

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY GOVERNOR ANTHONY J. TATA SECRETARY

May 2, 2014

U. S. Army Corps of Engineers Regulatory Field Office 3331 Heritage Trade Drive Suite 105 Wake Forest, NC 27587

ATTN:

Mr. Eric Alsmeyer

NCDOT Coordinator

Subject:

Application for Section 404 Nationwide Permits 13 and 23, Section 401 Water Quality Certification, and Tar-Pamlico Riparian Buffer Authorization for the Replacement of Bridge No. 12 on SR 1116 (Cedar Creek Rd.) over Cedar Creek in Franklin County, North Carolina. TIP No. B-5325. Federal Aid Project No. BRZ-

1116(11).

Debit \$240.00 from WBS Element 46039.1.1.

Please find enclosed the Pre-Construction Notification (PCN) form, Preliminary Jurisdictional Determination (JD), stormwater management plan, permit drawings, and design plans for the subject project. A Categorical Exclusion (CE) was completed for this project on November 15, 2013.

The proposed let date for this project is November 18, 2014 with a let review date of September 30, 2014. However, the let date may advance as additional funds become available.

A copy of this permit application will be posted on the NCDOT Website at https://connect.ncdot.gov/resources/Environmental/Pages/default.aspx, under *Quick Links > Permit Applications*. A copy of the CE is also available at the above website address under *Quick Links > Environmental Documents*. Thank you for your assistance with this project. If you have any questions or need additional information, please contact Amy James at aejames2@ncdot.gov or (919) 707-6129.

Sincerely,

Richard W. Hancock, P.E., Manager

Project Development and Environmental Analysis Unit

cc: NCDOT Permit Application Standard Distribution List





Office Use Only:
Corps action ID no.
DWQ project no.
Form Version 1.3 Dec 10 2008

	Pre-Construction Notification (PCN) Form					
Α.	Applicant Information					
1.	Processing					
1a.	Type(s) of approval sought from Corps:	the	⊠ Section 404	Permit	on 10 Permit	
1b.	Specify Nationwide Permit (NWP) number: 1	3 23 or (General Permit (GP)) number:	
1c.	Has the NWP or GP number bee	en verified b	y the Corps?		⊠ Yes	□ No
1d.	Type(s) of approval sought from	the DWQ (check all that app	oly):		
		n – Regula	r 🔲 N	on-404 Jurisdictiona	al General Permi	t
	☐ 401 Water Quality Certification	n – Expres	s 🗌 R	iparian Buffer Autho	orization	
1e.	Is this notification solely for the rebecause written approval is not r		Certification:	only for DWQ 401		only for Corps Permit:
	Manual Property and Administration of the Control o		☐ Yes	⊠ No	☐ Yes	⊠ No
1f.	1f. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts? If so, attach the acceptance letter from mitigation bank or in-lieu fee program.					□ No
1g.	1g. Is the project located in any of NC's twenty coastal counties. If yes, answer 1h below. ☐ Yes ☐ No					⊠ No
1h.	1h. Is the project located within a NC DCM Area of Environmental Concern (AEC)? ☐ Yes ☐ No				⊠ No	
2.	Project Information					
2a.	Name of project:	Replacem	ent of Bridge 12	over Cedar Creek o	on SR 1116 (Ced	lar Creek Rd.)
2b.	County:	Franklin				
2c.	Nearest municipality / town:	Youngsvil	le			
2d.	Subdivision name:	not applic	able			
2e.	NCDOT only, T.I.P. or state project no:	B-5325				
3.	Owner Information	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,				
3a.	Name(s) on Recorded Deed:	North Car	olina Departmen	t of Transportation		
3b.	Deed Book and Page No.	not applic	able			
3c.	Responsible Party (for LLC if applicable):	o if not applicable				
3d.	Street address:	1598 Mail	Service Center			
3e.	City, state, zip:	Raleigh, N	NC 27699-1598			
3f.	Telephone no.:	(919) 707	-6129			
3g.	Fax no.:	(919) 212	-5785			
3h.	Email address:	aejames2	@ncdot.gov			

4.	Applicant Information (if different from owner)				
4a.	Applicant is:	☐ Agent	Other, specify:		
4b.	Name:	not applicable			
4c.	Business name (if applicable):				
4d.	Street address:				
4e.	City, state, zip:				
4f.	Telephone no.:				
4g.	Fax no.:				
4h.	Email address:				
5.	Agent/Consultant Information (if applicable)				
5a.	Name:	not applicable			
5b.	Business name (if applicable):				
5c.	Street address:				
5d.	City, state, zip:				
5e.	Telephone no.:				
5f.	Fax no.:				
5q.	Email address:				

В.	B. Project Information and Prior Project History				
1.	Property Identification				
1a.	Property identification no. (tax PIN or parcel ID):	not applicable)		
1b.	Site coordinates (in decimal degrees):	Latitude: 36.6 (DD.DDI		Longitude: - 78.431267 (-DD.DDDDDD)	
1c.	Property size:	3.2 acres			
2.	Surface Waters				
2a.	Name of nearest body of water (stream, river, etc.) to proposed project:	Cedar Creek			
2b.	Water Quality Classification of nearest receiving water:	C;Sw			
2c.	River basin:	Tar Pamlico			
3.	Project Description				
3a.	 Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application: General land use in the project vicinity consists mainly of timberland, agriculture, and low density residential, with undeveloped forestland along stream corridors. 				
3b.	List the total estimated acreage of all existing wetlands on the 0.2	property:			
3c.	List the total estimated linear feet of all existing streams (interm 734	nittent and pere	nnial) on the pro	operty:	
3d.	Explain the purpose of the proposed project: To replace a structurally deficient and functionally obsolete bridge.	dge.			
3e.	Describe the overall project in detail, including the type of equi The project involves replacing a 121-foot bridge with a 132-foot construction will be used to maintain traffic on-site, except for offsite. Standard road building equipment, such as trucks, doz	ot, 2-span bridg two months dur	e along a new ring the summer	oadway alignment. Staged when traffic will be detoured	
4.	Jurisdictional Determinations				
4a.	Have jurisdictional wetland or stream determinations by the Corps or State been requested or obtained for this property / project (including all prior phases) in the past? Comments:	⊠ Yes	□No	Unknown	
4b.	If the Corps made the jurisdictional determination, what type of determination was made?	□ Preliminar	y 🗌 Final		
4c.	If yes, who delineated the jurisdictional areas? Name (if known): Erica McLamb (principal investigator)	Agency/Cons Other: NCDC	sultant Company T	<i>j</i> :	
4d.	If yes, list the dates of the Corps jurisdictional determinations of May 8, 2013	or State determ	inations and att	ach documentation.	
5.	Project History				
5a.	Have permits or certifications been requested or obtained for this project (including all prior phases) in the past?	☐ Yes	⊠ No	Unknown	
5b.	If yes, explain in detail according to "help file" instructions.				
6.	Future Project Plans				
6a.	Is this a phased project?	Yes	⊠ No		
6b.	If yes, explain.				

C. Proposed Im	C. Proposed Impacts Inventory							
1. Impacts Sum	mary			the provided the regard of the desired to		4.7		
1a. Which sections	s were completed bel	ow for your project (d	check all that a	apply):				
	⊠ St	reams - tributaries	⊠ Bu	ffers				
☐ Open Wate	ers 🗌 Po	and Construction						
2. Wetland Impa	2. Wetland Impacts							
If there are wetland	d impacts proposed of	n the site, then comp	lete this quest	tion for each wetland	area impacte	d.		
2a.	2b.	2c.	2d.	2e.		2f.		
Wetland impact number – Permanent (P) or Temporary (T)	Type of impact	Type of wetland (if known)	Forested	Type of jurisdi (Corps - 404, DWQ – non-404,	10	Area of impact (acres)		
Site 2 P T	Fill	Bottomland Hardwood Forest	⊠ Yes □ No	⊠ Corps □ DWQ		0.06		
Site 2 P T	Mechanized Clearing	Bottomland Hardwood Forest	⊠ Yes □ No	⊠ Corps □ DWQ		0.06		
Site 2 P T			☐ Yes ☐ No	☐ Corps ☐ DWQ				
				2g. Total wetla nd	l impacts	0.12 Permanent 0.0 Temporary		
2h. Comments:								
3. Stream Impac	ets							
If there are perenni question for all stre		am impacts (includin	g temporary in	npacts) proposed on t	he site, then	complete this		
3a.	3b.	3c.	3d.	3e.	3f.	3g.		
Stream impact number - Permanent (P) or Temporary (T)	Type of impact	Stream name	Perennial (PER) or intermittent (INT)?	Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	Average stream width (feet)	Impact length (linear feet)		
Site 1 🛭 P 🗌 T	Bank stabilization	Cedar Creek	⊠ PER □ INT	□ Corps □ DWQ	30	20		
Site 1 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ				
Site 2 P T			☐ PER ☐ INT	☐ Corps ☐ DWQ		20 Perm		
3h. Total stream and tributary impacts								
3i. Comments: Four 13" diameter piers, each 0.92 sq. ft. to be removed.								

