

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER J.R. "JOEY" HOPKINS GOVERNOR SECRETARY

September 12, 2024

MEMORANDUM TO: Division Environmental and Construction Units

Jason L Dilday, ECAP Eastern Region Team Lead Environmental Analysis Unit FROM:

SUBJECT: Environmental Permit for the Widening of SR1102 (Gillis Hill Road) from

US401 to south of Celtic Drive, Hoke and Cumberland Counties,

Division 6, TIP: U-5798

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	Individual Permit, dated 9/12/2024 Replaces previous January 26, 2022 Preliminary Approval for this B Section	Dec. 31, 2027
NC Division of Water Resources Section 401 Water Quality Certification	Individual Cert. No. 004465, dated 7/29/2024 Previous Certifications remain applicable except where superseded by this modification Original Water Quality Certification, dated 9/22/2021 for U-5798A.	Dec. 31, 2027

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.

Telephone: (919) 707-6000

Customer Service: 1-877-368-4968

Website: www.ncdot.gov

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

T.I.P. Project No U-5798 SR 1102 (Gillis Hill Road) Widening Cumberland and Hoke Counties W.B.S. No. 44369.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

NCDOT Project Management Unit (PMU):

NCDOT will coordinate with the City of Fayetteville, Hoke County and FAMPO concerning cost-share and maintenance agreements for sidewalk construction and any other requested betterments.

NCDOT Project Management Unit (PMU) and Roadway Design:

The proposed design will accommodate the proposed greenway along Little Rockfish Creek. NCDOT will continue coordination with City of Fayetteville and FAMPO.

NCDOT Roadway Design Unit:

NCDOT Roadway Design will coordinate the design of this project with U-6072A, the widening of SR 1112 (Stoney Point Road/Rockfish Road) from SR 1102 (Gillis Hill Road) to SR 1103 (Camden Road).

NCDOT Environmental Analysis Unit (EAU):

A field survey for the Red-cockaded woodpecker will be completed prior to permitting. Survey for red-cockaded woodpecker was updated and completed on 6/4/2021.

NCDOT Environmental Analysis Unit/Cultural Resources:

<u>Archaeological Resources</u> – Data recovery will be undertaken at this site prior to construction. The data recovery efforts will be facilitated by a Memorandum of Agreement (MOA). NCDOT will coordinate the MOA and data recovery. Data recovery has concluded, and an End of Fieldwork Management Summary has been issued by SHPO for the project on 7/12/2021.

NCDOT Division 6:

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 Hydraulics Unit:

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).

COMMITMENTS FROM PERMITTING

NCDOT Environmental Analysis Unit (EAU)/ NCDOT Division 6:

The Section 404 and 401 permits only authorize work on U-5798 A. Construction of U-5798 B shall not commence until all the following occur: (a) final design has been completed for that section and submitted to the U.S. Army Corps of Engineers and the N.C. Division of Water Resources (agencies); (b) the Permittee has minimized impacts to waters and wetlands to the maximum extent practicable and the agencies concurs with this assessment; (c) any modification to the plans have been approved by the agencies in writing; and (d) a final compensatory mitigation plan has been submitted by the Permittee and approved by the agencies.

Approval of modification for construction of U-5798B has been received from the permitting agencies and all elements of the above condition have been satisfied.



DEPARTMENT OF THE ARMY

U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT RALEIGH FIELD OFFICE 3331 HERITAGE TRADE DRIVE SUITE 105 WAKE FOREST NC 27587

September 12, 2024

Regulatory Program

Sent Via Email: jldilday1@ncdot.gov

Jason Dilday NC Department of Transportation (NCDOT) 1598 Mail Service Center Raleigh, NC 27699-1598

Dear Mr. Dilday:

Reference the Department of the Army (DA) permit issued to the North Carolina Department of Transportation (NCDOT) on January 26, 2022. This permit authorized the discharge of fill material into waters of the United States for construction of STIP Project U-5798A&B, widening SR 1102 (Gillis Hill Road) in Cumberland and Hoke Counties. The existing two-lane road is proposed to be widened to a four-lane, median-divided facility. Currently, only Section A of STIP U-5798 is authorized for construction.

On June 5, 2024, the U.S. Army Corps of Engineers (Corps) received a request from NCDOT to modify the standard permit for the U-5798 project (Mod01), to authorized construction of Section B, based on final design and a final mitigation plan. Revised drawings for Section B were submitted on June 7, 2024.

The total waters of the U.S. impacts, including wetland, for the U-5798B project are 0.957 acre of riparian wetlands (0.456 permanent fill, 0.361 acre non-404 hand clearing in wetlands, 0.04 Ac of temporary fill for erosion control measures in the hand clearing areas, <0.01 acre permanent fill for utilities, and 0.13 mechanized clearing in wetlands for utilities) and 729 linear feet (0.198 acre) of streams (596 linear feet (0.156 acre) permanent impacts, and 133 linear feet (0.042 acre) temporary impacts).

The Corps has completed the evaluation of your request and has determined that it is appropriate and reasonable, and that no public notice is required for this modification. Therefore, the permit is modified as requested and as shown on the enclosed revised Permit Drawings, Sheets 1 – 8 of 8, last revised on 2/15/24.

Additional compensatory mitigation of 1.200 acres riparian wetland credits, and 1,192 warm water stream credits, is required, in accordance with the provisions outlined on the attached Compensatory Mitigation Responsibility Transfer Form.

All conditions of the permit, including the permit expiration date of December 31, 2027, remain in effect as written. Should you have any questions, contact Mr. Eric Alsmeyer, via email at Eric.C.Alsmeyer@usace.army.mil or by telephone at (919) 554-4884, extension 23.

FOR THE COMMANDER

2024.09.12 09:24:33 -04'00'

M. Scott Jones, PWS

WRDA / Transportation Branch Chief

Enclosures

<u>US Army Corps of Engineers – Wilmington District</u> Compensatory Mitigation Responsibility Transfer Form

Permittee: NCDOT Action ID: SAW-2020-00079
Project Name: TIP U-5798; Gillis Hill Rd Widening County: Cumberland/Hoke

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: 03030004, Cape Fear River Basin

Stream Impact	s (linear feet)		Wetland Impacts (acres)					
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal		
596				0.600				

^{*}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: 03030004, Cape Fear River Basin

Stream Mitigati	on (credits)		Wetland Mitigation			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
1,192				1.200		

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

USACE Wilmington District – MRTF Page 2

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 is mitigation required for Phase 2 (U-5798B) of a phased permit, in addition to previous mitigation required for Phase 1 (U-5798A).

