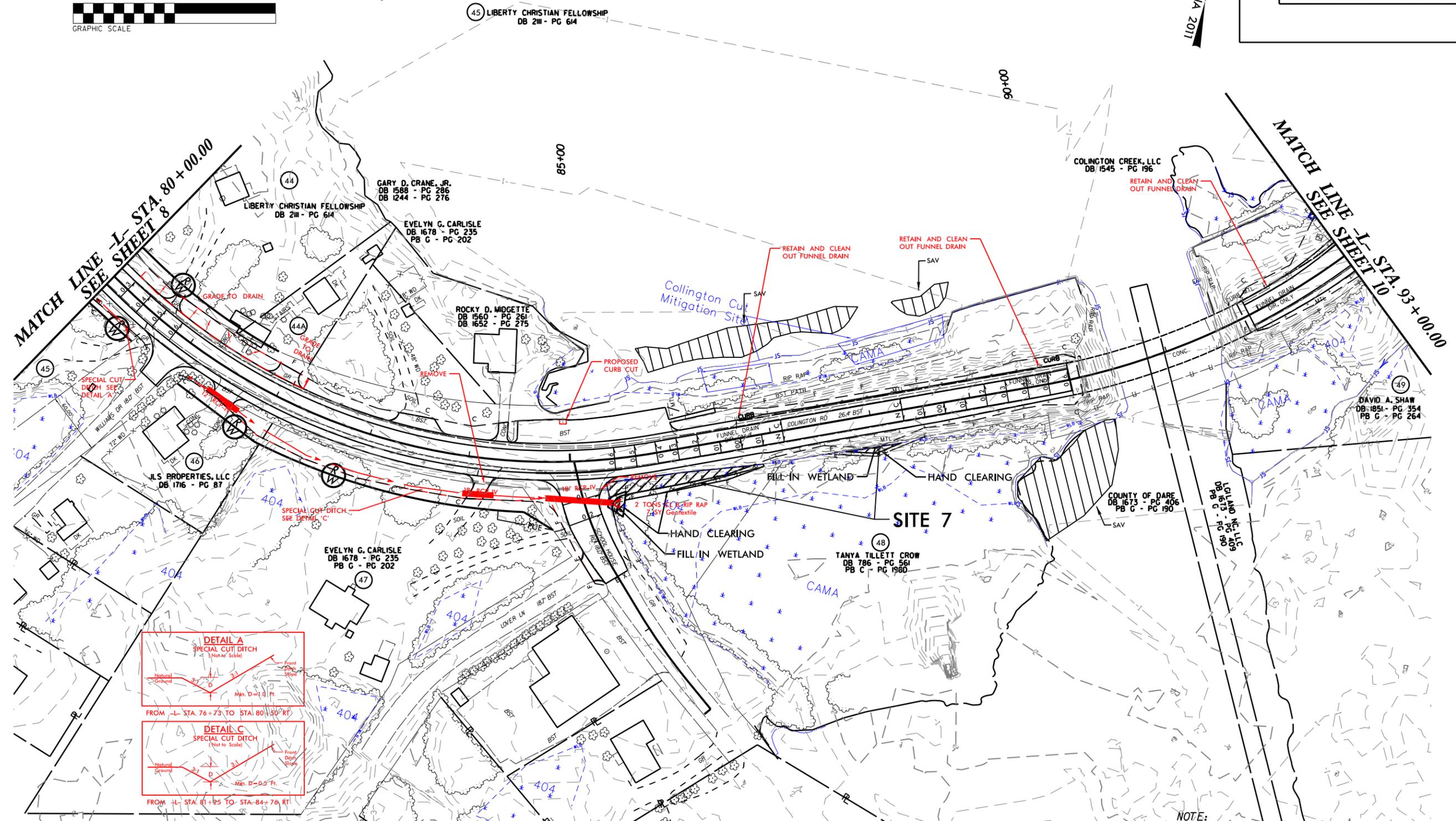
**PERMIT DRAWING  
SHEET 14 OF 41**

**CALYX**  
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NC License # F-3333  
Professional Engineer & Consultant

PROJECT REFERENCE NO. R-5014	SHEET NO. 9
R/W SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION	
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED	



NAD 83/NA 2011



NOTE:  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADII.  
DRIVEWAY RADII ARE 10' UNLESS OTHERWISE NOTED.  
SEE SHEET 23 FOR -L- PROFILE  
SEE SHEET 31 FOR -Y3A- PROFILE

REVISIONS

8/17/99



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NC License # E-3333  
Formerly Milligan Engineers & Consultants

PROJECT REFERENCE NO. R-5014	SHEET NO. 10
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION	
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED	

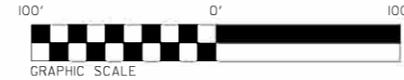
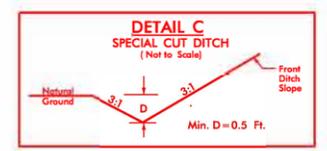
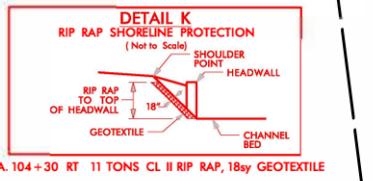
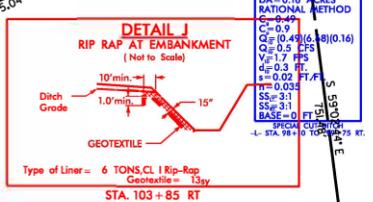
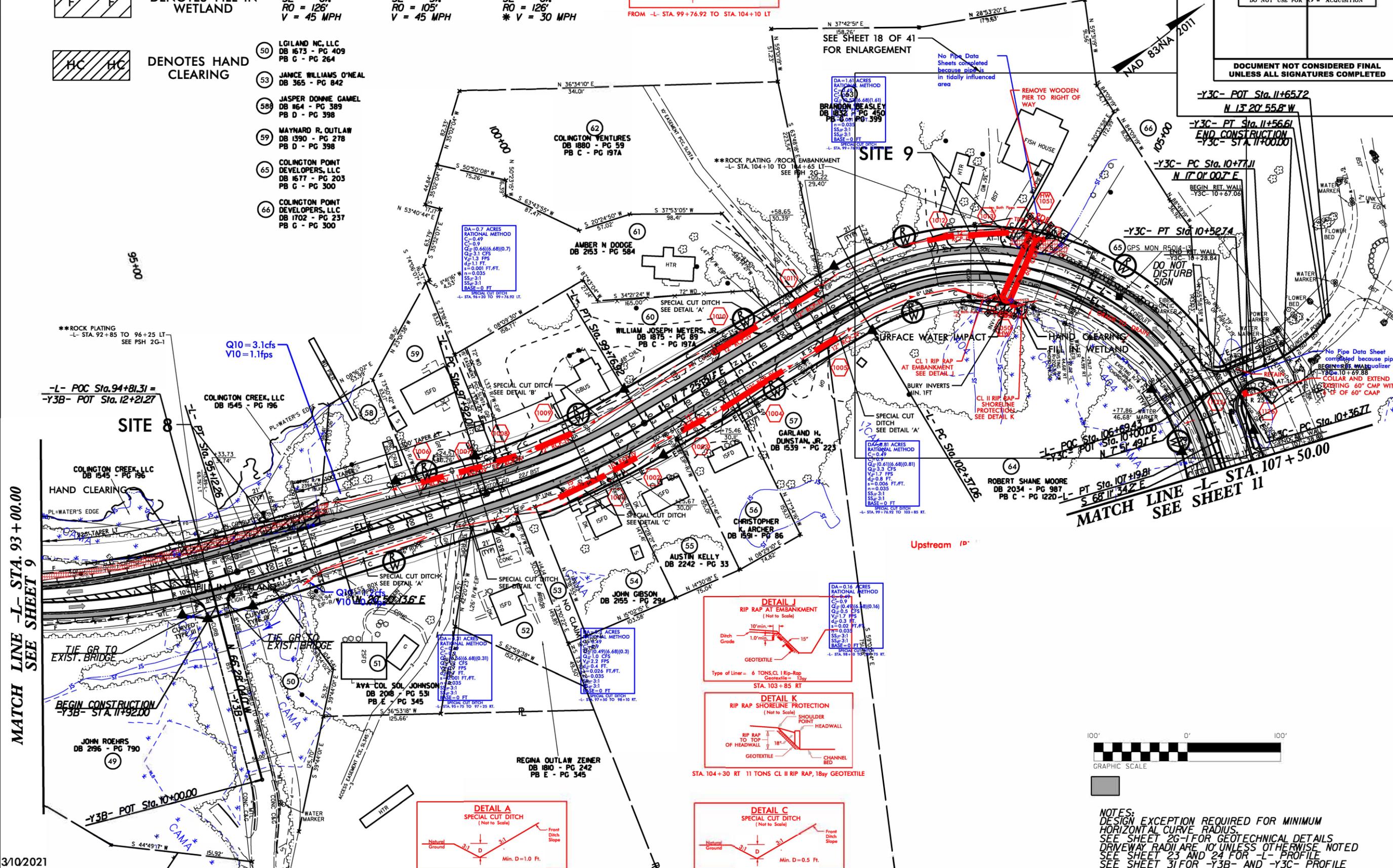
-  DENOTES IMPACTS IN SURFACE WATER
-  DENOTES FILL IN WETLAND
-  DENOTES HAND CLEARING

PI Sta 92+55.51 $D = 4175.3122$ (WT) $D = 8104.800$ (TS) $L = 5407.3$ $T = 283.99$ $R = 716.20'$ $SE = 6\%$ $RO = 126'$ $V = 45$ MPH	PI Sta 98+84.89 $D = 24.226$ (ITEM) (RT) $D = 15.600$ (TS) $L = 15.600$ $T = 92.88$ $R = 790.29'$ $SE = 5\%$ $RO = 105'$ $V = 45$ MPH	PI Sta 105+78.55 $D = 104.22$ (RT) $D = 15.600$ (TS) $L = 15.600$ $T = 341.49$ $R = 265.00'$ $SE = 6\%$ $RO = 126'$ $* V = 30$ MPH
--	---	--



**PERMIT DRAWING SHEET 16 OF 41**

- 50 LGILAND NC, LLC  
DB 1673 - PG 409  
PB G - PG 264
- 53 JANICE WILLIAMS O'NEAL  
DB 365 - PG 842
- 58 JASPER DONNIE GAMEL  
DB 164 - PG 389  
PB D - PG 398
- 59 MAYNARD R. OUTLAW  
DB 1390 - PG 278  
PB D - PG 398
- 65 COLINGTON POINT DEVELOPERS, LLC  
DB 1677 - PG 203  
PB G - PG 300
- 66 COLINGTON POINT DEVELOPERS, LLC  
DB 1702 - PG 237  
PB G - PG 300



**NOTES:**  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS.  
SEE SHEET 26-F FOR GEOTECHNICAL DETAILS.  
DRIVEWAY RADI ARE 10' UNLESS OTHERWISE NOTED.  
SEE SHEET 23 AND 24 FOR -L- PROFILE.  
SEE SHEET 31 FOR -Y3B- AND -Y3C- PROFILE.

REVISIONS  
 RIGHT OF WAY REVISION - 11/29/2018 - CHANGED THE PROPERTY OWNER NAME ON PARCEL 49, 54, 55 & 64.  
 RIGHT OF WAY REVISION - 12/06/2018 - REMOVED RIGHT OF WAY MONUMENTS ON PARCEL 53.

3/10/2021  
jpbhagat

Revised 3/12/2021

**CALYX**  
ENGINEERS + CONSULTANTS  
4750 TRYON ROAD  
CARY, NC 27514  
PHONE: 919.851.9112  
CALYXENGINEERS.COM  
NC LICENSE # F-3333  
Formerly McKay Engineers & Consultants

PROJECT REFERENCE NO. R-5014	SHEET NO. 10
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION	
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED	

**S** DENOTES IMPACTS IN SURFACE WATER

**F** DENOTES FILL IN WETLAND

**HC** DENOTES HAND CLEARING

PI Sta 92+55.51  
D = 4175.312' (WT)  
L = 5407.3'  
T = 283.99'  
R = 716.20'  
SE = 6%  
RO = 126'  
V = 45 MPH

PI Sta 98+84.89  
D = 4175.312' (WT)  
L = 5407.3'  
T = 283.99'  
R = 716.20'  
SE = 6%  
RO = 126'  
V = 45 MPH

PI Sta 105+78.55  
D = 4175.312' (WT)  
L = 5407.3'  
T = 283.99'  
R = 716.20'  
SE = 6%  
RO = 126'  
V = 45 MPH



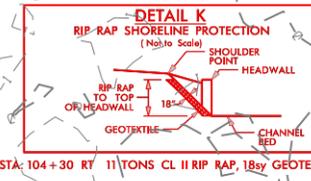
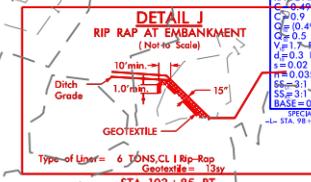
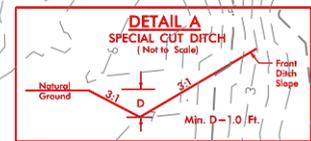
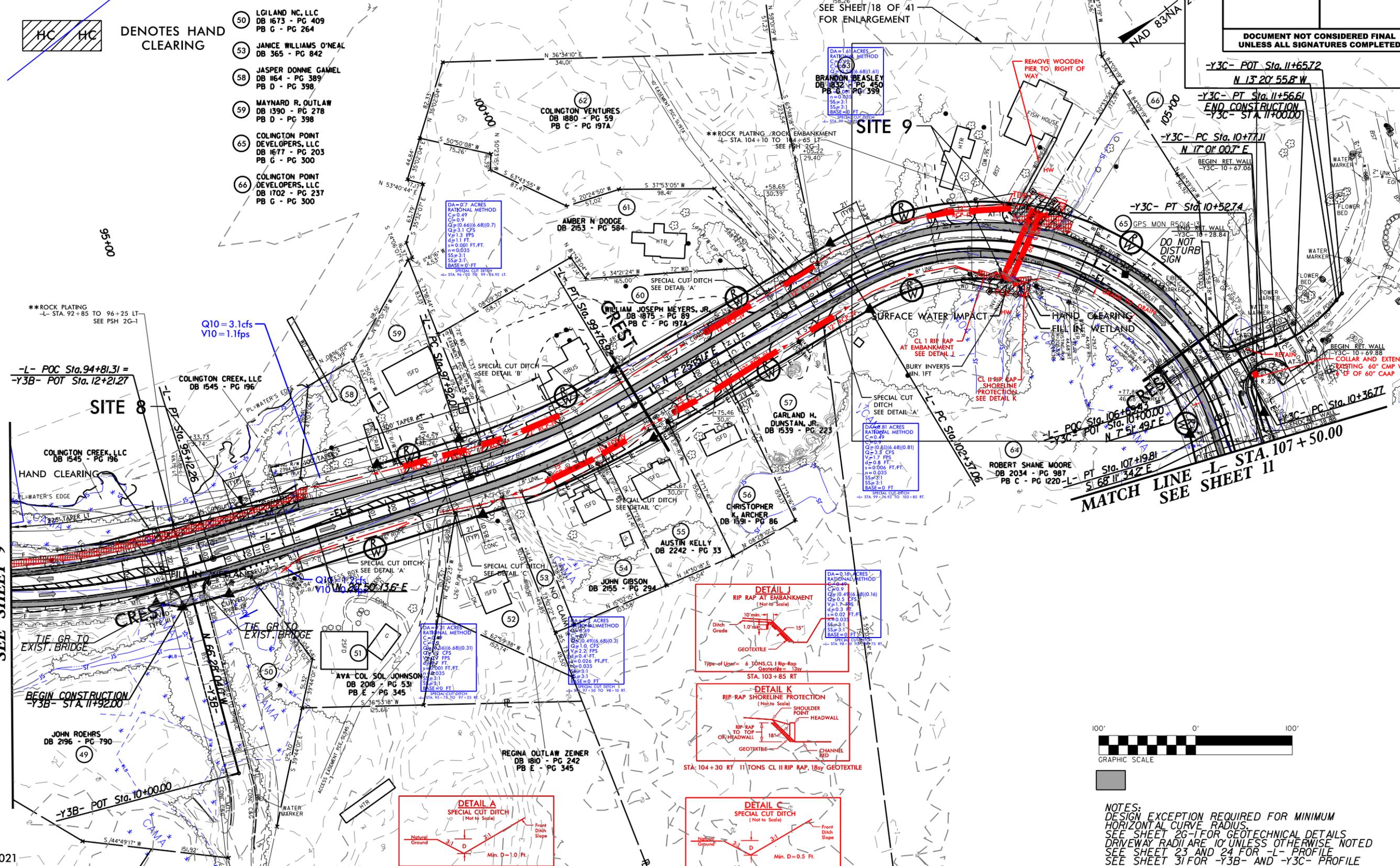
**PERMIT DRAWING SHEET 17 OF 41**

REVISIONS  
RIGHT OF WAY REVISION - 11/29/2018 - CHANGED THE PROPERTY OWNER NAME ON PARCEL 49, 54, 55 & 61.  
RIGHT OF WAY REVISION - 12/06/2018 - REMOVED RIGHT OF WAY MONUMENTS ON PARCEL 53.

MATCH LINE -L- STA. 93 + 00.00  
SEE SHEET 9

3/10/2021  
jpbhagar

R:\Hydraulics\PERMITS Environmental Drawings\R-5014\_Hyd\_prm\_wet\_con\_psh\Design - STA. 99 + 78.92 TO - STA. 103 + 85 RT

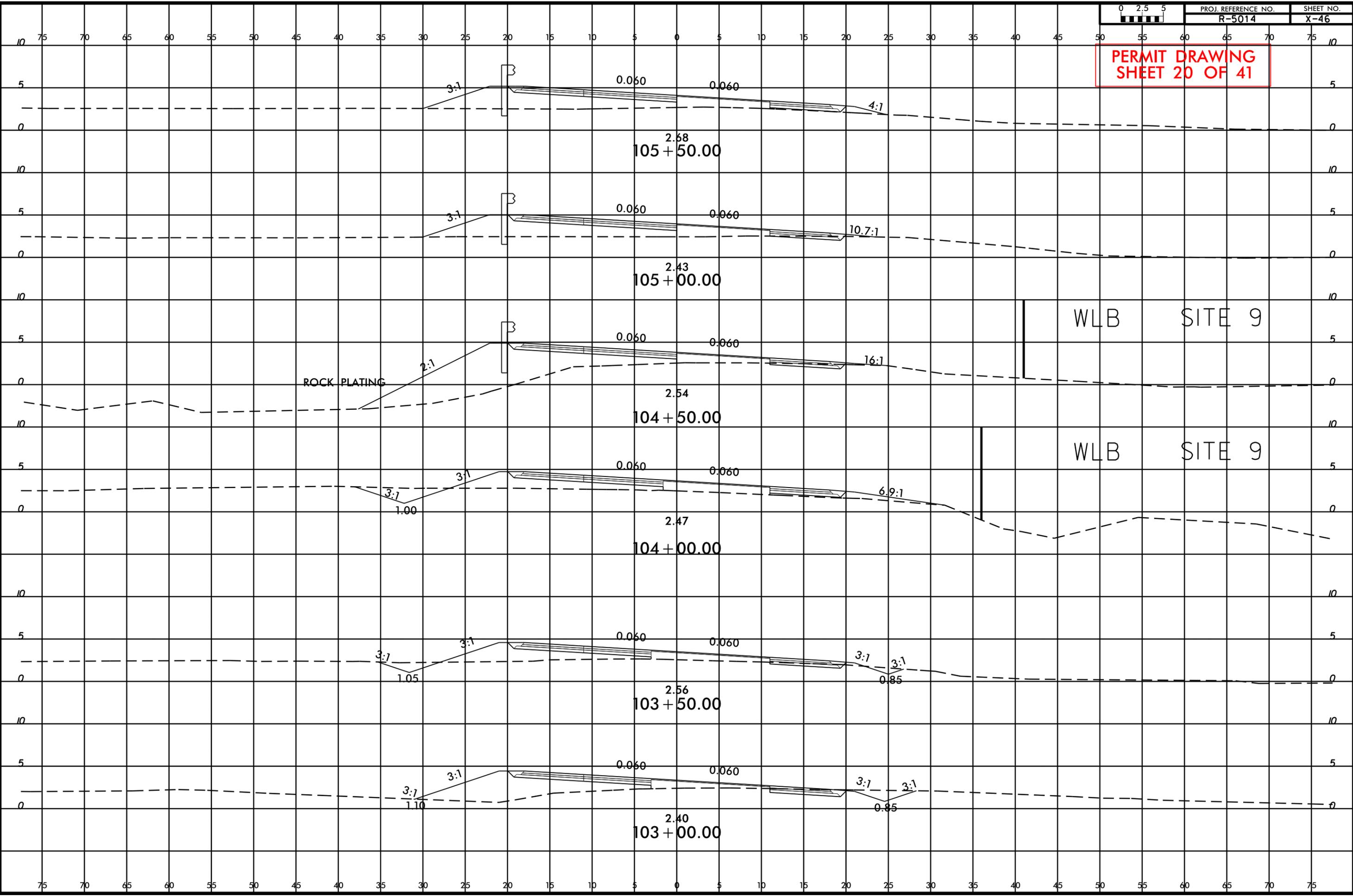


**NOTES:**  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS.  
SEE SHEET 26-F FOR GEOTECHNICAL DETAILS.  
DRIVEWAY RADI ARE 10' UNLESS OTHERWISE NOTED.  
SEE SHEET 23 AND 24 FOR -L- PROFILE.  
SEE SHEET 31 FOR -Y3B- AND -Y3C- PROFILE.





