

Project Submittal Interim Form



Updated September 4, 2020

*Please note: fields marked with a red asterisk * below are required. You will not be able to submit the form until all mandatory questions are answered.*

- Project Type: ***
- For the Record Only (Courtesy Copy)
 - New Project
 - Modification/New Project with Existing ID
 - More Information Response
 - Other Agency Comments
 - Pre-Application Submittal
 - Re-Issuance/Renewal Request
 - Stream or Buffer Appeal

Pre-Filing Meeting Date Request was submitted on:

Project Contact Information

Name: Jason Dilday
Who is submitting the information?

Email Address: * jddilday1@ncdot.gov

Project Information

Existing ID #: * 20200445
20170001 (no dashes)

Existing Version: * 1
1

Project Name: * Bridge 24 on NC22 over Nicks Creek

Is this a public transportation project? *

- Yes
- No

Is this a DOT project? *

- Yes
- No

Is the project located within a NC DCM Area of Environmental Concern (AEC)? *

- Yes
- No
- Unknown

TIP#: BR-0035
WBS#: 49073.1.1
(Applies to DOT projects only)

County (ies) *

Moore

Please upload all files that need to be submitted.

[Click the upload button or drag and drop files here to attach document](#)

BR-0035 Nationwide Moore April 3 2020.pdf	21.21MB
BR-0035 Nationwide Moore April 28 2020.pdf	9.9MB
BR-0035Catawba.pdf	3.6MB

Only pdf or kmz files are accepted.

Describe the attachments or add comments:

Reverification of this project is requested due to the Nationwide Permit will expire and construction is not anticipated to be complete by the expiration. Construction is currently underway.

The previously issued 404 and 401 Permits (Permit Package) and Application Package are attached. There have been no changes to design or impacts since the previously issued permits and the plans submitted with the original application package remain accurate and valid.

Section 7

The list of federally-listed species and/or designated critical habitat for this project has not changed since the application package was originally submitted. Surveys are up to date and the biological conclusions remain the same.

Archaeology and Historic Properties

There have been no changes to Archaeology and Historic Properties since the previously issued permits.

Tribal Coordination

The original permit pre-dated current tribal coordination protocols. A letter requesting review of the project was sent to the Catawba Nation on 1/24/2022. Please find attached tribal coordination for this project.

NCDOT is hereby requesting reverification under Nationwide Permit 14.

* By checking the box and signing box below, I certify that:

- I, the project proponent, hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief.
- I, the project proponent, hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.
- I agree that submission of this online form is a "transaction" subject to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I agree to conduct this transaction by electronic means pursuant to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I understand that an electronic signature has the same legal effect and can be enforced in the same way as a written signature; AND
- I intend to electronically sign and submit the online form.

Signature: *



Submittal Date:

1/24/2023

Tribal Coordination



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

January 24, 2023

Dr. Wenonah Haire
Catawba Indian Nation
Tribal Historic Preservation Office
1536 Ton Steven Road
Rock Hill, SC 29730

Dear Dr. Haire,

The North Carolina Department of Transportation is seeking a permit from the U.S. Army Corps of Engineers for the subject project.

Original project development pre-dated our current Tribal Coordination Process. However, these projects were reviewed for Archaeological and Historic Architecture and Landscapes. Those screening reports are included in this letter.

The project is the replacement of Bridge No. 24 over Nicks Creek on NC 22 in Moore County as project BR-0035. The [Federal Highway Administration (FHWA) is the lead federal agency for compliance with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA). A project vicinity map is attached. The coordinates of this project are approximately 35.253485, -79.412790.

We would appreciate any information you might have that would be helpful in evaluating potential environmental impacts. In accordance with Section 106 of the NHPA, we also request that you inform us of any historic properties of traditional religious or cultural importance that you are aware of that may be affected by the proposed project. Be assured that, in accordance with confidentiality and disclosure stipulations in Section 304 of the NHPA, we will maintain strict confidentiality about certain types of information regarding historic properties. In addition, current and future NCDOT projects will adhere to the current Tribal Coordination Process with the intent of requesting the above information at the pre-determination stage of the project.

Please respond by February 24, 2023 so that your comments can be used in the permitting evaluation of this project.

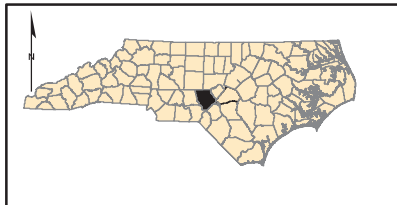
If you have any questions concerning this project, or would like any additional information, please contact me at jldilday1@ncdot.gov or (919)707-6111.

Thank you,


Jason Dilday
Environmental Program Consultant

Enclosures (2):
Project Vicinity Map
Archaeology Screening Report

ec:
Matt Wilkerson, NCDOT Archaeology Team Leader
Steven Brumagin, USACE Project Manager



BR-0035
Moore County
 Bridge 24 on NC 22 over Nicks Creek
 Vicinity Map

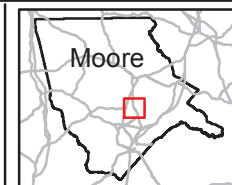


FIGURE 1



Prepared by
 NCDOT
 Environmental Analysis Unit



NO ARCHAEOLOGICAL SURVEY REQUIRED FORM

This form only pertains to ARCHAEOLOGICAL RESOURCES for this project. It is not valid for Historic Architecture and Landscapes. You must consult separately with the Historic Architecture and Landscapes Group.



PROJECT INFORMATION

Project No: **Br-0035** County: **Moore**
 WBS No: **67035.1.1** Document: **M C C**
 F.A. No: **0022015** Funding: State Federal

Federal Permit Required? Yes No Permit Type: **usace**

Project Description: 2nd REVISION FOR SWITCH TO FHWA FUNDING SOURCE 8/26/2021. NOTE THIS FORM REVISED AS OF 3/7/2019 FOR APE INCREASE. NCDOT proposes to replace Bridge No. 24 on NC 22 over Nicks Creek north of Southern Pines in Moore County. No alternative designs were available for use prepared for use during the archaeological review. However, considering the length and complexity of detour options, realignment or temporary detours are possible. For purposes of this review, the Area of Potential Effects (APE) is the length of the entire provided study area, about 1500 feet, with a width of 200 feet, all centered around the existing small Bridge No. 24 to be replaced. This APE allows for and considers multiple possible alignments and detour configurations and would include any needed new ROW, fill and cut lines, or construction easements. The funding source switched from state to federal in 2021 and USACE permitting is required, therefore Section 106 of the National Historic Preservation Act.

SUMMARY OF CULTURAL RESOURCES REVIEW

Brief description of review activities, results of review, and conclusions:

The bridge to be replaced is located along NC 24 in a rural setting between Carthage to the north and Southern Pines to the south. Some residences are present in the nearby vicinity and newer neighborhoods have been recently constructed.

USGS mapping (Carthage) and aerial photography was studied (see Figures 1 and 2). Google and Bing street view tools were used and confirm the conditions immediately around the existing bridge, generally wooded within the APE, and the terrain which has hilly approaches on NC 22 with a floodplain at the bridge. To the west of NC 22 is a dam and large pond, historically referenced as Chandler Pond though it may now be a municipal water source.

Soils were examined using Web Soil Survey. Two main soils are encountered, the often flooded Bibb loam (Bb, 0-2 percent slope, frequently flooded) and the steep Tarrus and Nanford soils (TnE, 15-25 percent slope). Neither is often associated with the presence of most types of archaeological sites in the county due to the unsuitable characteristics for habitation.

According to USGS mapping and GIS resources (data layer created by NCDOT archaeologist Paul J. Mohler), no cemetery is present at the APE or nearby.

A greenway exists in the nearby vicinity and suggests possible other park use facilities are in the greater project area.

Historic maps were examined to determine if any late historic structures, roads or other notations were present to help establish the a context of the recent past, especially farms, industry, land and transportation features which might offer hints to the presence of archaeological sites. The 1919 Soils Map of Moore County (MC.068.1919j) depicts the equivalent roadway at that time on a different alignment especially heading north from the crossing of Nicks Creek. A short distance to the west is "Chandler's Pond," where the current lake exists. It is possible that earlier dams or mills were present in the nearby vicinity, or may

have been incorporated into the current ponded area. "Power Plant" is noted nearby, though both features appear outside of the APE.

By the mid-1930s, the road may have been realigned according to the 1928 Moore County highway map (MC.068-1938n) and the Chandler Pond is still marked. Little changed in later USGS mapping with the exception of Chandler Pond which disappears for several years. GoogleEarth shows historic aerials with only Nicks Creek present, no pond, from 1993 until possibly sometime after 2000, certainly with a dammed pond in more recent years. A period of land clearing and grading occurs on the aerial photography around 2005, mostly likely a reconstruction of that pond.

Utilities are present at the project location, very close to or within the APE. Water and sewage are both apparently present along NC 22 and their installation would have cause soil disturbances that often destroy the archaeological integrity within their construction footprint. A pump, lift or other utility station is adjacent to the project on the northwest quadrant. These factors reduce the probability for intact, significant archaeological features within the APE.

The Office of State Archaeology was visited to review archaeological mapping and to reference any known archaeological surveys and sites. This helps establish an archaeological context for comparison. One or more environmental reviews are nearby, notably mining and gravel pits to the north. Immediately adjacent to the current project is ER 04-1972, which covered dam repair and was cleared for archaeological work without a survey around the same time grading and refilling pond appears in aerial photography. Since the OSA did not recommend a survey for that larger dam APE, it is reasonable to believe that they would not call for one on this adjacent, much smaller bridge replacement.

Brief Explanation of why the available information provides a reliable basis for reasonably predicting that there are no unidentified historic properties in the APE:

The bridge replacement may be replaced in place or realigned and may have a long offsite or onsite detour. The APE allows for several possible design options. There are no recorded archaeological sites with the APE. Soil disturbances along the APE include one or more earlier road realignments, flooding and installation of two major utilities. Soils present at the project are less favorable for most archaeological site types than other better drained and level soils.

Examination of historic maps and also aerials from the past twenty five years show the presence of a dam upstream 300-400 feet at least during two separate time periods. A circa 2004 or 2005 Environmental Review for work on the latest dam did not result in recommendations for archaeological survey from the Office of State Archaeology.

The context doesn't indicate a high probability for archaeological sites within the APE downstream of the dam in unfavorable soils which have been modified by construction and utilities. It is unlikely that significant, intact archaeological remains would be present and impacted by the bridge replacement project. For archaeological review, this federal undertaking should be considered compliant with Section 106.

This project falls within a North Carolina County in which the following federally recognized tribe have expressed an interest: the Catawba Indian Nation. We recommend that you ensure that this documentation is forwarded to these tribes using the process described in the current NCDOT Tribal Protocol and PA Procedures Manual.

SUPPORT DOCUMENTATION

See attached: Map(s) Previous Survey Info Photos Correspondence
 Photocopy of County Survey Notes Other:

FINDING BY NCDOT ARCHAEOLOGIST

NO ARCHAEOLOGY SURVEY REQUIRED



NCDOT ARCHAEOLOGIST

7/31/2018 revised 3/7/2019 revised 8/26/2021

Date

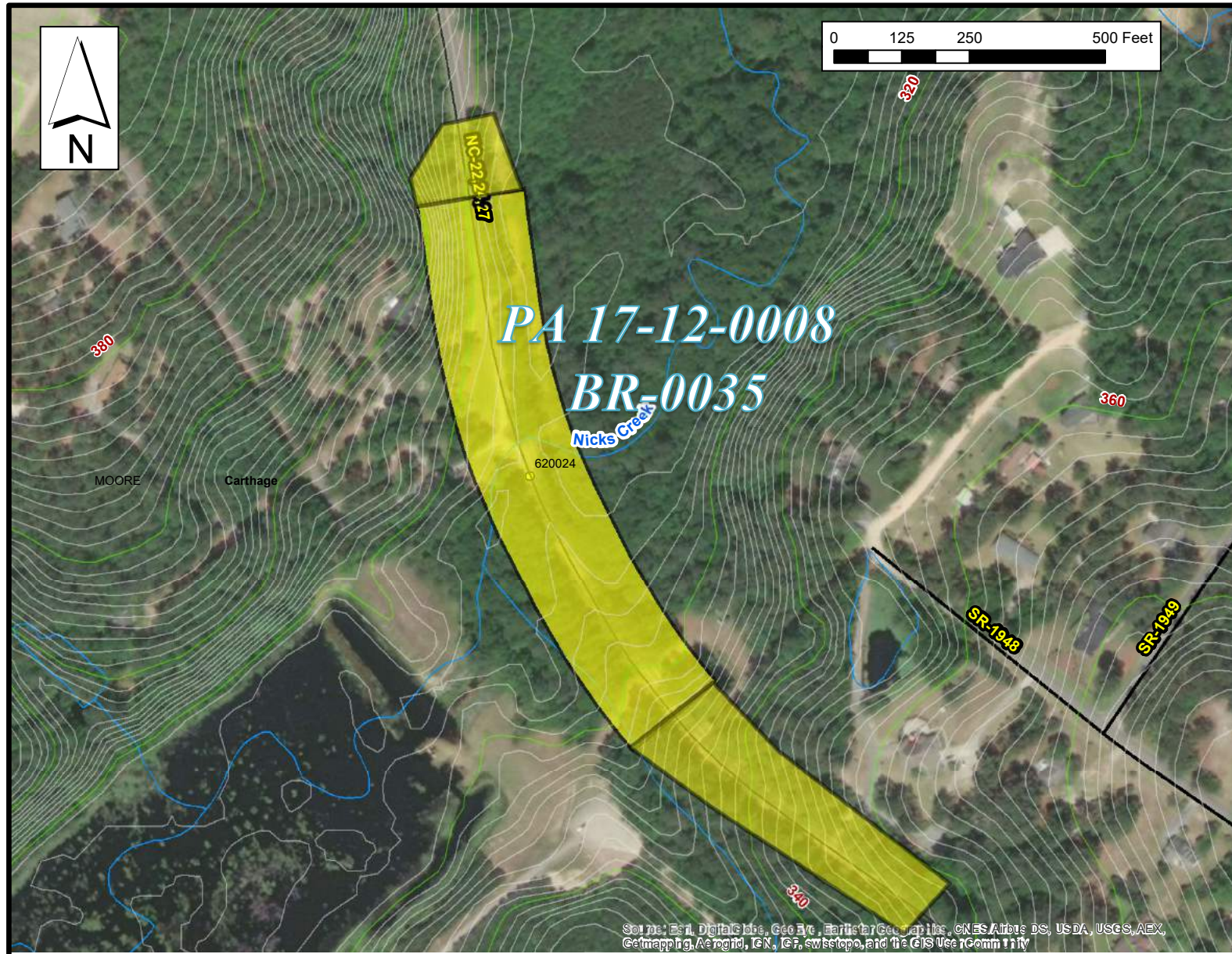


Figure 2. Aerial map of BR-0035, PA 17-12-0008, the proposed replacement of Br. No. 24 on NC 22 over Nicks Creek. The approximate APE is shown in yellow (note revision) and contour lines at 2-ft are overlaid on the aerial to illustrate the terrain.

Permit Application



Pre-Construction Notification (PCN) Form

For Nationwide Permits and Regional General Permits
(along with corresponding Water Quality Certifications)

September 29, 2018 Ver 3

Please note: fields marked with a red asterisk * below are required. You will not be able to submit the form until all mandatory questions are answered.

Also, if at any point you wish to print a copy of the E-PCN, all you need to do is right-click on the document and you can print a copy of the form.

Below is a link to the online help file.

<https://edocs.deq.nc.gov/WaterResources/0/edoc/624704/PCN%20Help%20File%202018-1-30.pdf>

A. Processing Information



County (or Counties) where the project is located:*

Moore

Is this project a public transportation project?*

Yes No

This is any publicly funded by municipal, state or federal funds road, rail, airport transportation project.

Is this a NCDOT Project?*

Yes No

(NCDOT only) T.I.P. or state project number:

BR-0035

WBS #*

67035.1.1

(for NCDOT use only)

1a. Type(s) of approval sought from the Corps:*

Section 404 Permit (wetlands, streams and waters, Clean Water Act)

Section 10 Permit (navigable waters, tidal waters, Rivers and Harbors Act)

1b. What type(s) of permit(s) do you wish to seek authorization?*

Nationwide Permit (NWP)

Regional General Permit (RGP)

Standard (IP)

This form may be used to initiate the standard/individual permit process with the Corps. Please contact your Corps representative concerning submittals for standard permits. All required items that are not provided in the E-PCN can be added to the miscellaneous upload area located at the bottom of this form.

1c. Has the NWP or GP number been verified by the Corps?*

Yes No

Nationwide Permit (NWP) Number:

14 - Linear transportation

NWP Numbers (for multiple NWPS):

List all NW numbers you are applying for not on the drop down list.

1d. Type(s) of approval sought from the DWR:*

check all that apply

401 Water Quality Certification - Regular

Non-404 Jurisdictional General Permit

Individual Permit

401 Water Quality Certification - Express

Riparian Buffer Authorization

1e. Is this notification solely for the record because written approval is not required?

*

For the record only for DWR 401 Certification:

Yes No

For the record only for Corps Permit:

Yes No

1f. Is this an after-the-fact permit application?*

Yes

No

1g. 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

Yes No

Acceptance Letter Attachment

Click the upload button or drag and drop files here to attach document

BR-0035 - RW - CF 04.pdf

64.82KB

FILE TYPE MUST BE PDF

1h. Is the project located in any of NC's twenty coastal counties? *

Yes No

1j. Is the project located in a designated trout watershed? *

Yes No

Link to trout information: <http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/Trout.aspx>

B. Applicant Information

1a. Who is the Primary Contact? *

NCDOT

1b. Primary Contact Email: *

jldilday@ncdot.gov

1c. Primary Contact Phone: *

(xxx)xxx-xxxx
(919)707-6111

1d. Who is applying for the permit? *

Owner (Check all that apply) Applicant (other than owner)

1e. Is there an Agent/Consultant for this project? *

Yes No

2. Owner Information

2a. Name(s) on recorded deed: *

NCDOT

2b. Deed book and page no.:

2c. Responsible party:

(for Corporations)

2d. Address *

Street Address

1000 Birch Ridge Drive

Address Line 2

City

Raleigh

Postal / Zip Code

27610

State / Province / Region

NC

Country

USA

2e. Telephone Number: *

(xxx)xxx-xxxx

(919)707-6111

2f. Fax Number:

(xxx)xxx-xxxx

2g. Email Address: *

pharris@ncdot.gov

C. Project Information and Prior Project History

1. Project Information

1a. Name of project: *

Replace Bridge No. 24 on NC 22 over Nicks Creek (BR-0035 Central)

1b. Subdivision name:

(if appropriate)

1c. Nearest municipality / town: *

Southern Pines

2. Project Identification

2a. Property Identification Number:

(tax PIN or parcel ID)

2b. Property size:

(in acres)

2c. Project Address

Street Address

Address Line 2

City

Postal / Zip Code

State / Province / Region

Country

2d. Site coordinates in decimal degrees

Please collect site coordinates in decimal degrees. Use between 4-6 digits (unless you are using a survey-grade GPS device) after the decimal place as appropriate, based on how the location was determined. (For example, most mobile phones with GPS provide locational precision in decimal degrees to map coordinates to 5 or 6 digits after the decimal place.)

Latitude: *

35.253501
ex: 34.208504

Longitude: *

-79.412772
-77.796371

3. Surface Waters**3a. Name of the nearest body of water to proposed project: ***

Nicks Creek

3b. Water Resources Classification of nearest receiving water: *

WS-III

[Surface Water Lookup](#)

3c. What river basin(s) is your project located in? *

Cape Fear

3d. Please provide the 12-digit HUC in which the project is located. *

030300040301

[River Basin Lookup](#)

4. Project Description and History**4a. Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application: ***

Land use in the project vicinity consists primarily of forested communities, residential development and a community park with greenway.

4b. Have Corps permits or DWR certifications been obtained for this project (including all prior phases) in the past? *

Yes No Unknown

4d. Attach an 8 1/2 X 11 excerpt from the most recent version of the USGS topographic map indicating the location of the project site. (for DWR)

[Click the upload button or drag and drop files here to attach document](#)

File type must be pdf

4e. Attach an 8 1/2 X 11 excerpt from the most recent version of the published County NRCS Soil Survey map depicting the project site. (for DWR)

[Click the upload button or drag and drop files here to attach document](#)

File type must be pdf

4f. List the total estimated acreage of all existing wetlands on the property:

0.25

4g. List the total estimated linear feet of all existing streams on the property:

(intermittent and perennial)

300

4h. Explain the purpose of the proposed project: *

The purpose of this project is to replace a structurally deficient bridge.

4i. Describe the overall project in detail, including indirect impacts and the type of equipment to be used: *

This project involves replacing the existing single span, 19-foot bridge with a three barrel culvert downstream of the existing structure. Traffic will be maintained on the existing bridge during construction. Standard road building equipment, such as trucks, dozers and cranes will be used.

4j. Please upload project drawings for the proposed project.

[Click the upload button or drag and drop files here to attach document](#)

BR-0035_Hyd_prm_wet_Package03312020.pdf

File type must be pdf

10.52MB

5. Jurisdictional Determinations**5a. Have the wetlands or streams been delineated on the property or proposed impact areas? ***

Yes No Unknown

Comments:

S1	Site 3-Culvert	Permanent	Culvert	Nicks Creek	Perennial	Both	20 Average (feet)	61 (linear feet)
S2	Site 3-Bank Stabilization	Permanent	Bank Stabilization	Nicks Creek	Perennial	Both	20 Average (feet)	90 (linear feet)
S3	Site 3-Bank Stabilization	Temporary	Bank Stabilization	Nicks Creek	Perennial	Both	20 Average (feet)	45 (linear feet)

** All Perennial or Intermittent streams must be verified by DWR or delegated local government.

3i. Total jurisdictional ditch impact in square feet:

0

3i. Total permanent stream impacts:

151

3i. Total temporary stream impacts:

45

3i. Total stream and ditch impacts:

196

3j. Comments:

Relocation of the water line on the project will be done by open cut at Nicks Creek, however the work will be done within the temporary impact area of the culvert installation resulting in no additional impact.