4. Open	Water In	npacts								
If there are	e propose en indivi	ed impacts to lakes, po dually list all open wat	onds, est er impac	tuarie	es, tributar elow.	ies, sounds	s, the Atlantic	Ocean,	or any other op	en water of
4a.		4b.	4c.				4d.		4e.	
Open water impact number – Permanent (P) or Temporary (T)		Name of waterbody (if applicable)		Type of impact		Waterbody type		Area of impact (acres)		
01 🗆 F	, □ ⊥									
02 🗌 F	, <u>П</u> т									
O3 □ F	, 🗆 🗆									
04 🗌 F	· 🗆 т									
						4f. Total o	pen water ii	mpacts		manent nporary
4g. Comm	ents:									
5. Pond	or Lake	Construction								
If pond or	lake cons	struction proposed, th	en comp	lete t	he chart b	elow.	r			
5a. Pond ID	5b. Propos	5b. Proposed use or purpose		5c. Wetland Impacts (acres)			5d. Strea	m Impac	ts (feet)	5e. Upland (acres)
number	, , , , , ,	of pond	Floode	ed	Filled	Excavat ed	Flooded	Filled	Excavated	Flooded
P1										
P2										,
		5f. Total								
5g. Comm	ents:									
5h. Is a dam high hazard permit required?			? [☐ Y	es	□No	If yes, perr	mit ID no	•	
5i. Exped	ted pond	surface area (acres)								
5j. Size c	of pond w	atershed (acres):								
5k. Metho	5k. Method of construction:									

6. Buffer Impacts (for DWQ)								
	If project will impact a protected riparian buffer, then complete the chart below. If yes, then individually list all buffer impacts below. If any impacts require mitigation, then you MUST fill out Section D of this form.							
6a. Project is in which	protected basin?	☐ Neuse ☐ Catawba	⊠ Tar-Pamlico □ Randleman	Other:				
Froject is in writer	protected basin:							
6b. Buffer impact	6c.	6d.	6e.	6f.	6g.			
number – Permanent (P) or Temporary (T)	Reason for impact	Stream name	Buffer mitigation required?	Zone 1 impact (square feet)	Zone 2 impact (square feet)			
B1 ⊠ P □ T	Bridge	Cedar Creek	☐ Yes ☑ No	4,976	1,516			
B2 ⊠ P □ T	Roadway	Cedar Creek	☐ Yes ☑ No		1,491			
B3 □ P □ T			☐ Yes ☐ No					
	6h. Total buffer impacts 4,976 3,007							
6i. Comments:								

D.	D. Impact Justification and Mitigation					
1.	Avoidance and Minimization					
1a.	Specifically describe measures taken to avoid or minimize t	he proposed impacts	s in designing project.			
	The proposed bridge is 11 feet longer than the existing bridge; use of 2:1 slopes in wetland areas; a preformed scour hole will be used to filter and decrease velocity of bridge drainage; no deck drains on bridge.					
1b.	Specifically describe measures taken to avoid or minimize t	he proposed impacts	s through construction techniques.			
	NCDOT Best Management Practices for Bridge Demolition, for Sedimentation and Erosion Control; traffic will be mainta	Removal and Consined on the old bridg	truction will be followed, as well as those ge during most of the construction time.			
2.	Compensatory Mitigation for Impacts to Waters of the L	J.S. or Waters of th	e State			
2a.	Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?	⊠ Yes □ N If no, explain:	lo			
2b.	If yes, mitigation is required by (check all that apply):	□ DWQ ⊠ C	Corps			
2c.	If yes, which mitigat ion option will be used for this project?	☐ Mitigation bank ☐ Payment to in-lieu fee program ☐ Permittee Responsible Mitigation				
3.	Complete if Using a Mitigation Bank					
3а.	Name of Mitigation Bank: not applicable					
3b.	Credits Purchased (attach receipt and letter)	Туре	Quantity			
3c.	Comments:					
4.	Complete if Making a Payment to In-lieu Fee Program					
4a.	Approval letter from in-lieu fee program is attached.	⊠ Yes				
4b.	Stream mitigation requested:	linear feet				
4c.	If using stream mitigation, stream temperature:	☐ warm ☐ d	cool			
4d.	Buffer mitigation requested (DWQ only):	square feet				
4e.	Riparian wetland mitigation requested:	0.24 acre				
4f.	Non-riparian wetland mitigation requested:	acres				
4g.	Coastal (tidal) wetland mitigation requested:	acres				
4h.	Comments:					
5.	Complete if Using a Permittee Responsible Mitigation F	Plan				
5a.	a. If using a permittee responsible mitigation plan, provide a description of the proposed mitigation plan.					

•	then identify the square feet t of mitigation required.	of impact to each zone	of the riparian buffer that re	equires mitigation. Calculate the
Zone	6c. Reason for impact	6d. Total impact (square feet)	Multiplier	6e. Required mitigation (square feet)
Zone 1			3 (2 for Catawba)	
Zone 2			1.5	
		6f. Total buffer	mitigation required:	
	r mitigation is required, discu ee responsible riparian buffe			nent to private mitigation bank, e fund).

E.	Stormwater Management and Diffuse Flow Plan (required by DWQ)		
1.	Diffuse Flow Plan		
1a.	Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?	⊠ Yes	□ No
1b.	If yes, then is a diffuse flow plan included? If not, explain why. Comments:	⊠ Yes	□ No
2.	Stormwater Management Plan		
2a.	What is the overall percent imperviousness of this project?	N/A	
2b.	Does this project require a Stormwater Management Plan?	⊠ Yes	□ No
2c.	If this project DOES NOT require a Stormwater Management Plan, explain why:		
2d.	If this project DOES require a Stormwater Management Plan, then provide a brief, nat See attached permit drawings.	rrative descriptio	n of the plan:
2e.	Who will be responsible for the review of the Stormwater Management Plan?	_	cal Government water Program nit
3.	Certified Local Government Stormwater Review		
3а.	In which local government's jurisdiction is this project?	not applicable	
3b.	Which of the following locally-implemented stormwater management programs apply (check all that apply):	☐ Phase II ☐ NSW ☐ USMP ☐ Water Supp ☐ Other:	ly Watershed
3с.	Has the approved Stormwater Management Plan with proof of approval been attached?	Yes	□ No
4.	DWQ Stormwater Program Review		
4a.	Which of the following state-implemented stormwater management programs apply (check all that apply):	Coastal could HQW ORW Session La	unties w 2006-246
4b.	Has the approved Stormwater Management Plan with proof of approval been attached?	☐ Yes	⊠ No
5.	DWQ 401 Unit Stormwater Review		
5a.	Does the Stormwater Management Plan meet the appropriate requirements?	☐ Yes	□ No N/A
5b.	Have all of the 401 Unit submittal requirements been met?	☐ Yes	□ No N/A

F.	F. Supplementary Information					
1.	Environmental Documentation (DWQ Requirement)					
1a.	Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land?	⊠ Yes	□ No			
1b.	If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)?	⊠ Yes	□No			
1c.	If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.)	⊠ Yes	□No			
	Comments:					
2.	Violations (DWQ Requirement)					
2a.	Is the site in violation of DWQ Wetland Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), DWQ Surface Water or Wetland Standards, or Riparian Buffer Rules (15A NCAC 2B .0200)?	☐ Yes	⊠ No			
2b.	Is this an after-the-fact permit application?	☐ Yes	⊠ No			
2c.	If you answered "yes" to one or both of the above questions, provide an explanation of	of the violation(s):				
3.	Cumulative Impacts (DWQ Requirement)					
3a.	Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality?	☐ Yes ☑ No				
3b.	If you answered "yes" to the above, submit a qualitative or quantitative cumulative impost recent DWQ policy. If you answered "no," provide a short narrative description.	oact analysis in a	ccordance with the			
	Due to the minimal transportation impact resulting from the bridge replacement, this project will neither influence nearby land uses nor stimulate growth. Therefore, a detailed indirect or cumulative effects study will not be necessary.					
4.	Sewage Disposal (DWQ Requirement)					
	Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge the proposed project, or available capacity of the subject facility. not applicable	arge) of wastewat	er generated from			

5.	Endangered Species and Designated Critical Habitat (Corps Requir	ement)				
5a.	Will this project occur in or near an area with federally protected species habitat?	or 🛛 🖂 Yes	□ No			
5b.	. Have you checked with the USFWS concerning Endangered Species Acimpacts?	t ⊠ Yes	⊠ No			
5c.	. If yes, ind icate the USFWS Field Office you have contacted.	⊠ Ral	eigh eville			
5d.	. What data sources did you use to determine whether your site would implementally.	oact Endangere	d Species or Designated	Critical		
	USFWS county list, 2011 field surveys					
6.	Essential Fish Habitat (Corps Requirement)					
6a.	. Will this project occur in or near an area designated as essential fish hab	itat?	⊠ No			
6b.	Sb. What data sources did you use to determine whether your site would impact Essential Fish Habitat? NMFS County Index					
7.	Historic or Prehistoric Cultural Resources (Corps Requirement)					
7a.	Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)?	n Yes	⊠ No			
7b.	. What data sources did you use to determine whether your site would im	oact historic or	archeological resources?			
	NEPA Documentation					
8. F	Flood Zone Designation (Corps Requirement)					
8a.	Will this project occur in a FEMA-designated 100-year floodplain?	⊠ Yes	□No			
8b.	. If yes, explain how project meets FEMA requirements: NCDOT Hydraulio	s Unit coordina	tion with FEMA			
8c.	8c. What source(s) did you use to make the floodplain determination? FEMA Maps					
<u>)</u> _	Richard W. Hancock, P.E. Applicant/Agent's Printed Name (Agent's signature is valid only if an autic provide	t's Signature	rom the applicant	2/2014 ate		



North Carolina Department of Environment and Natural Resources

Pat McCrory Governor Michael Ellison, Director Ecosystem Enhancement Program John E. Skvarla, III Secretary

April 29, 2014

Mr. Richard W. Hancock, P.E. Project Development and Environmental Analysis Unit North Carolina Department of Transportation 1548 Mail Service Center Raleigh, North Carolina 27699-1598

Dear Mr. Hancock:

Subject: EEP Mitigation Acceptance Letter:

B-5325, Replace Bridge Number 12 over Cedar Creek on SR 1116 (Cedar Creek Road), Franklin County

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) will provide the compensatory riparian wetland mitigation for the subject project. Based on the information supplied by you on April 25, 2014, the impacts are located in CU 03020101 of the Tar-Pamlico River basin in the Central Piedmont (CP) Eco-Region, and are as follows:

Tar-Pamlico 03020101 CP		Stream	-		Wetlands	Buffer (Sq. Ft.)		
	Cold	Cool	Warm	Riparian	Non- Riparian	Coastal Marsh	Zone 1	Zone 2
Impacts (feet/acres)	0	0	0	0.12	0	0	0	0

EEP commits to implementing sufficient compensatory riparian wetland mitigation credits to offset the impacts associated with this project as determined by the regulatory agencies in accordance with the N.C. Department of Environment and Natural Resources' Ecosystem Enhancement Program In-Lieu Fce Instrument dated July 28, 2010. If the above referenced impact amounts are revised, then this mitigation acceptance letter will no longer be valid a new mitigation acceptance letter will be required from EEP.

If you have any questions or need additional information, please contact Beth Harmon at 919-707-8420.

Sincerely,

James B. Stanfill

EEP Asset Management Supervisor

proses & Stanfill

cc:

Mr. Eric Alsmeyer, USACE - Raleigh Regulatory Field Office

Mr. Rob Ridings - NCDWR Raleigh Office

Ms. Linda Fitzpatrick, NCDOT - PDEA

File: B-5325

U.S. ARMY CORPS OF ENGINEERS

WILMINGTON DISTRICT

Action Id. SAW-2012-01976

County: Franklin U.S.G.S. Quad: NC-FRANKLINTON

NOTIFICATION OF JURISDICTIONAL DETERMIN

Property Owner:

NC Department of Transportation

Gregory Thorpe

Address:

1598 Mail Service Center

Raleigh, NC, 27699-1598

Telephone Number:

919.707.6129 (Amy James)

MINI

DIVISION OF HIGHWAYS A-OFFICE OF MATURAL ENVIRON

Nearest Town Youngsville USGS HUC 3020101

Nearest Waterway Cedar Creek

Coordinates River Basin Upper Tar. North Carolina.

