



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

July 27, 2007

MEMORANDUM TO: Mr. C. E. Lassiter, Jr., PE
Division Two Engineer

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

SUBJECT: Beaufort County, Improvements to US 17 over the Tar
River; T.I.P. Number R-2510; Federal Aid Project MAF-
75-3 (26); State Project 8.T150601

A handwritten signature in black ink, appearing to read "Philip S. Harris, III".

Attached are the modifications to the U. S. Army Corps of Engineers 404 Individual Permit, the special conditions for the 401 Water Quality Certification and the CAMA Consistency Concurrence for the above referenced project. All environmental permits have been received for the construction of this project.

PSH/gyb

Attachment

Cc:

Mr. Majed Alghandour, P. E., Programming and TIP
Mr. Jay Bennett, P.E., Roadway Design
Dr. David Chang, P.E., Hydraulics
Mr. Randy Garris, P.E. State Contract Officer
Mr. Art McMillan, P.E., Highway Design
Mr. Greg Perfetti, P.E., Structure Design
Mr. Mark Staley, Roadside Environmental
Mr. John F. Sullivan, FHWA
Mr. Rob Hanson, P.E., PDEA Eastern Region Unit Head
Mr. Jay B. Johnson, Division Environmental Officer



IN REPLY REFER TO

**DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS**

Washington Regulatory Field Office
P.O. Box 1000
Washington, North Carolina 27889-1000

July 13, 2007

RECEIVED

JUL 19 2007

DIVISION OF HIGHWAYS
PDEA-OFFICE OF NATURAL ENVIRONMENT

Regulatory Division

ORM ID SAW-199301143

Dr. Gregory J. Thorpe, Ph. D.
Environmental Manager Director
Project Development and Environmental Analysis Branch
NC Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Dear Dr. Thorpe:

Reference the Department of the Army permit issued to you on January 17, 2006, for Section A and January 17, 2007, for Section B of the U.S. Highway 17 Washington Bypass project (R-2510), starting from 0.5 mile south of Possum Track Road (NCSR 1127) south of Chocowinity, in Beaufort County and ending at US 17 north of SR 1509 (Springs Road), and your written request of June 4, 2007, for permit modification to Section A and your written requests of June 4, 2007 and July 2, 2007, for permit modification to Section B. The permit modification requests are as follows:

Section A	Sheets 9 & 10	0.15 acres of additional hand clearing for powerline
Section B	Site 4	0.05 acres of additional permanent wetland impacts
Section B	Site 6	0.32 acres of additional hand clearing on south end
Section B	Site 6	0.08 acres of additional hand clearing on north end
Section B	Site 6	Temporary use of mats in wetlands

The permit is hereby modified to include the work as indicated above and shown on the enclosed plans. It is understood that all conditions of the original permit remain applicable and that the expiration date is unchanged.

Sincerely,

David M. Lekson, P.W.S.
Chief, Washington Regulatory Field Office

Enclosures

Copies Furnished (without enclosures):

Mr. Steve Sollod
Division of Coastal Management
1638 Mail Service Center
Raleigh, North Carolina 27699-16387

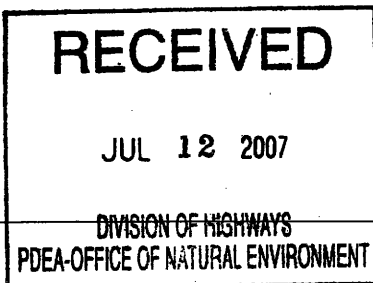
Mr. John Hennessy
Water Quality Section
Division of Environmental Management
North Carolina Department of Environment
and Natural Resources
1650 Mail Service Center
Raleigh, North Carolina 27699-1650

Mr. Travis Wilson
Eastern Region Highway Project Coordinator
Habitat Conservation Program
1142 I-85 Service Road
Creedmoor, North Carolina 27522

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

Mr. Ron Sechler
National Marine Fisheries Service
101 Pivers Island
Beaufort, North Carolina 28516

Mr. Chris Militscher
C/O FHWA
U.S. Environmental Protection Agency
Raleigh Office
310 New Bern Avenue, Room 206
Raleigh, North Carolina 27601



Michael F. Easley, Governor

William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources

Coleen H. Sullins Director
Division of Water Quality

July 9, 2007

Dr. Greg Thorpe, PhD., Manager
Project Development and Environmental Analysis Branch
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina, 27699-1548

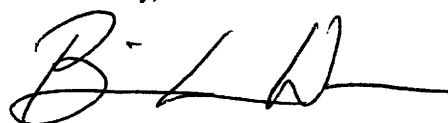
Subject: Modification to the 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act and Tar-Pamlico River Buffer Authorization, with Additional Conditions for Proposed Improvements to US 17 (Washington Bypass) in Beaufort County, Federal Aid Project No. MAF-75-3 (26), State Project No. 8.T150601, TIP R-2510A.
DWQ Project No. 20050785 v.4

Dear Dr. Thorpe:

Attached hereto is a modification of Certification No. 3527 issued to The North Carolina Department of Transportation dated September 6, 2005, and modified January 24, 2007, and February 13, 2007. This modification is applicable only to the additional proposed activities in R-2510 section A. All the authorized activities and conditions, associated with the original Water Quality Certification dated September 6, 2005 and subsequent modifications still apply except where superceded by this certification.