E. Impact Justification and Mitigation

1. Avoidance and Minimization

1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing the project:*

The culvert will be designed to not have direct discharge into Nicks Creek. Sheetflow to be promoted to flow through grass shoulders. See stormwater management plan for additional minimization measures. 3:1 fill slopes will be used in wetlands.

1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques:*

Traffic will be maintained on the existing bridge during construction of the replacement structure. Best Management Practices for Construction and Maintenance Activities will be adhered to during construction.

2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State

2a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?

Yes No

2c. If yes, mitigation is required by (check all that apply):

DWR Corps

2d. If yes, which mitigation option(s) will be used for this project?

Mitigation bank Payment to in-lieu fee program Permittee Responsible Mitigation

4. Complete if Making a Payment to In-lieu Fee Program

4a. Approval letter from in-lieu fee program is attached.

Yes No

4b. Stream mitigation requested:

(linear feet)

0

4c. If using stream mitigation, what is the stream temperature:

NC Stream Temperature Classification Maps can be found under the Mitigation Concepts tab on the Wilmington District's RIBITS website.

4e. Riparian wetland mitigation requested:

(acres)

0.11

4d. Buffer mitigation requested (DWR only):

(square feet)

4f. Non-riparian wetland mitigation requested:

(acres)

4g. Coastal (tidal) wetland mitigation requested:

(acres)

4h. Comments

F. Stormwater Management and Diffuse Flow Plan (required by DWR)

*** Recent changes to the stormwater rules have required updates to this section. ***

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

For a list of options to meet the diffuse flow requirements, click [here](#).

If no, explain why:

Nicks Creek is not within a protected buffer basin for NCDWR.

2. Stormwater Management Plan

2a. Is this a NCDOT project subject to compliance with NCDOT's Individual NPDES permit NCS000250? *

Yes No

Comments:

G. Supplementary Information



1. Environmental Documentation

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: *

The State Minimum Criteria Determination Checklist for this project was not required to be submitted to the State Clearing House.

2. Violations (DWR Requirement)

2a. Is the site in violation of DWR Water Quality Certification Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), or DWR Surface Water or Wetland Standards or Riparian Buffer Rules (15A NCAC 2B .0200)? *

Yes No

3. Cumulative Impacts (DWR 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 "no," provide a short narrative description.

Due to the minimal transportation impact resulting from this 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 (DWR Requirement)

4a. Is sewage disposal required by DWR for this project? *

Yes No N/A

5. Endangered Species and Designated Critical Habitat (Corps Requirement)

5a. Will this project occur in or near an area with federally protected species or habitat? *

Yes No

5b. Have you checked with the USFWS concerning Endangered Species Act impacts? *

Yes No

5c. If yes, indicate the USFWS Field Office you have contacted.

Raleigh

5d. Is another Federal agency involved? *

Yes No Unknown

5e. Is this a DOT project located within Division's 1-8? *

Yes No

5j. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat? *

N.C. Natural Heritage Program database; USFWS-Raleigh Field Office website; biological surveys for protected species listed for Moore County, which include Cape Fear shiner, red-cockaded woodpecker, American chaffseed and Michaux's sumac. Biological conclusion for Cape Fear shiner and American chaffseed were "No Effect", due to no suitable habitat. Habitat for red-cockaded woodpecker and Michaux's sumac is available in the study area, however surveys for the species, conducted on August 28, 2018 revealed no occurrences within the vicinity of the study area. The biological conclusion for these species is "No Effect". The Northern long-eared bat will be addressed through the PBO.

Consultation Documentation Upload

Click the upload button or drag and drop files here to attach document

File type must be PDF

6. Essential Fish Habitat (Corps Requirement)

6a. Will this project occur in or near an area designated as an Essential Fish Habitat? *

Yes No

6b. What data sources did you use to determine whether your site would impact an Essential Fish Habitat? *

NMFS county index

7. Historic or Prehistoric Cultural Resources (Corps Requirement)

Link to the State Historic Preservation Office Historic Properties Map (does not include archaeological data: <http://gis.ncdcr.gov/hpweb/>)

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)? *

Yes No

7b. What data sources did you use to determine whether your site would impact historic or archeological resources? *

SEPA documentation

7c. Historic or Prehistoric Information Upload

Click the upload button or drag and drop files here to attach document

File must be PDF

8. Flood Zone Designation (Corps Requirement)

Link to the FEMA Floodplain Maps: <https://msc.fema.gov/portal/search>

8a. Will this project occur in a FEMA-designated 100-year floodplain? *

Yes No

8b. If yes, explain how project meets FEMA requirements:

NCDOT Hydraulics Unit coordination with FEMA

8c. What source(s) did you use to make the floodplain determination? *

FEMA floodplain maps

Miscellaneous

Comments

Miscellaneous attachments not previously requested.

Click the upload button or drag and drop files here to attach document

File must be PDF or KMZ

Signature

*

By checking the box and signing below, I certify that:

- I have given true, accurate, and complete information on this form;
- I agree that submission of this PCN form is a "transaction" subject to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I agree to conduct this transaction by electronic means pursuant to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I understand that an electronic signature has the same legal effect and can be enforced in the same way as a written signature; AND
- I intend to electronically sign and submit the PCN form.

Full Name: *

Mack Christopher Rivenbark, III

Signature

Mack C. Rivenbark, III

Date

4/3/2020



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

TIM BAUMGARTNER
Director

March 17, 2020

Mr. Philip S. Harris, III, P.E.
Environmental Analysis Unit
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina 27699-1598

Dear Mr. Harris:

Subject: Mitigation Acceptance Letter:

BR-0035, Replace Bridge 24 on NC 22 over Nicks Creek, Moore County

The purpose of this letter is to notify you that the Division of Mitigation Services (DMS) will provide the compensatory wetland mitigation for the subject project. Based on the information supplied by you on March 17, 2020, the impacts are located in CU 03030004 of the Cape Fear River basin in the Southern Piedmont (SP) Eco-Region, and are as follows:

Cape Fear 03030004 SP	Stream			Wetlands			Buffer (Sq. Ft.)	
	Cold	Cool	Warm	Riparian	Non-Riparian	Coastal Marsh	Zone 1	Zone 2
Impacts (feet/acres)	0	0	0	0.11	0	0	0	0

*Some of the stream and/or wetland impacts may be proposed to be mitigated at a 1:1 mitigation ratio. See permit application for details.

The impacts and associated mitigation needs were under projected by the NCDOT in the 2020 impact data. DMS will commit to implement sufficient compensatory wetland mitigation credits to offset the impacts associated with this project as determined by the regulatory agencies using the delivery timeline listed in Section F.3.c.iii of the In-Lieu Fee Instrument dated July 28, 2010. If the above referenced impact amounts are revised, then this mitigation acceptance letter will no longer be valid and a new mitigation acceptance letter will be required from DMS.

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

Sincerely,

James B. Stanfill
DMS Asset Management Supervisor

cc: Mr. Monte Matthews, USACE – Raleigh Regulatory Field Office
Ms. Amy Chapman, NCDWR
File: BR-0035



Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PJD:

B. NAME AND ADDRESS OF PERSON REQUESTING PJD: NCDOT; ATTN: Jason Dilday, 1598 MSC, Raleigh, NC 27699

C. DISTRICT OFFICE, FILE NAME, AND NUMBER:

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:

(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: NC County/parish/borough: Moore City: Whispering Pine

Center coordinates of site (lat/long in degree decimal format):

Lat.: 35.252292 Long.: -79.411868

Universal Transverse Mercator: 17

Name of nearest waterbody: Nicks Creek

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date:

Field Determination. Date(s):

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
Nicks Creek	35.253347	-79.412724	261 linear feet	non-wetland	Section 404
SA	35.252176	-79.412252	45 linear feet	non-wetland	Section 404
WA	35.252389	-79.411781	0.05 acre	wetland	Section 404
WB	35.253303	-79.412417	0.01 acre	wetland	Section 404
WC	35.254670	-79.412786	0.03 acre	wetland	Section 404
WD	35.253917	-79.41263	0.02 acre	wetland	Section 404
WE	35.253126	-79.412344	0.05 acre	wetland	Section 404

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring “pre-construction notification” (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant’s acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there “*may be*” waters of the U.S. and/or that there “*may be*” navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

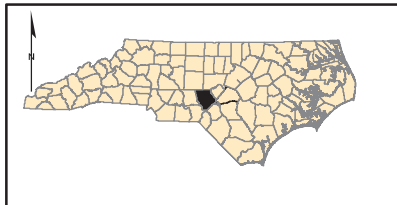
- Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
Map: _____.
- Data sheets prepared/submitted by or on behalf of the PJD requestor.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report. Rationale: _____.
- Data sheets prepared by the Corps: _____.
- Corps navigable waters' study: _____.
- U.S. Geological Survey Hydrologic Atlas: _____.
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24k (Carthage Quad) _____.
- Natural Resources Conservation Service Soil Survey. Citation: _____.
- National wetlands inventory map(s). Cite name: _____.
- State/local wetland inventory map(s): _____.
- FEMA/FIRM maps: _____.
- 100-year Floodplain Elevation is: _____.(National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): NC OneMap _____.
or Other (Name & Date): _____.
- Previous determination(s). File no. and date of response letter: _____.
- Other information (please specify): _____.

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Signature and date of
Regulatory staff member
completing PJD

Signature and date of
person requesting PJD
(REQUIRED, unless obtaining
the signature is impracticable)¹

¹ Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.



BR-0035
Moore County
 Bridge 24 on NC 22 over Nicks Creek
 Vicinity Map

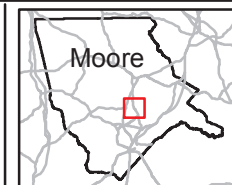
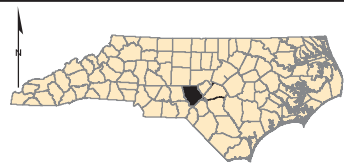
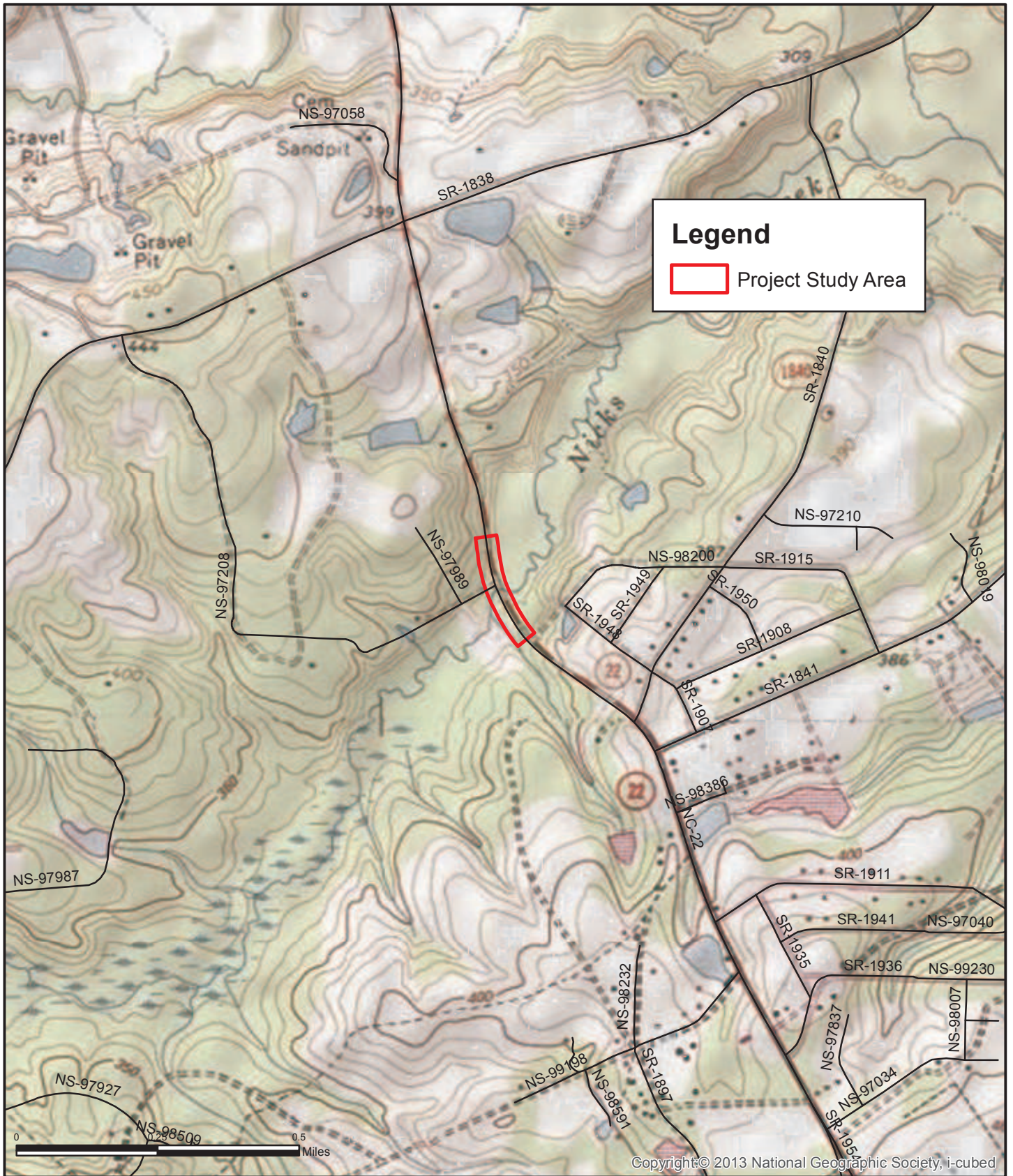


FIGURE 1



Prepared by
 NCDOT
 Environmental Analysis Unit



BR-0035

Moore County

Bridge 24 on NC 22 over Nicks Creek
Topographic Map

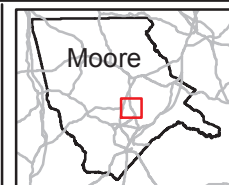
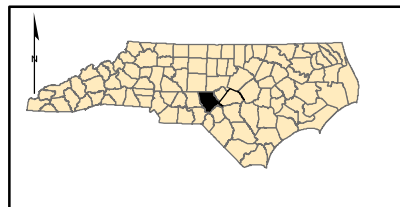
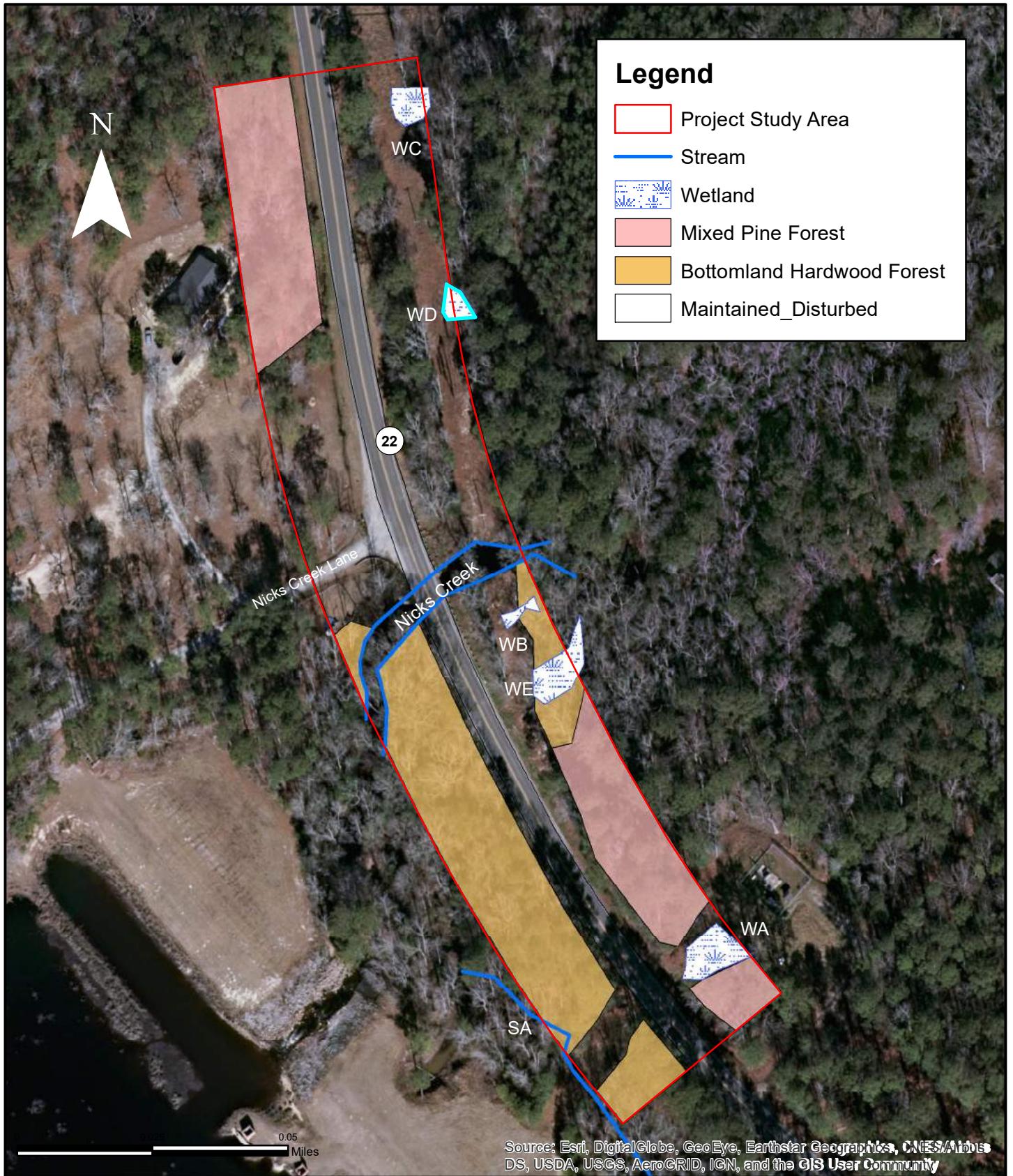


FIGURE 2



Prepared by
NCDOT
Environmental Analysis Unit



BR-0035
Moore County
 Bridge 24 on NC 22 over Nicks Creek
 Jurisdictional Features and
 Terrestrial Communities Map



FIGURE 3



Prepared by
 NCDOT
 Environmental Analysis Unit

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: BR-0035 City/County: Moore Sampling Date: 1/11/18
 Applicant/Owner: NCDOT State: NC Sampling Point: WA-wet
 Investigator(s): J. Dilday, J. Mason, J. Houghill Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): depression (sewer line) Local relief (concave, convex, none): concave Slope (%): 1%
 Subregion (LRR or MLRA): T Lat: 35.252292 Long: -79.411868 Datum: _____
 Soil Map Unit Name: Turkey and Nanford soils 15-25% slopes NWI classification: PFO1C
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No _____ Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____ Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____	Is the Sampled Area within a Wetland? Yes <input checked="" type="checkbox"/> No _____
Remarks:	

HYDROLOGY

<p>Wetland Hydrology Indicators:</p> <p>Primary Indicators (minimum of one is required; check all that apply)</p> <input checked="" type="checkbox"/> Surface Water (A1) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Marl Deposits (B15) (LRR U) <input checked="" type="checkbox"/> Saturation (A3) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Other (Explain in Remarks) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Water-Stained Leaves (B9)	<p>Secondary Indicators (minimum of two required)</p> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input checked="" type="checkbox"/> FAC-Neutral Test (D5) <input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)
<p>Field Observations:</p> Surface Water Present? Yes <input checked="" type="checkbox"/> No _____ Depth (Inches): <u>2"</u> Water Table Present? Yes <input checked="" type="checkbox"/> No _____ Depth (Inches): <u>0"</u> Saturation Present? Yes <input checked="" type="checkbox"/> No _____ Depth (Inches): <u>0"</u> (includes capillary fringe)	Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:	
Remarks:	

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: WA wet

Tree Stratum (Plot size: 30')

	Absolute % Cover	Dominant Species?	Indicator Status
1.	<u>30%</u>	<u>Y</u>	<u>FACW</u>
2.			
3.			
4.			
5.			
6.			
7.			
8.			

_____ = Total Cover
50% of total cover: _____ 20% of total cover: _____

Sapling/Shrub Stratum (Plot size: _____)

1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

_____ = Total Cover
50% of total cover: _____ 20% of total cover: _____

Herb Stratum (Plot size: 30')

1.	<u>Juncus effusus</u>	<u>30%</u>	<u>Y</u>	<u>OBL</u>
2.	<u>Scirpus cyperinus</u>	<u>30%</u>	<u>Y</u>	<u>OBL</u>
3.	<u>Arundinaria gigantea</u>	<u>15%</u>	<u>N</u>	<u>FACW</u>
4.	<u>Saccharum giganteum</u>	<u>10%</u>	<u>N</u>	<u>FACW</u>
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				

_____ = Total Cover
50% of total cover: 42.5% 20% of total cover: 17%

Woody Vine Stratum (Plot size: _____)

1.			
2.			
3.			
4.			
5.			

_____ = Total Cover
50% of total cover: _____ 20% of total cover: _____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100% (A/B)

Prevalence Index worksheet:

Total % Cover of: _____ Multiply by: _____

OBL species _____ x 1 = _____

FACW species _____ x 2 = _____

FAC species _____ x 3 = _____

FACU species _____ x 4 = _____

UPL species _____ x 5 = _____

Column Totals: _____ (A) _____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

1 - Rapid Test for Hydrophytic Vegetation

2 - Dominance Test is >50%

3 - Prevalence Index is ≤3.0¹

Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes No

Remarks: (If observed, list morphological adaptations below).

