

# PROJECT COMMITMENTS

WBS Element BP6.R018.1  
Bridge No. 250150 on SR 1843 (Magnolia Church Road)  
over Buck Creek Cumberland County  
STIP Project No. (N/A) Federal Aid  
Project No. (N/A)

## COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

### **NCDOT Highway Division 6 Construction and Contractor (Replacement of Bridge No. 250150)**

BP6.R018, which is located approximately 0.5 mile west of Culvert #250029, is the proposed replacement of Bridge No. 250150 over Buck Creek on SR 1843 (Magnolia Church Road). Bridge #150 is programmed to be replaced before the replacement of Culvert #29 to improve the offsite detour route for Culvert #29.

### **NCDOT Highway Division 6 Construction and Contractor (Offsite Detour)**

The offsite detour route (3.4 miles) will begin at the intersection of SR 1843 (Magnolia Church Road) and NC 24 (Clinton Road), then westward on NC 24 (Clinton Road) for 900 feet to the U-turn onto eastbound NC 24 (Clinton Road), then eastward to the intersection of NC 24 (Clinton Road) and SR 1850 (Wade-Stedman Road), then northward on SR 1850 (Wade-Stedman Road) to the intersection of SR 1850 (Wade-Stedman Road) and SR 1826 (Jake Road), and then westward to the intersection of SR 1826 (Jake Road) and SR 1843 (Magnolia Church Road). The Contractor will erect signage and maintain traffic on the detour route.

### **NCDOT Highway Division 6 Construction and Contractor (School Bus Route)**

Cumberland County Schools has eight buses that make a total of 16 trips a day crossing Bridge #150, and is requesting that detour signs be placed as early as possible to alert their bus drivers of a pending change to their route. The Contractor should be aware and exercise caution because school bus traffic and students will be present during construction.

**NCDOT Highway Division 6 Construction and Contractor (Utilities Relocations)** – Overhead utility lines and fiber optic lines appear to be in conflict with the anticipated limits of construction activities and permanent utility easements might be required.

## COMMITMENTS FROM PERMITTING

No new commitments were developed during permitting.



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT  
WRDA/TRANSPORTATION BRANCH  
3331 HERITAGE TRADE DRIVE SUITE 105  
WAKE FOREST NC 27587

June 10, 2025

Regulatory Division  
SAW-2025-00846

Sent Via email: [maturchy@ncdot.gov](mailto:maturchy@ncdot.gov)

Michael Turchy  
Environmental Permitting and Coordination  
North Carolina Department of Transportation  
1000 Birch Ridge Drive  
Raleigh, NC 27610

Dear Mr. Turchy:

This letter is in response to the Pre-Construction Notification (PCN) you submitted to the Wilmington District, WRDA/Transportation Branch on April 21, 2025, subsequently revised on May 1, 2025, for a Department of the Army Nationwide permit (NWP) verification. This project has been assigned the file number SAW-2025-00846 and is known as NCDOT; BP6.R018\_SR1843\_MagnoliaChurchRd\_Br 150 at Buck Creek. This file number should be referenced in all correspondence concerning this project.

A review of the information provided indicates that the proposed work would include the replacement of a bridge impacting a total of 0.119 acre of wetlands, including 0.055 acre of non-404 hand clearing, and 190 linear feet of tributary. The project area for this determination is illustrated on the enclosed *PERMIT DRAWINGS*, Sheets 1 through 5, Revised Submittal 4/30/2025. The project area is located, at Latitude 35.025270 and Longitude -78.702690; north of Stedman, Cumberland County, North Carolina.

We have determined that the proposed work is authorized by NWP 14 - Linear Transportation, pursuant to authorities under Section 404 of the Clean Water Act (33 U.S.C § 1344). The proposed work must be accomplished in strict accordance with the general permit conditions, any regional conditions, the special conditions listed in this letter, the application materials, and the enclosed plans. If the extent of the project area and/or nature of the authorized impacts to waters are modified, a revised PCN must be submitted to this office for written approval before work is initiated. Any violation of permit conditions or deviation from your submitted plans may subject the permittee to enforcement action.

This verification is valid until March 14, 2026, unless prior to this date the subject NWP(s) is suspended, revoked, or is modified such that the activity no longer complies with the terms and conditions of this NWP. If you commence or are under contract to

commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

**Project Specific Special Conditions:**

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

This NWP verification does not preclude the necessity to obtain any other Federal, State, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Eric Alsmeyer, Regulatory Project Manager of the WRDA/Transportation Branch at 919.817.1570, by mail at the above

address, or by email at [eric.c.alsmeyer@usace.army.mil](mailto:eric.c.alsmeyer@usace.army.mil). Please take a moment to complete our customer satisfaction survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

A handwritten signature in black ink that reads "M. Scott Jones". The signature is written in a cursive style with a large, prominent "M" and "J".

M. Scott Jones, PWS  
WRDA / Transportation Branch Chief

Enclosures

Cc (w/enclosures)

Deanna Riffey, North Carolina Department of Transportation (via [driffey@ncdot.gov](mailto:driffey@ncdot.gov))

<p>U.S. Army Corps of Engineers (USACE)</p> <p><b>CERTIFICATION OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT</b></p> <p>For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.</p>	<p><i>Form Approved -</i></p> <p><i>OMB No. 0710-0003</i></p> <p><i>Expires 2027-10-31</i></p>
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**The Agency Disclosure Notice (ADN)**

The Public reporting burden for this collection of information, 0710-0003, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at [whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil](mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

**PURPOSE:** This form is used by recipients of U.S. Army Corps of Engineer Regulatory permits to certify compliance with the permit terms and conditions.

Your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the U.S. Army Corps of Engineers, Wilmington District, Regulatory Office.