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

Sincerely,



Coleen H. Sullins
Director

Attachments

cc: Wilmington District Corps of Engineers
Mr. William Wescott, Corps of Engineers, Washington Field Office
Kathy Matthews, US EPA, Region IV
Mr. Jay Johnson, Division 2 Environmental Officer, PO Box 1587, Greenville, NC 27835
Mr. Steven Sollod, NCDENR- DCM, 2728-168 Capital Blvd., Parker Lincoln Bldg., Raleigh, NC 27604
Mr. Garcy Ward, NC DWQ, Washington Regional Office
Central Files
File Copy

Modification to the 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act and Tar-Pamlico River Buffer Authorization, 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 Quality (DWQ) Regulations in 15 NCAC 2H .0500 and 15A NCAC 2B.0259. This certification authorizes the NCDOT to impact an additional 0.15 acres of jurisdictional wetlands, and an additional 1,608 square feet of protected riparian buffers in R-2510 section A in Beaufort County. The project shall be constructed pursuant to the modification dated received June 11, 2007. The authorized impacts are as described below:

Wetland Impacts in the Tar-Pamlico River Basin

Site	Fill (ac)	Fill (temporary) (ac)	Excavation (ac)	Mechanized Clearing (ac)	Hand Clearing (ac)	Total Wetland Impact (ac)
Original approved impacts at R-2510A, Site 6	1.0470	0	0	0.1639	0	1.2109
New additional impacts with this approval at R-2510A, Site 6	0	0	0	0	0.15	0.15
Total	1.0470	0	0	0.1639	0.15	1.3609

Total Wetland Impacts for Site 6: 1.3609 acres.

Tar-Pamlico Riparian Buffer Impacts

Site	Zone 1 Impact (sq ft)	minus Wetlands in Zone 1 (sq ft)	= Zone 1 Buffers (not wetlands) (sq ft)	Zone 1 Buffer Mitigation Required (using 3:1 ratio)	Zone 2 Impact (sq ft)	minus Wetlands in Zone 2 (sq ft)	= Zone 2 Buffers (not wetlands) (sq ft)	Zone 2 Buffer Mitigation Required (using 1.5:1 ratio)
Original approved impacts at R-2510A, Site 6	2,165.1	853	1,312.1	3,936.3	1,383.8	0	1,383.8	2,075.7
New additional impacts with this approval at R-2510A, Site 6	606	0	606	0*	1,002	0	1,002	0*
Totals	2,771.1	853	1,918.1	3,936.3	2,385.8	0	2385.8	2,075.7

* = no additional mitigation required [per 15A NCAC 2B .0259(6)] for overhead electric utility line relocation.

Total Buffer Impacts for Site 6: 5,156.9 square feet.

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

This approval is only valid for the purpose and design that you submitted in your modified application dated received June 11, 2007. All the authorized activities and conditions associated with the original Water Quality Certification dated September 6, 2005 still apply except where superceded by this certification. Should your project change, you are required to notify the DWQ 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 one acre or 150 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain

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

Condition(s) of Certification:

1. The only modifications to the design of the project authorized by this certification are those submitted in your application dated June 4, 2007 and received June 11, 2007. All authorized activities and conditions associated with the original Water Quality Certification dated September 6, 2005 and all other subsequent modifications still apply except where superceded by this certification.
2. 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 DWQ 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, DWQ may reevaluate and modify this certification.
3. A copy of this Water Quality Certification shall be posted 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.

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.

If this Certification is unacceptable to you, you have the right to an adjudicatory hearing upon written request within sixty (60) days following receipt of this Certification. This request must be in the form of a written petition conforming to Chapter 150B of the North Carolina General Statutes and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. If modifications are made to an original Certification, you have the right to an adjudicatory hearing on the modifications upon written request within sixty (60) days following receipt of the Certification. Unless such demands are made, this Certification shall be final and binding.

This the 9th day of July, 2007

DIVISION OF WATER QUALITY



Coleen H. Sullins
Director

Certification of Completion

DWQ Project No.: _____ County: _____

Applicant: _____

Project Name: _____

Date of Issuance of Certification or Authorization: _____

Certificate of Completion

Upon completion of all work approved within the **401 Water Quality Certification and Buffer Rules**, and any subsequent modifications, the applicant is required to return this certificate to the 401 Oversight/Express Permitting Unit, North Carolina Division of Water Quality, 1650 Mail Service Center, Raleigh, NC, 27699-1650. This form may be returned to DWQ 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: _____

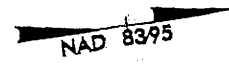
If this project was designed by a Certified Professional

I, _____, as a duly registered Professional _____ (i.e., Engineer, Landscape Architect, Surveyor, etc.) 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.

