



Pre-Construction Notification (PCN) Form

For Nationwide Permits and Regional General Permits

(along with corresponding Water Quality Certifications)

January 31, 2018 Ver 2.3

*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: *

Perquimans

Is this project a public transportation project? * (?)

Yes No

Is this a NCDOT Project? *

Yes No

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

R-4467-Central

WBS #

(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)

Nationwide Permit (NWP) Number:

6 - Survey Activities

NWP Number Other:

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

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

check all that apply

401 Water Quality Certification - Regular

Non-404 Jurisdictional General Permit

401 Water Quality Certification - Express

Riparian Buffer Authorization

1d. 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

1e. 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

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

Yes No

1g. Is the project located within a NC DCM Area of Environmental Concern (AEC)? *

Yes No Unknown

1h. 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? *

Philip S. Harris, III, P.E.

1b. Primary Contact Email: *

jjdilday@ncdot.gov

1c. Primary Contact Phone: *

(xxx)xxx-xxxx

(919)707-6111

1d. Who is applying for the permit?

Owner Applicant (other than owner) Agent/Consultant

(Check all that apply)

2. Owner Information

2a. Name(s) on recorded deed:

2b. Deed book and page no.:

2c. Responsible party:

(for Corporations)

2d. Address

Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

2e. Telephone Number:

(xxx)xxx-xxxx

2f. Fax Number:

(xxx)xxx-xxxx

2g. Email Address: *

C. Project Information and Prior Project History

1. Project Information

1a. Name of project: *

R-4467 US 17 Business/NC 37 (North Church Street) From South of the Perquimans River Bridge to NC 37 Including Replacement of Bridge No. 8

1b. Subdivision name:

(if appropriate)

1c. Nearest municipality / town: *

Hertford

1d. Driving directions *

If it is a new project and can not easily be found in a GPS mapping system. Please provide directions.

<https://www.google.com/maps/place/36%C2%B011'38.4%22N+76%C2%B027'58.6%22W/@36.1940126,-76.4681265,17z/data=!3m1!4b1!4m14!1m7!3m6!1s0x89a55e43156a0db9:0x29017303fc357cff!2sHertford,+NC+27944!3b1!8m2!3d36.1901579!4d-76.4660519!3m5!1s0x0:0x0!7e2!8m2!3d36.1940092!4d-76.4662858>

2. Project Identification

2a. Property Identification Number:

(tax PIN or parcel ID)

2b. Property size:

(in acres)

66

2c. Project Address

Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

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: *

36.194987

ex: 34.208504

Longitude: *

-76.467046

-77.796371

3. Surface Waters

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

Perquimans River

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

SC

[Surface Water Lookup](#)

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

Pasquotank

[River Basin Lookup](#)

4. Project Description

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: *

The north side of the project study area is comprised of maintained road causeway and natural areas with wetlands or open water on either side of the causeway for a significant portion. The south side of the project study area is within the Town of Hertford and is comprised of commercial and residential areas and maintained roadway.

4b. 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

4c. 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

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

41.8

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

(intermittent and perennial)

700

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

To conduct a subsurface investigation for the foundation design for the Perquimans Bridge

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

A private engineering firm will conduct the investigation. The 13 Perquimans River borings will be done with a CME-45C drill rig mounted to a self-propelled barge platform (please see attached photos). The barge will be put in at the boat access to the south of the bridge in Hertford. Once the barge is moved to the boring location, the crew will lower the barge "spuds", which serve as an anchoring system to the river bottom. Additional spud casing can be added or removed depending on the water depth. Each boring will be drilled from within a casing pushed into the river bottom and will take approximately one to one and a half days to complete. Drill cuttings (spoils) will be contained on the barge and deposited on land. This will allow the re-circulation of the drilling fluids to minimize effluent. Ground disturbance from the borings will be limited to within a 1-foot radius of the boring location. The holes will be backfilled with cement grout and then the casing will be removed.

The project study area is subject to an in-stream work moratorium for anadromous fish species from February 15 to June 30, as agreed to during Concurrence Point 4A meeting. However, the in-water borings are planned to begin in late April or early May of 2018 and will take approximately 20 to 30 days to complete. The geotech borings are drilled inside a three-inch diameter casing and will be advanced to a depth of 125 to 150 feet. These borings are relatively unobtrusive and cause little noise and/or vibratory impacts. This, in conjunction with the width and expansiveness of the Perquimans River in the study area, is expected to have no to insignificant impacts to anadromous fish. As such, it is requested that the project be allowed to proceed during the moratorium.