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)*. 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: Raleigh Field Office

US Army Corps of Engineers 3331 Heritage Trade Drive

Wake Forest

Email: eric.c.alsmeyer@usace.army.mil

Wilmington District Project Manager Signature

August 5, 2024

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.

ROY COOPER Governor ELIZABETH S. BISER Secretary RICHARD E. ROGERS, JR.



July 29, 2024

Mr. Jamie Lancaster, P.E. Environment Analysis Unit Head North Carolina Department of Transportation 1598 Mail Service Center Raleigh, North Carolina, 27699-1598

Subject: Modification to the 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water

Act with ADDITIONAL CONDITIONS for proposed widening of SR 1102 (Gillis Hill Road) from US 401 (Raeford Road) to SR 1418 (Lindsay Road), Cumberland and Hoke Counties, TIP U-5798A and U-

5798B

NCDWR Project No. 20210307 v.2

Dear Mr. Lancaster:

Attached hereto is a modification of Certification No. 004465 issued to The North Carolina Department of Transportation (NCDOT) dated July 29, 2024, this approval replaces the certification issued on September 22, 2021.

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

Sincerely,
DocuSigned by:

Susan Lockhar

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

Attachments

Electronic copy only distribution:

Eric Alsmeyer, US Army Corps of Engineers, Raleigh Field Office Chris Underwood, Division Environmental Program Supervisor Chris Rivenbark, NC Department of Transportation Gary Jordan, US Fish and Wildlife Service Travis Wilson, NC Wildlife Resources Commission Beth Harmon, Division of Mitigation Services 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 1.67 acres of jurisdictional wetlands and 987 linear feet of jurisdictional streams in Cumberland and Hoke County. The project shall be constructed pursuant to the application dated received July 29, 2021 and modification request received on June 5, 2024. The authorized impacts are as described below:

Stream Impacts in the Cape Fear River Basin

Site		Permanent (linear feet)	Temporary (linear feer)	Total Stream Impacts (linear ft)	Stream impacts requiring mitigation (linear ft)		
	Se	ction A Impacts (imp	pacts unchanged from	m previous certificati	on)		
1	p	232	26	258	n/a		
Section A Total:		232	26	258	n/a		
		Section B Impa	acts (revised impacts	s approved here)			
1	p	453	89	542	453		
4	p	143	44	187	143		
Section B Total:		596	133	729	596		
		,	Total Project Impac	ts			
Project Total:		828	159	987	596		

Total Stream Impact for Project: 987 linear feet, 596 linear feet requiring mitigation for U-5798



Wetland Impacts in the Cape Fear River Basin

Site	Site Fill (ac) Fill Excavation (temporary) (ac)			Mechanized Clearing (ac)	Hand Clearing (ac)	Permanent Wetland Impact (ac)	Total Wetland Impact (ac)
	Imp	acts Section	A (impacts un	changed from p	revious certifi	cation)	
1	0.41		< 0.01	0.05	0.30	0.46	0.76
2	0.09			0.04	0.01	0.13	0.14
Total	0.50		< 0.01	0.09	0.31	0.59	0.90
Utilities I	<0.01				0.10	<0.01	0.11
2	0.03			< 0.01	0.03	0.03	0.06
Total	0.04			< 0.01	0.13	0.04	0.17
Section A Total:	0.54		<0.01	0.09	0.44	0.63	1.07
		Impacts S	Section B (rev	vised impacts ap	proved here)		
1							
2	0.39					0.39	0.39
3	0.07					0.07	0.07
4							
Total	0.46					0.46	0.46
Utilities							
1	<0.01			<0.01			0.01
2	<0.01			0.12			0.13
Section B Total:	0.46			0.13		0.59	0.60
			Total P	roject Impacts			
Project Total:	1.00			0.22	0.44	1.22	1.66

Total Wetland Impact for Project: 1.67 acres; 0.60 acres requiring mitigation for U-5798.

The application provides adequate assurance that the discharge of fill material into the waters of the **Cape Fear River Basin or wetlands** 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 July 29, 2021, and modification request received on June 5, 2024. 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 (c) (2) and (4).

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.

Conditions of Certification:

Project Specific Conditions:

- 1. The NCDOT Division Environmental Officer or Environmental Assistant will conduct a preconstruction meeting with all appropriate staff to ensure that the project supervisor and essential staff understand the potential issues with stream and pipe alignment at the permitted site. NCDWR staff shall be invited to the pre-construction meeting. [15A NCAC 02H.0506(b)(2) and (b)(3)]
- 2. Compensatory mitigation for 596 linear feet of impact to streams is required. We understand that you have chosen to perform compensatory mitigation for impacts to streams through the North Carolina Division of Mitigation Service (DMS) (fom1erly NCEEP), and that the DMS has agreed to implement the mitigation for the project. The DMS has indicated in letters dated June 4, 2024 for U-5798B, that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above-referenced project, in accordance with the DMS Mitigation Banking Instrument signed June 4, 2024.
- 3. Compensatory mitigation for impacts to **0.60** acres wetlands is required. We understand that you have chosen to perform compensatory mitigation for impacts to wetlands through the North Carolina Division of Mitigation Services (DMS) (formerly NCEEP), and that the DMS has agreed to implement the mitigation for the project. DMS has indicated in letter dated June 4, 2024 for U-5798B, that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above-referenced project, in accordance with DMS's Mitigation Banking Instrument signed June 4, 2024.
- 4. Channel relocations shall be completed and stabilized, and approved on site by NCDWR staff, prior to diverting water into the new channel. Stream banks shall be matted with coir-fiber matting. Vegetation used for bank stabilization shall be limited to native riparian vegetation, and should include establishment of a vegetated buffer on both sides of the relocated channel to the maximum extent practical. Also, rip-rap may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any calculations used to determine the extent of rip-rap coverage requested. Once the stream has been turned into the new channel, it may be necessary to relocate stranded fish to the new channel to prevent fish kills. [I 5A NCAC 02H .0506(b)(3)]

General Conditions:

- 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 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)]
- 7. 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)]
- 8. 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]
- 9. 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)]
- 10. NCDOT shall be in compliance with the NCS000250 issued to the NCDOT, including the applicable requirements of the NCG0lO000. Please note the extra protection for the sensitive watersheds.
- 11. 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)]
- 12. 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)]
- 13. 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)]
- 14. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed. [I5A NCAC 02H.0506(b)(2)]
- 15. 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)]
- 16. 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)]
- 17. 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]
- 18. 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)]
- 19. 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)]
- 20. 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)]
- 21. 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)]