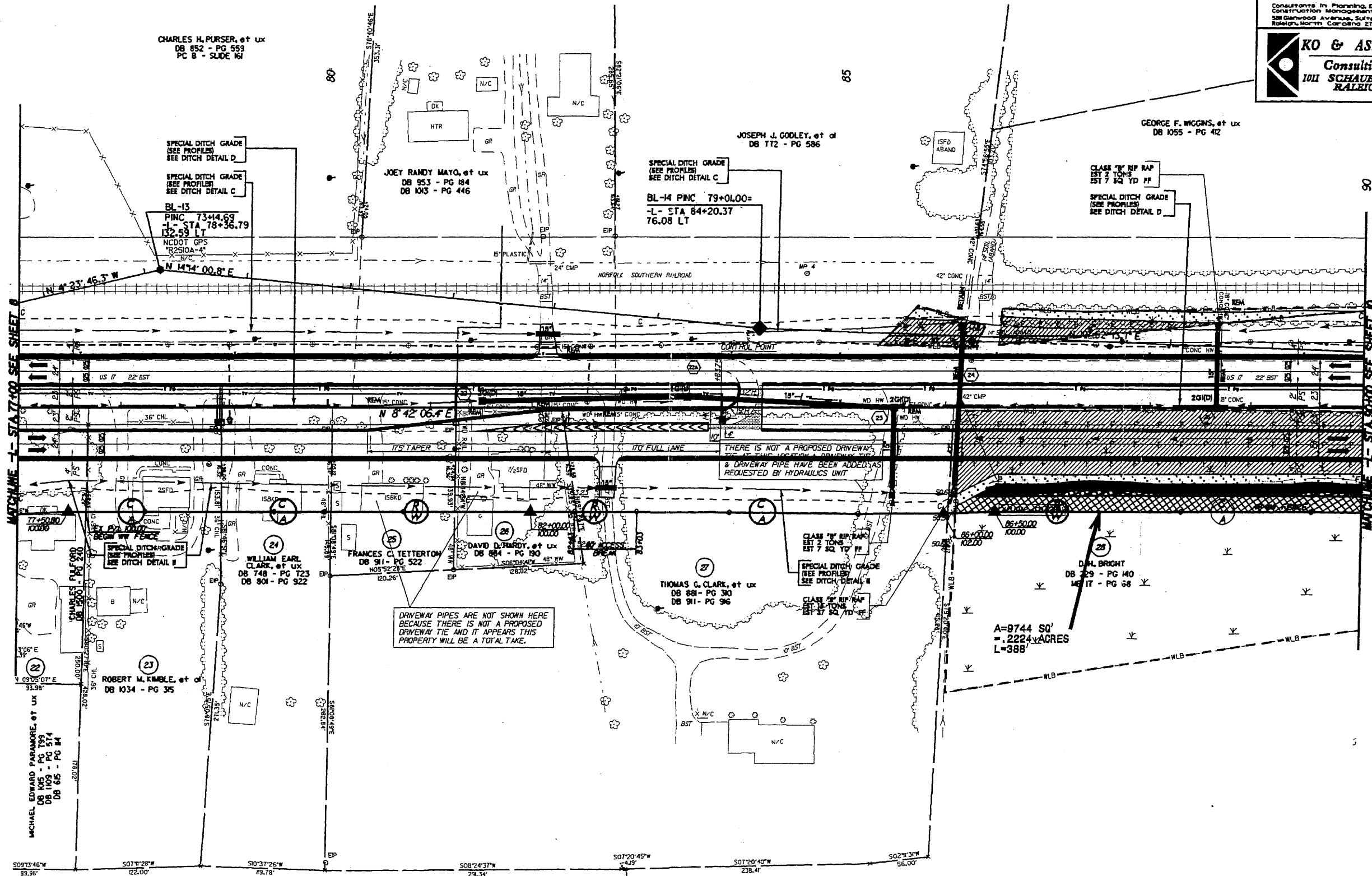
Signature: _____ Registration No. _____ Date _____

NOTE: ALL DRIVEWAY CONNECTIONS ARE 6" ABC UNLESS OTHERWISE NOTED

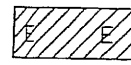
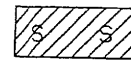

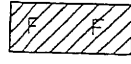

SEE SHEET 25 FOR -L- PROFILE SEE SHEET 2C FOR DITCH DETAILS ALL DRIVEWAYS ARE 16' WIDE WITH 10' RADIUS UNLESS OTHERWISE NOTED



PROJECT REFERENCE NO. R-2510A		SHEET NO. 9	
HWY SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
PRELIMINARY PLANS			
Permit Drawing Sheet _____ of _____			
Carter Burgess <small>Consultants in Planning, Engineering, Architecture, Construction Management and Related Services 381 Glenwood Avenue, Suite 300 Raleigh, North Carolina 27602</small>			
KO & ASSOCIATES, P.C. <small>Consulting Engineers 1011 SCHAUIG DR. SUITE #202 RALEIGH, N.C. 27606</small>			



