



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

June 7, 2005

U. S. Army Corps of Engineers  
Regulatory Field Office  
Post Office Box 1000  
Washington, NC 27889-1000

ATTN: Mr. Bill Biddlecome  
NCDOT Coordinator

Dear Sir:

Subject: **Request for a Nationwide 23 Permit Modification** for the Replacement of Bridge No. 26 over Deep Creek on SR 1154, Carteret County, Federal Aid Project No. BRSTP-1154(2); State Project No. 8.2161001; TIP No. B-3626.

Please reference the original request for a Nationwide 23 Permit dated July 13, 2005 and subsequent USACE Nationwide 23 permit, Action ID 200411590.

This modification addresses a Special Sediment Control Fence not described in the previous application.

The Special Sediment Control Fence has been designed to withstand tidal fluctuations that occur in the area, and will be placed in the area designated as "mechanized clearing in wetlands" as shown in the attached drawings. This fence consists of ¼ wire mesh secured on #57 class stone. The footprint of the stone (temporary fill) will be 2 feet wide and 1 foot tall, totaling 700 ft<sup>2</sup> (0.02 acres). The entire Special Sediment Control Fence configuration will be placed on hardware cloth to allow for easier removal.

The Special Sediment Control Fence will be installed approximately 5 feet from the slope stake line right of L- from Sta. 16+46 to Sta. 19+96.

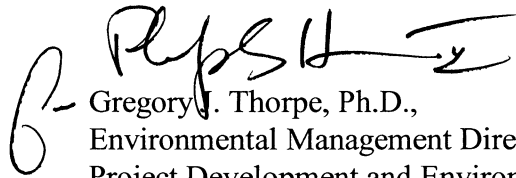
As this change is occurring in an area previously declared and permitted impact area, no additional impacts in jurisdictional systems will occur for this project.

## Regulatory Approvals

The NCDOT hereby requests that this project be authorized by the North Carolina Division of Water Quality and the U. S. Army Corps of Engineers. If there are any questions, please contact Mr. Michael Turchy of my staff at [maturchy@dot.state.nc.us](mailto:maturchy@dot.state.nc.us) or (919) 715-1468.

A copy of this permit modification request will be posted on the DOT website at: <http://www.ncdot.org/planning/pe/naturalunit/Permit.html>.

Sincerely,



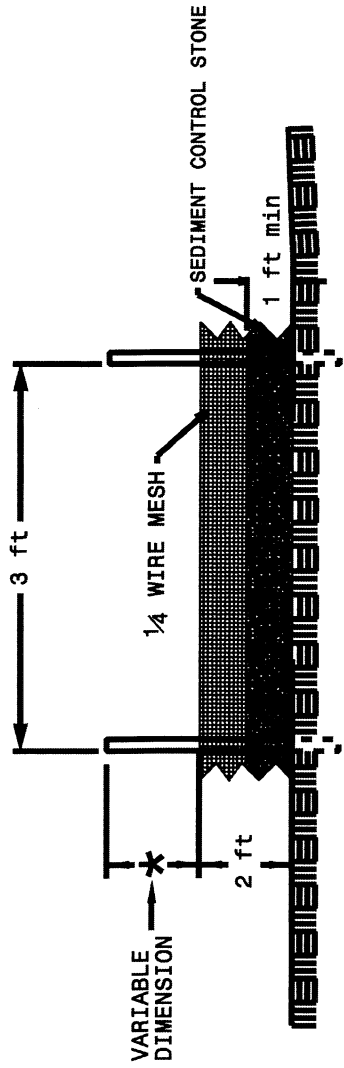
Gregory J. Thorpe, Ph.D.,  
Environmental Management Director  
Project Development and Environmental Analysis Branch

Cc:

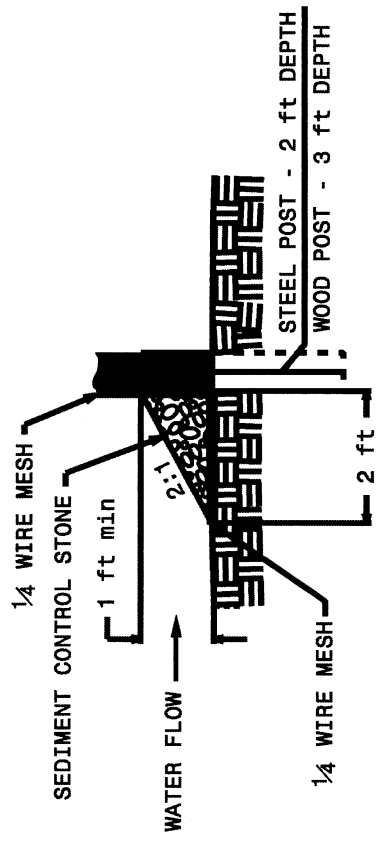
Mr. John Hennessy, NCDWQ (2 Copies)  
Mr. Travis Wilson, NCWRC  
Mr. Gary Jordan, USFWS  
Mr. Ron Sechler, NMFS  
Mr. Michael Street, NCDMF  
Mr. Cathy Brittingham, NCDCM  
Mr. Bill Arrington, NCDCM  
Mr. David Chang, P.E., Hydraulics  
Mr. Greg Perfetti, P.E., Structure Design  
Mr. Mark Staley, Roadside Environmental  
Mr. C. E. Lassiter, P.E., Division Engineer  
Mr. Jay Johnson, DEO

W/o attachment

Mr. David Franklin, USACE, Wilmington  
Mr. Jay Bennett, P.E., Roadway Design  
Mr. Omar Sultan, Programming and TIP  
Mr. Art McMillan, P.E., Highway Design  
Ms. Stacy Baldwin, P.E., PDEA

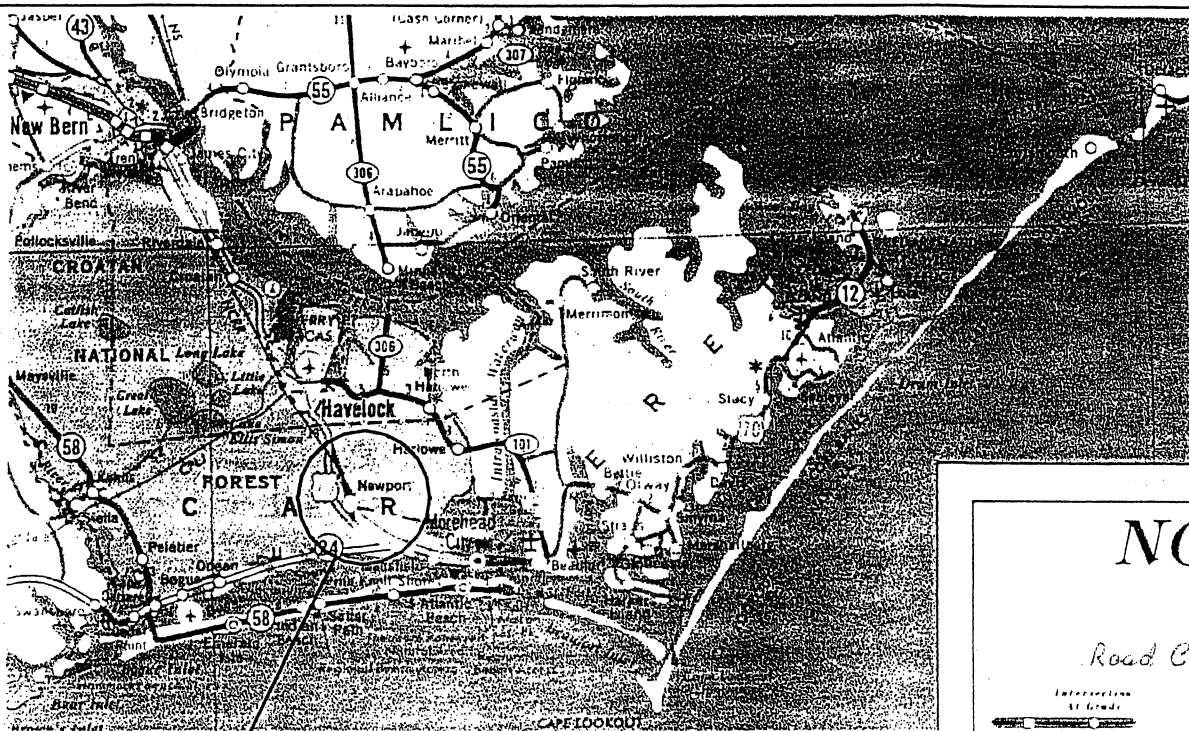
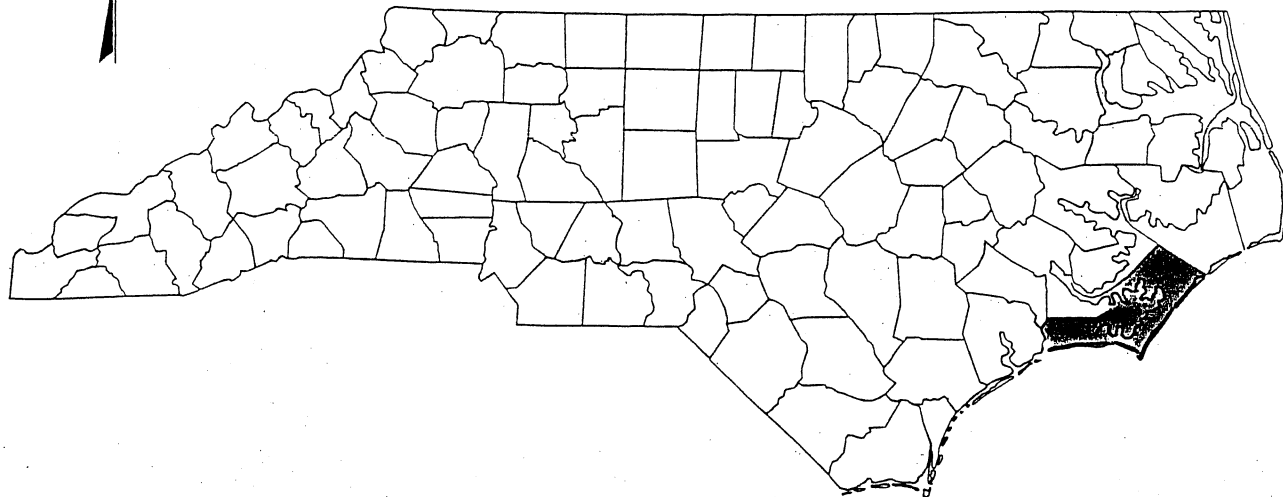