- 22. 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)]
- 23. 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)]
- 24. 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)]
- 25. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
- 26. 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]
- 27. Unless otherwise approved in this certification, placement of culve1ts and other structures in open waters and streams, shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by the NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact the NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]
- 28. If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage. [15A NCAC 02H.0506(b)(2)]
- 29. Pipes and culverts used exclusively to maintain equilibrium in wetlands, where aquatic life passage is not a concern, shall not be buried. These pipes shall be installed at natural ground elevation. [15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)]
- 30. 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 02B.0506(b)(2)]
- 31. 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 fe1tilizer- 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 in prohibited. Riparian areas are defined as a distance 25 feet landward from top of stream bank. [15A]

NCAC 02H .0506(b); 15A NCAC 02H .0507(c)]

- 32. 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 02H0506(b)(3) and (c)(J)]:
 - 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.
- 33. 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)(J)]
- 34. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or bo1Tow sites, or access roads to waste or bo1Tow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities. [15A NCAC 02H0506(b)(3) and (c)(J)]
- 35. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the "Certificate of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0507(c)]
- 36. 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)]

Violations of any condition herein set forth may result in revocation of this Certification and may result in criminal and/or civil penalties. 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.

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 29th day of June 2024

- DocuSigned by:

Susan Locklear -04351F033762414...

Richard E. Rogers, Jr., Director

DIVISION OF WATER RESOURCES

WQC No. 004465

ROY COOPER Governor ELIZABETH S. BISER Secretary RICHARD E. ROGERS, JR. Director



	NCDWR Project No.:	County:
	Applicant:	
	Project Name:	
	Date of Issuance of 401 Wate	r Quality Certification:
any subsequent mod Unit, North Carolin may be returned to	f all work approved within the 401 diffications, the applicant is required a Division of Water Resources, 16	Water Quality Certification or applicable Buffer Rules, and d to return this certificate to the 401 Transportation Permittin 17 Mail Service Center, Raleigh, NC, 27699-1617. This for licant's authorized agent, or the project engineer. It is not
Applicant's Certific	cation	
compliance and inte		by state that, to the best of my abilities, due care and diligence that the construction was observed to be built within substantication and Buffer Rules, the approved plans and
Signature:		Date:
Agent's Certification	on	
was used in the obscompliance and inte	ervation of the construction such tl	by state that, to the best of my abilities, due care and diligence that the construction was observed to be built within substanticiation and Buffer Rules, the approved plans and
Signature:		Date:
Engineer's Certific	ation	
Partial	Final	
Permittee hereby sta construction such th	ate that, to the best of my abilities, at the construction was observed t	a duly registered Professional Engineer in the State of Northally, weekly, full time) the construction of the project for the due care and diligence was used in the observation of the o be built within substantial compliance and intent of the 401 coved plans and specifications, and other supporting material
Signature		Registration No





END TIP PROJECT U-5798B

BEGIN TIP PROJECT

STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

HOKE AND CUMBERLAND **COUNTIES**

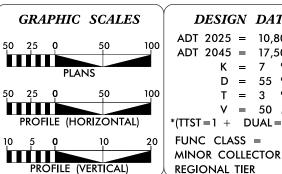
PERMIT DRAWING SHEET 1 OF 8

SHEET TOTAL SHEETS N.C. U-5798B 1 STATE PROJ.NO. DESCRIPTION 44369.1.3 44369.2.3 N/A ROW 44369.2.4 UTL.

LOCATION: SR 1102 (GILLIS HILL ROAD) FROM SOUTH OF CELTIC DRIVE TO NORTH OF SR 1112 (STONEY POINT ROAD). WIDEN TO MULTI-LANES.

TYPE OF WORK: PAVING, GRADING, DRAINAGE, CULVERT, WALLS, AND SIGNALS.

WETLAND AND SURFACE WATER IMPACTS PERMIT **BEGIN CONSTRUCTION** VICINITY MAP $-Y2-POT\ STA.\ 13+30.00$ N.T.S SITE 1 TO LINDSAY RD. END CONSTRUCTION SITE 3 TO RAEFORD RD. -L-POC STA. 59+05.00YB END CULVERT -LB- POC STA. 25 + 66.34 -LB- GILLIS HILL RD. (SR 1102) BEGIN TIP PROJECT U-5798B *-LB- PC STA*. 12 + 49.99 BEGIN CULVERT END TIP PROIECT U-5798B -LB- POC STA. 25 + 26.28 MATCH TIP PROJECT U-5798A -LB-POC STA. 58+39.24 =-L-POC STA. 50+00.00END CONSTRUCTION -YI- POT STA 13 + 75.00★ PROPOSED SIGNAL **END CONSTRUCTION** THERE IS NO CONTROL OF ACCESS ON THIS PROJECT. -Y2-POTSTA.41+50.00DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED A PORTION OF THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF FAYETTEVILLE. CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD II.



DESIGN DATA ADT 2025 = 10.800ADT 2045 = 17,500

D = 55 %T = 3 %V = 50 MPH*(TTST=1 + DUAL=2)FUNC CLASS =

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT U-5798B = 0.861 MILES LENGTH CULVERT TIP PROJECT U-5798B = 0.008 MILES TOTAL LENGTH TIP PROJECT U-5798B = 0.869 MILES

8521 SIX FORKS ROAD, SUITE 400 RALEIGH, NC 27615 NC FIRM LICENSE No: F-0493

FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION 2018 STANDARD SPECIFICATION

