



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

March 23, 2023

MEMORANDUM TO: Division Environmental and Construction Units

FROM: *mat* Michael A. Turchy, ECAP Group Leader
Environmental Analysis Unit

SUBJECT: Environmental Permits for the Replacement of Bridge 125 on NC 41/72 and Bridge 175 on SR 1600 (West 5th Street) over Lumber River in Robeson County, Division 6, **TIP: B-5985 A & B.**

Note: Since the issuance of Environmental Permits, NCDOT divided B-5985 into two separate projects:

B-5985 A is the replacement of Bridge 125

B-5985 B is the replacement of Bridge 175.

The enclosed permits authorize both projects.

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

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/

PROJECT COMMITMENTS

STIP Project No. B-5985
Bridge No. 770125 on NC 41/72 over Lumber River and Bridge No. 770175
on SR 1600 (West 5th Street) over Lumber River
Robeson County
Federal Aid Project No. 0041115
WBS Element 47749.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

NCDOT Hydraulic Unit – FEMA Coordination

The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), to determine status of project with regard to applicability of NCDOT'S Memorandum of Agreement, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

NCDOT Division Six Construction, Resident Engineer's Office -FEMA

This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

NCDOT Division Six Construction, Resident Engineer's Office – Offsite Detour

In order to have time to adequately reroute school busses, Robeson County Schools will be contacted at (910) 671-3250 at least one month prior to road closure. Robeson County Emergency Services will be contacted at (910) 671-6000 Ext. 1400 at least one month prior to road closure to make the necessary temporary reassignments to primary response units. Hazardous Materials (Division Construction Engineer/Resident Engineer and Right of Way Agent): All Right of Way Branch procedures regarding the acquisition of contaminated property and any Right of Way Acquisition Recommendations by the City of Raleigh's Geotechnical consultant will be followed. A project special provision will be provided to direct the contractor to properly manage petroleum contaminated soil that is encountered during construction.

A Geoenvironmental Impact Evaluation was conducted for the proposed project study area. Upon review of the proposed construction plans, significant earthwork/construction activities are anticipated in the vicinity of two site with potential geoenvironmental impact:

- Strick's Tire 7 Auto – 203 West 2nd Street
- Lee's Auto Sales – 126 West 2nd Street

Further investigation is warranted at these sites to determine the potential for encountering impacted soils during construction of the project. Soil and groundwater assessments will be conducted at each of the UST sites prior to right-of-way acquisition. A project special provision will be provided to direct the contractor to properly manage petroleum contaminated soil that is encountered during construction.

NCDOT Division Six Construction, Resident Engineer's Office – Division of Parks and Recreation

Recreational access to the Lumber River will be maintained during the construction of both bridges.

NCDOT Environmental Analysis Unit, Environmental Policy Unit – Wild and Scenic River

When the type of permit is determined, the Environmental Analysis unit will coordinate with the National Park Service regarding the Lumber River, which is classified as a Wild and Scenic River.

Consultation with the National Park Service (NPS) has concluded with a letter issued by the NPS received December 23, 2022.

NCDOT Structure Management Unit – Bridge Design

Based on coordination with the State Historic Preservation Office (SHPO) the following elements will be incorporated into the bridge design.

- The proposed bridge rail for both bridges will be Texas Classic.
- The existing lights on Bridge No. 770125 will be replaced in-kind and lights will be added to Bridge No. 770175 to mimic the existing lighting on Bridge No. 770125.

NCDOT Roadway Design/Program Development- Multi-Use Path

The City of Lumberton requests that a Multi-Use Path be added along the north side of SR 1600 (West 5th Street) from the intersection with the Riverwalk Greenway to the intersection with Waters Street. A cost share agreement will be prepared between NCDOT and the City of Lumberton. The City of Lumberton will pay for a portion of cost for the increase in bridge width due to accommodating the Multi-Use Path. A Multi-Use Path will be included in the design along the north side of the bridge and will extend east of the bridge to Waters Street. The City of Lumberton will participate in the cost of and accept maintenance and liability responsibilities for the new Multi-Use Path. A municipal agreement will be prepared prior to project construction regarding the City of Lumberton's participation in the cost of the Multi-Use Path.

COMMITMENTS FROM PERMITTING

NCDOT Division 6 Construction, Environmental Analysis Unit, Human Environment Unit

USACE Special Condition 1. Based on coordination with the NC State Historic Preservation Office (SHPO), the following elements will be incorporated into the bridge design.

- The proposed bridge rail for both bridges will be Texas Classic.
- The existing lights on Bridge No. 770125 will be replaced in-kind and lights will be added to Bridge No. 770175 to mimic the existing lighting on Bridge No. 770125.

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

Action Id. **SAW-2021-00431** County: **Robeson County** U.S.G.S. Quad: **Southwest Lumberton**

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: **Michael Turchy**
North Carolina Department of Transportation
Address: **1598 Mail Service Center**
Raleigh NC, 27699
Telephone Number: **919.707.6111 (Jason Dilday)**

Size (acres) **N/A** Nearest Town **Lumberton**
Nearest Waterway **Lumber River** River Basin **Lower Pee Dee**
USGS HUC **03040203** Coordinates Latitude: **34.6193**; Longitude: **-79.0121**

Location description: **Bridge Nos. 125 and 175 located on NC 41/NC72 and W 5th Street over the Lumber River in Lumberton, Robeson County, NC.**

Description of projects area and activity: **TIP NO. B-5985, permanently impacting a total of 0.288 acre of wetlands (0.008 acre permanent wetland fill for stormwater and pipe culvert installation, and 0.28 acre of non-404 hand clearing for construction access and overhead power line relocation).**

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

Authorization: Regional General Permit Number: RGP-50

SEE ATTACHED RGP 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 July 12, 2022 and December 23, 2022. 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.

Special condition:

1. Based on coordination with the NC State Historic Preservation Office (SHPO), the following elements will be incorporated into the bridge design.


- The proposed bridge rail for both bridges will be Texas Classic.
- The existing lights on Bridge No. 770125 will be replaced in-kind and lights will be added to Bridge No. 770175 to mimic the existing lighting on Bridge No. 770125.

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.

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 **Eric Alsmeyer at (919) 554-4884 X 23 or Eric.C.Alsmeier@usace.army.mil.**

Corps Regulatory Official:  2023.01.05 12:44:23 -05'00' Date: **January 5, 2023**
Expiration Date of Verification: **May 25, 2025**

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/>

Action ID Number: SAW-2021-00431

County: Robeson County

Permittee: Michael Turchy
North Carolina Department of Transportation

Project Name: NC DOT Division 6 B-5985 bridges over Lumber River

Date Verification Issued: January 5, 2023

Project Manager: Eric Alsmeyer

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: Eric Alsmeyer
Raleigh Regulatory Field Office
3331 Heritage Trade Drive, Suite 105
Wake Forest, NC 27587
919.554.4884, Ext. 23

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



United States Department of the Interior

NATIONAL PARK SERVICE

Atlanta Federal Center
1924 Building
100 Alabama Street, SW
Atlanta, GA 30303



IN REPLY REFER TO:

4.B.1. (SERO-NR)

Colin Mellor
Eastern Regional Team Lead (Div. 1 - 6, & 8)
Environmental Policy Unit
North Carolina Department of Transportation
1000 Birch Ridge Drive
Raleigh, NC, 27610

Dear Mr. Mellor:

Thank you for consulting with the National Park Service concerning the Wild and Scenic Rivers Act Section 7(a) Determination for the Lumber River, Robeson County Bridge Replacement Project (B-5985). As you know, the Lumber is designated as a “state-administered” National Wild and Scenic River pursuant to Section 2(a)(ii) of the Wild and Scenic Rivers Act (Act). Although the river is administered by the State of North Carolina, the Secretary of the Interior, via authority delegated to the NPS, is obligated to ensure the river is protected from adverse effects associated with federally assisted water resource projects in accordance with Section 7 of the Act. As such, we have carefully reviewed all materials provided by your office and we have coordinated extensively with North Carolina State Parks, the state administrator of the river.

Based on our review of these materials, numerous video conferences between NPS and NCDOT during the planning and design phase, as well as a site visit, we have concluded that the B5985 bridge replacement project is not likely to result in direct and adverse effects to the river’s free flow, water quality or outstandingly remarkable values as defined by the Act. Further, given removal of existing support piers from the main channel and minimization of new piers and various other onsite improvements, we believe that the project meets the “protect and enhance” clause of Section 10 of the Act.

Again, we thank you for your cooperation in addressing our concerns and for your shared interest in protecting this nationally-significant river. Should you have any questions or require further consultation with respect to the Lumber River or other Wild and Scenic Rivers, please contact Jeff Duncan at (423)987-6127 or jeff_duncan@nps.gov.

Sincerely,

Mark A. Foust
Regional Director

cc: NC State Parks

Interior Region 2 • South Atlantic–Gulf

Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi
North Carolina, Puerto Rico, South Carolina, Tennessee, U.S. Virgin Islands



ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

RICHARD E. ROGERS, JR.