The certification can be submitted by email or by mail at the below address:

US ARMY CORPS OF ENGINEERS  
 Wilmington District  
 Attn: Eric Alsmeyer  
 Raleigh Field Office  
 3331 Heritage Trade Drive Suite 105  
 Wake Forest, NC 27587  
 or  
[eric.c.alsmeyer@usace.army.mil](mailto:eric.c.alsmeyer@usace.army.mil)

**COMPLETED BY THE CORPS**

Corps Action Number:	SAW-2025-00846
Permit Type: <u>General Permit</u>	
General Permit Number and Name <i>(if applicable)</i> :	14 - Linear transportation
Name of Permittee:	Michael Turchy
Project Name:	NCDOT; BP6.R018_SR1843_MagnoliaChurchRd_Br 150 at Buck Creek
Project Location <i>(physical address)</i> :	north of Stedman, North Carolina

**PERMITTEE'S CERTIFICATION**

Date Work Started: \_\_\_\_\_

Date Work Completed: \_\_\_\_\_

Enclose photographs showing the completed project *(if available)*.

I \_\_\_\_\_ hereby certify that the work authorized by the above referenced permit has been completed in accordance with all of the permit terms and conditions, and that any required compensatory mitigation has been completed in accordance with the permit conditions.

Name	Date	Signature
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**US Army Corps of Engineers – Wilmington District**  
**Compensatory Mitigation Responsibility Transfer Form**

**Permittee:** NCDOT

**Action ID:** SAW-2025-00846

**Project Name:** BP6.R018\_SR1843\_MagnoliaChurchRd\_Br 150 at Buck Creek

**County:** Cumberland

**Instructions to Permittee:** The Permittee must provide a copy of this form to the Mitigation Sponsor, either an approved Mitigation Bank or the North Carolina Division of Mitigation Services (NCDMS), who will then sign the form to verify the transfer of the mitigation responsibility. Once the Sponsor has signed this form, it is the Permittee’s responsibility to ensure that Wilmington District Project Manager identified on page two is in receipt of a signed copy of this form before conducting authorized impacts, unless otherwise specified below. If more than one Mitigation Sponsor will be used to provide the mitigation associated with the permit, or if the impacts and/or the mitigation will occur in more than one 8-digit Hydrologic Unit Code (HUC), multiple forms will be attached to the permit, and the separate forms for each Sponsor and/or HUC must be provided to the appropriate Mitigation Sponsors.

**Instructions to Sponsor:** The Sponsor verifies that the mitigation requirements (credits) shown below have been released and are available at the identified site. By signing below, the Sponsor is accepting full responsibility for the identified mitigation, regardless of whether they have received payment from the Permittee. Once the form is signed, the Sponsor must update the bank ledger and provide a copy of the signed form and the updated ledger to the Permittee, the Project Manager who issued the permit, the Bank Project Manager, and the District Mitigation Office (see contact information on page 2). The Sponsor must also comply with all reporting requirements established in their authorizing instrument.

**Permitted Impacts and Compensatory Mitigation Requirements**

Permitted Impacts Requiring Mitigation\*: 8-digit HUC and Basin: 03030006, Cape Fear River Basin

Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
				0.032		

\*If more than one mitigation sponsor will be used for the permit, only include impacts to be mitigated by this sponsor.

Compensatory Mitigation Requirements: 8-digit HUC and Basin: 03030006, Cape Fear River Basin

Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
				0.064		

**Mitigation Site Debited:** NCDMS

(List the name of the bank to be debited. For umbrella banks, also list the specific site. For NCDMS, list NCDMS. If the NCDMS acceptance letter identifies a specific site, also list the specific site to be debited).

***Section to be completed by the Mitigation Sponsor***

**Statement of Mitigation Liability Acceptance:** I, the undersigned, verify that I am authorized to approve mitigation transactions for the Mitigation Sponsor shown below, and I certify that the Sponsor agrees to accept full responsibility for providing the mitigation identified in this document (see the table above), associated with the USACE Permittee and Action ID number shown. I also verify that released credits (and/or advance credits for NCDMS), as approved by the Wilmington District, are currently available at the mitigation site identified above. Further, I understand that if the Sponsor fails to provide the required compensatory mitigation, the USACE Wilmington District Engineer may pursue measures against the Sponsor to ensure compliance associated with the mitigation requirements.

**Mitigation Sponsor Name:** \_\_\_\_\_

**Name of Sponsor’s Authorized Representative:** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor’s Authorized Representative**

\_\_\_\_\_  
**Date of Signature**

**Conditions for Transfer of Compensatory Mitigation Credit:**

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

**Comments/Additional Conditions:**

This form is not valid unless signed below by the District Project Manager and by the Mitigation Sponsor on Page 1. **Once signed, the Sponsor should provide copies of this form along with an updated bank ledger to: 1) the Permittee, 2) the District Project Manager at the address below, 3) the Bank Manager listed in RIBITS, and 4) the Wilmington District Mitigation Office, 3331 Heritage Trade Drive, Suite 105, Wake Forest, NC 27587 (or by email to [SAWMIT@usace.army.mil](mailto:SAWMIT@usace.army.mil)).** Questions regarding this form or any of the permit conditions may be directed to the District Mitigation Office.

**USACE Project Manager:** Eric Alsmeyer  
**USACE Field Office:** WRDA/Transportation Branch  
US Army Corps of Engineers  
3331 Heritage Trade Drive  
Wake Forest  
**Email:** [eric.c.alsmeyer@usace.army.mil](mailto:eric.c.alsmeyer@usace.army.mil)

  
\_\_\_\_\_  
**Wilmington District Project Manager Signature**

\_\_\_\_\_  
**June 10, 2025**  
**Date of Signature**

Current Wilmington District mitigation guidance, including information on mitigation ratios, functional assessments, and mitigation bank location and availability, and credit classifications (including stream temperature and wetland groupings) is available at <http://ribits.usace.army.mil>.



**JOSH STEIN**  
Governor

**D. REID WILSON**  
Secretary

**RICHARD E. ROGERS, JR.**  
Director

June 2, 2025

Mr. Ryan Hester, Project Development Environmental Engineer  
NC DOT Division 6  
431 Transportation Drive  
Fayetteville, NC

Subject: 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act with  
ADDITIONAL CONDITIONS for the proposed improvements to Cumberland Bridge 250150 over  
Buck Creek in Cumberland County, TIP BP6.R.018.  
NCDWR Project No. 20250535

Dear Mr. Hester:

Attached hereto is a copy of Certification No.7817 issued to The North Carolina Department of  
Transportation (NCDOT) dated June 2, 2025. This certification replaces the certification issued on May  
30, 2025.

