



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY  
GOVERNOR

ANTHONY J. TATA  
SECRETARY

July 23, 2013

MEMORANDUM TO: Mr. Greg Burns, P.E.  
Division 6 Engineer

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

SUBJECT: Columbus County, Replacement of Bridge Nos. 94 and 95 on SR  
1005 over Grisset Swamp; Federal Aid Project No. BRSTP-  
1005(20); WBS No.42255.1.1; **TIP Project B-5115.**

*E.F. Fuchs*

Attached are the U.S. Army Corps of Engineers (USACE) Section 404 Nationwide permits and the N.C. Division of Water Quality (DWQ) Section 401 Water Quality Certifications. All environmental permits have been received for the construction of this project.

A copy of this permit package will be posted on the NCDOT website at:  
<https://connect.ncdot.gov/resources/Environmental>

cc: w/o attachment (see website for attachments):

Mr. Randy Garris, P.E. State Contract Officer  
Mr. James J. Rerko, Division Environmental Officer  
Mr. Majed Alghandour, P.E., Programming and TIP  
Mr. Jay Bennett, P.E., Roadway Design Unit  
Mr. Dewayne Sykes, P.E. Utilities Unit  
Mr. Art McMillan, P.E., Hydraulics Unit  
Mr. Tom Koch, P.E., Structure Design Unit  
Mr. Mark Staley, Roadside Environmental Unit  
Mr. Ron Hancock, P.E., State Roadway Construction Engineer  
Mr. Mike Robinson, P.E., State Bridge Construction Engineer  
Mr. Bill Goodwin, P.E., PDEA Bridge Section Head  
Ms. Beth Harmon, EEP  
Mr. Phillip Ayscue, Special Projects and Audit

# PROJECT COMMITMENTS

T.I.P. Project No. B-5115  
Bridge No.'s 94 & 95 on SR 1005  
Over Grissett Swamp  
Columbus County  
Federal Aid Project No. BRSTP-1005 (20)  
W.B.S. No. 42255.1.1

## COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

### Hydraulics Unit

The NCDOT Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), to determine the status of the 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).

### Division Construction

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.

### Division Six Construction, Resident Engineer's Office

In order to have time to adequately reroute school busses, Columbus County Schools will be contacted at least one month prior to road closure.

Columbus County Emergency Services will be contacted at least one month prior to road closure to make the necessary temporary reassignments to primary response units.

### PDEA – Natural Environment Section

The Biological Conclusion "May Affect - Not Likely to Adversely Affect" has been changed to "No Effect" for the Wood Stork.

## COMMITMENTS FROM PERMITTING

### Division 6 Construction

Strict adherence to the most recent version of NCDOT's Best Management Practices For Bridge Demolition and Removal approved by the US Army Corps of Engineers is a condition of the 401 Water Quality Certification.

Material temporarily excavated for utility installation shall be stockpiled in an upland area and placed back into the excavated area in a manner that restores the original grade and soil profile with the organic/root layer on top.

Bents located within the channel shall be removed entirely from the stream channel or cut off at the elevation of the stream bed.

The wetland area that will be excavated for the installation of the utility line, Station #'s 16+54 to 16+74) shall be restored to preconstruction grade immediately upon completion of the utility line project.

U.S. ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT

Action ID. SAW-2009-01942

County: Columbus

USGS Quad: Tabor City East

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

Property Owner: Dr. Gregory Thorpe, PhD, Manager

Mr. Gordon Cashin

NCDOT-PDEA

NCDOT-PDEA

Address:

1548 Mail Service Center

1548 Mail Service Center

Raleigh, North Carolina 27699

Raleigh, North Carolina 27699

Size and location of property (water body, road name/number, town, etc.): The project area is located at Bridge Numbers 94 and 95 over Grissett Swamp along SR 1005, east of Tabor City, Columbus County, North Carolina.

Description of projects area and activity: B-5115. This verification authorizes the permanent discharge of fill material into 0.29 acres of wetlands for the replacement of Bridge Numbers 94 and 95. This verification also authorizes temporary impacts to 0.05 acres of wetlands for the installation of erosion control measures and temporary impacts to 0.002 acres of wetlands for the installation of a utility line.

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

Authorization: Regional General Permit Number: \_\_\_\_\_  
Nationwide Permit Number: 23 and 12

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted application and plans dated April 1, 2013 and revised plans dated April 4, 2013 and April 8, 2013. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order and/or appropriate legal action.

This verification will remain valid until the expiration date identified below unless the nationwide authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Quality (telephone (919) 733-1786) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management .

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Ronnie Smith at (910) 251-4829.

Corps Regulatory Official: Ronnie Smith

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42  
Date: 2013.04.24 13:47:09 -0400

Date: April 24, 2013

Expiration Date of Verification: March 18, 2017 242

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the attached customer Satisfaction Survey or visit <http://per2.nwp.usace.army.mil/survey.html> to complete the survey online.

Copy Furnished:

Mr. Mason Herndon-NCDENR-DWQ

Mr. Gregory Burns-NCDOT-Division 6

Mr. Gary Jordan-USFWS

Mr. Chris Rivenbark-NCDOT-PDEA

Mr. Jim Rerko-NCDOT Division 6

Mr. Gordon Cashin-NCDOT

Ms. Beth Harmon-NCEEP

Mr. Tyler Crumbley-USACE

### Determination of Jurisdiction:

- A.  Based on preliminary information, there appear to be waters of the US including wetlands within the above described project area. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).
- B.  There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- C.  There are waters of the US and/or wetlands within the above described project area subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- D.  The jurisdictional areas within the above described project area have been identified under a previous action. Please reference jurisdictional determination issued \_\_\_\_\_. Action ID: \_\_\_\_\_

### Basis For Determination

**The site exhibits wetland criteria as defined in the 1987 Corps Wetland Delineation Manual and appropriate Regional Supplement. The water body exhibits an ordinary high water mark as indicated by the absence of vegetation in the channel and the presence of bed and bank. A preliminary jurisdiction determination was completed on October 22, 2009 and signed by the Corps of Engineers on December 15, 2009.**

### Remarks

### Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

### Appeals Information (This information applies only to approved jurisdictional determinations as indicated above).

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

US Army Corps of Engineers  
South Atlantic Division  
Attn: Jason Steele, Review Officer  
60 Forsyth Street SW, Room 10M15  
Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by June 23, 2013.

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

Corps Regulatory Official: **Ronnie Smith**

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Date: 2013.04.24 13:47:23 -0400

Date: **April 24, 2013**

## Special Conditions:

1. Bridge Numbers 94 and 95 shall be taken down in such a manner that no part of it will be allowed to fall into waters of the United States, including wetlands. The bridge demolition shall be conducted in accordance with the "Best Management Practices for Construction and Maintenance Activities", dated August 2003.
  2. Bents located within the channel shall be removed entirely from the stream channel or cut off at the elevation of the stream bed.
  3. The wetland area that will be excavated for the installation of the utility line, (Station #'s 16+54 to 16+74) shall be restored to preconstruction grade immediately upon completion of the utility line project.
  4. The permittee shall remove all sediment and erosion control measures placed in wetlands or waters, and shall restore natural grades in those areas, prior to project completion.
  5. 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 Form. The requirements of this form, including any special conditions listed on this form, are hereby incorporated as special conditions of this permit authorization.
-

Action ID Number: SAW-2009-01942

County: Columbus

Permittee: NCDOT

Date Permit Issued: April 24, 2013

Project Manager: Ronnie Smith

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

**US ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT**

**Attn: Ronnie Smith  
69 Darlington Avenue  
Wilmington, North Carolina 28403**

Please note that 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.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

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Signature of Permittee

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Date

**U.S. ARMY CORPS OF ENGINEERS**  
**Wilmington District**  
**Compensatory Mitigation Responsibility Transfer Form**

Permittee: NCDOT  
 Project Name: B-5115

Action ID: SAW-2009-01942  
 County: Columbus

**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 Ecosystem Enhancement Program (NCEEP), 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 to the U.S. Army Corps of Engineers (USACE) 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 must verify that the mitigation requirements shown below are available at the identified site. By signing below, the Sponsor is accepting full responsibility for the identified mitigation, regardless of whether or not they have received payment from the Permittee. Once the form is signed, the Sponsor must update the appropriate ledger and provide a copy of the signed form to the Permittee and to the USACE Bank/In-Lieu Fee Program Manager. 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:** 03040206, Lumber River Basin

Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-riverine	Non-Riparian	Coastal
			0.29			

\*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:** 03040206, Lumber River Basin

Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-riverine	Non-Riparian	Coastal
			0.58			

**Mitigation Site Debited:** NCEEP

(List the name of the bank to be debited. For umbrella banks, also list the specific site. For NCEEP, list NCEEP. If the NCEEP 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 NCEEP), as approved by the USACE, 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: NCDENR LEP

Name of Sponsor's Authorized Representative: Beth Harmon

Beth Harmon      4/25/2013  
 Signature of Sponsor's Authorized Representative      Date of Signature



**USACE Wilmington District  
Compensatory Mitigation Responsibility Transfer Form, Page 2**

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

- Once this document has been signed by the Mitigation Sponsor and the USACE 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 USACE 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. 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 the Sponsor must be provided to the USACE within 30 days of permit issuance. NCDOT remains fully responsible for the mitigation until the USACE 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 USACE 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 USACE, the Sponsor must obtain case-by-case approval from the USACE 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 USACE administrative records for both the permit and the Bank/ILF Instrument.

**Comments/Additional Conditions:**

This form is not valid unless signed by the mitigation Sponsor and USACE Project Manager. For questions regarding this form or any of the conditions of the permit authorization, contact the Project Manager at the address below.