RIGHT OF WAY DATE: JUNE 13, 2023

LETTING DATE: FEBRUARY 18, 2025

SEAN KORTOVICH, PE

DANA M. PACZEK, PE PROJECT DESIGN ENGINEER

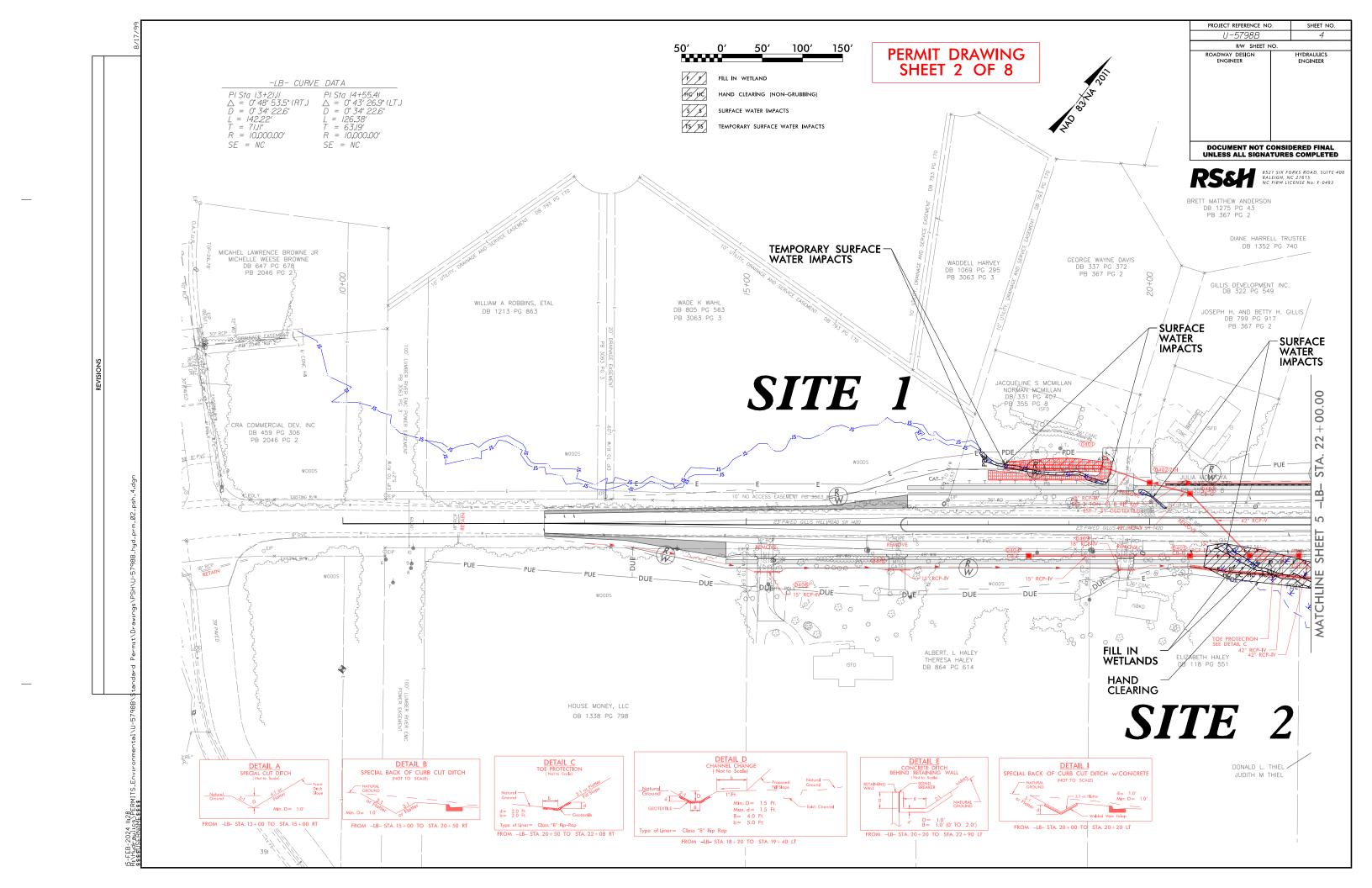