- GENERAL NOTES:
- USE NO. 5 OR NO. 57 STONE FOR SEDIMENT CONTROL AND PAY FOR AT THE CONTRACT UNIT PRICE PER TON SEDIMENT CONTROL STONE.
  - USE HARDWARE CLOTH 24 GAUGE WIRE MESH WITH 1/4 INCH MESH OPENINGS.
  - INSTALL 5 FT. SELF FASTENER ANGLE STEEL POST 2 FT. DEEP MINIMUM.
  - INSTALL 6 FT. LONG, 3 IN. DIA. WOOD POSTS 3 FT. DEEP MINIMUM.
  - SPACE POSTS A MAXIMUM OF 3 FT.



## SPECIAL SEDIMENT CONTROL FENCE DETAIL

# VICINITY MAP NORTH CAROLINA



SITE

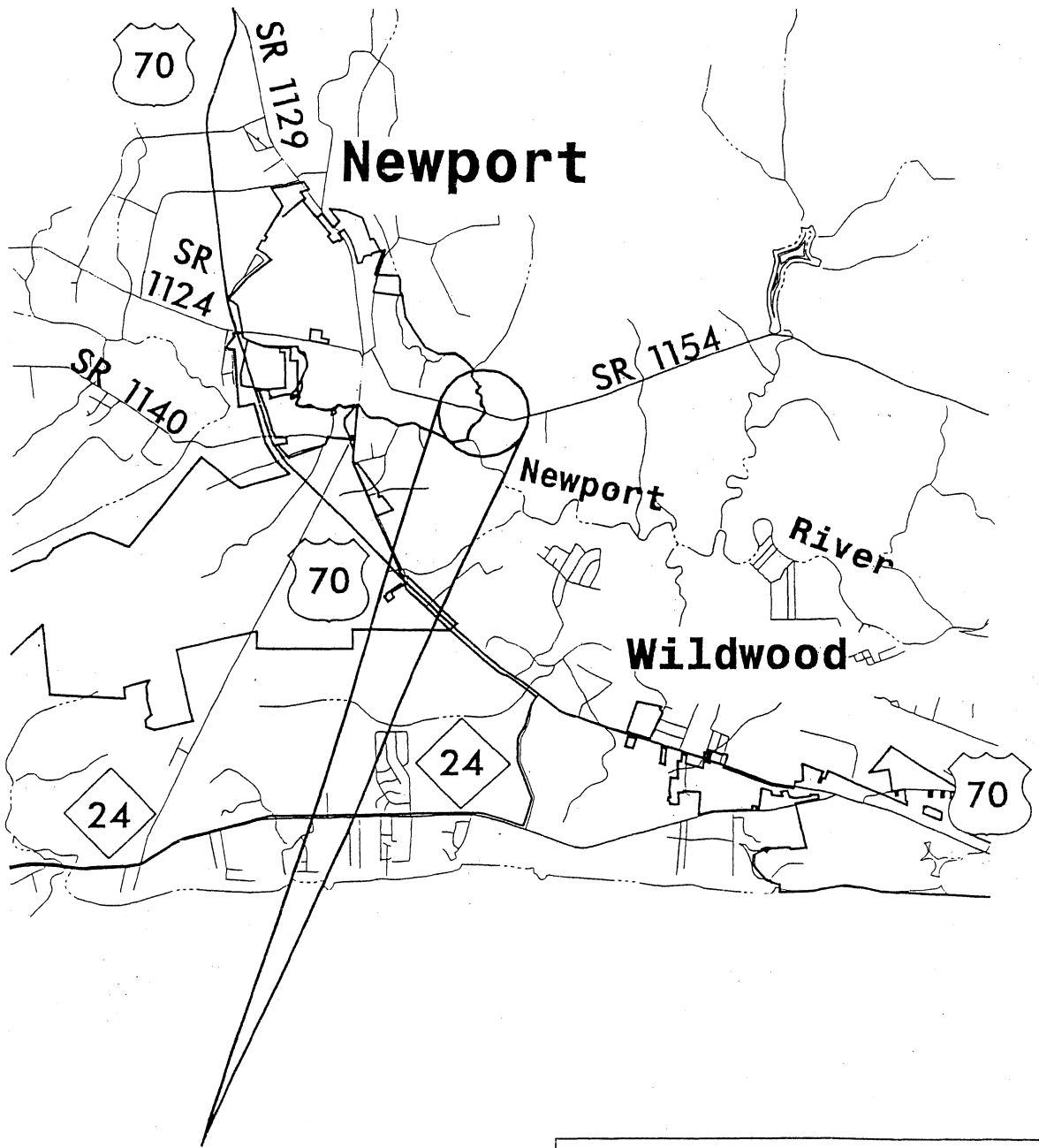
NORTH CAROLINA  
DEPARTMENT OF HIGHWAYS

CARTERET COUNTY  
8.2161001 (B-3626)  
BRIDGE NO. 26  
ON SR 1154  
OVER DEEP CREEK

NOT TO SCALE

1/20/03 11:16 AM  
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 1154.dwg  
 1/20/03 11:16 AM

# SITE MAP



**SITE**



**NORTH CAROLINA  
DEPARTMENT OF HIGHWAYS**

CARTERET COUNTY  
8.2161001(B-3626)

