




STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

September 5, 2023

MEMORANDUM TO: Division Environmental and Construction Units

FROM:  Jason L. Dilday ECAP Eastern Region Group Leader  
Environmental Analysis Unit

SUBJECT: Environmental Permits for the Replacement of Bridge 8 on NC 12 over  
Slash Creek in Dare County, Division 1, **TIP: B-5610.**

Please find enclosed the following permits for this project:

Agency	Permit Type	Permit Expiration
US Army Corps of Engineers Section 404 Clean Water Act Permit	Regional General Permit 50	May 25, 2025
NC Division of Water Resources Section 401 Water Quality Certification	General Certification No. 4135 [RGP50]	May 25, 2025
NC Division of Coastal Management General Permit	General Permits 07H .2300/.1600	N/A

Work is authorized by the above referenced permit provided it is accomplished in strict accordance with the permitted plans.

The Environmental Coordination and Permitting Group or the Division Environmental Office must be consulted if any deviation from the permit(s) is required.

The General Conditions and Certifications for Nationwide and Regional Permits can be referenced at:  
[https://xfer.services.ncdot.gov/pdea/PermIssued/\\_General\\_Conditions\\_and\\_Certifications/](https://xfer.services.ncdot.gov/pdea/PermIssued/_General_Conditions_and_Certifications/)

# PROJECT COMMITMENTS

T.I.P. Project No B-5610  
Replacement of Bridge No. 8 over Slash Creek  
On NC 12  
Dare County  
W.B.S. No. 45565.1.1

## COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

### **NCDOT Hydraulics Unit:**

FEMA The project may encroach but will not adversely affect the FEMA-regulated stream. The Hydraulics Unit will coordinate with FEMA to determine if a CLOMR and a subsequent final LOMR are required for the project.

*It was determined via coordination with NCDOT Hydraulics Unit that a CLOMR is not required for this project. No further action will be required.*

### **NCDOT Environmental Analysis Unit:**

Federally Threatened Species NCDOT will initiate informal consultation with the NMFS to confirm biological conclusions for the Loggerhead sea turtle, Hawksbill sea turtle, Green sea turtle, Leatherback sea turtle, and Kemp's Ridley sea turtle.

*Conversations with the NMFS concluded that replacement of Bridge 8 will have "No Effect" on the listed sea turtle species.*

### **NCDOT Division 1 Construction:**

Construction and Roadway Closure NCDOT will develop methods to address pedestrian and bicycle accommodations during construction, in coordination with Work Zone Safety.

*The project will be constructed utilizing an off-site detour route for vehicular traffic.*

*There are not sufficient pedestrian accommodations in the vicinity to warrant a separate pedestrian plan during construction. No further action is required.*

NCDOT will contact the Dare County Emergency Medical Services' Planning Director at 252- 475-5713 at least one month prior to construction to allow first responders to prepare for the anticipated action.

NCDOT will contact the Hatteras Island Rescue Squad at 252-995-5490 at least one month prior to construction to allow marine first responders to prepare for the anticipated action.

NCDOT will contact the Hatteras Village Volunteer Fire Department at 252-986-2356 at least one month prior to construction to allow emergency personnel to prepare for the anticipated action.

NCDOT will contact the Dare County Schools' Supervisor of Transportation at 252-473-3717 Ext. 3402 at least one month prior to construction to allow schools to prepare for the anticipated action.

FEMA If a CLOMR and subsequent final LOMR are required for the project, NCDOT will submit sealed as-built construction plans to the Hydraulics Unit upon project completion certifying the project was built as shown on construction plans.

*It was determined via coordination with NCDOT Hydraulics Unit that a CLOMR is not required for this project. No further action will be required.*

HQW NCDOT will adhere to NCDWR's Design Standards for Sensitive Watersheds to avoid and minimize impacts to the designated HQW (The Slash).

*During the hydraulic design of the project, this requirement was fulfilled via coordination and review from NCDOT Hydraulics Unit.*

West Indian Manatee NCDOT will provide conditions to contractors to adhere to guidelines outlined in GUIDELINES FOR AVOIDING IMPACTS TO THE WEST INDIAN MANATEE Precautionary Measures for Construction Activities in North Carolina Waters (2003 USFWS).

## **COMMITMENTS FROM PERMITTING**

**No special conditions developed during permitting.**

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

Action Id. **SAW-2022-00579** County: **Dare County** U.S.G.S. Quad: **Hatteras**

**GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION**

Permittee: **Jason Dilday**  
**NCDOT**  
Address: **1598 Mail Service Center**  
**Raleigh NC, 27699-1598**  
Telephone Number: **(919) 212-5785**

Size (acres) **1** Nearest Town **Hatteras**  
Nearest Waterway **Pamlico Sound** River Basin **Pamlico**  
USGS HUC **03010205** Coordinates Latitude: **35.218255**; Longitude: **-75.688773**

Location description: **The project area is located on Bridge #8 over Slash Creek on NC 12 approximately 0.04 miles northwest of the intersection of Islington Court in Hatteras Village in Dare County, North Carolina**

Description of projects area and activity: **NCDOT proposes to replace an 86' 5 span bridge with a 95' 1 span core slab bridge over Slash Creek in Hatteras Village, Dare County.**

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

Authorization: Regional General Permit Number and/or Nationwide Permit Number: RGP 50  
***SEE ATTACHED RGP or 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 attached conditions and your submitted application and attached information dated March 2, 2023. 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 and/or regional general permit authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide and/or regional general 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 and/or regional general 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 and/or regional general permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide and/or regional general 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 in Elizabeth City, NC, at (252) 264-3901.

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 **Kyle Barnes at (910) 251-4584 or Kyle.W.Barnes@usace.army.mil.**

Corps Regulatory Official: *Moore Matthew* 2023.04.12 09:21:07  
Expiration Date of Verification: **May 25, 2025** Date: **April 11, 2023**

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 our Customer Satisfaction Survey, located online at <https://regulatory.ops.usace.army.mil/customer-service-survey/>

U.S. ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT

Action Id. SAW-2022-00579

County: Dare County

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Property Owner/Applicant: NCDOT

Jason Dilday

Address:

1598 Mail Service Center

Raleigh, North Carolina, 27699-1598

Telephone Number:

(919) 212-5785

Size (acres) 1

Nearest Town Hatteras

Nearest Waterway Pamlico Sound

River Basin Pamlico

USGS HUC 03010205

Coordinates Latitude: 35.218255; Longitude: -75.688773

**Location description: The project area is located on Bridge #8 over Slash Creek on NC 12 approximately 0.04 miles northwest of the intersection of Islington Court in Hatteras Village in Dare County, North Carolina.**

**Indicate Which of the Following Apply:**

**A. Preliminary Determination**

☒ There appear to be waters, including wetlands, on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The waters, including wetlands, have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.

☐ There appear to be waters, including wetlands, on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The waters, including wetlands, have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program

Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.

- There appear to be waters, including wetlands, on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). However, since the waters, including wetlands, have not been properly delineated, this preliminary jurisdiction determination may not be used in the permit evaluation process. Without a verified wetland delineation, this preliminary determination is merely an effective presumption of CWA/RHA jurisdiction over all of the waters, including wetlands, at the project area, which is not sufficiently accurate and reliable to support an enforceable permit decision. We recommend that you have the waters of the U.S., including wetlands, on your property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

## ***B. Approved Determination***

- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- There are waters of the U.S., including wetlands, on the above described property subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

— We recommend you have the waters of the U.S., including wetlands, on your property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

— The waters of the U.S., including wetlands, on your property have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, unless there is a change in law or our published regulations, may be relied upon for a period not to exceed five years from the date of this notification.

— The waters of the U.S., including wetlands, have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on \_\_\_\_\_. Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

- There are no waters of the U.S., to include wetlands, present on the above described property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.



- The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Elizabeth City, NC, at (252) 264-3901 to determine their requirements.

Placement of dredged or fill material within waters of the US, including wetlands, without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). Placement of dredged or fill material, construction or placement of structures, or work within navigable waters of the United States without a Department of the Army permit may constitute a violation of Sections 9 and/or 10 of the Rivers and Harbors Act (33 USC § 401 and/or 403). If you have any questions regarding this determination and/or the Corps regulatory program, please contact **Kyle Barnes at (910) 251-4584 or [Kyle.W.Barnes@usace.army.mil](mailto:Kyle.W.Barnes@usace.army.mil)**.

***C. Basis For Determination: N/A. An Approved JD has not been completed.***

***D. Remarks:***

#### **E. Attention USDA Program Participants**

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

#### **F. Appeals Information for Approved Jurisdiction Determinations (as indicated in Section B. above)**

If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers  
South Atlantic Division  
Attn: Mr. Philip A. Shannin  
Administrative Appeal Review Officer  
60 Forsyth Street SW, Floor M9  
Atlanta, Georgia 30303-8803

**AND**

**[PHILIP.A.SHANNIN@USACE.ARMY.MIL](mailto:PHILIP.A.SHANNIN@USACE.ARMY.MIL)**

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **N/A**.

**It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.**



Corps Regulatory Official: Monte Matthews 2023.04.12 09:22:52 -04'00'

Date of JD: **April 11, 2023** Expiration Date: **N/A**

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 our Customer Satisfaction Survey, located online at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

**SPECIAL CONDITIONS**

1. The NCDOT shall implement the “Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for Construction Activities in North Carolina Waters” as identified by the USFW Service.
2. The Wilmington District, Federal Highway Administration, U.S. Fish and Wildlife Service (USFWS), and the North Carolina Department of Transportation (NCDOT) have conducted programmatic Section 7(a)(2) consultation for the Northern long-eared bat (NLEB) for NCDOT projects located in Divisions 1-8. The result of this programmatic consultation is a Programmatic Biological Opinion (PBO) issued by the USFWS titled, “Programmatic Biological Opinion – Revised, NCDOT Program Effects on the Northern Long-eared Bat in Divisions 1-8”, dated December 15, 2022. This PBO contains agreed upon conservation measures which would minimize take of NLEB. As noted in the PBO, applicability of these conservation measures varies depending on the location of the project. The USFWS has documented that no reasonable and prudent measures, nor terms and conditions, are necessary or appropriate to minimize the amount or extent of incidental take of NLEB caused by the Action; therefore, the incidental take statement does not provide reasonable and prudent measures for this species. Department of the Army (DA) authorization under general permit or standard permit (Individual Permit) is conditional upon the permittee's compliance with applicable, agreed upon conservation measures of the PBO, which is incorporated by reference in this verification letter. Failure to comply with the applicable conservation measures, where a take of the NLEB occurs, would constitute an unauthorized take by the permittee, and would also constitute permittee non-compliance with this verification letter. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its PBO and the ESA. All PBOs can be found on our website at:  
<https://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/ESA/>.

Action ID Number: SAW-2022-00579

County: Dare County

Permittee: Jason Dilday  
NCDOT

Project Name: NCDOT / B-5610 / Bridge 8 over Slash Creek on NC 12 / Dare County / Div. 1

Date Verification Issued: April 11, 2023

Project Manager: Kyle Barnes

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: Kyle Barnes

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

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: <b>Jason Dilday NCDOT</b>	File Number: <b>SAW-2022-00579</b>	Date: <b>April 11, 2023</b>
Attached is:		See Section below
<input type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/> PERMIT DENIAL	C	
<input type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION	D	
<input checked="" type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION	E	

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> or Corps regulations at 33 CFR Part 331.

