



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

December 6, 2013

MEMORANDUM TO: Mr. Jerry Jennings, P.E.
Division 1 Engineer

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

SUBJECT: Dare County, Emergency Repairs to Bonner Bridge Bent No.
166; WBS Element 41470.1.1; **TIP B-5014**

E. L. Fushk

Attached are the U.S. Army Corps of Engineers Section 404 Emergency Permit and modification thereof, N.C. Division of Water Resources Section 401 Water Quality Certification, and the N.C. Division of Coastal Management CAMA Minor Modification for the above-referenced project. The U.S. Coast Guard has issued a Notice to Mariners, which is posted here:
<http://www.navcen.uscg.gov/pdf/lnms/lnm05492013.pdf>.

All environmental permits have been received for the dredging and discharge repair work.

A copy of this permit package will be posted on the NCDOT website at:
<https://connect.ncdot.gov/resources/Environmental/Pages/default.aspx>
Quick Links>Permit Documents> Issued Permits.

cc: Mr. Jon Nance, P.E., Deputy Chief Engineer
Mr. Clay Willis, Division Environmental Officer
Mr. Rob Hanson, P.E., PDEA Project Development Unit
Mr. Clarence Coleman, P.E., FHWA



REPLY TO
ATTENTION OF:

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

December 5, 2013

Regulatory Division

Action ID: SAW-2013-02272

Mr. Richard Hancock
Environmental Management Director, PDEA
N.C. Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Dear Mr. Hancock:

In accordance with your written request of December 4, 2013, enclosed is a copy of a Department of the Army (DA) permit to place, via pipe line dredge, 30,000 yds³ of sand adjacent to the Herbert C Bonner bridge at Bent #166, Oregon Inlet, Dare County, North Carolina.

Any deviation in the authorized work will likely require modification of this permit. If a change in the authorized work is necessary, you should promptly submit revised plans to the Corps showing the proposed changes. You may not undertake the proposed changes until the Corps notifies you that your permit has been modified.

Carefully read your permit. The general and special conditions are important. Your failure to comply with these conditions could result in a violation of Federal law. Certain significant general conditions require that:

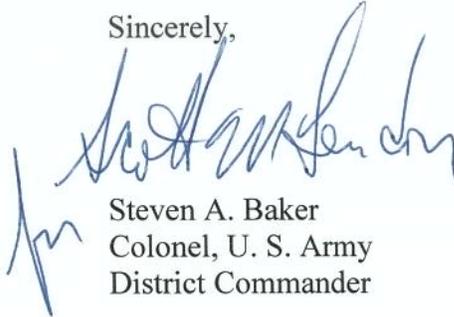
- a. You must complete construction before May 15, 2014.
- b. You must notify this office in advance as to when you intend to commence and complete work.
- c. You must allow representatives from this office to make periodic visits to your worksite as deemed necessary to assure compliance with permit plans and conditions.

You should address all questions regarding this authorization to Ms. Tracey L. Wheeler in the Washington Regulatory Field Office, telephone number (910) 251-4627.

Thank you in advance for completing our Customer Survey Form. This can be accomplished by visiting our website at <http://per2.nwp.usace.army.mil/survey.html> and completing the survey

on-line. We value your comments and appreciate your taking the time to complete a survey each time you interact with our office.

Sincerely,



Steven A. Baker
Colonel, U. S. Army
District Commander

Enclosures

Copies Furnished (with enclosures):

Chief, Source Data Unit
NOAA/National Ocean Service
1315 East-west Hwy., Rm 7316
Silver Spring, MC 20910-3282

Mr. Todd Bowers
Wetlands and Marine Regulatory Section
Water Protection Division - Region IV
U. S. Environmental Protection Agency
61 Forsyth St. SW
Atlanta, GA 30303-8931

Copies Furnished with special conditions
and plans:

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

Mr. Doug Huggett
Division of Coastal Management
N.C. Department of Environment
and Natural Resources
400 Commerce Avenue
Morehead City, North Carolina 28557

Mr. Fritz Rhode
National Marine Fisheries Service
101 Pivers Island Road
Beaufort, North Carolina 28516

Mr. Pace Wilber
National Marine Fisheries Service
219 Fort Johnson Road
Charleston, South Carolina 29412-9110

DEPARTMENT OF THE ARMY PERMIT

Permittee: NCDOT NC12 IMPROVEMENTS TIP No. B 2500
ATTN: MR. RICHARD HANCOCK

Permit No.: SAW-2013-02272

Issuing Office: USAED, WILMINGTON – CESA-W-RG-W

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The North Carolina Department of Transportation (NCDOT) has requested an emergency permit to place, via pipe line dredge, 30,000 yds³ of sand adjacent to the Herbert C Bonner Bridge at Bent #166, Oregon Inlet, Dare County, North Carolina.

Project Location: The project starts at approximate Latitude 35.763398N, Longitude 75.518585W and ends at approximate Latitude 35.802321N, Longitude 75.546214W. The project is located in the Pasquotank River Basin, Hydrologic Unit 03010205.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on May 15, 2014. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit,

Special Conditions:

SEE ATTACHED SPECIAL CONDITIONS

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.

