



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY PERDUE
GOVERNOR

EUGENE CONTI
SECRETARY

May 22, 2009

MEMORANDUM TO: Mr. Pat Ivey, PE
Division Nine Engineer

FROM: Philip S. Harris, III, P.E., Unit Head
Natural Environment Unit
Project Development and Environmental Analysis Branch

A handwritten signature in black ink, appearing to read "E. P. Furr".

SUBJECT: Rowan-Davidson Counties, North of SR 2120 (Exit 81) in Rowan County to US
29-52-70/I-85 Business (Exit 87) in Davidson County; T.I.P. Number I-2304A;
Federal Aid Project No. NHF-85-3(164)80; State Project No. 8.1631403

Please find attached the Extension of the USACE Section 404 Individual Permit for the above-referenced project. The Section 401 Major Water Quality Certification expires on the same day as the corresponding (extended) USACE Permit. 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:
<http://www.ncdot.gov/doh/preconstruct/pe/neu/permit.html>

PSH/gyb

Attachment

Cc: W/attachment
Mr. Randy Garris, P.E. State Contract Officer
Ms. Kent Boyer, Division Environmental Officer

Cc: W/o attachment (see website for attachments)
Mr. Majed Alghandour, P. E., Programming and TIP
Mr. Jay Bennett, P.E., Roadway Design
Dr. David Chang, P.E., Hydraulics
Mr. Art McMillan, P.E., Highway Design
Mr. Tom Koch, P.E., Structure Design
Mr. Mark Staley, Roadside Environmental
Mr. John F. Sullivan, FHWA
Mr. Ron Hancock, P.E., State Roadway Construction Engineer
Mr. Mike Robinson, P.E., State Bridge Construction Engineer
Ms. Beth Harmon, EEP
Mr. Eric Midkiff, P.E., PDEA Central Region Unit Head

PROJECT COMMITMENTS

I-85

North of SR 2120 (Exit 81) in Rowan County to
US 29-52-70/I-85 Business (Exit 87) in Davidson County
Rowan-Davidson Counties

Federal Aid Project No. NHF-85-3(164)80
WBS No. 34156, State Project No. 8.1631403
T.I.P. Project No. 1-2304A

Commitments Developed Through Project Development and Design

Project Development and Environmental Analysis Branch / Transportation Program Management Unit

Because the subject project lies within a Federal Energy Regulatory Commission (FERC) licensed hydro plant project boundary (the Yadkin Project), approval for land transfer must be obtained by NCDOT in the form of a FERC license revision. Coordination with the proper FERC officials shall take place and the process to obtain a FERC permit will be followed.

A portion of the subject project lies within the Yadkin Hydroelectric Project boundary, (Project No. 2197), as licensed by the Federal Energy Regulatory Commission (FERC). For this reason, NCDOT must receive prior written permission from Alcoa Power Generating, Incorporated (APGI), before beginning construction. This permission would most likely be in the form of a Construction Permit and/or easement, in accordance with the Yadkin Project Shoreline Management Plan (SMP). More specifically, the Industrial Use Approval Procedures are outlined in Appendix F to the SMP. Because the project is considered a 'new bridge or road,' the SMP requires 1) agency consultation, 2) 45-day prior notice to FERC and 3) APGI written permission (SMP Appendix F, Table 2). The Transportation Program Management Unit will coordinate with the proper APGI officials to obtain a FERC permit revision for this project.

Geotechnical Unit

It is anticipated that the proposed widening of I-85 and interchange reconstruction along I-85 will encroach on one property identified as an underground storage tank (UST) site. The project has been designed to minimize impacts to this UST site to prevent the possibility of long-term costly remediation. This impacted site will be further evaluated before the project's construction.

Project Development and Environmental Analysis Branch

Due to its historical significance, Bridge # 46, which carries US 29-70 over the Yadkin River in the southbound direction, will remain in place but will be closed to vehicular traffic. The bridge will remain in place to serve pedestrian and bicycle traffic. Ownership, liability, and maintenance responsibilities are currently being discussed by the Rowan and Davidson County Commissioners, the Transportation Museum, and the State Historic Preservation Office (SHPO). It is anticipated that these issues will be resolved before the project construction.

The issues related to ownership, liability and maintenance responsibilities have not been resolved by the above-mentioned parties. These issues continue to be discussed by the local officials.