Latitude: 36.066095 Longitude: -78.431257

Location description: Study area for TIP B-5325, Bridge No. 12 over Cedar Creek on SR1116 (Cedar Creek Road),

southeast of Franklinton, NC.

Indicate Which of the Following Apply:

A. Preliminary Determination

X Based on preliminary information, there may be waters of the U.S. including wetlands on the above described project area. We strongly suggest you have this property inspected to determine the extent of Department of the Army (DA) jurisdiction. To be considered final, a jurisdictional determination must be verified by the Corps. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

B. Approved Determination

- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. 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.
- There are waters of the U.S. including wetlands on the above described property 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.
 - We strongly suggest you have the wetlands on your property delineated. Due to the size of your property and/or our present workload, the Corps may not be able to accomplish this wetland delineation in a timely manner. For a more timely delineation, you may wish to obtain a consultant. To be considered final, any delineation must be verified by the Corps.
 - The waters of the U.S. including wetlands on your project area have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.
 - _ The waters of the U.S. including wetlands have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on _____. 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.
- There are no waters of the U.S., to include wetlands, present on the above described project area which are subject to the permit requirements of Section 404 of the Clean Water Act (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.

Placement of dredged or fill material within waters of the US and/or wetlands without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). If you have any questions regarding this determination and/or the Corps regulatory program, please contact **Eric Alsmeyer** at 919-554-4884 x23 or Eric.C.Alsmeyer@usace.army.mil.

- C. Basis For Determination: The impact area contains wetlands, and stream channels of Cedar Creek, and Brandy Creek, and an unnamed tributary, with indicators of ordinary high water marks. Cedar and Brandy Creeks are tributaries of the Tar River, which is a Section 10 Navigable Water. Note: Wetland A has no discrete surface connection to other waters.
- **D. Remarks:** This JD was confirmed by field inspection on 10/25/2012. The drawing on the attached Figure 3, "Terrestrial Communities and Jurisdictional Features, Replacement of Bridge No. 12 on SR 1116 (Cedar Creek Rd.), TIP No. B-5325", submitted by e-mail dated 4/29/2013, generally depicts the jurisdictional waters of the US within the subject study area.

E. 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.

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:

Date: May 8, 2013 Expiration Date: May 8, 2018

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 attached customer Satisfaction Survey or visit http://per2.nwp.usace.army.mil/survey.html to complete the survey online.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REOUEST FOR APPEAL

10000000					850		
Aŗ	pplicant: NC Department of Transportation	File Number: SAW-2012-0197	Date: May 8, 2013				
	Gregory Thorpe						
At	tached is:		See Section below				
	INITIAL PROFFERED PERMIT (Standard Permit or	A					
	PROFFERED PERMIT (Standard Permit or Letter of	permission)	В				
	PERMIT DENIAL			С			
	APPROVED JURISDICTIONAL DETERMINATION		D				
X	PRELIMINARY JURISDICTIONAL DETERMINAT	ION		Е			

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

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

SECTION II - REQUEST FOR APPEAL or OBJECTIONS	TO AN INITIAL PROFFERED	PERMIT
REASONS FOR APPEAL OR OBJECTIONS: (Describe y proffered permit in clear concise statements. You may attac objections are addressed in the administrative record.)	our reasons for appealing the de	cision or your objections to an initial
ADDITIONAL INFORMATION: The appeal is limited to a record of the appeal conference or meeting, and any supplem clarify the administrative record. Neither the appellant nor thousever, you may provide additional information to clarify record.	nental information that the revie the Corps may add new informat	w officer has determined is needed to ion or analyses to the record.
POINT OF CONTACT FOR QUESTIONS OR INFORMA	TION:	
If you have questions regarding this decision and/or the		arding the appeal process you may
appeal process you may contact:	also contact:	A 1D : Office
District Engineer, Wilmington Regulatory Division, Attn: Eric Alsmeyer	Mr. Jason Steele, Administrati CESAD-PDO	ve Appeal Review Officer
US Army Corps of Engineers, Wilmington District	U.S. Army Corps of Engineers	s, South Atlantic Division
Raleigh Regulatory Field Office	60 Forsyth Street, Room 10M1	
3331 Heritage Trade Drive, Suite 105	Atlanta, Georgia 30303-8801	
Wake Forest, NC 27587	Phone: (404) 562-5137	
RIGHT OF ENTRY: Your signature below grants the right	of entry to Corps of Engineers p	personnel, and any government
consultants, to conduct investigations of the project site duri	ng the course of the appeal proc	ess. You will be provided a 15 day
notice of any site investigation, and will have the opportunit	y to participate in all site investigate:	Telephone number:
	, Date.	Totophone namedi.
Signature of appellant or agent		

For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, Attn: Eric Alsmeyer, 69 Darlington Avenue, Wilmington, North Carolina 28403



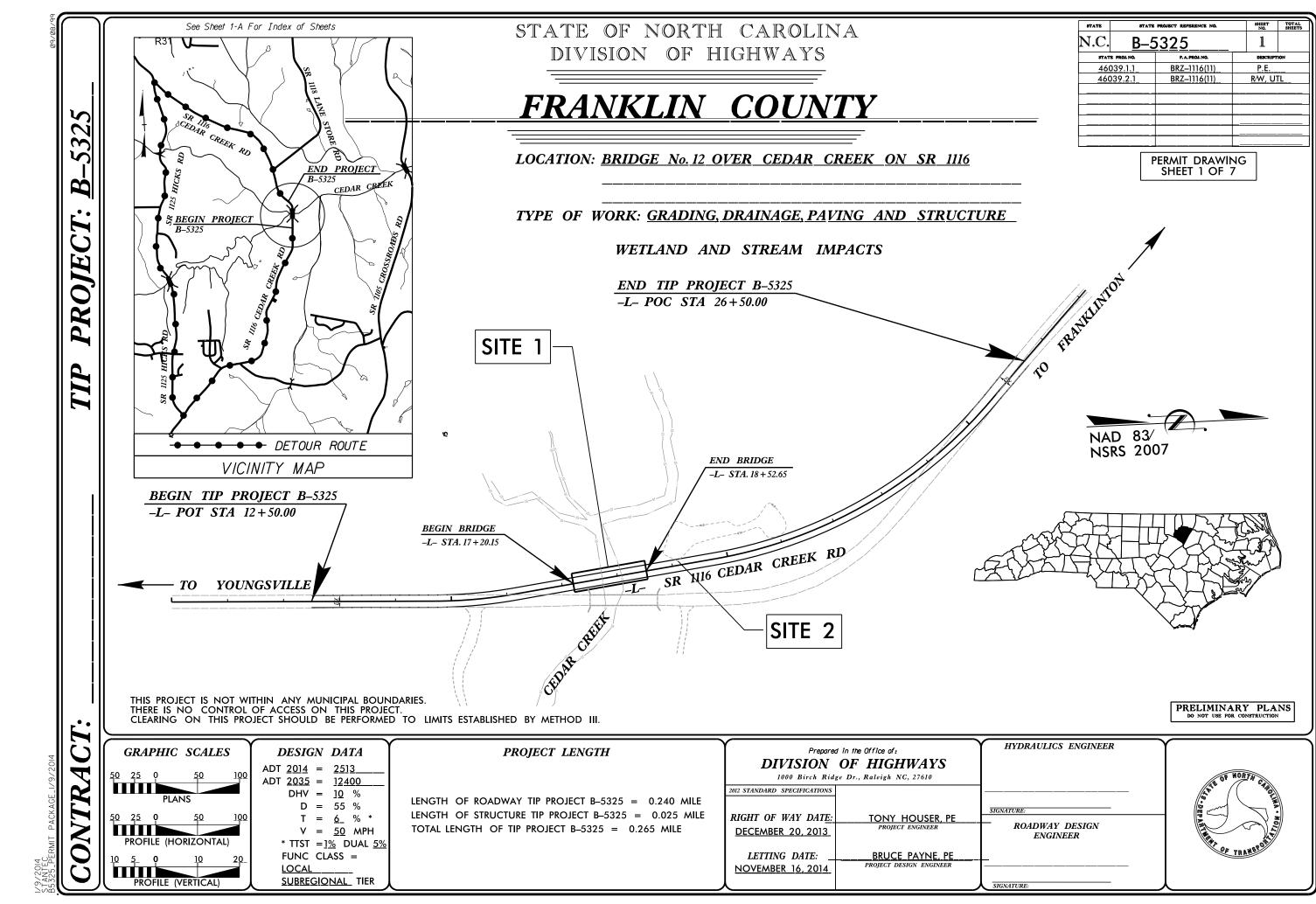
North Carolina Department of Transportation

Highway Stormwater Program STORMWATER MANAGEMENT PLAN FOR LINEAR ROADWAY PROJECTS

