



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

December 12, 2024

MEMORANDUM TO: Division Environmental and Construction Units

FROM: Jason L. Dilday, ECAP Eastern Region
Environmental Analysis Unit

SUBJECT: Environmental Permits for Improvements to SR1418 (Lindsay Road) from SR1787 (Little Rock Drive) to US401 and SR1305 (Wayside Road) from US401 to Plank Road in Hoke County, Division 8, **TIP: U-5753.**

Please find enclosed the following permits for this project:

Agency	Permit Type	Permit Expiration
US Army Corps of Engineers Section 404 Clean Water Act Permit	Regional General Permit 50	May 25, 2025
NC Division of Water Resources Section 401 Water Quality Certification	General Certification No. 4135 [RGP50]	May 25, 2025

Work is authorized by the above referenced permit provided it is accomplished in strict accordance with the permitted plans.

The Environmental Coordination and Permitting Group or the Division Environmental Office must be consulted if any deviation from the permit(s) or accompanying drawings is required.

The General Conditions and Certifications for Nationwide and Regional Permits can be referenced at:
https://xfer.services.ncdot.gov/pdea/PermIssued/_General_Conditions_and_Certifications/

PROJECT COMMITMENTS

T.I.P. Project No. U-5753
Widening of SR1418 (Lindsay Road) from SR1787 (Little Rock Drive) to US401 and SR1305
(Wayside Road) from US401 to Plank Road
Hoke County
WBS 51078.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Division 8 Construction

Section 4(f) Mitigation: During construction, at least one of the two driveways accessing the Rockfish Park property will remain open for use. NCDOT will coordinate with the Hoke County Parks and Recreation Department during construction to ensure any impacts to the park's operations and activities are minimal.

GeoEnvironmental: Sites of concern should be reviewed to determine if Phase II Investigations and Right of Way Recommendations are necessary prior to right of way being acquired.

FEMA Coordination: This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

Environmental Analysis Unit

USFWS Coordination: The Environmental Analysis Unit will coordinate with USFWS to determine the need for a species survey for the Saint Francis' satyr prior to project let. *Surveys for Saint Francis' satyr butterfly have been conducted and informal concurrence has been received from USFWS on October 10, 2024.*

NCDOT Hydraulics Unit

FEMA Coordination: The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), to determine status of project with regard to applicability of NCDOT'S Memorandum of Agreement, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

COMMITMENTS FROM PERMITTING

No special conditions developed during permitting.



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT
WILMINGTON REGULATORY OFFICE
69 DARLINGTON AVENUE
WILMINGTON NORTH CAROLINA 28403

December 3, 2024

Regulatory Program/Division
SAW-2021-01867

Sent Via Email: jldilday1@ncdot.gov

Jason Dilday
ECAP Eastern Regional Team Lead,
Environmental Analysis Unit
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, NC 27610

Dear Mr. Dilday:

This letter is in response to the application you submitted to the Wilmington District, WRDA/Transportation Branch, on October 3, 2024, for a Department of the Army general permit verification. This project has been assigned the file number SAW-2021-01867 and is known as NCDOT R-5753, SR1418 (Lindsay/Wayside Road) from SR1787 (Little Rock Drive) to US401 (Fayetteville Road) and widening of SR1305 (Wayside Road) from US401 to Plank Rd in Hoke County. This file number should be referenced in all correspondence concerning this project.

A review of the information provided indicates that the proposed work would include the placement of cut/fill/structures in 0.245 acres of wetland, mechanical clearing of 0.11 acre of wetland, temporary impact of 0.015 acre of wetland from utility placement, placement of 152 linear feet (lf) of permanent stream impacts from fill/structures, 34 lf of temporary dewatering activities, placement of permanent fill in 0.04 acre of open water, temporary placement of fill in 0.05 acres of open water, and temporary dewatering of 0.01 acre of open water associated with the 4.45 mile long roadway widening activities across tributaries of Lake William (Little Rockfish Creek) and Stewart Creek and its tributaries. The project area for this determination includes approximately 40 acres which is illustrated on the enclosed site plans/maps. The project/review area is located along a 4.45 mile long segment of roadway (Lindsay and Wayside roads) across tributaries to Lake William (Little Rockfish Creek) and Stewart Creek and its tributaries; from the intersection of NCDOT R-5753, SR1418 (Lindsay/Wayside Road) from SR1787 (Little Rock Drive) to US401 (Fayetteville Road) and widening of SR1305 (Wayside Road) from US401 to Plank Rd in Hoke County, at Latitude 35.023790 and Longitude -79.089370; east of Raeford, Hoke County, North Carolina.

We have determined that the proposed work is authorized by Regional General Permit 50 (RGP-50) pursuant to authorities under Section 404 of the Clean Water Act (33 U.S.C § 1344). The proposed work must be accomplished in strict accordance with the enclosed general permit conditions, any regional conditions, the special conditions listed in this letter, the application materials, and the enclosed plans, Figures 1-20 of 20, entitled, "TIP PROJECT U-5753 Hoke County" (Roadway Plans), dated November 15, 2023 and Sheets 1-5 of 5, titled, "TIP PROJECT: U-5753 Utilities Jurisdictional Impacts, Hoke County", dated July 2, 2024. If the extent of the project area and/or nature of the authorized impacts to waters are modified, a revised application must be submitted to this office for written approval before work is initiated. Any deviation from the terms and conditions of the permit, or your submitted plans, may subject the permittee to enforcement action.

This verification is valid until May 25, 2025, unless the subject general permit(s) is suspended, revoked, or is modified prior to that date such that the activity no longer complies with the terms and conditions of the general permit.

Project Specific Special Conditions:

1. All work must be performed in strict compliance with (a) the description of work in the PCN and (b) the Wetlands and Surface Water Impact Permit Drawing(s) (Permit Plans) in the application dated March 25, 2024. Any modification to the description of work and/or the permit plans must be approved by the USACE prior to implementation.
2. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this authorization letter 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 authorization letter, all conditions, and any authorized modifications. A copy of this authorization letter, all conditions, and any authorized modifications, shall be available at the project site during construction and maintenance of this project.
3. The U.S. Fish and Wildlife Service's (USFWS's) Programmatic Conference Opinion (PCO) titled "NCDOT Program Effects on the Tricolored Bat in Divisions 1-8", dated November 20, 2023, contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that are specified in the PCO. Your authorization under this Corps permit is conditional upon your compliance with all the mandatory terms and conditions associated with incidental take of the PCO, which terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the PCO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The USFWS is the

appropriate authority to determine compliance with the terms and conditions of its PCO, and with the ESA.

4. 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.

This general permit verification and any associated authorizations does not preclude the necessity to obtain any other Federal, State, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Stephen Brumagin, WRDA Project Manager of the WRDA/Transportation Branch at (704) 798-6471, by mail at the above address, or by email at stephen.a.brumagin@usace.army.mil. Please take a moment to complete our customer satisfaction survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

A handwritten signature in black ink that reads "M. Scott Jones". The signature is written in a cursive style. To the right of the signature is a light blue rectangular box, likely a placeholder for a stamp or additional information.