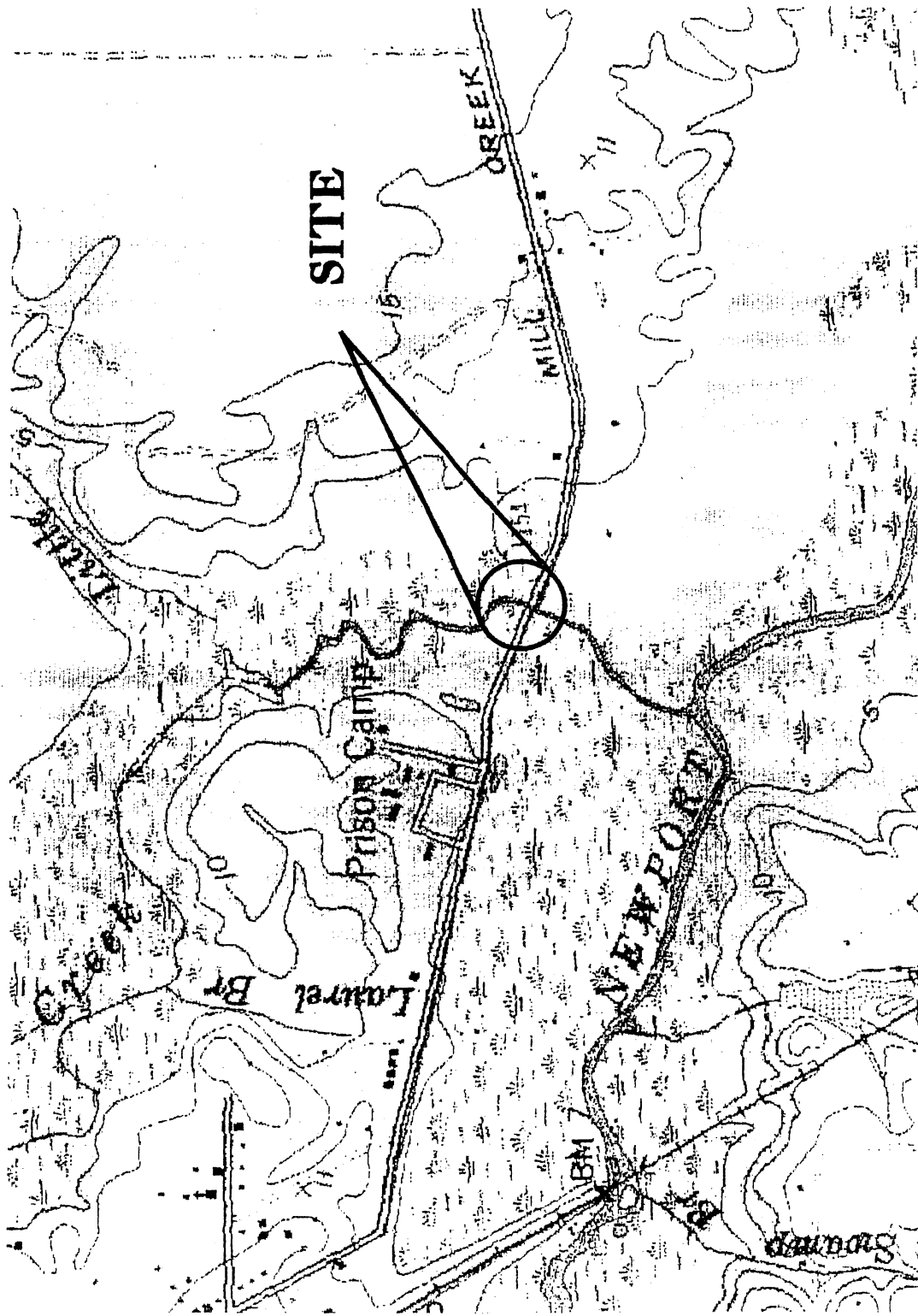
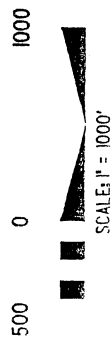
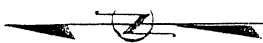
BRIDGE NO. 26  
ON SR 1154  
OVER DEEP CREEK

NOT TO SCALE

DATE: 1-20-03

SHEET **2** OF **11**

01/21/2003  
06:56:00 AM  
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**NORTH CAROLINA  
DEPARTMENT OF HIGHWAYS**

CARTERET COUNTY  
8.2161001 (8-3626)

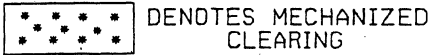
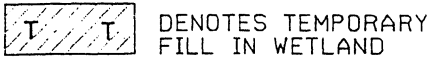
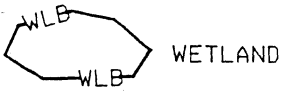
BRIDGE NO. 26  
ON SR 1154  
OVER DEEP CREEK

NOT TO SCALE

DATE: 1-20-03

# WETLAND LEGEND

— WLB — WETLAND BOUNDARY



→ → FLOW DIRECTION

TB  
TOP OF BANK

WE  
EDGE OF WATER

C  
PROP. LIMIT OF CUT

F  
PROP. LIMIT OF FILL

▲  
PROP. RIGHT OF WAY

— NG — NATURAL GROUND

— PL — PROPERTY LINE

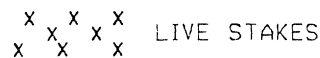
— TDE — TEMP. DRAINAGE EASEMENT

— PDE — PERMANENT DRAINAGE EASEMENT

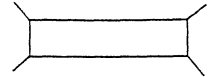
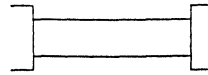
— EAB — EXIST. ENDANGERED ANIMAL BOUNDARY

— EPB — EXIST. ENDANGERED PLANT BOUNDARY

— V — WATER SURFACE

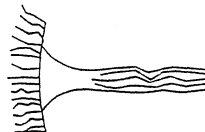


— — — CORE FIBER ROLLS

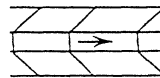
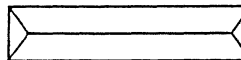


(DASHED LINES DENOTE EXISTING STRUCTURES)

12'-48' PIPES  
54' PIPES & ABOVE



ROOTWAD



**NORTH CAROLINA  
DEPARTMENT OF HIGHWAYS**

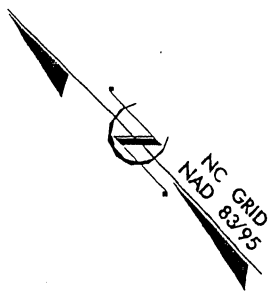
CARTERET COUNTY  
8.2161001(B-3626)