**USACE Project Manager:** Ronnie Smith  
**USACE Field Office:** Wilmington Regulatory Field Office  
US Army Corps of Engineers  
69 Darlington Avenue  
Wilmington, NC 28403

**Email:** Ronnie.d.smith@usace.army.mil

**SMITH.RONNIE.DAL**  
**E.1281725242**

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**USACE Project Manager Signature**

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**April 24, 2013**

**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>.



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Charles Wakild, P. E.
Director

Pal McCrory
Governor

John E. Skvarla, III
Secretary

April 11, 2013
Columbus County
NCDWQ Project No. 13-0343
Bridges 94 and 95 on SR 1005
TIP Project No. B-5115

APPROVAL of 401 WATER QUALITY CERTIFICATION, with ADDITIONAL CONDITIONS

Dr. Greg Thorpe, PhD., Manager
Project Development and Environmental Analysis
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina, 27699-1598

Dear Dr. Thorpe:

You have our approval, in accordance with the conditions listed below, for the following impacts associated with the replacement of Bridges 94 and 95 over Grissett Swamp on SR 1005 in Columbus County:

Wetland Impacts in the Lumber River Basin (riverine)

Table with 8 columns: Site, Station, Fill (ac), Fill (temporary) (ac), Excavation (temporary) (ac), Mechanized Clearing (ac), Hand Clearing (ac), Total Wetland Impact (ac). Rows include sites 1, 2, UTILITES (1, 2, 2a, 3, 4), and a Total row.

Total Wetland Impact for Project: 1.01 acres.

\*denotes temporary fill for erosion control measure in hand clearing areas

The project shall be constructed in accordance with your application dated received April 3, 2013 and revisions received on April 9, 2013. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Numbers 3891 and 3884. This certification corresponds to the Nationwide Permit 23 and Nationwide Permit 12 issued by the Corps of Engineers. In addition, you should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This approval will expire with the accompanying 404 permit.

This approval is valid solely for the purpose and design described in your application (unless modified below). Should your project change, you must notify the NCDWQ and submit a new application. If the property is sold, the

225 Green St., Suite 714, Fayetteville, NC 28301-5095
Phone: 910-433-3300 \ FAX: 910-486-0707
Internet: www.ncwaterquality.org

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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 in the attached certification and any additional conditions listed below.

**Condition(s) of Certification:**

**Project Specific Conditions**

1. Strict adherence to the most recent version of NCDOT's Best Management Practices For Bridge Demolition and Removal approved by the US Army Corps of Engineers is a condition of the 401 Water Quality Certification.
2. 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 NCDWQ first.
3. Material temporarily excavated for utility installation shall be stockpiled in an upland area and placed back into the excavated area in a manner that restores the original grade and soil profile with the organic/root layer on top.
4. The project shall be constructed in accordance with the submitted Stormwater Management Plan dated January 23, 2013.

**General Conditions**

5. Unless otherwise approved in this certification, placement of culverts 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 downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWQ. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWQ for guidance on how to proceed and to determine whether or not a permit modification will be required.
6. 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.
7. 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.
8. 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.
9. 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.
10. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval.
11. 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.

12. 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.
13. 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.
14. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
15. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
16. 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 NCDWQ 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, NCDWQ may reevaluate and modify this certification.
17. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification..
18. 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.
19. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization 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.
20. 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.
21. The Permittee shall report any violations of this certification to the Division of Water Quality within 24 hours of discovery.
22. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.
23. 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.
24. 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.
25. 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:
  - 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.
26. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification.

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  
Raleigh, NC 27699-1601

This letter completes the review of the Division of Water Quality under Section 401 of the Clean Water Act. If you have any questions, please contact Mason Herndon at (910) 308-4021 or [mason.herndon@ncdenr.gov](mailto:mason.herndon@ncdenr.gov).

Sincerely,



for Charles Wakild  
Director

cc: Ronnie Smith, US Army Corps of Engineers, Wilmington Field Office  
Jim Rerko, Division 6 Environmental Officer  
Chris Militscher, Environmental Protection Agency  
Gary Jordan, US Fish and Wildlife Service  
Travis Wilson, NC Wildlife Resources Commission  
John Merritt, NCDOT NES  
Sonia Carrillo, NCDWQ Central Office  
File Copy

NCDWQ 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 Quality, 1650 Mail Service Center, Raleigh, NC, 27699-1650. This form may be returned to NCDWQ 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.

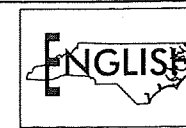
Signature \_\_\_\_\_ Registration No. \_\_\_\_\_

Date \_\_\_\_\_

09/28/99

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

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

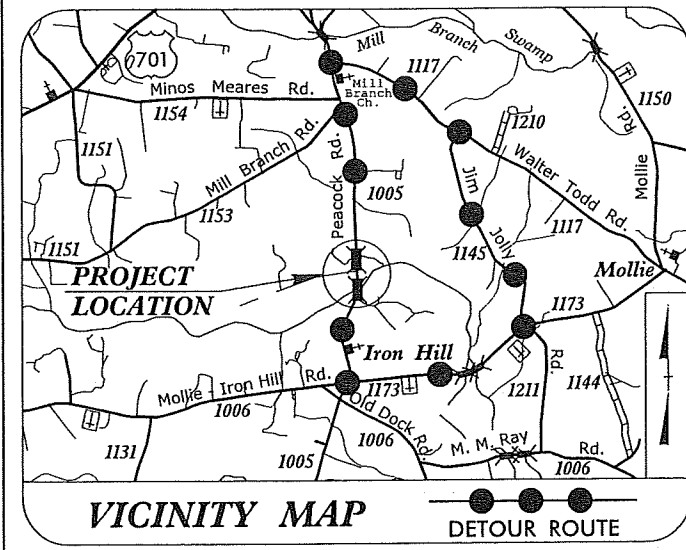
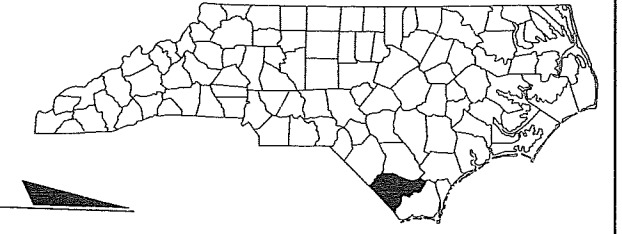


STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-5115	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
42255.1.1	BRSTP-1005(20)	PE	
42255.2.1	BRSTP-1005(20)	R/W & UTIL	

# COLUMBUS COUNTY

LOCATION: BRIDGES NO. 94 & 95 ON SR 1005 (PEACOCK ROAD)  
OVER GRISSETT CREEK

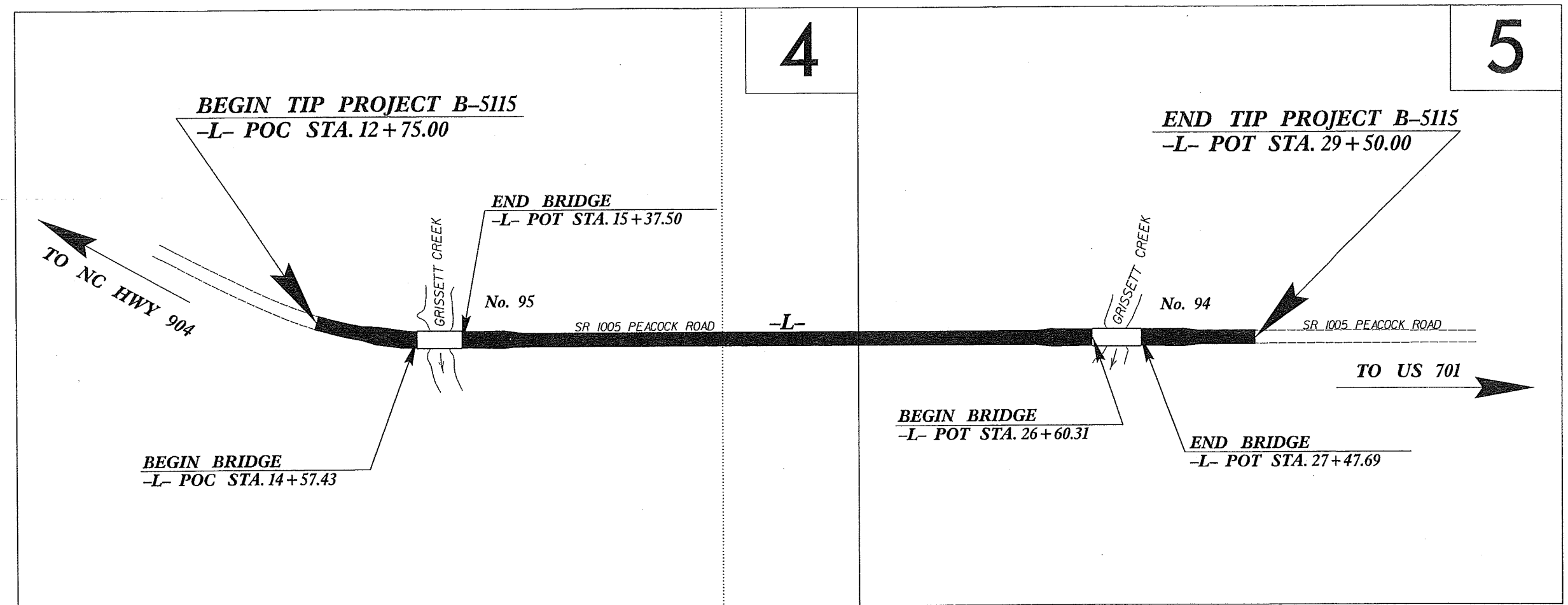
TYPE OF WORK: GRADING, DRAINAGE, PAVING AND STRUCTURES



WETLAND AND SURFACE WATER IMPACTS PERMIT

NAD 83/  
NSRS 2007

TIP PROJECT: B-5115

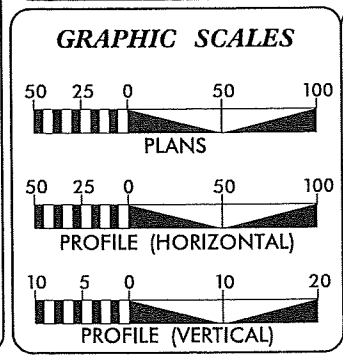


THERE IS NO CONTROL OF ACCESS ON THIS PROJECT.  
THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES.