SPECIAL CONDITIONS – DECEMBER 5, 2013

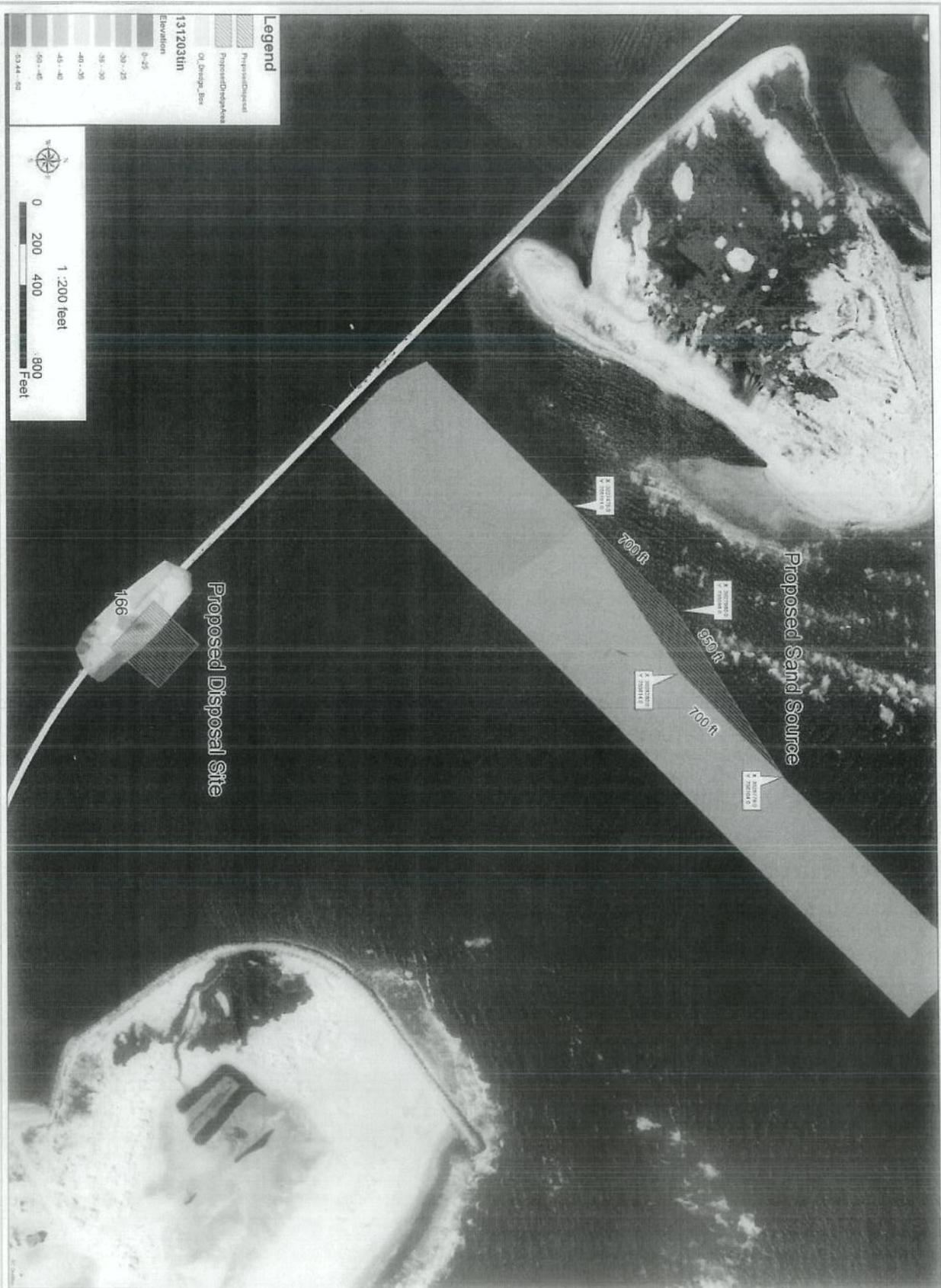
ACTION ID NO.: SAW-2013-2272

NC DOT BONNER BRIDGE EMERGENCY SAND PLACEMENT BENT 166

1. All work authorized by this permit must be performed in strict compliance with the attached plans dated December 4, 2013, which are a part of this permit. Any modification to these plans must be approved by the US Army Corps of Engineers (USACE) prior to implementation.
2. Except as authorized by this permit or any USACE approved modification to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, within waters or wetlands. This permit does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area. This prohibition applies to all borrow and fill activities connected with this project.
3. All mechanized equipment will be regularly inspected and maintained to prevent contamination of waters and wetlands from fuels, lubricants, hydraulic fluids, or other toxic materials. In the event of a spill of petroleum products or any other hazardous waste, the permittee shall immediately report it to the N.C. Division of Water Quality at (919) 733-3300 or (800) 858-0368 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.
4. The Permittee shall fully abide by all conditions of the modification to CAMA Major Development Permit No. 128-04, issued by the North Carolina Division of Coastal Management, which are incorporated herein by reference.
5. If submerged cultural resources are encountered during the dredging operation, the District Engineer will be immediately notified so that coordination can be initiated with the Underwater Archeology Unit (UAU) of the Department of Cultural Resources. In emergency situations, the permittee should immediately contact Mr. Chris Southerly at Fort Fisher (910/458-9042), so that a full assessment of the artifacts can be made.
6. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this permit. A copy of this permit, including all conditions, shall be available at the project site during construction and maintenance of this project.