DB-MAR-2007 13:32
\\util1\apps\cadd\2510a_wetland\2510a09.ktdgn

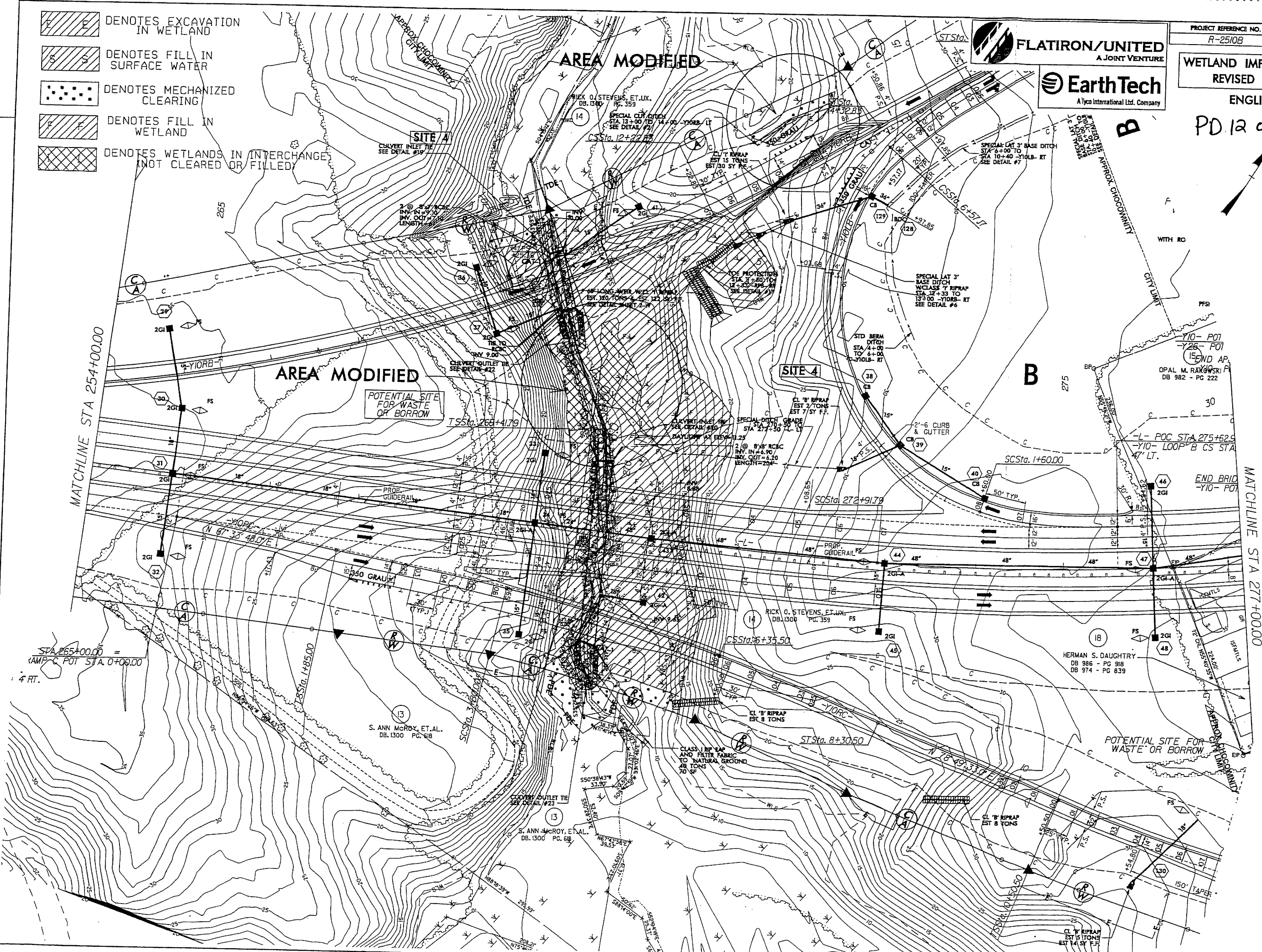
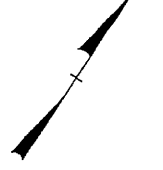
-  DENOTES EXCAVATION IN WETLAND
-  DENOTES FILL IN SURFACE WATER
-  DENOTES MECHANIZED CLEARING
-  DENOTES FILL IN WETLAND
-  DENOTES WETLANDS IN INTERCHANGE NOT CLEARED OR FILLED

FLATIRON/UNITED
A JOINT VENTURE

EarthTech
A Tyco International Ltd. Company

PROJECT REFERENCE NO. R-25108	SHEET NO. 7.5
WETLAND IMPACT SHEET	
REVISED 4/19/07	
ENGLISH	

PD 12 of 105



REVISIONS
 1) Added small wetland impact left of station 13+50 -Y10RFB- 4/19/07 - JGD
 2) Revised hatching of wetland impact inside buffers to "isolated wetlands - not cleared" - 4/19/07 - JGD