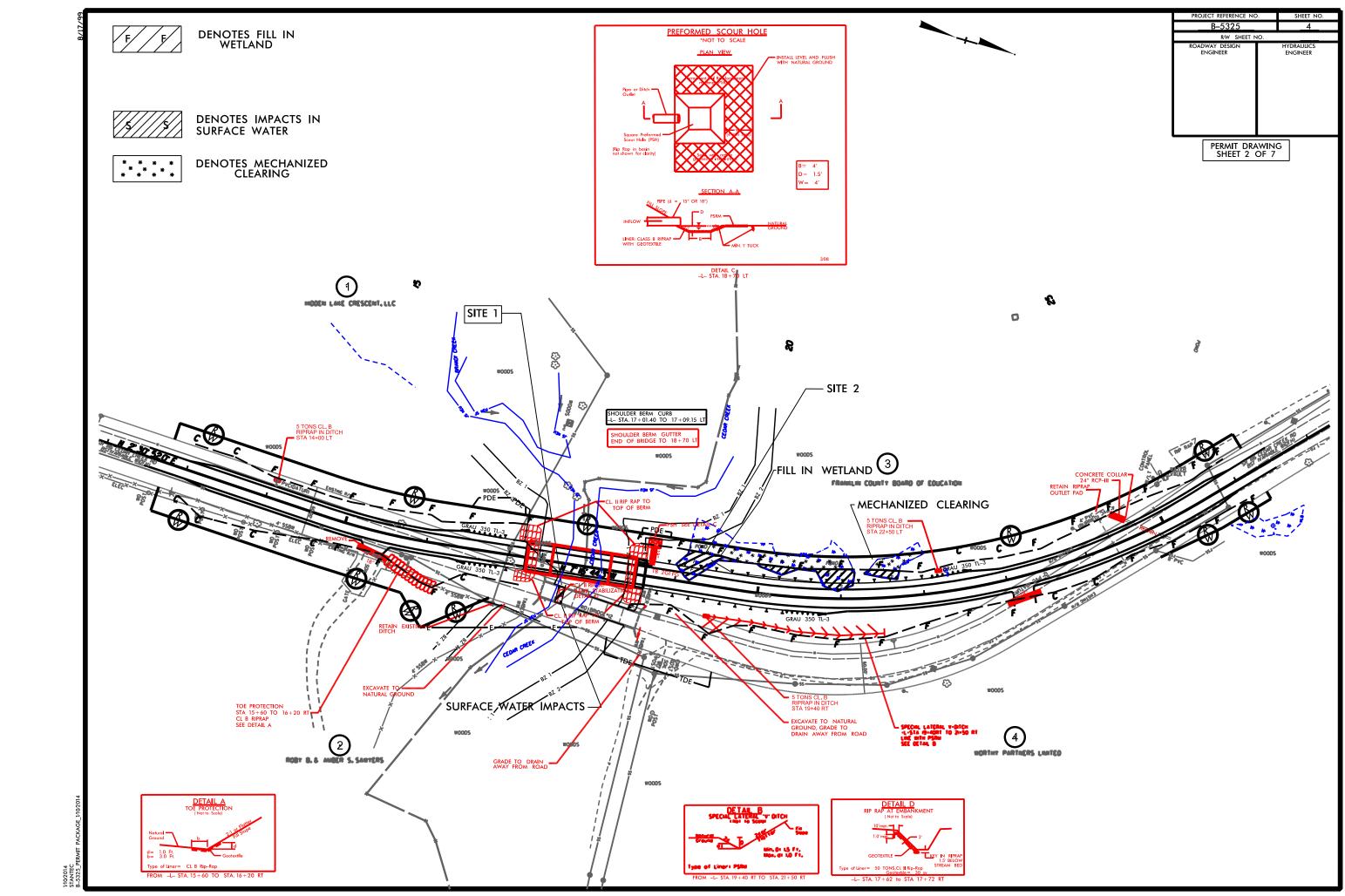


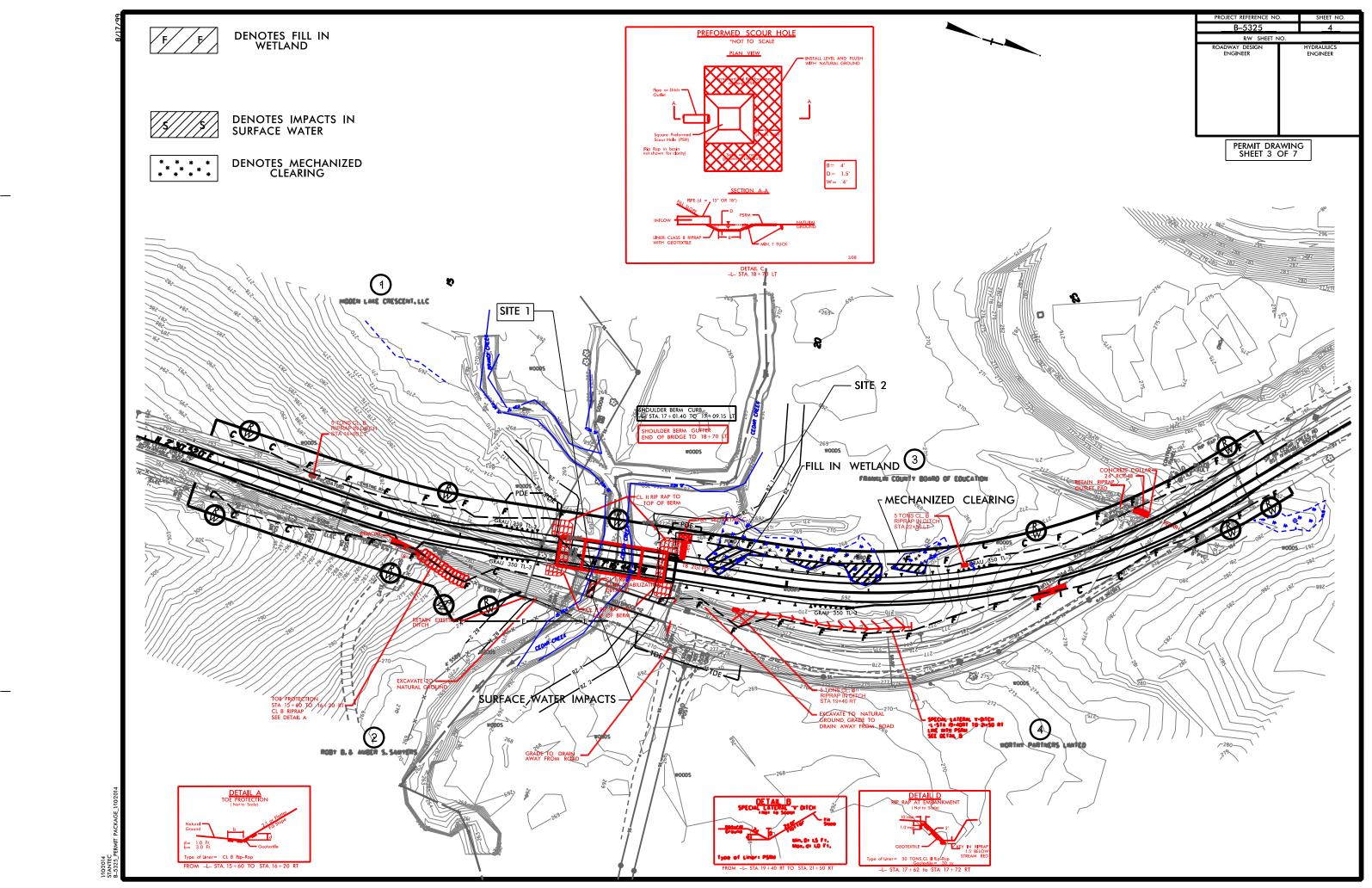
(Version 1.2; Released July 2012)

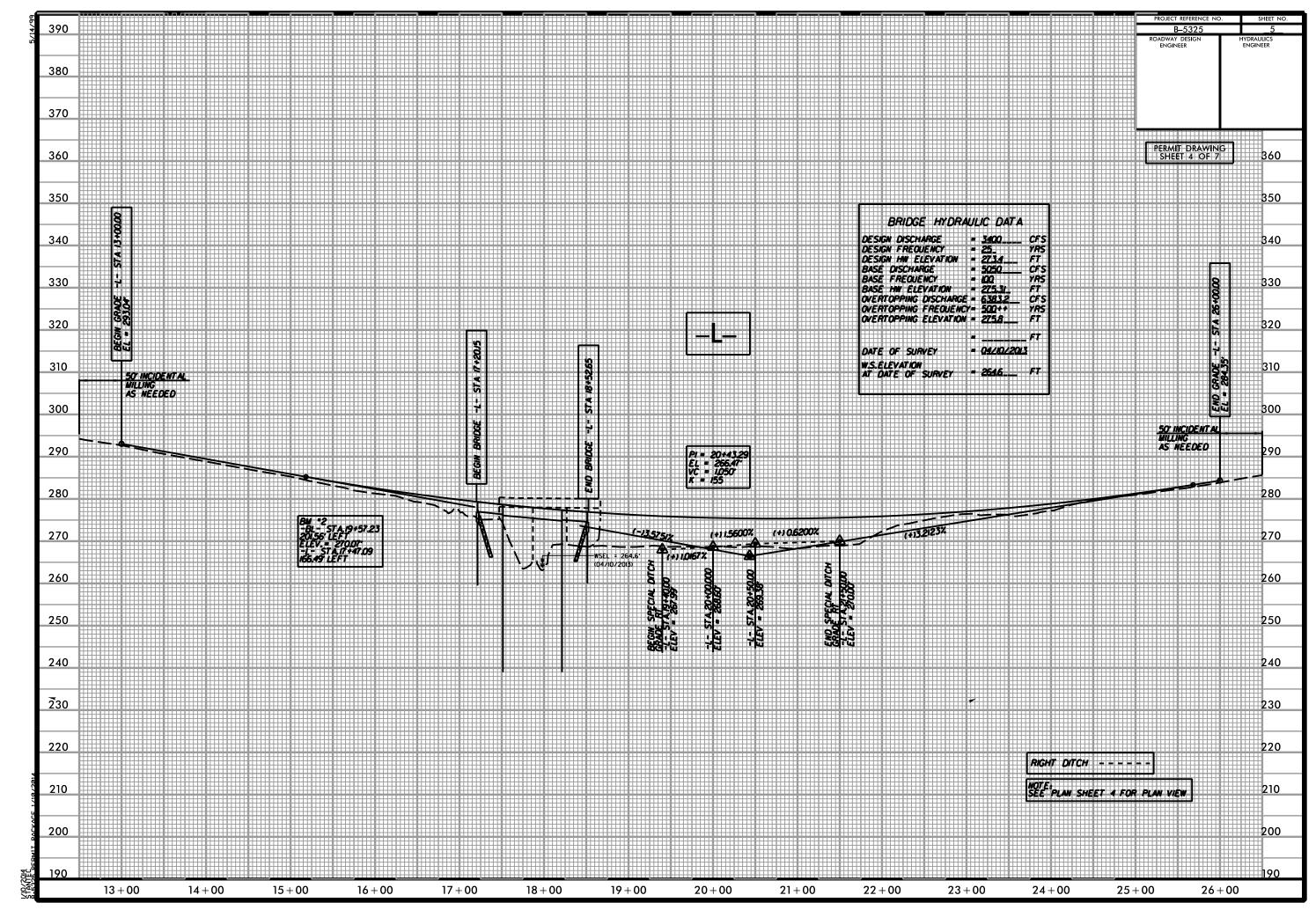
Project/TIP No.: B-5325 County(ies): Franklin Page **General Project Information** Project No.: B-5325 Project Type: Bridge Replacement Date: 1/15/2014 NCDOT Contact: Charles Smith, PE Contractor / Designer: Steven Bondor, PE (Stantec) Address: 5565 Centerview Drive Address: NCDOT Hydraulics Unit 1020 Birch Ridge Road Suite 107 Raleigh, NC 27610 Raleigh NC 27606 Phone: 919-707-6716 Phone: 919-859-1919 Email: crsmith5@ncdot.gov Email: steven.bondor@stantec.com City/Town: Franklinton, NC County(ies): Franklin River Basin(s): Tar-Pamlico CAMA County? No Primary Receiving Water: Cedar Creek NCDWQ Stream Index No.: 28-29-(2) Primary: Class C NCDWQ Surface Water Classification for Primary Receiving Water Supplemental: Nutrient Sensitive Waters (NSW) Other Stream Classification: None 303(d) Impairments: None **Buffer Rules in Effect** Tar-Pamlico **Project Description** rural residential Surrounding Land Use: Project Length (lin. Miles or feet): 0.265 miles **Proposed Project Existing Site** 2.00 0.75 Project Built-Upon Area (ac.) Normal crown shoulder section with 11' travel lanes and 6' shoulder on the right and 7'-Typical Cross Section Description: Normal crown shoulder section with 11' travel lanes and 6' shoulders. Direct discharge 8" shoulder on the left from bridge deck to stream. Average Daily Traffic (veh/hr/day): Design/Future: 12400 (2035) Existing: 2513 (2014) General Project Narrative: Maintain existing drainage patterns with grass ditches and roadway cross pipes. Additional pipes requried for driveway crossing, bridge drainage, and extension of existing cross pipe. Added riprap where needed to prevent scouring and erosion. Preformed scour hole will used at a pipe system for bridge drainage upstream of stream buffer. No deck drains will be used on bridge. References