7. The permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the work will, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the water or wetland to its pre-project condition
8. All necessary precautions and measures will be implemented so that any activity will not kill, injure, capture, harass, or otherwise harm any protected federally listed species. While accomplishing the authorized work, if the permittee discovers or observes a damaged or hurt listed endangered or threatened species, the District Engineer will be immediately notified to initiate the required Federal coordination.
9. The proposed area to be dredged, method of dredging and disposal of dredged material will be in strict accordance with that authorized by this permit.
10. The permittee will comply with all U.S. Coast Guard regulations for dredging operations. The permittee will contact Mr. Tom Flynn, U.S. Coast Guard, District 5 Waterways at (252) 247-4525 (work) at least 30 days prior to dredging. Contact with the U.S. Coast Guard will initiate the "Local Notice for Mariners" procedures to ensure that all safety precautions for aids to navigation are implemented. The permittee will also immediately notify the District Engineer that coordination with the U.S. Coast Guard has been commenced, and provide updates as necessary .
11. The Permittee shall comply with all of the United States Coast Guard Regulations which are applicable to dredge operations in the Captain of the Port, Wilmington zone, including but not limited to the Regulations identified below.
 1. Lights on dredge pipelines (33 CFR 88.15)
 2. Lights on barges at a bank or dock (33 CFR 88.13)
 3. Lights and Shapes (33 CFR 84.11-13)
 4. Mooring Buoys (33 CFR 62.35)
 5. Special Marks (33 CFR 62.31)
 6. Uninspected Towing Vessel's (UTV) Licensing Requirements (46 CFR 15.910 & 15.815)
 7. UTV Drug Testing Requirements (33 CFR 4.06 & 4.03-2)

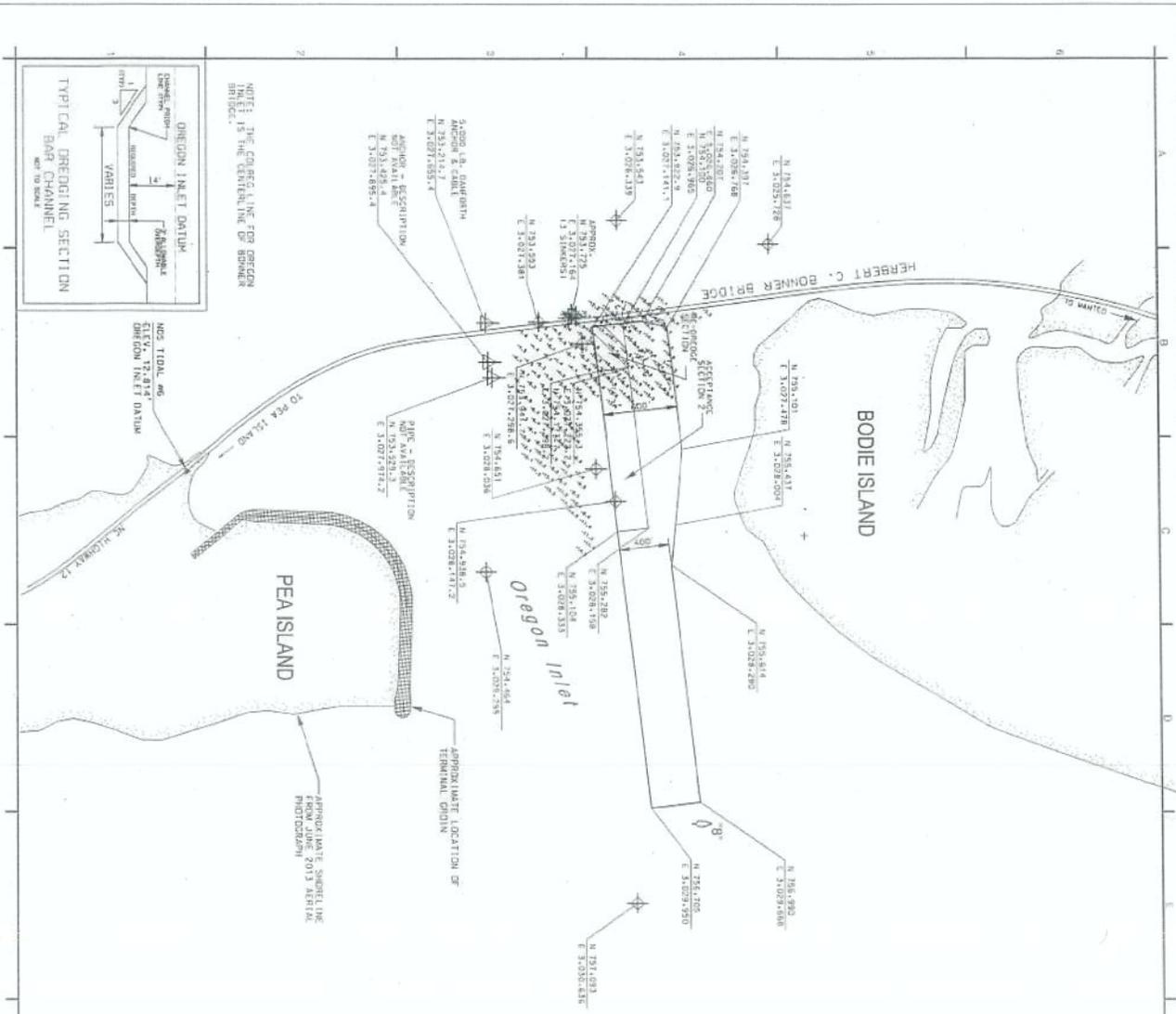
8. UTV Marine Radar Requirement (33 CFR 164.01(b) & 164.72)
9. UTV Certificate of Documentation (33 CFR 173.21)
10. UTV Marine Casualty Reporting Criteria (46 CFR 4.05-1)
11. Dredge or UTV Advance Notice of Transfers (33 CFR 156.118)
12. Pipeline Inspection: The permittee will monitor the pipeline during construction activities, in order to check for potential leaks, which may emanate from the pipeline couplings. All dredge and fill activities will cease if leaks are found. Operations may resume upon appropriate repair of affected couplings, or other equipment.
13. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation, or alteration.
14. The Permittee shall be responsible for the removal of any material that accumulates, as a result of the dredging and/or disposal activity authorized by this permit, in the sections of the navigation channel that were recently dredged under Contract Number W912EP-13-D-0007-DQ01 (see attached plans).