KHALED A. ALAKHDAR

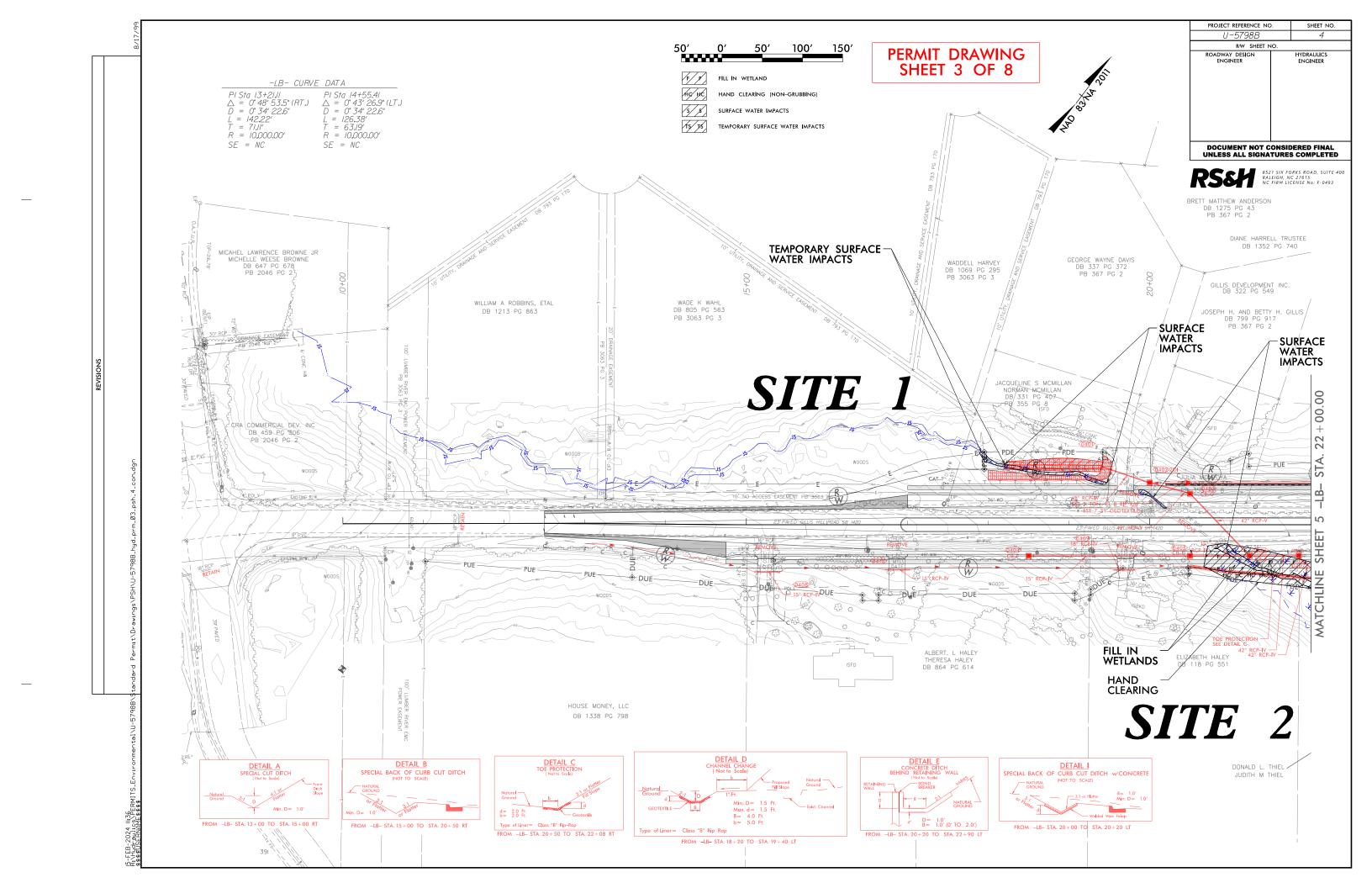
HYDRAULICS ENGINEER

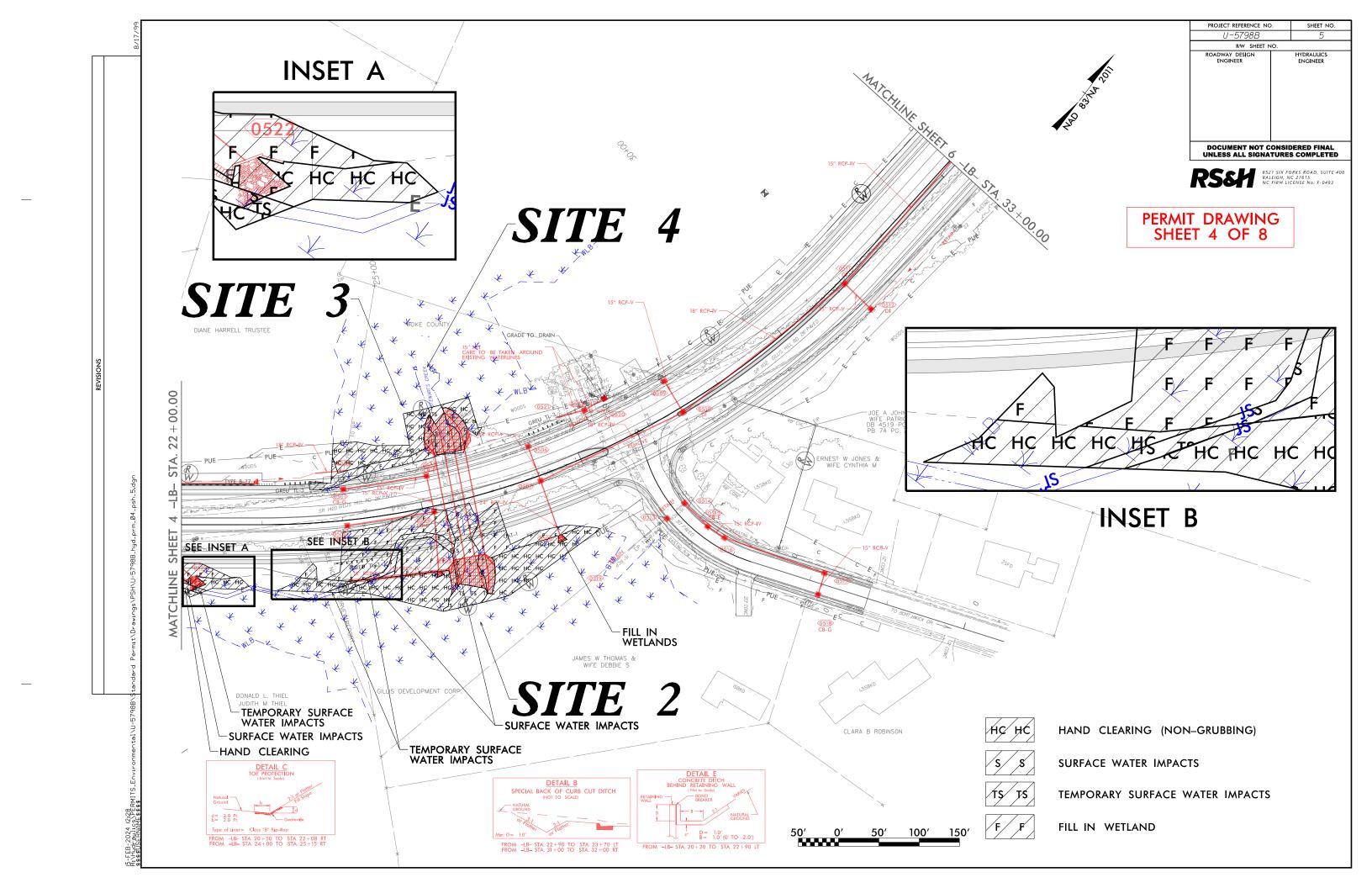