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 Water Quality 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)]. This  
Certification does not relieve the permittee of the responsibility to obtain all other required Federal,  
State, or Local approvals before proceeding with the project, including those required by, but not limited  
to, Sediment and Erosion Control, Non-Discharge, Water Supply Watershed, and Trout Buffer  
regulations.

If we can be of further assistance, do not hesitate to contact us.

Sincerely,

Signed by:

*Susan Locklear*

375CAE2BB9F540C...

Susan Locklear Acting Supervisor  
Transportation Permitting Branch  
Division of Water Resources

Attachments



CC:

Eric Alsmeyer, USACE Raleigh Regulatory Field Office (via email)  
Chris Underwood, DOT Division 6 Environmental Officer (via email)  
Gary Jordan, US Fish and Wildlife Service  
Travis Wilson, NC Wildlife Resources Commission  
Holley Snider, NC Division of Water Resources Wilmington Regional Office  
File Copy

**401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act with ADDITIONAL CONDITIONS**

**THIS CERTIFICATION** is issued in conformity with the requirements of Section 401 Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Resources (NCDWR) Regulations in 15 NCAC 2H .0500. This certification authorizes the NCDOT to impact 0.064 acres of jurisdictional wetlands and 189 linear feet of jurisdictional streams in Cumberland County. The project shall be constructed pursuant to the application dated received April 21, 2025. The authorized impacts are as described below:

**Stream Impacts in the Cape Fear River Basin**

Site	Permanent Fill in Intermittent Stream (linear ft)	Temporary Fill in Intermittent Stream (linear ft)	Permanent Fill in Perennial Stream (linear ft)	Temporary Fill in Perennial Stream (linear ft)	Total Stream Impact (linear ft)	Stream Impacts Requiring Mitigation (linear ft)
S1 Roadway			47		47	
S2 Roadway				60	60	
S3 Bridge Abutment (rip rap)			33		33	
S4 Bridge Abutment				49	49	
<b>Total</b>			80	109	189	

**Total Stream Impact for Project: 189 linear feet**

**Wetland Impacts in the Cape Fear River Basin (list wetland type as riverine/non-riverine/coastal)**

Site	Fill (ac)	Fill (temporary) (ac)	Excavation (ac)	Mechanized Clearing (ac)	Hand Clearing (ac)	Area under Bridge (ac)	Total Wetland Impact (ac)
WA Roadway Fill	0.017	0.014	0.003		0.015		0.034
WD Roadway Fill	0.011	0.012			0.016		0.022
WB Roadway Fill		0.001			0.010		0.011
WC Roadway Fill		0.005	0.001		0.014		0.006

<b>Total</b>	0.028	0.032	0.004		0.055		0.064
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**Total Wetland Impact for Project: 0.064 acres.**

The application provides adequate assurance that the discharge of fill material into the waters of the **Cape Fear River Basin** in conjunction with the proposed development will not result in a violation of applicable Water Quality Standards and discharge guidelines. Therefore, the State of North Carolina certifies that this activity will not violate the applicable portions of Sections 301, 302, 303, 306, 307 of PL 92-500 and PL 95-217 if conducted in accordance with the application and conditions hereinafter set forth.

This approval is only valid for the purpose and design that you submitted in your application dated received April 21, 2025. Should your project change, you are required to 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 any additional wetland impacts, or stream impacts, for this project (now or in the future) exceed 0.1 acre or 300 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7).

For this approval to remain valid, you are required to comply with all the conditions listed below. In addition, you should obtain all other federal, state or local permits before proceeding with your project including (but not limited to) Sediment and Erosion control, Coastal Stormwater, Non-discharge and Water Supply watershed regulations. This Certification shall expire on the same day as the expiration date of the corresponding Corps of Engineers Permit.

This Water Quality Certification neither grants nor affirms any property right, license, or privilege in any lands or waters, or any right of use in any waters. This Water Quality Certification does not authorize any person to interfere with the riparian rights, littoral rights, or water use rights of any other person and does not create any prescriptive right or any right of priority regarding any usage of water. This Water Quality Certification shall not be interposed as a defense in any action respecting the determination of riparian or littoral rights or other rights to water use. No consumptive user is deemed by virtue of this Water Quality Certification to possess any prescriptive or other right of priority with respect to any other consumptive user regardless of the quantity of the withdrawal or the date on which the withdrawal was initiated or expanded. Upon the presentation of proper credentials, the Division may inspect the property.

**Condition(s) of Certification:**

1. NCDOT shall be in compliance with the NCS00250 issued to the NCDOT, including the applicable requirements of the NCG01000. Please note the extra protections for the sensitive watersheds.
2. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills. [15A NCAC 02B.0200]

3. For all streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and revegetated with appropriate native species. [15A NCAC 02H.0506(b)(2)]
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. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions. [15A NCAC 02H.0506(b)(2)]
6. 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)]
7. 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)]
8. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water. [15A NCAC 02H.0506(b)(3) and (c)(3)]
9. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream. [15A NCAC 02H.0506(b)(3)]
10. 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)]
11. 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)]
12. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
13. 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]
14. 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)]

15. 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 applicant is a city or other non-dot project, delete "Division Engineer" and just say Onsite project Manager.}
16. 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]
17. 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.
18. 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)]
19. Upon completion of the project (including any impacts at associated borrow or waste sites), the authorized agent shall complete and return the "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0507]
20. Native riparian vegetation (i.e., herbaceous, trees, and shrubs native to your geographic region) must be reestablished in the riparian areas within the construction limits of the project by the end of the growing season following completion of construction. [15A NCAC 02B.0506(b)(2)]
21. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities. [15A NCAC 02H.0506(b)(3) and (c)(3)]
22. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within jurisdictional wetlands. [15A NCAC 2H.0506; 15A NCAC 2H.0507]
23. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards [15A NCAC 02H.0506(b)(3) and (c)(3)]:
  - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the North Carolina Sediment and Erosion Control Planning and Design Manual.