Bonner Bridge
 North Carolina Department of Transportation
 Division 1
**Proposed Borrow
 & Disposal Site**
 Dare County North Carolina

Survey Date: December 3, 2013
 Map Date: December 5, 2013
 Map Scale: 1:200
 Map Produced By: NCDOT Division 1 GIS





- NOTES:
1. SOUNDINGS ARE EXPRESSED IN FEET AND TENTHS AND REFER TO OREGON INLET DATUM.
 2. PROJECT SURVEYED & DETERMINED WITH DISTRICT SURVEY VESSEL "KNOXTON" USING FIX OPS HORIZONTAL POSITIONING EQUIPMENT AND 200 KHZ SOUNDING EQUIPMENT.
 3. TIDE GAUGE LOCATED AT TIDE STAFF LOCATED ON THE NE FENDER.
 4. HORIZONTAL DATUM (NAD 1983), VERTICAL DATUM OREGON INLET.
 5. PROJECT BOUNDARY OREGON INLET DATUM - 2.11' MAND BR PUNCTURE DUNE DATUM - 1.05' MAND BR DREDGING DATUM CHANNELS AT BONNER BRIDGE.
 6. THE SOUNDINGS SPECIFIED ON THIS MAP REPRESENT THE RESULT OF SURVEYS MADE ON THE DATES INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME.
 7. NAVIGATION AIDS LOCATED BY SURVEY VESSEL, ACCURACY +/- 3 METERS.
- B. DREDGED MATERIAL WILL BE FOR BEACH REPLENISHMENT.

LEGEND

- DREDGED AREA
- SOUNDINGS
- NAVIGATION AIDS
- MANAGEMENT NAVIGATION AID
- OBSTRUCTION

SCALE: 1:10000
SCALE IN FEET

DATE: 11/11/2010
DRAWN: AD-1

PROJECT: RE-DREDGING OF OREGON INLET DISTRICT SURVEY DISTRICT NORTH CAROLINA

CONTRACT NO: W80CF-C3-0-007-000

DATE: 11/11/2010

PROJECT: RE-DREDGING OF OREGON INLET DISTRICT SURVEY DISTRICT NORTH CAROLINA

CONTRACT NO: W80CF-C3-0-007-000



REPLY TO
ATTENTION OF:

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

December 5, 2013

Regulatory Division

Action ID SAW-2013-02272

Mr. Richard Hancock
Environmental Management Director, PDEA
N.C. Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Dear Mr. Hancock:

Please reference your December 5, 2013 request to modify the emergency Department of the Army Permit issued to you on December 5, 2013, to place, via pipe line dredge, 30,000 yds³ of sand adjacent to the Herbert C Bonner Bridge at Bent #166, Oregon Inlet, Dare County, North Carolina. It is our understanding that through further consultation with your dredging contractor, you believe that the placement of sand around the bridge bents would be much more effective if the area that the contractor was allowed to work in was expanded as shown on the attached drawing. Specifically, the revised deposition area would:

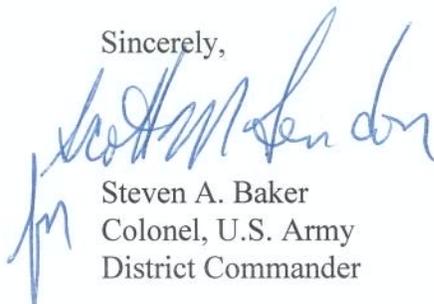
- a. Allow more accurate placement of sand around the bents that are subject to scour.
- b. Allow the pumping of sand to occur in conjunction with the tides such that less dispersal of sand will result.