PROJECT COMMITMENTS

Rehabilitation of Bridge No. 46 (Wil-Cox Bridge) is not an option due to the present state of deterioration. After submission of the Notice of Adverse Effect to the Council in February 2009, FHWA entered into negotiations with NCDOT, NC HPO and other consulting parties to develop a Memorandum of Agreement (MOA) to mitigate the effects of the project on the Yadkin River Crossings Historic District. Davidson and Rowan Counties attended the initial meeting and informed all parties that they may not be able to honor their original intention to take ownership of the historic Wil-Cox Bridge. Rowan County commissioners voted against participating in preservation of the bridge, while the Davidson County commissioners have decided to work in good faith with FHWA and NCDOT towards taking ownership of the Wil-Cox Bridge, once the entire I-85 Yadkin River Bridge Project is completed. The ultimate fate of the bridge is unknown at this time, but the attached MOA has been drafted to accommodate for the effects of either outcome.

Right of Way Branch

It is anticipated that thirteen Geodetic Survey markers will be impacted by this project. The North Carolina Geodetic Survey will be contacted prior to construction regarding the relocation of survey markers along the project.

Project Development and Environmental Analysis Branch / Structure Design Unit

Removal of Bridge # 137, which spans the Yadkin River, potentially results in 1,254 cubic yards of temporary fill. NCDOT will implement Best Management Practices for Bridge Demolition and Removal.

Upon further analysis of the amount of temporary fill resulting from bridge demolition, it was determined that only the amount of fill from the substructure would result in temporary fill. The likely potential amount of fill resulting from bridge demolition will be approximately 430 cubic yards. NCDOT will implement Best Management Practices for Bridge Demolition and Removal.

Project Development and Environmental Analysis Branch

The project may have an impact on a low income community in the Williams Trailer Park area located along I-85, south of SR 2124 (Hackett Road). During the project development process, no concerns have been raised by the public or local government officials concerning environmental justice issues. NCDOT will aggressively seek participation of this low-income community in the public involvement process.

NCDOT held two meetings with the citizens of the Williams Trailer Park. The first meeting was held in the Spencer Town Hall on 6/19/2001, and the second meeting was held in the North Carolina Transportation Museum on 6/24/2002. During these meetings, the design was presented to the trailer park residents and their input and concerns, related to the project, were obtained. In addition to these meetings, a more detailed analysis was performed to determine the impacts to this area and the determination has been made that this project does not create impacts related to Environmental Justice for the Williams Trailer Park.

PROJECT COMMITMENTS

An on-site community studies review and analysis was conducted by the NCDOT Community Studies staff on March 6, 2009. No major area development or land use changes were observed inside the project limits since the Design Public Hearing was held.

Project Development and Environmental Analysis Branch / Design Services Unit

Based on preliminary studies, five areas were identified as possible noise barrier locations. These noise barriers were determined to be unreasonable, due to the cost of the noise reduction benefits versus the cost of the abatement measures. However, the project will be re-evaluated for noise abatement measures once more detailed designs are complete.

The project was re-evaluated for noise abatement measures. Noise mitigation in the form of a wall was analyzed for several areas along the project. For the I-2304AA section, one location, known as Barrier Location 2, it was determined that a barrier in this location is considered reasonable and feasible by NCDOT guidelines. Hence, a noise wall is recommended in this area. Further coordination with the affected residents and/or businesses will take place concerning this proposed noise wall.

One traffic noise barrier is proposed for construction on I-2304AA and is located on the west side of I-85, immediately south of the I-85 Business/I-85 interchange. The projects are proposed to be concurrently let as Design/Build. To facilitate the Design/Build process, NCDOT will revise the existing Design Noise Reports by using the current TNM® version 2.5 software and incorporating the analytical results for both project sections into one report. The proposed noise barrier is anticipated to remain. Completion of the revised NCDOT Design Noise Report is expected in mid-May 2009.

Project Development and Environmental Analysis Branch / Design Services Unit / Construction Unit

A roadside memorial exists within the project limits; however it is not anticipated to be impacted by this project. This memorial, dedicated in 1929 by the North Carolina Historic Commission which currently owns the property, was investigated for its historical significance. It was determined that the Trading Ford Monument is not eligible for the National Register of Historic Places. Based on this site visit and other information compiled by NCDOT, no additional archaeological work was deemed necessary for this site. The Historic Preservation Office has requested that the bronze plaque be returned to them if the monument has to be removed during construction. Additionally, NCDOT will coordinate with local officials and SHPO to determine if there is a more suitable location for the marker.

According to the current plans, the roadside memorial (Trading Ford Monument) will not be affected by the construction of this project.