Director

July 18, 2022

DWR # 20210633

Robeson County

Mr. Philip S. Harris, III, P.E., CPM
Environmental Analysis Unit Head
1598 Mail Service Center
Raleigh, NC 27699-1598

Subject: APPROVAL OF 401 WATER QUALITY CERTIFICATION WITH ADDITIONAL CONDITIONS

NCDOT B-5985, Replace Bridge 125 on NC 41/72 and Bridge 175 on SR 1600, Robeson County. [Lumber River, C;SW]

Dear Mr. Harris:

You have our approval for the impacts listed below for the purpose described in your application dated received by the Division of Water Resources (Division) on July 12, 2022. These impacts are covered by the attached Water Quality General Certification Number 4135 and the conditions listed below. This certification is associated with the use of Regional General Permit 50 once it is issued to you by the U.S. Army Corps of Engineers. Please note that you should get any other federal, state or local permits before proceeding with your project, including those required by (but not limited to) Sediment and Erosion Control, Non-Discharge, and Water Supply Watershed regulations.

The Division has determined that the proposed project will comply with water quality requirements provided that you adhere to the conditions listed in the enclosed certification and to the additional conditions itemized below.

The following proposed impacts are hereby approved. No other impacts are approved, including incidental impacts. [15A NCAC 02H .0506(b)]



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

Wetland Impacts in the Lumber River Basin

Site	Fill (ac)	Fill (temporary) (ac)	Excavation (ac)	Mechanized Clearing (ac)	Hand Clearing (ac)	Total Wetland Impact (ac)
Site 1	0.003	---	---	---	0.002	0.005
Site 2	---	---	---	---	0.003	0.003
Site 3	0.002	---	---	---	0.011	0.013
Site 4	---	---	---	---	0.006	0.006
Site 5	---	---	---	---	---	---
Site 6	0.003	---	---	---	0.016	0.019
Site 7	---	---	---	---	0.006	0.006
Utilities	---	---	---	---	0.12	0.12
Total	0.008	---	---	---	0.164*	0.172*

Total Wetland Impact for Project: 0.172 acres.

Permanent Wetland Impacts: 0.008 acres.

including utilities

Open Water Impacts in the Lumber River Basin

Site	Permanent Fill in Open Waters (sq.ft.)	Temporary Fill in Open Waters (sq.ft.)	
Site 4	392	4,225	4,617
Site 7	348	4,051	4,399
Total	740	8,276	9,016

Total Open Water Impact for Project: 9,016 square feet.

Total Permanent Open Water Impacts: 740

This approval is for the purpose and design described in your application. The plans and specifications for this project are incorporated by reference as part of this Certification. If you change your project, you must notify the Division and you may be required to submit a new application package with the appropriate fee. If the property is sold, the new owner must be given a copy of this Certification and is responsible for complying with all conditions. [15A NCAC 02H .0507(d)(2)].

If you are unable to comply with any of the conditions of the attached Water Quality General Certification or with the additional conditions itemized below, you must notify the DWR Transportation Permitting Branch within 24 hours (or the next business day if a weekend or holiday) from the time the permittee becomes aware of the circumstances.

The permittee shall report to the Wilmington Regional Office any noncompliance with, and/or any violation of, stream or wetland standards [15A NCAC 02B .0200] including but not limited to sediment impacts to streams or wetlands. Information shall be provided orally within 24 hours (or the next business day if a weekend or holiday) from the time the permittee became aware of the non-compliance circumstances.

Additional Conditions:

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.

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. 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]
4. 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)]
5. 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)]
6. 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)]
7. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
8. 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]

9. 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)]
10. 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]
11. 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 dis-equilibrium 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)]
12. 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)]
13. 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)]
14. 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)]
15. 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)]
16. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
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)]

This approval and its conditions are final and binding unless contested [G.S. 143-215.5]. Please be aware that impacting waters without first applying for and securing the issuance of a 401 Water Quality Certification violates Title 15A of the North Carolina Administrative Code (NCAC) 2H .0500. Title 15A NCAC 2H .0500 requires certifications pursuant to Section 401 of the Clean Water Act whenever construction or operation of facilities will result in a discharge into navigable waters, including wetlands,



as described in 33 Code of Federal Regulations (CFR) Part 323. It also states any person desiring issuance of the State certification or coverage under a general certification required by Section 401 of the Federal Water Pollution Control Act shall file with the Director of the North Carolina Division of Water Quality. Pursuant to G.S. 143-215.6A, these violations and any future violations are subject to a civil penalty assessment of up to a maximum of \$25,000.00 per day for each violation.

This Certification can be contested as provided in Chapter 150B of the North Carolina General Statutes by filing a Petition for a Contested Case Hearing (Petition) with the North Carolina Office of Administrative Hearings (OAH) within sixty (60) calendar days. Requirements for filing a Petition are set forth in Chapter 150B of the North Carolina General Statutes and Title 26 of the North Carolina Administrative Code. Additional information regarding requirements for filing a Petition and Petition forms may be accessed at <http://www.ncoah.com/> or by calling the OAH Clerk's Office at (919) 431-3000.

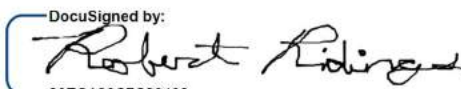
A party filing a Petition must serve a copy of the Petition on:

William F. Lane, General Counsel
Department of Environmental Quality
1601 Mail Service Center
Raleigh, NC 27699-1601

If the party filing the Petition is not the permittee, then the party must also serve the recipient of the Certification in accordance with N.C.G.S 150B-23(a).

This letter completes the review of the Division under section 401 of the Clean Water Act and 15A NCAC 02H .0500. Please contact Hannah Sprinkle at hannah.sprinkle@ncdenr.gov if you have any questions or concerns.

Sincerely,

DocuSigned by:

80ECA32C7C38490...
Richard E. Rogers, Jr., Director
Division of Water Resources

cc:

Liz Hair, USACE Wilmington Regulatory Field Office (via email)
Chris Rivenbark, NC Department of Transportation
Gary Jordan, US Fish and Wildlife Service
Travis Wilson, NC Wildlife Resources Commission
Hannah Sprinkle, NC Division of Water Resources Wilmington Regional Office
File Copy



STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

ROBESON COUNTY

LOCATION: BRIDGE NO. 770125 OVER LUMBER RIVER ON NC 41/72
& BRIDGE NO. 770175 OVER LUMBER RIVER ON SR 1600

TYPE OF WORK: GRADING, DRAINAGE, SIGNALS, PAVING & STRUCTURES
WETLAND AND SURFACE WATER IMPACTS PERMIT

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-5985	1	
STATE PROJ. NO.	P.A. PROJ. NO.	DESCRIPTION	
47749.1.1	0041115	PE	
47749.2.1	0041115	ROW	
47749.2.2	0041115	UTILITY	