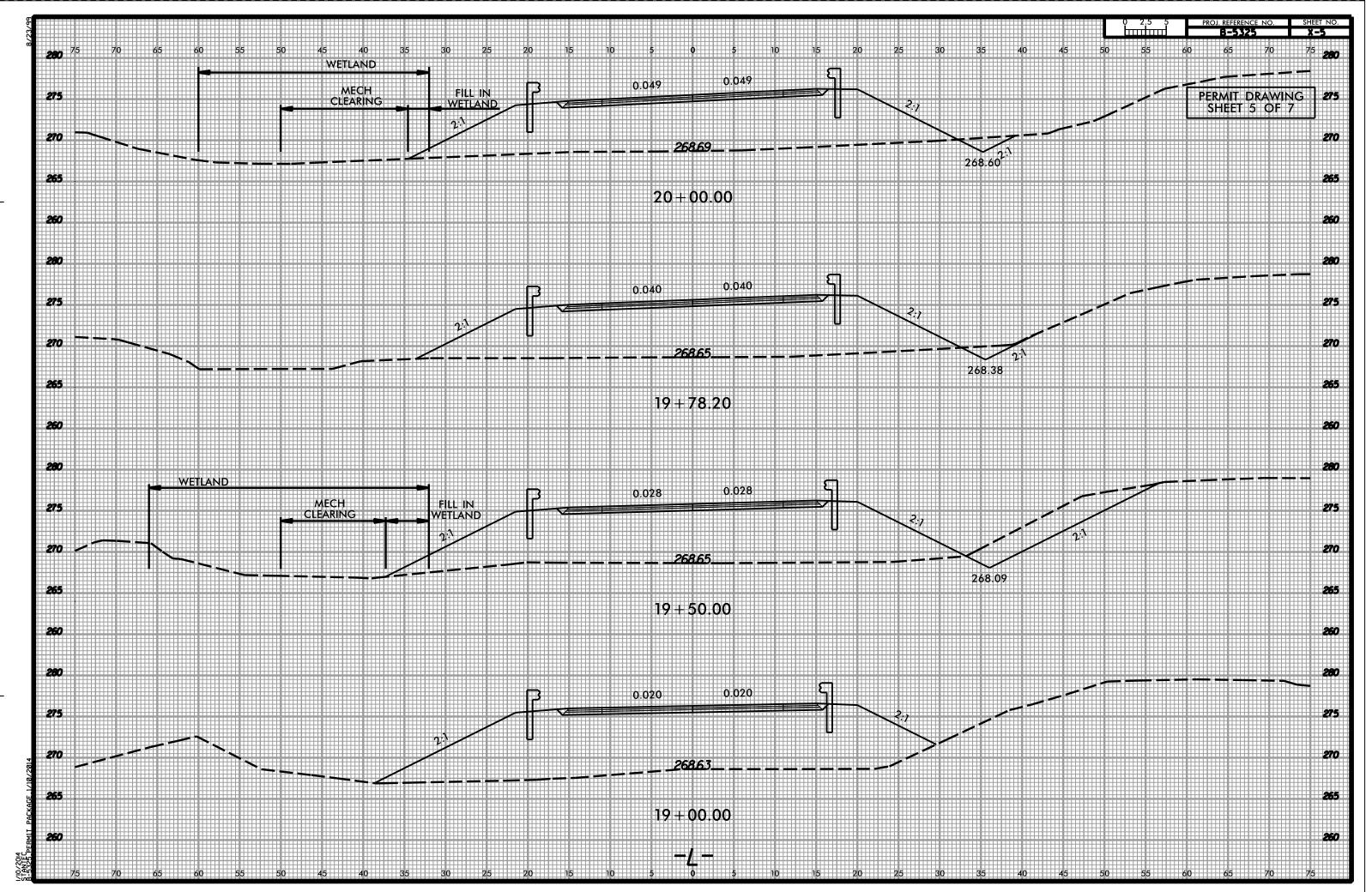


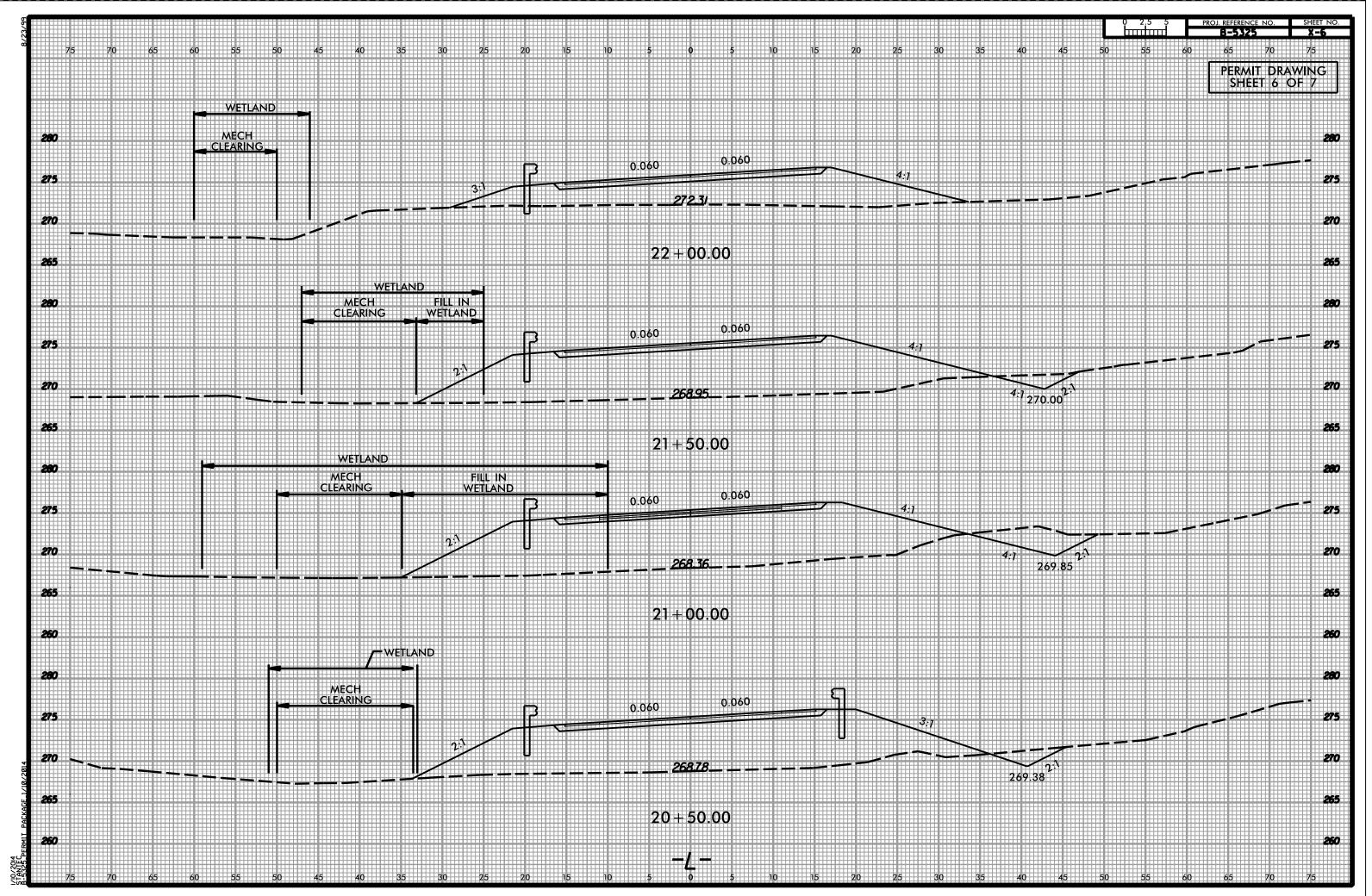
E225 book ---- t-b d-- 1/15/2014 12:00:











			WETLAND IMPACTS SURFACE WATER							CE WATER IN	IMPACTS		
Site No.	Station (From/To)	Structure Size / Type	Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	in	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	SW	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)	
1	L 17+67	BANK STABILIZATION								20			
2	L 18+99 LT / 22+04 LT	ROADWAY	0.06			0.06							
												-	
												-	
												_	
												-	
OTALS*	:		0.06	İ	İ	0.06				20	0	0	