PERMIT DRAWING  
 SHEET 20 OF 41



10/24/2017  
 cafreeman2  
 R:\Hydraulics\PERMITS\_Environmental\Drawings\XSC\R-5014\_Hyd\_XPL\_46.dgn  
 \*\*\*\*\*  
 SYSTEM TIME \*\*\*\*\*  
 USER \*\*\*\*\*  
 \*\*\*\*\*

8/17/99

MATCH LINE SEE SHEET 10  
-L- STA. 107+50.00

PERMIT DRAWING  
SHEET 21 OF 41

**CALYX**  
ENGINEERS + CONSULTANTS  
6750 TRYON ROAD  
CARY, NC 27513  
phone: 919.851.9112  
CALYXengineers.com  
NC License # F-3333  
Professional Seal

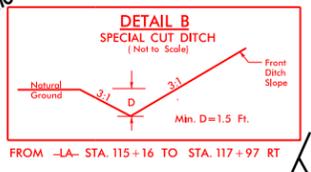
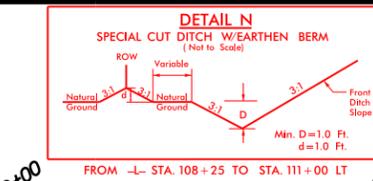
PROJECT REFERENCE NO.	R-5014	SHEET NO.	11
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION			
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED			

SPECIAL CUT DITCH SEE DETAIL 'C'  
 $Q_{10} = 2.1 \text{ cfs}$   
 $V_{10} = 0.7 \text{ fps}$

TIE DITCH TO NATURAL GROUND ELEVATIONS

TIE PROPOSED BERM TO FILL SLOPE AT ELEV. 4.1'

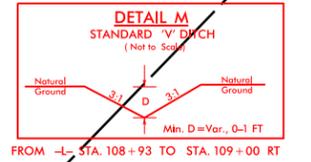
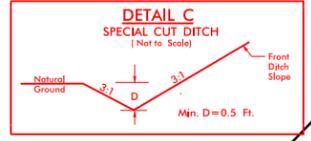
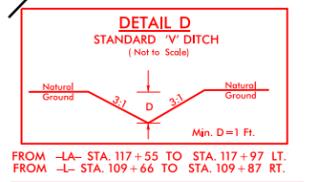
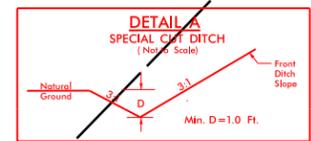
**SITE 10**



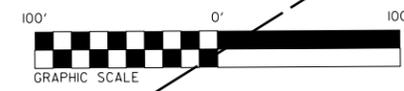
STANDARD 'V' DITCH SEE DETAIL 'M'  
 SLOPE = 0.1000  
 EST. DDE = 4 CY  
 3 TONS CL B RIP RAP  
 10 SY GEOTEXTILE

HAND CLEARING  
 STANDARD 'V' DITCH SEE DETAIL 'D'  
 DDE QTY = 2.9 CY  
 REQ SLOPE = 0.002 FF/FT

$Q_{10} = 2.0 \text{ cfs}$   
 $V_{10} = 0.7 \text{ fps}$



- DENOTES FILL IN WETLAND
- DENOTES HAND CLEARING
- DENOTES EXCAVATION IN WETLAND



10/26/2017  
 cafreeman2  
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COLINGTON POINT DEVELOPERS, LLC  
 DB 1702 - PG 237  
 PB G - PG 300

COLINGTON POINT LLC  
 DB 1598 - PG 14

COLINGTON POINT LLC  
 DB 1981 - PG 765

CLAUDE H. EURE  
 DB 1590 - PG 249

WILLIAM WALTER LADOW, JR.  
 DB 1907 - PG 271  
 PB H - PG 65

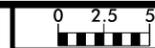
- 71 JUDY M. DEAVER  
DB 1615 - PG 364  
PB C - PG 122D
- 72 CAROLINA TELEPHONE  
DB 1763 - PG 45  
PB C - PG 182E
- 73 JAMES FRANKLIN MOORE  
DB 745 - PG 712  
PB C - PG 91C
- 74 MARSHY RIDGE RETREAT  
DB 1900 - PG 487  
PB C - PG 91C  
PB C - PG 11C
- 75 MILDRED B. BYRUM  
DB 1566 - PG 184

PAVEMENT REMOVAL

NOTES:  
 DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS.  
 DRIVEWAY RADIUS 10' UNLESS OTHERWISE NOTED.  
 SEE SHEET 24 AND 25 FOR -L- AND -LA- PROFILE  
 SEE SHEET 30 FOR -Y4- AND -Y5- PROFILE  
 GTD = GRADE TO DRAIN



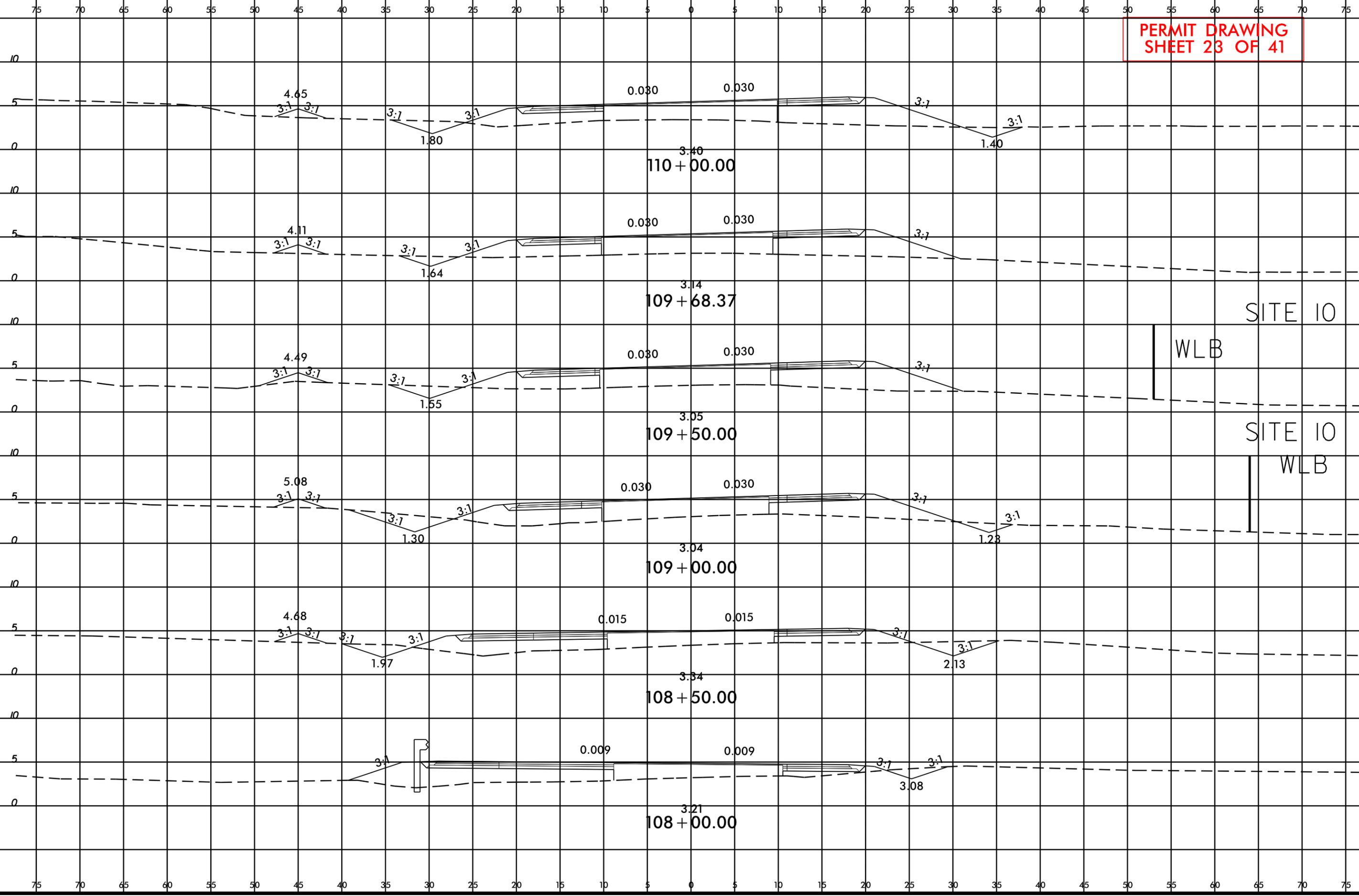
8/23/99



PROJ. REFERENCE NO.  
R-5014

SHEET NO.  
X-48

PERMIT DRAWING  
SHEET 23 OF 41

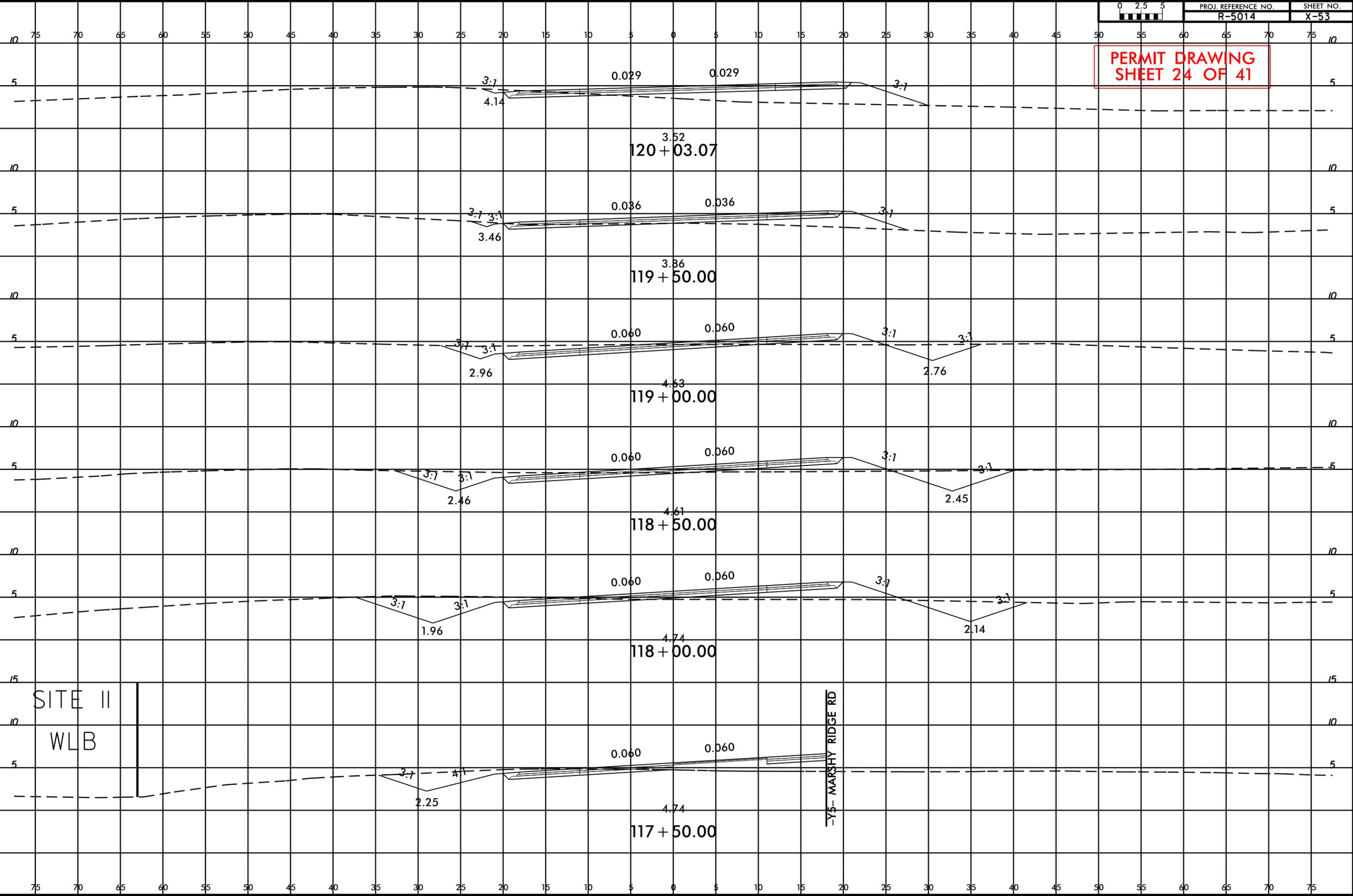


10/24/2017  
cafreeman2  
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SYSTEMTIME#####  
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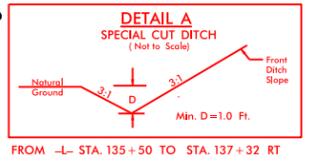
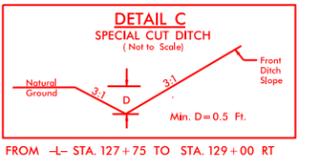
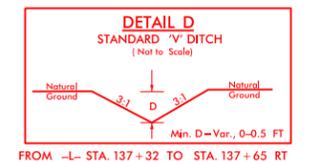
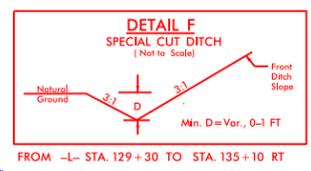
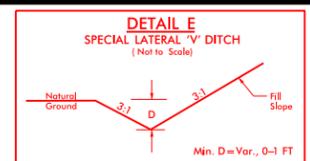
6/23/16

PERMIT DRAWING  
SHEET 24 OF 41

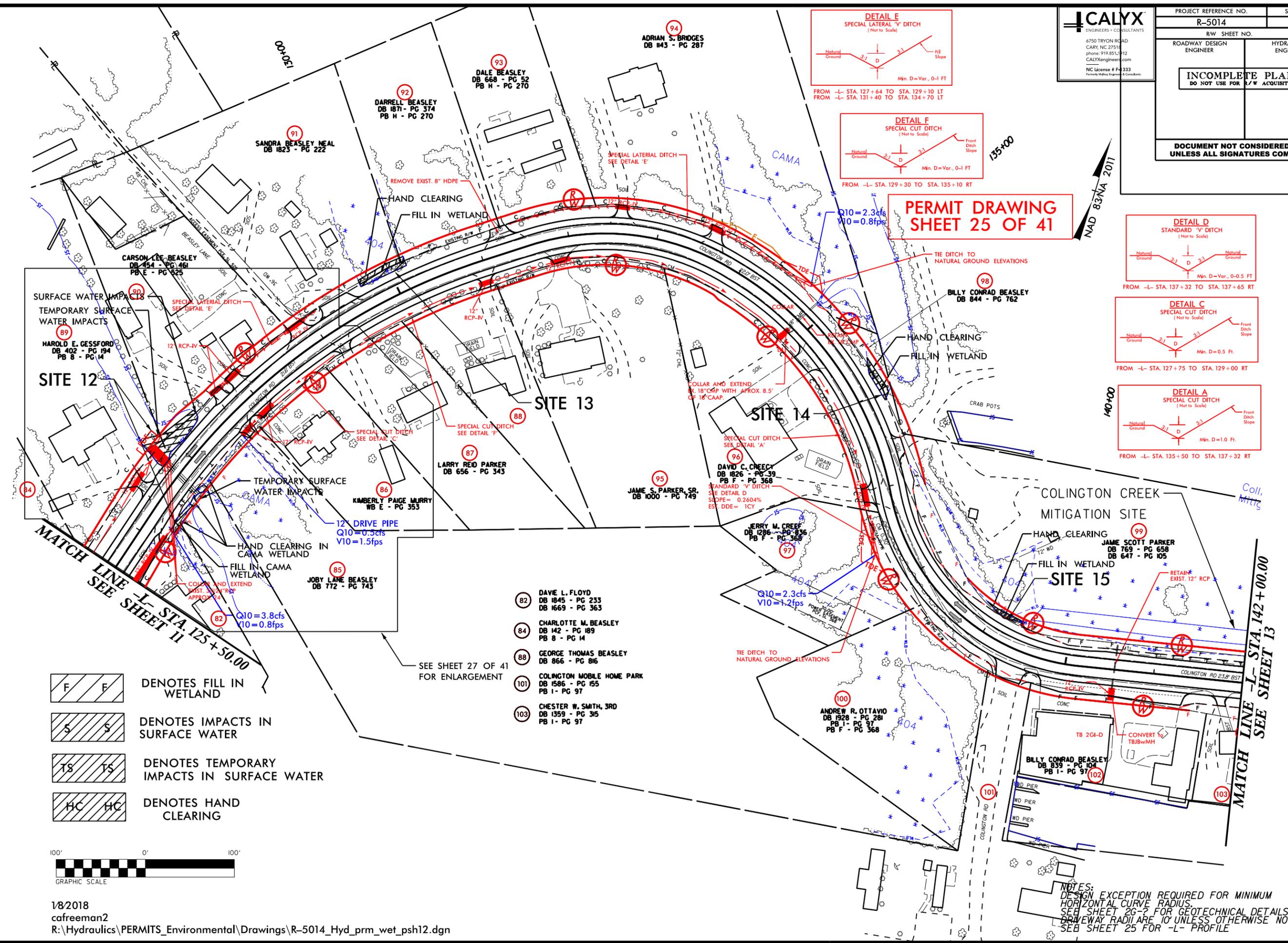


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\$\$\$\$\$USER\$\$\$\$\$



PERMIT DRAWING  
SHEET 25 OF 41



SURFACE WATER IMPACTS  
TEMPORARY SURFACE WATER IMPACTS

**SITE 12**

**SITE 13**

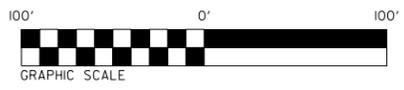
**SITE 14**

**COLINGTON CREEK  
MITIGATION SITE**

**SITE 15**

- DENOTES FILL IN WETLAND
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES HAND CLEARING

- 82 DAVE L. FLOYD  
DB 1845 - PG 233  
DB 1669 - PG 363
- 84 CHARLOTTE M. BEASLEY  
DB 142 - PG 189  
PB 8 - PG 14
- 88 GEORGE THOMAS BEASLEY  
DB 866 - PG 816
- 101 COLINGTON MOBILE HOME PARK  
DB 1586 - PG 155  
PB 1 - PG 97
- 103 CHESTER W. SMITH, 3RD  
DB 1359 - PG 315  
PB 1 - PG 97

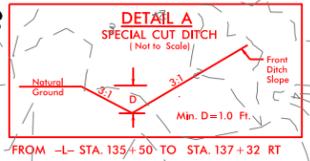
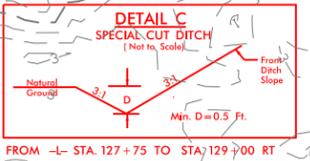
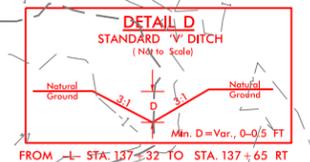
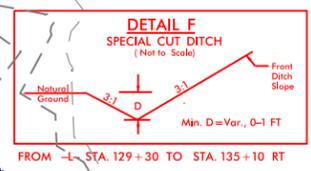
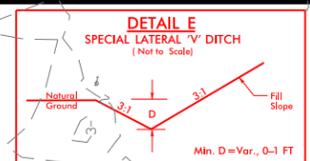


NOTES:  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS.  
SEE SHEET 26-? FOR GEOTECHNICAL DETAILS  
DRIVEWAY RADII ARE 10' UNLESS OTHERWISE NOTED  
SEE SHEET 25 FOR -L- PROFILE

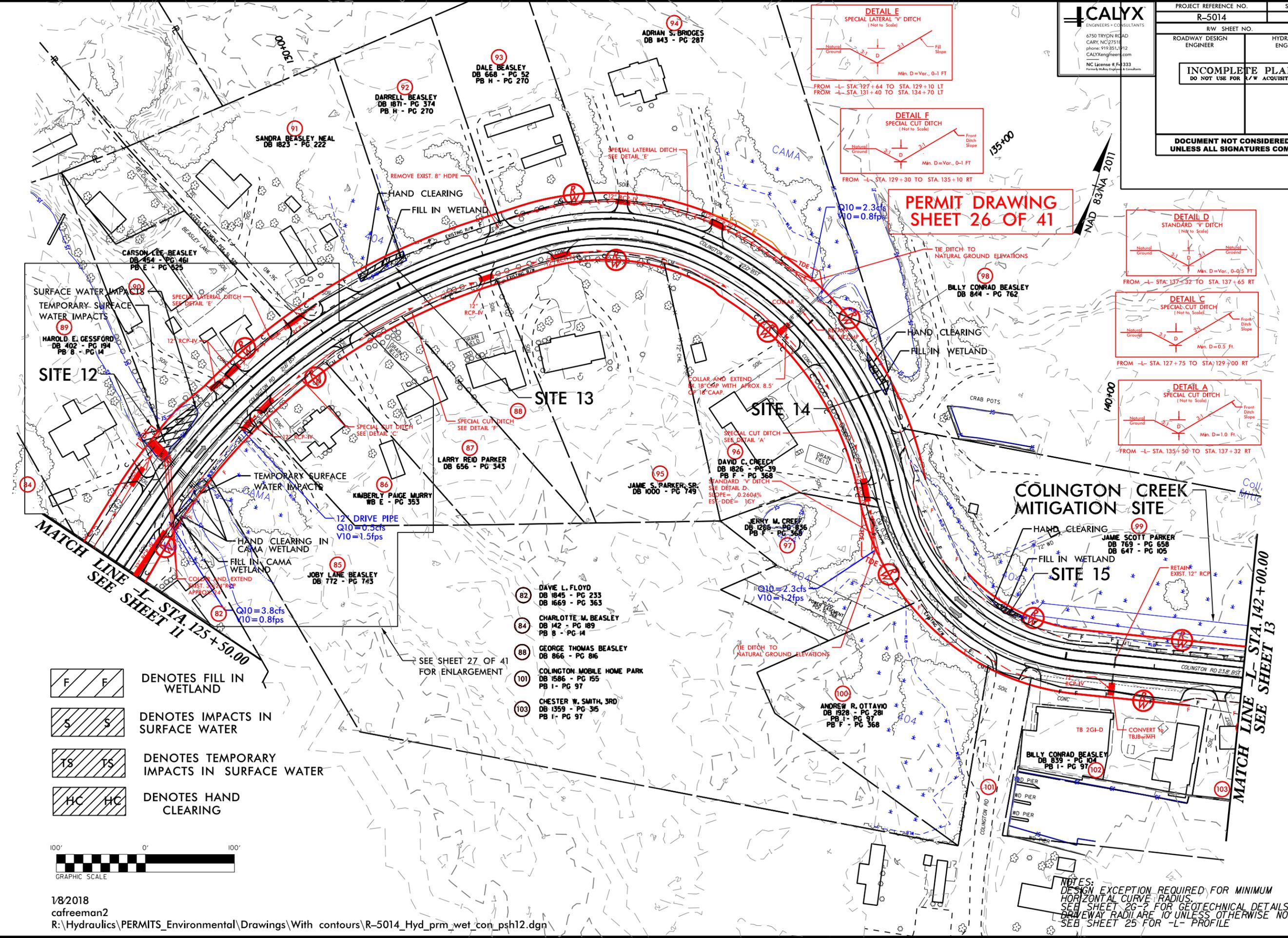
REVISIONS

8/17/99

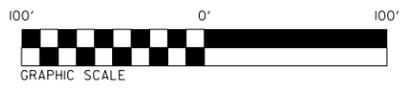
CUSTOMER'S PROPERTY AND CONSTRUCTION ARE SHOWN AS OF DATE OF THIS DRAWING. ANY CHANGES TO THIS DRAWING SHALL BE THE RESPONSIBILITY OF THE CUSTOMER.