TRANSPORTATION PLANNING/DESIGN - BRIDGE/STRUCTURE DESIGN
CIVIL/SITE DESIGN - GIS/GPS - CONSTRUCTION OBSERVATION

BRIDGE #770125
& BRIDGE # 770175

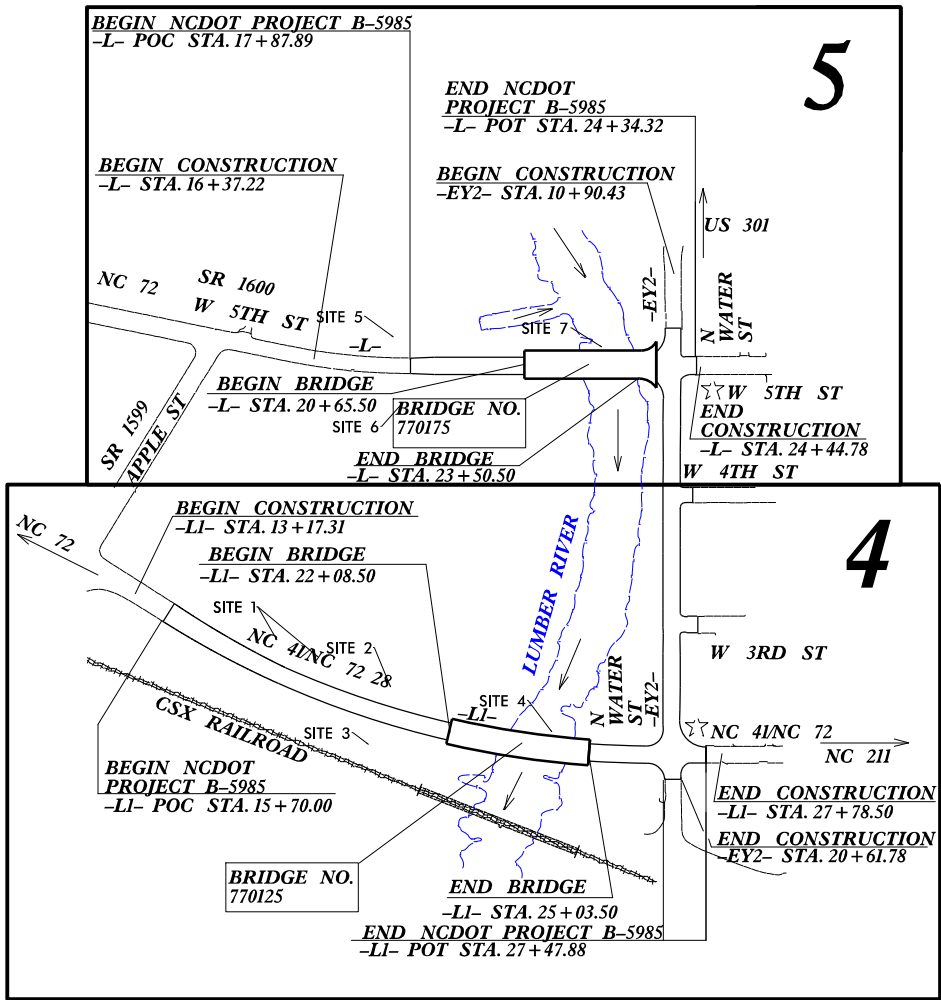
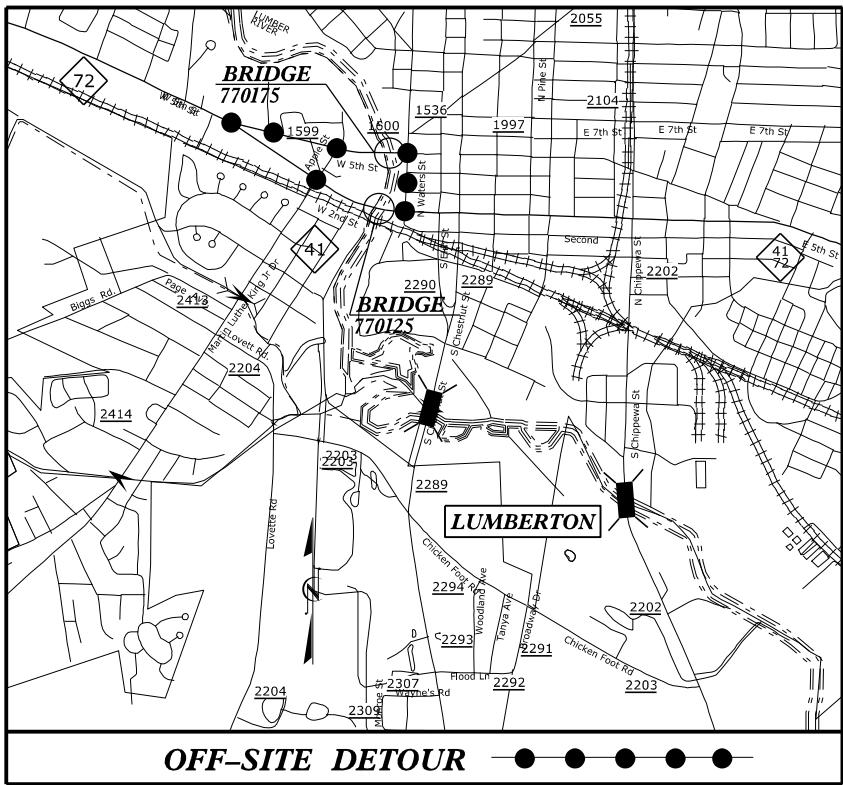
ROW PLANS

PERMIT DRAWING
SHEET 1 OF 11

SY - EXISTING SIGNAL

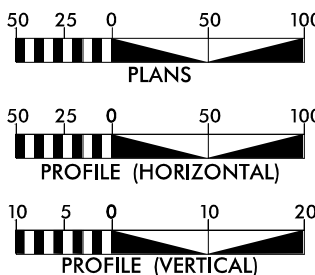


See Sheet 1A For Index of Sheets
See Sheet 1B For Conventional Symbols



CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD II.
THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARY OF LUMBERTON.

GRAPHIC SCALES



DESIGN DATA

BRIDGE # 770125	BRIDGE # 770175
ADT 2022 = 15,200	ADT 2022 = 10,500
ADT 2042 = 17,000	ADT 2042 = 14,200
K = 9 %	K = 11 %
D = 55 %	D = 55 %
T = 6 % *	T = 3 % *
V = 40 MPH	V = 40 MPH
* (TTST = 2% + DUAL = 4%)	
FUNC CLASS = PRINCIPAL ARTERIAL REGIONAL TIER	FUNC CLASS = MAJOR COLLECTOR SUB-REGIONAL TIER

PROJECT LENGTH

BRIDGE # 770125
LENGTH ROADWAY PROJECT B-5985 = 0.167 MILES
LENGTH STRUCTURE PROJECT B-5985 = 0.056 MILES
TOTAL LENGTH PROJECT B-5985 = 0.206 MILES
BRIDGE # 770175
LENGTH ROADWAY PROJECT B-5985 = 0.068 MILES
LENGTH STRUCTURE PROJECT B-5985 = 0.054 MILES
TOTAL LENGTH PROJECT B-5985 = 0.122 MILES
NCDOT CONTACT: DAVID STUTTS, PE PROJECT ENGINEER - PEF/PROGRAM MGT.

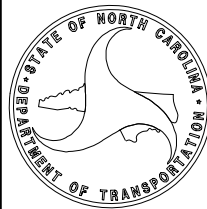
Prepared for:
DIVISION OF HIGHWAYS
STRUCTURES MANAGEMENT UNIT
1000 BIRCH RIDGE DRIVE RALEIGH NC, 27610

2018 STANDARD SPECIFICATIONS	EDWARD G. WETHERILL, PE PROJECT ENGINEER
RIGHT OF WAY DATE: JANUARY 27, 2022	GREG S. PURVIS, PE PROJECT DESIGN ENGINEER
LETTING DATE: DECEMBER 20, 2022	

HYDRAULICS ENGINEER

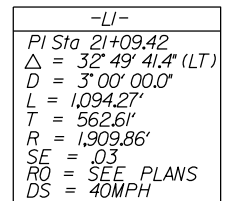
SIGNATURE: _____
ROADWAY DESIGN ENGINEER

SIGNATURE: _____
P.E.



PROJECT: B-5985

CONTRACT:



2022 2042	N. WATERS ST.		
	$\frac{600}{700}$	$\frac{2200}{2900}$	$\frac{1200}{1650}$
$\frac{15200}{17000}$	$\frac{200}{200}$	$\frac{50}{50}$	$\frac{15500}{17700}$
(-L1-) NC 41/72			NC 41/72
	N. WATERS ST.		
	$\frac{600}{700}$		

PROJECT REFERENCE NO.
B-5985

SHEET NO.
4


RW SHEET NO.

ROADWAY DESIGN ENGINEER

HYDRAULICS ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

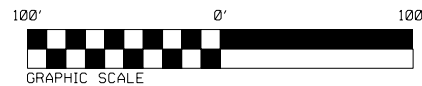
DOCUMENT NOT CONSIDERED FINAL
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WETHERILL
ENGINEERING

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Fax: 919 851 8107

TRANSPORTATION PLANNING/DESIGN - BRIDGE/STRUCTURE DESIGN
CIVIL/SITE DESIGN - GIS/GPS - CONSTRUCTION OBSERVATION

PERMIT DRAWING
SHEET 3 OF 11



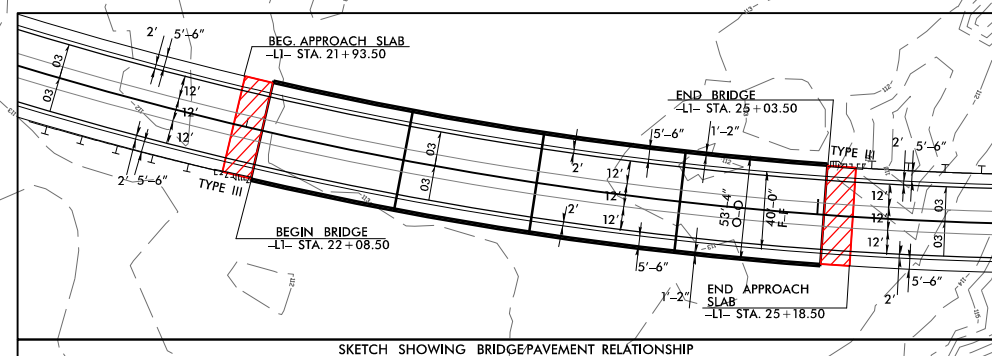
DENOTES FILL IN
WETLAND



DENOTES HAND
CLEARING

BEGIN NCDOT PROJECT B-5985
-LI- POC STA. 15 + 70.00

2022		N. WATERS ST.	
		2200	2900
15200	600	1200	15500
17000	700	1650	17700
(-LI-) NC 41/72		200	NC 41/72
		200	50
		600	700
		N. WATERS ST.	