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

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

**District Engineer, Wilmington Regulatory Division,  
Attn: Kyle Barnes  
2407 West 5<sup>th</sup> Street  
Washington, North Carolina 27889**

If you only have questions regarding the appeal process you may also contact:

**Mr. Philip Shannin, Administrative Appeal Review Officer  
CESAD-PDO  
U.S. Army Corps of Engineers, South Atlantic Division  
60 Forsyth Street, Room 10M15  
Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137  
EMAIL: [PHILIP.A.SHANNIN@USACE.ARMY.MIL](mailto:PHILIP.A.SHANNIN@USACE.ARMY.MIL)**

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

<hr/> Signature of appellant or agent.	Date:	Telephone number:
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**For appeals on Initial Proffered Permits send this form to:**

**District Engineer, Wilmington Regulatory Division, Attn: Kyle Barnes, 2407 West 5<sup>th</sup> Street  
Washington, North Carolina 27889**

**For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:**

**Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Philip Shannin, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137  
EMAIL: [PHILIP.A.SHANNIN@USACE.ARMY.MIL](mailto:PHILIP.A.SHANNIN@USACE.ARMY.MIL)**

**ROY COOPER**

*Governor*

**ELIZABETH S. BISER**

*Secretary*

**RICHARD E. ROGERS, JR.**

*Director*



April 10, 2023

Dare County

NCDWR Project No. 20220400 v.2

TIP B-5610

Bridge No. 8

## **APPROVAL of 401 WATER QUALITY CERTIFICATION with ADDITIONAL CONDITIONS**

Mr. Michael Turchy  
Environmental Coordination and Permitting  
North Carolina Department of Transportation  
1598 Mail Service Center  
Raleigh, NC 27699-1598

Dear Mr. Turchy:

You have our approval, in accordance with the conditions listed below, for the following impacts for the purpose of replacing Bridge No. 8 over the Slash on NC 12 in Dare County:

### **Open Water Impacts in the Pasquotank River Basin**

<b>Site</b>	<b>Open Water Permanent (ac)</b>	<b>Open Water Temporary (ac)</b>
Bridge 8	0.03	0.08
Total	0.11	

The project shall be constructed in accordance with your revised application dated received March 3, 2023. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 4135. This certification corresponds to the Regional General Permit 201902350 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 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:**

1. 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.



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

2. 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)]
3. Adherence to *The Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for Construction Activities in North Carolina Waters* will be required throughout construction.
4. 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. 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.
5. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization, including all non-commercial borrow and waste sites associated with the project, 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]
6. 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)]
7. 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)]
8. 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)]
9. 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]
  - a. 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 *NCDOT Sediment and Erosion Control Manual*.
  - b. 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.
  - c. 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.
  - d. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), SA, WS-1, WS-11, 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 Watershed*. [15A NCAC 02H.0506(b)(3) and (c)(3); GC 4135]
10. Sediment and erosion control measures shall not be placed in wetlands or surface waters or within 5 feet of the top of bank without prior approval from DWR. [15A NCAC 02H.0506(b)(3) and (c)(3)]
11. Erosion control matting in riparian areas shall not contain a plastic or nylon mesh grid which can impinge and entrap small animals. Matting should be secured in place by staples, stakes, or wherever possible live stakes of native trees. Riparian areas are defined as a distance 25 feet from top of stream bank. [15A NCAC 02B.0201]





12. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then design and placement of temporary erosion control measures shall not be conducted in a manner that may result in disequilibrium of wetlands, stream beds, or banks, adjacent to or upstream and downstream of the above structures. All sediment and erosion control devices shall be removed from wetlands and waters and the natural grade restored within two (2) months of the date that the Division of Energy, Mining and Land Resources (DEMLR) or locally delegated program has released the specific area within the project. [15A NCAC 02H.0506(b)(3) and (c)(3)]
13. As a condition of this 401 Water Quality Certification, the bridge demolition and construction must be accomplished in strict compliance with the most recent version of NCDOT's Best Management Practices for Construction and Maintenance Activities. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]
14. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) where possible before entering the stream. To meet the requirements of NCDOT's NPDES permit NCS0000250, please refer to the most recent version of the North Carolina Department of Transportation Stormwater Best Management Practices Toolbox manual for approved measures. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]
15. All bridge construction shall be performed from the existing bridge, temporary work bridges, temporary causeways, or floating or sunken barges. If work conditions require barges, they shall be floated into position and then sunk. The barges shall not be sunk and then dragged into position. Under no circumstances should barges be dragged along the bottom of the surface water. [15A NCAC 02H .0506(b)(3)]
16. Bridge piles and bents shall be constructed using driven piles (hammer or vibratory) or drilled shaft construction methods. More specifically, jetting or other methods of pile driving are prohibited without prior written approval from the NCDWR first. [15A NCAC 02H.0506(b)(2)]
17. The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap 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)]
18. No drill slurry or water that has been in contact with uncured concrete shall be allowed to enter surface waters. This water shall be captured, treated, and disposed of properly. [15A NCAC 02H .0506(b)(3)]
19. A turbidity curtain will be installed in the stream if driving or drilling activities occur within the stream channel, on the stream bank, or within 5 feet of the top of bank, or during the removal of bents from an old bridge. This condition can be waived with prior approval from the NCDWR. [15A NCAC 02H .0506(b)(3)]
20. 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 02H.0506(b)(2)]
21. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
22. NCDOT shall be in compliance with the NCS00250 issued to the NCDOT, including the applicable requirements of the NCG01000.
23. 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]
24. 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)]



25. The NCDOT will conduct a pre-construction meeting with all appropriate staff to ensure that the project supervisor and essential staff understand the permit conditions and any potential issues at the permitted site. NCDWR staff shall be invited to the pre-construction meeting. [15A NCAC 02H.0506(b)(2) and (b)(3)]
26. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete the "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
27. A copy of this Water Quality Certification shall be maintained on the construction site at all times. 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)]

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 Garcy Ward at (252)948-3917 or garcy.ward@ncdenr.gov.

Sincerely,  
DocuSigned by:

*Amy Chapman*

9C9886312DCD474...

Richard E. Rogers, Jr., Director  
Division of Water Resources

Electronic copy only distribution:

Kyle Barnes, US Army Corps of Engineers, Washington Field Office  
Jason Dilday, NCDOT  
Greg Daisey, NC Division of Coastal Management  
Cathy Brittingham, NC Division of Coastal Mangement  
Garcy Ward, NC Division of Water Resources, Washington Regional 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



# ☒ CAMA ☒ DREDGE & FILL **GENERAL PERMIT**

**NO 89802**

A B C D

Previous permit \_\_\_\_\_  
 Date previous permit issued \_\_\_\_\_

☒ New ☐ Modification ☐ Complete Reissue ☐ Partial Reissue

As authorized by the State of North Carolina, Department of Environmental Quality and the Coastal Resources Commission in an area of environmental concern pursuant to:

15A NCAC 07H .2300 / .1600 ☐ Rules attached. ☒ General Permit Rules available at the following link: [www.deq.nc.gov/CAMARules](http://www.deq.nc.gov/CAMARules)

Applicant Name NC DOT  
 Address 1000 BIRCH RIDGE DR.  
 City RALEIGH State NC ZIP 27610  
 Phone # (919) 707-6157  
 Email maturchy@ncdot.gov

Authorized Agent MICHAEL TURCHY  
 Project Location (County): DARE  
 Street Address/State Road/Lot #(s) BRIDGE NO. 8  
NC HWY 12 OVER SLASH CREEK  
 Subdivision \_\_\_\_\_  
 City HATTERAS ZIP 27943

Affected ☐ CW ☒ EW ☒ PTA ☒ ES ☐ PTS  
 AEC(s): ☐ OEA ☐ IHA ☐ UW ☐ SPIMA ☐ PWS  
 ORW: yes ☒ no ☐ PNA: yes ☒ no ☐

Adj. Wtr. Body SLASH CREEK (nat/man/unk)  
 Closest Maj. Wtr. Body PAMLICO SOUND

Type of Project/ Activity REPLACE EXISTING BRIDGE (86' L, 5 SPAN) WITH NEW STRUCTURE (95' L, 2 SPAN) ON EXISTING ALIGNMENT WITH RIP RAP STABILIZATION. TEMPORARY COFFER DAM WILL BE UTILIZED AS CONSTRUCTION METHOD. Scale: N/A  
AERIAL UTILITIES WILL BE RELOCATED AND WATER LINE WILL BE BORED.

Shoreline Length < 500'  
 Access Length \_\_\_\_\_  
 Pier (dock) length \_\_\_\_\_  
 Fixed Platform(s) \_\_\_\_\_  
 Floating Platform(s) \_\_\_\_\_  
 Finger pier(s) \_\_\_\_\_  
 Total Platform area \_\_\_\_\_  
 Groin length/# \_\_\_\_\_  
 Bulkhead/Riprap length 95'  
 Avg distance offshore 5'-10'  
 Breakwater/Sill \_\_\_\_\_  
 Max distance/ length \_\_\_\_\_  
 Basin, channel \_\_\_\_\_  
 Cubic yards \_\_\_\_\_  
 Boat ramp \_\_\_\_\_  
 Boathouse/ Boatlift \_\_\_\_\_  
 Beach Bulldozing \_\_\_\_\_  
 Other 95' L, 2 SPAN BRIDGE  
WATERLINE - 330' BORE  
TEMPORARY COFFER DAM  
 SAV observed: yes ☒ no ☐  
 Moratorium: n/a yes ☒ no ☐  
 Site Photos: yes ☒ no ☐  
 Riparian Waiver Attached: yes ☒ no ☐

PLANS ATTACHED AND INCORPORATED INTO PERMIT:

\* BRIDGE - SIX (6) DATED 07/03/2023

\* UTILITIES - FIVE (5) DATED 01/20/2023

\* COFFER DAM STRUCTURES UTILIZED AS BRIDGE CONSTRUCTION METHOD. DO NOT CONSIDERED TEMPORARY AND SHALL BE REMOVED ENTIRELY WHEN NO LONGER NEEDED OR UPON WRITTEN NOTICE FROM DCM

A building permit/zoning permit may be required by: DARE

Permit Conditions 1) DEVELOPMENT AUTHORIZED BY THIS PERMIT SHALL ONLY BE CONDUCTED WITHIN NCDOT RIGHT OF WAY AND/OR EASEMENTS

2) THIS PERMIT DOES NOT ELIMINATE THE NEED TO OBTAIN ANY OTHER NECESSARY STATE, LOCAL OR FEDERAL AUTHORIZATIONS

3) PILINGS FROM THE EXISTING, AS WELL AS REMNANT PILINGS, SHALL BE REMOVED IN THEIR ENTIRETY.

☐ TAR/PAM/NEUSE/BUFFER (circle one)  
☐ See note on back regarding River Basin rules  
☒ See additional notes/conditions on back

I AM AWARE OF STATUTES, CRC RULES AND CONDITIONS THAT APPLY TO THIS PROJECT AND REVIEWED COMPLIANCE STATEMENT. (Please Initial) \_\_\_\_\_

Agent or Applicant PRINTED Name \_\_\_\_\_

GREG DAISEY  
 Permit Officer's PRINTED Name

Signature \*\*Please read compliance statement on back of permit\*\*

\$800.00 WBS# 45565.1.2  
 Application Fee(s) Check #/Money Order

Signature \_\_\_\_\_

08/30/2023  
 Issuing Date

NO EXPIRATION, PURSUANT TO  
 Expiration Date

GS 136-44.7B



## Statement of Compliance and Consistency

This permit is subject to compliance with this application and permit conditions. Any violation of these terms may subject the permittee to a fine or criminal or civil action; and may cause the permit to become null and void. This permit must be on the project site and accessible to the permit officer when the project is inspected for compliance. The applicant certifies by signing this permit that: 1) prior to undertaking any activities authorized by this permit, the applicant will confer with appropriate local authorities to confirm that this project is consistent with the local land use plan and all local ordinances, and 2) a written statement from the adjacent riparian property owner(s) has been obtained, or proof of delivery of certified mail notification of the adjacent riparian property owner(s).