SOIL

Sampling Point: WA-wet

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	10YR 5/1	90	10YR 6/8	10	C	PL	clayey sand	
5-10	Gley 5/N	95	10YR 5/6	5	C	PL	sandy clay	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

- Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**
- Histosol (A1)
 - Histic Epipedon (A2)
 - Black Histic (A3)
 - Hydrogen Sulfide (A4)
 - Stratified Layers (A5)
 - Organic Bodies (A6) (LRR P, T, U)
 - 5 cm Mucky Mineral (A7) (LRR P, T, U)
 - Muck Presence (A8) (LRR U)
 - 1 cm Muck (A9) (LRR P, T)
 - Depleted Below Dark Surface (A11)
 - Thick Dark Surface (A12)
 - Coast Prairie Redox (A16) (MLRA 150A)
 - Sandy Mucky Mineral (S1) (LRR O, S)
 - Sandy Gleyed Matrix (S4)
 - Sandy Redox (S5)
 - Stripped Matrix (S6)
 - Dark Surface (S7) (LRR P, S, T, U)
 - Polyvalue Below Surface (S8) (LRR S, T, U)
 - Thin Dark Surface (S9) (LRR S, T, U)
 - Loamy Mucky Mineral (F1) (LRR O)
 - Loamy Gleyed Matrix (F2)
 - Depleted Matrix (F3)
 - Redox Dark Surface (F6)
 - Depleted Dark Surface (F7)
 - Redox Depressions (F8)
 - Marl (F10) (LRR U)
 - Depleted Ochric (F11) (MLRA 151)
 - Iron-Manganese Masses (F12) (LRR O, P, T)
 - Umbric Surface (F13) (LRR P, T, U)
 - Delta Ochric (F17) (MLRA 151)
 - Reduced Vertic (F18) (MLRA 150A, 150B)
 - Piedmont Floodplain Soils (F19) (MLRA 149A)
 - Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)
- Indicators for Problematic Hydric Soils³:**
- 1 cm Muck (A9) (LRR O)
 - 2 cm Muck (A10) (LRR S)
 - Reduced Vertic (F18) (outside MLRA 150A,B)
 - Piedmont Floodplain Soils (F19) (LRR P, S, T)
 - Anomalous Bright Loamy Soils (F20) (MLRA 153B)
 - Red Parent Material (TF2)
 - Very Shallow Dark Surface (TF12)
 - Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: BR-0035 City/County: Moore Sampling Date: 1/11/18
 Applicant/Owner: AKDOT State: NC Sampling Point: WA-UP
 Investigator(s): J. Dilcher, J. Mason, J. Hemphill Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): convex Slope (%): 2%
 Subregion (LRR or MLRA): T Lat: 35.252404 Long: -79.411737 Datum: _____
 Soil Map Unit Name: Tarps and Nanford soils 15-25% slopes NWI classification: N/A
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Hydric Soil Present? Yes _____ No <input checked="" type="checkbox"/> Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland? Yes _____ No <input checked="" type="checkbox"/>
Remarks:	

HYDROLOGY

<p>Wetland Hydrology Indicators:</p> <p>Primary Indicators (minimum of one is required; check all that apply)</p> <table style="width:100%;"> <tr> <td><input type="checkbox"/> Surface Water (A1)</td> <td><input type="checkbox"/> Aquatic Fauna (B13)</td> </tr> <tr> <td><input type="checkbox"/> High Water Table (A2)</td> <td><input type="checkbox"/> Marl Deposits (B15) (LRR U)</td> </tr> <tr> <td><input type="checkbox"/> Saturation (A3)</td> <td><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</td> </tr> <tr> <td><input type="checkbox"/> Water Marks (B1)</td> <td><input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)</td> </tr> <tr> <td><input type="checkbox"/> Sediment Deposits (B2)</td> <td><input type="checkbox"/> Presence of Reduced Iron (C4)</td> </tr> <tr> <td><input type="checkbox"/> Drift Deposits (B3)</td> <td><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</td> </tr> <tr> <td><input type="checkbox"/> Algal Mat or Crust (B4)</td> <td><input type="checkbox"/> Thin Muck Surface (C7)</td> </tr> <tr> <td><input type="checkbox"/> Iron Deposits (B5)</td> <td><input type="checkbox"/> Other (Explain in Remarks)</td> </tr> <tr> <td><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Water-Stained Leaves (B9)</td> <td></td> </tr> </table>	<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B15) (LRR U)	<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		<input type="checkbox"/> Water-Stained Leaves (B9)		<p>Secondary Indicators (minimum of two required)</p> <table style="width:100%;"> <tr><td><input type="checkbox"/> Surface Soil Cracks (B6)</td></tr> <tr><td><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</td></tr> <tr><td><input type="checkbox"/> Drainage Patterns (B10)</td></tr> <tr><td><input type="checkbox"/> Moss Trim Lines (B16)</td></tr> <tr><td><input type="checkbox"/> Dry-Season Water Table (C2)</td></tr> <tr><td><input type="checkbox"/> Crayfish Burrows (C8)</td></tr> <tr><td><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</td></tr> <tr><td><input type="checkbox"/> Geomorphic Position (D2)</td></tr> <tr><td><input type="checkbox"/> Shallow Aquitard (D3)</td></tr> <tr><td><input type="checkbox"/> FAC-Neutral Test (D5)</td></tr> <tr><td><input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)</td></tr> </table>	<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Drainage Patterns (B10)	<input type="checkbox"/> Moss Trim Lines (B16)	<input type="checkbox"/> Dry-Season Water Table (C2)	<input type="checkbox"/> Crayfish Burrows (C8)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)	<input type="checkbox"/> Geomorphic Position (D2)	<input type="checkbox"/> Shallow Aquitard (D3)	<input type="checkbox"/> FAC-Neutral Test (D5)	<input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)																															
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B15) (LRR U)																															
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)																															
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<input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)																																
<p>Field Observations:</p> Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>																															
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:																																
Remarks:																																

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: WA-4P

Tree Stratum (Plot size: _____)

	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

_____ = Total Cover
 50% of total cover: _____ 20% of total cover: _____

Sapling/Shrub Stratum (Plot size: _____)

	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

_____ = Total Cover
 50% of total cover: _____ 20% of total cover: _____

Herb Stratum (Plot size: 30')

	Absolute % Cover	Dominant Species?	Indicator Status
1.	<u>50</u>	<u>Yes</u>	<u>NA</u>
2.	<u>30</u>	<u>Yes</u>	<u>FAC</u>
3.	<u>5</u>	<u>No</u>	<u>OBL</u>
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			

_____ = Total Cover
 50% of total cover: _____ 20% of total cover: _____

Woody Vine Stratum (Plot size: _____)

	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			

_____ = Total Cover
 50% of total cover: _____ 20% of total cover: _____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0% (A/B)

Prevalence Index worksheet:

Total % Cover of: _____ Multiply by: _____

OBL species _____ x 1 = _____

FACW species _____ x 2 = _____

FAC species _____ x 3 = _____

FACU species _____ x 4 = _____

UPL species _____ x 5 = _____

Column Totals: _____ (A) _____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

1 - Rapid Test for Hydrophytic Vegetation

2 - Dominance Test is >50%

3 - Prevalence Index is ≤3.0¹

Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes _____ No

Remarks: (If observed, list morphological adaptations below).

SOIL

Sampling Point: WA-4P

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-10+	10YR 4/2	100					loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

- Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**
- Histosol (A1)
 - Histic Epipedon (A2)
 - Black Histic (A3)
 - Hydrogen Sulfide (A4)
 - Stratified Layers (A5)
 - Organic Bodies (A6) (LRR P, T, U)
 - 5 cm Mucky Mineral (A7) (LRR P, T, U)
 - Muck Presence (A8) (LRR U)
 - 1 cm Muck (A9) (LRR P, T)
 - Depleted Below Dark Surface (A11)
 - Thick Dark Surface (A12)
 - Coast Prairie Redox (A16) (MLRA 150A)
 - Sandy Mucky Mineral (S1) (LRR O, S)
 - Sandy Gleyed Matrix (S4)
 - Sandy Redox (S5)
 - Stripped Matrix (S6)
 - Dark Surface (S7) (LRR P, S, T, U)
 - Polyvalue Below Surface (S8) (LRR S, T, U)
 - Thin Dark Surface (S9) (LRR S, T, U)
 - Loamy Mucky Mineral (F1) (LRR O)
 - Loamy Gleyed Matrix (F2)
 - Depleted Matrix (F3)
 - Redox Dark Surface (F6)
 - Depleted Dark Surface (F7)
 - Redox Depressions (F8)
 - Mart (F10) (LRR U)
 - Depleted Ochric (F11) (MLRA 151)
 - Iron-Manganese Masses (F12) (LRR O, P, T)
 - Umbric Surface (F13) (LRR P, T, U)
 - Delta Ochric (F17) (MLRA 151)
 - Reduced Vertic (F18) (MLRA 150A, 150B)
 - Piedmont Floodplain Soils (F19) (MLRA 149A)
 - Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)
- Indicators for Problematic Hydric Soils³:**
- 1 cm Muck (A9) (LRR O)
 - 2 cm Muck (A10) (LRR S)
 - Reduced Vertic (F18) (outside MLRA 150A,B)
 - Piedmont Floodplain Soils (F19) (LRR P, S, T)
 - Anomalous Bright Loamy Soils (F20) (MLRA 153B)
 - Red Parent Material (TF2)
 - Very Shallow Dark Surface (TF12)
 - Other (Explain in Remarks)
- ³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No

Remarks:

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: BR-0035 City/County: Moore Sampling Date: 1/11/18
 Applicant/Owner: NC DOT State: NC Sampling Point: WBI/WC wet
 Investigator(s): J. Dilday, J. Mason, J. Hemphill Section, Township, Range: WD/WE
 Landform (hillslope, terrace, etc.): depression Local relief (concave, convex, none): concave Slope (%): 2
 Subregion (LRR or MLRA): T Lat: 35.253272 Long: -79.412569 Datum: _____
 Soil Map Unit Name: Bibb loam 0-2% slopes NWI classification: PFOLC
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No _____ Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____ Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____	Is the Sampled Area within a Wetland? Yes <input checked="" type="checkbox"/> No _____
Remarks:	

HYDROLOGY

<p>Wetland Hydrology Indicators:</p> <p>Primary Indicators (minimum of one is required; check all that apply)</p> <table style="width:100%;"> <tr> <td><input type="checkbox"/> Surface Water (A1)</td> <td><input type="checkbox"/> Aquatic Fauna (B13)</td> </tr> <tr> <td><input type="checkbox"/> High Water Table (A2)</td> <td><input type="checkbox"/> Marl Deposits (B15) (LRR U)</td> </tr> <tr> <td><input checked="" type="checkbox"/> Saturation (A3)</td> <td><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</td> </tr> <tr> <td><input type="checkbox"/> Water Marks (B1)</td> <td><input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)</td> </tr> <tr> <td><input type="checkbox"/> Sediment Deposits (B2)</td> <td><input type="checkbox"/> Presence of Reduced Iron (C4)</td> </tr> <tr> <td><input type="checkbox"/> Drift Deposits (B3)</td> <td><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</td> </tr> <tr> <td><input type="checkbox"/> Algal Mat or Crust (B4)</td> <td><input type="checkbox"/> Thin Muck Surface (C7)</td> </tr> <tr> <td><input type="checkbox"/> Iron Deposits (B5)</td> <td><input type="checkbox"/> Other (Explain in Remarks)</td> </tr> <tr> <td><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Water-Stained Leaves (B9)</td> <td></td> </tr> </table>	<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B15) (LRR U)	<input checked="" type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		<input type="checkbox"/> Water-Stained Leaves (B9)		<p>Secondary Indicators (minimum of two required)</p> <table style="width:100%;"> <tr><td><input type="checkbox"/> Surface Soil Cracks (B6)</td></tr> <tr><td><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</td></tr> <tr><td><input checked="" type="checkbox"/> Drainage Patterns (B10)</td></tr> <tr><td><input type="checkbox"/> Moss Trim Lines (B16)</td></tr> <tr><td><input type="checkbox"/> Dry-Season Water Table (C2)</td></tr> <tr><td><input type="checkbox"/> Crayfish Burrows (C8)</td></tr> <tr><td><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</td></tr> <tr><td><input checked="" type="checkbox"/> Geomorphic Position (D2)</td></tr> <tr><td><input type="checkbox"/> Shallow Aquitard (D3)</td></tr> <tr><td><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</td></tr> <tr><td><input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)</td></tr> </table>	<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input checked="" type="checkbox"/> Drainage Patterns (B10)	<input type="checkbox"/> Moss Trim Lines (B16)	<input type="checkbox"/> Dry-Season Water Table (C2)	<input type="checkbox"/> Crayfish Burrows (C8)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)	<input checked="" type="checkbox"/> Geomorphic Position (D2)	<input type="checkbox"/> Shallow Aquitard (D3)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)	<input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)																															
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B15) (LRR U)																															
<input checked="" type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)																															
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)																															
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)																															
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)																															
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<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)																															
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)																																
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<input checked="" type="checkbox"/> FAC-Neutral Test (D5)																																
<input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)																																
<p>Field Observations:</p> Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? Yes <input checked="" type="checkbox"/> No _____ Depth (inches): <u>4"</u> (includes capillary fringe)	Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____																															
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:																																
Remarks:																																

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: WB/wc wet

Tree Stratum (Plot size: 30')

	Absolute % Cover	Dominant Species?	Indicator Status
1. <u><i>Ciriodendron tulipifera</i></u>	<u>7</u>	<u>4</u>	<u>FACW</u>
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			

_____ = Total Cover
 50% of total cover: 3.5 20% of total cover: 1.4

Sapling/Shrub Stratum (Plot size: 30')

	Absolute % Cover	Dominant Species?	Indicator Status
1. <u><i>Persia borbonica</i></u>	<u>11</u>	<u>4</u>	<u>FACW</u>
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			

_____ = Total Cover
 50% of total cover: 5.5 20% of total cover: 2.2

Herb Stratum (Plot size: 30')

	Absolute % Cover	Dominant Species?	Indicator Status
1. <u><i>Arundinaria gigantea</i></u>	<u>20</u>	<u>4</u>	<u>FACW</u>
2. <u><i>Ludwigia alternifolia</i></u>	<u>20</u>	<u>4</u>	<u>OBL</u>
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
12. _____			

_____ = Total Cover
 50% of total cover: 20 20% of total cover: 8

Woody Vine Stratum (Plot size: _____)

	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			

_____ = Total Cover
 50% of total cover: _____ 20% of total cover: _____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 75% (A/B)

Prevalence Index worksheet:

Total % Cover of: _____ Multiply by: _____

OBL species _____ x 1 = _____

FACW species _____ x 2 = _____

FAC species _____ x 3 = _____

FACU species _____ x 4 = _____

UPL species _____ x 5 = _____

Column Totals: _____ (A) _____ (B)

Prevalence Index = B/A = _____

- Hydrophytic Vegetation Indicators:**
- 1 - Rapid Test for Hydrophytic Vegetation
 - 2 - Dominance Test is >50%
 - 3 - Prevalence Index is ≤3.0¹
 - Problematic Hydrophytic Vegetation¹ (Explain)
- ¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes No

Remarks: (If observed, list morphological adaptations below).

SOIL

Sampling Point: LOB/wc wet

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-2	10YR 3/3	100					Sandy loam	
3-10	10YR 4/1	85	10YR 6/8	15	C	PL	Sandy loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

- Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**
- | | | |
|----------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Polyvalue Below Surface (S8) (LRR S, T, U) | <input type="checkbox"/> 1 cm Muck (A9) (LRR O) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Thin Dark Surface (S9) (LRR S, T, U) | <input type="checkbox"/> 2 cm Muck (A10) (LRR S) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Loamy Mucky Mineral (F1) (LRR O) | <input type="checkbox"/> Reduced Vertic (F18) (outside MLRA 150A,B) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) | <input type="checkbox"/> Piedmont Floodplain Soils (F19) (LRR P, S, T) |
| <input type="checkbox"/> Stratified Layers (A5) | <input checked="" type="checkbox"/> Depleted Matrix (F3) | <input type="checkbox"/> Anomalous Bright Loamy Soils (F20) (MLRA 153B) |
| <input type="checkbox"/> Organic Bodies (A6) (LRR P, T, U) | <input type="checkbox"/> Redox Dark Surface (F6) | <input type="checkbox"/> Red Parent Material (TF2) |
| <input type="checkbox"/> 5 cm Mucky Mineral (A7) (LRR P, T, U) | <input type="checkbox"/> Depleted Dark Surface (F7) | <input type="checkbox"/> Very Shallow Dark Surface (TF12) |
| <input type="checkbox"/> Muck Presence (A8) (LRR U) | <input type="checkbox"/> Redox Depressions (F8) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR P, T) | <input type="checkbox"/> Marl (F10) (LRR U) | |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Depleted Ochric (F11) (MLRA 151) | |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Iron-Manganese Masses (F12) (LRR O, P, T) | |
| <input type="checkbox"/> Coast Prairie Redox (A16) (MLRA 150A) | <input type="checkbox"/> Umbric Surface (F13) (LRR P, T, U) | |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) (LRR O, S) | <input type="checkbox"/> Delta Ochric (F17) (MLRA 151) | |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4) | <input type="checkbox"/> Reduced Vertic (F18) (MLRA 150A, 150B) | |
| <input type="checkbox"/> Sandy Redox (S5) | <input type="checkbox"/> Piedmont Floodplain Soils (F19) (MLRA 149A) | |
| <input type="checkbox"/> Stripped Matrix (S6) | <input type="checkbox"/> Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D) | |
| <input type="checkbox"/> Dark Surface (S7) (LRR P, S, T, U) | | |

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: BR-0035 City/County: Moore Sampling Date: 1/11/18
 Applicant/Owner: NCDOT State: NC Sampling Point: WB/WC-4P
 Investigator(s): J. Dilday, J. Mason, J. Hemphill Section, Township, Range: WD/WE
 Landform (hillslope, terrace, etc.): hillslope / utility cut Local relief (concave, convex, none): convex Slope (%): 2
 Subregion (LRR or MLRA): T Lat: 35.254109 Long: -79.412753 Datum: _____
 Soil Map Unit Name: Tarax and Nantuxid soils 15-25% slopes NWI classification: NA

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Hydric Soil Present? Yes _____ No <input checked="" type="checkbox"/> Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland? Yes _____ No <input checked="" type="checkbox"/>
Remarks:	

HYDROLOGY

<p>Wetland Hydrology Indicators:</p> <p>Primary Indicators (minimum of one is required; check all that apply)</p> <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Marl Deposits (B15) (LRR U) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Other (Explain in Remarks) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Water-Stained Leaves (B9)	<p>Secondary Indicators (minimum of two required)</p> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> FAC-Neutral Test (D5) <input type="checkbox"/> Sphagnum moss (D8) (LRR T, U)
<p>Field Observations:</p> Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____	Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:	
Remarks:	

VEGETATION (Four Strata) – Use scientific names of plants.

Tree Stratum (Plot size: 30')

	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Liriodendron tulipifera</u>	<u>15</u>	<u>Y</u>	<u>FACU</u>
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 75 (A/B)

_____ = Total Cover
 50% of total cover: 7.5 20% of total cover: 3

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____	(A) _____ (B) _____

Prevalence Index = B/A = _____

Sapling/Shrub Stratum (Plot size: 30')

	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Ilex opala</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			

Hydrophytic Vegetation Indicators:

1 - Rapid Test for Hydrophytic Vegetation

2 - Dominance Test is >50%

3 - Prevalence Index is ≤3.0¹

Problematic Hydrophytic Vegetation¹ (Explain)

_____ = Total Cover
 50% of total cover: _____ 20% of total cover: _____

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Herb Stratum (Plot size: _____)

	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Andropogon virginicus</u>	<u>40</u>	<u>Y</u>	<u>FAC</u>
2. <u>Juncus behrusii</u>	<u>10</u>	<u>Y</u>	<u>OBL</u>
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
12. _____			

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vine – All woody vines greater than 3.28 ft in height.

_____ = Total Cover
 50% of total cover: 25 20% of total cover: 10

Woody Vine Stratum (Plot size: _____)

1. _____
2. _____
3. _____
4. _____
5. _____

_____ = Total Cover
 50% of total cover: _____ 20% of total cover: _____

Hydrophytic Vegetation Present? Yes No _____

Remarks: (If observed, list morphological adaptations below).