- b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the North Carolina Sediment and Erosion Control Manual. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
  - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the North Carolina Surface Mining Manual.
  - d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
24. Sediment and erosion control measures shall not be installed in wetlands or waters except within the footprint of temporary or permanent impacts authorized by this Certification. If placed within authorized impact areas, then placement of such measures shall not be conducted in a manner that results in dis-equilibrium of any wetlands, streambeds, or streambanks. Any silt fence installed within wetlands shall be removed from wetlands and the natural grade restored and revegetated within two months of project completion. [15A NCAC 2H.0506(b); 15 A NCAC 2H.0507(c)]
25. 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]
26. 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.

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

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

If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), SA, Trout, WS-1, WS-11, High Quality Waters (HQW), Outstanding Resource Waters (ORW), Critical Area (CA), and/or 303(d) Impaired Waters, then the sedimentation and erosion control designs

shall comply with the requirements set forth in 15A NCAC 04B .0124, Design Standards in Sensitive Watersheds. [15A NCAC 02H.0506(b)(3) and (c)(3)]

27. Tall fescue shall not be used in the establishment of temporary or permanent groundcover within riparian areas. For the establishment of permanent herbaceous cover, erosion control matting shall be used in conjunction with an appropriate native seed mix on disturbed soils within the riparian area and on disturbed steep slopes with the following exception. Erosion control matting is not necessary if the area is contained by perimeter erosion control devices such as silt fence, temporary sediment ditches, basins, etc. Matting should be secured in place with staples, stakes, or wherever possible, live stakes of native trees. Erosion control matting placed in riparian areas shall not contain a nylon mesh grid, which can impinge and entrap small animals. For the establishment of temporary groundcover within riparian areas, hydroseeding along with wood or cellulose based hydro mulch applied from a fertilizer- and limestone-free tank is allowable at the appropriate rate in conjunction with the erosion control measures. Discharging hydroseed mixtures and wood or cellulose mulch into surface waters is prohibited. Riparian areas are defined as a distance 25 feet landward from top of stream bank.
28. The NCDOT District Engineer or Environmental Officer will conduct a pre-construction meeting with all appropriate staff to ensure that the project supervisor and essential staff understand the potential issues and permit conditions. NCDWR staff shall be invited to the pre-construction meeting. [15A NCAC 02H.0506(b)(2) and (b)(3)]
29. The post-construction removal of any temporary bridge structures must return the project site to its preconstruction contours and elevations. The impacted areas shall be revegetated with appropriate native species. [15A NCAC 02H .0506(b)(2)]
30. 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)]
31. 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.) 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)]
32. 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)]
33. 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)]

34. Turbidity curtains shall be used to isolate all work areas from the stream at Buck Creek, including pile or casement installation, placement of riprap, excavation or filling. Strict adherence to the Construction and Maintenance Best Management Practices will be required.
35. 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)]
36. 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)]

This Certification shall become null and void unless the above conditions are made conditions of the Federal 404 and/or Coastal Area Management Act Permit. This Certification shall expire upon the expiration of the 404 or CAMA permit. 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. Violations of any condition herein set forth may result in revocation of this Certification and may result in criminal and/or civil penalties. 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 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 the 30th day of May 2025

Signed by:  
  
375CAE2BB9F540C...

Susan Locklear, Acting Supervisor  
401 Buffer Transportation Permitting Branch  
DIVISION OF WATER RESOURCES

WQC No. 7817

**NCDWR Project No.:** 20250535

**County:** Cumberland County

**Applicant:** NC Department of Transportation, Division 6

**Project Name:** BP6.R.018 Replace Cumberland Bridge 250150

**Date of Issuance of 401 Water Quality Certification:** May 30, 2025

**Certificate of Completion**

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

**Applicant’s Certification**

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Agent’s Certification**

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Engineer’s Certification**

\_\_\_\_\_ Partial      \_\_\_\_\_ Final

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

Signature \_\_\_\_\_ Registration No. \_\_\_\_\_  
Date \_\_\_\_\_

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

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

LOCATION: BRIDGE NO. 250150 OVER BUCK CREEK  
ON SR 1843 (MAGNOLIA CHURCH RD)

TYPE OF WORK: GRADING, DRAINAGE, PAVING, STRUCTURES AND  
RESURFACING

**WETLAND AND SURFACE WATER IMPACTS PERMIT**

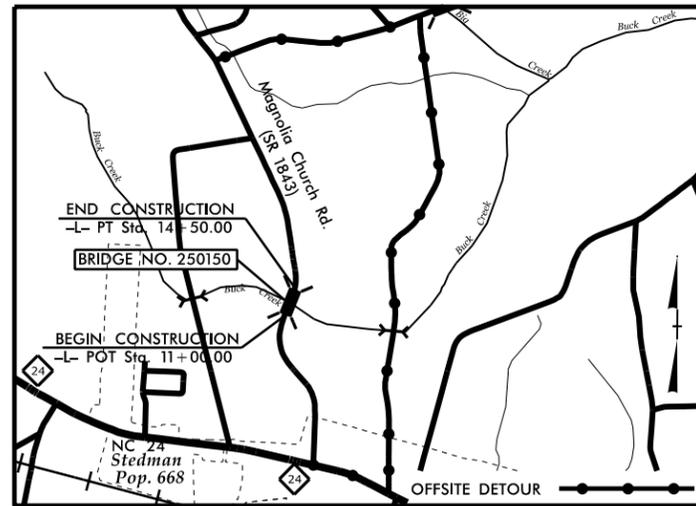
STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	BP6.R018	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
BP6.R018.1		PE	
BP6.R018.2		RW	
BP6.R018.3		CONST.	