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

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

R-4467_Perquimans River Boring Plan.pdf

509.38KB

File type must be pdf

5. Jurisdictional Determinations

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

Yes

No

Unknown

Comments:

5b. If the Corps made a jurisdictional determination, what type of determination was made? *

Preliminary Approved Unknown N/A

Corps AID Number:

Example: SAW-2017-99999

SAW-2005-11122

5c. If 5a is yes, who delineated the jurisdictional areas?

Name (if known):

Laura Thornbrough

Agency/Consultant Company:

Kimley-Horn and Associates, Inc.

Other:

5d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation.

February 18, 2010 (USACE & NCDWQ), January 26, 2010 (NCDWM)

5d1. Jurisdictional determination upload

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

R-4467_JD_Determination_SAW-2005-11122.pdf

45.61KB

File type must be PDF

6. Project History

6a. Have permits or certifications been requested or obtained for this project (including all prior phases) in the past? *

Yes No Unknown

7. Future Project Plans

7a. Is this a phased project? *

Yes No

Are any other NWP(s), regional general permit(s), or individual permits(s) used, or intended to be used, to authorize any part of the proposed project or related activity? This includes other separate and distant crossing for linear projects that require Department of the Army authorization but don't require pre-construction notification.

This permit application is for geotechnical work for the US 17 Business/NC 37 project over the Perquimans River, including the replacement of the Perquimans River Bridge. Separate permits will be requested for the bridge replacement and roadway improvement project.

D. Proposed Impacts Inventory

1. Impacts Summary

1a. Where are the impacts associated with your project? (check all that apply):

Wetlands Streams-tributaries Buffers
 Open Waters Pond Construction

3. Stream Impacts

If there are perennial or intermittent stream impacts (including temporary impacts) proposed on the site, then complete this question for all stream sites impacted.

3a. Site # - Reason for impact *	3b. Impact type *	3c. Type of impact *	3d. Stream name *	3e. Stream Type *	3f. Type of Jurisdiction *	3g. Stream width *	3h. Impact length *
1 Map label (e.g. Road Crossing 1)	T Permanent (P) or Temporary (T)	Other	Perquimans River	Perennial Perennial (PER) or intermittent (INT)	Both	1,500 Average (feet)	40 (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:

0

3i. Total temporary stream impacts:

40

3i. Total stream and tributary impacts:

40

3j. Comments:

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 borings will be performed with a CME-45C drill rig mounted to a self-propelled barge platform (please see attached picture). Drilling equipment will not drive through any jurisdictional wetland or stream, except where jurisdictional wetlands and streams are unavoidable. Unavoidable wetland impacts will be restricted to areas where bridge construction impacts will be permanent. Direct wetland impacts during geotechnical investigation will be restricted to temporary hand auger drilling.

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

Drill cuttings (spoils) will be contained on the barge and deposited on land. The barge platform has a built in mud tub. This allows for the re-circulation of drilling fluids to minimize effluent.

The Town of Hertford boat ramp, located adjacent to the existing bridge, will be used to put the barge into the river, thus eliminating other jurisdictional impacts. NCDOT will implement "Guidelines for Avoiding Impacts to the West Indian Manatee, Precautionary Measures for Construction Activities in North Carolina Waters," during work for this project.

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

2b. If this project DOES NOT require Compensatory Mitigation, explain why:

The impacts for this project will be temporary and minimal (less than 40 linear feet).

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

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:

The proposed project is not located in a watershed with riparian buffer protection rules and is the drilling of geotechnical borings, which will not change overall impervious surfaces.

2. Stormwater Management Plan

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

Yes No

2b. Does this project meet the requirements for low density projects as defined in 15A NCAC 02H .1003(2)? *

Yes

No

To look up low density requirement click here [15A NCAC 02H .1003\(2\)](#).

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

NEPA or SEPA Final Approval Letter

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

FILE TYPE MUST BE PDF

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

2b. Is this an after-the-fact permit application? *

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.

Cumulative impact analysis was completed for this project in the Final Environmental Assessment (2013, attached).

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

What Federal Agency is involved?

NMFS

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? *

USFWS, NOAA, and NCNHP websites, and field surveys. Additional information pertaining to federally listed species is provided in the 2013 Environmental Assessment (EA) and the 2018 Finding of No Significant Impact (FONSI).