USER: #RUSEF**
 DATE: #04/19/07
 DWT: #04/19/07
 DOR: #04/19/07

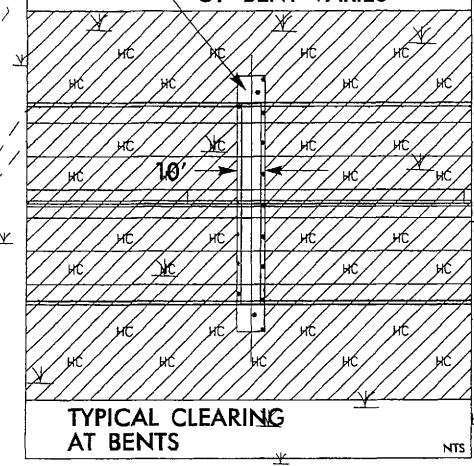
E DENOTES EXCAVATION
IN WETLAND

HC DENOTES HAND
CLEARING

HAND CLEARING REFERS TO
MACHINE CLEARING WITH
GRUBBING AT PIERS ONLY.
SEE DETAIL ON SHEET 12

**MECHANIZED
CLEARING**

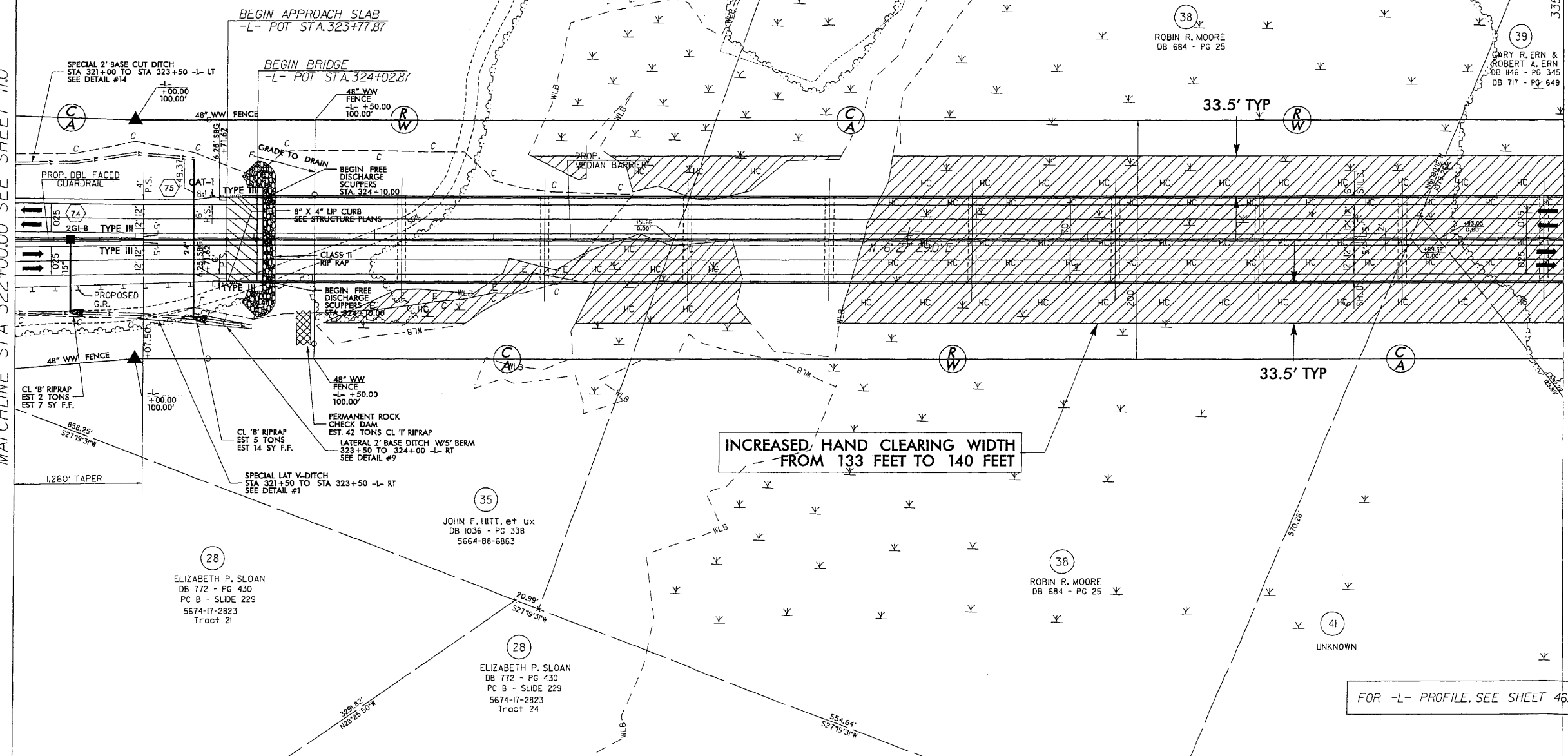
ENGLISH
DISTANCE TO CENTER
OF BENT VARIES



SITE 6

MATCHLINE STA 322+00.00 SEE SHEET 11.0

MATCHLINE STA 335+00.00 SEE SHEET 13.0



FOR -L- PROFILE, SEE SHEET 46.0 AND 47.0

REVISIONS
 1) Added Additional Clearing Limits From Beg Bridge to Bent 17 (Approx. Sta 325+50 to Sta 344+00 -L-) 06-01-07 JRH
 USER: s85uc88s
 DATE: s85dt88s
 TIME: s85t88s
 DWN: s85d88s