**PERMIT DRAWING**  
**SHEET 26 OF 41**



- DENOTES FILL IN WETLAND
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES HAND CLEARING

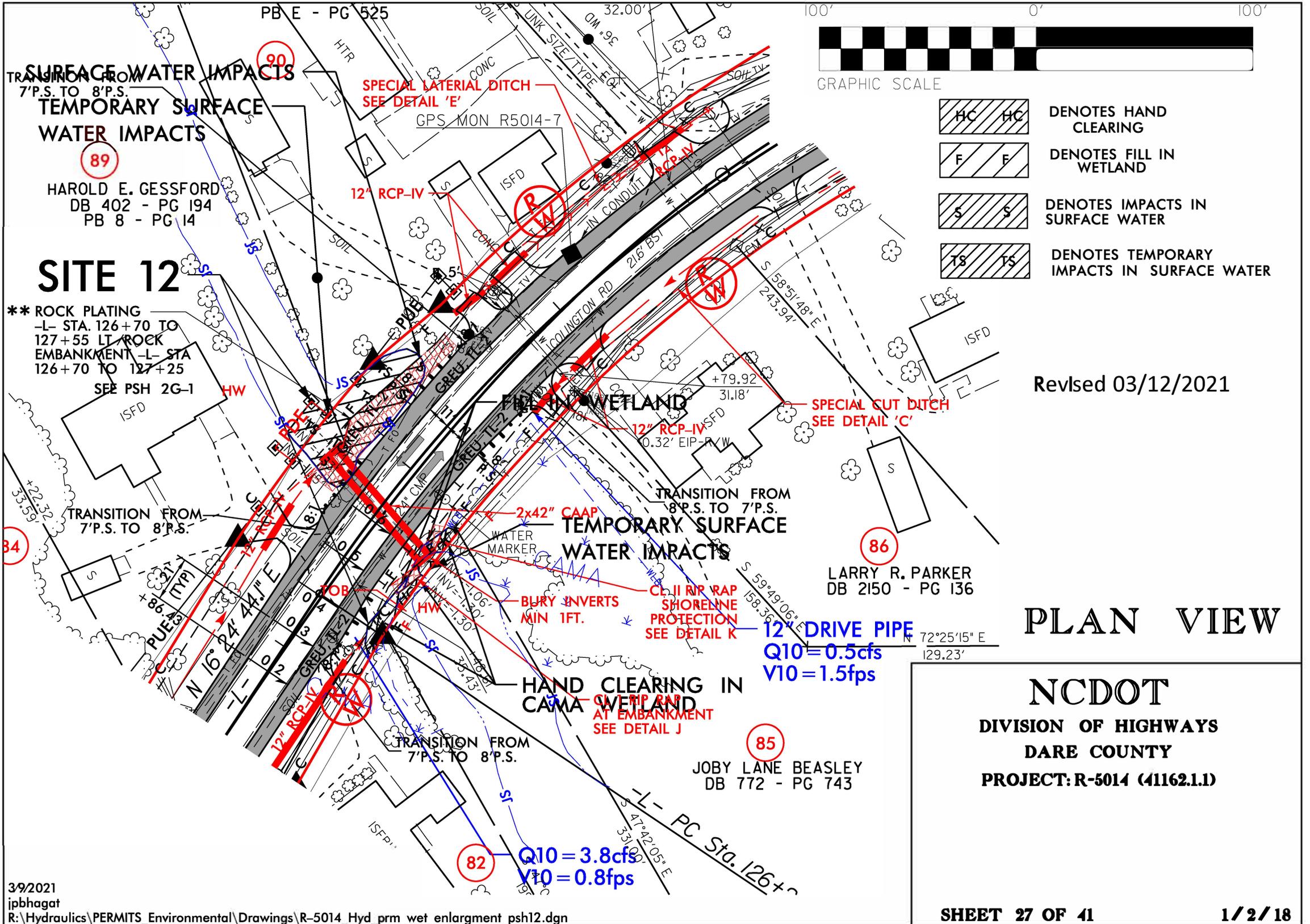


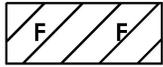
**NOTES:**  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS.  
SEE SHEET 26-2 FOR GEOTECHNICAL DETAILS.  
DRIVEWAY RADIARE 10' UNLESS OTHERWISE NOTED  
SEE SHEET 25 FOR -L- PROFILE

REVISIONS

8/17/99

CUSTOMER'S PROPERTY



-  DENOTES HAND CLEARING
-  DENOTES FILL IN WETLAND
-  DENOTES IMPACTS IN SURFACE WATER
-  DENOTES TEMPORARY IMPACTS IN SURFACE WATER

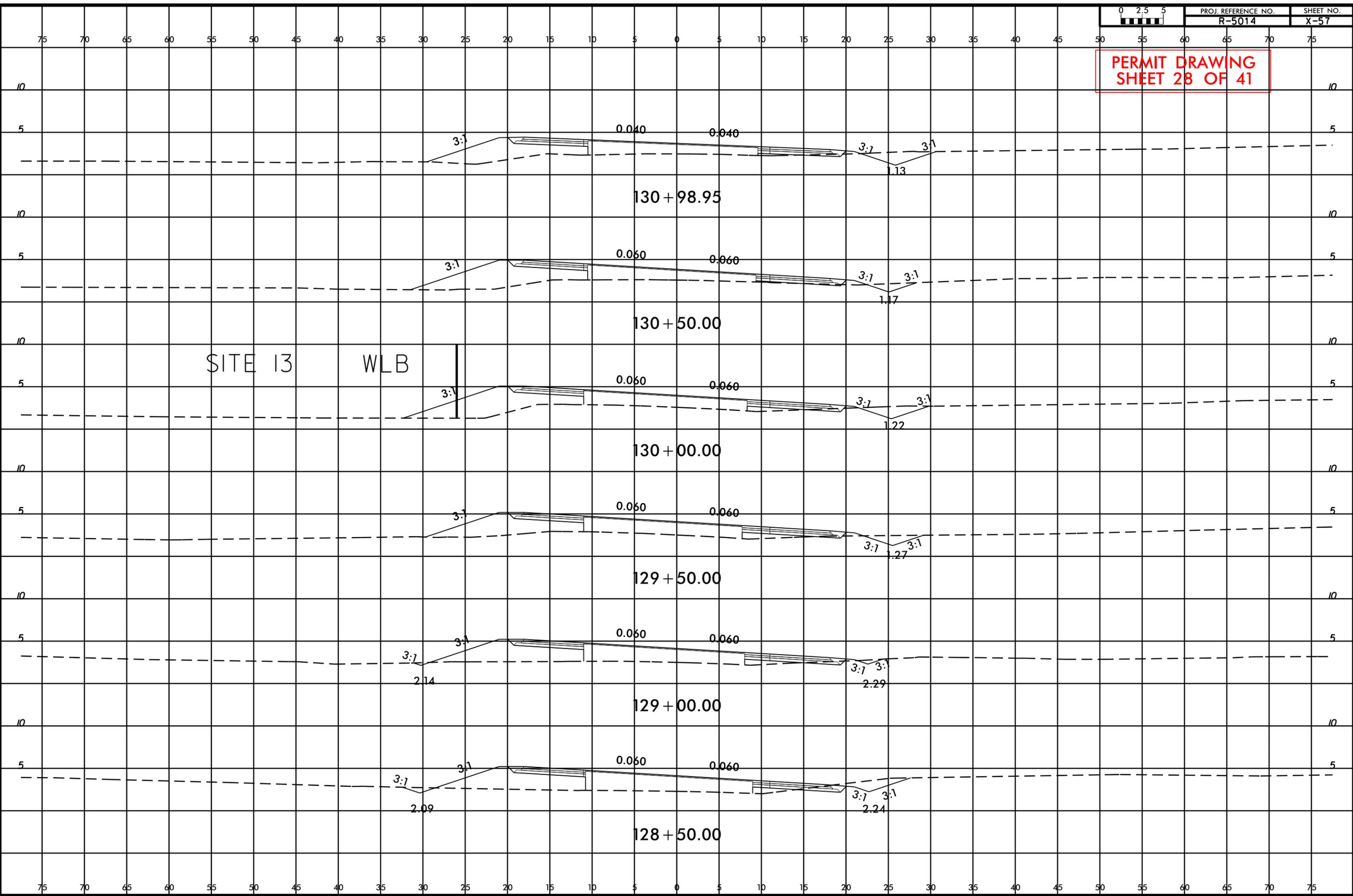
Revised 03/12/2021

# PLAN VIEW

**NCDOT**  
 DIVISION OF HIGHWAYS  
 DARE COUNTY  
 PROJECT: R-5014 (41162.1.1)

6/23/16

PERMIT DRAWING  
SHEET 28 OF 41



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\$\$\$\$\$DGN\$\$\$\$\$  
\$\$\$\$\$\$\$\$\$\$  
\$\$\$\$\$USER\$\$\$\$\$

6/23/16

PERMIT DRAWING  
SHEET 29 OF 41

SITE 14 WLB

0.028 0.028  
136 + 50.00

0.052 0.052  
136 + 00.00

0.060 0.060  
135 + 50.00

0.060 0.060  
135 + 00.00

0.060 0.060  
134 + 50.00

0.060 0.060  
133 + 95.79

3:1

3:1

3:1

3:1

3:1

3:1

3:1

3:1

3:1

3:1

3:1

3:1

3:1

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3:1

3:1

1.30

1.43

1.56

0.78

0.77

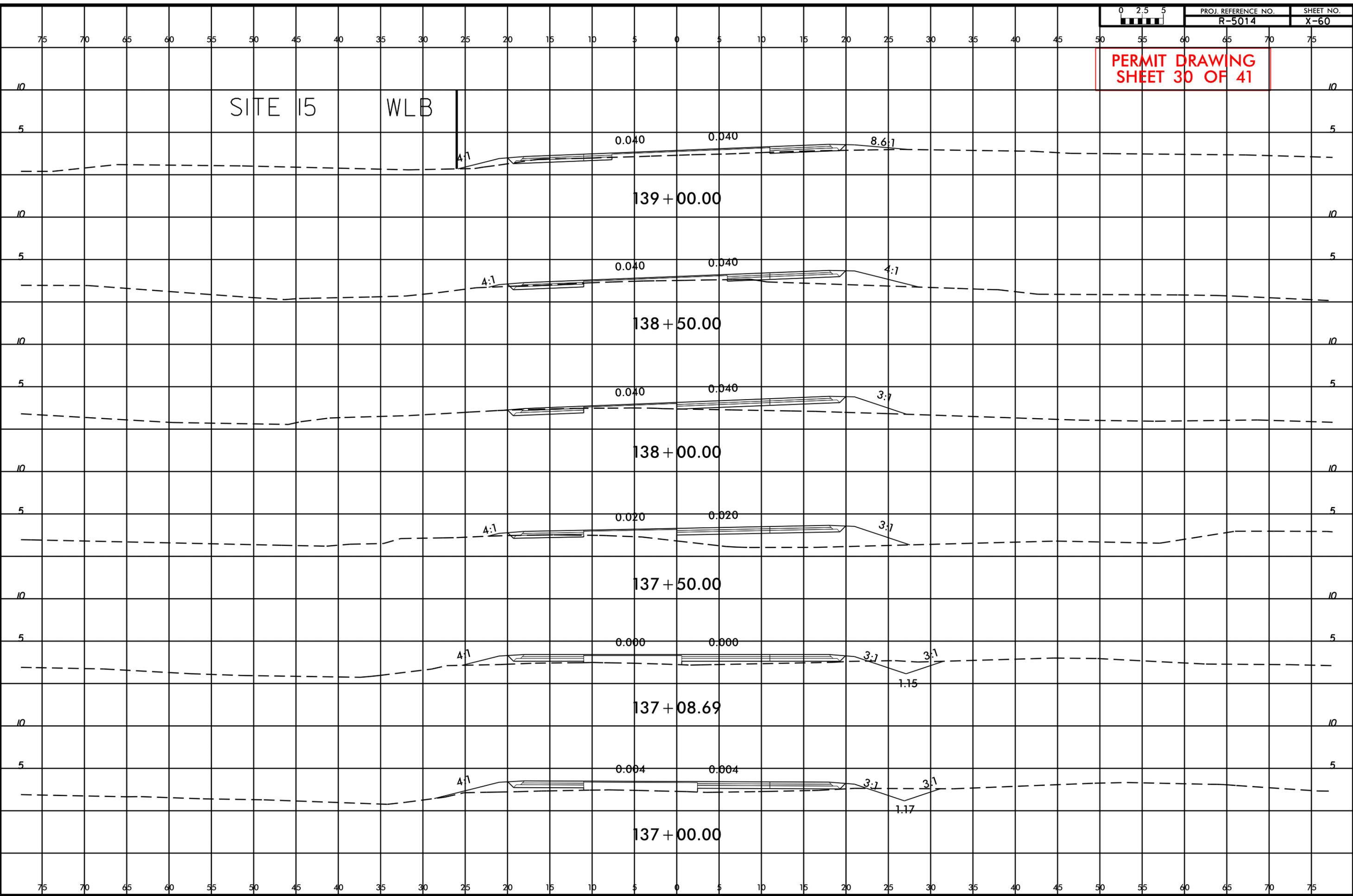
0.83

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6/23/16

PERMIT DRAWING  
SHEET 30 OF 41

SITE 15 WLB



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cafreeman2  
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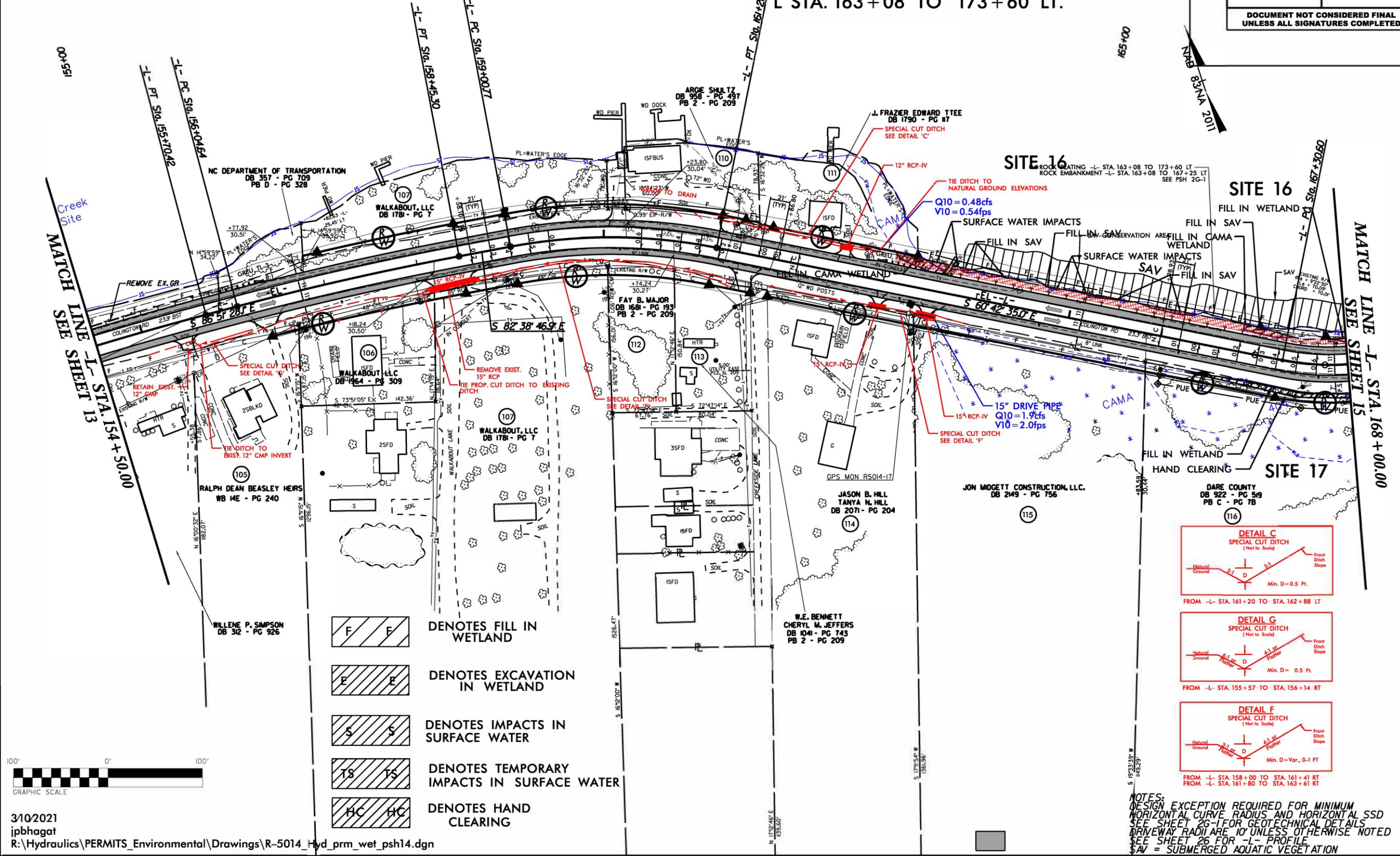
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RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION			
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED			

**PERMIT DRAWING**  
**SHEET 31 OF 41**

PI Sta 151+21.7 Δ = 14° 36' 20.0" (RT) D = 137' 00.0" L = 903.44' T = 454.18' R = 3,544.07' SE = 2% RO = 42" V = 80 MPH	PI Sta 157+25.02 Δ = 4° 12' 41.2" (RT) D = 145' 00.0" L = 240.65' T = 120.38' R = 3,274.04' SE = 2% RO = 42" V = 80 MPH	PI Sta 160+11.81 Δ = 21° 56' 11.8" (RT) D = 10' 00' 00.0" L = 219.37' T = 111.04' R = 572.96' SE = 6% RO = 126" V = 40 MPH	PI Sta 168+56.10 Δ = 53° 18' 40.2" (LT) D = 22' 55' 05.9" L = 232.61' T = 125.49' R = 250.00' SE = 6% RO = 126" *V = 30 MPH
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2:1 SLOPES USING ROCK PLATING FROM  
L STA. 163+08 TO 173+60 LT.

RIGHT OF WAY REVISION - 11/29/2018 - CHANGED THE PROPERTY OWNER NAME ON PARCEL 107 & 115.  
RIGHT OF WAY REVISION - 11/29/2018 - COMBINED PARCEL 107 & 108, ELIMINATED PARCEL 108.  
RIGHT OF WAY REVISION - 11/29/2018 - COMBINED PARCEL 109 & 110, ELIMINATED PARCEL 109.  
RIGHT OF WAY REVISION - 11/29/2018 - REDUCED THE PROPOSED R/W WIDTH FROM 40 FT TO 35 FT ALONG THE FRONTAGE OF PARCEL 107 & 110, DUE TO THIS TEMPORARY CONSTRUCTION EASEMENT (TCE) WAS ADDED ON PARCEL 107 & 110 AND ADJUSTED ON PARCEL 111.  
RIGHT OF WAY REVISION - 12/06/2018 - MODIFIED RIGHT OF WAY ON PARCEL 107, REMOVED RIGHT OF WAY MONUMENT ON PARCEL 107.