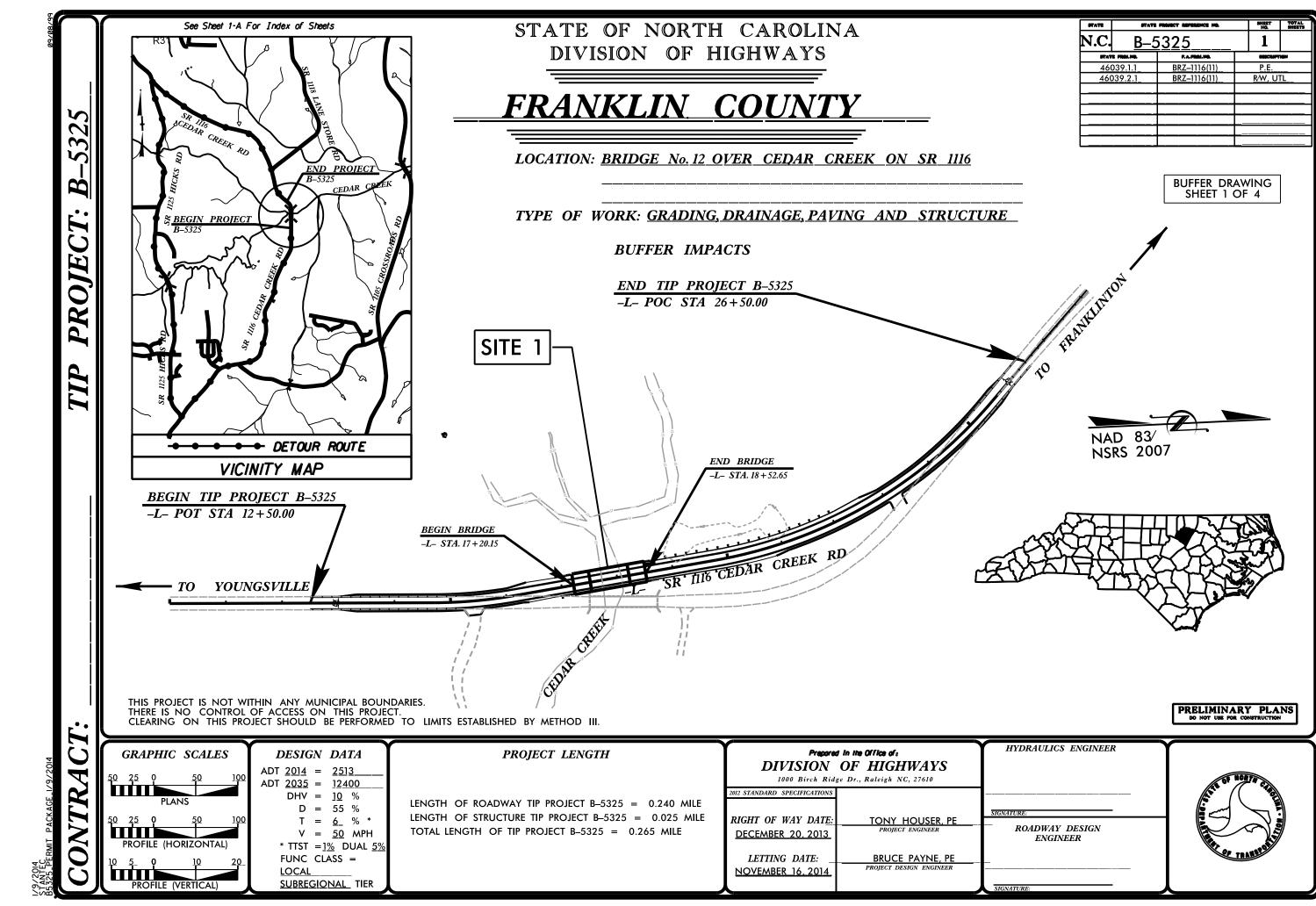
^{*}Rounded totals are sum of actual impacts

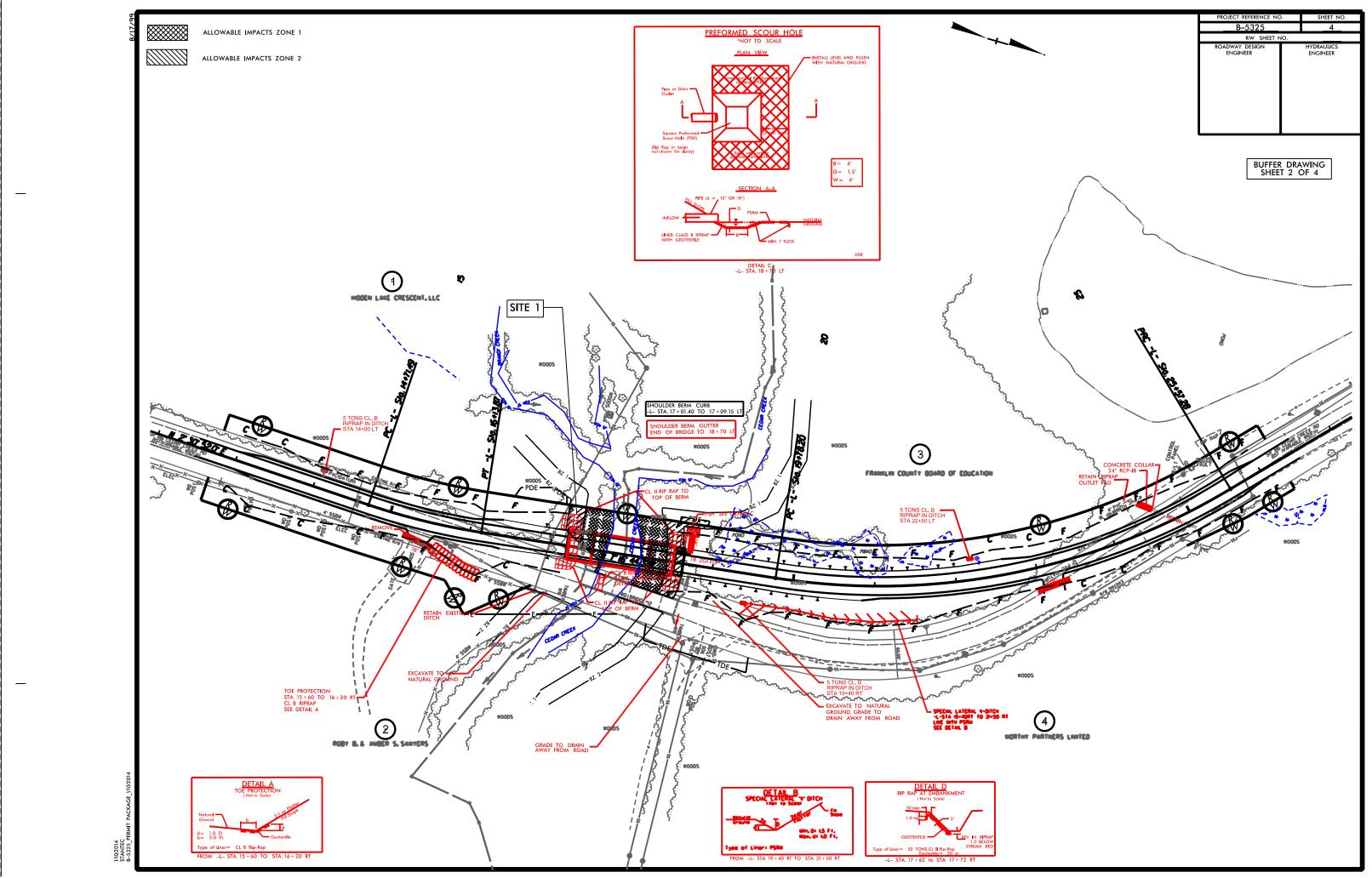
NOTES:

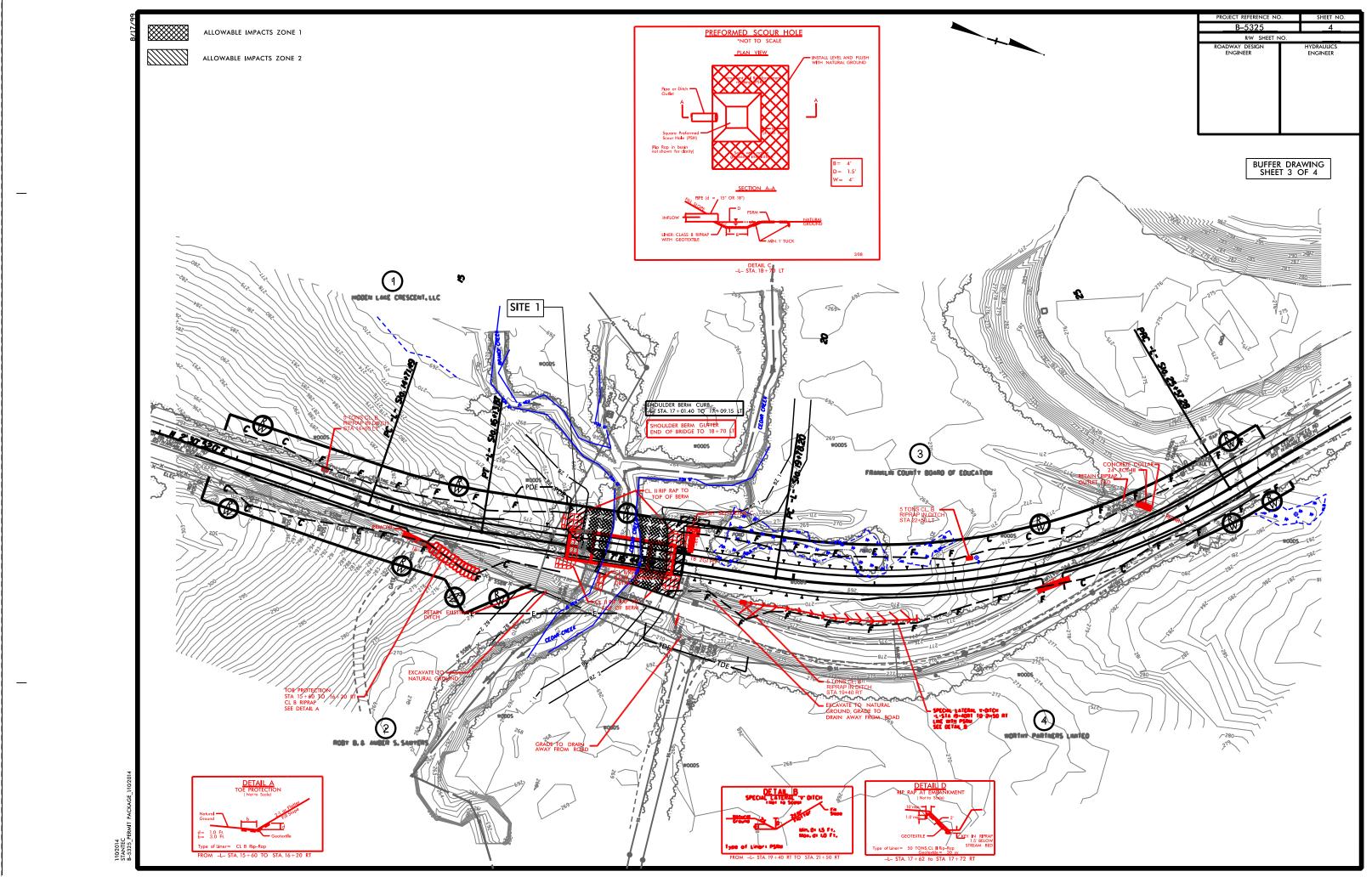
1. FOUR 13" DIAMETER PIERS, EACH = 0.92 SQ FT, TO BE REMOVED.