M. Scott Jones, PWS
WRDA / Transportation Branch Chief
USACE - Wilmington District

Enclosures
Project Plans
401 WQC
RGP-50

Cc (w/enclosures):

Art King, NCDOT Div 8 (via acking@ncdot.gov)

Compliance Certification Form

File Number: SAW-2021-01867

County: Hoke

Permittee: North Carolina Department of Transportation, Jason Dilday

Project Name: NCDOT R-5753, SR1418 (Lindsay/Wayside Road) from SR1787 (Little Rock Drive) to US401 (Fayetteville Road) and widening of SR1305 (Wayside Road) from US401 to Plank Rd in Hoke County

Date Verification Issued: 12/2/2024 Project Manager: Stephen Brumagin

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: Stephen Brumagin
WRDA/Transportation Branch
8430 University Executive Park Drive Suite 615
Charlotte, NC 28262
or
stephen.a.brumagin@usace.army.mil**

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, and mitigation (if applicable), authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit including any general or specific conditions.

Date Authorized Work Started: _____ **Completed:** _____

Describe any deviations from permit (attach drawing(s) depicting the deviations):

***Note: The description of any deviations on this form does not constitute approval by the Corps.**

Signature of Permittee

Date

USACE Wilmington District – MRTF Page 2

Conditions for Transfer of Compensatory Mitigation Credit:

- Once this document has been signed by the Mitigation Sponsor and the District 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 District 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. When NCDMS provides mitigation 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 NCDMS must be provided to the District within 30 days of permit issuance. NCDOT remains fully responsible for the mitigation until the District 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 District 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 District, the Sponsor must obtain case-by-case approval from the District 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 District administrative records for both the permit and the Bank/ILF Instrument.

Comments/Additional Conditions: NCDMS provided a letter dated September 30, 2024, indicating that they would provide mitigation for 152 lf of stream impacts and 0.36 acre of wetland impacts.

This form is not valid unless signed below by the District 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 District Project Manager at the address below, 3) the Bank Manager listed in RIBITS, and 4) the Wilmington District Mitigation Office, 3331 Heritage Trade Drive, Suite 105, Wake Forest, NC 27587 (or by email to SAWMIT@usace.army.mil).*** Questions regarding this form or any of the permit conditions may be directed to the District Mitigation Office.

USACE Project Manager: Stephen Brumagin
USACE Field Office: WRDA/Transportation Branch
US Army Corps of Engineers
8430 University Executive Park Drive
Charlotte

Email: stephen.a.brumagin@usace.army.mil



Digitally signed by
BRUMAGIN.STEPHEN.A.1283
520737
Date: 2024.12.02 09:21:11
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Wilmington District Project Manager Signature

December 2, 2024

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>.

US Army Corps of Engineers – Wilmington District
Compensatory Mitigation Responsibility Transfer Form

Permittee: Jason Dilday

Action ID: SAW-2021-01867

Project Name: NCDOT R-5753, SR1418 (Lindsay/Wayside Road) from SR1787 (Little Rock Drive) to US401 (Fayetteville Road) and widening of SR1305 (Wayside Road) from US401 to Plank Rd in Hoke County County: Hoke

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 Wilmington District 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 verifies that the mitigation requirements (credits) shown below have been released and are available at the identified site. By signing below, the Sponsor is accepting full responsibility for the identified mitigation, regardless of whether 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 ledger to the Permittee, the Project Manager who issued the permit, the Bank Project Manager, and the 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: 03030004, Cape Fear River Basin

Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
152			0.355			

*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: 03030004, Cape Fear River Basin

Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
304			0.71			

Mitigation Site Debited: NCDMS

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 Wilmington District, 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

Elizabeth Harmon

12/04/2024

Signature of Sponsor’s Authorized Representative

Date of Signature



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MARY PENNY KELLEY
Secretary

RICHARD E. ROGERS, JR.
Director

November 4, 2024
Hoke County
NCDWR Project No. 20241351
NCDOT TIP Project: U-5753
Proposed widening of SR 1418 from
SR 1787 to US 401 and SR 1305 from
US 401 to Plank Road

APPROVAL of 401 WATER QUALITY CERTIFICATION with ADDITIONAL CONDITIONS

Mr. Jason Dilday
NCDOT
1000 Birch Ridge Drive
Raleigh, NC 27610
jldilday1@ncdot.gov

Dear Mr. Dilday:

You have our approval, in accordance with the conditions listed below, for the following impacts regarding the proposed widening of SR 1418 (Lindsay Road) from SR 1787 (Little Rock Drive) to US 401 and SR 1305 (Wayside Road) from US 401 to Plank Road over Stewarts Creek in Hoke County.

Stream Impacts in the Cape Fear River Basin

Site	Perm. Fill in Stream (linear ft)	Temp. Fill in Stream (linear ft)	Total Stream Impact (linear ft)
S1- Site 4 Channel Relocation	78		78
S2- Site 6 Pipe Replacement	76		76
S3- Site 6 Pipe Replacement		34	34
Totals	152	34	168

Total Stream Impacts: 168 linear feet.



Wetland Impacts in the Cape Fear River Basin

Site	Perm. Fill in wetland (acres)	Temp. Fill (open cut) wetland (acres)	Excavation in wetland (acres)	Mechanized Clearing in wetland (acres)	Total Wetland Impact (acres)	Wetland Impacts Requiring Mitigation (acres)
Site 1- Wetland WBL	0.001		0.001	0.001	0.003	0.003
Site 2- Wetland WAL	0.001			0.020	0.021	0.021
Site 3- Wetland WGL	0.090		0.020	0.060	0.27	0.27
Site 5- Wetland WAW	0.130			0.020	0.15	0.15
Site 3- Utility Wetland WGL	0.001				0.001	0.001
Site 5- Utility Wetland WAW	0.001	0.015			0.016	0.016
Totals	0.346	0.015	0.021	0.101	0.360	0.360

Total Wetland Impacts: 0.360 acres.