SOIL

Sampling Point: WOB/WC 4P

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-10+	10YR 4/2	100%					Sandy silty	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- Organic Bodies (A6) (LRR P, T, U)
- 5 cm Mucky Mineral (A7) (LRR P, T, U)
- Muck Presence (A8) (LRR U)
- 1 cm Muck (A9) (LRR P, T)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Coast Prairie Redox (A16) (MLRA 150A)
- Sandy Mucky Mineral (S1) (LRR O, S)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7) (LRR P, S, T, U)

- Polyvalue Below Surface (S8) (LRR S, T, U)
- Thin Dark Surface (S9) (LRR S, T, U)
- Loamy Mucky Mineral (F1) (LRR O)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- Marl (F10) (LRR U)
- Depleted Ochric (F11) (MLRA 151)
- Iron-Manganese Masses (F12) (LRR O, P, T)
- Umbric Surface (F13) (LRR P, T, U)
- Delta Ochric (F17) (MLRA 151)
- Reduced Vertic (F18) (MLRA 150A, 150B)
- Piedmont Floodplain Soils (F19) (MLRA 149A)
- Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils³:

- 1 cm Muck (A9) (LRR O)
- 2 cm Muck (A10) (LRR S)
- Reduced Vertic (F18) (outside MLRA 150A,B)
- Piedmont Floodplain Soils (F19) (LRR P, S, T)
- Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes _____ No

Remarks:

NC WAM Wetland Rating Sheet
Accompanies User Manual Version 4.1
Rating Calculator Version 4.1

Wetland Site Name WA Date 1/11/18
Wetland Type Basin Wetland Assessor Name/Organization J Dilday NCDOT

Notes on Field Assessment Form (Y/N) NO
Presence of regulatory considerations (Y/N) NO
Wetland is intensively managed (Y/N) YES
Assessment area is located within 50 feet of a natural tributary or other open water (Y/N) NO
Assessment area is substantially altered by beaver (Y/N) NO
Assessment area experiences overbank flooding during normal rainfall conditions (Y/N) NO
Assessment area is on a coastal island (Y/N) NO

Sub-function Rating Summary

Function	Sub-function	Metrics	Rating
Hydrology	Surface Storage and Retention	Condition	NA
	Sub-Surface Storage and Retention	Condition	NA
Water Quality	Pathogen Change	Condition	NA
		Condition/Opportunity	NA
		Opportunity Presence? (Y/N)	NA
	Particulate Change	Condition	NA
		Condition/Opportunity	NA
		Opportunity Presence? (Y/N)	NA
	Soluble Change	Condition	NA
		Condition/Opportunity	NA
		Opportunity Presence? (Y/N)	NA
	Physical Change	Condition	NA
		Condition/Opportunity	NA
		Opportunity Presence? (Y/N)	NA
Pollution Change	Condition	LOW	
	Condition/Opportunity	LOW	
	Opportunity Presence? (Y/N)	NO	
Habitat	Physical Structure	Condition	LOW
	Landscape Patch Structure	Condition	LOW
	Vegetation Composition	Condition	LOW

Function Rating Summary

Function	Metrics/Notes	Rating
Hydrology	Condition	MEDIUM
Water Quality	Condition	LOW
	Condition/Opportunity	LOW
	Opportunity Presence? (Y/N)	NO
Habitat	Condition	LOW

Overall Wetland Rating **MEDIUM**

NC WAM Wetland Rating Sheet
Accompanies User Manual Version 4.1
Rating Calculator Version 4.1

Wetland Site Name WB/WC/WD/WE Date 1/11/18
Wetland Type Bottomland Hardwood Forest Assessor Name/Organization J Dilday NCDOT

Notes on Field Assessment Form (Y/N) NO
Presence of regulatory considerations (Y/N) NO
Wetland is intensively managed (Y/N) YES
Assessment area is located within 50 feet of a natural tributary or other open water (Y/N) NO
Assessment area is substantially altered by beaver (Y/N) NO
Assessment area experiences overbank flooding during normal rainfall conditions (Y/N) NO
Assessment area is on a coastal island (Y/N) NO



Sub-function Rating Summary

Function	Sub-function	Metrics	Rating
Hydrology	Surface Storage and Retention	Condition	LOW
	Sub-Surface Storage and Retention	Condition	MEDIUM
Water Quality	Pathogen Change	Condition	LOW
		Condition/Opportunity	LOW
		Opportunity Presence? (Y/N)	NO
	Particulate Change	Condition	LOW
		Condition/Opportunity	LOW
		Opportunity Presence? (Y/N)	NO
	Soluble Change	Condition	LOW
		Condition/Opportunity	LOW
		Opportunity Presence? (Y/N)	NO
	Physical Change	Condition	LOW
		Condition/Opportunity	LOW
		Opportunity Presence? (Y/N)	NO
Pollution Change	Condition	NA	
	Condition/Opportunity	NA	
	Opportunity Presence? (Y/N)	NA	
Habitat	Physical Structure	Condition	LOW
	Landscape Patch Structure	Condition	LOW
	Vegetation Composition	Condition	LOW

Function Rating Summary

Function	Metrics/Notes	Rating
Hydrology	Condition	LOW
Water Quality	Condition	LOW
	Condition/Opportunity	LOW
	Opportunity Presence? (Y/N)	NO
Habitat	Condition	LOW

Overall Wetland Rating **LOW**

		North Carolina Department of Transportation Highway Stormwater Program STORMWATER MANAGEMENT PLAN FOR NCDOT PROJECTS					
(Version 2.08; Released April 2018)							
WBS Element: 67035.2.1		TIP No.: BR-0035		County(ies): Moore		Page 1 of 1	
General Project Information							
WBS Element:		67035.2.1		TIP Number: BR-0035		Date: 9/20/2019	
NCDOT Contact:		W.G. Cail		Contractor / Designer:		L.D. Clawson	
		Address: 1000 Birch Ridge Drive Raleigh, NC 27610				Address: 1000 Birch Ridge Drive Raleigh	
		Phone: 919-707-6711				Phone: 919-707-6712	
		Email: gcail@ncdot.gov				Email: ldclawson@ncdot.gov	
City/Town:		Carthage		County(ies):		Moore	
River Basin(s):		Cape Fear		CAMA County?		No	
Wetlands within Project Limits?		Yes					
Project Description							
Project Length (lin. miles or feet):		0.319 mi.		Surrounding Land Use:		Rural	
		Proposed Project			Existing Site		
Project Built-Upon Area (ac.)		0.85 ac.			0.84 ac.		
Typical Cross Section Description:		2 12' lanes			2 11' lanes		
Annual Avg Daily Traffic (veh/hr/day):		Design/Future: 8000 Year: 2040		Existing: 6500 Year: 2018			
General Project Narrative: (Description of Minimization of Water Quality Impacts)		The project consists of replacing Bridge # 24 on NC 22 over Nick's Creek. The approach work will consist of raising and relining the existing roadway and providing grass shoulders and guardrail. Bridge # 24 existing 1 span structure (20' total length) will be replaced with 3 @ 12' x 9' RCBC. Best Management Practices: -Promotion of sheet flow and infiltration with grass shoulders. -Drainage systems outlet to rip rap pad.					
Waterbody Information							
Surface Water Body (1):		Nicks Creek		NCDWR Stream Index No.:		18-23-3-(3)	
NCDWR Surface Water Classification for Water Body		Primary Classification:		Water Supply III (WS-III)			
		Supplemental Classification:		High Quality Waters (HQW)			
Other Stream Classification:							
Impairments:		None					
Aquatic T&E Species?		Comments:					
NRTR Stream ID:				Buffer Rules in Effect:		N/A	
Project Includes Bridge Spanning Water Body?		No		Deck Drains Discharge Over Buffer?		N/A	
Deck Drains Discharge Over Water Body?		N/A		(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)	
(If yes, provide justification in the General Project Narrative)							

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

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

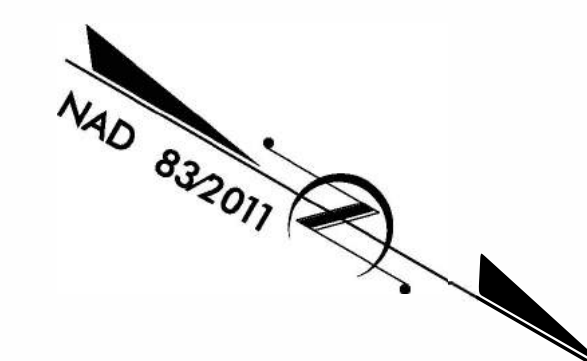
MOORE COUNTY

LOCATION: BRIDGE NO. 24 ON NC 22 OVER NICKS CREEK

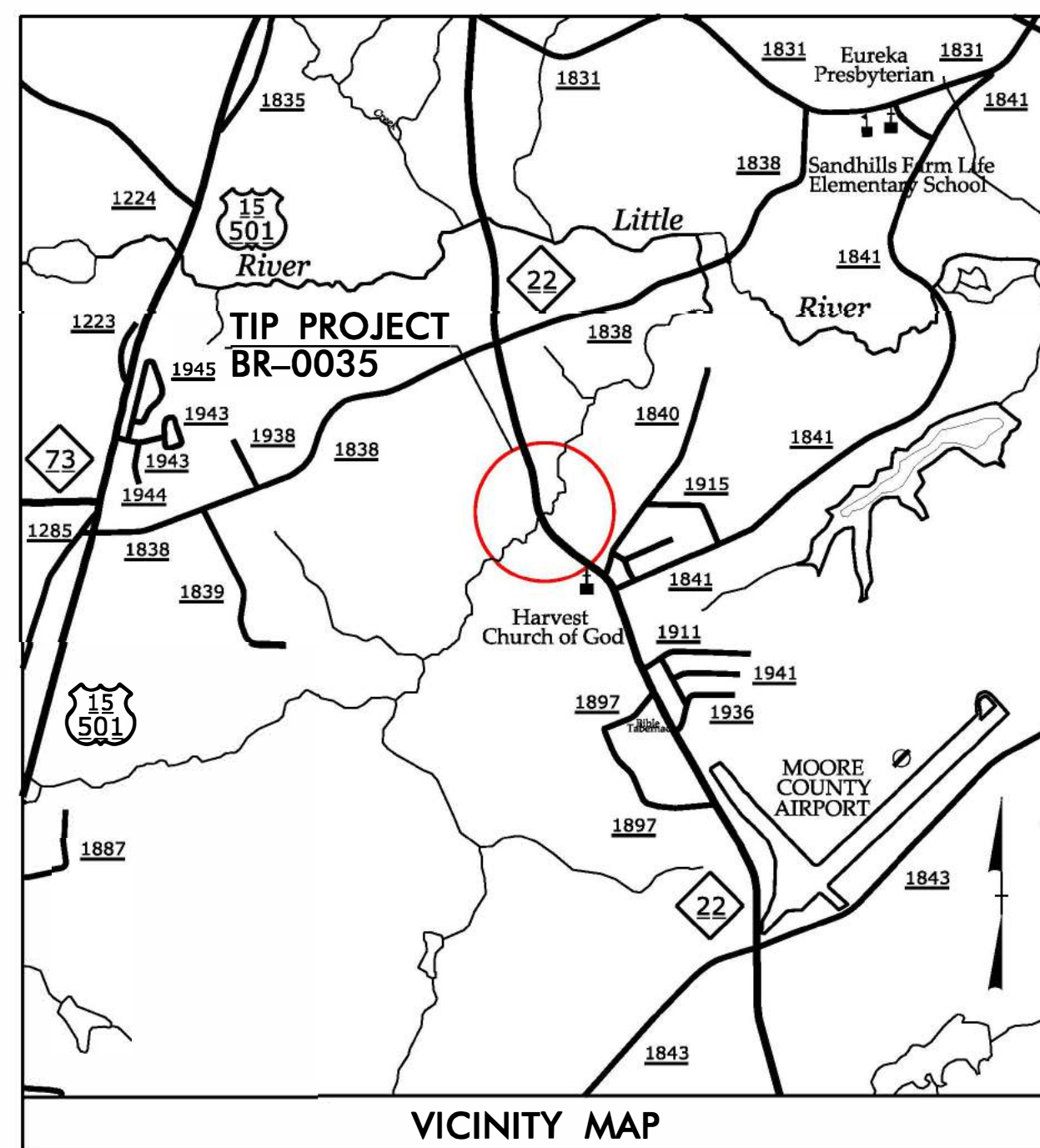
TYPE OF WORK: GRADING, DRAINAGE, PAVING AND CULVERT

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	BR-0035	1	
STATE PROJ. NO.	F. A. PROJ. NO.	DESCRIPTION	
67035.1.1		P.E.	
67035.2.1		ROW /UTIL	
67035.3.1		CONST.	

PERMIT DRAWING
SHEET 1 OF 11

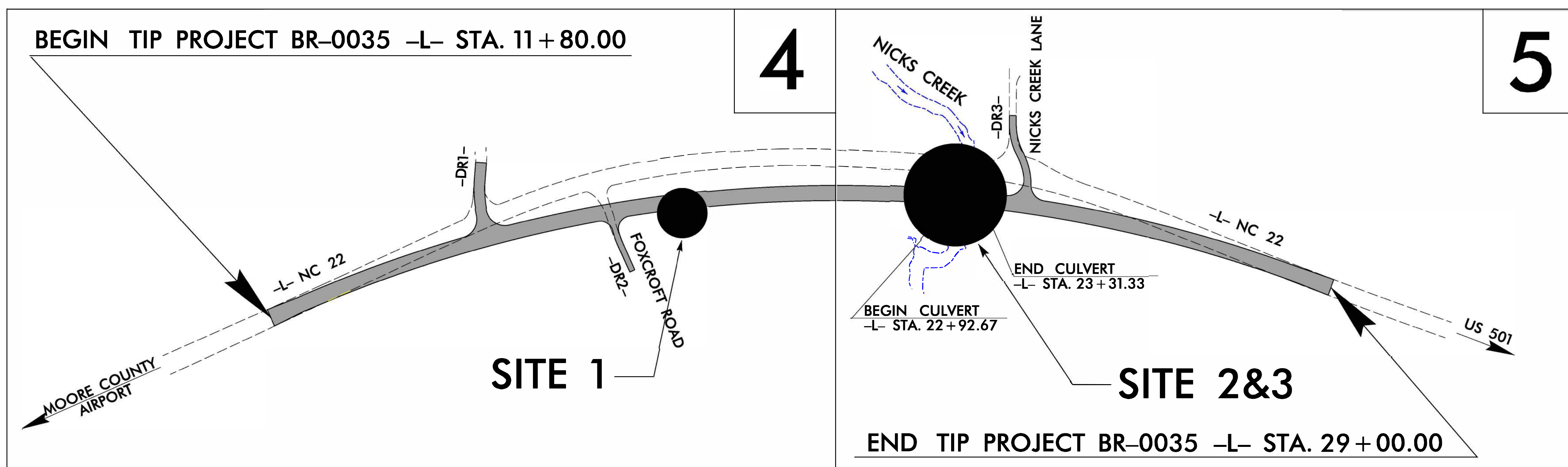


TIP PROJECT: BR-0035



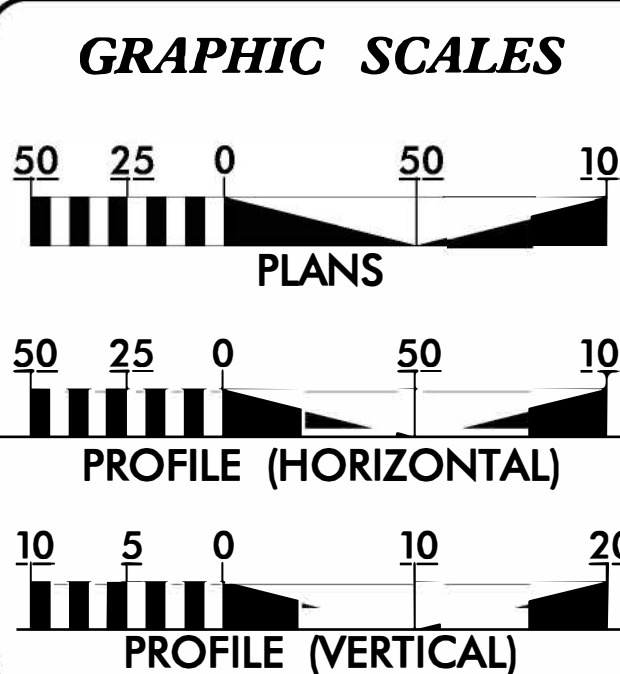
R/W PLANS

WETLAND AND SURFACE WATER IMPACTS PERMIT



THIS PROJECT HAS NO CONTROLLED-ACCESS.
THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES.
CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

CONTRACT:



DESIGN DATA

ADT 2020 =	6650
ADT 2040 =	8000
K =	11 %
D =	60 %
T =	4 % *
V =	60 MPH
* (TTST=1% + DUAL=3%)	
FUNC CLASS =	MINOR ARTERIAL
	STATEWIDE TIER

PROJECT LENGTH

LENGTH OF ROADWAY TIP PROJECT BR-0035	=	0.319 MI
LENGTH OF STRUCTURE TIP PROJECT BR-0035	=	0.007 MI
TOTAL LENGTH OF TIP PROJECT BR-0035	=	0.326 MI

Prepared in the Office of:
DIVISION OF HIGHWAYS
1000 Birch Ridge Dr., Raleigh NC, 27610

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE: **TATIA L. WHITE, PE, PLS**
AUGUST 30, 2019

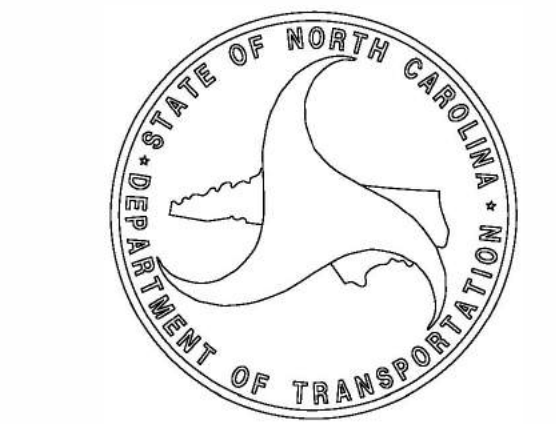
LETTING DATE: **PIOTR J. STOJDA**
JULY 21, 2020
PROJECT TEAM LEAD

HYDRAULICS ENGINEER

SIGNATURE: _____ P.E.

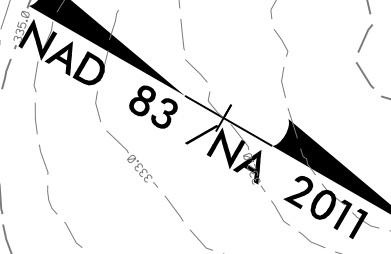
ROADWAY DESIGN ENGINEER

SIGNATURE: _____ P.E.

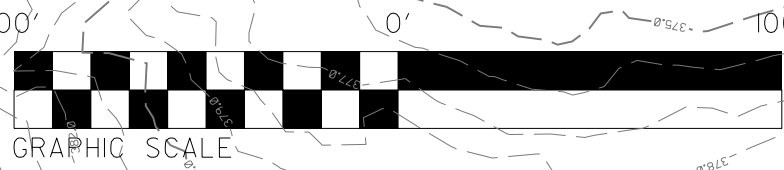
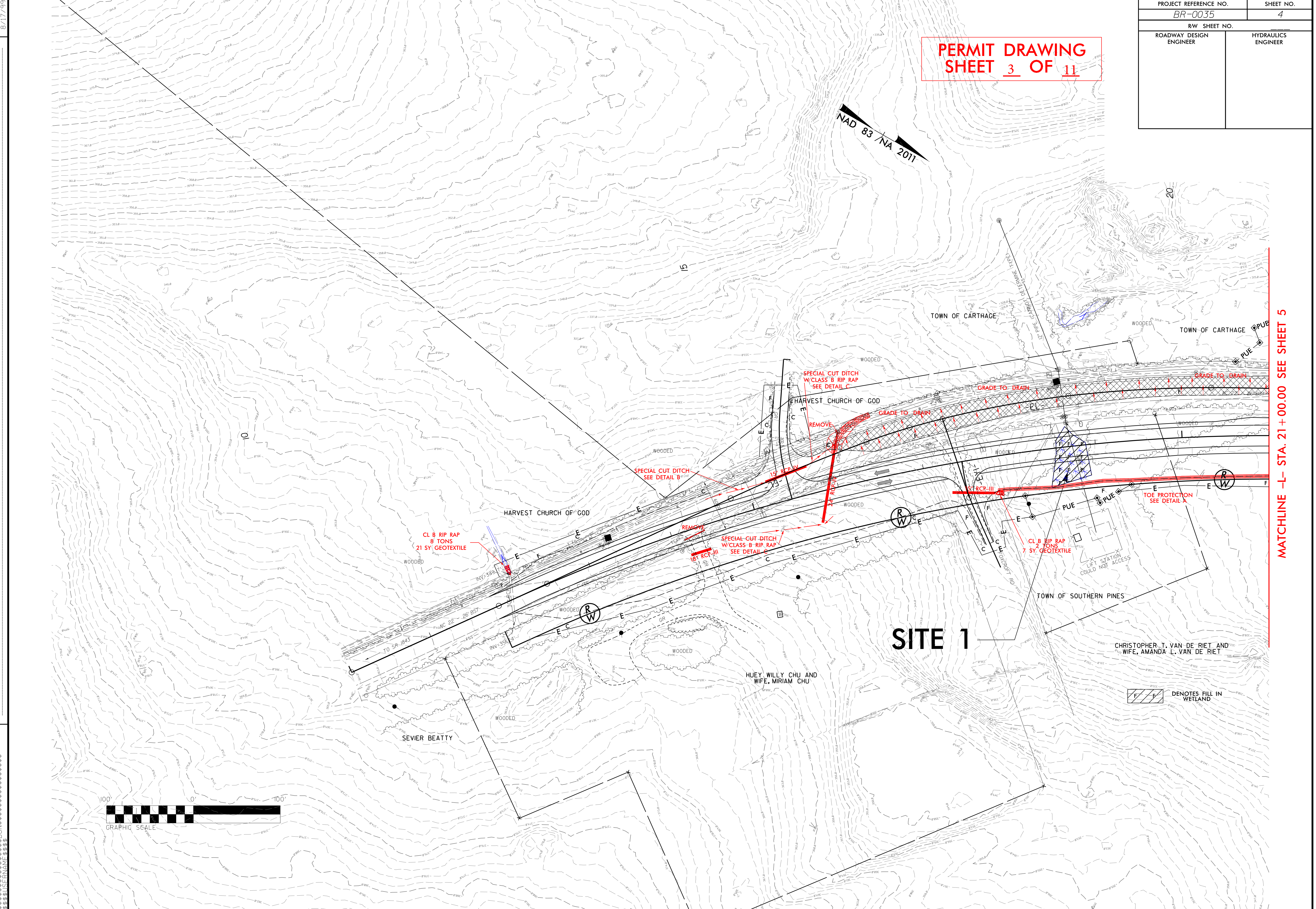


PROJECT REFERENCE NO. BR-0035	SHEET NO. 4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