DENOTES TEMPORARY
IMPACTS IN SURFACE WATER



DENOTES IMPACTS IN
SURFACE WATER

END NCDOT PROJECT B-5985
-LI- POT STA. 27 + 47.88

LI-
PI Sta. 21+09.42
 $\Delta = 32^\circ 49' 41.4''$ (LT)
D = 3'00' 00.0"
L = 1,094.27'
T = 562.61'
R = 1,909.86'
SE = 03
RO = SEE PLANS
DS = 40MPH

NOTE: ROW/STA. OFFSETS
ARE TO THE LI- ALIGNMENT

SY - EXISTING SIGNAL
SEE SHEET 6 FOR -LI- PROFILE
SEE SHEET 7 FOR -EY2- PROFILE
SEE SHEETS S-1 THRU S-??
FOR STRUCTURE PLANS

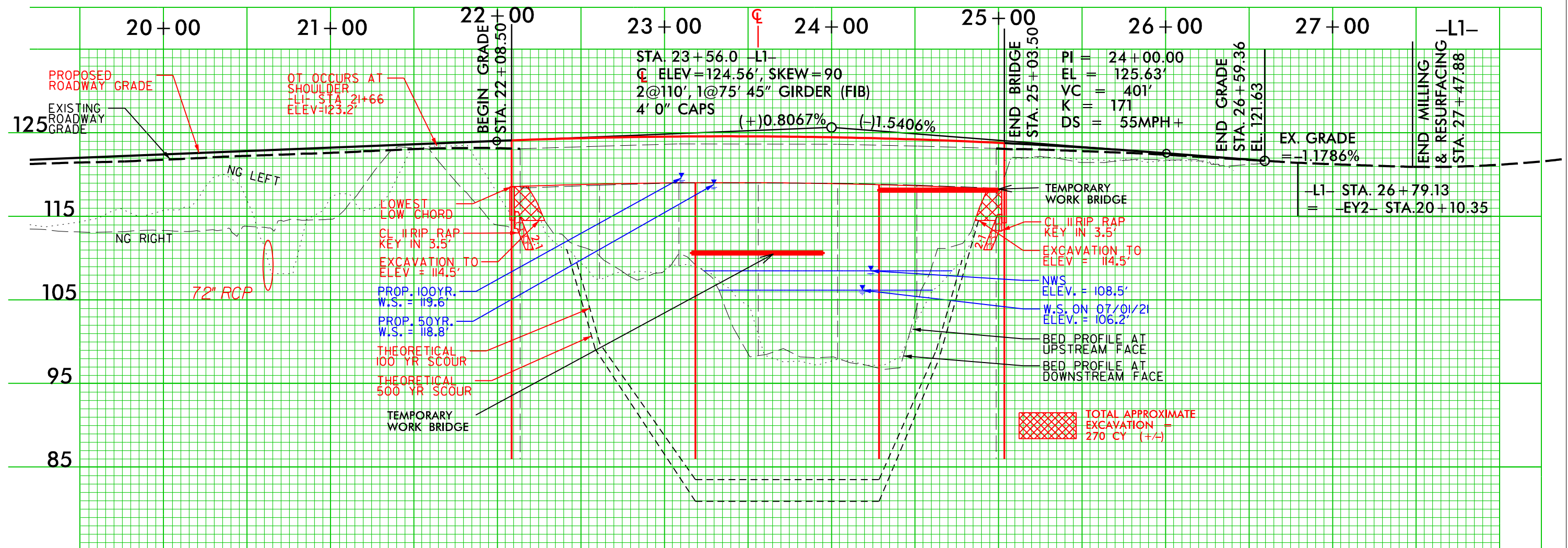
REVISIONS

8/17/99

4/25/2022
P:\2018\SMU Bridge Replacement Program\B-5985\Hydraulics\Permits Environmental\B5985_rdy_PSH4_con.dgn
USER: h5100h

SITE 4

BR 125





8/23/99

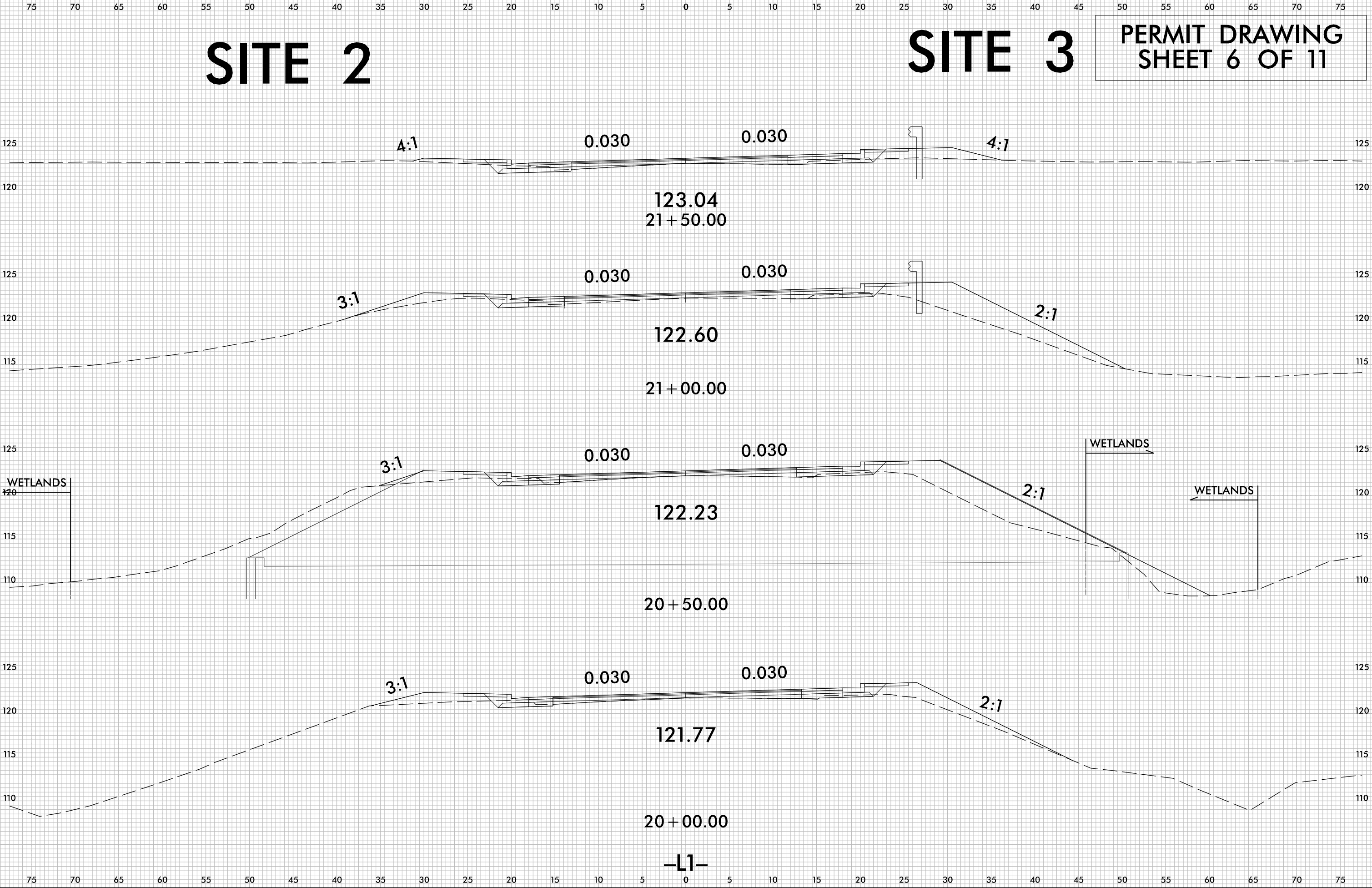
9/28/2021
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USER: Brooks

0 2.5 5 [Scale Bar]	PROJ. REFERENCE NO.	SHEET NO.
	B-5985	X-3

SITE 2

SITE 3

PERMIT DRAWING
SHEET 6 OF 11



-L1-

PERMIT DRAWING
SHEET 7 OF 11



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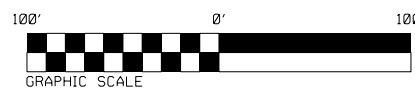
TRANSPORTATION PLANNING/DESIGN - BRIDGE/STRUCTURE DESIGN
CIVIL/SITE DESIGN - GIS/GPS - CONSTRUCTION OBSERVATION

PROJECT REFERENCE NO. SHEET NO.
B-5985 5

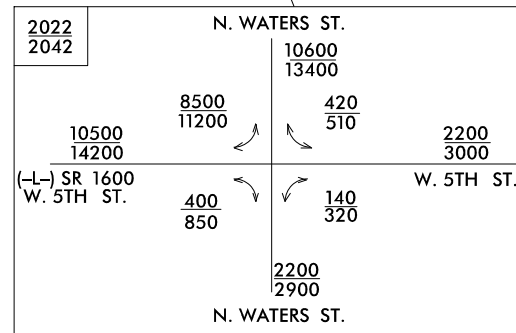
RW SHEET NO.
ROADWAY DESIGN ENGINEER HYDRAULICS ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED



- F F DENOTES FILL IN WETLAND
- HC HC DENOTES HAND CLEARING
- TS TS DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- S S DENOTES IMPACTS IN SURFACE WATER



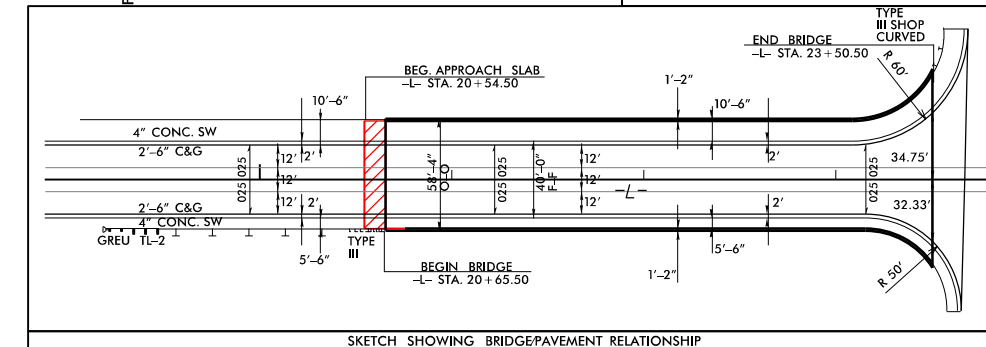
-L-
PI Sta 17+10.16
 $\Delta = 11' 32'' 05.1''$ (LT)
 $D = 4' 30'' 00.0''$
 $L = 256.33'$
 $T = 128.60'$
 $R = 1,273.24'$
 $SE = .025$ NC
 $RO = SEE PLANS$
 $DS = 40$ MPH

NOTE: ROW/STA. OFFSETS
ARE TO THE -L- ALIGNMENT

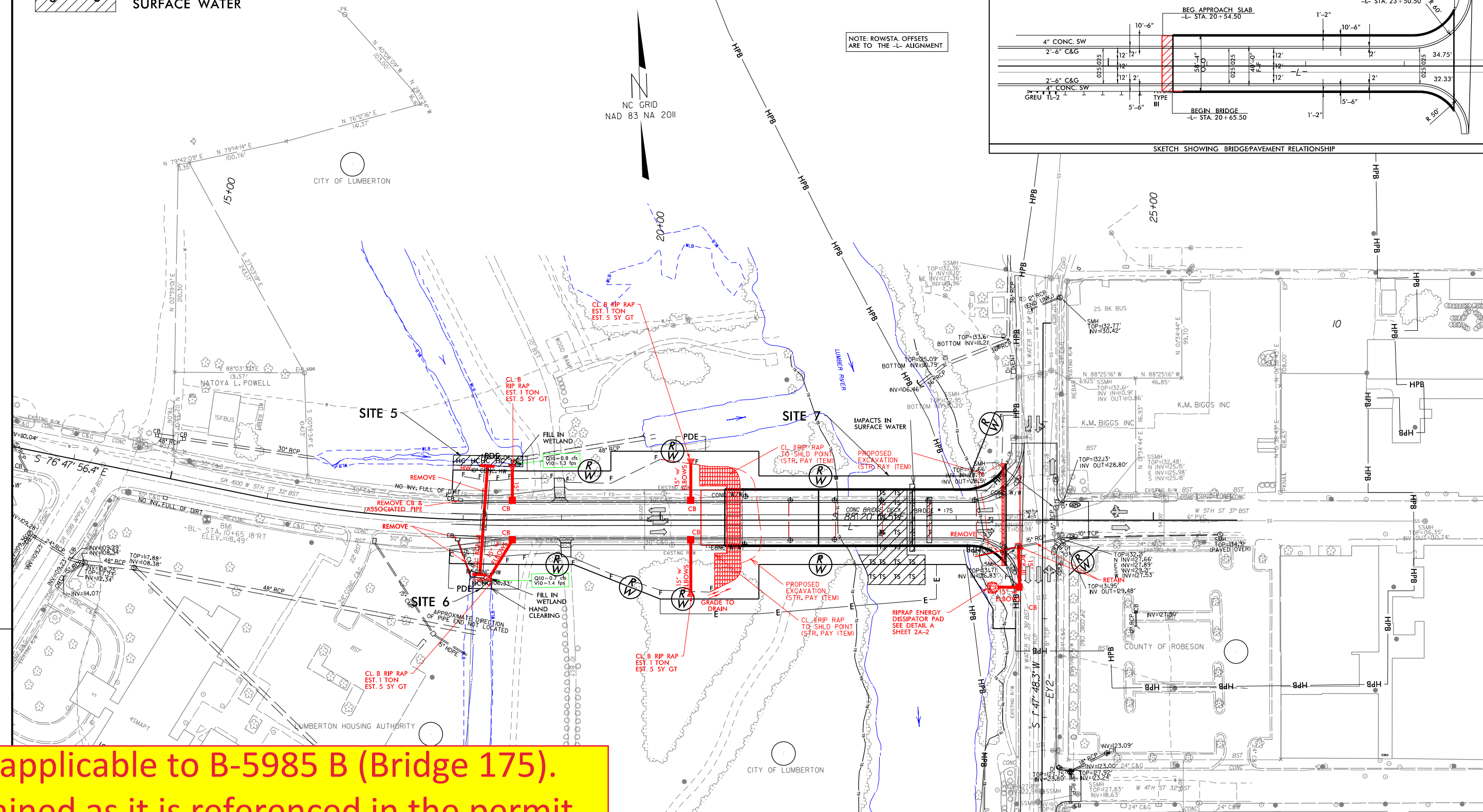
SY - EXISTING SIGNAL

SEE SHEET 6 FOR -L- PROFILE
SEE SHEET 7 FOR -EY2- PROFILE

SEE SHEETS S-1 THRU S-??
FOR STRUCTURE PLANS



REVISIONS



MATCHLINE SHEET 4 -EY2- STA. 15+00.00

Drawing applicable to B-5985 B (Bridge 175).
Page retained as it is referenced in the permit.

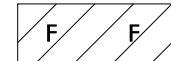
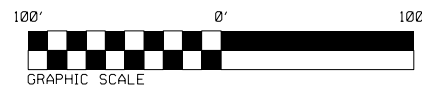
Submitted 7/12/2022

PERMIT DRAWING
SHEET 8 OF 11

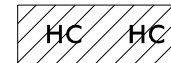


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PROJECT REFERENCE NO.		SHEET NO.	
B-5985		5	
R/W SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<div>INCOMPLETE PLANS</div> <div>DO NOT USE FOR R/W ACQUISITION</div>			
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			



DENOTES FILL IN
WETLAND



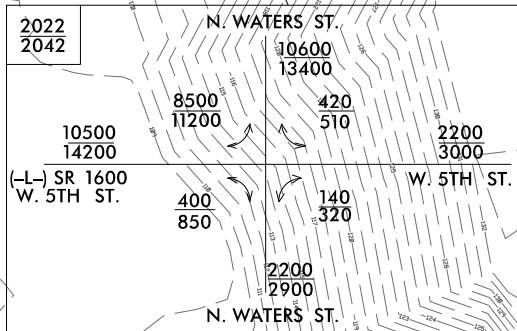
DENOTES HAND
CLEARING



DENOTES TEMPORARY
IMPACTS IN SURFACE WATER



DENOTES IMPACTS IN
SURFACE WATER



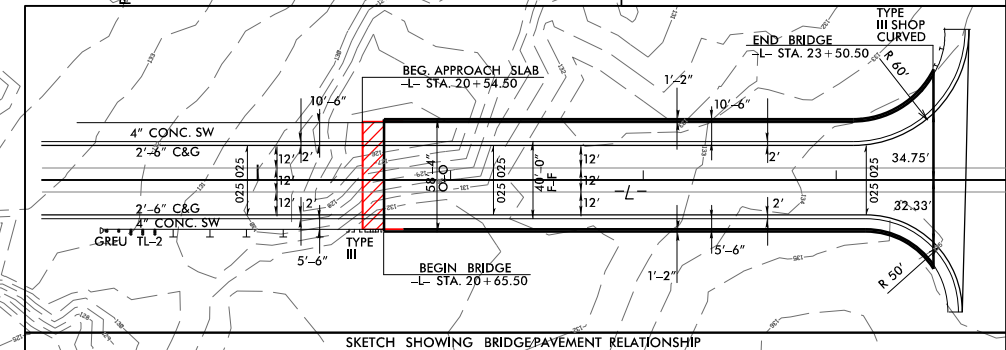
-L-
PI Sta 17+10.16
 $\Delta = 11' 32' 05''$ (LT)
 $D = 4' 30' 00.0''$
 $L = 256.33'$
 $T = 128.60'$
 $R = 1273.24'$
 $SE = .025$ NC
 $RO = SEE PLANS$
 $DS = 40$ MPH