6. Essential Fish Habitat (Corps Requirement)

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

Yes No

Are there submerged aquatic vegetation (SAV) around the project vicinity? *

Yes No Unknown

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

NOAA Essential Fish Mapper and Natural Resource Technical Report (May 2010)

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/hpoweb/>)

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? *

The historical and cultural resources were discussed in the 2013 EA and 2018 FONSI. A copy of the Memorandum of Agreement is attached.

7c. Historic or Prehistoric Information Upload

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

R4467 MOA.pdf

288.73KB

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:

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

North Carolina Floodplain Mapping Program

Miscellaneous

Miscellaneous attachments not previously requested.

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

Barge photos.pdf

270.27KB

File must be PDF

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: *

Colin Mellor

Signature



Colin Mellor

Date

2/16/2018

**MEMORANDUM OF AGREEMENT
AMONG THE UNITED STATES COAST GUARD,
UNITED STATES ARMY CORPS OF ENGINEERS,
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE
IMPROVEMENTS TO US 17 BUSINESS FROM CHURCH STREET TO NC 37
INCLUDING THE REPLACEMENT OF BRIDGE NO. 8 OVER THE PERQUIMANS
RIVER IN HERTFORD, PERQUIMANS COUNTY, NORTH CAROLINA
TIP NO. R-4467**

WHEREAS, the United States Coast Guard (USCG) is the federal agency responsible for the processing of a federal bridge permit application for the Improvements to US 17 Business from Church Street to NC 37 including the replacement of Bridge Number 8 over the Perquimans River in Hertford, Perquimans County, North Carolina (the Undertaking) pursuant to the General Bridge Act of 1946 (33 U.S.C. §§ 525-533) and the Coast Guard bridge regulations (33 CFR. Subchapter J)[]; and

WHEREAS, the United States Army Corps of Engineers (USACE), intends to issue a Nationwide Permit, pursuant to 33 CFR 330, and to rely upon the findings and consultation process of the USCG, as the lead federal agency for the Undertaking; and

WHEREAS, the USCG has determined that the Undertaking will have an adverse effect upon the Hertford Historic District and Perquimans Bridge Number 8, properties listed in the National Register of Historic Places (NRHP); and

WHEREAS, the USCG has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 et seq.); and

WHEREAS, the USCG has notified the Advisory Council on Historic Preservation (Council) of the adverse effect and the Council participated in the consultation; and

WHEREAS, NCDOT has participated in the consultation and has been invited by the USCG and SHPO to be a signatory to this Memorandum of Agreement (MOA); and

WHEREAS, the Town of Hertford (Town), the Citizens for the Preservation and Growth of Hertford, represented by Sara E. Winslow, and Hertford citizens Nancy Theodore, Frank and Connie Jaklic, Penny Byrd, Robert E. Halter, Virginia Miller, Don Keith, Leslie E. Piercy, Rhonda Waters, and Margaret and Charles Lindsay have participated in the consultation and have been invited by the USCG and SHPO to be concurring parties to this MOA;

NOW, THEREFORE, the USCG, USACE, NCDOT, SHPO and Council agree that the Undertaking shall be implemented in accordance with the following stipulations to take into account the effects of the Undertaking on the historic properties and that these stipulations shall govern the Undertaking and all of its parts unless this MOA expires or is terminated.

STIPULATIONS

The USCG shall ensure that the following measures are carried out:

I. Photographic Recordation

Prior to the initiation of construction, NCDOT will record the existing conditions of the properties and landscapes in the Hertford Historic District, including Perquimans Bridge Number 8 that are located adjacent to or affected by the project in accordance with the attached Historic Structures and Landscape Recordation Plan (Appendix A).

The results of the photographic recordation will be submitted to the SHPO in advance of any work taking place. The SHPO shall have fifteen (15) days from receipt of the materials to review and comment. If no comments are received by NCDOT after the 15 days, work may commence.

Copies of the documentation will be deposited in the files of the SHPO, NCDOT Historic Architecture Group, and the Town and be made available to other signatories to this MOA.