It is also our understanding that the contractor will not be working in, or discharging material throughout the entire expanded discharge area.

After review of your modification request it has been determined that the Wilmington District Corps of Engineers has no objection to your proposal. Accordingly, the permit is hereby modified to reflect a revised work area in the vicinity of bent 166 as shown on the plan attached to this permit modification. It is understood that all other conditions of your permit remain in full force and effect including an expiration date of May 15, 2014.

If the permitted work is not completed on or before the date herein specified, the authorization, if not previously revoked or specifically further extended, will cease and become null and void.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven A. Baker".

Steven A. Baker
Colonel, U.S. Army
District Commander

Enclosures

Copies Furnished (with enclosures):

Chief, Source Data Unit
NOAA/National Ocean Service
1315 East-west Hwy., Rm 7316
Silver Spring, MC 20910-3282

Mr. Todd Bowers
Wetlands and Marine Regulatory Section
Water Protection Division - Region IV
U. S. Environmental Protection Agency
61 Forsyth St. SW
Atlanta, GA 30303-8931

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

Mr. Doug Huggett
Division of Coastal Management
N.C. Department of Environment
and Natural Resources
400 Commerce Avenue
Morehead City, North Carolina 28557

Mr. Fritz Rhode
National Marine Fisheries Service
101 Pivers Island Road
Beaufort, North Carolina 28516

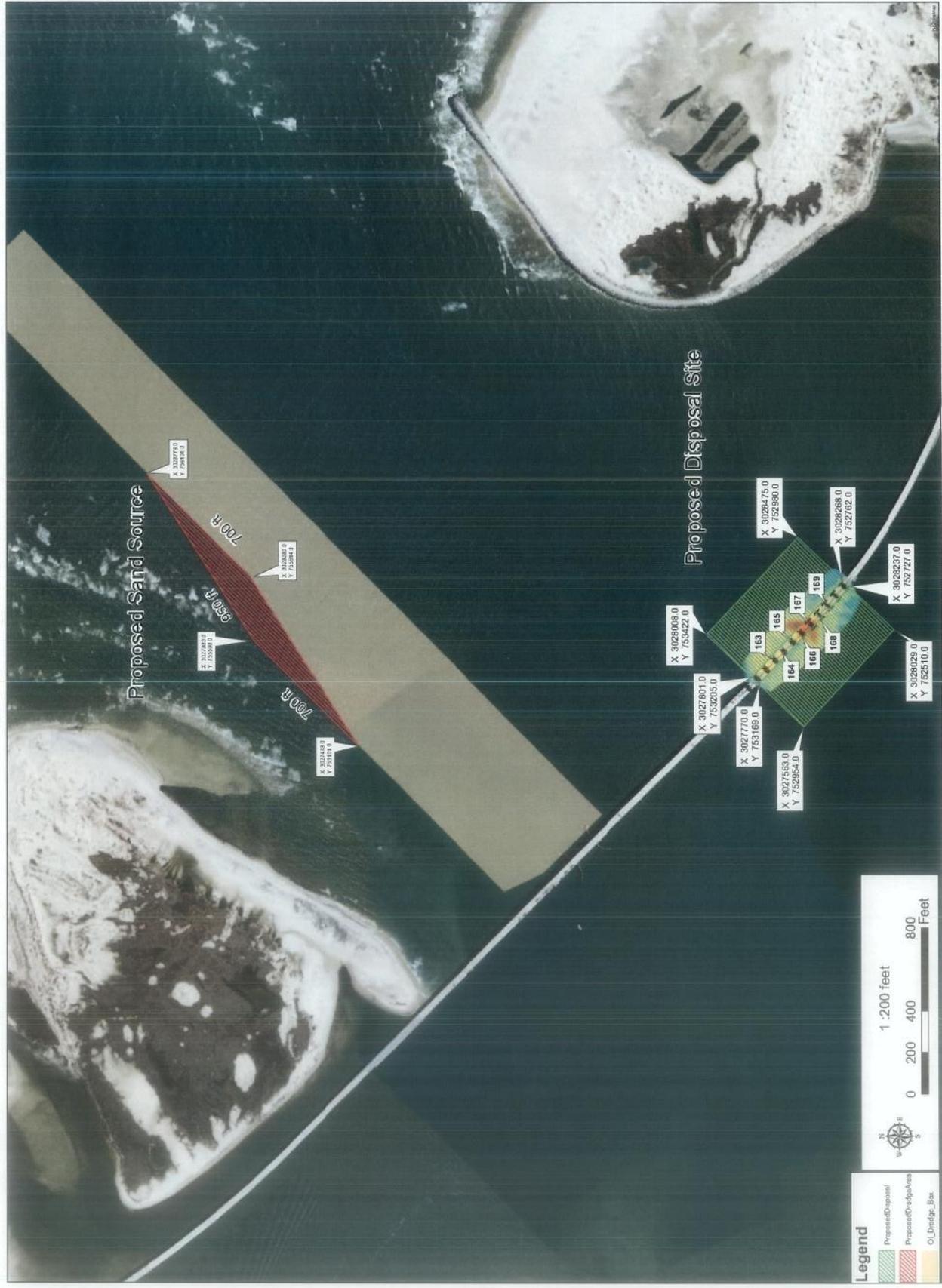
Mr. Pace Wilber
National Marine Fisheries Service
219 Fort Johnson Road
Charleston, South Carolina 29412-9110