**PERMIT DRAWING
SHEET 3 OF 11**



REVISIONS



MATCHLINE -L- STA. 21 + 00.00 SEE SHEET 5

8/17/99

PROJECT REFERENCE NO.	SHEET NO.
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION	

**PERMIT DRAWING
SHEET 4 OF 11**

NAD 83 / NA 2011

15

TOWN OF CARTHAGE

WOODED

TOWN OF CARTHAGE

PUE

MATCHLINE -L- STA. 21+00.00 SEE SHEET 5

SPECIAL CUT DITCH
W/CLASS B RIP RAP
SEE DETAIL C

GRADE TO DRAIN

GRADE TO DRAIN

GRADE TO DRAIN

REMOVE

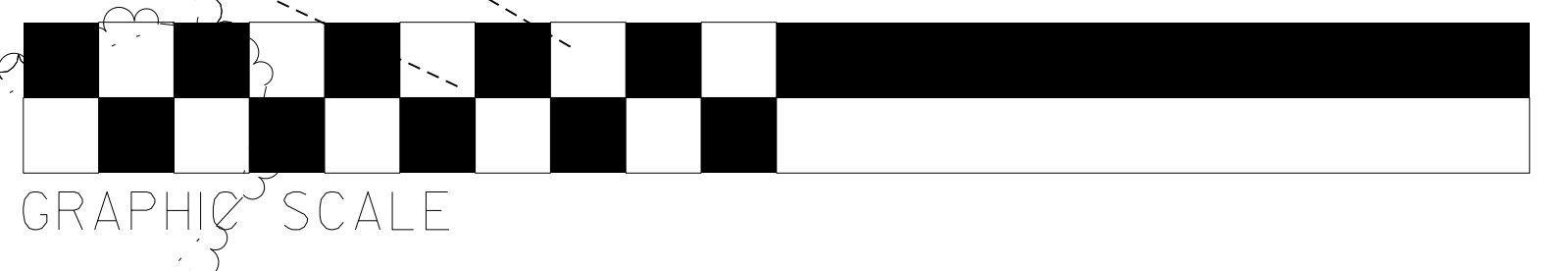
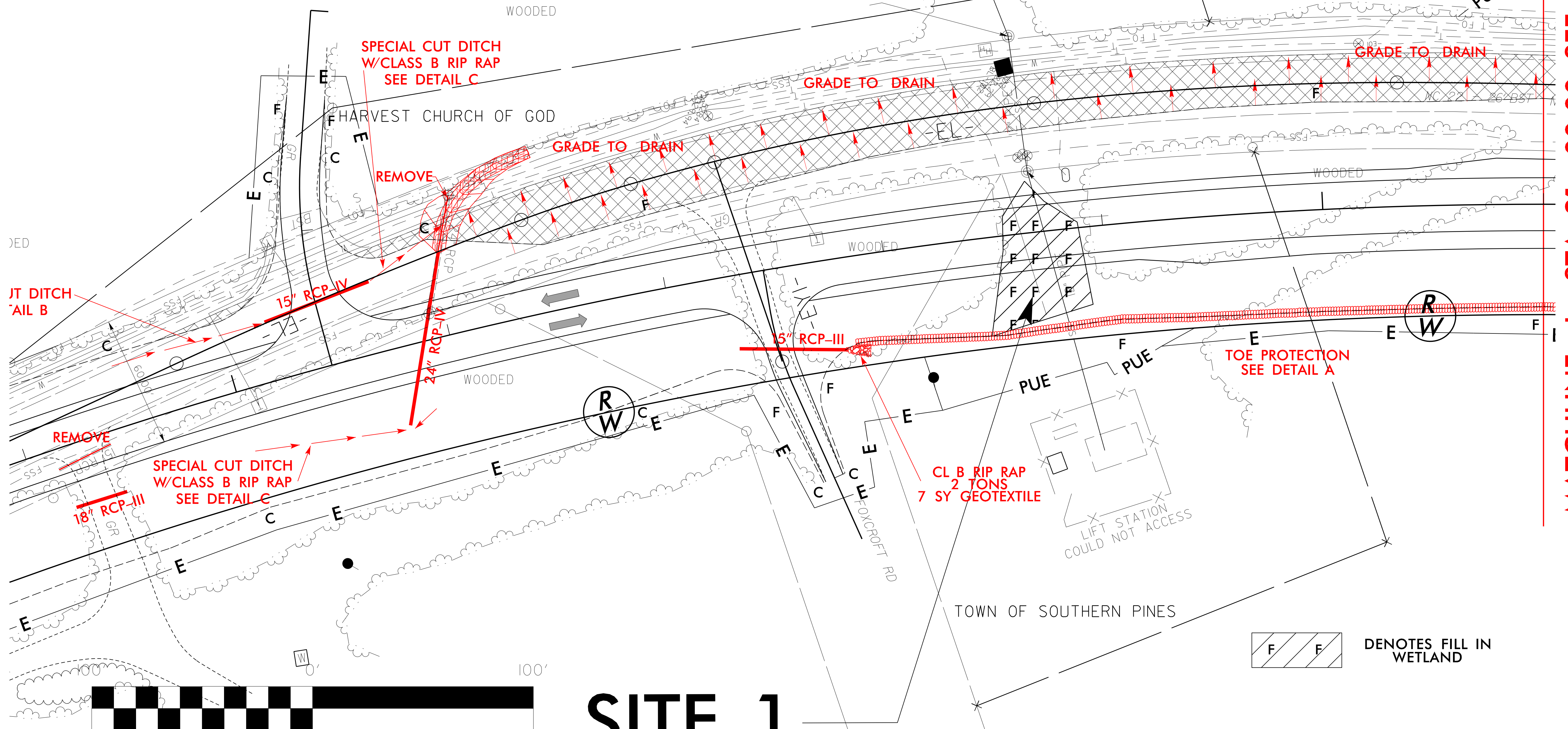
JT DITCH
TAIL B

REMOVE

SPECIAL CUT DITCH
W/CLASS B RIP RAP
SEE DETAIL C

TOE PROTECTION
SEE DETAIL A

CL B RIP RAP
2 TONS
7 SY GEOTEXTILE



SITE 1

CHRISTOPHER T. VAN DE RIET AND
WIFE, AMANDA L. VAN DE RIET

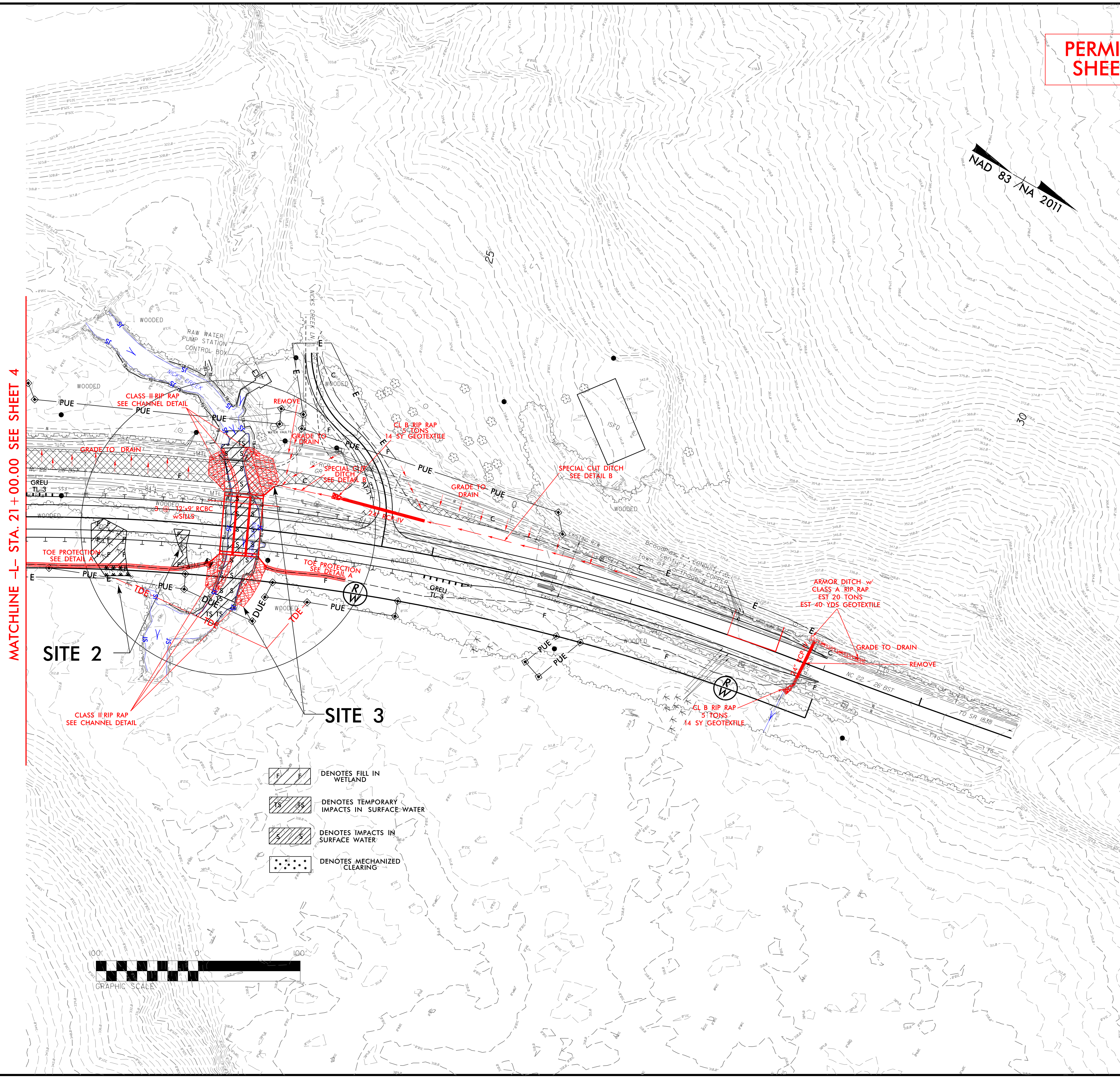
REVISIONS

8/17/99
SYTIME
DESIGN
8/17/99

PROJECT REFERENCE NO. BR-0035		SHEET NO. 5
RW SHEET NO.		
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER	

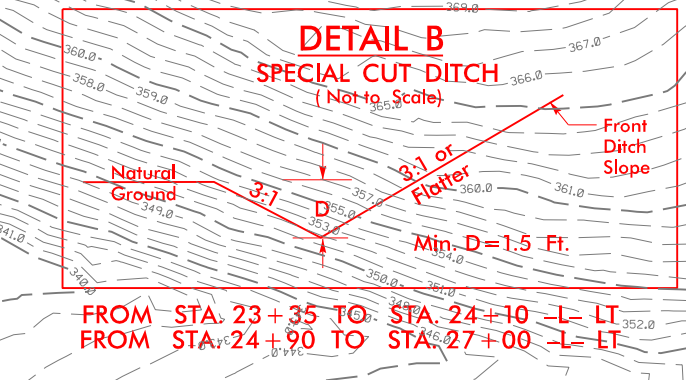
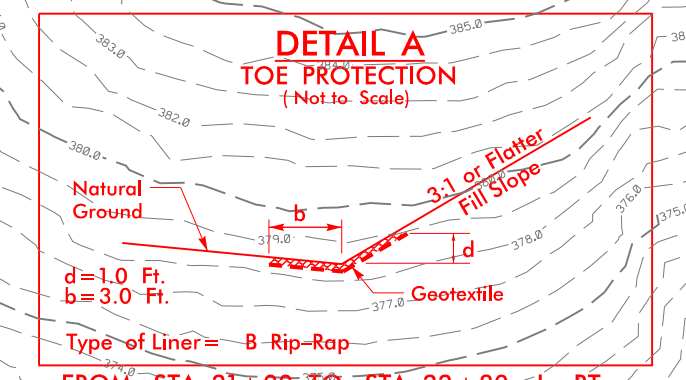
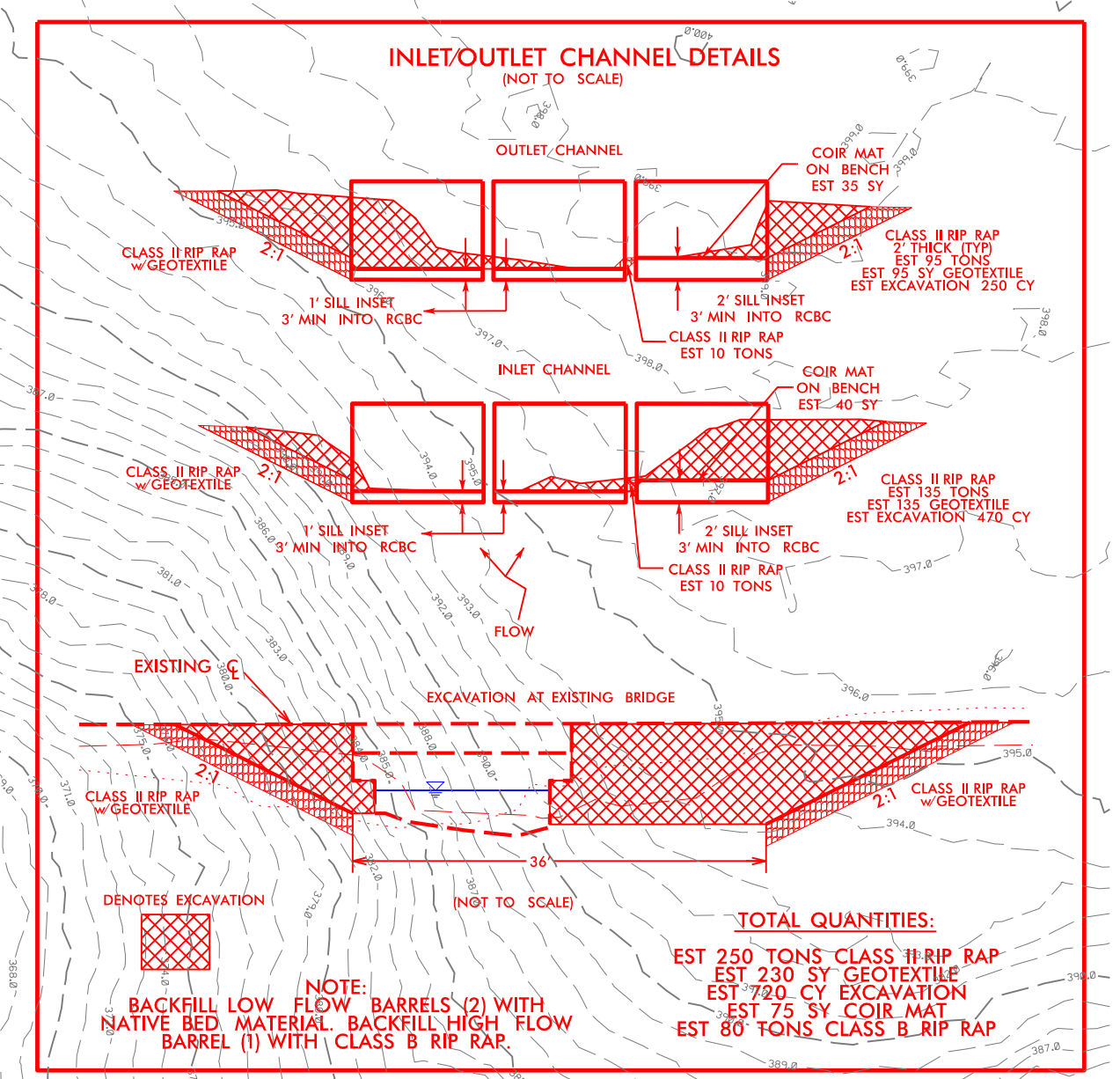
PERMIT DRAWING
SHEET 6 OF 11

NAD 83 / N.A. 2011

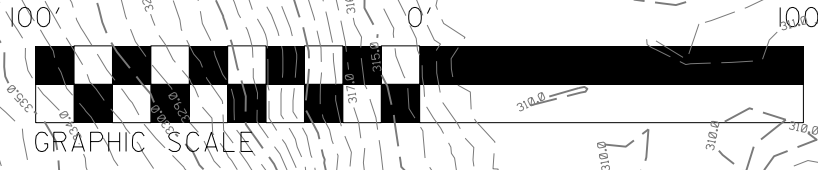


MATCHLINE -L- STA. 21+00.00 SEE SHEET 4

REVISIONS



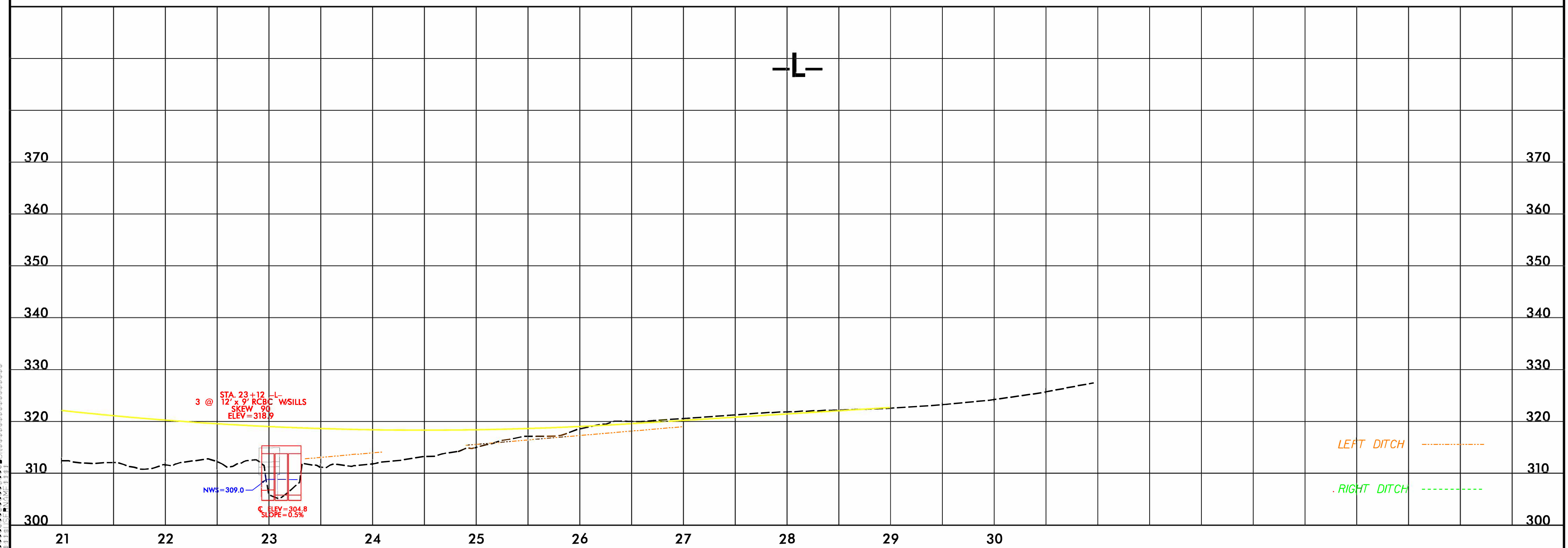
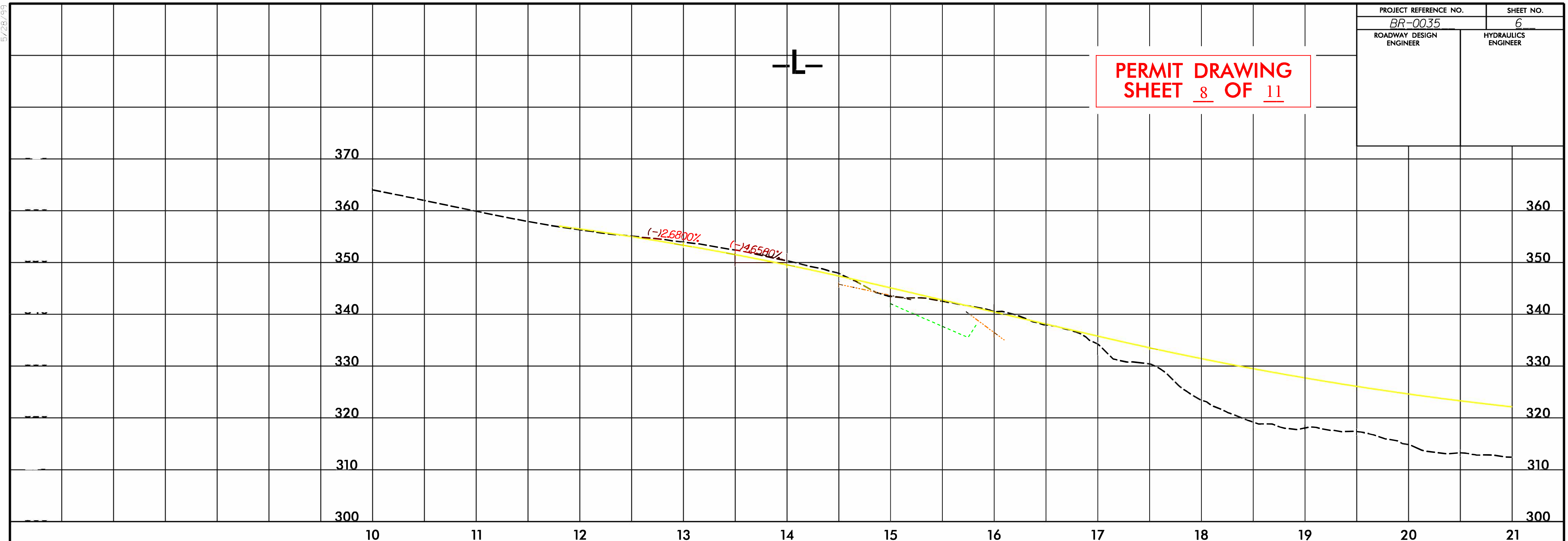
- DENOTES FILL IN WETLAND
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES MECHANIZED CLEARING