The State of North Carolina and the Division of Coastal Management, in issuing this permit under the best available information and belief, certify that this project is consistent with the North Carolina Coastal Management Program.

### River Basin Rules Applicable To Your Project:

☐ Tar - Pamlico River Basin Buffer Rules ☐ Neuse River Basin Buffer Rules

If indicated on front of permit, your project is subject to the Environmental Management Commission's Buffer Rules for the River Basin checked above due to its location within that River Basin. These buffer rules are enforced by the NC Division of Water Resources. If you have any questions, please contact the Division of Water Resources at the Washington Regional Office (252-946-6481) or the Wilmington Regional Office (910-796-7215).

### Notes/Additional Permit Conditions:

④ MEASURES SUFFICIENT TO RESTRAIN AND EROSION SHALL BE IMPLEMENTED ⑤ SUBAQUEOUS LINES MUST BE PLACED AT A DEPTH OF TWO FEET BELOW THE BOTTOM CONTOUR. ⑥ IN ORDER TO PROTECT WATER QUALITY, RUN OFF FROM CONSTRUCTION SHALL NOT VISIBLY INCREASE THE AMOUNT OF SUSPENDED SEDIMENTS IN ADJACENT WATERS

USACE ACTION ID: SAW-2022-00579 (APRIL 11, 2023)

DWR GENERAL WATER QUALITY CERTIFICATION 4135 (NCDWR PROJECT NO. 20220400 v.2 APRIL 10, 2023)

Please ensure all debris associated with the removal or construction of the permitted development is contained within the authorized project area and disposed of in an appropriate upland location.

### Division of Coastal Management Offices

#### Morehead City Headquarters

400 Commerce Ave Morehead City, NC 28557  
252-808-2808/ 1-888-4RCOAST Fax: 252-247-3330  
(Serves: Carteret, Craven – south of the Neuse River, Onslow Counties)

#### Elizabeth City District



401 S. Griffin St. Ste. 300  
Elizabeth City, NC 27909  
252-264-3901  
(Serves: Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Pasquotank and Perquimans Counties)

#### Washington District

943 Washington Square Mall Washington, NC 27889  
252-946-6481  
Fax: 252-948-0478  
(Serves: Beaufort, Craven – north of the Neuse River, Hyde, Pamlico, Tyrrell and Washington Counties)

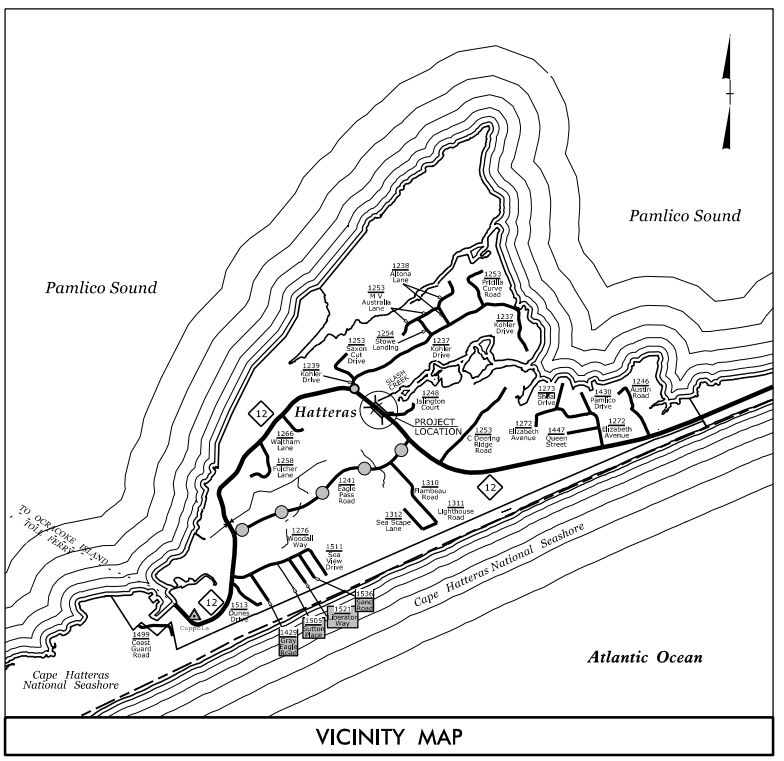
#### Wilmington District

127 Cardinal Drive Ext. Wilmington, NC 28405-3845  
910-796-7215  
Fax: 910-395-3964  
(Serves: Brunswick, New Hanover and Pender Counties)

		North Carolina Department of Transportation Highway Stormwater Program <b>STORMWATER MANAGEMENT PLAN</b> FOR NCDOT PROJECTS					
(Version 2.08; Released April 2018)							
WBS Element: 45565.1.1		TIP No.: B-5610		County(ies): Dare		Page 1 of 1	
<b>General Project Information</b>							
WBS Element:		45565.1.1		TIP Number: B-5610		Project Type: Bridge Replacement	
NCDOT Contact:		Kristy Alford, P.E.		Contractor / Designer:		Josh Dalton, P.E.	
Address: NCDOT Structures Management Unit 1581 Mail Service Center Raleigh, NC 27699 Phone: 919-707-6531 Email: kalford@ncdot.gov		Address: Sungate Design Group, P.A. 905 Jones Franklin Road Raleigh, NC 27606 Phone: 919-859-2243 Email: jdalton@sungatedesign.com					
City/Town:		Hatteras		County(ies):		Dare	
River Basin(s):		Pasquotank		CAMA County?		Yes	
Wetlands within Project Limits?		Yes					
<b>Project Description</b>							
Project Length (lin. miles or feet):		0.16		Surrounding Land Use:		Residential, Commercial	
		<b>Proposed Project</b>		<b>Existing Site</b>			
Project Built-Up Area (ac.)		1.1 ac.		1.1 ac.			
Typical Cross Section Description:		One paved 11' lane in each direction with 4' paved shoulders and variable with paved swales.		One paved 15' lane in each direction with 2'-6" curb and gutter.			
Annual Avg Daily Traffic (veh/hr/day):		Design/Future: 5842		Year: 2042		Existing: 4,425	
General Project Narrative: (Description of Minimization of Water Quality Impacts)		B-5610 is a bridge replacement project that involves removing Dare County bridge #8, on NC 12 over Slash Creek, and replacing it with a 1@45' and 1@50' 21" Cored Slab bridge with 4' end bent caps. The existing bridge is 5@17' timber deck on timber piles with timber abutments. The proposed structure will not have deck drains, and existing drainage patterns have been maintained.					
<b>Waterbody Information</b>							
Surface Water Body (1):		Slash Creek		NCDWR Stream Index No.:		30-22-30-1	
NCDWR Surface Water Classification for Water Body		Primary Classification:		Class SA			
		Supplemental Classification:		High Quality Waters (HQW)			
Other Stream Classification:		None					
Impairments:		None					
Aquatic T&E Species?		Comments:					
NRTR Stream ID:						Buffer Rules in Effect:	
Project Includes Bridge Spanning Water Body?		Yes		Deck Drains Discharge Over Buffer?		No	
Deck Drains Discharge Over Water Body?		No		(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)							

05/08/99

TIP PROJECT: B-5610



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

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS  
**DARE COUNTY**

Submitted 2/28/2023

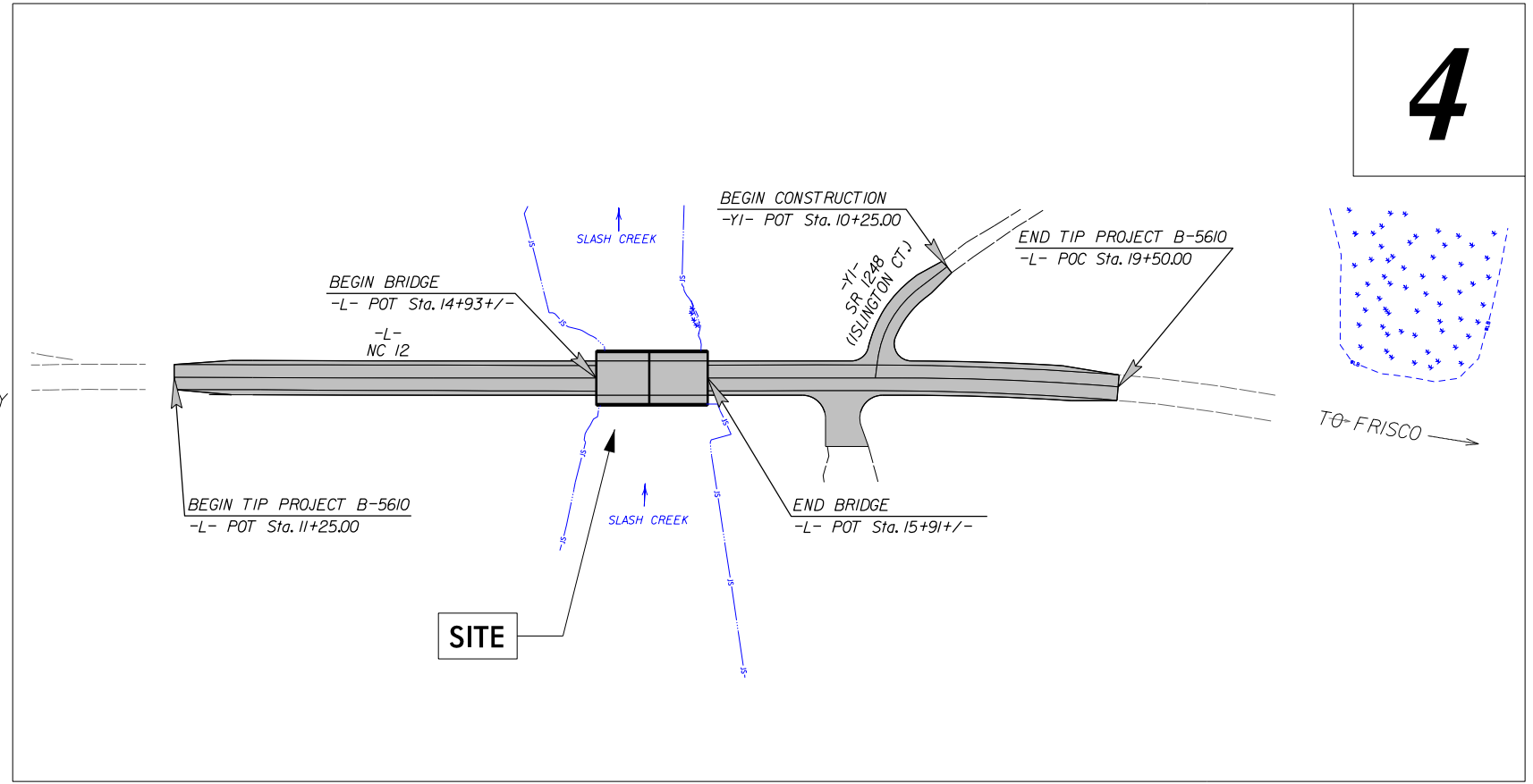
LOCATION: BRIDGE No. 8 OVER THE SLASH ON NC 12

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

WETLAND AND SURFACE WATER IMPACTS PERMIT

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-5610	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
45565.1.2	NHP-0012(016)	PE	
45565.2.1	0012068	RIGHT-OF-WAY	
45565.2.1	0012068	UTILITIES	

PERMIT DRAWING  
SHEET 1 OF 6  
DATE: 1-20-23

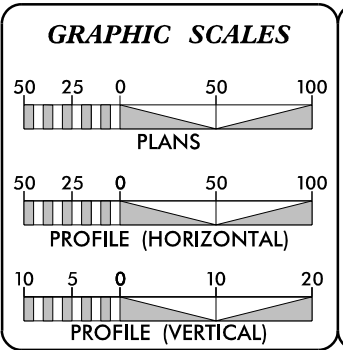


4

CLEARING ON THIS PROJECT SHALL BE TO LIMITS ESTABLISHED USING METHOD II.  
THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDRIES OF HATTERAS.