Design Services Unit / Structure Design Unit

In accordance with the FERC requirements, a Construction Permit will be issued to NCDOT once all requested information is reviewed and approved by the FERC. The construction permit

PROJECT COMMITMENTS

will contain a condition, among many others, with regard to existing bridges that NCDOT will be required to remove all concrete down to the existing muck line so that it will not be a hazard or act as a "catch" for floating debris.

Project Development and Environmental Analysis Branch

The biological conclusion for the Bald Eagle was revised to "Not Likely to Adversely Affect". This conclusion was approved by the USFWS. Because eagles may potentially nest in this area, NCDOT will survey for bald eagles prior to construction of the project.

As of January 31, 2008, the United States Fish and Wildlife Service lists two federally protected species for Davidson County. Those species are the bog turtle and Schweinitz's sunflower. The USFWS lists one federally protected species for Rowan County, which is Schweinitz's sunflower. No new species have been added by the USFWS since the completion of the E.A. however, the bald eagle has been delisted since then. The bald eagle was officially delisted on August 8, 2007 (CFR 50 Part 17) and is still afforded protection under the Bald and Golden Eagle Protection Act. The biological conclusion of 'No Effect' remains valid for the above mentioned species. The NCDOT Natural Environment Unit will update the project Threatened or Endangered Species Report during the fall 2009 survey window.

Commitments Developed Through Permitting

No new special conditions were developed through the permit extension. The following commitments are from the original permit.

Section 401 Water Quality Certifications Conditions

Division 9, Roadway Environmental Unit (REU)

Sediment and erosion control measures shall not be placed in wetlands or waters to the maximum extent practicable. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, they shall be removed and the natural grade restored within 30 days after the project has been released.

Division 9

Stormwater management shall be constructed in accordance with the hydraulic design plans submitted in the February 20, 2004 application.

Hydraulic Unit

The hazardous spill catch basins (I-2304AA Plan Sheet 9) shall be designed and located to afford ready access to maintenance and emergency response personnel and equipment.

The volume of spill containment storage provided will be approximately 10,000 gallons plus the estimated runoff volume from rainfall intensity equating to a two year return period event.

PROJECT COMMITMENTS

A means will be provided such that the normal free flow of runoff at the basin outlet can be interrupted to cause containment of hazardous runoff. This can be accomplished by providing a mechanical control gate or by constructing a minimum control section in the outlet channel. The mechanical gate alternative will generally be utilized in areas where normal operational activities would allow close scrutiny and control, reducing the potential for problems with vandalism.

Maintenance plans for constructed basins shall be developed in accordance with Best Management Practices (BMPs) and good engineering practices. Additional guidance for properly maintaining containment basins can be found at 40 CFR Part 112, § 112.7, et al. (Spill Prevention Control and Countermeasures).

Inspections of the hazardous spill catch basin and opening/shutting of the gate should be performed annually at a minimum, and within six (6) months after a spill incident to ensure integrity of the catch basin.

Repairs should occur in a timely manner.

NCDOT should provide annually, a site location map of all hazardous spill catch basins and similar devices to Federal (USEPA, USCG), DENR, State Emergency Response Coordinator, and all applicable county and urban center response groups. -Signage indicating the presence of a hazardous spill catch basin shall be provided.

REU. Division 9

The removal of vegetation in riparian areas should be minimized. NCDOT is encouraged to use existing on-site vegetation and materials for stream bank stabilization and to minimize the use of rip rap. Rip rap shall not be placed in the stream bottom. Riparian vegetation, using native trees and shrubs, must be re-established within the construction limits of the project by the end of the growing season following completion of construction to re-establish the riparian zone and to provide long-term erosion control.

Division 9

Culverts that are less than 48-inch in diameter should be buried to a depth equal to or greater than 20% of their size to allow for aquatic life passage. Culverts that are 48-inch diameter or larger should be buried at least 12 inches below the stream bottom to allow natural stream bottom material to become established in the culvert following installation and to provide aquatic life passage during periods of low flow. If any of the existing pipes are perched, they shall be removed and replaced, and re-installed correctly, unless demonstrated that this is topographically unfeasible.

PDEA

Summary of Compensatory Mitigation: Compensatory mitigation shall be the same as that approved by the US Army Corps of Engineers, as long as the mitigation required equals a ratio of 1:1 restoration or creation of lost wetland acres as described in 15A NCAC 2H.0506 (h)(6), and consists of the following:

PROJECT COMMITMENTS

1-2304 Section AA

- 0.02 acres of on-site riverine wetland restoration within 1-2304 Section AA.
- 2644 linear feet of stream impacts will be mitigated through NCDENR Ecosystem Enhancement Program (EEP).
- 1.08 acres of impacts to non-riverine wetlands will be mitigated through EEP.