CLEARING ON THIS PROJECT SHALL BE PERFORMED  
TO THE LIMITS ESTABLISHED BY METHOD II.

PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION

CONTRACT:



DESIGN DATA

ADT 2012 =	2050
ADT 2033 =	3100
DHV =	12 %
D =	60 %
T =	5 % *
V =	50 MPH
*(TTST 1% + DUAL 4%)	
FUNC CLASS =	LOCAL
SUB-REGIONAL TIER	

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT B-5115 =	0.285 MI
LENGTH STRUCTURE TIP PROJECT B-5115 =	0.032 MI
TOTAL LENGTH TIP PROJECT B-5115 =	0.317 MI

Prepared in the Office of:  
**DIVISION OF HIGHWAYS**  
1000 Birch Ridge Dr., Raleigh NC, 27610

2012 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:  
SEPTEMBER 27, 2012

LETTING DATE:  
OCTOBER 15, 2013

REKHA PATEL, PE  
PROJECT ENGINEER

BRIAN P. ROBINSON  
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

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

ROADWAY DESIGN ENGINEER

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

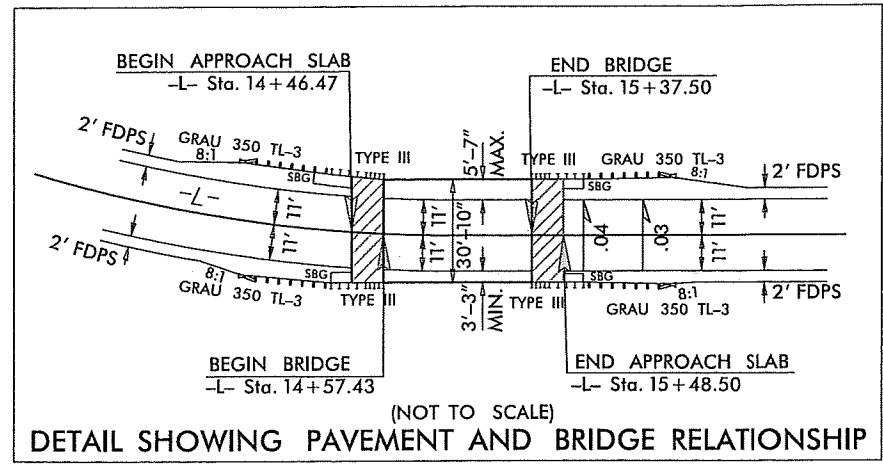
Permit Drawing  
Sheet 1 of 3

SYSTEMS  
DESIGN  
USER NAME

8/17/99

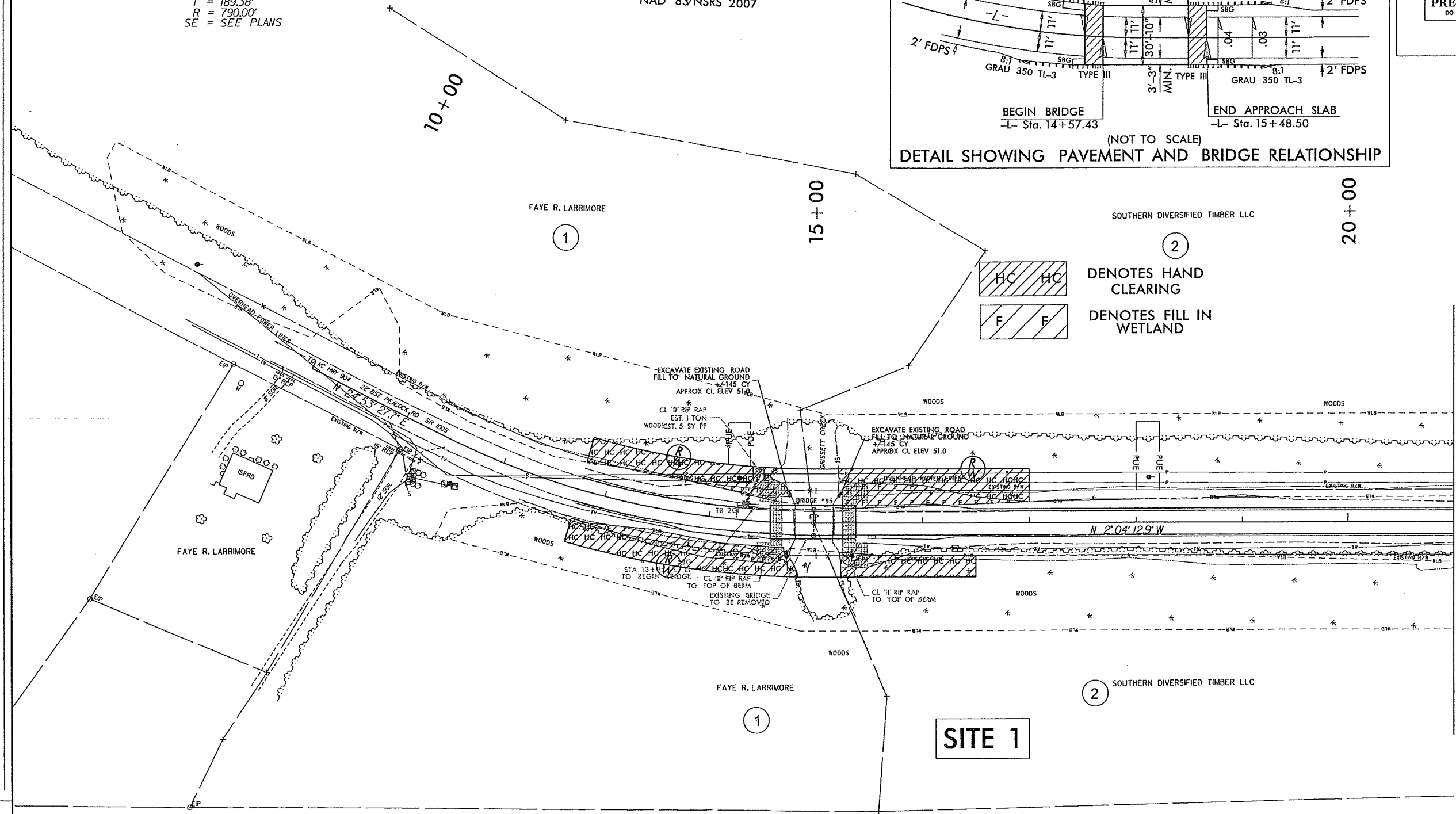
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Δ = 26° 57' 40.6" (LT)  
D = 7' 15" 09.5"  
L = 371.74'  
T = 189.38'  
R = 790.00'  
SE = SEE PLANS

NAD 83/NSRS 2007



PROJECT REFERENCE NO. B-5115	SHEET NO. 4
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