INCOMPLETE PLANS  
DO NOT USE FOR R/W ACQUISITION  
DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

CONTRACT:



DESIGN DATA  
2023 ADT = 4,496 VPD  
2043 ADT = 5,912 VPD  
K = 8%  
D = 55%  
T = 8% \*  
V = 40 MPH  
\* (TTST 1% + DUAL 7%)  
FUNC. CLASS. = MAJOR COLLECTOR  
REGIONAL TIER

PROJECT LENGTH	
LENGTH ROADWAY TIP PROJECT B-5610	= 0.137 mi.
LENGTH STRUCTURES TIP PROJECT B-5610	= 0.019 mi.
TOTAL LENGTH TIP PROJECT B-5610	= 0.156 mi.

Prepared in the Offices of:

**STEWART**  
223 S. WEST ST., STE. 1100  
RALEIGH, NC 27603  
TEL: 919.380.4560  
FAX: 919.380.4560  
www.stewartinc.com

**SUNGATE DESIGN GROUP, P.A.**  
400 JONES FARM ROAD  
RALEIGH, NORTH CAROLINA 27606  
TEL: 919.380.4560  
FAX: 919.380.4560  
www.sungatedesign.com

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:  
AUGUST 19, 2021

LETTING DATE:  
OCTOBER 17, 2023

ANDY YOUNG, PE  
PROJECT ENGINEER

MICHAEL BURNS, PE  
PROJECT DESIGN ENGINEER

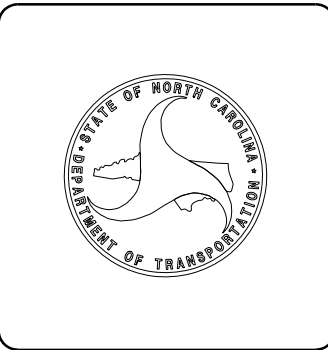
KRISTY ALFORD, PE  
NCDOT CONTACT

HYDRAULICS ENGINEER

SIGNATURE: \_\_\_\_\_ P.E.

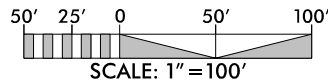
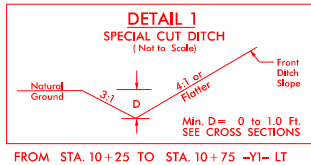
ROADWAY DESIGN ENGINEER

SIGNATURE: \_\_\_\_\_ P.E.









Submitted 2/28/2023

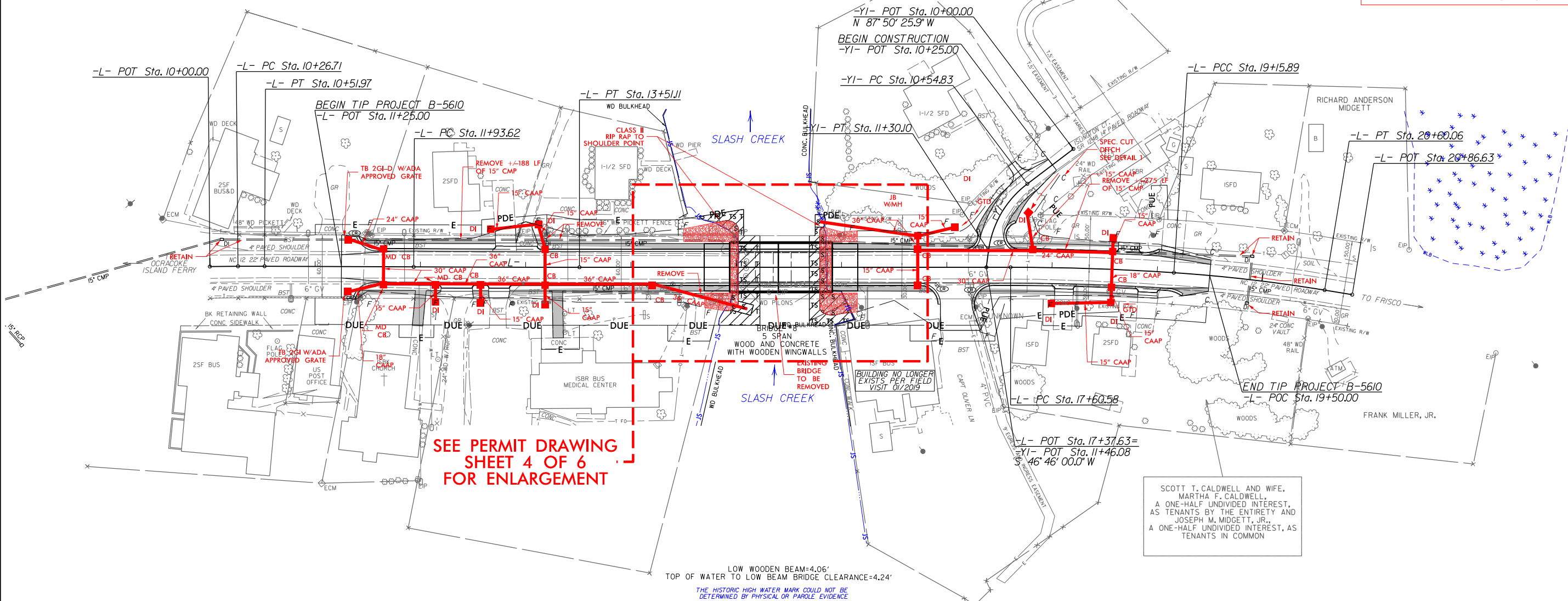


NAD 83 NA 2011




PROJECT REFERENCE NO.		SHEET NO.	
B-5610		4	
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<div style="border: 1px solid black; padding: 10px; text-align: center;"> <b>INCOMPLETE PLANS</b>  <b>DO NOT USE FOR R/W ACQUISITION</b> </div>			
 <p>firm license No. C-1051          222 E. 10th St.          Suite 1100          Idaho Falls, ID 27403          T 509.380.8750          www.stewarteng.com</p>		<p><b>SUNGATE DESIGN GROUP, P.A.</b></p>  <p>MR. JAMES FRANKENBERG          REGISTERED PROFESSIONAL ENGINEER          TEL 509.764.0935          FAX 509.764.0936 NCL 0430</p>	
<div style="border: 1px solid black; padding: 5px;"> <b>DOCUMENT NOT SIGNED FINAL UNLESS ALL SIGNATURES COMPLETED</b> </div>			
<h1 style="margin: 0;">PERMIT DRAWING</h1> <h1 style="margin: 0;">SHEET 2 OF 6</h1>			
<h1 style="margin: 0;">DATE: 1-20-23</h1>			

 DENOTES IMPACTS IN SURFACE WATER

 DENOTES TEMPORARY IMPACTS IN SURFACE WATER



<p>1</p> <p>DROVER LLC DB 1992 PG 95 PC B SLIDE 348</p>	<p>2A</p> <p>HATTERAS UNITED METHODIST CHURCH DB 139 PG 506</p>	<p>2</p> <p>HATTERAS UNITED METHODIST CHURCH DB 1617 PG 299 DB 8 PG 278 DB A PG 480 DB B PG 420</p>	<p>3</p> <p>DARREL ALLEN DANIELS, ET UX DB 1670 PG 104 MB 2 PG 225</p>	<p>9</p> <p>JEFFREY LYNN ODEN DB 1904 PG III PB 338 PG 569</p>	<p>5</p> <p>HATTERAS VILLAGE CIVIC ASSOCIATION INC. DB 974 PG 546 DB 1954 PG 4I DB 1994 PG 306 DB 125 PG 376</p>
<p>6</p> <p>HATTERAS VILLAGE MEDICAL ASSOCIATES DB 130 PG 591</p>	<p>7</p> <p>PALMATIER, LLC DB 2600 PG 903</p>	<p>8</p> <p>SEE PROPERTY OWNER INFO (THIS SHEET)</p>	<p>9</p> <p>JEFFREY LYNN ODEN, ET UX DB 1558 PG 70 PB 338 PG 569</p>	<p>10</p> <p>CHRISTY D. KELLUM DB 1957 PG 308 PC H SLIDE 179</p>	<p>11</p> <p>RICHARD ANDERSON MIDGETT DB 2545 PG 879</p>

	ASPHALT SHOULDER
	CONCRETE SIDEWALK
	PAVEMENT REMOVAL

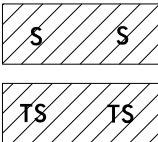
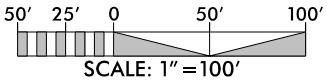
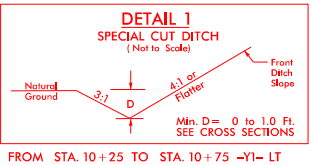
FOR -L- PROFILE, SEE SHEET 5

FOR -YI- PROFILE, SEE SHEET 5

FOR STRUCTURE PLANS,SEE SHEETS S-1 THRU S-X)



Submitted 2/28/2023



DENOTES IMPACTS IN  
SURFACE WATER

DENOTES TEMPORARY  
IMPACTS IN SURFACE WATER

PROJECT REFERENCE NO.  
**B-5610**

ROADWAY DESIGN  
ENGINEER

SHEET NO.  
**4**

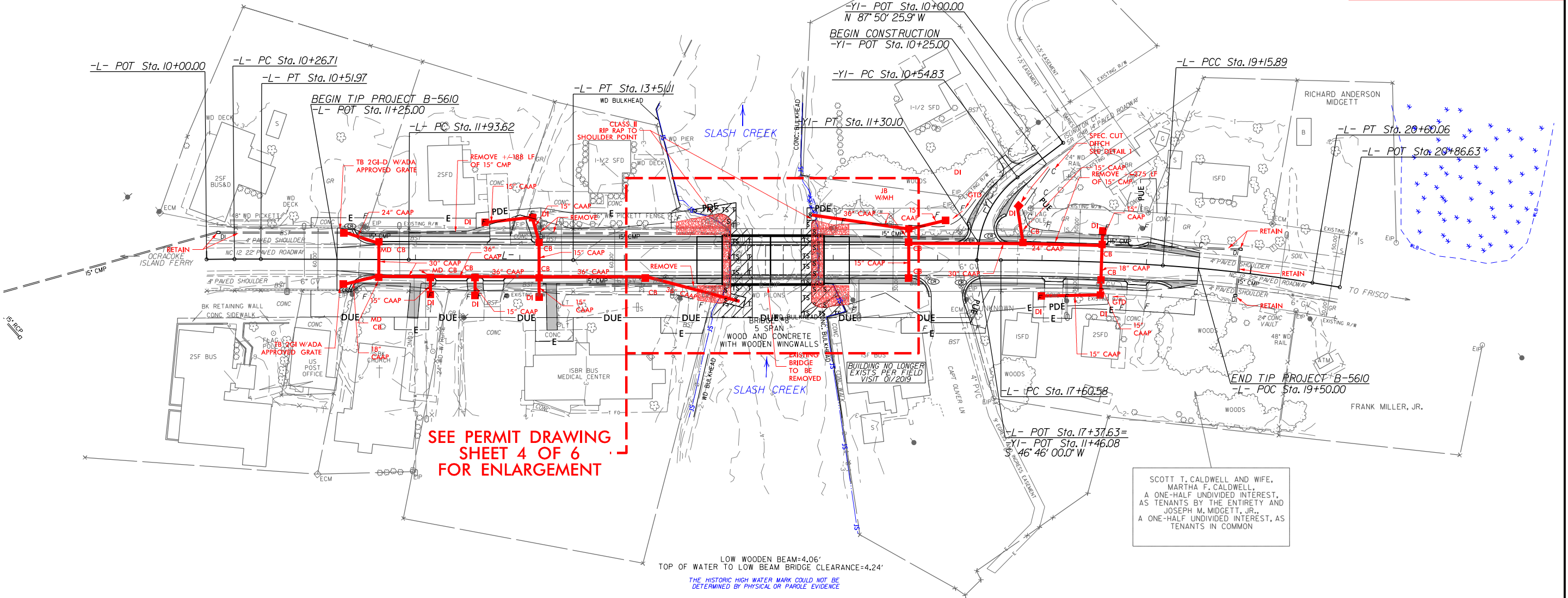
HYDRAULICS  
ENGINEER

Firm License No. C-15123  
223 S. West St.  
Suite 1100  
Raleigh, NC 27601  
P: 919.386.3199  
www.stewartinc.com