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
41654
FRANKLIN COUNTY
BRIDGE 12 ON SR 1116
CEDAR CREEK
SHEET 7 OF 7

Revised 2013 10 24







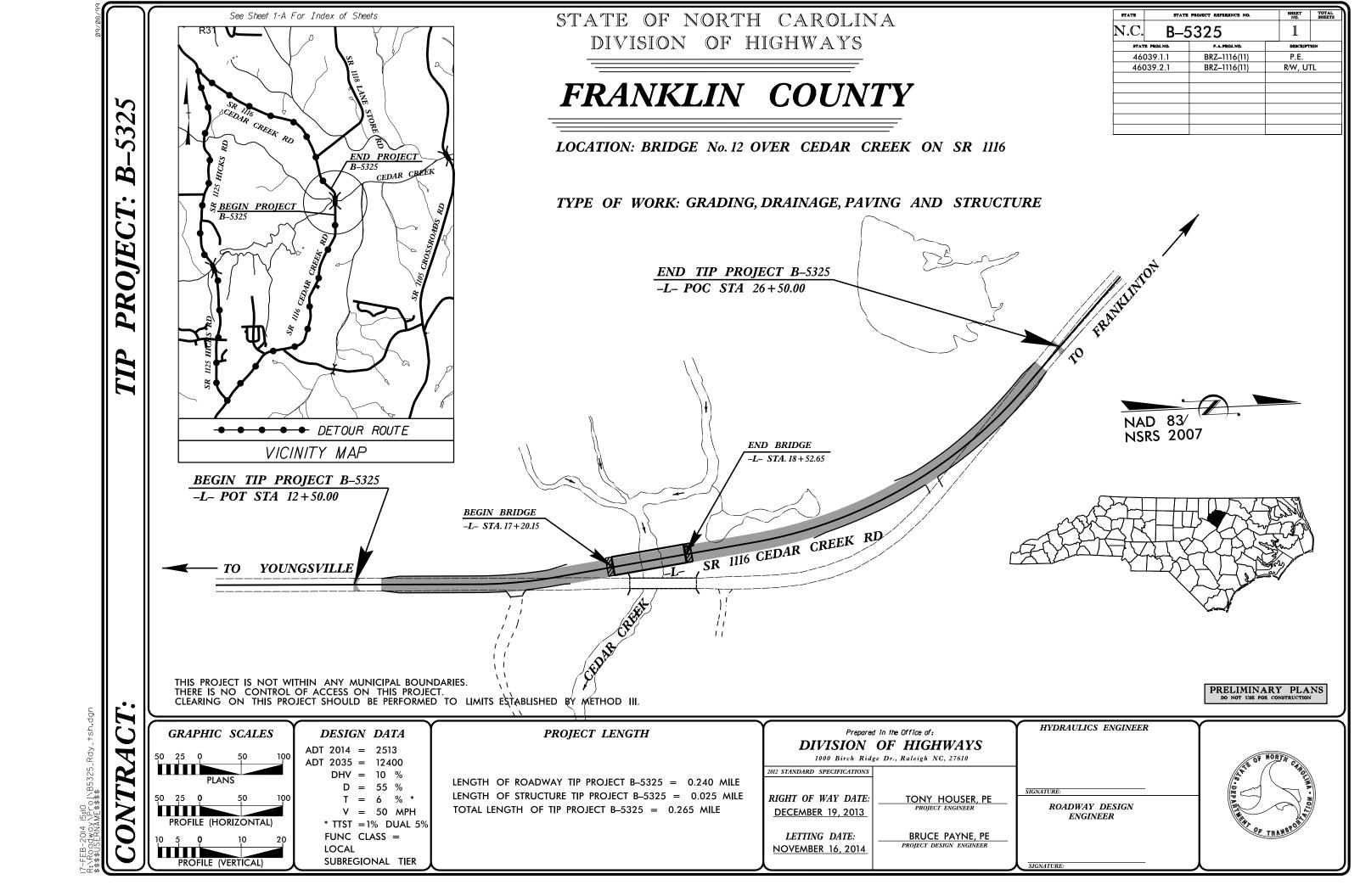
	BUFFER IMPACTS SUMMARY												
				IMPACT								BUFFER	
	STRUCTURE SIZE /		ROAD	TYPE	PARALLEL					TOTAL	REPLACEMENT ZONE 1 ZONE 2		
SITE NO.	TYPE	STATION (FROM/TO)	CROSSING		IMPACT	(ft²)	(ft ²)	(ft ²)	(ft ²)	(ft ²)	(ft ²)	(ft ²)	(ft ²)
1	Bridge Roadway	-L- 17+21 / 18+51 -L- 17+15 LT / 17+21 LT	Х	Х		4976.0	1516.0 190.0	6492.0 190.0					
1	Roadway	-L- 18+51 / 18+65	X			0.0	1301.0						
	riodaway	2 101017 10100				5.0	1001.0	1001.0					
TOTAL:						4976.0	3007.0	7983.0	0.0	0.0	0.0		

N.C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS

FRANKLIN COUNTY PROJECT: 46039.1.1 (B-5325)

1/15/2014 SHEET 4 OF 4

Rev. May 2006



*S.U.E. = Subsurface Utility Engineering

CONVENTIONAL PLAN SHEET SYMBOLS

BOUNDARIES AND PROPERTY:		CONVENTION	~ L L	AN SHEEL STMI	JOLJ	WATER:	
State Line —						Water Manhole	- W
County Line		RAILROADS:				Water Meter	- 0
Township Line		Standard Gauge —————	CSX TRANSPORTATION			Water Valve —	- ⊗
City Line		RR Signal Milepost —		Orchard		Water Hydrant	- •◊
Reservation Line		Switch —		Vineyard —————	Vineyard	Recorded U/G Water Line ————————————————————————————————————	
Property Line		RR Abandoned		EXISTING STRUCTURES:		Designated U/G Water Line (S.U.E.*)	
Existing Iron Pin	<u>:</u>	RR Dismantled				Above Ground Water Line	
Property Corner	×	RIGHT OF WAY:		MAJOR: Bridge, Tunnel or Box Culvert ————	CONC		
Property Monument	 ECM	Baseline Control Point	•			TV:	
Parcel/Sequence Number —		Existing Right of Way Marker —————	*	Bridge Wing Wall, Head Wall and End Wall -) conc ww (TV Satellite Dish	- &
Existing Fence Line		Existing Right of Way Line		MINOR: Head and End Wall ——————————————————————————————————	CONC HW	TV Pedestal	
Proposed Woven Wire Fence		Proposed Right of Way Line	_	Pipe Culvert		TV Tower	
Proposed Chain Link Fence		Proposed Right of Way Line with		Footbridge —		U/G TV Cable Hand Hole	_
Proposed Barbed Wire Fence		Iron Pin and Cap Marker		-		Recorded U/G TV Cable	
Existing Wetland Boundary		Proposed Right of Way Line with Concrete or Granite RW Marker		Drainage Box: Catch Basin, DI or JB ———		Designated U/G TV Cable (S.U.E.*)	
Proposed Wetland Boundary		Proposed Control of Access Line with	0 0	Paved Ditch Gutter		Recorded U/G Fiber Optic Cable ————	
Existing Endangered Animal Boundary ———		Concrete C/A Marker		Storm Sewer Manhole ————		Designated U/G Fiber Optic Cable (S.U.E.*)—	
Existing Endangered Plant Boundary		Existing Control of Access	——(Ē)——	Storm Sewer —	s	besignated 0/0 Tiber Optic Cable (3.0.E.)	
Known Soil Contamination: Area or Site —		Proposed Control of Access —————				GAS:	
Potential Soil Contamination: Area or Site —		Existing Easement Line ————————————————————————————————————	——E——	UTILITIES:		Gas Valve	_ ^
		Proposed Temporary Construction Easement -	Е	POWER:		Gas Meter —	
BUILDINGS AND OTHER CULT		Proposed Temporary Drainage Easement —	TDE	Existing Power Pole —	•	Recorded U/G Gas Line ————————————————————————————————————	•
Gas Pump Vent or U/G Tank Cap		Proposed Permanent Drainage Easement —		Proposed Power Pole —————	Ģ	Designated U/G Gas Line (S.U.E.*)	
Sign ————————————————————————————————————		Proposed Permanent Drainage / Utility Easeme		Existing Joint Use Pole	- - -	Above Ground Gas Line (5.0.E.*)	
		Proposed Permanent Utility Easement ———		Proposed Joint Use Pole	-6 -	Above Ground Gds Line	
Small Mine		Proposed Temporary Utility Easement —		Power Manhole ————————————————————————————————————	P	SANITARY SEWER:	
Foundation —		Proposed Aerial Utility Easement —		Power Line Tower —	\boxtimes		
Area Outline			AGE	Power Transformer ———————————————————————————————————	\square	Sanitary Sewer Manhole Sanitary Sewer Cleanout	
Cemetery		Proposed Permanent Easement with Iron Pin and Cap Marker		U/G Power Cable Hand Hole		U/G Sanitary Sewer Line	
Building	_ [ROADS AND RELATED FEATUR	ES:	H-Frame Pole	•••	·	
School —	— ф	Existing Edge of Pavement		Recorded U/G Power Line —————	P	Above Ground Sanitary Sewer	
Church —	_ <u>♣</u>	Existing Curb —		Designated U/G Power Line (S.U.E.*)		Recorded SS Forced Main Line	
Dam —		Proposed Slope Stakes Cut —				Designated SS Forced Main Line (S.U.E.*) —	Fss
HYDROLOGY:		Proposed Slope Stakes Fill ——————————————————————————————————		TELEPHONE:			
Stream or Body of Water ————		Proposed Curb Ramp		Existing Telephone Pole —————	-•-	MISCELLANEOUS:	
Hydro, Pool or Reservoir		Existing Metal Guardrail		Proposed Telephone Pole —————	-O -	Utility Pole —	
Jurisdictional Stream		Proposed Guardrail		Telephone Manhole	•	Utility Pole with Base —	
Buffer Zone 1		Existing Cable Guiderail		Telephone Booth —————	3	Utility Located Object —	
Buffer Zone 2		Proposed Cable Guiderail		Telephone Pedestal ——————		Utility Traffic Signal Box ———————————————————————————————————	
Flow Arrow		Equality Symbol		Telephone Cell Tower —————	,,,	Utility Unknown U/G Line ——————	
Disappearing Stream —		Pavement Removal	-	U/G Telephone Cable Hand Hole ————	HH	U/G Tank; Water, Gas, Oil ———————————————————————————————————	
Spring —				Recorded U/G Telephone Cable ————		Underground Storage Tank, Approx. Loc. ——	
Wetland		VEGETATION: Single Tree —————————————————————————————————	Δ.	Designated U/G Telephone Cable (S.U.E.*)—		A/G Tank; Water, Gas, Oil ——————	
Proposed Lateral, Tail, Head Ditch ————		Single Tree —————————————————————————————————		Recorded U/G Telephone Conduit		Geoenvironmental Boring ————————————————————————————————————	•
False Sump	← FLOW	Single Shrub ————————————————————————————————————	- ©	Designated U/G Telephone Conduit (S.U.E.*)		U/G Test Hole (S.U.E.*) —	- 👁
·	~	Hedge ———————————————————————————————————		Recorded U/G Fiber Optics Cable ———		Abandoned According to Utility Records —	
		Woods Line		Designated U/G Fiber Optics Cable (S.U.E.*)		End of Information ————————————————————————————————————	– E.O.I.