1-2304 Section AB

- 1.03 acres of on-site riverine wetland restoration within 1-2304 Section AA.
- 1811 linear feet of stream will be mitigated through EEP.
- 0.16 acres of impacts to non-riverine wetlands will be mitigated through EEP.

In accordance with 15A NCAC 2R.0500, this contribution will satisfy NC Division of Water Quality's compensatory mitigation requirements under 15A NCAC 2H.0506(h). Until the EEP receives and clears NCDOT's payments, wetland or stream fill shall not occur. The payments to EEP shall be sent within two (2) months of issuance of the 404 permit.

Division 9, Design Services Unit, Hydraulics Unit

Two copies of the final construction drawings shall be furnished to NCDWQ prior to the pre-construction meeting. Written verification shall be provided that the final construction drawings comply with the permit drawings contained in the Application dated February 20, 2004 and May 11, 2004.

Division 9

The dimension, pattern and profile of the stream above and below the crossing should not be modified by widening the stream channel or reducing the depth of the stream. Disturbed floodplains and streams should be restored to natural geomorphic conditions. All stream relocation and restoration activities shall comply with the final natural channel design plans approved by the NC Division of Water Quality.

Division 9, REU

All channel relocations will be constructed in a dry work area, and stabilized before stream flows are diverted. Channel relocations will be completed and stabilized prior to diverting water into the new channel. Wherever possible, channel relocations shall be allowed to stabilize for an entire growing season. Vegetation used for bank stabilization shall be limited to native woody species, and should include establishment of a 30 foot wide wooded and adjacent 20 foot wide vegetated buffet on both sides of the relocated channel to the maximum extent practical. A transitional phase incorporating coir fiber and seedling establishment is allowable. Also, rip-rap may be allowed if it is necessary to maintain the physical integrity of the stream, but NCDOT must provide

PROJECT COMMITMENTS

written justification and any calculations used to determine the extent of rip-rap coverage requested.

All temporary fills in wetlands and surface waters shall be removed upon completion of the project. In addition, the post-construction removal of any temporary bridge structures or fill will need to return the project site to its pre-construction contours and elevations. The revegetation of the impacted areas with appropriate native species will be required.

Section 404 Individual Permit Conditions

Compliance With Plans

Division 9, Design Services Unit

All work must be performed in strict compliance with the plans, which are a part of the Section 404 permit. Any modification to the permit plans must be approved by the US Army Corps of Engineers (USACE) prior to implementation.

Construction Plans

NCDOT will ensure that the construction design plans for this project do not deviate from the permit plans. Written verification shall be provided that the final construction drawings comply with the attached permit drawings prior to any active construction in

waters of the United States, including wetlands . Any deviation in the construction design plans will be brought to the attention of the Corps of Engineers, Raleigh Regulatory Field Office prior to any active construction in waters or wetlands.

Sedimentation and Erosion Control Measures

Division 9, REU

NCDOT shall remove all sediment and erosion control measures placed in wetlands or waters, and shall restore natural grades in those areas, prior to project completion .

Mitigation

PDEA

NCDOT shall mitigate for 2.29 acres of wetland impacts, and 4,455 linear feet of impact to streams with important aquatic function, for this project, as described below (1.05 acres of riverine bottomland hardwood wetland restoration at the Yadkin River Swamp Hardwoods Restoration Mitigation Site, and 2.48 acres of restoration equivalent nonriverine wetlands, and 8,910 linear feet of restoration equivalent warm water stream channel, through the North Carolina Ecosystem Enhancement Program (EEP), in the Yadkin River basin (Cataloging Unit 03040103).

PROJECT COMMITMENTS

YADKIN RIVER SWAMP HARDWOODS RESTORATION MITIGATION SITE

PDEA, Division 9, Roadside Environmental Unit

NCDOT shall implement the compensatory wetland mitigation plan entitled "Restoration Plan for Swamp Hardwoods Wetlands At Existing Bridge Causeway of the 1-85 Yadkin River In Rowan County", dated July 12, 2004, to provide the restoration described in conditions below. NCDOT shall complete grading for the mitigation within one year of demolition of the existing 1-85 Yadkin River bridge, and complete planting of the site within the first planting season (November 15 to March 15) after grading is completed. NCDOT shall contact the Corps of Engineers, Raleigh Regulatory Field Office NCDOT Regulatory Project Manager, a minimum of sixty days before completion of grading at the mitigation site, and inform the Project Manager of the expected completion date of the grading.