II. Design of Replacement Bridge

NCDOT has worked with the primary signatories and concurring parties on the plans for the replacement bridge and associated retaining walls to develop a unified design that incorporates context sensitive design principles and follows NCDOT's aesthetic guidelines. These design elements include:

- A. Truss swing span;
- B. Oregon rails;
- C. Decorative pedestrian lights which match the streetlights throughout the town;
- D. Safety standard vertical lift gates;
- E. Two observational bump-outs on the bridge;
- F. Sidewalks on the east side of the bridge;
- G. Reuse current bridge plaque on new bridge and add a second bridge plaque for the new bridge;
- H. Retaining walls of stamped concrete within the historic district;
- I. Signs on NCDOT property stating authorized vehicles and personnel only;
- J. Flag pole with US and NC flags lit dusk to dawn;
- K. Fenders composed of artificial timber and includes lights and signs.

III. Design of the Tender House

NCDOT, in consultation with the primary signatories and concurring parties, shall develop

plans for the tender house and parking spaces designated for use by the bridge operator and bridge maintenance crew to develop a unified design that incorporates context sensitive design principles and follows NCDOT's aesthetic guidelines. These design elements include:

- A. A two-story structure above the bridge deck with the generator housed inside the tender house;
- B. Hipped roof structure with fiber cement siding;
- C. Multi-light windows with pedimented arches;
- D. A three-foot wide walkway around the second story;
- E. An escape ladder on the east side of the tender house.

IV. Landscape Plan

NCDOT, in consultation with the primary signatories and concurring parties, shall develop a landscape plan for the south side of the bridge within the Hertford Historic District contained within the NCDOT right-of-way.

V. Vibration Monitoring

To minimize vibration effects on the historic district in the vicinity of the bridge, a vibration monitoring and enforcement program shall be implemented by NCDOT as part of the construction contract. The Design-Build Team shall employ a vibration monitoring firm from NCDOT's list of approved firms to perform pre and post construction inventories and vibration monitoring of buildings located within 200 feet of the mainline project limits in the historic district. The inventories will require the appointed firm has access to the interior of buildings in the area being monitored.

If vibration levels rise above the prescribed thresholds that could cause structural damage to any building the contractor, or the property owners shall immediately contact the Resident Engineer. If structural damages are discovered during this period, work in that area of the project shall immediately cease and NCDOT shall contact SHPO and the property owners immediately to determine what steps should be taken to address the damage. After completion of all vibration inducing construction activities, vibration monitoring equipment may be discontinued. If vibration monitoring is to be discontinued prior to completion of the Undertaking, property owners will be notified by NCDOT.

VI. Unanticipated Discovery

In accordance with 36 CFR 800.11(a), if NCDOT identifies additional cultural resource(s) during construction and determines them to be eligible for the NRHP, all work will be halted within the limits of the NRHP-eligible resource(s) and the USCG and North Carolina SHPO contacted within 48 hours. If after consultation with the Signatory Parties and additional mitigation is determined necessary, the NCDOT, in consultation with the Signatory Parties, will develop and implement appropriate protection/mitigation measures for the resource(s). NCDOT will notify the SHPO and USCG of any findings of additional cultural resources that are determined to not be eligible for NRHP listing.

Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

VII. Dispute Resolution

Should any of the Signatory or Concurring Parties object within (30) days to any plans or documentation provided for review pursuant to this MOA, the USCG shall consult with the objecting party(ies) to resolve the objection. If the USCG or the objecting party(ies) determines that the objection cannot be resolved, the USCG will forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

- A. Provide the USCG with recommendations, which the USCG will take into account in reaching a final decision regarding the dispute, or
- B. Notify the USCG that it will comment pursuant to 36 CFR 800.7(c). Any Council comment provided in response to such a request will be taken into account by the USCG in accordance with 36 CFR 800.7(c) (4) with reference to the subject of the dispute. Any recommendation or comment provided by the Council will be understood to pertain only to the subject of the dispute; USCG and NCDOT's responsibility to carry out all of the actions under this agreement that are not the subject of the dispute will remain unchanged.

VIII. Amendments

Should any of the Signatory or Concurring Parties to this MOA believe that its terms cannot be carried out or that an amendment to the terms must be made, that party(ies) shall immediately consult with the other party(ies) to develop amendments in accordance with 36 CFR 800.6(c)(7). If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation VII will be followed.

IX. Termination

Any of the Signatory Party (ies) may terminate the MOA by providing 30 days written notice to the other parties, provided that the signatories will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Termination of this MOA will require compliance with 36 CFR 800. This MOA may be terminated by the execution of a subsequent MOA that explicitly terminates or supersedes its terms.