- DENOTES FILL IN WETLAND
- DENOTES EXCAVATION IN WETLAND
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES HAND CLEARING

**DETAIL C**  
SPECIAL CUT DITCH  
(Not to Scale)

FROM -L- STA. 161+20 TO STA. 162+88 LT

---

**DETAIL G**  
SPECIAL CUT DITCH  
(Not to Scale)

FROM -L- STA. 155+57 TO STA. 156+14 RT

---

**DETAIL F**  
SPECIAL CUT DITCH  
(Not to Scale)

FROM -L- STA. 158+00 TO STA. 161+41 RT  
FROM -L- STA. 161+80 TO STA. 163+61 RT

NOTES:  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS AND HORIZONTAL SSD  
SEE SHEET 26-1 FOR GEOTECHNICAL DETAILS  
DRIVEWAY RADII ARE 10' UNLESS OTHERWISE NOTED  
SEE SHEET 26 FOR -L- PROFILE  
SAV = SUBMERGED AQUATIC VEGETATION



PROJECT REFERENCE NO.	R-5014	SHEET NO.	14
RW SHEET NO.	ROADWAY DESIGN ENGINEER		
HYDRAULICS ENGINEER			
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION			
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED			

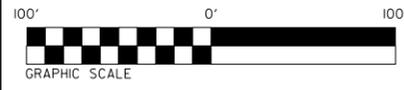
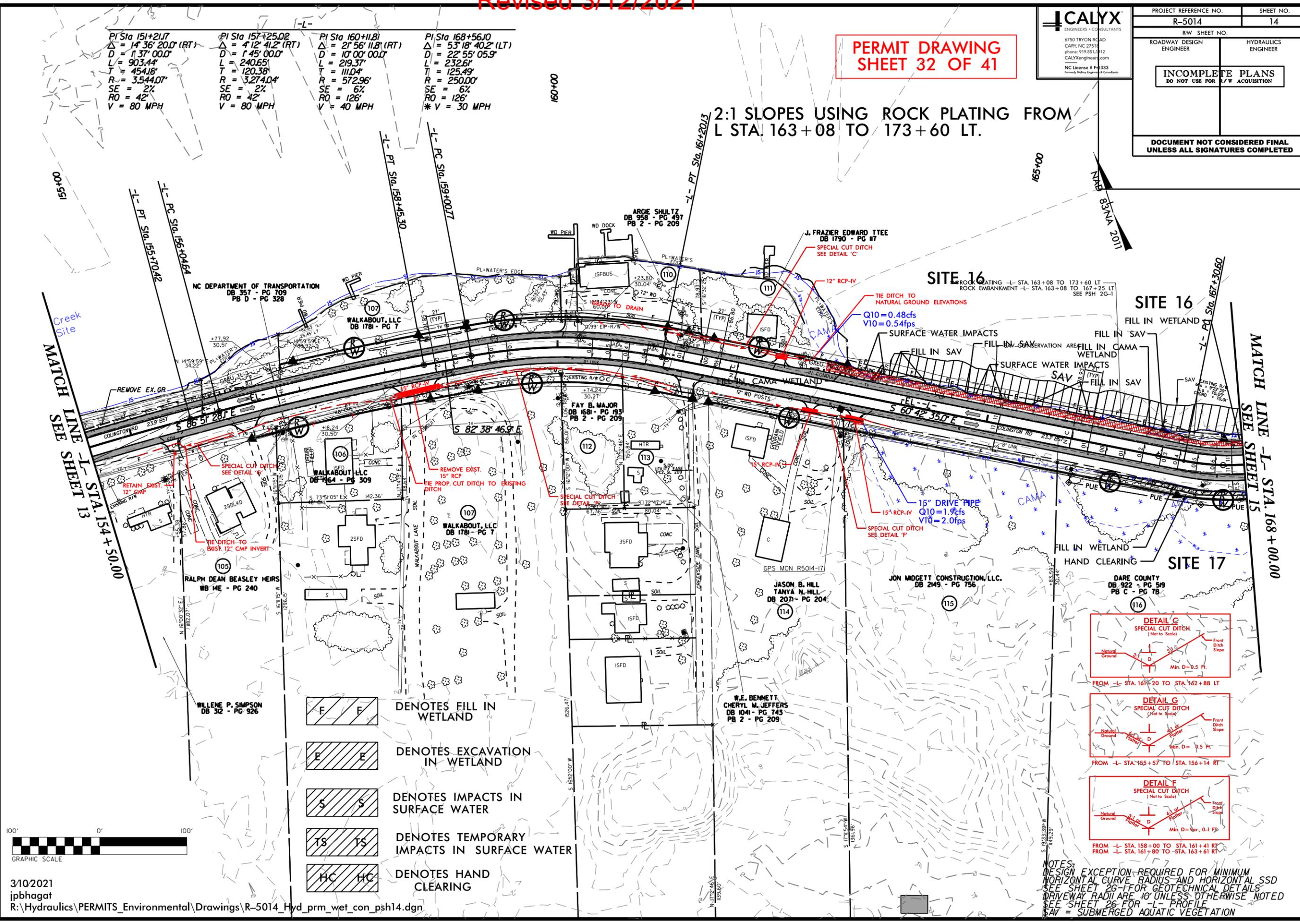
**PERMIT DRAWING SHEET 32 OF 41**

**2:1 SLOPES USING ROCK PLATING FROM L STA. 163+08 TO 173+60 LT.**

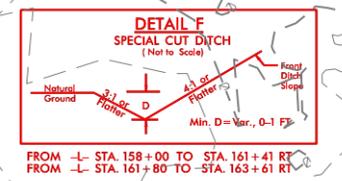
PI Sta 151+21.7 Δ = 14° 36' 20.0" (RT) D = 137' 00.0" L = 903.44' T = 454.16' R = 3,544.07' SE = 2% RO = 42° V = 80 MPH	PI Sta 157+25.02 Δ = 4° 12' 41.2" (RT) D = 145' 00.0" L = 240.65' T = 120.38' R = 3,274.04' SE = 2% RO = 42° V = 80 MPH	PI Sta 160+11.81 Δ = 2° 56' 11.8" (RT) D = 10' 00' 00.0" L = 219.37' T = 111.04' R = 572.96' SE = 6% RO = 126° V = 40 MPH	PI Sta 168+56.10 Δ = 53° 18' 40.2" (LT) D = 22' 55' 05.9" L = 232.61' T = 125.49' R = 250.00' SE = 6% RO = 126° *V = 30 MPH
---	---	---	---

REVISIONS

RIGHT OF WAY REVISION - 11/29/2018 - CHANGED THE PROPERTY OWNER NAME ON PARCEL 107 & 115.  
 RIGHT OF WAY REVISION - 11/29/2018 - COMBINED PARCEL 107 & 108, ELIMINATED PARCEL 108.  
 RIGHT OF WAY REVISION - 11/29/2018 - COMBINED PARCEL 109 & 110, ELIMINATED PARCEL 109.  
 RIGHT OF WAY REVISION - 11/29/2018 - REDUCED THE PROPOSED R/W WIDTH FROM 40 FT TO 35 FT ALONG THE FRONTAGE OF PARCEL 107 & 110, DUE TO THIS TEMPORARY CONSTRUCTION EASEMENT (TCE) WAS ADDED ON PARCEL 107 & 110 AND ADJUSTED ON PARCEL 111.  
 RIGHT OF WAY REVISION - 12/06/2018 - MODIFIED RIGHT OF WAY ON PARCEL 107, REMOVED RIGHT OF WAY MONUMENT ON PARCEL 107.



3/10/2021  
jpbhagat  
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NOTES:  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS AND HORIZONTAL SSD  
SEE SHEET 26-F FOR GEOTECHNICAL DETAILS  
DRIVEWAY RADII ARE 10' UNLESS OTHERWISE NOTED  
SEE SHEET 26 FOR -L- PROFILE  
SAV = SUBMERGED AQUATIC VEGETATION

6/23/16

PERMIT DRAWING  
SHEET 33 OF 41

SITE 16 SAV

ROCK PLATING

0.020 0.020

165 + 50.00

ROCK PLATING

0.020 0.020

165 + 00.00

ROCK PLATING

0.020 0.020

164 + 50.00

SITE 16 SAV

ROCK PLATING

0.020 0.020

164 + 00.00

WLB

SITE 16

SAV

ROCK PLATING

0.020 0.020

163 + 50.00

4:1 3:1

2.02

3:1

0.020 0.020

163 + 00.00

4:1 3:1

1.72

10242017  
cafreeman2  
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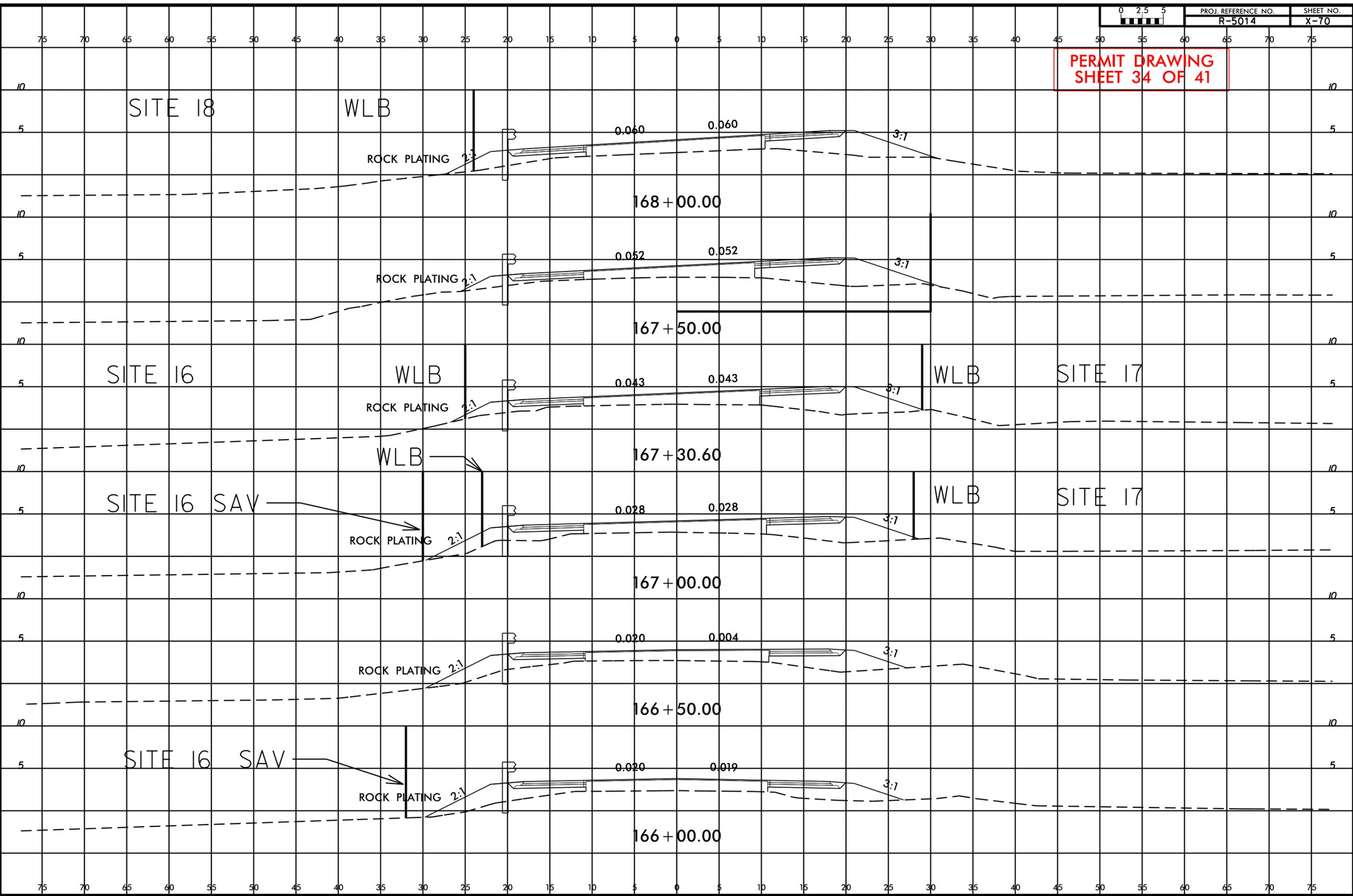
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6/23/16



PROJ. REFERENCE NO. R-5014 SHEET NO. X-70

PERMIT DRAWING SHEET 34 OF 41



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Revised 3/12/2021

**CALYX**  
ENGINEERS + CONSULTANTS  
4750 TRYON ROAD  
CARY, NC 27514  
PHONE: 919.851.1712  
CALYXengineers.com  
NC LICENSE # F-333  
Formerly Millay Engineers & Consultants

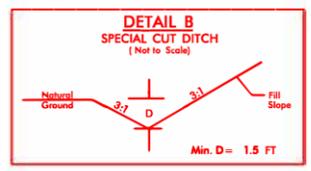
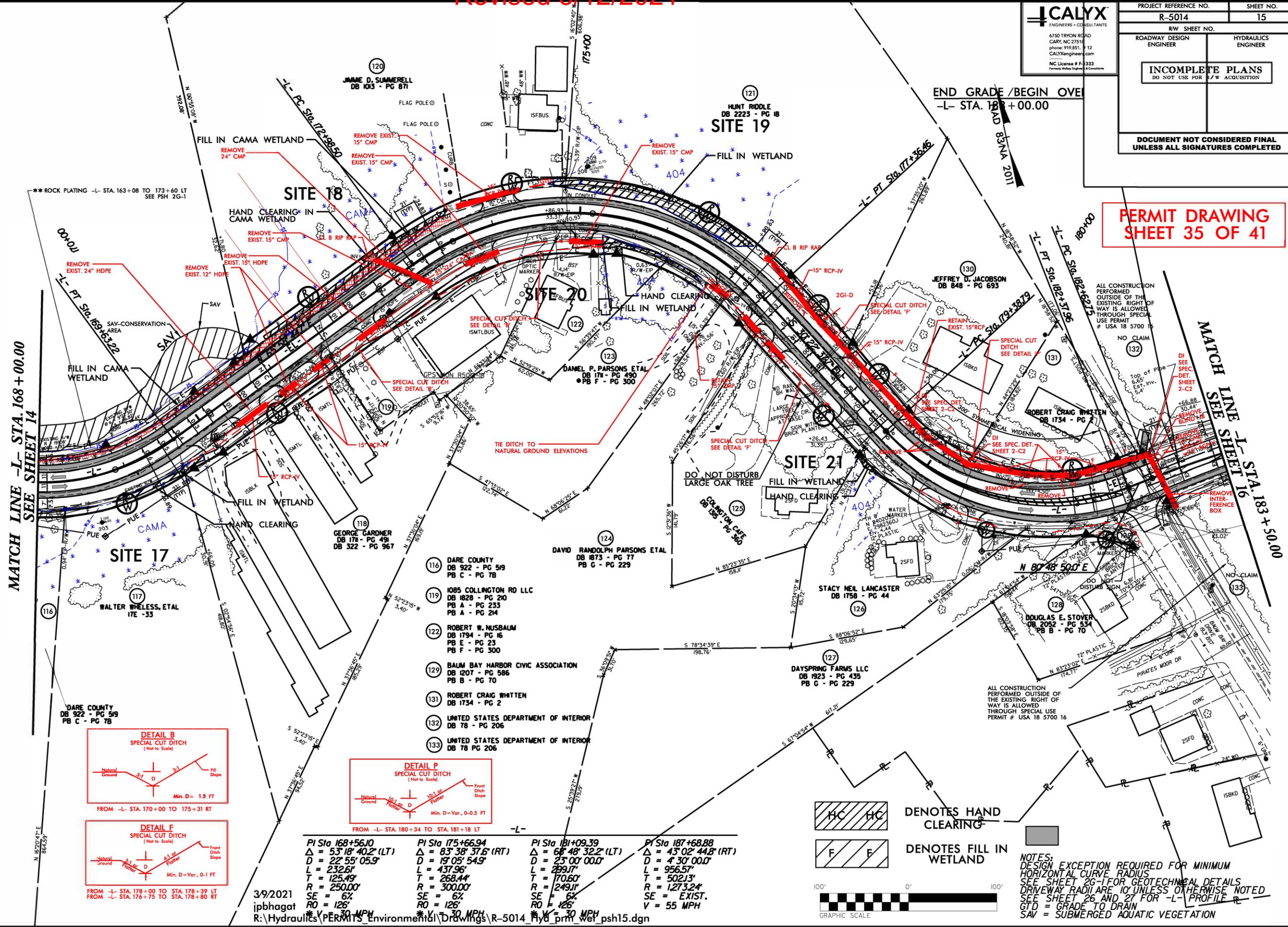
PROJECT REFERENCE NO.	SHEET NO.
R-5014	15
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION	
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED	

REVISIONS

02/08/2018 - PLACED NOTE TO NOT DISTURB SIGN ON PARCEL 120 & 121.  
 02/08/2018 - CHANGED NOTE PROPERTY LINE ON PARCEL 117 & 121.  
 11/29/2018 - ADDED THE NOTE TO CLAIM ON PARCEL 132 & 133 REMOVED AND THE NOTE: "ALL CONSTRUCTION PERFORMED OUTSIDE OF EXISTING RIGHT OF WAY PERMIT" IS ALLOWED THROUGH SPECIAL USE PERMIT # USA 18 5700 16 WAS ADDED ON PARCEL 132 & 133.  
 11/29/2018 - TEMPORARY CONSTRUCTION EASEMENTS TO BE REMOVED AND THE NOTE: "ALL CONSTRUCTION PERFORMED OUTSIDE OF EXISTING RIGHT OF WAY PERMIT" IS ALLOWED THROUGH SPECIAL USE PERMIT # USA 18 5700 16 WAS ADDED ON PARCEL 132 & 133.  
 12/06/2018 - MODIFIED RIGHT OF WAY MONUMENT ON PARCEL 120. REMOVED RIGHT OF WAY MONUMENT ON PARCEL 120.

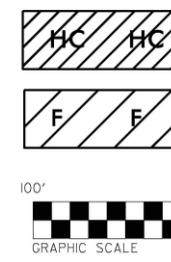
MATCH LINE -L- STA. 168 + 00.00  
SEE SHEET 14

MATCH LINE -L- STA. 183 + 50.00  
SEE SHEET 16



PI Sta 168+56.0 Δ = 53° 18' 40.2" (LT) D = 22' 55" 05.9" L = 232.61' T = 125.49' R = 250.00' SE = 6% RO = 126'	PI Sta 175+66.94 Δ = 83° 38' 37.6" (RT) D = 19' 05" 54.9" L = 437.96' T = 268.44' R = 300.00' SE = 6% RO = 126'	PI Sta 181+09.39 Δ = 66° 48' 32.2" (LT) D = 25' 00" 00.0" L = 299.17' T = 170.60' R = 249.11' SE = 6% RO = 126'	PI Sta 187+68.88 Δ = 43° 02' 44.8" (RT) D = 4' 30" 00.0" L = 956.57' T = 502.13' R = 1,273.24' SE = EXIST. V = 55 MPH
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3/9/2021  
jpbhagat  
R: Hydraulics (PERMITS Environmental) Drawings R-5014 Hyd\_pmt\_wel\_psh15.dgn



HC DENOTES HAND CLEARING  
F DENOTES FILL IN WETLAND

NOTES:  
DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS  
SEE SHEET 26-1 FOR GEOTECHNICAL DETAILS  
DRIVEWAY RADIARE 10' UNLESS OTHERWISE NOTED  
SEE SHEET 26 AND 27 FOR -L- PROFILE  
GTD = GRADE TO DRAIN  
SAV = SUBMERGED AQUATIC VEGETATION

Revised 3/12/2021

**CALYX**  
ENGINEERS & CONSULTANTS  
4750 TRYON ROAD  
CARY, NC 27514  
PHONE: 919.851.9112  
CALYXENGINEERS.COM  
NC LICENSE # PG 333  
Professional Engineers & Consultants