REVISIONS



MATCHLINE SEE SHEET "5" STA 21+00

4/7/2013  
B5115\_Hyd-prm-wet.psh04.dgn  
User: bclm

Permit Drawing  
Sheet 2 of 8  
Revised 4/8/13

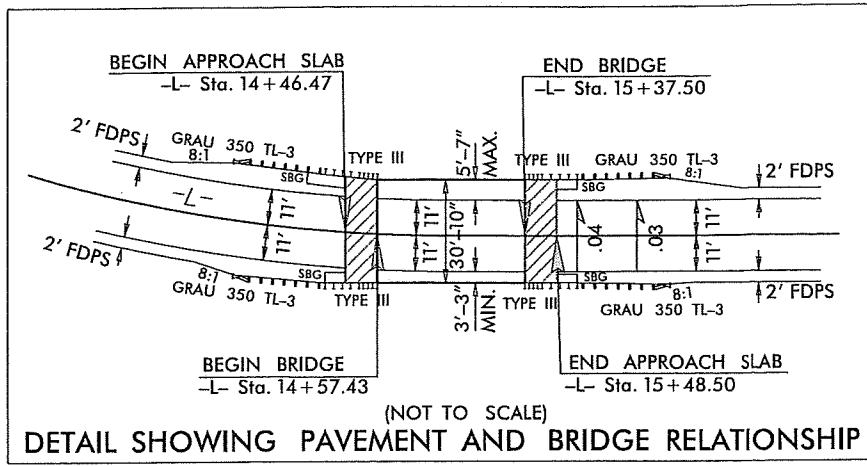
NOTE: SEE SHEET NO. 6 FOR -L- PROFILE



8/17/99

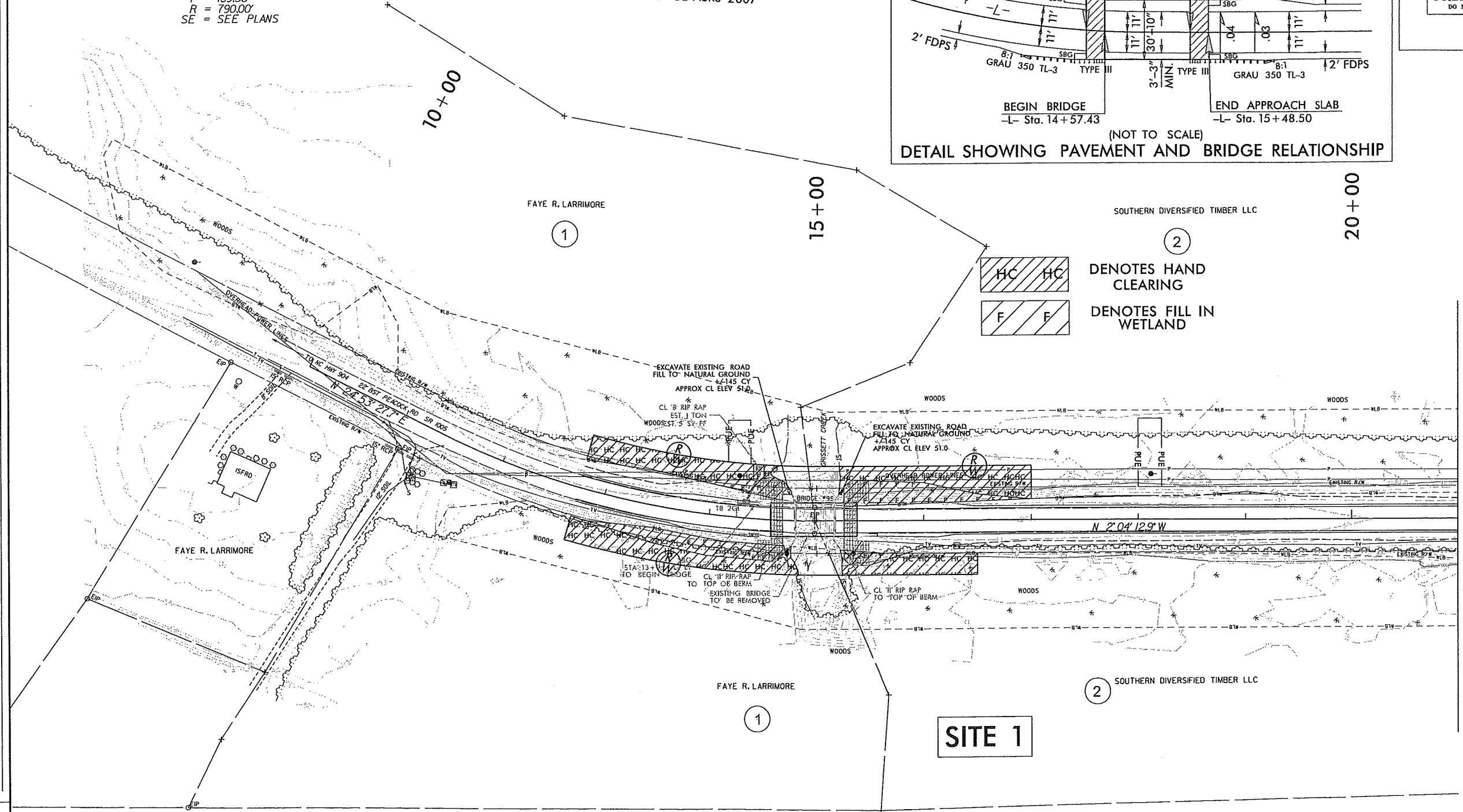
PI Sta 13+18.22  
Δ = 26° 57' 40.6" (LT)  
D = 7' 15" 09.5"  
L = 371.74'  
T = 189.38'  
R = 790.00'  
SE = SEE PLANS

NAD 83/NSRS 2007



PROJECT REFERENCE NO. B-5115	SHEET NO. 4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

REVISIONS



HC HC DENOTES HAND CLEARING  
F F DENOTES FILL IN WETLAND

MATCHLINE SEE SHEET "5" STA 21+00

SITE 1

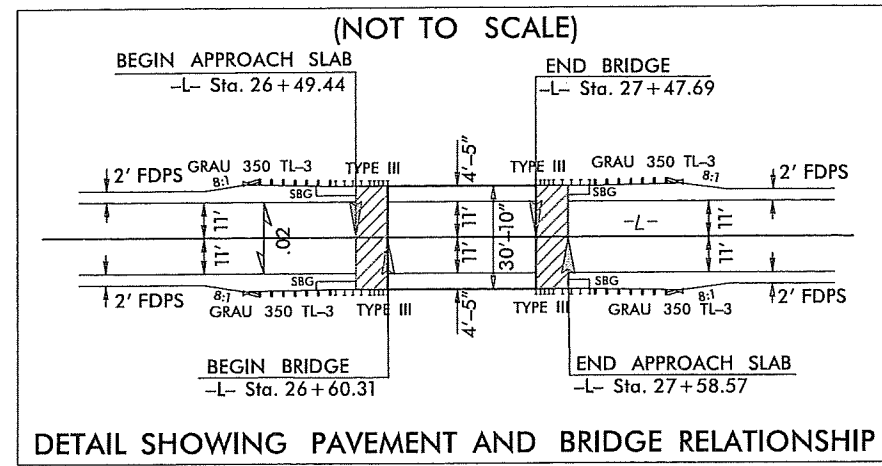
Permit Drawing  
Sheet 3 of 8  
Revised 4/8/13

NOTE: SEE SHEET NO. 6 FOR -L- PROFILE

4/7/2013  
B5115.dwg  
user: dalan

B/17/99

PROJECT REFERENCE NO. B-5115	SHEET NO. 5
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	