NOTE: ROWSTA. OFFSETS
ARE TO THE -L- ALIGNMENT

SY - EXISTING SIGNAL

SEE SHEET 6 FOR -L- PROFILE
SEE SHEET 7 FOR -EY2- PROFILE

SEE SHEETS S-1 THRU S-22
FOR STRUCTURE PLANS



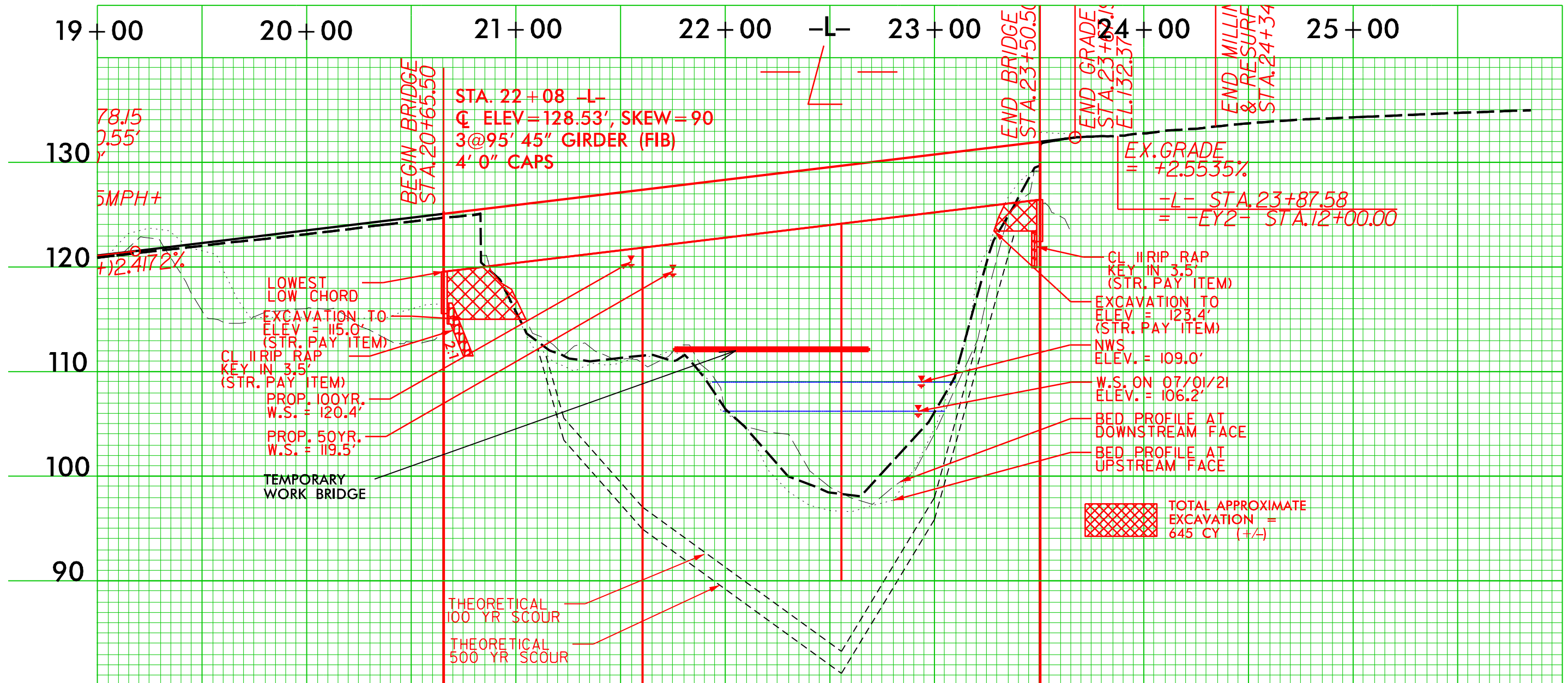
REVISIONS

Drawing applicable to B-5985 B (Bridge 175).
Page retained as it is referenced in the permit.

MATCHLINE SHEET 4 -EY2- STA. 15+00.00

SITE 7 BR 175

PERMIT DRAWING
SHEET 9 OF 11



Drawing applicable to B-5985 B (Bridge 175).
Page retained as it is referenced in the permit.

8/23/99

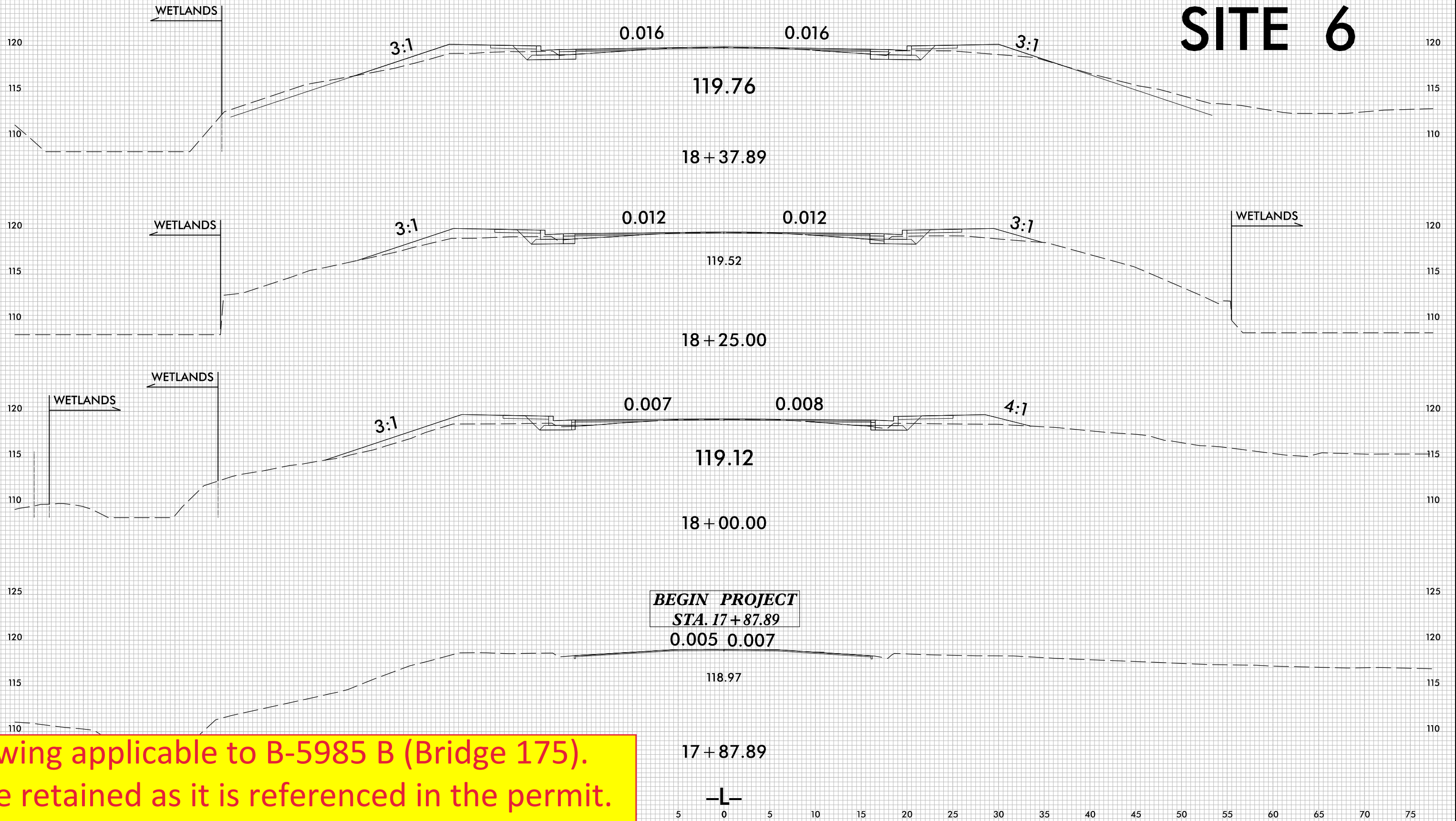
placement Program\B-5985\Hydraulics\Permits Environmental\B5985.rdy.xpl L.dgn

0 2.5 5 [Scale Bar]	PROJ. REFERENCE NO.	SHEET NO.
	B-5985	X-9

SITE 5

PERMIT DRAWING SHEET 10 OF 11

SITE 6



Drawing applicable to B-5985 B (Bridge 175).
Page retained as it is referenced in the permit.