ROADWAY DESIGN **ENGINEER**

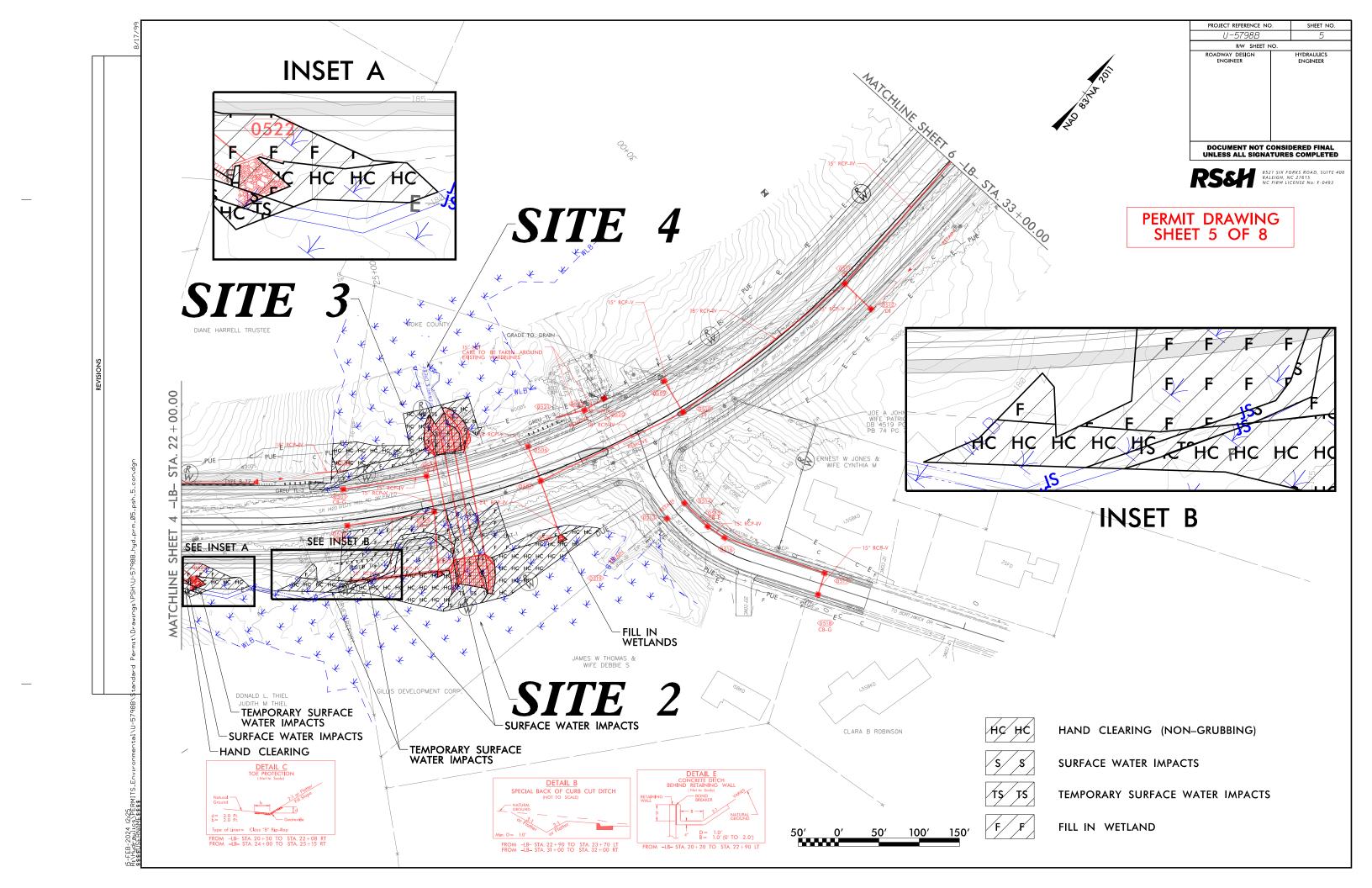
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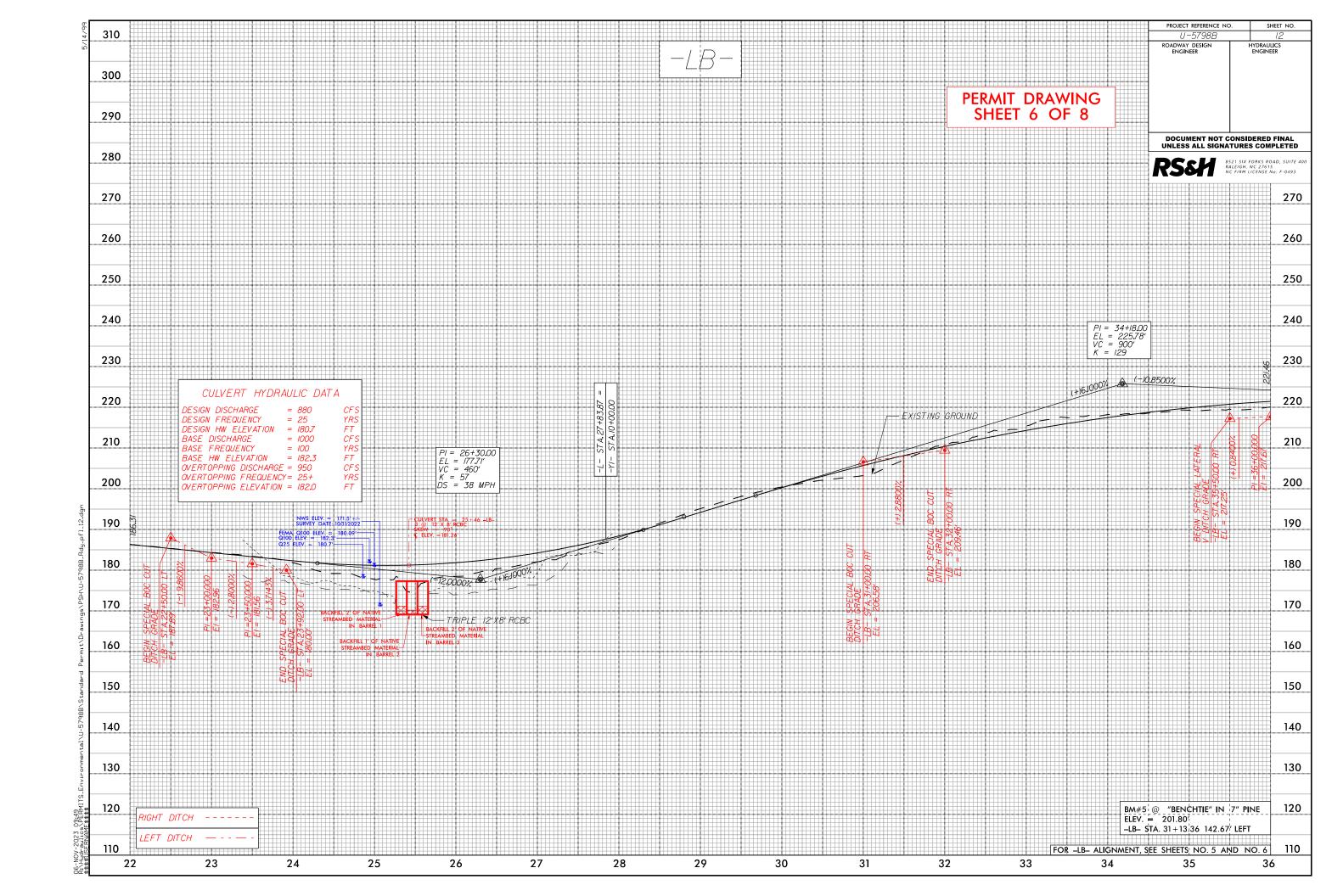