MATCHLINE SEE SHEET "4" STA 21+00

NAD 83/NSRS 2007

2 SOUTHERN DIVERSIFIED TIMBER LLC

25+00

HC HC DENOTES HAND CLEARING

F F DENOTES FILL IN WETLAND

30+00

DIANA GASKINS HARDWICK

3

WOODS

EXCAVATE EXISTING ROAD  
FILL TO NATURAL GROUND  
+485 CY  
APPROX CL ELEV 51.0

EXISTING BRIDGE  
TO BE REMOVED

22' B51 PEACOCK RD SR 1005  
N 2° 04' 12.9" W

N 2° 04' 12.9" W TO CHADBURN

CL 1' RIP RAP  
EST. 1 TON  
EST 5 SY FF

CL 1' RIP RAP  
TO TOP OF BERM  
EXCAVATE EXISTING ROAD  
FILL TO NATURAL GROUND  
+4170 CY  
APPROX CL ELEV 51.0

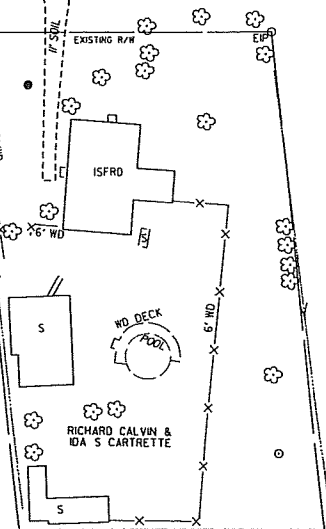
2 SOUTHERN DIVERSIFIED TIMBER LLC

SITE 2

DIANA GASKINS HARDWICK

3

CULTIVATED



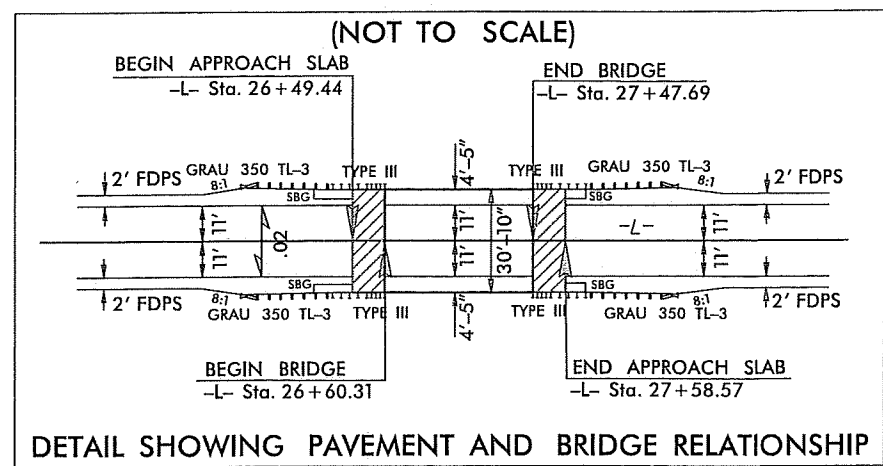
REVISIONS

4/7/2013  
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User: b5115

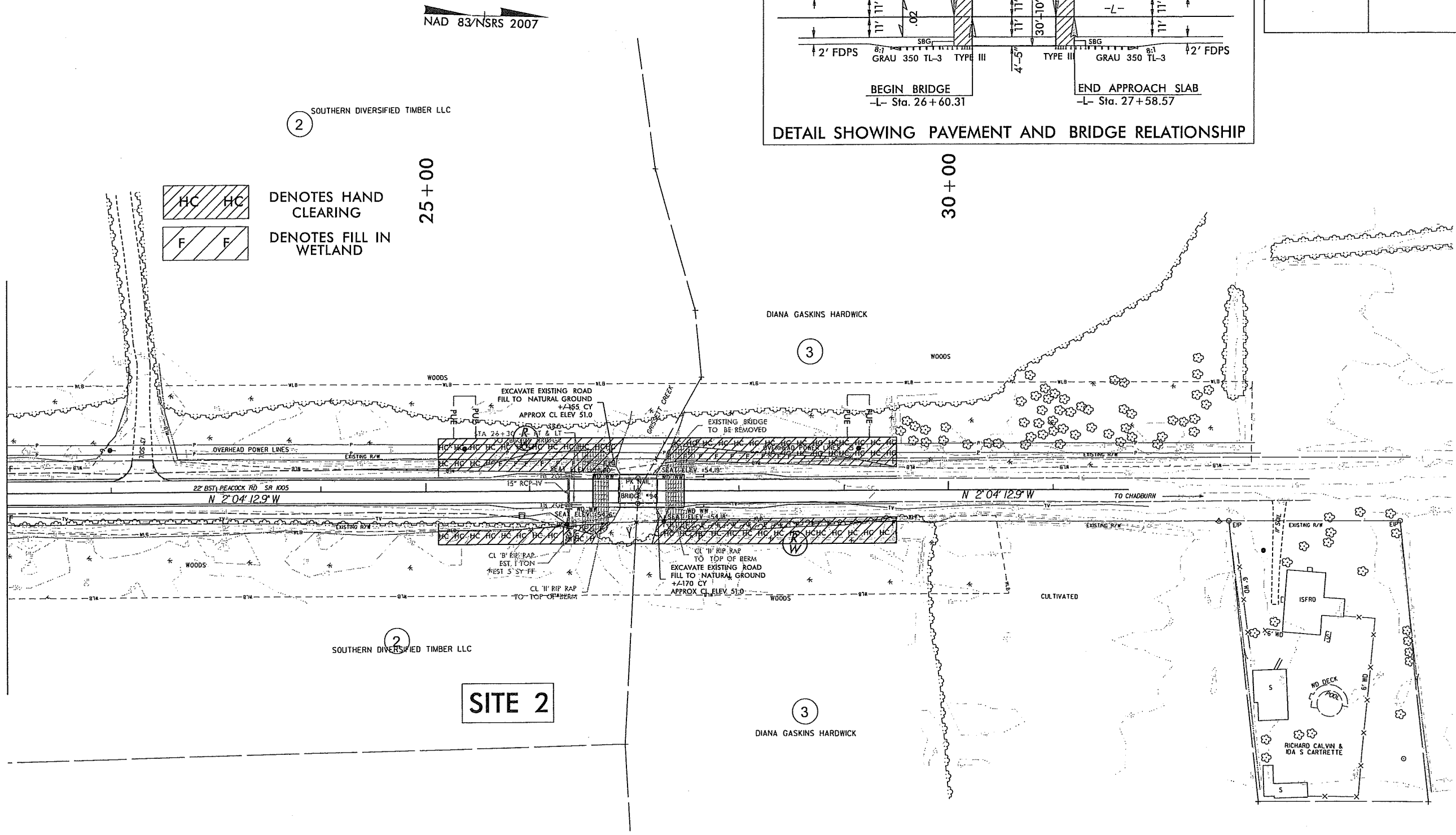
Permit Drawing  
Sheet 4 of 8  
Revised 4/8/13

NOTE: SEE SHEET NO. 6 FOR -L- PROFILE

PROJECT REFERENCE NO. B-5115	SHEET NO. 5
RW SHEET NO. ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	



MATCHLINE SEE SHEET "4" STA 21+00



REVISIONS

8/17/99  
6/1/05  
User: jml

Permit Drawing  
Sheet 5 of 8  
Revised 4/8/13

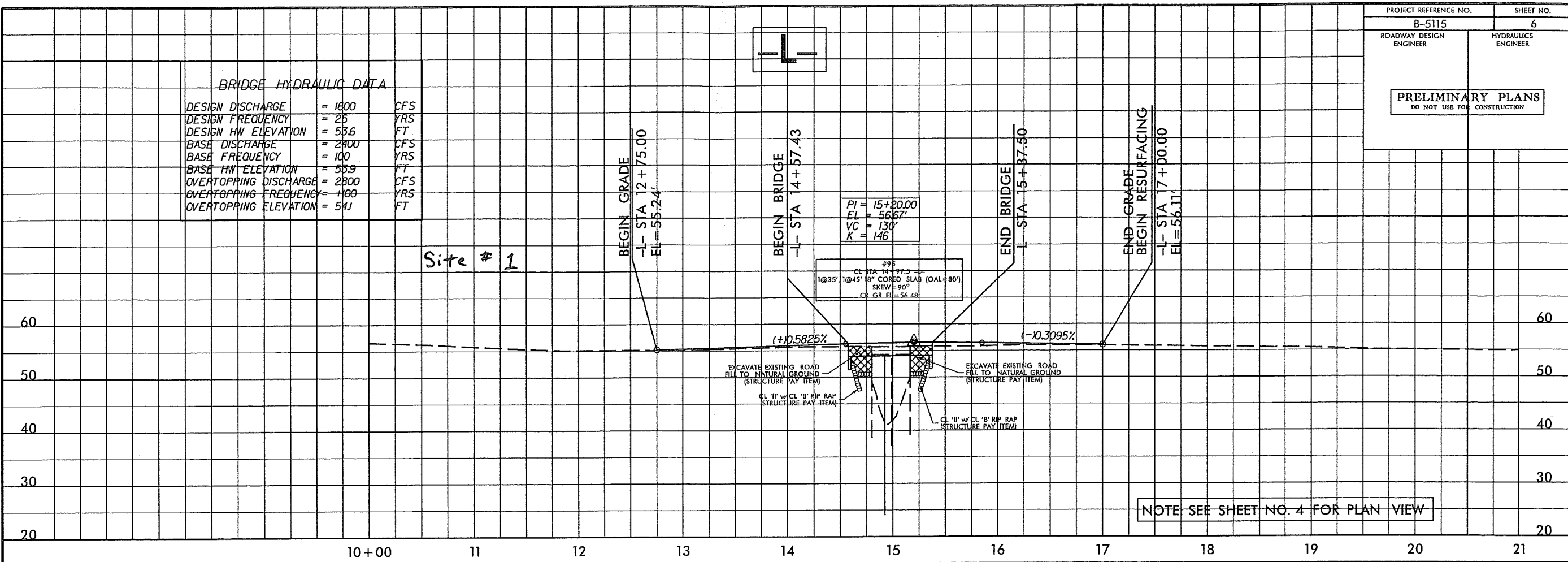
NOTE: SEE SHEET NO. 6 FOR -L- PROFILE

5/28/99

PROJECT REFERENCE NO. B-5115	SHEET NO. 6
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

**BRIDGE HYDRAULIC DATA**

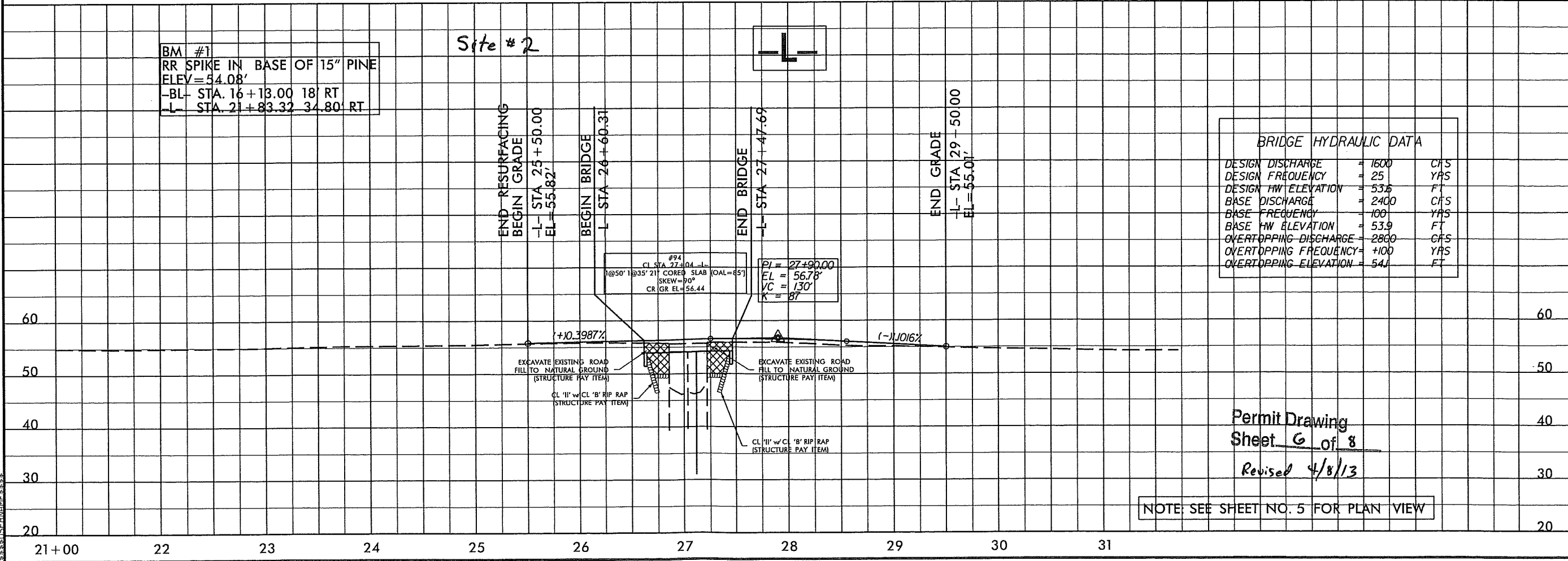
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DESIGN FREQUENCY	= 25	YRS
DESIGN HW ELEVATION	= 53.6	FT
BASE DISCHARGE	= 2400	CFS
BASE FREQUENCY	= 100	YRS
BASE HW ELEVATION	= 53.9	FT
OVERTOPPING DISCHARGE	= 2800	CFS
OVERTOPPING FREQUENCY	= 100	YRS
OVERTOPPING ELEVATION	= 54.1	FT



NOTE: SEE SHEET NO. 4 FOR PLAN VIEW

**BM #1**  
RR SPIKE IN BASE OF 15" PINE  
ELEV = 54.08'  
-BL- STA. 16+13.00 18' RT  
-L- STA. 21+83.32 34.80' RT

**Site #2**



**BRIDGE HYDRAULIC DATA**

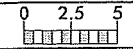
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DESIGN FREQUENCY	= 25	YRS
DESIGN HW ELEVATION	= 53.6	FT
BASE DISCHARGE	= 2400	CFS
BASE FREQUENCY	= 100	YRS
BASE HW ELEVATION	= 53.9	FT
OVERTOPPING DISCHARGE	= 2800	CFS
OVERTOPPING FREQUENCY	= 100	YRS
OVERTOPPING ELEVATION	= 54.1	FT