BRIDGE NO. 26  
ON SR 1154  
OVER DEEP CREEK

NOT TO SCALE

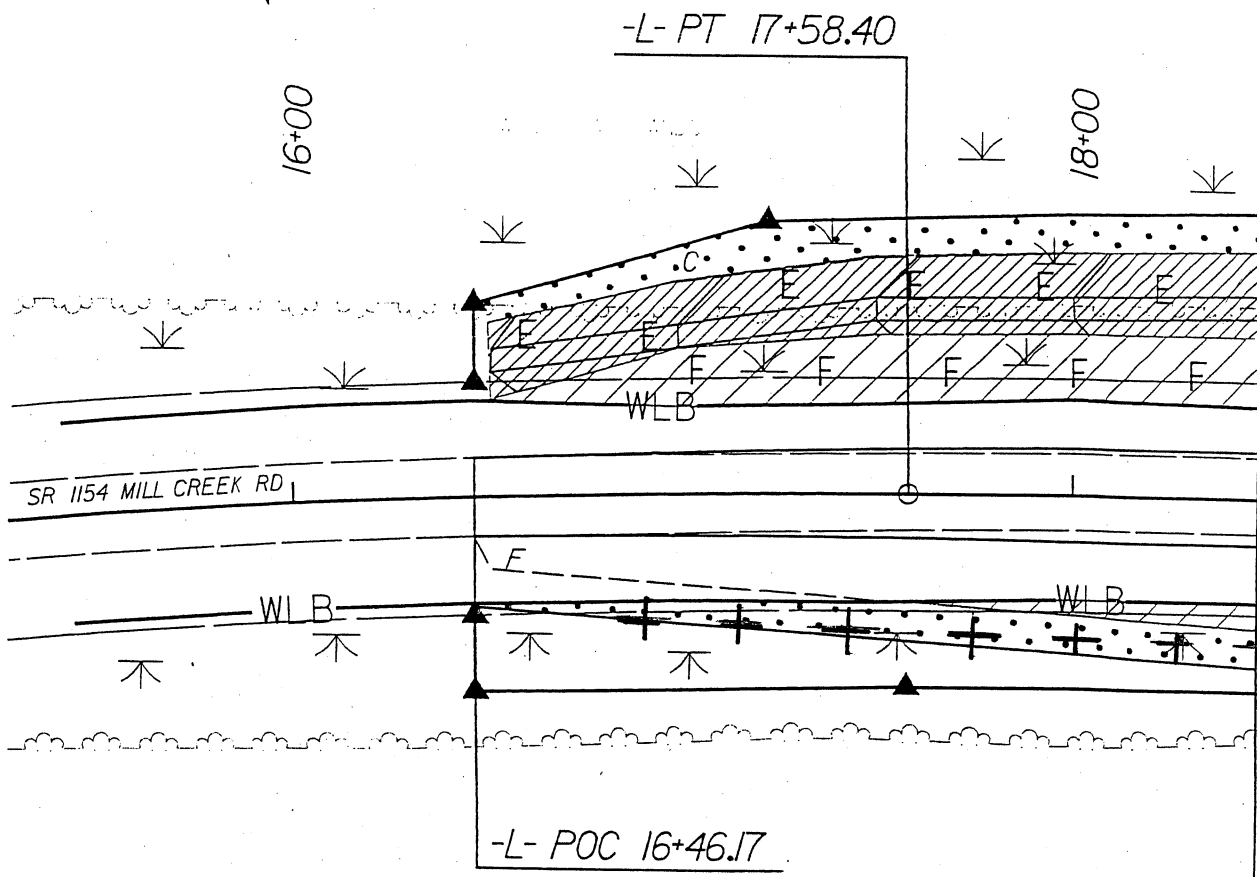
DATE: 1-20-03

SHEET 4 of 11



1  
NC DEPARTMENT  
OF CORRECTION

PROPERTY LINE IS  
ALONG RUN OF  
DEEP CREEK



1  
NC DEPARTMENT  
OF CORRECTION

WETLANDS AND  
WETLANDS

# PLAN VIEW SITE 1

## LEGEND

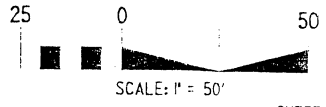
- WLB — WETLAND
- DENOTES FILL IN WETLAND
- DENOTES EXCAVATION IN WETLAND
- DENOTES MECHANIZED CLEARING

+++ Special Sediment Control Fence  
(From Sta. 16+46 to 19+96)

## NORTH CAROLINA DEPARTMENT OF HIGHWAYS

CARTERET COUNTY  
8.2161001 (B-3626)

BRIDGE NO. 26  
ON SR 1154  
OVER DEEP CREEK



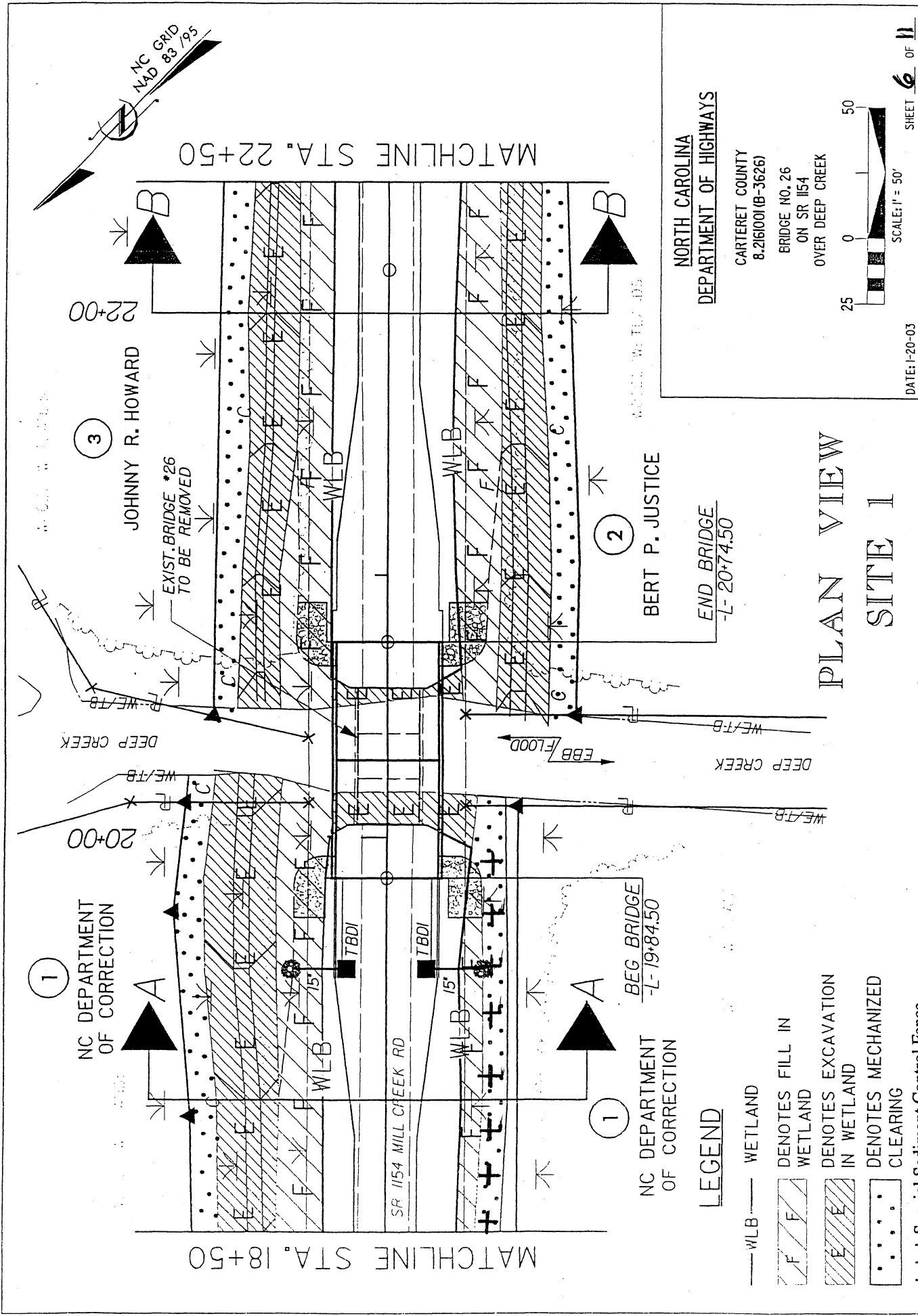
DATE: 1-20-03

SHEET 5 OF 11

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0/25/2013  
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NC GRID  
 MAD 83/95

MATCHLINE STA. 22+50

22+00

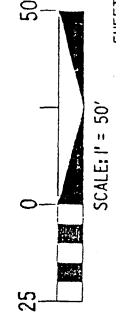
20+00

20+00

MATCHLINE STA. 18+50

NORTH CAROLINA  
 DEPARTMENT OF HIGHWAYS

CARTERET COUNTY  
 8.2161001(B-3626)  
 BRIDGE NO. 26  
 ON SR 1154  
 OVER DEEP CREEK



SHEET 6 OF 11

DATE: 1-20-03

PLAN VIEW  
 SITE 1

JOHNNY R. HOWARD  
 (3)

BERT P. JUSTICE  
 (2)

NC DEPARTMENT  
 OF CORRECTION  
 (1)

BEG BRIDGE  
 -L- 19+84.50

END BRIDGE  
 -L- 20+74.50

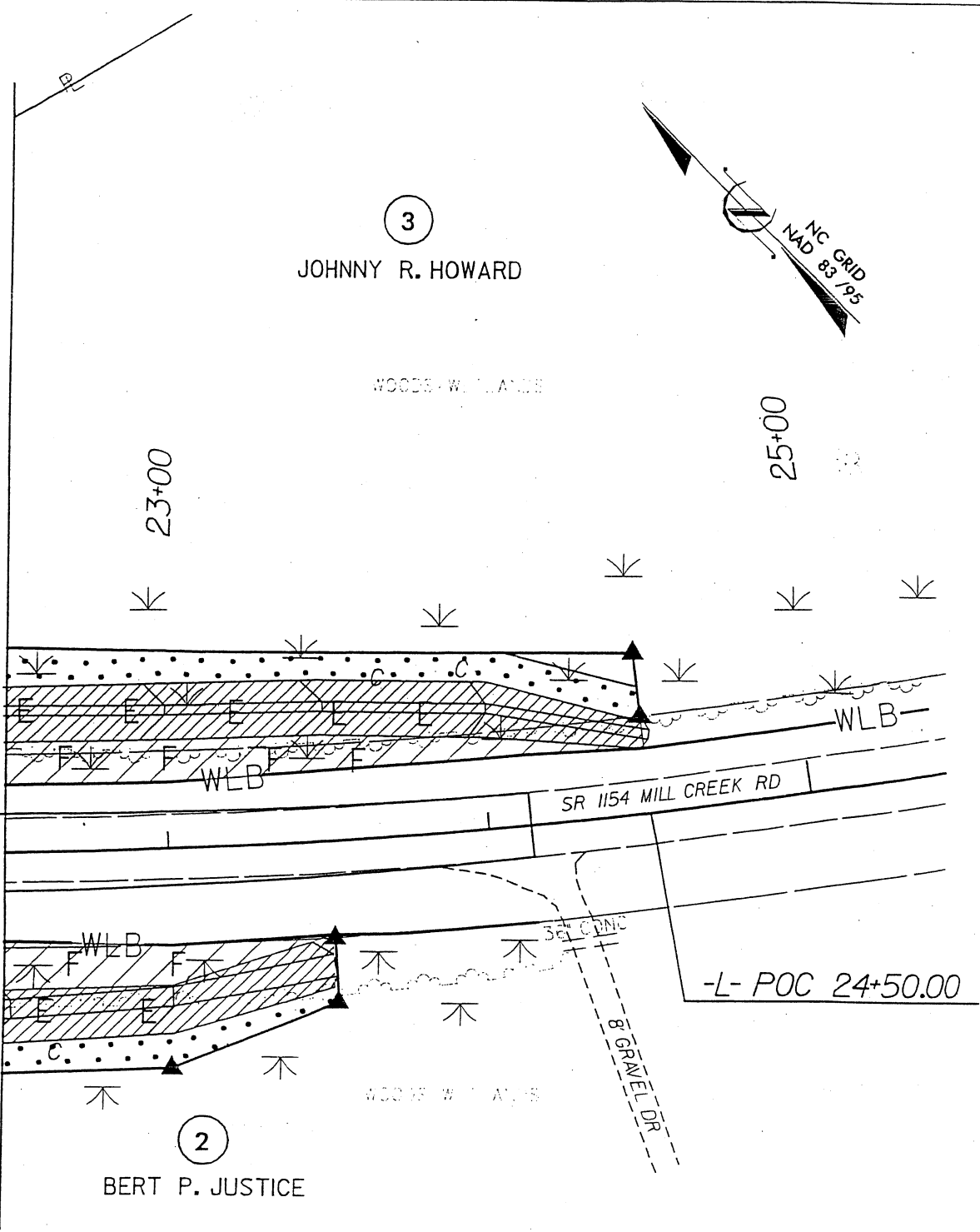
NC DEPARTMENT  
 OF CORRECTION  
 (1)