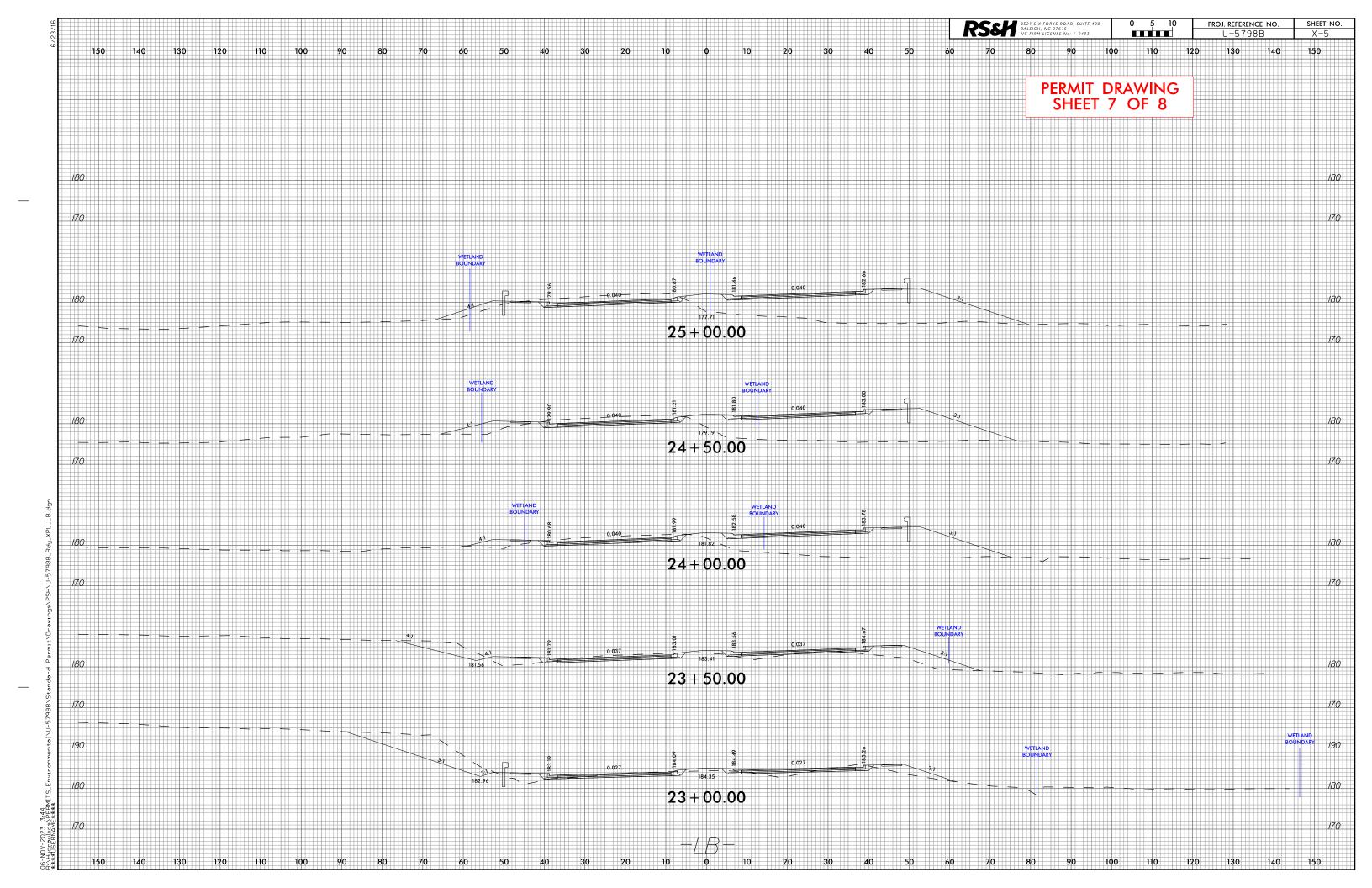












				WE	TLAND IMPA	CTS			SURFACE WATER IMPACTS					
Site No.	Station (From/To)	Structure Size / Type	Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	SW	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)		
1	-LB- Sta. 17+89 to Sta. 19+46 LT	Proposed Fill Slope	, ,	,	, ,	, ,	,	0.010	0.003	130	35			
1	-LB- Sta. 19+87 to Sta. 20+21 LT	Proposed Fill Slope						0.003		40				
1	-LB- Sta. 20+80 to Sta. 22+31 RT	Proposed Fill Slope						0.020	0.002	141	10			
1	-LB- Sta. 23+74 to Sta. 25+27 RT	Proposed Fill Slope						0.024	0.006	142	44			
2	-LB- Sta. 20+67 to Sta. 22+84 RT	Proposed Fill Slope	0.096				0.044							
2	-LB- Sta. 23+17 to Sta. 26+94 RT	Proposed Fill Slope	0.294				0.215							
3	-LB- Sta. 23+61 to Sta. 26+01 LT	Proposed Fill Slope	0.066				0.102							
4	-LB- Sta. 25+45 LT	Proposed 3@12x8 RCBC						0.028	0.006	42	18			
4	-LB- Sta. 25+43 RT	Proposed 3@12x8 RCBC						0.071	0.025	101	26			
TOTALS*	<u> </u>		0.456	0.000	0.000	0.000	0.361	0.156	0.042	596	133	0		

*Rounded totals are sum of actual impacts NOTES:

0.04 Ac of Temporary Fill for Erosion Control measures in the Hand Clearing areas.

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
2/15/24
Cumberland County
U-5798B
44369.1.2
SHEET 8 OF 8

Revised 2018 Feb

798B S **PROJECT:** STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

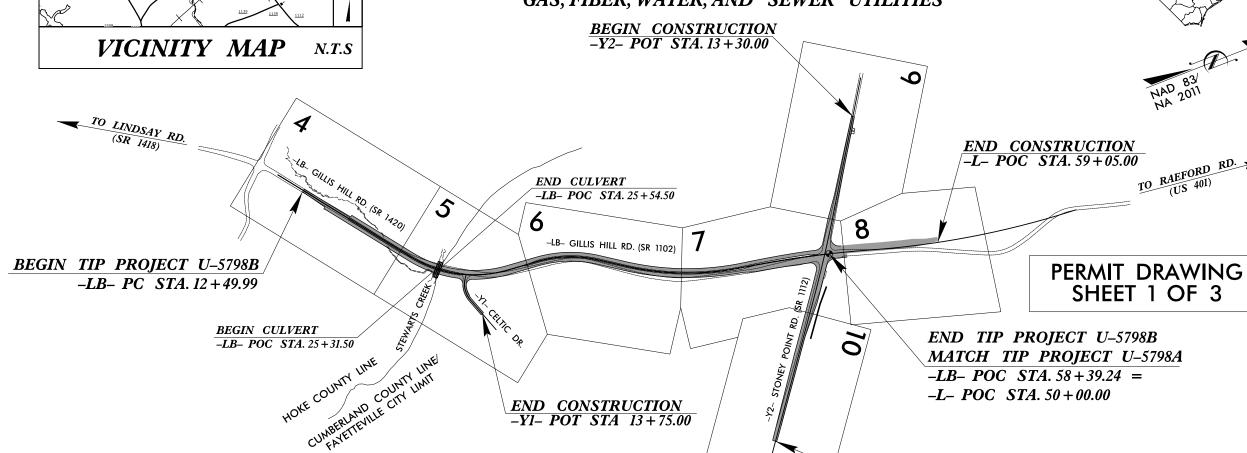
HOKE AND CUMBERLAND COUNTIES UTILITIES BY OTHERS PLANS

T.I.P. NO. SHEET NO. U-5798B UO-1

NOTE:

ALL UTILITY WORK SHOWN ON THIS SHEET WILL BE DONE BY OTHERS. NO PAYMENT WILL BE MADE TO THE CONTRACTOR FOR UTILITY WORK SHOWN ON THIS SHEET.