WETLAND IMPACT SHEET
REVISED 6-1-07

- DENOTES WETLAND MITIGATION SITES
- DENOTES FILL IN WETLAND
- DENOTES HAND CLEARING

HAND CLEARING REFERS TO MACHINE CLEARING WITH GRUBBING AT PIERS ONLY. SEE DETAIL ON SHEET 12

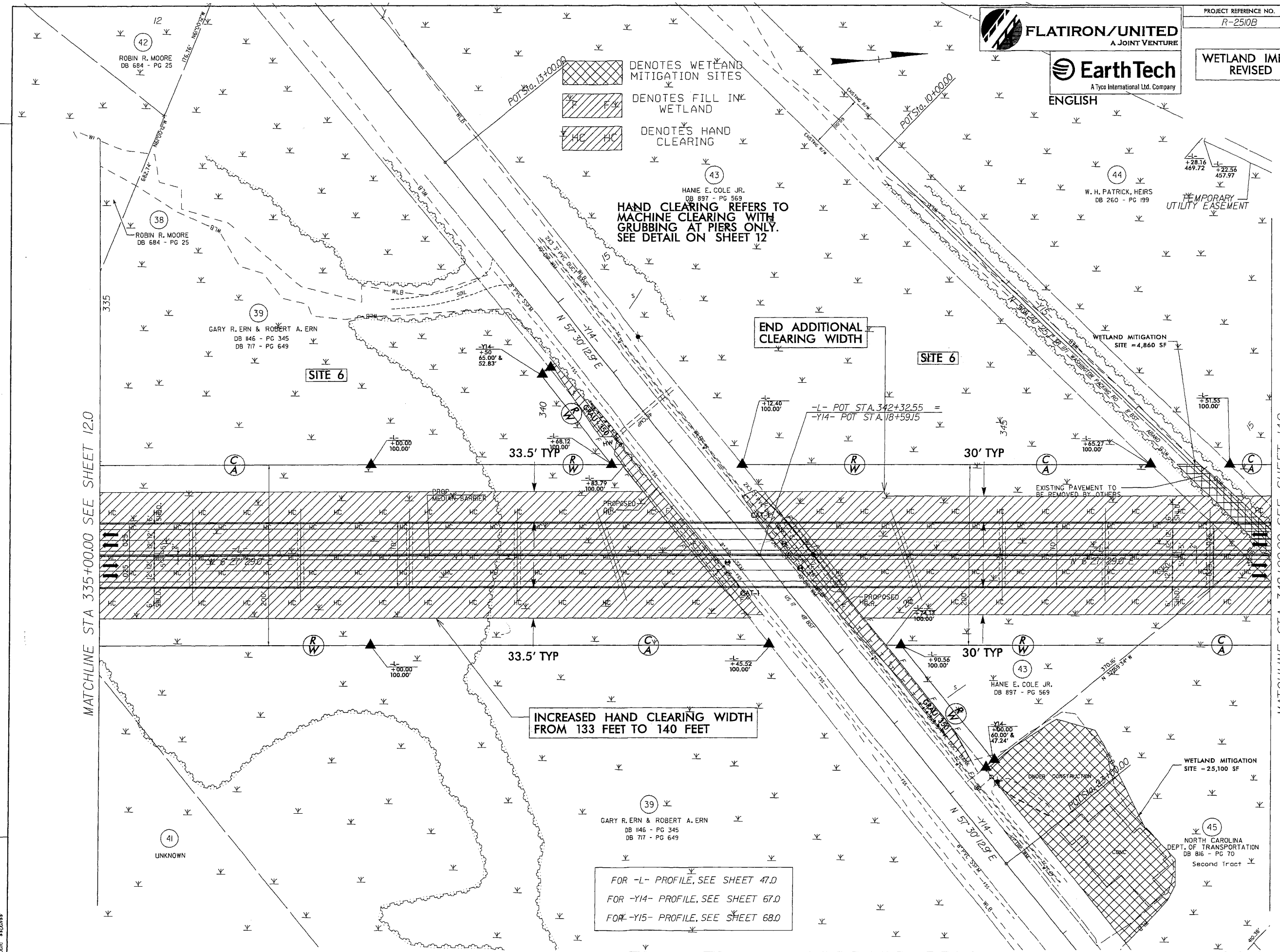
END ADDITIONAL CLEARING WIDTH

INCREASED HAND CLEARING WIDTH FROM 133 FEET TO 140 FEET

FOR -L- PROFILE, SEE SHEET 47.0
FOR -Y14- PROFILE, SEE SHEET 67.0
FOR -Y15- PROFILE, SEE SHEET 68.0

REVISIONS
 1) Added Additional Clearing Limits From Beg Bridge to Bent 17 (Approx. Sta 325+50 to Sta 344+00 -L-) 06-01-07 JRH

USER: #445624#
 DATE: #04/28/07
 TIME: #12:58:58
 DCR: #4028#



MATCHLINE STA 335+00.00 SEE SHEET 12.0

MATCHLINE STA 348+00.00 SEE SHEET 14.0

12
ROBIN R. MOORE
DB 684 - PG 25

38
ROBIN R. MOORE
DB 684 - PG 25

39
GARY R. ERN & ROBERT A. ERN
DB 146 - PG 345
DB 717 - PG 649

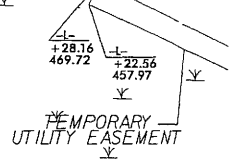
43
HANIE E. COLE JR.
DB 897 - PG 569

44
W. H. PATRICK, HEIRS
DB 260 - PG 199

43
HANIE E. COLE JR.
DB 897 - PG 569

39
GARY R. ERN & ROBERT A. ERN
DB 146 - PG 345
DB 717 - PG 649

45
NORTH CAROLINA
DEPT. OF TRANSPORTATION
DB 816 - PG 70
Second Tract



WETLAND MITIGATION SITE = 4,860 SF

WETLAND MITIGATION SITE = 25,100 SF

EXISTING PAVEMENT TO BE REMOVED BY OTHERS

DNOR CONSTRUCTION

FOR -L- PROFILE, SEE SHEET 52.0 AND 53.0
 FOR -Y19RB- PROFILE, SEE SHEET 61.0
 FOR -Y19RC- PROFILE, SEE SHEET 61.0
 FOR -SR6- PROFILE, SEE SHEET 74.0

SHUGGART SWAMP MATS
 (NO GRUBBING-HAND CLEARING ONLY)
 0.80 AC MATTED AREA
 0.08 AC ADDITIONAL HAND CLEARING

HC DENOTES HAND CLEARING
 HAND CLEARING REFERS TO MACHINE CLEARING WITH GRUBBING AT RERS ONLY. SEE DETAIL ON SHEET 12

-L-
 PIs Sta 447+39.56 PI Sta 463+60.53 PI Sta 479+08.45
 $\Delta = 1'00''00.0''$ $\Delta = 30'21''20.0''$ (RT) $\Delta = 1'00''00.0''$
 $L_s = 200.00'$ $D = 1'00''00.0''$ $L_s = 200.00'$
 $LT = 133.34'$ $L = 3.03556'$ $LT = 133.34'$
 $ST = 66.67'$ $T = 1.55431'$ $ST = 66.67'$
 $R = 5,729.58'$ $R = 1,432.39'$
 $Se = 0.04$
 $Ro = 200.00'$
 $Ds = 60$ MPH