SUNGATE DESIGN GROUP, P.A.  
207 CHERRY STREET, SUITE 100  
WALTON, NORTH CAROLINA 27886  
P: 919.386.3199  
www.sungatedesign.com

INCOMPLETE PLANS  
DO NOT USE FOR R/W ACQUISITIONDOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETEDPERMIT DRAWING  
SHEET 3 OF 6

DATE: 1-20-23



SEE PERMIT DRAWING  
SHEET 4 OF 6  
FOR ENLARGEMENT

SCOTT T. CALDWELL AND WIFE,  
MARTHA F. CALDWELL  
A ONE-HALF UNDIVIDED INTEREST,  
AS TENANTS BY THE ENTIRETY AND  
JOSEPH M. MIDGETT, JR.,  
A ONE-HALF UNDIVIDED INTEREST, AS  
TENANTS IN COMMON

1 DROVER LLC DB 1992 PG 95 PC B SLIDE 348	2A HATTERAS UNITED METHODIST CHURCH DB 139 PG 506	2 HATTERAS UNITED METHODIST CHURCH DB 1617 PG 299 DB 8 PG 278 DB A PG 480 DB B PG 420	3 DARREL ALLEN DANIELS, ET UX DB 1670 PG 104 MB 2 PG 225	9 JEFFREY LYNN ODEN DB 1904 PG 111 PB 338 PG 569	5 HATTERAS VILLAGE CIVIC ASSOCIATION INC. DB 974 PG 546 DB 1954 PG 41 DB 1994 PG 306 DB 125 PG 376
6 HATTERAS VILLAGE MEDICAL ASSOCIATES DB 130 PG 591	7 PALMATIER, LLC DB 2600 PG 903	8 SEE PROPERTY OWNER INFO (THIS SHEET)	9 JEFFREY LYNN ODEN, ET UX DB 1558 PG 70 PB 338 PG 569	10 CHRISTY D. KELLUM DB 1957 PG 308 PC H SLIDE 173	11 RICHARD ANDERSON MIDGETT DB 2545 PG 879