Open Water Impacts in the Cape Fear River Basin

Site	Perm. Fill (acres)	Temp. Fill dewatering- (acres)	Total Impacts (acres)
Site 2- Pipe Extension	0.01	0.01	0.02
Site 4- Culvert Install-Fill and Stabilization	0.03	0.05	0.08
Totals	0.04	0.06	0.10

Total Open Water Impacts: 0.10 acres

The project shall be constructed in accordance with your application dated received on October 3, 2024. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 4135. This certification corresponds USACE (SAW 2021-01867). 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 perennial 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:

Project Specific Conditions

1. 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 dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by the NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact the 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)]
2. 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)] Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed. [15A NCAC 02H. 0506(b)(2)]
3. Channel relocations shall be completed and stabilized, and approved on site by NCDWR staff, prior to diverting water into the new channel. Stream banks shall be matted with coir-fiber matting. Vegetation used for bank stabilization shall be limited to native riparian vegetation, and should include establishment of a vegetated buffer on both sides of the relocated channel to the maximum extent practical. Also, rip- rap may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any calculations used to determine the extent of rip-rap coverage requested. Once the stream has been turned into the new channel, it may be necessary to relocate stranded fish to the new channel to prevent fish kills. [15A NCAC 02H .0506(b)(3).
4. No drill slurry or water that has been in contact with uncured concrete shall be allowed to enter surface waters. This water shall be, captured, treated, and disposed of properly. [15A NCAC 02H .0506(b)(3)
5. For all linear feet of streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and revegetated with appropriate native species. [15A NCAC 02H. 0506(b)(2)]
6. The stream channel shall be excavated no deeper than the natural bed material of the stream, to the maximum extent practicable. Efforts must be made to minimize impacts to the stream banks, as well as to vegetation responsible for maintaining the stream bank stability. [15A NCAC 02H. 0506(b)(2)]
7. Compensatory mitigation for impacts to 0.36 acres of wetlands is required. We understand that you have chosen to perform compensatory mitigation for impacts to wetlands through the North Carolina Division of Mitigation Services (DMS) (formerly NCEEP), and that the DMS has agreed to implement the mitigation for the project. DMS has indicated in a letter dated September 30, 2024, that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above- referenced project, in accordance with DMS' s Mitigation Banking Instrument signed July 28, 2010.

General Conditions

1. 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]



2. 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)]
3. 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)]
4. 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)]
5. 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)]
6. 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)]
7. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream. [15A NCAC 02H.0506(b)(3)]
8. 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)]
9. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]
10. Discharging hydroseed mixtures and washing out hydro seeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
11. 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]
12. 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)]
13. 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)]
14. 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]
15. 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.
16. 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)]



17. Upon completion of the project (including any impacts at associated borrow or waste sites), NCDOT project engineer (or appointee) shall complete and return the enclosed "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
18. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities. [15A NCAC 02H.0506(b)(3) and (c)(3)]
19. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards [15A NCAC 02H.0506(b)(3) and (c)(3)]:
 - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
 - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
 - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
20. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification. [15A NCAC 02H.0506(b)(3) and (c)(3)]

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 Ryan Conchilla at ryan.conchilla@deq.nc.gov.

Sincerely,

Signed by:

Susan Locklear

04351F033762414...
Richard E. Rogers, Jr., Director
Division of Water Resources

Electronic copy only distribution:

Eric Alsmeyer, US Army Corps of Engineers, Raleigh Field Office
Art King, DOT Division 8 Environmental Officer
Beth Harmon, Division of Mitigation Services



BY: N.C.	PROJECT NO: U-5753	SHEET NO: 1
DATE: 5/10/24	DESCRIPTION: P.E.	
	REVISION: RW	
	UTILS.	
	CONST.	

PERMIT DRAWING
SHEET 1 OF 20

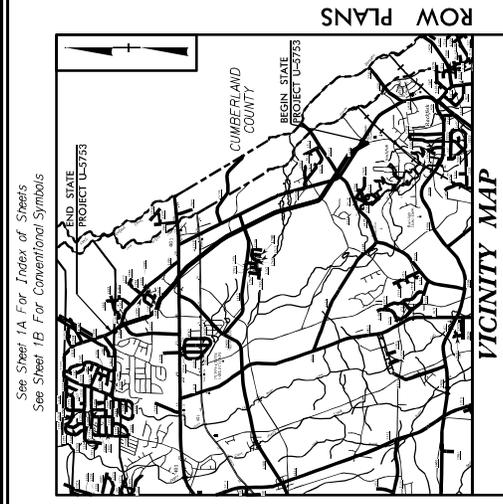


STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS
HOKE COUNTY

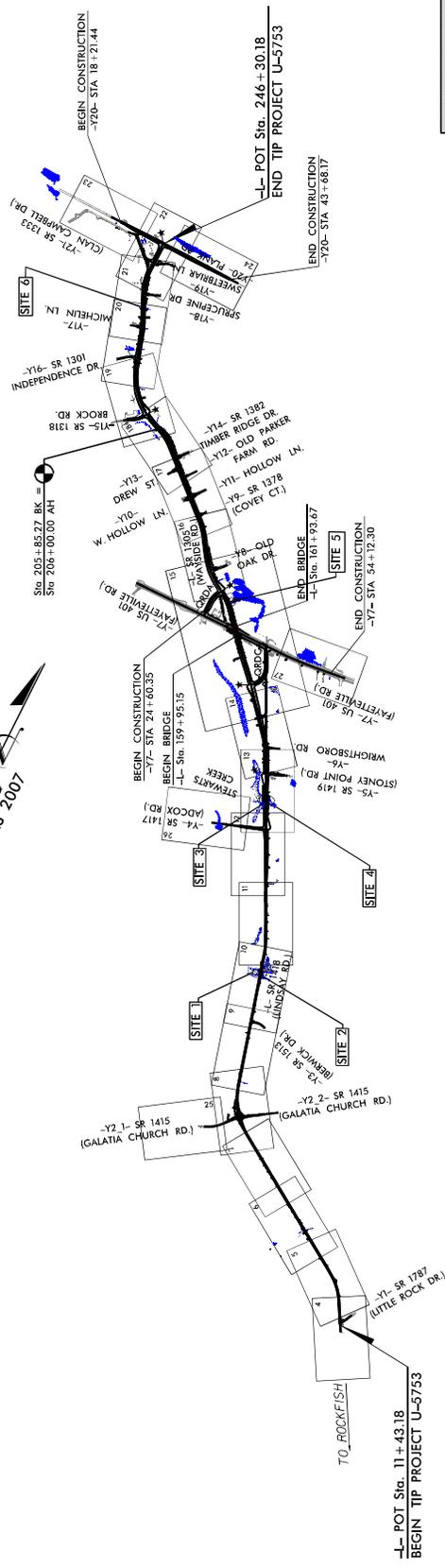
LOCATION: SR 1418 (LINDSAY ROAD) FROM SR 1787 (LITTLE ROCK DRIVE) TO US 401 AND SR 1305 (WAYSIDE ROAD) FROM US 401 TO PLANK ROAD

TYPE OF WORK: GRADING, DRAINAGE, PAVING, RETAINING WALLS, STRUCTURES, AND SIGNALS

WETLAND AND SURFACE WATER IMPACTS PERMIT



TIP PROJECT: U-5753



INCOMPLETE PLANS
DO NOT USE FOR R.W. ACQUISITION
UNLESS ALL SIGNATURES COMPLETED

PROPOSED SIGNAL

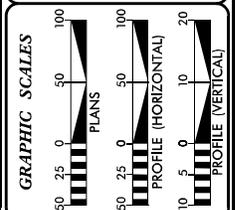


HYDRAULICS ENGINEER
SIGNATURE: _____ P.E.
ROADWAY DESIGN ENGINEER
SIGNATURE: _____ P.E.