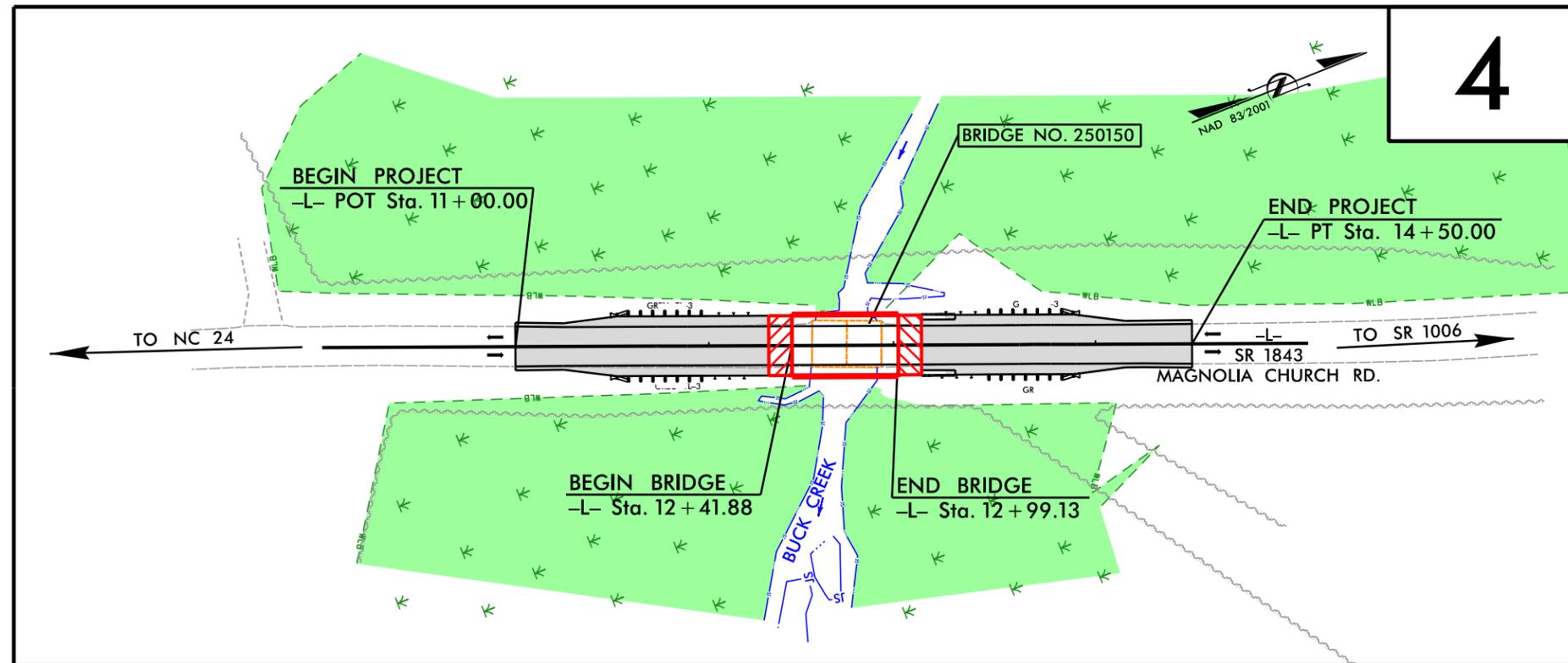
PERMIT DRAWING  
SHEET 1 OF 5



**TIP PROJECT: BP6.R018**



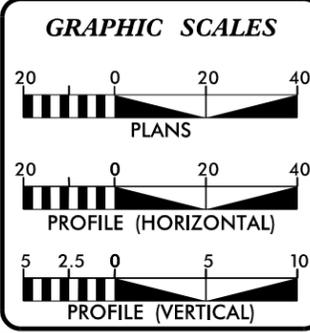
VICINITY MAP



4

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

**CONTRACT:**



**DESIGN DATA**

ADT 2026 = 470

K = NA %  
D = NA %  
T = 6 %  
V = 50 MPH

FUNC CLASS =  
RURAL LOCAL  
SUB-REGIONAL TIER

**PROJECT LENGTH**

LENGTH ROADWAY PROJECT 250150 = 0.055 mi  
LENGTH STRUCTURE PROJECT 250150 = 0.011 mi  
TOTAL LENGTH PROJECT 250150 = 0.066 mi

**RK&K**  
RUMMEL, KLEPPER & KAHL, LLP  
8601 SIX FORKS ROAD, FORUM 1, SUITE 700  
RALEIGH, NORTH CAROLINA 27615  
NC LICENSE NO. F-0112  
919-878-9560

FOR:  
**NCDOT DIVISION OF HIGHWAYS**  
2024 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE: APRIL 2023

LETTING DATE: JUNE 18, 2025

Mike Merritt, PE  
PROJECT ENGINEER

Andrew Hefler  
PROJECT DESIGN ENGINEER

**HYDRAULICS ENGINEER**

Signature: \_\_\_\_\_

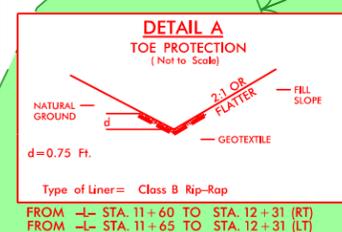
**ROADWAY DESIGN ENGINEER**

Signature: \_\_\_\_\_

Professional Engineer Seals for Christopher L. Smith and Michael T. Merritt.