X. Duration

Unless terminated pursuant to Stipulation IX above, this MOA will be in effect until December 31, 2027. Prior to such time, the USCG may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance to the dispute resolution process set forth in Stipulation VII.

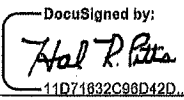
XI. Other Provisions

- A. Nothing in this MOA is intended to conflict with current law or regulation or the directives of the USCG or Department of Homeland Security. If this MOA is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.
- B. This MOA is not an agreement by the United States, USCG to indemnify any party, nor is it an agreement by the United States, USCG to assume financial, legal, or any other liabilities.
- C. Nothing in this MOA shall constitute an obligation of funds of the United States in advance of an appropriation of those funds.

XII. Effective Date

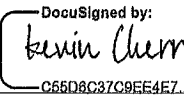
The terms of this MOA will become effective upon issuance of the Coast Guard bridge permit.

AGREED:

By:  _____
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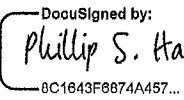
Mr. Hal R. Pitts
District Bridge Manager
Fifth Coast Guard District

Date: 12/8/2017

By:  _____
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Kevin Cherry, Ph.D.
North Carolina State Historic Preservation Officer
North Carolina Department of Cultural Resources

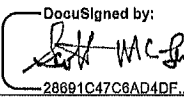
Date: 12/5/2017

By:  _____
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Philip S. Harris III, P.E., C.P.M.
Environmental Analysis Unit Head
North Carolina Department of Transportation

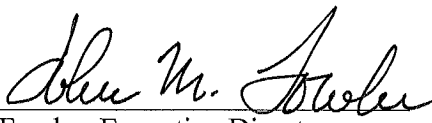
Date: 12/5/2017

for

By:  _____
28691C47C8AD4DE...

Robert J. Clark
Colonel, U.S. Army
District Commander
US Army Corps of Engineers

Date: 12/6/2017

By: 
John M. Fowler, Executive Director
Advisory Council on Historic Preservation