NCDOT shall mitigate for 1.05 acres of unavoidable impacts to riverine bottomland hardwood forest wetlands associated with this project with 1.05 acres of riverine bottomland hardwood forest wetland restoration, at the Yadkin River Swamp Hardwoods Restoration Mitigation Site (Yadkin Site).

NCDOT will do a boundary survey of the 1.05 acres of wetland restoration at the Yadkin Site, and submit a copy of the survey to the District Engineer within 90 days after construction of the site is completed .

NCDOT will monitor the site vegetation between June 1 and November 30, inclusively, of each year, and document plant mortality and stress. A minimum of one 0.05-acre sample plots will be established within the 1.05 acre restoration area, and will be placed randomly within a representative position. NCDOT will continue monitoring of the planting area annually until the specified performance criteria is met, as described below.

YADKIN SITE MITIGATION MONITORING

PDEA, Division 9, Roadside Environmental Unit

Performance criteria for tree planting areas will be met if sample plots demonstrate that for each of the first three complete years of monitoring, 320 target-species trees per acre have survived, such that at the end of three years, 320 three-year old target-species trees per acre have survived on the site, and, in years four and five, 288 and 260 trees per acre, respectively, have survived on the site , such that at the end of year five, 260 five year old target-species trees per acre have survived on the site.

If for any monitoring year, vegetation survival is not favorable, as determined by the Corps of Engineers, any remedial action required by the Corps of Engineers will be performed, the required restoration areas will be replanted , and the five-year monitoring

PROJECT COMMITMENTS

period will begin again with year one.

GENERAL WETLANDS MITIGATION

PDEA, Division 9

NCDOT and subsequent property owners shall maintain the Yadkin Site in its natural condition, as altered by work in the mitigation plan, in perpetuity. Prohibited activities within the mitigation site specifically include, but are not limited to: the construction or placement of roads, walkways, buildings, signs, or structures of any kind (i.e. billboards, interior fences, etc.); filling, grading, excavation, leveling, or any other earth moving activity or activity that may alter the drainage patterns on the property; the cutting, mowing, destruction, removal, or other damage of any vegetation; disposal or storage of any debris, trash, garbage, or other waste material; except as may be authorized by the mitigation plans, or subsequent modifications that are approved by the Corps of Engineers. In addition, NCDOT shall take no action, whether on or off the mitigation property, which will adversely impact the wetlands on the mitigation property, except as specifically authorized by this permit, or subsequent modifications that are approved by the Corps of Engineers.

NCDOT shall make every effort to convey the Yadkin Site property to a nonprofit conservation organization or a natural resource agency, which is willing to hold the areas in perpetuity for conservation purposes, and which is acceptable to the Corps of Engineers. The annual monitoring reports, as required, will include the status of the conveyance efforts.

NCDOT shall not sell or otherwise convey any interest in the property used to satisfy mitigation requirements for this permit, to any third party, without 10 days prior notification to Wilmington District Corps of Engineers in writing, which writing shall reference this permit Action ID number.

Any sale, lease, or other conveyance of the mitigation site property shall include restrictions on the use of the property as described in conditions above, which conditions shall be enforced by the North Carolina Department of Transportation. Such restrictions shall include language providing for third party enforcement rights in favor of the Corps of Engineers. Such restrictions must be approved prior to conveyance by the Corps of Engineers.

GENERAL MITIGATION

PDEA

NCDOT shall contact the Corps of Engineers, Raleigh Regulatory Field Office NCDOT Regulatory Project Manager, to provide that individual with the opportunity to attend the yearly mitigation monitoring efforts.

NC-EEP STREAM AND WETLAND MITIGATION:

PROJECT COMMITMENTS

Compensatory mitigation for the unavoidable impacts to 1.24 acres of non-riverine wetlands, and 4,455 linear feet of stream associated with the proposed project shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated April 30, 2004 from William D. Gilmore, EEP Transition Manager. Pursuant to the EEP Memorandum of Agreement (MOA) between the State of North Carolina and the US Army Corps of Engineers signed on July 22, 2003, the EEP will provide 2.48 acres of restoration equivalent non-riverine wetlands, and 8,910 linear feet of restoration equivalent warm water stream channel in the Yadkin River basin (Cataloging Unit 03040103) by one year of the date of this permit. For wetlands, a minimum of 1:1 (impact to mitigation) must be in the form of wetland restoration. The NCDOT shall, within 30 days of the issue date of this permit, certify that sufficient funds have been provided to EEP to complete the required mitigation, pursuant to Paragraph V. of the MOA.