Kay Davy
NMFS Protected Resources Division
NOAA
8000 North Ocean Drive, Suite 229
Dania Beach, FL 33004



Map Produced By: NCDOT Division 1 GIS
 Map Scale: 1:200
 Map Date: December 5, 2013
 Survey Date: December 3, 2013

Bonner Bridge
 North Carolina Department of Transportation
 Division 1
Proposed Borrow & Disposal Site
 Dare County North Carolina





North Carolina Department of Environment and Natural Resources

Division of Water Resources

Water Quality Programs

Thomas A. Reeder

Director

Pat McCrory
Governor

John E. Skvarla, III
Secretary

December 4, 2013
Dare County
NCDWR Project No. 20110023v.1
Bonner Bridge Emergency Repair

APPROVAL of 401 WATER QUALITY CERTIFICATION with ADDITIONAL CONDITIONS

Mr. Richard W. Hancock, P.E., Manager
Project Development and Environmental Analysis
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina, 27699-1598

Dear Mr. Hancock:

You have our approval, in accordance with the conditions listed below, for the following impacts for the purpose of placing approximately 30,000 cubic yards of dredge material in the area of bent no. 166 of the Herbert C. Bonner Bridge in Dare County as an emergency action:

Open Water Impacts in the Pasquotank River Basin

Site	Permanent Fill in Open Waters	Temporary Fill in Open Waters	Total Fill in Open Waters
Area of Bent #166	30,000 cubic yards	--	30,000 cubic yards
Total	30,000 cubic yards	0	30,000 cubic yards

Total Open Water Impact for Project: 30,000 cubic yards

This approval is valid solely for the purpose and design described in your application (unless modified below). Should your project change, you must notify the NCDWR and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter, and is thereby responsible for complying with all the conditions. If total wetland fills for this project (now or in the future) exceed one acre, or of total impacts to streams (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed below.

Conditions of Certification:

1. The project shall be constructed in accordance with your application dated received December 4, 2013.
2. You should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This approval will expire with the accompanying 404 permit.

Transportation and Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 512 N. Salisbury St. Raleigh, North Carolina 27604
Phone: 919-807-6300 \ FAX: 919-733-1290
Internet: www.ncwaterquality.org

One
North Carolina
Naturally

3. 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.
4. 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.
5. 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.
6. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery.
7. Upon completion of the project, the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed.

If you wish to contest any statement in the attached Certification you must file a petition for an administrative hearing. You may obtain the petition form from the office of Administrative hearings. You must file the petition with the office of Administrative Hearings within sixty (60) days of receipt of this notice. A petition is considered filed when it is received in the office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official state holidays. The original and one (1) copy of the petition must be filed with the Office of Administrative Hearings.

The petition may be faxed-provided the original and one copy of the document is received by the Office of Administrative Hearings within five (5) business days following the faxed transmission.
The mailing address for the Office of Administrative Hearings is:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714
Telephone: (919)-431-3000, Facsimile: (919)-431-3100

A copy of the petition must also be served on DENR as follows:

Mr. Lacy Presnell, General Counsel
Department of Environment and Natural Resources
1601 Mail Service Center

This letter completes the review of the Division of Water Resources under Section 401 of the Clean Water Act. If you have any questions, please contact David Wainwright at (919)707-8787 or David.Wainwright@ncdenr.gov.

Sincerely,


Thomas A. Reeder

cc: Wilmington US Army Corp District Office (electronic copy only)
Clay Willis, Division 1 Environmental Officer
Tracey Wheeler, US Army Corps of Engineers, Washington Field Office (electronic copy only)
Cathy Brittingham, Division of Coastal Management (electronic copy only)
Garcy Ward, NCDWR Washington Regional Office (electronic copy only)
File Copy



North Carolina Department of Environment and Natural Resources

Division of Water Resources

Water Quality Programs

Thomas A. Reeder

Director

Pat McCrory
Governor

John E. Skvarla, III
Secretary

NCDWR Project No.: _____

County: _____

Applicant: _____

Project Name: _____

Date of Issuance of 401 Water Quality Certification: _____

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, 1650 Mail Service Center, Raleigh, NC, 27699-1650. 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 _____

Transportation and Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 512 N. Salisbury St. Raleigh, North Carolina 27604
Phone: 919-807-6300 \ FAX: 919-733-1290
Internet: www.ncwaterquality.org



Permit Class
**MODIFICATION/MINOR
(EMERGENCY)**

Permit Number
128-04

STATE OF NORTH CAROLINA
Department of Environment and Natural Resources
and
Coastal Resources Commission

Permit

for

- Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118
- Excavation and/or filling pursuant to NCGS 113-229

Issued to **N.C. Department of Transportation, 113 Airport Drive, Suite 100, Edenton, NC 27932**

Authorizing development in Dare County at Oregon Inlet, at Bonner Bridge
, as requested in the permittee's application letter dated 11/27/13, including the
attached workplan drawings (3) dated as received on 11/27/13.