8/17/99
 \$\$\$\$\$\$SYTIME\$\$\$\$\$\$
 \$\$\$\$\$\$SYTIME\$\$\$\$\$\$

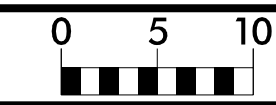
PROJECT REFERENCE NO.	SHEET NO.
BR-0035	6
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

**PERMIT DRAWING
SHEET 8 OF 11**



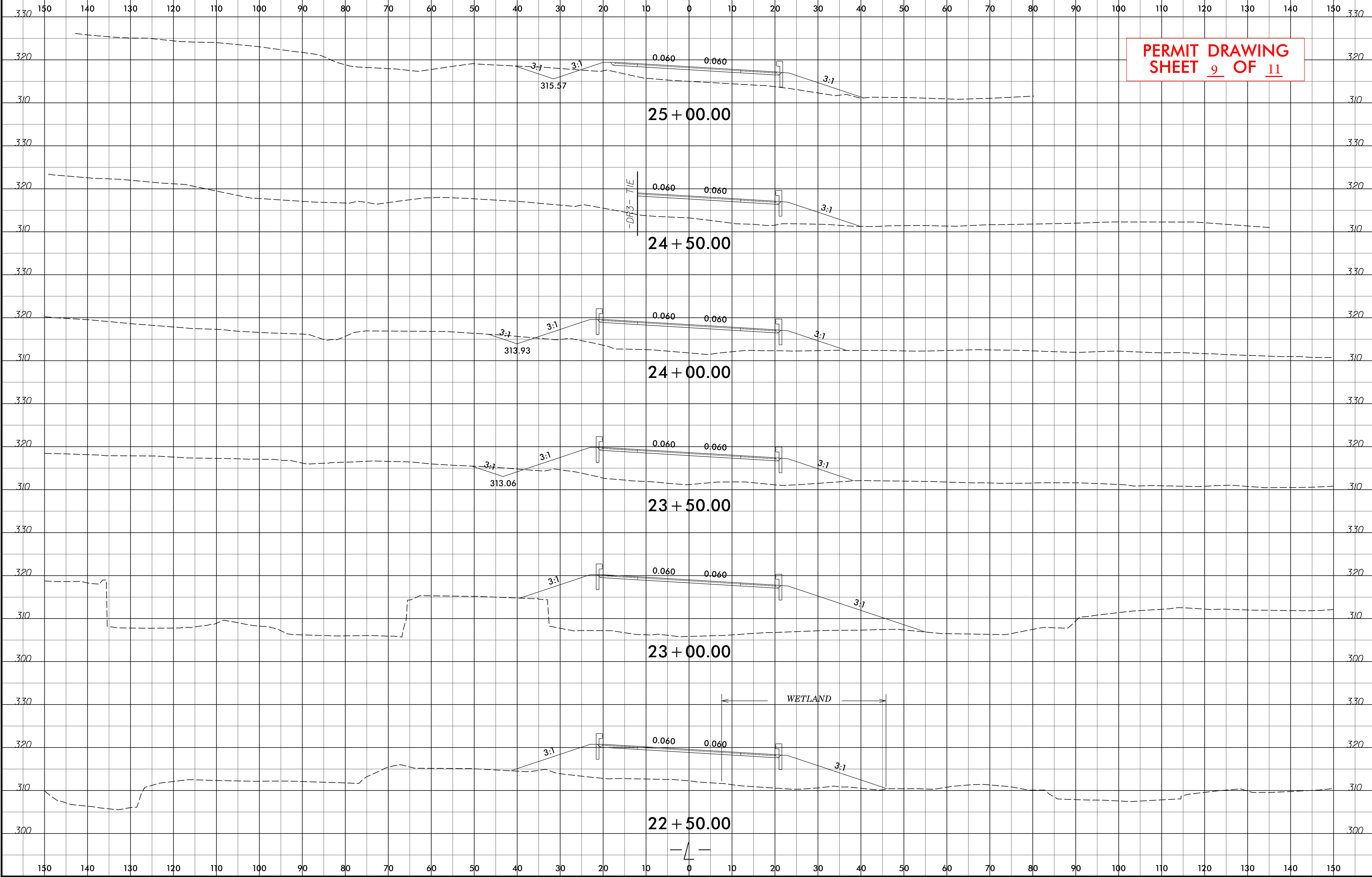
5/28/99
SYSTEMS
TIME
DATE

6/23/16



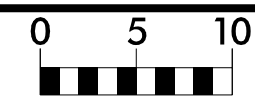
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BR-0035	X-6

PERMIT DRAWING
SHEET 9 OF 11

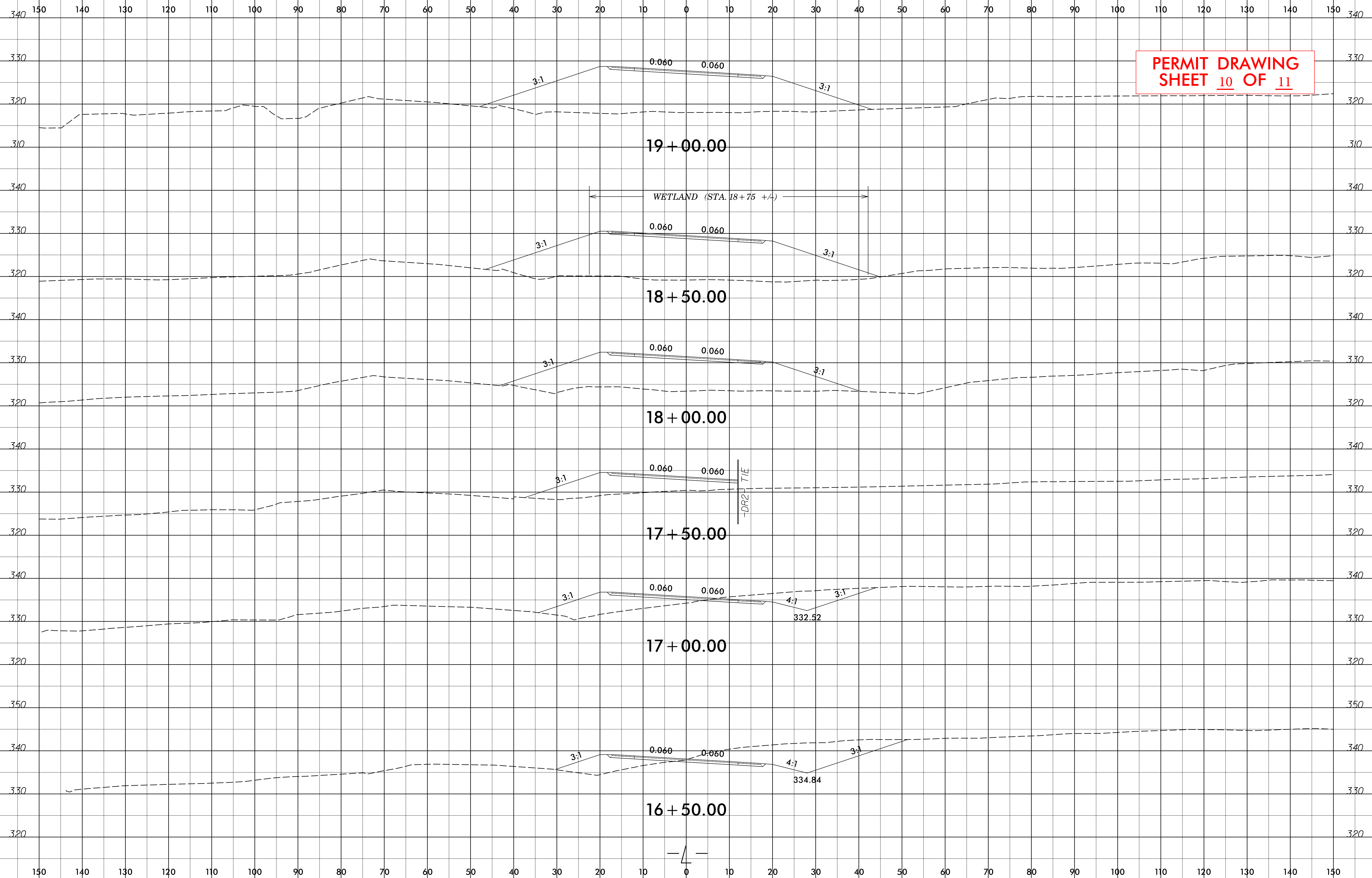


DATE TIME
6/23/16 10:00 AM
BY
JULIA PERIN
CHECKED BY
DAN CONNOR
SCALE
AS SHOWN

6/23/16



PROJ. REFERENCE NO.	SHEET NO.
BR-0035	X-4



PERMIT DRAWING
SHEET 10 OF 11

DATE TIME
DRAWN
CHECKED
BY
DATE

Permit Package



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

April 30, 2020

MEMORANDUM TO: Mr. Brandon H. Jones, P.E.
Division 8 Engineer

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

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

SUBJECT: Moore County; Replacement of Bridge No. 24 over Nicks Creek on NC
22; WBS No. 67035.1.1, **TIP BR-0035**

Attached are the U.S. Army Corps of Engineers Nationwide Permit and N.C. Division of Water Resources (NCDWR) Water Quality Certification. All environmental permits have been received for the construction of this project.

A copy of this permit package will be posted on the NCDOT website at:

<https://connect.ncdot.gov/resources/Environmental/Pages/default.aspx>

Quick Links>Permit Documents> Issued Permits.

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

Mr. Ron Davenport, P.E. State Contract Officer
Mr. Art King, Division 8 Environmental Officer
Dr. Majed Al-Ghandour, P.E., Programming and TIP
Mr. Byron Sanders, Jr., P.E., Utilities
Mr. Stephen Morgan, P.E., Hydraulics
Mr. Brian Hanks, P.E., Structures Management
Mr. Mark Staley, Roadside Environmental
Mr. Lamar Sylvester, P.E., State Construction Engineer
Mrs. Beth Harmon, NCDMS

PROJECT COMMITMENTS

T.I.P. Project No BR-0035
Replacement of Bridge No. 24 over Nicks Creek
On NC 22
Moore County
W.B.S. No. 67035.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

No special commitments developed during project development and design.

COMMITMENTS FROM PERMITTING

No special commitments developed during permitting.

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

Action Id. SAW-2019-01974 County: Moore U.S.G.S. Quad: NC-Carthage

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: North Carolina Department of Transportation
Phillip Harris
Address: 1598 Mail Service Center
Raleigh, NC 27699
Telephone Number: 919-707-6111
E-mail: pharris@ncdot.gov

Size (acres)	<u>N/A</u>	Nearest Town	<u>Carthage</u>
Nearest Waterway	<u>Little River</u>	River Basin	<u>Cape Fear</u>
USGS HUC	<u>03030004</u>	Coordinates	Latitude: <u>35.2535</u> Longitude: <u>-79.4127</u>

Location description: The project site is the existing single span bridge #24 over Nicks Creek located on NC Hwy 22, near the town of Carthage, Moore County, North Carolina.

Description of projects area and activity: This verification authorizes the permanent discharge of fill material into 0.1 acre of wetlands and 196 linear feet of stream channel (61 lf from culvert installation, 90 lf from bank stabilization, 45 lf temporary construction access) for the replacement of bridge 24 with a three barrel 12'x9' RCBC on new location. Mitigation is required for this proposal.

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

Authorization: **NWP 14. Linear Transportation Projects**

SEE ATTACHED NWP GENERAL, REGIONAL, AND/OR SPECIAL CONDITIONS

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the enclosed Conditions, your application signed and dated 4/3/2020, and the enclosed plans BR-0035 dated 9/20/2019. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action.

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

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

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management **Morehead City, NC, at (252) 808-2808.**

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

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact James Lastinger at 919-554-4884 ext 32 or James.C.Lastinger@usace.army.mil.

Corps Regulatory Official: _____ Date: 04/28/2020



Expiration Date of Verification: **03/18/2022**

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

SPECIAL CONDITIONS

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

b. This USACE permit does not authorize you to take a threatened or endangered species, in particular, the Northern Long-eared Bat (NLEB) (*Myotis septentrionalis*). In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g., a Biological Opinion (BO) under the ESA, Section 7, with “incidental take” provisions with which you must comply). The U.S. Fish and Wildlife Service’s (USFWS’s) Programmatic BO titled "Northern Long-eared Bat (NLEB) Programmatic Biological Opinion for North Carolina Department of Transportation (NCDOT) Activities in Eastern North Carolina (Divisions 1-8)," dated March 25, 2015, and adopted on May 4, 2015, contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with “incidental take” that are specified in the BO. Your authorization under this USACE permit is conditioned upon your compliance with all the mandatory terms and conditions (incorporated by reference into this permit) associated with incidental take of the BO. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and would also constitute non-compliance with your USACE permit. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its BO and with the ESA.

Action ID Number: SAW-2019-01974 County: Moore

Permittee: North Carolina Department of Transportation, Phillip Harris

Project Name: NCDOT/BR-0035/Bridge 24 over Nicks Creek/NC Hwy 22/Moore County/Division 8

Date Verification Issued: 04/28/2020

Project Manager: James Lastinger

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: James Lastinger
Raleigh Regulatory Office
U.S Army Corps of Engineers
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587
or
James.C.Lastinger@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 authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

Conditions for Transfer of Compensatory Mitigation Credit:

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

Comments/Additional Conditions: A letter from NCDMS, confirming they are willing and able to accept the applicant's compensatory mitigation responsibility, dated 4/24/2020 was included with the preconstruction notification.

This form is not valid unless signed below by the USACE Project Manager and by the Mitigation Sponsor on Page 1. **Once signed, the Sponsor should provide copies of this form along with an updated bank ledger to: 1) the Permittee, 2) the USACE Project Manager at the address below, and 3) the Wilmington District Mitigation Office, Attn: Todd Tugwell, 11405 Falls of Neuse Road, Wake Forest, NC 27587 (email: todd.tugwell@usace.army.mil).** Questions regarding this form or any of the permit conditions may be directed to the USACE Project Manager below.

USACE Project Manager: James Lastinger
USACE Field Office: Raleigh Regulatory Office
US Army Corps of Engineers
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587
Email: James.C.Lastinger@usace.army.mil



USACE Project Manager Signature

04/28/2020

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>

NATIONWIDE PERMIT 14
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS
FINAL NOTICE OF ISSUANCE AND MODIFICATION OF NATIONWIDE PERMITS
FEDERAL REGISTER
AUTHORIZED MARCH 19, 2017

Linear Transportation Projects. Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10- acre; or (2) there is a discharge in a special aquatic site, including wetlands. (See general condition 32.) (Authorities: Sections 10 and 404)

Note 1: For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must comply with 33 CFR 330.6(d).

Note 2: Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under section 404(f) of the Clean Water Act (see 33 CFR 323.4).

Note 3: For NWP 14 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

The following list of General Conditions has been adapted for work in North Carolina for NCDOT projects. Information related to USACE notification requirements has been removed. Therefore, numbering and lettering below may not be consecutive. Please refer to <http://saw-reg.usace.army.mil/NWP2017/2017NWP14.pdf> for the complete reference.

4.0 Additional Regional Conditions for Specific Nationwide Permits

4.1 NWP #14 - Linear Transportation Projects

4.1.1 If appropriate, permittees shall employ natural channel design (see definition below and NOTE below) to the maximum extent practicable for stream relocations. All stream relocation proposals shall include a Relocation and Monitoring Plan and a functional assessment of baseline conditions (e.g., use of the North Carolina Stream Assessment Methodology). Compensatory mitigation may be required for stream relocations.

Natural Channel Design means a geomorphologic approach to stream restoration based on an understanding of valley type, general watershed conditions, dimension, pattern, profile, hydrology and sediment transport of natural, stable channels (reference condition) and applying this understanding to the reconstruction of a stable channel.

NOTE: For more information on Natural Channel Design, permittees should reference North Carolina Stream Mitigation Guidance on the Corps RIBITS (Regulatory In-lieu Fee and Bank Information Tracking System) website or at the following World Wide Web Page:

https://ribits.usace.army.mil/ribits_apex/f?p=107:27:16705499703550::NO:RP:P27_BUTTON_KEY:0

4.1.2 This NWP authorizes only upland to upland crossings and cannot be used in combination with Nationwide Permit 18 to create an upland within waters of the United States, including wetlands.

4.1.3 This NWP cannot be used for private projects located in tidal waters or tidal wetlands.

4.1.4 In designated trout watersheds, a PCN is not required for impacts to a maximum of 60 linear feet (150 linear feet for temporary dewatering) or 1/10-acre of jurisdictional aquatic resources for proposed structures not adjoining, adjacent to, or connected to existing structures. In designated trout waters, the permittee shall submit a PCN (see Regional Conditions 2.7 and General Condition 32) to the District Engineer prior to commencing the activity if 1) impacts (other than temporary dewatering to work in dry conditions) to jurisdictional aquatic resources exceed 60 linear feet or 1/10-acre; 2) temporary impacts to streams or waterbodies associated with dewatering to work in dry conditions exceed 150 linear feet; 3) the project will involve impacts to wetlands; 4) the primary purpose of the project is for commercial development; 5) the project involves the replacement of a bridge or spanning structure with a culvert or non-spanning structure in waters of the United States; or 6) the activity will be constructed during the trout waters moratorium (October 15 through April 15).

4.1.5 The permittee shall submit a PCN to the District Engineer prior to commencing the activity if the activity will involve the discharge of dredged or fill material into more than 150 linear feet of stream channel for the construction of temporary access fills and/or temporary road crossings. The PCN must include a restoration plan that thoroughly describes how all temporary fills will be removed, describes how pre-project conditions will be restored, and includes a timetable for all restoration activities.

NATIONWIDE PERMIT GENERAL CONDITIONS

The following General Conditions must be followed in order for any authorization by a NWP to be valid:

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.
(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.
(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.
3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.
4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.
6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).
7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.
8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.
9. Management of Water Flows. To the maximum extent practicable, the pre- construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road

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

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether “incidental take” permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

FINAL REGIONAL CONDITIONS 2017

Final 2017 Regional Conditions for Nationwide Permits (NWP) in the Wilmington District

1.0 Excluded Waters

The Corps has identified waters that will be excluded from the use of all NWP's during certain timeframes. These waters are:

1.1 Anadromous Fish Spawning Areas

Waters of the United States identified by either the North Carolina Division of Marine Fisheries (NCDMF) or the North Carolina Wildlife Resources Commission (NCWRC) as anadromous fish spawning areas are excluded during the period between February 15 and June 30, without prior written approval from the Corps and either NCDMF or NCWRC.

1.2 Trout Waters Moratorium

Waters of the United States in the designated trout watersheds of North Carolina are excluded during the period between October 15 and April 15 without prior written approval from the NCWRC, or from the Eastern Band of Cherokee Indians (EBCI) Fisheries and Wildlife Management (FWM) office if the project is located on EBCI trust land. (See Section 2.7 for information on the designated trout watersheds).

1.3 Sturgeon Spawning Areas as Designated by the National Marine Fisheries Service (NMFS)

Waters of the United States designated as sturgeon spawning areas are excluded during the period between February 1 and June 30, without prior written approval from the NMFS.

3.0 List of Corps Regional Conditions for All Nationwide Permits

The following conditions apply to all Nationwide Permits in the Wilmington District:

3.1 Limitation of Loss of Stream Bed

NWPs may not be used for activities that may result in the loss or degradation of more than 300 total linear feet of stream bed, unless the District Engineer has waived the 300 linear foot limit for ephemeral and intermittent streams on a case-by-case basis and has determined that the proposed activity will result in minimal individual and cumulative adverse impacts to the aquatic environment. Waivers for the loss of ephemeral and intermittent streams must be in writing and documented by appropriate/accepted stream quality assessments*. This waiver only applies to the 300 linear feet threshold for NWPs.

This Regional Condition does not apply to NWP 23 (Approved Categorical Exclusions).

*NOTE: Permittees should utilize the most current methodology prescribed by Wilmington District to assess stream function and quality. Information can be found at:

https://ribits.usace.army.mil/ribits_apex/f?p=107:27:0::NO

3.2 Mitigation for Loss of Stream Bed

For any NWP that results in a loss of more than 150 linear feet of stream, the permittee shall provide a mitigation proposal to compensate for more than minimal individual and cumulative adverse impacts to the aquatic environment. For stream losses of 150 linear feet or less that require a PCN, the District Engineer may determine, on a case-by-case basis, that compensatory mitigation is required to ensure that the activity results in minimal adverse effect on the aquatic environment.

3.3 Pre-construction Notification for Loss of Streambed Exceeding 150 Feet

Prior to use of any NWP for any activity which impacts more than 150 total linear feet of perennial stream, intermittent or ephemeral stream, the permittee shall submit a PCN to the District Engineer prior to commencing the activity (see General Condition 32). This applies to NWPs that do not have specific notification requirements. If a NWP has specific notification requirements, the requirements of the NWP should be followed.

3.4 Restriction on Use of Live Concrete

For all NWPs which allow the use of concrete as a building material, live or fresh concrete, including bags of uncured concrete, may not come into contact with the water in or entering into waters of the United States. Water inside coffer dams or casings that has been in contact with wet concrete shall only be returned to waters of the United States after the concrete is set and cured and when it no longer poses a threat to aquatic organisms.

3.5 Requirements for Using Riprap for Bank Stabilization

For all NWPs that allow for the use of riprap material for bank stabilization, the following measures shall be applied:

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

3.5.2. Filter cloth must be placed underneath the riprap as an additional requirement of its use in North Carolina waters. The placement of filter fabric is not required if the riprap will be pushed or “keyed” into the bank of the waterbody. A waiver from the specifications in this Regional Condition may be requested in writing. The waiver will only be issued if it can be demonstrated that the impacts of complying with this Regional Condition would result in greater adverse impacts to the aquatic environment.

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

3.5.4. The riprap material shall be clean and free from loose dirt or any pollutant except in trace quantities that would not have an adverse environmental effect.