	ASPHALT SHOULDER
	CONCRETE SIDEWALK
	PAVEMENT REMOVAL

FOR -L- PROFILE, SEE SHEET 5

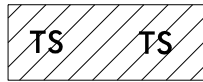
FOR -YI- PROFILE, SEE SHEET 5

FOR STRUCTURE PLANS, SEE SHEETS S-1 THRU S-XX

8/17/99

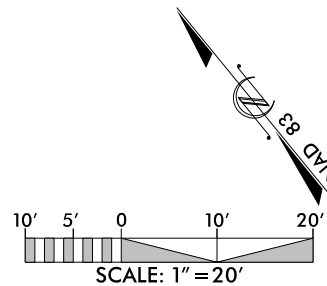


DENOTES IMPACTS IN  
SURFACE WATER



DENOTES TEMPORARY  
IMPACTS IN SURFACE WATER

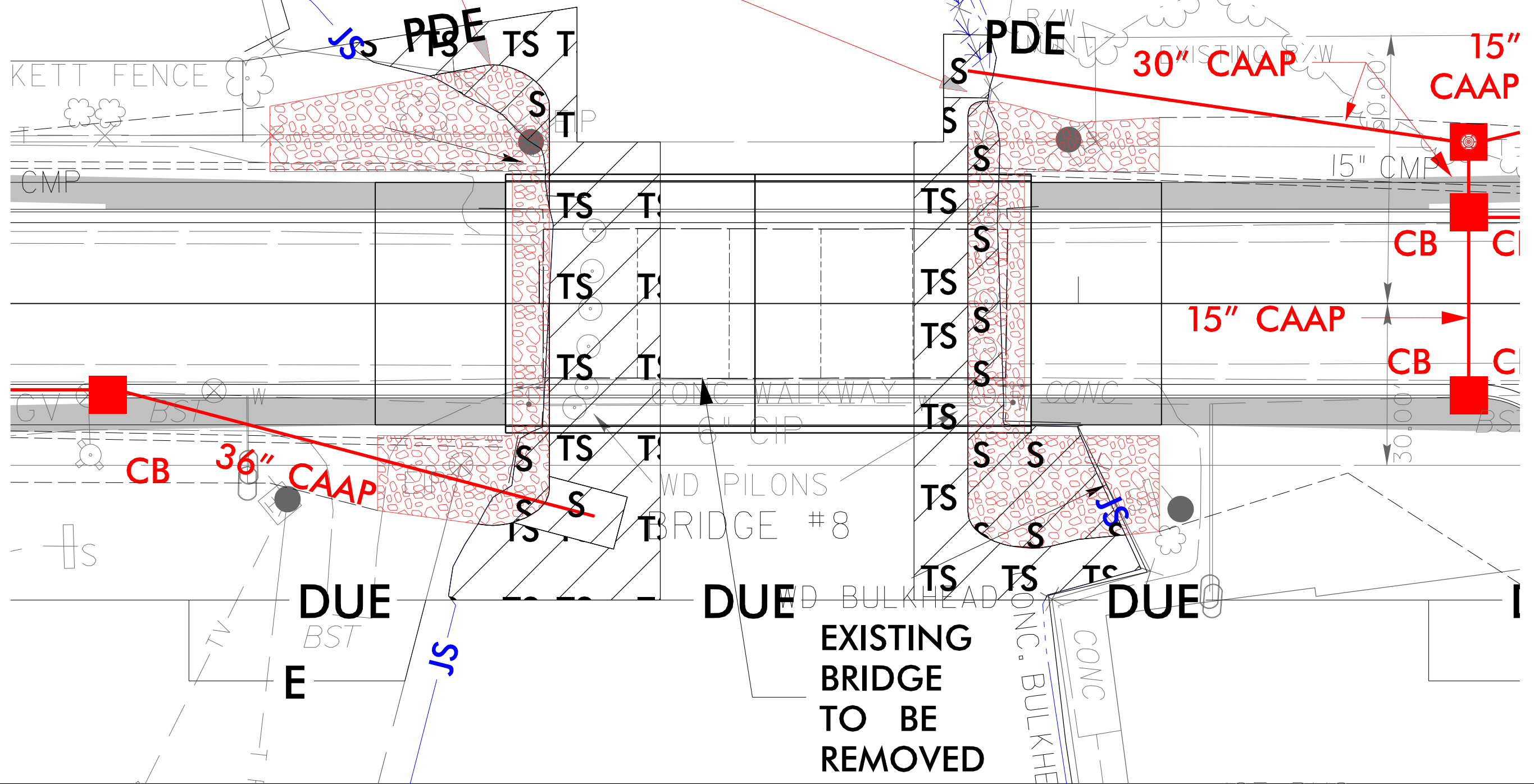
Submitted 2/28/2023

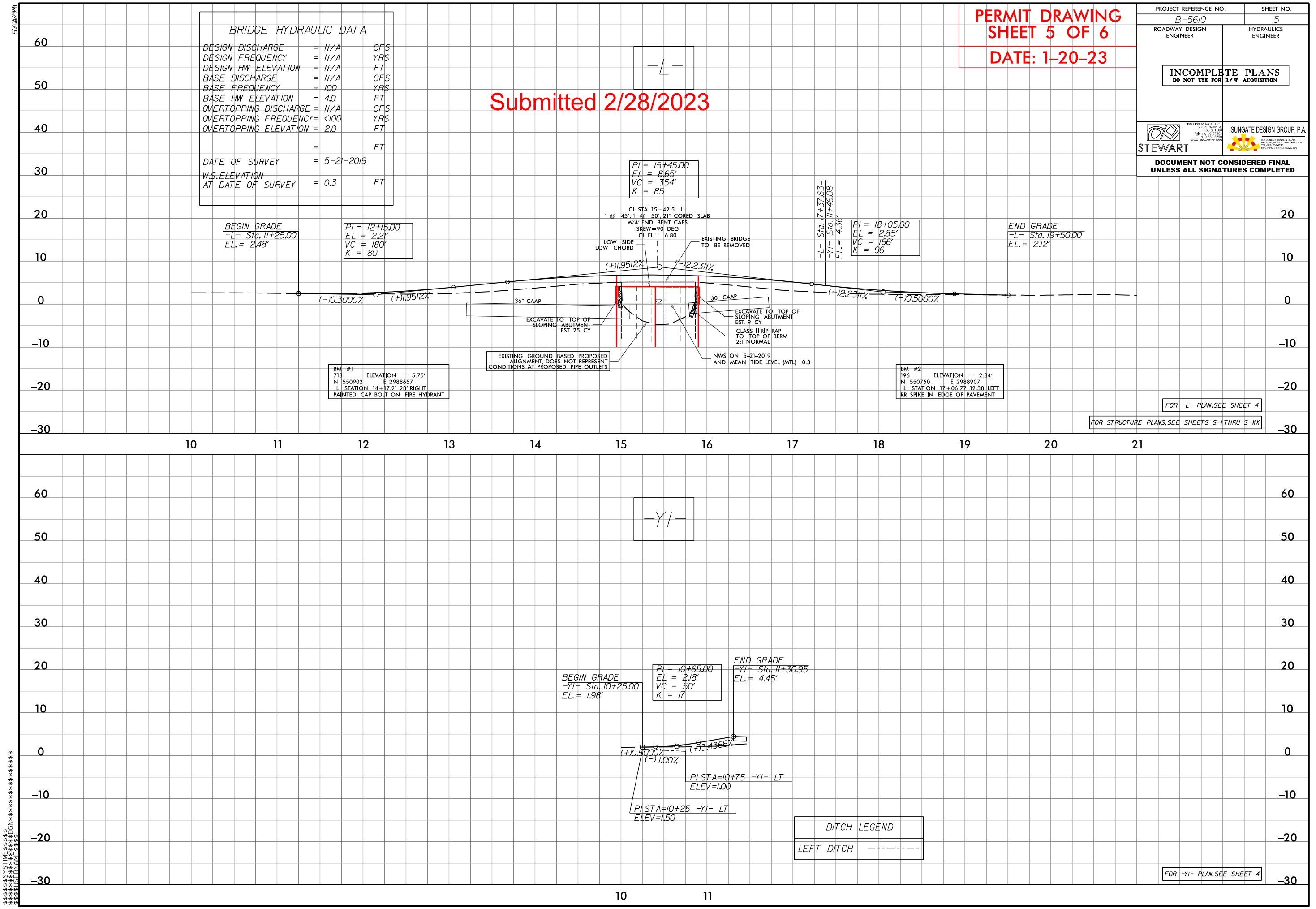


PROJECT REFERENCE NO.		SHEET NO.	
B-5610		ENLARGEMENT	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	

PERMIT DRAWING  
SHEET 4 OF 6  
DATE: 1-20-23



CLASS II  
RIP RAP TO  
SHOULDER POINT

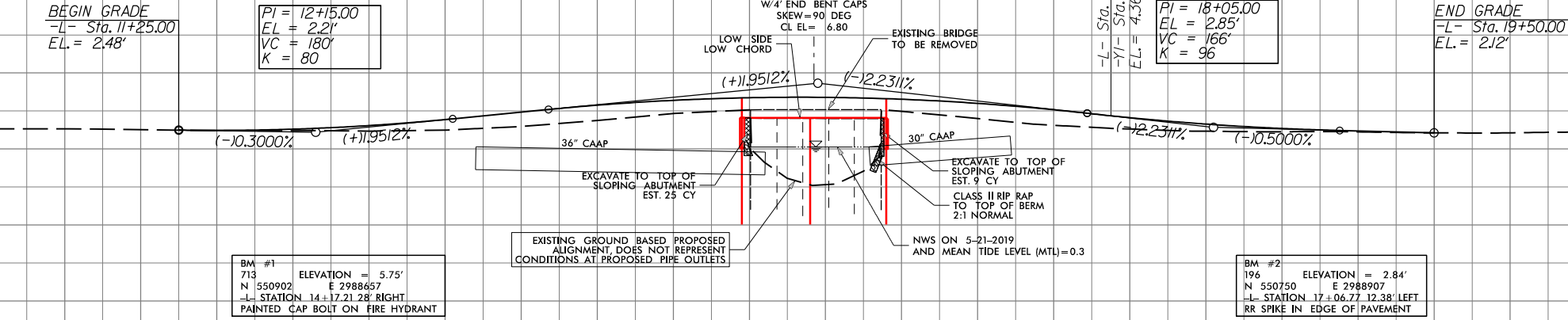




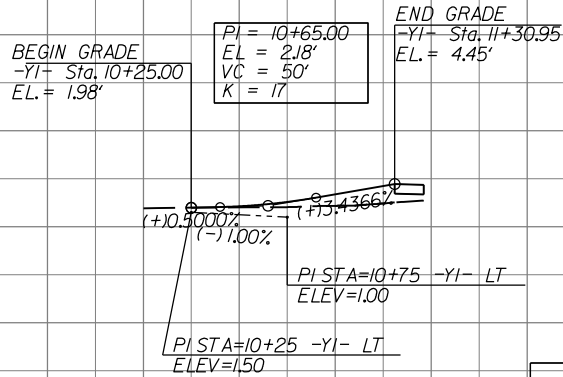
BRIDGE HYDRAULIC DATA			
DESIGN DISCHARGE	=	N/A	CFS
DESIGN FREQUENCY	=	N/A	YRS
DESIGN HW ELEVATION	=	N/A	FT
BASE DISCHARGE	=	N/A	CFS
BASE FREQUENCY	=	100	YRS
BASE HW ELEVATION	=	4.0	FT
OVERTOPPING DISCHARGE	=	N/A	CFS
OVERTOPPING FREQUENCY	=	<100	YRS
OVERTOPPING ELEVATION	=	2.0	FT
DATE OF SURVEY	=	5-21-2019	
W.S.ELEVATION AT DATE OF SURVEY	=	0.3	FT

PERMIT DRAWING  
SHEET 5 OF 6  
DATE: 1-20-23

PROJECT REFERENCE NO.		SHEET NO.	
B-5610		5	
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<div>INCOMPLETE PLANS</div> <div>DO NOT USE FOR R/W ACQUISITION</div>			
 STEWART		 SUNGATE DESIGN GROUP, P.A. <small>MR. JAMES FRANKLIN STIGALL VIRGINIA REGISTERED CIVIL ENGINEER LICENSE NO. 100000000 PENG 1000</small>	



FOR -L- PLAN, SEE SHEET 4  
FOR STRUCTURE PLANS, SEE SHEETS S-1 THRU S-XX



DITCH LEGEND	
LEFT DITCH	-----

FOR -YI- PLAN, SEE SHEET 4

Submitted 2/28/2023

TOTALS\*:

NOTES:

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
01-19-2023  
DARE COUNTY  
B-5610  
45565.1.1

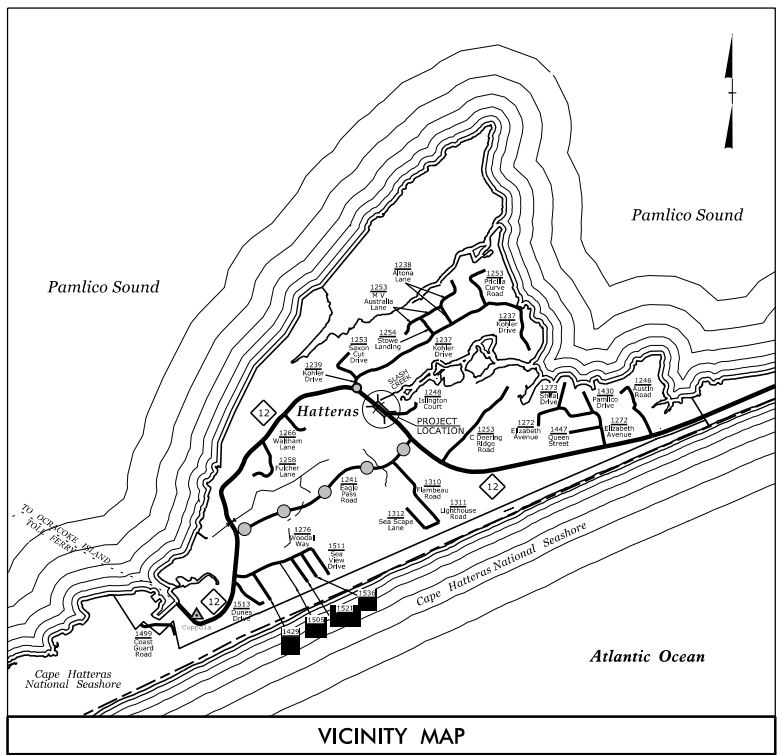
STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

T.I.P. NO.	SHEET NO.
B-5610	UE-1

PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION

PERMIT DRAWING  
SHEET 1 OF 6  
DATE: 01-06-22

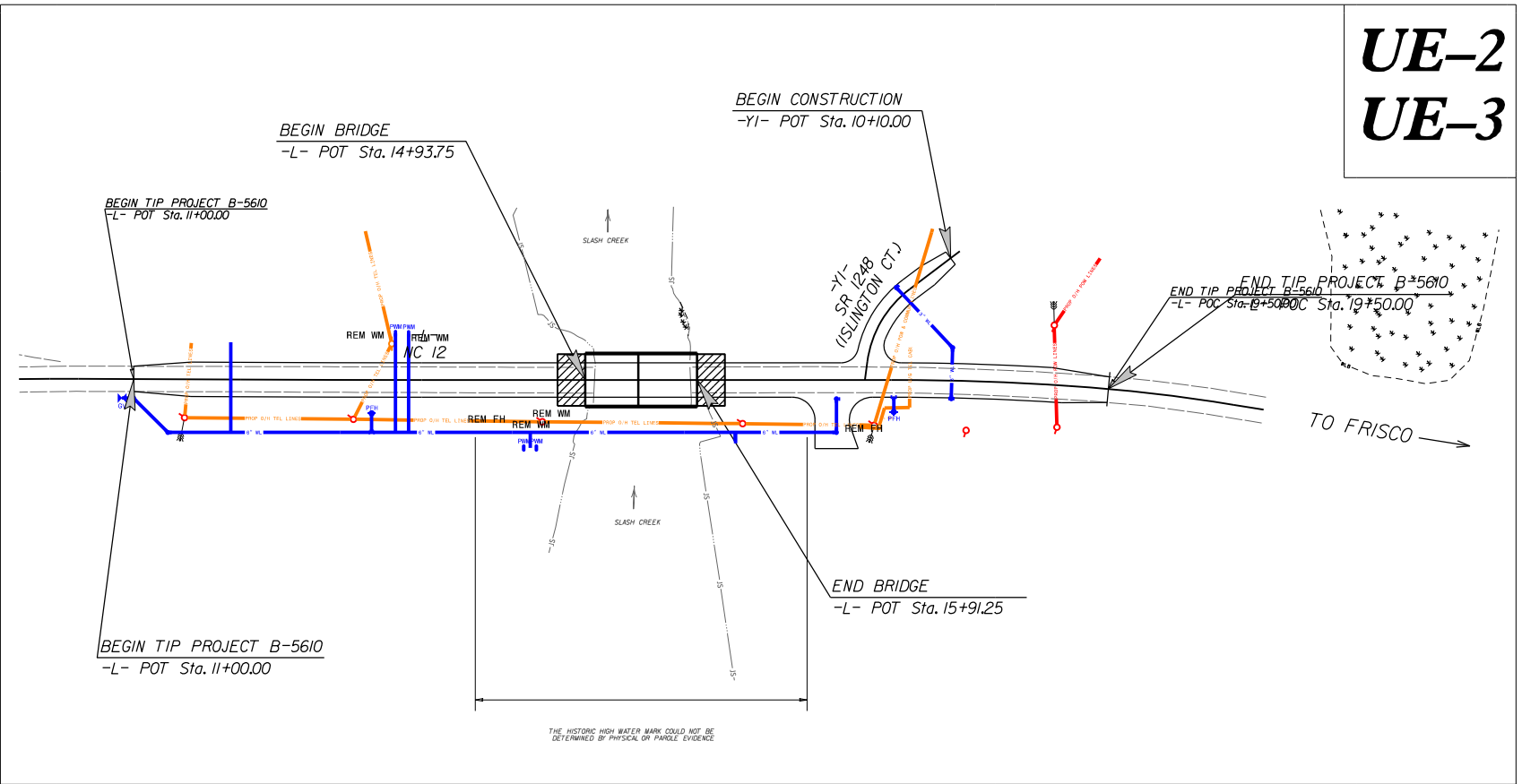
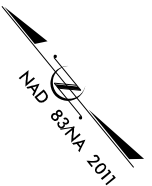
TIP PROJECT: B-5610



UTILITIES ENVIRONMENTAL PERMIT PLANS  
DARE COUNTY

LOCATION: BRIDGE NO. 8 OVER THE SLASH CREEK  
ON NC 12

TYPE OF WORK: TELECOMMUNICATIONS AND  
POWER RELOCATION

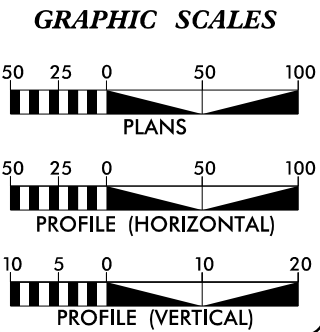


UE-2  
UE-3

WETLAND AND SURFACE WATER IMPACTS PERMIT

INCOMPLETE PLANS  
DO NOT USE FOR R/W ACQUISITION  
DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

CONTRACT:



SHEET NO.	DESCRIPTION
UE-1	TITLE SHEET
UE-2 - UE-3	UTILITY PLAN SHEETS
UE-4 - UE-5	UTILITY PROFILE SHEETS

- UTILITY OWNERS ON PROJECT
- (A) LUMEN - TELECOMMUNICATIONS
  - (B) CHARTER - TELECOMMUNICATIONS
  - (C) CAPE HATTERAS ELECTRIC - POWER

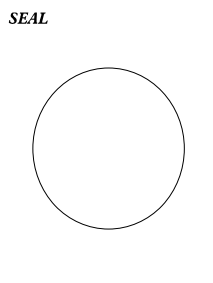
PREPARED IN THE OFFICE OF:

**STEWART**

223 S. West St., Suite 1100  
RALEIGH, NC 27603  
TEL: 919.486.8700

Firm License #1-C-1051  
www.stewartinc.com  
PROJECT # C10000200

**MICHAEL BURNS, PE** PROJECT ENGINEER  
**JOSHUA ROEMER** PROJECT DESIGN ENGINEER



**DIVISION OF HIGHWAYS  
UTILITIES UNIT**

1555 MAIL SERVICES CENTER  
RALEIGH, NC 27699-1555  
PHONE (919) 707-6690  
FAX (919) 250-4151

**BO HEMPHILL, PE** UTILITIES REGIONAL ENGINEER  
**KELVIN MARTIN** UTILITIES ENGINEER  
**VACANT** UTILITIES AREA COORDINATOR  
**TYRON W. STALLINGS** UTILITIES COORDINATOR



UTILITIES BY OTHERS

NOTE:  
ALL PROPOSED UTILITY WORK  
SHOWN ON THIS SHEET WILL  
BE DONE BY OTHERS



PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION

PERMIT DRAWING  
SHEET 2 OF 6

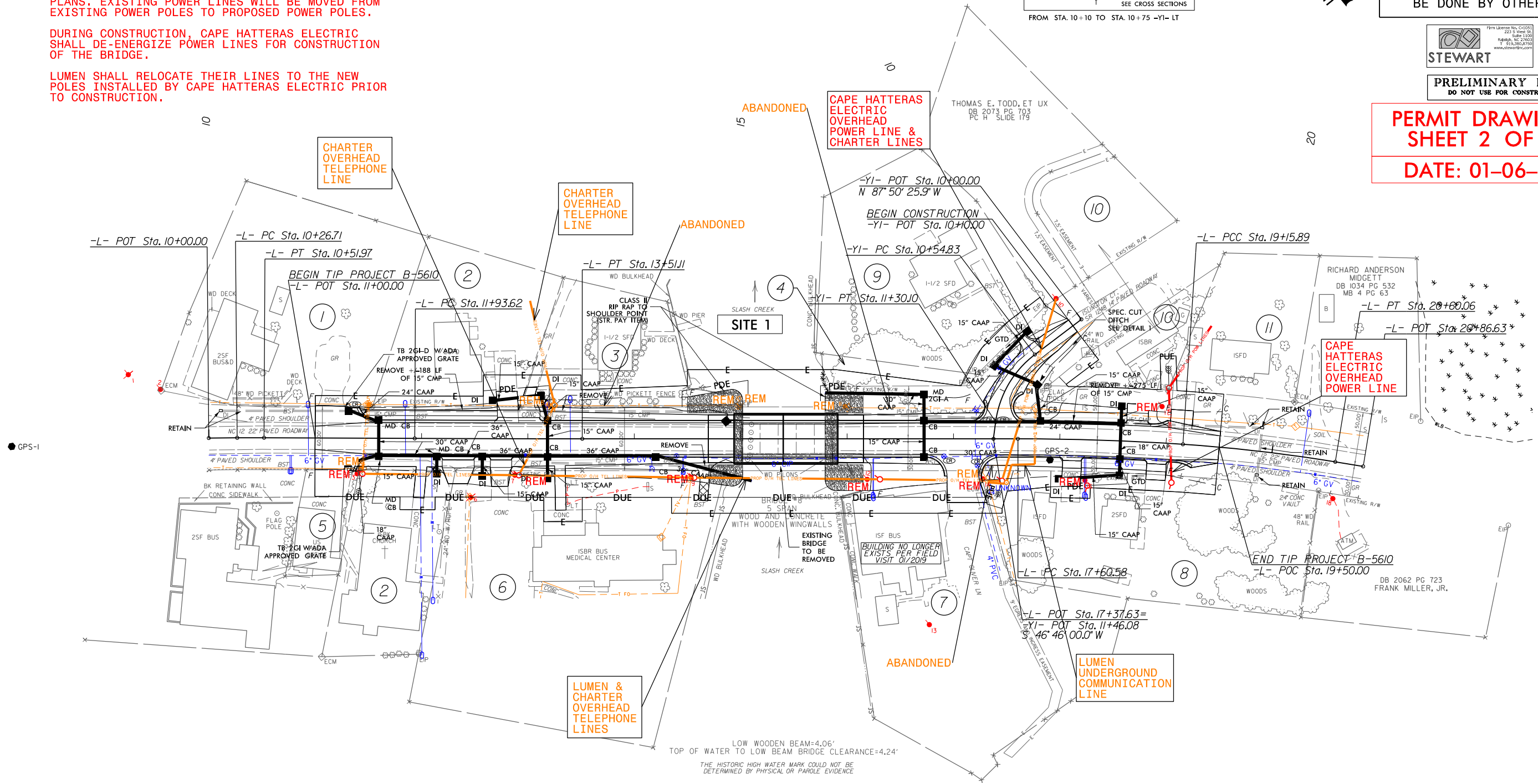
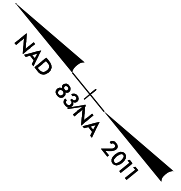
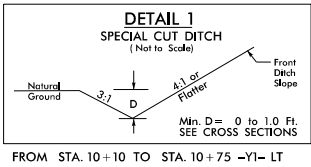
DATE: 01-06-22

NOTE:  
EXISTING CAPE HATTERAS POWER LINE ALIGNMENT WILL  
BE MAINTAINED ON THE SOUTH SIDE OF NC 12.

PRIOR TO CONSTRUCTION, CAPE HATTERAS ELECTRIC  
SHALL INSTALL NEW POLES AS INDICATED ON THE  
PLANS. EXISTING POWER LINES WILL BE MOVED FROM  
EXISTING POWER POLES TO PROPOSED POWER POLES.

DURING CONSTRUCTION, CAPE HATTERAS ELECTRIC  
SHALL DE-ENERGIZE POWER LINES FOR CONSTRUCTION  
OF THE BRIDGE.

LUMEN SHALL RELOCATE THEIR LINES TO THE NEW  
POLES INSTALLED BY CAPE HATTERAS ELECTRIC PRIOR  
TO CONSTRUCTION.



1 DROVER LLC DB 1992 PG 95 PC B SLIDE 348	2 HATTERAS UNITED METHODIST CHURCH DB 139 PG 506	2 HATTERAS UNITED METHODIST CHURCH DB 1617 PG 299 DB 8 PG 278 DB A PG 480 DB B PG 420	3 DARREL ALLEN DANIELS, ET UX DB 1670 PG 104 MB 2 PG 225	4 JEFFREY LYNN ODEN DB 1904 PG 311 PB 338 PG 569	5 HATTERAS VILLAGE CIVIC ASSOCIATION INC. DB 974 PG 546 DB 1954 PG 41 DB 1994 PG 306 DB 125 PG 376
6 HATTERAS VILLAGE MEDICAL ASSOCIATES DB 130 PG 591	7 EWN INVESTMENT INC. DB 1734 PG 495 MB 8 PG 55	8 JOSEPHINE A. ODEN, TRUSTEE DB 1744 PG 4	9 JEFFREY LYNN ODEN, ET UX DB 1558 PG 70 PB 338 PG 569	10 CHRISTY D. KELLUM DB 1957 PG 308 PC H SLIDE 179	11 T. STOCKTON & ELIZABETH MIDGETT, ET UX DB 1884 PG 222 MB 4 PG 63

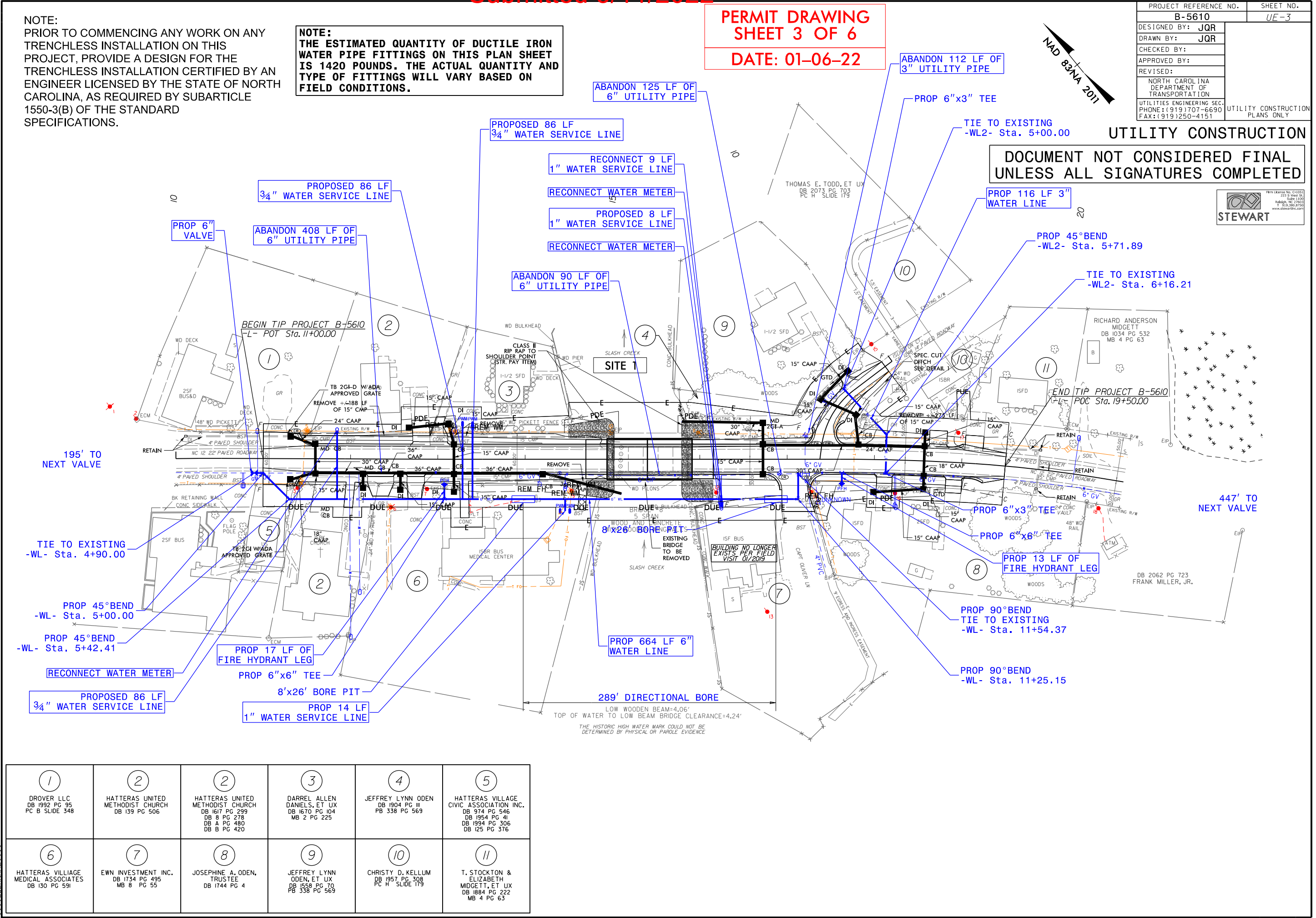
NOTE:  
PRIOR TO COMMENCING ANY WORK ON ANY TRENCHLESS INSTALLATION ON THIS PROJECT, PROVIDE A DESIGN FOR THE TRENCHLESS INSTALLATION CERTIFIED BY AN ENGINEER LICENSED BY THE STATE OF NORTH CAROLINA, AS REQUIRED BY SUBARTICLE 1550-3(B) OF THE STANDARD SPECIFICATIONS.

NOTE:  
THE ESTIMATED QUANTITY OF DUCTILE IRON WATER PIPE FITTINGS ON THIS PLAN SHEET IS 1420 POUNDS. THE ACTUAL QUANTITY AND TYPE OF FITTINGS WILL VARY BASED ON FIELD CONDITIONS.