This permit, issued on 11/27/13, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

- 1) Unless specifically altered herein, this minor modification authorizes the one-time deposition of dredge materials "up current" of a scour hole surrounding Bridge Pile Support Bent #166, as depicted on the attached workplan drawings.
- 2) No attempt shall be made by the permittee to prevent the free and full use by the public of all navigable waters at or adjacent to the authorized work.
- 3) This minor modification does not eliminate the need to obtain any additional permits, approvals or authorizations that may be required. Such permits may include, but are not limited to, permits from the N.C. Division of Water Resources, the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service.

(See attached sheet for Additional Conditions)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date. An appeal requires resolution prior to work initiation or continuance as the case may be.

This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

No expiration date, pursuant to GS 136-44.7B

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signed by the authority of the Secretary of DENR and the Chairman of the Coastal Resources Commission.

Douglas V. Haggitt for

Braxton C. Davis, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.

E.L. Lusk for Richard W. Hancock PE
Signature of Permittee

ADDITIONAL CONDITIONS

- 4) This minor modification shall be attached to the original of Permit No. 128-04, which was issued on 8/26/04, as well as all subsequent modifications, letters of refinement, and renewals, and copies of all documents shall be readily available on site when a Division representative inspects the project for compliance.
- 5) All conditions and stipulations of the active permit remain in force under this minor modification unless altered herein.

From: [Huggett, Doug](#)
To: [Rivenbark, Chris](#); [Wheeler, Tracey L SAW \(Tracey.L.Wheeler@usace.army.mil\)](#); [Wicker, Henry M JR SAW \(Henry.M.Wicker.JR@usace.army.mil\)](#); [\(scott.c.mclendon@usace.army.mil\)](#); [Chapman, Amy](#)
Cc: [Nance, Jon G](#); [Jennings, Jerry D](#); [Baker, Sterling D](#); [Waverly.W.GregoryJr@uscg.mil](#); [Clarence.Coleman@dot.gov](#); [Brittingham, Cathy](#); [Lusk, Elizabeth L](#); [Turchy, Michael A](#); [Harris, Philip S](#); [Hancock, Richard W](#); [Davis, Braxton C](#); [Tyndall, Ted](#); [Williams, Paul C](#); [Walker, Michele](#); [Huggett, Doug](#)
Subject: RE: Emergency Permit Application for Bonner Bridge, Dare County
Date: Wednesday, December 04, 2013 2:16:33 PM

Chris,

DCM has reviewed the supplied information and finds that the referenced emergency proposal does not differ significantly from the emergency authorization that the Division issued to NCDOT on November 27, 2013. Therefore, please accept this e-mail as official notification the work indicated in your submittal continues to be covered by way of the November 27, 2013 emergency minor modification to CAMA Permit No. 128-04. If we can offer any additional assistance on this matter, please don't hesitate to let me know.

Thanks

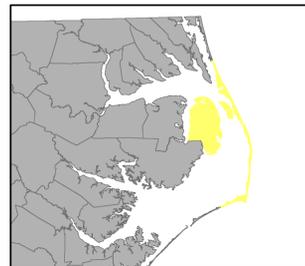
Doug Huggett

From: Rivenbark, Chris
Sent: Wednesday, December 04, 2013 1:35 PM
To: [Wheeler, Tracey L SAW \(Tracey.L.Wheeler@usace.army.mil\)](#); [Wicker, Henry M JR SAW \(Henry.M.Wicker.JR@usace.army.mil\)](#); [\(scott.c.mclendon@usace.army.mil\)](#); [Chapman, Amy](#)
Cc: [Nance, Jon G](#); [Jennings, Jerry D](#); [Baker, Sterling D](#); [Huggett, Doug](#); [Waverly.W.GregoryJr@uscg.mil](#); [Clarence.Coleman@dot.gov](#); [Brittingham, Cathy](#); [Lusk, Elizabeth L](#); [Turchy, Michael A](#); [Harris, Philip S](#); [Hancock, Richard W](#)
Subject: Emergency Permit Application for Bonner Bridge, Dare County
Importance: High

The emergency permit application for Bridge No. 11 (Herbert C. Bonner) has been prepared. The electronic copy is attached and can also be viewed/downloaded at <https://connect.ncdot.gov/resources/Environmental/>

This email serves as our permit application submittal to the U.S. Army Corps of Engineers and the N.C. Division of Water Resources.

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.