Prepared in the Office of:
Dewberry
DIVISION OF HIGHWAYS
300 STANDARD SPECIFICATIONS
RIGHT OF WAY DATE: JUNE 17, 2022
LETTING DATE: JUNE 18, 2024
PROJECT ENGINEER: BRYAN LAMBETH, P.E.
PROJECT DESIGN ENGINEER: BENJAMIN STORMER, P.E.

PROJECT LENGTH
LENGTH ROADWAY TIP PROJECT U-5753 = 4.408 MILES
LENGTH STRUCTURE TIP PROJECT U-5753 = 0.038 MILES
TOTAL LENGTH TIP PROJECT U-5753 = 4.446 MILES
NCDOT CONTACT: ALISON WHITE

DESIGN DATA
ADT 2024 = 16,200
ADT 2044 = 19,400
K = 10 %
D = 80 %
T = 3 %
V = 50 MPH
* (TTST = 1% + DUAL 2%)
FUNC CLASS = URBAN COLLECTOR
REGIONAL TIER



THIS PROJECT HAS FULL CONTROL OF ACCESS ONLY AT INTERCHANGE AND U-TURN BUILT LOCATIONS
THIS PROJECT IS NOT WITHIN ANY MUNICIPAL CITY LIMITS
CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

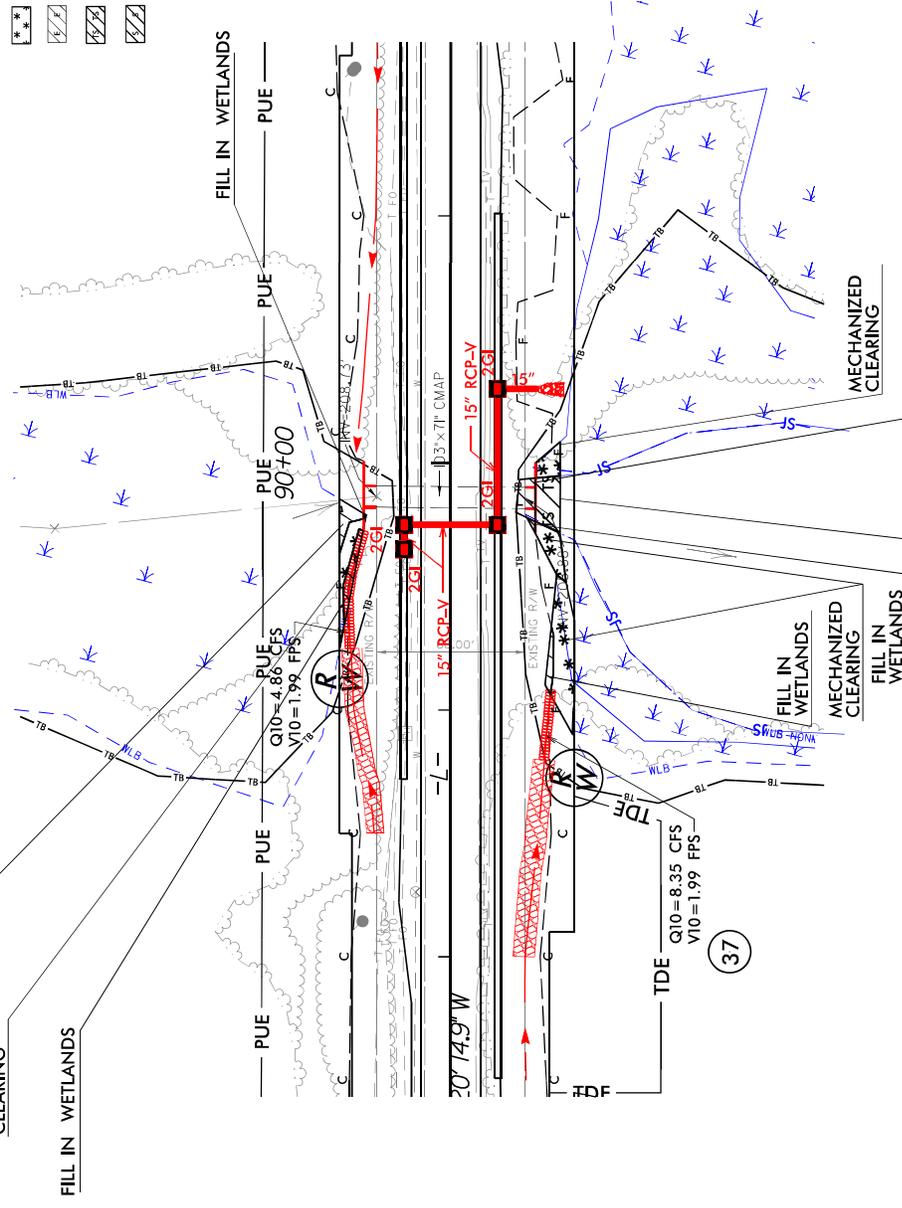
CONTRACT:

PERMIT DRAWING
SHEET 5 OF 20

- DENOTES FILL IN WETLAND
- MECHANIZED CLEARING (GRUBBING)
- WETLAND EXCAVATION
- TEMPORARY SURFACE WATER IMPACTS
- SURFACE WATER IMPACTS