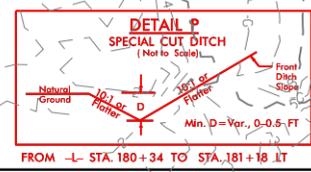
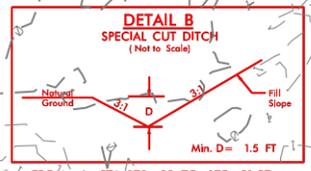
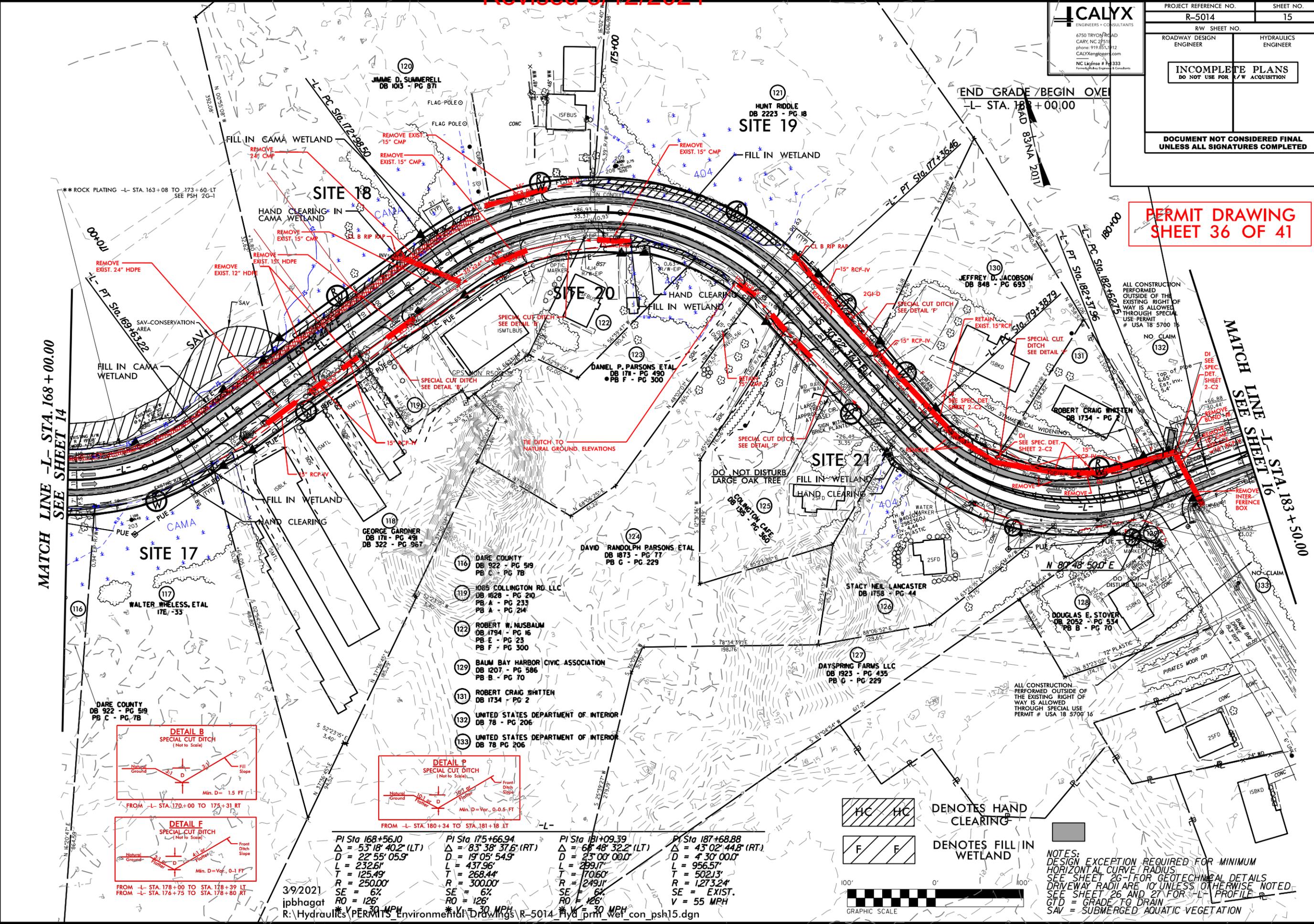
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<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION			
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED			

**PERMIT DRAWING SHEET 36 OF 41**

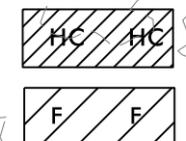
RIGHT OF WAY REVISION - 02/05/2018 - PLACED NOTE TO NOT DISTURB SIGN ON PARCEL 120 & 121.  
 RIGHT OF WAY REVISION - 02/05/2018 - CHANGED THE PROPERTY LINE ON PARCEL 117 & 121.  
 RIGHT OF WAY REVISION - 11/28/2018 - ADDED THE NOTE "NO CLAIM ON PARCEL 132 & 133" REMOVED AND THE NOTE "ALL CONSTRUCTION PERFORMED OUTSIDE OF EXISTING RIGHT OF WAY IS ALLOWED THROUGH SPECIAL USE PERMIT # USA 18 5700 16" WAS ADDED ON PARCEL 132 & 133.  
 RIGHT OF WAY REVISION - 12/06/2018 - MODIFIED RIGHT OF WAY ON PARCEL 120. REMOVED RIGHT OF WAY MONUMENT ON PARCEL 120.

MATCH LINE -L- STA. 168 + 00.00  
SEE SHEET 14

MATCH LINE -L- STA. 183 + 50.00  
SEE SHEET 16



PI Sta 168+56.10 Δ = 53° 18' 40.2" (LT) D = 22' 55" 05.9" L = 232.61' T = 125.49' R = 250.00' SE = 6° RO = 126°	PI Sta 175+66.94 Δ = 83° 38' 37.6" (RT) D = 19' 05" 54.9" L = 437.96' T = 268.44' R = 300.00' SE = 6° RO = 126°	PI Sta 181+09.39 Δ = 68° 48' 32.2" (LT) D = 25' 00" 00.0" L = 299.17' T = 170.60' R = 249.11' SE = 6° RO = 126°	PI Sta 187+68.88 Δ = 43° 02' 44.8" (RT) D = 4' 30" 00.0" L = 956.57' T = 502.13' R = 1273.24' SE = EXIST. V = 55 MPH
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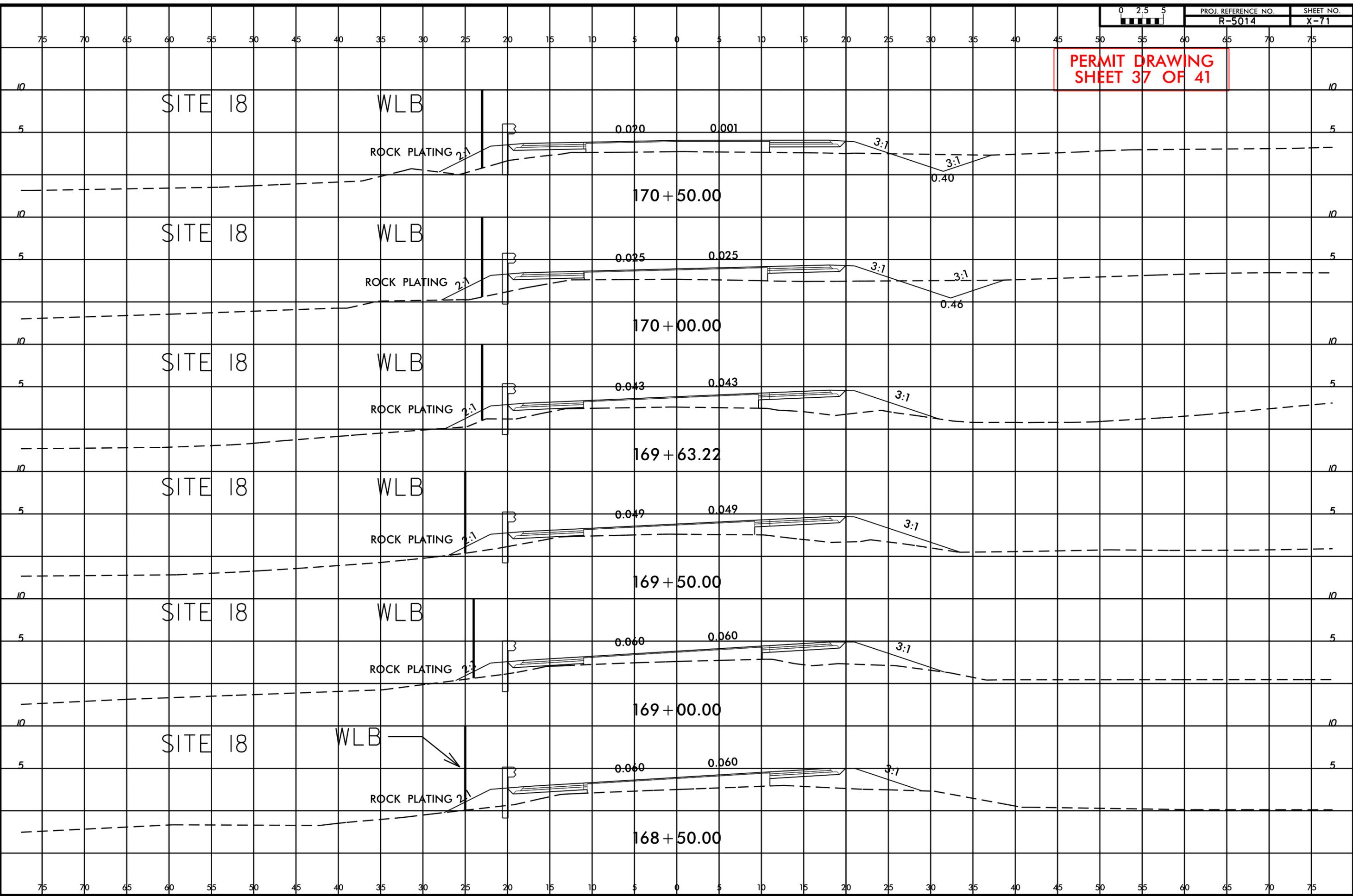


**NOTES:**  
 DESIGN EXCEPTION REQUIRED FOR MINIMUM HORIZONTAL CURVE RADIUS.  
 SEE SHEET 26-1 FOR GEOTECHNICAL DETAILS.  
 DRIVEWAY RADII ARE 10' UNLESS OTHERWISE NOTED.  
 SEE SHEET 26 AND 27 FOR -L- PROFILE.  
 GTD = GRADE TO DRAIN  
 SAV = SUBMERGED AQUATIC VEGETATION

6/23/16



PERMIT DRAWING SHEET 37 OF 41



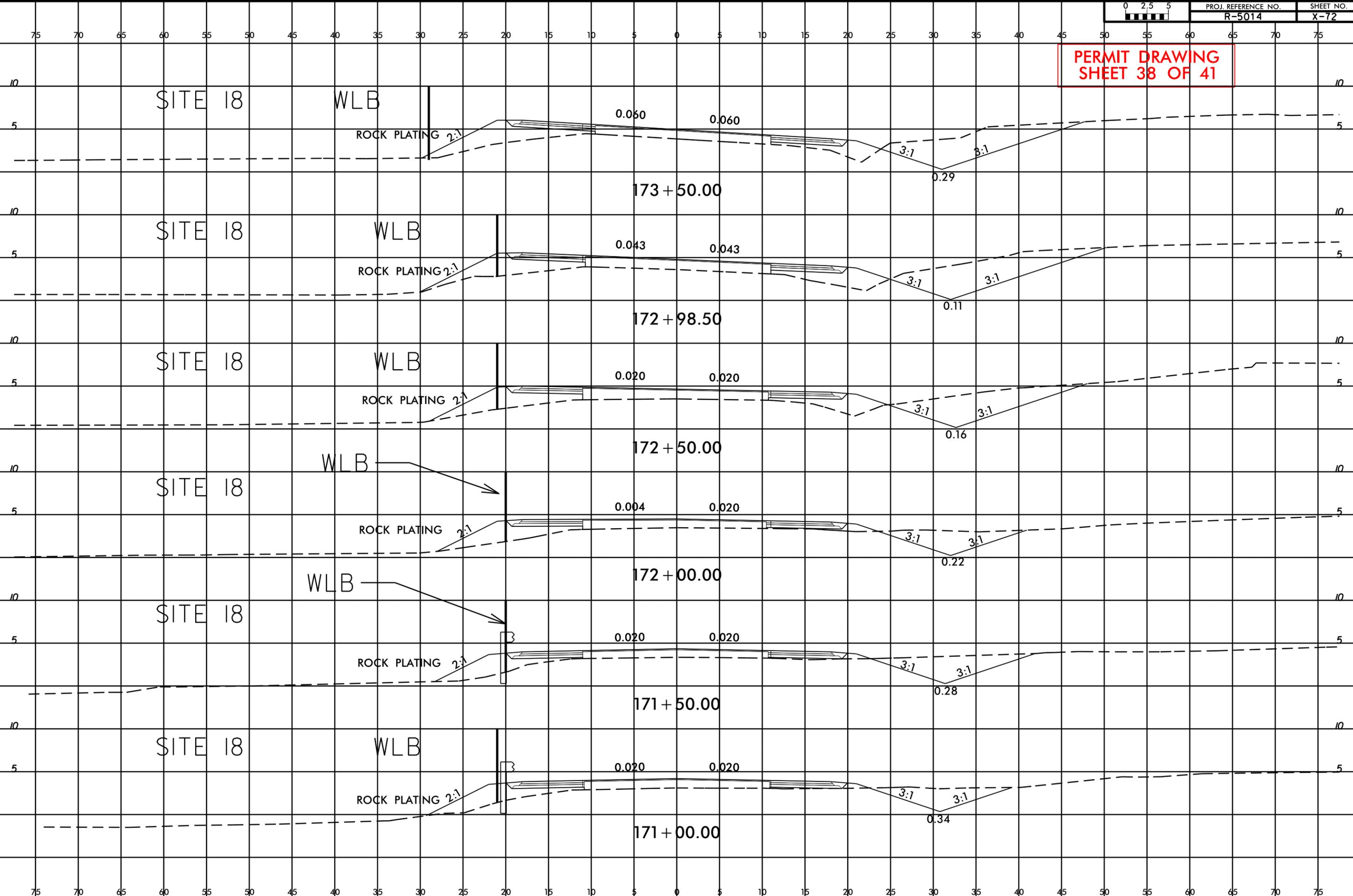
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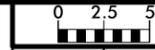


PERMIT DRAWING SHEET 38 OF 41

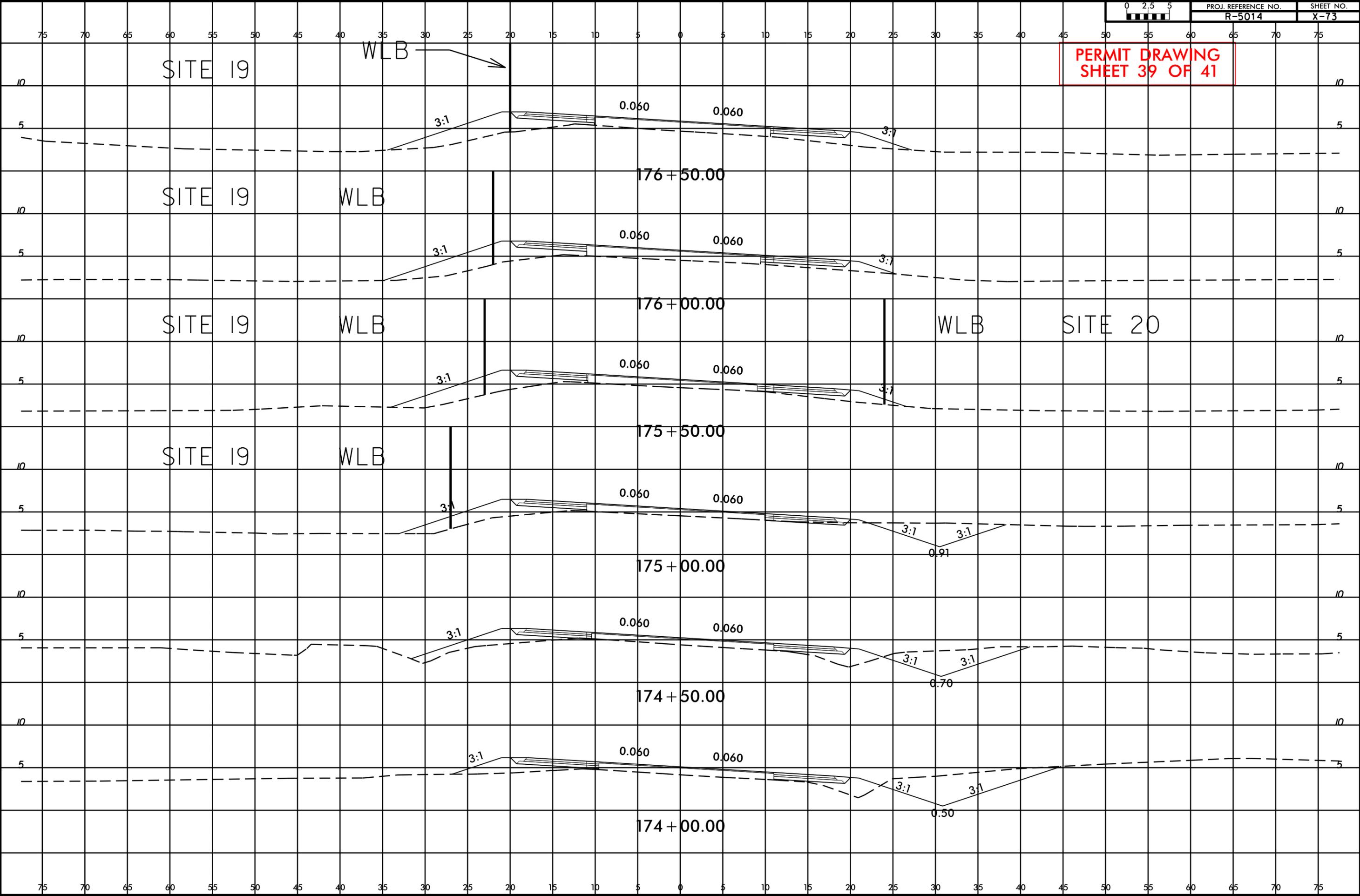


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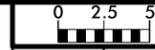


PERMIT DRAWING SHEET 39 OF 41

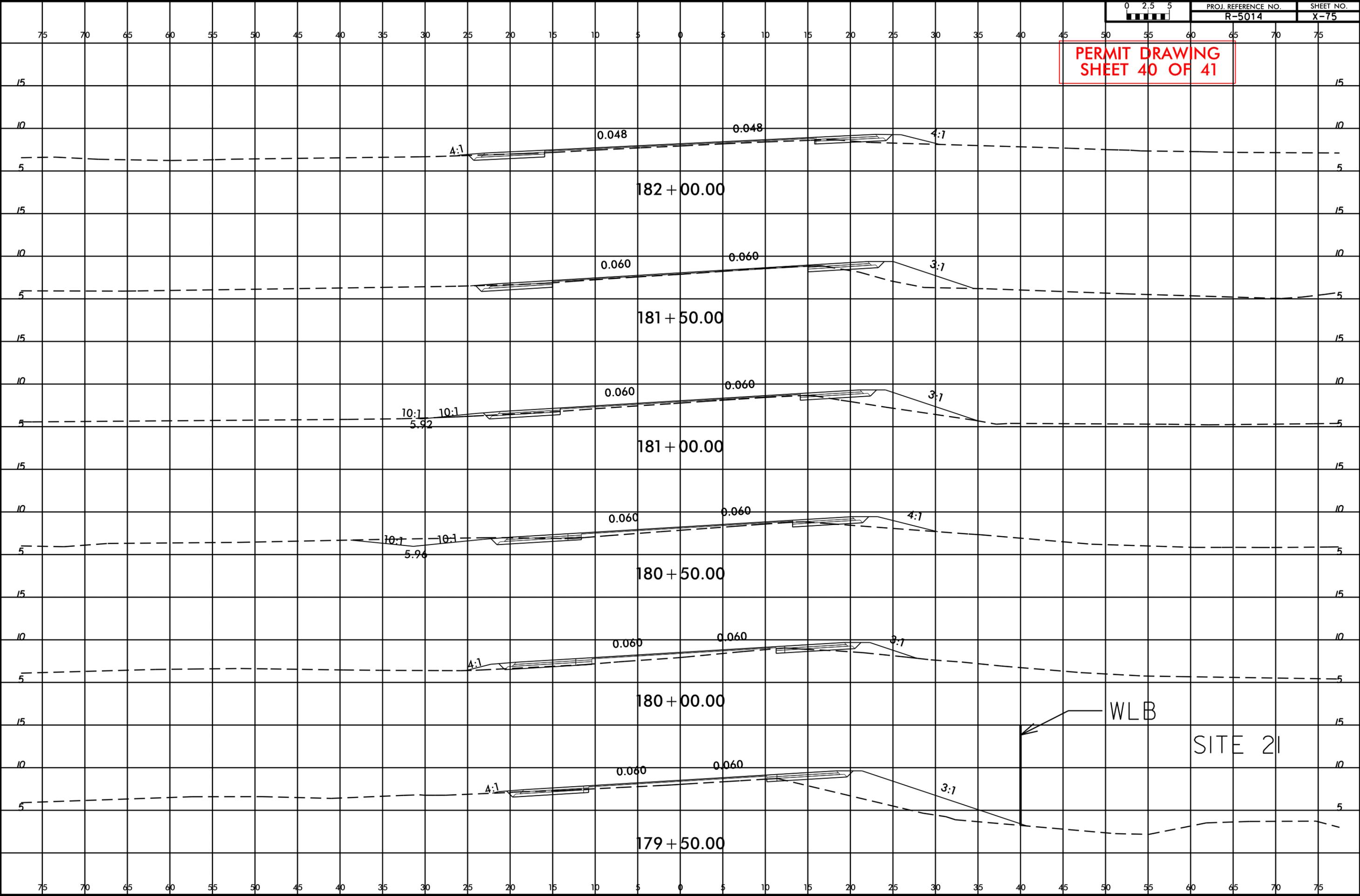


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PERMIT DRAWING SHEET 40 OF 41



SITE 21

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\$\$\$\$\$DON\$\$\$\$\$  
\$\$\$\$\$SERNAME\$\$\$\$\$