Survey Date: December 3, 2013

Map Date: December 5, 2013

Map Scale: 1:200

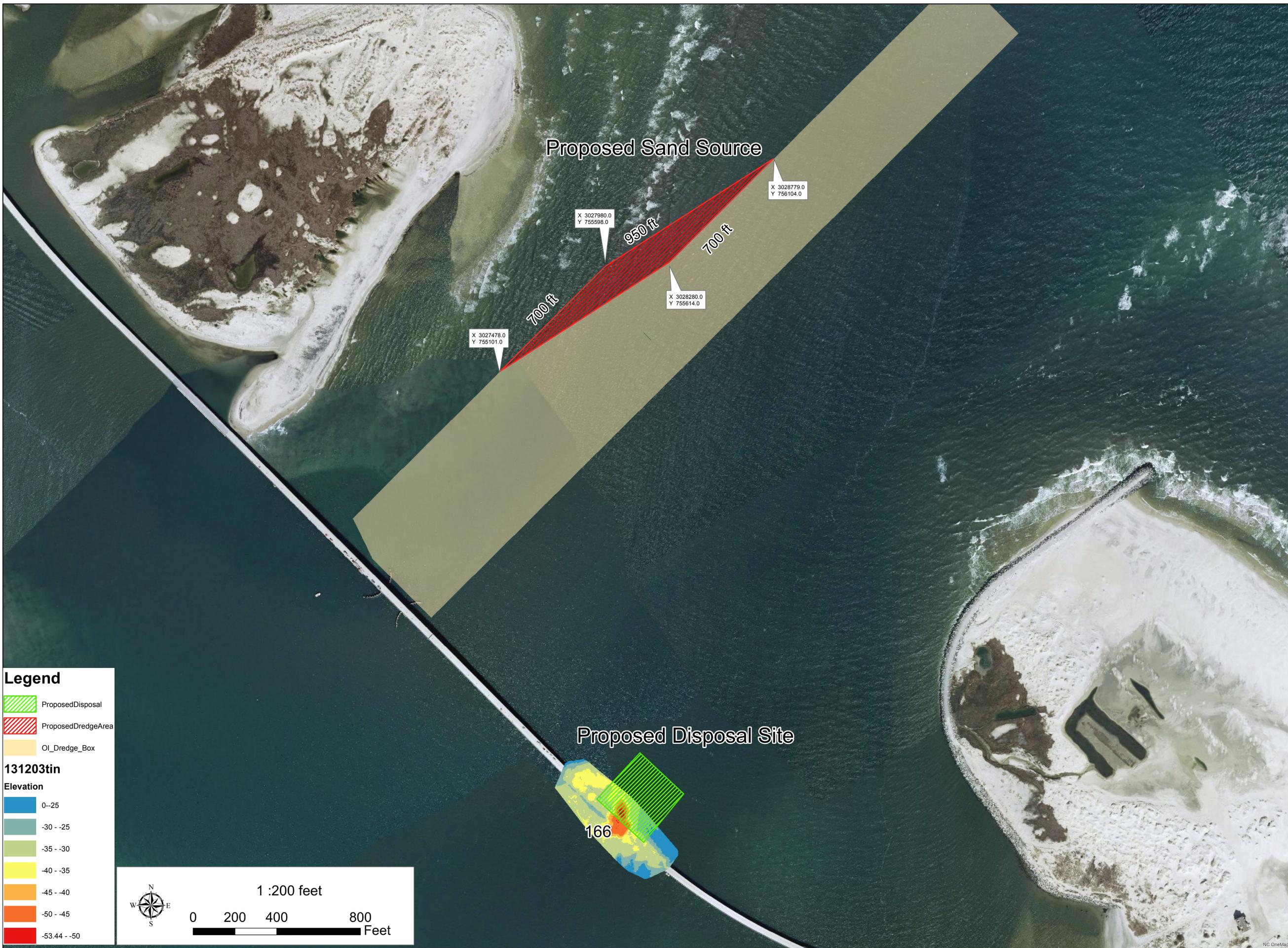
Map Produced By: NCDOT Division 1 GIS

Bonner Bridge

North Carolina Department of Transportation
Division 1

**Proposed Borrow
& Disposal Site**

Dare County, North Carolina



Proposed Sand Source

X 3027980.0
Y 755998.0

X 3028779.0
Y 756104.0

X 3028280.0
Y 755614.0

X 3027478.0
Y 755101.0

950 ft

700 ft

700 ft

Proposed Disposal Site

166

Legend

- Proposed Disposal (Green hatched)
- Proposed Dredge Area (Red hatched)
- Ol Dredge Box (Yellow)

131203tin

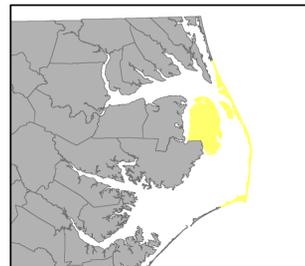
Elevation

- 0 - 25
- 30 - -25
- 35 - -30
- 40 - -35
- 45 - -40
- 50 - -45
- 53.44 - -50

1 : 200 feet

0 200 400 800 Feet

NC OneMap



Map Date: December 4, 2013
Map Scale: 1:100
Map Produced By: NCDOT Division 1 GIS

Bonner Bridge
North Carolina Department of Transportation
Division 1
Proposed Site
Dare County, North Carolina



Legend

Owner
Proposed Disposal

bontin

Elevation	Color
0--25	Blue
-30--25	Light Green
-35--30	Yellow-Green
-40--35	Yellow
-45--40	Orange
-50--45	Dark Orange
-52.36--50	Red



1 : 100 feet
0 100 200 400 Feet