LEGEND

- WLB — WETLAND
- [Hatched] DENOTES FILL IN WETLAND
- [Hatched] DENOTES EXCAVATION IN WETLAND
- [Dotted] DENOTES MECHANIZED CLEARING

+ + + Special Sediment Control Fence  
 (From Sta. 16+46 to 19+96)

MATCHLINE STA. 22+50



### PLAN VIEW

#### LEGEND

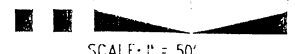
- WLB — WETLAND
- DENOTES FILL IN WETLAND
- DENOTES EXCAVATION IN WETLAND
- DENOTES MECHANIZED CLEARING

#### SITE 1

**NORTH CAROLINA  
DEPARTMENT OF HIGHWAYS**

CARTERET COUNTY  
8.2161001 (B-3626)  
BRIDGE NO. 26  
ON SR 1154  
OVER DEEP CREEK

25      0      50

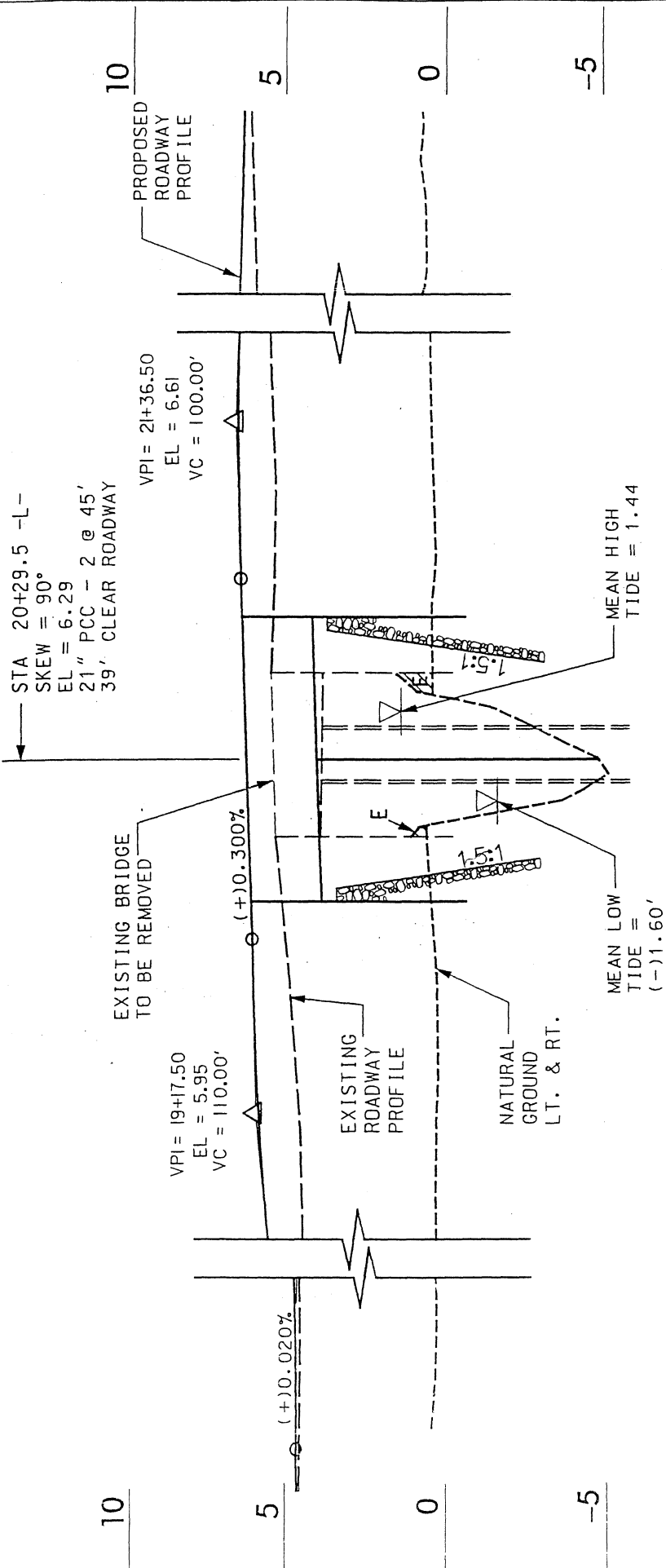


SCALE: 1" = 50'

DATE: 1/20/03

SHEET **7** OF 11

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NORTH CAROLINA  
 DEPARTMENT OF HIGHWAYS

CARTERET COUNTY  
 8-216100(B-3626)

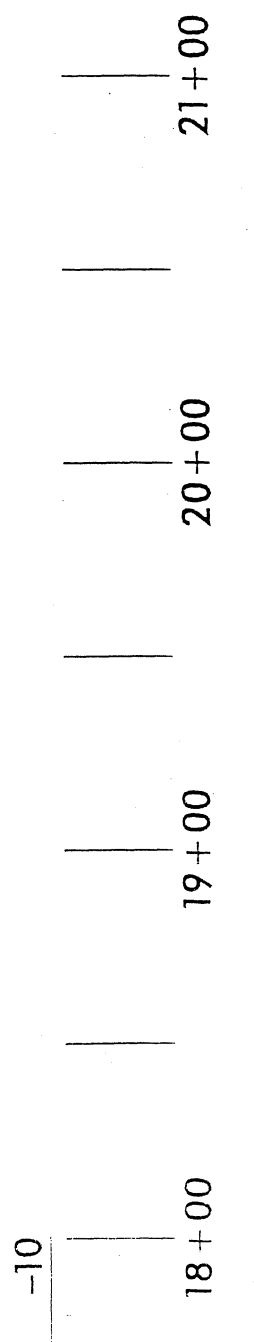
BRIDGE NO. 26  
 ON SR 1154

OVER DEEP CREEK

HORIZONTAL SCALE: 1" = 50'  
 VERTICAL SCALE: 1" = 5'