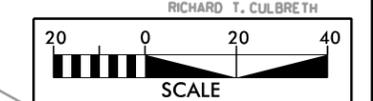
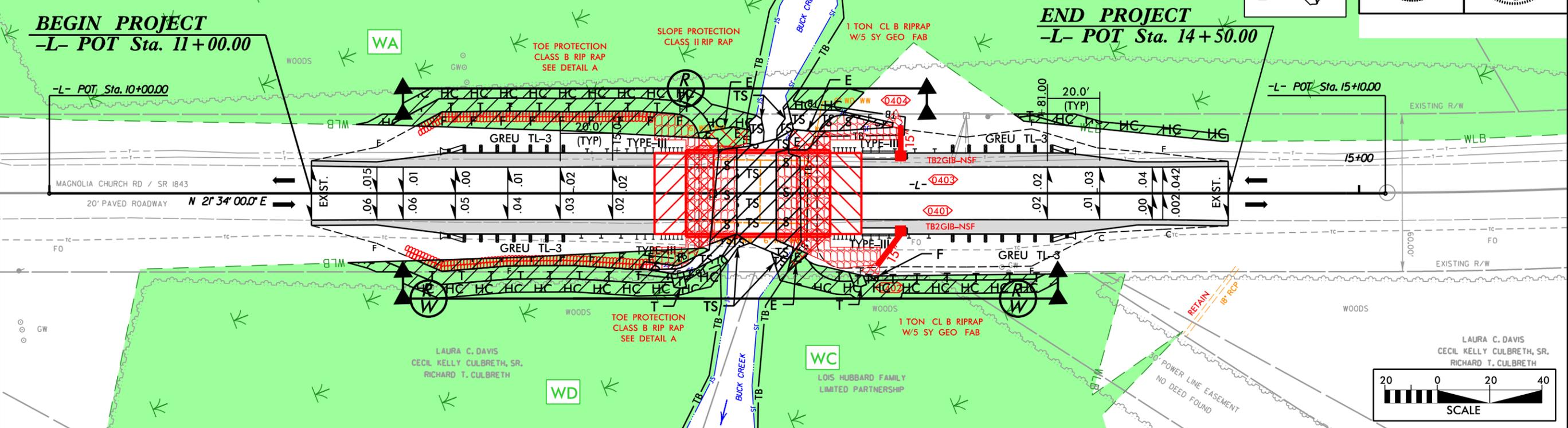


PROJECT REFERENCE NO. <b>BP6_R018</b>	SHEET NO. <b>04</b>
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

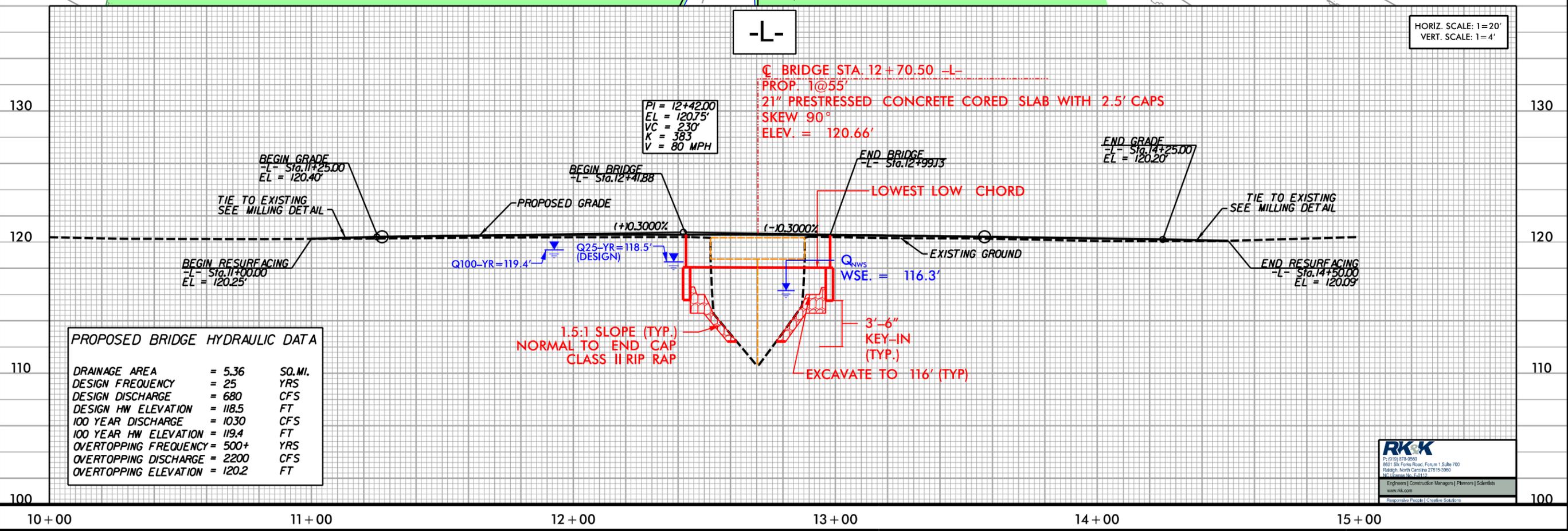


	FILL IN WETLAND		TEMPORARY FILL IN WETLAND
	HAND CLEARING (NON-GRUBBING)		WETLAND EXCAVATION
	SURFACE WATER IMPACTS		TEMPORARY SURFACE WATER IMPACTS

PERMIT DRAWING  
SHEET 2 OF 5



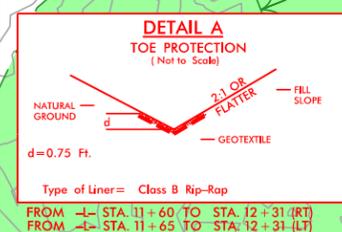
HORIZ. SCALE: 1=20'  
VERT. SCALE: 1=4'



DRAINAGE AREA	= 5.36	SQ.MI.
DESIGN FREQUENCY	= 25	YRS
DESIGN DISCHARGE	= 680	CFS
DESIGN HW ELEVATION	= 118.5	FT
100 YEAR DISCHARGE	= 1030	CFS
100 YEAR HW ELEVATION	= 119.4	FT
OVERTOPPING FREQUENCY	= 500+	YRS
OVERTOPPING DISCHARGE	= 2200	CFS
OVERTOPPING ELEVATION	= 120.2	FT