Navigation

Division 9, Hydraulics Unit, Structure Design Unit

The authorized fill and structures, and associated activities, in the Yadkin River must not interfere with the public's right to free navigation on the river. No attempt will be made by NCDOT to prevent the full and free use by the public of the river at or adjacent to the authorized work for reason other than safety. NCDOT shall not modify the design of the temporary work bridges to provide an unobstructed main channel less than fifty feet wide, with no vertical structural obstructions from the work bridges extending into the opening.

Construction Plans

Division 9, Hydraulics Unit, Design Services Unit

Prior to commencing construction within jurisdictional waters of the United States, NCDOT shall forward the latest version of project construction drawings to the USACE, Raleigh Regulatory Field Office NCDOT Regulatory Project Manager. Half-size drawings are acceptable.

Historic Property

Division 9, PDEA

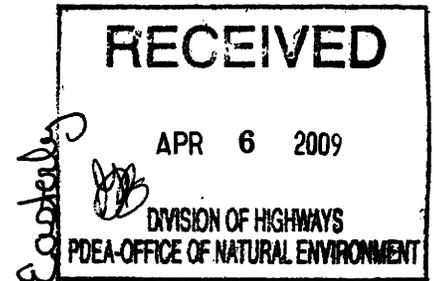
NCDOT shall leave Bridge No. 46, which currently carries US 29-70 over the Yadkin River in the southbound direction, in place, due to its historical significance. NCDOT shall close the bridge to vehicular traffic, but it will serve pedestrian and bicycle traffic. NCDOT shall work out ownership and maintenance responsibilities with the Rowan and Davidson County Commissioners, the Transportation Museum, and the North Carolina State Historic Preservation Office



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343

April 1, 2009



Regulatory Division

Action ID. 199821203; TIP No. I-230⁹4A

Dr. Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA
N.C. Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina 27699-1598

Dear Dr. Thorpe:

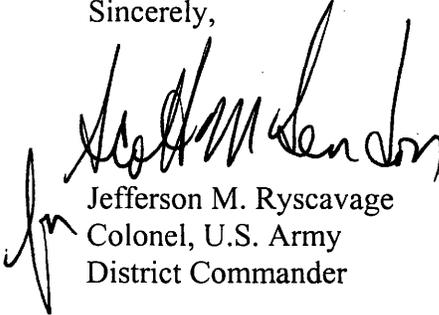
Reference is made to your Department of the Army (DA) permit issued on December 16, 2004, authorizing the discharge of fill material into waters of the United States (jurisdictional waters) for construction of Section A of the Interstate 85 (I-85) Improvements (T.I.P. No. I-2304A), from north of SR 2120 (Exit 81), northeast of Spence, in Rowan County, to north of I-85 Business (Exit 87), southwest of Lexington, in Davidson County, North Carolina. The project is adjacent to jurisdictional waters of the Yadkin River, Potts Creek, and unnamed tributaries of the Yadkin River.

Reference is also made to your written request of February 20, 2009, to extend your DA permit. As stated in your request the project was scheduled to start construction in 2004; however, funding for the project was cut and construction of the project was never started. At this time, new funding for the project is anticipated and the NCDOT plans to proceed with construction. The current DA permit for the project has an expiration date of December 31, 2009. It is expected that the project including the replacement and demolition of several bridges will take four years to complete. Therefore, you have requested a four year extension of your current DA permit. In accordance with your request, your permit is hereby extended until December 31, 2013. All other conditions of the original permit remain in full force and effect.

If the permitted work is not completed on or before the date herein specified, the authorization, if not previously revoked or specifically further extended, will cease and become null and void. If additional time is required to complete the project, you should contact this office with a request for an additional time extension.

Should you have questions, please contact Mr. John Thomas, Raleigh Regulatory Field Office, telephone (919) 554-4884 extension 25.

Sincerely,



Jefferson M. Ryscavage
Colonel, U.S. Army
District Commander

Copies furnished:

Mr. Brian Wrenn
Division of Water Quality
North Carolina Department of Environment
and Natural Resources
1650 Mail Service Center
Raleigh, North Carolina 27699-1650

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

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

Mr. Chris Militscher
C/O FHWA
U.S. Environmental Protection Agency
Raleigh Office
310 New Bern Avenue, Room 206
Raleigh, North Carolina 27601