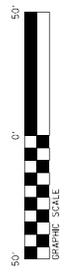
SITE 1

- EXCAVATION IN WETLANDS
- MECHANIZED CLEARING
- FILL IN WETLANDS



- TEMPORARY IMPACTS IN SURFACE WATERS
- SURFACE WATER IMPACTS

SITE 2

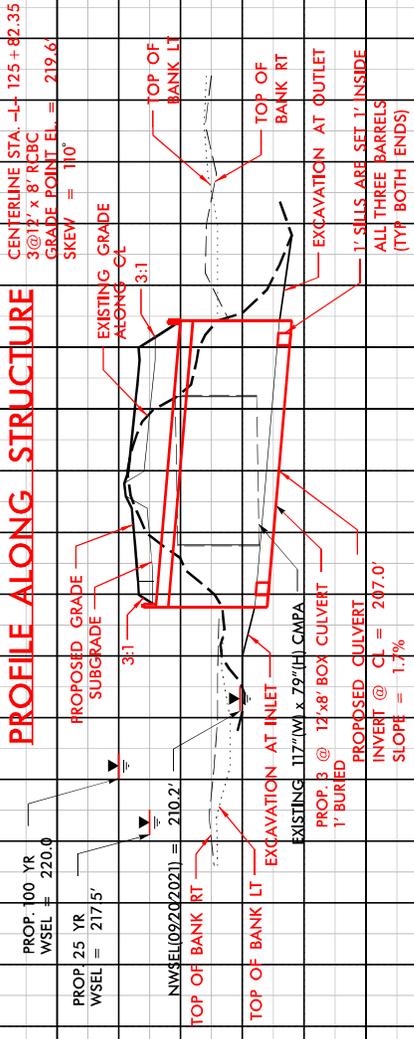


SEE SHEET 34 FOR 4- PROFILE
SEE SHEET 28-1 FOR DITCH DETAILS

SITE 3/4

PERMIT DRAWING
SHEET 11 OF 20

100 50 CL 50 100



NOTE:
BACKFILL WITH NATIVE MATERIAL. NATIVE MATERIAL CONSISTS OF MATERIAL THAT IS EXCAVATED FROM THE STREAM BED OR FLOODPLAIN AT THE PROJECT SITE DURING CULVERT CONSTRUCTION. ONLY MATERIAL THAT IS EXCAVATED FROM THE STREAM BED MAY BE USED TO LINE THE LOW FLOW CULVERT BARREL. RIP RAP MAY BE USED TO SUPPLEMENT THE NATIVE MATERIAL IN THE HIGH FLOW CULVERT BARRELS IF USING RIP RAP TO LINE THE HIGH FLOW CULVERT BARRELS, PLACE NATIVE MATERIAL ON TOP TO FILL VOIDS AND PROVIDE A FLAT SURFACE FOR ANIMAL PASSAGE. NATIVE MATERIAL IS SUBJECT TO APPROVAL BY THE ENGINEER AND MAY BE SUBJECT TO PERMIT CONDITIONS.

CENTERLINE STA. -L- 125 + 82.35
3@12' x 8' RBCB
GRADE POINT EL = 219.6'
SKEW = 110°

PROP. 100 YR
WSEL = 220.0'

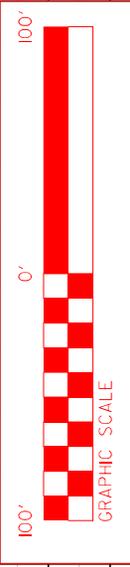
PROP. 25 YR
WSEL = 217.5'

NWSEL(09/20/2021) = 210.2'

220

210

200

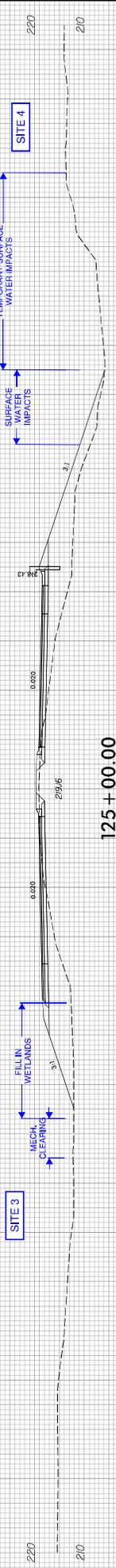




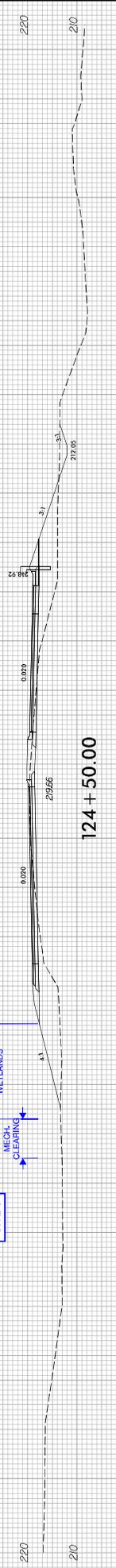
PERMIT DRAWING
SHEET 12 OF 20

150 140 130 120 110 100 90 80 70 60 50 40 30 20 10 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150