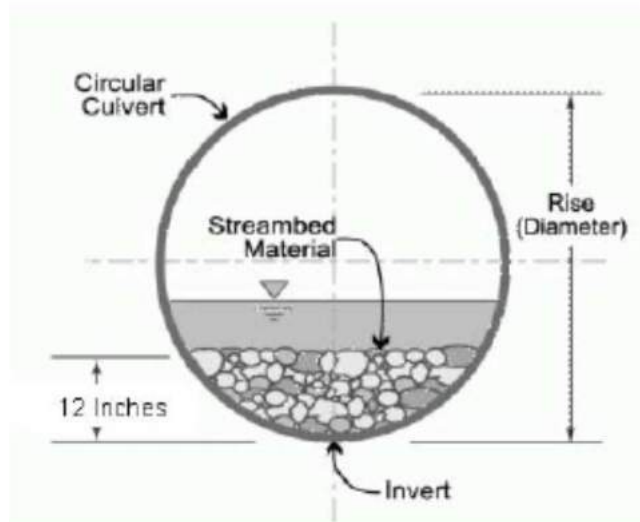
3.5.5. It shall be of a size sufficient to prevent its movement from the authorized alignment by natural forces under normal conditions.

3.5.6. The riprap material shall consist of clean rock or masonry material such as, but not limited to, granite, marl, or broken concrete.

3.6 Requirements for Culvert Placement

3.6.1 For all NWP's that involve the construction/installation of culverts, measures will be included in the construction/installation that will promote the safe passage of fish and other aquatic organisms. The dimension, pattern, and profile of the stream above and below a pipe or culvert should not be modified by altering the width or depth of the stream profile in connection with the construction activity. The width, height, and gradient of a proposed culvert should be sufficient to pass the average historical low flow and spring flow without adversely altering flow velocity. Spring flow is the seasonal sustained high flow that typically occurs in the spring. Spring flows should be determined from gage data, if available. In the absence of such data, bank-full flow can be used as a comparable indicator.

In Public Trust Areas of Environmental Concern (AEC) and/or the Estuarine Waters AEC as designated by the Coastal Area Management Act (CAMA): All pipes/culverts must be sufficiently sized to allow for the burial of the bottom of the culvert at least one foot below normal bed elevation.



In all other areas: Culverts greater than 48 inches in diameter will be buried at least one foot below the bed of the stream. Culverts 48 inches in diameter or less shall be buried to maintain aquatic passage and to maintain passage during drought or low flow conditions, and every effort shall be made to maintain the existing channel slope.

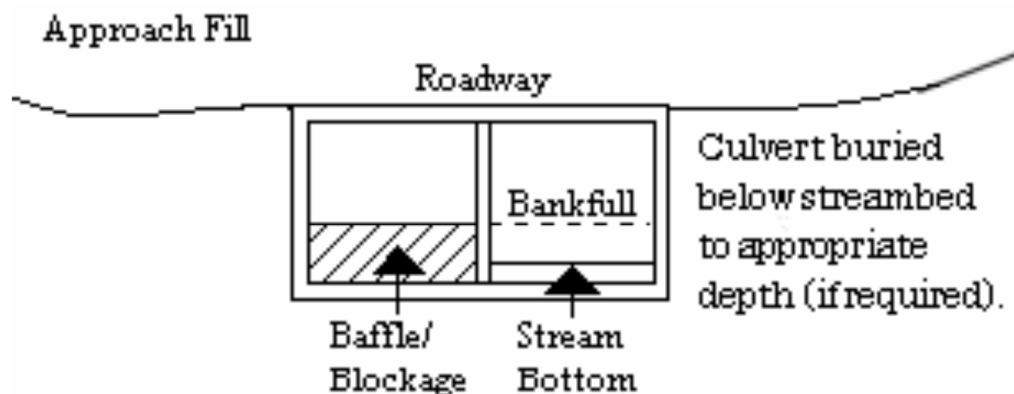
Culverts must be designed and constructed in a manner that minimizes destabilization and head cutting. Destabilizing the channel and head cutting upstream should be considered and appropriate actions incorporated in the design and placement of the culvert.

A waiver from the depth specifications in this condition may be requested, in writing, by the permittee and issued by the Corp; this request must be specific as to the reasons(s) for the request. The waiver will be issued if it can be demonstrated that the proposed design would result in less impacts to the aquatic environment.

All counties: Culverts placed within riparian and/or riverine wetlands must be installed in a manner that does not restrict the flow and circulation patterns of waters of the United States.

Culverts placed across wetland fills purely for the purposes of equalizing surface water do not have to be buried, but the culverts must be of adequate size and/or number to ensure unrestricted transmission of water.

3.6.2 Bank-full flows (or less) shall be accommodated through maintenance of the existing bank- full channel cross sectional area. Additional culverts or culvert barrels at such crossings shall be allowed only to receive bank-full flows.



3.6.3 Where adjacent floodplain is available, flows exceeding bank-full should be accommodated by installing culverts at the floodplain elevation. Additional culverts or culvert barrels at such crossings should not be buried, or if buried, must have sills at the inlets to ensure that they only receive flows exceeding bank-full.

3.6.4 Excavation of existing stream channels shall be limited to the minimum necessary to construct or install the proposed culvert. The final width of the impacted stream at the culvert inlet and outlet should be no greater than the original stream width. A waiver from this condition may be requested in writing; this request must be specific as to the reason(s) for the request. The waiver will be issued if the proposed design would result in less impacts to the aquatic environment and/or if it can be demonstrated that it is not practicable to restore the final width of the impacted stream at the culvert inlet and outlet to the width of the original stream channel.

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

3.7 Notification to NCDEQ Shellfish Sanitation Section

Permittees shall notify the NCDEQ Shellfish Sanitation Section prior to dredging in or removing sediment from an area closed to shell fishing where the effluent may be released to an area open for shell fishing or swimming in order to avoid contamination from the disposal area and cause a temporary shellfish closure to be made. Such notification shall also be provided to the appropriate Corps Regulatory Field Office. Any disposal of sand to the ocean beach should occur between November 1 and April 30 when recreational usage is low. Only clean sand should be used and no dredged sand from closed shell fishing areas may be used. If beach disposal were to occur at times other than stated above or if sand from a closed shell fishing area is to be used, a swimming advisory shall be posted, and a press release shall be issued by the permittee.

3.8 Submerged Aquatic Vegetation

Impacts to Submerged Aquatic Vegetation (SAV) are not authorized by any NWP, except NWP 48, unless EFH Consultation has been completed pursuant to the Magnuson-Stevens Fisheries Conservation and Management Act (Magnuson-Stevens Act). Permittees shall submit a PCN (See NWP General Condition 32) to the District Engineer prior to commencing the activity if the project would affect SAV. The permittee may not begin work until notified by the Corps that the requirements of the Magnuson-Stevens Act have been satisfied and that the activity is authorized.

3.9 Sedimentation and Erosion Control Structures and Measures

All PCNs will identify and describe sedimentation and erosion control structures and measures proposed for placement in waters of the United States. The structures and measures should be depicted on maps, surveys or drawings showing location and impacts to jurisdictional wetlands and streams.

3.10 Restoration of Temporary Impacts to Stream Beds

Upon completion of work that involves temporary stream impacts, streambeds are to be restored to pre-project elevations and widths using natural streambed material such that the impacted stream reach mimics the adjacent upstream and downstream reach. The impacted area shall be backfilled with natural streambed material to a depth of at least 12 inches or to the bottom depth of the impacted area if shallower than 12 inches. An engineered in-stream structure or material can be used to provide protection of a buried structure if it provides benefits to the aquatic environment and can be accomplished by a natural streambed design. A permittee may request a waiver of this condition if it is determined a buried structure needs significant physical protection beyond those provided in this condition. This condition does not apply to NWP 27 – Aquatic Habitat Restoration, Enhancement, and Establishment Activities.

3.11 Restoration of Temporary Impacts to Stream Banks

Upon completion of work involving temporary stream bank impacts, stream banks are to be restored to pre-project grade and contours or beneficial grade and contours if the original bank slope is steep and unstable. Natural durable materials, native seed mixes, and native plants and shrubs are to be utilized in the restoration. Natural designs which use bioengineered and/or geo-engineered methods are to be applied. An engineered structure or material can be used to provide protection of a buried structure if it provides benefits to the stream bank environment, provided it is not in excess of the minimum amount needed for protection and does not exceed an average of one cubic yard per running foot placed along the bank below the plane of the ordinary high water mark. A permittee may request a waiver of this condition if it is determined a buried structure needs significant physical protection beyond those provided in this condition. This condition does not apply to NWP 27 – Aquatic Habitat Restoration, Enhancement, and Establishment Activities.



NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

S. DANIEL SMITH

Director

April 20, 2020
Moore County
NCDWR Project No. 20200445
BR-0035 Replacement
WBS # 67035.1.1

Mr. Philip S. Harris, III, P.E., CPM
Natural Environment Section Head
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina, 27699-1598

APPROVAL of 401 WATER QUALITY CERTIFICATION with ADDITIONAL CONDITIONS

Dear Mr. Harris:

Approval is granted, in accordance with the conditions listed below, for the following impacts to replace Bridge No. 24 on NC 22 over Nicks Creek with a triple barrel culvert in Moore County.

Stream Impacts in the Cape Fear River Basin

Site	Permanent Fill in Perennial Stream Due to Culvert (linear feet)	Permanent Fill in Perennial Stream Due to Bank Stabilization (linear feet)	Total Stream Impacts (linear feet)
S1	61	--	--
S2	--	90	--
S3	--	45	--
Totals	61	135	196

Total Stream Impacts for Project: 196 linear feet

Wetland Impacts in the Cape Fear River Basin

Site	Fill (ac)	Excavation (ac)	Mechanized Clearing (ac)	Hand Clearing (ac)	Total Wetland Impact (ac)
1	0.050	--	--	--	0.050
2	0.040	--	--	--	0.040
2	--	--	0.010	--	0.010
Totals	0.090	--	0.010	--	0.100

Total Wetland Impact for Project: 0.100 acres.



NORTH CAROLINA
Environmental Quality

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

The project shall be constructed in accordance with your application dated and received April 3, 2020 with subsequent information received on April 16, 2020. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 4135. This certification corresponds to the Nationwide Permit 14 issued by the Corps of Engineers. In addition, you should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This approval will expire with the accompanying 404 permit.

This approval is valid solely for the purpose and design described in your application (unless modified below). Should your project change, you must notify the NCDWR and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter and is thereby responsible for complying with all the conditions. If total wetland fills for this project (now or in the future) exceed one acre, or of total impacts to 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:

General 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 downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether a permit modification will be required. [15A NCAC 02H.0506(b)(2)]
2. 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]
3. 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)]
4. 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)]
5. The use of riprap above the Normal High Water Mark shall be minimized. Any riprap 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)]
6. 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)]
7. 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)]



8. 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)]
9. 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)]
10. 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)]
11. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
12. 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]
13. 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)]
14. A copy of this Water Quality Certification shall always be maintained on the construction site. 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)]
15. 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]
16. 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.
17. 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)]
18. Upon completion of the project (including any impacts at associated borrow or waste sites), NCDOT or authorized agent 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)]
19. Native riparian vegetation must be reestablished in the riparian areas within the construction limits of the project by the end of the growing season following completion of construction. [15A NCAC 02B. 0267]
20. 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)]



21. 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.

22. 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 April Norton at (919) 707-9111 or April.Norton@ncdenr.gov.

Sincerely,

DocuSigned by:

Amy Chapman

6C9886312DCD474
S. Daniel Smith, Director
Division of Water Resources



Electronic copy only distribution:

James Lastinger, US Army Corps of Engineers, Raleigh Field Office
Christopher Rivenbark, NCDOT, Environmental Analysis Unit
Jason Dilday, NCDOT, Environmental Analysis Unit
April Norton, NC Division of Water Resources, Central Office
File Copy



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



NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

S. DANIEL SMITH

Director

NCDWR Project No.: _____ County: _____

Applicant: _____

Project Name: _____

Date of Issuance of 401 Water Quality Certification: _____

Certificate of Completion

Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return this certificate to the 401 Transportation Permitting Unit, North Carolina Division of Water Resources, 1617 Mail Service Center, Raleigh, NC, 27699-1617. This form may be returned to NCDWR by the applicant, the applicant's authorized agent, **or** the project engineer. It is not necessary to send certificates from all of these.

Applicant's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

Agent's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

Engineer's Certification

_____ Partial _____ Final

I, _____, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the project for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature _____ Registration No. _____

Date _____



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

WATER QUALITY GENERAL CERTIFICATION NO. 4135

GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR US ARMY CORPS OF ENGINEERS

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


Water Quality Certification Number 4135 is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Regulations in 15A NCAC 02H .0500 and 15A NCAC 02B .0200 for the discharge of fill material to surface waters and wetland areas as described in 33 CFR 330 Appendix A (B) (14) of the US Army Corps of Engineers regulations and Regional General Permit 198200031.

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

Effective date: December 1, 2017

Signed this day: December 1, 2017

By

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

for Linda Culpepper
Interim Director

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

- a) If any of the conditions of this Certification (listed below) cannot be met; or
- b) Any temporary or permanent impacts to wetlands, open waters and/or streams, except for construction of a driveway to a single family residential lot that is determined to not be part of a larger common plan of development, as long as the driveway involves a travel lane of less than 25 feet and total stream impacts of less than 60 feet, including any topographic/slope stabilization or in-stream stabilization needed for the crossing; or
- c) Any stream relocation or stream restoration; or
- d) Any high-density project, as defined in 15A NCAC 02H .1003(2)(a) and by the density thresholds specified in 15A NCAC 02H .1017, which:
 - i. Disturbs one acre or more of land (including a project that disturbs less than one acre of land that is part of a larger common plan of development or sale); and
 - ii. Has permanent wetland, stream or open water impacts; and
 - iii. Is proposing new built-upon area; and
 - iv. Does not have a stormwater management plan reviewed and approved under a state stormwater program¹ or a state-approved local government stormwater program².

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

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

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

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

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

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

I. ACTIVITY SPECIFIC CONDITIONS:

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

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

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

II. GENERAL CONDITIONS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

III. GENERAL CERTIFICATION ADMINISTRATION:

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

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

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

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

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

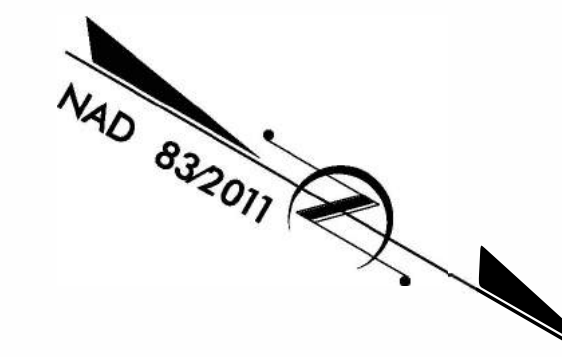
MOORE COUNTY

LOCATION: BRIDGE NO. 24 ON NC 22 OVER NICKS CREEK

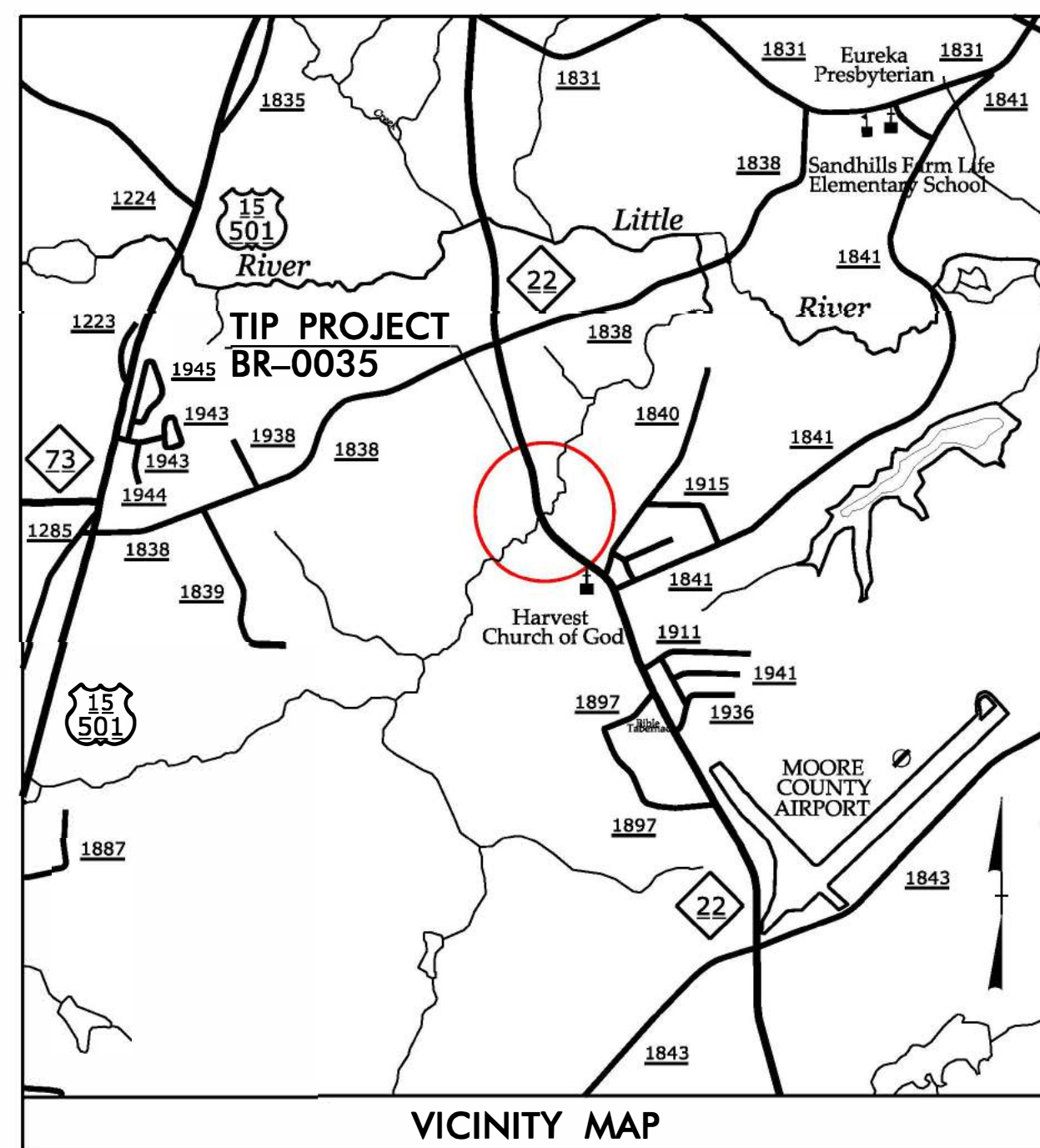
TYPE OF WORK: GRADING, DRAINAGE, PAVING AND CULVERT

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	BR-0035	1	
STATE PROJ. NO.	F. A. PROJ. NO.	DESCRIPTION	
67035.1.1		P.E.	
67035.2.1		ROW /UTIL	
67035.3.1		CONST.	

**PERMIT DRAWING
SHEET 1 OF 11**

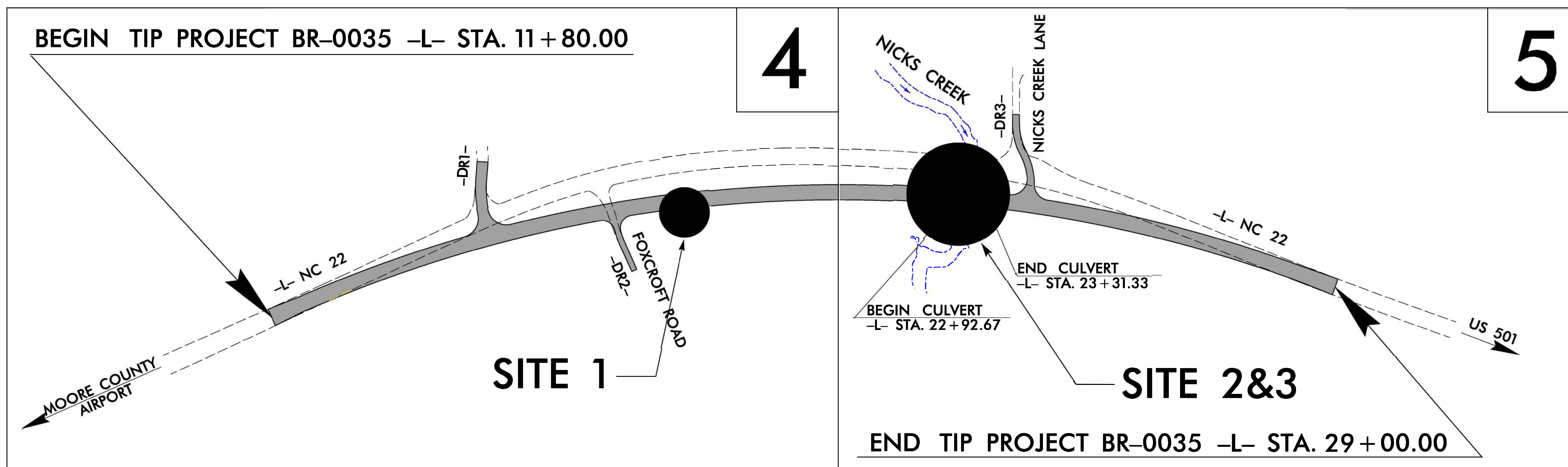


TIP PROJECT: BR-0035



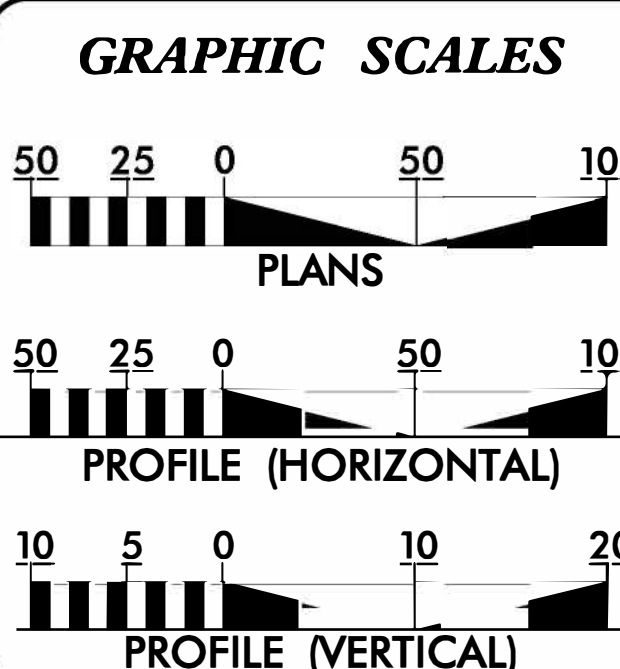
R/W PLANS

WETLAND AND SURFACE WATER IMPACTS PERMIT



THIS PROJECT HAS NO CONTROLLED-ACCESS.
THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES.
CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.