WETLAND AND SURFACE WATER IMPACTS SUMMARY												
Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1	L Sta 53+87 to 55+73 Lt	Roadway fill	0.04				0.02					
<b>2</b>	<b>L Sta 56+26 to 56+50 Lt/Rt</b>	<b>Culvert Replacement</b>	<b>&lt; 0.01</b>		<b>&lt; 0.01</b>		<b>&lt; 0.01</b>	<b>&lt; 0.01</b>	<b>0.02</b>	<b>32</b>	<b>16</b>	
3	L Sta 61+37 Rt	Roadway fill	< 0.01				< 0.01					
4	L Sta 66+13 to 70+24 Lt	Roadway fill	0.22				0.05					
5	L Sta 71+55 to 73+86 Rt	Roadway fill / Culvert	0.28				0.03					
6	L Sta 75+16 TO 76+73 Rt	Culvert / Roadway fill	0.02				0.03					
7	L Sta 85+34 to 88+03 Rt	Roadway fill	0.04				0.02					
8	L Sta 93+00 to 96+16 Lt	Roadway fill	0.04				0.02					
<b>9</b>	<b>L Sta 103+90 to 104+62 Lt/Rt</b>	<b>Culvert Replacement</b>	<b>&lt; 0.01</b>				<b>&lt; 0.01</b>	<b>&lt; 0.01</b>	<b>0.03</b>	<b>23</b>	<b>18</b>	
<b>9</b>	<b>L Sta 103+90 to 104+62 Lt/Rt</b>	<b>Bank Stabilization</b>						<b>0.01</b>		<b>55</b>		
10	L Sta 108+75 to 109+77 Rt	Tail Ditch					0.02					
11	L Sta 116+55 to 117+54 Lt	Roadway Ditch / Tail Ditch			< 0.01		< 0.01					
<b>12</b>	<b>L Sta 126+78 to 127+40 Lt</b>	<b>Culv Replacement/Rdy fill</b>	<b>&lt; 0.01</b>				<b>&lt; 0.01</b>	<b>&lt; 0.01</b>	<b>0.02</b>		<b>27</b>	
<b>12</b>	<b>L Sta 126+78 to 127+40 Lt</b>	<b>Bank Stabilization</b>						<b>0.02</b>		<b>71</b>		
13	L Sta 129+64 to 130+19 Lt	Roadway fill	< 0.01				< 0.01					
14	L Sta 135+70 to 136+10 Lt	Roadway fill	< 0.01				< 0.01					
15	L Sta. 139+07 Lt	Roadway fill	< 0.01				< 0.01					
16	L Sta 163+08 to 167+40 Lt	Roadway fill	0.02					< 0.01				
17	L Sta 166+91 to 169+80 Rt	Roadway fill	< 0.01				0.03					
18	L Sta. 167+81 to 173+51 Lt	Roadway fill	0.07				0.03					
19	L Sta 174+77 to 176+84 Lt	Roadway fill	0.05				0.03					
20	L Sta. 175+29 to 175+95 Rt	Roadway fill	< 0.01				0.01					
21	L Sta 179+50 Rt	Roadway fill	< 0.01				< 0.01					
<b>TOTALS*:</b>			<b>0.80</b>		<b>&lt; 0.01</b>		<b>0.32</b>	<b>0.06</b>	<b>0.08</b>	<b>181</b>	<b>61</b>	<b>0</b>

\*Rounded totals are sum of actual impacts

NOTES: \*\*\*Quantities shown below are included in the above totals\*\*\*

Site 2: 4.4 sqft of fill in CAMA wetland due to roadway fill.

Site 5: 0.10 acres total take of wetlands per 4B comment

Site 8: 0.04 acres of fill and 0.02 acres of hand clearing in CAMA wetland due to roadway fill.

Site 11: 7.4 sqft of excavation in CAMA wetland due to Roadway ditch and 22.7 sqft of hand clearing in CAMA wetland for tail ditch construction.

Site 12: 7.4 sqft of fill and 0.008 acres of hand clearing in CAMA wetland due to roadway fill.

Sites 14 & 15: 132 sqft of fill and 0.01 acres of hand clearing in CAMA wetland due to roadway fill.

Site 16: 188 sqft of permanent fill in SAV due to 2:1 rock plated roadway fill slope. 653 sqft of fill in CAMA wetland due to roadway fill.

Site 17: 55 sqft of fill and 0.01 acres of hand clearing in CAMA wetland due to roadway fill. 32 sqft of fill in 404 wetland due to roadway fill.

Site 18: 0.07 acres of fill and 0.03 acres of hand clearing in CAMA wetland due to roadway fill.

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
3/11/21  
DARE  
R-5014  
41162.1.1

SHEET 41 OF 41

# R-5014

## PROPOSED UTILITY NARRATIVE

### DARE COUNTY

---

**Date:** March 19, 2018

#### **Power**

**Owner: Dominion Power**

Contact info: James Pulley (252) 332-1813  
[james.a.pulley@dom.com](mailto:james.a.pulley@dom.com)

Dominion Power will install a new pole line over a JS mitigation stream from L line station 126+60 left to 127+60 left. This aerial line will not require any poles to be set in wetlands and the minimum attachment at the lowest sag will be 20'.

Dominion Power will install a new pole line over 404 and CAMA wetlands from L line station 166+00 right to 170+00 right. This new line will require a new pole to be set in a 404 wetland at L line station 167+50 right. All other poles are existing and to remain.

#### **Wetland impacts**

- Dominion will hand clear .03 acres of wetlands from L line station 86+18 left to 88+48 left.
- Dominion will hand clear .157 of wetlands from L line station 164+54 right to 168+42 right and temp fill less than .01 acres to set a pole.

#### **Phone**

**Owner: CenturyLink**

Contact info: Bruce Herrington (252) 207-2400  
[bherrington@terratechllc.net](mailto:bherrington@terratechllc.net)

CenturyLink will be installing new underground cable by method of directional drill at the following locations. The locations are 404 and CAMA wetland areas.

- L line station 65+10 left to 71+15 left (404 wetland)
- L line station 74+75 right to 77+10 right (404 wetland)
- L line station 94+00 right to 96+00 right (CAMA wetland)

## **CATV**

### **Owner: Spectrum**

Contact Info: Cindy Muscia (252) 715-2106  
[cindy.muscia@chartercom.com](mailto:cindy.muscia@chartercom.com)

Spectrum will be attached to the Dominion poles over the JS mitigation area wetland area described in the Dominion section. They will also be installing underground cable by method of directional drill at L line station 53+75 left to 58+00 left.

## **Water**

### **Owner: Town of Kill Devil Hills**

Contact Info: Steve Albright (252) 480-4086  
[steve@kdhnc.com](mailto:steve@kdhnc.com)

The Town of Kill Devil Hills will be replacing an existing 8" AC waterline with new 8" PVC C900 waterline from L line Station. 210+00 right to 232+00 left. This new line will not impact or be constructed around any environmental wetlands and should not need permitting. This relocation work will not be done near or around any wetlands.

## **Water**

### **Owner: Dare County Water**

Contact Info: Ken Flatt (252) 475-5990  
[kenf@darenc.com](mailto:kenf@darenc.com)

Dare County Water has an existing 8" AC water line that will be abandoned and replaced with the NCDOT contractor installing a new 12" PVC water line for most of the project and will need to directional bore sensitive wetland areas at the following locations.

- L line station 88+52 to station 96+63 (CAMA wetland and JS stream)
- L line station 123+99 right to 127+97 right (CAMA wetland)
- L line station 174+30 right to 178+10 right (404 wetland)

DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

Utility Permit Drawing  
Sheet 1 of 12

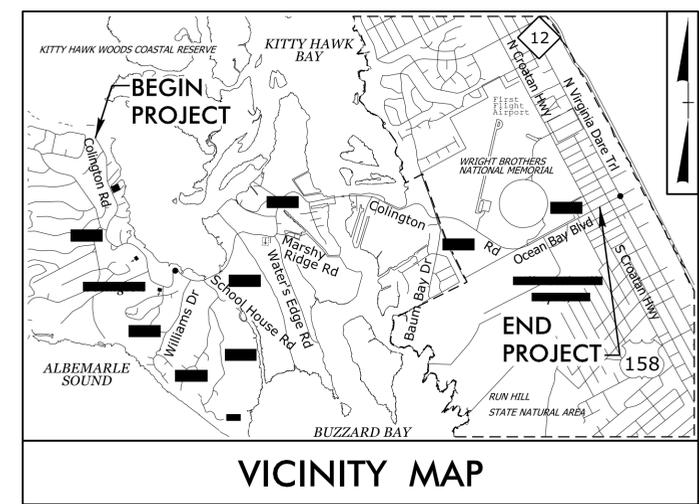
STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

**NEU ENVIRONMENTAL PERMIT PLANS  
DARE COUNTY**

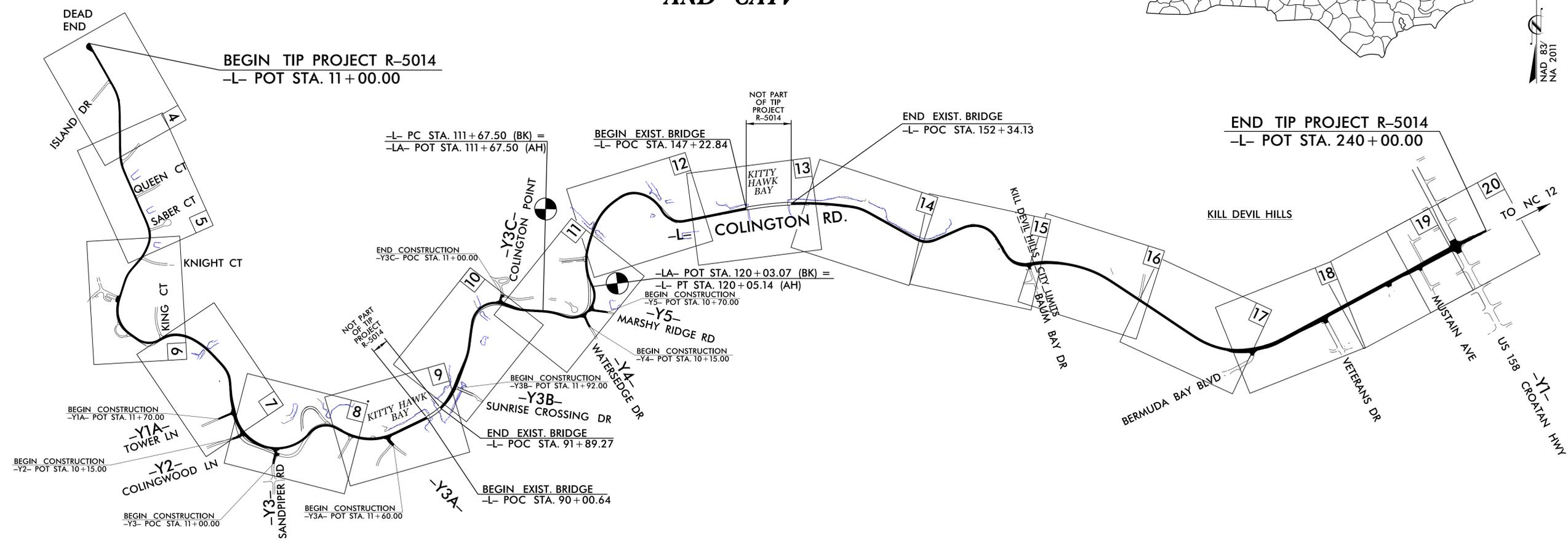
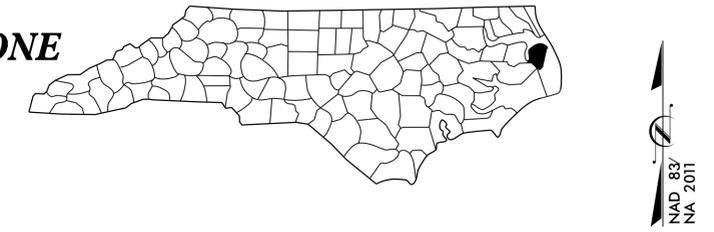
**LOCATION: SR 127, COLINGTON RD. FROM DEAD END TO US 158  
CROATAN HIGHWAY IN KILL DEVIL HILLS**

**TYPE OF WORK: RELOCATION OF WATER, POWER, PHONE  
AND CATV**

**TIP PROJECT: R-5014**

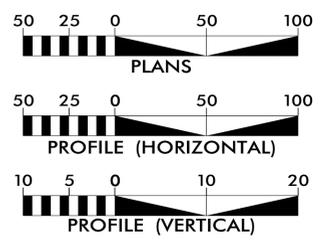


VICINITY MAP



PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION

**GRAPHIC SCALES**



**INDEX OF SHEETS**

SHEET NO.:	DESCRIPTION:
UE-1	NEU TITLE SHEET
UE-2 THRU UE-7	NEU PLAN SHEETS
UE-8 THRU UE-16	NEU PROFILE SHEETS

**UTILITY OWNERS WITH CONFLICTS**

- (A) WATER - DARE COUNTY WATER
- (B) WATER - KILL DEVIL HILLS
- (C) POWER - DOMINION POWER
- (D) TELEPHONE - CENTURYLINK
- (E) CATV - CHARTER



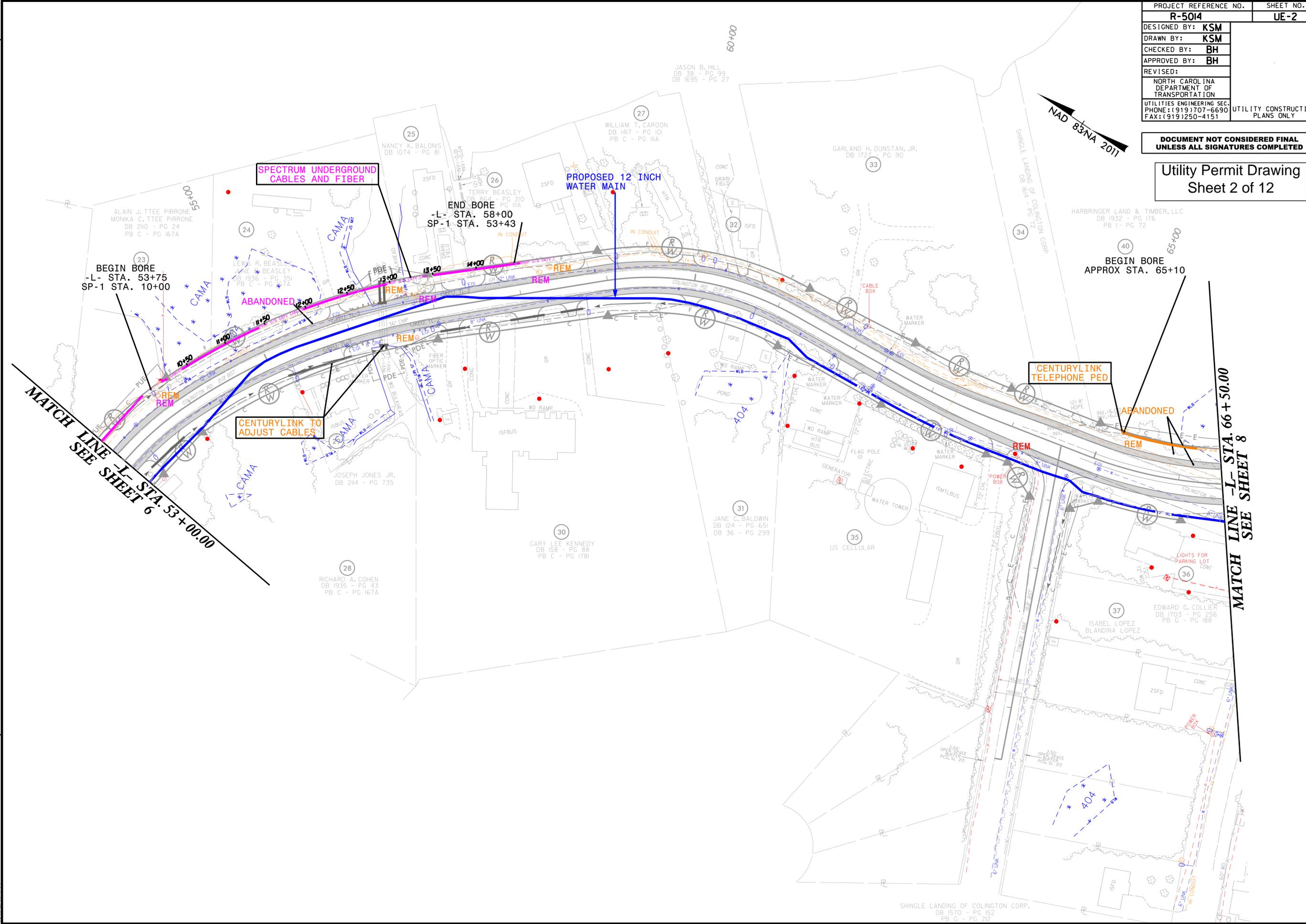
**DIVISION OF HIGHWAYS  
UTILITIES UNIT**  
1555 MAIL SERVICES CENTER  
RALEIGH NC 27699-1555  
PHONE (919) 707-6690  
FAX (919) 250-4151

**BO HEMPHILL P.E.** UTILITIES REGIONAL ENGINEER  
**KELVIN MARTIN** UTILITIES ENGINEER  
**KYLE PLEASANT** UTILITIES AREA COORDINATOR  
**LARRY JAMES JR.** UTILITIES COORDINATOR

PROJECT REFERENCE NO.	SHEET NO.
<b>R-5014</b>	<b>UE-2</b>
DESIGNED BY: <b>KSM</b>	
DRAWN BY: <b>KSM</b>	
CHECKED BY: <b>BH</b>	
APPROVED BY: <b>BH</b>	
REVISED:	
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151	
UTILITY CONSTRUCTION PLANS ONLY	

**DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED**

**Utility Permit Drawing Sheet 2 of 12**



BEGIN BORE  
-L- STA. 53+75  
SP-1 STA. 10+00

SPECTRUM UNDERGROUND  
CABLES AND FIBER

END BORE  
-L- STA. 58+00  
SP-1 STA. 53+43

PROPOSED 12 INCH  
WATER MAIN

CENTURYLINK TO  
ADJUST CABLES

CENTURYLINK  
TELEPHONE PED

BEGIN BORE  
APPROX STA. 65+10

MATCH LINE -L- STA. 53+00.00  
SEE SHEET 6

MATCH LINE -L- STA. 66+50.00  
SEE SHEET 8

REVISIONS

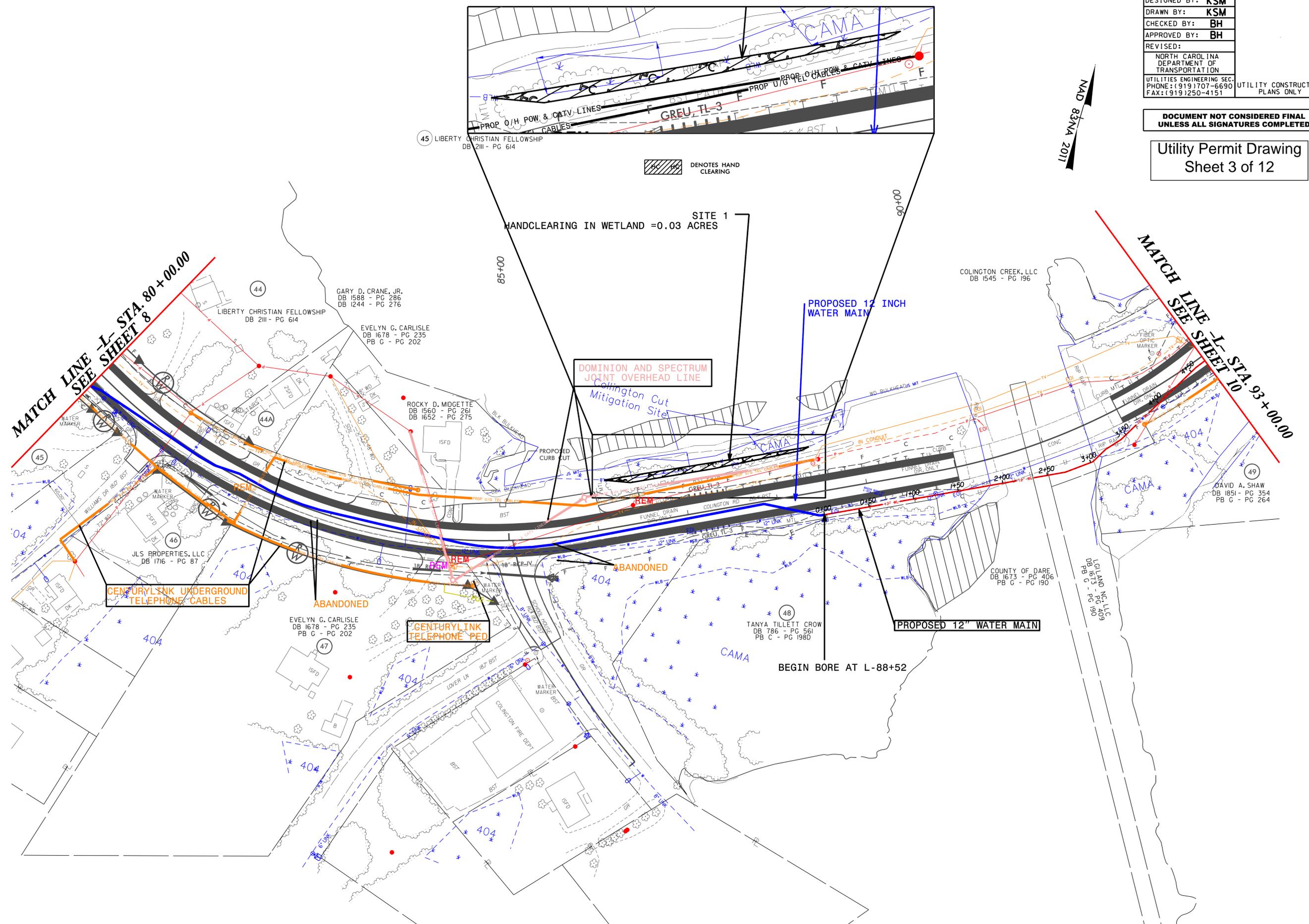
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3/29/2018  
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SHINGLE LANDING OF COLINGTON CORP.  
DB 1570 - PG 152  
PB G - PG 212