Permit Drawing  
Sheet 6 of 8  
Revised 4/8/13

NOTE: SEE SHEET NO. 5 FOR PLAN VIEW

5/28/99

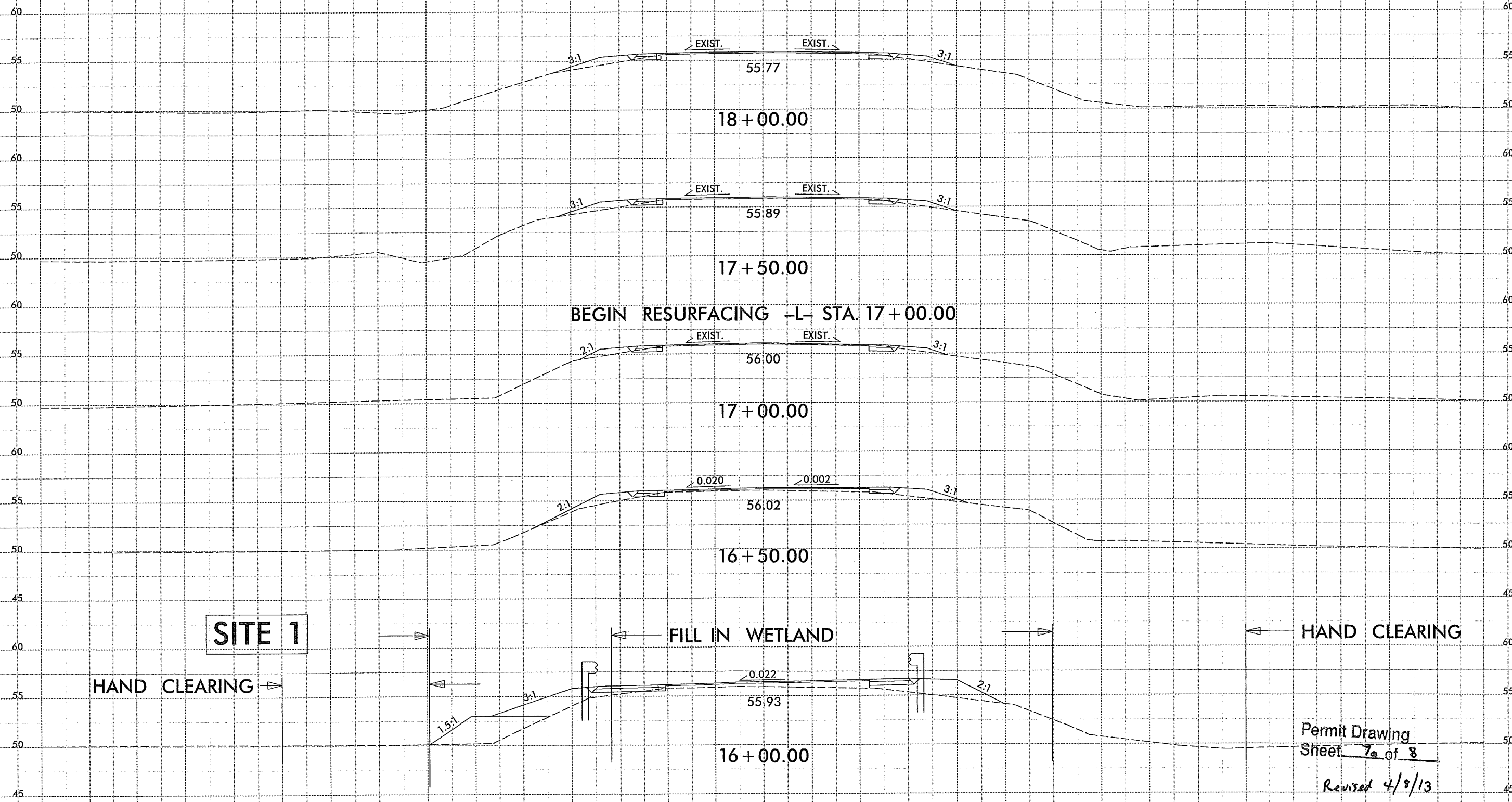
8/23/99



PROJ. REFERENCE NO.  
B-5115

SHEET NO.  
X-3

75 70 65 60 55 50 45 40 35 30 25 20 15 10 5 0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75



**SITE 1**

HAND CLEARING

FILL IN WETLAND

HAND CLEARING

Permit Drawing  
Sheet 7a of 8  
Revised 4/8/13

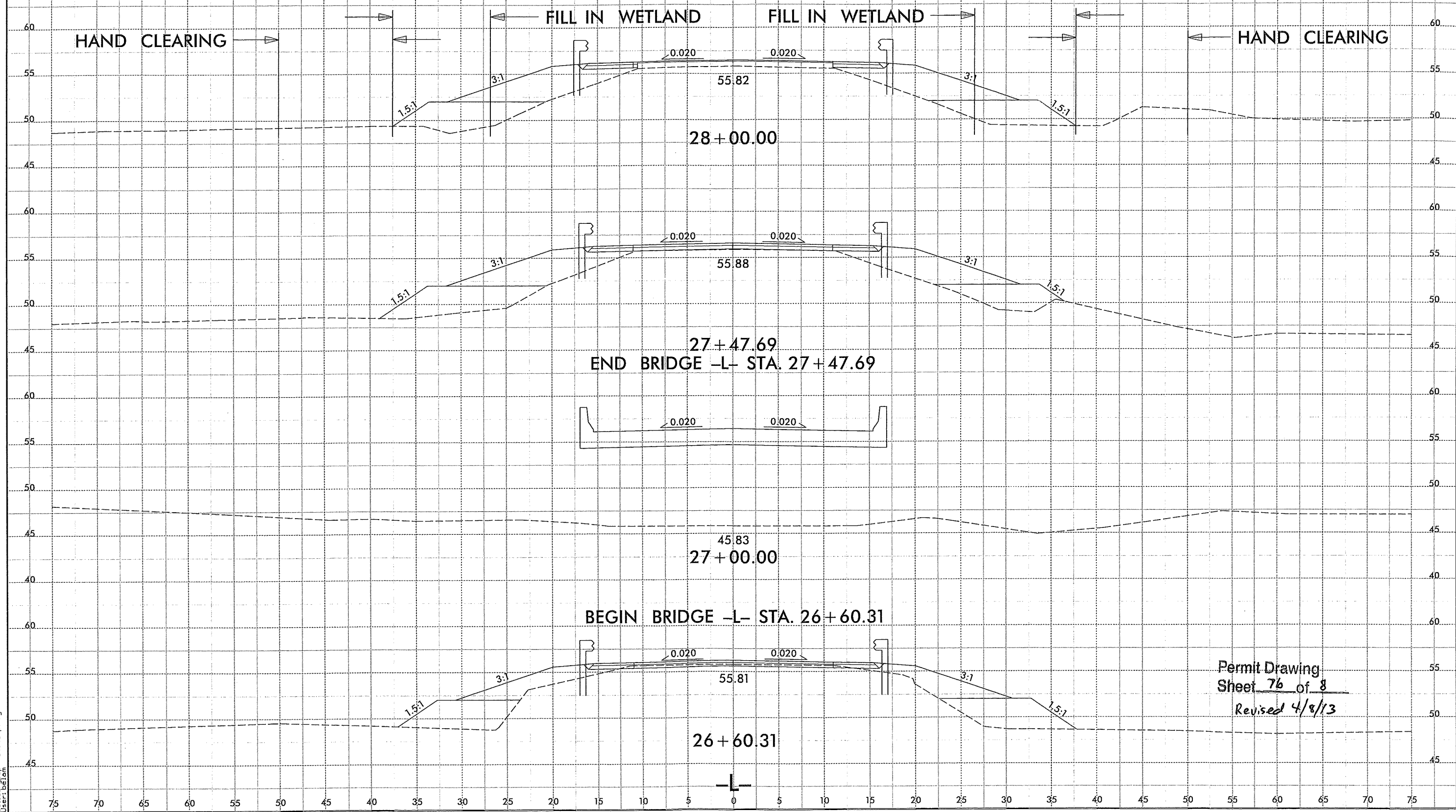
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User: bblom

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8/23/99

0	2.5	5	PROJ. REFERENCE NO.	SHEET NO.
[Scale Bar]			B-5115	X-7

# SITE 2



Permit Drawing  
 Sheet 76 of 8  
 Revised 4/8/13

4/7/2013  
 B5115\_hyd\_prm\_wet\_xpl.dgn  
 User: belsm

**WETLAND PERMIT IMPACT 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)				
	12+75 to 29+50 -L-	FILL	0.29				0.57									
<b>TOTALS:</b>			0.29				0.57									

Note: 0.05 acres of Temporary Fill in Wetlands will be needed in the Hand Clearing areas for erosion control measures.