LOCATION: SR 1102 (GILLIS HILL ROAD) FROM SOUTH OF CELTIC DRIVE TO NORTH OF SR 1112 (STONEY POINT ROAD). TYPE OF WORK: RELOCATION OF POWER, TELEPHONE, GAS, FIBER, WATER, AND SEWER UTILITIES



GRAPHIC SCALES 50 25 0

END TIP PROJECT

BEGIN TIP PROJECT U-5798B

INDEX OF SHEETS

SHEET NO.: DESCRIPTION: UE-1 TITLE SHEET *UE-2* UBO PLAN SHEET **UE-3** IMPACT SUMMARY SHEET UTILITY OWNERS WITH CONFLICTS

(A) POWER - LUMBEE RIVER ELECTRIC
(B) TELEPHONE - BRIGHTSPEED

(C) GAS - PNG

(D) FIBER - BRIGHTSPEED

(E) WATER - FAYETTEVILLE PUBLIC WORKS (F) WATER - HOKE COUNTY PUBLIC WORKS

(G) SEWER - FAYETTEVILLE PUBLIC WORKS

Nick Asaro, PLS

UTILITY PROJECT MANAGER James Montgomery PROJECT UTILITY COORDINATOR

END CONSTRUCTION

-Y2-POT STA. 41+00.00



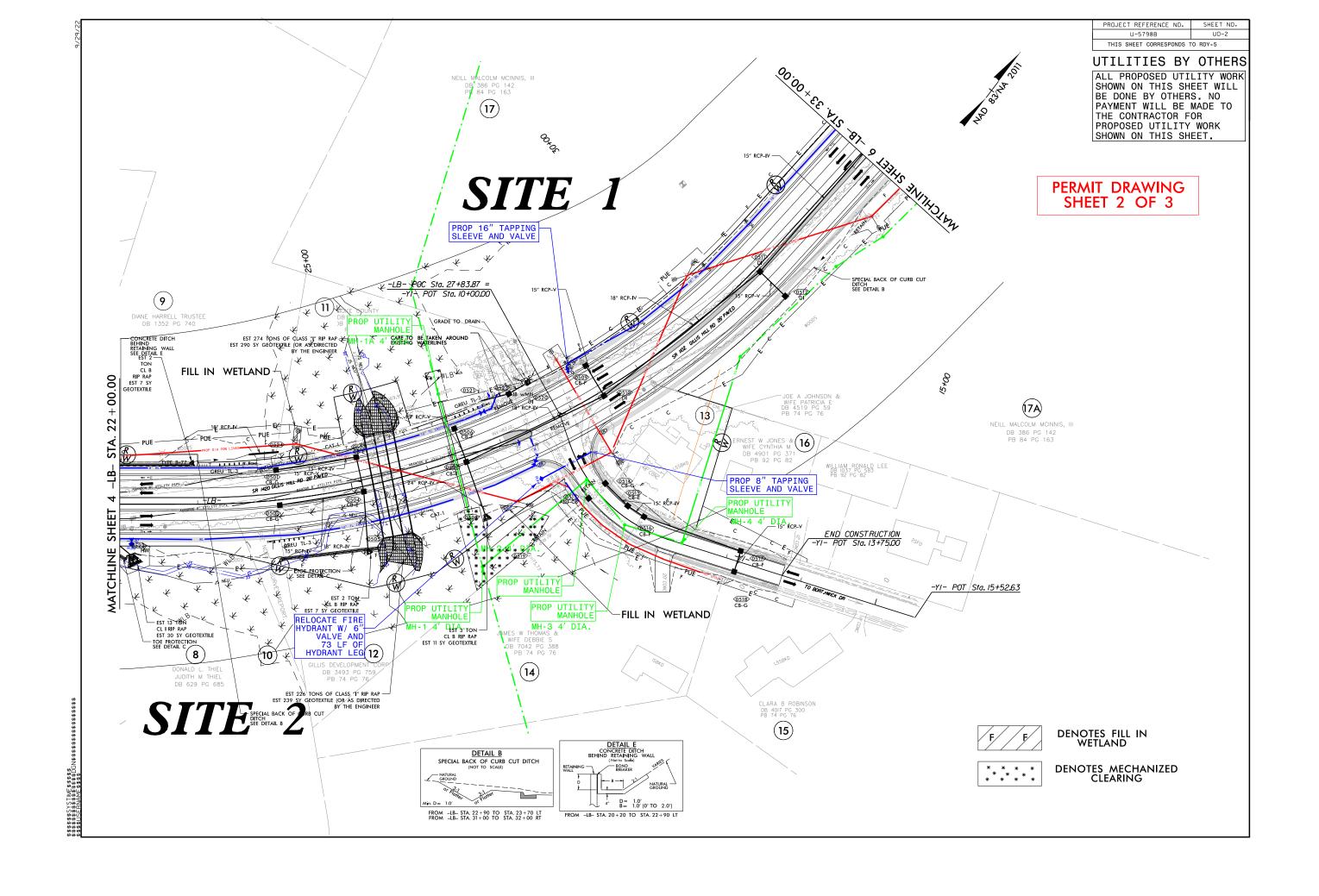
DIVISION OF HIGHWAYS DIVISIONS 6 & 8

PRELIMINARY PLANS

DIV 8 ADDRESS 121 DOT Dr. Carthage, NC 28327 DIV 6 ADDRESS

DIVISION 6 ENGINEER Grady Hunt

Lisa Mathis DIVISION 8 ENGINEER



				WE	TLAND IMP	PACTS		Ş	SURFACE	WATER IM	PACTS	
							Hand			Existing	Existing	
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)	Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Channel Impacts Permanent (ft)	Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1	-LB- Sta. 24+30 to Sta. 24+47 LT	Proposed Overhead Powerline Construction	< 0.01									
1	-LB- Sta. 26+35 to Sta. 26+60 LT	Proposed Gravity Sewer Line Construction				< 0.01						
2	-LB- Sta. 26+18 to Sta. 27+18 RT	Proposed Gravity Sewer Line Construction				0.12						
2	-LB- Sta. 26+70 to Sta. 26+89 RT	Proposed Electric Pole Construction	< 0.01									

*Rounded totals are sum of actual impacts

NOTES:

Worst case impacts between utility relocations and roadway construction are accounted for in the Utility Permit Drawings. These impacts will not appear in the standard permit drawings.

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
4/18/2024
Cumberland County
U-5798B
44369.2.4

3

Revised 2018 Feb

SHEET 3 OF