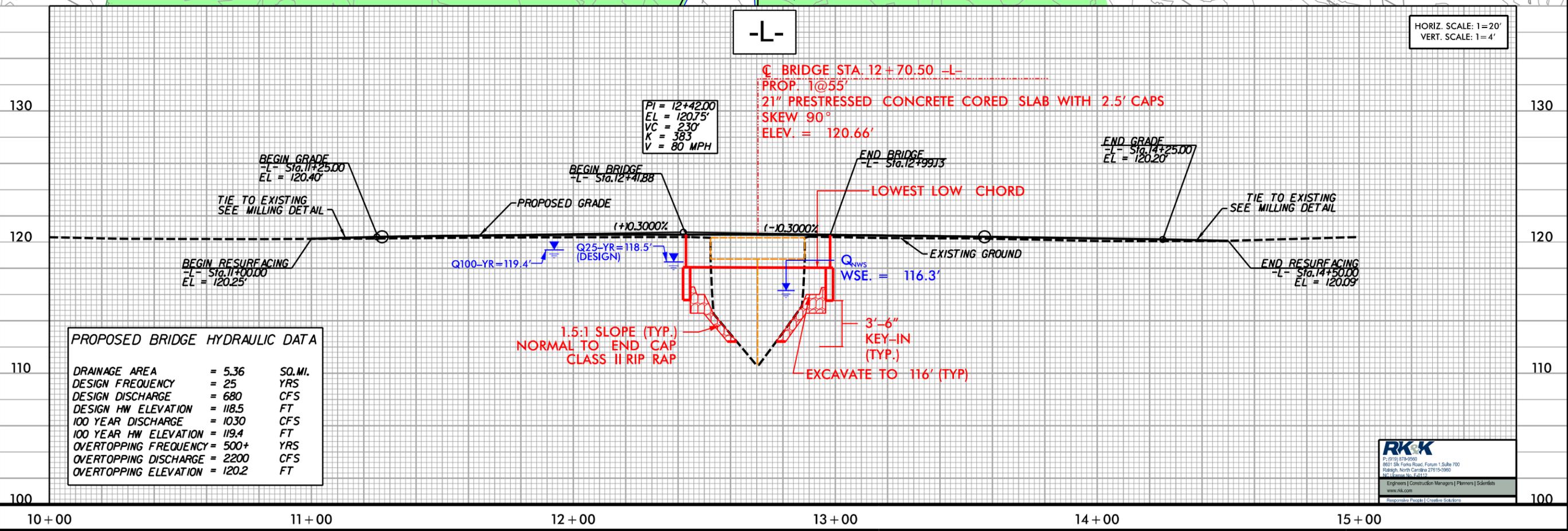
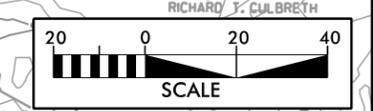
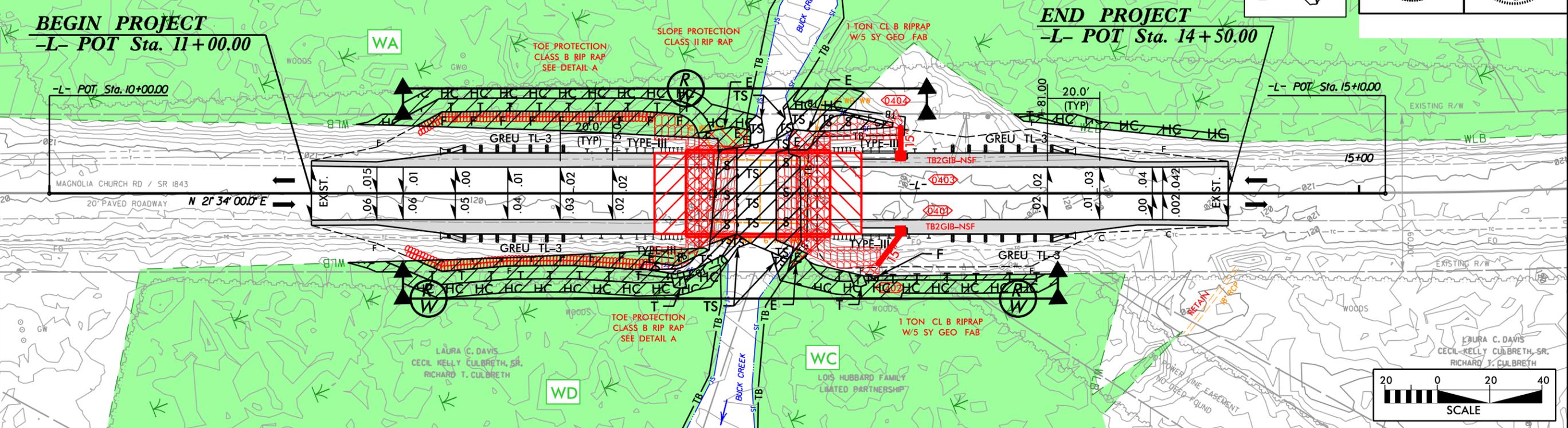
8/17/99  
4/30/2025  
F:\30\2025\Permits\Environmental\Drawings\250150\_hyd.prm\_wet\_psh04.dgn

PROJECT REFERENCE NO. <b>BP6_R018</b>	SHEET NO. <b>04</b>
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
	



FILL IN WETLAND	TEMPORARY FILL IN WETLAND
HAND CLEARING (NON-GRUBBING)	WETLAND EXCAVATION
SURFACE WATER IMPACTS	TEMPORARY SURFACE WATER IMPACTS

PERMIT DRAWING  
SHEET 3 OF 5



DRAINAGE AREA	= 5.36	SQ. MI.
DESIGN FREQUENCY	= 25	YRS
DESIGN DISCHARGE	= 680	CFS
DESIGN HW ELEVATION	= 118.5	FT
100 YEAR DISCHARGE	= 1030	CFS
100 YEAR HW ELEVATION	= 119.4	FT
OVERTOPPING FREQUENCY	= 500+	YRS
OVERTOPPING DISCHARGE	= 2200	CFS
OVERTOPPING ELEVATION	= 120.2	FT

**BRIDGE STA. 12+70.50 -L-**  
 PROP. 1@55'  
 21" PRESTRESSED CONCRETE CORED SLAB WITH 2.5' CAPS  
 SKEW 90°  
 ELEV. = 120.66'

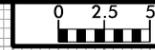
PI = 12+42.00  
 EL = 120.75'  
 VC = 230'  
 K = 383  
 V = 80 MPH