WETLAND PERMIT IMPACT SUMMARY												
			WETLAND IMPACTS					SURFACE WATER IMPACTS				
Site No.	Station (From/To)	Structure Size / Type	Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1	-L1- 17+88 to 18+08 LT	15" Alt and Riprap outlet	< 0.01				< 0.01					
	-L1- 18+90 to 19+10 LT	15" Alt and Riprap outlet	< 0.01				< 0.01					
2	-L1- 20+52 to 20+80 LT	72" RCP					0.01					
3	-L1- 20+48 to 20+66 RT	72" RCP	< 0.01				< 0.01					
5	-L- 17+87 to 18+61 LT	72" RCP, 15" Alt	< 0.01				0.02					
6	-L- 18+07 to 18+30 RT	72" RCP, 15" Alt	< 0.01				< 0.01					
TOTALS*:			< 0.01				0.04					

*Rounded totals are sum of actual impacts

NOTES:

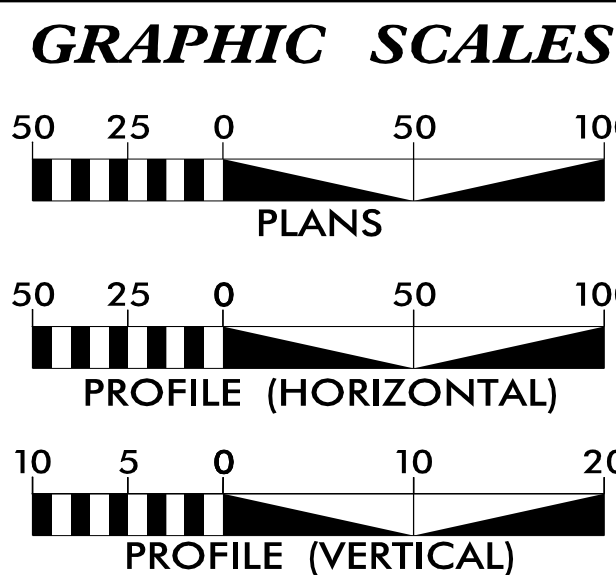
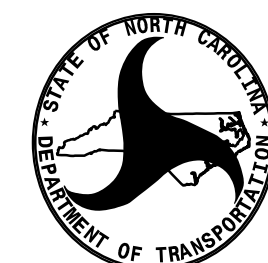
Sites 2 and 6 are both considered Wetland WB

Site 4: Interior bent for Bridge #125 = 392sq ft. Temp. workbridge= 4225 sq ft.

Site 7: Interior bent for Bridge #175 = 348sq ft. Temp. workbridge= 4051 sq ft.

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
4/24/2022
B-5985
SMU BRIDGE REPLACEMENT

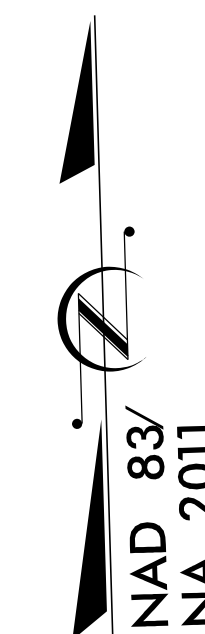
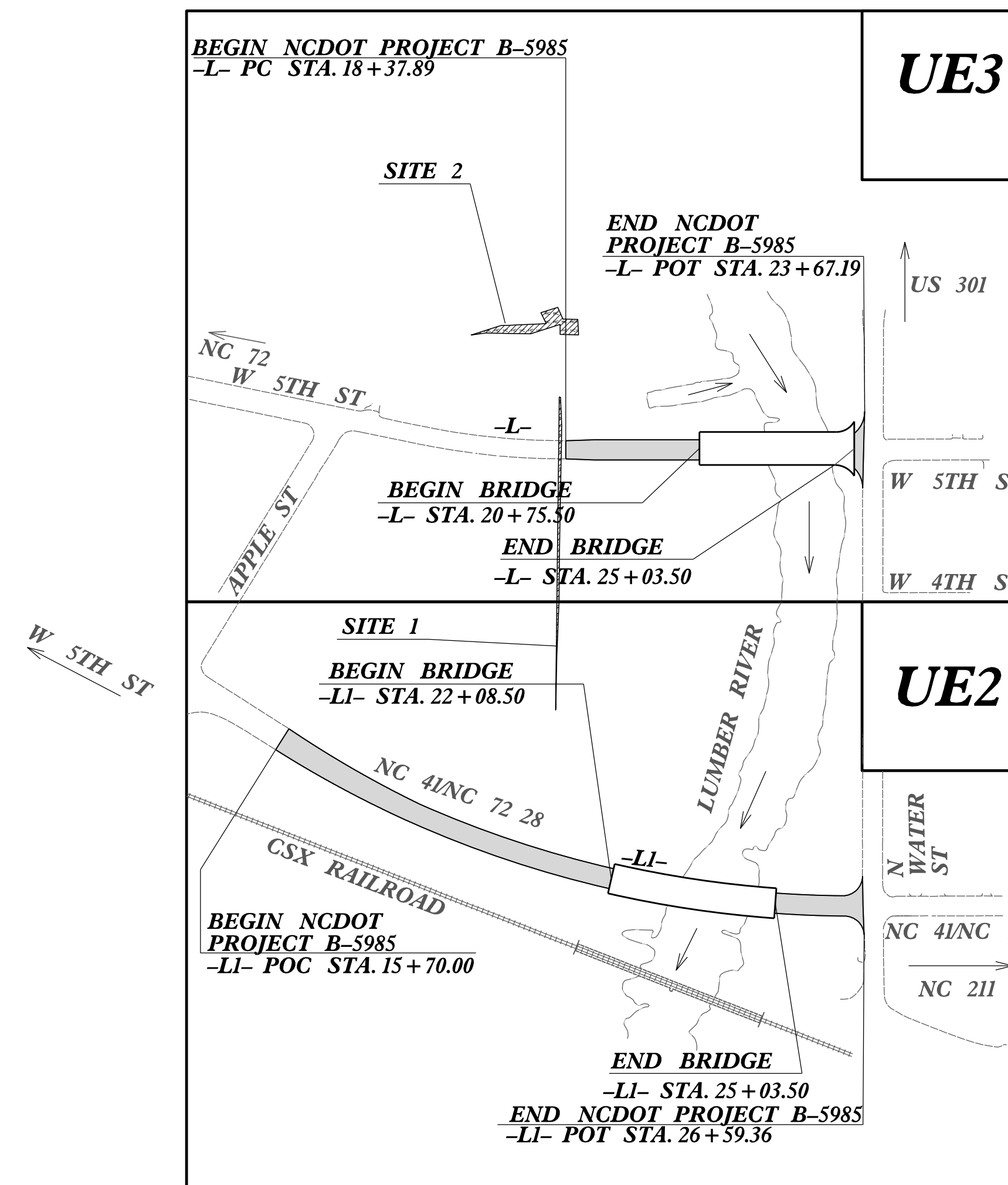
TIP PROJECT: B-5985

**UE PROFILE SHEET**


<u>Nabil Hamdan</u>	UTILITIES REGIONAL ENGINEER
<u>Larry James</u>	UTILITIES ENGINEER
<u>Tanga Sampson</u>	UTILITIES AREA COORDINATOR
<u>Larry James</u>	UTILITIES COORDINATOR