PROJECT REFERENCE NO.	SHEET NO.
R-5014	UE-3
DESIGNED BY: KSM	UTILITY CONSTRUCTION PLANS ONLY
DRAWN BY: KSM	
CHECKED BY: BH	
APPROVED BY: BH	
REVISED:	
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151	

DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

Utility Permit Drawing  
Sheet 3 of 12



REVISIONS

8/17/99  
 4/5/2018  
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 11/15/2016

PROJECT REFERENCE NO.	SHEET NO.
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DRAWN BY: <b>KSM</b>	
CHECKED BY: <b>BH</b>	
APPROVED BY: <b>BH</b>	
REVISED:	
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151	UTILITY CONSTRUCTION PLANS ONLY

**DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED**

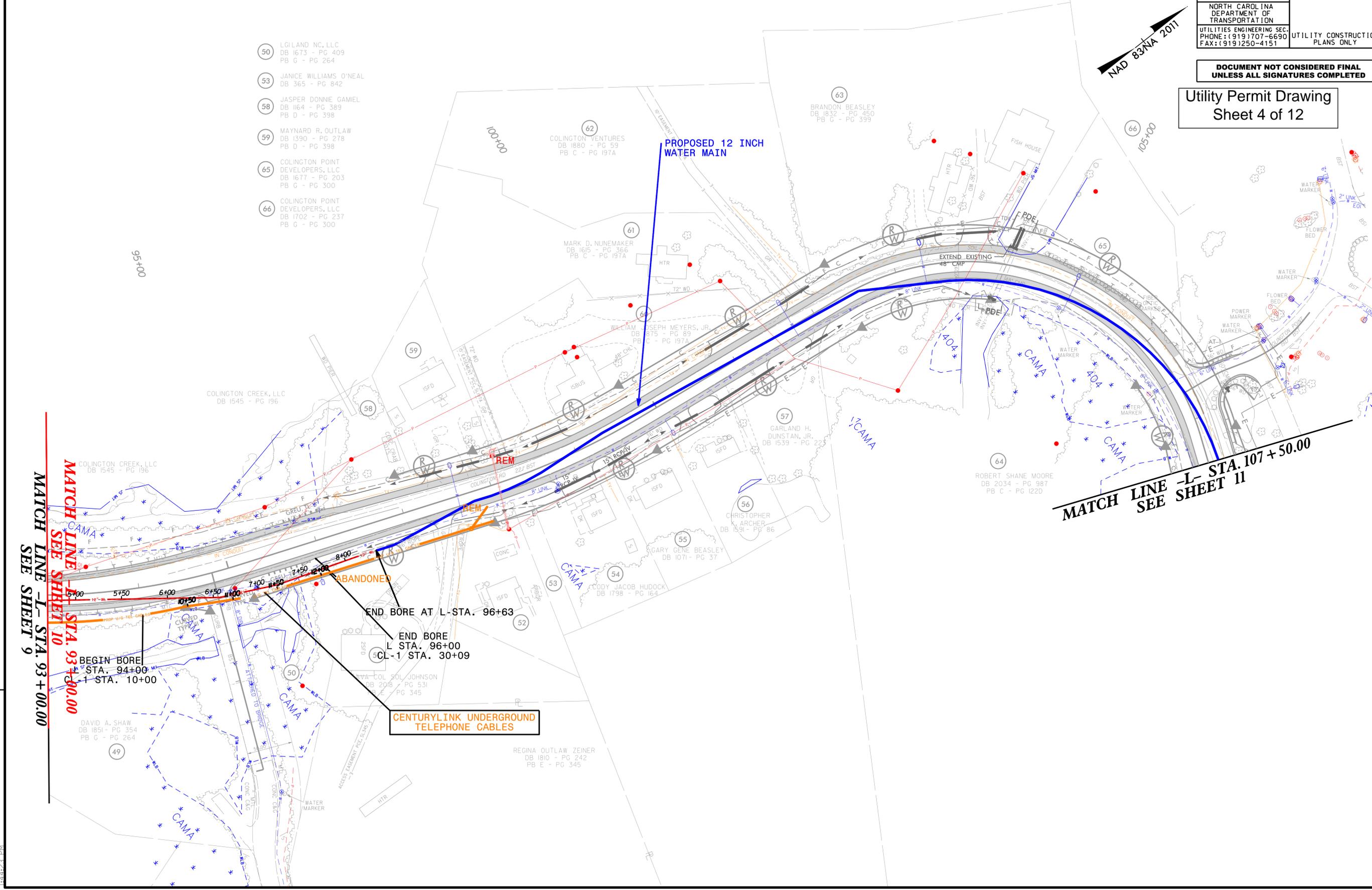
**Utility Permit Drawing  
Sheet 4 of 12**



- 50 LGLAND NC, LLC  
DB 1673 - PG 409  
PB G - PG 264
- 53 JANICE WILLIAMS O'NEAL  
DB 365 - PG 842
- 58 JASPER DONNIE GAMEL  
DB 1164 - PG 389  
PB D - PG 398
- 59 MAYNARD R. OUTLAW  
DB 1390 - PG 278  
PB D - PG 398
- 65 COLINGTON POINT DEVELOPERS, LLC  
DB 1677 - PG 203  
PB G - PG 300
- 66 COLINGTON POINT DEVELOPERS, LLC  
DB 1702 - PG 237  
PB G - PG 300

8/17/99  
7/29/2018  
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REVISIONS



MATCH LINE -L- STA. 93 + 00.00  
MATCH LINE -L- STA. 107 + 50.00  
MATCH LINE -L- STA. 93 + 00.00  
MATCH LINE -L- STA. 107 + 50.00  
MATCH LINE -L- STA. 93 + 00.00  
MATCH LINE -L- STA. 107 + 50.00

**CENTURYLINK UNDERGROUND TELEPHONE CABLES**

**PROPOSED 12 INCH WATER MAIN**

END BORE AT L-STA. 96+63

END BORE  
L STA. 96+00  
CL-1 STA. 30+09

BEGIN BORE  
L STA. 94+00  
CL-1 STA. 10+00

COLINGTON CREEK, LLC  
DB 1545 - PG 196

DAVID A. SHAW  
DB 1851 - PG 354  
PB G - PG 264

COL S. JOHNSON  
DB 2016 - PG 531  
PG 345

REGINA OUTLAW ZEINER  
DB 1810 - PG 242  
PB E - PG 345

CODY JACOB HUDOCK  
DB 1798 - PG 164

CHRISTOPHER K. ARCHER  
DB 1591 - PG 86

GARLAND H. DUNSTAN, JR.  
DB 1539 - PG 223

MARK D. NUNEMAKER  
DB 1615 - PG 366  
PB C - PG 197A

COLINGTON VENTURES  
DB 1880 - PG 59  
PB C - PG 197A

BRANDON BEASLEY  
DB 1832 - PG 450  
PB G - PG 399

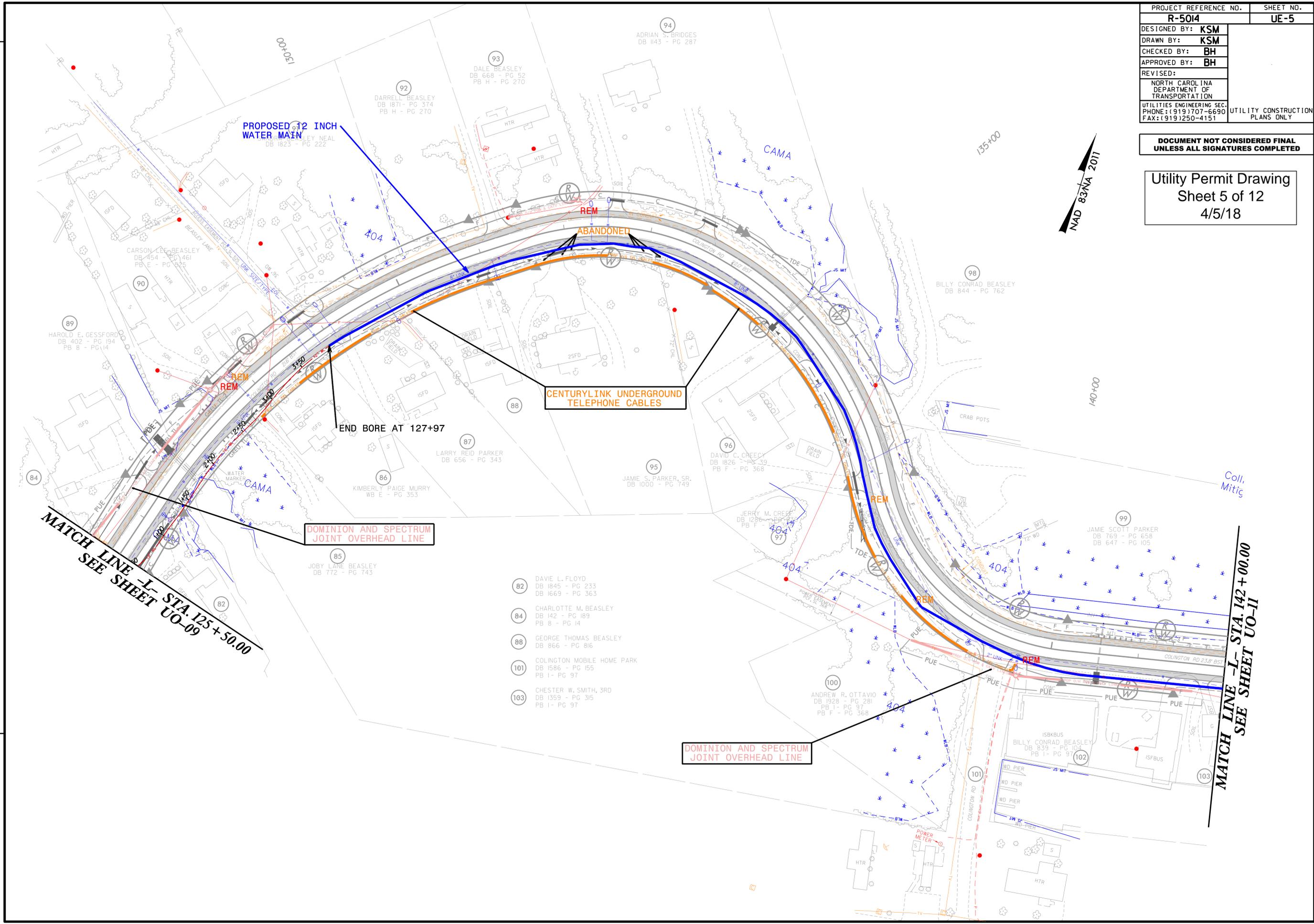
ROBERT SHANE MOORE  
DB 2034 - PG 987  
PB C - PG 122D

2" LINK EOT

PROJECT REFERENCE NO.	SHEET NO.
<b>R-5014</b>	<b>UE-5</b>
DESIGNED BY: <b>KSM</b>	
DRAWN BY: <b>KSM</b>	
CHECKED BY: <b>BH</b>	
APPROVED BY: <b>BH</b>	
REVISED:	
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151	UTILITY CONSTRUCTION PLANS ONLY

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Utility Permit Drawing  
Sheet 5 of 12  
4/5/18



- 82 DAVIE L. FLOYD  
DB 1845 - PG 233  
DB 1669 - PG 363
- 84 CHARLOTTE M. BEASLEY  
DB 142 - PG 189  
PB 8 - PG 14
- 88 GEORGE THOMAS BEASLEY  
DB 866 - PG 816
- 101 COLINGTON MOBILE HOME PARK  
DB 1586 - PG 155  
PB 1 - PG 97
- 103 CHESTER W. SMITH, 3RD  
DB 1359 - PG 315  
PB 1 - PG 97

REVISIONS

**MATCH LINE -L- STA. 125+50.00  
SEE SHEET UO-09**

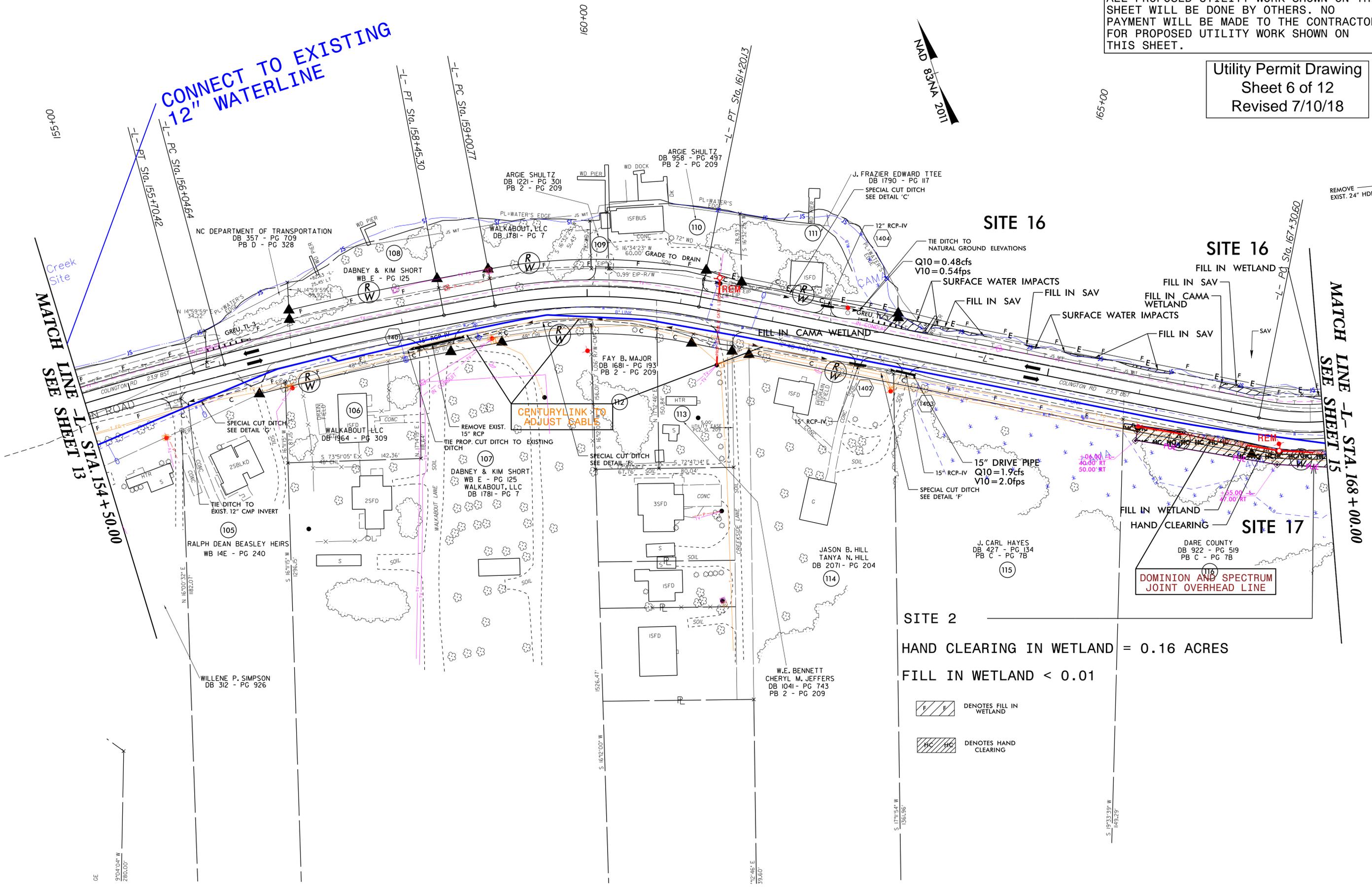
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SEE SHEET UO-11**

### UTILITIES BY OTHERS

ALL PROPOSED UTILITY WORK SHOWN ON THIS SHEET WILL BE DONE BY OTHERS. NO PAYMENT WILL BE MADE TO THE CONTRACTOR FOR PROPOSED UTILITY WORK SHOWN ON THIS SHEET.

Utility Permit Drawing  
Sheet 6 of 12  
Revised 7/10/18

**CONNECT TO EXISTING 12" WATERLINE**



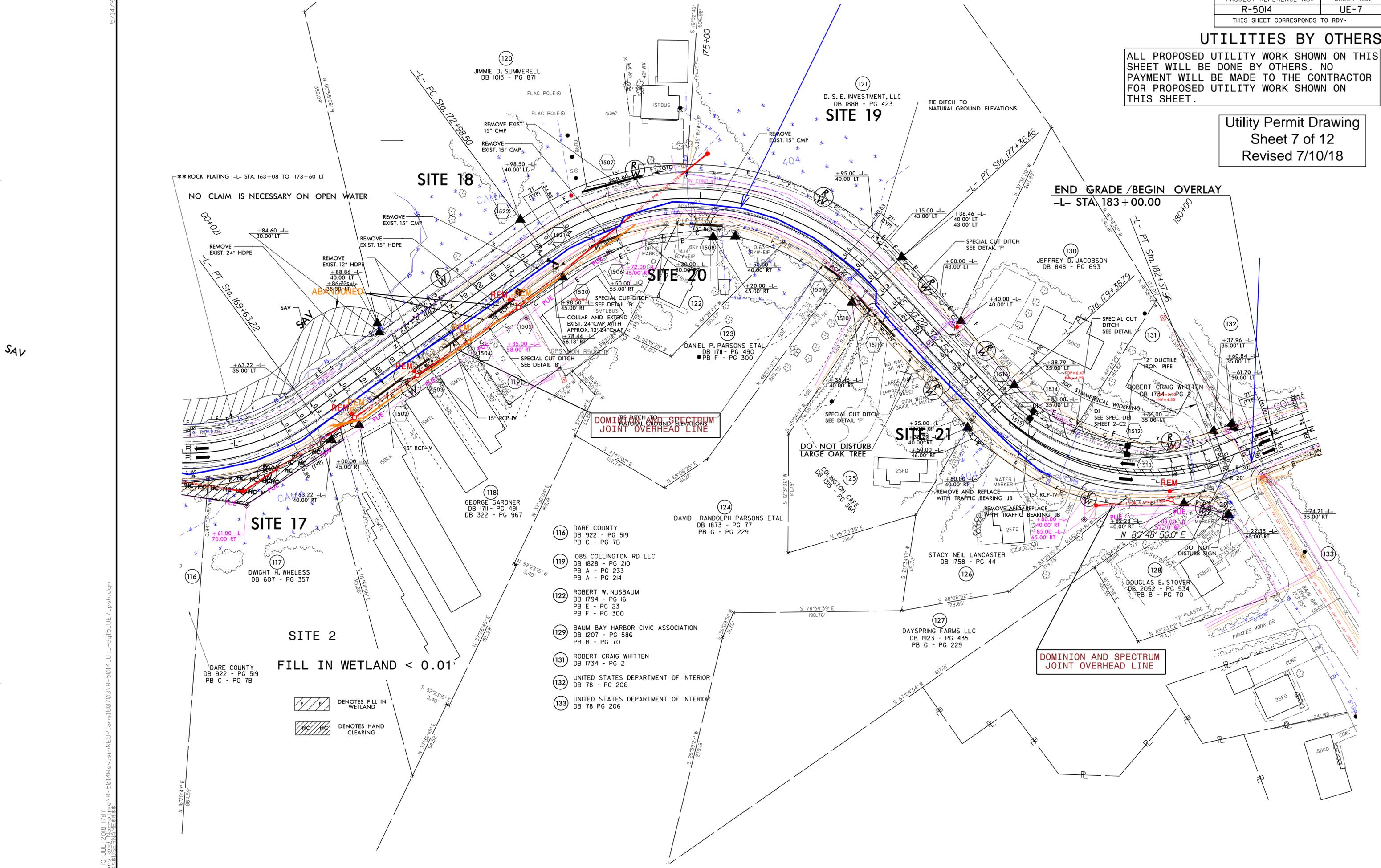
DENOTES FILL IN WETLAND  
 DENOTES HAND CLEARING

10-JUL-2018 11:17  
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 5/14/19

**UTILITIES BY OTHERS**

ALL PROPOSED UTILITY WORK SHOWN ON THIS SHEET WILL BE DONE BY OTHERS. NO PAYMENT WILL BE MADE TO THE CONTRACTOR FOR PROPOSED UTILITY WORK SHOWN ON THIS SHEET.