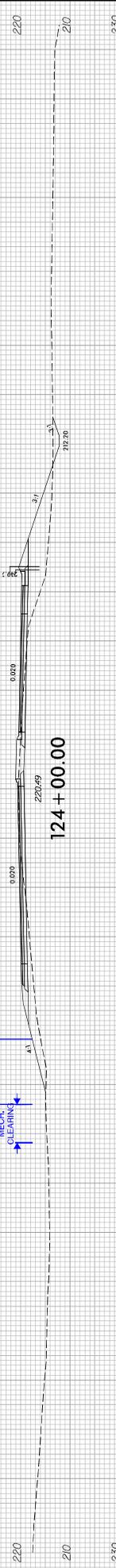
230
220
210



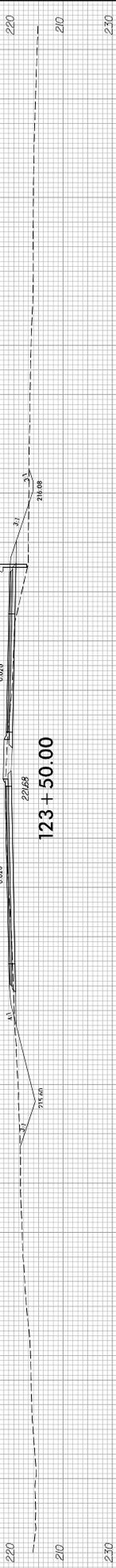
230
220
210



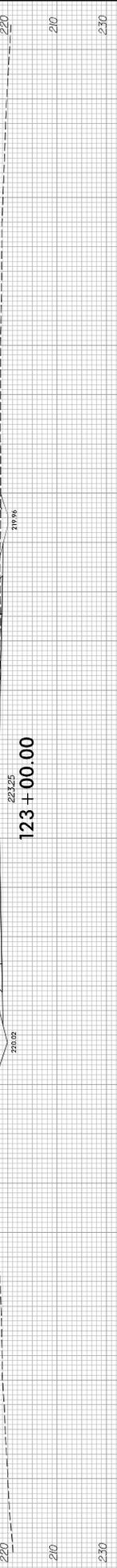
230
220
210



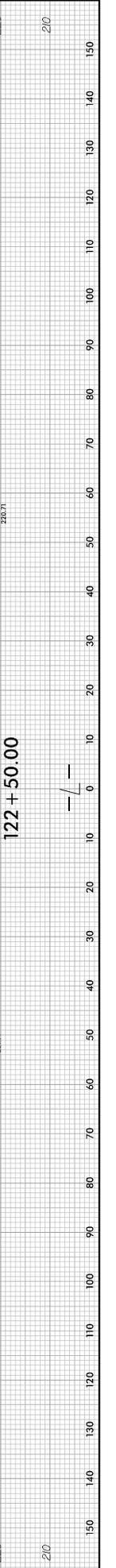
230
220
210



230
220
210



230
220
210

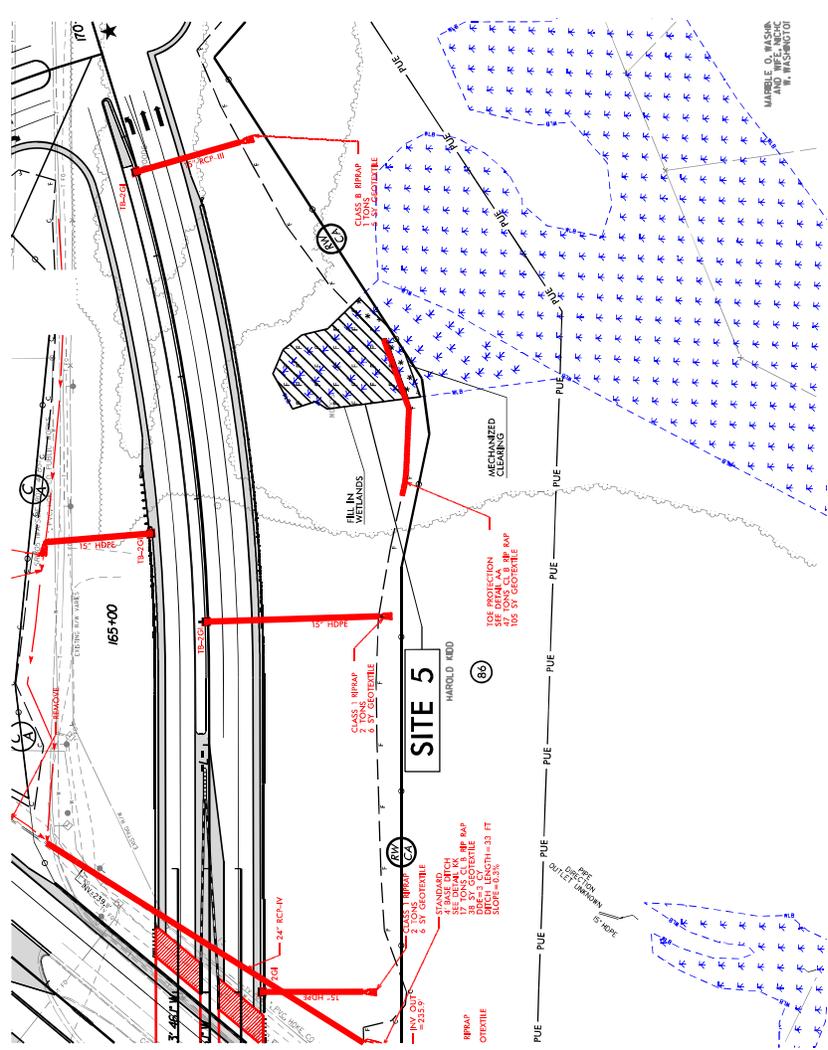


1/1



PERMIT DRAWING
SHEET 15 OF 20

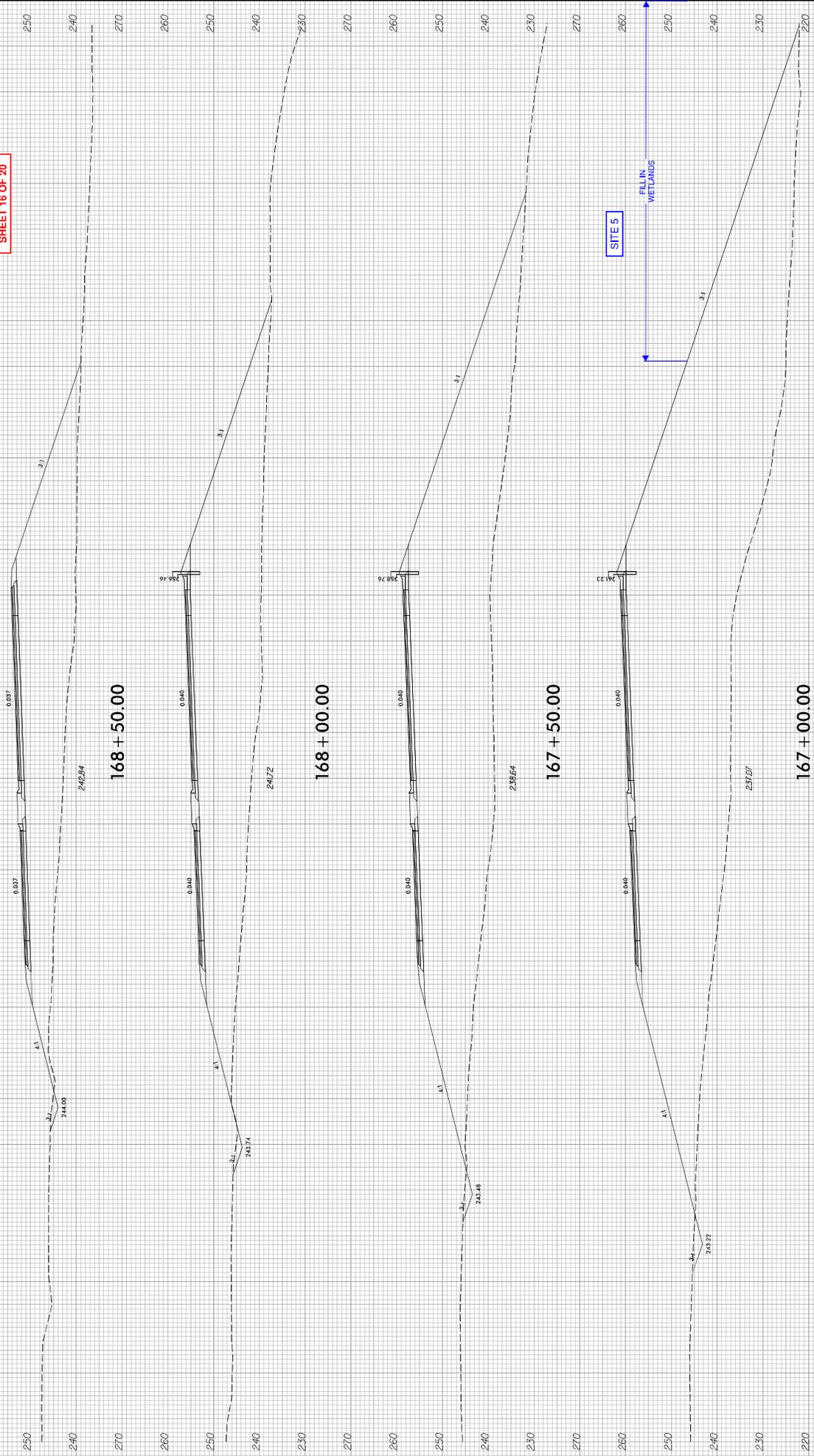
DESIGNED BY: J. H. HARRIS
CHECKED BY: J. H. HARRIS



NOTE: ALL DRIVEWAY BACKLAP IS UNLESS OTHERWISE NOTED.