PERMIT DRAWING SHEET 1 OF 5
DATE: 3-22/2022

**WETLAND AND SURFACE WATER
IMPACTS PERMIT – UTILITIES**

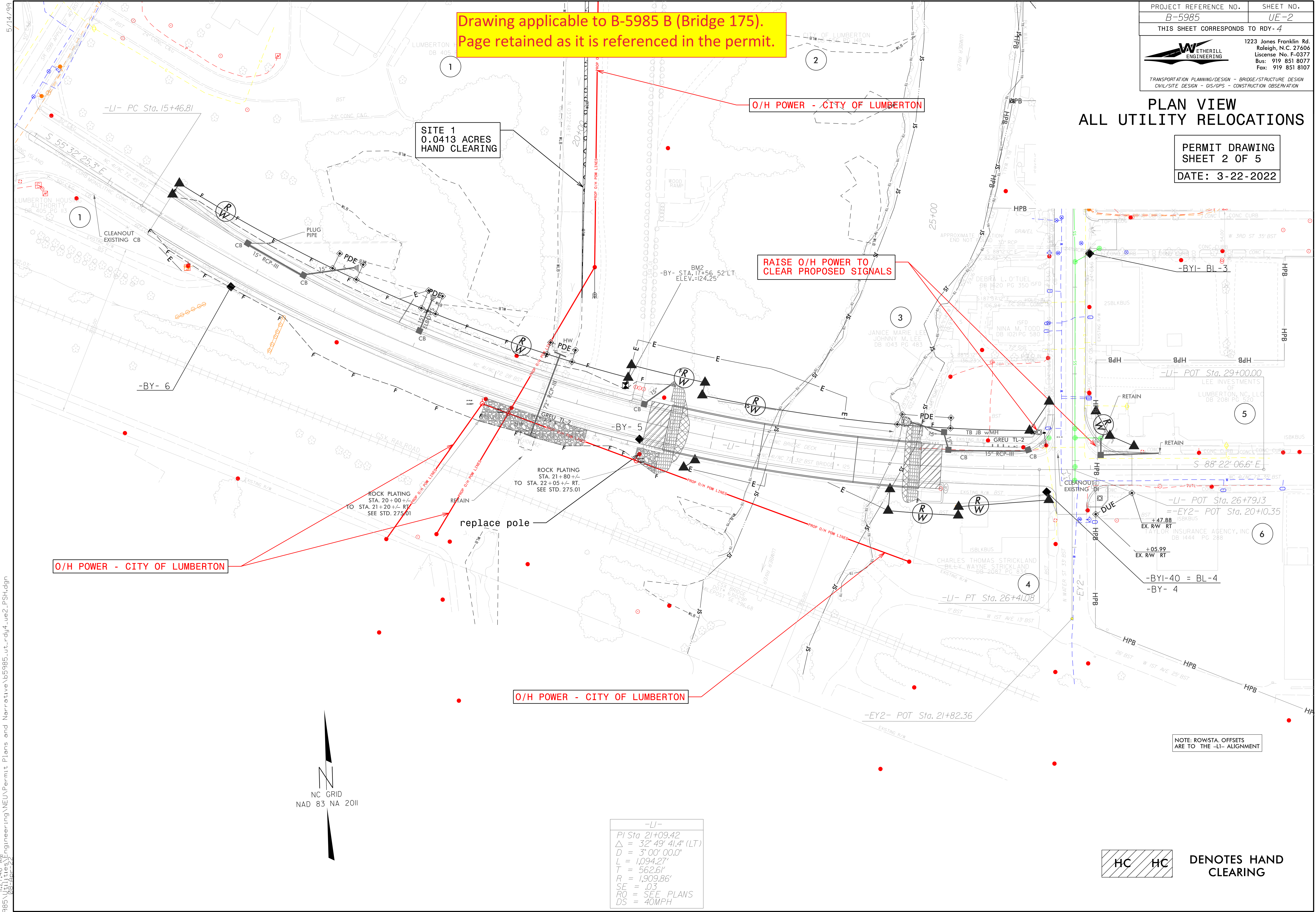


Drawing applicable to B-5985 B (Bridge 175).
Page retained as it is referenced in the permit.

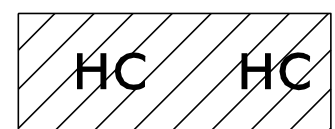
PROJECT REFERENCE NO.	SHEET NO.
B-5985	UE-2
THIS SHEET CORRESPONDS TO RDY-4	
	
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TRANSPORTATION PLANNING/DESIGN - BRIDGE/STRUCTURE DESIGN CIVIL/SITE DESIGN - GIS/GPS - CONSTRUCTION OBSERVATION	

PLAN VIEW
ALL UTILITY RELOCATIONS


PERMIT DRAWING
SHEET 2 OF 5
DATE: 3-22-2022



NOTE: ROW/STA. OFFSETS
ARE TO THE -LI- ALIGNMENT



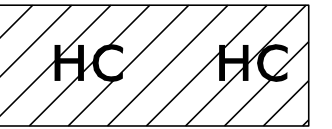
DENOTES HAND
CLEARING

PROJECT REFERENCE NO.	SHEET NO.
B-5985	UE3
THIS SHEET CORRESPONDS TO RDY-5	
	
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TRANSPORTATION PLANNING/DESIGN - BRIDGE/STRUCTURE DESIGN CIVIL/SITE DESIGN - GIS/GPS - CONSTRUCTION OBSERVATION	

PLAN VIEW ALL UTILITY RELOCATIONS

PERMIT DRAWING
SHEET 3 OF 5

DATE: 3-22-2022



HC HC
DENOTES HAND
CLEARING

NC GRID
NAD 83 NA 2011

NOTE: ROW/STA. OFFSETS
ARE TO THE -L- ALIGNMENT

O/H POWER - CITY OF LUMBERTON
O/H COMMUNICATION - CHARTER

SITE 2
0.0747 ACRES
HAND CLEARING

U/G GAS
ABANDONED

RAISE O/H POWER TO
CLEAR PROPOSED SIGNALS

RAISE O/H POWER TO
CLEAR PROPOSED SIGNALS

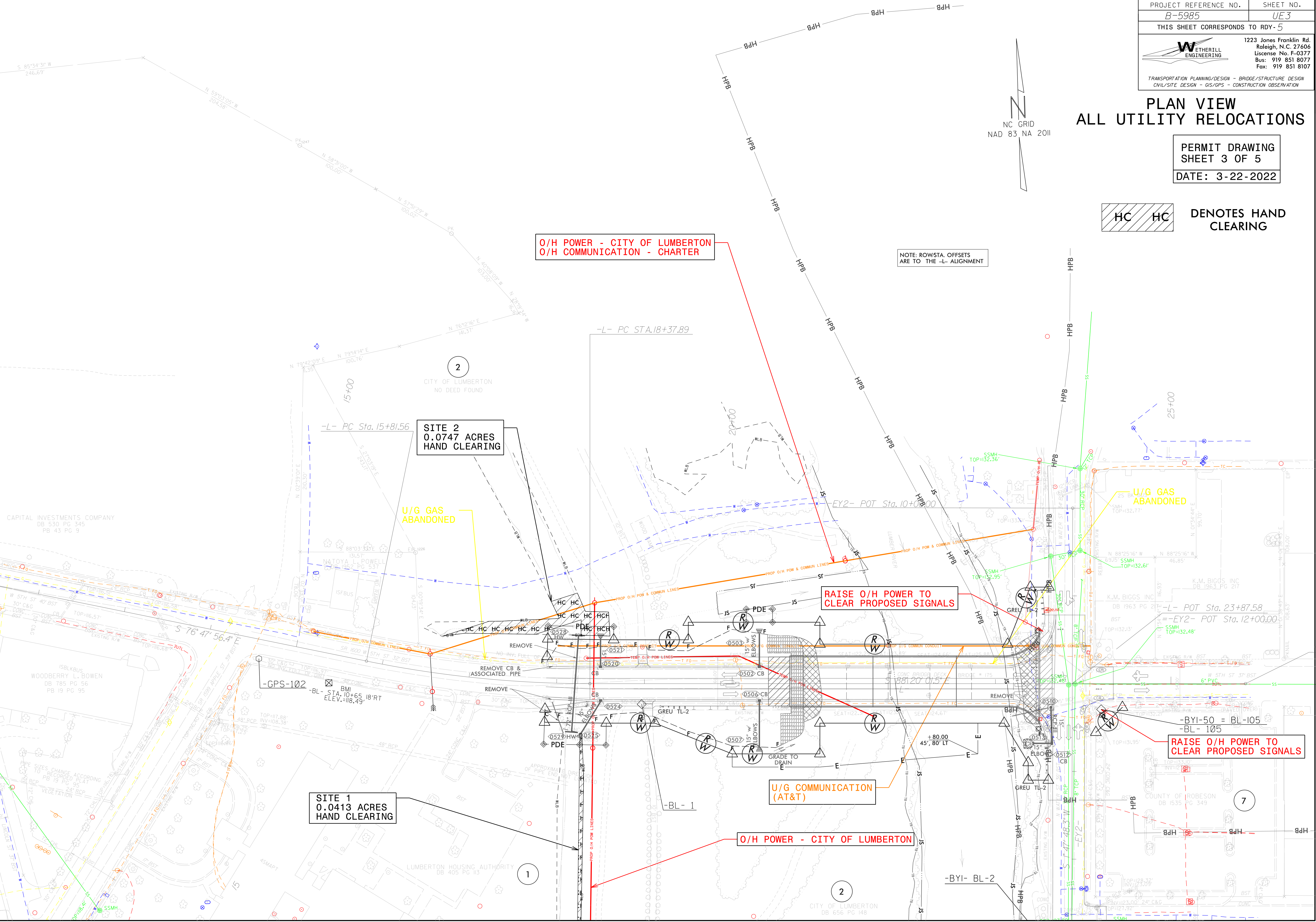
U/G COMMUNICATION
(AT&T)

O/H POWER - CITY OF LUMBERTON

SITE 1
0.0413 ACRES
HAND CLEARING


5/14/99

8/4/2010 AM
B-5985-UE3.dgn
Engineering\NEUPermit Plans and Narrative\B-5985-UE3.dgn



5/28/99

B:\551\B-5985\Utilities\Engineering\NEUPermit Plans and Narrative\B5985_ut_PFI_ue4.dgn
22-Nov-22 11:55 AM



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TRANSPORTATION PLANNING/DESIGN - BRIDGE/STRUCTURE DESIGN
CIVIL/SITE DESIGN - GIS/GPS - CONSTRUCTION OBSERVATION

PROJECT REFERENCE NO.
B-5985

SHEET NO.
UE-4

PERMIT DRAWING
SHEET 4 OF 5

DATE: 3/22/2022

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