PERMIT DRAWING  
SHEET 3 OF 6  
DATE: 01-06-22

PROJECT REFERENCE NO.	SHEET NO.
B-5610	UE-3
DESIGNED BY: JQR	NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
DRAWN BY: JQR	
CHECKED BY:	
APPROVED BY:	
REVISED:	UTILITY CONSTRUCTION PLANS ONLY
UTILITIES ENGINEERING SEC.	
PHONE: (919) 707-6690 FAX: (919) 250-4151	

UTILITY CONSTRUCTION  
DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED



1 DROVER LLC DB 1992 PG 95 PC B SLIDE 348	2 HATTERAS UNITED METHODIST CHURCH DB 139 PG 506	2 HATTERAS UNITED METHODIST CHURCH DB 1617 PG 299 DB 8 PG 278 DB A PG 480 DB B PG 420	3 DARREL ALLEN DANIELS, ET UX DB 1670 PG 104 MB 2 PG 225	4 JEFFREY LYNN ODEN DB 1904 PG 111 PB 338 PG 569	5 HATTERAS VILLAGE CIVIC ASSOCIATION INC. DB 974 PG 546 DB 954 PG 41 DB 1994 PG 306 DB 125 PG 376
6 HATTERAS VILLAGE MEDICAL ASSOCIATES DB 130 PG 591	7 EWN INVESTMENT INC. DB 1734 PG 495 MB 8 PG 55	8 JOSEPHINE A. ODEN, TRUSTEE DB 1744 PG 4	9 JEFFREY LYNN ODEN, ET UX DB 1558 PG 70 PB 338 PG 569	10 CHRISTY D. KELLUM DB 1957 PG 308 PC H SLIDE 179	11 T. STOCKTON & ELIZABETH MIDGETT, ET UX DB 1884 PG 222 MB 4 PG 63



PROJECT REFERENCE NO.	SHEET NO.
B-5610	UE-4

UTILITIES BY OTHERS

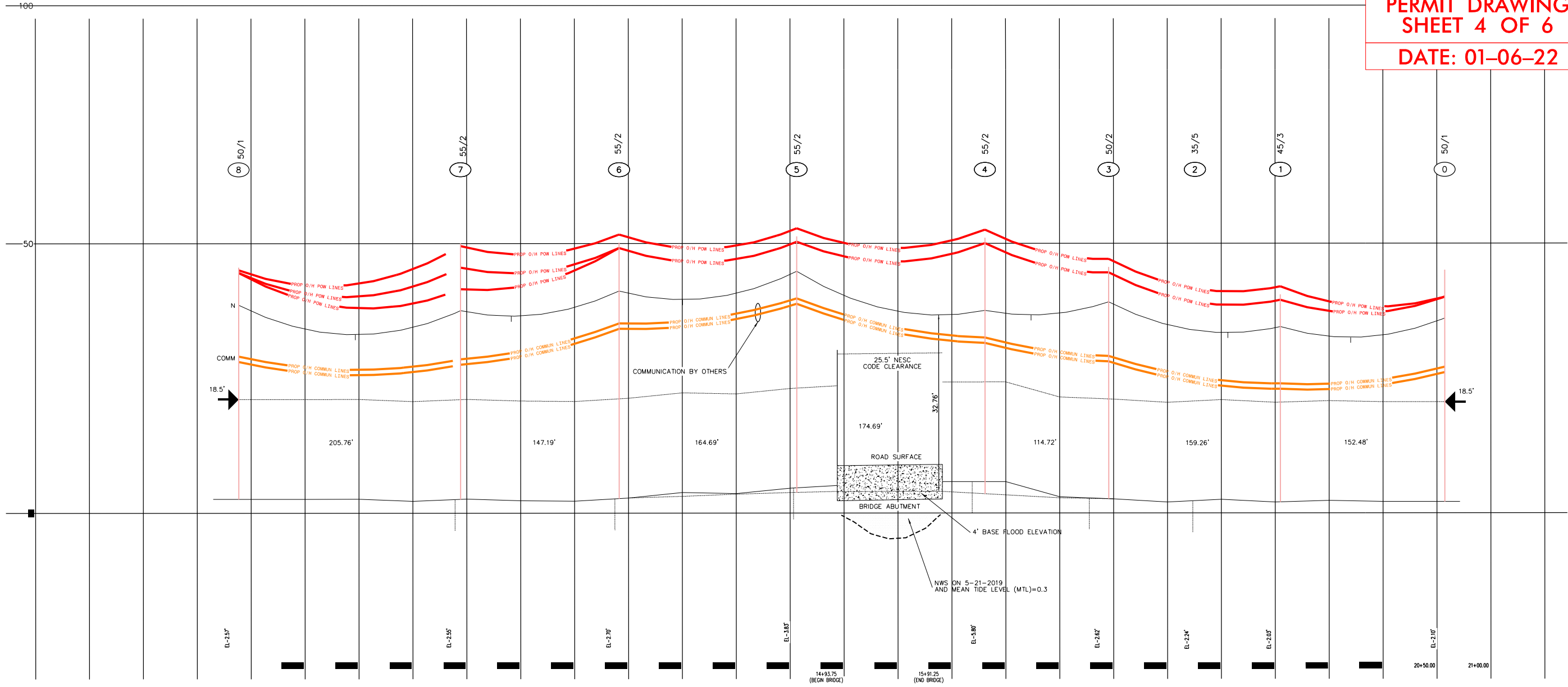
NOTE:  
ALL PROPOSED UTILITY WORK  
SHOWN ON THIS SHEET WILL  
BE DONE BY OTHERS



PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION

PERMIT DRAWING  
SHEET 4 OF 6

DATE: 01-06-22



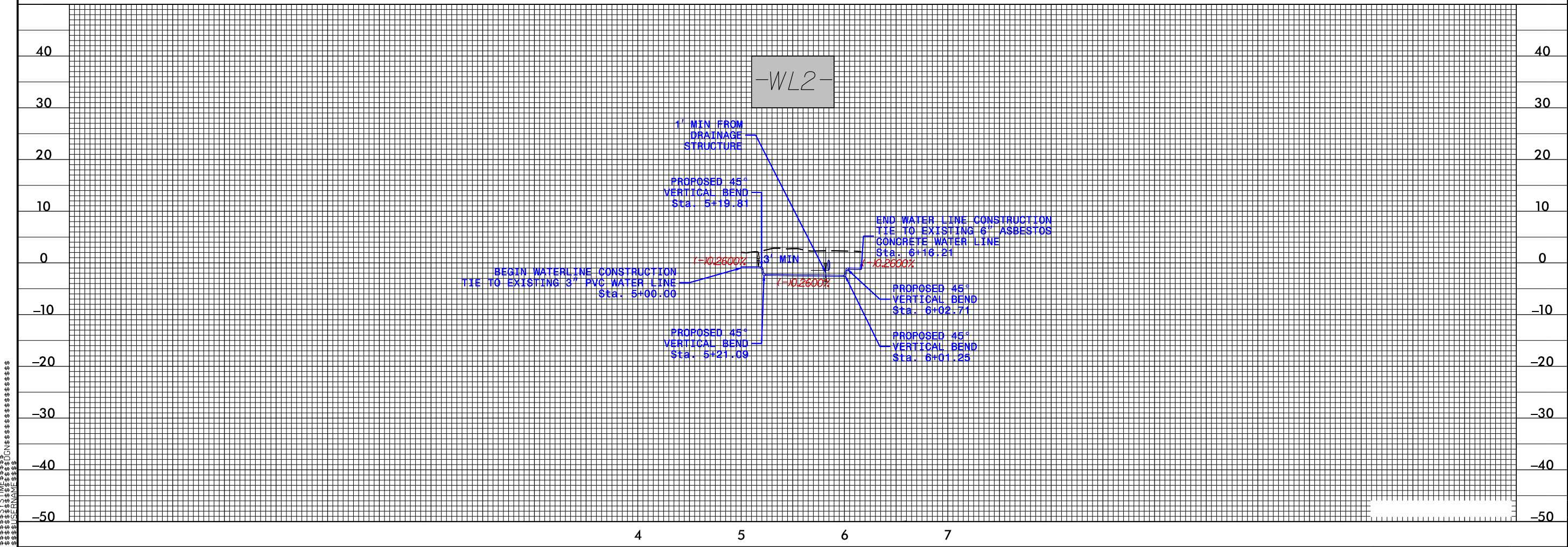
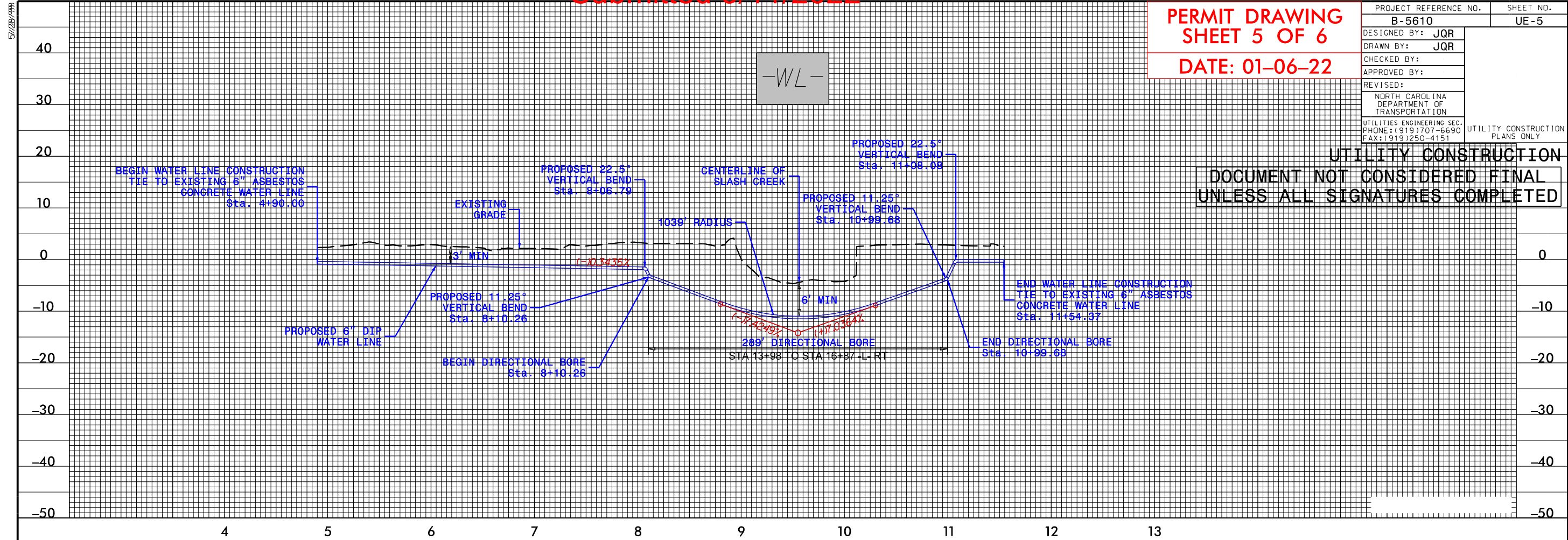
PERMIT DRAWING  
SHEET 5 OF 6

DATE: 01-06-22

PROJECT REFERENCE NO.		SHEET NO.	
B-5610		UE-5	
DESIGNED BY: JQR		UTILITY CONSTRUCTION PLANS ONLY	
DRAWN BY: JQR			
CHECKED BY:			
APPROVED BY:			
REVISED:			
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION			
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151			

UTILITY CONSTRUCTION

DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED



[illegible]

\*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
1-6-22  
DARE COUNTY  
B-5610  
45565.1.1