BEGIN GRADE -L- Sta. 11+25.00 EL = 120.40'  
 END GRADE -L- Sta. 14+25.00 EL = 120.20'  
 BEGIN BRIDGE -L- Sta. 12+41.88  
 END BRIDGE -L- Sta. 12+99.13  
 BEGIN RESURFACING -L- Sta. 11+00.00 EL = 120.25'  
 END RESURFACING -L- Sta. 14+50.00 EL = 120.09'

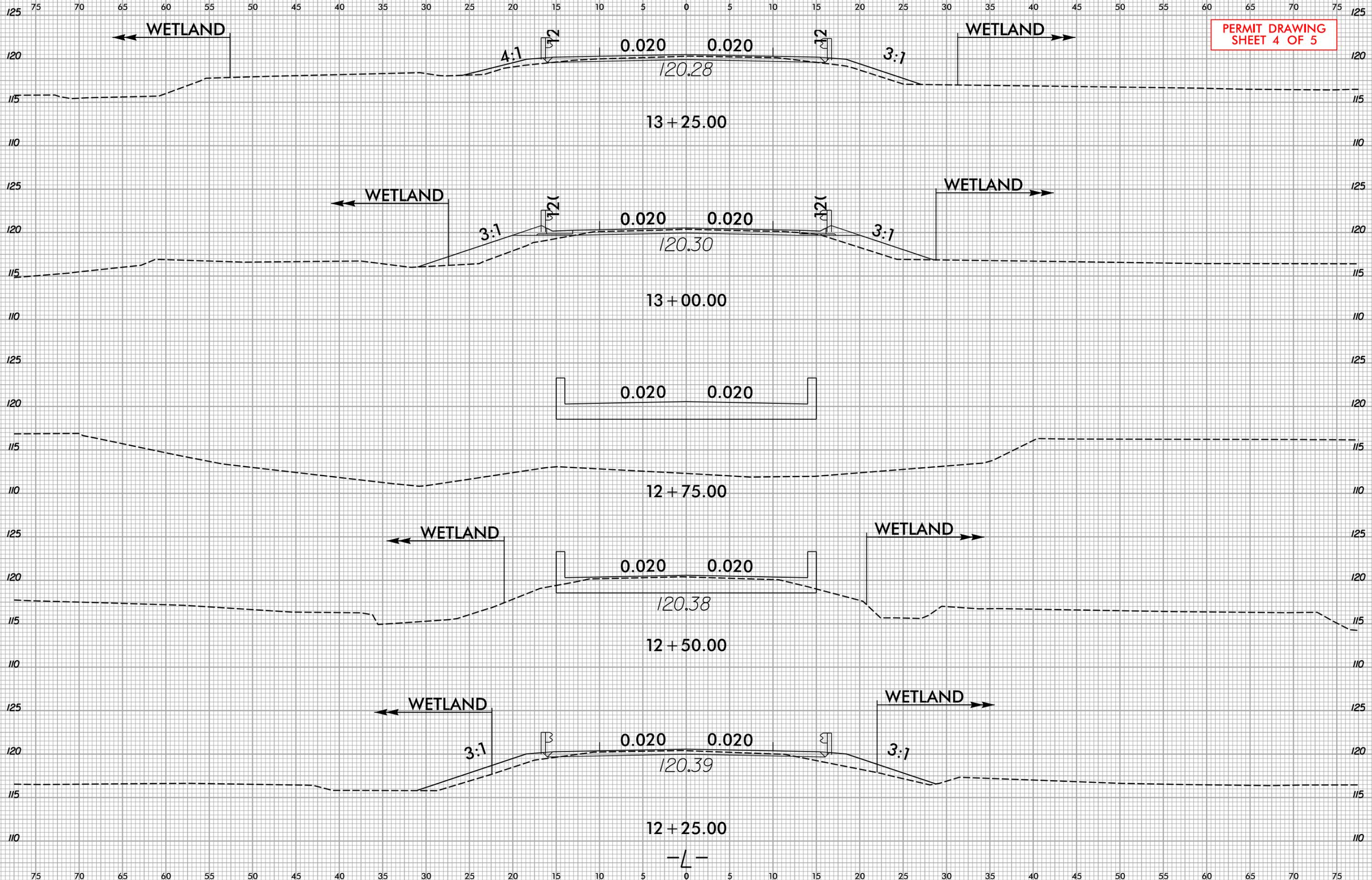
1.5:1 SLOPE (TYP.)  
 NORMAL TO END CAP  
 CLASS II RIP RAP

3'-6" KEY-IN (TYP.)  
 EXCAVATE TO 116' (TYP.)

8/17/199  
 4/30/2025  
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PERMIT DRAWING SHEET 4 OF 5



6/23/16  
4/30/2025  
R:\Hydro\Public\PERMITS\_Environmental\Drawings\250150\_hyd\_prm\_wet\_L\_XP.dgn  
skk/ter

**WETLAND AND SURFACE WATER IMPACTS SUMMARY**

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			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	11+17 to 12+70 -L- LT	Roadway Fill - WA	0.017	0.014	0.003		0.015					
	11+14 to 12+59 -L- RT	Roadway Fill - WD	0.011	0.012			0.016					
	** 12+25 to 12+67 -L- RT	Roadway Fill - Buck Creek						0.001	0.003	20	23	
	12+57 to 12+84 -L-	Buck Creek (Bridge)						0.014	0.015	33	49	
	** 12+78 to 13+26 -L- LT	Roadway Fill - Buck Creek						0.004	0.003	27	37	
	12+82 to 14+501 -L- LT	Roadway Fill - WB		0.001			0.010					
	12+76 to 13+90 -L- RT	Roadway Fill - WC		0.005	0.001		0.014					
<b>TOTALS*:</b>			<b>0.028</b>	<b>0.032</b>	<b>0.004</b>		<b>0.055</b>	<b>0.019</b>	<b>0.021</b>	<b>80</b>	<b>110</b>	

\*Rounded totals are sum of actual impacts

NOTES:

\*\* Lengths shown include overlap of both permanent and temporary SW impacts shown in the existing channel.

NC DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 April 2025  
 Cumberland County  
 BP6.R018