CONTRACT:



DESIGN DATA

ADT 2020	= 6650
ADT 2040	= 8000
K	= 11 %
D	= 60 %
T	= 4 % *
V	= 60 MPH
* (TTST=1% + DUAL=3%)	
FUNC CLASS	=
MINOR ARTERIAL	
STATEWIDE TIER	

PROJECT LENGTH

LENGTH OF ROADWAY TIP PROJECT BR-0035	= 0.319 MI
LENGTH OF STRUCTURE TIP PROJECT BR-0035	= 0.007 MI
TOTAL LENGTH OF TIP PROJECT BR-0035	= 0.326 MI

Prepared in the Office of:
DIVISION OF HIGHWAYS
1000 Birch Ridge Dr., Raleigh NC, 27610

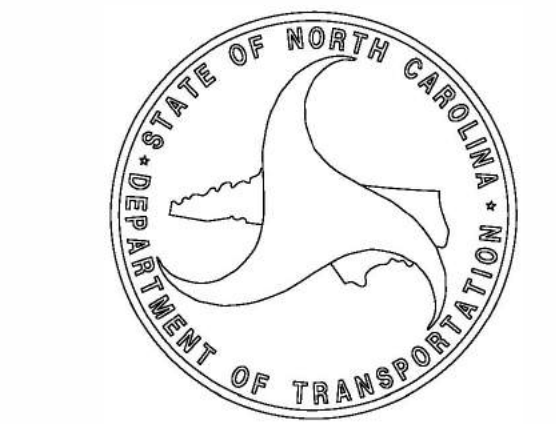
2018 STANDARD SPECIFICATIONS	
RIGHT OF WAY DATE:	TATIA L. WHITE, PE, PLS
AUGUST 30, 2019	
LETTING DATE:	PIOTR J. STOJDA
JULY 21, 2020	PROJECT TEAM LEAD

HYDRAULICS ENGINEER

SIGNATURE: P.E.

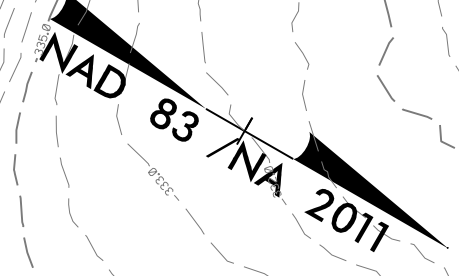
ROADWAY DESIGN ENGINEER

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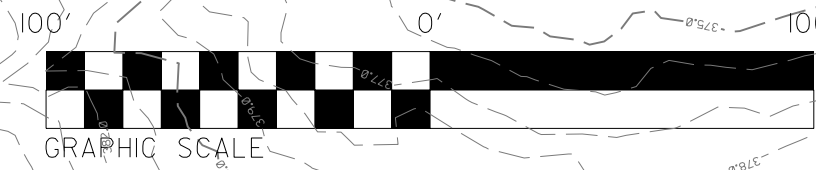
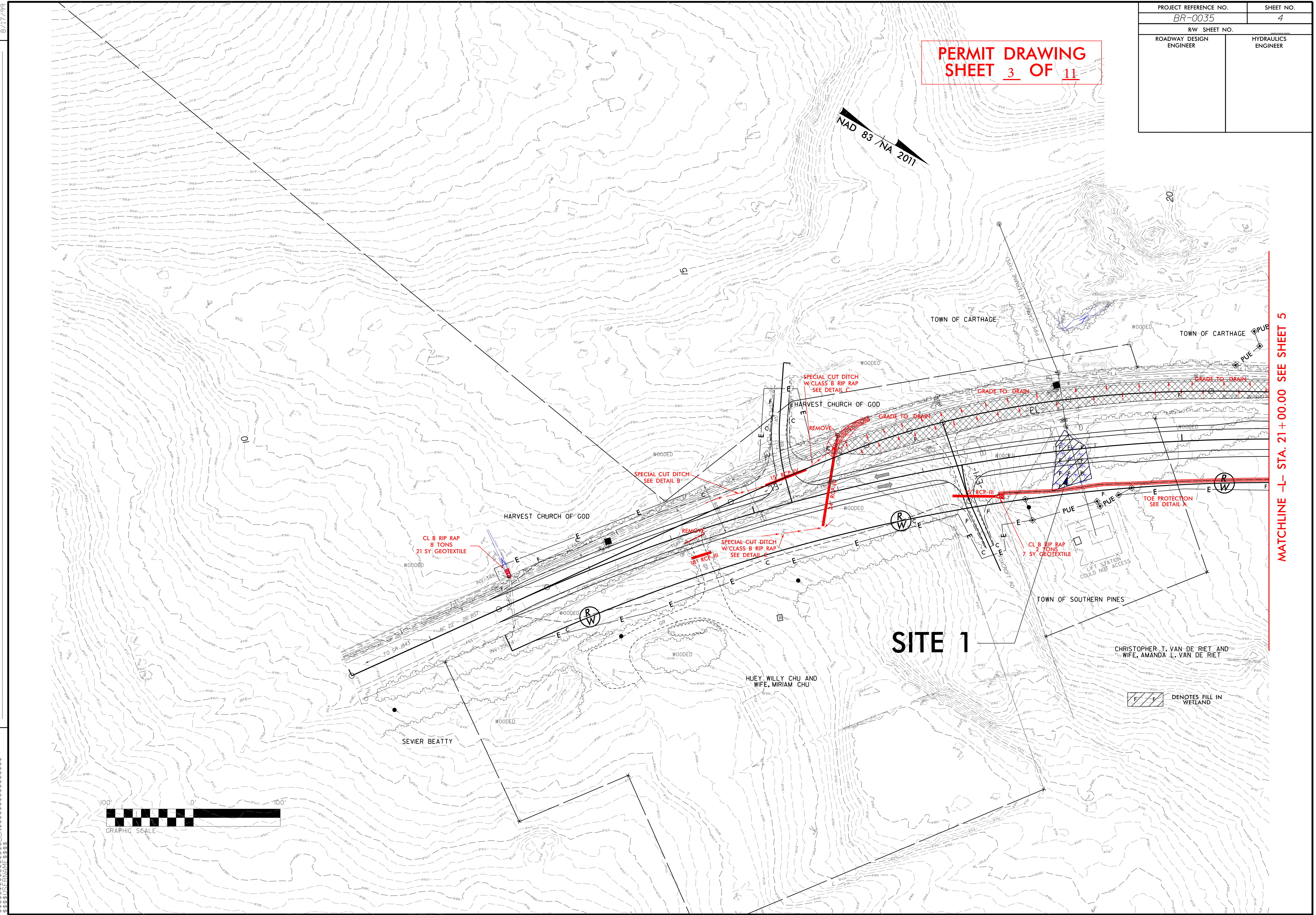


PROJECT REFERENCE NO. BR-0035	SHEET NO. 4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

**PERMIT DRAWING
SHEET 3 OF 11**



REVISIONS

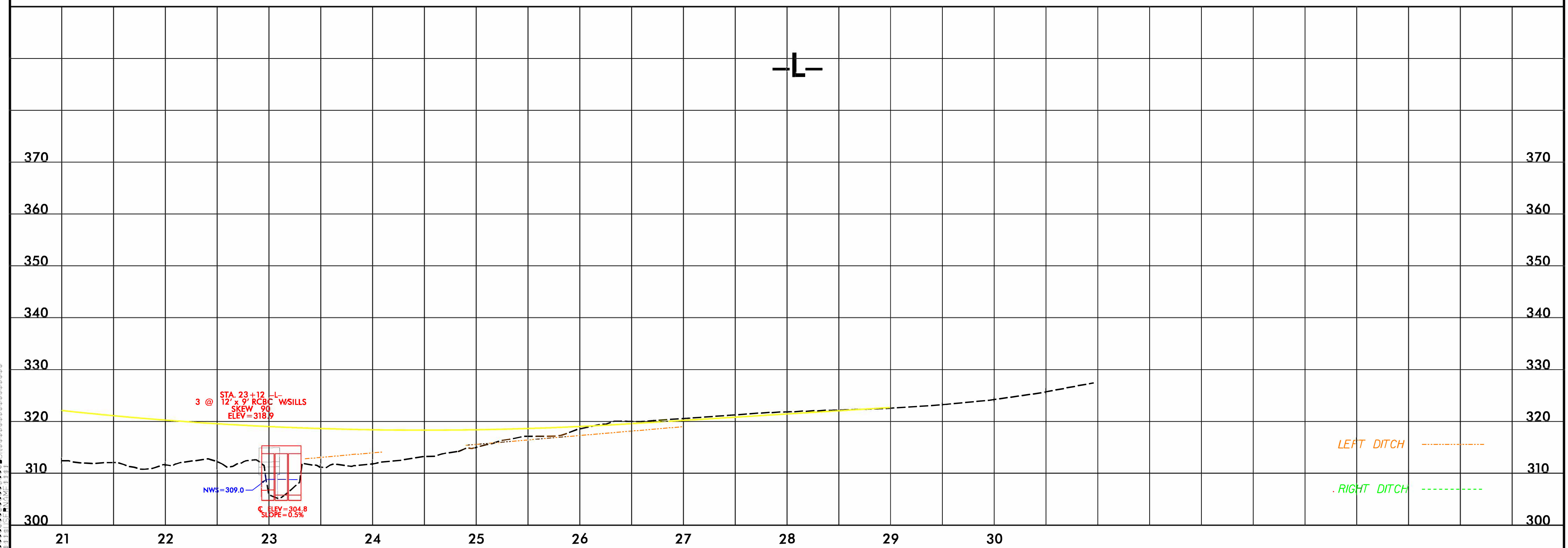
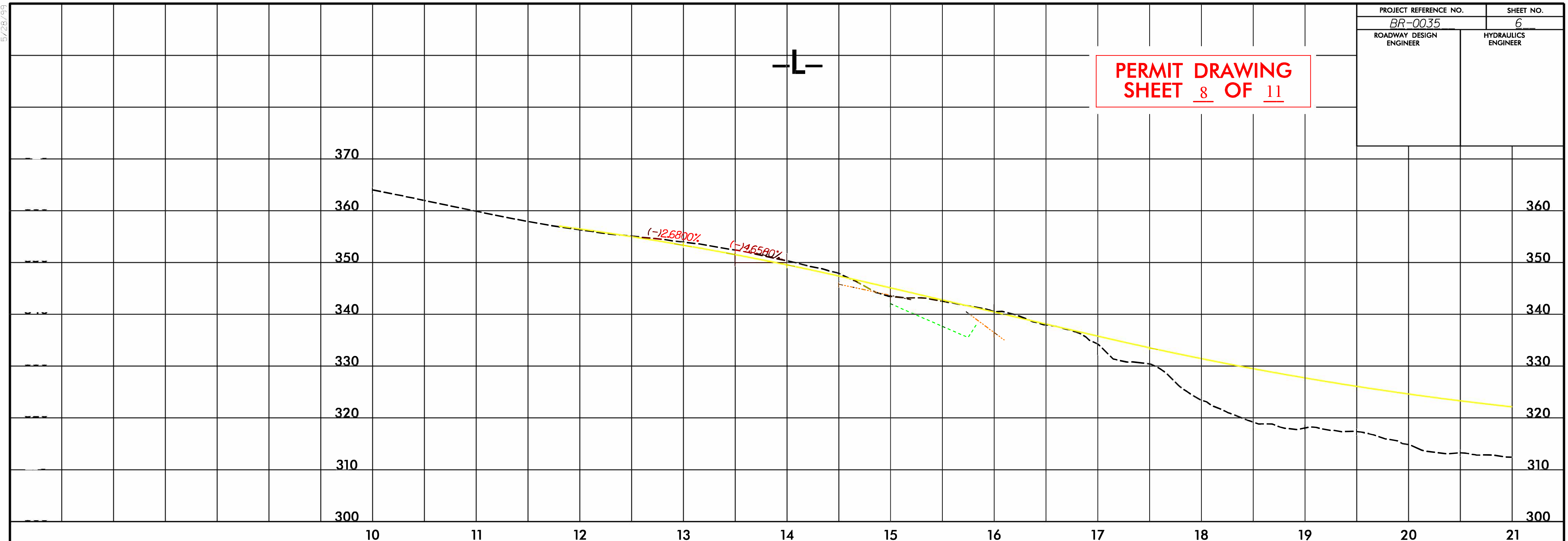


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8/17/99
SYTIME

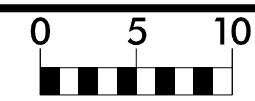
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BR-0035	6
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

**PERMIT DRAWING
SHEET 8 OF 11**



5/28/99
SYSTEMS
TIME
DATE

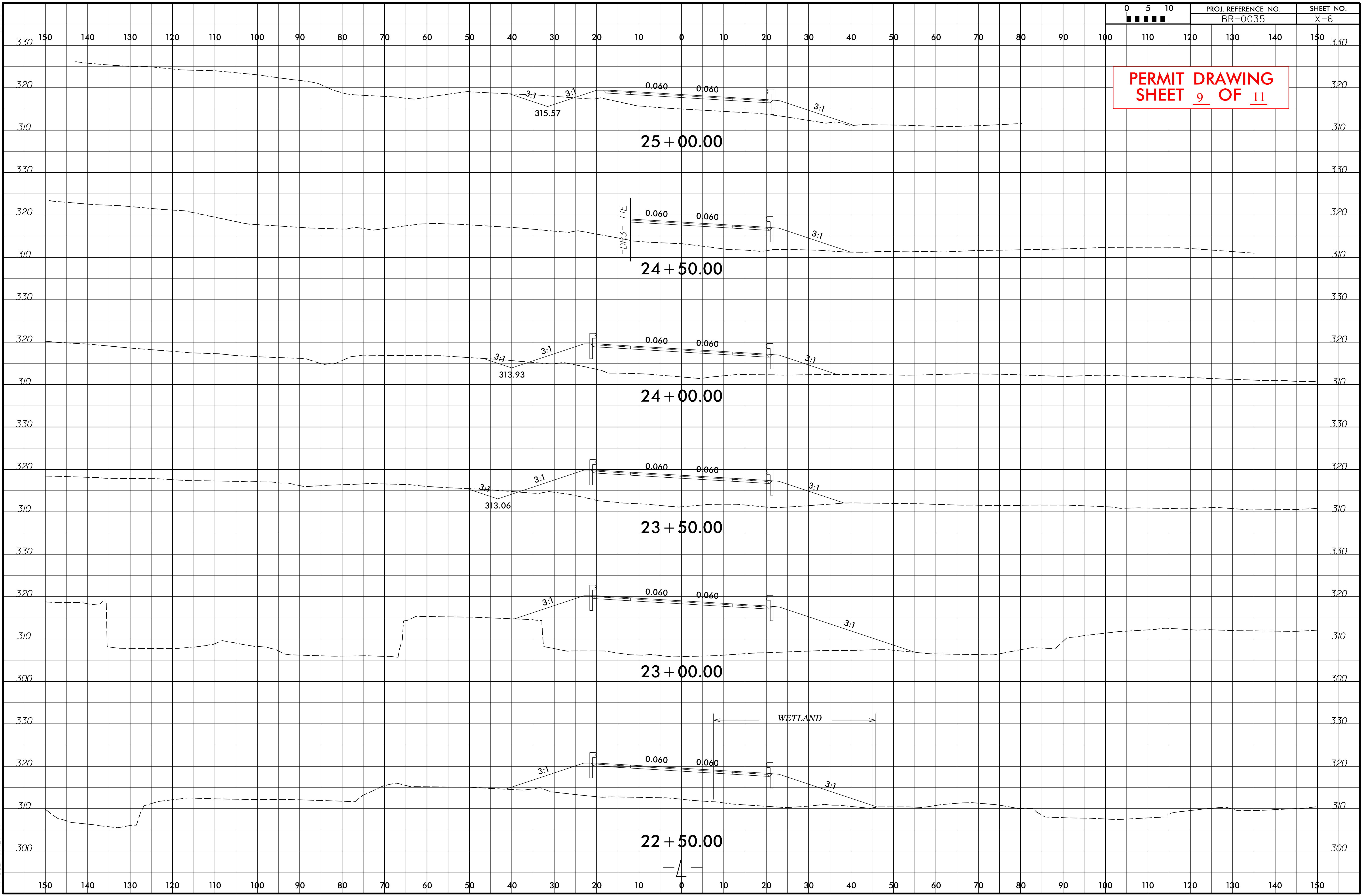
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PROJ. REFERENCE NO.
BR-0035

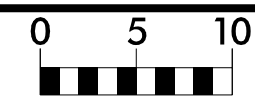
SHEET NO.
X-6

**PERMIT DRAWING
SHEET 9 OF 11**



DATE TIME
6/23/16 11:00 AM
DRAWN BY
JULIA BRYAN
CHECKED BY
JULIA BRYAN

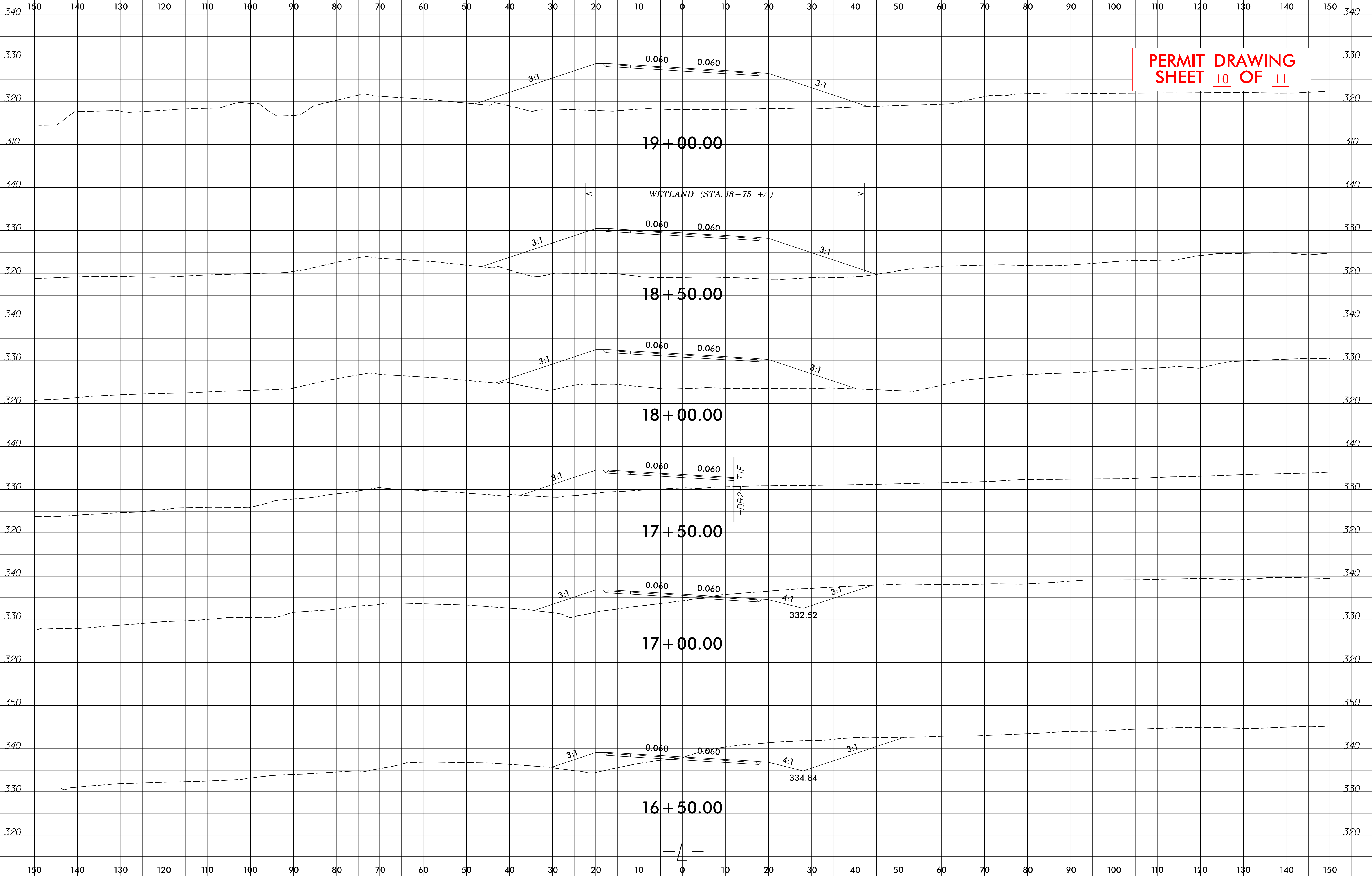
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PROJ. REFERENCE NO.
BR-0035

SHEET NO.
X-4

**PERMIT DRAWING
SHEET 10 OF 11**



DATE TIME
DRAWN
BY
CHECKED
BY
DATE