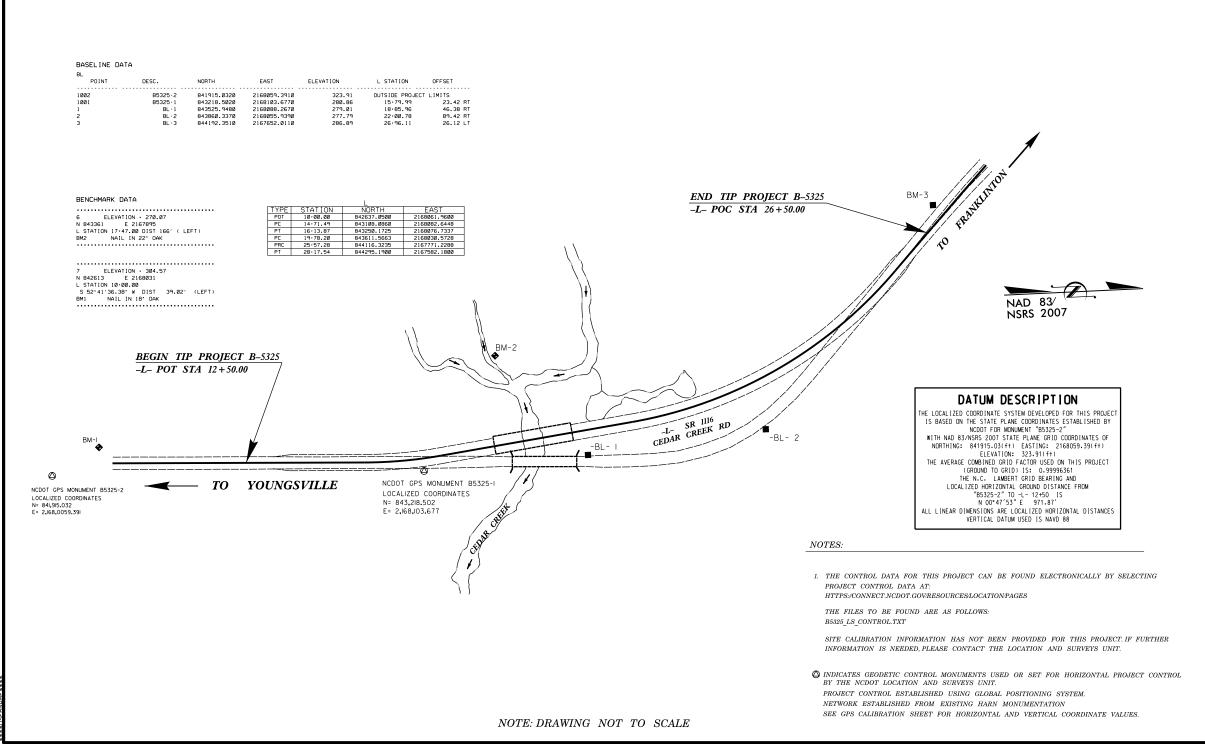
PROJECT REFERENCE NO. SHEET NO.

B-5325 1C

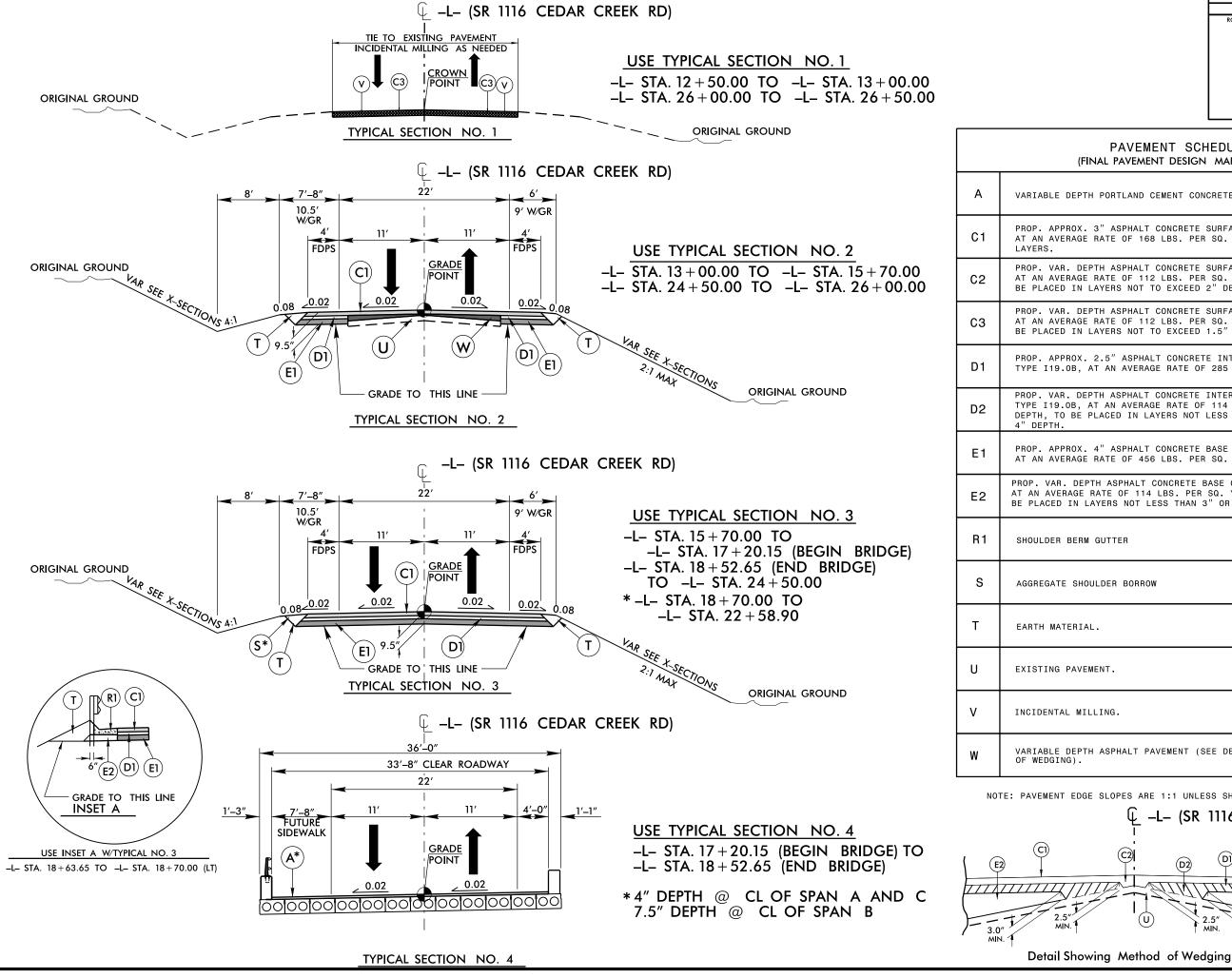
Location and Surveys

SURVEY CONTROL SHEET B-5325 FRANKLIN COUNTY

LOCATION: Bridge No. 12 Over Cedar Creek on SR 1116



17-FEB-2014 15:10 R:\LocationSurveys\b5325_1:



PROJECT REFERENCE NO B-5325 ROADWAY DESIGN ENGINEER INCOMPLETE PLANS PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

PAVEMENT SCHEDULE (FINAL PAVEMENT DESIGN MARCH 20, 2013) VARIABLE DEPTH PORTLAND CEMENT CONCRETE. PROP. APPROX. 3" ASPHALT CONCRETE SURFACE COURSE, TYPE S9.5B, AT AN AVERAGE RATE OF 168 LBS. PER SQ. YD. IN EACH OF TWO PROP. VAR. DEPTH ASPHALT CONCRETE SURFACE COURSE, TYPE S9.5B, AT AN AVERAGE RATE OF 112 LBS. PER SQ. YD. PER 1" DEPTH, TO BE PLACED IN LAYERS NOT TO EXCEED 2" DEPTH. PROP. VAR. DEPTH ASPHALT CONCRETE SURFACE COURSE, TYPE S9.5B, AT AN AVERAGE RATE OF 112 LBS. PER SQ. YD. PER 1" DEPTH, TO BE PLACED IN LAYERS NOT TO EXCEED 1.5" DEPTH. PROP. APPROX. 2.5" ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE I19.0B, AT AN AVERAGE RATE OF 285 LBS. PER SQ. YD. PROP. VAR. DEPTH ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE I19.0B. AT AN AVERAGE RATE OF 114 LBS. PER SQ. YD. PER 1' DEPTH, TO BE PLACED IN LAYERS NOT LESS THAN 2.5" OR GREATER THAN PROP. APPROX. 4" ASPHALT CONCRETE BASE COURSE. TYPE B25.0B. AT AN AVERAGE RATE OF 456 LBS. PER SQ. YD. PROP. VAR. DEPTH ASPHALT CONCRETE BASE COURSE, TYPE B25.0B, AT AN AVERAGE RATE OF 114 LBS. PER SQ. YD. PER 1" DEPTH, TO BE PLACED IN LAYERS NOT LESS THAN 3" OR GREATER THAN 5 1/2" DEPT VARIABLE DEPTH ASPHALT PAVEMENT (SEE DETAIL SHOWING METHOD OF WEDGING).

NOTE: PAVEMENT EDGE SLOPES ARE 1:1 UNLESS SHOWN OTHERWISE.