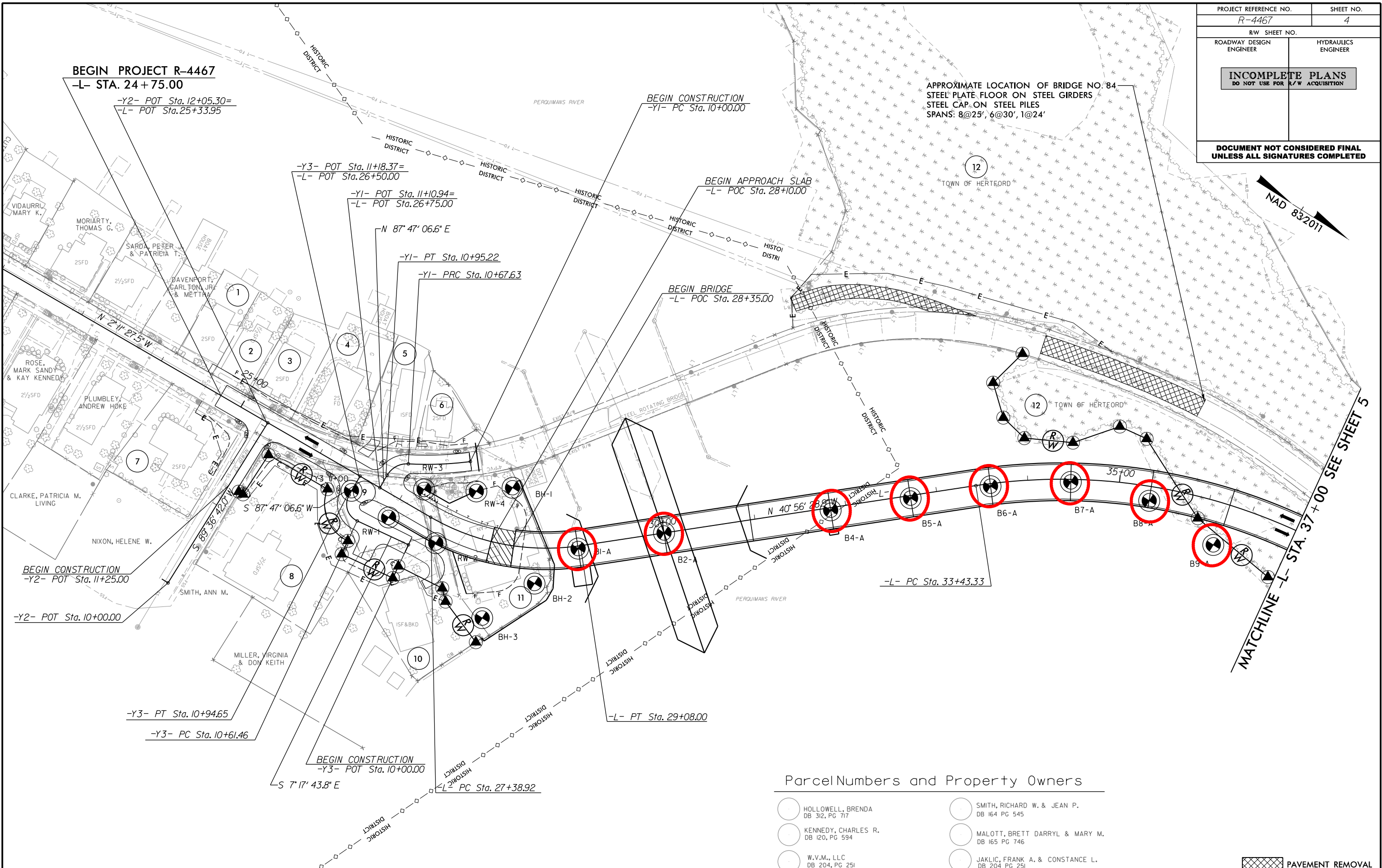
Date: 1/10/18





8/17/99

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NOTE:
ALL DRIVE RADII ARE 10' UNLESS OTHERWISE NOTED.

-L-		-Y1-		-Y3-	
PI Sta 28+26.83	PI Sta 38+11.55	PI Sta 10+33.92	PI Sta 10+83.02	PI Sta 10+83.32	PI Sta 10+83.32
$\Delta = 38^\circ 45' 01.4" (LT)$	$\Delta = 74^\circ 33' 57.5" (RT)$	$\Delta = 10^\circ 53' 18.4" (RT)$	$\Delta = 63^\circ 13' 41.5" (LT)$	$\Delta = 95^\circ 04' 50.3" (RT)$	$\Delta = 95^\circ 04' 50.3" (RT)$
D = 22' 55" 05.9"	D = 9' 18" 59.0"	D = 16' 06" 00.0"	D = 229' 10" 59.2"	D = 286' 28" 44.0"	D = 286' 28" 44.0"
L = 169.08'	L = 800.37'	L = 67.63'	L = 27.59'	L = 33.19'	L = 33.19'
T = 87.92'	T = 468.22'	T = 33.92'	T = 15.39'	T = 21.86'	T = 21.86'
R = 250.00'	R = 615.00'	R = 355.87'	R = 25.00'	R = 20.00'	R = 20.00'

Parcel Numbers and Property Owners

- | | |
|--|---|
| ○ HOLLOWELL, BRENDA
DB 312, PG 717 | ○ SMITH, RICHARD W. & JEAN P.
DB 164 PG 545 |
| ○ KENNEDY, CHARLES R.
DB 120, PG 594 | ○ MALOTT, BRETT DARRYL & MARY M.
DB 165 PG 746 |
| ○ W.V.M., LLC
DB 204, PG 251 | ○ JAKLIC, FRANK A. & CONSTANCE L.
DB 204 PG 251 |
| ○ JAKLIC, FRANK A. & CONSTANCE L.
DB 204 PG 251 | ○ WINSLOW, SARA E. & ANNE W.
DB 120 PG 585 |
| ○ MADRE, EDWARD LEE & ANN F.
DB 166 PG 201 | ○ WADDELL, RUSSELL LEE & NANCY LYNNE THEODORE
DB 153 PG 50 |
| ○ VAYDA, MARGARET M.
DB 97 PG 507 | |