08-NOV-2023 12:04
 PERMIT FILE: C:\Users\jhharris\OneDrive\Documents\15751\Drawings\15751-hyd-prw-wet-SHS-15.dgn
 8/17/23

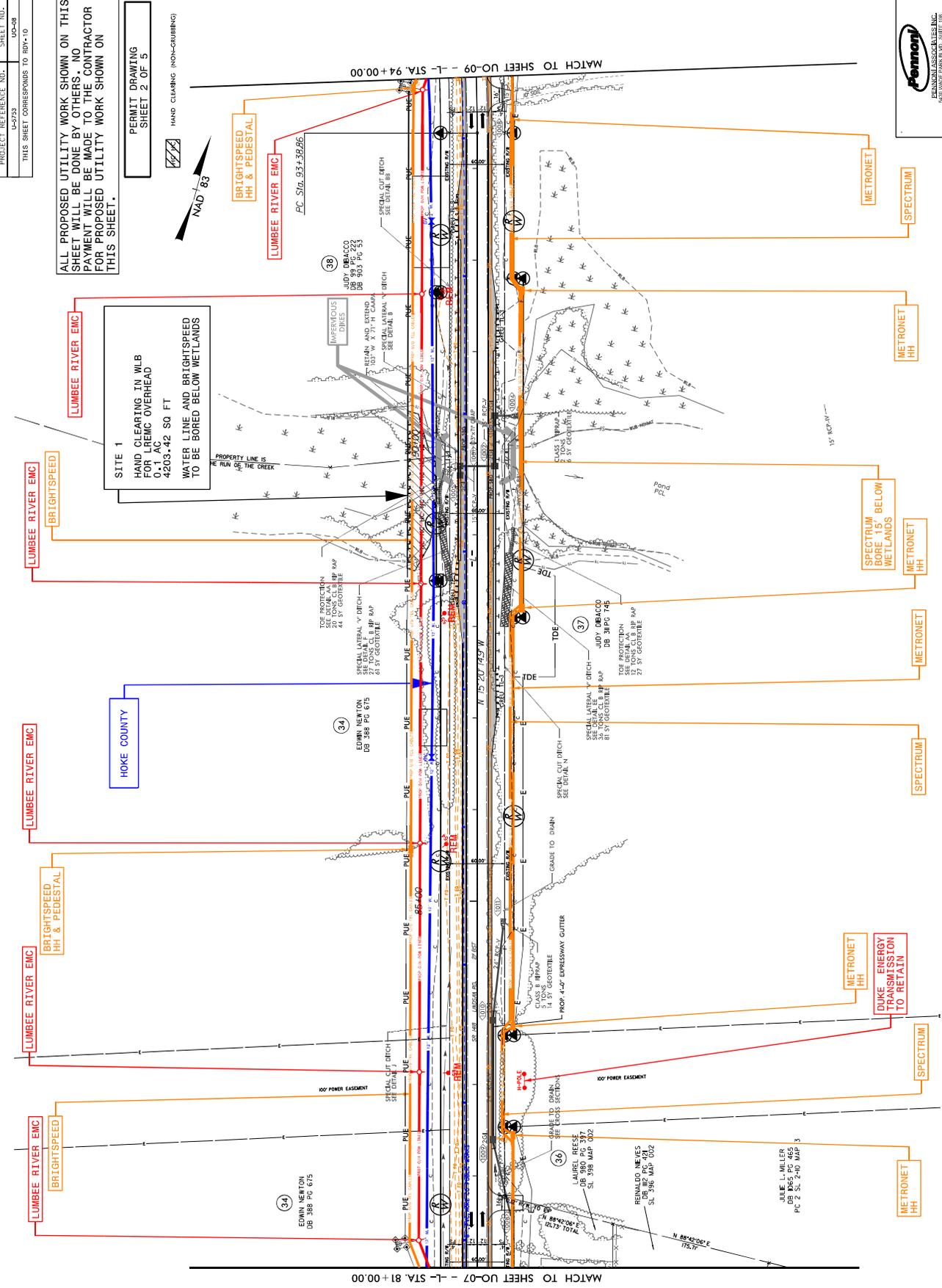
PERMIT DRAWING
 SHEET 16 OF 20



— / —

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.

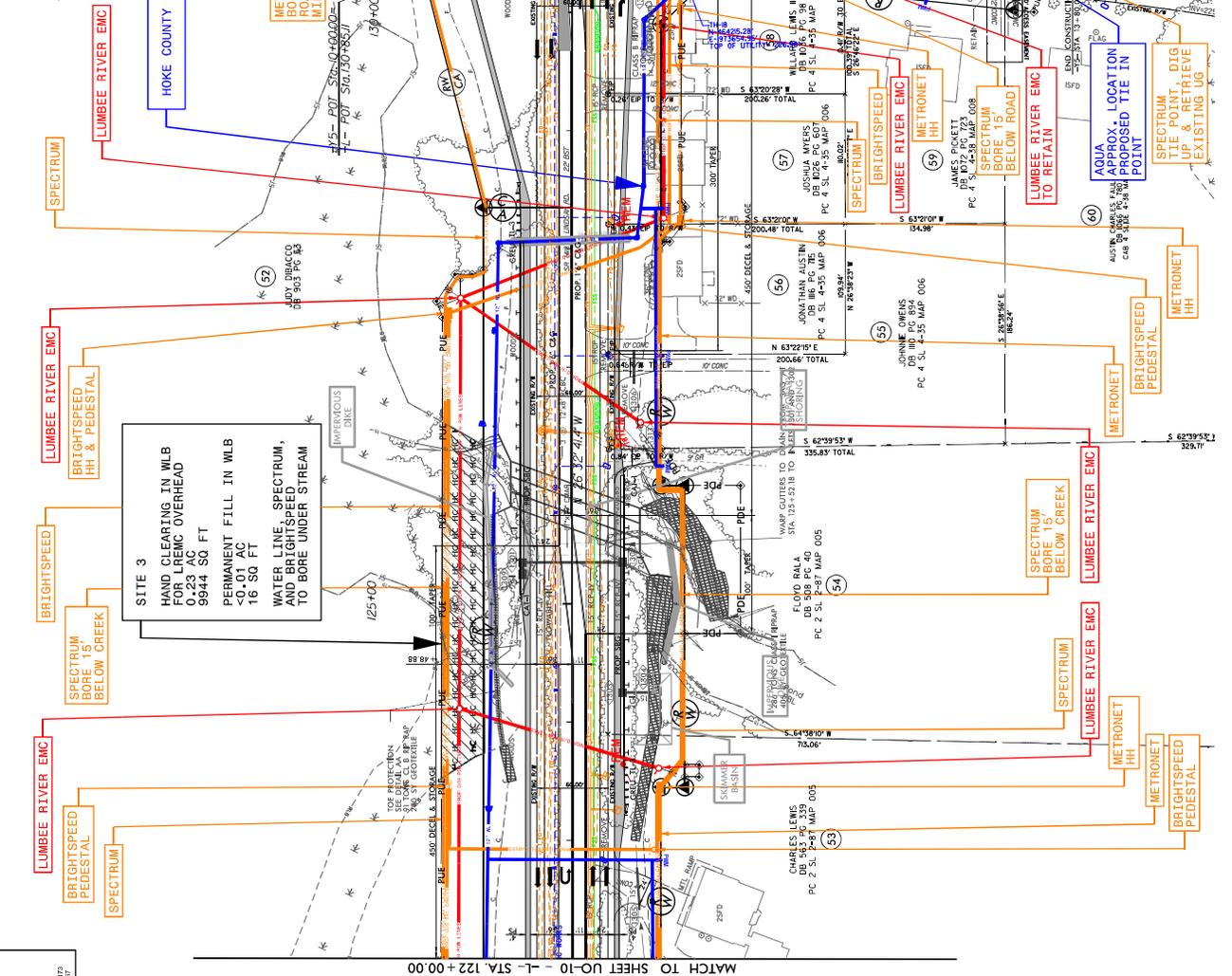
PERMIT DRAWING
 SHEET 2 OF 5
 HAND CLEARING (NON-CORRING)