DATE: 1-20-03

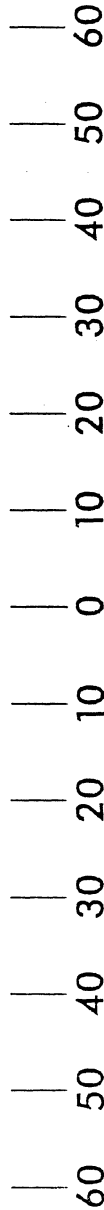
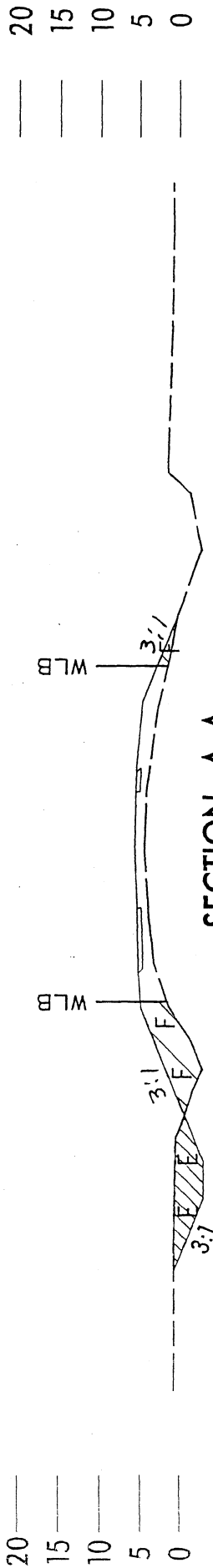
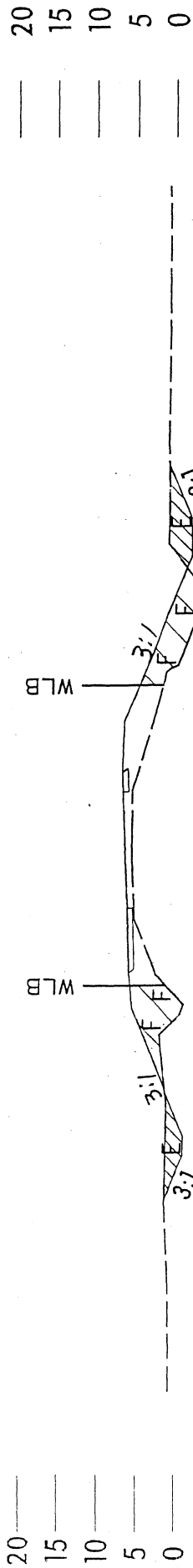
SHEET 8 OF 11



PROFILE  
 SITE 1

LEGEND  
 DENOTES EXCAVATION  
 IN WETLAND





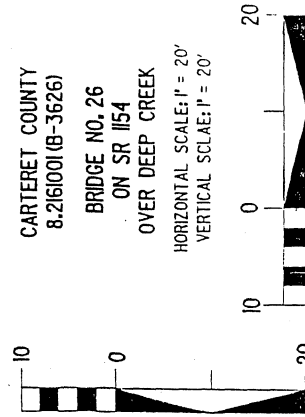
# TYPICAL X-SECTIONS SITE 1

- LEGEND**
- WLB— WETLAND
  - DENOTES FILL IN WETLAND
  - DENOTES EXCAVATION IN WETLAND

NORTH CAROLINA  
 DEPARTMENT OF HIGHWAYS

CARTERET COUNTY  
 8-2161001(B-3626)  
 BRIDGE NO. 26  
 ON SR 1154  
 OVER DEEP CREEK

HORIZONTAL SCALE: 1" = 20'  
 VERTICAL SCALE: 1" = 20'



**WETLAND PERMIT IMPACT SUMMARY**

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS						
			Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation In Wetlands (ac)	Mechanized Clearing (Method III) (ac)	Fill In SW (Natural) (ac)	Fill In SW (Pond) (ac)	Temp. Fill In SW (ac)	Existing Channel Impacted (ft)	Natural Stream Design (ft)			
1	16+46.17 - 19+84.50	ROADWAY APPROACH (WEST) LT & RT	0.154	---	0.171	0.142	---	---	---	---	---	---	---	---
1	19+84.50 - 20+74.50	BRIDGE LT & RT	0.035	---	0.071	0.031	---	---	---	---	---	---	---	---
1	20+74.50 - 24+50.00	ROADWAY APPROACH (EAST) LT & RT	0.197	---	0.250	0.151	---	---	---	---	---	---	---	---
<b>TOTALS:</b>			0.386	0	0.492	0.324	0	0	0	0	0	0	0	0

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS

CARTERET COUNTY  
PROJECT: 8.2161001 (B-3626)

SHEET **10** OF **11**

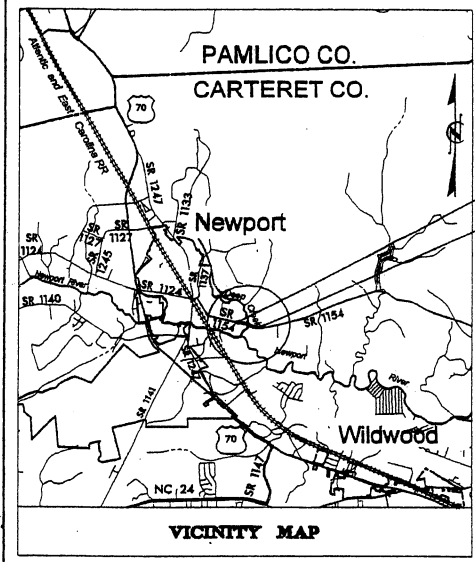
1/16/2003



09/08/04

**CONTRACT NO.: C200818 TIP PROJECT: B-3626**

See Sheet 1-A For Index of Sheets  
See Sheet 1-B For Conventional Symbols



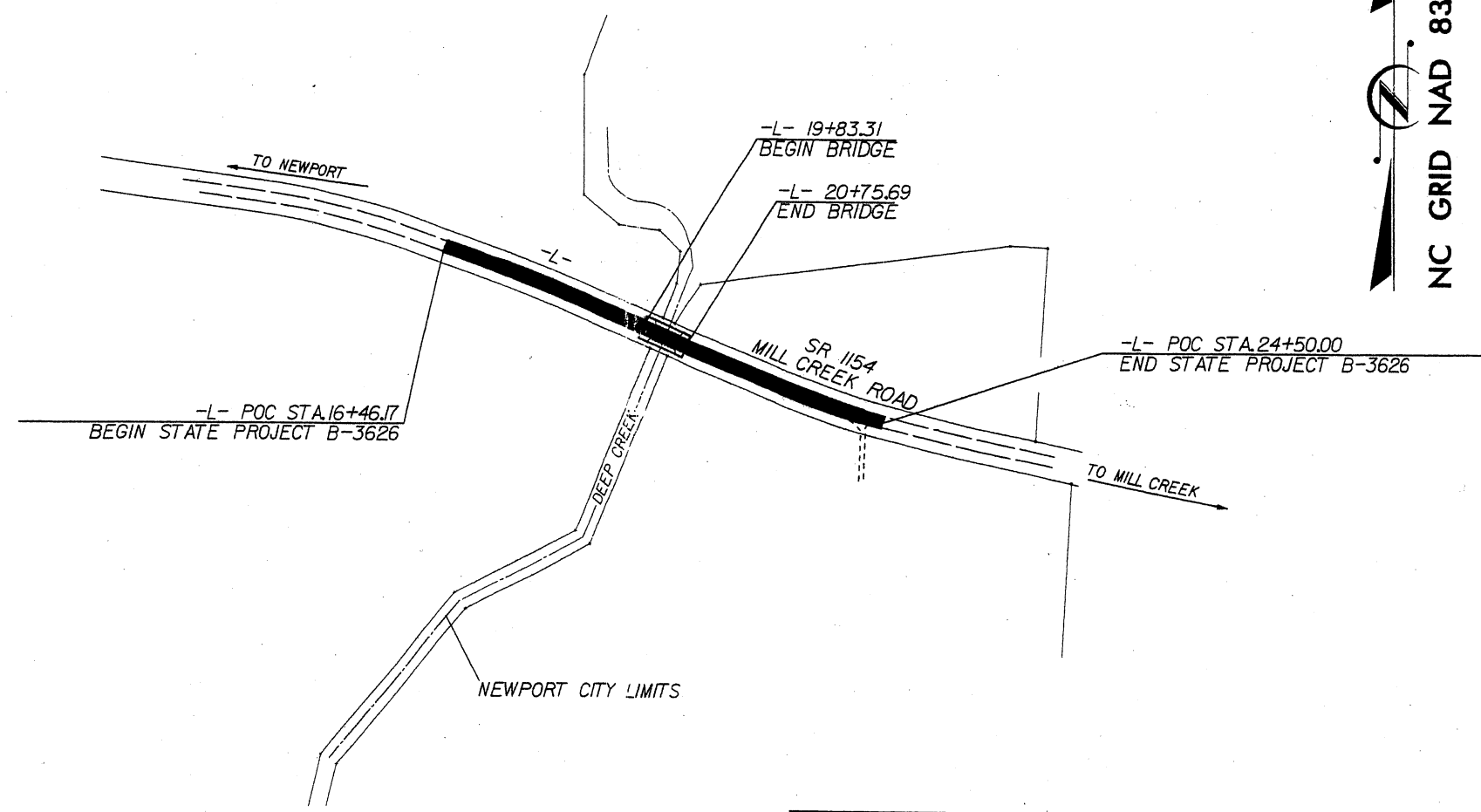
BEGIN PROJECT  
END PROJECT

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

**CARTERET COUNTY**

LOCATION: BRIDGE NO. 26 OVER DEEP CREEK AND APPROACHES  
ON SR 1154 (MILL CREEK ROAD)