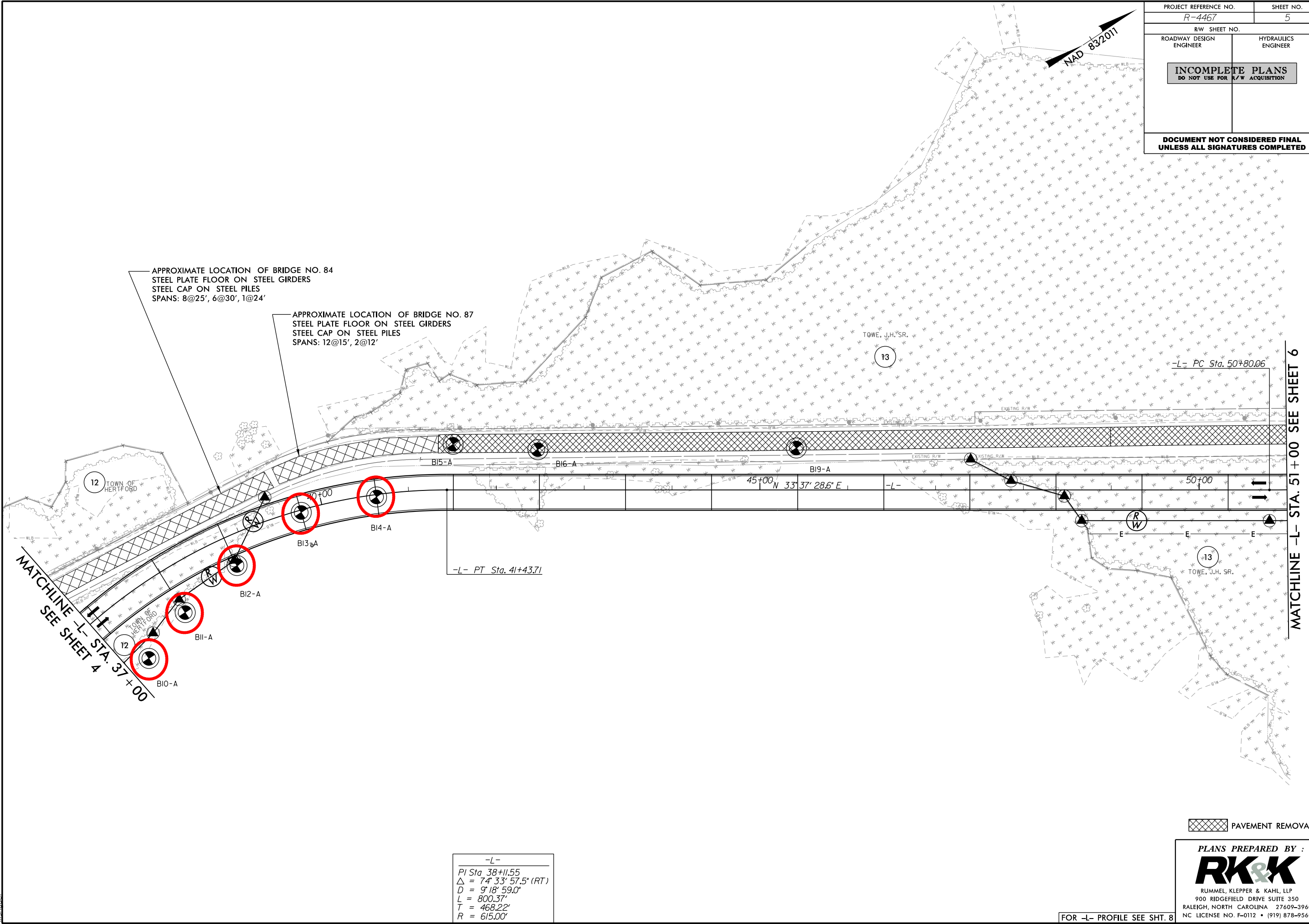
PAVEMENT REMOVAL

PLANS PREPARED BY :
RK&K
RUMMEL, KLEPPER & KAHL, LLP
900 RIDGEFIELD DRIVE SUITE 350
RALEIGH, NORTH CAROLINA 27609-3960
NC LICENSE NO. F-0112 • (919) 878-9560

FOR -L- PROFILE SEE SHT. 8
FOR -Y1- PROFILE SEE SHT. 9
FOR -Y2- PROFILE SEE SHT. 9
FOR -Y3- PROFILE SEE SHT. 10

8/17/99

PROJECT REFERENCE NO. R-4467		SHEET NO. 5	
R/W SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION			
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			



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-L-
 PI Sta 38+11.55
 $\Delta = 74' 33' 57.5" (RT)$
 $D = 9' 18' 59.0"$
 $L = 800.37'$
 $T = 468.22'$
 $R = 615.00'$

PAVEMENT REMOVAL

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FOR -L- PROFILE SEE SHT. 8