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.

PERMIT DRAWING
 SHEET 3 OF 5

HAND CLEARING (NON-CRUBBING)



SITE 3
 HAND CLEARING IN WLB FOR 6" EMC OVERHEAD
 0.23 AC
 9944 SQ. FT.
 PERMANENT FILL IN WLB
 <0.01 AC
 16 SQ. FT.
 WATER LINE, SPECTRUM, AND BRIGHTSPEED TO BORE UNDER STREAM

MATCH TO SHEET UO-10 - L- STA. 122+00.00

MATCH TO SHEET UO-12 - L- STA. 134+00.00

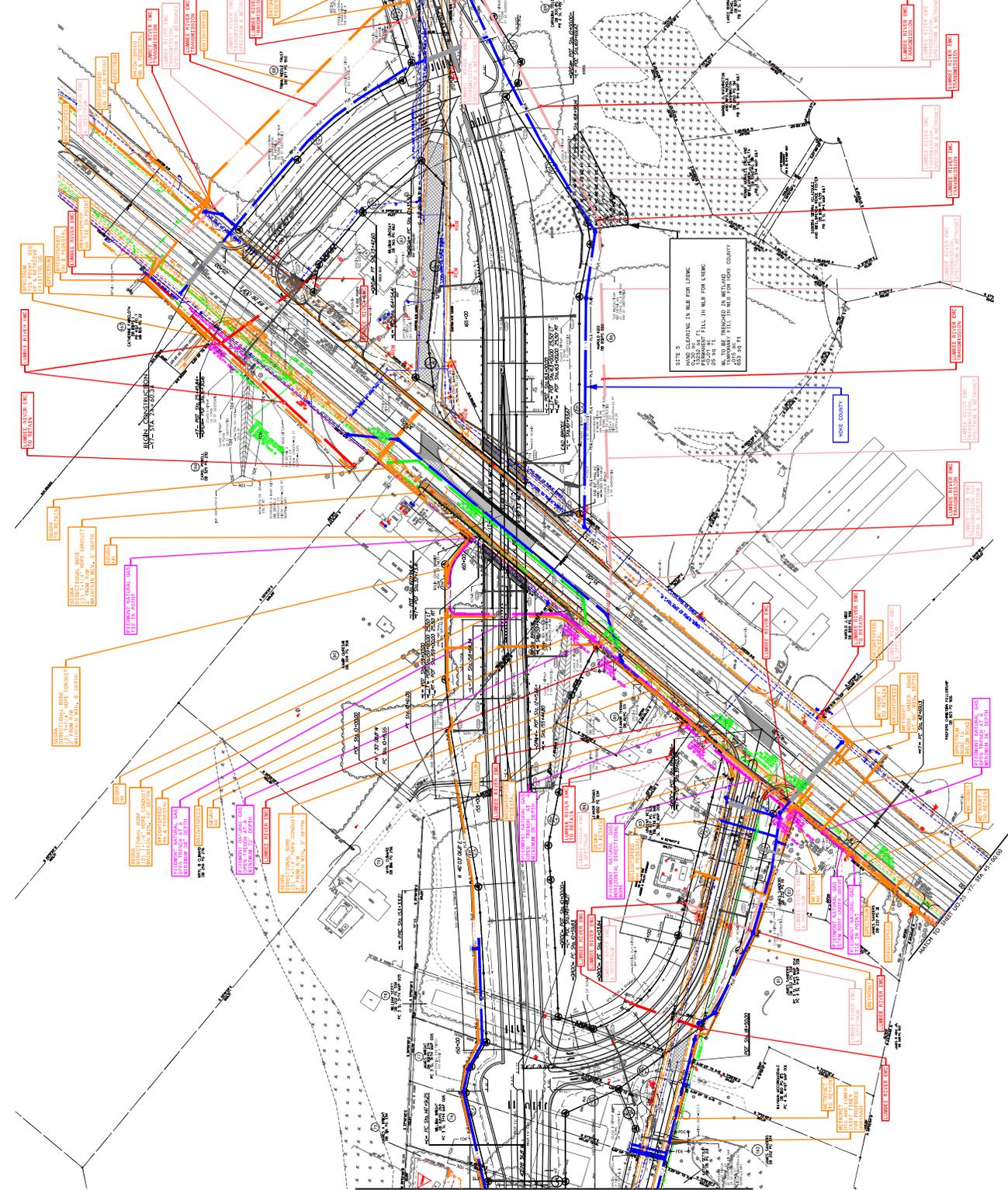


DATE: 11/27/2024
 TIME: 10:52:57 AM
 PROJECT: UO-13



ALL PROPOSED UTILITY WORK SHOWN ON THIS DRAWING WILL BE MADE TO THE CONTRACTOR'S RESPONSIBILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS TO ORIGINAL OR BETTER CONDITION AFTER COMPLETION OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL RECORDS OF ALL WORK DONE ON THIS PROJECT.

PROJECT NO. 222
 DATE: 08/20/2024
 DRAWN BY: [Name]
 CHECKED BY: [Name]



NOTE: 2
 HAND CLEARING IS NEAR FOR USBC
 100' BUFFER ZONE TO BE MAINTAINED
 ALL TO BE TYPED IN WITH HIGH COUNTY
 222-242-11

MATCH TO SHEET UO-12 - L- STA. 147+00.00

MATCH TO SHEET UO-14 - L- STA. 173+00.00

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	88+60/90+32	Overhead Power					0.100								
3	123+58/126+52	Overhead Power	<0.01				0.230								
5	166+50/168+71	Overhead Power	<0.01				0.304								
5	166+54/167+45	Water Line		0.015											
TOTALS*:			0.00	0.02	0.00	0.00	0.63	0.00	0.00	0.00	0.00	0	0	0	0

*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 7/02/2024
 Hoke County
 U-5753
 51078.2.2

SHEET 5 OF 5