NC DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 COLUMBUS COUNTY  
 WBS - 42255.1.1 (B-5115)

ATN Revised 3/31/05

SHEET

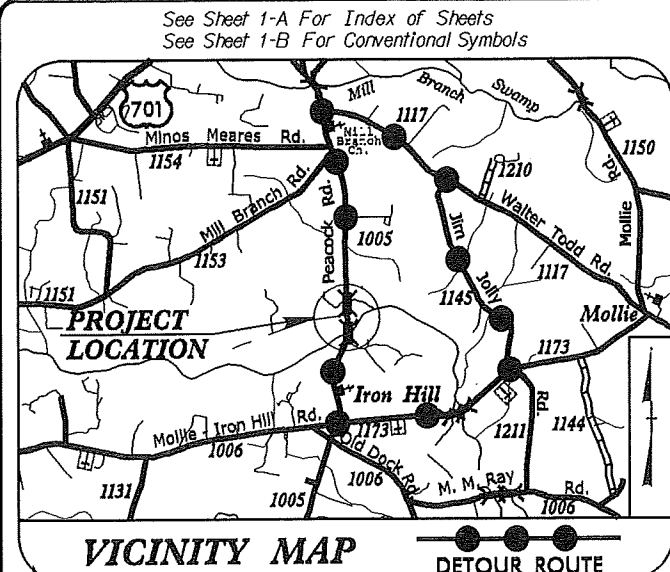
of

3/21/2013

09/08/2011

**TIP PROJECT: B-5115**

**CONTRACT:**



STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

# COLUMBUS COUNTY

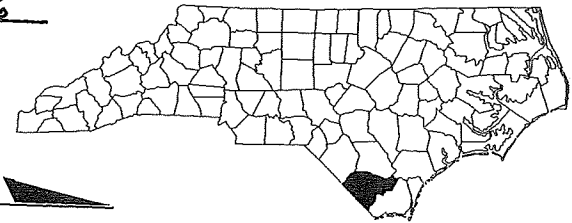
**NEU PERMIT PLANS**  
(December 17, 2012)

**LOCATION: BRIDGES NO. 94 & 95 ON SR 1005 (PEACOCK ROAD)  
OVER GRISSETT CREEK**

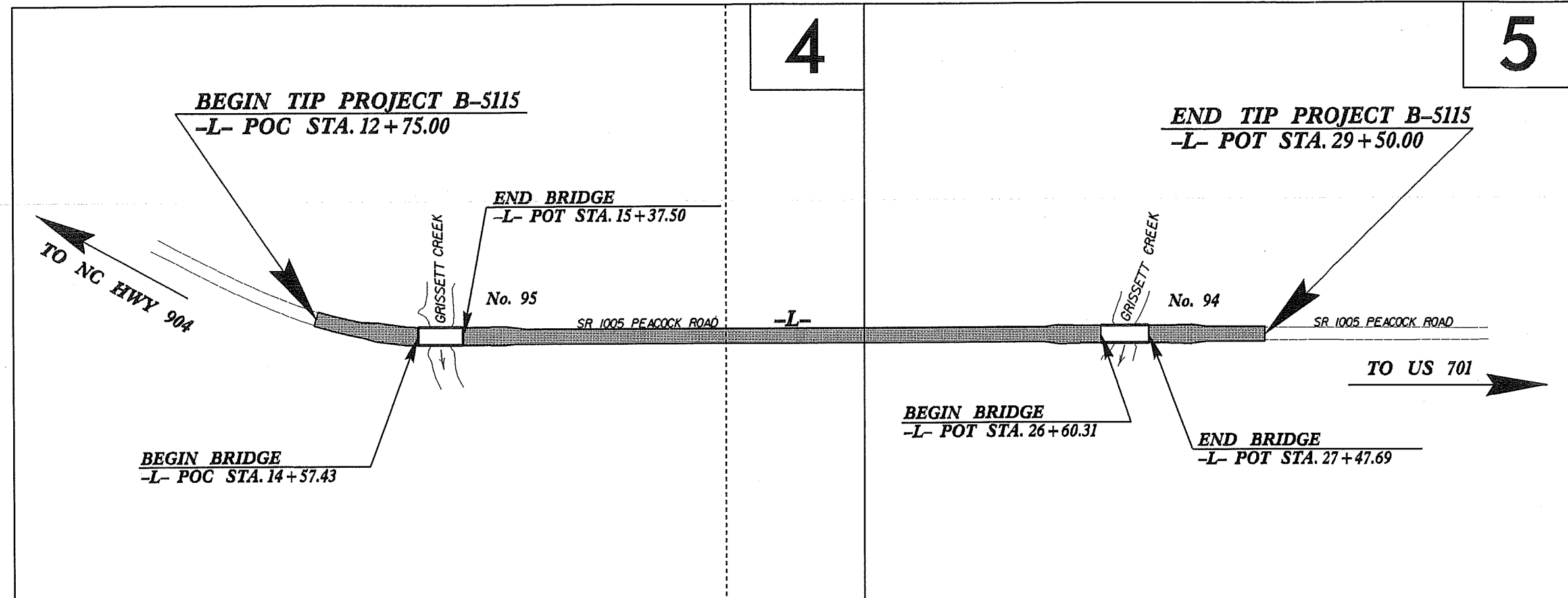
**TYPE OF WORK: GRADING, DRAINAGE, PAVING AND STRUCTURES**

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-5115	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
42255.1.1	BRSTP-1005(20)	PE	
42255.2.1	BRSTP-1005(20)	R/W & UTIL	

Utility Permit Drawing  
Sheet 1 of 6



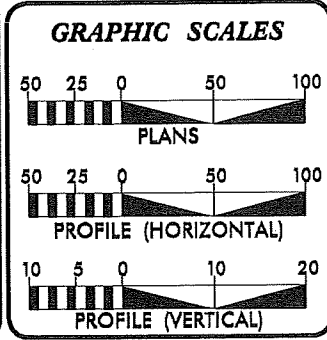
NAD 83/  
NSRS 2007



**THERE IS NO CONTROL OF ACCESS ON THIS PROJECT.  
THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES.**

**CLEARING ON THIS PROJECT SHALL BE PERFORMED  
TO THE LIMITS ESTABLISHED BY METHOD II.**

PRELIMINARY PLANS  
FOR CONSTRUCTION



**DESIGN DATA**

ADT 2012 =	2050
ADT 2033 =	3100
DHV =	12 %
D =	60 %
T =	5 % *
V =	50 MPH
*(TTST 1% + DUAL 4%)	
FUNC CLASS =	LOCAL
SUB-REGIONAL TIER	

**PROJECT LENGTH**

LENGTH ROADWAY TIP PROJECT B-5115 =	0.285 MI
LENGTH STRUCTURE TIP PROJECT B-5115 =	0.032 MI
TOTAL LENGTH TIP PROJECT B-5115 =	0.317 MI

Prepared in the Office of:  
**DIVISION OF HIGHWAYS**  
1000 Birch Ridge Dr., Raleigh NC, 27610

2012 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:  
SEPTEMBER 27, 2012

LETTING DATE:  
OCTOBER 15, 2013

REKHA PATEL, PE  
PROJECT ENGINEER

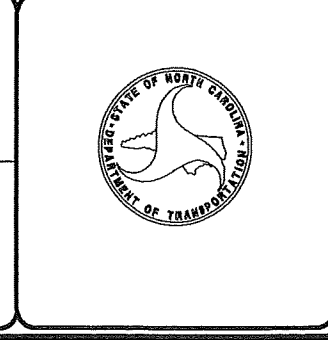
BRIAN P. ROBINSON  
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

ROADWAY DESIGN ENGINEER

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

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



27-FEB-2013 11:14  
RAY\Utilities\RDY\_UH\Proj\NEU\B5115\_NEU\_L\_rdy\_tsh.dgn  
\$\$\$\$\$USERNAME\$\$\$\$\$







5/14/99  
27-FEB-2015 08:55 NEU.B5115.NEU.Ut.LCput.dgn

# TV-1

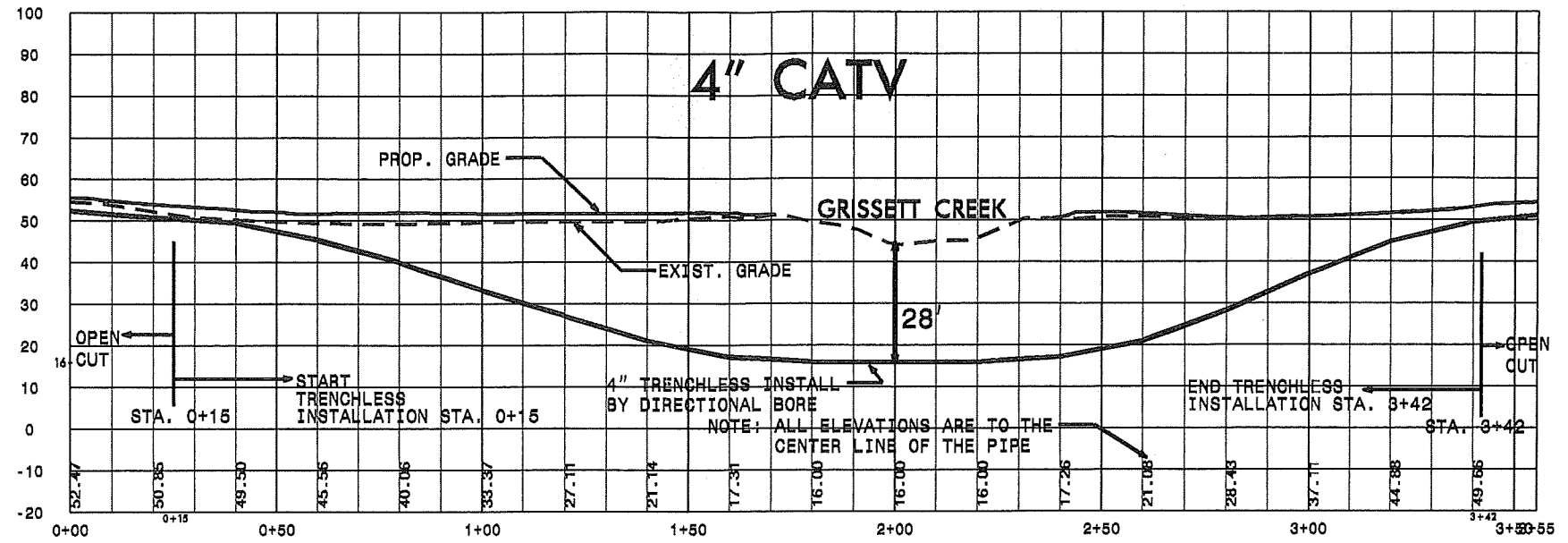
**NEU PERMIT PLANS**  
(December 17, 2012)