LEE E. KNOTT, et al
 DB 517 - PG 22
 PC A - SLIDE 92A
 PC D - SLIDE 249
 First Tract
 5676-15-6269

FLATIRON/UNITED
 A JOINT VENTURE

EarthTech
 A Tyco International Ltd. Company

ENGLISH

PROJECT REFERENCE NO.	SHEET NO.
R-2510B	24.0

RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	

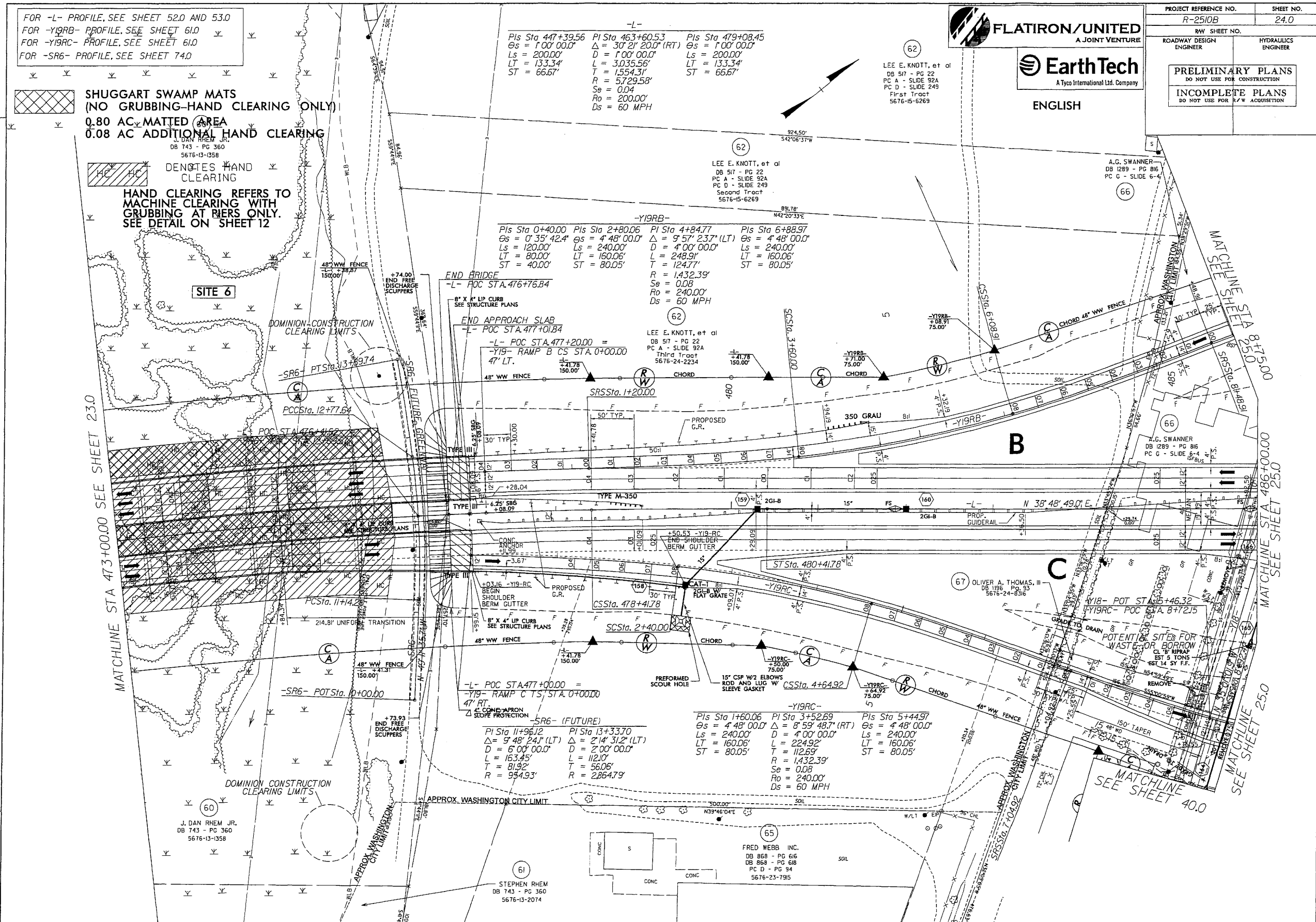
PRELIMINARY PLANS
 DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
 DO NOT USE FOR R/W ACQUISITION

REVISIONS

Revisions:

USED, REVISIONS
 DATE, REVISION
 TIME, REVISIONS
 DRAWN



MATCHLINE STA 473+00.00 SEE SHEET 23.0

MATCHLINE STA 817.50
 SEE SHEET 25.0

MATCHLINE STA 486+00.00
 SEE SHEET 25.0

MATCHLINE
 SEE SHEET 40.0

J. DAN RHEM, JR.
 DB 743 - PG 360
 5676-13-1358

STEPHEN RHEM
 DB 743 - PG 360
 5676-13-2074

FRED WEBB, INC.
 DB 868 - PG 616
 DB 868 - PG 618
 PC D - PG 94
 5676-23-1915

POTENTIAL SITES FOR WASTE OR BORROW
 CL. B RIPRAP
 EST. 5 TONS
 EST. 14 SY. F.F.
 REMOVE



PROJECT REFERENCE NO. R-2510B SHEET NO. 23.0

R/W SHEET NO. ROADWAY DESIGN ENGINEER HYDRAULICS ENGINEER

PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION

SHUGGART SWAMP MATS (NO GRUBBING-HAND CLEARING ONLY)
0.80 AC MATTED AREA
0.08 AC ADDITIONAL HAND CLEARING

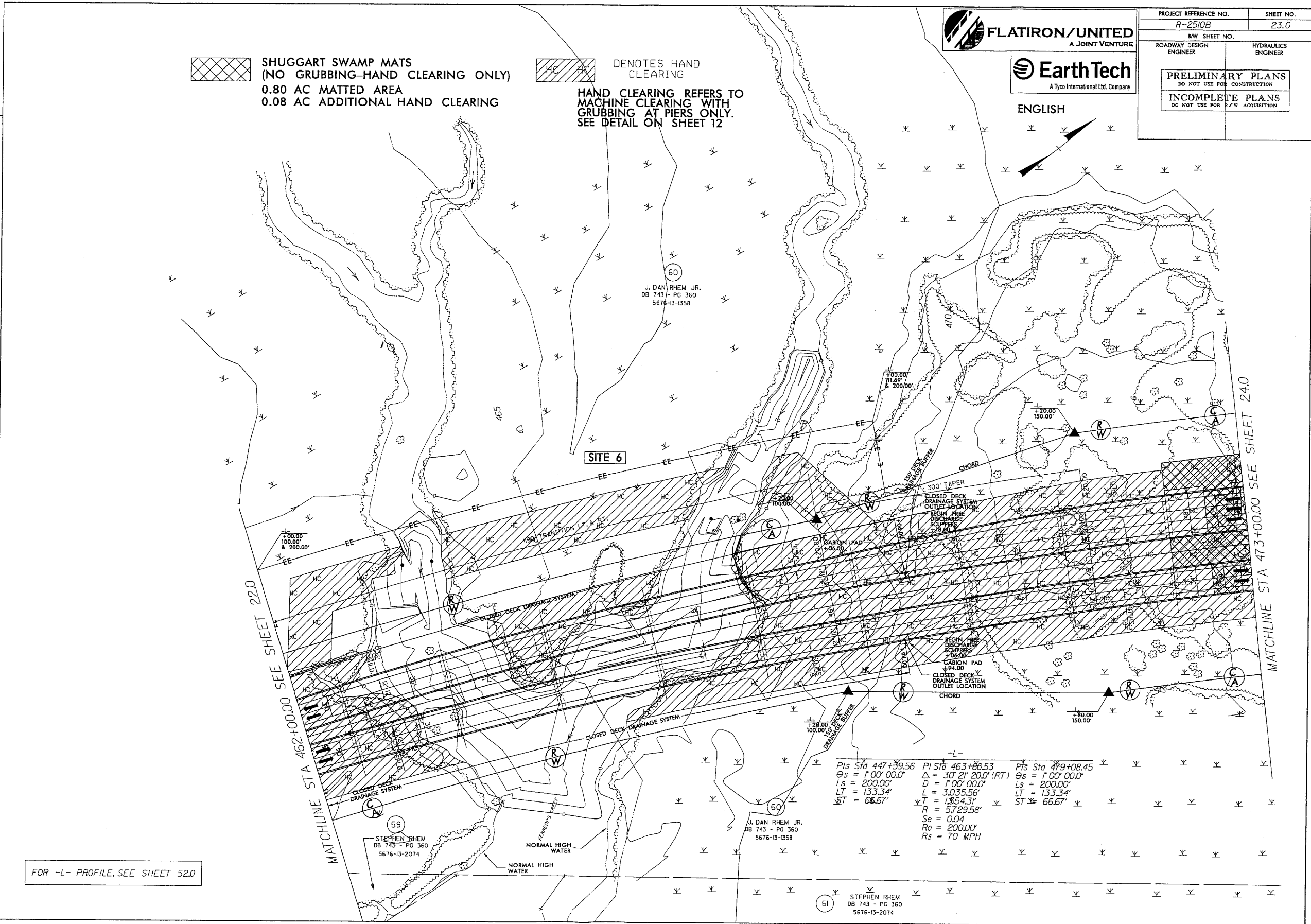
DENOTES HAND CLEARING
HAND CLEARING REFERS TO MACHINE CLEARING WITH GRUBBING AT PIERS ONLY. SEE DETAIL ON SHEET 12

ENGLISH

REVISIONS:

USER: #AUS1744
DATE: 11/11/13
TIME: 11:11 AM
DRAWN: #B202145

FOR -L- PROFILE, SEE SHEET 52.0



-L-		
PIs Sta 447+39.56	PI Sta 463+80.53	PIs Sta 479+08.45
$\theta_s = 1'00''00.0''$	$\Delta = 30'21''20.0''(RT)$	$\theta_s = 1'00''00.0''$
$L_s = 200.00'$	$D = 1'00''00.0''$	$L_s = 200.00'$
$LT = 133.34'$	$L = 3,035.56'$	$LT = 133.34'$
$\Delta T = 66.67'$	$R = 1,854.31'$	$ST \approx 66.67'$
	$r = 5.72958''$	
	$Se = 0.04$	
	$Ro = 200.00'$	
	$R_s = 70 \text{ MPH}$	

MATCHLINE STA 462+00.00 SEE SHEET 22.0

MATCHLINE STA 473+00.00 SEE SHEET 24.0

STEPHEN RHEM
DB 743 - PG 360
5676-13-2074

J. DAN RHEM JR.
DB 743 - PG 360
5676-13-1358

J. DAN RHEM JR.
DB 743 - PG 360
5676-13-1358

STEPHEN RHEM
DB 743 - PG 360
5676-13-2074