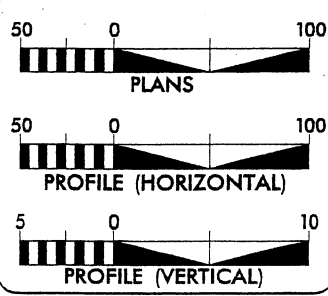
TYPE OF WORK: GRADING, DRAINAGE, PAVING, AND STRUCTURES



NC GRID NAD 83/95

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-3626	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
33174.1.2	BRSTP-1154(2)	PE	
33174.2.2	BRSTP-1154(2)	RW & UTILITY	
33174.3.2	BRSTP-1154(3)	CONSTR.	

GRAPHIC SCALES



DESIGN DATA

ADT 2001 = 1500  
ADT 2025 = 3000  
DHV = 20%  
D = 70%  
T = 4%\*  
V = 60 MPH  
\* TTST 1% DUAL 3%

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT B-3626 = 0.135 mi  
LENGTH STRUCTURES TIP PROJECT B-3626 = 0.017 mi  
TOTAL LENGTH TIP PROJECT B-3626 = 0.152 mi

Prepared in the Office of:  
**SEAR·BROWN**  
1000 Corporate Drive, Suite 101  
Hillsborough, NC 27278-8661  
(919) 732-3883  
www.searbrown.com

PREPARED FOR THE DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS, RALEIGH, NC  
**NCDOT CONTACT**  
CATHY S. HOUSER, PE  
DESIGN SERVICES PROJECT ENGINEER

2002 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:  
FEBRUARY 21, 2003

LETTING DATE:  
APRIL 20, 2004

JAMES W. PARKER JR. PE, PLS  
PROJECT ENGINEER

DENNIS NALLON, PE  
PROJECT DESIGN ENGINEER

HYDRAULIC ENGINEER  
ROADWAY DESIGN ENGINEER

Signature: *W. Herbert Turner*  
Signature: *Carl Milan*

SEAL 21162  
SEAL 15490

DIVISION OF HIGHWAYS  
STATE OF NORTH CAROLINA

Signature: *Carl Milan*  
STATE DESIGN ENGINEER P.E.

DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

APPROVED  
DIVISION ADMINISTRATOR DATE

\$\$\$\$\$ SYSTEM \$\$\$\$\$  
\$\$\$\$\$ DGN \$\$\$\$\$  
\$\$\$\$\$ USERNAME \$\$\$\$\$

Note: Not to Scale

\*S.U.E. = Subsurface Utility Engineering

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

PREPARED BY:  
**SEAR-BROWN**  
1000 Corporate Drive, Suite 101  
Hillsborough, NC 27278-8661  
(919) 732-3883  
www.searbrown.com

PROJECT REFERENCE NO.	SHEET NO.
B-3626	2

# CONVENTIONAL PLAN SHEET SYMBOLS

## BOUNDARIES AND PROPERTY:

State Line	-----
County Line	-----
Township Line	-----
City Line	-----
Reservation Line	-----
Property Line	-----
Existing Iron Pin	○ EIP
Property Corner	⊠
Property Monument	⊠
Parcel/Sequence Number	①23
Existing Fence Line	-----
Proposed Woven Wire Fence	-----
Proposed Chain Link Fence	-----
Proposed Barbed Wire Fence	-----
Existing Wetland Boundary	-----
Proposed Wetland Boundary	-----
Existing High Quality Wetland Boundary	-----
Existing Endangered Animal Boundary	-----
Existing Endangered Plant Boundary	-----

## BUILDINGS AND OTHER CULTURE:

Gas Pump Vent or U/G Tank Cap	○
Sign	⊙
Well	⊙
Small Mine	⊗
Foundation	⊠
Area Outline	⊠
Cemetery	⊠
Building	⊠
School	⊠
Church	⊠
Dam	⊠

## HYDROLOGY:

Stream or Body of Water	-----
Hydro, Pool or Reservoir	-----
River Basin Buffer	-----
Flow Arrow	-----
Disappearing Stream	-----
Spring	-----
Swamp Marsh	-----
Proposed Lateral, Tail, Head Ditch	-----
False Sump	-----

## RAILROADS:

Standard Gauge	-----
RR Signal Milepost	○
Switch	⊠
RR Abandoned	-----
RR Dismantled	-----

## RIGHT OF WAY:

Baseline Control Point	◆
Existing Right of Way Marker	△
Existing Right of Way Line	-----
Proposed Right of Way Line	-----
Proposed Right of Way Line with Iron Pin and Cap Marker	-----
Proposed Right of Way Line with Concrete or Granite Marker	-----
Existing Control of Access	⊙
Proposed Control of Access	⊙
Existing Easement Line	-----
Proposed Temporary Construction Easement	-----
Proposed Temporary Drainage Easement	-----
Proposed Permanent Drainage Easement	-----
Proposed Permanent Utility Easement	-----

## ROADS AND RELATED FEATURES:

Existing Edge of Pavement	-----
Existing Curb	-----
Proposed Slope Stakes Cut	-----
Proposed Slope Stakes Fill	-----
Proposed Wheel Chair Ramp	-----
Curb Cut for Future Wheel Chair Ramp	-----
Existing Metal Guardrail	-----
Proposed Guardrail	-----
Existing Cable Guiderail	-----
Proposed Cable Guiderail	-----
Equality Symbol	⊙
Pavement Removal	-----

## VEGETATION:

Single Tree	⊙
Single Shrub	⊙
Hedge	-----
Woods Line	-----
Orchard	-----
Vineyard	-----

## EXISTING STRUCTURES:

MAJOR:	
Bridge, Tunnel or Box Culvert	-----
Bridge Wing Wall, Head Wall and End Wall	-----
MINOR:	
Head and End Wall	-----
Pipe Culvert	-----
Footbridge	-----
Drainage Box: Catch Basin, DI or JB	-----
Paved Ditch Gutter	-----
Storm Sewer Manhole	⊙
Storm Sewer	-----

## UTILITIES:

POWER:	
Existing Power Pole	●
Proposed Power Pole	○
Existing Joint Use Pole	●
Proposed Joint Use Pole	○
Power Manhole	⊙
Power Line Tower	⊠
Power Transformer	⊠
U/G Power Cable Hand Hole	⊠
H-Frame Pole	●
Recorded U/G Power Line	-----
Designated U/G Power Line (S.U.E.*)	-----

## TELEPHONE:

Existing Telephone Pole	●
Proposed Telephone Pole	○
Telephone Manhole	⊙
Telephone Booth	⊠
Telephone Pedestal	⊠
Telephone Cell Tower	⊠
U/G Telephone Cable Hand Hole	⊠
Recorded U/G Telephone Cable	-----
Designated U/G Telephone Cable (S.U.E.*)	-----
Recorded U/G Telephone Conduit	-----
Designated U/G Telephone Conduit (S.U.E.*)	-----
Recorded U/G Fiber Optics Cable	-----
Designated U/G Fiber Optics Cable (S.U.E.*)	-----

## WATER:

Water Manhole	⊙
Water Meter	⊙
Water Valve	⊙
Water Hydrant	⊙
Recorded U/G Water Line	-----
Designated U/G Water Line (S.U.E.*)	-----
Above Ground Water Line	-----

## TV:

TV Satellite Dish	⊙
TV Pedestal	⊠
TV Tower	⊙
U/G TV Cable Hand Hole	⊠
Recorded U/G TV Cable	-----
Designated U/G TV Cable (S.U.E.*)	-----
Recorded U/G Fiber Optic Cable	-----
Designated U/G Fiber Optic Cable (S.U.E.*)	-----

## GAS:

Gas Valve	⊙
Gas Meter	⊙
Recorded U/G Gas Line	-----
Designated U/G Gas Line (S.U.E.*)	-----
Above Ground Gas Line	-----

## SANITARY SEWER:

Sanitary Sewer Manhole	⊙
Sanitary Sewer Cleanout	⊙
U/G Sanitary Sewer Line	-----
Above Ground Sanitary Sewer	-----
Recorded SS Forced Main Line	-----
Designated SS Forced Main Line (S.U.E.*)	-----

## MISCELLANEOUS:

Utility Pole	●
Utility Pole with Base	⊠
Utility Located Object	○
Utility Traffic Signal Box	⊠
Utility Unknown U/G Line	-----
U/G Tank; Water, Gas, Oil	⊠
A/G Tank; Water, Gas, Oil	⊠
U/G Test Hole (S.U.E.*)	⊙
Abandoned According to Utility Records	AATUR
End of Information	E.O.I.