PROJECT REFERENCE NO.	SHEET NO.
B-5115	5A
DESIGNED BY: NSH	
DRAWN BY: NSH	
CHECKED BY: CDB	
APPROVED BY: CDB	
REVISED BY: CDB	
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC.	
PHONE: (919) 707-6690	UTILITY CONSTRUCTION PLANS ONLY
FAX: (919) 250-4151	

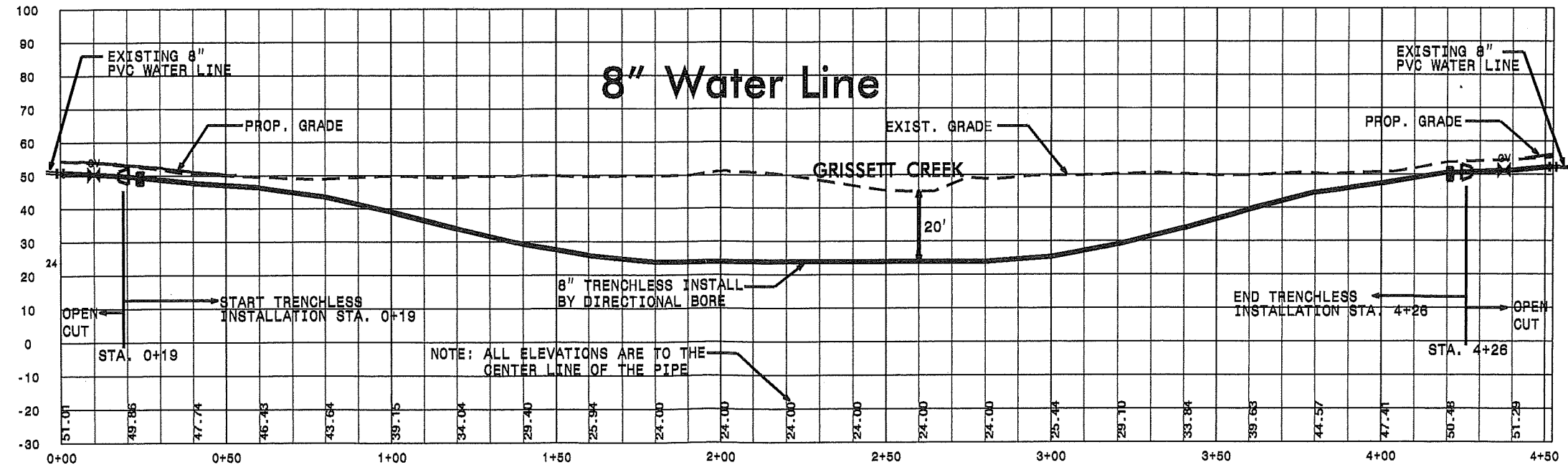
## UTILITY CONSTRUCTION

PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION

PLAN SCALE:  
1" = 20' (FULL-SIZE)  
1" = 40' (HALF-SIZE)




# WL-1



5/14/99  
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# TV-2

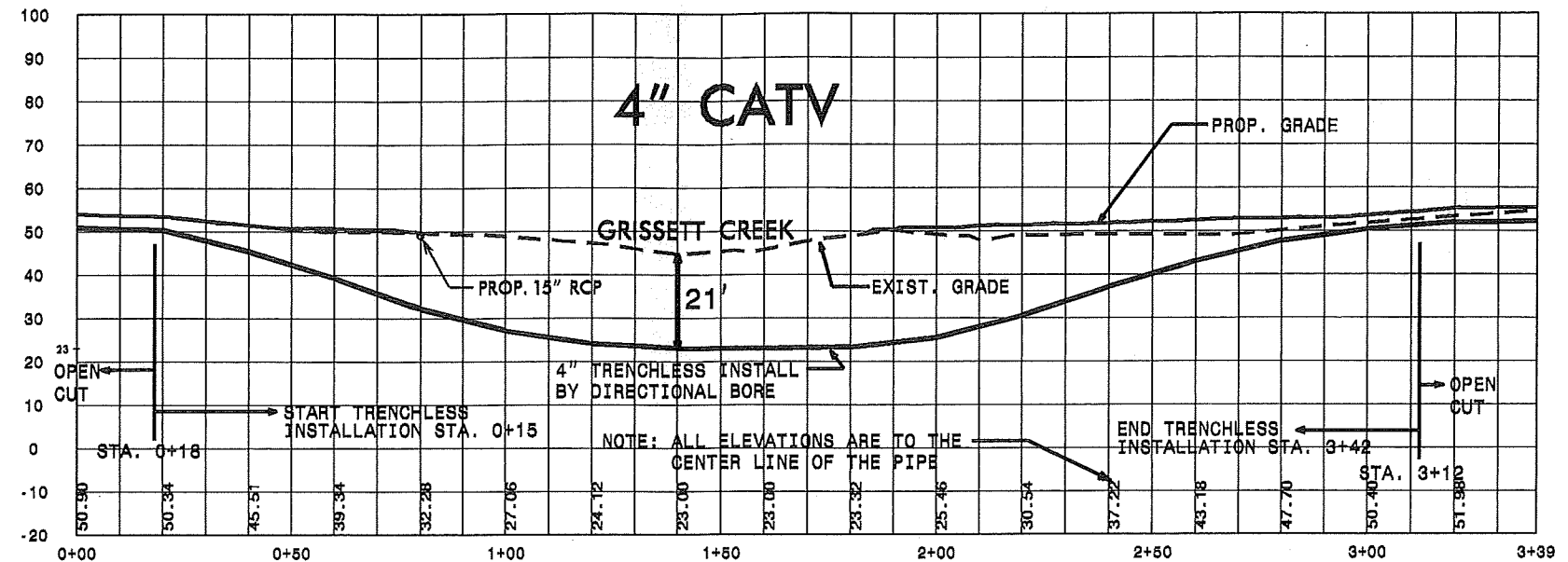
**NEU PERMIT PLANS**  
(December 17, 2012)

PROJECT REFERENCE NO.	SHEET NO.
B-5115	5B
DESIGNED BY: NSH	
DRAWN BY: NSH	
CHECKED BY: CDB	
APPROVED BY: <b>CD</b>	
REVISIONS:	
 NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
UTILITIES ENGINEERING SEC. PHONE: (919) 707-6690 FAX: (919) 250-4151	UTILITY CONSTRUCTION PLANS ONLY

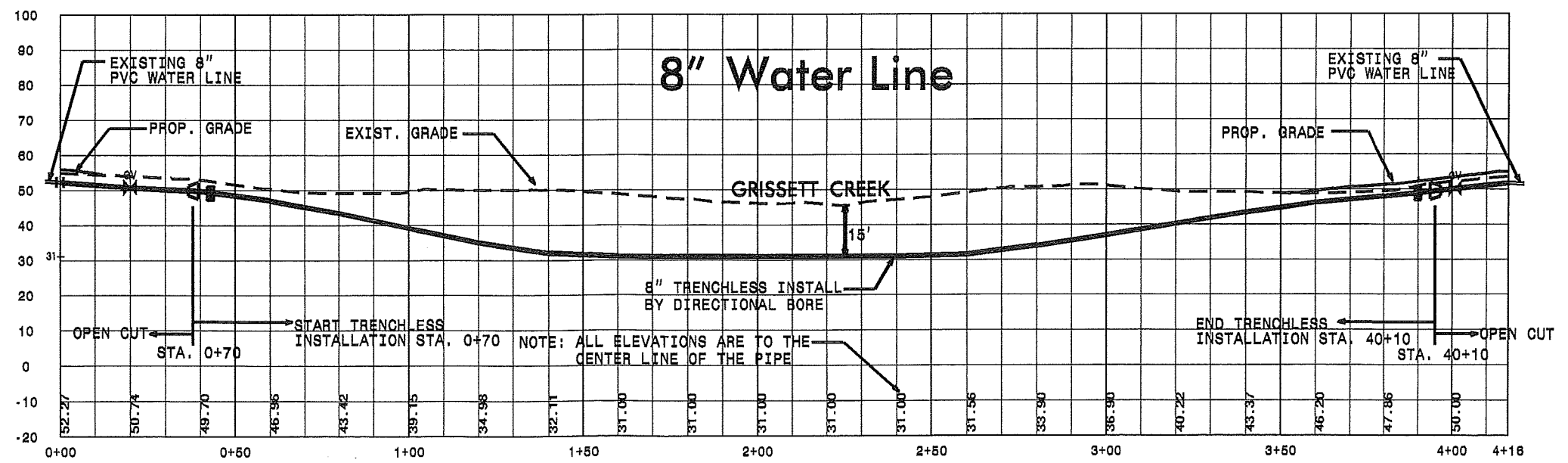
## UTILITY CONSTRUCTION

**PRELIMINARY PLANS**  
DO NOT USE FOR CONSTRUCTION

PLAN SCALE:  
 1" = 20' (FULL-SIZE)  
 1" = 40' (HALF-SIZE)



# WL-2



**WETLAND PERMIT IMPACT 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	-L-14+08 TO 14+31	MAST ARM					0.02										
2	-L-18+00 TO 18+22	MAST ARM					0.04										
2A	-L-16+54 TO 16+74	Temp. Excav.			* < 0.01												
3	-L-25+27 TO 25+48	MAST ARM					0.02										
4	-L-29+03 TO 29+24	MAST ARM					0.02										
<b>TOTALS:</b>			0.00	0.00	< 0.01	0.00	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

NC DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 COLUMBUS COUNTY  
 TIP PROJECT (B-5115)

\* Temporary Excavation

Rev. 4/09/2013