Utility Permit Drawing  
 Sheet 7 of 12  
 Revised 7/10/18



- (116) DARE COUNTY  
DB 922 - PG 519  
PB C - PG 78
- (119) 1085 COLLINGTON RD LLC  
DB 1828 - PG 210  
PB A - PG 233  
PB A - PG 214
- (122) ROBERT W. NUSBAUM  
DB 1794 - PG 16  
PB E - PG 23  
PB F - PG 300
- (129) BAUM BAY HARBOR CIVIC ASSOCIATION  
DB 1207 - PG 586  
PB B - PG 70
- (131) ROBERT CRAIG WHITTEN  
DB 1734 - PG 2
- (132) UNITED STATES DEPARTMENT OF INTERIOR  
DB 78 - PG 206
- (133) UNITED STATES DEPARTMENT OF INTERIOR  
DB 78 PG 206

**F** **E** DENOTES FILL IN WETLAND  
**HC** **HC** DENOTES HAND CLEARING

SAV

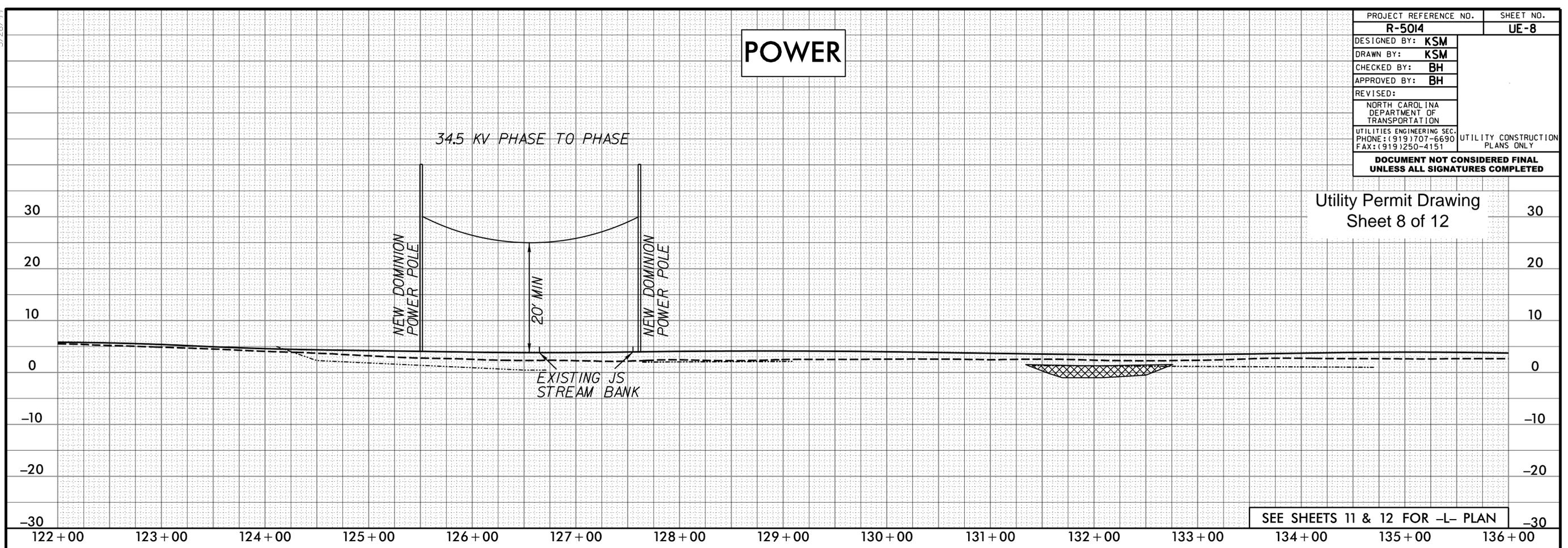
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 5/14/19

5/28/99

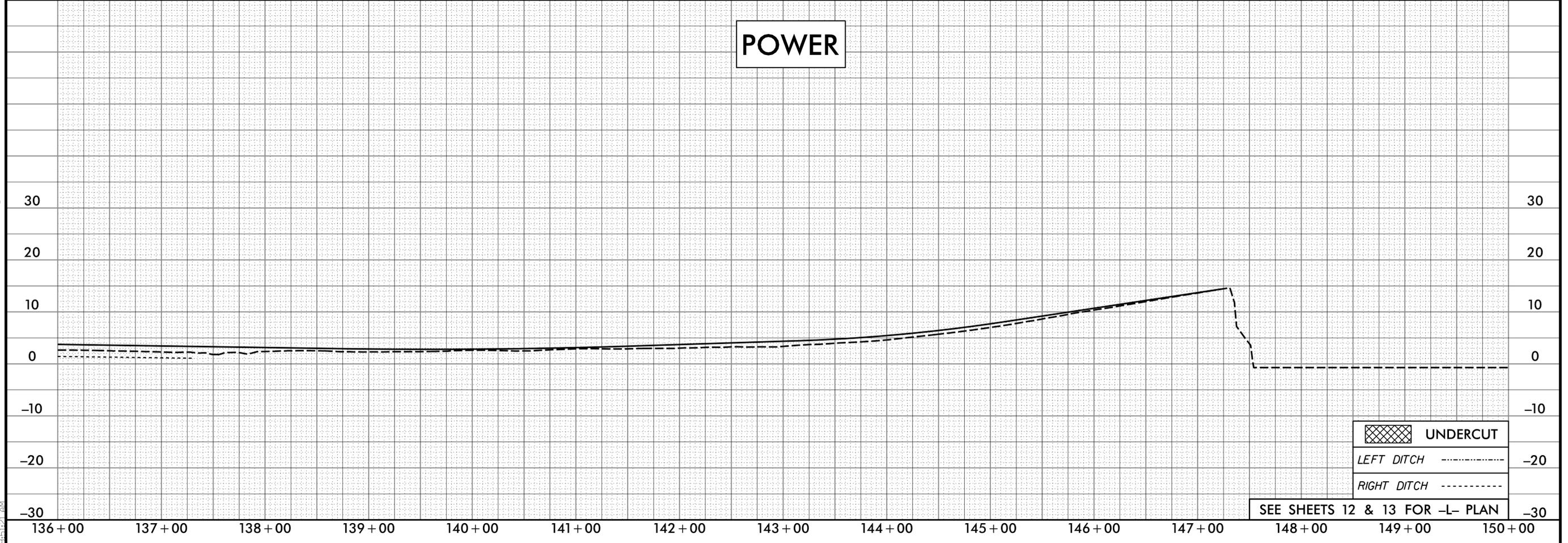
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PROJECT REFERENCE NO.	SHEET NO.
R-5014	UE-8
DESIGNED BY: KSM	
DRAWN BY: KSM	
CHECKED BY: BH	
APPROVED BY: BH	
REVISED:	
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151	
UTILITY CONSTRUCTION PLANS ONLY	
<b>DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED</b>	

Utility Permit Drawing  
Sheet 8 of 12



# POWER



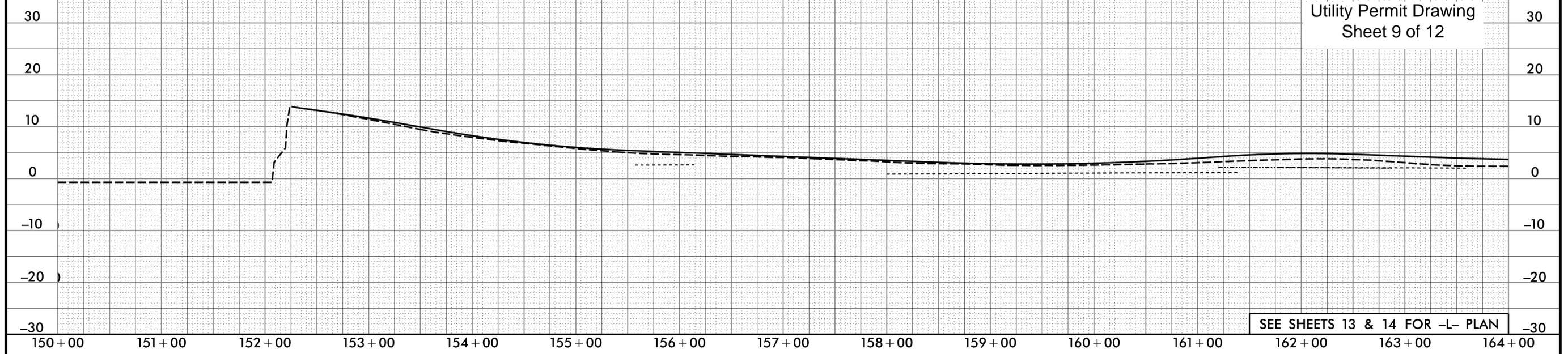
	UNDERCUT
	LEFT DITCH
	RIGHT DITCH

5/28/99

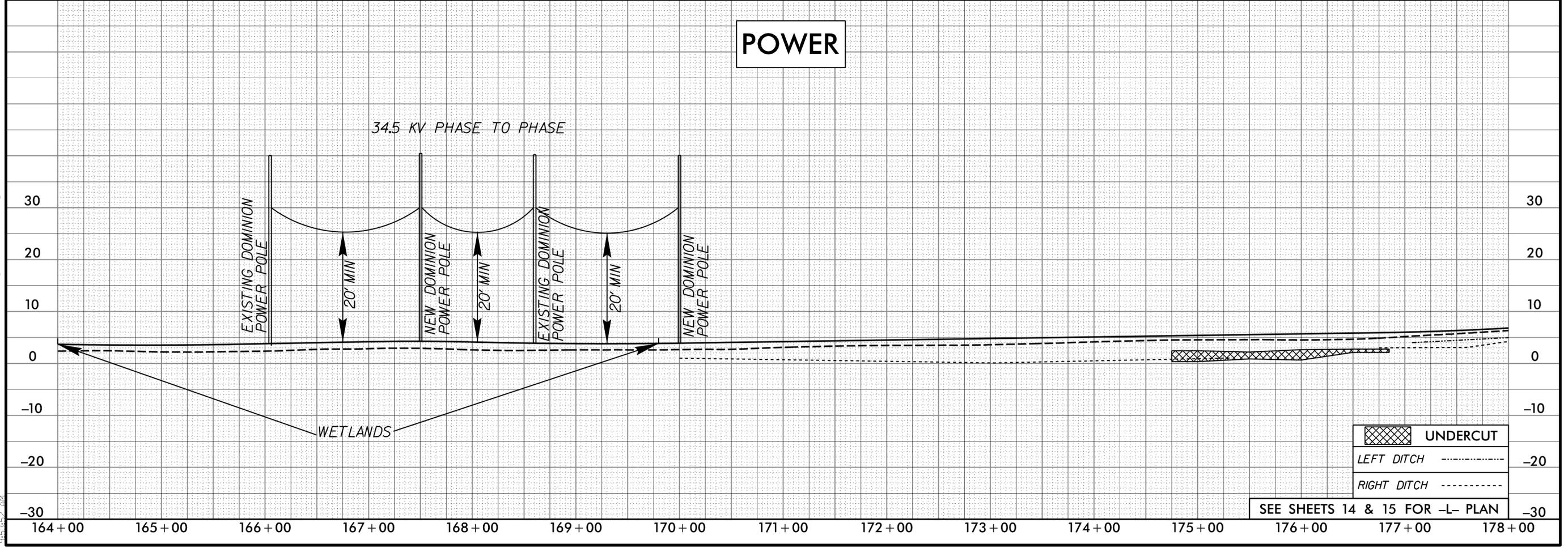
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PROJECT REFERENCE NO.	SHEET NO.
R-5014	UE-9
DESIGNED BY: KSM	UTILITY CONSTRUCTION PLANS ONLY
DRAWN BY: KSM	
CHECKED BY: BH	
APPROVED BY: BH	
REVISED:	
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151	
<b>DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED</b>	

Utility Permit Drawing  
Sheet 9 of 12



# POWER



	UNDERCUT
	LEFT DITCH
	RIGHT DITCH

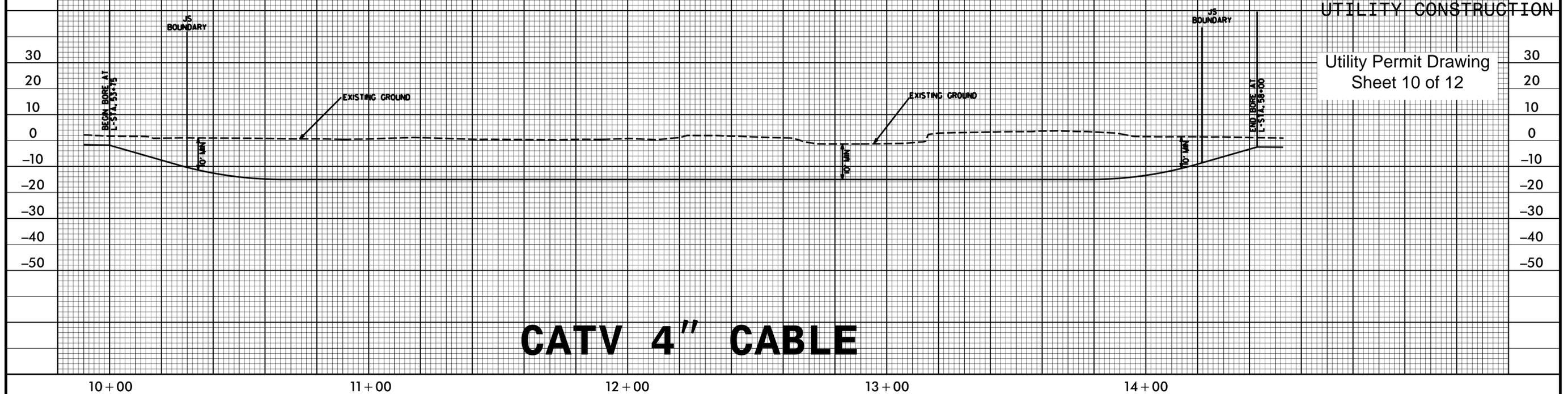
SEE SHEETS 14 & 15 FOR -L- PLAN

5/28/99

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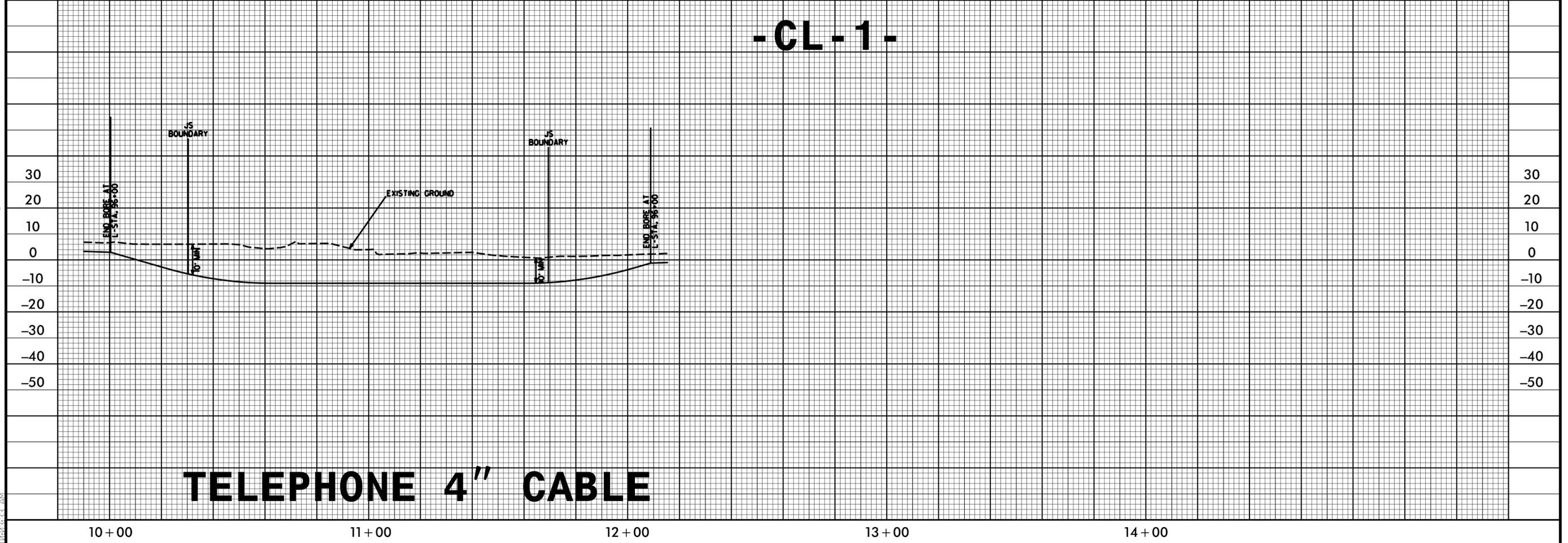
PROJECT REFERENCE NO.	SHEET NO.
R-5014	UE-10
DESIGNED BY: WAW	UTILITY CONSTRUCTION PLANS ONLY
DRAWN BY: WAW	
CHECKED BY: BH	
APPROVED BY: BH	
REVISED:	
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151	

# -SP-1-



## CATV 4" CABLE

# -CL-1-



## TELEPHONE 4" CABLE

5/14/99

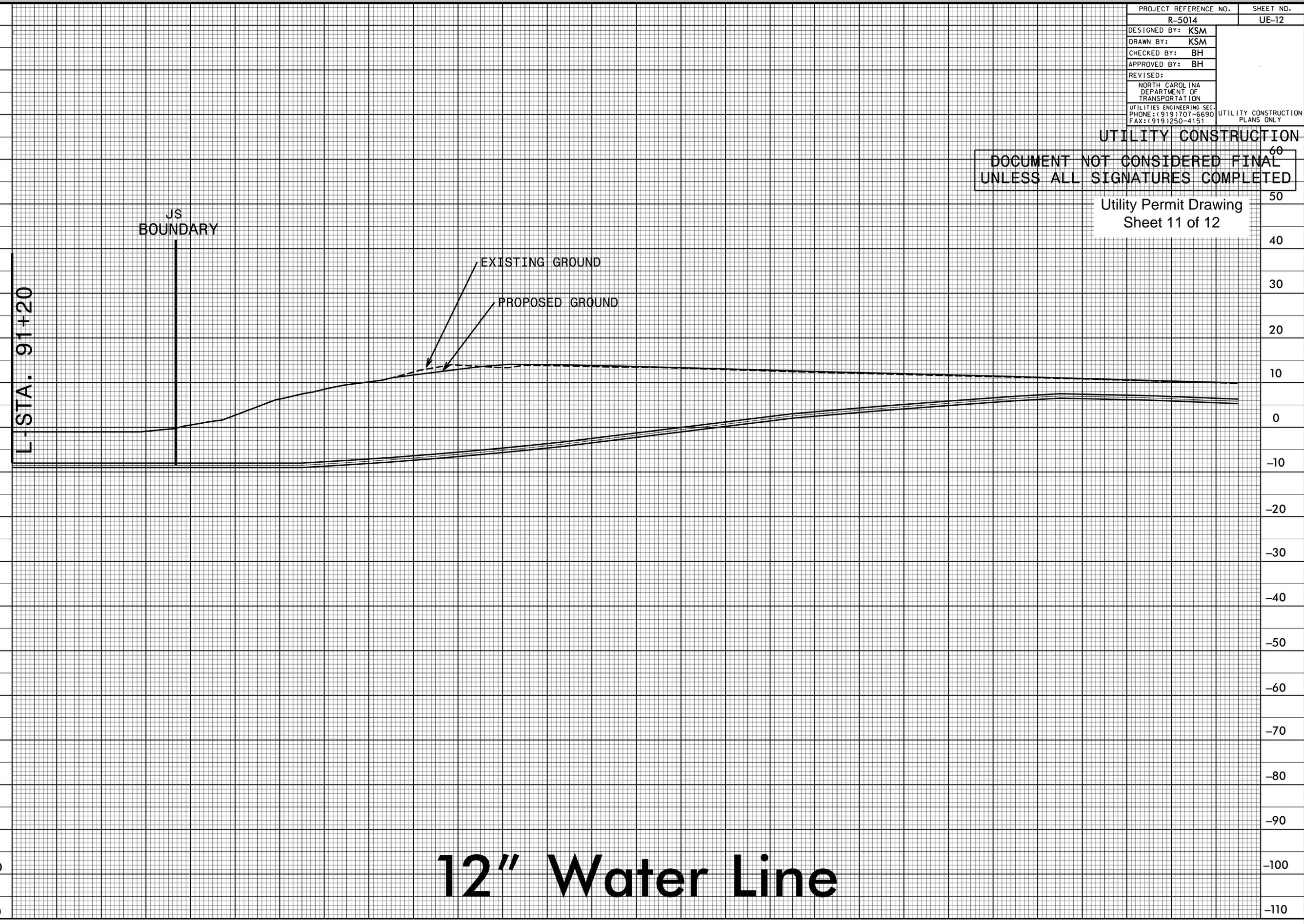
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PROJECT REFERENCE NO.	SHEET NO.
R-5014	UE-12
DESIGNED BY: KSM	
DRAWN BY: KSM	
CHECKED BY: BH	
APPROVED BY: BH	
REVISED:	
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151	
UTILITY CONSTRUCTION PLANS ONLY	

**UTILITY CONSTRUCTION**

**DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED**

Utility Permit Drawing  
Sheet 11 of 12



**12" Water Line**

2+75      3+00      3+50      4+00      4+50      5+00      5+50

**WETLAND PERMIT IMPACT SUMMARY**

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
Util 1	-L-86+18 to 88+48	Overhead Power,CATV ,Poles					0.03					
Util 2	L-164+56 to 168+42	Overhead Power,CATV ,Poles		>0.01			0.16					
<b>TOTALS*:</b>			0.00	>0.01	0.00	0.00	0.19	0.00	0.00	0.00	0.00	0.00

\*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 14 March 2018  
 Dare County  
 R-5014  
 41162.1.1  
 SHEET 12 OF 12