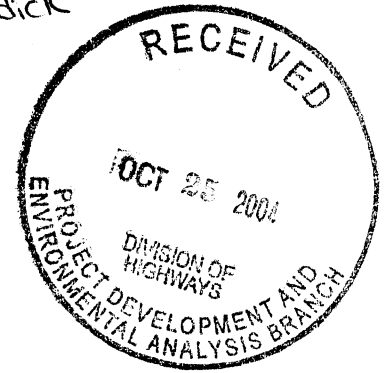


REPLY TO  
ATTENTION OF:

Kiddick

DEPARTMENT OF THE ARMY  
WILMINGTON DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 1890  
WILMINGTON, NORTH CAROLINA 28402-1890

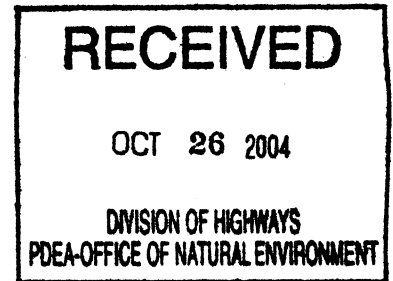
October 19, 2004



Regulatory Division

Subject: Action ID No. 200411590 and Nationwide Permit No. 23 (Approved Categorical Exclusions)

Dr. Gregory J. Thorpe, Ph.D.  
Environmental Management Director, PDEA  
N.C. Department of Transportation  
1548 Mail Service Center  
Raleigh, North Carolina 27699-1548



Dear Dr. Thorpe:

Reference your Categorical Exclusion Document and permit application, dated July 13, 2004, for the replacement of Bridge No. 26 over Deep Creek on SR 1154, in Carteret County, North Carolina (Federal Aid Project No. BRSTP-1154 (2), State Project No. 8.2161001, TIP No. B-3626). The stated purpose of the project is to replace the currently functionally obsolete and structurally deficient bridge with new safer and more efficient bridge. The preferred alternative will be built utilizing phased construction and will adversely impact 1.2 acres of wetlands adjacent to the Deep Creek. Traffic will be maintained on-site. No temporary detours are authorized.

For the purposes of the Corps of Engineers Regulatory Program, Title 33, Code of Federal Regulations (CFR), Part 330.6, published in the Federal Register on November 22, 1991, lists nationwide permits. Authorization pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act, was provided for activities undertaken, assisted, authorized, regulated, funded or financed, in whole or part, by another Federal agency or department where that agency or department has determined, pursuant to the CEQ Regulation for the Implementing the Procedural Provisions of the National Environmental Policy Act, that the activity, work or discharge is categorically excluded from environmental documentation because it is included within a category of actions which neither individually nor cumulatively have a significant effect on the human environment, and the Office of the Chief of Engineers has been furnished notice of the agency's or department's application for the categorical exclusion and concurs with that determination.

Review of this project indicates that the construction of the new bridge will adversely impact 1.2 acres of riverine wetlands. The wetland impacts are from the increased approach roadway fill needed for phased construction and for the proposed bridge structure. The new bridge will provide wider road shoulders on both sides of the new structure for safety.

Your work is authorized under Nationwide Permit 23, Categorical Exclusion, provided it is accomplished in strict accordance with the enclosed Nationwide Permit Conditions and the following special conditions:

a. Compensatory mitigation for the unavoidable impacts to 1.20 acres of riverine wetlands associated with the proposed project shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated August 5, 2004, from William D. Gilmore, EEP Transition Manager. The EEP will provide 12.0 acres of preservation of riverine wetlands in the Southern Outer Coastal Plain Eco-Region at the NE Cape Fear Wells Tract in Pender County, that has been acquired and protected by the EEP. Pursuant to the EEP Memorandum of Agreement (MOA) between the State of North Carolina and the US Army Corps of Engineers signed on July 22, 2003, the EEP will provide a minimum of 1.2 acres of restoration of riverine wetlands in the White Oak River Basin (Hydrologic Cataloging Unit 3020106) by July 22, 2005, and half of the proposed preservation mitigation would be available at that time for mitigation for other project impacts. The NCDOT shall, within 30 days of the issue date of this permit, certify that sufficient funds have been provided to EEP to complete the required mitigation, pursuant to Paragraph V. of the MOA.

b. To avoid adverse impacts to spawning populations of fish, anadromous and resident species at the project site, NCDOT will follow the "Stream Crossing Guidelines for Anadromous Fish Passage (May 12, 1977)."

c. To avoid adverse impacts to spawning populations of fish species at this project site, no in-water work will be conducted between March 1 and September 30. For the purpose of this moratorium, in water is defined as those areas that are inundated at mean high water.

d. Bridge deck drains will not discharge directly into Deep Creek and will not be located water-ward of the riprap alignment under the bridge.

e. No bridge demolition debris or excavated or fill material will be placed at any time, in any wetlands or surrounding waters, outside of the alignment of the fill area indicated on the work plans.

f. The temporary placement or double handling of excavated or fill materials within waters or vegetated wetlands are not authorized.

g. All excavated materials will be confined above normal high water and landward of regularly or irregularly flooded wetlands behind adequate dikes or retaining structures to prevent spillover of solids into any wetlands or surrounding waters.

h. The fill material will be clean and free of any pollutants except in trace quantities. Metal products, organic materials, or unsightly debris will not be used.

i. All measures will be taken to avoid any temporary fill from entering into Deep Creek from bridge demolition. Bridge demolition shall follow NCDOT best management practices for construction and maintenance activities dated August 2003 and incorporate NCDOT policy entitled "Bridge Demolition and Removal in Waters of the United States" dated September 20, 1999.

j. 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, or any activities that cause the degradation of waters or wetlands, except as authorized by this permit, or any modification to this permit. This permit does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area. There shall be no excavation from, waste disposal into, or degradation of, jurisdictional waters or wetlands associated with this permit without appropriate modification of this permit, including appropriate compensatory mitigation. This prohibition applies to all borrow and fill activities connected with this project.

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

l. 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 and any Corps approved modifications shall be available at the project site during construction and maintenance of this project.

m. Any violation of these conditions or violations of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act must be reported in writing to the Wilmington District, U.S. Army Corps of Engineers, within 24 hours of the violation.

n. Failure to institute and carry out the details of special conditions a. - m., above, may result in a directive to cease all ongoing and permitted work within waters and/or wetlands associated with TIP No. B-3626, or such other remedy as the District Engineer or his authorized representatives may seek.

This nationwide permit does not relieve you of the responsibility to obtain any required State or local approval. This permit will be valid for two years from the date of this letter unless the nationwide authorization is modified, reissued or revoked.

Thank you for your time and cooperation. Questions or comments may be addressed to Mr. Michael F. Bell, Washington Regulatory Field Office, Post Office Box 1000, Washington, North Carolina, 27889, or telephone 252-975-1616, extension 26.

Sincerely,



E. David Franklin  
Chief, NCDOT Team

Enclosures

Copies Furnished (without enclosures)

Ms. Cyndi Karoly  
Water Quality Section  
North Carolina Division of Environment  
and Natural Resources  
1650 Mail Service Center  
Raleigh, North Carolina 27699-1650

Mr. Travis Wilson  
Eastern Region Highway Project Coordinator  
Habitat Conservation Program  
1142 I-85 Service Road  
Creedmoor, North Carolina 27522

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

Mr. Ron Sechler  
NOAA, Marine Fisheries  
101 Pivers Island  
Beaufort, North Carolina 28516

Mr. Chris Militscher  
U.S. Environmental Protection Agency  
Raleigh Office  
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Raleigh, North Carolina 27601

North Carolina Division of Coastal Management  
151-B, NC Hwy 24  
Morehead City, North Carolina 28557